March 4, 2008

Ted Stocke, President
Trinity Development Group, LLC
717 Creedside Drive
Duluth, MN 55811

Re: Certified copy of Resolution 08-0167

Dear Mr. Stocke:

Enclosed is a certified copy of Resolution 08-0167 which was adopted by the Duluth City Council at their February 26, 2008, meeting entitled:

RESOLUTION TO AMEND A LOW DENSITY PLANNED DEVELOPMENT SPECIAL USE PERMIT FOR 27 TWO-UNIT TOWNHOMES ON 19 ACRES, LOCATED ALONG COFFEE CREEK BOULEVARD AND MOCHA WAY (TED STOCKE OF TRINITY DEVELOPMENT GROUP, LLC).

Sincerely,

[Signature]

MARTHA A. OSWALD
Assistant City Clerk

MAO:kj
enc 1
cc: Physical Planning
    Zoning Coordinator
The city council finds the following:

(a) Ted Stocke of Trinity Development Group, LLC, has submitted to the city council a request to amend an approved low density planned development special use permit on 19 acres of property legally described as follows:

In the proposed plat of Coffee Creek Division, Block 6, Lots 5-22; Block 7, Lots 1-6; Block 8, Lots 1-2; Block 9, Lots 1-14; Block 10, Lots 1-14; Outlot D, Outlot E, and Outlot K;

(b) The amendment to the approved special use permit consists primarily of substituting 27 one-story townhome buildings (each containing two dwelling units) for the previously approved 27 two-story buildings (each containing two dwelling units);

(c) Said permit application was duly referred to the city planning commission for a study, report and public hearing held during the regular meeting on Tuesday, February 12, 2008, and the commission has subsequently reported its recommendation of conditional approval to the city council;

(d) The applicant’s compliance with conditions set out in this permitting resolution will adequately protect the comprehensive plan and conserve and protect property values in the neighborhood and comply with City Code Section 50-32 (reference Planning Commission File No. 08003);

NOW, THEREFORE, BE IT RESOLVED, that a special use permit amendment is hereby granted to Ted Stocke and Trinity Development Group, LLC, for ten acres of housing (54 units in 27 two-unit buildings), 4.5 acres of open space and 4.5 acres of street rights-of-way and stormwater ponds on 19 acres of property located along Coffee Creek Boulevard and Mocha Way between Trinity Road and Java Lane, with the following terms and conditions:

(a) That the project be limited to, developed and maintained according to plans entitled, “Coffee Creek Park Development, LDPD Site Plan,” and typical lot plans illustrated with the following documents: “Coffee Creek Park Development, Block 7 - Lots 1 and 2 - Grading Plan,” “Coffee Creek Park Development, Block 9 - Lots 5 and 6 - Grading Plan,” “Coffee Creek Park Development, Block 10 - Lots 13 and 14 - Grading Plan” all as submitted by MSA Professional Services, dated January 11, 2008, and identified as Public Document No. 08-0226-25;
(b) That the project secure necessary building, grading, erosion control and stormwater management permits from the city and Minnesota pollution control agency.

Resolution 08-0167 was unanimously adopted.

Approved February 26, 2008

DON NESS, Mayor

I, JEFFREY J. COX, city clerk of the city of Duluth, Minnesota, do hereby certify that I have compared the foregoing resolution passed by the city council on the 26th day of February, 2008, with the original in my custody as city clerk of said city, and that the same is a true and correct transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said city of Duluth, this 29th day of February, 2008.

JEFFREY J. COX
City Clerk

by
Assistant
CITY OF DULUTH, MINNESOTA
GRADING PLAN
BLOCK 9 LOTS 5&6

SITE LANDSCAPING NOTES:
1. TREES OR SHRUBS SHALL BE PROVIDED WITHIN ALL BUILDING SET BACK AREAS, WHERE PRACTICAL, EXISTING TREES AND VEGETATION SHALL BE PRESENTED.
2. PLANT BOULEVARD TREES WITH 4'-6' MAX SPACING.
3. PROVIDE SHADE TREES ADEQUATE TO PARKING AREAS AT 12' MAX SPACING (MIN. 3' TRUNK DIAMETER).
4. STORAGE AREAS FOR INTUITE SHALL BE SCREENED WITH WOOD, BICK OR STONE FENCES.

ABBREVIATIONS:
FB = FULL BASEMENT
GL = GARDEN LEVEL
WG = WALKOUT
SOG = SLAB ON GRADE
RTW = RETAINING WALL

ORNAMENTAL TREE, TYP.

CONCRETE DRIVEWAY SURFACE, TYP.

CONCRETE SIDEWALK

SIDE VIEW - GARDEN LEVEL

FRONT VIEW - GARDEN LEVEL

REAR VIEW - GARDEN LEVEL