

## **Sixteenth Amendment to the Regulating Plan (Approved May 24<sup>th</sup>, 2012)**

BlueStone Commons, LLC  
Village Center Development, LLC  
Woodland Commons, LLC

June 21, 2019

### **1. Purpose**

This amendment is for the purpose of updating the BlueStone Regulating Plan approved May 24, 2012, amended by that certain First Amendment dated August 27, 2012, that certain Second Amendment dated December 21, 2012, that certain Third Amendment dated June 19, 2013, that certain Fourth Amendment dated June 5, 2014 and that certain Fifth Amendment dated September 30, 2014, that certain Sixth Amendment dated October 3, 2014, that certain Seventh Amendment dated March 18, 2015, that certain Eighth Amendment dated May 27, 2015, that certain Ninth Amendment dated May 27, 2015, that certain Tenth Amendment dated May 27, 2015, that certain Eleventh Amendment dated August 12, 2015, that certain Twelfth Amendment dated May 10, 2016, that certain Thirteenth Amendment dated December 15, 2016, that certain Fourteenth Amendment dated February 9, 2017, and that certain Fifteenth Amendment dated April 5, 2019 and as ratified by City of Duluth Ordinance No. 10271 dated December 16, 2013 (collectively, the “Regulating Plan”) to incorporate completed phases and updated site plans.

The Applicant desires to update the Regulating Plan for the purposes of: (1) clarifying the definition of “Accessory use or structure” as described in the Unified Development Chapter 50-41 of the City of Duluth Legislative Code; and (2) modifying the building setback requirements for Tracts T, U, V, and W, as initially defined in the Regulating Plan.

### **2. Amendments to the Regulating Plan**

The following shall amend, supplement, and update the original phasing and site plan included in the Regulating Plan, as amended:

- a. For the purposes of Tract T, U, V, and W, the Unified Development Chapter 50-41, “Accessory use or structure” shall include the use of a parking lot (also known as a surface lot) as defined in the Unified Development Chapter 50-41 and required under the Unified Development Chapter 50-14.7(G)(9).
- b. The attached Exhibit A shall depict the Vue at BlueStone parking lot (surface lot) plan which is approved for construction.
- c. The Building Setback requirements for Tract T, U, V, and W, shall be amended and restated as follows:

#### **Tract T**

1. Front Yard: (SE) 20 feet
2. Side Yard: (NE) 0 feet
3. Side Yard: (SW) 0 feet
4. Rear Yard: (NW) 0 feet

**Tract U**

1. Front Yard: (SE) 20 feet
2. Side Yard: (NE) 0 feet
3. Side Yard: (SW) 0 feet
4. Rear Yard: (NW) 0 feet

**Tract V**

1. Front Yard: (SE) 20 feet
2. Side Yard: (NE) 0 feet
3. Side Yard: (SW) 0 feet
4. Rear Yard: (NW) 0 feet

**Tract W**

1. Front Yard: (SE) 20 feet
2. Side Yard: (NE) 0 feet
3. Side Yard: (SW) 0 feet
4. Rear Yard: (NW) 0 feet

**3. Authority**

The alterations do not alter major elements of the approved Regulating Plan and do not constitute a variance from the provisions of Chapter 50 of the Unified Development Chapter.

**BlueStone Commons, LLC**, a Minnesota limited liability company

  
\_\_\_\_\_  
By: Mark W. Lambert  
Its: Chief Manager

**Village Center Development, LLC**, a Minnesota limited liability company

  
\_\_\_\_\_  
By: Mark W. Lambert  
Its: Chief Manager

**Woodland Commons, LLC**, a Minnesota limited liability company

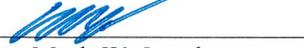
  
\_\_\_\_\_  
By: Mark W. Lambert  
Its: Chief Manager

**Vue at BlueStone, LLC**, a Minnesota limited liability company

  
\_\_\_\_\_  
By: Mark W. Lambert

Its: Chief Manager

**Shops at BlueStone IV, LLC**, a  
Minnesota limited liability company

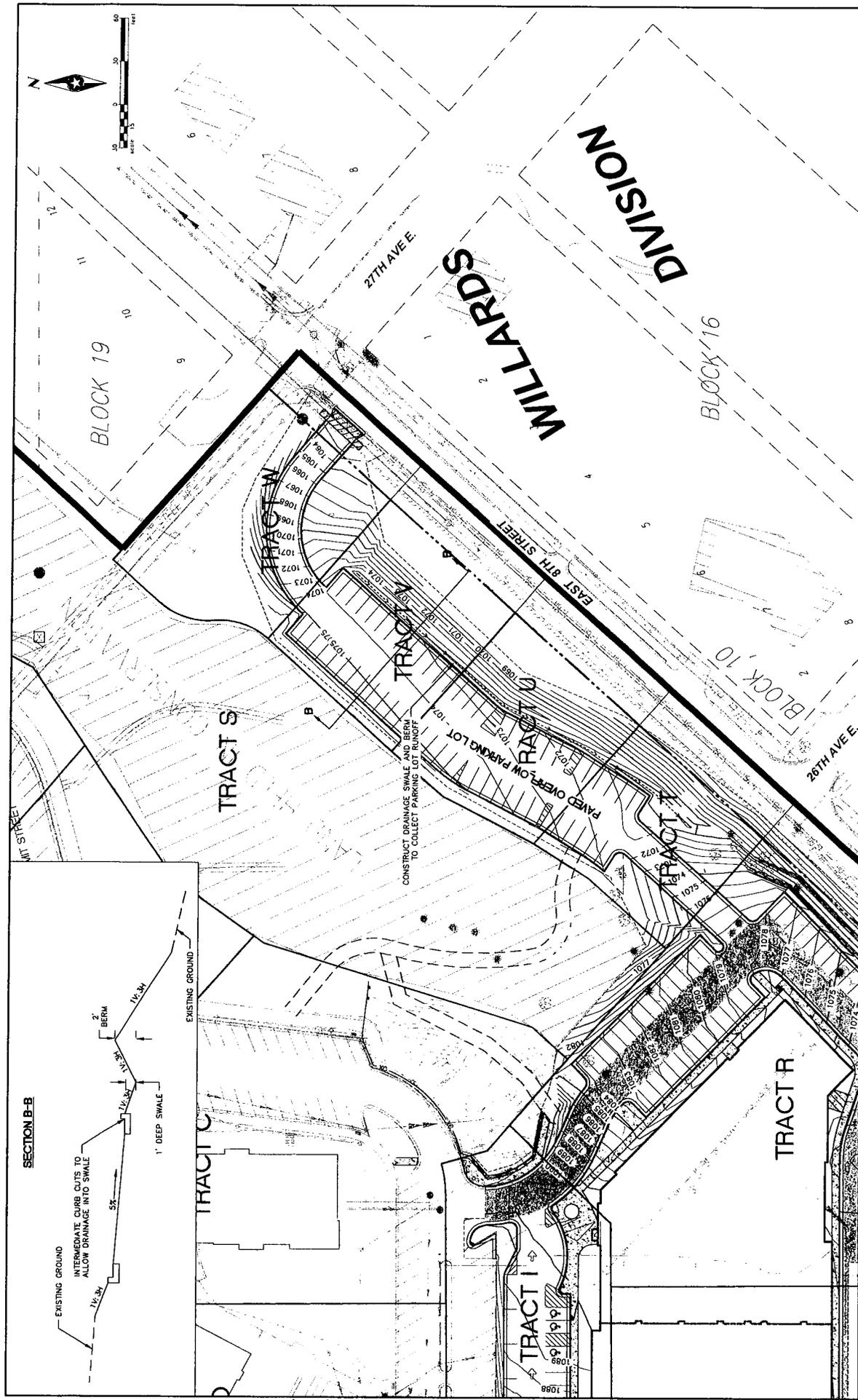
  
\_\_\_\_\_  
By: Mark W. Lambert  
Its: Chief Manager

By order of the City Planning and Land Use Supervisor

\_\_\_\_\_  
  
\_\_\_\_\_  
, Land Use Supervisor  
Keith Hamre, Director of Planning and Construction Services

**EXHIBIT A**

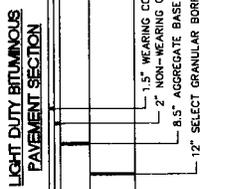
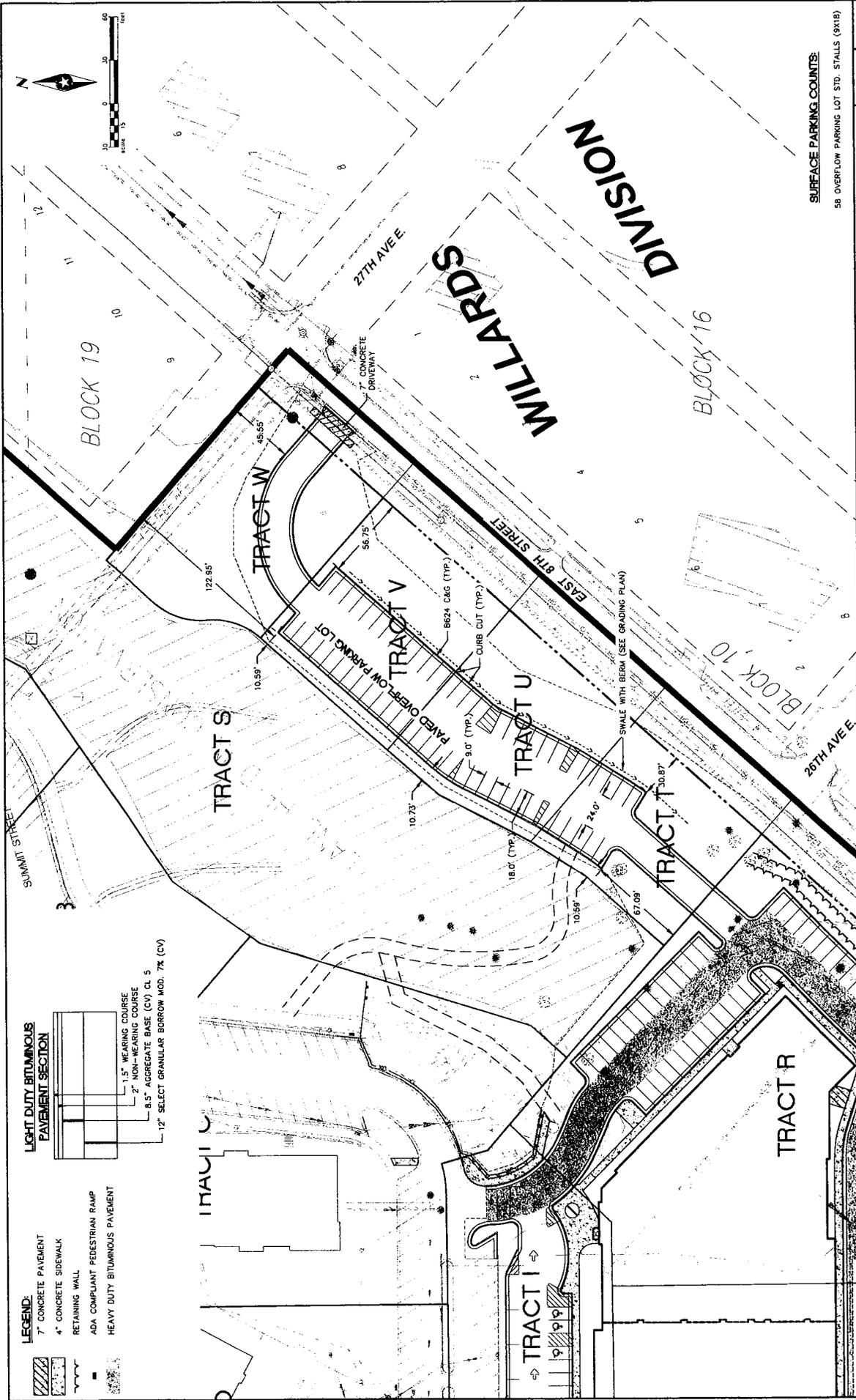
**[See attached overflow parking lot grading plan and over flow parking lot layout plan]**



DRAWN BY: _____ DESIGNER: _____ CHECKED BY: _____ DESIGN TEAM		PHONE: 518.218.1000 418 W. SUPERIOR ST. 317.200 DULUTH, MN 55812	BLUESTONE DULUTH, MINNESOTA	OVERFLOW PARKING LOT GRADING PLAN	EXHIBIT A Page 1
		FILE NO. BLUST 120745	EXH. NO. 2		

**BLUESTONE VUE (PRELIMINARY CONSTRUCTION PLANS)**

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- LEGEND:**
- 7" CONCRETE PAVEMENT
  - 4" CONCRETE SIDEWALK
  - RETAINING WALL
  - ADA COMPLIANT PEDESTRIAN RAMP
  - HEAVY DUTY BITUMINOUS PAVEMENT

- 1.5" WEARING COURSE
- 2" NON-WEARING COURSE
- 8.5" AGGREGATE BASE (CV) CL 5
- 12" SELECT GRANULAR BORROW MOD. 7% (CV)

PHONE: 218.279.3000 418 W. SUPERIOR ST. STE. 200 DULUTH, MN 55812 WWW.SEH-PAVING.COM		<b>BLUESTONE</b> DULUTH, MINNESOTA	OVERFLOW PARKING LOT LAYOUT PLAN	EXH. NO. BLUST 10094S EXHIBIT Page 2	EXH. 1
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**BLUESTONE VUE (PRELIMINARY CONSTRUCTION PLANS)**

DRAWN BY: [ ]  
 DESIGNER: [ ]  
 CHECKED BY: [ ]  
 DESIGN TEAM

**SURFACE PARKING COUNTS:**  
 58 OVERFLOW PARKING LOT STD. STALLS (9X18)

S:\VC\BLUST\120755\5-Drawings\10-Civil\Bluestone\lets\3\dwg\Embld\Phase-3-9\BL120755 (3) - Parking Lot Layout.dwg 6/17/2019 2:07 PM kgandring