

MU-P Regulating Plan

Duluth, MN

December 18, 2023

Incline Plaza Development, LLC



DSGW Architects

2 W 1st St. Suite 201, Duluth, MN 55802

Approval

Sign

A handwritten signature in black ink, appearing to read 'ADK 12', is written over a horizontal line.

Date

A handwritten date '1/2/2023' is written in black ink over a horizontal line.

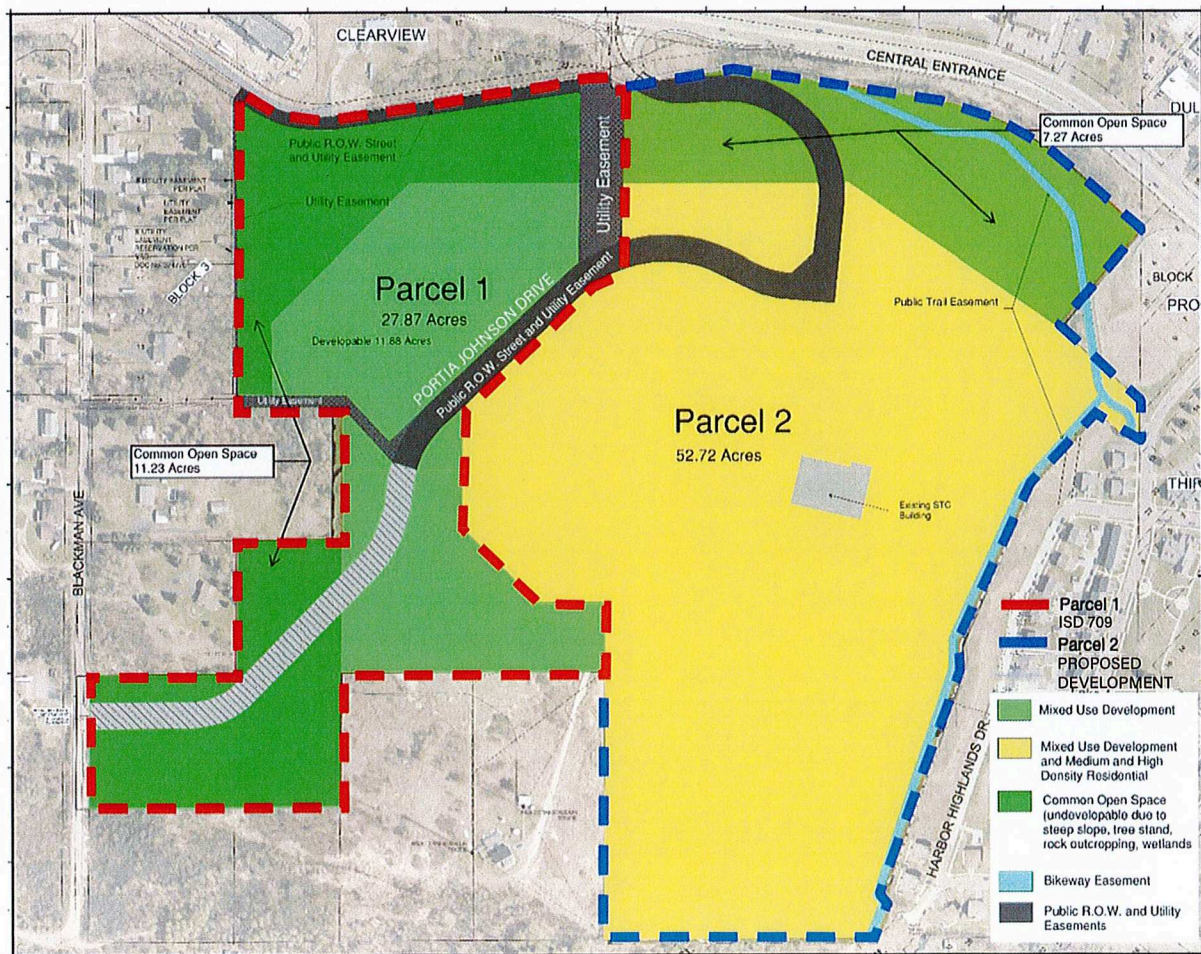
It is understood that, as required by Minn. Rules section 4410.310, this Regulating Plan will be amended if the Alternative Urban Areawide Review (AUAR) requires the alteration of preliminary redevelopment concepts in order to avoid or minimize potential significant environmental effects.

Site History

On July 14, 2014, the City Council adopted Ordinance 10314 rezoning from MU-B to MU-P the former Central High School site (Parcel 1 and 2 below) and establishing a Concept Plan.

In 2021, the 2014 Concept Plan was modified by Ordinance 10754 approved by City Council 8/16/2021 (PL21-069) that resulted in dividing the school district property into two "parcels." (see below and Plat on Page 4). A Regulating Plan for 19 Acres of Parcel 1 was submitted for approval 2/16/2022 and much of Parcel 1 has been developed by ISD 709 for district offices, bus garage, and a facilities building. Parcel 2 was sold to Incline Plaza Development, LLC in 2023. Prior to sale of the parcel, ISD 709 had all of Parcel 1 and 2 platted as Central Overlook Division (Planning Commission approval 11/9/2021, PL21-174)

Development map as amended in 2021



Parcel 1

| | |
|--|--------------------|
| Gross Acres | 27.87 Acres |
| Developable Acres | 11.88 Acres |
| R.O.W. or Easement | 4.76 Acres |
| Common Open (Passive) Space | 11.23 Acres |
| (undevelopable due to steep slope, tree stand, rock outcropping, wetlands) | |

Parcel 2

Parcel 2 was subdivided into two parcels in 2023 as follows (see site map for boundaries)

Block 1 , Lot 2

| | |
|-------------|-------------------|
| Gross Acres | 3.01 Acres |
|-------------|-------------------|

Block 1, Lot 3

| | |
|-------------|--------------------|
| Gross Acres | 44.86 Acres |
|-------------|--------------------|

Block 2, Lot 1

| | |
|-------------|-------------------|
| Gross Acres | 0.59 Acres |
|-------------|-------------------|

| | |
|-------|--------------------|
| TOTAL | 48.46 Acres |
|-------|--------------------|

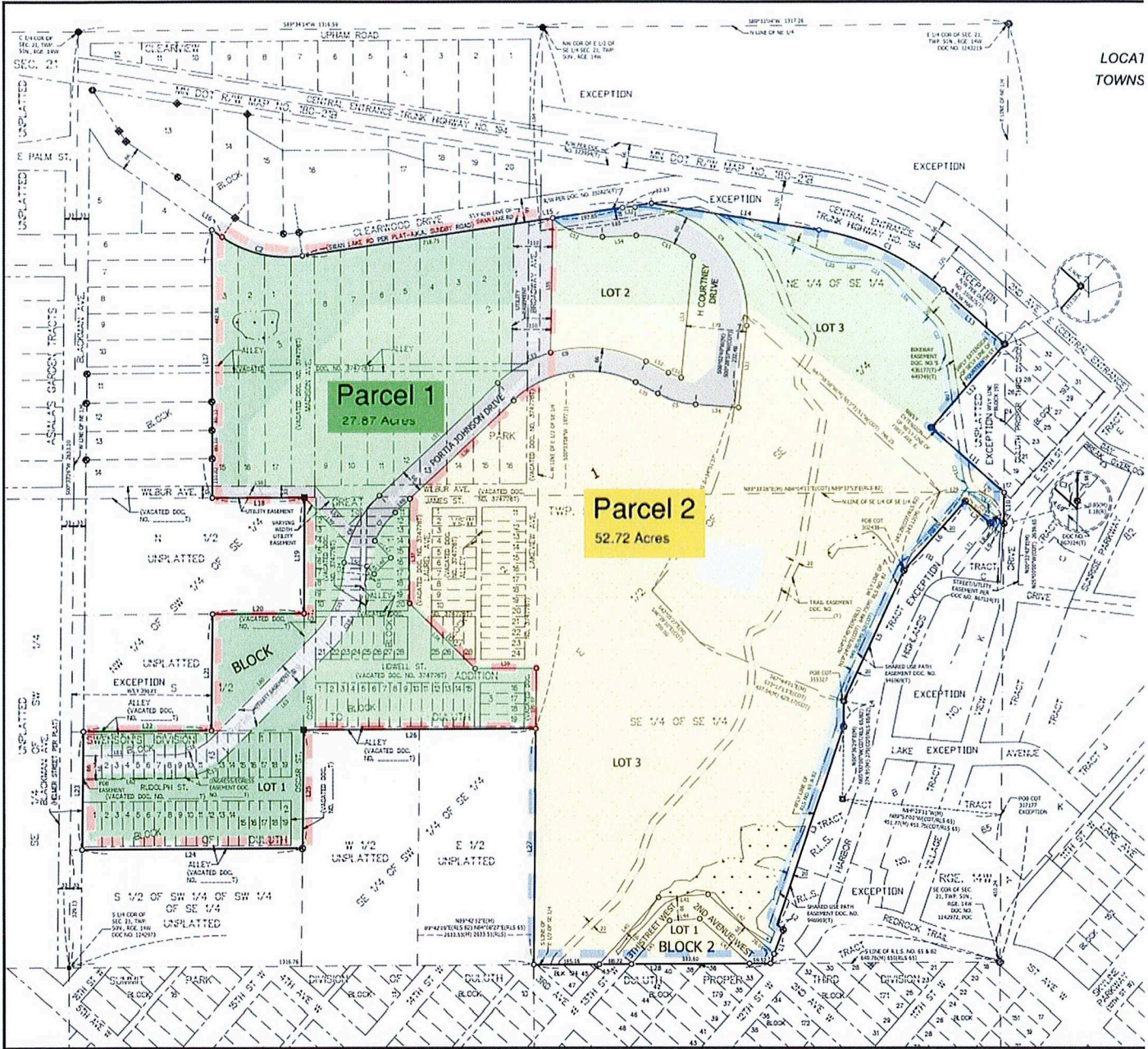
(does not include ROW)

| | |
|-------------------|-------------|
| Developable Acres | 41.19 Acres |
|-------------------|-------------|

| | |
|--------------------|------------|
| R.O.W. or Easement | 4.26 Acres |
|--------------------|------------|

| | |
|--------------------------------------|------------|
| Common Open (Active) Space (Bikeway) | 7.27 Acres |
|--------------------------------------|------------|

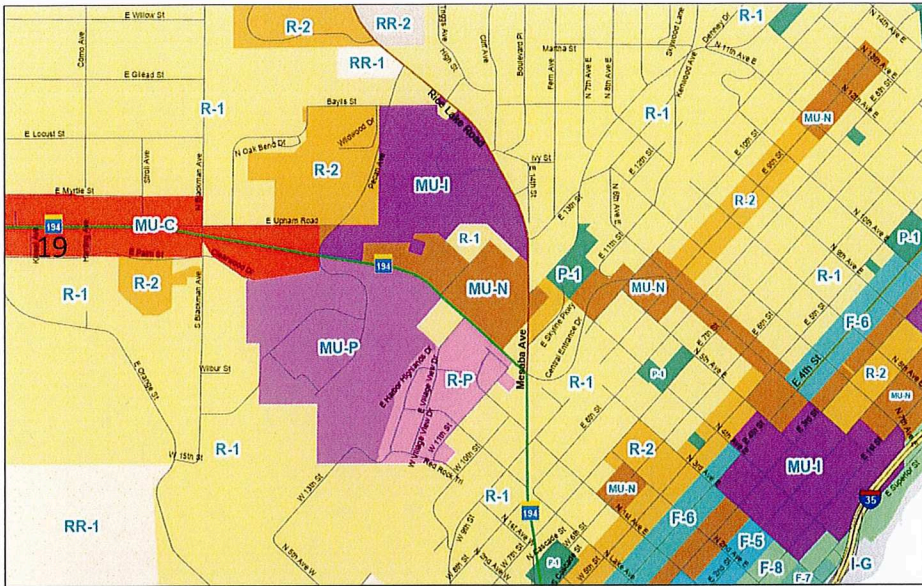
| | |
|---|--------------------|
| Developable Acres + ROW + Common Open = | 52.72 Acres |
|---|--------------------|



Site Zoning Map

Below is the site zoning map showing the MU-P.

Community Planning



November 9, 2023

Dashed Street
 Interstate
 MN Highway
 Clear Creek
 Loc

Zoning
 F-3 (Mid-Rise Community Shopping and Office)
 F-5 (Mid-Rise Neighborhood Shopping)
 F-6 (Mid-Rise Office)
 F-7 (Office)
 F-8 (Office)
 F-9 (Office)
 F-10 (Office)
 F-11 (Office)
 F-12 (Office)
 F-13 (Office)
 F-14 (Office)
 F-15 (Office)
 F-16 (Office)
 F-17 (Office)
 F-18 (Office)
 F-19 (Office)
 F-20 (Office)

RR-1 (Rural Residential 1)
 RR-2 (Rural Residential 2)
 R-1 (Residential Single-Family)
 R-2 (Residential Single-Family)
 R-3 (Residential Single-Family)
 R-4 (Residential Single-Family)
 R-5 (Residential Single-Family)
 R-6 (Residential Single-Family)
 R-7 (Residential Single-Family)
 R-8 (Residential Single-Family)
 R-9 (Residential Single-Family)
 R-10 (Residential Single-Family)
 R-11 (Residential Single-Family)
 R-12 (Residential Single-Family)
 R-13 (Residential Single-Family)
 R-14 (Residential Single-Family)
 R-15 (Residential Single-Family)

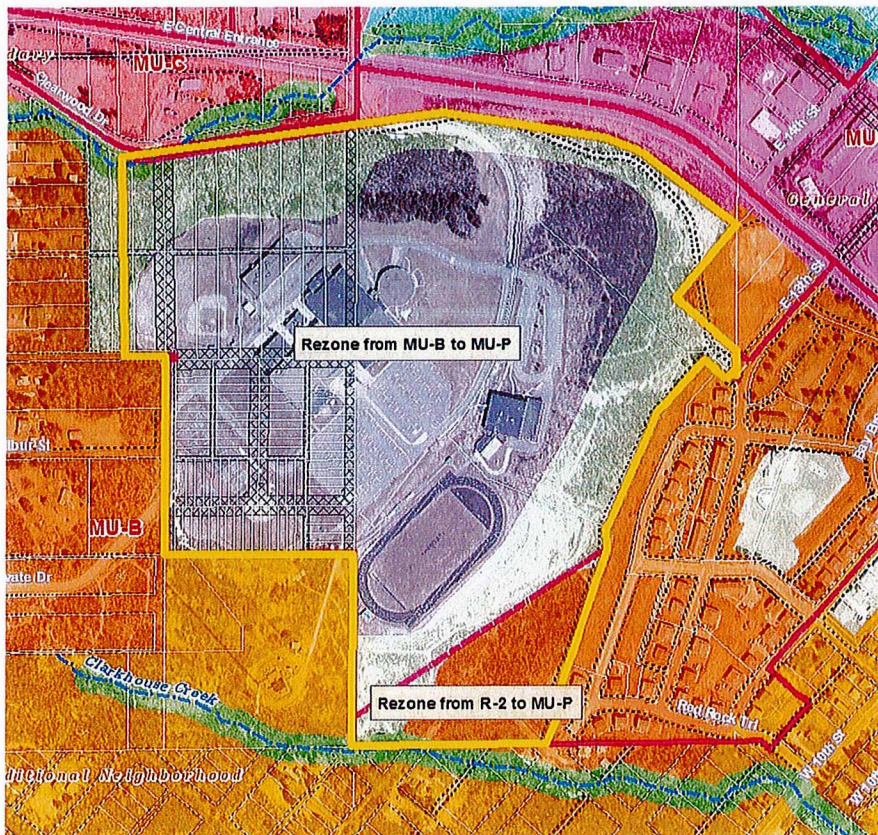
MU-B (Mixed Use Neighborhood)
 MU-C (Mixed Use Community Shopping and Office)
 MU-D (Mixed Use Institutional)
 MU-E (Mixed Use Neighborhood)
 MU-F (Mixed Use Neighborhood)
 MU-G (Mixed Use Neighborhood)
 MU-H (Mixed Use Neighborhood)
 MU-I (Mixed Use Neighborhood)
 MU-J (Mixed Use Neighborhood)
 MU-K (Mixed Use Neighborhood)
 MU-L (Mixed Use Neighborhood)
 MU-M (Mixed Use Neighborhood)
 MU-N (Mixed Use Neighborhood)
 MU-O (Mixed Use Neighborhood)
 MU-P (Mixed Use Planned)
 MU-Q (Mixed Use Neighborhood)
 MU-R (Mixed Use Neighborhood)
 MU-S (Mixed Use Neighborhood)
 MU-T (Mixed Use Neighborhood)
 MU-U (Mixed Use Neighborhood)
 MU-V (Mixed Use Neighborhood)
 MU-W (Mixed Use Neighborhood)
 MU-X (Mixed Use Neighborhood)
 MU-Y (Mixed Use Neighborhood)
 MU-Z (Mixed Use Neighborhood)

P-1 (Professional Office)
 P-2 (Professional Office)
 P-3 (Professional Office)
 P-4 (Professional Office)
 P-5 (Professional Office)
 P-6 (Professional Office)
 P-7 (Professional Office)
 P-8 (Professional Office)
 P-9 (Professional Office)
 P-10 (Professional Office)
 P-11 (Professional Office)
 P-12 (Professional Office)
 P-13 (Professional Office)
 P-14 (Professional Office)
 P-15 (Professional Office)

I-G (Industrial General)
 I-1 (Industrial General)
 I-2 (Industrial General)
 I-3 (Industrial General)
 I-4 (Industrial General)
 I-5 (Industrial General)
 I-6 (Industrial General)
 I-7 (Industrial General)
 I-8 (Industrial General)
 I-9 (Industrial General)
 I-10 (Industrial General)

0 0.1 0.2 0.4 mi
 0 0.15 0.3 0.6 km

City of Duluth, MN, Mayor

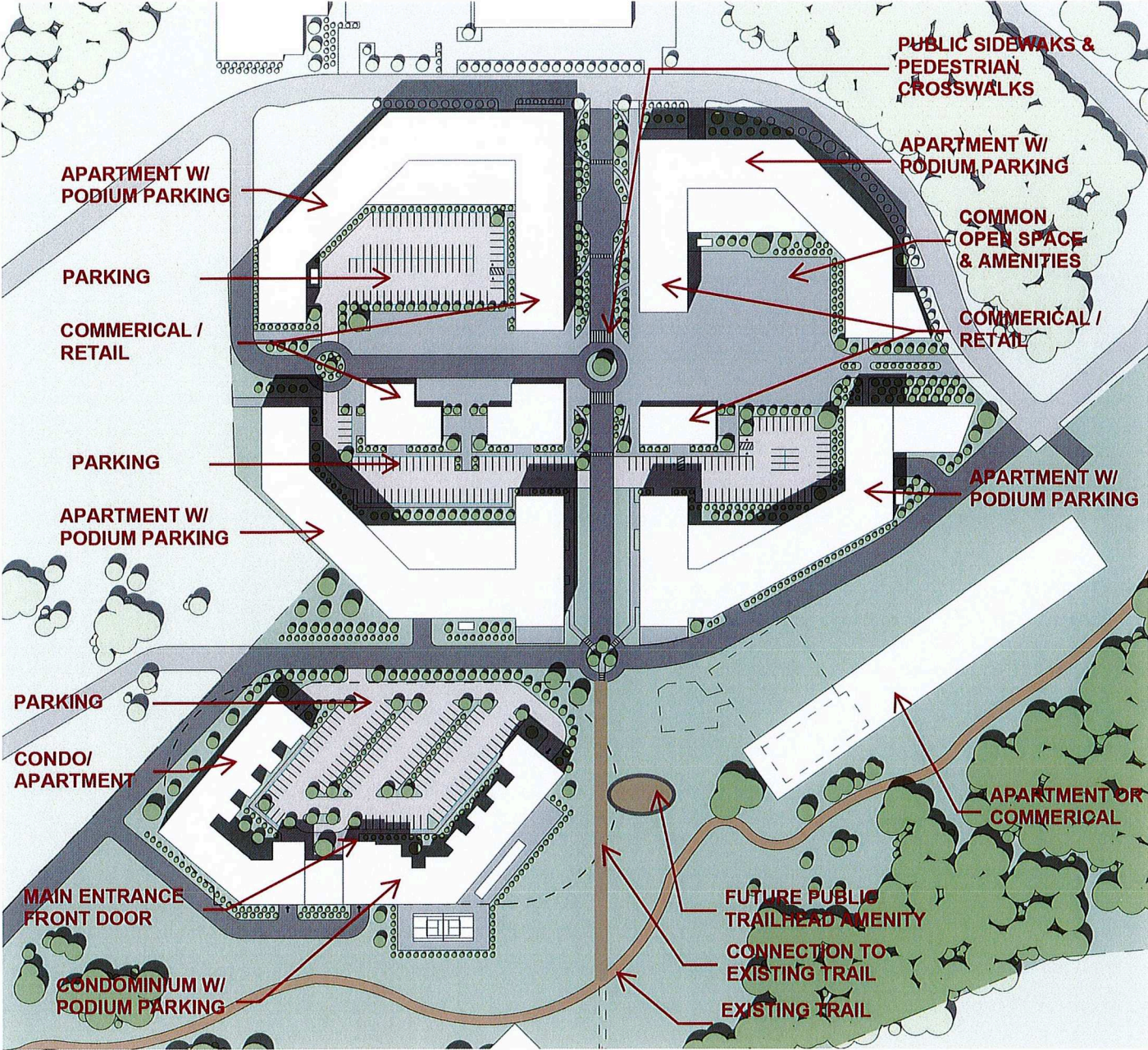


General Layout

Below is a general layout of development areas and building parcels. All regulation and code related items are included in the following pages.

Please note, if any code-related item is not specifically called out in the following pages, it is assumed that the code-related item will comply with the City of Duluth's UDC. All signage and

site lighting will comply with the UDC standards. All landscaping, including parking lot landscaping, will also be in accordance with UDC standards.

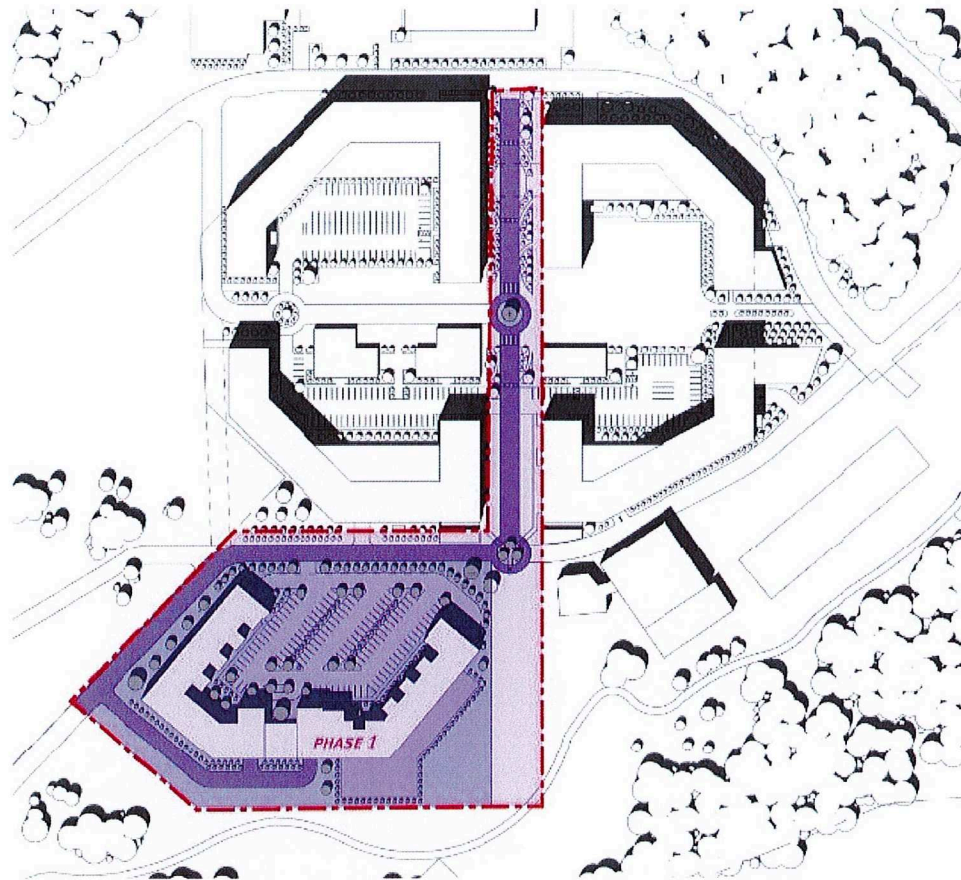


Phasing Plan

PHASE 1

Lot-1; North/South Private Road; Public Utility Infrastructure & Easements
Project Design: JAN 2024 to MAR 2024

Bidding: APR 2024
Construction: MAY 2024 – AUG 2025
Move in: SEP 2025



FUTURE PHASES

Lot-2 THROUGH 7

See page 10 for Lot Locations. Future phases to be determined.

Traffic Impact Analysis

A traffic impact analysis is being prepared by Stantec in consultation with MnDOT, City and County traffic engineers to be completed in early 2024. The map below shows intersections being studied. The final traffic impact analysis will guide strategies for future anticipated phased development and will be submitted as an addendum(s) to this Regulating Plan. Existing signalized intersection at H. Courtney Dr. and Pecan Ave at Central Entrance will remain in place and can accommodate the expected traffic flow for first phase volumes.

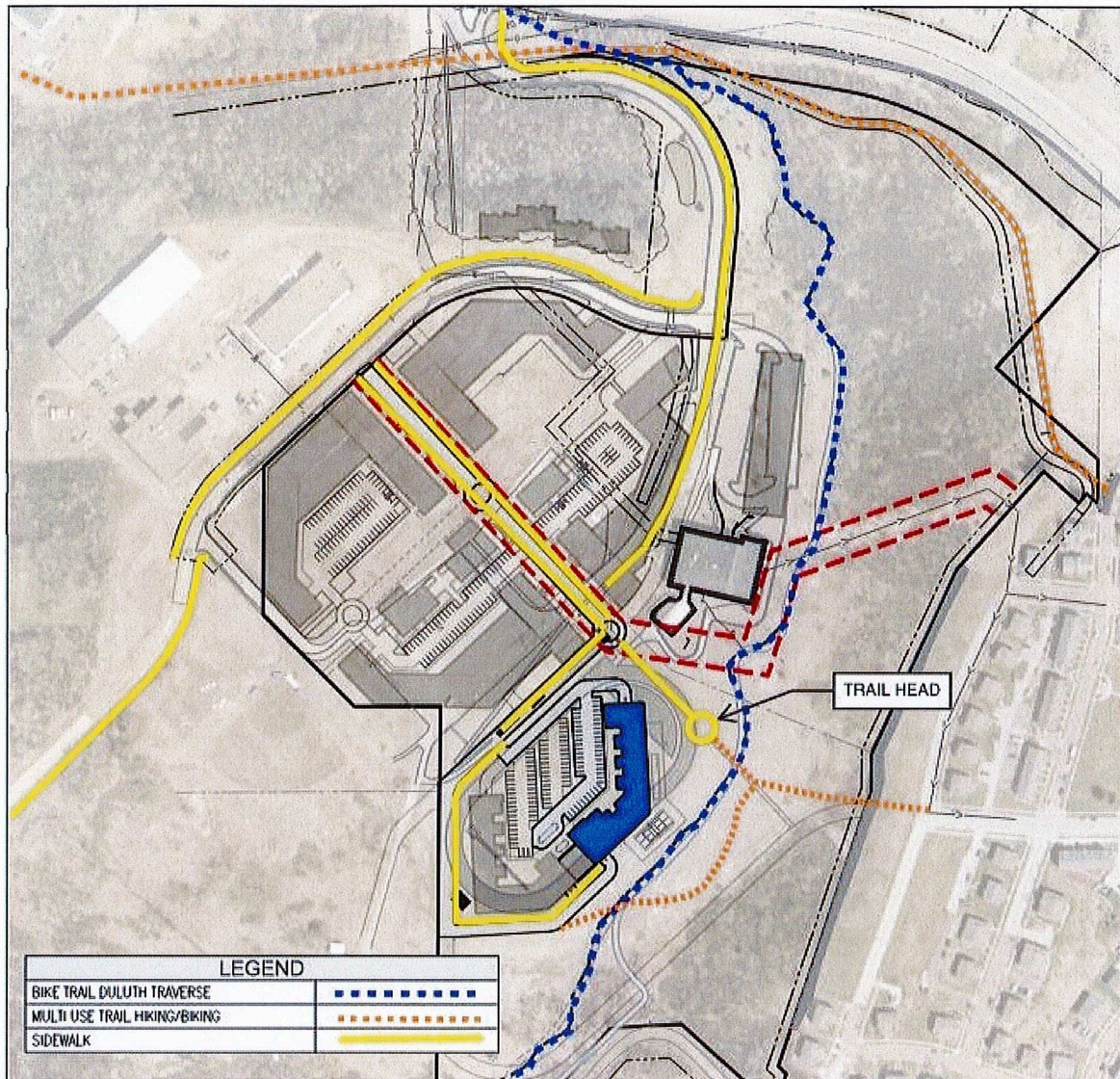


Circulation Plan

Below is a circulation plan for the Central property. The MU-P has one public road H. Courtney Drive, that connects Central Entrance to Portia Johnson Drive. Parcel-2 will be accessed via private roadways, with connections into the public road. Phase 1 traffic will enter the site from Central Entrance with the Blackman Avenue entrance being used for emergency access. Roads will be asphalt pavement with concrete curb and gutter.

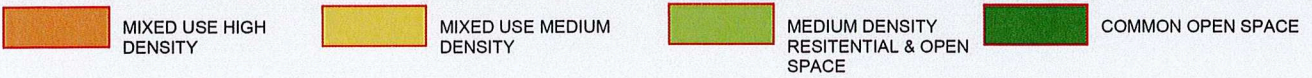
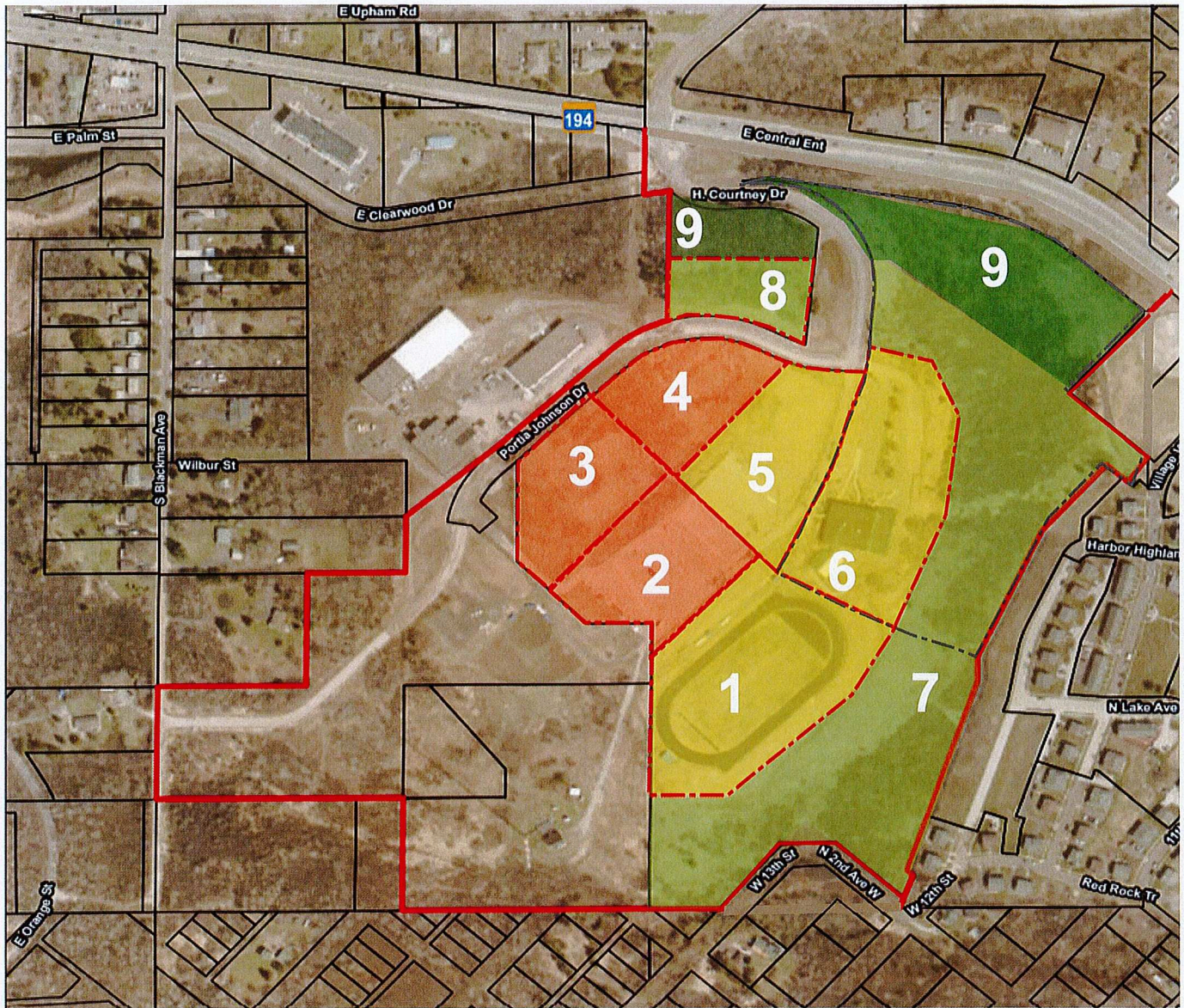
A bike path easement runs from the Harbor Highlands neighborhood along the northern side of the site alongside Central Entrance. Provide a paved multi-use path between the project and the Harbor Highlands neighborhood. Public sidewalks follow the public road leading from Central Entrance and will be publicly maintained though snow removal will remain the responsibility of the adjacent landowners. Sidewalks within Parcel-2 will be owned and maintained by the Property Owner. Sidewalks will be created on both sides of all streets within Parcel 2 with convenient connections to building entrances. Exterior site bike parking will be

provided convenient to buildings and site amenities. Indoor bike parking will be provided for residents. A trail head will provide public access to the existing Duluth Traverse.



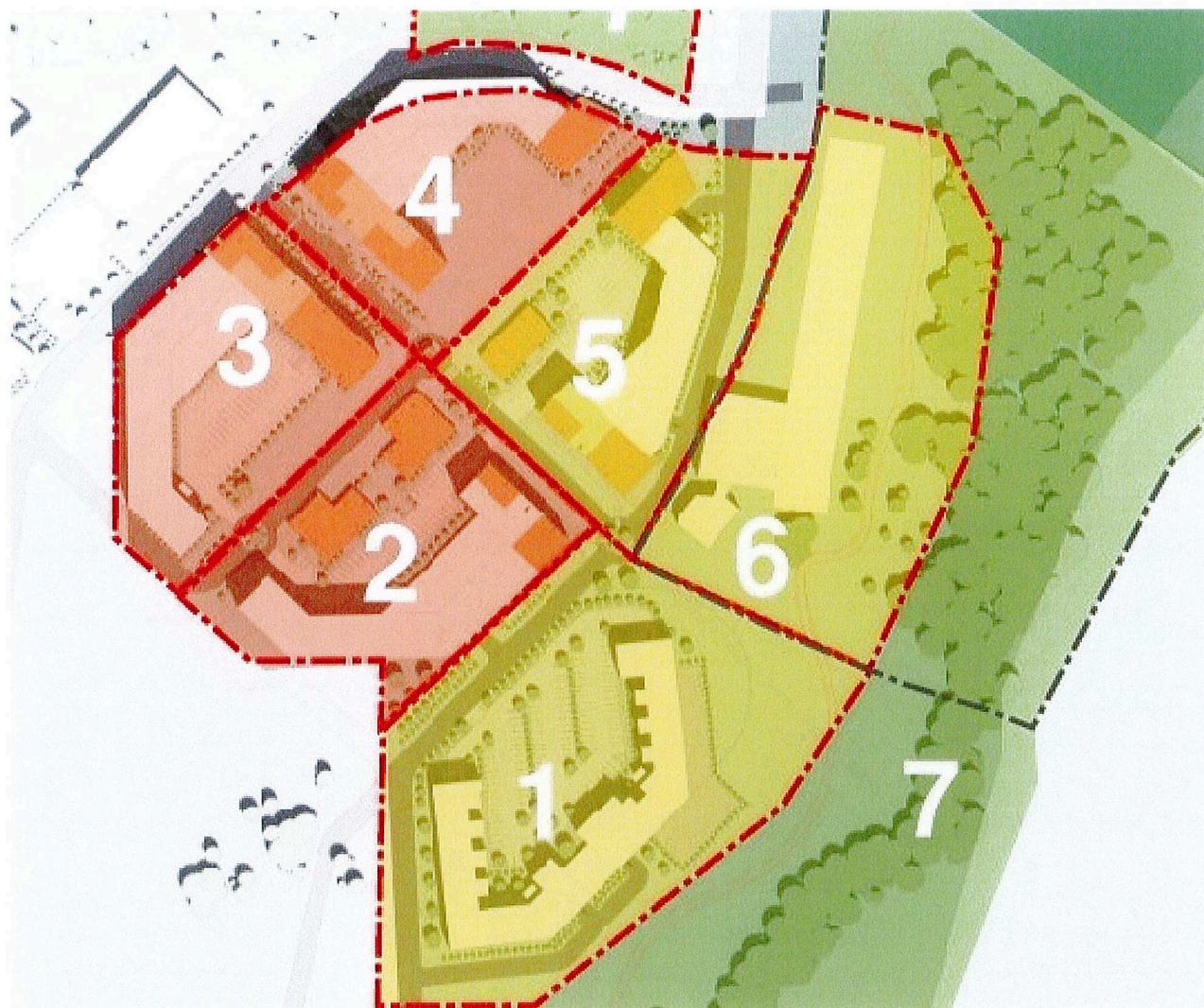
Dimensional Standards and Maximum Density

Parcels and Uses

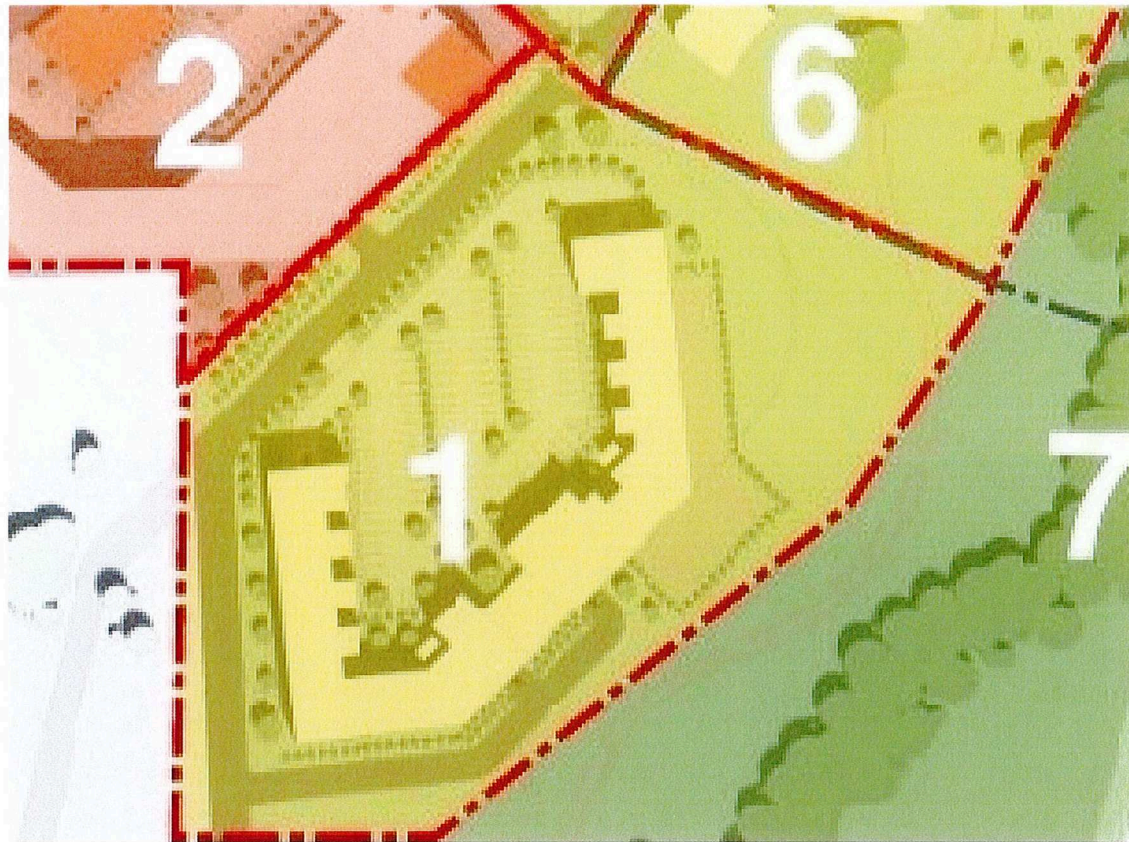


Dimensional Standards and Maximum Density

Parcels and Uses Overlay on Project Development



Dimensional Standards and Maximum Density
Parcels and Uses Overlay on Project Development



| Parcel | Gross Acres | Open/Green Space | Net Dev Acres | Permitted Uses | Maximum Density | | Max. Height | Building Setback | |
|--------|-------------|------------------|---------------|----------------|-----------------|-----------|---------------------------|------------------|--------------------------------|
| | | | | | Type | Quantity | | Type | Structure Setbacks min. (feet) |
| 1 | 6.31 | 1.53 | 4.78 | Mixed Use | Commercial | 10,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 140 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |

Dimensional Standards and Maximum Density

| Parcel | Gross Acres | Open/Green Space | Net Dev Acres | Permitted Uses | Maximum Density | | Max. Height | Building Setback | |
|--------|-------------|------------------|---------------|-----------------------|-----------------|-----------|---------------------------|------------------|--------------------------------|
| | | | | | Type | Quantity | | Type | Structure Setbacks min. (feet) |
| 2 | 3.33 | 0.83 | 2.5 | Mixed Use | Commercial | 20,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 220 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 3 | 2.96 | 0.74 | 2.22 | Mixed Use | Commercial | 20,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 220 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 4 | 3.03 | 0.75 | 2.28 | Mixed Use | Commercial | 20,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 220 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 5 | 3.67 | 0.91 | 2.76 | Mixed Use | Commercial | 20,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 220 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 6 | 5.23 | 1.3 | 3.93 | Mixed Use | Commercial | 40,000 sf | 72 ft/ 5 stories/2 podium | Front | 0 |
| | | | | | Multi-Family | 220 Units | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 7 | 16.29 | 6.52 | 9.77 | Residential | Townhouse | 50 Units | 48 ft | Front | 0 |
| | | | | | | | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 8 | 1.72 | 0.65 | 1.07 | Residential | Townhouse | 50 Units | 48 ft | Front | 0 |
| | | | | | | | | Side | 0 |
| | | | | | | | | Rear | 0 |
| 9 | 6.76 | 6.76 | 0 | Open Space & Easement | | | 0ft | Front | 0 |
| | | | | | | | | Side | 0 |
| | | | | | | | | Rear | 0 |

52.72

Permitted Uses

Following Uses permitted in Parcels 1-6

Household Living

- Multi Family
- Live work
- Two-family Dwelling and Townhouse

Community and Cultural Facilities

- Bus or rail transit station
- University or College
- Government or Public Safety Building
- Museum, library or art gallery
- Park, playground or forest reserve
- Religious assembly (less than 50,000 sq. ft.)
- Club /Lodge

Educational Facilities

- Business, art or vocational school

Health Care Facilities

- Medical or dental clinic
- Residential Care Facility

Agriculture and Animal related

- Agriculture, urban
- Veterinary or animal hospital
- Farmers Market
- Community Garden

Food Beverage and Indoor Entertainment

- Convention or event center
- Indoor entertainment facility
- Restaurant (less than 5,000 sq. ft.)
- Theater
- Restaurant (5,000 sq. ft. or more)

Lodging

- Hotel or Motel
- Bed and Breakfast

Offices

- Bank
- Offices
- Parking Structure

Personal Services

- Preschool
- Daycare Facility small (14 or fewer)
- Day care facility large (15 or more)
- Personal service and repair, small (less than 10,000 sf)

Retail

- Grocery Store, small (less than 15,000 sf)
- Retail store not listed, small (less than 15,000 sf)

Accessory Uses

- Accessory Day Care facility
- Accessory sidewalk dining area
- Minor utilities and accessory wireless antennae attached to existing structures
- Accessory home occupation, solar or geothermal equipment, agriculture roadside stand

Temporary Uses

- Temporary construction office or yard
- Temporary event or sales
- Temporary real estate sales office

Following Uses permitted in Parcels 7-8

Household Living

- Multi Family
- Live work
- Two-family Dwelling and Townhouse

Agriculture

- Agriculture, urban
- Farmers Market
- Community Garden

Community and Cultural Facilities

- Park, playground or forest reserve

Natural Resources Inventory

Phase 1 will have a Natural Resources Inventory conducted. The proposed building and parking construction will be on previously developed land (existing football field, school and parking lot) and it is anticipated there will be minimal natural resources to inventory. There will be work on the hillside for trailhead construction and expansion of an existing stormwater retention basin which will require a thorough inventory. This will include a tree inventory (greater than 6"), wetlands, rock outcrops, and view areas. It will indicate wetlands and significant trees to be protected during construction.

Common Open Space

The MU-P Regulating Plan strives to maximize the natural vistas and ecological features of the site while also providing new public amenities to the development and nearby neighborhoods.

The developer recognizes the importance of public spaces and will follow the following guidelines:

- Create common green space for residents and visitors.
- Embrace the vistas of the lakeside.
- Create outdoor opportunities for residents to recreate, socialize and enjoy the outdoors.
- Recognize the importance of connections and create paths and walkways for recreation and connection.
- Collaborate with City Government and the community to identify public amenities, trails and related common open space that can be jointly developed.
- Common Space can be used as buffer space between buildings and adjacent properties.

Common Open space will be owned and maintained by the Owner with access granted to the public.

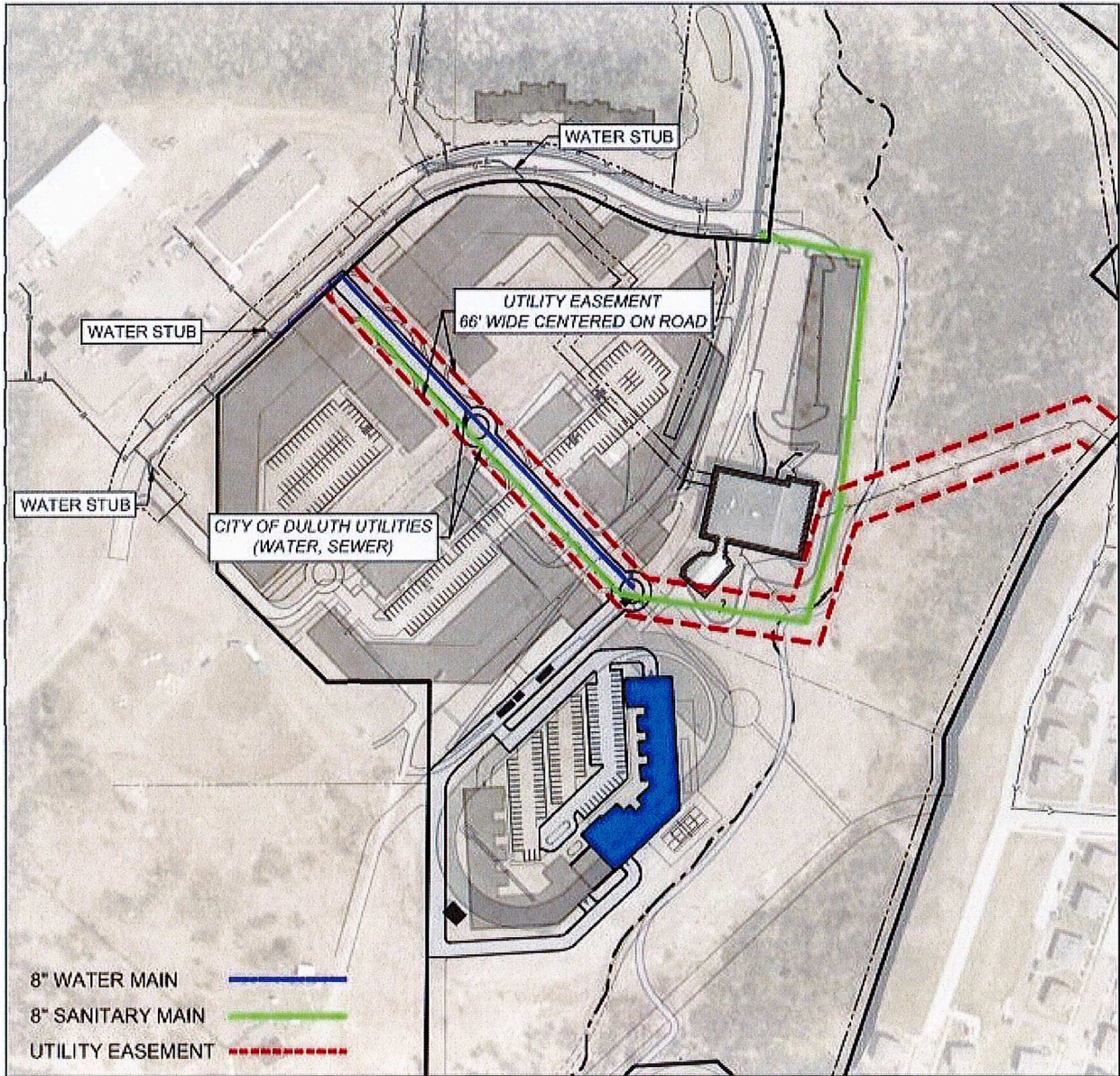
A Trail Easement for the Duluth Traverse was granted as part of the Final Plat and is on the hillside. It is the intent of the Master Plan to provide connections into this trail system as well as establish a trailhead.

Specific Area and boundaries of Common Open Space will be determined with each phase of construction based upon the above guidelines.

Utility and Public Street Plan

Public utilities and streets to be developed as part of Phase 1 by the developer, with plans approved by the City and turned over to the City after installation and dedication of utility easements.

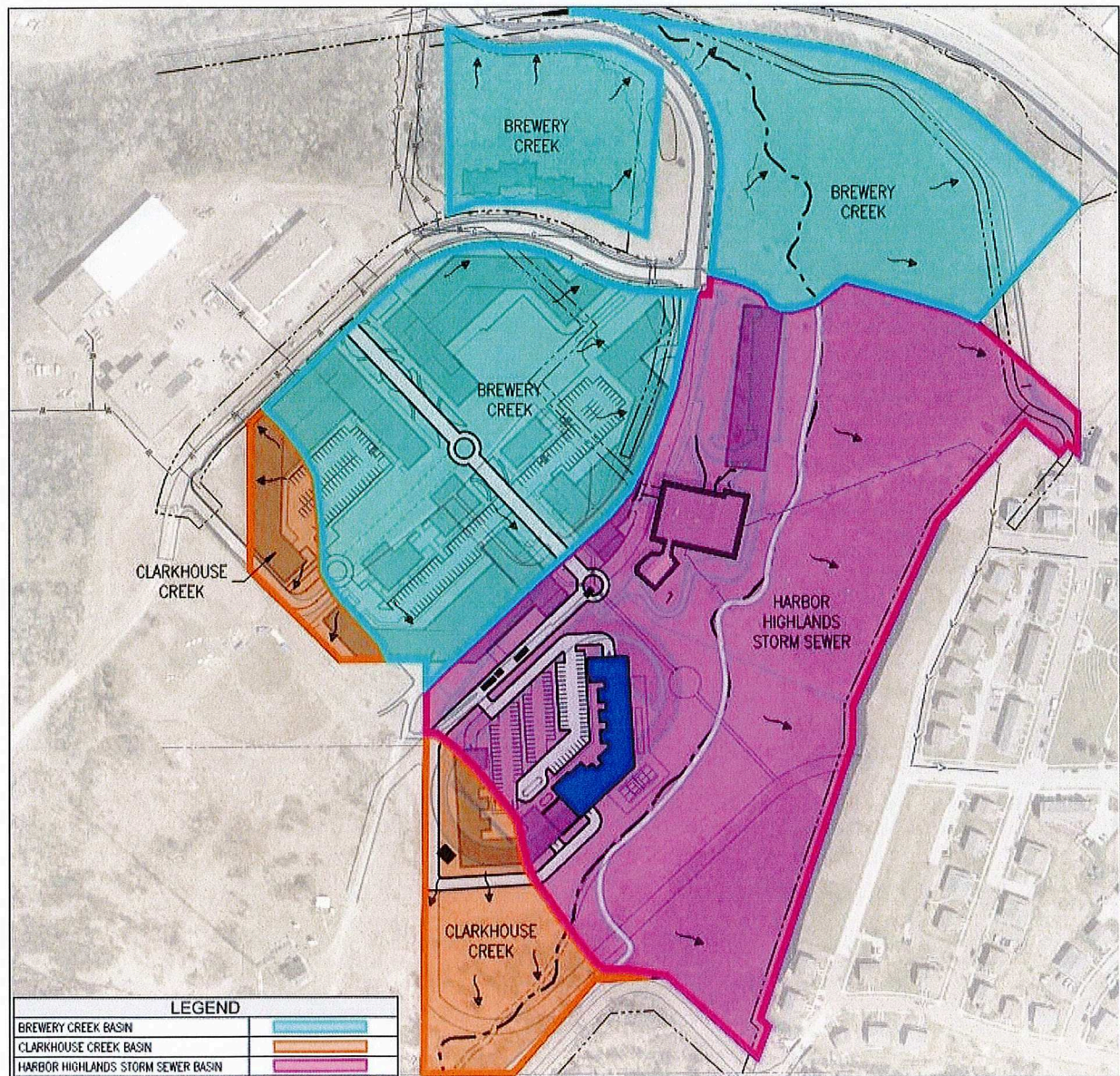
Both the sanitary sewer and water main will be 8" diameter systems. The two northwestern most buildings can be connected to the central entrance sanitary sewer. The remainder of the buildings can be directed toward the Harbor Highlands system. The sanitary sewer capacity will need to be investigated prior to finalizing sanitary sewer connections for any of the buildings.



Stormwater Management Plan

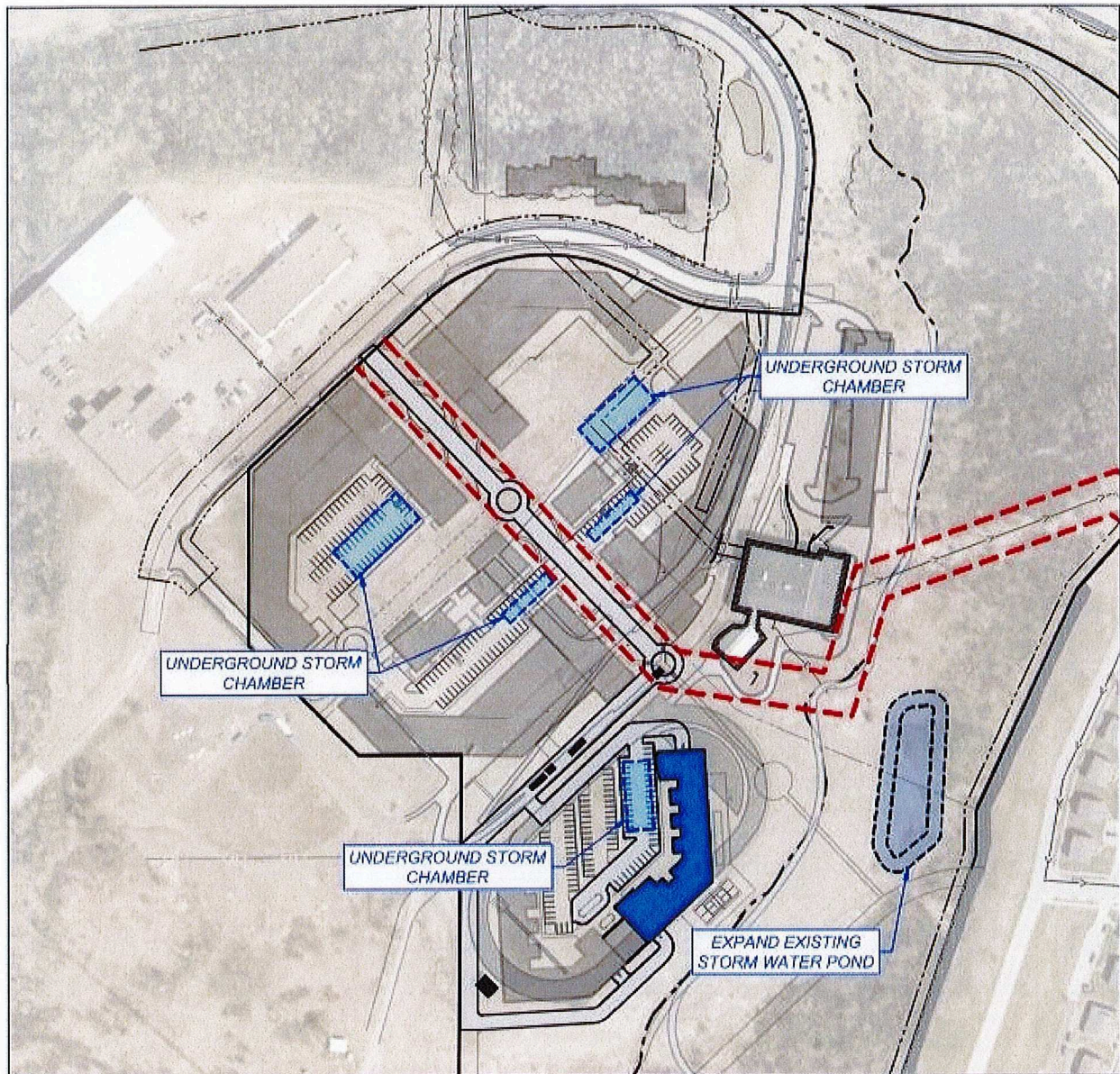
Development of Phase 1 will be designed to meet all storm water requirements. For all future phases, a model and plans that show sub-basins for pre- and post-project water movements will be submitted for review.

The overall site is within three separate watersheds. A small portion of the southwest side of the property drains to Clark House Creek. A large portion of the hillside below the STC building and the track drains toward city storm sewer in the Harbor Highlands neighborhood. A large portion including the past site of the central school and its parking lots drains toward Brewery Creek. Neither of the two creeks are trout streams and neither have impairments.



Any construction as shown in this regulating plan will be subject to current City of Duluth Stormwater Management standards. The majority of the site has been previously developed.

Each individual phase will meet re-development standards outlined in the UDC and is determined to be above the bluff line.



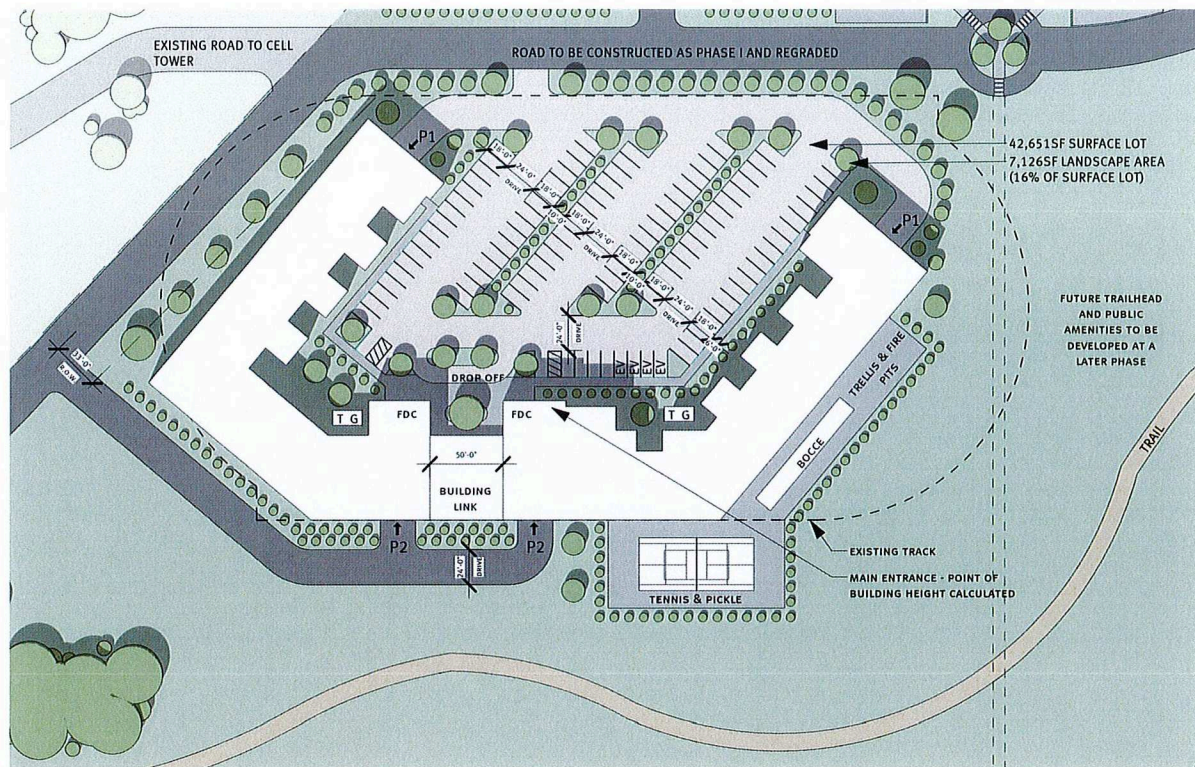
Parking Plan

Off-street parking will be provided in either indoor podium parking or in surface lots. Each apartment building could have 1-3 stories of podium parking. In addition, parallel parking will be allowed on one side of the main through streets.

Design Principals:

- Where building entrances are separated from the street by parking lots, raised parking lot walkways with separation for vehicles and landscaping to be provided.

- Attention to be given to how people move through the parking lot to access building or amenity spaces.
- Electric vehicle charging stations shall be considered for residents and guests/customer.



Building Standards

Proposed buildings will comply with UDC Chapter 50.30

Acceptable materials include brick, stone, composite siding and cladding, metal panel, glass, with complimentary color choices. Durability, sustainability, and visual harmony are to be considered in selection and use of appropriate materials.

Guiding Principles:

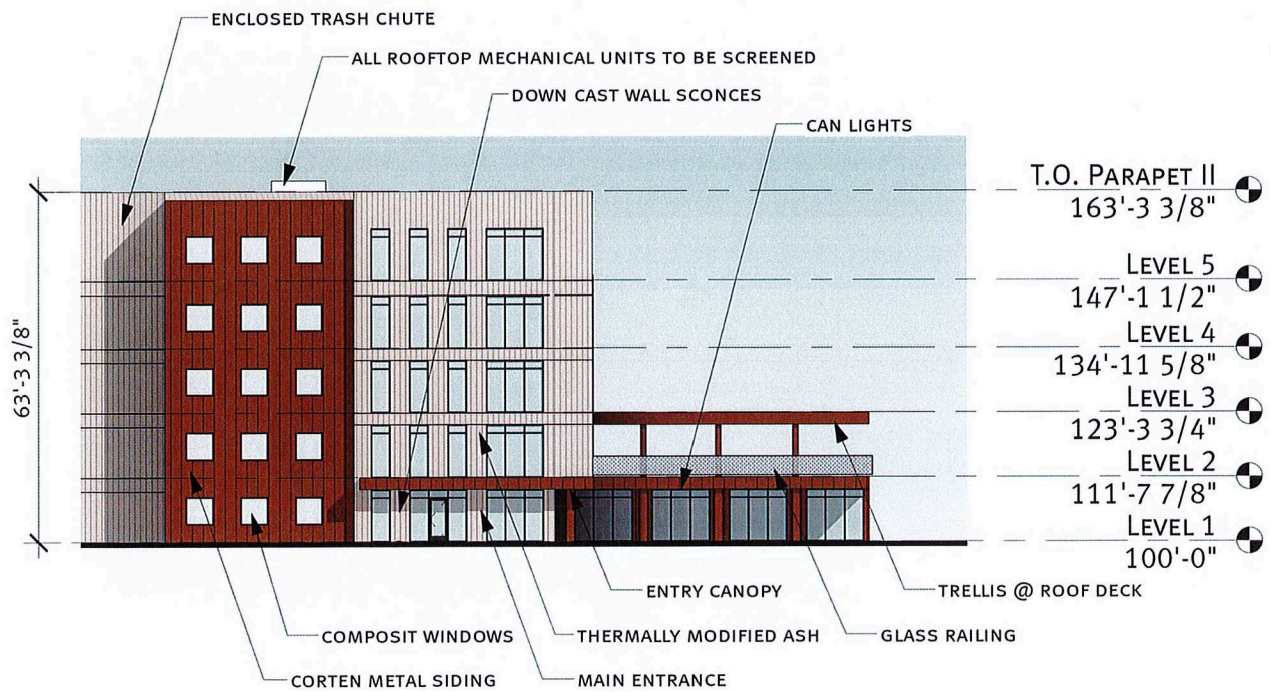
- Emphasize building entrances and orient them toward streets.
- Buildings to be designed to be viewed from all sides with attention paid to appropriate ornamentation to provide visual interest at the pedestrian scale.
- All building sides include fenestration sufficient to provide visibility into all spaces around buildings.
- Trash must be stored inside buildings.
- All mechanicals to be located within buildings or within screened roof-top spaces. Gas meter banks to be concealed from view.
- Roof-top patios will be encouraged.

- Exterior lighting must be limited to fully-downcast, cutoff fixtures. Outlining of building facades and roof lines is not permitted. Building facade lighting and landscape accent lighting permitted, but upcast lighting to be minimized as much as possible.
- Pedestrian walkways throughout the site to be lit with low-level lighting for safety.

Building review and permit submittals will include review and approval by the Land Use Supervisor prior to issuance of any construction permits.

Building Standards

Conceptual Building Design for the Phase 1 Condominium Building



① NORTH ELEVATION
1" = 30'-0"

Streetscape

Design shall include best practices which will enhance the streetscape's aesthetic beauty, appropriate plantings, accessibility, and sustainability. This will include, but not be limited to,

building orientation for wayfinding, curb cuts, marked crosswalks, and shade plantings. Site furnishings that promote wellness and sustainability, such as bike racks, trash receptacles, and benches, will also be included depending on the types of buildings proposed. View corridors to the lake will be reinforced by building and road placement.

Street lights and street accessories will be unique to the development. Public streets will follow city standards and approved by city staff. Signage will follow City standards.

Included below is an example of a typical street cross section showing spatial dimensions and street character for front yards, sidewalks, boulevards streets and on-street parking. Future building phases will need to submit their own streetscape plan for existing and/or proposed roads.

Public streets will follow City Engineering Guidelines. Specific widths for drive lanes, parking areas and sidewalks for private streets will be determined during detailed site plan design but will approximately be:

- ±10-12' drive lanes , 8'-9' wide parking width
- 20'-24' private driveway/roads or as required by Fire Code
- ±9' parking stalls
- 5' minimum sidewalks, commercial areas may be wider (6'-7') and sidewalks with parallel parking & in commercial areas.
- 8'-10' typical landscape boulevard space
- Buildings to be sited with main entrances oriented to street

Streetscapes Site Sections

