



**Planning & Development Division**  
*Planning & Economic Development Department*

Room 160  
 411 West First Street  
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 23-037		Contact	Kyle Deming	
Type	Minor Subdivision		Planning Commission Date		March 14, 2023
Deadline for Action	Application Date		February 17, 2023	60 Days	April 18, 2023
	Date Extension Letter Mailed		February 23, 2023	120 Days	June 17, 2023
Location of Subject		Southwest corner of Anderson Rd. and Central Entrance (Mall Area)			
Applicant	The Jigsaw, LLC		Contact	Dan Regan	
Agent	Kimley-Horn		Contact	Brian Wurdeman	
Legal Description		Lot 2, Block 1, Jigsaw Division			
Site Visit Date		March 3, 2023	Sign Notice Date		N/A
Neighbor Letter Date		N/A	Number of Letters Sent		N/A

**Proposal**

A subdivision of a part of Lot 2, Block 1 into 2 parcels for a proposed development.

**Recommended Action:** Approve with conditions.

	<b>Current Zoning</b>	<b>Existing Land Use</b>	<b>Future Land Use Map Designation</b>
<b>Subject</b>	MU-N	Vacant	Neighborhood Mixed Use
<b>North</b>	MU-N	Hotel and bank	Neighborhood Mixed Use
<b>South</b>	MU-N and R-1	Dwellings	Neighborhood Mixed Use and Traditional Neighborhood
<b>East</b>	MU-N	Vacant	Neighborhood Mixed Use
<b>West</b>	MU-N	Vacant	Neighborhood Mixed Use

**Summary of Code Requirements**

50-33.1 General: All subdivision plats and replats, and all registered land surveys, shall create lots, streets and walkways and open spaces consistent with the requirements of the zone district within which the land is located.

50-37.5, D 1. The planning commission shall approve the application if it determines that the application:

- (a) The lot or lots to be subdivided or combined have frontage on an improved public street;
- (b) Each proposed lot meets the minimum zoning requirements of the district that it is in.
- (c) If an existing structure on a lot complies with the requirements of this Chapter, then after the minor subdivision structures on each of the resulting lots will still comply with the requirements of this Chapter; and
- (d) If one or more of the existing lots, or a structure on one or more of those lots, does not comply with the requirements of this Chapter, the proposed relocation will not create any new nonconformity or increase any existing nonconformity between the requirements of this Chapter.

**Comprehensive Plan Governing Principles and/or Policies and Current History (if applicable):**

Governing Principle #8 – Encourage mix of activities, uses, and densities. Minor subdivision will facilitate sited development with restaurants, personal service, and a car wash.

Governing Principle #9 – Support private actions that contribute to the public realm. Project will extend 350 feet of sidewalk along Anderson Rd. from Central Entrance to the project's entrance.

Zoning—Mixed Use-Neighborhood (MU-N): a mix of neighborhood-scale, neighborhood serving non-residential uses and a range of residential uses located in close proximity. Non-residential uses may include small-scale retail, service and professional offices that provide goods and services to the residents of the surrounding neighborhood.

Future Land Use – Neighborhood Mixed Use: A transitional use between more intensive commercial uses and purely residential neighborhoods. Includes conversions of houses to office or live-work spaces. May include limited commercial-only space oriented to neighborhood or specialty retail markets. Site design should maintain a largely residential building character. Commercial-only uses should be adjacent to non-residential or other mixed-use areas.

**History:**

1. Site was zoned R-1 prior to 2012 when it was rezoned MU-N in implementation of the Central Entrance Small Area Plan that was adopted by City Council in 2009.
2. The site is part of the 3.5-acre Jigsaw Division plat that was approved by the Planning Commission 10/9/2018 (PL18-111).
3. A 1950s era home on the site was removed in 2020.
4. A special use permit for a 2,287 sq. ft. restaurant with 24 parking spaces on Lot 2 was approved by Planning Commission on May 11, 2021 (PL21-047).
5. A minor subdivision to combine parts of Lot 1 and 2 into a single lot for a restaurant was approved by Planning Commission on August 10, 2021 (PL21-120).

**Review and Discussion Items**

Staff finds that:

1. Applicant is seeking to further split Lot 2, Block 1 into two parcels (Parcel 3-1 and Parcel 3-2) to create tracts of land for a 660 sq. ft. coffee kiosk (Parcel 3-1) and a building to contain two other tenants (Parcel 3-2), a 2,500 sq. ft. restaurant and 3,500 sq. ft. personal services use (see attached).
2. Lot 2, Block 1 was previously subdivided by a minor subdivision (PL21-120) to combine the westerly approximately 30 feet of Lot 2 with part of Lot 1 to form a development parcel for another restaurant (restaurant special use permit (PL21-047).
3. Parcel 3-1 is 0.27 ac. and Parcel 3-2 is 1.5 ac. There are no minimum lot area requirements for nonresidential uses in the MU-N zone district, however, the lots are of a sufficient size to accommodate small to medium-sized commercial uses. Additionally, the lots are large enough to meet minimum lot area per family requirements for all types of residential uses.
4. All parcels are sized to allow space for buildings to be constructed within applicable front (20 ft.), rear (25 ft.), and side (0 ft. to 10 ft.) yard setbacks.
5. Parcels 3-1 and 3-2 have frontage on Central Entrance and Parcel 3-2 also has frontage on Anderson Rd. and unbuilt Apple St. All of the parcel frontages exceed what is required for commercial and multi-family (50 ft.) uses as well as other residential uses (30 ft.).
6. MN-DOT is the right of way owner of Central Entrance (Trunk Highway 194) and has provided the comment that the applicant has obtained required access permits.
7. Applicant has indicated that cross easements will be placed on all of the parcels in order to meet MN-DOT's access limitation and to facilitate a full intersection with Anderson Rd. near Apple St. as was part of the access planned in the original Jigsaw Plat.
8. No public or agency comments were received.

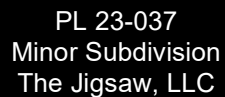
9. The attached Minor Subdivision exhibit demonstrates compliance with MN States 463.358, 505, and 508, as applicable.
10. Approval of this Minor Subdivision signifies that City of Duluth UDC standards are met. St. Louis County may have additional requirements.
11. This subdivision approval lapses if deeds are not recorded with St. Louis County within 180 days. Applicant must provide the City with proof of recording.

**Staff Recommendation**

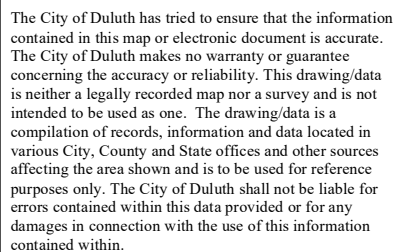
Based on the above findings, Staff recommends that Planning Commission approve the Minor Subdivision with the following conditions:

- 1) Appropriate deeds be filed with St. Louis County within 180 days. Prior to recording the deed that results from this adjustment, the Planning Division will need to stamp the deed, indicating compliance with the local zoning code.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.





### Area Map







PL 23-037  
Minor Subdivision  
The Jigsaw, LLC

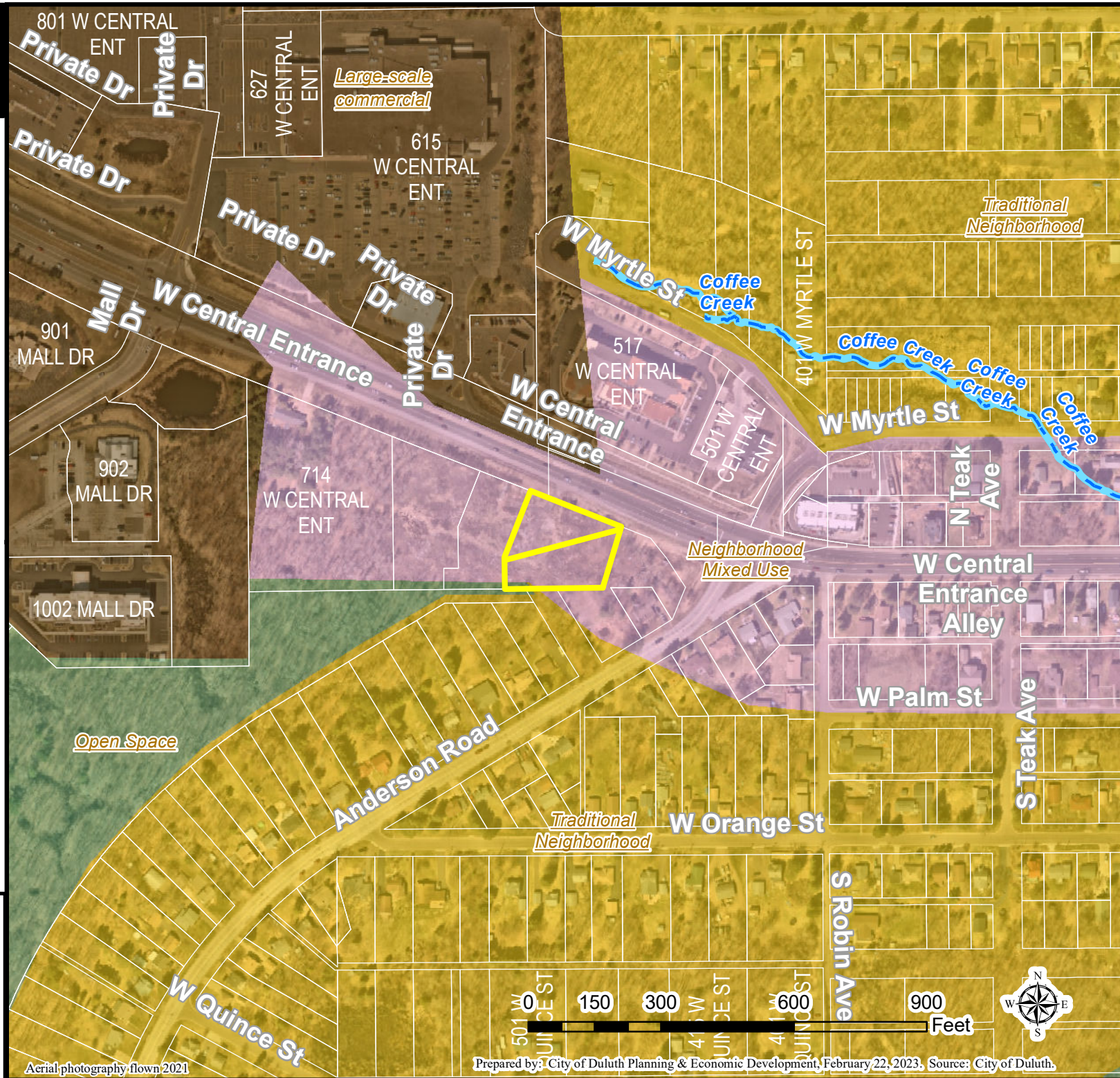
## Future Land Use Map

**Legend**

**Streams**  
Trout Stream (GPS)

**Future Land Use**  
Open Space  
Traditional Neighborhood  
Large-scale commercial  
Neighborhood Mixed Use

The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.



Aerial photography flown 2021

Prepared by: City of Duluth Planning & Economic Development, February 22, 2023. Source: City of Duluth.





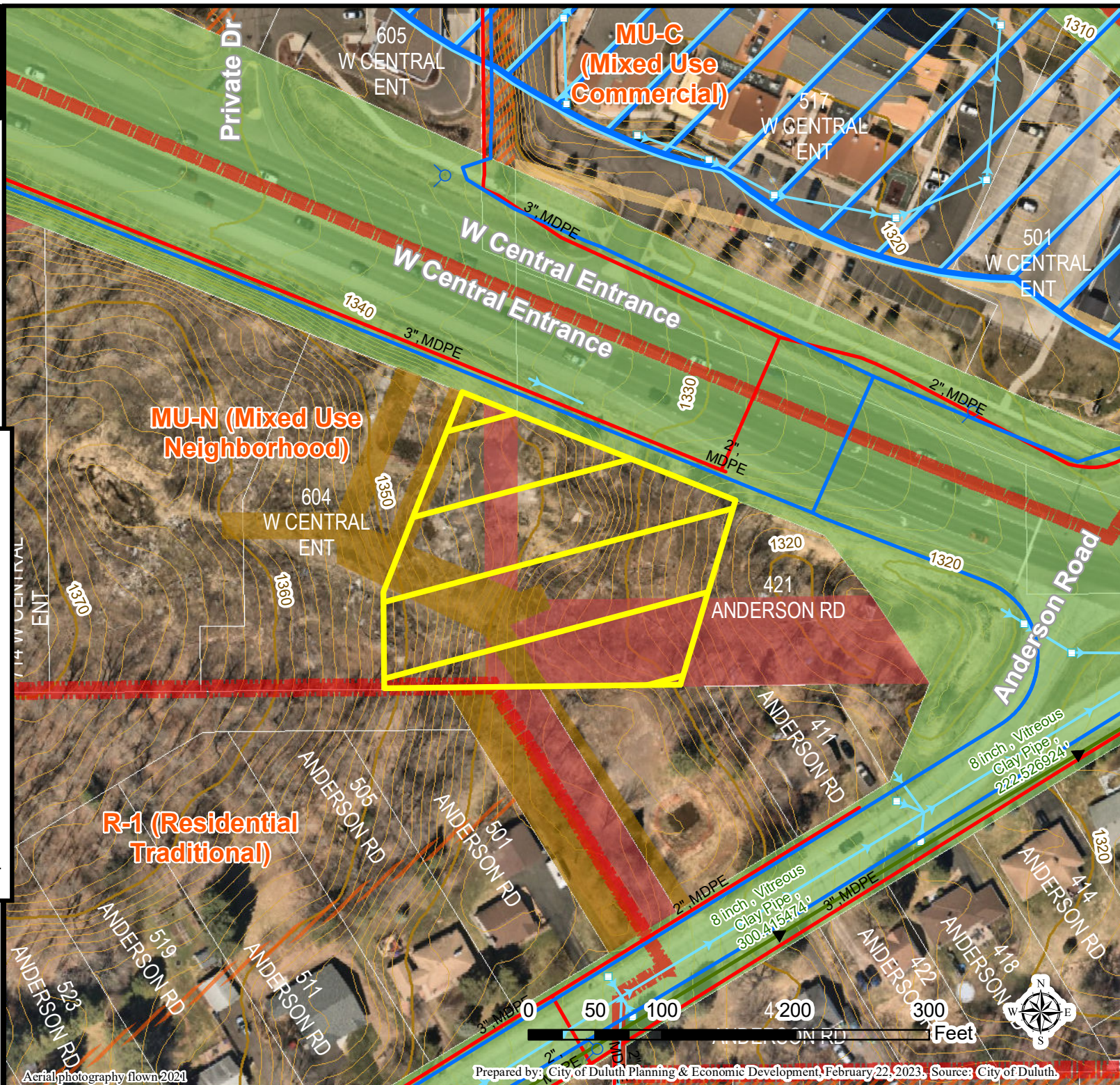
PL 23-037  
Minor Subdivision  
The Jigsaw, LLC

## Site Map

### Legend

- Zoning Boundaries
- Shoreland (UDC)
- Cold Water
- Distribution Main**
  - Water Main
  - Hydrant
  - Gas Main
- Sanitary Sewer Mains**
  - City of Duluth
- Storm Sewer Mains**
  - Storm Sewer Pipe
  - Storm Sewer Catch Basin
- Elevation**
  - 1 Ft contour
  - 10 Ft contour
  - Undefined ROW Status
- ROW Status**
  - Utility, Active
  - Road, Active - currently in use
  - Utility, Vacated - via recorded doc.
  - Road, Vacated - vacated

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CERTIFICATE OF SURVEY FOR:  
Kimley-Horn & Associates

EXISTING LEGAL DESCRIPTION:

That part of Lot 2, Block 1, JIGSAW, St. Louis County, Minnesota lying easterly of and adjoining the following described line:  
Commencing at the southwest corner of Lot 1, Block 1, JIGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 250.69 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East, a distance of 72.36 feet; thence North 21 degrees 59 minutes 16 seconds East, a distance of 161.17 feet to the northerly line of said Lot 2 and said line there terminating.


NOTES:

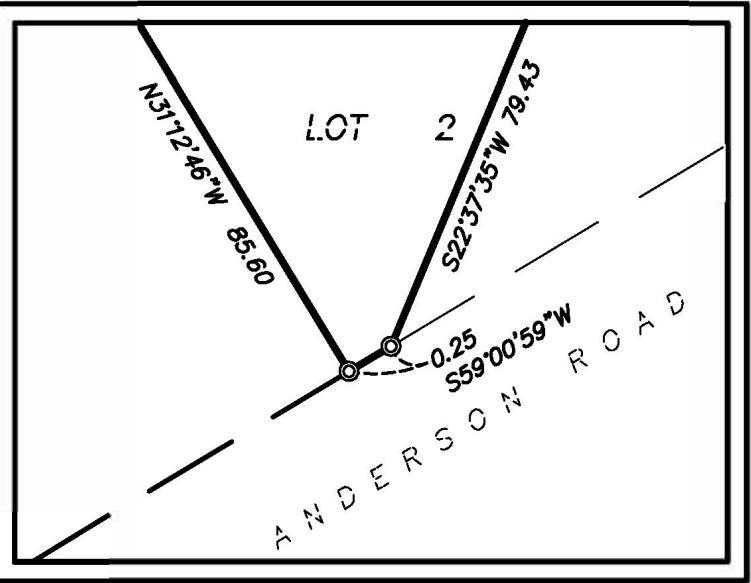
- The orientation of this bearing system is based on the St. Louis County Transverse Mercator coordinate grid (NAD 83-96 Adj.).
- The total area of the property described hereon is 78,667 square feet or 1.80595 acres.
- Title work was not furnished to Egan, Field & Nowak, Inc. for the preparation of this survey to verify ownership, the legal description, or the existence of any easements or encumbrances

CERTIFICATION:

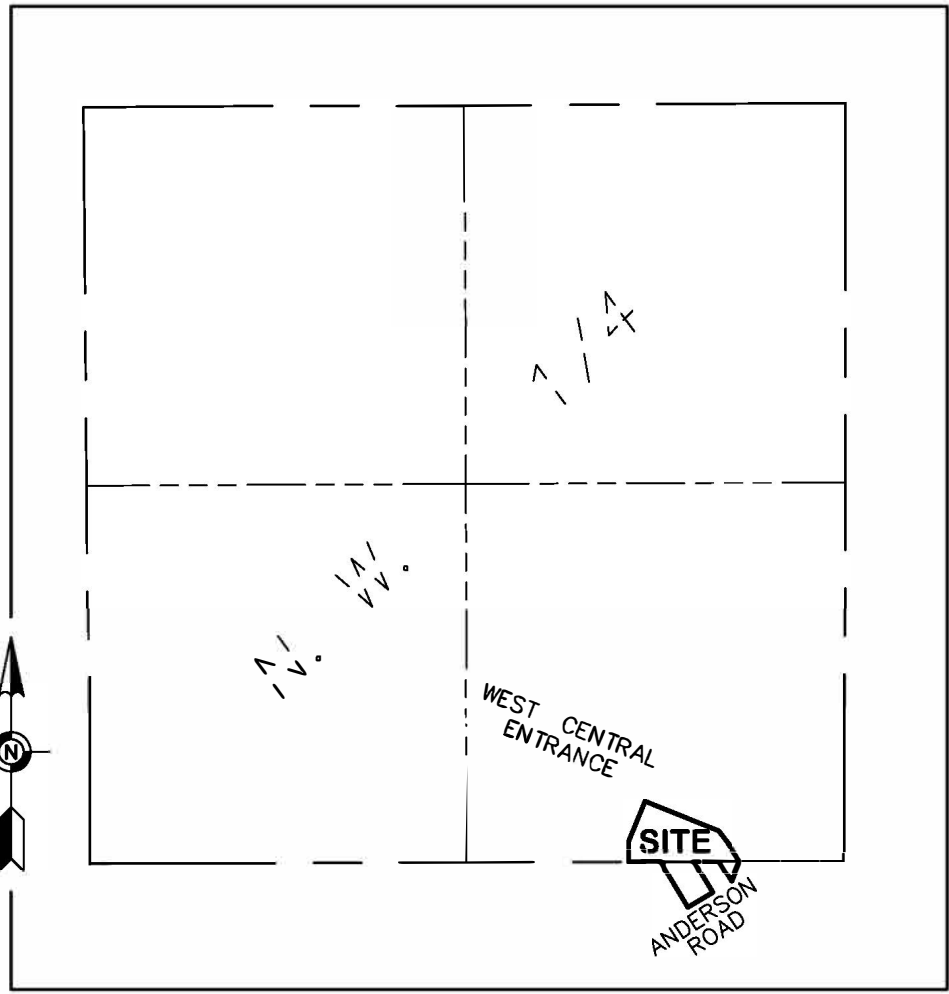
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Date of survey: March 12, 2018.  
Date of signature: December 2, 2022.

  
Eric A. Roesser  
Minnesota License No. 47476  
eroesser@efnsurvey.com



DETAIL  
NOT TO SCALE



VICINITY MAP  
NORTHWEST 1/4, SECTION 20, TOWNSHIP 50 NORTH, RANGE 14 WEST  
NOT TO SCALE

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
		SPK	NO.	DATE	DESCRIPTION
		DRAWN BY:			
		LS			
		PMD			
		CHECKED BY:			
		EAR			
DRAWING NAME:					
37563 PARCEL 3 CERT.dwg					
JOB NO. 37563					
FILE NO. 6011					

CERTIFICATE  
OF SURVEY

SURVEY FOR:

Kimley-Horn & Associates

PROPERTY ADDRESS:

604 West Central Entrance  
Duluth, Minnesota 55811



Egan, Field & Nowak, Inc.  
land surveyors since 1872

475 Old Highway 8 NW, Suite 200  
New Brighton, Minnesota 55112  
PHONE: (612) 466-3300  
FAX: (612) 466-3383  
WWW.EFNSURVEY.COM  
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CERTIFICATE OF SURVEY FOR:  
Kimley-Horn & Associates

PROPOSED LEGAL DESCRIPTION:

Proposed Parcel 3-1

That part of Lot 2, Block 1, JIGSAW, St. Louis County, Minnesota lying easterly of and adjoining the following described line:

Commencing at the southwest corner of Lot 1, Block 1, JIGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 250.69 feet to the point of beginning of the line to be described; thence North 00 degrees 00 minutes 00 seconds East, a distance of 72.36 feet; thence North 21 degrees 59 minutes 16 seconds East, a distance of 161.17 feet to the northerly line of said Lot 2 and said line there terminating.

And lying westerly of and adjoining the following described line:

Commencing at the southwest corner of Lot 1, Block 1, JIGSAW; thence North 89 degrees 48 minutes 59 seconds East, assumed bearing, along the south line of said Lots 1 and 2, a distance of 282.61 feet to the point of beginning of the line to be described; thence North 21 degrees 58 minutes 39 seconds East, a distance of 216.23 feet to the northerly line of said Lot 2 and said line there terminating.

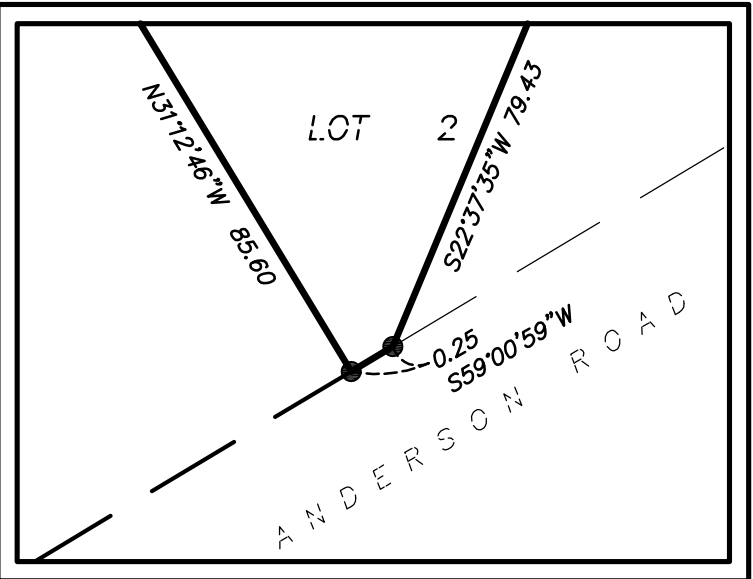
(Said Parcel 3-1 Contains 11,840 square feet or 0.27181 acres)

Proposed Parcel 3-2

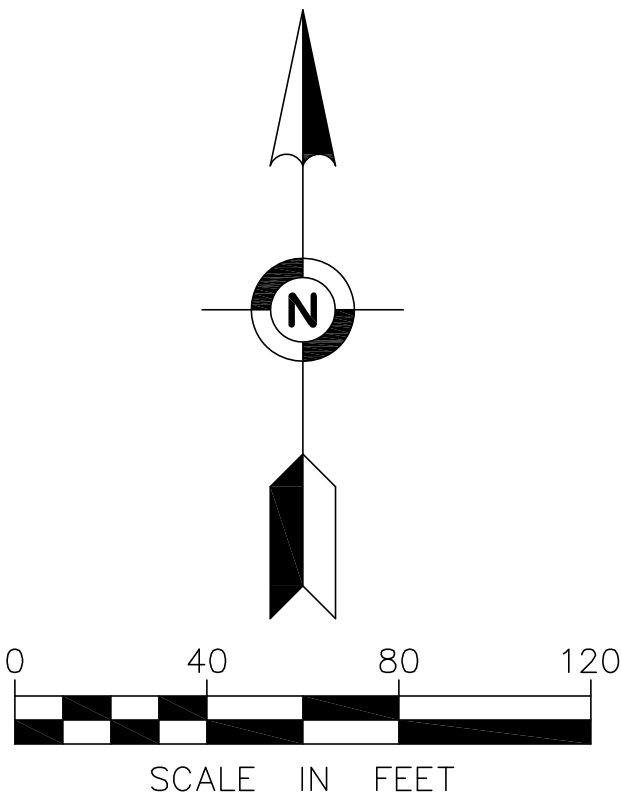
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(Said Parcel 3-2 Contains 66,827 square feet or 1.53414 acres)



DETAIL  
NOT TO SCALE



- M 30 MINNESOTA DEPARTMENT OF TRANSPORTATION MONUMENT
- FOUND IRON MONUMENT INSCRIBED WITH LICENSE NUMBER AS NOTED
  - ⊙ SET 1/2-INCH X 14-INCH IRON PIPE MARKED WITH LICENSE NUMBER 47476

FIELD BOOK	PAGE	FIELDWORK CHIEF:	REVISIONS		
		SPK	NO.	DATE	DESCRIPTION
		DRAWN BY:			
		LS			
		PMD			
DRAWING NAME:		CHECKED BY:			
J37563 PARCEL 3 CERT.dwg		EAR			
JOB NO. 37563					
FILE NO. 6011					

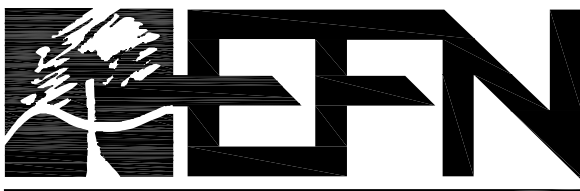
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