



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802

218-730-5580

planning@duluthmn.gov

File Number	PLSUP-2502-0035	Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Special Use Permit – Restaurant	Planning Commission Date	March 27, 2025	
Deadline for Action	Application Date	February 14, 2025	60 Days	April 15, 2025
	Date Extension Letter Mailed	March 5, 2025	120 Days	June 14, 2025
Location of Subject	601 N 56 th Ave W			
Applicant	Bailey Builds Collective LLC	Contact	Nathaniel Bailey	
Agent		Contact		
Legal Description	PID 010-4510-06850	Sign Notice Date	March 13, 2025	
Site Visit Date	February 28, 2025	Number of Letters Sent	76	

Proposal

Applicant is proposing a coffee shop within an existing building that is also occupied by retail and a maker’s space. A Restaurant use with less than 5,000 sf requires a Special Use Permit in the MU-N district.

Staff Recommendation

Staff recommends approval, with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Commercial	Traditional Neighborhood
North	R-1	Residential	Traditional Neighborhood
South	MU-N	Commercial	Traditional Neighborhood
East	MU-N	Residential	Traditional Neighborhood
West	MU-N	Residential	Traditional Neighborhood

Summary of Code Requirements

Sec. 50-37.10 – Special Use Permits: Planning Commission shall approve the application or approve it with modifications, if it is determined that the application meets the following criteria:

1. The application is consistent with the Comprehensive Land Use Plan;
2. The application complies with all applicable provisions ... including any use-specific standards ..., and is consistent with any approved district plan for the area.
3. The Commission may deny any application that would result in a random pattern of development with little contiguity to existing or programmed development or would cause anticipated negative fiscal or environmental impacts.

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

Governing Principle #1- Reuse previously developed lands.

Governing Principle #5 – Promote reinvestment in neighborhoods. Support neighborhood scale commercial areas.

Governing Principle #8- Encourage a mix of activities, uses, and densities.

Governing Principle #9- Support private actions the contribute to the public realm.

Cities have evolved as a mix of land uses, building types, housing types, and activities. This coffee shop contributes to the diversified uses present on this site. This coffee shop will be in a building that has gone through a number of redevelopments, will provide a neighborhood gathering place, and will support a local business in expanding their services within the primarily residential neighborhood.

Future Land Use

Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood. Includes many of Duluth’s older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History

The property consists of two single-family homes and a garage that were combined at an unknown date. Previously, the building was occupied by a mortuary before its current use by the Bailey Builds Collective as a retail and maker space.

Review and Discussion Items:

Staff finds that:

- 1) Applicant proposes to open a coffee shop that will augment and diversify the existing uses on the property. The proposed coffee shop is classified by the UDC as a restaurant and will occupy 351 ss/ft of the existing structure which is less than the 5,000 sq/ft maximum allowed in the M-N district. No drive-through will be constructed or used. A walk-up window will provide service to pedestrians on the patio space in the front of the property.
- 2) The applicant anticipates operating hours to be between 7am and 7pm. To remain consistent with what is permitted by the UDC, the coffee shop will be allowed to operate from 7am to 10pm.
- 3) As demonstrated in the governing principles above, this proposal meets the goals of the comprehensive plan.
- 4) UDC Sec. 50-24 (Parking and loading). The site is proposed to contain 14 off-street parking spaces, two ADA accessible. On-street parking is available in this location.
- 5) UDC Sec. 50-25 (Landscaping and Tree Preservation). The two street frontages of the building contain shrubs and landscape plantings along the sidewalk. The parking lot will need to be 30% shaded by trees and compliance with this standard will be confirmed through the building permit application process. The adjacent residential property is screened by an existing 6-foot fence. This fence does not satisfy the standards established in Sec 50-25.5 since there are not shrubs planted along the external facing side of the fence. During the building permit application process, the applicant may submit an alternative landscaping plan, in accordance with Sec 50-25.8, identifying unique site conditions and alternative methods to satisfy screening requirements. Additional landscaping requirements do not apply since the proposed renovation does not exceed 75% of the market value of the building.
- 6) UDC Sec. 50-26 (Screening, Walls and Fences). Trash and recycling containers will be screened by being stored in the proposed shed in the NW corner of the site. If any exterior mechanicals are added, these will need to be screened as well.
- 7) UDC Sec. 50-29 (Sustainability Standards) and UDC Sec. 50-30 (Building Design Standards). These do not apply since this is reuse of an existing building without expansion of the building square footage.
- 8) UDC Sec. 50-31 (Exterior Lighting). If any exterior lighting is proposed, it will need to meet all UDC requirements; this will be confirmed at the time of building permit application.
- 9) As demonstrated by the above findings, this proposal meets all application provisions of the UDC.
- 10) The proposed coffee shop will not result in a random pattern of development or have anticipated negative fiscal or environmental impacts.
- 11) No public, agency, or City comments were received.

Staff Recommendation

Based on the above findings, Staff recommends that the Planning Commission approve the special use permit with the following conditions:




- 1) The project be limited, constructed, and maintained consistent with plans submitted with the application.
- 2) Proposed coffee shop will operate between the proposed hours of 7:00 a.m. and 10:00 p.m.
- 3) Landscaping and exterior lighting will be confirmed at the time of building permit application; exterior lighting must not trespass on neighboring properties.
- 4) 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; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.

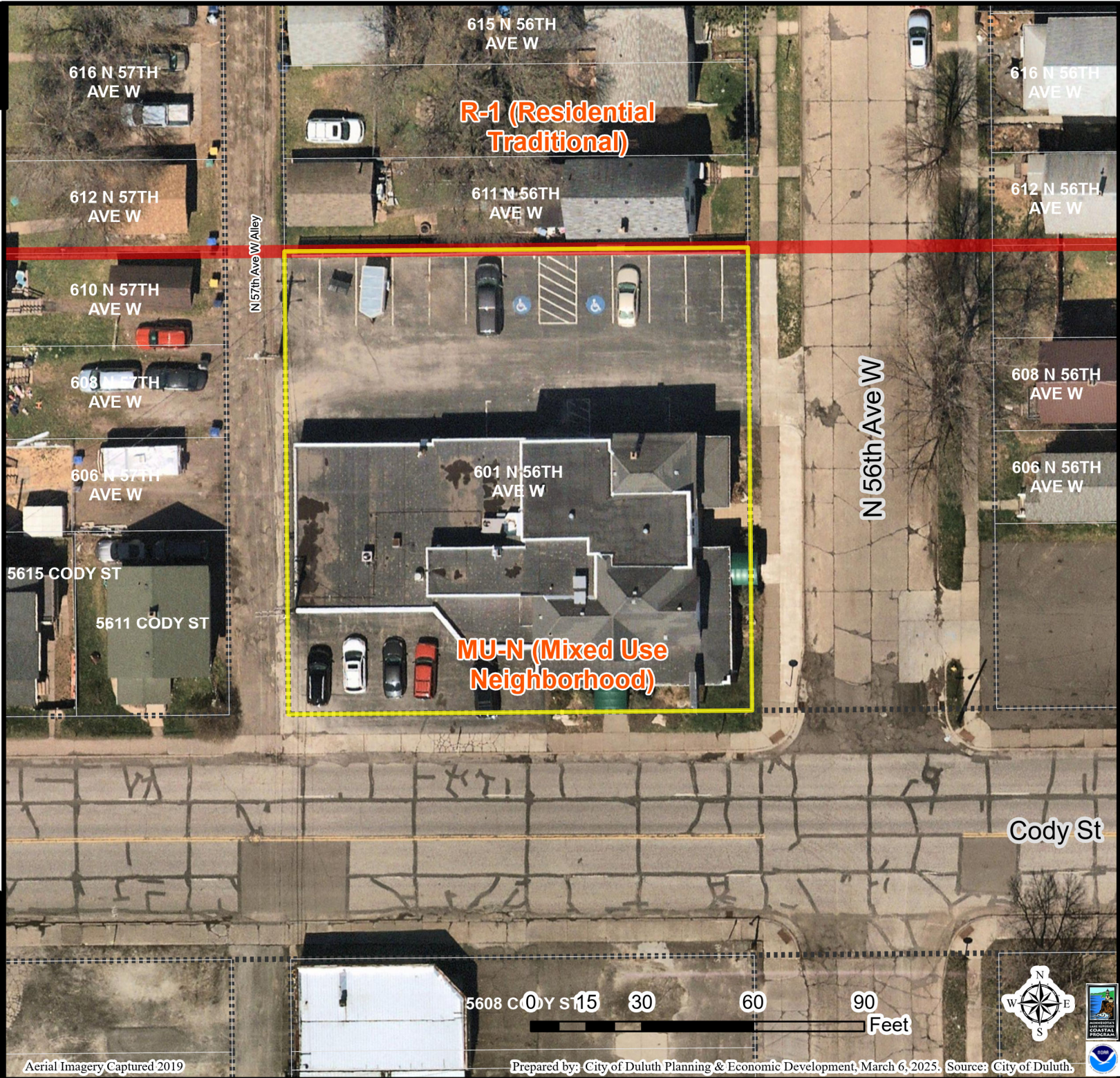


PLSUP-2502-0035

Special Use Permit
601 N 56th Ave W

Legend

-  Zoning Boundaries
-  Road or Alley ROW
-  County Parcel Data



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 Imagery Captured 2019

Prepared by: City of Duluth Planning & Economic Development, March 6, 2025. Source: City of Duluth.

UDC SUMMARY

Article 2: Zone Districts

50-15.2 Mixed Use-Neighborhood (MU-N)

- Minimum lot frontage: 50 ft
- Minimum front yard setback: Smaller of 20 ft or avg. of adjacent
- Minimum side yard setback: 15 ft
(non-residential use adjacent to residential district or use)
- Minimum side yard setback: 0 ft
(non-residential use adjacent to non-residential district or use)
- Minimum rear yard setback: 25 ft
- Maximum overall height: 45 ft (non-residential use)

Article 3: Permitted Uses

- Table 50-19.8
 Primary Use:
 Office
 Accessory Uses:
 Retail Store
 Manufacturing, craft artisan production shop or artisan studio

Article 4: Development Standards

Section 50-24: Parking and Loading
 50-24.2 Required Parking Spaces
 Retail Store- 3 spaces per 1,000 S.F. of gross floor area (1,510 S.F. = 3 spaces)
 Light Manufacturing- 1 per 1,000 S.F. of gross floor area (3,050 S.F. = 3 space)
 Office- 2.5 spaces per 1,000 S.F. of gross floor area (4,450 S.F. = 11 spaces)
 -17 spaces required
 50-24.3 Adjustment to required off-street parking

A. Proximity to transit
 1. The minimum number of off-street parking spaces required for any development or redevelopment lands may be reduced by 30 percent if they are located within 1/4 mile of existing Duluth Transit Authority routes in operation for one year, or they may be reduced by 20 percent if located within 1/2 mile of any Duluth Transit Authority transit center, as indicated by a "T" on Exhibit 50-24.3-1.
 Note: property is located on route 03, 30% reduction = 5 spaces

B. Sharing of parking spaces
 1. General: Where two land uses listed in separate use categories in Table 50-19.8 share a parking lot or structure, the total off-site parking required for those uses may be reduced by the factors shown in Table 50-24-2. Total off-street parking required shall be the sum of the two parking requirements for the two uses divided by the factors in Table 50-24-2. If uses in three or more categories of Table 50-19.8 share a parking lot or structure, the land use supervisor shall determine the parking reduction based on the relative sizes of the various uses and the reduction factors listed in Table 50-24-2.
 Note: a reduction factor of 1.2 may be used.

-10 parking spaces are required in total
 Section 50-25: Landscaping and Tree Preservation
 Note: Not required. The value of the renovation is less than 75 percent or more of the pre-application assessor's market value of the primary structure, as shown in the records of the city assessor.

Section 50-26: Screening, Walls & Fence
 50-26.3 Screening and Location of Commercial Containers
 C. Screening of commercial containers.
 1. Not adjacent to structure wall. Commercial containers that are not located adjacent to a wall of an existing principal or accessory structure shall be screened from view as follows:
 (a) On three sides with a wall constructed of masonry, brick, wood, stone, or similar material and at least as tall as the container being screened;
 (b) On the fourth side a gate constructed of wood or metal and at least as tall as the container being screened.

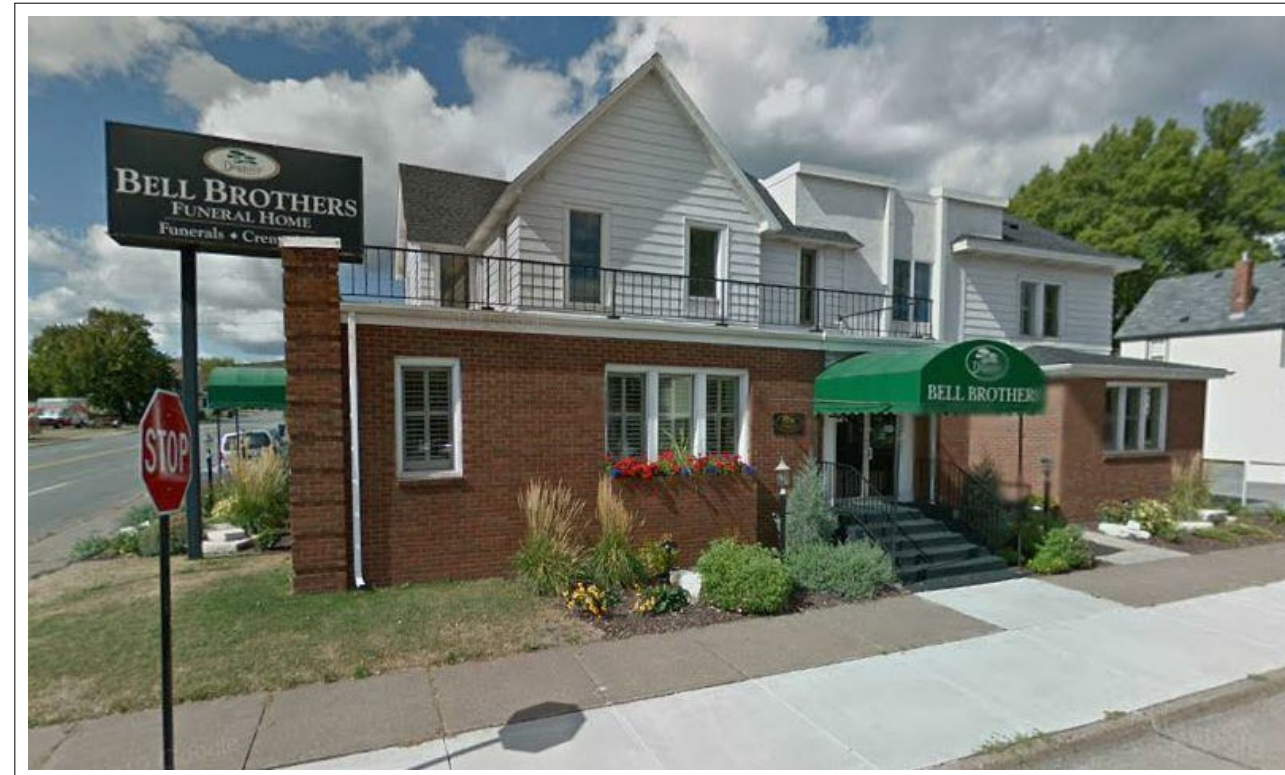
Section 50-27: Signs
 50-27.3 Design and construction standards
 F. Required landscaping
 All freestanding signs, except in lots zoned I-G and I-W, must be landscaped at the base of the sign in accordance with the following:
 1. Freestanding signs must be landscaped with small shrubs a minimum of 18 inches in height at planting, spaced appropriately based on mature height and spread to provide continuous screening of sign base once shrubs have reached maturity. The remainder of the landscape area must be planted with perennials, turf or other live groundcover;
 2. Landscape must extend a minimum of two feet from the sign base on all sides. If this two foot area extends into the right-of-way, landscape is not required within the right-of-way area. All landscape must be maintained in good condition, and free and clear of rubbish and weeds. Landscape around the base of a sign is included in the total amount of landscape required on a site, if applicable;
 3. There is no requirement regarding the mature height of landscape, though landscape must be tailored to the scale of the sign. Landscape may be trimmed and maintained along the sign base to maintain visibility of the sign face;
 50-27.6 Signs and activities exempt from permit requirements.
 A. Alternation and maintenance operations.

The following activities are exempt from a zoning permit:
 1. Painting, repairing, cleaning, and/or other normal maintenance and repair of a sign, not involving structural alterations or changes in the electrical components of the sign. Repairs to existing permitted illumination components are also exempt from sign permit requirements;
 2. Changing of the message of an existing changeable message sign or electronic message sign;
 3. Changing the sign face within an existing legal sign structure, provided no alterations are made to the sign structure and the sign area, sign height or any other dimension of the sign;

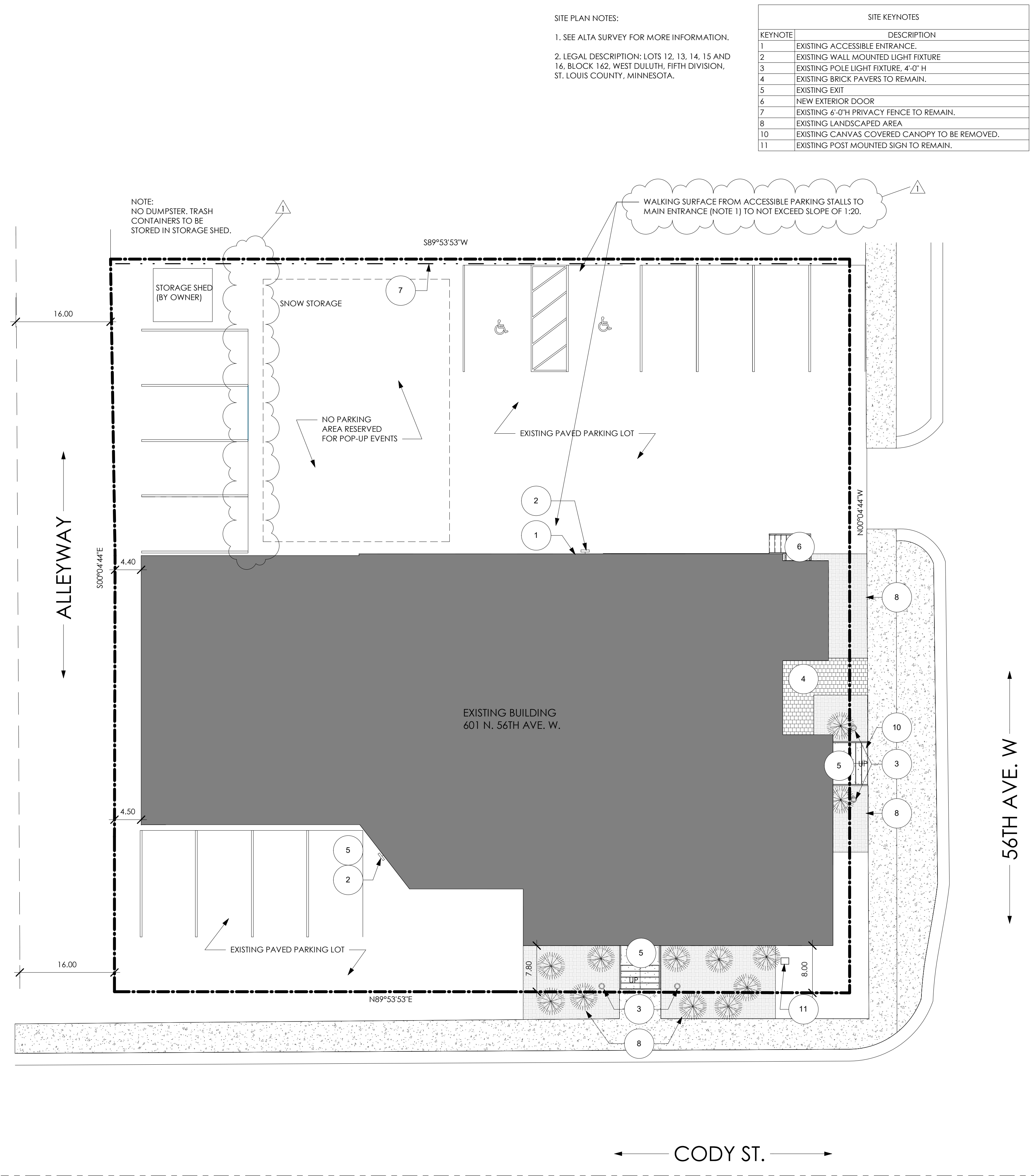
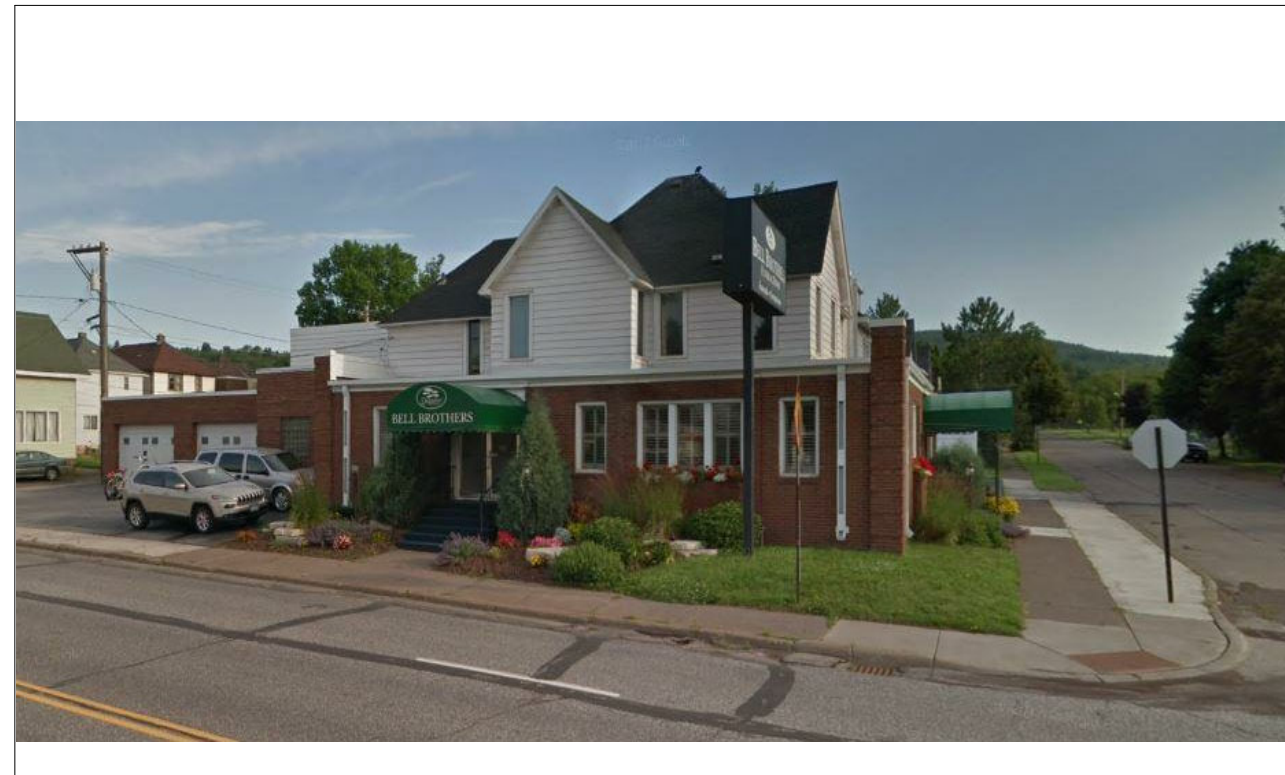
Section 50-31: Exterior Lighting
 50-31.1 Applicability
 A. General
 Unless excepted in subsection B below, all exterior lighting on lots and parcels in any zone district that contain a primary structure with a multi-family, mixed use, commercial, institutional, industrial or parking principal use, when any of the following conditions occur shall comply with the standards of this Section 50-31:
 4. The primary structure is renovated or redeveloped (including but not limited to reconstruction after fire, flood or other damage), and the value of that renovation or redevelopment, as indicated by building permits, is more than 25 percent of the market value of the land and buildings, as indicated by tax assessor's records

50-31.3 Design and Illumination Standards
 All exterior lighting regulated by this Section shall not be altered or replaced except where the alteration or replacement would comply with the provisions of this Section. All exterior lighting shall meet the following design standards:
 A. Any light source or lamp that emits more than 900 lumens (13 watt compact fluorescent or 60 watt incandescent) shall be concealed or shielded with an Illuminations Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees, with 90 percent of the light below 80 degrees. Exterior lighting shall be designed, constructed, and maintained in a manner that minimizes off-site glare, light trespass on adjacent property, and traffic hazards for pedestrian and motorists;
 B. All lighting shall have the intensities and uniformity ratio consistent with the IESNA lighting handbook, and shall be designed and located so that the illumination measured in footcandles at the finished grade shall comply with the standards in Table 50-31-1, Minimum and Maximum Illumination Values. All exterior lighting shall meet the requirements of the Minnesota State Energy Code, except for temporary decorative seasonal lighting;

STREET VIEW - 56TH AVE. W.



STREET VIEW - CODY ST.



SITE PLAN NOTES:
 1. SEE ALTA SURVEY FOR MORE INFORMATION.
 2. LEGAL DESCRIPTION: LOTS 12, 13, 14, 15 AND 16, BLOCK 162, WEST DULUTH, FIFTH DIVISION, ST. LOUIS COUNTY, MINNESOTA.

KEYNOTE	DESCRIPTION
1	EXISTING ACCESSIBLE ENTRANCE.
2	EXISTING WALL MOUNTED LIGHT FIXTURE
3	EXISTING POLE LIGHT FIXTURE, 4'-0" H
4	EXISTING BRICK PAVERS TO REMAIN.
5	EXISTING EXIT
6	NEW EXTERIOR DOOR
7	EXISTING 6'-0" H PRIVACY FENCE TO REMAIN.
8	EXISTING LANDSCAPED AREA
10	EXISTING CANVAS COVERED CANOPY TO BE REMOVED.
11	EXISTING POST MOUNTED SIGN TO REMAIN.

Construction Services & Inspections
 Reviewed For Code Compliance
 MSBC 2020
 Chris Machmer 05/19/2022

1 SITE PLAN
 SITE 1" = 10'-0"

ARCHITECTURE ADVANTAGE
 2715 Redmont Avenue, Duluth, Minnesota 55811
 Phone: 218.726.5666
 Email: info@architectureadvantage.com
 2715 Redmont Avenue, St. Paul, Minnesota 55101
 Phone: 651.224.4831 - Email: info@architectureadvantage.com
 Certified MN-Woman Owned Business

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed professional under the laws of the State of Minnesota.
 Signature: Melissa M. Graffias
 License #44824
 Date: 03.31.22

SHEET TITLE:
 SITE PLAN
 This sheet is a preliminary drawing. The client is responsible for the accuracy of the information provided. The drawing scales apply to full scale sheets.

BAILEY BUILDS COLLECTIVE
 601 N. 56TH AVE. W. DULUTH, MN 55807
 PROJECT NO: 2013
 DRAWN BY: EMK
 CHECKED BY: MMG

RELEASE DATE: 03.31.22
 REVISIONS:
 REV. DATE DESCRIPTION
 1 05/10/22 Plan Review
 SET NO.
 SHEET NO.
SITE
 OF XX

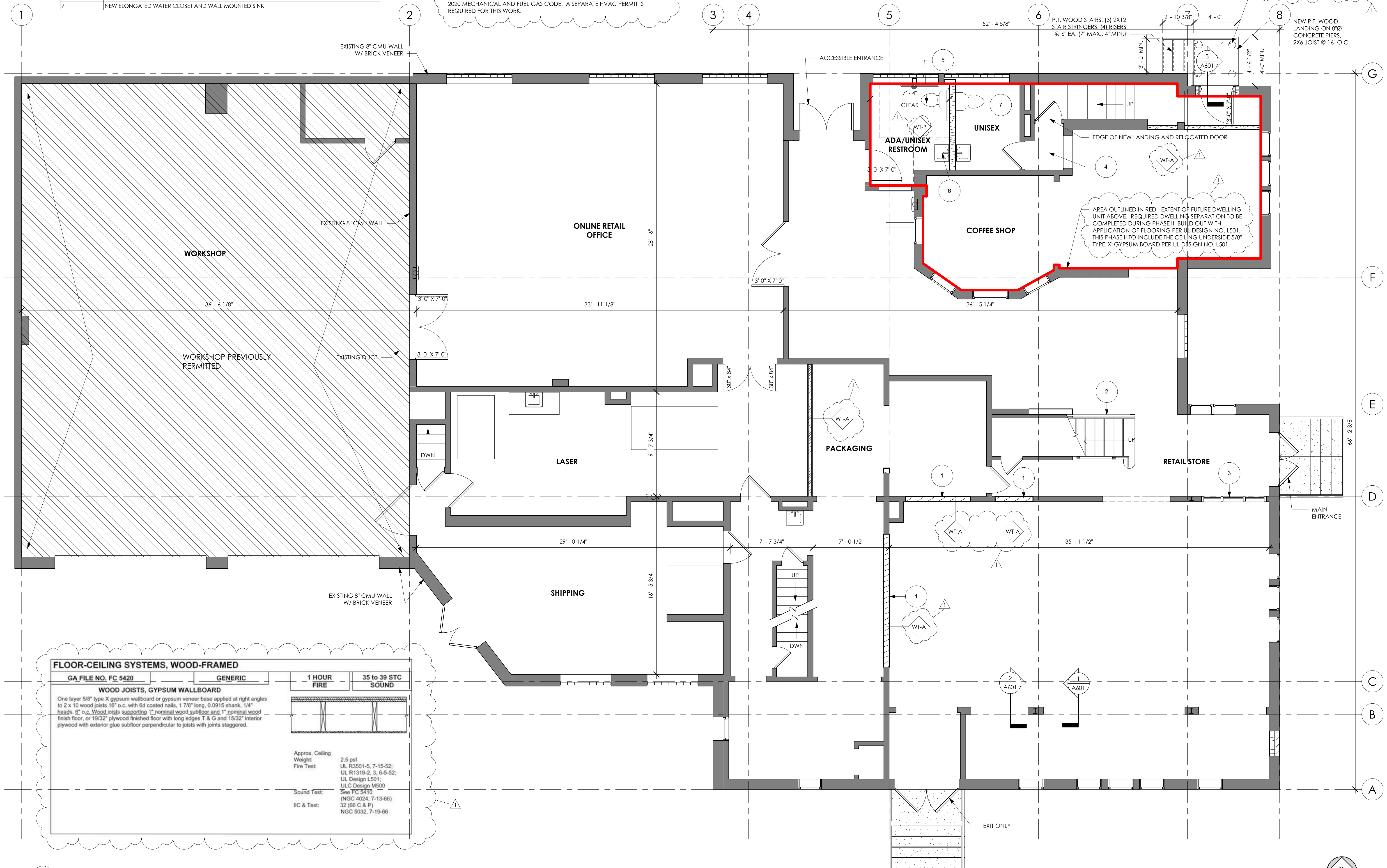
PLAN KEYNOTES - LEVEL 1	
KEYNOTE	DESCRIPTION
1	INFILL EXISTING OPENING WITH WOOD STUD CONSTRUCTION, MATCH EXISTING ADJACENT FINISH.
2	EXISTING STAIR AND ASSOCIATED FRAMING TO REMAIN. PROVIDE NEW GUARDRAIL AND HANDRAIL.
3	NEW 6'-0" X 8'-0" WOOD FRAMED WINDOW WITH 3X5 MUNTIN PATTERN.
4	BUILD UP EXISTING LANDING 7" +/- TO HEIGHT OF RESTROOM FLOOR.
5	NEW ADA WATER CLOSET WITH GRAB BARS
6	NEW ADA WALL MOUNTED SINK
7	NEW ELONGATED WATER CLOSET AND WALL MOUNTED SINK

GENERAL NOTES:
 WT-A: 2X4 WOOD STUDS AT 16" O.C. WITH 5/8" GYPSUM BOARD AT EACH FACE.
 WT-B: 2X6 WOOD STUDS AT 16" O.C. WITH 5/8" GYPSUM BOARD AT EACH FACE.

AT AREAS WHERE INFILLING TO MATCH EXISTING - CONFIRM EXISTING WALL THICKNESS TO MATCH.

MECHANICAL VENTILATION IS REQUIRED FOR THE NEW TOILET ROOM PER THE 2020 MECHANICAL AND FUEL GAS CODE. A SEPARATE HVAC PERMIT IS REQUIRED FOR THIS WORK.

Construction Services & Inspections
 Reviewed For Code Compliance
 MSBC 2020
 Chris Machmer 05/19/2022



FLOOR-CEILING SYSTEMS, WOOD-FRAMED

GA FILE NO. FC 5420	GENERIC	1 HOUR FIRE	35 to 39 STC SOUND
WOOD JOISTS, GYPSUM WALLBOARD			
One layer 5/8" type X gypsum wallboard or gypsum veneer base applied at right angles to 2 x 10 wood joists 16" o.c. with 6d coated nails, 1 7/8" long, 0.0915 shank, 1/4" heads, 8" o.c. Wood joists supporting 1" nominal wood subfloor and 1" nominal wood finish floor, or 19/32" plywood finished floor with long edges T & G and 15/32" interior plywood with exterior glue subfloor perpendicular to joists with joints staggered.			
Approx. Ceiling Weight:	2.5 psf	Fire Test:	UL R3501-5, 7-15-52; UL R1319-2, 3, 6-5-52; UL Design L501; UL Design M500
Sound Test:	See FC 5410	Sound Test:	(NGC 4024, 7-13-66)
IIC & Test:	32 (66 C & P)	IIC & Test:	NGC 5032, 7-19-66

ARCHITECTURE ADVANTAGE

2715 Piedmont Avenue - Duluth, Minnesota 55811
 Phone: 218.724.5666 Email: info@architectureadvantage.com
 2716 E. 7th Street - St. Paul, Minnesota 55101
 Phone: 651.224.4831 - Email: info@architectureadvantage.com

Certified MN-Woman Owned Business

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Minnesota.

Signature: *Melissa M. Graffias*
 Date: 03.31.22 License #44824

SHEET TITLE:
LEVEL 1 FLOOR PLAN

This sheet is a preliminary drawing. The drawings herein are for informational purposes only. The drawings shall not be used for construction without the approval of the architect. Drawing scales apply to full scale sheets.

BAILEY BUILDS COLLECTIVE

601 N. 56TH AVE. W. DULUTH, MN 55807

PROJECT NO: 2013
 DRAWN BY: EMK
 CHECKED BY: MMG

RELEASE DATE: 03.31.22

REV.	DATE	DESCRIPTION
1	05/10/22	Plan Review

SET NO.

SHEET NO.
A101
 OF XX