



City of Duluth

Meeting Agenda

Planning Commission.

Council Chambers

Tuesday, August 8, 2023

5:00 PM

Council Chambers

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 23-0711](#) Planning Commission Minutes 7/11/23

Attachments: [07-11-2023 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

PUBLIC HEARINGS

[PL 23-094](#) Preliminary Plat for Pine Haven Estates Between Arrowhead Road and Krueger Road by Duluth YMCA Property, Inc.

Attachments: [PL 23-094 Staff report and attachments](#)

[PL 23-125](#) Special Use Permit for a Restaurant Use for a Cat Cafe at 1823 E Superior Street by Wired Whisker/Misha Smith

Attachments: [PL 23-125 Staff Report and Attachments](#)

[PL 23-126](#) Concurrent Use Permit for Parking in the Right of Way at 2250 E Water Street by the Breakers/F.I. Salter

Attachments: [PL 23-126 Staff Report and Attachments](#)

TABLED ITEMS

[PL 23-003](#) UDC Text Amendments to Off-Street Parking Requirements by City of Duluth

Attachments: [PL 23-003 Staff Memo and Attachments Redacted](#)

COMMUNICATIONS

Land Use Supervisor Report

Historic Preservation Commission Report

Joint Airport Zoning Board Report

Duluth Midway Joint Powers Zoning Board Report

City of Duluth Planning Commission

**July 11, 2023 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Margie Nelson called to order the meeting of the city of Duluth planning commission at 5:00 p.m. on Tuesday, July 11th, 2023 in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Gary Eckenberg, Brian Hammond, Jason Hollinday, Margie Nelson, Danielle Rhodes, and Michael Schraepfer

Members Absent: Jason Crawford and Andrea Wedul

Staff Present: Adam Fulton, Jean Coleman, Kyle Deming, John Kelley, Chris Lee, Jason Mozol, and Cindy Stafford

Approval of Planning Commission Minutes -

Planning Commission Meeting – June 11, 2023

MOTION/Second: Eckenberg/Rhodes approved

VOTE: (6-0)

Public Comment on Items Not on Agenda

None

Consent Agenda

(Item PL 23-105 voted on separately.)

PL 23-103 Interim Use Permit Renewal for a Vacation Dwelling Unit at 1115 S Lake Avenue by Steven and Heather Pitschka

~~PL 23-105 Interim Use Permit Renewal for a Vacation Dwelling Unit at 3840 S Lake Avenue by Charles Jacobs – Rental by the Lake 38 LLC (Item voted on separately – see below)~~

PL 23-106 Minor Subdivision to Create Two Parcels at 7825 Congdon Boulevard by Virginia Katz

PL 23-108 Vacation of a Utility Easement at 3523 Chambersburg Avenue by James Wallner

PL 23-109 Vacation of a Utility Easement at 3705-3867 London Road by London East, LLC

PL 23-110 Variance from Corner Setbacks at 2430 E 3rd Street by William and Lynne Scalzo

PL 23-115 Minor Subdivision at 5217 Ivanhoe Street by Kelsey Dunaisky

PL 23-116 Vacation of Easement at 2300 Block of Commonwealth Avenue by DEDA

PL 23-117 Vacation of Drainage Easement at 2300 Block of Commonwealth Avenue by DEDA

Public: There were no speakers.

MOTION/Second: Eckenberg/Rhodes approved the consent agenda items as per staff recommendations

VOTE: (6-0)

PL 23-105 Interim Use Permit Renewal for a Vacation Dwelling Unit at 3840 S Lake Avenue by Charles Jacobs – Rental by the Lake 38 LLC

Public: There were no speakers.

MOTION/Second: Eckenberg/Rhodes approved as per staff recommendations

VOTE: (5-0, Schraepfer Abstained)

Tabled Item

PL 23-003 UDC Text Amendments to Off-Street Parking Requirements by the City of Duluth
Deputy Director Adam Fulton noted a national speaker (recommended by city councilor Noah Hobbs) will be invited present at the August meeting.

Communications

Land Use Supervisor (LUS) Report – Deputy Director Adam Fulton gave an overview. He noted ongoing projects including the Duluth Area I-35 Corridor Plan, and the Northern Lights Express. There was a ground-breaking event for River West, which some staff attended. August will be a short meeting.

Heritage Preservation Commission – Gary Eckenberg stated there was no meeting due to lack of a quorum.

Joint Airport Zoning Board – No updates.

Duluth Midway Joint Powers Zoning Board – Deputy Director Fulton noted there is an operational quarry which was issued a special use permit by the township which has been under scrutiny.

Adjournment

Meeting adjourned at 5:12 p.m.

Respectfully,

Adam Fulton – Deputy Director
Planning & Economic Development



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 23-094	Contact	John Kelley, jkelly@duluthmn.gov	
Type	Preliminary Plat	Planning Commission Date	August 8, 2023	
Deadline for Action	Application Date	May 11, 2023	60 Days	July 10, 2023
	Date Extension Letter Mailed	May 19, 2023	120 Days	September 8, 2023
Location of Subject	Parcel 010-2710-02430 north of West Arrowhead Road and south of Krueger Road			
Applicant	Duluth YMCA Property, Inc	Contact		
Agent	FI Salter	Contact	Macey Solomon	
Legal Description	See attached			
Site Visit Date	May 31, 2023	Sign Notice Date	May 30, 2023/July 25, 2023	
Neighbor Letter Date	May 24, 2023/July 20, 2023	Number of Letters Sent	19	

Proposal

Preliminary plat of 58+ acres of land into 3 lots ranging from approximately 11 acres to 24 acres into "Pine Haven Estates."

Recommendation

Staff is recommending approval subject to included conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	RR-1	Vacant/Undeveloped	Rural Residential/Open Space
North	MU-B	Business Park	Business Park
South	R-1	Residential	Low Density Neighborhood
East	RR-1	Vacant/Undeveloped	Rural Residential/Open Space
West	RR-1	Vacant/Undeveloped	Rural Residential/Open Space

Summary of Code Requirements

The planning commission shall approve the application, or approve it with modifications if it determines that:

Consolidated preliminary and final review. For subdivisions that result in no more than four lots that are no less than five acres each, and where each lot will have a minimum frontage of 250 feet on an improved public road, preliminary and final review may be consolidated if the land use supervisor determines that the proposed subdivision is of small size and minor importance. Subdivisions so designated as being of small size and minor importance may submit a final plat application after staff review of a concept plan;

Preliminary plat criteria:

- (a) Is consistent with the comprehensive land use plan;
- (b) Is consistent with all applicable requirements of MSA 462.358 and Chapter 505;
- (c) Is consistent with all applicable provisions of this Chapter;
- (d) Is consistent with any approved district plan covering all or part of the area of the preliminary plat;

- (e) Is located in an area with adequate police, fire and emergency facilities available to serve the projected population of the subdivision within the City's established response times, or the applicant has committed to constructing or financing public facilities that will allow police, fire or emergency service providers to meet those response times;
- (f) Will not create material adverse impacts on nearby properties, or if material adverse impacts may be created they will be mitigated to the extent reasonably possible;

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

Zoning – Rural Residential-Traditional 1 (RR-1): established to accommodate traditional neighborhoods of single-family detached residences, duplexes and townhouses on moderately sized lots. This district is intended to be used primarily in established neighborhoods. Many of the dimensional standards in this district require development and redevelopment to be consistent with development patterns, building scale, and building location of nearby areas. The minimum lot size is 5 acres.

Future Land Use – Rural Residential: Areas of single-family lots of at least five acres. Limits the extension of municipal utilities for new development. Includes existing rural density areas with lots as small as an acre now served by municipal utilities but not planned for further subdivision

Future Land Use - Open Space: High natural resource or scenic value, with substantial restrictions and development limitations. Primarily public lands but limited private use is anticipated subject to use and design controls. Examples include: city parks and recreation areas, primary viewsheds, shorelands of the lake and streams, wetlands and floodplains, and high-value habitat.

Site history: Approved concept plan (PL 22-084) with conditions related to number of lots and wetlands. Approved wetland delineation (PL 22-158) identifying significant wetlands along Arrowhead Road.

Review and Discussion Items

Staff finds:

- 1) The applicant is seeking Planning Commission approval of a preliminary plat. The proposal is to plat a 58+ acre unplatted area into 3 lots for single-family homes. Each lot will have frontage on improved streets. Lots 1 and 2 will have frontage on Krueger Road and Lot 3 will have frontage on West Arrowhead Road. The proposed lot sizes and widths conforms to the basic requirements of the RR-1 zone district.
- 2) Lot 1 (11.68 acres) is proposed to be developed with a single-family home, Lot 2 (24.60 acres) is proposed to be developed in the future with a single-family home and Lot 3 (19.43 acres) is proposed to be developed in the future with a single-family home. Applicant will sell the lots and future property owners will need to meet all UDC requirements for any development.
- 3) Inclusive of the 58 acres is the north right-of-way for Krueger Road being dedicated to the public (1.00 acre) and south right-of-way for West Arrowhead Road being dedicated to the public (1.00 acre).
- 4) Lot 1 of the proposed plat will have 1024 feet of frontage on Krueger Road, Lot 2 will have 306 feet of frontage on Krueger Road, and Lot 3 will have 467 feet of frontage on West Arrowhead Road. These dimensions meet the requirement in the RR-1 zone district of 250 feet of frontage.
- 5) Lot 3 will be accessed from Krueger Road via an access easement through Lot 1 and crossing Chester Creek. The creek crossing will require DNR approval prior to the issuance of any permit for site disturbance to Lot 3.
- 6) Staff recommends that access from West Arrowhead Road to Lot 3 be restricted to preserve and protect the high-quality wetlands.
- 7) The proposed lots are within the Chester Creek Watershed, with the creek splitting the original parcel in half; the creek flows west to east. The highest parts of the site (elevation 1,410 feet) are along the north end of the property with a gradual down slope grade toward the central portion of the property (Chester Creek), then rolling terrain with pockets of higher points, and finally sloping downward to the south along West Arrowhead Road. The southern parcel, Lot 3, has considerable wetlands along the entire frontage of West Arrowhead Road. Access to Lot 3 will be established via an access easement through Lot 1.
- 8) A wetland delineation (PL22-158) found there are 8 wetland areas for total 18.7 acres of wetland on the site, spread throughout the north, central and southern portions of the property. Wetland types consist of Type 2 – Sedge Meadow and Fresh (wet) meadow, Type 6 – Alder thicket, Type – 7 Hardwood swamp, and Type 8 – Coniferous usage of these

wetlands will not be impacted as part of the platting process. Sufficient building envelopes exist on the lots to develop the proposed single-family homes with no, or minimal, wetland impacts. All future developments will be reviewed for compliance with state and federal wetland regulations.

- 9) The land is forested with pockets of open area. The applicant has submitted a comprehensive tree inventory report that identifies tree size, species and whether they are of significant or special importance for the entire plat area. A tree replacement plan will need to be provided showing building pads and trees to be removed prior to the submittal of a final plat. The tree inventory identified a number of Special Tree over 20 inches in diameter in the northwest and central portions of the site, which are prohibited from being removed. Each lot contains reasonable areas for building that will avoid these important areas of trees. Staff recommends the tree replacement plan for each lot be provided for review and approval prior to the submittal of a final plat.
- 10) There is no sanitary sewer or water located in front of Lot 3 on West Arrowhead Road; this lot will require a well and septic. There is a city water line on Krueger Road west of the property that could service Lots 1 and 2. There is no sanitary sewer line located on Krueger Road, so septic will be required for these lots as well.
- 11) A stormwater management report will need to be submitted to the City prior to any building permits or land disturbance permits being issued.
- 12) Staff finds there are no adverse material impacts to surrounding properties that cannot be adequately mitigated by permits required by this development and appropriate site design. Storm water permits will require appropriate treatment and attenuation of storm water before discharge, loss of tree cover will be mitigated through approval of tree preservation plans, and significant traffic impacts are not expected on local streets.
- 13) The plat is consistent with the comprehensive land use plan designation of this property as "Rural Residential" and "Open Space." The proposed plat will retain the rural character of the area, and the balance of the land in this plat will remain as open and undeveloped, besides the one proposed home on each lot. The existing rural residential zoning provides for retention of open space and the area's rural character (UDC 50-14.3.A).
- 14) The plat is located in an area with adequate police, fire and emergency facilities available to serve the projected population.
- 15) Staff finds that, other than the items addressed above, the plat conforms to the requirements of Sec 50-37.5. and is consistent with all applicable requirements of MSA 462.358 and Chapter 505.
- 16) No citizen, agency, or City comments have been received to date.

Staff Recommendation

Based on the above findings, staff recommends that Planning Commission approve the application with the following conditions:

1. A tree replacement plan will need to be provided showing building pads for homes on each lot and trees to be removed prior to the submittal of a final plat
2. Final plat to show utility and drainage easements around all delineated wetlands.
3. Final plat to have all City Engineering comments incorporated into the plat exhibit.
4. Access easement from Krueger Road through Lot 1 to Lot 3 shall be shown on the final plat.
5. 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



**MU-B (Mixed
Use Business
Park)**

Prosperity
Rd

Rice Lake Road

Krueger Road

Legend
Zoning Boundaries

**RR-1 (Rural
Residential 1)**

**MU-P (Mixed
Use Planned)**

**R-2
(Residential
Urban)**

Text

Swan Lake
Road

W Arrowhead Road

**R-1 (Residential
Additional)**

Crystal Dr



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.





Planning & Development Division
Planning & Economic Development Department

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File Number	PL 23-125	Contact	Jenn Moses, jmoses@duluthmn.gov	
Type	Special Use Permit – Restaurant	Planning Commission Date	August 8, 2023	
Deadline for Action	Application Date	July 5, 2023	60 Days	September 3, 2023
	Date Extension Letter Mailed	July 25, 2023	120 Days	November 2, 2023
Location of Subject	1823 E Superior Street			
Applicant	Misha Smith	Contact	Wired Whisker	
Agent	Tiersa Wodash	Contact	Brick and Mortar Design	
Legal Description	PID 010-1480-01880	Sign Notice Date	July 25, 2023	
Site Visit Date	July 25, 2023	Number of Letters Sent	51	

Proposal

Applicant is proposing a new coffee shop in an existing building, with a dedicated, separate cat lounge where people can interact with adoptable cats. A Restaurant use with less than 5,000 sf requires a Special Use Permit in the R-2 district.

Staff Recommendation

Staff recommends approval, with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Commercial	Urban Residential
North	R-2	Residential	Urban Residential
South	R-2	Residential	Urban Residential
East	R-2	Residential	Urban Residential
West	R-2	Residential	Urban Residential

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. This directs new investment to sites which have the potential to perform at a higher level than their current state. This strengthens neighborhoods and is preferred to a dispersed development pattern with associated alteration of natural landscapes and extensions of public services. Wired Whisker plans to repurpose an existing neighborhood structure.

Governing Principle #5 – Promote reinvestment in neighborhoods. Support neighborhood scale commercial areas. Wired Whisker will add a new business, diversifying opportunities within the primarily residential neighborhood.

Governing Principle #8- Encourage a mix of activities, uses, and densities. Cities have evolved as a mix of land uses, building types, housing types, and activities. Wired Whisker will provide a neighborhood gathering place.

Future Land Use

Urban Residential: Greatest variety of residential building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas. May include student housing areas, live/work units, and limited neighborhood retail.

History

The building was built in 1956 and was previously used as a child care.

Review and Discussion Items:

Staff finds that:

- 1) Applicant proposes to open a neighborhood-based cat café, which is a café that, in addition to more traditional food service café functions, also has a designated space for visitors to interact with adoptable cats. The proposed coffee shop/café is classified by the UDC as a restaurant; the building contains 1,820 sf which is less than the 5,000 sf maximum allowed in the R-2 district. No drive-through will be constructed or used as part of this cat café.
- 2) Hours of operation will be 7:00 am to 8:00 pm. Applicant has indicated they will be working with a local rescue organization as well as a local bakery, supporting economic development in the community.
- 3) As demonstrated with the governing principles above as well as the future land use of urban residential, this proposal meets the goals of the comprehensive plan.
- 4) UDC Sec. 50-24 (Parking and loading). The site currently contains 2 off-street parking spaces. The capacity of the building is similar to previous uses, allowing the nonconforming parking to remain, as the use is not expanding (see attached Land Use Supervisor determination). The applicant has also identified areas nearby where other neighborhood uses such as the church and apartment buildings have access to off-street parking. On-street parking is available in this location and the site is served by transit. Note that adjacent on-street parking includes a signed ADA space.
- 5) UDC Sec. 50-25 (Landscaping and Tree Preservation). As the lot is less than 10,000 sf, landscaping requirements do not apply; however, existing trees, vegetation, and retaining wall will remain. Site plan indicates native plantings and additional landscape features to be added.
- 6) UDC Sec. 50-26 (Screening, Walls and Fences). Garbage/recycling containers will be screened, and proposed 5' fence will meet all UDC requirements. 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 as this is reuse of an existing building and site.
- 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 cat café will not result in a random pattern of development or have anticipated negative fiscal or environmental impacts.
- 11) Two comments from neighbors were received; one asked about the Special Use Permit process and the other noted a nearby coffee shop just opened in the neighborhood. No other public, agency, or other 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, including provision of off-street parking, outdoor patio and other landscape features.
- 2) Proposed cat café shall not be open earlier than 7:00 a.m. or later than 8:00 p.m.
- 3) Mechanical screening and exterior lighting will be confirmed at the time of building permit application.
- 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.



JULY 2023

Special Use Permit (General)

Wired Whisker

1823 E Superior Street

Duluth, MN 55812

info@wiredwhisker.com | www.wiredwhisker.com



Prepared for
City of Duluth
Planning Commission
Public Hearing | August 8, 2023

Prepared by
Misha Smith
4643 Hanson Road, Duluth, MN 55811
(612) 965-8220

Application Checklist

Pre-Application Meeting | Complete

Application Cover Sheet | Complete

Survey of the property | Exemption approved with included Site Plan

Site Plan | Complete

Floor Plan | Complete

Landscape or Screening Plan | Complete

Statement - Guiding Principles and Future Land Use Designation | Complete

Statement - Impact on Local Community | Complete



12 Guiding Principles

Principle 1: Reuse previously developed lands.

Wired Whisker focuses on rejuvenating and repurposing an existing neighborhood structure into a vibrant coffee shop. This approach not only prevents the unnecessary alteration of natural landscapes but also optimizes the use of existing public infrastructure, ensuring the sustainable growth of the community.

Principle 5: Promote reinvestment in neighborhoods.

Wired Whisker will act as a hub of local reinvestment, adding commercial value and diversifying opportunities within a primarily residential zone. My commitment to preserving and enhancing the neighborhood's unique character ensures we maximize public investment and foster community ties.

Principle 8: Encourage a mix of activities, uses, and densities.

Wired Whisker will enrich the local fabric by fostering a diverse range of activities. As a community gathering place, we'll offer more than just excellent coffee and baked goods; we'll provide a locale for residents to connect, unwind, and engage in the richness of café culture, thereby bringing a dynamic new layer to the neighborhood's mixed-use landscape.



STATEMENT

Land Use: Urban Residential (UR)

The initiative to convert an existing building into a neighborhood coffee shop aligns with the Urban Residential (UR) land use principle as this transformation encourages the dynamic use of space, fostering a commercial hub that serves not only as a provider of artisanal coffee and fresh pastries but also as a nexus of community activity and social interaction. From early morning coffee runs to early evening meet-ups, the café becomes a pulsating heart within the urban residential fabric, offering a safe, inviting space for residents to gather, relax, and connect.

Moreover, Wired Whisker will provide a small-scale retail opportunity, further bolstering the economy of the neighborhood by sourcing products locally where possible, promoting local art, and creating jobs within the community. By prioritizing the needs and characteristics of the neighborhood, Wired Whisker will complement UR's goal of creating a mixed-use community with a vibrant, inclusive, and diverse array of residential and commercial activities.

The cafe's location, close to downtown, Endion Park, and local colleges, positions it as a convenient pit stop for those commuting to work, students seeking a quiet study nook, and families enjoying a day out. By seamlessly blending the realms of living, working, and socializing, Wired Whisker helps to fulfill the multifaceted nature of urban residential land use, ultimately enhancing the neighborhood's quality of life.



Impact on the Local Community

The proposed neighborhood coffee shop, Wired Whisker, is designed with the utmost respect and consideration for the local community. Without a drive-thru, we mitigate potential traffic congestion and noise pollution that could otherwise disturb the peaceful ambiance of the neighborhood.

Operating within reasonable hours, we aim to serve the needs of the community without disrupting the tranquil evenings or early mornings that residents cherish. The goal is to enhance the local lifestyle, not to impede it.

Hours of Operation

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
OPEN	7:00 a.m.						
CLOSE	8:00 p.m.						

As a true neighborhood coffee shop, we prioritize creating a welcoming space that cultivates community ties, encourages meaningful conversations, and contributes positively to the local economy. We intend to seamlessly integrate into the neighborhood's fabric, respecting its rhythms and routines. Not only can visitors enjoy their daily cup of coffee inside the cafe, but there will also be an inviting patio as well.

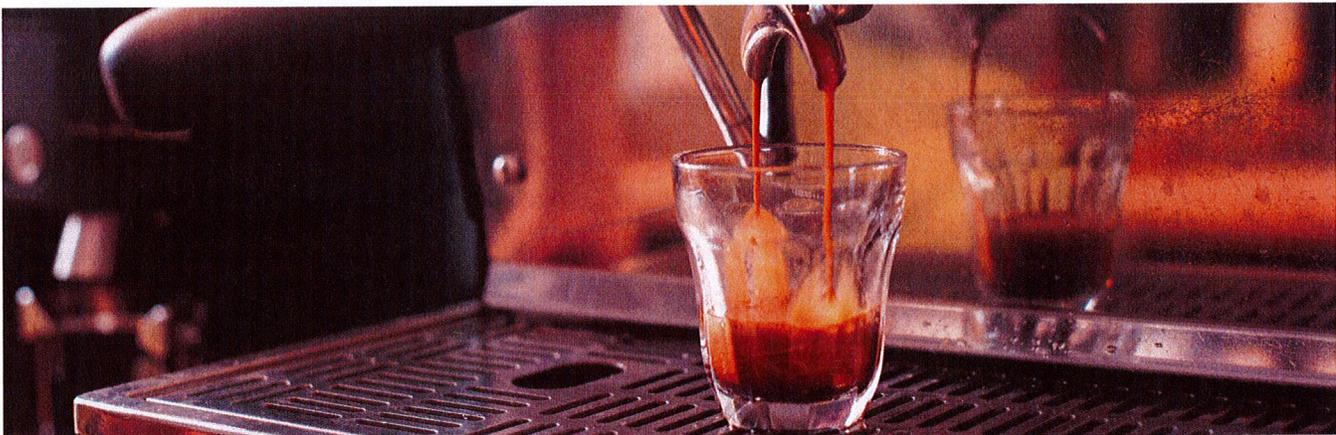
In essence, Wired Whisker is designed not merely to coexist with the community but to enrich it, fostering a sense of togetherness and enhancing the neighborhood's charm without causing any undue disruption to the lives of the residents.

ABOUT



What is a cat café?

A cat café is a café or similar establishment with a designated area of the café where adoptable rescue cats and people can interact.



ABOUT

Nature of the Business

Wired Whisker goes beyond quality coffee and baked goods by providing a purpose-driven experience to our customers where they can interact with adoptable cats. By providing shelter and care for up to twenty rescue cats at a time, our cafe is helping relieve occupancy pressure on local shelters, which allows them to take in more cats and ultimately save more cats' lives.

We invite visitors to step away from the bustle of their daily lives and enter a cozy, stress-free environment where they can enjoy a delicious beverage and interact with various adorable and adoptable cats.



Mission

At Wired Whisker, our mission is to help find safe and loving forever homes for as many rescue cats as possible by providing a welcoming space for humans and adoptable cats to bond. We believe that cats have the power to feed the soul and heal the mind, and we want to share that magic with as many people as possible.



Vision

Wired Whisker is a cozy and welcoming space where people from all walks of life can interact with rescue cats and develop meaningful relationships. Our mission is to provide a safe and nurturing environment for cats to thrive and find their forever homes while supporting local shelters and reducing overcrowding. We exist to help cats find lifelong guardians and make a positive impact in our community.

Reason for Being

Wired Whisker exists to provide a unique and memorable experience for cat lovers and café-goers. It is a space where individuals from all walks of life can enter and immediately feel a sense of welcome and community. The added mission-driven aspect of the business also provides space for prospective cat adopters to meet and interact with adoptable cats in a cozy, home-like environment.

Core Values



Guardians

We love and respect cats. As their humble guardians, we get to know each of our cats to ensure they receive the best possible care and find loving homes where they can thrive.



Sustainability

We are proactive when it comes to sustainability and we understand our choices today impact our world tomorrow. Sustainability is a vital determining factor in every single business decision we make.



Community

We believe in community over competition. This means we encourage creativity at every corner in collaboration with our community partners.



Respect

We leave pride at the door. We respect our team, our customers, and our partners without compromise.



Inclusivity

All are welcome. We believe in diversity, equity, and inclusion where everyone is valued as their authentic selves.

STATISTICS

144

is the total number of open cat cafes in North America

40%

of cat owners got their cats from an animal shelter or rescue

\$2.8 billion

is the projected market size for cat cafes in 2026, more than double the \$1.3 billion market size in 2019

\$136.8 billion

is the amount of money Americans spent on their pets in 2022, up 10.68% from 2021 (\$123.6 billion)

Taiwan, 1998

the first cat café opened its doors

66% of U.S. Households

own a pet (86.9 million homes)

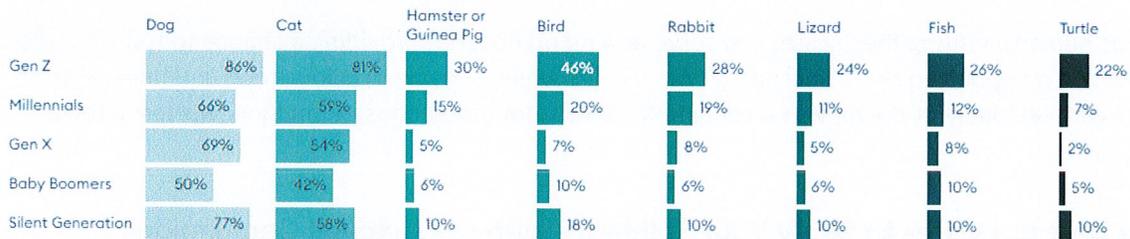
Gen Z

makes up the largest percentage of cat owners, and are most likely to spoil their pets with birthday cakes (34%), birthday presents (39%) and clothing or costumes (32%)

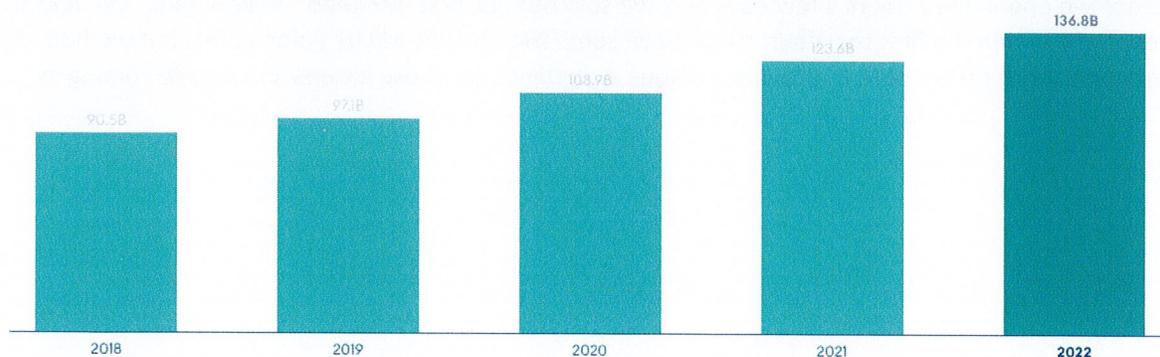
4% Increase in Cat Households

between 2016 and 2022, the percentage of U.S. households who own cats increased by 4 percentage points, from 25% to 29%.

Pet Ownership by Generation and Pet Type



Total U.S. Pet Industry Expenditures (in billions of dollars)



Data source: American Pet Products Association

Source: Forbes Advisor • Get the data • Embed

Relevant Communication

The Cat's Out of the Bag: Cat Cafes Make Successful Debuts in the U.S.

Cat cafes, which are quickly becoming popular amongst animal lovers, operate like any other tea houses or coffee shops, but they also offer customers an interactive experience with their feline residents. Behind this fast-moving trend is a longstanding ambition: to promote adoption while getting cats out of the shelter environment and into a temporary one in which they thrive. The United States has more than 125 cat cafes, and some of them serve more than coffee and cat cuddles.

The Rise of Cat Cafes: How Have They Become So Popular?

What sounds better than sipping a hot tea or coffee while being in the company of a band of felines? If that doesn't sound like heaven to a cat lover, we don't know what does! Cat cafés have risen in popularity, and to us, it's really no wonder. Humans who love these creatures appreciate the personalities and quirks of kitty companions in public settings. Plus, cats often enjoy a relaxing environment where they can socialize and do their own thing.

The World Needs More Cat Cafes - Here's Why!

Despite our ever-changing surroundings, the allure of cat cafes will remain. When done ethically, they have the potential to improve the quality of life of rescue cats, which previously may have been living in cages or even harsher conditions.

For us humans, visiting these cafes can serve as a mood booster, providing a chance to reduce stress levels and an opportunity for socializing with friends while enjoying delicious food and beverages. If you ever feel lonely or down, visit a cat café for an instant mood booster, and you will leave feline fine.

The Best Cat Cafes to Show Your Solidarity with our Beloved Companions

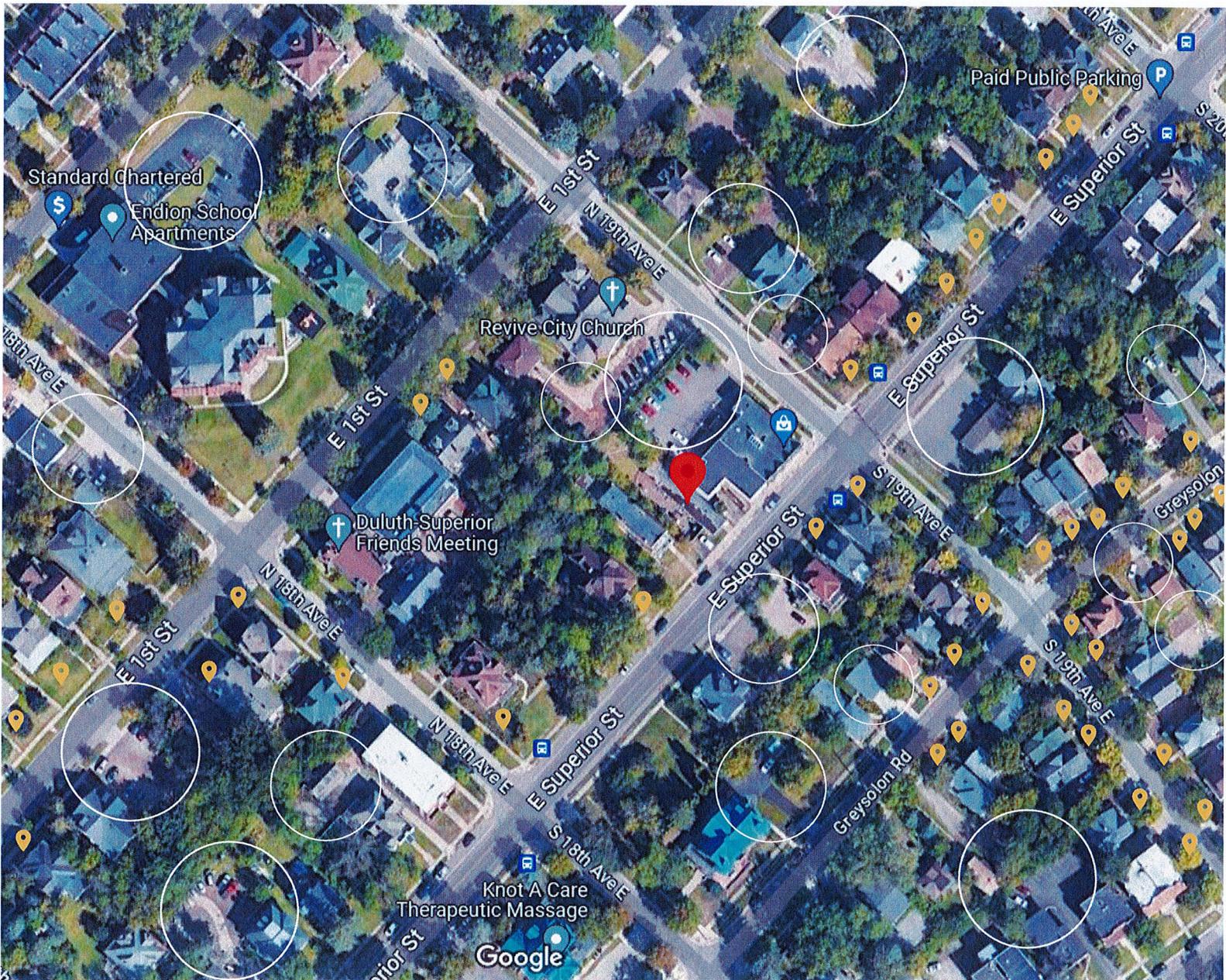
Since the 1998 opening of the first cat café, there's been a storm of cat cafes opening around the world. You could say the concept is cat-ching on.

First cat café in Tampa provides safe space for rescue cats in need of forever home

"Since we opened our doors a few days ago, we sold out our first weekend," Rekow said. "We had six adoptions within the first two days, so we have some friends that will be going home, but we hope to get some more cats in here to provide a unique experience for those kittens and people coming in."

PARKING

Off-street Parking / Availability



white circles: off-street parking available

yellow pins: houses that appear to not have driveways or designated off-street parking

Cat Wall Furniture



15.7 x 10 inches



8.7 x 2.7 x 15.7 inches



15.5x11.8x18 inches



44 x 12.8 inches



15.7 x 13.8 x 4.75 inches



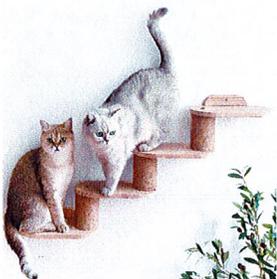
12.8"L x 12.8"W x 36.6"H



36 x 13 inches



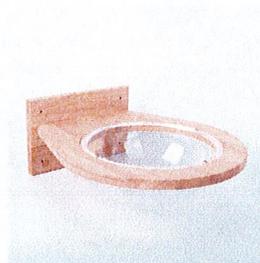
11.8 x 3.8 x 3.8 inches



32 x 6 x 5 H inches



13.6 x 10.6 x 49.2 inches



11.8 x 7.09 x 17.72 inches



15.75 x 15.75 x 18.7 inches

Site Plan Unique Seating

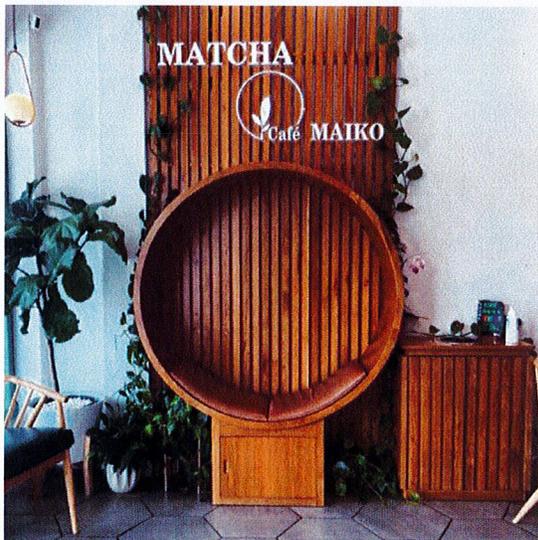


Swing Egg Chairs



Swing Chairs + Table

Floor Plan Unique Seating

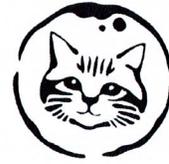


Adoption Wall - Example 1



Adoption Wall - Example 2

Contact



**WIRED
WHISKER**
cats · coffee · cafe

www.wiredwhisker.com
info@wiredwhisker.com
(612) 965-8220





Brick and
Mortar

Project Report

June 27th, 2023

Building address: 1823 E Superior St Duluth MN 55805

Building size: 20 ft x 91 ft = 1820 sf footprint, single story, slab on grade

Property size: 50 ft x 150 ft = 7500 sf

Zoning Classification: R-2, Residential-Urban [\[UDC 50-14.6\]](#)

Permitted Uses: Restaurant under 5,000 sf with Special Use Permit. No drive thru. [\[UDC 50-19 + -21\]](#)

Parking: 6.5 spaces per 1000 sf of gross floor area 1600 sf = 10.4 spaces [\[UDC 50-24\]](#)

- Can be reduced by 30% if located within ¼ mile of DTA routes = 7.3 spaces after reduction
- Shared parking spaces: Can calc by ratio of both buildings' parking requirements per Table 50-24-2 or 50% can be used jointly with a non-residential use with different hours of operation
- 50-24.5 D. states when the building or use is enlarged by 25% or more in use of site area the existing on-site parking is to remain. *Since the outdoor was used as a playground, this may be not be pulled out as an argument*
- Existing parking in the front yard is not allowed by UDC. Only parking in rear and side yard

Landscaping: [\[50-25\]](#)

- Provisions of 50-25.2-50-25.4 and 50-25.7 shall apply if lot is over 10,000 sf and the primary structure is commercial when listed conditions occur.
 - *This lot is under 10,000 sf, provisions do not apply*
- 50-25.5 Landscaping between differing land uses of commercial abutting residential shall have a buffer zone
 - *The abutting residential is on the West, where the existing retaining wall and vegetation exists already*
 - *The abutting mixed use building to the East with residential on upper levels has existing trees and shrubs to the north and south of the wall too close to 1823 to plant anything*
 - *North property line abuts a commercial building*
 - *South property line abuts Superior Street*

Screening: [\[50-26\]](#)

- Provisions apply if the primary structure is renovated and the value of that renovation as indicated by building permits is 25% or more of the pre-application assessor's market value of the primary structure, as shown in the records of the city assessor
 - *This remains to be seen, below are the requirements that come into effect*
- Screen roof mounted equipment
- Screen ground mounted equipment and waste containers



The nuts and bolts

Exterior Signs: [50-27]

Exterior Lighting: [50-31]

Current Occupancy: Group E Child daycare (35 sf net occ count)

Proposed Occupancy: Group B, Small assembly cafe with cat area for interaction and adoption

Fire Protection: No sprinkler. Fire alarm in place

Construction: Type VB. 12" CMU walls, slab on grade, steel roof joists and decking, membrane roof

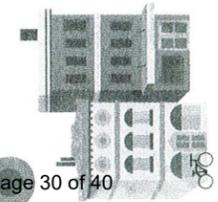
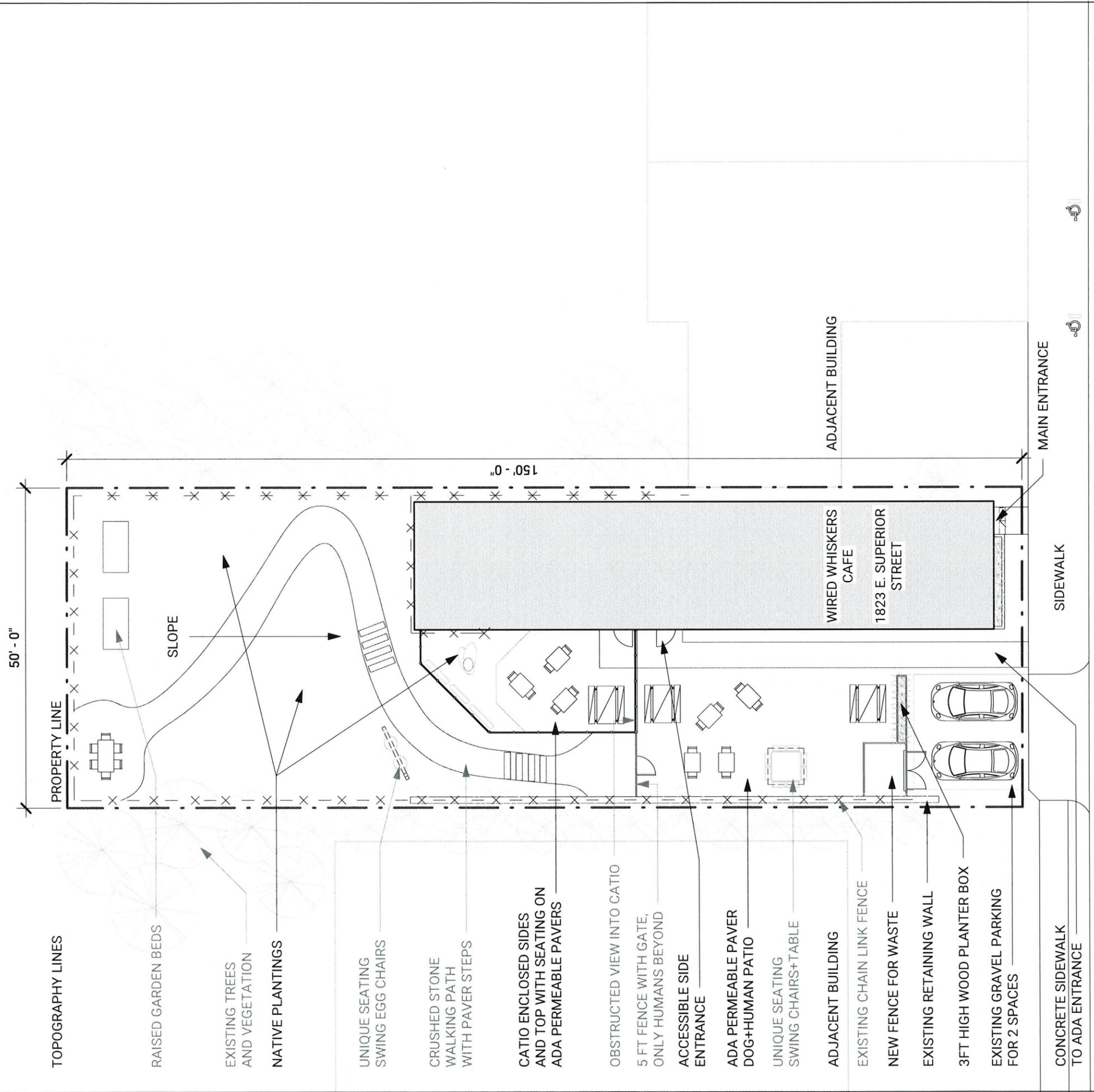
Egress: 2 exits on grade, one with 2 riser stair

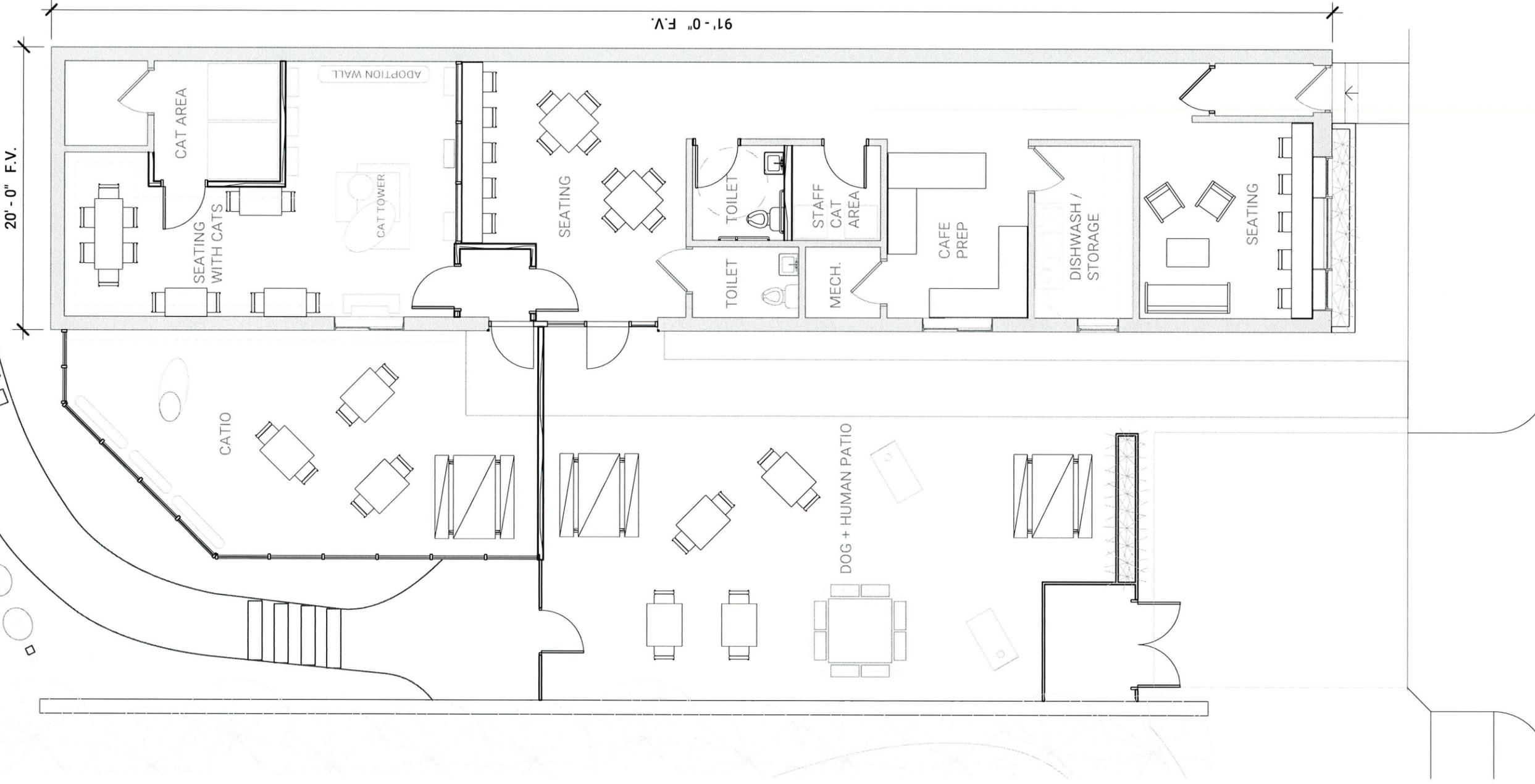
Accessibility:

On-street signed ada parking spot

Modify side entrance for accessibility by adding hardscape site path and new swing door

Modify existing toilet room to extent possible to meet accessibility



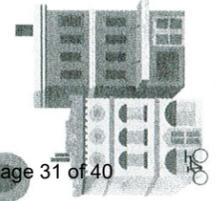


Wired Whisker Cafe Concept Floor Plan

1/8" = 1'-0"

1823 E Superior St Duluth MN 55812

6/30/2023 5:16:37 PM



Brick and Mortar

www.brickandmortar.design

Jenn Moses

From: planning
Sent: Wednesday, July 26, 2023 7:14 AM
To: Jenn Moses
Subject: FW: 1823 E. Superior Street (PL 23-125)

From: Carlena Carrington <carlena.carrington@gmail.com>
Sent: Tuesday, July 25, 2023 5:46 PM
To: planning <planning@DuluthMN.gov>
Subject: 1823 E. Superior Street (PL 23-125)

Hi Jenn Reed Moses,

I see a problem with this proposed coffee shop because another one was just allowed to open at 318 N 18th Ave E, Duluth, MN which is 0.3 miles away. I'm all for growth and development, but how much more coffee do we need? What will the impact be on The Loch Cafe & Games and this new proposed coffee shop; having two competitors so close together does seem logical for success. My concern is we will lose both commodities in the process. I would suggest the application rethink its business proposal, which might ensure the success of both businesses.

Thank you,
Carlena Carrington
Property Owner
1814 E 4th Street

Jenn Moses

From: Laurie O'Neill <loneill@haileysault.com>
Sent: Monday, July 24, 2023 3:21 PM
To: Jenn Moses
Subject: RE: Special use permit for 1023 E Superior St - Question

Hello, Jenn--

We just received your notice of public hearing--had a couple of questions:

1. Does the special use permit change the zoning?
2. Should the restaurant close in the future, does any business coming in its place also have to apply for a special use permit?

Other than that, a coffee shop sounds nice:)

Thanks, Jenn.

Laurie O'Neill
1911 E Superior St

Jenn Moses

From: Adam Fulton
Sent: Friday, July 7, 2023 8:03 AM
To: Jenn Moses
Subject: RE: Request for concurrence on nonconforming use

Jenn,

I have reviewed your findings related to the Wired Whisker site on East Superior Street. I concur with the determination that the change of use from a child care facility to a coffee shop will constitute a continuation of the nonconformity at the property, and as such that no additional parking is required to allow for the change of use at this time. It is approved.

Please retain this approval with the property files in TrakIT and EPL.

Thankyou,

Adam

Adam Fulton | Deputy Director, Planning & Economic Development | he/him/his | **City of Duluth** | 411 West First Street, Duluth, MN 55802 | 218-730-5325 | afulton@duluthmn.gov

From: Jenn Moses <jmoses@DuluthMN.gov>
Sent: Thursday, July 6, 2023 4:40 PM
To: Adam Fulton <afulton@DuluthMN.gov>
Subject: Request for concurrence on nonconforming use

Adam,

One of the items on the August agenda is a Special Use Permit for Wired Whisker, a coffee shop or “restaurant” use in the UDC. One of the questions they have asked is about required parking. Kyle and I have discussed the previous use versus the proposed use in terms of vehicle impacts to determine whether the proposed use would constitute a continuation of a nonconformity, or require a variance. Here are our findings and determination for your concurrence:

The current/recent past use has been a child care. Although the UDC requires off-street parking be provided at a rate of 1 space per 5 persons care capacity, the use only provided 2 off-street parking spaces. Based on the age of the building, it is our assumption that is a legal nonconformity that has continued with a long-historical trend of two off-street parking spaces (it is visible in aerial photography going back to 2001).

A coffee shop or restaurant use, as proposed, would typically require 7 off-street parking spaces. This amount of 7 parking spaces would, if applied to a day care use, allowed for a child care capacity of 35 children. Based on the state of Minnesota guidance for square feet per child in a child care, it is likely that this building could have accommodated 35 children (although an exact determination would require a detailed floor plan of the interior as it existed when it was in operation as a child care, which we do not have). Thus, using the parking requirements as a guideline, the traffic generation as a restaurant use at a given time is likely to be similar to that of a child care.

A child care would typically have peak hours during morning drop-off and evening pick-up; a coffee shop will have different peak hours, with more traffic spread throughout the day. Nevertheless, the overall traffic impact on the neighborhood and the street parking network is not expected to be substantially greater than its previous use as a child

care. Thus, it is our determination that the proposed use could continue to operate with the existing two parking spaces in a manner that would not constitute any enlargement or expansion of the nonconformity.

Please let me know if you concur with this determination.

Jenn

Jenn Reed Moses, AICP | Senior Planner | **Planning and Development Division** | City of Duluth | 411 W 1st Street Room 160, Duluth, MN 55802 | 218-730-5328 (direct) | 612-670-1300 (cell) | jmoses@duluthmn.gov | she/her/hers

Find [Zoning information](#) for property within the City of Duluth.



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 23-126	Contact	Jenn Moses, jmoses@duluthmn.gov	
Type	Concurrent Use Permit	Planning Commission Date	August 8, 2023	
Deadline for Action	Application Date	July 25, 2023	60 Days	N/A
	Date Extension Letter Mailed	N/A	120 Days	N/A
Location of Subject	2250 E Water Street			
Applicant	F.I. Salter/The Breakers	Contact		
Agent	SAS Associates	Contact	Luke Sydow	
Legal Description		Sign Notice Date	July 25, 2023	
Site Visit Date	July 25, 2023	Number of Letters Sent	N/A	

Proposal

The applicant is seeking a concurrent use permit to allow six parking spaces within the right of way of E Water Street.

Staff Recommendation

Staff is recommending Planning Commission recommend approval to the City Council.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Vacant	Urban Residential
North	MU-B	Transportation	Transportation & Utils
South	Lake	Lake	N/A
East	R-2	Residential	Urban Residential
West	R-2	Office	Urban Residential

Summary of Code Requirements

UDC Section 50-37.7C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
2. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions (does not apply in this instance);
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

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

Governing Principle #5 – Promote reinvestment in neighborhoods. Land use should foster neighborhood reinvestment, maximize public investment in infrastructure, and diversify residential opportunities. The proposed project will provide residential units on vacant infill site on an existing street. The proposed parking fits the neighborhood’s character as several other developments along Water Street provide perpendicular parking along the street.

Future Land Use – Urban Residential. Greatest variety of residential building types, medium to high densities. Applicable to larger infill areas close to downtown, entertainment or activity centers, and waterfront residential areas.

Review and Discussion Items:

- 1) The applicant is seeking a concurrent use permit to construct six parking spaces within the right of way of Water Street. This is a similar parking pattern to nearby properties along Water Street.
- 2) The area proposed for the concurrent use permit will not take away from the public’s ability to use the public right-of-way, nor will it harm or inconvenience the health, safety and general welfare of the city. The parking areas will be constructed within a part of the right of way that is currently vegetated, and will not move or alter the drive lanes of Water Street. Due to the low traffic volume and speed, no traffic congestion is anticipated.
- 3) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at with St. Louis County as they are voidable agreements between the City and property owners. City engineering has indicated that they have no concerns with this proposal.
- 4) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public are typically included in the ordinance that is submitted for the City Council’s review.
- 5) No comments were received from the public or other government agencies at the time this staff report was written.
- 6) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one year.

Staff Recommendation

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

- 1) Applicant construct and maintain the project as identified in the attached exhibits. A complete legal description must be provided prior to this item going to City Council for approval.
- 2) Applicant provide annual proof of liability insurance to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 3) Applicant will remove the obstructions at the applicant's expense if directed to by the City with appropriate notice.
- 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PL23-126
 Concurrent Use of Streets
 2250 E Water St

Legend

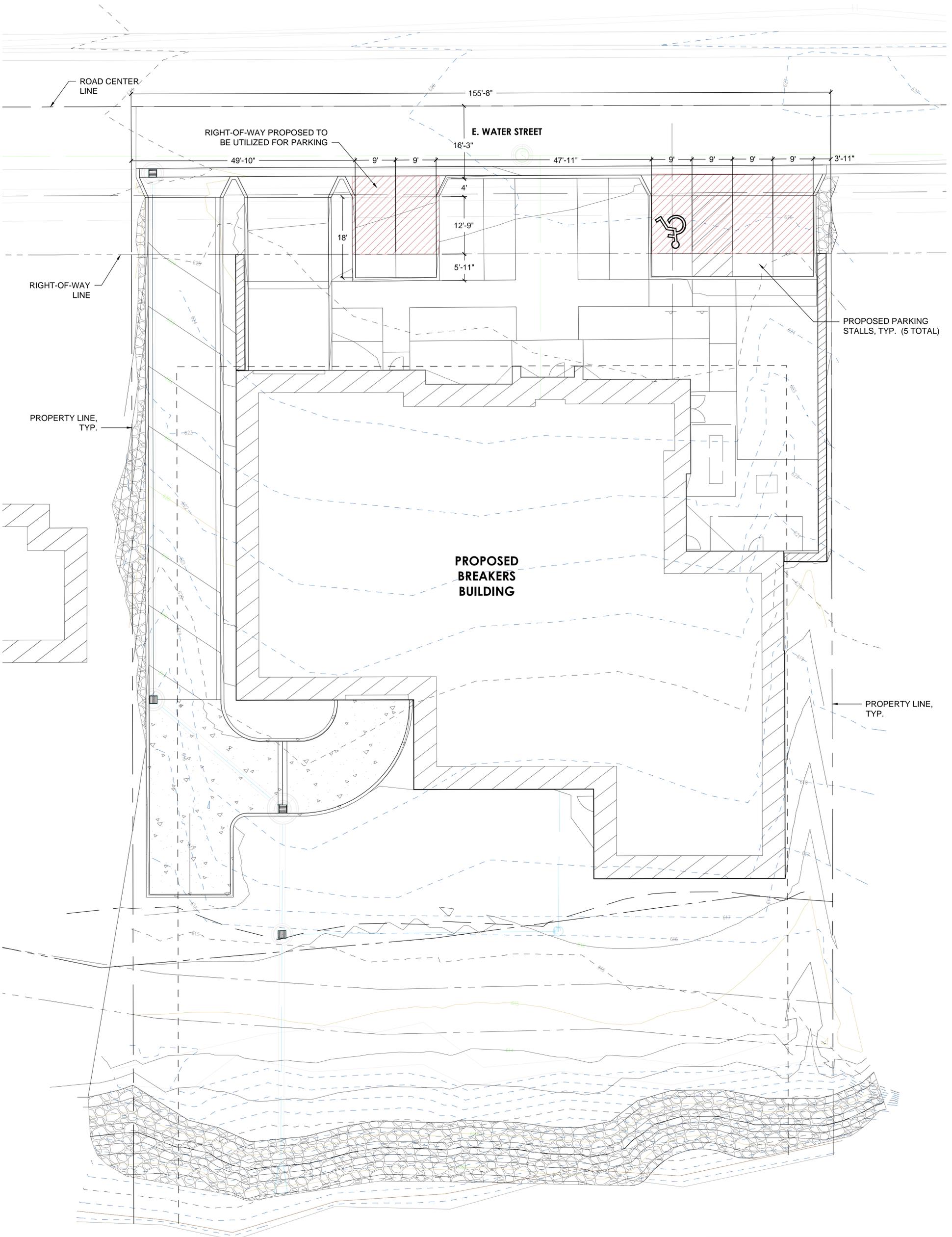
- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains**
- CITY OF DULUTH
- WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains**
- Storm Sewer Pipe
- Storm Sewer Catch Basin



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 2019





LEGAL DESCRIPTION:
 ENDION DIVISION OF DULUTH
 LOTS 3, 4 AND 5; BLOCK C

JULY 2023

THE BREAKERS - CONCURRENT USE EXHIBIT



+ ASSOCIATES

LANDSCAPE ARCHITECTURE

• SITE DESIGN

• MASTER PLANNING

• URBAN DESIGN

219 WEST FIRST STREET, SUITE 350 • DULUTH • MN • 55802 • (P) 218.391.1335 • (F) 218.722.6697 • WWW.SASLANDARCH.COM

View of proposed building site from Water Street:



Adjacent sites on Water Street with similar style of pull-in parking:

