

WABASHA PLANNING COMMISSION

July 13, 2021 6:00 PM

MEETING AGENDA

- 1) Call to Order
- 2) Approval of Minutes-
 - a) Minutes 6-15-2021
- 3) Changes or Additions to Agenda
- 4) Public Comment
- 5) Public Hearings
 - a) Herb + Arrow IUP/CUP Outdoor Seating 260 Main Street West
- 6) Old Business
- 7) New Business
- 8) Board of Adjustment Business
 - a) BOA Minutes 6-15-2021
- 9) Other Business
- 10) Next Regular Meeting Date - August 10, 2021
- 11) Adjourn

Planning Commission

2) a)

Meeting Date: 07/13/2021

SUBJECT: Minutes 6-15-2021

DEPARTMENT: Administration

TITLE:

Minutes 6-15-2021

PURPOSE:

Attachments

PC 6-15-2021 Minutes

DRAFT

WABASHA PLANNING COMMISSION

June 15, 2021 6:00 PM

MEETING MINUTES

Commission Members:

Tim Wallerich, Chair
Scott Durand
Ozzie Goodman
Sharon Burke
Jeff Sulla
Sara Carrels
Kris Kruse

Present: Scott Durand; Chair Tim Wallerich; Sharon Burke; Kris Kruse; Sara Carrels; Ozzie Goodman; Jeff Sulla

Also Present: Harry Davis, Contracted City Planner; Lisa Springer, Office Manager; Caroline Gregerson, City Administrator

1) Call to Order

Meeting was called to order at 6:00pm by Chairman-Tim Wallerich

2) Approval of Minutes- May 11, 2021

Motion made by Scott Durand, seconded by Jeff Sulla to approve the minutes as drafted.

Vote: 7 - 0 Adopted - Unanimously

3) Changes or Additions to Agenda

There were no changes or additions to the agenda.

4) Public Comment

There was no public comment unrelated to the Comprehensive Plan Update on the agenda.

5) Public Hearings

a) Comprehensive Plan Update

City Planner-Harry Davis gave the update on the Comprehensive Plan-the Wabasha Port Facility; Waterfront Revitalization; Highway 60 Realignment. Projects included are the Wabasha Port Facility-for the management of the dredging material; Wabasha Waterfront Revitalization-to make improvements to the riverfront for infrastructure, large vessel landing areas and docks, public access and improve program areas; and Highway 60 Realignment Project-to construct a new roadway segment to allow for realignment of Trunk Highway 60 within the city. Recommendation to add additional proposed language, diagrams and land use map changes to these three projects in the City of Wabasha Comprehensive Plan.

Chairman Tim Wallerich opened the Public Hearing at 6:10pm.

Only public comment was from Chuck Dillerud, who spoke to the board to ask that the land use plan amendments for Port Facility zoning of the property that is owned by Kohner's to be changed from Low Density Residential to Industrial to also include the property next to the port facility which is also owned by Kohner's.

There were no other public comments and Chairman Tim Wallerich closed the public hearing at 6:16pm.

Motion made by Scott Durand, seconded by Jeff Sulla to approve the changes made to the Comprehensive Plan.

Vote: 7 - 0 Adopted - Unanimously

6) Old Business

There was no old business.

7) New Business

There was no new business.

8) Board of Adjustment Business

None

9) Other Business

There was no other business to discuss.

10) Next Regular Meeting Date - July 13, 2021

11) Adjourn

Motion made by Sara Carrels, seconded by Sharon Burke to adjourn meeting at 6:32pm.

Vote: 7 - 0 Adopted - Unanimously

Respectfully submitted by: _____
Lisa Springer, Office Manager

Adopted Date

Planning Commission

5) a)

Meeting Date: 07/13/2021

SUBJECT: Herb + Arrow IUP/CUP Outdoor Seating

DEPARTMENT: Administration

TITLE:

Herb + Arrow IUP/CUP Outdoor Seating 260 Main Street West

PURPOSE:

ITEM SUMMARY:

An application has been received from the new owners of 260 Main Street West (old 7 Fires) building requesting a CUP and an IUP for outdoor dining. Attached you will find the detailed staff report, findings, resolution for consideration and the application.

Attachments

Staff Report

Staff Findings

Resolution

Application

**MEMORANDUM**

Date: July 8, 2021
To: City of Wabasha Planning Commission
From: Harry Davis, AICP
Subject: Herb + Arrow Restaurant – 260 Main St. W – Planning Commission Conditional Use and Interim Use Permit Application

City of Wabasha

Meeting Date: July 13, 2021

Request:

Applicant: Herb + Arrow
Owner: Heather Packer
Property Location: 260 Main St. W., in Downtown Wabasha, on the northeastern corner of Walnut Avenue and Main St. W., approximately 220-feet southwest of the Mississippi River. The property is adjacent to Main St. W., Walnut Avenue, and Big Jo Alley.

Property ID: 260 Main St. W.
R27.00172.00

Background:

The subject property is a corner lot located at 260 Main St W. adjacent to Walnut Avenue and Big Jo Alley. The principal building is approximately 2,200 square feet with two outdoor dining areas totaling around 637 square feet. One outdoor dining area is located northeast of the principal building between the principal building and Big Jo Alley and consists of approximately 450 square feet. A pergola is located above the northeast patio space. The other outdoor dining area is located southwest of the principal building between the building and Main St. W. totaling approximately 187 square feet. The subject property's underlying zoning district is Traditional Downtown Commercial with Heritage Preservation and S-4 Shoreland as zoning overlay districts. The property is adjacent to other TDC zoned properties to the southwest and southeast and adjacent to R2 zoned properties to the northwest and northeast.

Table 1

Direction	Land Use	Zoning
Northwest	Single-family homes	R2
Northeast	Apartments	R2
Southwest	Commercial	TDC
Southeast	Commercial	TDC

Request:

The request as stated by the applicant is to maintain two outdoor seating areas totaling 637 feet adjacent to the building totaling approximately 2200 square feet. One outdoor seating area is located between the principal building and Big Jo Alley and consists of approximately 450 square feet. A pergola is located

above the northeast patio space. The other outdoor dining area is located southwest of the principal building between the building and Main St. W totaling approximately 187 square feet.

The applicant is requesting a conditional use permit for outdoor seating on the existing 187 square foot patio in front of the principal building. The applicant is also requesting an interim use permit for an existing pergola and outdoor seating area within the 450 square foot patio on the rear of the principal structure. An interim use permit is appropriate for the 450 square foot patio because the patio is within the public right-of-way.

As stated in their letter, the applicant intends to retain the existing outdoor seating areas as patios for additional dining space. Both patio areas existed prior to the current property owner's acquisition of the property. A previous interim use permit was approved for the 450 square foot patio space in the public right-of-way. See the attached application for additional information regarding the previous interim use permit.

The applicant's proposal includes concept images beyond the scope of the requested conditional and interim use permits. After talking to the applicant, they have only applied for the two existing patio areas. Staff will concentrate on only the two outdoor seating spaces and related pergola within the report.

Public Comment:

No public comment was received prior to the publishing of this report.

Neighborhood Notification:

All property owners within 350' feet of this property were notified a minimum of ten days prior to the public hearing and published in the paper on July 1, 2021, that a public hearing would be held on July 13, 2021.

Summary of Staff Findings:

The proposed outdoor seating areas will not be detrimental to or endanger the public health, safety, comfort or general welfare of the city. The subject property is in the TDC district and the S-4 Shoreland overlay zone. The TDC district allows outdoor seating as a conditional use. The subject property is also in the Heritage Preservation District. The applicant's proposal was reviewed and approved by the Heritage Preservation department of the Minnesota Historical Society.

The two patios do not exceed the base height maximum of 35 feet. The pergola above the northeast patio does not exceed the principal building height nor the 35 foot height maximum. The dimensions of the northeast patio space are 30 feet by 15 feet. The dimensions of the southwest patio are approximately 18 feet by 10 feet. Staff worked with the applicant on the final dimensions of the southwest patio, which resulted in the removal of a small rectangle that connected the patio to a walkway. The final dimensions for both patios allow enough space for outdoor dining. Calculations based on dimensions provided in the plat map, and revised after discussions with the applicant, indicate the outdoor seating areas to be 29.26 percent of the interior floor area of the principal use. The calculations are under the limit of 30 percent of the interior floor area of the principal use.

Preservation of the natural resources on and near the property will be a condition of approval. The proposed use is compatible with other properties in the district; other restaurants in the area have outdoor seating. Staff finds that the materials are comparable to other buildings in the district. The applicant expressed the outdoor dining hours will be from 11 a.m. to 10 p.m. The proposal does not adequately

address signage or lighting with reference to glare. Concept images indicate the use of string lights. Lighting will be a condition of approval.

A previous interim use permit was issued for the 30 feet by 15 feet rear patio when a residential complex already existed north of the property. The use was not injurious to surrounding uses previously. The proposed use does not significantly alter the physicality of the area and therefore will not alter the adequacy of utilities or facilities. The existing patio space on the southwest of the principal building does not extent past the northwest wall of the principal structure so as to not obstruct scenic views of the Mississippi River from public rights-of-way. The patio northeast of the principal structure is shorter in height than the principal structure; views of the Mississippi River will not be obstructed by the northeast patio. The proposed use will not alter existing ingresses or egresses, however, adequate access to a trash receptacle is necessary. The applicant's collaboration with the local trash service provider to ensure adequate ingresses, egresses, and clearances that minimize traffic congestion will be a condition of approval. There are four street parking spaces adjacent to the property on Walnut Avenue with additional parking along Main St. W. There is also a parking lot west of Walnut Avenue.

The applicant's request for outdoor dining patio space is consistent with Wabasha's Comprehensive Plan. Staff finds the request to be in harmony with the intent of Wabasha's Zoning Ordinance.

Please see the attachment for more details on Staff's findings.

Recommendation:

Staff recommends the Planning Commission approve the conditional use permit and interim use permit with conditions.

Attachments:

- Detailed Staff Findings
- Current Zoning Map
- Applicant's Packet
 - CUP/IUP Application
 - Request letter
 - Previous IUP application
 - Heritage Preservation Approval Letter
 - Patio Dimensions Map
 - Photos of Existing Patio
 - Historic Preservation Commission Design Review Application
- Section 159.01 through Section 159.07 Heritage Preservation General Provisions
- Section 162.029 Permits
- Section 162.060 Use Chart
- Section 162.067 TDC Traditional Downtown Commercial
- Section 162.072 Shoreland Overlay Zone

**MEMORANDUM**

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From: Harry Davis, AICP
Subject: Herb + Arrow Restaurant – 260 Main St. W – Planning Commission Conditional Use and Interim Use Permit Application

City of Wabasha

Meeting Date: July 13, 2021

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Applicant: Herb + Arrow
Owner: Heather Packer
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Property ID: 260 Main St. W.
R27.00172.00

Background:

The subject property is a corner lot located at 260 Main St W. adjacent to Walnut Avenue and Big Jo Alley. The principal building is approximately 2,200 square feet with two outdoor dining areas totaling around 637 square feet. One outdoor dining area is located northeast of the principal building between the principal building and Big Jo Alley and consists of approximately 450 square feet. A pergola is located above the northeast patio space. The other outdoor dining area is located southwest of the principal building between the building and Main St. W. totaling approximately 187 square feet. The subject property's underlying zoning district is Traditional Downtown Commercial with Heritage Preservation and S-4 Shoreland as zoning overlay districts. The property is adjacent to other TDC zoned properties to the southwest and southeast and adjacent to R2 zoned properties to the northwest and northeast.

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above the northeast patio space. The other outdoor dining area is located southwest of the principal building between the building and Main St. W totaling approximately 187 square feet.

The applicant is requesting a conditional use permit for outdoor seating on the existing 187 square foot patio in front of the principal building. The applicant is also requesting an interim use permit for an existing pergola and outdoor seating area within the 450 square foot patio on the rear of the principal structure. An interim use permit is appropriate for the 450 square foot patio because the patio is within the public right-of-way.

As stated in their letter, the applicant intends to retain the existing outdoor seating areas as patios for additional dining space. Both patio areas existed prior to the current property owner's acquisition of the property. A previous interim use permit was approved for the 450 square foot patio space in the public right-of-way. See the attached application for additional information regarding the previous interim use permit.

The applicant's proposal includes concept images beyond the scope of the requested conditional and interim use permits. After talking to the applicant, they have only applied for the two existing patio areas. Staff will concentrate on only the two outdoor seating spaces and related pergola within the report.

Public Comment:

No public comment was received prior to the publishing of this report.

Neighborhood Notification:

All property owners within 350' feet of this property were notified a minimum of ten days prior to the public hearing and published in the paper on July 1, 2021, that a public hearing would be held on July 13, 2021.

Summary of Staff Findings:

The proposed outdoor seating areas will not be detrimental to or endanger the public health, safety, comfort or general welfare of the city. The subject property is in the TDC district and the S-4 Shoreland overlay zone. The TDC district allows outdoor seating as a conditional use. The subject property is also in the Heritage Preservation District. The applicant's proposal was reviewed and approved by the Heritage Preservation department of the Minnesota Historical Society.

The two patios do not exceed the base height maximum of 35 feet. The pergola above the northeast patio does not exceed the principal building height nor the 35 foot height maximum. The dimensions of the northeast patio space are 30 feet by 15 feet. The dimensions of the southwest patio are approximately 18 feet by 10 feet. Staff worked with the applicant on the final dimensions of the southwest patio, which resulted in the removal of a small rectangle that connected the patio to a walkway. The final dimensions for both patios allow enough space for outdoor dining. Calculations based on dimensions provided in the plat map, and revised after discussions with the applicant, indicate the outdoor seating areas to be 29.26 percent of the interior floor area of the principal use. The calculations are under the limit of 30 percent of the interior floor area of the principal use.

Preservation of the natural resources on and near the property will be a condition of approval. The proposed use is compatible with other properties in the district; other restaurants in the area have outdoor seating. Staff finds that the materials are comparable to other buildings in the district. The applicant expressed the outdoor dining hours will be from 11 a.m. to 10 p.m. The proposal does not adequately

address signage or lighting with reference to glare. Concept images indicate the use of string lights. Lighting will be a condition of approval.

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The applicant's request for outdoor dining patio space is consistent with Wabasha's Comprehensive Plan. Staff finds the request to be in harmony with the intent of Wabasha's Zoning Ordinance.

Please see the attachment for more details on Staff's findings.

Recommendation:

Staff recommends the Planning Commission approve the conditional use permit and interim use permit with conditions.

Attachments:

- Detailed Staff Findings
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- Applicant's Packet
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- Section 162.029 Permits
- Section 162.060 Use Chart
- Section 162.067 TDC Traditional Downtown Commercial
- Section 162.072 Shoreland Overlay Zone

Resolution _____
CUP/IUP for an Outdoor Seating Patio

WHEREAS, the property numbered PID # R27.00172.00 located at 260 Main St. W., Wabasha, MN; and

WHEREAS, the site is currently zoned as TDC, Traditional Downtown Commercial, with S-4 Shoreland and Heritage Preservation as the zoning overlay districts, which allow outdoor seating as a conditional use.

WHEREAS, The Planning Commission provides the following findings:

- a) Herb + Arrow has submitted a complete Conditional and Interim Use Permit application.
- b) The proposed use will not have a negative impact on the health, welfare or safety of the area or the community in general.
- c) Conditions placed in this CUP and IUP will protect the health, safety & general welfare of the community and neighbors use and enjoyment of property and their property values.
- d) The outdoor seating will act as a retail accessory use to the principal structure.
- e) The proposed use complies with applicable regulations of the districts.
- f) There is adequate parking for the proposed use.
- g) Ingress and egress are provided off Main St. W.
- h) The proposed use does not obstruct scenic views from public right-of-way.
- i) The proposed area is adequate in size for the proposed use.
- j) The proposed use is less than 30 percent of the interior floor area of the principal use.
- k) Hours of operation for the outdoor seating will be 11 a.m. to 10 p.m.
- l) The proposed use meets requirements of the Heritage Preservation and S-4 Shoreland overlay districts.
- m) Building materials used are consistent with other building materials in the district.
- n) The proposed use meets height requirements.
- o) The applicant will complete and comply with all other state and federal regulatory agencies and obtain all necessary permits.
- p) The proposed use is consistent with the City comprehensive land use plan.
- q) The proposed use is in harmony with the general purposes and intent of the Ordinance.
- r) The findings in the staff report dated for the July 13th Planning Commission meeting shall be included and apply.

NOW THEREFORE, IT IS HEREBY RESOLVED, the Planning Commission approves the Conditional Use Permit and Interim Use Permit for outdoor seating with conditions:

- 1) The refuse receptacle shall be screened with fencing or vegetation upon placement on the property. The refuse receptacle location shall avoid conflicts with public infrastructure (including street lights) and trees on site. The applicant shall coordinate with their waste management provider on the final location of the receptacle;
- 2) The applicant shall work with local trash service providers to mitigate traffic congestion on adjacent streets;
- 3) Outdoor seating shall be limited to 30 percent of the interior floor area of the principal

- use;
- 4) Lights used shall prevent light pollution, limit glare and meet other requirements outlined in Section 162.096;
 - 5) Signage shall comply with all regulations and receive a sign permit prior to installation;
 - 6) The use shall preserve natural resources including, but not limited to, filling and grading limitations and avoid conflicts with trees on site;
 - 7) The use shall obtain approval from the Heritage Preservation Commission;
 - 8) The applicant will work to mitigate any potential conflicts between the proposed outdoor seating and necessary utilitarian uses typically occurring in the alley area. This includes but is not limited to refuse management. The applicant will not hold the City liable or responsible for a conflict of uses in the alley area;
 - 9) If for any reason the Conditional and Interim Use Permits have not been established within one year after the date of this approval, then, without further action by the City, the Conditional and Interim Use permits shall be null and void;
 - 10) Termination of the IUP shall occur when changes to the surrounding environment (e.g., changes in zoning, land use, environmental conditions or development projects); sale or transfer of property; violation of laws or codes (health codes and the like); termination or lapse of other required permits; or change of management or ownership take place;
 - 11) If at any time in the future, the City Council determines public need for that part of the right-of-way approved for outdoor dining, this Interim Use Permit shall be considered revoked, and the applicant or property owner may be required to remove improvements.

Dated this _____ day of _____, 20____.

Tim Wallerich

Planning Commission Chair

Wendy Busch

Wabasha City Clerk

Parcel ID # _____

Wabasha County Conditional Use Permit/Interim Use Permit Application

- An accurate and complete CUP/IUP application shall be submitted along with a \$400 application fee to begin processing the application. **Incomplete applications will not be processed.**
- A scaled plot plan shall be submitted with all applications. Include all buildings, parking areas, lot lines, etc.
- Applications must be received by the Zoning Department on or before the 20th day of the month in order to be considered by the Planning Commission at the meeting held during the following month.
- As per state statute, notice of the public hearing for your request will be sent to all landowners within ¼ mile of the property upon which you are proposing a conditional/interim use.

Applicant's name: HERB + ARROW Phone number: 507-369-4339

Applicant's address: 260 MAIN ST. WEST, WABASHA, MN 55981

Address of property: SAME AS ABOVE

Legal description: Sec. 29, T. 111, R. 010, Township of WABASHA
.15 AC PART OF LOTS 7&8 BLK 5 PARCEL A

Answer the questions below. Additional information may be necessary.

1. Proposed Use: (List all proposed uses, number of employees, hours of operation, etc. Attach additional sheets if necessary)

Herb + Arrow plans to use the existing pergola for out door dining and sitting. The current area holds 8 tables and seats 32 guests. The area will be used when weather permits. Out door sitting will be from 11am-10pm. Attached documents indicate the usage.

Herb + Arrow plans to use the adjacent lot located on Walnut Ave/Big Joe alley and Main Street, for out door dining, activities, social gatherings, wedding receptions, family reunions, etc.

number of employees: 15 or less

HERB + ARROW will be a casual dining restaurant beer garden. We are seeking interim use permit to allow outdoor seating under the pergola that is located directly behind the building located at 260 West Main Street.

The area to be used is approximately 16'x30' and would hold 8 tables and seating for approximately 32 guests.

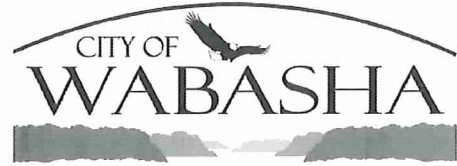
Thank you,

Heather Packer

Heather Packer

City of Wabasha

Conditional Use & Interim Use Permit Checklist



Name of Applicant Heather Packer

Address of Applicant: 260 Main Street West. WABASHA MN 55981

Intended Use: OUTDOOR SEATING, DINNING, FIRE PITS, CHAIRS,LIGHTS

Zoning District: TDC Shoreland District: S4 Floodplain:

Key Dates:

- Pre-Application Meeting
- Submittal Date -30 days (typ.) prior to Planning & Zoning Hearing
(See Wabasha Planning Commission Deadlines for Submission)
- Neighborhood & Newspaper Notification (At least 10 days prior to meeting)
- Planning & Zoning Meeting Date
- Date Approved or Denied

Checklist for the Submittal package:

- ☐ Signed and dated application form
- ☐ A building and/or site plan showing; property lines, existing and future buildings, setbacks, adjacent roads, driveways and access points, lighting, signage, water bodies, wetlands, easements, and landscaping, and all other applicable site plan elements to describe the intended use
(See attached sheet for a detailed outline of these requirements)
- ☐ Legal description of the property
- ☐ A letter addressing the following information; description of the use/activity operation information, hours/days of business, number of employees, daily truck traffic and routes – if applicable
- ☐ Filing fee (\$200 for Residential, \$250 for Commercial)

2. Describe the volume of traffic that will be a direct result of your proposal and the measures to be implemented to ensure sufficient off-street parking and loading space. at this stage in our design proces
we do not anticipate an increase of traffic.
3. Explain the general character of the surrounding properties and how your proposal will not have an adverse effect on the character and quality of the area. Property is located in the Historic District in Wabasha
that includes, 4 resturants, hair salons, hardware store, Historic Hotel. Our proposal will have a
positive effect on the surrounding area. Due to the design concept, we believe Herb+Arrow will
allow our local community along with tourists a unique/beautiful experince
4. Describe measures to limit any harmful or nuisance effects which may include stormwater runoff, noise, dust, smoke, odor, or other factors. Herb + Arrow has a newly cleaned hood vent and fan which helps
eliminate the smell of grease. There is currently a stormwater run off located on Main Street and
Big Joe Alley.
5. Indicate the local township official notified of your request (see clerk list on back of application), the date the official was notified, and any applicable permits you may have received from the township. _____
Wendy Busch-city clerk. Notified 6-1-2021 clerk@wabasha.org

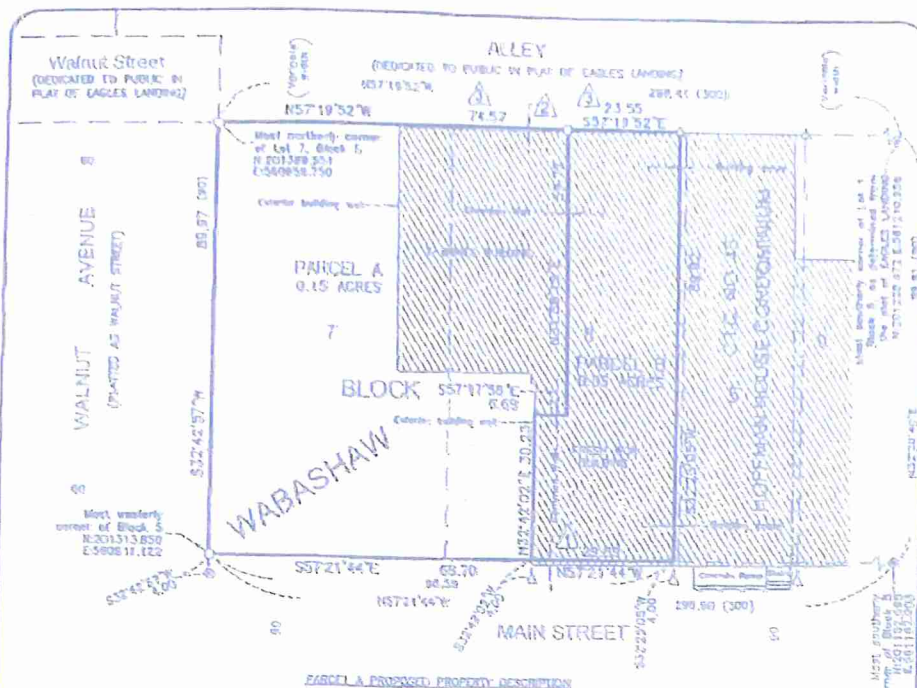
I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I grant permission for the staff of the Wabasha County Zoning Department and members of the Planning Commission to enter onto the property on which the use is being proposed by this application during daylight hours to collect information relative to my proposal. I further agree to withdraw this application if substantive false or incorrect information has been included. I also understand that the \$400 fee is nonrefundable once the legal notice has been advertised in the respective newspapers.



SIGNATURE OF APPLICANT/LANDOWNER

03JUN2021

DATE



PARCEL A PROPOSED PROPERTY DESCRIPTION

That part of Lots 7 and 8, Block 5, WABASHAW, according to the plat thereof on file in the office of the County Recorder, Wabasha County, Minnesota, described as follows:

Beginning at the most westerly corner of said Block 5; thence South 57 degrees 31 minutes 44 seconds East, oriented with the Wabasha County Coordinate System, NAD 1983, 1995 adjustment (WAB8), along the northwesterly line of said Block 5, a distance of 68.20 feet; thence North 32 degrees 42 minutes 02 seconds East, a distance of 30.25 feet; thence South 55 degrees 17 minutes 58 seconds East, a distance of 6.69 feet; thence North 31 degrees 58 minutes 15 seconds East, a distance of 58.72 feet to the northwesterly line of said Lot 8; thence North 57 degrees 19 minutes 52 seconds East, along the northwesterly line of said Lot 8, a distance of 76.57 feet to the most northerly corner of said Lot 7; thence South 32 degrees 42 minutes 57 seconds West, along the northwesterly line of said Lot 7, a distance of 68.67 feet to the point of beginning. Containing 0.15 acres, more or less.

Subject to all easements and restrictions of record.

PARCEL B PROPOSED PROPERTY DESCRIPTION

That part of Lot 8, Block 5, WABASHAW, according to the plat thereof on file in the office of the County Recorder, Wabasha County, Minnesota, described as follows:

Commencing at the most westerly corner of said Block 5; thence South 57 degrees 21 minutes 44 seconds East, oriented with the Wabasha County Coordinate System, NAD 1983, 1995 adjustment (WAB8), along the northwesterly line of said Block 5, a distance of 68.70 feet to the point of beginning of the line to be described; thence North 32 degrees 40 minutes 02 seconds East, a distance of 30.23 feet; thence South 57 degrees 17 minutes 58 seconds East, a distance of 6.69 feet; thence North 31 degrees 58 minutes 15 seconds East, a distance of 58.72 feet to the northwesterly line of said Lot 8; thence South 57 degrees 19 minutes 52 seconds East, along the northwesterly line of said Lot 8, a distance of 23.45 feet to the intersection with a line bearing North 32 degrees 23 minutes 05 seconds East from a point on the northwesterly line of said Lot 8, distant 66.58 feet southeasterly from the most westerly corner of said Block 5; thence South 32 degrees 42 minutes 02 seconds East, a distance of 68.60 feet to a point on the northwesterly line of said Lot 8, distant 92.50 feet southeasterly from the most westerly corner of said Block 5; thence North 57 degrees 21 minutes 44 seconds West, along the northwesterly line of said Lot 8, a distance of 29.08 feet to the point of beginning. Containing 0.05 acres, more or less.

Subject to all easements and restrictions of record.

SURVEYOR'S NOTES

1. Exterior face of Fresh Wok building is southeasterly of the southwesterly line of Block 5, 4' - 1 foot. A 1.2 foot wide window hangs from exterior face of building.
2. Exterior faces of T-Bones and Fresh Wok buildings are southeasterly of the northwesterly line of Lots 7 & 8, 4' - 0.5 foot.
3. T-Bones and Fresh Wok are using this area between the northwesterly boundary line of Lots 7 & 8 and the concrete curb on Big Jo Alley, for parking, landscaping, and loading purposes.

LEGEND

- Denotes a placed 1 1/2" iron pipe with plastic cap bearing license number 46559.
- ⊙ Denotes a found 1" iron pipe.
- ⊙ Denotes a found steel drill hole.
- △ Denotes a red iron nail in drill hole.



The bearings and coordinates shown hereon are based on the Wabasha County Coordinate System, NAD 1983, 1995 adjustment, (WAB8).

0 20 40 60
1" = 20'

SURVEYOR'S CERTIFICATE OF SURVEY
PROPERTIES/PLAT PROPERTIES SPLITTING

CERTIFICATE OF SURVEY FOR:

Fisk Properties, LLC



JOHNSON & SCOFIELD INC.
SURVEYING AND ENGINEERING
625 JEFFERSON AVENUE, WABASHA, MN 55981
(651) 595-3244, FAX (651) 595-4394
brn.jsc@jnsrll.com

I hereby certify that this survey plot 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.

Erin R. Scofield
Minnesota License No. 46558
Date: 21 August 2011

PK. NO. | PG. NO. | W.O.# | DRAWING NUMBER
SHEET 1 OF 1 SHEETS | 11-304 | 4-4219

previous Application

City of Wabasha

APPLICATION FOR LAND DEVELOPMENT ACTIVITY

- | | | |
|---|---|---|
| ☐ Concept PUD | ☐ Preliminary PUD | ☐ Final PUD |
| ☐ Preliminary Plat | ☐ Final Plat | ☐ Lawrence Boulevard Shore Improvement |
| ☐ Site Plan Review | ☐ Request for Zoning Amendment (map or text) | |
| ☐ Variance/Appeal | ☒ CUP/IUP | ☐ Other _____ |

Michael Murray-John
Applicant's Name

(612) 859-1406
Phone

260 West Main Street
Mailing Address

mmurray-john@comcast.net
e-mail address

DAVE FISK
Property Owner's Name (if different)

308 Skyline Drive, Wabasha MN
Property Owner's Mailing Address (if different)

Description of Property: Parcel ID # (PIN) _____ Current Zoning DC Proposed Zoning in use

Name of Development: Vinifera

Street Address: 260 West Main Street

Total Acreage: _____ Acreage To Be Developed: _____

Type of Water Supply: _____ Sewage Disposal: _____

Proposed Activity (include number/size of lots and/or buildings, type of use, public improvements proposed or need/hardship for Variance):

NPL Vinifera is a fine dining restaurant / wine bar. We are seeking
Interior Use Permit
a variance to allow outdoor seating directly behind the building located
at 260 W. Main. The area to be used is approx 16'x30' and would hold
8 tables, seating for approx. 32.

Describe Any Development Constraints (wetlands, shoreland, floodplain, existing structures/uses, etc.):

Signatures: _____
Applicant Property Owner Date

Office Use
Date Received: 3-24-08 Planner Initials: NPL Fee Paid: (amount) \$250.00 (date) 3-24-08

Public Hearing Scheduled 4-8-08 (date) Hearing Advertised _____ (date) Notice Sent to Adjacent _____ (date)

Review By: Planning Commission _____ Board of Adjustment _____ City Council _____

- The total area of outdoor patio seating for this permit comprises of 30.437% of the total square footage of the building it is attached to.
- We are and have been working closely with the historical society to ensure that our improvements are in line with their requirements. I have printed and attached their email detailing our approval status.
- Please see attached the patio dimension maps and corresponding pictures.
- Also included, in an accurate plat map demonstrating the placement and dimensions of both patios, and trash receptacle.
- After some research, we have discovered that the trash dumpster was previously placed on the open lot adjacent to the building, facing the alley for ease of access. In keeping with precedent, we will do this as well. It is our intent to surround the dumpster with a privacy fence to further improve the aesthetic environment of our property, albeit this fence will not go up immediately.

frontporchbar@outlook.com

From: Heather Packer <Herbanarrow@outlook.com>
Sent: Wednesday, June 16, 2021 10:17 AM
To: Andrew Craw
Subject: Fwd: Design Consultation for 7 Fires Restaurant

From: Laura Kindseth <laura.kindseth@mnhs.org>
Sent: Monday, June 7, 2021 1:19:54 PM
To: herbanarrow@outlook.com <herbanarrow@outlook.com>
Subject: Design Consultation for 7 Fires Restaurant

Hello Heather,

Thank you for submitting an application for Design Consultation. Your application has been approved and we are excited to begin working on your project!

The design process begins with a site visit to investigate all the possibilities for updating facade designs. I am available for a site visit at any time (except Thursday) the week of June 28th. Please let me know if you have a preferred day and time during that week.

Kind regards,
Laura

--
Laura Kindseth
Design Reviewer, Grants
Minnesota Historical Society
Heritage Preservation
651-259-3463

From: Laura Kindseth <laura.kindseth@mnhs.org>
Sent: Wednesday, June 9, 2021 11:01
To: Heather Packer
Subject: Re: Design Consultation for 7 Fires Restaurant

Hi Heather,

Historic photos or existing building plans would be helpful if you have them!

Thanks,
Laura

On Wed, Jun 9, 2021 at 10:52 AM Heather Packer <Herbanarrow@outlook.com> wrote:

Laura,

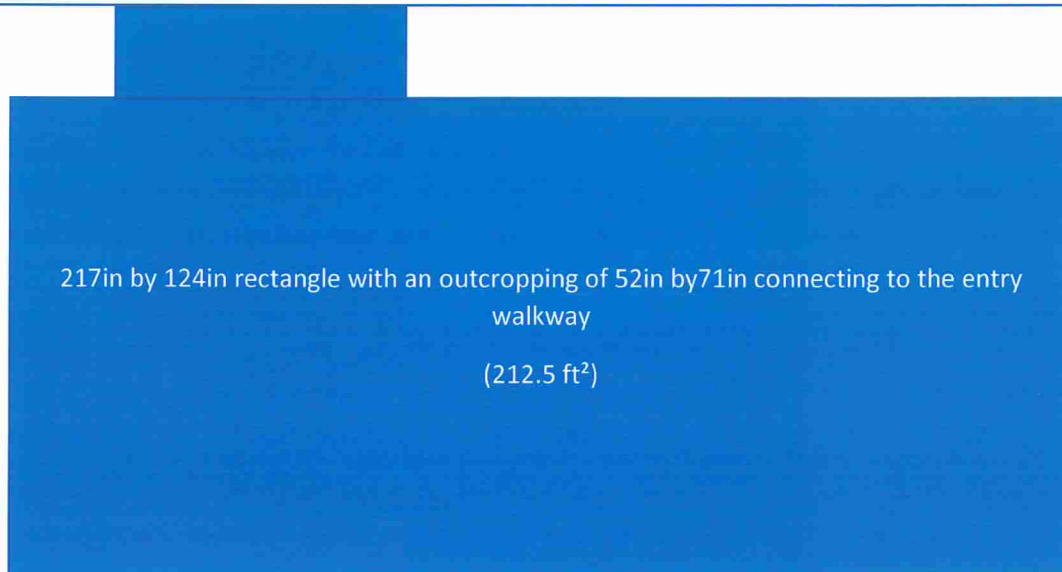
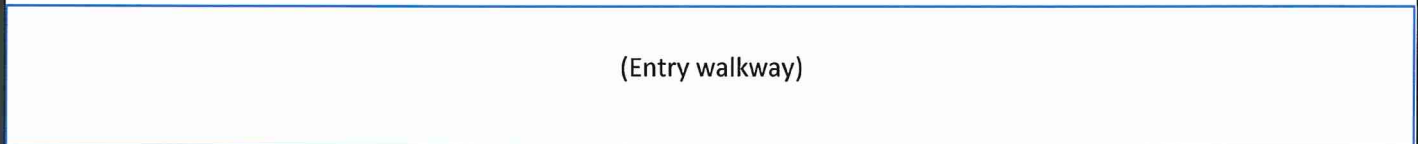
Sounds amazing!

What information will you need before or during the meeting?

BACK PATIO DIMENTIONS

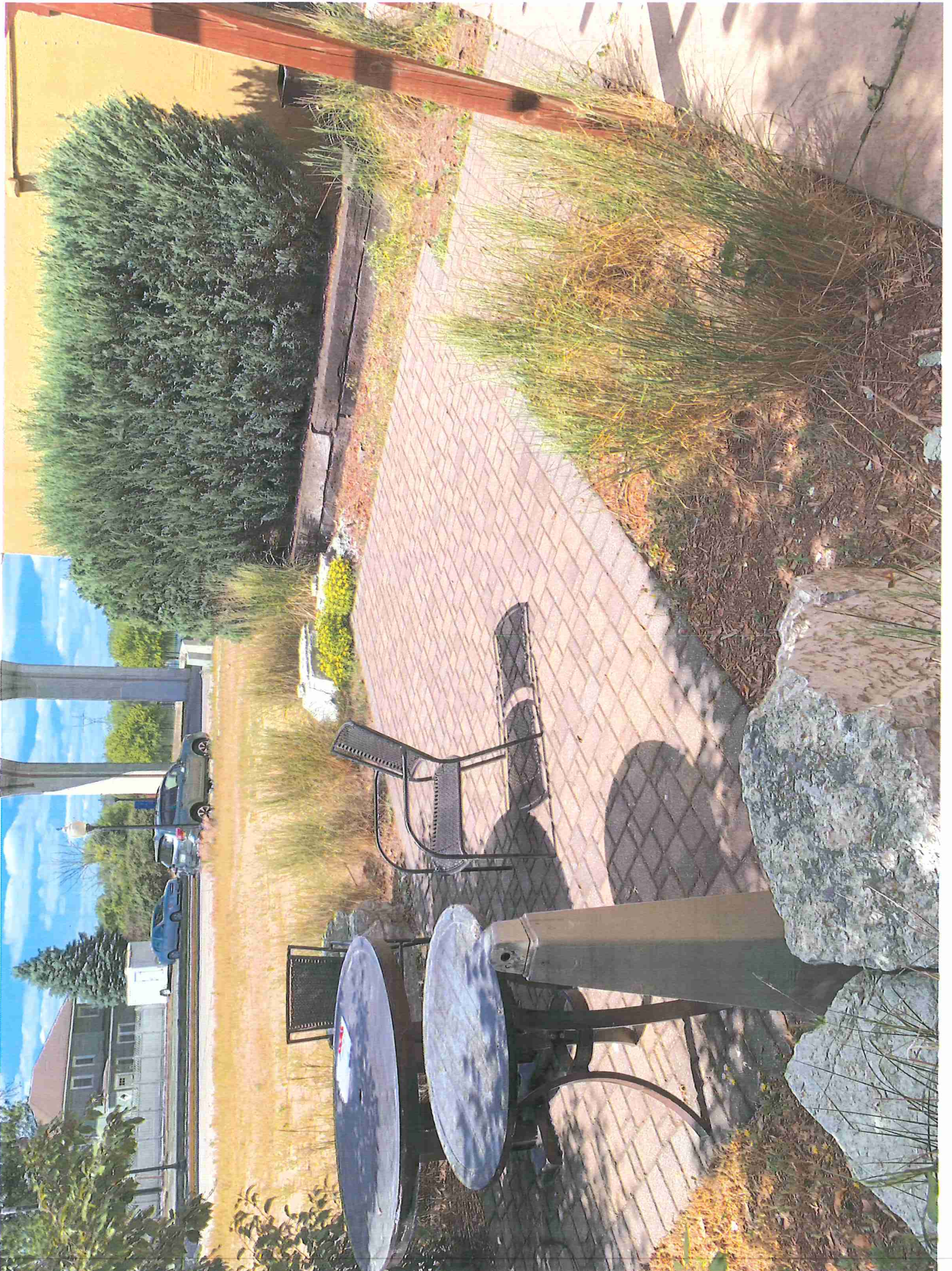


FRONT PATIO DIMENTIONS

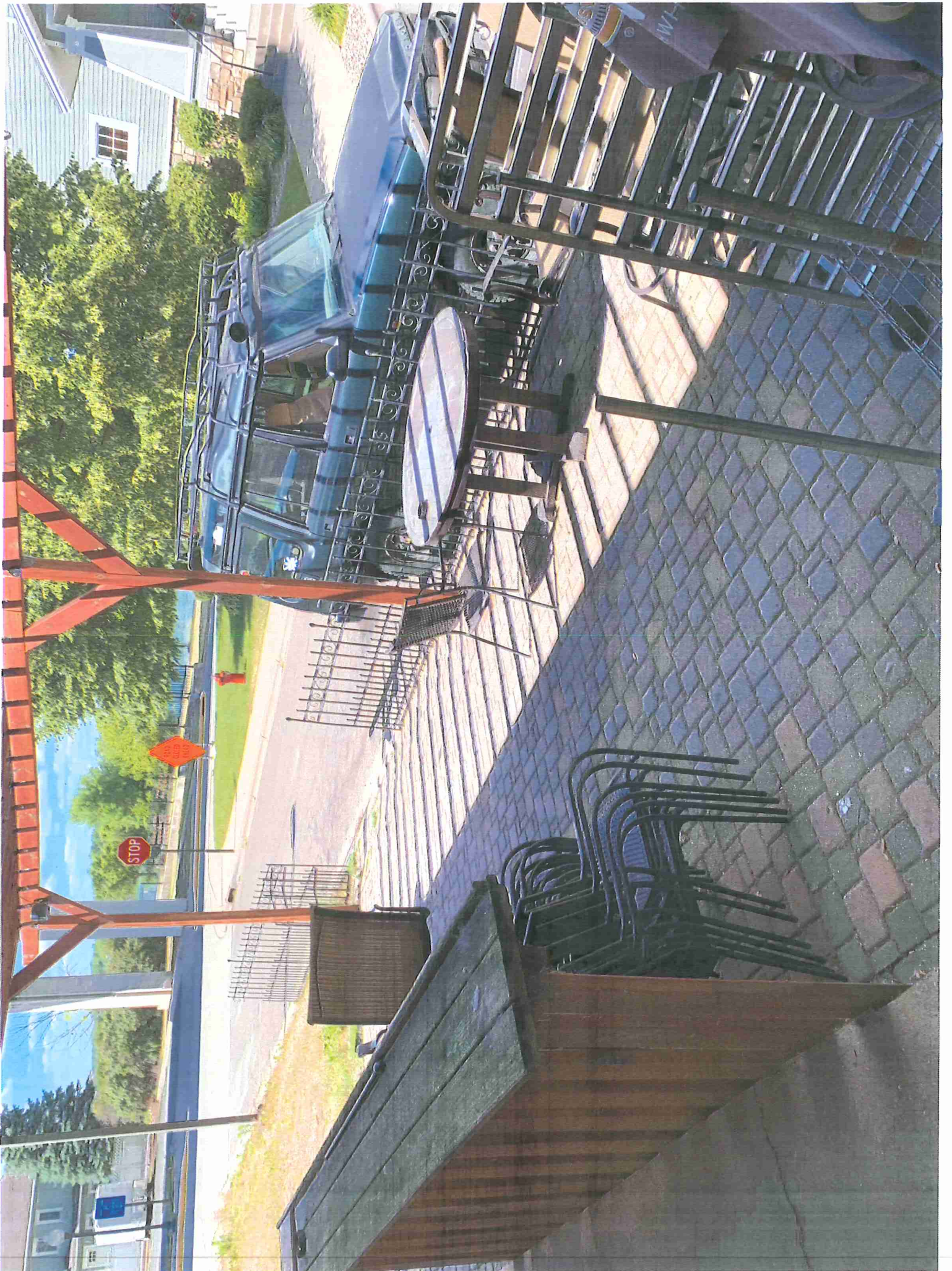


TOTAL SQUARE FOOTAGE OF BOTH PATIOS IS 662.5

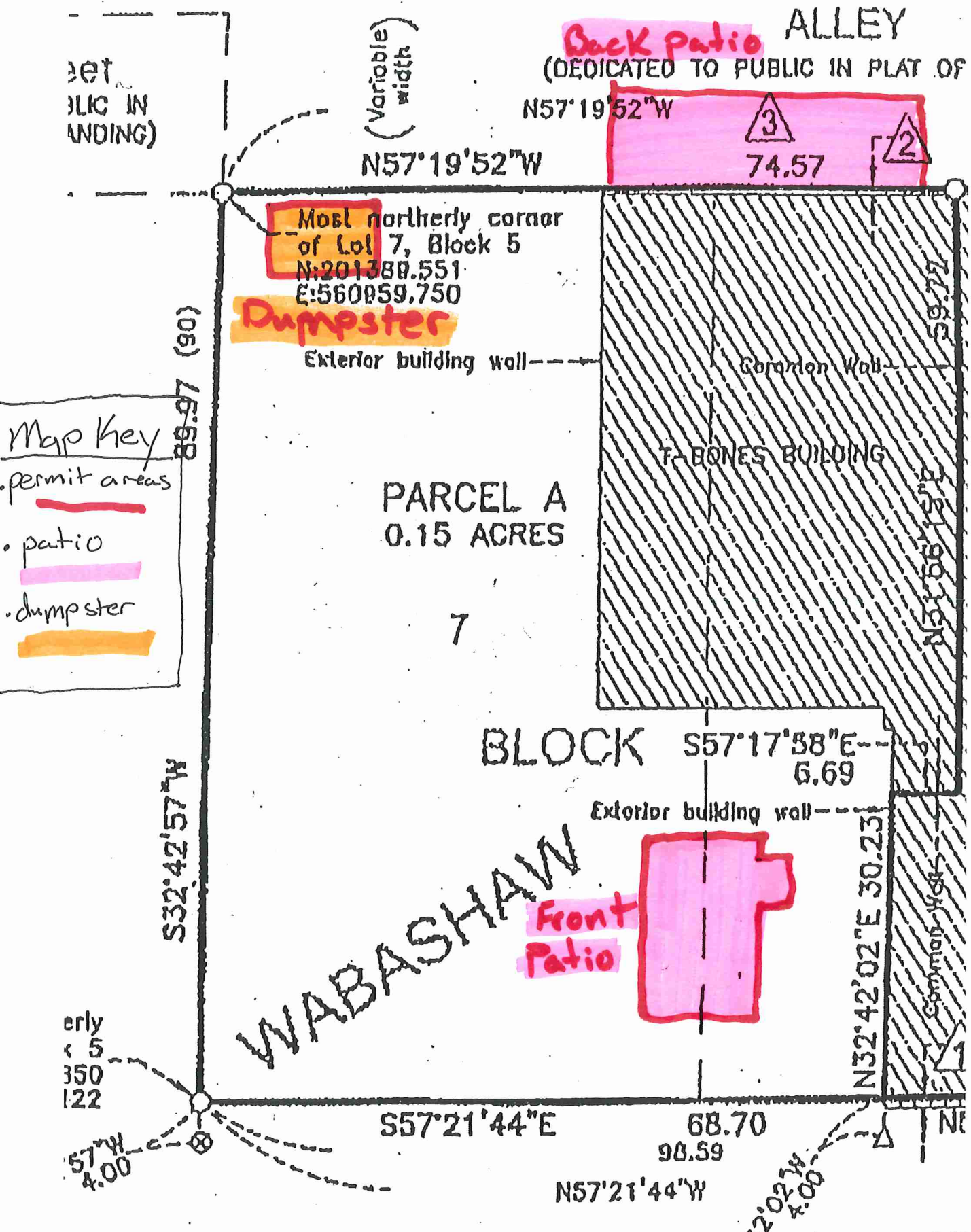






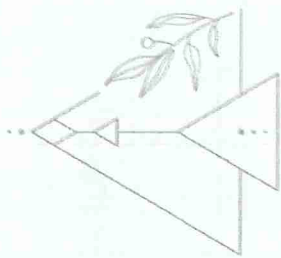






Concept design for

HERB + ARROW



HERB+ARROW

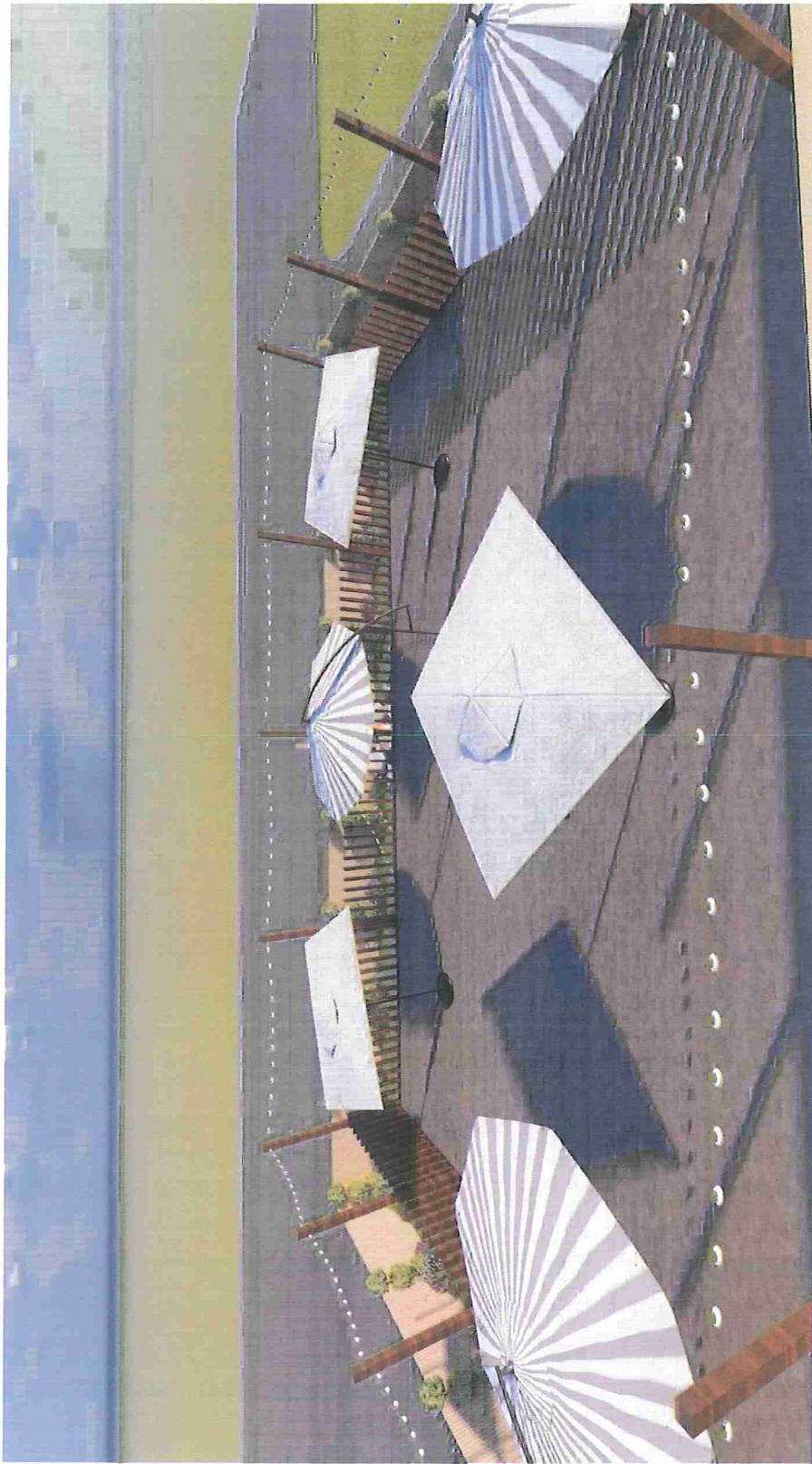








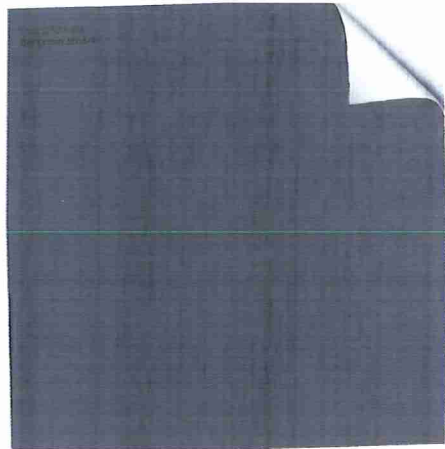












Planning Commission

8) a)

Meeting Date: 07/13/2021

SUBJECT: BOA Minutes 6-15-2021

DEPARTMENT: Administration

TITLE:

BOA Minutes 6-15-2021

PURPOSE:

Attachments

BOA Minutes 6-15-2021

DRAFT

WABASHA BOARD OF ADJUSTMENT

June 15, 2021 5:30 PM

MEETING MINUTES

Commission Members:

Scott Durand
Sharon Burke
Sara Carrels
Ozzy Goodman
Kris Kruse

Present: Scott Durand; Sharon Burke; Kris Kruse; Sara Carrels; Ozzy Goodman
Also Harry Davis, Contracted City Planner; Lisa Springer, Office Manager; Caroline Gregerson, City
Present: Administrator

1) Call to Order

The Board of Adjustment meeting was called to order by Chairman-Scott Durand at 5:30 p.m

2) Changes or Additions to Agenda

There were no changes or additions to the agenda.

3) Public Hearings

a) Variance to Side Setback for Principal Structure 224 Market Street East

City Planner-Harry Davis provided an overview of the requested variance from Richard Swanson for his property at 224 Market St E. The request is for 2 additions to the existing structure totaling approximately 233 square feet. One structure will be an office and utility and mudroom. Mr. Swanson is asking for this variance due to the existing 100 year old structure being flush with the property line. Due to the location of the water, sewer, gas lines and the existing south structure, building in accordance with the setback requirement would be structurally difficult.

City Planner Harry Davis reviewed the practical difficulty factors that would be required to be met in order to grant a variance:

- 1) Reasonableness.
- 2) Uniqueness.
- 3) Essential character.

City Planner Harry Davis summarized information that was included in the variance request. City Planner Harry Davis reviewed the public notification procedures and reported that staff received a call from a neighbor, but no support or opposition was given at that time. Another neighbor requested copies of the proposal for review, but did not submit any comments. No other request or comments were received prior to the Board of Adjustment meeting.

Recommendation is to approve this application from Richard Swanson as it does demonstrate practical difficulties to be granted a variance.

Motion made by Sara Carrels, seconded by Sharon Burke

Vote: 5 - 0 Adopted - Unanimously

- 4) Adjourn

Meeting Adjourned at 5:41pm

Motion made by Scott Durand,

Vote: 5 - 0 Adopted - Unanimously

Respectfully submitted by: _____
Lisa Springer, Office Manager

Adopted Date