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**WAYZATA CITY COUNCIL
MEETING MINUTES
JUNE 21, 2022**

AGENDA ITEM 1. Call to Order.

Mayor Mouton called the meeting to order at 7:00 p.m. Mayor Mouton shared the multiple options for joining remotely and submitting comments or questions.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Mouton, Buchanan, Iverson, and MacDonald. Also present: City Manager Dahl, Community Development Director Goellner, Administrative Services Director Yager, Assistant Planner Valerie Quarles, and City Attorney Schelzel.

Mayor Mouton noted earlier this evening, the City Council participated in a workshop. The following items were on the agenda:

- Update of Panoway Roadmap and Review of Community Feedback on Future Phases
- Review the Capital Improvement Plan (CIP) and Discuss Excess Fund Reserves
- Discussion of Long-Term Staffing Plan

AGENDA ITEM 4. Approve Agenda.

Mr. Buchanan made a motion, seconded by Ms. MacDonald, to approve the agenda, as presented. The motion carried 4/0.

AGENDA ITEM 5. Public Forum.

a. Presentation of Exceptional Service Award to Andy Johnson at Bell Bank by the Greater Wayzata Area Chamber of Commerce

City Manager Dahl introduced Sarah Kaelberer from the Wayzata Area Chamber of Commerce.

Sarah Kaelberer, Business and Estate Advisors, explained that the Exceptional Service Award is awarded when a community member puts forth an unsolicited nomination for exceptional service. She commended Bell Bank for routinely going out of their way to make customers feel special but shared the situation where Andy Johnson was able to go above and beyond and ‘pull rabbits out of a hat’ for a community member. She presented the Exceptional Service Award to Andy Johnson on behalf of the Wayzata Area Chamber of Commerce.

Andy Johnson expressed his appreciation to Bell Bank and the Wayzata Area Chamber of Commerce.

Mark Lauffenburger, Bell Bank, stated that he has worked for the last 25 years with Mr. Johnson at three different banks. He stated that the Bell Bank motto is ‘Happy employees. Happy customers’ which he feels Mr. Johnson really lives out so this award is well deserved.

1 **b. Update on Wayzata Art Experience by Becky Pierson, President of Greater**
 2 **Wayzata Area Chamber of Commerce**

3 Becky Pierson, President of the Greater Wayzata Area Chamber of Commerce, gave an
 4 update on the upcoming Wayzata Art Experience that will take place June 25-26, 2022 on
 5 Lake Street. She noted that some of the booths on the south side of Lake Street will be
 6 moved onto the bike path and the children's activities will be located in the Panoway area.
 7 She thanked the City for their continued support for this event.

8
 9 **AGENDA ITEM 6. New Agenda Items.**

10 There were no items.

11
 12 **AGENDA ITEM 7. Consent Agenda.**

13 Mayor Mouton read the items on the consent agenda and asked if any Council member
 14 wished to pull an item for further discussion.

15 Mr. Buchanan stated that he had a question about item 7.i. and asked whether the
 16 City was planning to hire a consultant for the restaurant. Mr. Dahl explained that within
 17 the next few months there will be a similar proposal for the bar and grill. Mr. Buchanan
 18 noted that it appears as though much of what was included in the 2015 report was not
 19 implemented and expressed his hope that the City will take the consultants advice and work
 20 towards the recommendations they offer.

21 Ms. Iverson asked to pull item 7.h. for discussion and reviewed various details
 22 where she would like clarification based on discussion at the last meeting including, side
 23 yard setbacks being the same for primary structures as they are for accessory structures.
 24 Community Development Director Goellner noted that accessory structures are distinctly
 25 different than accessory dwelling units and read portions of the ordinance relating to what
 26 Ms. Iverson referenced. Ms. Iverson made suggestions for reformatting for better ease of
 27 use and understanding for a future revision. She stated that there are a lot of details that she
 28 remains concerned about regarding ADUs for things like rentals and enforcement that she
 29 would like the Council to fine-tune to ensure that these things are covered.

30 Mr. Dahl noted that related to item 7.i. he had received a draft Professional Services
 31 Agreement earlier today that he was not able to send out to the Council. He stated that this
 32 agreement is to authorize them to execute the agreement with Delaney.

33 Mayor Mouton asked for a motion to approve the Consent Agenda as presented.
 34 Mr. Buchanan made a motion, seconded by Ms. MacDonald, to approve the consent
 35 agenda:

- 36 a. Approval of City Council Workshop and Regular Meeting Minutes of June 7, 2022
 37 b. Approval of Check Register
 38 c. Approval of Municipal Licenses
 39 d. Receipt of Police Activity Report
 40 e. Receipt of Building Activity Report
 41 f. Award Contract for 2022 Street Rehabilitation Project to Bituminous Roadways,
 42 Inc.
 43 g. Authorize Purchase of Tandem Plow/Dump Truck
 44 h. Approval of Second Reading and Adoption of Ordinance 811 Amending Zoning
 45 Ordinance Provisions on Residential, Institutional, and Commercial Zoning
 46 Districts

- 1 i. Approve Amendment to Professional Services Agreement with New History
- 2 j. Approval of Amendment to Memorandum of Understanding with Xcel Energy
- 3 k. Adoption of Resolution 28-2022 Appointing Election Judges for the 2022 Elections
- 4 l. Approval to Authorize City Manager and Mayor to Execute a Professional Services
- 5 Agreement with Delaney Consulting
- 6 m. Approval of Second Reading and Adoption of Ordinance 813 Granting a Franchise
- 7 to Comcast of Arkansas/Louisiana/Minnesota/Mississippi/Tennessee, LLC to
- 8 Construct, Operate, and Maintain a Cable System in the City of Wayzata
- 9 The motion carried 4/0.

10
11 **AGENDA ITEM 8. New Business.**

12 **a. Consider Acceptance of 2022 Wayzata Community Survey Report**

13 Administrative Services Director Yager explained that earlier this year the City conducted
14 their first ever community survey. She introduced Peter Leatherman with Morris
15 Leatherman Company who was the firm who conducted the survey for the City to give an
16 overview of the results.

17 Peter Leatherman, Morris Leatherman Company, explained the survey
18 methodology and demographics of the survey respondents. He reviewed the results of
19 questions about what people liked most about the City, what they felt the most serious issue
20 facing the City, quality of life, direction of the City, City services, City portion of property
21 taxes, value of City services, Panoway, contact with City Hall, City staff, the Mayor and
22 City Council.

23 Mayor Mouton asked Mr. Leatherman to share some information about the Morris
24 Leatherman Company and asked who the City was being compared to. Mr. Leatherman
25 explained that the City is being compared to every metropolitan community even if they
26 do not work with Morris Leatherman Company, but noted that they have worked with about
27 90% of the communities within the metro area. He explained that the company used to be
28 Decision Resources which was started in 1982 and became Morris Leatherman in 2013 and
29 noted that he had been doing this work for 28 years.

30 Mayor Mouton asked where Mr. Leatherman felt the City needed to focus. Mr.
31 Leatherman stated that there is enthusiasm and gave the example of the quality of life data
32 coming in three times higher than the average. He stated that he pictures it as fine tuning
33 and noted that there is not anything that necessarily needs to be changed or 'fixed'. He
34 stated that the City is in a position where it doesn't have to convert people and just try to
35 shift the ratings from being good to excellent.

36 Ms. MacDonald asked where the public would be able to review the results of the
37 survey. Mr. Dahl explained that staff is planning to include information on the City website,
38 most likely under the 'Projects' tab. He stated that they also plan to send the information
39 out in other ways such as social media and through a podcast.

40 Mayor Mouton noted that the Council and staff had talked about conducting a
41 survey every 3-5 years to get a pulse on how things are progressing. She expressed her
42 appreciation to Mr. Leatherman and his team for putting together this information in such
43 a clear and concise manner. She stated that she also wanted to thank staff and her colleagues
44 as well as their predecessors because these opinions did not occur overnight and has been
45 something that was built over a period of time.

1 Mayor Mouton asked for a motion. Ms. MacDonald made a motion, seconded by Mr.
2 Buchanan, to Accept the 2022 Wayzata Community Survey Report as presented. The
3 motion carried 4/0.

4
5 **b. Consider Adoption of Resolution 27-2022 Supporting the Dakota Rail-Luce**
6 **Line Connector Regional Trail**

7 Mr. Dahl introduced Stephen Shurson of Three Rivers Park District to present a status
8 update.

9 Mr. Shurson gave an update on the Diamond Lake Regional Trail Master Plan and
10 Dakota Rail-Luce Line Connector and reviewed the next steps in the process including
11 obtaining resolutions of support from the City and Met Council approval.

12 Mr. Iverson stated that she is excited to be able to get onto this trail and asked if
13 there were plans to have water anywhere along the trail. Mr. Shurson noted that typically
14 they do not, but do identify in their kiosks where there is public water available. He stated
15 that they do have rest stops and repair stations along the way, but do not typically have
16 water available.

17 Mayor Mouton stated that there had been discussions about various routes through
18 the City including Barry Avenue which was presented tonight, but there were also
19 discussions about utilizing Broadway Avenue and asked why that option was not being
20 presented. She stated that she believes it was because the grade was too steep but asked if
21 Mr. Shurson had any other information. Mr. Shurson stated that when they presented the
22 options they were looking at either Ferndale or Barry and thinks there may have been
23 early discussions about Broadway and believes that due to the steepness of Broadway and
24 the bridge that route was not selected.

25 Mayor Mouton stated that Three Rivers Park District has been phenomenal partners
26 for the City and referenced the trailhead parking down by the marina which has been very
27 popular. She stated that with this new configuration and different connections she asked
28 about long term plans for the parking. Mr. Shurson stated that the Master Plan identifies
29 the parking lot at the middle school as a trailhead parking facility so they would look to
30 have more in that location.

31 Mayor Mouton asked if the City was looking at moving the parking out of the
32 marina area once the trail is constructed and start shifting the focus and educating people
33 on the new trail and where they can park. Mr. Dahl stated that they have begun discussions
34 on that topic but wanted to make sure this was okay with the community and the Council
35 before those details are determined.

36
37 Mayor Mouton asked for a motion on the resolution. Ms. Iverson made a motion, seconded
38 by Ms. MacDonald, to Adopt Resolution 27-2022 Supporting the Dakota Rail-Luce Line
39 Connector Regional Trail. The motion carried 4/0.

40
41 **c. Consider Adoption of Resolution 26-2022 Approving a Parking Variance,**
42 **Conditional Use Permit (CUP) for Off-Site Parking, and Fee in Lieu of Parking**
43 **(FILOP) CUP for 712 Lake Street East**

44 Assistant Planner Valerie Quarles gave an overview of the application for 712 Lake Street
45 East for a parking variance and two Conditional Use Permits. She reviewed the zoning and
46 land use of the surrounding neighborhood, the aerial view of the area, the existing

1 conditions, and recent usage of the site. She reviewed the proposal to convert the existing
2 building into a fast-casual restaurant called Paco & Lime and the request to reduce the total
3 parking requirements from 39 spaces to 22 spaces, a CUP for off-site joint use of parking,
4 and a CUP for fee in lieu of parking (FILOP). She gave an overview of the site plans,
5 planned usage of the space, and details surrounding the parking variance request. She stated
6 that the City had worked with SRF Consulting to look into parking demands for fast-casual
7 versus full-service restaurant.

8 Mayor Mouton asked if staff had taken a look at the Stalk & Spade parking demand
9 since they are another fast-casual restaurant in the City. Ms. Quarles noted that she did not
10 have information on the Stalk & Spade locations. Community Development Director
11 Goellner noted that they were a permitted use at the time and had code required parking at
12 that restaurant and explained that because they were never vacant, they were grandfathered
13 in. She stated that the applicant may have some information on how that business is
14 operating.

15 Ms. Quarles reviewed the evaluation details from the two Crisp & Green locations
16 in Highland Park and Maple Grove which create the estimated requirement being 14 spaces
17 for customers at peak times and 8 spaces for employees which is where they came up with
18 the 22 total spaces. She reviewed the CUP for shared parking (1 space) and noted that this
19 depends on pick-up being a large part of their service model and noted that the applicant
20 let them know that digital sales are 60% of their proposed sales. She reviewed the CUP
21 request for FILOP for the additional 21 spaces. She noted that the City had engaged SRF
22 Consulting to confirm that the City actually had the capacity for these additional spaces.
23 She noted that this proposal did not require a neighborhood meeting and noted that the City
24 had not received any public comments on the proposal. She reviewed the Planning
25 Commission discussion and findings and reviewed the recommended conditions of
26 approval.

27 Ms. MacDonald asked if City staff had recommended taking a look at the Highland
28 Park and Maple Grove Crisp & Green locations or if it was initiated by the applicant. Ms.
29 Quarles stated that City staff along with the consultant felt it would be a good idea to look
30 at Crisp & Green locations and selected the suburban and urban locations because they felt
31 that combination would provide the most accurate snapshot of what Wayzata would need
32 in terms of parking. She stated that the applicant was who completed the counts and
33 explained that staff was not involved.

34 Ms. MacDonald asked if it had occurred to anyone to study the location down the
35 street. Ms. Quarles stated that it was discussed and that one is tough because it is within a
36 shared parking lot. Community Development Director Goellner stated that the applicant
37 can provide some of the data about the activity at that particular location but noted that the
38 City had some of that data based on the counts from 2021 so staff felt like it was important
39 to get data that was completely separate from those.

40 Ms. MacDonald stated that she did not think the Highland Park location was the
41 best example of an urban location.

42 Community Development Director Goellner noted that the City had received one
43 public comment that was received after the packet was sent out.

44 Mr. Buchanan asked for clarification on the lot at 726 and whether there would be
45 signage for people to know if and when they can park there. Ms. Quarles explained that the
46 lot is currently signed for many of the businesses at 726 Lake Street. She stated that she

1 assumes that there would be similar signage at 726 but would specifically see a sign at 712
2 for the one curbside pick-up spot.

3 Mr. Buchanan stated that if people pull into the lot and then find that there is no
4 parking they will back up which will create a major traffic issue.

5 Mayor Mouton asked to review the aerial photo of the buildings in the area. She
6 asked if the owner of 726 was allowing parking there for this business. Ms. Quarles
7 explained that 726 and 712 are under shared ownership and that the intent would be to
8 allow for the use of that curbside spot all of the time and then to expand joint use of parking
9 at other times when peaks are differing. Mayor Mouton asked if there was already an
10 agreement in place for that usage. Ms. Quarles explained that the CUP is followed by a
11 development agreement that requires them to engage with 726 Lake.

12 Mayor Mouton stated that when 712 was a fitness center they had allowed parking
13 all along the building for that use and asked why the owner of the two would not allow for
14 a similar arrangement for parking for this business. She noted that the owner also has
15 barricades in the back that preclude deliveries in the back alley and south parking areas.
16 Ms. Quarles explained that 726 Lake had originally offered those 7 spaces when the
17 proposal came before staff. She stated that staff's first thought was that would not be
18 enough for a restaurant and then went on to question whether 726, by code, had the capacity
19 to give those spots to 712. She explained that they found the answer was that they did not
20 because for peak usage, they need 14 spots and they only have 15 spots, which is where
21 the 1 spot for use by 712 came into the discussion.

22 Mayor Mouton asked if there was any part of what was being considered today an
23 agreement with the owner of 726. Ms. Quarles stated that it would be because 726 is the
24 one agreeing to give 712 the right to least one of those spots.

25 Mayor Mouton asked if it was within the City's purview to say that those barricades
26 need to be removed to facilitate safe travel. Ms. Quarles stated that makes a lot of sense to
27 her but asked City Attorney Schelzel to weigh in. City Attorney Schelzel stated that in
28 order for the application to work and be approved, there needs to be an agreement with the
29 owner of the 726 Lake property. He noted that the City would not necessarily be a party to
30 that agreement but could require it as part of issuing the CUP. He stated that he would
31 concur with staff that the City can put a reasonable condition on the owner of 726 to remove
32 the barricades.

33 Ms. Iverson noted that she had, in the past, had a retail space in the 712 building
34 and part of the reason that the barricades were put up was because of the amount of
35 restaurant valets driving through there at a rapid speed which made the area unsafe. She
36 stated that she believes this is happening at Stalk & Spade and noted that she had a
37 conversation with the lady at 726 at the nail salon who found out she was on the City
38 Council so she got an earful about the people at Josefina's.

39 Mayor Mouton asked that the conversation remain on the item in front of the
40 Council. Ms. Iverson stated that she felt that parking in that whole area really needed some
41 attention.

42 Mayor Mouton asked the applicant to address the Council.

43 Mike Mergens, representing the applicant, 575 9th Street SE, Suite 95, Minneapolis,
44 stated that to address the question related to Stalk & Spade, their best guess is that it is 9
45 spots and the nearby Crisp & Green has 5 designated spaces and the others are shared. He
46 stated that they are very excited about launching this new brand in Wayzata and is hopeful

1 that a solution can be found to the parking challenges. He stated that Ms. Quarles has been
2 fantastic to work with and has very clearly explained the problems and made sure they
3 understood the Code issues. He stated that he understands parking has been a problem in
4 downtown Wayzata for a long time but thinks it is important for the City to also find ways
5 to revitalize properties such as this one. He stated that one of the comments raised at the
6 Planning Commission was about the possibility of changing some of the parking spots right
7 in front of the building to be 15 minute only spots and noted that they feel that would be a
8 big help because most of their customers are truly grab and go.

9 Lily Smith, Steele Brands, parent company of Crisp & Green, Stock & Spade, and
10 Paco & Lime gave an overview of why they are excited to have Wayzata serve as the
11 flagship location for this new brand. She explained that Paco is an acronym for People and
12 Community Oasis and reviewed their vision for the community. She noted that they had
13 thoroughly reviewed the 2040 Comprehensive Plan to ensure that their plans lined up with
14 the City's vision and goals. She noted that they want to support the community and engage
15 with them and not just sell some food. She noted that Crisp & Green was sponsoring a yoga
16 class for the upcoming Art Experience event. She reviewed their guiding principles and
17 collective vision as they continue to design this location. She explained that parking for
18 fast-casual is very different than for a full-service restaurant.

19 Mr. Buchanan stated that he appreciated that the applicant had taken the time to
20 look at how their brand and the City's brand align. He asked if it really made sense for
21 them to pick up 1 spot in that parking lot. He stated that he understood that the site is
22 challenging but feels that if they are busy, there will be people waiting for that one spot
23 which will be very inconvenient. He stated that he loves the concept of what they are doing
24 but feels the parking situation is a mess.

25 Mr. Mergens stated that they spent a lot of time looking at ways to have more carry
26 out spots but noted that they do have a good working relationship with the owner of 726
27 because he also owns 712. He stated that he thinks there is going to be some creativity that
28 will evolve as they work together to make sure all of the tenants have the best and most
29 efficient parking solutions.

30 Ms. MacDonald stated that she works across the street from Crisp & Green and she
31 has noticed that there are some issues of theft with the take-away shelving. She stated that
32 when she has mentioned that her salads are missing, she gets a reaction from staff that
33 implies that it is a frequent occurrence. She noted that if the idea is that 60% of their
34 customers do not have to interact with staff, but in that kind of situation, they will have to
35 come show a receipt or something, just having the 1 curb-side spot set aside could be
36 concerning. She stated that she likes the concept of making it an oasis, but with most people
37 spending less than 5 minutes there to pick up their food, that seems a bit counterintuitive.
38 She stated that she finds that people spend a long time at Crisp & Green because they like
39 it there. She gave the example of earlier today at about 2:30 p.m. when she went to pick up
40 a smoothie and there were 21 people sitting there. She stated that she is very concerned
41 about the parking and the impact on the other local businesses, the neighborhood, and the
42 traffic flow. She asked for more information on how to address the theft issue and the idea
43 of creating of an oasis where they want people to hang out but with the secret hope that
44 people will only spend 5 minutes in the building.

45 Ms. Smith stated that there has been a big shift operationally and thinks the issue
46 may not be as much theft, but staff trying to keep pace with the orders. She stated that they

1 are focusing on the timeliness of getting the food on the shelf. Ms. MacDonald stated that
2 she wants to push back a bit on the theft issue because it has happened to her personally
3 three times and she has been told by staff that it was not a staff mistake and people were
4 coming in and taking the food so they had to remake it. She asked if they had a plan in
5 place if theft becomes a problem. Ms. Smith stated that if it becomes a problem they will
6 definitely have to address it and assured the Council that this was something that they
7 would continue to monitor.

8 Mayor Mouton noted that she believes part of the concern raised by Ms.
9 MacDonald was the idea that the concept is to get people in and out in 5 minutes, but if
10 there ends up being an issue such as a theft, then that 5 minutes turns into 10 or 15 minutes.
11 She stated that the question is then how can they maintain smooth, efficient operations.

12 Mr. Mergens stated that his firm works with a lot of restaurants who are converting
13 to the fast-casual model as staffing continues to be a big issue. He stated that they are
14 starting to see technology evolving to ensure that the potential theft issue is addressed. He
15 stated that there was a question raised about the 5 minute parking and the 'oasis'. He stated
16 that with Crisp & Green they have seen a lot of walkability and in this location they expect
17 the same thing and for people to come up from their boats or walk in from all different
18 parts of the City. He stated that they are hopeful that some of them will choose to get their
19 food and stay for a while, but they have seen that there are the 60% that want to get in, get
20 their food, and leave. He reviewed some of the data gathered through the car study and
21 assured the Council that they do not want to open a new restaurant and not have enough
22 parking for their customers.

23 Ms. Iverson stated that for her, parking in this entire area is a bigger issue than just
24 this application because there are a lot of businesses there. She stated that she doesn't want
25 to penalize someone because the City thinks they don't have enough parking. She gave the
26 example of going to a restaurant in Minneapolis and the fact that you don't always get a
27 parking spot right in front of their establishment and it requires going around the block and
28 finding someplace to park because that is where they have chosen to go eat that night and
29 thinks this will be the same. She stated that she doesn't want it to be an issue that stops a
30 good asset from coming to the community but does think it needs a broader discussion.

31 Mayor Mouton stated that she has questions regarding the City-owned lot in the
32 back. She noted that the barricades have been in place for a long time and with the advent
33 of valet parking there have been some ongoing issues with the lot and expressed concern
34 with the Planning Commission recommendation to have employees parking in prime City
35 spots. She asked what would preclude the City from making that 15 minute parking across
36 the board to be able to accommodate things like these businesses that want to have pick-
37 up. She stated that these lots belong to everybody and do not just belong to one business.
38 She stated that if the valets cannot slow themselves down then the City can install speed
39 humps. She stated that she is still in favor of getting the barricades removed to ensure better
40 circulation through the site because the City needs to make sure that things are safe. She
41 stated that the problem with the parking lot at 726 is the situation when someone pulls in
42 because they think there is a space but there isn't, because then they will need to back out
43 across the sidewalk and into the street. She stated that she is in favor of removing the
44 barricades, putting in 15 minute parking in the back, and telling the other businesses that
45 they have to slow down or they will lose their valet parking permit or the City will install
46 speed humps. She stated that she is in favor of the application, but she thinks that the City

1 needs to get creative, for example, she likes the idea of putting a 15 minute parking sign
2 out front.

3 Mr. Dahl noted that the City has just started the process of doing a parking survey
4 which includes the capacity of the area, but also looks at management practices. He stated
5 that he thinks the issue raised about removal of the barricades needs to be looked at more
6 closely from an engineering standpoint.

7 Mr. Buchanan expressed confusion about where he would go in the 726 parking lot
8 if the barricades were removed. Mayor Mouton stated that he would go towards the railroad
9 tracks and to the left and then down to Stalk & Spade and come back around.

10 Ms. MacDonald asked how many FILOP spaces are already being used and if there
11 is a maximum availability for those spaces. Ms. Quarles stated that there is not a specific
12 number and explained that this was part of why they looked at the 2021 parking count to
13 look at the capacity. Community Development Director Goellner stated that the parking
14 capacity that is available is based on the 2021 counts.

15 Ms. Iverson explained that she had a hard time justifying the FILOP because there
16 are parking issues for every business in the City, and questions why only a few were being
17 charged a fee when every business utilizes the parking. She gave an example of spending
18 over an hour in Near North that is in the 726 building along with about 5 other women.
19 She asked why the City would be ‘targeting’ just a few businesses with the fees.

20 Mayor Mouton stated that she did not think ‘targeting’ was an appropriate word
21 because the City was not targeting anyone.

22 Ms. Iverson asked why the City was using FILOP for this particular application
23 when parking issues are global. She stated that she thinks everyone should pay a fee or no
24 one should pay a fee. She stated that the City has changed and perhaps businesses just need
25 to pay a yearly fee for parking. She referenced businesses ability to pay \$125 to get 3 valet
26 spots and with FILOP they are being asked to pay \$10,000 per space. She stated that she is
27 just looking to get equality for what is happening in the City with relation to parking. She
28 stated that she is definitely in favor of approving this application, but wants to take a look
29 at the bigger picture. She stated that she just has an issue with asking this applicant to pay
30 a total of \$210,000 to utilize parking spaces when the parking problem is being created by
31 multiple businesses.

32 Mayor Mouton stated that she understood her concern, but this business has no
33 parking spaces. She reviewed the different type of uses that drive the different parking
34 counts.

35 Ms. Iverson explained that this particular business is fast-casual dining and people
36 will only be there 5-10 minutes, in general, and the other nearby businesses are ones where
37 people can there from 30 to 60 minutes that do not have parking spots. She reiterated that
38 she is not in support of the FILOP and feels that every business should have to pay their
39 share for parking.

40 Mr. Buchanan noted that he thinks having a conversation about FILOP is a worthy
41 conversation for some time in the future. He noted that FILOP is a standing policy and the
42 Council has an application in front of them and suggested that the broader discussion
43 happen at a workshop and that the Council not take time away from the applicant and the
44 public to argue about this issue.

45 Ms. Iverson stated that she agreed that discussion of FILOP is worthy of their time
46 because the City has changed and will continue to change.

1
2 Mayor Mouton asked for a motion on the application. Mr. Buchanan made a motion,
3 seconded by Ms. Mouton, to Approve Resolution 26-2022 Approving Parking Variance,
4 CUP for Off-Site Parking, and Fee in Lieu of Parking (FILOP) CUP for 712 Lake Street
5 East, with the added condition that the barricades in the parking lot are removed.
6

7 Ms. MacDonald stated that she thinks there needs to be further discussion on
8 whether the number of 22 parking spaces is accurate or not. She stated that she is very wary
9 about that number and is not sure she can support the requests as presented because of the
10 potential impact to traffic are being underestimated as well as the impact to the neighboring
11 businesses.

12 Mayor Mouton stated that this property literally has no parking and asked if Ms.
13 MacDonald would feel more comfortable if the applicant was paying for the original 39
14 parking spots. Ms. MacDonald stated that she is not sure they need the full 39 but felt that
15 the data received was not enough information for her to make a decision. She stated that
16 she is okay with the CUP for the 1 parking space, but reiterated that she isn't sure that the
17 impact to the traffic in the area will make this use a good fit.

18 Ms. MacDonald explained that it is hard for her to make a decision without what
19 she feels is accurate data and noted that she did not believe their information about the peak
20 time being 11:30 a.m. of just 12-14 people. She noted that she had driven there at 11:30
21 today and there was not one spot in the lot, the Muni lot, her lot, or the street. She stated
22 that if you add that many more people everyone is going to be upset because there is just
23 not enough room for that many more cars. She stated that she thinks there are other areas
24 within the City that are not so congested where this concept could also be part of the
25 community. She stated that she completely supports their businesses, but just does not think
26 this location is a good fit.

27 Ms. Iverson stated that the Panoway has attracted a lot of people and now it sounds
28 like, in her opinion, that a business may be penalized for that because the parking is being
29 used. She reiterated that this topic needs to have a much more broad conversation because
30 for any new business that wants to come in, there is no parking left and the boardwalk has
31 not even been built yet.

32 Mayor Mouton agreed that the Council can discuss that issue in the future.

33 Mr. Buchanan stated that he would love for them to take a look at the top level of
34 the ramp because he thinks there is still plenty of space there and people have just gotten
35 spoiled about parking right near the businesses. He stated that people can walk in order to
36 get to businesses which is consistent with what people do in cities.

37 Mayor Mouton shared a recent example of going to get lunch at Crisp & Green
38 when the only parking available with at the top of the parking ramp, which was wide open.
39 She stated that perhaps the City can do a better job of educating people on the availability
40 of parking in the ramp and reiterated that she thinks there is an issue with employees
41 parking in the prime spots at the parking ramp.

42 Ms. Iverson stated that she is very much in support of this application but is not in
43 support of asking them to pay \$210,000 to do business in Wayzata.

44 City Attorney Schelzel stated that he understands Ms. Iverson's philosophical
45 standpoint, but noted that the applicant is asking to pay FILOP in order to open their

1 business in this location. He reviewed some of the possible outcomes with different voting
2 scenarios.

3 Community Development Director Goellner noted that the 60 day rule expires on
4 June 26, 2022 but asked for a moment to see if it had been extended to 120 days.

5 Mr. Dahl agreed that the applicant is asking to be able to use the FILOP tool to help
6 reduce the amount of parking spots that would normally be required.

7 Community Development Director Goellner clarified that the City had not extended
8 the deadline for 120 days.

9 Ms. Iverson stated that if the applicant has indicated their willingness to pay the
10 FILOP then she would be in the wrong if her vote stopped them from pursuing, so she
11 could support the motion in front of the Council.

12
13 Upon a roll call vote, the motion carried 3/1 (MacDonald opposed).

14
15 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

16 Mr. Dahl noted that staff is planning, with Council agreement, to cancel the July 5, 2022
17 meeting which means the next meeting would be July 19, 2022. He stated that he wanted
18 to make sure the public knew that after three years, the Fire Department will once again be
19 putting on the Kiddie Parade, July 4, 2022 at 10:00 a.m. at Klapprich Park and at about
20 12:30 p.m. at Wayzata Middle School West there will be the Mini-Olympics. He expressed
21 his appreciation to the Fire Department for doing all the hard work and putting on such a
22 cool activity. He displayed a full can of beer that is the semi-sesquicentennial 75th
23 anniversary beer. He stated that it is available at the Wine and Spirits store in a can or on
24 tap at The Muni. He noted that it is a hazy IPA and will be the first phase of the celebration
25 of The Muni and all it has done for the community over the years.

26 Mayor Mouton expressed her thanks to the Excelsior Brewing Company in
27 collaboration with Jeff Pietrini and Kevin Castellano for their work on this. She reminded
28 residents about the upcoming Wayzata Art Experience that will take place this coming
29 weekend.

30
31 **b. Council Member Updates/Announcements**

32 Mayor Mouton stated that the City got mixed feedback about the Walk-Zata event and
33 thanked people for giving their feedback and observations.

34
35 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

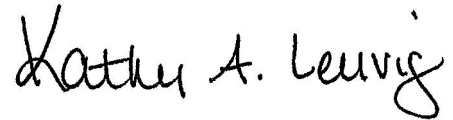
36 There were no comments.

37
38 **AGENDA ITEM 11. Adjournment.**

39 There being no further business, Mayor Mouton asked for a motion to adjourn. Mr.
40 Buchanan made a motion, seconded by Ms. MacDonald to adjourn. Mayor Mouton
41 adjourned the meeting at 9:37 p.m.

42
43 Respectfully submitted,

44

A handwritten signature in black ink that reads "Kathy A. Leervig". The signature is written in a cursive style with a distinct dot over the 'i' in "Leervig".

1
2 Kathy Leervig
3 City Clerk
4
5 Drafted by Kayla Rokosz
6 *TimeSaver Off Site Secretarial, Inc.*