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**WAYZATA CITY COUNCIL
MEETING MINUTES
August 24, 2021**

AGENDA ITEM 1. Call to Order.

Mayor Mouton called the meeting to order at 7:00 p.m. Due to expiration of the State of Emergency on July 1st by Governor Tim Walz, the City is now complying with the State of Minnesota's "Open Meeting Law" in which in person public meetings shall resume. The public will be allowed to participate in the meetings in person or remotely. Mayor Mouton shared the multiple options to join the meeting or submit comments and questions.

AGENDA ITEM 2. Pledge of Allegiance.

AGENDA ITEM 3. Roll Call.

Council Members present: Buchanan, Iverson, MacDonald, and Plechash. Also present: City Manager Dahl, Public Works Director/City Engineer Kelly, Community Development Director Goellner, Consulting Planner Zweber, and City Attorney Schelzel.

AGENDA ITEM 4. Approve Agenda.

Mr. Buchanan made a motion, seconded by Mr. Plechash, to approve the agenda, as presented. The motion carried 5/0.

AGENDA ITEM 5. Public Forum.

~~a. Introduction of Public Works Employee Casey Staniger~~

Mr. Kelly shared that Mr. Staniger was returning from a work conference and had not made it back to attend the meeting.

b. Introduction of Public Works Employee Quinton Dornisch

Mr. Dahl said Wayzata took the new hires seriously because Wayzata was a small town, but was quickly growing. He thought it was important for the community to meet each employee.

Mr. Kelly said that Mr. Dornisch had been a seasonal employee for several years, but applied for a full-time position with the Parks Department. Mr. Kelly shared a little about Mr. Dornisch noting that he always had a smile.

Mayor Mouton welcomed Mr. Dornisch and said she had witnessed his great attitude.

Mr. Dornisch said it was an honor to be working for the City. He said he was just out of college and avid outdoorsman, and was excited to be a part of this wonderful organization.

c. Funding and Advocacy Update of Panoway on Wayzata by the Wayzata Conservancy

Andrew Mullin, Wayzata Conservancy Chair, explained that he planned to focus the conversation on the planned unveiling of the 9/11 Memorial on September 11th. He discussed how the City got to this point and the details of the event.

1 Ms. Iverson thanked Mr. Mullin for his dedication and noted that the memorial
2 would be used every day.

3 Mayor Mouton also extended her gratitude for Mr. Mullin's years of service.
4

5 **d. Pop-up Vaccines**

6 Terri Huml Fox, 293 Grace Pointe Court, shared that there would be a pop-up vaccination
7 clinic, in coordination with the Minnesota Department of Health, on August 30th at The
8 Boatworks Building from 2:00 – 6:00 p.m.
9

10 **AGENDA ITEM 6. New Agenda Items.**

11 None.
12

13 **AGENDA ITEM 7. Consent Agenda.**

14 Mayor Mouton read the items on the consent agenda and asked if any Council member
15 wished to pull an item for further discussion. Hearing no such request, she asked for a
16 motion to approve the Consent Agenda, naming Council Member MacDonald as the liaison
17 for Item 7.f. Mr. Buchanan made a motion, seconded by Mr. Plechash, to approve the
18 consent agenda as stated:

- 19 a. Approval of City Council Workshop and Regular Meeting Minutes of August 5 and
20 August 10, 2021
- 21 b. Approval of Check Register
- 22 c. Approval of Municipal Licenses
- 23 d. Receipt of Police Activity Report
- 24 e. Receipt of Building Activity Report
- 25 f. Consider Adoption of Resolution 33-2021 Appointing a Liaison to the Wayzata
26 Conservancy for Panoway

27 The motion carried 5/0.
28

29 **AGENDA ITEM 8. New Business.**

- 30 **a. Consider Adoption of Resolution 34-2021 Approving the PUD Amendment
31 and Design Deviations for Moments of Wayzata at 163 Wayzata Boulevard
32 West**

33 Ms. Goellner presented the development application from Burt Elmer, on behalf of TMSC
34 of Wayzata LLC, requesting approval of a Planned Unit Development amendment and
35 design deviations. She discussed the surrounding neighborhood zoning, 2040
36 Comprehensive Plan land use, and aerial views and renderings.

37 Mr. Zweber provided background information, and an overview of the proposed
38 project, existing site, site plan, floor plans, design deviations, landscaping, staffing and
39 operations, engineering comments, neighborhood meetings, Planning Commission
40 discussion and recommendation, and changes to the application since the review by the
41 Planning Commission.

42 Mayor Mouton opened the floor for questions for staff from the Council. Ms.
43 MacDonald asked where the mechanical equipment was moved to from the previous
44 iteration of the proposal. Mr. Zweber showed on the map the new location of the
45 mechanical equipment.

1 Mr. Buchanan asked if the intent of a Planned Unit Development was to override
2 land use designations as outlined in the Comprehensive Plan. Ms. Goellner talked about
3 the previous Planned Unit Development for the site, and the guidance of the
4 Comprehensive Plan. Mr. Buchanan asked if commercial use was mentioned in the land
5 use designation. Ms. Goellner said the proposed office use was an accessory use to the
6 primary use of senior living. She said if the office was used by other professionals not
7 affiliated with the applicant, then it would be considered commercial use.

8 Mr. Plechash noted the hard cover additions to the site under the proposal, and
9 asked if there were any hard cover issues for the site. Mr. Zweber said no, there was a total
10 overall reduction of approximately 500 square feet. Mr. Plechash asked why the parking
11 was increased when the overall number of residents decreased. Mr. Zweber said it was due
12 to the expanded office.

13 Ms. Iverson asked more about the parking. Mr. Zweber went into more detail about
14 the parking plans.

15 There being no further questions for staff, Mayor Mouton invited the applicant to
16 speak. Elizabeth Wright, President of The Moments, stated she appreciated the opportunity
17 to come before the Council. She said Wayzata was missing a higher level of memory care
18 for residents. They emphasized that they were not a facility, but a community. She
19 discussed their plans and neighbor feedback

20 Burt Elmer, Architect for the applicant, discussed the site plan.

21 Ms. Wright discussed the adult daycare use, and why it was needed.

22 Patrick Sarver, Landscape Architect for the applicant, said The Moments
23 organization had been wonderful to work with.

24 Mr. Buchanan asked what type of activities would take place in the proposed
25 offices. Ms. Wright said the office use would be specifically related to the operation of
26 Moments. Mr. Buchanan asked if she had plans for expansion. Ms. Wright said yes.

27 Ms. Iverson said there was a need in the community for the proposed senior living
28 and memory care services, but she was having a hard time understanding staffing and the
29 need for offices. She asked if the Council could make a condition that offices could only
30 be used by the staff of Moments. Ms. Wright said the Planning Commission made it a
31 condition of approval. Ms. Iverson asked about the daycare and hours. Ms. Wright said it
32 would be daily use. Peter Hendrickson, Moments Vice President of Operations, said he
33 thought 20 would be the maximum and most would stay the six to eight hours per day.
34 They would offer breakfast and lunch.

35 Mr. Plechash asked how much of the proposed new space would be used for the
36 daycare. Mr. Elmer said the entire main floor was designated to the residents and staff.
37 Mr. Plechash asked about parking. Ms. Wright discussed the parking proposal in more
38 detail. Mr. Plechash asked about the trees being transplanted. Mr. Sarver discussed the
39 plans to transplant trees.

40 Ms. MacDonald asked about the executive office space and what would happen if
41 they continued to grow. Ms. Wright said they would build an office space off site. Ms.
42 MacDonald asked where the trees were being removed from. Mr. Sarver showed the
43 removal plan. Ms. MacDonald said the new concept of the daycare was concerning to her
44 and wondered whether there was enough space for it.

45 There being no further questions for the applicant, Mayor Mouton opened the floor
46 for comments from public.

1 Joe Vanloy, 136 Birch Lane W, commended the applicant for their hard work, but
2 said the City did have to think about land use. He expressed concerns about size, traffic,
3 and parking of the proposed use.

4 David Kirkland, 176 Babcock Lane, talked about enforcing zoning and the Planned
5 Unit Development. He read a statement expressing his many concerns.

6 Daniel Drotning, 120 Westwood Lane, said the neighbors were not against
7 Moments. They supported what they were trying to do; however, they did not want a larger
8 building. He asked the Council to deny the application for the addition, but thought the
9 current building could be used for the proposed services.

10 Teri Huml Fox, 293 Grace Pointe Court, offered her support for all of those who
11 were in need of memory care. She shared her personal experience needing memory care
12 for family members and her positive experience touring Moments in Lakeville.

13 Keith Johnson, 166 Babcock Lane, read a quote from the Planned Unit
14 Development agreement stating that you shall not have detrimental effect to surrounding
15 property values. He talked about the former Meridian Manor on the site, and said the
16 neighbors wanted to preserve the intentions of the original developers.

17 Kris Johnson, 166 Babcock Lane, agreed with previous commenters and said he
18 was in favor of the renovations to the existing building, but not the office building.

19 Laurel Anthony, 145 Peavey Lane, said she was a retired landscape designer and
20 thought the chances of survival of the transplanted trees was very low.

21 Lindsay Bashioum, 461 Peavey Lane, reiterated what another neighbor stated, and
22 said the addition of the 13,000 square foot building addition was the problem.

23 Jane Wallace, 118 Babcock Lane, echoed the other neighbor's concerns. She was
24 previously a lifestyle manager at a multi-tier residential facility and failed to see how a
25 separate building would enhance the quality of life for residents. She also noted the
26 neighborhood petition voicing concerns about the proposal with 57 signatures that had been
27 submitted to the Council.

28 Mayor Mouton confirmed that the petition was in the Council's packet. There being
29 no one else wishing to speak, she turned the discussion back to the Council.

30 Ms. Iverson said having been affected by the disease, she understood the need. She
31 was unsure if this was the right location to increase the footprint of the existing building.
32 She applauded the effort to transplant trees, but was concerned about the survival rate. She
33 supported the remodeling of the existing building but thought phase two's impact was too
34 large. Last, she suggested using stone instead of concrete for the wall.

35 Mr. Buchanan said there was no question that there was a need for memory care
36 and no doubt this group could provide great care. He noted that he was shocked at the
37 current condition of the property, but had concerns about the proposed PUD amendment.
38 He said the proposed change to the building and site was drastic from the current residential
39 feel. The offices and the daycare would increase traffic, and he did not like the parking in
40 front. He said he could not support the PUD amendment.

41 Mr. Plechash commended the developers for their philosophy. He thought the
42 daycare was needed, and said the site did need development. He understood the plan to
43 cover the wall, but still preferred a different material. He also commended the Planning
44 Commission for its work. He stated his biggest concerns were trash in the front, the
45 separate building, and parking and massing break design deviations. Mr. Plechash said he
46 could not support the application for those reasons.

1 Ms. MacDonald agreed with Council and the neighbors. She acknowledged the
2 need and applauded the business, but could not support the application.

3 Mayor Mouton agreed and said she had the same concerns. She was not in favor
4 of approving the addition to the existing building. She asked staff how to proceed since
5 the draft resolution was to approve. Mr. Schelzel recommended that the Mayor entertain
6 a motion to direct staff to prepare and bring back a different resolution, with written
7 findings, denying the application.

8 Mayor Mouton asked for a motion. Mr. Buchanan made a motion, seconded by
9 Mr. Plechash, to direct staff to prepare a draft Resolution of Denial of the application, with
10 written findings based on the Council's discussion, for consideration at the next City
11 Council meeting.

12 Mr. Plechash encouraged the applicant to come back with new plans.

13 The motion carried 5/0.

14 Ms. Wright asked for clarification. She said the Council said the design was too
15 commercial, but they followed design standards for the area. She asked for more specifics.

16 Mayor Mouton recommended that she follow up with staff. She added that if the
17 applicant was still unclear, they could potentially have a workshop to receive feedback.

18 Ms. Wright noted that an allowed use was high density residential.

19
20 Mayor Mouton recessed the meeting at 9:54 p.m.

21
22 Mayor Mouton reconvened the meeting at 10:05 p.m.

23
24 **b. Consider Adoption of Resolution 35-2021 Approving the Fee in Lieu of**
25 **Parking Conditional Use Permit for Ventana Apartments at 253 Lake Street**
26 **East**

27 Ms. Goellner presented the development application from Brad Hoyt, on behalf of Ventana
28 LLC and Berry and Company Inc., requesting approval of a Conditional Use Permit for
29 additional parking under the City of Wayzata Fee-in-Lieu of Parking Policy for the
30 property at 253 Last Street E. She discussed the surrounding neighborhood zoning, the
31 2040 comprehensive plan land use, background, floor plan, parking specifications, public
32 parking lot, request and questions for consideration, the Planning Commission discussion
33 and recommendation, and action steps.

34 Ms. Iverson asked about the difference between compact and regular parking stalls.
35 Ms. Goellner said it differed by a few feet per City Code, but she was unsure of the exact
36 numbers. It was not recommended for a regular car to park in a compact stall. The City
37 would work on a complaint basis if that happened.

38 Mayor Mouton said they were requesting a reduction of three stalls. There were
39 153 stalls in the new lot and the City had already accepted a reduction for the Hughes
40 property. Ms. Goellner said 75 spaces would be utilized during day time office hours.
41 Mayor Mouton asked about Boatworks. Ms. Goellner noted that 85 spaces would utilize
42 the tandem spots for valet in the evening hours. Mayor Mouton asked about signing the
43 back lot for no overnight parking. Mr. Kelly said that determination had not been made
44 yet. Mayor Mouton said her concern was the backlot would fill with guests who may stay
45 overnight. Mr. Dahl said there would be other parking such as on-street and in other public
46 parking areas. He thought they should further discuss overnight parking as they did not

1 want people to drink and drive. Mr. Kelly said the current restriction was 72 hours and
2 suggested changing it to 24 hours.

3 Ms. Iverson was concerned about the parking lot filling up with the 85 plus 75. Ms.
4 Goellner said the City was in the process of completing parking counts. Mr. Schelzel
5 expanded. He said the Council did need to make the finding that the request did not exceed
6 the available parking within the mobility district which was not just in this one particular
7 lot. As each request came in, staff would advise the Council based on parking studies when
8 capacity was reached. Currently, staff had concluded that there was still capacity. Mr.
9 Dahl noted the fee went into a fund with a goal to provide more and better shared parking
10 downtown.

11 Mayor opened the floor for discussion from Council.

12 Ms. MacDonald thought it was a reasonable request and noted that a gym was a
13 standard for an apartment complex.

14 Mr. Plechash said he attended the Planning Commission meeting. He mentioned
15 that the apartment complex would probably not have 100% occupancy.

16 Mayor Mouton asked for a motion on the draft resolution. Mr. Plechash made a
17 motion, seconded by Ms. MacDonald, to Adopt Resolution No. 35-2021, Approving Fee
18 in Lieu of Parking (FILOP) Conditional Use Permit (CUP) for Ventana Apartments at 253
19 Lake Street East. The motion carried 5/0.

20
21 **AGENDA ITEM 9. City Manager's Report and Discussion Items.**

22 **a. Upcoming Events/Announcements**

23 Mr. Dahl said he had just received word from former State Senator Paul Anderson that a
24 small event was being planned for September 2nd at 10:00 a.m. at the post office to honor
25 Congressman Jim Ramstad.

26 Mr. Dahl also noted the new Census data was unveiled. He said Wayzata's
27 participation was one of the highest and discussed the significant changes.

28
29 **b. Council Member Updates/Announcements**

30 None.

31
32 **AGENDA ITEM 10. Public Forum Continued (if necessary).**

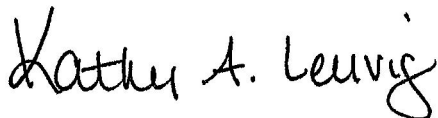
33 There were no comments.

34
35 **AGENDA ITEM 1. Adjournment.**

36 There being no further business, Mayor Mouton asked for a motion to adjourn. Ms. Iverson
37 made a motion, seconded by Mr. Buchanan to adjourn. Mayor Mouton adjourned the
38 meeting at 10:31

39 p.m.

40
41 Respectfully submitted,



42
43 Kathy Leervig
44 City Clerk

- 1 Drafted by Sarah Peterson
- 2 *TimeSaver Off Site Secretarial, Inc.*