

1                                   **WAYZATA PLANNING COMMISSION**  
2                                   **MEETING MINUTES**  
3                                   **FEBRUARY 7, 2022**

4  
5    **AGENDA ITEM 1. Call to Order**

6  
7    Chair Parkhill called the meeting to order at 6:30 p.m.

8  
9    Chair Parkhill read the following prepared statement:

10   In-person public meetings at the City of Wayzata have now resumed. Members of the public may  
11   attend this meeting in person, provided they follow all City policies and protocols related to the  
12   pandemic, including wearing masks. Members of the public may also watch and listen remotely  
13   by logging into Zoom and entering meeting ID 87334054480 and passcode 514913 or by viewing  
14   the meeting on Channel 8, WCTV, and at the City’s website at 222.wayzata.org/WCTV. Public  
15   comment during the Public Forum and/or Public Hearing portions of the meeting may be provided  
16   in person at the meeting, in advance, or by using the Zoom chat feature. All comments must include  
17   your full name and address, and will be taken and/or read at the appropriate time during the  
18   meeting. The City encourages comments or questions about items on the agenda and, when  
19   possible, requests that you submit them in advance by emailing [PublicComment@wayzata.org](mailto:PublicComment@wayzata.org).  
20   Please include “public comments” in the subject line, your name and address, and the agenda item  
21   that you are speaking to. Comments can also be submitted by calling City staff or mailing  
22   comments to Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comments).

23  
24   **AGENDA ITEM 2. Roll Call**

25  
26   Chair Parkhill asked Director Goellner to take roll call.

27  
28   Present at roll call were Commissioners: Douglas, Parkhill, Sorensen, Schwalbe, and Severson.  
29   Community Development Director Emily Goellner, Planning Consultant Eric Zweber, Assistant  
30   Planner Valeria Quarles, and City Attorney David Schelzel were also present.

31  
32   Absent at roll call were Commissioners: Stockton and Merriam (excused with prior notice)

33  
34   **AGENDA ITEM 3. Approval of Agenda**

35  
36   Chair Parkhill asked for a motion to approve the agenda for the meeting.

37  
38   Commissioner Severson made a motion, seconded by Commissioner Douglas, to approve the  
39   February 7, 2022 agenda as presented. The motion carried unanimously.

40  
41  
42   **AGENDA ITEM 4. Consent Agenda**

43  
44        **a.) Approval of the Meeting Minutes and Workshop Minutes of December 6, 2021**

1           **b.) Approval of Planning Commission Report and Recommendation of Approval for**  
2           **Planned Unit Development and Comprehensive Plan Amendment at 15419/15429**  
3           **Wayzata Boulevard and 1405 Holdridge Terrace**  
4

5 Chair Parkhill read the items on the consent agenda and asked if any Commissioner wished to pull  
6 an item for further discussion.  
7

8 Hearing no such request, Chair Parkhill asked for a motion to approve the Consent Agenda as  
9 presented.  
10

11 Commissioner Sorensen made a motion, seconded by Commissioner Severson, to approve the  
12 Consent Agenda as presented. Motion carried unanimously.  
13

14 **AGENDA ITEM 5. Public Hearing Items**  
15

16           **a) Development Application for a Planned Unit Development (PUD) for the Wayzata**  
17           **Beach Club Mixed-Use Development at 200 Lake Street East**  
18

19 Community Development Director Goellner gave an overview of the proposed PUD Concept Plan  
20 for Wayzata Beach Club at 200 Lake Street East. She reviewed the Zoning Map, the  
21 Comprehensive Plan Land Use Map and the property's guided use as Central Business District.  
22 She reviewed the site history including its past zoning, usage, existing conditions, and what  
23 surrounds this property. She gave a brief overview of the previous recent applications that have  
24 been submitted to the City for this property. She explained that with this application, the applicant  
25 is proposing to demolish the existing TCF building on the property and construct two 3-story  
26 mixed use buildings that would include 32 residential units and 42,000 square feet of commercial  
27 space. She highlighted the key points for the proposed site plan and noted that greater detail is  
28 available within the staff report.  
29

30 Planning Consultant Zweber reviewed details of the proposed PUD Concept Plan related to  
31 density, the central plaza, the east and west parks, open space between the buildings, and proposed  
32 impervious surface. He gave an overview of the additional approvals that would be required if  
33 this concept plan is approved, including a PUD General Development Plan, Zoning Amendment  
34 to new PUD District, Design Standards, and Shoreland Impact Plan/CUP for impervious surfaces  
35 greater than 75%. He explained that one of the Design Standards that the developer has worked  
36 to accommodate is the massing breaks to the façade. He noted that there has been one deviation  
37 from the Design Standards identified in the review so far relating to the step back on the third  
38 floor, and noted that the developer has indicated that they will revise the design to remove the need  
39 for the deviation within the General Development Plan, if the Concept Plan is approved. He  
40 reviewed the proposed building height for the buildings and explained that they would both meet  
41 the standards for PUD zoning. He stated that 66% of the east building parking and 17% of the  
42 west building parking is proposed to be below the ground water level elevation. He noted that  
43 there is information included in the packet related to the flood proofing that is being proposed. He  
44 reviewed the proposed parking and the required parking for peak demand and explained that 60%  
45 of the parking is proposed to be mechanized.  
46

1 Community Development Director Goellner explained that a neighborhood meeting was held on  
2 January 5, 2022 and letters were sent, by the applicant to neighbors within 750 feet of this property  
3 on January 14, 2022. Director Goellner noted that the City has received 17 comment letters that  
4 have been included in the packet, and that ten additional letters were submitted after the packet  
5 was put together. She stated that those additional letters have been sent to the Commission, and  
6 noted that the additional letters will also be published in the future. She gave a brief overview of  
7 the concerns raised in the public comments, and noted that they run over 100 pages. She  
8 summarized and reminded the Planning Commission of the standards for their review of this  
9 application. She noted that a PUD is a legislative action, and the Planning Commission acts as an  
10 advisor to the legislative body, which is the City Council. She stated that the Commission has  
11 wide discretion on whether to recommend approval or denial as long as it has a rational basis in  
12 fact and the relevant standards on which to make the recommendation. She reviewed the primary  
13 questions for the Planning Commission to consider when reviewing the PUD concept plan.

14  
15 At the conclusion of staff's presentation, Chair Parkhill asked if the Commission had any questions  
16 for Staff.

17  
18 Commissioner Schwalbe asked about the mechanized parking system.

19  
20 Community Development Director Goellner stated that she believes this is the first mechanized  
21 parking system within the City.

22  
23 Commissioner Schwalbe stated that she would also like to know about the success rate, and what  
24 is done when a mechanized system breaks down and the car is in the garage.

25  
26 Community Development Director Goellner stated that will be a question for the applicant.

27  
28 Commissioner Schwalbe asked about the walking path and the bike path shown in the plans, and  
29 noted that they seem to be very close to the front of the building. She asked if staff saw that as a  
30 safety concern.

31  
32 Community Development Director Goellner showed a graphic that depicted the trail and asked  
33 Planning Consultant Zweber to discuss details of the trail.

34  
35 Planning Consultant Zweber stated that the proposed plans have been provided to the Three Rivers  
36 Park District who operate the trail and they have provided two comments. He stated that their  
37 positive comment was that today there are four curb cuts within the existing development, which  
38 will go down to two with this proposal. He explained that the less curb cuts, the less potential  
39 interactions between motorized vehicles and pedestrians or bicycles. He stated that their negative  
40 comment was regarding Building B and explained that right now, there is a separated trail and  
41 sidewalk. He noted that with this proposal that will become a combined trail/sidewalk, and their  
42 response was to note that there is a three foot sidewalk and landscape easement along the north  
43 side of the property. Three Rivers Park District does not have an easement on this property for  
44 additional trail or sidewalk, so they have identified that the area of Building B is a detriment to the  
45 regional trail; but do see the benefit of reducing the number of curb cuts.

46

1 Community Development Director Goellner asked about the width of the combined trail.

2  
3 Planning Consultant Zweber asked for a minute to find that information.

4  
5 Commissioner Severson stated that her understanding is that the current building takes up 15% of  
6 the property, and this proposal would use 84% of the property.

7  
8 Planning Consultant Zweber stated that she is referring to lot coverage, which would go from 15%  
9 with the existing building to a proposed 45.8%. He noted that the 83% she referenced referred to  
10 impervious surface coverage. He stated that the existing site has a large parking lot, so the  
11 impervious surface coverage proposed is probably fairly close to the existing amount.

12  
13 Commissioner Severson asked about the 75% standard that was mentioned by staff.

14  
15 Planning Consultant Zweber stated that the 75% is impervious surface which includes buildings  
16 and any other hardscape such as sidewalks. He stated that this is in the Shoreland District of Lake  
17 Minnetonka which has a standard that says 25% is allowed, and between 25% and 75% can be  
18 approved administratively through the City Engineer by showing an acceptable stormwater  
19 management infrastructure. He stated that if it goes over 75%, it requires a CUP, which includes  
20 a public hearing process and meeting standards to show what is being done to mitigate that  
21 additional amount. He stated that they are showing almost 84% impervious surface with their  
22 proposal which would mean that it would require the CUP, but noted that the CUP is not being  
23 discussed today because this is just the Concept Plan phase.

24  
25 Commissioner Douglas stated that there were several pages of questions that were asked of the  
26 developer in memorandums, and asked if Planning Consultant Zweber was satisfied with the  
27 answers that were received or if there were any outstanding issues that the Planning Commission  
28 should be aware of in their discussion.

29  
30 Planning Consultant Zweber stated that there are a number of things that the developer changed to  
31 address those items, and explained that staff's largest area of concern, as outlined in the staff report,  
32 is the proposed parking.

33  
34 Commissioner Douglas stated that she had read the study the developer presented about  
35 mechanized parking, but that the examples were all related to very large ramps, for 2,000 to 4,000  
36 cars. She asked if staff had asked the developer if there were any reports about small towns having  
37 this kind of mechanized parking.

38  
39 Planning Consultant Zweber stated that he did not ask about the size of the community that the  
40 mechanized parking was in, and gave an overview of things that were discussed related to the  
41 function of the mechanized parking.

42  
43 Commissioner Douglas asked if there was any further research conducted on where the semi-trucks  
44 are pulling in, other than what the Commission has already received.

45

1 Planning Consultant Zweber stated that there has not been additional research, but noted that the  
2 applicant has modified things from the original proposal to what is now in front of the Commission.  
3 He stated that the City Code requires a 50 foot long loading area, and they have now provided an  
4 area behind the 50 foot stall that will provide the loading and unloading for the west building.  
5

6 Commissioner Douglas stated that UPS and Amazon drivers like to be ‘in and out’ and asked if  
7 staff had discussions about these types of deliveries and where they would park or how quickly  
8 they can get in and out with their proposed plans. She asked if they had also considered things  
9 like the security of the packages once they are delivered.  
10

11 Planning Consultant Zweber stated that he did not get into questions regarding security of  
12 packages. He stated that the additional area behind the 50 foot stall would be the area that could  
13 potentially be used for Amazon drivers and noted that the valet area could be used during the  
14 daytime on the south side. He stated that they have shown where vehicles such as Amazon could  
15 park, but reiterated that they did not get into the detail of talking about the security of packages.  
16

17 Commissioner Douglas stated that she was thinking of a situation where a resident had to have an  
18 electrician come and spend four hours at the home. She asked where the electrician would be  
19 expected to park and noted that she thinks a lot of those types of details need to be worked out.  
20

21 Chair Parkhill stated that this question could also include moving trucks and where they would be  
22 parked.  
23

24 Community Development Director Goellner suggested this question be referred to the developer  
25 to address with further detail.  
26

27 Commissioner Schwalbe stated that right now there is a fair amount of available commercial space  
28 on the east end of Lake Street, and this application appears to show that there would be a large  
29 amount of commercial space added on the west end. She asked if staff had any projections on  
30 what the requirement or demand for more commercial space will be in the future. She stated that  
31 so many people shop on-line that brick and mortar facilities seem to be the least desirable way for  
32 people to shop.  
33

34 Community Development Director Goellner stated that they do have evidence of a high vacancy  
35 rate at the Promenade of Wayzata on the west end of Lake Street. She stated that she was not part  
36 of those initial discussions, but her general understanding is that retail on the ground floor was  
37 desired by the community at that time. She stated that she believes it has hit a 40% vacancy rate  
38 and at times, has been even higher than 40%. She stated that there are definitely trends towards  
39 less retail and other options for commerce, but they have no direct guidance on whether retail is  
40 appropriate here. She stated that it would be helpful if the applicant could help explain their plan  
41 for the commercial spaces in order to help the City understand how it is viable in the market today  
42 and long term so they can understand how the proposed uses would fit well in the downtown  
43 Central Business District.  
44

45 Commissioner Schwalbe stated that she does not feel people can pretend that there is not a railroad  
46 that goes within 25-50 feet of the backside of the building.

1  
2 Community Development Director Goellner stated that she can elaborate a bit on the railroad  
3 safety issue. She explained that there is a BNSF railroad track that runs along the southern portion  
4 of the property, and runs through the entirety of the community. She acknowledged that there is  
5 active railway that needs to be kept in mind for this proposal. She stated that this project would  
6 be on its own private property, and not within the railroad's right-of-way or their clearance area,  
7 so it would be generally allowed by local zoning, but the City does have some authority to evaluate  
8 safety concerns, including the proximity of the development to a railroad corridor. She stated that  
9 the standards applied to this site would also be applied to similarly situated property along the  
10 railroad corridor in the City. She noted that risks cannot be presumed anecdotally simply because  
11 of the proposed project's proximity to the railroad. She stated that if there are concerns, they  
12 would need to dig deeper on the nature and the degree of the risk, which would most likely require  
13 a safety study of some kind. She stated that the Commission should think about the safety concerns  
14 on this site as they would apply to all similar parcels along the railroad corridor.

15  
16 Commissioner Sorensen asked if his understanding was correct that semi-trucks would need to  
17 pull up on Lake Street and then back into their stalls.

18  
19 Planning Consultant Zweber confirmed that was correct. He noted that he found the information  
20 on the question regarding the sidewalk that was asked earlier in the meeting. He explained that  
21 the sidewalk when it is separated from the trail is about 5 feet wide and the trail, as proposed, in  
22 the center, has about 12 feet of bituminous and then about a 2 foot concrete curb on both sides, so  
23 it would be about 15-16 feet for the trail.

24  
25 There being no further questions for staff, Chair Parkhill asked the applicant to address the  
26 Commission.

27  
28 Applicant representative Curt Fretham, Lake West Development, gave a brief overview of the  
29 project and explained their desire for it to be socially connected, walkable, pedestrian friendly,  
30 sustainable, and bring vitality to the area. He noted that he understands that over 1,000 people  
31 have been advocating for saving the existing TCF building. He explained that they worked  
32 diligently on multiple applications in 2020 to incorporate and save the building, but in order to  
33 meet the Comprehensive Plan goals for minimum density requirements, they moved away from  
34 trying to save the building. He introduced others with the Applicant: David Nims of Hobbs +  
35 Black Architects, Vern Swing, S<sup>2</sup> Traffic Solutions, Ryan Herm, Urban Ecosystems, and Nick  
36 Mannel, Loucks and Associates. He noted that Matt Gamble with All City Elevator was also  
37 present and could answer questions about the mechanical parking system.

38  
39 David Nims, Hobbs+ Black, 100 State Street, Ann Arbor, MI, stated that this is a unique site and  
40 noted that it rises in height by 12 feet as it moves from east to west, which is what allows for some  
41 of their innovation with relation to parking. He gave a brief overview of the open space, park  
42 areas, and the massing breaks. He reviewed the building design details and the materials being  
43 proposed. He reviewed the public access at the entries, valet areas, loading and servicing that will  
44 be internal to the project.

45

1 Vern Swing, S<sup>2</sup> Traffic Solutions, 4290 Norwood Lane N, Plymouth, MN, reviewed the questions  
2 that had been raised at the previous meetings that required traffic engineering assessment. He  
3 stated that to address those questions they prepared a traffic impact study for conditions without  
4 the project and with the project. He stated that the results of the analysis indicated that the project  
5 would add approximately one inbound and one outbound every minute during the peak hour to the  
6 transportation system. He stated that the results verified that the study intersections will operate  
7 at the same level of service with or without the development. He stated that the addition of the  
8 development traffic has basically no impact on the overall traffic operations in the area. He noted  
9 that they also evaluated the flow of on-site traffic to verify that the interaction of cars, pedestrians,  
10 and delivery vehicles can be done safely without impact to traffic off site. He gave an explanation  
11 of where delivery vehicles will be able to park and noted that overflow of these types of vehicles,  
12 will be able to utilize the valet area. He stated that there is a porter room which is a locked room  
13 which is where the Amazon type packages would be held until the resident comes to retrieve them.  
14 He stated that the delivery parking spaces are outside off of the two lanes of traffic and will not  
15 affect or block the onsite traffic. He stated that there are crosswalks at the site access points and  
16 noted that overall on-site traffic will flow well and will not impact off-site traffic. He stated that  
17 they also evaluated the parking demand associated with the proposed use and found the residential  
18 demand for space occurs at night and the demand for office space will occur during the daytime  
19 which allows for the spaces to be shared. He stated that the highest demand will occur at 1:00  
20 p.m. on weekdays and will require approximately 133 spaces and the proposed 229 spaces will  
21 satisfy that demand. He stated that he would like to address some of the misconceptions that  
22 appear to be out there regarding Lake Street. He stated that regarding roadway capacity, Lake  
23 Street is a two lane urban street with turn lanes at critical intersections and according to MnDot,  
24 this type of roadway has capacity for 17,000 trips/day and not 11,000. He stated that another point  
25 to clarify is that the existing average daily traffic on Lake Street does include the TCF headquarters  
26 traffic. He reiterated that the proposed development will have essentially no impact on the traffic  
27 operations in the area and the on-site circulation of delivery vehicles or garbage trucks will not  
28 affect traffic off-site.

29  
30 Ryan Herm, Urban Ecosystems, 2500 University Avenue W, St. Paul, explained that from a  
31 landscaping standpoint, the existing site is a wasteland filled with dead and diseased trees, acres  
32 of blacktop and an overgrown dilapidated park. He explained that untreated stormwater runs  
33 directly into the lake from this site. He stated that implementing an environmentally designed  
34 development on this site that makes sustainable green and open space is their priority. He stated  
35 that their design has committed to green and open space and over 47% of the site is dedicated to  
36 parks, plazas, gardens, and outdoor spaces that will be available to patrons and the public and  
37 creates view sheds to the lake. He gave an overview of the green, open, plaza spaces and the  
38 proposed amphitheater space.

39  
40 Nick Mannel, Loucks, 7200 Hemlock Lane, Maple Grove, gave a brief overview of the proposed  
41 stormwater management system and highlighted the benefits that they believe will be achieved  
42 through this project. He explained that their proposed filtration will improve the quality of water  
43 that leaves the site and enters the lake.

44  
45 Mr. Fretham, explained that he feels that they have thoughtfully addressed the concerns that have  
46 been raised at the previous meetings. He stated that they had been asked to reduce the mass,

1 provide more open space, and increase the density to meet the requirements. He stated that it has  
2 been difficult but they believe that they have addressed all the concerns that had been raised. He  
3 stated that they had been asked to reconsider their plans to remove the existing building which  
4 they did, and noted that they can elaborate on that issue if the Commission would like. He stated  
5 that they provided public parking, even though they were not asked to do that. He reviewed the  
6 expected additional tax revenues that their proposal will bring to the City. He noted that the  
7 neighbors had also asked them to do things which they have addressed. He noted that they have  
8 been asked to do a lot of things, and they have accepted those requests and explained that all they  
9 would like to do is use their property in a reasonable manner. He asked the Commission to approve  
10 their concept plan without further delay.

11  
12 At the conclusion of the applicant's presentation, Chair Parkhill opened it up to questions for the  
13 applicant from the Commission.

14  
15 Commissioner Douglas stated that she likes that there will be less access to Lake Street as a safety  
16 feature. She asked about the traffic on Lake Street because the reports stated 2018, and she  
17 questioned the report's accuracy because a lot has happened since 2018.

18  
19 Mr. Swing explained that the turning movement traffic counts within the report were conducted in  
20 August of 2021, but noted that the average daily traffic numbers were from 2018. He stated that  
21 they took those numbers and grew them at the growth rate included in the Comprehensive Plan to  
22 reflect what is likely the traffic in 2021. He noted that the 2018 report included traffic from the  
23 TCF headquarters because it was not vacant at that time and could be subtracted out. He stated  
24 that the daily traffic, without this development, in 2024 was projected to be around 6,500 average  
25 daily trips which includes the traffic from TCF. He explained that the daily traffic number is more  
26 of a planning number and the actual operations are based on weekday turning movement numbers.

27  
28 Commissioner Douglas confirmed that his study took into account Ventana, the Hughes building,  
29 and potential new building where Burnett was located.

30  
31 Mr. Swing stated that this was correct.

32  
33 Commissioner Douglas stated that there is also the new Panoway development, and noted that she  
34 lives in the area and the traffic over the last two summers has been terrific.

35  
36 Mr. Swing stated that it is challenging and noted that there was also construction last summer for  
37 part of the time. He noted that he comes to the City quite frequently because he and his wife like  
38 to come to the restaurants in the City.

39  
40 Commissioner Douglas explained that she has a lot of concerns about what is going on at the  
41 intersection of Edgewood Court with Lake Street East.

42  
43 Commissioner Schwalbe noted that she had questions about what the main level of these buildings  
44 will be used for, and asked if the developer had a vision for what types of businesses will occupy  
45 these spaces or if they had been approached by any interested parties.

46

1 Mr. Fretham stated that they have been approached by a number of businesses, and explained that  
2 he has a list of restaurants who want to be in this location. He stated that there are several shared  
3 office space groups that have expressed interest that he thinks would be a nice match because it  
4 would bring what the City is looking for in multi-generational use. He stated that there is also a  
5 plastic surgeon group that has expressed interest, as well as a number of financial institutions that  
6 are planning to vacate downtown Minneapolis. He stated that he has not entered into agreements  
7 with any parties because he wanted to wait until they were further down the road in this process.  
8 He stated that they have also had a tremendous amount of interest from people wanting to make  
9 reservations for the residential condominium units. He stated that it has been exciting to see the  
10 amount of interest expressed in this project without them even marketing it.

11  
12 Commissioner Schwalbe noted that one of the things the City is looking for is more diversity in  
13 housing for young families, and noted that the price point for these units is about \$800,000 for a  
14 one-bedroom unit of about 800 square feet. She asked how Mr. Fretham feels this addresses the  
15 City goal for diversity and bringing in younger families.

16  
17 Mr. Fretham stated that his daughters are 13 and 10 years old and they are excited to live there.  
18 He stated that there is at least one other party that has signed a reservation for one of the units that  
19 also has school-aged children. He stated that it will probably be primarily an older group, but  
20 expects that there will also be some families in the building.

21  
22 Commissioner Schwalbe asked if Mr. Fretham had any concerns about the railroad because it goes  
23 fast and makes noise.

24  
25 Mr. Fretham stated that he believes if you live in the City, the reality is that the railroad is here and  
26 it has to be embraced. He stated that there will be people that will not want to occupy the space  
27 because of the railroad, but there are only 32 units and only 40,000 square feet of commercial  
28 space. He stated that it will not be right for everybody, but there is not much of it. He stated that  
29 from a marketing standpoint it does not concern him at all.

30  
31 Commissioner Schwalbe asked about the ability of the public to access the area within the massing  
32 breaks of the project.

33  
34 Mr. Fretham stated that he did not think they would be policing the massing breaks. He stated that  
35 he expects some of them will have restaurants or coffee shops, and people will be encouraged to  
36 come there. He stated that some of the spaces will likely be office space which may feel a bit more  
37 private and less inviting. He stated that the massing breaks are not really purely park space and  
38 feels the individual businesses will be managing the use of the massing breaks.

39  
40 Commissioner Sorensen stated the east building had 66% of the parking that is below the water  
41 elevation, and asked for more detail on the passive system that would be used and how that would  
42 be dealt with.

43  
44 Mr. Fretham explained that they hired a hydrologist and engineer from Kimley Horn who spent a  
45 lot of time on this issue. He stated that he does not have a lot of the details nor was the Kimley  
46 Horn representative at tonight's meeting, but noted that they will need to satisfy the City that they

1 are putting together a system that will address this issue. He explained that the buildings that went  
2 up across the street all had similar issues and were also encroaching on the water tables. He stated  
3 that the alternative was to ask for a height variance, but they did not want to do that because they  
4 like their design approach.

5  
6 Mr. Nims noted that Kimley Horn is a local and regional expert that is located in Minneapolis. He  
7 explained that in their initial study, they determined that the weight of the building will be enough  
8 to resist the buoyancy forces and knows that they are also planning a redundancy in the  
9 waterproofing system so a rubberized hot fluid will be applied against the walls themselves,  
10 reinforcing with fabric matts, and on top of that will be multiple layers of drainage tiles. He stated  
11 that in their calculations, they took the 100 year high point of the lake and added two feet to it as  
12 an extreme situation for the lake levels. He noted that they have not taken it much further because  
13 this is the Concept Plan phase.

14  
15 Commissioner Severson asked about the occupancy, and for the average number of people that  
16 will be in the building once it is filled for both the commercial and residential units.

17  
18 Mr. Fretham stated that he does not know the answer to that question. He noted that the peak  
19 estimate for parking is 133 stalls, so if everyone drove a car, that would be 133 people. He stated  
20 that he doesn't know the specific answer to her question, but can perhaps look it up and send an e-  
21 mail with the answer.

22  
23 Commissioner Severson stated that she thinks that number would be helpful for the City to know  
24 what type of scale this will be; for example, information like the size of the companies, number of  
25 employees, and the number of people that would typically be living in each of the units.

26  
27 Mr. Fretham reiterated that he did not know the answer to this question.

28  
29 Commissioner Severson noted that quite a few of the Commissioners have questions related to the  
30 mechanical parking and asked for more details on that element for those that have not had  
31 experience using this type of system. She asked for information on how it works, how it is  
32 troubleshooted, and what happens if a car gets stuck.

33  
34 Matt Gamble, All City Elevator, explained that they have installed three of these systems locally.  
35 He explained that they are entered and exited similar to the outside parking lot with 90 degree  
36 parking. He stated that it would be entered using a fob or an app similar to what can be found with  
37 a garage door opener. He stated that once you exit the system, the gate shuts and the car is inside  
38 and does not move unless there is a demand for another open spot, which is when it will shuffle  
39 the cars side to side or up and down to provide and open spot.

40  
41 Chair Parkhill asked about the speed of the system.

42  
43 Mr. Gamble explained that the cycle time for a three level system is less than 90 seconds

44  
45 Commissioner Severson asked if people had to have a space already allocated or would the public  
46 be able to utilize them too, for example if they came to town in order to go to one of the restaurants.

1  
2 Mr. Gamble stated that he believes the intent is for valet parking to utilize some of the spaces. He  
3 shared a video that demonstrated how this type of system worked, and noted that 34 vehicles can  
4 park in the space of twelve surface stalls. He stated that they have not seen a lot of failure rates on  
5 these systems. He noted that they had just installed one in St. Paul with 102 stalls, and they have  
6 not received a single call on it other than a call where an individual's app on their phone was not  
7 working.

8  
9 Commissioner Severson asked if there would valet staff available 24/7.

10  
11 Steve Eggert, Lake West Development, reviewed the diagram that depicted where people will  
12 park, including the residential, office, and areas for public/restaurant/guest/retail overflow parking.  
13 He explained that during the nighttime hours, the systems can be shut down so there is only first  
14 level parking available. He stated that many people have safety concerns, but it is important to  
15 note that the cars do not shuffle around like Carvana.

16  
17 Chair Parkhill asked when the valet staff would be on-site.

18  
19 Mr. Eggert stated that they have been discussing this detail and do not have a specific answer, but  
20 most likely, the plan would be for the valet service to be available from 3:00 p.m. to the restaurant  
21 closing time.

22  
23 Commissioner Severson asked if the residential parking would also be done by valet or use  
24 mechanical system themselves.

25  
26 Mr. Gamble explained that typically the residents are trained on how to properly enter the space.  
27 He noted that it provides a secure parking space for them because they are behind a gate. He  
28 explained that typically there is a dedicated fob and they are the only one who can get into that  
29 space and will always pull into the same door. He stated that their response time is much the same  
30 as they would respond to an elevator call which is one hour response time at night and 30 minutes  
31 during the daytime.

32  
33 Commissioner Severson asked how many parking spaces are dedicated for visitors and the public  
34 that do not have a fob space.

35  
36 Mr. Eggert stated that there are 62 parking stalls dedicated for this purpose throughout the full  
37 parking garage.

38  
39 Mr. Gamble explained that the state of Minnesota recognizes this equipment as elevator  
40 equipment, and it will be inspected by two agencies which are very thorough. He stated that this  
41 is a European design and use is extremely common on the east and west coasts of the United States  
42 along with Florida.

43  
44 Commissioner Douglas stated that one of the issues at the Promenade is that people don't realize  
45 there is parking available. She asked what kinds of provisions will be made in order to let people  
46 know that there is public parking in the building.

1  
2 Mr. Eggert stated that they have been discussing a system similar to the Mall of America where  
3 there is parking calculations and a digital sign that displays the amount of parking available. He  
4 stated that there are also systems that use a lighting system to allow you to know if there are spaces,  
5 such as green if there is an available spot and red, if not. He noted that they are discussing their  
6 options internally but have not yet made a determination on which method they would use. He  
7 stated that they will have public parking signs but are not sure about the style.  
8

9 Commissioner Douglas shared the example of mechanical parking at Manchester's Department  
10 Store in Wisconsin in the 1950s. She stated that it was fun for her, as a child, to go shopping with  
11 her mother and watch the cars go up and down, so mechanical parking is not a new concept.  
12

13 Mr. Gamble agreed and noted that it was actually first presented at the World's Fair in the 1920s.  
14

15 Chair Parkhill asked for a reminder of the breakdown between condominiums versus rental units  
16 in the project.  
17

18 Mr. Fretham stated that they currently have 32 residential condominiums proposed. He stated that  
19 the intent is not for rentals at this time and believes there is enough interest that this will not change.  
20

21 Commissioner Severson asked how many parking spots would be allotted to each unit.  
22

23 Mr. Fretham stated that each unit will have two stalls. He noted that when he listed off tenants  
24 that had expressed interest in the project, he neglected to share with the Commission that a grocery  
25 store has expressed interest in the west building.  
26

27 There being no additional questions from the Commission for the applicant, Chair Parkhill opened  
28 the public hearing on the application at 8:33 pm. He read aloud a statement regarding the public  
29 hearing process and shared other opportunities the public will have to give their input, either in  
30 person or in writing.  
31

32 Kendra Lindahl, Landform Professional Services, 105 S. 5<sup>th</sup> Avenue, Minneapolis, explained that  
33 she is here representing Brian and Sherry Heeb who live across the street from this site. She  
34 highlighted a few points from the letter she'd written that had been included in the packet that she  
35 feels are important and that have not been addressed. She stated that she thinks the issue of railroad  
36 safety is significant and is surprised that a railroad study has not been completed. She stated that  
37 she feels this warrants that analysis and evaluation. She stated that in 1989, the City's Council at  
38 the time required the developer of the TCF site to provide an easement for a pedestrian tunnel.  
39 She stated that it was deeded in 1989 and modified in 1997. She stated that the City has the right  
40 to abandon the easement but would not like to see that considered without evaluation. She stated  
41 that she has not heard an analysis of what the benefit to the City is for having a PUD, and feels  
42 that the value for the City really needs to be looked at and at what cost. She would encourage the  
43 City to take into account the public health, safety, and welfare issue, and make it a condition that  
44 a safety study be completed before this moves forward.  
45

1 Brad Hoyt, 326 Ferndale Road W, explained that he owns the Ventana building. He highlighted  
2 some of the points he had included in his letter and explained that he and his family travel down  
3 Lake Street numerous times each day in vehicles, bikes, or by foot. He stated that they enjoy the  
4 access to air, light, sun, and wind. He stated that the existing TCF building is a charming building  
5 and is minimally obtrusive and won many awards for the architecture. He stated that he had  
6 recently spent a night in a European hotel that was over 400 years old, and the TCF building is  
7 only 35 years old. He stated that access to light and air has always been something taken seriously  
8 by the City and quoted from the archives from the Chamber of Commerce. He stated that he feels  
9 the investment to create the Panoway environment would be tossed out the window with this  
10 development. He stated that he does not understand what is in this for the residents or the City  
11 because it does not comply with the PUD ordinance, the Comprehensive Plan guidance, or the  
12 Design Standards. He stated that if the decision is made because the City wants a larger tax base,  
13 he would argue that the City does not need a larger tax base. He stated that if this moves forward,  
14 he would argue that there would be a decrease to the values of the Ventana, Wayzata Blu, Meyer  
15 Place and the Hughes office building and thinks that would offset any potential gain from this  
16 project. He stated that he has been a builder for about 60 years and there are many things that  
17 concern him regarding the ‘bathtub’ or foundation system. He stated that they all had water tables  
18 and chose not to build beneath them, and shared an example of a building he owned that had this  
19 kind of system and ended up with eleven feet of water following a power failure. He stated that  
20 he would not want to own that type of building nor do people want to insure them. He stated that  
21 the building, in its present state, is completely viable and noted that in a post-Covid world, the  
22 1980s office lay out is back in vogue. He stated that he feels with a minimal investment in the  
23 building, it could once again be occupied. He stated that he also has serious concerns regarding  
24 the railroad, and noted that they had to pile their foundations as deep as 150 feet because the soils  
25 are all peat. He stated that he is concerned about the compressibility and stability of the soils. He  
26 stated that the load from the track and the trains, which roughly transmits at a 45 degree angle, will  
27 land right in the middle of the back wall of the building. He stated that he has furnished the City  
28 with a letter from Fredrickson and Byron stating that the easement is there and has been recorded,  
29 and he would be troubled if the City vacated it. He reiterated that he feels this property should  
30 remain in its current state.

31  
32 Pat Hughes, explained that he owned the property at 235 Lake Street East. He stated that he has a  
33 huge economic interest in the west end of the City, and noted that he just completed a 50,000  
34 square foot class A office building on property that he has owned since 2003. He stated that he is  
35 also here because of the history he has in the City, and explained that he came as a young  
36 entrepreneur in 2001. He stated that since that time they have built three companies in Wayzata,  
37 had countless employees, and supported businesses within the community. He stated that he and  
38 his wife do not vote here, but consider themselves Wayzata residents. He stated that they are all  
39 here to discuss, for the third time, an application to redevelop this property, and noted that he thinks  
40 the Commission got it right the first two times. He stated that what he learned when he looked  
41 into PUDs is that there is a lot of legal precedents, and gave the example of a legal argument Brad  
42 Hoyt had with the City in 2016. He stated that on April 18, 2016, the Minnesota Court of Appeals  
43 ruled in favor of the City with an interesting verdict which he feels gives the City the clear ability  
44 to turn down this PUD application. He read aloud a quote from the verdict that “The City may  
45 approve a PUD, although it should not be required.” He stated that the Commission should feel  
46 good about their ability to turn this PUD down. He noted that he is very familiar with the petition

1 that is floating around and explained that what is unique about Wayzata is how much people care  
2 about the community. He stated that in less than seven days, 1,100 people, 400 of which are  
3 residents of the City, have come together to stand behind a request to deny this application. He  
4 stated that he feels the solution is incredibly clear that the City should deny the application, for the  
5 third time, and refocus the efforts of the developer to maximize the existing building. He stated  
6 that these actions would protect the charm of the City, enhance the current business owners and  
7 the community, and preserve the enjoyment of the lake for everyone.  
8

9 Lindsey Bashioum, 461 Peavey Lane, explained that she served on the Planning Commission the  
10 last two times this proposed project came in front of the Commission. She stated that the project  
11 was also denied by the Council following the Planning Commission recommendation. She stated  
12 that when the application was reviewed, there was a huge surge of residents that were absolutely  
13 against it. She stated that she believes the past denials were the correct thing to do. She stated that  
14 in listening to tonight's presentation, the concerns of residents were very much the same as those  
15 from the neighborhood meeting that had been included in the packet, such as the amount of  
16 commercial space, proximity to railroad tracks, easements for pedestrian access, parking and  
17 traffic impact. She stated that the parking study was conducted in August which is generally the  
18 quietest time in the City. She stated that she did not think the traffic issue can be minimized  
19 because it is a real issue and many people agree. She stated that this proposal is inconsistent with  
20 the 2040 Comprehensive Plan and there is actually no public benefit provided that is not already  
21 there. She stated that the photo in the presentation that showed the plaza area was a bit  
22 disingenuous because it is only for people who work or live there and not the public. She stated  
23 that this proposal will result in the loss of character, charm, and whatever small-town feel the City  
24 has left. She stated that the TCF building is an iconic building and as noted by Mr. Hoyt, is viable  
25 for use, with a minimal investment. She stated that a large concern, because she lives in Peavey  
26 Lane, and walks Lake Street daily, is that this project will create the canyon effect that gives a  
27 closed in feeling along the entire corridor and will provide significant shadows that will blanket  
28 Lake Street from Ferndale Road to Barry Avenue. She stated that with the mechanical parking,  
29 she feels it is obvious that they are trying to fit a square peg into a round hole to meet the parking  
30 requirements and feels it is asking for problems with the stalls located under the groundwater  
31 elevation. She stated that those requirements are really because of the density of the project and  
32 if that was reduced, they would not need do go this route. She stated that she believes the  
33 Commission got it right the first two times and this application should be denied for the third time.  
34

35 Doug Cooley, 214 Barry Avenue, stated that he has concerns regarding parking related to the  
36 groundwater issue. He stated that Loucks and Kimley Horn have done a great job coming up with  
37 an engineering solution, but if there is not redundancy included, such as duplex pumping systems  
38 and an emergency power system, the water level may be breached. He stated that he is also  
39 concerned about the mechanical parking system and even if it is a great system, it will have a  
40 breakdown and will require maintenance. He stated that in both cases, the cars will have to go  
41 somewhere, which he believes will be on the streets of the City which will impact the residents in  
42 the City. He stated that with regard to the sidewalk narrowing on the east end, the Panoway has  
43 been a great thing for bikers and walkers. He stated that it is used constantly and is dangerous in  
44 its current form and if those are combined into one without the separation, he feels it is an accident  
45 waiting to happen and someone will be injured.  
46

1 Pete Wyterra, 143 Edgewood Court, stated that he has lived in this location for about 15 years, in  
2 Minnesota for about 40 years and before that he served on the City Council in a large city just  
3 outside of Boston, MA. He stated that they would have killed someone to keep the TCF building.  
4 He stated that this is the best looking commercial building in Hennepin County, and he doesn't  
5 understand why the City would want to dispose of it. He stated that it will cost money to renovate  
6 the inside, but thinks the people that are interested in developing should go back to the bankers  
7 and ask them to cut their price so it can be developed for residential use. He stated that it would  
8 be a shame to lose that building and feels the City should do everything they possibly can to keep  
9 it.

10  
11 Joe Vanloy, 136 Birch Lane West, stated that he would agree that the TCF building is an iconic  
12 building, but would like to touch on the four cores that are in proposed. He stated that the first  
13 massing break between A1 and A2 is 25 feet which generally coincides with the ordinance  
14 standard, but the ordinance also talks about ensuring that the mid-block connectors provide view  
15 of Lake Minnetonka if the property is between Lake Street and Lake Minnetonka. He stated that  
16 he went to the site and noted that Edgewood Court is 40 feet curb to curb, which means the view  
17 in this massing break will roughly be the equivalent of one side of the road. He stated that it will  
18 look like a tunnel because it is three stories tall and 75 feet deep. He stated that the next massing  
19 break is not at grade and is above grade, which is depicted on the renderings with a ramp and on  
20 the far side, a wall. He stated that if you are walking or driving by, nothing will be seen other than  
21 a blip of light between the two buildings. He stated that the next massing break gets worse because  
22 there are twelve steps from where there is walking or driving up to the entrance of the building is  
23 located. He stated that he understands the rules related to massing breaks, but wants to make sure  
24 there is thought into what that actually looks like for this length of space.

25  
26 Darren Rosha, Rosha Legal Group, 2160 West Wayzata Boulevard, Long Lake, stated that he has  
27 been asked to appear on behalf of Bruce Lee, owner of the Wayzata Bay Car Wash, because he  
28 was not able to attend tonight's meeting in person. He stated that Mr. Lee, as well as all the  
29 businesses in the area would benefit from development of this area. He stated that he would prefer  
30 to have the fuel tanks addressed on the property that appear to have been addressed in the proposal.  
31 He stated that relating to the rail line concerns that have been raised, there is a challenge of cogency  
32 when you consider that there is a Panoway and other facilities that are already along that railroad.  
33 He stated that those concerns were not raised, nor has the problem manifested itself, it is  
34 challenging to understand how it impacts this property differently. He stated that Mr. Lee views  
35 this development as providing quality housing and commercial space along the corridor, without  
36 increasing the demand and congestion of parking in the area. He stated that the buildings of this  
37 proposal appear to be 20 feet lower than the current building in this location, and there is a  
38 challenging reality that every facility that is built will impact the views of the buildings further  
39 from the lake. He stated that some of the buildings referenced tonight have had that same kind of  
40 impact on other properties. He stated that if this property is developed in any way, it will have  
41 some impact, and this appears to be a way that is seeking to find access to views and competent  
42 development. He stated that as a business owner, the desire to have occupied commercial space,  
43 high occupancy, and vibrant, successful businesses is undeniably linked to having additional traffic  
44 on the street. He stated that he feels some increase in car traffic will be essential to be successful.  
45 He stated that business owners in the area will reap a benefit from having an active development

1 on this end of the street. He noted that in listening to much of the discussion, it appears to be pretty  
2 subjective, and he is asking the Commission to support the development.  
3

4 Community Development Director Goellner noted that since there were no other individuals in the  
5 room who would like to speak, she suggested that the Chair allow the people present on Zoom  
6 who would like to speak have that opportunity.  
7

8 Barry Petit, 420 Peavey Lane, stated that he is representing Brian and Sherry Heeb, and would like  
9 to piggy-back on what was stated by Ms. Lindahl. He stated that he was unable to share his screen,  
10 but asked the Commission to look at the information that was included in the packet with his  
11 presentation. He stated that the overarching point is that there are two kinds of issues to consider  
12 with the application; an emotional one, as well as a few genuine legal concerns. He stated that he  
13 thinks the Commission will need to sift between those concerns, and explained that he understands  
14 the emotion surrounding the building. He stated that it is up to the City to preserve and enhance  
15 the intrinsic value of the community and the value of Lake Minnetonka. He stated that in  
16 discussing the Comprehensive Plan and the issue of charm, he noted that thousands of dollars and  
17 a lot of time was spent defining the idea that Wayzata was going to be charming. He stated that if  
18 the Commission approves this design, it will define 'charming' within the City forever. He noted  
19 related to the traffic numbers, Mr. Swing has stated one thing and the Comprehensive Plan states  
20 another, and they cannot both be right regarding the number of trips per day. He stated that as the  
21 street is narrowed and the capacity changes, that should impact traffic. He stated that it is hard to  
22 swallow the statement, 'The 2040 traffic volume on Lake Street is expected to increase slightly  
23 over existing.'. He stated that there are nine projects that were not accounted for in the traffic  
24 study back in 2018. He explained that if the City is building things based on bad data, then there  
25 is a huge problem, and noted that he does not feel the 2018 report can be accurate. He stated that  
26 the developer mentioned that there were businesses that wanted to come to the City from  
27 Minneapolis which the 2018 report doesn't account for, nor does it talk about the Panoway, and  
28 noted that he feels there is a possibility of doubling the traffic in town. He stated that if the City  
29 is going to be making decisions, they must be made on the basis of good data and reiterated that  
30 they feel the current traffic study being used is not accurate. He stated that he would like to know  
31 what consequences there will be if what they are saying will work actually does not work. He  
32 asked who would be liable in that situation and take care of the problem. He stated that if this  
33 doesn't work based on the information presented by Mr. Swing, he would like to make sure that  
34 Mr. Swing is culpable for any mistakes. He stated that the discussion around the lake walk began  
35 back in the 1980s, and people said if there was going to be a lake walk there should probably be a  
36 tunnel. He stated that it went dormant for a long time, but the idea has come back again. He noted  
37 that if the Design Standards are being misinterpreted by people and are not what is desired, they  
38 should go back and take another look at them because somehow they are not being interpreted  
39 correctly. He stated that part of the Design Standards is that they are trying to create a retail street  
40 level, but he does not see that on the design at all. He stated that there is no indication that the  
41 lower level has anything to do with retail or commercial. He stated that he also does not feel the  
42 design has anything to do with Nantucket architecture either. He stated that in the packet there are  
43 photos of the past train wreck with the railroad. He explained that he was the first on the scene,  
44 and that there was a railroad tie that went through an office, fortunately, that person was out of the  
45 office at that moment. He stated that there are genuine concerns about the shadow effect and this

1 creating a tunnel. He stated that there has been discussion about making a positive street, with a  
2 positive environment for biking and walking, and this would put the entire sidewalk in a shadow.  
3

4 There being no additional public comments on the application, Chair Parkhill closed the public  
5 hearing at 9:13 pm.  
6

7 Chair Parkhill asked for the Commission to share their questions and feedback on the application.  
8

9 Commissioner Douglas stated that she would like to clarify a comment made by Ms. Lindahl about  
10 the railroad accident. She stated that was not on this site and was at the Edina Realty building west  
11 of Ferndale Road on a side track. She asked City Attorney Schelzel about the recent statements  
12 regarding the railroad easement.  
13

14 City Attorney Schelzel confirmed that Commissioner Douglas was asking about the pedestrian  
15 access easement that has been mentioned. He stated that based on his office's review of the  
16 property records and history of the current PUD, they have concluded that there is no present  
17 easement over the property. He stated that there was an agreement in 1989, as part of the larger  
18 PUD development agreement, for the property owner to convey an easement in the future, which  
19 is also reflected in a certification of completion for the last PUD project that was issued in 1997,  
20 but such easement was never granted or recorded. He stated that although there has been some  
21 different interpretations, he thinks everyone agrees that there is language in the original PUD  
22 development agreement that required the property owner to convey an easement to the City, but it  
23 was not, and has not been, conveyed.  
24

25 Commissioner Douglas asked if there was any interest on behalf of the City to convey the easement  
26 at this time.  
27

28 City Attorney Schelzel stated that this is more what the Commission needs to consider but in  
29 discussions with staff, he does not think there is any present City plan where the City would need  
30 to acquire the easement. He explained that an easement over this property would also necessitate  
31 an easement from the railroad to build under the tracks, which again is not part of any current City  
32 plan.  
33

34 Community Development Director Goellner noted that if the Commission would like to discuss  
35 the option of a pedestrian tunnel that provides access from Lake Street under the railroad over to  
36 the lake, it is something that could be discussed. She noted that there are not any City policies or  
37 plans in place that direct clearly that this pedestrian tunnel needs to happen with this exact  
38 development. She stated that she has seen some other framework plans related to Lake Effect that  
39 talked about underground tunnels, but that also talked about going over sites to offer pedestrian  
40 access over the railroad. She stated that she has seen a number of different ideas, and feels it makes  
41 sense that the community has contemplated various ideas to enhance pedestrian safety. She stated  
42 that it would be up to the Commission to discuss further if it is of interest to them.  
43

44 Commissioner Douglas stated that she just wanted to clarify the easement issue.  
45

1 Commissioner Schwalbe noted that she was not a Commissioner at the time this project first came  
2 before the Commission. She stated that the first plan included keeping the TCF building, and  
3 tonight she heard that the reason why the second plan did not keep the building was because of the  
4 City's minimum density requirement. She stated that she gets the impression that the developer  
5 believes that he was required to change his plans because of the minimum density requirement,  
6 and asked if that was really what the City intended to convey. She stated that almost everyone she  
7 is hearing from about this project likes the idea of keeping the TCF building. She stated that she  
8 thinks the proposed design is beautiful and would like to see one or two of them, but is not sure  
9 that she likes the idea of five of them going one after the other and creating a 'tunnel'. She stated  
10 that it may be too late to put the toothpaste back in the tube, but would like to find a way to keep  
11 the TCF building.

12  
13 Chair Parkhill asked for clarification of the minimum density requirement that the applicant has  
14 referred to.

15  
16 Community Development Director Goellner explained that that the minimum density requirement  
17 for this property is 20 units/acre, and explained that the existing office building is generally  
18 consistent with that and had 120-130 employees on site. She explained that the idea behind the  
19 long-term policy guidance is to provide human activity that supports downtown commerce. She  
20 stated that the challenge before the Commission is that they need to review the exact request before  
21 them at this time, and the public hearing is also for this exact request. She stated that she  
22 understands that the Commission has a desire to provide more guidance to the applicant and offer  
23 alternative ideas, but that is not the role of the Commission. She reiterated that the role of the  
24 Commission is to respond to the exact application that is before them.

25  
26 Chair Parkhill asked if the developer had met the density requirement in the current application.

27  
28 Community Development Director Goellner confirmed that they had met the minimum density  
29 requirement, but noted that there are many different ways to meet the density requirement.

30  
31 Commissioner Schwalbe stated that she does feel the architecture of the proposed buildings is  
32 pretty and could fit into the City very easily, but reiterated that she does not want to see five of the  
33 buildings in a row because that makes them not see as charming. She stated that she is concerned  
34 about the traffic and the pathway and the bike trail coming together. She stated that with reference  
35 to the railroad, they should be aware that there will be space underneath that is not filled with dirt  
36 anymore. She stated that she likes the park on the ends of the project, but she can see, with the  
37 elevation of the building, there really would not be much of a view of the lake.

38  
39 Commissioner Sorensen stated that he feels it is generally a good sign when there is this much  
40 passion on a topic. He stated that it is clear that the applicant has a significant investment in this  
41 project, and has worked hard on it. He stated that there are many good aspects of this proposed  
42 project, and the applicant has listened to the input from the City. He stated that technically, they  
43 have come a long way in meeting the requirements that have been put forth. He explained that  
44 one thing that makes this application unique is that it is for an extremely long, narrow site which  
45 poses unique challenges in meeting some of the zoning and Design Standards which require some  
46 unique solutions. He stated that he feels this is an ambitious concept in an attempt to deal with the

1 density issue and align with the Comprehensive Plan. He stated that there have been a lot of  
2 concerns raised and questions asked, but noted that this is a ‘concept’ that has been put in front of  
3 the Commission and feels that there will be time later to deal with some of the issues that have  
4 been raised. He stated that one of the concerns that fall in the realm of concept is the mixture of  
5 uses on the site. He stated that it is hard to ignore that on the other end of Lake Street that is just  
6 about six blocks away that there is a major development with 40% vacancy of the retail space. He  
7 stated that he wants to be careful that they are not creating a detrimental effect of replacing current  
8 open spaces with this project. He stated that traffic has gotten a lot of input and while a  
9 professional traffic study has been done, it is hard to ignore the individuals who spend a lot of time  
10 downtown and some of the practical congestions that exists. He stated that serving the retail area,  
11 allowing for two parking spaces per condominium, and visitor parking is a legitimate issue that  
12 conceptually may be a challenge. He stated that he appreciated the overview of the proposed  
13 parking system and feels it has worked well elsewhere and could be a very effective system. He  
14 stated that human behavior will end up dictating its effectiveness because if it is confusing or  
15 difficult for people, they will just try to find someplace else to park. He stated that putting it below  
16 the water table is a concern that should be taken seriously. He stated that some of the other issues  
17 are probably not as concerning during the concept phase, but thinks the view corridors do not quite  
18 work. He stated that there is also the sidewalk issue and how the privately controlled public spaces  
19 will be used. He stated that he feels these issues need to be considered carefully and will require  
20 further study so there is not a negative detrimental effect on the City. He read aloud some of the  
21 criteria the Commission is to consider when looking at this application. He stated that perhaps the  
22 most significant is whether the plan is consistent with the 2040 Comprehensive Plan, which at its  
23 guiding principal deals with the issue of ‘charm’. He stated that he agrees with many of the  
24 comments about the repetitive nature of every building being the same height and creating an  
25 unwelcoming tunnel effect and feels the question should be asked if that would really enhance the  
26 charm of the City. He stated that this is a very ambitious project that is trying to do a lot on this  
27 long, narrow site and thinks they may be trying a bit too hard. He stated that if there is this amount  
28 of public reaction from the community, including the number of people who signed the petition in  
29 a short period of time, that is something that the Commission needs to understand, evaluate, and  
30 be concerned about.

31  
32 Commissioner Severson stated that this is also her first time seeing this project since she is a newer  
33 member of the Commission. She commended the applicant for addressing some of the concerns  
34 that were raised during the prior proposals. She stated that this is a very ambitious project and she  
35 can tell that they have taken a lot of time and put in a lot of effort to make it fit, but feels there are  
36 still a lot of concerns. She explained that for her, it is related to the parking and many of her  
37 neighbors have voiced concerns about parking on the streets. She stated that she is also concerned  
38 about losing sidewalk space. She stated that there may also be railroad safety issues that have been  
39 mentioned by other Commissioners. She stated that there have also been many comments  
40 regarding the lack of charm with the large buildings and she feels that there is some truth to that  
41 concern and does feel that it will create quite a tunnel effect. She stated that most notably for her  
42 is feeling like this is inherently space that is for the public, which is what a PUD amendment is.  
43 She noted that someone on the development team stated that they would not be ‘policing’ the  
44 public spaces, that struck her as not feel very welcoming. She stated that if the intent is for the  
45 City to benefit from those spaces she would question whether it would be fully accessible and  
46 whether her daughter, who is in a wheelchair, will be able to get up the eleven steps. She stated

1 that is a very ambitious project, but she does not think that it fits all of the City's needs at this  
2 point.

3  
4 Commissioner Douglas stated she has said many times over the last 20 years, this is the third most  
5 significant project in the City. She stated that the public response to this application has been  
6 tremendous. She stated that after the Promenade was completed on the east side of town, people  
7 starting coming out of the woodwork saying what they wanted for their community because the  
8 Promenade was not what they envisioned. She explained that in considering this application, she  
9 had to resort to an old trick her father taught her 60 years ago about making a decision and listed  
10 the positives on the left and the negatives on the right. She stated that there are some good things  
11 that the developer has done, and they have listened to the input that the Commission had given in  
12 the past. She stated that she does think it would be good to fill in the west end of Lake Street. She  
13 stated that although there are some positives, this proposal does not depict the 'charm' of a lakeside  
14 community according to the 2040 Comprehensive Plan which is their guiding document. She  
15 stated that she still thinks there will be a huge increase in traffic and has a hard time with the traffic  
16 study that has been presented. She explained that she lived in Edgewood Court and last summer,  
17 three of her friends coming out to turn left on Lake Street, because there was so much traffic, ended  
18 up on the bicycle trail and she has heard this from other people as well. She stated that in the  
19 summer, she now turns right and goes up to Wayzata Boulevard and noted that she had lost her  
20 lake views. She noted that she can go to the left during the winter months because she can get out  
21 of her neighborhood. She stated that she is concerned with things like the new buildings in that  
22 block and the desire to pull down the Burnett building for a new project, the narrow streets and  
23 Panoway not yet being complete. She explained that the town is only just a mile and a half long,  
24 and she is worried about precedent for future development and redevelopment of the 700 block of  
25 Lake Street. She feels the current zoning on the south side is two stories or 30 feet and this could  
26 set a precedent. She listed other negative aspects and things that concern her such as loss of lake  
27 views, tunneling, shadow effect, delivery and service vehicle access. She stated that it feels a bit  
28 like the lady in a shoe store trying to squeeze a size 9 foot into a size 7 shoe and this just does not  
29 work in this community.

30  
31 Chair Parkhill stated that he is also a developer and expressed his appreciation to the applicant  
32 because he has been in his shoes before. He stated that he feels the applicant has worked very hard  
33 and spent a lot of money on this proposal. He stated that putting this into PUD standards, in his  
34 mind, the most creative use of land does not mean maximum build. He read aloud other PUD  
35 standards to be considered, and stated that he is not sure that the plans are in harmony with the  
36 surrounding areas. He stated that the need for putting in a mechanical parking system tells him  
37 that perhaps this is too big of a building. He stated that he feels the third floor has a significant  
38 influence on the size of the proposal, and questions whether this project needs to be this large or if  
39 all the buildings need to be three stories. He stated that he thinks this design is too big to be  
40 charming and does not fit the City.

41  
42 There being no further discussion, Chair Parkhill asked for a motion on the application.

43  
44 Commissioner Sorensen made a motion, seconded by Commissioner Severson, to direct staff to  
45 prepare a draft Planning Commission Report and Recommendation with appropriate findings  
46 reflecting a recommendation of denial of the application for a Planned Unit Development (PUD)

1 Concept Plan for the Wayzata Beach Club mixed-use development at 200 Lake Street East for  
2 review and adoption at the next Planning Commission meeting.

3  
4 All in favor, motion carried unanimously.

5  
6 **AGENDA ITEM 6. Other Items:**

7  
8 **a) Review of Development Activities**

9  
10 Community Development Director Goellner stated that there are a lot of potential new applications  
11 in the pre-application phase, including one for the Blake School property that is a proposal to  
12 convert the school property into a residential development of single family homes.

13  
14 Commissioner Sorensen asked who the applicant would be for the Blake School project.

15  
16 Community Development Director Goellner stated that the potential applicant is Steve Bohl of  
17 Bohland Homes.

18  
19 **b) Planning Commission Meeting Schedule**

20  
21 Community Development Director Goellner noted that the next meeting is scheduled to be held  
22 on the 4<sup>th</sup> Monday of the month, February 28, 2022, due to the President's Day holiday.

23  
24 **c) Election of Officers of Planning Commission for 2022 Calendar Year**

25  
26 Community Development Director Goellner explained that Planning Commission officers are to  
27 be elected annually at the first meeting of the year. She explained that Chair Parkhill and Vice-  
28 Chair Stockton have expressed interest in continuing in their offices for 2022.

29  
30 Commissioner Douglas made a motion, seconded by Commissioner Schwalbe, to reappoint  
31 Commissioner Parkhill as Chair and Commissioner Stockton as Vice-Chair for the 2022 calendar  
32 year.

33  
34 Motion carried unanimously.

35  
36 **AGENDA ITEM 7. Adjournment.**

37  
38 There being no further business on the agenda, Chair Parkhill asked for a motion to adjourn.

39  
40 Commissioner Douglas made a motion, seconded by Commissioner Severson, to adjourn the  
41 Planning Commission meeting.

42  
43 Motion carried unanimously.

44  
45 The Planning Commission meeting was adjourned at 9:56 p.m.

46

1 Respectfully submitted,  
2 Kayla Atkins Rokosz  
3 *TimeSaver Off Site Secretarial, Inc.*  
4