WAYZATA PLANNING COMMISSION
MEETING MINUTES
MARCH 6, 2023

AGENDA ITEM 1. Call to Order

Chair Stockton called the meeting to order at 6:39 p.m.

Chair Stockton read a prepared statement regarding public participation in the meeting.

AGENDA ITEM 2. Roll Call

Chair Stockton asked Community Development Director Goellner to take roll call.

Present at roll call were Commissioners: Douglas, Elg, Stockton, Sorensen, Schwalbe, and Severson. Community Development Director Emily Goellner, and City Attorney David Schelzel were also present.

Absent at roll call: Commissioner Merriam

AGENDA ITEM 3. Approval of Agenda

Chair Stockton asked for a motion to approve the agenda for the meeting.

Commissioner Douglas made a motion, seconded by Commissioner Elg to approve the March 6, 2023 agenda, as presented. The motion carried unanimously.

AGENDA ITEM 4. Consent Agenda

a.) Acknowledgement of Withdrawal of C-1 Text Amendment Application
b.) Approval of the Planning Commission Report and Recommendation for Approval of Development Application at 200 Wayzata Blvd W (Wayzata Country Club)
c.) Approval of the February 6, 2023 Planning Commission Meeting Minutes

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

Hearing no such request, Chair Stockton asked for a motion to approve the Consent Agenda as presented.

Commissioner Schwalbe made a motion, seconded by Commissioner Douglas, to approve the Consent Agenda, as presented. The motion carried unanimously.

AGENDA ITEM 5. Public Hearing Items

a) Consider Approval of Planning Commission Report and Recommendation of Approval for Panoway Boardwalk and Docks at 402 Lake Street East

Community Development Director Goellner gave an overview of the proposal for the Panoway boardwalk and docks. She distributed a sample of the proposed material for the decking of both the dock and the boardwalk. She reviewed the zoning, land use, and the Conditional Use Permit requests, and the proposed dock designs. She noted that the proposed dock improvements include space for 17 boats at the 'Depot Docks' and 33 boats at the 'Broadway Docks'. She explained that the City had had some community meetings regarding the project design, most recently over the summer months that provided good feedback. She gave an overview of the actions that have been taken by the City Council related to the project, and reviewed the design features for the boardwalk and docks. She reviewed the various permits that will be required for this project, and reviewed the City Engineer comments related to the current requests. She explained that staff recommends approval of the CUP requests, and noted that staff has prepared a draft Report and Recommendation of approval for Planning Commission consideration. She noted that the proposed findings were included in the staff report, and explained that there was just one recommended condition included related to an easement.

Chair Stockton asked if the Commission had any questions for Staff.

Commissioner Schwalbe stated that she liked the sample materials that were presented. She stated that the Panoway has, thus far, been a huge success. She stated that it is definitely a draw and is bringing people into the City. She stated that at times it was crowded and adding a boardwalk will bring in more people. She asked if the City had taken into consideration ways to monitor and control the usage. She gave the example of young kids wanting to get together and hang out on the boardwalk late at night, and asked if the City had thought about police staffing efforts to monitor this type of use.

Community Development Director Goellner stated that the Panoway District Committee has been involved in conversations on how to manage the space and possible nuisances within the space. She stated that the City added bike patrol last summer and is also hiring more police officers. She stated that she thinks that the City will also look at community or peace officer type staffing with volunteers ,which has been used in other big public places.

Commissioner Schwalbe stated that she is happy that there will be a bike patrol presence, and asked if the extra police protection would be in place for evenings and weekends.

Community Development Director Goellner stated that she believed the goal was to always have two officers on every shift.

Commissioner Schwalbe made note of the drag racing that has happened in the past, and asked if there was any thought it how to control that activity.

Community Development Director Goellner stated that she knows the Police Chief has spoken with the Panoway District Committee quite a bit. She stated that she believes that they have made some efforts to work on that, but it may not be something that the City can fully control.

Commissioner Schwalbe stated that she just does not want the City to be in a position where they are caught without a plan.

Commissioner Sorensen stated that he wants to take a moment to acknowledge the considerable amount of work that has gone into this project by staff, consultants, and the various public committees.

Commissioner Douglas confirmed that the plans for additional boat slips would be in addition to the temporary ones that the City has been using.

Community Development Director Goellner confirmed that this was correct.

Commissioner Douglas asked how the proposed number of slips was determined.

Community Development Director Goellner explained that the City is only allowed a certain number of slips by the Lake Minnetonka Conservation District. She stated that the City tried to maximize as much as possible within the design constraints.

Commissioner Douglas explained that she appreciated the work that has been done on the CUPs before the Commission, but noted that there were other issues that concerned her. She stated that some of her concerns are similar to those mentioned by Commissioner Schwalbe because there were a lot of issues last summer with the Panoway. She stated that she has wanted a boardwalk for about 30 years and feels that adding more docks will be an important feature for the City's restaurants, but she is a bit concerned about the number of people that will be coming into town. She stated that she lives very near the area and chooses not to even go near Lake Street on the weekends because it gets too congested. She reiterated that she has concerns surrounding things like traffic and parking. She stated that she also has questions about funding and noted that they were told at the beginning that taxpayers would not be affected, but having more police officers, will cost the taxpayers more money. She stated that she understands that the Commission is being asked tonight to just make a recommendation on the CUP requests, but wanted to make her other thoughts and concerns known as well.

There being no additional questions from the Commission for the applicant, Chair Stockton opened the public hearing on the application at 7:14 pm.

Mary Dolan, 540 Indian Mound, noted that she serves on the Panoway District Committee. She stated that she shares many of the concerns that were shared by Commissioner Schwalbe and noted that the past two summers things have gotten more than rowdy in the area. She stated that she knows the Police Department is doing their best to be able to handle things but they need more officers. She stated that she had spoken with City Manager Dahl a few weeks ago about concerns that the pile driving will destabilize the railroad bed. She stated that she raised her concerns even before the recent wave of train derailments. She stated that trains coming through the area do carry chemicals so it would be disaster if they derailed. She stated that she noted that she also worried about potential 'dock creep' and is hopeful that the City will put into place a moratorium so the

whole bay does not turn into a marina, because this is the only window that they have to look on old Wayzata.

Director Goellner stated there were no people that called in to the meeting that have asked to speak at the public hearing.

There being no additional comments on the application, Chair Stockton closed the public hearing at 7:17 pm.

Chair Stockton asked for the Commission to share their questions and feedback on the application.

In response to one of the public comments, Community Development Director Goellner stated that the Army Corps of Engineers has authority over the railroad bed. She noted that the City has also received a letter of acknowledgement from BNSF of the project, as well as consent to move forward. She stated that neither the Army Corps of Engineers nor the BNSF has expressed any concern but acknowledged that there are 74 piles with this project, so it will be significant.

Commissioner Douglas asked about the plans for the steel posts that appear to be above the boardwalk.

Community Development Director Goellner explained that they will be exposed and noted that after the piles go into the lake bed, the dock will be able to move up and down based on the water levels.

Commissioner Douglas expressed concern with little kids running down the docks and hitting the steel pilings, and asked if safety had been taken into consideration.

Community Development Director Goellner stated that she expects that they will probably be 2-3 feet tall, which is about waist height. She stated that people will need to keep a closer eye on their children in this area since it is near the water. She noted that the boardwalk will have a railing on both sides, except for the terrace area.

Commissioner Schwalbe asked if the City has been surprised at how many people have been drawn to the Panoway area.

Community Development Director Goellner stated that they had expected it to be popular.

Commissioner Schwalbe stated that there has been a lot of feedback from residents that they are really concerned about the Panoway and that it is no longer the old quaint, cute, downtown Wayzata. She asked if this was what staff had expected.

Community Development Director Goellner stated that this is what was expected, and noted that there was a survey completed about a year ago where they found that there was a very high approval rating for Panoway Phase 1.

Commissioner Schwalbe asked if there had been a lot of complaints about the huge amount of people utilizing the area on the evenings and weekends.

Community Development Director Goellner stated that the Panoway District Committee has been discussing these issues at length.

Commissioner Schwalbe stated that she would like to make sure that the City does what they can to make this area more friendly to the people who live in the City, such as more police presence and having the bike patrol.

Community Development Director Goellner suggested that Commissioner Schwalbe may want to consider joining the Panoway District Committee because that is the place for further discussion about things like crowd management and public safety.

Chair Stockton stated that she thinks it is worthwhile to note that the concerns raised by the Planning Commission over the tone, use and management of the Panoway area. She stated that she also thinks it is important to ensure the safety standards with regard to the railroad, and make sure it is communicated up front that it has been looked at in detail. She stated that she also felt it would be worthwhile to have a drawing available that would demonstrate potential growth of the boardwalk and dock system.

There being no further discussion, Chair Stockton asked for a motion on the application.

Commissioner Elg made a motion, seconded by Commissioner Severson, to Adopt the Planning Commission Report and Recommendation of Approval of CUPs for Panoway Boardwalk and Docks at 402 Lake Street East, as presented. The motion carried unanimously.

<u>AGENDA ITEM 6.</u> Other Items:

a) Review of Development Activities

b) Planning Commission Meeting Schedule

Community Development Director Goellner stated that because there was nothing scheduled for the March 20, 2023 agenda, she was planning to cancel that meeting. She gave an overview of the plans for the April 3, 2023 meeting agenda.

<u>AGENDA ITEM 7.</u> Adjournment.

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

Commissioner Sorensen made a motion, seconded by Commissioner Douglas to adjourn the Planning Commission meeting. The motion carried unanimously.

The Planning Commission meeting was adjourned at 7:30 p.m.

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