

WAYZATA PLANNING COMMISSION

Meeting Agenda

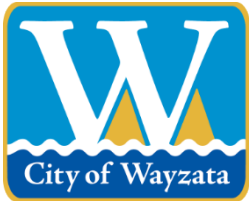
Wayzata City Hall Community Room, 600 Rice Street
Monday, November 17, 2025
6:30 PM

HYBRID MEETING INFORMATION

[Click here to join Teams Meeting](#)

[Meeting ID: 227 108 065 937 4 Passcode: Lt2uB27b](#)

Members of the public may attend this Planning Commission meeting in person, or watch and listen remotely by viewing the meeting on Channel 8, WCTV, and at the City's website at www.wayzata.org/WCTV.



Public comment during the Public Forum and/or Public Hearing portions of the meeting may be provided in person at the meeting, in advance, or by logging into the Teams call and raising your hand during the public hearing. **When your name is called in the meeting, you will be seen and heard in our Council Chambers and the cable channel.** You will be asked to unmute and then you may begin your comment. All public comments must include your full name and address.

The City encourages comments or questions about items on the agenda and, when possible, requests that you submit them in advance by emailing PublicComment@wayzata.org, calling City staff at 952-404-5323, or mailing Wayzata City Hall at 600 Rice St E, Wayzata, MN 55391 (Attn: Public Comment).

1. **Call to Order**
2. **Roll Call**
3. **Approval of Agenda**
4. **Consent Agenda**
 - a. Approval of Meeting Minutes September 22, 2025
5. **Old Business Items**
6. **Public Hearing Items**
 - a. 401 Lake Street East - Ground Floor Retail Variance
7. **Other Items**
 - a. Review of Development Activities
 - b. Planning Commission Meeting Schedule
8. **Adjournment**

Upcoming Meetings:
City Council - November 18, 2025
Planning Commission - December 1, 2025

Members of the Planning Commission and some staff members may gather at the Wayzata Bar and Grill immediately after the meeting for a purely social event. All members of the public are welcome.



City of Wayzata Planning Commission Agenda Report

MEETING DATE: November 17, 2025	AGENDA ITEM: 4.a
TITLE: Approval of Meeting Minutes September 22, 2025	
PREPARED BY: Haily Hedblom, Planner	
REVIEWED BY: Alex Sharpe, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

N/A

ACTION REQUESTED:

Staff recommends approval of the regular meeting minutes from the September 22, 2025 Planning Commission meeting.

ATTACHMENTS:

1. Draft September 22, 2025 PC Meeting Minutes

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32

AGENDA ITEM 6. Public Hearing Items

AGENDA ITEM 7. Other Items:

- a) Review of Development Activities
- b) Planning Commission Meeting Schedule

Mr. Kieser noted that the next meeting is scheduled for October 6, 2025, however the City does not currently have anything on the agenda. Staff will let the Commission know if the meeting is cancelled closer to the date.

Commissioner Schwalbe asked about the study completed on Wayzata Boulevard several years ago and if there are plans to revisit any items from that study in the future. Planner Kieser responded that staff would look into the study and provide the Commission with further information at the next meeting.

AGENDA ITEM 8. Adjournment.

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

Commissioner Elg made a motion, seconded by Commissioner Schwalbe, to adjourn the Planning Commission meeting.

The motion carried unanimously.

The Planning Commission meeting was adjourned at 6:38 p.m.

Respectfully submitted,
Haily Hedblom - Planner
City of Wayzata



**City of Wayzata
Planning Commission
Agenda Report**

MEETING DATE: November 17, 2025	AGENDA ITEM: 6.a
TITLE: 401 Lake Street East - Ground Floor Retail Variance	
PREPARED BY: Alex Sharpe, Community Development Director	
REVIEWED BY: Alex Sharpe, Community Development Director	
60 DAY DEADLINE: 60 Day Deadline - December 19, 2025 120 Day Deadline - February 17, 2026	

BACKGROUND:

The applicant, Studio BV, on behalf of the property owner, Fish Base LLC, has submitted a variance application to reduce the required area of retail uses required on the ground floor from 22% to 11%. An existing variance adopted via Resolution 07-2020 approved a reduction of retail area from 50% to 22%.

ACTION REQUESTED:

After considering the items outlined in this report, holding the public hearing on the application, and discussing the requests of the application, the Planning Commission should direct staff to prepare a draft Planning Commission Report and Recommendation, with appropriate findings, reflecting a recommendation on the requests in the application, for review and adoption at the next Planning Commission meeting.

ATTACHMENTS:

1. 401 Lake Street Variance Request Staff Report
2. Applicant Narrative and Plans
3. Supplemental Area Calculation Comparing Gross vs. Net Area
4. Resolution 07-2020 - Variance Approval to Reduce Retail Requirement from 50% to 22%



**DRAFT Staff Report
Wayzata Planning Commission
November 17, 2025**

Project Name: 401 Lake St E – Ground Floor Retail Variance
Applicant: Studio BV
Addresses of Request: 401 Lake St E
Prepared by: Alex Sharpe, Community Development Director
“60-Day” Decision Deadline: December 19, 2025
“120-Day” Decisions Deadline: February 17, 2026

Development Application

Introduction

The applicant, Studio BV, on behalf of the property owner, Fish Base LLC, has submitted a variance application relating to the ground floor retail requirements for the property located at 401 Lake Street E. The applicant is proposing a reduction in retail space on the ground floor from the existing 1,600 square feet to 746 square feet.

City code requires at least 50 percent of the building frontage on the ground floor along Lake Street to be reserved for retail or service commercial use in the C-4 Central Business Zoning District, and that at least 50 percent of the ground floor footprint be dedicated to retail or service commercial uses.

A previous variance was granted for the property relating to the retail requirements in 2020 (Resolution 07-2020). This reduced the required retail percentage from 50 percent to 22 percent of the ground floor. The remaining percentages have been used to meet parking requirements for the site and to provide stair and elevator access to the upper floors.

The new proposal requests a further reduction of 50 percent to allow for a total of 11 percent retail on the ground floor, or 746 square feet of retail space. The remaining 11 percent of the existing retail space would be dedicated to the service-based functions (office/conferencing space) of the third-floor tenant, Walleye Capital LLC.

Property Information

The property identification number and owner of the property are as follows:

Address	PID	Owner
401 Lake St E	06-117-22-31-0103	Fish Base LLC

The current zoning and comprehensive plan land use designation for the property is as follows:

Zoning District:	C-4 Central Business District
2040 Comp Plan Designation:	Central Business District
Overlay Districts:	Shoreland Overlay District Lake Street Design District

Project Location

The property is located on the northeast corner of Lake Street E and Manitoba Ave S:
Map 1: Aerial Photograph of Area, 2025



Source: Hennepin County GIS

Application Requests

As part of the submitted development application, the applicant is requesting approval of the following item:

- A. Variance to Retail Percentage on the Ground Floor: City Code Ch.978.06.B attached the special limitation and condition that at least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and should comprise at least 50 percent of the ground floor building footprint. The previously approved variance included in Resolution 07-2020 allowed for a reduction in the ground floor footprint requirement from 50 percent to 22 percent. The plans submitted at that time satisfied the 50 percent of building frontage requirement.

The newly proposed plans do not meet the requirement that at least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial uses, nor do they meet the required amount of retail on the ground floor building footprint. The applicant requests a variance from this joint requirement to allow for a reduced retail space that comprises 11 percent of the ground floor and less than 50 percent of building frontage along Lake Street.

The applicant identified the need to accommodate parking, the size of the site and the high water table as practical difficulties faced in attempting to meet this standard. These are the same practical difficulties referenced in the 2020 application and the applicant states that they remain relevant today.

A detailed narrative from the application is attached to this staff report, as well as a copy of the recorded resolution from 2020. When evaluating this request, City Code Ch.905.01 Variances, should be considered. The standards from this section of code are included at the end of this staff report.

Comprehensive Plan

The land use designation for the subject property in the 2040 Plan is Central Business District. The Central Business District is intended to promote a diversity of retail, office, service, and residential land uses at a high level of development quality to enhance it as a regional destination. This land use designation assigned to the properties along the main thoroughfare of Lake Street, which is generally referred to as downtown. The subject property, as well as the parcels adjacent to it, and properties east and west along Lake Street are guided for Central Business District in the 2040 Comprehensive Plan.

Public Hearing Notice

The public hearing notice was published in the *Sun Sailor* on October 31, 2025. The public hearing notice was also mailed to all property owners located within 500 feet of the subject property on November 7, 2025.

Neighborhood Notification

The applicant mailed a letter with additional details about the application to residents within 500 feet of the subject property on November 6, 2025.

Public Comments

As of November, 13 2025, no public comments have been received.

Description of Proposal

The applicant is proposing to reduce the required first floor retail percentage and required retail building frontage for the property. Properties along Lake Street that are zoned C-4 (Central Business District) are required to use at least 50 percent of the building frontage and ground floor building footprint for retail. A variance for this property was granted in 2020 to reduce the ground floor retail requirement from 50 percent to 22 percent. The new proposal requests to reduce the percentage of retail area from 22 percent to 11 percent converting retail space into a conference room for the third floor tenant.

Analysis of Application

City staff has reviewed the pertinent information and City Code requirements for the proposed project and provides the following analysis and information:

Ground Floor Retail Percentage

The proposed plans indicate that 746 square feet of the ground floor would be used as retail space. The gross total footprint of the ground floor, which includes the parking area is approximately 10,194 square feet. The C-4 district has a requirement that 50% of the ground floor be retail, which would require 5,097 square feet of retail usage.

The City approved a variance to reduce the ground floor retail percentage from 50% down to 22% or 2,250 square feet in 2020. At the time of the 2020 variance application the building had not been constructed, and all square feet measurements of retail area were based upon the gross square feet. In 2020 the 2,250 square feet of retail area included the front lobby, ADA ramps, steps, and did not account for the area utilized by interior walls.

The materials submitted for the variance in 2025 are based on the as-built drawings, which provide a net retail area of 1,600 square feet. This area does not include the lobby or the ADA ramps, which would not be altered by this request. Per a staff request for clarification, the applicant has provided a supplemental diagram demonstrating that the gross area is within 5 square feet of the original proposal, which is due to wall thickness and the elevator. When evaluating this application, staff recommends reviewing the net area provided by the applicant and the request to reduce the current 1,600 square feet of retail space to 746 square feet.

The applicant's proposal would reduce current retail space by 854 square feet and convert this space into a conference room that will be utilized for internal meetings and meetings with clients. The site is guided and zone Central Business District which has the

following stated purpose: *“The purpose of the C-4 Central Business District is to provide a district for retail, service and office uses which are characteristic of a “downtown” area.”*

This area is intended to provide for street level activity, pedestrian focused ground floor uses, and “boutique shops” but also allows limited office. The applicant’s proposed use as a conference room will allow for some street level activity with clients visiting but retail sales is generally a higher visitor intensive use.

Parking

City ordinance requires three parking spaces per 1,000 square feet of both office uses and retail uses. As such, the parking analysis remains the same with the change in use. The actual effect of converting the retail space to a conference room for existing office users will likely result in less parking demand.

Design Review

The property at 401 Lake Street E is located within the Lake Street Design District and therefore must be reviewed against City Code Chapter 909, which regulates design standards for the Lake Street District. The proposed alterations to the facade include removal of windows to add an exterior entrance door. These alterations meet design requirements.

Primary Issues to Consider

1. Variance to the Ground Floor Retail Percentage:
 - a. Does the property owner have circumstances which are unique to the property, and not created by the landowner; which prevent the Applicant from meeting the required amount of ground floor retail percentage?
 - b. Is a building with a reduced amount of retail on the ground floor in harmony with the general purposes and intent of the C-4 Zoning Ordinance and consistent with the Comprehensive Plan?
 - c. Would allowing a decrease in ground floor retail percentage alter the essential character of the locality?

Standards of Planning Commission Review of Application Requests

The variance request is a quasi-judicial review and decision, meaning that the Planning Commission acts similar to a judge in a courtroom and applies the relevant rules of the Zoning Ordinance to this particular property and proposed development. The Planning Commission should recommend approval of the Ground Floor Retail Percentage variance requests by the applicant if the Commission determines that they meet all of the Zoning Ordinance requirements in City Code Chapter 905.01 C.

Action Steps

After considering the items outlined in this report and the public hearing held at the meeting, the Planning Commission should direct staff to prepare a *Planning Commission Report and Recommendation*, with appropriate findings, reflecting a recommendation on the application for review and adoption at the next Planning Commission meeting.

Attachments

Applicable Code Provisions for Review

Staff has analyzed the facts provided by the applicant in comparison with the criteria for approval. While several criteria appear to be met, staff has highlighted in **bold** criteria that may require additional discussion with the Planning Commission.

Zoning Ordinance Variances (Ch.905.01 C.)

The criteria for granting a variance includes the following conditions governing considerations of variance requests.

- 1. Variances shall only be permitted when they are:**
 - a) In harmony with the general purposes and intent of this Ordinance; and
 - b) Consistent with the Comprehensive Plan.
2. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
3. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - a) The property owner's proposal for the property is reasonable but not permitted by this Ordinance;
 - b) The plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - c) The variance, if granted, will not alter the essential character of the locality.
4. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
5. Variances shall be granted for earth sheltered construction as defined in Minn. Stats. § 216C.06, Subd. 14, when in harmony with this Ordinance.
6. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
7. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
8. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.



401 Lake Street | Wayzata
Variance Request

Index

- 1** Project Summary
- 2** Existing Plan
- 3** Proposed Plan
- 4** Contextual Analysis
- 5** Scaled Plan

STUDIO BV

701 Washington Ave N #320
Minneapolis, MN 55401

Project: 401 East Lake Street First Floor Retail
Project Address: 401 East Lake Street, Wayzata, MN 55391
Property ID Number: 06-117-22-31-0103

Project Summary

Fish Base and Walleye Capital are committed to maintaining an active and community-oriented ground floor presence on Lake Street, while also adapting the building to meet the needs of today's users. With that in mind, we are requesting the City's consideration to allow for a revised allocation of first floor retail space - previously approved in a variance request from January of 2020. Fish Base is seeking to use half of the existing ground floor footprint for conferencing spaces; this would equate to a Floor Area Ratio of retail space of approximately 11%.

We believe this adjustment would allow for a continued and meaningful retail presence on Lake Street, while also introducing a conferencing component that functions as a service commercial use. The conferencing area will accommodate meetings, gatherings, and other collaborative work. The conferencing capabilities and increased visitor traffic will be complementary to downtown Wayzata's character and be supportive of the local businesses.

We recognize the importance of retail to the vitality of Lake Street and are committed to ensuring that the remaining retail frontage is welcoming and attractive. At the same time, we believe the proposed balance provides increased flexibility for the broader mix of uses within the building.

Variance Request

The property owner at 401 Lake Street East would like to request a revision to the previous variance to reduce retail percentage from 50% to 22% in January of 2020. The current project proposal is to split the existing first floor retail space into separate retail and professional services conferencing spaces.

The conferencing spaces are proposed as a result of a growing need to support a serviced based function of meetings and transactions required by the third floor tenant Walleye Capital LLC (Walleye), an affiliated entity under common ownership with the building owner, Fish Base LLC (Fish Base). The existing first floor retail square footage would be split equally for the two uses, with the retail component keeping the corner frontage. Alterations to the exterior would involve a new entry door to the retail and new glazing to replace the current entry door. The total amount of glazing along the adjacent sidewalks/streets would not change from the existing condition.

Variance Request Continued

To proceed with the project, the building owner will require one variance to the required retail square footage and frontage FAR. The existing approved variance from 2020 and the practical difficulties remain applicable today.

Property Zoning District: C-4 Central Business District

Requested Variance 1: Retail Percentage on the Ground Floor

Per Wayzata's Code of Ordinances (978.06 – Special Limitations and Conditions Subsection 8): Retail or Commercial Use: At least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and should comprise at least 50 percent of the ground floor building footprint.

Per the previous approved variance to reduce ground floor retail to 22%, the property owner would like to request an additional reduction of retail to 11%, with the remaining 11% dedicated to the service based functions of the third floor commercial tenant. Due to the need to accommodate parking, the size of the site, and the high water table – these practical difficulties remain valid in 2025.

Additional Notes:

The proposed project is in harmony with the general purpose and intent of this ordinance: The proposed variance would maintain a commercial component to the first floor of 401 East Lake Street. The existing amount of glazing on the street front would also remain the same, with the commercial door being relocated. The total footprint dedicated to these spaces would match the exiting condition, allowing for a future retailer to come and occupy the entire first floor space again.

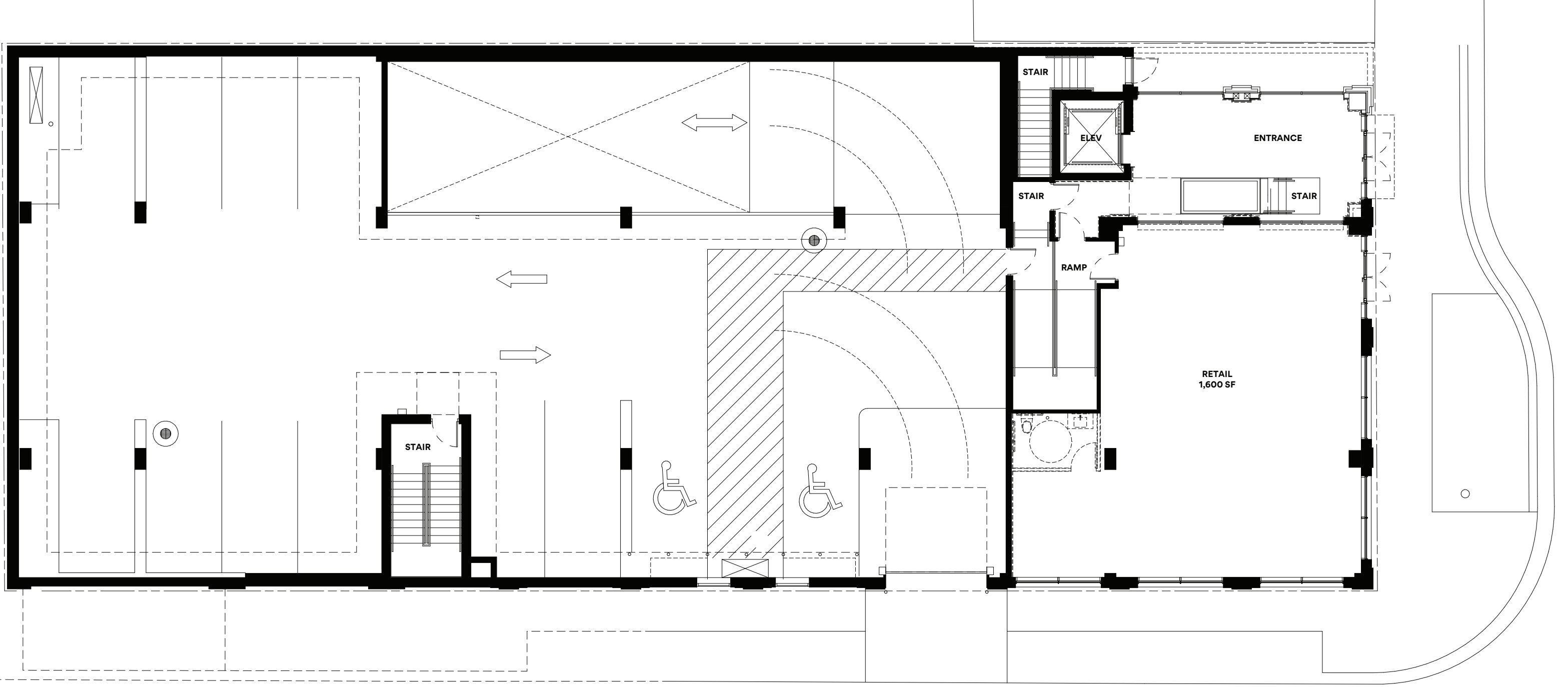
The proposed project is a reasonable use of the property and will not alter the essential character of the locality:

The proposed variance would maintain the character of the surrounding properties, maintaining a commercial component while having a professional service similar to the buildings to the west. A retail space would remain on the lot and there would be flexibility for future expansion of the retail space back to the current 22% footprint. The exterior of the building would maintain the existing amount of glazing.

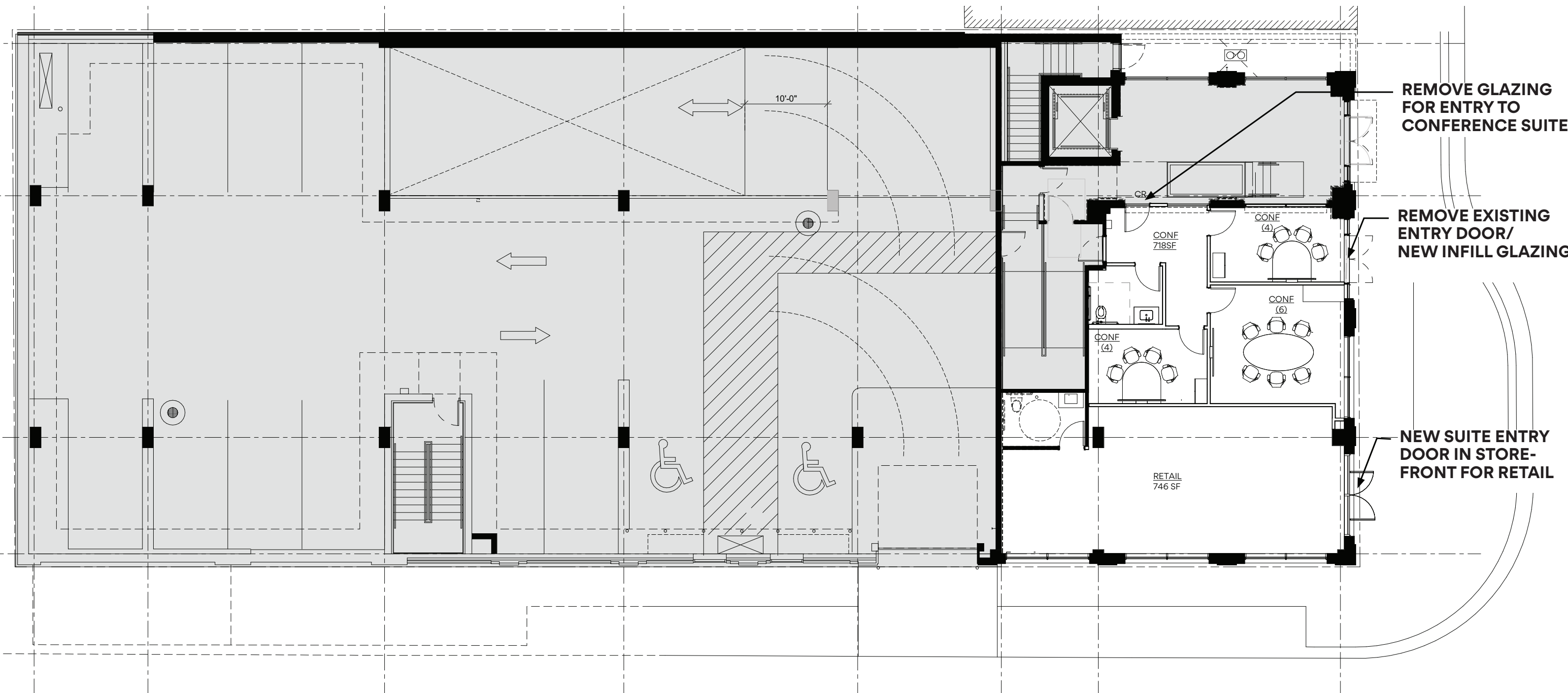
The proposed project is consistent with the Comprehensive Plan:

The proposed project is in accordance with the 2040 Comprehensive Plan to maintain and enhance the character, diversity and livability of all residential neighborhoods.

Existing Plan



Proposed Plan



Contextual Analysis

Zoning Analysis

The surrounding buildings in the C-4 Central Business District are predominatnly commercial use at street level. Conference and meeting spaces are also highly present at street level .



C-4 Central Business District
enlarged map



401 Lake Street
Street Level (Existing)



407 + 415 Lake Street
Street Level | Commercial Use



445 Lake Street
Street Level | Commercial Use

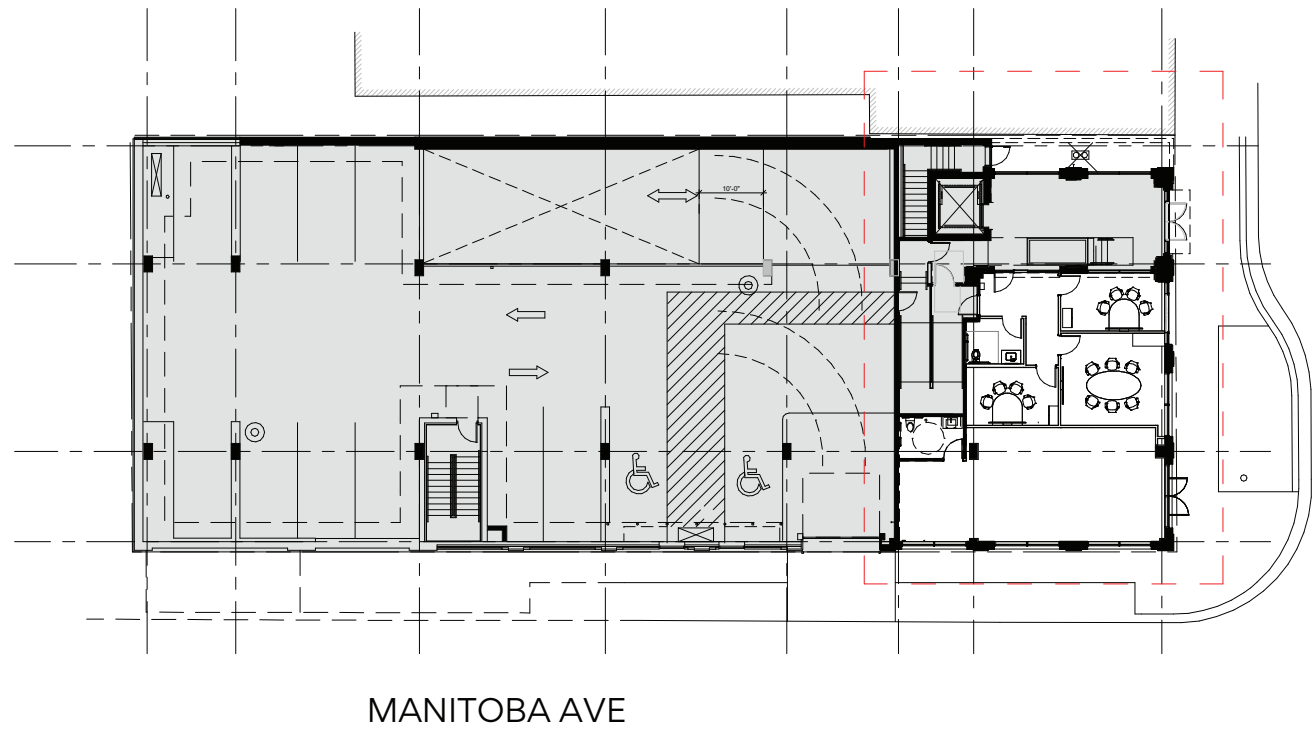


305 Lake Street
Street Level | Commercial Use



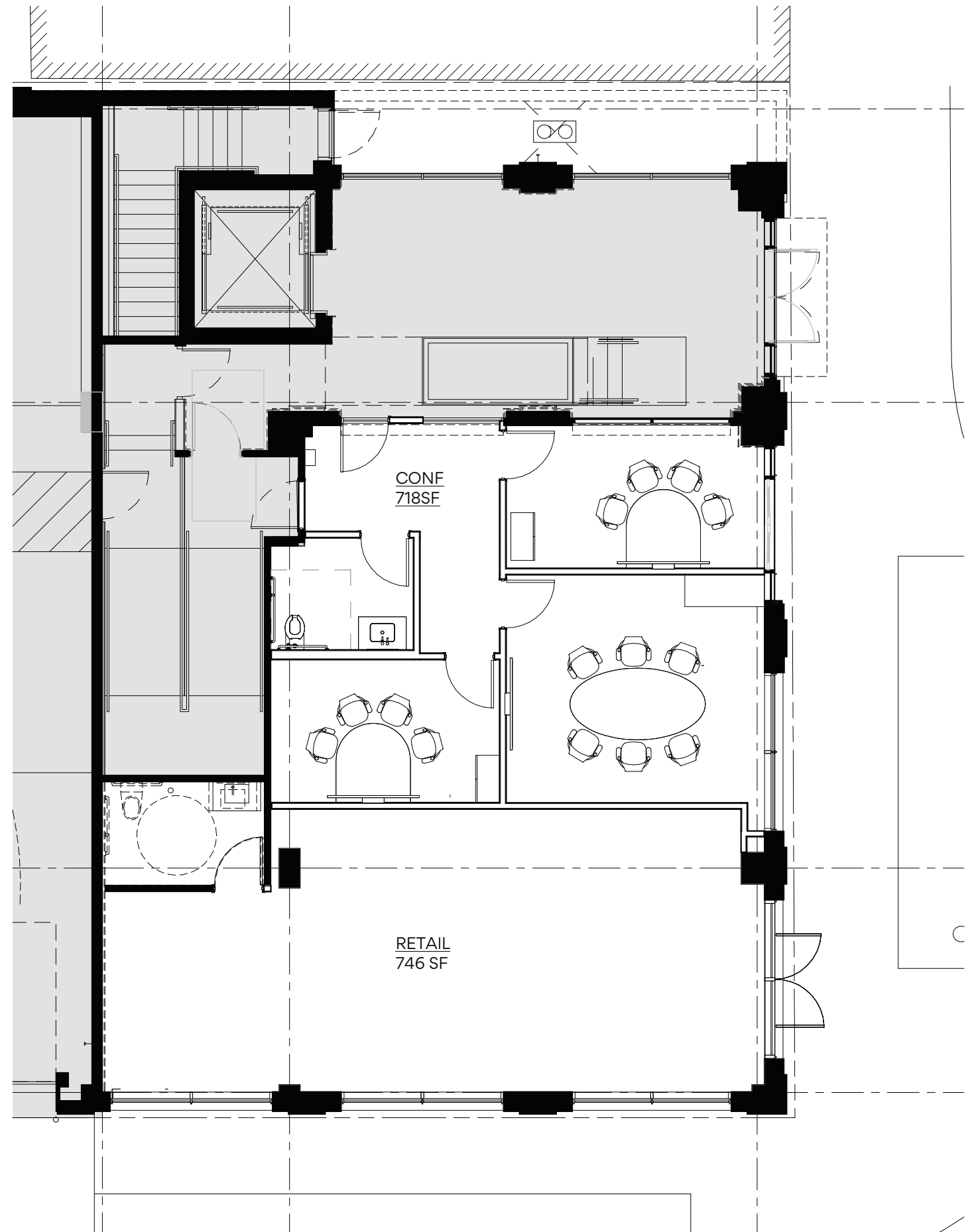
315 Lake Street
Street Level | Commercial Use + Corner Retail

SITE PLAN



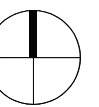
LAKE STREET

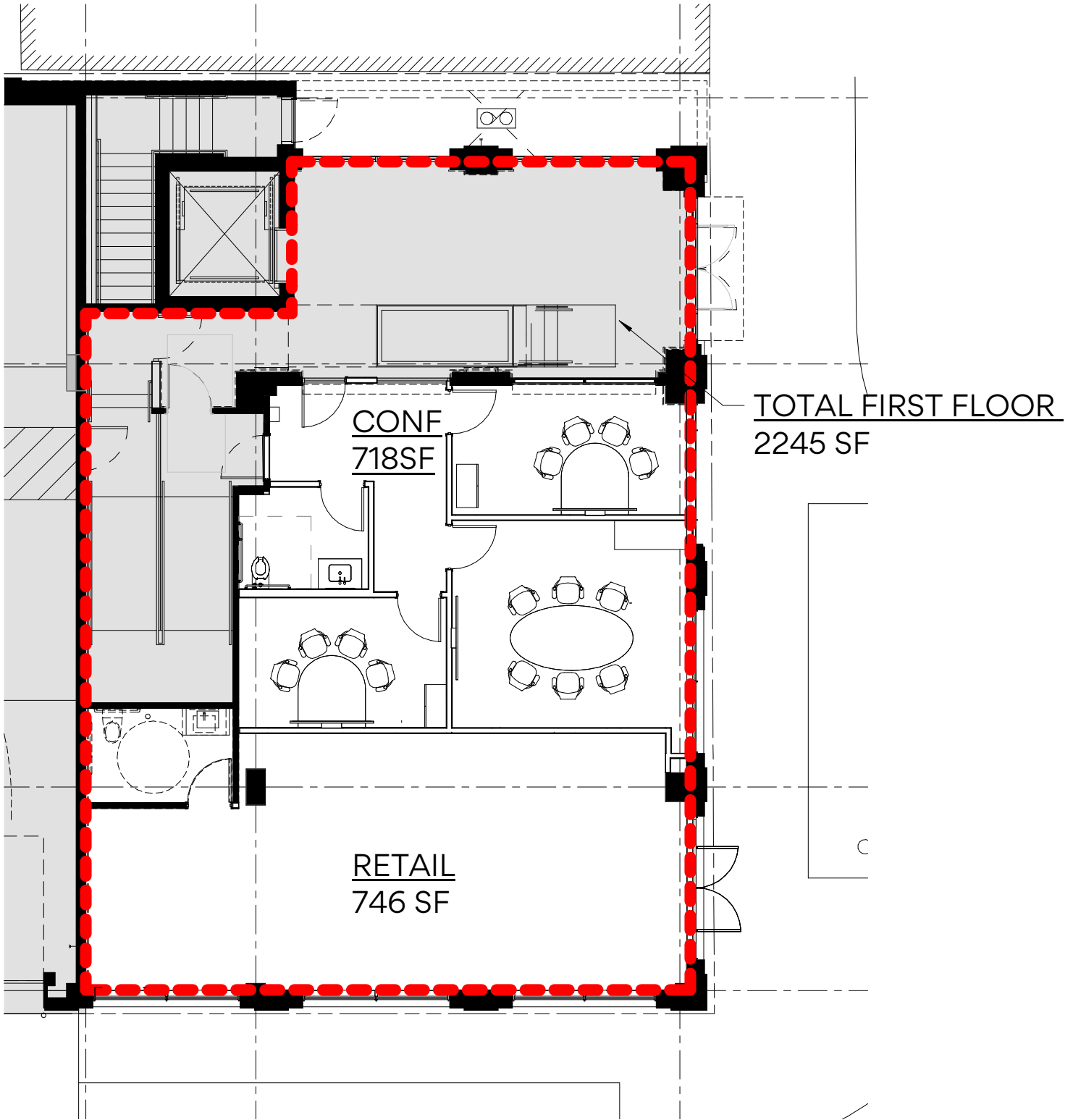
MANITOBA AVE



1 401 EAST LAKE STREET FIT PLAN

Scale: 1/8" = 1'-0"





RESOLUTION NO. 07-2020**RESOLUTION APPROVING F.A.R. AND RETAIL VARIANCES,
PROJECT DESIGN, AND SIP/CUP FOR 401 LAKE ST E**

WHEREAS, Peterssen / Keller Architecture, and the property owner, Lothenbach Props VI, LLC, (collectively, the "Applicant") have submitted a development application (the "Application") requesting approval of (i) F.A.R. Variance; (ii) Retail Percentage Variance; (iii) Design of the project, including Deviations; and (iv) Impervious Surface CUP in connection with the construction of a new 3 story, 19,910 square-foot mixed use office and street level retail building (the "Project") on the property located at 401 Lake St E (the "Property" and legally described on Attachment A); and

WHEREAS, the Wayzata Planning Commission, pursuant to the Zoning Ordinance, held a public hearing on the Application on January 6, 2020, and adopted a Report and Recommendation to the City Council to approve the Application on January 23, 2020, a copy of which is attached to this Resolution as Attachment B ("PC Report and Recommendation").

NOW THEREFORE, BE IT RESOLVED by the City Council of Wayzata, Minnesota as follows:

A. Based on the Application materials, additional materials submitted by the Applicant, staff reports, public comment and information presented at the public hearings, the standards of the Wayzata Zoning Ordinance, and the findings and recommendations of the PC Report and Recommendation, all of which are incorporated by reference in this Resolution, the City Council of the City of Wayzata hereby finds, confirms and memorializes that the Application meets the applicable requirements of Wayzata's Zoning Ordinance.

B. Based on the foregoing, the (i) F.A.R. Variance; (ii) Retail Percentage Variance; (iii) Design of the Project, including Deviations; and (iv) Impervious Surface CUP, all as defined in the PC Report and Recommendation, are hereby **APPROVED**, subject to satisfaction of the following:

1. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.
2. The Applicant must build and complete the Project in conformance, in all material respects, with the plans depicted in the Application.

3. Final Grading, Drainage, and Erosion Plans for the Project the must be approved by the City Engineer prior to the issuance of building permits and submitted to the City for review.
4. The Applicant must install (a) safety mechanisms at the entrances of the ramps, (b) a mechanism that limits the lowest level parking to office users, and (c) signage for designated parking for public/retail users.
5. The Applicant must incorporate natural and lattice screening along areas of the parking structure which were originally shown as open in the plans submitted with the Application to enhance screening and separation between the Project and neighboring property, and adequately screen the trash and recycling area from views of adjacent properties.
6. The Applicant must enter into a Development Agreement with the City, with terms and in a form acceptable to the City Attorney, that incorporates, among other things, the approvals and conditions of this City Council approval resolution, addresses all public improvements associated with the Project, limits the height of any rooftop patio furniture to the height of the clear glass guardrail and requires the removal of such furniture during the winter season, and in which the Applicant and any future Property owners agree to fully defend and indemnify the City for anything related to the Project, the Property and property-related rights.
7. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata City Council this 4th day of February, 2020.



Ken Willcox, Mayor

ATTEST:

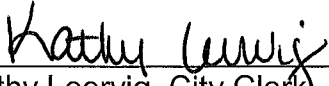


Jeffrey Dahl, City Manager

ACTION ON THIS RESOLUTION:

Motion for adoption: Koch
Seconded by: Buchanan
Voted in favor of: Koch, Buchanan, Plechash, McCarthy
Voted against: Willcox
Abstained: None
Absent: None
Resolution adopted.

I hereby certify that the foregoing is a true and correct copy of a resolution adopted by the City Council of the City of Wayzata, Minnesota, at a duly authorized meeting held on February 4, 2020.



Kathy Leervig, City Clerk
SEAL

Attachment A
Legal Description of Property

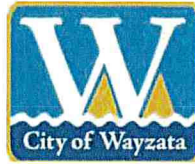
Attachment B
PC Report and Recommendation

Attachment A

Legal Description and Information of Property

Address	401 Lake Street E
PID	06-117-22-31-0103
Legal Description	Stephens' Rearrangement of Blocks 3 and 4 Townsite of Wayzata
Abstract or Certification NO.	Torrens 1471810

Attachment B
PC Report and Recommendation



WAYZATA PLANNING COMMISSION

January 23, 2020

REPORT AND RECOMMENDATION OF APPROVAL OF F.A.R. VARIANCE, RETAIL PERCENTAGE VARIANCE, PROJECT DESIGN, AND SHORELAND IMPACT PLAN/CONDITIONAL USE PERMIT AT 401 LAKE STREET ST E

SUMMARY OF RECOMMENDATION

1. **Approval*** of F.A.R. Variance
2. **Approval*** of Retail Percentage Variance
3. **Approval*** of Design of Project
4. **Approval*** of Shoreland Impact Plan/CUP for Impervious Surface

* with certain conditions listed at the end of this Report

REPORT AND RECOMMENDATION

Section 1. BACKGROUND

- 1.1 **Proposed Development.** Peterssen / Keller Architecture, and the property owner, Lothenbach Props VI, LLC, (collectively, the "Applicant") have submitted a development application (the "Application") to redevelop the property at 401 Lake Street E (the "Property"). The proposed redevelopment involves the demolition of the existing building on the site, and construction of a new 3 story, 19,910 square-foot mixed use office and street level retail building (the "Project").
- 1.2 **Approvals Requested.** The Application includes requests for approval of the following:
 - A. **Variance from Floor Area Ratio (F.A.R.) Standard:** A variance from the C-4 Central Business District maximum floor area ratio (F.A.R.) of 2.0 to allow for the Project's proposed F.A.R. of 2.33 (the "F.A.R. Variance").

- B. Variance from Retail Percentage Standard: A variance from the C-4 Zoning District requirement that at least 50 percent of the building frontage on the ground floor along Lake Street be used for retail or service commercial use, and comprise at least 50 percent of the ground floor building footprint, to allow for the Project’s proposed 22 percent ground floor retail use (the “Retail Percentage Variance”).
- C. Design: The design elements of the Project (the “Design”) as further detailed in the Design Critique attached to this Report as Exhibit B, including three deviations from the Design Standards detailed therein related to (i) percentage of retail use space on ground floor; (ii) street level landscaping; and (iii) sidewalk design (collectively, the “Deviations”).
- D. Shoreland Impact Plan/Conditional Use Permit for Impervious Surface: A shoreland impact plan/conditional use permit for an impervious surface coverage that exceeds 75% of the lot coverages to allow for the Project’s proposed 100 percent impervious surface coverage (the “Impervious Surface CUP”).

1.3 Property. The legal description of the Property is attached to this Report, as Exhibit A, and the address, property identification numbers and owner of the Property are:

Address	PID	Owner
401 Lake St E	06-117-22-31-0103	Lothenbach Props VI, LLC

1.4 Land Use Designations. The Property is zoned and guided as follows:

Zoning:	C-4/Central Business District
Comp Plan designation:	Central Business District
Overlay districts:	S/Shoreland Overlay District Lake Street Design District

1.5 Notice and Public Hearing. Notice of the public hearing on the Application was published in the *Wayzata Lakeshore Weekly* on December 26, 2019 and mailed to all property owners located within 350 feet of the Property on December 26, 2019. The public hearing on the Application was held at the January 6, 2020 Planning Commission meeting.

Section 2. STANDARDS

2.1 F.A.R.: Variances. The maximum Floor Area Ratio (F.A.R.) (floor area of a building, divided by the area of the lot on which it sits) in the C-4 Central Business District is 2.0. Sec. 978.07.C. Criteria in Sec. 905.01 C. for granting a variance from such F.A.R. are:

- A. Variances shall only be permitted when they are:
 - (i) In harmony with the general purposes and intent of the Zoning Ordinance; and
 - (ii) consistent with the Comprehensive Plan.
- B. Variances may be granted when the Applicant for the variance establishes that there are practical difficulties in complying with this Ordinance.
- C. "Practical difficulties," as used in connection with the granting of a variance, means that:
 - (i) the property owner's proposal for the property is reasonable but not permitted by Zoning Ordinance;
 - (ii) the plight of the landowner is due to circumstances unique to the property, and not created by the landowner; and
 - (iii) the variance, if granted, will not alter the essential character of the locality.
- D. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.
- E. Variances shall be granted for earth sheltered construction as defined in Minnesota Statutes, section 216C.06, subdivision 14, when in harmony with this Ordinance.
- F. The City Council shall not permit as a variance any use that is not allowed under this Ordinance for property in the zoning district where the affected person's land is located, except the City Council may permit as a variance the temporary use of a one family dwelling as a two family dwelling.
- G. The City Council may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- H. An application for a variance shall set forth reasons that the variance is justified under the criteria of this section in order to make reasonable use of the land, structure or building.

2.2 Ground Level Retail; Variances. In the C-4 Zoning District, at least 50 percent of the building frontage on the ground floor along Lake Street must be used for retail or service commercial use and should comprise at least 50 percent of the ground floor building footprint. Sec. 978.06.C. Criteria for granting a variance are noted above.

- 2.3 Design Standards; Deviations. All new non-residential building construction in the City must comply with the Design Standards found in Chapter 909 of the Zoning Ordinance. The Project falls within the "Lake Street Design District", and the relevant design standards applicable to the Project are outlined in the attached "Design Critique" (Attachment A). Deviations from the Design Standards may be permitted under Sec. 909.29 (with the exception of Section 7 of the Design Standards) if City Council (after considering the Planning Commission's recommendation) makes a finding that the negative impact of such deviation is outweighed by one or more of the following factors:
- A. The extent to which the project advances specific policies and provisions of the City's Comprehensive Plan.
 - B. The extent to which the deviation permits greater conformity with other Standards, policies behind the Standards, or with other Zoning Ordinance standards.
 - C. The positive effect of the project on the area in which the project is proposed.
 - D. The alleviation of an undue burden, taking into account current leasing, housing and commercial conditions.
 - E. The accommodation of future possible uses contemplated by the Design Standards, the Zoning Ordinance or the Comprehensive Plan.
 - F. A national, state or local historic designation.
 - G. The project is the remodeling of an existing building which largely otherwise conforms to the Design Standards.

2.4 Shoreland Impact Plan/Conditional Use Permit for Impervious Surface.

- A. Impervious Surface. The Shoreland Overlay District establishes a maximum impervious surface of 25% of the lot area. Impervious surface coverage may be allowed to exceed 75% of the total lot area when the following stipulations are met:
 - 1. All structures and practices are in place for the treatment of stormwater runoff.
 - 2. A shoreland impact plan/conditional use permit is submitted and approved as provided for in Section 991.19.A of the Zoning Ordinance, subject to the conditions listed in Section 991.19.C of the Zoning Ordinance.

- B. Shoreland Impact Plan. Except for situations listed in Sec. 991.19.B., landowners or developers desiring to develop land or construct any dwelling or any other artificial obstruction on land located within any Shoreland District within the City of Wayzata shall first submit a conditional use permit application as regulated by Chapter 904 of this Ordinance and a plan of development, hereinafter referred to as "Shoreland Impact Plan," which shall set forth proposed provisions for sediment control, water management, maintenance of landscaped features, and any additional matters intended to set forth proposed changes requested by the applicant and affirmatively disclose what, if any, change will be made in the natural condition of the earth, including loss of change of earth ground cover, destruction of trees, grade courses and marshes. The plan shall minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible, and shall affirmatively provide for the relocation or replanting of as many trees as possible which are proposed to be removed. The purpose of the shoreland impact plan shall be to eliminate and minimize as much as possible potential pollution, erosion and siltation.
- C. General CUP Criteria. Section 904.02.F states that the Planning Commission and City Council shall consider possible adverse effects of a proposed conditional use. Their judgment shall be based upon (but not limited to) the following factors:
- A. The proposed action in relation to the specific policies and provisions of the official City Comprehensive Plan.
 - B. The proposed use's compatibility with present and future uses of the area.
 - C. The proposed use's conformity with all performance standards contained herein (i.e., parking, loading, noise, etc.).
 - D. The proposed use's effect on the area in which it is proposed.
 - E. The proposed use's impact upon property values in the area in which it is developed.
 - F. Traffic generated by the proposed use is in relation to capabilities of streets serving the property.
 - G. The proposed use's impact upon existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

- D. SIP/CUP Conditions. All conditional use permits for consideration under Section 991 shall be subject to the following stipulations.
1. The projects shall be analyzed to determine the impact of impervious surfaces, stormwater runoff, floodplain, and water quality implications. Only those projects shall be allowed where the adverse impacts have been mitigated through approved means to the extent possible.
 2. Stormwater treatment measures including, but not limited to, sediment basins (debris basins), desilting basins or silt traps, installation of debris guards, and microsilt basins on stormwater inlets, oil skimming devices, etc. shall be required subject to the review of the City Engineer and the Minnehaha Creek Watershed District on projects where applicable.
 3. Projects shall be analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting of trees which are proposed to be removed.
 4. Projects shall be analyzed in terms of the appearance of the structure when viewed from the lake's surface. Building materials, and color shall be analyzed to determine which facade and roof materials minimize the appearance and blend the structure into the shoreland and vegetation.
 5. Building heights shall be analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures shall not be allowed to exceed a height beyond that is allowed by the base zoning district or cannot be screened by landscaping or other design measures.
 6. Residential densities on a project basis shall not be allowed to exceed the maximum allowed density of the base zoning district for which the project is proposed. For higher density residential development and planned unit developments, the density shall not be allowed to exceed the density standards as specified in the R-5 District of this Ordinance.
 7. Lot coverage on a project basis shall be restricted to the provisions for maximum impervious surface coverage as provided for in this Ordinance.

8. Overall residential densities in the shoreland area shall not exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
9. Overall lot coverage in the shoreland area shall not exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
10. All projects shall be in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.
11. All projects shall be in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan, as may be amended.
12. All projects shall be subject to the review of the Minnehaha Creek Watershed District.

Section 3. FINDINGS OF FACT

Based on the Application materials, additional materials submitted by the Applicant, staff reports and documents, public comment and information presented at the public hearing, and the standards of the Wayzata Zoning Ordinance, the Planning Commission of the City of Wayzata makes the following findings of fact:

- 3.1 F.A.R. Variance. The F.A.R. Variance meets the standards for granting a variance under the Zoning Ordinance:
 - A. The F.A.R. Variance is in harmony with the general purposes and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan in that the Project allows for a mix of uses which strengthen the Central Business District as the shopping, employment, and entertainment destination of Wayzata.
 - B. The Applicant has established that there are practical difficulties in complying with the F.A.R. requirement..
 - C. Practical difficulties include the fact that:
 - (i) the Applicant's proposal for the Property is reasonable but not permitted by Zoning Ordinance;

- (ii) the plight of the Applicant is due to circumstances unique to the Property's size and location on Lake Street, and not created by the landowner, and driven in large part by the high water table in the area and a desire to provide all parking on site; and
- (iii) the F.A.R. Variance, if granted, will not alter the essential character of the locality which consists of buildings which are a similar size and scale to the Project.

- D. Economic considerations alone are not the reason for the F.A.R. Variance.
- E. The Applicant has explained the reasons that the F.A.R. Variance is justified under the criteria for granting variances in order to make reasonable use of the land, structure or building.

3.2 Retail Percentage Variance. The Retail Percentage Variance meets the standards for granting a variance under the Zoning Ordinance:

- A. The Retail Percentage Variance is in harmony with the general purposes and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan in that it would allow for and include ground floor retail consistent with the area and goals of the Comprehensive Plan in that the Project would add retail on Lake Street where there is not currently retail, increasing retail vitality on the main thoroughfare of the Central Business District.
- B. The Applicant has established that there are practical difficulties in complying with the requirement for the amount of retail use on the ground floor.
- C. Practical difficulties include the fact that :
 - (iv) the Applicant's proposal for the Property is reasonable but not permitted by Zoning Ordinance;
 - (v) the plight of the Applicant is due to circumstances unique to the Property, and not created by the landowner, and driven in large part by a desire to meet the parking requirements for the Project on the Property while still providing retail on the ground floor along Lake Street; and
 - (vi) the Retail Percentage Variance, if granted, will not alter the essential character of the locality, which is a mix of office and retail similar to the Project.
- D. Economic considerations alone are not the reason for the Retail Percentage Variance.

- E. The Applicant has explained the reasons that the Retail Percentage Variance is justified under the criteria for granting variances in order to make reasonable use of the land, structure or building.

- 3.3 Project Design and Deviations. The Project meets the applicable provisions of the Design Standards as reflected in the Design Critique attached to this Report as Exhibit B except for the Deviations, which relate to (i) percentage of retail use space on ground floor; (ii) street level landscaping; (iii) sidewalk design and (iiii) percentage of accent materials to allow for screening in open parking areas.

The Commission finds that there would be a positive effect on the area where the building is proposed by allowing these Deviations, and that the reasons supporting (i) the Retail Percentage Variance also support the Deviation related to retail use space on the ground floor, and (ii) the other Deviations are at the request of the City and relate to the City's pending projects and plans for the Lake Street streetscape and improvements. To the extent there are any negative impacts of the Deviations, those impacts are outweighed by one or more of the following factors:

- A. The extent to which the Project advances specific policies and provisions of the City's Comprehensive Plan, as noted in the record.
- B. The extent to which the Deviation related to retail use space on the ground floor would alleviate an undue burden, taking into account current leasing, housing, and commercial conditions.
- C. The positive effect of the Project on the area in which the Project is proposed, including renovation of an important section of Lake Street.

- 3.4 Shoreland Impact Plan/Conditional Use Permit for Impervious Surface. The provisions of Section 991.19 and 904.02.F of the Zoning Ordinance have been considered and are satisfactorily met.

A. Shoreland Impact Plan.

- 1. All structures and practices are or will be in place for the treatment of storm water runoff for the Project as reviewed and approved by the City Engineer.
- 2. A Shoreland Impact Plan has been approved by the City Engineer.

B. General CUP Criteria.

- 1. The Project and associated use is compatible with the specific policies and provisions of the official City Comprehensive Plan.

2. The Project and associated use is compatible with present and future uses of the area.
3. The Project and associated use conforms with all performance standards contained in the Zoning Ordinance, except those for which a CUP and variance is requested.
4. The Project and associated use will not have a negative effect upon the surrounding area.
5. The Project and associated use will not have a negative impact upon surrounding property values.
6. The Project and associated use will not increase traffic above capacity.
7. The Project and associated use will not negatively impact existing public services and facilities including parks, schools, streets and utilities, and the City's service capacity.

C. SIP/CUP Conditions.

1. The Project has been analyzed and the impact of impervious surfaces, stormwater runoff, floodplain, and water quality implications have been mitigated through approved means to the extent possible.
2. Stormwater treatment measures used for the Project are subject to the review of the City Engineer and the Minnehaha Creek Watershed District where applicable.
3. The Project has been analyzed in terms of provisions for maintenance and enhancement of landscape features, and change in the natural condition of the soil, trees, grade courses and marshes. The vegetative planting plan shall contain trees, when fully mature, that will exceed the building height. The plan shall also minimize tree removal, ground cover change, loss of natural vegetation, and grade changes as much as possible. It shall further provide for the relocation or replanting of trees which are proposed to be removed.
4. The Project has been analyzed in terms of the appearance of the structures and will not generally be visible when viewed from the lake's surface.
5. Building heights have been analyzed to determine the impact on surrounding structures and views from the lake surface or other shores. Structures will not exceed a height beyond that is allowed

- by the base zoning district or cannot be screened by landscaping or other design measures.
6. Residential densities of the Project will not exceed the maximum allowed density of the base zoning district for which the Project is proposed. The density of the Project will not exceed the density standards as specified in the R-5 District of this Ordinance.
 7. Lot coverage of the Project will be restricted to the provisions for maximum impervious surface coverage provided for in the Zoning Ordinance.
 8. The Project will not cause the overall residential densities in the shoreland area to exceed the surplus development capacity for residential density, as calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan.
 9. The Project will not cause the overall lot coverage in the shoreland area to exceed the surplus development capacity for impervious surface coverage calculated for Lake Minnetonka, Gleason and Peavey Lakes, as specified in the Wayzata Comprehensive Plan/Shoreland Management Plan.
 10. The Project is in conformance with the Stormwater Management Plan for the City of Wayzata, May 1988, as may be amended and/or approved by the City Engineer.
 11. The Project is in conformance with the Wayzata Comprehensive Plan/Shoreland Management Plan.
 12. The Project will be subject to the review of the Minnehaha Creek Watershed District.

Section 4. RECOMMENDATION

- 4.1 Planning Commission Recommendation. Based on the findings in section 3 of this Report, the Planning Commission recommends **APPROVAL** of the (i) F.A.R. Variance; (ii) Retail Percentage Variance; (iii) Design of the Project, including Deviations; and (iv) Impervious Surface CUP requested in the Application, subject to the following conditions:
- A. The Applicant must secure all necessary building permits for construction, and follow all laws and regulations applicable to the Project, including building codes and land use regulations.

- B. The Applicant must build and complete the Project in conformance, in all material respects, with the plans depicted in the Application.
- C. Final Grading, Drainage, and Erosion Plans for the Project the must be approved by the City Engineer prior to the issuance of building permits and submitted to the City for review.
- D. The Applicant must install safety mechanisms at the entrances of the ramps, a mechanism that limits the lowest level parking to office users, and signage for parking for public/retail users.
- E. The Applicant must incorporate natural and lattice screening along areas of the parking structure which were originally shown as open to enhance screening and separation between the Project and neighbors.
- F. All expenses of the City of Wayzata, including consultant, expert, legal, and planning fees incurred must be fully reimbursed by the Applicant.

Adopted by the Wayzata Planning Commission this 23rd day of January 2020.

Christine Plantan
Chair, Planning Commission

Voting For Approval Recommendation: Douglas, Parkhill, Flannigan, Plantan, Merriam
Voting Against Approval Recommendation: Iverson
Abstaining: none
Absent: Bashoum

Attachments:

Exhibit A: Legal Description of Property

Exhibit B: Design Critique

Exhibit A
Legal Description of Property

Address	401 Lake Street E
PID	06-117-22-31-0103
Legal Description	Stephens' Rearrangement of Blocks 3 and 4 Townsite of Wayzata
Abstract or Torrens	Torrens
Certification NO.	1471810

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

The Design Review is based on the plans submitted on December 11, 2019 by the Petersson/Keller Architecture:

	Comments	Compliance
<p>Building Uses <u>909.05.A – Lake Street District</u> All new buildings east of Barry Avenue on Lake Street shall have retail usage at least 80 percent of the ground floor facing Lake Street. The remaining 20 percent of the ground floor frontage may only be used for walkways, public access, or public facilities. Retail activities shall comprise a total of at least 50 percent of the usage of the total building footprint.</p>	<p>The applicant has proposed a building which has retail usage along 90% of the ground floor facing Lake Street but only 22% of the total building footprint is retail. A deviation from this requirement has been requested by the applicant.</p>	<p>The Planning Commission should determine if a deviation should be granted.</p>
<p>Building Recesses <u>909.06.A.1. – All Districts</u> Building facades shall be articulated through the use of pilasters and/or recesses that create visible shadow lines and dimensions especially on the street level <u>909.06.A.2</u> Street level landscaped courtyards, outdoor seating areas and gathering areas shall be incorporated into building and site plan design.</p>	<p>Pilasters and recesses are shown in the middle of the building to create shadow lines and dimensions. Plans for the City's project, Lake Effect will include street level landscaping including benches and a planting area. A deviation from this requirement has been requested by the applicant and is recommended by staff so that the streetscape along Lake St is consistent with the Lake Effect Plan.</p>	<p>Yes The Planning Commission should determine if a deviation should be granted.</p>

Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020

	Comments	Compliance
<p>Building Width</p> <p><u>909.07. All Districts – New Buildings</u></p> <p>In order to reduce the scale of longer façades and to eliminate the long horizontal expressions of buildings, divisions or breaks in materials shall be included and at least three of the following design strategies shall be incorporated into the design:</p> <ol style="list-style-type: none"> 1. Window bays 2. Special treatment at entrances 3. Variations in roof lines or parapet detailing 4. Awnings 5. Building setbacks or articulation of the facade 6. Rhythm of elements 	<p>The building has window bays, variations in the parapet and a rhythm of elements, in addition to a setback in the third story to accomplish this design standard.</p>	<p>Yes</p>

	Comments	Compliance
<p>Upper Story Setbacks</p> <p><u>909.08.A.1. – All Districts – New Buildings</u></p> <p>Building height shall conform to the height of the applicable zoning district. Where three (3) story buildings are permitted, the third (3rd) story must be recessed from all façades fronting public right of ways at least a distance equal to the vertical distance of the 3rd story height from the second (2nd) floor footprint, or an average of ten (10) feet across the facade, but no portion of the 3rd story structure shall be closer than six (6) feet to the 2nd story façade. The 3rd story façade shall be designed with railings, pillars, dimensional windows, building recesses or other similar design techniques to break up the 3rd story façade.</p>	<p>The building is three stories and 35 feet. The third story of the building is recessed 6 feet from the face of the second floor.</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p><u>909.08.A.2 – All Districts – New Buildings</u> The façades fronting public right-of-ways of every two and three story building, longer than sixty (60) feet, must have a recessed second story of approximately twenty-five percent (25%) of the façade’s length, setting back a minimum of six (6) feet from the face of the first floor façade. The required third floor setback must follow the frontal plane of the second story setback.</p>	<p>On the façade along Manitoba Ave S, 27% of the second floor is recessed six feet from the face of the first floor.</p>	<p>Yes</p>
<p><u>909.08.A.3. – All Districts – New Buildings</u> Wintertime sun orientation, solar access, and views of Lake Minnetonka are significant issues within the Design Districts. Building height should not negatively and significantly impact neighboring properties.</p>	<p>The building height is within the required 35 feet, as allowed by the Wayzata Zoning Code.</p>	<p>Yes</p>
<p>Roof Design</p>		
<p><u>909.09.A. – All Districts</u> “Green” roofs, roof garden terraces, arbors and other similar structures are encouraged on roofs of building.</p>	<p>A green roof has been incorporated into this project.</p>	<p>Yes</p>
<p><u>909.09.B.1. – All Districts – Roof Materials</u> The roof material for all sloped roofs in all districts shall be slate, untreated copper, pre-finished metal, cedar shake or asphalt shingle in dark colors.</p>	<p>The roof is flat, and not sloped</p>	<p>N/A</p>
<p><u>909.09.B.2. – All Districts – Roof Materials</u> The roof material for all flat roofs in all districts shall be treated synthetic membrane or other similar material in dark colors.</p>	<p>Materials other than the green roof are in dark colors and synthetic membrane.</p>	<p>Yes</p>

Design Review
 City of Wayzata Zoning Ordinance, Section 909, Design Standards
 Lothenbach Family Office, 401 Lake St E
 January 6, 2020

Screening of Rooftop Equipment		
<p><u>909.10.A. – Lake Street and Bluff Districts</u> No mechanical equipment for a building may be located on the roof deck. All such mechanical equipment must be located within the interior of the structure.</p>	<p>All mechanical equipment is located within the interior of the structure.</p>	<p>Yes</p>
Facade Transparency	Comments	Compliance
<p><u>909.11.A. Glass Calculations – All Districts</u> Applications for design approval must include facade diagrams that contain calculations of glass and solid surfaces. Calculations of facade areas for multiple story building shall be measured from grade to the floor above. Calculations of facade areas for one story buildings shall be measured from grade to the roof deck.</p>	<p>These calculations are found on sheet A-201 in the plan submittal.</p>	<p>Yes</p>
<p><u>909.11.B. – Lake Street District</u> No less than 50 percent of the ground level facade of any building fronting Lake Street shall be transparent glass. No less than 25 percent of the ground level side and rear facade facing a public right-of-way, parking area or open space shall be transparent glass.</p>	<p>Along Lake St the building has 51.9% transparent glass. Along Manitoba Ave, the building has 47% transparent glass.</p>	<p>Yes</p>

Design Review
 City of Wayzata Zoning Ordinance, Section 909, Design Standards
 Lothenbach Family Office, 401 Lake St E
 January 6, 2020

Ground Level Expression	
<p>909.12 – All Districts In multi-story buildings, the ground floor shall be distinguished from the floors above by the use of at least three of the following elements:</p> <ul style="list-style-type: none"> A. An intermediate cornice line B. A difference in building materials or detailing C. An offset in the façade D. An awning, trellis, or loggia E. Arcade F. Special window lintels G. Brick/stone corbels 	<p>The ground floor uses different building materials (B), is arched (E), and has special window lintels (F) to create a distinction from the above floors.</p>
<p>Entries 909.13. – All Districts The front facade of all buildings shall be landscaped with window boxes or planters with seasonally appropriate plantings. The main entries shall face the primary street at sidewalk grade.</p>	<p>Planters are shown along the streetscape. The main entry faces Lake Stt at sidewalk grade.</p>

Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020

	Comments	Compliance
<p>Building Materials and Quality <u>909.14.A. – Primary Opaque Surfaces – All Districts</u> Other than the accent materials listed in 909.14.G., ninety percent (90%) of the non-glass surfaces of each elevation of the exterior building façade shall be composed of one or more of the following materials:</p> <ol style="list-style-type: none"> 1. Brick 2. Stone 3. Cast stone 4. Factory finished and certified wood, including, but not limited to: <ol style="list-style-type: none"> a. Wood shingles (cedar shingles six (6) inch maximum exposure) b. Lap-siding (six (6) inch maximum width) 5. Stucco 	<p>The exterior material used in the building are stone panels. The following is a list of the percentages of primary opaque surfaces on each façade: North: 95.4% East: 92.2% South: 91.3% West: 90.8%</p>	<p>Yes</p>
<p><u>909.14.B. – Façade Coverage – All Districts</u> The primary opaque surface materials of all free standing buildings must be the same on all façades of the building.</p>	<p>The primary opaque surface is the same on all sides of the building</p>	<p>Yes</p>
<p><u>909.14.C. – Type of Brick – All Districts</u> On all façades of a free-standing building where brick is used, full course modular, Roman, Norman or other standard size brick must be used.</p>	<p>Brick is not used on the façade.</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p>909.14.D. – Façade Detail – All Districts 1. Brick and/or stone façades shall be well detailed and dimensionally designed in order to avoid fractional cuts and odd pieces. All outside brick corners must be full bricks (custom if necessary), with no mitering, forming continuous vertical joints. 2. The narrow face of an exposed stone butt joint, at corners, must be a minimum dimension of two (2) inches. Mitered and quirked stone corners are also acceptable.</p>	<p>The proposed stone work complies with this design requirement.</p>	<p>Yes</p>
<p>909.14.E. – Brick Joints – All Districts 1. The mortar for brick must be dark grey or in the color range of the brick. All joints must be concave or 'v' joint. No mortar may be used beyond the face of the brick. 2. All brick walls must be built to avoid efflorescence</p>	<p>Brick is not used on the façade.</p>	<p>N/A</p>
<p>909.14.F. – Stone Joints – All Districts Stone joints shall be no larger than one-fourth (1/4) inch.</p>	<p>The proposed stone joints are less than one-fourth (1/4) inch</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p><u>909.14.G. – Accent Materials – All Districts</u> Only the following materials may be used for lintels, sills, cornices, bases, and decorative accent trims, and must be no more than 10 percent (10%) of the non-glass surfaces of each elevation of the exterior building façade:</p> <ol style="list-style-type: none"> 1. Stone 2. Cast stone 3. Copper (untreated) 4. Rock faced stone 5. Aluminum or painted steel structural shapes 6. Fiber cement board 7. Premium grade wood trim with mitered outside corners. Examples of premium grade wood are cedar, redwood, and fir. 8. EIFS 	<p>The proposed project has less than 10% of the materials listed in City Code section 909.14.G.</p>	<p>Yes</p>
<p><u>909.14.H. - Parapets, Flashing, Coping – All Districts</u></p> <ol style="list-style-type: none"> 1. Only the following materials may be used for parapets, flashing and coping: <ol style="list-style-type: none"> a. copper (untreated) b. brick c. stone d. cast stone e. premium grade wood. 2. Pre-finished, painted .032 aluminum may only be used as a standard parapet coping with a maximum exposed edge of five (5) inches. 	<p>The proposed flashing and parapet is prefinished, painted .032 aluminum which is under five (5) inches. The coping along the second floor roof is stone.</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p><u>909.14.I. – Awnings – All Districts</u> 1. Only the following types of awnings may be used:</p> <ul style="list-style-type: none"> a. Fabric awnings of a heavy canvas in dark solid colors or other colors that are approved as part of the design review process b. Highly detailed, ornate metal in dark colors c. Glass awnings <p>2. Backlit awnings are prohibited.</p> <p>3. Awnings with text or graphic material may be permitted but require approval via the sign permit process of the Zoning Ordinance.</p>	<p>The proposed project has one awning made of black painted aluminum panel Alucobond Plus and/or structural steel shapes.</p> <p>The awning extends past the property line and will require an Encroachment Agreement with the City.</p>	<p>Yes, subject to an Encroachment Agreement with the City.</p>
<p><u>909.14.J. – Balconies – All Districts</u> Balconies shall be accessible and useable by persons. Fake or unusable balconies are prohibited. All balconies shall remain within the property line. Metal railings with members painted dark, or glass panels are permitted.</p>	<p>The balcony is located on the second floor and is accessible and useable. The railings are glass panels.</p>	<p>Yes</p>
<p><u>909.14.K – Glass – All Districts</u> Glass shall not be mirrored, reflective or darkened. Slight green, bronze and grey tints are acceptable. Spandrel glass shall not be counted as transparent glass for the purposes of calculations under the transparency requirements of Section 909.11 of the Standards but may be used for detailing purposes. Environmentally appropriate glass, such as Low-emissivity glass, shall be used in all projects.</p>	<p>The proposed glass is not mirrored, reflective or darkened, and is low-emissivity.</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p>909.14.L. – Door Systems – All Districts Unless there are building security concerns, main entry doors shall be primarily glass. If, for security reasons, a main entry door is not possible or practical, a main entry door must be well detailed. Appropriately designed wood doors may be utilized for retail and office buildings.</p>	<p>The proposed entry doors would be glass.</p>	<p>Yes</p>
<p>Franchise Architecture</p>		
<p>909.15. – All Districts A. Typical or standardized franchise architecture (including building design that is the trade dress of, or identified with a particular chain, franchise or business and is repetitive in nature) is prohibited. B. Large, bold or bright signage, trade dress or logos must be altered and scaled down to meet the purpose of these standards as articulated herein, and must not be repeated on the facades of the principal structure more than once. All new, altered and/or proposed signage for buildings must be submitted for review under Section 909.22 by the Planning Commission at the time of Design Standards Review application</p>	<p>This is not a franchise building.</p>	<p>Yes</p>
<p>Comments</p>		
<p>Compliance</p>		

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

	Comments	Compliance
<p>Walkways 909.16.A. – Lake Street District</p> <ol style="list-style-type: none"> 1. Continuous sidewalks at least 12 feet in width shall be provided along all public street frontages. 2. Lighted sidewalks shall extend between rear and side parking areas and building entrances. All sidewalk lighting must project downward. 3. Buildings with street frontage exceeding 50 feet shall have at least one bench. 4. All sidewalk surfaces must match the exposed aggregate/brick accent sidewalks on Lake Street. 	<p>Plans for the City's project, Lake Effect will include a concrete sidewalk, benches and a planting area.</p> <p>A deviation from this requirement has been requested by the applicant and is recommended by staff so that the streetscape along Lake St. is consistent with the Lake Effect Plan.</p>	<p>The Planning Commission should determine if a deviation should be granted.</p>

Design Review
 City of Wayzata Zoning Ordinance, Section 909, Design Standards
 Lothenbach Family Office, 401 Lake St E
 January 6, 2020

Landscaping	Comments	Compliance
<p>909.17 – All Districts</p> <p>1. Seasonal landscaping shall be used in all Design Districts, including use of window boxes, hanging flowers baskets, vines and/or other similar seasonal landscaping. If feasible, garden areas and ornamental trees shall be used at the street level.</p> <p>2. Window boxes, hanging baskets and planters with seasonally appropriate plantings shall be used around entries to buildings.</p> <p>3. Vines shall be used to cover walls with more than one hundred (100) square feet of uninterrupted surface area.</p> <p>4. Streetscaping shall include all of the following: a) Boulevard species trees, with at least three (3) caliper inches. b) Exposed aggregate sidewalks with brick accents c) Street lights d) Benches (if building length is 50 feet or greater), which utilize existing city bench designs. e) Flowers</p>	<p>Window boxes, hanging flowers or vines have not been included as part of the project, but the project includes seasonal planters at the street level. Garden areas and window boxes at the street level are not feasible.</p> <p>Planters with seasonally appropriate plants are located along Lake St.</p> <p>There is not a façade which is more than 100 square feet of uninterrupted surface area.</p> <p>Boulevard trees and other elements as of the proposed Lake Effect plan have been incorporated into the Proposed plan.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p><u>909.17.B. – Lake Street District</u> 1. Established Lake Street landscape treatments shall be followed in accordance with the specifications of the Wayzata Engineering Guidelines set forth in Wayzata City Code. Exposed aggregate with brick accent sidewalks shall be used. 2. Approved boulevard trees, planted in sidewalk areas, shall be planted no more than 26 feet on center from each other.</p>	<p>The sidewalk will have exposed aggregate with brick accents. Boulevard trees no less than 26 feet apart will be planted along sidewalk areas.</p>	<p>Yes Yes</p>
--	---	---------------------------

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

	Comments	Compliance
<p>Parking Lot Landscaping 909.18 – All Districts A landscaped buffer strip at least five (5) feet wide shall be provided between all parking areas and the sidewalk or street. The buffer strip shall consist of shade trees appropriately spaced for the particular Design District, and a decorative metal fence, masonry wall or hedge. A solid wall or dense hedge shall be no less than three (3) feet and no more than four (4) feet in height.</p>	<p>A surface lot is not proposed for this project.</p>	<p>N/A</p>
<p>Surface Parking 909.19 – All Districts A. Off-street parking shall be located to the rear of buildings. When parking must be located in a side yard adjacent to the street, a landscaped buffer shall be provided in accordance with the Design Standards. The street frontage occupied by parking shall not exceed sixty (60) feet per property. B. Side-by-side parking lots creating a parking area frontage longer than sixty (60) feet are prohibited, except where a heavily landscaped buffer of at least twenty (20) feet wide completely separates both lots. C. Side yard parking shall not extend beyond the front yard setback of the primary building on the property. D. Front yard parking is prohibited. E. There shall be no corner parking.</p>	<p>A surface lot is not proposed for this project.</p> <p>A surface lot is not proposed for this project.</p> <p>A surface lot is not proposed for this project.</p> <p>A surface lot is not proposed for this project.</p> <p>A surface lot is not proposed for this project.</p>	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

	Comments	Compliance
<p>909.20 – All Districts – Bicycle Parking Commercial developments requiring more than twenty (20) parking spaces shall provide at least four (4) bicycle parking spaces in a convenient, visible, preferably sheltered location.</p>	<p>Four (4) bicycle spaces are provided in the covered, above ground parking area.</p>	<p>Yes</p>
<p>Parking Structures</p>		
<p>909.21.A. – All Districts Parking structures shall meet the following standards, along with all other applicable building code standards:</p>		
<p>1. The ground floor façade abutting any public street or walkway shall be architecturally compatible with surrounding commercial or office buildings.</p>	<p>The façade of the parking structure which abuts Manitoba Ave is designed to be architecturally compatible with the building.</p>	<p>Yes</p>
<p>2. The parking structure shall be designed in such a way that sloped floors do not dominate the appearance of the façade.</p>	<p>The floors of the parking structure are not visible from the exterior.</p>	<p>Yes</p>
<p>3. Windows or openings shall be similar to those of surrounding buildings.</p>	<p>There are not windows into the parking structure.</p>	<p>Yes</p>
<p>4. Vines and other significant landscaping shall be used to minimize the visual impact of the parking structure.</p>	<p>Vines and landscaping are not needed, as the structure is located within the building.</p>	<p>Yes</p>

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

<p><u>909.21.B. – Lake Street District</u></p> <ol style="list-style-type: none"> 1. If any part of a parking structure abuts Lake Street, that entire portion of the ground floor facade shall be occupied by at least 80 percent retail usage, extending to a depth of at least 30 feet. 2. The ground floor level of a parking structure shall not come within 40 feet of Lake Street. 3. The top decks of parking structures visible from adjacent properties shall be designed with trellises and landscaping sufficient to screen at least 50 percent of the visible area. 	<p>The parking structure does not abut Lake St.</p> <p>The ground floor of the parking structure is greater than 40 feet away from Lake St. There is not a top deck of a parking structure which is visible from adjacent properties.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
---	--	----------------------------------

**Design Review
City of Wayzata Zoning Ordinance, Section 909, Design Standards
Lothenbach Family Office, 401 Lake St E
January 6, 2020**

Signs	Comments	Compliance
<p><u>909.22 – All Districts</u> A. Compatibility</p> <ol style="list-style-type: none"> 1. Signs shall be architecturally compatible with the style, composition, materials, colors and details of the building, and with other signs on nearby buildings. Signs shall be an integral part of the building and site design. 2. A sign plan shall be developed for buildings which house more than one (1) business. Signs need not match, but shall be compatible with one another. Franchise or national chains must comply with these Sign Standards to create signs compatible with their context. 3. When illuminated signs are proposed, only the text and/or logo portion of the sign may be illuminated. Illuminated signs must be compatible with the location. Illumination of the sign to highlight architectural details is permitted. Fixtures shall be small, shielded, and directed towards the sign rather than toward the street, so as to minimize glare for pedestrians and adjacent properties. 4. Sign plans must be submitted for review as part of an Applicant for Design Approval. Proposed signs must also conform to the requirements of Chapter 927 of the Wayzata Zoning Ordinance. 	<p>Proposed signage for "401 Lake Street", "Garage Parking" and "Visitor Parking" are architecturally compatible with the building and are an integral part of the building and site design.</p>	<p>Yes, subject to City staff review of a final Sign Permit.</p>

**Design Review
 City of Wayzata Zoning Ordinance, Section 909, Design Standards
 Lothenbach Family Office, 401 Lake St E
 January 6, 2020**

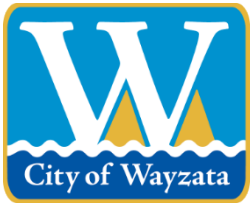
<p>909.23.A. – Permitted Signs – Lake Street District Only the following types of signs are permitted in the Bluff Street District:</p> <ol style="list-style-type: none"> 1. Awning, canopy or marquee signs. 2. Wall signs. 3. Monument or ground signs. 4. Projecting signs. 5. Window signs (small accent signs). 6. Roof signs if located on pitched-roof buildings, below the peak of the roof. 	<p>The proposal includes wall signage.</p>	<p>Yes</p>
--	--	------------

Design Review
 City of Wayzata Zoning Ordinance, Section 909, Design Standards
 Lothenbach Family Office, 401 Lake St E
 January 6, 2020

	Comments	Compliance
<p>Parking Lot and Building Lighting 909.24 – All Districts</p> <p>A. Parking lot lighting shall be designed in such a way as to be in scale with its surroundings, and reduce glare.</p> <p>B. Cutoff fixtures shall be located below the mature height of trees located in parking lot islands so as to minimize ambient glow and light pollution.</p> <p>C. Pedestrian-scale lighting, not exceeding thirteen (13) feet in height, shall be located on walkways and adjacent to store entrances. All sidewalk lighting must be projected downwards. City light standard shall be followed for all public streets.</p> <p>D. Light posts shall be of a dark color.</p> <p>E. Lighting fixtures shall be compatible with the architecture of the building.</p> <p>F. Lights attached to buildings shall be screened by the building's architectural features to eliminate glare to adjacent properties. All façade lighting must be projected downwards.</p> <p>G. All lighting fixtures shall comply with City Code Section 916.06 as it relates to glare.</p>	<p>Lighting fixtures are compatible with the architecture of the building and are compliant with the City Code as it replaces to glare. All lighting is projected downwards.</p>	<p>Yes, subject to a final review of the lighting plan with the Building Permit Application.</p>

The following items are subject to additional approvals:

1. Building Lighting is subject to a final review and approval with the Building Permit Application
2. Final signage is subject to review and approval Sign Permit.
3. Building Awning are required to obtain an Encroachment Agreement



City of Wayzata Planning Commission Agenda Report

MEETING DATE: November 17, 2025	AGENDA ITEM: 7.a
TITLE: Review of Development Activities	
PREPARED BY: Haily Hedblom, Planner	
REVIEWED BY: Alex Sharpe, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

Verbal updates will be provided at the meeting.

ACTION REQUESTED:

N/A

ATTACHMENTS:

None



City of Wayzata Planning Commission Agenda Report

MEETING DATE: November 17, 2025	AGENDA ITEM: 7.b
TITLE: Planning Commission Meeting Schedule	
PREPARED BY: Haily Hedblom, Planner	
REVIEWED BY: Alex Sharpe, Community Development Director	
60 DAY DEADLINE: N/A	

BACKGROUND:

The 2025 City Calendar and City Council Liaison Schedule are attached. The next Planning Commission meeting is scheduled for Monday, December 1.

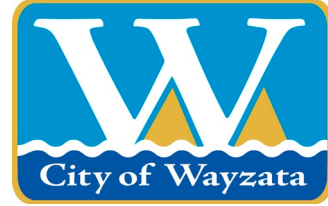
ACTION REQUESTED:

N/A

ATTACHMENTS:

1. Wayzata calendar 2025 revised 05.27.2025

City of Wayzata 2025 Meeting Calendar



January 2025						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2025						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2025						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2025						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2025						
S	M	T	W	Th	F	S
			1	2	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2025						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2025						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2025						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2025						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

- Energy & Environment 5:30 PM
- Planning Commission - 6:30 PM
- City Council - 7:00 PM
Local Board of Appeal & Equalization - April 17th
- Charter Commission - 9:00 AM
- Lake Minnetonka Conservation District (LMCD)
- Heritage Preservation Board (HPB) - 11:30 AM
- Housing & Redevelopment Authority (HRA) - 7:30 AM
- Parks & Trails Board - 6:00 PM
- Night to Unite
- Holiday Observed
City Offices Closed
- Election
Precinct Caucuses - no statewide caucus in 2025

Meeting dates and times are subject to change. Dates can be confirmed by calling City Hall.

Revised
5/27/2025