



Memorandum

To: Mayor Nelson and Members of the City Council
From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer
Date: May 5, 2022
Subject: Performance Standards Updates

At the April 18 meeting, the City Council approve a moratorium on building permits which required site plan approval under Section 16.20.060 of the City Code to allow for a study to be completed on performance standards within the City.

The moratorium was prompted by inquiries from a builder representing Quickway Rigging to construct a 120' wide by 280' long all-metal building next to the former Shorty's Towing building on Osborne Road. A rendering of the proposed building is included with this memorandum.

Staff presented draft performance standards to the Planning Commission (see attached ordinance) at its April 25 meeting. The Planning Commission, with the exception of a minor change to B(2) regarding odors, was satisfied with the changes presented in Section A and Section B(1)-B(13) of the proposed ordinance. Significant discussion centered on B(14), which centered around visual elements of buildings.

Green - added language; Red - ~~deleted language~~

14. *Visual.*

- a. It is hereby affirmed as essential public policy that the appearance of this community is a proper matter for public concern and that all open spaces, buildings, signs, plantings, surfaces, and structures which may be seen are subject to the provisions of this title.
- b. **All buildings must be built in conformance with the Minnesota State Building Code.** All principal buildings other than single- and two-family homes shall be designed by a registered architect and shall be certified in accordance with the appropriate statutes of the state. ~~On any building visible from a public street, the following materials shall not be permitted on exterior wall surfaces: sheet metal, either corrugated or plain, unfinished structural clay tile, common concrete masonry units, concrete brick, or similar materials. These materials, however, may be used in a proper arrangement, or combination with other materials of a permanent nature with good architectural design and appeal.~~ The application for a building permit shall be accompanied by exterior elevations of the proposed building which will adequately and accurately

- indicate the height, size, bulk, design, and the appearance of all elevations and a description of the construction and materials proposed to be used therein.
- c. Building elevations and facades should include a variety of architectural features and building materials to provide visual interest and give each project a distinctive character. For non-residential districts, exterior building finishes shall consist of materials comparable in grade and quality to the following:
 - (1) Face brick
 - (2) Natural or cementitious stone
 - (3) Decorative concrete block or integral colored block
 - (4) Architectural glass
 - (5) Stucco (natural or artificial), including exterior insulated finishing systems (EFIS)
 - (6) Fiber cement siding
 - (7) Precast concrete
 - (8) Curtain wall panels of steel, fiberglass and aluminum (non structural, non-load bearing), provided such panels are factory fabricated and finished with a durable non-fade surface and their fasteners are of a corrosion resistant design. Up to 20% of any wall surface may consist of the materials outlined herein (excludes overhead doors)
 - (9) Other materials deemed appropriate and subject to approval by the Zoning Administrator.
 - d. *Prohibited materials.* Prohibited materials include face materials that rapidly deteriorate or become unsightly such as unfinished/nonpigmented structural concrete block, galvanized metal, unglazed structural clay tile or common or back-up quality brick.
 - e. The building design should exhibit architectural uniqueness in building lines, shades and angles to maximize architectural uniqueness.

After hearing testimony from the owner of Quickway Rigging about the added costs associated with the new performance standards, the Planning Commission asked staff to draft language that separates buildings in commercial districts from those in industrial districts and to add more flexibility in building materials for buildings in industrial districts.

Quickway Rigging did present a drawing to the Planning Commission on Monday night that depicted additional architectural features on the proposed building. Staff was not able to obtain a copy.

Staff has made amendments to the proposed ordinance to incorporate the Planning Commission's feedback. That draft is included with this memorandum. Staff is seeking feedback from the City Council on this topic before taking this matter back to the Planning Commission.

If you have any questions, please don't hesitate to contact me at 763-784-6491.