

**RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
November 10, 2010**

The Bismarck Renaissance Zone Authority met on November 10, 2010 in the 2nd Floor Conference Room in the City-County Office Building at 221 North 5th Street.

Authority members present were Dave Blackstead, Chuck Huber, Kevin Magstadt, Brenda Smith, and Curt Walth.

Technical Advisor Jeff Ubl was present.

Staff members present were Jason Tomanek, Kimberley Gaffrey, Carl Hokenstad, Kim Lee, Brenda Johnson and Charlie Whitman.

Guests present were Loran Galpin – 501 East Main Avenue, Jim Christianson – PO Box 1097 and Dawn Kopp & Kate Herzog (Downtowners).

CALL TO ORDER

Chairman Blackstead called the meeting to order at 4:00 p.m.

MINUTES

The minutes of the October 13, 2010 meeting were distributed with the agenda packet.

MOTION: A motion was made by Mr. Huber and seconded by Mr. Walth to approve the minutes of the October 13, 2010 meeting as received. The motion passed unanimously with members Blackstead, Huber, Magstadt, Smith, and Walth voting in favor.

RENAISSANCE ZONE PROJECT DISCUSSION

401 North 4th Street – 613 Development Corporation – New Construction

Mr. Tomanek said that members of the Downtown Design Review Committee (Jeff Ubl, Kim Lee and Jason Tomanek) met with Loran Galpin on Friday, October 29, 2010. The purpose of the meeting was to view and discuss the various levels of glass transparency as it pertains to the DC-Downtown Core regulations for Design Standards and Building Materials. The proposed exterior building materials include a stone-stepped base along the south façade, stainless steel banding, reflective metal banding and colored glass. Mr. Tomanek went on to say that at the October 13, 2010 Renaissance Zone Authority meeting the request from 613 Development Corporation/Loran Galpin was considered. The recommendation made by the Renaissance Zone Authority to the Board of City Commissioners stated, “The Renaissance Zone Authority held a public hearing on this request on October 13, 2010, and recommended designation of the construction of a new building at 401 North 4th Street as a Renaissance Zone project, a 100% property tax exemption on the building and improvements for five years beginning with the date

of completion and first occupancy, and an exemption from state tax on income derived from the business/investment location for five years beginning with the date of completion and first occupancy, and with the understanding that: 1) The exterior design of the proposed building will be modified to conform with the requirements of the DC-Downtown Core zoning district. In particular, the exterior of the building may not be covered by more than 40% non-transparent glass; 2) Appropriate landscaping and streetscape elements are included with the project; and 3) The above-mentioned conditions would be reviewed and approved by the Downtown Design Review Committee prior to obtaining a building permit for construction.” Mr. Tomanek continued by saying the Board of City Commissioners acted on the recommendation and upheld the aforementioned conditions on October 26, 2010.

Previously the Renaissance Zone Authority considered a similar situation regarding proposed building materials. On October 9, 2006 the Renaissance Zone Authority passed a motion allowing the use of EIFS as a primary exterior building material on the building at 122 East Main Avenue (Project 30-B). Excerpts from the minutes of that meeting include: “Discussion followed the presentation. There were some general concerns with the chosen exterior material for the building. Mr. Bohrer stated the material chosen is a higher grade of EIFS than typically used. Mr. Bohrer also mentioned that the application techniques have a factor in the wear and overall sustainability of the Dryvit brand EIFS material. There was also discussion expressing the concerns that this project will set precedence for future projects allowing various EIFS applications throughout the downtown area. The concern is that EIFS material will be used to cover higher quality surfaces such as limestone and brick. Mr. Walth asked that minutes reflect that this building is new construction and not a refinishing of a previously constructed building façade. The general consensus of the Renaissance Zone Authority members was that the building is a nice design and it has an overall a favorable appearance.” The approved motion states: “A motion was made by Mr. Keiser and seconded by Mr. Walth to recommended designation of the construction of a new building at 122 East Main Avenue as a Renaissance Zone project, a 100% property tax exemption on the building and improvements for five years beginning with the date of completion and first occupancy, and an exemption from state tax on income derived from the business/investment location for five years beginning with the date of completion and first occupancy, with the understanding that the project will include landscaping as shown on the proposed site plan and in accordance with the City’s landscaping and screening requirements and be constructed as shown on the building elevations with the materials presented. The motion also included a statement that the materials were appropriate given the fact that this building is new construction and the materials would be in keeping with the intent of the guidelines for building materials already established for the Downtown Core district. With members Blackstead, Huber, Keiser, Magstadt, and Walth voting in favor, the motion passed unanimously.”

Mr. Tomanek concluded by saying that in order for 613 Development Corporation to proceed with the project at 401 North 4th Street, the Renaissance Zone Authority must act to finalize the request. In particular, the Renaissance Zone Authority must decide on one of the following elements: 1) to allow the project to proceed as proposed recognizing that the proposed building materials are an equivalent or better material than brick, stone, architectural concrete or pre-cast concrete, or 2) to require the proposed building walls visible from the street to be primarily faced with brick, stone, architectural concrete or pre-cast concrete.

After a some discussion, it was the general consensus of the Renaissance Zone Authority that the project meets the spirit and intent of the ordinance and that the proposed building materials are an equivalent or better material than brick, stone, architectural concrete or pre-cast concrete.

MOTION: A motion was made by Mr. Huber and seconded by Mr. Magstadt to recommend approval of the project at 401 North 4th Street to proceed as proposed, recognizing that the proposed building materials are an equivalent or better material than brick, stone, architectural concrete or pre-cast concrete. The motion passed unanimously with members Blackstead, Huber, Magstadt, Smith and Walth voting in favor.

DOWNTOWN CORE ZONING DISTRICT AND DOWNTOWN DESIGN REVIEW

Downtown Core Zoning Regulations or Design Guidelines

Mr. Tomanek said that the purpose of the Downtown Core District (DC) is to preserve and enhance the mixed-use, pedestrian-oriented nature of the City's downtown area. The district allows a wide range of mutually supportive uses in order to enhance downtown Bismarck's role as a commercial, cultural, governmental, health/medical, entertainment and residential center. He went on to say that the district standards also facilitate the creation of a strong and distinctive sense of place through the inclusion of open space and public plazas. The use of design standards will maintain the historical integrity, enhance the quality of design, and preserve the human-scale development of downtown. Mr. Tomanek stated that the purpose of the Downtown Fringe District (DF) is to strengthen and complement the City's downtown area by allowing uses not normally allowed in the Downtown Core District. The Downtown Fringe District also serves to provide a transitional area between the Downtown Core District and adjacent commercial and residential zoning districts. He commented that the uses allowed in this district usually require larger parcels and a greater emphasis on automobile access and parking. Mr. Tomanek explained that the both the DC and DF districts address many elements including allowable uses, building setbacks, building materials, the height of buildings, alignment, width, horizontal rhythms, entrances, display windows, rooftop equipment and exposed common walls. He concluded by saying that the purpose of this agenda item is to generate discussion on whether the language pertaining to the visual appearance of buildings within the DC and DF should continue to be requirements, if the language should be omitted from the DC and DF zoning districts and treated as guidelines and recommendations, or if other changes to the regulations should be considered.

After a brief discussion it was the general consensus of the Renaissance Zone Authority that the ordinance language is to be reviewed by staff and possible amendments to the regulations and design guidelines be presented at the next meeting.

MOTION: A motion was made by Mr. Walth and seconded by Ms. Smith to recommend amending the language in the ordinance pertaining to the building materials in the Downtown Core and Downtown Fringe zoning districts. The motion passed unanimously with members Blackstead, Huber, Magstadt, Smith and Walth voting in favor.

STATUS OF APPROVED RENAISSANCE ZONE PROJECTS

Mr. Tomanek said that no Renaissance Zone projects have been closed out since the last Renaissance Zone Authority meeting.

STATUS OF APPROVED CORE INCENTIVE PROJECTS

Mr. Tomanek said that no CORE Incentive Program Projects have been closed out since the last Renaissance Zone Authority meeting.

OTHER BUSINESS

Mr. Huber inquired as to the status of the tax increment funds. Mr. Whitman said the Board of City Commissioners has chosen to not to use any of the tax increment funds for the duration of the lawsuit.

ADJOURNMENT

There being no further business, Chair Blackstead adjourned the meeting of the Bismarck Renaissance Zone Authority at 3:57 p.m.

Respectfully Submitted,

Kimberley Gaffrey
Recording Secretary

APPROVED:

David Blackstead
Chair