



Community Development Department

BISMARCK PLANNING AND ZONING COMMISSION
MEETING AGENDA
November 16, 2016

Tom Baker Meeting Room 5:00 p.m. City-County Office Building

Item No. Page No.

MINUTES

- 1. Consider approval of the minutes of the October 26, 2016 meeting of the Bismarck Planning & Zoning Commission.

CONSENT AGENDA

CONSIDERATION

The following items are requests for a public hearing.

- 2. Lot 19, Block 2, Sonnet Heights Subdivision Second Replat (JW) Zoning Change (RM30 to CG) | ZC2016-020 1
Staff recommendation: deny [] schedule a hearing [] table [] deny
3. Lots 7-12, Block 37, Governor Pierce Addition (JW) Zoning Change (CG to MA) | ZC2016-0217
Staff recommendation: schedule a hearing [] schedule a hearing [] table [] deny

REGULAR AGENDA
PUBLIC HEARINGS

The following items are requests for final action and forwarding to the City Commission

- 4. Lot 8, Block 1, Airport Expressway Addition (WH) Special Use Permit (Child Care Facility) | SUP2016-013..... 11
Staff recommendation: approve [] approve [] continue [] table [] deny



5. Infill and Redevelopment Plan (DN) 19

Staff recommendation: approve approve continue table deny

OTHER BUSINESS

6. Item on Table

Lots 1-2, Block 1, Replat of Calkins Addition & Auditor's Lots A & B of the SE¹/₄ of the NE¹/₄ of Section 33, T139N-R80W/City Lands
Zoning Change (RM30 to PUD) | ZC2016-017

7. Other

ADJOURNMENT

8. Adjourn. The next regular meeting date is scheduled for **December 21, 2016.**

Enclosures: Meeting Minutes of October 26, 2016
 Building Permit Activity Month to Date Report for October 2016
 Building Permit Activity Year to Date Report for October 2016



STAFF REPORT

City of Bismarck
Community Development Department
Planning Division

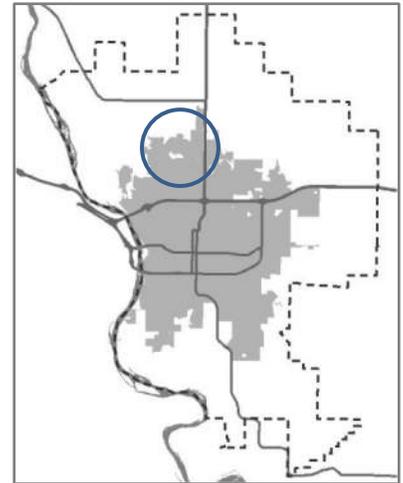
Agenda Item # 2
November 16, 2016

Application for: Zoning Change

TRAKiT Project ID: ZC2016-020

Project Summary

<i>Title:</i>	Lot 19, Block 2, Sonnet Heights Subdivision Second Replat
<i>Status:</i>	Planning & Zoning Commission – Consideration
<i>Owner(s):</i>	Rudy Peltz, 1 st Choice Homes LLC
<i>Project Contact:</i>	Rudy Peltz
<i>Location:</i>	In north Bismarck, between US Highway 83 and Yukon Drive, along the south side of 57 th Avenue NE.
<i>Project Size:</i>	56,220 square feet
<i>Request:</i>	Rezone property to allow for commercial development.



Site Information

Existing Conditions		Proposed Conditions	
<i>Number of Lots:</i>	1 lot in 1 block	<i>Number of Lots:</i>	1 lot in 1 block
<i>Land Use:</i>	Multifamily residential	<i>Land Use:</i>	Commercial
<i>Designated GMP Future Land Use:</i>	Already zoned. Not in Future Land Use Plan	<i>Designated GMP Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	RM30 – Residential	<i>Zoning:</i>	CG – Commercial
<i>Uses Allowed:</i>	RM30 – Multi-family residential	<i>Uses Allowed:</i>	CG – General commercial, multi-family residential, and offices
<i>Max Density Allowed:</i>	RM30 – 30 units / acre	<i>Max Density Allowed:</i>	CG – 42 units / acre

Property History

<i>Zoned:</i>	12/1980 Sonnet Heights 10/2007 Sonnet Heights Subdivision Second Replat	<i>Platted:</i>	12/1980 Sonnet Heights 10/2007 Sonnet Heights Subdivision Second Replat	<i>Annexed:</i>	04/2007
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Staff Analysis

The applicant has requested a zoning change from the RM30 – Residential zoning district to the CG – Commercial zoning district to allow for commercial uses

to be located on Lot 19, Block 2, Sonnet Heights Subdivision Second Replat.

The Planning Division has been periodically asked by prospective property owners to support a zoning

(continued)

change to the CG – Commercial zoning district for this particular property. Planning staff has consistently responded to this request by stating that they would not support a zoning change that would have a higher land use, density and building height than those permitted within the RT – Residential zoning district, as it would not be compatible with adjacent single-family residential land uses. Uses permitted within the RT – Residential zoning district include offices and multi-family residential uses with an overall building height of fifty (50) feet and thirty (30) units per acre.

Adjacent land uses include, an automobile sales facility to the north (Kupper Chevrolet) across 57th Avenue NE, undeveloped CG – Commercial zoned property to the east, single and two-family dwellings to the south and undeveloped RM30 – Residential zoned property to the west.

After receiving the application for the proposed zoning change, planning staff indicated to the applicant that their recommendation would be to deny the request for the reasons outlined above. Staff also indicated that a refund would be given to the applicant if he chose to withdraw his request. The applicant chose to proceed with the request.

A plat note was added to the plat of Sonnet Heights Subdivision Second Replat pertaining to access from 57th Avenue NE at the request of staff, and prior to its approval in October 2007. This note states the following:

- A joint access will be shared by Lots 18 and 19, Block 2 of the plat with the condition that the zoning of these lots remain as RM30 – Residential or a zoning district of lesser intensity;
- A second joint access is allowed on the lot line shared by Lot 19, Block 2, Sonnet Heights Subdivision Second Replat and Lot 1, Block 1, Tree Top Addition and that this access is the only access to 57th Avenue NE from Lot 1, Block 1, Tree Top Addition;
- If lot mergers (combinations) or zoning changes to higher density occurs in this area, the access point shall remain at the location of the lot line

shared by Lots 18 and 19, Block 2, Sonnet Heights Subdivision Second Replat; and

- Full access onto 57th Avenue would be allowed until such time as the City Engineer or the City Engineer’s authorized representative determines that the traffic congestion or safety create the need to restrict this access.

If the Planning Commission approves the zoning change as proposed, modifications to the location of the joint access easements may be necessary.

Required Findings of Fact | Land Use

1. The proposed zoning change generally is outside the area included in the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is not compatible with adjacent land uses and zoning. In particular the proposed zoning change would not provide a zoning transition between existing single and two-family uses to the south and commercial uses proposed for this property;
3. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification at the time the property is developed, provided the lot remains zoned as RM30 – Residential or a zoning district of lesser intensity as outlined in the plat note for Sonnet Heights Subdivision Second Replat;
4. The proposed zoning change is not justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is not in the public interest and is solely for the benefit of a single property owner;
6. The proposed zoning change is not consistent with the general intent and purpose of the zoning ordinance. In particular the proposed zoning change would not provide a zoning transition between the existing single and two-family uses and commercial uses proposed for this property;
7. The proposed zoning change is not consistent with the master plan, other adopted plans,

(continued)

policies and accepted planning practice as a zoning transition would not be made between the existing single and two-family uses and commercial uses proposed for this property; and

8. The proposed zoning change may adversely affect the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends denial of the zoning change from the RM30 – Residential

zoning district to the CG – Commercial zoning district on Lot 19, Block 2, Sonnet Heights Second Replat.

Attachments

1. Location Map
2. Zoning Map
3. Sonnet Heights Subdivision 2nd Replat

Staff report prepared by: Jenny Wollmuth, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Proposed Zoning Change (RM30 to CG)

Lot 19, Block 2, Sonnet Heights Subdivision 2nd Replat

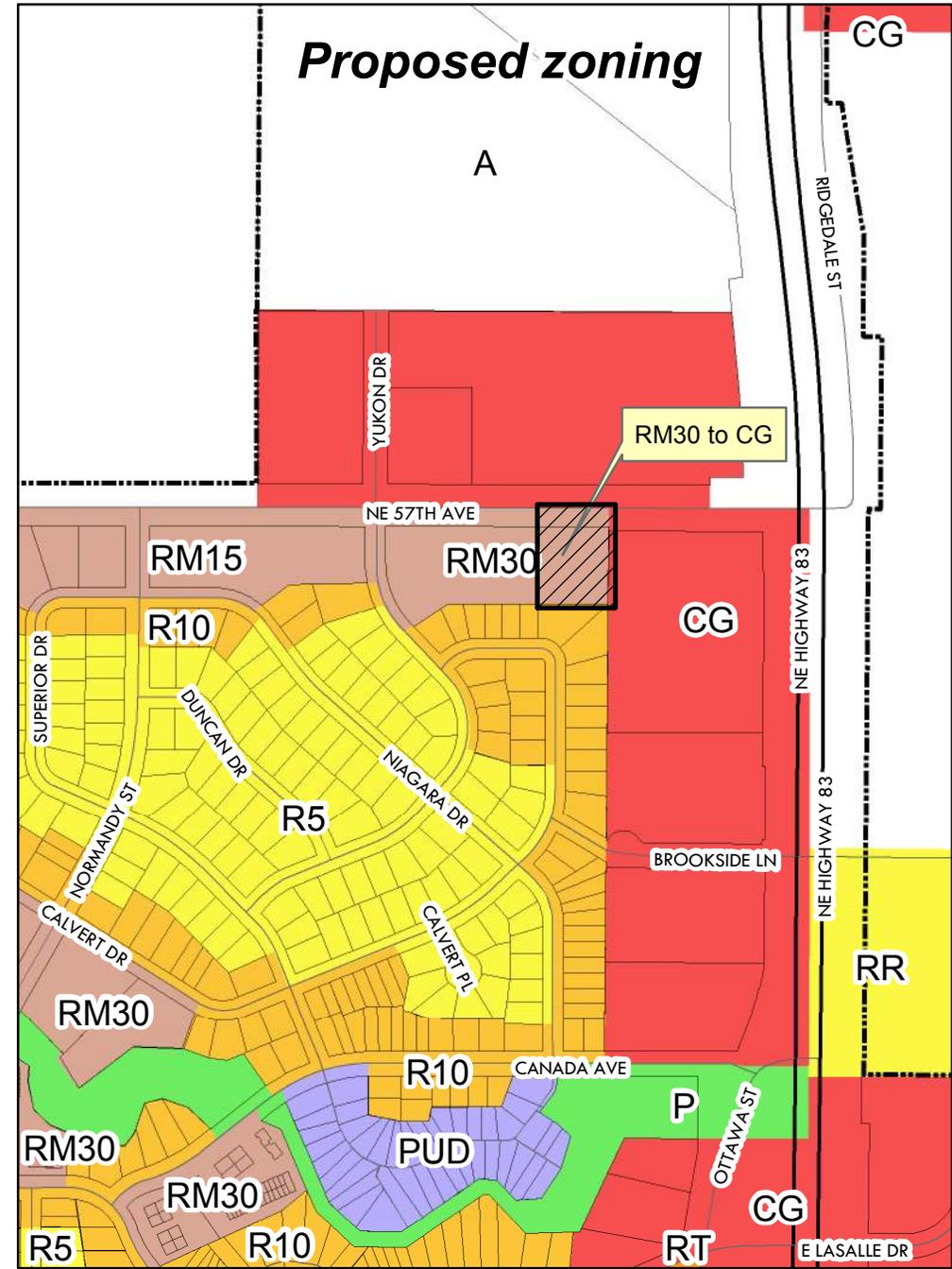
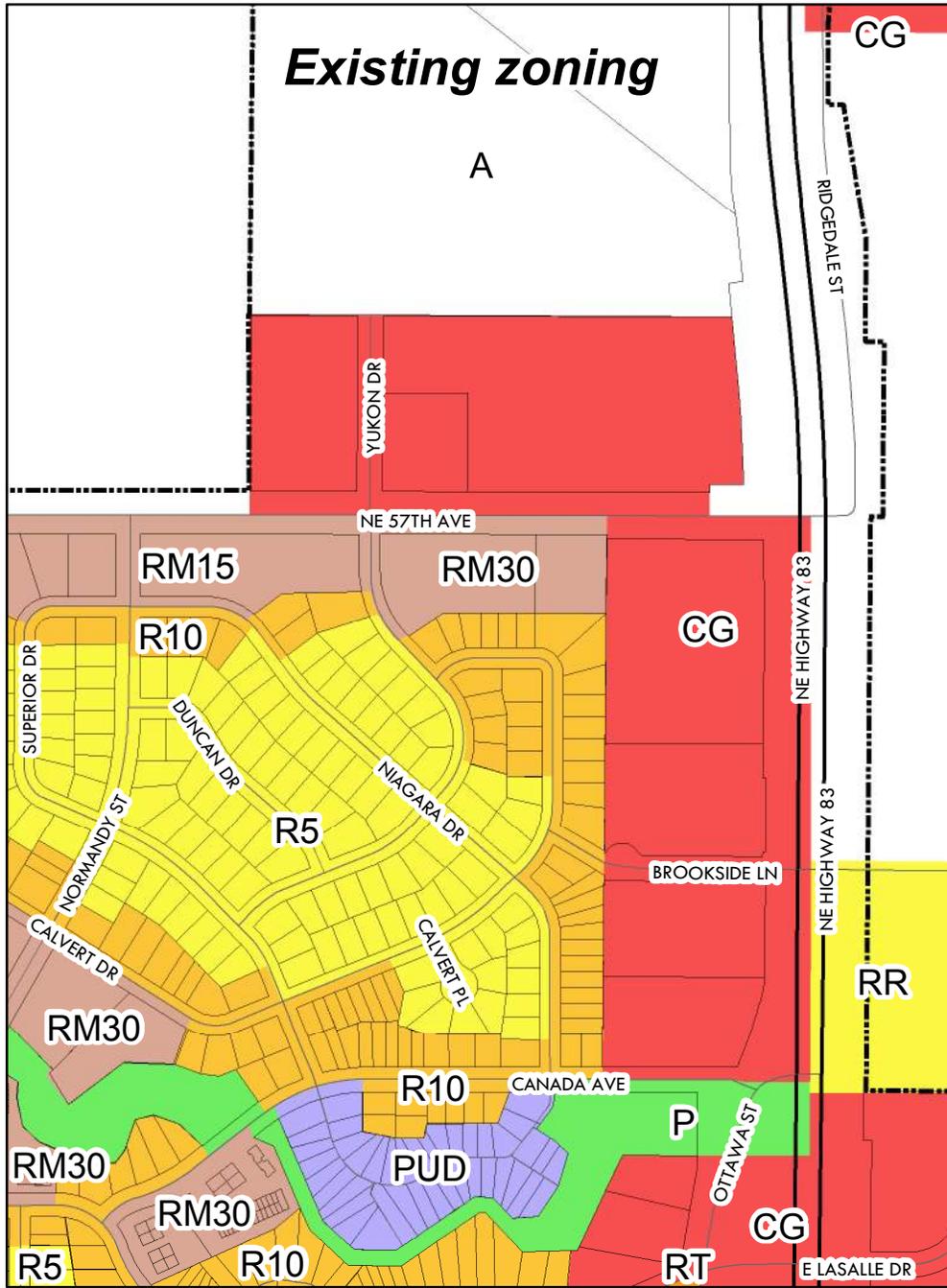


October 3, 2016 (h1b)

This map is for representational use only and does not represent a survey. No liability is assumed as to the accuracy of the data delineated hereon.



Lot 19, Block 2, Sonnet Heights 2nd Addition





STAFF REPORT

City of Bismarck
 Community Development Department
 Planning Division

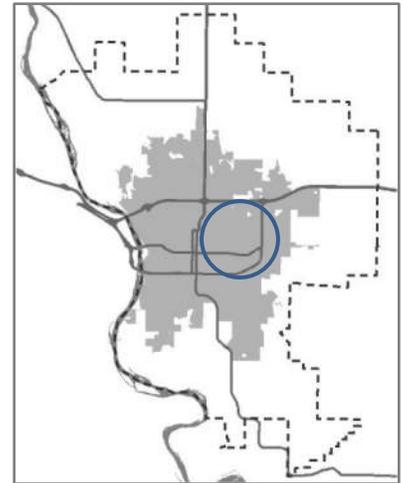
Agenda Item #3
 November 16, 2016

Application for: Zoning Change

TRAKiT Project ID: ZC2016-021

Project Summary

<i>Title:</i>	Lots 7-12, Block 37, Governor Pierce Addition
<i>Status:</i>	Planning & Zoning Commission – Consideration
<i>Owner(s):</i>	Neuberger Holdings, LLC.
<i>Project Contact:</i>	Ken Nysether, PE, SEH Engineering
<i>Location:</i>	In central Bismarck, in the northwest quadrant of the intersection of East Thayer Avenue and North 24 th Street.
<i>Project Size:</i>	22,5000 square feet
<i>Request:</i>	Rezone property to bring existing non-conforming use into compliance and allow for the expansion of an existing warehouse use (Chesak Seed).



Site Information

Existing Conditions		Proposed Conditions	
<i>Number of Lots:</i>	1 parcel in 1 block	<i>Number of Lots:</i>	1 parcel in 1 block
<i>Land Use:</i>	Warehouse	<i>Land Use:</i>	Warehouse
<i>Designated GMP Future Land Use:</i>	Already zoned. Not in Future Land Use Plan	<i>Designated GMP Future Land Use:</i>	Already zoned. Not in Future Land Use Plan
<i>Zoning:</i>	CG – Commercial	<i>Zoning:</i>	MA – Industrial
<i>Uses Allowed:</i>	CG – General commercial, multi-family residential, and offices	<i>Uses Allowed:</i>	MA – Light industrial, general commercial, warehouses, manufacturing and shop condos
<i>Max Density Allowed:</i>	CG – 42 units / acre	<i>Max Density Allowed:</i>	MA – N/A

Property History

<i>Zoned:</i>	04/1959	<i>Platted:</i>	08/1887	<i>Annexed:</i>	Pre-1980
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Staff Analysis

The applicant has requested a zoning change from the CG – Commercial zoning district to the MA – Industrial zoning district in order to bring an existing non-

conforming use, Chesak Seed warehouse, into compliance with zoning and allow for the expansion of the existing warehouse and addition of a retail space for the facility.

(continued)



The proposed zoning change is located within an area of the community that has a mix of commercial and industrial uses. Adjacent land uses include an existing warehouse zoned CG – Commercial to the north, a mobile home park with single-family uses to the east across North 24th Street, industrial uses to the south across East Thayer Avenue, and the Ruth Meier’s Hospitality House Men’s Emergency Shelter to the west.

Required Findings of Fact | Land Use

1. The proposed zoning change generally conforms to the Future Land Use Plan in the 2014 Growth Management Plan, as amended;
2. The proposed zoning change is compatible with adjacent land uses and zoning;
3. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve any

development allowed by the new zoning classification at the time the property is developed;

4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map;
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner;
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance;
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice; and
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Staff Recommendation

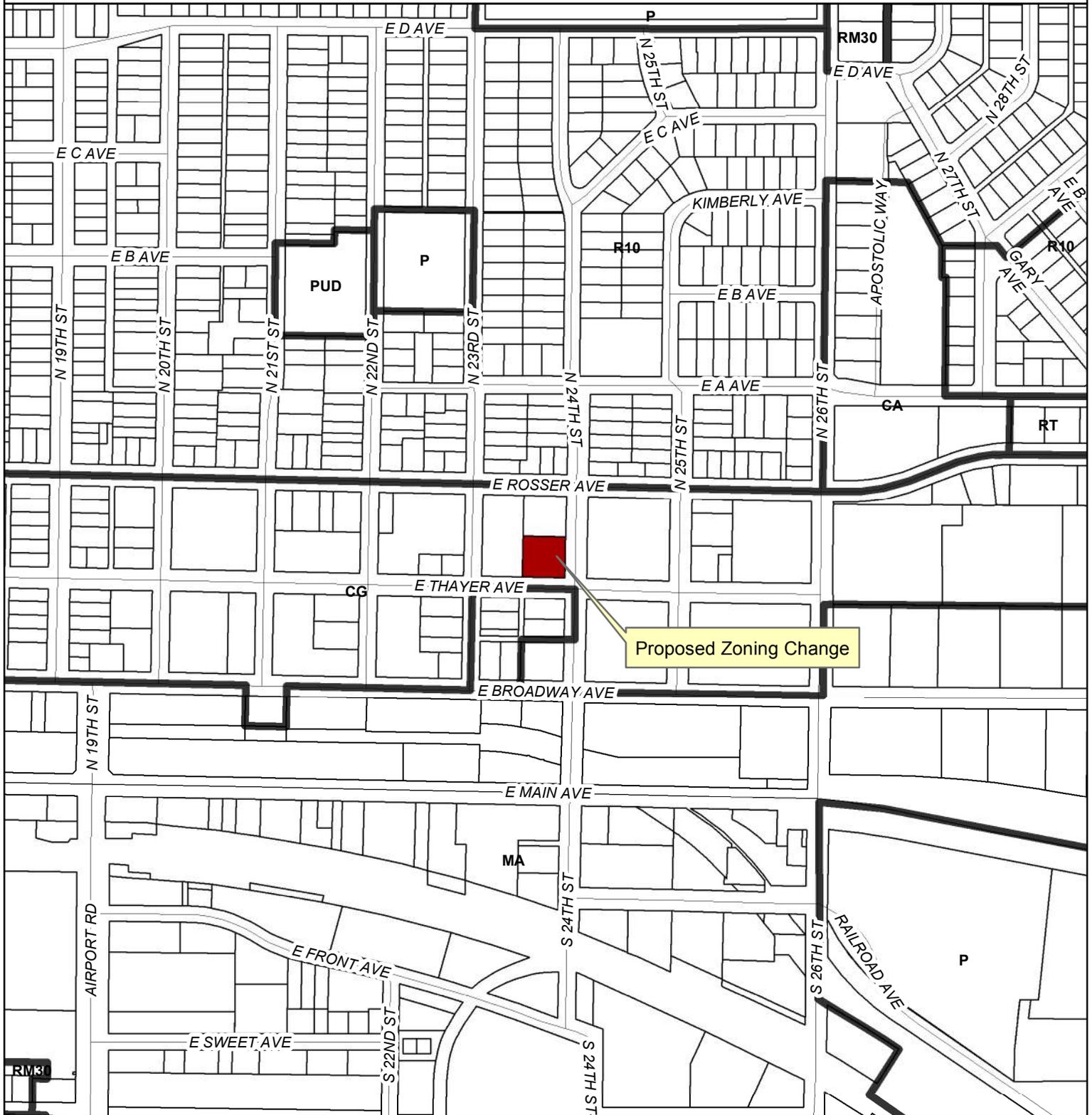
Based on the above findings, staff recommends scheduling a public hearing for the zoning change from the CG – Commercial zoning district to the MA – Industrial zoning district for Lots 7-12, Block 37, Governor Pierce Addition.

Attachments

1. Location Map
2. Zoning Map

Staff report prepared by: Jenny Wollmuth, CFM, Planner
701-355-1845 | jwollmuth@bismarcknd.gov

Proposed Zoning Change (CG to MA) Lots 7-12, Block 37, Governor Pierce Addition

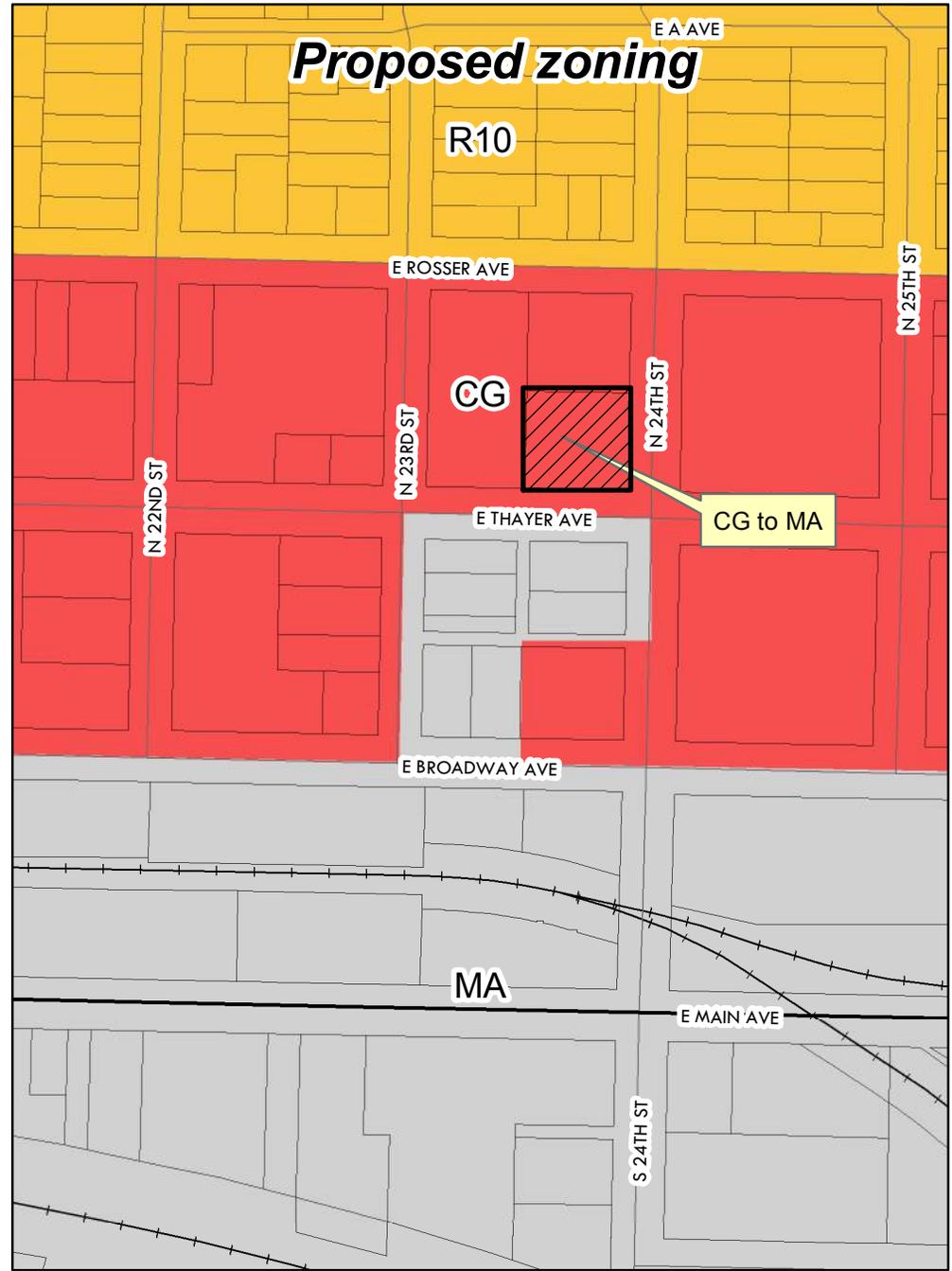
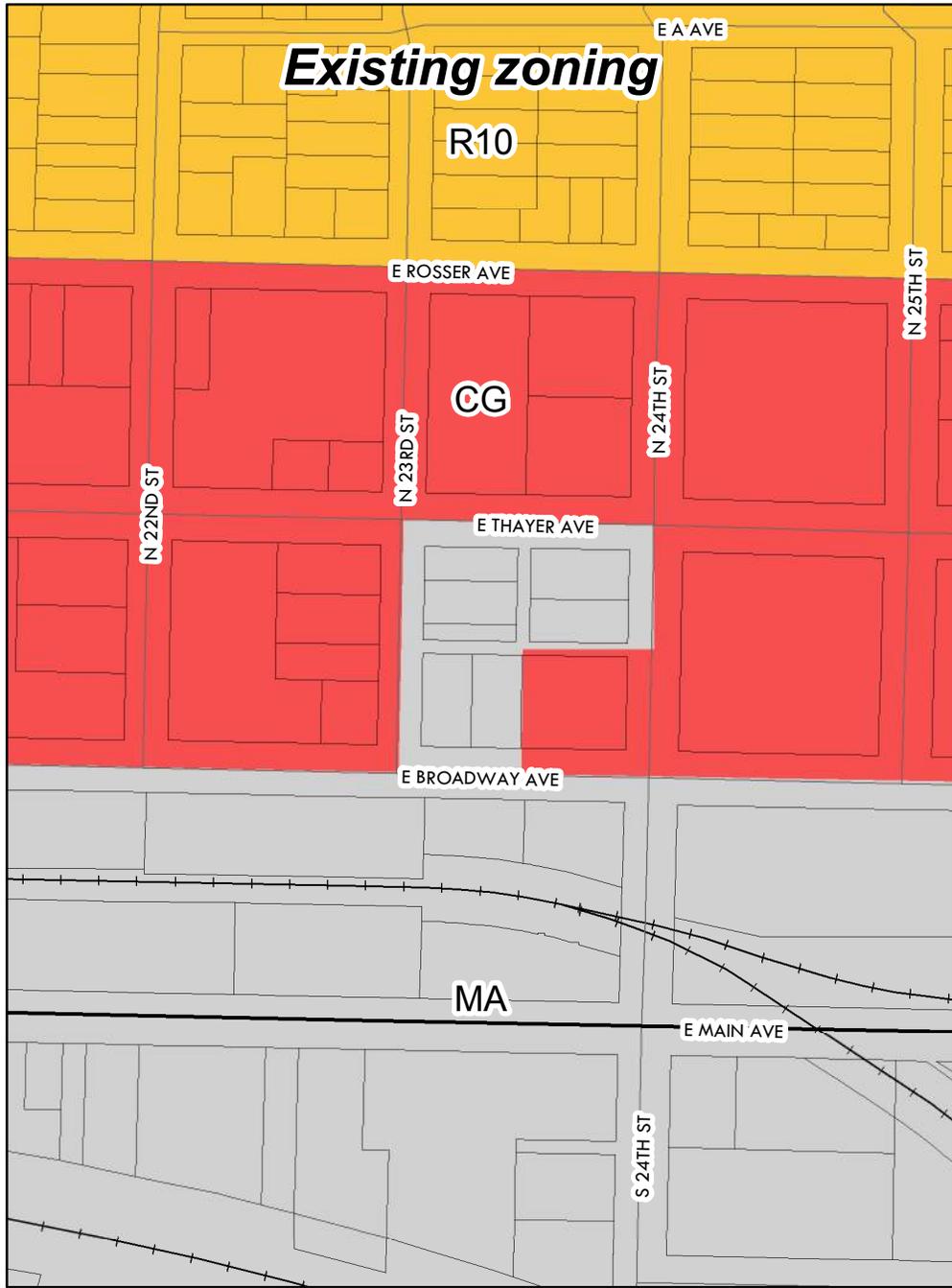


October 10, 2016 (h1b)

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Lots 7-12, Block 37, Governor Pierce Addition





STAFF REPORT

City of Bismarck
 Community Development Department
 Planning Division

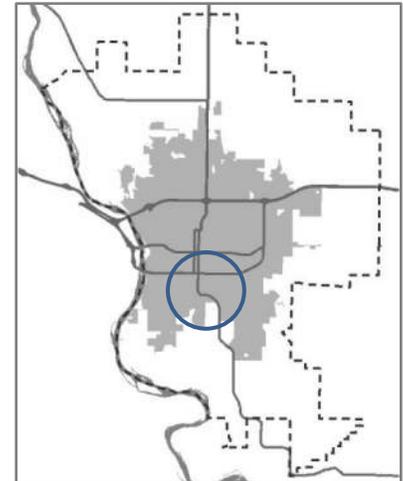
Agenda Item # 4
 November 16, 2016

Application for: Special Use Permit

TRAKit Project ID: SUP2016-013

Project Summary

Title:	Lot 8, Block 1, Airport Expressway Addition (1001 Basin Avenue)
Status:	Planning & Zoning Commission – Public Hearing
Owner(s):	Jalane Veer (applicant) Wagner/Schick Properties LLC (owner)
Project Contact:	Jalane Veer, Perfect Start Daycare
Location:	In south Bismarck, between University Drive and South 12th Street, along the east side of Basin Avenue.
Project Size:	21,127 square feet
Request:	Approval of a special use permit to operate a child care center.



Site Information

Existing Conditions		Proposed Conditions	
Number of Lots:	1	Number of Lots:	1
Land Use:	Vacant Commercial	Land Use:	Child Care Center
Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan	Designated GMP Future Land Use:	Already zoned. Not in Future Land Use Plan
Zoning:	CG – Commercial	Zoning:	CG – Commercial
Uses Allowed:	CG – General commercial, multi-family residential, and offices	Uses Allowed:	CG – General commercial, multi-family residential, and offices
Max Density Allowed:	CG – 42 units / acre	Max Density Allowed:	CG – 42 units / acre

Property History

Zoned:	05/14/1996	Platted:	06/09/1970	Annexed:	Pre-1980
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Staff Analysis

The applicant is requesting approval of a special use permit to operate a child care center in a CG-Commercial zoning district. A child care center is allowed as a special use in the CG-Commercial zoning district, provided certain conditions are met. The proposed child care center meets all five (5) provisions outlined in Section 14-03-08(4)(q) of the City Code of Ordinances (Special Uses). A copy of this section of the zoning ordinance is attached.



According to the applicant, the proposed special use would provide child care services intended to accommodate 59 children ages six (6) weeks to twelve (12) years. The child care center will employ twelve (12) employees with no more than eight (8) employees working at any given time. Hours of operation will be Monday – Friday, 7:30 am to 5:30 pm. Based on the site and building plans submitted by the applicant, adequate indoor and outdoor recreation space has been provided to meet the requirements of the ordinance.

The applicant has been working with city staff to ensure all of the requirements to establish and operate a child care center are met including site design with adequate outdoor recreation area and parking, as well as all required provisions necessary to conform to all applicable requirements of the International Building Code and the International Fire Code.

Adjacent land uses include commercial uses to the north and south along Basin Avenue; a manufactured home park with single family uses (Airport Village) to the east of the property; and single family dwelling units to the west across University Drive / Basin Avenue.

Operation of a child care center is considered a more intense land use than residential land uses and as such would typically be required to meet the landscaping buffer requirements outlined in Section 14-03-11(10)(e) of the City Code of Ordinances. In addition, the outdoor recreation area must be fenced as outlined in in Section 14-03-08(4)(q)(3) of the City Code of Ordinances. The existing building and site configuration makes the installation of the required 10 feet wide landscaping buffer yard difficult without reducing the required outdoor recreation area because this is a reuse of an existing commercial structure. Staff supports waiving the buffer yard requirements in lieu of installation of a six (6) foot tall opaque fence along the eastern edge of the property adjacent to the manufactured home park.

The adaptive reuse of this site involves the reconfiguration of the existing paved surface parking area. Staff has reviewed the proposed reconfiguration to ensure all parking requirements would be met for the proposed special use. The installation of perimeter parking lot landscaping and street tree planting are required in conjunction with operation of the child care facility as outlined in 14-03-11(8) of the City Code of Ordinances (landscaping and screening).

Required Findings of Fact | Land Use

1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance, provided that applicant addresses conditions outlined in the recommendations;
2. The proposed special use is compatible with adjacent land uses and zoning;
3. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area;
4. Adequate public facilities and services are in place or would be provided at the time of development;
5. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity;

(continued)

6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic and;
7. The proposed special use would not adversely affect the public health, safety and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the special use permit to allow the operation of a child care center on Lot 8, Block 1, Airport Expressway Addition with the following conditions:

1. The operation of a child care facility must meet all applicable requirements for such use in the CG-Commercial zoning district.

2. A six (6) foot tall opaque fence must be installed along the eastern edge of the property adjacent to the manufactured home park prior to occupation.
3. Perimeter parking lot landscaping and street tree planting must be installed as outlined in Section 14-03-11(8) of the City Code of Ordinances.

Attachments

1. Section 04-03-08(4)(q) of the City Code of Ordinances
2. Location Map
3. Site Plan
4. Building Plan

Staff report prepared by: Will Hutchings, Planner

701-355-1850 | whutchings@bismarcknd.gov

14-03-08 (q)

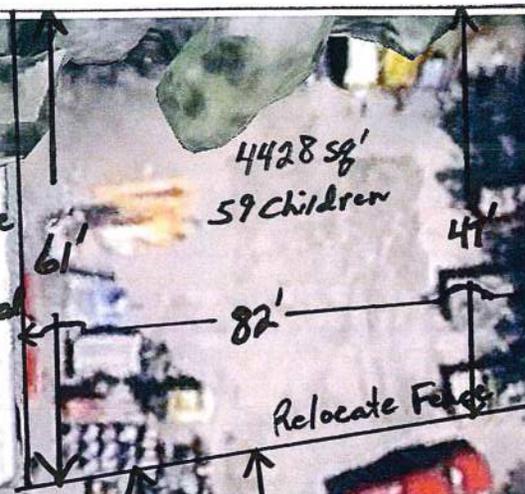
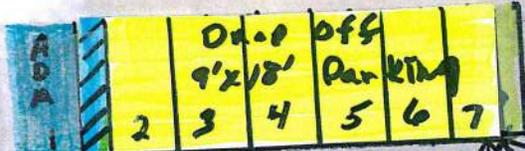
q. Child Care Center. Child Care centers may be permitted as a special use in all zoning districts except RMH or MB districts, provided: Title 14 & 14.1 93

- 1) Each building shall provide not less than thirty-five (35) square feet of interior recreation area per child. Work areas, office areas, and other areas not designed for use of the children may not be counted in this computation.
- 2) Each lot shall provide an outdoor recreation area of not less than seventy-five (75) square feet per child. The recreation area shall be fenced, have a minimum width of twenty (20) feet, a minimum depth of twenty (20) feet, be located on the same lot or parcel of land as the facility it is intended to serve, and must be located behind the building setback lines.
- 3) Adequate off street parking shall be provided at the following ratio: One space for each employee and one space for each ten (10) children.
- 4) Child Care centers shall conform to all applicable requirements of the International Building Code and The International Fire Code as adopted by the City of Bismarck (Title 4 of the City Code of Ordinances – Building Regulations), and all requirements of the North Dakota Department of Human Services.
- 5) Child care centers shall comply with all applicable requirements relating to health and sanitation that have been adopted by the City of Bismarck (Title 8 of the City Code of Ordinances – Health and Sanitation), and all requirements of the North Dakota Department of Health.

Perfect Start Day Care
 1001 Basin Ave
 Bismarck ND

1. Relocate chain link fence to accommodate additional parking.
2. Existing chain link is 2" Dia candidate "Non-Climbable by Dakota Fence." "Climbable fence measures 2 1/2" Dia.

4428 sq'
 59 children

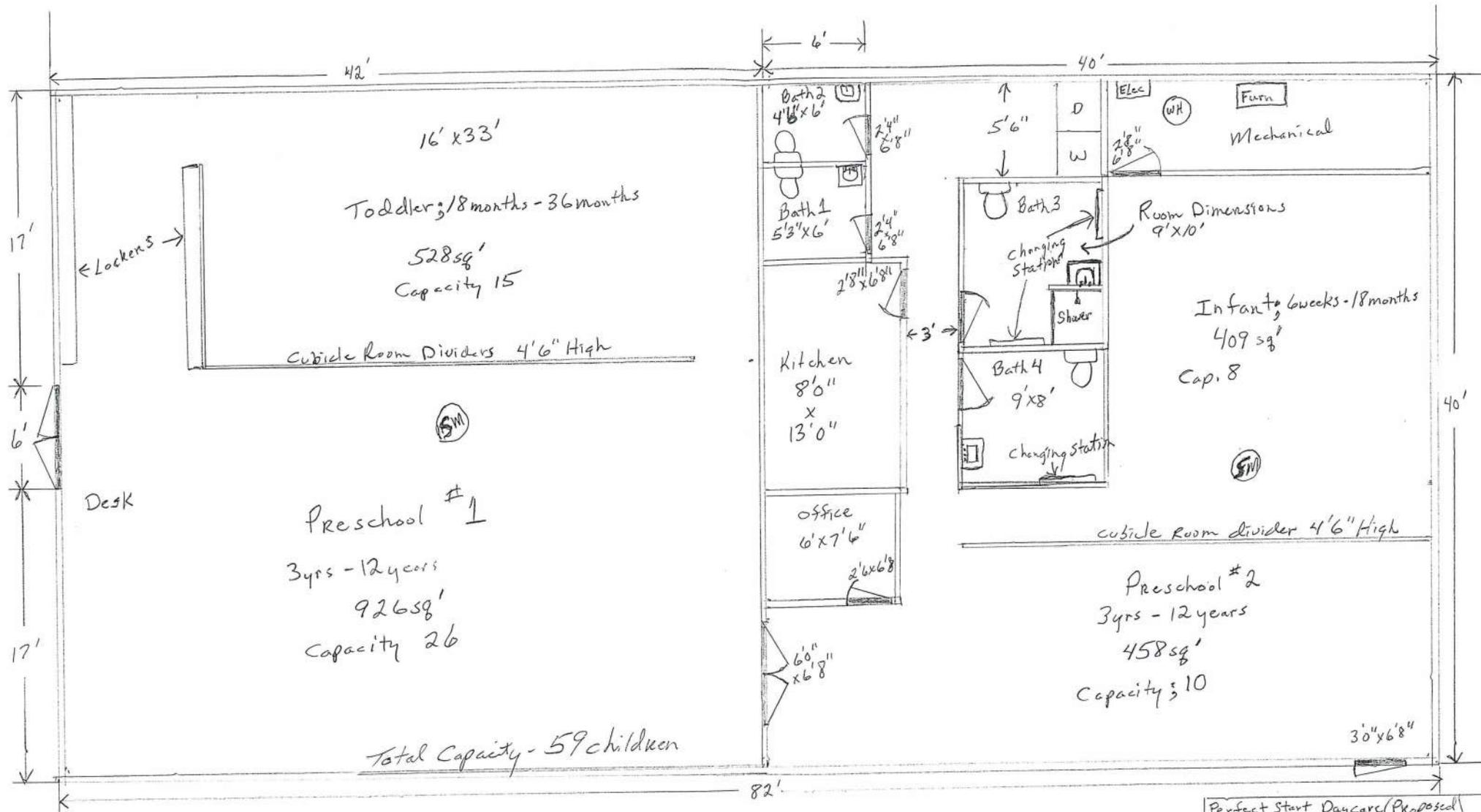


Relocate Fence

Image Landsat

NOV 08 2016

Google earth



Total Capacity - 59 children

Combination CO + smoke detector ← (SM)
qty. - 2

Perfect Start Daycare (Proposed)
1001 Basin Ave
Bismarck ND
11-3-16
Drawn by Mark H
Scale 3/16" = 1'

NOV 08 2016



Community Development Department

MEMORANDUM

PRESENTATION OF INFILL AND REDEVELOPMENT PLAN

TO: Chairman Wayne Yeager, Planning and Zoning Commission

FROM: Carl D. Hokenstad, AICP *COH*

DATE: November 10, 2016

The Community Development Department staff has prepared a draft of the 2016 Infill and Redevelopment Plan for your consideration. A copy of the draft is attached to this memo for your review, and a public hearing has been scheduled for your November 16, 2016 regular meeting. According to NDCC 40-48-12, the Planning Commission is authorized to adopt a "master plan" or any amendments thereof and forward to the City Commission. A draft resolution has also been attached for your consideration.

The remainder of this memo will be a description of the planning process and an executive summary of the Plan.

Infill and Redevelopment Plan Process

During the May 25, 2016 Planning and Zoning Commission meeting, City staff proposed an Infill and Redevelopment Plan to supplement the 2014 Growth Management Plan by focusing on growth and redevelopment in areas that are already "built-out" and within the city limits of Bismarck.

A Technical Advisory Committee was assembled of private and public sector individuals with interest and experience in infill and redevelopment. This committee met on July 7 to discuss issues, and then on October 17 to review the draft document. Regular correspondence with the committee was maintained throughout the process, including an online survey to evaluate principles and strategies. Additionally, several interviews and focus group discussion with other parties were conducted on the topics of business development, historic preservation, transit, stormwater, and schools. City staff from a number of

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Building Inspections Division • Phone: 701-355-1465 • Fax: 701-258-2073

Planning Division • Phone: 701-355-1840 • Fax: 701-222-6450

departments were consulted and met to review a draft Plan on October 31.

A public meeting and open house was held on November 3 at the Bismarck Veterans Memorial Public Library to present a draft of the Plan and listen to comments. A draft of the Plan has also been made available on the City website and referenced in Bismarck Tribune articles. Approximately 30 people were in attendance at the November 3rd meeting. The draft of the Plan was revised to reflect comments received in the meeting.

The Plan was also presented to the Renaissance Zone Authority on November 10, with reference to the portions of the Plan that pertain to the downtown area. The Plan is also scheduled to be presented to the Bismarck Public School Board on November 28.

The November 16 public hearing with the Planning and Zoning Commission is the only legally required hearing, but engaging the public and various stakeholders in advance of the formal hearing helps ensure a balanced Plan that serves the interests of the public to the greatest extent possible.

Summary of the Infill and Redevelopment Plan

1 | Introduction

The purpose of the 2016 Infill and Redevelopment Plan is to facilitate high-quality infill and redevelopment in the City of Bismarck that:

1. Protects and enhances the high quality of life of existing neighborhoods,
2. Contributes to the economic vitality of established business districts,
3. Lessens public costs by leveraging existing infrastructure to provide services to more people, and
4. Supports the City's values and goals established in the City of Bismarck's Strategic Plan.

This Plan is a continuation and expansion of a long-standing planning tradition in Bismarck, dating back to the 1980 Comprehensive Policy Plan, that encourages more infill growth of a compact character. Over the last three decades, the City has actually become denser. However, at the same times, the core areas of the city have been losing population overall.

There are many unique opportunities to infill and redevelopment that are explored by this Plan, including the potential to reduce public infrastructure and service costs, create a diverse housing stock that includes walkable neighborhoods, allow efficiencies in transportation, and reduce blight. However, there are also challenges to address, including respecting the wishes of existing residents, space constraints and higher land costs, and the potential for displacement during the construction process. The Plan notes initiatives taken in *Peer Communities* around the region to encourage high-quality infill and redevelopment.

2 | Design Principles

The following *Design Principles* are established for infill and redevelopment:

1. Formation and Growth of Complete Neighborhoods
2. Integration of Civic and Open Space into Development
3. Provisions for Mixed-Use Development of Appropriate Scale

4. Preservation and Enhancement of Architectural and Historical Character
5. Building at the Scale of the Pedestrian
6. Fostering a Network of Connected Streets and Paths
7. Mitigation of the Impact of Parking on Public Space
8. Design to Allow Adaptation to Future Conditions

Adherence to these principles improves the quality of design. Typically, the denser land uses and more pedestrian-oriented streets will be concentrated near the center of the city, with more dispersed development located further from the center. However, the principles described in this Plan could be applied to new development outside the center of the City. Seven *Character Areas* are identified with unique attributes that are suitable for certain types of redevelopment.

Three *Demonstration Scenarios* are presented to show how the principles of the Plan may be applied to actual sites within Bismarck. The *Bismarck Uptown Center* shows a large-scale redevelopment of commercial areas into a mixed-used center. The *New Galleria* shows the redevelopment a vacant downtown lot and parking structure into a new building with ground-floor retail and housing above. Finally, the *Gentle and Lean Infill* shows a small scale multifamily residential structure inserted into a standard residential lot within the core neighborhoods of the City.

3 | Implementation Strategies

The following implementation strategies would further the purpose of the Plan:

1. Allow Setbacks to Match the Existing Context. Amend the Zoning Ordinance to allow front, side, and rear yard setbacks for new infill construction and additions, to match the existing setbacks of neighboring buildings on the street based on a formula stipulated in the Zoning Ordinance.
2. Increase Exemptions from Expanded Arterial Setbacks. Amend the Zoning Ordinance to increase the number of corridors that are exempted from the 50 foot arterial setback requirement, which will revert the setback to the requirement of the underlying zoning district.
3. Conduct Area-Wide Brownfield Revitalization Study. Utilize available state and federal funds to conduct an area-wide brownfield assessment to identify cleanup opportunities in areas with high potential for redevelopment.
4. Plan for Transit with New Development/Redevelopment. Enhance coordination between the City of Bismarck and public transit operators for all development review and site plans within existing or planned transit service areas.
5. Allow Creation of Historic Design Standards for Neighborhoods. Allow and assist with the creation of district-specific historic preservation design standards for any area listed on the National Register of Historic Places upon petition from at least half of all property owners in the district.
6. Become a Certified Local Government for Historic Preservation. Take necessary steps to become a Certified Local Government, including the adoption of an historic preservation ordinance and the creation of a Historic Preservation Commission as an advisory body.
7. Establish Criteria for Modification of Parking Requirements. Amend the Zoning Ordinance to allow certain modifications to the required off-street parking based on site conditions, location, special users or programs, to be implemented through the site plan review process.

8. Encourage Shared Parking Arrangements. Amend the Zoning Ordinance to establish criteria for shared parking arrangements between compatible sites, and encourage shared parking during the site plan process.
9. Adapt Stormwater Management Controls to Facilitate Infill. Consider the regional impact of various forms of development on water quality and runoff volumes, and adapt regulations for stormwater management to incentivize infill and redevelopment.
10. Encourage Redevelopment to Result in Net Water Quality and Stormwater Runoff Improvement. Encourage property owners who redevelop impervious surfaces in areas with known stormwater capacity issues to create a net reduction in runoff volume and rate and improve water quality of all runoff.
11. Create a Developer's Handbook and Fact Sheets for Guidance. Create a Developers' Handbook including relevant ordinance requirements, policies, and practices for navigating the development review process. Create fact sheets for projects that are commonly undertaken by the general public.
12. Continue to Support Downtown Revitalization Programs. Continue to support the Renaissance Zone and CORE Incentive Grant Programs in their present form and promote the programs to potential participants with an emphasis on housing development.
13. Encourage New Parks in Existing Neighborhoods. Encourage and support the creation of new parks and green spaces, especially in areas of the City that lack adequate access to open space.
14. Create a New Traditional Neighborhood Zoning District. Add a new Traditional Neighborhood (TN) zoning district to the zoning ordinance with provisions that match existing older neighborhoods in Bismarck. Allow new development to utilize this district, and propose the rezoning of certain existing neighborhoods to the Traditional Neighborhood (TN) district.
15. Increase Awareness of the Accessory Dwelling Unit Option. Increase the awareness of Accessory Dwelling Units as an option for homeowners.
16. Provide Landscape Buffer Alternatives in Certain Areas. Modify the Zoning Ordinance to reduce or remove landscape buffer yard requirements in the downtown and surrounding areas, while maintaining all requirements for perimeter screening of parking lots and street trees.
17. Monitor For and Mitigate Against Housing Displacement. Monitor for and mitigate against housing displacement by using existing sources of federal and state funds for affordable housing in areas where displacement is most likely to occur.
18. Preserve Existing Schools as Anchors for Neighborhoods. Preserve existing schools. If upgrades or improvements are necessary, renovations of existing sites should be the heavily favored alternative.
19. Encourage Adaptive Reuse within Bounds of Building Code. Utilize provisions in the adopted North Dakota State Building Code to encourage the adaptive reuse of older buildings in new ways.
20. Maintain a Database of Developable Vacant Properties. Maintain a database and map of vacant properties that are ready for development, and regularly publish updates of the information for the public.

21. Study Costs and Benefits of a Rental Property Maintenance Code. Study the costs and benefits of adopting the International Property Maintenance Code and implementing inspections for rental properties, including consulting with groups or individuals directly impacted by such a program.
22. Encourage Continual Reinvestment in Older Homes. Promote the availability of the 3-year property tax exemption for remodeling. Assist homeowners with lead service line replacement by allowing special assessment and use of City funds for the portion of the replacement costs underneath the roadway.
23. Promote Cost-Share for Street Tree Planting. Promote the use of the Partners in Planting Program, especially in areas with insufficient tree coverage, to encourage property owners to plant new and replacement street trees.
24. Create a Fiscal Impact Model to Evaluate Future Development. Analyze expected costs and revenues associated with various types of development and create a model to evaluate future development proposals.

**RESOLUTION OF ADOPTION
FOR THE
2016 BISMARCK INFILL AND REDEVELOPMENT PLAN**

WHEREAS, the City of Bismarck has initiated the development of an Infill and Redevelopment Plan, as a supplement to the 2014 Growth Management Plan, to promote orderly growth and development within the already developed areas of Bismarck and to apply certain design principles to both existing and new development; and

WHEREAS, the City of Bismarck, after numerous meetings and substantial consultation with the Technical Advisory Committee, has prepared the 2016 Bismarck Infill and Redevelopment Plan; and

WHEREAS, notices were published in the official newspaper for a Planning & Zoning Commission public hearing in accordance with state law; and

WHEREAS, the Bismarck Planning and Zoning Commission has reviewed the 2016 Bismarck Infill and Redevelopment Plan and held a public hearing on said plan on November 16, 2016; and

WHEREAS, the 2016 Bismarck Infill and Redevelopment Plan will be used as a policy tool in conjunction with the 2014 Growth Management Plan, Bismarck-Mandan Long Range Transportation Plan, the Bismarck-Burleigh County Fringe Area Road Master Plan, the Downtown Bismarck Subarea Study, and the Bismarck Comprehensive Policy Plan;

NOW, THEREFORE BE IT RESOLVED, by the Bismarck Planning & Zoning Commission, that it hereby adopts the 2016 Bismarck Infill and Redevelopment Plan, as presented at the November 16, 2016 public hearing; and

BE IT FURTHER RESOLVED, that the Bismarck Planning & Zoning Commission recommends the adoption of the 2016 Bismarck Infill and Redevelopment Plan by the Board of City Commissioners.

Wayne Lee Yeager, Chairman
Bismarck Planning & Zoning Commission

Date

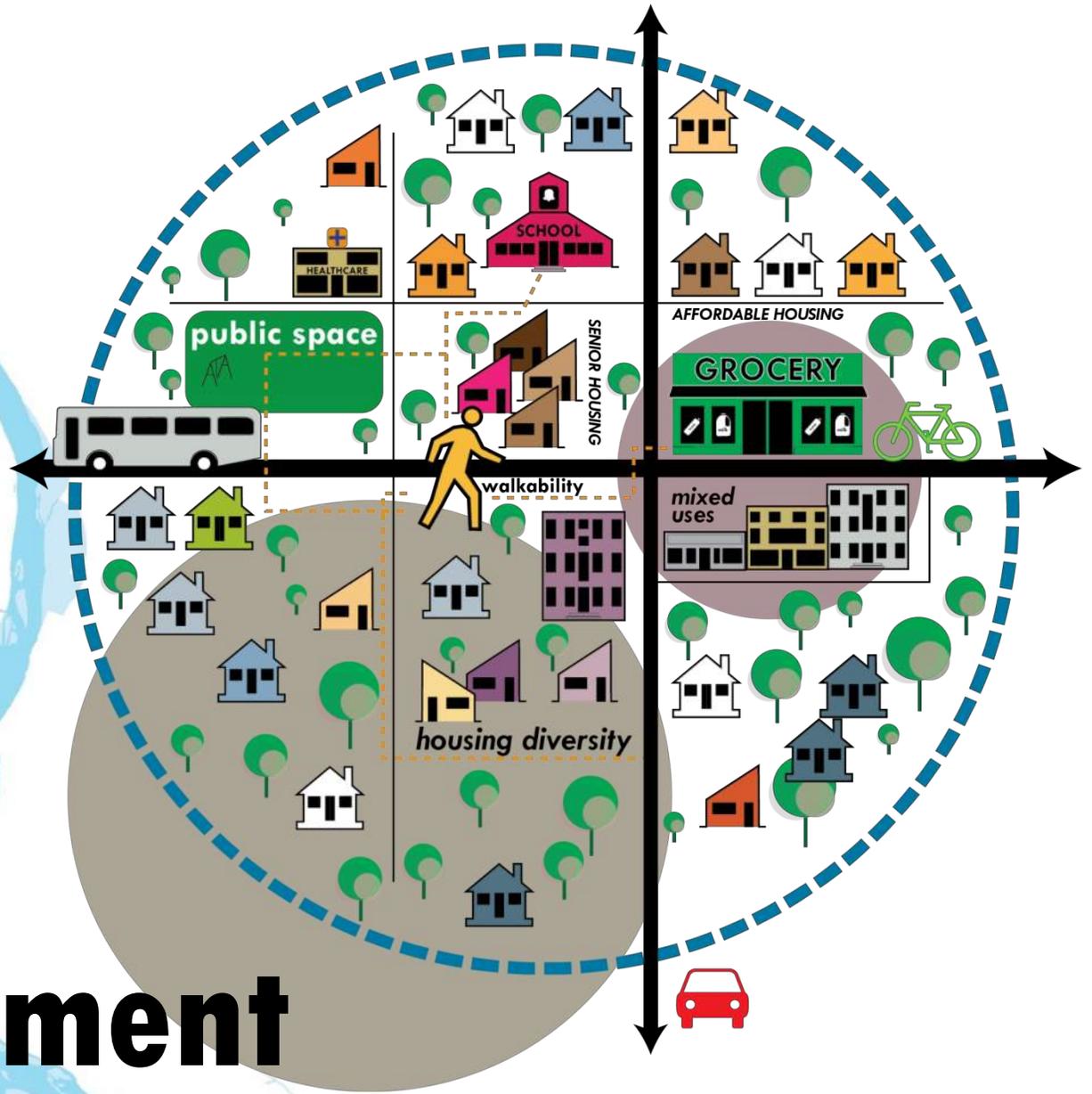
ATTEST:

Carl D. Hokenstad, Secretary

Date

Bismarck Planning & Zoning Commission

City of Bismarck's Infill and Redevelopment Plan



11/16/16 DRAFT

Acknowledgements

Bismarck Board of City of Commissioners

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Nancy Guy
Steve Marquardt
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Introduction

The **2016 Infill and Redevelopment Plan** is a component of the City of Bismarck’s overall Comprehensive Plan for growth and development, pursuant to North Dakota Century Code Section 40-47-03. This Plan addresses growth within the City’s existing footprint through either of two means:

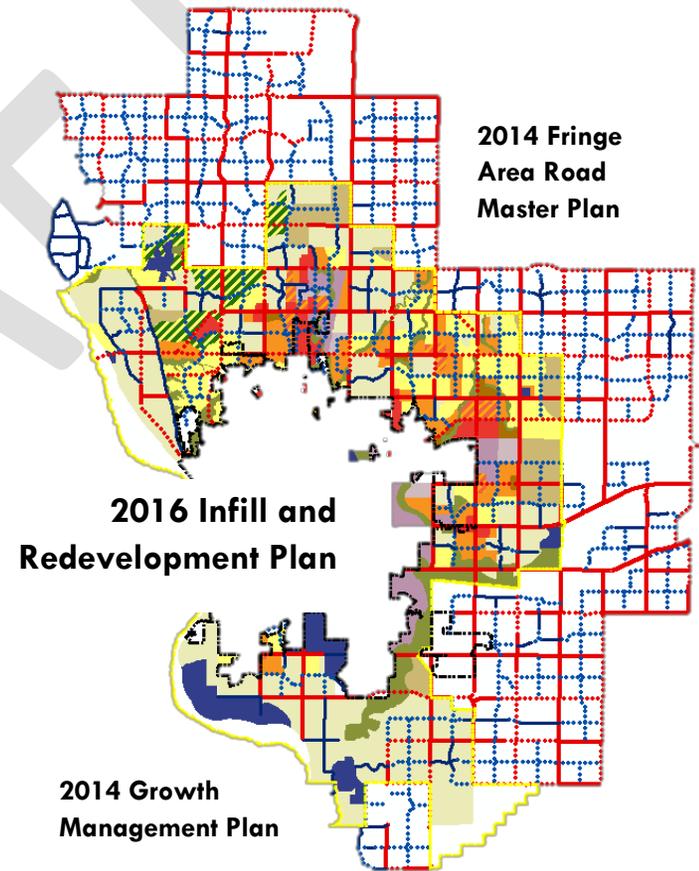
Infill: Development of vacant or underutilized remnant lands that have been passed over by previous urban development.

Redevelopment: Replacing, remodeling, or reusing existing structures and land to accommodate new development, often changing their form and function.

Area Covered by Plan

The 2016 Infill and Redevelopment Plan covers areas that are already largely developed within the existing City limits of Bismarck. The 2014 Growth Management Plan and Fringe Area Road Master Plan addressed the outward growth of the City into the rural areas of Burleigh County, and the 2016 Infill and Redevelopment Plan addresses inward growth.

However, this plan recognizes that many of the design principles and strategies could also be applied to new development on the edges, and not all principles are appropriate for every area of the City.



Purpose of Plan

The purpose of this Plan is to **facilitate high-quality infill and redevelopment** in the City of Bismarck that:

1. Protects and enhances the high **quality of life** of existing neighborhoods,
2. Contributes to the **economic vitality** of established business districts,
3. Lessens public costs by **leveraging existing infrastructure** to provide services to more people, and
4. Supports the City's values and goals established in the **City of Bismarck's Strategic Plan**, including but not limited to:
 - a. "Enhance revitalization efforts for the downtown area"
 - b. "Proactively guide growth through partnerships and programs"
 - c. "Become a destination place"
 - d. "Promote efforts to beautify, preserve and enhance our aesthetically pleasing community"
 - e. "To have a vibrant, lively and attractive destination at the heart of the community"
 - f. "Create policies and programs that result in a well-maintained diverse housing stock"
 - g. "Our community promotes active, healthy lifestyles"
 - h. "Provide adequate, sustainable funding to support the services our customers value."

How to Use this Plan

There are three intended audiences for this plan: 1. planners and other City staff involved in the development review process, 2. land developers and related professionals, and 3. all citizens of Bismarck and future elected and appointed officials. Each group may approach this plan differently. The plan may be used to:

Provide guidance for the development review process

Applications for zoning change, subdivision, special use permit, variance, and design review are all evaluated by staff and receive a hearing with the appropriate board. Although these processes are ultimately discretionary in nature, it is important to adhere closely to an adopted plan and City ordinances to assure consistency and progress toward broader City goals. Planners and developers may use this plan to evaluate applications within the more mature areas of the City.

Provide direction for revisions to the Zoning Ordinance

According to North Dakota state law, all revisions of the Zoning Ordinance must be made according to a Comprehensive Plan. Among other things, this plan complies with state law by establishing a general outline for future revisions to the Zoning Ordinance related to infill and redevelopment. In some cases, revisions may involve removal of certain regulatory obstacles that are already in place. City staff is charged with the task of implementing this plan by initiating Zoning Ordinance text amendments for relevant strategies over the course of time.

Provide inspiration for future infill and redevelopment activity

Although one role of government is to regulate through zoning and other means, the intent of this plan is also to cast a coordinated vision for future City growth that may be achieved voluntarily by the private sector in the community working in collaboration with City officials. The intent of this plan is to anticipate and work within the prevailing market forces for land development.

Planning Precedent

This plan builds upon an established history of planning in the City of Bismarck that emphasizes a vital core of the community and a compact development footprint. The following plans and studies directly speak to the subject matter:



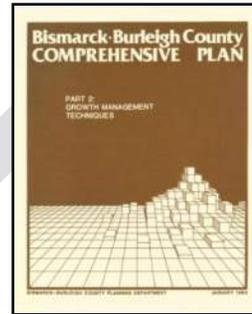
1972 Master Plan '82 Preview

- “If forward looking improvement programs can be coordinated for the central area, the “heart” of the City may once again reflect the vitality of the entire community.”



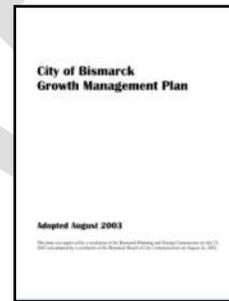
1980 Comprehensive Policy Plan

- “The development of vacant areas within, or near, the City’s corporate limits will be encouraged.”
- “Encourage the maintenance and rehabilitation of housing, and improve amenities in all residential neighborhoods.”
- “Commercial development will be permitted as small-scale convenience centers in residential neighborhoods.”
- “Support the continued high-density growth of the central business district.”



1983 Growth Management Techniques

- “Encourage reinvestment, redevelopment and infill of vacant, bypassed parcels.”
- “Reduce fiscal pressure on the City by developing where public facilities and services are already available.”



2003 Growth Management Plan

- “Maintain a compact and orderly pattern of urban growth and development that will promote an efficient use of present and future public investments in roadways, utilities, and other services.”
- “Provide incentives for revitalizing neighborhoods in the core of the City.”



2013 Downtown Bismarck Plan

- “Downtown Bismarck has the capacity to absorb a significant amount of growth. Most new development is located on underdeveloped, vacant, and underutilized sites.”

Growth and Development Trend

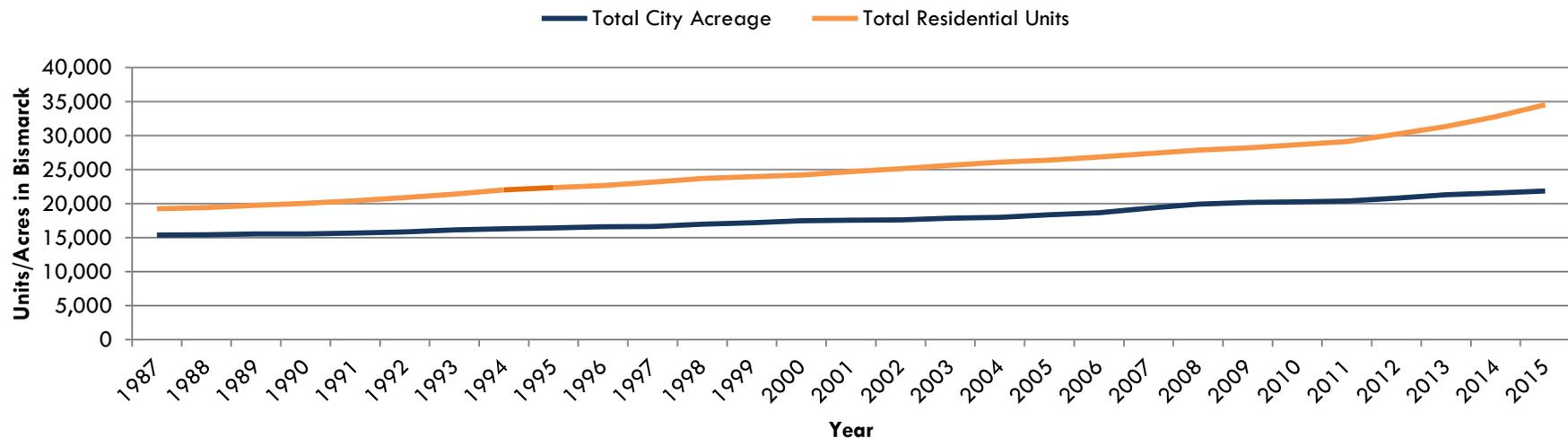
Bismarck is a growing City. The U.S Census Bureau estimates that the City population increased from 61,327 to 71,167 between 2010 and 2015, for an average growth rate of 3.02% per year. The Bismarck-Mandan Metropolitan Area has been among the most rapidly growing regions in the United States in recent years, and Bismarck is the fastest growing portion of the metropolitan area.

Overall, the City has become denser over the last several decades. In 1987, there were 1.25 housing units for every acre in the City limits. This density increased to 1.58 units/acre by 2015. The average newly-platted lot size for a single-family home has remained around 14,000 square feet during this period, so the primary driver for increased density has been the construction of multi-family housing in newly annexed subdivisions.

However, at the same time, the core of the City has become less dense. The historic core of the City, defined as the area that was developed prior to 1940, has steadily declined in population since the 1940s. The area once housed approximately fifteen thousand people, but the

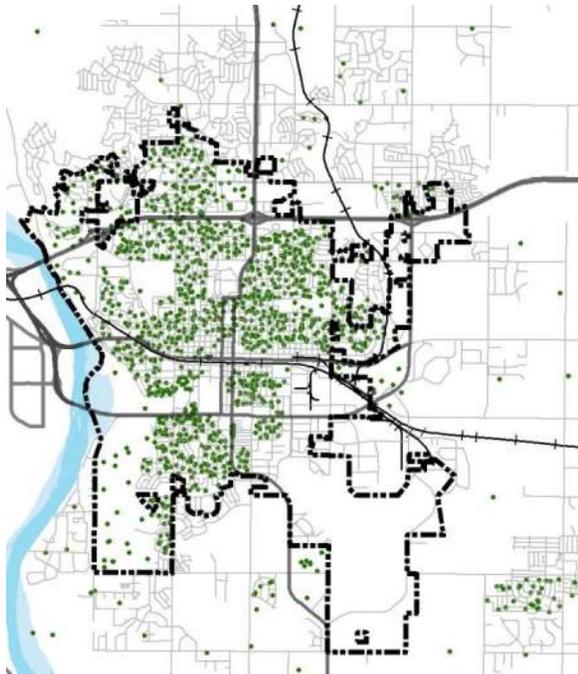
population decreased to around ten thousand by the year 2000, and then dropped an additional 12% between 2000 and 2010. Historically, most of the growth and development of the City has occurred through outward expansion of the City limits rather than infill and redevelopment. Only in the last several years has notable residential infill been developed.

The one exception has been commercial and office development in the downtown, as well as some multifamily residential buildings southwest of downtown developed in the 1980s. The construction of new downtown buildings began in the 1960s, even while the traditional retail uses were leaving the downtown. These trends accelerated in the early 1980s shortly after the adoption of the original Urban Renewal Plan and subsequent public investments. Downtown redevelopment continues to present day, with a more recent emphasis on entertainment uses and specialty retail, along with continued office development and renovation. Interest in redevelopment outside of downtown has increased in recent years, but the amount of actual investment has been comparatively light.

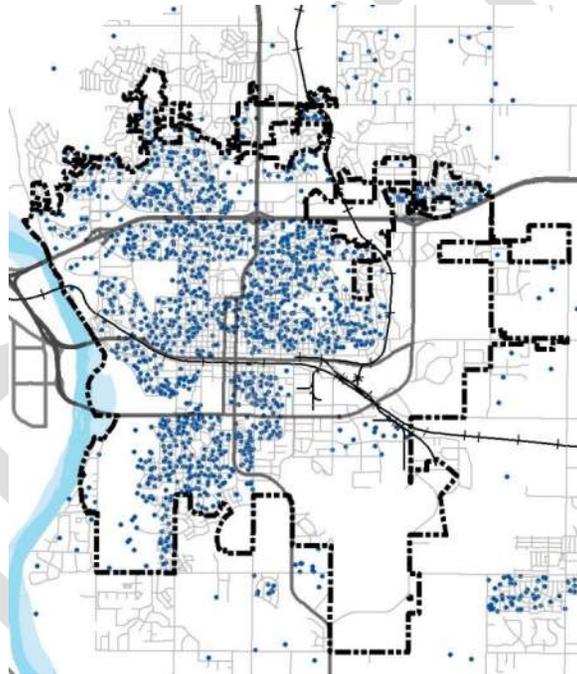


Changes in City of Bismarck Population Distribution

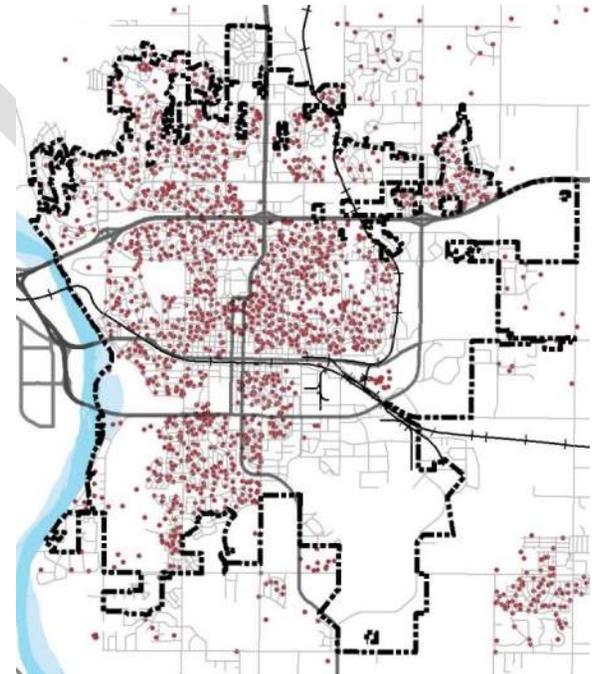
1990



2000



2010



Each dot represents 20 people

Opportunities and Challenges of Inward Growth

The conventional pattern of urban growth in the United States has typically involved the expansion of the City limits into rural areas and the conversion of agricultural land into new residential or commercial subdivisions. The City of Bismarck supports this type of growth, and the 2014 Growth Management Plan creates a framework for orderly development of the extraterritorial areas on the periphery of the City. This will most likely remain the prevalent pattern of growth in Bismarck.

Over the last several decades, the City of Bismarck has also experienced a different kind of growth. The development community has reevaluated those parcels of land that were overlooked during initial phases of development, and then began to propose infill projects on these sites. Existing buildings that had become dilapidated or near the end of their functional lifespan have been redeveloped, either through rehabilitation of older buildings or demolition and reconstruction. This is a natural phase in City growth that all localities experience.

Infill and redevelopment represents many opportunities to improve quality of life, as well as economic growth and public finances. However, there are also unique challenges that should be addressed and mitigated to the greatest extent possible.

Opportunities

Costs of Infrastructure and Services

Outward growth requires the expansion of roadways, sanitary sewer mains, water mains, stormwater capacity, and the service areas for basic public and municipal functions such as school busing, paratransit for people with disabilities, police protection, and fire protection. This essential infrastructure requires a large upfront investment. The chart on the right shows how costs are typically distributed in Bismarck. Costs are shared by the private sector, through developer improvements and

Costs Influenced by Development Patterns in the City of Bismarck

Increases in density have the potential to reduce each of the following public and private costs on a per capita basis.

	<i>Public Costs (including general utility fees)</i>	<i>Private Costs (including special assessments)</i>
Roads	Up-front financing for local road construction (repaid by special assessments) Portion of costs of new construction of major roads Routine maintenance of all public roads	New construction of local roads Portion of costs of new construction of major roads Routine Maintenance of private roads/driveways
Water/Wastewater	Costs of installation of major lines and facilities Routine maintenance of all water/sewer lines	Costs of installation of minor lines Major maintenance of minor water/sewer lines
Stormwater	Purchase of land and operation of regional detention areas Costs of installation of major trunklines	Dedication of land and operation of local detention areas Costs of installation of minor lines Stormwater management planning
Transit	Vehicles, facilities, and general operations	User fees to cover a portion of operations
Snow Removal/Street Cleaning	All Costs	
School Busing	All Costs	
Fire/Police Protection	All Costs	
Solid Waste	All Costs	

special assessments on new lots, and by the broader public sector, through federal and state grants, utility rates, and general municipal funds. Beyond the initial investment, there are costs for maintenance and operations, which are borne almost entirely by City residents through various taxes and assessments.

A full life cycle cost-benefit analysis of growth considers both the initial planning and construction costs as well as the ongoing maintenance and operations costs of infrastructure and municipal services. Older cities that have failed to account for these ongoing costs have encountered financial difficulties as their infrastructure ages, often requiring deferred maintenance and sometimes resulting in unsafe conditions. It is important to anticipate and properly plan for this eventuality to ensure that Bismarck remains a rapidly growing and prosperous community.

A distinct advantage of inward growth is that the infrastructure necessary to service the development is typically already in place. Although capacity expansions may be necessary in some cases, much of the existing City infrastructure has been built to handle more use than it currently supports. The inward growth creates an increase in the tax base without the typical increase in public costs associated with growth, which can translate to cost savings for the City of Bismarck and its residents.

Funding new infrastructure is an ongoing discussion in the City of Bismarck, and there are several available options, previously outlined in the 2014 Growth Management Plan, for raising the revenue necessary to facilitate new growth. While the City considers how to fund new public assets, such as streets, pipelines, and other facilities, it's also important to consider how to use the City's existing assets as efficiently as possible.

Marketability of Neighborhoods

The demand for housing is as diverse as the people living in a region. Some residents prefer a rural lifestyle with acreage for hobby farming, while others prefer a single-family home in a suburban setting with a

pleasant lawn and shopping a short drive away. One segment of the housing market that has grown in demand in recent years is what has become known as walkable neighborhoods. Housing preference surveys have consistently identified a growing number of homebuyers, especially among millennials, that prefer the design of more traditional neighborhoods and the ability to walk or bike to nearby amenities and parks.

“52% of all Americans (and 63% of Millennials) would like to live in a place where they do not need to use a car very often.”
Urban Land Institute, 2015

“51% of all Millennials prefer living in attached housing (townhouse, condo) where they can walk to shops and have a shorter commute.”
National Association of Realtors, 2015

As the City of Bismarck grows, all different types of housing will be necessary to meet market demands. By its very nature, walkable urban

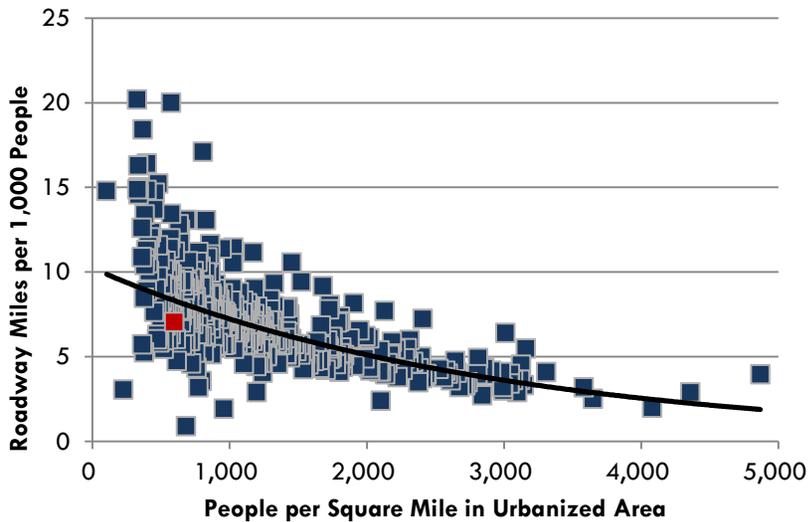
development will naturally occur near the heart of the community where multiple transportation options are feasible. As long as the demand for these neighborhoods persists, there will be a need for the City to engage thoughtfully with infill and redevelopment.

Transportation Efficiency and Affordability

One relative advantage of inward development is that the transportation network is utilized more efficiently. There are two distinct reasons for this. First, more compact development results in shorter distances between destinations. The typical household can commute, buy groceries, and meet basic needs by driving fewer miles than they would in a more sparsely

populated region. Second, alternative travel options to driving become available in more compact areas. Walking can be an attractive option for trips under a half mile, and bicycling is considered viable for trips less than two miles. Transit also becomes more feasible at greater neighborhood densities.

Greater transportation efficiency is especially advantageous for households with income constraints. Transportation costs are typically the second largest portion of a household budget. The creation of new housing that is close to jobs and services provides affordable living options for a fuller range of citizens.



In 2014, the City of Bismarck (the red dot above) had 595 people per square mile and 7.1 miles of roadway per 1,000 people. The blue dots are all other cities in the United States above 50,000 population. Denser cities tend to require fewer miles of roadway to serve the same population.

FHWA Table HM-72, 2015



Reduction of Blight

The condition of a property can exert either a positive or a negative effect on the values of nearby properties. The redevelopment of a property that is dilapidated or contains incompatible uses can represent a double benefit to the surrounding area. The negative effect may be removed and replaced by a positive effect.

There are many opportunities in blight abatement, but decades of experience in urban renewal from our community and many others present a cautionary tale. Properties that are modest and affordable can be misclassified as blighted, and blight removal can justify the demolition of irreplaceable historic buildings.

Challenges

Respect for Existing Residents

One major difference between inward and outward growth is that the former occurs in locations where residents and businesses are already in place to a much greater extent. Any neighborhood change can be difficult because existing residents are financially and emotionally invested in the places they live and work, and often chose the location for its existing character.

Many residents will desire to be aware of changes occurring around them and have the ability to petition their appointed or elected representatives with input. It is important to create a fair and consistent process for hearing and responding to local ideas, and in many cases a final design can be refined and improved through listening to the vision residents have for their own neighborhood. A primary purpose of this plan is to set policies that balance the desire to protect neighborhoods with the equally important goal of encouraging quality infill and redevelopment.

Space Constraints

Many potential infill properties were passed over during earlier phases of development for legitimate reasons. The size or shape of the parcel may restrict how it is developed, and there may be additional obstacles due to topography and means of access. The space necessary to provide adequate parking is typically the primary obstacle, at least as long as on-site vehicle parking remains an essential feature of our transportation system. Space constraints can also be a factor in meeting the City's landscaping and drainage requirements.

Other Unique Development Challenges

Developers of existing sites face many unknown variables and unique circumstances that are not typically faced by developers of greenfield locations (i.e. farmland or undeveloped natural area). Property

acquisition may involve assembling numerous parcels owned by multiple parties. The site may be contaminated from previous uses, or perceived to be. There may be unclear title, existing tax delinquencies, or liens on certain properties. Financing may be more challenging to obtain if projects are complex or not easily evaluated by standard formulas.

In some cases, the obstacles to development may be insurmountable and the highest and best use of a site is simply to remain as open space. However, there may be other cases in which creative solutions are available, and one of the purposes of this Plan is explore how the City can partner with private entities in such problem-solving exercises.

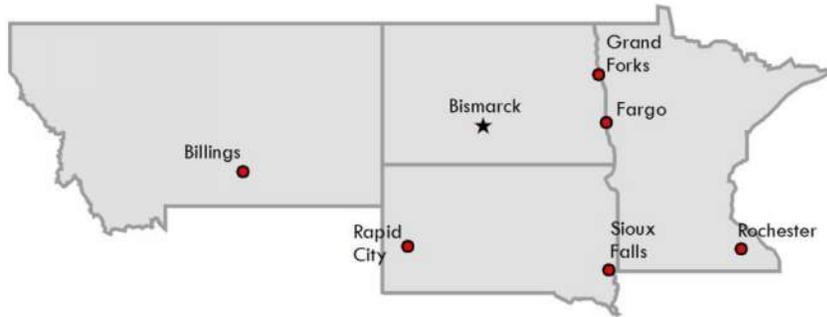
Potential for Displacement

Significant investment in properties and new construction can lead to revitalization of distressed neighborhoods. This is a beneficial outcome overall. An unintentional consequence of this success can be the displacement of existing long-term residents. Property values and rents tend to rise with the reinvestment, and low-income households, particularly those on a fixed income, may be priced out and forced to move.

This is typically a condition experienced by larger cities, and it's not clear that notable displacement has occurred in Bismarck. However, it may become an issue in the future if infill and redevelopment occurs on a widespread basis.



Examples from Peer Communities



Bismarck is a unique community with our own character. Nevertheless, there are practical lessons to learn from the experiences of other cities with similar characteristics that have engaged with infill and redevelopment in recent years. The metropolitan area population of Bismarck in 2015 was 129,517, with an average annual growth rate of 2.5% over the last five years.

Fargo, North Dakota (metro population: 233,836; growth rate: 2.3%)

- The Fargo 2030 Comprehensive Plan includes the strategy to “develop policies to promote infill and density within areas that are already developed and are protected by a flood resiliency strategy.”
- Fargo’s Renaissance Zone program and other tax incentive programs have aided significant renovation and new construction in the downtown area.
- The City has established a task force to revise the Land Development Code to create design standards for infill and redevelopment of largely single-family neighborhoods close to downtown.

Sioux Falls, South Dakota (metro pop: 251,854; growth rate: 2.0%)

- The City of Sioux Falls has purchased a 10 acre downtown site of a former rail yard. The area will be redeveloped through a public design process.
- The Neighborhood Revitalization Program uses local and federal funds to acquire and develop affordable housing within the core areas of the city.
- Façade Improvement Easements are purchased by the City to encourage and protect investments to properties in the core of the community.
- Tax Increment Financing is used strategically to enhance and improve the downtown and surrounding areas.

Grand Forks, North Dakota (metro pop: 102,449; growth rate: 0.8%)

- The Grand Forks Land Use Plan sets a goal to “provide development systems (including streamlined review process, fees, etc.) and infrastructure that incentivizes infill development and revitalization of existing urban neighborhoods before building on the urban fringe.”
- The City is entering into a public-private partnership to redevelop a city-owned downtown parcel with the goal of providing housing and a vibrant street level experience.

Rochester, Minnesota (metro pop: 213,873; growth rate: 0.6%)

- Destination Medical Center is an approximately \$6 Billion public-private partnership to redevelop the downtown, including major public space and transit investments.
- An Urban Village Overlay Zone and accompanying design guidelines were adopted to “promote development of a compact

pedestrian-oriented urban village” in the central areas of the city.

- The City has established a goal of reducing single-occupancy vehicle trips to the downtown and the medical employment centers by 30% over 20 years by enhancing transit, encouraging downtown housing, and improving a park and ride system.
- The City is creating a primary transit network, and intends to allow greater density along the transit corridors as they are established.

Billings, Montana (metro pop: 168,283; growth rate: 1.1%)

- The City adopted a Growth Policy Statement that encourages infill development as the most cost-effective form of growth.
- The East Billings Urban Renewal District Code reformed land use regulations for the area to support mixed-use and residential development.
- The City provides economic incentives for investments in downtown, with an emphasis on mixed-use development and housing.

Rapid City, South Dakota (metro pop: 144,134; growth rate: 1.3%)

- The Comprehensive Plan states that the City will “increase its efforts to stimulate infill development on undeveloped lands that are already within the City limits, as well as promote reinvestment in underutilized properties.” The plan also states that investment in “infrastructure is used as a tool to help manage growth.”
- Tax Increment Financing is used regularly to assemble, clean up, and redevelop areas deemed to be blighted.
- The creation of major downtown public spaces, Main Street Square and Memorial Park Promenade, has driven reinvestments in the core of the community. A Downtown Master Plan has been adopted to secure continued revitalization.

2

Design Principles

High quality design is especially important in the more central and compact areas of the City of Bismarck, where the placement and architectural features of buildings, as well as public spaces and infrastructure, greatly influence the quality of life of the community. The simple fact that there is a higher concentration of pedestrians means there are more people focusing their attention on the aesthetics of the community, rather than passing through at a higher speed. This was understood by the early residents and business owners of Bismarck who often took great care to adorn the public sides of their properties with craftsmanship that contributed to the character of the public realm. The same need exists today for new infill and redevelopment.

The purpose of this chapter is to establish general design principles that may be employed through infill and redevelopment projects that would enhance and protect the surrounding neighborhoods and district. Furthermore, these principles are illustrated through three separate demonstration case studies that apply the principles to specific locations in Bismarck.

These principles are not intended to be prescriptive in any way, or to create detailed preferences for styles that would detract from individual creativity and add undue costs to development. Outside of the Downtown Core and Downtown Fringe zoning districts, where design standards are already in place, this plan does not create or recommend any specific regulatory design standards or review process. Any new standards based on these principles would require a public hearing and approval process.

Urban Core	Urban Fringe	Traditional Districts	Low-Density Districts	Rural Areas
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more compact development < > more dispersed development
 more pedestrian-oriented < > more automobile-oriented
 greater mixture of uses < > greater separation of uses

The design principles are also not intended to apply uniformly throughout the city. Necessarily, the more intensive development and activity will be found in or near the core of the City, with lessening intensity in areas further from the center.

Infill and Redevelopment Plan Design Principles

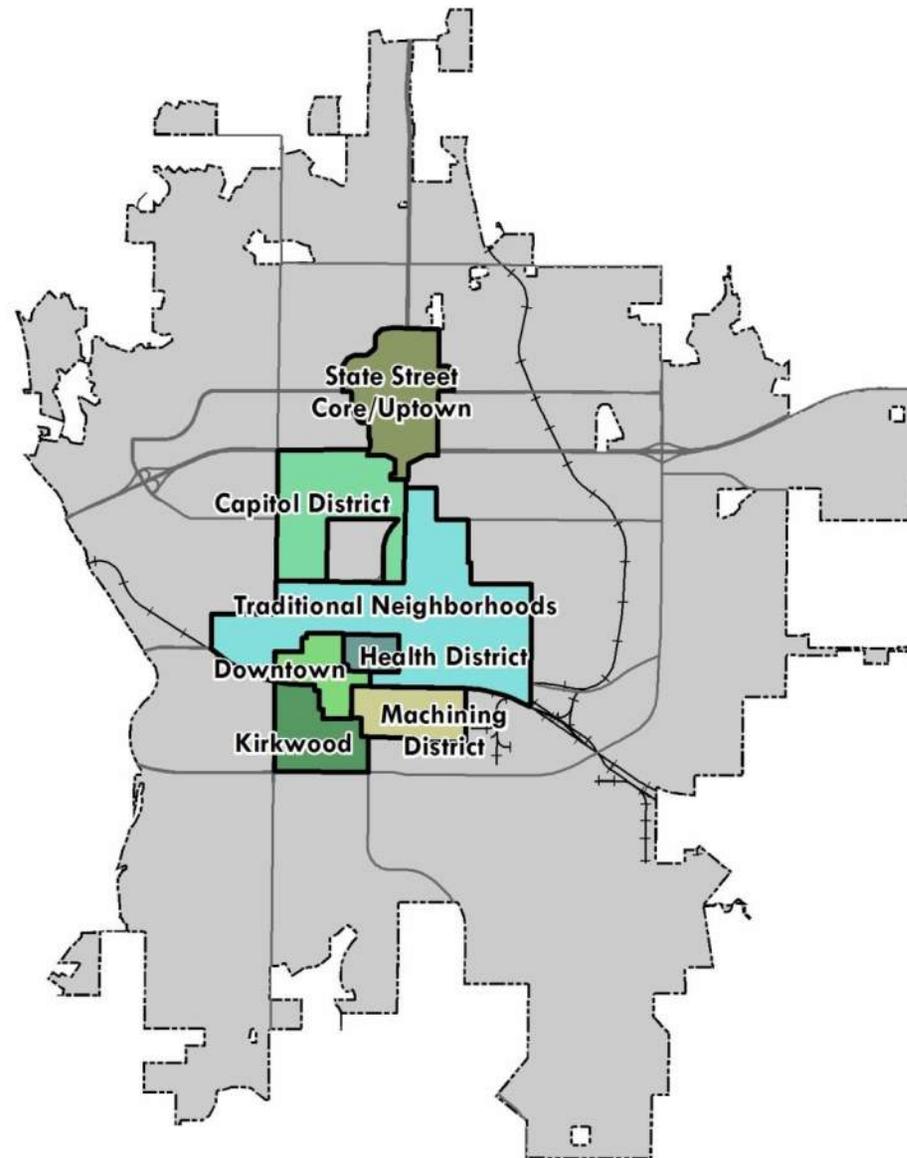
- 1 Formation and Growth of Complete Neighborhoods
- 2 Integration of Civic and Open Space into Development
- 3 Provisions for Mixed-Use Development of Appropriate Scale
- 4 Preservation and Enhancement of Architectural and Historical Character
- 5 Building at the Scale of the Pedestrian
- 6 Fostering a Network of Connected Streets and Paths
- 7 Mitigation of the Impact of Parking on Public Space
- 8 Design to Allow Adaptation to Future Conditions

Character Areas

Every neighborhood and business district in Bismarck has distinctive qualities, and nurturing this broad variety enhances the city as a whole. This plan is not intended to apply a one-size-fits-all set of standards to the entirety of Bismarck. The character of each neighborhood is rooted in its past, and should shape the unique trajectory of its future.

The following seven *Character Areas* are identified as important for future infill and redevelopment in Bismarck. As the geographic and historic core of the community, this area has many attractive features. The residents and businesses within each area should carefully consider how to engage with change in beneficial ways.

The selection of these *Character Areas* is not intended to limit infill and redevelopment to these areas. The principles and strategies of this plan apply to the whole city.



Downtown

Downtown is the historic and cultural heart of the community, and is the only area of Bismarck to have experienced significant levels of reinvestment over the last forty years. Downtown is the center of civic life for the community, housing offices for local and federal government administration. It is also a center for entrepreneurship, hosting and incubating a disproportionate share of the region's startups. The 2013 Downtown Subarea Study provides detailed recommendations for further improvement of the downtown, and the ongoing implementation of this plan will spur its continued revitalization and enhance the image of the city as a whole.

State Street Core/Uptown

State Street Core/Uptown had its birth in the late 1960s, shortly after the installation of the Interstate 94 interchange. The primary design interest was convenience for the motoring public, which was typical across the nation for development from this era. While some of the buildings may be reaching the latter stages of their intended lifecycle, the area remains highly valuable as the crossroads of the two entrance corridors into the city, Interstate 94 and US Highway 83. This suggests significant potential for redevelopment in the near future.

Kirkwood

Southside is anchored by the Kirkwood Mall, which is the city's first regional mall and remains its largest. Plans to integrate the mall into the downtown through improvements to South 5th street will secure its position as a retail center into the future. The relaxation of parking requirements has already led to infill development of pad sites in the mall parking lot, and further potential for this remains. The 3rd Street corridor is among the most sought after for national chains seeking locations to do business. The northern portion of the area is slated for high-density residential and

mixed-use development as recommended in the 2013 Downtown Bismarck Subarea study.

Traditional Neighborhoods

The traditional neighborhoods are located on the original grid, which was platted between 1877 and the 1940s. The street layout creates a repeating pattern of 300x300 foot blocks, which is an ideal environment for safe and pleasant walking and biking. The proximity to downtown and the State Capitol complex offers a high level of convenience to job centers and institutional amenities. The wide historic range and style of architecture and the abundance of mature trees are distinct amenities. Any infill and redevelopment of this area should be modest in scale and aligned with the general form of its surroundings.

The Machining District

The Machining District is also a historic section of Bismarck, with certain homes and businesses in the northern portions dating back to the early 20th century. The northern portion near the main BNSF railroad tracks is predominantly industrial, with a residential neighborhood in close proximity, and sometimes directly adjacent to the industrial yards. A few older industrial buildings have been redeveloped as restaurants and offices. The close proximity to downtown and major infill projects occurring there suggests that market demand for growth in this area will continue. As with traditional neighborhoods above, changes to the residential portions should be compatible with the surroundings.

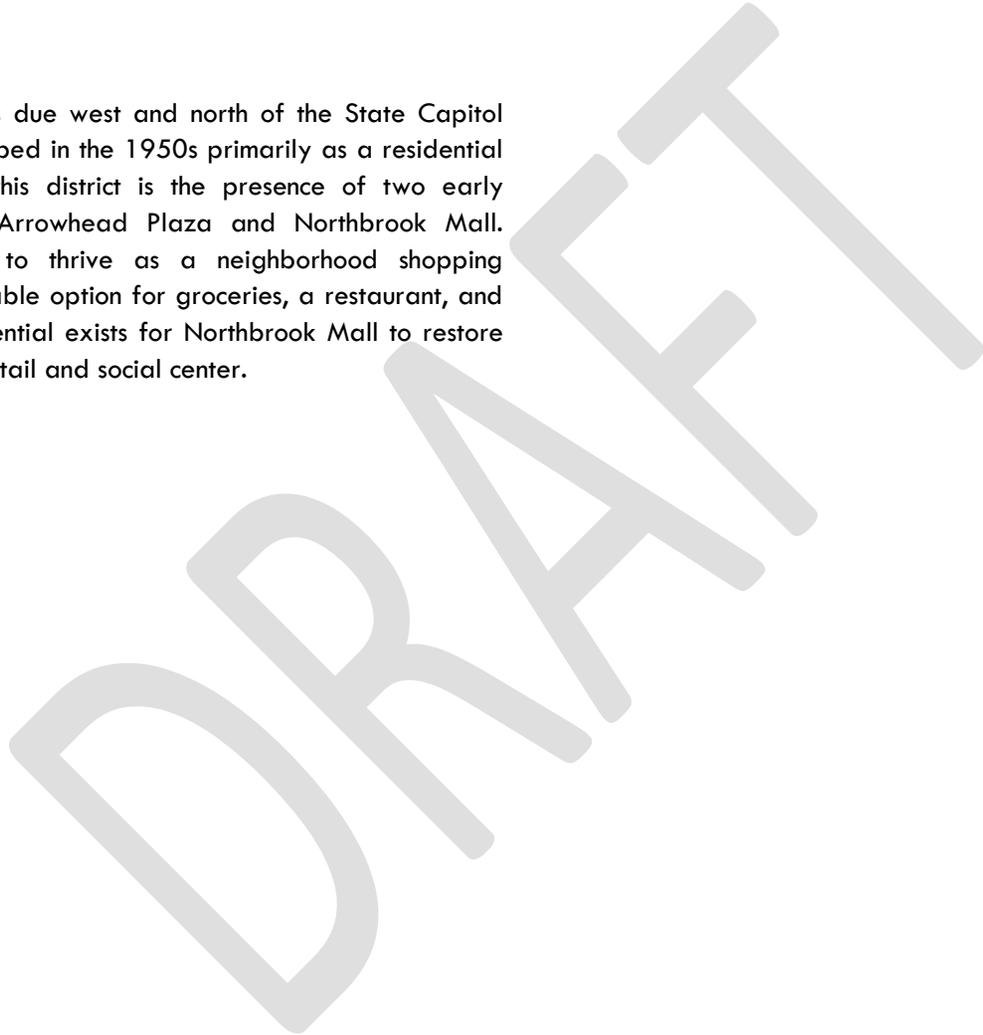
The Health District

As a regional center, health care is the single largest component of the private sector of Bismarck. Both major health care providers are located in this district, as well as several other clinics and supporting uses. The primary potential for development in the Health District would be through the conversion of surface parking to structured parking, and the

construction of new health care facilities. Currently, some conflict exists between the ongoing parking needs for the medical uses and the integrity of neighborhoods to the east.

The Capitol District

The Capitol District, which lies due west and north of the State Capitol grounds, started to be developed in the 1950s primarily as a residential area. A unique feature of this district is the presence of two early suburban shopping centers, Arrowhead Plaza and Northbrook Mall. Arrowhead Plaza continues to thrive as a neighborhood shopping destination, providing a walkable option for groceries, a restaurant, and other convenience goods. Potential exists for Northbrook Mall to restore its status as a neighborhood retail and social center.



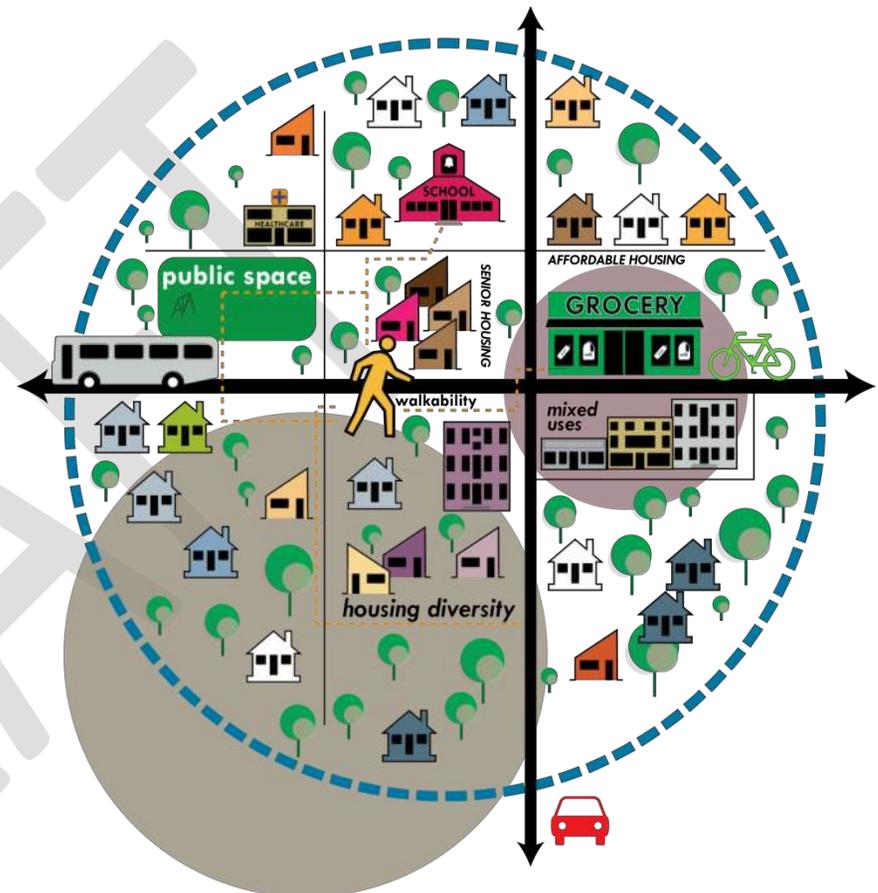
1 | Formation and Growth of Complete Neighborhoods

The quality of life for residents living in any neighborhood is influenced by access to amenities within a reasonable distance from their home. A complete neighborhood provides benefits to Bismarck citizens across the age spectrum. Children can venture into independence by walking to school or meeting friends at a park without being driven by adults. Young adults increasingly value walkable neighborhoods and are factoring this expectation into their housing and employment decisions. Finally, Bismarck’s growing population of seniors has the ability to age in place when basic services are convenient and accessible.

Many neighborhoods that were developed before widespread adoption of automobile travel naturally formed as complete neighborhoods. After World War II, single-use land use patterns began to predominate in Bismarck and virtually all other cities of similar character. Today, complete neighborhoods are recognized as one important component of overall city development, along with options for more rural and suburban lifestyles.

Design Objectives:

- Basic amenities, especially healthy foods, are within walking distance of residences in urban neighborhoods.
- Schools and health care facilities are easily accessible and safety measures are employed to protect students and clients from vehicle traffic.
- A diversity of housing types leads to socioeconomic diversity of neighborhoods.
- Parks and open space create an essential natural refuge from the surroundings of the city.



2 | Integration of Civic and Open Space into Development

Integrating civic and open spaces into private development projects is a positive way to promote a healthy, thriving street life and sense of community. When designed appropriately, these spaces can provide areas for cultural and social activities and offer green and open spaces as community density increases. Additionally they contribute to community pride and strengthen neighborhood identity.

Design Objectives:

- A neighborhood park is within a ½ mile walking distance of all residences in the city.
- Civic spaces are located in desirable areas with adequate natural light and adequate size for the intended activity.
- Healthy lifestyles are supported and encouraged through outdoor recreation amenities.
- Public spaces are secure with high visibility from the street and no hidden spaces within.
- There are ample opportunities for rest and relaxation and varied visual interest in busy areas of the city.
- Public art adds interest to spaces and creates an identifiable attraction (ex. Eagle at Custer Park).
- Responsibilities for ongoing maintenance and operations are clearly defined and upheld.

Urban Plaza



Lubert Plaza – Philadelphia, PA. Photo Credit: Andropogon

Pocket Park



Franklin Street Park Cambridge, MA. Photo credit: Landscape Architects Network

Parklet



East Superior Street in Duluth, MN

Bulb Outs



Bulb out with Bio-Swale, Transit Stop and Bike Rack - Portland, OR. Photo Credit: National association of City Transportation Officials

Examples include public space in front of civic structures or private businesses, shared courtyard space between adjacent residential, commercial and office uses, urban gathering spots for entertainment venues, and outdoor eating areas.

Small intimate spaces that utilize vacant, irregular, or undevelopable land. Due to their small size, they are suited for activities such as a seating areas, playgrounds, dog play areas, community gardens, water features, and green areas.

Part of the right of way is used seasonally as public space in urban areas, allowing rest and seating. Barriers enhance safety, and openings allow water flow. Installation is low-cost and portable.

Bulb outs are extensions of the sidewalk at road intersections that reduce the distance of the pedestrian crossings and contribute to traffic calming. Space may be used for benches, transit shelters, bike racks, and stormwater bioswales.

3 | Provisions for Mixed-Use Development of Appropriate Scale

Mixed-use development refers to the combination of two or more compatible uses into one development, building or block. This type of development is appropriate for certain areas of Bismarck, such as downtown, small neighborhood commercial centers, and along corridors served by transit. It is not appropriate for lower-density residential areas and would necessarily be very limited in industrial areas.

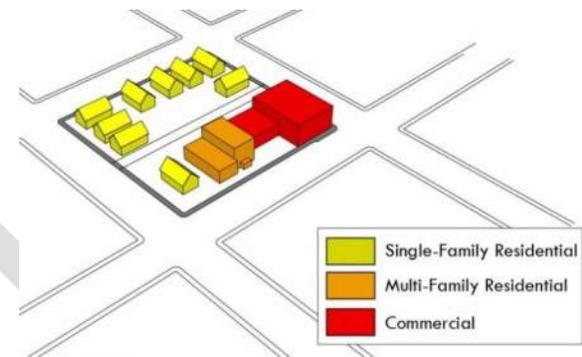
Creation of more mixed-use development in urban environments provides more localized access to goods and services within walking distances, and promotes economic development through high-quality infill.

The scale is important to the success of mixed-use development. A small neighborhood grocery and a large supermarket may be classified as the same type of use, but the former could be appropriate for a neighborhood commercial corner while the latter would clearly not be. Traffic generation and parking are critical concerns. Architectural design and form can also improve (or detract from) compatibility.

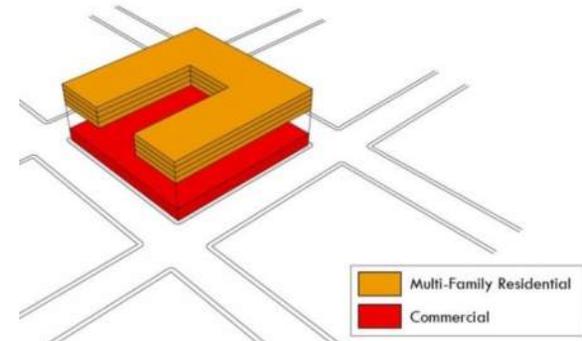
Design Objectives:

- Higher-activity public uses are located on ground floors and at intersection corners. Lower-activity private uses are in upper floors and between blocks.
- Safe and pedestrian-friendly access is provided in and around all mixed-use sites.
- Mixed-use buildings may share amenities such as parking, common areas, HVAC, and maintenance.
- Security from crime is enhanced by human presence all hours of the day and night.
- Design of spaces encourages interaction among occupants which strengthens the community.

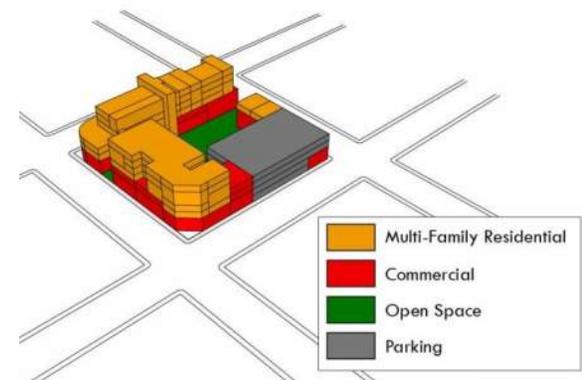
Horizontal Mixed Use



Vertical Mixed Use



Combination of Horizontal and Vertical Mixed Use



4 | Preservation and Enhancement of Architectural and Historical Character

The buildings, trees, and public spaces that have been built, planted, and installed over the years in Bismarck contribute to the uniqueness of the community, remind us of our past, and represent significant investments of resources. There is a strong case for protecting these assets. At the same time, Bismarck has been evolving since it was founded and neighborhoods have always been dynamic and open to new ideas.

Infill and redevelopment should strike a balance between preserving the character of the past while remaining open to the possibility of the future. The style and character of any Bismarck neighborhood is greater than the sum of its parts. Everything from the street width to the layout of buildings and architectural details of individual buildings contributes to the overall character of the area. Infill and redevelopment should respect the people who already live and work in that place, and contribute to its character rather than detract from it.

Design Objectives:

- Rehabilitation of buildings attempts to restore, repair or replace elements as necessary (in that order). Elements that are not compatible are removed.
- The character of the existing neighborhood is respected with use of complementary:
 - Shape, Form and Height
 - Texture / Materials
 - Open Space / Setbacks
 - Color Palette (in some cases).
- New trees and shrubs of similar species are planted in anticipation of the death of aging vegetation.
- Whenever feasible, existing overhead utility lines are removed and replaced by underground facilities.

5 | Building at the Scale of the Pedestrian

Humans experience the world in a specific way that is related to the proportions of the human body. Creating neighborhoods and districts with an appropriate scale for human perception and interaction enhances the comfort and convenience of living, working, and playing in that location.

Streets and sidewalks that are designed to favor pedestrians and not strictly designed to allow for the free flow of automobiles leads to a safety, security, and a sense of welcome. However, a balance between the needs to create safe neighborhoods and provide access into and out of a region must still be maintained.

Design Objectives:

- Improvements in the right-of-way, such as wide sidewalks, and along the street edge contribute to the safety and comfort of pedestrian movement.
- Patterns, textures, and signs are designed to be appreciated and understood at slow speeds.
- Height and proportions of buildings and architectural features are within appropriate scale to humans and neighboring buildings.
- Buildings, vegetation and streetscape elements create a sense of enclosure for people in public spaces.
- Ample visual interest exists at the ground floor level along the sidewalk in higher-intensity areas.



6 | Fostering a Network of Connected Streets and Paths

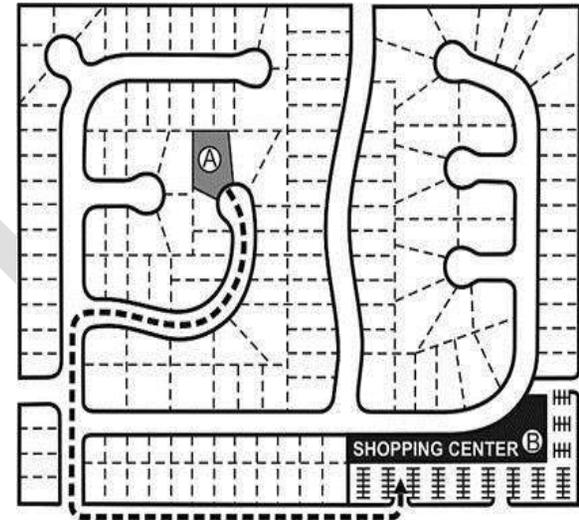
A street and pathway network that is well-connected and dense, with multiple options for routes between destinations, provides many benefits. Traffic is distributed resulting in less congestion, and emergency routes are available in case any particular roadway is blocked. Pedestrians and cyclists, in particular, enjoy more efficient routes and the ability to choose safer, lower-volume streets.

Our early transportation system in Bismarck consisted of streets that bound gridded blocks of mostly uniform square sizes. These blocks still function well in terms of walkability and traffic flow. By the 1950's, developers started to favor long winding roads with limited access and fewer route options. There are certain advantages to this newer system in terms of cost and prevention of cut-through traffic, but a connected network is more appropriate for the more urban portions of the city.

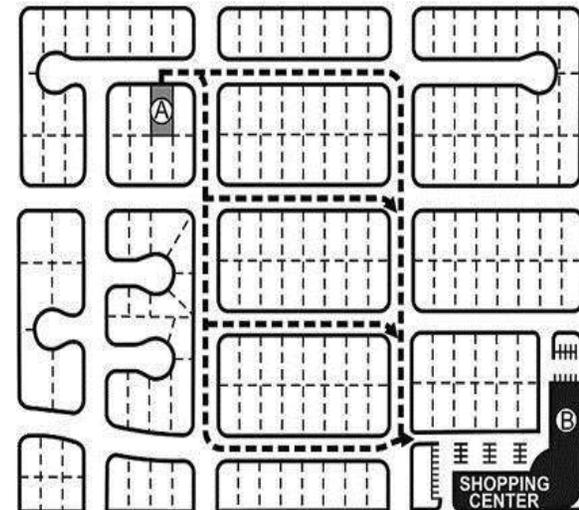
Design Objectives:

- Streets allow multiple travel routes and maintain short block lengths, which include numerous three and four-way intersections and minimal dead-ends.
- Existing rights of way that provide any potential transportation function should not be vacated.
- Multiuse paths provide direct links to common transportation destinations and should be included in all larger-scale development proposals.
- Site plans for new development show sufficient street or pathway connections to the existing network, while still limiting the number of access points to major streets.

Conventional suburban hierarchical network



Traditional Urban Connected Network



Source: Institute of Transportation Engineers

7 | Mitigation of the Impact of Parking on Public Space

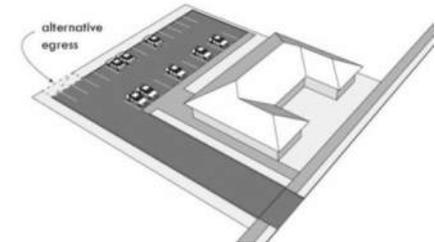
Parking needs can place a heavy burden on infill and redevelopment. Parking areas must meet city regulations, be conveniently located, and be cost-effective for the developer. Sometimes meeting these realities results in large uninterrupted paved surfaces in front of buildings. However, if surface parking is located in the front of a building or a garage is a prominent feature on the front of a home, the visual appeal and function of the public realm is deteriorated. Whenever possible, this situation should be avoided during initial construction, although strategies can also be employed to mitigate the effects of existing parking lots.

Design Objectives:

- Structures, fencing or vegetation are used to reduce the view of a parking lot from public streets.
- Buildings are sited against the front lot line, or as close as possible, in urban areas to allow room for parking behind the building.
- Alleys and side streets are utilized for access whenever possible, and the number of access points on high-volume roadways is reduced.
- Only enough parking to serve reasonable needs is created. Existing parking lots with demonstrable lack of use are considered for future redevelopment.
- In the most urban areas, shared structured parking is used to the greatest extent possible.

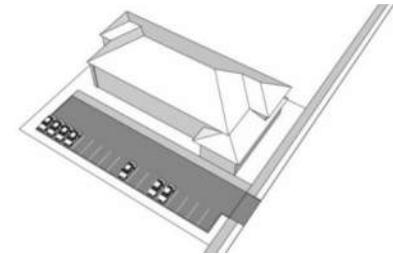
Rear Parking

Parking lot is screened by building



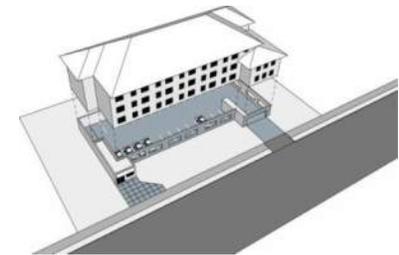
Parking on the Side

The width of the parking area is shallow, and less landscape screening is necessary



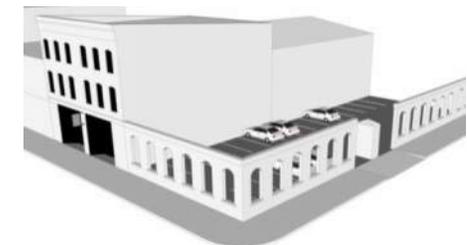
Parking Underneath

Parking is integrated as part or all of the first floor of the building or placed underground.



Screening

Vegetation or constructed screening complements adjacent styles



8 | Design to Allow Adaptation to Future Conditions

The future is unknown. Changes in technology, the economy, culture, or even the physical environment may radically alter the way buildings and public spaces are used. Making design choices early in the planning stage to make future adaptation easier can help reduce life-cycle costs of development and provide the flexibility necessary to adapt to an ever-changing world.

Planning for future adaptation allows the city to be both resilient, able to persevere through shocks to the system, and opportunistic, able to quickly shift to take advantage of new opportunities.

Design Objectives:

- Design buildings and infrastructure to allow future adaptation to conditions.
- Anticipate potential future natural hazards, through use of the best available scientific data, and mitigate against the hazard by avoiding sensitive areas or engineering protections.
- Review and update plans, ordinances, and policies on a regular basis, with significant input from the public.

Examples of Designing for Future Adaptation

Possible Scenario	Adaptation Strategy
The population of seniors in Bismarck increases by almost 85% between 2014 and 2029, as projected by North Dakota Housing Finance Agency.	Increase the supply of housing units that are suitable homes, or at least visitable, for people with mobility impairments.
Property values of a well-located commercial site increase and the owner considers expansion	Design buildings with ability to accommodate excess structural load to allow additional floors to be added in the future as demand arises.
A widespread shift to autonomous vehicles decreases the need for on-site parking and taxi services lead to reductions in vehicle ownership levels.	Design surface parking lots, parking structures, and residential garages with an intended future use or expansion in mind if parking is no longer needed.
The size or structure of families in the region changes, or different office space configurations are desired.	Separate structural and non-structural elements of buildings to allow future users the ability to quickly and easily reconfigure spaces to suit changing needs.
More energy-efficient building materials become available, or the market demands a change in building style.	Design with modular building components to provide the flexibility necessary to easily replace and adapt to changing aesthetics and technological advances.

Demonstration Scenarios

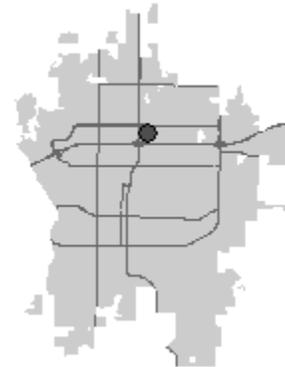
The application of the design principles of this Infill and Redevelopment Plan will inevitably take on a different form every time they are applied. There simply are too many detailed factors that must be considered with the existing conditions of specific sites, market feasibility, and interests of the local citizens to expect broad conformity to any set of standards.

Three demonstration scenarios are presented to illustrate how the design principles may be applied to specific sites in the City of Bismarck. These designs are purely hypothetical and for the purpose of illustration only. The inclusion of these sites does not imply any endorsement by the property owners, nor does it imply any expectation on behalf of the City that infill and redevelopment will occur on these sites according to the designs of this plan. They are presented as an example of how various types of places may be developed in ways that will benefit the City as a whole, as well as a study of the potential that exists given realistic constraints.

Scenario 1: Bismarck Uptown Center

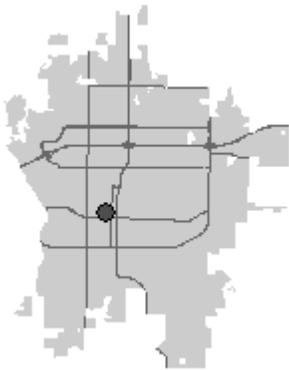


“Uptown center” is a large-scale and high-intensity redevelopment project.



Location is a fifteen acre site along the east side of State Street north of Interstate 94. The site is currently owned by two separate property owners. The primary use on the site is a 107,000 square foot single-story retail building that was built in 1971, but the majority of the area is a surface parking lot or undeveloped land behind the shopping building. The land is relatively flat with one access point onto State Street, and four access points onto the lower-volume Interstate Avenue.

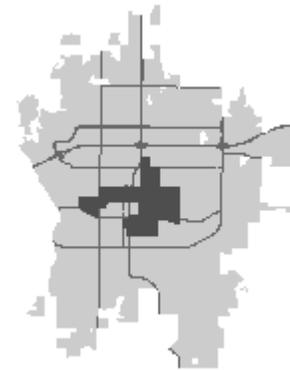
Scenario 2: The New Galleria



“The New Galleria” is a medium-scale urban infill and redevelopment project.

Location is a vacant site and existing Galleria parking ramp at the corner of Main Avenue and North 7th Street in downtown Bismarck. Currently owned and operated by the Bismarck Parking Authority, the undeveloped site is being used temporarily as a surface parking lot. The Galleria parking ramp was built several decades ago, and ongoing maintenance expenses are high. The ramp provides 282 parking spots, and the temporary lot an additional approximately 50 spots.

Scenario 3: Gentle and Lean Infill

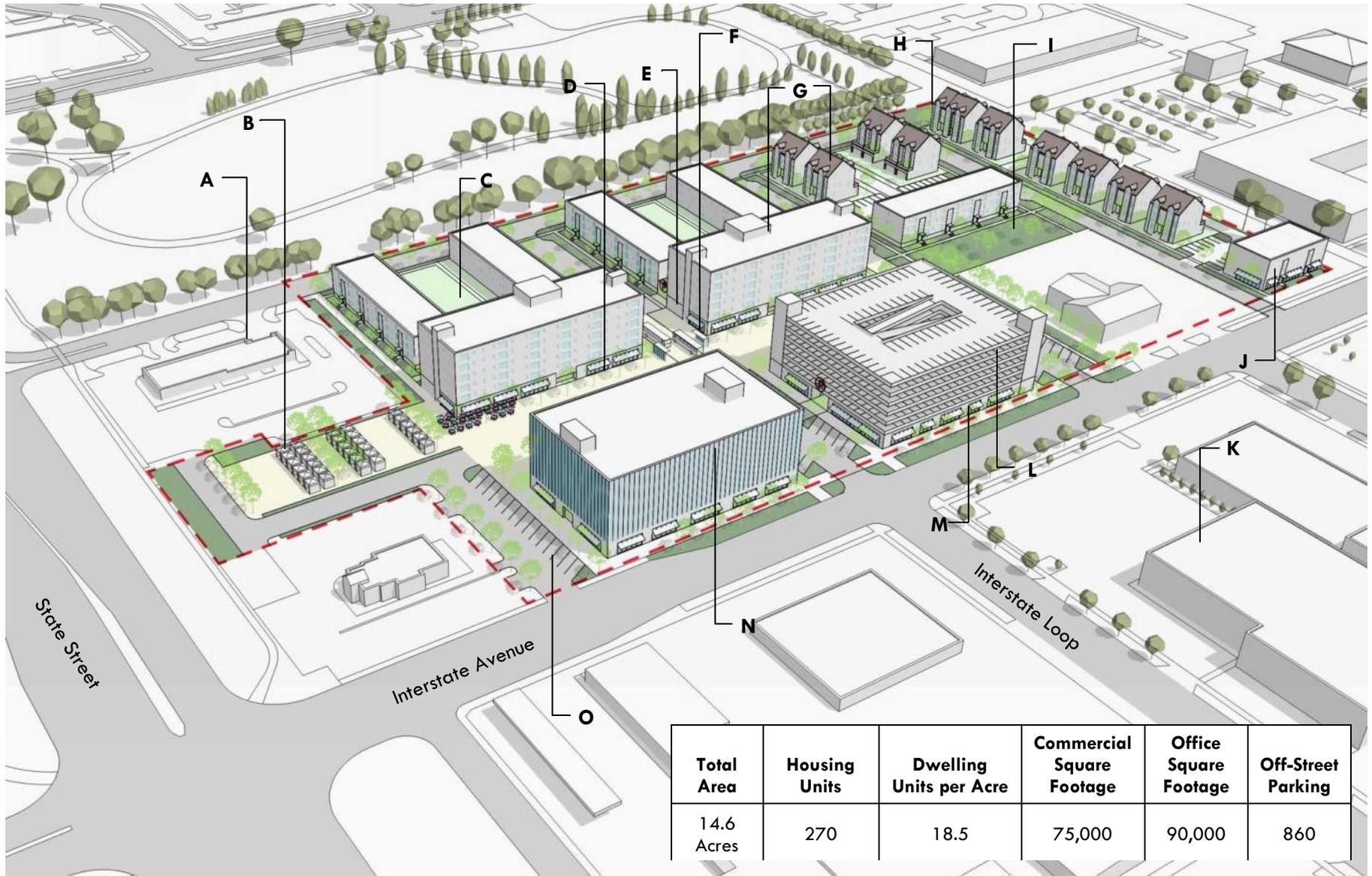


“Gentle and Lean Infill” is a small-scale residential infill project.

It is intended to be applied incrementally within the traditional grid of the City of Bismarck that was continued by most plats until around 1940. The blocks are uniformly 300 feet by 300 feet, and individual lots are typically either 50 or 35 feet wide. Alleys may or may not be present. Most of these neighborhoods are filled in to a high degree, although there remain a few vacant lots or opportunities to redevelop through “gentle infill” that fits the character of the neighborhood.

Scenario 1: Bismarck Uptown Center

CONCEPT FOR ILLUSTRATION PURPOSES



Total Area	Housing Units	Dwelling Units per Acre	Commercial Square Footage	Office Square Footage	Off-Street Parking
14.6 Acres	270	18.5	75,000	90,000	860

- A** The existing pad retail sites (McDonald and Arby's, currently) remain intact with the same access points to State Street and Interstate Avenue. There is future potential for redevelopment on these sites as an extension of the proposed design, with the current tenants potentially occupying ground-floor space.
- B** The west end of the pedestrian plaza provides an open plaza space for events and functions, with landscaping in planters. The farmer's market that currently meets in the Kmart parking lot could continue using this location.
- C** Semi-private courtyards are surrounded on three sides by the housing that they serve. Vistas of the Sunset Memorial Gardens cemetery are presented on the north side.
- D** A wide pedestrian plaza, 90-120 feet wide, is a central feature of the development. The plaza is lined with retail and service-oriented uses on the ground floor and is landscaped with street trees and various streetscape elements such as outdoor seating, lights, and benches.
- E** Entrances to underground parking for the housing units are located along the public streets. Each building contains one-and-half stories of parking beneath the surface, with a total of 180 spaces.
- F** The designated transit stop is centrally-located at the intersection of a public street and the pedestrian plaza. Transit connections to downtown are direct and high frequency.
- G** The townhomes are spacious and upscale. Apartments or condominiums are available as well. As a whole, the site includes a broad range of housing options of various price points and size.
- H** A green strip of land is left open for a possible future roadway connection to uses to the northeast.
- I** The eastern end of the pedestrian plaza features a small park that is an appropriate front yard for the housing on the north side. A shared yard creates more usable space than individual private yards would.
- J** A mixed-use building directly fronting Interstate Avenue allows professionals and business owners to live above their place of work. Surface parking is located behind the building.
- K** The existing movie theater is conveniently located across the street from the parking structure, and could potentially enter into a shared parking arrangement. The theater may need parking at times when office workers do not need parking, and theater-goers could park once and also patronize restaurants. Up to 300 spaces could be available for the theater. The redevelopment provides positive benefits to existing neighbors.
- L** The parking ramp includes 500 spaces for use by the adjoining office building and, to some degree, commercial uses. It is centrally-located to allow only a short walking distance to the activities it serves. The ramp is designed with speedways and level floors to facilitate adaptive reuse if as much parking is no longer necessary in the future.
- M** The majority of the ground floor of the parking ramp is dedicated to commercial uses. This provides activity and security to the street, ensuring that pedestrians do not need to walk along a blank wall.
- N** The mixed-use building includes 90,000 square feet of office space and 22,000 gross square feet of ground-floor commercial. The prominent location near State Street allows sufficient exposure and signage opportunities. The existing tenant could utilize this space.
- O** The internal street network is well-connected, aligned with existing intersections and access points, and dedicated to the public. A total of 60 diagonal on-street parking spaces are available, which are especially critical for ground-floor retail or entertainment uses.

Scenario 2: The New Galleria

CONCEPT FOR ILLUSTRATION PURPOSES



Total Area	Housing Units	Dwelling Units per Acre	Commercial Square Footage	Office Square Footage	Off-Street Parking
1.3 Acres	75	58	32,500	0	440

- A** Ground-floor retail, entertainment, and service uses create a high level of activity on Main Avenue, extending the existing vibrancy of the 500 block of East Main Avenue one block further to the east. Streetscape elements such as street trees and lights are provided as amenities.
- B** A vegetative roof on top of a waterproof membrane creates a unique landscape feature in the heart of downtown. The green roof helps to retain water, which results in a net reduction of stormwater runoff from this site after development. It also reduces the urban heat island effect.
- C** The upper five floors of the building are residential in nature, a total of 75-80 housing units in a highly convenient location. The presence of people with windows facing Main Avenue provides around-the-clock security and vitality to the block.
- D** The mixed-use building and parking ramp are connected by a ground floor enclosed walkway, allowing direct access between the two during inclement weather or cold temperatures.
- E** A small pocket park is tucked into an enclave between the buildings. It is shown with outdoor seating but could be programmed in a variety of ways.
- F** The new parking ramp replaces the Galleria parking ramp. The ramp has 440 spaces, which is 155 additional spaces beyond the existing structure (enough to serve the new housing units and replace existing capacity). The ramp services the Radisson hotel, commercial uses, and residential apartments.
- G** The ground floor of the parking ramp is lined with active commercial uses on the North 7th Street side. Because this street is a high-volume roadway with no on-street parking a five foot landscaped area provides a buffer. If more pedestrian space is necessary, the ground-floor could be inset a few feet with an overhang above the storefronts.
- H** Adjacent parcels to the south and east are underutilized with extensive surface parking lots. These areas may be potential candidates for future redevelopment, if market demand for further extension of downtown persists in the future.

Scenario 3: Gentle and Lean Infill

CONCEPT FOR ILLUSTRATION PURPOSES



- A** Each lot is 50 feet wide and 150 in length, which are typical proportions found throughout the gridded portions of Bismarck. Some blocks include alley access, and others do not have an improved alley.
- B** The live-work building type includes four or five residential units with one small commercial space on the ground floor. These uses are ideal for situations such as law offices, music studios, or artist galleries – any occupation that may need a public interface periodically along with a more private workspace.
- C** The commercial space of the live-work units is tucked behind the primary residential street on a side street to avoid interrupting the character of the primary neighborhood street. A small patio area allows access from the sidewalk. There should be on-street parking available for use by clients and customers.
- D** Abundant street trees in the boulevards reinforce the residential character of the neighborhood and provide visual screening and protection from the street.
- E** Each new building is accompanied by a small parking area in the rear. Blocks that contain existing alleys should use the alley for parking access.
- F** The multifamily building contains four or five housing units. The size of this structure is easier to finance than a larger building, and it could reasonably be undertaken by a local entrepreneur without large cash reserves. The small scale offers interesting variations for each building on a street and often allows the builder to work within existing constraints more readily than would be possible with a larger project.
- G** The main entrance and front stoop match the residential character of the street and fit in well amongst single-family homes. Although parking is accessed from the rear, the building obviously faces the primary street.
- H** Where alley access is unavailable, parking lots are accessed directly from a side street or via a driveway from the front. Parking in all cases is behind the public-facing front of the building.
- I** New buildings match the setbacks of existing adjacent buildings. Some variation in height is acceptable; the new buildings are within one story of the height of the adjacent buildings.

3

Implementation Strategies

The overall vision for this Plan, as stated in the Introduction, is to **facilitate high-quality infill and redevelopment** in the City of Bismarck that:

1. Protects and enhances the high **quality of life**
2. existing neighborhoods,
3. Contributes to the **economic vitality** of established business districts,
4. Increases the tax base through **efficient utilization of City infrastructure and services**, and
5. Supports the City’s values and goals established in the City of **Bismarck’s Strategic Plan**.

This section of the plan contains a number of recommended strategies that are intended to support this vision statement:

Infill and Redevelopment Plan Implementation Strategies

- 1 Allow Setbacks to Match the Existing Context
- 2 Increase Exemptions from Expanded Arterial Setbacks
- 3 Conduct Area-Wide Brownfield Revitalization Study
- 4 Plan for Transit with New Development
- 5 Allow Creation of Historic Design Standards for Neighborhoods
- 6 Become a Certified Local Government for Historic Preservation
- 7 Establish Criteria for Modification of Parking Requirements

- 8 Encourage Shared Parking Arrangements
- 9 Adapt Stormwater Management Controls to Facilitate Infill
- 10 Encourage Redevelopment to Result in Net Water Quality and Stormwater Runoff Improvement
- 11 Create a Developer’s Handbook and Fact Sheets for Guidance
- 12 Continue to Support Downtown Revitalization Programs
- 13 Encourage New Small Parks in Existing Neighborhoods
- 14 Create a New Traditional Neighborhood Zoning District
- 15 Increase Awareness of the Accessory Dwelling Unit Option
- 16 Provide Landscape Buffer Alternatives in Certain Areas
- 17 Monitor For and Mitigate Against Housing Displacement
- 18 Preserve Existing Schools as Anchors for Neighborhoods
- 19 Encourage Adaptive Reuse within Bounds of Building Code
- 20 Maintain a Database of Developable Vacant Properties
- 21 Study Costs and Benefits of a Rental Property Maintenance Code
- 22 Encourage Continual Reinvestment in Older Homes
- 23 Promote Cost-Share for Street Tree Planting
- 24 Create a Fiscal Impact Model to Evaluate Future Development

1 | Allow Setbacks to Match the Existing Context



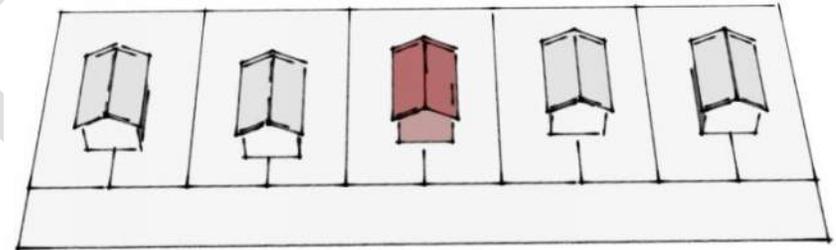
The traditional purpose of a front setback is to provide for visually pleasing front yards and uniformity of building lines, in order to prevent any one building from interrupting the view from others. Currently, the zoning ordinance establishes a single front yard minimum setback requirement for each zone, such as 25 feet for all buildings in the R5 – Residential Zoning District.

Many existing neighborhoods in Bismarck may not conform to this standard, requiring all new construction or additions to be built out of alignment. In reality, property owners who wish to modify their homes or businesses from current regulations must seek a variance from the setback to do so, which increases costs, time, and unpredictability of all projects.

Setback requirements should be modified to allow development in existing neighborhoods to match the surroundings, based on actual measurements taken from adjacent structures. A simple formula for calculating the allowable setback based on the existing structures on the street should be included in the zoning ordinance to allow a quick administrative review before the building permit is issued. The setback should also include a maximum setback to prevent any new construction from being located substantially behind existing buildings. Likewise,

structures should be required to match the existing context even if a lesser setback is allowed within the zoning district.

The following example shows how a setback may be calculated with a simple formula for an infill residence on a street with some variation in the existing buildings:



Existing Structure	Existing Structure	New Structure	Existing Structure	Existing Structure
15 Foot Setback	15 Foot Setback	Between 15 and 20 Foot Setback	18 Foot Setback	20 Foot Setback

Furthermore, additions to buildings that are already nonconforming should be allowed without a variance as long as the extension does not further infringe into this setback.

Strategy: Amend the Zoning Ordinance to allow front, side, and rear yard setbacks for new infill construction and additions, to match the existing setbacks of neighboring buildings on the street based on a formula stipulated in the Zoning Ordinance.

2 | Increase Exemptions from Expanded Arterial Setbacks



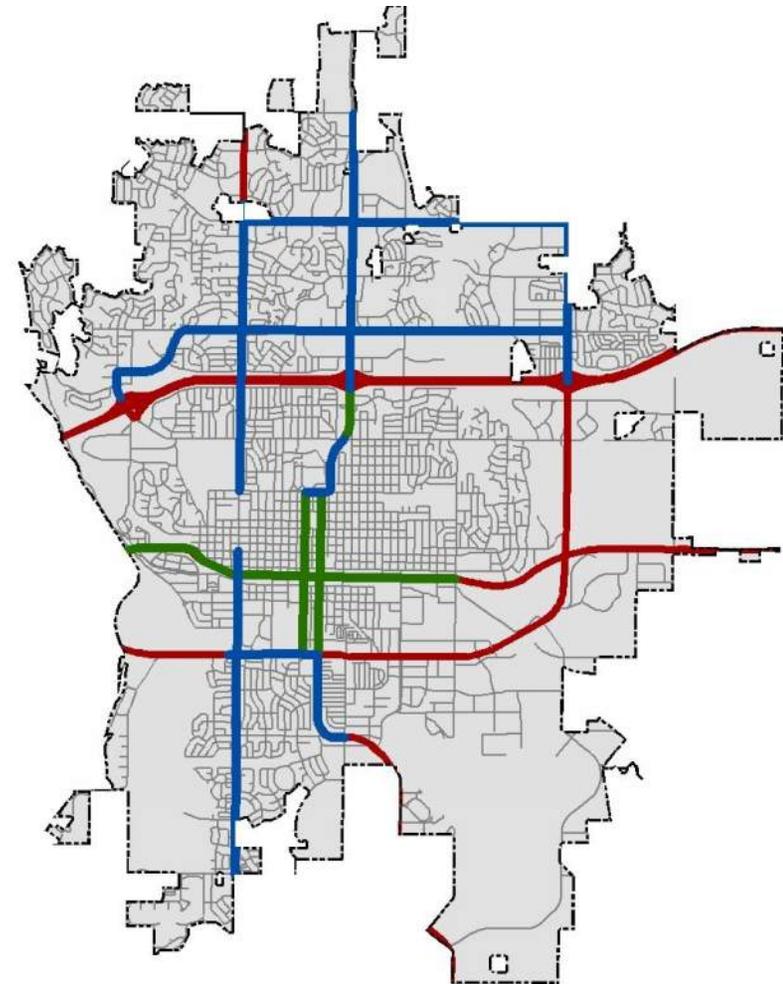
The zoning ordinance currently imposes expanded setbacks from all major roadways in the community. All structures must be setback from the property lines adjacent to “principal arterials” at least fifty feet. Arterial roadways typically have a right-of-way of at least 150 feet, and the setbacks create an additional separation beyond the right of way.

When this ordinance was adopted, a few exemptions were included for areas that are more urban in character. The setbacks in this area revert to the underlying zoning district. For example, buildings in most commercial districts must be set back at least 15 feet from the property line. On the other hand, downtown buildings must be built on the property line.

Exempting additional arterial roadways helps property owners design according to the principles in this plan. Sight triangle requirements would remain to prevent buildings from blocking views from intersections, and US Highway 83 Safety Study recommendations should be followed.

Strategy: Amend the Zoning Ordinance to increase the number of corridors that are exempted from the 50 foot arterial setback requirement, which will revert the setback to the requirement of the underlying zoning district.

- Already exempted from 50 foot setback
- Proposed to be exempted from 50 foot setback
- 50 foot setback proposed to remain



3 | Conduct Area-Wide Brownfield Revitalization Study



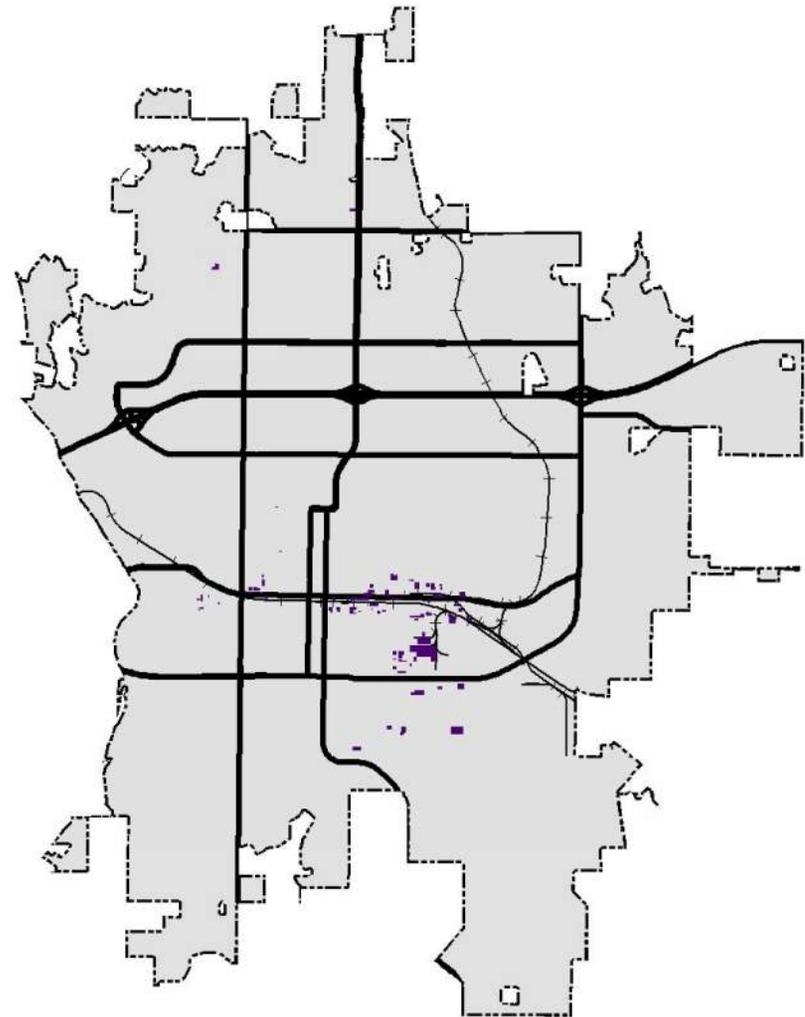
Brownfield sites are lands that were previously used for industrial or certain commercial uses that may be contaminated from the accumulation of past hazardous waste or pollution. Importantly, even the perception of hazards can create a stigma that impedes the reuse of the land.

Of the approximately sixty brownfield sites that have been assessed and cleaned up through the North Dakota Department of Health, very few have been located in Bismarck. The majority of brownfield sites in the state are created for asbestos or lead remediation of abandoned retail sites or removal of petroleum and other fluids from former gas station properties.

An opportunity exists to identify eligible sites in the City of Bismarck and create preliminary plans for remediation, taking advantage of available federal and state grants.

Strategy: Utilize available state and federal funds to conduct an area-wide brownfield assessment to identify cleanup opportunities in areas with high potential for redevelopment.

Industrial, automotive, or laundromat buildings over 50 years old



4 | Plan for Transit with New Development/Redevelopment



As any City reaches a certain threshold in population, transit becomes an essential component of the overall transportation system, both for riders with mobility impairments and also those who ride by choice. Bismarck is reaching this level, and realistically the vision for this plan cannot be fully supported without enhancements to the public transit system.

As our student population grows, our downtown develops, and more new citizens are moving to Bismarck from communities where public transportation was a suitable option for commuting - our transit system can evolve to meet these needs. Another role of the City of Bismarck is to consider the use of transit during the development review process and land use decision-making to develop a system that is efficient for all members of the community.

Maintaining constant feedback between transit planners and land use planners will enable the fixed-route system to develop where ridership would be optimized, while also enabling development to occur in locations where any negative impact on roadways will be minimized.

There are currently no designated stops along the fixed-route transit system, but designating stops will be an important step in the system's development, especially if shelters can be provided. Pedestrian access to these future stations should become a component of the site planning

process for nearby developments. Encouraging development to work well with a transit system can start before the transit system actually develops, a practice known as "transit-ready development."

Large-scale commercial or multifamily developments within the transit service area should be strongly encouraged to include transit amenities in the development. Bus shelters are a particular need, given Bismarck's cold winters and current infrequency on many routes.

Strategy: Enhance coordination between the City of Bismarck and public transit operators for all development review and site plans within existing or planned transit service areas.

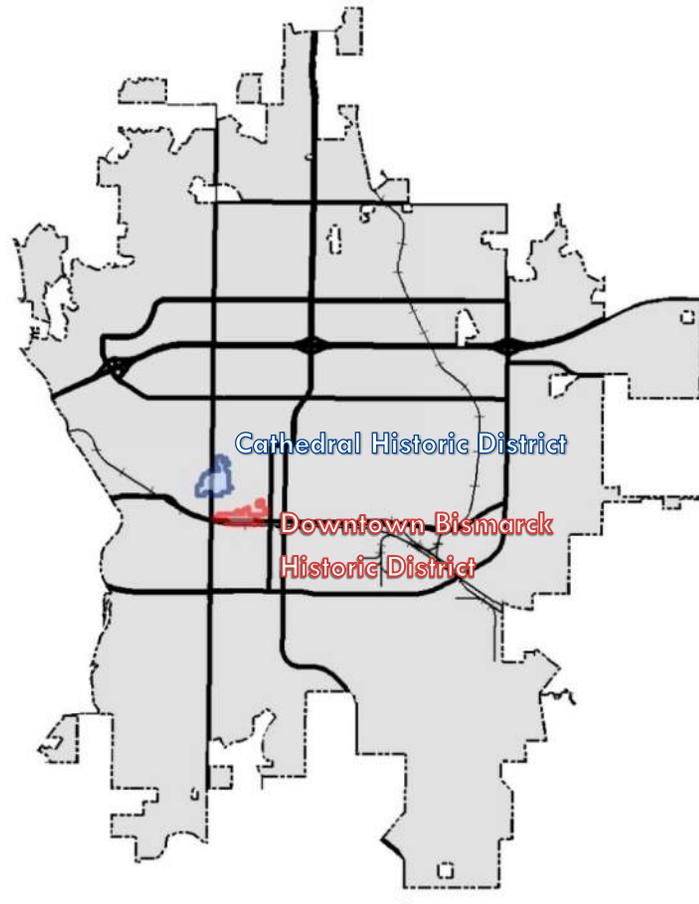
5 | Allow Creation of Historic Design Standards for Neighborhoods



Districts in the National Register of Historic Places are federally recognized as worthy of preservation. There are currently two historic districts in Bismarck, the Downtown Bismarck Historic District and the Cathedral Area Historic District, although others may be eligible upon application and approval.

Special design standards are in place for downtown that assist with the preservation of historic structures, but no other historic preservation standards currently exist outside of downtown, either through City ordinance or private covenant. There is a broad spectrum of possible historic preservation provisions that may be utilized, from simple prohibitions on demolitions of contributing structures to precise regulations for all building alterations to maintain historical accuracy.

There are costs and benefits to imposing historic preservation standards, and primarily these costs are incurred by and the benefits accrued to the residents of these districts. Therefore, this plan does not make a recommendation regarding further extension of historic standards, but rather sets a posture of openness and assistance if the majority of the property owners of any recognized neighborhood wish to impose rules upon themselves.



Strategy: Allow and assist with the creation of district-specific historic preservation design standards for any area listed on the National Register of Historic Places upon petition from at least half of all property owners in the district.

6 | Become a Certified Local Government for Historic Preservation



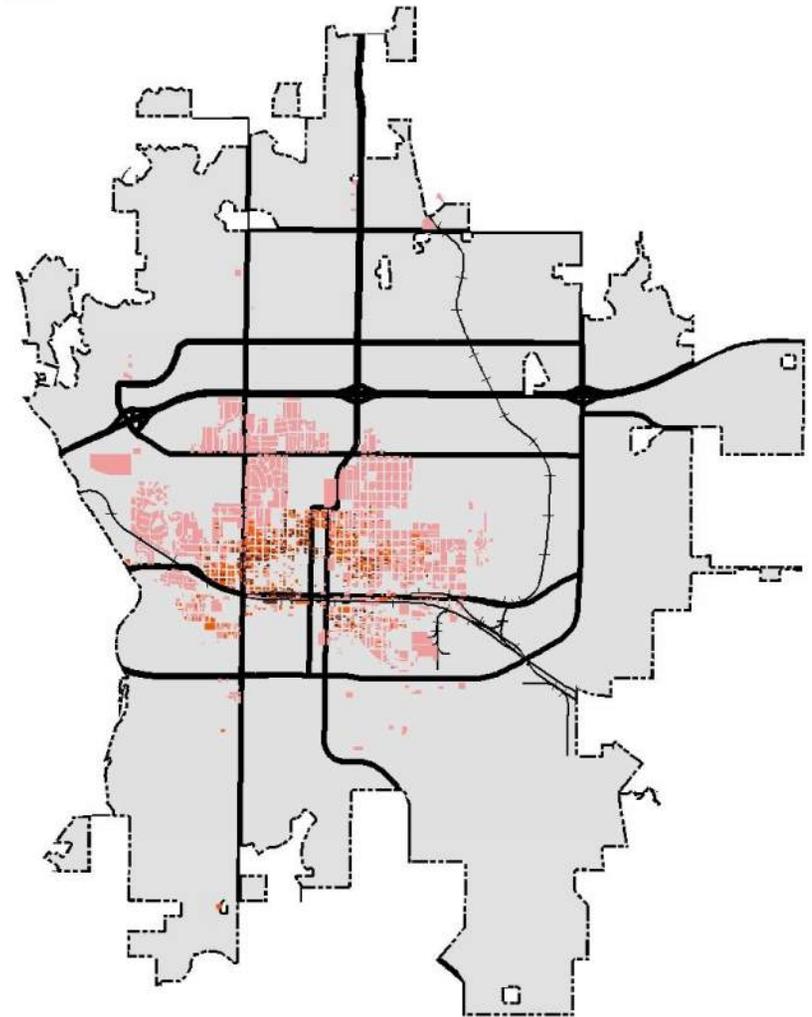
The State Historical Society of North Dakota administers a Certified Local Government (CLG) program. The purpose of the program is to establish a partnership between a local government, the state government and the federal government to encourage historic preservation at the local level.

Local governments that participate as a CLG gain greater control over local preservation issues, as well as access to special sources of federal funding and technical assistance. Currently, seven local governments in North Dakota participate, including the cities of Fargo, Grand Forks, and Dickinson. The City of Bismarck does not participate at this time.

The two requirements for becoming a CLG are to adopt a historic-preservation ordinance and appoint a Historic Preservation Commission to implement the ordinance and advise on preservation matters. The Commission would be constituted of local citizens with an interest and knowledge of historic preservation, and appointed by the Board of City Commissioners most likely in an advisory, rather than regulatory, role.

Strategy: Take necessary steps to become a Certified Local Government, including the adoption of an historic preservation ordinance and the creation of a Historic Preservation Commission as an advisory body.

- Parcels with buildings more than 100 years old (1876-1915)
- Parcels with buildings more than 75 years old (1916-1937)
- Parcels with buildings more than 50 years old (1938-1963)



7 | Establish Criteria for Modification of Parking Requirements



Providing off-street parking for new or changed uses is likely the single greatest barrier for infill and redevelopment, because low-cost surface parking requires significant amounts of space and available sites tend to be space-constrained. Outside of the existing Downtown Parking District in the downtown area, all development must comply with the minimum parking standards for that particular use in the ordinance.

Sufficient parking is necessary for the function of any use, whether commercial or residential, and the City of Bismarck has a public interest in assuring the provision of parking on-site to prevent spillover into adjoining properties or overtaxing on-street parking resources.

Currently, parking requirements are based exclusively on the proposed land use, and unusual situations are determined by the Zoning Administrator, sometimes with guidance from the Board of Adjustment. However, the use of a site is not the only factor in determining parking demand, and the ordinance should create a consistent process that allows additional factors to be considered.

Other factors that influence demand for off-street parking are the availability of on-street parking, the prevalence of alternative modes of transportation such as carpooling, transit, or walking, and uses that cater

to special populations that have lower vehicle ownership rates. Furthermore, property owners may be able to enter into shared parking arrangements with nearby uses that have different peak use times for their resources.

Possible Modifications to Required Parking:

Condition	Suggested Reduction Allowed
On-Street Parking Available	1 space per legal on-street spot directly adjacent to property
Shared Parking Arrangement	Number of shared spaces included in approved shared parking plan
Proximity to Transit Route or Stop	20% reduction if adjacent to transit and shelter is provided. 10% reduction if within 500 feet and no facilities provided
Modified Parking Zone	Parking reductions allowed for areas near, but not within, the existing parking exempt zone, on the grounds that pedestrian access is available
Bicycle Racks	May substitute up to 10% of vehicle spaces for bicycle spaces at a 5-to-1 ratio
Parking Demand Management	Administrative discretion to provide reductions if applicant shows special users or private programs to reduce demand

Strategy: Amend the Zoning Ordinance to allow certain modifications to the required off-street parking based on site conditions, location, special users or programs, to be implemented through the site plan review process

8 | Encourage Shared Parking Arrangements



In many cases different types of uses that are nearby or adjacent can share parking resources, which can provide significant cost savings and open up possibilities for new infill development.

For example, a church may generate heavy parking demand on Sunday mornings and moderate demand on Saturday and Wednesday evenings, while an adjacent office only requires parking during business hours on weekdays. Peak demand periods for these uses are almost entirely offset from each other, and permitting a shared parking arrangement, as opposed to independent minimum requirements, would allow both the office and church to significantly reduce their need.

Currently, the Zoning Ordinance does allow shared parking arrangements in certain circumstances. Much of downtown is essentially a large shared parking district, with parking provided in public structures and on-street with all off-street parking minimums waived. Furthermore, multiple uses within a shopping center under common ownership may be able to share parking between them. The Board of Adjustment may also approve unusual situations.

An ordinance allowing shared parking arrangements should include several provisions:

- Requirement to submit an analysis of estimated peak parking times for all uses proposed to share facilities.
- A maximum distance from the parking lot, estimating how far people would be willing to walk.
- A signed agreement between property owners stipulating continuation of use, liability, and maintenance responsibilities that is recorded to run with the land.

Example of default use proportions, to be modified by local study:

Uses	M-F	M-F	M-F	Sat. & Sun.	Sat. & Sun.	Sat. & Sun.
	8am-5pm	6pm-12am	12am-6am	8am-5pm	6pm-12am	12am-6am
Residential	60%	100%	100%	80%	100%	100%
Office/Industrial	100%	20%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	70%	5%
Hotel	70%	100%	100%	70%	100%	100%
Restaurant	70%	100%	10%	70%	100%	20%
Movie Theater	40%	80%	10%	80%	100%	10%
Entertainment	40%	100%	10%	80%	100%	50%
Conference	100%	100%	5%	100%	100%	5%
Institutional (non-church)	100%	20%	5%	10%	10%	5%
Institutional (church)	10%	20%	5%	100%	50%	5%

Strategy: Amend the Zoning Ordinance to establish criteria for shared parking arrangements between compatible sites, and encourage shared parking during the site plan process.

9 | Adapt Stormwater Management Controls to Facilitate Infill



The City of Bismarck requires developed sites to include stormwater detention best management practices to prevent flooding and protect water quality of streams and rivers. Generally, the amount of water leaving the developed site after rain events must be no greater than it was prior to the development occurring.

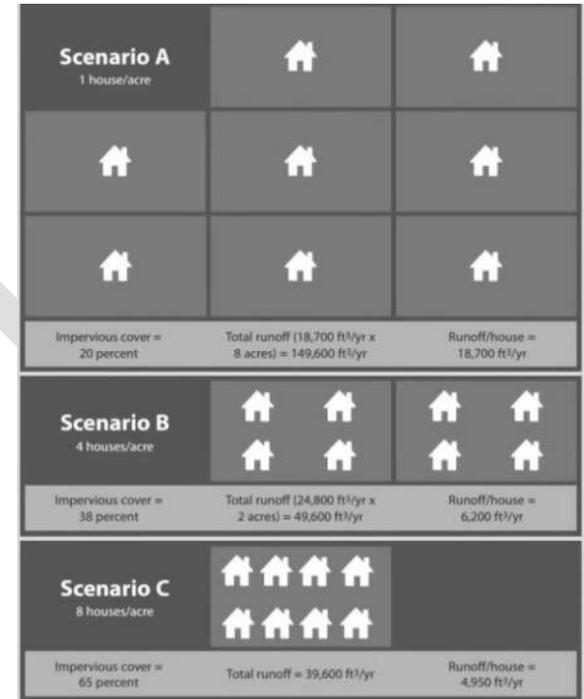
Infill and redevelopment, and more compact forms of growth more generally, vary greatly in stormwater impact depending on the scale from which they are viewed. At a site-specific level, the greater density of rooftops, parking lots, and roadways of a multifamily apartment near downtown will clearly generate greater post-construction runoff volumes than a rural development of single-family homes. However from a regional scale, the concentration of development into urban areas will result in less overall impervious surface and a greater proportion of land left in a natural or agricultural state, which may result in a lesser impact on the overall watersheds.

For this reason, the Environmental Protection Agency (EPA), the agency that oversees administration of the federal Clean Water Act, considers infill itself a form of stormwater management. The EPA legislation for communities like Bismarck includes the following non-structural best management practice:

"Policies and ordinances that encourage infill development in higher density urban areas, and areas with existing infrastructure"

Stormwater management standards can be differentiated between new development, infill of undeveloped sites, and redevelopment, ensuring that any requirements to mimic natural

systems do not inadvertently incentivize low-density development on the fringes of the community, where natural systems already exist but the overall impact of development on the watersheds of the region is greater.



Source: EPA Using Smart Growth Techniques as Stormwater Management Practices

Strategy: Consider the regional impact of various forms of development on water quality and runoff volumes, and adapt regulations for stormwater management to incentivize infill and redevelopment.

10 | Encourage Redevelopment to Result in Net Water Quality and Stormwater Runoff Improvement



The City of Bismarck did not require stormwater management plans to control runoff generated by new developments until the late 1990's. Many areas of the City developed before the effects of interfering with natural water filtration were fully understood or actively regulated. In older areas of the City, especially with high levels of impervious surface, the existing stormwater system may be taxed by heavy rain events, resulting in periodic flooding.

In areas with known stormwater capacity constraints, redevelopment of a site should be encouraged to result in a net improvement to the water quality and runoff. There are various ways to achieve this benefit in more urban locations that face space constraints. Some techniques may be more feasible or cost-effective than others, depending on a particular site. Each of the following practices have been successfully used in cold climates:

Bioswale/Rain Garden



Source: EPA

Use landscape elements to filter pollution and reduce the rate of runoff from the site

Porous Pavement



Source: Oregon State

Replace asphalt or concrete surfaces with a permeable material that allows water to filter through and reduces the volume of runoff

Green Roof



Source: Cold Climate Housing Research Center

Install soil and vegetation on rooftops to create a turf of garden area that retains water.

Underground Storage



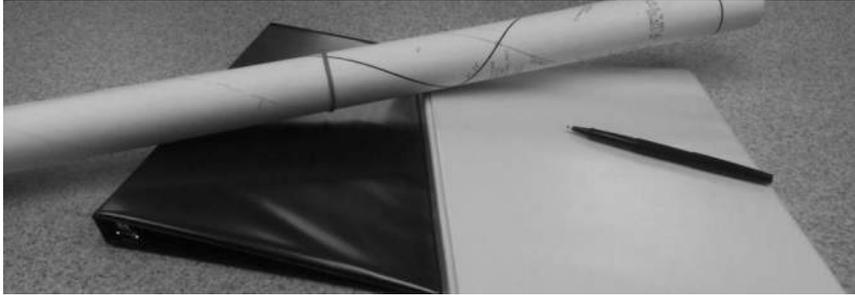
Source: City of Duluth

Capture and store water underground and either release gradually through outlet or filter water back into the water table.

Strategy:

Encourage property owners who redevelop impervious surfaces in areas with known stormwater capacity issues to create a net reduction in runoff volume and rate and improve water quality of all runoff.

11 | Create a Developer's Handbook and Fact Sheets for Guidance



Strategies:

- Create a Developers' Handbook including relevant ordinance requirements, policies, and practices for navigating the development review process.
- Create fact sheets for projects that are commonly undertaken by the general public.

The City of Bismarck development review process is guided by the Code of Ordinances, as well as a series of adopted policies and plans. Applicants work with different departments during the course of any project, typically beginning with Planning and Zoning Commission hearings and then proceeding to the final engineering and construction phases. Informational guidance documents with all relevant laws and policies would benefit both the City and applicants by raising the level of compliance and avoiding time-consuming errors.

There are two different types of applicants for development review: developers and the general public. Different guidance documents may be tailored to each specifically. Developers and professional consultants often propose more complex developments, but also possess a basic level of understanding of the process. A full handbook would allow this group to research their projects in advance and anticipate any City response to their proposals.

The general public may deal with the Community Development Department or the Engineering Department only once for a specific project, such as the construction of a retaining wall or shed. This group would receive the greatest benefit from individual flyers addressing common projects, written in easy-to-understand language with visualizations as needed.

12 | Continue to Support Downtown Revitalization Programs



The City of Bismarck has utilized the Renaissance Zone and CORE Incentive Grant programs to achieve measurable success in revitalizing the downtown area over the last decade.

The Renaissance Zone is a statewide enabling program that offers property and state income tax exemptions to property owners who rehabilitate buildings or construct new buildings in an area designated by the locality.

In July of 2016, the Renaissance Zone Authority conducted a needs assessment of the existing Renaissance Zone boundaries to determine how much need currently exists for future revitalization. The assessment determined that the program could realistically continue for ten to fifteen additional years, at its current rates of participation, to meet all identified high-impact needs, particularly on the west side of downtown.

Insufficient housing remains a significant issue in the downtown area, and the Renaissance Zone Development Plan has been updated to focus attention on the goal of providing more housing opportunities. Mixing residential with the predominant commercial uses provides more vitality and security for all hours of the day, and meets a niche housing market demand.

The CORE Incentive Grant Program is a suite of potential grants that support revitalization efforts that are outlined in the City's Urban Renewal Plan, as revised. The completion of "quiet rail" improvements to the Burlington-Northern railroad tracks adjacent to downtown is expected to encourage more housing near the tracks, where a loud horn is no longer likely to be a nuisance.

Strategy: Continue to support the Renaissance Zone and CORE Incentive Grant Programs in their present form and promote the programs to potential participants with an emphasis on housing development.

13 | Encourage New Parks in Existing Neighborhoods



Providing access to a neighborhood park within reasonable walking distance of all citizens is a quality of life benchmark that the City of Bismarck and the Bismarck Parks and Recreation District have already established. In 2013, these two organizations worked together to draft a policy to assure that a neighborhood park is designed each time a new urban residential subdivision is created. This policy has been successfully implemented, and the first parks created under it are starting to open.

There remain a few areas of the City that do not meet these standards, and residents must walk more than a ½ mile to reach a park. If infill and redevelopment occurs as anticipated by this plan, the need for small-scale urban parks to serve these neighborhoods will grow. Access to public green space is even more important in areas where yards are smaller, and there are fewer opportunities for natural recreation and relaxation on private property.

The 2014 Bismarck Parks and Recreation Comprehensive Plan identifies the area just north of downtown as a proposed location for a new park, and the 2013 Downtown Bismarck Subarea Study recommended a small park south-west of downtown to support additional residential development proposed for this area.

Realistically, any infill park may have to be small, but there several design strategies available to create a functional and naturally-immersive environment nevertheless.

Strategy: Encourage and support the creation of new parks and green spaces, especially in areas of the City that lack adequate access to open space.

14 | Create a New Traditional Neighborhood Zoning District



The areas of Bismarck that were built prior to World War II have a distinct character. Often the lots are somewhat smaller, and the buildings are set back a moderate distance from the street. The front doors of the homes and businesses clearly face the public street, and garages are either oriented toward an alley or recessed behind the homes. The streets are relatively narrow, with ample room for trees and sidewalks. Commercial and residential uses are not strictly separated from each other and are mixed to some degree but at a reasonable scale. The neighborhoods are comfortable for pedestrians, and there are many destinations within walking distance.

The current zoning classifications available for new development would not allow a neighborhood to be built exactly this way today. The exceptions that exist, such as portions of the Sonnet Heights subdivision that resemble a traditional neighborhood, were created through the Planned Unit Development (PUD) process. The creation of a new Traditional Neighborhood zoning district would streamline the development process for such neighborhoods by providing a template for developers to use.

All of the existing zoning districts would still be available for new developments. The addition of a Traditional Neighborhood district to the zoning ordinance would simply create an additional option.

A Traditional Neighborhood zoning district would essentially be a less-intensive version of the Downtown Core (DC) and Downtown Fringe (DF) zoning districts that were created in 2006. The emphasis of these zoning districts is placed on the form of the buildings and how they engage the street, and much more flexibility is offered regarding the use of those buildings.

Other features of a Traditional Neighborhood district would be:

- Allowance for smaller lot sizes
- Lesser setback requirements
- Greater options for different housing types.

Furthermore, after the zoning district is created and available for use in future rezonings, older areas of the City that already match the Traditional Neighborhood provisions could be rezoned to this zoning district by a City-initiated action. All public hearing requirements would be followed, and residents who wish to keep the zoning as is would be able to voice this opinion during a public hearing. The advantage of having a zoning district that closely matches current conditions is that variances and other special approvals are less likely to be necessary for improvements, as long as they are consistent with the character of the neighborhood.

Strategy: Add a new Traditional Neighborhood (TN) zoning district to the zoning ordinance with provisions that match existing older neighborhoods in Bismarck. Allow new development to utilize this district, and propose the rezoning of certain existing neighborhoods to the Traditional Neighborhood (TN) district.

15 | Increase Awareness of the Accessory Dwelling Unit Option



The City of Bismarck allows owners of single-family homes to install a second dwelling unit on their property, either inside an existing home or in a separate building on the lot, under certain conditions. This is known as an accessory dwelling unit (ADU). The ordinance to allow ADUs as a special use, with a number of restrictions to ensure compatibility with the surrounding residential neighborhood, was adopted in the summer of 2016.

There are a few recognized benefits to ADUs. They offer an alternative housing option for smaller households, including for older citizens and people with special needs. They provide options for affordability, both for a person renting an ADU and for a homeowner who can use additional rental income to cover costs of living. Finally, if implemented carefully, increased density can be achieved while maintaining the traditional character of single-family neighborhoods.

From the perspective of the City as a whole, the use of ADUs increases the housing stock of the region with very minimal additional need for infrastructure. This housing type, if constructed according to the ordinance, adds increased density with very minimal impact on neighborhoods, in many cases being invisible from the public realm.

City staff should proactively make homeowners aware of this housing opportunity. The applicants for a Special Use Permit to create an ADU are not typically seasoned developers or consultants who understand City permitting processes well, and they may require assistance with the administrative procedures.

Strategy: Increase the awareness of Accessory Dwelling Units as an option for homeowners.

16 | Provide Landscape Buffer Alternatives in Certain Areas



The City of Bismarck requires landscaping for all new commercial, institutional, and multifamily buildings, and vegetative buffer yards are required between single and two family residential uses and multifamily or commercial uses. These provisions are important for improving the aesthetics of the community, mitigating stormwater, and creating a screen of privacy for residents impacted by nearby development.

In the Downtown Core, the Downtown Fringe, and many of the surrounding traditional neighborhoods, different types of uses exist side-by-side and a buffer yard has historically not been present. The current zoning ordinance requires a 15 foot vegetative buffer between buildings with 1-2 housing units and buildings with 3+ housing units, but implementing this buffer in the above described areas would be out of character and possibly prohibitive for any infill or redevelopment. In practice, these areas have typically been exempted, but the ordinance could be clarified on this point. Likewise, certain appropriately-scaled neighborhood commercial uses may be acceptable adjacent to homes without a 20 foot vegetative buffer, as required by the ordinance.

On the other hand, some components of the landscaping ordinance do still apply to the downtown and surrounding areas. Requirements to screen parking areas from public rights of way have value, and developers currently have the option of installing a wall and only consuming 4 feet of

space. This requirement encourages the placement of parking areas behind buildings and outside of public view. The street trees are an important component of the streetscape and requirements to plant and maintain them should remain.

Strategy: Modify the Zoning Ordinance to reduce or remove landscape buffer yard requirements in the downtown and surrounding areas, while maintaining all requirements for perimeter screening of parking lots and street trees.

17 | Monitor For and Mitigate Against Housing Displacement



The 2015 Bismarck-Mandan Housing Demand Analysis identified difficulties with housing affordability for residents in Bismarck, especially the elderly and workforce demographics, and set the goal of increasing the total number of housing units in the community. This plan also encourages infill as a viable affordable housing option and recommends creating incentives for additional housing in the downtown.

These findings were also reinforced by the North Dakota Statewide Housing Needs Assessment that was released in September of 2016. Between 2014 and 2029, the North Dakota Housing Finance Agency projected a need for a 31.1% increase in housing units, with an even greater need for low-income and elderly households.

A possible unintended consequence of neighborhood revitalization is that rising property values and rents may lead to the displacement of existing residents. This is a prevalent and controversial issue in other cities, but Bismarck has not yet experienced high enough levels of neighborhood change to warrant concern. City staff should monitor neighborhood change and report to the Board of City of Commissioners their findings to determine if any protections for existing residents become necessary in the future.

Evidence of potential displacement can be obtained from various data sources, such as census data, property values and rents collected by

realtors and apartment associations, and tax assessment values. Collecting and reporting this data periodically will provide a valuable resource to decision-makers.

Preparing in advance for this possibility allows the City to effectively target state and federal housing funds to areas where they may be needed most, as well as weigh the future need for additional policies to facilitate affordable housing. Any new affordable housing should also be fully accessible for people with disabilities.

Strategy: Monitor for and mitigate against housing displacement by using existing sources of federal and state funds for affordable housing in areas where displacement is most likely to occur.

18 | Preserve Existing Schools as Anchors for Neighborhoods



Schools, particularly elementary schools, have traditionally functioned as important centers for residential neighborhoods. An influential planner in the early 20th century, Clarence Stein, argued that carefully designing distinct “neighborhood units” would allow residents to maintain what they cherished about small towns in an urbanizing era. These neighborhoods of mostly single-family homes would be traversed by quiet streets, contain small parks, and in the center would be an elementary school, flanked by a small neighborhood shopping center. This ensured that the school would be within easy walking distance for all students, and also would function as a social and civic space for the neighborhood.

When the Bismarck Veterans Homeowners Cooperative Association developed Highland Acres in 1946, many of these principles were evident in the design. A prominent site in the center of the neighborhood was reserved for a “school and playground” with two commercial lots adjacent to it (which never developed as planned). As with most other planned neighborhoods, the school and neighborhood share the same name and create a cohesive identity.

Neighborhood schools in Bismarck face new pressures that are common in cities around the country. As the median age of residents in the older neighborhoods increases, the number of school-aged families may decrease leading to a decline in enrollment. At the same time, there exists

a perception that efficiencies in administration and facilities can be achieved by consolidation and siting of schools on lower-cost land at the fringes of the community.

Nevertheless, existing neighborhood schools should be preserved. If upgrades or improvements are necessary, renovations of existing sites should be the heavily favored alternative. This allows the schools to continue to function as neighborhood centers. It also provides students greater options for walking and bicycling to the school, which may reduce busing costs. Neighborhood schools allow neighboring families to get to know each other better, leading to safer and stronger communities. Over time, the preservation and enhancement of high-quality neighborhood schools will become a driving force for attracting new families to existing neighborhoods, in some cases through the construction of infill housing, which would result in growing or stable enrollment for these schools.

Strategy: Preserve existing schools. If upgrades or improvements are necessary, renovations of existing sites should be the heavily favored alternative.

19 | Encourage Adaptive Reuse within Bounds of Building Code



Adaptive reuse is the conversion of an existing building to a new use. In the early years of Bismarck, land near the railroad tracks downtown would have been a perfect location for a warehouse to store goods unloaded at the depot. However, as economic conditions change, the highest and best use of properties change. Similar examples can be found throughout the City.

Adaptive reuse preserves the historic character of an area, reduces waste by reuse of building materials, and provides opportunities for unique architecture that reinforces a sense of place in Bismarck. As long as the new use is appropriate for the location, there are clear benefits to allowing and encouraging buildings to be restored rather than replaced.

The City should not compromise on core fire and life safety provisions of the building code. Older buildings often require updates to meet modern standards, which may involve the replacement and installation of interior building systems and possibly structural stabilization. Safety is a primary public interest.

The North Dakota State Building Code, which the City of Bismarck has adopted and enforces, does create some distinction between new and existing buildings that allows the City Building Inspections Division to consider unique circumstances and pre-existing conditions. Typically, the requirements become stricter as the extent of any rehabilitation grows in

size. The building code establishes sound health and safety standards, while still allowing the utilization of the historic and unique building stock citizens of Bismarck have inherited from our predecessors.

Strategy: Utilize provisions in the adopted North Dakota State Building Code to encourage the adaptive reuse of older buildings in new ways.

21 | Study Costs and Benefits of a Rental Property Maintenance Code



There are now over ten thousand rental housing units in the City of Bismarck, comprising over a third of the City’s housing stock. Approximately three thousand of these rental units were built prior to 1970, and this older housing stock may vary widely in condition and standards of living for the occupants. Housing that is not adequately maintained not only creates health and safety issues for the renters of the building, which they may or may not be aware of, it also exerts a negative effect on the surrounding neighborhood.

The City of Bismarck enforces the State of North Dakota Building Code, which requires all new construction or major alterations of structures to conform to the standards of the adopted code. The International Code Council also produces a Property Maintenance Code that regulates the minimum maintenance requirements for existing buildings and also requires that buildings are occupied and used as intended. The City of Bismarck has not adopted the Property Maintenance Code.

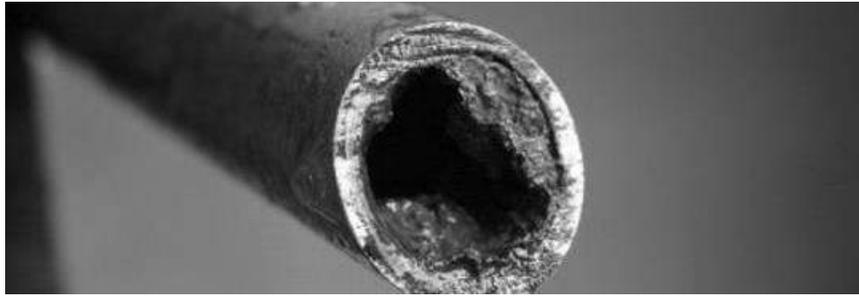
While an adopted maintenance code would apply to all buildings, whether residential or commercial, the nature of rental housing may warrant more proactive inspection. For example, the City of Fargo requires inspections of rental units starting fifteen years after construction. The inspections occur on an annual basis or up to every five years, depending on circumstances.

The Bismarck-Mandan Apartment Association and any other groups or individuals that would be directly impacted by a property maintenance code should be consulted and provided the opportunity to comment on any draft ordinance. This is essential to truly identify any costs or benefits to the proposal.

The City of Bismarck should not adopt any maintenance code unless the staff capacity exists to effectively administer and enforce the code. Implementing an inspection regime for rental properties will also require registration from all landlords. The City does not currently keep a database of housing that distinguishes between owner-occupied and rental units.

Strategy: Study the costs and benefits of adopting the International Property Maintenance Code and implementing inspections for rental properties, including groups or individuals directly impacted by such a program.

22 | Encourage Continual Reinvestment in Older Homes



Most older homes are located in core neighborhoods of the city, and ongoing investments in these properties not only improve the safety and value of the individual homes but also contributes to the health of its entire neighborhood.

One way the City encourages homeowners to reinvest in their properties is through a three-year tax exemption for remodeling. A property owner may exempt from property taxation the incremental increase in value created by a remodel of or addition to a building that is at least 30 years old.

Older homes that are equipped with lead service lines for water pose a potential health risk to the occupants. The practice of using lead pipes was largely discontinued by the middle of the 20th Century, but homes built prior to this are more likely to be equipped with lead service lines. The City of Bismarck tests homes for lead exposure on an ongoing basis, and the City is currently in compliance with the Safe Drinking Water Act. However, it is possible that compliance levels and monitoring requirements of the state and federal agencies will become more stringent in the future.

Homeowners own the water service line from their home to the point it connects to the publically-owned water main, usually under the street. Any maintenance or replacement of this line is the owners' responsibility, and

any line should be replaced in full. Replacing portions of a line, such as only the portion under the roadway, could jostle free lead in the remaining portion of the line and exacerbate the problem.

Allowing homeowners to special assess costs of service line replacement, thereby essentially financing the project over time, could facilitate more homeowners to make the investment. Furthermore, the existing curb stop repair fee could be used to pay for replacing the portion of the line underneath the roadway, from the curb stop to the water main.

Strategy:

- Promote the availability of the 3-year property tax exemption for remodeling.
- Assist homeowners with lead service line replacement by allowing special assessment and use of City funds for the portion of the replacement costs underneath the roadway.

23 | Promote Cost-Share for Street Tree Planting



Trees in urban areas, especially those lining public streets, provide benefits that typically far outweigh their costs. Street trees reduce traffic speeds and provide a sense of security for pedestrians, offer shade in the summer and protection from wind and rain, improve respiratory health by absorbing particulates from vehicle exhaust, reduce stormwater volumes, lower air temperatures emanating from asphalt and concrete surfaces, and provide aesthetic value and a connection to nature in the middle of a city. For these reasons and others, the presence of street trees has been correlated with increased residential property values and higher sales in urban business districts.

The City of Bismarck has invested heavily in street trees over the years and residents have enjoyed these benefits. There are an estimated 22,000 trees lining 350 miles of public streets that are maintained by the Forestry Division. New street trees are currently required with all new commercial or multifamily residential development.

The maintenance and enhancement of Bismarck’s urban tree canopy requires active management and ongoing investment. Over time, trees may need to be removed due to damage, disease, or age. Replacement is not required by law, and there are areas within downtown and some surrounding areas that have fewer trees.

The City operates a program called Partners in Planting, partially funded with private donations, that offers to split the cost of planting replacement or new street trees with the property owner.

Strategy: Promote the use of the Partners in Planting Program, especially in areas with insufficient tree coverage, to encourage property owners to plant new and replacement street trees.

24 | Create a Fiscal Impact Model to Evaluate Future Development

Slow Growth	Annual	(\$217,028.27)	(\$186,705.11)	(\$156,381.94)	(\$126,058.78)	(\$95,735.62)	(\$65,412.46)
	Cumulative	(\$217,028.27)	(\$403,733.38)	(\$560,115.32)	(\$686,174.10)	(\$781,909.72)	(\$847,322.17)
Expected Growth	Annual	(\$217,028.27)	(\$186,705.11)	(\$156,381.94)	(\$126,058.78)	(\$95,735.62)	(\$65,412.46)
	Cumulative	(\$217,028.27)	(\$403,733.38)	(\$560,115.32)	(\$686,174.10)	(\$781,909.72)	(\$847,322.17)
High Growth	Annual	(\$217,028.27)	(\$186,705.11)	(\$156,381.94)	(\$126,058.78)	(\$95,735.62)	(\$65,412.46)
	Cumulative	(\$217,028.27)	(\$403,733.38)	(\$560,115.32)	(\$686,174.10)	(\$781,909.72)	(\$847,322.17)
Slow Growth	Annual	(\$217,028.27)	(\$186,705.11)	(\$156,381.94)	(\$126,058.78)	(\$95,735.62)	(\$65,412.46)
	Cumulative	(\$217,028.27)	(\$403,733.38)	(\$560,115.32)	(\$686,174.10)	(\$781,909.72)	(\$847,322.17)
Expected Growth	Annual	(\$217,028.27)	(\$61,052.04)	\$94,924.19	\$250,900.43	\$406,876.66	\$562,852.89
	Cumulative	(\$217,028.27)	(\$278,080.31)	(\$183,156.11)	\$67,744.31	\$474,620.97	\$1,037,473.86
High Growth	Annual	(\$217,028.27)	(\$7,617.12)	\$201,794.02	\$411,205.17	\$620,616.31	\$830,027.46
	Cumulative	(\$217,028.27)	(\$224,645.39)	(\$22,851.37)	\$388,353.79	\$1,008,970.10	\$1,838,997.56

Strategy:

Analyze expected costs and revenues associated with various types of development and create a model to evaluate future development proposals.

Bismarck is a rapidly growing community, and the fiscal costs and benefits of this growth to the public continues to be a topic of discussion. A basic premise of this plan is that infill and redevelopment will incur less public costs than new growth on the fringes of the City, because it would leverage existing infrastructure and services to a great extent. This is intuitive and borne out by studies that have been conducted in other cities. However, the extent of any such costs savings in Bismarck is not known at this time.

A fiscal impact analysis envisions several different development scenarios and then estimates public costs of each. Such an analysis compares estimated costs of infrastructure and city services that are needed, based on actual costs of previous projects of a similar nature, with any increases in public revenues expected to be generated based on the development.

Under current City of Bismarck policies most costs associated with development are paid by the developer or special assessed to benefitted property owners in the area. However, a portion of upfront costs and significant maintenance responsibilities are still passed on to a broader segment of the public. Performing this analysis would provide greater understanding of these costs and benefits, and assist the City in future decision-making regarding development proposals.

**BISMARCK PLANNING & ZONING COMMISSION
MEETING MINUTES
October 26, 2016**

The Bismarck Planning & Zoning Commission met on October 26, 2016, at 5:00 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. Chairman Yeager presided.

Commissioners present were Tom Atkinson, Brian Bitner, Gabe Schell, Mike Donahue, Doug Lee, Mike Schwartz, Mike Seminary, Lisa Waldoch and Wayne Yeager.

Commissioners Ken Selzler and Vernon Laning were absent.

Staff members present were Carl Hokenstad – Director of Community Development, Kim Lee – Planning Manager, Jenny Wollmuth – Planner, Daniel Nairn – Planner, Will Hutchings – Planner, Hilary Balzum – Community Development Administrative Assistant, Jason Hammes – Assistant City Attorney and Charlie Whitman – City Attorney.

MINUTES

Chairman Yeager called for consideration of the minutes of the September 28, 2016 meeting.

MOTION: Commissioner Lee made a motion to approve the minutes of the September 28, 2016 meeting, as presented. Commissioner Donahue seconded the motion and it was unanimously approved with Commissioners Atkinson, Bitner, Donahue, Lee, Schell, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARINGS – ZONING CHANGE AND MINOR SUBDIVISION FINAL PLAT
SONNET HEIGHTS SUBDIVISION SEVENTH REPLAT**

Chairman Yeager called for the public hearings on a zoning change from the RM30-Residential zoning district to the R10-Residential zoning districts and a minor subdivision final plat of Sonnet Heights Subdivision Seventh Replat. The proposed plat is three lots in one block on 1.75 acres and is located in north Bismarck, north of Canada Avenue, east of Normandy Street, along the south side of Calvert Drive (being a replat of Lot 7A of Lot 7, Block 1, Sonnet Heights Subdivision First Replat and adjoining right of way, Sonnet Heights Subdivision).

Ms. Wollmuth gave an overview of the requests, including the following findings for the zoning change:

1. The proposed zoning change is outside the area of the Future Land Use Plan in the 2014 Growth Management Plan, as amended.

2. The proposed zoning change is compatible with adjacent land uses and zoning.
3. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve most of the development allowed by the new zoning classification at the time the property is developed.
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established or by an error in the zoning map.
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner.
6. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
7. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.
8. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Ms. Wollmuth then gave the findings for the minor subdivision final plat:

1. All technical requirements for approval of a minor subdivision final plat have been met.
2. The requirement to provide a stormwater management plan has been waived by the City Engineer.
3. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
4. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.
5. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Ms. Wollmuth said a revised plat was received by Planning staff prior to the meeting but after the staff report was prepared that eliminated a fourth lot without exclusive access to a right-of-way or access to a right-of-way via a non-obstructed access easement to a dedicated right-of-way. She said because of this revision, staff has changed its recommendation to recommend approval of the zoning change from the RM30-Residential zoning district to the R10-Residential zoning districts and minor subdivision final plat of Sonnet Heights Subdivision Seventh Replat.

Commissioner Schell asked if there is a requirement by ordinance for a buffer yard between the RM30 and R10 zoning districts. Ms. Wollmuth said the most intensive use is generally the one that is required to develop the buffer yard upon approval of a site plan. She added that the site plan for the rowhomes to the west will be approved prior to the zoning change for this project and since both properties were located within the same zoning district when the project to the west was submitted for approval, staff is comfortable not requiring them to install a buffer yard.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

MOTION: Based on the modified findings presented at the meeting, Commissioner Lee made a motion to recommend approval of the zoning change from the RM30-Residential zoning district to the R10-Residential zoning districts and the minor subdivision final plat of Sonnet Heights Subdivision Seventh Replat. Commissioner Waldoch seconded the motion and the request was unanimously approved with Commissioners Atkinson, Bitner, Donahue, Lee, Schell, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

PUBLIC HEARING – FINAL PLAT HARVEST RIDGE SUBDIVISION FIRST REPLAT

Chairman Yeager called for the public hearing on the final plat of Harvest Ridge Subdivision First Replat. The proposed plat is three lots in one block on 5.55 acres and is located north of Bismarck, west of US Highway 83 and north of 84th Avenue NE along the north side of Watercress Avenue (being a replat of Lot 1, Block 1, and adjoining right of way, Harvest Ridge Subdivision).

Mr. Hutchings gave an overview of the request, including the following findings:

1. All technical requirements for approval of a final plat have been met.
2. The final plat generally conforms to the preliminary plat for the proposed subdivision that was tentatively approved by the Planning and Zoning Commission.
3. The proposed subdivision generally conforms to the 2014 Fringe Area Road Master Plan, as amended.
4. The requirement to provide a stormwater management plan has been waived by the City Engineer with the written concurrence of the County Engineer.
5. The provision of neighborhood parks and open space is not needed because the proposed final plat is not an urban subdivision with residential zoning districts.

6. The proposed subdivision plat includes sufficient easements and rights-of-way to provide for orderly development and provision of services beyond the boundaries of the subdivision.
7. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the proposed subdivision at the time the property is developed.
8. The proposed subdivision is not located in an area that is subject to flooding, an area where the proposed development would adversely impact water quality and/or environmentally sensitive lands, and/or an area that is topographically unsuited for development.
9. The proposed subdivision is consistent with the general intent and purpose of the zoning ordinance.
10. The proposed subdivision is consistent with the master plan, other adopted plans, policies and accepted planning practice.
11. The proposed subdivision would not adversely affect the public health, safety and general welfare.

Mr. Hutchings said based on the findings contained in the staff report, staff recommends approval of the final plat of Harvest Ridge Subdivision First Replat, including the granting of a waiver to allow the use of a cul-de-sac.

Chairman Yeager opened the public hearing.

There being no comments, Chairman Yeager closed the public hearing.

MOTION: Based on the findings contained in the staff report, Commissioner Schwartz made a motion to recommend approval of final plat of Harvest Ridge Subdivision First Replat, including the granting of a waiver to allow the use of a cul-de-sac. Commissioner Atkinson seconded the motion and the request was unanimously approved with Commissioners Atkinson, Bitner, Donahue, Lee, Schell, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

Chairman Yeager said he would like to move to agenda item #5 at this time.

**PUBLIC HEARING – SPECIAL USE PERMIT (MICROBREWERY)
LOT 2, BLOCK 2, TREE TOP ADDITION**

Chairman Yeager called for the public hearing on a request for a special use permit to operate a microbrewery in conjunction with a brewpub. The property is located in north Bismarck,

between Canada Avenue and Brookside Lane along the west side of US Highway 83 (1100 Canada Avenue).

Mr. Hutchings gave an overview of the request, including the following findings:

1. The proposed special use complies with all applicable provisions of the zoning ordinance and is consistent with the general intent and purpose of the zoning ordinance.
2. The proposed special use is compatible with adjacent land uses and zoning, provided the required landscape buffer is installed in conjunction with site development.
3. The proposed special use would be designed, constructed, operated and maintained in a manner that is compatible with the appearance of the existing or intended character of the surrounding area.
4. Adequate public facilities and services are in place or would be provided at the time of development.
5. The proposed special use would not cause a negative cumulative effect, when considered in conjunction with other uses in the immediate vicinity.
6. Adequate measures have been or would be taken to minimize traffic congestion in the public streets and to provide for appropriate on-site circulation of traffic.
7. The proposed special use would not adversely affect the public health, safety and general welfare, provided the required landscape buffer is installed in conjunction with site development to provide a visual screen between this commercial use and the existing single and two-family dwellings to the west

Mr. Hutchings said, based on the findings contained in the staff report, staff recommends approval of the special use permit to allow a microbrewery on Lot 2, Block 2, Tree Top Addition, with the following conditions:

1. The construction and operation of a microbrewery must meet all applicable requirements for such a use in the CG-Commercial zoning district.
2. A separate site plan review that meets all the requirements outlined in the City Code of Ordinances must be approved by the City of Bismarck Engineering Department.
3. A landscaping buffer meeting the requirements outlined in 14-03-11 (10)(e) of the City Code of Ordinances must be installed along the western edge of the property, adjacent to the residential zoning district, in conjunction with site development.

Chairman Yeager opened the public hearing.

Written comments opposing this request are attached as Exhibits A and B.

There being no further comments, Chairman Yeager closed the public hearing.

Commissioner Lee asked how far it is from where the proposed building would be to the buildings to the west. Mr. Hutchings said the distance from the proposed facility to the nearest residential structure is approximately 300 feet.

Commissioner Schell asked if the applicant has indicated any plans for the use of the remainder of the lot. Mr. Hutchings said they have not.

Commissioner Schell said the Engineering Department had a concern about traffic movement within the lot and asked that access onto Canada Avenue be addressed during the site plan review process.

MOTION: Based on the findings contained in the staff report, Commissioner Lee made a motion to approve the special use permit to allow a microbrewery on Lot 2, Block 2, Tree Top Addition, with the following conditions: 1. The construction and operation of a microbrewery must meet all applicable requirements for such a use in the CG-Commercial zoning district; 2. A separate site plan review that meets all the requirements outlined in the City Code of Ordinances must be approved by the City of Bismarck Engineering Department; and 3. A landscaping buffer meeting the requirements outlined in 14-03-11 (10)(e) of the City Code of Ordinances must be installed along the western edge of the property, adjacent to the residential zoning district, in conjunction with site development. Commissioner Donahue seconded the motion and the request was unanimously approved with Commissioners Atkinson, Bitner, Donahue, Lee, Schell, Schwartz, Seminary, Waldoch and Yeager voting in favor of the motion.

**PUBLIC HEARING – ZONING CHANGE
LOTS 1-2, BLOCK 1, REPLAT OF CALKINS ADDITION AND AUDITOR’S LOTS
A & B OF THE SE 1/4 OF THE NE 1/4 OF SECTION 33, T139N-R80W/CITY LANDS**

Chairman Yeager called for the public hearing on a zoning change from the RM30-Residential zoning district to the PUD-Planned Unit Development zoning district on Lots 1-2, Block 1, Replat of Calkins Addition and Auditor’s Lots A and B of the SE¹/₄ of the NE¹/₄ of Section 33, T139N-R80W (City Lands). The property is located in central Bismarck, along the east side of State Street at the intersection with and north of East Boulevard Avenue (1100 East Boulevard Avenue).

Ms. Lee gave an overview of the request, including the following findings:

1. The proposed zoning change is in a developed portion of the community and is outside of the area covered by the Future Land Use Plan in the 2014 Growth Management Plan, as amended.
2. The proposed zoning change is not completely compatible with adjacent land uses and

zoning; however, it would allow the adaptive reuse of a portion of an existing building.

3. The City of Bismarck and other agencies would be able to provide necessary public services, facilities and programs to serve any development allowed by the new zoning classification.
4. The proposed zoning change is justified by a change in conditions since the previous zoning classification was established.
5. The zoning change is in the public interest and is not solely for the benefit of a single property owner.
6. The character and nature of the proposed planned unit development contains a planned and coordinated land use or mix of land uses that are compatible and harmonious with the area in which it is located.
7. The proposed planned unit development would preserve the natural features of the site inasmuch as possible, including the preservation of trees and natural drainage ways.
8. The internal roadway circulation system within the planned unit development has been adequately designed for the type of traffic that would be generated.
9. Adequate buffer areas have been provided between the planned development and adjacent land uses, if needed, to mitigate any adverse impact of the planned unit development on adjacent properties.
10. The proposed zoning change is consistent with the general intent and purpose of the zoning ordinance.
11. The proposed zoning change is consistent with the master plan, other adopted plans, policies and accepted planning practice.
12. The proposed zoning change would not adversely affect the public health, safety, and general welfare.

Ms. Lee said, based on the above findings, staff recommends approval of the zoning change from the RM30 – Residential zoning district to the PUD – Planned Unit Development zoning district for Lots 1 and 2, Block 1, Replat of Calkins Addition and Auditor’s Lots A and B of the SE ¼ of the NE ¼ of Section 33, T139N-R80W (City Lands), as outlined in the draft PUD ordinance attached to the staff report.

Commissioner Lee asked if the portion of the draft ordinance that says preparation of food for training programs means people would be served lunch only if they are taking place in a training session. Ms. Lee said they would only be eligible for that meal during a training session.

Commissioner Atkinson asked if any rental units are being added. Ms. Lee said no, that the apartments and housing are not changing and this ordinance would only change the existing services, such as the salon and baby boutique, to be open to non-residents of the facility.

Commissioner Schwartz asked if there would be any exterior changes. Ms. Lee said the existing ambulance bay at the southwest corner of the building would be reconfigured to add an entrance on that side of the building.

Commissioner Seminary asked if there are any projections for how many additional people this change would bring to the property.

Ms. Lee said staff does not typically calculate those numbers, but rather look at the overall use and the parking needs for those uses. She said staff mostly considers the maximum number of people who could potentially be on the property at one time.

Commissioner Schell asked how it is determined where the other 32 on-site parking spaces could be and the best location for those.

Ms. Lee said they would likely be located adjacent to State Street as the other spaces there now are not typically utilized. She said the 32 available in the current open space would be enforced by the City Building Official if it is determined that they are needed.

Chairman Yeager opened the public hearing.

RaeAnn Kelsch, Board of Directors – Ruth Meiers Hospitality House (RMHH), said she is here to speak of the importance of their mission and to be a resource for any questions or concerns. She said this location provides easy access to public transportation and other needs throughout the community and there are multiple Bismarck Public School students and United Tribes Technical College students who utilize the facility. She said RMHH wants to be a part of the neighborhood. She said they want to engage the adjacent neighborhood and have worked closely with City staff to spread information and notifications about their proposal. She said they held two neighborhood meetings with a total of 14 attendees between both meetings. She said RMHH is well suited to provide the proposed services and approval of the request would fulfill multiple needs in the community. She said letters of support have been provided and there are people here who wish to speak in support as well. She said these proposed changes will aid in helping meet many of the RMHH “In From the Cold” goals, which have been provided for this meeting. “In From the Cold” goals and letters of support are attached as Exhibit C.

Steve Neu, Director of Organizational Development and Planning – Ruth Meiers Hospitality House, said he is here to answer operational and technical questions. He said they would take great care in offering two distinctive service options. He said they are limited in only offering their current services to their residents including child care, which has been vital for residents in order for them to go to work, school or rehabilitation. He said a huge benefit is the flexibility of the daycare being available in the evenings and on weekends. He added that the former chapel space in the building could hold up to 50 people for training sessions and

parking for those uses would be on the west side of the building, upon improvements. He said most people utilizing their facility would access it by public transit, foot, bicycle or taxi cab.

Commissioner Lee asked if an estimate can be given of how many more people this change would bring to the property. Mr. Neu said some extra overnight staff would be needed but a lot of the new traffic would be people getting dropped off for services. He said maybe 20-30 people would come for the training sessions.

Commissioner Atkinson asked how the intake and drop-off process would change the new uses. Mr. Neu said there currently is not any room or space for situational intakes or to get case management on site in the event of an emergency.

Commissioner Seminary asked what types of questions were asked at the open houses provided for the adjacent neighborhood. Mr. Neu said there was a lot of good dialogue regarding access to and on the property, adding that facility tours were also given.

Commissioner Seminary said a point of access is necessary for these types of services and asked how neighborhood concern can be reduced, and if the request is approved, what changes can be most anticipated.

Mr. Neu said the services are offered 24 hours a day, 365 days a year, and do require a referral from some other agency, such as Abused Adult Resource Center. He said they can generally guarantee a space being available if and when needed, but it is not a walk-in facility. He said they are not trying to create a soup kitchen or an emergency shelter and the changes proposed would be tightly managed if approved.

Commissioner Lee asked if these services could be opened up to the adjacent neighborhood. Mr. Neu said with registration for programs and a referral somebody from the neighborhood could definitely utilize the services if needed.

Commissioner Bitner asked if there would be any services available to the neighborhood without registration or referral. Mr. Neu said maybe some of the medical services and training opportunities.

Commissioner Bitner asked what would disqualify somebody from receiving services. Mr. Neu said a thorough background check is performed, so being a registered sex offender, having an outstanding warrant or having a felony would be grounds for not receiving services. He said any adult males would be transported to the emergency shelter at their other location.

Mike Malloy, Vice President of the Board of Directors – Ruth Meiers Hospitality House, said they average 100 individuals at their emergency shelter, 27 children per month and average a 98% occupancy rate. He said this zoning change would allow them to close the gaps in homelessness and for those near homelessness before it is too late for some people, and would also allow them to assist in removing barriers to self-sufficiency.

Commissioner Seminary asked what the most visible change would be compared to the current facility that has been operating since 2014.

Mr. Malloy said they currently are closed to non-residents so they would see more community utilization and promote much needed stability.

Commissioner Lee asked if an estimate can be given for how many people might utilize the services if approved. Mr. Malloy said he does not have a firm estimate, but the need for these services is certainly there.

Commissioner Seminary said there are many unmet needs for people at risk and he wants to effectively address those needs, but somehow a balance needs to be found with the impact this could have on the neighborhood.

Teresa Gorder said she lives near this facility and also serves on the Board of Directors. She said she walks through Atkinson Park, the tunnel to the Capitol grounds and the neighborhood in general and does this intentionally to see if there are any patterns that could be negatively impacting the neighborhood. She said she has not noticed an extra people loitering and has also asked her friends who live in the neighborhood to please keep an eye out for any issues. She said she is more concerned about drug activity in nearby residential homes than she is of more community services being added at this location.

Debra Duppong, 1111 North 12th Street, said she does not see as many kids playing outside or coming and going as much as they used to. She said in the last two years she has had several run-ins with incoherent people on her property and has noticed a higher presence of emergency vehicles in the neighborhood. She said the amount of foot traffic in the area has increased, and of the people in the neighborhood who were petitioned regarding this request, 94% of those surveyed signed in opposition. She said she understands the need for services but a Planned Unit Development ordinance would create a one-stop shop and it is not compatible with the neighborhood.

Commissioner Bitner asked what types of emergency vehicles she is noticing the most. Ms. Duppong said all of them; fire, police and ambulance services, adding that it is very difficult to sleep when those things are going on.

Commissioner Lee asked if there are any specific uses she would like to see not granted and if she is open to any part of the request. Ms. Duppong said she is concerned with the potential for incremental changes if there is any form of changes approved.

Briana Hildebrand, Vogel Law Firm, said she represents Robert and Cynthia Graham as well as the adjacent neighborhood and gave a summary of findings associated with the proposed zoning change. This summary is attached as Exhibit D.

Commissioner Atkinson asked if any complaints have been received regarding any current zoning violations. Ms. Lee said a complaint was received over a year ago regarding the use

of space for the Executive Director's office, but that was deemed an acceptable use because she oversaw the programs.

Megan Wirkus said she resides at RMHH and was homeless with children, but she worked hard and with guidance from RMHH and the daycare program, she is able to work. She added that she feels her children should be considered children of the neighborhood.

Chairman Yeager asked if she has any concerns with any of the proposed changes. Ms. Wirkus said she has no concerns and thinks RMHH is just working towards a goal of progress and helping people.

Josh Wirkus who resides with Ms. Wirkus, said RMHH helped him get his master plumbing license back so he could start working again and the people there just want to be helpful. He said they have no tolerance for drug or alcohol use and there are far worse neighborhoods in Bismarck than this one.

Chairman Yeager asked what there is for on-site security here. Chad Smestad, Director of Operations – Ruth Meiers Hospitality House, said they have on-site security cameras and are able to provide security footage upon request and as needed.

Commissioner Atkinson asked if they hold any authority for somebody who can be seen committing a crime off of their property. Mr. Smestad said they would call the Police if they see it happening, just as they would if a crime were being committed on the property. He added that the cameras are monitored 24 hours a day.

Gerald Wittenberg, 1213 North 12th Street, said his main concern is the increase in traffic these changes would bring, especially off of Boulevard Avenue. He said they will have parking issues and he has experienced things being stolen from his property as well as things being vandalized.

Robert Reinhardt said he lives at RMHH and gets along with everybody really well. He said he will be the first one to report broken rules and feels the children and women need to be protected. He added that he is a resident of the community just like the rest of the neighborhood.

Cindy Rohrick, 1308 North 11th Street, said she moved into the neighborhood in 2014 and provided her concerns in writing. Ms. Rohrick's comments are attached as Exhibit E.

Marla Trail, 1215 North 14th Street, said her specific example to what types of issues this change could bring to the neighborhood is the murder that took place in 2014 by a man whom she understands was a resident of the men's emergency shelter. She said allowing this will only increase negative issues and with 20% of area students being within one mile of RMHH, she feels remaining zoned RM30 would be more appropriate here.

Wako Schriock, 1022 North 11th Street, said he is concerned with the nutritional services that would be offered with this change. He said he feels that is a fancy name for a soup kitchen

and said it should stay in the current design as low income housing. He said he sees a lot of people walking back and forth from the facility and RMHH has said in the past that they will take chemically-dependent residents. He added that he has had issues with people on his property scaring his children and has had to take more extensive security measures to protect his family and his home because of this.

Commissioner Waldoch said huge increases in crime have been seen all over town and will continue to be seen within denser neighborhoods.

Mr. Schriock said having gone by the emergency shelter location on 23rd Street, he noticed old campers that appear to be being lived in parked there. He added that he knows of issues of people not being able to sell their homes for decent prices in his neighborhood because of the known problems related to RMHH.

Chairman Yeager said those items need to be addressed by contacting the Police Department and the City Building Official. Parking information provided by the City Building Official is attached as exhibit F.

Doug Philp, 928 North 10th Street, said he agrees that only hearing that 14 people attended the open houses offered by RMHH is a small number, but that goes back to the lack of transparency they have offered and can speak to that based on his recent interactions with Jaci Hall and Mr. Smestad. He said they made no mention of this request when he last saw them and feels their transparency efforts are lacking. He said nutritional services for those coming in off of the street would be a de facto soup kitchen, and the option of a single point of contact is a foot in the door for gradual change in the future. He said a projection should be done to look at costs involved that could be incurred by the City and Burleigh County as a result of more emergency responders being needed, and added that there is a significant drug problem between this location and their emergency shelter location. He asked what would happen if their security cameras failed and said their efforts seem suspicious to him.

Helen Tollerud, 1208 North 11th Street, said she has lived in this neighborhood for 40 years and feels what is in place now is fine the way it is. She said she has noticed some extra commotion over the last couple of years, but the extra uses requested seem to be more community-friendly uses.

Veronica Schneider, 1120 North 12th Street, said parking spaces and dumpsters that are supposed to be used for residents of the condo building adjacent to RMHH she lives in are often used by residents of RMHH. She said she can no longer say it is a nice neighborhood because the traffic has changed so much and there is no decent place for children to play. She said this property is too close to several schools for the uses being requested to be appropriate and it will end up turning into a soup kitchen and a flop house. She said she understand the homeless need to be taken care of, but does not think this is the way to go about that.

Ms. Tollerud asked how many people will actually participate in the proposed training sessions, adding that she feels the neighborhood is being lied to. She added that they have no concerns with the facility in this location or the expansion of services as proposed.

Jennifer Reinbold, 1220 East Avenue F, said she and her mother have lived near this property for 14 years and there were instances of crime before RMHH was there. She said she was relieved to know, in their financial situation, that a service would be nearby for them if they ever needed it.

Larry Thelen, 3735 Renee Drive, said there is at least eight other food pantries in the community, all servicing the same population, and he does not feel another one is needed. He said there are three other child care facilities, five other medical/clinical offices, six other thrift stores and three other training services available in our community, so the need for more of these is not there. He said offering food services is a slippery slope and feels it will eventually just be open to anybody. He asked who will police these services to make sure only the people allowed to use them are doing so. He said he went to one of the open houses offered by RMHH and when he went by the reception area and saw the security camera monitors, he got the impression that they are more concerned with their own safety than that of the neighborhood. He said the concerns presented now are the same concerns that were presented before. He added that there would be problems with parking and loading and an entrance on the southwest corner would create problems there as well. He said the slope in parking is steep and cars would exit right onto Boulevard Avenue, which would be a problem when it gets icy during the winter. He said people coming to the training center would have to walk all the way around the building and nobody can say for sure how many people might be coming for those services. He added that the zoning ordinance states minor changes to the PUD can be at the discretion of the Director of Community Development and he feels RMHH will gradually creep up their activities and get away with it.

Cynthia Graham, 915 North 10th Street, said she was proud of her formerly quiet and safe neighborhood, but she now feels under assault since RMHH moved to their current location. She said she graphed the number of police calls over the last few years, showing those calls have increased significantly and continue to do so. She added that this facility has become a beacon to all transients.

John Baker, 1428 North 12th Street, said he has been threatened by people passing by his property and has also had people rummage through his garbage. He said the security at RMHH is good, but it does not do anything to stop people from wandering through the neighborhood. He said he also feels this is a foot in the door and will eventually get out of control.

Dawn Packard, 1001 North 11th Street, said she has a young son who likes to play outside, but there has been so many people racing vehicles to and from RMHH, she worries about his safety. She said she has called the Police Department because of people leaving their vehicles on their street and, if this is approved, they will probably move. She said only 14 people attended the open houses because the majority of the neighborhood feels outnumbered and lied to.

Emery Beck, 1120 North 12th Street, said he went to the neighborhood meetings and was happy to hear that RMHH is at almost full capacity. He said he knows they are helping a lot and would like to see them have more room for child care because so many women and families need this type of help. He said he does feel people have and will abuse these programs, and the traffic has increased so much that he does not feel these new uses will fit well.

Mr. Baker said he wanted to add that he did not receive a letter from RMHH regarding the open houses and he only lives a block away from their facility.

Commissioner Seminary said he would like to call on Police Chief Dan Donlin to present some information on the number of calls for service in this neighborhood over the last three years and explain the increase at the RMHH location.

Chief Donlin said he gathered information on calls at just the 1100 East Boulevard location and also calls in a two block radius, excluding the RMHH property. He said no conclusion is able to be drawn as to the numbers being directly associated with RMHH, as the number of calls everywhere is increasing. He said the number of medical calls at RMHH increased in 2016 by 13, but calls for outstanding warrants decreased by eight. He said the charts from one year to the next might show one type of call and then not show it again, simply because that type of call was not made that year. He said in 2015 there were 85 calls to RMHH and 103 in the surrounding two blocks, which was .2% of the total calls in the City for that year. He said 2016 year to date shows there has been 95 calls to RMHH and 106 in the surrounding two blocks including medical assists, unwanted subjects and welfare checks. He said regarding the comment made about a resident residing in the RMHH men's emergency shelter murdering someone; a homeless woman was recently murdered by a resident of the community and an elderly gentleman was murdered in his home by an acquaintance. He said this activity can happen absolutely anywhere and nothing has indicated an increase in crime solely because of the addition of RMHH. Statistics provided by Chief Donlin are attached as Exhibit G.

Robert Graham, 915 North 10th Street, said the information provided by Chief Donlin is fair, but his observation seems to be that the number of calls to RMHH alone equals the number of calls to the neighborhood within two blocks, and that is a red flag.

Mr. Neu said RMHH has made many police calls themselves as a safety precaution. He said they have put a lot of restrictions on entry to the facility and should point out that the draft ordinance very specifically states they cannot deviate from the allowable uses. He said they are very aware and cognizant of the neighborhood concerns, but they are trying to be proactive and close the gaps in community homelessness.

Commissioner Waldoch said maybe a contact number for somebody at RMHH could be provided to the community in the event they do have somebody of concern on their property, but people really do need to be calling the police when these incidents take place.

Commissioner Schwartz asked if the current programs are being regularly utilized. Mr. Neu said the child care is probably the most widely used service they have. He said the after-school and summer care programs are also largely used, as well as the clinic, chiropractor and job search services.

Commissioner Seminary asked, besides the two open houses recently, what other types of meetings and neighborhood outreach has been offered. Mr. Neu said an open house was offered last spring which had good turnout, adding they did receive permission to do that, because the facility is only supposed to be open to residents.

Commissioner Bitner asked if RMHH is required to pay property taxes. Mr. Neu said they do not pay property tax as they are a non-profit agency.

Additional written comments on this request are attached as Exhibits H-P.

There being no further comments, Chairman Yeager closed the public hearing.

Chairman Yeager asked if the proposed uses would normally be classified as commercial uses. Ms. Lee said all of the uses there now are ones allowed by the RM30-Residential zoning district. She said the PUD would restrict RMHH from being allowed uses normally allowed in the CG-Commercial zoning district and they would probably at least need to be zoned CA-Commercial to allow all of the proposed uses. She said staff would not support that zoning district because of other uses allowed within it.

Commissioner Lee asked what the recourse is in the event there is a zoning violation. Ms. Lee said a PUD is basically a unique zoning district and violations to it would be treated like any other zoning violation. She said it does allow the Director of Community Development to administratively approve minor changes and the ordinance could also be amended by a public hearing before this Commission.

Commissioner Lee asked if the community could petition for a change to the ordinance if it is approved. Ms. Lee said either the applicant or staff could initiate a change.

Commissioner Bitner said he understands the proposed uses are needed, but the neighborhood has made it very clear that they are feeling invaded.

Commissioner Atkinson said there is perception, and then there is what is really occurring, and he said it seems this is only an effort by RMHH to be able to offer their services to the community.

Commissioner Seminary said he feels uncomfortable approving this request at this time and feels better answers should be available as to what types of visible changes can be anticipated. He said this is a good location for this type of service as long as it is handled well and he feels they have good visibility and a good reporting system in place. He said it is in a location that allows for short response time for all emergency services and the need for

the help they can provide is there as well. He added that they owe it to the neighborhood to request more definitive information on the anticipated uses.

Commissioner Waldoch said the neighborhood outcry should be taken to heart when identifying and refining the proposal in order to try and please everybody. She also suggested RMHH consider coordinating a neighborhood task force to better communicate their plans and make this more appealing.

Chairman Yeager said information is needed on how to appropriately address crime calls and he encourages residents of the neighborhood to contact the Police Department with their concerns.

Commissioner Lee asked if there is any other mechanism that would allow all of the proposed uses under the current RM30-Residential zoning. Ms. Lee said only the child care could be allowed, and that would be by approval of a special use permit.

Commissioner Schell asked what the process would be if the request is tabled. Ms. Lee said they would re-notify and re-advertise and it would go straight to a public hearing/final action upon provision of any requested information.

MOTION: Based on the findings contained in the staff report and the public input received at the hearing, Commissioner Seminary made a motion to table the zoning change from the RM30 – Residential zoning district to the PUD – Planned Unit Development zoning district for Lots 1 and 2, Block 1, Replat of Calkins Addition and Auditor’s Lots A and B of the SE ¼ of the NE ¼ of Section 33, T139N-R80W (City Lands). Commissioner Atkinson seconded the motion and the request was unanimously approved with Commissioners Atkinson, Bitner, Donanue, Lee, Schwartz, Schell, Seminary, Waldoch and Yeager voting in favor of the motion.

OTHER BUSINESS

Mr. Nairn said the Planning and Zoning Commissioners are invited to a public meeting at the Bismarck Veterans Memorial Library at 5:30 pm on November 3rd regarding the proposed Infill and Redevelopment Plan. He said a press release will be posted soon and draft plans will be available upon request.

ADJOURNMENT

There being no further business, Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 8:23 p.m. to meet again on November 16, 2016.

Respectfully submitted,

Hilary Balzum
Recording Secretary

Wayne Yeager
Chairman

DRAFT

Hilary Balzum

From: Aimee Jensen [REDACTED]
Sent: Friday, October 21, 2016 6:20 PM
To: Planning - General Mailbox
Subject: Lot 2 Block 2 Tree Top Addition

To Whom it May Concern,

My name is Aimee Jensen and I am the owner of 1134 Canada Avenue which is the first house on Canada from Ottawa Street. The property being built will be right next to my home. I would like to ask that a barrier or wall of some sort be placed between my property and the microbrewery. I have children and I am unclear on how far from my property this will be situated.

I appreciate you taking my request into consideration. You may already have planned to do so which would make myself and my neighbors feel more comfortable about the situation.

Thank you.

Hilary Balzum

From: [REDACTED]
Sent: Saturday, October 22, 2016 1:50 PM
To: Planning - General Mailbox
Cc: [REDACTED]
Subject: Approval of use permit for a microbrewery

Dear Planning & Zoning Commission:

We are residents adjacent to the proposed location for the microbrewery between Canada Avenue & Brookside Lane west of US Highway 83. We are not opposed to the project. However, we would ask consideration of the following:

1. The entrance to the brewery be located to the north- a similar entrance to enter Furniture Row but to the south.
2. A demarcation be erected between the residential lots and the brewery such as a retaining wall and trees.
3. The contractors & owners be very conscientious of the presence of children in the neighborhood.

Thank you so much for your consideration and discussion.

Dr. Connie Kalanek
5305 Niagara Drive
Bismarck, ND [REDACTED]



RUTH MEIERS

Inspiring Lives, Renewing Hope

Exhibit C
1100 E. Boulevard Ave.
Bismarck, ND 58501
701.222.2108
www.ruthmeiers.org

Providing direct and collaborative support to those in need of essential services, education and guidance.

Addressing the 10-Year Plan to End Homelessness

Rezoning Ruth Meiers and creating the Transitional Living and Community Service Center aligns with several goals of the "In from the Cold" Ten-Year Plan to End Homelessness. Specific goals that are currently in development and that the rezone will address include:

Housing Matters

Goal #2: Convert existing housing units into permanent supportive housing units

Goal #4: Establish a single-point-of-entry and 24/7 "drop-in" center for anyone experiencing homelessness or at-risk of being discharged into homelessness

Goal #12: Advocate for the creation of a transitional jobs program for people experiencing homelessness in the Bismarck and Mandan area.

Service Matters

Goal #20: Establish innovative ways to support the unique needs of youth afflicted by long-term homelessness.

Goal #24: Enhance networking and communication among service providers, area businesses, tribal entities, and other stakeholders.

Prevention Matters

Goal #28: Make services and resources more accessible and responsive to people who are at risk or currently experiencing long-term homelessness.



Compassion Community Commitment

October 25, 2016

Mrs. Jaclyn Hall
Executive Director
Ruth Meiers
1100 E Boulevard Ave
Bismarck, ND 58501

Dear Mrs. Jaclyn Hall:

The purpose of this letter to express support for the requested rezone of the 1100 E Boulevard Avenue facility from RM-30 to PUD.

Over the years, Community Options has partnered with Ruth Meiers to address the current gaps in services for those who are homeless or at risk of homelessness. Despite our efforts, the Bismarck –Mandan community has seen an increase in the needs of our low-income population. One current solution for the increase demand of services for this population is a Transitional Living and Community Service Center just as proposed by Ruth Meiers in the rezone request. The rezone would allow agencies such as Community Options to partner even closer with Ruth Meiers to provide a variety of services, including employment and educational services to those who are at risk of homelessness.

In conclusion, Community Options fully supports the requested rezone of the 1100 E Boulevard Avenue facility from RM-30 to PUD.

Feel free to contact me with any questions you have.

Sincerely,

A handwritten signature in cursive script that reads "Trina Gress".

Trina Gress, Vice President

10/25/2016

Board of Directors
Ruth Meiers
1100 E. Boulevard Avenue
Bismarck, ND 58501

Dear Ruth Meiers' Board of Directors,

I am writing this letter to express my support of the rezoning application on behalf of the UND Center for Family Medicine Residency for Ruth Meiers' primary facility at 1100 E. Boulevard Avenue.

Ruth Meiers plays a critical role in meeting the needs of the homeless and creating a safe and thriving community within the Bismarck-Mandan region. With the approval of the rezone, I am excited and in full support of Ruth Meiers' expanded programs to serve everyone in the community in need of support, not just those residing in a Ruth Meiers shelter or apartment. I believe that the rezone and the proposed programming will address numerous service gaps that currently exist in the region including:

- Affordable daycare and after-school care for low-income families;
- Adult education and training programs such as financial literacy and employment services for the homeless and those at risk of homelessness; and
- Free health care for those under or uninsured in the community

The services to be provided as a result of the rezone are relevant and important to meeting the needs of the growing region and to reducing the incidence and reoccurrence of homelessness. Homelessness isn't just an issue that impacts the individuals experiencing it – homelessness affects the entire community. Ruth Meiers plays an integral part in addressing homelessness in our region, and the UND Center for Family Medicine Residency fully supports the important work that you currently do and plan to do upon approval of the rezone.

Sincerely,



Jeff Hostetter, MD
Program Director
UND Center for Family Medicine Residency
701 E. Rosser Ave.
Bismarck, ND 58501

10/25/2016

Board of Directors
Ruth Meiers
1100 E. Boulevard Avenue
Bismarck, ND 58501

Dear Ruth Meiers' Board of Directors,

As a health care provider serving the Bismarck-Mandan region, I understand the barriers and challenges that face the homeless and low-income individuals in the community, in terms of accessibility and affordability of high-quality, coordinated health care. That's why I was so excited to learn about your plans to expand Joanne's Clinic upon approval of the rezone of 1100 E. Boulevard Avenue.

The expansion of Joanne's Clinic will address a current gap in the community by providing high-quality, free health care - provided by physicians, to those that are under or uninsured. By opening Joanne's Clinic to the general public, Ruth Meiers will ensure that everyone has access and can afford the health care needed to thrive.

The services that Ruth Meiers provides, including Joanne's Clinic, are an important part of the Bismarck-Mandan region. I fully support your plans to rezone in order to meet the growing demands of the homeless and at-risk populations in our community.

Sincerely,



Jeff Hostetter, MD
Program Director
UND Center for Family Medicine Residency
701 E. Rosser Ave.
Bismarck, ND 58501



Established 1964

HEARTVIEW FOUNDATION

101 E. Broadway Avenue
Bismarck, ND 58501
(701) 222-0386
FAX (701) 255-4891

7448 68th Avenue NE
Cando, ND 58324
(701) 968-4056
FAX (701) 968-4456



Nationally Accredited

www.heartview.org email:info@heartview.org TOLL FREE: 1-800-337-3160

October 10, 2016

Board of Directors
Ruth Meiers
1100 E. Boulevard Avenue
Bismarck, ND 58501

Dear Ruth Meiers' Board of Directors,

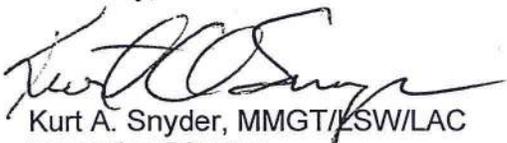
I am writing this letter to express my support of the rezoning application on behalf of Heartview Foundation for Ruth Meiers' primary facility at 1100 E. Boulevard Avenue.

Ruth Meiers plays a critical role in meeting the needs of the homeless and creating a safe and thriving community within the Bismarck-Mandan region. With the approval of the rezone, I am excited and in full support of Ruth Meiers' expanded programs to serve everyone in the community in need of support, not just those residing in a Ruth Meiers shelter or apartment. I believe that the rezone and the proposed programming will address numerous service gaps that currently exist in the region including:

- Affordable daycare and after-school care for low-income families;
- Adult education and training programs such as financial literacy and employment services for the homeless and those at risk of homelessness; and
- Free health care for those under or uninsured in the community

The services to be provided as a result of the rezone are relevant and important to meeting the needs of the growing region and to reducing the incidence and reoccurrence of homelessness. Homelessness isn't just an issue that impacts the individuals experiencing it – homelessness affects the entire community. Ruth Meiers plays an integral part in addressing homelessness in our region, and Heartview Foundation fully supports the important work that you currently do and plan to do upon approval of the rezone.

Sincerely,


Kurt A. Snyder, MGMT/LSW/LAC
Executive Director



MANDAN, HIDATSA, & ARIKARA NATION
THREE AFFILIATED TRIBES * FORT BERTHOLD RESERVATION
Chairman Mark N. Fox * Bismarck Satellite Office
107 WEST MAIN AVENUE, SUITE #200, BISMARCK, ND 58501
PHONE: (701) 751-2928 FAX: (701) 751-2933

Wednesday, October 19th 2016

RE: Letter of Support for Ruth Meiers

To whom it may concern:

The MHA Nation (Bismarck) Satellite Office is writing a letter of support for the Ruth Meiers Hospitality House. In Ruth Meiers missions/goals/objectives in providing direct and collaborative support to those in need of essential services, education, and guidance; while inspiring lives and renewing hope.

The MHA Nation Satellite Office is an outreach site for the Three Affiliated Tribes and/or enrolled members of the Mandan, Hidatsa, & Arikara (MHA) Nation living in the Bismarck-Mandan area. It is estimated that 1,500 enrolled members of the Tribe live in the area and it is the largest populated area of members in comparison to our Fort Berthold reservation segments.

The Three Affiliated Tribes/MHA Nation (Bismarck) Satellite Office has established a close working relationship with Ruth Meiers by providing direct services to our enrolled members living in Bismarck-Mandan area or experiencing hardship (homelessness). The Ruth Meiers has successfully assisted members with emergency beds, families needing food/shelter, and the other services they provide (e.g. Nutrition services, JoAnne' clinic, employment/education counseling services, etc.).

The MHA Nation Satellite office is looking forward in continuing collaborative and working relationships with Ruth Meiers. Our office is very interested and supportive of the REZONE; which will enable our agency to avoid duplicating services and providing services to those at risk of homelessness. We would very much like to see and utilize the Transitional Living and Community Service Center. These programs and services would provide a great service and resource to our community.

Thank you for taking the time and consideration of our support for the Ruth Meiers Hospitality House in expanding their programs and services in the REZONE request.

Please contact me if you have any questions, upon your earliest convenience.

Respectably,

Mark C. Little Owl, MSW
MHA Nation Satellite Office ~ Director



FULFILLING OUR PROMISES
TO THE MEN AND WOMEN WHO SERVED

Department of North Dakota ♦ P.O. Box 2073 ♦ Jamestown, ND 58402-2073

October 18, 2016

Board of Directors
Ruth Meiers Hospitality House
1100 E. Boulevard Avenue
Bismarck, ND 58501

Dear Ruth Meiers' Board of Directors,

I am writing this letter to express my support of the rezoning application on behalf of DAV, Department of North Dakota for Ruth Meiers' primary facility at 1100 E. Boulevard Avenue.

Ruth Meiers plays a critical role in meeting the needs of the homeless and creating a safe and thriving community within the Bismarck-Mandan region. With the approval of the rezone, I am excited and in full support of Ruth Meiers' expanded programs to serve everyone in the community in need of support, not just those residing in a Ruth Meiers shelter or apartment. I believe that the rezone and the proposed programming will address numerous service gaps that currently exist in the region including:

- * Affordable daycare and after-school care for low-income families;
- * Adult education and training programs such as financial literacy and employment services for the homeless and those at risk of homelessness; and
- * Free health care for those under or uninsured in the community

The services to be provided as a result of the rezone are relevant and important to meeting the needs of the growing region and to reducing the incidence and reoccurrence of homelessness. Homelessness isn't just an issue that impacts the individuals experiencing it – homelessness affects the entire community. Ruth Meiers plays an integral part in addressing homelessness in our region, and DAV, Department of North Dakota fully supports the important work that you currently do and plan to do upon approval of the rezone.

Respectfully,

A handwritten signature in black ink, appearing to read "Joseph J Hall", is written over the typed name.

Joseph J Hall
DAV, ND State Commander

HEIDI HEITKAMP
NORTH DAKOTA
HART SENATE BUILDING 110
WASHINGTON, DC 20510
PH: 202-224-2043
FAX: 202-224-7776
TOLL FREE: 1-800-223-4457

<http://www.heitkamp.senate.gov>

United States Senate

WASHINGTON, DC 20510

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INDIAN AFFAIRS
SMALL BUSINESS AND ENTREPRENEURSHIP

October 19, 2016

Jaclyn Bugbee
Executive Director
Ruth Meiers Hospitality House
1100 E Boulevard Ave
Bismarck, ND 58502

Dear Jaclyn,

Thank you for sharing with me the plan Ruth Meiers has developed for expanding and rezoning to include more community based services at your new location in Bismarck. I appreciate your continued commitment to providing support to the homeless and those at risk in the Bismarck-Mandan area.

The project goal to open up new facilities – including a children's learning center, an employment and education center, a preventative health clinic, a food pantry and public soup kitchen, and other community based services – addresses an important need. I have seen this need first-hand working with communities across our state, including Bismarck-Mandan. Organizations like Ruth Meiers are helping to provide the services needed to tackle a variety of challenges our communities are facing, both during the oil boom and, now, during this most recent oil slowdown.

Please keep me updated on the progress of your expansion and thank you again for all of the important work that you do at Ruth Meiers.

Sincerely,



Heidi Heitkamp
United States Senate

BISMARCK OFFICE:
228 FEDERAL BUILDING
220 EAST ROSSER AVENUE
BISMARCK, ND 58501
PH: 701-258-4648
FAX: 701-258-1254

DICKINSON OFFICE:
40 1ST AVENUE WEST
SUITE 202
DICKINSON, ND 58601
PH: 701-225-0974
FAX: 701-225-3287

FARGO OFFICE:
306 FEDERAL BUILDING
657 SECOND AVENUE NORTH
FARGO, ND 58102
PH: 701-232-8031-1-800-223-4457
FAX: 701-232-6449

GRAND FORKS OFFICE:
33 S. 2ND ST., SUITE B
GRAND FORKS, ND 58201
PH: 701-775-9601
FAX: 701-746-1990

MINOT OFFICE:
105 FEDERAL BUILDING
100 FIRST STREET S.W.
MINOT, ND 58701
PH: 701-852-0703
FAX: 701-838-8196

Briana L. Hildebrand

bhildebrand@vogellaw.com

October 26, 2016

VIA EMAIL ONLY

Community Development Department
Planning Division
PO Box 5503
Bismarck, North Dakota 58506-5503

**Re: Comments on Proposed PUD Ordinance for Ruth Meiers Hospitality House Before
the Bismarck City Planning and Zoning Commission, October 26, 2016
Our File No.: 050756.16000**

Chairman Yeager, Members of the City Planning and Zoning Commission:

My name is Briana Hildebrand. I am an attorney with the Vogel Law Firm and I am here today on behalf of Cynthia and Robert Graham who represent the interests of the surrounding neighborhood.

It is my understanding that several of the Grahams neighbors and other interested persons are here to explain their concerns to you. Accordingly, I will limit my commentary to a brief synopsis of the Graham's concerns and associated legal issues related to the proposed Ordinance that appears as item No. 4 on your agenda.

At the outset it should be emphasized that an Ordinance very similar in substance to the Ordinance before you today was proposed by Ruth Meiers Hospitality House in 2013 and overwhelmingly denied by the Planning and Zoning Commission after a public hearing on November 20, 2013. On appeal, the proposed Ordinance was similarly denied by the Bismarck City Commission. The concerns raised by the neighborhood and surrounding community in 2013 are much the same as you will hear today, the difference being that when raised previously the issues were to some extent speculative in nature whereas the community concerns today are related to what has happened and what will continue to occur if the Commission adopts Ruth Meiers' proposed Planned Unit Development Ordinance.

1. Without restating all testimony provided to the Planning and Zoning Commission at the November 2013 hearing on Ruth Meiers' first proposed PUD, I will note that it remains the firm belief of the Grahams and those in the neighboring community that approval of Ruth Meiers' proposed PUD will increase the transient population in the area and, in turn, cause additional and continuing safety issues. Many in the neighborhood have already taken

steps to equip their own homes with security and related devices. In addition, there are five schools and three churches in the general vicinity. There remains great concern about putting neighborhood children at greater risk than they already are. These concerns were raised the last time Ruth Meiers proposed a Planned Unit Development and such concerns remain wholly unaddressed.

2. Although Ruth Meiers goes to great length in its application to clarify that the PUD would not include a soup kitchen or emergency shelter, the programs to be included and expanded upon make distinctions without a difference. For example, the Community Service Center is designed to provide services to the community at large, not just tenants. In conjunction with that program, the Nutrition Services program “will provide warm meals to *anyone* coming to Ruth Meiers for services.” In addition, the rezone would allow Ruth Meiers to offer two community emergency transition rooms for individuals and families. In a late revision, Ruth Meiers set forth more specifically in its Application that the use of the property would include “Up to 600 square feet to provide short term (less than 24 hour) shelter, assessment, and essential services to clients that arrive at the facility under Ruth Meier’s single point of contact contract outside of normal business hours.” Although not labeled “soup kitchen” and “emergency shelter” the services that would be provided are in substance the same.
3. Moreover, there is great concern that provision of these services is already taking place inconsistent with the current RM30 zoning requirements. For example, by way of letter circulated to neighbors in the area, Ruth Meiers made clear that the rezone would allow them to offer two community emergency transition rooms which “build upon their *current* 24/7 single-point-of-contact agreement with the City of Bismarck.” While RM30 allows group dwellings, group dwellings only include buildings where persons residing therein are domiciled more or less permanently, in contrast to transient residents characteristic of hotels and emergency shelters. *See* Section 14-02-03 of the Bismarck Code of Ordinances. This concern was raised after Ruth Meiers’ rezone request was denied by the Bismarck City Commission in 2014. It is apparent that Ruth Meiers continues in non-compliance with the zoning requirements to this day.
4. Yet another continuing concern is the issue of parking. The previous proposed Ordinance included 136 off-street parking spaces. At that time, the more realistic need for parking included 517 off-street parking spaces consistent with Section 14-03-10 of the Bismarck Code of Ordinances. It appears as though Ruth Meiers just updated its current proposed ordinance to include only 127 off-street parking spaces. Parking was a concern raised at the prior Planning and Zoning Commission public hearing as well as on appeal to the Bismarck City Commission. At the Bismarck City Commission hearing on January 14, 2014 it was explained by Ruth Meiers that because tenants will be working during the day, others seeking services could use tenant parking spots. Given that the proposed Ordinance includes 85 units of permanent rental housing comprised of efficiency, one-bedroom, and

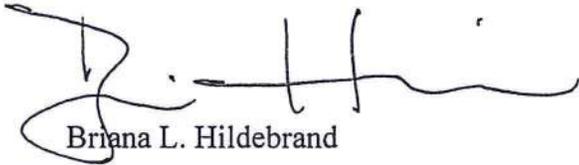
October 26, 2016

Page 3

two bedroom apartments in addition to the food pantry, baby boutique, child care center, salon, medical clinic, space for storage and distribution, before and after school programs for children, space for food preparation, administrative offices, and a short term shelter, the functionality of only 127 off-street parking spaces is unrealistic and impractical. There is nothing to suggest that the parking need now is any different than it was in 2013. Accordingly, it is more likely than not that tenants and other patrons would be forced to impose upon neighborhood streets.

To summarize, the PUD proposed by Ruth Meiers today generates the same concerns as the PUD proposed in 2013. As you will hear from others, such concerns are not unreasonable or unfounded. Ruth Meiers attempts to draw distinctions in its current application so as to alleviate the prior concerns; however, without more than mere relabeling the same issues remain. Without any necessary changes, the Grahams must again resist the adoption of the proposed Ordinance.

Respectfully submitted,



Briana L. Hildebrand

1308 N. 11th St.
Bismarck, ND 58501

October 20, 2016

Sent via Email

Bismarck Community Development Department
Planning Division
PO Box 5503
Bismarck, ND 58506-5503

This letter is in response to the letter of October 14, 2016, regarding the proposed zoning change by the Ruth Meiers Hospitality House Inc. As a property owner in the neighborhood, I oppose this change.

I moved into the neighborhood in April of 2014. I was looking for a quiet neighborhood, and for the most part, found it. At the time that I was planning to buy my house, I was cautioned by people outside of the neighborhood about the possibility of a devaluation of property values in this area, due to the Ruth Meiers property. However, I liked the area, and since my home is two blocks north of the property, decided to purchase it.

Since my move, I've become aware that there are many problems within the current facility owned by the Ruth Meiers organization. I take the 12th Street route daily, to work and for other reasons. I go to work early in the morning, and have seen people sleeping on lawns of property owners, near that property. I've also lost count of how many times I've seen a police car(s) at that property.

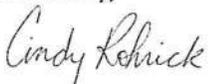
Even in my part of the neighborhood, there have been a few times where I'll be working in my yard, and have had police officers stop and ask me if I've seen a person matching a certain description. On August 9 of this year, someone broke into an elderly neighbor's home. This happened at around 9 a.m. in the morning, while she was in bed. She locked herself in her bedroom, and could hear him going through her house. My understanding is that they found evidence that someone had slept in her yard that previous evening. To this day, I have no idea if they caught this person.

Two days later, I was on lunch break at my home. I saw two police cars and officers on my street. A third police vehicle appeared, and after a while, all left. Again, I have no idea what was going on that day.

I believe that I have seen more police activity in the last two years at this residence, than I have in all of my combined previous years of living at other residences. I believe that a key reason is tied to current activity at the Ruth Meiers property. I do not believe that the Ruth Meiers management is doing an adequate job of addressing problems tied to the current situation at that property, and see no reason why there would be any improvement with the addition of more services. It will no longer be a relatively quiet family neighborhood, with more services meaning more people, and more problems.

I am also not swayed by the attempt to show these services as potentially beneficial to the neighborhood. Any potential "benefits" are far outweighed by potential problems, especially given what we've seen with the current setup. While I acknowledge the need for services the organization provides, they need to be provided in a more appropriate environment, not in a residential neighborhood.

Sincerely,



Cindy Rohrick

Brady Blaskowski

From: Brady Blaskowski
Sent: Thursday, October 20, 2016 9:45 AM
To: Kim Lee (klee@bismarcknd.gov)
Subject: FW: Parking summaries-Ruth Meiers
Attachments: Parking Space Usage-Community Services.docx; Parking Space Usage-Housing (Table).docx

Kim,

Here is what we received in regard to the parking at Ruth Meiers.

BRADY BLASKOWSKI,CBCO,CFM
BUILDING OFFICIAL
CITY OF BISMARCK COMMUNITY DEVELOPMENT DEPARTMENT
BUILDING INSPECTIONS DIVISION
221 N 5TH ST, PO Box 5503, BISMARCK, ND 58506-5503
OFFICE: 701-355-1467
FAX: 701-258-2073
WEBSITE: WWW.BISMARCKND.GOV

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From: Carrie Davis [mailto:
Sent: Wednesday, October 19, 2016 3:37 PM
To: Brady Blaskowski
Cc: Steve Neu
Subject: Parking summaries-Ruth Meiers

Hi Brady,

Attached please find the updated parking space summaries. Please let Steve know if you have any questions. He is cc'd on this email as well.

Thanks!

Carrie Davis
Manager of Revenue Development and Strategy



Community Services Parking Space Summary and Operating Schedule – RUTH MEIERS

Program	# of spaces	Days of use	12	1	2	3	4	5	6	7	8	9	10	11	12	1	2	3	4	5	6	7	8	9	10	11
			AM	PM																						
Children's Learning Center*	14.5	M-Sat																								
Community Education Center**	6	M-F																								
Joanne's Clinic ***	6	T & Th																								
Salon ****	2	W																								
Baby Boutique*****	2	M & W																								
Food Pantry*****	5	M																								
Outreach Services*****	6	M-F																								
Administrative Staff*****	10	M-Su																								
1st and 2 nd Shift Shelter Staff*****	4	M-Su																								

TOTAL PROGRAM SPACES = 55.5

Note:

1. **Children's Learning Center** – Daycare parking calculated at maximum children attendance of 45 and 1 space per 10 children or 4.5 + 1 space per employee at a maximum of 10 spaces.
2. **Education Center** – Parking calculated as gathering space at 1 space per 250 square feet or 1,600 square feet/250 = 6.4 (rounded to 6) spaces.
3. **Joanne's Clinic** – calculated as medical at 1 space per 250 square feet or 1500 square feet/ 250 = 6 spaces.
4. **Salon, Baby Boutique and Food Pantry** – calculated as retail/service space at 1 space per 250 square feet.
5. **Outreach Services, Administration & Shelter Staff** – parking calculations are developed as office space at 1 space per 300 square feet or 6,000 square feet/300 = 20 spaces.

Residential Program and Apartment Parking Space Summary

Location	# of units	Type of units	Calculation	Total Spaces
North Apartments (Porter Avenue)	40	24 – efficiency 16 – 1 bedroom	40% senior (16 units x 50% of 1 space/unit = 8 spaces) 60% non-senior (24 units x 60% of 1 space/unit = 14.4 spaces)	22.4
Third Floor (Main Building)	19	6 – efficiency 5 – 1 bedroom 8 – 2 bedroom	40% senior (7.6 units x 50% of 1 space/unit = 3.8 spaces) 60% non-senior (11.4 units x 60% of 1 space/unit = 6.8 spaces) 50 people at 10 people per space = 5 spaces	15.6
Second Floor (Main Building)	26	13 – efficiency 13 – 1 bedroom	40% senior (10.4 units x 50% space/unit = 5.2 spaces) 60% non-senior (15.6 units x 60% of 1 space/unit = 9.36 spaces) 50 people at 10 people per space = 5 spaces	19.56
Residential Program	Based on average daily occupancy of driving-age		50 people at 10 people per space = 5 spaces	5.0
TOTAL PARKING REQUIRED FOR RESIDENTIAL PROGRAM AND APARTMENTS				62.56

NOTES:

- 1) Reduction in parking spaces requirement developed for rented apartments at Porter Avenue, 2nd and 3rd floor of 1100 E. Boulevard Avenue, based on estimated demographics, vehicle analysis, and average daily driver occupancy:
 - a. 40% of occupancy of units is by senior citizens with 50% of occupants owning a vehicle
 - b. 60% of occupancy are non-seniors
 - c. 60% of non-seniors own vehicles
 - d. The estimated average resident population of 50 people per floor requires 1 space per 10 residents
- 2) Residential Program parking calculations based on an average of 50 driving age residents per day

2014 CALLS FOR SERVICE

1100 E Boulevard Ave.

Type of Service Call	Total for Type	Case Reports
Disorderly Conduct	1	0
Fireworks	1	0
Harrasment	3	0
Medical Assisit-Immediate	5	0
Motor Vehicle Theft	1	0
Other Public Peace	8	1
Runaway	1	0
Suspicious Person/Activity	2	0
Terrorizing	2	0
Theft	3	3
Unwanted Subject	4	1
Warrant	8	2
Welfare Check	4	0
	43	7

Surrounding Area (2 block radius)

Type of Service Call	Total for Type	Case Reports
Assault	1	0
Destruction/Damage/Mandalism	1	0
Drug Violation	1	0
Other Public Peace	1	0
Suspicious Person/Activity	1	0
Welfare Check	1	0
	6	0

1100 E Boulevard Ave. 2015

Type of Service Call	Total for Type	Case Reports
Assault	0	2
Child Abuse/Neglect	2	0
Civil Dipute	2	0
Commitment	2	0
Destruction/Damage/Vandalis	1	1
Disorderly Conduct	2	0
Drug Violation	3	5
Fight Call	1	0
Fraud	0	1
Harrasment	3	0
Medical Assist-Immediate	11	1
Other Public Peace	8	4
Suicide	1	0
Suspicious Person/Activity	2	0
Theft	2	1
Trespassing	4	3
Unwanted Subject	5	0
Warrant	28	14
Welfare Check	8	0
Total	85	32

Surrounding Area (2 block radius)

Type of Service Call	Total for Type	Case Reports
Assault	1	2
Burglary	1	0
Assist Other Agency	4	0
Detox	3	0
Civil Dipute	3	0
Destruction/Damage/Vandalism	2	1
Disorderly Conduct	1	0
Drug Violation	0	7
Fraud	0	1
Harrasment	4	0
Medical Assist-Immediate	23	1
Motor Vehicle Theft	1	0
Other Public Peace	5	0
Sex Offense	1	0
Suspicious Person/Activity	1	0
Theft	6	1
Trespassing	1	3
Unruly Juvenile	2	0
Unwanted Subject	9	0
Warrant	20	15
Weapons Violation	1	0
Welfare Check	14	0
Total	103	31

1100 E Boulevard Ave.

2016 YTD

Type of Service Call	Total for Type	Case Reports
Assault	1	3
Assist Other Agency	4	0
Burglary	1	0
Civil Dipute	3	0
Destruction/Damage/Vandalism	2	1
Delox/Drunkenness	0	1
Disorderly Conduct	1	4
Domestic Dispute	0	1
Harrasment	4	0
Intimidation	0	1
Medical Assist-Priority	1	0
Medical Assist-Immediate	23	0
Motor Vehicle Theft	1	1
Other Public Peace	5	0
Sex Offense	1	1
Suicide	0	1
Suspicious Person/Activity	4	0
Terrorizing	1	0
Theft	5	4
Trespassing	1	0
Unwanted Subject	9	0
Warrant	20	13
Welfare Check	14	0
	95	31

Surrounding Area (2 block radius)

Type of Service Call	Total for Type	Case Reports
Assault	2	1
Burglary	1	0
Assist Other Agency	1	0
Delox	3	2
Civil Dipute	4	0
Domestic/Family Offense	9	1
Destruction/Damage/Vandalism	3	1
Disorderly Conduct	1	4
Drug Violation	5	0
Runaway	1	0
Harrasment	5	0
Intimidation	0	1
Medical Assist-Immediate	20	0
Other Public Peace	5	0
Sex Offense	1	1
Weapons Violation	1	0
Motor Vehicle Theft	0	1
Suicide	0	1
Terrorizing	1	0
Suspicious Person/Activity	5	0
Theft	6	4
Trespassing	2	0
Unruly Juvenile	1	0
Unwanted Subject	12	0
Warrant	5	13
Welfare Check	12	0
Total	106	30

My name is Karen Ehrens, and I am a Registered Dietitian, public health professional, church elder and community volunteer.

I have been inside the Ruth Meiers facility on many occasions to meet and to assist with various projects that help the people who live there and eventually move away from there. And that is the goal, to help people become self-sufficient.

- I have served meals with other volunteers from the First Presbyterian Church;
- I have helped plant and tended a garden there, along with my teenage daughter for 2 summers;
- I have planted community orchard fruit trees and bushes as a volunteer and Chair of the Go! Bismarck Mandan Coalition;
- I have shared a freshly picked strawberry with a resident, who told me he had not eaten those since he was a child gardening with his mother;
- I have delivered food from community events to the facility at hours after dark, to share food that would otherwise go to waste.

I have never felt unsafe. I believe in the programs of Ruth Meiers. I believe that community members being with each other, learning from and learning about each other is a good thing for the residents of Ruth Meiers and for the whole community. I support the zoning change requests of Ruth Meiers to enable the programs to expand and to meet the needs of more people in our community in a more efficient way.

Thank you for the consideration of these comments,

Sincerely,

Karen

Karen Ehrens, RD, LRD
Ehrens Consulting
233 W Ave C
Bismarck, ND 58501

Hilary Balzum

From: Planning - General Mailbox
Sent: Tuesday, October 25, 2016 12:34 PM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: In Support of Rezoning for Ruth Meiers

From: Carol Johnson [mailto:████████████████████]
Sent: Tuesday, October 25, 2016 10:54 AM
To: Planning - General Mailbox
Subject: In Support of Rezoning for Ruth Meiers

Dear Members of the Bismarck Planning and Rezoning Commission,

I strongly support the vision and missions of the Ruth Meiers Hospitality House and urge you to grant their request for rezoning.

Having visited and toured the facility several times, I have seen the work they are doing to give the less fortunate a "hands up chance" to improve their lives. I also have heard about the vision Ruth Meiers has for providing much needed wrap around services that will help their clients get on solid footing as they transition into the community and become productive citizens. Ruth Meiers has not only the desire to move ahead with these transition services, but also a building that is ideally suited for such services. Please allow them to use the property they purchased to the fullest extent possible. By combining existing services overall costs will be reduced and Ruth Meiers will be able to run more efficiently. As I see it, Voting to Rezone the Property is a "No Brainer."

I travel by the area on an almost weekly basis and have never seen vagrants, trash, or other things that would cause nearby residents to fear for their lives as was earlier predicted when the original request for rezoning was made several years ago. Instead I have seen mothers or families pushing strollers and walking children on the sidewalks. I believe the time is right to move forward with the rezoning so that the property can be fully utilized.

Sincerely,

Carol A. Johnson, MA in Counseling
521 1st Ave. NW Steele, ND 58482

Hilary Balzum

From: Planning - General Mailbox
Sent: Tuesday, October 25, 2016 12:34 PM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: Ruth Meier's

From: Michelle Wood [mailto: [REDACTED]]
Sent: Tuesday, October 25, 2016 11:08 AM
To: Planning - General Mailbox
Subject: Ruth Meier's

Good Morning,

I am a former resident of Boulevard Ave, with parents who continue to reside for the last 40 years on Boulevard Ave. I have been made aware of a some proposed actions by the director of the Ruth Meier's facility.

These proposals are outrageous. Ms. Bugbee appears to be trying to start her own city at the Blvd location. Does she have any idea of what goes on in this neighborhood now that she has brought all these homeless people in? I agree, Bismarck needs a facility to assist the homeless, they do not choose to be this way, I'm all for that, but I'm tired of her trying to ruin this neighborhood. This facility is BLOCKS away from our city capital, they are sleeping in the park on 16th street, they are destroying private property, people have installed cameras now, they are always in the garage cans.

She has not made herself welcome to this neighborhood at all. She has pushed her way in and pretty much blown off the neighbors who have made their homes and raised their families here.

The floor plan shows "food pantry" This is exactly what the neighborhood went against her for two years ago, before she moved in. WE DO NOT WANT A FOOD PANTRY IN THIS NEIGHBORHOOD. She already cooks food and has it transported. We do not want all the traffic walking thru this neighborhood to get to her food pantry. She does not need a salon there. Everyone else has to try to use transportation to get a haircut, there is parking, people living there have cars. She has kids mixed in with child molesters at this facility already. What is the short term transition center? So we are now going to have drunks, etc walking thru the neighborhood to go there and detox? So more police presence? We already have the police there at least twice a week.

There is a petition that is already circulating the neighborhood. We do not want these additional resources. Find a building that is on the bus route that doesn't RUIN an existing family friendly neighborhood. The administrator of the Baptist home fully regrets his decision to sell to her, she lied to him in many meetings and he was not aware of what she was going to do.

Please, please consider the families, kids, neighbors that have called this neighborhood home for many years. These deserve this from the city, we have already been putting up with enough since she moved her facility in.

Thank you, Michelle Wood

Hilary Balzum

From: Planning - General Mailbox
Sent: Tuesday, October 25, 2016 12:34 PM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: Ruth Meiers zoning change concern

From: Robert Shjeflo [mailto: [REDACTED]]
Sent: Tuesday, October 25, 2016 12:13 PM
To: Planning - General Mailbox
Subject: Ruth Meiers zoning change concern

Dear Zoning Commission:

I will not be able to attend the public hearing on Wednesday but I hope this email will document my position on the zoning change request. The Ruth Meiers Hospitality House on Boulevard is in my neighborhood so I would be opposed to any changes that would bring danger to children living in the vicinity. The Bismarck Tribune article in Tuesday's paper listed several new services that would be allowed with the zoning change. Only one of the new services concerns me: The article says they want permission to prepare meals which would be transported to other Ruth Meiers facilities around town. I would not be opposed to that but I would be opposed to the meals being served at the 1100 Boulevard location to anyone from the community that wanted a cheap meal. Serving the meals at that location would, undoubtedly, bring in a variety of people. Most of them would be fine people but a few would not be someone you would want hanging around your children in your neighborhood.

In conclusion, I would ask that you restrict the serving of meals at the Boulevard location.

Thank you for your consideration in this matter.

Bob Shjeflo
1321 N. 12th Street
Bismarck

Hilary Balzum

From: Planning - General Mailbox
Sent: Wednesday, October 26, 2016 11:48 AM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: Ruth Meier's House.

From: Lynette Pitzer [mailto:
Sent: Wednesday, October 26, 2016 11:23 AM
To: Planning - General Mailbox
Subject: Ruth Meier's House.

I live three houses away from the Ruth Meier's house. I wish to express my disapproval of anymore services at the house. I do not want anymore traffic in my neighborhood. They walk to the laundry service or the Mexican eatery and buy food and pop. I constantly am picking up garbage on my lawn and boulevard. This summer we found syringes with needles attached on the boulevard. The men make me very uneasy and often look depressed and are often talking to themselves and swearing. I babysit my two small grandchildren and I fear they will be kidnapped. I am with them constantly. I know they need a place to live, but just not the transients or those discharged from Jamestown State Hospital.

This has been our home since 1975 and we are approaching 70 years old. We no longer feel safe.

Lynette Pitzer

Hilary Balzum

From: Planning - General Mailbox
Sent: Wednesday, October 26, 2016 4:29 PM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: Rezoning of Ruth Meiers

Thank you for giving me the opportunity to address the Commission. My name is Marla Trail and my home is on 14th St, just a couple blocks from the old Baptist Home.

The subject of the rezoning of the Ruth Meiers Hospitality House has been brought before the commission once before. It was denied at that time and rightly so. This is a case of failure to plan and research on the part of the Ruth Meiers Hospitality House. They bought the property under the current zoning and are now trying to force their will on the surrounding neighborhood with no regard as to how that change will effect it. Many people that also purchased property in this area did so because of the very reasons this zoning change should not be allowed. It is a well established area with schools, churches and parks. There is a sense of community and safety. These are things that make the area desirable to live in. This area may appear to be a "business district" because one side faces State Street, but in actuality this is a residential neighborhood. Even if you are willing to subject the surrounding homeowners to a loss in property value on their homes, there are other issues that would arise in rezoning this property.

There are four schools within .7 miles of this piece of property. Three of those four schools are listed below, along with the milage from the property and student enrollment. This data was taken from the Bismarck Public Schools 2015-2016 Annual report.

Bismarck High School .5 miles 1298 students

Simle .7 miles 949 students

Pioneer .5 miles 261 students

That is a total of 2508 students. The total enrollment for Bismarck Public Schools based on the data in the latest Annual Report is 12358 students. This data does not include St. Anne's school, as their numbers are not included in the Bismarck Public Schools report due to them being a private school. Just going by the total numbers from the Bismarck Public Schools systems, this is 20.29% of their total enrollment. That is a lot of kids that do not need to be put in danger.

The rezoning request was originally denied in January of 2014. Jaci Bugbee, then director of the Ruth Meiers Hospitality House, was offering to provide temporary security. Based on information reported by the Bismarck Tribune, the Ruth Meiers Hospitality House had to ask forgiveness from the Bismarck City Commission for over \$35,000 worth of grants because they sold the two buildings the grant money was supposed to go towards improving and could not repay them. They are currently in a two-year moratorium before they can receive future funds. In May of 2015, contractors had to put a lien in place against the Ruth Meiers Hospitality House in order to be paid for services provided. Once the contractors were paid, the lien was removed. All of this causes me to question where they would get the funds to provide security, even temporarily, for homeowners in the community surrounding this property when they are already having trouble paying their current financial responsibilities.

Even if the property was rezoned and security was put in place, why take the risk? In December of 2014, a suspect who was staying at the Ruth Meiers House was arrested and charged with murder. I, personally, cannot fathom a scenario where our community leaders would knowingly put 20% of the enrolled public school students in danger. I do not believe even a 2% risk is acceptable when it comes to kids. This request has already been denied once and it should be denied again now.

RECEIVED
OCT 21 2016

October 17, 2016

To Whom it May Concern:

We Tappaying Citizens from the area around the Ruth Meiers were surprised to receive a letter both from the City & Ruth Meiers - We had already expressed our views at the last rezoning meeting and were under the impression that the City had denied it. Why even consider it a second time giving how the voting public feels -

Sure that it will be packed house only at the upcoming meeting and it will be very apparent that we do not want it rezoned -

Respectfully,

A Tappayer in the Upheaval Again!

Kim Lee

From: John Berger [REDACTED]
Sent: Wednesday, October 26, 2016 5:51 PM
To: Kim Lee
Subject: Rezoning hearing

I am very concerned about this rezoning proposal for the former Baptist Home/Ruth Meiers Hospitality Home. I am watching the hearing and am concerned for the neighborhood, especially for the increase of traffic, both of people and cars. This was presented originally when Ruth Meiers moved into the building and I don't think the neighbors would appreciate this. I am concerned for the neighborhood safety. It seems that Ruth Meiers should move to a more commercial location within Bismarck that is not so close to residential areas. It is not fair to the neighbors that live there. I think Ruth Meiers Hospitality Home should be located closer to downtown and away from residential areas.

I move that you do not approve this zoning change and move Ruth Meiers to a more suitable location to preserve the safety of the neighborhood. I also think you should move the Men's emergency shelter away from the neighborhood that it is in to a more commercial and less residential neighborhood. We need to improve our inner city neighborhoods so families will want to live there and feel safe. I think there locations for both the Ruth Meier's House and the Men's Emergency Center!!!!

Thank you,

Robynn Berger

Hilary Balzum

From: Planning - General Mailbox
Sent: Thursday, October 27, 2016 8:48 AM
To: Carl Hokenstad; Daniel Nairn; Hilary Balzum; Jenny Wollmuth; Kim Lee; William Hutchings
Subject: FW: Rezoning for Ruth Meiers

From: Rosine Quam [mailto:
Sent: Wednesday, October 26, 2016 6:06 PM
To: Planning - General Mailbox
Subject: Rezoning for Ruth Meiers

My concerns aren't with the present facility. I support it. My concern is with the changes that are planned. We have good transportation, so people can ride to clinics and beauty salons. I feel it should be for living not offices.

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Census Code	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
SINGLE FAMILY DETACHED	14	\$3,417,156.63	34	\$6,366,197.08	5	\$1,412,082.50	7	\$1,548,863.28
ROWHOUSE (2) 1-HR FIRE SEPARATION	0	\$0.00	20	\$2,732,500.00	0	\$0.00	0	\$0.00
FIVE OR MORE FAMILY	0	\$0.00	1	\$5,000.00	0	\$0.00	0	\$0.00
MANUFACTURED HOMES	7	\$0.00	7	\$0.00	0	\$0.00	0	\$0.00
MOBILE HOME	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
NON-STRUCTURAL DEVELOPMENT	0	\$0.00	2	\$214,716.00	0	\$0.00	0	\$0.00
INDUSTRIAL BUILDINGS	0	\$0.00	4	\$3,982,411.00	0	\$0.00	0	\$0.00
OFFICE; BANK; & PROFESSIONAL BUILDINGS	0	\$0.00	1	\$15,000.00	0	\$0.00	0	\$0.00
SCHOOLS & EDUCATIONAL	0	\$0.00	1	\$761,085.00	0	\$0.00	2	\$8,522,845.00
OTHER NEW	1	\$74,200.00	1	\$6,000.00	0	\$0.00	1	\$10,000.00
ROOM ADDITIONS	2	\$84,178.50	1	\$3,180.00	2	\$79,035.00	1	\$139,087.50
RESIDENTIAL GARAGES	5	\$31,424.00	10	\$72,000.00	6	\$116,288.00	3	\$110,616.00
DECKS PORCHES & COVERED PATIOS	24	\$57,337.50	20	\$60,142.50	4	\$11,775.00	2	\$3,600.00
SWIMMING POOLS & SPAS	1	\$67,000.00	2	\$93,800.00	1	\$59,864.00	0	\$0.00
OTHER	6	\$87,600.00	6	\$160,330.00	0	\$0.00	1	\$60,000.00
HOME OCCUPATION	1	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
STORAGE SHEDS	1	\$2,100.00	1	\$2,100.00	0	\$0.00	0	\$0.00
BASEMENT FINISH	6	\$33,336.75	7	\$40,774.00	2	\$7,619.00	3	\$13,566.00
COMMERCIAL BUILDINGS	15	\$17,681,826.00	18	\$37,482,419.00	7	\$1,579,750.00	1	\$20,000.00
RESIDENTIAL	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
COMMERCIAL	3	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
MISC TEMPORARY STRUCTURES	1	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00

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Census Code	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
NEW SIGN PERMITS	4	\$37,000.00	6	\$55,575.00	0	\$0.00	0	\$0.00
Total	91	\$21,573,159.38	146	\$52,053,229.58	27	\$3,266,413.50	21	\$10,428,577.78

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Trade Permit Type	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
BUILDING ELECTRIC ALTERATION	0	\$0.00	36	\$88,785.00	0	\$0.00	0	\$0.00
BUILDING ELECTRIC NEW RESIDENTIAL	0	\$0.00	52	\$118,700.00	0	\$0.00	1	\$0.00
BUILDING ELECTRIC SERVICE UPGRADE	0	\$0.00	13	\$4,150.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL ACCESSORY	0	\$0.00	2	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL HVAC APPLIANCE	0	\$0.00	1	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL NEW COMMERCIAL	0	\$0.00	19	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL SIGN	0	\$0.00	2	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL ALTERATION	1	\$2,600.00	13	\$512,364.00	0	\$0.00	2	\$15,100.00
BUILDING MECHANICAL FIREPLACE	0	\$0.00	11	\$38,631.00	0	\$0.00	1	\$4,000.00
BUILDING MECHANICAL HVAC APPLIANCE	0	\$0.00	17	\$333,008.00	1	\$9,500.00	0	\$0.00
BUILDING MECHANICAL NEW CONSTRUCTION	0	\$0.00	59	\$1,746,718.00	0	\$0.00	5	\$392,328.00
BUILDING MECHANICAL WATER HEATER	1	\$913.00	15	\$30,963.00	0	\$0.00	6	\$8,819.03
BUILDING PLUMBING	69	\$1,608,198.00	82	\$1,633,222.00	5	\$76,704.11	13	\$123,700.00
BUILDING SEPTIC	0	\$0.00	0	\$0.00	11	\$0.00	14	\$0.00
Total	71	\$1,611,711.00	322	\$4,506,541.00	17	\$86,204.11	42	\$543,947.03

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	10/2016	10/2015	10/2016	10/2015
Living Units	Units	Units	Units	Units
OTHER NEW	0	0	0	0
FIVE OR MORE FAMILY	0	0	0	0
OTHER NEW	0	0	0	0
MANUFACTURED HOMES	7	7	0	0
ROWHOUSE (2) 1-HR FIRE SEPARATION	0	20	0	0
SINGLE FAMILY DETACHED	14	34	5	7
Total	21	61	5	7

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Census Code	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
SINGLE FAMILY DETACHED	202	\$41,476,696.55	221	\$42,137,283.54	32	\$8,452,339.18	65	\$14,424,447.20
ROWHOUSE (2) 1-HR FIRE SEPARATION	125	\$19,324,552.50	63	\$9,201,376.45	0	\$0.00	0	\$0.00
ROWHOUSE	6	\$576,000.00	0	\$0.00	0	\$0.00	0	\$0.00
2-UNIT DUPLEX OR CONDO	6	\$1,050,342.00	3	\$208,660.50	0	\$0.00	0	\$0.00
FIVE OR MORE FAMILY	2	\$8,036,000.00	6	\$18,980,475.00	0	\$0.00	0	\$0.00
MANUFACTURED HOMES	52	\$0.00	57	\$0.00	0	\$0.00	0	\$0.00
MOBILE HOME	1	\$0.00	2	\$0.00	0	\$0.00	0	\$0.00
MOBILE HOME EXTRAS	1	\$1,800.00	0	\$0.00	0	\$0.00	0	\$0.00
MOTELS	0	\$0.00	1	\$24,000.00	0	\$0.00	0	\$0.00
NON-STRUCTURAL DEVELOPMENT	4	\$110,000.00	24	\$311,716.00	0	\$0.00	1	\$0.00
AMUSEMENT & RECREATION	1	\$125,750.00	1	\$249,353.40	0	\$0.00	0	\$0.00
CHURCHES & RELIGIOUS	1	\$99,622.00	2	\$53,513.00	0	\$0.00	0	\$0.00
INDUSTRIAL BUILDINGS	16	\$3,008,830.00	88	\$31,202,096.40	0	\$0.00	7	\$3,730,064.73
HOSPITALS & INSTITUTIONAL	4	\$155,000.00	6	\$29,833,091.63	0	\$0.00	0	\$0.00
OFFICE; BANK; & PROFESSIONAL BUILDINGS	5	\$3,280,139.00	10	\$12,418,234.00	0	\$0.00	1	\$182,500.00
SCHOOLS & EDUCATIONAL	2	\$3,265,847.00	4	\$6,210,343.00	1	\$18,000,000.00	4	\$9,429,745.00
RETAIL SALES	5	\$2,488,600.00	3	\$4,880,140.00	0	\$0.00	0	\$0.00
OTHER NEW	4	\$427,120.70	32	\$1,796,895.85	0	\$0.00	1	\$10,000.00
PUBLIC BUILDINGS	0	\$0.00	1	\$41,664,400.00	0	\$0.00	0	\$0.00
ROOM ADDITIONS	26	\$966,246.00	18	\$653,939.64	20	\$700,845.25	13	\$921,254.45
RESIDENTIAL GARAGES	66	\$725,624.02	88	\$709,950.00	71	\$1,479,412.00	59	\$1,532,130.00
DECKS PORCHES & COVERED PATIOS	208	\$703,808.52	174	\$533,809.50	29	\$114,450.00	45	\$136,005.00
SWIMMING POOLS & SPAS	9	\$586,969.70	10	\$525,550.00	6	\$332,274.00	3	\$186,000.00

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Census Code	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
OTHER	64	\$1,484,732.98	62	\$2,987,365.59	8	\$219,100.00	4	\$185,806.00
HOME OCCUPATION	4	\$0.00	3	\$0.00	0	\$0.00	0	\$0.00
STORAGE SHEDS	21	\$61,898.00	13	\$26,771.50	9	\$73,080.00	2	\$1,000.00
BASEMENT FINISH	126	\$625,143.25	122	\$622,220.37	39	\$212,783.85	40	\$217,372.03
COMMERCIAL BUILDINGS	181	\$91,333,942.00	100	\$72,797,150.39	19	\$2,403,350.00	5	\$1,311,000.00
OFFICE BUILDINGS	1	\$7,500.00	10	\$1,527,055.00	0	\$0.00	0	\$0.00
OTHER ADDITIONS	0	\$0.00	13	\$1,998,188.00	0	\$0.00	3	\$275,000.00
PUBLIC BUILDING	0	\$0.00	4	\$134,000.00	0	\$0.00	0	\$0.00
MULTI-FAMILY TO SINGLE-FAMILY	1	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
RESIDENTIAL	4	\$0.00	2	\$0.00	0	\$0.00	1	\$0.00
COMMERCIAL	5	\$0.00	5	\$0.00	0	\$0.00	0	\$0.00
FIREWORKS SALES	0	\$0.00	0	\$0.00	13	\$0.00	14	\$0.00
NURSERY STOCK SALES	5	\$0.00	5	\$0.00	0	\$0.00	0	\$0.00
MISC TEMPORARY STRUCTURES	17	\$0.00	10	\$0.00	0	\$0.00	0	\$0.00
NEW SIGN PERMITS	85	\$802,138.55	96	\$1,292,034.17	0	\$0.00	1	\$2,400.00
SIGN ALTERATION	11	\$128,349.04	6	\$85,711.00	0	\$0.00	0	\$0.00
Total	1271	\$180,852,651.81	1265	\$283,065,323.93	247	\$31,987,634.28	269	\$32,544,724.41

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Permit Type	10/2016		10/2015		10/2016		10/2015	
	Permits	Valuations	Permits	Valuations	Permits	Valuations	Permits	Valuations
BUILDING ELECTRIC ALTERATION	481	\$661,651.00	392	\$93,535.00	0	\$0.00	1	\$0.00
BUILDING ELECTRIC NEW RESIDENTIAL	289	\$7,000.00	372	\$278,700.00	0	\$0.00	1	\$0.00
BUILDING ELECTRIC SERVICE UPGRADE	178	\$35.00	168	\$62,190.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL ACCESSORY	22	\$0.00	18	\$2,260.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL ELEVATOR	15	\$0.00	0	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL HVAC APPLIANCE	15	\$0.00	3	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL NEW COMMERCIAL	113	\$276,870.00	135	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL OTHER	0	\$0.00	21	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL POOL	6	\$0.00	6	\$0.00	0	\$0.00	0	\$0.00
BUILDING ELECTRICAL SIGN	1	\$0.00	4	\$0.00	0	\$0.00	0	\$0.00
BUILDING MECHANICAL ALTERATION	98	\$890,834.00	98	\$2,851,442.00	23	\$3,519,879.00	22	\$80,660.00
BUILDING MECHANICAL FIREPLACE	106	\$343,603.00	145	\$595,790.00	18	\$67,300.00	19	\$88,072.00
BUILDING MECHANICAL HVAC APPLIANCE	298	\$1,841,699.84	101	\$693,679.00	32	\$236,253.00	17	\$123,130.00
BUILDING MECHANICAL NEW CONSTRUCTION	401	\$14,004,355.55	467	\$20,952,117.05	51	\$1,923,695.00	66	\$1,569,219.00
BUILDING MECHANICAL OTHER	2	\$2,453.00	16	\$228,184.00	0	\$0.00	1	\$10,450.00
BUILDING MECHANICAL WATER HEATER	228	\$337,105.69	183	\$257,266.99	19	\$31,599.00	28	\$37,773.03
BUILDING PLUMBING	522	\$12,736,968.53	520	\$15,372,316.27	62	\$1,104,177.11	97	\$1,266,713.00
BUILDING SEPTIC	2	\$0.00	0	\$0.00	46	\$0.00	92	\$0.00
BUILDING SEPTIC EVALUATION	0	\$0.00	0	\$0.00	1	\$0.00	0	\$0.00
Total	2777	\$31,102,575.61	2649	\$41,387,480.31	252	\$6,882,903.11	344	\$3,176,017.03

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Living Units	10/2016	10/2015	10/2016	10/2015
	Units	Units	Units	Units
MOTELS	0	0	0	0
OTHER NEW	0	0	0	0
FIVE OR MORE FAMILY	78	201	0	0
OTHER NEW	0	0	0	0
ROWHOUSE	6	0	0	0
MANUFACTURED HOMES	50	9	0	0
2-UNIT DUPLEX OR CONDO	12	4	0	0
ROWHOUSE (2) 1-HR FIRE SEPARATION	125	62	0	0
SINGLE FAMILY DETACHED	202	220	32	61
Total	473	496	32	61