

**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 5<sup>th</sup> 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 SUBIVISION 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 SE¼ of the NE¼ 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 insofar 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 12<sup>th</sup> 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 12<sup>th</sup> 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 11<sup>th</sup> 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 14<sup>th</sup> 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 11<sup>th</sup> 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 23<sup>rd</sup> 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 10<sup>th</sup> 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 a 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 11<sup>th</sup> 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 12<sup>th</sup> 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 10<sup>th</sup> 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 12<sup>th</sup> 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 11<sup>th</sup> 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 12<sup>th</sup> 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 10<sup>th</sup> 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 3<sup>rd</sup> 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**

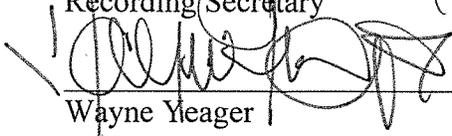
There being no further business, Chairman Yeager declared the Bismarck Planning & Zoning Commission adjourned at 8:23 p.m. to meet again on November 16, 2016.

Respectfully submitted,



---

Hilary Balzum  
Recording Secretary



---

Wayne Yeager  
Chairman

**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

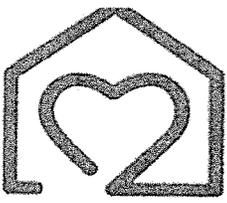
Dear Planning & Zoning Commission:

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,

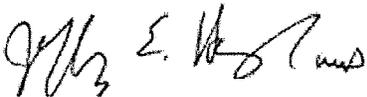
I am writing this letter to express my support of the rezoning application on behalf of the UND Center for Family Medicine Residency for Ruth Meiers' primary facility at 1100 E. Boulevard Avenue.

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

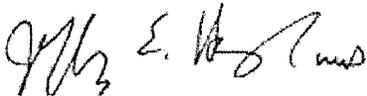
Dear Ruth Meiers' Board of Directors,

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,

A handwritten signature in black ink, appearing to read "Jeff Hostetter", is written over the typed name.

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,

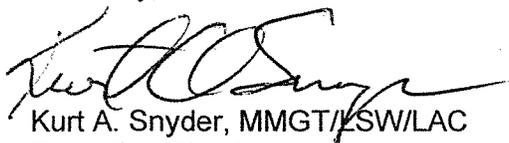
I am writing this letter to express my support of the rezoning application on behalf of Heartview Foundation for Ruth Meiers' primary facility at 1100 E. Boulevard Avenue.

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 19<sup>th</sup> 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.).

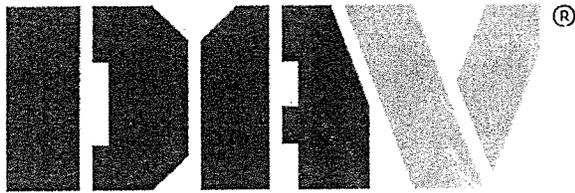
The MHA Nation Satellite office is looking forward in continuing collaborative and working relationships with Ruth Meiers. Our office is very interested and supportive of the REZONE; which will enable our agency to avoid duplicating services and providing services to those at risk of homelessness. We 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  
(701) 421-2703 Tribal Cell



FULFILLING OUR PROMISES  
TO THE MEN AND WOMEN WHO SERVED

---

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

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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

COMMITTEES:  
AGRICULTURE, NUTRITION AND FORESTRY  
BANKING, HOUSING AND  
URBAN AFFAIRS  
HOMELAND SECURITY AND  
GOVERNMENTAL AFFAIRS  
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: 701-232-6030 - 1-800-223-4457  
FAX: 701-232-6449

GRAND FORKS OFFICE:  
33 S. 3RD 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

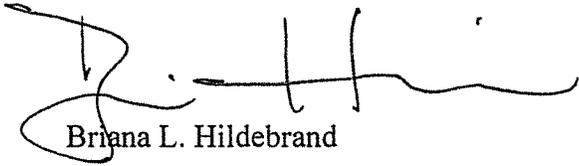
October 26, 2016

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. 11<sup>th</sup> 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 12<sup>th</sup> 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.

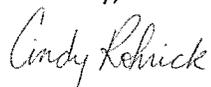
Even in my part of the neighborhood, there have been a few times where I'll be working in my yard, and have had police officers stop and ask me if I've seen a person matching a certain description. On August 9 of this year, someone broke into an elderly neighbor's home. This happened at around 9 a.m. 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 5<sup>TH</sup> ST, PO BOX 5503, BISMARCK, ND 58506-5503  
OFFICE: 701-355-1467  
FAX: 701-258-2073  
WEBSITE: [WWW.BISMARCKND.GOV](http://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





### 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
<b>TOTAL PARKING REQUIRED FOR RESIDENTIAL PROGRAM AND APARTMENTS</b>				<b>62.56</b>

**NOTES:**

- 1) Reduction in parking spaces requirement developed for rented apartments at Porter Avenue, 2<sup>nd</sup> and 3<sup>rd</sup> 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 Assisi-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/Vandalism	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/Vandalii	1	1
Disorderly Conduct	2	0
Drug Violation	3	5
Flight 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
<b>Total</b>	<b>85</b>	<b>32</b>

**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
<b>Total</b>	<b>103</b>	<b>31</b>

**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 Dispute	3	0
Destruction/Damage/Vandalism	2	1
Detox/Drunkenness	0	1
Disorderly Conduct	1	4
Domestic Dispute	0	1
Harassment	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
	<b>95</b>	<b>31</b>

**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
Detox	3	2
Civil Dispute	4	0
Domestic/Family Offense	9	1
Destruction/Damage/Vandalism	3	1
Disorderly Conduct	1	4
Drug Violation	5	0
Runaway	1	0
Harassment	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
	<b>106</b>	<b>30</b>

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**

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**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

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**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**

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**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**

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**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

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**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. 12<sup>th</sup> Street*  
*Bismarck*

**Hilary Balzum**

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**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.

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**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**

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**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**

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**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

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**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.