

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
November 10, 2016**

The Bismarck Renaissance Zone Authority met on November 10, 2016 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5th Street. Vice Chairman Huber presided.

Authority members present were Josh Askvig, Jim Christianson, Joe Fink, George Keiser Todd Van Orman and Vice Chairman Chuck Huber.

Authority Chairman Curt Walth was absent.

Technical Advisor Steph Smith was present while technical advisor Bruce Whittey was absent.

Staff members present were Sandra Bogaczyk (Office Assistant), Will Hutchings (Planner), Brenda Johnson (Senior Real Property Appraiser), Kim Lee (Planning Manager), Daniel Nairn (Planner), Jason Tomanek (Assistant City Administrator), and Charlie Whitman (City Attorney).

Guests present were Kevin Dykema (Regional President, American Bank Center), Chad Skretteberg (Fixed Asset Manager, American Bank Center), David Witham (Urban Design Planner), Kate Herzog and Madison Cermak (Downtowners Association).

CALL TO ORDER

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

MINUTES

The minutes of the October 18, 2016 meeting were distributed with the agenda packet.

MOTION: A motion was made by Mr. Christianson and seconded by Mr. Fink to approve the minutes of the September 20, 2016 meeting as distributed. The motion passed unanimously with members Askvig, Christianson, Fink, Keiser, Van Orman and Vice Chairman Huber voting in favor.

DOWNTOWN DESIGN REVIEW

411 NORTH 4th STREET – AMERICAN BANK CENTER ACCESSORY PARKING

Mr. Nairn stated that the Renaissance Zone Authority considered the design of the accessory parking area at 411 N 4th Street during their October 18, 2016 meeting and voted to continue the request until the following conditions were met:

1. The accessory parking lot is accessed by only one point along North 4th Street; and
2. The entire length of the accessory parking lot along North 4th Street not used to access the lot is lined by landscaping features that form a distinct street edge and add visual interest for pedestrians.

Mr. Nairn directed attention to the revised site plan and landscape plan and stated that the applicant had submitted a revised site plan that reduces the number of access points to North 4th Street from two to one and includes a more extensive landscaping screen along the frontage of North 4th Street.

Mr. Christianson thanked the applicant for their revisions as requested.

Mr. Nairn noted that the role of Renaissance Zone Authority is to review the design of the parking lot and landscaping according to the criteria of the downtown design guidelines, and added that the site plan also requires administrative approval according to general site plan review procedures.

Mr. Nairn noted that the perimeter landscaping area is currently four feet in width while, based on Section 14-03-11 of the City Code of Ordinances, the width of the perimeter landscaping area is required to be at least six feet. The ordinance also may require one additional tree beyond what is provided by the applicant, but the proposed shrubbery is sufficient. Mr. Nairn also noted that the applicant has the option of using a masonry wall, decorative fence, or continuous hedge, and only a four foot width would be required in that case. However, material samples and designs would need to be provided to the Renaissance Zone Authority for review if this option is exercised.

Mr. Nairn stated that staff recommends approval of the design for the accessory parking lot and landscaping at 411 North 4th Street as submitted, with the condition that all landscaping requirements of Section 14-03-11 of the City Code of Ordinances are met before the site plan is approved.

MOTION: A motion was made by Mr. Christianson and seconded by Mr. Van Orman to approve the design of the American Bank Center accessory parking lot and landscaping at 411 North 4th Street, with the condition that all landscaping requirements of Section 14-03-11 of the City Code of Ordinances are met. The motion passed unanimously with members Askvig, Christianson, Fink, Keiser, Van Orman, and Vice Chairman Huber voting in favor.

120 EAST AVENUE A – DEMOLITION

Mr. Nairn stated that the applicant has filed a permit for the demolition of an existing residence at 120 East Avenue A, which is within the Downtown Fringe (DF) zoning district and thus subject to Downtown Design Review procedures.

Mr. Nairn indicated that the home slated for demolition was built in 1949 and it is not within the Downtown Bismarck Historic District or the Cathedral Historic District, nor is it individually listed on the National Register of Historic Places. The owner of this lot also owns all other lots on the east side of this Block 16 of Northern Pacific Addition. One year ago, these lots were rezoned to the Downtown Fringe (DF) zoning district, and at that time the applicant shared with the Planning and Zoning Commission his intent to ultimately redevelop the block with row houses.

Mr. Nairn stated that the applicant does not have immediate plans for the lot at 120 East Avenue A, but that it would be graded and seeding in compliance with the zoning ordinance. The applicant stated to Mr. Nairn that he still intends to redevelop this property in the future.

Mr. Christianson asked how long the lot would remain vacant. Mr. Nairn replied that he could not answer that question and the applicant was unable to attend this meeting.

Mr. Keiser stated that it would be unwise to set a precedent allowing teardowns without plans to immediately build. Mr. Keiser asked what is the status of the home, in particular, and what is its tax base. Ms. Johnson provided an estimated amount of tax it would generate as a vacant property. Mr. Nairn was not advised by the owner about a specific timeline.

There was a consensus to continue the request at the next meeting to discover the applicant's intentions before approving the request to demolish the building at 120 East Avenue A.

CONTINUATION OF ACTIONS REQUIRING DOWNTOWN DESIGN REVIEW

As discussed in previous Renaissance Zone Authority meetings and continued from October's meeting, Mr. Nairn suggested amendments to the Downtown Design Review approval process that would decrease waiting times for applicants to receive some approvals. Mr. Nairn distributed a draft document designating minor and major building categories for project alterations and improvements to designate items for either Renaissance Zone Authority review or Administrative review to make the approval process more efficient. He stated that the purpose of the draft is to outline which procedures would trigger the different tiers of reviews considered to be a minor or administrative procedure. He continued by stating that if the Renaissance Zone Authority chooses to delegate their design review responsibilities for certain projects, the zoning ordinance should be amended to allow this. This would require a public hearing with the Planning and Zoning Commission, and approval from the Board of City Commissioners. Mr. Nairn suggested an alteration to the Downtown Design Review Procedures including amending the sections of Title 14 of the Bismarck Code of Ordinances.

Mr. Nairn stated that staff proposes a series of tiers between minor and major alterations, which would allow a streamlined review in certain situations and a more rigorous review in others in proportion to the expected impact of the development. The following language would allow the Renaissance Zone Authority to delegate some authority while remaining flexible concerning exactly how it should be arranged.

Mr. Christianson stated that he is in favor of placing demolition under a higher level of review than administrative or minor status.

Mr. Nairn reminded Authority members that most demolition would have to be granted a Special Use Permit by the Planning and Zoning Commission.

Mr. Keiser noted that transparency is very important, and any revisions to the process should be delayed until after the state legislative session meets.

MOTION: A motion was made by Mr. Askvig and seconded by Mr. Keiser to table discussion of the design requirements draft proposal until the May meeting and when Chairman Walth's opinion could be heard. The motion passed unanimously with members Askvig, Christianson, Fink, Keiser, Van Orman, and Vice Chairman Huber voting in favor.

CORE INCENTIVE GRANT PROGRAM

GUIDELINE AMENDMENTS FOR INCENTIVE PROGRAMS - REVIEW

It was the consensus of those present to continue the Core incentive grant program agenda item including guideline amendments for incentive programs until Chairman Walth could be present.

DOWNTOWN UPDATE PROVIDED BY THE DOWNTOWNERS ASSOCIATION

Ms. Herzog stated that, as President of the North Dakota Downtown Coalition, she is developing a legislative agenda, which will include a request to continue the Renaissance Zone program and stated that this request finds much cooperation and support among many cities in the League of Cities also expressing the need to continue having Renaissance Zone designation.

OTHER BUSINESS

INFILL AND REDEVELOPMENT PLAN - BRIEFING

Mr. Nairn distributed a draft of the Infill and Redevelopment Plan and stated that the Bismarck Community Development Department has worked with a Technical Advisory Committee to create a comprehensive and collaborative infill and redevelopment plan for consideration by the Planning and Zoning Commission and the Board of City Commissioners.

Mr. Nairn stated that the Bismarck Planning Division drafted the plan with assistance from a Technical Advisory Committee and other stakeholders. If adopted by the Planning and Zoning Commission and the Board of City Commissioners the plan will formally become a part of the City's Comprehensive Plan, along with the 2014 Growth Management Plan. Mr. Nairn explained the Infill Plan focuses on internal development within existing city boundaries rather than expansion and annexation. The plan will also be presented to the Bismarck School Board on November 28, 2016.

Mr. Nairn identified four purposes of the Infill and Redevelopment Plan:

1. Protect and enhance the high quality of life of existing neighborhoods
2. Maintain the economic vitality of established business districts
3. Lessen public costs by leveraging existing infrastructure to provide services to more people
4. Support Bismarck's values and goals as established in the Strategic Plan

Mr. Nairn stated that the plan creates design principles that will help ensure that new development comfortably enhances and coexists with the current defined character of neighborhoods. He further explained that an overriding general consideration is that building density creates a higher cost-effectiveness by sharing already existing infrastructure rather than having to build new infrastructure at the periphery. Mr. Nairn explained that the general principles do not supersede Downtown Design Review and are applied to a broader area.

Mr. Hutchings stated that staff identified several areas in Bismarck where infill and redevelopment would be most likely to occur, including:

- Downtown area
- State Street Core and Uptown
- Kirkwood
- Traditional Neighborhoods
- Machining District
- Health district
- Capital District

Mr. Hutchings continued to list and explain eight design principles and characteristics to be employed as guiding practices:

1. Formation and growth of Complete Neighborhood design practices
2. Integration of civic and open spaces
3. Provisions for mixed-uses on appropriate scales
4. Preservation and enhancement of architectural styles 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 which allows adaptation for future conditions

Mr. Hutchings introduced David Witham, who was hired to design and demonstrate scenarios using the eight principles of design. Mr. Witham demonstrated a hypothetical re-use of a Big Box store with housing units and ground floor commercial and civic environments.

Mr. Askvig asked how this design harmonizes with the neighborhood parks ordinance. Mr. Hutchings explained that the civic and open spaces described in the principles include an open parks space.

Mr. Askvig asked how current zoning designations apply to possible infill projects and, in this example, the current zoning allows for the mixed uses proposed.

Mr. Keiser asked how vertical development is managed under the principles, given the difficulty the City has in providing enough parking or transportation for the added population of proposed vertical designs. Mr. Nairn stated that transportation does play a large part in managing larger and denser populations and the model in the demonstration showed a transit element.

Mr. Keiser expressed his concern that parking is necessary since residents in Bismarck use cars, not transit.

Mr. Witham then showed two more examples of infill development showing designs supporting ground floor retail, second floor residences, and addressing streets in single family home neighborhoods.

Mr. Askvig stated that he sees adoption of the Infill and Redevelopment Plan no differently than the attention given to the adoption of the Growth Management Plan, and not as regulation. He stated that the plan relies on what makes sense from a design perspective making citizens the central concern regarding development.

There was a consensus of Authority members that the Plan is good and exciting, but in practical terms it was questioned how to acquire the land for larger projects. Mr. Witham stated that the project must match the characteristics of what is available and work within the confines of what is practical for the space available. Mr. Nairn added that these are concept plans of what could be done, not designs for specific projects.

Mr. Askvig stated that Bismarck has had conflicts when creating higher density development next to lower density development and asked Mr. Witham how to successfully manage those conflicts. Mr. Witham stated that frequently the issue of conflict comes down to using good design rather than only paying attention to setback or other zoning ordinances. He continued that good design of transitional spaces is key to creating friendly spaces which single family residents would enjoy looking at and using as part of their neighborhood, rather than mentally designating a neighboring space as simply someone else's property creating a zoning conflict with their own home ownership history.

Mr. Askvig stated that he is concerned for those who have contacted him regarding small infill proposals. Mr. Nairn and Ms. Lee noted that a public process would also be held to implement some of the strategies, and neighborhood groups would be consulted for projects in their area.

ADJOURNMENT

There being no further business, Vice Chairman Huber adjourned the meeting of the Bismarck Renaissance Zone Authority at 4:57 p.m.

Respectfully Submitted,

Sandra Bogaczyk
Recording Secretary

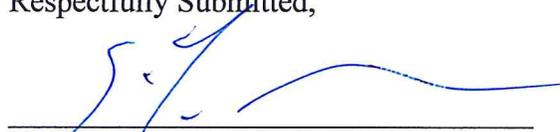
Chuck Huber
Vice Chairman

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Curt Walth
Chairman