

**RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
October 18, 2016**

The Bismarck Renaissance Zone Authority met on October 18, 2016 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5th Street. Chairman Walth presided.

Authority members present were Jim Christianson, Joe Fink, Chuck Huber, George Keiser Todd Van Orman and Chairman Curt Walth.

Authority member Josh Askvig was absent.

Technical Advisors Bruce Whittey and Steph Smith were present.

Staff members present were Kim Lee (Planning Manager), Sandra Bogaczyk (Office Assistant), Jason Tomanek (Assistant City Administrator), Daniel Nairn (Planner), Carl Hokenstad (Director of Community Development), Charlie Whitman (City Attorney), Brady Blaskowski (Building Official) and Brenda Johnson (Senior Real Property Appraiser).

Guests present were Jennifer Jackson (Architect JLG), Chad Johnson (Marketing President First Western Bank), Carol Hall (RESIDENT OF 100 West Broadway, Unit 310), Kevin Dykema (Regional President, American Bank Center), and Todd Kovash.

CALL TO ORDER

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

MINUTES

The minutes of the September 20, 2016 meeting were distributed with the agenda packet.

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

RENAISSANCE ZONE REVIEW

100 WEST BROADWAY AVENUE

Mr. Nairn introduced the request to obtain Renaissance Zone designation for the purchase of a 2,687 square foot primary residential condominium (Unit 310) in a previously approved Renaissance Zone Project at 100 West Broadway, and legally described as Lots 1-24, Block 58, Original Plat. Mr. Nairn stated that staff recommends that, based on the finding in the

staff report, approval of the designation of the purchase of the condominium unit at 100 West Broadway as a Renaissance Zone project, a 100% property tax exemption on the value of the condominium along with an exemption up to \$10,000 of personal income tax liability for five taxable years beginning with the date of occupancy.

MOTION: A motion was made by Mr. Christianson and seconded by Mr. Keiser to recommend approval of the designation of the purchase of a primary residential condominium in the building at 100 West Broadway Avenue as a Renaissance Zone project, a 100% property tax exemption on the value of the condominium and an exemption of up to \$10,000 from personal state income tax for five years beginning with the date of occupancy. The motion passed unanimously with members Christianson, Fink, Huber, Keiser, Van Orman, and Chairman Walth voting in favor.

DOWNTOWN DESIGN REVIEW

411 NORTH 4th STREET – AMERICAN BANK CENTER REVIEW ACCESSORY PARKING LOT

Mr. Nairn stated that the applicant, after being granted special use permits to demolish the existing structure at 411 North 4th Street and install an accessory parking lot, is requesting approval of the design of that accessory parking lot. The approved demolition has not yet occurred. The site is within the DC-Downtown Core zoning district, and therefore subject to Downtown Design Review. Landscaping must be provided for surface parking lots. The applicant has requested a waiver from the landscaping requirements on the northern portion, on the grounds that the parking lot over this portion already exists. Mr. Nairn stated that the City Planning and Zoning Commission has already approved the accessory parking lot, but the design, as currently submitted, does not comply with the ordinance or Downtown Design Guidelines and there are no clear grounds for a landscape waiver on this site.

Mr. Nairn stated that the proposed access to the parking lot from North 4th Street is only 60 feet away from the existing access and would add an undue burden on the public, and has not been approved by the City Traffic Engineer. The additional approach would disrupt sidewalk access and result in a loss of 3-4 parking spaces. Creating an additional access to the alley on the east side is less of a concern. Proposed landscaping is insufficient. Staff recommends access by only one point along North 4th Street and landscaping features that form a distinct street edge and add visual interest for pedestrians.

Mr. Dykema stated that the purchase of the property at 411 North 4th Street preceded the current Downtown Design Review requirements, and also stated that the requested landscaping requirements limit the number of parking spaces available and therefore requested a landscape waiver.

Mr. Whittey stated that the alternative of creating three curb cuts in the block is a pedestrian safety concern. He suggested using a barrier wall or fencing.

Chairman Walth suggested creating something similar to the other American Bank Center location as the shrubbery used there is quite nice as a pedestrian environment.

Chairman Walth asked if there were any public comments. There being none he closed the public hearing.

Mr. Keiser stated that the property would be pulling a lot of cars off the street but safety should be looked at.

MOTION: A motion was made by Mr. Huber and seconded by Mr. Christianson to continue the review of the design for the American Bank Center Accessory Parking lot at 411 North 4th Street until the following revisions to the site plan are made:

1. The accessory parking lot is accessed by only one point along North 4th Street.
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.

The motion passed with members Christianson, Fink, Huber, Van Orman, and Chairman Walth voting in favor with Mr. Keiser voting against.

304 EAST FRONT AVENUE – FIRST WESTERN BANK AND TRUST
PRELIMINARY REVIEW OF SITE LAYOUT

Mr. Nairn stated that the new owners of the property at 304 East Front Avenue have demolished the former Reza's Pitch building and have submitted preliminary designs for a new 3-story building on the site for a bank. Staff and the architect have met and reviewed initial layouts. Staff recommended that the applicant seek preliminary opinion from the Renaissance Zone Authority on the layout before the building designs are complete and ready for final Downtown Design Review submission. A copy of the proposed layout diagram of the site, as well as an aerial photograph with topographical contours, was distributed to Authority members. The applicant requested guidance on the layout before proceeding to further design.

Ms. Smith recused herself from advising the Authority due to her relationship with the presenting architectural firm.

Ms. Jackson stated that the proposed building would have a six to seven-thousand square foot footprint, a second floor canopy from the building's west side to the sidewalk and three to four stories. The bank would occupy the first two floors with lease space in the upper floor(s).

Mr. Christianson clarified that the property is located in the Downtown Parking District, therefore no parking is required.

Mr. Keiser mentioned that due to proposed signage a traffic study should be performed to ensure safety regarding site lines.

Chairman Walth expressed his encouragement to Ms. Jackson to converse with the City Traffic Engineer regarding proposed traffic patterns, signage and rail location.

Mr. Nairn stated that the property is in the Downtown Core, but not in the Renaissance Zone.

Mr. Whittey asked why the building does not extend to the property line since that is a requirement downtown reminding Authority members and the applicant that, in fact, the applicant is requesting a variance from a fundamental aspect of Downtown Design ordinances regulating building footprints.

Ms. Jackson responded that there would not be the necessary drive-through space otherwise and that the landscaping creates the perception that the building does extend to the property line. She also stated that it is unclear as of yet who owns the retaining wall; the City or the applicant.

Mr. Whittey emphasized that the surrounding buildings are also built to the lot lines making this site plan a non-conforming request of the City.

Mr. Van Orman questioned if there was a better drive-through pattern. Ms. Jackson stated that the current plan allows for the most space for cars to wait for a possible train back-up.

Chairman Walth emphasized that the exception is the drive-through. Mr. Nairn emphasized that the applicant will have to apply for a special use permit for the drive-through and ok at that time the City Engineer will have to assess traffic patterns.

Chairman Walth emphasized that he would like to see the applicant and architect meet with the Traffic Engineer before continuing.

Mr. Christianson stated that he does not have any concerns with the current layout but it would be helpful to see an elevation layout.

There was a consensus that the layout matches the neighborhood and in fact improves the look, even if the building is not to the lot line and has to provide a drive-through. There was also agreement that it would look better if the building would be extended to both the west and south lot lines.

Mr. Johnson stated that the bank was most likely considering only a three-story building, comparable to a neighboring building.

Mr. Christianson asked what building materials are being considered. Ms. Johnson replied that terra-cotta coloring to match the Depot was being considered, but not yet decided. The screen would be metallic, fitting in with the guidelines.

CLARIFICATION OF ACTIONS REQUIRING DOWNTOWN DESIGN REVIEW - DISCUSSION

Mr. Nairn suggested that design requirements could be broken into tiers for approvals, such as signage or small scale interim improvements, due to existing complaints that the process of waiting up to a month for small approvals is taxing for applicants. He added that most cities do employ a threshold assessment using tiers for less significant or minor modifications which alternatively could be approved by the Building Official or the Director of Community Development.

Mr. Nairn continued that the proposal to use tiers has been discussed briefly at previous meetings. The draft proposal included in the meeting packet is more detailed and steered by specific guidelines including threshold examples from other urban areas, defining terms of activities, and suggested text amendments to current Downtown Design Review ordinance.

Mr. Christianson stated that he is in favor of delegating some approvals.

Mr. Keiser stated that transparency and the public process is too important to delegate approvals.

Chairman Walth suggested that Commissioner Askvig's opinion as a City Commissioner is important to hear and suggested that the Renaissance Zone Authority wait until his opinions can be heard, and added his own mixed feelings about delegating approvals.

MOTION: A motion was made by Mr. Keiser and seconded by Mr. Christianson to continue discussion the design requirements draft proposal to the next meeting. The motion passed unanimously with members Christianson, Fink, Huber, Keiser, Van Orman, and Chairman Walth voting in favor.

RENAISSANCE ZONE PROGRAM

RENAISSANCE ZONE NEEDS ASSESSMENT AND SELF-EVALUATION- DISCUSSION

Mr. Nairn stated that, as Renaissance Zone Authority members requested, an executive summary of a needs assessment and a self-evaluation of Renaissance Zone projects has been prepared in draft form and distributed to Authority members. The draft distributed to Authority members refers to program performance over the last 15 years, shows changes in tax valuation, indicates unmet needs, capital investment and job creation statistics.

Mr. Keiser suggested that the graph showing increased property values in the Renaissance Zone also show estimated property values without investment assuming inflation.

Mr. Whitman suggested that Mr. Nairn could include more years of records, back to 1977, looking at previous TIF district valuations.

Mr. Keiser asked how the Authority could use the document. Several suggestions included that Mr. Askvig, along with other Renaissance Zone Authority members, present it to City Commission, that copies could be kept at the Library and department counters and posted on the City's website. Mr. Whittey suggested that a speaking engagement could be organized.

Mr. Tomanek reminded the Authority that the League of Cities could disseminate the information more uniformly so that various cities throughout the state have a similar format in which to present their city's outcomes.

Mr. Christianson suggested a change in wording for the Total Taxes Generated to "current projects are projected to surpass."

CORE INCENTIVE GRANT PROGRAM

GUIDELINE AMENDMENTS FOR INCENTIVE PROGRAMS - REVIEW

Chairman Walth suggested that the item be continued to the next meeting.

A voice vote was made to continue the Core incentive grant program item including guideline amendments for incentive programs, and passed unanimously with members Christianson, Fink, Huber, Keiser, Van Orman, and Chairman Walth voting in favor.

DOWNTOWN UPDATE PROVIDED BY THE DOWNTOWNERS ASSOCIATION

No business was discussed.

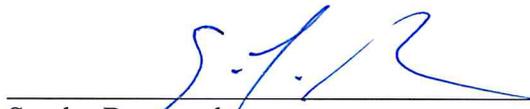
OTHER BUSINESS

Mr. Nairn reminded Authority members that the Renaissance Zone regular meeting could alternatively be held every second Thursday, according to preferences sent to him since the last meeting. There was a consensus that the stated time would be accepted.

ADJOURNMENT

There being no further business, Chairman Walth adjourned the meeting of the Bismarck Renaissance Zone Authority at 4:59 p.m.

Respectfully Submitted,



Sandra Bogaczyk
Recording Secretary



Curt Walth
Chairman