

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
October 10, 2019**

The Bismarck Renaissance Zone Authority met on October 10, 2019 in the David J. Blackstead Meeting Room in the City-County Office Building at 221 North 5th Street. Chair Christianson presided.

Authority members present were Jim Christianson, Joe Fink, Dustin Gawrylow (via teleconference), George Keiser, Curt Walth and Greg Zenker.

Authority member Todd Van Orman was absent.

Technical Advisor Bruce Whittey was present.

Technical Advisor Steph Smith was absent.

Staff members present were Brady Blaskowski (Building Official), Sandra Bogaczyk (Office Assistant), Jannelle Combs (City Attorney), Ben Ehreth (Community Development Director), Will Hutchings (Planner), Allison Jensen (City Assessor), Brenda Johnson (Senior Real Property Appraiser), Kim Lee (Planning Manager) and Daniel Nairn (Planner).

Guests present were Jake Axtman (Axtman Associates), Mark Westgard (5Main Building), R. Kuntz (RR Kuntz Properties), P. Hartman (RR Kuntz Properties), Dave Schauer (Hopfauf Custom Builders) and Jeff Bowers (Bowers Excavating LLC).

CALL TO ORDER

Chair Christianson called the meeting to order at 4:00 p.m.

MINUTES

The minutes of the September 12, 2019 meeting were distributed prior to the meeting.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to approve the minutes of the September 12, 2019 meeting. The motion passed unanimously by voice vote with members Fink, Gawrylow, Walth, Zenker and Chair Christianson voting in favor.

**DOWNTOWN DESIGN REVIEW – HEDAHL, INC, AUTO VALUE PARTS STORES
REMOVAL OF BASEMENT STAIRWELL – 122 NORTH 1ST STREET**

Mr. Nairn gave an overview of the staff report and stated that the applicant, Hedahl, Inc. and Auto Value Parts Stores, are requesting Downtown Design Review approval for the removal of the stairwell at 122 North 1st Street. Mr. Nairn stated that the stairwell is in disrepair and that Building Inspections staff has already consulted with the owners regarding adequate egress from the lower level. Another interior access will be added.

Based on the findings contained in the staff report, staff recommended approval of the proposed removal of the stairwell for 122 North 1st Street as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

Mr. Whittey cautioned the applicant about avoiding the gas line which might be close the stairwell.

Mr. Walth suggested that the applicant contact Montana-Dakota Utilities before demolition begins.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Zenker to approve the removal of the stairwell at 122 North 1st Street, as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation. The motion passed unanimously with members Fink, Gawrylow, Walth, Zenker and Chair Christianson voting in favor.

**DOWNTOWN DESIGN REVIEW – 5MAIN DAKOTA PARTNERSHIP
AMENDMENT TO COLOR OF FENCE – 501 EAST MAIN AVENUE**

Mr. Nairn gave an overview of the staff report and stated that the applicant, 5Main Dakota Partnership, is requesting Downtown Design Review approval for an amendment to the Downtown Design Review approval of the installation of a steel fence along the front property line facing East Main Avenue of the property at 501 East Main Avenue. Mr. Nairn stated that the only reason this item is returning to the Downtown Design Review Committee is because the project was specifically approved with a darker neutral color paint, and the applicant is now requesting a maroon color to match the adjoining building and signs.

Based on the findings contained in the staff report, staff recommended approval of the proposed amendment to the design for the fence at 501 East Main Avenue, as presented in all submitted documents and materials, with the condition that any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to

implementation.

MOTION: A motion was made by Mr. Zenker and seconded by Mr. Fink to approve the proposed amendment to the design for the fence at 501 East Main Avenue, as submitted in all documents and materials, allowing the color of the approved fence to be maroon to match the sign and building, on the condition that any further substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation. The motion passed unanimously with members Fink, Gawrylow, Walth, Zenker and Chair Christianson voting in favor.

DOWNTOWN DESIGN REVIEW – RR KUNTZ PROPERTIES, LLC DEMOLITION OF BUILDING – 210 SOUTH 2ND STREET

Mr. Nairn gave an overview of the staff report and stated that the applicant, RR Kuntz Properties, LLC, is requesting Downtown Design Review approval of the demolition of the building at 210 South 2nd Street. Mr. Nairn showed the current and past images of the building and stated that the sign is not part of the scope of the demolition currently underway, but stated that staff recommends that demolition of the obsolete sign also be considered along with remediation of the site per ordinance requirements. Mr. Nairn cited examples of property owners who landscaped lots after demolition and who applied for a variance from the groundcover requirement.

Based on the findings contained in the staff report, staff recommended approval of the proposed demolition for 210 the building at South 2nd Street as presented in all submitted documents and materials, with the following conditions:

1. The obsolete sign on the property, including the pole and all supporting structures, is removed within six months of the approval and the ground surface is restored.
2. The vacant lot after demolition is finished to satisfy all conditions of Section 14-04-21.2 (4)(k) of the City Code of Ordinances
3. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

Mr. Hartman stated that they wanted to wait for the Downtown Design Review Committee's approval before demolishing the remainder of the structure.

Chair Christianson asked what plans the owner had for the property.

Mr. Hartman stated that he wanted to clean it up and list the lot for sale and stated that he wanted to keep the asphalt to prevent erosion.

Mr. Walth was concerned with how long it might take to sell the property and asked how long the ordinance allows for landscaping to occur. Mr. Nairn stated that the ordinance requires landscaping 60 days from demolishing a structure in the downtown.

There was a discussion about different ground cover possibilities, weed control and possible different future uses within the zoning allowances.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to approve the proposed demolition for the building at 210 South 2nd Street as presented in all submitted documents and materials, with the following conditions:

1. The obsolete sign on the property, including the pole and all supporting structures, is removed within six months of the approval and the ground surface is restored.
2. The vacant lot after demolition is finished to satisfy all conditions of Section 14-04-21.2 (4)(k) of the City Code of Ordinances.
3. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

Mr. Fink expressed concern that six months might not be enough time to allow the sign base to be demolished and filled. Mr. Bowers stated that the base might not be able to come out before the end of winter due to the very busy work schedule he is currently experiencing. Mr. Fink recommended that the applicant work closely with the city to allow enough time for the job to be done right and safely.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to amend the motion to approve the proposed demolition for the building at 210 South 2nd Street as presented in all submitted documents and materials, with the following conditions:

1. The obsolete sign on the property, including the pole and all supporting structures, is removed by June 1, 2020 and the ground surface is restored.
2. The vacant lot after demolition is finished to satisfy all conditions of Section 14-04-21.2 (4)(k) of the City Code of Ordinances unless a variance is issued from the Board of Adjustment.

3. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

The motion passed unanimously by voice vote with members Fink, Gawrylow, Walth, Zenker and Chair Christianson voting in favor.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to approve the proposed demolition for the building at 210 South 2nd Street as presented in all submitted documents and materials, with the following conditions:

1. The obsolete sign on the property, including the pole and all supporting structures, is removed by June 1, 2020 and the ground surface is restored.
2. The vacant lot after demolition is finished to satisfy all conditions of Section 14-04-21.2 (4)(k) of the City Code of Ordinances unless a variance is issued from the Board of Adjustment.
3. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

The motion passed unanimously with members Fink, Gawrylow, Walth, Zenker and Chair Christianson voting in favor.

OTHER BUSINESS

DISCUSS CURRENT DEVELOPMENT PLAN RELATED TO SINGLE-FAMILY RESIDENCES

At this time Mr. Keiser joined the meeting.

Mr. Nairn distributed a letter of support for residential single family applications from the Dntowners to Authority members, which is added to the minutes as Appendix A. Mr. Nairn stated that since City Commission did not approve the Renaissance Zone Authority recommendation to approve the Renaissance Zone project request for 522 North 5th Street and because the City of Bismarck has stated to the State of North Dakota that it will follow its Renaissance Zone Development Plan, he asked Authority members if they wish to revise the Development Plan for the program to align with the City Commission's goals. He stated that there was evidence at the City Commission meeting on September 24, 2019 of a lack of support for single-family residential rehabilitation projects in the Renaissance Zone. He stated that City staff needs to assure that the Development Plan correctly reflects the wishes of the community and asked Authority members to consider amending the Development Plan in light of the City Commission's decision.

There was much discussion about which rehabilitation activities improve the taxable value of a home in order to fulfill a goal of the Renaissance Zone program. Authority members also discussed the difference between supporting commercial and single-family residential projects. Partial exemptions were also discussed and how the State can allow for that.

Mr. Zenker asked if a home having replaced windows could be assessed at a higher taxable value. Ms. Jensen stated that it could, but the increase in value would not necessarily equal the amount invested.

Mr. Nairn stated that the current minimum investment for new construction is \$150 per square foot for commercial projects, \$100 per square foot for residential projects. Rehabilitation projects have a minimum investment of \$40 per square foot.

Mr. Walth stated that he would support changing the required investment minimums.

Chair Christianson asked if there was a consensus for not eliminating the single-family project benefit and all agreed.

Authority members Walth, Zenker and Fink, along with Mr. Nairn, decided to form a subcommittee to look at altering the minimum investment levels of various projects.

Mr. Keiser stated that he disagreed with amending a minimum investment and stated that the purpose of the Renaissance Zone is to provide the opportunity for communities to increase the taxable values of their neighborhood. He emphasized that the return on investment is meaningfully measurable. He also stated that when one person improves their house the neighbors tend to in-turn improve their property. He felt that the Renaissance Zone Authority should encourage investment opportunities. He concluded that downtown Bismarck today looks nothing like before the establishment of the Renaissance Zone. He stated that the focus is, and always should be, on the neighborhoods and not on a policy separate from the people it is serving.

Ms. Herzog asked how accessory dwelling units play into the discussion. Mr. Whittey stated that some cities do not allow accessory buildings to be included in Renaissance Zone projects. Mr. Fink and Mr. Keiser stated that as long as it improves taxable value that they should be included. Chair Christianson stated that current Renaissance Zone plans do not account for these dwellings, however. Mr. Nairn stated that he can add it to the agenda for the subcommittee to consider.

Mr. Walth asked if the City Commission members should be involved in the conversation since they have to approve any amendments. Mr. Whittey stated that the City Commission approved the Renaissance Zone Development Plan already. Ms. Combs stated that they can put it on the

next City Commission agenda for discussion. Mr. Zenker agreed with that procedure. Ms. Combs stated that she will include it on the next City Commission agenda.

REVIEW OF DOWNTOWN DESIGN REVIEW PROCEDURES DRAFT UPDATE

Mr. Nairn stated that in the last Renaissance Zone Authority meeting staff was asked to clarify when Downtown Design Review should be triggered as opposed to staff administering decisions. He stated that within that vein of thought staff felt that Authority members should guide staff and he gave examples of several other cities and what their standards are for triggering design review.

Staff recommended holding a stakeholder meeting of architects, property owners, and other design professionals with experience in Bismarck's Downtown Design Review process to draft updated guidelines and report to the Downtown Design Review Committee.

Mr. Keiser asked if the process is overwhelming. Mr. Nairn stated that without any criteria or authority to make decisions it puts staff in an awkward position at times.

Mr. Fink and Chair Christianson stated that if staff is comfortable they could administratively resolve questions.

There was a discussion about Authority members wording motions to an extent that it triggers Downtown Design Review for any amendment of an approval.

Mr. Keiser suggested wording guidelines to include staff's comfort level.

There was a consensus to not gather business entities in a subcommittee.

Mr. Gawrylow stated that staff should write something that makes them feel comfortable about borderline issues.

REPORT FROM CITY STAFF

Mr. Nairn stated that the Window and Door Store project is now completed and has been sent to the State for final approval.

Authority members agreed that it looks good and thought it was a great project.

Mr. Nairn stated that the City Commission approved the sign for Gideon's Brewery and that the sign ordinance was reviewed by the Planning and Zoning Commission but continued until a future meeting.

REPORT FROM THE DOWNTOWNERS

Ms. Herzog stated that the Main Street Summit is October 29 to the 31st and building for age-friendly communities will be featured. The Downtowners have reported on several tax-delinquent properties.

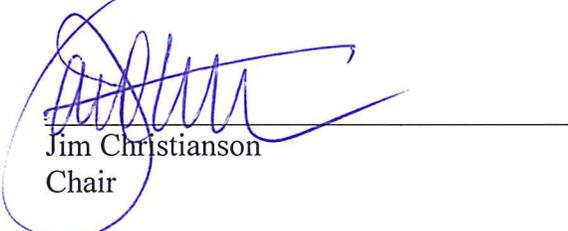
ADJOURNMENT

There being no further business, the meeting of the Bismarck Renaissance Zone Authority adjourned at 4:57 p.m. to meet again on November 14, 2019.

Respectfully submitted,



Sandra Bogaczyk
Recording Secretary



Jim Christianson
Chair