



HISTORIC PRESERVATION COMMISSION MEETING AGENDA December 15, 2021

Tom Baker Meeting Room	3:00 p.m.*	City-County Office Building
*Please note: This meeting is scheduled to start at 3:00 pm instead of the regular scheduled time of 3:30 pm.		
The City of Bismarck is encouraging citizens to provide their comments via email to whutchings@bismarcknd.gov . The comments will be sent to the Historic Preservation Commissioners prior to the meeting and included in the minutes of the meeting. To ensure that comments are compiled and forwarded to the Historic Preservation Commission with enough time to review all comments, please submit your comments no later than 12 noon the day of the meeting. Comments should also include		
which agenda item number or topic your comment references and your name (anonymous comments will not be forwarded to the Historic Preservations Commissioners or included in the minutes of the meeting). If you would like to appear via video or audio link for a 3-5-minute comment on a public hearing item, please provide your e-mail address and contact information to whutchings@bismarcknd.gov at least one business day before the meeting.		
As always, live meeting coverage is available on Government Access Channels 2 & 602HD, Radio Access 102.5 FM Radio, or stream FreeTV.org and RadioAccess.org .		
Item No.	Page No.	

MINUTES

1. Consider approval of the minutes of the November 17, 2021 meeting of the Bismarck Historic Preservation Commission

PUBLIC COMMENT

2. **Public Comment** (The public comment period is available for residents and other interested parties to address items on the agenda or any general public input for consideration by the Historic Preservation Commission)

REGULAR AGENDA

- 3. **Section 106 Review – Verizon Telecommunications Tower 3**
- 4. **Section 106 Review – Community Action Program.....9**
- 5. **Section 106 Review Changes.....15**
- 6. **Update on Torrance Addition and Highland Acres Project.....21**

OTHER BUSINESS

- 7. **Other Business**
 - a. Oaths of Office and Term Expiration Dates (Ben Ehreth, Community Development Director)

ADJOURNMENT

- 8. **Adjourn:** The next regular meeting date is scheduled for January 19, 2022 at 3:30 PM in the Tom Baker Meeting Room

Enclosures: Meeting Minutes of November 17, 2021



MEMORANDUM

Section 106 Review: Verizon Telecommunications Tower

TO: Chair Sakariassen and Historic Preservation Commission

FROM: Will Hutchings, AICP, Senior Planner

DATE: December 10, 2021

The City of Bismarck has received a Section 106 review participation request from Trileaf Corporation for a proposed monopole telecommunication tower within a gravel parking lot for industrial site. The property is located in east Bismarck in the northwest quadrant of the intersection of East Divide Avenue and Commerce Drive (1700 Commerce Drive).

According to the letter provided by Trileaf Corporation:

Verizon Wireless proposes to construct a 110-foot (119-foot-overall) monopole telecommunications tower and associated equipment within a 17-foot by 50-foot land space. In addition, a 20-foot-wide access/utility easement is proposed to extend east from the compound around both the northern and southern sides of a future proposed building, and both the northern and southern easements will intersect with Commerce Drive. The site is currently a gravel parking lot. The antenna will be licensed by the Federal Communications Commission (FCC).

The attached letter requests any information related to the tower's potential effect on Historic Properties and an invitation to comment on this proposed project. An aerial and site vicinity map are also included for your reference.

Results and Proposed Finding:

This review request did not include a proposed finding at this time. Staff have reviewed the proposed project and found that a Class III Cultural Resource Inventory conducted in 2011 (Morgan, Kelly - KLJ) for the East Divide Avenue Expansion and within the area of potential effect noted a finding of No Historic Properties Affected.

Staff Recommended Action:

Review the submitted documentation for Section 106 review of the proposed Bismarck Airport Utilities and Roadway project and complete the attached declaration.

Attachments:

- Letter – Trileaf – November 18, 2021
- Aerial and Site Vicinity Map
- Declaration



From: [Emily Anderson](#)
To: [William Hutchings](#)
Subject: CLG Letter - 1700 Commerce Drive, Bismarck, ND 58501 - Trileaf Project #689691
Date: Thursday, November 18, 2021 10:04:12 AM
Attachments: [image003.png](#)
[image004.png](#)
[Aerial - BIS SLEEPY HOLLOW.pdf](#)
[Site Vicinity Map - BIS SLEEPY HOLLOW.pdf](#)

CAUTION: ***External Email - Use caution clicking links or opening attachments***

Bismarck Community Development Department

P.O. Box 5503

Bismarck, North Dakota 58506

701-355-1850

whutchings@bismarcknd.gov

RE: **Cellco Partnership and its controlled affiliates doing business as Verizon Wireless
(Verizon Wireless) – BIS SLEEPY HOLLOW / Project ID# 2241918 – Trileaf Project #689691**
1700 Commerce Drive, Bismarck, ND 58501
Burleigh County, Menoken SW Quadrangle (USGS)
Latitude: 46° 49' 26.10" N, Longitude: 100° 44' 5.52" W

Dear Mr. Hutchings:

Trileaf Corporation is in the process of completing a NEPA Review at the referenced property. Verizon Wireless proposes to construct a 110-foot (119-foot-overall) monopole telecommunications tower and associated equipment within a 17-foot by 50-foot land space. In addition, a 20-foot-wide access/utility easement is proposed to extend east from the compound around both the northern and southern sides of a future proposed building, and both the northern and southern easements will intersect with Commerce Drive. The site is currently a gravel parking lot. The antenna will be licensed by the Federal Communications Commission (FCC).

Our investigation includes determining if the site is contained in, on or within the viewshed of a building, site, district, structure or object, significant in American history, architecture, archaeology, engineering or culture, that is listed, or eligible for listing on the State or National Registers of Historic Places, or located in or on an Indian Religious Site.

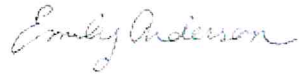
Trileaf is requesting information regarding this tower's potential effect on Historic Properties. All information received will be forwarded to the State Historic Preservation Office (SHPO) as part of the Section 106 review process. *Additionally, this invitation to comment is separate from any local planning/zoning process that may apply to this project.*

If you wish to comment or be considered a consulting party, please respond within thirty (30) days of the date of this letter. If a response is not received within thirty (30) days, it will be assumed that you have no objections to this undertaking. A site topography map and aerial photograph are enclosed

for your reference.

Please call me at _____ or email _____ if you need additional information or have any questions. Thank you for your assistance in this regard.

Sincerely,

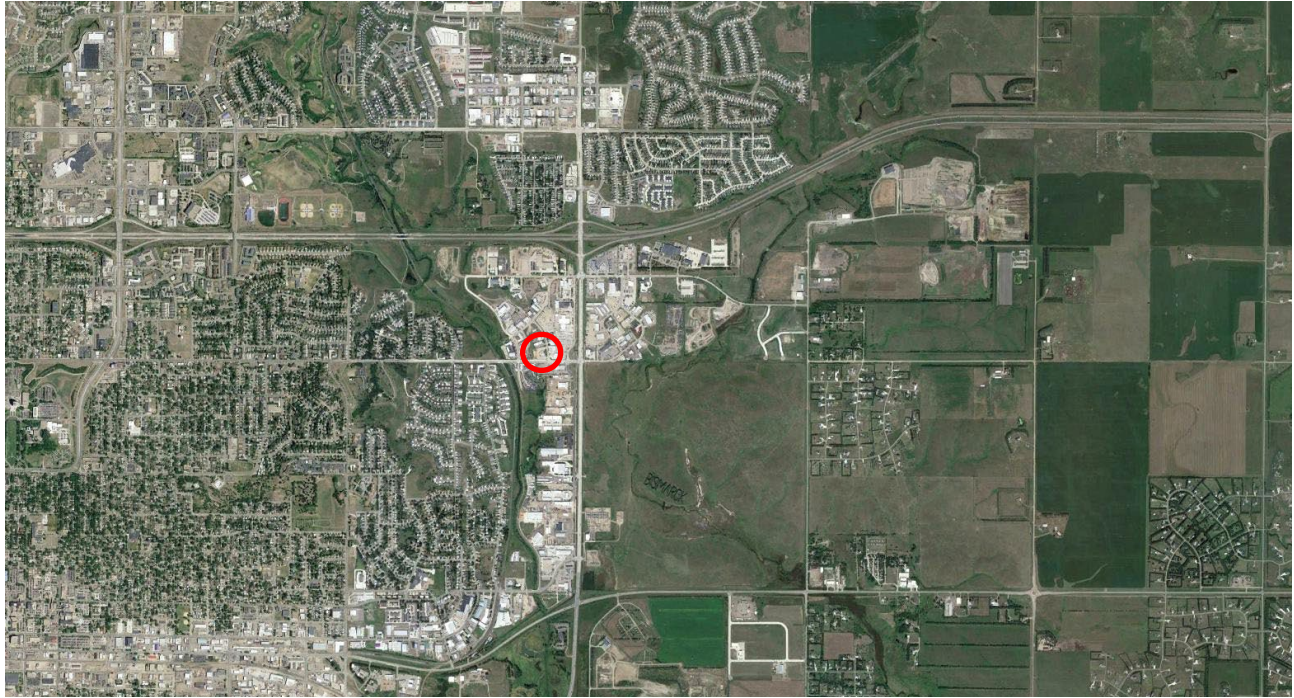


Emily Anderson

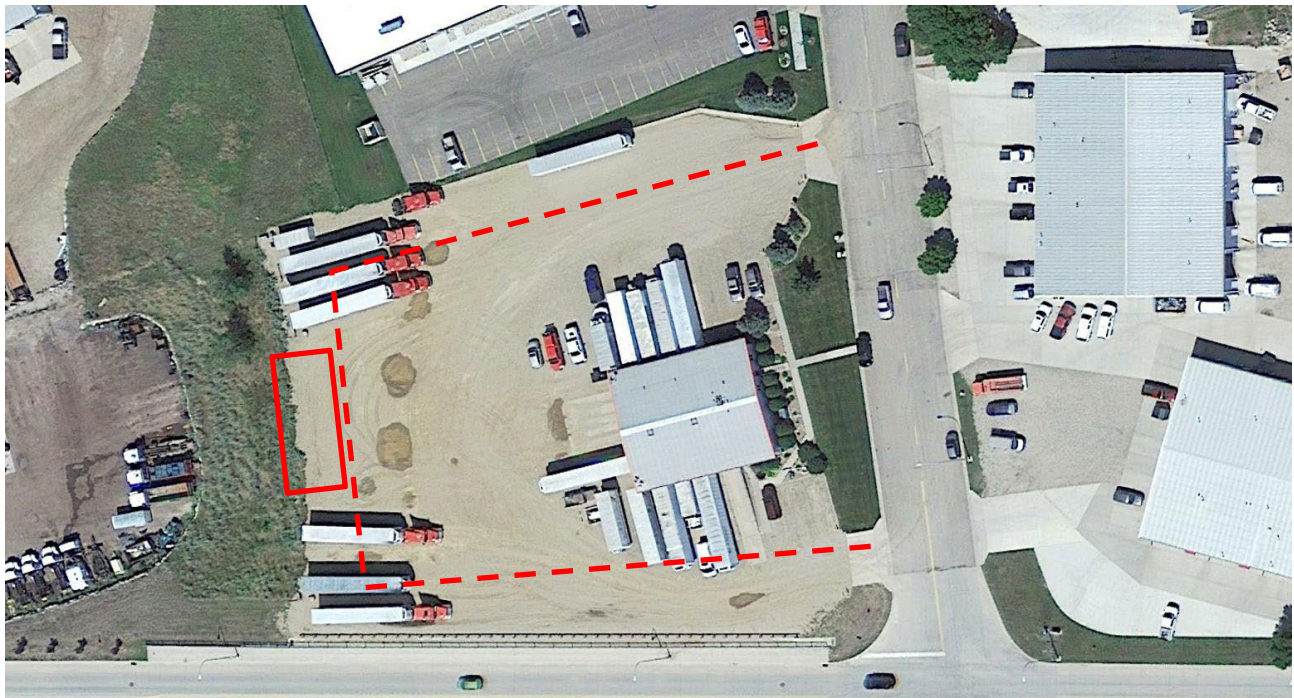
Project Scientist



1821 Walden Office Square, Suite 500
Schaumburg, IL 60173



Site Location & Surrounding Properties



Site Location

----- Easement

Aerial Photographs (2019)

Verizon Wireless – BIS SLEEPY HOLLOW
 1700 Commerce Drive
 Bismarck, North Dakota 58501



Menoken SW Quadrangle, North Dakota (2020)

Contour Interval = 10 Feet

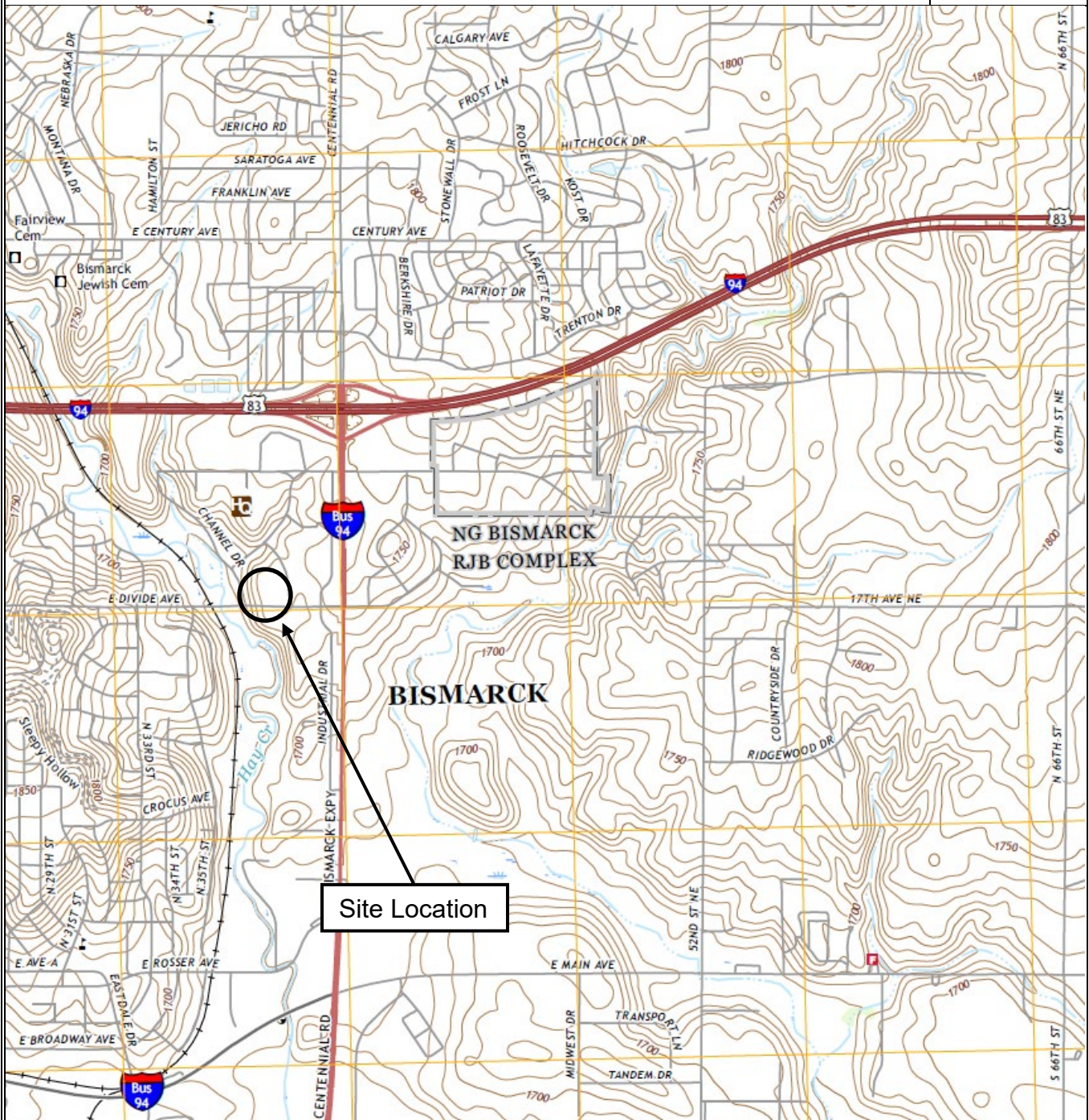
Scale 1 Inch = ~2,000 Feet

Latitude: 46° 49' 26.10" N, Longitude: 100° 44' 5.52" W

Township: T139N Range: R80W Section: S26



North



Site Vicinity Map

Verizon Wireless – BIS SLEEPY HOLLOW

1700 Commerce Drive

Bismarck, North Dakota 58501





DECLARATION

The City of Bismarck - Historic Preservation Commission has been advised of the proposed **Verizon Telecommunications Tower at 1700 Commerce Drive** and hereby (AGREE) (DISAGREE) with a proposed determination of 'No Historic Properties Affected' for the proposed project.

Additional Comments:

Amy Sakariassen, Chair
Bismarck Historic Preservation Commission

Dated: _____





MEMORANDUM

Section 106 Review: Community Action Program –Home Improvement

TO: Chair Sakariassen and Historic Preservation Commission

FROM: Will Hutchings, AICP, Senior Planner

DATE: December 10, 2021

The City of Bismarck has received a Section 106 Review request from Community Action Program that has been submitted to the State Historic Preservation Office for a proposed home improvement project. The proposed project would consist of the replacement of wooden basement door with a new steel door at 1839 North Griffin Street. This door is not visible from the street. The project would utilize Community Development Block Grant funding through Community Action Program Region VII.

The provided Section 106 clearance did not include a proposed determination. This house was constructed in 1962 which meets the minimum age for historic structures.

The Historic Preservation Commission reviews all Section 106 Review projects submitted to the City for evaluation and comment. The Historic Preservation Commission evaluates the information provided by the submitting entity and provides a recommendation to the submitting agency and SHPO. During the review, the Historic Preservation Commission may also provide comments regarding the identification of historic properties, effects to historic properties, and ways to mitigate or avoid adverse effects to historic properties and districts.

Results and Proposed Finding:

The submitting agency did not propose a finding. Based on the age of the structure and the hidden location of the door on the residence, staff is recommending a concurrence of "No Adverse Effect".

Staff Recommended Action:

Review the submitted documentation for Section 106 review of the proposed Community Action Program home improvement and complete the attached declaration.

Attachments:

- Submitted Section 106 Form
- Declaration

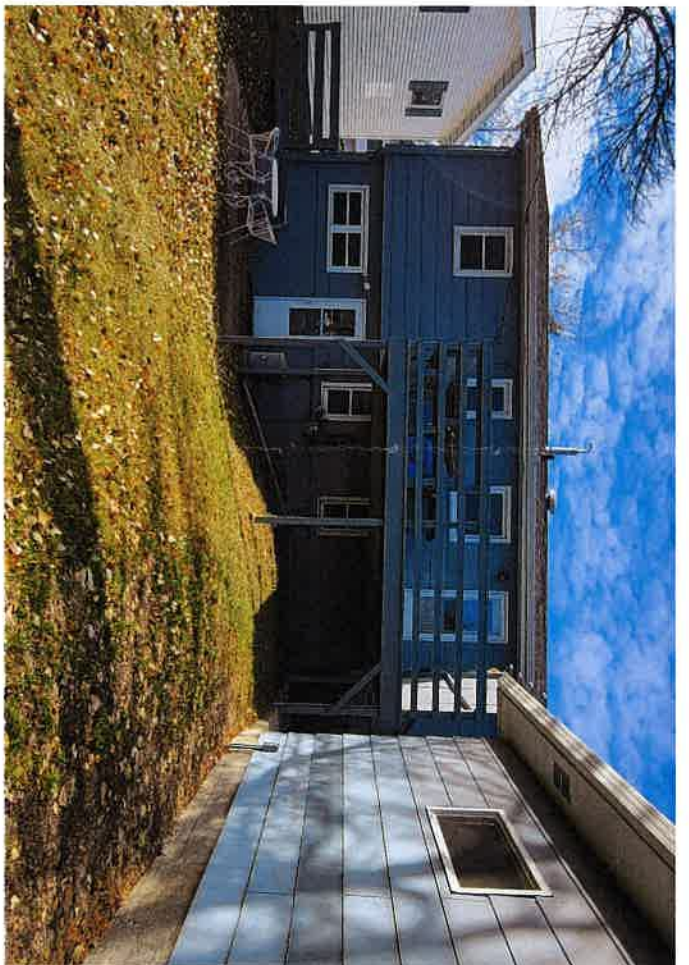
SECTION 106 CLEARANCE
NORTH DAKOTA DEPARTMENT OF COMMERCE/DCS
 SFN 52654 (12/09)

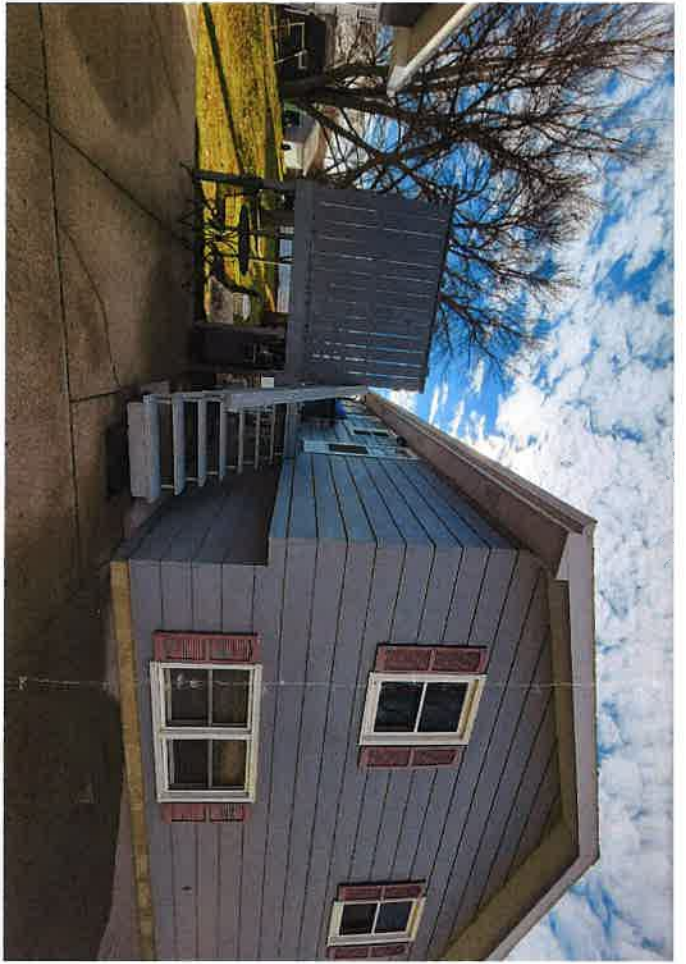
THIS FORM MUST BE SUBMITTED TO THE SHPO FOR SECTION 106 DETERMINATIONS	
Identify funding source for project(s): _____	
Project Description: (use attachment if necessary)	
Replace Basement door with a steel door, current one is wood	
Location: Rural Areas: Township _____, Range _____, Section _____, 1/4 Section _____	
Cities - Street Address 1839 N Griffin St Bismarck ND 58501 (Only if there is no street system, use lot, block and addition (never USPS Box #, Route #, etc.))	
Attach Map: Plot APE on map (city map or USGS topographic map for rural areas): Attached: ☐ (check)	
Areas Indirectly Affected: Attached location and maps for affected areas outside APE, (i.e., borrow sources, disposal areas, relocation sites, facilities to be abandoned, etc.)	
Year Built: 1962 (use the oldest part of the building, do not give age as "50"+)	
Requirements for buildings/structures 50+ years or if age unknown:	
Digital or 35mm photos: Take obliquely (showing front & side) of each building/structure. If rehabilitation is involved, send photo close-ups of affected areas such as windows or doors. Send actual photos, not photocopies. ☐ (check)	
Historic Associations: Describe associations between the property and any persons/events of historic significance. List references (local historian, centennial book, etc.)	
Based on the information collected, the type of SHPO concurrence you are requesting (check one only):	
☐ No Historic Properties Affected ☐ No Adverse Effect (If rehab of historic properties will occur, review the Secretary of Interiors Standards for Rehabilitation of Historic Properties prior to developing a work plan. Note - For Historic Properties, a No Adverse Effect determination requires conforming with the Secretary of Interiors Standards.) ☐ Adverse determination Effect (A MOA will be prepared)	
FOR SHPO USE ONLY:	
No Historic Properties Affected	
The described undertaking will not affect any historic properties, per 36CFR800.4(d). If the project description changes, this recommendation is void.	
Review and Compliance Coordinator _____ for William D. Peterson, PhD, ND SHPO	
Date _____ In Response Please Reference: SHPO# 22-5149	
Additional Information: Send additional information relevant to the Section 106 determination. If the project involves properties listed on, or eligible for the National Register, additional information may be required. Send form with all attachments to: William D. Peterson, PhD Attn: Review and Compliance ND State Historic Preservation Office 612 E. Boulevard Ave. Bismarck, ND 58505-0830	Form should be returned to: LLOYD WINTERBERG Name Region 7 (701)-258-2240 Agency & Phone Number 2105 LEE AVE Address BISMARCK, ND 58504 City, State, Zip Signature _____ Date _____

22-5149



22-5149







DECLARATION

The City of Bismarck - Historic Preservation Commission has been advised of the proposed **Community Action Program's Home Improvement Project At 1839 North Griffin Street, Bismarck ND 58501** and hereby (AGREE) (DISAGREE) with proposed determination of 'No Adverse Effect' for the proposed project.

Additional Comments:

Amy Sakariassen, Chair
Bismarck Historic Preservation Commission

Dated: _____

MEMORANDUM

Section 106 Review Changes

TO: Chair Sakariassen and Historic Preservation Commission

FROM: Will Hutchings, AICP, Senior Planner

DATE: December 10, 2021

At your November 17, 2021 meeting, the Historic Preservation Commission received public input regarding requested changes to your involvement in Section 106 reviews. In addition, staff have been monitoring the effectiveness and impacts of the Historic Preservation Commission's review of all Section 106 review requests. Staff from the City of Bismarck, the State Historic Preservation Office and Chair Sakariassen met on November 23, 2021 to discuss potential options to improve on the City of Bismarck's current level of participation.

The State Historic Preservation Office notes that by Federal law they are required to return comments within a 30-day period. They typically return comments in less than two weeks. In the case of Bismarck area review requests, the Historic Preservation Commission's desire to review all Section 106 reviews within the City has created issues meeting this requirement as well as concerns that the amount of review time could cause detrimental impacts to applicants. Concerns with prolonged Environmental Review times is exacerbated when the proposed project does not include an historically eligible structure/site and is necessary for the livelihood of the applicant (i.e. weatherization, safety, or ADA improvements). City of Bismarck staff have shared similar concerns.

All projects that require a Section 106 Review will be found to have one of the following proposed findings or determinations:

Proposed determination of Adverse Effect. The term "effect" is defined under 36 CFR §800.16(i) as an "alteration to the characteristics of historic property qualifying it for inclusion in, or eligibility for, the National Register." The project's impact on the property's use, character, location, and setting will be considered when determining its effect on the historic property. An effect is considered adverse under 36 CFR §800.5(a)(1) when it will endanger those qualities that make the property eligible for inclusion in the National Register. Adverse effects of a project can be direct or indirect. The following are common kinds of Adverse Effects:

- Removal from historic setting
- Physical destruction or damage
- Introduction of visual or audible intrusions
- Alterations that are out of character

- Changes in use or setting if those are important characteristics of the property

Proposed determination of **No Adverse Effect**. This finding is used when there is a historic property affected but the effect is not considered adverse.

Proposed finding of **No Historic Properties Affected**. Any property affected is not on the National Register of Historic Places or Eligible for listing. Or the properties, whether historic or not, are not affected by the undertaking.

When there is insufficient information from a Class 1 literature search, **Survey Recommended** may be a proposed finding. A Class 1 literature search is documentary research and the starting place for inventory efforts.

A table of all Section 106 review requests within the City of Bismarck that the State Historic Preservation Office has reviewed since 2020 is included. This table illustrates the variety of different Section 106 reviews that are submitted. Many of the projects either do not affect historic properties or have been determined to have no adverse effects to historic properties or resources, while a few others may have the potential to have an adverse effect.

Staff Recommend Action

Staff recommends amending the level of requested participation in Section 106 reviews as follows:

- For projects involving a structure that is verified to be less than **45** years of age: Staff only review with a concurrence of a finding of **No Historic Properties Affected**. The 45 year of age is threshold ensures that appropriate reviews are conducted for those that may reach the 50 year minimum historic age eligibility before the project is completed.
- For minor projects involving structure that meets the minimum age to be considered historically eligible - cursory reviews would be conducted by staff along with one appointed member of the Historic Preservation Commission. If concerns are noted about the proposed impact and scope of the project, the entire Historic Preservation Commission will be asked to participate at their next regular scheduled meeting. If no concerns are noted, staff will return with a concurrence of No Adverse Effect.
 - All project documentation, as well as recorded Manuscripts and Site Survey Forms, will be reviewed prior to determining the appropriate course of action.
- For major projects, clearly involving historic resources, all reviews will be forwarded to the Historic Preservation Commission for review.
- For projects that may have an impact on archaeological resources:
 - If in an area of previous ground disturbance - cursory reviews, including any past survey or manuscripts, would be conducted by staff along with one appointed member of the Historic Preservation Commission. If concerns are noted about the proposed impact and scope of the project, the entire Historic Preservation Commission will be asked to participate at their next regular scheduled meeting.

- If in an area of no previous ground disturbance, staff along with one appointed member of the Historic Preservation Commission will conduct a cursory review, including any past survey or manuscripts, of the proposed project and determine if the project has the potential to affect historic resources and either return comments or forward to the Historic Preservation Commission for further review at their next regular scheduled meeting.

In selecting a member to assist staff with a cursory review, consideration should be given to members who may have experience with Section 106 reviews and those who will not regularly have a conflict of interest.

Staff Recommended Action:

Adopt the above noted revisions to the City of Bismarck Section 106 review participation process and appoint one member of the Historic Preservation Commission to assist staff with cursory review.

Attachments:

- Table of Section 106 reviews (2020 to present)

SHPO ID#	Received Date	Consulting Agency	Agency Project Reference	Project Description	Submitting Agency Requested Concurrence	SHPO Proposed Finding	BHPC Reviewed	BHPC Number	BHPC Declaration
20-5053	10/14/19	HUD	610 S Washington St, Bismarck	Washington Court-stoves			No		
20-5054	10/14/19	HUD	320 S 14th St, Bismarck, ND	Charles Hall Youth Services removal and replacement of driveway			No		
20-5055	10/14/19	HUD	3230 E Thayer Ave, Bismarck, ND	Alternative Care Services flooring			No		
20-5056	10/14/19	HUD	1140 S 12th St, Bismarck, ND	United Way Shelter, add second story			No		
20-5057	10/14/19	HUD	221 W Rosser Ave, Bismarck, ND	Youthworks, interior repairs			No		
20-5165	10/28/19	BIS	818, 822, 824 & 828 N 7th Street, Bismarck, ND	Removal or demolition for BHS parking lot project			Yes		
20-0100	11/15/19	NDGF	Bismarck Mandan Rifle and Pistol Assn WMA PROGRAM storage building	Bismarck Mandan Rifle and Pistol Assn WMA PROGRAM storage building			No		
20-5209	11/21/19	FCC	TCNS 191294	Cell Tower	No Historic Properties in the APE for Direct Effects and will be No Adverse Effect to the Historic Properties in the APE for Visual Effects	-	Yes	HPCS2019-003	Agree: No Historic Properties in the APE for Direct Effects and will be No Adverse Effect to the Historic Properties in the APE for Visual Effects
20-5298	12/31/19	FDIC	State Street and 43rd Ave, Bismarck, ND	Bank Construction					
	2/10/20	NSP/HOME	1100 E Boulevard and 1100 Porter Ave, Bismarck	Rehab (Old Ruth Meiers) Community Works North Dakota and Lutheran Social Services Housing, LLC.	No Adverse Effect	-	Yes	HPCS2020-001	"No knowledge of historic information for this property"
	1/19/20	CDBG/HPTC	420 East Main	Patterson Place Rehab	No Adverse Effect	No Adverse Effect	Yes	HPCS2020-002	Agree: No Adverse Effect
20-5374	2/6/20	DOE	170 Harold St, Bismarck, ND	3 windows			No		
20-5402	2/11/20	RUS	East Bismarck Junction to Lincoln	North Dakota 42, Ward Central Power Electric Cooperative 43.8kV Transmission Line Rebuild Project			No		
20-5484	3/13/20	WAPA	Bismarck Substation Easment	Bismarck Substation Easment			No		
20-5488	3/13/20	BIS	Bismarck, ND	Water Utility Projects 130 & 132			No		
20-5499	3/19/20	RUS	600 Barston Lane, Bismarck, ND	Celley Sports Solar Panels			No		
20-5610	4/22/20	NPS	Bismarck North Central Park	Playground, parking lot and pathway			No		
20-5647	4/28/20	FCC	Bismarck RT	Pyramid Network Services – "Bismarck RT" 600 East Boulevard Avenue, Bismarck, North Dakota 58505, 46° 49' 15.1" North, 100° 46' 57.3" West, [T139N R80W Section 33] AEC Project No. PNS-20-205			No		
20-5654	4/30/20	CDBG	4419 Cambden Loop, Bismarck, ND	Handicap Ramp, 1993 Mobile Home	Not Provided	No Historic Properties Affected	Yes	HPCS2020-003	Agree: No Historic Properties Affected
20-5655	4/30/20	CDBG	4525 Cambden Loop Bismarck	Handicap Ramp, 1995 Mobile Home	Not Provided	No Historic Properties Affected.	Yes	HPCS2020-004	Agree: No Historic Properties Affected
20-5680	5/6/20	EPA	Bismarck Wastewater	improvements for solids dewatering of the digested sludge from the Bismarck WWTF and new effluent disinfection facilities			No		
	5/6/20	FCC	NDDOT Telecommunications	Modification to existing rooftop tower telecommunication facility on top of ND State Capitol Building	No Adverse Effect	-	Yes	HPCS2020-005	Agree: No Adverse Effect
20-0363	5/29/20	NDFS	2020 ATBTP Bismarck's New Generations Park Tree Planting	trees			No		
	6/12/20	USDA RD	Lot 1, Block 1, Hay Creek Substation	Hay Creek Substation	No Historic Properties Affected	-	Yes	HPCS2020-006	Agree: No Historic Properties Affected
20-5896	7/7/20	CDBG	111 Georgia Street, Bismarck, ND	Handicap Ramp			No		
20-5922	7/14/20	RUS	CEC Bismarck to Lincoln Substation	Overhead to Underground electric conversion			No		

20-0427	7/17/20	FERC	WBI - Relocation of the Mandan Lateral and Cabin Creek-Bismarck Line	natural gas pipeline replacement and relocation			No		
20-6606	8/27/20	HOME	1010 1st St SE, Mandan, ND & 725 S 12th St, Bismarck, ND	Mobile Home Mandan demolished, new home rehabed in Bismarck			No		
21-5232	11/25/20	RUS	Small's irrigation pump site, McLean Bottoms, Bismarck ND	Irrigation Pump			No		
21-5241	12/1/20	CDBG	4615 Patriot Drive, Bismarck, ND	Handicap Ramp, 1996 Mobile Home			No		
	12/4/20	FCC	4009 State Street	Motorola: 255-foot self-supported communications tower	Presubmittal Comment Review - Not Provided	No cultural resources are located on or near the proposed site	Yes	HPCS2020-007	No Comments
21-0051	12/15/20	NDGF	Bismarck Mandan Rifle and Pistol Assn	pour concrete inside building, clean, rebuild, and reseed berm			No		
21-5309	12/21/20	FDIC	1806 N 12th, Bismarck, ND	Establish new bank			No		
21-5346	1/11/21	FCC	TCNS 223711	Cell Tower			No		
21-5389	1/20/21	CDBG	215 W Turnpike Ave #9, Bismarck, ND	Bathroom Renovation, Install Walk-In Shower			No		
	2/24/21	NDDOT	State Street/US Highway 83 from Divide to Calgary Avenue	Roadway Safety Improvements	Presubmittal: No Adverse Effect	-	Yes	HPCS2021-001	Agree: No Adverse Effect
21-0118	3/5/21	NDDoC	Bismarck YMCA State Energy Grant	1608 N Washington St LED lighting			No		
21-5621	3/31/21	NDDOT	UGP-1-981(120); UGP-1-981(122) PCN: 22512 & 22870	1) Concrete Pavement Repair; 2) Curb Extensions; 3) Parking and Traffic Lanes; 4) Landscaping; 5) Water Main Replacement; and 6) Streetlights, Bismarck, ND	No Adverse Effect	-	Yes	HPCS2021-002	Agree: No Adverse Effect
21-5694	4/15/21	GSA	Bismarck Federal Office Building (FOB), 304 East Broadway Avenue, Bismarck, ND	Main Entrance Door			No		
	4/25/21	NPS - LWCF	Bismarck Parks and Rec Sertoma	Fitness Area Improvements	Not Provided	No Historic Properties Affected	Yes	HPCS2021-003	Agree: No Historic Properties Affected
	4/25/21	NPS - LWCF	Bismarck Parks and Rec - Lions Park	Acquisition of Land	Not Provided	No Historic Properties Affected' or 'No Adverse Effect	Yes	HPCS2021-004	Agree: No Historic Properties Affected' and/or 'No Adverse Effect
21-0329	5/17/21	NDFS	Bismarck Parks & Rec 2021 ATBTP	Plant 83 trees near hole #10 & #18			No		
21-5929	6/28/21	USDA RD	UTTC Road Improvements, Bismarck, ND	Road Improvements			No		
21-6028	7/20/21	DOE	215 W Sweet Ave, Bismarck, ND	Storm Doors, Handrails, Step Repair			No		
21-6043	7/21/21	DHS	St. Mary's Academy, 1025 N 2nd St., Bismarck, ND	Security Camera Installation			No		
21-6065	7/27/21	NDDOT	1-810(030)004 PCN: 23155	Lighting/Turn Lane Addition Bismarck Expressway at Game and Fish	No Historic Properties Affected	-	Yes	HPCS2021-006	Agree: No Historic Properties Affected
21-6159	8/17/21	DHS	North Dakota State and Local Intelligence Center (NDSLIC) Building 40, 400 Fraine Barracks Lane, Bismarck, ND	Card Reader Installation			No		
21-6184	8/27/21	DOE	835 Jefferson Ave, Bismarck, ND	windows, doors			No		
21-6819	9/24/21	DOE	1119 University Drive #306, Bismarck, ND	Stairs	Not Provided	No Historic Properties Affected	Yes	HPCS2021-007	Agree: No Historic Properties Affected

21-6809	9/27/21	DOE	1400 Braman Ave, Bismarck, ND	"Lighting Retrofit"	PENDING	PENDING	PENDING	PENDING	PENDING
22-5050	10/15/21	DOE	1660 Pennsylvania, Bismarck, ND	Bathroom Renovation, Install Walk-In Shower	Not Provided	No Historic Properties Affected	Yes	HPCS2021-009	Agree: No Historic Properties Affected
22-5059	10/19/21	FAA	Bismarck Airport	Lanfair Loop Hangar Access Road	No Historic Properties Affected	-	Yes	HPCS2021-010	Agree: No Historic Properties Affected



MEMORANDUM

Update on Torrance Addition and Highland Acres Project

TO: Chair Sakariassen and Historic Preservation Commission
FROM: Will Hutchings, AICP, Senior Planner
DATE: December 10, 2021

At the November 17, 2021 Historic Preservation Commission, a motion was passedd *“to approve the expansion of the Highland Acres Historic District project to include Torrance Addition, as a volunteer led effort, if residents are able to meet established deadlines as outlined and not incur added expenditure.”* Upon further review and consultation with the Highland Acres Nomination consultant and the State Historic Preservation Office, it was determined that this course of action would not be feasible.

As an alternative plan, staff from the City of Bismarck Community Development Department and State Historic Preservation Office have identified a new course of action that would allow the Highland Acres nomination project to continue as contracted and expected to conclude in early Summer 2022, and an historic district boundary amendment to be completed by volunteers and submitted in Fall of 2022. The City of Bismarck staff will provide neighborhood notification as well as historic resources to assist the volunteer with this project. The Historic Preservation Commission will have an opportunity to review the proposed expansion prior to the State Review Board hearing.

Staff Recommended Action:

Move to rescind your previous motion from the November 17, 2021 meeting and move to support a National Register of Historic Places historic district boundary expansion for the properties in Torrance Addition as a volunteer led effort.

**BISMARCK HISTORIC PRESERVATION COMMISSION
MEETING MINUTES
November 17, 2021**

The Bismarck Historic Preservation Commission met on November 17, 2021, at 3:30 p.m. in the Tom Baker Meeting Room in the City-County Office Building, 221 North 5th Street. The meeting was held in person and via Zoom. Acting Chair Jackson presided.

Commissioners present were Walt Bailey, Blake Dinkins, Calvin Grinnell and Tory Jackson.

Commissioners Beth Nodland and Steve Bakken joined remotely later in the meeting as noted.

Commissioner Amy Sakariassen was not present.

Staff members present were Sandra Bogaczyk – Office Assistant II, Kim Lee – Planning Manager, Stephanie Pretzer – Assistant City Attorney and Will Hutchings – Senior Planner.

Guests present were Jim Fuglie – property owner and Tran Doan – Program Manager of Community Action Program.

ADMINISTRATIVE ACTION

Mr. Hutchings opened the meeting to request nominations or a volunteer to act as Acting Chair since both the Chair and Vice Chair were not available when the meeting started. Mr. Jackson volunteered and was approved as Acting Chair with Commissioners Bailey approving the nomination and Commissioner Dinkins seconding the motion.

MINUTES

Acting Chair Jackson called for consideration of the minutes of the October 20, 2021 meeting of the Historic Preservation Commission.

MOTION: A motion was made by Commissioner Dinkins to approve the minutes of the October 20, 2021 meeting of the Historic Preservation Commission, as presented. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Dinkins, Grinnell and Acting Chair Jackson voting in favor of the motion, the motion was approved.

PUBLIC COMMENT

Acting Chair Jackson asked if there were any public comments.

Mr. Doan expressed concerns with the length of time it takes for the Historic Preservation Commission participation in Section 106 reviews, consisting of simple upgrades such as accessible ramps, could be delayed and asked for the Commission to exempt reviews especially when the situation is not considered historically eligible.

There being no further public input Acting Chair Jackson resumed the meeting.

SECTION 106 REVIEW - COMMUNITY ACTION PROGRAM

Mr. Hutchings stated that the City of Bismarck has received a Section 106 Review request from Community Action Program that has been submitted to the State Historic Preservation Office for a proposed interior home improvement project at 1660 Pennsylvania Avenue. Mr. Hutchings stated that the State Historic Preservation Office indicated that since the structure is less than 50 years of age, they recommend a concurrence of No Historic Properties Affected.

At this time Commissioner Nodland joined the meeting remotely.

MOTION: A motion was made by Commissioner Dinkins to approve the Section 106 declaration for the proposed interior home improvement project at 1660 Pennsylvania Avenue, as written with a finding of No Historic Properties Affected. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Dinkins, Grinnell, Nodland and Acting Chair Jackson voting in favor of the motion, the motion was approved.

CONSIDERATION OF EXPANSION OF THE PROPOSED HIGHLAND ACRES HISTORIC DISTRICT

Mr. Hutchings stated that the residents in Torrance Addition have requested to be included in the proposed Highland Acres Historic District and listed their reasons for inclusion. He summarized the history of the project, referred to a map which is included in the meeting packet and outlined potential boundary expansion options for Commission members to consider. He noted that some options could increase the cost and scope of the existing contracted project.

Mr. Hutchings explained how the scope of the project was determined using criteria established by the Community Development Department and State Historic Preservation Office, which considers the age of a property, the cost of the project and the number of properties involved.

Commission members discussed the options presented, how some options might delay the original timeline established for historical designation and potential changes to the contract with Metcalf.

Commissioner Bakken joined the meeting at this time.

Mr. Fugle stated that he spoke with neighbors in Torrance Addition and there was a consensus that property owners in that subdivision would like to be included in the project. He stated that he has not spoken with owners in Torrance Hill and stated that only a few of those homes are historic. Mr. Fugle submitted comments attached as Appendix A.

MOTION: A motion was made by Commissioner Nodland to include Torrance Addition in the Highland Acres Historic District project.

There was discussion about funding options and deadlines for funding the project.

Commissioner Nodland withdrew her motion.

MOTION: A motion was made by Commissioner Dinkins to approve the expansion of the Highland Acres Historic District project to include Torrance Addition as a volunteer led effort, if residents are able to meet established deadlines as outlined and not incur added expenditure. The motion was seconded by Commissioner Bakken and with Commissioners Bailey, Dinkins, Grinnell, Nodland and Acting Chair Jackson voting in favor of the motion, the motion was approved.

IDENTIFICATION OF 2022 HISTORIC PRESERVATION FUND GRANT PROJECTS

Mr. Hutchings stated that the State Historic Preservation Office (SHPO) is expected to release details for the 2022 Historic Preservation Fund (HPF) grant application submittal window in the near future. The grant amount has not yet been released but the amount is expected to be similar to 2021. The grant will require a 40% local match.

Mr. Hutchings described the previously proposed projects and estimated costs of each and requested that Commissioners direct staff to which ones take precedence.

There was discussion about each proposal, cost and order of importance.

MOTION: A motion was made by Commissioner Dinkins to approve funding for the following projects:

- 2022 CLG Conference
- 60 Street Banners
- Travelling Local History Exhibit
- Sesquicentennial Re-grant Program
- Sesquicentennial Business door and window clings

The motion was seconded by Commissioner Bailey.

Commissioner Nodland suggested that the motion be amended to also include the Highland Acres Expansion. Additional conversation was held amongst the Commissioners.

MOTION: A motion was made by Commissioner Dinkins to amend his motion to approve funding for the following projects:

- 2022 CLG Conference
- 60 Street Banners
- Travelling Local History Exhibit
- Sesquicentennial Re-grant Program
- Sesquicentennial Business door and window clings
- Highland Acres Expansion

And find separate funding for the Local History School Curriculum

The motion was seconded by Commissioner Nodland.

Mr. Hutchings asked for clarification of an appropriate amount for the Highland Acres expansion based on their experience working with agencies. Commissioner Nodland suggested that an

opportunity to request funding might be strengthened if the motion includes a promotion for the sesquicentennial as a whole project instead of listing separate parts of the celebration to be funded.

Acting Chair Jackson asked Commissioners if they felt it would be a stronger message to request an amount from which to include projects.

Mr. Dinkins withdrew his motion.

MOTION: A motion was made by Commissioner Dinkins to approve funding for the following projects in the following order:

1. 2022 CLG Conference
2. Travelling Local History Exhibit
3. 60 Street Banners totaling \$15,600
4. Sesquicentennial Re-grant Program totaling \$5,000 and a possible grant of \$500 for ten projects
5. Sesquicentennial Business door and window clings
6. Highland Acres Expansion projects.

and that all items but the Highland Acres and CLG Conference be packaged as a sesquicentennial celebration. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Nodland and Acting Chair Jackson voting in favor of the motion, the motion was approved.

SESQUICENTENNIAL DISCUSSION

Mr. Hutchings stated that the Historic Preservation Commission, in anticipation of the sesquicentennial celebration, has suggested several ideas for promotion, listed them and stated that he is continuing discussion with the City's Public Information Officer. He stated that social media would be used to publicize events and encourage businesses and schools to get involved. An update to the City Commission could be made to elicit assistance with the celebration. He asked for review of the proclamation.

Commissioner Nodland stated that she thought next year's meetings could emphasize the history of Bismarck and that businesses and schools could get more involved and lead some events rather than only the City organizing events.

There was discussion about the proclamation.

Commissioner Nodland suggested several edits to the proclamation.

MOTION: A motion was made by Commissioner Dinkins to approve the proclamation as revised. The motion was seconded by Commissioner Grinnell and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Nodland and Acting Chair Jackson voting in favor of the motion, the motion was approved.

Acting Chair Jackson stated that the second part of this agenda item was to consider recommendations for the City Commission to consider for the sesquicentennial and direct a member to present to City Commission.

There was discussion about forming a decision-making committee or alternatively allowing individual businesses and other entities to create their own projects and events.

Commissioner Nodland volunteered to work with Chair Sakariassen and Commissioner Bailey regarding the Historic Preservation Commission's ideas.

REVIEW AND POSSIBLE APPROVAL OF TALKING TRAIL SIGNS

Mr. Hutchings updated Commission members about the Talking Trail signage and stated that staff has discussed the project with the City Public Information Officer and created a branding and draft sign. He presented the signage to Commission members for review.

There was discussion about the design. Acting Chair Jackson stated that it looked good.

MOTION: A motion was made by Commissioner Dinkins to approve the sign design as presented. The motion was seconded by Commissioner Bailey and with Commissioners Bailey, Bakken, Dinkins, Grinnell, Nodland and Acting Chair Jackson voting in favor of the motion, the motion was approved.

OTHER BUSINESS

Mr. Hutchings summarized the public meeting staff scheduled to answer community members questions about the proposed Highland Acres Historic District project. Acting Chair Jackson stated that he had attended and thought it was a great meeting and went well.

ADJOURNMENT

There being no further business, Acting Chair Jackson declared the meeting of the Bismarck Historic Preservation Commission adjourned at 4:40 p.m. to meet again on December 15, 2021 at 3:00 p.m. in the Tom Baker Meeting Room.

Respectfully Submitted,

Sandra Bogaczyk
Recording Secretary

APPROVED:

Tory Jackson, Acting Chair

APPENDIX A

Sandra Bogaczyk

Subject: FW: Comments for Historic Preservation Commission

From: Jim Fuglie 
Sent: Tuesday, November 16, 2021 2:41 PM
To: William Hutchings <whutchings@bismarcknd.gov>
Subject: Comments for Historic Preservation Commission

Dear Historic Preservation Commission Members,

I'm writing to comment on Item 5 on your Wednesday Agenda, "Consideration of expansion of the proposed Highland Acres Historic District."

From the beginning of discussions of this whole project, the idea was to create a historic district that included all three Highland Acres Additions as well as Torrance and Torrance Hill Additions, despite the fact that not all homes in those additions were 50 years old.

More important than the age of the homes, I believe, is the story of Highland Acres and the Torrance Additions--how they began, the problems they encountered, the persistence of those post-war families, and the often heroic actions of that greatest generation of war veterans, cooperatives, credit unions, a state bank, and a couple of oil millionaires, which gave us the neighborhood we enjoy today, and which the city can point to with pride.

Those of us who live here today still believe the ads which ran in the Bismarck Tribune in the 1950's:

Highland Acres

- *"The Place of Beauty with An Eye to the Future"*
- *"The Dreams of Young and Old Alike Are Fulfilled In This Wonderful New Addition . . . Here YOU Decide the Design of Your Family Home!"*
- *"Luxury, Pride, PLUS economy is your family's future in Highland Acres."*

So, with that said, please make every effort to find the funding necessary to complete the work that Metcalf and the SHPO began, and add Torrance and Torrance Hill Additions to the proposed Highland Acres Historic District. All of us who live west of Ward Road and north of Avenue C consider ourselves residents of Highland Acres. We hope you will include us in the historic district.

I will be at your meeting Wednesday to answer any questions you might have.

Respectfully,

Jim Fuglie
920 Arthur Drive
Bismarck, ND 58501