

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
January 14, 2021**

The Bismarck Renaissance Zone Authority met on January 14, 2021 in the Tom Baker Meeting Room in the City-County Office Building at 221 North 5th Street. Due to ongoing public health concerns related to COVID-19, the meeting was held remotely via the online platform Zoom as well as the meeting room. Chair Christianson presided.

Authority members present were Jim Christianson, Joe Fink, Dustin Gawrylow, Todd Van Orman, and Greg Zenker.

Authority members Curt Walth and George Keiser were not present.

Technical Advisors Steph Smith and Bruce Whittey were present.

Staff members present were Sandra Bogaczyk (Office Assistant II), Jannelle Combs (City Attorney), Ben Ehreth (Community Development Director) Will Hutchings (Planner), Allison Jensen (City Assessor), Kim Lee (Planning Manager), and Daniel Nairn (Senior Planner).

Guests present were Kate Herzog (The Downtowners), Cody Stern (Anyleaks, Inc.) and Natalie Pierce (Bismarck-Mandan Chamber – EDC Leadership 2020).

CALL TO ORDER

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

MINUTES

Mr. Nairn stated that George Keiser's absence from the November 12, 2020 meeting was omitted from the minutes and that omission has been corrected.

The minutes of the December 10, 2020 meeting were distributed prior to the meeting.

MOTION: A motion was made by Mr. Zenker and seconded by Mr. Van Orman to approve the minutes of the December 10, 2020 meeting. The motion passed unanimously by voice vote with members Fink, Gawrylow, Van Orman, Zenker and Chair Christianson voting in favor.

**DOWNTOWN DESIGN REVIEW – 204 EAST MAIN AVENUE
BENCHMARK PROPERTIES, LLC – STOREFRONT AND FAÇADE
IMPROVEMENTS**

Mr. Nairn gave an overview of the staff report and stated that the applicant, Benchmark Properties, LLC., is requesting downtown design review approval for alterations of the commercial storefront and façade at 204 East Main Avenue. Mr. Nairn stated that this property is the former Jacobsen Music and the owner has removed all signage and intends to paint the existing brick, or veneer, and window frames, replace broken windows and remove the EIFS which borders the building to the west.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the proposed design for 204 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.

Mr. Fink asked if there are any issues painting over a veneer if the brick is deemed to be a veneer. Ms. Smith stated that there is some concern but it has not been established yet. Mr. Nairn stated that it does not appear to be a solid surface.

Mr. Whittey asked if anyone has any issues with the proposed steel siding. Ms. Smith stated that the product is a commercial grade so there should not be any issues.

MOTION: A motion was made by Mr. Zenker and seconded by Mr. Gawrylow to approve the proposed design for 204 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. The motion passed with members Gawrylow, Van Orman, Zenker and Chair Christianson voting in favor. Authority member Fink opposed the motion.

DOWNTOWN DESIGN REVIEW – 315 SOUTH 5TH STREET CITY OF BISMARCK EVENT CENTER – PUBLIC ART INSTALLATION

Mr. Van Orman noted that he would be abstaining from discussion and voting on this request, as his wife is one of the artists selected for this project.

Mr. Nairn gave an overview of the staff report and stated that the applicant, City of Bismarck Event Center, is requesting downtown design review approval of a public art installation in an existing 3-sided brick monument sign in the pedestrian area outside of the south entrance of the Event Center at 315 South 5th Street.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the proposed design for 315 South 5th 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 asked if the Event Center supported the request. Ms. Pierce stated that they were in support and then described the selection process for finalist artists.

Chair Christianson asked if the sign would still advertise that it is the Event Center. Ms. Pierce said it would not and only show the art but stated that she could bring that concern back to the selection group.

Mr. Fink asked if the intention was to replace art pieces over time. Mr. Pierce stated that it is not written into the grant as a rotating display, but could be if a new grant were approved as additional funding would have to be found.

Mr. Fink asked if any art rotation were to occur would that return to the Renaissance Zone Authority for approval. Mr. Nairn said staff would have to review before determining what the process would be. Chair Christianson suggested that it could be a condition to the motion. Mr. Fink asked if staff could create a rule for the situation. Mr. Nairn stated that he will follow-up with phrasing the rule.

Mr. Fink asked what the time frame was for completing the sign. Ms. Pierce said that they will start when the weather is nice and need two months for installation after contracts are returned by April 15th, so she estimated that installation will be completed by mid-summer.

MOTION: A motion was made by Mr. Zenker and seconded by Mr. Gawrylow to approve the proposed design for the monument sign at 315 South 5th 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, Zenker and Chair Christianson voting in favor. Authority member Van Orman abstained.

DOWNTOWN DESIGN REVIEW – 402 EAST MAIN AVENUE TEN ON MAIN, LLC – AMENDMENT

Mr. Nairn gave an overview of the staff report and stated that the applicant, Ten on Main, LLC, is requesting downtown design review approval for the alteration of an approved design for the project known as Ten on Main at 402 East Main Avenue. Mr. Nairn stated that the alteration would include an exterior door along the sidewalk of North 4th Street that was not shown on the approved design. The door would be installed to allow occupation of the space by a new office tenant. Mr. Nairn stated that the technical advisors suggested to return the request to the Downtown Design Review Committee and detailed the history of the building and the appearance of the doorway. He stated that the applicant has concerns about recessing the door, which include difficulties in waterproofing and a pipe which runs under the doorway. Mr. Nairn described how the practice of placing plantings on either side of the doorway, as addressed in the Streetscape Standards, could address safety concerns.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the alterations of the proposed design for 402 East Main Avenue to include a new exterior door along North 4th Street as presented in all submitted documents and materials, with the following conditions:

1. If the door is not recessed, moveable planters are placed in the sidewalk against the building on each side of the door. An encroachment agreement is obtained from the Engineering Department for any encroachments into the public right-of-way.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation if any new materials are applied to, or original bricks or architectural features are removed from, the façade where not shown on the design.

A general discussion regarding the history of the building and the advent of the doorway was held.

A general discussion about the specifics of why the door could not be recessed and how it could reflect the already established streetscape and doorways was held, in regards to the door not being a main entrance.

Mr. Nairn stated that the Engineering Department stated that it was comfortable with allowing the proposed doorway to swing into the sidewalk but that it would require an encroachment agreement and planters would mitigate pedestrian conflicts.

Ms. Smith stated that she met with the contractor on site and she agreed that removing the pipe in order to recess the door was a concern. She added that the planters could be pushed out so that the doorway would be universally accessible.

Mr. Nairn stated that the Building Inspections Division determined that the door would not have to meet ADA standards because there are other accessible entrances to the space.

Mr. Whittey asked what the specific threshold characteristics would be. Ms. Smith stated that the threshold would be sloped and graded with an approximately three-inch difference over two-foot distance.

Mr. Van Orman asked if the planters are described in the ordinance. Mr. Nairn answered that a specific style was not addressed in the Streetscape Standards.

Mr. Fink asked if the planters would be portable or fixed. Mr. Nairn stated that Engineering determined that they prefer a removable planter for any sidewalk work that might be done, but

that they were not meant to be moved frequently.

MOTION: A motion was made by Mr. Van Orman and seconded by Mr. Zenker to approve the alterations of the proposed design for 402 East Main Avenue to include a new exterior door along North 4th Street as presented in all submitted documents and materials, with the following conditions:

1. Moveable planters are placed in the sidewalk against the building on each side of the door. An encroachment agreement is obtained from the Engineering Department for any encroachments into the public right-of-way. The design of the planters is to be reviewed and approved by staff and technical advisors.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation if any new materials are applied to, or original bricks or architectural features are removed from, the façade where not shown on the design.

The motion passed with members Gawrylow, Zenker and Chair Christianson voting in favor. Authority member Fink opposed the motion.

OTHER BUSINESS

ELECTION OF CHAIR AND VICE-CHAIR

Chair Christianson stated that he and Mr. Van Orman have expressed their interest in serving as Chair and Vice Chair for the Renaissance Zone Authority for the new term and opened the floor to nominations.

MOTION: A motion was made by Mr. Fink and seconded by Mr. Zenker to retain current members designated as Chair and Vice Chair of the Renaissance Zone Authority. The motion passed unanimously with members Fink, Gawrylow, Van Orman, Zenker and Chair Christianson voting in favor.

REPORT FROM STAFF

Mr. Nairn reported that the demolition permits for existing buildings located on the site of The Grove projects on North 2nd Street have been submitted and are proceeding with development.

REPORT FROM THE DOWNTOWNERS

Ms. Herzog reported that S.B. 2139, currently being considered by the legislature, proposes changes to Renaissance Zone legislation statewide by adding neighborhood zones and additional blocks to the Renaissance Zone.

A general discussion about the proposed legislation and how it might affect the Bismarck Renaissance Zone was held.

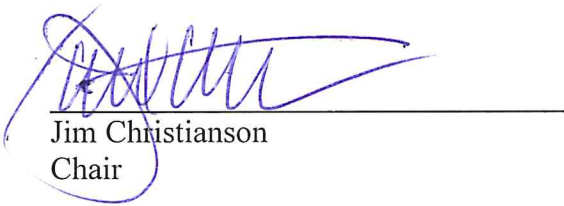
Chair Christianson asked when the current Renaissance Zone contract ends. Mr. Zenker stated that he believed it was July 31, 2022 and Mr. Nairn affirmed.

ADJOURNMENT

There being no further business, the meeting of the Bismarck Renaissance Zone Authority adjourned at 4:45 p.m. to meet again on February 11, 2021.

Respectfully submitted,



Sandra Bogaczyk
Recording Secretary

Jim Christianson
Chair