

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
April 8, 2021**

The Bismarck Renaissance Zone Authority met on April 8, 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 Curt Walth.

Authority members George Keiser and Greg Zenker 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), Will Hutchings (Planner), Allison Jensen (City Assessor), Kim Lee (Planning Manager), Daniel Nairn (Senior Planner) and Gabe Schell (City Engineer).

Guests present were Kate Herzog (The Downtowners), and Rolf Eggers (Property Owner).

CALL TO ORDER

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

MINUTES

The minutes of the February 11, 2021 meeting were distributed prior to the meeting.

MOTION: A motion was made by Mr. Fink and seconded by Mr. Van Orman to approve the minutes of the February 11, 2021 meeting. The motion passed unanimously by voice vote with members Fink, Gawrylow, Van Orman, Walth and Chair Christianson voting in favor.

**DOWNTOWN DESIGN REVIEW – 114 NORTH 3RD STREET
TRANSITION FLORIDA, LLC – PRINCE HOTEL REHABILITATION**

Mr. Nairn gave an overview of the staff report and stated that the applicant, Transition Florida, LLC., is requesting Downtown Design Review approval of storefront and façade improvements at 114 North 3rd Street. Mr. Nairn stated that the owner intends to replace the storefront and add a canopy on the front façade. The improvements were not yet introduced at the October 8, 2020 Renaissance Zone Authority meeting, in which the rehabilitation project was approved. The ground floor includes commercial spaces. Mr. Nairn stated that the brick façade is in good shape

and it will not be altered and stated that the building is a contributing structure to the Downtown Historic District and individually listed on the National Register of Historic Places. He added that the applicant intends to preserve the historic character of the building with the rehabilitation, use the same window openings and use a transparent glass to align with the original conditions of the building from 1916. The applicant intends to add exterior lighting, create new signage on the canopy and introduce flags which would attach to the mortar, not the brick.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the proposed design for 114 North 3rd Street as presented in all submitted documents and materials, with the following conditions:

1. An encroachment agreement permit is granted from City Engineering for the canopy and any other encroachment into the City right-of-way.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

Mr. Whittey asked for clarification about the windows being replaced. Mr. Eggers stated that windows throughout the building will remain and just the storefront windows will be replaced.

Ms. Smith asked for clarification about the rendering not showing the metal soffit on the building entrance and asked if the name of the building was to be on the awning. Mr. Eggers stated that there should be a metal soffit shown and he would make the change on the rendering. Mr. Eggers stated that the name will be on the awning. Ms. Smith stated that she thought the rendering, and project, looks really good.

Mr. Fink stated that on the rendering there were lights shining up to the proposed flags and asked if that is an accurate rendering. Mr. Eggers stated that lighting the flags is not part of the project and that the project does not include any lighting above the awning.

Mr. Fink asked if the larger ground floor windows at the south elevation will remain as original openings and how it relates to the front windows. Mr. Eggers stated that the south window design will match the front façade and use the original opening.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Van Orman to approve the proposed design for 114 North 3rd Street as presented in all submitted documents and materials, with the following conditions:

1. An encroachment agreement is granted from City Engineering for the canopy and any other encroachment into the City right-of-way.
2. Any substantive revisions to the approved design must be reconsidered by the Downtown Design Review Committee prior to implementation.

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

Chair Christianson thanked Mr. Eggers for his continued support and investment downtown. Mr. Eggers thanked staff and Authority members.

**DOWNTOWN DESIGN REVIEW – EAST THAYER AND EAST BROADWAY
AVENUES, NORTH 4TH, 5TH, AND 6TH STREETS
CITY OF BISMARCK – DOWNTOWN STREET IMPROVEMENT PROJECT**

Mr. Nairn gave an overview of the staff report and stated that the applicant, City of Bismarck Engineering Department, is requesting Downtown Design Review approval for roadway and streetscaping improvements to segments of East Thayer Avenue, East Broadway Avenue, North 4th Street, North 5th Street and North 6th Street. He described the scope of the project including several major components and how the improvements do not alter the overall streetscape design of Chancellor Square, including the raised planters, benches, existing curb extensions, and bike racks, except where minor changes or repairs may be necessary. Mr. Nairn stated that the renderings are at a conceptual stage and the Engineering Department proposes to complete final designs of the project this summer and initiate construction in the summer of 2022. He announced the open public comment period will conclude on April 14, 2021 and that the request may return to the Downtown Design Review Committee if significant changes result from the comments.

Mr. Nairn stated that, based on the findings contained in the staff report, staff recommends approval of the design of the proposed streetscape improvements for East Thayer Avenue, East Broadway Avenue, North 4th Street, North 5th Street and North 6th 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. He added that staff recommends a minor amendment to the Downtown Streetscape Standards related to the use of flexible porous pavement for tree plantings, as shown in a draft attached to the staff report.

Mr. Nairn stated that the staff request for an amendment to the Downtown Streetscape Standards would allow flexible porous material to be used for tree wells which is lower cost, facilitates the health of trees, avoids creating trip hazards and is supported by the Forestry Department.

Mr. Schell stated that the project is part of the Main Street Grants program initiated by Governor Burgum and is also aided by federal funding and supported by NDDOT.

Mr. Fink asked Mr. Schell to describe the reasoning behind the decision to create diagonal parking on North 4th Street and to discuss any change in the number of downtown parking spaces due to the planned design. Mr. Schell stated that diagonal parking allows the same number of parking spaces currently available in the area and moving to the other side of street aligns the parking better with the intersection at North 4th Street and East Broadway Avenue.

Mr. Whittey asked if the proposed curb extension in the photos are accurate. Mr. Schell stated that the renderings included in the staff report are more realistic than the website's photos and are more contextualized to Bismarck's characteristics.

Chair Christianson asked how long the curb extensions are. Mr. Schell stated that they should be no more than two feet from the driving lane but takes various contextual conditions including storm drains are taken into consideration.

Chair Christianson asked what is the expense of a curb extension. Mr. Schell stated that repairs for ADA and concrete improvements were already in the budget as they already had to be improved so there is fairly minimal added expense for the extensions.

Chair Christianson asked what Public Works requires for snow removal. Mr. Schell stated that both Public Works and Forestry were included in the preliminary design process and therefore their needs and best practices have been taken into account.

Mr. Fink asked about the cost differences between materials used for tree grates. Mr. Schell stated that the proposed porous material is less expensive than a tree grate and more than just dirt but is agreeable in cost, design and maintenance. Mr. Fink noted that he would like to see the metal tree grates not be an option. Mr. Nairn stated that Forestry has expressed that they do not like the higher cost nor maintenance of metal grates due to tree growth, but want to keep options available in case porous pavement does not work out.

Mr. Whittey asked what is involved in installing the porous material. Mr. Nairn stated that Forestry would like to install themselves, have reached out to vendors and would take training classes for installation. He stated that staff prefers a dark brown color to the sidewalk.

Chair Christianson asked who maintains, waters and pays for the new trees. Mr. Nairn stated that he believes the public right-of-way would be maintained by Forestry but was not sure how they fund their projects. Mr. Schell stated that he did not know how maintenance funding would be provided but recognized it was a continuing question. Ms. Herzog was recognized and stated that the Downtowners supported Forestry's budget in the past and will support it again this year. She stated that there is alternative funding available and to consider regarding Chancellor Square and there is a partnership with Game and Fish regarding the pollinator plantings.

Mr. Fink asked how confusing it is for downtown businesses regarding plantings and maintenance. Ms. Herzog stated that it is confusing and businesses are not sure what actions they can take regarding planting and maintenance. She said a large issue is that there are very few drip lines and little access to water on the street. Ms. Combs addressed Authority members and stated that even though the City owns the boulevard or other right-of-way, it is the responsibility of the homeowner or building owner to water and maintain the trees in front of their property. She mentioned that even though it is the building owner's responsibility to maintain public trees in front of their building it has not been the practice of the City to require

participation in the area, largely due to an absence of access to water, and therefore there has been funding in recent years to assist the downtown area.

Chair Christianson asked what is the total budget for the project. Mr. Schell stated that in its current form the amount lies between \$5 million and \$5.5 million. \$2.28 million is allocated from a federal competitive urban grant program and the rest is identified as water utility funding for water main work and the remainder from property assessments from the benefitted surrounding properties.

Mr. Fink asked if there are any special requirements or issues with using the flexible porous material around plantings. Mr. Schell stated that you could build a parking lot with a variation of the material so its durability is not in question, but the proper thickness for its use is variable for vehicles or plows or walking and that thickness has yet to be determined. Mr. Fink asked if the precise qualities of the material should then remain open with this request. Mr. Schell confirmed.

Chair Christianson asked if any concrete seating would be removed with this project. Mr. Schell stated that nothing is proposed to be removed but landscaping suggestions will be considered.

Chair Christianson asked what deadlines are involved. Mr. Schell stated that the public comment period will end on April 14th when a summation will be made and presented to City Commission on April 27th where Engineering will ask for direction. A final project will be prepared by September and presented to NDDOT in November to construct next year.

Chair Christianson asked where people can find more information. Mr. Schell suggested citizens go to the website or call Engineering at (701)355-1505 with any questions regarding the improvement district. He said that a letter will go out to property owners when the benefitting area and preliminary assessment information are determined.

MOTION: A motion was made by Mr. Walth and seconded by Mr. Fink to approve the design of the street improvement project proposed for segments of East Thayer Avenue, East Broadway Avenue, North 4th Street, North 5th Street and North 6th 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 includes a motion to approve a minor amendment to the Downtown Streetscape Standards related to use of flexible porous pavement for tree plantings, as drafted. The motion passed unanimously with members Fink, Gawrylow, Van Orman, Walth and Chair Christianson voting in favor.

Mr. Van Orman asked if the recommended dark brown color of the porous material is included in the motion or are the technical advisors going to choose the color. Mr. Nairn stated that it was part of the motion.

OTHER BUSINESS

REPORT FROM STAFF - PATTERSON DEADLINE EXTENSION

Mr. Nairn stated that the Patterson Building is finishing but the contractor stated that there are delays with materials for the storefront, although there is an expected completion date of late April. Since there was no meeting in March the item is being presented at this time.

Chair Christianson asked what are the consequences of not meeting the deadline. Mr. Nairn stated that it is a rule in the Development Plan, not a State requirement, and advised Authority members that they may extend the deadline as they see fit.

MOTION: A motion was made by Mr. Fink and seconded by Mr. Van Orman to approve a deadline extension to May 12, 2021. The motion passed unanimously with members Fink, Gawrylow, Van Orman, Walth and Chair Christianson voting in favor.

REPORT FROM THE DOWNTOWNERS

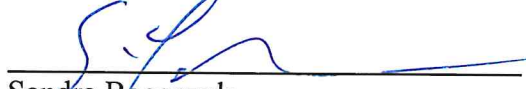
Ms. Herzog reported that the rentable electric Bird eScooters will be arriving in town by end of April and provided an update on events and projects. The Downtowners would like to receive comments from property owners and the public regarding the streetscape project and construction.

Chair Christianson strongly encouraged shop owners, property owners and tenants to reach out to Engineering to manage the street improvement project so it is completed in as short a time period as possible with minimal disruption to businesses.

ADJOURNMENT

There being no further business, the meeting of the Bismarck Renaissance Zone Authority adjourned at 4:57 p.m. to meet again on May 13, 2021.

Respectfully submitted,



Sandra Bogaczyk
Recording Secretary

Jim Christianson
Chair