BISMARCK PARKING AUTHORITY

RENAISSANCE ZONE AUTHORITY

JOINT SPECIAL MEETING AGENDA
August 22, 2022

David J. Blackstead Meeting Room 4:00 p.m. City-County Office Building

(This meeting will be held in person in the David J. Blackstead Meeting Room on the Second Floor of the City-County Office Building at 221 North 5th Street and via Teams)

1. Call to Order

2. Bismarck Parking Authority Action

Request of Trestle Building to Install Mural on South Wall of Galleria Parking Ramp 1

3. Renaissance Zone Authority Downtown Design Review Action

Galleria Parking Ramp /Trestle Building Mural | 625 E Broadway Avenue 2

- Downtown Design Review | DDR2022-008

Staff recommendation: Approve ☐ *approve* ☐ *continue* ☐ *table* ☐ *deny*

4. Adjourn

8/19/22

Mr. Petron,

Denizen Partners, LLC is requesting permission to paint a wall mural on the south side of the Galleria Parking Ramp. The mural would be located on the southwestern wall façade that faces the new Trestle Building that is currently under construction. The artwork would be approximately 7' high and 65' long.

The artist we have selected for this mural is Witney Nielsen. She is an experienced artist and graphic designer. She has created murals at Bismarck State College as well as Art Alley here in Bismarck. She has conceptualized a piece that includes a sleeping dog dreaming of its favorite things. She has shared a diagram that shows the general intent, which is included in the PDF attached. The work will be all-ages appropriate and will be painted with exterior grade materials.

If the City of Bismarck and Bismarck Parking Authority are willing to allow this mural, Denizen Partners LLC would be agreeable to the following conditions, which we understand are similar to those of the Alley Art project:

- Denizen Parnters, LLC would agree to hold the City of Bismarck and the Parking Authority harmless for any claim that might arise out of their use of the Galleria Building for this project.
- The City of Bismarck and the Bismarck Parking Authority would have no other obligation or financial responsibility for any activity conducted under this project other than allowing the use of the wall of the Galleria Building to host art.
- In the event of vandalism or other damage to the art placed on the Galleria Building, Denizen Partner's LLC would agree to quickly remediate such damage.

If there are other terms you feel would be necessary to approve this, we would certainly be willing to work with you on those things as well. Thank you for your consideration on this topic. We would be thrilled to add to the art scene in our community.

Jake Axtman
Denizen Partners, LLC

GALLERIA
PARKING
RAMP

SIGHT
LINE

Mural Location - 65' long

11

Artificial turf dog run

15

16

1

15

TRESTLE
BUILDING

FENCE
LOCATION
8' HIGH
8' WIDE

6

6

4

4

MURAL PROPOSAL

Contact Info:

Witney Nielsen

Artist Fee:

[redacted]

Start Date:

Late August

End Date:

Late October

Artwork Description:

The mural concept will be a dog sleeping while having a dream in silhouettes about various things dogs enjoy, such as chasing a mailman, playing fetch, fire hydrants, etc.

*All ages appropriate

*Use of exterior grade materials

Artwork Sample:

Bismarck COMMUNITY DEVELOPMENT

STAFF REPORT

Agenda Item # 3
August 22, 2022

Application for: **Downtown Design Review** Project ID: **DDR2022-008**

Project Summary

Title:	Galleria Parking Ramp Mural / Trestle Building
Status:	Renaissance Zone Authority
Owner(s):	Bismarck Parking Authority Witney Nielsen, artist
Project Contact:	Jake Axtman, Denizen Partners LLC
Location:	625 E Broadway Avenue
Request:	Install mural on the south wall of the building adjacent to the Trestle Building

Staff Analysis

Witney Nielsen and the owners of the Trestle building are requesting Downtown Design Review approval of a mural public art piece on the south wall of the Galleria Parking Ramp at the address of 625 E Broadway Avenue, owned by the Bismarck Parking Authority.

South Wall of 625 E Broadway Ave

The artwork would be a mural of a dog sleeping while having a dream in silhouettes about various things that dogs enjoy, such as chasing a mailman, playing fetch, a fire hydrant, etc. The mural will be adjacent to an area at the Trestle Building that will be used as a dog run for residents of the building.

The four criteria for approval of public art in Section 14-03.1-03(2)(n) of the City Code of Ordinances are as follows, annotated by compliance:

a) "*The public art is not installed on any side of a building directly adjacent to a public right-of-way, excluding alleys*."

The subject piece would be installed on the south wall of the Galleria ramp, which is facing the Trestle Building and not adjacent to a public right-of-way.

b) "*The public art does not contain any brand name, product name, letters of the alphabet spelling or abbreviating the name of any product, company, profession, or business, or logo, trademark, or other commercial message*."

The subject piece does not contain a commercial message.

(continued)

c) "*The public art is not installed on a vacant building or within a vacant lot, unless the property owner has filed a building permit with the intention of occupation or is otherwise actively in the process of improving the building or lot for the purpose of occupation.*"

The building is a parking ramp.

d) "*The public art is not installed on any original façade of a building listed as a contributing structure of the downtown historic district, unless the art is attached to a removable panel without damage to the underlying historic façade and the artwork meets all other downtown design review requirements pertaining to historic structures."*

The building is not a contributing structure to the Downtown Bismarck Historic District or on the National Register of Historic Places.

Required Findings of Fact (relating to land use)

1. The proposed design conforms to Sections 14-03.1-10, 14-04-21.1, and 14-04-21.2 of the Bismarck Code of Ordinances, relating to Design Standards within the DC – Downtown Core and DF – Downtown Fringe zoning districts.
2. The proposed design generally conforms to the purpose and intent of the 2015 Downtown Design Guidelines, and other relevant plans and policies.

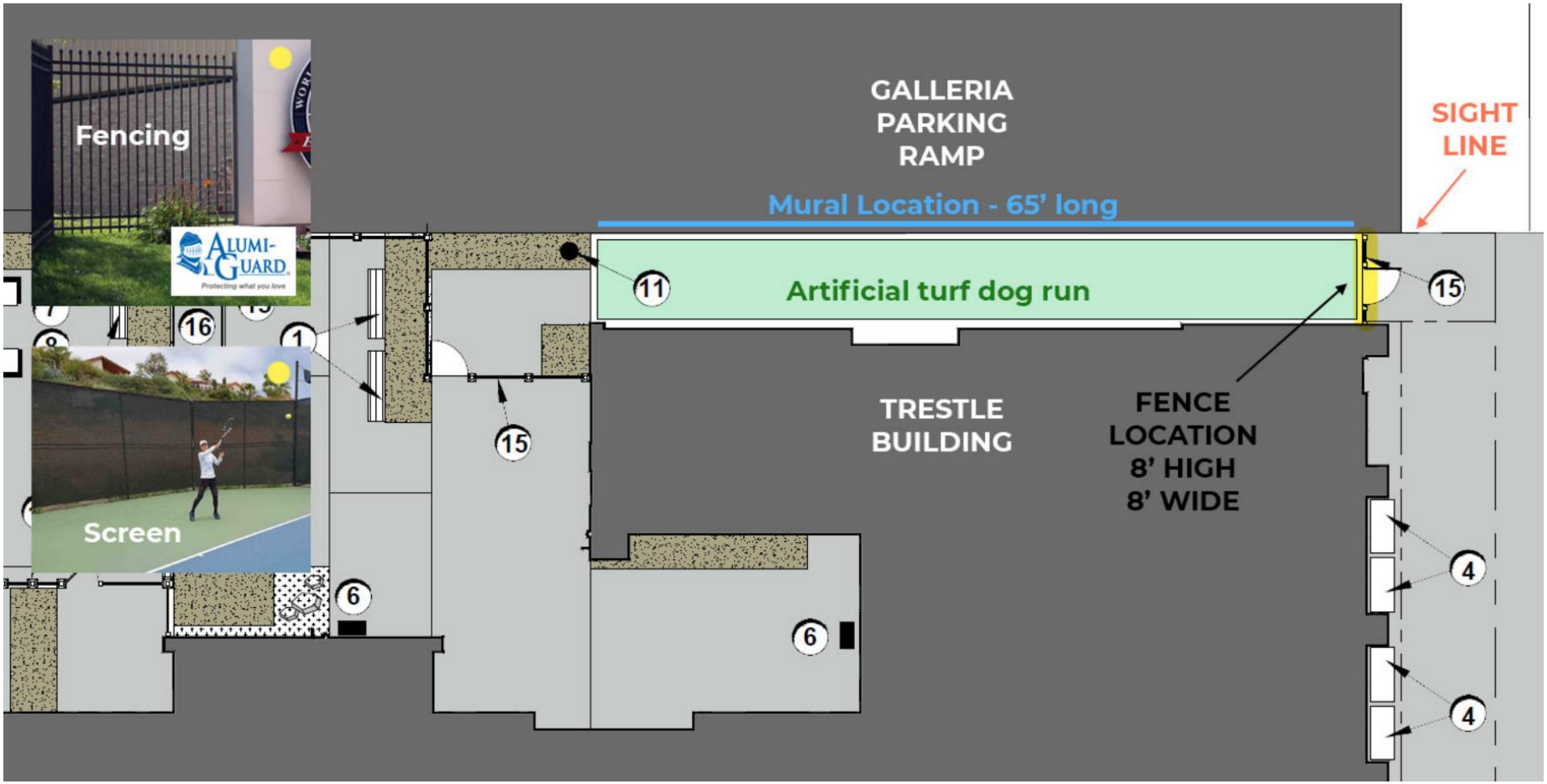
Staff Recommendation

Based on the above findings, staff recommends approval of the proposed mural design for the south wall of the Galleria Parking Ramp at 625 E Broadway 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.

Attachments

1. Submitted design documents

Staff report prepared by: Kim L. Lee, AICP, Planning Manager
701-355-1846 | klee@bismarcknd.gov



Artwork Sample: