



RENAISSANCE ZONE AUTHORITY

MEETING AGENDA March 14, 2024

| | | |
|--|---------------|--|
| Tom Baker Meeting Room Lower level | 4:00pm | City-County Office Building 221 North 5 th Street |
|--|---------------|--|

The City of Bismarck is encouraging citizens to provide their comments for public hearing items on the Renaissance Zone Authority agenda via email to planning@bismarcknd.gov. The comments will be sent to the Renaissance Zone Authority prior to the meeting and included in the minutes of the meeting. To ensure that comments are compiled and forwarded to the Renaissance Zone Authority with enough time to review all comments, please submit your comments no later than 8:00 am the day of the meeting. Comments should also include which agenda item number your comment references and your

name. Late or anonymous comments will not be forwarded to the Renaissance Zone Authority 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 planning@bismarcknd.gov at least one business day before the meeting.

As always, live meeting coverage is available on Government Access Channels 2 and 602HD, or streaming live and archived online at FreeTV.org.

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| Item No. | Page No. |
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MINUTES

1. Consider approval of the minutes of the February 8, 2024 meeting of the Renaissance Zone Authority.

REGULAR AGENDA

Requests for Renaissance Zone and/or Downtown Design Review approval

2. **The Fleck House – Project Amendment** | 122 East Thayer Avenue8
 - Downtown Design Review | DDR2023-003

Staff recommendation: Approve with conditions *approve* *continue* *table* *deny*



- 3. **Sanford Bismarck Endoscopy Expansion** | 715 East Broadway Avenue11
 - Downtown Design Review | DDR2024-001

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

- 4. **Arco Gas Station Repair** | 406 North 6th Street20
 - Downtown Design Review | DDR2024-002

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

- 5. **Proposed Commercial Parking Lot** | 506 & 510 North 5th Street23
 - Downtown Design Review | DDR2024-003

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

OTHER BUSINESS

- 6. Review of Renaissance Zone Development Plan, Bylaws, and Ordinance30
 - a. Development Plan31
 - b. Bylaws67
 - c. Ordinance72

- 7. Report from Downtowners

- 8. Election of officers

ADJOURNMENT

- 9. Adjourn. The next regular meeting date is scheduled for **April 11, 2024**

Enclosure: *Renaissance Zone Project Status Spreadsheet*

**BISMARCK RENAISSANCE ZONE AUTHORITY
MEETING MINUTES
February 8, 2024**

The Bismarck Renaissance Zone Authority met on February 8, 2023, in the Tom Baker Meeting Room in the City-County Office Building at 221 North 5th Street and remotely via the online platform Zoom. Chair Christianson presided via Zoom in the Tom Baker Meeting Room.

Authority members present were Jim Christianson, Kirsten Dvorak, Joe Fink, Dustin Gawrylow (via Zoom), Nancy Guy and Wayne Munson.

Authority member Greg Zenker was absent.

Design Advisors Eric Hoffer and David Witham were absent.

Staff members present were Julie Mees (Assistant City Attorney), Ben Ehreth (Director of Community Development), Sandra Bogaczyk (Office Assistant II), Isak Johnson (Planner), and Daniel Nairn (Planning Manager).

Guest present were Steve Bakkan (Burleigh County Commissioner) and Kate Herzog (Downtowners).

CALL TO ORDER

Chair Christianson called the meeting to order at 4:00 p.m. and welcomed guests present.

MINUTES

The minutes of the December 14, 2023 meeting were distributed prior to the meeting.

MOTION: A motion was made by Mr. Fink and seconded by Ms. Guy to approve the minutes of the December 14, 2023 meeting. The motion passed unanimously by voice vote with members Dvorak, Fink, Gawrylow, Guy, Munson and Chair Christianson voting in favor.

OTHER BUSINESS

REVIEW OF RENAISSANCE ZONE DEVELOPMENT PLAN, ORDINANCE AND BYLAWS

Mr. Johnson gave a brief overview of the progress of the Plan and its January 3, 2025 sunset and stated that no formal applications have yet been received.

Mr. Nairn drew attention to the memorandum included in the meeting packet outlining items to be revised according to the letter of intent issued from the City of Bismarck to Burleigh County in November 2023. Staff recommended that Commissioners discuss several items including the following:

- A suggestion to add definitions to the Development Plan
- Adding section to explain exemptions
- Amending the number and appointment method of members
- Define procedure if a tie happens between the political subdivisions

- Change the ordinance by allowing City Commission to delegate to support Renaissance Zone authority members to the political subdivisions

Mr. Nairn stated that these items can be completed by summertime, at the members' discretion and stated that January 3, 2025 is the deadline for the one-year extension.

Ms. Guy stated that she would like to update but not remove the map of current and approved Renaissance Zone projects under the History of the Bismarck Renaissance Zone Program heading. She also suggested having a discussion about Mr. Fink's alternative approach to allowing each taxing entity to participate at a rate lower than a 100% exemption. She stated that it would be a good idea in order to satisfy the various political subdivisions, if appropriate language is created.

Chair Christianson asked staff to confirm that the Renaissance Zone Authority would draft a Plan which would then be considered by City Commission and then be disbursed to the political subdivisions to be further approved or revised. Mr. Nairn confirmed that process.

Mr. Fink stated that part of the Plan is to draft the method by which items would be approved.

Ms. Guy asked if Mr. Fink's vision is to make tax exemption for each subdivision consistent for all projects or to allow for flexibility in exemption proportion for each project. Mr. Fink stated that what he envisions is once a base tax is established then each political subdivision decides to conform to a stated percentage of the base tax amount to be stated in the Plan for every project. He stated that going to each entity for each project would be inefficient. Chair Christianson and Ms. Guy agreed.

Mr. Nairn stated that Mr. Fink's vision is not included in the letter of consent issued by the City Commission. Mr. Fink noted that his vision goes beyond that agreement.

Mr. Nairn stated that the North Dakota Department of Commerce (DOC) had not commented on the idea of variable taxable levels from different subdivisions. He stated that the DOC would need an opinion from the North Dakota District Attorney to see if a political subdivision's decision to participate at zero percent exemption would qualify as community support for the program, and therefore disqualify Bismarck from having a Renaissance Zone.

Mr. Fink explained that he felt that Century Code allows for the flexibility he proposes in that the political subdivisions simply need to approve the Plan, not specific details of the Plan as proposed by the DOC.

Ms. Guy proposed that the District Attorney be asked to look at the wording as it might be determined to either be an issue or not be an issue before drafting a Plan would commence. Mr. Nairn stated that the DOC asked that any request for a District Attorney decision be requested by the Renaissance Zone Authority, not staff of any individual.

There was discussion about the pros and cons of asking political entities to determine what percent each entity would allow.

Mr. Gawrylow asked if the DOC would allow an exclusion of current taxable value from the exemption. Mr. Nairn stated that is mentioned in the letter of intent which has already been

vetted by the DOC.

Mr. Gawrylow suggested that a subcommittee should be formed to develop a checklist to go to each political subdivision for input.

Chair Christianson stated that he wanted to develop a checklist at this meeting but does not see that happening. He also considered the time staff would have to spend on crunching the numbers for individual entity and reminded members that there was only one project which County was mostly concerned about and thought a more consistent decision made by Authority members was a more appropriate way to get political subdivision buy-in for the Renaissance Zone renewal next year.

Ms. Dvorak asked staff if numbers could be produced to show the financial gap that's being discussed. Mr. Nairn stated that staff can produce those numbers and reminded members that new construction projects would not be touched by the new Plan. The smaller rehabilitation projects would mostly be affected.

Chair Christianson stated that looking at the numbers would be helpful to see what might be drafted in a checklist or for the Plan, especially if those numbers show that most projects would still be eligible for a full exemption.

Mr. Fink noted that the more taxable value exempted from the program the lower the incentive for renovation projects will exist. Chair Christianson agreed. Mr. Fink stated that the reduction of blight is part of the mission of the program and that will be compromised by higher exemptions from the program.

Mr. Fink reiterated that currently the political subdivisions have already agreed to full support with the exception of the County.

Ms. Herzog was recognized by Chair Christianson to comment on the considerations of the Downtowners membership. She stated that with the actions being discussed there is incentive to demolish buildings instead of renovating them depending on how current taxable value is determined.

Ms. Guy stated that the discussion requires members to look at the 3rd paragraph under Project Exemptions (NEW) and asked for discussion of how properties would be valued and evaluated and if valuations can be different than what the Assessor's office has determined. Ms. Guy suggested that the Renaissance Zone Authority can create its own estimate of property value and asked staff for their comment. Mr. Nairn agreed that Authority members, subject to City Commission and the Plan, has the authority to set the value at whatever they decide.

Mr. Munson stated that it is a good question for Burleigh County Commission to discuss the incentive to demolish buildings, which would create a lower taxable base than paying taxes on a structure that is to be renovated.

Mr. Gawrylow discounted creating new values due to the required practice of the Renaissance Zone Authority approving demolition projects within the Renaissance Zone.

Mr. Fink stated that he would like to see a distinction made between new rehabilitation

construction that allows for more nuanced exemptions to encourage, if appropriate, and suggested that these nuances be discussed with Burleigh County Commission.

Ms. Herzog stated that developers need to know a defined plan in order to make appropriate construction plans, not something that would be flexible after they start planning.

Chair Christianson asked if there is consensus on various items of discussion. Ms. Guy stated what she heard members saying which was that the base value should be the same number assessing determines the year before the project started and that a percentage of that should be adjusted based on a possible mid-year tear down.

Chair Christianson suggested that a special meeting be determined to allow for further discussion.

Staff suggested that they create a draft to organize discussion at the next regular meeting.

There was discussion about the wording of the draft to include County at zero percent.

Ms. Guy likes the idea of a definition section in the Plan but noted that no suggestions are made.

Mr. Fink suggested that staff create a draft splitting what is non-consequential to other subdivisions and what is important to each.

There was consensus to keep the Revision Processes with Mr. Fink stating that he suggests staff create two drafts, one which the subdivisions are concerned with and one complete draft for the Renaissance Zone Authority to approve.

There was consensus that the Renaissance Zone Authority Bylaws be revised as stated along with the other titles including Amendments to Development Plan (NEW), Potential Future Renaissance Zone Program Revisions, Promotion and Marketing of the Renaissance Zone Program, Administrative Roles and Responsibilities with discussion about the Burleigh County Commissioner who is the portfolio manager for the Renaissance Zone Authority who is not the current City Commission appointed Renaissance Zone Authority member representing the Burleigh County Commission. It was determined that the Plan should state that a member of each political subdivision has the opportunity to sit as a voting Authority member but it is up to each board to appoint that member.

There was discussion about Authority member three-year terms and new appointed members and how quorum would be maintained. Mr. Nairn stated that the City Commission-appointed portfolio member would be the exception in that his term is as long as City Commission wished him/her to remain an Authority member.

Chair Christianson garnered consensus for the remaining items including Ms. Guy's request to keep the map of Renaissance Zone projects and that Definitions (NEW) need to be drafted and edited.

Through discussion it was determined that if a project were to be submitted before the Plan is approved that Authority members would act in good faith throughout the year to appeal to

Burleigh County's requests.

REPORT FROM DOWNTOWNERS

Ms. Herzog asked Authority members about the process of applying for Renaissance Zone before the Development Plan is approved.

There was discussion about how to value taxes on new projects applied for in the immediate future.

WELCOME NEW AUTHORITY MEMBERS AND ELECTION OF OFFICERS

Election of officers was not addressed at this time.

ADJOURNMENT

There being no further business, the meeting of the Bismarck Renaissance Zone Authority adjourned at 5:08 p.m. to meet again on March 14, 2024.

Respectfully submitted,

Sandra Bogaczyk
Recording Secretary

Jim Christianson
Chair

Project Summary

| | |
|------------------------------|---|
| <i>Title:</i> | The Fleck House – Project Amendment |
| <i>Status:</i> | Renaissance Zone Authority |
| <i>Property Owner(s):</i> | Fleck House, LLC |
| <i>Project Contact:</i> | Jeff Ubl, Ubl Design Group |
| <i>Project Location:</i> | 122 East Thayer Avenue |
| <i>Applicant Request:</i> | Demolish existing buildings to prepare for future development |
| <i>Staff Recommendation:</i> | Approve with conditions |



Project Narrative

Fleck House, LLC is requesting downtown design review approval of an amendment to a previously approved Downtown Design Review project for the demolition of all existing buildings on the property of 122 East Thayer Avenue, formerly occupied by the Budget Inn. Demolitions within the downtown zoning districts require Downtown Design Review approval.



Existing Conditions of 122 East Thayer

The original form of this project, approved by Downtown Design Review on July 13, 2023, involved a partial demolition and partial renovation of the site and the construction of a four-story mixed-use building. Conditions have since changed. This revision from a partial demolition to a full demolition qualifies as a substantial enough change to require a new design review approval.

There is still the intent to redevelop this property; however, the applicant has since conducted further structural and environmental reviews and determined that a full demolition of the property is the best course of action for both the applicant and for public safety in the interim.

No updated designs or renderings are prepared for Downtown Design Review as of this meeting. The applicant intends to return for an additional design review once the updated renderings of the proposed project have been completed.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Design standards of the DC – Downtown Core or DF – Downtown Fringe zoning districts, as applicable, would be met with the proposed design (Section 14-04-21.1(4), 14-04-21.2 (4))

Yes, with the understanding that demolitions within the DC – Downtown Core or DF – Downtown Fringe must be in accordance with the relevant provisions of Sections 4-05-03 and 14-04-21.2(4)k of the City Code of Ordinances.

This includes the understanding that any lots left vacant after their demolitions shall be treated to control for fugitive dust. Additionally, if left vacant for more than sixty (60) days, the lot shall be landscaped, mulched and seeded, or sodded to establish a perennial vegetative cover, as well as kept free from debris and litter.

The 2015 Downtown Design Guidelines, and other relevant plans and policies, would be adhered to with the proposed design (Downtown Design Guidelines)

Yes, with new or updated renderings for Downtown Design Review approval prior to the issuance of any building permit.

The applicant has expressed continued intent for redeveloping this property, but has stated that in the interim, it is of the best interest of the property owner and the City for the existing buildings to be demolished due to structural and environmental reviews of the site. While new renderings are not available for this meeting, the applicant has stated that updated renderings of any proposed development will be presented for Downtown Design Review approval once the applicant is prepared to continue redevelopment of the site.

The project would meet all applicable building code requirements.

Yes. Adherence to building and fire codes would be verified prior to issuance of a building permit, subject to review of more detailed building plans.

(continued)

There are no features of the proposed design submitted with this request that present an obvious and insurmountable conflict with building code requirements.

Proper administrative procedures related to the request are being followed (Section 14-04-21.1(4)b, 14-04-21.2(4)b)

Yes. An application requesting downtown design review approval has been submitted to the Community Development Department. Staff have reviewed the application and submit to the Renaissance Zone Authority for final consideration.

The public health, safety and general welfare will not be adversely impacted by the proposed design (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff

find that the proposed design would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the proposed design for 122 East Thayer Avenue with the following conditions:

1. The demolitions of the existing buildings must be consistent with all relevant provisions of Sections 4-05-03 and 14-04-21.2(4)k, including landscaping the land (such as with grass) if the lot will be kept vacant longer than sixty (60) days.
2. The applicant must provide new or updated renderings of any proposed development of the site for Downtown Design Review approval prior to any issuance of a building permit.

Staff report prepared by: Isak Johnson, Planner

701-355-1850 | ijohnson@bismarcknd.gov

Project Summary

| | |
|------------------------------|--|
| <i>Title:</i> | Sanford Endoscopy Expansion |
| <i>Status:</i> | Renaissance Zone Authority |
| <i>Property Owner(s):</i> | Sanford Bismarck |
| <i>Project Contact:</i> | Jayme Engen, Mountain Plains, LLC. |
| <i>Project Location:</i> | 715 East Broadway Avenue |
| <i>Applicant Request:</i> | Construct a new addition to the Sanford Endoscopy Clinic and reconstruct the adjacent parking lot to the south |
| <i>Staff Recommendation:</i> | Approve |



Project Narrative

Sanford Bismarck is requesting Downtown Design Review approval of an addition to the endoscopy clinic located at 715 East Broadway Avenue and a reconstruction of the adjacent parking lot to the

south. The proposed building addition is approximately 17,000 SF in area, and the parking lot reconstruction would include work related to storm drainage and landscaping.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



The parking lot reconstruction would include the removal of the existing retaining wall on the southern edge of the lot and redesign the landscaping to realign the lot boundaries with the right-of-way of East Main Avenue. A decorative fence is proposed for the portion of the perimeter parking lot along the southern lot boundary.

This project is currently in the site plan approval process. Downtown Design Review approval is a condition of the site plan approval.

Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Design standards of the DC – Downtown Core or DF – Downtown Fringe zoning districts, as applicable, would be met with the proposed design (Section 14-04-21.1(4), 14-04-21.2 (4))

Yes. All dimensional requirements of the DC – Downtown Core zoning district are met, as an addition to an existing building. The proposed building addition height is 35.5 feet, which is under the maximum of 130 feet. In addition to being allowed up to 100% lot coverage, buildings in the DC – Downtown Core district are required to have no (or limited) setbacks from the property lines to create a pedestrian oriented environment. Furthermore, no off-street parking is required in the DC – Downtown Core. However, at this site the location of the parking provides increased visibility for the northeast corner of intersection of North 7th Street and East Main Avenue, which are both high traffic streets.

The proposed addition would reduce the amount of off-street parking, improve the condition of the parking lot, increase building coverage of the lot, and will be constructed in a similar style as the existing building.

The existing parking lot will be reconstructed to reduce the number of off-street parking spaces from 96 to 68. The remaining parking lot will incorporate increased vegetation in accordance with the City’s landscaping ordinances and Downtown Design Guidelines and Downtown Streetscape Standards. Landscaping details will be finalized during the site plan approval process, for which an initial site plan has already been submitted.

The 2015 Downtown Design Guidelines, and other relevant plans and policies, would be adhered to with the proposed design (Downtown Design Guidelines)

Yes. Many elements of the Downtown Design Guidelines and Downtown Streetscape Standards would be addressed with the proposed design.

The building addition utilizes similar materials and colors as the existing building as well as other nearby buildings. The existing building received Downtown Design Review approval in May 2020 (DDR2020-006). The increased building area on the lot will create an overall structure that would be consistent in both form and scale while decreasing the amount of off-street parking to fill in space within the existing built environment.

The remaining parking lot will be reconstructed with increased vegetation, both interior and along the perimeter, including street trees that are mostly consistent with Downtown Design Guidelines. The applicant has noted that the existing sidewalk along East Main Avenue narrows towards the east; this creates some difficulty in continuing the requested three street trees per one hundred linear feet of roadway for the entirety of the block.

The inclusion of a decorative fence along the East Main Avenue portion of the perimeter parking lot adds to the sense of a consistent street edge. However, further human connectivity elements (such as benches or bike racks) or future adaptability of the site (either structure or parking

(continued)

lot) is unclear given that this project is designed specifically for medical-based purposes.

The project would meet all applicable building code requirements.

Yes. Adherence to building and fire codes would be verified prior to issuance of a building permit, subject to review of more detailed building plans. There are no features of the proposed design submitted with this request that present an obvious and insurmountable conflict with building code requirements. Additional building or fire code details will be reviewed as part of the site plan review process.

Proper administrative procedures related to the request are being followed (Section 14-04-21.1(4)b, 14-04-21.2 (4)b)

Yes. An application requesting downtown design review approval has been submitted to the Community Development Department. Staff have reviewed the application and submit to the Renaissance Zone Authority for final consideration.

The public health, safety and general welfare will not be adversely impacted by the proposed design (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed design would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the proposed design for 715 East 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. Existing conditions
- 2. Submitted designs

Staff report prepared by: Isak Johnson, Planner

701-355-1850 | ijohnson@bismarcknd.gov

715 East Broadway Avenue - Existing Conditions



Western portion of lot viewed from East Main Avenue:



Eastern portion of lot viewed from East Main Avenue:

OWNER
 SANFORD HEALTH
 715 E. BROADWAY AVE.
 BISMARCK, ND 58501

ARCHITECT
 HKS, INC.
 125 SOUTH CLARK STREET, SUITE 1100
 CHICAGO, IL 60603

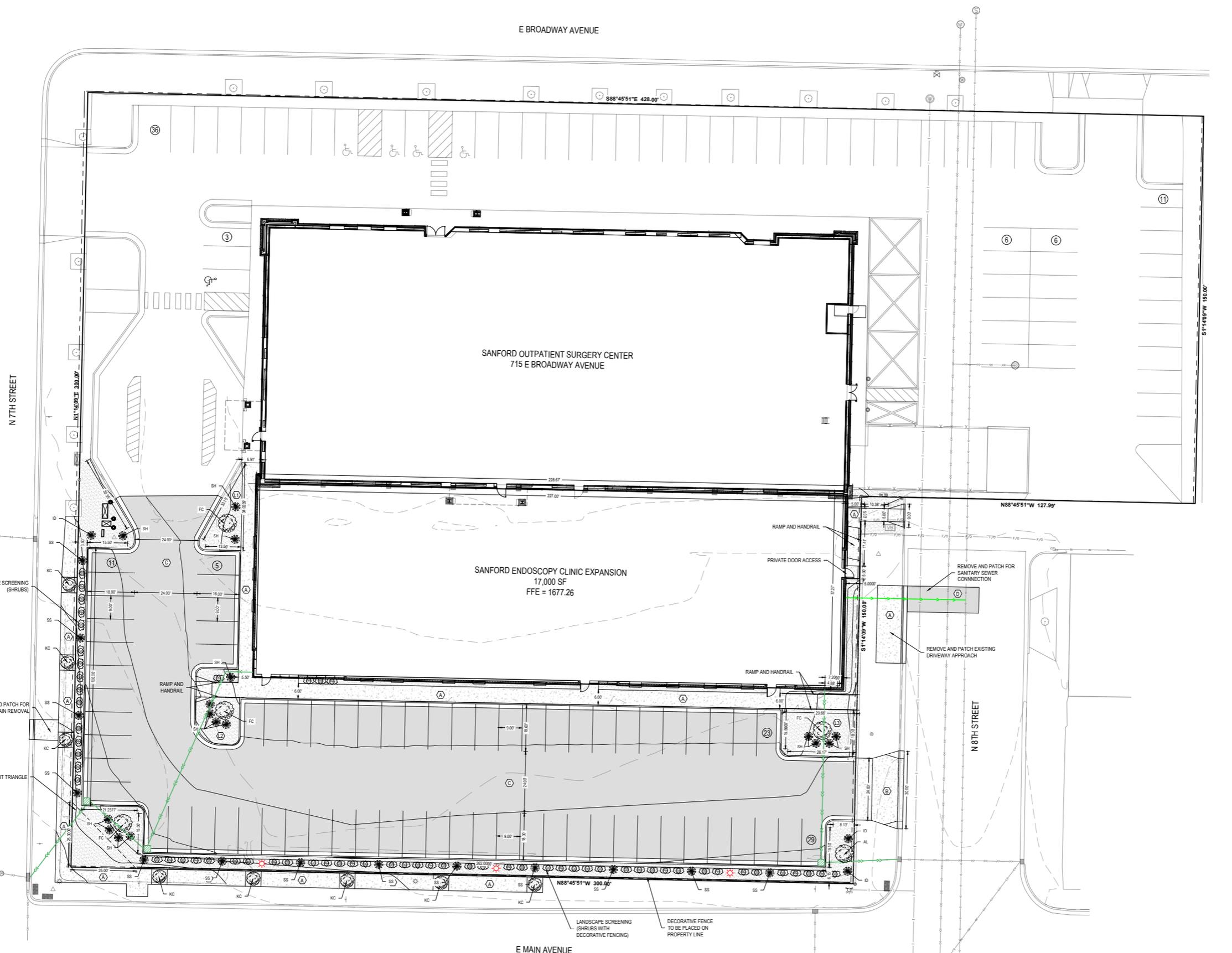
STRUCTURAL
 CW STRUCTURAL ENGINEERS
 1000 E. CALGARY AVE., SUITE 2
 BISMARCK, ND 58503

CIVIL
 MOUNTAIN PLAINS, LLC
 1300 TACOMA AVE., SUITE A
 BISMARCK, ND 58504

MECHANICAL
 PRAIRIE ENGINEERING, P.C.
 619 RIVERWOOD DRIVE, SUITE 205
 BISMARCK, ND 58504

ELECTRICAL
 APEX ENGINEERING GROUP
 600 SOUTH 2ND STREET, SUITE 145
 BISMARCK, ND 58504

SANFORD HEALTH ENDOSCOPY EXPANSION

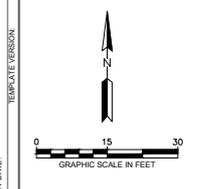
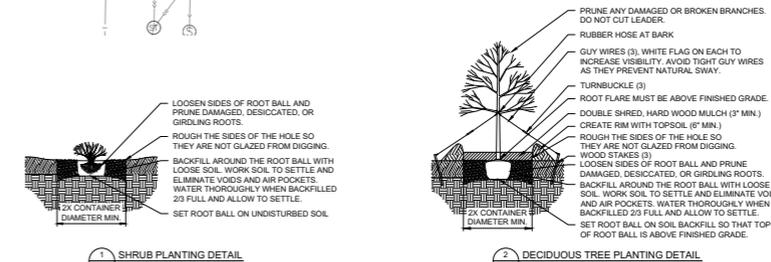


- SITE PLAN NOTES**
- BUILDING ADDITION PARKING LOT CONTAINS 68 SPACES.
 - PARKING LOT UTILIZES 7TH STREET AND 8TH STREET ENTRANCES FOR 2-WAY TRAFFIC.
 - CURB AND GUTTER TO BE UTILIZED THROUGHOUT PARKING LOT.
 - SIDEWALK IMPROVEMENTS WITHIN RIGHT-OF-WAY DUE TO REMOVAL OF EXISTING RETAINING WALL.
- KEY NOTES**
- (A) CONCRETE SIDEWALK (JOINT PATTERN TO MATCH WITHIN PUBLIC RIGHT-OF-WAY)
 - (B) CONCRETE DRIVEWAY (6" CONCRETE PER BISMARCK STANDARD DETAIL 600-10)
 - (C) BITUMINOUS PAVEMENT PARKING LOT
 - (D) BITUMINOUS PAVEMENT PATCH (FOR 8TH STREET SANITARY SEWER TIE)

- LANDSCAPE PLAN NOTES**
- ALL PLANTS TO BE INSTALLED ARE TO BE NORTHERN-GROWN, HARDY, AND INSTALLED PER STANDARD AAN PLANTING PRACTICES.
 - STREET TREES WITHIN THE PUBLIC RIGHT-OF-WAY ARE TO BE APPROVED BY THE CITY OF BISMARCK FORESTRY DIVISION.
 - STREET TREES TO UTILIZE A 6'X6' OPENING. A TREE GRATE, FLEXI-PAVE RUBBER, OR FLEXIBLE POROUS PAVEMENT TO BE UTILIZED OVER OPENING.
 - ALL LANDSCAPE AREAS TO UTILIZE ROCK MULCH. ROCK MULCH TO MATCH EXISTING SITE FROM PHASE 1 (SANFORD OSC PROJECT).
 - A DRIP IRRIGATION SYSTEM TO BE INSTALLED FOR PLANT MAINTENANCE AND UPKEEP.
 - DECORATIVE FENCE TO BE PLACED ON THE PROPERTY LINE ALONG 7TH STREET AND MAIN AVENUE. DECORATIVE FENCE WILL NOT EXCEED 4' IN HEIGHT. ALUMI-GUARD "FLAT TOP" PRODUCTS TO BE USED FOR THE DECORATIVE FENCE AND HANDRAILS.
 - THE MINIMUM INTERIOR LANDSCAPING FOR 68 PARKING SPACES IS 680 SF. INTERIOR LANDSCAPING AREAS LABELED AND NOTED AS FOLLOWS: L1 - 300 SF, L2 - 350 SF, L3 - 525 SF. TOTAL INTERIOR LANDSCAPING EQUALS 1,175 SF.
 - THE MINIMUM SITE PLANTINGS ARE (1) TREE AND (3) SHRUBS PER 20 PARKING SPACES. EXCLUDING STREET TREES AND PARKING LANDSCAPE SCREENING, THIS SITE CONTAINS (5) TREES AND (23) SHRUBS.

PLANT SCHEDULE

| Legend Type | Minimum Size | Common Name | Scientific Name | QTY |
|----------------------|--|---------------------------------|-----------------------------|-----|
| Deciduous Shade Tree | Minimum Caliper 1.5" at 6" above root collar | Bur Oak (BO) | <i>Quercus macrocarpa</i> | 0 |
| | | Kentucky Coffeetree (Male) (KC) | <i>Gymnocladus dioica</i> | 8 |
| | | American Linden (AL) | <i>Tilia americana</i> | 1 |
| Dec. Om. Tree | 1.5" at 6" above rt. col. | Flowering Crabapple (FC) | <i>Malus baccata</i> | 5 |
| | | Tiny Quick Fire | | |
| | | Panicle Hydrangea (PH) | <i>Hydrangea paniculata</i> | 27 |
| | | Ivory Halo Dogwood (ID) | <i>Comus alba 'baihalo'</i> | 3 |
| | | Double Play Gold Spiraea (GS) | <i>Spiraea japonica</i> | 34 |
| | | Snowmound Spiraea (SS) | <i>Spiraea nipponica</i> | 13 |
| | | Smooth Hydrangea (SH) | <i>Hydrangea aborescens</i> | 16 |



REVISION

| NO. | DESCRIPTION | DATE |
|-----|------------------------------|---------|
| 1 | CONCEPT DESIGN REVIEW | 3/14/24 |
| 2 | CONCEPT DESIGN REVIEW UPDATE | 3/14/24 |

HKS PROJECT NUMBER
26255.000

DATE
MARCH 14TH, 2024

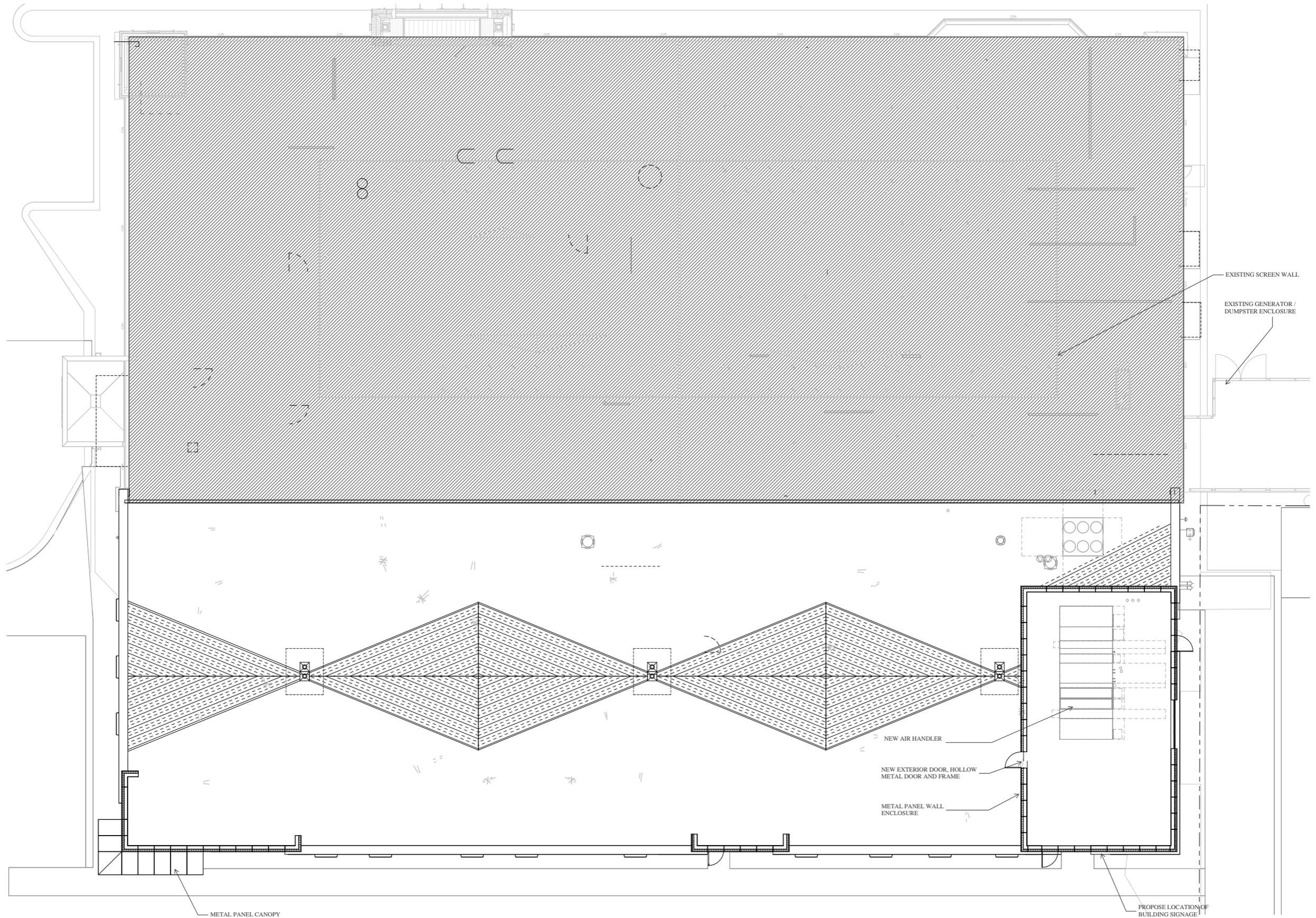
ISSUE
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CONCEPT PLAN

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View from E Main Ave and 7th Street

EXTERIOR MATERIALS LEGEND



Bordeaux Blend Brick - 70%



Copper Canyon Brick 30%



Metal Panel & Stone base

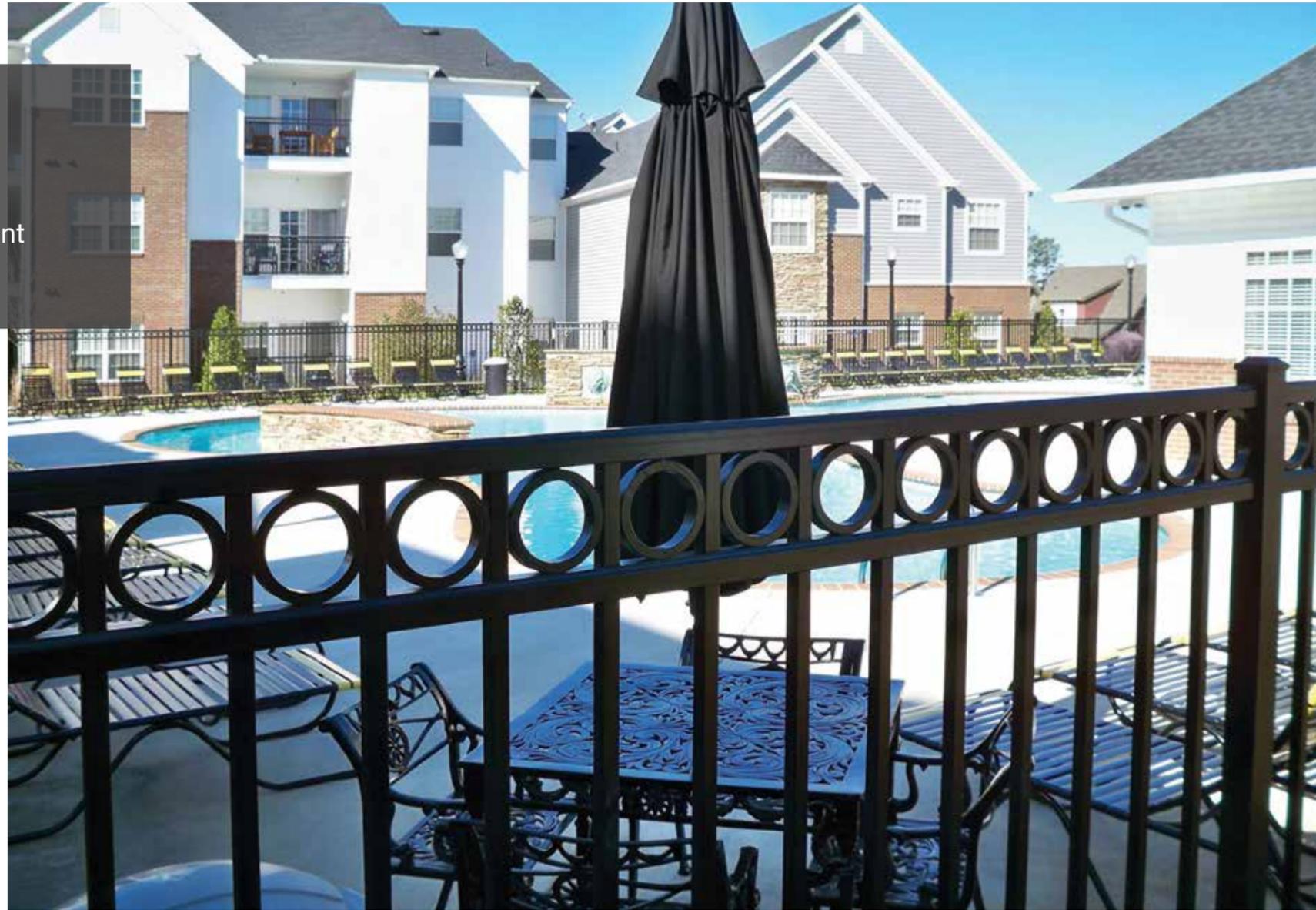


View from E Main Ave and 8th Street

Flat Top

Ascot • Canterbury • Fairmount

The Flat Top design defines your boundaries, creates safety barriers and enhances your property with quality craftsmanship and classic style. Perfect for any residential setting, versatile Flat Top design can be customized to meet your personal needs and your local code requirements.



Ascot with Rings



Canterbury



Fairmount



Canterbury



Ascot

Project Summary

| | |
|------------------------------|---|
| <i>Title:</i> | Gas Station Exterior Repair and Alteration |
| <i>Status:</i> | Renaissance Zone Authority |
| <i>Property Owner(s):</i> | Parkland USA Corporation |
| <i>Project Contact:</i> | Tim Miller, Missouri River Contracting Inc |
| <i>Project Location:</i> | 406 N 6th Street |
| <i>Applicant Request:</i> | Repair vehicle damage and replace existing exterior brick on damaged portion of wall with gray architectural block siding |
| <i>Staff Recommendation:</i> | Approve |



Project Narrative

Parkland USA Corporation is requesting downtown design review approval of an exterior alteration as part of a building repair due to damage from a vehicle crash. In addition to the necessary repair work, the applicant intends to

replace the existing white bricks with a gray architectural block siding from Nichiha. The alteration area will be limited to the damaged area of the building.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Design standards of the DC – Downtown Core or DF – Downtown Fringe zoning districts, as applicable, would be met with the proposed design (Section 14-04-21.1(4), 14-04-21.2 (4))

Yes. All dimensional requirements of the DF – Downtown Fringe zoning district are met.

This structure was built prior to the parcel and block being rezoned to the DF – Downtown Fringe district in 2005. Therefore, any existing non-conformities of the parcel that exist would not be increased by repairing the structure or altering a portion of its exterior.

The 2015 Downtown Design Guidelines, and other relevant plans and policies, would be adhered to with the proposed design (Downtown Design Guidelines)

Yes. The proposed exterior alteration would include materials that are high-quality architectural blocks and complement the surrounding context. The color would be similar to nearby buildings such as the Burleigh County Courthouse.

The project would meet all applicable building code requirements.

Yes. Adherence to building and fire codes would be verified prior to issuance of a building permit, subject to review of more detailed building plans. There are no features of the proposed design

submitted with this request that present an obvious and insurmountable conflict with building code requirements.

Proper administrative procedures related to the request are being followed (Section 14-04-21.1(4)b, 14-04-21.2 (4)b)

Yes. An application requesting downtown design review approval has been submitted to the Community Development Department. Staff have reviewed the application and submit to the Renaissance Zone Authority for final consideration.

The public health, safety and general welfare will not be adversely impacted by the proposed design (Goal S10-a)

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed design would not adversely impact the public health, safety, and general welfare.

Staff Recommendation

Based on the above findings, staff recommends approval of the proposed design for 406 N 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.

Attachments

1. Existing conditions with highlighted alteration area & proposed materials

Staff report prepared by: Isak Johnson, Planner

701-355-1850 | ijohnson@bismarcknd.gov

406 North 6th Street – Existing Conditions



Image taken from North 4th Street:

Project area for new material to repair exterior facade



Proposed Nichiha architectural block – gray:

Project Summary

| | |
|------------------------------|--|
| <i>Title:</i> | Proposed Commercial Parking Lot |
| <i>Status:</i> | Renaissance Zone Authority |
| <i>Property Owner(s):</i> | JJ Hageness Renovation LLC |
| <i>Project Contact:</i> | Landon Niemiller, AICP, Swenson Hagen & Co |
| <i>Project Location:</i> | 506 & 510 North 5th Street |
| <i>Applicant Request:</i> | Construct a commercial parking lot to rent to downtown workers |
| <i>Staff Recommendation:</i> | Approve |



Project Narrative

JJ Hageness Renovation LLC is requesting Downtown Design Review approval of a commercial parking lot located at 506 and 510 North 5th Street. Currently, fifteen (15) parking spaces exist on the western portion of the two lots adjoining the alley.

The applicant intends to increase this number to twenty-seven (27) spaces and rent them to downtown workers. The project is currently in the site plan approval process as well as the review process to obtain a Special Use Permit from the Planning and Zoning Commission considering it is commercial parking lot. The project requires Downtown Design Review approval and approval of the Special Use Permit before the site plan can be approved by City staff.

Two residential structures previously stood on the existing lots of the project area. Each structure contained three housing units. These structures were demolished in 2016 when the land was under different ownership. No new structures were built to replace them, so the newly vacant lots were seeded with grass as can be seen today.

The existing parking lots on the western portion of the project area, as well as on the adjacent northern parcel, were created sometime between 1971 and 1991 according to aerial photographs. The current DF – Downtown Fringe zoning district was not created until 2005, and the block was included in that new zoning designation in 2005 upon its creation.

Project Context

Land uses adjacent to the project area are depicted on the adjacent map:



Review Standards and Findings of Fact

The request is evaluated according to standards contained within the Comprehensive Plan, Bismarck Code of Ordinances, and relevant state law. Findings of fact, related to land use, are presented in response to each standard.

Design standards of the DC – Downtown Core or DF – Downtown Fringe zoning districts, as applicable, would be met with the proposed design (Section 14-04-21.1(4), 14-04-21.2 (4))

Yes. The creation of a commercial parking lot in the DF – Downtown Fringe zoning district requires a special use permit (SUP) that must be approved by the Bismarck Planning and Zoning Commission. These commercial parking lots are required to have buffer yards when next to any adjacent residential uses.

Off street parking is not required in the DC – Downtown Core or DF – Downtown Fringe zoning districts. Property owners may still provide parking for their properties; however, parking for a specific use that is located on a separate parcel requires a SUP from the Planning and Zoning Commission.

Similarly, commercial parking lots that are not in conjunction with a specific use also require a SUP from the Planning and Zoning Commission.

All surface parking lots within the Downtown zoning districts are required to comply with landscaping requirements outlined in Section 14-03-11, typically as part of the site plan approval process. This includes buffer yards when adjacent to residential uses as is shown on the attached site plan. The existing parking lot on the west of the project area is considered a legal non-conformity because it was present prior to the creation of the DF – Downtown Fringe district and its landscaping requirements in 2005. However, expansion of the commercial parking lot would require it to include a landscape buffer along the whole southern property boundary to bring the property into compliance with current standards.

The applicant has applied for a special use permit which will require a public hearing before the Planning and Zoning Commission. That public

hearing is tentatively scheduled for March 27, 2024.

The 2015 Downtown Design Guidelines, and other relevant plans and policies, would be adhered to with the proposed design (Downtown Design Guidelines)

No. While the project meets some aspects of the Downtown Design Guidelines and Downtown Streetscape standards pertaining to landscaping, many of the aspects of these guidelines and standards are related to designs of buildings and, when relevant, parking lots in conjunction with buildings to focus on the pedestrian-focused nature of downtown; no buildings are being proposed with this project.

When parking lots are discussed in the Downtown Design Guidelines, they are primarily discussed in conjunction with a building to create and maintain a consistent street edge to add to the vibrancy of downtown. The Design Guidelines call for an increase of vegetation, which this project possibly accomplishes, depending on the interpretation of balancing the loss of grass for the pavement with the increase in shrubs on the eastern edge of the project area and the required buffer yard to the south. Additionally, the project does include three street trees per one hundred linear feet of street frontage, consistent with the Downtown Streetscape Standards. Further landscaping details would be finalized as part of the site plan approval process.

The Downtown Streetscape Standards state that when no building is present “such as a surface parking lot...a wall or railing with a distinct edge should be installed at the property line.” A wall or railing creating a distinct edge for the property is not shown, though the landscaping shown could act similarly.

The City’s Comprehensive Plan, Together 2045, calls for the placement of parking behind buildings (S4b), redeveloping underutilized parking lots (G1b), and developing new parking structures

with active edges (i.e. ground floor retail) as part of mixed-use developments that support private investment and public facilities (S7c & S7e).

The Infill and Redevelopment Plan states many of these goals as well, along with calling for the usage of alleys as access points wherever possible. The existing parking lot is currently accessed via the alley, and the site plan shows this access to remain. Similarly, the Infill and Redevelopment Plan was a major precursor to the Comprehensive Plan. This is highlighted in the section titled “Grow: Growth Management & Economic Development,” particularly with goal G1: “Encourage infill and redevelopment of land already connected to municipal services.”

As it stands, the proposed commercial parking lot meets certain standards for parking lots within the Design Guidelines and Streetscape Standards but cannot meet most of them because they place a strong preference on buildings with a secondary focus on parking. There also exist numerous inconsistencies with the City’s Comprehensive Plan and other relevant plans.

The project would meet all applicable building code requirements.

Yes. Adherence to building and fire codes would be verified prior to issuance of a building permit, subject to review of more detailed building plans. There are no features of the proposed design submitted with this request that present an obvious and insurmountable conflict with building code requirements because no building is being proposed at this time.

Proper administrative procedures related to the request are being followed (Section 14-04-21.1(4)b, 14-04-21.2(4)b)

Yes. An application requesting downtown design review approval has been submitted to the Community Development Department. Staff have reviewed the application and submit to the

(continued)

Renaissance Zone Authority for final consideration.

Additionally, this project is currently in the review process for approval of a special use permit from the Planning and Zoning Commission and for site plan approval. The project must have Downtown Design Review approval and an approved special use permit before the site plan can be approved.

The public health, safety and general welfare will not be adversely impacted by the proposed design ([Goal S10-a](#))

Yes. As a cumulative result of all findings contained in this staff report, City of Bismarck staff find that the proposed design would not adversely impact the public health, safety, and general

welfare but do note some inconsistencies with the Comprehensive Plan, Together 2045.

Staff Recommendation

Based on the above findings, staff recommends approval of the proposed design for 506 and 510 North 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.

Attachments

1. Existing conditions
2. Site plan of proposal

Staff report prepared by: Isak Johnson, Planner

701-355-1850 | ijohnson@bismarcknd.gov

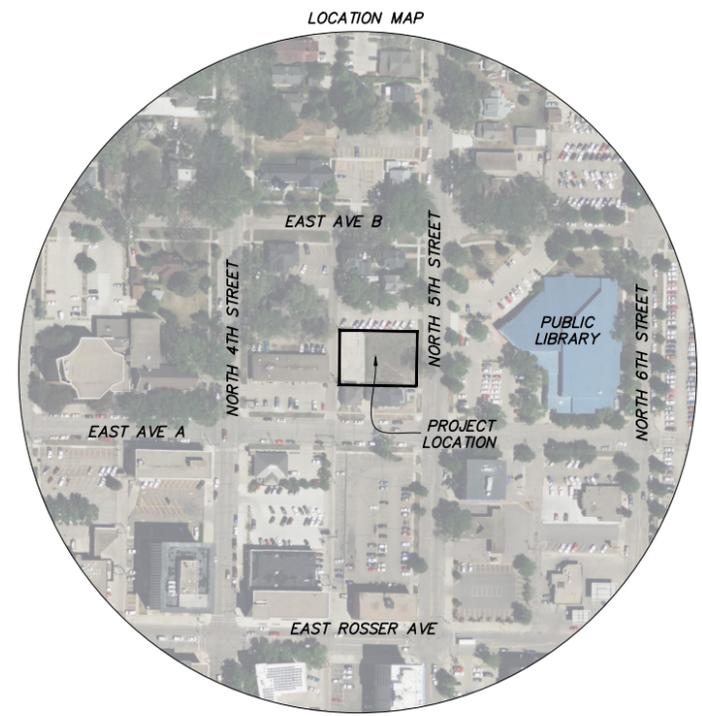
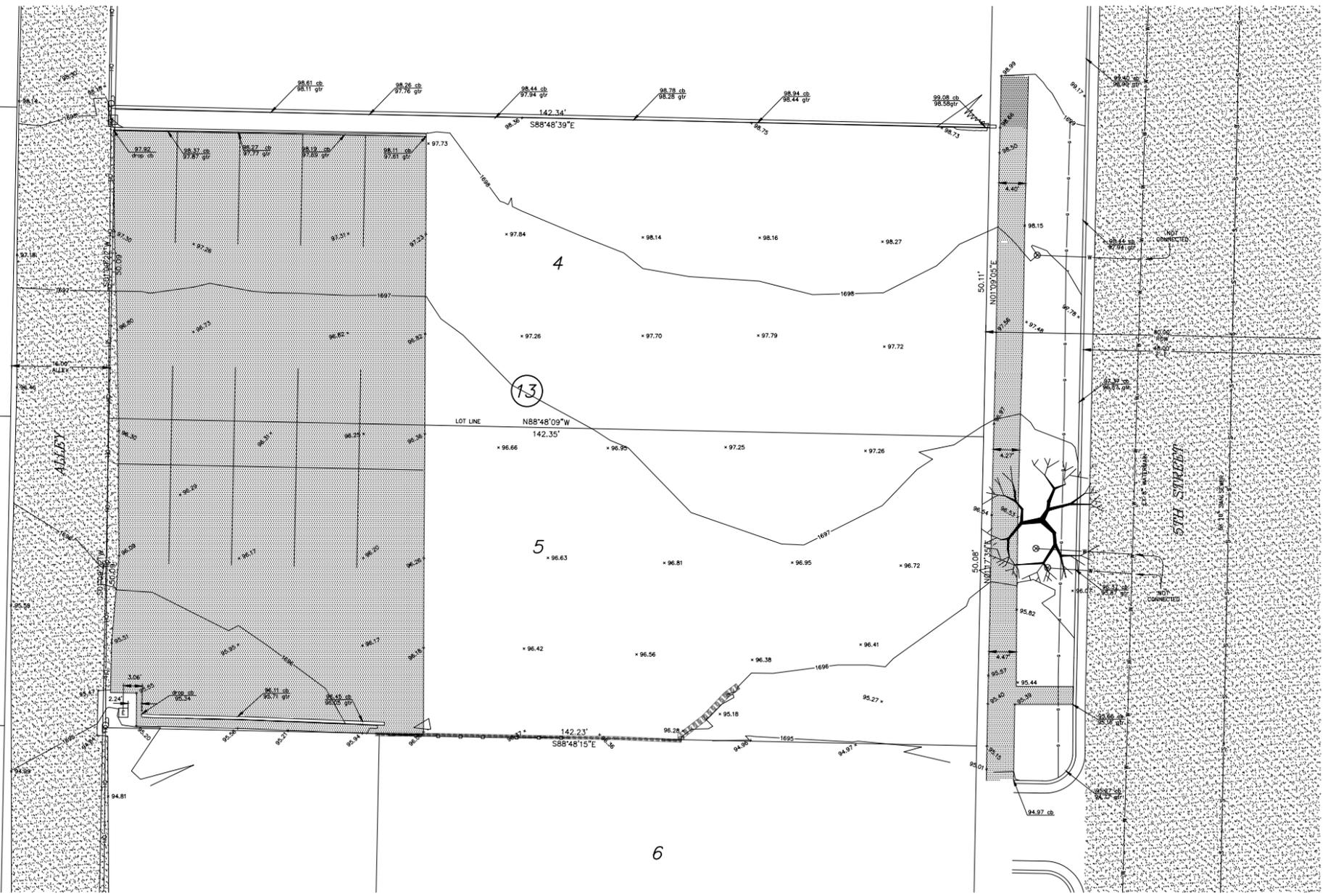
506 and 510 North 5th Street – Existing Conditions



Image from North 5th Street:



Image from the alley between North 4th Street and North 5th Street:



SHEET INDEX

C1.0 EXISTING SITE CONDITIONS
 C2.0 REMOVALS AND EROSION CONTROL PLAN
 C3.0 SITE PLAN

DESCRIPTION

510 N 5TH STREET & 506 N 5TH STREET
 LOT 4 LESS WEST 8' FOR ALLEY & LOT 5 LESS 8' FOR ALLEY
 BLOCK 13 NORTHERN PACIFIC
 BISMARCK, ND 58504

OWNER

JJ HAGENSON RENOVATIONS LLC
 1021 S 23RD ST
 BISMARCK, ND 58504

ZONING

ZONING - DF - DOWNTOWN FRINGE
 LOT AREA - MIN 2,500 SF
 LOT WIDTH - MIN 25 FEET
 LOT COVERAGE - MAX BUILDING COVERAGE IS 100% OF LOT AREA
 FRONT YARD - NO FRONT YARD SETBACK, UNLESS ADJACENT TO RESIDENTIAL PROPERTY, THEN MIN 15 FEET
 SIDE YARD - NO SIDE YARD SETBACK, UNLESS ADJACENT TO RESIDENTIAL PROPERTY, THEN MIN 5 FEET
 REAR YARD - NO REAR YARD SETBACK, UNLESS ADJACENT TO RESIDENTIAL PROPERTY, THEN MIN 10 FEET
 HEIGHT LIMIT - MAX PRINCIPAL BUILDING 75 FEET

FLOODPLAIN INFORMATION

THE PROPERTY IS LOCATED WITHIN A FLOOD INSURANCE STUDY AREA ZONE X (AREA OF MINIMAL FLOOD HAZARD) ACCORDING TO COMMUNITY PANEL 795 OF 980 (38015C0795D), EFFECTIVE AUGUST 4, 2014. COMPLETED BY FEDERAL EMERGENCY MANAGEMENT AGENCY.

SURVEY NOTES

THE SURVEY WAS PERFORMED AT THE REQUEST OF THE PROPERTY OWNER.
 NORTH DAKOTA ONE CALL WAS REQUESTED TO MARK UTILITIES ON 8-4-23 PER ONE CALL TICKET 23090354 AND 23090355 THE MARKED UTILITIES WERE SURVEYED ON 8-11-23 RECORDS OF PUBLIC SEWER AND WATER LINES WERE OBTAINED FROM CITY RECORDS AND MAY NOT BE AS-BUILT INFORMATION. THE LOCATION OF UTILITIES ARE BASED ON VISUAL EVIDENCE WITHOUT EXCAVATION UNLESS NOTED AS SUBSURFACE INVESTIGATION.
 A TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE WAS NOT REQUESTED OR PROVIDED BY THE PARTY REQUESTING THE SURVEY. THIS DOCUMENT MAY NOT INCLUDE COMPLETE INFORMATION REGARDING EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS, OR ENCUMBRANCES.

SURVEY DATUM

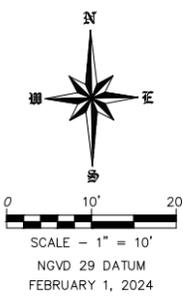
HORIZONTAL DATUM:
 NO STATE PLANE, NAD 83, SOUTH ZONE, INTERNATIONAL FEET
 VERTICAL DATUM:
 NGVD 29

BENCHMARKS

BM1: HYDRANT 181
 4TH STREET AND AVENUE A
 ELEV. 1695.00
 BM2: HYDRANT 194
 5TH STREET AND AVENUE A
 ELEV. 1696.16

LEGEND

- S- EXISTING SANITARY SEWER
- W- EXISTING WATERMAIN
- ST- EXISTING STORM SEWER
- G- EXISTING UNDERGROUND GAS
- OH- EXISTING OVERHEAD POWER
- □ EXISTING MANHOLE
- △ □ EXISTING UTILITY RISER-VAULT
- ☆ □ EXISTING LIGHT-POWER POLE
- ⊗ EXISTING VALVE
- ⊕ EXISTING FIRE HYDRANT
- EXISTING FENCE
- ▨ EXISTING ASPHALT
- ▩ EXISTING CONCRETE
- ▬ EXISTING RETAINING WALL
- ~ EXISTING CONTOUR
- XXX.X' EXISTING GRADE



PRELIMINARY-NOT FOR CONSTRUCTION, RECORDING PURPOSES OR IMPLEMENTATION

Existing Conditions Site Plan

WARRANTY / DISCLAIMER
 The designs represented in these plans are in accordance with established practices of civil engineering. However, neither Swenson, Hagen & Co., nor its personnel can or do warrant these plans as constructed except in the specific cases where Swenson, Hagen & Co. personnel inspect and control the physical construction on a full-time basis.

SAFETY NOTICE TO CONTRACTOR
 In accordance with generally accepted construction practices the contractor will be solely and completely responsible for the conditions of the job site, including safety of all persons and property during performance of the work. This responsibility will apply continuously and not be limited to normal business hours.

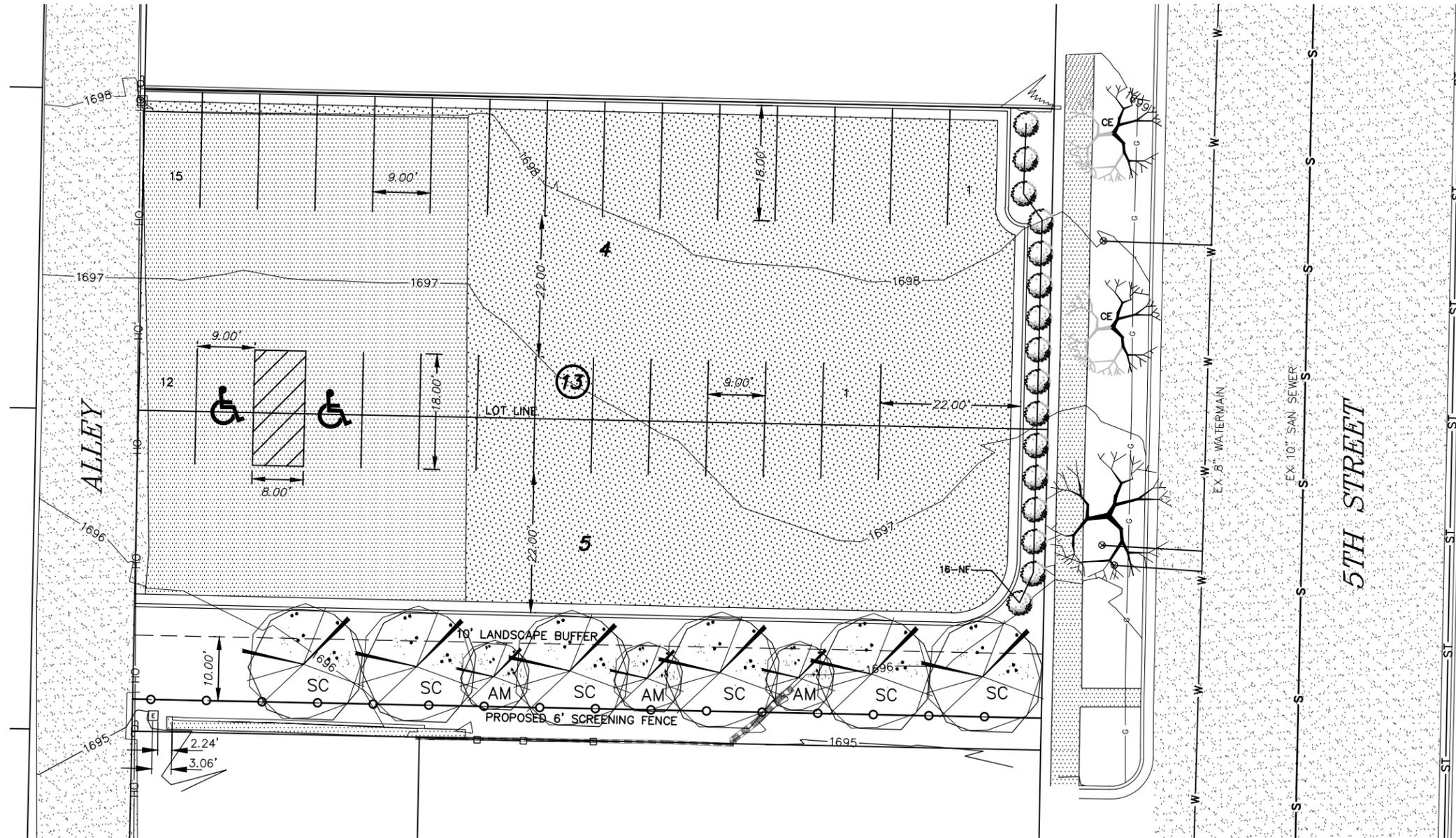
NOTICE TO CONTRACTOR
 The location of existing underground utilities are shown in an approximate way only and have not been independently verified by the owner or its representatives. The Contractor shall determine the exact location of all existing utilities before commencing work, and agree to be fully responsible for any and all damages which might be occasioned by the Contractor's failure to exactly locate and preserve any and all underground utilities.

CALL BEFORE YOU DIG
 NORTH DAKOTA
 UTILITIES UNDERGROUND LOCATION SERVICE
 1-800-795-0555

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| | |
|--|---|
| EXISTING SITE CONDITIONS | DATE |
| LOT 4&5 BLOCK 13 NORTHERN PACIFIC | REVISIONS |
|  | DRAWN BY: SR CHECK BY: JP DATE: 02/01/2024 PROJ.#: COMPUTER FILE: P:\BISMARCK\NORTHERN PACIFIC\5TH STREET PARKING LOT SP.dwg |
| SWENSON, HAGEN & COMPANY P.C. 909 Basin Avenue Bismarck, North Dakota 58504 Phone (701) 223-2600 Fax (701) 223-2606 Surveying Hydrology Land Planning Civil Engineering Landscape & Site Design Construction Management | SHEET C1.0 |

Proposed Conditions Site Plan



**FOR REGULATORY REVIEW ONLY
NOT APPROVED FOR CONSTRUCTION**

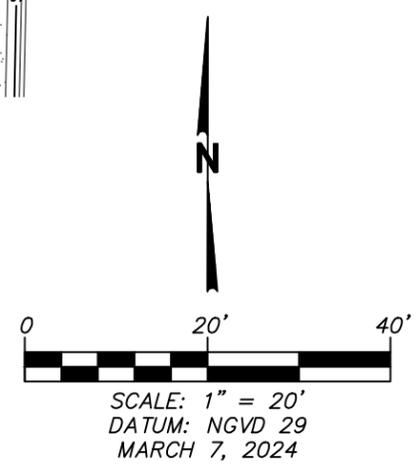


EXHIBIT - ADJUSTED LAYOUT PER DDR
LOTS 4 & 5 BLOCK 13, NORTHERN PACIFIC ADDITION
BISMARCK, NORTH DAKOTA

SWENSON, HAGEN & COMPANY P.C.
909 Basin Avenue
Bismarck, North Dakota 58504
sheng@swensonhagen.com
Phone (701) 223-2600
Fax (701) 223-2606

Surveying
Hydrology
Land Planning
Civil Engineering
Landscape & Site Design
Construction Management



MEMORANDUM

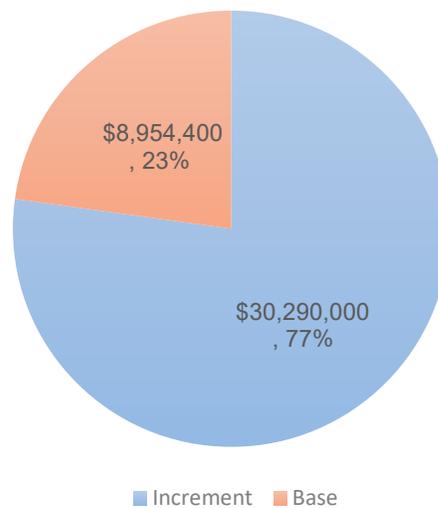
Estimate of Base and Increment Values in Completed Projects

TO: Jim Christianson, Chair of Renaissance Zone Authority
FROM: Daniel Nairn, AICP, Planning Manager
DATE: March 8, 2024

During the February 2024 Renaissance Zone Authority meeting, Planning staff was asked to provide an estimate for how much of the final project valuation is comprised of the base amount (existing before improvements) and increment amount (new value created by projects).

The proportion of all projects completed between 2013 and 2023 is shown in this chart. Amendment the Development Plan to only exempt the increment value may be expected to reduce the overall value of incentives by approximately 23%.

All Projects Completed 2013-2023





CITY OF BISMARCK RENAISSANCE ZONE DEVELOPMENT PLAN

Submitted by the Bismarck
Renaissance Zone Authority

TBD

City of Bismarck Renaissance Zone Development Plan

Revision History

| Revision Type | Date of City Commission Approval |
|-------------------------------------|---|
| Original Document | November 22, 2000 |
| Revisions | March 30, 2001 |
| Revisions | November 13, 2003 |
| Revisions | September 28, 2004 |
| Revisions | April 10, 2007 |
| Major Revisions | June 12, 2012 |
| Boundary Modification | June 1, 2013 |
| 5-Year Extension Request | April 20, 2016 |
| 5-Year Extension Request | July 11, 2017 |
| Revisions | August 14, 2018 |
| Boundary Modification | May 28, 2019 |
| Revisions | November 26, 2019 |
| Revisions | December 22, 2020 |
| Boundary Modification and Revisions | May 24, 2022 |
| <u>Major Revisions</u> | <u>TBD</u> |

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 - [5. Description of Assets within the Renaissance Zone 11](#)
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Appendices

Appendix A: Memorandum of Agreement between City and State for Continuation of Program

Appendix B: Map of Renaissance Zone Boundaries

Appendix C: Description of Properties

Appendix D: Renaissance Zone Needs Assessments (2016)

Appendix E: Renaissance Zone Program Return on Investment Evaluation (2020)

Appendix F: Bylaws for the Renaissance Zone Authority

Appendix G: Evidence of Community Support

A. Introduction

This Development Plan for the Bismarck Renaissance Zone is adopted pursuant to Chapter 40-63 of the North Dakota Century Code for the purpose of governing the City's Renaissance Zone program. This Plan establishes the current Renaissance Zone boundary, provides a description of the physical assets within the Renaissance Zone, sets goals and objectives for the program, outlines project types and criteria for approval, describes activities for management, promotion, and development of the program, and provides evidence of community support for Bismarck's Renaissance Zone program.

This Development Plan was originally adopted by the Bismarck Board of City Commissioners on November 22, 2000 and approved by the North Dakota Department of Commerce – Division of Community Services ([DCS](#)) in May of 2001. The plan has been amended on a number of occasions to revise program guidelines, adjust the boundary of the Renaissance Zone, and authorize an extension of the program in accordance with state law. A Memorandum of Agreement between the City and State for the continuation of the Bismarck Renaissance Program through [July 31, 2022](#)[January 3, 2025](#) is included as Attachment A.

The Renaissance Zone program provides tax exemptions and credits to both residents and businesses for revitalization and redevelopment activities within the Renaissance Zone boundaries. The Renaissance Zone is both a local and statewide program that provides both property tax and income tax incentives to property and business owners who invest in qualified projects.

This plan has been submitted by the Renaissance Zone Authority and approved by the Bismarck Board of City Commissioners:

Renaissance Zone Authority

Jim Christianson, Chair

Joe Fink, Vice Chair

Greg Zenker, City Commissioner

Dustin Gawrylow, Member

Kirsten Dvorak, Member

Nancy Guy, Member

Wayne Munsen, Member

David Witham, Design Advisor

Eric Hoffer, Design Advisor

Board of City Commissioners

Mike Schmitz, Mayor

Anne Cleary

Steve Marquardt

Michael Connelly

Greg Zenker

B. Definitions

The following terms are defined here for use within this Renaissance Zone Development Plan:

Authority: Renaissance Zone Authority

Capital improvements: All capital expenses of the project, including the cost incurred for the repair, replacement or renovation of a building's exterior, roof, structure, electrical and/or plumbing systems, heating/ventilation/air conditioning systems, windows, exterior doors, elevator improvements and accessibility. The Authority may also consider other improvements that are a permanent and integral to the building, as well as site improvements needed to correct drainage problems that have resulted in damage to the building. Improvements to infrastructure or utility services outside of a building and improvements that are unique to a specific use and/or unlikely to be of use to future occupants of a building shall not be considered capital improvements.

City: City of Bismarck, North Dakota, public and corporate

City Commission: Bismarck Board of City Commissioners

Current Taxable Value: True and full taxable value of a project's parcel(s), including both land and improvements, recognized by the North Dakota Board of Equalization.

DCS: The State of North Dakota's Department of Commerce Division of Community Services

Historic: Any building contributing to an historic district on the National Register of Historic Places, individually listed on the National Register of Historic Places, or greater than 50 years in age and deemed historic by the Authority.

Plan: City of Bismarck's Renaissance Zone Development Plan, unless otherwise referenced

Project Completion: Issuance of a Letter of Final Approval by DCS to the City, which is forward to the applicant. City staff will deem a project complete if the initial scope of work presented to the City Commission, including any conditions attached to the approval, is completed and all necessary permits, such as a certificate of occupancy, are granted for the primary occupancy of the building. It is not necessary for all commercial lease spaces to be built-out and occupied prior to project completion.

Staff: City of Bismarck's Community Development Department - Planning Division

Tentative Approval: Issuance of a Letter of Tentative Approval by DCS to the City, which is forward to the applicant. Projects are tentatively approved once initial review by the City and DCS is completed and the project construction may commence.

C. Description of Bismarck's Renaissance Zone

1. Downtown Bismarck

Bismarck's downtown area is located in the center of the community and within one-half mile of the State Capitol to the north and Kirkwood Mall (a regional shopping center) to the south. The downtown is well connected by roads, with Washington Street, 7th Street, and 9th Street serving as the main north-south routes linking downtown with Interstate 94 and the Bismarck Municipal Airport. Rosser Avenue, Main Avenue, Broadway Avenue and Front Avenue serve as the main east-west routes linking downtown to the Dakota Zoo and recreation areas along the Missouri River.

The downtown also hosts many important civic institutions, including the federal and county courthouses, the City and County Office Building, The Bismarck Veterans Memorial Library, the Camp Hancock State Historic Site, as well as the City-owned Event Center and Belle Mehus Auditorium. Although not directly within the downtown or Renaissance Zone, the major medical providers for the region are adjacent to the downtown to the east.

While Bismarck has been fortunate in the fact that its downtown has not had the level of deterioration that many downtowns have seen over the years, the ~~City of Bismarck~~City recognizes that its involvement is needed to ensure the continued viability of the downtown. Starting with the development of the Central Business District Plan in 1993 and continuing through the 2013 Downtown Bismarck Subarea Plan, a variety of projects and programs have worked together to stimulate new development in the downtown area and maintain the vitality of the heart of the community. Particularly since the establishment of the Renaissance Zone in 2001, the City has seen a significant investment in the core of the community and this investment is expected to continue with on-going participation in the program.

The ~~City of Bismarck~~City utilizes two distinct zoning districts within the downtown area, the DC – Downtown Core District and DF – Downtown Fringe District. Many, but not all, of the properties within the Renaissance Zone are located within these districts. The purpose of the downtown zoning districts is to preserve and enhance the mixed-use, pedestrian-oriented nature of the City's downtown area. The two zoning districts allow a wide range of mutually supportive uses in order to enhance downtown Bismarck's role as a commercial, cultural, governmental, health/medical, entertainment and residential center. The districts also facilitate the creation of a strong and distinctive sense of place through the inclusion of open space and public plazas.

All development within these downtown zoning districts is subject to a design review process, which is currently under the purview of the ~~Renaissance Zone~~ Authority. The use of the 2015 Downtown Design Guidelines helps to maintain the historical integrity,

enhance the quality of design, and preserve the human-scale development of downtown Bismarck.

2. History of the Bismarck Renaissance Zone Program

The Bismarck Renaissance Zone has been in effect for over fifteen years, and several noteworthy changes and events have occurred since the inception of the program.

a. Origins of the Renaissance Zone Program

In February 2000, the Bismarck Board City Commissioners created a Renaissance Zone Advisory Committee to consider the establishment of a Renaissance Zone in Bismarck. Over the course of eight months, the Committee held meetings to identify an area that would most benefit from being included in the Zone. Initially, the Committee examined an area extending from 26th Street on the east to the western corporate limits, including several blocks north and south of Main Avenue. After further discussion, an inventory of properties and a survey of property owners, the Committee concluded that the Zone should be located in the downtown area. As in most communities, Bismarck's downtown area has been impacted by commercial development on the periphery of the city. While property values in the downtown area had remained relatively steady, the number of vacant buildings was on the rise.

The program formally began with the approval by the North Dakota ~~Department of Commerce – Division of Community Services~~DCS in May of 2001. The first projects received hearings and were selected by the ~~Renaissance Zone Authority~~Authority and the City Commission approximately one year later. The effects of the Renaissance Zone program, in terms of rising property values, started to occur by 2004, shortly after the first projects were completed and in place.

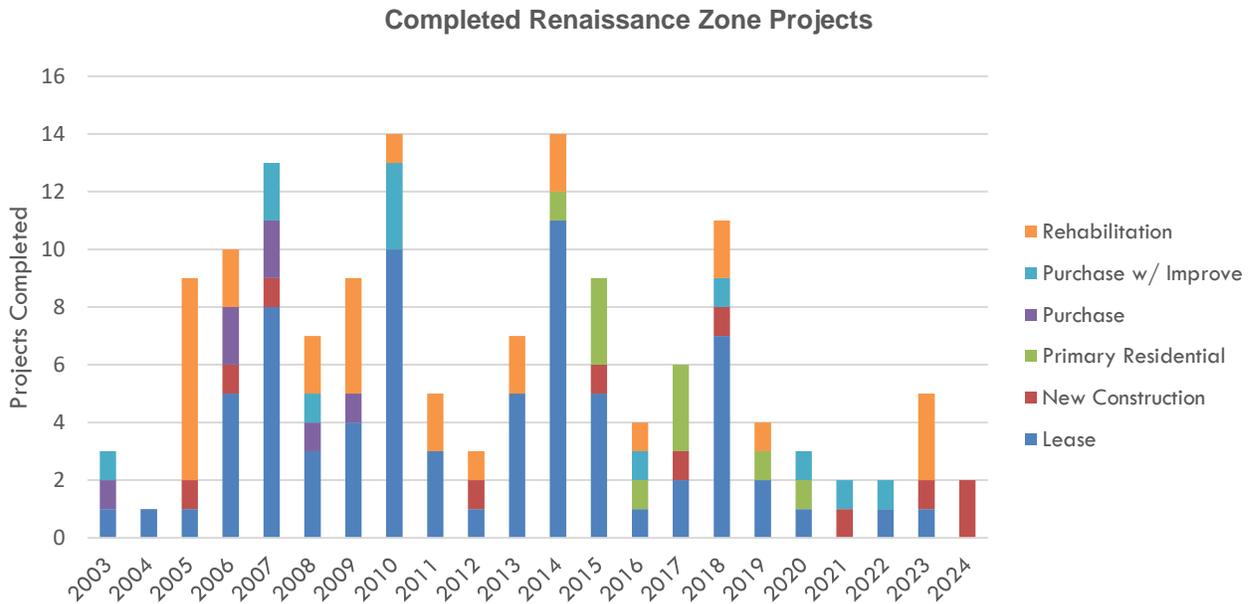


Figure 1: Completed Projects by Type and by Year

b. Modifications to the Renaissance Zone Boundaries

The boundaries of the Renaissance Zone have changed on a number of occasions. The original Renaissance Zone from 2001 encompassed 21½ blocks in the downtown area of the community. The Renaissance Zone was expanded by 11 blocks in November 2003 and by another three blocks in February 2008.

During the 2009 state legislative assembly, communities were allowed to remove blocks that had been determined “complete” or “non-progressing” and relocate the block elsewhere within the contiguous boundary. In June 2013 the boundary of the Renaissance Zone was modified to remove four blocks that were deemed complete and to include four new blocks of property. Each modification was made in accordance with Chapter 40-63 of the North Dakota Century Code.

The 2015 Legislature passed a bill to allow communities to increase the maximum number of blocks contained in the Renaissance Zone. After outreach and consideration, the ~~Authority Renaissance Zone Authority~~ determined the additional blocks allowed by this change to the enabling legislation would not be implemented at that time. The ~~Authority Renaissance Zone Authority~~ added 1 additional block in 2017 between Main Avenue and the railroad tracks and west of North 1st Street. This area is a portion of a city block that is within the DC – Downtown Core zoning district but was omitted from the Zone in the initial ~~Development Plan Plan~~.

After engaging in outreach with property owners, including interest letters, an open house, and a public hearing, eight additional blocks were added in 2019. One block was deemed completed.

In 2021, the ~~Authority Renaissance Zone Authority~~ opted to create a Boundary Modification Plan and offer advanced notice to property owners regarding blocks proposed for expansion or completion. In November 2021, property owners within several existing blocks were notified of potential completion, and the ~~Authority Renaissance Zone Authority~~ held ~~held~~ a public hearing in May 2022. During this hearing, three blocks were completed and one block was added. Taking into account provisions for half blocks, the total amount of blocks uses was reduced to 41.5.

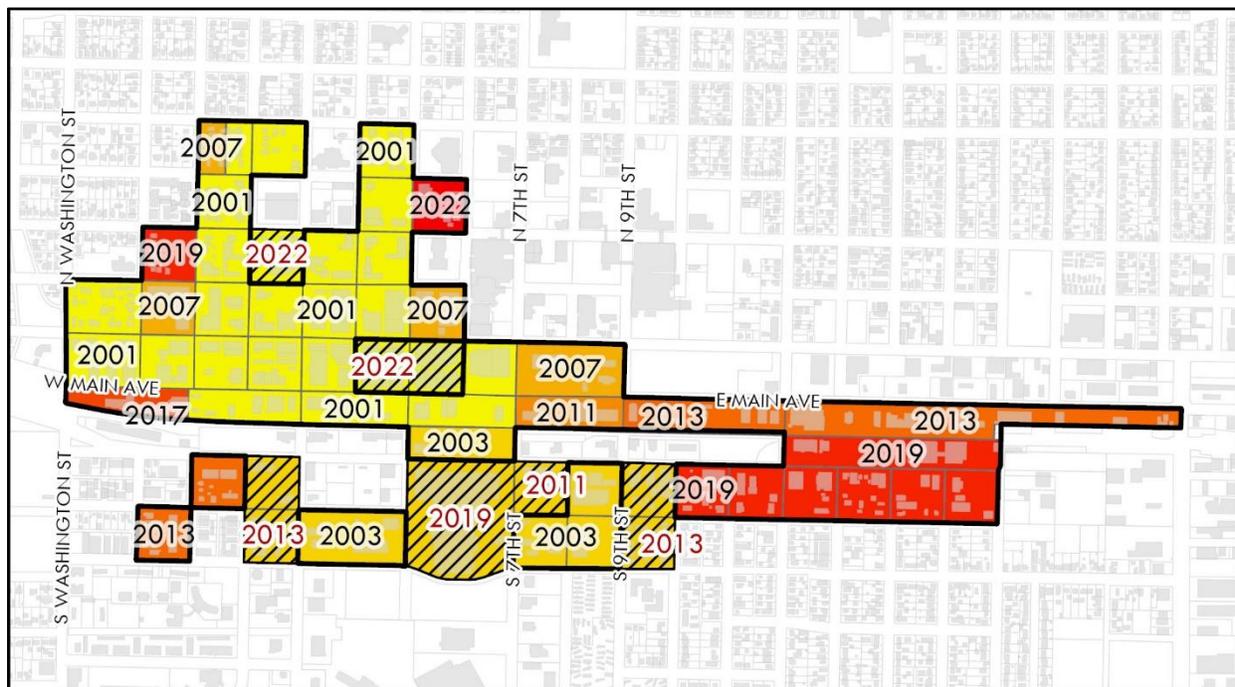


Figure 1: Modifications of Boundary. Year added in **black**; Year completed in **red**

c. Extension of the Renaissance Zone Program

~~In 2017, the City of Bismarck and the North Dakota Division of Community Services entered into a Memorandum of Agreement to extend the Renaissance Zone program for five additional years. The evidence of community support detailed in Section E was obtained as a requirement for approval of this extension. The program is authorized to continue until August 1, 2022, subject to any future changes initiated by either the City Board of City Commissioners or the State legislature.~~

Between 2007 and 2017, The City of Bismarck operated a CORE Incentive Grant Program to encourage investment in properties in an area that overlapped with the Renaissance Zone, although guidelines prevented applicants from utilizing both incentives simultaneously. This program was funded by a Tax Increment Financing District, which was eliminated, along with the CORE program, by the Bismarck Board of City Commissioners in July of 2017.

After 21 years of operation, the Bismarck Renaissance Zone was discontinued on August 1, 2022 due to a lack of community support provided by all political subdivisions. Projects were underway or completed during this period, but no new applications were reviewed by the Authority. State law was amended to allow municipalities with discontinued Renaissance Zones to be reinstated in the same manner as initial adoption. The necessary community support was received from all political subdivisions to reinstate the program in December of 2024, with commitments to make certain changes to this Plan and Bismarck City Code of Ordinances.

The Bismarck Renaissance Zone Program was reinstated on January 4, 2024 and began soliciting new projects again upon completion of an agreement between the City and the DCS, which is attached as Appendix A.

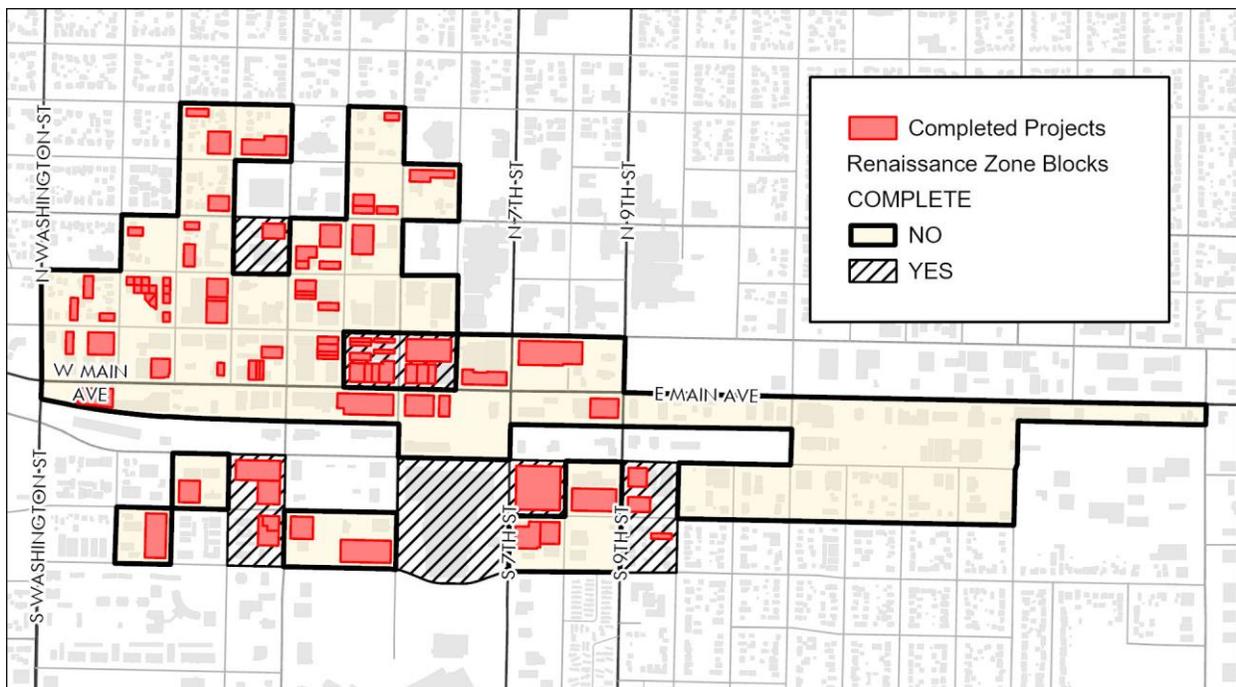


Figure 2: Completed ~~and Approved~~ Renaissance Zone Projects (No projects are currently underway)

3. Property Descriptions

Descriptions of properties/structures on each block in the Renaissance Zone, along with the present uses and conditions, is attached as Appendix C. The Renaissance Zone includes both commercial and residential properties.

4. Geographic Boundaries and Blocks of the Renaissance Zone

The current Renaissance Zone map has been attached as Appendix B. The current boundaries are legally described as:

- Blocks 13, 15, 16, 21, and 24, Northern Pacific Addition
- Blocks 2, 4, 6, 8, 10, 12, 13, 16, 19, 28, 30, 37, 40, 42, 44, 49, 50, 51, 52, 54, 56, 58, 59, 60, 62, 64, 65, 66, 67, 68, 73, 75, 84, 104, 106, , 110, 112, 116, 122, and 124 Original Plat
- Block 25, Northern Pacific Second Addition
- Blocks 17-20, Sturgis Addition
- Blocks 29, 31, and 33, Williams Survey Addition
- Tracts along the south side of Main Avenue between South 9th Street and Airport Road in Williams Survey, Sturgis Addition and Governor Pierce Addition
- Tracts bounded by East Front Avenue, South 12th Street, BNSF railroad tracks, and the east line of Auditors Lot 1600 of Section 3, Township 138 North, Range 80 West, all within Sturgis Addition.

Blocks identified by just a number are original blocks from 2001; blocks identified by a number and the letter “A” are blocks added in 2003 or relocated in 2013; blocks identified by a number and the letter “B” are blocks added in 2007; the block identified by a number and the letter “C” was added in 2011 when a block originally added in 2003 was deemed complete, removed from the boundary and relocated within the contiguous Renaissance Zone boundary; the block identified by a number and letter “D” was added in 2017, the blocks identified by a number and the letter “E” were added in 2019, and the block identified by a number and the letter “F” was added in 2022.

For the purposes of calculating the total allotment of blocks permitted, several of the blocks within the Renaissance Zone shall be considered half blocks because of the presence of government-owned buildings. Blocks 9, 13, 19, 22, 23, 3B, and 8E are considered half blocks. Blocks 1 and 1B are named independently to account for when the blocks were added, but they constitute one block together.

5. Description of Assets within the Renaissance Zone

Many of the blocks comprising the Renaissance Zone contain historically significant structures. In February 2000, the *Historical Architectural Inventory and Evaluation of Downtown Bismarck, North Dakota* report was completed. The report contains an

extensive evaluation of any area within downtown Bismarck as a historical district, and the Downtown Bismarck Historic District was formally designated on the National Register of Historic Places in 2001.

Attractive natural features are also present in some of the blocks, particularly the County Courthouse and Camp Hancock landscaped areas. It is the intent of the [PlanDevelopment Plan](#) to promote the growth and redevelopment of the downtown area through, among other strategies, the preservation and improvement of such assets.

D. Goals and Objectives of the Renaissance Zone Program

1. Goals and Objectives

The goals and objectives of the Renaissance Zone program are intended to guide project selection, as well as all policies, procedures, and marketing related to the Renaissance Zone program.

The goals and objectives were set by the Renaissance Zone Advisory Committee in preparation of the original [Plan Development Plan](#) in 2000. These were based on outreach and surveys, as well as input from the committee, and they have been reaffirmed with minor updates over time, as needed.

- a. Establish the Renaissance Zone as the center of business life, government and cultural opportunity for the Bismarck region.
 - i. Maintain the Zone as a mixed-use area accommodating a wide range of retail, governmental, service and residential functions.
 - ii. Promote continued support for redevelopment activities in the Zone.
 - iii. Promote and advocate activities and programs that meet the needs of varied age, interest, and socioeconomic groups at all times of the day and night and throughout the year.
 - iv. Create centrally located public open spaces in the Zone for cultural events and gathering spaces.
 - v. Create an organized system of open spaces and linkages to provide a framework for the Zone.
 - vi. Locate major cultural facilities such as the library, theater and the like in the Zone.
 - vii. Create an identity for the Zone through consistent and complementary design practices as outlined in the Downtown Design Guidelines (2015) for the DC-Downtown Core and DF-Downtown Fringe zoning districts.
- b. Promote the Renaissance Zone as the preferred location for hotel, class A office buildings, specialty retail, government and institutional uses.
 - i. Examine the possibility of providing incentives, such as financing for new development. Public/private joint ventures and other unique approaches to redevelopment should be encouraged.
 - ii. Identify unique businesses, events, and other attractions that may be feasible in the Zone.

- iii. Encourage the location of governmental, financial institutions and other service functions in the Zone.
- c. Maximize accessibility of the Renaissance Zone from throughout the region and provide safe, convenient, and attractive circulation within the zone.
 - i. Provide adequate and convenient on- and off-street parking for all uses within the Zone.
 - ii. Provide adequate and convenient traffic circulation in and around the Zone without disadvantaging its role as a destination point.
 - iii. Provide for safe, comfortable surface and second level pedestrian circulation within the Zone.
 - iv. Continue to explore opportunities for second level pedestrian walkways throughout the Zone.
- d. Arrange compatible land uses in compact and orderly ways to enhance the functions of the Renaissance Zone.
 - i. Reinforce emerging entertainment, medical, office/service and retail districts with compatible land uses.
 - ii. Concentrate redevelopment in the Zone.
 - iii. New office and retail space should be concentrated around existing buildings.
 - iv. Any new construction, including parking structures, should include street level retail and service uses.
 - v. Encourage redevelopment of the upper levels of existing buildings as residential apartments and lofts and identify sites for new multi-family residential.
 - vi. Plan for the expansion of major institutional facilities in an orderly manner to minimize the impact on existing land uses.
- e. Encourage a zone that upholds Bismarck's heritage as well as recognizes and takes advantage of its pattern of development.
 - i. Develop strategies for public and private financing of improvements.
 - ii. Identify potential developers and adaptive reuses for historically significant buildings.
 - iii. Promote historic and unique buildings to potential tenants and tourists.

- iv. Encourage redevelopment that is within the provisions of the DC-Downtown Core and DF-Downtown Fringe zoning districts and the Downtown Design Guidelines (2015) ~~that is at the same rhythm, scale, and mass as the existing buildings and circulation network in the Zone.~~
- f. Achieve high quality in the design and visual appearance of the Renaissance Zone.
 - i. Create a Zone framework that establishes urban, architectural, site design and signage guidelines that reinforce the unique, positive aspects of Bismarck's history and architecture.
 - ii. Utilize the following plans as the framework from which to base redevelopment decisions:
 - ~~Central Business District Plan (1993)~~
 - Together 2045 Comprehensive Plan (2022)
 - Renaissance Zone Development Plan
 - ~~Streetscape Guidelines for Downtown Bismarck (1995)~~
 - Historic Architectural Inventory and Evaluation of Downtown Bismarck, North Dakota (2000)
 - DC-Downtown Core and DF-Downtown Fringe Zoning Regulations (2006 and subsequent revisions)
 - Downtown Bismarck Subarea Plan (2013)
 - Downtown Design Guidelines (2015)
 - Infill and Redevelopment Plan (2017)
 - Downtown Streetscape Standards (2021)
 - iii. Preserve the integrity of the city's architectural and open space landmarks including the Burleigh County Courthouse, historic Northern Pacific train depot, Belle Mehus City Auditorium, World War Memorial Building and the Patterson Hotel.
 - iv. Continue the implementation of a cohesive system of streetscape treatments that reinforce a sense of human scale and balance between pedestrian and automobile space.
 - v. Continue to encourage public art in the downtown streetscape and public spaces that contributes to Bismarck's unique character and sense of place.

- vi. Continue efforts to promote compliance with the landscaping and screening ordinance and the overall greening of downtown through cooperative efforts with the City Forester and private property owners to increase vegetation within the Zone.
- g. Promote the Renaissance Zone as a location for increased housing opportunities.
 - i. Promote the Renaissance Zone as a location for new housing opportunities within the community.
 - ii. Continue public outreach and educational efforts to publicize the use of the Renaissance Zone Program for housing projects, including presentations to organizations such as the Bismarck-Mandan Apartment Association, Bismarck-Mandan Board of Realtors, engineering and architectural firms, the IDEA Center, Small Business Association, title companies and financial lenders.
 - iii. Continue to support the creation of market-rate rental housing and owner-occupied housing choices to create balance in the downtown housing market.
 - iv. Maintain a safe and attractive environment for downtown residents.
 - v. Maintain the existing infrastructure and support improvements as needed to support an increased downtown population.
 - ~~vi. Support the implementation of a Quiet Rail Zone.~~
 - vii-vi. Support the continuation of existing retail and the establishment of new retail and service businesses that would bolster a downtown neighborhood, including a marketplace that offers basic food commodities including dairy products, fresh produce and general grocery items.

2. Concurrence with Comprehensive Plan

The Renaissance Zone program is intended provide a benefit to the entire community, and not just the businesses, residents, and property owners working and living within the Renaissance Zone boundary. In this respect, the goals and objectives of this Plan may be seen as supporting the broader plans of the ~~City~~City of Bismarck, as well as Burleigh County.

~~The Bismarck Board of City Commissioners have adopted a number of plans for growth and development, especially the Growth Management Plan (2014) and the Infill and Redevelopment Plan (2017). Together, these plans and others are considered the "Comprehensive Plan." This Renaissance Zone Development Plan may be considered an integral component of this Comprehensive Plan. The goals for the Renaissance Zone~~

~~are also consistent with the Central Business District Plan (1993) and the Downtown Bismarck Subarea Plan (2013) and other downtown-specific initiatives.~~

The Bismarck City Commission adopted the Together 2045 Comprehensive Plan on December 27, 2022. The following goals and objective of this plan are relevant to the performance of the Renaissance Zone program:

- Encourage excellence and innovation in local architecture, particularly in areas of high visibility such as downtown, and along major corridors (S2d)
- Increase efficiency of urban land use to maximize public investment in infrastructure and services thereby reducing cost for tax and ratepayers (S4a)
- Embrace the unique role of downtown in the social and economic life of the community (S7)
- Allow older buildings to be adaptively reused for new purposes while still protecting life and safety through application of the existing building code (S9b)
- Apply urban design practices promoted in this plan to establish developments that add value, rather than detract from, their surroundings (G1a)
- Encourage additional housing in the center of the community to support activity and eyes on the street for the majority of the day and night (G1d)
- Provide financial investments and other incentives to revitalize older and potentially disinvested areas of the city, identified as CORE areas on the Growth Phasing Plan (G8d)

3. Targeted Properties

Properties and structures have been identified to be targeted as potential Renaissance Zone projects. A Needs Assessment was completed in 2016 to identify potential new Renaissance Zone projects. This document is attached as Appendix D.

4. Evaluation of Milestones and Benchmarks

The Renaissance Zone program is evaluated periodically to ensure adherence to program goals and objectives. Data is collected to provide a quantitative basis for the evaluation, recognizing that less tangible qualitative goals, such as community pride and high-quality design, should also be considered in an overall evaluation.

The ~~Authority Renaissance Zone Authority~~ conducted a Return on Investment Evaluation in 2020, which is attached as Appendix E. This section of the ~~Plan Development Plan~~ summarizes and updates these findings, as well as other relevant metrics.

- The Renaissance Zone program has encouraged private investment in the zone. ~~Between 2004~~ From the first completed project (2004) and 2020 ~~the present~~, a total of ~~131~~ 143 projects have been completed in the ~~City~~ City of Bismarck adding ~~\$65,252,599~~ 108,062,977 in documented private investment to the downtown area.
- The Renaissance Zone program has spurred job creation. ~~602-25~~ 610.25 full-time equivalent new jobs have been created by the participating businesses.
- The Renaissance Zone program has positively contributed to the property tax base for the City, County, Schools and Parks. After several years of stagnant or declining value, the assessed value of property in the Renaissance Zone increased by approximately 6.7% per year between 2005 and 2020. On average, the cost of the property tax incentive for rehabilitation Renaissance Zone projects in Bismarck is recouped within two years and three months after the property re-enters the tax rolls.
- The Renaissance Zone program has helped nurture entrepreneurship. Many projects have been small-scale rehabilitations or leases for new businesses – the median value of the rehabilitation projects has been ~~\$491,295~~ \$261,000 in investment. A thriving business start-up culture has emerged with regular meetings held in downtown venues.
- The Renaissance Zone program has facilitated high-quality design. Although Downtown Design Review requirements are applied by ordinance regardless of participation in the Renaissance Zone program, property owners have expressed anecdotally that the incentives available have enabled them to use higher-quality design than would otherwise be feasible.
- The Renaissance Zone program has provided housing opportunities downtown. ~~Seven residential condominiums were added to the downtown housing stock within the mixed-use building identified as Broadway Centre located at 100 West Broadway Avenue. An additional 30 age-restricted units were added in 2017 at 100 West Main Avenue. New housing construction was an early goal of the program, but success was slow at first. Only 47 new housing units were created between 2004 and 2017.~~ In 2017, a total of 492 housing units were counted in a survey of the downtown core and downtown fringe areas. ~~Although progress on this goal had been limited, four residential new construction projects were approved in the last two years. An additional 198 residential units are in the process of development through these approved Renaissance Zone projects. Since this time, a total of 203 housing units have been created through four separate Renaissance Zone projects. All buildings are completed and now occupied.~~
- The Renaissance Zone program has reduced blight and deteriorated conditions. Several prominent new construction and rehabilitation Renaissance Zone

projects have involved the removal of serious blighted conditions that were imposing a negative effect on surrounding properties and the Renaissance Zone as a whole.

- The Renaissance Zone has supported efficient use of public infrastructure. All of the aforementioned private investment utilizes roads, water, sewer, and stormwater infrastructure that is already in place, allowing the City to optimize revenue relative to public cost.

E. Administration and Management of the Renaissance Zone Program

The Renaissance Zone program will be administered according to standards and guidelines established in this Plan Development Plan, along with state law and guidance from the State Division of Community Development and the Office of State Tax Commissioner.

1. Project Review and Selection Process

Each proposed Renaissance Zone project will be reviewed by the Authority Renaissance Zone Authority according to the criteria established in this Plan. The review process will be used as a way to screen those projects qualifying for designation as a Renaissance Zone project.

a. Project Consultation and Application

Interested property owners or tenants are encouraged to contact staff for consultation before submitting an application. Applications, including supporting documents and an application fee to be set by the City Commission Bismarck Board of City Commissioners, are submitted to the Community Development Department.

If it is determined by staff that the application is complete and the proposed project generally meets the requirements for a Renaissance Zone project of the proposed type, a public hearing will be scheduled before the Authority Renaissance Zone Authority at their next regularly scheduled meeting. A staff report detailing the project will be prepared for the Authority along with a staff recommendation for action. The staff report identifies the goals and objectives met by the project to determine the public benefit. A notice of the hearing will typically be placed in the official city newspaper once each week for two consecutive weeks prior to the hearing. A notice of hearing will typically also be sent to all property owners within 350 feet of the proposed project at least 10 days prior to the public hearing. Failure to adhere to these notice requirements does not invalidate any action conducted at the hearing.

b. Public Hearing with the Authority Renaissance Zone Authority

Public hearings for projects will be conducted according to standard procedures and protocol, adopted by the Authority Renaissance Zone Authority. Staff provides background information regarding the request as well as a staff recommendation, and the Chair of the Authority Renaissance Zone Authority opens the public hearing. The applicant or his/her representative may make an oral presentation to the Authority. Other interested parties may also make oral presentations either supporting or opposing the application. In order to expedite

the hearing process, it is suggested that any written materials and/or comments be submitted to the Community Development Department – Planning Division prior to the hearing. Following the hearing, the ~~Authority Renaissance Zone Authority~~ will either continue deliberations to a future meeting or make a recommendation on the proposed project to the ~~City Commission Bismarck Board of City Commissioners~~.

The ~~Authority Renaissance Zone Authority~~ may, at their discretion, add conditions to any recommended approval. Unless stated otherwise, any conditions of an approval must be met prior to completion of a project. The Authority may also adjust the percentage of a property tax exemption for any Renaissance Zone project if and only if the project meets all minimum state requirements for project approval.

c. Final Action by the Board of City Commissioners

A recommendation from the ~~Authority Renaissance Zone Authority~~ will be placed on the next available agenda of the ~~City Commission Bismarck Board of City Commissioners~~. ~~City Staff~~ will present the ~~Authority Renaissance Zone Authority~~ recommendation to the ~~City Commission Board of City Commissioners~~, who will have final City approval authority for all Renaissance Zone projects. Upon approval of a Renaissance Zone project by the City, the project must also be approved or tentatively approved by ~~the North DCS Dakota Department of Commerce – Division of Community Services~~.

d. Project Implementation and Completion

~~Community Development Department – Planning Division staff Staff~~ will continue to work with the applicant to ensure the project is completed as proposed and that all required documentation is submitted. Any material change to an approved Renaissance Zone project, including changes to building materials, building elevations or site design, must be approved by the ~~Authority Renaissance Zone Authority~~ prior to implementation. City staff may grant minor alterations to a project scope upon request, as long as all program guidelines will still clearly be met and the alteration would not substantively change the outward appearance of the project.

Unless stated otherwise as a condition of project approval, all Renaissance Zone projects must be completed within 18 months of the date the project is tentatively approved by ~~the North Dakota DCS Department of Commerce – Division of Community Services~~. The recipient of the Renaissance Zone project may request an extension of this deadline, and the ~~Authority Renaissance Zone Authority~~ is authorized to grant any extension to a date certain for good reason. It is the recipients' responsibility to request an extension.

After ~~issuance of the final letter of completion~~project completion, staff will administer an exit survey to the project applicant, with the purpose of evaluating the Renaissance Zone process and the degree to which the final investment decisions were influenced by the Renaissance Zone program. The results will be recorded and made available to the ~~Authority~~Renaissance Zone Authority or the general public.

2. Minimum Criteria for Project Selection

In order to qualify for consideration as a Renaissance Zone project, a project proposal must meet the following criteria. It should be noted that the project selection criteria for the ~~City~~City of Bismarck are above and beyond what is required by the State. Projects will not be accepted merely on the grounds that state Renaissance Zone eligibility standards are met. The intent of the criteria is to encourage and reward significant levels of investment in properties and incentivize projects that create positive benefits for the entire Renaissance Zone area and broader community.

a. Minimum Criteria for All Projects

- i. The project and resulting use are consistent with the goals and objectives of this Plan~~Development Plan~~.
- ii. The project is within the current boundary of the Bismarck Renaissance Zone.
- iii. The property or lease space has not received Renaissance Zone funding in the past. However, a lease of space within a building rehabilitated or constructed through a previous Renaissance Zone project and the rehabilitation of a property within which a previous lease Renaissance Zone project has been completed may be eligible.
- iv. All construction and renovation activities associated with a Renaissance Zone project must comply with all building code and zoning code requirements, including Downtown Design Review if the property is within the DC - Downtown Core or DF – Downtown Fringe zoning districts.
- v. The ~~Authority~~Renaissance Zone Authority may also apply Downtown Design Review, based on the Downtown Design Guidelines, in their review of Renaissance Zone projects that are outside of the DC - Downtown Core or DF – Downtown Fringe zoning districts.
- vi. The applicant for a Renaissance Zone project has satisfied all state and local tax obligations and tax liens of record for taxes owed to North Dakota or a political subdivision thereof, as required by NDCC § 54-35-26, at the time of application.

- vii. All required state forms, such as the Certificate of Good Standing ~~and the Business Incentive Agreement~~, are completed and submitted before final approval.

b. Rehabilitation Projects

Rehabilitation projects are any rehabilitation of an existing building, whether commercial or residential. Projects that involve the demolition and reconstruction of a portion of a building may also be considered rehabilitation projects, as long as the overall footprint of the building is not increased. All rehabilitation projects must meet the following standards:

- i. Tentative approval by ~~the DCS State Department of Commerce—Community Development Division~~ is secured before start of construction. No work completed prior to tentative approval of the project may be counted toward the required levels of investment.
- ii. Exterior rehabilitation is sufficient to eliminate any and all deteriorated conditions visible on the exterior of the building.
- iii. Projects include a level of investment totaling not less than **fifty percent (50%)** of the current true and full valuation of the building for commercial properties and a level of re-investment not less than **twenty percent (20%)** of the same value for single-family homes.

Single Family Residential Rehabilitation

**Capital Investment
(percent of assessed value)**

Property Tax Exemption

| | |
|----------------------|------|
| Less than 20% | 0% |
| 20% to less than 25% | 20% |
| 25% to less than 30% | 40% |
| 30% to less than 35% | 60% |
| 35% to less than 40% | 80% |
| 40% or greater | 100% |

- iv. Additionally, commercial projects include a minimum investment of **\$40 per square foot** for commercial projects or **\$30 per square foot** for multi-family residential projects in capital improvements based on the square footage of the entire building, including partial floors such as mezzanines but excluding basements unoccupied or used only for storage and any unoccupied penthouse space. The minimum investment for mixed-use projects is determined by a weighted average of the proportion of residential and commercial area to the total building area. For example, a project that is 80% commercial and 20% residential would require \$38 per square foot in investment. The same investment may be counted toward both the percentage and the square footage standards, and whichever standard is higher shall apply. The ~~Authority Renaissance Zone Authority~~ may waive this provision for good reason.
- v. Additionally, single-family residential projects include a minimum investment of **\$25 per square foot** in capital improvements based on the square footage of the entire building, excluding unfinished basements. The same investment may be counted toward both the percentage and the square footage standards, and whichever standard is higher shall apply. The ~~Authority Renaissance Zone Authority~~ may waive this provision for good reason.
- ~~vi. Capital improvements are defined as all capital expenses of the project, including the cost incurred for the repair, replacement or renovation of a building's exterior, roof, structure, electrical and/or plumbing systems, heating/ventilation/air conditioning systems, windows, exterior doors, elevator improvements and accessibility. The Renaissance Zone Authority may also consider other improvements that are a permanent and integral to the building, as well as site improvements needed to correct drainage problems that have resulted in damage to the building. Improvements to infrastructure or utility services outside of a building and improvements that are unique to a specific use and/or unlikely to be of use to future occupants of a building shall not be considered capital improvements.~~
- vii-vi. Projects involving the rehabilitation of a single-family home or condominium must be the primary residence of the owner. Homeowners who occupy a portion of a duplex or townhome may be considered single-family for the purposes of this program. Verification of a person's primary residence is accomplished with a self-certification statement on the application form.
- viii-vii. Projects that include a historic preservation and restoration activity must also be reviewed and approved by the State Historical Society, according to additional statewide criteria, in order to be eligible for additional tax credits.

c. New Construction Projects

New Construction projects are the construction of any new commercial and/or multifamily residential building or any addition to an existing commercial and/or multifamily residential building. New Construction projects must meet the following standards:

- i. Tentative approval by the ~~DCS State Department of Commerce—Community Development Division~~ is secured before start of construction. No work completed prior to tentative approval of the project may be counted toward the required levels of investment.
- ii. New construction projects include a minimum investment of **\$150 per square foot** for commercial projects or **\$100 per square foot** for residential projects in capital investment based on the square footage of all floor area of the entire building. The minimum investment for mixed-use projects is determined by a weighted average of the proportion of residential and commercial area to the total building area. For example, a project that is 80% commercial and 20% residential would require \$140 per square foot in investment. The ~~Authority Renaissance Zone Authority~~ may waive this provision for good reason.
- iii. In order to be eligible for a state income tax exemption for the property owner of any newly-constructed single-family residential property, including condominiums, the owner must be the primary occupant of the residential unit. Verification of a person's primary residence would be accomplished with a self-certification statement on the application form.
- iv. New construction of accessory buildings is generally not eligible, with the exception of new accessory dwelling units to single-family homes.

d. Purchase with Improvement Projects

Purchase with Improvement projects are the transfer of property to a new owner with significant capital improvement of that property. Purchase with Improvement projects must meet the following standards:

- i. Tentative approval by the ~~DCS State Department of Commerce—Community Development Division~~ is secured before the property is transferred to the new owner.
- ii. Projects are eligible for a benefit based on the level of investment as a percentage of the true and full valuation of the building according to the following table. The ~~Authority Renaissance Zone Authority~~ has the discretion to deviate from these guidelines on a case-by-case basis if specific building condition and/or other project specific factors warrant.

| Capital Investment (percent of assessed value) | Property Tax Exemption |
|---|------------------------|
| Less than 10% | 0% |
| 10% to less than 20% | 40% |
| 20% to less than 35% | 60% |
| 35% to less than 50% | 80% |
| 50% or greater | 100% |

By state guidelines, the capital investment must exceed 50% of assessed value to qualify for an income tax exemption.

~~iii. Capital improvements are defined as all capital expenses of the project, including the cost incurred for the repair, replacement or renovation of a building's exterior, roof, structure, electrical and/or plumbing systems, heating/ventilation/air conditioning systems, windows, exterior doors, elevator improvements and accessibility. The Renaissance Zone Authority may also consider other improvements that are a permanent and integral to the building, as well as site improvements needed to correct drainage problems that have resulted in damage to the building. Improvements to infrastructure or utility services outside of a building and improvements that are unique to a specific use and unlikely to transfer to future occupants of a building shall not be considered capital improvements.~~

e. Commercial Lease Projects

Commercial Lease projects are the lease and occupation of a commercial space within a building by a non-owner tenant that meets the following standards:

- i. The tenant is a new or expanding business moving into the Renaissance Zone, an existing business expanding within the Renaissance Zone, or the continuation of a lease by an existing Renaissance Zone tenant in a building rehabilitated as an approved Renaissance Zone project.
- ii. Tentative approval by the ~~DCS State Department of Commerce—Community Development Division~~ is secured before the occupation of the lease space and start of business by the tenant.
- iii. If the lease space is within a building previously rehabilitated or constructed as an approved Renaissance Zone project no minimum level of investment is required for lease projects. Otherwise, the following additional standards must be met:
 - a. The lease project includes a minimum investment of \$40 per square foot in capital improvements ~~or permanent cosmetic improvements~~ based on the square footage of the entire lease space.

- b. The building within which the lease project is proposed does not contain any known structural deficiencies or deteriorated conditions visible on the exterior of the building that may compromise the investment made in the lease space. The ~~Authority Renaissance Zone Authority~~ may require an inspection or owner's affidavit if there is reason to believe such deficiencies may exist.

f. Utility Infrastructure Projects

Utility infrastructure projects are Rehabilitation, New Construction, or Purchase with Improvements projects that include rehabilitation of public infrastructure, including the burying of utility lines, as a component of the project.

- i. The utility rehabilitation must be proposed by a regulated public utility that includes, but is not limited to, electrical, gas and communications, for the purpose of rehabilitating infrastructure in the Renaissance Zone or burying existing utility lines. It does not apply to utility infrastructure that a property owner pays special assessments to the City for a specified period of time such as water, sewer or pavement improvements.
- ii. A minimum of 80% of the project investment must be used toward capital improvements to the building and a maximum of 20% of the project investment can be used toward undergrounding utilities. The overall project investment must meet the established minimum investment criteria for the type of project specified.
- iii. The Community Development Department will monitor all public infrastructure projects through on-site building inspections conducted in conjunction with the rehabilitation projects. Additionally, all Renaissance Zone project costs and expenses must be verified prior to the submittal of final project documentation to ~~the DCS North Dakota Department of Commerce – Division of Community Services~~.
- iv. Applicants for public infrastructure projects are eligible to receive ~~up to a 100% property tax exemption on the building and improvements for five years beginning with the date of completion, and an exemption from state tax on income derived from the business/investment location for five years beginning with the date of completion~~ the same benefits as other approved Renaissance Zone projects, as outlined in the following section.
- v. ~~City~~ City of Bismarck agrees to work with the State Board of Equalization to determine the property tax exemption for utility projects.

3. Project Benefits

Qualified projects that are approved by the City Commission and DCS are entitled to receive the benefits as outlined herein, unless adjusted to a lower amount by the City Commission during the project review process.

a. Income Tax Exemption

All approved projects may receive an exemption on state income tax derived from the property for a period of five years, beginning on the month a project is approved by DCS. Property owners claim the income tax exemption annually through use of proper forms submitted with their returns. Income tax exemptions are not administered or tracked by the City, and detailed conditions and procedures are set by the North Dakota Office of State Tax Commissioner.

b. Property Tax Exemption

All approved projects receive an exemption from a portion of property taxes assessed to the parcel(s) for a period of five years. The City wishes to exercise the option allowed by State law to grant partial Renaissance Zone tax exemptions.

The Bismarck Assessing Department registers the property tax exemption upon project completion, with no further action from the applicant necessary. Property tax assessments are applied annually. Projects that are deemed complete by February 1 will begin the five-year exemption period on that year. Projects deemed complete after February 1 will begin the five-year exemption period on the following year.

The value of the property tax exemption for each project is determined through the following steps.

- i. The baseline value of the property is determined during initial project review by the Authority and City Commission. By default, the baseline will be the taxable value of the property at the time of project application, as set by City Assessing and approved by the State Board of Equalization. However, the baseline value may be adjusted to account for any complete or partial demolition on the property proposed in the scope of work to the estimated property valuation upon completion of demolition. Notwithstanding, the Authority shall consider the historic character the site. Any proposed demolition of an historic building proposed or occurring within the previous three years shall not be included in adjustments, and the baseline will be the taxable value of the property in the year prior to the demolition.

- ii. The final improved value of the property will be estimated during initial project review based on the proposed scope of work and project costs submitted by the applicant, and this estimate will be reported to the Authority and City Commission. The actual final improvement value will not be known until project completion, once an assessment is performed by the City.
- iii. The increment value will be the difference between the baseline value and the final improved value of the project.
- iv. The total value of the property tax exemption granted through the Renaissance Zone will be the taxes derived from the entire increment value.

[Option 1]: The baseline value will remain fully taxable throughout the five-year exemption period.

[Option 2]: The baseline value will be exempted according to the proportion allotted to each taxing entity, as determined by the following table:

| Taxing Entity | Percent of Baseline Exempted |
|-------------------------------|-------------------------------------|
| City of Bismarck | 0% |
| Burleigh County | 0% |
| Bismarck Parks and Recreation | ? |
| Bismarck Public Schools | ? |
| State of North Dakota | ? |

3.4. **Administrative Roles and Responsibilities**

Certain roles and responsibilities for administration of the Renaissance Zone program are assigned to various parties. Administration and management of the Bismarck Renaissance Zone program will be conducted by an appointed ~~Authority~~Renaissance Zone Authority and staff primarily from the ~~City~~City of Bismarck Community Development Department – Planning Division, under the authority of the ~~City Commission~~Bismarck Board of City Commissioners.

a. Renaissance Zone Authority

The ~~Authority~~Renaissance Zone Authority is an advisory body to the ~~City Commission~~Board of City Commissioners, given the role of establishing and revising program guidelines and reviewing all applications and/or proposals for Renaissance Zone approval. The Authority is comprised of ~~seven~~nine voting members and two non-voting ~~technical~~design advisors, described as follows:

- One voting member of the City Commission, appointed by the City Commission, Board of City Commissioners
- Six-Five voting at-large members appointed by the Bismarck Mayor and approved by the City Commission, Board of City Commissioners
- One voting member of the Burleigh County Commission, appointed by the Burleigh County Commission
- One voting member of Bismarck Public Schools Board, appointed by the Bismarck Public Schools Board
- One voting member of the Bismarck Park Board, appointed by the Bismarck Park Board.
- Two non-voting technical-design advisors appointed by the voting members of the Authority, Renaissance Zone Authority

The appointments of at-large members are staggered with a term of three years. The appointments of members of boards and commissions -run concurrent with ~~the~~ that Commissioner's term in office, unless that board or commission selects an alternative appointee. The Authority, Renaissance Zone Authority is governed according to adopted bylaws which are attached as Appendix F.

In the case that the County, School Board, or Park Board choose not to appoint a member to the board, the City Commission shall appoint an additional at-large member for a three-year term. That board may again choose to appoint a representation upon expiration of this term.

The Authority, Renaissance Zone Authority will hold regular monthly meetings to hear and discuss applications and proposed projects. In addition to project selection, the Authority, Renaissance Zone Authority is tasked with reviewing and revising, as necessary, program requirements and guidelines, participating in the promotion and marketing of the program, and directing City staff to prepare revisions to this Plan, Development Plan.

b. City of Bismarck Staff

Staff from the Community Development Department – Planning Division will provide the primary administrative support to the Authority, Renaissance Zone Authority.

Planning staff, Staff is responsible for dissemination of information about the program, the intake and initial screening of applications for Renaissance Zone projects, preparation of amendments to this Plan, Development Plan and any City ordinances relevant to the program, maintenance and presentation of data on the program, evaluation of program effectiveness through an exit survey and other methods, preparation of annual reports to DCS, the State Department of Commerce, and presentation of Authority, Renaissance Zone Authority recommendations to the City Commission, Board of City Commissioners. Planning

~~Staff~~ will also function as the primary liaison between staff at the state level and the ~~Authority~~Renaissance Zone Authority.

Staff from other City departments have a supportive role in program administration. The Finance Department - Assessing Division implements all approved local property tax exemptions, and the City Attorney's Office advises the ~~Authority~~Renaissance Zone Authority on legal matters.

Staff will also periodically verify that completed residential projects remain owner-occupied for the duration of the five-year tax exemption period, with use of available public data. Properties that are verified as no longer owner-occupied will be removed from the Renaissance Zone program. Staff will also work with the Burleigh County Auditor in such situations where a completed project becomes delinquent on taxes after approval.

Staff will verify pre-existing tax clearance at the time of application, in compliance with NDCC § 54-35-26, through several means. Income tax clearance will be verified through a Certificate of Good Standing form obtained from the State Tax Commissioners Office. Property tax clearance will be verified through self-disclosure by the applicant. Additionally, staff will verify that all properties owned by the applicant in Burleigh County are not tax delinquent, and staff will take appropriate action should staff be made aware of tax delinquencies from other political subdivisions.

c. City of Bismarck Board of City Commissioners

The ~~Board of City Commissioners~~City Commission retains ultimate authority over local administration of the Bismarck Renaissance Zone program. All projects recommended for approval by the ~~Authority~~Renaissance Zone Authority are presented to the ~~Board of City Commissioners~~City Commission for final action. ~~The Board of City Commissioners also reviews and takes final action on any revisions to this Development Plan.~~

4.5. **Promotion and Marketing of the Renaissance Zone Program**

Promotion and marketing of the Renaissance Zone program is an important part of implementing the ~~Plan~~Development Plan and sustaining the program. Promotion efforts will be coordinated between the Community Development Department – Planning Division, members of the ~~Authority~~Renaissance Zone Authority, The Downtown Business Association, property owners, developers, commercial realtors and other business organizations.

~~At least once each year, all political subdivisions that have issued letters of support for the Renaissance Zone program will be briefed on the current status of the program and~~

~~given the opportunity to ask any questions, either during a regular board meeting or a joint meeting with representation from each board.~~

The Renaissance Zone program is promoted through the following additional methods:

- An active page on the ~~City~~City of Bismarck website that includes updated and relevant information regarding the program.
- The availability of an information guide that provides a more concise description of the requirements and review process outlined in the ~~Plan~~Development Plan.
- Presentations to civic and professional groups with an interest in the Renaissance Zone program.
- Preparation of data and analysis of the costs and benefits of the Renaissance Zone program upon request.
- Periodic mailings to properties within the Renaissance Zone area or areas considered for possible expansion of the Renaissance Zone.

It is important to note that the ~~City~~City of Bismarck is a partner in promoting the Renaissance Zone Program, but not to the extent that the City's efforts will supplant the responsibility of property owners and developers to create and promote projects.

5.6. Potential Future Renaissance Zone Program Revisions

The state enabling legislation for Renaissance Zone programs includes certain features that the ~~City~~City of Bismarck has opted not to exercise at this time. The ~~Authority~~Renaissance Zone Authority may take advantage of these options through future revisions to this ~~Plan~~Development Plan.

a. Modifications of Renaissance Zone Boundaries

The ~~City~~City of Bismarck does not currently utilize all blocks available by state law. According to the 2020 U.S. Census, the population of the ~~City~~City of Bismarck is 73,622. A city of this population is allotted 47 blocks (34 blocks plus 1 block per additional 5,000 population). The ~~City~~City of Bismarck Renaissance Zone boundary currently utilizes 41.5 blocks, with a remaining 5.5 blocks available.

If sufficient interest from property owners and businesses becomes evident, the ~~Authority~~Renaissance Zone Authority may consider a future expansion of the boundary. State law allows up to three blocks of a Renaissance Zone to be non-contiguous with the rest of the Renaissance Zone. At this time, the ~~Authority~~Renaissance Zone Authority has chosen not to utilize this option, although may choose to in the future.

The ~~Authority~~Renaissance Zone Authority wishes to plan future boundary modifications, whether the addition of new blocks into the Zone or the completion of

certain blocks within the Zone, well in advance of implementing changes, allowing property owners the ability to consider potential improvements to their property within a known timeframe.

The ~~Authority Renaissance Zone Authority~~ will review a boundary modification plan at least annually. Blocks within the future expansion or completion areas will be considered for action, and future areas will be adjusted accordingly. All changes to the boundaries will be approved by the City Commission in the form of a revision to the Renaissance Zone ~~Plan Development Plan~~.

Establishing boundaries well in advance of prospective development is essential to the effectiveness of the program. While the ~~Authority Renaissance Zone Authority~~ may receive requests from property owners to extend boundaries to support a proposed project, such a request may not be considered as a sole reason for boundary modification.

The following criteria will be used for any expansion:

1. The addition of the block(s) will further the goals and objectives of this ~~Plan Development Plan~~.
2. The addition of the block(s) will not exceed ~~to the~~ total allowable blocks for the Renaissance Zone, either in the core contiguous area or any allowed non-contiguous blocks.
3. The proposed block(s) include evident disinvestment and redevelopment potential, as indicated by building condition, building-to-land-value ratios, rate of change in assessed value, age of buildings, zoning, or other evidence.
4. Sufficient property subject to property tax liability exists or is anticipated to exist within the proposed block(s) to allow utilization of the program
5. Sufficient public infrastructure currently exists, or is underway or planned, to support any envisioned redevelopment.

The following criteria will be used for any completions:

1. All owners within the block(s) have been given a one-year written notice of the intent to complete the block and an opportunity to voice any concerns to the ~~Authority Renaissance Zone Authority~~ in a public hearing.
2. The block has been within the Renaissance Zone for at least three years.
3. A significant portion of the block(s) is either ineligible, due to a previous Renaissance Zone project or current public/non-profit ownership, or has limited property owner interest.

F. Development Plan Amendments

This Plan may be amended at any time, according to the procedures of this section. The Renaissance Zone Authority will hold a duly-noticed public hearing to solicit input and review on any proposed amendment to the Plan, including text amendments or modifications to the Renaissance Zone boundary. After the public hearing, the Renaissance Zone Authority provides a recommendation on the proposed amendment to the boards of political subdivisions. Only amendments with a recommendation to approve will proceed.

The recommended amendment is submitted to the next available regularly-scheduled meeting of the City Commission for their consideration and potential adoption. If adopted by the City Commission, the amendment will be submitted to the Burleigh County Commission, Bismarck Public Schools Board, and Bismarck Park Board for potential support during their next available regularly-scheduled meeting. The requests shall be sent concurrently, with the order of board reviews determined only by the scheduling of each agenda.

An amendment shall become adopted only if adopted by the City Commission and supported by a majority of the three political subdivisions. Upon final adoption, the amendment is forwarded to DCS for review according to state law. It shall take effect upon final approval by DCS. Projects will follow the effective Plan in place at the time of submittal of project application.

F.G. Evidence of Community Support

There is broad-based support for the Renaissance Zone from residential and business interests. Appendix G includes letters of support submitted in 2022 from:

- ~~City of~~ Bismarck Parks and Recreation District
- Bismarck Public Schools Board
- Bismarck Mandan Chamber-EDC
- Bismarck Downtown Business Association
- Other Institutions and Businesses

The ~~Authority Renaissance Zone Authority~~ and staff will work to preserve and grow this community support by furthering the goals and objectives of this ~~Plan Development Plan~~.

Bylaws of the City of Bismarck Renaissance Zone Authority

Article I. Authority

- A. Authority. The Renaissance Zone Authority is established pursuant to provisions in Chapter 7-08 of the Bismarck Code of Ordinances and NDCC Chapter 40-63. The Renaissance Zone Authority will administer Bismarck's Renaissance Zone Development Plan, as amended, by considering project applications for incentives available through the Renaissance Zone program.
- B. Downtown Design Review Committee. The Renaissance Zone Authority is authorized to act as the Downtown Design Review Committee pursuant to Sections 14-04-21.1 (DC Downtown Core District) and 14-04-21.2 (DF Downtown Fringe District) of the Bismarck Code of Ordinances. The Downtown Design Review Committee will review the designs of proposed projects within Downtown Core and Downtown Fringe zoning districts.

Article II. Membership and Organization

- A. Membership. The membership and organization of the Renaissance Zone Authority shall be as specified in the Bismarck Renaissance Zone Development Plan.
- B. Organization. The organization of the Renaissance Zone Authority consists of a chairperson and vice-chairperson selected by the membership who serve at the pleasure of the membership for one year. Nominations and election of officers shall be taken from the floor at the Renaissance Zone Authority's first meeting of the year. If an officer is unable to complete the specified term, a special election shall be held for the completion of the term. The chairperson shall preside at all Renaissance Zone Authority meetings and review agendas with staff. The vice-chairperson shall conduct all business delegated by the chairperson, in the absence of the chairperson.

Article III. Conduct of Members and Ethics

- A. General Conduct. Members of the Renaissance Zone Authority shall make every effort to attend all meetings and shall make every effort to represent the ~~interests of all citizens of the City of Bismarck~~ general public in a fair and impartial manner.
- B. Conflict of Interest. Any member of the Renaissance Zone Authority who has a direct and substantial personal or pecuniary (financial) interest in a matter before the Authority, whether a voting or non-voting member, must disclose the fact to the Authority and may not participate or vote on that particular matter without the unanimous consent of the rest of the Authority.
- C. Removal of Members. The Renaissance Zone Authority may recommend ~~that the Board of City Commissioners remove~~ removal of any member of the Authority if that member

has failed to attend three (3) consecutive regular meetings of the Renaissance Zone Authority or has failed to attend seven (7) regular meetings within one calendar year to the Board of City Commissioners or other board that appointed that member. ~~The Board of City Commissioners~~Said board shall make judgment on such matters after receiving a report from the Chairperson of the Renaissance Zone Authority.

- D. Open Meetings Requirements. Renaissance Zone Authority members shall comply with all applicable City and State open meeting requirements, including but not limited to requirements of the N.D. Constitution Article XI, Section 5 and N.D.C.C. Section 44-04-19. Communications involving any information relevant to a particular agenda item received by an Authority member before the meeting in reproducible form should be forwarded to staff for dissemination to the Authority. Authority members shall refrain from making any commitments concerning final disposition of any item prior to the meeting.

Article IV. Powers and Duties of the Authority

- A. Powers and Duties of the Authority. The Renaissance Zone Authority shall have all of the powers and duties granted by Chapter 07-08 of the Bismarck Code of Ordinances and Chapter 40-63 of the North Dakota Century Code (NDCC), insofar as adopted by the City of Bismarck, and the Bismarck Renaissance Zone Development Plan, as amended. These powers and duties include, but are not limited to:
1. Project Selection. The Renaissance Zone Authority shall decide whether to recommend approval, denial, or approval with conditions for any proposed Renaissance Zone projects, pursuant to the Renaissance Zone Development Plan, as amended, and all applicable City and State requirements, as well as any other funding requests for which the Renaissance Zone Authority is duly authorized to review.
 2. Amendments to the Development Plan. The Renaissance Zone Authority shall periodically review the Bismarck Renaissance Zone Development Plan, as well as any internal policies and guidelines governing the program, and recommend amendments as appropriate, including boundary adjustments, revisions to project approval criteria, and extension requests.
 3. Downtown Design Review. The Renaissance Zone Authority, acting as the Downtown Design Review Committee, shall decide whether to approve, deny, or approve with conditions any request for Downtown Design Review approval, pursuant to the Downtown Design Guidelines and all requirements of Sections 14-04-21.1 (DC Downtown Core District), 14-04-21.2 (DF Downtown Fringe District), and 04-04-09 (Downtown Signs) of the Bismarck Code of Ordinances and the Comprehensive Plan.
 4. Amendments to Downtown Design Guidelines. The Renaissance Zone Authority, acting as the Downtown Design Review Committee, shall periodically review the

Downtown Design Guidelines and amend as appropriate. The Authority may also recommend amendments to any provisions of the City of Bismarck Code of Ordinances or the Comprehensive Plan pertaining to the downtown.

Article V. Meeting Schedule and Order

- A. Meeting Schedule. The Renaissance Zone Authority's regular meeting time shall be held at 4:00pm on the second Thursday of each month in the Tom Baker Meeting Room in the City-County Office Building. Meetings may be cancelled by the Chairperson due to lack of business. Special meetings can be held at any time and may be called by the Chairperson.
- B. Meeting Notice. Notice of the time and place of a hearing before the Renaissance Zone Authority shall be sent to the applicant or their agent after a complete project application is submitted to staff. Notice of a hearing on a Renaissance Zone project shall be placed in the official city newspaper once each week for two (2) consecutive weeks prior to the hearing. Notice of the time, place and request for Renaissance Zone Authority approval shall be sent to all known property owners within 350 feet of the proposed project no later than ten (10) days prior to the Renaissance Zone Authority meeting.
- C. Quorum. A quorum of at least ~~four (4)~~ a majority of voting Renaissance Zone Authority members must be present to exercise any of the powers and duties of the Authority outlined herein. In instances when a quorum is not present, the Renaissance Zone Authority may discuss items on the agenda but may not cast votes.
- D. Remote attendance. An Authority member may join the meeting by telephone or video and be included in the determination of a quorum, as well as discussion and voting on all agenda items. When one or more of the members of the Authority is participating by telephone or video, a speakerphone or monitor must be provided at the location specified in the meeting notice. A Renaissance Zone Authority member may use this option for temporary situations.
- E. Meeting Order. The order of a regular meeting shall be as follows:
 - 1. Call to order and determination of quorum.
 - 2. Approval of the minutes of the previous meeting.
 - 3. The order of items on the agenda may be changed by the Chairperson.
 - 4. Discussion and action concerning items on the agenda, including any public hearings.
 - 5. Other business.
 - 6. Adjournment.

- F. Meeting Rules. Unless otherwise specified, Robert’s Rules of Order shall govern the proceedings of the Renaissance Zone Authority.

Article VI. Conduct of Hearings

- A. Public Participation. All meetings of the Renaissance Zone Authority are open to the general public. Any member of the public shall be afforded the opportunity to address the Renaissance Zone Authority during any noticed public hearing, governed by the Renaissance Zone Authority’s Public Hearing Procedure and Protocol. The Chairperson may, but is not required to, allow public comment outside of a public hearing.
- B. Maintenance of Order. Members of the public have the obligation to remain in order during any Renaissance Zone Authority meeting. The Chairperson may rule any conduct that interferes with the meeting to be “out-of-order,” and direct the offending person to remain silent. If this person persists in disruptive conduct, the Chairperson may entertain a motion to “eject” the person from the meeting. If the person fails to comply with the successful motion to eject, the Chairperson may then call proper authority to physically remove the individual from the premises for the duration of the meeting or deliberation on that item.

Article VII. Staff Role

- A. Staff Responsibilities. The Bismarck Community Development Department – Planning Division advises the Renaissance Zone Authority on matters related to the Renaissance Zone program, Downtown Design Review, and downtown planning generally; prepares all documents for presentation to the Renaissance Zone Authority; conveys any recommendation of the Renaissance Zone Authority to the Board of City Commissioners or the appropriate body; and otherwise assists the Renaissance Zone Authority in the exercise of their duties, as required.
- B. Staff Privilege. The staff representative(s) from the Community Development Department and City Attorney’s Office have the privilege to address the Renaissance Zone Authority during any meetings.

Article VIII. Appeals

- A. Appeal to the Board of City Commissioners. Any decision of the Renaissance Zone Authority may be appealed to the Board of City Commissioners by either the aggrieved applicant or by any officer, department, or board of the City by filing, within fifteen (15) calendar days after notice of the decision, with the office of the City Administrator or the Community Development Department. The Board of City Commissioners shall fix a time, within thirty (30) days, for the hearing of the appeal and shall give due notice of the hearing to the involved parties.

Article IX. Instruments and Documents

- A. Documents of the Authority. All notices, agendas, requests, letters, reports, maps, photographs, staff reports, minutes and other related items shall constitute the documents of the Renaissance Zone Authority and shall be maintained by the Community Development Department. Meeting documents shall be made available to the general public upon final completion and review by staff.

Article X. Amendment of Bylaws

- A. Amendments. These Bylaws may be amended at any regular meeting of the Renaissance Zone Authority, provided that the proposed amendment has been introduced prior to and included within the agenda packet sent in advance of the meeting. Amendment of the Bylaws shall require the affirmative vote of ~~at least four (4)~~ a majority of members of the Authority.

Adopted this ____ day of _____, ~~2023~~2024

Renaissance Zone Authority

Chairperson

CITY OF BISMARCK ORDINANCE NO. XXXX

| | |
|-----------------------------------|-------|
| <i>First Reading</i> | _____ |
| <i>Second Reading</i> | _____ |
| <i>Final Passage and Adoption</i> | _____ |
| <i>Publication Date</i> | _____ |

AN ORDINANCE TO AMEND SECTION 07-08-01 OF THE CODE OF ORDINANCES OF THE CITY OF BISMARCK, NORTH DAKOTA, AS AMENDED, RELATING TO THE RENAISSANCE ZONE AUTHORITY .

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, BURLEIGH COUNTY, NORTH DAKOTA:

Section 1. Amend. Section 07-08-01 of the Code of Ordinances of the City of Bismarck, North Dakota, relating to the Renaissance Zone Authority, his hereby enacted to read as follows:

07-08-01. Local Zone Authority.

1. A Local Zone Authority ~~appointed~~ designated by the City Commission pursuant to NDCC Chapter 40-63 shall be called the Bismarck Renaissance Zone Authority. The constitution of said authority and the administration of the Bismarck Renaissance Zone program shall be governed by the adopted Bismarck Renaissance Zone Development Plan. The Authority and shall have all of the powers and authorities contained in NDCC Chapter 40-63 that chapter except:
 - a. The Board of City Commissioners shall make the final decision as to whether or not a project or application should be approved.
 - b. The Board of City Commissioners may authorize City staff to aid the Bismarck Renaissance Zone Authority as directed by the Board of City Commissioners.
 - c. The Bismarck Renaissance Zone Authority may utilize consultants or other professionals to aid it in investigating any matter before it.
 - d. Any misrepresentation by an applicant to the Bismarck Renaissance Zone Authority or the City will be considered material and may result in the denial of an application or the

discontinuance of a granted exemption, and the applicant must repay any monies already received together with interest at the statutory rate.

* * * * *

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent remaining portions of this ordinance.

Section 3. Repeal. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. Effective Date. This ordinance shall take effect after final passage, adoption and publication.

BISMARCK RENAISSANCE ZONE PROGRAM - PROJECT STATUS

| State ID | Applicant | Street Address | Project Type | Status | RZA Hearing | Commission Review | State Approval | Completion Date | Proposed Investment | Verified Actual Investment | Initial Building Value | Estimated Building Value w/Investment |
|----------|-------------------------------------|---------------------------|---------------------|-----------|-------------|-------------------|----------------|-----------------|---------------------|----------------------------|------------------------|---------------------------------------|
| 001-B | George T. Duemeland Revocable Trust | 301 East Thayer Avenue | Purchase w/ Improve | Completed | 12/10/02 | 12/17/02 | 01/02/03 | 12/01/03 | \$44,366 | \$66,397 | \$77,000 | \$150,000 |
| 002-B | Dakota Building Partnership | 501 East Main Avenue | Purchase w/ Improve | Completed | 01/06/03 | 01/07/03 | 02/26/03 | 01/31/07 | \$300,000 | \$284,195 | \$444,200 | \$540,000 |
| 003-B | Civic Square Development LLC | 521 East Main Avenue | Purchase w/ Improve | Completed | 02/07/03 | 02/11/03 | 04/21/03 | 12/31/07 | \$600,000 | \$618,111 | \$500 | \$500,000 |
| 004-B | Duemelands Commercial LLLP | 301 East Thayer Avenue | Lease | Completed | 07/14/03 | 07/22/03 | 09/25/03 | 12/01/03 | N/A | N/A | N/A | N/A |
| 005-B | John & Barbara Grinsteiner | 200 North Mandan Street | Purchase | Completed | 10/07/03 | 10/14/03 | 10/16/03 | 10/17/03 | \$5,000 | N/A | \$43,300 | \$77,500 |
| 006-B | Woodmansee's, Inc. | 114 North 4th Street | Rehabilitation | Completed | 10/30/03 | 11/15/03 | 11/21/03 | 01/26/05 | \$125,000 | \$129,333 | \$49,900 | \$120,000 |
| 007-B | Bertsch Properties LLC | 207 East Front Avenue | Rehabilitation | Completed | 11/19/03 | 11/25/03 | 12/03/03 | 01/19/05 | \$601,600 | \$734,707 | \$371,200 | \$1,455,000 |
| 008-B | Northland Financial | 207 East Front Avenue | Lease | Completed | 11/19/03 | 11/25/03 | 12/03/03 | 09/16/04 | N/A | N/A | N/A | N/A |
| 009-B | Bertsch Properties LLC | 218 South 3rd Street | Rehabilitation | Completed | 11/19/03 | 11/25/03 | 12/03/03 | 01/20/05 | \$329,150 | \$378,013 | \$142,300 | \$840,000 |
| 010-B | Lee Enterprises Inc. | 707 East Front Avenue | Rehabilitation | Completed | 12/15/03 | 12/16/03 | 12/29/03 | 10/26/05 | \$2,256,624 | \$2,400,776 | \$2,508,200 | \$4,408,200 |
| 011-B | PJCM Partners, LLP | 901/907 East Front Avenue | Rehabilitation | Completed | 03/03/04 | 03/23/04 | 03/29/04 | 06/30/05 | \$298,840 | \$409,846 | \$151,300 | \$420,000 |
| 012-B | Gartner's Capital Shoe Hospital | 302 East Thayer Avenue | Rehabilitation | Completed | 05/25/04 | 05/25/04 | 06/04/04 | 12/06/05 | \$85,000 | \$103,455 | \$49,900 | \$125,000 |
| 013-B | AW Enterprises | 216 North 2nd Street | Rehabilitation | Completed | 08/10/04 | 08/10/04 | 08/18/04 | 06/22/05 | \$208,814 | \$263,473 | \$173,500 | \$275,000 |
| 014-B | Daryl Rosenau & Clarence Saylor | 225 West Broadway Avenue | Purchase | Completed | 02/07/05 | 02/08/05 | 02/16/05 | 12/26/07 | \$69,550 | \$70,002 | \$167,000 | \$182,500 |
| 015-B | J & L Development, Inc. | 324 North 3rd Street | Rehabilitation | Completed | 11/15/04 | 12/14/04 | 02/16/05 | 09/15/06 | \$750,000 | \$698,396 | \$500,000 | \$900,000 |
| 016-B | Pirogue Grille, Inc. | 121 North 4th Street | Lease | Completed | 03/02/05 | 03/08/05 | 03/22/05 | 08/24/05 | N/A | N/A | N/A | N/A |
| 017-B | Zorells Jewelry Inc. | 221 South 9th Street | New Construction | Completed | 09/20/04 | 03/08/05 | 03/22/05 | 07/30/05 | \$200,000 | \$191,898 | \$20,100 | \$200,000 |
| 019-B | CCC Properties, LLLP | 310 South 5th Street | Purchase | Completed | 08/25/05 | 09/13/05 | 09/21/05 | 07/01/06 | \$168,000 | \$298,372 | \$410,400 | \$450,000 |
| 020-B | American Bank Center | 320 North 4th Street | Rehabilitation | Completed | 09/21/05 | 09/27/05 | 10/04/05 | 08/01/09 | \$3,100,000 | \$2,301,478 | \$809,500 | \$2,000,000 |
| 021-B | Foot Care Associates PC | 310 South 5th Street | Lease | Completed | 01/12/06 | 01/24/06 | 02/03/05 | 04/01/06 | N/A | N/A | N/A | N/A |
| 022-B | Dentyne, Inc. (Bakke & Roller) | 310 South 5th Street | Lease | Completed | 01/12/06 | 01/24/06 | 02/03/05 | 03/13/06 | N/A | N/A | N/A | N/A |
| 023-B | Duemelands Properties, LLLP | 302 South 3rd Street | Purchase | Completed | 01/12/06 | 02/14/06 | 02/16/06 | 12/01/06 | \$190,900 | \$227,295 | \$312,700 | \$345,000 |
| 024-B | Duemelands Properties, LLLP | 312 South 3rd Street | New Construction | Completed | 01/12/06 | 02/14/06 | 02/16/06 | 12/01/06 | \$215,223 | \$233,855 | \$0 | \$250,000 |
| 025-B | Makoché Media, LLC | 208 North 4th Street | Purchase | Completed | 01/12/06 | 02/14/06 | 02/16/06 | 12/27/07 | \$71,612 | \$91,672 | \$247,000 | \$320,000 |
| 026-B | River Q, LLC | 312 South 3rd Street | Lease | Completed | 04/13/06 | 04/25/06 | 05/05/06 | 12/04/06 | N/A | N/A | N/A | N/A |
| 027-B | Gem Group LLC | 412 East Main Avenue | Rehabilitation | Completed | 05/23/06 | 05/23/06 | 05/30/06 | 10/20/06 | \$40,000 | \$50,292 | \$47,800 | \$75,000 |
| 028-B | Heartland Mortgage Company | 412 East Main Avenue | Lease | Completed | 05/23/06 | 05/23/06 | 05/30/06 | 07/01/06 | N/A | N/A | N/A | N/A |
| 029-B | Bismarck MSA dba Verizon Wireless | 302 South 3rd Street | Lease | Completed | 07/24/06 | 07/25/06 | 08/02/06 | 09/14/06 | N/A | N/A | N/A | N/A |
| 030-B | Main Avenue Properties, LLC | 122 East Main Avenue | New Construction | Completed | 10/09/06 | 10/10/06 | 12/05/06 | 12/17/07 | \$3,020,590 | \$2,370,152 | \$0 | \$3,200,000 |
| 031-B | Dakota Office Building, LLC | 300 North 4th Street | Purchase | Completed | 02/05/07 | 02/13/07 | 02/20/07 | 01/30/08 | \$250,000 | \$407,003 | \$1,095,900 | \$1,400,000 |
| 032-B | American Legal Services PC | 521 East Main Avenue | Lease | Completed | 04/02/07 | 04/10/07 | 04/19/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 033-B | Internet Design & Consulting | 521 East Main Avenue | Lease | Completed | 04/02/07 | 04/10/07 | 04/24/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 034-B | Larson Latham Heuttler LLP | 521 East Main Avenue | Lease | Completed | 05/14/07 | 05/22/07 | 06/08/07 | 07/01/07 | N/A | N/A | N/A | N/A |
| 035-B | Retirement Consulting LLC | 521 East Main Avenue | Lease | Completed | 05/14/07 | 05/22/07 | 06/08/07 | 07/01/07 | N/A | N/A | N/A | N/A |
| 036-B | Jason Kirchmeier & Associates | 501 East Main Avenue | Lease | Completed | 06/20/07 | 06/26/07 | 07/11/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 037-B | Roger Koski & Associates | 501 East Main Avenue | Lease | Completed | 06/20/07 | 06/26/07 | 07/11/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 038-B | Melvie Financial Planning | 501 East Main Avenue | Lease | Completed | 06/20/07 | 06/26/07 | 07/11/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 039-B | Westgard Financial Services | 501 East Main Avenue | Lease | Completed | 06/20/07 | 06/26/07 | 07/11/07 | 08/01/07 | N/A | N/A | N/A | N/A |
| 040-B | Rainmaker Gusto Ventures, LLC | 116 North 5th Street | Purchase w/ Improve | Completed | 09/04/07 | 09/11/07 | 10/30/07 | 05/21/08 | \$137,500 | \$142,050 | \$166,800 | \$300,000 |
| 041-B | The Rainmaker Group, Inc. | 116 North 5th Street | Lease | Completed | 11/14/07 | 12/18/07 | 12/27/07 | 06/12/08 | N/A | N/A | N/A | N/A |
| 044-B | Rick & Theresa Keimele | 413 East Broadway Avenue | Rehabilitation | Completed | 11/14/07 | 12/18/07 | 01/11/08 | 10/01/08 | \$136,836 | \$176,955 | \$184,400 | \$263,500 |
| 045-B | Centennial Plaza, LLC | 116 North 4th Street | Purchase | Completed | 12/05/07 | 12/18/07 | 01/22/08 | 01/29/09 | \$238,000 | \$167,894 | \$803,100 | \$1,047,600 |
| 046-B | Westley's Inc. | 423 East Broadway Avenue | Lease | Completed | 02/21/08 | 03/11/08 | 03/19/08 | 07/14/08 | N/A | N/A | N/A | N/A |
| 047-B | Depot Associates | 401 East Main Avenue | Rehabilitation | Completed | 04/18/08 | 05/13/08 | 05/28/08 | 07/01/09 | \$200,000 | \$243,344 | \$372,300 | \$600,000 |
| 048-B | FV Restaurant, Inc. | 401/411 East Main Avenue | Lease | Completed | 04/18/08 | 05/13/08 | 05/28/08 | 06/27/08 | N/A | N/A | N/A | N/A |
| 049-B | T. Casey Cashman | 523 North 1st Street | Rehabilitation | Completed | 05/12/08 | 05/27/08 | 06/12/08 | 12/15/08 | \$25,000 | \$23,375 | \$103,100 | \$130,000 |
| 050-B | Starion Financial | 333 North 4th Street | Rehabilitation | Completed | 05/12/08 | 05/27/08 | 06/12/08 | 12/01/09 | \$2,500,000 | \$3,193,260 | \$1,154,600 | \$2,654,600 |
| 052-B | Mark Benesh & Associates/Prudential | 521 East Main Avenue | Lease | Completed | 10/08/08 | 10/22/08 | 11/04/08 | 04/01/09 | N/A | N/A | N/A | N/A |
| 053-B | CIG Investments, LLP | 408 East Main Avenue | Rehabilitation | Completed | 03/11/09 | 03/24/09 | 04/21/09 | 10/21/09 | \$258,720 | \$199,620 | \$80,700 | \$420,000 |
| 054-B | RC Properties, LLLP | 800 East Sweet Avenue | Rehabilitation | Completed | 05/13/09 | 05/26/09 | 06/03/09 | 01/20/11 | \$2,145,500 | \$1,335,670 | \$576,100 | \$1,900,000 |
| 055-B | Blarney Stone Pub, LLC | 408 East Main Avenue | Lease | Completed | 06/10/09 | 06/23/09 | 07/07/09 | 10/01/09 | N/A | N/A | N/A | N/A |
| 056-B | Cavalier Homes, Inc. | 408 East Main Avenue | Lease | Completed | 06/10/09 | 06/23/09 | 07/07/09 | 10/15/09 | N/A | N/A | N/A | N/A |
| 057-B | Jim Poolman Consulting, Inc. | 408 East Main Avenue | Lease | Completed | 06/10/09 | 06/23/09 | 07/07/09 | 09/05/09 | N/A | N/A | N/A | N/A |
| 058-B | TFRE, LLC | 120/124 North 4th Street | Purchase w/ Improve | Completed | 06/10/09 | 06/23/09 | 06/25/09 | 11/01/10 | \$245,284 | \$246,603 | \$231,100 | \$350,000 |
| 060-B | SRSSM Partnership | 122 East Broadway Avenue | Purchase w/ Improve | Completed | 10/14/09 | 10/27/09 | 11/25/09 | 06/17/10 | \$727,000 | \$620,109 | \$437,680 | \$843,500 |
| 061-B | Sheldon A. Smith, P.C. | 123 East Broadway Avenue | Lease | Completed | 11/12/09 | 11/24/09 | 12/03/09 | 06/21/10 | N/A | N/A | N/A | N/A |
| 062-B | Randall J. Bakke, P.C. | 124 East Broadway Avenue | Lease | Completed | 11/12/09 | 11/24/09 | 12/03/09 | 06/21/10 | N/A | N/A | N/A | N/A |
| 063-B | Scott K. Porsborg, P.C. | 125 East Broadway Avenue | Lease | Completed | 11/12/09 | 11/24/09 | 12/03/09 | 06/21/10 | N/A | N/A | N/A | N/A |

BISMARCK RENAISSANCE ZONE PROGRAM - PROJECT STATUS

| State ID | Applicant | Street Address | Project Type | Status | RZA Hearing | Commission Review | State Approval | Completion Date | Proposed Investment | Verified Actual Investment | Initial Building Value | Estimated Building Value w/Investment |
|----------|---------------------------------------|---------------------------------|---------------------|-----------|-------------|-------------------|----------------|-----------------|---------------------|----------------------------|------------------------|---------------------------------------|
| 064-B | Mitchell D. Armstrong, P.C. | 126 East Broadway Avenue | Lease | Completed | 11/12/09 | 11/24/09 | 12/03/09 | 06/21/10 | N/A | N/A | N/A | N/A |
| 065-B | Suzanne M. Schweigert, P.C. | 122 East Broadway Avenue | Lease | Completed | 11/12/09 | 11/24/09 | 12/03/09 | 07/01/10 | N/A | N/A | N/A | N/A |
| 066-B | Kranzler Kingsley Communications, LTD | 501 East Main Avenue | Lease | Completed | 12/09/09 | 12/22/09 | 01/10/10 | 07/16/10 | \$180,000 | \$295,896 | N/A | N/A |
| 067-B | IRET Properties, LP | 715 East Broadway Avenue | Rehabilitation | Completed | 12/09/09 | 12/22/09 | 01/10/10 | 09/08/10 | \$1,136,650 | \$837,783 | \$1,251,000 | \$1,818,000 |
| 068-B | J & J Smith Property Management, LLC | 115 North 4th Street | Purchase w/ Improve | Completed | 01/13/10 | 01/26/10 | 02/12/10 | 10/25/10 | \$120,000 | \$161,746 | \$294,400 | \$437,000 |
| 069-B | Jimmy John's | 301 South 3rd Street | Lease | Completed | 02/10/10 | 02/23/10 | 03/02/10 | 07/13/10 | \$75,000 | \$140,000 | N/A | N/A |
| 070-B | J2 Studio Architecture + Design | 521 East Main Avenue | Lease | Completed | 02/10/10 | 02/23/10 | 03/02/10 | 03/11/10 | N/A | N/A | N/A | N/A |
| 071-B | JS Bridal, LLC | 115 North 4th Street | Lease | Completed | 06/09/10 | 06/22/10 | 07/02/10 | 11/01/10 | N/A | N/A | N/A | N/A |
| 072-B | Toasted Frog West, LLC | 124 North 4th Street | Lease | Completed | 10/19/10 | 10/26/10 | 11/10/10 | 12/01/10 | N/A | N/A | N/A | N/A |
| 073-B | A.L. Brend, DDS | 207 East Front Avenue | Lease | Completed | 10/13/10 | 10/26/10 | 11/10/10 | 10/24/11 | N/A | N/A | N/A | N/A |
| 074-B | Magi-Touch Carpet & Furniture, Inc | 800 East Sweet Avenue | Lease | Completed | 10/19/10 | 10/26/10 | 11/10/10 | 02/01/11 | N/A | N/A | N/A | N/A |
| 075-B | American Bank Center | 401 North 4th Street | New Construction | Completed | 10/19/10 | 10/26/10 | 11/10/10 | 10/15/12 | \$3,200,000 | \$3,046,296 | \$125,000 | \$3,500,000 |
| 076-B | Spaces, Inc. | 122 East Main Avenue | Lease | Completed | 01/12/11 | 01/25/11 | 02/07/11 | 02/21/11 | N/A | N/A | N/A | N/A |
| 077-B | Aimee C. Reidy | 306 South 10th Street | Rehabilitation | Completed | 03/09/11 | 03/22/11 | 04/17/11 | 08/24/11 | \$20,000 | \$45,433 | \$68,200 | \$120,000 |
| 080-B | Pine Properties, LLC | 100 West Broadway Avenue | New Construction | Completed | 06/08/11 | 06/28/11 | 08/10/11 | 02/01/15 | \$27,000,000 | \$23,947,483 | \$175,000 | \$23,500,000 |
| 081-B | Gulch II, LLC (fka HST, LLC) | 506/510 East Main Avenue | Rehabilitation | Completed | 07/12/11 | 07/26/11 | 08/10/11 | 01/15/14 | \$3,100,000 | \$3,535,146 | \$243,500 | \$3,000,000 |
| 082-B | Daymarck, LLC | 521 East Main Avenue | Lease | Completed | 07/12/11 | 07/26/11 | 08/10/11 | 11/07/13 | N/A | N/A | N/A | N/A |
| 083-B | JLB-BIS, Inc. | 217 North 3rd Street | Rehabilitation | Completed | 02/21/12 | 02/28/12 | 03/12/12 | 11/15/12 | \$350,000 | \$569,954 | \$113,500 | \$265,000 |
| 084-B | Broadway Centre, LLC | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 02/28/12 | 03/12/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 085-B | Pine Properties, LLC | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 03/27/12 | 05/14/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 086-B | Pine Investment Company, LLC | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 03/27/12 | 05/14/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 087-B | Pine Enterprises, LLC | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 03/27/12 | 05/14/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 088-B | Pine Petroleum, Inc. | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 03/27/12 | 05/14/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 089-B | Pine Oil Company | 100 West Broadway Avenue | Lease | Completed | 02/21/12 | 03/27/12 | 05/14/12 | 07/31/14 | N/A | N/A | N/A | N/A |
| 090-B | Kenneth Clark and Dave Clark | 106 East Thayer Avenue | Rehabilitation | Completed | 07/17/12 | 07/24/12 | 07/26/12 | 02/07/13 | \$89,000 | \$95,402 | \$117,800 | \$197,000 |
| 091-B | Bread Poets Baking Company, LLC | 106 East Thayer Avenue | Lease | Completed | 07/17/12 | 07/24/12 | 07/26/12 | 02/07/13 | N/A | N/A | N/A | N/A |
| 092-B | Obermiller Nelson Engineering | 116 North 5th Street | Lease | Completed | 08/21/12 | 08/28/12 | 08/29/12 | 09/01/12 | N/A | N/A | N/A | N/A |
| 095-B | Hump Back Sally's, LLC | 510 East Main Avenue | Lease | Completed | 11/20/12 | 11/27/12 | 01/09/13 | 01/01/15 | N/A | N/A | N/A | N/A |
| 096-B | Faass Lavida, LLC | 510 East Main Avenue | Lease | Completed | 01/15/13 | 01/22/13 | 02/21/13 | 09/01/13 | N/A | N/A | N/A | N/A |
| 097-B | J&G, Inc dba Red Wing Shoes | 529 East Broadway Avenue | Lease | Completed | 06/18/13 | 06/25/13 | 06/27/13 | 10/01/13 | \$73,996 | \$73,514 | N/A | N/A |
| 098-B | Skjonsby Unlimited, Inc. | 222 West Broadway Avenue | Rehabilitation | Completed | 06/18/13 | 06/25/13 | 06/27/13 | 12/20/13 | \$72,421 | \$93,607 | \$41,300 | \$90,000 |
| 099-B | Arikota, LP (United Printing) | 306 South 1st Street | New Construction | Completed | 06/18/13 | 06/25/13 | 09/18/13 | 11/17/17 | \$3,000,000 | \$3,166,484 | \$0 | \$2,000,000 |
| 100-B | Langan Engineering & Environmental | 401 East Broadway Avenue | Lease | Completed | 08/20/13 | 08/27/13 | 01/14/14 | 05/16/14 | N/A | N/A | N/A | N/A |
| 101-B | Kadlec Enterprises, LLC | 307 North 3rd Street | Rehabilitation | Completed | 09/17/13 | 09/24/13 | 09/25/13 | 06/14/14 | \$490,051 | \$412,637 | \$212,400 | \$550,000 |
| 102-B | Fireflour, LLC | 111 North 5th Street | Lease | Completed | 09/17/13 | 09/24/13 | 09/25/13 | 10/23/13 | \$28,500 | \$35,814 | N/A | N/A |
| 103-B | Norma Apartments, LLP | 215 North 3rd Street | Rehabilitation | Completed | 10/15/13 | 10/22/13 | 11/15/13 | 03/03/16 | \$704,226 | \$859,156 | \$418,700 | \$450,000 |
| 104-B | CC's Physical Therapy, LLC | 100 West Broadway Avenue | Lease | Completed | 03/18/14 | 03/26/14 | 04/02/14 | 12/10/14 | N/A | N/A | N/A | N/A |
| 105-B | Pure Skin, LLC | 100 West Broadway Avenue | Lease | Completed | 04/15/14 | 04/22/14 | 05/29/14 | 12/12/14 | N/A | N/A | N/A | N/A |
| 106-B | Broadway Centre Salon & Spa, Inc. | 100 West Broadway Avenue | Lease | Completed | 04/15/14 | 04/22/14 | 05/29/14 | 12/04/14 | N/A | N/A | N/A | N/A |
| 107-B | Lucky Ducks ND, LLC | 307 North 3rd Street | Lease | Completed | 05/20/14 | 05/27/14 | 05/28/14 | 06/15/14 | N/A | N/A | N/A | N/A |
| 108-B | George Yineman/Bismarck Realty Co. | 113 South 5th Street | Lease | Completed | 10/22/14 | 10/28/14 | 11/06/14 | 01/01/15 | \$17,100 | \$20,365 | N/A | N/A |
| 109-B | William F. Cleary | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 11/18/14 | 11/25/14 | 12/15/14 | 12/17/14 | N/A | N/A | N/A | N/A |
| 110-B | Gulch Holdings II, LLC | 514 East Main Avenue | Purchase w/ Improve | Completed | 01/20/15 | 01/27/15 | 02/23/15 | 02/11/16 | \$246,035 | \$258,513 | \$190,300 | \$400,000 |
| 111-B | Juniper, LLC | 315 East Broadway Avenue | Lease | Completed | 02/17/15 | 02/24/15 | 03/27/15 | 09/24/15 | N/A | N/A | N/A | N/A |
| 112-B | Terra Nomad, LLC | 514 East Main Avenue | Lease | Completed | 03/17/15 | 03/24/15 | 04/20/15 | 06/30/15 | N/A | N/A | N/A | N/A |
| 113-B | Leon 'Curly' Schoch | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 04/30/15 | 05/12/15 | 06/03/15 | 06/10/15 | N/A | N/A | N/A | N/A |
| 114-B | The Barber's Wife, LLC | 116 North 5th Street | Lease | Completed | 04/30/15 | 05/12/15 | 07/20/15 | 07/23/15 | N/A | N/A | N/A | N/A |
| 115-B | Rick and Lori Lee | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 05/19/15 | 05/26/15 | 06/30/15 | 07/01/15 | N/A | N/A | N/A | N/A |
| 116-B | Kevin D. Reisenauer | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 04/30/15 | 05/12/15 | 08/11/15 | 08/11/15 | N/A | N/A | N/A | N/A |
| 117-B | 100 West Main, LP | 100 West Main Avenue | New Construction | Completed | 09/15/15 | 09/22/15 | 11/23/15 | 02/02/18 | \$5,206,732 | \$5,677,613 | \$20,000 | \$3,000,000 |
| 118-B | Glasser Images, LLC | 510 East Main Avenue | Lease | Completed | 11/17/15 | 11/24/15 | 04/25/16 | 04/25/16 | N/A | N/A | N/A | N/A |
| 119-B | River Road Partners, LLC | 212 East Main Avenue | Purchase w/ Improve | Completed | 12/15/15 | 12/22/15 | 02/11/16 | 08/01/18 | \$100,000 | \$125,140 | \$130,200 | \$360,000 |
| 120-B | The Starving Rooster, LLC | 512 East Main Avenue | Lease | Completed | 06/21/16 | 06/28/16 | 07/20/16 | 03/31/17 | N/A | N/A | N/A | N/A |
| 121-B | Steven and Carl Hall | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 10/18/16 | 10/25/16 | 11/16/16 | 11/16/16 | N/A | N/A | N/A | N/A |
| 122-B | NoodleZip | 208 East Main Avenue | Lease | Completed | 02/09/17 | 02/28/17 | 03/17/17 | 07/21/17 | \$62,000 | \$63,950 | N/A | N/A |
| 123-B | Mark Ruhland | 101 West Broadway Avenue, Suite | Primary Residential | Completed | 06/08/17 | 06/27/17 | 08/01/17 | 08/01/17 | N/A | N/A | N/A | N/A |
| 124-B | 701 Roots LLC | 201 West Main Avenue | Rehabilitation | Completed | 07/13/17 | 07/25/17 | 08/02/17 | 08/02/18 | \$600,000 | \$646,351 | \$827,600 | \$1,427,600 |
| 125-B | Active Life Chiropractic, PC | 201 West Main Avenue | Lease | Completed | 07/13/17 | 07/25/17 | 08/02/17 | 08/02/18 | N/A | N/A | N/A | N/A |

BISMARCK RENAISSANCE ZONE PROGRAM - PROJECT STATUS

| State ID | Applicant | Street Address | Project Type | Status | RZA Hearing | Commission Review | State Approval | Completion Date | Proposed Investment | Verified Actual Investment | Initial Building Value | Estimated Building Value w/Investment |
|----------|---------------------------------------|---------------------------------|---------------------|-----------|-------------|-------------------|----------------|-----------------|----------------------|----------------------------|------------------------|---------------------------------------|
| 126-B | Harvester Truck Shop, LLC | 122 North Mandan Street | Rehabilitation | Completed | 08/10/17 | 08/22/17 | 08/28/17 | 08/29/18 | \$590,000 | \$633,413 | \$349,400 | \$1,000,000 |
| 127-B | Proximal 50, Inc | 122 North Mandan Street | Lease | Completed | 08/10/17 | 08/22/17 | 08/28/17 | 08/29/18 | N/A | N/A | N/A | N/A |
| 128-B | Traci and Bruce Maragos | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 04/13/17 | 04/25/17 | 09/19/17 | 09/19/17 | N/A | N/A | N/A | N/A |
| 129-B | Lester and Patricia Neff | 102 West Broadway Avenue, Suite | Primary Residential | Completed | 06/08/17 | 06/27/17 | 09/26/17 | 09/26/17 | N/A | N/A | N/A | N/A |
| 130-B | Butterhorn, Inc | 210 East Main Avenue | Lease | Completed | 09/14/17 | 09/26/17 | 10/03/17 | 05/11/18 | \$860,000 | \$492,641 | N/A | N/A |
| 131-B | Advanced Skin Support, LLC | 401 East Broadway Avenue | Lease | Completed | 09/14/17 | 09/26/17 | 10/18/17 | 01/12/18 | N/A | N/A | N/A | N/A |
| 132-B | Newgen 1, LLC | 112 North 4th Street | Purchase w/ Improve | Completed | 10/12/17 | 10/24/17 | 10/30/17 | 03/03/20 | \$127,700 | \$113,948 | \$220,400 | \$350,000 |
| 133-B | Boutique Twenty-Three, LLC | 201 West Main Avenue | Lease | Completed | 10/12/17 | 10/24/17 | 10/30/17 | 08/11/18 | N/A | N/A | N/A | N/A |
| 134-B | The Barbers Wife, LLC | 401 East Broadway Avenue | Lease | Completed | 11/09/17 | 11/27/17 | 12/04/17 | 08/07/18 | N/A | N/A | N/A | N/A |
| 135-B | Anima Cucina, LLC | 101 North 5th Street | Lease | Completed | 12/14/17 | 12/26/17 | 01/12/18 | 10/30/18 | N/A | N/A | N/A | N/A |
| 136-B | Invision Property, LLP | 815 East Main Avenue | Rehabilitation | Completed | 02/08/18 | 02/27/18 | 03/07/18 | 04/26/19 | \$968,000 | \$999,446 | \$426,500 | \$1,000,000 |
| 137-B | The Craftcade, LLC | 405 North 4th Street | Lease | Completed | 03/08/18 | 03/27/18 | 04/11/18 | 05/15/19 | \$215,000 | \$227,267 | N/A | N/A |
| 138-B | Soul Haven Studios, LLP | 209 West Main Avenue | Lease | Completed | 11/08/18 | 11/27/18 | 12/05/18 | 04/26/19 | N/A | N/A | N/A | N/A |
| 139-B | Schuetz Development, LLC | 420 East Main Avenue | Purchase w/ Improve | Completed | 11/09/17 | 12/18/18 | 12/20/18 | 11/20/21 | \$7,182,725 | \$10,468,601 | \$5,509,100 | \$7,275,000 |
| 140-B | Todd Neff | 100 West Broadway Avenue, Suite | Primary Residential | Completed | 04/11/19 | 04/23/19 | 04/26/19 | 04/26/19 | N/A | N/A | N/A | N/A |
| 141-B | 630 Main Apartments | 630 East Main Avenue | New Construction | Completed | 01/10/19 | 02/26/19 | 05/01/19 | 12/19/23 | \$8,200,000 | \$8,975,086 | \$0 | \$8,200,000 |
| 142-B | Brick Oven Bakery, LLC | 112 North 4th Street | Lease | Completed | 05/09/19 | 05/28/19 | 06/10/19 | 02/19/20 | N/A | N/A | N/A | N/A |
| 143-B | First Street Lofts | 215 S 1st Street | New Construction | Completed | 06/13/19 | 06/25/19 | 06/27/19 | 06/01/21 | \$7,000,000 | \$7,365,709 | \$186,800 | \$7,000,000 |
| 144-B | Lander Group/506 Properties, LLC | 112 E Avenue A | New Construction | Completed | 02/13/20 | 02/25/20 | 03/02/20 | 02/05/24 | \$2,560,000 | \$3,425,639 | \$289,100 | \$3,000,000 |
| 145-B | Lander Group/The Boutrous Group, LLC | 500 North 3rd Street | New Construction | Completed | 02/13/20 | 02/25/20 | 03/02/20 | 01/03/24 | \$9,150,000 | \$9,664,952 | \$306,100 | \$9,500,000 |
| 146-B | JJ Hageness Renovation, LLC | 418 East Rosser Avenue | Rehabilitation | Withdrawn | 05/14/20 | 05/26/20 | 06/02/20 | | \$2,500,000 | Pending | \$1,085,700 | \$2,500,000 |
| 147-B | Transition Florida LLC | 114 North 3rd Street | Rehabilitation | Completed | 10/08/20 | 10/27/20 | 10/29/20 | 02/02/23 | \$780,000 | \$1,591,134 | \$1,560,000 | \$1,800,000 |
| 148-B | Dennis and Linda Abel | 102 West Broadway Avenue, Suite | Primary Residential | Completed | 11/12/20 | 11/24/20 | 12/02/20 | 12/04/20 | N/A | N/A | N/A | N/A |
| 149-B | JMN Roots, LLC | 212 N 2 nd Street | Purchase w/ Improve | Completed | 07/08/21 | 07/27/21 | 07/30/21 | 01/19/22 | \$125,000 | \$167,359 | \$190,000 | \$250,000 |
| 150-B | Freedom Financial Group, LLC | 212 N 2 nd Street | Lease | Completed | 07/08/21 | 07/27/21 | 07/30/21 | 01/19/22 | N/A | N/A | N/A | N/A |
| 151-B | My Happy Place | 319 N Mandan Street | Rehabilitation | Completed | 02/10/22 | 02/22/22 | 02/24/22 | 02/03/23 | \$125,000 | \$141,794 | \$193,600 | \$400,000 |
| 152-B | Balerud Rentals, LLC/DDB Rentals, LLC | 425 N 5th Street | Rehabilitation | Completed | 07/14/22 | 07/26/22 | 07/28/22 | 04/21/23 | \$1,000,000 | \$1,010,103 | \$1,687,500 | \$3,200,000 |
| 153-B | Quality Title, Inc | 425 N 5th Street | Lease | Completed | 07/14/22 | 07/26/22 | 07/28/22 | 04/21/23 | N/A | N/A | N/A | N/A |
| | Applewood Group | 215 West Thayer Ave | New Construction | Withdrawn | 10/14/21 | | | | \$1,539,300 | \$0 | \$0 | \$1,800,000 |
| | | | | | | | | | \$108,338,545 | \$108,062,977 | \$27,964,680 | \$115,132,000 |