

*Design Review Board  
April 2, 2014*

**MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, APRIL 2, 2014, AT 6:30 P.M. IN THE MEN'S LOUNGE OF THE CLARK MEMORIAL CLUBHOUSE, 19 N. NINTH STREET, CLARKDALE, AZ.**

A **Regular Meeting** of the Design Review Board of the Town of Clarkdale was held on Wednesday, April 2, 2014, at 6:30 p.m. in the Men's Lounge of the Clark Memorial Clubhouse, 19 N. Ninth Street, Clarkdale, AZ.

**BOARD MEMBERS:**

Chairperson	Robyn Prud'homme-Bauer	Present
Vice Chairperson	Marsha Foutz	Present
Board Members	Kerrie Snyder	Present
	John Stevenson	Excused
	Mike Garvey	Present

**STAFF:** Community Development  
GIS/Planner II

Guss Espolt

**Others in Attendance:** Kurt Snyder, Matt LaVoire, David Baird.

1. **AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:30 p.m.
2. **AGENDA ITEM: ROLL CALL:** The GIS/Planner II called roll.
3. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of March 5, 2014.** Board Member Foutz motioned to approve the Regular Meeting Minutes of March 5, 2014. Board Member Snyder seconded the motion. The motion passed unanimously.
4. **AGENDA ITEM: REPORTS:**

**Chairperson & Member's Special Events Report:** Work continues on the Benatz Trail – dedication may be in June. The river race was a low count. Board Members asked about the status of the kiosks in the Town. They also asked if applicants are allowed to alter signs after Design Review Board's approval.

**Staff Report:** Staff provided information to the Board Members regarding: Sign permit fees and design review application fees with comparisons of other areas. Staff will investigate the status of the kiosks in question within the Town. Staff stated applicants must adhere to the Town of Clarkdale Code regarding any alterations to signs after receiving the Board's approval.

5. **AGENDA ITEM: PUBLIC COMMENT:** The public is invited to provide comments at this time on items that are not on this agenda. Action taken as a result of public comment will be limited to directing staff to study the matter, or scheduling the matter for further consideration and

***Design Review Board  
April 2, 2014***

decision on a later agenda, as required by the Arizona Open Meeting Law. Each speaker is asked to limit comments to **FIVE minutes**. **There was no public comment.**

**NEW BUSINESS**

**6. AGENDA ITEM: DISCUSSION & POSSIBLE ACTION:** DRB-090856 – A request to replace the existing wood siding with stucco on the West side of the building on 906 First South St. and the back of the building at 902 First South St. – Mr. Bill Snyder. **Board Member Snyder recused herself from this agenda item due to a Conflict of Interest.**

• **Staff Report:**

**Background:**

Mr. Bill Snyder is requesting approval to replace the existing wood siding with stucco on the property located at 902 & 906 First South St. The application of stucco to the proposed buildings will prevent future deterioration. Once completed the buildings will have a consistent appearance. (See attached photos.)

***Zoning Code Chapter 11, Section 11-4 Review Criteria for Design Review Approval.***

*‘The Design Review Board shall review applications for design approval of new construction, alterations, additions, or renovations to existing buildings or structures...’*

***Zoning Code Chapter 11, Section 11-4, 1 & 7 Review Criteria for Design Review Approval.***

1. **ARCHITECTURAL MERIT:** The architecture and design shall be visually compatible with the buildings, structures and places to which it is related.
  
7. **MATERIAL, TEXTURE AND COLOR:** The materials, textures and colors of the façade of a building shall be visually compatible with the predominant materials, textures and colors used in the buildings and structures to which they are related.

***Per Section 304.1 of the International Property Maintenance Code, Article 9-4 of the Town Code:***

*‘The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.’*

Application of stucco to an existing building does not require a building permit, however, the Building Official does conduct a courtesy inspection of these projects.

**Staff Comments:**

Staff understands the desire to replace the wood siding with a more permanent finish. In staff’s opinion, since the stucco will be finished with a color similar to the other existing buildings on the site, this proposal meets criteria #1 and # 7 of the review criteria for Design Review approval.

*Design Review Board  
April 2, 2014*

**Staff Recommendations**

Having met all code requirements, staff recommends the application of stucco as presented be approved.

**Applicant Presentation:** Mr. Kurt Snyder said they would be going over the wood siding to keep the consistent appearance of the buildings.

**Questions to Staff / Applicant:**

Per the applicant, this project will prevent future deterioration.

**Discussion:**

The Board Members feel this project will give the buildings a consistent appearance.

**ACTION:** Board Member Garvey motioned to approve DRB-090856 – request to replace the existing wood siding with stucco on the West side of the building on 906 First South St. and the back of the building at 902 First South St. with the following staff recommendation:

Having met all code requirements, staff recommends the application of stucco as presented be approved.

Board Member Foutz seconded the motion. The motion passed unanimously.

*Board Member Snyder returned to the meeting.*

**7. AGENDA ITEM: DISCUSSION & POSSIBLE ACTION:** DRB-090857 – A request for a Sidewalk Café at 907 Main St. – Four Eight Wineworks.

• **Staff Report:**

**Background:**

Mr. Matt LaVoire is requesting approval to have a sidewalk café on the property located at 907 Main St. The sidewalk café will add an enjoyable area where customers can go to relax, dine, and socialize.

On March 14, 2012 Resolution #1388 “The Sidewalk Café Permit Code” was approved and created a new Section 4-16: General Provisions Sidewalk Café Permit in the Zoning Code Chapter 4. The purpose of the section is to promote general economic development, protect the public health, safety and general welfare and the atmosphere of the Town for the benefit of all businesses and our citizens and visitors.

**Design Review Board**  
**April 2, 2014**

The Four Eight Wineworks proposed sidewalk café stanchions will be 36" tall made of 3" x 3" wood with rustic rings on each side for the 5' and 12' sections of vintage style rope with antiqued ends to be attached. The stanchions will have antiqued metal caps and a base to be 1' x 1' antiqued metal. (See attached exhibit.)

The four benches will be 4' x 18" wood accompanied by eight 14" round wood tables; both will have brushed steel legs. (See attached exhibit.)

Benches will be affixed to the building with locked chains, or pulled in at closing. All other items will be brought in at closing. If affixing of benches to building occurs, a core hole will be drilled and an industrial epoxy will be applied to lag bolts and the anchors will be placed in a similar fashion as the existing overhead signage. (See attached exhibit.)

Please note, Four Eight Wineworks, though having ample space within their proposed seating area has chosen to keep the seating and tables to a comfortable minimum.

***Zoning Code Chapter 4, Section 4-16 Sidewalk Café Permit.***

- C. Permit required and fees: *An annual permit issued by the Town to operate a sidewalk cafe is required and may be issued only to a business that holds all current Federal, State and local licenses required to operate said business wishing to establish a sidewalk cafe on the public or private property directly adjacent to the business to be used by the general public.*
- D. Furniture: *Use furniture and any other objects of such quality, design, materials, and workmanship that are approved or otherwise authorized by the Design Review Board, including but not limited to barriers, umbrellas, chairs, and tables made of fire retardant and/or pressure treated materials and that can be properly secured/weighted to withstand strong winds. Umbrellas, chairs or tables with advertising, signage or other writing on them are not allowed. Benches will be affixed to the building with locked chains, or pulled in at closing and no advertising exists on proposed tables and benches.*
- E. Signage: *One temporary, single-sided sign not exceeding six square feet in area, non-illuminated and displayed at a height not exceeding four feet, shall be permitted. The wording of such temporary sign shall be limited to the name of the business operating the sidewalk cafe and may state the items and prices of food offered for sale. The temporary sign shall be placed within the permitted area and shall not be placed on the adjacent building or on any permanent structure and shall be displayed only while the sidewalk cafe is open and operating. The following types of signs and decorations are prohibited: Signs painted or lettered on banner-type material; moving, fluttering and flapping pennants, flags, balloons and similar decorations. No additional signage has been requested per this application.*

*Design Review Board  
April 2, 2014*

*F. Hours: Sidewalk cafes may operate during the regular business hours of the restaurant operating the sidewalk cafe, but no later than 11:00 p.m. No orders for food and/or beverages shall be taken after 10:00 p.m. for service at the sidewalk cafe. The Four Eight Wineworks business hours are 12:00 noon to 7:00 PM at this time.*

*G. Lighting: Lighting shall be that from the existing business or street lamps. For safety reasons, no extension cords or free standing temporary lighting will be permitted. Battery operated lights attached to the umbrella poles so as to minimize impact on dark skies and adjacent properties will be permitted. The Four Eight Wineworks has been informed of this portion of the code and has no intention of adding lighting at this time.*

**H. Other restrictions:**

- 1. No outdoor cooking of any type is permitted within the sidewalk cafe area.*
- 2. No amplified music is permitted within the sidewalk cafe area. Single acoustic instruments such as a guitar will be allowed so long as musicians have a contractual arrangement with the owner.*
- 3. Liquor Service. Each sidewalk cafe serving alcoholic beverages shall provide all services in compliance with relevant local, state, and federal laws, including but not limited to the compliance with State Liquor License requirements and the verification of the legal drinking age of all patrons. No alcoholic beverages shall be removed from the sidewalk cafe in which they were served. Food service shall be available at all times commensurate with alcohol service. The operator of the sidewalk cafe shall comply with all barriers as may be required with an extension of premises of the relevant liquor license.*
- 4. Health Codes Compliance. Each sidewalk cafe shall ensure compliance with all applicable County Health Codes and obtain any necessary extension/expansion permits required by the County.*
- 5. Trash removal. The operator of the sidewalk cafe shall ensure all trash is removed from the sidewalk cafe area at the close of operating hours daily.*
- 6. Sidewalk Cafe Location Restrictions. The cafe shall not block or restrict the sidewalk to less than applicable Americans with Disabilities Act (ADA) requirements or block the ingress/egress to any building. Also, no items shall be placed so as to block any doorway, driveway, crosswalk, or counter service window. Clearances should take into consideration nearest immovable object on the sidewalk.*
- 7. Smoking. The availability of smoking areas shall be in compliance with applicable federal,*

*state and local laws.*

*Any outdoor heating devices need Fire District and Building Official review and approval. The applicant is aware of these other restrictions and shall comply.*

8.

**I. Indemnity & Liability:** *As part of the permitting process set forth herein, any person or entity receiving a permit set forth herein shall execute an indemnity agreement indemnifying and releasing the Town of Clarkdale, its agents, employees and elected officials from any and all liability against any and all claims, actions and suits of any type whatsoever. The Town shall not be liable to any permittee or any license holder for any damage, loss, inconvenience, business interruption, demolition, loss of business. The applicant is aware of the Indemnity & Liability obligations and shall comply.*

***Zoning Code Chapter 11, Section 11-4 Review Criteria for Design Review Approval.***

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**Staff Comments:**

Staff believes the Sidewalk Café mirrors the quality and integrity of the Town Business District.

**Staff Recommendations**

Having met all code requirements, staff recommends the Four Eight Wineworks Sidewalk Café as presented be approved with the following stipulation:

Applicant shall maintain compliance with all related codes and shall keep all relevant licenses and insurance current.

*Design Review Board  
April 2, 2014*

- **Applicant Presentation:** Applicant discussed the proposal for their Sidewalk Café located at 907 Main St.

- **Questions to Staff/Applicant:**

Q: How do you plan to keep customers from the Newstand Bar from using your area?

A: The tables, benches, etc., will be pulled in at the end of business hours.

Q: How do you plan on moving the benches based on a safety issue?

A: Staff will have Public Works look in to this issue.

Applicant stated nothing is permanent and will be brought in at closing.

- **Discussion:**

Staff stated the Town would like to do a ribbon cutting that will be added to the “Locally Clarkdale” YouTube.

- **Action/Motion:** Board Member Snyder motioned to approve DRB-090857 – a request for a Sidewalk Café at 907 Main St. – Four Eight Wineworks with the following staff stipulations:

Having met all code requirements, staff recommends the Four Eight Wineworks Sidewalk Café as presented be approved with the following stipulation:

Applicant shall maintain compliance with all related codes and shall keep all relevant licenses and insurance current.

Board Member Garvey seconded the motion. The motion passed unanimously.

**8. AGENDA ITEM: FUTURE AGENDA ITEMS:**

- 9. AGENDA ITEM: ADJOURNMENT:** Board Member Snyder motioned to adjourn the meeting. Board Member Garvey seconded the motion. The motion passed unanimously. The meeting adjourned at 7:20 p.m.

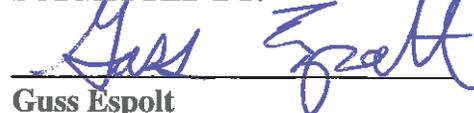
APPROVED BY:



Chairperson

Robyn Prud'homme-Bauer

SUBMITTED BY:



Guss Espolt

GIS/Planner II