



*Design Review Board  
June 4, 2014*

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 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**

*Chairperson Robyn Prud'homme-Bauer recused herself from this agenda item due to a conflict of interest. Vice Chairperson Marsha Foutz recused herself from this agenda item due to a conflict of interest.*

6. **AGENDA ITEM: DISCUSSION & POSSIBLE ACTION:** DRB-090892 – A portable sign to be placed at the front of the building on Parcel #400-03-158 at 920 Main Street.

**Staff Report:**

**Background:**

Ms. Prud'homme-Bauer has submitted an application to Design Review for a portable sign for Made in Clarkdale – The Corner Gallery, a business located at 921 Main Street.

The proposed 2' x 3' portable sign is to be placed on the sidewalk in front of their business. The proposed portable sign will display the "Made in Clarkdale" logo in black and a line of black text reading "The Corner Gallery" below will be red text reading "Open". The lower part of the portable sign will have posters added for future events.

**Staff Analysis:**

Pertinent Design Guidelines as adopted by DRB on 2/6/2013.

1. No more than three different fonts should be used in the text for the sign. The proposed sign has (3) three different fonts and does not exceed the suggested font count.
2. Sign should have no more than 50 percent opacity. Dark background colors are preferred. Made in Clarkdale – The Corner Gallery with the added future event posters – the sign complies with the new criteria. (See attached photos).
3. Signs should be non-reflective. The proposed sign has no reflectivity.
4. Signs should be readable from the closest major road. The readability of the Made in Clarkdale – The Corner Gallery proposed sign complies with the new criteria.

**Portable Sign**

Zoning Code Chapter 7 Sign Code Section 7-8-H Portable Signs applicable code: The Made in Clarkdale – The Corner Gallery portable sign complies with this code.

1. Permitted in the Commercial and Central Business Districts with the following restrictions:

***Design Review Board  
June 4, 2014***

Maximum size is six (6) square feet. Portable sign is (6) six square feet.

Information on signs shall be current. The proposed portable sign shall display open.

Signs shall be of sufficient weight and durability to withstand wind gusts and storms so as not to blow over or become airborne. The proposed portable sign will have an under-mounted counter weight.

One portable sign is allowed per business. Only one proposed portable sign is submitted.

One five (5) foot wide pedestrian passage way must be maintained around signs on a public sidewalk. The portable sign will be located on the public right of way and applicant shall assure minimum 5 foot American Disabilities Act ADA isle width is maintained.

No attachments to a portable sign are permitted. Proposed portable sign has no attachments.

Portable signs shall be displayed only during the posted hours of the business is open. Proposed portable sign will be removed at the close of business hours.

**Possible Actions:**

The Design Review Board may approve the signage submitted, conditionally approve the signage with stipulations, or disapprove the application as filed.

**Staff Recommendations:**

Having met all code requirements, staff recommends the signage as presented be approved with the following stipulations:

1. Made in Clarkdale – The Corner Gallery must keep up appearance of sandwich board to comply with Zoning Code Chapter 7 Sign Code Section 7-2-H. General Provisions: Signs shall be maintained and be free of chipping paint, visible cracks or gouges, or general deterioration.

One five (5) foot wide pedestrian passage way must be maintained around signs on a public sidewalk. Applicant portable sign must comply with the American Disabilities Act (ADA) 5' required clearance.

**Applicant Presentation:** Staff went over the applicants request according to the information provided in the Board Member's meeting packets.

**Questions to Staff/Applicant:** None.

**Discussion:** None.

*Design Review Board  
June 4, 2014*

**Action/Motion:** Board Member Garvey motioned to approve DRB-090892 – A portable sign to be placed at the front of the building on Parcel #400-03-158 at 920 Main Street as presented with the following Staff stipulations:

-Made in Clarkdale – The Corner Gallery must keep up appearance of sandwich board to comply with Zoning Code Chapter 7 Sign Code Section 7-2H. General Provisions: Signs shall be maintained and be free of chipping paint, visible cracks or gouges, or general deterioration.

-One five (5) foot wide pedestrian passage way must be maintained around signs on a public sidewalk. Applicant portable sign must comply with the American Disabilities Act (ADA) 5' required clearance.

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

*Chairperson Robyn Prud'homme-Bauer and Vice Chairperson Marsha Foutz returned to the meeting.*

**AGENDA ITEM: DISCUSSION & POSSIBLE ACTION:** DRB-090891 – A request to add a sidewalk café to the front of the building on Parcel #400-03-160 at 915 Main Street-Clarkdale Market.

**Staff Report:**

**Background:**

Mrs. Caryll Beard has submitted an application to the Design Review Board for a sidewalk café for a business located at 915 Main St.

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 protect the atmosphere of the Town for the benefit of all businesses, citizens and visitors.

The proposed sidewalk café will consist of three 18” x 26” round tables and six folding chairs to be placed 2’ foot from the street, leaving a 8’ public right of way complying with the American Disabilities Act (ADA) 5’ required clearance. All tables and chairs will be brought in at the close of business. No stanchions are submitted as the business will not be serving alcoholic beverages. (See attached photos.)

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

**Design Review Board**  
**June 4, 2014**

- 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. Applicant has been informed and will purchase a Sidewalk café permit before implementing further actions on premises.*
- 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. Tables and chairs will be pulled in at closing and no advertising exists on proposed tables and chairs.*
- 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. Applicant has an approved portable sign.*
- 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. Applicant's business hours are 7:00 AM 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. Applicant 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.*

*Design Review Board  
June 4, 2014*

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. The applicant does not hold a 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.*
8. *Any outdoor heating devices need Fire District and Building Official review and approval. The applicant is aware of these other restrictions and shall comply.*

**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.*

**Staff Recommendations**

Having met all code requirements, staff recommends the Sidewalk Cafe as presented be approved with the following stipulations:

**Design Review Board**  
**June 4, 2014**

1. Applicant will purchase a Sidewalk Café permit and submit a liability waiver before implementing further actions on premises.

**Applicant Presentation:** Applicant was not present. Staff went over the applicants request according to the information provided in the Board Member's meeting packets.

**Questions to Staff/Applicant:** None.

**Discussion:** The following are comments from the Board Members:

- The pictures of the tables and chairs provided by the applicant are indoor tables and chairs and would blow away. This does not come close to the design quality of Sidewalk Café seating style.
- Metal chairs will get too hot for the public.
- There was no thought to the design. The tables and chairs are not inviting. The color was fine.
- There is nothing attractive about them out front. The overall appearance is not what we want the Main Street to look like.
- There is a safety issue with the tables and chairs because of the wind.
- They are just too light weight.

**Action/Motion:** Board Member Snyder motioned to not approve DRB-090891 – A request to add a sidewalk café to the front of the building on Parcel #400-03-160 at 915 Main Street-Clarkdale Market as presented, based on lack of compliance with Zoning Code Chapter 4 Section 4-16 Sidewalk Café Permit (D) Furniture: Quality and Wind Safety.

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

7. **AGENDA ITEM: FUTURE AGENDA ITEMS:** None at this time.

8. **AGENDA ITEM: ADJOURNMENT:** Board Member Snyder motioned to adjourn the meeting. Board Member Foutz seconded the motion. The motion passed unanimously. The meeting adjourned at 7:15 p.m.

APPROVED BY:



Chairperson

Robyn Prud'homme-Bauer

SUBMITTED BY:



Guss Espolt

GIS/Planner II