

Design Review Board
SEPTEMBER 3, 2014

MINUTES OF A REGULAR MEETING OF THE DESIGN REVIEW BOARD OF THE TOWN OF CLARKDALE HELD ON WEDNESDAY, SEPTEMBER 3, 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, September 3, 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	Excused
	John Stevenson	Excused
	Mike Garvey	Present

STAFF: Community Development

GIS/Planner II	Guss Espolt
Senior Planner	Beth Escobar

Others in Attendance: Lauranna Dettinger:

1. **AGENDA ITEM: CALL TO ORDER:** The Chairperson called the meeting to order at 6:32 p.m.
2. **AGENDA ITEM: ROLL CALL:** The GIS/Planner II called roll.
3. **AGENDA ITEM: MINUTES:** Consideration of the **Regular Meeting Minutes of June 4, 2014.** Board Member Garvey motioned to approve the Regular Meeting Minutes of June 4, 2014. Board Member Foutz seconded the motion. The motion passed unanimously.
4. **AGENDA ITEM: REPORTS:**

Chairperson & Member's Special Events Report: Upcoming events in the Town will be the September Poker Run and in October the Clarktoberfest.

It was suggested to Staff that Robert's Rules concerning the approval of minutes be looked at.

Staff Report: On October 18th from 8:00 a.m. to 1:00 p.m. will be the Sustainability In Our Backyard event. Community Development Department is the contact for more information.

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
SEPTEMBER 3, 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-090931 – A request to add a sidewalk café to the front of the building on Parcel # 400-03-161 at 911 N. Main St.

Staff Report:

Background:

Mrs. Lauranna Dettinger has submitted an application to the Design Review Board for a sidewalk café for a business located at 911 N. 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 two aged bronze cast aluminum tables and four chairs of same make and style. Tables are 26.75” tall x 23.5” wide, Chairs are 34” tall x 17.5” wide. The 14’8” x 5’ area will have heavy-weight 16 lb. rust-resistant black powder-coated steel base stanchions with black 2” retractable nylon belts extended around proposed tables and chairs leaving a 5’ 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. (See attached photos.)

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. 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*

Design Review Board
SEPTEMBER 3, 2014

are not allowed. The tables and chairs weigh 60 lbs. and will be pulled in at closing, 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 no portable signage design at this time.*
- 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 10:00 AM to 2:00 AM. Local restaurants supply and deliver food to customers of the Clarkdale Newstand Bar.*
- 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.*
 - 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.*

**Design Review Board
SEPTEMBER 3, 2014**

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 Café as presented be approved with the following stipulations:

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

Applicant Presentation: The applicant let the Staff Report describe the request.

Questions to Staff/Applicant: Applicant was asked if they had anything else to add to the discussion. They did not.

Discussion: The Board suggested the stanchions be brought in at night and a professional neutral colored cigarette receptacle be utilized.

Action/Motion: Board Member Foutz motioned to approve DRB-090931 – A request to add a sidewalk café to the front of the building on Parcel # 400-03-161 at 911 N. Main St., as presented with the stipulation there will be a neutral colored cigarette receptacle provided and the following

*Design Review Board
SEPTEMBER 3, 2014*

Staff stipulations:

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

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

AGENDA ITEM: DISCUSSION & POSSIBLE ACTION: Regarding possible adoption of a Historic Preservation Ordinance.

Staff Report:

Background:

Staff is exploring the possibility of adopting a Historic Preservation Ordinance. The original town site was listed as a Historic District on the National Registry in 1998. Several private residences and the Clark Memorial Clubhouse are individually listed on the national historic register.

The historic district classification designates Clarkdale as a locally significant property because of the history of the area.

Criteria listed in the nomination for the historic district includes:

- A. Property is associated with events that have made a significant contribution to the broad patterns of our history. (Clarkdale is an intact example of a company town – housing architecture was emphasis of nomination application)
- B. Property embodies the distinctive characteristics of a type, period or method.

The historic district designation focuses on the development of Clarkdale as a master planned, completely company-owned property, providing a place to live and access to everyday services within the town. The designation is not focused on the architectural styles used in the commercial buildings. Renovation of community-oriented services within the commercial buildings within the district reinforces the historic designation. However, staff believes the preservation of the architectural details of existing buildings within the district would help reinforce and preserve the character of Clarkdale.

A Historic Preservation Ordinance is the tool to recognize, protect and preserve architectural and design features of commercial buildings within the district.

Adoption of a historic preservation ordinance is supported by the 2012 Clarkdale General Plan:

Land Use Element Goal 2.1.a Support historic preservation of residential, commercial and institutional buildings. Action: Amend the zoning code to provide for historic preservation design codes.

***Design Review Board
SEPTEMBER 3, 2014***

1. Protect historic buildings which enhance the unique character of Clarkdale.
2. Encourage maintenance and preservation of existing historic structures.
3. Underscore the importance of the original historic structures to the economic prosperity of Clarkdale.
4. Further the Goals and Policies of the Clarkdale General Plan.
5. Establish guidelines for the renovation of existing buildings within the Clarkdale Historic District.

Upon adoption of a Historic Preservation Ordinance, the Town may be designated as a certified local government and becomes eligible for planning grants from the State Historic Preservation Office.

Draft Ordinance

The Ordinance would apply to commercial use buildings only. The ordinance will identify visual aspects and components of the exterior of the buildings and the architectural elements that define the character of the area, such as shape, building materials and textures, openings, trim materials and embellishments, and roof materials and roof lines. These elements will provide a guide for review of changes and renovations to existing buildings. A draft Historic Preservation Guidelines document is included with this report. These guidelines are based on information from the National Historic Preservation Office and the Secretary of Interior Standards for Rehabilitation of Historic Buildings.

Staff is not proposing guidelines for interior remodeling. There is nothing in the historic district nomination wording recognizing any specific interior design feature as contributing to the historic district designation. Per the historic district award, reinstatement of a commercial use in these buildings and a revitalization of the commercial core of the Town serves the historic district designation. In staff's opinion, restricting interior remodeling may prove to inhibit renovation of these buildings.

A secondary purpose of the ordinance is to provide a process to facilitate placing existing buildings on the list of National Historic Landmarks. A comprehensive examination of properties within the district are which may be suitable for landmark designation has not been conducted. However, having a historic preservation ordinance in place is required before any building could apply for landmark status. Landmarking provides eligibility for both state and federal grants. Examples of other buildings in Arizona that have received landmark designation include the Riordan Mansion in Flagstaff, Sharlott Hall Museum in Prescott and the Tombstone Courthouse. Buildings within the Clarkdale Historic District that might be suitable for landmarking include the Yellow School House, buildings and structures on the old smelter site, the Main Street Commercial block, Clarkdale Classic Station, Main Street Cafe and St. Cecilia's Catholic Church. Landmarking does not limit development rights of a property. The Landmark designation would acknowledge the importance of the existing structure to the history of Clarkdale.

The draft ordinance will also contain language prohibiting demolition of an existing property within the Historic District without review and approval by the Board as well as a requirement the properties shall be maintained in good condition.

Preservation versus Sustainability

Staff is not suggesting the existing buildings be prevented from any upgrades that would improve the energy efficiency of the buildings, such as replacement of windows or doors or upgrades to electrical, plumbing and heating and cooling systems. Staff believes these upgrades can be

Design Review Board
SEPTEMBER 3, 2014

accomplished within the existing framework of the structures and that increasing the energy efficiency of buildings is complementary to one of the guiding principles of the Town.

Review Committee:

The State Historic Preservation Office requires a citizen committee be formed to evaluate proposed renovation of buildings within the historic district and to nominate buildings for a landmark status. Staff is requesting the Design Review Board consider taking on these duties. Staff believes this Board has the knowledge of architectural and design features necessary to complete a comprehensive review of applications to renovate existing buildings within the historic district.

Recommendation: Staff is requesting direction from the Board as to whether they would accept acting as the Historic Preservation Commission.

Action/Motion: The Design Review Board directed staff to move forward with the discussion regarding adoption of a Historic Preservation Ordinance with the Board serving as the Historic Preservation Commission and to come back to the Board with more detail as this ordinance moves forward.

6. AGENDA ITEM: FUTURE AGENDA ITEMS:

- a. Dollar General Store site plan and design review.
- b. Changes to the sign code regarding portable sign review.

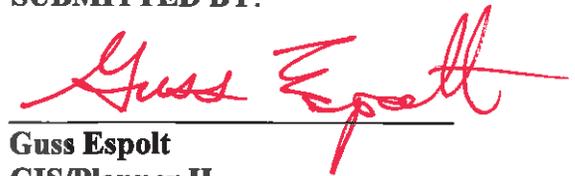
8. AGENDA ITEM: ADJOURNMENT: Board Member Garvey motioned to adjourn the meeting. Board Member Foutz seconded the motion. The motion passed unanimously. The meeting adjourned at 7:26 p.m.

APPROVED BY:



Chairperson
Robyn Prud'homme-Bauer

SUBMITTED BY:



Guss Espolt
GIS/Planner II