

AGENDA
Design Review Board
GOTO MEETING
February 3, 2021, at 5:30 PM
City of Bisbee, 76 Erie Street,
Bisbee, Arizona 85603

The Meeting Called to Order by _____ at _____ PM

Roll Call-Board Members

Design Review Board	Present	Absent	Excused
Peter Gaffer			
Stephan Green			
Yvette Ponte			
Scot Perfect			
Linda Santellanes			
Ben Lepley, Chair			
Shawn DeCraemer, Vice Chair			
Frank Davis , City Council Liaison			
Theresa Coleman, Staff Liaison			

Design Review Board

Wed, Feb 3, 2021 5:30 PM - 8:00 PM (MST)

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/150952325>

You can also dial in using your phone.

(For supported devices, tap a one-touch number below to join instantly.)

United States (Toll Free): 1 866 899 4679

- One-touch: <tel:+18668994679,,150952325#>

Access Code: 150-952-325

New to GoToMeeting? Get the app now and be ready when your first meeting starts:

<https://global.gotomeeting.com/install/150952325>

The staff would like to inform all applicants

- 1. That all applications on this DRB agenda will require a building permit or a sign permit.**
- 2. That Design Review Board approval does not necessarily reflect the views and policies of the State Historic Preservation Office, which controls decisions impacting tax status of designated contributing historic properties. Please review SHPO's policies. If necessary, contact them directly before making any exterior changes to your property.**

The intent of the Design Review process as applied within the Bisbee Historic District is to:

- A. Improve and encourage uses leading to the conservation and/or rehabilitation of buildings, structures, sites, objects and spaces within the Historic District, while allowing for a vibrant, creative and livable community.**
- B. Encourage harmonious growth and orderly development.**
- C. Assure that future setting, design and construction will correspond to and enhance the visual characteristics of the district.**
- D. Prevent construction, alteration or remodeling from occurring in a manner that would be detrimental to the historical or visual characteristics of the district.**

CALL TO THE PUBLIC: *Residents* of the City of Bisbee may speak at this time regarding Design Review Board topics that **ARE NOT ON THE AGENDA**

(Please note that the public may address the Board regarding individual items on this agenda following the applicant's initial presentation of their agenda item)

Speaking time limits will be observed during the Call to the Public, the speaking time limit is three (3) minutes per person.

GOING FORWARD THE FORMAT THAT IS DONE BELOW WILL BE ADHERED TO DURING THE DESIGN REVIEW BOARD MEETINGS.

OLD BUSINESS

Agenda Item 1.

Application 20-94. Bisbee Residential Historic District, Vacant Lot located at 140 Ok Street, Applicants Rob & Darci Starkenburg.

This item was approved at the January 6, 2021 meeting, but the motion needs to be clarified to include the variance for height and setbacks.

Agenda Item 2.

Application 20-96 Bisbee Residential Historic District, Contributing Property #539 located at 201 Tombstone Canyon, Applicant Bisbee Vogue Inc. / Representative Cynthia Conroy.

This application is seeking retroactive approval for the continuation of a railing.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature

APPLICATION: Applicant / Representative will present their application to the Board

PUBLIC COMMENT: **Only on this item and there will be a time limit for speaking** (three (3) minutes per person)

BOARD DISCUSSION: (no public comments beyond this point)

BOARD MAY ASK FOR ADDITIONAL INFORMATION FROM STAFF IF NECESSARY

BOARD WILL TAKE A MOTION AND VOTE

Agenda Item 3.

Application 20-97 Bisbee Residential Historic District, Significant Property Bi-3 located at 100 Quality Hill, Applicant Bisbee Vogue Inc. / Representative Cynthia Conroy.

Wind Screens: The screens are the property of the St. Patrick's Church, Bisbee Vogue Inc. donated them including installation. Ms. Conroy of Bisbee Vogue Inc., that the only view that is obstructed was the fence and that the Design Review Board has no authority to review this project.

The approval by Joe Ward referred to on the application was only given to the blackening of the logo because with the logo it was consider a sign. It was not for the screens to be placed.

Ms. Conroy stated on the application that the Design Review Board has no authority to review this project.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature

APPLICATION: Applicant / Representative will present their application to the Board

PUBLIC COMMENT: Only on this item and there will be a time limit for speaking (three (3) minutes per person)

BOARD DISCUSSION: (no public comments beyond this point)

BOARD MAY ASK FOR ADDITIONAL INFORMATION FROM STAFF (IF NECESSARY)

BOARD WILL TAKE A MOTION AND VOTE

Agenda Item 4.

Approval of the Minutes of the November 18, 2020 Special Meeting.

Edits were done and checked with Ms. Ponte regarding the November 18, 2020 Special Meeting.

NEW BUSINESS

Agenda Item 5.

Application 21-01 Bisbee Residential Historic District, Contributing Property Bi-28 located at 30 Main Street, Applicant Craig Reece/ Anne Bush; Representative Brian Hope.

The application is seeking approval to construct a 2nd floor balcony; engineered steel supports, light gauge steel framing, steel/iron balustrade, wood fascia and rail cap.

The 300ft. Notification went out on January 13, 2021.

At the time this agenda was put together there were no public comments received for this application.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

Public Hearing:

Application Presentation: Applicant / Representative will present the application to the Board

Declare the Public Hearing open and receive public comments: (opposed/ in favor). Time limits will be observed; the speaking time limit is three (3) minutes per person.

Declare the Public Hearing Closed: (No public comments may be received from the public once the Public Hearing is closed.

Call for Board Discussion: (only the Board members will conduct this discussion with the applicant/representative and staff if necessary)

Call for a Motion and Vote by the Board

Agenda Item 6.

Application 21-03 Bisbee Residential Historic District, Non-Contributing Property #71 located at 206 Ok Street, Applicant Monika Patience; Representative Luke Oldfield.

The application is seeking approval to pour new retaining wall creating parking spot, railing and 4" slab.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building's exterior feature.

APPLICATION: Applicant / Representative will present their application to the Board

PUBLIC COMMENT: Only on this item and there will be a time limit for speaking (three (3) minutes per person)

BOARD DISCUSSION: (no public comments beyond this point)

BOARD MAY ASK FOR ADDITIONAL INFORMATION FROM STAFF (IF NECESSARY)

BOARD WILL TAKE A MOTION AND VOTE

Agenda Item 7.

Application 21-04 Bisbee Residential Historic District, Contributing Property #21 located at 221 Brewery Avenue, Applicant Shawn DeCraemer; Representative Tucson Solar.

The application is seeking approval to replace roof – like for like corrugated metal – roof will be red they will also be installing solar panels.

Zoning Code Article 6.15(C) this installation as proposed will require a public hearing and neighborhood notification since it does not meet the design standards of this article.

The 300ft. Notification went out on January 13, 2021.

Public Comment: 1 (one) Public Comment in favor.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature.

Public Hearing:

- **Application Presentation:** Applicant / Representative will present the application to the Board
- **Declare the Public Hearing open and receive public comments:** (opposed/ in favor). Time limits will be observed; the speaking time limit is three (3) minutes per person.
- **Declare the Public Hearing Closed:** (No public comments may be received from the public once the Public Hearing is closed.
- **Call for Board Discussion:** (only the Board members will conduct this discussion with the applicant/representative and staff if necessary)
- **Call for a Motion and Vote by the Board**

Agenda Item 8.

Application 21-06 Bisbee Residential Historic District, Contributing Property #693 located at 809 Tombstone Canyon, Applicant Linda Santellanes; Representative Brian Hope.

The application is seeking approval for a complete rebuild/ restoration of the veranda; replacement of windows/doors to original state.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature.

APPLICATION: Applicant / Representative will present their application to the Board

PUBLIC COMMENT: Only on this item and there will be a time limit for speaking (three (3) minutes per person)

BOARD DISCUSSION: (no public comments beyond this point)

BOARD MAY ASK FOR ADDITIONAL INFORMATION FROM STAFF (IF NECESSARY)

BOARD WILL TAKE A MOTION AND VOTE

Agenda Item 9.

Application 21-07 Bisbee Residential Historic District, Contributing Property #571 located at 318 Tombstone Canyon, Applicant Donna Burke; Representative Johnny Rabey.

The application is seeking approval to replace upper bad windows and doors with single hung windows and metal panel doors. Areas of siding replaced to match existing and replacing slider on one side of the building, lower part of building already has vinyl windows.

Pursuant to Bisbee Zoning Code Article 3.5.2.A, the property owner is required to obtain approval from the DRB prior to the change of any building’s exterior feature.

APPLICATION: Applicant / Representative will present their application to the Board
PUBLIC COMMENT: Only on this item and there will be a time limit for speaking (three (3) minutes per person)
BOARD DISCUSSION: (no public comments beyond this point)
BOARD MAY ASK FOR ADDITIONAL INFORMATION FROM STAFF (IF NECESSARY)
BOARD WILL TAKE A MOTION AND VOTE

Agenda Item 10.

Approval of the Minutes of the January 6, 2021 meeting.

Agenda Item 11.

Review and Discussion regarding amending Zoning Code Article 6 General Provisions; 6.4 Walls and Fences to include fencing for sporting and non-inclusive windscreens.

Agenda Item 12.

Review of Open Meeting Law:

<https://www.azoca.gov/wp-content/uploads/Open-Meeting-Law-Booklet-2020.pdf>

The link provided is for the Arizona Open Meeting Law Booklet.

The Arizona Open Meeting Law Booklet Table of Contents:

Part I Arizona Revised Statutes

Part II Attorney General Handbook- Open Meeting Law

Part III Frequently Asked Questions

Part IV Legal Authority

There are two (2) core concepts

“All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings.” A.R.S. § 38-431.01(A).

“It is the public policy of this state that meetings of public bodies be conducted openly and that notices and agendas be provided for such meetings which contain such information as is reasonable necessary to inform the public of the matters to be discussed or decided.” A.R.S. § 38-431.09.

Public’s Rights

The public has a right to: Attend, Listen, Tape Record or Videotape

The public has no right to: The public does not have a right to speak or disrupt the meeting; however, the public body may allow comment from the public via a call to the public. See A.R.S. § 38-431.01(H)

What is the open meeting law?

The open meeting law is a set of statutes that seeks to ensure government transparency and accountability by opening government collective decision making to the public. The open meeting does not include everything that can and cannot be done in a meeting.

Who must comply with the open meeting law?

Public bodies must comply with the open meeting law. A.R.S. § 38-431.01(A). Public bodies are essentially governmental, multi-member, decision-making entities.

Public body is specifically defined in statute as the legislature, all boards and commissions of this state or political subdivisions, all multimember governing bodies of departments, agencies, institutions and instrumentalities of this state or political subdivisions, including without limitation all corporations and other instrumentalities whose boards of directors are appointed or elected by this state or political subdivision. Public body includes all quasi-judicial bodies and all standing, special or advisory committees or subcommittees of, or appointed by, the public body. Public body includes

all commissions and other public entities established by the Arizona Constitution or by way of ballot initiative, including the independent redistricting commission, and this article applies except and only to the extent that specific constitutional provisions supersede this article.
A.R.S. § 38-431(6).

Staff Comments

FUTURE AGENDA ITEM SUGGESTIONS (Board members may suggest topics for future meeting agendas, but Board will not here discuss, deliberate or take any action on these topics.)

Adjournment:

Anyone needing special accommodation to attend this meeting should contact Ashlee Coronado at (520) 432-6012 at least twenty-four hours before the meeting.

Public documents referred to herein may be viewed during regular business hours at the City Clerk's Office at 76 Erie Street, Bisbee.

Pursuant to A.R.S. § 38-431.03(A)(3), the Board may vote to enter executive session at any point during this meeting for discussion or consultation for legal advice with its attorney(s), who may appear telephonically.