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Board of Architectural Review Work Session

October 1, 2024 5:30 PM to 7:30 PM

NDS Conference Room

Members Present: Ron Bailey, Carl Schwarz, James Zehmer, Breck Gastinger, Roger Birle, Cheri Lewis, Dave Timmerman

Staff Present: Patrick Cory, Jeff Werner, Kate Richardson, Kellie Brown

Chairman Zehmer called the BAR work session to order at 5:40 PM.

1. BAR Guidelines Discussion

Staff Presentation and BAR Discussion

- Staff did go over the hours of the different restaurants and cafes on the Downtown Mall.
- The plan is to have draft guidelines approved at the BAR monthly meeting for October with a plan to have the guidelines implemented by March 1st, when downtown restaurants renew their leases.
- There were introductions of the members of the BAR to Kellie Brown, the new director of NDS.
- Mr. Gastinger did ask what hours the tenants would be using the outdoor spaces. According to staff, there are no specific hours when tenants are using the outdoor spaces.
- The footprints of the café spaces are going to get more accurate going into the future.

Artificial Flowers

- Ms. Lewis wanted to go back to the discussion on artificial flowers that happened during the last meeting.
- There was discussion regarding artificial flowers on tables and on the periphery of café spaces.
- Mr. Gastinger did state that the BAR should not be involved with what is placed on tables (Flowers, Tablecloths, Plates, Silverware, etc.).
- Staff did emphasize that flowers, lighting, etc. go into the restaurant or café at the end of the day. A requirement would be to bring anything on the table into the restaurant.
- Staff did say that the city is currently telling the café and restaurant owners what they need to be doing.
- The conversation should be around the regulations and not over-regulating the café and restaurant owners on the Downtown Mall.
- Artificial flowers are fine on tables but not on fences, railings, and umbrellas.

Umbrellas

- Members of the BAR were Ok with the café spaces having the same single color.
- Mr. Gastinger did bring up how the umbrellas in Europe have advertising. Umbrellas with advertising are not allowed on the Downtown Mall.
- The umbrellas do need to be a solid, dark color.
- Mr. Zehmer did say that if café owners would like to use striped or different umbrellas, they can apply for a CoA and bring it to the BAR if they go outside the guidelines.
- Staff does like consistency with the umbrella color or colors.
- There was among members of the BAR to get rid of the dark/neutral colors of umbrellas. The width and scale of the umbrellas is fine if they do not extend beyond the railings.
- Umbrellas can be different colors.
- There was consensus for having one solid color, not dark neutral color for the umbrellas.

DRAFT**Fences, Chains, Bollards, Railings**

- The changes to chains and 3-inch maximum for bollards are removed from the draft guidelines.
- The plan is to get the draft guidelines on the Council as soon as possible.
- If there are exceptions outside the guidelines, then they can apply for a CoA and review by the BAR.
- There was discussion around chains between wood barrels and whether barrels can be on the Downtown Mall.
- Ms. Lewis did think that chain between stanchions was a good idea.
- Staff has checked with whether there was ADA compliance with the ADA Coordinator.
- Mr. Timmerman did bring that there should be some recognition on the importance and the history of the Downtown Mall.
- There is going to be a letter circulated among the Downtown Mall businesses regarding the possible changes to the Downtown Mall Guidelines.
- Staff is going to be bringing the proposed changes to the regular BAR monthly meeting on October 15th for approval and to get on the City Council meeting agenda.
- There was consensus that even bollards, chains, etc. could still meet the overarching guidelines.

Table Lengths

- Members of the BAR did bring that there wasn't a specific table length.
- Staff did say that if things need to be moved, it is the city's responsibility to move the items in the café spaces.
- There was a discussion surrounding the maximum lengths of tables within the café spaces.
- There was consensus among the BAR members in making the maximum table length of 8 feet and no solid panels.
- There is going to be an inventory of everything in the café and restaurant spaces on the Downtown Mall.
- Mr. Gastinger did bring up that the BAR responsibility is the guidelines and enforcement is separate.
- Mr. Schwarz did bring up that there was conflict between the storage shelves, counters, and tables. It was suggested to break each item out individually.
- The hostess podiums should be no taller than 6 feet in the café rental spaces. If enclosed, it must be brought into the restaurant.
- There is going to be no unfinished wood in the café spaces. There was consensus to keep the existing wood barrels, but no new barrels will be allowed without BAR approval.
- Planters should be on the inside of the enclosures of the café spaces.

Lighting

- There was a discussion regarding the guidelines around lighting on the Downtown Mall.
- Mr. Schwarz did bring up that it would be nice to make an exception for the holidays with lighting.
- Mr. Gastinger would like for there to be continuity in allowing stores to put up store decorations on their storefronts. Mr. Gastinger was adamant that there should be continuity.
- There are no string lights, centenary, on poles, on railings, and overhead. String lights can be on the doorways of the businesses and inside the businesses on the Downtown Mall.
- There are going to be no lights on planters and lanterns.

Heaters

- Some of the trees are coming down because of the use of heaters being used by restaurants on their café spaces.

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- After discussion, if a restaurant wishes to have a heater on the café spaces, it needs to be approved by zoning.
- It is a zoning violation if a heater is near a tree.
- In terms of the color of heaters, there was consensus among the BAR members that the heaters must be silver or black.
- If allowing zip-ties, the end of the zip-ties must be cut and must be black. The BAR was fine with no tape.
- There was consensus among the for no TVs, games, and large furniture on the Downtown Mall.

Adjournment

The work session was adjourned at 7:56 PM.

Public Comments

There were no public comments received during this BAR work session.