

CITY OF MOBILE
ARCHITECTURAL REVIEW BOARD

Minutes of the Meeting
January 8, 2007

CALL TO ORDER

The meeting was called to order at 3:00 p.m. by Chair, Bunky Ralph.

Aileen de la Torre called the roll as follows:

Members Present: Tilmon Brown, Douglas Kearley, Harris Oswalt, Bunky Ralph, Joe Sackett.

Members Absent: Robert Brown, Cameron Pfeiffer, David Tharp.

Staff Members Present: Aileen de la Torre, Anne Crutcher, Devereaux Bemis.

Staff Members Absent: John Lawler.

<u>In Attendance</u>	<u>Mailing Address</u>	<u>Item Number</u>
John Switzer	63 S. Bayou Street	134-06-CA
Jim Veal		134-06-CA
Justin Lucas	TAG	131-06-CA
Bebe Lindsey	ASMS	131-06-CA
Eddie Cornell	P.O. Box 8345 36608	133-06-CA
Perry Howle		133-06-CA
David Leard		133-06-CA
Henry Davis	5451 Able Ct 36693	133-06-CA
Samantha Johnston	116 Providence St.	135-06-CA
Justin Smith	Saad-Vallas	135-06-CA

Tilmon Brown moved to approve the minutes of the last meeting as emailed. The motion was seconded by Douglas Kearley and unanimously approved.

Douglas Kearley moved to approve the mid-month Certificates of Appropriateness. The motion was seconded by Tilmon Brown and unanimously approved.

MID-MONTH APPROVALS

- Applicant's Name:** ASR LLC
Property Address: 254 Dexter Avenue
Date of Approval: November 2, 2006
Replace rotted siding to match existing. Repaint house in the following Sherwin Williams colors:

 - Body: Colonial Revival Green Stone (SW2826)
 - Trim: Bright White
- Applicant's Name:** Caldwell Montdrakgo
Property Address: 951 Selma Street
Date of Approval: November 13, 2006
Replace rotten sills to stabilize house. Repair/replace rotten siding, window casings, column bases. Install new 6/6 wood windows with true divided lights. Install new roof using architectural charcoal gray shingles. Install porch railing per MHDC design. Paint exterior the following colors:

 - Body: Cream
 - Trim: White
- Applicant's Name:** Mattie Nichols
Property Address: 114 North Hallett Street
Date of Approval: November 14, 2006
Remove existing asbestos roof, re-roof with 30-year architectural shingles, Moree Black in color.

4. **Applicant's Name:** Edward Pederson/ASR LLC
Property Address: 106 Hannon Avenue
Date of Approval: November 14, 2006
Minor wood repair with new wood to match existing in dimension and profile. Paint exterior in the following Sherwin Williams colors:
 - Body: Kilim Beige
 - Trim: White

5. **Applicant's Name:** H.A. Becker/Daoust Contracting Services, Inc.
Property Address: 257 South Georgia Avenue
Date of Approval: November 16, 2006
Replace rotted siding with materials to match existing. Reclad balcony roof with materials to match existing. Reset balcony rail to match current. Replace rotted windows/door with elements to match existing. Windows will be true divided light. Door will have the same light pattern/panels.

6. **Applicant's Name:** Strategy Inc.
Property Address: 112 South Dearborn Street
Date of Approval: November 20, 2006
Replace old storage shed with a new 12'x18' unit to follow stock MHDC plans. It will have Grade B board and batten siding, brick posts and a front gable roof. It will have wood carriage-style front doors and a small wood door to the side. The roof pitch will match the pitch of the main house.

7. **Applicant's Name:** John C. Bell
Property Address: 122 Ryan Avenue
Date of Approval: November 20, 2006
Paint trim/accents with Benjamin Moore "Rockies Brown," 2107-30. Bricks will remain unpainted.

8. **Applicant's Name:** Mobile Brewing LLC/Henry Arrington
Property Address: 225 Dauphin Street
Date of Approval: November 22, 2006
Install a 28 SF double-sided sign made of high-density urethane sandblasted foam. It will be mounted with eyebolts with sway chains.

9. **Applicant's Name:** George A. Neese
Property Address: 7 Oakland Terrace
Date of Approval: November 27, 2006
Reroof with black 50-year Timberline shingles. Place ridge vent. Replace rotten fascia boards.

10. **Applicant's Name:** McNeal Trust/Murray Thames Contracting
Property Address: 7 Dauphin Street
Date of Approval: November 28, 2006
Repair termite damage on rear elevation. All materials to match existing in dimension and profile.

11. **Applicant's Name:** Ormandos M. Jackson
Property Address: 1107 Elmira Street
Date of Approval: November 29, 2006
Level foundation underneath house. Reclad roof with materials to match existing.

12. **Applicant's Name:** John and Penny Coleman
Property Address: 251 Charles Street
Date of Approval: November 29, 2006
Repaint north and front elevations of house with existing color scheme. Replace rotten wood as necessary with materials to match existing in profile and dimension.

13. **Applicant's Name:** Nathaniel Walton
Property Address: 162 South Warren Street
Date of Approval: November 29, 2006
Replace rotted and damaged wood, including guardrail on side porch, with new wood to match existing. Add torch down on roof deck. Paint to match existing color scheme.
14. **Applicant's Name:** Oakleigh Venture Revolving Fund
Property Address: 515-521 Dauphin Street
Date of Approval: November 29, 2006
Paint exterior of residence in the following color scheme:
 - Doors, windows, dormers, trim, shutter hardware – White
 - Blinds, balcony floors, shutter “L” brackets – BLP “Bellingrath Green”
 - Balconies – SW6473 “Surf Green” or SW6740 “Kilkenny Green”
 - Balcony/recessed porch ceilings, balcony floor undersides – SW6491 “Open Air”
15. **Applicant's Name:** Stevi Gaston
Property Address: 261 Marine Street
Date of Approval: November 30, 2006
Repair/replace damaged and rotted siding with siding that matches existing.
16. **Applicant's Name:** Marty Druhan
Property Address: 1055 Augusta Street
Date of Approval: December 4, 2006
Install 20-yr Estate Grey Owens-Corning shingles. Redeck roof with materials to match existing.
17. **Applicant's Name:** Haston Construction Company
Property Address: 1217 Government Street
Date of Approval: December 5, 2006
Reclad roof with materials to match existing in color, profile and dimension.
18. **Applicant's Name:** Matt McDonald
Property Address: 1260 Selma Street
Date of Approval: December 6, 2006
Re-roof with 3tab shingles, grey in color, materials and color to match existing roof.
19. **Applicant's Name:** Greg Vaughan
Property Address: 212 South Dearborn Street
Date of Approval: December 6, 2006
Repaint exterior in the following Valspar American Tradition color scheme:
 - Body: Hubbell House Clayo, 2006-98
 - Trim: Churchill Hotel Navajo White, 7003-12
 - Shutters: Mark Twain Gray Brick, 4005-2C
20. **Applicant's Name:** Laurie Benjamin
Property Address: 115 Providence Street
Date of Approval: December 7, 2006
Remove damaged chimney at west slope. Cap and reclad section with materials to match existing. Repair chimneys at north/south slopes and center ridge with materials to match existing.
21. **Applicant's Name:** Freddie and Virginia Sigler
Property Address: 500 Canal Street
Date of Approval: December 8, 2006
Construct a 6’ high wood shadowbox fence along the N boundary and a 6’ high stucco-covered masonry with brick pier wall along the E boundary, both with 5’ setbacks. The masonry wall will have a sloped cap and the piers will have pyramidal caps. This renews the COA issued 04-19-04.

22. **Applicant's Name:** Samuel Hamilton
Property Address: 307 North Jackson Street
Date of Approval: December 11, 2006
Repaint exterior to match existing.
23. **Applicant's Name:** Affordable Roofing
Property Address: 905 Government Street
Date of Approval: December 11, 2006
Repair roof with materials to match existing in profile, material, dimension and color.
24. **Applicant's Name:** Volunteer Mobile
Property Address: 1010 Selma Street
Date of Approval: December 12, 2006
Repair as necessary the roof of the residence. Replace existing corrugated metal roof with either materials to match or 30-yr architectural shingles in charcoal gray or black.
25. **Applicant's Name:** Clark and Deen Attorneys
Property Address: 207 Church Street
Date of Approval: December 13, 2006
Replace rotten wood with materials to match existing. Paint building to match existing scheme.
26. **Applicant's Name:** Madeline Nelson
Property Address: 259 Michigan Avenue
Date of Approval: December 13, 2006
Repaint residence in the following Valspar American Traditions color scheme:
 - Trim – Golden Butter
 - Accents – Tile Green
27. **Applicant's Name:** Kimberly Hargrove
Property Address: 109 Parker Street
Date of Approval: December 14, 2006
Repaint exterior in existing colors. Repair/replace rotted wood with materials to match existing.
28. **Applicant's Name:** Joia Juzang
Property Address: 909 Elmira Street
Date of Approval: December 15, 2006
Repaint house in the following Sherwin Williams color scheme:
 - Body – White
 - Trim – Tricorn Black, SW6258
 - Accents – Anonymous, SW7046
29. **Applicant's Name:** Fred South
Property Address: 156 Lawrence Street
Date of Approval: December 15, 2006
Repair/replace as necessary all rotted wood throughout exterior. Reclad roof with materials that match existing in color, profile and dimension.
30. **Applicant's Name:** DRB Properties
Property Address: 1014 Old Shell Road
Date of Approval: December 18, 2006
Repair/replace rotted wood. Repaint house in the following BLP color scheme:
 - Body – Desert Sand
 - Trim – White
 - Handrail Accent – Black

31. **Applicant's Name:** Kiker Roofing
Property Address: 219 Dauphin Street
Date of Approval: December 18, 2006
 Re-roof flat roof with materials to match existing in profile, dimension and color.
32. **Applicant's Name:** Do Right Construction Company
Property Address: 1214 Selma Street
Date of Approval: December 18, 2006
 Repair roof and rotten wood on front porch with new materials to match existing in profile, dimension and material. Paint new materials to match existing color scheme.
33. **Applicant's Name:** Mobile Housing Board
Property Address: 809 Government Street
Date of Approval: December 19, 2006
 Re-roof modified flat roof using TAMPCO product (roof not visible at street level).
34. **Applicant's Name:** Charles Harrison
Property Address: 7 North Reed Avenue
Date of Approval: December 21, 2006
 Repair to rotten wood as necessary with new wood to match existing in dimension and profile. Install wood lattice panels between piers. Paint in the following Devoe colors:
 - Body – Peppered Moss
 - Trim – White
 - Porch Ceiling – Light Blue
 - Porch Deck, Steps and Lattice – Black

NOTICES OF VIOLATION and MUNICIPAL OFFENSE TICKETS

35. No NoVs or MoTs were written during this time period.

NEW BUSINESS:

1. **131-06-CA:**1255 Dauphin Street
Applicant: Alabama School of Mathematics and Science/TAG Architects
Request: Install two new signs.

APPROVED. Certified Record attached.

2. **132-06-CA:**1105 Elmira Street
Applicant: Ethel Harris
Request: Demolish residence.

APPLICATION WITHDRAWN. APPLICANT WILL APPLY FOR KATRINA GRANT FUNDS.

3. **133-06-CA:**751 Dauphin Street
Applicant: Henry A. Davis/Eddie Cornell
Request: Install new overhead trellis and arbor in courtyard.

APPROVED AS AMENDED. Certified Record attached.

4. **134-06-CA:**756 Government Street
Applicant: John L. Switzer
Request: Add garage between 63 South Bayou and 756 Government. Renovate building.

APPROVED. Certified Record attached.

5. **135-06-CA:1507 Springhill Avenue**
Applicant: Charter South Inc
Request: Demolish existing building. Construct a convenience store with six gas pumps under a canopy.

APPLICANT REFERRED TO DESIGN COMMITTEE. Certified Record attached.

OTHER BUSINESS and ANNOUNCEMENTS:

1. New procedure for granting Certificates of Occupancy.
Staff member Devereaux Bemis explained that there are few buildings constructed exactly as designed. MHDC must sign off on Certificates of Occupancy. There was a recent case in which a temporary CO was issued pending stuccoing of an exterior courtyard wall. Once the work is complete, a full CO will be issued. There should be discussions concerning staff discretion with changes from approved plans. There should also be a modification of the wording on the CoA stating that what is approved by the ARB is what should be built.
2. Latest draft of the Design Guidelines.
Devereaux Bemis explained that a final draft of the guidelines has been sent to the Guidelines Committee. A meeting will be scheduled to make any additional changes. A public hearing will not be necessary when adopting the Guidelines.
3. There is currently no one in the MHDC authorized to write tickets. Call 311 to report any complaints.
4. Election of officers. Bunky Ralph was elected Chair and Tilmon Brown Vice-Chair unanimously.

There being no further business, the meeting adjourned at 4:15 p.m.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

131-06-CA: 1255 Dauphin Street
Applicant: Alabama School of Mathematics and Science/Ben M. Radcliff Contractor, Inc
Received: 12/18/06 (+45 Days: 02/01/07)
Meeting: 01/08/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: B-1
Project: New signage for school.

BUILDING HISTORY

This complex of masonry buildings once belonged to the Dauphin Way Baptist Church. The main cruciform building, built in 1942, fronts Dauphin Street and is a modern, streamlined representation of Romanesque architecture. Two flanking 1949 structures use matching brick and architectural features to blend with the original building. A contemporary-styled Christian Life Center was constructed in 1970 at the rear of the property, and several other secondary structures are located throughout.

The church closed in the 1980s amid local concern over the fate of the complex. In 1987, Mobile College considered acquiring and utilizing the buildings; however, nothing became of that plan. In the 1990s, the property was developed into the Alabama School of Mathematics and Science, which is still its function today. Since then, some of the secondary structures have been replaced with new construction.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. Currently, the Alabama School of Mathematics and Science is undergoing a major renovation and construction project. Included in this project is new signage for the property.
- B. The Sign Design Guidelines for Mobile state that signs shall “not obscure the architectural features or openings of a building...shall relate to the design of the principal building on the property...shall be in proportion to the building and the neighboring structures and signs...should match the historic materials of the building...[and] shall use focused, low intensity illumination.”
- C. The Alabama School of Mathematics and Science is proposing two items.
 1. Install a 64 SF monument sign at the corner of Ann and Dauphin Streets consisting of
 - a. A 20’ wide crenellated cream-colored brick wall with a cast stone top (3’-0” at low points and 3’-8” at high points with a 34” diameter round center section) within the existing brick fence posts;
 - b. Dimensional bronze letters and a round medallion with the school’s symbol anchored to the brick and lit by a Hydrel accent lighting fixture.
 2. Install a 15 SF wall sign at the pedestrian entry gate on Dauphin Street consisting of
 - c. A single-face solid bronze plaque anchored to the cast-iron rails;
 - d. Bronze-colored lettering in relief on a black background.
- D. The Architectural Review Board has authority to approve signs totaling a maximum of 64 SF.
 1. The ARB’s main responsibility is to determine the appropriateness of signage in historic districts.
 2. Law allows a maximum of one monument sign per property.

3. Authority to grant exceptions to the signage requirements of the historic preservation ordinance is vested in the Board of Zoning Adjustment. However, state law exempts the Alabama School of Mathematics and Science from Board of Zoning Adjustment oversight, effectively negating the appeal process designed to give relief from the strictures of the historic district sign restrictions.
- E. The Alabama School of Mathematics and Science is a large complex comprising well over two city blocks.
1. The ARB has supported applications before the Board of Zoning Adjustment in the past for extra signage in similar situations.
 2. The Alabama School of Mathematics and Science complex could be considered to have 10 street frontages when considering the ball fields, the parking lot and the block east of South Georgia Ave.

RECOMMENDATION

The question of jurisdiction is one that should not be taken lightly. It appears that the intent of the law is to allow a mechanism for relief from the sign restrictions normally reviewed by the Architectural Review Board. It is the duty of the ARB to determine appropriateness for structures, including signs, within the historic districts. Since the ARB holds a public hearing after giving public notice, a fair hearing can be had. There is also an appeal process through the City Council should any person be aggrieved by a decision of the Board. Therefore, since the amount of signage should be considered as part of its appropriateness, the best solution would be to have the ARB review the complete sign package, including the amount of signage, for appropriateness. Then if anyone (applicant, neighbor or citizen) should consider the decision of the Board incorrect, the remedy of an appeal to City Council is still available.

The design and materials of both signs are compatible with the Guidelines, and staff feels this aspect of the improvements will not negatively impact the integrity of the building or district. The campus size and multiple street frontages should be reason for an exception to the amount of signage allowed in accordance with previous recommendations made by the ARB to the Board of Zoning Adjustment. Staff also believes the small bronze sign will not impair the historic integrity of the district or the building and that its size is negligible when considered in context with the campus. However, staff does recommend that the Board reduce the size of the monument sign to fit within its guideline on approval of the application. Sign Guidelines do not allow monument signs larger than 50 SF in historic districts and the ARB has maintained this rule in its decisions.

The authority of the ARB in granting an exception to the amount of signage is not clear. Should the City Attorney determine that the Board is required to deny the application, then staff would recommend that the Board vote to support the appeal of the sign application to City Council with the recommendation for reduction of the size of the monument sign.

PUBLIC TESTIMONY

Justin Lucas with TAG and Bebe Lindsey with ASMS were present to discuss the application. Mr. Lucas had explained that the size of the wall sign had been reduced from 15 to 8 sq. ft. and the design altered. He questioned how signs were measured.

Staff reported that the Review Board calculates signage in the same manner as Urban Development. A regular geometric figure is drawn around the lettering including any logo and the dimensions of that figure calculated. The allowable limit on monument signs is 50 square feet.

Staff further explained that the Board's attorney had commented regarding the ability of the Board to approve more than 64 square feet of signage. If the Board considered an amount in excess of 64 sq. ft. appropriate, there is no board to hear the appeal. The BoA will not hear the case, the Council does not have jurisdiction. The logical place for the appeal is the State Legislature. In general, any recommendation made to the BoA by the ARB is approved. Any aggrieved person can take the ASMS to court. With these two facts in mind, the Board should hear the request.

There was no one else to speak in favor of or in opposition to the application.

Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report amending fact 2 to read: "Install an approximately 8 sq. ft. sign at the pedestrian entry date on Dauphin Street..." The motion was seconded by Douglas Kearley and unanimously approved.

DECISION ON THE APPLICATION

Jim Wagoner moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines based upon the unique situation. The motion was seconded by Joe Sackett and approved. Jim Wagoner moved that a Certificate of Appropriateness be issued following the 15 day appeal period. The motion was seconded by Joe Sackett and unanimously approved.

Certificate of Appropriateness Expiration Date: 01/08/08

**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

133-06-CA: 751 Dauphin Street
Applicant: Henry A. Davis
Received: 12/21/06 (+45 Days: 02/04/07)
Meeting: 01/08/07

INTRODUCTION TO THE APPLICATION

Historic District: Lower Dauphin
Classification: Contributing
Zoning: B-4
Project: Install new trellis and arbor in courtyard.

BUILDING HISTORY

This early twentieth century one-story masonry building built housed a number of separate commercial ventures. In time, it was consolidated into one address and, in the 1990s, turned into a restaurant. A rear courtyard was later added extending to Conti Street and enclosed by a masonry wall with two large modern outbuildings at the southeast and southwest corners. A gate opens up to Conti. The building currently sits vacant.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. Currently, masonry walls enclose the rear (south side) courtyard, but the top is open to the sky.
- B. The Design Review Guidelines state that walls “should complement the building and not detract from it. Design, scale, placement and materials should be considered along with their relationship to the Historic District.” Furthermore, new additions “shall not destroy historic materials that characterize the property. The new work shall be...compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment.”
- C. The proposed plan for the rear courtyard includes the following:
 - 1. Extend existing 8’ stucco pilasters at garden walls up 5’ to match the height of the roof (total 13’);
 - 2. Install a decorative diamond-patterned ironwork trellis between each pilaster;
 - 3. Install an overhead pressure treated wood arbor that will cover the entire courtyard between the main building and its outbuildings. A 16’ x 27’ area at the rear entry will remain uncovered.

RECOMMENDATION

Staff feels that the proposed improvement to the property will not negatively impact the building or the district. Indeed, the proposed arbor is an attractive addition that will create visual interest as well as a pleasant outdoor environment. Staff suggests, however, that the owner stain the arbor a complementary color in order to better preserve the wood as well as blend in with the buildings. Furthermore, staff believes that the open ironwork trellis of the extension will detract from the arbor.

Staff recommends approval of Items C1 and C3 and denial of Item C2 on the application.

PUBLIC TESTIMONY

Eddie Cornell, Perry Howle and David Leard were present to discuss the application. They explained that they would like to modify the application by installing an iron fence in place of the ironwork trellis. The applicant did not want to do another stuccoed wall and bollards are not a possibility since the adjacent vacant lot is not part of the property. The current wall is 8 ft. in height and the extension will be 5 ft. in height.

Staff explained that fences are restricted to 8 ft. in height throughout the city; fence sections that appear to be 13 ft. in height are actually part of the wall. If the applicant wants a wall greater than 8 ft. in height, a variance must be sought.

There was no one else to speak in favor of or in opposition to the application.

Staff had no comments from the public or city departments to read into the record.

Staff did suggest that the Board vote on the pergola and the fence separately.

BOARD DISCUSSION

There was no additional Board discussion.

FINDING OF FACT

Harris Oswald moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report amended as follows: "C.2. Install a decorative iron fence." The motion was seconded by Douglas Kearley and unanimously approved.

DECISION ON THE APPLICATION

Pergola:

Jim Wagoner moved that based upon the facts found by the Board, that the application does not impair the historic integrity of the structure of the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Tilmon Brown and unanimously approved.

Fence:

Tilmon Brown moved that based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued pending a variance on fence height limit from the Board of Adjustment.

Certificate of Appropriateness Expiration Date: 01/08/08.

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**APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD**

134-06-CA: 756 Government Street
Applicant: John L. Switzer
Received: 12/27/06 (+45 Days: 02/10/07)
Meeting: 01/08/07

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: B-4
Project: Renovate building at 756 Government. Add garage to connect 756 Government with 63 S Bayou.
Departmental
Comments: The property may need to be rezoned.
Conflicts of Interest: Tilmon Brown disclosed that he had done work for Mr. Switzer, but that it would not affect his judgment in the case.

BUILDING HISTORY

This twentieth century one-story masonry building has housed a number of businesses, including Mid-South Construction and Decorating Center and Action Labor of Mobile. It is currently part of the single-family residential compound at 63 S Bayou Street.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. Renovate Building at 756 Government
 - 1. Currently, this brick building is being renovated into a residence. The windows and doors have been boarded up.
 - 2. The proposed improvements include the following:
 - a. Raise roof with glass-block window per submitted plans;
 - b. Install hipped roof with teal-colored metal tiles to match existing Spanish tiles at 63 S Bayou;
 - c. Cover brick in cream-colored true stucco with architectural features to match 63 S Bayou;
 - d. Install metal industrial windows 9’ off ground with metal awnings that match the roof color;
 - e. Install Western Cypress doors to match existing doors at 63 S Bayou.
- B. Add Garage and New Entry to Connect 756 Government with 63 S Bayou
 - 1. Currently, there is a wood privacy fence enclosing an open space between the two buildings at the west elevation.
 - 2. The proposed improvements include the following:
 - a. Construct three-bay garage – one bay will have a two-car garage opening, one bay will have a one-car garage opening and one bay will have a small foyer entryway for pedestrians;
 - b. Match materials and features to existing building at 63 S Bayou, which includes true stucco walls, Western Cypress doors and teal-colored metal tiles.
 - 3. Construct recessed entry to match arched openings along the street. Cover with an iron gate.

RECOMMENDATION

Based on the information contained in the application, as well as the building being non-contributing to the historic district, the proposed work does not impair the historic integrity of the district. The addition of new architectural features to an otherwise non-descript building (756 Government) will create visual interest, which does not currently exist along this part of the street. Furthermore, the new garage will match the existing buildings and enclose the open gap in order to establish a single-family residential unit. Staff recommends approval of the application.

PUBLIC TESTIMONY

Architects for the applicant were present to discuss the application. They submitted a rendering that represented a refinement of the submitted drawings. The courtyard with roof is part of the application. As shown on the rendering, the roofing material will be red to match the existing tile.

There was no one else to speak in favor of or in opposition to the application.

Staff had no comments from the public or city departments to read into the record.

BOARD DISCUSSION

There was no Board discussion.

FINDING OF FACT

Tilmon Brown moved that, based upon the evidence presented in the application and during the public hearing, that the Board finds the facts in the Staff report amended as follows: A. 2. b. "Install hipped roof with red colored metal tiles to match existing Spanish tile at 63 S. Bayou." The motion was seconded by Douglas Kearley and unanimously approved.

DECISION ON THE APPLICATION

Tilmon Brown moved that, based upon the facts found by the Board, that the application does not impair the historic integrity of the structure or the district according to the Guidelines and that a Certificate of Appropriateness be issued. The motion was seconded by Jim Wagoner and unanimously approved.

Certificate of Appropriateness Expiration Date: 01/08/08.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS CERTIFIED RECORD

135-06-CA: 1507 Springhill Avenue
Applicant: Charter South Inc
Received: 12/27/06 (+45 Days: 02/10/07)
Meeting: 01/08/07

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Non-Contributing
Zoning: B-2
Project: Demolish existing building and build a convenience store with six gas pumps under a canopy.

BUILDING HISTORY

This is currently the Heritage Pharmacy. A part of the rear of the property is within Old Dauphin Way. Recently, Volunteers of America considered the site for a long-term shelter for Veterans, but later withdrew the application.

STANDARD OF REVIEW

Section 9 of the Historic Preservation Ordinance states that “the Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change...will not materially impair the architectural or historic value of the building, the buildings on adjacent sites or in the immediate vicinity, or the general visual character of the historic district...”

STAFF REPORT

- A. Demolish Existing Building
 - 1. Currently, the Heritage Pharmacy building is vacant.
 - 2. The building is outside of the district, so **Section 44-79 of the Mobile City Code** does not apply.
- B. Build a Convenience Store with Six Gas Pumps Under a Canopy
 - 1. The building will be standard and typical gas/convenience store architecture, which consists of
 - a. A hipped-roof with front-gable dormer, pre-finished standing seam metal roofing and metal gutter and downspout, vermilion in color;
 - b. EIFS Fascia;
 - c. Brick veneer with quoin details at the corners of the front elevation;
 - d. An aluminum storefront window system with tempered impact resistant glazing, Flower Pot in color.
 - 2. No details were submitted on the canopy.
- C. Site Details
 - 1. The asphalt lot will have 23 spaces, including handicapped. The minimum for this space is 15.
 - 2. There will be a dumpster pad with can wash at the rear of the property.
 - 3. There will be a 10' landscaped buffer zone in between this lot and the residential historic district.
 - 4. No fence is called out on the plans.

RECOMMENDATION

Though the building is on the edge of the district, staff feels the proposed improvements will have a significant impact on Springhill Avenue, a major thoroughfare for the City of Mobile, and thus affect the integrity of the Old Dauphin Way Historic District. Staff believes the current design is a standard design that does not consider the unique architecture of the district or the City. Though the building to be demolished would be considered non-contributing due to age, it does address the street and maintains a more urban feel in the way it uses the site. Staff recommends denial of the application and suggests the applicants address the following areas of concern:

- Site plan – the building creates a large expanse of concrete on Springhill Avenue that is not in keeping with neither the former residential character nor the current commercial character of the area. Most notably, the placement of the dumpster so close to the residences will have an adverse impact on the residential character of the historic district. The plans for the dumpster also call for it to be constructed of unfinished CMU. The Board generally does not allow raw concrete block in the districts. Though a 10’ buffer will help with visual impact, a wider buffer zone adjacent to the residential areas with denser landscaping and an 8’ shadow box fence should be required. Additional landscaping around the perimeter and within the site is also recommended.
- Building – the large expanse of vermillion roof with the downspout accents treats the building as signage and does not consider its impact on the historic district. The building actually becomes secondary to the roof. Furthermore, the three blank sides of the building create a fortress mentality, which detracts from the nearby residential buildings of the Old Dauphin Way Historic District and does not consider its context within the larger neighborhood. The standard storefront design is typical of a convenience store in any location and is not appropriate in context with the historic district or Springhill Avenue (which has suffered from similar inappropriate designs in the past, although still retains its essential character in some areas). The one concession to design is the use of quoins on the front corners, but those do not offset the overall impact of the building.
- Signage – the monument sign is proposed at 64 SF. The maximum allowed is 50 SF for this type of sign. Additionally, this only allows 14 SF for the remainder of the property. The sign is also proposed to be 6’-2” high and the Board generally restricts monument signs to 5’. Its placement is not shown on the plans and there is no design submitted.
- Canopy – there is no design for the canopy and it should not be considered.

PUBLIC TESTIMONY

Justin Smith of Saad and Vallas and Ron Williams were present to discuss the application. They explained that the facility extended 13 ft. into the historic district. The applicant will compromise on certain things, but may end up re-subdividing to remove the station from the district completely. At the meeting the applicant submitted a rendering of a standard Texaco canopy. The applicants stated that they would be willing to put brick on all 4 sides of the facility as well as the dumpster enclosure and buffer the facility with fencing and plantings from the historic district. The Planning Commission has already required that a fence and plant buffer be installed along the south property line. The applicants do not intend to extend the treatment to the east property line. It is possible, however, that the dumpster could be relocated closer to Catherine Street.

In response to Board questions, the applicant stated that consideration would be given to making the roof color less bright. The canopy colors are required by Texaco and cannot be modified.

Samantha Johnston, a resident of 116 Providence Street, spoke against the proposal citing issues of safety, cleanliness, and the lack of compatibility with the historic district in addition to the presence of alcohol in close proximity to a school.

It was pointed out that there is an existing convenience store at Catherine and Old Shell Rd. that sells alcohol. Staff had a number of calls from the public regarding various issues of the site plan.

There were no comments from city departments on the application.

BOARD DISCUSSION

A Board member commented on the general incompatibility of the proposed building with the adjacent historic district. He stated that this non-conforming building with a 35 year life span will simply be replacing an earlier non-conforming building and the historic district will not have been well served.

Other Board members felt that additional information will be required: a final plan on the location of the dumpster, specifics on landscaping and fencing, site lighting and signage.

Staff pointed out to the applicant that an 8 ft. fence would be considered by the Board since it would buffer residential from commercial.

FINDING OF FACT

There was no finding of fact.

DECISION ON THE APPLICATION

Douglas Kearley moved that, based upon the submission and issues discussed at the meeting, that a Design Committee be convened to help the applicant revise the proposed design making it more compatible with the historic district. The motion was seconded by Jim Wagoner and unanimously approved.

Chair Bunky Ralph appointed the following Design Review Committee members: Douglas Kearley, Tilmon Brown and Harris Oswald.

The applicant requested that the meeting occur quickly since the owners are ready to sell the property and the contract has been extended several times.