

**ARCHITECTURAL REVIEW BOARD MINUTES**  
**April 3, 2013 – 3:00 P.M.**  
**Pre-Council Chambers, Mobile Government Plaza, 205 Government Street**

**A. CALL TO ORDER**

1. The Chair, Bradford Ladd, called the meeting to order at 3:00. Cart Blackwell, MHDC Staff, called the roll as follows:  
**Members Present:** Robert Allen, Carolyn Hasser, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, and Steve Stone.  
**Members Absent:** Kim Harden, Nick Holmes III, Jim Wagoner, and Janetta Whitt-Mitchell.  
**Staff Members Present:** Cart Blackwell, Keri Coumanis, and John Lawler.
2. Mr. Karwinski moved to approve the minutes of the March 20, 2013 meeting. The motion received a second and passed unanimously.
3. Mr. Karwinski moved to approve the midmonth COA's granted by Staff. The motion received a second and passed unanimously.

**B. MID MONTH APPROVALS: APPROVED**

1. **Applicant: Liberty Roofing**
  - a. Property Address: 51 Houston Street
  - b. Date of Approval: 3/13/13
  - c. Project: Reroof the house with asphalt shingles, charcoal black in color.
2. **Applicant: Fred South Construction**
  - a. Property Address: 1111 Savannah Street
  - b. Date of Approval: 3/15/13
  - c. Project: Replace a back door to match the existing in design and materials. Install weatherstrip on front door. Repair/replace bead board soffit. Repair/replace rotten siding as needed. Repair/replace rotten fascia board on front of house as needed. Repair roof on East side of house: replace shingles as needed; repair chimney to match. All repairs to match the existing in profile, dimension, and materials. All repairs to be painted as required to match existing.
3. **Applicant: Deborah Bethea**
  - a. Property Address: 1767 Old Shell Road
  - b. Date of Approval: 3/15/13
  - c. Project: Paint the house white.
4. **Applicant: Alec Glenn**
  - a. Property Address: 20 South Catherine Street
  - b. Date of Approval: 3/15/13
  - c. Project: Reroof with 30-year dimensional shingle, desert tan, to match the carriage house.
5. **Applicant: Shirley Jones-Dumas**
  - a. Property Address: 354 Rapier Avenue
  - b. Date of Approval: 3/19/13
  - c. Project: Repair foundation piers to match. Repair and when necessary replace deteriorated woodwork and detailing to match the existing in profile, dimension, and material. Replace tongue-and-groove decking to match the existing.

**6. Applicant: Wallace Roofing**

- a. Property Address: 300 Government Street
- b. Date of Approval: 3/20/13
- c. Project: Reroof the building. The roofing shingles will match the existing. Replace flashing and woodwork (if and where necessary) to match the existing.

**7. Applicant: Julianne McVay**

- a. Property Address: 105 South Ann Street
- b. Date of Approval: 3/22/13
- c. Project: Repair deteriorated woodwork to match the existing in profile, dimension, and material. Repaint per the existing color scheme.

**C. APPLICATIONS**

**1. 2013-21-CA: 3-5 South Royal Street**

- a. Applicant: Rick Armstrong with Modern Signs for Serda's Coffee Company
- b. Project: Signage – Install a hanging sign.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**2. 2013-22-CA: 77 South Lafayette Street**

- a. Applicant: Philip H. Partridge and Pamela G. Johnston for Anthony Stallings
- b. Project: Fenestration – Replace unauthorized windows.

**APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.**

**3. 2013-23-CA: 301 Conti Street**

- a. Applicant: Center of the Living Arts
- b. Project: Ornamental – Paint a mural; Signage – Install temporary banners.

**APPROVED. CERTIFIED RECORD ATTACHED.**

**D. OTHER BUSINESS**

- 1. Discussion

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS**  
**CERTIFIED RECORD**

**2013-21-CA: 3-5 South Royal Street**  
**Applicant: Rick Armstrong with Modern Signs for John Serda**  
**Received: 9/17/12**  
**Meeting: 10/3/12**

**INTRODUCTION TO THE APPLICATION**

Historic District: Lower Dauphin Commercial  
Classification: Non-Contributing  
Zoning: B-4  
Project: Signage – Install a new hanging sign.

**BUILDING HISTORY**

This building was constructed circa 1850. Originally four stories in height, the building was reduced in height to three stories and the façade refaced during the middle third of the Twentieth-Century. A 1990s restoration and renovation recaptured much of the building’s architectural and historical character.

**STANDARD OF REVIEW**

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

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on October 3, 2013. At that time, the Board reviewed an application calling for the installation of a new hanging sign. The application was held over for further consideration and additional submissions.
- B. The Sign Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “Signs shall be mounted or placed so they do not obscure the architectural features or openings of a building.”
  - 2. “The overall design of all signage including the mounting framework shall relate to the design of the principal building on the property.”
  - 3. “The size of the sign shall be in proportion to the building and the neighboring structures and signs.”
  - 4. “The total maximum allowable sign area for all signs is one and one half square feet per linear front foot of the building, not exceed 64 square feet.
  - 5. “Internally lit signs are prohibited.”
  - 6. “Lighted signs shall use focused, low intensity illumination. Such lighting shall not shine into or create glare at pedestrian or vehicular traffic nor shall it shine into adjacent areas.”
  - 7. “Plastic” is not an approved material.
- C. **Scope of Work (per submitted design):**

1. Remove the existing hanging sign.
2. Install a new hanging sign.
  - a. The total square footage of the double-faced sign will measure 28.26 square feet.
  - b. The aluminum sign will feature the name and logo of the ground floor commercial establishment.
  - c. The sign will be suspended from an aluminum overthrow.
  - d. The face of the sign will be a plastic/Lucite type material.
  - e. The “Serda” lettering will employ reverse channel illumination.
  - f. The bird logo and “Coffee Company” lettering will employ LED illumination

## **STAFF ANALYSIS**

This application involves the installation of a new hanging sign. The application last appeared before the Board on October 3, 2012. At that time, the Board held over the application for the submission of examples of signage employing the same lighting. An example has been submitted. When reviewing applications for signage, the following criteria are taken into account: size, placement, materials, lighting, and design.

Taking into account the building’s existing signage and the sign size regulations, the proposed sign meets the proportional, overall and linear feet sign requirements (See B-3 and B-4).

The sign would be placed in a location that would neither obscure the building’s architectural features nor extend so low as to impede upon the passerby (See B-1).

With the exception of the plastic facing over the logo, the sign materials are in accord the Sign Design Guidelines. However, the request violates the material requirements (See B-7). It should be noted that this plastic is also not allowed in the proposed ordinance for form based code.

## **STAFF RECOMMENDATION**

Staff believes that this application will impair the architectural or the historical character of the surrounding district. Staff does not recommend approval of the application.

## **PUBLIC TESTIMONY**

John Serda and Rick Armstrong were present to discuss the application.

## **BOARD DISCUSSION**

The Board discussion took place concurrently with the public testimony. Mr.Ladd welcomed the applicant and his representative. He asked Mr. Serda and Mr. Armstrong if they had any questions to ask, clarifications to address, or comments to make.

Mr. Armstrong addressed the Board. He displayed a sign face featuring lettering that was of the same size as the proposed lettered portion of the sign. Holding the mock up against natural and artificial light, Mr. Armstrong stated that the aluminum sign face only had plastic at the lettered spaces. The rest of the sign face is aluminum. Mr. Armstrong said that the type of lighting can be employed to achieve multiple light effects. Speaking to the material concerns, he stated that the sign was not plastic faced, but had plastic in it only at limited locations.

Mr. Ladd thanked Mr. Armstrong and addressed the Board's stance on materials. He reminded him of the Sign Design Guidelines which list plastic as inappropriate signage material. That said, Mr. Ladd reminded the Board and mentioned to the applicant that similar lighting had been approved but not constructed at the Soul Kitchen (213-219 Dauphin Street) on December 5, 2013. Mr. Ladd said that the aforementioned application had been a test approval to see if the proposed lighting was appropriate for use in the historic districts. He stated that if the Board approved this application, the case would be a similar guinea pig-like approval.

Mr. Roberts asked Mr. Serda why he was not proposing a simple metal or wooden sign illuminated by spotlights. Mr. Serda responded by saying that the existing sign was illuminated in that manner. He said it was neither memorable nor noticeable. Mr. Roberts asked if he thought the proposed sign would bring in more business. Mr. Serda answered yes.

Mr. Roberts asked Fred Rendfrey, who was in the audience what the Downtown Alliance, thought of the sign. Mr. Ladd reminded Mr. Roberts that the applicant and his representative had not fully addressed the application.

Mr. Armstrong spoke of the evolution of sign construction and lighting. He reminded the Board of a previous discussion involving the expense of and lack of fabricators of traditional neon. He said ten years prior, there were four neon installers and repair firms. Now there is only one and the installer works only part time.

Mr. Armstrong then told the Board of how he and Mr. Serda had arrived at the design and lighting of the proposed sign. Mr. Armstrong said that Mr. Serda wanted to make his establishment's logo more visible. He explained that intricate logos cannot be done in neon and that a wholly plastic faced sign was not approvable. Mr. Armstrong said that the proposed routed aluminum sign would achieve the desired lighting effect of a traditional neon and would not employ a plastic face.

Mr. Karwinski asked Mr. Armstrong how thick the sign would be. Mr. Armstrong responded by saying that it would be approximately 6" thick. Mr. Karwinski inquired as to the thickness of the existing sign. Mr. Serda said that the existing sign is about 4" thick.

Mr. Ladd reminded the Board of an earlier approval of the same type of lighting at Soul Kitchen.

Mr. Roberts concurred with Mr. Karwinski regarding the thickness of the proposed sign. He said that the thickness would impact the appearance and the design.

Mr. Serda said that he understood and appreciated the Board's concerns but assured them that it would not be a bulky sign. Mr. Armstrong concurred. He said that it would be made as thin as possible, but it could not be so thin as to cause the lighting to be too close to the sign because that would cause spotting.

Mr. Ladd asked his fellow Board members if they had any further questions for Mr. Serda or Mr. Armstrong. No further discussion took place at that moment.

Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. Mr. Rendfrey of the Downtown Mobile Alliance addressed the Board. He told the Board that the Alliance supported the application and encourages the Board to approve it. Mr. Rendfrey added that the Alliance encourages business establishments located on the Mardi Gras parade route not to employ neon signs. He said that while they have no objection to neon, the beads and other throws damage neon signs. The time and expense involved in their consequent repair to neon would negatively impact the appearance and experience of the downtown area.

Mr. Armstrong stated that in making repairs to the neon lighting at Grand Central that traffic had to be stopped because a crane was required.

Mr. Rendfrey stated that only a small portion of the sign would have exposed plastic. He said that modern acrylic was a great advance over cheap plastic. He said that the nature of so-called plastic signage had evolved for the better. Mr. Rendfrey encouraged the Board to approve the sign.

Mr. Karwinski pointed out that the proposed sign is not integral to the building and therefore a removable feature.

Mr. Serda spoke of his continued investment in his business and the building.

Mr. Ladd complimented Mr. Serda on his efforts. He stated that the Board is here to work with applicants and not against them.

### **FINDING OF FACT**

Mr. Karwinski moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Karwinski moved that, based upon the facts as approved by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. He added that this test case approval is part of a continued effort to develop standards. He volunteered his services to help to work with the applicant's representative regarding the thickness of the sign. Mr. Roberts did the same.

The motion received a second and was unanimously approved.

**Certificate of Appropriateness Expiration Date: 4/3/14**

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS**  
**CERTIFIED RECORD**

**2012-22-CA:** 77 South Lafayette Street  
**Applicant:** Philip H. Partridge and Pamela G. Johnston for Anthony Stallings  
**Received:** 3/15/13  
**Meeting:** 4/3/13

**INTRODUCTION TO THE APPLICATION**

Historic District: Old Dauphin Way  
Classification: Non-Contributing  
Zoning: R-1  
Project: Fenestration – Replace unauthorized windows.

**BUILDING HISTORY**

The design of this house is influenced by the one-and-one-half story Colonial cottages of the New England region.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property has appeared before the Architectural Board twice in since 2011 regarding fenestration. The last application submitted to the Board was reviewed on June 6, 2012. At that time the Board denied a request to replace unauthorized, non-conforming six-over-six vinyl windows with three-over-three wooden windows. The original six-over-six wooden windows had been removed by a window contractor who failed to pull a building permit or obtain a Certificate of Appropriateness. The applicant has kept Staff apprised on negotiations and litigations with contractor. On July 6, 2011, the applicant made a request to retain the replacement windows. The application was denied. This application is the third time the windows have appeared before the Board.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. “The type, size and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of the building. Original window openings should be retained as well as original window sashes and glazing.
  - 2. “Where windows cannot be repaired, new windows must be compatible with existing. The size and placement of new windows for additions or alterations should be compatible with the general character of the building.”
  - 3. “Vinyl” windows are listed as an inappropriate window installation.
- C. Scope of Work:
  - 1. Remove six-over-six vinyl windows
  - 2. Install six-over-six vinyl windows.

## **STAFF ANALYSIS**

This application involves the replacement of non-conforming windows. The owner's contractor removed original six-over-six wooden windows and replaced them with six-over-six vinyl windows. The work was done without the issuance of either a building permit or a Certificate of Appropriateness. With this application, the applicant's representatives put forth an application recommended by the window contractor. The application calls for the replacement of the existing vinyl windows with another set of vinyl windows.

The Design Review Guidelines for Mobile's state that windows help to establish the historic character of a building. Historic window openings along with their sashes and glazes should be retained (See B-1). If alterations are necessary, replacements should be compatible with the building's historic character (See B-2). The Design Review Guidelines list Vinyl windows are listed as inappropriate windows (See B-3).

## **STAFF RECOMMENDATION**

Based on B (1-3), Staff believes this application will impair the architectural and the historical character of the surrounding district. Staff does not recommend approval of this application.

## **PUBLIC TESTIMONY**

Julia Stallings and Philip Partridge were present to discuss the application.

## **BOARD DISCUSSION**

The Board discussion took place concurrently with the public testimony. Mr. Roberts recused himself from the discussion and left the room. Mr. Ladd welcomed the applicant and her representative. He asked Ms. Stallings and Mr. Partridge if they had any comments to make, questions to ask, or clarifications to address.

Mr. Partridge addressed the Board. He explained that Ms. Stallings had put her trust in her window contractor to follow up with necessary approvals when she commissioned them to replace the windows. He said that if they had followed the proper process, she would not be before them yet again. Mr. Partridge said she was seeking some moderation. He stated both he and she understand the Guidelines. Mr. Partridge presented to the Board an amended application calling for the replacement of windows on the façade with wooden windows and the retention of the existing windows on the rest of the building. Mr. Partridge and Ms. Stallings then displayed images of adjacent of nearby buildings. Ms. Stallings told the Board of her legal efforts and how she had contacted and meet with window contractors.

Mr. Blackwell spoke to Certified Local Government (CLG) requirements.

Ms. Coumanis inquired as to whether the window casings would remain. Discussion established that only the sashes would need to be replaced because the casings remained intact.

Ms. Stallings stated that she wanted resolution with the windows so that other projects such as landscaping could be addressed.

A discussion ensued as to window contractors.

Mr. Karwinski recommended that wooden windows be re-installed not only on the façade but also on the first two windows of the side elevation.



Discussion ensued as to the installation of windows on the side elevations.

Mr. Oswalt commented that the existing windows were not objectionable.

Mr. Ladd asked his fellow Board members if they had any further questions to ask the applicant and her representative. Upon hearing no response, Mr. Ladd asked if there was anyone from the audience who wished to speak either for or against the application. No comments were made. Mr. Ladd closed the period of public comment.

### **FINDING OF FACT**

Mr. Stone moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending facts to note that the front windows and two westernmost windows on the North Elevation would be replaced by wooden windows matching the original windows.

The motion received a second and was unanimously approved.

### **DECISION ON THE APPLICATION**

Mr. Karwinski moved that, based upon the facts as amended by the Board, the application to replace the façade's windows with six-over-six wooden windows and the two westernmost windows on the North Elevation with wooden windows does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. Mr. Karwinski recommended that the applicant consider replacing the two westernmost windows on the South Elevation with wooden windows in addition to those approved by the Board.

The motion received a second and passed.

**Certificate of Appropriateness Expiration Date: 4/3/14**

**APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS**  
**CERTIFIED RECORD**

**2013-23-CA: 301 Conti Street**  
**Applicant: Center of the Living Arts**  
**Received: 3/18/13**  
**Meeting: 4/3/13**

**INTRODUCTION TO THE APPLICATION**

Historic District: Church Street East  
Classification: Non-Contributing  
Zoning: B-4  
Project: Ornamental – Paint a mural; Signage – Install temporary banners.

**BUILDING HISTORY**

This building was constructed during the middle third of the 20<sup>th</sup> Century as a warehouse for the *Mobile Press Register*.

**STANDARD OF REVIEW**

Section 9 of the Preservation Ordinance states “the Board shall not approve any application proposing a Material Change in Appearance unless it finds the 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 district...”

**STAFF REPORT**

- A. This property last appeared before the Architectural Review Board on October 16, 2006. At that time, the Board approved the construction of new main entrance and the roof top terrace. The application up for review involves the painting of a mural.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
  - 1. With regard to painting “period color schemes are encouraged.”
  - 2. “The way in which color is applied as a design element is important to the overall appearance of a building. Use colors that may be typical of the period and/or blend with adjacent buildings. For purpose of design review, colors are classified by the following categories of use: body, trim, and accent.”
- C. Scope of Work:
  - 1. Paint murals (per submitted drawing)
    - a. The murals will be multicolored.
    - b. The murals will be decorative and figural in content.
    - c. The two lower murals will measure 4’ 7” in height and will be painted on the building’s dado-like bulkhead.
      - i. The lower mural located off of Jackson Street will measure 120’ in length.
      - ii. The lower mural located off of Conti Street will measure 24’ 8” in length.
    - d. The two upper story murals will measure 6’ 6” in height and will be located on the building’s upper story frieze-like register.

- i. The upper mural located off of Jackson Street will measure 147' 2' in length.
    - ii. The upper mural located off of Conti Street will measure 24' 8" in length
  - 2. Install temporary banners.
    - a. Two banners will be placed on the building
      - i. One banner will be placed on the building's North Elevation (facing Conti Street and Cathedral Square).
      - ii. The aforementioned banner will measure 22' 5" in width and 12' 8" height.
      - iii. A second banner will be placed on the building's East Elevation (facing Conti Street).
      - iv. The aforementioned banner will measure 22' 7" in width and 12' 8" in height.
    - b. The banners will remain in place for a period of one year.

## **STAFF ANALYSIS**

This application involves the painting of mural. The mural would extend along the building's East and North Elevations.

Neither the Design Review Guidelines for Mobile's Historic Districts nor the Lower Dauphin Street Commercial District Guidelines specifically address murals. The Design Review Guidelines encourage the use of period color schemes (See B-1). The Lower Dauphin Guidelines state that color is important to the overall appearance of the building (See B-2). The latter compilation goes on to break down a color into body, trim, and accent colors.

In reviewing previous applications entailing the painting of murals, the Board has discussed the following: historic precedence on the building; subject matter/content; quality; and maintenance.

In considering the historic precedence on the building, the Board reviews whether the building ever had a mural. With regard to subject matter, the Board does not engage in review for appropriateness of content, both appearance and the meanings thereof could be problematic to the community. Murals require a certain amount of artistic talent which falls beyond the Board's mandate to monitor, thus creating an unknown condition to the request. Murals by their nature make for a cohesive scheme from disparate elements. As those elements wear, the overall effect on the mural results in an unattractive that requires constant maintenance which is rarely given once the artist is no longer present resulting in a degradation of the historic district.

On November 20, 2013, the Board authorized the painting of a mural at 564 Dauphin Street. At the meeting, Board members requested that policies be developed regarding the painting of murals. Unlike the previous application, this area proposed for the mural has never been painted.

This application also calls for the installation of temporary banners. Two banners would be installed on the building's East Elevation for a period of one year.

## **STAFF RECOMMENDATION**

Staff records approval in part and denial in part.

The Board has allowed the use of specialty banners to celebrate particular events and occasions such as the anniversary of the Chamber of Commerce and the centenary of the Old Dauphin Way Methodist

Church. Therefore staff sees no reason not to approve them in this case provided they are removed at the end of the year.

Staff believes the proposed murals will impair the architectural and the historical character of the surrounding district and does not recommend approval of that portion of the application.

## **PUBLIC TESTIMONY**

Kelly Hulak and Bob Sain were present to discuss the application.

## **BOARD DISCUSSION**

The Board discussion took place concurrently with the public testimony. Mr. Ladd welcomed the applicants. He asked if Ms. Hulak and Mr. Sain if they had any clarifications to address, comments to make, or questions to ask.

Mr. Spain stated that he was very enthusiastic regarding the proposed project. He said that it was not only good for the Center of the Living Arts (CLA), but also for the City of Mobile. Mr. Spain told the Board that the artist is internationally known. He said that design worked in conjunction with and went beyond the CLA's upcoming Futures exhibit. Mr. Spain stated that every generation has a different view of the future from that preceding it. He elaborated on notions of change in visual design and philosophical projection. He said that the exhibit and the mural would allow people the opportunity to think of different notions of the future. Mr. Spain told the Board that when the artist visited the CLA he, like all other prominent visiting artists, was given of the City. He fell in love with Mobile. The proposed mural is gift to the City. Mr. Spain told the Board of the monetary value of the artist's work. He said that only the concrete bands would painted and that painted surfaces would be done to a "T" and look as if they were intended for the location. Mr. Spain then addressed maintenance related concerns. He said that a protective coating would be used. He distributed photographs of some of the artist's completed works for the Board's inspection. Mr. Spain told the Board that the proposed mural represents a great opportunity for Mobile. He stated that Contemporary Art Centers are about appreciating and discovering art. As per content, he stated that National Public Radio had done a segment on the artist's mural located at the Los Angeles Childrens Hospital. Noneof his murals do not feature controversial content. Mr. Spain reiterated that this project represents a great opportunity for Mobile to obtain work by a major international artist.

Mr. Roberts voiced concerns as to the juxtaposition of the simplicity of the proposed banners and the complexity of the proposed mural.

Mr. Ladd voiced concern over the precedent of approving not so much this mural, but murals in general.

Mr. Roberts stated that murals are not just about appearance.

Mr. Karwinski redirected the discussion to the building. He stated that 301 Conti Street is distinctive Modern structure. He said that the plain horizontal bands where the proposed murals are part of the overall design and in if they were painted the effect would be overpowering. He told Mr. Spain that having been educated in New York he was appreciative of good art, but he added that it was not working in this particular instance.

Mr. Spain stated that art is subject to the eye of the beholder.

Mr. Ladd reminded his fellow Board members. He stated that the effect the proposed mural would have on the streetscape and the district was their concern.

Mr. Spain stated he could see where murals would be objectionable. He said that on historic buildings such as the Portier House, a mural would not be advisable, but on this building it was his professional and personal opinion that it would be acceptable.

Mr. Ladd again voiced his concern as to the possible precedent this application would begat.

Mr. Allen stated that he personally liked the idea, but not the design. The importance of a building and the location of a mural on it were important factors to consider when discussing murals. Mr. Allen then reiterated the Staff Report stating that there are no standards for addressing murals. He said he liked the identity aspect of contemporary art on a contemporary building and art center.

Mr. Spain elaborated saying that the artist's designs are sympathetic to Modern architecture. He reiterated the significance of the gift and the nature of the institution.

Ms. Hasser praised the project. She said that the intent highlighted the international stature that Mobile is both assuming and becoming. Ms. Hasser admired the progressive spirit behind the application.

Mr. Roberts said that if the mural proved unsuccessful, it could always be painted over at a later date.

Mr. Roberts asked Mr. Rendfrey as to the Downtown Alliance's stance on the mural. Mr. Rendfrey stated that the Alliance had not taken a stance.

#### **FINDING OF FACT**

Mr. Stone moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, amending facts to note that the mural would be painted as depicted and described accepting one image which had been submitted.

The motion received a second and was unanimously approved.

#### **DECISION ON THE APPLICATION**

Mr. Stone moved that, based upon the facts as amended by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second. Mr. Karwinski and Mr. Oswalt voted in opposition.

**Certificate of Appropriateness Expiration Date: 4/3/14**