

ARCHITECTURAL REVIEW BOARD MINUTES

January 4, 2023 – 3:00 P.M.

Assembly Room, Government Plaza
205 Government Street

A. CALL TO ORDER

1. The Chair, Ms. Catarina Echols, called the meeting to order at 3:00 pm. Christine Dawson, Historic Development staff, called the roll as follows.

Members Present: Bob Allen, Cart Blackwell (alternate), Abby Davis, Catarina Echols, Craig Roberts, Joseph Rodrigues, and Gypsie Van Antwerp

Members Absent: Janelle Adams (alternate), , Kimberly Harden, Kathleen Huffman (alternate), Karrie Maurin, Andre Rathle, and Jim Wagoner

Staff Members Present: Annie Allen, Christine Dawson, Chris Kern, Marion McElroy, Kim Thomas, and John Sledge

2. Ms. Van Antwerp moved to approve the minutes from December 21, 2022 meeting. The motion was seconded by Mr. Allen and approved unanimously.
3. Ms. Van Antwerp moved to approve the Mid-Month COAs granted by Staff. The motion was seconded by Mr. Rodrigues and approved unanimously.

MID-MONTH APPROVALS - APPROVED

1. Applicant: Caleb Johnson

- a. Property Address: 155 S. Catherine Street
- b. Date of Approval: 12/15/2022
- c. Project: Install a 4'-tall wood picket fence along the western, northern, and southern property lines.

2. Applicant: Global South Holdings

- a. Property Address: 1420 Government Street
- b. Date of Approval: 12/15/2022
- c. Project: Install six (6) security cameras per submitted plans.

3. Applicant: Roof Doctor

- a. Property Address: 35 S. Reed Avenue
- b. Date of Approval: 12/15/2022
- c. Project: Reroof in-kind using GAF Timberline Shingles. Color: Charcoal

4. Applicant: Global South Holdings

- a. Property Address: 1420 Government Street
- b. Date of Approval: 12/15/2022
- c. Project: Install new locking hardware on three (3) exterior doors.

5. Applicant: M & T Construction and Painting LLC

- a. Property Address: 754 Government Street
- b. Date of Approval: 12/19/2022
- c. Project: Paint east, north, and west elevations of building Chatham Street Blue.

6. Applicant: All Weather Roofing & Construction LLC

- a. Property Address: 65 N. Reed Avenue
- b. Date of Approval: 12/20/2022
- c. Project: Reroof in-kind using Architectural Landmark shingles; color: Charcoal Black

7. Applicant: Cox Pools of the Southeast Inc.

- a. Property Address: 909 Church Street
- b. Date of Approval: 12/20/2022
- c. Project: Construct a 16'x11'-6" gunite pool surrounded with paver decking.

C. APPLICATIONS

1. ~~2023-01-CA: 157 Dauphin Street~~ DEFERRED TO JANUARY 18, 2023

- a. Applicant: Carlos Gant on behalf of Tracy Roberts
- b. Project: Changes to façade

2. ~~2023-02-CA: 506 Aurelia Street~~ DEFERRED TO JANUARY 18, 2023

- a. Applicant: E&J Concrete LLC on behalf of Masjid Baitul Haqq Community
- b. Project: Demolish one-story dwelling

3. 2023-03-CA: 36 McPhillips Avenue

- a. Applicant: Windows USA
- b. Project: Replace 20 windows with vinyl windows

DEFERRED TO JANUARY 18, 2023 - REPRESENTATIVE NOT PRESENT

4. 2023-04-CA: 1115 Government Street

- a. Applicant: Craig Roberts/Eastern Shore Signs
- b. Project: Install menu board, bringing total property signage over 64sf

APPROVED - CERTIFIED RECORD ATTACHED

D. OTHER BUSINESS

- 1. The next ARB meeting is scheduled for January 18, 2023.

Public comment regarding items on this agenda will be accepted via e-mail (mhdc@cityofmobile.org) or USPS (Mobile Historic Development Commission, P.O. Box 1827, Mobile, AL 36633) until 5PM on Tuesday, January 3, 2022. Please include your name, home address, and the item number about which you are writing.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
STAFF REPORT AND RECOMMENDATION

ADDRESS	1115 Government Street	APPLICATION NO.	2023-4-CA
SUMMARY OF REQUEST	Install 18.49sf menu board, bringing signage total for property over 64sf		
APPLICANT	Craig Roberts/Eastern Shore Signs LLC	OWNER, IF OTHER	Swerdlow Family Holdings II LLC

HISTORIC DISTRICT	Oakleigh Garden	MEETING DATE	1/04/2023
CLASSIFICATION	Non-Contributing	REVIEWER	C. Dawson

DISTRICT/PROPERTY AND APPLICATION HISTORY

Oakleigh Garden Historic District was initially listed in the National Register in 1972 under Criteria A (historic significance) and C (architectural significance) for its local significance in the areas of architecture, landscape architecture, and planning and development. The district is significant for its high concentration of 19th- and 20th-century architectural types and styles and significant in the area of landscape architecture for its canopies of live oaks planted from 1850 to 1910. The district is significant in the area of planning and development as the location of Washington Square, one of only two antebellum public parks remaining in Mobile. The district was expanded in 1984, and an updated nomination was approved in 2016.

The existing fast food restaurant on the property was constructed c. 1985. The lot, owned by Dr. J.C. Wilson, was undeveloped when the 1878 Hopkins ward map of Mobile was published. The 1904 Sanborn map shows a two-story frame dwelling with wrapping front and rear porches at this location, at that time known as 967 Government Street. The house footprint was basically square with a rear ell, a second-floor oriel on the façade, and a brick with wood veneer turret at the northeast corner of the building. A one-story frame outbuilding of unknown purpose, but possibly a summer kitchen, was located along the west property line, and a rectangular, one-story frame structure, likely a garage, was located along the southern property line at Church Street.

At the time the 1925 Sanborn map was printed, the property largely was unchanged. The outbuilding along the south property line had been removed, and a one-story frame garage was located along the west property line and several feet north of Church Street. Based on historic aerial photos, the house and garage appear to have persisted until at least 1980.

The property at 1115 Government Street has appeared eight (8) times before the Architectural Review Board (ARB). In January 1985, the ARB conditionally approved plans for the construction of the extant fast food restaurant. A revised site plan was approved by the ARB in February 1985. The ARB approved construction of a gate at the south end of the property, along Church Street in March 1985. In July 1986, the ARB approved installation of a single double-faced yard sign placed on an approximate 5'-tall post. Installation of a 6' fence across the rear (south) and east property lines was approved by the ARB in January 2004. A new monument sign and new wall signage (total square footage 45.36) were approved by the ARB in June 2010. Exterior renovations, new signage including a menu board (not counted toward the signage total under the design guidelines in force at that time), and site plan alterations were approved by the ARB in March 2012, with some revisions approved in August of the same year.

SCOPE OF WORK

1. Remove existing menu board located southeast of the building, leaving existing sign foundation extant.
2. Install aluminum sign cabinet measuring 60.5' wide by 59.3" tall atop 13.1" foundation.
3. Display area of sign would measure 55.7" wide by 47.8" tall (18.49 square feet), bringing total approved signage on the property to approximately 79 square feet.

STAFF REPORT

A. Applicable standards from the *Design Review Guidelines for Mobile's Historic Districts* (*Guidelines*):

1. Design a new sign to be compatible with the character of a building and the district. (11.3)
2. New signs are restricted to a maximum of 64 square feet. (11.5)
3. Place a sign to be compatible with those in the district. (11.6)
4. Use a sign material that is compatible with the materials of the building on which it is placed and the district. New materials that achieve the effect of traditional materials and lighting solutions will be considered on a case-by-case basis.
 - a. Do not use highly reflective materials for a sign. All plastic-faced box signs are not allowed.
 - b. Design a sign to be subordinate to the building façade. (11.7)
5. Where necessary, use a compatible, shielded light source to illuminate a sign.
 - a. Consider direct lighting toward a sign from an external, shielded lamp when possible.
 - b. Use a warm colored light to illuminate a sign when possible.
 - c. If halo lighting is used to accentuate a sign or building, locate the light source so that it is not visible.
 - d. If a back-lit sign is used, illuminate each individual letter or element separately. (11.8)
6. Acceptable sign materials include "painted or carved wood; individual wood or cast metal letters or symbols; stone, such as slate, marble, or sandstone; painted, gilded, or sandblasted glass; metal, provided it is appropriate to the architectural character of the building." (11.9)
7. Unacceptable sign materials include "whole plastic face" and "metal inappropriate for the architectural character of the building." (11.9)

B. Staff Analysis

This application involves the removal of the existing menu board sign with a total area of 45.36 sf and the installation of a new menu board sign with a display area of 18.49 sf. At the time of the existing menu board's approval, they were not counted toward the total square footage of signs on properties in historic districts under the design guidelines then in effect. The proposed sign would be composed of aluminum.

The area of the proposed sign by itself would be in conformance with the *Guidelines*, as it would be far smaller than the maximum allowed square footage for signage in historic districts (64sf) (A.2). Upon approval of this sign, however, the total square footage for signs at the property would exceed the upper limit by approximately 15 square feet.

The placement of the proposed sign and its much smaller display area than the existing menu board should be considered. The sign would continue to be located behind the building, shielded from street view. The properties on the east and west sides of the subject property are non-historic commercial and would not be adversely affected by signage not visible from the public right-of-way (ROW). Further, the reduction in display area between the old and new signs would bring this property more closely into compliance with the maximum signage for properties in historic districts.

C. Summary of Analysis

- The proposed new menu board would bring total signage on the property to 79 square feet, or approximately 15 square feet above the maximum permitted under the *Guidelines*.
- The replacement menu board would be approximately 27 square feet smaller than the existing menu board sign.
- The menu board is located in an inconspicuous location in a row of non-historic commercial properties.

STAFF RECOMMENDATION

Based on section B above, Staff believes the proposed replacement menu board sign would not impair the historic character of the surrounding district. Staff recommends approval of the application.

PUBLIC TESTIMONY

Mr. Craig Roberts was present to discuss the application. He stated he had nothing to add.

BOARD DISCUSSION

Mr. Allen asked Staff to confirm that the application proposes a menu board that is reduced in size from the existing menu board, that when the original menu board was installed the *Guidelines* did not cover menu boards, and that the *Guidelines* do not currently address the location of signs.

Ms. Dawson confirmed that all three statements were true.

Mr. Allen asked if the menu board was 79 square feet.

Ms. Dawson stated that the 79 square feet includes all relevant signage on the property

Mr. Allen asked why the menu board is now being changed

Mr. Roberts (application representative) stated that all Taco Bells are updating to digital menu boards.

Mr. Blackwell asked Mr. Roberts (application representative) to confirm if the menu board was visible from the street.

Mr. Roberts (application's representative) stated that the visibility of the menu board would be blocked by trees, parking and a privacy fence, limiting visibility from both Government and Church streets.

Ms. Van Antwerp asked what the *Guidelines* state in reference to signage that goes outside of the 64 square feet limit.

Mr. Blackwell stated that this property may have had a variance for the existing menu board which is larger than the proposed menu board, which sets a precedent for a variance to be granted in this case as well. He also pointed out that, although the total signage will still be over the 64 square feet limit, that the proposed signage reduces the overall square footage.

Ms. Echols added that the task before the Board today, in regard to this application, is to vote whether to approve or deny the square footage overage that will be caused by the menu board, not to consider any other signage on the property.

Ms. Dawson stated that if this menu board is approved, then the entire signage package is approvable because all other proposed sign changes on the property are administratively approveable.

Mr. Blackwell stated that this is an overall improvement on the existing menu board, and is not a highly visible sign.

Ms. Davis added that this type of sign is also a necessity for the business.

Mr. Allen stated his concern is that the *Guidelines* do not speak to the visibility of the sign affecting the approvability of total sign square footage exceeding the stated limit.

Mr. Blackwell read aloud relative *guidelines*.

Mr. Rodrigues stated that although there is no precedent for approving the square foot overage, that considering the circumstances of the application, that he did not think a precedent would be set if the Board approved the overage in this case, since a large menu board sign already exists at the property.

Ms. Davis stated that although the *Guidelines* do not specifically address this context, the *Guidelines* are based on the *Secretary of Interior's Standards for Historic Properties'* approach to rehabilitation, which is a broad and flexible approach to the treatment of historic properties. The *Guidelines* further state that the ARB is tasked with interpreting the *Guidelines* on a case-by-case basis, and that work approved for one historic structure does not necessarily create a precedent for future applications. Therefore, the Board has the authority to consider the context of any application when making a decision.

FINDING FACT

Mr. Blackwell moved that, based on the evidence presented in the application, the Board finds the facts in the Staff's report.

The motion was seconded by Mr. Roberts and approved unanimously.

DECISION ON THE APPLICATION

Mr. Blackwell moved that, based on the facts approved by the Board, the installation of an 18.49sf menu board (which brings signage total for the property over 64sf) would not impair the architectural or historic character of the surrounding district, due to the following: the location of the proposed menu board which provides limited visibility of the sign; the utilitarian nature of the sign; and the overall reduction in size from the existing menu board. Thus, a Certificate of Appropriateness should be granted.

Mr. Rodrigues seconded the motion, and it was approved on a 5-1 basis with Mr. Allen and Ms. Van Antwerp opposed.

There being no further business, the meeting was adjourned at 3:27pm.