

ARCHITECTURAL REVIEW BOARD MINUTES

October 21, 2009 – 3:00 P.M.

Pre-Council Chambers, Mobile Government Plaza, 205 Government Street

A. CALL TO ORDER

1. The Chair, Jim Wagoner, called the meeting to order at 3:00.
2. Cart Blackwell, MHDC Staff, called the roll as follows:
3. **Members Present:** Gertrude Baker, Carlos Gant, Bill James, Tom Karwinski, Bradford Ladd, Harris Oswalt, Jim Wagoner, and Janetta Whitt-Mitchell.
4. **Members Absent:** Kim Hardin, Craig Roberts, and Barja Wilson.
5. **Staff Members Present:** Cart Blackwell, Keri Coumanis, Sandra Franks, and John Lawler.
6. The minutes from the October 7, 2009 meeting were not approved because they had not been placed on the Internet. Approval will be postponed until the next meeting.
7. The midmonth COA's were not approved because of time constraints. Approval of the midmonths will be postponed until the next meeting.

B. MID MONTH APPROVALS

1. **Applicant: Tim Bullock**
 - a. Property Address: 603 Saint Francis Street
 - b. Date of Approval: 10/02/09
 - c. Project: Paint house per submitted Mobile Paints color scheme. Paint the body Ashland Place Green. Paint the porch details Savannah Street Dark Brown. Paint the porch ceiling Fort Gaines Blue. Reroof the house. Repair and replace rotten wood work with work matching the existing in profile, dimension, and material.
2. **Applicant: Susan Crowson**
 - a. Property Address: 1219 Elmira Street
 - b. Date of Approval: 09/28/09
 - c. Project: Reconstruct the damaged antepodia that flank the front steps. The work is to match the existing in profile, scale, dimension, and material. The reconstruction is to use brick salvaged from the damaged antepodia and the site.
3. **Applicant: Nancy Partridge**
 - a. Property Address: 22 Houston Street.
 - b. Date of Approval: 10/5/09
 - c. Project: Interior Demolition Permit.
4. **Applicant: Phillip Fox**
 - a. Property Address: 1562 Bruister Street
 - b. Date of Approval: 10/01/09
 - c. Project: Repaint the house with following Sherwin Williams color scheme – body, Coastal Plain; trim, Birdseye Maple; sashes, Rockwood Green; accents, Vellum; and porch roof, Rain.
5. **Applicant: Raoul Porto for Diana Blaisdell**
 - a. Property Address: 1108 Oak Street
 - b. Date of Approval: 10/02/09
 - c. Project: Reroof house with shingles to match the existing. Repair and replace rotten window frames. The work is to match the existing in profile, dimension, and material. Paint the repairs to match the existing color scheme.
6. **Applicant: Inside Up**
 - a. Property Address: 7 North Conception Street
 - b. Date of Approval: 10/01/09

- c. Project: Install two signs totaling 12 square feet. The first sign is a wall sign measuring 11.5" x 51". The second sign is a hanging sign measuring 36" x 13".
- 7. Applicant: Jared White**
 - a. Property Address: 1204 Dauphin Street
 - b. Date of Approval: 10/05/09
 - c. Project: Remove asphalt shingles from mansard roof. Replace with R-panel metal roof, burnished slate in color.
- 8. Applicant: George V. Davis**
 - a. Property Address: 16 North Monterey Street
 - b. Date of Approval: 10/06/09
 - c. Project: Construct a garden shed according to MHDC stock plans. Approval conditional on setback requirements.
- 9. Applicant: Tracy Hartley**
 - a. Property Address: 1101 Montauk Avenue.
 - b. Date of Approval: 10/06/09
 - c. Project: Reroof house with 5-v metal roofing.
- 10. Applicant: Kelli Johnson with Wrico Signs for RBC**
 - a. Property Address: 1402 Government Street
 - b. Date of Approval: 02/01/09
 - c. Project: Replace the existing monument and wall signs. The sign designs and materials will be the same.
- 11. Applicant: Chris Barazza**
 - a. Property Address: 309-311 North Conception Street
 - b. Date of Approval: 10/09/09
 - c. Project: Install a cistern at the southeast corner of the lot, adjacent to the three story masonry townhouse, as shown in the submitted plan. Landscape around the cistern.
- 12. Applicant: Alfred and Geraldine Jones**
 - a. Property Address: 954 Conti Street
 - b. Date of Approval: 10/09/09
 - c. Project: Repair and replace eaves and siding on infilled former carport. Enclose last sections of infilled carport
- 13. Applicant: Ray Lamb**
 - a. Property Address: 1551 Monterey Place
 - b. Date of Approval: 10/08/09
 - c. Project: Repaint house per submitted color scheme. Paint body of house Bird's Eye Maple. Paint trim Roycroft Vellum. Paint trim Coastal Plain. Paint doors and sashes Rookwood Red..

C. APPLICATIONS

- 1. 099-09 1119 Dauphin Street
 - a. Applicant: Sara W. and Michael Kindt
 - b. Project: Fence Approval – Revise approved plans.

APPROVED. CERTIFIED RECORD ATTACHED.
- 1. 112-09: 221 Dearborn Street
 - a. Applicant: Tony Jones
 - b. Project: Construct a second story addition over an existing rear porch.

APPROVED. CERTIFIED RECORD ATTACHED.
- 2. 113-09: 1456 Eslava Street
 - a. Applicant: C. F. Littlepage, III

- b. Project: Approval of Unauthorized Work: Add elements to the front details. Demolish rear shed extension. Enclose rear porch. Construct a rear porch. Replace Windows. Install a privacy fence
APPROVED IN PART. DENIED IN PART. CERTIFIED RECORD ATTACHED.
- 3. 114-09: 401 Civic Center Drive
 - a. Applicant: Gary Jackson for the City of Mobile
 - b. Project: Construct two Bus Shelters.
APPROVED. CERTIFIED RECORD ATTACHED.
- 4. 115-09: 1204 Dauphin Street
 - a. Applicant: Jarrod White
 - b. Project: Fencing Approval
APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 5. 116-09: 454 Chatham Street
 - a. Applicant: Jarrod White for Restore Mobile
 - b. Project: Partial Demolition
APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 6. 117-09: 245 Warren Street
 - a. Applicant: Gail Stillwell
 - b. Project: Retain ancillary structure on property.
APPROVED. CERTIFIED RECORD ATTACHED.
- 7. 110-09: 1506 Old Shell Road, 100 North Catherine Street, and 106 North Catherine Street
 - a. Applicant: Clark, Geer, Latham & Associates for McGill-Toolen Catholic High School.
 - b. Project: Demolition Request – Demolish the house, convenience store, and storage building on the lots listed above. Install a parking lot.
APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 8. 111-09: 1501 Old Shell Road (proposed building to face Lafayette Street)
 - a. Applicant: Blich Knevel Architects for McGill-Toolen Catholic High School
 - b. Project: New Construction – Build a new Student Center on the site of the complex’s Lafayette Street parking lot. Install a circular drive. Demolish the existing precast concrete walkways on the east and west sides of Lafayette Street. Construct new covered walkways.
APPROVED AS REVISED. CERTIFIED RECORD ATTACHED.
- 9. 118-09: 412 South Broad Street
 - a. Applicant: Mike Kinard for Marvin Hewatt Enterprises
 - b. Project: Construct a gas station/multi-tenant convenience store.
DENIED. CERTIFIED RECORD ATTACHED.

D. OTHER BUSINESS

- 1. Discussion

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

099-09-CA: 1119 Dauphin Street
Applicant: Sara and Michael Kindt
Received: 10/05/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: B-1
Project: Fencing Approval.

BUILDING HISTORY

According to Staff files, this house was built during the last quarter of the 19th Century. The architect was Rudolf Benz. In the first decade of the 20th Century, the house was more than doubled in size.

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 Board on September 16, 2009. The Board approved a comprehensive fencing proposal. The applicants return to the Board with modifications to the approved scope of work. One of the suggested changes made by the Board, the advance of the eastern fencing closer to Dauphin Street, does not allow ingress and egress. The applicants would like to terminate the fence at the initially proposed location for reasons of access.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. Fencing “should complement the building not detract from it. Design scale, placement, and materials should be considered along with their relationship to the Historic District.”
 - 2. “The height of solid fencing in the historic districts is generally restricted to six feet, however, if a commercial property or multi-family housing adjoins the subject property, an eight foot fence may be considered.”
 - 3. “All variances required by the Board of Adjustment must be obtained prior to the issuance of a Certificate of Appropriateness.”
- C. Scope of Work:
 - 1. Construct a 13.3 section of 4’ iron fencing with 1’ coping wall to be terminated with an iron post.
 - A. The section of fence will extend from the existing brick pier terminating the east property line wall.
 - B. A 1’ brick coping wall will extend between the existing pier and the iron post.
 - C. A 4’ section of iron fencing will extend between the pier and the post.

STAFF ANALYSIS

The applicant returns to the Board with a request to modify previously approved plans. 1119 and 1111 Dauphin Street (property to east) share a curbcut. The proposed advance of the fence and use of brick piers would impede ingress and egress to both properties. The owner of the neighboring property requested that the applicant not move the fence forward as the Board suggested. Abetting this concern, the applicant's business requires constant deliveries by and storage of large trucks. These vehicles require a wider expanse of drive for access to the rear of the lot. Staff does not believe this application impairs the architectural or historical character of the house and the district therefore recommends approval of the submitted changes to the approved application.

PUBLIC TESTIMONY

Sara Kindt was present to discuss the application. She explained that she concurred with the Staff recommendations regarding the slightly altered proposal. Mrs. Kindt further explained the reasons behind the changes.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Board members agreed that this would be a sufficient plan.

FINDING OF FACT

Tom 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

Tom Karwinski 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.

Certificate of Appropriateness Expiration Date: October 21, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

112-09-CA: 221 South Dearborn Street
Applicant: Tony Jones
Received: 10/5/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-Contributing
Zoning: R-1
Project: Construct a second story addition over the existing rear (east) elevation porch.

BUILDING HISTORY

This two-and-one-half story brick house was constructed in 1998. The three bay front and double pile massing approximate the appearance of traditional Mobile side hall house of the mid nineteenth century.

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. The applicant last appeared before the Board on October 7, 2009. The Board approved the construction of a garage and the extension of a wall.
- B. The Design Review Guidelines for New Residential and Commercial Construction in Mobile’s Historic Districts state, in pertinent part:
 - 1. “The porch is an important regional characteristic of Mobile architecture. In order to coexist in harmony with adjacent structures in the historic districts, porches are strongly encouraged.”
 - 2. “Designs for porches should also reference historic porch locations, proportions, rhythms, roof forms, supports, steps, rails, and ornamentation.”
 - 3. “Porches of new buildings should be similar in height and width to porches of nearby historic buildings.”
- C. Scope of Work:
 - 1. Construct a second story addition over the existing rear (east) elevation porch.
 - A. The proposed rear porch addition will measure 28’ 4 1/2” in length by 10’ in depth.
 - B. The exiting roof pitch of the house will continue downward leaving a 8’ 4 1/2” rear (east) wall plane.
 - C. The roofing shingles will match those existing on the house.
 - D. A sand colored stucco finish will be applied to the addition’s walls.
 - E. The South Elevation will feature 2 paired two-over-two windows.
 - F. The Rear (East) Elevation will feature 2 two-over-two windows.
 - G. The North Elevation will feature 1 single light stained glass window.

Staff Analysis

This house is a non-contributing property within the Church Street East Historic District. The overall form and certain details of the house are derived from Mobile's traditional side hall house type. The proposed second story addition's roof would continue the downward roof pitch of the house. The addition would, in effect, read as a porch infill. The materials and the design meet the Guideline Standards. The proposed addition does not impair the architectural or historical character of the historic district therefore Staff recommends approval of this application.

PUBLIC TESTIMONY

Tony Jones was present to discuss the application. He said he agreed with the Staff recommendations.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Tom Karwinski stated that the proposed stuccoed addition would be disproportionate in relation to the open bays of the porch below. He suggested a change to wooden siding with corner boards would be more appropriate to the house

FINDING OF FACT

Janetta Whitt-Mitchell moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, and agreed to accept as recommended by staff.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Janetta Whitt-Mitchell 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. One board member voted in opposition.

Certificate of Appropriateness Expiration Date: October 21, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

113-09-CA: 1456 Eslava Street
Applicant: C. F. Littlepage, III
Received: 10/05/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Leinkauf
Classification: Contributing
Zoning: R-1
Project: Approval of Unauthorized Work - Add elements to the front porch. Demolish shed extension. Enclose rear porch. Construct a new rear porch. Replace windows. Install a privacy fence.

BUILDING HISTORY

This five bay house features a distinctive gable configuration. Parallel or “butterfly” gables punctuate the side elevations. An offset gable adds a picturesque not to the symmetrical façade. This gable demarcates the original portion of the house, a side hall cottage with a recessed wing. The western two bays of the façade are a slightly later addition.

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 house has been dilapidated and abandoned for years. On September 8, 2009 Staff was notified of a 311 call relating to the property. Work was taking place on the property without a COA. Though the 311 complaint specifically referenced the fence proposal outlined below, in order to comply with the MHDC ordinance, the owner has submitted an application for the project in its entirety. The project is substantially complete. The application includes a proposal to continue fencing and to retain unauthorized changes to the house, including the removal of a later shed extension and infill of a back porch.
- B. The Design Guidelines for Mobile’s downtown commercial buildings, state, in pertinent part:
 - 1. “The porch is an important regional characteristic of Mobile architecture. Historic porches should be maintained and repaired to reflect their period. Particular attention should be paid to handrails, lower rails, balusters, decking, posts/columns, proportions and decorative details.”
 - 2. “The form and shape of the porch and its roof should maintain their historic appearance. The materials should blend with the style of the building.”
 - 3. “Where rear or side porches are to be enclosed, one recommended method is to preserve the original configuration of columns, handrails, and other important architectural features.”
 - 4. “Foundation screening should be recessed from the front of the foundation piers. Lattice, if used, should be hung below the skirt board or siding, between the piers and framed with

trim. Lattice secured to the face of the building is inappropriate. Solid infill should be recessed and screened.”

5. “The exterior material of a building helps define its style, quality, and historic period. The original siding should be retained and repaired. Replacement exterior finishes, when required should match the existing in profile, dimension, and material.”

6. “Often one of the most important decorative features of a house, doorways reflect the age and style of a building. Original doors and openings should be retained.”

7. “The size, type and dividing lights of windows and their location and configuration (rhythm) on the building help establish the historic character of the building. Original windows should be retained as well as original window sashes and glazing.”

8. “Where windows cannot be repaired, new windows must be compatible to the existing. The size and placement of new windows for additions or alterations should be compatible with the general character of the building.”

9. “A roof is one of the most dominant features of a building. Original or historic roof forms, as well as the original pitch of the roof should be maintained. Materials should be appropriate to the form and pitch and color.”

10. Fences “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.”

11. “The finished side of the fence should face toward the public view.”

C. Scope of Work:

1. Install recessed and suspending wooden vertical skirting between the foundation piers.
2. Work on the South (Front) Elevation.
 - A. Remove concrete front porch steps.
 - B. Construct wooden front porch steps.
 - C. Install a wooden balustrade between the front porch’s chamfered and tapered columnar posts.
 - D. Install 6” wood board decking on the front porch.
 7. Wood steps and balustrade will access the porch.
3. Work on the West Elevation
 - A. Replace two aluminum windows on north elevation with wooden windows.
 - B. For back porch see C (3).
4. Work on the North Elevation (See submitted plans)
 - A. Demolish later one bay shed extension formerly at southern side of porch.
 - B. Enclose back porch with wood siding to match the existing siding on the house.
 - C. Construct a new rear three bay porch.
 1. Lower a small a third of the northwest corner foundation pier to half its height.
 2. Brick piers will support the porch.
 3. Vertical wooden board skirting will extend between the posts.
 4. 6” wood board decking will cover the porch deck.
 5. Three salvaged porch piers will support the shed roof.
 6. Rafter tails will extend from the eaves.
 7. Prefabricated coupled concrete steps will access the porch.
 8. A six paneled door will lead into the house.
 9. A three vertical light over a single light window will look onto the porch.
5. Install a six foot wooden privacy fence around the perimeter of the backyard.

STAFF ANALYSIS

In plan and elevation, this house illustrates the evolution and expansion of a typical side hall cottage. Staff recommends approval of the foundation skirting, the front porch balustrade, and the front porch steps. They are traditional features in keeping with the design of the house. Staff does not recommend approval of the front and rear porch decking. Tongue-and-groove decking would have covered the porch floors of a house of this time period.

Staff files do not indicate the treatment of the house's north (rear) elevation prior to the recent work. The original porch was enclosed, but the extent of the infill is unknown. The new back porch continues the downward pitch established by the demolished later shed extension. Staff recommends approval of the rear porch and the new enclosure of the original porch. The configuration before the alterations is unknown. Furthermore, undoing the changes would cause damage to the historical fabric of the house.

Staff recommends approval of the fence design and installation. Staff notes that the neighbors are disputing the existing property line and the fence's location in reference to that line. Staff approves the fence for this owner's property only and urges the applicant to have the fence contractor consult the lot's survey.

PUBLIC TESTIMONY

C. F. Littlepage, III was present to discuss the application. He explained that the dwelling had a considerable amount of deterioration by neglect and that he had to work quickly to complete a six-week deadline. The back porch was rotten. The portion of the porch that had been enclosed was built as an after thought and had water coming into it. There was also moisture inside the house.

Mr. Littlepage admitted that he had gone beyond the scope of the COA that was given to repair the house, and had worked without Staff, ARB, and Urban Development approval. He also stated that he used good materials that he already had on hand and that he had taken a house that was in bad condition and rebuilt it with excellent materials. He asked that the Board make an exception on the materials that he had used for the porch decking and approve work already done.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Jim Wagoner asked Mr. Littlepage if he had approval from the Staff or from the ARB for the work done on the property. Mr. Littlepage admitted that he did not. Mr. Wagoner also asked Mr. Littlepage if he had a permit from Urban Development before building the porches. Mr. Littlepage replied that he did not. Mr. Wagoner asked the Staff what materials are recommended for porch decking. Keri Coumanis replied that tongue-and-groove is the recommended decking material. Bill James asked whether tongue-and-groove decking is always required. Keri Coumanis replied yes.

Tom Karwinski asked Mr. Littlepage if the aluminum windows on the west elevation were present when he acquired the property. Mr. Littlepage stated that the aluminum windows had been there whenever he bought the property, and that he had only restored them.

Mr. Wagoner asked Mr. Littlepage would he like to amend his request to rebuild the porch decking with approved materials. Mr. Littlepage stated that he would not like to change materials, but have the work approved by the Board as is.

FINDING OF FACT

Tom 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 be accepted as written.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Tom Karwinski 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 except for the porches and that a Certificate of Appropriateness be issued for all requested but front porch.

Jim Wagoner stated that Mr. Littlepage would have 15 days in which to appeal the decision of the Board.

Certificate of Appropriateness Expiration Date: October 21, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

114-09-CA: 401 Civic Center Drive
Applicant: Gary Jackson for the City of Mobile
Received: 10/05/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-contributing
Zoning: B-4
Project: Construct two bus shelters off South Lawrence Street.

BUILDING HISTORY

The Mobile Civic Center and Exposition Hall were constructed in 1964. Downtown redevelopment schemes of this type, large multipurpose buildings with abundant parking, were constructed across the United States in the 1960s and 1970s.

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. The Civic Center Complex last appeared before the Board on September 20, 2009. The Board approved the refurbishment and reinstallation of monument signs. The two bus shelters proposed with this application are identical to bus shelter located at the southeast corner of South Broad and Government Streets.
- B. The Design Review Guidelines for New Commercial and Residential Construction in Mobile’s Historic Districts state, in pertinent part:
 - 1. “The exterior of a building helps define its style, quality and historic period. New materials which are an evolution of historic materials, such as cement fiber board siding (used in place of lap siding), or a simulated stucco finish (instead of true stucco), should suggest the profile, dimension and finish of historic materials. Authentic materials such as brick, wood siding, or true stucco are encouraged. Some synthetic materials may be appropriate in individual cases as approved by the Review Board.”
 - 2. “Sign materials should complement the materials of the building. Simple designs are most effective and encouraged. Painted wood, fabric and metal are encouraged. Internally lighted plastic signs are not allowed. Signs are limited to 1.5 square feet per linear front foot of the building, with a 64 square foot maximum.”
 - 3. “Lighting “fixtures should be simple in design and appropriate to the design of the building.”
 - 4. “Consider the context. Evaluate the character that is established in the block.”
 - 5. “Include consideration for similarities of materials, façade treatment, and streetscape features that might visually connect in buildings in the neighborhood.”

6. “Most new construction in the historic district will be ‘infill’ in which the design is a link between existing structures with related features.”
- C. Scope of Work:
1. Construct two steel frame and glass bus shelters with hipped roofs off Lawrence Street (per submitted plans).
 - A. The shelters will be elevated on concrete pads.
 - B. The steel frame will have an anodized bronze finish
 - C. The bus shelters will measure 10’ in length and 5’ in depth.
 - D. The – (front) elevation will be open to reveal a cantilevered bench extending approximately 2/3 the length of the shelter.
 - D. The side bays feature lower square lower panels and rectangular upper panels of 1/4” tempered tinted glass.
 - E. The – (rear) elevation features four bays of square lower panels and rectangular upper panels of 1/4” tempered tinted glass.
 - F. Metal roofing will cover the hipped roof.

STAFF ANALYSIS

The proposed bus shelters are identical to existing bus shelters across the city. One is located at the southeast corner of Broad and Government Streets. The proposed shelters are then readily identifiable as per their intended function. They constitute non-obtrusive infill within a section of the Church Street East Historic District which was radically altered during the course of urban renewal. The shelters meet the material and design standards set by the Guidelines. Staff does believe the proposed bus shelters impair the architectural or historical integrity of the historic district therefore recommends approval of this application.

PUBLIC TESTIMONY

Gary Jackson of the City of Mobile was present to discuss the application. He stated that he had nothing to add to the Staff Report.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. James asked why the design of the shelters was different from the umbrella style that was used for the downtown trolley stops. He said this would have been an opportunity for a more interesting local design solution that tied the building its surroundings and context. Mr. Jackson stated that the shelters and the umbrellas serviced two different modes of transportation.. These shelters would be for tourists parking at the Civic Center. It was asked if there were shelters on the site now, and Mr. Jackson stated that there were none. Mr. Karwinski asked why the proposed shelters were located directly across from residential buildings. Mr. Jackson stated that the shelters would be located there because that is where the buses would be parking to take people to the cruise terminal.

FINDING OF FACT

Gertrude Baker moved that, based upon the evidence presented in the application and during the public testimony, the Board finds the facts in the Staff report, accepted as recommended.

The motion received a second and was approved with one member opposed.

DECISION ON THE APPLICATION

Gertrude Baker 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 was seconded with one member opposed.

Certificate of Appropriateness Expiration Date: October 21, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

115-09-CA: 1200-1204 Dauphin Street
Applicant: Jarrod White
Received: 10/01/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: Fencing Approval.

BUILDING HISTORY

This two and a half story Queen Anne house was constructed during the latter part of the nineteenth century. Once the fourth Victorian in a row of five Victorian structures extending west from North Georgia Ave, only three remain today.

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

- D. The applicant owns three adjoining lots on Dauphin Street. The parcels include the Queen Anne Victorian home found at 1200 Dauphin Street, a vacant parcel now landscaped and used as the applicant’s side yard at 1202 Dauphin Street, and a contemporary, non-contributing commercial building found at 1204 Dauphin Street. The 1204 Dauphin Street parcel has both Dauphin Street and North Georgia Avenue frontage. The applicant wishes to enclose the entire boundary of his property by adding to existing fences and constructing a stucco wall between the house and the masonry building located at 1204 Dauphin Street.
- E. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. Fences “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.”
 - 2. “The finished side of the fence should face toward the public view.”
- F. Scope of Work:
 - 1. Project One:
 - a. Extend 6’ wood privacy fence along northern property line as necessary;
 - b. New sections of 6’ wood privacy fence will tie into existing 6’ wood fencing.
 - 2. Project Two:
 - a. Place 6’ wood gate at entrance to driveway from North Georgia Ave;
 - b. Gate will be a minimum of 10’ from property line/right of way in order to comply with the setback.
 - 3. Project Three:

- a. Place 6' wood gate between northwest corner of masonry building and neighbors existing fencing.
- 4. Project Four
 - a. Extend fencing south from north west corner of property at 1200 Dauphin Street to just south of the large pecan tree;
 - i. Fence will then turn corner to enclose the pecan tree;
 - ii. Existing fencing is wood; applicant wishes to use either wood or aluminum fencing.
 - b. Construct two columns on either side of driveway;
 - i. Masonry columns;
 - ii. Clarification Needed: Will they be stuccoed?
 - c. Install 10' black aluminum gate between proposed columns;
 - i. Automatic gate;
 - ii. See attached photo for proposed gate.
- 5. Project Five
 - a. Construct 6' wall between house and masonry structure to run the entire width of 1202 Dauphin Street;
 - i. Concrete block wall with smooth finish stucco;
 - ii. 2" decorative cap;
 - b. Wall will extend 66' feet;
 - c. Wall will be located approximately 92' from front property line;
 - d. Wall will behind existing berm which is 1-1/2' feet above grade;
 - e. Install wood pedestrian gate on the western end of the gate, near the corner of the house;
 - i. Gate will allow access between front and back yard;
 - ii. See attached photo for proposed gate.

STAFF ANALYSIS

Staff recommends approval for Projects One, Two and Three. All of the proposed work pertains to interior lot boundaries and the new fencing ties into existing fencing, all of which conform to the Guidelines.

Projects Four and Five are the aspects of this application most visible from the street and therefore most likely to impact the historic district. The ARB generally requires a measured site plan and an elevation drawing for a driveway gate, illustrating how the gate will look adjacent to the house. As such, the applicant needs to provide the following clarifications for **Project Four**: exact placement of columns, fence and gate in relation to the house and existing drive; elevation drawing illustrating design of columns and gate. The applicant seeks permission to use either wood or aluminum for the expansion of the fence along this particular portion of his property. Staff believes the use of an aluminum driveway gate would dictate the use of aluminum fencing.

The proposed wall outlined under **Project Five** will span the vacant parcel between the historic home and the non-contributing masonry building found at 1204 Dauphin Street. When working with non-contributing buildings adjacent to contributing buildings, the guidelines encourage transitioning between the two styles so that the non-contributing building will further blend into the district. Though a wood, picket fence or iron fencing would be more in keeping with the architectural style of the home, a stucco or exposed masonry wall would be more appropriate for the masonry building. Furthermore, placing a picket fence next to the masonry commercial building would highlight how out of place it is. Staff believes the stucco wall will provide a transition between the house and the masonry building and act to further

conceal the non-contributing building. The wall will appear shorter than 6' given its location behind the berm. The applicant intends to landscape.

Staff recommends approval of the stucco wall however, Staff remains concerned about how and where the wall will meet the house, where the gate will be located and how this will appear from the street. Staff recommends approval of Project Five pending submission of a measured site plan for the location of the pedestrian gate and the western terminus of the wall in relation to the house. Given the scale and size of this property, as well as the presence of multiple styles of buildings and fencing, Staff defers to the Board to determine whether the proposed pedestrian gate is appropriate. Historic iron fence panels are presently being used on the masonry building as burglar bars. Staff suggests incorporating one of these panels

PUBLIC TESTIMONY

Jarrold White was present to discuss the application. Mr. White reiterated and clarified the scope of work. He stated that on **Project 1** that he would like to extend the existing 6' rear lot fence. With **Project 2**, he pointed out the location of the proposed wooden gate accessing North Georgia Avenue. He informed the Board that the wooden gate proposed in **Project 3** would be 8 feet wide. Mr. White said the gate width for **Project 4** would be 10', leaving space for piers to either side. The fencing and the gate would be aluminum.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Tom Karwinski stated that a site plan and design details should have been provided. Board members asked questions regarding the location of the lot line in relation to the shared drive. It was asked if Mr. White could install a driveway on his property. Mr. White stated that would not be possible because of the limited space on that side.

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, amending fact C (4) ii to aluminum fencing and adding the construction of two 3' wooden posts or concrete block piers to flank the gate in Project 4. If concrete block are constructed, the piers would have to faced with stucco.

DECISION ON THE APPLICATION

Mr. Karwinski 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.

Certificate of Appropriateness Expiration Date: October 21, 2010

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

116-09-CA: 454 Chatham Street
Applicant: Restore Mobile
Received: 10/2/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing Property
Zoning: R-1
Project: Partial Demolition / Removal of Additions

BUILDING HISTORY

This three-bay cottage presents six distinct periods of construction, albeit most of the home is severely blighted in its current state. See attached diagram, page three of application. The first home (1), constructed 1860s – 1870s, was most likely a 3 bay, two-pile Creole cottage, with a return box cornice and full length porch. A smaller two bay, two-pile Creole cottage (2) stood behind this home, most likely constructed at the same time as the larger Creole cottage. The front, 3-bay room with board and batten exterior (3) was an early addition, most likely circa 1890s, to the larger Creole cottage. This addition and another, a connector between the two Creole cottages (4), appear on the 1904 Sanborn. Part of the porch was enclosed with droplap siding and another room was added to the southwest corner of the house in the early twentieth century (5). Most recently, within the last two years, the rear wing of the main Creole cottage was enclosed and extended creating a large contemporary addition (6). Other changes occurred as well: the rear Creole cottage was altered and partially dismantled, the roof of the entire home was dismantled, but not resheathed, and interior walls and flooring were removed, but not replaced. No COA was granted for this work.

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. Restore Mobile, a committee of the MHDC, intends to stabilize this blighted structure and offer it for resale. The scope of work, below, addresses immediate structural stabilization needs. Additionally, in the course of repairing the sills, Restore Mobile would like to either a) raise the structure above the existing 4-10” foundation clearance so that it is as tall as nearby homes (approximately 24-30”) or b) both raise the structure and move the structure back nine feet so that the front porch is inline with the porches of the other three Victorians on this block face (the porches of which presently line up).
- B. Scope of Work
 - 1. Demolish the following:
 - a. Rear Creole cottage
 - b. Connector between the two houses

1. demolition to begin where board and batten siding ends on south elevation
- c. Unfinished 2007 addition
 1. demolition to begin where new post and siding begin on north elevation
- d. In-filled portion of front porch
 2. Seal, using plywood, the new, exposed west wall of the structure once the demolition is complete
 3. Replace column and repair/ replace siding as needed to match existing on front porch once in-fill is removed
 4. Reroof remainder of historic home with asphalt shingles
 5. Raise, repair and replace sills to match existing as necessary
 6. Repair/replace piers as necessary
 7. Optional:
 - a. Raise entire structure to match foundation height as house next door
 - b. Move entire structure nine feet west, approximately, to line up with adjacent structure; raise to match foundation height as house next door.

STAFF ANALYSIS

454 Chatham Street is a piecemeal assemblage of three buildings. The house has been an unoccupied and blighted for over two years. Three portions of this building are proposed for demolition. These three portions are the rear Creole cottage, the connector between the two cottages, and the porch infill. The rear Creole cottage is greatly altered and dilapidated. This portion of the larger house lacks any structural or interior integrity. The connector between the two Creole cottages is an inappropriate and unapproved addition. The connector is unfinished and lacks any interior integrity or features. The porch infill destroys the intimation of advance and recess of the porch bay configuration.

Additionally, 454 Chatham sits almost on the ground in some places and the addition of the front room in the 1890s caused the home to be very close to the sidewalk. Given the close proximity to the street and the ground, Staff understands the necessity to raise the structure and recommends approval.

PUBLIC TESTIMONY

Jarrod White was present to discuss the application. He stated that the overall focus was to revive the block and save historic homes. Mr. White stated that the front part of the house could be saved with no further deterioration. The demolition of the rear Creole cottage, though lamentable, was necessary due to a lack of structural and material integrity. The porch infill adjoins that rear cottage. He said the connector and unauthorized addition constitute later construction of inferior quality. Mr. White closed by saying that the house should be setback from the street and elevated to a level comparable to the nearby houses on the streetscape.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Karwinski asked the date of the rear Creole cottage. Ms. Coumanis responded that the Creole cottage was built in the late 1860's or early 1870's. She added that a grouping of two Creole cottages on the same lot is unique to Mobile, noting that the configuration is more typical in the New Orleans area. Unfortunately, the rear cottage is not structural sound. With the exception of a small expanse of siding and rotting structural members, all the original sheathing and frame has been removed, replaced, or deteriorated beyond repair. Ms. Coumanis said the windows and doors would be salvaged for reuse. Mr. Karwinski said he understood, but wanted the Board to be on the record for making an inquiry regarding given the uniqueness of this property.

FINDING OF FACT

Tom 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, be accepted as written as well as allowing the setback and raising of the building.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

Tom Karwinski 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.

Certificate of Appropriateness Expiration Date: October 21, 2010.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

117-09-CA: 245 South Warren Street
Applicant: Gail Stillwell
Received: 08/26/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Church Street East
Classification: Non-contributing
Zoning: R-1.
Project: Retain a plastic storage building.

BUILDING HISTORY

This house was constructed in 2000.

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 never appeared before the Board. The applicant requests to retain a plastic storage shed. A previous owner installed the storage shed on the property almost 7 years ago. The storage shed is not visible from the street. Shrubbery and other landscaping obscure the shed within the backyard.
- B. The Design Review Guidelines for Mobile’s Historic Districts state, in pertinent part:
 - 1. “An accessory structure is any construction other than the main building on the property. The appropriateness of accessory structures shall be measured by the guidelines applicable to new construction. The structure should complement the design and scale of the main building.”
- C. Scope of Work (per submitted plans):
 - 1. Retain a plastic storage shed located in the northwest corner of the backyard.
 - A. The shed measures 6’ in height.
 - B. The shed measures 6’ in width.
 - C. The shed measures 8’ in length.

STAFF ANALYSIS

The unauthorized storage shed is not visible from the street. Landscaping within the lot further obscures the structure. Though the structure does not meet the material and design standards set by the Guidelines, Staff recommends that the storage shed be retained since it has been on the property for roughly seven/over five years.

PUBLIC TESTIMONY

Gail Stillwell and Clark Kelley were present to discuss the application. Mr. Wagoner asked if a previous owner placed the storage shed on the property. Mrs. Stillwell answered yes.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. The Board questioned the setback requirements. Mr. Blackwell stated the property has R-B setback requirements, meaning the storage shed could either be on lot line or five feet from the lot line, but no distance between the two. Mr. Bert Hoffman from the Office of Urban Development further clarified the nature of the property's setback requirements. Mr. Wagoner reminded the Board that they are not charged with determining the setback of the building, only the design and the materials.

Warren and Jacqueline Carmichael then addressed the Board. Mrs. Carmichael stated that the Board had given Mrs. Stillwell many allowances. She explained that the shed was on the property prior to Mrs. Stillwell's ownership, but it had not been on the site for seven years. Mrs. Carmichael informed the Board that she called in the violation (the unauthorized shed) in 2008. Mrs. Carmichael stated that no one explained to her that a structure could sit on a lot line when her property appeared before the Board.

Mr. Wagoner reiterated that it was not in the Board's jurisdiction to decide setback requirements. He said the shed meets those requirements. Mrs. Carmichael said it was not right that the Board was accommodating Mrs. Stillwell. Mr. Ladd addressed the Carmichaels telling them that the Board was not charged with settling neighborhood disputes. They, the Carmichaels, were allowed to keep their greenhouse. It is recommended that Mrs. Stillwell be allowed to keep her storage shed. Mrs. Carmichael told the Board that such a ruling is not justifiable because Mrs. Stillwell had delayed her appearance before the Board. Mr. Gant asked if the storage shed rests on concrete slab. Mrs. Stillwell said she did not know. Mr. Gant said if it did not rest on slab it was mobile not an immobile structure. He stated that mobile structures should not be a concern of the Board.

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 as written.

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 does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued. Mrs. Baker and Mrs. Whitt-Mitchell voted in opposition. Mr. Wagoner informed the applicant that if she should ever decide to remove and replace the storage shed, she would have to make an application to the Board.

Certificate of Appropriateness Expiration Date: October 21, 2010.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

110-09-CA: 1506 Old Shell Road, 100 North Catherine Street, and 106 North Catherine Street
Applicant: Clark, Geer, Latham, and Associates
Received: 09/18/09
Meeting: 10/021/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: 1506 Old Shell Road, Non-Contributing; 100 North Catherine Street, Non-Contributing; and 106 North Catherine Street, Non-contributing
Zoning: B-2, B-2, and R-1
Project: Demolish or relocate the house at 1506 Old Shell Road. Demolish the convenience store at 100 North Catherine Street. Demolish or relocate the storage building at 106 North Catherine Street. Install a parking lot. Landscape the parking lot.

BUILDING HISTORY

The house at 1506 Old Shell Road was built circa 1930. The front porch has been enclosed. A convenience occupies the lot of 100 North Catherine Street at the intersection of Old Shell Road. A metal storage building occupies the lot at 106 North Catherine Street.

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 application was withdrawn from the October 7, 2009 Agenda. 1506 Old Shell Road has never appeared before the Board. 100 North Catherine Street last appeared before the Board in 2004. The Board approved the construction of a double sided monument sign. 106 North Catherine Street has never appeared before the Board.
- B. In regards to demolition, the Guidelines read as follows: “Proposed demolition of a building must be brought before the Board for consideration. The Board may deny a demolition request if the building’s loss will impair the historic integrity of the district.” However, our ordinance mirrors the Mobile City Code, see §44-79, which sets forth the following standard of review and required findings for the demolition of historic structures:
 - 1. *Required findings; demolition/relocation.* The board shall not grant certificates of appropriateness for the demolition or relocation of any property within a historic district unless the board finds that the removal or relocation of such building will not be detrimental to the historical or architectural character of the district. In making this determination, the board shall consider:
 - i. The historic or architectural significance of the structures;
These buildings are non-contributing structures within the Old Dauphin Way Historic District.
 - ii. The importance of the structures to the integrity of the historic district, the immediate vicinity, an area, or relationship to other structures;

1. Though over fifty years old, the house at 1506 Old Shell Road is not significant building in the Old Dauphin Way District because it is not representative of the architectural and historical context of the district. The buildings at 100 and 106 North Catherine Street are non-contributing and unsympathetic infill with the historic district.
- iii. The difficulty or the impossibility of reproducing the structure because of its design, texture, material, detail or unique location;
 1. The building materials are capable of being reproduced.
- iv. Whether the structure is one of the last remaining examples of its kind in the neighborhood, the county, or the region or is a good example of its type, or is part of an ensemble of historic buildings creating a neighborhood;
 1. The house at 1506 Old Shell Road is representative of many surviving one-story houses with a slight Craftsman influence found nation wide. The convenience store at 100 North Catherine Street and Storage Shed at 106 North Catherine Street are similarly ubiquitous structures
- v. Whether there are definite plans for reuse of the property if the proposed demolition is carried out, and what effect such plans will have on the architectural, cultural, historical, archaeological, social, aesthetic, or environmental character of the surrounding area.
 1. The applicants propose the construction of a parking lot with landscaping.
2. *Content of applications.* All applications to demolish or remove a structure in a historic district shall contain the following minimum information:
 - vi. The date the owner acquired the property, purchase price, and condition on date of acquisition;
 1. The applicants acquired 1506 Old Shell Road in 2006 for \$66,500. The applicants have a contract to purchase 100 North Catherine Street for \$400,000. The applicants acquired 106 North Catherine Street in 1998 for \$35,000. The buildings were all in state of comparable condition to the present when they were purchased by the Archdiocese.
 - vii. The number and types of adaptive uses of the property considered by the owner;
 1. The applicants propose leaving the property an open green space. They do not propose any form of paving, but the site would be utilized for parking when the Church's parking lots reach full capacity.
 - viii. Whether the property has been listed for sale, prices asked and offers received, if any;
 1. Not applicable.
 - ix. Description of the options currently held for the purchase of such property, including the price received for such option, the conditions placed upon such option and the date of expiration of such option;
 1. Not applicable.
 - x. Replacement construction plans for the property in question and amounts expended upon such plans, and the dates of such expenditures;
 1. \$10,000.
 - xi. Financial proof of the ability to complete the replacement project, which may include but not be limited to a performance bond, a letter of credit, a trust for completion of improvements, or a letter of commitment from a financial institution; and
 1. Cash submitted.
 - xii. Such other information as may reasonably be required by the board.

3. *Post demolition or relocation plans required.* In no event shall the board entertain any application for the demolition or relocation of any historic property unless the applicant also presents at the same time the post-demolition or post-relocation plans for the site.”

C. Scope of Work (per submitted plan):

1. Demolish or relocate the house at **1506 Old Shell Road.**
2. Demolish the convenience Store at **100 North Catherine Street.**
3. Demolish or relocate the storage building at **106 North Catherine Street.**
4. Cut down four Live Oak trees
5. Install a parking lot, per submitted plan:
 - A. Parking spaces with occupy four sides of the property, as well as two aisles in the lot.
 - B. A stormwater detention median will occupy the center of the lot.
 - C. Two curbcuts will provide ingress and egress to the lot.
6. Landscape the property with trees and additional plantings.

STAFF ANALYSIS

Demolition requests are reviewed on a case by case basis. The significance of the building and the nature of the proposed redevelopment of the site are two key concerns. The structures occupying contiguous lots slated for demolition are non-contributing buildings.

The house at **1506 Old Shell Road** is over fifty years old. However, the house is a small and somewhat unimpressive Craftsman influenced house with a drastically altered façade. The house is set back from the street. Based on its lack architectural significance and setback from the street, Staff does not believe the demolition of the house will impair the architectural or historical character of the district.

The convenience store at **100 North Catherine Street** and the storage building at **106 North Catherine Street** are ubiquitous late 20th-Century designs. The loss of these two buildings would not impair the architectural or historical character of the district. The redevelopment plan takes cues from and develops further the successful characteristics of the parking lot at the northwest corner of Old Shell Road and Catherine Street, particularly the landscaped stormwater median. Trees would be removed, but more trees would be planted in their place.

Staff recommends approval of the application.

PUBLIC TESTIMONY

The Reverend Bry Shields and Thomas Latham were present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked the applicants if fencing was a part of the proposal. Mr. Latham answered yes, saying the fencing proposal would come at a later date. Mr. Ladd asked about landscaping. Ms. Coumanis and Mr. Hoffman stated that landscaping recommendations and stipulations would be a requirement when the application appeared before the Board of Adjustment. Mr. Karwinski pointed out that the submitted materials described the three buildings as being in poor condition. Pointing to 100 North Catherine Street, he said it and the other buildings are in a good state of repair. Mr. Karwinski said, upon reflection of the overall

plan, there needed to be more landscaping along Old Shell Road. He recommended taking away 8 feet of parking along the street (Old Shell Road) to provide a larger landscape buffer. The applicants said they were developing the landscape plan. Mr. Latham stated that since the construction of the proposed new Student Center would remove over one hundred parking spaces and this parking lot would provide roughly seventy spaces, the School cannot afford to lose any more spaces. Mr. Latham said they would try to increase the greenspace along Old Shell Road to 4' by pushing the plan further north. Mrs. Whitt-Mitchell inquired about the trees. Mr. Latham then enumerated how many trees would be planted.

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, amending the report to move the parking plan northward into the site making it conditional on the forthcoming landscape plan.

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 does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

Certificate of Appropriateness Expiration Date: October 21, 2010.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

111-09-CA: 1501 Old Shell Road (building to face Lafayette Street)
Applicant: Blitch Knevel Architects for McGill-Toolen High School
Received: 09/18/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: New Construction
Zoning: R-1
Project: New Construction - Build a New Student Center on the site of the complex's Lafayette Street parking lot. Install a circular drive. Replace the existing precast concrete covered walkways on the east and west sides of Lafayette Street with new covered walkways.

BUILDING HISTORY

A number of buildings comprise the McGill-Toolen Campus. The Toolen building on Lafayette Street is Spanish Colonial Revival in style. The Administration Building at the corner Old Shell Road and Catherine Street, with its large setback and expansive façade, adopts the so-called "institutional Versailles" approach to planning that was popular in the 1950s through the 1970s.

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 application was withdrawn from the October 7, 2009 Agenda. The McGill-Toolen School complex last appeared before the Board on September 24, 2007 with the first phase of their master campus improvement plan. The Board approved the plans of a new Science Building. The stuccoed walls and tiled roof of the new science are contemporary translations of existing Spanish Colonial Revival buildings found on the campus and in the vicinity (St. Mary's Church for instance). The School returns to the Board with the second phase of their master improvement plan, a new Student Center. The design of the proposed Student Center and the covered walkways on Lafayette Street borrows the details and finishes of the recently completed Science Center.

B. The Design Guidelines for New Construction in Mobile's Historic Districts, state, in pertinent part:

4. "Churches schools, and other civic buildings represent a unique aspect of community life and frequently have special requirements that relate to their distinct use. For these reasons, these buildings are usually free standing and their massing, scale and architectural arrangements may be of a different nature than their residential and historic neighbors. However, their materials should blend with the character of the district and their site features, such as parking lots, should not overwhelm or intrude on adjacent historic residential areas."

C. Scope of Work:

1. **Project One: Demolish the existing covered walkway extending north from the Toolen Building.**
2. **Project Two: Construct a one-story, 26,700 square foot building abutting the east side of the McGill-Toolen Administration Building on the site of the existing Lafayette Street parking lot (Per Submitted Plan).**
 - A. Demolish existing covered walkway.
 - B. The walls will be stuccoed.
 - C. Prefinished metal “Spanish” roof tiles will cover the roof.
 - D. Decorative brackets will extend from the eaves.
 - E. A glazed clerestory with a pyramidal hipped roof will surmount an east/west facing gable gable roof.
 - F. **East Elevation (Façade)**
 1. A gabled porte-cochere with four stuccoed piers and four columns will front a 13 bay covered walkway with a hipped roof (The southernmost bay of the walkway extends east to Lafayette Street and west to the Science building).
 - A. A U-shaped drive will access the porte-cochere.
 2. Nine window and three door bays will open onto the covered walkway.
 3. A dormer projects from the main gabled-ended roof.
 4. A five bay projecting gable wing will extend from the northern end of the façade.
 5. A wall featuring stuccoed piers interspersed with aluminum picket panels will front an outdoor dining courtyard
 - G. **North Elevation**
 1. A gabled ell with a large louvered window vent will project from the wall plane.
 2. A four bay exterior gallery will stand to the east of the projecting ell.
 3. The fence of the dining gallery will extend around and front the exterior gallery.
 - A. The fence will be a solid fence stuccoed wall articulated with Pilasters on this elevation.
 4. Two doors will provide access to the recessed western portion of the elevation abutting the Administration building.
 - H. **South Elevation and Western Portion of the Covered Walkway**
 1. A rose window with tracery will occupy the gable tympanum.
 2. A nine bay shed roofed covered walkway will project from the wall plane
 3. The covered walkway extends five bays east of the building toward Lafayette Street.
 - A. A gable will terminate the walkway.
3. **Project Three: Construct an L-shaped covered walkway from the Toolen Building (see site plan).**
 - A. Stuccoed piers will frame the walkway.
 - B. Towers will surmount two end bays of the eastern section of the covered walkway.
 - C. A gable will terminate the western termination of the covered walkway at Lafayette Street.

STAFF ANALYSIS

Project One Staff recommends approval.

Staff recommends approval of the demolition of the covered walkways.

Project Two: Staff recommends this project be tabled and sent to a Design Review Committee.

The proposed Student Center will eliminate an asphalt parking lot. The proposed design takes into account the building materials and finishes of the Spanish Colonial Revival and contemporary building located on and around the campus. The **Student Center** reflects the design of new Science Building rather than the rest of the campus. The Science building is located at the rear of the campus, set back from Ann Catherine.

With regard to scale and detail, certain aspects of this infill design do not relate to the historical context of the area:

- The roof overpowers the wall planes on the east elevation.
- The fenestration on the south elevation is disproportionate to the vast expanses of unarticulated wall.
- The brackets seem out of scale with relation to the building's overall mass.

Staff recommends this project be tabled and sent to a Design Review Committee.

Project Three: Staff recommends this project be tabled and sent to a Design Review Committee to reflect the changes noted below.

The covered walkway from the Toolen Building to the New Student to Lafayette Street has two towers. These towers relate to an overall campus master plan which needs clarification. The discussed in this application are setback from the street at the building's northern and southern ends. Staff recommends that towers terminate the walkways at either end of Lafayette Street.

* A Design Review Committee is scheduled for Wednesday, October 14, 2009.

PUBLIC TESTIMONY

The Reverend Shields, Ron Blich, and Kay St. Amant were present to discuss the application. Copies of a revised proposal were distributed to the Board and the Staff. Mr. Blich informed the Board that the revised plans were the result of a Design Review Committee held on site on October 14, 2009. He pointed out the changes to the plans stemming from that meeting and the Staff Recommendations.

1. The piers were reduced in size.
2. Additional dormers were added to the roof.
3. The fenestration was enlarged.
4. The dining court fencing was changed from partially solid fence to open fencing between stuccoed piers.
5. The rose window was enlarged.
6. The overall scale was reduced.
7. The clerestory was altered from a square to faceted polygonal plan.
8. A cross was added to the clerestory.

Mr. Blich then addressed the Board's attentions to the submitted height comparison analysis supplemental (for the pertinent section of Lafayette Street) as well as noting that the four parking spaces

fronting the dining court would be removed. Landscaping replaced those parking spaces. One more additional revision was the placement of a gallery was of the refectory. The Reverend Shields said all these changes were made so the building would be better benefit the district and the institution. He stated that the Student Center will be the focal point of the larger campus design and a continued congregation point for the student body.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner stated that the removal of the four parking spaces along Lafayette Street added additional appeal to the streetscape. Mr. Karwinski questioned the addition of the dining court gallery opening of the refectory. He asked if the dining court could be reduced in size. The Reverend Shields said that would reduce the number of students who could be serviced by the refectory. He said the School's enrollment was increasing. He added that he felt the changes suggested by Staff and the Board had improved the plan. The Reverend closed by saying he wanted to both beautify and build upon years of Catholic education within the district.

Mr. James commented favorably on the revisions. He asked if St. Mary's Church had been contacted regarding the site plan which positions waste receptacles close to the church's chancel. He pointed out that the waste removal trucks could disturb morning mass. The Reverend Shields thanked Mr. James for his observation. He said that a garage is situated next to the dumpsters, not the chancel. Regardless, St. Mary's would be involved and consulted in the project all the same. The Reverend added that the waste bins are contracted to be emptied at night. Bill James reiterated that the noise of the trucks and the dumpsters at removal time travels a considerable distance.

Mr. Karwinski addressed the covered walkways connecting the two main school buildings. Mr. Blich said the walkways had been pulled back further from the street

FINDING OF FACT

Mr. Oswalt 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. Oswalt 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 for the revised plans.

Certificate of Appropriateness Expiration Date: October 21, 2010.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

118-09-CA: 412 South Broad Street
Applicant: Mike Kinard for Marwin Hewatt Enterprises
Received: 10/05/09
Meeting: 10/21/09

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Non-Contributing
Zoning: B-2
Project: Construct a gas station/multi-tenant store.

BUILDING HISTORY

This property is a vacant parcel located on South Broad between Elmira and Selma streets. Four wooden houses facing Broad Street occupied the eastern side of the block until 1970s. The houses were demolished for an intended, but unconstructed grocery store.

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. The applicants propose construction of a new, multi-tenant gas station at this site, featuring both a convenience store and a canopy covering five gas pumps. The site comprises almost half of an entire city block and contains many live oaks and foliage. Adjacent to this vacant lot, there are residences to the north and west (fronting Selma and Marine Streets); a historic church and commercial property to the east (across Broad), and a historic commercial property to the south (across Elmira Street). There are residences located on the rear and sides of the block, contiguous to this property.
- B. The Mobile Historic District Guidelines for New Commercial Construction state, in pertinent part:
 - 1. **“Placement and Orientation:** Placement has two components: setback, the distance between the street and a building; and spacing, the distance between its property lines and adjacent structures. New construction should be placed on the lot so that setback and spacing approximate those of nearby historic buildings. New buildings should not be placed too far forward or behind the traditional “facade line”, a visual line created by the fronts of buildings along a street. An inappropriate setback disrupts the facade line and diminishes the visual character of the streetscape. Current setback requirements of the City of Mobile Zoning Ordinance may not allow the building to be placed as close to the street as the majority of existing buildings. If the traditional facade line or “average” setback is considerably less than allowed under the Zoning Ordinance, the Review Boards will support an application for a Variance from the Board of Adjustment to allow for new construction closer to the street and more in character with the surrounding historic buildings.
 - 2. **MASS:** Building mass is established by the arrangement and proportion of its basic geometric components - the main building, wings and porches, the roof and the foundation. Similarity of massing helps create a rhythm along a street, which is one of the appealing

- a. **FOUNDATIONS:** The foundation, the platform upon which a building rests, is a massing component of a building. Since diminished foundation proportions have a negative effect on massing and visual character, new buildings should have foundations similar in height to those of nearby historic buildings.
 - b. **MAIN BODY AND WINGS:** Although roofs and foundations reinforce massing, the main body and wings are the most significant components. A building's form or shape can be simple (a box) or complex (a combination of many boxes or projections and indentations). The main body of a building may be one or two stories. Interior floor and ceiling heights are reflected on the exterior of a building and should be compatible with nearby historic buildings.
 - c. **ROOFS:** A building's roof contributes significantly to its massing and to the character of the surrounding area. New construction may consider, where appropriate, roof shapes, pitches and complexity similar to or compatible with those of adjacent historic buildings.
3. **SCALE:** The size of a building is determined by its dimensions - height, width, and depth - which also dictate the building's square footage. Scale refers to a building's size in relationship to other buildings - large, medium, small. Buildings which are similar in massing may be very different in scale. To preserve the continuity of a historic district, new construction should be in scale with nearby historic buildings.
 4. **FAÇADE ELEMENTS:** Facade elements such as porches, entrances, and windows make up the "face" or facade of a building. New construction should reflect the use of facade elements of nearby historic buildings. The number and proportion of openings - windows and entrances - within the facade of a building creates a solid-to-void ratio (wall-to-opening). New buildings should use windows and entrances that approximate the placement and solid-to-void ratio of nearby historic buildings. In addition, designs for new construction should incorporate the traditional use of window casements and door surrounds. Where a side elevation is clearly visible from the street, proportion and placement of their elements will have an impact upon the visual character of the neighborhood and must be addressed in the design.
 5. **MATERIALS AND ORNAMENTATION:** The goal of new construction should be to blend into the historic district but to avoid creating a false sense of history by merely copying historic examples. The choice of materials and ornamentation for new construction is a good way for a new building to exert its own identity. By using historic examples as a point of departure, it is possible for new construction to use new materials and ornamentation and still fit into the historic district. Historic buildings feature the use of a variety of materials for roofs, foundations, wall cladding and architectural details. In new buildings, exterior materials – both traditional and modern - should closely resemble surrounding historic examples.

C. Scope of Work (per submitted plan):

1. Overall Site Work:

- a. Clear all top soil and vegetation;
 - 1) Applicants need to consult Urban Forestry for tree removal approval.
- b. Pave with a combination of asphalt and concrete the area containing the building pads and parking lot;
 - 1) Need specifications on transition from asphalt to concrete.
- c. Install one curbcut/driveway on South Broad Street: 45' wide;
 - 1) How will this affect new median on Broad?
- d. Install one curbcut/driveway on Elmira Street: 24' wide;

- e. Dumpster located in northwest corner of site.
- 2. Construct a single story brick commercial structure (per submitted plans):**
- a. The building measures 50'8" wide by 122' deep;
 - b. The building will be oriented so that the entrances face Elmira Street;
 - c. The building will be situated approximately 9' from the Broad Street right of way and 169' from the Elmira Street right of way.
- 3. Building Details**
- a. **South Elevation (main elevation):**
 - 1) Features a slightly asymmetrical five part plan with a central store flanked by two rental units;
 - 2) Six pilasters demarcate the divisions of the façade;
 - 3) A raked and stepped parapet, 28' high at its tallest point, extends over the main block of the façade containing the convenience store;
 - 4) Under the parapet, within the main block, the wall is broken up by a bank of eight two-lite aluminum windows and a double glazed door;
 - 5) A bracketed canopy, with a 10' clearance, covered in batten seam metal roofing extends over the above fenestration;
 - 6) The western division of the three part central convenience store features two six-lite windows;
 - 7) The eastern division of the central convenience store features one six-lite window;
 - 8) The two rental units feature single glazed door flanked by two bays of windows;
 - a) Bracketed canopies covered in batten seam metal roofing extend over the above fenestration.
 - b. **East and West Elevations:**
 - 1) A stepped and raked parapets bound by pilasters extends over the southern portions of the elevations.
 - 2) The southern divisions of the elevations feature banks of five windows beneath a precast roundel.
 - 3) Two shuttered windows occupy the northern portions of the façade.
 - c. **North Elevation**
 - 1) The central section of the elevation, beneath the parapet, features a door and two faux shuttered windows.
 - 2) A bracketed canopy with a batten seam metal roof extends over the door.
 - 3) The flanking lower sections of the elevation feature two faux shuttered windows and doors each.
 - 4) Bracketed canopies with batten seam metal roofs extend over the doors.
 - 5) A brick beltcourse extends the length of the elevation.
 - 6) Five scuppers and downspouts are affixed to the wall.
- 4. Construct a covered gas station canopy:**
- a. Canopy is 24' wide and 114' deep;
 - b. Ceiling clearance is 16'-6";
 - c. Situated approximately 24' from the Broad Street right of way;
 - d. Situated approximately 60' from the Elmira Street right of way;
 - e. Features eight brick piers with precast stone trim and cap supporting a bracketed and hipped batten metal seam roof.
 - f. Clarification needed:
 - 1. Total height of canopy;
 - 2. Illustration revealing scale of canopy in relation to building.

STAFF ANALYSIS

This project appeared before the Board on May 20, 2009. The project was then tabled and sent to a Design Review Committee. The applicants met with the Design Review Committee on June 3, 2009. The applicants have resubmitted the above design, based in part, on suggestions received from the Design Review Committee.

Under the MHDC Ordinance, any new construction within a historic district requires a certificate of appropriateness from the Architectural Review Board. The test for new construction in a historic district is whether or not the new construction impairs the character of the historic district.¹ The Board determines the appropriateness of the proposed new construction by evaluating several factors in relationship to the features of nearby historic properties. These factors include site placement and orientation, mass, scale, façade elements, materials and design details in relation to nearby historic districts. In addition to the design considerations, the Board shall consider any other pertinent factors.²

Comparing the proposed site plan to that of nearby historic properties is a key component to determining whether or not the new construction is appropriate for the district. Under the Guidelines, new construction in historic districts should be setback and situated in relation to other structures on the street. Likewise, the City's zoning code, utilizing the Historic District Overlay specifications, provides for narrower setbacks in order to bring the new construction in line with other historic structures along the street.

Along South Broad Street, there is a mixture of residential and commercial structures. Most of the commercial structures are in close proximity to the right of way. For instance, the adjacent commercial property at South Broad Street and Elmira is situated approximately 9' from the South Broad Street curb. Directly across the street, there are two commercial structures which are situated within one foot of the sidewalk. Further north along South Broad, at the corners of both Charleston and Savannah, the commercial structures abut the sidewalk. The proximity of these structures to the street reflects the traditional nature of the streetscape and contributes to the historic landscape.

In order to comply with the precedent set in the neighborhood for commercial construction and the recommendations of the Board, the applicants have adjusted the site plan so that the east face of the building abuts the Broad Street right of way. Staff believes the applicants meant for that to read as 9' or 10' from the right of way, as the applicants have discussed with both MHDC and City Planning Staff. Additionally, the Planning Commission has approved a one lot subdivision of the site on July 16, 2009. The final plat for the subdivision has been recorded. The plat was approved with a 10-foot minimum building setback along Broad Street, and a 20-foot minimum building setback line along Elmira Street. A variance will be required for any setback less than 25-feet prior to building permits being issued. Thus, the applicants will also need to appear before the Board of Zoning Adjustment. A 10-foot wide buffer is required where the site abuts the North and West property lines, which can be a 10-foot wide vegetative

¹ See Section 9(a)(2): "**Standard of Review. (a) Required Findings for Approval.** The Board shall not approve any application proposing a Material Change in Appearance unless it finds that the proposed change. . . (2) In the case of a proposed new building, that such building will not, in itself or by reason of its location on the site, materially impair the architectural or historical value of the buildings on adjacent sites or in the immediate vicinity and that such building will not be injurious to the general visual character of the Historic District in which it is to be located."

² See Section 9(b): "**Factors to be Considered.** In making its findings, the Board shall consider, **in addition to any other pertinent factors**, the structure's historical and architectural value and significance, architectural style, general design arrangement, texture and material of the architectural features involved and the relationship thereof to the exterior architectural style and pertinent features of the other structures in the immediate neighborhood."

buffer, or a 6-foot high wooden privacy fence with landscape area. This site plan does not appear to reflect the approved subdivision: 1) the building does not meet the 10-foot buffer setback from property lines; 2) part of the parking area appears to go across a lot line onto the lot abutting Marine Street; 3) it is unclear if the applicants will meet the tree and landscaping requirements, as well as gain Urban Forestry approval to remove the large trees on site. Staff recommends the ARB application be heldover until a site plan is submitted that is both correct and will gain Board of Adjustment approval.

In addition to the building's setback and relationship to the street, the Board also considers the overall mass and scale of the structure and site alterations. In order to move the building closer to the street, the applicants reoriented the gas station so that the entrance and front façade of the building faces Elmira Street. While this arrangement allows the building to be closer to the South Broad Street right of way, Staff finds the complete orientation of this building to Elmira Street and the size of the structure – given the fact that it is 122' long – disruptive to, and inappropriate for, the residential character of that street and the district.

Additionally, the interior ceiling heights are approximately 10' with 16-17' parapet walls flanking the central block. The parapet wall above the central block is 28' high. The 16-17' parapet walls are a more appropriate scale residential structures along Elmira, Marine and Selma are one story with gabled roofs. As with other nearby commercial structures, the proposal seems to indicate that the building will be located at grade atop concrete slab. Staff finds this appropriate for the district, but would like drawings specifically illustrating the building's height from the ground. In other words, it is unclear from the drawings how much in fill soil work will take place or whether there will be a curb from the parking lot to the store, etc.

As drawn, there will be approximately 140' of pavement between the building and the corner of South Broad and Elmira streets. The gas canopy and the five double-sided pumping stations will be located within this space. The amount of pavement and the number of gas pumps is too intrusive for this neighborhood and seems better-suited for a suburban thoroughfare than this historic district. Specifically, Staff recommends reducing the number of gas pumps and the overall height of the canopy. The first parking space adjacent to the sidewalk on Broad Street be eliminated and landscaped. The applicants should consider shrinking the entire foot print by removing the seven parking spaces along Elmira Street.

Other factors considered by the Board include: 1) the overall design of the structure; 2) the choice of materials and 3) ornamentation. Following the suggestions of the Board, the applicants have altered their design and departed from the previously-submitted Mediterranean revival inspired proposal. The current submission differs from the previous submission in the following respects: choice of materials, design motif and detailing choices. The applicants are now proposing a masonry building with cast stone ornamentation and a metal-roofed canopy. Given the number of masonry commercial structures along South Broad Street, the choice of materials is appropriate for this historic district. Staff also finds the ornamentation, including the use of pilasters and brackets, appropriate to the district.

The MHDC Ordinance allows the Board to consider "other pertinent factors" when evaluating whether proposed new construction will potentially impair a historic district. Three pertinent factors should be considered: 1) whether the proposed development is compatible with the recommendations for the South Broad Street corridor contained in the New Plan; 2) whether the proposed development is compatible with the Bring Back Broad Initiative; and 3) the impact the proposed development will have on ongoing neighborhood revitalization efforts, supported by public funds, within the immediate vicinity.

Recently, the City of Mobile commissioned the "New Plan for Mobile." The Broad Street corridor was specifically addressed:

“The Broad Street streetscape improvements that were implemented in 2009 from Canal Street to Virginia Street have also helped to bring a renewed and greater focus to the north end revitalization of the street. However, there is more work to be done in terms of marketing, architectural improvements, infill development and business retention and recruitment to sustain its commercial role in the community. Local property owners and business people attending the public meetings indicated a need for community leadership, financial assistance, marketing assistance and new private investment to strengthen and sustain the future role of the Broad Street-Washington Street Corridor for neighborhood-serving commercial and mixed-use centers. Outlined below are specific recommendations identified for the corridor to be undertaken in this initiative:

- Façade Improvements for existing buildings including signage, canopies, building materials, etc.
- ***Encourage new commercial/mixed-use infill development on vacant or underutilized parcels fronting on Broad Street between Virginia and Texas Streets.***
- ***Creating Guidelines for Commercial Development***

As a result of the public participation process, there is renewed interest in improving both ends of the Broad Street Corridor by local property owners and business people, many of whom have been long-standing merchants and/or residents of the area. ***Keeping this enthusiasm elevated will be a critical component of the corridor’s future sustainability and success***” (emphasis added).

The proposed development, because it is situated north of Texas Street, does not meet the New Plan’s objectives: 1) it is located in area designated residential by the New Plan and/or 2) it is not a mixed use development.

The Broad Street streetscape improvements referenced in the New Plan are part of the ongoing Bring Back Broad Initiative. This project was initiated eight years ago, with the idea of revitalizing and restoring Broad Street from the chronic delay it has undergone in the last forty years. The ultimate goal to provide a revitalized Broad Street that will stretch from Brookley Field to the old GM&O terminal. The public improvements are intended to act as a catalyst for bringing back the residential character of Broad south of Government Street and making the commercial portion north of Government attractive commercial space and a gateway to downtown Mobile. The recent pocket park at the intersection of Broad and Spring Hill Avenue is envisioned as an anchor in the overall redevelopment of Broad Street. Senator Shelby obtained a grant amounting to almost \$2 million for the first phase of the Bring Back Broad project. The City is presently seeking further federal funding for this project.

The overall goal of the Bring Back Broad Initiative is to create a mixed-use, pedestrian friendly, traditional neighborhood corridor. The scale of the proposed development, as discussed above, is not in harmony with these goals. Also, from the site plan presented, it is unclear how the proposed curb cut on Broad Street aligns with new median on Broad and/or if there will be any impact to the median.

In addition to the Bring Back Broad Initiative, the City has sought and received federal funding to enhance housing opportunities within the immediate vicinity of the proposed development. The Oakleigh Venture Revolving Fund (“OVRF”), over the course of the last eight years, has purchased and restored or constructed approximately 25 houses in the Broad Street corridor. The total enhanced value of these properties exceeds \$5 million. Many of the structures were uninhabitable, lacking water and power. One of OVRF target areas is the block of Selma just west of Broad Street. Likewise, another City operated

revolving fund has purchased five parcels three blocks away from the proposed development at Chatham and Elmira streets. The City recently received earmarked \$600,000 in federal funds to be used on neighborhood revitalization efforts in this particular neighborhood.

The current application threatens to defeat these neighborhood revitalization efforts. Realistically, a gasoline station/convenience store on Broad between Selma and Elmira will deter any further renovations in this block. Furthermore, the development negatively impacts the quality of life of the current residents and may deter potential residents.

In conclusion, while Staff finds the new design and setback appropriate, Staff recommends further consideration be given to the proposed site plan and overall scale of the development. As submitted, the size and location of this gas station would be an impairment to the surrounding historic district. Staff recommends the application be denied.

PUBLIC TESTIMONY

Douglas Anderson and Mike Kinnard were present to discuss the application. Mr. Anderson explained that the site saying that property occupied roughly half a city block and that it had been subdivided into two lots. He then presented a revised site plan pointing out that the proposed building had been moved back 8' and the curve in the sidewalk had been depicted. Addressing the hard surfaced areas, Mr. Anderson said there would be 5 gas pumps and 24 parking spaces. He noted that the color of the brick would match the foundation piers on the church across the street. The property was zoned B-2 at the time of purchase. Mr. Anderson said the project would not impact the recent physical improvements along Broad Street. He closed saying this was the third time the project had appeared before the Board and the neighborhoods affected in a public forum. The present proposal takes into account suggestions made. The building had been reoriented to face Elmira Street. A privacy fence and landscape buffer had been added as well.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Karwinski asked the applicants about the fenestration. Mrs. Baker asked the Staff and her fellow Board members about the procedure in cases such as this one. She asked the order in which each city department weighed in on the application.

Mr. Wagoner asked if there was anyone in the audience wishing to address the Board.

Jaime Betbeze spoke as a member of the Mobile Historic Development Commission and as a resident of the Oakleigh Garden District. Mr. Betbeze said he was also speaking on behalf of Mr. Palmer Hamilton and Mr. Chip Herrington, in addition to voicing his and his neighbors concerns. Mr. Betbeze gave his address. He asked the Board if they had copies of a petition signed by 140 neighborhood residents in two historic districts in opposing the application. Mr. Betbeze stated that the placement of a commercial use in a historic residential neighborhood would be disruptive and inappropriate. He spoke of the amount of private and municipal investment within the area, pointing out the Bring Back Broad Initiative and the Oakleigh Venture Revolving Fund. This proposed commercial intrusion into a historic and vibrant residential fabric threatened existing improvements and future revitalization. Mr. Betbeze stated the convenience store/gas station constituted an impairment in design and use. He closed by pointing out the large amount of hardscaping in the site plan. According to his estimates, the amount of asphalt was roughly 27,000 square feet. Such a large amount of hardscaping he said is inappropriate for any residential area.

Tom Woodford then addressed the Board. Mr. Woodford stated that he lives three blocks from the proposed site. He said one the greatest benefits of living the district was the admiration it inspires in others. Mr. Woodson said that admiration is manifested by the large number of residents, locals, and travelers who utilize the sidewalks and streets. The proposed building threatens this foot traffic. Mr. Woodson alluded to the tens of thousands of dollars invested in the area. The use and orientation of the building he said is inappropriate the district.

Martha LoCicero spoke to the Board in capacity as president of the Historic Mobile Historic Preservation Society and as a concerned resident of the Oakleigh Garden District. Mrs. LoCicero explained the HMPS's mission. She said the proposed site plan and design are not appropriate for the area. They are an affront to the historic integrity of the area and the mission of preservation. She said she would hate to see the application approved.

Thomas Host spoke to the Board as a Broad Street resident. He said he lives three blocks north of the proposed site. Mr. Host elaborated on Mr. Woodfords comments regarding the street traffic. He said the recent investments of time, labor, and money along Broad Street would be threatened.

Celia Lewis s addressed the Board as a member of the Mobile Historic Development Commission and a resident of the Church Street East Historic District. Mrs. Lewis said she had lived in the historic districts for over twenty-seven years. She said she concurred with the accounts of all the preceding residents.

Bert Hoffman of the City's Urban Development Office addressed the Board. Mr. Hoffman said while the project had appeared before the Planning Board, the revised site plan had not. The plan would still have to go through the Board of Zoning Adjustment and a variance would need to be acquired. A site plan showing the effect on all existing and proposed trees and landscaping would be required. The proposed curbcuts would receive scrutiny. Two curbcuts would be necessary to service this site according to the proposed use.

One last resident of the Oakleigh Garden District addressed the Board. She said that no matter how many trees and landscaping are planned and planted, the gas station canopy will still be an incursion to the aesthetics of the streetscape and the integrity of the historic districts.

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 as written.

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 does impair the historic integrity of the district or the building and that a Certificate of Appropriateness not be issued. Two board members voted in opposition.

DENIED