

ARCHITECTURAL REVIEW BOARD MINUTES

October 6, 2010 – 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. Cart Blackwell, MHDC Staff, called the roll as follows:
Members Present: Gertrude Baker, Carlos Gant, Kim Hardin, Bill James, Thomas Karwinski, Bradford Ladd, Harris Oswalt, Craig Roberts, and Jim Wagoner.
Members Absent: Janetta Whitt-Mitchell and Barja Wilson
Staff Members Present: Devereaux Bemis, Cart Blackwell, Keri Coumanis, and John Lawler.
2. Ms. Baker moved to approve the minutes of the September 15, 2010 meeting. The motion received a second and passed unanimously.
3. Mr. Ladd and Ms. Baker asked for clarification regarding two of the midmonth applications. Following explanations of the two queries, Ms. Hardin moved to approve the midmonth COA's granted by Staff. The motion received a second and passed unanimously.

B. MID MONTH APPROVALS: APPROVED

1. **Applicant: Amy Kennedy**
 - a. Property Address: 68 North Reed Street
 - b. Date of Approval: 9/7/10
 - c. Project: Repair front porch, paint exterior as existing.
2. **Applicant: Kathee Mcquire**
 - a. Property Address: 267 Dexter Avenue
 - b. Date of Approval: 9/7/10
 - c. Project: Paint exterior NTHP color chart body 3005-4B Homestead Resort Tea Room Yellow, trim white, replace rotten porch decking as necessary and repaint to match.
3. **Applicant: Kathee Mcquire**
 - a. Property Address: 1460 Eslava Street
 - b. Date of Approval: 9/7/10
 - c. Project: Paint exterior, body NTHP color chart 5005-4A filoli Ballroom and trim 5005-4C Belmont Green.
4. **Applicant: Tallaluh Helsing**
 - a. Property Address: 63 Fearnway
 - b. Date of Approval: 9/08/10
 - c. Project: Replaced damage fence along northwest property line, five feet high.
5. **Applicant: Greg Dickinson for the Radisson Admiral Semmes**
 - a. Property Address: 251 Government Street
 - b. Date of Approval: 9/9/10
 - c. Project: Remove the sidewalk pavers so to level the pedestrian pathways. Reset the pavers once the work is completed.
6. **Applicant: Dennis Langan for the Downtown Alliance**
 - a. Property Address: 261 Dauphin Street
 - b. Date of Approval: 9/10/10
 - c. Project: Repair the roof and scuffers to match the existing.
7. **Applicant: Patrick Zafiris**

- a. Property Address: 10 South Lafayette Street
 - b. Date of Approval: 9/13/10
 - c. Project: Replace rotten siding to match original in profile and dimension. Repaint, body gray, trim cream. Install a new Craftsman style front door. Pave front walk to inner side of city walk, do not encroach right of way.
8. **Applicant: Gail McCain**
- a. Property Address: 67 North Reed Avenue
 - b. Date of Approval: 9/10/10
 - c. Project: Repaint house body taupe, trim white, and porch deck brown, porch ceiling light blue.
9. **Applicant: John Willis**
- a. Property Address: 1152 Elmira Street
 - b. Date of Approval: 9/10/10
 - c. Project: Non-historic house, replace windows with vinyl, replace rotten wood and replace roof shingles to match existing.
10. **Applicant: Norman Pharr for the Mobile Archdiocese**
- a. Property Address: 50 South Franklin Street
 - b. Date of Approval: 9/13/10
 - c. Project: Paint the body of the non masonry portion of the building Benjamin Moore' "Brentwood."
11. **Applicant: Robbie Kennedy**
- a. Property Address: 68 North Reed Avenue
 - b. Date of Approval: 9/13/10
 - c. Project: Redeck front porch with tongue and groove; repaint house as existing.
12. **Applicant: Chris King**
- a. Property Address: 208 South Georgia Avenue
 - b. Date of Approval: 9/13/10
 - c. Project: Replace rotten wood to match original in profile and dimension, and repaint to match.
13. **Applicant: Nancy Robinson**
- a. Property Address: 1550 Government Street
 - b. Date of Approval: 9/13/10
 - c. Project: Erect tent Sept. 29 and take down Oct. 1. Will be erected behind the store.
14. **Applicant: Joe Pomeroy**
- a. Property Address: 105 Levert Avenue
 - b. Date of Approval: 9/15/10
 - c. Project: Remove the existing roof. Repair and replace the decking. Reroof the house with 3-tab to match.
15. **Applicant: Historic Mobile Preservation Society**
- a. Property Address: 350 Oakleigh Place
 - b. Date of Approval: 9/15/10
 - c. Project: Remove the existing 6' wooden fence surrounding the mechanical units. Install a new 6 wooden privacy fence to replace the existing. The fence will occupy the same location as the existing.
16. **Applicant: Ken Heyl**
- a. Property Address: 51 South Catherine Street
 - b. Date of Approval: 9/15/10
 - c. Project: Remove the ply board and portions of tin siding from the walls of the garage. Replace the siding with Hardiplank siding. Batten strips will be

17. **Applicant: Dr. Helen Campbell**
 - a. Property Address: 260 South Cedar Street
 - b. Date of Approval: 9/17/10
 - c. Project: Reposition the front entrance gate to be flush with fence, presently the gate is set back.
18. **Applicant: Barbara Hamilton**
 - a. Property Address: 1110 Savannah Street
 - b. Date of Approval: 9/17/10
 - c. Project: Install storm windows per the submitted specifications.
19. **Applicant: Phyllis Jeffrey**
 - a. Property Address: 1707 New Hamilton Street
 - b. Date of Approval: 9/20/10
 - c. Project: Repaint the house per the submitted Sherwin Williams color scheme. The body will be Cityscape. The trim will be Pure White. The porch floor will be Iron Ore. The door will be Benjamin Moores' Tucson Red.
20. **Applicant: Edward Inge**
 - a. Property Address: 6 North Jackson Street
 - b. Date of Approval: 9/20/10
 - c. Project: Replace rotten wood as necessary and repaint to match, minor roof repair, clean and scrap windows and repaint white, replace roof decking on porch.
21. **Applicant: Ed Blount**
 - a. Property Address: 207 Church Street
 - b. Date of Approval: 9/21/10
 - c. Project: Construct barrier lift gate at rear parking lot on Joachim Street..
22. **Applicant: Cameron Pfeiffer and Shane Traylor**
 - a. Property Address: 204 Michigan Avenue
 - b. Date of Approval: 9/22/10
 - c. Project: Repair and replace rotten woodwork on the fence to match that which is existing. Paint the replacements per the existing color scheme.
23. **Applicant: Fred South**
 - a. Property Address: 353 South Ann Street
 - b. Date of Approval: 9/22/10
 - c. Project: Replace the tongue-and-groove front porch decking to match the existing. Repaint to match the existing color scheme.
24. **Applicant: Cecelia Murphy**
 - a. Property Address: 1112 Selma Street
 - b. Date of Approval: 9/23/10
 - c. Project: Repaint the house per the existing color scheme. When necessary, repair and replace woodwork to match the existing.
25. **Applicant: Michael Saucier**
 - a. Property Address: 20 South Hallet Street
 - b. Date of Approval: 9/27/10
 - c. Project: Reroof the house to match the existing.
26. **Applicant: Regina Lagman for Langan Construction**
 - a. Property Address: 50 Saint Emanuel Street
 - b. Date of Approval: 9/28/10
 - c. Project: Repair windows. The work will match the existing in profile, dimension, and material.

- d. Project: Reroof the house to match the existing.
- 27. **Applicant: Scott Phillips**
 - a. Property Address: 367 Adler Avenue
 - b. Date of Approval: 9/29/10
 - c. Project: Paint the house per the submitted Behr color scheme. The body will be Squirrel. The trim will be Milkyway Galaxy.
- 28. **Applicant: WAVE Transit System/Tyrone Parker**
 - a. Property Address: Saint Joseph Street
 - b. Date of Approval: 9/29/10
 - c. Project: Install two 20 x 25 inch informational signs on the traffic signal pole.
- 29. **Applicant: D. W. Gwatkin Construction, Inc.**
 - a. Property Address: 950 Palmetto Street
 - b. Date of Approval: 9/29/10
 - c. Project: Repair cornice, soffit, porch, fascia and roof to match existing in profile, dimension, material and color. No changes to be made.

C. APPLICATIONS

- 1. **2010-72-CA: 250 Chatham Street**
 - a. Applicant: Douglas B. Kearley
 - b. Project: New Ancillary Construction – Construct a garage and a hyphen connecting the garage to the house; install a walkway and a driveway; and install an interior lot fence.
APPROVED. CERTIFIED RECORD ATTACHED.
- 2. **2010-73-CA: 31 South Monterey Street**
 - a. Applicant: William T. Partridge for Joyce and Sid Ponder
 - b. Project: New Ancillary Construction - Construct a garage; install a concrete drive; and install an interior lot privacy fence.
APPROVED AS AMENDED. CERTIFIED RECORD ATTACHED.
- 3. **2010-74-CA: 412 South Broad Street**
 - a. Applicant: Mike Kinnard with Charter South for the Broad Street Center.
 - b. Project: New Construction – Construct a gas station and convenience store.
WITHDRAWN.

D. OTHER BUSINESS

- 1. Discussion
 - a. 412 South Broad Street
 - Mr. Bemis informed the Board on the status of the application for withdrawn application for 412 South Broad Street. A discussion ensued.
 - b. Appeals
 - Mr. Bemis briefed the Board as to the upcoming appeals of the recent review board rulings. A discussion ensued on the status of the 252 Rapier Avenue Appeal.

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2010-71-CA: 250 Chatham Street
Applicant: Douglas B. Kearley for William Cutts
Received: 9/20/10
Meeting: 10/6/10

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden
Classification: Contributing
Zoning: R-1
Project: New Ancillary Construction – Construct a garage and a hyphen connecting the garage to the house; install a walkway and a driveway; and install an interior lot fence.

BUILDING HISTORY

This Italianate house, which originally sat further back in the block, was constructed in 1868. The house was moved to its present location in the late 1930s.

STANDARD OF REVIEW

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

STAFF REPORT

- A. This property last appeared before the Architectural Review Board on June 14, 2004. At that time, the Board approved the reconstruction of the house’s wrap around porch. The applicant’s representative appears before the Board with proposal that calls for the construction of a garage and a hyphen and the installation of paving and fencing.
- B. The Design 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. It includes but is not limited to garages, carports, pergolas, decks, pool covers, sheds and the like. 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.”
 - 2. “Modern paving materials are acceptable in the historic districts. However, it is important that the design, location, and materials be compatible with property.
 - 3. Fencing “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. The height of solid fencing is generally restricted to six feet, however, if a commercial property of multi-family housing adjoins the subject property, an eight foot fence may be considered. The finished side of the fence should face the public view.”
- C. Scope of Work (per submitted plans):
 - 1. Construct a garage.

- a. The garage will be located in the rear of the lot.
 - b. The garage will measure 22' by 23' in plan
 - c. The garage will feature hardiboard siding.
 - d. The garage will feature a hipped roof with asphalt shingles matching those found on the main house.
 - e. The garage's cornice will match that found on main house's rear porch.
 - f. The North Elevation will feature a bank of four awning type six light, clad wooden windows.
 - g. The West Elevation will feature two overhead sectional garage doors.
 - h. Fixed clad wood transoms will be located above the garage doors.
 - i. The South Elevation will feature a bank of three six light, clad wood windows and a four paneled wooden door surmounted by a six light transom.
2. Construct a hyphen connecting the garage to the house (optional).
 - a. The hyphen will extend from the main house's rear porch.
 - b. The hyphen's roof material will match that found on the main house.
 - c. The hyphen will be paved in concrete or brick.
 - d. Six square section wooden piers featuring moldings and necking will support the hyphen.
 - e. The hyphen's cornice will match that of the main house's rear porch and the garage.
 - f. A flight of wooden steps will extend from the rear porch allowing access to and from the new garage.
 3. Install an additional section of drive and a walkway.
 - a. The additional section of brick drive will be located between the garage's concrete apron and the existing brick drive.
 - b. A brick or concrete walkway will extend between the existing brick drive and proposed hyphen.
 4. Install an interior lot privacy fence.
 - a. Remove the bamboo thicket.
 - b. Install two sections of six foot interior lot privacy fencing.
 - c. One section of fencing will extend between the rear elevation's projecting bay and the proposed garage.
 - d. A second L-shaped section of fencing will extend between the southwest corner of the proposed garage and the old carriage house.
 - e. A wooden gate will situated within the L-shaped section of fencing.
 - f. Existing and additional plantings will shield the fencing.
 - g. The fencing will face the public view.

STAFF ANALYSIS

This application involves the construction of a garage, the construction of a hyphen, the installation of a walkway, the installation of a driveway, and the installation of interior lot fencing.

The proposed garage will be setback within the lot and located behind existing plantings. An existing outbuilding is located just south of the proposed site. The proposed garage meets the design and material standards established by the Design Review Guidelines for New Residential Construction in Mobile's Historic Districts. The design utilizes modern materials, but those materials are manipulated in such a way as to replicate proportional relationships and architectural details derived from the main house and the carriage house. Staff does not believe the proposed garage will impair the architectural or the historical integrity of the property. If they

have not already done, the applicant or his representative should contact Urban Forestry regarding any heritage trees in or around the proposed new construction.

The proposed hyphen is an optional portion of the application. Via the use of a matching cornice and other details, the proposed hyphen takes design and material direction from the main house, albeit in a more simplified form. The design is therefore compatible with, yet differentiated from the main house. Staff does not believe the application impairs the architectural or historical integrity of the property.

The drive extension will connect the proposed garage's apron to the existing driveway. The proposed walkway, whether executed in brick or concrete, will be located behind the proposed fence and surrounded by plantings. Both the proposed drive extension and walkway meet the design and material standards established by the Design Review Guidelines for Mobile's Historic Districts. Staff does not believe the proposed hardscaping will impair the architectural or the historical integrity of the property.

The proposed fencing meets the standards established by the Guidelines. The fencing will be shielded by existing and additional plantings. Staff does not believe the two sections of fencing will impair the architectural or the historical character of the property.

STAFF ANALYSIS

Based on B (1-3), Staff does not believe this application impairs the architectural or the historical character of the property or the district. Staff recommends approval of this application.

PUBLIC TESTIMONY

Douglas B. Kearley was present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Wagoner asked Mr. Kearley if he had any clarifications to make or comments to add with regard to the Staff Report. Mr. Kearley answered no.

Ms. Baker asked Mr. Kearley about treatment of the proposed garage's east elevation. Mr. Kearley told the Board that the east elevation would utilize the same Hardiplank siding as proposed for the three other elevations. He added that east elevation would not feature any fenestration because it faced the rear elevation of the main house. Ms. Hardin asked Mr. Kearley about the treatment of the proposed hyphen.

Mr. Wagoner asked the Board if they had any further questions or comments regarding the application. Mr. Karwinski said he had one question and one comment. Mr. Karwinski asked Mr. Kearley why the applicant wanted to construct a garage when there was already an existing garage on the property. Mr. Kearley explained that the existing garage, one not accessible for contemporary vehicles, was used for storage. Mr. Karwinski stated he believed the construction of the new garage would clutter the northwest corner of the lot.

Mr. Wagoner asked if there was anyone from the audience who would like to speak either in favor of or in opposition to the proposed work. Upon hearing no response, Mr. Wagoner closed the period of public comment.

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 approved by the Board, the application does not impair the historic integrity of the district or the building and that a Certificate of Appropriateness be issued.

The motion received a second and was unanimously approved.

Certificate of Appropriateness Expiration Date: 10/6/11

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2010-72-CA: 31 South Monterey Street
Applicant: William T. Partridge for Joyce and Sid Ponder
Received: 9/20/10
Meeting: 10/6/10

INTRODUCTION TO THE APPLICATION

Historic District: Old Dauphin Way
Classification: Contributing
Zoning: R-1
Project: New Ancillary Construction – Construct a garage; install a concrete drive; and install an interior lot privacy fence.

BUILDING HISTORY

This Arts and Crafts-influenced American foursquare was constructed in 1914.

STANDARD OF REVIEW

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

STAFF REPORT

- A. This property last appeared before the Architectural Review Board on March 17, 2010. At that time, the Board approved the replacement of windows, but denied the replacement of the front door and the construction of an addition. The applicant’s representative appears before the Board with a proposal calling for the construction of a garage, the installation of a driveway, and the installation of a fence.
- B. The Design 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. It includes but is not limited to garages, carports, pergolas, decks, pool covers, sheds and the like. 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.”
 - 2. “Modern paving materials are acceptable in the historic districts. However, it is important that the design, location and materials be compatible with property.
 - 3. Fencing “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. The height of solid fencing is generally restricted to six feet, however, if a commercial property of multi-family housing adjoins the subject property, an eight foot fence may be considered. The finished side of the fence should face the public view.”
- C. Scope of Work:
 - 1. Construct a two-story garage at the rear of the property (per submitted plans).
 - a. The garage will be minimally visible from the public view.

- b. The garage will be setback 4' from the eastern and northern property lines.
 - c. A concrete drive located between the garage and the side alley will access the garage.
 - d. The garage will measure 22' in length and 32' in depth.
 - e. The garage will rest upon a concrete slab.
 - f. The garage will feature hardiboard lap siding.
 - g. The color scheme will match that of the main house.
 - h. The garage will feature six-over-one, true-divided-light, single hung windows.
 - i. The roof will be sheathed with grey colored asphalt shingles.
 - j. The South Elevation's first floor will feature an upward acting sectional garage door with glazed upper panels and solid lower panels. A four paneled metal door will be located to the east of the door.
 - k. The South Elevation's second floor will feature a six-over-one, single hung wooden window.
 - l. The West Elevation's first floor will feature a four paneled metal door and a six-over-one, single hung wooden window.
 - m. The West Elevation's second floor will feature two six-over-one single, single hung, wooden windows.
 - n. The North Elevation will not feature fenestration.
 - o. The East Elevation's first floor will feature one six-over-one, single hung wooden window and one four-over-one, single hung wooden window.
 - p. The East Elevation's second floor will feature one six-over-one, single hung, wooden window.
2. Remove the existing wire fence.
 3. Install a 6' dog-eared wooden privacy fence from a point setback from the front plan of the house to the northern lot line. The fence will extend along the northern lot and the eastern lot line where it will tie into the existing sections of wooden privacy fencing.

STAFF ANALYSIS

This project involves the construction of a garage, the installation of a drive, and the installation of an interior lot privacy fence.

Addressing the garage, the proposed ancillary structure will be accessed from an alley and will be minimally visible from Monterey Street. With the exception of the material composition of the single doors, the design and the materials meet the standards established by the Design Review Guidelines for New Residential Construction in Mobile's Historic Districts.

The proposed garage would be located 4' from the northern and eastern property lines. According to the Historic District Overlay, buildings on properties zoned R-1 can be located on or five feet from the lot line. That said, if a property located within hundred feet of the subject property (must be on the same side of the road) features a building located less than five feet from a property line, any proposed new construction on the subject property can be located at or beyond that same distance. Ancillary structures on the adjoining properties to the north and the east are located on the lot line. Staff does not believe a 4' setback will impair maintenance of the garage. If the applicants or their representative have not already done so, they should contact Urban Forestry regarding the possible disturbance of heritage trees in located in the near proximity of the proposed garage. Staff does not believe the proposed garage will impair the architectural or historical integrity of the property.

With regard to the proposed drive, the Guidelines list concrete as an appropriate surfacing material for use in Mobile's historic districts. The drive will not be visible from the street. The applicants or their representative will need to contact Traffic and Engineering as per runoff and access requirements relating to the paving. Staff does not believe the paving will impair the architectural or history integrity of the property.

The proposed six foot interior lot privacy fencing will replace deteriorated wire fencing. Both the height and the design of the proposed fencing meet the standards established by the Guidelines. Staff does not believe the proposed fencing will impair the architectural or the historical integrity of the property.

STAFF RECOMMENDATION

Other than the door and based on B (1-3), Staff does not believe this application impairs the architectural or the historical character of the property or the district. Pending approval from Traffic and Engineering regarding the driveway and the use doors that meet the standards established by the Guidelines, Staff recommends approval of this application.

PUBLIC TESTIMONY

William Partridge was present to discuss the application.

BOARD DISCUSSION

The board discussion took place concurrently with the public testimony. Mr. Blackwell addressed the Board saying that the applicant was willing to use wooden single doors as opposed to the proposed hollow panel metal doors. Mr. Wagoner asked Mr. Partridge if he, as Mr. Ponder's representative, would like to amend the application to specify the use of wooden doors. Mr. Partridge answered yes. Mr. Wagoner asked Mr. Partridge if he had he had any questions to ask or comments to make with regard to the Staff Report. Mr. Partridge answered no.

Mr. Roberts asked Staff and the Board about the alley. A discussion ensued. Mr. James explained to his fellow Board members that alleys are located parallel and perpendicular to Monterey Place and Monterey Street. He noted that some have been maintained, while others have not.

Mr. Wagoner asked the Board if they had any questions to ask or comments to make with regard to the application. Mr. Karwinski said that he had one comment to make and one question to ask. He stated that in his opinion a five foot building setback was a standard which should be upheld for reasons of maintenance and access. Mr. Karwinski asked Mr. Partridge if he thought the scale of the proposed garage would be too overpowering for the property. Mr. Partridge said that given that the house was two stories in height, he thought the construction of a two story garage would not be out of proportion with the existing site conditions.

FINDING OF FACT

Mr. Roberts 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 facts to specify the use of two wooden single doors as opposed to two metal doors.

The motion received a second and was unanimously approved.

DECISION ON THE APPLICATION

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

The motion received a second and was unanimously approved.

Certificate of Appropriateness Expiration Date: 10/6/11

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS
CERTIFIED RECORD

2010-73-CA: 412 South Broad Street

Applicant: Mike Kinnard with Charter South for the Broad Street Center, LLLC

Received: 9/20/10

Meeting: 10/6/10

INTRODUCTION TO THE APPLICATION

Historic District: Oakleigh Garden

Classification: Non-Contributing (vacant lot)

Zoning: B-2

Project: New Construction - Construct a gas station and convenience store.

BUILDING HISTORY

This vacant property is located on South Broad between Elmira and Selma streets. Though a single lot of record now, historically, there were six, nineteenth-century, residences located at this site.

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

The Applicants propose developing the property located at 412 South Broad Street into a single tenant gas station.

The Applicants first appeared before the Board on May 20, 2009 with a proposal for a multi-tenant gas station with a canopy and four pumps. The May 20, 2009 application was tabled and sent to a Design Review Committee. A public meeting was held on May 26, 2010. A Design Review Committee convened on June 3, 2009. Following the design review committee meeting, the Applicants presented an altered application on October 21, 2009. The Board denied the application. The Applicants appealed the Board’s ruling. On January 26, 2010, Council City upheld the Board’s ruling.

The Applicants return to the Board with the third variation of the proposal to develop a gas station at this site.

- A. 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 aspects of historic districts. Therefore, new construction should reference the massing of forms of nearby historic buildings.
 - 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, and 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

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.

B. Scope of Work (per submitted plan):

1. Overall Site Work:

- a. Clear all top soil and vegetation from the property.
- b. Install concrete driving and parking areas.
- c. Install a curbcut/driveway onto South Broad Street that will be 45' width.
- d. Install one curbcut/driveway on Elmira Street that will be 24' in width.
- e. Locate a dumpster in northwest corner of site.

2. Construct a single story brick veneered and precast stone trimmed commercial structure (per submitted plans):

- a. The building will be oriented so that the entrances faces Elmira Street;
- b. The building will measure 73' 6" in width by 51' 3" in depth.
- c. The building will be situated approximately 25' from the Broad Street right of way.
- d. The building will be situated approximately 139' from the Elmira Street right of way.

3. Building Details

a. South Elevation (main elevation):

- 1) The South Elevation will feature a three part composition.
- 2) The central section of the South Elevation will feature an eight unit aluminum storefront system containing an asymmetrically placed double door.
- 3) A trussed canopy featuring blue colored, batten seamed metal roofing will extend from the central portion of the South Elevation

- 4) A stepped and raked pediment, 26' high at its tallest point, will surmount the central portion of the South Elevation. Strips of blue colored, batten seam metal roofing will surmount the pediment.
- 5) Four pilasters will demarcate the divisions of the façade.
- 6) The South Elevation's two flanking side pavilions will feature shuttered casement windows set atop a precast stone trimmed stringcourse.

b. East and West Elevations:

- 1) The East and West Elevations will feature southern pilaster bound portions which will be surmounted by stepped and raked parapets.
- 2) The southern and northern divisions of the Elevations feature single faux shuttered windows set atop precast stone stringcourses.

c. North Elevation

- 1) The central section of the North Elevation will feature a door and two faux shuttered windows set atop a continuous brick stringcourse.
- 2) A bracketed canopy with a blue colored, batten seam metal roof will extend over the door.
- 3) The flanking lower sections of the elevation will feature single faux shuttered windows resting atop the continuous stringcourse.
- 4) Four scuppers and downspouts will be affixed to the wall.

4. Construct a covered gas station canopy:

- a. The canopy will measure 114' in width and 24' in depth.
- b. The ceiling clearance will be 16'-6";
- c. The canopy will be 24' from the Broad Street right of way;
- d. The canopy will be situated approximately 77' from the Elmira Street right of way;
- e. The canopy will feature eight brick piers with stone trim and bracketed eaves.
- f. A blue colored batten seam metal roof will surmount the canopy' hipped roof.

5. Clarifications needed:

- a. Site Work:
 1. Correct site plan detailing existing conditions (trees, sidewalk and lampposts) along Broad Street
 2. Site plan must illustrate how this construction will affect the improvements along Broad Street
 3. Will it affect the new median on Broad?
 4. The applicants will need to consult Urban Forestry with regard to possible tree removal.
 5. Is there a placement of stormwater detention?

6. What is the number of parking space?
- b. Main Building
 1. Materials of doors and windows
 2. Materials of and manner in which shutters will be hung
 3. Location of mechanical equipment
- c. Canopy
 1. Total height of canopy;
 2. Illustration revealing scale of canopy in relation to building.

STAFF ANALYSIS

The site proposed for redevelopment comprises almost half of an entire city block. Until the 1970s, six nineteenth century homes occupied the site. Four houses faced Broad Street and two others faced Elmira Street. The houses were demolished for an intended, but unconstructed grocery store. The lots have persisted as vacant, green space. The parcels were placed into a single lot of record by the Applicants at the July 16, 2009, City Planning Commission meeting; the final subdivision plat was recorded October 8, 2009.

The parcel is zoned B-2. Although the land was never used for commercial purposes, the zoning failed to revert to residential when the grocery store was not built. The remainder of the block continues to be zoned and used for single and multifamily residences; homes abut the property to the north and west (fronting Selma and Marine Streets). Across Board, a historic church and commercial property face the site from the east. Across Elmira, a historic commercial property is adjacent to the parcel.

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. The guidelines for each factor can be found above in Section A of the Staff Report. In addition to the design considerations, the Board shall consider any other pertinent factors.²

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.”

Factor One: Placement and Orientation

Comparing the proposed site plan to that of nearby historic properties is a key element in determining whether or not the new construction is appropriate for the district. Along South Broad Street, there is a mixture of residential and commercial structures. All of the contributing commercial structures and many of the non-contributing infill are located close to or on the right of way. For instance, the adjacent commercial property at South Broad 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 close proximity of the commercial structure to the street and sidewalk is a characteristic of the historic landscape. In order not to impair the historic district, new construction should be sited to match the pattern established by the existing buildings.

Likewise, new commercial buildings along Broad Street should be oriented towards Broad Street. No commercial structures exist along Elmira Street. All commercial structures located on Broad Street face Broad Street.

The proposed development does not adhere to the patterns established by the existing historic buildings. While the proposed building's setbacks are in compliance with zoning requirements, they are not consistent with existing commercial construction in the vicinity. Under the Guidelines, new construction in historic districts should be set back and situated in relation to other historic structures on the street. 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.

The current proposal calls for a 25' setback from the Broad Street right of way. The setback from the Elmira Street right of way is 110'. This 25' setback is not consistent with the setback of other commercial structures along Broad Street. It should be noted that the October 21, 2009, proposal positioned the east elevation 10' from the Broad Street right of way.

In order to position the structure closer to the Broad Street right of way, the applicants reoriented the gas station so that the entrance and front façade of the building faces Elmira Street. Staff does not believe the applicant correctly interpreted the Board's recommendations. No other commercial structures in the vicinity are oriented towards a side street. The entrances to other commercial structures on Broad Street face Broad Street. The orientation of the building towards Elmira Street is not appropriate for the district.

Staff notes that there are a number of errors and omissions on the submitted site plan. These errors and omissions include:

1. the Elmira Street right of way is drawn incorrectly;
2. the Broad Street right of way is drawn incorrectly;

3. the site plan does not correctly depict the existing conditions of the site, including the location of existing trees in the right of way, the sidewalk, the gas street lamps, etc.
4. The site plan does not depict required stormwater drainage.

Even if the site plan were illustrated correctly, Staff finds 1) the setback inconsistent with other commercial structures in the area and 2) the orientation of this building to Elmira Street disruptive to, and inappropriate for, the historic district.

Factor Two: Mass and Scale

The current submission differs from the October 21, 2010, submission in one principle respect: the size of the building. The Applicants reduced the building from a triple unit commercial space to a single unit space. Containing approximately 3500 square feet, the building is 51' wide on the Broad Street side and extends for 71' to the rear of the lot. The front of the building is oriented to Elmira Street.

In abandoning the multi-tenant arrangement for a single commercial unit, the mass and scale of the new building are more appropriate to the district. However, the manner in which the applicants have reduced the building size now will easily allow them to expand in the future. As such, Staff does not find the proposed reduction in square feet to be a compelling alteration to the overall concept.

Additionally, certain mass-related concerns remain. The interior ceiling heights are approximately 10'. The stepped and raked parapet surmounting the façade is 26' high. In the previous application the height parapet height was 28'. While the height has been slightly reduced, the parapet would continue to loom in isolation over the structure. Staff realizes the parapet treatment is meant to mimic historic gable roofs, however, because this building is exposed on all four sides, the parapet treatment is not effective. In effect, the view of the roof would consist of four independent parapets jutting above the structure. Staff does not find this design appropriate to a historic district.

The overall height of the canopy is not indicated on the plans. This information must be provided. Though the Applicant's reduced the building's size, the canopy remains unchanged and is, therefore, approximately 40% larger than the building. Staff does not find the number of gas pumps and the overall size of the canopy appropriate to the historic district.

As with other nearby commercial structures, the proposal indicates that the building will be located at grade atop the concrete slab. Staff would like drawings which specifically illustrate the building's proposed height above grade, including any curb heights and finished floor heights. It is unclear from the drawings how much in fill soil work, if any, will take place or whether there will be a curb from the parking lot to the store, etc. Modern day convenience stores are generally located on a raised, albeit paved, mound. This treatment would not be appropriate for a historic district. The drawings

provided do not provide enough information to determine how the Applicants intend to address the foundation work.

As with the previous submissions, the amount of pavement surrounding the convenience store remains problematic. As drawn, there will be approximately 19,152 square feet of pavement between the building and the corner of South Broad and Elmira streets. Marked and unmarked parking, the gas canopy and the four double-sided pumping stations will be located within this space.

Previously, Staff recommended reducing the amount of pavement by 1) removing parking spaces and 2) reducing the number of gas pumps. The Applicants responded to that request in this proposal by removing the stripes designating parking spaces; the pavement, however, remains.

A typical residential lot in this neighborhood is 5,000 square feet; thus, the applicants propose paving an area equal to almost four residential lots. As such, the amount of pavement required for the size of this gas station remains too intrusive for this neighborhood and seems better-suited for a suburban thoroughfare than this historic district.

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 previously altered their design from a Mediterranean-influenced design to a scheme more in compliance with the Guidelines.

The applicants propose 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 recommends the windows should be raised at least one course brick above the stringcourse, in order to create a proper lintel and a break between the windows and the façade. Colored metal roofs are not approved in historic districts. The proposed blue-colored metal seam roofing should be substituted with a color more in keeping with historic character of the district; galvanized, brown or bronzed or black metal should be used.

Regarding the choice of materials, the applicants have provided limited information on the choice of materials. Applicants must clarify the type of doors and windows to be installed, including material and color, and the materials of the shutters.

Staff also finds the ornamentation, including the use of pilasters, louvered shutters and brackets, appropriate to the district though not necessarily appropriate to the building. Although the shutters may be constructed of a synthetic heavy duty fiberglass material, not all synthetic materials are alike. Please specify which material to be used for the shutters. Additionally, shutters, even on new buildings may not be nailed or screwed to the façade, but must look as if they function with hinges. Staff requests a detail of how the shutters will be attached. The difficulty remains that the attempt to apply historic ornamentation to a contemporary building creates a problem inherent in the design.

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.

STAFF RECOMMENDATION

As the preceding Staff Analysis demonstrates, the applicants have failed to develop an over all plan which meets the standards established by the Design Review Guidelines for New Construction in Mobile’s Historic Districts. Staff believes that the design concept, as initially conceived and currently proposed, impairs the architectural and the historical character of the historic district. Staff does not recommend approval of the application. Staff does not believe modifications to this plan will result in an approvable project, but that a complete redesign is necessary.

WITHDRAWN