



S A V A N N A H - C H A T H A M C O U N T Y
HISTORIC SITE & MONUMENT COMMISSION

Arthur A. Mendonsa Hearing Room
November 3, 2011 4:00 PM
Meeting Minutes

November 3, 2011 Regular Meeting

I. Call to Order and Welcome

1. Called to Order

Mr. Smith called the meeting to order at 4:00 p.m. and welcomed all in attendance.

II. Approval of Meeting Minutes

2. September 1, 2011 Meeting Minutes

Attachment: [September 1, 2011 Meeting Minutes.pdf](#)

Board Action:

Approve the minutes of September 1, 2011. - PASS

Vote Results

Motion: Walt Harper

Second: Phillip Williams

Walt Harper - Aye

Eli Karatassos - Aye

Gordon B. Smith - Aye

Mary Soule - Aye

Phillip Williams - Aye

3. October 13, 2011 Special Called Meeting Minutes

Attachment: [October 13, 2011 Meeting Minutes.pdf](#)

Board Action:

Approve minutes of the Special Called Meeting. - PASS

Vote Results

Motion: Mary Soule

Second: Walt Harper

Walt Harper - Aye

Eli Karatassos - Aye

Gordon B. Smith - Aye

Mary Soule - Aye

Phillip Williams - Aye

III. Regular Agenda

4. [C-110811-32318-2 Revisions to the Master Plan: Mural Policy](#)

Attachment: [Case Studies.pdf](#)

Attachment: [O.C.G.A. § 36-60-3 and O.C.G.A. § 16-12-80.pdf](#)

Attachment: [DRAFT Master Plan and Guidelines 11-03-11 RED LINED.pdf](#)

Attachment: [Public Comments and TAC Responses on Mural Policy.pdf](#)

Attachment: [Beetler Letter of Support.pdf](#)

Attachment: [Staff Report 11-3-11.pdf](#)

Ms. Harris gave the background on the Revisions to *Markers, Monuments, and Public Art Master Plan and Guidelines for the City of Savannah*.

BACKGROUND

Ms. Harris explained that over the past year, unauthorized murals have been painted on various buildings in Savannah. The murals were either cited as graffiti and painted over, or considered signs without a permit and cited accordingly. These incidents have demonstrated that Savannah needs a definitive policy that distinguishes murals, signs and graffiti.

Murals are considered public art, and as such falls under the jurisdiction of the Historic Site and Monument Commission. However, there are no specific guidelines in the HSMC's Master Plan and Guidelines by which to evaluate murals. The proposed mural policy defines murals and graffiti and outlines review criteria and the review process. The mural policy was continued from the September 1, 2011 meeting in order to allow for additional public comment. A public hearing was held on October 13, 2011 and additional public comments were received. Staff subsequently met with the Technical Advisory Committee (TAC) on October 25, 2011 to evaluate the public comments and revise the policy as appropriate.

Ms. Harris said the HSMC's purview currently for public art is within local historic districts only if it is on private property. If this is on public property, it is city-wide. The City, as a part of this process, wants to change this with murals being an exception and be city-wide on private property. This expands the HSMC's purview. It did not seem logical that murals on private property should be limited to historic districts.

Mr. Karatassos said, therefore, the HSMC's purview as been extended a little further.

Ms. Harris stated that what is shown in RED has already been presented to the HSMC. What is shown in BLUE are the changes that the TAC recommended to be made based on the public comment and feedback process. She explained that under the "statement of purpose" rather than saying "allowing for compatible artistic creative expressions," the TAC believed it should read **"by establishing a process"** to add better clarification. A comment from the public was made that the political expressive content should be protected which seemed to contradict the definition that says "it will not promote a specific political candidate." The TAC felt that if they added **social/political** expressive content would add a little more clarification. TAC felt also that it should be added that, **"Murals will be evaluated on a case-by-case basis."**

Ms. Harris stated that on page 38 under "Location," the TAC felt that limiting murals one building per block face was too limiting and defeated the purpose. They felt that this too should be on a case-by-case basis and it may well be appropriate that there should only be one mural per block face, but by putting that in, might limit a particular situation in the future where it would be appropriate to have more than one mural on a building per block face. TAC also felt that limiting murals to 25% of the primary facade was too limiting. They believed this took away from the discretion of the HSMC to make this determination. Ms. Harris said also a concern surfaced at a previous meeting about visual clutter. She believes this was related to the one mural per block face. The TAC borrowed language that is currently in the guidelines as it relates to monuments and reworked it to read that **"Murals should be sited far enough away from other murals as to all the visitor proper appreciation of each individually and not cause visual clutter to the block face."** This allows the HSMC the discretion to determine on a case-by-case basis when and where this might be appropriate.

Under "Design," Ms. Harris reported that a discussion arose that there might be a situation where it is proposed that a mural be made out of chalk. The way this is currently written does not allow this to happen. Therefore, the standards would read, **"If other, non-paint materials, are proposed to be used, their lifespan should be considered and incorporated into the removal plan, if temporary."**

Ms. Harris stated that she looked at the existing Monument Application and rather than trying to tweak it to incorporate murals, she felt it would be simpler to develop a mural application. The application is not a part of today's presentation, but is reflected in the Master Plan.

In addition to the review process outlined in the Master Plan, murals must adhere to additional requirements. Posted notification on the building or structure on which the mural is proposed, is required ten days in advance of the HSMC meeting and approved murals will display "Approved by HSMC" followed by a date and application number. The maintenance of murals is the responsibility of the property owner and murals must be properly maintained. In the case of rotating mural walls, the location and theme must receive HSMC approval. The mural image may be approved by staff with the opportunity for a public hearing, if requested.

Ms. Harris reported that under Appendix 1: Definitions under Mural, TAC took out the word "specifically" and "specific" where it talks about the word does not contain text, graphics, or symbols which ~~specifically~~ advertise or promote a business, product, or

service; nor does it promote a ~~specific~~ candidate or party. The TAC believed that removal of these two references would allow the HSMC greater flexibility and determination in making a decision as whether or not a proposal promotes a candidate.

Ms. Harris reported that staff recommends approval of revising the *Master Plan and Guidelines* to include the mural guidelines and policy as Chapter 6 of the Master Plan and Guidelines.

HSMC DISCUSSION

Mr. Karatassos asked, therefore, the policy and guidelines would be saying that it does not promote a political candidate or party.

Ms. Harris answered correct.

Mr. Karatassos stated that he did not believe this is what was written the last time; another word was used. However, it now says what he wants it to say.

Ms. Harris explained that she believes Mr. Karatassos is making reference to the statement of purpose where it talks about not limiting the personal or political expressive content of the mural. The TAC added the term "social" to give it a more broad meaning.

Mr. Karatassos stated that Statement of Purpose reads "with minimal intrusion into political expressive content" to him is almost an enabling statement. This sounds as if they are enabling something. Why was this put in?

Ms. Harris explained that the statement was put in at the request of the attorneys to establish the reason of why they are doing this. It is not being done to limit free speech. It is being done to create a process for compatible and creative expression.

Mr. Karatassos said the it now reads "*social/political.*" But, he believes that the word "social" should be eliminated.

Ms. Harris reported that the TAC added the term "social" to provide more guidance. It is social/political; may be a dash should be here.

Mr. Karatassos said a mark means either/or. He would be happier with a dash (-) than a slash (/).

Mr. Harper felt that the word "political" would open the door.

Mr. Karatassos said this is why they are defining it. He does not want it here at all, but if they are going to leave it, use a dash instead of a slash. Mr. Karatassos said that in another section of the policy, it is removed. Therefore, political cannot be done. However, if they are not going to allow it, why have it in the policy at all. But, if they need this to satisfy the attorneys, then he would rather have a dash here.

Ms. Harris clarified that it is not that political expression is not allowed. What they have done is simply say that if this is what you are doing, then you are not doing a mural. Therefore, it does not go through the mural process. In the definition section where it says

that a mural shall not support or promote a candidate or party does not say that you can't do this, but if you do, it will not be considered under this review.

Mr. Karatassos said in reading the sentence under Statement of Purpose, the sentence reads with minimal intrusion into artistic expression and/or the substantive, personal or social/political expression, he believes it would be better to said socially/political expressive content.

Mr. Williams said this is a gray area.

Mr. Karatassos stated that his recommendation is to use *socially* instead of social. He asked the staff what section contains the information about someone filing a request and a hearing is held.

Ms. Harris said what is being proposed is if someone wants to put up a permanent mural, a sign must be posted and then a public hearing will be heard by the HSMC. A different process has been established if the mural is proposed to change on a more regular basis, which is being called a rotating mural. Initially, the rotating mural will come to the HSMC to approve the location, theme and process by which it will be evaluated. The individual submissions will come to staff for approval as it is temporary. This is done to eliminate the bureaucracy involved for the petitioner and have a more facilitated process. Ms. Harris explained that a provision has been added which says that even if the mural will change every three months, a sign must be posted for ten (10) days and if any member of the public requests a hearing, they could come to the MPC office and look at the images. If, in fact, a public hearing is requested, the HSMC must have the public hearing. This is shown on page 39.

Mr. Karatassos stated that he finds this to be a wide-open invitation for someone to routinely, every time a posting goes up, to request a public hearing. His belief is if something can be done, it will be done. He would rather see the request for public hearing come from the neighborhood association. Therefore, a person could go to their neighborhood association and argue their point. If their argument is warranted by the neighborhood association, then the recommendation will come to the HSMC. This is his recommendation.

Ms. Harris said there might be a situation where there is not a formal neighborhood association.

Mr. Karatassos stated that he worked for former City Manager Arthur A. Mendonsa who set up neighborhood associations throughout the City of Savannah. Now, there may not be a working neighborhood association, but he believes that 99% of the downtown neighborhood associations are working.

Ms. Soule questioned the ten days. Is this long enough? If someone does not drive through this part of town, it may not be caught. She said regarding the rotating murals, the handout showing the staff 's recommendation under review process, is written "required ten days in advance of the HSMC meeting."

Ms. Harris explained that there are two processes: (1) the rotating mural wall requires a posting of ten (10) days in advance. A meeting will not be held if no request for a hearing is

received; and (2) if someone wants to put up a mural that they expect to last forever, it has to be posted ten days in advance of the meeting. The ten day requirement is consistent with the notice that is given for Certificate of Appropriateness (COA).

Ms. Soule asked if anyone has been concerned that the ten days are not long enough.

Ms. Harris stated not to her knowledge.

Mr. Karatassos said if the sign is posted in a neighborhood, the residents will see it within that ten day period. Now persons outside the neighborhood may not see, but he believes the intent is for the person within the particular neighborhood. He believes the ten days is sufficient.

Mr. Smith said his concern is on page 39 - Chapter 6: Mural Policy. He said that Savannah has a status of a national landmark. A lot of the income of this city is derived from the fact that it is so beautiful that tourists come to see the city. As he understands, there are separate standards that the State Historic Preservation Office actually review if anything is changed in this area. It impacts on the city's status as a national historic district. Mr. Smith said he does not want to jeopardize this status. Since this status has almost been lost twice, he proposes that on page 39 under the notification section they add: "*In the Savannah Landmark Historic District, for any mural proposal on a contributing building, the State Historic Preservation Office will be notified and asked to comment on the proposal.*" This will prevent the State Historic Preservation Office from later saying that the national landmark historic standards were violated. Mr. Smith said the HSMC wants to be able to say that the State office is on board and has seen any proposal made to them for approval of a mural. He offers the statement as an amendment to this section.

Mr. Harper stated that with reference to murals on the one block face, he believes that if they allow more than one mural on a one block face they will be opening the door to a lot of murals. His concern is this will get out of hand. The five percent (5%) on the design sponsor of the artist's name will be incorporated, but should be discreet and not exceed 5% of the design. If there is a mural that is 20 feet by 40 feet, the artist name and the approval for the HSMC can be up to eight (8) feet by five (5) feet. Therefore, he believes the five percent (5%) is too much. He realizes it says "discreet," but who is to say what "discreet" is.

Ms. Harris explained that TAC discussed the five percent (5%) and felt that the discretion lies with the HSMC to make a determination whether or not it is discreet. Therefore, TAC did not make a recommendation to change this. However, if HSMC wants to set a cap on the maximum, it is at their discretion.

Mr. Karatassos asked that there cannot be a lot of murals on a block unless the HSMC allows.

Ms. Harris replied correct.

Mr. Karatassos said therefore, the HSMC can control this. There could be a long block where a mural could be painted on each end of the block, one facing north and the other facing south. Under this rule the way it was written initially, this could not be done, but if they allowed it, it could be done. They talk about having enough spaces for visual

perception and the fact that it has to come before the HSMC, the staff cannot approve multiple signs unless the HSMC allows them to do so. He believes it is correct that they don't want to have five houses and have five different murals. However, as he has stated, this could only happen if the HSMC allows it.

Mr. Williams said as long as the HSMC has the power and the control to say this is why they did not allow it, he believes it is good. Everything appears to be fair as written.

Ms. Soule said her thought is that only one on a block could work against them also because they have blocks of different sizes. If there is one huge block and then another huge block with a very little block, then someone could say that it is not within the same block, but it will still be too close and conflicting. Therefore, this is up to the judgment of the HSMC.

Mr. Karatassos said he has spent the last 11 months trying to get the transit center started. They have to deal with SHPO. He would hate to submit all the guidelines to SHPO each time because the next thing they know they will be asking the Department of Transportation, Department of Agriculture and who knows what other agency to comment on it. But, what he would suggest is the HSMC send its regulations to SHPO and if they felt that they were not inconsistent with what they require as a district, then get them to sign off just one time. Then HSMC would be able to move on. SHPO really leaves the discretion to the Historic Review Board, but they know what the guidelines are as they would have signed off on them. Mr. Karatassos said he is recommending that they submit their guidelines to SHPO letting them know what they are going to do as they want to ensure that the guidelines are not inconsistent with the State plan. If they do it this way, it will eliminate an arduous process for the staff.

Mr. Karatassos said the objection should come from a neighborhood association. If there is no neighborhood association, then the HSMC will have to deal with it. But, there is not many neighborhood in this city that does not have a neighborhood association of some sort. Most neighborhoods are downtown and they are active neighborhood associations.

Mr. Smith said he is running into a growing problem that they have articulated some guidelines and frankly at this point, he is not sure other than his amendment, what amendments have been offered in a formal sitting. It would be much easier for them to know what they are voting on when it is written and added in.

Mr. Williams asked if the guidelines have been sent to SHPO.

Ms. Harris answered no.

Mr. Karatassos said the guidelines should be finished and then sent to SHPO. This is an action that they should take once the guidelines are approved.

Mr. Smith asked Mr. Karatassos if he was saying that the HSMC should delay their vote.

Mr. Karatassos answered no. He explained that what he was saying is that they need to vote on the guidelines. Then his motion would be that the approved guidelines be submitted to SHPO to ensure that there is nothing contained therein that would make them not compliant with SHPO's requirements for historic landmark district.

PUBLIC COMMENTS

Mr. Smith read the following letter from Ms. Elizabeth Rushing into the records:

Dear Historic Site and Monument Commission Members:

Among Savannah's uncommon advantages there exists a strong artistic community. As a Savannah native, as a SCAD alumna, and as a writer for the arts, I have spent the past four years interviewing and assessing the work of our local artists. I know, from a professional and educated perspective, that there is uncommon quality in this town.

Instituting a mural policy will allow the City of Savannah to advance culturally. The public display of art will positively represent the City, the community and the artists who bring the work into fruition. I urge Savannah to take advantage of the gifts of her citizens. Though they may not realize, some of our local artists have garnered exposure and praise in national publications. Major museums and international art fairs exhibit their work. Savannah is a foundation for their careers, a fostering place for their inevitable success. Mandating a mural policy will instate a new layer into Savannah's history: the artists vying for the policy will accede into higher levels of the art world, beyond our small community. Art is a gift. One day, we will look back at their public work with pride and gratitude. It would be frivolous of our community to deny the advantages that our local artists can provide.

This instatement of this mural policy, and the approval of proposed murals in the future allow the joy of art to transgress cultural boundaries and enrich the lives of those who are unable to view art in exclusive setting. Please support our local artists. They have approached this with intelligence and respect. Their efforts will make this city a greater place for now and in the future.

Sincerely,

Elizabeth Rushing

Mr. Harper recommended that no murals be constructed, painted or placed with the Landmark Historic District.

Mr. Williams asked for clarification on the boundaries of the Landmark District.

Mr. Harper explained as he understands it, the Landmark District is from Gwinnett Street, MLK Jr. Blvd, East Broad Street all the way to the Savannah River.

Ms. Harris said Trustees Garden is included on the northeast.

Mr. Karatassos said Mr. Harper's motion would basically remove the guidelines. If the HSMC does not want to approve this, just send it to City Council and they will approve it. Approving these guidelines is the right thing to do.

Ms. Soule asked Julie Yost if murals are presently in the Landmark District and if so, where are they located?

Ms. Yost said a mural is on Price Street. The mural is windows painted on a blank wall. The

ghost signs also set a precedence for murals.

Ms. Harris said there are murals at the Old Greyhound Bus Station on MLK Jr. Blvd.

Mr. Harper said his concern is the Landmark Historic District. This does not include any other historical district within this City. There are 16 other historic districts.

Mr. Williams suggested that before a motion is passed or not passed regarding Mr. Harper's recommendation, see what SHPO says about the Landmark District. He believes the murals that are shown might not be appealing and could be influencing their decision. There can be good murals and he feels HSMC has the power to approve or not approve a mural.

Mr. Karatassos said the Technical Advisory Committee reviewed the guidelines. He asked staff if there was a recommendation from the TAC that they not have murals within the Landmark District.

Ms. Harris answered no.

Mr. Karatassos stated that if he owns property in the Landmark District and murals were allowed outside the Landmark District but did not allow him to have a mural simply because he is in the Landmark District, he believes he would be deprived of his property rights. He would not be happy about this. There cannot be spot zoning; he does not know how there could be spot muraling. Change is always scary for people who don't like to move around a lot as they have gotten comfortable in their place. Nevertheless, change happens every single day. Tomorrow people will be objecting to the fact that some bus routes have been changed. But for everyone that is changed, there will probably be ten different routes picked up. Nobody knows. The point he is making is that change is never easy. Mr. Karatassos said he completely opposes the idea that murals not be allowed in the Landmark Historic District. He has dealt with SHPO many times and he believes that if SHPO has a problem with the guidelines after they receive them, they will not be hesitant to let staff know. Then at this point the HSMC could react to it, but until that point, the HSMC does not have a problem. He is totally, completely and vehemently without exception unequivocally opposed to Mr. Harper's suggestion.

Mr. Harper said he has stated everything he wanted to say. He believes they need a mural policy to ensure that there are guidelines. But, he does not believe that murals like these are appropriate for the Landmark Historic District.

Mr. Karatassos said his motion was to change social to socially.

Mr. Smith stated that Mr. Karatassos's motion failed due to lack of a second.

Mr. Karatassos said with reference to the letter received from Ms. Rushing, he wanted it noted that she lives in the Landmark District.

Mr. Smith confirmed that Ms. Rushing lives in the Landmark District. He added to page 39 of Chapter 6 - Notifications that "*In the Savannah Landmark Historic District, for any mural proposal on a contributing building, the State Historic Preservation Office will be notified and asked to comment on the proposal.*"

Mr. Karatassos offered an amendment that once the guidelines are approved, be submitted to SHPO for their approval to confirm that they do not violate or endanger the Landmark status.

Mr. Williams asked for clarification on Mr. Karatassos's amendment.

Mr. Karatassos said Mr. Smith's recommendation would involve that every time a mural is proposed that it would not only go through HSMC's review, staff review, or technical advisory review, but that it be sent to SHPO for their review also. He wanted to submit that after having worked with SHPO which is a fine organization, it is a State bureau. All he was suggesting in that Mr. Smith had a concern that we have on some occasions gotten in trouble and that SHPO can pull our Landmark designation. Mr. Smith's concern is that they do not do anything that will endanger their designation. Mr. Karatassos explained that he was only saying as he assumed that the Historic Review Board's regulations have been approved by SHPO that any decisions they make do not violate any requirements. He was only suggesting that HSMC do the same thing which is to send their regulations and let them know how HSMC intends to regulate murals. If SHPO approves with the guidelines as submitted, then it's fine, but if they see something that they don't like, then SHPO will let them know. At this point, the HSMC would have to make some adjustments. During it this way, they will get one time approval based on their decisions just as the Historic Review Board gets one time approval for everything that they do. He believes it would be very onerous for the staff to be tracking SHPO's approval on every item.

Mr. Karatassos said that on page 39 under Rotating Murals - It reads that, "a posting ten days in advance is required, and a public hearing shall be held if requested within the ten days." He wanted it amended to "A posting ten days in advance is required, and a public hearing be held if requested by the affected neighborhood association within ten days."

Mr. Smith asked Mr. Karatassos if he was putting this in the form of a motion.

Mr. Karatassos answered yes.

Mr. Harper asked Mr. Karatassos to explain his statement.

Mr. Karatassos explained that what this says now is that one person can object to a mural and the HSMC would have to have a public hearing. All he is saying is that the person should present his/her objection to their neighborhood association. If the neighborhood association agrees with the objector, then the neighborhood association make a request to have the petition heard by the HSMC. The way it is now, there will always be somebody who will object to every mural, particularly in the Landmark District. This means that the HSMC will have a hearing every time a request is made for a mural.

Mr. Karatassos explained, after the voting was done, that his vote against the motion was not representative of his support for the guidelines, but representative of his lack of support for differentiation of where the murals can and not be installed and how they are regulated. He is in agreement with the guidelines.

Board Action:

On page 38, the word *social*/political be changed to *socially*/ political expressive.

Vote Results

Motion: Eli Karatassos

Second:

Board Action:

Recommend that no murals be constructed, painted or placed in the Landmark District. - FAIL

Vote Results

Motion: Walt Harper

Second: Gordon B. Smith

Walt Harper - Aye

Eli Karatassos - Nay

Gordon B. Smith - Aye

Mary Soule - Nay

Phillip Williams - Nay

Board Action:

Approve that under Chapter 6: Mural Policy - Notifications Page 39 that the following admendment is added "*In the Savannah Landmark Historic District, for any mural proposal on a contributing building, the State Historic Preservation Office will be notified and asked to comment on the proposal.*" - PASS

Vote Results

Motion: Gordon B. Smith

Second: Walt Harper

Walt Harper - Aye

Eli Karatassos - Nay

Gordon B. Smith - Aye

Mary Soule - Aye

Phillip Williams - Aye

Board Action:

Upon approval of the guidelines that they be submitted to SHPO for their approval to confirm that they do not violate or endanger the Landmark status. This would eliminate submitting them to SHPO every time HSMC gets a request. -

Vote Results

Motion: Eli Karatassos
Second:

Board Action:

Under Rotating Murals on Page 39 - "A posting ten days in advance is required, and public hearing shall be held if requested by the affected neighborhood association within ten days." -

Vote Results

Motion: Eli Karatassos
Second:

Board Action:

Approval of revising the Master Plan and Guidelines to include the mural guidelines and policy as Chapter 6 of the Master Plan and Guidelines as amended. - PASS

Vote Results

Motion: Gordon B. Smith
Second: Mary Soule
Walt Harper - Aye
Eli Karatassos - Nay
Gordon B. Smith - Aye
Mary Soule - Aye
Phillip Williams - Aye

5. [C-110822-34879-2 Rotating Mural Wall](#)

- Attachment: [Staff Report- 11-03-11.pdf](#)
- Attachment: [Supplemental information revised.pdf](#)
- Attachment: [Public Comments on the Proposed Rotating Mural Wall.pdf](#)
- Attachment: [Artist Information revised.pdf](#)

Mr. Matt Hebermehl and Mr. James Zdanieski were present on behalf of the petition.

Ms. Ellen Harris gave the staff report. She explained that the petitioner is requesting approval to install a rotating mural to the side of the structure at 1711 Price Street, facing Habersham Street. There is neighborhood residential directly across the street on 34th Street. Restaurants are along this street also. Therefore, this is a mixed corridor. This petition was continued from the September 1, 2011 meeting. The petitioner has provided a mission statement for their nonprofit organization. They desire that the mural will be Savannah centric. Mr. Hebermehl has talked with the neighborhood association president as well as some of the residents. Ms. Harris said in the packets to the HSMC, she included letters of support received from various individuals within this community as well as a letter from the Executive Director of the Ringling Museum of Art. The petitioner has provided more clarification in terms of their organization and their process. They also included on their first mural proposal which will be submitted to staff, but the petitioner wanted to give the HSMC an idea of their vision of how the mural would look. This information was passed to the HSMC. If this is approved, the petitioner anticipates having the first mural installed in January, 2012.

Ms. Harris said since this will be a rotating mural, posting will be on the property. If anyone in the public was interested in seeing what the mural would look like, she would have images in the MPC office and the individual could come to the office. Including in this information, would show where the artist's name would be; the size to ensure that the discreet and five percent (5%) rule is met. Upon reviewing the information, if the individual desired a public hearing to come before the HSMC, it would be held. The petitioner has been working with staff since February, 2011. It has taken some time to develop the policy and the petitioner has been very helpful and patient in this endeavor. They have met with City officials and it has taken some time to get to the point where they are today. Ms. Harris said she appreciates the petitioners' willingness to work with staff and the HSMC to get everything in order.

Ms. Harris reported that staff recommends approval as submitted. Staff believes the proposal meets the guidelines as were just approved. Quarterly mural designs to be submitted to and it approved by staff. A public notice will be placed on the site ten days before rotation of mural, and a public hearing will be scheduled, if requested. Ms. Harris added for clarification that if something controversial came to staff for approval and no one from the public requested a public hearing, but if staff felt uncomfortable making the decision, the guidelines allow staff to require a public hearing.

Mr. Harper stated that the artist has four different murals. He asked if this was the complete rotation or will this continue.

Mr. Hebermehl answered that this is the first rotation.

Ms. Harris stated that there was a question at the last meeting about what would happen if the building was sold. She explained that this building is for sale, of course, part of the guidelines state that there has to be done with the property owner's permission. The current property owner has approved this and in the event that the building is sold, the muralist could certainly ask the new property owner if it is okay for him to keep installing the mural. As a property owner, they could say yes it's okay, or no. If at this point the property owner says no, then the new property owner is responsible for removing the mural.

Mr. Karatassos asked if the approval is to the owner or to the site.

Ms. Harris said it is site specific.

Mr. Karatassos asked that if he has a mural on his house and sold it to someone else who wishes to continue with the mural installation, that person would not have to apply for a new petition because it is site specific.

Ms. Harris answered correct.

Ms. Soule wanted to know if the owner has to remove the mural or the new owner.

Ms. Harris answered in accordance with the Property Maintenance ordinance, the property owner is always responsible for the maintenance and upkeep of the property.

Mr. Smith stated that in other words, the owner sold the property knowing that the mural was there. If they did not like it, it would be up to that owner to have it removed.

Ms. Soule said the property owner could negotiate and put it in their contract that it has to be removed by the new owner.

Ms. Harris said this would be a private matter between the two owners.

Ms. Soule said the wall is far back on this property. She asked where will the sign be placed on this property. Will it be near Habersham Street so that it will easily be seen?

Ms. Harris said the sign will be placed on the wall where the mural is proposed to be installed.

Ms. Soule said since the wall is so far away, she thought it would be better to place the sign closer to the front facade.

Ms. Harris said they did not specify this, but it can certainly be placed there.

Mr. Williams asked who owns the empty lot that is near the property where the mural is being proposed to be installed.

Ms. Harris answered the same owner.

PETITIONERS COMMENTS

Mr. Harper stated that he is not against the murals. He just wants everything to be proper and have the policy in place so they do not have issues. He asked the petitioners what kind of paints are they going to use to keep the paint from fading. The south Georgia sun is extremely hot during the summertime.

Mr. Zdaniewski answered that they will use high-quality exterior paint.

Mr. Williams asked if there will be any kind of coating put on the mural.

Mr. Hebermehl answered house paint works well. However, it is left to the discretion of the artist that is proposing to their organization what kind of materials they will use. Then it is up to their organization to ensure that the materials are proper.

Mr. Harper stated, therefore, it will not be the same artists everytime.

Mr. Zdaniewski answered correct.

Mr. Hebermehl explained that they know what they are doing is different than a stationary mural. If this is the case, the policy ensures that the particular mural would be perserved and that the proper finishes are used to ensure that the mural has a long life.

Mr. Williams asked the petitioners how long do they think it would take for the mural to be painted.

Mr. Hebermehl said they would allow a week. They have painted an entire wall in two days. He believes that a week is a sufficient amount of time. In this type of project usually they use the materials and brushes that allow them to paint in an efficient manner.

Mr. Williams asked if there is no spraying of paints, but just using brushes.

Mr. Zdaniewski said it is left to the discretion of the artist.

Mr. Williams said his concern is only the other houses. They just want to be sure that the spraying of paints do not get on cars or anything else.

Mr. Hebermehl said they are far away from everything. The 33rd Street side is an alley.

Mr. Zdaniewski said the artist lives in Vernonburg and her fine art work presently is focusing on landscapes of the coast. In her proposal, the artist stated that the point of what she wants to do is to literally take a direct latitude from 33rd and Habersham Streets east, which will be turtle island, and will give an interpretation of that.

PUBLIC COMMENTS

None.

Board Action:

Approval of the proposal as submitted. - PASS

Vote Results

Motion: Eli Karatassos

Second: Phillip Williams

Walt Harper - Aye

Eli Karatassos	- Aye
Gordon B. Smith	- Aye
Mary Soule	- Aye
Phillip Williams	- Aye

6. [Master Plan and Guildelines- REFERENCE](#)

Attachment: [Masterplan 3-10-2011 Final.pdf](#)

No action required by HSMC. This is only for reference.

IV. Other Business

V. Adjournment

7. [Adjourned](#)

There being no further business to come before the HSMC, Mr. Smith adjourned the meeting at 4:50 p.m.

The next regularly scheduled meeting is January 5, 2012 at 2:00 p.m. in the Arthur A. Mendonsa Hearing Room.

Respectfully Submitted,

Ellen Harris
Cultural Resource and Urban Planning Manager

EH:mem