



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
September 6, 2012 4:00 PM
Meeting Minutes

September 6, 2012 HSMC Meeting

I. Call to Order and Welcome

1. [Order](#)

Ms. Soule called the meeting to order at 4:10 and welcomed everyone in attendance.

II. Approval of Meeting Minutes

2. [June 7, 2012 Meeting Minutes](#)

Attachment: [June 7, 2012 Minutes.pdf](#)

Board Action:

Approval. - PASS

Vote Results

Motion: Eli Karatassos

Second: Walt Harper

Thomas Gensheimer - Aye

Walt Harper - Aye

Eli Karatassos - Aye

Ryan Madson - Aye

Robert Pirro - Aye

Mary Soule - Aye

III. Regular Agenda

3. [12-000340-PA Hernandez Mural at 1711 Price Street](#)

Attachment: [Revised mural submittal.pdf](#)

Attachment: [Hernandez2012-SeeSAW.pdf](#)

Attachment: [12-000340-PA Staff Report revised.pdf](#)

Attachment: [Public comments.pdf](#)

Mr. Matt Hebermehl and **Mr. Adolfo Hernandez** were present on behalf of the petition.

Ms. Ellen Harris gave the staff report. The petitioner is requesting approval to erect a temporary mural at 1711 Price Street, at the corner of Habersham and 34th Streets. This location was approved as a site for rotating murals on November 3, 2011. The Katherine Sandoz mural was approved by staff on January 5, 2012. The Troy Wandzel mural was approved by the HSMC on June 7, 2012.

Ms. Harris reminded the Commission that the Mural Policy they adopted in November 2011 allowed that once the site and theme were approved by the Board, staff could approve the individual rotations on an individual basis. However, due to the level of scrutiny murals received lately, staff is referring this to the Commission for a public hearing. All property owners within 200 feet of the project site were notified and a sign was posted on the property ten days in advance of the meeting. A notice was also sent to the neighborhood association president, the City Manager and City Council. It is anticipated that the mural will be painted in September and will stay up for approximately three (3) to four (4) months.

Ms. Harris said she received an email from the neighborhood association president, Ms. Virginia Mobley asking that her email be entered into the record of this meeting as she may not be able to attend. For the record, Ms. Harris read Ms. Mobley's email:

"I cannot say that I agree with this mural. I do not feel that it is in keeping with the neighborhood and its history. The first one of the island and waterway was connected to the Benedictine school that moved to Habersham Street when the yellow fever epidemic hit the flower showed folds in the area. But what ties does this have to the history character of the area. I do not know if I will be at the meeting on Thursday as I have a conflict. But, please express my feelings. I sent out the notice to others in the neighborhood. I do not know if you will hear from them, but I would like to know if you do." Virginia Mobley

Ms. Harris informed the Board that a copy of Ms. Mobley's email was sent to them in their packets.

Ms. Harris reported that staff recommends approval of the mural on the condition that previous murals are painted over completely before the proposed mural is applied. This will allow the standards in the Master Plan and Guidelines for Markers, Monuments, and Public Art to be met.

Mr. Harper said he was curious as to why staff wants the previous murals to be painted over completely. Personally, he kind of likes the layering effect of it. There would be the original that was approved the last time and now the new mural. He believes it adds a little more to it. It is almost as if it is telling a story. Isn't this the intent? He does not believe that they need to be dictating to the artists to this degree.

Ms. Harris explained that the standard that she cited to help justify this was that "murals should be sited far enough away from other murals as to allow the visitor proper appreciation of each individually and not to cause visual clutter to the block face."

Mr. Madson asked if the revisions state that the previous mural should be completely covered over each time.

Ms. Harris explained that this is the staff's recommendation for approval of this mural.

Mr. Madson stated, therefore, if exceptions are needed, the artist would need to make a strong argument to create more of a layering instead of covering over.

Mr. Karatassos believed this is getting into content that he is not sure is the purview of this Commission. He does not know if he has a preference over one or the other, but if the artists are going to have freedom of expression, then that freedom of expression needs to be without dictating content.

Mr. Gensheimer said he was wondering what is the artist's preference to bypass the guidelines without putting two murals close by. The last mural that was done with the sunflowers and the people's faces were a layering effect. This was somehow allowable given the guidelines that are being considered for this mural. It appears that maybe this is not the best application of that guideline.

Mr. Pirro asked if Ms. Mobley stated in her email that she prefers the layered effect.

Ms. Harris answered no. She does not believe she stated this in her email. However, she does not want to speak for her.

Mr. Madson said it appears to be a rule of thumb that the artist is suppose to paint over or cover the pre-existing mural in some way. But, if the artist has a strong argument to keep it, maybe this should be a part of the petitioner's presentation or submission.

PETITIONER COMMENTS

Mr. Matt Hebermehl thanked the Board for their participation over the last eighteen (18) months. He believes they all are learning as they go forward. As for as the wall, they like that what is being developed here is the story on the wall. Mr. Hebermehl said he understands the staff's concerns about the wall becoming potentially messy and cluttered. Their goal is not to have something that is not aesthetically pleasing in some way. They have learned how to work together visually and how to tell the story together with everyone's point of view. As the wall has evolved at this point, Mr. Hebermehl believes that there can be a harmonious solution on the wall with a great effect.

Mr. Hebermehl stated that he is aware that Ms. Mobley is not present today and, therefore, it is not fair to have a conversation of what she said when she is not present to defend herself, but the point of the wall, itself, is to give Savannah's artists a chance to tell their version of what this means to them. He said contextually this is why they thought this would be appropriate because this is Mr. Hernandez's interpretation of what Savannah means to him.

Mr. Karatassos told Mr. Hebermehl that one thing that does strike him is the fact that they have one artist sort of redefining or adding to a definition of what another artist has done. He was not suggesting that the artist may not like it, but he was wondering if this is a safe premises to go on. Mr. Karatassos said he believes that people should have the opportunity to say what they want to say, but if someone else is going to say something, then maybe they ought to say something completely on their own.

Mr. Hebermehl stated that he understood Mr. Karatassos's point. He believes the solution lies within both of these where without having completely white wash, there can be a more overall voice of Mr. Adolfo Hernandez (the artist) where there is more extension outward from just having the central figure there. Mr. Hebermehl said he does not see it as a problem if a part of the under painting is revealed in the artist's process. They believe that the artist is skillful enough to make the decisions to either completely include the elements that are there that might be relevant to what he is trying to tell. They also believe that the artist's story and point of view will be fully developed.

Mr. Karatassos asked Mr. Hebermehl what were his thoughts concerning the alternative murals.

Mr. Hebermehl said he believes it is okay. He would like to see the artist spread out more and get more of his voice on there. There is a way to allow the artist to do this while also taking in consideration the under painting as they have referred to the previous two paintings. These painting can still be there; if the artist chooses to [he thinks the artist is skillful enough] he can allow most of these things to peak through. However, he would like to see Mr. Hernandez's painting stretched out over the entire wall.

Mr. Gensheimer asked Mr. Hebermehl if he had an idea of what is the artist's preference.

Mr. Hebermehl said the artist is present. He explained that when they met, the artist was invited to submit a proposal and he explained to him to take into account some level of what was here before. They all are not only friends, but are peers and professional artists. They always talk about what it means to live in Savannah as citizens and as contributors to the culture of what it means to be here and creating the representation of the life of people living here. Therefore, he does not believe that it is a stretch to ask Mr. Hernandez to paint something on the wall. Mr. Hebermehl said that Mr. Hernandez's idea is in a vacuum of itself. Consequently, Mr. Hernandez was asked to take into consideration the history of what is here and also add his story of what it means for him to live in this City, where he came from, why he chose to live in Savannah, and his personal history. He believes that the artist's standing in the Latin community is important and cannot be overlooked in this process.

Mr. Hernandez said he has lived in Savannah approximately twelve years. He comes from a very strong background of murals. This is the way he learned to paint. Mr. Hernandez said he is in favor of painting the entire wall. But, he also wants to do what the community wants; he wants to hear their voices. If the community wants the painting to be layered where it shows everybody's story at the same time, then he can work with this also.

Mr. Harper said he does not want to dictate to the artist what he has to paint on the wall. This goes back to what Mr. Karatassos said about regulation of content. If they are going to allow murals to be painted here, then they should at least let the artist have his expression of what he wants to do. Now, rather the first rendition is the best or rather the revised rendition is the best he is not in a position to say.

Ms. Soule said she believes this is what the Board is asking Mr. Hernandez.

Mr. Madson said maybe it is a part of their purview to figure out the aesthetic

consequences of layering these paintings. He said using the under paintings as a part of the artist vision is a great idea, but it has to be done in the right way. Who are they to say what is the right? But, he thinks with the wrong way, it would start to look like something haphazard or graffiti. There is a fine line between mural painting, street art and graffiti art. He does not think that anyone wants this to turn into a place where people are leaving tags. However, he believes it runs the risk that when they start layering, it might send a message to the community that this is a place where one can add here such as a message board of some sort.

Mr. Madson cautioned the artist to have a strong aesthetic presence as an ensemble and as a piece if it is layered out so that it does not turn into something like a graffiti board. Street art can be fine art and mural art can be street art, but he believes that they do not want this to turn into an open forum for everyone to add something to it. He said from the Board's perspective they can start thinking about this in more subtle ways and try to determine if the outcomes might be negative or positive. He does not know if the Board should say that they should whitewash it in order to prevent the possible negative outcome as sometimes things are unpredictable.

Mr. Karatassos said if the Board is going to review standards and the master plan guidelines for markers and murals, by the end of the meeting, this may not be inconsistent with the staff's recommendation. However, his thought is the Board should not place that condition on the artist. If a part of the artist's expression is to leave a part of what was there before as he wants to incorporate it, he believes this is fine. If it is the artist's expression is to not include it, then he believes it is equally fine. It is somewhat like telling someone you can make a speech but you have to ensure that you include the beginning of this speech and the beginning of that speech, but you can put anything in the middle you want.

Mr. Karatassos believes the Board should approve the mural on the basis that the artist is going to have the choice of whether he completely covers over the previous work or not.

Ms. Soule asked if the previous artists know that their paintings will be painted over. If so, are they okay with it?

Mr. Hebermehl said yes. As each installation occurs, they will do thorough documentations on the preservation of each one.

PUBLIC COMMENTS

NOTE: Ms. Virginia Mobley's email was read into this hearing during the staff's report.

Board Action:

Approve the petition, without conditions or restrictions as to whether or not to retain previous murals, because it is consistent with the Master Plan and Guidelines. - PASS

Vote Results

Motion: Eli Karatassos

Second: Walt Harper

Thomas Gensheimer - Aye

Walt Harper - Aye

Eli Karatassos - Aye

Ryan Madson - Aye

Robert Pirro - Aye

Mary Soule - Aye

IV. Other Business

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

Attachment: [Masterplan 9-6-12.pdf](#)

Attachment: [Staff Report Revision to Master Plan.pdf](#)

Ms. Harris gave the overview of Revisions to the Master Plan: Mural Policy. As the Board knows, the proposed mural policy essentially defines murals, graffiti, outlines the review criteria, and the process. The policy was reviewed three (3) times last year, September 1, October 13 and November 3. The Board recommended approval of the policy to City Council on November 3, 2011.

Ms. Harris stated that staff presented the proposed changes to City Council at a workshop on May 17, 2012. The City Manager and City Council recommended several changes to the proposed policy based on the responses to some previously approved temporary murals, especially a mural located at 1100 East 31st Street. This mural was approved on March 1, 2012.

Ms. Harris explained that it is important to note that City Council did not vote on the policy nor did they come to a consensus on their recommendations. City Council's recommended changes are summarized below:

1. Change the review process so that all murals, regardless of whether they are on public or private property, come to City Council for final approval;
2. Change the review process so that neighborhood associations are notified in advance of mural proposals;
3. Change the review process to ensure that the City Manager and City Council are notified in advance of mural proposals;
4. Change the review process to ensure that business owners in the vicinity are notified in advance of murals proposals;
5. Add additional language to the definition of a mural to expand other application types beside "paint".

Ms. Harris said that staff presented these recommendations to the Commission on June 7, 2012. The Commission, at this time, continued the Mural Policy to allow further time to process the recommended changes. The conversation at that time focused primarily on the notification process. The Commission originally proposed in the mural proposal that the

notification process follow the same process that is used for new construction or changes/alterations to a building within a historic district. The process is as follows:

1. A sign is posted on the property ten (10) days in advance;
2. Notification is sent to the media;
3. The agenda is posted at the meeting site.

Ms. Harris explained that this is the process that the Commission adopted in November 2011 and this is the process that they are following. She explained further that they have all different kinds of legal processes for legal notifications that could be utilized. In many cases, for zoning petitions for example, there are legally required notification processes. But, they do not have a legally required notification for murals. Therefore, she has outlined the different types that are used for different applications:

1. Sign posting, which is currently proposed. It varies depending on the application type. It can be anywhere from ten (10) to twenty (20) days in advance of the meeting. The cost of the sign varies depending on the quality and type of materials. However, what is proposed and what has been used costs approximately \$5.00 per sign;
2. Written notifications that can be provided.
 - a. A question was raised as to who gets notified. Property owners can be notified and we use the Board of Assessor's tax digest to notify the property owners;
 - b. Written notifications can also be sent to residents. As they know, many people who own property do not necessarily live there. This also would capture businesses as often they have a different property owner and is, therefore a rental business. If it is rental property, the business may not be notified;
 - c. We have a list of the neighborhood associations that is kept reasonably up-to-date by the City of Savannah.
 - d. The City Manager and City Council may be notified;
3. There is also the opportunity to have email notifications. Obviously, we do not have email addresses for all the property owners. The tax assessor does not require the collection of email addresses for property owners. For the property owners, mailing is the only option. But for neighborhood associations, City Council members and City Manager, email is a viable option as we do have emails for these groups;
4. There is the option to post the legal notifications in the newspaper. A small advertisement in the public notice section costs approximately \$30.00 per day.

Ms. Harris reported that there are many different options to choose from. Staff recommends revising the Master Plan. The conversation about notifications has focused on murals. However, we have no formal notification process for monuments or markers. Therefore, with this in mind, she took the opportunity to say if the Commission is going to revise and take a closer look at the notification process for mural, this needs to be applicable to other things that may have the same impact, such as a monument.

Ms. Harris said to this end, staff recommends including a notification process for all the things that this Commission reviews, including:

1. A ten (10) day sign posting as we have been doing;
2. Written notices to property owners within 200 feet;
3. Email notices to the neighborhood association, City Manager and City Council. If

there is no email associated with the neighborhood, a written notice will be sent; using the mural at 1711 Price Street as an example of how it will play out, the approximate cost would have been \$55.00 for the notice requirements that were done by staff. Of course this does not include any staff time that is associated either with processing the application or stuffing envelopes. The Commission may wish to recommend that City Council adopt a fee schedule that reflects the notification process. Staff additionally recommends revising the definition of a mural to include a singular flat work of art applied to the building rather than "painted" on the building.

Ms. Harris explained that the Commission may go through the guidelines page-by-page if they so desire.

Mr. Gensheimer was curious as to how the word flat came about.

Ms. Harris explained that the idea was once it is no longer flat it becomes three dimensional which makes it public art. Therefore, the specific definition of a mural does not stipulate that it couldn't be allowed, but the mural guidelines would only apply if it was flat. If it was three dimensional, it becomes public art such as a sculpture or something else.

Mr. Harper stated that he believes the Commission needs to establish a fee schedule. The cost could be as high as \$55.00 and this does not include the staff time. This would help compensate the cost.

Mr. Pirro asked if the residents will be notified by mail.

Ms. Harris answered that this was not a part of the recommendation. However, it is certainly within this Commission's purview if they feel this is necessary.

Mr. Karatassos said his observation is the signs are a part of the problem. This Commission knows what COA means, but the public may not know. COA needs to be spelled out - "Certificate of Appropriateness" so there is no confusion. The signs do not represent the significance of what is going on. Therefore, he believes the signs should be bigger and more than one should be posted on the property. Traffic generally runs north/south and east/west. As far as the notices, in 1973-74 he had the privilege of working on the staff of the Metropolitan Planning Commission and all those years, they mailed notices on zoning matters. Consequently, he believes that the MPC has mastered the art of notifications. To him, it would be simpler if there was a notification process for everything.

Mr. Karatassos agreed that if they are going to have a notification process for murals, then they should have a notification processes for the others. When property is scheduled for rezoning, a notice is sent and everybody in the neighborhood shows up for the hearing. Therefore, why can't this Commission follow what zoning is doing. Now, if they are doing this presently, then the Commission needs to know this. However, if they are doing something just for historic sites and monuments, he believes they should do what MPC has been doing for 50 years.

Ms. Harris explained that it depends on the application type. They have a separate notification process for every application type.

Mr. Karatassos said this is bureaucrat and does not make sense to him.

Ms. Harris explained that staff follows the historic preservation notification process that is used for new construction and alterations to buildings. But City Council has asked that they consider something additional.

Mr. Karatassos said he believes that it would be irresponsible for this Commission to ask MPC to go to the additional expense on these petitions when they don't do it for the painting or construction of an entire new building. He said that nobody explained this to City Council. Therefore, it was easy for Council to get the wrong impression. Consequently, he does not agree with doing something different.

Mr. Madson stated that he believes there is a qualitative difference in a temporary work that is up for three months. He believes further that they all agree that there is a qualitative difference in something temporary versus a hotel or a parking garage.

Mr. Karatassos would hate for this Commission to do something that is more burdensome.

Mr. Madson said maybe they need to ask staff if the intent is to somewhat retreat from some of this burdensome and rigorousness that is used for a permanent project such as a building.

Ms. Harris explained that staff is not retreating from this. Staff has proposed to do more rigorous standards than they would do for new construction. Staff is not proposing anything less restrictive; what staff is proposing is more restrictive than they would for something permanent.

Ms. Soule asked if this is applying to more than murals.

Ms. Harris answered that it applies to murals, markers and monuments. Anything that comes to this Commission for review, if they have to approve it formally, there is a public notice process that takes place.

Mr. Karatassos said his observation is that this Commission shouldn't do anymore than the Historic District Board Review. The parallel is a monument would be permanent and a bank building would be permanent. To him, this was just a knee jerk reaction on Council's part. This Commission should not do a knee jerk back. They have a responsibility to explain to Council what they are doing. The word **applied** could apply to a decal. He does not understand why they want to take the word "paint" out. Do they not want to say paint?

Ms. Harris explained that the question came up regarding other materials that may not be considered paint such as chalk. If it was coated, it could last a long time.

Mr. Hebermehl stated that artists use different materials for murals. This allows the artist to interpret the mural how they want to.

Mr. Karatassos asked if flat means that brick does not work.

Ms. Harris said murals could still be applied on bricks.

Mr. Madson asked staff that, based on the Commission's conversation about the rigorous notification process, does it make sense to have two distinctions - temporary and permanent for monuments, markers, murals, art installation and so forth.

Ms. Harris explained that if they do this, they would need to be very specific on the definition. They would have to add what is a temporary work of art. Would it be six months or less? Would it be 30 days or less? This ties into enforcement. For example, with this mural proposal, it is intended to stay up for three (3) to four (4) months. Now, if they are waiting on an artist to come here from out of town and the mural does not go up in six months, does this mean that at the end of the three months period that it gets cut off. This worries her a little. Also, if they make the definition so broad, say if it is less than a year, doesn't this still have the potential to impact a neighborhood just as much as if it stayed up for two (2) years? Ms. Harris said she has some hesitation as she has not thought this through, but this is her initial reaction.

Ms. Soule asked what is the current requirement for putting up a permanent building that is not a monument, marker or work of art.

Ms. Harris answered the posting notification on the property ten days in advance of the public meeting. The date of the public hearing is written on the public notice and what is being proposed. When a building is on a corner, two signs are posted. However, the responsibility is still on the residents or property owner to pay attention to the signs. The individuals have to go up to the sign to read it to understand what is being requested. It is not a flashing yellow sign that says pay attention; a mural is being requested to go here.

Ms. Soule said she would like for the Commission to adopt something in addition to the regular notification on markers, monuments and public art and she would also like for them to work on the definition of a mural.

Ms. Harris explained that City Council has not adopted the mural policy in any form. This means that Council has not adopted the definition of what constitutes a mural. Therefore, at any point the City could say any mural, including the ones that have already been done, is considered an illegal sign and it would have to be taken down or they could say it is graffiti. Until Council has adopted this, there is a risk that this could happen and it has happened in the past.

Board Action:

Approval of revising the *Master Plan and Guidelines* to include a separate section within Chapter 8 on the notification process so as to apply to all markers, monuments and public art. Notice shall consist of a 10 day sign posting. The Board recommends a larger sign and spelling out "COA." - PASS

Vote Results

Motion: Walt Harper

Second: Thomas Gensheimer

Thomas Gensheimer	- Aye
Walt Harper	- Aye
Eli Karatassos	- Aye
Ryan Madson	- Aye
Robert Pirro	- Aye
Mary Soule	- Aye

Board Action:

Revise the definition of a mural to read, "A singular, flat work of art ~~applied~~ ~~applied~~ (with property owner and HSMC approval) on a building, structure, fence, or other object within public view...."

Vote Results

Motion: Thomas Gensheimer

Second: Ryan Madson

Thomas Gensheimer	- Aye
Walt Harper	- Aye
Eli Karatassos	- Aye
Ryan Madson	- Aye
Robert Pirro	- Aye
Mary Soule	- Aye

5. [New Fence around Greene Monument in Johnson Square- Jerry Flemming](#)

Attachment: [Gordon Monument.pdf](#)

Attachment: [Greene Monument.pdf](#)

Ms. Harris reported that Mr. Jerry Flemming was unable to attend the meeting today. She gave a brief overview on the new fence around the Greene Monument in Johnson Square. The City is interested in installing a new wrought iron picket fence around this monument similar to the fence around the Gordon Monument in Wright Square. Historically, a fence was on top of the coping which was presumably removed during World War I. The Park and Tree Department is not proposing or supporting installing a fence back on top of the coping, but rather placing the new fence outside of the walkway. Therefore, it essentially will be between the coping and the walkway. Ms. Harris showed the Commission some pictures of what is being considered. They want to install a low fence. Technically, this is not part of the monument and, therefore, does not require this Commission's formal approval. It is a part of the landscaping design of the square, but the Park and Tree Department wanted to ensure that this Commission is aware of what is being done.

PUBLIC COMMENTS

None.

V. Adjournment

6. Adjourned

There being no further business to come before the HSMC, Ms. Soule adjourned the meeting at 5:00 p.m.

The next regularly scheduled quarterly meeting is **Thursday, November 1, 2012 at 4:00 p.m.** in the Arthur A. Mendonsa Hearing.

Respectfully Submitted,

Ellen Harris
Cultural Resource and Urban Planning Manager

EH:mem

The Chatham County - Savannah Metropolitan Planning Commission provides meeting summary minutes which are adopted by the respective Board. Verbatim transcripts of minutes are the responsibility of the interested party.