

## COURTHOUSE SQUARE PRESERVATION COMMISSION

Be it remembered that the Courthouse Square Preservation Commission did meet in regular session on Monday, May 3, 2010, at 5:00 p.m. on the second floor in the courtroom of City Hall with the following members present:

Jim Pryor, Chairman  
Phil Bailey  
Theresa Flautt  
Donna Gottshall  
Will Lewis  
Mike Overstreet  
Andy Phillips

Tiffany Smith, Consultant  
Katrina Hourin, Assistant City Planner  
Alicia Thompson, Secretary

The meeting was called to order by Chairman Jim Pryor.

### **Approval of Minutes from April 5, 2010 Meeting**

There being no changes to the minutes, motion was made by Commissioner Flautt and seconded by Commissioner Gottshall to approve the minutes from the April 5, 2010 meeting.

All present voting aye.

The motion was approved.

### **Approval of Agenda**

Chairman Pryor asked if there were any necessary modifications to the agenda. The following revision was made to the agenda: that the address for Item #8 be corrected to 1006 Jefferson Avenue.

All present voting aye.

The motion was approved.

**Public Hearing for CHS Case #046 – 208 South Lamar Boulevard.** Corey Alger of Alger Design Studio, P.A., came before the Commission representing Jerry Jordan seeking a Certificate of Appropriateness to construct a new canopy in the front of a business located at 208 South Lamar Boulevard. Mr. Alger presented the Commission with elevations, canopy details, and two similar schemes that were associated with placing the proposed canopy over the sidewalk. Mr. Alger informed the Commission that Scheme “A” had incorporated an ivy planter area adjacent to the sidewalk and Scheme “B” incorporated slender steel columns to act as a trellis for the ivy. Mr. Alger also presented the Commission with a circa 1910 photo of the 208 building. Discussion was made between Mr. Alger and the Commission about the two schemes. Commissioner Lewis asked Mr. Alger if any Commission other than the Courthouse Square Preservation Commission would need to approve the request. Mr. Alger answered that the Mayor and Board of Aldermen would probably need to approve the request as well. Mr. Alger also informed the Commission that it was his client’s intent to work with the Mayor and Board Aldermen regarding the request. Further discussion was made regarding the applicant’s request. Commissioner Overstreet commented that he was in favor of the simpler version (Scheme “A”). The other remaining Commissioners agreed with Commissioner Overstreet favoring Scheme “A” over Scheme “B”. Further discussion was made regarding the request.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Lewis and seconded by Commissioner Flautt to approve the request for a Certificate of Appropriateness for Scheme "A" with a reduction in the number of columns on the presented plan from six to four equally spaced columns with the understanding that approval must requested from the Mayor and Board of Aldermen.

All present voting aye.

The motion was approved.

**Public Hearing for Case #047 – 415 South Lamar Boulevard.** Mary Katherine Guest came before the Commission seeking a Certificate of Appropriateness for a business located at 415 South Lamar Boulevard. Ms. Guest informed the Commission that the proposal included installing four brick columns to connect the original picket fence and installing awnings over the two front windows and side windows on the business. Ms. Guest presented the Commission with a planting plan, layout plan, photos, and a materials list. Ms. Guest explained her request to the Commission and stated that the original picket fence had 4x4 posts but that she was seeking to upgrade the fence using larger column type posts. Discussion was made regarding the request for the columns. Commissioner Lewis asked Ms. Guest if the requested awnings had already been installed on the business. Ms. Guest replied that they had in fact already been installed. Commissioner Lewis also asked Ms. Guest about the proposed rear addition. Ms. Guest informed the Commission that she was withdrawing the request for the rear addition due to the absence of her drawings. Discussion was also made between Ms. Guest and the Commission regarding the outside patio umbrellas. Further discussion was made as to whether landscaping was under the Commission's purview. Commissioner Gotshall asked Ms. Guest how tall the proposed columns were. Ms. Guest replied that the proposed columns were approximately three feet (3') tall. Further discussion was made regarding the applicants request and Commissioner Phillips commented that the applicant had a lot going on in the small space. Commissioner Phillips further cautioned Ms. Guest tone down some of the outdoor decorations. Ms. Guest replied and stated that she would be removing the yard art as it was only up for sale through Mother's Day. Commissioner Gotshall commented that the proposed larger concrete columns appeared to add too much to the already crowded exterior. Commissioner Overstreet agreed with Commissioner Gotshall and asked the applicant if she had considered using simpler lower profile wooden posts rather than the concrete posts. Further discussion was made regarding the applicant's request for concrete posts. After further discussion the applicant agreed to modify her application to use simpler lower profile wooden fence posts.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Pryor and seconded by Commissioner Lewis to approve the modified application to include:

1. The withdrawal of the request for a rear addition;
2. Modifying the original request for four concrete fence posts to be replaced by simpler lower profile wooden fence posts;
3. Outside landscaping; and
4. Approval of the awnings that have already been placed.

All present voting aye.

The motion was approved.

**Public Hearing for Case 308 South Lamar Boulevard.** James Hunter of Hunter Construction came before the Commission representing Contemporary Restaurants seeking a Certificate of Appropriateness to construct an addition to extend the existing outside deck on property located at 308 South Lamar Boulevard. Mr. Hunter informed the Commission that the request would include a 12' x 40' deck extension to the west of the property. Mr. Hunter presented the Commission with photos of the existing deck and drawings of the proposed deck and explained the applicant's request. Discussion was made regarding the applicant's request. Mr. Hunter informed the Commission that the entrance to the outside

deck would be from the interior of the business. Mr. Hunter also informed the Commission that the request included adding a door to the west side of the business to match the existing front door of the business. Commissioner Phillips asked the applicant if there would be any bar facilities located on the exterior. Mr. Hunter answered and replied that there would not be any bar facilities on the exterior of the business. Further discussion was made regarding the applicant's request. Comments came from Commissioners Overstreet and Bailey stating that the proposed deck addition would change the character of the building. Comments came from Commissioner Phillips stating he felt that the proposed change would improve the look of the building. Further discussion and debate was made regarding the applicant's request.

There being no further questions or comments from the public or the Commission, motion was made by Commissioner Lewis and seconded by Commissioner Flautt to approve the request for a Certificate of Appropriateness to construct an addition to extend the existing outside deck on property located at 308 South Lamar Boulevard.

The vote was as follows:

Pryor	Aye	Overstreet	Nay
Flautt	Aye	Bailey	Nay
Phillips	Aye	Gotshall	Nay
Lewis	Aye		

The motion was approved.

**Public Hearing for Case #050A & #050B – 1006 Jefferson Avenue.** Jeff Williams of Williams Engineering came before the Commission representing Seeker Properties, LLC seeking a Certificate of Appropriateness to remove and relocate an existing structure located at 1006 Jefferson Avenue (Case #050A). Mr. Williams also informed the Commission that the request also included remodeling for the LaRousse Salon & Spa. Mr. Williams presented the Commission with a site plan and photos of the proposed 27 room boutique hotel to be located at 1013 Jefferson Avenue. Mr. Williams further informed the Commission that his client has been working with Habitat for Humanity, LOU Homes, & St. John's the Evangelist Catholic Church to donate the structure to one of the nonprofits. Commissioner Bailey asked Mr. Williams if the existing structure was contributing or noncontributing. Mrs. Hourin answered and replied that the structure is listed as noncontributing on a survey provided by the Mississippi Department of Archives and History. Commissioner Lewis commented that he was more concerned about removing the structure rather than demolishing the structure in case the plans to remove the structure failed. Mr. Williams stated that the Commission could make the approval contingent on moving the structure to a particular location. Further discussion was made regarding Commissioner Lewis' concerns. Historic Preservation Consultant Tiffany Smith informed the Commission it needed to go through the criteria for demolition and relocation of the structure. Discussion was made between the Commission and the applicant regarding the time frame for construction of the proposed hotel. The applicant answered and replied that the proposed time frame was approximately 12 to 18 months. Discussion was also made regarding the parking for the proposed hotel site. Commissioner Overstreet asked if parking was an essential part of the plan. Mr. Williams answered and replied that parking was essential to the proposed hotel due to Planning Commission requirements. After further discussion, HPC Consultant Smith read through and discussed each of the criteria with the Commission. Discussion was also made as to whether the structure was contributing or noncontributing. At this point in the meeting, Chairman Pryor asked for public comment.

Joyce Freeland of Freeland & Freeland Law Firm came before the Commission representing Belk Properties with public comments. Mrs. Freeland argued that signs for the proposed application were placed in the wrong places and stated she and her client objected to the request. Mrs. Freeland added that the Commission had an important decision to make and that it should not take their responsibility lightly. Mrs. Freeland read Section 54-25 of the Oxford Historic Preservation Ordinance and Section 54-26(1)(G)

and stated that removal of the structure would have a negative effect on the immediate surroundings. Mrs. Freeland also requested that the Commission take additional time to consider the request and asked the Commission to defer or deny the applicant's request.

Commissioner Phillips asked Mrs. Freeland what her argument was on behalf of Belk Properties. Mrs. Freeland answered and replied that the Commission had before it a proposal that would directly affect the present Belk property. Commissioner Phillips further asked Mrs. Freeland if her client was objecting to the proposed project due to economic factors. Debate was made between Mrs. Freeland and Commissioner Phillips about the proposed request. Commissioner Overstreet commented that he had spoken with some of the residents in the neighborhood and that they were not opposed to the project. Further lengthy debate and discussion was made between Mrs. Freeland and the Commission about the removal of the structure. Mrs. Freeland asked the Commission to defer the request at least until her clients Chapter 11 bankruptcy hearing to be held in a few weeks. Chairman Pryor asked Mrs. Freeland if approval of the request would affect the bankruptcy hearing. Jeff Williams stated to the Commission that he objected to the request being deferred due to competition from Mrs. Freeland client, Belk Properties. Mr. Williams also argued that the Commission had been presented with all the necessary documentation by his client for it to render a decision without the deferral. Commissioner Lewis commented that if the primary objection to the proposed project was economic factors then the Commission should not defer a decision on the application. Commissioner Overstreet commented that he agreed with Commissioner Lewis. Commissioner Flautt added that she held her same original opinion opposing the applicant's request to remove the structure. Further discussion was made regarding Mrs. Freeland's request to defer the applicant's request.

Tom Freeland came before the Commission and stated that he opposed the applicant's request to remove the structure as a concerned citizen and property owner in the district. Mr. Freeland also offered that there was a mix of structures defining the Downtown Business District. Mr. Freeland further added that the removal of the structure would negatively affect the downtown area's character.

Further lengthy discussion was by the Commission about the applicant's request to remove the structure. Joyce Freeland came back before the Commission with a rebuttal and stated that she was passionate about the effect the removal of the structure would have on the district as a whole.

Vanessa Gregory, a resident who resides at 544 N. 9<sup>th</sup> Street, came before the Commission and asked the Commission to delaying a vote on the proposed request until it has considered all of the factors.

Further debate was made between the Commission, Jeff Williams, and Joyce Freeland on deferring a decision on the applicant's request. Mr. Williams stated that he objected to the delay due to the competing developers' objection of the proposed project.

Historic Preservation Consultant Tiffany Smith informed the Commission that it had the option to recess the meeting and publish a public notice in the Oxford Eagle indicating the new meeting's date and time. Discussion was made regarding a new meeting date and time.

At this point in the meeting, Chairman Pryor asked for the next case to come forward.

**Discussion of property located at 124 Courthouse Square.** Na' Ann Watts came before the Commission seeking complimentary review for property located at 124 Courthouse Square. Ms. Watts informed the Commission that she was seeking feedback regarding a sign to be located at 124 Courthouse Square and lights that are currently installed in the ceiling on the exterior of the business. Chairman Pryor informed Ms. Watts that the Commission requested she come before them to discuss the existing lights because they had not been previously approved. Ms. Watts apologized to the Commission and stated that she was not aware that she needed an approval for the lights. Ms. Watts also informed the Commission that a light fixture already existed on the exterior of the business when she moved in. Chairman Pryor asked Ms. Watts if she had a photo of the lights that she had installed. Ms. Watts

answered and replied that she was not prepared with a photo of the lights because she was not aware that she needed to present one. Ms. Watts described the lights as being three hanging lights with star shapes. Commissioner Lewis asked Ms. Watts how the star lights came to be historical. Debate was made between Ms. Watts and the Commission regarding the lights. Commissioners Phillips and Flautt commented that they approved of the star lights. Chairman Pryor commented that if the Commission approved the use of the star lights then it would be setting a precedent that anything goes in the district. Commissioner Gotshall commented that she did not think the star lights were appropriate for the district.

After further discussion, the Commission informed Ms. Watts that she needed to return with an application at the next meeting. The Commission also informed Ms. Watts that it would allow the star lights to remain on the exterior of the business pending receipt of an application for Certificate of Appropriateness at its next regular meeting.

All present voting aye.

The motion was approved.

At this point in the meeting, Chairman Pryor asked for a motion to recess the meeting until Wednesday, May 12, 2010 at 5:00 p.m.

Motion was made by Commissioner Lewis and seconded by Commissioner Overstreet to recess the meeting until Wednesday, May 12, 2010 at 5:00 p.m.

All present voting aye.

The motion was approved and the meeting was recessed.