



Memphis Landmarks Commission (MLC)
Minutes from the Meeting on
Thursday, September 22, 2016
City Hall, 125 N. Main Street, City Council Chambers
4:00 p.m.

Commission Members Present: Chairwoman Joyce Cox and Commissioners Alison England, Stanley Hyland, Keith Kays, Niel Prosser, Robert Norcross, Cyndy Tucker and Andre C. Wharton.

Commission Members Not Present: Commissioner Roshun Austin.

OPD/Landmarks Staff: Josh Whitehead, Planning Director, Nancy Jane Baker, MLC Manager, Brian Bacchus, Principal Planner (LUCB) and Verlean Kelly, Secretary A.

City Legal Staff: Carlos Bibbs, City of Memphis Attorney.

Others Present: Jennifer Ballheimer, Hunter Durbin, Bevan Evans, Beverly Evans, Lawrence Evans, Mark Fleischer, Cheryl Henderson, Jennifer Jacobson, Lauren Kennedy, W.K. McDonald, Brad McMillin, Marti T. Murphy, Charles O'Conner, Barbara Sysak, Lauren Tate and Tracy L. Wright.

Call to Order and Roll Call

Chairwoman Cox called the meeting to order at 4:00 p.m. Nancy Jane Baker called the roll. Chairwoman Joyce Cox, and Commissioners Alison England, Stanley Hyland, Keith Kays, Niel Prosser and Cyndy Tucker were present. There was a quorum. Commissioners Robert Norcross and Andre Wharton arrived after roll call.

Chairman's Opening Remarks

Chairwoman Cox read the statement of purpose and functions of the Commission.

Changes to the Agenda

Chairwoman Cox asked if there were any changes to the agenda. There were none.

Minutes

Chairwoman Cox asked the Commissioners if there were any corrections to the minutes from the August 25, 2016 MLC Meeting. Commissioner Prosser noted a correction regarding his comments about the property at 1702 Lawrence Ave. He wanted the word "fencing" to be changed to "columns". Chairwoman Cox then asked for a motion to approve. Commissioner Hyland made a motion to approve MLC minutes from August 25, 2016 meeting with the noted correction. Commissioner Tucker seconded the motion. The motion was approved unanimously.

Minor COAs – Chairwoman Cox read the minors for the record.

17-020
17-022

116 S. Front St.
1598 Carr Ave.

Cotton Row Historic District
Central Gardens Historic District

17-026	220-226 S. Cleveland	Central Gardens Historic District
17-028	1759 Netherwood St.	Glenview Historic District
17-029	1278 Central Ave.	Annesdale Snowden Historic District
17-031	1637 Netherwood St.	Glenview Historic District
17-032	1635 McLemore Ave.	Glenview Historic District
17-035	1629 Vance Ave.	Central Gardens Historic District

Current COA Applications

Chairwoman Cox explained the procedure for hearing the MLC cases; 5 minutes staff presentation for each case; 5 minutes comments from applicant/applicant’s representative; 3 minutes each of comments from the public; 2 minutes rebuttal from applicant; and then the motion with Commission’s discussion and action. She then called the first case.

**17-025 1501 Goodbar Ave. – Central Gardens Historic District
Request for a COA for an addition and fencing.**

Chairwoman Cox asked if the applicant was present to come forward, to be sworn-in, and then state their name and address and if they were in agreement with staff’s recommendations.

Bevan Evans approached, stated his name and address as 1957 Court Ave., Memphis, TN and Brad McMillin approached, stated his name & address as 1234 Dovecrest, Memphis, TN and Hunter Durbin approached, stated his name & address as 3601 Highland Park Pl., Memphis, and all agreed with the staff’s recommendations.

Chairwoman Cox swore in everyone speaking to the case.

Chairwoman Cox asked if there was anyone from the general public who would like to speak in favor or in opposition to the case. Chairwoman Cox allowed the following to speak in support of the application.

Jennifer Jacobson, 1492 Vance Ave., Memphis, TN 38104
Barbara Sysak, 680 S. McLean Blvd., Memphis, TN 38104
Mark Fleischer, 172 Kimbrough, Memphis, TN 38104

Chairwoman Cox asked for a motion. Commissioner Kays made the motion to approve MLC Case #17-025 (1501 Goodbar Ave.) in accordance to Central Gardens Design Guidelines. The motion was seconded by Commissioner England. Chairwoman Cox noted that (2) Commissioners wanted to see the staff’s presentation and asked if MLC Staff would make a presentation.

Nancy Jane Baker proceeded with her staff’s report presentation of the case. She gave a brief Project Description of the case. She showed the location of the property and photographs of the structure. She noted the façade rehab that has already took place. Nancy pointed out the setback and the location & size of the proposed addition/extension to the existing structure. She outlined the detail of the materials and other additions on each side of the elevations. Staff recommended approval with the following conditions:

1. The water table line is carried around the entire structure.
2. Staff receive information on the cap of the chimney prior to installation; and
3. The windows are wooden framed windows.

Chairwoman Cox asked for a vote on the motion. The motion passed unanimously.

**17-034 115 Huling Ave. – South Main Street Historic District
Request for COA for exterior alteration – Mural on brick wall.**

Chairwoman Cox asked if the applicant was present to come forward, to be sworn-in, and then state their name and address and if they were in agreement with staff's recommendations.

Marti Murphy approached, stated her name and address as 274 Angelus St., Memphis, TN and Lauren Kennedy approached, stated her name & address as 216 N. Willett St., #4, Memphis, TN and both agreed with the staff's recommendations.

Chairwoman Cox swore in everyone speaking to the case.

Chairwoman Cox asked if the Commissioners would like to have a presentation of the staff report. Commissioner Hyland stated he would. Chair asked MLC staff to present the case.

Nancy Jane Baker proceeded with her staff's report presentation of the case. She gave a brief Project Description of the case. She showed the location of the property and photographs of the structure which is located near the National Civil Rights Museum. She noted the brick building faces Huling and proposed mural will face Mulberry. She also made it known the building has gained Historic status due to its age. Nancy showed the location, colors and actual photo of mural to be on to the existing structure. Staff recommended approval.

Chairwoman Cox allowed the applicant(s) to make their presentation.

Ms. Murphy and Ms. Kennedy approached and gave a PowerPoint presentation representing the "Facing History and Ourselves" who is in partnership with the National Civil Rights Museum. Ms. Kennedy added that the partnership formulated a team of artists, called "The Upstanders" to create the mural. They stated the mural would be fabricated off-site, installed to the brick and paint would not be in direct contact with the existing brick façade.

Chairwoman Cox asked if there was anyone from the general public who would like to speak in favor or in opposition to the case. Chairwoman Cox allowed the following to speak in support of the application.

Tracy L. Wright [National Civil Rights Museum], 450 Mulberry St., Memphis, TN 38103

Chairwoman Cox asked for a motion. Commissioner Hyland made the motion to approve MLC Case #17-034 (115 Huling Ave.) in accordance to South Main Street Design Guidelines. The motion was seconded by Commissioner Prosser. The floor opened for Commissioner discussion.

Commissioner Discussion:

Commissioner Wharton made a disclosure statement of his wife's involvement with "Facing History and Ourselves". Since it was not for personal financial gain, per Josh Whitehead, he did not need to recuse himself from voting.

Commissioner Norcross commended the concept of the mural, the presentation from the applicants and noted his involvement with the installation of a similar mural.

Commissioner Hyland wanted to know how does or if the proposed mural link to Heritage Trails. Ms. Kennedy noted that the only connection would be that it's a Key Historical Point of Interest.

Chairwoman Cox asked for a vote on the motion. The motion passed unanimously.

Old Business

17-013 1702 Lawrence Ave. – Evergreen Historic District Request for retroactive COA for a new deck and fence.

Chairwoman Cox asked if the applicant was present to come forward, to be sworn-in, and then state their name and address and if they were in agreement with staff's recommendations.

Jennifer Ballheimer, the applicant and Cheryl Henderson stated their names and address as 1702 Lawrence, Memphis, TN and they were in agreement with the Staff's recommendation.

Chairwoman Cox swore in everyone speaking to the case.

Chairwoman Cox asked if the Commissioners would like to have a presentation of the staff report. Commissioner Tucker stated she would. Chair asked MLC staff to present the case.

Nancy Jane Baker stated that there was a conflict with the site plans but the applicant had since, re-submitted revised plans of which Commissioners had a copy before them. She then proceeded with staff's presentation. She showed a map, design, photographs of existing primary structure as well as pictures of the location of the existing and new addition. She stated there will be a fence around the rear that connects to the garage on both sides and the deck with a roof that extends into the backyard.

Commissioner Discussion:

Commissioner England wanted to visually see the site plans of how the finished addition was going to look instead of the applicant(s) stating what the plans were.

Commissioner Kays questioned the applicant(s) on the match of the 3.5' lap-siding and the ventilation once the existing boards were covered. Ms. Henderson stated the boards that match the home (located on the 2nd level façade) would cover the existing boards be the 1" between the boards would remain for ventilation. The applicant's concern was to maintain the ventilation. Commissioner Kays stated that site plan would make the addition different than the connected boards on the 2nd level façade, since there were not any gaps in between the front façade siding. He added that it was difficult to vote on the application without a floorplan, site plan or side wall elevation. Commissioner Kays stated that since this is a corner lot and the side is on an adjoining street, the addition should be identical (color, materials, character, etc.) to the primary structure.

Commissioner Prosser noted that there was not plan of the treatment of the wood fence or columns. He also expected a more detail site plan. Ms. Ballheimer stated that there was nothing

in the Staff's recommendation she received in the mail that mentioned what was being requested. She felt what was re-submitted and getting the approval from staff was sufficient. Commissioner Prosser stated several things (columns, lateral fencing, cornice, etc.) that were discussed that did not relate the existing primary structure but the applicant's revised plans were no better than last month's.

Chairwoman Cox asked for a motion. Commissioner Hyland made the motion to approve MLC Case #17-013 (1702 Lawrence Ave.) in accordance to Evergreen Design Guidelines. The motion was seconded by Commissioner Tucker.

Josh Whitehead reminded the Commissioners of the revised Bylaws to grant a 30-day Hold in lieu of voting. Commissioner Prosser made a "Call the Question".

Chairwoman Cox noted that she would rather make a motion to vote on a 30-day Hold.

Before voting on a 30-day hold, Josh noted that there needed to be a vote on the pending question on the floor made by Commissioner Prosser. Commissioner Prosser withdrew his "Call the Question" and the Commissioner's Discussion continued.

Commissioner Hyland stated that maybe the applicant(s) needed specifics on what the revised site plan should include in order to obtain approval.

Commissioner Prosser suggested to the Commission and MLC staff, if the Bylaws permits to form a "Sub-committee" to assist the applicant to design a better site plan because he would like to be a member of the Sub-committee.

Chairwoman Cox made a motion for a 30-day Hold for MLC Case #17-013 (1702 Lawrence Ave.) so applicant(s) can get with the MLC Staff and Sub-committee to come up with an acceptable site plan. The motion was seconded by Commissioner Prosser. The motion passed unanimously.

New Business

1. Barbara Sysak congratulated the Commission and Commissioners on celebrating 40 years of existence. She also thanked the Commission for their service and helping make the Central Gardens Tour of Homes a success each year.
2. Nancy Jane Baker made the Commissioners aware that Commissioner Roshun Austin had submitted a letter of resignation from the Commission.

Next Meeting

October 27, 2016 at 4:00 p.m. – City Council Chambers.

Adjournment

Moved by Commissioner Hyland and seconded by Commissioner England at 5:25 p.m.

Respectfully submitted,

Ms. Verlean Kelly

Ms. Verlean Kelly