

Highland Park Neighborhood Association

February 2019 Minutes

Meeting Date: February 12th, 2019

6:00pm: President Sanfelippo called the meeting to order.

With no changes or corrections, January 2019 minutes were approved.

Agenda Items:

First Lutheran Church Annual Easter Egg Hunt

June Weir from First Lutheran shared the church planned to have their annual Easter Egg Hunt on the Saturday before Easter, April 20, in Caldwell Park. She explained they had done this family event for several years now, that it is open to the public and includes a “gigantic” Easter Egg Hunt and a cupcake walk. Alison Glascock moved to approve the event, John Somerset seconded. The motion was unanimously approved. (event has since been moved to April 13, 2019.)

Eats Restaurant (2908 Highland Ave) - Application for Liquor License

Owner Wendy Cruse shared the location of new restaurant (in old ‘Picnics’ location) and that the menu would be a fusion between Southern and Latin. She said they would be open Tuesday through Saturday for lunch and dinner and planned to serve local beers, sangria, margaritas and mojitos. When asked about hours she replied they currently planned to be open until 9 or 9:30 pm Tuesday through Thursday and Friday/Saturday until 10:30 or 11 pm. She was asked what type of license they were applying for and answered “beer, wine and liquor”. She shared the contractor had promised they could open in 2-3 weeks but that she thought, given all the inspections that still needed to be done, that was likely unrealistic. Alison Glascock moved to approve the request for a liquor license, Bob Greene seconded. The motion passed with a vote of 49 for, 0 against.

Graffiti Busters Request for Funding of Additional Chemical Cost -

President Sanfelippo explained that last month the Graffiti Buster Committee had received approval for purchase of removal supplies from Home Depot but that they had learned of a more effective chemical that could not be procured at Home Depot but could be at Sherwin Williams. John Somerset moved that their request for \$100 be approved, Bruce Lanier seconded. The motion passed with a vote of 49 for, 0 against.

Update on Dilapidated Houses and the Sister Houses Lawsuit

President Sanfelippo introduced Floyd Gaines. Mr. Gaines shared that he had been a 10th Ct South resident since 1992. He shared that, in his experience as a resident in Highland Park, the 2 houses referenced (“Sister Houses” 2731 and 2733 Highland Ave) had never had long term residents in them; that they may have been rented at some point but primarily vacant. Gaines said he, his wife and some other neighbors had filed a complaint in Jefferson County Circuit Court against the property owner, for those 2 houses and four others on Rhodes Circle. Their complaint alleges that

the owner has allowed the houses to reach such a state of disrepair as to become nuisance to the neighborhood, specifically a nuisance to the neighbors who live close to those properties. The owner has not yet responded, no depositions have been taken yet but will be scheduled soon. Gaines shared they still didn't have a sense of what the owner's position or defense was; that they had plans where the owner had initiated work back in the early 2000s but that the work had never been completed. He said they had hired a home inspector who looked at all the properties and their opinion was that the Highland Avenue properties and at least one of the Rhodes Circle properties were pretty much "gone" and the other three properties on Rhodes Circle might could be saved but with a significant investment. Gaines said the case was set for trial in April 2019, their hope was that the owner would either fix up the properties or market them for sale. There was a question about falling scaffolding next to one of the Highland Ave structures, Sanfelippo said she had reported this. Gaines shared he didn't have a specific goal on what would happen to the properties, that he just wanted something to move on the issue. He shared that he thought the legal case represented new territory in Alabama, that usually a property owner had right to use his property in they way he wished, but that a property owner did not have the right to use the property in a way that interferes with another property owner' rights. Dehryl Mason introduced herself as Graffiti Committee co-chair and identified the area behind the Highland Ave properties as one of the key problem areas for graffiti in the neighborhood. Someone asked about Planned Parenthood building, and Jessica Powers shared that they were moving and the building was currently on the market for sale. Gaines shared that one of the experts they had hired believed that the dilapidated properties on Highland and Rhodes Circle weren't just affecting the immediate neighbors but that they were affecting the entire neighborhood. Rick Lovelady recommended they procure services of a structural engineer; Gaines explained the reasons that expense would be significant. Someone brought up that the city had condemned the properties some time ago, possible as far back as 2005 but that the property owner had continually made promises and the city had wanted to work with him and no one had wanted the buildings razed. Gaines shared he had actually been on inspections in all six houses and the insides of all were pretty bad. The room gave a resounding applause for Gaines and his efforts.

Presentation on Design Review Process for home renovations in our area

Sanfelippo introduced Bruce Lanier, AIA and Christian Rogers, AIA – both members of the Local Historic Design Advisory Committee (or the "neighborhood design committee"). Lanier explained his goal was to go through the process which has a lot of variants so the attendees could see, at a high level, how it all works. Lanier said he would go through the permitting process and then Rogers would go through design review process. Lanier started with permitting, explaining permitting is the process we all go through to get permission to do things to our properties that may have bearing on other people or the properties around us. He explained permitting

is usually always required, though there were exceptions in the city's code. One example, if a resident was replacing roof shingles, a permit would not be required. But if there was rotten wood being replaced, a permit would be required. The general rule, pulling a permit is usually required but if you're not doing any carpentry, a permit is not required. In response to a question, Lanier shared that fences do require a permit. The permitting process starts with City of Birmingham - specifically the Department of Planning, Engineering and Permits and a Zoning Department and a Department of Historic Preservation, all of which reside downtown in City Hall. Then you also have the neighborhood association, there are certain times that body has some issues they need to weigh in on, usually re-zonings or variances. The neighborhood also has a Planning and Zoning Subcommittee and a Local Historic Advisory Committee, which is the neighborhood version of Design Review and an advisory committee to the City's Design Review Committee. He explained the purpose of building codes (building requirements that go to the health, safety and well being of the property owner and others) and zoning ordinances (generally refers to land use). Lanier shared you could find a copy of the city's zoning ordinance via the NA website at https://www.highland-park.org/wp-content/uploads/2019/02/Bham_ZoningOrdinance_1018.pdf or on the City of Birmingham's web site. Rogers shared the City of Birmingham was in the process of rezoning the whole city and that our area would be one of the last reviewed. Lanier then explained the steps involved in what Birmingham calls its 'one stop permitting' - Step 1 Zoning Review, Step 2 Historic Presentation Review, Step 3 Plan Review, and Step 4 Compliance Review. He shared that Highland Park was one of the earliest neighborhoods in the city and that the zoning ordinance was first introduced until the 1970s, making the point that the way our neighborhood is laid out predates the structure the zoning ordinance attempts to place on land use and development. He stated the "form based overlay zoning" is a complicated concept and attempts to preserve the pedestrian quality of Highland Park, as in the things we like about our neighborhood that aren't necessarily specific to historic detail. Christian Rogers provided an overview of the Historic Review process using examples of two properties in Highland Park that recently completed major renovations. He explained the decision-making process for the Local Historic Advisory Committee ("LHAC") and how they arrived at the changes they ultimately requested. He shared they frequently used the master inventory of homes created when Highland Park became a historic neighborhood, that every property considered to be a 'contributing property' to the district was surveyed and information included that described the particular features that made this property 'contributing'. If a property owner wants to change something that can be considered the defining architectural feature of the home, it sets off a red flag in the review process.

Lanier explained that an opaque part of the review process is 'landscape review', that there are no specific requirements for residential landscaping within the zoning

ordinance however there are landscape architects that sit on the downtown design review committee. In preparation for this presentation Lanier asked them what they used for a basis for their review; they shared they generally look for plants that are native and not invasive and that existing trees and site features are being preserved.

Rogers explained the basic list of things that should be included on design change requests: 1) a map and a photo of the existing house; 2) List the scope of work to be completed; 3) Explain the reasons for the change, 4) Bring cut sheets and examples of the products/colors to be used. The committee has the option of saying 'yes', 'no' - or 'maybe if you're willing to do this'; that a lot of projects are approved 'with conditions' based on conversations they have on site with the home owner. He shared they will often write out their reasons for their conditions.

Sanfelippo thanked Lanier and Rogers for their presentations and told meeting attendees that for the sake of time, they could email any questions they had to HighlandParkNeighborhoodAL@gmail.com. She shared they intended to compile a 'frequently asked question' list on the Review Process and put it on the neighborhood's web site. She stated that Lanier and Rogers planned to remain on our Local Historic Advisory Committee and that Rogers would work on some language about 'terms' and get back with the group on that.

Police Update

Sanfelippo introduced Highland Park Beat Officer, Officer King (11 am to 9 pm, Monday - Thursday). He asked the group for any complaints or questions. Richard Dickerson asked Officer King about the Mayor's recent declaration that the city had a crisis of crime and whether there were things happening that residents were unaware of. King replied generally not and shared some details on an incident today where a number of apartments were broken into on Arlington Ave. He shared that was the first event of that nature this month and that otherwise it had been a very quiet month. He read the statistics for January and this month so far: For January there were 4 burglaries, 12 car break-ins (which he stated was a typical number), 3 auto thefts, 1 robbery; this month there was nothing so far, only the burglary today.

Report from City Council President Valerie Abbott

President Sanfelippo introduced Valerie Abbott, District 3's council member and Council President. She shared the Mayor had suggested renaming the CrossPlex for the recently passed former-Mayor Larry Langford. Various attendees shared their thoughts about this action. Abbott stated she was not enthusiastic about this request but supported it and explained her reasons why. She explained that Highland Park's new 6 pm meeting time put its meeting against another neighborhood meeting and that she would now plan to attend every other meeting. Richard Dickerson shared that he had previously presented Abbott's office with several questions related to how taxpayer dollars were being spent, crime and Magic City Classic had received no response. Abbott apologized and responded that she knew her chief of staff had spoken with Mr. Dickerson several times and had thought Mr. Dickerson had been

taken care of. She further stated that most of his issues needed to be taken up with the Mayor's office. She explained that council business related more to legislation or laws that needs to be passed, that the council approves the budget and all spending in the city, with the caveat that once the budget is proposed by the mayor, because our state legislature changed the Mayor/Council Act, the council can no long modify the budget without the mayor's approval. Dickerson asked Abbott, as chair of the Budget and Finance Committee, how a citizen would find out how monies are being spent. Abbot explained the Committee reviews all projects that come before the Council for approval to spend money; that the mayor's people come before them with supporting information, drawings, budgets, whatever the Committee needs to make a decision on spending public funds. She shared that those meetings are open to the public and available online. After more discussion on the CrossPlex renaming Abbott stated that if anyone had issues with that decision or others, they should communicate them to the mayor's office. Sanfelippo added that people could also forward issues to her and that she would see they were communicated to the mayor's office.

A question was asked about ALDOT money for Hanover Circle. Councilor Abbott said it was her understanding that ALDOT had decided they wouldn't fund the project, even after their commitment. She said this came after planning had already started and they had much difficulty getting any information on the project from ALDOT. She stated it was a as much surprise to the Council as it was to the community. President Sanfelippo said she had an update on Hanover.

Hanover Circle Update

Sanfelippo shared that she and several Hanover Circle residents met on site with Jason Lange from Planning Engineering and Permitting. They acknowledged Hanover Circle was a special case, not typical of Birmingham streets, conceded it would likely be several years before the project could be addressed in a quality fashion and talked realistically about a temporary fix. Lang got a spray can and marked areas where Public Works could come and do patching, not the ideal solution but at least a band-aid. Public works was supposed to come by within two weeks and patch the indicated areas, which they did not do. Sanfelippo said she was committed to stay engaged and hopefully within the next few weeks we, Highland Park, would at least have the band aid on it, that 'that' certainly wasn't the ideal - but that after years of trying to get somewhere this was at least a little bit of progress.

Parking Zone/Permits

Sanfelippo reported that James Fowler and his staff person Lakey Boyd with the newly dubbed Transportation Department contacted she and Stephen Foster, president of the Five Points South Neighborhood, about their neighborhood parking issues. They all met to identify neighborhood concerns. The Transportation Department said they were working on the issues along with Parking Enforcement who is in the process of hiring more people. They were told there's a plan in the works to look into the permit zones, making certain streets one way (more in Five

Points than Highland Park) and other solutions for issues. The bottom line is that they are aware of neighborhood issues, working on them, and Sanfelippo expects to hear more about 'solutions' during the coming months. Alison Glascock made a comment, recommending that Highland Park not consider adding one way streets if it could be avoided. Sanfelippo expressed her agreement. Someone commented that one way streets were a pedestrian safety issue. Sanfelippo stated that any areas needing additional "No Parking" signage to contact her.

Community Garden Update

Sanfelippo introduced Tori McDonald and David Seamon, who provided an update on the community garden that had been in work for almost two years. McDonald shared they had received final approval for the design by Architecture Works as well as Parks and Recreation and Planning Engineering and Permits. McDonald shared a Memorandum of Understanding between Independent Presbyterian Church and the Park Board that has been submitted and was pending approval by the city attorney. They expect, best case scenario, to start construction March 1 in the footprint of the old volleyball court in Rushton Park, that everything would be contained within that concrete barrier. They plan to have 19 beds, 2 of which will be ADA accessible, a larger community bed and a garden learning center. McDonald shared they had created a Facebook page and that neighborhood resident likes and sharing would be very helpful to the effort. Seamon shared that rules and procedures on how all this will work will be on the garden's Facebook page. McDonald said they had also undertaken some crowdsource fundraising beginning in March, Seamon added they were currently 65% funded on the project without even officially putting the word out yet. The email address for questions is HighlandParkGarden@gmail.com. Someone asked what entity was actually sponsoring the Garden, McDonald shared it was Independent Presbyterian Church - and as such, any donations would be tax deductible. A suggestion was made to add a dog-watering station.

Update on Neighborhood Committee Applications

The Neighborhood Committee Applications link was sent out via email. If you're interested in joining any of the committees, you can email HighlandParkNeighborhoodAL@gmail.com. The applications will remain open until the end of the first week of March when the neighborhood will appoint members of the committees.

Update on Discretionary Fund Projects

Sanfelippo reported speaking with Valerie Abbott's chief of staff, Darryl Lee, and he reported that the discretionary projects that we had voted on and approved last year were being processed.

Graffiti Busters Update

Judy Jones reported going to last month's meeting and experiencing a room full of really enthusiastic people who decided, during the meeting, to go ahead and get out

and where appropriate (based on physical surface and property ownership) begin painting over graffiti - which had officially indeed started.

Public Works Update

Sanfelippo shared that Public Works representative Tammie Wheeler had come in the meeting but had to leave earlier. She explained Wheeler deals with abandoned cars, overgrown yards, and furniture and large trash dumped on street by apt. dwellers without dumpsters- and was generally a good resource for Public Works related issues that needed to be moved up the chain. For additional questions or reported problems, Ms. Wheeler can be reached tammie.wheeler@birninghamal.gov or 205-254-2061- or residents can email issues to HighlandParkNeighborhoodAL@gmail.com

Announcements:

Fitness Bars in Rushton Park idea: Resident Nick Michael shared that he was a Highland Park resident (condos across from Park Towers) who works with UAB Athletics, and is a conditioning coach and fitness enthusiast. He and his wife moved to the neighborhood last May and were drawn to it because of how many people they saw being active outside. About a year and a half ago, Michael pitched an idea about an outdoor fitness space but at that time, didn't realize how little public green space was actually available. He shared that his ideas had continued to evolve - and now wanted to propose several fitness bars that would take up very minimal space in a park. He shared that he partners with Game Time, a reputable playground manufacturing company which would help address liability issues. He suggested that the addition of this equipment would add another dimension to the fitness opportunities in our neighborhood. Sanfelippo said we would pass this along to the Beautification Committee and have them be in touch and fine tune that idea.

'Path to Compassion' Speaker Series: Judy Jones shared the first event for the monthly series with Brother Sims (resident of HP) was successful - and that the second event would be 3-4:30 pm Sunday, February 17 at the Clubhouse on Highland. The speaker this month would be Ashfaq Taufique, the President of the Birmingham Islamic Society. Jones said her personal goal related to the series continued to be compiling a group of interested people to discuss evolving Highland Park into a 'compassionate neighborhood'.

Meeting times: President Sanfelippo shared that while we intended to move our meetings earlier to 6 pm, from time to time, that wouldn't be possible with our venue, so meeting times could still vary. She stated our March meeting will be at 6 pm and our April meeting should be at 7 pm. Alison Glascock suggested putting a sign on the door about meeting time.

Adjournment: With no further business the meeting was adjourned at approximately 8:30 PM.

Next meeting will be Tuesday, March 12, 2019 at **6pm** upstairs at Highland Golf Clubhouse. The speaker will be Devoris Ragland Pierce, who works with the

Birmingham Police Department. She will speak to us about the neighborhood block watch program and crime trends she sees.

Respectfully Submitted,
Judy Jones
Secretary, Highland Park Neighborhood Association