

Highland Park Neighborhood Association

September 2019 Minutes

Meeting Date: September 10, 2019

At 6 pm President Elizabeth Sanfelippo called the meeting to order. She introduced Vice President Jessica Powers and Secretary Judy Jones.

Sanfelippo stated the August 2019 meeting minutes had been distributed and asked if there were any changes or corrections. None were offered. Larry Contri moved to approve the minutes. Sharon Nelson seconded his motion which then passed unanimously.

Police Update

Sanfelippo introduced Highland Park's Beat Officer, Officer King who asked if there were any questions, complaints or areas requiring additional patrols. A resident's comment, "I saw a funny red balloon this morning" was met with much laughter in the room.

A resident asked about an abandoned vehicle, stating he had called twice and that nothing had happened with it. Officer King recommended to him that he call and ask for 'an officer' - and explain to that officer the situation and location. He said the officer would investigate and likely put a 72 hour warning sticker on the vehicle. Officer King further recommended that the resident call back every 24 hours, that they may get another officer but that was okay. He said that after 72 hours had passed they would tow the vehicle.

Several residents complained about speeding on 28th and 30th Streets. Officer King shared it was actually difficult to pull people over on these streets, with the parking situation the way that it was - but that his presence might prove a deterrent. He suggested residents call the precinct and asking for extra patrols in those areas. He also said residents could email the captain at Raymond.Cochran@BirminghamAL.gov

A resident asked if there was another non-emergency phone number to call after 311 hours. Officer King replied that 311 was answered 24 hours a day. He also said that residents could call the South Precinct number, 205-254-2793, and they'd be transferred as needed.

Public Works Update/Tammie Wheeler

Sanfelippo said Highland Park's Code Enforcement Officer and Public Works representative Tammie Wheeler was not present. She noted that Wheeler has multiple meetings to attend so may come in later.

Fire Department Update

Sanfelippo noted that there were no representatives from the Fire Department present (Note: There were representatives present later in the meeting that Sanfelippo spoke to and asked them if they had any announcements and that we were having a couple of agenda items that may take some time. She thanked them for their service, and they went back into service).

Agenda Items

Parking Study Findings/Colin Alexander

Sanfelippo introduced Colin Alexander as a staffer from Councilor O'Quinn's office (District 5) who had been working on a study of parking issues and potential solutions in Highland Park, Glen Iris and Five Points. Alexander explained he had been working for O'Quinn since June, focusing exclusively the potential for residential parking permitting in these 3 neighborhoods. He said he grew up in Birmingham, lived in Highland Park and actually went to St Rose. He said he graduated from George Washington University in Urban Planning so he was coming at these issues from the perspective of urban planning not traffic engineering. He emphasized that 'residential parking permitting' was not imminent, that he was presenting the findings of his study and possible solutions as ground work.

He explained that though these neighborhoods were not in Councilor O'Quinn's district, he was chair of the Transportation Committee and 'parking' falls under that committee. Additionally they were looking into the potential impact of the new stadium by the BJCC and it will affect Druid Hills, which is in District 5.

Alexander explained he developed four zones based off of the major parking generators on Southside - for Highland Park it was St Vincents. He said he went on foot, block by block in each zone, made an inventory of off-street parking availability by address, he did on-street parking conditions with block by block recommendations. He said he was creating a GIS layer with all this information overlaid inside of it. He said he has written a potential policy for residential parking permitting in the city of Birmingham. He said he was presenting an overview, that he would want neighborhood feedback as the project progressed. Alexander said he considered who our peer cities were, what they were doing about these issues and what other solutions there were besides a permitting program. He explained the boundaries for Highland Park-St Vincents Zone were 1) Clairmont-University on the north, 2) Highland Avenue on the south, 3) 30th Street on the east, and 4) 23rd on the west so that they could begin to think about how the new South Town development would affect parking also. He said based off his initial study if the city was going to implement a residential parking permit program the streets he thoughts it would be effective and help, based on his models, are 10th Ave especially between 28th and 30th, 10th Court (closer to the 23rd side), 23rd St, 24th St, and 28th St. He said it is helpful to consider all parking generators in Highland Park, agreeing that St Vincents is a major one but he explained that based on city code they actually provide more than enough parking based on what the city requires. But, he said, the issue is more complex than that - for

example, the office buildings there are not owned by St Vincents, they are leased to St Vincents. He identified other parking generators: a production firm at the old Lakeview School property (located at corner Clairmont/University and 29th St (he said surprisingly most of parking along 29th/10th is for the school and not St Vincents); Virginia Samford Theatre, the number of early 20th century apartment buildings that were built without off street parking. He explained that parking permitting would not solve the problems created by the apartment buildings. He shared a map he was working on for each of the 'zones', explaining all of the 'points' were addresses and when you clicked on them, it pulls up the address, says what kind of residence it is and what kind of parking is available; for example - single family residence with a side drive. He said the maps would be available in his final report for Councilor O'Quinn with the caveat that it had been developed with his personal GIS license so it could not be used for any commercial purpose, only civic or non-profit purposes. Carl Sosnin asked if this would be on the city's GIS system, Alexander responded no as it was developed with his own personal license. Alexander said once it was developed he would be happy to share a link with the neighborhood so it could be viewed by interested parties.

He explained that residential parking permitting had been around several decades, as a method of managing on street parking demand giving priority/preference to residents without privatizing streets. Alexander said he looked at 13 peer cities of Birmingham in the deep south that have some form residential parking permitting including Atlanta, Nashville, Oxford, and Macon. He pointed out there were currently none of the programs in Alabama. He said he also, in his report, summarized programs in 28 other cities across the country with populations of 200,000 - 300,000. He said he modeled his policy on Madison Wisconsin because it only exceeded our population by 50,000 and also had major research university and hospital presence. He said almost all these programs have some form of residential participation in initiation, that he feels it is important the program not be 'top down' because parking is 'dynamic', one block may have an issue that another one does not. Streets might potentially be restricted to, for example, 1-2 hour parking during business hours for non-resident parkers. He added that the length of period of time and time of day would be variable and explained that with a permit, the length of time was extended beyond those restrictions. This allows a structure for enforcement, towing, etc. Alexander shared the fees for most programs he reviewed ranged from \$20 to \$30. He said some run up to \$50 or \$60 - and some run below, all the way down to being free. But, he explained, most of the ones that were free were in discussions to begin charging because it simply wasn't sustainable. He gave Fremont CA as an example saying they charge \$6 per year and the program loses \$150,000 annually. Alexander explained the programs had administrative, signage, enforcement costs - and that all of that was required for a successful program.

He said the way the program would work is that the city would designate residential parking areas within ½ mile of a parking generator. Within that zone we would attach a enforcement officer to that zone. He said he felt the simple assignment of a dedicated

officer to that zone would solve a lot of problems with consistent enforcing of existing laws about parking in front of driveways, in no-parking zones, etc. Alexander said this also helps the 'beat officers' by not pulling them off for parking enforcement issues. He said once the zones were established, residents could petition to have their blocks permitted. He explained this would involve getting resident signatures, the city would do a traffic and evaluation study to be certain that permitting criteria had been met, there would be public hearings and a council vote - and if it passes, that is when signage, annual permits/fees and enforcement would start for that particular block He said there would be a limitation on number of permits per residence (4 per single family household) less the number of off-street parking spaces available. . This would naturally encourage residents to use their driveways and garages. Regarding multi-family residences, most in Highland Park being 1-2 bedroom apartments, so the recommendation might be 2 permits if there is no off-street parking. The presence of off-street parking might bring the potential number issued to one. He said there would also be temporary guest permits, that once you had purchased your own permit, you would also have 2 week temporary permits available for guests, saying that his fee recommendation for those might be \$5.

He explained non-permit holders would have time restrictions, permitted parkers would not. He said that if there were parking meters within the zone that resident and non-resident parkers would still have to pay at the meters.

He shared some other parking solutions that might also be considered for the neighborhood - 1) increased enforcement, 2) painting spaces and improving signage, and 3) add parking capacity. He went on to say he had observed 'curb cuts' where there was no longer a driveway, that technically weren't parking spaces - but could be. He mentioned the space under the Red Mountain Expressway where people now parked, that those were not legal parking spaces, that if we get serious about enforcement, we might want to consider formally adding that space to available and legal city parking. He stated a lot of Birmingham Parks have a city lot adjacent to the park. He said another thing to consider also, albeit controversial, was that over by Caldwell Park across from Virginia Samford Theatre, you have brick rotundas that were added in the 1970s; that those could be eliminated and turn that space into a city parking lot for Caldwell that could also be used at night for Virginia Samford Theatre; that you could create an entrance that connects the park more elegantly to Virginia Samford. He said another potential idea to consider for the narrow streets in Highland Park was to consider turning some of those into one-way streets. He said 30th Street was a perfect example, from Clairmont to Highland, that if you turned that into a one-way street you would slow down traffic just cutting through the neighborhood and you would then legally allow parking on both sides of the street, thereby increasing capacity.

Alexander asked for questions. Suzanne Baker brought up the parking issues on 29th near Greenbriar/Rojo and that she had a vested interest, as a resident, in seeing that area included. Alexander explained that other areas absolutely could be included, that his

work, this presentation, these zones, were simply the ground work study to begin the consideration of parking permits, that his recommendations were not a ‘finished product’. He said this is a good example of why he felt a bottom-up approach would work best, that resident involvement in identifying issues and solutions within a zone was key and that he felt there would be plenty of discussion about zone boundaries where residents would have opportunity for input.

Alison Glascock asked whether Alexander was aware of the issues that could be caused by one-way streets. He said he did but that including it as a potential solution was only to get the conversation going; that we had a very dense neighborhood that was not going to get any less-dense. Given that reality he felt that adding one-way streets ought to at least be in the ‘adding capacity’ conversation. Glascock pointed out the neighborhood had added a one-way street 5-6 years ago and to this day people still drive the wrong way down the street. Alexander replied that the addition of dedicated enforcement officers may make a difference with this issue, that the purview of enforcement officers would be a variable that could be discussed as the program was developed.

Morris Newman asked whether there was anything ‘magic’ about the two-hour parking restrictions, that in the case of St Vincents parking, that time period would help with employees parking on streets but perhaps not with people running into the hospital to visiting patients. He also observed there could be a future issue, once zones are established, with pushing parkers further out, creating issues nearby where issues didn’t previously exist before. Alexander commented the St Vincents observation was a good comment. He said he agreed with the latter comment related to future issues, saying this is a big reason he felt like our program needed to be dynamic and resident-driven. He added he had included a recommendation in his report that Birmingham include a review of the programs every four years to be sure everything was working and if it isn’t, that we either revise or abandon it depending on what is needed.

Someone asked what could be done to address the church/temple related parkers on weekends. Alexander said it was a valid point but that there had not been a church in any of the ‘zones’ his study covered. But, he said, depending on the parking issues being experienced, the ‘two-hour’ restriction might not be sufficient, time of day or day of week might come into play. He also pointed out that since the program would be resident driven, conversations with the churches would be part of reaching a solution.

Powers thanked Alexander, to much room-applause, on his work and how in tune he was with our issues, stating she felt this was the most comprehensive conversation on parking in Highland Park we had ever had. She went on to ask that going forward, given this was a ‘conversation’, how we would be able to be in touch with him. Alexander explained he started out a part time staffer for O’Quinn, an intern specifically hired to work on this study, that he was then promoted and will be doing other projects for the Councilor.

He shared that at the end of this project there will be a document that will include an executive summary, the actual research, an appendix with all of his block by block research, the peer program research and access to the GIS link. He said this document will be submitted to Councilor O'Quinn by likely the middle of October. He said he expected that Councilor Abbott would have access to that report. He said he was happy to leave his contact information and be a resource to the neighborhood. Powers asked to confirm that if residents have some thoughts and suggestions they should reach out to him. Alexander said yes, that 205-478-3294 and email is ccbaritone@gmail.com. A resident asked what they could expect in the short term, Alexander acknowledged the effort could get bogged down but said he would be presenting next week to the city Transportation Roundtable and later to other neighborhoods and city committee heads as well. Anne Sunkel asked, as residents, what can we do to push this effort along. Alexander replied "pester" your elected officials.

Arlington Ave Project Presentation/David Silverstein & Evan Watts

President Sanfelippo developers David Silverstein and Evan Watts, explaining they were here to share about a boutique/condominium project in the Redmont neighborhood that would abut Highland Park. A resident asked for a clarification before their presentation started, whether Highland Park would be voting on the project tonight and what kind of voice we have about the project, how active we would be in the decision making. Sanfelippo replied "excellent question" and told the group that before the Arlington project presentation began, she'd like to invite City Planners Kim Speorl and Tracey Hayes to share with the group what Highland Park's options, place in the decision making, would be. Hayes introduced herself as the city's Natural Hazard Administrator. Speorl introduced herself as a Senior Planner with the City and shared that she had invited Hayes because she used to handle all the rezoning cases that went before the City Council. She explained that whenever they have a rezoning case, when an application is submitted, the city's policy is that the application should go before the neighborhood association where the property is located. The neighborhood association will then take a vote on the application and submit the result to their office. The voting result is then included in a staff report as a recommendation to the Zoning Advisory Committee and ultimately the City Council. She further stated that they do periodically have applications for properties that abut multiple neighborhoods - and that was the case for the pending development project on Arlington. She said the subject property requesting to be rezoned is actually in the Redmont neighborhood but directly across the street is the Highland Park neighborhood. She said a number of Highland Park residents might have already received Adjacent Property Owner Notices for the hearing that was scheduled for earlier this month. She explained this property also abuts the Five Points South Neighborhood so there are actually three neighborhoods involved with this particular request. So the city's policy when a rezoning request abuts multiple neighborhoods is to ask the applicant to present to the affected neighborhood associations who would like to receive the presentation. Hayes explained the offer of presentations to affected neighborhoods is a courtesy that the city has implemented. She on sharing that the vote is taken into

consideration when staff presents the case to whatever city committee/meeting the request goes to. Speerl said Highland Park was welcome to take a vote on whether or not they support the request or whether they recommend that the request not be approved. She said the neighborhood could also recommend Q-conditions, qualified conditions, on the rezoning application, that Highland Park could do any of that tonight or continue the case to another meeting if you'd like more time to think about it, that it is what our neighborhood is comfortable with. Speerl emphasized that the city definitely wanted Highland Park's voice to be heard at the Zoning Advisory Committee meeting level, which will be the next meeting that the applicant will attend and that meeting, right now, is scheduled for October 1. She said if Highland Park decided to postpone the issue and not vote tonight and vote instead at the next neighborhood meeting (October 8), that would be up to Highland Park residents. But, she pointed out, if there will be a vote taken, they would like for us to do it by October 8, so that they may include it in the package presented to the City Council - which is the next step, the Council Sub-Committee.

Someone asked to confirm - that if Highland Park put off a vote until its next meeting that our vote results would be in the package for the City Council's consideration but not be in the package for the Zoning Advisory Committee. And it's the Zoning Advisory Committee that makes a recommendation to the Council. Hayes and Speerl confirmed this.

David Silverstein introduced himself and asked if he could share what he would like for Highland Park to consider. He said they would like to present their plan, answer any questions we have. He shared they had been before the Redmont Neighborhood twice and are due to go back to them next Tuesday night. He explained that what they were working on for Redmont were some conditions for the project. He said the reason for this was that they wanted to address concerns by Redmont about a zoning change to B-3 (needed because the current O&I zoning doesn't permit a 'hotel') and whether, if the current developers walked away from the project after the zoning had been changed for this plan, that a new developer could come in and use the B-3 zoning for a much less desirable project. So they were in the middle of working with Redmont to develop some 'conditions' that they would present at their meeting next Tuesday night. Their desire for tonight was to present their plan to Highland Park - and that he would commit to our neighborhood that he would commit to us, that on October 8, after the Redmont neighborhood had a chance to see the conditions and vote on them, that he, Silverstein, would come back to the Highland Park meeting with an update. He pointed out that this would not preclude anyone from Highland Park from attending the Planning or City Council meetings. He said he'd like for the residents to just listen tonight and not feel obligated to take a vote because they will come back October 8 and present to us the Q-conditions they will present to Redmont next week. He said that will somewhat level the playing field because the development team was further along with Redmont and has not had a chance to share about the project with Highland Park. He stated that Highland Park

was certainly not bound by Redmont but he thought this would be the more sequential way to handle it and it doesn't eliminate any rights that Highland Park has to come to any public meeting and voice your support or opposition. Someone made the observation that if a vote was not held tonight then our voice would not be counted at the ZAC meeting. Speerl spoke up saying that the staff report would actually indicate 'this' meeting was held tonight and if the neighborhood decided not to hold a vote tonight, then the report would indicate that. If we delayed the vote until October 8, the report would indicate that. Hayes shared that if the neighborhood voted on October 8, then the results of that vote would be included in the presentation for the Planning and Zoning Commission meeting on October 9. A clarification was asked about the Zoning Advisory Committee (ZAC) and the Planning and Zoning Commission, that the ZAC is seven members of the Planning and Zoning Commission who review the case initially and make a recommendation to the full council. Someone asked when and where the October 1st ZAC meeting would be held. Speerl replied the meeting would be that Tuesday evening at 6 pm in the City Council chambers, which was on the 3rd floor and was a public hearing. Silverstein pointed out that none of what he was suggesting was designed to eliminate Highland Park's ability to continue being present in the process as it moves along. He said this wasn't the last time residents would have the opportunity to ask questions, that there would be multiple chances for input between now and when the Council votes.

Powers asked Silverstein if Highland Park has a history with Silverstein and his company. Silverstein replied yes and proceeded to share some of his background, that he was born and raised in Birmingham, he practiced law for thirteen years doing commercial real estate work at the law firm of Berkowitz, Lefkovits, Isom and Kushner and in 1994 he decided to make a move into Real Estate. At this time he began working on the Summit, a project they hoped would bring to Birmingham a new and exciting retail project that was beautifully designed architecturally with great landscaping with a wonderful mix of tenants. He shared that some fifteen years ago they came before Highland Park because they had purchased the John Carroll High School site which was really a blight at that time. He said they worked with Highland Park to create a mixed-use project and that was when they went through the rezoning process for the Crescent. He said he had also solved the 'riddle of the dirt pile' - with a mixed use project that he felt turned out very successful for the community on the site where Whole Foods is now located. He then shared that some 20+ years ago he decided to buy the Pizitz building downtown, that he felt it would eventually be a cornerstone for what he thought was the inevitable revitalization of downtown. He said they finally opened it, maybe two years ago, that though the whole project took a long while, they were committed that the building not be torn down. He said he hoped if folks had not visited the building that they would. He also shared that Sidewalk Film Festival had their corporate offices there and in fact had just opened two movie screens to show independent films in the lower level. Silverstein said he was committed to do projects in the right way, the right scale, the right attention to detail.

Morris Newman told Silverstein that the John Carroll project had actually been 25 years ago in the mid 1990s when he had been neighborhood president. Newman shared that the neighborhood had not liked the initial plans but that David and the Bayer Property folks had worked with them and successfully resolved the issues. Newman emphasized that these were quality folks who have a history of working with our neighborhood. Newman shared that if there was a vote tonight that he would abstain because it may become ZBA matter. He also explained again the Q conditions, sharing that if you change the zoning to B-3, that the city council, in their wisdom, can put conditions on that project that will limit it in certain ways. He said he felt the ideal limitation would be that it be limited to the specific site plan that is presented, that the zoning change was being requested for this specific project, just as it has been presented and if there are material changes to the plan then the project would go back through the process. With the conditions, if these developers walked away from the project for any reason, the neighborhoods wouldn't be left with an open-ended B-3 zoning for another developer to walk in and use unencumbered. Silverstein added that was exactly what he was working on with Redmont, that for example B-3 has an exhaustive list of permitted uses and they were going to carve a number of those out and tie the zoning change to this specific plan - and that was exactly what they did with the Crescent project.

Silverstein stated he was part of the ownership group for the site and that they, for the longest time, have thought this was a wonderful location for a quality mixed-use project in Birmingham's midtown and that they now believe the time is right for this project. They feel there is a void in the market for upper end hospitality, an upper end hotel. They feel there has been an abundance of apartments built in the city and that there is an opening in the market for some nicer condominiums which has led them to including condominiums in the project. They'd also like to include a spa and wellness facility. He said many other growing cities, for example Nashville and Dallas, have quality developments in their midtown areas along the freeways, that our neighborhoods have a lot to offer. Silverstein referenced the balloon that morning saying that they recognized that the neighborhoods would have questions about the building height, pointing out this building would not be the height of the new 17 story building nearby. He said as he drove down Highland to the meeting tonight he was reminded that our neighborhood has other 7 to 10 story buildings already. He said if he was going to put a 20 story building here, that would be way out of scale. He shared they asked themselves how they could better show residents how tall these buildings would be - and they found a company in Virginia who could fly a balloon to the projected height of the building. He said his point is that they are trying to give the neighborhoods all the information they can about the project. This morning they flew the balloon in two locations, one where the condominiums would be, the second where the hotel would be. He asked for Evan Watts to take over and share more specifics about the project.

Watts introduced himself and said he was representing D & A, a group of developers and that he wanted to walk the residents through the plan. He said the site is bound by the Expressway to the west, 22nd Street to the north, Arlington Avenue to the south, and they are proposing adding a private driveway on the eastern side to connect 22nd Street and Arlington Avenue. The driveway would create a buffer to the neighboring properties and locate the bulk of the project closer to the Expressway. Silverstein said a challenge to the developers was that as we look to further enhance our communities, this truly is a gateway in and out of Redmont. He said right now, the walking experience along the sidewalk is horrendous, walking under the freeway right there, is terrible. He said he visited with the sisters at St Rose and they discussed the number of pedestrians walking up and down this sidewalk all the time; that part of their plan would be enhance the landscaping, the lighting, the sidewalks, and the experience you have walking in that area; that if you live in a condominium there, you'd want to enjoy the neighborhood, come and go whether it was the restaurants nearby or something up in English Village.

Watts explained they planned to invest in enhancing the streetscape along Arlington Avebue and 22nd. He said that that will also divert into the private drive with the traffic control measures, will slow down traffic coming into our site. He explained one of the key things they wanted to do was keep all the internal traffic, dropping off, the lobbies, entrances, internal to the site. To the north is the hotel building; on the southern edge is the condominium building; and on that western edge buffering the neighborhood from the highway, is the wellness center (fitness, spa, community center, etc). They shared that parking was self-contained, that parking along Arlington would be screened so you couldn't tell it was a parking deck and that parking was accessed from the private drive. Silverstein said you come off the expressway and can go straight into the site. Watts and Silverstein answered several questions that allowed residents to orient themselves to the drawings. Silverstein pointed out Bayer Properties on Arlington, saying that when they bought that building from the Sirote Permutt Law Firm, they built the Crescent Building and Sirote Permutt moved into it. A question was asked about acquisition of a home during this time, Silverstein explained there was a home on a piece of property on the alley there that deteriorated beyond repair, eventually caught fire and burned down; that he had been able to acquire the property, he had allowed it to be used as a dog park until now having a use for it with this project.

Watts went back to explaining the 3D drawing for the project and how it all comes together. He said on the northern edge of the parcel is the hotel, a 125 to 150 key hotel, not many rooms he added. Watts pointed out the yellow building on the southern edge was the condominium building, with 25 -30 units - and the pink building on the western edge, which is the roughly 20-25,000 square feet wellness center. He explained the parking structure was partially subterranean, that it would be completely subterranean on 22nd Street and partially subterranean on Arlington Avenue. He said the screening will be accomplished using both architectural screen and trip as well as landscaping, that all of that was important to enhance the streetscape. A question was asked about how high the

buildings would be. Watts pointed out the hotel and the condominium buildings and said that they both represented 10 stories. A resident asked how many feet that was above the sidewalk, Watts replied that they were still looking at what those relative heights are but roughly 115 to 120 feet. He pointed out that the lobbies for both the hotel and residences were off the private drive.

Silverstein shared that when they first went before the Redmont association, someone asked 'what could you build there today?' Silverstein said that was a fair question, what type of building, what height, could be built on the site today without a zoning change. Silverstein said Watts and his team worked on this question and he asked Watts to share what they came up with. Watts explained that the parcel was divided with the north side being zoned R-6 which permits a residential use. He said the south side is currently zoned O & I, Office and Industrial (where Bayer Properties is currently). In response to a question about height limit for O & I, Watts explained it has an 'unspecified' height but if you follow the zoning guidelines with respect to setbacks you can continue to travel upward. Someone pointed out you can continue to travel upward but that the site limits that, that the O & I was limited to 50 feet in height and there are additional setbacks of one to four feet, meaning that if you go back 1 foot you can go up another 4 feet. Watts point out that if you take an analysis of the southern most site edge along Arlington, after several setbacks it can go up because it's a very large site. He went on to say that one could build an office building that was roughly 375,000 square feet. Watts added that on the residential zoned portion of this parcel you could build close to 300,000 square feet. To put it in perspective, he said, they are proposing to build an entire complex of 250,000 square feet, not more. He said if you add those two numbers together you are almost 2-1/2 to 3 times the size they are proposing for the B-3 rezoning. He said the change they are requesting is really only to change the current office zoning to permit a hotel, that the residential zoning needed for the parcel/project is already present. A question was asked about the height of these buildings if built under current zoning - Watts replied they were still working on this, that they wanted to confirm it with zoning administration because they didn't want to present misinformation. He said he thought considering the site plan and setbacks the buildings could go up beyond 10 stories to 12 stories. Silverstein stated that they were not at the meeting to be argumentative, that everyone has a perspective and they were entitled to that. He added the point is that this is a site that is someday going to be developed and that is they have the chance to develop it in a very understated elegant way, so that when we go forward with this project, and zoning changes occur, and it's tied to this development plan, we have taken the unknown, the uncertainty, off the table. Then someone is not going to come in here like with the Crescent - that there were other plans that had come forward. He said he didn't say that as a threat, because if it's not us then someone else may buy it and go forward with an office building, but that he didn't feel we needed another office building. He said wanted residences there and hospitality, that these uses were much less a traffic generator than an office building. He said he felt sure they could build a 10 story office building on the site with existing zoning but that the masking of it, he felt, would not be appropriate for the site. He said he felt everyone

should take that into account as we go forward, what could we do - and what we are trying to do today; that is would be an additive to the community, that it was an \$80 million dollar project give or take. He said he was confident it would benefit the surrounding area.

Watts went on to share about the building materials saying they were exploring a masonry building, using brick material in the Birmingham tradition of using brick and mason; that the building would be accented with warm metal and warm wood trim. He said they would be using inset loggias as opposed to projected balconies to break up scale. They are looking at long linear very light colored brick so it's light, large openings for windows (no curtain wall, no glass structures), a traditional method of building using masonry and punched openings but well proportioned and well detailed. Silverstein said Birmingham wasn't Mars, that everyone had seen these kind of elegant projects in other cities and he just felt like our time is now.

Watts discussed their plans to enhance the vegetation along Arlington and 22nd St and the private drive. He said Arlington is a beautiful street, nice trees, the canopy is lush, we want to continue to enhance and be a part of that, introduce that through the site. He asked the group to look at the rooftops in the renderings, that with the landscaping and screens you don't see anything mechanical. He said they also wanted to enhance the lighting on Arlington. Silverstein talked about traffic issues on Arlington and that he hoped, as part of this project, they could work with the city to implement some traffic control measures to slow people down.

A resident asked what type of hotel, what hotel chain, would be going in the site. Silverstein said they hadn't decided yet, they were talking to several but that it needed to be a certain quality hotel, that he wants it in keeping with the Grand Bohemian in Mountain Brook because he feels there is a void in the market for that. He said what the Grand Bohemian has proven was that a hotel that charges \$250 a night can be successful in our city. A question was asked about signage, Silverstein said it would only face toward the freeway not the neighborhoods. A question was asked whether the type of hotel or quality of materials could be built into the conditions, Silverstein said he wasn't sure it was possible to do that. He emphasized that developers wouldn't do this sort of project for an 'Extended Stay Hotel' or even a 'Hampton Hotel'. He said the hotel sets the character for the condos, so it's critical for the success of the project to have the right hotel.

A resident asked about the presence of a restaurant and the effect on traffic. Silverstein said likely yes on the restaurant and that those related details were accounted for in the traffic study. The resident asked whether they had considered what might be going in on the Western site on Highland. Silverstein said he wasn't sure but whatever was done there needed to be well designed, the right scale the right landscaping, they need to go through the same process that they were going through now. Others brought up the potential 'insane cluster of traffic' with the Vesta Building, this development, whatever

went in on the Western site - and then also, the new South Town project. Silverstein said there was no question but that there was going to be growth in our community, and that it has to be done the right way. He said the fact that their development is right off the expressway, that someone can come off the expressway and go right into the site, makes a huge difference. He said if another office building went in on the site, it would add far more traffic than residential would, that the traffic patterns are completely different. Powers asked if there was a traffic study, Silverstein said they've present traffic studies, then said their development team consists of Darrell Skipper, who they have used for traffic on all their developments; Schoel Engineering who he considers to be the best in the city; Gray Plosser who is working with Watts from a local architectural standpoint. Silverstein says they believe there are great professionals here in Birmingham that they didn't need to go outside of Birmingham to find the talent needed.

A resident asked about the construction timeline and blasting/pile driving. Silverstein said hopefully this time next year they would be under construction and it would take about 16 months. He said he felt if there was any blasting it would be limited. If they had to do any the city has regulations that require they perform pre-blast surveys, do it during certain times of the day, etc.

Someone asked if they could make the traffic study available, Watts said it was still being updated but when it is complete, they will make the final report available, that way it will be comprehensive. Another person asked if they planned to make available an accurate number of hotel rooms, restaurant capacity, etc - Watts answered yes, that those numbers would be tied to the plan. Another resident asked if their study had taken into account the other recent hotel projects in the city, Mountain Brook and Homewood, and whether there was truly room for another hotel; Silverstein answered there is definitely a void in this high-end sector. A resident asked if the project was located in a slide zone. A Milner resident said they were 500 feet away from the site and they were definitely in the slide zone. Silverstein said either Uday Bhate or Deepa Bhate would be their GeoTechnical Engineers.

A resident stated that this building was too tall, that this sentiment had been expressed by many people at the Redmont association meeting. She also pointed out the traffic study wasn't a 'city' traffic study and that this development will hide the mountain from residents, it will hide it from Bottega, it will hide it from the city; that these things are hard to express, that our city is such a beautiful city because of the mountain. She said if we could put a qualifier on it for height then the proposal might successfully address the major issue raised by both Redmont and Highland Park. Another resident agreed, saying we were giving up, losing, our view, our skyscape. Silverstein said he understood their perspective but also that he doubted there was anything he could say to persuade them otherwise. He said he felt that what the project would buffer was Red Mountain Expressway and that when residents drove down Highland they were still going to be

able to see the mountains. He said he felt that if you went further up Arlington with tall structures that would be a problem.

A resident on Highland Crescent South (former John Carroll property) stated that she felt it was a lovely plan, that they have done all their homework, she saw the balloon and didn't think it was too high and that it would enhance our community.

A resident explained that a number of people in the neighborhood felt negative about the project because of prior projects, the Vesta, the Capri, even the Crescent. But in those projects the projects weren't as well planned, that the neighborhood wasn't afforded the opportunity for this kind of presentation and comment. She felt like something was definitely going to be built there and she'd just as soon it be a project like this, well planned, well thought out, that somewhat blends with the neighborhood. She said she had a question for Councilor Abbott and went on to share (to applause) about the terrible condition of the city's sidewalks and curbs saying that we have a very active neighborhood - individuals working on projects to clean, maintain, beautify - but that we can't see the city doing their part to maintain the infrastructure. She mused that perhaps the developers could work with the city to perhaps expand their hardscape improvements beyond the development area. Silverstein said they had been able to do this in their project on 19th Avenue, that Valerie Abbott had been helpful in their efforts to work with the City of Birmingham to accomplish this.

Resident Paige Klein introduced herself. She said she was excited about the project and wanted to present some Q conditions for the neighborhood to consider. She said she had read the paperwork that had gone out via email and attended the Redmont meeting to hear their presentation. She first said the paperwork had indicated there could be up to 50 condominiums and that she felt there was a lot of difference between 30 and 50. She said at the Redmont meeting they had said 20-30 units. She asked how close they were to knowing how many units there would be. Watts replied they were still considering market demand. Klein said she liked 30 better than 50. She then said that she had heard them state a possible height of 115 to 120 feet for the buildings. Klein said she would like to offer the possibility of a Q condition for the height. Silverstein said they were indeed working on a Q condition for height to submit for Redmont. Klein then said that traffic concerns had come up numerous times, that she thought it would be interesting to ask for a combined traffic study that takes into account the multiple projects underway (or soon to be underway) and how those will affect our neighborhood. She added that she considered herself to be a spa-connoisseur and asked if this was going to be a facility where you could get botox and a massage or whether it would be true spa where people could 'soak', use a steam room, etc. Watts replied they hoped it would be those things as well. Silverstein said he wasn't sure he was prepared to agree to an expanded traffic study that considered all possible developments. He said our focus needs to be on the impact of the development on this site has on the current conditions and that he feels very confident that their traffic engineer has established that. He said, for example, it would

be next to impossible right now to figure out the impact of the South Town development to Highland Park. Klein said she saw where his project might not be responsible for this but perhaps it was something the city would be interested in helping with. Sanfelippo noted that Kim Speorl, the city planner present, was shaking her head 'no', that wasn't something the city would do. Silverstein emphasized again that the uses they have proposed for the site will generate less traffic than certain others for example a major retail development or office building.

Phillip Foster introduced himself, saying he lived on Milner Crescent. He said they lived about 550 feet from the current project and that he had worked with David on a number of projects, including when he wanted to do a mixed-use project where John Carroll was. He said the city currently has an adopted future land use plan for this area, that they included that map in their zoning request. He said the area the site is in is listed as mixed-use-medium. He went on to say in the city zoning ordinance it says a hotel can be permitted in mixed-use-medium with a maximum height of 55 feet. He asked if they would be willing to consider a Q-condition that limited the height to 55 feet above grade, because right now, 120 feet takes the top of that building to 910 feet from the 790 feet you're taking as 'grade', which puts it only a couple of floors short of the height, as the crow flies, of the Vesta. Foster shared a number of photos of the balloon flown that morning to make his point. He said the building would be clearly visible from Caldwell Park, from his dining room and kitchen, and from Bottega. Watts shared that the balloon was at the highest point of proposed development on the site, that the project will not all be built at that height, that it that steps down in scale. Silverstein said - this is where we have a disagreement, that he would see nothing wrong with viewing the building, that it was the same scale as the Crescent Building. He said if they were building 17 stories there, it would not be appropriate. He said he received an email that day suggesting he leave the site as a park (the audience laughed and clapped) and that obviously that wasn't a feasible request. He said that he was standing before the residents tonight, he stated he loved the plan, he believed in it, he thinks it's the right scale, he respects the residents opinions immensely but that he didn't necessarily agree with all the opinions that had been expressed; that he thinks this plan will be a true amenity when it's built for our neighborhood. He said they will go back to Redmont next week, they will work on the Q conditions, he will come back to us on the 8th and let us know what happened at Redmont. He said he couldn't predict what Redmont would do but that regardless the process will continue. He also added that Highland Park residents would have opportunities to attend the public meetings and speak. A resident spoke of living in Highland Park for 31 years, that his town house is worth three times what they paid for it, that if we are going to stay alive and our businesses flourish, our property is going to be valuable, and we are going to enjoy life, we can't quit living. He said "build it".

A resident said he lived on Milner Crescent and would like to ask what buildings did they plan to demolish. Silverstein replied just the Bayer Properties Building and potentially the Sycamore Building. He asked about pile driving and blasting, saying that these were

100+ year old houses that could potentially incur foundation damage. Silverstein replied he couldn't be certain yet how much of either would be required. He said if blasting was required that they would be doing a pre-blast survey, adding that they were responsible for any damage to homes, foundations because of activity related to the development. He asked if the hotel would have a roof top bar, Silverstein said he sure hoped so, with a nice view of the city. With that they ended their presentation. Sanfelippo thanked them and opened the floor to discussion or motions.

Bob McKenna asked whether there were any Redmont residents in attendance and if there were, he wondered if they might share with us how they are feeling about the project. Sanfelippo recognized Cathy Adams. Adams said Redmont had wanted to see the balloon to get a tangible sense of the building height and that it had been flown that morning. She shared one of her primary concerns was the potential blasting and its effect on their 100+ year old houses. Jones said she attended the Redmont meeting as well, reporting they had a robust meeting discussing all aspects of the project. She said they got to a point where their primary concern was if the zoning changes were approved that those changes, that rezoning, go forward with the property even if, for some reason, the developer walks away from the project for some reason. She pointed at the site drawing and said - even if we liked this drawing and voted for it, if these developers for any reason decide they can't do it, don't want to do it, get tired of dealing with us, whatever - then the zoning change that has been granted already be in place for a new owner to come in and build more on the site than what is being proposed here. So therefore the Redmont Association was very interested in what those Q conditions might be. This is why Paige, who attended the meeting also, came up with her own suggestions for the conditions. And that's why, in the very beginning of the meeting tonight, the developers said they were working on recommendations for the conditions to take back to the next Redmont meeting.

Silverstein asked to reiterate what they were working on. Fundamentally, he said, we want the zoning we're asking for tied to this plan that you see here. As in where the buildings go, the heights of the buildings, some uses allowable in a B-3 zoning that we wouldn't want, that all that be detailed and tied to the plan in the form of conditions for the zoning change - so if he and Evan decide they are out of here and someone else buys the site that is now zoned B-3 and has different ideas about what to do with it, then they have to start the process all over. So the neighborhood is not left exposed not knowing what is going to happen if they don't build 'this'. That's the fundamentals of the Q conditions.

A resident asked Silverstein to please consider that it is the height and the strain on the infrastructure that the neighborhood has concerns with.

Larry Contri stated that because the developers had not yet concluded all their communications about conditions, etc with the Redmont association that he would like to

move that we, Highland Park, postpone our vote until our next meeting so that we have a total picture of what's going on. Paige Klein seconded.

Sanfelippo asked for discussion. Bob McKenna said he respected the developers and his neighbors. He added that he was not crazy about the project because he wished the developers had come to us earlier, that even if we delay the vote until October 8, we will still be woefully uneducated about the conditions and our options. He said we would all like to see something as low as possible. And he thinks residents feel vulnerable because of the lack of information and the short period of time. Silverstein said he understood but in a project like this, it takes time to develop plans and until you get to a certain point it would make no sense to present them until they had defined what they wanted to build. The group discussed the Q conditions again, with residents pointing out the developer didn't set the conditions, that the neighborhoods did. Silverstein said their goal was for everyone to agree on the Q conditions that were suggested, that they would present to Redmont next week and hopefully reach a consensus. He said, at the end of the day, we may not agree on the conditions but he is still willing to put conditions on the project.

Tracy said she wanted to provide some clarity on Q conditions. She explained the Q conditions that we suggest are recommendations. City Council has the final determination. She explained they listen to it all, take all of it into account when they make their staff recommendations but it is ultimately left up to the city council - not the developer, not the neighborhoods, it's the City Council.

Dottie King asked what additional information they planned to bring to our next meeting on October 8 - as in how many condos, how many rooms in the hotel, etc, etc. Silverstein said what he hoped to bring to you on October 8 was approval of the project by the Redmont Neighborhood Association and the related Q conditions agreed upon with Redmont. He said he was uncertain he could bring the exact numbers on condos but that they expected it to be 25-30, that's what these plans show right now. And hotel rooms, he feels like they are shooting on between 125 and 150. But he felt the most important on the 8th would be the vote and resulting Q conditions out of the Redmont meeting. He said they could send that information out so that Highland Park would have it in advance of their meeting on the 8th. Another resident requested they distribute their traffic study.

Powers pointed out that Highland Park has only had this information presented to them for the first time today. And while she did not want to completely defer to Redmont, she certainly wanted to hear, to consider, what they had to say. She pointed out that no one came to our meetings and discussed the Vesta project. She said she does appreciate that we have some conversation occurring here. She said she felt Redmont residents would be the most affected by this development and so really wants to hear what Redmont has to say about all of this.

James White asked - if we have a vote tonight and agree to kick the can down the road for a week or two, will you commit to providing the neighborhood association with the traffic study and the other information and drawings that people are asking for? And the Q conditions. Silverstein said they absolutely wanted to share the Q conditions before the 8th. They will also share the traffic study with Sanfelippo.

Carl Sosnin said he thought we were under time pressure we're not equipped to deal with. He told the developers that if they could push off their application so that before we had to meet we can talk among ourselves, see each other on the street, show us a much more finished plan that answers a lot these questions; if we could have something finished to talk about and have your suggested Q conditions at that point then we could meaningfully vote. Our vote to go to the city should be that we don't want them to consider this application at all because we don't have enough information to comment on it. Alison Glascock added that if we don't vote now, by the time our next meeting on the 8th gets here, the ZAC will have already met and they are hugely influential with the Council and we would miss that opportunity. Someone asked about the date of the ZAC meeting, Glascock confirmed it was on October 1, and added the developers wouldn't be coming back to Highland Park until the 8th. Suzanne Baker made a suggestion for a motion - saying "At this time, based on the information we have, the residents of Highland Park are opposed to the plan moving forward until our questions are satisfied." Powers said perhaps we should make a motion to schedule another Highland Park meeting prior to October 1st. Sanfelippo stated that we already have a motion on the floor that we need to deal with. Larry Contri withdrew his original motion. Jessica Powers said that she moved we hold off voting tonight and we hold another Highland Park meeting on Tuesday September 24 to take a vote on this application. Several residents pointed out this would work because the Redmont meeting is on September 17. James White seconded. Jones added that if we add a meeting we need to be sure that we do proper notification on the added meeting. Sanfelippo told the group that only Highland Park residents could vote. The motion passed with 39 voting yes, and none opposing or abstaining.

City Council Update/President Valerie Abbott

Council President Abbott said the Council had met today and she wanted to give us the highlights of the meeting. She said today they funded 20 new public safety dispatchers, saying that if you ever call 911 or the non-emergency number and get put on hold, we are now going to have 20 additional people who will be there to answer calls. Public Housing to have additional policing. Abbott said they also funded the HICOPPP (High-Intensity Community Oriented Police Patrol Program) which will allow the Public Housing communities to have extra policing because we have so many issues in many of these communities like recently in Gate City where the little girl was killed by a stupid man with a gun. So these police officers will be in there patrolling, taking calls and watching. She shared that they discovered, in their consideration of this program, that the Sheriff's Department has been providing services in there but they don't take calls, they

just *look around* which she thought was kind of strange. She said they also okayed \$1.1 million for the Magic City Classic which is upcoming. They also initiated the Carraway rezonings for the demolition and redevelopment of the old Carraway Hospital. She added that she was sure if anyone had driven by this site that they realized why this project is so important. She shared there were some properties that had multiple owners that no one could find so this is not taking someone's home, this is trying to clear the titles of properties in the center of the project for which there is no clear ownership. Abbot said they had been trying to fill up the building housing 'The Negro Southern Baseball Museum' with Michael's Restaurant, the steakhouse that used to be in downtown Birmingham, then Homewood and is now closed. The restaurant was going to move into the building but during the renovation they discovered there were a lot of things wrong with it even though it's only four years old. The Council had to allocate another \$250,000 today to finish the building. Abbott said it was one of those 'hold your nose kind of votes', no one wanted to do it but we realized the building would never be finished if we didn't. She added that the Mayor's office is doing an investigation on why the building was left in such strange condition.

Miscellaneous Announcements

Alison Glascock announced that the new restaurant 'Eats' at 2600 Highland was finally open and currently serving lunch from 11 am to 2 pm. Glascock says if all goes well this week that next week they plan to open for dinner, the hours then being 11 am to 9 pm. She encouraged everyone to support this local endeavor.

Sanfelippo announced the next 'Large Trash and Brush' pick up would be Thursday September 26. She reminded residents if they had room, to make separate piles for trash and mulchable material, to be sure and bag all leaves and other yard debris.

Sanfelippo said on Saturday September 21 Ray Davis, head of our Beautification Committee, has organized a Neighborhood Clean Up Day in conjunction with National Clean Up Day. She said from 9 to 11 am, we will be boots on the ground picking up all sorts of trash to make our neighborhood even more beautiful. Ray Davis said it'd be wonderful if everyone here at the meeting tonight could be there and after all the cleaning we could all talk about the issues of the night. The room erupted in laughter. Sanfelippo said we would gather at 9 am in the Rushton parking area across from the parking lot at IPC, get our tools, etc, get our assignments and split up, do our work - and meet at Rojo afterwards. Powers shared that Laney DeJonge at Rojo was giving the cleanup helpers a discount during lunch at Rojo after.

Sanfelippo said that the next neighborhood meeting will be the special called meeting to be held in two weeks on September 24. The next regular neighborhood meeting would be October 8 at 6 pm at Episcopal Place because of a city vote that day here at the Highland Golf Course to renew the ad valorem tax.

She reminded the group that as usual, that anyone with questions or concerns, to email us at HighlandParkNeighborhoodAL@gmail.com.

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

Respectfully Submitted,

Judy Jones

Secretary, Highland Park Neighborhood Association