

Highland Park Neighborhood Association

October 2019 Minutes

Meeting Date: October 8, 2019

Immediately prior to the meeting being called to order, Secretary Judy Jones commandeered the microphone and requested applause for our Neighborhood President who is getting married this coming weekend. Significant clapping and cheering followed. Jones pointed out that today was Tuesday and Elizabeth's wedding was Saturday, yet she was here tonight conducting this meeting, emphasizing '*that is service!*' At 6 pm President Elizabeth Sanfelippo called the meeting to order. She thanked Episcopal Place for hosting the meeting, including a special thanks to Jamie Whitehurst. She introduced Secretary Judy Jones and said that Vice President Jessica Powers should be there shortly.

Sanfelippo stated the September 2019 meeting minutes had been distributed and asked if there were any changes or corrections. None were offered so Sanfelippo pronounced them 'approved'.

Police Update

Sanfelippo introduced Highland Park's Beat Officer, Officer King who said that things were going very well in the neighborhood, adding there had been no robberies or serious violent crime in the Highland Park area. He asked if there were any questions, complaints or areas requiring additional patrols.

A resident asked what had been happening on Milner Crescent the previous Sunday. Apparently someone had been unloading her car and 2 men came walking by and snatched her purse out of the car and ran. Officer King said he had been off that day but that he thought the two individuals had been caught and charged with felony theft of property.

Public Works Update/Tammie Wheeler

Sanfelippo said Highland Park's Code Enforcement Officer and Public Works representative Tammie Wheeler was not present. Alison Glascock asked if the next Trash and Brush pickup date was known. Sanfelippo stated she thought it was October 17, adding the city to be consistent with scheduling these pickups every three weeks. Sanfelippo told the group that we were entering 'leaf season' so it was important for everyone, whether they did their own yards or had a yard service, to bag their leaves. She pointed out that clogged storm drains were a major recurring problem in the city and that bagging leaves would help greatly.

Clean-Up Day Report

Sanfelippo shared that September 21 had been National Clean Up Day and that Ray Davis, head of the Beautification Committee had organized a very successful event in Highland Park. She reported 19 volunteers participated and worked from Freddy's on Highland over to Clairmont. She said much fun was had by all. Sanfelippo had special recognition for Joe Wilson for spilling the most blood from sticker bush wounds during the day.

AGENDA ITEMS

Do Dah Day Report/Linda Geiss

Sanfelippo introduced Linda Geiss, Do Dah Day Treasurer. Geiss said she had been involved with Do Dah Day since 1990. She said they had seen many changes through the years but especially the past 2 years with a significant increase in their operating expenses. She said because of this they had made the decision last year to reduce the event to one park, Rhodes Park. She reported this year they would again stay with holding the event in a single park but this year they would use Caldwell Park. She said it was very hard to get/keep wireless service in Rhodes Park because of the trees and geography of the park, that this affected their merchants. She said this year would be the 41st Do Dah Day celebration. She said they are planning a special theme - 'Do Dah Day Through the Decades' and encourage more floats, costumes and parade participants, that they'd have categories for the 70s, 80s, 90s, etc. Geiss said they would also incorporate this theme in the selection of the bands who will entertain that day. She said they did not have an event this year on Do Dah Day Eve, that it is usually off-site at a bar or restaurant - and that instead of doing that they would do it in the park, that all the merchants would already be set up on that Friday. She shared they planned to show a pet-themed movie that evening. She said all these changes were an effort to get their revenues up higher and expenses down lower. Geiss said the change to one park last year did save them about \$10,000 but that the largest expense was now the fees they had to pay to the City of Birmingham for licenses, park rental, and police support. Geiss was asked the date and hours for Do Dah Day in 2020. She replied she thought it was May 17, that the parade would continue starting at 11:01 and that this year they would end the event at 4 pm instead of 6 pm.

Funding Item Proposals

Sanfelippo shared there was a recommendation from the Spending Committee that Highland Park make a donation to Do Dah Day for \$2500.00 and asked for discussion and/or a motion. A motion was made by Larry Contri to donate \$2500.00 to Do Dah Day, Paige Klein seconded. The motion passed unanimously. Geiss thanked the group for the neighborhood's support. Sanfelippo told her "Highland Park loves Do Dah Day!"

Sanfelippo told the group that Joe Watts had managed the neighborhood's web site for many years, at his own expense. She shared that the hosting fees had been steadily increasing and that the Spending Committee had recommended an expenditure of \$83.40

for 2019 and \$240.00 for the year 2020 - for a total of \$323.40. Alison Glascock moved that the neighborhood allocate these funds for web site hosting; Phillip Foster seconded. The motion passed.

Arlington Development Project Update/Council President Valerie Abbott

Sanfelippo introduced City Council President Valerie Abbott, thanking her for her work answering questions and providing information about the Bayer Building/Arlington development project. Abbott started by saying that after all the neighborhood votes, both by Redmont and Highland Park, on David Silverstein's rezoning request for, as she called it, the *Twin Towers* project. She said that the votes in both neighborhoods were roughly 2 to 1 against the rezoning request. She shared that the Zoning Advisory Committee voted down the rezoning request for the piece of property with the historic apartment building but passed the rest of it, limiting the height of the building(s) to 80 feet. She said, in her opinion, the 80 feet was still too high. She reported that Developer David Silverstein had contacted her asking if she would meet with him to discuss a compromise. She said his compromise was to go from his originally requested height of 120 feet down to 100 feet. And also commit to not having any blasting. She said she told him she wouldn't commit to anything until she heard what residents had to say. She asked the group if this compromise was something the neighbors felt like they could/would consider or if the offered compromise was unacceptable. The group communicated their hearty disapproval of the compromise.

A Redmont resident said it had been her understanding there wouldn't be any blasting anyway, so their attempting to sneak in a 'no blasting' promise was less than honest. She had attended the ZAC meeting and asked for clarification about the staff recommendations to the ZAC with respect to zoning designation and height limitations.

Abbott pointed out that neither Redmont or Highland Park has been through its Framework Plan process yet and that there will be new zoning designations in the new plan. So, for example, there is mixed use high, medium and low. And the recommendation for this property in the new designations is mixed use medium - and in this designation a hotel would be limited to 55 feet and the condo building to 60 feet. But she said don't have those designations because we've not been through the Framework plan process yet. The property in question is currently O & I (Office and Institutional) and R6 (Multiple Family) - and Mr. Silverstein is asking for it all to be rezoned to B3. ZAC approved the property, excluding the piece with the historic apartment building on it, for development up to 80 feet in height. Abbott shared that tomorrow morning the Zoning and Advisory Committee of the Council will meet to hear from Mr. Silverstein. Abbott said she was a member of this advisory committee along with Committee Chairman Steven Hoyt and Darrell O'Quinn. She said this meeting was open to the public and will be at City Hall on the 5th floor in the Planning, Engineering and Permits Conference Room.

Richard Dickerson asked about the development's effect of on traffic in the area. Abbott replied that Mr. Silverstein went over all of that in his presentations. She added that he says he has allowed for sufficient parking in their plan. Jones added that she recalled that the group's traffic study had found approximately 700 'trips' associated with the current structure and that their estimate would be that the 'trips' would increase to 2100 per day with the new structure.

A resident suggested that the recommendation by ZAC was not something that was or would have been approved by either neighborhood, that the process seems to become less than 'fair' with the neighborhood's input not being considered. Abbott said she understood and agreed with that, saying that she wasn't sure it was part of a 'fair process' for Mr. Silverstein to come to her and offer a compromise outside of the neighborhoods. She said that was why she was here tonight, that the people here are her constituents and she wanted to do what we wanted.

Resident Christine Wilson said she felt that the developer's effort at a side-compromise without the neighborhood's engagement was sneaky. Abbott said she agreed, that she felt even the 80 feet was too tall but that her opinion was not as relevant as the opinions of those in the room tonight. Wilson added that perhaps the developers were attempting to get the project approved before the neighborhood's framework plan process began. Abbott observed that this is what developers do.

Resident Bob McKenna addressed Abbott and stated that he simply wanted people to have correct information because at our last neighborhood meeting, he spoke to people after who were unclear about the current zoning. He said he had spoken to Philip Foster and Diann Weatherly who have done a lot of research on this. As it turns out, one half of the property is R6 and the other half where Bayer Properties is located, is O & I. So currently the one half of this property that he is proposing to develop that is closest to Sirotte Permutt can only have R6 for residential up to 45 feet. The other half, where Bayer Properties is, is O & I, they can only develop however high the restrictions are but they have to go back one foot for every 4 feet they want to go high. So when David Silverstein said he could build a 20 story tower there, it would have to be a "needle." Which wouldn't be financially feasible for a developer. He stated he just wanted the neighbors to know what the facts are because some people believed all of the property was O & I except for the Sycamore Apartment building when in fact an entire side is residential. He pointed out that with respect to the rezoning of residential properties, that we try to keep what residential zoning we have. And in fact, the city has already zoned it residential and the neighborhood just wants to maintain that.

Resident Philip Foster said he was at the ZAC meeting and staff recommendation was that if the request was only "somewhat in line" with the future land use plan and ultimately staff recommended that if you choose to ignore the neighborhood's wishes and approve it anyway, staff recommended a height limitation of 80 feet. And before ZAC

made their proposal, they asked staff what was the thinking behind that 80 foot recommendation. Kim Speorl, who has been super great, getting me every piece of information I could possibly want, said they went back and forth and ultimately they came up with that 80 foot recommendation for two reasons, #1, they said that the height limitation for mixed use medium, that there was language that was going to come up today before Council that would have changed that 60 feet to 80 feet. Reason #2, the existing building that Sirotte's office is in were approximately 80 feet in height, but that included the 12 foot tiny cupola that sits on top of it. After that meeting, he said he contacted Kim and asked her what other changes were being considered by Council at today's meeting besides an increase to 80 feet for mixed use medium - because that whole area behind our street is planned for mixed use medium. Kim said we have some text changes that will go before City Council for approval next Tuesday. I thought mixed use medium had a height change but it does not. So mixed use high had a height change. So staff's recommendation, which ZAC used to formulate their suggestion that it be approved but at an 80 foot height, was based on a false assumption from the staff recommendation so I personally would like to see either ZAC go back and come up with a new recommendation or I would like to see the Zoning and Planning Committee tomorrow fix it. Because their recommendation for 80 foot was based on an incorrect assumption that the Planning Office gave to them. Someone asked the height limitation of the current zoning, he said it was 60 feet maximum for any building, unless it was a hotel then it could only be 55 feet. Abbott concurred a change to 80 feet for mixed use medium was not included. Everyone agreed this had been an innocent mistake on the part of staff. Foster said he felt if ZAC would have had the correct information they would have approved it but only up to 60 feet - and 55 for the hotel.

A resident stated that she also attended the ZAC meeting and that Abbott had made an excellent point that she felt was ignored - that both these neighborhoods, Highland Park and Redmont, had not yet had their opportunity to complete their Framework Plan process and to please give them their opportunity. She said she wasn't sure what needed to happen to make city government listen to the residents' concerns and wishes. Abbott said the best thing was to get lots of people to attend the Council meetings, that those were the truly important meetings because that's where the decisions were made. Sanfelippo asked that in light of this mistake, if the committee tomorrow could vote to delay or continue this. Abbot said there were several options, that they could vote to ask the ZAC to take a second look at it because of the error that was made. She said the neighborhood still hasn't had an opportunity to do the Framework Plan, for example, even though it's mixed use medium that they are recommending, maybe when it goes to the neighborhood, they say - no, we want mixed use low. Just because they are recommending it doesn't mean that's what's going to happen. In all these Framework Plans, the residents are being listened to. She said it was the first time she had experienced the city really listening to the residents.

Sanfelippo asked about her thought, that if the zoning change request was voted down by city council, the developer has an option to appeal that decision. Abbott said no, that the Council's decision is final - though they can come back in a year and re-initiate the request. She said the dates she had been given for Highland Park's Framework Plan - was sometime in the February-April timeframe.

Bob McKenna said in the last neighborhood meeting we were told that the Sycamore Apartments were the only part of the developer's property that was not O & I and so he could build a tower on it... Vice President Jessica Powers said no, that she had read exactly the information and parcel descriptions exactly as on the applications and the maps that were shown, that of course it was always possible people could walk away with an incorrect impression - but that not the information given. She went on to say that his point was demonstrative of a larger issue, that it is hard to process all this - that even having heard a presentation on it multiple times, after the third meeting she was only beginning to wrap her mind around it. She suggested that the process had been so quick that there had not been time for everyone to understand what is happening. She said the goals of neighborhood leadership had been to provide a very fair process, that she realized that some residents felt we hadn't been advocating one way or the other but pointed out that if 'you' come to this group in the future and want to do something with your house or property, that she would think that everyone in that situation would want the process to be fair. She absolutely didn't want anyone to think that neighborhood leadership had communicated bad information. Bob clarified saying he felt leadership has done an outstanding job. He referred back to Philip Foster's remarks saying he felt a 20 foot error was substantial and his suggestion was that we pass a motion encouraging the city to table this request until after Highland Park has done its Framework Plan so that residents could be educated on the relevant information. He said he felt this would be a message that Valerie could take to the meeting tomorrow morning and then on to the Council Meeting later. Phillip Foster seconded. Someone asked Bob to restate his motion, he did: I move that we request the City Council to not entertain this development until we have gone through a neighborhood framework plan and understand all the facts.

A resident asked whether we thought passing this motion would really make any difference; Abbott responded that she thought it was a good idea because it does give the Council a sense of how people feel. She pointed out that all of the other Council members' districts have had their Framework plans set up - so they know how important it is and how enthusiastic residents were about having a say so in the process. She says that all of the zoning designations will be changing and that we are still using the old codes and that it is indeed confusing. She said she thought Bob's motion makes perfect sense. Someone asked, rhetorically, that isn't it true that the neighborhood wants to maintain the current existing zoning? That you start making exceptions to these rules and you open up Pandora's box. Abbott said it would make sense to delay consideration of this requested change until the Framework is completed, saying that Districts 2 and 3 are the last ones to go through this process. Powers suggested that it might be persuasive to

say that because the other districts/neighborhoods have had the opportunity to go through this process that Highland Park should be afforded the same opportunity before this change is considered. Abbott pointed out that there were 3 council members meeting in the morning and that represented a third of the council who would vote and pass a recommendation to the full council. Abbott observed that the polls would be closing shortly and so whether they'd still be working with 3 of the same council members the next day was an unknown (as elections for councilors in several districts were being voted on). Richard Dickerson took that opportunity to ask Abbott if she had taken a position on the extension of the ad valorem tax for the schools. Abbott replied she did, that she voted yes on all three of them. Dickerson clarified, that he wanted to know if she had taken a public position on the tax extensions, Abbott replied that she had.

Sanfelippo called for a vote on McKenna's motion. Jones observed there were Redmont residents in attendance and pointed out only Highland Park residents could vote. The motion carried 30 to 1.

Introduction to Episcopal Place/Jamie Whitehurst

Sanfelippo introduced Jamie Whitehurst and said he would tell us about all the wonderful things that Episcopal place does, who they serve and how we can be more involved. She also thanked Redmont neighbors for coming to the meeting. Jones shared quickly that her opinion of the city, it's services and support, has evolved during this Arlington property development saga. She said she had seen the emails/communications between neighborhood people and the city - and that the city has been wonderful and incredibly responsive with the sharing of information and sending people to meetings - and that she wanted to acknowledge that and say thank you to Council President Abbott.

Whitehurst welcomed everyone to Episcopal Place. He shared that Episcopal Place was a non-profit organization that provides housing and all kinds of free services to about 150 active and amazing senior and disabled residents. He said their website is EpiscopalPlace.org - or GumboGala.com - that you can get more information at either of those sites. He shared that the Gumbo Gala is their annual fundraiser and the next one is May 2, 2020 at Sloss Furnaces. He said if anyone wanted more information they were welcome to call him, that he loves giving tours. Whitehurst said currently Episcopal Place was at capacity and there was a waiting list of 2-1/2 to 3 years. He shared that the very next day at 1:30 - 2:30 they were having a 'Blessing of the Pets' ceremony, adding that many of their residents had a dog or a cat. He said everyone was welcome to attend and bring their pets to the ceremony. Someone asked what the age for 'senior was, Whitehurst replied - 62 or older. He added they do have a limited number of apartments for adults with disabilities, which is available to individuals over 19. Sanfelippo asked Whitehurst about Episcopal Place's most needed items, should people want to donate something useful. He said among the services they offer to residents is transportation, a food pantry, a meals program, a housekeeping services and financial assistance. He said they were always happy to get non-perishable food items as well as personal care

products like cleaning products, toilet paper or tissue, depends (adult undergarments), anything like that was very helpful.

Sanfelippo said Wendy Cruze had planned on attending tonight and providing an update on the new restaurant 'Eats' at 2600 Highland - but that a family issue had come up and she was unable to attend. Sanfelippo said they were definitely open, that they were doing lunch Tuesday through Saturday (Tue-Fri is 11 am - 2 pm; Sat is 11am -3 pm). She said the menu on their website was current. There was some discussion on what they intended to do with the other building on the property but no one was certain.

City Council Update/President Valerie Abbott

Sanfelippo invited Council President Abbott back up to give a city council update. Abbott said this was a great Council meeting day, that because of the elections (and that three council members were running) they were able to finish by 11 am that morning. She said they did make some changes to the zoning regulations but those didn't include hiking the height of mixed-use medium to 80 feet.

Old Business

None was brought up.

New Business

None was brought up.

Miscellaneous Announcements

Sanfelippo reminded the group that the next Trash and Brush pick up would be Thursday October 17. She said, if possible, to try not to put piles out for weeks in advance or right after the pick-up.

Sanfelippo shared that the Academy of Civic Engagement (ACE) is taking applications for their second round of classes. She explained they educate citizens on the inner-workings of the city and it has received great reviews from participants. The application is available at BirminghamAL.gov/ACE. She said you could also email them at ACE@BirminghamAL.gov. Application close on October 18 and the program will begin October 28.

Sanfelippo announced our next meeting would be Tuesday November 12 at 6 pm at our usual location, upstairs at the Golf Course. Our speakers for this meeting will be 1) Bob Barrett (and/or Evan Godfrey) with an update on what is happening with Highland Park Golf Course and 2) Ronald Harless from the Birmingham Police Department to do 'Active Shooter Training'. She said the training had been part of the Community Police Academy that she attended and found it engaging and good information. She added that we would also have two people from the Census Bureau who will tell us about the upcoming 2020 Census and also jobs they may have available.

Jones announced there was going to be a movie of local interest shown at Unity Church on Thursday night. She gave the mic to Bob McKenna who then told the group the venue was Unity of Birmingham, located near the Sisters Houses on Highland. The 30 minute film had been in the lineup of the 2019 Sidewalk Film Festival and features McKenna interviewing Parker Herring, a dancer in Birmingham. McKenna went on to describe the film as an entertaining, beautiful European styled documentary. He said there was full frontal male nudity in the film but that it was naturalistic and tasteful. He said it received a resounding standing ovation at Sidewalk. He invited anyone who wanted to see the film to visit Unity on Thursday night.

Jones thanked Episcopal Place again for hosting the meeting. She also thanked the many Episcopal Place residents in attendance, especially because they were part of Highland Park too, that they are our neighbors.

Adjournment: With no further business the meeting was adjourned at approximately 7:25 PM.

Respectfully Submitted,

Judy Jones

Secretary, Highland Park Neighborhood Association