

RED MOUNTAIN COMMUNITY MEETING

Tuesday, October 22, 2024

Highland Park Golf Club, 3300 Highland Avenue, Birmingham, AL
In-Person and Via Zoom

Meeting Minutes

The Red Mountain Community meeting was held at 6:00 pm on Tuesday, October 22, 2024. The meeting was convened in a hybrid fashion, being held in-person at the Highland Park Golf Club (upstairs) and virtually via Zoom.

CALL TO ORDER.

The meeting was called to order at 6:00 pm by Red Mountain Community President Elizabeth Sanfelippo. She asked everyone to please sign the meeting sign-in sheet. Names of those attending online were recorded. Sanfelippo shared she was president of the Highland Park Neighborhood and also Red Mountain Community which consists of Redmont Park, Highland Park, Forest Park/South Avondale Neighborhoods. Sanfelippo said we were also joined by residents of the Crestline and Crestwood communities.

MINUTES. Sanfelippo said the minutes from the September 10 meeting were late getting out. She said beyond approving the agenda for that meeting, there was nothing else voted on in that meeting, that the minutes were mostly informational. She said she would send these minutes out again and we would vote to approve them in our next meeting.

APPROVAL OF AGENDA.

Sanfelippo went through the agenda for the evening. Barbara White moved to approve the agenda. Florence Renfro seconded the motion. Sanfelippo took a voice vote. There were no nay votes or abstentions. The motion passed.

CITY PLANNING PRESENTATION.

Sanfelippo introduced Tim Gambrel, the Chief Planner for the City of Birmingham. She thanked him for his department's work with the neighborhood since the last meeting. She said the planners had received a lot of feedback from the community and had responded in a timely and engaged manner. Gambrel said he was going to make a few remarks and then take questions from attendees. He said they have received some more questions that they still needed to go through.

Gambrel introduced Senior Planner Don Wilborn. Wilborn said they have received a lot of comments since the last meeting. Wilborn said a lot of the questions related to their proposal to use the Urban Neighborhood designation for locations. Wilborn said they have now completely removed this zoning designation from the map. He said they went back and examined those areas and the current 'uses'. He said anything currently single family, they left it single family. Wilborn said any property that had an existing apartment building, would be zoned D4 or D5 depending on the number of units. Wilborn said over the last week, they have received comments related to specific properties. He said where the properties are zoned single family now and confirmed to be single family, they will correct the proposed zoning to be single family. Wilborn said there will be field investigations on the remaining properties to confirm the correct zoning.

Wilborn said at the last meeting they didn't really get the opportunity to explain 'Mixed-Use-Medium'. He gave an example of the spine of Highland Avenue. He said some of those properties are zoned O & I (Office and Institutional), a designation that is going away. He said a number were zoned R6 or R7, also designations that were going away. He said they needed a zoning district that accommodated the housing there and also the retail present. He said they felt Mixed Use Medium was appropriate to capture all the current uses. Wilborn said the Highland Park Overlay would still be in effect, that it regulates the maximum height of these structures. He said whatever sort of new construction could potentially happen in an area that is 'mixed-use-medium' there are controls in place to effectively regulate that with respect to height, setback and form. Wilborn acknowledged an ongoing zoning case in Crestline. He said this was a separate issue to this process, adding that any property owner in the city could always request a rezoning of their property and go through the process, winding up in front of the city council for a decision. Wilborn said their recommendation for this piece of property is D3, single-family. Wilborn said if this applicant goes through the process and fails to get approval, the property would default back to single-family. Wilborn said for the vast majority of the Crestline and Crestwood communities, we are only having a change in name of zoning districts. Wilborn said they have had questions about the difference in D2 and D3. He said the uses are exactly the same, only difference is the minimum lot size, saying that typically D2 is around 10,000 square feet, D3 5-6,000 square feet.

Wilborn said he considers these 'active' maps, as in we are still in active discussions about them. Wilborn said they want to investigate any property that residents feel has been improperly zoned and also have a discussion to explain their methods if they believe the property was correctly zoned.

A resident asked for an estimate of when the Southern Framework Plan might be completed and go before the Council. Wilborn said the Southern Area Framework plan had been adopted by the Planning Commission a number of months ago. Wilborn said on the table tonight was part of their effort to get approval for the zoning changes that would go along with the framework plan. Gambrel added they are hopeful the effort could be completed during the first quarter of 2025.

A resident asked whether their work was being influenced by consideration of future uses. Gambrel replied no, they were absolutely not being speculative in their zoning proposals.

A resident asked if a property could be down zoned to keep it from going up further. Gambrel said the zoning is related to number of units in the building - period. He added he could not see a building being down-zoned, that it would take away a right the property owner has likely enjoyed for a long time. The resident said an owner/developer could come in and take the building up further. Gambrel said the owner already has the right to do that.

Jim Cooper observed there were a lot of old homes in the area that had been divided up into 4 units. He said he had noticed some of them zoned as D5 in the proposal – but felt certain there were no more than 4 units currently in the building. Gambrel said there shouldn't be quadplexes zoned D5. Cooper agreed to work up that list and send it to them.

A resident asked how Highland Park's historic districts would be affected by these zoning proposals. Gambrel said the proposal would have no effect on historic districts.

A resident asked about the timeline for this effort. Gambrel said it depends on this process, how it plays out. He said the goal was to be at Council by March of next year. Gambrel said once we can get consensus on these proposals and get a community vote, we can move ahead. He said there were three principal meetings

that are part of this process – the Birmingham Planning Commission will make a recommendation to the city council. Every property owner in that community would receive notice of that meeting about a month prior. Then there's a subcommittee of the city council called Planning and Zoning. He said notification for that meeting would not be to all residents, it would typically be by email to community leadership for distribution. Gambrel said the third meeting was the City Council meeting and a notice would go out for this to every property owner where changes are proposed. He said this is where the final decision would be made.

Jim Cooper referenced the Donnelly House and the Clubhouse on Highland. He pointed out Mixed-Use-Medium allows private clubhouse and asked if there was a way to have a special condition that would prevent additional clubhouses going in. Gambrel said that would be a challenge right now but perhaps they could look at that when they update amendments again.

A resident asked whether you could have a business in a single-family house. Gambrel replied you could have a home occupation, and you could rent the house. He explained home occupations are limited to office type uses, if you had an accessory type building in the rear and you wanted to have a small shop you could – not a welding shop, he said there were a lot of restrictions about how many can visit or occupy, maybe no more than an employee or two, no signage, can't change the appearance of the building to appear more commercial.

A resident asked why is Mixed-Use-Medium used instead of multi or two-family designation for my location. The group determined her location was near 30th and Clairmont. Gambrel said this is kind of what is there now, a mix of uses. Some commercial, some multi-family, some residential. He said people may remember how contentious the Walgreens development was that went in near there. Gambrel said they wanted to build in kind of a suburban style, building in the back of the lot, parking in front and they wanted to tear down the old fire station. Gambrel said mixed-use-medium benefits locations where there is commercial in that it is developed in a manner in keeping with what's there, encourages walkability etc.

Sanfelippo asked if there could be some special designation for parks that would ensure it would always be a park. Gambrel said parks were designated spaces so any changes in use would have to go through a public process. He said regardless of this, they are working on an 'open space' designation and hopefully that will be ready to be approved the first of next year and then they can begin work on rezoning the city's parks to an 'open space' designation. Gambrel said that properties that are held under conservation like 'FEMA buy out properties' that the city might own, Freshwater Land Trust properties or other properties held under conservation that we might discover, would be put in an open space district called 'natural areas' and would be limited only to those uses that are allowed by the restrictive covenants placed on them. He said a third category called 'open space' for regional parks like Ruffner, Red Mountain and the Zoo. Gambrel said uses for that category would be governed by a master plan they developed that would be approved by the Planning Commission – under that new ordinance, if it is adopted as it is.

A resident asked about the purchase of St Vincents by UAB and whether the neighborhood had anything to worry about with respect to an expanding footprint and eminent domain. Gambrel said he felt not, that UAB was an urban campus and with their current leadership, he sees them building up and not out; less spread and more densify.

A resident asked if the mixed-use-medium designation made it easier for short term rentals to be allowed? Gambrel said that had not been decided.

Councilwoman Valerie Abbott encouraged everyone to stay engaged with this process, saying that ‘zoning’ lasts a *long* time.

Gambrel said perhaps we can work on the comments we’ve received to date, get any more comments that people want to submit – and maybe we can target sharing our next pass on the map for two weeks from today. Sanfelippo asked if people have concerns or questions that they should get them to you in the next week? Gambrel said yes, preferably in the next week.

(Comments/Questions to timothy.gambrel@birminghamal.gov)

Gambrel emphasized that they enjoy engaging with residents in this way, that these conversations are important as part of the process.

Sanfelippo reminded everyone to sign in for the meeting tonight.

Sanfelippo said the only announcement was the election on Tuesday November 5. Jones offered – the deadline has passed for change to your voter record – but if you go into your polling place and they have you as ‘inactive’ – you can revalidate yourself in person right then. And then you can vote.

ADJOURNMENT

President Elizabeth Sanfelippo pronounced The Red Mountain Community meeting adjourned at 7:15 pm.

Respectfully submitted,

Judy Jones
Secretary, Red Mountain Community