Highland Park Neighborhood Association
October Minutes and Attendees

Meeting Date: October 13, 2026, Meeting in the Side Room at Rojo
Link to meeting recording

President Elizabeth Sanfelippo called the October 2026 meeting of the Highland Park Neighborhood Association to order at 6 pm. She welcomed everyone and introduced Judy Jones as vice-president and Kelly Marshall as secretary.

AUGUST and SEPTEMBER MINUTES

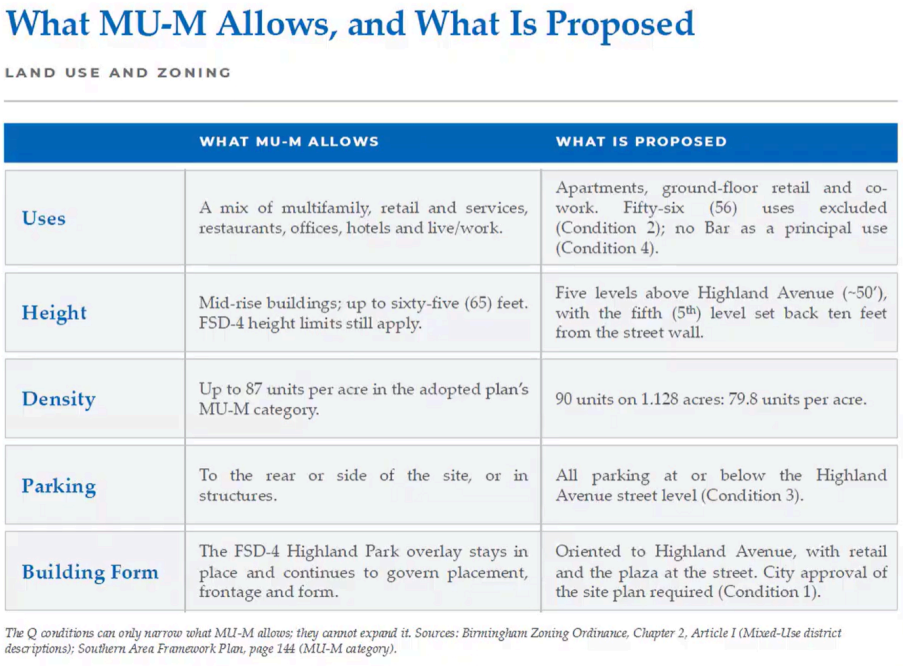
Due to low attendance at the September meeting, we tabled accepting the August minutes until this meeting. Sanfelippo asked if there were any corrections or additions to the August meeting minutes. Ray Davis moved to approve them and Judy Jones seconded. All were in favor, none opposed and the August minutes were accepted.
Sanfelippo asked if there were any corrections or additions to the September minutes. Annie Chester Leardine moved to accept them and Judy Jones seconded. All were in favor, none opposed and the August minutes were accepted.

ROLL CALL

Those attending online are: Evan Williams, Anne Sunkel, Fire Station #22, Connie Urist, Toni King (Councilor Vasa's office), Suzanne Baker

PRESENTATION FROM DAVID SILVERSTEIN JR RE: ZONING CHANGE

David Silverstein, Jr. and Jason with KPS Architecture Firm presented to the meeting attendees a zoning request from R-7 to Mixed Use Medium with Q conditions for the properties at 2310 Highland Avenue South, 2312 Highland Avenue South and 1054 24th Street South. These properties are across from Freddy's and are the first buildings you see as you enter Highland Park. You can view a PDF of the presentation by clicking here.



What MU-M Allows, and What Is Proposed

LAND USE AND ZONING

	WHAT MU-M ALLOWS	WHAT IS PROPOSED
Uses	A mix of multifamily, retail and services, restaurants, offices, hotels and live/work.	Apartments, ground-floor retail and co-work. Fifty-six (56) uses excluded (Condition 2); no Bar as a principal use (Condition 4).
Height	Mid-rise buildings; up to sixty-five (65) feet. FSD-4 height limits still apply.	Five levels above Highland Avenue (~50'), with the fifth (5th) level set back ten feet from the street wall.
Density	Up to 87 units per acre in the adopted plan's MU-M category.	90 units on 1.128 acres: 79.8 units per acre.
Parking	To the rear or side of the site, or in structures.	All parking at or below the Highland Avenue street level (Condition 3).
Building Form	The FSD-4 Highland Park overlay stays in place and continues to govern placement, frontage and form.	Oriented to Highland Avenue, with retail and the plaza at the street. City approval of the site plan required (Condition 1).

The Q conditions can only narrow what MU-M allows; they cannot expand it. Sources: Birmingham Zoning Ordinance, Chapter 2, Article I (Mixed-Use district descriptions); Southern Area Framework Plan, page 144 (MU-M category).

Silverstein went through what is allowed in Mixed Use Medium, allowed heights, density, parking and more. Click here to view the Zoning Districts and Permitted Uses. Silverstein and Five Stone are proposing to develop an apartment complex with ground floor retail and coworking space in these parcels. He has been working with the HPNA

Zoning Committee on Q conditions, which are like a covenant that goes with the land, so if any other future landowner of the property would also be subjected to the same Q conditions.

Click here to see the List of Proposed "Q" Conditions and list of exclusions.

The proposed Q conditions include:

1. **Site development plan must be approved by planning staff**
2. **56 uses would be excluded:**
   - Communal Living Facility;
   - Garage Sale/Yard Sale;
   - Temporary Storage;
   - Adult Care Center;
   - Family Day/Night Care Home;
   - Family Group Day/Night Care Home;
   - Accessory Child Care Center;
   - College or University;
   - Internment, Columbarium;
   - Place of Worship;
   - Private Club;
   - Public Building;
   - Rummage Sale;
   - School, Business;
   - School, Elementary/Middle;
   - School, High School;
   - Clinic;
   - Hospital;
   - Medical Lab;
   - Veterinarian Clinic;
   - Animal Boarding Facility;
   - Animal Day Care;
   - Bed and Breakfast Inn;
   - Donation Box;
   - Drive-In, Drive-Through;
   - Electronics Repair;
   - Event Center;
   - Funeral Home;
   - Grocery Store;
   - Home Improvement Center;
   - Hotel;
   - Market, Outdoor Farmer's
   - Market, Outdoor Public;
   - Mobile Grocery Store;
   - Nursery;

- Upholstery Shop;
- Printing and Publishing;
- Studio, Radio TV;
- Cellular, Microwave or Two-Way Antennas;
- Cellular, Microwave or Two-Way Towers;
- Brew Pub;
- Brewery, Micro;
- Distillery, Artisanal
- Apiary;
- Community Garden;
- Urban Farm, Indoor
- Bus Station;
- Utility Substation;
- Reservoir Water Tank;
- Water Sewer Pumping Station;
- Amphitheater;
- Arena;
- Amusement, Indoor;
- Country Club Golf/Swim;
- Greenway Park; and
- Stadium.

3. **Parking and commercial uses at street level or below**
4. **Bar, as a principal use, is prohibited.** Notwithstanding the definition of "Bar" in Chapter 1, Article III, on-premises sale and service of alcoholic beverages shall be permitted as an accessory use to a Restaurant. Any Restaurant serving alcoholic beverages shall be subject to the following: (a) there shall be no outdoor amplified music or soundstage; and (b) alcoholic beverage service shall end by 12:00 a.m. For purposes of this condition, "outdoor amplified music" means amplified live outdoor entertainment, including live music performances and disc jockeys, in any outdoor seating area, patio, or other area outside the exterior walls of a building. Background music for patrons played through a permanently installed sound system at a volume that permits normal conversation shall not be considered outdoor amplified music, provided that no such background music is played outdoors after 10:00 p.m.

**these Q conditions would go with the land*

The request is to rezone the property to Mixed-Use Medium, consistent with the Future Land Use Map the Birmingham Planning Commission adopted in 2023, with the proposed Q conditions, and understanding that the plan shown tonight is conceptual and the HPNA and Zoning Committee will have continued input on the design.

Silverstein opened the floor for questions. There were questions about what is and is not allowed in the current zoning and proposed zoning change. Philip Foster helped answer some questions as well. With the new Framework Plan, this property, without this request, would be zoned D5, which is residential with a

maximum height of 35 or 40 feet. This proposed plan is for 50 feet.

Judy Jones said she is not opposed to retail in the neighborhood, but stresses that it is important for her and others to know what the building will look like first. Will it fit the historic character of the neighborhood? Silverstein says that has not been decided yet as there are a lot of steps to get through first. Design will go through its own process before the neighborhood.

Bob McKenna owns several historic properties in Highland Park. He reminds attendees that Highland Park was designed to be a residential area in a park-like setting and it was a retreat from the "smoggy city". The idea was for houses to be setback 40 feet from the street so that it was less than the full reach of a mature oak tree, to continue the park-like setting. This setback is crucial to Bob. He reminds us that there are only 14 historic homes left in the neighborhood and he does not want us to lose what we love about our neighborhood: the historic character and the park-like setting.

Bob McKenna made a motion to keep these properties as residential D5, as planned and not rezone it. Phillip Foster seconded the motion. The motion opened for discussion.

Jim Cooper is the co-chair of the Highland Park Local Historic Advisory Committee (LHAC). He says his committee has met with Five Stone and asked specifically for a building that looks like it belongs in the neighborhood, etc. They also asked if it would be possible to tour the buildings and see if they truly are condemned, and unsavable, and/or to see if we can get an engineer to see if the buildings can be saved. Unfortunately, the committee has not been allowed that opportunity.

For more context, Cooper explained that the LHAC is made up of neighbors in Highland Park, and the members have to go through a training sponsored by the Department of Interior and are charged with keeping Highland Park historic. One of the architects on the committee read the engineer's report from the buildings and said the buildings have deteriorated and likely can't be saved. Therefore, they most likely will be demolished. Cooper said the committee is committed to making sure this new building, if the current ones are demolished, will fit in the neighborhood's character.

The Zoning Committee is also made up of neighbors and has also been working with Silverstein. Morris Newman is the chair of the Zoning Committee and he provided some additional context for how the Design Review process would work as Design Review would have to grant a request for demolition if the buildings are determined to be unsalvageable and a demolition permit is granted.

Newman said the Zoning Committee was prepared to recommend approval of the MUM with the Q conditions, contingent on the LHAC and Design Review authorizing the demolition. If the Design Review decides demolition is not appropriate, the property would stay D5.

Judy Jones asked who decides if a design is approved or not. Cooper said first it goes to the neighborhood (LHAC), and then it goes to Design Review, who makes the official recommendation. Jones asked if there has been any renderings or any other design presented. Cooper said his committee has seen one rendering, and they provided some feedback, but they haven't seen anything since.

Jim Carnes reminded Silverstein that this land and the current properties there are the gateway to Highland

Park; they feature a design that is representative of our neighborhood. Carnes asks about parking spots on the ingress/regress on Highland Avenue. Silverstein said there would be about 28 spaces off of Highland Avenue. Carnes said it was too bad there aren't any elevation renderings, but asked if there are any renderings of the building's elevation on the curve of the approach into Highland Park, with a lot of visual variety. Carnes is concerned about a much longer wall, or a sense of major bulk there at the corner.

Silverstein wanted to reiterate that he doesn't have a rendering because the rezoning and design review cases are separate, and the design is still in the works and hinges on rezoning. He is committed to continue working with the LHAC as the design is developed.

Suzanne Baker said she keeps hearing the term "economically feasible" and is against the recent hotel development, and is also against this development.

A resident asked about the timing and why we are having to vote so quickly without seeing more information. Silverstein said the certificate of appropriateness has to be submitted this week for a design review on November 18 with the Design Review Committee (DRC). The rezoning process takes much longer than the DRC process. Silverstein is trying to get the two items moving at the same time, knowing the rezoning has to go before ZAC, then Planning and Zoning Committee, then before the City Council.

A resident reminded us we have a motion on the table. He asked the neighborhood Zoning Committee, represented by Newman and Cooper, if the motion should pass or not. Newman said he and Cooper had been talking during the meeting and that since the Design Review process might be happening quicker than he thought, the Zoning Committee is now modifying their recommendation, to support Bob's motion but with a caveat: Silverstein and his team can present renderings or a design to review, and the neighborhood can vote on the rezoning at that time.

Emil Hughes, a resident on 13th Avenue South, said he and his family chose Highland Park because of the walkability for their family, the nearby parks, the urban factor, etc. and is supportive of the rezoning to Mixed Use Medium to add to the availability of options of things to do in Highland Park. Will Bradford, a resident in the neighborhood, also is in support of this development. He says maybe this will lead to more bike lanes, which are important to him.

Cooper said this is what the Design Review Committee discussed. The committee wants something useful for the people of Highland Park, if these buildings have to come down. Maybe it could be three small stores? This is why the Q conditions are so important: to ensure that the retail is something useful for the neighborhood.

After more thought, Newman and Cooper say the Zoning Committee recommends approval of the MUM with the Q conditions, contingent on the LHAC and Design Review authorizing the demolition. If the Design Review Committee denies the demolition request, the property would stay D5.

Bob McKenna restated his motion: to keep these properties as residential D5, as planned, and not rezone it. He wants the developers to come back when they have a design for the neighborhood to review and provide feedback. A vote was held on this motion.

14 voted to approve the motion and 12 voted to deny the motion.

REPORT FROM POLICE DEPARTMENT

The residents thanked the police department for their work in the neighborhood! The officers will be attending future meetings, so if any neighbor has questions or comments for the department, they can ask at the meetings. Carnes asked about patrolling in the neighborhood. The officer said they are patrolling all over Highland Park frequently, but sometimes an emergency call will take them out of the area.

Newman said there have been several car break-ins in the past. He asked if that is continuing? The officer said there has not been an uptick in car break-ins in Highland Park. The officer said there have been calls about squatting, so they are trying to take care of that. A resident asked for an update on the homeless encampment. The officer said to call them if you see the encampment rebuilding.

UPDATES FROM COUNCILOR VASA'S OFFICE

Toni King is representing Councilor Vasa's office today as Vasa is not available. No updates other than the Southern Area Framework public hearing will be on Tuesday, October 20 at 9:30 am at the City Council meeting.

FRIENDS OF HIGHLAND PARK UPDATE

It's Nice to Have You in Highland Park is this Sunday, October 18 from 3-5 pm! Live music (7 bands across 3 blocks!) from IPC to Faraway Theatre! There will be a scavenger hunt, ice cream truck, face painting and more! All the details are here. After party at Rojo!

Friends of Highland Park needs more volunteers! Let Annie or Elizabeth know if you can volunteer. Huge thank you to Annie and Friends of Highland Park for all their hard work on this event!

ANNOUNCEMENTS

- We need volunteers for the next native plant planting in the medians outside of Snable Law Firm! Click here to sign up and learn more. We will also be filling in native plants in other medians stretching from Rojo to Independent Presbyterian Church. Meet at Snable Law Firm (2737 Highland Avenue) at 8 am!
- St Symeon Food and Culture Fair is this Saturday from 9 am - 3 pm
- It's Nice to Have You in Highland Park is this Sunday!
- Southern Area Framework public hearing is October 20
- Large Trash and Brush is October 23
- Don't forget to vote on November 3!!!

NEXT MEETING: Tuesday, November 10 at 6 pm in Rojo's Side Room

The meeting was adjourned at around 7:34 pm.

Respectfully Submitted,
Kelly Marshall
Secretary, Highland Park Neighborhood Association