

HIGHLAND PARK HISTORIC PRESERVATION PLAN

I. PURPOSE OF LOCAL HISTORIC DISTRICT DESIGNATION

The City of Birmingham wishes to provide a mechanism to protect its beauty and historical integrity and to stabilize and improve its neighborhoods by preserving historic buildings and districts. In order to accomplish this, the City adopted Ordinance No. 92-223 in September 1992, with subsequent amendments in Ordinance No. 00-81, to authorize the designation of local historic districts and buildings. This local designation allows the neighborhood an opportunity to initiate preservation activities and to provide input into how such preservation can be accomplished through the City's design review process.

The Highland Park Neighborhood contains two existing National Register Historic Districts and three eligible National Register Historic Districts: Chestnut Hill Historic District (registered in 1987); the Rhodes Park/Highland Avenue Historic District (registered in 1977, 1982); the proposed Country Club Historic District (designation pending); the proposed Hanover Circle Historic District (designation pending); and the proposed Milner Heights Historic District (designation pending). National Register status does not by itself provide any protection for the registered districts except when the review of projects involving federal funding is proposed in or near a historic area. Unlike National Register status, designation of the Highland Park Historic District as a local historic district will afford it protection through the design review process. As a result of the designation of a local historic district, the City of Birmingham's Design Review Committee is authorized to apply design review guidelines in its review of plans for properties that are included within the boundaries of the local historic district.

The City's Design Review Committee (DRC) was established in Section 7-1-185 of the General Code of the City of Birmingham (1980 as amended), and its members are appointed to perform the duties and responsibilities under the Birmingham Historical Commission of considering design review applications as part of the building permit process. The City's DRC is composed of eleven (11) members who are appointed by the City Council. The DRC meets on the second and fourth Wednesday of the month at 7:30 a.m. in the Planning, Engineering & Permits Office on the fifth floor (Room 500) of City Hall.

II. STATEMENT OF SIGNIFICANCE

The Highland Park Local Historic District consists of approximately 160 acres and contains 606 resources, of which 530 (87%) are listed on the National Register of Historic Places as contributing structures that retain most of their historic character. The District is a combination of five National Register Historic Districts -- Chestnut Hill, Country Club, Hanover Circle, Milner Heights, and Rhodes Park/Highland Avenue -- each of which contains its own unique qualities while still sharing a common history and possessing features commonly characteristic of the larger Highland Park neighborhood. These national register districts are some of the few neighborhoods in Birmingham

containing evidence of early urban residential planning: Highland Avenue, a landscaped boulevard laid out to wind along the base of Red Mountain; three parks (Rhodes, Rushton, and Caldwell) planned within the curves of Highland Avenue; streets designed to conform to the area's uneven topography; and a streetcar route which connected the neighborhood to the city's business district. The Period of Significance for the district is considered to be from the late 1880s until 1953, comporting with the 50-year rule of the Department of the Interior in listing historic resources. The District contains excellent examples of some of the city's finest residential architecture as well as more modest examples of middle-class housing. It also contains several historic apartment buildings, which reflect the emerging popularity of apartment living in the early 20th century.

The Chestnut Hill Historic District, one of the last two single-family neighborhoods developed in the South Highlands area, is significant for its exceptionally cohesive design as one of Birmingham's early 20th-century suburban streetcar neighborhoods and for its distinctive three sets of concrete steps (1913-14), which constitute a design element unmatched by any other streetcar neighborhood in the city as the steps were built into the hillside to provide access from the heights to the city's early streetcar line. Chestnut Hill is also distinguished as one of the best remaining examples of an intact neighborhood development during Birmingham's post-World War I boom period.

Like Chestnut Hill and the other national register districts in the Highland Park neighborhood, the Country Club Historic District, located at the eastern end of Highland Avenue, is part of one of Birmingham's earliest planned developments and streetcar suburbs. It was an upper and upper-middle class area that attracted wealthy members of Birmingham's industrial, financial, and political elite. Originally, the terms Country Club District applied to a number of residential neighborhoods and developments around Lakeview Park, which subsequently became the Birmingham Country Club (1905-1925) and later, the Charlie Boswell City Golf Course.

Furthermore, similar to the Country Club and Chestnut Hill Districts, the Hanover Circle Historic District, at the time of its original design, was located adjacent to the city's most fashionable street, Highland Avenue, and within close proximity to the city's most important social institution, the country club. However, the Hanover Circle section of Highland Park is distinctive for its large number of Prairie-style houses attributable to S. Scott Joy of Wheelock Joy & Wheelock, a local architectural firm of the early 20th century.

The Milner Heights Historic District was the last of the historic districts planned for the neighborhoods along Highland Avenue. Like the other historic districts located adjacent to Highland Avenue, Milner Heights is one of Birmingham's earliest streetcar suburbs and one of the city's early 20th century planned developments.

Finally, the Rhodes Park Historic District contains some of the City's most notable early 20th century architecture that exemplifies the leading national styles of the period. For example, the Enslin House (2737 Highland Avenue), with its two-story colonnaded portico and classical details, is the best example of Colonial Revival Style in the district and in the city. The Donnelly House (1908) at 2838 Highland Avenue is a fine example

of Neo-Colonial architecture, and the J.H. Loveman House (1908) at 2944 Rhodes Circle is an excellent example of the Tudor Revival style. In addition to the larger, more affluent developments, Rhodes Park Historic District is also home to many less pretentious Craftsman and Colonial Revival houses, as well as several apartment buildings, which were designed to blend sensitively with the existing neighborhood houses.

According to the National Register criteria, areas of significance for the Highland Park Local Historic District are, first, Community Planning and Development, and secondly, Architecture. The Highland Park District reflects the urban growth of late 19th and early 20th century Birmingham, the implementation of picturesque landscape planning and design, and the creation of exclusive social organizations, such as pleasure parks and golf and country clubs, to attract potential homebuyers. The district also reflects the emerging importance of transportation networks, such as streetcar lines and broad avenues able to handle automobile traffic. The Highland Park Historic District is closely associated with the development of the South Highlands neighborhood and Highland Avenue, Birmingham's earliest suburban development and its first streetcar neighborhood. Highland Avenue curved along the northern slopes of Red Mountain and marked a clear departure in regard to landscape design from the traditional grid system use throughout the rest of Birmingham at that time. Highland Avenue also represents the first conscious attempt in Birmingham to utilize a picturesque landscape design. In addition to the broad avenue, engineers laid off ellipses, semi-circular drives and three open parks (Rhodes, Rushton, and Caldwell) located in the ravines along the boulevard. The district boasted sidewalks and common alleyways. At the terminus of Highland Avenue Elyton Land Company developed Lakeview Park, creating a pleasure resort complete with hotel, gentleman's cottage and boathouse. Lakeview Park became the Birmingham Country Club, and today is the Charlie Boswell Golf Course.

The Highland Park District is also significant for its diverse architecture. Because of its close association with the development of Highland Avenue and the Country Club of Birmingham, the Highland Park Historic District was at one time considered Birmingham's most fashionable neighborhood. Consequently, the district contains an impressive assemblage of architectural styles popular for residences and apartment buildings throughout the United States during the first half of the 20th century. Included in the district are excellent examples of 20th century revivals of Tudor, Mediterranean, and Colonial styles, as well as the Craftsman/Bungalow, Queen Anne, Neo-classical Revival, Prairie, American Foursquare, Minimal Traditional, and Ranch styles. Many of these resources represent the work of various prominent Birmingham architects who were practicing in the city from 1900 through the 1940s, including William Leslie Welton, D.O. Whildin, C.H. McCauley, Wheelock Joy & Wheelock, and J.C. Halstead. Despite some post 1960s modern apartments and other changes, the entire district maintains a high degree of integrity in regard to design, lot sizes, setback, scale, materials, craftsmanship, and sense of place, clearly reflecting its period of significance, spanning from the late 1880s to 1953. For more detailed information about historic resources, refer to the nominations of the Chestnut Hill, Rhodes Park/Highland Avenue, Country Club, Hanover Circle, and Milner Heights Historic Districts to the National Register of Historic Places, all of which contain complete inventories.

III. ELIGIBILITY

The five National Register Historic Districts that form the Highland Park Local Historic District were added to the National Register of Historic Places as follows: Chestnut Hill, 1987; Rhodes Park/Highland Avenue, 1977, exp. 1982; Country Club, pending designation in 2003; Hanover Circle, pending designation in 2003; and Milner Heights, pending designation in 2003. Based on these designations, the Highland Park Historic District is automatically eligible to be designated as a local historic district under the City of Birmingham's Historic Preservation Ordinance.

IV. BOUNDARY DESCRIPTION

The boundaries of the Highland Park Historic District are outlined on the attached map and defined by the attached legal description. Generally, the proposed boundary of the district includes portions of Highland Ave. S, 29th St. S., 10th Ave. S, Hanover Circle, 26th St. S, 24th St. S, 27th St. S, Highland Ct. S, 27th Place S, Caldwell Ave., Milner Crescent, 22nd St. S, 23rd St. S, Arlington Ave., Arlington Crescent, 28th St. S, 29th St. S, 30th St. S, 13th Ave. S, 31st St. S, Hillside Ave., 33rd St. S, Altamont Road, 34th St. S., 32nd St. S, and Highland Drive. This boundary is based on the boundaries of the following districts, which are either existing or pending National Register Historic Districts within the Highland Park neighborhood: Chestnut Hill on the north, Rhodes Park/Highland Avenue and Hanover Circle on the west, Country Club on the east, and Milner Heights on the south. In addition, on the south border from Arlington Crescent to Milner Crescent, the District adjoins the Red Mountain Suburbs Historic District.

V. PRESERVATION STRATEGY

The Highland Park Neighborhood Association has taken action determining that the preservation of the Highland Park Historic District is critical to the neighborhood's overall goals of revitalization and continuance as a livable community. From 1987 to 2003, the neighborhood association has supported historic surveys of the neighborhood, and these surveys have led to the nomination of five separate historic district listings in the National Register of Historic Places. In 1993 and 2000, the neighborhood association requested that the Birmingham Historical Commission take steps to designate the Highland Park Historic District as a local district subject to Design Review Process protections. Beginning in 2003, the neighborhood association formed several focus groups that worked with staff at the City of Birmingham to develop this preservation plan, which includes Design Review Guidelines (the "Guidelines"), for the Highland Park Historic District. City staff sent out general notices to property owners in the district and informational meetings were held by the neighborhood association concerning the proposed district. This proposed Highland Park Historic Preservation Plan will be presented at a Birmingham Historical Commission public hearing in the district after written notice to all of the property owners in the district. After that hearing, all property owners will be given the opportunity to object in writing to the creation of the local district for the Highland Park Historic District. The Birmingham Historical Commission cannot recommend such a designation, nor can the City Council of the City of Birmingham designate such a local district, if property owners of the majority of the

properties in the district object in writing to the designation. If the Birmingham Historical Commission recommends that the City of Birmingham designate the Highland Park Historic District as a local district, the Birmingham City Council will conduct the final public hearing, after giving written notice to all property owners in the district.

A. Means by which the existence and significance of the Historic District will be publicized

Upon local designation by the Birmingham City Council, the Highland Park Neighborhood Association will notify property owners and the general public of the existence and significance of the Historic District by (1) including this information in the City's neighborhood flyer; (2) by regular announcement of this information at neighborhood meetings, and (3) by coordinating with local realtors and real estate companies who do business in the area, in order to inform new and potential buyers of the designation and its requirements.

B. Design Review Guidelines

The Design Review Committee (DRC) will adopt design guidelines substantially in the form of the Highland Park Historic District Design Review Guidelines (the "Guidelines"), attached hereto. The Guidelines will be used as the basis on which plans pertaining to building permit and demolition activities in the District will be reviewed. (For procedures, see VI below.)

C. Means by which technical assistance will be offered to property owners

Technical assistance regarding rehabilitation procedures and the design review process will be offered to owners of properties in the Highland Park Historic District by staff of the City's Department of Planning, Engineering and Permits. Such assistance will also be provided by the Birmingham Historical Commission.

D. Financial Incentives

Although financial incentives for owners of owner-occupied, private residences are presently not available, there are federal and state tax incentives and programs for rehabilitation of historic commercial and rental residential properties. The Birmingham Historical Commission and the historic preservation staff persons in the Department of Planning, Engineering and Permits will work with the Highland Park Neighborhood Association to publicize and explain the local historic district designation process and its advantages, and will assist in providing information as to current and potential financial and tax incentives for rehabilitation.

VI. THE DESIGN REVIEW PROCESS

The Design Review Process is initiated by an application for a building permit. This Plan does not affect in any way the circumstances under which a building permit is required. Generally speaking, building permits are not required for painting or re-roofing with like

materials without replacement of framing, unless done as part of a larger project. Where painting or re-roofing are a part of the larger project that does require a building permit, painting and roofing materials will be reviewed. Interior work, whether or not a building permit is required, does not involve the Design Review Process.

Obtaining a Building Permit

Where a building permit is required for a property located within a local historic district, the owner or owner's agent must first apply for the permit from the Department of Planning, Engineering and Permits (PEP) on the second floor of City Hall (Room 210). The applicant is also required to submit plans and drawings, as well as color and material samples, for the proposed project to PEP's Urban Design staff persons (fifth floor, City Hall).

If staff determines that the proposed work does not change the exterior appearance of the building or structure or that it otherwise complies with the requirements for a waiver (generally that the work is routine maintenance or is not visible from the public street), staff will issue the waiver and so inform PEP's Division of Buildings and Inspection in writing of its action. If staff determines that the proposed work is not eligible for a waiver, then staff will initiate the review process.

In the absence of a local historic advisory committee serving the Highland Park Historic District, staff will notify a Highland Park Neighborhood Association officer of upcoming Design Review Committee (DRC) cases involving properties within the District. That officer will schedule the applicant to appear at either the next regularly scheduled neighborhood association meeting, or at a special meeting of the neighborhood association's officers and/or membership. When possible, that meeting will be set within one week of notification. Upon meeting with the applicant, the neighborhood association then makes a recommendation to the City's Design Review Committee. Generally, the DRC will not hear a case without first providing the neighborhood association a reasonable opportunity to consider the case and to submit a written recommendation to the DRC, which shall have sole authority to make the final decision on a case.

If the design review application is approved, the Design Review Committee will provide a Certificate of Appropriateness (COA) to the owner with a copy to the Division of Buildings and Inspection, clearly stating the work approved. If the application is not approved, the owner will be informed in writing as to the reasons for the denial, with a copy to the Buildings and Inspection. In that case, a building permit will not be issued.

VII. APPEALS PROCEDURE

In the event that the Design Review Committee denies an application for a Certificate of Appropriateness, the procedures for appeal as set forth in Sections 7-1-205 and 7-1-206 of the City's Historic Preservation Ordinance (No. 92-223, as amended by No. 00-81) shall be followed. As outlined in the Ordinance, the DRC shall state its reasons for denial in writing and transmit this decision to the applicant with a copy to the Division of Buildings and Inspection.

Any person whose request for a Certificate of Appropriateness is denied may do the following:

- A. *Make modifications to the plans and resubmit the application for reconsideration.*
- B. *Request a determination of economic hardship from the DRC.*

In order for the DRC to consider the economic effect of denial of a COA upon an individual property owner, the owner must demonstrate that such action will cause hardship in terms of the financial demands of any required work.

The DRC may solicit expert testimony or may require the owner to make additional submissions concerning the nature of the work proposed. The DRC will consider all information presented and make a written determination within sixty (60) days of submission as to whether such action will cause hardship in terms of the financial demands of any required work.

Should the owner demonstrate that such action will cause hardship in terms of the financial demands of any required work, the City of Birmingham will review its options for providing financial incentives necessary to comply with the DRC's design review decisions. A determination shall be made within sixty (60) days as to whether financial incentives can be made available. If such incentives cannot be made available, the DRC shall notify the owner in writing, with a copy to the Division of Buildings and Inspection, that no COA is required.

- C. *Make written appeal of such denial, or denial of a finding of economic hardship, first to the Birmingham Historical Commission within fifteen (15) days of denial.*

The Historical Commission shall hear the appeal within twenty (20) days and shall render its opinion in writing within five working days after making its decision, and shall transmit such decision both to the applicant and to the Director of Buildings and Inspection. In the event that the applicant remains unsatisfied, a final appeal may be filed with the Circuit Court of Jefferson County.

VIII. ENFORCEMENT

Once a building permit is issued, construction must begin within six months and be completed within eighteen months after the permit has been issued. Extensions of time may be obtained only after good cause is shown by the applicant. If construction does not begin within the stated time period, the permit shall expire and become void.

If construction begins and the work is not in compliance with the plans approved by the Design Review Committee, then the Division of Buildings and Inspection issues a stop work order. The owner then is required to submit plans to the DRC to bring the building into compliance.

If construction is completed and found to be in violation, then the owner is cited in writing and given thirty (30) days to bring the property into compliance, or to bring plans to the DRC and present sufficient justification for unapproved changes. If necessary after reviewing unapproved changes, the DRC shall provide written directives as to how the owner is to rectify the violations and shall establish a deadline by which time the building shall be brought into compliance.

**HIGHLAND PARK
RESIDENTIAL & COMMERCIAL DESIGN REVIEW GUIDELINES**

OCTOBER 28, 2003

DESIGN GUIDELINES FOR RESIDENTIAL PROPERTIES
(Highland Park Local Historic District)

General Provisions:

1. The primary goal of the Design Review Process is to maintain historic properties as close to their original appearance as possible. However, there is no requirement that alterations already made to a property should be removed or that the property should be returned to its original appearance.
2. Original or early materials are to be retained to the greatest extent practicable. Wood siding, windows, porch framing and supporting elements, and decorative roof and eave materials such as brackets, braces, and roof tiles should be retained. Any replaced pieces should be chosen to match the originals in appearance.
3. Additions are permitted if they do not obscure or destroy the original structure. General scale and appearance should be commensurate with the original building.
4. Changes to rooflines such as addition of gables and dormers may not compromise or destroy the historic roofline.
5. Contributing outbuildings, such as garages and sheds, are considered to be historic resources.
6. Period elements such as walls, fences, driveways and landscaping are all considered to be important elements of the contributing structure and should be considered in the overall review of an application.

General Standards for Review:

1. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier or later appearance will be discouraged.
2. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity and reviewed with particular emphasis on their preservation.
3. Deteriorated architectural materials and features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary due to extreme deterioration of the original, reasonable effort should be made to assure that the new material matches the old in composition, design, color, texture and other visual qualities.
4. Surface cleaning of exterior materials should be undertaken with the gentlest means possible so as not to damage historic building material.

6. Whenever possible, new additions or alterations to a building or structure should be done in such a manner that, if the additions or alterations were to be removed in the future, the essential form and integrity of the original building or structure would be unimpaired.

The following standards apply to all contributing and noncontributing properties in the Highland Park Local Historic District unless an exception is made prior to approval by the Design Review Committee:

A. Exterior Siding

Original exterior siding materials, whether frame or masonry, should be maintained in good condition. When replacement is necessary due to extreme damage or deterioration, materials matching the appearance of the original should be used when available. Replacement or covering of original siding with artificial materials such as aluminum or vinyl is strongly discouraged, but may be allowed where the original profile and general texture are replicated by the replacement (e.g., vinyl siding that matches the original style of boards). There is no requirement to remove and replace potentially hazardous siding materials such as asbestos shingle.

B. Primary Porches

Deteriorated porch elements should be repaired as necessary. Should replacement be required due to extreme deterioration or damage, it should be done in a manner that matches the original in style and appearance.

Enclosing a porch is discouraged as this tends to significantly alter the appearance of a house and detract from its historic character. In situations where enclosure may be approved, the framing shall be in keeping with the original structure.

Porch steps should be maintained in safe, original condition. If repair is not possible, they should be replaced with materials matching the original and in essentially the same design.

C. Doors

Original doors shall be retained and maintained in good condition. Deteriorated or missing pieces shall be replaced with elements to match the original appearance. Covering or enclosing of doors and transoms generally will not be approved. All transoms and sidelights are to be maintained and repaired as above.

D. Windows

Original windows should be maintained and repaired as necessary, including replacing broken panes with matching new ones, and repairing or replacing framing elements with new pieces to match the originals. Wood framing elements and sashes should be kept well painted. Where window replacement is necessary due to extreme deterioration or damage, new units shall match the originals as closely as possible in appearance.

Addition of window types not in keeping with the style of the building, e.g., picture windows, will be discouraged.

Window openings in upper floors of the front of the building shall not be boarded up and shall not be filled in without prior approval by the Design Review Committee. Window panes shall not be painted.

Shutters: Original shutters shall be maintained and repaired as necessary. Any replacement of shutters should retain the original style and proportions and must be mounted to be or appear to be operational.

Storm windows: Storm windows are permitted but should not obscure or confuse the appearance of the original windows. Storm windows are to be painted or have a finish that matches the existing trim.

E. Roofs

Historic roofing materials should be maintained and repaired with like materials where available. Removal and replacement of permanent roofing materials such as slate, terra cotta tile and concrete tile will be discouraged except in cases where proven infeasibility can be demonstrated. Alterations to the historic roofline or form (e.g., altering or adding gables) generally will not be approved.

Roofing color shall be considered and reviewed only as part of a larger overall project.

F. Chimneys

Repair to masonry chimneys must be with matching materials and employ a style of grouting and coursing as close as possible to that of the original.

New or rebuilt chimneys shall be of traditional materials.

G. Decorative Trim

Historic trim is a character-defining part of a house and should not be removed or altered. All trim such as braces, brackets, moldings, etc. shall be maintained and repaired as necessary. If replacement is necessary due to extreme damage or deterioration, trim elements shall be replaced to match the original appearance.

Addition of trim not appropriate to the historic character of a house generally will not be approved.

H. Awnings

The material, style and color of any awning must be compatible with the age and style of the house. In general, fabric awnings are most appropriate for the older houses in

Highland Park and will be encouraged in most cases. Aluminum awnings will generally not be approved except where appropriate, i.e., on post-1940 houses.

I. Foundations

Original foundation materials shall be maintained and repaired as necessary.

Use of ordinary concrete block, either as a cladding for an older foundation or as a new foundation for additions, will be discouraged, unless the concrete block is painted or otherwise camouflaged.

J. Paint

In cases where a building permit is required (i.e., work other than routine maintenance), paint colors will be reviewed along with the project's overall construction plans. Paint color shall be compatible with the age and style of the house.

Old paint should be removed by the gentlest means possible so as not to endanger historic materials.

K. Additions, New Construction

The primary criterion for additions and new construction is that they should be in keeping with the original structure in terms of quality, scale and appearance.

New construction will be reviewed to assure its compatibility with the historic character of both the property and the neighborhood. Site plans for new construction and additions must be sensitive to, and compatible with, adjacent properties and structures and must minimize changes to natural site topography.

L. Yards and Landscaping

Trees in the public right of way shall not be removed by adjacent property owners. The City of Birmingham's Urban Forestry and Horticulture Division of the Public Works Department shall be consulted concerning all such trees.

M. Fencing

Front-yard fencing should be appropriate to the age and style of the house and neighborhood. It must also be consistent with the City's zoning regulations regarding allowable height and other factors. Materials for fencing should be consistent with those originally used in the District.

N. Vacant Lots

Where a vacant lot exists, whether permanent or temporary, or where one is created by demolition of a structure, the property owner must properly maintain, landscape and/or

screen the property and cover any area not actively used with grass or other ground cover as approved by the Design Review Committee. The owner must maintain the ground cover and keep all the property free of trash and debris, as required by the city ordinances.

O. Demolition

Demolition of a building or structure listed on the National Register of Historic Places as a contributing structure is prohibited, unless the property is in a condition deteriorated beyond the point of reasonable repair, or has suffered structural damage that affects the majority of the building or structure. Also, no demolition permits will be issued for any building or structure until plans have been reviewed and approved by the Design Review Committee for both the appearance and use of the site after the requested demolition.

**GENERAL COMMERCIAL DESIGN GUIDELINES
(Highland Park Local Historic District)**

Article I. Rehabilitation of Existing Commercial Properties

A. Building Fronts, Sides and Rears Abutting Streets or Public Areas

All structural and decorative elements of building fronts, sides and rears abutting and/or visible from streets or public improvements shall be repaired or replaced to match as closely as possible the original materials and construction of the building. Rotten, deteriorated or weakened elements shall be replaced. Repairs and replacements shall match the original as closely as possible.

B. Windows

- (1) Windows not in the front of buildings shall be kept properly repaired or, with Fire Department approval, may be closed, in which case, sills, lintels and frames must be removed and the opening properly closed to be compatible with the adjacent wall.
- (2) All windows must be tight fitting and have sashes of proper size and design to be compatible and harmonious with the scale and character of the structure. Modernizations that reduce or enlarge window openings from the original or significantly change the original fenestration are not permitted. Sashes with rotten wood and/or deteriorated metal, broken joints or loose mullions or muntins shall be replaced. All broken and missing window glass shall be replaced with new glass or approved glazing materials.
- (3) Window openings in upper floors of the front of the building shall not be boarded up and shall not be filled in without prior approval by the Design Review Committee. Window panes shall not be painted.
- (4) If ceilings, partitions or other interior elements terminate inside the window area, and are visible through the window from the exterior, they shall be stopped short of the glass and the exterior edge or face shall be treated in such a manner so as not to be obvious from the exterior. Boxes, crates, etc. shall not be stacked inside windows unless concealed by shutters, blinds, drapes or other appropriate window coverings.
- (5) Windows shall not be painted for advertising purposes, but may be painted for authorized identification of the place of business as authorized by the Design Review Committee and in accordance with Section K, "Signs " (page 19).

C. Store Fronts

- (1) A store front shall include the building face, show windows, porches and entrance area leading to the door, sidelights, transoms and display platform devices, including lighting and signage designed to be viewed from the public right-of-way.
- (2) Show windows, entrances, signs, lighting, sun protection, porches, security grilles, etc., shall be compatible and harmonious with the scale and character of the structure. All store front elements must be located within fourteen (14) feet of grade unless original store front elements exceeded fourteen (14) feet, in which case, subject to review and approval by the Design Review Committee, they may remain at the original height.
- (3) Show windows shall not be painted for advertising purposes, but may be painted for authorized identification of the place of business if approved by the Design Review Committee, and in accordance with Section K, "Signs." No more than 50% of the store windows should be covered in temporary signs at any one time.
- (4) Show window trim, mullions or muntins not consistent or compatible with overall facade design shall be replaced or painted in a manner complementary to other store front elements.
- (5) Glass in show windows and transoms shall be transparent, clear, bronze or gray tinted. Translucent, opaque, reflective or colored glass, other than gray or bronze tinted, unless original, shall not be permitted except with prior approval by the Design Review Committee.
- (6) Solid or permanently closed or covered storefronts shall not be permitted, unless treated as an integral part of the building facade using wall material and window detailing compatible with the upper floors or other building surfaces. All damaged, sagging or otherwise deteriorated store fronts, show windows or entrances shall be repaired or replaced.

D. Awnings

- (1) If compatible and harmonious with the scale and character of the structure and adjoining structures, soft, flameproof awnings are permitted over the first floor doors and windows and on upper floors above windows only.
- (2) Awnings shall not project more than seven (7) feet from the building front, shall not be lower than eight (8) feet above grade and shall terminate against the building at a height not to exceed approximately fourteen (14) feet above the pavement, except with prior approval of the Design Review Committee, or in the case of recovering existing awning structures.

- (3) Rigid or fixed awnings or canopies are not permitted unless they are an integral part of the structure, are in good condition, are of similar materials, or are compatible with and harmonious with the scale and character of the structure and adjacent structures. New rigid or fixed awnings or canopies may be added to existing structures subject to restrictions outlined above and with prior approval by the Design Review Committee.

E. Exterior Walls

- (1) All exterior front, side or rear walls which have not been wholly or partially resurfaced or built over shall be repaired and/or improved in an acceptable manner. Unpainted masonry walls may be painted where necessary to conceal misused material or patched wall coverings. Other unpainted masonry walls may be painted only with the approval of the Design Review Committee. Existing painted masonry walls shall have loose material removed and be painted a single color except for trim, which may be another color. Samples of all proposed colors shall be submitted for approval to the Design Review Committee with proposed improvement plans. Patched walls shall match the existing adjacent surfaces as to materials, texture, color, bond and jointing.
- (2) Applied facing materials shall be treated as follows:

If original they shall be painted and/or repaired as necessary according to the minimum standards set forth in these guidelines. If not original and in need of significant repair, or not in harmony with the character of the building, they are to be removed to reveal the original exterior material which shall be repaired as necessary or removed and replaced by new facing materials, according to the minimum standards set forth in these guidelines, as approved by the Design Review Committee.
- (3) Existing miscellaneous elements on the building fronts, such as empty electrical conduits, unused brackets, etc., shall be removed and the building surface repaired or rebuilt as required to match adjacent surfaces.
- (4) Sheet metal gutters, downspouts and copings shall be repaired or replaced as necessary and shall be neatly located, securely installed and painted to harmonize with the other building front elements.

F. Buildings Visible from Public Ways

If a building, side or rear, is exposed to view from a public way or public parking lot, the face of the building so exposed shall be improved in a manner consistent with these guidelines as necessary to avoid visually detracting from the area.

G. Mechanical and Electrical Equipment on Exterior Walls

- (1) Individual room air-conditioning units shall not be installed in front or side wall windows if visible from streets or public improvements, without prior approval by the Design Review Committee.
- (2) Subject to prior approval by the Design Review Committee, through wall air-conditioning units may be installed, provided that, where they are visible from streets or public improvements, they do not project beyond any adjacent exterior face of the building, are properly screened and ventilated, and do not detract from the building character and appearance.
- (3) Where through wall air-conditioning units cannot be flush mounted, awnings may be used in order to make the units as unobtrusive as possible. In such a case, they must be compatible with the scale and character of the building and must be approved in advance by the Design Review Committee.
- (4) Grilles, louvers, vents and other mechanical and electrical items may be installed in or on exterior walls where unavoidable and necessary for the function of the building, subject to prior approval by the Design Review Committee. Where visible from streets or public improvements, the necessary items shall be painted or otherwise made as unobtrusive as possible and shall not detract from the building character and appearance.

H. Roofs

- (1) Chimneys, elevator penthouses or any other auxiliary structures on roofs shall be repaired and cleaned as required in Section F, "Buildings Visible from Public Ways."
- (2) Any mechanical equipment placed on a roof shall be inconspicuous as possible so that its visibility is minimized.
- (3) Roofs shall be cleaned and kept free of trash and debris. Other elements that are not a permanent part of the building are not permitted.

I. Auxiliary Structures

Attached or unattached structures at the rear of buildings that are structurally deficient shall be properly repaired or may be demolished upon approval of the Design Review Committee.

J. Rear and Side Yards and Parking Areas

- (1) When a rear or side yard exists or is created through demolition, the owner may utilize the space for storage and loading or parking provided the area is appropriately landscaped and/or screened from all adjacent streets, alleys and

public improvement areas. An appropriate sign not exceeding six (6) square feet may be used to identify and control parking and loading, subject to Design Review Committee approval.

- (2) Off-street parking areas shall be designed as an integral part of the total site design with careful regard to orderly arrangement, landscaping and ease of access. Off-street parking areas, except at entrance ways, shall be separated from streets or public rights-of-way by appropriate landscaping or screening.
- (3) Existing front-yard parking areas shall be clearly defined as to ingress, egress and internal circulation and must be appropriately screened by plant materials and/or structures.
- (4) Fences must be compatible with the architecture of the building and the streetscape. Chain link fencing is prohibited when visible from the street; however, the Committee may consider, given specific justification, chain link fencing which is painted or coated in a dark color.

K. Signs

- (1) Signs shall be limited to those identifying the property or identifying the use conducted therein. Advertising by material or product manufacturers and suppliers, other than the primary use of the property, shall not be permitted. All lighting elements such as wires, conduits, junction boxes, transformers, ballasts, switches and panel boxes shall be concealed from view as much as possible.
- (2) Signs and displays for advertising or promotion are not permitted in public rights-of-way unless specifically authorized in writing by the Design Review Committee, in addition to securing the necessary permits from the City.
- (3) Generally, projecting signs shall not be permitted on any portion of any building. Exceptions may be granted for historic signs or signs of unique graphic design which are less than twelve (12) square feet per face and only with prior Design Review Committee approval.
- (4) Painted or sewn signs on awnings, existing marquees or canopies may be permitted, subject to Design Review Committee approval.
- (5) Flat signs shall be placed parallel to the building face and shall not project more than twelve (12) inches from the surface of the building and shall not exceed in area two times the width in feet of the frontage of the building. Flat signs shall be placed no higher than the bottom of the second-story window where windows exist or approximately fourteen (14) feet above grade level, whichever is lower.
- (6) In the case of corner properties one flat sign per side is permitted. The area of each sign shall not exceed two times the lesser frontage width in feet. The depth and height limitations shall apply as in paragraph (5) above.

- (7) Painted signs on framed backings or use of separate cutout letters or neon shall be permitted in accordance with the above limits for flat signs (Section (5) above).
- (8) Lettering applied to ground floor show windows or entrance doors shall not exceed six (6) inches in height, and the text shall be limited to identification of the primary business therein.
- (9) Signs identifying the business occupant shall be permitted at rear entrance doors if they are mounted flush against the building and do not exceed six (6) square feet in size, except where authorized by the Design Review Committee.
- (10) Signs in upper floor windows are generally not permitted.
- (11) Pole or "lollipop" signs shall not be permitted except with prior approval of the Design Review Committee.
- (12) If approved methods of identification are not available, monument type signs may be permitted if they are in scale and character with surrounding buildings and only with prior approval of the Design Review Committee. Monument signs shall not exceed twelve (12) feet in total height and must be four (4) feet or less from the bottom edge of the sign face to grade. The area of the sign face shall not exceed forty (40) square feet. Monument signs must be appropriately landscaped by structure and/or plant materials, which effectively screen support apparatus.
- (13) Rooftop signs, signs on or above the parapet of a building, billboards or outdoor advertising signs painted or mounted on billboards or other structures, except as otherwise herein provided, shall not be permitted.
- (14) The Design Review Committee may consider the placement of corporate logos on the parapet or top face of buildings that exceed ten (10) stories in height and serve to house major corporate tenants, which occupy a minimum of 30% of the total building space. Logos that are not purely pictorial or single letters but are graphic name displays shall be limited to the identifying name. The logo size shall not exceed in square feet the number of linear feet of the width of the building face to which it is applied. The display of more than one corporation's logo is prohibited. Corporate logos must be of exceptional quality and design and be compatible with the scale and character of the building. Billboards, sign boards, box signs and logos painted directly on the face of the building are prohibited.
- (15) Temporary signs, such as lease or rental signs, with prior Design Review Committee approval, may be permitted but shall not be posted for a period that exceeds ninety (90) days. Flashing, moving or portable signs shall not be permitted except with the approval of the Design Review Committee.
- (16) All signs not conforming to these requirements shall be removed within five (5) years from the date the Highland Park Local Historic District is officially

approved. No leases for billboards expiring after the date the District was approved shall be renewed.

L. Vacant Lots

When a vacant lot exists, whether temporary or permanent, or is created through demolition, the owner must properly landscape and/or screen the property from adjacent streets, alleys and public improvement areas, cover all areas not actively used for storage, parking or loading with grass or other ground cover approved for the property by the Design Review Committee, and maintain said ground cover and keep all the property free of trash and debris.

M. Demolition

No structure shall be demolished without prior approval by the Design Review Committee. In general, no request for approval of a demolition permit will be considered without detailed plans for the proposed use of the site after demolition.

Article II. New Development of Properties

The following standards shall be applied to all new structures or additions to existing structures.

A. Community Character

- (1) New developments shall be designed with a sensitivity to the overall goals and objectives of the community. Specific sites shall be considered in relation to their immediate environment (retail node, pedestrian spine, office park, etc.) and the placement and context within the larger project or redevelopment area and the land-use or urban design plans prepared for the area.

B. Building Design

- (1) Each building unit (whether existing or proposed) shall be an integral element of an overall site design and shall reflect and complement the character of the surrounding area or the historical plans prepared therefore.
- (2) Locations of proposed commercial buildings shall be compatible with any adjacent residential areas. Building facades shall be complementary to those adjacent in terms of scale, amenity and appearance.
- (3) Building facades shall be designed to function as an integral part of the streetscape with attention to visibility, safety, lighting and incorporation of public amenities.
- (4) Building design shall reflect an overall sensitivity to existing architecture of quality with regard to building materials, fenestration, height, scale, color, contrast, roofs and parapets.

- (5) Building design shall address the public right-of-way, and define and complement the streetscape.
- (6) Generally, blank walls are discouraged. Developers and designers are encouraged to provide windows in high activity areas or to provide architectural relief elements in wall design at the ground level.
- (7) Awnings, canopies, porticos, etc. shall be designed as an integral part of the structure, shall be at least eight (8) feet above grade and shall not project more than seven (7) feet over a public right-of-way. Any awning, canopy or portico, which is supported by poles, columns or other vertical support elements placed in a public right-of-way requires special approval and permits in addition to Design Review Committee approval.
- (8) Building entrances shall provide ease of access, be designed so that pedestrians/patrons have visual access and can easily identify the entrance points, be well lighted and act as an integral part of the streetscape.
- (9) Building materials shall be of good quality. Trendy materials of questionable longevity shall be avoided. Metal buildings are generally prohibited although the Design Review Committee may consider developments that incorporate such structures, provided they are of superior quality and design and are compatible with the surrounding area in terms of amenity and appearance.
- (10) Corner buildings shall be designed so that they are architecturally responsive to the corner condition and help to define the intersection and accentuate the building line along the street.
- (11) Projects in redevelopment areas which lack sufficient existing structures to define architectural style, period or quality shall be designed taking into consideration the goals and objectives of the community and overall concepts of the redevelopment or urban design plan, using quality materials and construction.

C. Site Planning and Design

- (1) Site planning shall consider the orderly arrangement of all site elements including: parking, delivery, access, trash storage and collection, landscape treatments, open space, pedestrian walkways, street, furniture, auxiliary services (phone, vending machines, newspaper machines, etc.), signs, building and auxiliary structures and fencing.
- (2) Buildings
 - (a) Where adjacent structures exist, buildings shall be located at comparable or compatible setbacks.

- (b) Where no adjacent structures exist, buildings generally shall be located at the minimum setback in order to define the street/building line.

Buildings shall generally be located so that maximum building frontages define the street or public right-of-way.

(3) Parking

- (a) Parking lots on corners are generally prohibited. The Design Review Committee may consider such lots provided the applicant provides specific justification and the design is of superior quality and incorporates maximum screening.
- (b) Parking lots shall be located in rear or side yards in order to minimize their view from public rights-of-way. Where parking areas are exposed to public view, they shall be screened with appropriate structures and/or plant materials.
- (c) Vehicular access to parking areas shall be direct and not in conflict with general vehicular movement serving the various uses within the site. Ingress and egress points shall be well distanced from intersections to avoid congestion and interference with traffic. Where feasible, entrances shall be shared with adjacent properties.
- (d) Entrances and exits shall be designed so that they are easily identifiable by motorists. Any signage required to direct motorists to entrances shall be simple, clear and designed to work in harmony with site elements and signs for the project. Any gates, arms or booths shall be set back from the face of the adjacent buildings. Booths shall be designed as an integral part of the development.

(4) Loading and Service Area Design

- (a) Loading and service space shall be unobtrusively provided off-street to serve business uses in the proposed development.

(5) Open Space and Landscape Design

- (a) Any proposed development shall consider the provision of appropriate open space in combination with the proper siting of buildings. Streets, pedestrian walkways and open spaces, including street furniture and signs, shall be designed as an integral part of the overall design and shall be properly related to adjacent existing and proposed buildings.
- (b) A coordinated landscape program for the proposed development shall be incorporated for the entire proposed site. Landscape development shall

include plantings in combination with related paving and surface treatments and other amenities deemed necessary to the project.

D. Signs

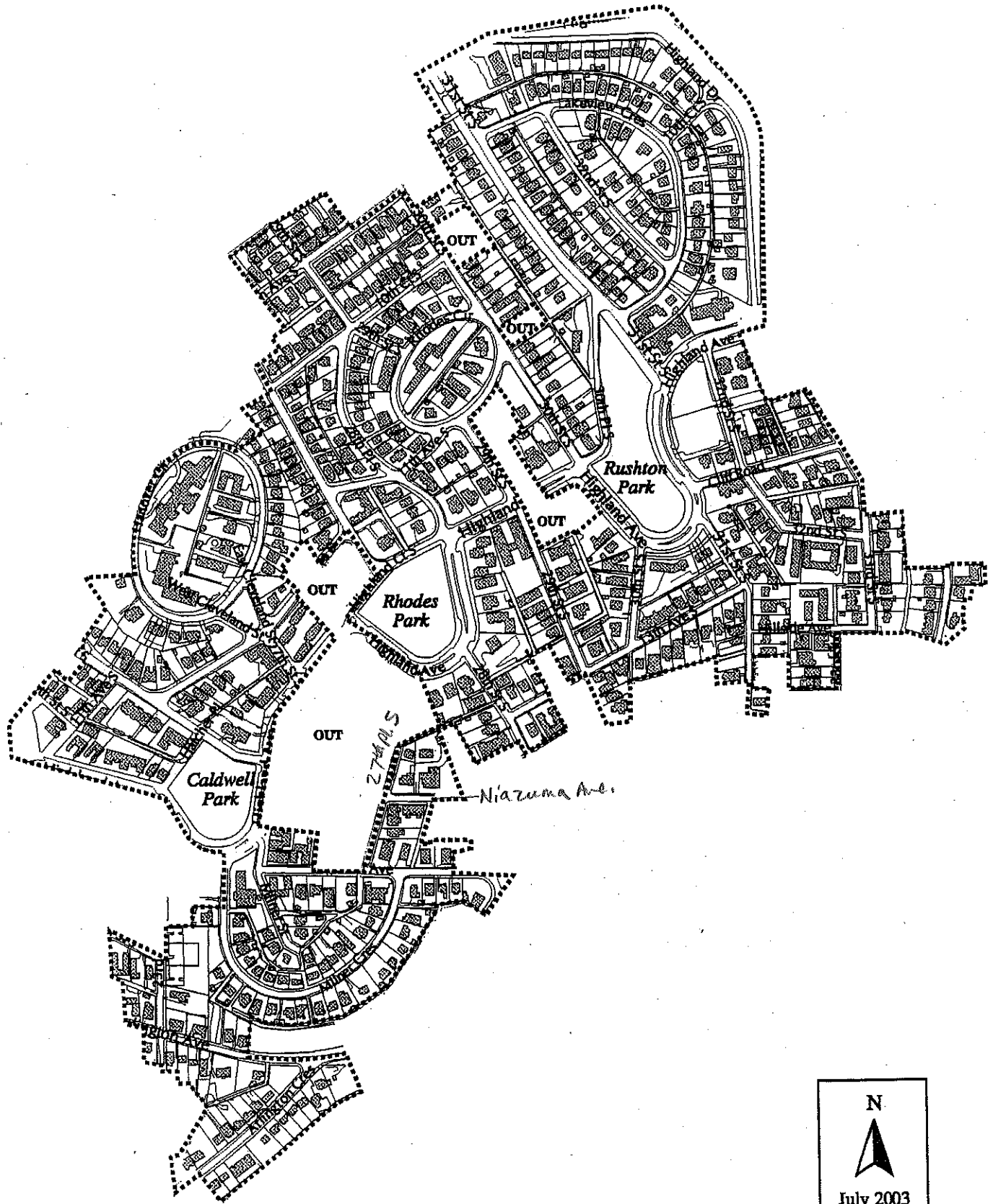
- (1) A systematic and coordinated sign package is required for all new developments. Sign packages for new developments shall address signs for the entire site including, but not limited to, building identification, business name, tenant signage, parking, loading or service, and informational and directional signs.
- (2) Consideration shall be given to the provision of sign space in the building and site design.
- (3) All signs shall reflect quality workmanship and materials.
- (4) Special consideration shall be given to the quality and placement of light sources emitting from or directed toward signs.
- (5) Page 19, Section K, "Signs" for specific criteria regarding size, placement and types of signs allowed.

ADOPTED BY THE
CITY COUNCIL OF
BIRMINGHAM ON
October 28, 2003

APPROVED BY THE
MAYOR
ON
November 4, 2003


CITY CLERK

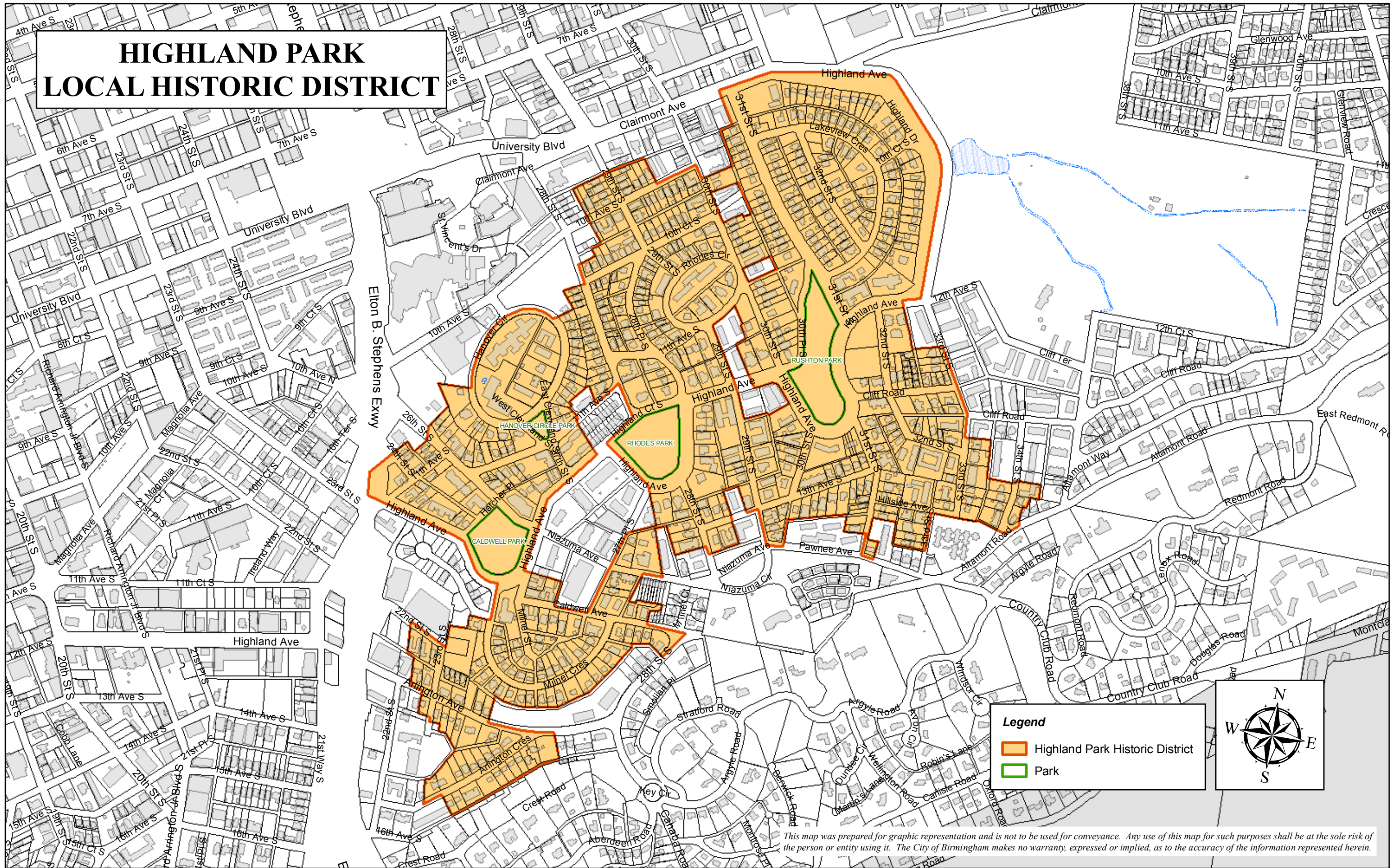
HIGHLAND PARK LOCAL HISTORIC DISTRICT



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HIGHLAND PARK LOCAL HISTORIC DISTRICT



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