

WEST AUSTIN NEIGHBORHOOD GROUP

P.O. Box 5722 • Austin, Texas 78763-5722 • September, 2011

Organized 1973

"To preserve our neighborhood and protect it from deterioration."

The next WANG Board meeting will occur on
October 3, 2011, 7:00 Howson Library

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AUGUST PRESIDENT'S MESSAGE

By August W. "Happy" Harris III

As I began to write this month's President's Message, I happened to open one I had written almost 2 years ago today. I was struck as I read through and noted that history indeed repeats itself. Frankly I don't have a lot of news worth noting this month.

On August 5th, 2009, the Austin City Council approved changes to our Local Historic District Ordinance. Contextually, landmarks work to preserve particular properties while local historic districts preserve the context of an area that can be as small as one block or far larger. I also noted that the perceived adverse impact on tax revenue for the City, County and school district as a result of the tax incentives tied to historic preservation were negligible. In fact, both local historic districts and individual landmarks benefit the City by lending stability to neighborhoods and property values as well as by driving tourism. There are studies that support this assertion.

A year later, the City would initiate a sweeping review of the historic landmark program and the incentive structure. On Thursday, August 4, Council approved two resolutions that will make substantive changes to the administration of the landmark program and to the incentive structure. The City's contribution to the historic incentive will be capped for all residential, owner occupied landmarks at \$2,500 for all new designations and for existing landmarks as ownership changes. This gives the City, current owners and future owners certainty going forward. The incentive structure for commercial landmarks will not change. While there are other significant changes in the Council resolution, the final language will make it through staff and various boards and commissions before adoption. We'll report to you further as the language is

codified. This is a positive outcome for the community.

A second issue that I addressed in August of 2009 was the weather. I noted the hope of the approach of the fall season, and with any luck, an end to the hottest, driest summer on record. Well, who knew that THIS would be the hottest driest, most miserable summer most of us have ever experienced. As I drive around the City, I see even the best maintained yards suffering. In fact, I even saw trees IN Shoal Creek turning brown.

I want to reiterate that it is so important to protect your trees. A drive through West Austin reveals that many trees have died. Many of the rest are stressed. If you have ever lost a tree that shaded your house from the summer sun, you have seen your utility bills increase. Or your landscape has wilted with the unexpected change in light patterns. Hopefully the stressed trees will recover. In the meantime, remember to keep your trees watered. Not only will it keep them alive but it might help to minimize their current brittle state. The City arborist recommends watering one gallon per inch in trunk diameter every two weeks after the last significant rainfall.

This winter, you may want to consider replacing some lost tree stock. We encourage you to diversify the types of trees in the neighborhood. Bryker Woods and Pemberton tend to have magnificent pecans and red oaks. Tarrytown is shaded by a preponderance of elms. Many of these trees, throughout our neighborhood, are reaching the end of their lifespan and need to be replaced for the benefit of future generations. As sad as it is to see the loss of part of our urban canopy, let's look upon this as an opportunity to reforest our neighborhood.

Be sure to visit our website at <http://www.WestAustinNG.com>

August President's Message, *continued from page 1*

We are in the planning stages for the Annual Meeting and Social on Saturday, October 22. We have big plans so stay tuned! Cathy Kyle and Mike Cannatti are hard at work as we speak. Our next regular meeting is Monday, September 12 at 7:00PM at the Howson Library so please mark your calendars.

Look at the date on your mailing label to see if your membership is current. While doing so, don't forget to pass along your

preferred email address to us! A growing percentage of WANG members now receive the newsletter via email. We certainly would encourage you to shift from a hard copy of this newsletter to an electronic edition. Don't forget that your continuing support of WANG is never more critical than now. In addition to paying your dues by check, you can always renew your membership online at www.WestAustinNG.com.

MINUTES FOR AUGUST 1, 2011 BOARD OF DIRECTORS MEETING

By Michael Cannatti, Secretary

The Board of Directors (BoD) of West Austin Neighborhood Group (WANG) came together for their regularly scheduled first Monday of the month meeting at Howson Branch Library On 1 August 2011. Our President August Harris called us to order around 7 PM and besides August, Blake Tollett, Mary Arnold, Cathy Kyle and Joyce Basciano were in attendance. Gwen Jewiss and Haider Khazan subsequently joined the meeting and established a quorum.

We first took up transportation issues:

MoPac Update- The much anticipated and long awaited sound walls were discussed. Harris has been working closely with the State on this and his update gave a synopsis of the recent community meetings concerning sound walls. Apparently, while examples of the wall types being considered are available for viewing in the Bull Creek area north of Jefferson Square, only those neighbors living contiguous to MoPac actually get to vote their preference. Because the walls don't absorb all of the road noise, there will be some bounce back into the neighborhoods. We discussed the wondrous new surface laid on the freeway last year and that now the most intrusive noise is coming from traffic crossing the river bridges and the bridge at 35th Street. The height of the sound wall will depend on the grade of the road beside it, but the minimum height will be 10 feet. Of note, where MoPac runs next to the Deep Eddy neighborhood there will not be a sound wall because none of the houses are close enough to the freeway to qualify for federal mitigation funding, but there will be sound walls on the bridges crossing the river. Some landscaping along the right-of-ways will be lost, and the replacement vegetation will be chosen for its drought and heat tolerance and ease of maintenance.

Sidewalks-Harris and members of the Neighborhood Plan Contact Team are pushing for a sidewalk along the west side of Exposition Boulevard between Enfield Road and Windsor Road. A western sidewalk would be a natural collector for folks heading down to WAYA and O'Henry, and we did just lose a neighbor in that area. We are going to investigate whether this can be a Capital Improvement Project (CIP) in the new City budget.

The intersection of 35th Street, Pecos and Balcones was discussed. The general consensus was this intersection can be a failure depending on the time of day, especially during rush hours. We have asked the City to do a study.

With the arrival of Jewiss and Khazan, we turned to zoning matters:

Case Number: 2011-052329RM

3508 Clearview Drive

Applicant: Fred Hubnik 512-524-9617

Owner: Michael McGowan & Lucy Price 646-345-3141

Modification Requested: The applicant has requested a modification to allow an FAR increase from the maximum development permitted by the Land Development Code (LDC) from the allowable 40% (3316 s.f.) to 45.6% (3786 s.f.) to convert an existing detached garage into a pool house/storage area in an SF-3 zoning district.

The discussion concentrated on whether there was an election when the house was constructed under the McMansion ordinance to place all of the LDC allowable habitable space in the main structure, how the structure compares compatibility wise with the close by surrounding neighbors' property, and the overwhelming neighbor opposition to the request. After deliberation the ExComm voted unanimously to oppose the modification request.

C15-2011-0087

3304 Greenlee Drive

Applicant: David Cancialosi 799-2401

Owner: Elizabeth F. Pitts 964-3918

The applicant has requested a variance to decrease the minimum rear yard setback requirement of the LDC from 10 feet to 7 feet in order to erect a stairwell for a duplex residential use in an SF-3-NP zoning district.

The applicant has requested a variance from the duplex residential requirements of Section 25-2-733 (D)(1)(a) stating that (D) The two dwellings units are subject to the following requirements: (1) The two units must have a common floor and ceiling or a common wall, which may be a common garage wall, that (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot in order to erect an addition to create a duplex residential use in an SF-3-NP zoning district.

The applicant has requested a variance from the duplex residential use requirements of Section 25-2-733 (D)(2) stating that the two dwelling units must have a common roof in order to erect an addition to create a duplex residential use in an SF-3-NP zoning district.

The applicant has requested a variance from the duplex residential use requirements of Section 25-2-733 (D)(3) stating that at least one of the two units must have a front porch that faces the front street and an entry to the dwelling unit, except that units located on a corner lot must each have a front porch that faces a separate street and an entry to the dwelling unit in order to erect an addition to create a duplex residential use in an SF-3-NP zoning district.

This is a newly begun structure, and to continue, the owners need to clear up two errors in the submitted building plans. At issue is an apartment over an attached to the primary structure garage. The placement of the outside apartment stairway was a design error by the owner that the City Staff did not catch and it was subsequently permitted and relied upon by the owner. The requests for variance to convert the apartment into a duplex residential use is also the result of error on both the owner's designer and the City staff that accepted and permitted the building plan. After discussion, Tollett was tasked with generating a letter to the Board of Adjustment, and an excerpt follows:

"We did not come to a consensus to oppose or not the requested minimum rear yard setback variance to allow a stairwell. There appears to be a City Staff intake error on the originally approved building permit that the applicant has relied upon, and the placement

of the stairwell is problematic due to the location of a large elm tree. That being considered, it was pointed out to the applicant that if the property's address is shifted from Greenlee Drive to Oakdale Court, the necessity for this variance would go away.

As for the variances that would allow the secondary apartment to become a duplex, the neighborhood association asks that you not grant the variances requested. We understand that the owner in good faith submitted plans calling for the apartment to be a garage apartment, something understood by them to be a separate living facility that they could rent out without restriction. We don't have a problem with the apartment being separate from the principal structure and available for unrestricted rent, but we are not convinced that variances to the requirements for a Duplex Residential Use is necessitated by the facts.

We asked the applicant, and we now ask the City and Board of Adjustment, why variances to the requirements for a Two-Family Residential Use would not be more appropriate in this situation? Our understanding from the applicant's testimony is that they do not necessarily want a Duplex Residential Use on the property but they do want the ability to legally rent the apartment on an unrestricted basis. The neighborhood association would not oppose variances that would allow this without resorting to a Duplex Residential Use designation."

Time was beginning to run short, so Tollett then gave a brief update on the ongoing Short Term Rentals (STRs) situation. On 8 June 2011, Tollett generated and the BoD approved a memorandum dealing with CURRENT CODE ISSUES WITH SHORT TERM RENTALS which can

be found on the WANG website. This memo has been circulated to City departments and other neighborhood associations. The matter is currently before the Planning Commission's Codes & Ordinances Subcommittee and will eventually find its way to City Council.

Harris then gave us an update on the Historic Landmark compensation program. Basically, there is consensus amongst the interested parties that there will be changes to the program, but the entirety of the incentives will not be done away with. There has been recognition that the incentives are not only for upkeep on the designated historic structures but are also a means to compensate the property's owner for placing the historic restrictive covenant on the property.

Our Annual meeting will be Saturday 22 October and our next monthly meeting will be Monday 12 September.

We adjourned with minutes to spare.

Blake Tollett-Assistant Secretary - WANG

ACL is upon us!

Deep Eddy residents have been coordinating with APD & there will be "NO EVENT PARKING IN NEIGHBORHOOD", as well as, "NO PARKING THIS SIDE OF THE STREET" signs placed for the duration of the event. Area residents also have a Command Center Call-in Line to contact in case of specific complaints. In addition, Neighborhood Leaders have an Emergency Back-up number, to be used only for extreme cases.



The second week of September is Fire Ant Awareness Week. While there hasn't been a lot of fire ant activity lately due to weather, be aware that they will be back.

When it's hot and dry outside, people may have fire ant activity and get stung but not see mounds to treat. Under hot and dry conditions, fire ants dig deep into the soil to find cooler temperatures and to be closer to the water table. Fire ant mounds often return after rainfall or with regular irrigation.

When temperatures are at the sweltering range, it's a good idea to bait for fire ants since the mounds may not be seen. Fire ants will still be out to forage for food and will pick up bait as a food and take it back to

the colony to share with others. It is best to bait in the early morning or evening when temperatures are cooler.

Make sure that bait is fresh- it should have a nutty smell- and that it does not get wet from rainfall or irrigation. Read the label for the proper application rate and use the correct application equipment. Also, consider sharing some bait with your neighbors so their fire ants don't move into your yard.

For more information or help with identification, contact Wizzie Brown, Texas AgriLife Extension Service Program Specialist at 512.854.9600. Check out my blog at www.urban-ipm.blogspot.com

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CRIME REPORTING

Here's how to send your anonymous tip via text message.

1. Text "APD" and your message to 847411 (Tip411).
2. Austin PD may reply to your message asking for additional information.
3. Text "STOP" to end the dialogue.

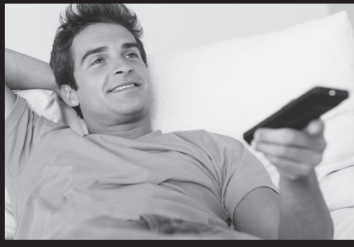
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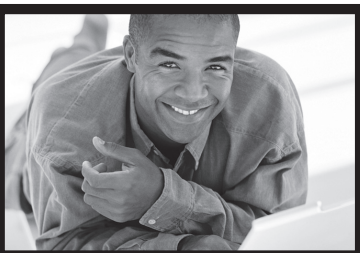
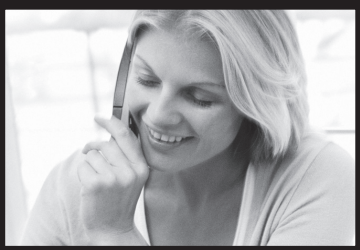
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