

Swede Hill Neighborhood Association Meeting January 7, 2014

Carver Library Meeting Rm#2

7pm-8:30pm

SHNA meetings are every first Tuesday of the month at Carver Library in the meeting rooms, except for February, which is the second Tuesday, February 11.

Next SHNA meeting: second Tuesday in February 11th.

Upcoming Events:

MLK Community March and Festival: Monday, January 20, 9am-3pm. Celebration begins on the University of Texas campus at the MLK statue, with kick-off speeches, then a march to the front steps of the Capitol for more speakers. March begins again shortly after 10:30am along MLK Blvd east to the historic Huston-Tillotson University on Chalmers and East 7th (just east of Comal), where there will be music, kids activities, food, and more until 3pm.

African-American Cultural Heritage District kick-off on February 1, going to be a tour that leads to the Oakwood cemetery. Please email SHNA Vice-President Sean Garretson for details: sean@pegasusplanninganddevelopment.com.

SHNA 1/7/14 Meeting Notes

[Note: brackets indicate Louisa Brinsmade/Secretary's notes]

Meeting commences 7:00pm

Agenda item #1

Notice of plan to subdivide 1012 East 15th St. into 2 SF-3 lots. Architect Chris Krager present.

The request is to divide 1012 E. 15th into two SF3 lots. Each lot will be approximately 4,000sf and will have a 2-story, 2,200sf house. The minimum lot size required for an urban lot is 3,500sf. One residence will be on 15th, the other on Navasota. The decision to allow the division of the current lot lies with the Planning Commission and is non-discretionary; no vote is required, so the developer is not seeking a letter of support from SHNA. Swede Hill resident Chris Krager is the project architect.

Agenda item #2

Request for zoning change from SF-3 to SF-4a at 1307 Waller St. Applicants Toria and Blake English

Blake English: Our lot currently qualifies for a zoning change. We are not required to have neighborhood support. The application was submitted on December 7, 2013, and the Planning Commission votes on it.

Toria English gives history of improvements on the property leading to zoning change request:

- * Aug 2011, pool installation begins. The city granted the permit despite the increase of impervious cover limit of 45% on property due to amnesty for small lot size.

- * One year later, the city reviewed the property; notified us that we did not qualify for amnesty as the lot is over the maximum size.

Rick McGee: Why would this zoning change be good for the neighborhood?

Blake: It brings our house under compliance of the city's zoning laws.

Toria: Our house is under zoning that is prior to the McMansion ordinance. Minimum size is 3600 sq ft and our lot is just over 4000 sq ft. Our lot size meets the minimum for SF-4a, and the maximum building coverage is 55%. Upward, we are limited to McMansion ordinance to 35 ft. So, we qualify for the higher zoning.

Rick: Again, how is this good for the neighborhood?

Blake: It brings us into compliance.

Hunt Andre (SHNA board member): Why seek a zoning change, why not go for a variance to fix the existing problem?

Toria: The city wants a long-term solution, not a band-aid (variance). Our lot doesn't fit into the current zoning. The new zoning would give more lenient setbacks. Right now, it's 15ft for the side, and 10ft for the rear.

Tracy Witte: Which part of the house has the setback issue?

Toria: Our pool equipment is too close to the property line.

Rob Seidenberg (resident and developer of Swede Hill Row subdivision, where the applicants and their immediate neighbors reside): Are you seeking rezoning for the other properties in the subdivision?

Toria: No.

Rob: SHNA needs to contend with this issue, as part of its role. I don't want a brawl here, but we should deal with the problem that has not been dealt with yet. I don't want this opportunity to pass without mentioning it. I mean, there's 26 pages of documents about codes, emails to the city and between neighbors, and a city code enforcement officer sitting next to us in uniform, after all.

[Present at the meeting is City of Austin Code Enforcement Officer Moses Rodriguez is present at the request of Charlie and Paula Reckson and Steve to speak to the amount of code violations and parking violations in the alleyway easement at 1307 Waller.]

There has been a lot of contention over this property between you and the neighbors and I think we should talk about it. I also think the neighborhood association board should take a more active role in disagreements like this, providing mediation and more forums for discussing problems between property owners.

[More discussion, some of it missed here.]

Charlie Reckson (1309B Waller St, shares alleyway/driveway with 1307 Waller home): This whole thing evolved over parking. We live over the alleyway. When they (the Englishes) put in the pool, they removed one of their necessary parking spots (SF-3 requires 2 off-street parking spaces). They parked on the streets, no problem. But it created a problem, because how are they going to fix the parking? They wanted to put their parking in the alley easement, but it is not allowed. Toria knows that. They were stopped by the city from putting concrete on the side, so, they put parking in the front of the house in their front yard. No problem: now they have parking. So, what are they doing? They are parking in the alley right-of-way! Every day since Christmas, they have been parking in the right-of-way. The police are not going to tow until there is signage. Now, because they won't use their existing parking, or the street, the city is putting signs in. We don't want that.

They refused to talk to us about this problem. This is a lose-lose situation - they won't talk. One of the signs will be in Steve's front yard (Steven Macon, 1309A Waller, shares alleyway/driveway with 1307 Waller home), and the other is in the alley right-of-way where they've been parking.

We don't want a parking lot back there. We have been unable to work with these people. They are in compliance with the parking requirements now, but won't even use it!

I have asked Suzanne McBee and her husband Barry (1303 Waller) to help as mediators between us and the Englishes. I asked her today so we'll see what happens.

Blake: You have been complaining since the pool went in. This is not just about the parking.

[1307 Waller owners, and 1309 Waller owners argue back and forth about personal emails sent to each, and phone calls to code compliance and the police over the parking space in the alley, and the pool equipment house.]

Toria: If we want to have a neighborhood meeting about parking in the alley easement, we can do that, but that is not why we're here today. To get back to the zoning case: We went to the city to get a permit for the pool, and they approved it, and I got a confirmation from the city that I had 65% imp cover. Everything else came after their mistake. We're trying to fix their mistake.

Blake: The parking in front is adequate to qualify for two parking spaces.

Arthur Anton: Not only does the impervious cover increase with SF-4, but the amount of building is increased as well. So, what about getting the variance to avoid other Swede Hill residents from trying to get the increased zoning as well?

Rob: Everyone was told they could not park in the easement. We went over it, and we said "you can't park there, you can't park there," several times. Also, there is a specific impervious cover limit set for each lot, and it was set at the time of development. The city didn't look at the subdivision plans before approving the 65% on Toria's house. The impervious cover for each lot is based on our drainage study.

Rick (to Toria and Blake English): Are you doing a drainage study? I would be more supportive of your proposal. I have had a lot of bad experiences with drainage problems coming from other houses onto my property, so I'm familiar.

Toria: We would consider it.

Tracy (to Toria and Blake English): I have to be honest with you. I don't want someone next door to my property getting 65% impervious cover. My concern is, what's to prevent other property owners from coming to the neighborhood and saying "gimme, gimme?"

Steve Macon (to Toria and Blake English): I'm concerned about the combative refusal to share with your neighbors what you're planning. I have all the public records pertaining to this because you have refused to talk about it. I have to say, talking to us could have prevented a lot of these problems from happening.

Rick (to Toria and Blake English): It seems like a lot of this comes down to parking in the alleyway easement. Will you stop parking in the easement?

Blake: No.

Toria: No.

Sean Garretson (SHNA Vice President): No?

Toria (To Code Enforcement Officer Rodriguez): Is parking in the easement illegal?

Torres: The police will not tow you without signage. When the signs go up, you will be towed.

Kirsten Siegfried (SHNA board member): Are you seeking a letter of support from the SHNA? The bylaws are vague about how that would be written.

Rob: I believe you should give the neighborhood enough time for everyone to read about the issues prior to a vote.

Tracy: Should disseminate the information to all of the neighbors and not just those who are on the list. (Paper handout, house to house).

Sean: Any pros and cons list should be sent out by the other board members.

Charlie: I think we should have a list of pros and cons.

Sean: When is the planning commission meeting on your application?

Toria: We don't know yet, but it will be soon.

Agenda item #3

Updating the Bylaws

Kirsten: I need volunteers to help with this effort. I need a commitment of 4-6 hours over the next 3-6 months. I'm sending around a sign-up sheet.

Kris Bowen: Per the current bylaws, do any amendments to the bylaws need to be approved?

Kirsten: Yes, by a vote at the general meeting. We won't be ready for a vote for at least a half dozen neighborhood meetings.

Sean: Will you please gather feedback from us at meetings before the vote?

Kirsten: Yes, I will. One of the things I noticed that we don't have in our bylaws that other prominent neighborhoods have are: voting details, explanations, neighborhood boundaries, conflict of interest clauses, and voting rights.

Toria: What about criteria for agenda items?

Kris: And a definition section would be good.

Agenda item #4

Update on neighborhood parking issues

Sean: A group called the 12th st. Business Owners Association is literally a loose association of business owners in the neighborhood. Mostly comprised of African-American business owners. Rob and I joined the group years ago. Before we joined, they asked the city to look at the parking issues on East 12th, specifically the bike lanes that took up parking spaces.

Rob and I attended a meeting a few months ago, we had a discussion about what we wanted the city to look at for East 12th St.

[Some more discussion here about why this group exists, what it's purpose is, and if it is a viable group. Also, some discussion over Greg Smith's role as the city's representative performing the parking study.]

For this parking study, the city wanted to do a baseline analysis - entire African-American Cultural Heritage District (state designated), runs from East 7th to MLK, and I-35 to Airport Blvd. It's a big area. So, they did an analysis, and looked at on-street parking from 4-8pm, for 3-4 days. Very low counts in our immediate area, 3-4 cars at a time, on two block length on our streets near Swede Hill. They did this study for the entire African-American Cultural Heritage District.

[Some discussion between Sean and Tracy regarding how many and which hours of the day the study took into account.]

Sean: Another meeting of the 12th St. Business Owners Association scheduled for next Tuesday. Someone from OCEAN should attend that meeting.

We're trying to understand the parking issues in our area - there are reductions in parking all over the area. I think the study is being performed to get a baseline now, and then see what's going to be added to that with developments that are coming.

Tracy: There are new parking reductions in the NCCD, and Greg Smith is proposing even more radical parking requirement reductions. So, what's to stop him from saying, no one is parking on this side street, let's count that towards this business' parking requirements.

[More discussion about where the list of parking issue requests handed out at our meeting came from - the 12th St. Business Association, or Greg Smith?]

Kris Bowen: Do we take this information to ANC East or the ANC body?

Rob: This doesn't seem to be a list associated with any particular group, so it's a little casual and ad hoc to give this to the city.

Agenda item #5

Update on December Urban Renewal Board meeting:

Sean: The December meeting was cancelled.

Update on December Austin Neighborhood Council meeting:

Kirsten: The December ANC meeting was cancelled.

Meeting ends at 8:30pm.