

## PRESIDENT'S REPORT APRIL 2009

by Bill Bednar

As we approach the April membership meeting, several things are in play, and I am glad our newsletter editors are getting this issue out early. For the last two weeks, your Executive Committee has been trying to put together a mayoral Candidate Forum for the April NUNA meeting. This is easier said than done, because the candidates' schedules are already filling up. Monday April 6 is not available for at least two candidates, and we are considering moving the meeting to Tuesday, Wednesday, or Thursday of that week if we can get enough candidates to attend. We may have to scrub it, in which case our meeting will be as planned on Monday. But keep an eye out on the ListServe and Kimberly Renner's "signs in the parks" if we are able to do it on another night. My sense is this would be of enough interest to justify moving the meeting.

### 2009-2010 PROPOSED NEW OFFICERS

President:	Bill Bednar
Vice President:	Scott Morris
Secretary:	Douglas Plummer
Treasurer:	Jan Moyle
NW Quadrant Representative:	Janet Adams
SW Quadrant Representative:	Kimberly and Dan Renner
NE Quadrant Representative:	Carol Journeyay
SE Quadrant Representative:	Carol Fredricks

Nominations are welcome from the floor, per the bylaws

### NOTICE: Next Neighborhood Meeting Monday, April 6, 2009, 7 P.M. (May Change)

First English Lutheran Church  
30th and Whitis Streets

#### PROGRAM:

Mayoral Candidates (Invited)

#### AGENDA:

NUNA Officer Elections

#### REPORTS:

Treasurer- Jan Moyle  
Committee Reports

Your Executive Committee has proposed the following questions for the candidates:

Five years ago, after great neighborhood expense and effort, the Council enacted an NCCD Ordinance to protect and enhance NUNA. Yet repeatedly we find that construction projects have commenced with no attention to the requirements of the NCCD by either the City staff or the developers involved. What concrete steps would you take to improve awareness of and compliance with the NCCD within the appropriate City departments and among developers?

- The City's remodeling guidelines have repeatedly been used in NUNA to mask teardowns and evade NCCD requirements. What changes would you support to prevent this?
- How do you propose to fund and implement sidewalks and other pedestrian amenities

in NUNA as provided in the Central Austin Combined Neighborhood Plan, and on what schedule?

- What steps would you take to improve the maintenance and enhancement of Hemphill and Sparky Parks by the Austin Parks and Recreation Department?
- What would you do to increase police coverage in NUNA against violations of the noise ordinance and break-ins of homes and cars?
- What model do you favor for citizen involvement in both neighborhood and comprehensive planning?

Another even more important event will occur on Saturday, March 28, the grand opening ceremony for Sparky Park! Everybody, please be there! There's a lot to celebrate—please plan to drop by. I want to take the opportunity here to thank all of the people who had a hand in this wonderful accomplishment for our neighborhood. First and foremost, we owe a great debt of gratitude to Mary Ingle, without whose imaginative vision, boundless energy, and dauntless perseverance this project would never have come about.



Thanks also to Doug Plummer, whose quiet leadership and eye for detail helped everyone stay on the right track. And many thanks to Simon Atkinson and Robin Abrams for their perceptive planning and patience through all the charettes, to Berthold Haas for his magnificent contribution of the art wall, to Sprint and T-Mobile for their monetary contributions, to Austin Energy for the innovative way that cell tower rent and mitigation funds could be combined to fund the park, to Austin Parks for getting the job done on the ground so beautifully, and to all the individuals too many to count who showed up at the charettes, contributed ideas, donated stuff for the wall, and did all the many other things that culminated in this jewel for the Northeast Quadrant of NUNA.

Thanks are also due to Mark Feist and all the NUNAs who showed up for It's My Park Day on March 7. Hemphill shines again thanks to these caring folks.

Finally, another word on the next big challenge to NUNA—achieving historic district status for the North University Planning Area. We've been talking about it for years, but it needs to be our first priority in the coming year. I already have the names of several who are interested in joining this effort. If you would like to help, call me at 587-3504 or 476-1135, or e-mail me at [wcbednar@bednarlaw.com](mailto:wcbednar@bednarlaw.com).

The April meeting of the general membership is currently scheduled for the First English Lutheran Church on Monday, April 6, 2009, at 7:00 PM. It is important for all paid-up members to come for officer elections. But keep your eye peeled for a change in date if we can round up enough mayoral candidates!

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## Neighborhood Planning Team Update

Living in this historic neighborhood we are all aware that the built environment should outlive us. As you will read in the examples below, we can apply the wisdom of our neighborhood plan in practical ways to improve every project. We can work cooperatively with city staff, neighbors, and developers so that this neighborhood will provide a similar character of life in the future as the one we enjoy today.

We are seeking opportunities to broaden the diversity of backgrounds in our NPT, and we need your help. Please consider coming to an NPT meeting and weighing in on an issue on the Yahoo Group. Normally we meet every second Wednesday at 6:30 P.M. at the AGE Building, 3710 Cedar St.; however, April's meeting will be rescheduled to accommodate Passover and a plan amendment case. Our meetings are public and you are always welcome to bring your ideas. Join the area's Yahoo Group at [nuna-residents-subscribe@yahoogroups.com](mailto:nuna-residents-subscribe@yahoogroups.com) to find out about meeting dates and times.

## 2008-2009 NUNA OFFICERS

President	Bill Bednar wcbednar@bednarlaw.com	494-1177
Vice President	To Be Determined at April meeting	
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SW Quadrant Representative	Kimberly and Dan Renner krenner@austin.rr.com	
NE Quadrant Representative	Carol Journeay caroljourneay@yahoo.com	478-8614
SE Quadrant Representative	Carol Fredricks	422-2230
Austin Neighborhoods Council Representative	Vacant	
NPT (NUNA Planning Team) Chair	Scott Morris encode@austin.rr.com	371-7961
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The North University Neighborhood Planning Team is a community-based organization of your neighbors who are passionately interested in shaping the growth of our area. One of our functions is to meet monthly to review development for conformance to our plan, the North University Neighborhood Conservation Combining District (NCCD) and the Land Development Code. At its February and March meetings, the NPT discussed ongoing development projects in our planning area.

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An owner of a bungalow on Grooms St. wishes to add a larger house in the back yard making the bungalow a second family use. This block of Grooms contains several of our area's through lots; that is, it has Griffith St. on its back yard line. Concerns over the massing of the new house, setbacks, and minimum lot width were brought to the attention to the NPT. It was discovered that the city gave the applicant the incorrect rear setback, 25' when it should have been 15' as per the NCCD. With that bonus, and a willingness to work with the neighborhood, the owner has agreed to consider amending the building plan to pull the house forward to 15' from Griffith St. If implemented, this solution may encourage other building facing Griffith St, provide abutting property owners with enhanced backyards, and create value and open space which will appeal to a broad range of buyers. Members of the planning team thank the owner/developer Rob DeChant and Sylvia Benavidez with Watershed Protection and Development Review for their cooperation in helping resolve the matter.

In a project on Cedar St. a permit was pulled

for remodeling a 2 car garage into a 2 story garage apartment. The applicant wished to preserve the original setbacks which were non-complying, that were at one time legal, but now too close to the lot line according to the NCCD. The city appears to have erred in their communication with the applicant over the level of demolition allowed in a remodeling project. In good faith, the contactor Barger Construction removed the slab of the original structure. When it was realized that this could no longer be considered a remodel, work was stopped and the contractor met with their clients and later the NPT, working over the weekend to redesign the project to comply to the setbacks prescribed in the NCCD. The solution was complying and a collaboration between the contractor Terry Enlow and Darren Barger with Barger Construction, the NPT, and Victoria Li, Director of Watershed Protection.

As mentioned in previous NPT reports, there has been ongoing controversy over the legality of the duplex project at 400 East 33rd Street, which has appeared to present serious NCCD setback and parking violations. Bill Bednar's Open Records review of the City's files is as yet inconclusive and incomplete because the city has only furnished a fraction of the materials requested. We believe the current status is that the property is not eligible for final certificate of occupancy as to the other unit by reason of the parking deficiency, and that the owner's application to the Board of Adjustment for a variance to cure the parking has been indefinitely postponed. So far as we know the City has not even addressed the setback violation. We will



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continue the fight on this one.

In the public realm, three North University Planning Area plan amendments fixing errors and omissions in the NCCD were passed on November 30, 2008 by city council and became law on December 10th. Please see the link to the NCCD and its amending ordinances at [www.nuna-austin.org/npt](http://www.nuna-austin.org/npt) for more information.

Last year the Austin Presbyterian seminary obtained an approved site plan to build a phased project of dorms and a library on its 30th Street property. The seminary is seeking negotiation with the city for a Managed Growth Plan. This was passed on consent at the March 5th Council meeting. According to Kurt Gabbard, Vice President for Business Affairs, the MGA does not seek to change the agreement reached over the development and incorporated into the NCCD. What an MGA does is to provide a legal framework for the extension of site plan expirations over the long-term phased project.

### Sparky Park Officially Open to the Public by Douglas Plummer

City Officials, Neighbors, Parks Department employees and Business leaders were present for the ribbon cutting ceremony at Sparky Park on Saturday morning, March 28. Those attending watched a kids costume parade, listened to a Polka Band and cut into a "Substation Cake". The Parks Department located three additional benches and installed them prior to the event in the front of the park near the art wall. The Parks Department also installed four 100 gallon oak trees, one in the front yard and three in the back. Sparky Park continues to have more good news. Grande Communications has agreed to contribute \$1,000 to the Austin Parks Foundation to be used for additional landscaping. Members of the Sparky Park committee will be meeting to

### 2009 NUNA Membership Dues

Now is the time to become a voting member of the North University Neighborhood Association! Ten dollars for an individual membership or twenty dollars for a family membership will help to support NUNA's operating costs of publishing newsletters, providing documents for the various boards and commissions in the city, dues to the Austin Neighborhood Council, and donations to the neighborhood organizations that generously let us use their buildings for meetings. Send your check to Jan Moyle, 200 W. 32<sup>nd</sup> Street, or take it to the next NUNA meeting.



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An applicant for the owner of a triplex at 209 East 38th St. wishes to change the zoning from single family (SF-3-NCCD-NP) to multifamily (MF-3-NCCD-NP). This would require a text amendment to the NCCD, as well as a change to the Future Land Use Map (FLUM). The NPT has agreed to hear this case and render a decision per the city's plan amendment process. We will let the neighborhood know when all the details are worked out for the public meeting. The city will mail notices of the meeting to all utility account holders and owners of record within 500 feet of the property.



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determine the areas of the park most needing additional plantings. If you would like to help contribute to the Park, to volunteer in the upcoming planting or assist in a current grant application for the Park, please reach out to Sparky Park Chairperson Douglas Plummer at: Douglas\_Plummer@hotmail.com.

With the Park officially open, neighbors are welcome to bring pets and kids, to walk the paths and to play on the berms.

### It's My Park Day Special Thanks

Mark W. Feist

I would like to thank all that participated in this year's It's My Park Day. We had a successful cleanup that involved brush and litter removal from the creek bed of both Adams and Hemphill parks. We look forward to adding Sparky Park to our list in future cleanups! I would like to personally thank all involved who were persistent enough to make Sparky Park a reality... Thank you! I would like to also thank our neighbor Wheatsville Coop, who was the main sponsor for the city wide event.

I believe the most unusual object removed was

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a 14 lb. bowling ball that now sits proudly in my 6 year old son's room. We are now the envy of the neighborhood, so maybe finding it will inspire those that did not make it this year to participate in future cleanups. Great job everyone and thanks again for helping us maintain our most coveted possession as city dwellers, our parks.

### 2 Alarm Tom Green Condo Fire Tests New Strategy

by Scott Morris

Late on Friday, March 21st our neighbors at Heritage Condos were awakened by a fast moving fire that quickly engulfed the south end of the building. According to Harry Evans, spokesman for the Austin Fire Department, 7 units were damaged either by fire or water and are uninhabitable. About 20 residents will have to move until these units can be repaired. Concerns about water pressure to fight large fires arose in our area after the Buckingham Square fire on West Av.. In that case aerial water cannons went without water for 45 minutes due to aging, small lines in our area. "The fire department devised a new strategy since the Buckingham fire in meeting those (water supply) issues and have adjusted to the reality of older and smaller lines in the campus area," Evans said. At Friday night's fire, long lines were run to hydrants on 32nd and Duval and other points to feed the equipment close to the fire. Aerial cannons had sufficient pressure and they were utilized mostly in two "defensive positions" while the firefighters accessed the building with hand lines. During the fire, firefighters tried to cover and protect belongings inside the units, what the department refers to rather modestly as "salvage work", but the speed of the fire limited their ability to do this and many tenants did not have insurance. Our hearts go out to our neighbors who have lost so much. The Red Cross and off duty firefighters volunteered over the weekend staffing community relations buses for the displaced residents. Please take the opportunity to thank our firefighters at Station 3 for their service. These heroes deserve our highest commendation. As of press time, the cause of the fire is still being investigated.

Keep up with neighborhood news! Join the neighborhood discussion group at:  
[nuna-residents-subscribe@yahoogroups.com](mailto:nuna-residents-subscribe@yahoogroups.com).