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**EXECUTIVE COMMITTEE MEETING**  
**ALL ARE WELCOME**

*Our next meeting will be on Monday, July 10*  
*at the Howson Library. All are welcome.*

**West Austin Neighborhood Group**  
P.O. Box 5722  
Austin, Texas 78763-5722



**West Austin Neighborhood Group**

Organized 1973

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

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# THE NEIGHBOR

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

June, 2006

This month we welcome President-elect Gwen Jewiss as our now acting president. In addition we have another report by Mike Cannatti on the task force and city council action on the new development restrictions. Please note that due to the 4th of July our next meeting will not be on the first Monday as is usually the case. We will meet on the second Monday, July 10th, 7PM at the Howson Library.

**President's letter by Gwen Jewiss**

June 8th's Austin Chronicle asks the question, "Is Austin better now than it was 20 years ago?" Over the past few years, Envision Central Texas asked what we all thought the area should become; twenty, or fifty years from now. And, for the past six months, many have been participating in the process of defining the so called 'McMansion Ordinance'. But how do we get there?

As WANG's Zoning Chair, Blake Tollett stated in his presentation to Council, many would have wagered that the Taskforce would not be able to reach a consensus, and that no good would come of all of this. Fortunately, it appears that we may have been wrong; and Council agrees. This does not mean, however, that we will see a decrease in the removal or demolition of older homes; it merely speaks to what will be the massing of the replacements. So my question to all of you is, "What do you see as the defining characteristics of our neighborhood?"

For those looking to move here with young children, it may be Casis Elementary School. For others, the proximity to downtown, medical centers and UT workplaces may be the draw. Although The Grocery long ago ceased to be a part of Tarrytown Center, our criteria included the ability to walk down the street to buy a quart of milk, a loaf of bread, or other items needed for an impromptu dinner party. Mature trees, low crime and solidity of real estate values, are among the benefits touted to potential homebuyers. My point is, a wide variety of elements piece together to make up the neighborhood we know and love. We may still be a ways off in the Neighborhood Planning process, but it would be good to start

thinking about what are the things we cherish most? As Austin continues to densify, where could compromises be made? It is unrealistic to think that things would remain exactly as they are today, so how do we want to influence the change?

The response to the inquiry is not something that needs to be fired off in an email, nor have we established a formal survey. Instead, I would like everyone to contemplate the question through the summer, and let's have a dialogue this fall at the Annual Social.

Gwen Jewiss  
President-elect

**Development Restrictions Report  
by Mike Cannatti**

After four months of Task Force deliberations, numerous public hearings before the Council, Planning Commission, and various neighborhood meetings, seemingly countless Task Force committee meetings, and four hours of public comments, the Austin City Council on June 22 unanimously passed rules limiting the size of new, renovated and add-on home construction in Central Austin neighborhoods. These new rules for single-family and other non-multi-family residential development can be viewed at [www.ci.austin.tx.us/zoning/downloads/sfregs\\_june22\\_modified%201st%20&%202nd.pdf](http://www.ci.austin.tx.us/zoning/downloads/sfregs_june22_modified%201st%20&%202nd.pdf). The new regulations apply to the Central Austin area, including the WANG neighborhood. One amendment was made to the ordinance to add a "Residential Design and Compatibility Commission" which will provide an adjustment mechanism for property owners with compatible designs. The Council also extended and modified the interim regulations, which are currently in effect and will remain in effect until Oct. 1.

At the end of the day, the Council decided to substantially enact the Task Force Recommendations for Single-Family Regulations, a summary of which is posted at [www.ci.austin.tx.us/zoning/downloads/sfregs\\_summary\\_sheet\\_06.09.06.doc](http://www.ci.austin.tx.us/zoning/downloads/sfregs_summary_sheet_06.09.06.doc). Also, a copy of the Task Force presentation to Council at the June 8 meeting is posted at [www.ci.austin.tx.us/zoning/downloads/task\\_force\\_presentation.pdf](http://www.ci.austin.tx.us/zoning/downloads/task_force_presentation.pdf).

Background Photo of Lime Kiln #PICA24140,  
Austin History Center, Austin Public Library

**Be sure to visit our website at <http://www.deepeddy.com/wang/>!**

Generally speaking, the rules limit homes to either 2,300 square feet or a square footage that is 40 percent of the lot size (whichever is greater), with features such as attics, small attached garages, detached rear garages and first-floor porches not counting toward the size because these elements do not add to the mass and bulk homes. A setback building envelope was also added to push height away from adjacent neighbors, allowing traditional two story homes to be built at the five foot setback line, but requiring taller structures to be moved away from the adjacent neighbors. In addition, a height limit of 32 feet is replacing the current limits of present 35 ft. limit (for single family homes) or 30 ft. (for duplexes). The Task Force attempted to craft rules that would address concerns about overly large new houses that loom over existing neighbors and destroy neighborhood character, but that would still allow homeowners to build bigger and taller homes.

In an amazing 15-1 consensus among a Task Force comprised of neighborhood leaders, architects, builders and developers, the group was nearly unanimous in its support of the proposed ordinance (see a summary at [www.ci.austin.tx.us/zoning/downloads/sfregs\\_summary\\_sheet\\_06.09.06.doc](http://www.ci.austin.tx.us/zoning/downloads/sfregs_summary_sheet_06.09.06.doc)), though in a last minute act of high drama, four of the Task Force members broke ranks to submit a minority report seeking looser building rules. In addition, the Home Builders Association conducted a high profile publicity campaign against the proposed ordinance with ads claiming that the ordinance would rob defenseless grandmothers of their retirement nest egg. The HBA ad is posted at [www.bouldincreek.org/Pdf/HBA\\_Misinfo\\_2](http://www.bouldincreek.org/Pdf/HBA_Misinfo_2), and a humorous rejoinder is posted at [www.bouldincreek.org/Pdf/Esther](http://www.bouldincreek.org/Pdf/Esther). Given the numerous statements of concern over the years from many of our resident grandmothers about the tear down phenomenon in our neighborhood, it is particularly galling to see the HBA play the "grandma card" in their ad campaign.

Notwithstanding the last minute drama and a high profile HBA ad campaign against the Task Force recommendations, the Council approved the Task Force recommendation by a 7-0 vote. The interim regulations are the same as those adopted on March 9 but the front yard setback averaging system in the March 9 ordinance has been replaced with a new front yard setback averaging system, under which the minimum front setback is the lesser of 25 feet, or the average of the setback of as many homes, up to 4, closest to the subject lot on the same side of the block.

Though some in the development community

are already planning to seek relief in the courts or from the State legislature, I hope that the significant consensus behind the Task Force recommendation will at least give folks a chance to seriously consider the merits of the new ordinance. Once the confusion of uncertainty about the new rules clears, it will be clear that these rules accomplish the goal of reducing overwhelming mass and scale, but at the same time are very flexible in allowing new, larger homes to be built in our neighborhood.

### Austin Energy Tree Trimming Policy By Michelle McAfee

Before Austin Energy actually performs any work on the trees, we will attempt to contact each property owner that has trees that may be affected by the work. Our Contract notifiers and Austin Energy staff will work with each property owner to attempt to reach an agreement on the work to be performed on the property in the following manner.

- Contract notifiers evaluate each property to determine the proposed work to be done.
- If the property owner is not home, a door hanger with the proposed work will be left at the residence, unless there is no house or structure.
- The notifiers will attempt to contact the property owners by telephone to discuss the proposed work.
- If the property owner can still not be contacted, a certified letter will be sent to them with a copy of the proposed work to be done.

During this process, each property owner may request the following actions from Austin Energy and its Contract personnel.

- You may request an on-site meeting with a Contractor representative to review the proposed tree work
- You may request an on-site meeting with an Austin Energy employee to discuss the proposed tree work
- You may request to have a third party present during the meetings and/or during the work
- You may request modifications to the proposed tree work
- You may request to not have trees removed on your property
- You may request to be present when the tree work is performed
- You may request pricing on potential electric system modification to minimize or reduce tree work
- You will receive a written work plan documenting the final plan for your property

If you or any of your neighbors have any questions or concerns, please contact Michelle McAfee at 322-6932 or Ray Henning at 322-6930.

## Meeting Minutes

June 5, 2006, 7:00 PM  
Howson Library

Chair: Erik Cary, President

Attending: Basciano, Bennett, Falk, Harris, Jewiss, Pascoe, Pfluger, and Tollett.

Guests and Visitors: Roll Absent

Call to Order: Cary called the meeting to order.

Approval of Minutes: ExComm approved the minutes of the May meeting.

### Neighborhood Presentations:

A. City Response to May Storm  
Harris suggested that WANG address the Council regarding the City's questionable response times to the May 5 storm. City communication was poor throughout the neighborhood. In some areas it took 4 days to have power returned and debris was not picked up in areas for 2 weeks. ExComm elected not to take any action.

### Committee Reports:

Infrastructure Committee:  
Basciano and Sylvia Benini presented the tree credit worksheet which was presented to the Interim Development Regulations Task Force. The IDR task force did not include the worksheet in its final document. Basciano and Benini noted that Michael Embesi, City Arborist, should be called if a protected size tree (tree measuring 60 inches in circumference) is being removed without a permit. Basciano then addressed the Tree Trimming Task Force created in February by the City Council to address the tree trimming practices of the City, mainly Austin Energy. She noted that Hancock, Hyde Park and Eastwoods neighborhoods were the primary participants and that WANG was denied participation, even though she and Benini attended the meetings. She noted that these neighborhoods' primary interest was the costly solution of burying utility lines underground, a cost which we need to be sure is not borne by all of Austin, rather than the individual property owners. She noted that Austin Energy has the right under Federal code to maintain lines and that Austin Energy has a Customer Refusal Process which these central Austin neighborhoods circumvented. Austin Energy will be improving its notification system to

include neighborhood associations as well as individual property owners and the information it provides on its website. She added that private arborists are prohibited from cutting near power lines. She ultimately would like to see trees considered as an integral part of the City's infrastructure.

Tollett updated WANG on the Residential Compatibility Task Force recommendations. First reading is Thursday. Neighbors were encouraged to email the Council noting their support. The Planning Commission is considering pulling duplexes out of the recommendations. Tollett noted that both sides came together to arrive at a compromise and that it would be a shame to lose this. Tollett offered to speak at Council and Harris offered to prepare a PowerPoint for Tollett's presentation.

Nominating Committee: Cary will have a list of nominees for vacant positions.

Transportation Committee:  
Pfluger reported that his sidewalks proposal is gaining traction. The City Manager supports the proposal. A discussion of sidewalk maintenance took place. There are stretches of sidewalk not immediately adjacent to residences that have become overgrown with weeds and in some places nearly impassable. It may be within PARD jurisdiction. Pfluger will research that and the availability of the CIP fund.

Zoning Committee:  
Tollett addressed the zoning matters  
**C15-06-065 505 Deep Eddy** Owner: Peter Fajkowski and Miguel Morales

Tollett reported no change in this matter for which we are on record as opposing. The applicant has requested a variance to increase the maximum number of employees allowed for a home occupation use from one person to six persons for a duplex residential use with a home occupation use in an SF-3 zoning district. The LDC states that participation in a home occupation is limited to occupants of the dwelling unit, except that one person who is not an occupant may participate in the office if off-street parking is provided for that person.

The applicant has requested a variance to increase the maximum impervious coverage requirement from 45% to 70% in order to add employee parking on site for a duplex residential use with a home occupation.

**C15-06-062 613 Upson**  
Owner: Jack Lerond

The applicant has requested a variance to decrease the minimum lot size requirement from 7,000 square feet to 6,793 square feet in order to erect a duplex residential use in an SF-3 zoning district.

The Board of Adjustment denied this request for variance last month but the applicant has asked for reconsideration. On the day of the hearing, Tollett noted in the file two letters of opposition from residents on Upson, and since the ExComm last deliberated on this request in May, there have been additional letters in opposition. Lerond has retained Jim Bennett as agent. The duplex permit was pulled prior to the interim regulations. There was a question about whether Lerond would have to reapply for a permit under the new task force guidelines. The Board of Adjustment saw 2 things in their review. The original owner gave up land in 1992 for a driveway to access other buildings within the development so it was essentially a self-imposed hardship. Tollett wasn't sure if Lerond would get reconsideration. Lerond was asked to comment and declined. Because a number of letters have been produced in opposition, Tollett suggested that it was prudent that WANG's position change. Bennett made a motion in opposition seconded by Basciano. The vote was 6 in favor, 1 opposed and 1 abstaining.

**C15-06-069 2700 Oakhurst Avenue**  
Owner: Fritz-Alan (Chico) Korth, Jr.

This variance request appears to come from Pemberton NA. ExComm took no action.

**C14-06-008 2307 Lake Austin Boulevard**  
Owner: Denver Dunlap

Proposed zoning change:  
FROM: MF-3-Multifamily residence (Medium Density) district is intended to accommodate multifamily use with a maximum density of up to 36 units per acre.  
TO: CS-MU-General Commercial Services district is intended predominately for commercial and industrial activities of a service nature having operating characteristics or traffic service requirements generally incompatible with residential environments. MU-Mixed Use combining district is intended for combination with selected base districts, in order to permit any combination of office, retail, commercial, and residential uses within a single development.

Tollett noted that the project has run into problems with the Town Lake Watershed and impervious cover. He would like to see the potential land use modified to a less intense one.

Tollett noted that there was one notice of Council consideration to waive the development regulations relating to limits on certain residential construction.

**Permit # BP-06-4522R 3202 Greenlee Drive**  
Applicant: Mr. Copp  
Applicant is requesting a waiver from

Ordinance No. 20060309-058 in order to construct a two story single-family residence at 3202 Greenlee Drive based on a front yard setback of 165 feet. The average of the maximum front yard setback on the block face is 108 feet. The two-story structure will have 4328 square feet of gross floor area. The proposed development complies with the floor to area ratio and square footage limitations under Ordinance No. 20060309-058. The proposed development would also comply with all other zoning regulations, including building and impervious cover limitations as well as height requirements. Cary will distribute copies of the notices to affected neighbors as has been consistent with WANG's policy since the implementation of the Interim Regulations.

### New Business:

Caroline Favrot addressed WANG regarding a neighbor's proposed addition. Favrot has opposed the addition and if a variance was requested, asked that WANG oppose it. Her concern was that the neighbor's modified plans adversely affected her privacy and an asset of her house that was one of the deciding factors in her purchase of the property. She noted that several of the neighbors have offered the homeowner in question their support but she noted that only she is affected by the remodeling. As no variance request has come forward, there was no action that ExComm could take at the time but Favrot's opposition was noted.

Treasurers Report: Falk reported \$1,857.77 in the checking account, \$4,572.46 in savings and \$1,200.27 in the Oak Wilt Fund. Falk noted that we are starting to incur charges at Wells Fargo and he will look into consolidating the savings and checking accounts.

Adjournment: There being no further new business, Cary adjourned the meeting.

