

March Meeting

When: 7:00 pm
Monday, March 5, 2018

Where: Griffin School
5001 Evans Avenue

Note: HPNA meetings usually take place on the first Monday of each month.

HPNA General Meeting Agenda for March 5

- ❖ Welcome New Members
- ❖ Vote: Variance Request, presented by the Steering Committee and DRC
- ❖ Presentation and Discussion: CodeNEXT Version 3
- ❖ Vote: Letter to City regarding NCCDs and CodeNEXT, presented by the Steering Committee
- ❖ Announcements

Peeper, Jogger, Spanker, Shooter: Update on Crime in Hyde Park

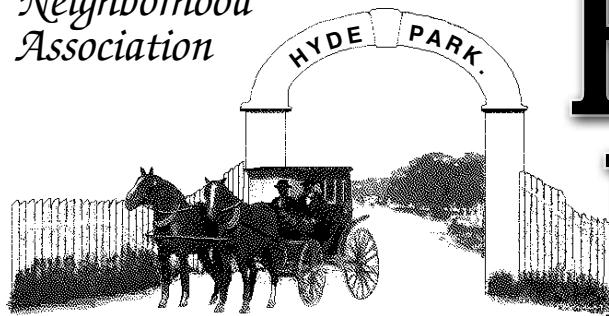
Editor's Note: At the February HPNA meeting, Officer Everett Beldin, APD liaison to Hyde Park, spoke to the membership about crime in the neighborhood. Unfortunately, he wasn't able to address the officer-involved shooting on Avenue G on January 26. However, news about that event has slowly been emerging (<http://kxan.com/2018/02/12/home-invasion-suspect-targeted-austin-youtube-celebrities-police-say/>, <http://kxan.com/2018/02/15/police-new-mexico-man-who-fired-at-austin-officer-committed-suicide/>). At a future meeting, after the conclusion of the investigation, perhaps he can present the final findings of the APD.

Hi everyone, I'm Officer Beldin, Everett Beldin, Austin Police Department. I met some of you all the last time I was up here. I've been invited to speak particularly on one subject, any guesses?

So I have to start off with this comment, it's an open investigation. Because it's an open investigation, they're not releasing much information. They won't do

Continued on page 18

The Hyde Park
Neighborhood
Association



Pecan Press

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Time to Scramble Some Eggs!

Hop on over to Shipe Park for the Sixth Annual Hyde Park Egg Scramble on Saturday, March 31, 10:30 am to 12:30 pm! The Hyde Park Neighborhood Association welcomes all the kids in the neighborhood to participate. Thanks to the generous sponsorship of Grande Communications, there will be popcorn, snow cones, and cotton candy, free for all attendees at this annual event. Scramble for eggs and enjoy the bounce house and obstacle course. Come to enjoy the park before it becomes messy with pool construction.

The egg hunt will start at approximately 10:45 am. As usual, it will be divided into three age groups: 0 to 2 years old, 3 to 4 years old, and 5 to 8 years old. Each age group will have its own area marked in the park with colored flagging tape. The younger age groups will be scrambling in the large flat field area of the park, and the oldest age group will be scrambling in the grassy area with trees across the bridge. The playground, swings, and basketball court will be open and available to all.

If your child is going to participate in the egg hunt festivities, please drop off one dozen plastic eggs filled with age-appropriate treats any time between Saturday, March 24 and Friday, March 30 in the bins marked by age group at either 4307 Avenue F (front porch) or 4613 Duval Street (side porch). A reminder from the Austin Parks & Recreation Department: no confetti eggs please!

After the egg hunts, a balloon artist will be there to make amazing balloon creations and a face painter will decorate the kids with rainbow unicorns, tigers, monkeys, and butterflies. Kids can color and make egg-themed crafts at a table near the concessions. A food truck from Noble Sandwich will stop by to serve the neighborhood. Don't miss the annual appearance of the Egg Scramble Bunny, who will pose for pictures with families in the photo booth!

Please thank our sponsors for the event: Grande Communications; Trinity Church of Austin; Carolyn Grimes of Coldwell Banker United, Realtors; Walgreens; and Bounce Around Austin. A special shout out goes to the City of Austin Parks and Recreation Department and all the volunteers from It's My Park! Day for keeping Shipe Park looking so beautiful and getting it ready for this event. Interested in volunteering for the Sixth Annual Hyde Park Egg Scramble? Use this link to go to our invitation page on SignUp.com: <http://signup.com/login/entry/1037031760693172049>. We look forward to seeing all of you there!

— Michelle Rossomando

From the Desk of the President



A couple of days before Valentine's Day, Hyde Park and other central Austin neighborhoods got some good news. The *Austin American-Statesman's* headline that day announced, "CODENEXT'S THIRD DRAFT RETURNS STATUS QUO TO NEIGHBORHOODS," followed by a sub-headline, "UNDER PRESSURE FROM NEIGHBORHOOD ASSOCIATIONS, NEIGHBORHOOD HOUSING DENSITY REDUCED IN LATEST CODENEXT DRAFT." Additionally, the *Austin Monitor* heralded "NEIGHBORHOOD DENSITY DIALED BACK IN NEW CODENEXT DRAFT." While the media headlines trumpet good news, there are still those, such as neighborhood advocacy group Community Not Commodity, who are wary of the draft and what it means for neighborhoods.

If you are regular readers of the *Pecan Press*, you know that a few years ago the City of Austin embarked on a major rewrite of the City's zoning code. Dubbed CodeNEXT, the code rewrite has gone through two previous drafts, both of which called for allowing additional residential housing or increased density in central Austin neighborhoods. Allowing the building of additional residential units for people who want to live near downtown might sound good, but many neighborhood associations worried that the way CodeNEXT was trying to achieve

that goal would lead to gentrification, reduce affordable housing, create additional traffic congestion, encourage the tearing down of current homes, and disrupt existing neighborhoods plans.

For the most part, Hyde Park is exempt from the changes in CodeNEXT because of our local historic district and our Neighborhood Conservation Combining Districts (NCCDs). However, many in the neighborhood are concerned that if some of our sister neighborhoods were opened up for new development, the effects of that development would be felt in the neighborhood in ways such as increased flooding and traffic.

Even under the latest draft of CodeNEXT, it is likely that we will see increased density in many neighborhoods throughout Austin. The *Austin American-Statesman* article quoted a city consultant who said that draft three of CodeNEXT provided the potential for 299,000 additional housing units in Austin, which is 13,000 more units than were projected under draft two. While CodeNEXT draft three attempts to focus the majority of the increased density onto transit corridors, the draft still contains language that could increase density in the core of neighborhoods.

While the final draft has been released, CodeNEXT is still a work in progress. Two city commissions are set to review the third draft, and the City Council is likely going to vote on a final draft in April.

There is no doubt that there are more problems with CodeNEXT that will need to be corrected. Our neighborhood is fortunate to have several neighbors like David Conner, Karen McGraw, Susan Moffat, and Lorre Weidlich who

Continued on page 16

Hyde Park Neighborhood Association

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www.austinhypark.org

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Pecan Press

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Issues for Vote at the March Meeting

Editor's Note: HPNA members will have the opportunity to vote on two issues at the March meeting. The following articles describe the background and content of these issues.

Hyde Park NCCDs

In the past several months, the benefits of Hyde Park's NCCDs have been called into question on several occasions. Because the timing in those cases made it difficult for the HPNA to take action, individual Hyde Park residents responded to the public statements: on one occasion, with a white paper, and on another, with a letter to City Council. However, on the assumption that a statement from the HPNA is stronger than a statement from individuals, the Steering Committee would like to have a letter in support of the Hyde Park NCCDs to use in the event that the situation occurs again. The letter will be passed out at the March meeting for members to read, discuss, amend, and vote on at that time.

Flood Plain Variance for Avenue D Property

The owner of the property at 4515 Avenue D, a property in the flood plain, would like the support of the HPNA to obtain a variance to build on that property. The lot already contains a small house, which he would demolish and replace with a one-story, three-bedroom house. HPNA members will be asked to vote on the following communication to the City of Austin:

The Hyde Park Neighborhood Association (HPNA) supports the request by the owner of 4515 Avenue D for a variance relating to methods of egress and non-conforming uses. Based upon current flood maps, the entire property and the right of way are currently within the 100-year floodplain and thus cannot meet these requirements. The proposal does not alter the safety of the property because the site already contains a house. Additionally, the Applicant has undertaken significant engineering studies to ensure that the new house reduces the water displacement if a flooding event does occur. Given the extensive efforts made by the Applicant to prevent and mitigate additional flooding from the property, the HPNA submits that the conditions of the property with regard to its relationship to the floodplain should not be held against the Applicant.

Hyde Park Bar & Grill
Seven Artists Exhibition
 February 25 — April 8, 2018
Featured in FIERCE LOVE and ART,
a documentary that will Premiere in Austin
Sunday, May 13, 2018, 7:00 PM
www.fierceloveparents.com

Membership Information	Submission Information
<ul style="list-style-type: none"> • Membership in HPNA is open to all residents 18 years or older residing within the boundaries of Hyde Park or within 300 feet of its boundaries. • All memberships expire on September 30th of each year. • New members and members who lapse in dues for over six months are eligible to vote at HPNA meetings 30 days after receipt of dues. • Membership dues can be paid in several ways: By signing up at an HPNA meeting or event, by mailing in the membership form, or by joining online using PayPal. To pay online, go to www.austinhiddepark.org and click on the Join Now button. Dues paid online are \$6. 	<ul style="list-style-type: none"> • Send your articles, letters, and photos by the 10th of each month to Lorre Weidlich at lweidlich@grandecom.net. <i>Opinion articles & letters to the editor must not exceed 500 words.</i> • Send your poems to Charlotte Herzele at herzele@gmail.com. <i>All poems, even if written under a pen name, must include a name and contact information for identification and verification purposes.</i>

Hyde Park Neighborhood Association Membership Form

Name _____ Phone _____

Address _____

Notify me by email of HPNA meetings & events _____

Dues per Person Standard - \$5/yr. Check
 Senior - \$1/yr. Cash

New Member Date _____
 Renewing Member Amount _____

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HYDE PARK AREA: YTD SALES IN REVIEW

	2015	2016	2017
NUMBER OF HOMES SOLD	20	18	19
AVERAGE SALES PRICE	\$564,709	\$532,583	\$615,250
AVERAGE SQ FT	1,508	1,912	1,661
AVERAGE SOLD \$/SQ FT	\$376.77	\$340.44	\$389.16
MEDIAN DAYS ON MARKET	37 DAYS	40 DAYS	44 DAYS

All statistics & square footage are from Austin MLS for Single Family Residence taken 08/10/2017 from the Austin MLS. For detailed market information about your home, contact Sam Archer, Broker.



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HPNA Minutes: February 5, 2018

President Reid Long called to order the monthly meeting of the Hyde Park Neighborhood Association at 7:06 pm on February 5, 2018 in the Griffin School at 5001 Evans Avenue.

Reid Long invited new members to introduce themselves. A representative of Wheatsville Food Co-Op on Guadalupe Street, which provided refreshments for the meeting, explained the history of the co-op and its contributions to the neighborhood, including substantial donations to local non-profit organizations.

Next was the introduction of candidates on the ballot in the March 6 primary election. All candidates on the primary ballot were invited, and those present spoke briefly. Paul Quinzi, an attorney running for County Court #3, described himself as a progressive candidate who wants to bring more fairness to the judicial system. He was followed by five Democratic Party candidates for the Texas 25th Congressional District, the seat held by Republican Congressman Roger Williams. West Hansen, a former builder and current social worker, intends to focus on improving medical care, veterans' services, and gender equity. Julie Oliver, an attorney specializing in health care finance, likewise stated that her goals included better medical care coverage, protection of the Medicaid program, and financial transparency. Chathan Panda, who has a background in financial services, named his three main issues as health care, economic equity, and breaking down barriers. Chris Perri, a defense attorney, articulated a platform of resistance to the current administration and promised to work on criminal justice reform. Finally, Kathi Thomas, an educator and community volunteer, stressed the need to invest in the major institutions of our country by reforming education, health care, criminal justice, and drug laws. Their introductory comments were followed by a brief Q&A in which all candidates responded to the same question posed by an audience member. Later in the meeting, Maya Guerra Gamble, candidate for the new 459th District, cited her recent experience representing clients of Child Protective Services as relevant to her goal of making the court system fairer for all.

The next item on the agenda was a report from the APD neighborhood representative, Officer Everett Beldin (Everett.beldin@austintexas.gov). His appearance was requested in response to the recent home invasion on Avenue G, which resulted in an officer-involved shooting of the perpetrator that is still under investigation. Due to APD policy, little information is available, although it appears to be an isolated incident. Officer Beldin noted the quick response time of police to this event (under 5 minutes) and observed that, according to crime data, Hyde Park is a comparatively safe neighborhood. In response to an inquiry about the peeper problem, Officer Beldin reported that someone was taken into custody quickly and was found to have some mental health issues that initiated a referral. A suspect in the naked jogger case was also taken into custody, and although a positive identification was not made, the police are keeping an eye on him. Asked about a recent rise in porch thefts, he reminded the group that this is a crime of opportunity. Finally, the so-called "spanker" assaulting women pedestrians has stopped his criminal activity for now.

The next item of business was an overview of building and planning in Hyde Park by Karen McGraw, AIA and city Planning Commission member. She explained that NCCDs (Neighborhood Conservation Combining Districts) are an overlay to the city's zoning code and supersede it. Hyde Park contains two NCCDs: Hyde Park and North Hyde Park, divided by 45th Street. The purpose of NCCDs is to preserve neighborhoods with distinctive architectural styles that were substantially built out at least thirty years before the date of the NCCD application. The architectural style of the NCCD was identified by a group of architects; the Hyde Park NCCD is characterized by open front yards and front porches, among other features. Even commercial buildings must conform to the scale of its NCCD with height restrictions, for example. There are also subdistricts within NCCDs. The city decided to exclude NCCDs from CodeNEXT. Within the Hyde Park NCCD is an LHD (Local Historic District) intended to protect structures of historical significance. The LHD includes a set of design standards for building exteriors (excluding paint color) that can be seen from the street. A map of the Hyde Park LHD can be found on the HPNA website. Within the LHD are contributing and noncontributing structures; changes to the former require approval of the city's Historic Landmarks Commission (HLC) to ensure compliance with LHD design standards. Demolition of contributing buildings is not permitted without HLC permission. Improvements to contributing structures benefit from seven years of city tax abatements. Federal tax credits might also be available for some projects involving properties listed on the National Register of Historic Places. More recently, the so-called McMansion Ordinance was adopted to ensure compatibility of renovations, additions, or new construction with the character of older neighborhoods. It has two main components: bulk and tent. "Bulk" refers to the floor area relative to lot size and "tent" refers to setback planes, which control by the setback from contiguous residences. Within our neighborhood, zoning regulations are typically most rigorous in the Hyde Park NCCD and

Continued on page 17

Monthly Calendar

March

- 2 — Recycling Pickup
- 3 — It's My Park! Day at Shipe Park
- 3 — Celebrate Urban Birds at the Ney
- 5 — HPNA Meeting
- 8 — DRC Meeting
- 12 — Steering Committee Meeting
- 16 — Recycling Pickup
- 24 — Austin Short Short Fiction Festival at the Ney
- 30 — Recycling Pickup
- 31 — Egg Scramble at Shipe Park



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Sidewalks Come to Caswell

Hyde Park is pleased that the City of Austin has finally installed sidewalks on Caswell Avenue leading to Ridgetop Elementary School. In the words of one resident of the area, "It's like Christmas on Caswell Avenue for all the families with kids around here. We're so pleased we're going to have a safe walk to school. They are even re-paving the part that already exists (but is crumbly) and putting in ramps."



Photos by Ellie Hanlon



City Response to Demolished Structure on Avenue H

Editor's Note: At its December meeting, the HPNA voted to contact the city about the demolition of an Avenue H structure that contributed to the Hyde Park Local Historic District. An emailed letter went to all City Council members and various city functionaries. Kathie Tovo's office looked into the situation and this is the response. We thank MPT Tovo and her office for their efforts.

You are correct that the existing Land Development Code does allow the City to take affirmative steps to initiate a case in municipal court (criminal) or state district court (civil). For a municipal court case, a city employee submits an affidavit to municipal court, which alleges that a person violated a specific provision of the City Code on a certain date and at a certain address. That information is converted into a criminal complaint. The violator can challenge the complaint, plead no contest, or, in some circumstances, reach an agreement with the City that will result in the case being dismissed if certain conditions are met. If a person chooses to challenge the complaint, a trial will occur. If the City wins, the person will be required to pay court costs and a fine. For a Class C misdemeanor, the maximum penalty that can be assessed by the court is \$500/day for each violation.

For a state district court case, the Law Department files a lawsuit against the person who violated the City Code. The City can seek a monetary penalty if the City proves that the person violated the City Code, knew they were violating the City Code, and after being notified, failed to stop violating the City Code. This type of case is handled like all other lawsuits, which includes producing documents and witnesses for deposition and, subsequently, a trial. If the City wins, the City can recover civil penalties.

Per our Historic Preservation Officer, Steve Sadowsky, this situation has not occurred before. He was very concerned when he learned about the applicant

going beyond the scope of the permit that was received. That is why he required the applicant to build back the exact same house with the addition that he originally applied for, instead of a new home. As you know, the applicant went back to the Historic Landmark Commission after the duplex was demolished and was given a new certificate of appropriateness. The Commissioners were upset that the applicant worked outside the scope of his original permit; however, the Commissioners issued a new Certificate of Appropriateness.

I have spoken with the Law Department and was told that the process for a first time offender (in this case the applicant) is that he would be offered a dismissal upon compliance. Since the applicant is now in compliance, the case would be dismissed.

Also to note, since CodeNEXT is being considered, our office will look into seeing if the fines for working outside the scope of a permit are adequate or if a recommendation needs to be made that the fines should be increased. We will also review during the budget process.

— Joi Harden
Senior Policy Advisor, Office of Mayor
Pro Tem Kathie Tovo – District 9
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Hyde Park Neighborhood Plan Contact Team Minutes: January 22, 2018

Trinity United Methodist, 4000 Speedway, Austin Texas

1. Call to Order. Chair Lorre Weidlich called the meeting of the HPNPCT to order at 7:04 pm.

2. Duval Bike Lane Proposal. Alison Mills, a Multimodal Street Designer with the City of Austin Active Transportation and Street Design Division, presented the current draft of proposed changes to the Duval bike lanes, which would affect the street from 53rd Street to San Jacinto. North of 50th Street, street parking would be limited to one side of the street to create a bike lane (parking would be available on the east side from 50th to 51st Streets, and on the west side from 51st to 53rd Streets). South of 50th Street, street parking would be removed from both sides of Duval, though brief stops for loading and unloading would continue to be allowed. As a result of previous feedback, the city is no longer considering raised concrete buttons or flexible posts, but continues to explore alternate options for protection of cyclists. Due to space constraints on northbound Duval at the intersection of 45th Street, the current draft suggests widening the sidewalk there to create a shared-use bike and pedestrian path. At 38th and 32nd Streets, striping would be extended to bring the bike lanes all the way up to the intersection, and green color would be used to bring emphasis to certain crossings. Attendees expressed a variety of concerns including the following: loss of parking for workers providing services to homes and businesses on Duval, lack of parking on adjacent side streets, lack of alley access for many Duval residents, cost of the project (as yet unknown), lack of access for guests, and inability of small driveways to accommodate large trucks such as those used by yard workers for Duval homes. Suggestions included the following: reinstating mandatory bike registration, requiring or encouraging reflective side walls on bike tires, working with Austin Resource Recovery to place trash and recycling containers in streetyard rather than bike lane, reworking the design of speed bumps so drivers are not tempted to swerve into bike lanes to avoid them, considering a bike lane for Harris Avenue between Duval and Red River to provide a safe route to Lee Elementary, and leaving the Duval bike lane as is. The current draft of proposed bike lane changes will be made available to the Contact Team chair who will share it through the listserv and the Pecan Press. The city will continue to seek input on the draft plan in the coming months; Ms. Mills can be contacted at Alison.Mills@austintexas.gov.

3. Baker Center Proposal for Alamo Draffhouse. Richard Weiss, architect for the Alamo Draffhouse, reported that the Alamo's requested zoning change for the Baker School property is scheduled for

consideration by the Historic Landmark Commission (HLC) on February 26, the Planning Commission on February 27, and City Council on March 22. The land is currently unzoned. Alamo's feasibility period ends on April 14 and if city approvals are received, the Alamo expects to close the sale with AISD soon afterwards. Alamo is not making physical changes to the building, but the case is required to go to HLC because of the site's location within the Hyde Park Local Historic District. Alamo intends to apply for historic designation for the Baker building itself later in 2018. ACTION: The HPNPCT voted to approve changes to the NCCD to support the Alamo proposal, as outlined in the *Pecan Press*, on a vote of 8-0-1 (Reid Long, motion; Mity Myhr, second). In addition, members requested the right to review proposed ordinance language to amend the NCCD at least seven days before the city is scheduled to consider it. Mr. Weiss agreed and noted that he has also requested this.

4. Proposed Amendments to Bylaws. Reid Long gave a brief overview of proposed amendments to the HPNPCT bylaws, which will be published for review and considered for possible action at the Contact Team's next quarterly meeting on April 23. In addition to minor formatting and grammatical corrections, chief proposed changes would include the following: require meeting location to be posted with agenda; streamline and reorganize the officers and duties section for greater coherency; clarify the voting procedure required to remove an officer; clarify that committees must operate under same rules as the full body; clarify rules regarding voting on, and communication of, official Contact Team positions; create a process for two or more members to add items to an agenda; and require voting decisions to be governed by parliamentary procedure. ACTION: The Contact Team approved a resolution to consider the proposed bylaws amendments for possible action at its meeting on April 23 on a vote of 8-0-0 (Kevin Heyburn, motion; Karen McGraw, second).

5. Capital Improvement Priorities. The city requires all Contact Teams to update their top five Capital Improvement Priorities every two years and further requires that these priorities be based on action items already contained in the approved neighborhood plan. ACTION: Pursuant to City of Austin requirements, the Contact Team voted to approve the following list of capital improvement priorities on an 8-0-0 vote (Susan Moffat, motion; Joe Bedell, second):

1. Address runoff, flooding, and drainage issues throughout Hyde Park. (Action Items 65 & 66)

Continued on page 16

Hyde Park Development 101

Editor's Note: Development is always a significant issue, and it has become more so nowadays with the possibility of the adoption of a new land development code, CodeNEXT, by the Austin City Council. The situation of Hyde Park is unusual, because it has several zoning overlays that are rare in Austin: two Neighborhood Conservation Combining Districts (NCCDs), one north and one south of 45th Street, and a Local Historic District (LHD) that covers most of the area south of 45th Street. Only six NCCDs and four LHDs exist in the entire city of Austin. Consequently, Hyde Park homeowners who want to do something new with their properties are often confused by the multiple layers of zoning. The Hyde Park Neighborhood Association provides a Development Review Committee (DRC) to advise and assist Hyde Park homeowners through the process. This column, which will run periodically in the Pecan Press, is another attempt to educate homeowners about Hyde Park zoning. If you have general questions about Hyde Park's LHD or NCCDs, please send them to the editor. We'll do our best to provide answers. This first column is taken from Karen McGraw's presentation to the Hyde Park Neighborhood Association at its meeting on February 5.

Introduction

After all these years and all this planning, we get questions all the time, so I'm going to do a short presentation tonight. I'll tell you what I'm not going to talk about first: ImagineAustin, the city's comprehensive plan, and the neighborhood plan from 2000, which is an amendment to the comprehensive plan. This has policies and action items and information about the character of the neighborhood. This is online (<ftp://ftp.ci.austin.tx.us/npzd/Austingo/hydepark-np.pdf>); it sets up the policies that enabled us to do the zoning overlays. Those two things are very important but we're not going to talk about them.

The HPNA has a Development Review Committee of hardy souls who meet with people who want to do projects and try to give them guidance. They don't write letters of support but try to guide people as to what's worked, what's not, and what the processes are.

Our regulations actually form a hierarchy.

Hyde Park Local Historic District
Most properties south of 45th

Hyde Park NCCD & North Hyde Park NCCD
South of 45th & North of 45th

McMansion Regulations
Central Austin

Austin Zoning Regulations
Entire city

The most rigorous regulations are the Local Historic District, and that's only for the area south of 45th Street and it's almost all of that area. In some cases, the Historic Landmark Commission (HLC) could even make a regulation more restrictive on your project.

Second, we have the NCCDs - neighborhood conservation combining districts. We have two, one south of 45th Street, one north of 45th Street. That's an overlay to the city's zoning code. Whatever is in an NCCD is going to supersede what is in the city code.

The next thing that we have is the McMansion regulations. The reason I put that on this list is because it's a separate chapter in the zoning code, so you wouldn't just pick that up in the regular course of zoning; but it does apply in our neighborhood.

All of that is in addition to the basic Austin zoning regulations. If you're in north Hyde Park you're going to start at the second level with the NCCDs; if you're south of 45th Street, you're going to have to deal with the historic district regulations.

Local Historic District

§ 25-2-171 HISTORIC LANDMARK (H) COMBINING DISTRICT AND HISTORIC AREA (HD) COMBINING DISTRICT PURPOSES.

(A) The purpose of a historic landmark (H) combining district is to protect, enhance, and preserve individual structures or sites that are of architectural, historical, archaeological, or cultural significance.

(B) The purpose of a historic area (HD) combining district is to protect, enhance, and preserve areas that include structures or sites that are of architectural, historical, archaeological, or cultural significance.

This is the purpose of landmarks and the purpose of the historic district.

This is a map of the Hyde Park Local Historic District.

The southwest area and Guadalupe Street are not included in the LHD. When you see a building that is black on the map, it's a contributing building and when you see a building that is not black, it is not contributing. That means it's too new or it's been dramatically altered. This is a very useful map. This map is on the HPNA website (www.austinhdepark.org). On the city website, you can find a map of the Local Historic District, a list of properties, and the Preservation Plan and Design Standards (http://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/HydePark_LocalHistoricDistrict.pdf).



If you look at the Local Historic District Preservation Plan and Design Standards, the first part, Adherence to Design Standards, includes these things.

- A. Neighborhood Conservation Combining District**
- B. Secretary of the Interior's Standards for the Treatment of Historic Properties**
- C. Hyde Park Local Historic District Design Standards**
- D. Previous Agreements about Specific Properties in the District**

Secretary of the Interior's Standards for the Treatment of Historic Properties is a background national standard that is usually referred to in assessing historic properties and changes to those properties (<https://www.nps.gov/tps/standards.htm>). So the Secretary of the Interior's Standards are very important. Then we have the local historic district standards, and then there are some previous agreements about specific properties. So this just gives you an idea of what is in the design standards for the historic district.

Just a few points. Demolition of contributing buildings is not permitted unless approved by the Historic Landmark Commission. This is the number one reason to establish a local historic district. This is the only way to stop demolition. You're thinking, we're not seeing much demolition in Hyde Park. If you were here in the '70s and '80s, people woke up in the morning and the house next door was gone. This happened all the time. By 5 o'clock in the afternoon it might be paved for a parking lot. So, if you think this doesn't sound very important, people who have been here a long time know that it's very important and it took 30 years for Hyde Park to achieve historic status south of 45th Street.

For changes to contributing structures, you have to go to the Historic Landmark Commission to get this approved. The standards usually apply to the exterior seen from the street. Interiors and paint colors are not controlled. And there are some benefits. City tax abatement is available for improvements to contributing buildings. It's a pretty neat program. If you're going to do work on your house and it's con-

tributing, as long as the improvements are approved, you get an abatement of the increase in your value for seven years on your property taxes. That's pretty good because our taxes are killing us (https://www.austintexas.gov/sites/default/files/files/Planning/Historic_Preservation/lhd_tax_abatement_application.pdf).

Then there's a federal tax credit. We also have a National Register District; it's pretty much south of 45th Street. That tax credit is for rental properties. I've done that on two houses in Hyde Park. If you totally renovate a house and you put it in rental for five years, you get a tax abatement of 20% of what you spent on it.

NCCDs

Neighborhood Conservation Combining District – so what the heck is that? I hear that all the time. What is an NCCD? Ok, this is the definition out of the code.

§ 25-2-173 NEIGHBORHOOD CONSERVATION (NC) COMBINING DISTRICT PURPOSE.

The purpose of a neighborhood conservation (NC) combining district is to preserve neighborhoods with distinctive architectural styles that were substantially built out at least 30 years before the date an application for an NC combining district classification is filed.

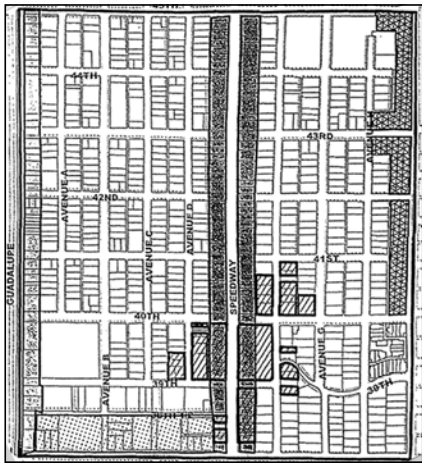
Ours – our first one – was applied for about 2001. That would be about 110 years after Hyde Park was founded – 110 years after the neighborhood was established but about 60 or 70 years after it was built out.

One of the things that happened in the neighborhood plan work was that a group of architects got together and wrote up what the major patterns – development patterns – are in the neighborhood, because that's the basis for the NCCD. That meant things like open front yards instead of six foot fences. Front porches are a pattern. Sloping roofs. There were different patterns and these were identified in an appendix in the neighborhood plan. As I said before, the NCCD regulations supersede Austin zoning regulations to the extent that regulations are written in the NCCD. So if you say, wonder what the rear setback is? and you look for it and you can't find it in the NCCDs, you've got to go back to Austin code. The other thing is, we developed the NCCDs by subdistricts so that we could deal with areas that have similar characteristics.

This is the map for the south NCCD – the first NCCD – and you can see the subdistricts are Speedway, Duval, Guadalupe, and W. 38th, and you can see the Baptist Church properties because they had an NCCD that preceded this. That's complicated, but it's all part of this NCCD now. Everything that remains is all part of what we call the residential district.

Continued on page 12

HP Development 101... ...cont'd from page 11



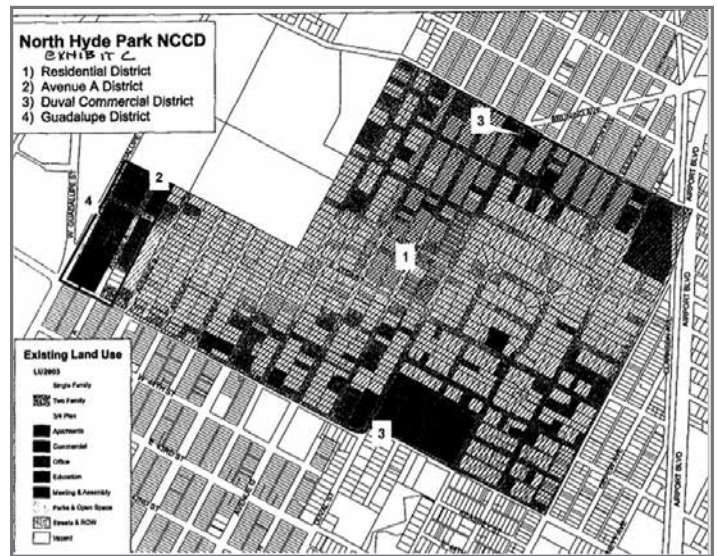
There are some general provisions for the NCCD, and there are provisions that deal with each district. In some of these districts, especially those with commercial properties, we really addressed land uses. For example, Guadalupe and CS zoning – you could have had a hundred different uses, so we went through and modified that. We also modified the size of uses, so instead of having a 50,000 square foot feed store, for example, we tried to make provisions so that we could keep the scale of things in those areas that would reflect the rest of the neighborhood. It abuts single family. Looking at commercial uses was very important. With a 60 foot zoning, under compatibility you're only going to get to maybe 43 feet at the front. We solidified those regulations for all of Guadalupe Street from 38th to 45th Streets.

This map shows specific parcels that were rezoned.



You can see the districts on this map of the North Hyde Park NCCD. You can see that there's a Guadalupe District, an Avenue A District, some commercial spots, and the rest is all single family.

What you're seeing around Fairfield is this: that area has deed restrictions that specify only one dwelling unit per lot. Some people were trying to build duplexes and the neighbors over there really wanted



to keep their one-unit-per-lot character. So we rezoned that area to SF-2, which allows only one unit per lot. You have to keep working on the city to be sure that they permit things correctly; they don't always.

This building that you've all seen at 4525 Guadalupe was zoned by the neighborhood in about 2004,

when we were doing the north NCCD. It's a 50-foot tall building. It abuts what would be back yards on Avenue A, but Avenue A is mostly apartment buildings.

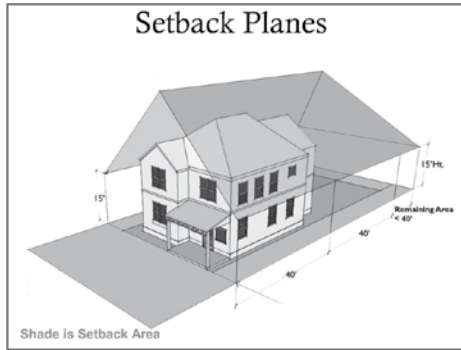


This stretch of Guadalupe allows 50 feet of height and these guys came in and built that without asking us for more. So when people say that nobody wants anybody to build anything again in Hyde Park – things like this are allowed on north Guadalupe Street and that's a mixed use building.

McMansion Ordinance

So let's talk about McMansion for a minute. The city likes to call it the Residential Design Compatibility Standards, because they don't like the word McMansion. I'll show you two things that really matter, the two main things. There's a tutorial on the city's website (<https://www4.austintexas.gov/mcmansion/>), so if you want to know all the nitty gritty of all the pieces that it takes to make McMansion, you can find it there, and it makes it seem really, really complicated. But it's based on two main things. The first one is floor to area ratio, which is the bulk of the building. It wasn't until about 12 years ago that people started taking advantage of their zoning and building the biggest house they could possibly build - 35 feet tall, five feet from their neighbor. That got people really concerned that houses were too big; nobody had ever built out all of that. The con-

trol on bulk is to take the size of the lot – a typical lot in Hyde Park might be 6000 square feet – times .4: 2400 square feet is how much you can put on the lot. There’s also a provision that you can have 2300 square feet even on a tiny lot, but you can’t do that in Hyde Park due to a modification in the NCCDs, because what that does is to say, go get a really tiny lot and you can build a huge house on it. It was part of some political deal back then.



This is the second part of McMansion and it’s called the tent. They call it the setback planes. Because people were building 35 feet straight up, five feet from their neighbor, the tent controls the compatibility to the next door neighbor. You can see that nice, big two-story house fits within the tent. There are a lot of little details that have to do with how you can construct this and how you can allow a gable and some dormers. There are a bunch of other things, but the two main things are the tent and the bulk. Call a professional if you want to know how to do the rest.

Austin City Code

This is just to give you an idea of what is in the Austin land development code, because everything is layered on top of this thing.

- Base Districts: SF3, LO, GR, CS, MF2, MF3, MF4, etc.
- Site Development: Setbacks, Height, Impervious Cover
- Parking: Spaces for Each Use, Size of Spaces, Materials
- Site Plan: For Multi-family & Commercial
- Landscape: For Multi-family & Commercial
- Short Term Rental: Residential & Commercial
- Easements & Utilities: Capacity, Placement, and Easements
- Trees: Protection of Heritage Trees

What you have are all these base districts. We have a lot of SF-3 in our neighborhood. Site development – setbacks, height, impervious cover, a lot of those rules – you’re going to go back to the land development code to find those. One interesting thing is that the city code says that a house can be 35 feet tall; McMansion, covering all the central parts of the city, says 32 feet. Hyde Park is 30 feet. There’s not that much difference in those numbers, but 30 feet is really huge and I don’t know of a house that’s 30 feet tall in Hyde Park. So that’s giving you a lot of buildability.

Continued on page 15

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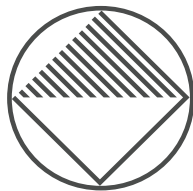


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HP Development 101...

...cont'd from page 13

Austin code addresses parking. It addresses site plans for multifamily and commercial and landscape. It talks about short term rentals. We don't have any specific rules in our neighborhood about short term rentals, we revert to city code. Easements and utilities. Austin Energy has a 7 1/2 foot easement off of any line on your property. I've had projects killed over that. There are all kinds of things you really have to know to get through the process. Protection of heritage trees, which are trees 24" in diameter and greater. It's very difficult to build around those. That just gives you an idea of how many more things there are.

There are a lot of other resources and ways to get more information, but that's an outline of what we deal with.

Questions and Answers

Q: These are the rules, but supposing someone is not in fact conforming with them. What recourse do you have if you think that any of the specific rules are being violated?

A: The best thing you can do is check the city website called ABC Austin. You can look up any address and look up the permits. At least for a house, when you file, the city is going to take your submittal with all of your drawings and post it online and then they're going to review it. If you see that posted and you think, I just don't know if this is right, you can email the reviewer and say, I want to be listed as an interested party. That's a good thing to do. Then, if they approve it and there's something wrong with it, you can appeal.

The other thing you can do is to call David Conner. David and Wanda (Penn) and Lorre (Weidlich) and other people come to the DRC and they can try to help, to figure out if something really looks good. Occasionally they send it to me and I will glance over it, too.

Q: What about notifying homeowners close by? Aren't notices sent for permits?

A: Not for just a regular permit. If someone files a permit and it meets everything, you're not going to get a notice. If it's going to go to the Historic Landmark Commission south of 45th Street, you're going to get a notice. There'll be a hearing. It's going to go to a committee for a certificate of appropriateness, and that committee is great because they really look at it. Once they've decided it's OK, it's probably going to go through the Historic Landmark Commission on consent.

Unless you have a historic district property, a landmark, maybe a Board of Adjustment variance, these are the things that are going to trigger notification. You might get a notification on a demolition, but you're not going to get a notice on a regular permit that meets everything and is granted by the city.

Q: Is there anything about parking in the NCCD?

A: The parking is listed. When we were doing this, we knew the city had to be with us or we'd never get this done, so we did it in a city-neighborhood planning process and the law department actually wrote these things. What's interesting is that they encouraged us, whenever we did a table - you'll see a table for regulations - to put everything in there, even if we weren't changing it. So, there are a lot of things in the code, in our NCCDs, that the city has changed, but they're not changed in our NCCDs. This is why you still need a 7,000 square foot lot to do a second dwelling in most of the neighborhood. Parking is the same thing: you still need two parking places per dwelling unit

Q: And they have to be on site?

A: Yes, and south of 45th Street, they have to be behind the front of the house. North of 45th Street, there's a limitation like one lane of driveway and parking. The parking requirements in the NCCDs are all a little more rigorous than what the city is doing now.

Q: Has parking space increased as the size of cars has increased?

A: Actually, parking spaces have gotten smaller. The regulation for residential is 8 feet by 17 feet if its parallel to the alley; and if you have to parallel park, it's going to be 8 feet by 22 feet.

Q: What about perpendicular?

A: That's really difficult because you've got to have 25 feet of maneuvering space to turn a car 90 degrees and the city forgets about that sometimes. Its amazing what they forget, because they think a car can turn on a dime and it cannot. Most of our alleys are 12 feet wide. There are a few alleys that are 25 feet wide. If they're 25 feet wide, you can turn that car; if they're 12 feet wide, you've got to set back 12 feet to get that car in there. That is one of the things that we watch for on permitted drawings - whether the parking functions. Can you really put a car there? That is a thing we've caught the city on many times.



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President's Corner... ...cont'd from page 2

are watching the CodeNEXT process closely and are keeping all of us informed of the City's decisions that will affect our neighborhood.

The HPNA plans to host a speaker who can speak to the details of CodeNEXT as it applies both to our neighborhood and to the City as a whole at our March meeting, and we plan to vote on a resolution concerning CodeNEXT at our April meeting. The Steering Committee will also ask permission of the membership to prepare a letter explaining the advantages of our NCCDs.

Our February meeting featured an informative discussion of our NCCDs presented by our own Karen McGraw. Thank you to Karen for helping educate all of us about the role the NCCDs play in our neighborhood. Also, several candidates for political office joined us to introduce themselves, including all of the candidates for Congressional District 25, which covers much of Hyde Park. Finally, Wheatsville talked to us about their services as well as providing some tasty treats! Thank you to Wheatsville for coming out and supporting our community.

I hope to see you at the March and April meetings. As always, let me know your thoughts and concerns.

— Reid Long
 HPNA President

Contact Team Minutes... ...cont'd from page 9

2. Repair sidewalk system on both sides of Duval. (Action Item 23b)
4. Install pedestrian-scale lighting along the major pedestrian routes of 43rd Street and Speedway, with tree trimming as needed. (Action Item 28)
3. Complete and repair Speedway sidewalks on both sides. (Action Item 23a)
5. Complete and repair sidewalks on the 4200 block of Avenue H. (Action Item 24)

Contact Team officers will draft a letter to the city containing the above priorities and including appropriate background information. The Contact Team chair will follow up with city Neighborhood Plan Contact Team and Education Coordinator Margaret Valenti to ensure the letter is delivered to the proper staff and departments. Priorities that are not related to capital improvements will be discussed at a future meeting. Contact Team members will also continue to discuss how best to access and apply the approximately \$50,000 believed to be in the sidewalk fee-in-lieu fund for use in the Hyde Park area.

6. Adjourn. There being no further business, the HPNPCT adjourned its meeting at 8:46 pm.

News from the Ney

Spring into Spring at the Ney Museum with a flurry of activity!



The picture, taken a few weeks ago, shows Parks and Recreation Department staffers helping to install a sculpture by internationally-known Wimberley-based artist Catherine Lee. This one, and three others like it, are part of an exhibition that is both inside and outside the museum: Catherine Lee: The Ney Project. Outdoors, The Four Constants joins its sister sculpture, Hebrides #6, Clach An Trushal, on loan from The Contemporary Austin. Indoors, visitors will find The Ney Project, a series of pieces called “cubics” that will change from time to time in the Visiting Artists’ Gallery. Catherine’s art pieces have come from as far away as Buffalo, New York to be part of this show, which opened on February 22 and will close on Sunday, May 6, 2018.

On Saturday, March 3, the museum will feature the annual Celebrate Urban Birds program, which takes off at 1 pm, with bird counts and activities galore from the very gracious Travis Audubon Society and Austin Master Naturalists. Learn to love our feathered urban neighbors as you get to know them, their colors, songs, and habits. The event ends at 4 pm.

On Saturday, March 24, the annual Austin Short Short Fiction Festival takes place once again. A partnership with the Michener Center for Writers and the Creative Writing program at UT, the event brings together a bakers’ dozen or more writers reading their short short, or “flash” fiction pieces. Hyde Park resident and UT creative writing professor, Elizabeth McCracken, curates the event, with help from fellow professor, Deb Olin Unfrith, and novelist, Mary Helen Specht. It’s always a lovely literary event carried out with a good sense of humor and suitable for everyone. There will also be food trucks and other refreshments. The event will run from 1 to 4 pm.

Also note: Ney Day will be early this year! The new date is April 14, so get ready to celebrate women in the arts, sciences, and civic culture with the Ney, bands, food trucks, art activities, and more.

HPNA February Minutes... ...cont’d from page 5

LHD. The HPNA Development Review Committee is designed to guide residents through the city’s application process by advising them about what will and will not work. Neighbors considering building projects are encouraged to contact David Conner, committee chair (daypaycon@yahoo.com). The city’s Land Development Code addresses parking, landscaping, short-term rentals, and easements. For example, the code protects heritage (24” diameter) trees. However, Hyde Park NCCD parking rules predate those in the current code and are more restrictive. The city’s online Zoning Profile Report Tool (<http://www.austintexas.gov/gis/ZoningProfile>) lists zoning information for every property address in Austin. Another city website (<https://abc.austintexas.gov/web/permit/public-search-other>) enables searches for building permits by address. Residents wishing to monitor specific building projects can contact the Planning Department reviewer identified on the search results and request to be listed as an interested party to receive future updates.

The final agenda item was a reminder of It’s My Park! Day on March 3 by Jill Nokes of Friends of Shipe Park. The meeting ended with announcements of upcoming meetings. Reid Long adjourned the meeting at 8:34 pm.

– Submitted by Susan Marshall
HPNA Co-Secretary

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Crime in Hyde Park... ...cont'd from page 1

so until, of course, it's closed. I can tell you that I've talked to several individuals, pulled up crime analysis for the neighborhood to see if there was any kind of pattern, and so forth. It appears to be isolated for that one instance. There's nothing else in the crime analysis that leads me to believe that this is ongoing. But again, as far as that particular incident, they gave me nothing. I called the detective, tried buddy-buddy, no, I'm not getting anything. Because it's an officer-involved shooting, there's an investigation that has to take place and be done the right way, which you all want. Can't mess with that.

But some of the other concerns that popped up: you noticed the store that was broken into and it started to heighten concerns. Is it a group, is it somebody doing things along those lines? There's nothing that leads me to believe that it's something along those lines.

In general, you're fairly safe. You're fortunate you have your groups like this and I've met many of you out in the street. Even with your packages, you all are taking care of each other. You're looking after each other's homes, or having packages delivered to your house, or going to pick up packages for each other. Things are pretty rampant in other parts of the city. But again, Hyde Park is relatively safe at this point in time. Going to keep it that way, yes?

I want to give a thumbs-up to the officers for their super response time for that incident (applause). I wasn't there but I'll take that for them. Under five minutes, pretty phenomenal. As far as the area going forward, I have some directed patrols that are in place from some of the citizens who have asked me to put them in place.

There were things – somebody came out and noticed that a car was missing a tire. No report was written on it as if the tire was stolen, but I went ahead and put a directed patrol in place to ease their mind there a little bit. It doesn't appear that there was a crime there but it's a quick report and send it out to the troops so they can kind of flood the area.

Now as you can imagine, I try to do these directed patrols at a hot-spot incident because if I put a directed patrol out every day for just what if, you're not going to get an area flooded with these officers, they're spread out.

Does anyone have any questions?

Q: Did you catch the peeper?

A: That's a great question. There was the peeper and there was our naked jogger. A suspect was taken into custody for the jogger, or walker. Some of you saw him, I don't know.

Q: It's always a "him."

A: No comment. As the case went forward, the detective contacted me and said that a positive ID was not made. It was as challenging as it could be, because, you know, the times were early in the morning, it was dark, and so forth. And nobody wants to see something sometimes. But he's on the radar. They know his name. If any

Continued on following page



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other witnesses pop up, especially on NextDoor, have them contact me and I'll put them in contact with the detective. Maybe somebody will recognize him and it can go forward. At this point in time, it's suspended because they need a good witness.

Q: Are the peeper and the jogger the same person?

A: No, when I spoke to the detective, he believed they were two separate people. And the peeper, I believe, was taken into custody pretty quickly. I believe the peeper may have had some mental health issues and they're trying to get him some help to work on those issues. That's the best way to put that.

Q: What about all the random stolen shoes and stuff like that off of front porches? It's all on NextDoor. It doesn't look like homeless people.

A: To follow suit with the package thieves, people have gotten more brazen. So, as they're coming along through your neighborhoods and they see something - hey, look at those running shoes. It's just a crime of opportunity. Again, there's no pattern, no reason for saying that Hyde Park is having any big influx of it. It's just when you see it on NextDoor, the way we communicate these days, it's like, wow, look at all this that's happening. I'm here to tell you that Hyde Park is relatively safe compared to the rest of the city - at Mueller, over in Allendale, Rosewood, and Hyde Park that I try to take care of on a daily basis. Thank God for Hyde Park.

Q: Has the Spanker stopped?

A: This meeting seems to be focused. We had no additional incidents after the bus stop, which was 45th and Speedway, right off 45th is where the incident was reported, and then there was another one that was way over. Not sure if they're related, the descriptions were similar. It was more of a drive-by, if you will. So he's running this way as they're running that way, he would turn around and slap at females. But no, after those two, which were all inside a week, if I'm not mistaken, we've had nothing additional after that.

Q: About the incident on G - would you just address what the facts were?

A: Apparently, officers got there quickly. Initially, when the subject was seen coming out, there was a shot fired. Still unknown, because, again, I don't have all the facts, I can only explain what I've heard on the news or picked up. Sorry I don't have more for you. It's just a lockdown until the investigation plays itself out.



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4211 AVENUE F

Spacious 1923 Victorian house plus garage apartment on oversized lot, 75' x 125'. House has 4 BR, 3 BA, 2 LIV, screened porch. Apartment is 1 BR, 1 BA. Bonus workshop.

Listed at \$1,150,000



3502 RED RIVER STREET

Tucked away down a private drive, this traditional style luxury townhome has 3,186 SF with 3-4 BR, 3 BA, 2 LIV, 2-car attached garage. Hardwoods, fireplace, two decks.

Listed at \$649,000



4506 AVENUE C

1910 Folk Victorian with many recent updates— foundation, roof, plumbing, wiring. 2 BR, 1 BA plus detached 1 BR/ 1BA casita/guest house.

Listed at \$459,000



4521 AVENUE D

Rare opportunity— residential lot for sale in Hyde Park. Design and build your dream home on this beautiful tree-lined street. Lot size 53' x 131'. Property backs up to creek.

Listed at \$399,000



2311 SHOAL CREEK BLVD.

Former home of Gov. Ann Richards. 1949 Mid-century modern architecture near Caswell Tennis Courts. 3,000 SF 3 BR, 2 BA, open floor plan, beautiful yard, .384 acre lot.

Listed at \$989,000



4809 AVENUE H

Two adorable homes on one lot. Main house is 3 BR, 2 BA, with new kitchen & baths. One-story guest house has 1 BR, 1 BA. Ideal for rental or extended family.

Listed at \$649,000



4009 AVENUE D

Classic 1925 Hyde Park bungalow in heart of historic district. 2 BR, 1 BA, updated kitchen and hall bath, utility porch. Wood floors throughout. One-car garage.

Listed at \$529,000



4202 AVENUE C

Cute 1920s Hyde Park bungalow featuring 2 BR, 1 BA plus separate 1 BR, 1 BA garage apartment. Both have hardwood floors and many recent updates.

Listed at \$529,500

The 2018 real estate market is off to a great start. Call your neighborhood expert today for a complimentary market analysis and customized marketing plan for your property.

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