

Cherrywood Neighborhood Association General Meeting

Date: Wednesday, August 19, 2015

Time: 6:30 PM

Place: Asbury/Servant Church, 1605 East 38th 1/2 Street

Meeting called to order at 6:40 PM

Members present

Jules Kniolek, Chair; Meaghan Bludau, Vice Chair; Terry Dyke, Secretary; Amanda Chenevert, Heidi Day, Ray Day, Marilyn Fenn, Francie Greene, Janine Gropp, Rich Heyman, Girard Kinney, Felicia Kongable, Sunshine Mathon, Marie Line McGhee, Kevin Meagher, Stephanie Modlin, Dave Obermann, Ryan Ofsthun, Dan Procter, Peter Ravella, Mike Sullivan, Erin Tassoulas, John Walthour

Guests present

Kathie Tovo (City of Austin), Genevieve Van Cleve (Austin Bar Association), Brendan Wittstruck (NCINC2), James Nortey

Reading of agenda

Printed copies distributed

Welcoming Remarks From the Chair

Mr. Kniolek asked those in attendance to introduce themselves and mention one thing that they liked to do. He reported that the CNA has vacancies for Flea editor, Flea graphics designer and Cherrywood.org editor, and called on members to spread the word or consider volunteering for one of these positions.

Steering Committee update

Treasurer's report. Acting treasurer Terry Dyke reported a balance of \$8760, with revenues of \$1871 and expenses of \$1660 for the period of June 25 through August 12, 2015.

Hazardous Waste pickup. Mr. Dyke announced the next household hazardous waste collection event, Saturday August 22, 2015, 10 AM – 3 PM at Cherrywood Green, and described how it works. Members may bring items for disposal at the City of Austin Household Hazardous Waste Facility. The list of acceptable items is restricted to “BOPA” – batteries, oil, paint, and antifreeze. Also, discarded electronics of all kinds may be brought for recycling. CNA volunteers will haul the collected items to the waste facility during its weekday hours.

I-35 letter update. Ryan Ofsthun reported that the Steering Committee did send the followup letter to the Texas Department of Transportation and the Austin City Council, as resolved by the May 2015 CNA general meeting. Mr. Ofsthun reported that no response has been received yet.

Business

Upper Boggy Creek Planning Area Priorities

Mr. Ofsthun read the priorities selected for Cherrywood's top five rank-ordered Capital Improvement Project (CIP) priorities, as well as the top five non-CIP priorities (attached)

Motion from Girard Kinney to adopt the priorities as read
Vote: 20 in favor, 0 against, 1 abstention
Resolved: Motion carried

City Code amendment proposal on side porch setbacks

Girard Kinney described his proposal to the Planning Commission advocating an amendment to § 25-2-513 of the Land Development Code that would ease restrictions on side porches (attached).

Motion from Sunshine Mathon to adopt the proposal for such amendment as read
Vote: 20 in favor, 0 against
Resolved: Motion carried

Program

Austin City Council Member Kathie Tovo addressed the group and took questions.

Announcements

Brendan Wittstruck, chair of the North Central I-35 Neighborhood Coalition 2 (NCINC2), encouraged neighbors to support a draft NCINC2 resolution opposing the auxiliary lane on the upper decks of IH-35. Mr. Wittstruck also informed the group about Friends of Austin Neighborhoods (FAN), a newly-formed organization supporting Austin neighborhoods.

Genevieve Van Cleve, speaking for the Austin Bar Association's campaign supporting the new Travis County Civil and Family Courthouse, asked the group to consider voting in favor of the bond to fund the new courthouse.

James Nortey introduced himself to the group as a candidate for Travis County Commissioner.

Meeting adjourned at 8:33 PM

Submitted by Terry Dyke, Secretary

Attachments

1. Upper Boggy Creek priorities
2. Proposed amendment to City Land Development Code

Cherrywood Priorities from the Upper Boggy Creek Neighborhood Plan

The Upper Boggy Creek (UBC) Committee met on May 31, June 8, and July 21 to prioritize the list of Upper Boggy Creek projects. Cherrywood has an opportunity to reorder and inform the City of Austin (COA) of our top five priorities in two categories: capital improvement projects (CIPs) and non-capital improvement (non-CIPs) projects. This document is a draft of the current priorities, and the team plans to collect feedback from the CNA Steering Committee and other stakeholders before finalizing its recommendation. The team took into account the feedback from the Imagine Cherrywood meeting, which underscored the importance of safe, walkable streets and emphasized sidewalks, bike lanes, and crosswalks as key to achieving that objective.

Proposed Top Five Capital Investment Projects in Rank Order

There were 51 CIP items on the spreadsheet that were not complete. Of those, 22 were identified as specific to Cherrywood.

Item	Page	Description	Status	COA Notes
38a	52	Build new sidewalks along Lafayette Street from Manor Road to East 38th Street.	Not Yet Initiated	The neighborhood and staff need to prioritize this list using the sidewalk matrix and then the department will program one sidewalk at a cost of \$20,000 to \$40,000.
38g	52	Build a sidewalk on the east side of Cherrywood Road from Manor Road to Patterson Park. Ensure that the sidewalk is wide enough for safe and easy travel.	Not Yet Initiated	[Unknown Date]: The neighborhood and staff need to prioritize this list using the sidewalk matrix and then the department will program one sidewalk at a cost of \$20,000 to \$40,000.
38c	52	Build new sidewalks along 32nd Street from the IH-35 frontage Road to Cherrywood Road.	Not Yet Initiated	The neighborhood and staff need to prioritize this list using the sidewalk matrix and then the department will program one sidewalk at a cost of \$20,000 to \$40,000.
47f	54	Improve the sidewalk system along East 38th ½ Street through measures such as the following: Complete the sidewalk network on the south side of East 38th ½ Street from Clarkson to the Asbury Methodist Church.	Partially Complete	1/2015 (PDRD): A sidewalk has been installed from the church to the crosswalk at Maplewood Ave. 12/2014 (PDRD): 12/2014 (PDRD): This project is planned for construction soon. Unknown date: Public Works recommends that the missing sidewalks along the south side of 38th 1/2 Street be built. Funding could come from the ADA program, Cap Metro 1/4 cent funds, or 1998 Bond monies. UBC Team Note: We still want the remaining sections to be completed.
38f		Build new sidewalks along Randolph Road/Clarkson Avenue from Manor Road to East 38th ½ Street.	Partially Complete	10/2014 (PDRD): A sidewalk has been constructed on the east side of Randolph Road from Manor Road to Clarkson Avenue.

Notes regarding why certain Cherrywood items were not included in the top five:

- 39 - (a) and (b) are partially complete; (c) striping bike lanes on the east side of Cherrywood would require residents to cede parking
- 41 - Eliminate; speed limit already reduced and signage in place
- 42 - Eliminate; this is a broader project, not unique to Cherrywood; in addition, work is already underway
- 45 - Eliminate; per COA, a crosswalk cannot be 300 feet from a signaled intersection; team proposes amending this item in the future to reflect this requirement and then consider it in the prioritization process
- 47 - Appears to address a number of gaps; (a) is completed but there are outstanding maintenance issues; reclassify as non-CIP and make it one of our priorities, (b) is complete, (c) and (d) are already recommended and COA said that this could be funded with other sources, however, we might consider them; (e) encompasses all of 38 1/2 St. and we see this as part of broader project
- 48 - Given the requirement of two additional feet of pavement between Cherrywood and Airport on 38th 1/2 St., that section would likely have less neighborhood support. The section between Cherrywood and IH-35 might be considered, but similar to item 47, this item needs to be reevaluated in a broader process to amend items related to 38 1/2 St.
- 51 - Deprioritized; speed humps in place and reduced speed during school hours; would require a change in category which could be challenging

55 - Deprioritized; these items overlap with TXDOT plans and the focus of prioritization is COA projects; Blackland crosswalk is not part of UBC area
 104c - Eliminate; regular maintenance; reclassify as non-CIP

Non-Capital Improvement Projects in Rank Order

Of the 88 non-CIP items on the list, 7 were identified as specific to Cherrywood. The committee reclassified two CIP items as non-CIP items on the grounds that they are regular maintenance as opposed to capital improvement projects. The team reviewed them and ranked the items.

Item	Description
47(a)	Improve the sidewalk system along East 38th 1/2 Street through measures the following: Widen existing sidewalks on East 38th 1/2 Street between IH-35 and Silver Ridge apartments to make it easier for pedestrians to walk around the utility poles in the sidewalk. In the short-term, this could be accomplished by paved skirting in a semi-circle around the poles so pedestrians can pass each other without walking in the street. In the long-term, utilities should be placed underground. UBC Committee reclassified as non-CIP because this is regular maintenance.
104(c)	Repair or install new street lights at the southwest corner of Clarkson Avenue and East 38th 1/2 Street. UBC Committee reclassified as non-CIP because this is regular maintenance.
44	To ensure that East 38th 1/2 Street becomes a viable pedestrian route, vegetation encroaching on sidewalks should be trimmed. Locations to be monitored include: the bus stop on the south side of East 38 1/2 Street at the intersection with Clarkson Avenue; northwest corner of East 38 1/2 Street and Cherrywood Road; and the south side of East 38th 1/2 Street at Grayson Lane.
53	Replace the missing "No Left Turn" sign at the exit from the Delwood Shopping Center at [East 38th 1/2 Street and] Robinson Avenue.
52	Reduce the amount of cut-through traffic of heavy trucks along East 38th 1/2 Street by enforcing the "No Trucks" sign at Airport Boulevard.

Notes regarding why certain Cherrywood items were not included above:

50 - Remove; seems outdated; process to change from arterial to neighborhood collector may be complex
 54 - Item proposes to remove parking restrictions on the [East 38th 1/2 Street] corridor from Cherrywood Road to Airport Boulevard to encourage on-street parking. At odds with presence of bike lanes. Amend to delete.

Items to Consider as Amendments

The team plans to review all items, including those that are outdated and determine if they are candidates to be amended as part of a separate process. At this time, the team is considering amending items number 45, 38(f)?, 48 (CIP) and 54 (non-CIP). In addition, a possible stoplight at Lafayette and 38 1/2th St. may be a new item to add to the list through an amendment.

Projects to Continue to Monitor

- 42 - Construct a multi-use bicycle greenway along or near the railroad right-of-way running through the planning area
- Advocate for adequate maintenance budgets for maintenance on CIP projects

30-Jul-15

Members of Codes and Ordinances Subcommittee
Planning Commission
City of Austin
301 W. 2nd St. Austin, Texas 78701

**KINNEY &
ASSOCIATES**
512-472-5572

RE: Proposed Amendment to § 25-2-513 of the Land Development Code

Members of the Subcommittee;

As you may be aware over 10 years ago I proposed a change to the code which resulted in an ordinance that now allows open porches to intrude to within 15 feet of a front property line in Neighborhood Planning Areas that have adopted this tool. The goal was to bring activity in homes out onto front porches, thus bringing residents closer to pedestrians in the street. I hope this has been successful in promoting the goal of safe walkable streets in many neighborhoods, and I know that it promoted Austin's rich heritage of open front porches.

I come to you now with a similar proposal that would address sideyards on corner lots. In this case, my proposal would be to amend the ordinance that currently allows open porches to intrude 5 feet only into required front yards citywide to allow porches to similarly intrude in to sideyards at corner lots.

In support of this idea, I offer the following:

- In Austin, the required front setback on a corner lot is determined NOT by where the front door is, but RATHER by which street is the SHORTEST. Thus, for instance, if a corner lot is 50' X 125' (a very common inner city lot size), the required front setback is on the 50' side of the lot, regardless of where the front door is or on which street the address is located.
- Very often, good planning and utilization of the site dictates that the front door in a corner lot is actually on the long sideyard where the required building setback is 15 feet. This fact has been true for at least 60 years, so there are many, many existing homes with their entrances and addresses on the long side of the lot.
- This makes it very difficult or virtually impossible to have a front porch at the entry of these homes, since the actual allowable depth of the house on such a 50 foot wide lot is only 30 feet. It becomes impractical to try to have a covered entry porch because the depth of the porch would lessen the available depth of the house at the very point where it often needs to be the deepest.
- Additionally, there is a rich history in Austin of wrap-around front porches on corner lots, even on modest homes. With front porches being allowed to intrude only into "front" yards, porches seldom if ever are seen wrapping around to the long side since, again, they would have to intrude into the buildable space at the most important corner of the house.

I believe allowing porches to intrude 5 feet into both required front yards and required sideyards on corner lots would go a long way toward promoting a better sense of community in neighborhoods, better communication opportunities between occupants and passers-by and would result in a more pedestrian scale to residential structures on corner lots.

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*URBAN DESIGN
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11 June 2015
Letter to PC Subcommittee

I believe this objective can be achieved with a very simple ordinance change involving the addition of only a few words as follows:

§ 25-2-513 - OPENNESS OF REQUIRED YARDS:

- (A) Except as otherwise provided in this section, a required yard must be open and unobstructed from finished grade to the sky. This restriction does not apply to a yard or part of a yard that is not required by this article.
- (B) A window sill, belt course, cornice, flue, chimney, eave, box window, or cantilevered bay window may project two feet into a required yard. The two foot limitation does not apply to a feature required for a passive energy design.
- (C) Uncovered steps or a porch or stoop that is not more than three feet above ground level may project three feet into a required yard.
- (D) A parking area may be located in a required yard, unless prohibited by Article 10 (*Compatibility Standards*).
- (E) In a townhouse and condominium residence (SF-6) or more restrictive district, a pool, including a swimming pool, reflecting pool, or fountain, may be located in a required yard.
- (F) Landscaping may be located in a required yard.
- (G) This subsection applies to a building located in a multifamily residence medium density (MF-3) or more restrictive district. A covered porch that is open on three sides may project five feet into a required front yard **and/or street sideyard.**

I appreciate the opportunity to present this idea, and I hope you will recommend the proposed amendment.

Respectfully,



Girard Kinney, AIA

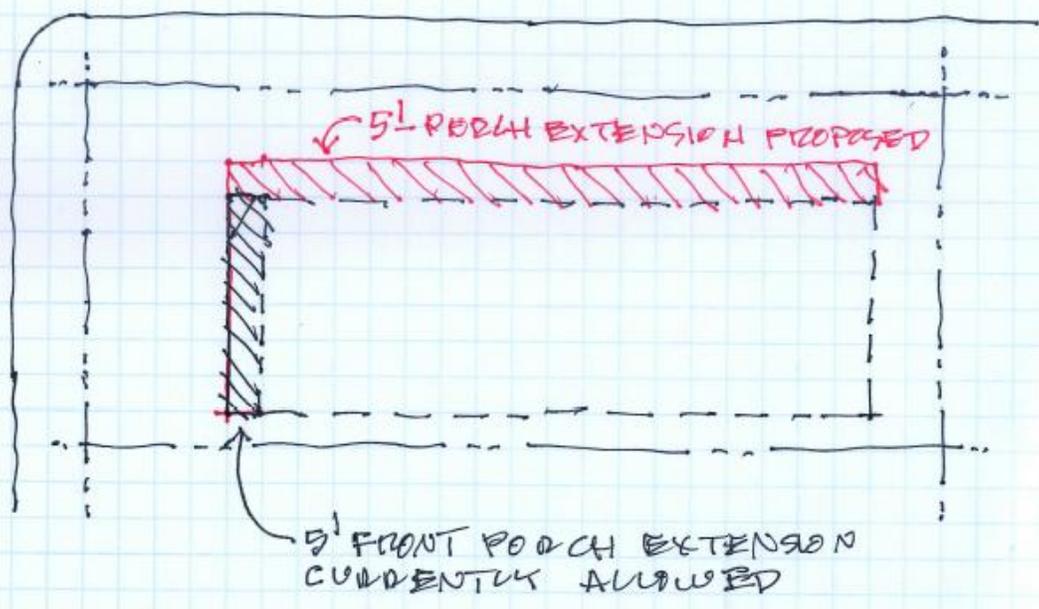
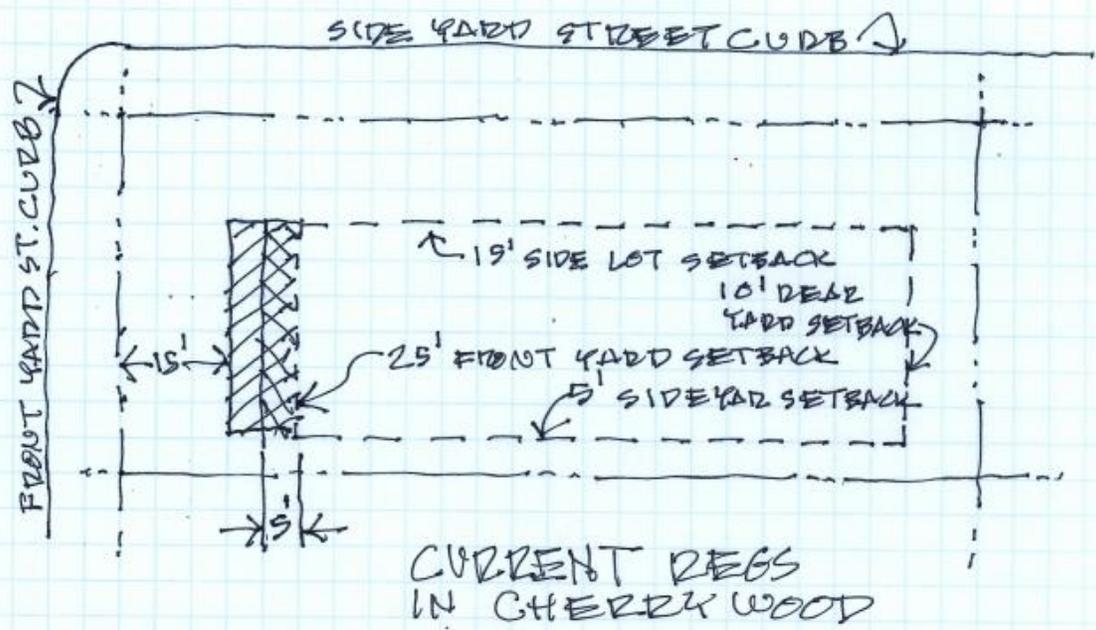
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12 AUG 2019
 PROPOSED CODE
 AMENDMENT
 GIRARD KINNEY