

•BCNA Neighborhood Association Meeting
July 13, 2004

In Attendance: Jose Ramirez, Dannie Miller, Aaron Williams, Paul Oveisi, Elizabeth Simons, Angie Kaps, Nicole Oswald, Jim Herbert, George Devore, Truitt Ray, Nan Garza, Dustin Steinne, C. Berill, Frank Maverick, Martha Maverick, Sarit Sexton, Sean Kelly, Mimi McKay, David Pluennecker, Rene Valdez, Gavin Wilson, Ingrid Weigand, Tom Hurt, Chris McCoy, Sean Ruff, Forest Peltan, Kathie Tovo, Dominic Westeen, Stuart Hampton, Ilene Grossman, S. McClain, Gail Armstrong, Liz Salaiz, Matt Coldwell, Helen Snook, Bob Sessa, Margaret Quadlander, Margaret Wilson, Jon Davis, Sam Martin

Budget (Need this report from Matt)

\$5,940 Matt shared that we have an operating fund

\$3, 924 Park Fund

\$1,000 Oak Wilt Remediation

Mailings

We are making money off the newsletter

Newsletter

Editor and Publisher needed

Need a Web Editor and Designer, anyone interested in that?

Anyone interested in writing feature articles?

One idea - articles about the history of our neighborhood, we will edit the articles for you

BMX trail on West Bouldin Creek and Low Water Crossing

PARD says they are working right now on the plan for the trail and went to Watershed Protection for permitting. The low water crossing is on hold to determine the effects of flood waters on the neighborhood and parking issues for the park

Neighborhood Planning Team meeting is planned for 7m Tuesday, July 27 at Morning Star Traders 1919 S. First near Johanna. Tom Hurt is the vice chair and explained that everyone is welcome, this is an open process to amend the neighborhood plan. One issue is how the neighborhood defines single family residence for zoning.

Update on oak trees at Dawson Park. Kyle was going to head up the collection of funds to help the trees. He has received two \$50 checks to date. Ingrid said the COA has some other work to do in the Park, we are still in a holding pattern for the project.

Oak Wilt presentation

Guest speaker, Jim Rooni, with TX Forest Service to update us on Oak Wilt issues.

COA has had an oak wilt suppression program since 1988 and they had a full time forester to deal with oak wilt. Now Jim works for the state. There are over 300 oak wilt infection centers in the region. Oak wilt is a fungus that attacks live oak trees first id in upper Midwest in 1940s. We haven't had a lot of time to catch up to it here and has had a big economic impact on residents. In 1996, Jim worked with us here on oak wilt when

he was with the city. Jim said that he does not see much oak wilt in this neighborhood right now. There is a problem in Travis Heights. They are investigating a trenching project in the street \$200,000. The value of the trees surpasses that cost. The money to pay for it will come from local fundraising. If you have it get a professional to work on it. There is a certification for foresters and a list of vendors that the city recommends. "<http://www.texasoakwilt.org>" with a desktop browser and get aerial shots of where oak wilt has been identified in the city.

-Someone asked, "Which area has the worst problem?"

Travis Country has had a hard time as well as Oak Hill.

He would like to suggest that he come talk to our group once a year to let new residents know how to prevent oak wilt.

-Pruning - Winter is the best time to prune trees because there are fewer insects that can carry the disease. Use the fungicide spray to finish the cut. In the spring is a bad time to prune when the City comes to pick up brush. It is not recommended to prune during the hottest time of the year because the trees are stressed.

-What can you do for cankers? It is a disease that hits unhealthy trees,. Keep your trees healthy, sick trees can get www.texasforests.tamu.edu

-See if you can schedule a city pick up and clean up during the coldest time of they year Fungicides for treating oak wilt?

-There are two ways to treat oak wilt:

Intervention - , they are clonal trees, vectored in by an insect and the fungus travels between trees. hard in the city because of streets and concrete to trench

1. Trenching

2. Fungicide ñ IV system with a solution of fungicide that ñ use on healthy trees before they get infected. It is not organic with low toxicity

In grid asked about a tree that was treated but it looks bad again. Fungicide only optimizes the trees ability to withstand the disease but not guaranteed.

Update from First Thursday Committee

Gary reported that the APD was out there with a cadet class that was ticketing some illegally parked cars. Many thanks to White Crane and Primadora, merchants who promptly shut down at 10pm. Liz noticed that the band did stop at 10 unlike before and people still parked where her sign was up asking people not to park. Forest saw people ticketed who were parked too far from the curb.

Gail Armstrong commented,: The merchants are meeting tomorrow. Seemed like a good crowd and Gail didn't see any incidents. He explained that the merchants who are there 365 days are not causing any problems. He would like to suggest that the merchants who rent space to vendors be given some emphasis. They pay rent and taxes 365 days/year. There are vendors who do not pay taxes and rent their space and BCNA should take our concerns to the merchants who rent space. Ingrid commented that on the BCNA elist a suggestion came out that the committee do targeted outreach to the vendors to have them become members of the merchants group to help.

Who determined that there would be bands and outdoor noise? The community was not involved with the decision making of this event unlike in other cities.

Gail explained that the Merchants Association meets at 8:30 am on the second Wednesday of every month at Gueros.

South Congress Labor Day Event SRCC and BCNA

The event organizers had to submit a permit for street closure for this event so the ExComm group met to discuss this event and whether to support it or not.

Issues

Parking and alternate forms of transportation, Dillos. Could not get commitment from Cap Metro for more busses or additional routes due to a UT football game on the same day. The organizers have no special arrangements for parking south of the event.

Noise control: the COA has a noise measuring device but it was out of order

BCNA is not supporting this event this year and said that if you put these considerations into the first Thursday events then they will review the permit next year and could support it. The promoters needed 80% sign off from the area merchants supporting the event. Will see the decision.

Did they have to get the SRCC to accept them? SRCC is trying to buy police meters. Will the BCNA send something to the city council? Yes we sent a letter saying we object to the festival. Will put the letter on the web site.

Scott McClane has a concern about potential accidents with people crossing Congress, First Thursday is a dangerous night for people with families.

Zoning Cases

1. The zoning committee signed off a letter about Vespaio restaurant variance to open a deli and sandwich shop during the day ñ changing the use from the retail store that occupied that space to a restaurant. So BCNA had to be asked to approve their plan.

There are concerns for parking spots as a result of this.

2. BOA postponed reading of request for Allen's Boots to expand the back of their store for storage. They would not lose any parking, but would increase their need for more parking because of their larger retail space. So needed a variance to not increase the number of parking spaces. Someone voiced a concern for change of owners would it be used as storage then too? Who would watch this? Someone else voiced a concern for parking issues so he asked if he could be a part of the zoning committee and he will sign up and be notified of the next meeting.

Cole's Ice House

Cory explained that this is a forum to hear from Cole's and that concerns can also be voiced in a subcommittee

We are probably not going to come to a resolution tonight , but we want to hear from property owners and residents about their issues

George Davore, 51% shareholder of Cole's IceHouse and he spoke to the Excomm at their last meeting. He spoke of consolations he wanted to offer the neighborhood. Coles had asked for a 2am permit and to serve food and beer. They have operated as a Bar and Grill with BYOB for the past month. They have closed their doors until they iron out their site plan issues

Jim from Cole's to update us on the site plan and permitting. He is the engineer. They have to resolve their off site parking issues because that is the biggest issue.

They are located at 1807 S. First Street across from La Reyna.

How many spaces are you required to have?

COA requires 10 spaces for this size restaurant

1 handicap space

the space will allow maximum 28 patrons inside; 38 on deck for a total of 66 people.

Off street parking is being leased from 2009. There were more spots before another business moved in and took them over. It was a karate studio before.

Chris L. asked if they were then required to close their doors.

2400 sq. ft. building was a warehouse, Cole's made improvements to create 6 parking spaces and created office space. 1 space per 285 sq.ft. Total of 7 spaces. Off street parking is at the video store parking lot. The video store is 2 blocks from the business. Short 4 spaces and there are some others who are interested in leasing the spaces. The COA is enforcing it and Cole's has shut their doors.

Residents John and ? concerns with noises and people parking in front of their houses and loud sounds of beer bottle crashing into trash cans.

The BCNA wrote to the COA planning Dept (Nicole was their contact) was asked to the licenses

The TABC will not sign off on a liquor license until the city says they are in compliance. The county judge had signed off but the city had not yet.

Cory asked if they were other issues. The COA asked them to build a privacy fence between them and their neighbors and they built it last weekend.

Tonight we are going to hear the issues but not resolve them tonight and will have separate venue for that.

One person asked about the variance for ?? there was not a requirement for the main entrance to be the back fo the building. It is handicap accThey were never applying for a liquor license just beer and wine license. They first was for a restaurant.

The front entrance is for handicapped. Some people use the front entrance but there is a sign pointing people to the back of Cole's to the main entrance.

The residents will have 10 days to respond to a permit for them to put in parking within a certain area .

The goal of the location is to make it accessible to the residents by foot.

Is there a set limit as to where you can have parking in the area?

A woman who lives in the area said you need to see the place, it is a beer joint.

George responded that it has a full functioning kitchen

What are the noise ordinances ñ 75 decibels at door 7-9 or 9:30music has

Comments from Rul at La resistencia felt that Cory was unduly harsh and that he as concerned about

Another gentleman who lives near Magnolia Cafe likes First Thursdays and enjoyed his visit to Cole's. "Every place is going to have a business near them."

Another person voiced concern about music after 10 pm

Margaret who lives on S. First, said I have not seen this business be a good neighbor. It make the neighbors distrustful of how they will deal with them in the future.

Cory stated that this issue will not be resolved here.

Jim expressed that regardless of whether you did or did not do them, your neighbors do not trust you and Aaric who lives farther away, asks where are the solutions in this dialog.

John ñ I would like to see small businesses prosper

How about rubber horseshoes

Nicole ñ we want to come up with a solution and we need to figure out how to deal with your complaints

Chris Bevil said, I have evidence that you were operating after your closure time and he has called the police more than 5 times due to being open too late, parking violations.

How can we trust you if you stay open later than you are supposed to?

Nicole stated her hours.

This is the kind of dialogue we need.

Forest is here because he likes the hood, he likes Cole's. He has been there enough to know that they do stop playing when they say they will and he does not hear their noise but hears other noise.

Dominic ñ He works behind the bar and notices that people don't have to drive to go to a bar

Bookstore owner Raul Has spoken with some of the Cole's people and has not been involved with the discussions but can offer what he has seen and witnessed. He has the 1801 South Fist Street bookstore. When there was a problem was the first he spoke with them. There was a beer bottle left there and he ran over it. He feels like there has been disrespect in how people are dealing with each other in this issue and other issues for this City. People need to drop attitudes and arrogance and not bicker if we are going to have resolution.

Cory thinks the way for us work out these issues is to:

Keep up to date with where the city is on the permitting process and that Cole's will be in compliance.

Suggestion:

George offered a Meeting place at Cole's

Needs to interface with the planning team amendment process, compatibility of live outdoor music next to residents

This forum will be about this whole area

Sign up sheet to make a meeting plan for the Cole's issues is distributed.

West Buldin Creek Park

BMX trails issue with low water crossing

Danny's issue with the properties he owns across from the park

He has concerns with no parking available for visitors to the park

Concern with flood zone and cannot put parking in floodplain.
Engineering studies need to be reexamined
Other issues with flooding of the creek over the street
Clean up brush from the creek to prevent future flooding
Low water crossing could act as a dam for major debris and flood his places even more.
1 inch elevation
Danny ñ 28 year history of living here, impervious cover has caused lots of flooding that never happened before.
PARD says they will deal
He wants this neighborhood association to support him in not letting them build a low water crossing. Safety concerns. If they built a high bridge 100 feet up the river it will prevent both the trails, flooding and safety issue.
Concern with creek and Treadwell and the berm taken out.
Lets dig out the creek and alluvial deposit to clean the creek out and prevent future flooding
Trees that need to be removed to prevent trash from piling up and causing more flooding.
He went to the COA Watershed Protection and talked to Jay Baker, the engineers are under still under study.
A request to assign this to a committee
Matt made a motion that we take these points in your letter to hit all four of these points that we are aware of this and have these concerns so that they problem will not be a future problem is of the city addresses these low water crossing issues. We could submit this letter to Toby Futrell to deal with this.
Kathie seconded the motion
Erosion control without damaging the creek.
Include another location for a bridge as a part of the letter? Asked Kathie T.
Motion to
Kathie withdrew her seconding the motion
Ingrid offers from her point of view the COA will not be able to do a project that will cost them more money.
The COA needs to hear the concerns (Matt) but that we will not likely be able to change their course of action.
Ronnie makes a motion to write the letter to send to COA
The motion was accepted and none opposed.

Further issues for this agenda? No response.

Motion to adjourn

All in favor.

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