

9/19/2012 7:00 pm

1 - Motion to Approve Minutes (PASSES)

2 - Motion to change the date of the regularly scheduled November meeting from the 21st to the 14th. (PASSES)

Mike Hirsch will make sure the meeting room is available and inform HNA if there is a venue change.

3 - Carol Gibbs - City of Austin Neighborhood Liaison

Carol and Jody Zimmer are the two Austin Neighborhood Liaisons. Carol recommends all Austin neighbors read The Neighborhood Plan online (insert link).

City commissioners and officials in the Planning Commission prefer neighbors and developers negotiate before Planning/Zoning meetings. The city doesn't like to "split the baby", especially if there are schisms within neighborhood associations. This will cause delays.

Hancock Neighborhood Association's official position for a zoning case will be adopted by the CANPAC contact team to bring before the city. Other citizens may also present positions.

The future land use map in The Neighborhood Plan is heavily referenced.

<ftp://ftp.ci.austin.tx.us/npzd/Austingo/ca-combined-np.pdf>

If The Perry Estate is recommended by the Historic Commission, that designation will not necessarily limit what development can be done on the property.

Neighbors within 500 feet of the proposed development will receive paper notices of any CANPAC Contact Team meeting regarding Neighborhood Plan amendment proposals.

Carol advises civility when dealing with developers.

Sometimes developers have separate motions for Neighborhood Plan amendments and then for zoning changes. If developer's plan is Civic Use, he might not need Neighborhood Plan amendment but will need a zoning change.

Filings for Neighborhood Plan amendments are normally done in February, but the Contact Team can grant an ad hoc meeting. Permitting an out of cycle meeting does not indicate to the City that the neighborhood is favorable to the developer's plan.

The HNA will probably only be granted one postponement during the city zoning decision-making process.

HNA does have a reputation with the city of being a valid, intact neighborhood association and a competent contact team.

Carol estimates that the entire amendment/zoning/possible construction could take 6-24 months.

Carol confirms that construction drawings and plans approved by zoning committee can be modified by the developer after approval, but the zoning classification ruling is binding. After development is cleared Carol advocates having someone in the HNA monitor daily via the web any incoming permits submitted by the developer.

Carol recommends not choosing zoning class specifically because of linked outdoor music allowance, BUT she does recommend establishing a specific agreement that the developer never apply for any music permit with the granted zoning class.

When reading the zoning regulations with regard to music permits, Carol cautions that the rules are very complex and context-dependent.

Under SF3 zoning rules, if events are held like weddings, then amplified music will be allowed.

Carol recommends we watch the Public Assembly Permit amendment currently before the council. It relates to event-related amplified music for SF3 zoned properties such as churches and schools.

Carol's primary assistance to the HNA is to provide information about the process and respond to questions. She provides a map to property owners within 200 feet of the property. Those property

owners can file opposition petitions to zoning changes. A “valid” petition is one supported by 20% of property owners within 200 feet of property.

Don't lobby city council until the zoning commission has ruled.

The Perry property can be split-zoned.

Carol's contact information:

Carol.Gibbs@AustinTexas.gov

974-7219

Neighborhood Advisor

Planning and Development Review Department

4 - Report from Perry Committee

Perry Committee is publishing a survey on the HNA web site and requests HNA members to fill it out. The survey is important to show neighborhood involvement.

Committee charge is read (January)

Committee meets 1st Tuesday of the month at 8:00pm. In response to inquiry from Mark Burch, the committee reports there has been one unannounced meeting.

5 - Vote on whether or not to call a special meeting for October 17th that would include a presentation by Clark Lyda of his proposed development for the Perry Estate.

Point of order, Perry Estate discussions must be mandated by the special committee or we must change the charge of the special committee.

Ruling is requested on whether this issue can be voted in this general meeting or if Special Committee must address the question of the 17th.

Pause while Robert's Rules of Order is consulted.

Chair's decision for motion as stated is overturned. Amendment to Motion for Oct. 17th presentation by Lyda to be hosted by Special Committee and inviting general membership is made and seconded.

Discussion:

Chair states the goal of Oct. 17 presentation by Lyda is aimed to inform HNA members. Second half of that meeting will be after Lyda's departure and provide additional discussion by special committee.

Additional friendly amendment requests that if Lyda's presentation is allowed on October 17th, he must present himself - not a developer or lawyer on his behalf, but that friendly amendment was rejected.

Discussion: Lyda's presentation should only be allowed 30 minute fixed time limit for presentation and a 30 minute question and answer session.

Discussion: Presentation should only be held one night, not twice. An agenda will be provided.

MOTION: Special Committee will host a meeting on Oct. 17th, inviting general membership, for a presentation by Lyda. (PASSES)

6 - Vote on whether HNA supports or opposes events at the Perry Estate which include the use of outdoor-amplified sound

Point of order, this motion is the charge of the Special Committee. Chair overrules point of order. Appeal of the chair's ruling CARRIES, ruling that this vote can proceed is overturned.

7 - Motion offered by Mark Burch

Resolved:

In order to avoid enacting changes premised on assumptions that may not come to fruition, the Hancock Neighborhood Association opposes approval of any neighborhood plan amendment or request for a zoning change on any property within its boundaries if:

The amendment or request reflects a proposal that requires a demolition permit for complete removal of an existing structure or building on the property AND the demolition permit has not been legally granted at the time the request for a plan amendment or zoning change is filed.

Point of order, this motion is the charge of the Perry Special Committee.

Discussion, this motion does not refer to Perry Estate. Response, this is in fact related to historical designation of Perry Estate and the spirit of the motion violates the charge of the special committee.

Point of order FAILS

Discussion - Carolyn asks if this position is enforceable and Carol Gibbs says probably not.

MOTION CARRIES

8 - Motion offered by Mark Burch

Resolved:

The Hancock Neighborhood Association opposes any current or future proposal for development or reuse of the Perry Estate that includes any one of these elements:

1. Outdoor amplified sound anywhere on the site other than an individually owned lot zoned for residential use. Prohibitions on amplified sound in areas zoned other than residential must be enacted in a form that is bound to the ownership of the land and that transfers with its sale and, if possible, in zoning overlays and public covenants.
2. Rezoning of any portion of the property located west of Waller Creek to a base category other than single-family.

Motion is withdrawn.