



Newsletter of the
Zilker Neighborhood
Association

FEBRUARY 2014

Austin, Texas
Established 1981

City Ignores SOS Ordinance for Development Above Barton Springs Pool

by Jeannie DeFrese, ZNA member

THE PROPOSED BLUE BONNET HILLS subdivision at 1201 Robert E. Lee has exposed a conflict in the interpretation of city watershed regulations. The development proposes 9 duplexes for a total of 18 units on 3.1 acres just uphill from Barton Springs, bound on one side by spring-fed Little Zilker Creek. The City recognizes that this area contributes recharge to the Edwards Aquifer and Barton Springs. The SOS (Save Our Springs) ordinance applies to "all watersheds that contribute recharge to Barton Springs."

Although the language of the SOS ordinance clearly applies in this case, city staff within the Planning and Review and Legal departments have decided to apply the much less restrictive Urban Watershed regulations, because that is what has been *(Continued on page 2)*

Don't Wait Till November to Meet the Next Travis County Judge

AUSTIN VOTES OVERWHELMINGLY DEMOCRATIC in county elections. In 2012, Zilker precinct 332 voted more than 80% Democratic and precinct 340 was over 70%. That means that the candidate who wins the Democratic party nomination in the March 4 primary will almost certainly be our next Travis County Judge.

That person is also likely to have significant influence over our future right here in the Zilker neighborhood. That's why the ZNA officers have invited the two

ZNA Candidate Forum
February 24
Monday 6:30-8:30 PM
at
Zilker Elementary School
1900 Bluebonnet
❖ ❖ ❖
Brown vs. Eckhardt
Democratic Candidate Forum for
Travis County Judge
Followed by ZNA business meeting, with Parks,
Zoning, and Land Development Code Updates
❖ ❖ ❖
Newcomers, homeowners, renters,
business neighbors
❖ ❖ **All Welcome** ❖ ❖

candidates, former county commissioner Sarah Eckhardt and former county Democratic chair Andy Brown, to speak to the next ZNA quarterly meeting on Monday, February 24.

They will be asked to address issues of particular concern to ZNA members, including property tax inequities and corporate tax giveaways, *(Continued on page 6)*



Vote early, February 18-28, or on Election Day, Tuesday, March 4

In addition to the usual supermarket locations (HEB on Oltorf at S. Congress and Randall's at Ben White and Manchaca), we can vote early at the new Wheatsville store, 4001 S. Lamar.

On election day, vote in the neighborhood at Zilker School (1900 Bluebonnet) or at any other Travis County polling place.

Check election info at traviscountyelections.org or call 512-238-VOTE

(Continued from page 1) done in this area in the past. City staff further contend that because the overland flow of runoff has been diverted to Barton Creek below the Barton Springs Pool dam, the watershed is defined as urban and that this urban definition should trump the fact that there is recharge to Barton Springs. City staff maintain this belief even though they now recognize that much of the overland flow is sinking below ground and into the Aquifer Recharge Zone, just feet from Barton Springs, and never reaches the outflow into Barton Creek. This recharge is also going into critical habitat of the Austin blind salamander, which the City has an agreement with the U.S. Fish and Wildlife Service to protect.

The decision to enforce urban guidelines over SOS came after city staff first told the developer, Steven Radke of Vinson Radke Investments, that the development would be subject to SOS. Radke, his engineer, and attorney then went up the city chain of command, pointing out that the development just up the hill, Zilker Terrace, was not made to develop under SOS. This caused city staff to reverse position, stating that they would not enforce SOS in an area they have declared urban, as this is what they have done in the past. The main precedent for this is the Zilker Terrace development built in 2011, which was exempt from SOS as well as drainage and flood prevention requirements in the City Code (see box).

The City Environmental Board, after receiving much communication from concerned citizens and environmental groups, requested a briefing on the issue in December. The Board passed a unanimous

Zilker Terrace: Lessons Learned

The ZNA zoning committee learned some hard lessons from the Zilker Terrace rezoning case, at 1301 Robert E. Lee, in 2010, now being cited as a precedent for further violations of the SOS ordinance.

From ZNA's perspective, the upzoning for higher density single-family housing offered two benefits. First was the assurance from the developer and city staff that the project would be held to higher development standards, preserving a narrow strip of limestone outcrop subject to SOS, reducing total impervious cover, and also protecting downstream neighbors (including Barton Springs Pool) from increased runoff and erosion. After the rezoning was approved, those protections disappeared. The resulting runoff controls are certainly no better (and may be worse) than a McMansion-style duplex. We learned from this that neighbors cannot hold developers to agreements based on unapproved site plans if the City will not enforce its watershed regulations.

Agreements regarding limits on the total number of units and the dedication of open space or setbacks will usually be enforced, if they are written into a rezoning ordinance. The Blue Bonnet Hills (Continued on page 9)

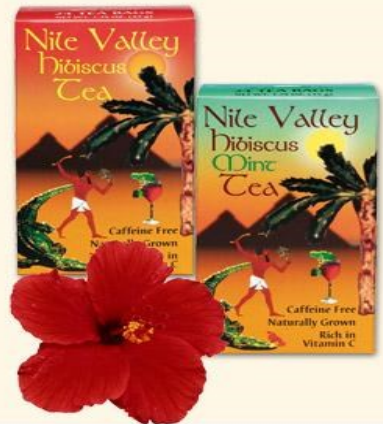
resolution that in part states that SOS may be more appropriate in this case than urban guidelines, to protect Barton Springs and the endangered salamander. City staff's response

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was that they would continue to impose urban guidelines in the Blue Bonnet Hills case and in future cases in the area, barring an action from City Council.

Meanwhile, as the subdivision application wends its way through the city approval process under the less restrictive urban regulation guidelines, the requirement for a water detention pond was waived. In addition, the typical 150-foot setback from the spring in Little Zilker Creek was substantially reduced. These were granted at the staff level under urban watershed guidelines. Urban guidelines are the least restrictive of all city watershed guidelines, allowing much more impervious cover than SOS as well as lesser environmental protections in other key areas.

Some City Council members are discussing ways to correct the erroneous path that city staff has taken previously and to enforce city law to protect Barton Springs and endangered salamander habitat. This effort needs the support of concerned citizens to get the issue before City Council and passed in favor of protection of Barton Springs. It is important to let City Council know to direct city staff to end its violations of the plain language of the SOS ordinance and enforce SOS in all projects that contribute recharge to Barton Springs, including this Blue Bonnet Hills subdivision. This needs immediate Council action, as the subdivision may come before the Planning Commission for final approval as early as late February.

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Parks and Events Update

by David King, ZNA Second Vice President

Auditorium Shores: Two-stage Plans

The short-term improvements project for Town Lake Metropolitan Park, which includes Auditorium Shores, is under way and scheduled to be completed in February 2015. The improvements include new turfgrass with irrigation, landscaping, an off-leash area for dogs, realignment of the trail, and erosion controls along the shoreline.

Austin City Limits Music Festival promoter C3 will reimburse the City \$3.5 million for the cost of the improvements over the next five years. Some park users have expressed concern that C3's funding for the improvements is designed to induce an increase in the number of events at Auditorium Shores. ZNA's leadership has been working with C3 and some City Council members to reduce the total number of days that Zilker and Auditorium Shores are closed to the public before and after events, as well as limiting the number of events. (See "Zilker Park Trail of Lights" on page 5.)

Tur Partners was hired by the Austin Parks Foundation to facilitate public input on the long-term plans for Town Lake Metropolitan Park. Since last September, Tur Partners has conducted three public "visioning" sessions. Neighborhood residents who attended the sessions expressed support for keeping the current 25-day limit on events at Auditorium Shores and minimizing any new infrastructure that would reduce

open green space and block the unique visual corridor around Lady Bird Lake.

Tur Partners is preparing an online survey for the public to provide comments on the long-term plans for Town Lake Metropolitan Park.

SXSW 2014

South by Southwest kicks off its 2014 schedule with its new education conference, SXSWedu, March 3-6, followed by SXSW Music-Film-Interactive, March 7-16. A notice on the City of Austin Special Events website indicates that Austin is at capacity for events during SXSW 2014.

Traffic in Downtown Austin and around the Long Center and the Palmer Event Center on Barton Springs Road will be congested through-

DON'T MISS THE ZILKER PARK KITE FESTIVAL on Sunday, March 2.

The Exchange Club of Austin created the event as a kite tournament in 1929, with a mission to encourage creativity in children. The national mission of the all-volunteer civic club is the prevention of child abuse. Visit ABCKiteFestival.com for more info.

ZNA donates to the Kite Festival as one way to support fun, family, and free community events in our most treasured park, while continuing to provide for all of Austin's children. This year, the Zilker Family Group is holding a kite-making party on the morning of the Kite Festival. Space is limited; contact MarySledd@gmail.com for more info.

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out the 14-day event. As of February 1, 2014, ZNA has received no notices of street closures, temporary event sound permits, or temporary change of use permits for SXSW.

Some residents have expressed concern that City taxpayers subsidize the cost for event services such as police and traffic management for SXSW. They indicated that since SXSW is a for-profit event, the event producers should pay the full cost for those City services.

Last year, the City Council passed Council Member Kathie Tovo's resolution that requires the City Manager to produce an annual fiscal analysis on the cost and impact of special events. Gordon Derr, Assistant Director of Planning for the City, indicated that the report for 2013 would be available in February or March.

Zilker Park Trail of Lights

You may have noticed several changes at the Trail of Lights in Zilker Park this past December. The event was 15 days instead of 7, and Zilker residents were treated to a free preview party.

Temporary no-parking signs were installed on residential streets nearest Barton Springs Road, and police barricades were set up at key neighborhood entrances to prevent spillover parking in the neighborhood and to keep the streets open for emergency vehicles. Police effectively enforced parking and traffic laws and towed illegally parked vehicles. Trash cans were installed throughout the neighborhood to help reduce littering.

Although there were significantly fewer parking, traffic, and trash complaints during the Trail of Lights, the additional event days created other issues. The temporary no-parking signs made it difficult for guests of *(Continued on page 10)*



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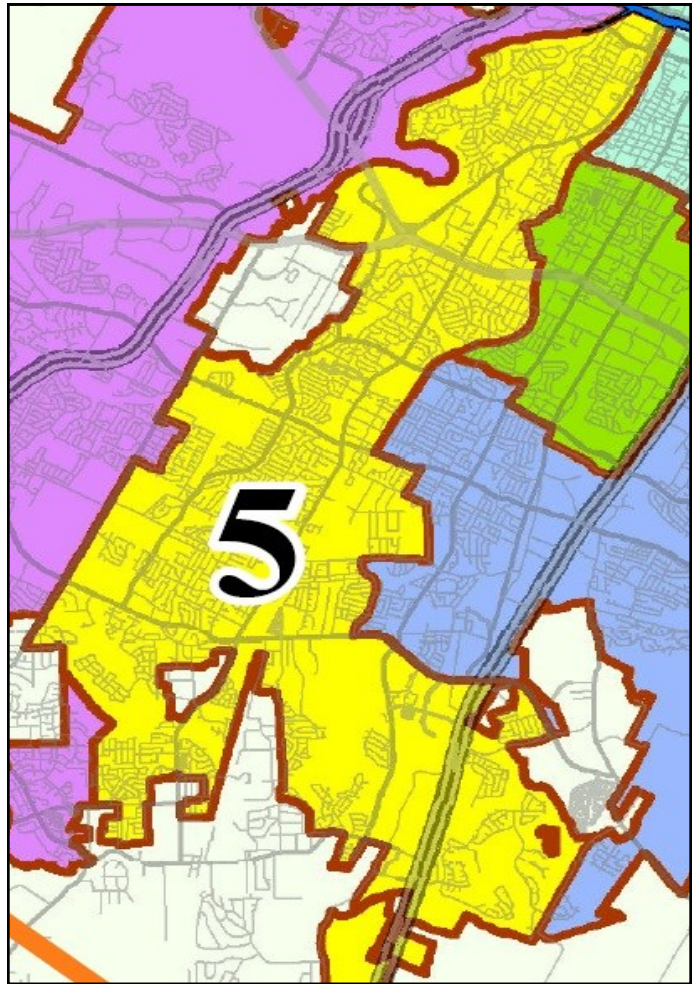
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(Continued from page 1) Lone Star Rail and public transportation, development over the aquifer and within floodplains, disaster response and relief, and health and housing services. At first glance, the candidates may appear to hold almost identical views, but there are important differences between them. The ZNA forum will be designed to bring out those differences, and to get you out to vote in the March 4 election. Don't miss it. *Lorraine Atherton, ZNews editor*

Democrats: Wake Up for Your Precincts

AFTER THE POLLS CLOSE on primary election night, Zilker Democrats will not be gathering back at the school for their usual late-night precinct convention. Instead, they will be anticipating the first weekend in Spring, when they can roll or stroll down the hill to Palmer Events Center on Barton Springs Road. On Saturday, March 22, the Travis County Democrat's precinct conventions will begin the Texas Democratic Party County and Senate District Convention. Learn how you can participate in the convention process at <http://register.txdemocrats.org>.

By the way, congratulations to the three Democratic precinct chairs in the Zilker area: Jeff Jack in Precinct 332 (west of Kinney), Jennifer Mueller in Precinct 340 (east of Kinney), and Mary Ann Neely in Precinct 342 (Barton Hills). You will see their names on the Democratic Party primary ballot, under Uncontested Precinct Chairs.



City Council Election District 5

Map by Ryan Robinson, City of Austin Demographer, November 2013

www.austintexas.gov, Demographics Map Library

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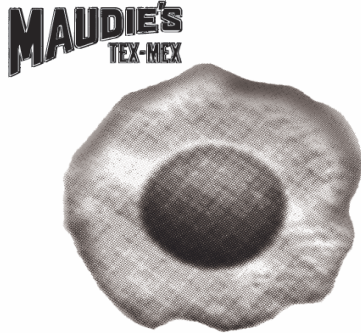
The New City Council Election Districts, and Some New Neighbors

by Lorraine Atherton

IN NOVEMBER 2012 Austinites approved the 10-One city charter amendment, replacing the six at-large city council seats with 10 single-member districts. That vote also moved Austin's city election date from May to November. Although rumors are already flying about who will run in which districts, the candidates won't begin filing for a place on the November ballot until July.

That gives us a few months to get familiar with our single-member district boundaries and the other neighborhoods in that district. The Zilker neighborhood is now in City Council district 5, shown in the map on the left, running from the northern boundary of ZNA on Lady Bird Lake to the southernmost city limits in Hays County. This is not at all the compact district that we had hoped for, but it is considerably better than the preliminary map created by the Independent Citizens Redistricting Commission last October (see *ZNews* October 2013).

Thanks to all the Zilker neighbors and other South Austinites who spoke at the commission's hearings in support of compact districts and neighborhood integrity. You really did make a difference. In particular, the testimony of former ZNA president Jeff Jack was crucial in the commission's final decision to respect ZNA's boundaries and not include parts of our neighborhood in a downtown district.



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Zilker Elves Keep the Holidays Happy

by Barbara Cossie, ZNA Holiday Families Program Coordinator

OUR ZNA HOLIDAY Families Program has a long-standing history of sharing and caring, and our Zilker neighbors have been most generous in providing financial donations and gifts to those who need assistance for the holidays.



This year was no different, as eight families with children who attend Zilker School saw presents under their trees on Christmas Day. Thank you, Zilker friends, for making this holiday so happy for so many! Please know your

donations were received with smiles and delight.

Of course, those gifts did not get to our families by reindeer (no matter what we tell our kids). Oh, no! This year, the Holiday Families Program had the assistance of several wonderful neighborhood elves. They gave their time, energy, and service to shop, wrap, and deliver those presents to the families themselves. Here are the names of our fabulous Zilker elves and donors! Thank you all for making this a very special holiday!

Jacquie Benestante
 Daniel Bennett
 Luan & Charles Borgeson
 Janet Burgess
 C3 (donation of Austin City Limits Festival tickets)
 Joan Castleberry & Michelle Martin
 Susan Coe
 Curtis & Sharon Dieke
 Sarah Drake
 The Earl Family
 Rachel Elder & Family
 Shudde Fath
 Matthew & Nicole Gaulden
 Tony Giustino & Family
 Richard & Paulette Gravois

Luis Guerra
 Jeff Jack
 Erica Hockley
 Joan Hughes
 Irie Bean Coffee Bar (Raf, staff & customers)
 Katy Kappel
 David King
 Barbara LeGere
 Chloe Lessen
 Ricky Martinez
 Lorraine Atherton & Mike Meier
 Sheila Milner
 Amelie Parks
 Dave Piper
 Donna Ramsey

Jo Reichler
 Jill Rhoden & Family
 Crispin Richey
 Bobby Rigney
 David & Mary Rogerson
 Gail Rothe
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Membership is open to Zilker residents (renters or homeowners) 18 years old or older.

Nonresident property owners are not eligible for membership.

Members may vote on issues addressed at ZNA quarterly meetings. Voting privileges are activated 30 days after membership dues are received. However, if you were a paid member last year, you can renew your membership anytime this year (including the general meeting dates) and retain voting privileges.

Annual dues are \$7 per person. Please list each member name and e-mail address below.

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Name: _____ E-mail: _____

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Dues amount: _____ Additional contribution: _____ Total Enclosed: _____

Please make checks payable to Zilker Neighborhood Association and mail with this form to:

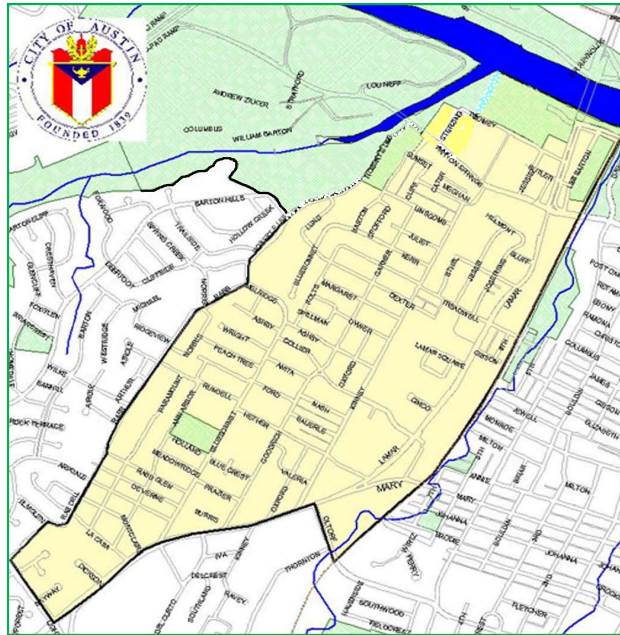
ZNA Memberships, 1514 Hether St, Austin, TX 78704
or bring this form with you to the next ZNA meeting

For ZNA bylaws and other info, visit zilkerneighborhood.org.

(Continued from page 2) developer initially sought the same zoning as Zilker Terrace. He did not agree to a reasonable limit on the number of units or to increased setbacks from sensitive features, and so ZNA could not support the rezoning. A majority of the Planning Commission agreed that the site is too steep for such intense development.

The second benefit offered by Zilker Terrace was affordability. The developer argued that SF6 zoning would allow him to build smaller houses that would be more affordable for families than the large duplexes allowed under SF3. He did in fact build smaller houses (under 2000 square feet), and it does appear that Zilker Terrace was quickly occupied by families, not bought up by absentee investors as short-term rentals or stealth dorms.

According to the Travis Central Appraisal District, the tax appraisals on those small houses are much higher than the appraisals on much larger duplex units. The affordability lesson from this case needs to be examined closely as we approach the City Council campaigns this summer, and as we grapple with the rewrite of the Land Development Code. *Lorraine Atherton*



ZNA boundaries include Zilker Park and Rabb Road on the west and extend to the railroad tracks on the east. The south boundary is Barton Skyway, and the north limit is Lady Bird Lake. Residents on both sides of boundary streets are eligible for membership.

ZNA Membership and Voting Privileges

All ZNA memberships run from Nov. 1 to Oct. 31. To be eligible to vote at any ZNA meeting, you must be a paid member of ZNA for at least 30 days before the date of the vote. If you were a ZNA member in 2013, you may pay your 2014 dues at the Feb. 24 meeting and still be eligible to vote at that meeting.

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- 2330 Westrock
- 802 S. Lamar

(Continued from page 5) residents to park, and a large part of Zilker Park was closed to park users for over one month.

Taken together with the additional weekend of the Austin City Limits Music Festival, the extended Trail of Lights spurred residents' complaints that Zilker Park is closed too often for special events; they want a limit on the total number of event days, including set up and tear down. They also want event producers to pay for damage to the park.

The ZNA leadership has communicated these concerns to the Parks and Recreation Department and representatives of the Trail of Lights Foundation.

Special Events Ordinance

As you may recall, the City Council approved a new Special Events ordinance on first reading at the October 24, 2013, meeting. Since then, Mayor Leffingwell and Council Members Martinez and Riley have been working on changes to the ordinance. A date has not been set for the second and third readings.

Earlier this month, I, along with representatives of the Austin Neighborhoods Council, met with staff from the mayor and council member offices to discuss the following concerns:

Austin Center for Events (ACE) will have sole authority to create Special Event districts and approve certain uses in those districts without any notice or public hearings.

ACE is not required to notify neighbor-

hoods about Special Event permit applications and waivers of application requirements.

Affected neighborhoods cannot appeal permit application waivers, approved permit applications, or denied permit applications.

No limit has been set on the maximum number of permits that may be approved for a Special Event district.

No public hearing is required for approval of permits for special events at high capacity venues.

There is no requirement that the ordinance be reviewed by the Planning Commission before second or third readings by the City Council.


There is no description of a funding mechanism for Special Events.

There is no requirement that producers and sponsors of for-profit events pay the full cost for all City services (Police, EMS, Fire, Transportation, cleanup, repairs, etc.) for their events.

We requested that the final draft of the ordinance be provided to the public at least two weeks prior to second and third readings. We also requested that the public hearing be reopened to allow public input on changes to the ordinance that was passed on first reading.

Transportation Study Coming to South Lamar
by Heather Way, Wabucy Zilker
Advocating for greater walking, bus ridership, and cycling in the Zilker/South Lamar area

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THE CITY OF AUSTIN'S 2012 BOND Election provided funding for a preliminary engineering study for future sidewalk, bicycle, pedestrian, transit, and vehicle transportation infrastructure facilities along South Lamar Boulevard. Through a competitive "Request for Qualifications" (RFQ) process currently under way, the City will select a consulting team to implement the project. The City anticipates that the project will begin in June and last 8-12 months.

According to the City's RFQ, "the purpose of the project is to identify short-, medium-, and long-term transportation improvements to improve safety, increase pedestrian, bicycle, and vehicular (including transit) mobility and accessibility, and improve quality of life for the corridors." These improvements can

To keep informed on issues of walking, bus riding, and cycling in the Zilker area, find WaBuCy on Facebook, or e-mail wabucy@gmail.com

then be included in future bond packages.

The project requires "the establishment of a vision, plan, and implementation strategy for the corridors that result in the development of a multi-modal transportation system supportive of mixed-use, pedestrian, and bicycle friendly development patterns." Of note, the scope of work includes a comprehensive public involvement process as well as the assessment of neighborhood cut-through traffic resulting from increased development.

Be on the lookout for upcoming opportunities to get involved! To keep informed, visit the Wabucy Zilker Facebook page.

Wabucy Zilker (Walk, Bus, Cycle) is a group of neighbors organized to increase walking, bus riding, and cycling for transportation and advocate for related infrastructure improvements in the Zilker and South Lamar area.

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Z Newsletter of the Zilker Neighborhood **NEWS** Association

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2014 Executive Committee of ZNA

The Executive Committee may be contacted by e-mail through www.zilkerneighborhood.org

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treasurer@zilkerneighborhood.org
Social Cochairs: Mary Sledd and Tony
Giustino, 925-4821
ANC Delegate: Elizabeth Yevich
ZNews Editor: Lorraine Atherton, 447-7681

About the Zilker Neighborhood Association

ZNA holds quarterly meetings, usually the last Monday of February, May, July, and October, at Zilker Elementary School, 1900 Bluebonnet Lane. The Executive Committee meets at 7 PM the first Monday of each month. Watch the Web site for updates.

Our Purpose: To improve the quality of life in the neighborhood in matters of land use, environmental protection, public services, consumer protection, preservation of the historic and unique character of the community; to provide support in other matters of neighborhood concern; and to promote and participate in the civic life of the city.

Committee Chairs:

Holiday Families Program: Barbara Cossie, 447-4437
Membership: Mary Sledd, membership@zilkerneighborhood.org
Parks and Environment: Gardner Sumner, 468-6200
Sound: Bill Neale, bneale15@yahoo.com
Voter Outreach: Elizabeth Yevich
Web site and ZNews Advertising: Dave Piper, 916-9636
Zoning: David King, 415-6016, and Bill Neale

**Zilker Family Group
Kite Making Party
March 2, 2014
10am - 11:30am**

**Do512 Family HQ
2200 S. Lamar, 78704**

**Refreshments, snacks,
kite making kits and
decorations provided!
Spaces limited RSVP**



RSVP to marysledd@gmail.com

Do512 Family Group
ZILKER FAMILY Group

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