

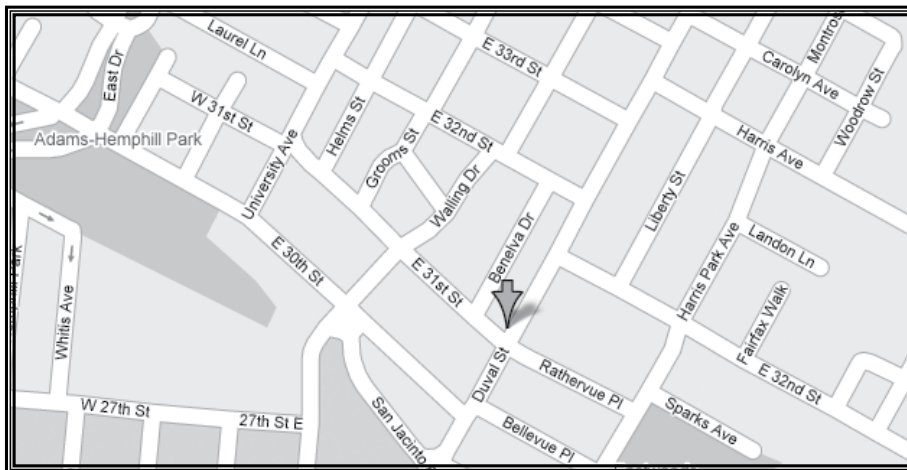
President's Report Decmeber 2006

by Bill Bednar

The Phi Delta Theta fraternity has monopolized our time in October and November. Here is the situation. Despite our best efforts over the summer, we have been unable to close the club or lodge loophole in our NCCD ordinance in time to prevent them from vesting their rights to that use on the Duval properties (3100, 3102 & 3104 Duval – including 404 E 31 Street). However, we have had three meetings with them, on October 25, November 13, and November 22, and a workable solution seems to be emerging.

The worst possible case is that the fraternity will go ahead and execute their plans for the property, which would be a club or lodge of 5,000 square feet or less, one 6-bedroom residential unit, and approximately 50 parking spaces, some of which would be platformed on the sloping west side of the lots. The concept they have presented to us is a meeting place for members to leave their cars while at class, take meals, and socialize during the day and evening hours. They represent that a strict no-alcohol policy would be in effect and enforced on the premises. The residential unit would only be for onsite caretakers and perhaps some fraternity officers, such as the president and house manager. Regular members would reside off-premises in other housing available in the neighborhood. The fraternity says it has intentionally chosen this configuration to save money and to minimize wear and tear on the facility.

Our approach has been along two lines: (1) to get a restrictive covenant that would close the club or lodge loophole on the Duval properties for future owners, while moving forward to roll back the club or lodge use elsewhere in the residential area of the NCCD; and (2) to provide help and incentives for the fraternity to cash out of the Duval tracts and build their facility on more suitable property elsewhere.



Next Neighborhood Meeting

Monday, December 4, 2006

7 pm

First English Lutheran Church
3001 Whitis St.

Agenda:

Reports:

President - Bill Bednar
Treasurer - Charles Hibbetts
Hemphill Park - Mark Feist
Sparky Park - Mary Ingle

- Review and approve agreement of Phi Delt properties on Duval
- Approve setback variance at 310 East 35th to save trees

Our most immediate concern has been to resolve the Phi Delts' opposition to our zoning amendment to the NUNA NCCD now pending before the Planning Commission. That amendment would prohibit club or lodge civic use within the residential area of the NCCD (the "rollback"). For NUNA, this is an issue much broader than just the Duval site. We expect increasing pressure throughout the NCCD

for club or lodge use as justification for fraternity or sorority parties, and we wish to close that loophole as rapidly as possible.

NUNA recognizes that upon the proper filing of a site plan, the Phi Delts would have the right to a club or lodge use of 5,000 square feet

or less on the Duval tracts regardless of later adoption of the rollback. We further recognize that the fraternity has the capability of filing a site plan and vesting their rights before the rollback can become final.


...Phi Delta Theta fraternity
(continued from previous page)

The solution that emerged from our meeting on November 21 with the City is to postpone the Duval tracts only from enactment of the rollback for a period of three months, extendable to six months. That is, the rollback would proceed to Council and become effective throughout the residential area of the NCCD except for the Duval tracts, as to which no action would be taken. NUNA is agreeable to this. We also look forward to further negotiations.

In consideration of the fraternity withdrawing its opposition to the rollback and enacting a restrictive covenant that would prohibit club or lodge use by future owners of the Duval tracts, NUNA would agree to, for example, a reduction in the site area requirements applicable to the Duval tracts, or would agree to a specific building envelope. There would be a six-month period after the date of agreement in which to accomplish this zoning change and enact the restrictive covenant.

Our discussions have also included the prospect of finding another site for the fraternity's lodge, which NUNA would greatly prefer. We understand that the fraternity is open to that possibility. The NUNA NPT is actively determining the availability of other suitable sites. We would be willing to consider further reduction of the site area requirements, with a corresponding very substantial increase in the resale value of the Duval tracts, in order to help the Phi Deltas take advantage of those opportunities.

We urgently need the general membership to approve the proposed agreement with the fraternity regarding the restrictive covenant and the overall approach your NPT and officers are taking. Please come to the December meeting, learn more about the situation, and vote!

Thanks again to all of you who continue to work to make NUNA a great place to live. See you at the membership meeting this Monday! Please contact me if you any questions at 476-1135 or my cell 587-3504. 

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HELPFUL PHONE NUMBERS

Animal Control	472-7387
Austin Police Dept. Rep.	974-4490 or 974-5340
City of Austin, main switchboard	499-2000
Dead Animal Collection	499-2111
Dumping (Creek/Storm Drain Concerns)	499-2550
Electric Trouble Reports	322-9100
Garbage/Recycling Collection	499-2111
Graffiti Hotline	974-1028
Pothole Complaints	440-8444
Street Light Repairs	505-7617
Street Sign (Trouble)	457-4850
To complain about noise	911
Zoning Changes/Review	499-6370
Zoning Violations	974-6576

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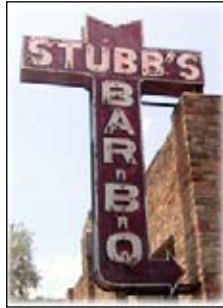
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Call me if you're planning to Buy or Sell a Home

Stubbs - What happened to our "good" neighbor?

By Mary Gay Maxwell

Well, it's Saturday night, November 24, 2006, 10:40 PM, and Stubbs is entertaining me yet again! This has been going on now for about a month — Stubbs' sound system reaching far and wide to keep us awake at night. I live 24 blocks north and about 6 blocks west of Stubbs, and I am FEELING the bass in my house! That is TOO loud. A number of neighbors in NUNA and in Eastwoods have complained to APD, and several people have e-mailed City Council, to no avail.



If you are experiencing unwanted musical noise in your homes, please write to the City Council and tell them that it is ruining any peace or quiet we have in this area of town. For some reason, the noise ordinance is not being enforced with Stubbs, and we do not know the reason why. The City Council e-mail addresses are:

Will.Wynn@ci.austin.tx.us
Betty.Dunkerley@ci.austin.tx.us
Brewster.McCracken@ci.austin.tx.us
Lee.Leffingwell@ci.austin.tx.us
Jennifer.Kim@ci.austin.tx.us
Sheryl.Cole@ci.austin.tx.us
Mike.Martinez@ci.austin.tx.us

Very soon, there will be a concerted effort mounted at the City Council offices to register our unhappiness with this state of affairs. There are several options we could take to put a stop to it. A complaint could be filed down at the Police Department by everyone who has been bothered by the excessive noise. We could have a phone tree to call 911 and inundate their lines. There will be visits to City Council members and to the Mayor, if he can see us. There might even be a visit to the City Manager. If all else fails, there is always the old "sue 'em" routine, and we could sue Stubbs for creating a nuisance in our neighborhood.

If any of you have been bothered by the noise coming from Stubbs in the last month, please contact the NUNA Executive Committee. Their e-mail addresses are listed in this newsletter. If we work together as a large group, that might really make a big difference.



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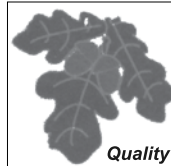
DUES! DUES! DUES! DUES!

Dues! Dues! Dues! Dues! This haunting refrain was a favorite of Faye Carpenter, our former neighborhood treasurer whom we miss and fondly remember. Dues are due at the beginning of each year; however, if you have missed the deadline, it's not too late! We are accepting membership dues from all individuals in the neighborhood, even if you are unable to come to the meetings or volunteer to help the neighborhood. Dues are used to pay for the publishing of the newsletter and other expenses the organization might incur. Join today with a check for \$10 per individual, \$20 per family. You must be a paid member in order to vote at the neighborhood meetings. Please send your checks in today to our current treasurer, Charles Hibbetts, 110 West 33rd Street, Austin, Texas 78705. This is a good way to support your 'hood, and we need your support!

Speaking of neighborhood finances, we still need to reimburse a most generous neighbor who lent the neighborhood some funds for the NCCD payments. We still owe this neighbor \$2,100. If anyone feels so inclined to donate some money to the NUNA Defense Fund for payment to this wonderful individual, please do so. Make your checks out to the NUNA Defense Fund; send them to our treasurer, Charles Hibbetts, 110 West 33rd Street, Austin, 78705. Thank you for helping us take care of our collective debt.



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Traffic Concerns in NUNA

By Jason Davis

Speeding traffic has always been an issue in the neighborhood. In particular, the numbered streets between Speedway and Duval have long been used by motorists to cut between the two roads. Most of these cross streets, including those closest to campus (31st, 32nd, 33rd, 35th Streets), do not have any stop signs or speed bumps across this four block stretch. Consequently, motorists frequently speed on these roads, presenting a danger to both pedestrians and other motorists alike.

Further aggravating the situation is the fact that this area is heavily used for parking by UT students who commute to school. Students who are late to class tend to speed through our neighborhood. The area has very few sidewalks, and speeding causes a threat to those pedestrians walking to work or class on the relatively narrow neighborhood streets. This combination of speeding cars, high pedestrian traffic, and lack of sidewalks is a potentially dangerous situation. A similar situation arises before Texas football games; here alcohol and drunk driving also come into play.

To try to alleviate some of these problems, NUNA has started a traffic committee. The committee's primary objective is to increase pedestrian safety by reducing traffic volume and traffic speed. To accomplish this, the committee plans to first look into rolling back the speed limits for the entire NUNA area; the city has been rolling back speed limits from 30 mph to 25 mph. Along with these roll backs come an increase in speed limit signs and an enforcement effort by the police. The committee further plans to investigate the possibility of installing stop signs and speed bumps in problem areas. An ideal solution to our traffic issues would involve the addition of much needed sidewalks in the area.

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Finally, the committee also plans to investigate other possible traffic related issues for NUNA as a whole. The committee is headed by Jason Davis. If you have any suggestions or comments, or you would like to contribute to this effort, please contact him via e-mail at jdavis@cs.utexas.edu, or by phone, 512 587 5208.



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