



May Meeting: Tuesday, May 28, 2002, 7:30 pm, at the Plaza Hilton Hotel, 8th Floor, on Travis. Reception and cash bar begin at 7:00 pm. Free parking is available in the hotel garage.

Please come to hear and talk about:

- o **Representatives of St. Luke's Development Team will present their plans for a new building behind the Hilton Hotel. 1,450 cars will enter and exit via Southgate Blvd. each work day. Discussion will include possible street closures to restrict neighborhood traffic.**
- o **Representatives of MetrOntario will present Updated Plans for The Towers.**
- o **Plans to Modify Deed Restrictions for Southgate's Respective Sections.**
- o **Web Site Design.**
- o **Other Topics *To Be Announced* and of Interest**

Note the Accompanying Green Sheet Letter and Survey.

Please Take a Few Minutes to Answer These Questions and Return the Survey to Your Block Captain, to Richard Merrill, or to Any of the Civic Club Officers.

The Officers Will Utilize This Information to Determine Neighborhood Interest in Addressing Critical Issues such as Deed Restrictions and Street Closures as a Response to Development & Traffic.

Thank You for Your Time and for Your Advice.

Last May's newsletter contained

An Unleashed Dog Story: Residents on Southgate Blvd. were hosting a party at their house, and their dog was tied up in the back yard. **Another dog not on a leash** came into the yard and bit into the hip of the tied-up dog. The dog was severely-wounded and was put to sleep a few days later.

Sadly, this year's May newsletter includes

Another Unleashed Dog Story, in a resident's own words: "Two days ago a loose dog mauled our cat right outside our door. He came into our yard, chased her down; she died on the way to the Emergency Vet. She was a beloved pet and never left our yard. **A young couple were walking and lost control, they said, of their big dog.** I heard the commotion and ran outside to extricate our cat from his jaws, but it was not soon enough. **I am left with bites and emotional scars. The couple left, and we have heard nothing from them.** They have not even called or come by to see how our pet was doing."

No resident, animal, or child should have to be attacked by an animal in our neighborhood.

The City's Leash Law states:

"It is against the law for dogs to roam at large. Dogs must be enclosed in a fence, or when off the owner's property, must be on a leash."

Owners of dogs running at large can be fined \$75, and their dogs can be impounded.

**Volunteers Needed to Help Develop Web Site Content:
Convert Deed Restrictions into Electronic Format or
Prepare a History of the Southgate Neighborhood.**

Skills : Word Processing and/or Scanning with OCR Software and/or HTML and/or Graphics.

Interests or Knowledge: How Our Neighborhood was Shaped by Developers, Time, and Residents.

Contact Bill Rouse at 713-528-4865.

April Meeting Highlights:

(1) As provided for in the Southgate Civic Club By-laws, **a number of residents requested a special meeting to formally address their concerns regarding the proposed subdivision of the 2107 McClendon property into two separate lots and to establish appropriate action by the Civic Club to address both the short-term and longer-term ramifications.** The special meeting was held prior to the regular meeting. The meeting began with approximately 20 residents in attendance, ultimately increasing to more than 40.

Robert Covington and Schact McCollum, owners of the 2107 McClendon property, explained their plans for development of the property. Mr. Covington and Mr. McCollum's firm are in the business of purchasing property, building new houses, and selling those houses. They have been active in other areas of Houston -- Bellaire, Braes Heights, West University, Memorial, Tanglewood. **They purchased the 100-frontage-foot property intending to remove the existing house, subdivide the property into two lots, and build two new "nice" houses, each about 3500 square feet.** One will be a "Country French" design with window and shutter features to carry out the design and with stucco exterior and stone trim. The other will be a more traditional design with stucco and either brick or stone trim. Based on feedback from neighbors and Southgate's formal architectural review, they have located garages in the backs of both houses.

Deed restrictions for Southgate Section 3 (which includes McClendon) require side setbacks of 5 feet from the property line. For unattached garages, the side setback requirement is 3 feet. The front face of both houses would be the required 25 feet from the street -- the same for all the other houses along McClendon. Mr. Covington and Mr. McCollum emphasized their intent to protect the existing "nice" trees on each lot, particularly the two large trees in the front. Some trees in the back may be removed. One resident behind the lot requested that a tree be removed because of the impact on his yard.

Mr. Covington and Mr. McCollum explained they were willing to sell the single undivided lot if someone were willing to buy and ensure the lot was developed as a single lot with a single dwelling. Their asking price was approximately \$370,000, basically representing their costs to-date and no profit. They stated **this has not been a pleasant experience for them. Had they known they would encounter the displeasure and resistance of the neighborhood, they would not have purchased the property.**

Richard described the history of development along McClendon. Most of the original lots were platted with a frontage of 60-65 feet. As people purchased lots on which to build houses, some bought one lot plus a portion of another, while others the bought the remainders. Thus some lots today have frontages of 100 feet, while others have frontages of 50-55 feet. (Most of the Southgate Section 1 original lots were 50-feet wide. Larger lots in Sections 1 and 2 are one and a half original lots, or 75-feet wide.) Other McClendon lots have been subdivided within the last 20 years. For example, the 2nd and 3rd townhouses located on the south side and east end of the 2000 block were built on lots subdivided to approximately 44 feet wide. **Richard stated that he has reviewed the Section 3 deed restrictions, and they do not appear to**

contain any prohibition against subdividing in the manner proposed for 2107 McClendon. Further, the above history tends to establish a precedent supporting the right of an owner to subdivide.

Richard has reviewed our situation with a respected real estate attorney who has handled similar cases for other areas of Houston. After reviewing the case, the attorney commented, "I'd love to represent you, but I'd hate to take your money and not be able to deliver." **He did not believe we could make a viable case.**

Kiley Athanasiou emphasized that the way to keep this situation from happening in the future is to **establish prevailing lot sizes for each block in Southgate**. Once a prevailing lots size is set, say at the equivalent of 60 feet (prevailing lot size is actually based on square footage), no lot on that block can be subdivided to a lesser size. Kiley has done this for the 2000 block of MacArthur. The City just established this ordinance in January of this year. Kiley offered to help anyone who wishes to develop the calculations for a block and submit the petition to the City.

Some McClendon residents commented that even though they wished the subdivision would not occur, they feel the overall outcome has been positive. They are satisfied with the builders' plans and especially gratified with the builders' willingness to work with residents on each side of and across the street from the lot.

Richard recommended that the residents and the Civic Club no longer oppose the subdivision, that we welcome the builders to our neighborhood, and that neighbors work with them to create the best two houses (and new residents) the neighborhood can have. The recommendation was turned into a motion, seconded, and agreed to by both voice and show of hands.

Regular Meeting

(2) **Bill Rouse, Southgate's liaison with RACS, introduced Dennis Van, one of the Precinct 1 constables that serves our area. Dennis stated that there have been no crimes in the neighborhood since January.** He advised us all to know and stay in touch with our neighbors. If we see something strange going on at a neighbor's house, especially when neighbors are out of town, we should call RACS. Dennis or one of his fellow patrol officers on duty will drop by and check out the situation. **When asked if he would respond to a situation happening at a resident's house if the resident were not a RACS member, Dennis said that he would if he were called and saw something going on. He would take care of the situation and let the formalities be worked out later. Bill will follow up with RACS leadership on this issue.**

Dennis confirmed that he and his colleagues will respond to complaints of someone making too much noise. One resident complained that during a recent track meet, Rice had the PA system speakers turned directly toward the neighborhood. Dennis said that he cannot do anything about excess noise at a Rice event. In response to a question, **Dennis said that he can give speeding tickets but, since he does not have radar, he cannot validate that a car was going faster than the speed limit. He watches for cars not stopping for school buses letting off or taking on students, running stop signs, etc. He affirmed that door-to-door solicitors are not desirable in this neighborhood. Often, the kids selling magazines, candy, and whatever have committed crimes, often in other cities and states.**

Dennis was asked if he could do anything about the cab drivers at Travis and Southgate when they throw trash out their windows. Dennis said he could if he caught them in the act. **[Editor: Dennis did catch a cab driver in the act. He told the driver he would ticket him and fine him \$250, or as an alternative, the driver could enlist his fellow drivers waiting around the corner to help him pick up the trash on the street and tell them and others not to throw trash on the street anymore. Last seen, the cab drivers were hastily picking up used plastic cups, hamburger wrappers, and other trash!]**

(3) **Bill Rouse** is heading a subcommittee of the Executive Committee charged with developing an **Internet web site for Southgate Civic Club (other members are Richard Merrill and Lisa Rigdon).** The concept for the web site is that it would have two primary feature areas. One would be a **"store front"**

containing deed restrictions, history of the neighborhood, perhaps some photographs, all of which would be public information. The other feature area would be a bulletin board only for residents. The bulletin board would offer the opportunity for residents to alert other residents to critical and timely information such as suspicious people or cars in the area, having a bicycle stolen, seeking help in finding a lost dog, etc. Bill stated that if 25% of residents engaged in electronic dialogue, our neighborhood could be even safer.

Bill is talking with Rice University staff about help with developing the bulletin board feature and potentially hosting the site. Other opportunities are also being explored. Those attending agreed that a web site for the neighborhood should be pursued.

(4) **Kiley Athanasiou** was asked to explain some of the issues around **prevailing lot size determination and qualifications**. For a block to qualify for a prevailing lot size, **75% of the lots on a given block must fall within 10% of the calculated average lot size** (excluding corner lots). **The 2200 block of MacArthur could not meet that requirement**. Also, **51% of residents** on the block must sign the petition to establish the calculated prevailing lot size. All the dimensions of each lot can be found online the Harris County Appraisal District's web site (or in their microfiche/paper files, if one prefers). Kiley again offered to assist anyone who wishes to step forward and perform the calculations and obtain the signatures and submit the application for his or her block.

(5) Each of the Southgate sections has its own **deed restrictions**. Richard explained that the **Executive Committee believes there are changes that could be made to strengthen all the deed restrictions and make them uniform across the whole neighborhood, if residents agree we should do this**. He suggested we may not want them quite as dictatorial as some suburban neighborhood restrictions (such as specifying acceptable house colors). Section 3 has a particularly onerous restriction about the timing of amending its restrictions that we may want to alter (changes must be defined by 2010 but cannot take effect until 2015). **Skip Christy** stated he is attempting to arrange for deed restriction specialists to speak at one of our future meetings.

All concurred that the Executive Committee should proceed to develop proposals to strengthen and unify the deed restrictions. **The next step will be a survey of all residents. [Editor: See the attached Survey!]**

(6) There was no news from Mr. Beeson about his project. MetrOntario, the company that intends to tear down The Towers and rebuild an office building on the site, recently contacted Richard. They are still developing their plans and will meet again with us when they are further along. There are **rumors that St. Luke's Episcopal Hospital plans to erect a multistory tower surrounding the Hilton**. He will be following up with St. Luke's to learn more about their plans and timing. **[Editor: May 28 Civic Club Meeting for both St. Luke's and MetrOntario!]** Richard has maintained contact with Rice University about their plans for the vacant lot at Main and University. They still have no firm plans.

(7) **Skip Christy** said he has **observed several No Parking signs missing or down**. He did not know whether the signs had been removed by residents, would-be parkers, or pranksters.

Ice Cream Social: **Kim O'Reilly and Laura Macicek**, co-organizers of this year's Ice Cream Social, estimate attendance this year at between 150 and 200 people. Thank you's to Kim and Laura for their time and energies spent telephoning, following up, worrying, and all those tasks required to organize an event like this. Particular thank you's to **Alison and Jon Bieser, Sam and Laura Claiborn, and Alesandra Merrill and Tracey Gilliland** for their personal time and talents. And special thank you's to **Robert Flanders (Today's Vision), Saundra Wilkenfeld (Wilkenfeld Speech & Language Learning Center), and Mary Ann Evans (Greenwood King Properties)** for their financial sponsorships.

Membership: 205 households, approximately 1/3 of the neighborhood, have paid 2002 dues. Last year's membership was 236 households.

Street Knowledge:

Residential Parking Permits: In addition to those mentioned in last month's newsletter , thank you's also to **Peter Day and Valeri Johnson** for leading the charge on the 2000 block of Dryden.

Calendar:

Fourth of July Parade:

July 4

Future Civic Club Meetings:

September 24, November 26

Future Executive Committee Meetings:

September 10, November 12

Welcome New Southgate Residents

Addison:

Eric, Mary, and Allison Polnau

Swift:

Dennis and Judy Cox

Please notify Bea King, 713-521-9390, if you are aware of new neighbors moving into Southgate. Bea has welcome packets containing lots of information about Southgate and Houston.

Please feel free to contact any of your Civic Club officers with neighborhood information or with your interests and concerns about your neighborhood and Civic Club.

President	Richard Merrill	713-961-0408 (office #)	2003 Swift
1st Vice President	Beatrice King	713-521-9390	2057 Southgate
2nd Vice President	Kim O'Reilly	713-523-1433	1936 Swift
3rd Vice President	Linda Macicek	713-664-4289	2122 MacArthur
Treasurer	Lisa Rigdon	713-666-4516	2219 Dryden
Secretary	Thomas Perry	713-660-9488	2130 Southgate

Also, you can send an e-mail note to "SgateCivClub@aol.com" or to me at "tomperry56@aol.com."

Thomas Perry, Editor