

**SUPER NEIGHBORHOOD 22 COUNCIL
MINUTES FOR MEETING HELD JANUARY 9, 2012**

I. Call to Order and Introductions (5 minutes)

J. West, K. Vossler, and J. Schriver (Old Sixth Ward), A. Wendelberg and P. Moore (Rice Military), S. Vealy, T. Kornegay (Camp Logan), M. McCourt (Magnolia Grove), Del and Sharon Zogg (Memorial Heights), M. Poissant and D. Shepherd (Westwood Grove), Keith Edgar (Lilian Street Townhomes), M. Savino (WOW and Woodcrest), M. Kusey, T. Dornbusch (Woodcrest), Marci Perry (First Ward), Ariana Campos (State Representative Farrar's office), B. Boyett (CM Cohen's office), J. Peruchini (CM Gonzalez' office), Ruben Vela (Mayor's Citizens Assistance office), J. McGary (Montrose)

II. Presentation (60 minutes):

Neighborhood Noise: An Overview of Scientific and Legal Issues: Bill Ware and Carol Caul

Sound is vibration of air molecules at certain frequency to register as sound. Noise is erratic, whereas music or sound is designed. The City of Houston (COH) uses decibels (db) to measure sound. Other cities use different units of measurements and the COH may consider moving away from the use of that unit. During discussion of the city's noise ordinance last fall, one of the Councilmembers (CMs) said no body had a problem at 84 db and that's ok if its something you want to hear, but if its disturbing something else you're trying to do, it's not ok. For example a truck at 30' is about 80 db, a vaccum cleaner at 10' is about 70 db, above 120 db is the threshold for pain. Noise is often measured over a period of time. The COH and the rules for highway noise use a weighted standard. Most noise standards are written in terms of db(A) which is A weighted correction factor to deemphasize the inability of humans to hear lower frequencies; this discounts lower frequency noise more than it should; meters at radio shack will measure dbA and dbC; in a sense the bias measure is built into standards that may never be changed. In other words the low frequency noise that upsets people doesn't show up on the dbA meters. What is the relative significance of db(A) levels? An increase of 3 db(A) is considered to be barely perceptible. An increase of 10 db(A) doubles the noise level. A change from 60 db(A) to 80 db(A) quadruples the loudness. Our standards for highway noise are set forth in a 40-page document and are keyed to land use. Highway tines increase safety but also increase noise. California uses a diamond groove tine that doesn't whine. TxDOT doesn't. TxDOT's practice seems to provide a minimal amount of safety improvement for a maximum increase in noise level. On north side of Memorial Park the noise is measured at 78 db(A) near the tennis center. Where do the numbers come from? From your right to talk to others in a normal tone of voice, and from your right to free speech in your yard. The law doesn't require noise mitigation, but requires consideration of whether that right can be provided in a cost effective way. Highways are line sources as opposed to bars which are point sources. Noise falls away faster from point sources than from line sources. Line source 2x distance (d) equals -3 db(A); point source 2x d equals - 6 db(A). But with multiple points at a large establishment what may appear to be a point source may effectively be a line source. Hardscape prevents fall off, softscape increases fall off. A wooden wall allows noise to pass through. For that reasons true nosie walls are large thick structures. Moreover, noise can bend and go over walls, and that property of noise can prevent a wall's ability to mitigate noise. Even very high walls such as 12 feet have very little positive impact on noise. To be effective against nosie, walls they need to be higher than 12'. California and Nevada build walls on the structure of highways. TxDOT has done this in Bellaire, i.e., built a noise wall on the structure of the highway; but has not done it elsewhere in Texas. There are many issues to consider when deciding what type of wall will effectively mitigate the noise. To get best measurements you'd need to go out and measure over the course of a year to take into account all seasons, but there's never enough time for that so computer models are used. Wind and temperature also have an impact on nosie that is not typically taken into account. Tire noise is a major issue. Quiet pavements wear down and have reoccurring maintenance costs. Quiet pavement is extensively in Arizona but is not used here in Texas. Noise level at the arboretum is 80 db even though the standard is 58.

III. New Business: (20 minutes)

A. Super Neighborhood Action Plan (SNAP) Requests: Neighborhood representatives were asked to submit SNAP requests to J. West no later than Friday, January 13, 2012, for submission to the city.

B. 2012 Initiatives:

- 1. Discuss and Consider Forming Noise Committee.** Volunteers for SN 22 Noise Committee are as follows: M. Poissant, D. Shepherd, M. Kusey, S. Zogg, C. Caul, B. Ware, J. McGary, and J. West. First meeting TBD.

2. **Discuss and Consider Forming Additional Committees** (e.g. school support committee). J. West agrees to reach out to Crockett Elementary PTO and T. Dornbusch agrees to reach out to Memorial Elementary PTO.
3. **Discuss and Consider Future Presentations.** Issues of interest are flooding and neighborhood nuisances that could be addressed by attorney Jim Blackburn, the possibility of an initiative to amend the city charter to protect neighborhoods that could be addressed by former city councilmember Carroll Robinson.

IV. Old Business (20 minutes):

- A. **Patio Pub and Level 3 Liquor Licenses Update (SOB Operators Coming to Washington Ave.)**
Assistant City Attorney Nirja Aiyer
Status Report. Treasurers protest coming up at the end of March. Goal is to put some impediments into their ability to operate. Renewal of permits is every two years. Both locations have not building. When does the two years begin. Two years from date of issuance. When they haven't operated there's no reason to protest. Would recommendation stand for next two years? If no violations, there's no basis to protest.
- B. **Liveable Centers Study Update:** The consultant team is planning to host a kick-off event at the offices of lead consultant Asakura-Robinson. Date and time TBA.
- C. **Spec's Renewed Application for Liquor License to Operate Two Stores at WOW Roundabout:**
J. West reported that Judge Bill Henderson, the Special Master appointed by County Judge Ed Emmett to hear Spec's appeal of the city's denial of its request for a certificate to seek a liquor license for Washington and Westcott, held a hearing on the appeal on December 15th but has not yet issued a decision.
- D. **First Ward Food Truck Park Proposal :** No report.
- E. **Municipal Setting Designation (MSD) in Magnolia Grove:** M. McCourt and J. West reported that the city held a meeting for Magnolia Grove residents in December for the purpose of addressing community concerns. J. West reported that the mayor is expected to bring the MSD application forward for a vote at City Council in the near future.
- F. **High Density Development Ordinance:** J. West reported that in December City Council passed a "Buffering Ordinance" that governs the distance that a high-rise structure must be set back from certain types of single family residences.
- G. **Parking Ordinance Amendments:** J. West reported that proposed amendments to the city's parking ordinances have stalled because the city has received significant "push back" or opposition to the proposed amendments from business entities such as the Greater Houston Restaurant Association and a newly formed group of independent bar and restaurant owners calling themselves "OKRA." Although the amendments are expected to be brought to City Council sometime this year, no one knows exactly when that will be. Neighborhood groups such as ours will need to pay close attention to this issue.
- H. **Chapter 42 Amendments:** J. West reported that in response to expressions of concern from many Super Neighborhood Councils, Mayor Parker agreed to postpone City Council's consideration of proposed amendments to the city's development code, Chapter 42 of Houston's Code or Ordinances, until the Planning Department has held a series of public meetings out in the community to explain the amendments to community stakeholders. It is not known exactly when these amendments will be brought to City Council for a vote, but as for the proposed amendments to the city's parking ordinances, neighborhood groups will need to pay close attention to this issue. J. West and T. Dornbusch are heading up a Super Neighborhood Alliance subcommittee aimed at addressing this issue on a city-wide basis.
- I. **Call for Volunteers to Help Manage SN 22 Web Page:** T. Kornegay expressed possible interest in working on the SN 22 webpage and J. West agreed to put him in touch with Mary Jane Buschlen who has been managing this website since its inception.

V. Announcements, Community Reports, and Open Comments (10 minutes)

VI. Adjournment: 8:30