



South River City Citizens Inc.
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Dan Fredine, Co-Vice President
Eric Cassady, Co-Vice President
Oliver Caruso, Treasurer
Mary Friedman, Secretary

Austin City Council
City Hall
301 W. 2nd St.
Austin, TX 78701`

July 5th, 2018

RE: Ongoing problems with auto businesses on Rebel Rd.

Dear Mayor Adler, Mayor Pro-Tem Tovo and Council Members,

Once again we are writing to you in support of our neighbors living on and near Rebel Rd. north of the intersection of Rebel and Oltorf in their ongoing efforts to seek remediation of the very significant problems created by the auto businesses at 2311 Rebel Rd. This is the third such letter of support SRCC has sent over the years, starting in 2012, and it is extremely disheartening to both the directly affected residents as well as the SRCC organization and our neighborhood as a whole that the situation has not improved since that time.

For over 24 years, our neighbors have been coping with constant hardship created by the disruptive and often illegal activities these businesses engage in. These problems include, but are not limited to:

- Toxic fumes emitted from an unpermitted auto painting facility.
- Derelict vehicles stored and worked on in the public right-of-way.
- Extremely high levels of industrial noise as well as loud music and shouting at all hours of the day and night.
- A dumpster that is frequently stored and used in the public right-of-way despite intervention by code enforcement.

For our neighbors who live near these businesses, these problems continue to have a dramatic negative impact on their quality of life every single day. Frequent calls to 911 and 311, letters and calls to APD, city council, and city staff and direct appeals to the business owners, managers and employees have all failed to bring any significant improvement to the situation.

Our organization asks that city staff be directed to take immediate steps to find long-term solutions to this problem. SRCC supports the neighbors' request, as stated in their attached, previously

hand-delivered, letter, for a meeting with staff as a first step toward finding these solutions. SRCC will send representatives to this meeting when it occurs and will continue to monitor the situation closely as these solutions are implemented.

Thank you in advance for your prompt and serious attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric Cassady', with a stylized flourish at the end.

Eric Cassady

Co-Vice President

covicepresident@srccatx.org

Enclosure 1: Copy of hand-delivered letter to council from residents

CC: Spencer Cronk, José E. Martínez, Alicia Reinmund-Martínez, Jim Hallinan, John Butler, Nicholas Tys, Sal Salvucci, Melinda Curry, Jim Killfoyl, Lita Guerra, Steve Tateosian, David Swann

June 21, 2018
Mayor Adler and Council Member Tovo
City of Austin
PO Box 1088

Austin, Tx 78767

RE: Two Nuisance Businesses in the Travis Heights Neighborhood—2311 Rebel Rd.

Dear Mayor Adler and Council Member Tovo:

For the last 24 years, neighbors within a two-block area have been reporting to the City violations of City ordinances by two business at 2311 Rebel Rd. (owned by the same person) in the Travis Heights neighborhood—an auto body shop and a used car sales lot. For all these 24 years our short-term complaints have been directed to APD and the Code Enforcement Department, but we have no promise of long-term relief in sight. With your help, we need a long-term solution.

After 11 years of reporting toxic fumes to the City, the Code Enforcement Department finally reviewed its permit files on the auto body shop's paint booth and found no permit existed. The paint booth was emitting toxic fumes, frequently due to the booth's doors left open while painting. The auto body shop continues to emit toxic fumes.

Code Enforcement had allowed these businesses to place their trash dumpster on the public right-of-way (ROW). As a result, our neighborhood was always strewn with trash from the dumpster whose lid was always left open and unlocked. After more than 20 years, Code Enforcement finally required the dumpster be kept inside the fence, but often the dumpster is left in the ROW for extended periods.

These businesses accept inoperable vehicles at all hours of the day and night, 7 days a week on the ROW, and then repair them in the ROW, making the street completely impassible. We report these violations to APD, but these vehicles—including motor homes and retired Capital Metro buses—are often allowed to remain on the ROW for weeks.

The most disturbing violations are at night—often after midnight—7 days a week. Neighbors frequently call 911 to report industrial level/type noises from the auto body shop—sledge hammers pounding on metal, power tool grinding on metal, pneumatic power tools, the paint booth exhaust fan, and revving of car and motorcycle engines. In addition, window-rattling, low-resonance boom-boxes and yelling are daily disturbances—and most disturbing after midnight. All of this happens because the work is done outdoors. These sounds are non-stop, day and night with rare reprieves. The manner that these businesses are operated makes them incompatible with a residential neighborhood and respectful businesses in

the immediate vicinity. The auto body shop and the used car sales lot are both nuisance businesses.

The neighborhood appreciates the responses by APD to date, but we find it inconceivable that for 24 years the City has permitted a non-stop series of violations by these two nuisance businesses. Our neighborhood has borne the negative effects of their operations. Furthermore, City staff, especially APD, have invested thousands of hours on service calls caused by these nuisance businesses.

City government exists to make its citizens lives better. We feel that the City has failed our neighborhood in this case. As tax payers, we deserve better services from our City government. We have been working with Council Member Kathie Tovo's office for years, but continued implementation of current City polices will not yield of a long-term solution to this dilemma.

We ask that the Mayor and Council Member Tovo direct the City Manager to propose a solution to our neighborhood's ongoing dilemma. As a first step, the neighborhood asks for a meeting between City staff and the neighborhood to develop a solution to stop the illegal operations of these two nuisance businesses. City policies pertinent to the ordinances being regularly violated must be evaluated to determine why they have been ineffective to date. SRCC, our umbrella neighborhood association, has in the past sent several letters to the Mayor and Council asking for enhanced attention by the City on this problem. Yet another letter of support from SRCC is forthcoming.

Respectfully,

José E. Martínez and Alicia Reinmund-Martínez

CC: Spencer Cronk, City Manager

EMAIL: Eric Cassidy, Co-Chair, SRCC
Dan Fredine, Co-Chair, SRCC
Jim Hallinan, 503 Sunrise Cr.
John Butler, 500 Sunrise Cr.
Nicholas Tys, 504 Sunrise Cr.
Sal Salvucci, 2302 Rebel Rd.
Melinda Curry, 2303 Rebel Rd.
Jim Killfoyl, 2213 Rebel Rd.
Lita Guerra, 2214 Rebel Rd.
Steve Tateosian, 2300 Rebel Rd.
David Swann, 505 Lone Oak Dr.