



BUILDING AND STANDARDS COMMISSION

SPECIAL CALLED MEETING MINUTES

Date: January 28, 2021

The Building and Standards Commission (BSC) convened remotely via video conference for a special called meeting on Thursday, January 28, 2021. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

Commission Members in Attendance:

Chair Andrea Freiburger; Vice Chair Pablo Avila; Commissioners: John Green, Timothy Stostad, James Briceno, Sade Ogunbode, Elizabeth Mueller, Wordy Thompson, Edgar Farrera, Natalya Sheddan and Ex Officio Commissioner Chief Thomas Vocke.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Division Manager; Marlayna Wright, Supervisor; James Candelas, Program Specialist; Farah Presley, Inspector; Willis Adams, Code Inspector; Alicia Tovar, Acting Supervisor; Brandon Carr, Assistant City Attorney

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:35 p.m.

CITIZEN COMMUNICATION

Aime Polivka of the 305 Flats tenant association and Gabby Garcia of BASTA appeared before the Commission to speak about conditions at 305 Flats, located at 305 W. 35th Street. Ms. Garcia read a written statement from tenant Sam Kirsch about the conditions at 305 Flats and provided her own testimony regarding the conditions at the property and the Repeat Offender Program.

APPROVAL OF MINUTES

Commissioner Green moved to approve the minutes from the December 9, 2020 regular meeting, seconded by Commissioner Mueller. The December meeting minutes were approved on an 8-0-1 vote, with Commissioner Farrera abstaining.

PUBLIC HEARINGS

Continued Case(s) Pending Commission Action:

2. CL 2020-017823

2411 Longview Street

Hosebark, LLP

This case was continued from the December 9, 2020 meeting. The property was represented at the hearing by Henry Gilmore, attorney for the current owner, i.e., DRK 2411 Longview Austin LLC, and Kwan Sun, Manager of current owner group, as well as Jacob Frumkin, previous owner. Vice Chair Avila admitted Exhibits 7 and 8A-8E.

Vice Chair Avila moved to close the public hearing. The recommended order was for repair within 45 days, with a penalty of \$2,000 per week to begin to accrue on the 91st day if not in compliance. Commissioner Mueller made an alternative motion for demolition within 90 days, and on the 91st day, if compliance has not been met, to authorize the code official to proceed with demolition, and file a lien for all expenses incurred. The motion was seconded by Commissioner Green. The motion passed on an 8-0-1 vote. Commissioner Green was off dais and Chair Freiburger recused herself.

Returning Case(s):

3. CL 2019-035856 12100 Mustang Chase Stanley G. Adams

This property was not represented at the hearing by the owner of record or any owner's representative. Chair Freiburger admitted Exhibits 3 and 4A – 4H.

A motion was made by Commissioner Mueller to adopt staff's recommendation for demolition of the swimming pool within 45 days, and on the 46th day if compliance is not met, the code official is authorized to proceed with the demolition, and file a lien for all expenses incurred, seconded by Commissioners Briceno. The motion carried 10-0-0.

Case(s):

4. CL 2021-002304 907 Congress Avenue H. Dalton Wallace
(aka Grandberry Building)

5. CL 2021-002321 909 Congress Avenue H. Dalton Wallace
(aka Mitchell - Robertson Building)

6. CL 2021-002327 911 Congress Avenue 911 Congress LLC

These properties were heard concurrently and were represented at the hearing by the owner's representative, Leah Bojo. Steve Sadowsky from the Historic Preservation office also provided testimony to the commission. Chair Freiburger admitted Staff Exhibits 1 & 2A – 2F, 3 & 4A – 4E, and 5 & 6A – 6E.

Commissioner Stostad moved to close the public hearing. A motion was made by Commissioner Briceno to continue these cases to the February 2021 meeting. Commissioner Mueller added a friendly amendment requiring that the owner' representative report back to the commission and provide the following: a) the findings of the Historic Landmark Commission; b) a timeline/ schedule for the repairs and 3) address the items in the recommended orders. The friendly amendment was accepted by Commission Briceno and was then seconded by Commissioner Mueller. The motion carried 8-0-0. Commissioners Green and Ogunbode were off dais.

7. CL 2021-002364 7207 E. Meadow Bend Drive Gerald F. D'Angelo

This property was represented at the hearing by the owner, Gerald F. D'Angelo, and his maintenance contractor, Howard Robert Gosnell. Chair Freiburger admitted Staff Exhibits 1 and 2A – 2K.

Commissioner Mueller made a motion to adopt the recommended order, seconded by Commissioner Stostad. The motion passed unanimously, 10-0-0.

FUTURE AGENDA ITEMS

907, 909 and 911 Congress Avenue. These cases, CL 2021-002304, CL 2021-002321, CL 2021-002327, will return in February on a unanimous vote of the Commission.

In lieu of citizen communication from the residents of 305 Flats, Commissioner Mueller asked for a staff update or an overview of the Repeat Offender Program.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:00 p.m.