



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: March 24, 2021

The Building and Standards Commission (BSC) convened remotely via video conference for a regular meeting on Wednesday, March 24, 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; and, Commissioners: Wordy Thompson, John Green, Elizabeth Mueller, Timothy Stostad, Edgar Farrera, Natalya Sheddin, James Briceno and Ex Officio Commissioner Chief Thomas Vocke. Commissioner Sade Ogunbode was absent.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Code Division Manager; Marlayna Wright, Code Supervisor; James Candelas, Program Specialist; Farah Presley, Investigator; Justin Brummer, Code Acting Supervisor; Willis Adams, Code Inspector; Brandon Carr, Assistant City Attorney; Elizabeth Brummett, Development Services Manager, Housing and Planning Department; Communications and Technology Management Department.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:33 p.m.

APPROVAL OF MINUTES

Commissioner Green moved to approve the minutes from the February 24, 2021 regular meeting, seconded by Commissioner Thompson. The February meeting minutes were approved on a 6-0-2 vote. Commissioners Farrera and Sheddin abstained. Vice Chair Avila was absent.

CITIZEN COMMUNICATION

Citizens Olivia Overturf and Chivas Watson both provided informational testimony to the Commission to bring awareness of the conditions at the Mount Carmel Village Apartments.

Paul Cauduro of the Austin Apartment Association addressed the Commission regarding Austin Code's Repeat Offender Program. In his testimony, Mr. Cauduro suggested that the threshold to be placed on the Repeat Offender Program is too low and, he would like to see a change to the ordinance.

Citizens Elizabeth Wallerstein, Jessica Meyers and Max Meyers, came before the Commission and provided testimony regarding a neighboring property, 201 Mockingbird Lane. The speakers reported claims which included over-occupancy, zoning violations and use, safety concerns, trash and illegal activity. Ms. Meyers also claimed that a lodging license had been issued for the property, which she claimed was incorrect under a reasonable accommodation clause.

PUBLIC COMMENT

No one signed up to provide public comment on any agenda item.

PUBLIC HEARINGS

Continued Case(s) Pending Commission Action:

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner/Appellant</u>
1. CL 2021-002304	907 Congress Avenue, aka the Grandberry Building	H. Dalton Wallace
2. CL 2021-002321	909 Congress Avenue, aka Mitchell-Robertson Building	H. Dalton Wallace
3. CL 2021-002327	911 Congress Avenue	911 Congress, LLC

These properties, continued from the February 24, 2021 meeting, were heard concurrently and were represented at the hearing by the owner's representative, Leah Bojo. Elizabeth Brummett from the Historic Preservation Office also testified that there is some concern by some Historic Landmark Commission (HLC) members to deconstruct the facades vs. the option for reconstruction in place. Ms. Brummett also stated that the HLC is awaiting a report from the Architectural Review Committee before making a final recommendation on the project.

Chair Freiburger admitted Staff Exhibits 13 & 14A – 14I, 15 & 16A-16H and 17 & 18A-18H. Chair Freiburger also admitted Owner Exhibits 1 and 2. Commissioner Stostad moved to close the public hearing, and to adopt in each of the three cases Staff's findings of fact and conclusions of law and, adopt staff's recommendation for repair within 90 days, with penalties of \$1,000 per week to begin accruing on the 91st day if not in compliance. The motion was seconded by Commissioner Green. The motion passed on a vote of 8-0-0. Commissioner Sheddan was off dais and Commissioner Ogunbode was absent.

Case(s):

4. CL 2021-034963	901 E. Cesar Chavez Street	Kathryn A. Logue
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The property was represented at the hearing by owner's representatives Jeremy Stolar and Michael Merrick. Mr. Merrick stated that the property is no longer owned by Kathryn Logue, and that he and Mr. Stolar represent the current ownership.

Chair Freiburger admitted Exhibits 1 and 2A-2F. Commissioner Stostad moved to close the public hearing, and to adopt Staff's findings of fact and conclusions of law and, adopt staff's recommendation for repair within 45 days, with penalties of \$1,000 per week to begin accruing on the 46th day if not in compliance. The motion was seconded by Commissioner Mueller. The motion passed on a vote of 7-0-0. Commissioners Sheddan and Briceno were off dais and Commissioner Ogunbode was absent.

Continued Case(s) Pending Commission Action:

5. CL 2019-223860	1516 Burton Drive aka 1601 Royal Crest Drive aka Solaris Apartments – Building 2-B (Retaining Wall)	Canyon Oaks, LP
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This property came before the Commission at the request of the owner regarding penalty relief and was represented at the hearing by owner representatives Cassandra Shanbaum and Clara Pelayo.

Commissioner Mueller made a motion to close the public hearing and to adopt staff's recommendation to affirm the civil penalty of the original order, which was seconded by Commissioner Green. The motion failed on a 5-1-0 vote. Commissioner Thompson voted nay. Commissioners Sheddan and Briceno were off dais and Commissioner Ogunbode was absent. No further action was taken on this matter.

DISCUSSION AND POSSIBLE ACTION ITEMS

7. Discussion regarding the FY 2021-22 budget process

The Commission discussed the FY 2021-22 budget process and chose not to make any recommendations at this time. It was suggested by Commissioners that beginning early next year, they would like to begin review of the Department's unmet needs in the form of a document and/or a presentation. Upon further discussion, the Commission also requested that Staff's unmet needs be included in the annual budget presentation by Austin Code's Finance division.

FUTURE AGENDA ITEMS

Election of Officers will occur at the April meeting.

303 Chaparral. A written report is due to the Commission at the April meeting. Chair Mangrum also requested that this be placed on the April agenda as a Staff update.

Staff update regarding winter storm damaged multi-family properties. Regarding Mount Carmel, this may be included in a staff report unless Code Staff is currently preparing a case for this property.

Presentation regarding Austin Code's process to vacate and relocate tenants.

Discussion regarding the Repeat Offender Program ordinance and possibly forming a working group.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:27 p.m.