



## BUILDING AND STANDARDS COMMISSION

## REGULAR MEETING MINUTES

Date: January 26, 2022

The Building and Standards Commission (BSC) convened at City Hall and via video conference for a regular hybrid meeting on Wednesday, January 26, 2022. The meeting was available for viewing live at <http://www.austintexas.gov/page/watch-atxn-live>.

### Commission Members in Attendance:

Chair Andrea Freiburger; Commissioners Sade Ogunbode, Wordy Thompson, John Green, Elizabeth Mueller, Timothy Stostad, Edgar Farrera, Edward Selig and Ex Officio Commissioner Chief Thomas Vocke. Vice Chair Pablo Avila and Commissioner Michael Francis were absent. Note: Commissioners Ogunbode, Green, Mueller, Stostad, Farrera and Selig attended remotely.

### Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; James Candelas, Program Specialist; Farah Presley, Inspector; Daniel Word, Assistant Director; Joseph Lucas, Supervisor; Dedric Knox, Supervisor; Moses Rodriguez, Supervisor; Lisa DeRoche, Administrative Manager; John Rodriguez, Inspector; Erica Thompson, Inspector; Alicia Tovar, Inspector; Sandy Van Cleave, Inspector; Willis Adams, Inspector; Lauren Khoury, Assistant City Attorney; and Daniel Murphy, CTM A/V Technician.

### CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:38 p.m.

### APPROVAL OF MINUTES

A motion was made by Commissioner Selig for approval of the December 8, 2021 regular meeting minutes. The motion was seconded by Commissioner Mueller. The motion carried on an 8-0 vote.

### CITIZEN COMMUNICATION

Chris Riley appeared before the Commission to request that his property, located at 503 W. 14th Street, be placed on the February agenda for reconsideration of the BSC order February 26, 2020 order issued on his property.

### PUBLIC HEARINGS

#### Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
1. CL 2022-002066;	6903 Deatonhill Drive	Flagstone Terrace Owners Association, Inc.,
CL 2022-002070;	Buildings 1 – 8 (Exteriors)	and the Individual Owners of Units 1-49
CL 2022-002076;	and Building 9 (Pool House)	
CL 2022-002087;		

**CL 2022-002099;  
CL 2022-002119;  
CL 2022-002132;  
CL 2022-002136; &  
CL 2022-002149**

The property was represented at the hearing by Flagstone Terrace Homeowners Association (FTOA) board president, Ann Morse. Board members Amy Jones and Johnny Holden were also in attendance at the meeting. Chair Freiburger admitted Staff Exhibits 1 through 18F and Flagstone Terrace Homeowners Board Exhibit 1. Commissioner Ogunbode moved to table this item for 30 minutes to give staff time to determine which violations are the responsibility of FTOA, seconded by Commissioner Mueller. Commissioner Ogunbode moved to close the public hearing. Commissioner Stostad moved to adopt staff's findings of fact, conclusions of law and recommended order for repairs in all 9 cases with modifications, i.e., to extend the timeframe from for repair to 180 days from the date the orders are mailed, and for the owner to provide regular written progress updates to Staff. Commissioner Mueller seconded, and the motion carried on an 7-0 vote. Vice Chair Avila and Commissioner Francis were absent. Commissioner Green was off dais.

**2. CL 2022-002014                      600 Barwood Park, Building 22                      Remington CF House Associates Limited  
(aka Remington House Apartments)                      Partnership**

The property owner, CF Remington House Associates, was represented at the hearing by attorney Erin DeBooe, Chair Freiburger admitted Staff Exhibits 1 and 2A-2I. Commissioner Thompson moved to continue the matter for 60 days, seconded by Commissioner Stostad. The motion carried on a 7-0 vote. Vice Chair Avila and Commissioner Francis were absent. Commissioner Green was off dais.

**3. CL 2022-002055                      2006 Blue Meadow Drive                      Charles Richard Vines**

The property was not represented at the hearing. Prior to the meeting the owner entered into an agreed order with Austin Code for demolition of the two structures on the property. Chair Freiburger admitted staff Exhibits 1 and 2A – 2G. Commissioner Mueller moved to adopt the proposed agreed order for demolition within 90 days, and on the 91st day, if compliance has not been achieved, the code official is authorized to proceed with demolition and, to assess all expenses incurred and file a lien for those expenses with Travis County Deed records. Commissioner Ogunbode seconded, and the motion carried on a 7-0 vote. Vice Chair Avila and Commissioner Francis were absent. Commissioner Green was off dais.

**Returning Case(s):**

**4. CL 2021-068641                      1200 E. 6th Street                      1200 East 6th Partners, LLC**

This property was represented at the hearing by partner Jason Jones. Chair Freiburger admitted Staff Exhibits 5 and 6A - 6G and reviewed requested evidence submitted by Jason Jones that included a construction schedule, construction breakdown of costs and a letter from lender regarding funding. Commission Mueller made a motion to close the public hearing and, accept staff's recommendation for repair with a modification to extend the timeframe for compliance to 270 days. The motion was seconded by Commissioner Farrera. The motion was amended to require that the property owner provide regular written updates to Austin Code staff. The motion carried on a 7-0 vote. Vice Chair Avila and Commissioner Francis were absent.

**Appeals:**

**5. OL 2021-111072                      2606 Diaz Street                      Hunter Wheeler**

The Commission heard an appeal of Code's denial of a Type-1 short term rental license. The owner/appellant was represented at the hearing by attorney Charley Dorsaneo. Chair Freiburger admitted Staff Exhibits 1 and 2. Commissioner Mueller motioned to close the public hearing and adopt staff's recommendation to uphold the license

denial, which was seconded by Commissioner Thompson. The motion carried on a 6-2 vote and the appeal was denied. Chair Freiburger and Commissioner Farrera voted in favor of the appeal.

## **STAFF BRIEFING**

### **6. Presentation regarding the Repeat Offender Program audit**

The Commission was briefed by Daniel Word about the progress and next steps related to the recent Repeat Offender Program audit recommendations from the City Auditor.

## **DISCUSSION AND POSSIBLE ACTION ITEMS**

### **7. Discussion regarding Building and Standards Commission retreat.**

The Commission discussed logistics regarding rescheduling a Building and Standards Commission special called meeting/ retreat including possible dates and location.

## **FUTURE AGENDA ITEMS**

The next regular meeting is set for February 23, 2022. The following items were considered for future agendas:

**600 Barwood, Bldg. 22 (aka Remington House Apartments) / CL 2022-002014** – This case was continued for 60 days, to be heard again at the March 23, 2022 meeting.

**503 W. 14<sup>th</sup> Street/ CL 2019-051029** - At the request of the owner, the Commission is bringing this case back for reconsideration at the February 23, 2022 regular meeting.

**2324 Bitter Creek Drive / CL 2021-190864** – This case, continued at the December 8, 2021 meeting, will be heard at the February 23, 2022 meeting.

## **ADJOURNMENT**

Chair Freiburger adjourned the meeting at 10:07 p.m.