Zoning Public Hearing CITY OF AUSTIN RECOMMENDATION FOR COUNCIL ACTION

AGENDA ITEM NO.: Z-13 AGENDA DATE: Thu 06/24/2004

PAGE: 1 of 1

SUBJECT: C14H-04-0008 - Commercial Building. Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 909 Congress Avenue from Central Business District, Capitol View Corridor (CBD-CVC) district to Central Business District, Capitol View Corridor - Historic (CBD-CVC-H) combining district zoning. Historic Landmark Commission Recommendation: To grant Central Business District, Capitol View Corridor - Historic (CBD-CVC-H) combining district zoning. Zoning and Platting Commission Recommendation: Pending. Applicant: Chansa Enterprises, L.L.C. (owner). City Staff: Steve Sadowsky, Historic Preservation Office, Transportation, Planning and Sustainability Department, 974-6454.

REQUESTING DEPARTMENT: Transportation, Planning DIRECTOR'S

and Sustainability

AUTHORIZATION: Austan Librach

RCA Serial#: 5631 Date: 06/24/04 Original: Yes

Disposition:

Published: Fri 06/18/2004 Adjusted version published:

ZONING CHANGE REVIEW SHEET

CASE NUMBER: C14H-04-0008

H.L.C. DATE:

April 26, 2004

Z.P.C. DATE:

June 15, 2004

AREA: 3,473 square feet (South 23 Feet of Lot 3, Block 111, Original City

APPLICANT: Chansa Enterprises, L.L.C.

AGENT: NA

HISTORIC NAME: Mitchell-Robertson Building

WATERSHED: Town Lake

ADDRESS OF PROPOSED ZONING CHANGE: 909 Congress Avenue

ZONING FROM: CBD

ZONING TO: CBD-H

SUMMARY STAFF RECOMMENDATION: Staff recommends the proposed zoning change from central business (CBD) district, to central business - historic (CBD-H) combining district zoning.

HISTORIC LANDMARK COMMISSION ACTION: Recommended the proposed zoning change from central business (CBD) district, to central business - historic (CBD-H) combining district zoning, by consent. Vote: 8-0 (Leary absent; Limbacher recused).

ZONING AND PLATTING COMMISSION ACTION: Recommended the proposed zoning change from central business (CBD) district, to central business - historic (CBD-H) combining district zoning, by consent. Vote: 5-0 (Sullivan and Galindo absent; Spelman resigned). The Zoning and Platting Commission also named the building the Mitchell-Robertson Building.

DEPARTMENT COMMENTS:

The commercial building at 909 Congress Avenue is listed in the Comprehensive Cultural Resources Survey (1984), as a Priority 2 for preservation.

The applicant came before the Commission in February, 2004 for a review of a permit to build a 3-story addition to the building, a new ground-floor façade, and a metal canopy over the sidewalk. The Commission had no negative comments for the applicant on that project. There are no historic photographs of the building which show the original storefront. The canopy on the front of the building obscures the details of the storefront, and the entire storefront was removed when the building was remodeled, probably in the 1950s. The Commission needs to keep in mind in making its recommendation that this building will be developed, and that there is no known documented photograph to guide an accurate restoration of the storefront. Staff has worked with the applicant and has found photographs of similar buildings on Congress Avenue with the storefronts showing. The applicant's proposal to rebuild the storefront is based upon the configuration of storefronts of similar buildings.

CITY COUNCIL DATE: June 24, 2004

ACTION:

ORDINANCE READINGS: 1ST

 3^{RD}

ORDINANCE NUMBER:

CASE MANAGER: Steve Sadowsky PHONE: 974-6454

NEIGHBORHOOD ORGANIZATION:

Downtown Austin Neighborhood Association

BASIS FOR RECOMMENDATION:

The ca. 1882 Mitchell-Robertson Building at 909 Congress Avenue has been the home of a series of small businesses, all of which characterized the business development of the city. The first known business in the building was the dry goods concern of James and Gildart. In 1886, Leopold L. Littman sold cigars on the ground floor, and had a cigar factory upstairs. The Texas Cornice Works occupied the ground floor of the building from 1905 to 1910; beginning in 1910, prominent local attorney and judge James H. Robertson had his offices on the second floor. A plumbing company occupied the ground floor from 1910 to 1915; the Steck Company had a stationary store in the building in the 1920s. The Speir Barber and Beauty Shop was located on the ground floor from 1938 to 1945; Vaught's Hardware Store occupied the space until 1955. The building at 909 Congress represents a significant piece of Austin's commercial development history.

Staff evaluated the property for historic landmark designation and determined that the house meets Historic Landmark Designation Criteria 1, 2, 3, 6, and 9.

(1) Character, interest, or value as part of the development, heritage or cultural characteristics of the City of Austin, State of Texas, or the United States.

The ca. 1882 Mitchell-Robertson Building at 909 Congress Avenue represents the late nineteenth century growth of the city. The railroad arrived in Austin in 1871, providing the means for a wave of commercial development. Congress Avenue, which still had a number of buildings remaining from the days of the Republic in the 1870s, quickly transformed into a commercial thoroughfare with brick one- and two-story buildings by the 1880s, such as the building at 909 Congress.

(2) Recognition as a Recorded Texas Historic Landmark, a National Historic Landmark, or entered into the National Register of Historic Places.

The Mitchell-Robertson Building is within the Congress Avenue National Register Historic District.

- (3) Embodiment of distinguishing characteristics of an architectural type or specimen. The Mitchell-Robertson Building is a ca. 1882 two-story brick commercial building three bays wide. The building is a typical nineteenth century commercial structure, with a simple design, a minimum of ornamentation, and designed to house a retail use on the ground floor and offices upstairs. The principal ornamental feature is a cornice frieze consisting of raised and recessed bricks in an alternating triangular pattern, set above a dentil course. This pattern for the frieze was once very popular on Congress Avenue; historic photographs as early as 1868 depict identical friezes on several downtown buildings. The building at 909 Congress is one of the last buildings on Congress with the ornamental brick frieze.
- (6) Relationship to other distinctive buildings, sites or areas which are eligible for preservation according to a plan based on architectural, historical or cultural motif. See No. 2 above.

(9) Exemplification of the cultural, economic, social, ethnic, or historical heritage of the city, state or the United States.

The building at 909 Congress Avenue represents the late nineteenth century commercial development of Congress Avenue. The building housed a series of small businesses, with offices upstairs, a very common arrangement in commercial buildings of the time. The businesses in 909 Congress included a dry goods store, a cigar store and cigar factory, a plumbing concern, a stationary store, and a barber shop. Attorneys and dentists had offices upstairs at various times in the building's history.

PARCEL NO.: 0206031004000 **DEED RECORD:** Docket No. 2002239191 (2002)

ANNUAL TAX ABATEMENT: \$23600 (total – all taxing authorities) – non-owner-occupied rate. City property tax exemption: \$616.

APPRAISED VALUE: \$360,695

PRESENT USE: Vacant

CONSTRUCTION/DESCRIPTION: Two-story rectangular-plan flat-roofed brick commercial building, 3 bays wide, with a cornice frieze consisting of bricks in an alternating triangle pattern with a dentil course below; 1:1 fenestration on the second story, set into segmental-arched window openings.

CONDITION: Fair

PRESENT OWNERS

Chansa Enterprises, L.L.C. 919 Congress Avenue, #620 Austin, Texas 78701

DATE BUILT: ca. 1882

ALTERATIONS/ADDITIONS: Entire first-floor storefront was replaced with a modern storefront, probably in the 1940s or 1950s. Second story windows are likely not original, but appear historic.

ORIGINAL OWNER(S): Mrs. E.H. Mitchell (1881)

OTHER HISTORICAL DESIGNATIONS:

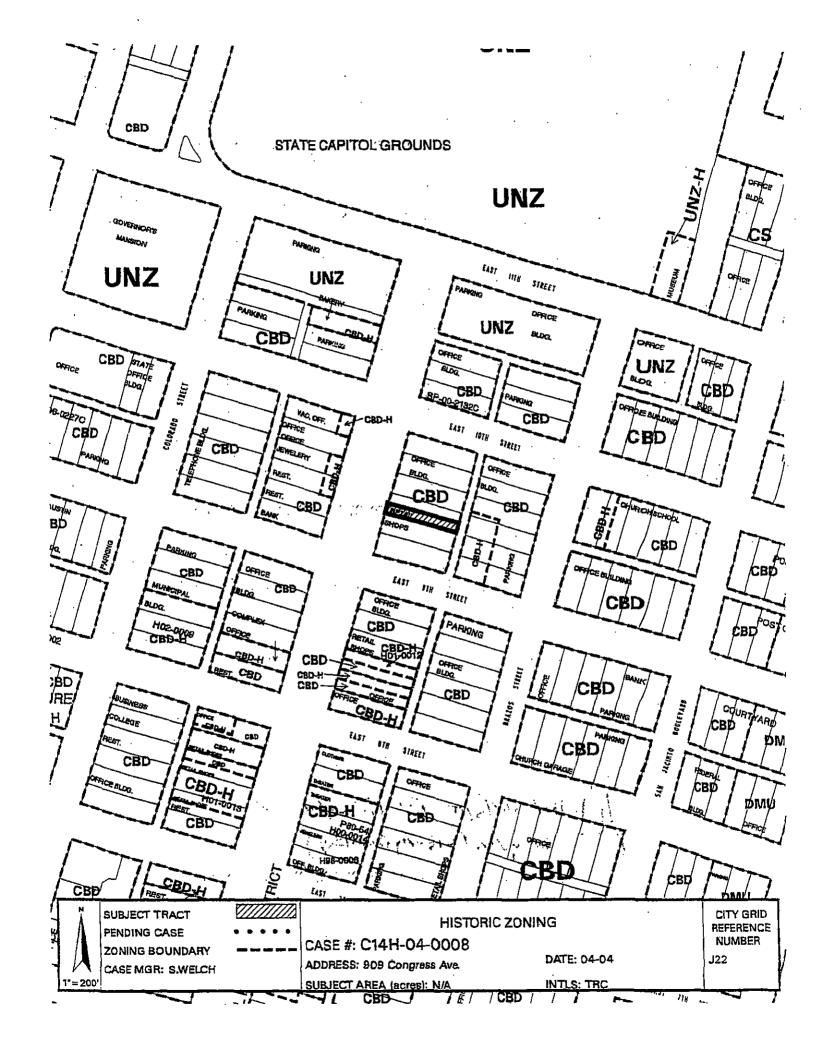
NATIONAL REGISTER: Yes – included in the Congress Avenue National Register Historic District

RECORDED TEXAS LANDMARK: No

NATIONAL LANDMARK: No

LOCAL SURVEYS: Yes. The building is listed as a Priority 2 in the Comprehensive Cultural Resources Survey (1984).

Carlos Marchael Control



A. APPLICATION FOR HISTORIC ZONING

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BASIC PROJECT					
1. OWNER'S NA 2. PROJECT NA 3. PROJECT ST ZIP IF PROJ LOCATE	ME: <u>/AM</u> ME: <u>909</u> REET ADDRESS ECT ADDRESS D_	S (of Range): 90 CÓU S CANNOT BE DEF FRONTAGE FE	ET ALONG THE N. S (ROAD NAME PR	E. W. (CIRCLE ONE) S OPERTY FRONTS ONTO DISTANCE FROM ITS CROSS STREET	IDE OF O), WHICH IS S
REA TO BE REA	ZONED:				
I. ACRES		(OR)	SQ.FT		
			SQ.FT		
		FORMATION:	SQ.FTACRES / SQ. FT.		PROPOSED ZONING
5. ZONING AND EXISTING	LAND USE INF	TRACT#			
EXISTING ZONING	EXISTING USE	TRACT#			
EXISTING ZONING EXISTING ZONING ELATED CURR	EXISTING USE ENT CASES:	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	ZONING
	EXISTING USE ENT CASES: NG CASE? COVENANT?	TRACT# (IF MORE THAN 1)	ACRES / SQ. FT.	PROPOSED USE	ZONING

Revised June 30, 2002 7

PROPERTY DESCRIPTION (SUBDIVISION REFERENCE OR METES AND BOUNDS): 10a. SUBDIVISION REFERENCE: Name: Lot(s) Outlot(s) Block(s) Plat Book: Page Number: 10b. METES AND BOUNDS (Attach two copies of certified field notes if subdivision reference is not available or zoning includes partial lots) DEED REFERENCE CONVEYING PROPERTY TO PRESENT OWNER AND TAX PARCEL I.D.: Bocument # 2002239191 aka Docket Number TAX PARCE: TAX PARCE Travis Account Number 11. VOLUME: TAX PARCEL I.D. NO. 020603/0040003 OTHER PROVISIONS: 12. IS PROPERTY IN A ZONING COMBINING DISTRICT / OVERLAY ZONE? YES / NO TYPE OF COMBINING DIST/OVERLAY ZONE (NCCD,NP, etc) 13. LOCATED IN A LOCAL OR NATIONAL REGISTER HISTORIC DISTRICT? VES/ NO. 14. IS A TIA REQUIRED? YES / NO (NOT REQUIRED IF BASE ZONING IS NOT CHANGING) TRIPS PER DAY: TRAFFIC SERIAL ZONE(S): **OWNERSHIP TYPE:** SOLE COMMUNITY PROPERTY PARTNERSHIP CORPORATION TRUST If ownership is other than sole or community property, list individuals/partners/principals below or attach separate sheet. OWNER INFORMATION: 16. OWNER CONTACT INFORMATION SIGNATURE: NAME: TELÉPHONE NUMBER: 5/24/99-5 FAX- 512- 499-8043 FIRM NAME: STREET ADDRESS: 9/9 CITY: ALKTIN STATE: 1X ZIP CODE: 28 EMAIL ADDRESS: JB@ SONOS **AGENT INFORMATION (IF APPLICABLE):** 17. AGENT CONTACT INFORMATION SIGNATURE: SAME AS OWNER TELEPHONE NUMBER: FIRM NAME:

STATE:

ZIP CODE:

TELEPHONE NUMBER:

DEPARTMENTAL USE ONLY:

STREET ADDRESS:

CONTACT PERSON: EMAIL ADRESS:

CITY:

D. SUBMITTAL VERIFICATION AND INSPECTION AUTHORIZATION

SUBMITTAL VERICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that proper City staff review of this application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me/my firm/etc., may delay the proper review of this application.

PLEASE TYPE OR PRINT NAME BEI	LOW SIGNATURE AN PLICABLE,
	March 9, 20
Signature	Date
John Bright	
Name (Typed or Printed)	
Charsa Gregorises LLC	
Firm (if applicable)	

INSPECTION AUTHORIZATION

As owner or authorized agent, my signature authorizes staff to visit and inspect the property for which this application is being submitted.

PLEASE TYPE OR PRINT NAME BELO INDICATE FIRM REPRESENTED, IF APP	
A belle	Brch 9, 204
Signature Lan Bright	Date
Name (Typed or Printed)	
Charsa Gregorises LLC	
Firm (If apβlicable)	

E. ACKNOWLEDGMENT FORM

concerning Subdivision Plat Notes, Deed Restrictions, Restrictive Covenants and / or Zoning Conditional Overlays

1, Sohn Bright restrictions, (Print name of applicant)	have	checked	for	subdivision	plat	notes,	deed
restrictive covenants and/or zoning conditional overl development restrictions i.e. height, access, screening					l/or re	quiring	certain
(Address or Legal Description) AUSTIN, TETO							
if a conflict should result with the request I am submit deed restrictions, restrictive covenants and/or zoning cit. I also acknowledge that I understand the implicat result of a subdivision plat notes, deed restrictions, restrictions.	condition tions of	nal overla use and/	ys it v 'or de	will be my re evelopment r	sponsi estrict	bility to i	resolve t are a
I understand that if requested, I must provide copies restrictive covenants and/or zoning conditional overlay							ictions
				, ,		,	

F. 1: Historical Documentation - Deed Chronology

Deed Research for: 909 Congress Avenue

PROPERTY SEARCHED: The South ½ of Lot 3, Block 111, of the Original City of Austin, Travis County, Texas, according to the map or plat on file in the General Land Office of the State of Texas.

This is to certify that a thorough and diligent search of the records of the County Clerk of Travis County, Texas, including Real Property Records, State and Federal Liens and Abstract of Judgments discloses no recorded instruments except as follows:

 Patent dated 3-21-1851, executed by the State of Texas, Grantor to Duncan C. Ogden, Grantee recorded in Volume H, Page 289, Deed Records of Travis County, Texas.

Information gap

 Deed dated 3-2-1881, executed by W.C. Allen, Grantor to Mrs. E.H. Mitchell, Grantee, recorded in Volume 48, Page 463, Deed Records of Travis County, Texas.

Items numbered 3, 4, and 5 below are the heirs to Mrs. E. H. Mitchell.

- Deed dated 12-14-1899, executed by Nannie H.D. Wood and husband, Campbell Wood, Grantors to James H. Robertson, Grantee, recorded in Volume 152, Page 258, Deed Records of Travis County, Texas.
- Deed dated 12-18-1899, executed by E.W, Riley, Elizabeth Angusta Wood and Josephine Wood, Grantors to James H. Robertson, Grantee, recorded in Volume 159, Page 511, Deed Records of Travis County, Texas.
- 5) Deed dated 1-11-1900, executed by A. Duggan, Guardian of the Estate of Annie Laura Wood, Campbell Ella Wood, Ellube Wood, Mary Lula Wood, and Campbell Wood, Jr., all minors, Grantors to James H. Robertson, Grantee, recorded in Volume 159, Page 513, Deed Records of Travis County, Texas.
- 6) Deed dated 01-14-1935, executed by Sue Robertson and Zeno C. Ross, Grantor, to Margaret Robertson, Grantee, recorded in Volume 515, Page 302, Deed Records of Travis County, Texas.
- 7) Deed dated 02-17-1953, executed by Margaret Robertson, and Warren T. Robertson, Grantors, to Sue Ross Pope, wife of Alex Pope, Jr., Diana Ross Cook, wife of Felix Cook, Jr., James Robertson Ross, and Zeno C. Ross Jr., Grantee, recorded in Volume 1319, Page 538, Deed Records of Travis County, Texas.
- 8) Deed dated 12-21-1962, executed by Zeno C. Ross, Jr., James R. Ross, Sue Ross Pope (wife of Alex Pope, Jr.) Diana Ross Cook (wife of Felix Cook, Jr.), Grantors, to Diana Ross Cook, Grantee, recorded in Volume 2564, Page 305, Deed Records of Travis County, Texas.

F. 1: Historical Documentation - Deed Chronology

Deed Research for: 909 Congress Avenue

- Deed dated 04-11-1967, executed by Diana Ross Cook, and husband Felix Cook, Jr. Grantors, to Photo Processors Inc., Grantee, recorded in Volume 3274, Page 1989, Deed Records of Travis County, Texas.
- 10) Deed dated March 1, 1992, executed by The LBJ Co., the sole shareholder of Photo Processors, Inc., Grantor, to The LBJ Asset Company, L.C., Grantee, recorded in Volume 11739, Page 0400, Real Property Records of Travis County, Texas.
- 11) Deed dated 01-31-1995, executed by The LBJ Asset Company, LC. Grantor to Jim Mattox, Trustee, Grantee, recorded in Volume 12370, Page 1172, Real Property Records of Travis County, Texas.
- 12) Deed dated 01-12-2001, executed by Jim Mattox, Trustee, Grantor to 909-911 Congress Associates, L.L.P., recorded in Document # 2001009264, Official Public Records of Travis County, Texas.
- 13) Deed dated 12-02-2002, executed by 909-911 Congress Associates, LLP., Grantor to Chansa Enterprises, L.L.C., Grantee, recorded in Document # 2002239191, Official Public Records of Travis County, Texas.

F. 2: Historical Documentation – Occupancy History

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Occupancy Research for: 909 Congress Avenue

Year(s)		Occupant Information	Source
1881 - 1882	909	Dry Goods and Notions	City
		James & Gildart	Directories
		(Edmund G. James, Richard Gildart)	1
Information Gap			
1885 - 1886	909	Cigars	City
	909 1/2	Cigar Factory upstairs	Directories
		Leopold L. Littman	
	<u> </u>		
1887-1890	909	Dressmaker	City
	909 ½	Furnished Rooms	Directories
		Mrs. S. Annie West (wid George)	
Information Gap	<u> </u>		
1894		Vacant	City
· 	<u> </u>		Directories
Information Gap	<u> </u>		
1905 - 1907	909	Texas Cornice Works	City
	<u></u>	Conrad Steiner, Frank Kalkoff, Gib Gay	Directories
1909 - 1910	909	Texas Cornice Works	City
	İ	Gay and Warrick proprs	Directories
	909 ½	Attorneys:	
	Ì	Howard E. Prowse	
		James H. Robertson	
 		John B. Robertson	
1910 - 1911	909	Bacon and Hancock, plumbers	City
		Robert F. Bacon and Allen E. Hancock	Directories
	909 1/2	Attorneys:	
		Howard E. Prowse	
		James H. Robertson	Ì
		John B. Robertson	
1912 - 1913	909	Bacon and Hancock, plumbers	City
		Robert F. Bacon and Allen E. Hancock	Directories
	909 ½	Vacant	
1914	909	Bacon and Hancock, plumbers	City
		Robert F. Bacon and Allen E. Hancock	Directories
	909 ½	Austin Press Club	
1916	909	Old Book Store The Gillespie Bent	City
	909 ½	Austin Press Club	Directories
1918	909	American Laundry Co.	City
	909 1/2	Austin Press Club	Directories

F. 2: Historical Documentation – Occupancy History

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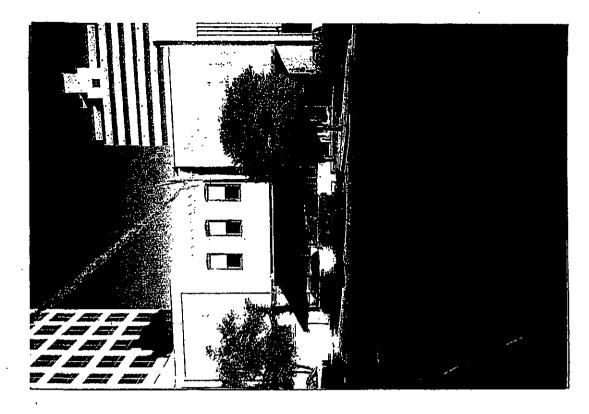
Occupancy Research for: 909 Congress Avenue

Year(s)		Occupant Information	Source
1920	909	The Battery Service Co.	City
		W. L. Eyres, Mgr.	Directories
	909 1/2	Vacant	
1922	909	Steck E. L. Co. Printer	City
	909 1/2	Miller J. D. Blue Print Co.	Directories
		John Miller	
	ļ	(Engineering Office Supplies)	
1924 - 1927	909	Steck E. L. Co. Printer	City
	909 1/2	Vacant	Directories
1929	909	Vacant	City
	909 1/2	Mayo Bros Dentists	Directories
	1	Jesse E. Mayo	II
1930 - 1933	909	Woodman's Flower Shop	City
	909 1/2	Mayo Bros Dentists	Directories
1935	909	.Woodman's Flower Shop	City
	909 1/2	Price's Studio (Thos M.)	Directories
		Mayo Bros Dentists	
1937	909	Nu-Enamel Austin Co.	City
		Paints, Varnishes, Enamels and Stains	Directories
	909 1/2	Price's Studio (Thos M.)	
		Mayo Bros Dentists	
1939	909	Speir Barber and Beauty Shop	City
		Mrs Ressie Petty minr (Husband Albert J. Petty)	Directories
	909 1/2	Price's Studio (Thos M.)	
		Mc Leroy Dentist (John B.)	
1940	909	Speir Barber and Beauty Shop	City
		Mrs Ressie Petty mlnr (Husband Albert J. Petty)	Directories
	909 1/2	Mc Leroy Dentist (John B.)	
1941	909	Speir Barber and Beauty Shop	City
		Mrs Ressie Petty mlnr (Husband Albert J. Petty)	Directories
	909 1/2	Dentists:	}
		Ollie K. Mayo	
	{	Roy D. Hudson	
	1	Evan H. Mayo - techn.	1
1942	909	Speir Barber and Beauty Shop	City
~ / !~		Mrs Ressie Petty mlnr (Husband Albert J. Petty)	Directories
	909 ½	Price's Studio	
	1	Dentist - Roy D. Hudson)

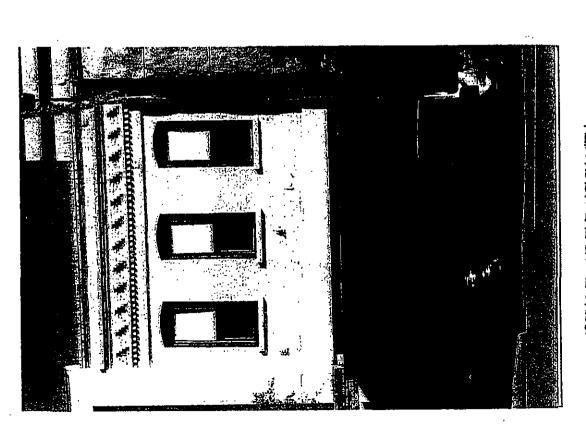
F. 2: Historical Documentation - Occupancy History

Occupancy Research for: 909 Congress Avenue

Year(s)		Occupant Information	Source
1944 - 1945	909	Speir Barber and Beauty Shop	City
		Mrs Ressie Petty mlnr (Husband Albert J. Petty)	Directories
<u> </u>	909 1/2	Dentist - Roy D. Hudson	ļ
1947	909	Pacific Finance Loans Corp.	City
	909 1/2	Price's Studio	Directories
	_	Dentist - Roy D. Hudson	
1949	909	John B. Vaught Hardware Co.	City
	909 1/2	Dentist - Roy D. Hudson	Directories
1952	909	John B. Vaught Hardware Co.	City
	909 1/2	Dentist - Roy D. Hudson	Directories
	· (Jesse Manchaca - Dental laby	
1953 - 1955	909	John B. Vaught Hardware Co.	City
	909 1/2	Vacant	Directories
1957 - 1961	909	Arthur Murray Studio - dance instruction	City
	909 1/2	Vacant	Directories
1962 - 1968	909	Vacant	City
_	909 ½	Vacant	Directories
1969 - 1983	909	Photo Processors Inc.	City
	909 1/2	Vacant	Directories
1984 - 1986	909	Pounds Photographic Labys Inc.	City
	909 1/2	Cine Tex Filmlabs Inc.	Directories
1987 - 1994	909	Cine Tex Filmlabs Inc.	City and
	-	Motion Picture Videotape Service	Cole
	909 1/2	Vacant	Directories
1994 - 2004	909	Vacant	Cole
	909 ½	Vacant	Directories



EXISTING FRONT ELEVATION VIEW SHOWING NEIGHBORING BUILDINGS



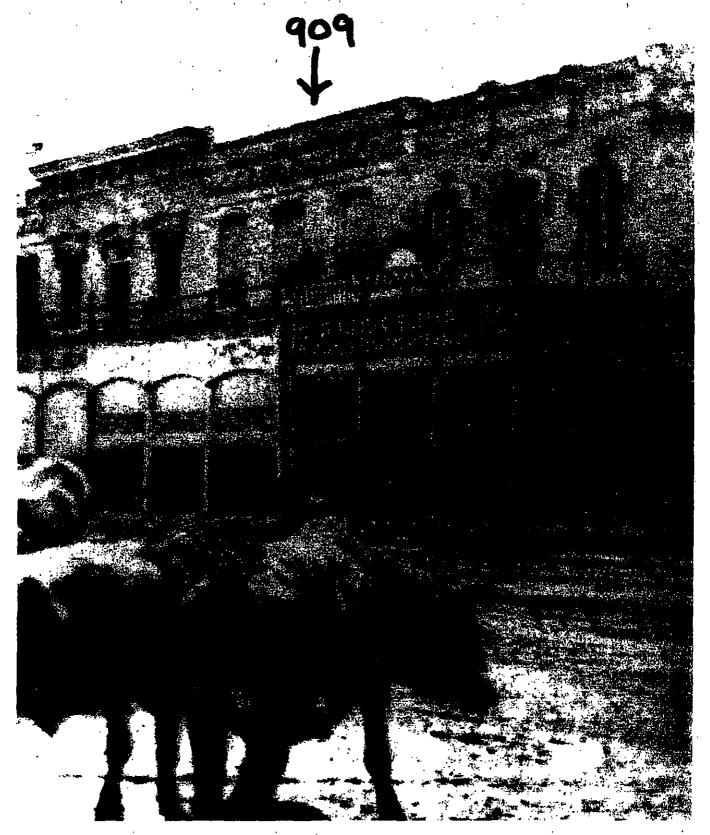
EXISTING FRONT ELEVATION VIEW CLOSE UP

CLOSE UP OF SECOND FLOOR SOUTH WINDOW & MASONRY

CLOSE UP OF SECOND FLOOR CENTER WINDOW & MASONRY

CLOSE UP OF SECOND FLOOR NORTH MINDOM & MASONRY

YEAR: 1881
-- TENANT: PLEASANT VALLEY NURSERY



Austin Public Library HB - LONGRESS HATSHORY Center (1

Xustin Public Library" Austin History Center S 500 block, east side HB - CONG '8 CO054z.



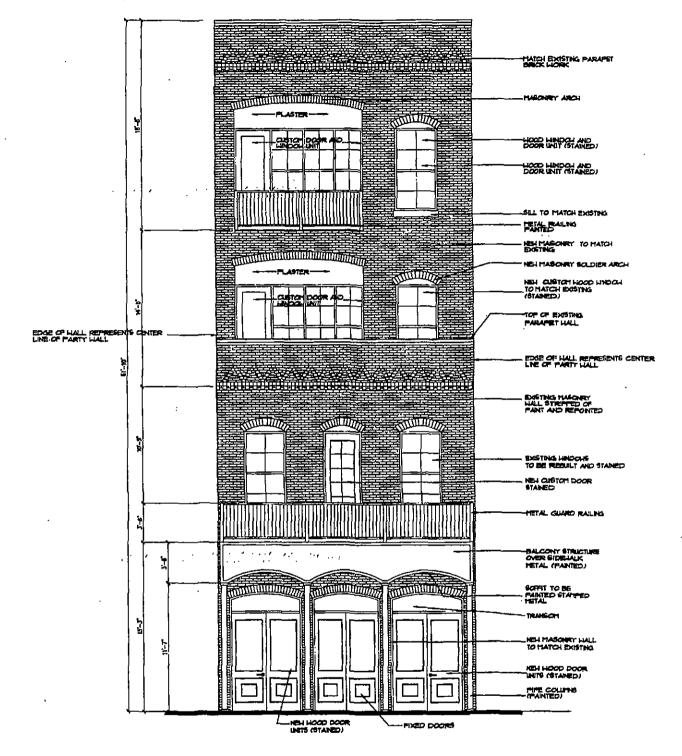
1869

CITY OF AUSTIN HISTORIC RESOURCE SURVEY

TEXAS HISTORIC SITES INVENTORY FORM — TEXAS HISTORICAL COMMISSION (rev. 8-82)

1. County Travis TRA City/Rural Austin AU 2. Name 909 Congress 3. Owner Address 4. Block/Lot 10. Description 2 story brick commercial	5. USGS Quad No. 3097- 242 Site No. J-22-127 UTM Sector Est. 1890 7. Architect/Builder Contractor 8. Style/Type 9. Original Use Present Use
11. Present Condition	or Original Site (describe)
14. Bibliography	15. Informant HHM Date Jan-Mar 84
DESIGNATIONS	PHOTO DATA
TNRIS No. Old THC Code	Sildes
☐ RTHL ☐ HABS (no.) TEX	
NR: ☐ Individual	
NR File Name	
Other AHS, ATCC	to to
	— <u> </u>
Tax Parcel #	ARCHITECTURAL SIGNIFICANCE:
•	
Original Owner	Outstanding Excellent Significant Contributory
PHYSICAL CONDITION:	Significant ————————————————————————————————————
Good Fair Poor	
Structure	
Grounds	·
Nelghborhood	
PRESERVATION INDEX:	•
City Zoning	
2 Priority Research	
COMMENTS:	

(Photo)





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