

911-09-07 Congress Avenue

Grandberry Building and Mitchell-Robertson Building,
911 Congress Avenue Historic District

Congress Avenue Historic District

July 26, 2021

Timeline

- Fall 2020: Complaints made to Building and Standards Commission (BSC)
- March 24, 2021: BSC ordered Landowner to finalize all necessary permits with HLC by June 22, 2021
- March-April 2021 Meetings: Applicant team provided evidence that keeping building facades in place is not practical or practicable
- May 2021 Meeting: Applicant team received guidance that (1) 907 be demolished and reconstructed in its original configuration, (2) 909 be preserved as it stands today, and (3) 911 may be demolished
- July 2021 Meeting: Applicant team brings Certificate of Authority applications with deconstruction and reconstruction plans in line with above but without keeping 909 preserved in place

BSC Order Requires All Permits, including HLC, by June 22, 2021

ORDER OF THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF AUSTIN, TEXAS

On March 24, 2021, under the authority of Chapters 54 and 214 of the Texas Local Government Code, the Building and Standards Commission ("Commission") of the City of Austin, Texas, considered 911 Congress Avenue, ("the Property") and took action as described below.

A. ORDER

The Commission orders the following:

1. The Commission **ORDERS** that the Findings of Fact and Conclusions of Law for this property be adopted.
2. The Commission **ORDERS** that the owner of record complete the following within ninety (90) days from the date the Order is mailed to the owner of record:
 - a. obtain and finalize all necessary permits in accordance with the requirements for historic structures, including approval from the Historic Landmark Commission, if necessary;
 - b. correct the cited violations by completing all repairs to the structure;
 - c. request inspection(s) from Austin Code to verify compliance; and
3. The Commission **ORDERS** that on the ninety-first (91st) day, if the repairs as required by this order are not complete, assess a civil penalty of \$1,000 per week that will continue to accrue until the Code Official determines that the repairs required by this order are complete. Interest shall accrue at a rate of 10 percent per year from the date of the assessment until paid in full.

Updates

- Continued onsite investigation and conditional assessment of the buildings
- Continued structural assessment
- Continued safety plan for work, neighbors and public
- Contacted Austin History Center to locate any additional photos or documentation of the properties
- Scans of the building interior and exterior (Missing Complete digital 3D model finalized
- Survey updated
- Acceptance of Restrictive Covenant by City Legal to require reconstruction within three (3) years
- Scope of Work updated

Restrictive Covenant

RESTRICTIVE COVENANT

OWNER: H. Dalton Wallace

OWNER ADDRESS: 9505 Johnny Morris Rd.
Austin, TX 78724

CONSIDERATION: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration paid by the City of Austin to the Owner, the receipt and sufficiency of which are acknowledged.

PROPERTY: 907 and 909 Congress Avenue, Austin, TX 78701 (the "Property"), generally identified in the map attached as **Exhibit "A"**.

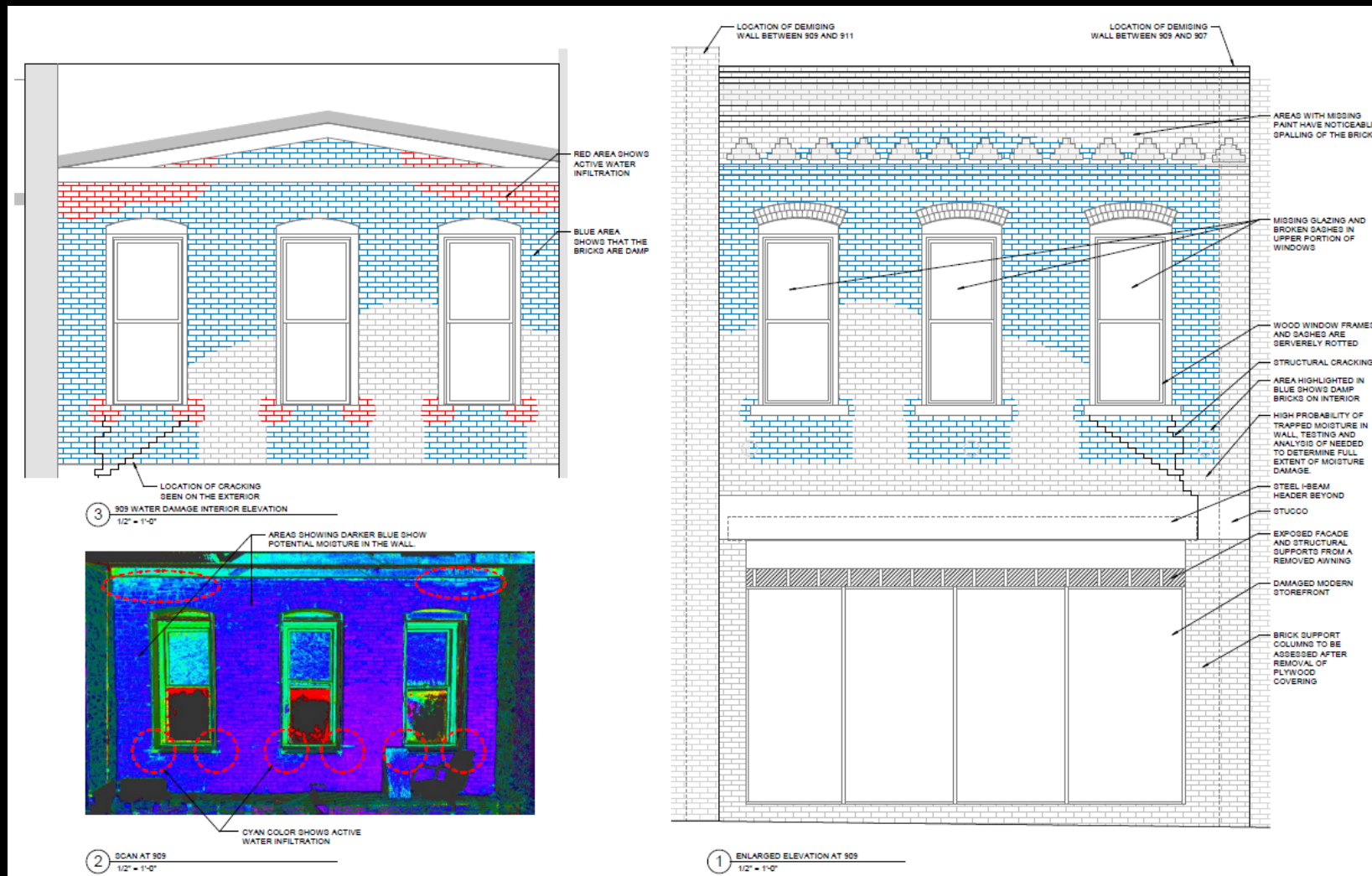
WHEREAS, the Owner of the Property and the City of Austin have agreed that the Property should be impressed with certain covenants and restrictions;

WHEREAS, the Owner intends to redevelop the Property, and, in order to do so, has applied to the City of Austin Historic Landmark Commission and received a Certificate of Appropriateness to allow for demolition and reconstruction of the building façades;

NOW, THEREFORE, it is declared that the Owner of the Property, for the consideration, shall hold, sell and convey the Property, subject to the following covenants and restrictions impressed upon the Property by this restrictive covenant ("Agreement"). These covenants and restrictions shall run with the land, and shall be binding on the Owner of the Property, its heirs, successors, and assigns.

1. Façade Reconstruction. Owner shall deconstruct the building façades pursuant to the requirements of the Certificate of Appropriateness, attached as **Exhibit "B"**, and shall ensure the façade components are protected and stored for their later reconstruction at the Property. Owner shall have three (3) years from the from the effective date of this covenant to complete reconstruction of the façades in accordance with the requirements of the Certificate of Appropriateness.

Laser Scan Assessment Update



Structural Assessment

July 20, 2021

Donna Carter
Carter Design Associates
817 W. Eleventh Street
Austin, Texas 78701

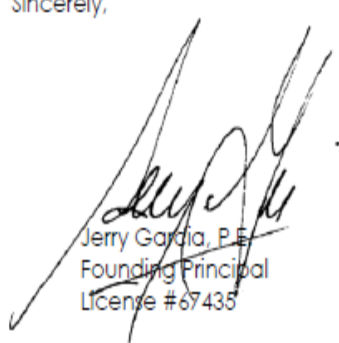
**RE: Structural Assessment of Historic Masonry
907, 909 and 911 Congress Avenue**

Dear Ms. Carter:

At your request, representatives of our office performed a structural assessment of the three existing storefront buildings located at 907, 909, and 911 N. Congress Avenue in Austin, Texas on July 7, 2021. The purpose of this report is to assess the existing masonry elements of all three structures and provide a rendered opinion regarding their structural integrity and options for preserving the historic front façades of the existing buildings.

We appreciate the opportunity to assist you with this structural assessment. Please contact our office at (512) 499-0919 if you have any questions or further needs.

Sincerely,


Jerry Garcia, P.E.
Founding Principal
License #67435



Conclusion:

“Attempts at suspending the 2nd story façade of 909 Congress Avenue greatly increases the chances of more extensive damage to the brick façade during construction...”

Community Outreach

- Nelsen, owner of 905 Congress Avenue: applicant has offered to shore and waterproof the party wall.
- Joel Sher, owner of 1005 Congress Avenue: supports deconstruction and reconstruction plan.
- Others have given verbal support.

Next Steps

- Site Plan Exemption and Demolition Permits
- Bring forth design plans so that facades can be replaced within required three (3) year window
- Ongoing communication with Historic Preservation Office, neighbors, and community

Requests

We respectfully request the following:

Granting of the Certificates Appropriateness applications for the two sites zoned historic—909 and 911 Congress Avenue—with the above-mentioned deconstruction and reconstruction plans.