



BUILDING AND STANDARDS COMMISSION

REGULAR MEETING MINUTES

Date: December 8, 2021

The Building and Standards Commission (BSC) convened at City Hall and via video conference for a regular hybrid meeting on Wednesday, December 8, 2021. 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 and Edward Selig. Vice Chair Pablo Avila was absent. Note: Commissioners Green and Stostad and Ex Officio Commissioner Chief Thomas Vocke attended remotely.

Staff in Attendance:

Melanie Alley, Code Review Analyst/BSC Coordinator; Robert Moore, Austin Code Division Manager; Marlayna Wright, Supervisor; James Candelas, Program Specialist; Tracey Allen, Assistant Director (Interim); Daniel Word, Assistant Director; Daniel Armstrong, Division Manager; James Adams, Supervisor; Joseph Lucas, Supervisor; David Downing, Supervisor; Justin Brummer, Investigator; Johnny Serna, Inspector; John Hatley, Inspector; Juan Villarreal, Inspector; Susan Barr, Plans Examiner Manager, Development Services Department; Lauren Khoury, Assistant City Attorney; and Rain Birchfield, CTM A/V Technician.

CALL TO ORDER

Chair Freiburger called the Commission Meeting to order at 6:40 p.m.

APPROVAL OF MINUTES

A motion was made by Commissioner Mueller for approval of the minutes from the October 27, 2021 regular meeting. The motion was seconded by Vice Chair Avila. The motion carried on an 8-0 vote.

CITIZEN COMMUNICATION

No one appeared for Citizen Communication at this meeting.

DISCUSSION AND POSSIBLE ACTION ITEMS

1. Discussion regarding Building and Standards Commission retreat.

The Commission discussed logistics regarding rescheduling a Building and Standards Commission retreat including possible dates for the retreat in February or April and location.

2. Approval of the 2022 Building and Standards commission regular meeting schedule.

The Commission voted unanimously to adopt the following meeting dates for the 2022 regular Building and Standards Commission meetings: January 26, 2022, February 23, 2022, March 23, 2022, April 27, 2022, May 25, 2022, June 22, 2022, July 27, 2022, August 24, 2022, September 28, 2022, October 26, 2022, and December 7, 2022.

STAFF BRIEFING

3. Presentation regarding City of Austin Permitting

The Commission was briefed by Susan Barr about the permitting process, including turnaround times and number of permits reviewed and issued by the Developmental Services Department.

PUBLIC HEARINGS

Case(s):

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
4. CL 2021-191475 & CL 2021-191477	9601 Middle Fiskville Road, Building G, Unit 2 and Building X, Unit 2 (aka Plaza Apartments)	Mira Vista Holdco, LLC

The property was represented at the hearing by management team members Hermila Roman, Regional Supervisor and Jane Hoffpaur, Assistant Manager. Chair Freiburger admitted Staff Exhibits 1, 2A - 2F, 3 and 4A - 4L; and Property Owner Exhibit 1. Commissioner Selig moved to close the public hearing and adopt staff's recommendation for repairs in both cases within 45 days from the date the orders are mailed, and on the 46th day, if compliance has not been achieved, assess a penalty of \$1000 per week. Commissioner Farrera seconded, and the motion carried on 8-0 vote. Vice Chair Avila was absent.

<u>Case Number(s)</u>	<u>Street Address</u>	<u>Owner</u>
5. CL 2021-191701	306 Cedarbrook Court	Elizabeth H. Burks

The property was represented at the hearing by Jessica McGlothorn, daughter of the owner and Curtis Campbell, contractor. Chair Freiburger admitted Staff Exhibits 1 and 2A-2K; and Property Owner's Exhibit 1. Commissioner Mueller moved to close the public hearing and adopt staff's recommendation for demolition within 45 days, and on the 46th 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 Selig seconded, and the motion carried on an 8-0 vote. Vice Chair Avila was absent.

6. CL 2021-191015	2101 Donahue Lane	Zuhair Khan
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The property was not represented at the hearing. Prior to the meeting the owner signed an agreed order for demolition of the property. Chair Freiburger admitted staff exhibits 1 and 2A – 2G. Commissioner Mueller moved to close the public hearing and adopt staff's proposed agreed order for demolition within 60 days, and on the 61st 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 Farrera seconded, and the motion carried on an 8-0 vote. Vice Chair Avila was absent.

7. CL 2021-190864	2324 Bitter Creek Drive	Christian Ministries Magdalena Trust
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This property was represented at the hearing by the Belinda Rosa, Trustee, and John Roland, an interested party. Chair Freiburger admitted Staff Exhibits 1 and 2A - 2G. Commission Mueller made a motion to close the public hearing, continue the case until the February meeting and require that the owners return with a plan to include 1) a construction bid and timeline for completion of work. The motion was amended to require that the property owner return with the following items as required by Rule 406 of the Commission's Rules and Regulations: 1) an engineers or architects drawing; 2) breakdown of cost for repairs; 3) proof of funding; and 4) a timeline. The Commission's coordinator was to send a list of these referenced items to the property owner. Commissioner Selig seconded the motion. The motion carried on a 7-1 vote. Chair Freiburger voted against the motion and, Vice Chair Avila was absent.

Appeals:

8. OL 2020-168303 9002 Lodge Court

**Nexus Real Estate LLC and Avas
Construction LLC**

The Commission heard an appeal of Code’s denial of a Type-2 short term rental license. The owner/appellant was represented at the hearing by Erin DeBooy, attorney. Chair Freiburger admitted Staff Exhibits 1 and 2. Commissioner Mueller made a motion, seconded by Commissioner Stostad, to close the public hearing and adopt staff’s recommendation to deny the Type-2 Short Term Rental license application. The Commission voted 7-1 to adopt staff’s recommendation, thereby denying the appeal. Commissioner Thompson voted against the motion. Vice Chair Avila was absent.

FUTURE AGENDA ITEMS

The next regular meeting is set for January 26, 2022. The following items will be added to the January agenda.

1200 E. 6th Street/ CL 2021-068641 returning from the May 26, 2021 and October 27, 2021 meetings per the Commission’s request for additional information from the property owners.

ADJOURNMENT

Chair Freiburger adjourned the meeting at 9:50 p.m.