

THIRD READINGS SUMMARY SHEET

CASE: C14-2024-0164 (Club Corona)

DISTRICT: 4

ADDRESS: 10503 North Lamar Boulevard

APPLICANT: Ponce Noe Ramses

AGENT: Lenworth Consulting, LLC (Nash Gonzales, Jr.)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

REQUEST:

Approve third reading of an ordinance amending City Code Title 25 by rezoning property locally known as 10503 North Lamar Boulevard from general commercial services-vertical mixed use building-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning to commercial-liquor sales-vertical mixed use building-conditional overlay-neighborhood plan (CS-1-V-CO-NP) combining district zoning.

PREVIOUS CITY COUNCIL ACTION:

February 13, 2025: Approved CS-1-V-CO-NP zoning by consent on 1st reading (10-0, R. Alter-off dais); J. Vela-1st, Z. Qadri-2nd.

March 6, 2025: Approved CS-1-V-CO-NP zoning by consent on 2nd reading (11-0); Z. Qadri-1st, P. Ellis-2nd.

ISSUES: N/A

ZONING CHANGE REVIEW SHEET

CASE: C14-2024-0164 (Club Corona)

DISTRICT: 4

ADDRESS: 10503 North Lamar Boulevard

ZONING FROM: CS-V-CO-NP

TO: CS-1-V-CO-NP*

*On January 14, 2025, the applicant submitted a letter stating that they have agreed with the neighborhood's request to add Adult Oriented uses as a prohibited use in the proposed conditional overlay for this property (*please see Application Amendment Letter - Exhibit F*).

SITE AREA: 5,888 sq. ft.

PROPERTY OWNER: Ponce Noe Ramses

APPLICANT/AGENT: Lenworth Consulting, LLC (Nash Gonzales, Jr.)

CASE MANAGER: Sherri Sirwaitis (512-974-3057, sherri.sirwaitis@austintexas.gov)

STAFF RECOMMEDATION:

Staff recommends CS-1-V-CO-NP, Commercial-Liquor Sales-Vertical Mixed Use Building-Conditional Overlay Combining District, zoning. The proposed conditional overlay maintains the conditions on Tract 18 from Ordinance No. 20100624-111 in the North Lamar Neighborhood Plan Rezoning case C14-2010-0048.

Therefore, the following uses are conditional uses on the property:

Automotive washing (of any type),

Automotive repair services,

Automotive sales,

Hotel-motel,

Drive-in service as an accessory use to a commercial use

PLANNING COMMISSION ACTION / RECOMMENDATION:

January 14, 2025: Approved CS-1-V-CO-NP zoning, with the addition of Adult Oriented uses as a prohibited use, by consent (11-0); A. Haynes-off dais, R. Johnson-absent.

CITY COUNCIL ACTION:

February 13, 2025: Approved CS-1-V-CO-NP zoning by consent on 1st reading (10-0, R. Alter-off dais); J. Vela-1st, Z. Qadri-2nd.

March 6, 2025: Approved CS-1-V-CO-NP zoning by consent on 2nd reading (11-0); Z. Qadri-1st, P. Ellis-2nd.

March 27, 2025

ORDINANCE NUMBER:

ISSUES:

The applicant was granted an amnesty certificate of occupancy for the cocktail lounge use on this property in 2019 (*please see Exhibit D*). The amnesty CO for cocktail lounge use remains in effect until such time as the use is abandoned, changed to a new use, or the use is demolished. If the use ceases operations, but utility service remains (even if it's transferred to a new owner) and the building fixtures remain intact, the use is not considered abandoned.

The applicant is seeking zoning for the building in order to make improvements not covered by the regulations for Group "D" nonconforming uses (25-2-947 D) as well as for the back portion of the lot which is presently being used for a cocktail lounge use and doesn't have the correct zoning.

On June 14, 2024, a code violation was filed for this property for a Structure Maintenance Violation,- case number CV-2024-075544 (*please see the attached Notice of Violation - Exhibit E*).

CASE MANAGER COMMENTS:

The property in question is a 9,029 sq. ft. lot that is currently developed with a food sales use (Mi Sabor Oaxa Queno food truck) and a cocktail lounge use (Club Corona Bar). There are commercial uses to the north (Marketplace Austin) zoned CS-V-CO-NP. To the south, there are Automotive Sales and Automotive Repair businesses that are also zoned CS-V-CO-NP. The lot to the west is also zoned CS-V-CO-NP and is developed with an office for a construction sales and services use (Swim Pure). To the west, across N. Lamar Boulevard, there is a service station (Valero) zoned CS-NP. The applicant is asking for a rezoning to the CS-1 base district to bring the existing cocktail lounge use on property into conformance with land use regulations in the Code.

The staff recommends CS-1-V-CO-NP zoning because the proposed zoning would be consistent with zoning patterns and commercial character of the area. The CS-1 zoning base district is appropriate for this location because of the frontage of the property along a Level 3/ arterial roadway and activity corridor (North Lamar Boulevard Activity Corridor) as designated by the Imagine Austin Comprehensive Plan. This property is inside the ½ mile buffer of two ETOD station areas, Masterson Pass and Chinatown/Kramer, and is part of the future extensions to light rail transit envisioned as part of Project Connect. The property is located along Metro Rapid Bus Routes (#1 and #801) on N. Lamar Boulevard and there is a Capital Metro bus stop to the north (Stop ID# 5555 - Stop Name: 10503 Lamar/Meadows).

The applicant agrees with the staff's recommendation.

BASIS OF RECOMMENDATION:

1. The proposed zoning should be consistent with the purpose statement of the district sought.

Commercial-Liquor Sales district is intended predominately for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

Vertical Mixed Use Building (V) combining district may be applied in combination with any commercial base zoning district and allows for a combination of office, retail, commercial and residential uses within a vertical mixed use building.

Conditional Overlay combining district may be applied in combination with any base district. The district is intended to provide flexible and adaptable use or site development regulations by requiring standards tailored to individual properties.

Neighborhood Plan district denotes a tract located within the boundaries of an adopted Neighborhood Plan.

2. The proposed zoning should allow for a reasonable use of the property.

CS-1-V-CO-NP zoning would allow for a fair and reasonable use of the site because the proposed zoning will bring the existing use into conformance with land use regulations in the Code.

3. The proposed zoning should promote consistency and orderly planning.

The CS-1-V-CO-NP zoning district would be consistent with the zoning in this area because there is commercial zoning surrounding this tract of land. There is CS-V-CO-NP zoning to the north, south and east and CS-NP zoning to the west across N. Lamar Boulevard.

The CS-1 zoning base district is appropriate for this location because of the commercial character of the area and the frontage of the property along a Level 3/arterial roadway and activity corridor (North Lamar Boulevard Activity Corridor) as designated by the Imagine Austin Comprehensive Plan. This property is inside the ½ mile buffer of two ETOD station areas, Masterson Pass and Chinatown/Kramer), and is part of the future extensions to light rail transit envisioned as part of Project Connect.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	CS-V-CO-NP	Cocktail Lounge (Club Corona Bar), Food Truck (Mi Sabor Oaxa Queno)
<i>North</i>	CS-V-CO-NP	Commercial Warehouse (Marketplace Austin: Food Trucks, Marisco Tampico Restaurant, Latino Formal Wear, Jump Party USA, North Lamar Bingo)
<i>South</i>	CS-V-CO-NP	Automotive Sales (T.O. Auto Sales), Automotive Repair (M&M Auto Shop)
<i>East</i>	CS-V-CO-NP	Office (Swim Pure)
<i>West</i>	ROW, CS-NP	Service Station (Valero)

NEIGHBORHOOD PLANNING AREA: North Lamar/Georgian Acres Combined NP (North Lamar)

WATERSHED: Little Walnut Creek

CAPITOL VIEW CORRIDOR: N/A

SCENIC ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

Austin Independent School District,
 Austin Lost and Found Pets,
 Austin Neighborhoods Council,
 Friends of Austin Neighborhoods,
 Go Austin Vamos Austin - North ,
 Homeless Neighborhood Association,
 Mockingbird Hill Neigh. Assn.,
 Neighborhood Empowerment Foundation,
 North Growth Corridor Alliance,
 North Lamar Neighborhood Association,
 North Lamar/Georgian Acres Neighborhood Team,
 SELTexas,
 Save Our Springs Alliance,
 Sierra Club, Austin Regional Group

SCHOOLS: Austin I.S.D.

AREA CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2022-0162 (10601 N Lamar Blvd.)	CS-NP, LO-NP and SF-3-NP	5/14/2024: Approved staff's recommendation of CS-V-CO-NP zoning, with a CO to prohibit automotive washing (of any type), automotive repair services, automotive sales, drive-in services as an accessory use to a commercial use and hotel-motel uses on this property. by consent (9-0, P. Howard, R. Johnson, J. Mushtaler and A. Woods-absent); A. Azhar-1st, A. Haynes-2nd.	5/30/2024: Approved CS-V-CO-NP zoning by consent on 1st reading only (11-0); P. Ellis-1st, Z. Qadri-2nd. 7/18/2024: Approved CS-V-CO-NP zoning by consent on 2nd/3rd readings (11-0).
C14-77-138(RCT) -10601 N Lamar Blvd. RCT (10601 and 10601 1/2 N. Lamar Boulevard)	To terminate the restrictive covenant that was recorded with zoning case no. C14-77-138, and as amended in 1983, for a portion of the Property. This covenant places	10/24/2023: Approved the staff's recommendation for the RCT by consent (12-0, T. Shaw-absent); G. Anderson-1st, F. Maxwell-2nd.	2/01/2024: The public hearing was conducted and a motion to close the public hearing and to grant the public restrictive covenant termination was approved on Council Member Harper-Madison's motion, Council Member Velasquez's second on an 11-0 vote.

	<p>restrictions requiring a 10-foot pedestrian easement across the Property, a 15-foot no-build setback along rear adjacent property lines, and a 60-foot setback adjacent to the 15-foot setback that allows only a street or open space. These regulations are inconsistent with other code regulations regarding compatibility setbacks and associated no build zones.</p>		
<p>C14-2016-0032 (Smithers RV Storage: 10400 North Lamar Boulevard)</p>	<p>GR-CO-NP to CS-NP</p>	<p>7/26/16: Approved staff's recommendation of CS-CO-NP zoning by consent (10-0, F. Kazi, A. Pineyro De Hoyos, J. Thompson -absent); S. Oliver-1st, T. White-2nd. The conditional overlay (CO) will limit development to less than 2,000 vehicle trips per day and will prohibit the following uses on the property: Alternative Financial Services, Agricultural Sales and Services, Bail Bond Services, Building and Maintenance Services, Campground, Construction Sales and Services, Equipment Repair Services, Kennels, Commercial Blood Plasma Center, Laundry Services, Monument Retail Sales, Vehicle Storage, Veterinary Services, Maintenance and Service Facilities, Equipment Sales and Exterminating Services.</p>	<p>8/11/16: Approved CS-CO-NP zoning on consent, 1st reading (11-0); K. Tovo-1st, L. Pool-2nd.</p> <p>9/22/16: Ordinance No. 20160922-049 for CS-CO-NP combining district zoning was approved on consent on Council Member Houston's motion, Council Member Casar's second on a 10-0 vote. Council Member Troxclair was absent.</p>
<p>C14-2012-0023 (601 W. Applegate Drive)</p>	<p>LO-MU-CO-NP to GR-MU-NP</p>	<p>6/12/12: Approved staff recommendation to deny the requested zoning (6-1, A. Hernandez-No, D. Anderson and</p>	<p>6/28/12 : Denied the rezoning request (7-0); B. Spelman-1st, L. Morrison-2nd.</p>

		D. Chimenti-absent); M. Dealey-1st, D. Tiemann-2nd.	
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RELATED CASES: C14-2010-0048 (North Lamar Neighborhood Plan Rezoning)

OTHER STAFF COMMENTS:

Comprehensive Planning

Project Name and Proposed Use: 10503 N LAMAR BOULEVARD. C14-2024-0164.
Project: Club Corona. North Lamar Combined NP. FLUM: Mixed Use. 0.13 acres from CS-V-CO-NP to CS-1-V-CO-NP. Existing: Cocktail Lounge. Proposed: Cocktail Lounge.

Yes	Imagine Austin Decision Guidelines
	Complete Community Measures *
Y	Imagine Austin Growth Concept Map: Located within or adjacent to an Imagine Austin Activity Center, Imagine Austin Activity Corridor, or Imagine Austin Job Center as identified the Growth Concept Map. Names of Activity Centers/Activity Corridors/Job Centers *: <ul style="list-style-type: none"> • Adjacent to Lamar Boulevard Activity Corridor
Y	Mobility and Public Transit *: Located within 0.25 miles of public transit stop and/or light rail station. <ul style="list-style-type: none"> • 0.04 miles to bus stop along Lamar Boulevard
Y	Mobility and Bike/Ped Access *: Adjoins a public sidewalk, shared path, and/or bike lane. <ul style="list-style-type: none"> • Sidewalk present along Lamar Boulevard
Y	Connectivity, Good and Services, Employment *: Provides or is located within 0.50 miles to goods and services, and/or employment center. <ul style="list-style-type: none"> • Goods and Services present along Lamar Boulevard
Y	Connectivity and Food Access *: Provides or is located within 0.50 miles of a grocery store/farmers market. <ul style="list-style-type: none"> • 0.5 miles to MT Supermarket
	Connectivity and Education *: Located within 0.50 miles from a public school or university.
	Connectivity and Healthy Living *: Provides or is located within 0.50 miles from a recreation area, park or walking trail.
Y	Connectivity and Health *: Provides or is located within 0.50 miles of health facility (ex: hospital, urgent care, doctor’s office, drugstore clinic, and/or specialized outpatient care.) <ul style="list-style-type: none"> • 0.3 miles to Clinica Hispana Lamar Medical Clinic along Lamar Boulevard
	Housing Choice *: Expands the number of units and housing choice that suits a variety of household sizes, incomes, and lifestyle needs of a diverse population (ex: apartments, triplex, granny flat, live/work units, cottage homes, and townhomes) in support of Imagine Austin and the Strategic Housing Blueprint.
	Housing Affordability *: Provides a minimum of 10% of units for workforce housing (80% MFI or less) and/or fee in lieu for affordable housing.
	Mixed use *: Provides a mix of residential and non-industrial uses.
	Culture and Creative Economy *: Provides or is located within 0.50 miles of a cultural resource (ex: library, theater, museum, cultural center).
	Culture and Historic Preservation: Preserves or enhances a historically and/or culturally significant site.
	Creative Economy: Expands Austin’s creative economy (ex: live music venue, art studio, film, digital, theater.)
	Workforce Development, the Economy and Education: Expands the economic base by creating permanent jobs, especially in industries that are currently not represented in a particular area or that promotes a new technology, and/or promotes educational opportunities and workforce development training.
	Industrial Land: Preserves or enhances industrial land.
Y	Not located over Edwards Aquifer Contributing Zone or Edwards Aquifer Recharge Zone
7	Number of “Yes’s”

Drainage

The developer is required to submit a pre- and post-development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Little Walnut Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.

Zoning district impervious cover limits apply in the Urban Watershed classification.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

This site is required to provide on-site water quality controls (or payment in lieu of) for all development and/or redevelopment when 8,000 sq. ft. cumulative is exceeded, and on-site control for the two-year storm.

At this time, no information has been provided as to whether this property has any preexisting approvals that preempt current water quality or Code requirements.

Fire

No comments.

Parks and Recreation

FYI: Parkland dedication fees may apply to any future site or subdivision applications resulting from a rezoning with residential uses; however, as of January 1, 2024, commercial non-residential uses are not subject to parkland dedication requirements at the time of subdivision or site plan. Please reach out to this reviewer at Kathleen.Stanford@austintexas.gov if you have any further questions.

Site Plan

Zoning Cases

Site plans will be required for any new development other residential only project with up to 4 units.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Transportation

The Austin Strategic Mobility Plan (ASMP) calls for 150 feet of right-of-way for N. Lamar Blvd. It is recommended that 75 feet of right-of-way from the existing centerline should be dedicated for N. Lamar Blvd according to the Transportation Plan with the first subdivision or site plan application. [LDC 25-6-51 and 25-6-55].

The adjacent street characteristics table is provided below:

Name	ASMP Classification	ASMP Required ROW	Existing ROW	Existing Pavement	Sidewalks	Bicycle Route	Capital Metro (within ¼ mile)
N. Lamar Blvd	Level 3	150 feet	Approx 107 feet	Approx 65 feet	Yes	Yes	Yes

Water Utility

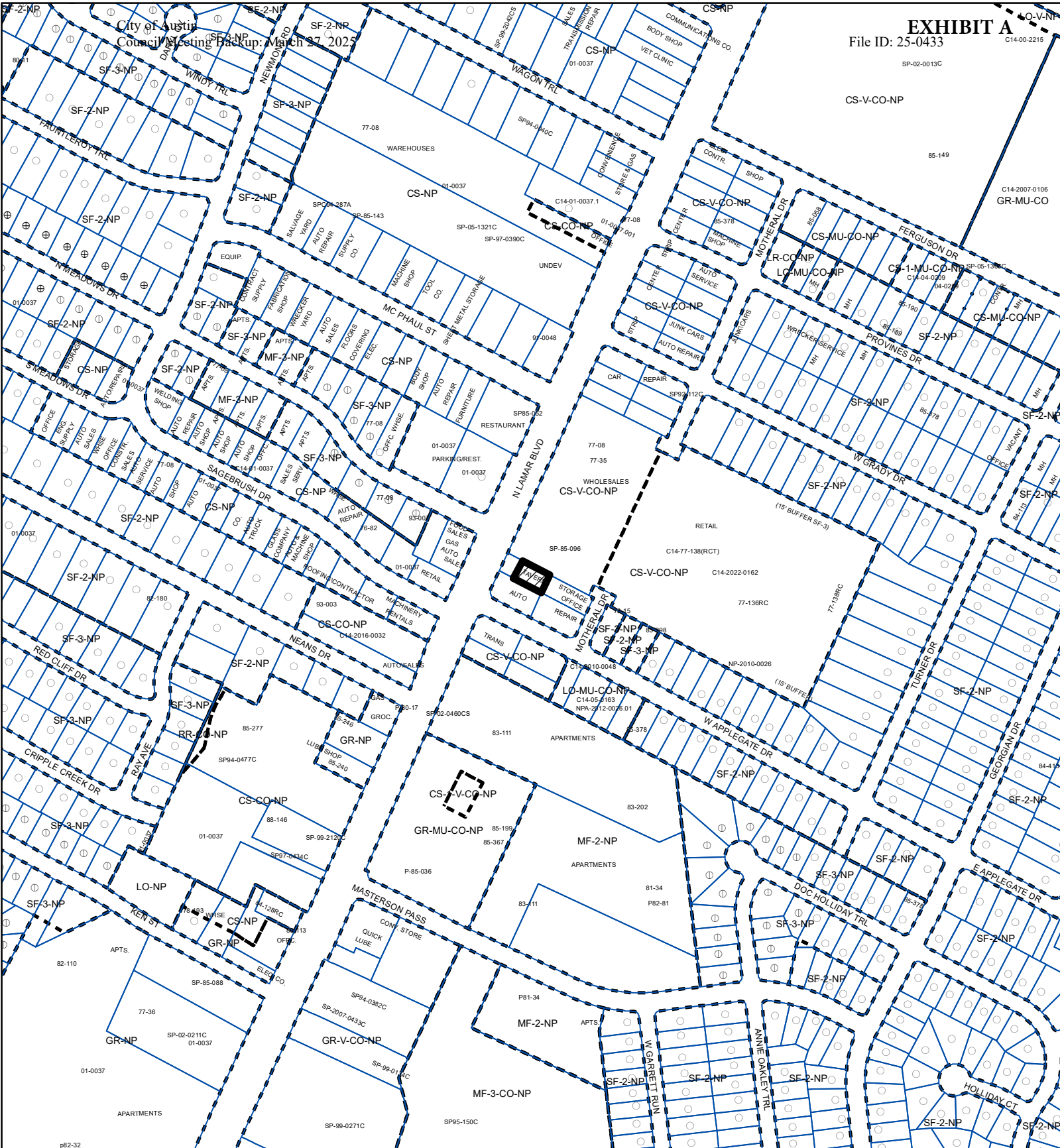
No comments on zoning change.

FYI: The landowner intends to serve the site with existing City of Austin water utilities.

Based on current public infrastructure configurations, it appears that service extension requests (SER) will be required to provide service to this lot. For more information pertaining to the Service Extension Request process and submittal requirements contact the Austin Water SER team at ser@austintexas.gov.




INDEX OF EXHIBITS TO FOLLOW

- A: Zoning Map
- B. Aerial Map
- C. Applicant's Request Letter
- D. Amnesty Certificate of Occupancy
- E. Notice of Violation
- F. Application Amendment Letter



ZONING

ZONING CASE#: C14-2024-0164

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY



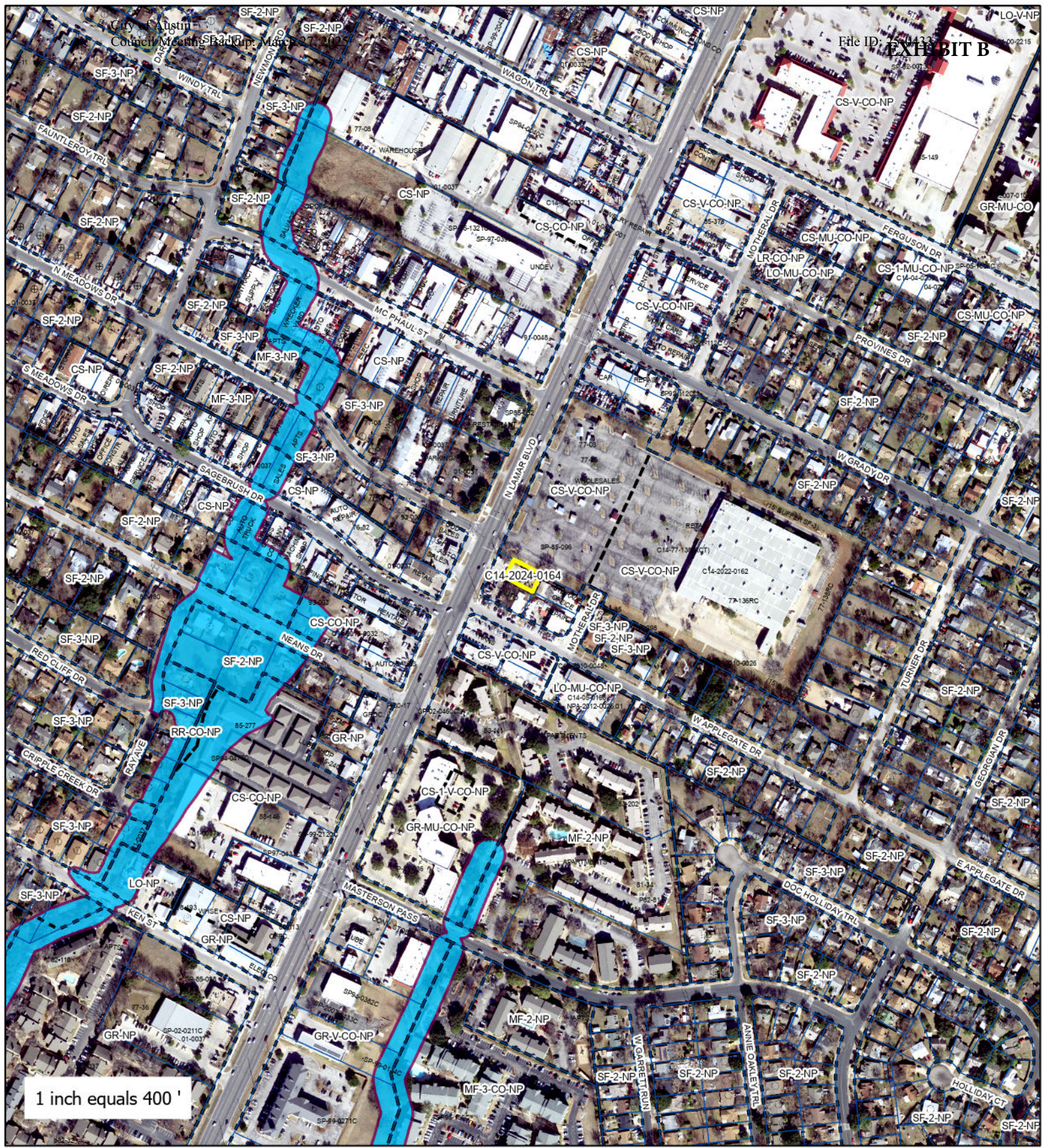
1" = 400'

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.








Created: 11/13/2024



Club Corona

ZONING CASE#: C14-2024-0164
 LOCATION: 10503 North Lamar Blvd.
 SUBJECT AREA: 0.135 Acres
 MANAGER: Sherri Sirwaitis

-  N
-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE
-  CREEK BUFFER



This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

LENWORTH CONSULTING LLC

P.O. Box 3098, Cedar Park, Texas 78630 (512) 658-8896 lenworthconsul@gmail.com

August 12, 2024

City of Austin, Zoning Case Manager
6310 Wihelmina Delco Dr.
Austin, TX 78752

**RE: Zoning request at 10503 N Lamar Blvd (5,888 sq. ft. out of existing
9,029 sq. ft. of total lot)**

Hello Case Manager:

This case is being file so the existing cocktail lounge on the property can obtain future building permit(s) for maintenance and repair required on the building and or property. Reason for this business operating under an amnesty CO is due to no zoning existed when the building was built therefore, an amnesty CO was granted upon requested on February 28, 2019 to continue doing business as of today.

If you have any questions or concerns, I can be reached at (512) 658-8896 or by email lenworthconsul@gmail.com.

Thank you for your assistance with this case.



Ignacio (Nash) Gonzales, Jr.
Manager
LENWORTH Consulting LLC



City of Austin
CERTIFICATE OF OCCUPANCY
BUILDING PERMIT NO 2019-015560 BP

ISSUE DATE : 02/28/2019

BUILDING ADDRESS: 10503 N LAMAR BLVD

LEGAL DESCRIPTION: LOT 1 BLK I MOCKINGBIRD HILL SEC 1

PROPOSED OCCUPANCY:

C-1000 Commercial Remodel Remodel - Amnesty CO for existing cocktail lounge

BUILDING GROUP/DIVISION: A-2 Assembly, food and/or drink

NEW BUILDING SQUARE FOOTAGE

RE MODEL BUILDING SQUARE FOOTAGE: 1,861 SQ.FT.

SPRINKLER SYSTEM: NA

CODE YEAR: 2015

CODE TYPE: IBC

FIXED OCCUPANCY: 0

NON FIXED OCCUPANCY: 99

TYPE OF CONSTRUCTION: 5B

CONTRACTOR: Ponce Noe

******* CERTIFICATE OF OCCUPANCY *******

THIS IS TO CERTIFY THAT THE BUILDING OR STRUCTURE AT THE ADDRESS LISTED ABOVE HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THE AUSTIN CITY CODE FOR THE GROUP AND DIVISION OF OCCUPANCY LISTED ABOVE.

NEITHER THE ISSUANCE OF THIS CERTIFICATE NOR THE INSPECTIONS MADE SHALL LESSEN THE RESPONSIBILITY OR LIABILITY OF ANY PERSON, FIRM OR CORPORATION

OWNING, OPERATING, CONTROLLING OR INSTALLING ANY APPLIANCE OR MATERIAL UPON THE PREMISE, OR DOING ANY WORK WHATSOEVER ON SUCH PREMISE.

THE CITY OF AUSTIN DOES NOT ASSUME ANY RESPONSIBILITY OR LIABILITY BY REASON OF THE INSPECTION OR REINSPECTION OF THE PREMISE; OR THE ISSUANCE OF THIS "CERTIFICATE OF OCCUPANCY"; OR BY ANY REASON OF ANY APPROVAL OR DISAPPROVAL.

BUILDING CODE REVIEWER :

Mark McLendon



For Beth Culver, Building Official



City of Austin

P.O. Box 1088, Austin, TX, 78767

NOTICE OF VIOLATION

Case Number: CV-2024-075544

via Certified Mail #7017 3040 0000 2432 2995

June 20, 2024

NOE RAMSES PONCE
PO BOX 1653
PFLUGERVILLE, TX 78691-1653

RE: 10503 N LAMAR BLVD AUSTIN TX 78753
Locally known as 10503 N LAMAR BLVD AUSTIN TX 78753
Legally described as LOT 1 BLK I MOCKINGBIRD HILL SEC 1
Zoned as CS-V-CO-NP
Parcel Number 0245180404

Dear NOE RAMSES PONCE:

The City of Austin Development Services Department investigated the property described above. Austin City Code violations were found that require your immediate attention. A description of the violation(s) and compliance timeframe(s) are provided in the attached violation report.

After receipt of this Notice, and until compliance is attained, the Austin City Code prohibits the sale, lease, or transfer of this property unless:

- You provide the buyer, lessee, or other transferee a copy of this Notice of Violation; and
- You provide the name and address of the buyer, lessee, or other transferee to the Code Official.

For additional information, I can be reached at 512-949-7246 or Richard.Lamancusa@austintexas.gov. Please reference **case number** CV-2024-075544. Hours of operation are Monday – Friday, 7:30 a.m. - 4:00 p.m. If I am unavailable, contact DSD Code Connect line at (512) 974-CODE (2633) or DSDCodeConnect@austintexas.gov.

Para obtener más información, llame al 512-949-7246 o enviar un correo electrónico a Richard.Lamancusa@austintexas.gov. Por favor, consulte **caso número** CV-2024-075544. El horario de atención es: lunes a viernes, 7:30 a.m. - 4:00 p.m. Si no estoy disponible, comuníquese con DSD Code Connect marcando al (512) 974-CODE (2633) o por correo electrónico DSDCodeConnect@austintexas.gov.

Sincerely,

Richard Lamancusa, Austin Code Inspector
City of Austin Development Services Department



For assistance, contact:
512-974-CODE (2633)
DSDCodeConnect@austintexas.gov

VIOLATION REPORT

Date of Notice: June 20, 2024

Code Officer: Richard Lamancusa
Case Number: CV-2024-075544
Property Address: 10503 N LAMAR BLVD AUSTIN TX 78753
Locally known as 10503 N LAMAR BLVD AUSTIN TX 78753
Zoned as CS-V-CO-NP

The items listed below are violations of the Austin City Code, and require your immediate attention. If the violations are not brought into compliance within the timeframes listed in this report, enforcement action may be taken. Timeframes start from the Date of Notice.

Violation Type: STRUCTURE MAINTENANCE

Austin City Code Section: Accessory Structures (§302.7)

Description of Violation: A fence is newly built at the property line in materials that are not weather resistant. The accessory structure must be built in a method that shows good workmanship and is with materials that are weather resistant.

Date Observed: 05/21/2024

Timeframe to Comply: 30 Day(s)

Recommended Resolution: Remove the plywood fence or amend the construction so that the fence is durable.

Austin City Code Section: Unobstructed Path (§702.1)

Description of Violation: A safe, continuous and unobstructed path of travel must be provided from any point in a structure to the public right-of-way. The enclosed yard requires an egress to the public right-of-way that is shown on plans and inspected at the site. The exit requires signage and hardware that is compliant with fire and building codes.

Date Observed: 05/21/2024

Timeframe to Comply: 30 Day(s)

Recommended Resolution: Supply plans that show a correct path, gate or door, and signage that create a compliant egress plan for the assembly use. Install and inspect the compliant plan. Maintain all fire safety features as required.

Notes: If the corrective action requires a permit the permit is issued by the Development Services Department. For resources and contact information, please visit www.austintexas.gov/dsd or call 311.

An inspection on any required permits will need to be conducted before the above code violation(s) can be closed. Please visit www.austintexas.gov/page/building-inspections or call 311 for information on how to schedule an inspection.

Appeal: Any structure maintenance issue indicated in this report may be appealed to the Building and Standards Commission. The appeal must be filed no later than **20 days** after the date of this notice and contain **all** of the following information:

- a brief statement as to why the violation is being appealed
- any facts that support the appeal
- a description of the relief sought
- the reasons why the appealed notice or action should be reversed, changed, or set aside
- the name and address of the appellant

An appeal may be delivered in person to our office located at City of Austin Permitting and Development Center, 6310 Wilhelmina Delco Dr, Austin, TX 78752 or mailed to: **Building and Standards Commission, c/o Development Services Department Code Compliance, P.O. Box 1088 Austin, Texas 78767.**

Notes: Failure to correct this condition by the above deadline may result in City action to clean the property at your expense. **Should another violation occur within one year of the date of this notice, the City may take action to clean the property without further notice to you and at your expense.**

Appeal: An owner may appeal a notice of violation issued under this article by filing a written statement with the director of the designated department not later than the seventh day after the notice is given. An owner may only appeal on the following grounds:

- (1) The notice was not properly served; or
- (2) A violation did not exist on the property on the date the notice was issued.

An appeal may be delivered in person to the Development Services Department Code Compliance located at City of Austin Permitting and Development Center, 6310 Wilhelmina Delco Dr, Austin, TX 78752 or mailed to: **City of Austin Development Services Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

IMPORTANT INFORMATION

Failure to Correct

If the violations are not brought into compliance within the timeframes listed in the violation report, enforcement action may include:

- Criminal charges in the City of Austin Municipal Court subjecting you to fines of up to \$2,000 per violation, per day.
- Civil penalties in an Administrative Hearing subjecting you to fines of up to \$1,000 per violation, per day, along with additional fees.
- Suspension or cancellation of existing site plan, permit or certificate of occupancy. If the site plan, permit or certificate of occupancy is suspended or revoked, the utility service to this property may be disconnected.
- Civil injunctions or penalties in State court.
- For dangerous or substandard buildings, the City of Austin may also take action with the Building and Standards Commission (BSC) to order the vacation, relocation of occupants, securing, repair, removal or demolition of a building, and civil penalties.

Ownership Information

According to the records of the County, you own the property described in this notice. If this property has other owners, please provide me with this information. If you no longer own this property, you must execute an affidavit form provided by our office. This form should state that you no longer own the property, the name of the new owner, and their last known address. The affidavit must be delivered in person or by certified mail, with return receipt requested, to the Development Services Department office no later than 20 days after you receive this notice. If you do not submit an affidavit, it will be presumed that you own the property described in this notice.

An affidavit form is available at www.austintexas.gov/code-resources, or at the office at City of Austin Permitting and Development Center, 6310 Wilhelmina Delco Dr, Austin, TX 78752. The completed affidavit should be mailed to: **City of Austin Development Services Department, P.O. Box 1088, Austin, Texas 78767.**

Complaints
















You may file a written complaint or commendation regarding a Development Services Department Code Compliance Officer no later than 3 days after you receive this notice. Please reference your case number. The complaint or commendation should be mailed to: **City of Austin Development Services Department, ATTN: Code Official, P.O. Box 1088, Austin, Texas 78767.**

Language Access	
Free language assistance services are available to you. Call 1-512-974-2633.	
Español (Spanish)	ATENCIÓN: si habla español, tiene a su disposición servicios gratuitos de asistencia lingüística. Llame al 1-512-974-2633.
한국어 (Korean)	주의: 한국어를 사용하시는 경우, 언어 지원 서비스를 무료로 이용하실 수 있습니다. 1-512-974-2633 번으로 전화해 주십시오.
中文 (Chinese)	注意：如果您使用繁體中文，您可以免費獲得語言援助服務。請致電 1-512-974-2633。
中文 (Simplified Chinese)	注意：如果您讲中文，则可以免费使用语言帮助服务。拨打1-512-974-2633.
Tiếng Việt (Vietnamese)	CHÚ Ý: Nếu bạn nói Tiếng Việt, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho bạn. Gọi số 1-512-974-2633.
اردو (Urdu)	خبردار: اگر آپ اردو بولتے ہیں، تو آپ کو زبان کی مدد کی خدمات مفت میں دستیاب ہیں۔ کال کریں 1-512-974-2633.
العربية (Arabic)	ملحوظة: إذا كنت تتحدث اذكر اللغة، فإن خدمات المساعدة اللغوية تتوافر لك بالمجان. اتصل برقم 1-512-974-2633
မြန်မာ (Burmese)	သတိပြုရန် - အကယုၣ် သဠုၣ် ဝုမနွာစကား ကို ဝေပုဟပါက၊ ဘာသာစကား အကူအညီ၊ အခမဲ့၊ သင့အတြက စီစဉ်ဆွဲကုပေးပါမည။ ဖုန်းနံပါတ် 1-512-974-2633 သို့မူ ဝေငုဆို့ပါ။
Français (French)	ATTENTION : Si vous parlez français, des services d'aide linguistique vous sont proposés gratuitement. Appelez le 1-512-974-2633.
हिंदी (Hindi)	ध्यान दें: यदि आप हिंदी बोलते हैं तो आपके लिए मुफ्त में भाषा सहायता सेवाएं उपलब्ध हैं। 1-512-974-2633 पर कॉल करें।

Community Resources | Recursos Comunitarios

The Development Services Department Code Compliance aims to bring our communities to a safe standard for Austin residents and visitors. The following resources are available to help Austin residents resolve potential hazards.

La Unidad de Cumplimiento de Códigos del Departamento de Servicios de Desarrollo tiene como objetivo llevar a nuestras comunidades un estándar seguro para los que viven y visitan Austin. Los siguientes recursos están disponibles para ayudar a los residentes de Austin a resolver posibles peligros.

General Information Información General		
Austin 3-1-1  3-1-1  austintexas.gov/department/311	A single point of contact for every City department 24 hours a day, 7 days a week	<i>Un punto de contacto para cada departamento de la ciudad disponible 24 horas del día, 7 días de la semana</i>
Austin 2-1-1  2-1-1  877-541-7905  www.211texas.org	Information from state and local health and human services programs, 24 hours a day 7 days a week.	<i>Información de programas estatales y locales de salud y servicios humanos, 24 horas del día los 7 días de la semana</i>
United Way / Connect ATX  www.unitedwayaustin.org/connectatx	Free or reduced cost services like medical care, food, job training and more	<i>Servicios gratuitos o de costo reducido como atención médica, alimentos, capacitación laboral y más</i>
Housing Vivienda		
Housing Department <i>Departamento de Vivienda</i>  512-974-3100  austintexas.gov/department/housing	Housing and community development services to eligible residents	<i>Servicios de vivienda y desarrollo comunitario a personas elegibles</i>
Building and Strengthening Tenant Action (BASTA) <i>Buscando Acción y Solidaridad que Transforme el Arrendamiento</i>  512-522-9984  bastaaustin.com/	Helps renters work with neighbors to improve living conditions via tenant organizing	<i>Ayuda a los inquilinos a trabajar con los vecinos para mejorar las condiciones de vida a través de la organización de inquilinos</i>
Texas RioGrande Legal Aid (TRLA)  833-329-8752  trla.org Austin Tenants Council Project <i>Proyecto del Consejo de Inquilinos de Austin</i>  512-474-6000  512-474-1961  trla.org/atc	TRLA: Free civil legal services for residents and migrant/seasonal workers. TRLA public defender programs represent low-income and indigent people in various areas of the law. Austin Tenants Council Project: Protects tenant's rights and educates the community on fair, decent housing.	<i>TRLA: Servicios legales civiles gratuitos a los residentes y a trabajadores migrantes/estacionales. Programas de defensa pública de TRLA representan a personas indigentes y de bajos ingresos en una variedad de áreas de la ley. <u>El Proyecto del Consejo de Inquilinos de Austin:</u> Protege los derechos de inquilinos y educa a la comunidad sobre la vivienda justa y decente.</i>

LENWORTH CONSULTING LLC

P.O. Box 3098, Cedar Park, Texas 78630 (512) 658-8896 lenworthconsul@gmail.com

January 13, 2025

Mrs. Sherri Sirwaitis, Planner Principal
City of Austin Planning Department

REF: CLUB CORONA rezoning (C 14-2024-0164, 10503 N Lamar Blvd.)

Dear Mrs. Sirwaitis,

Please accept and add the following changes (PROHIBIT ADULT USES) to the referenced rezoning application which we have no problem as we have agreed with Mrs. Lisa Hinely.

Liquor Sales is still required as mention on the (RECOMMENDED) case by City staff on the Planning Commission agenda. We are requesting your recommendation remain the same as present on the agenda.

Thank you for your assistance with this case and if you have any questions or concerns, I can be reached (512) 658-8896.

Respectfully,



Ignacio (Nash) Gonzales, Jr.
Manager
LENWORTH Consulting LLC