

015-2015-0128

Print

Date: Tuesday, June 30, 2015 4:41 PM  
From: David King <dking@austin.rr.com>  
To: shersh@austin.rr.com  
Cc: wayo2@me.com  
Subject: Re: Parking Variance at 1701 Toomey Road

Hello, Stuart,

Thank you so much for the heads-up on the variance request. I will discuss this with the ZNA zoning committee and get back with you as soon as possible.

Best,  
David

> On Jun 30, 2015, at 11:12 AM, shersh@austin.rr.com wrote:

>

> Today, I filed as pro-bono consultant a parking variance request for 1701 Toomey Road with the Board of Adjustment. The hearing will be scheduled on 9/14/15. ZNA will be sent notice 10 days before, but we thought you should learn about our request right after we filed. In order to be transparent, the owner and I are willing to meet with you and/or the entire membership of the neighborhood association on this request so that ZNA has plenty of time to make a recommendation to the Board of Adjustment. Please let me know when meeting(s) might be convenient.

>

> Stuart Hersh 512-587-5093

(Continued from page 1) ence that Zilker neighbors have made and continue to make to Austin's quality of life, from the ZNA and PTA leaders who organized the Friends of Little Zilker Park (page 6) to the first-time volunteer who helps pick up trash alongside Robert E. Lee (page 2). There are too many to mention by name, but the ZNA executive committee wants to thank all the former ZNA officers and volunteers for all that they have done for our neighborhood. You are all invited to the ZNA Watermelon Social on July 27 to help us celebrate the best of Zilker. Thanks for making Zilker a better place!

July to September is traditionally the time to recruit new volunteers for ZNA. If you're looking to make a difference, ZNA needs you now. For example, this newsletter is hand-delivered by dozens of neighbors, who each volunteer to spend about an hour walking a few blocks every quarter. They are quite literally following in the footsteps of the handful of volunteers who first published and distributed the newsletter in the 1980s.

In much the same way, every sidewalk gap filled or park improvement completed in Zilker today began years ago when a few concerned neighbors got together to try and make things better. There are always meetings about sidewalks, bike routes, traffic flow, construction projects, and trees, just to name a few, and ZNA is looking for ways to bring neighbors together and get the most out of our volunteer efforts.

Please think about what you would like to do to make Zilker better, and then call David

### ZNA Frequently Asked Questions

*How many members does ZNA have?* At least 296 paid members are currently eligible to vote at ZNA meetings.

*How does the ZNA Executive Committee arrive at a position on an issue?* The committee considers several factors in determining a position that is consistent with the sentiment of the neighborhood, beginning with the bylaws and previous decisions of the association and including, depending on the issue, the ZNA neighborhood planning survey conducted in 2004, the City of Austin neighborhood planning survey in 2005, the voting history of our neighborhood precincts, discussions and resolutions adopted at our quarterly meetings, direct discussions with affected neighbors, and consultation with city staff, board and commission members, and City Council members.

*I want to build something that does not comply with city code. Will ZNA support my request for a variance?* ZNA encourages all neighbors to comply with city ordinances. ZNA does not support variances unless the property has a unique physical feature that qualifies as a hardship under city code. Under state law, personal or financial circumstances do not qualify.

King or any of the other executive members listed on the back of this newsletter. You can also e-mail ZilkerNA@austin.rr.com, or come to the Watermelon Social on July 29, to volunteer.

### BECOME A ZNA MEMBER TODAY

Membership is open to Zilker residents (renters or homeowners) 18 years old or older. (See map on page 9.) Nonresident property owners are not eligible for membership.

Annual dues are \$7 per person. Please list each member's name and e-mail address below.

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Name: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Dues amount: \_\_\_\_\_ Additional contribution: \_\_\_\_\_ Total Enclosed: \_\_\_\_\_

Please make checks payable to Zilker Neighborhood Association and mail with this form to:

ZNA Memberships, 2009 Arpdale St, Austin, TX 78704  
or bring this form with you to the next ZNA meeting

For ZNA bylaws and other information, visit [zilkerneighborhood.org](http://zilkerneighborhood.org).

Print

Date: Sunday, August 16, 2015 1:08 PM  
From: Zilker NA <ZilkerNA@austin.rr.com>  
To: shersh@austin.rr.com  
Subject: Special ZNA meeting on South MoPac

**Special Called Meeting of ZNA Membership**  
**Monday, August 24, 6:30-8:30 pm**  
**Willenberg Hall, Faith United Methodist Church, 2701 South Lamar Blvd**

Hello, ZNA member.

The Executive Committee of the Zilker Neighborhood Association (ZNA) has called a special meeting of the general membership on Monday, August 24. We will consider ZNA's participation in an effort to educate citizens regarding proposals to expand South MoPac and the potential negative impacts on the environment, Zilker Park, Austin High School, and neighborhoods. This is related to the Austin Neighborhoods Council resolution on South MoPac that members were asked to consider in June (see <http://ancweb.org/about-anc/anc-resolutions/>).

Members will be asked to consider and vote on a one-time donation of \$3,000 to the Save Our Springs (SOS) Alliance educational campaign. a fundraiser to support efforts by SOS to require TxDOT to prepare an Environmental Impact Statement on the entire MoPAC improvement project.

An update on the latest recommendations of the South Lamar Corridor Study may also be available.

Hope to see you there.  
David King  
ZNA President

P.S. According to our records, your membership must be renewed before you can vote at ZNA meetings. You will be eligible to vote if dues (\$7 per person) are paid at the August 24 meeting.

Print

Date: Monday, May 4, 2015 4:34 PM  
From: Perez, Joana <Joana.Perez@austintexas.gov>  
To: shersh@austin.rr.com <shersh@austin.rr.com>  
Subject: Open Records Request 809687

Dear Mr. Hersh,

The Austin Transportation Department has reviewed your request for Revenue collected to date from parking meters installed in 2014 west of South Lamar Boulevard between Barton Springs Road and West Riverside Drive including meters adjacent to the baseball fields on parkland adjacent to Toomey Road; Sidewalk and bike lane improvements are needed along Toomey Road and revenue generated in this commercial district are a potential funding source to replace the current dirt path with an accessible sidewalk on the north side of Toomey Road.

The Austin Transportation Department has provided the following in response to your open records request:

Toomey Road Area: Sales to date are \$252,855.39

Butler Shores Lot: Sales to date are \$69,242.18

Notes:

30% of the Toomey Road income was appropriated for sidewalks in that area. Mark Cole (512-974-7019) in the Public Works Department handles the sidewalk projects and may be contacted regarding status of sidewalk projects in that area.

Sales from the Butler Shores goes to the Parks and the General Fund, you may contact the Parks and Recreation Department regarding how the money is spent. (Parks and Recreation Department has been added to this request and may be sending responsive information to you at a later time).

If you have any additional questions regarding this request please contact Steve Grassfield at 512-974-1489 or by email at [steve.grassfield@austintexas.gov](mailto:steve.grassfield@austintexas.gov). For questions regarding sidewalk projects please contact Mark Coke at 512-974-7019 or by email at [mark.cole@austintexas.gov](mailto:mark.cole@austintexas.gov).

With the delivery of this information we consider this open records request closed. Please confirm receipt of this email.

Thank You.

**Joana Perez**

**Administrative Specialist**

Austin Transportation Department Office of The Director

512-974-5677-Direct

512-974-1171-Fax

*Austin Transportation Department has moved. ATD is now located at 3701 Lake Austin Boulevard, 78703 (LCRA Building, south side of Lake Austin Blvd.).*



**City of Austin**  
**Austin Code Department**  
Summary of Complaint CC-2002-010194-ITR

**COMPLAINT INFORMATION**

**Case Status:** Closed

**Address:** Not Recorded

**Legal Description:** TRT 1 SHELTON WM E SUBD

**Property Owner(s):**  
Not Recorded - Owner

**Complaint Date:** January 9, 2002

**Complaint:** No parking for various businesses on property, such as a yoga school, massage facility, a small store, private Elementary School, full fledged Restaurant open to the public rooms on the property are also leased out for various events. Improper permits (Certificates of Occupancy) your Certificates are issued for a school cafeteria, it is not a school cafeteria and always has been a regular Restaurant open to public.

**INSPECTION INFORMATION**

**Investigator Assignment(s)**  
assigned on January 22, 2002  
Transferred to Enrique Lopez on

**Case Log**

DATE	STAFF NAME	ACTION TAKEN
01/09/2002		Information Update Transferred Case to Different Inspector same discipline. Inspector's Comments: "Transferred to Jesse Washington."
01/22/2002		Information Update Information Update and research results. Inspector's Comments: "Jesse Washington transferred case back to me, Need to do further research."
01/24/2002		Information Update Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "I met with Anna Longoria, owner of the business. I told informed her of the several violations that needed to be corrected. One of the major violations include a cafeteria which was turned into a restaurant without obtaining change of use, adequate parking, and finalled permits. She said that she was going to be out of the country until Feb.11. I informed her that she needed to start the process by talking to Dan Garcia. Mrs. Longoria said that she would try to meet with him before she left for her trip."
01/30/2002		Information Update Information Update and research results. Inspector's Comments: "Anna Longoria met with Dan Garcia. She is in the process of updating her site plan so that she can initiate any zoning change applications, permits, or change of use permits."
02/12/2002		Information Update

Information Update and research results. Inspector's Comments: "Called Casa de Luz, and left message for Anna Longoria."

02/13/2002 Owner Contacted  
Contacted the Owner of the Property. Inspector's Comments: "She thinks that she is going to have to hire a land consultant. She said that she will have to look for some one to help her."

02/21/2002 Owner Contacted  
Contacted the Owner of the Property. Inspector's Comments: "Anna Longoria called and said that the 2 consultants that she was going to hire to help her with the situation, Jim Bennett and Nash Gonzalez have already been retained by Mrs. Toomey. She will call Monday to give me another status report"

02/27/2002 Information Update  
Information Update and research results. Inspector's Comments: "Longorias have hired an attorney. And are still looking for a land consultant."

03/06/2002 Information Update  
Information Update and research results. Inspector's Comments: "Owner called and said that they have hired Amelia Lopez as a land consultant. They have also met with PARD to try to negotiate some kind of parking permission"

03/13/2002 Information Update  
Information Update and research results. Inspector's Comments: "Spoke to Amelia Phelps-Lopez the land consultant hire by Casa De luz. She said that she is looking at various avenues to take. One of them is applying for a parking variance. She is going to write a letter to several council members and Dept. directors informing them of her progress."

02/06/2003 Insp / Violation(s) Found  
MIGRATED

02/13/2003 Send CV Notice  
Sent Notice of Violation to the Owner. Inspector's Comments: "No current Certificate of Occupancy and Site Plan Development."

02/13/2003 Information Update  
Information Update and research results. Inspector's Comments: "This case was closed by the zoning department because the issues involved were not zoning related. The case was transferred to Jesse Washington, supervisor of the Zooning Code Enforcement. He was to formally transfer this case to Development Services and Water Shed Department. It is unknown as to whether Mr. Washington referred this case."

02/13/2003 Matthew Christianson Information Update  
Information Update and research results. Inspector's Comments: "Administrative Action - Case has been re-opened, closing entry of 4/9/2002 removed from system to facilitate proper closure at a future date. See Inspector notes for clarification."

02/19/2003 Owner Contacted  
Contacted the Owner of the Property. Inspector's Comments: "Mr. Longoria called and said that he had contacted Susan Walker. Susan was going to mail him the application today. I confirmed with Susan."

02/21/2003 Owner Contacted  
Contacted the Owner of the Property. Inspector's Comments: "Mr. Longoria called and said that he had received the variance application today. Since he said that it would take him about a week to turn it in."

02/24/2003 Information Update

Information Update and research results. Inspector's Comments: "Green card rec'd."

02/27/2003

Information Update

Information Update and research results. Inspector's Comments: "Letters received 2-14-03"

03/04/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "Will apply for a variance. I gave her Clara Hilling and Carl McClendons phone number. She said that they should have paperwork ready by next week."

03/19/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "Anne Longoria said that she was going to submit the application to Laura Knot tomorrow."

03/19/2003

Information Update

Information Update and research results. Inspector's Comments: "Left phone message for Eduardo and Anne to return my call."

03/21/2003

Information Update

Information Update and research results. Inspector's Comments: "The Longorias have submitted several pieces of information the Laura Knot requested. Laura received the information and is scheduled to have a conference with Greg G. to analyze the information to see what avenues are available to Casa de Luz.. Eduardo Longoria said that they were definitely going to apply for the parking variance before March 27th."

03/24/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "Eduardo called and said that they would be submitting variance application today."

04/09/2003

Information Update

Information Update and research results. Inspector's Comments: "Application was withdrawn. Owner said that he hired Nash Gonzales and is working with Will Wynn."

04/29/2003

Information Update

Information Update and research results. Inspector's Comments: "Violation still exists, prepare case for legal action."

05/01/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "Received email correspondence between Will Wynn and Eduardo Longoria. Wynn wants to examine the situation to determine any possible resolutions."

05/12/2003

Follow-up Inspection

Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Violation still exists, send Pre Court Letter."

05/16/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "MS. Longorai called and said that she had received Pre-Court letter and is going to have Nash Gonzales contact me in regards to what is being done to correct the violations."

06/23/2003

Owner Contacted

Contacted the Owner of the Property. Inspector's Comments: "Spoke to Ms. Longoria, I told her that I had not heard from Mr. Gonzales, asked her to please call him. I gave her my cell phone number."

06/23/2003

Information Update

Information Update and research results. Inspector's Comments: "Left voicemail message for Nash Gonzales"

06/25/2003 Information Update  
Information Update and research results. Inspector's Comments: "Spoke to Eduardo Longoria and told him that the case was being prepared for legal action. He stated that he is trying to secure an appointment with the Mayors office to discuss the issue with him."

06/25/2003 Information Update  
Information Update and research results. Inspector's Comments: "I received a call from the owner of a previous case. He informed me that Eddith Dalecki had read a news article about his business code violations. She informed the business owner that I had "made a deal" with Casa De Luz concerning code violation. She insinuated that I was corrupt. Ms. Delacki also gave the owner of this business Susan Toomeys phone number if he had any other question."

06/26/2003 Information Update  
Information Update and research results. Inspector's Comments: "Spoke to Josh Allen. I explained the situation concerning Casa De Luz. I explained all code violation and possible remedies. I stated that I was ready to file charges against Casa De Luz. He is going to relay the information to the Mayor. He asked me not to do anything with the case until he gets back from vacation on July 10th."

06/26/2003 Information Update  
Information Update and research results. Inspector's Comments: "Met with Nash Gonzales I told him that I was going to file charges with Municipal Court."

07/03/2003 Information Update  
Information Update and research results. Inspector's Comments: "Met with Cora Wright- She said to file charges ASAP, I told her that I had told Josh Allen from the Mayors Office that I would not do anything until he came back from vacation. July 10th.  
I also informed her of the phone call that I had received on June 25th concerning Edith Delacki."

07/16/2003 Information Update  
Transferred case to Municipal Court Coordinator. Inspector's Comments: "Sent Affidavit to prosecutor"

07/23/2003 Matthew Christianson Information Update  
Information Update and research results. Inspector's Comments: "Received a call from Municipal Court Prosecutor Brett Levinson. The complaint (#64306) does match the affidavit and can be filed. Enrique will file the charges tomorrow, Thursday July 24, 2003."

08/18/2003 Information Update  
Information Update and research results. Inspector's Comments: "Raul Calderon from City Legal requested copy of notice of violation. Faxed it to him today."

08/26/2003 Information Update  
Information Update and research results. Inspector's Comments: "I just got through meeting with Ana Longoria. She has now completed her application as of today. Her case number before the Board of Adjustment is C15-03-110 and is scheduled for October 13, 2003. Susan Walker"

09/29/2003 Follow-up Inspection  
Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Violation still exists, monitor."

10/09/2003 Follow-up Inspection  
Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Violation still exists, monitor"

10/14/2003 Information Update  
Information Update and research results. Inspector's Comments: "Variance hearing post poned for 11-10-2003"



11/13/2003	Information Update
Information Update and research results. Inspector's Comments: "BOA granted a 60 day extension."	
12/16/2003	Follow-up Inspection
Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Violation still exists."	
12/18/2003	Follow-up Inspection
Conducted A Follow-Up Inspection of the Property. Inspector's Comments: "Violation still exists, monitor"	
02/10/2004	Information Update
Information Update and research results. Inspector's Comments: "C15-03-110 Shambala Corporation 1701 Toomey Road The applicant has requested a variance to decrease the minimum off-street parking space requirement of Section 25-6 Appendix A from 68 off-street parking spaces to 10 off-street parking spaces in order to maintain a Private Primary Educational Facility, Personal Improvement Service, Restaurant (General), General Retail Sales (Convenience), Administrative and Business office and Limited Warehouse uses in a zCS, Commercial Services zoning district. The Land Development Code requires 1.5 off-street parking spaces for each faculty or staff for a Private Primary Educational Facility, one off-street parking space for each 200 square feet of Personal Improvement use, one off-street parking space for each 75 square feet of gross floor area for a Restaurant (General) use, one off-street parking space for each 200 square feet of General Retail Sales (Convenience), one off-street parking space for each 300 square feet of Administrative and Business office use, and one off-street parking space for each 1000 square feet of Limited Warehouse use. POSTPONED TO 3/8/04"	
04/14/2004	Closed due to Voluntary Compliance
Case closed for voluntary compliance	
04/14/2004	Information Update
Information Update and research results. Inspector's Comments: "GRANTED 4-1 WITH CONDITION LICENSE AGREEMENT FOR 47 OFF-SITE PARKING SPACES BE OBTAINED (2 LEASES ARE OUTSIDE 1000 FEET). PLACE SIGNS WHERE CUSTOMERS WILL KNOW WHERE TO PARK AND NOT USE OTHERS PARKING"	

## VIOLATIONS

### Structure Maintenance

#### Land Use

Austin City Code Section: Zoning Violations

Violation: Violation data migrated from Inspect Track. Data must be converted to AMANDA deficiency prior to closing case or forwarding for legal review. - SITE DEVELOPMENT( section 25-2-492 ) ( Structure: Premises ) - Site Plan does not reflect current use. School cafeteria is being used as a restaurant. Parking is not provided for restaurant patrons.

Date Observed: 04/14/2004      Status: Cleared

Austin City Code Section: Zoning Violations

Violation: Violation data migrated from Inspect Track. Data must be converted to AMANDA deficiency prior to closing case or forwarding for legal review. - CERTIFICATE OF OCCUPANCY( section 25-1-361 ) ( Structure: Premises ) - Restaurant does not have current Certificate of Occupancy.

Date Observed: 04/14/2004      Status: Cleared

#### Property Abatement

[Redacted]

**NOTICES**

[Redacted]



**City of Austin**  
**Austin Code Department**  
 Summary of Complaint CC-2008-061292

**COMPLAINT INFORMATION**

**Case Status:** Closed

**Address:** 1701 TOOMEY RD 78704

**Legal Description:** TRT 1 SHELTON WM E SUBD

**Property Owner(s):**  
 Shambala Corporation - Owner  
 1701 Toomey Rd.  
 Austin, TX 78704-1033

**Complaint Date:** August 5, 2008

**Complaint:**  
 Complainant (remain anonymous Jeff Jack 447-5877) would like update from investigator when determination is made

Casa De Luz  
 1701 Toomey Rd  
 Business had two off-site parking agreements to meet conditions for site plan approval when previously under enforcement. Complainant believes off-site agreements are no longer in effect and business is in violation of parking requirements. Per complainant, the two approved off-site areas are behind the Carpenter Union Hall at 400 Josephine and the old Bicycle Sports Shop building on Toomey Rd. that is now part of the Zachary Scott Theater.  
 Complainant stated the Carpenter Hall now leases the parking lot to a mobile vendor and the Bicycle Sports Shop was sold to Zachary Scott.

**INSPECTION INFORMATION**

**Investigator Assignment(s)**  
 Terry Hurd assigned on August 5, 2008

**Case Log**

DATE	STAFF NAME	ACTION TAKEN
08/06/2008	Terry Hurd	Inspection Performed
I went to the location, Casa de Luz. I spoke to Shannon who was an employee. The manager was in a meeting. I left my card with Shannon. I asked her to have the manager call regarding off site parking agreements. Photos taken		
08/13/2008	Terry Hurd	Manager/Contact Contacted
I spoke to Claire Bruno from the school at this location. She said the restaurant was the business with the off site parking agreements. She gave me the name and number of the manager of the restaurant. I called Natalia, 476-2535, and explained the issue regarding parking. She said she was not aware of the agreements but would find out. I will check back with her at the end of the week.		

09/09/2008	Terry Hurd	Insp / Violation(s) Found
There has been no further response in supplying the parking agreements.		
09/09/2008	Terry Hurd	Send CV Notice
09/17/2008	Terry Hurd	Information Update
I spoke to Nash Gonzalez 658-8896, who said the parking agreement was for the restaurant only. The variance was granted for the entire facility, case C15-03-110. I told him there were not any agreements in force at this time and the case was being forwarded to the legal department.		
09/25/2008	Terry Hurd	Send CV Notice
Notice is being sent to the registered agent.		
10/08/2008	Terry Hurd	Information Update
Mr. Longoria has sent 2 e-mails stating they are in the process of obtaining off site parking agreements with the Carpenters Union hall and Baby Acapulco's.		
11/25/2008	Terry Hurd	Information Update
I spoke to Kathleen Buchanan. She agreed that this complaint should be closed due to the lack of enforcement ability with the way the variance was granted. She suggested starting a new complaint for lack of a site plan or site plan exemption. I informed Mr. Jack of this situation and will talk to Jerry Reynolds before closing this complaint.		
02/02/2009	Terry Hurd	Closed due to Administrative Reasons
Refer to 08-094926		

## VIOLATIONS

<p><b><u>Structure Maintenance</u></b></p> <p><b><u>Land Use</u></b></p> <p>Austin City Code Section: Site Plans (§25-5)  Violation: Off site parking agreements are required to be in effect to allow the businesses to operate.  Date Observed: 09/09/2008      Status: Invalid</p> <p><b><u>Property Abatement</u></b></p>
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## NOTICES

<p>Notice of Violation to Eduardo Longoria Jr. (Registered Agent)  Mail sent certified 7007 2560 0001 7113 6297 on September 25, 2008  Mail sent regular on September 25, 2008  Received / signed by Kimball on September 30, 2008</p> <p>Notice of Violation to Shambala Corporation (Owner)  Mail sent certified 7007 2560 0001 7114 0706 on September 9, 2008  Mail sent regular on September 9, 2008  Received / signed by Sinature not readable on September 16, 2008</p>
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**City of Austin**  
**Austin Code Department**  
 Summary of Complaint CC-2008-092941

**COMPLAINT INFORMATION**

**Case Status:** Active

**Address:** 1701 TOOMEY RD 78704

**Legal Description:** TRT 1 SHELTON WM E SUBD

**Property Owner(s):**  
 Shambala Corporation - Owner  
 1701 Toomey Rd.  
 Austin, TX 78704-1033

**Complaint Date:** December 1, 2008

**Complaint:** per email from terry hurd..casa de la cruz restaurant...no certificate of occupancy..

**INSPECTION INFORMATION**

**Investigator Assignment(s)**

Ron Russell assigned on October 16, 2009  
 Transferred to Malcolm Mills on November 12, 2014

**Case Log**

DATE	STAFF NAME	ACTION TAKEN
12/02/2008	Terry Hurd	Inspection Performed This complaint was created by me, as the previous complaint 08 071 129 could not be forwarded to the legal department due to a lack of a code violation and language describing the lack of off site parking agreements. I visited the restaurant and issued a warning for no certificate of occupancy to Mr.Lorio, the manager on duty. I told him a notice would be sent to the owners and Eduardo Longoria, the registered agent for the Shambala Corporation. This morning I received an e-mail from Mr. Longoria stating Nash Gonzalez had the certificate of occupancy for the restaurant. I will check the documents before changing the complaint to a violation.
12/09/2008	Terry Hurd	Insp / Violation(s) Found The certificate of occupancy is for the educational facility. The off site parking lease will need to be approved by plan review to validate the variance. I sent an e-mail to Mr. Longoria regarding these items.
12/09/2008	Terry Hurd	Send CV Notice
12/09/2008	Merlinda Coleman	Send CV Notice
01/08/2009	Terry Hurd	Information Update Registered agent certified letter returned unclaimed. Waiting for owner's certified letter. Property posted with photos taken.
01/12/2009	Terry Hurd	Information Update

I spoke to Greg Guernsey on Friday 1 9 09. He will contact Susan Walker in regards to the status of the CO and contact me. I will proceed after the ten day posted letter has past the notification time limit.

01/16/2009 Terry Hurd Information Update  
I spoke to Mr. Longoria on 112 09, 535 0105, regarding the property being posted for a lack of a C.O. He said he did not know why the certified letter was returned to me. I explained that Mr. Gonzalez was aware the C.O s sent to me were not valid for the restaurant as an accessory use to the school. I also explained that a new C.O. would more than likely be required and that the parking agreements would need to be approved. Greg Guernsey will supply the information as to the items needed by Casa de Luz to proceed to be compliant. I left a message for Mr. Gonzalez today.

02/04/2009 Terry Hurd Information Update  
Greg Guernsey referred this to Chris Johnson at DAC. Matt Noriega and I met with Chris on Friday 1 30 09. He reviewed the location history and said they would need a current Certificate of Occupancy. I spoke to Jerry Reynolds, who then consulted Keith Leach regarding the procedure to follow. A citation will most likely be issued. Mr. Longoria was not on site at the restaurant but should be there tomorrow 235pm.

02/24/2009 Terry Hurd Owner Contacted  
I spoke to Mr. Longoria at 10 36 am today. I told him that a citation would be issued for a lack of a certificate of occupancy for Casa de Luz. I informed him that the situation has not been addressed with prior knowledge going back to 2004. I will issue the citation later this week.

03/04/2009 Terry Hurd Information Update  
A meeting was held at 2:00 pm on 3 3 09 regarding the Certificate of Occupancy for Casa de Luz. Nash Gonzalez was present to represent Eduardo Longoria for Casa de Luz. Ron Potts, Jerry Reynolds, Matthew Noriega and myself were also present. I told Mr. Longoria that the case would be forwarded to the legal department as there has not been a current Certificate of Occupancy produced for the use of the restaurant at this time and previously for several years. Mr. Gonzalez said he would contact Leon Barba and Chris Johnson again for advice on how to obtain the necessary C.O. I told him the case would be placed on the court docket to be heard in approximately two months. There were not any other alternatives available for compliance as viewed from Code Enforcement. Kathleen Buchanan was advised of the meeting.

03/09/2009 Terry Hurd LC Review  
A meeting was held at 1:00 pm in room 240 at One Texas Center. Kathleen Buchanan, Leon Barba, Chris Johnson, Ron Potts, Jerry Reynolds and myself were present. It was decided to inspect the restaurant and the Montessori school for compliance issues. AFD, WPDR, and Code Enforcement are the departments to make the inspections. A time frame for later in March is being considered. The complaint for a lack of a current C.O. for Casa de Luz is being forwarded to the legal department for review and possible prosecution. Jerry Reynolds was given the file today.

06/24/2009 Terry Hurd Information Update  
I left a message for Mr. Longoria, 5350105, 461 5297 and Mr. Gonzalez, 658 8896, requesting a time for an inspection on 6 30 09 at 10 00 am for the entire property including the school and the restaurant.

06/30/2009 Gay Brown Information Update  
PCA to be sent to Muni Ct for filing.

07/15/2009 Terry Hurd Information Update  
Nash Gonzalez confirmed a date for the inspection of the property. July 23, 2009. I sent an email to Mr. Longoria regarding the date. He will not be available for the inspection. Mr. Gonzalez will represent Shambala Corp. and Mr. Longoria.

07/23/2009 Terry Hurd Follow-up Inspection

An inspection was made at the Casa de Luz restaurant by AFD, WPDR and CE. A meeting with all involved departments will be scheduled within the next two weeks to discuss a course of action after findings have been reviewed. The school will be inspected in August. photos taken of property.

07/28/2009 Terry Hurd

Information Update

A meeting was held with Jan Adler, Jeff Solomon, Ron Menard, Carl Wren, Jerry Reynolds and myself regarding action to be taken for the violations at Casa de Luz. The owners will be notified by AFD and WPDR with a list of the items needed for compliance. The Parkside Community School will be inspected and also notified of any violations as it is on the same property.

10/08/2009 Matthew Noriega

Follow-up Inspection

met Director of Parkside Community School- Claire Bruno, WPDR Jan Adler and AFD at location, inspected school layout with director, verified approved permits for school, took photos, 2nd floor added in 1993 for 2nd classroom, permits approved, director stated portion of 2nd floor building is being used by Casa de Luz for business meetings, portion of the 1st floor administrative office for school is being used by Casa de Luz, room was added to create meeting room, Serena room, area previously was a patio area for restaurant, no permit obtained for addition, verified no active permits for restaurant, no site plan and no building permits for additions, community school has a approved certificate of occupancy, will open 2 new violations for restaurant, no site plan and no permit for addition of meeting room, Serena room, will send notices

10/21/2009 Matthew Noriega

Send CV Notice

10/21/2009 Matthew Noriega

Send CV Notice

11/02/2009 Matthew Noriega

Manager/Contact Contacted

spoke to consultant for Casa de Luz, Nash Gonzales #658-8896, explained he is in the process of obtaining all permits for restaurant and ordering archived building plans, claims approved permits for serena room and restaurant, setup inspection of restaurant next week to verify layout, followup

11/18/2009 Matthew Noriega

Follow-up Inspection

inspected location with Inspectors Jerry Reynolds and Terry Hurd, met property owner Eduardo Longoria and consultant Nash Gonzales, inspected layout of property, took photos, confirmed no active certificate of occupancy for location, owner explained that he is not a restaurant but a healing center, the original plans of property was to be a classroom to teach kids on macro-biotic food, restaurant was open due to demand for a restaurant that served macrobiotic food, Consultant Nash Gonzales claims there is active permits for restaurant to operate, no permits show approval of casa de luz, verified by owner that Serena room was constructed without permits, all meeting rooms being rented by restaurant are not approved for use by restaurant, advised owner of violations, will await research by consultant to verify if any building has approved use, Site plan, building permits and certificate of occupancy will be required for operation of Casa de Luz, followup

12/07/2009 Matthew Noriega

Citation Prep/No Warning

12/07/2009 Matthew Noriega

Citation Prep/No Warning

12/07/2009 Matthew Noriega

Follow-up Inspection

inspected property with Inspector Terry Hurd, met owner Eduardo Longoria regarding site plans and required building permits for property, explained he is awaiting info from consultant Nash Gonzalez, explained research of property shows no permits or certificate of occupancy active for location, advised of violations, took photos of property, issued citation for no site plan and no commercial building permit(Serena Room), owner is looking for different options for location. will speak with consultant to determine best option

12/11/2009 Gay Brown Initial Proceeding(s) Completed  
Changes to be made to PCA then reviewed and sworn to by investigator.

12/14/2009 Matthew Noriega LC Review

01/26/2010 Matthew Noriega Investigation/Research  
researched location for court appearance on 012610, verified no permits or applications have been obtained for property

08/10/2010 Matthew Noriega Citation Prep/No Warning

08/10/2010 Matthew Noriega Citation Prep/No Warning

08/10/2010 Matthew Noriega Follow-up Inspection  
Inspected location with AFD Jeffrey Solomon, verified property continues to be used as a restaurant, Casa de Luz, verified no permits have been approved for Serena Room or restaurant use, entered property with manager Laura Marie Trzpit, explained owner Eduardo Longoria is on vacation and will not return until next week, advised of violations, no site plan or building permit for serena room, explained Land Consultant Nash Gonzalez continues to submit plans for approval of location, AFD confirmed restaurant has appropriate fire exits, front and side exits, advised manager that their access from street is over 288 ft, which is a violation due to distance from street for fire truck access, advised manager of violations, issued citation for no site plan and no building permit, manager will advise owner of violation, will have manager contact me for info on citations

08/25/2010 Matthew Noriega Citation Prep/No Warning

08/25/2010 Matthew Noriega Follow-up Inspection  
met property owner Eduardo Longoria, owner aware of citations issued to manager, requested citations be issued to him, issued citation for violations on 081010, verified restaurant continues to operate, owner explained he is trying to comply with violations but has not been able to find adequate parking, owner hired land consultant Nash gonzales, no application has been submitted, building permit for Serena room has been applied for, issued citation for no site plan, owner will contact attorney to address citations

09/23/2010 Matthew Noriega Citation Prep/No Warning

09/23/2010 Matthew Noriega Follow-up Inspection  
reinspected location with Inspector Luther Perez, met with Mr. Longoria, stated they have found parking within a 1000 ft from location, Land Consultant Nash Gonzalez in the process of submitting site plan for property, owner upset due to building permit not approved due to Serena room was submitted as being part of Montessori School, site plan application for Casa de Luz cannot be applied for until building permit is approved for serena room, issued citation to Mr. Longoria for no site plan and no building permit, owner is aware that he will be continued to be cited for violations, took photos

09/23/2010 Matthew Noriega Citation Prep/No Warning

11/01/2010 Gay Brown Initial Proceeding(s) Completed  
Citation 13306777 Cause #7409874 ENAD 11/3/2010  
Citation 13306778 Cause #7409907 ENAD 11/3/2010



Citation 13306779 Cause #7409816 ENAD 11/3/2010

11/01/2010 Gay Brown Initial Proceeding(s) Completed

Citation 13306777 Cause #7409874 ENAD 11/3/2010

Citation 13306778 Cause #7409907 ENAD 11/3/2010

Citation 13306779 Cause #7409816 ENAD 11/3/2010

11/01/2010 Gay Brown Initial Proceeding(s) Completed

Citation 13306777 Cause #7409874 ENAD 11/3/2010

Citation 13306778 Cause #7409907 ENAD 11/3/2010

Citation 13306779 Cause #7409816 ENAD 11/3/2010

11/10/2010 Matthew Noriega Citation Prep/No Warning

11/10/2010 Matthew Noriega Citation Prep/No Warning

11/10/2010 Matthew Noriega Follow-up Inspection  
reinspected location, verified property continues to be used as a restaurant, no building permit has been obtained for serena room, no site plan for casa de luz restaurant, spoke to owner, Mr. Longoria, explained no permits have been obtained, awaiting results from Consultant Nash Gonzalez, owner stated he received word from Parks and Recreation Dept, parking lot across the street will be closed and only individuals with permits will be allowed to park in PARD parking, issued citations for no site plan and no building permit

12/20/2010 Gay Brown Closed due to Judicial / Admin Action  
Cause #7234874/Citation 13306613 was dismissed by prosecutor in error after an agreed motion for continuance/reset was granted by the judge. This was in error but case was not refiled nor municipal court contacted to re-open case as it was dismissed in error by municipal court prosecutors.

12/20/2010 Gay Brown Initial Proceeding(s) Completed

ORDER DEFERRING DISPOSITION WITH THE FOLLOWING TERMS;

Citation 13306614 Cause #7435656

Citation 13306777 Cause #7409874

Citation 13306778 Cause #7409907

Citation 13306779 Cause #7409816

PCA with violation date of 1/8/2009 Cause #7253344

DECEMBER 9, 2010 - JUNE 9, 2011; 400.00 SPECIAL EXPENSE FEE FOR EACH VIOLATION;  
INSPECTION EVERY 30 DAYS BEGINNING JANUARY 1, 2011; OBTAIN AN APPROVED AND  
RELEASED SITE PLAN AND AN APPROVED AND RELEASED OFF-SITE PARKING SITE PLAN  
BEFORE JUNE 1, 2011; PASS COMPLETENESS CHECK BY MARCH 1, 2011; OBTAIN A DEMOLITION  
PERMIT ON OR BEFORE MARCH 1, 2011 TO REMOVE UN PERMITTED KITCHEN. ON OR BEFORE  
JANUARY 9, 2011, DEFENDANT WILL CONSPICUOUSLY POST AND MAINTAIN THE FACT AND  
NATURE OF CURRENTLY UNAPPROVED USES AND/OR AREAS OF THE PROPERTY...

12/20/2010 Gay Brown Information Update

ORDER DEFERRING DISPOSITION WITH THE FOLLOWING TERMS;

Citation 13306614 Cause #7435656

Citation 13306777 Cause #7409874

Citation 13306778 Cause #7409907

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12/20/2010 Gay Brown Information Update  
ORDER DEFERRING DISPOSITION WITH THE FOLLOWING TERMS;  
Citation 13306614 Cause #7435656  
Citation 13306777 Cause #7409874  
Citation 13306778 Cause #7409907  
Citation 13306779 Cause #7409816  
PCA with violation date of 1/8/2009 Cause #7253344

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12/20/2010 Gay Brown Information Update  
ORDER DEFERRING DISPOSITION WITH THE FOLLOWING TERMS;  
Citation 13306614 Cause #7435656  
Citation 13306777 Cause #7409874  
Citation 13306778 Cause #7409907  
Citation 13306779 Cause #7409816  
PCA with violation date of 1/8/2009 Cause #7253344

DECEMBER 9, 2010 - JUNE 9, 2011; 400.00 SPECIAL EXPENSE FEE FOR EACH VIOLATION; INSPECTION EVERY 30 DAYS BEGINNING JANUARY 1, 2011; OBTAIN AN APPROVED AND RELEASED SITE PLAN AND AN APPROVED AND RELEASED OFF-SITE PARKING SITE PLAN BEFORE JUNE 1, 2011; PASS COMPLETENESS CHECK BY MARCH 1, 2011; OBTAIN A DEMOLITION PERMIT ON OR BEFORE MARCH 1, 2011 TO REMOVE UN PERMITTED KITCHEN. ON OR BEFORE JANUARY 9, 2011, DEFENDANT WILL CONSPICUOUSLY POST AND MAINTAIN THE FACT AND NATURE OF CURRENTLY UNAPPROVED USES AND/OR AREAS OF THE PROPERTY...

12/20/2010 Gay Brown Initial Proceeding(s) Completed  
PCA FILED IN MUNICIPAL COURT.

12/20/2010 Gay Brown Information Update  
ORDER DEFERRING DISPOSITION WITH THE FOLLOWING TERMS;  
Citation 13306614 Cause #7435656  
Citation 13306777 Cause #7409874  
Citation 13306778 Cause #7409907  
Citation 13306779 Cause #7409816  
PCA with violation date of 1/8/2009 Cause #7253344

DECEMBER 9, 2010 - JUNE 9, 2011; 400.00 SPECIAL EXPENSE FEE FOR EACH VIOLATION; INSPECTION EVERY 30 DAYS BEGINNING JANUARY 1, 2011; OBTAIN AN APPROVED AND RELEASED SITE PLAN AND AN APPROVED AND RELEASED OFF-SITE PARKING SITE PLAN

BEFORE JUNE 1, 2011; PASS COMPLETENESS CHECK BY MARCH 1, 2011; OBTAIN A DEMOLITION PERMIT ON OR BEFORE MARCH 1, 2011 TO REMOVE UN PERMITTED KITCHEN. ON OR BEFORE JANUARY 9, 2011, DEFENDANT WILL CONSPICUOUSLY POST AND MAINTAIN THE FACT AND NATURE OF CURRENTLY UNAPPROVED USES AND/OR AREAS OF THE PROPERTY...

03/01/2011 Matthew Noriega Follow-up Inspection  
re inspected location according to deferral agreement, inspected with Inspector Luther Perez, entered property, spoke to manager, explained they submitted a plan review for off site parking and a permit is being obtained for cap off of gas and water on unapproved kitchen on 2nd floor meeting room. verified permit is currently being reviewed for off street parking, SP 11-015327, Demo permit 11-015869, took photos of proposed off site parking for restaurant.

06/03/2011 Matthew Noriega Follow-up Inspection  
reinspected property according to deferral agreement, verified permits have not been finalized, owner has opened a organic hair salon in one of the rental studios, took photos, no certificate of occupancy for salon, took photos, followup

08/15/2011 Gay Brown Closed due to Judicial / Admin Action  
NOT FILED IN MUNICIPAL COURT.

08/15/2011 Gay Brown Closed due to Judicial / Admin Action  
NOT FILED IN MUNICIPAL COURT.

10/03/2011 Gay Brown Closed due to Judicial / Admin Action  
Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation 13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

10/03/2011 Gay Brown Closed due to Judicial / Admin Action  
Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation 13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

10/03/2011 Gay Brown Initial Proceeding(s) Completed  
Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation 13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

10/03/2011 Gay Brown Closed due to Judicial / Admin Action  
Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation 13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

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Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation

13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

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Cause #7443972-Citation #13661232/Cause #7443971-Citation #13661231/Cause #7409874-Citation #13306777/Cause #7409907-Citation #13306778/Cause #7409816-Citation #13306779/Cause #7253344-Affidavit/Cause #7435656-Citation #13306614. Deferral expired 6/2011 and revoked. Guilty entered on all cases and defendant assessed a fine of \$500.00 for each violation. CL closed.

11/29/2011 Matthew Noriega Follow-up Inspection  
reinspected location with South Supervisor Todd Wilcox, met with owner Mr. Longoria, explained plans are in the process of changing use of property and for a fire hydrant to be installed in front, verified organic hair salon has closed, owner stated that plans are in process of getting approval for educational use and for parking to be allowed on city property, owner will forward email regarding fire hydrant

03/28/2012 Matthew Noriega Citation/ Warning Preparation

03/28/2012 Matthew Noriega Citation Prep/No Warning

03/28/2012 Matthew Noriega Citation Prep/No Warning

03/28/2012 Matthew Noriega Follow-up Inspection  
reinspected location with Supervisor Todd Wilcox, met property owner, Eduardo Longoria, explained they are in the process of getting approval for change of use and for parking with PARD, advised owner of continuing violations, no site plan and no building permit obtained for restaurant and for Serena Room, explained they are in the process with the city and will have all violations corrected, advised a dangerous condition exists due to no fire access to building, over 300 ft from street and no sprinkler system, advised a fire hydrant will be installed in front of building, approval has been obtained, explained a dangerous notice will be posted in front of building until compliance is met, owner understands and will contact city dept and land consultant, issued 2 citations, 1 for no site plan and 1 for no building permit, owner will email supervisor plans for new use of structure and parking plan, issued warning notice for dangerous condition for no fire access

04/03/2012 Matthew Noriega Send CV Notice

04/03/2012 Matthew Noriega Send CV Notice

04/25/2012 Matthew Noriega Follow-up Inspection  
Met property owner Eduardo Longoria and AFD Joe Limon and Engineer Ralph Castillo, discussed other options then a fire hydrant and fire access to building, owner is attempting to install sprinkler system to building, engineer will notify owner of requirements, building remains in violation, dangerous structure due to no fire access, case will be referred to BSC for review

04/30/2012 Gay Brown Initial Proceeding(s) Completed  
Citation filed in Municipal Court. ENAD 6/6/2012 for citation 13306897 CAUSE #7719193.

04/30/2012 Gay Brown Initial Proceeding(s) Completed  
Citation filed in Municipal Court. ENAD 6/6/2012 for citation 13306896 Cause #7719189.

06/06/2012 Gay Brown Information Update

cases (7719189 and 7719193) will be set for jury trial.

06/06/2012 Gay Brown Information Update  
cases (7719189 and 7719193) will be set for jury trial. Defendant requests trial be set in September. Prosecutor explained he will request that case be set on jury trial docket after August 1st but he does not control the setting of docket. Defendant stated there should be things in place by September this is the reason he is requesting a setting so far out and there are so many people working on this issue including city officials. Stating parking is the issue. Defendant was advised this does not prevent additional citations to be written and/or charges filed. He stated he is aware.

06/06/2012 Viola Ruiz Information Update  
Cause #7719193 Case is scheduled for Jury trial on 7-24-2012.

06/21/2012 Matthew Noriega Investigation/Research  
researched database for BSC case, no new permits active for property, owner has not applied for a site plan for property, restaurant continues to operate without a certificate of occupancy, building continues to a dangerous condition due to fire access is over 150 ft from street, no sprinkler system in building, refer case to BSC

06/21/2012 Matthew Noriega BSC Review

07/09/2012 Matthew Noriega Follow-up Inspection  
reinspected location for BSC case, took photos, owner or manager not available, spoke to co-manager, no new permits active for property

07/12/2012 Christopher Moore Send CL Notice(s)  
Notice of Hearing

07/23/2012 Gay Brown Information Update  
Case reset to 9/4/2012. Cause #: 7719189 and 7719193.

08/07/2012 Sonja Prevo Information Update  
It was determined that this case will not be on the August 2012 BSC agenda.

08/16/2012 Gay Brown Closed due to Judicial / Admin Action  
PCA filed in Municipal Court Cause #7253344/violation date 1/8/2009. Guilty plea entered/500.00 fine and court costs. CL closed.

08/21/2012 Matthew Noriega Manager/Contact Contacted  
meeting with AFD Fire Marshall, Joe Limon and AFD Engineer Carl Wren and land consultant for property, Roger Chan 585-8946, consultant has taken over case for dangerous conditions on property, consultant is in negotiations with adjacent property to create a fire access to building, new construction is under way at 1717 Toomey Rd, 5 story luxury apt's, attempting to resolve issues regarding dangerous conditions, verified plans with consultant, will notify AFD and Code if approved for a fire access

09/04/2012 Gay Brown Closed due to Judicial / Admin Action  
cause #7719193 for Citation #13306897. Defendant appeared at JTRI docket on 9/4/2012. Plea of guilty entered and fine of 500.00 paid. CL closed for this citation.

09/04/2012 Gay Brown Closed due to Judicial / Admin Action  
Defendant appeared at JTRI on 9/4/2012. plea of guilty entered for cause #7719189/citation #13306896 and 500.00 fine paid. CL closed for this case.

09/06/2012	Matthew Noriega	Send CV Notice
09/06/2012	Matthew Noriega	Information Update sent notice of violation to legally interested parties
09/10/2012	Christopher Moore	Send CL Notice(s) Notice of Hearing
09/10/2012	Matthew Noriega	Send CV Notice
09/14/2012	Matthew Noriega	Insp/In process/Monitoring notice posted by Inspector Luther Perez at property for BSC hearing
10/05/2012	Christopher Moore	Send CL Notice(s) Notice of Order
10/11/2012	Matthew Noriega	Information Update posted BSC order notice at property, took photos
04/03/2013	Matthew Noriega	Investigation/Research Researched property and verified a plan review was submitted to DAC on Oct. 16, 2012 for remodel to existing deck to open and install 2 stairs, plans rejected on Oct 23, 2012, no new updates have been submitted to DAC, verified a Site plan was submitted on Dec 31, 2012 for request for off site shared parking with associated improvements, plans expired on Feb 15, 2013, verified no new updates or permits have been submitted to City of Austin, confirmed with BSC Manager, Steve Ramirez, BSC fines started accumulating since January 2013.
04/16/2013	Matthew Noriega	Follow-up Inspection Inspected location on 4/10/13 with Inspector Steve Oswalt, ADM Todd Wilcox, verified property continues to operate as Casa de Luz restaurant, no site plan or building permits have been obtained for the use of the property, verified a doctors office has opened in one of the offices, met owner Eduardo Longoria, explained he is upset with the process and is awaiting for approval of parking across the street with Parks and Rec, we explained city council has not passed approval of use of city owned property for parking, owner upset and will speak with city council, advised of BSC fines accumulating since January 2013, owner not aware of fines, will contact BSC coordinator, issued 3 citations to owner for failure to comply with BSC order, No building permit and no site plan, owner refused to sign, owner will attempt to speak at next BSC hearing during Citizen forum regarding issues with Casa de Luz.
04/16/2013	Matthew Noriega	Citation Prep/No Warning
04/16/2013	Matthew Noriega	Citation Prep/No Warning
04/16/2013	Matthew Noriega	Citation Prep/No Warning
05/09/2013	Christopher Moore	Send CL Notice(s) Notice of Second Hearing
05/14/2013	Matthew Noriega	Follow-up Inspection posted property for BSC hearing set for 5/22/13, took photos

05/22/2013	Sonja Prevo	Information Update
The Building and Standards Commission voted at the May 22, 2013 hearing to place this case in abeyance for 30 days or until the next scheduled hearing.		
06/10/2013	Sonja Prevo	Send CL Notice(s)
Notice of Hearing		
06/14/2013	Sonja Prevo	Information Update
Roger M.H. Chan was mailed a notice of hearing certified 7012 2210 0000 6106 6000 and regular mail		
06/17/2013	Matthew Noriega	Follow-up Inspection
inspected location on 6/14/13 and posted notice for BSC hearing		
11/27/2013	Matthew Noriega	Insp/In process/Monitoring
posted property for BSC hearing notice, by Inspector John Christophe		
01/10/2014	Matthew Noriega	Follow-up Inspection
posted BSC hearing set for 1/22/14, took photos		
11/12/2014	Malcolm Mills	Follow-up Inspection
<p>This date I went to this location after the case concerning The Serena Room was reassigned to me. Once at this location I took several photos of the property and specifically The Serena Room. The doors were open to the Serena Room and so I went inside, but it was vacant, no tables, chairs, but I did notice that the light switch turned on the lights when I went in and also noted that there were several AC/Heating grills and duct-work that had been installed (on the south wall at the ceiling). I turned off the lights on my way out. Several photos were taken. Once back at the office I performed a very thorough research of the permits at this location for any permits at all for the construction of The Serena Room, to include Electrical, Mechanical, and Building Permits. This area where The Serena Room was constructed used to be a open breezeway type area and was open. There were I-Beams above where The Serena Room is now, and those I-Beams support a second level deck, which was permitted, however, no permits were obtained for the construction of The Serena Room. Probable Cause Affidavits to be completed charging Eduardo Longoria, Jr. with those violations for not obtaining the required permits for this construction. Photos are to be attached to this case. ITC</p>		
11/24/2014	Malcolm Mills	LC Review
PCA for No Commercial Building Permit completed charging Eduardo Longoria, Jr.		
11/25/2014	Malcolm Mills	LC Review
PCA for No Electrical Permit filed on Eduardo Longoria, Jr.		
11/25/2014	Malcolm Mills	LC Review
PCA for No Mechanical Permit filed on Eduardo Longoria, Jr.		
11/25/2014	Malcolm Mills	Investigation in Progress
All three Probable Cause Affidavits completed (No Commercial Building Permit, No Electrical Permit, and No Mechanical Permit) and notarized by Amelia Brown, case jackets prepared and forwarded to Court Liaison for prosecution in Municipal Court. Inv. to continue.		
12/11/2014	Sonja Prevo	Initial Proceeding(s) Completed
Filed affidavit with Austin Municipal Court on 12.10.14.		
12/11/2014	Sonja Prevo	Initial Proceeding(s) Completed
Filed affidavit with Austin Municipal Court on 12.10.14.		
12/11/2014	Sonja Prevo	Initial Proceeding(s) Completed

Filed affidavit with Austin Municipal Court on 12.10.14.

01/16/2015 Sonja Prevo Information Update  
No Building Permit - At the ENAD on 1.14.15 the defendant was granted a motion for continuance.

01/20/2015 Malcolm Mills Investigation in Progress  
Wed., 1/14/15 - ENAD - 3:30pm in Courtroom 3  
8201811 - Malcolm Mills - 1701 Toomey Road - No Building Permit - Eduardo Longoria-Kowalski - Motion for continuance was granted

03/06/2015 Malcolm Mills Investigation in Progress  
8201811 - Malcolm Mills - 1701 Toomey Road - No Building Permit - Eduardo Longoria-Kowalshi - Reset for Bench Trial  
8201879 - Malcolm Mills - 1701 Toomey Road - No Electrical Permit - Eduardo Longoria-Kowalshi - Reset for Bench Trial  
8201881 - Malcolm Mills - 1701 Toomey Road - No Mechanical Permit - Eduardo Longoria-Kowalshi - Reset for Bench Trial

03/12/2015 Sonja Prevo Information Update  
At the ENAD on 2.25.15 this case was ser for a bench trial.

03/12/2015 Sonja Prevo Information Update  
At the ENAD on 2.25.15 this case was ser for a bench trial.

03/12/2015 Sonja Prevo Information Update  
At the ENAD on 2.25.15 this case was ser for a bench trial.

08/05/2015 Sonja Prevo Information Update  
This case was reset.

08/05/2015 Sonja Prevo Information Update  
This case was reset.

08/05/2015 Sonja Prevo Information Update  
This case was reset.

08/13/2015 Malcolm Mills Investigation in Progress  
The case is still in the City of Austin Prosecutors offices for prosecution.

## VIOLATIONS

### Structure Maintenance

International Property Maintenance Code Section: Dangerous structure or premises (§108.1.5.8)

Violation: Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

According to the 2009 International Fire Code Section 503.1 and Section 903.2.1.2 Group A-2.  
503.1.1 Buildings and facilities.

Approved fire apparatus access roads shall be provided for every facility, building or portion of a building



hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Several of the occupancies at this property lack an approved automatic fire sprinkler system.

The Montessori School is the only approved occupancy at this location and the only occupancy with an approved automatic fire sprinkler system.

Date Observed: 04/02/2012      Status: Not Cleared

#### Land Use

Austin City Code Section: Certificate of Occupancy (§25-1-361)

Violation: A person may not use or occupy a structure unless the building official has issued a Certificate of Occupancy for the structure. There is no record of a Certificate of Occupancy for this structure's use.

Date Observed: 12/09/2008      Status: Not Cleared

Austin City Code Section: Site Plans Required (§25-5-1)

Violation: A person may not operate a restaurant prior to obtaining an approved and released site plan/site plan exemption.

Date Observed: 10/16/2009      Status: Not Cleared

Austin City Code Section: Building Permit Requirement (§25-11-32)

Violation: Commercial construction performed without required permit(s).

Date Observed: 10/16/2009      Status: Not Cleared

#### Property Abatement

### NOTICES

Notice of Building and Standards Commission Hearing to Eduardo Longoria Jr. (Registered Agent)

Mail sent certified 7012 2210 0000 6106 6017 on June 19, 2013

Mail sent regular on June 19, 2013

Notice of Building and Standards Commission Hearing to Mary Ann Justman (Legally Interested Party)

Mail sent certified 7012 2210 0000 6106 6031 on June 19, 2013

Mail sent regular on June 19, 2013

Notice of Building and Standards Commission Hearing to Parkside Community School (Legally Interested Party)

Mail sent certified 7012 2210 0000 6106 6024 on June 19, 2013

Mail sent regular on June 19, 2013

Notice of Building and Standards Commission Hearing to Shambala Corporation (Owner)

Mail sent certified 7012 2210 0000 6106 6048 on June 14, 2013

Notice of Building and Standards Commission Hearing to Shambala Corporation (Owner)

Mail sent regular on June 14, 2013

Notice of Violation to Eduardo Longoria Jr. (Registered Agent)

Mail sent certified 7007 2560 0001 7121 3530 on December 9, 2008

Mail sent regular on December 9, 2008

Returned unexecuted on December 17, 2008

Notice of Violation to Eduardo Longoria Jr. (Registered Agent)  
Mail sent certified 7005 3110 0002 4206 1822 on October 21, 2009  
Mail sent regular on October 21, 2009  
Received / signed by Laura Trapit on October 26, 2009

Notice of Violation to Eduardo Longoria Jr. (Registered Agent)  
Mail sent certified 7011 3500 0000 2025 0233 on April 3, 2012  
Mail sent regular on April 3, 2012  
Received / signed by Stacy Buddington on April 9, 2012

Notice of Violation to Mary Ann Justman (Legally Interested Party)  
Mail sent certified 7010 3090 0001 3785 8963 on September 10, 2012  
Mail sent regular on September 10, 2012

Notice of Violation to Parkside Community School (Legally Interested Party)  
Mail sent certified 7010 3090 0001 3785 8901 on September 10, 2012  
Mail sent regular on September 10, 2012

Notice of Violation to Shambala Corporation (Owner)  
Mail sent certified 7007 2560 0001 7121 3547 on December 9, 2008  
Mail sent regular on December 9, 2008

Notice of Violation to Shambala Corporation (Owner)  
Mail sent certified 7007 2560 0001 7121 3547 on December 10, 2008  
Mail sent regular on December 10, 2008  
Returned unexecuted on January 22, 2009

Notice of Violation to Shambala Corporation (Owner)  
Mail sent certified 7005 3110 0002 4206 1815 on October 21, 2009  
Mail sent regular on October 21, 2009  
Received / signed by Laura Trapit on October 26, 2009

Notice of Violation to Shambala Corporation (Owner)  
Mail sent certified 7011 3500 0000 2025 0226 on April 3, 2012  
Mail sent regular on April 3, 2012  
Received / signed by Sharon Borjas on April 6, 2012