

## CITY OF AUSTIN VS. CASA DE LUZ

*A partial chronology of the code compliance and enforcement history concerning the Casa de Luz "school cafeteria"/restaurant/"experiential, educational community center" facility at 1701 Toomey Road. - E.P.*

**1989:** Casa de Luz predecessor, East West Center on South Fifth Street, burns down.

**Feb. 1991:** Casa opens on Toomey Road, with a certificate of occupancy for a school cafeteria.

**1993:** Casa de Luz initially notified that the facility has insufficient on-site parking to comply with city ordinances. Over the years, the business has periodically leased parking and has informally used parking at Butler Shores Park, without permission.

**2002:** Following an anonymous complaint about permits and parking, Casa comes under city scrutiny.

**2003:** Austin files charges against Casa for changing its use without a permit, and for parking violations.

**Dec. 2003:** Casa seeks a variance for parking requirements (granted in 2004 to allow reduced, off-site parking). Neighbors sue the Board of Adjustment over the variance.

**Jan. 2004:** Casa granted 30 more days to find additional parking.

**Feb. 2004:** Parking deadline extended 30 more days

**2004:** Casa notified of failure to acquire an appropriate certificate of occupancy.

**2008:** Warning issued for lack of a certificate of occupancy.

**Mar. 2009:** Warning issued for lack of CO; city files case with municipal court.

**Oct. 2009:** Code compliance inspection finds numerous violations.

**Dec. 2009:** Casa cited for a lack of site plan and commercial building permit for the "Serena Room" and is advised that there is no active certificate of occupancy.

**Aug. 2010:** Inspection by Austin Fire Department cites inadequate access to building; Longoria still seeking sufficient parking.

**Aug. 2011:** Casa pays \$2,500 in fines for misdemeanor charges stemming from development without a site plan, lack of CO, and lack of building permit. Building remains in violation of fire code.

**Nov. 2011:** Following AFD inspection, Longoria reports on process of getting approval for parking on city property (still ongoing) and installing fire hydrant (never completed).

**April 2012:** Longoria informs city that Casa is attempting to install a sprinkler system.

**June 2012:** Fire code violations referred to the Building and Standards Commission.

**Aug. & Sept. 2012:** Guilty pleas; Casa pays \$1,500 fine and court costs.

**Sept. 2012:** BSC reviews case, grants Casa additional time to address code violations. Accumulated unpaid fines: more than \$22,000 and accruing.

**May 2013:** BSC reviews case, grants Casa another month; return to BSC scheduled for June 26.