

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

ORDINANCE

**WAIVING THE REQUIREMENTS OF CHAPTER 4, SECTIONS 4-6, OF
THE CITY CODE AND AUTHORIZING THE SALE OF ALCOHOLIC
BEVERAGES ON 0.1685 ACRES OUT OF LOT N TRI 67FT OF 15 & N IRR
84FT OF 16, NCB 6926, LOCATED AT 2123 CULEBRA, FOR ON-
PREMISE CONSUMPTION WITHIN THREE-HUNDRED (300) FEET OF
MARIN B. FENWICK ACADEMY, A PUBLIC EDUCATION
INSTITUTION IN THE SAN ANTONIO INDEPENDENT SCHOOL
DISTRICT, COUNCIL DISTRICT 7.**

* * * * *

WHEREAS, Section 109.33 of the Texas Alcoholic Beverage Code authorizes the governing board of an incorporated city to enact regulations prohibiting the sale of alcoholic beverages if the place of business is within three hundred feet of any church, public school or public hospital as measured in a direct line from the property line of the public or private school to the property line of the place of business; and

WHEREAS, Section 109.33 of the Texas Alcoholic Beverage Code authorizes the governing body of an incorporated city to allow variances to the regulation if the governing body determines that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the governing board, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community; and

WHEREAS, pursuant to Section 109.33 (a)(1) of the Texas Alcoholic Beverage Code, Chapter 4 of the City Code of the City of San Antonio prohibits the sale of alcoholic beverages if the place of business is within three hundred feet of any church, public school or public hospital; and

WHEREAS, the subject property is situated within three hundred (300) feet of the nearest property line of the Marin B. Fenwick Academy, a public education institution in the San Antonio Independent School District; and

WHEREAS, Ordinance No. 88724, passed and approved on October 22, 1998, amended the City Code of the City of San Antonio adopting this distance requirement in Chapter 4, Article I, Sec. 4-6, and established a procedure for the granting of a variance to the prohibition; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The requirements of Chapter 4, Sections 4-6, prohibiting sales of alcohol for on premise consumption pursuant to the City Code of San Antonio, Texas, are waived and the variance request of MariaElena Flores-Cuellar, for El Real De Jalisco Mexican Restaurant, applicant on behalf of Rafael Hernandez, owner, to sell alcoholic beverages for on premise consumption, on 0.1685 acres out of Lot N TRI 67FT OF 15 & N IRR 84FT OF 16, NCB 6926, located at 2123 Culebra Road within three hundred (300) feet of the Marin B. Fenwick Academy, is hereby granted. This variance to sell alcoholic beverages for on premise consumption is based on the following conditions: (a) authorization shall be limited to a food service establishment; (b) alcohol sales will be for beer and wine for on premise consumption only; (c) authorization shall not transfer to different owners or different land uses; (d) authorization shall terminate in the event of non-operation or non-use for a period of twelve or more successive calendar months; (e) alcohol sales shall only be permitted between the hours of Monday through Thursday 10:00 a.m. to 10:00 p.m., Friday and Saturday 10:00 a.m. – 12:00a.m. (midnight) (f) sales of alcohol shall not exceed thirty (30) percent of total revenue;

SECTION 2. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 20th day of May, 2021.

M A Y O R

Ron Nirenberg

ATTEST:

Tina J. Flores, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney



City of San Antonio

Detail View

File Number: 21-3643

Agenda Date: 5/20/2021

Status: Pending

In Control: City Council A Session

File Type: Zoning Case

POSTING LANGUAGE: ALCOHOL VARIANCE # AV2021-003 (Council District 2): Ordinance waiving the application requirements of City Code 4-6 and granting a variance authorizing the sale of alcoholic beverages to Mariscos Don Charly, Do Soo Kim, applicant, on Lot 1, Block 30, NCB 10629, located at 515 South WW White Road Suites 104 and 105 for on-premise consumption within three-hundred (300) feet of WW White Elementary, a public education institution in San Antonio Independent School District.

DEPARTMENT: Development Services

DEPARTMENT HEAD: Michael Shannon

COUNCIL DISTRICTS IMPACTED: 2

SUBJECT:

Alcohol Variance Case AV2021-003

SUMMARY:

Consideration of a request granting a Variance to City Code Section 4-6 and waiving the requirements of the City Code and authorizing the sale of alcoholic beverages at Mariscos Don Charly Restaurant, Do Soo Kim, applicant, on Lot 1, Block 30, NCB 10629, located at 515 South WW White Road Suites 104 and 105 for on-premise consumption within three-hundred (300) feet of WW White Elementary, a public education institution in San Antonio ISD, in Council District 2.

BACKGROUND INFORMATION:

The Texas Alcoholic Beverage Code Ann. Title 4, Chapter 109, Subchapter B, §109.33(e) authorizes municipalities to establish a variance process if it is determined that the enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the city council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community. Pursuant to this enabling legislation, the provisions of Chapter 4, §4-6(c) of the City Code were established by the City of San Antonio.

The TABC authorizes municipalities to establish variance criteria from the distance requirements and §4-6(c) of San Antonio's City Code states that with City Council authorization, the sale of alcoholic beverages at a location within three hundred (300) feet of a school may be granted, provided that the City Council makes the following findings:

- 1) The sale of alcoholic beverages had been permitted within the last two (2) years at the location in question:

The applicant indicated that there have not been on-premise consumption of alcohol, and sales of alcoholic beverages permitted on this property within the last two (2) years.

- 2) The discontinuance of the sale of alcoholic beverages was not a result of a violation of law;

There are no recorded violations of alcohol sales or consumption at the noted property. The property has changed ownership.

- 3) A variance is necessary because the manner of measurement, as currently prescribed in V.T.C.A. § 109.33(b), has changed and as a result thereof, the premises in question has been determined to be within three hundred feet (300) feet of a public school; and

The property at 515 South WW White Road Suites 104 and 105 is located within three hundred (300) feet of the property line of WW White Elementary. The applicant has requested a variance from this provision.

- 4) The proposed sale of alcoholic beverages would be for off-premise consumption and constitute no more than thirty (30) percent of the establishment's annual gross revenues.

The alcohol sales will not exceed 30% of total revenues of the proposed business and is for on-premise consumption.

The TABC authorizes municipalities to establish variance criteria from the provisions of §4-6 (d).

- 6) Requiring the submission of documentation to verify that no more than thirty (30) percent of the establishment's annual gross revenues are generated by the sale of alcoholic beverages.

a. The responsibility of providing documentation verifying that no more than thirty (30) percent of the proposed uses annual gross revenues are generated by the sale of alcoholic beverages is the responsibility of the business owner. Thus it is stated as such in this document. The applicant has requested a variance from this provision.

b. No more than thirty (30) percent of the annual gross revenues are to be generated by the sale of alcohol. The applicant has requested a variance from this provision.

ISSUE:

Currently, the sale of alcoholic beverages at 515 South WW White Road Suites 104 and 105 will violate Chapter 4, §4-6 of the City Code and Title 4, Chapter 109, Subchapter B, §109.33(a)(1) of the Texas Alcoholic Beverage Code. The applicant is requesting a variance to allow the on-premise sale of alcohol within three hundred (300) feet of WW White Elementary, which is accredited and recognized by the Texas Commission of Education.

§4-6(c)(3) mandates that alcohol cannot be sold within three hundred (300) feet of a public school.

The proposed restaurant is approximately 221.37 feet from the existing school property, measured property line to property line in accordance with TABC measurement standards.

§4-6(e)(1) includes three activities or actions that would constitute a violation of any granted variance: 1) selling alcoholic beverages for on-premise consumption, 2) selling alcoholic beverages for off-premise consumption of alcoholic beverages that exceed more than thirty (30) percent of the annual gross revenues of the establishment, and 3) violating any other condition imposed by city council.

Alcohol will be sold for on-premise consumption at the proposed restaurant. The applicant is to sell alcohol as specified by the Texas Alcoholic Beverage Commission (TABC) requirements.

ALTERNATIVES:

The City may opt not to waive the requested waivers and variances, prohibiting the sale of alcohol for on-premise consumption at 515 South WW White Road Suites 104 and 105.

FISCAL IMPACT:

None.

RECOMMENDATION: Approval of this request is at the discretion of City Council.

Staff Analysis includes the following findings and factors:

1. The school property is less than 300 feet from the subject property (approximately 221.37 feet measured property line to property line in accordance with TABC measurement standards).

****All listed distances are approximate and were measured in a straight line between nearest points, using the City's online zoning map.****

2. The door-to-door measurement from the front door of the subject property to the front door of the school is approximately 622.5 feet.
3. The sale of alcohol is for on-premise consumption.

Should City Council choose to waive the provisions of §4-6(c)(1-4), §4-6(d)(1) and §4-6(d)(1) of the City Code, staff recommends the following conditions:

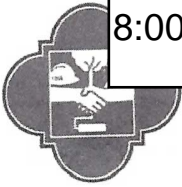
- 1) That the sale of alcoholic beverages is to be limited to the proposed business/restaurant.
- 2) All alcohol sales are for on-premise consumption (beer and wine sales only).
- 3) The days and hours of operation for alcohol sales are limited to Sunday through Thursday 11:00a.m. to 10:00p.m. and Friday and Saturday 11:00a.m-12:00a.m.
- 4) That the authorization for the sale of alcoholic beverages shall not transfer to different owners or land uses.
- 5) That such authorization shall terminate in the event of non-operation or non-use of the identified establishment for a period of twelve (12) or more successive calendar months.

FISCAL ORDINANCE LANGUAGE:

KF
APRIL 23 2021
8:00-10:00

AV2021-002

APR 23



SAN ANTONIO
DEVELOPMENT SERVICES DEPARTMENT
P.O. BOX 839966 | SAN ANTONIO TEXAS 78283-3966



**Application for a Variance from the Minimum
Distance Regulations Related to the Sale of
Alcoholic Beverages (Section 4-6 of the Code of
Ordinances)**

TO THE HONORABLE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

Property Details

Lot No.: N TRI 67FT OF 15 & N IRR 84FT of 16 City Council District: Distr District 7
Block No.: _____ Property Address: 2123 Culebra Road
NCB: 6926 Zoning: C-2 NCD-8
Name of School(s) located within 300 feet of the subject property: Fenwick Elementary School

Proposed Use: Restaurant with sale of beer and wine

Proposed Hours of Alcohol Sales: in conjunction with food sales; late hours applied

YES On-Premises Consumption Off-Premises Consumption

The applicant, Rafael Hernandez, requests from the City Council of the City of San Antonio, the variance or waiver detailed below (include the exact measurements in question and an explanation of how measurements were determined; may submit survey or other supporting documents)

Attach a detailed statement explaining the request and how it conforms to the criteria listed below. Requests must conform to all four criteria in order for City Council to grant the variance.

- (1) The sale of alcoholic beverages had been permitted within the last two (2) years at the location in question;
- (2) The discontinuance of the sale of alcoholic beverages was not a result of a violation of law;
- (3) A variance is necessary because the manner of measurement, as currently prescribed in V.T.C.A. § 109.33(b), has changed and as a result thereof, the premises in question has been determined to be within three hundred feet (300) feet of a public school; and
- (4) The proposed sale of alcoholic beverages would be for on premise consumption and constitute no more than thirty (30) percent of the establishment's annual gross revenues.

If the request does not meet these requirements, you may request a waiver from the criteria. In order to have a waiver considered, the above variance request explanation and the attached statement of justification must explicitly include the waivers being requested.

DECLARATIONS

Name **Rafael Hernandez** of **2123 Culebra Rd** Property Owner: ☒
Mailing address: **2326 Field Wood, San Antonio Texas 78251**
Telephone (day-time) **210-639-4811** Email: **none**
Name of Applicant: **Rafael Hernandez** Status: Owner ☒ Agent ()
Mailing Address: **2326 Field Wood, San Antonio Texas 78251**
Telephone (day-time) **210-639-4811** Email: _____
Name of Representative: **MariaElena Flores-Cuellar** **210-373-4455** **cuellar@texas.net**
Mailing address: **P.O. Box 1724, Helotes, Texas 78023**

AUTHORIZATION BY PROPERTY OWNER(S)

I, **Rafael Hernandez**, the owner of the property to be considered,
(Property Owner's Printed Name)
hereby authorize **MariaElena Flores-Cuellar** to file this request for a variance
(Applicant's Printed Name)
from the requirements of Chapter 4, Section 4-6 of the City of San Antonio Code of Ordinances.
I authorize **MariaElena Flores-Cuellar** to serve as my representative in this variance request before the City of
(Representative's Printed Name)
San Antonio City Council.

Property Owner Signature **Rafael Hernandez** Date **Jan 27, 2021**

I have read, examined, and completed this application; and know the information provided to be true and correct. I hereby apply for a variance from the distance requirements in Chapter 4, Section 4-6 of the City of San Antonio Code of Ordinances. I understand that this application, including all submitted documentation, are public information and can be made available through an Open Records Request per the Texas Public Information Act (Texas Government Code, Chapter 552).

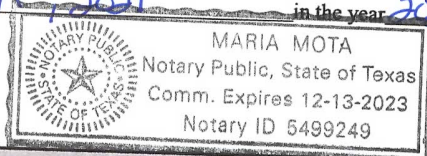
Applicant's Printed Name **Rafael Hernandez**

Applicant Signature **Rafael Hernandez**

Date **Jan 27, 2021**

Title **property owner**

Sworn to and subscribed before me by **Rafael Hernandez Vazquez** on this **27th** day
of **Jan**, 2021, in the year **2021**, to certify which witness my hand and seal of office.



Maria Mota
Notary Public in and for the State of Texas

OFFICE USE ONLY

Case No. _____

HANSEN No. _____

Assigned Planner _____



Note:

This survey shows that no church, school or hospital lies within the 300 foot radius of the client's door, except for Marin B. Fenwick Academy, whose property line lies 234.5 feet from the client's northmost property line. No other church, school or hospital lies within 300 feet of the client's building or property via a NOT TO SCALE path along the right-of-way.

ADDRESS: 2123 CULEBRA RD, 78228

CLIENT: EL REAL DE JALISCO MEXICAN RESTAURANT

DATE: 11-19-20

STEPHEN G. COOK, R.P.L.S.

JOB NO.: 822-998-231
DRAWN BY: CAR



STEPHEN G. COOK ENGINEERING, INC.
REGISTERED LAND SURVEYORS

TBPE FIRM # F-184
TBPLS # 10005400

13302 THORNTRIDGE LANE
SAN ANTONIO, TEXAS 78232

210/481-2533 * FAX: 210/481-2150
WWW.SGCE.NET

Survey



SGC

STEPHEN G. COOK ENGINEERING, INC.
REGISTERED LAND SURVEYORS

November 19, 2020

City of San Antonio
1901 S. Alamo
San Antonio, TX 78204

RE: TABC Application
2123 Culebra Rd
San Antonio, TX 78228
El Real de Jalisco Mexican Restaurant

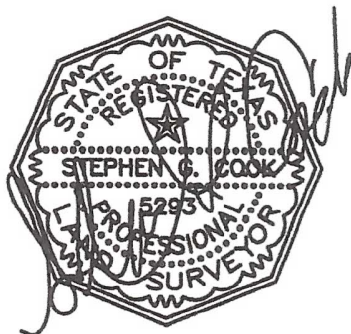
I hereby certify upon investigation in the field on the above referenced property, that to the best of my knowledge, no school, church or hospital lies within a 300-foot radius of the client's door, except for Marin B. Fenwick Academy, whose property line lies 234.5 feet from the client's north most property line, no church, school or hospital lies within 300 feet of the client's building or property via a path along the right-of-way.

Please see attached location drawing.

If additional information is required, please call our office at 210-481-2533.

Sincerely,

Stephen G. Cook, R.P.L.S.



Back

Export Status to Excel

Export Admin Vios to Excel

License #:

Trade Name:

Owner:

Location Address:

County:

Status:

Location Phone No.:

Subordinates:

Related To:

BG532759

ASADOR DE LEO

EL ASADERO NO. 1 LLC

2123 CULEBRA

SAN ANTONIO , TX 78228

Bexar

Expired

2107389500

FB

Mailing Address:

Orig. Issue Date:

Exp. Date:

Wine Percent:

Gun Sign:

2123 CULEBRA

SAN ANTONIO , TX 78228

4/9/2003

4/8/2004

17

BLUE

										Discipline Dates	
<u>Complaint #</u>	<u>Status</u>	<u>Violation Date</u>	<u>Code</u>	<u>Violation Description</u>	<u>Docket #</u>	<u>Disposition</u>	<u>Fine Amt</u>	<u>Paid Amt</u>	<u>Paid Date</u>	<u>Begin Date</u>	<u>End Date</u>

Google Maps 2123 Culebra Rd





TEXAS ALCOHOLIC BEVERAGE COMMISSION

Texans Helping Businesses & Protecting Communities

ON-PREMISE PREQUALIFICATION PACKET

L-ON (10/2020)

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13
Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: ☒ Original ☐ Add Late Hours Only License/Permit Number

☐ Reinstatement ☐ Reinstatement and Change of Trade Name License/Permit Number

☐ Change of Location ☐ Change of Location and Trade Name License/Permit Number

2. Type of On-Premise License/Permit

- | | |
|--|---|
| <input checked="" type="checkbox"/> BG Wine and Beer Retailer's Permit | <input type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input checked="" type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> MB Mixed Beverage Permit | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input type="checkbox"/> O Private Carrier's Permit - Brewpubs (BP) with a BG only | <input type="checkbox"/> E Local Cartage Permit - Wine/Beer retailers (BG) Only |

3. Indicate Primary Business at this Location

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel | <input type="checkbox"/> Bar |
| <input type="checkbox"/> Grocery/Market | <input type="checkbox"/> Sexually Oriented | <input type="checkbox"/> Miscellaneous _____ |

4. Trade Name of Location (Name of restaurant, bar, store, etc.)

El Real de Jalisco Mexican Restaurant

5. Location Address

2123 Culebra Road

City San Antonio	County Bexar	State TX	Zip Code 78228-6309
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6. Mailing Address

2123 Culebra Road	City San Antonio	State TX	Zip Code 78228-6309
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7. Business Phone No.

210-980-8244

Alternate Phone No.

none

E-mail Address

sandyangelfelipe@gmail.com

OWNER INFORMATION

8. Type of Owner

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Owner of Business/Applicant (Name of Corporation, LLC, etc.)

Felipe de Jesus Flores Melendez

PRIMARY CONTACT PERSON

The primary contact person should be a person who can answer questions TABC may have about the application. The contact **phone and email are mandatory and must be active and updated regularly**. If additional information is needed, it will be requested from this contact person. **Delays in responding to requests may delay the processing and approval of your permit/license.**

10. Contact Person:

Felipe de Jesus Flores Melendez

Relation to Business:

sole proprietor

Phone (mandatory):

210-980-8244

Email (mandatory):

sandyangelfelipe@gmail.com

TABC DATESTAMP

11. Are you, the applicant, a veteran-owned business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
12. Are you, the applicant, a Historically Underutilized Business (HUB)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
13. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)			
Individual/Individual Owner		Limited Liability Company/All Officers or Managers	
Partnership/All Partners		Joint Venture/Venturers	
Limited Partnership/All General Partners		Trust/Trustee(s)	
Corporation/All Officers		City, County, University/Official	
Last Name Flores	First Name Felipe de Jesus	MI M	Title sole proprietor
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

14. Will your business be located within 300 feet of a church or public hospital? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.	
15. Will your business be located within 300 feet of any private/public school, day care or child care facility? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If "YES," are the facilities located on different floors or stories of the building? <input type="checkbox"/> Yes <input type="checkbox"/> No	
NOTE: For private/public schools, day care centers and child care facilities, measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.	
NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.	
NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.	
16. Will your business be located within 1,000 feet of a private school? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
17. Will your business be located within 1,000 feet of a public school? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

60-DAY SIGN

18. If required under Section 11.391 and 61.381, provide exact date the required sign was posted at the location.	Exact Date (MM/DD/YYYY) 10/08/2020
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ALL APPLICANTS

19. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE <input type="checkbox"/>	
I, the applicant, have confirmed I am not located in the city limits of any city, therefore, city certifications are not required.	

COMPLETE THE FOLLOWING CHECKLIST BEFORE SUBMITTING YOUR APPLICATION

Per Sec. 102.01, a tied house is defined as any overlapping ownership between those engaged in the alcoholic beverage industry at different levels of the three-tier system. No person having an interest in a permit issued by TABC may secure or hold, directly or indirectly, an ownership interest in a business on a different level.

All required forms have been completed. I have reviewed all forms to ensure they are complete. I have obtained all required local and state certifications (pages 3-5). All application packets have been notarized. Phone numbers and email address for contact person are up to date. All additional documentation as required by the application packets is attached. If required, out of state criminal history checks are attached (PHS #7). Certification of publication in local newspaper has been completed (page 5). A copy of the newspaper publication is attached (page 5).	<table style="width: 100%;"> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</td></tr> <tr><td><input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</td></tr> </table>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
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<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A										

Authorization by Property Owner
(Required if Applicant is not the owner of the subject property)

I, Rafael Hernandez, swear and affirm that I am the owner of the
(Property Owner's Name)

Property at 2123 Culebra Road, San Antonio, Texas.
(Property Address)

As the owner of the property, I give Felipe Flores permission to submit all
(Applicant's Name)

necessary documentation in support of Texas Alcoholic Beverage Commission's

Prequalification Package and to serve as my representative for this request. I further affirm that

any violations may result in suspension and/or revocation of this certificate of occupancy.

Rafael Hernandez RAFAEL HERNANDEZ
Property Owner Signature (and title, if
Signing for a Partnership, Corporation or Trust)

Jan 27, 2021

Date

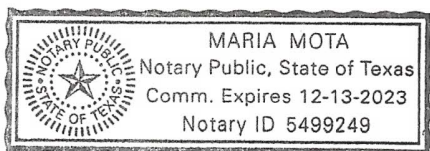
STATE OF TEXAS

§
§
§

COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared
Rafael Hernandez Vazquez, the affiant who, after being duly sworn on oath, deposed and
states the facts herein set forth are true and correct.

Sworn to and subscribed before me on this 27th day of Jan, 2021.



Maria Mota
NOTARY PUBLIC, STATE OF TEXAS

Authorization by Property Owner
(Required if Applicant is not the owner of the subject property)

I, Rafael Hernandez, swear and affirm that I am the owner of the
(Property Owner's Name)

Property at 2123 Culebra Road, San Antonio, Texas.
(Property Address)

As the owner of the property, I give Felipe Flores permission to submit all
(Applicant's Name)

necessary documentation in support of Texas Alcoholic Beverage Commission's

Prequalification Package and to serve as my representative for this request. I further affirm that

any violations may result in suspension and/or revocation of this certificate of occupancy.

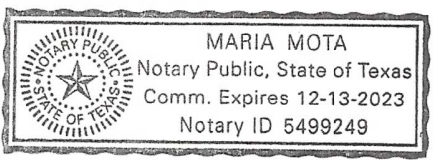
Rafael Hernandez RAFAEL Hernandez
Property Owner Signature (and title, if
Signing for a Partnership, Corporation or Trust)

Jan 27, 2021
Date

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

Before me, the undersigned authority, on this day personally appeared
Rafael Hernandez Vazquez, the affiant who, after being duly sworn on oath, deposed and
states the facts herein set forth are true and correct.

Sworn to and subscribed before me on this 27th day of Jan, 2021.



Maria Mota
NOTARY PUBLIC, STATE OF TEXAS



Variance Request AV-2021-002

2123 Culebra Rd.

Council District: 7
 School District: San Antonio I.S.D.
 Scale: 1" approx. = 150 Feet
 Subject Property Legal Description(s): NCB: 06926 - LOT: N TRI 67 ft of Lot 015 & N IRR 84 ft of Lot 016

Legend	
Subject Property(ies)	0.1865 Acre
300 Ft. Buffer Area	
Single Family Residential	1R
Current Land Use Description	TEXT
Current Zoning	TEXT
Requested Zoning Change	(TEXT)
Creek / River Region	
City Limits	
Comidor Overlay	
ERZD Region	
MLOD Region	
AHOD Region	



City of San Antonio - Development Services Dept.
 GIS Data Senior Analyst: Rudolph R. Martinez
 Case Manager: Kristie Flores
 Date: 4/23/2021

Note: All Current and Requested Zoning includes AHOD / MLOD-2 / MLR-2 Overlay Districts.