CITY OF SAN ANTONIO
Board of Adjustment
Regular Public Hearing Agenda

Cliff Morton Development and Business Services Center
1901 South Alamo Street
Board Room, First Floor

Monday, August 3, 2009
1:00 PM

BOARD OF ADJUSTMENT MEMBERS

Liz Victor – District 1	Paul Klein – District 6
Edward Hardemon – District 2	Mary Rogers – District 7
Helen Dutmer – District 3	Andrew Ozuna – District 8
George Britton, Jr. – District 4	Mike Villyard – District 9
Vacant – District 5	Gene Camargo – District Mayor

Michael Gallagher – District 10
Chairman

Maria Cruz	Mimi Moffat
Henry Rodriguez	Pete Vallone
Rollette Schreckenghost	Narciso Cano

1. 1:00 PM – Public Hearing Call to Order.

2. Roll Call.

3. Pledges of Allegiance.

4. **CASE NO. A-09-070 cont.:** The request of Jeff & Mary Grace Ketner, for a 2-foot, 10-inch variance from the requirement that a minimum 5-foot side setback be maintained, in order to erect an accessory structure 2 feet 2 inches from the west side property line, 109 Fir Street.

5. **CASE NO. A-09-072:** The request of Jim Poteet, for a 2-foot variance from the requirement that front yard solid screen fences not exceed 3 feet in height, in order to build a 5-foot tall solid screen fence in the front yards, 410 and 414 Madison Street.

6. **CASE NO. A-09-073:** The request of Tommy Campos, for **1)** a 2-foot variance from the requirement that predominantly open front-yard fences not exceed 4 feet in height, in order to keep an existing 6-foot tall predominantly open front-yard fence; **2)** a complete variance from the requirement that a minimum 5-foot side setback be maintained in "R-4" zoning districts in order to keep an existing structure on the east property line, and **3)** a complete variance from the requirement that a minimum 10-foot front setback be maintained in "R-4" zoning districts in order to keep an existing structure on the south side property line, 403 Viendo.

7. **CASE NO. A-09-074:** The request of Mark R Johnson, for a 16 parking space adjustment from the maximum allowed 155 parking spaces, to allow 171 parking spaces.

8. **CASE NO. A-09-075:** The request of Cesar A and Alicia M Silva, for **1)** a 1-foot 9-inch variance from the requirement that side yard fences not exceed 6 feet in height in order to keep an existing 7-foot 9-inch tall fence in the west side yard, **2)** a 1-foot variance from the requirement that side yard fences not exceed 6 feet in height in order to keep an existing 7-foot tall fence in the east side yard, **3)** a 6-inch variance from the requirement that rear-yard fences not exceed 6 feet in height to keep an existing 6-foot 6-inch tall fence in the rear yard, and **4)** a complete variance from the requirement that a minimum 5-foot side setback be maintained in "R-6" zoning districts in order to keep an existing structure on the west side property line, 5904 Spring Valley.

9. **CASE NO. A-09-076:** The request of Brown & Ortiz P.C., for a 1-foot 1 and 3/8 inch variance from the requirement that a minimum 5-foot rear setback be maintained in Infill Development Zone districts in order to erect an addition that will sit approximately 3 feet 10 5/8 inches from the rear property line, 1111 South Alamo Street.

10. **CASE NO. A-09-078*:** The request of City of San Antonio, in accordance with Section 406 of the Unified Development Code (Chapter 35), is recommending that the Board of Adjustment revoke the Certificate of Occupancy (No. 1333927) for the Hacienda Club, 3127 Mission Road.

    *** Case No. A-09-078 to be heard no earlier than 4:00 PM**

11. Approval of the minutes from the regular meeting on July 20, 2009.

13. Executive Session: consultation on attorney-client matters (real estate, litigation, personnel and security matters) as well as any of the above agenda items may be discussed.

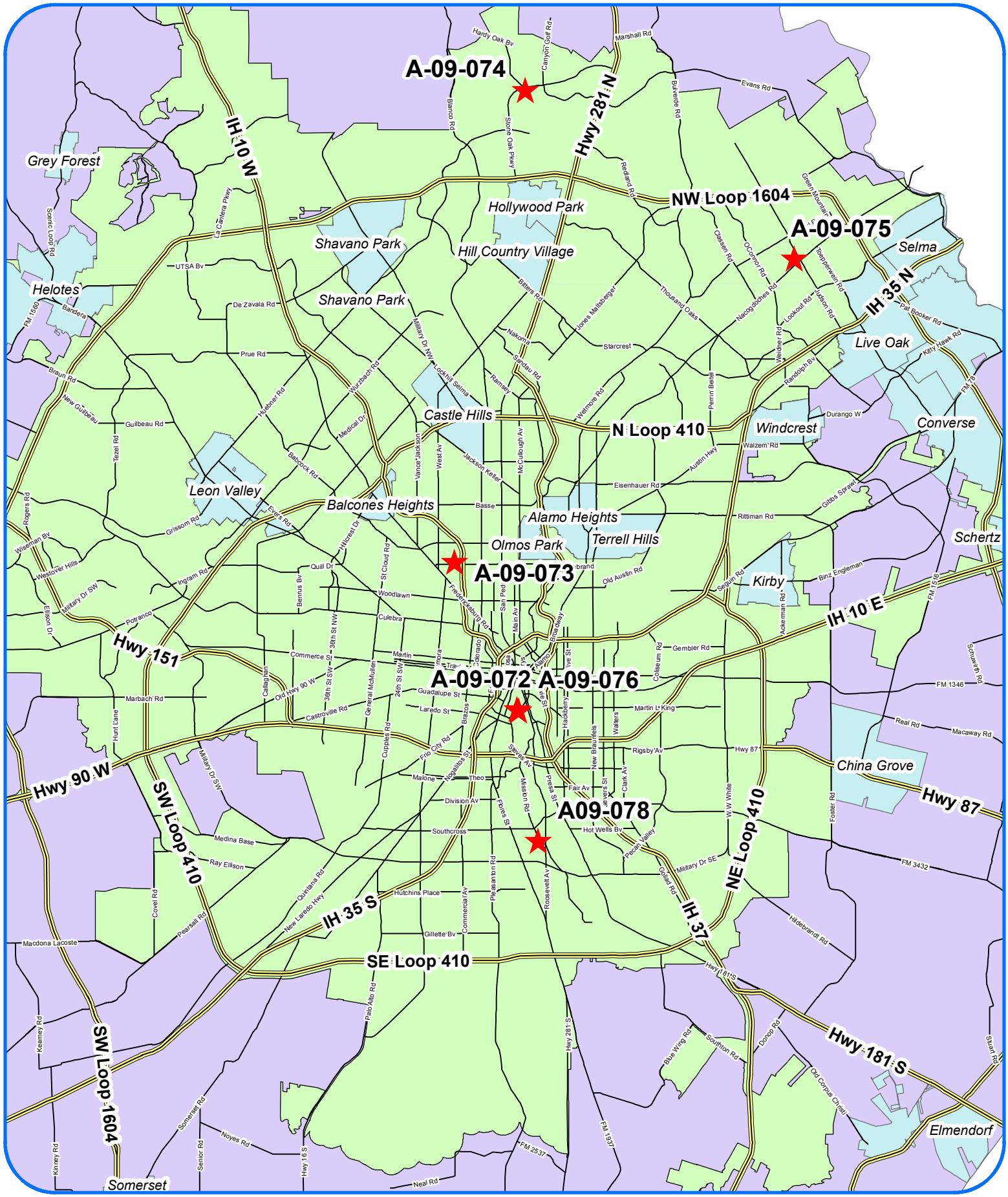
14. **Adjournment**

Note: The City of San Antonio Board of Adjustment Agenda can be found on the Internet at: www.sanantonio.gov/dsd

At any time prior to the meeting, you may contact a case manager at 207-0170 to check the status of a case.

ACCESSIBILITY STATEMENT

This meeting site is accessible to persons with disabilities. Parking is available. **Auxiliary Aids and Services are available upon request (Interpreters for the Deaf must be requested forty-eight [48] hours prior to the meeting).** For Assistance, Call (210) 207-7245 Voice/TTY.



Board of Adjustment

Subject Property Locations
Cases for August 3, 2009

N
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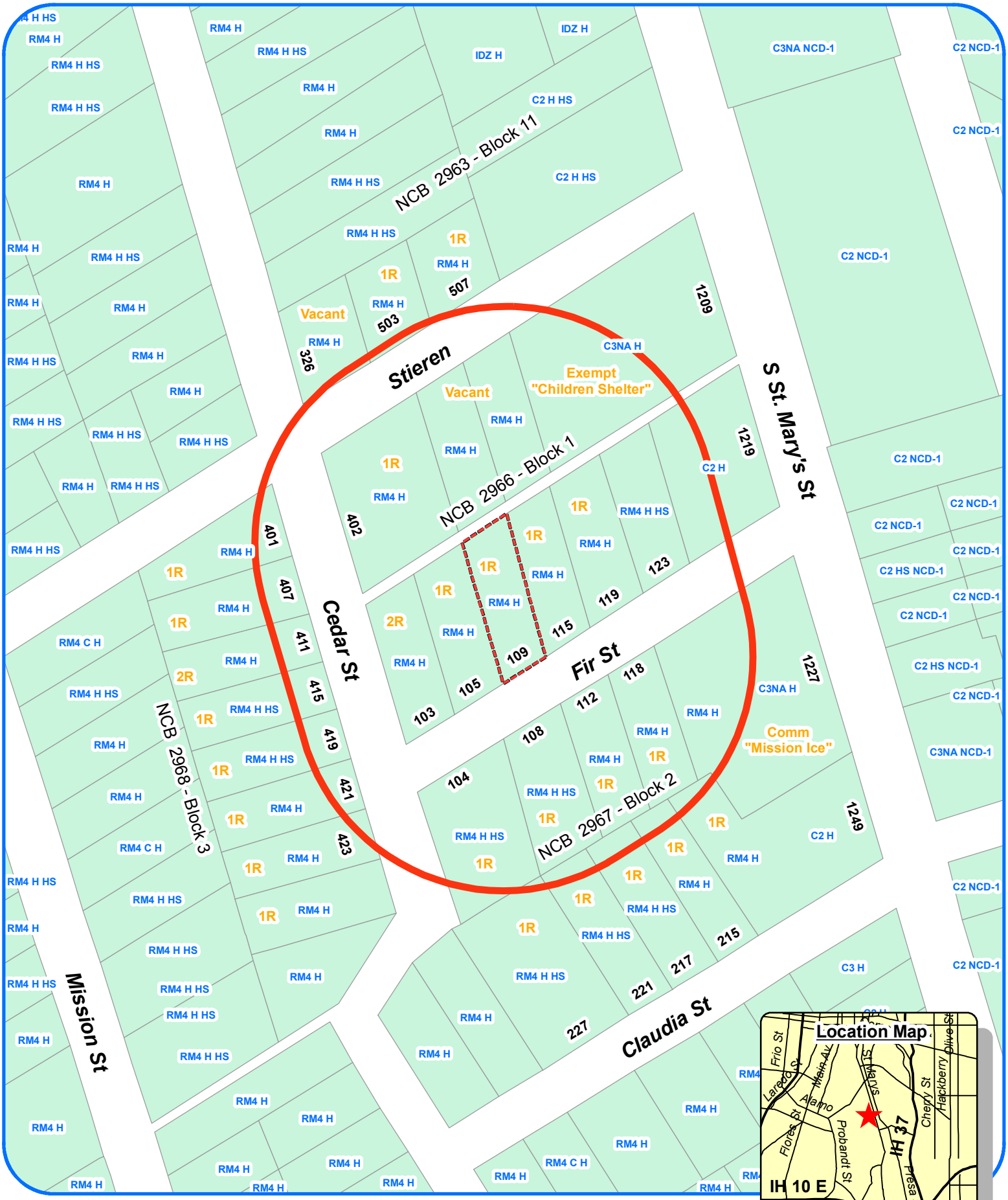
Planning and Development Services Dept
City of San Antonio
(07/29/2009 - P. Trinkle)



Board of Adjustment

Notification Plan for

Case A-09-070

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 120'
Council District 1

Planning and Development Services Dept
City of San Antonio
(06/22/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-070
Date:	August 3, 2009 (Continued from July 20, 2009)
Applicant:	Jeff & Mary Grace Ketner
Owner:	Jennings F. & Mary Grace Ketner
Location:	109 Fir Street
Legal Description:	The East 50 Feet of Lot 11, Block 1, NCB 2966
Zoning:	"H RM-4" Residential Mixed King William Historic District
Subject:	Side setback variance for accessory structure
Prepared By:	Jacob Floyd, Planner

Executive Summary

The applicant requests a 2-foot 10-inch variance from the requirements of Section 370 of the UDC, that accessory structures exceeding thirty inches in height be located a minimum distance of 5 feet from any side or rear property line, in order to build an accessory structure 2 feet 2 inches from the west side property line. The subject property is zoned "H RM-4" Residential Mixed King William Historic District.

If the variances are not granted the applicant must comply with the requirement that accessory structures exceeding thirty inches in height be located a minimum of five feet from any side or rear property line.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 3, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 17, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting these variances to replace an existing detached garage with a new building on the same building footprint. The existing detached garage is located 6 inches from the rear property line and 2 feet 2 inches from the west side property line. If these variances are approved, the applicant intends to rebuild a one-car detached garage in the same footprint as the existing, damaged structure.

According to the applicant, the current structure was destroyed when a tree fell on it on May 1, 2009. Being that the structure was non-conforming, due to its placement along the side property line, it may not be rebuilt on its current footprint.

The applicant indicates that, due to the narrowness of the lot, a detached garage built to meet the required setbacks would be difficult to access, as a car would be unable to maneuver at the angles required for a complying structure. The applicant further states that the granting of the requested variances would allow the garage to be rebuilt in keeping with the character of the properties in the area.

The Historic Design and Review Commission (HDRC) considered this case on July 15, 2009, granting a Certificate of Appropriateness for the demolition and construction of the detached garage.

Surrounding Zoning/Land Use

North	H RM-4, H C-3NA	Single-Family Residential, Children's Shelter, Vacant
South	H RM-4 & H HS RM-4	Single-Family Residential
East	H RM-4, H C-2, & H C-3NA	Single-Family Residential, Commercial
West	H RM-4 & H HS RM-4	Single-Family & Multi-Family Residential

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the Downtown Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 6), states that "it does not seem that there are any extenuating topographical constraints or similar issues related to the subject parcel for which the literal enforcement of the ordinance would result in unnecessary hardship." Additionally, the property is located within the King William Historic District.

The property is located within the boundaries of the King William Neighborhood Association. As of July 30th, staff has not received a reply from the neighborhood association.

Criteria for Review

According to Section 482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

It does not appear that the granting of this variance would be contrary to the public interest.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. The rear-yard could accommodate a detached garage of the proposed size while maintaining the required setbacks.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   It appears that alternatives exist that would allow the applicants to make reasonable use of the property while adhering to the current development standards.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The granting of this variance would not authorize the operation of a use other than those specifically permitted in "H RM-4" zoning districts.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   It does not appear that the granting of this variance would influence the appropriate use of the adjacent conforming properties, nor would it alter the essential character of the district in which the subject property is located. Detached garages are prevalent throughout the district, with several appearing to not conform to modern development standards.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

   There do not appear to be any unique circumstances existing on the property. There is adequate space on the lot to build an accessory structure outside of the side setback.

Staff Recommendation

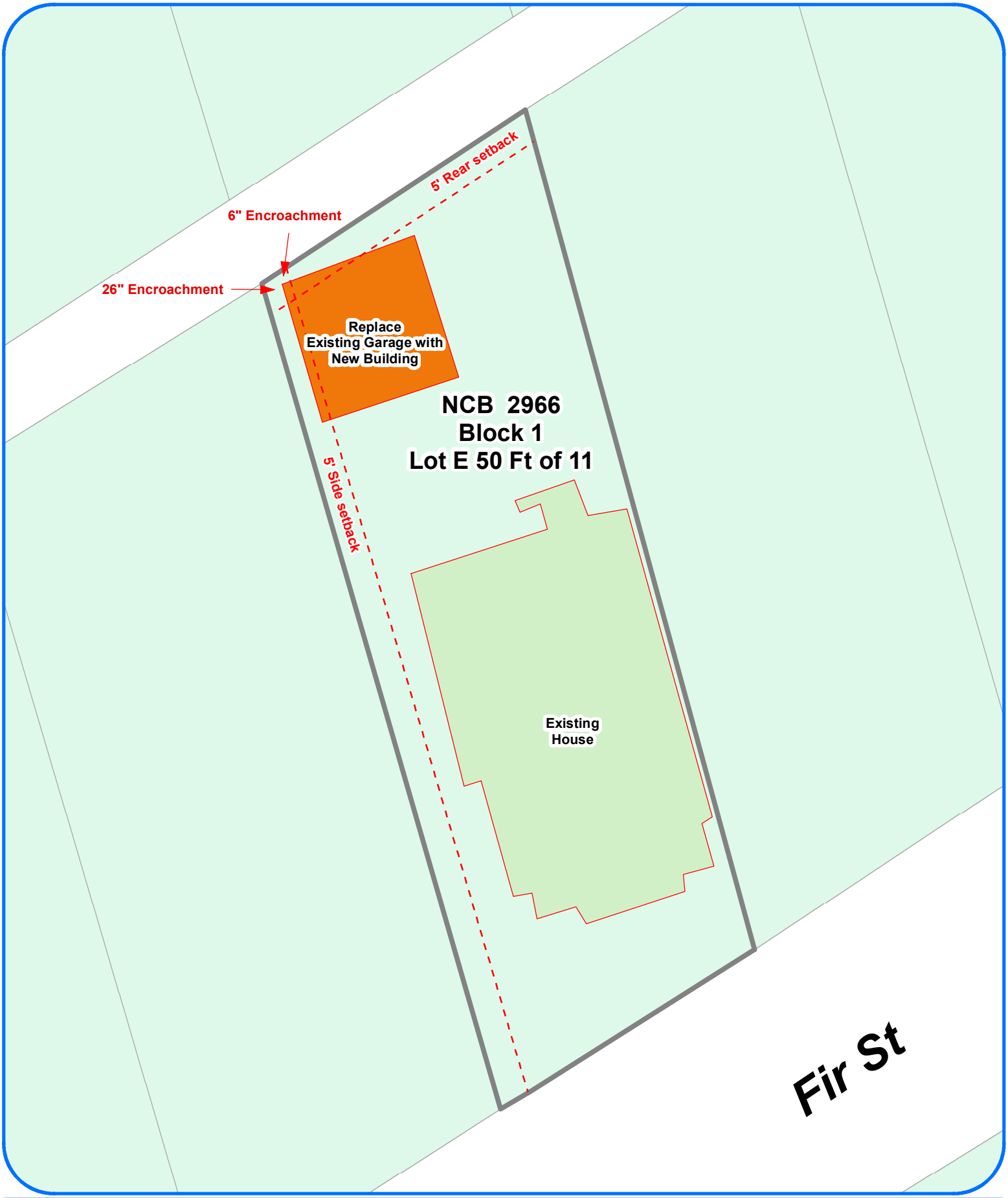
Alternatives exist that would allow the applicant to make reasonable use of the subject property without requiring a variance. While the existing structure was non-conforming, the right to operate and maintain this non-conforming structure was terminated through its destruction and any repair or replacement must comply with current standards. Staff recommends **denial** of the requested variance.

Should the Board grant the applicant's request for a variance, the applicant would be required to construct a firewall along the side of the structure, parallel to the affected lot

line. This is a requirement as per International Residential Code for One- and Two-Family Dwellings – Section R302.1: Exterior Walls (Table R302.1).

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Submitted Survey
Attachment 4 – Applicant's Proposed Site Plan
Attachment 5 – Sanborn Fire Insurance Map (1952)
Attachment 6 – Neighborhood and Urban Design Division Case Review
Attachment 7 – Historic and Design Review Commission Certificate of Appropriateness



Board of Adjustment

Plot Plan for

Case A-09-070

N
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Legend

Scale: 1" approx. = 20'
Council District 1

109 Fir St.

Planning and Development Services Dept
City of San Antonio
(06/22/2009 - P. Trinkle)

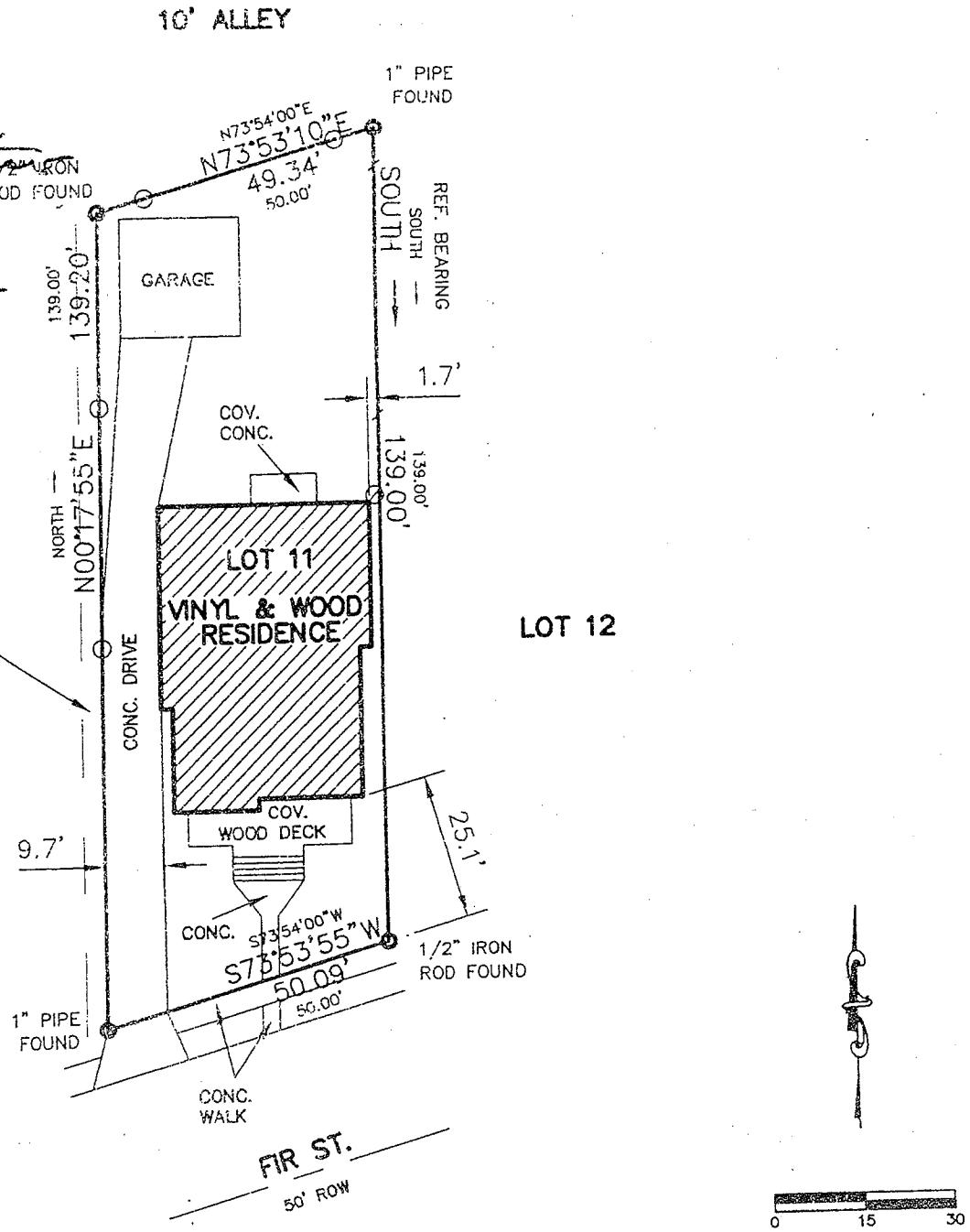
65.00' TITLE INFORMATION

S33°29'20"W AS MEASURED IN FIELD
151.24'

THIS SURVEY IS ACKNOWLEDGED AND ACCEPTED BY:

Jennings F. Ketner

Mary Grace Ketner



*EAST 50 FEET OF LOT 11

LOT(S) _____ BLOCK 1 N.C.B. —

KATE L. SPRING'S SUBDIVISION VOLUME 105 PAGE 73

OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

WITNESS MY HAND AND SEAL THIS 8 DAY OF OCTOBER, 19 98

BUYER JENNINGS F. KETNER AND WIFE MARY GRACE KETNER

ADDRESS 109 FIR ST. GF NO. 9805418804

ROSIN-COOK, INC. JOB NO. 397-226-000 DRAWN BY: AFG DISK: CAD/4

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP,

PANEL 48029C0461 E

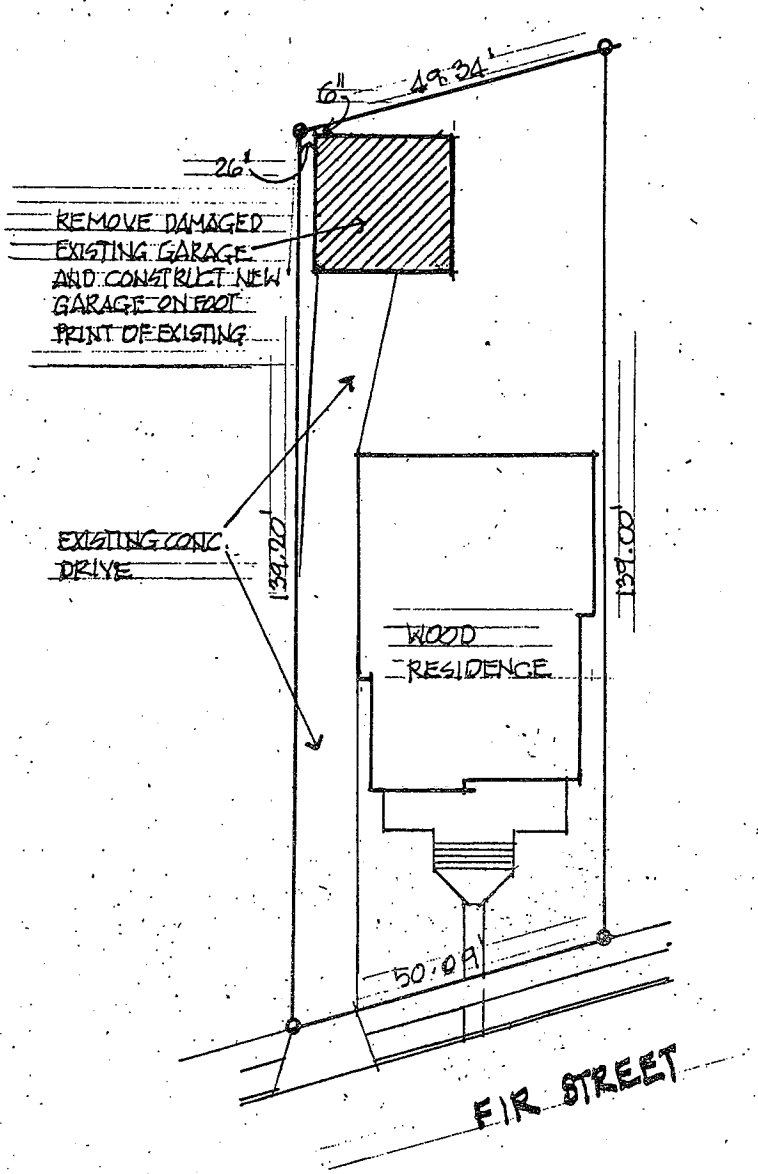
DATED FEBRUARY 16, 1996

THIS PROPERTY IS IN FLOOD ZONE "X"

I, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS DO HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, OF THE PROPERTY DESCRIBED HEREON. I FURTHER CERTIFY THAT ENCROACHMENTS, EASEMENTS AND RIGHT-OF-WAYS VISIBLE ON SITE ARE SHOWN HEREON.

STATE OF TEXAS REGISTERED ROY R. ROSIN 2906 LAND SURVEYOR

(Note; 10' Easement behind lot - Mafe)



SITE PLAN 1" = 30'-0"

CHARLES SCHUBERT ARCHITECT
1102 S. ALAMO
SAN ANTONIO, TEXAS 78210

357
STIEREN
MACADAMIZED
PRIVATE PARKING
AUTO STG'E
WOOD POSTS
CEM'T FL.
GREEN HO.
WARE HO.
WARE HO.
2966
CEDAR
MACADAMIZED
FIR
APTS
NATL. BISCUIT CO.
BAKERY WARE HO.
2967
2876
359
S. ST. MARYS (GARDEN)
CLAUDIA
MACADAMIZED
CLAUDIA
3595
(791)
FILL'G. STA.
DRY CLEANING

NEIGHBORHOOD AND URBAN DESIGN SECTION
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-09-070**

Property Address: 109 Fir Street Zoning: RM4 H

Hearing Date: 7/20/2009

Type / Scope of BOA Request:
The applicant requests a 2-foot 10-inch variance from the requirements of Section 35-370 that accessory structures exceeding thirty inches in height be located a minimum distance of 5-feet from any side property line to build an accessory structure 2-feet 2-inches from the west side property line.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): King William Neighborhood Association
Neighborhood or Community Plan: Downtown Neighborhood Plan
Neighborhood Conservation District: n/a
Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The future land use for the subject property is designated residential within the King William District (K). This district is defined as single family and duplex housing at a maximum density of 12 units per gross acre that encourages preservation within the historic district. The subject property is also located within the Southern Neighborhood which includes the goal to "maintain the residential and historic character of neighborhoods and conserve housing structures for residential uses" (p. 26).

The intent of the side setback requirement is to allow for the movement of air, light penetration, neighborhood uniformity, prevention of lot overcrowding, and adequate space for fire protection. Although the applicant proposes to rebuild an accessory structure on the same building footprint as the pre-existing nonconforming structure, the nonconforming structure upon reconstruction should come into compliance with the current building codes. UDC Sec 35-707(d)(1) states, "The right to operate and maintain any nonconforming structure shall terminate and shall cease to exist whenever the nonconforming structure is damaged in any manner and from any cause whatsoever and the cost of repairing such damage exceeds fifty (50) percent of the replacement cost of such structure on the date of such damage."

There is adequate space on the lot to build an accessory structure outside of the side setback. Enforcement of the ordinance will not distract from the historic character of the neighborhood nor be contrary to the Downtown Neighborhood Plan goals. Additionally, it does not seem that there are any extenuating topographical constraints or similar issues related to the subject parcel for which the literal enforcement of the ordinance would result in unnecessary hardship.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information _ __

Support Request _____ Deny Request __X__

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Rebecca Paskos, Sr. Planner

Date Review Completed: July 7, 2009

CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

July 15, 2009

HDRC CASE NO:	**2009-232**
ADDRESS:	109 Fir
LEGAL DESCRIPTION:	NCB 2966 Block 1 Lot E 50 feet of lot 11
PUBLIC PROPERTY:	
HISTORIC DISTRICT:	King William Historic District
LANDMARK DISTRICT:	
APPLICANT:	Jennings & Mary Grace, 109 Fir St
OWNER:	Jennings & Mary Grace Ketner
TYPE OF WORK:	demolition, new construction & tax certification

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to:
1. demolish storm damaged 1-car garage
2. rebuild 1-car garage and guest room
3. replace front steps and add handrails
4. add gutters
5. ad valorem historic tax certification

RECOMMENDATION:

Staff recommends approval of this request with the stipulation the slope of the new roof match the existing house and the applicant replace the concrete stairs with in-kind materials instead of brick. The applicant has met all requirements of the city's historic tax certification plan and has furnished evidence to that effect to the Historic

COMMISSION ACTION:

Approved with staff stipulations.

Shanon Wasielewski
Historic Preservation Officer

Board of Adjustment

Notification Plan for

Case A-09-072

N
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S

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 1

Planning and Development Services Dept
City of San Antonio
(07/16/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-072
Date:	August 3, 2009
Applicant:	Jim Poteet
Owner:	Madison Street Townhomes, L.P.
Location:	410 and 414 Madison Street
Legal Description:	Lots 23 and 24, Block 6, NCB 747
Zoning:	"H HS IDZ" Infill Development Zone King William Historic District Historic Significant with uses permitted in the "RM-4" Mixed Residential District
Subject:	Front Yard Fence Height Variances
Prepared By:	Jacob Floyd, Planner

Summary

The applicant requests a variance from the front-yard fence height standards (Section 514) to allow a 5-foot tall, solid fence in the front yard of the subject properties.

If these variances were not granted, the applicant must comply with the requirement that solid fences in front yards not exceed 3 feet in height.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 17, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting this variance in order to build a masonry fence in the front yard of each subject property. The proposed design of the residences intended for these properties do not provide a rear yard, instead incorporating a screened courtyard in the

front and side yards. The applicant indicates that the proposed fences would provide a sense of privacy and enclosure.

A complete variance from the requirement that a minimum 5-foot rear setback be maintained in "IDZ" zoning districts was granted by the Board of Adjustment on July 16, 2007, to build structures on the rear property lines. Pursuant to Section 35-482(g) of the UDC, the variance is null and void, as no building has begun. The property owner has re-submitted this request to be considered at the August 17 Board of Adjustment meeting.

Surrounding Zoning/Land Use

North	H HE MF-33, H HS RM-4, H HE RM-4	Single-Family Residences
South	H HS IDZ	Commercial, Vacant
East	H HS IDZ, H HS C-2	Commercial
West	H HS RM-4, H HE RM-4	Single-Family Residences

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the Downtown Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 6) states that while front yard fences are not specifically addressed in the plan, "several goals and recommendations were made in order to preserve and protect the character of this historic area." Staff analysis indicates that "a pattern of walled courtyards along residential streets may significantly influence the character of the streetscape. Additionally, the property is located within the King William Historic District.

The property is located within the boundaries of the King William Neighborhood Association. As of July 29, staff has not received a reply from the neighborhood association.

Criteria for Review

According to Section 482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   It does not appear that the granting of these variances would be contrary to the public interest, as the proposed location of the fences will not create an obstruction to the air flow or visual clearance.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. The size of the lots was created through the re-platting of a larger parcel.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

A denial of the request would not eliminate the reasonable development possibilities for the subject properties.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The granting of these variances will not authorize a use other than those permitted by right in "RM-4" zoning districts, as specified by the Ordinance 99561 of the City of San Antonio.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   The granting of these variances will not injure the appropriate use of adjacent conforming properties, however, it may alter the essential character of the district in which the properties are located, in that solid screen fences of a height exceeding 3 feet are not a characteristic of the neighborhood.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

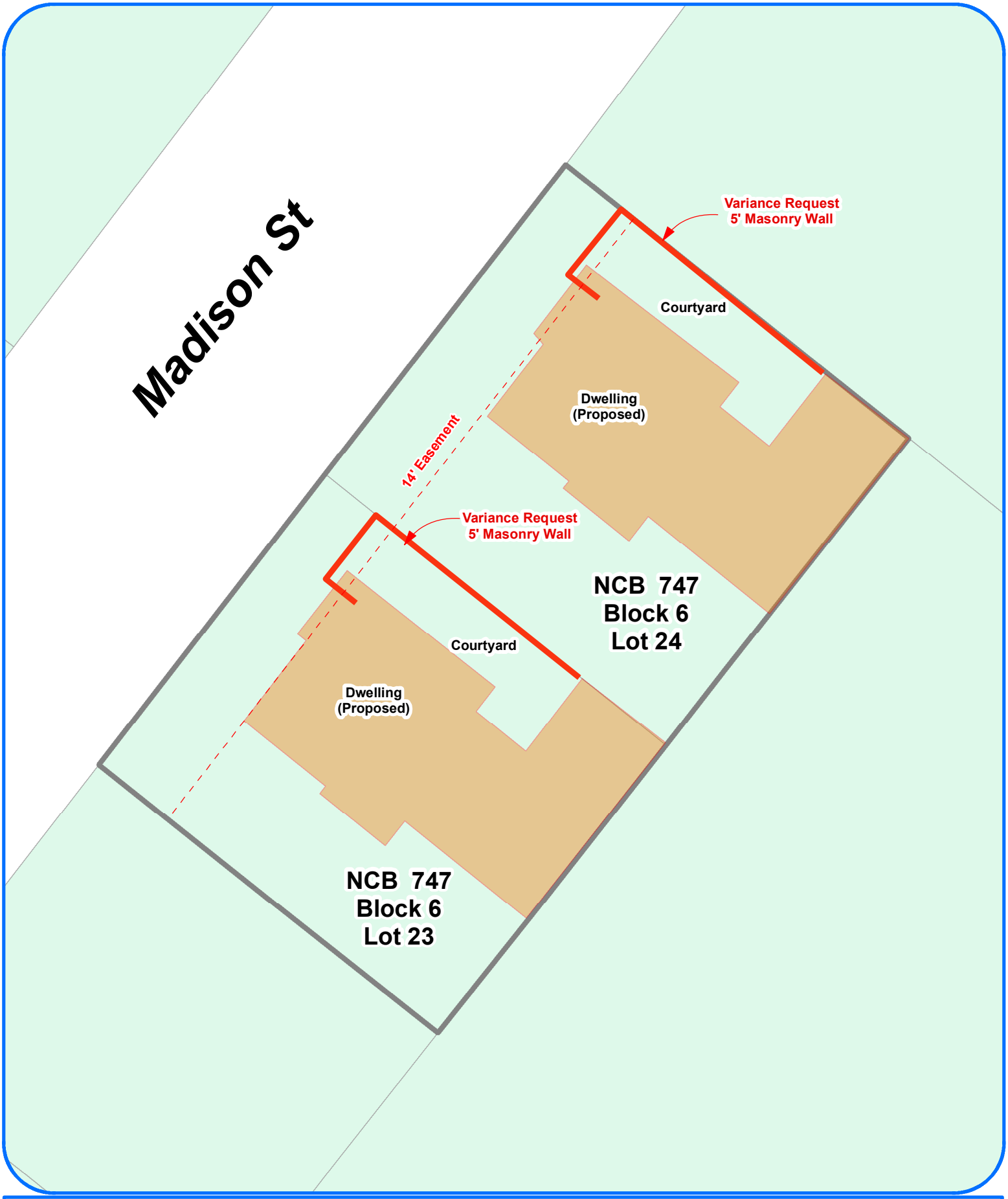
   While the circumstances existing on the property are unique, it appears that they are self-created. The lack of a rear yard, indicated by the applicant as a condition justifying the granting of these variances, is a result of the design of the structures proposed to be built on the lots and the failure to allocate sufficient land to these properties when they were platted.

Staff Recommendation

Staff recommends **denial** of the requested variance for the subject properties. The conditions necessitating the variances are self-created and would not result in unnecessary hardship through the literal enforcement of the ordinance. Reasonable use of the subject properties will not be denied should the requested variances not be granted.

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Proposed Site Plan
Attachment 4 – Applicant's Conceptual Drawings
Attachment 5 – St. Benedict's Subdivision Plat
Attachment 6 – Neighborhood and Urban Design Division Case Review
Attachment 7 – Historic and Design Review Commission Certificate of Appropriateness



Board of Adjustment

Plot Plan for

Case A-09-072

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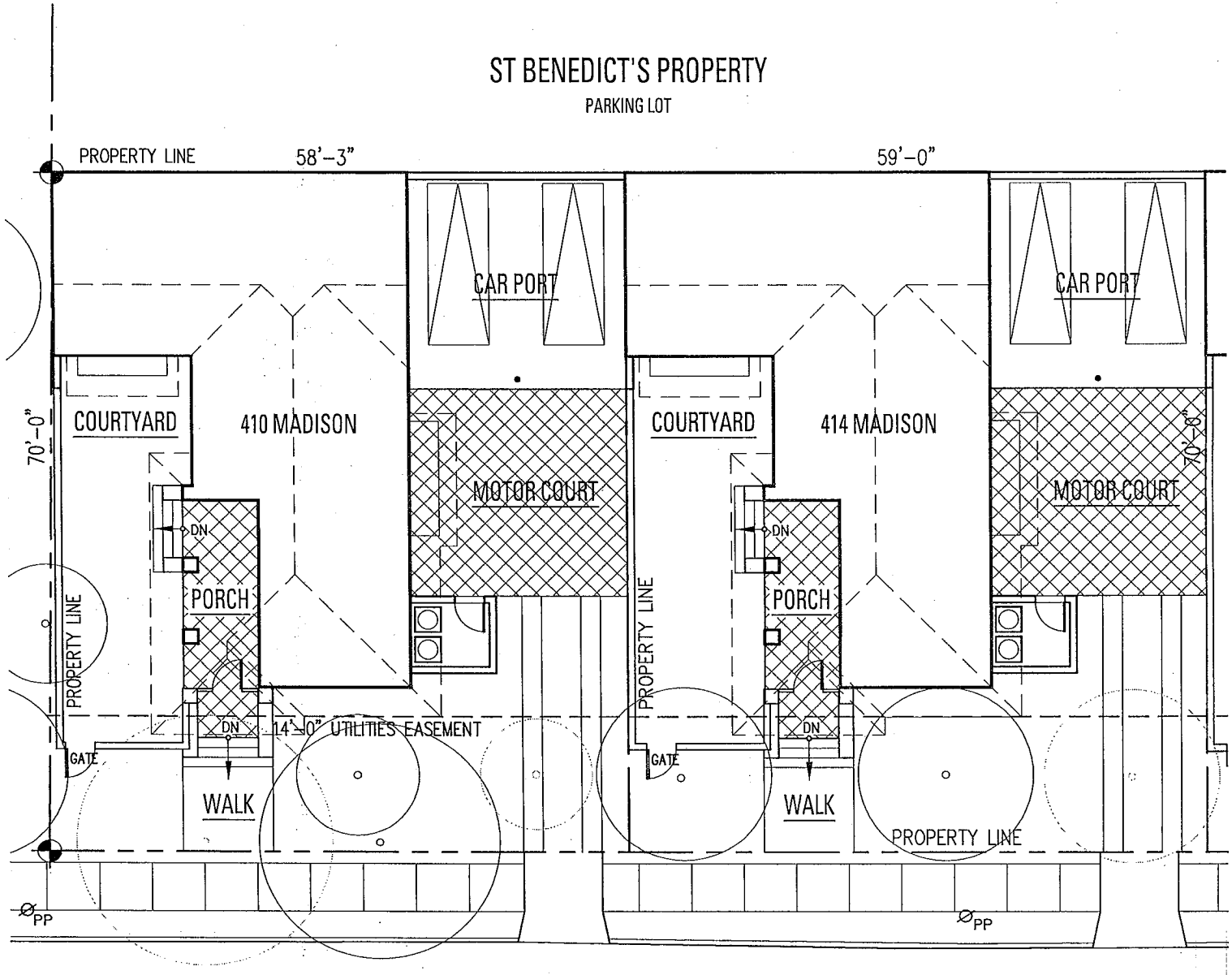
Legend

Scale: 1" approx. = 20'
Council District 1

410 Madison St
414 Madison St

Planning and Development Services Dept
City of San Antonio
(07/16/2009 - P. Trinkle)



MADISON STREET

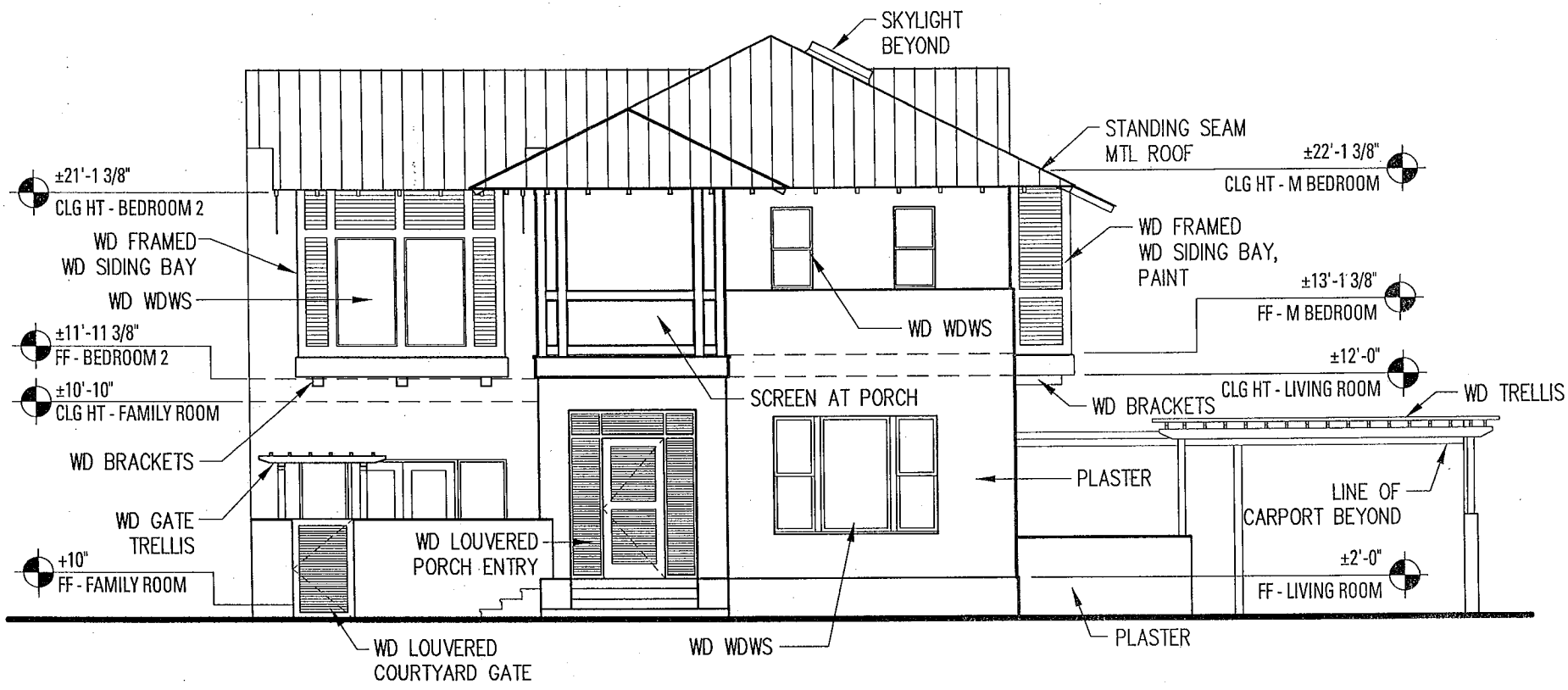
55.6' RIGHT-OF-WAY

SITE PLAN

SCALE: 1/16" = 1'-0"

NORTH

410 & 414 MADISON STREET	
DATE: JUNE 19, 2009	
POTEET ARCHITECTS, LP	PAGE 1 OF 2



ELEVATION: NORTHWEST

SCALE: 1/8" = 1'-0"

410 & 414 MADISON STREET	
DATE: JUNE 19, 2009	
POTEET ARCHITECTS, LP	PAGE 2 OF 2

Madison Street Residences

Perspective View

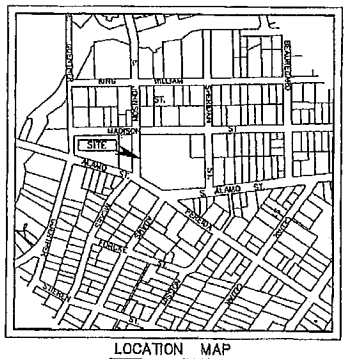
Poteet Architects

June 19, 2009

Book: 9574
Page: 134
Date: 03/14/2006
Time: 08:47:00 AM
Filed & Recorded
Official Public Records
Real Property
BEXAR COUNTY
COUNTY CLERK
$5.00
$1.00
$1.00

PLAT NO. 060235
ST. BENEDICT'S SUBDIVISION

BEING: 3.72 ACRES, 3.49 ACRES BEING LOTS 19 THROUGH 25, BLOCK 6, NCB 747, AND 0.23 ACERS BEING LOT 9, NCB 934, AS RECORDED IN VOLUME 1134, PAGE 342 OF THE REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.



LOCATION MAP
NOT-TO-SCALE

TxDOT NOTES :

1. FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT OF WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SET-BACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.

2. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT OF WAY.

3. MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY "REGULATIONS FOR ACCESS DRIVEWAYS TO STATE HIGHWAYS". THIS PROPERTY IS ELIGIBLE FOR A MAXIMUM COMBINED TOTAL OF ONE ACCESS POINT, BASED ON OVERALL PLATTED HIGHWAY FRONTAGE OF 290.43'.

4. IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK PERMIT MUST BE APPROVED BY TxDOT PRIOR TO CONSTRUCTION WITHIN STATE RIGHT OF WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT OF WAY SHALL BE AS DIRECTED BY TxDOT.

STREETSCAPE NOTE :

U.D.C. STREETSCAPE PLANTING STANDARDS SHALL BE COMPLIED WITH DURING THE BUILDING STAGE PROCESS.

SCALE: 1" =100'

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS AND DRAINAGE LAYOUT AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE UNIFIED DEVELOPMENT CODE, EXCEPT FOR THOSE VARIANCES GRANTED BY THE SAN ANTONIO PLANNING COMMISSION

PAUL A. SCHROEDER
REGISTERED PROFESSIONAL ENGINEER

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT CONFORMS TO THE MINIMUM STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY A LICENSED ENGINEERING AND SURVEYING, INC.

PAUL A. SCHROEDER
5160
REGISTERED PROFESSIONAL LAND SURVEYOR 5160

STATE OF TEXAS
COUNTY OF BEXAR

THE OWNER OF THE LAND SHOWN ON THIS PLAT, IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC, EXCEPT AREAS IDENTIFIED AS PRIVATE, FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

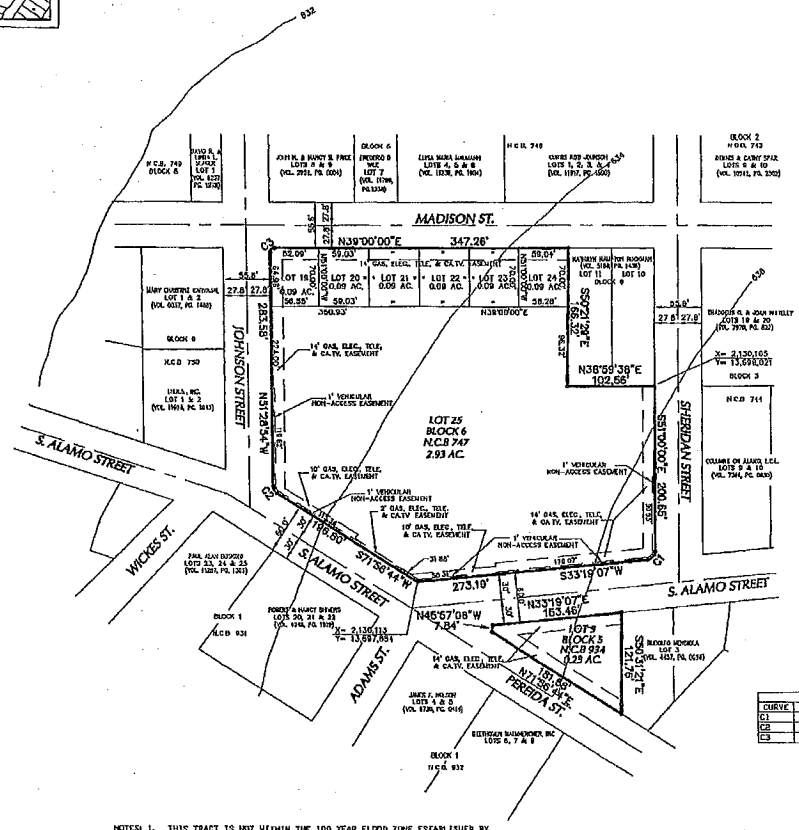
DEVELOPER/OWNER:
STEPHEN W. YIDO
ST. BENEDICTS OF SA, LTD.
1119 S. ST. MARY'S SUITE 110
SAN ANTONIO, TX. 78210
(210) 225-0334

STATE OF TEXAS
COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED STEPHEN W. YIDO, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 25 DAY OF AUG A.D., 2006

LARRY W. DOLLE
Notary Public, State of Texas
My Comm. Expires May 6-2008
NOTARY PUBLIC
STATE OF TEXAS



CURVE TABLE				
CURVE	RADEUS	LENGTH	TANGENT	DELTA
C1	10.00'	14.72'	9.05'	84°19'07"
C2	10.00'	5.87'	3.06'	33°37'22"
C3	5.00'	7.90'	5.06'	90°53'44"

THIS PLAT OF ST. BENEDICTS SUBDIVISION BEXAR, COUNTY HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 13th DAY OF September A.D., 2006

BY _____ CHAIRMAN

BY _____ SECRETARY

STATE OF TEXAS
COUNTY OF BEXAR

I, Gerry Rickhoff COUNTY CLERK OF BEXAR COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE, ON THE 2nd DAY OF March A.D. 2007 AT 1:59 PM AND DULY RECORDED THE 5th DAY OF March A.D. 2007 AT 8:40 AM IN THE DEED AND PLAT RECORDS OF BEXAR COUNTY, IN BOOK/VOLUME 9574 ON PAGE 134

IN TESTIMONY WHEREOF, WITNESS MY HAND AND OFFICIAL SEAL OF OFFICE THIS 5th DAY OF March A.D. 2007

COUNTY CLERK, BEXAR COUNTY, TEXAS
BY _____ DEPUTY

NOTES: 1. THIS TRACT IS NOT WITHIN THE 100 YEAR FLOOD ZONE ESTABLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) IN ACCORDANCE WITH FIRM PANEL 48029C0461E, DATED FEBRUARY 16, 1996

2. STATE PLANE COORDINATES WERE DERIVED FROM STATION SAN ANTONIO RRP PID AB6376

3. BEARINGS ARE BASED ON STATE PLANE.

4. 1/2" IRON ROD FOUND AT ALL LOT CORNERS, UNLESS NOTED.

5. OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT OF WAY.

6. WASTEWATER EDU NOTE: THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT

7. NO STRUCTURE, FENCES, WALLS, OR OTHER OBSTRUCTIONS THAT IMPEDE DRAINAGE SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING OR OTHER TYPE OF MODIFICATIONS, WHICH ALTER THE CROSS-SECTIONS OF THE DRAINAGE EASEMENTS, AS APPROVED SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE DIRECTOR OF PUBLIC WORKS. THE CITY OF SAN ANTONIO AND BEXAR COUNTY SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY IMPEDING OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.

8. FINISHED FLOOR ELEVATIONS MUST BE A MINIMUM OF (8) INCHES ABOVE FINAL ADJACENT GRADE

9. ALL ACCESS DRIVEWAYS SHALL BE PROVIDED WITH CLEAR VISION AREA IN ACCORDANCE WITH UDC 35-506(d)(5).

THE CITY OF SAN ANTONIO AS A PART OF ITS ELECTRIC AND GAS SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", "ANCHOR EASEMENT" AND "TRANSFORMER EASEMENT" FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING AND READING POLES, HARDWARE OR FIXTURES, WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY HINDER, WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THEREON. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS SHALL BE PLACED WITHIN SAID EASEMENT AREAS.

ANY CITY'S MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT LOCATED WITHIN SAID EASEMENT, DUE TO CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.

CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED ON EVERYWHERE WITHIN WIDER (8) FOOT WIDE EASEMENTS

ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC AND GAS FACILITIES ARE PROPOSED ON EVERYWHERE WITHIN WIDER (8) FOOT WIDE EASEMENTS

THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.

ACES
ALAMO CONSULTING ENGINEERING & SURVEYING, INC.
140 HEIMER RD, SUITE 617 SAN ANTONIO, TX. 78232
PHONE : 828-0061
PREPARED: 11/22/05
JOB NO: 111400

Aug 31, 2006, 11:23am ACES37
File: H:\0100.CET\1100\111400\dwg\PLAT.dwg

NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-09-072**

Property Address: 410 & 414 Madison Zoning: IDZ H H4

Hearing Date: 08/03/09

Type / Scope of BOA Request:

The applicant is requesting a variance to allow a 5' solid masonry fence in the front (side) yard of the two proposed residences for the above address.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): King William
Neighborhood or Community Plan: Downtown Neighborhood Plan
Neighborhood Conservation District: n/a
Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Residential in District "K" of the adopted Downtown Neighborhood Plan. The Plan provides several preliminary design guidelines for the area, including mixed-use and residential portions of the plan. Page 20 of the plan encourages "landscape buffering next to single family uses." Additionally, open space between buildings is recommended. (page 18)

Standards and recommendations for front yard fences are not specifically addressed in the Downtown Neighborhood Plan, however; several goals and recommendations were made in order to preserve and protect the character of this historic area. Establishing a pattern of walled courtyards along a residential street may significantly influence the character of the streetscape.

There does not appear to be any extenuating topographical constraints or similar issues related to the applicant's parcel which would warrant a variance from current UDC regulations.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information ____

Support Request _____ Deny Request __X____

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

Date Review Completed: July 23, 2009

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

June 04, 2008

CITY OF SAN ANTONIO

HDRC CASE NO:	2007-329
ADDRESS:	410 Madison
LEGAL DESCRIPTION:	ST. BENEDICT'S LOT 10,BLOCK 5 AND LOT 26 BLOCK 6
PUBLIC PROPERTY:	
HISTORIC DISTRICT:	King William Historic District
LANDMARK DISTRICT:	
APPLICANT:	James Poteet, 1114 S. St. Mary's St.
OWNER:	Madison Street Townhomes
TYPE OF WORK:	New Construction

REQUEST:

The applicant is requesting a Certificate of Appropriateness for approval to construct 6 semi-detached, 2,700 sq ft 3-bedroom houses on 4,000 sq ft lots. The major materials are to be a natural finish galvalume standing seam metal roof, stucco over walls created of insulated concrete forms, wood window bays with wood siding infill, wood windows (double hung and fixed), stile and rail doors of wood and wood/glass. The 2ns story screen porch off the master bedrooms will be screened with a bronze screen.

RECOMMENDATION:

The staff recommends approval of this request as submitted. Conceptual approval was granted by the HDRC on December 19th, 2007. The new houses are sited at the rear property line, their rear facades forming a wall that abuts against the main parking lot of St. Benedicts. The homes are set back 20' from the curb face on Madison St. in order to preserve the existing tree canopy along Madison. The proposal has been granted a variance in order to build on the rear lot line. The proposed changes are architecturally and esthetically appropriate for their setting and will have no adverse effects on the property or the King William historic district.

COMMISSION ACTION:

Approval with the stipulation that the applicant be allowed to change to wood clad windows.

Ann Benson McGlone
Historic Preservation Officer

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

December 19, 2007

CITY OF SAN ANTONIO

HDRC CASE NO:	**2007-329**
ADDRESS:	410 414, 418, 422, 430 Madison Street
LEGAL DESCRIPTION:	NCB 747 Block 6 Lot 19 thru 24
PUBLIC PROPERTY:	
HISTORIC DISTRICT:	King William Historic District
LANDMARK DISTRICT:	
APPLICANT:	James E. Poteet, Poteet Architects 1114 S. St. Mary's St
OWNER:	Madison Street Townhomes
TYPE OF WORK:	New Construction

REQUEST:

The applicant is requesting a Certificate of Appropriateness for conceptual approval to construct six (6) semidetached houses. The proposed houses will be sited at the rear property line (the project has been granted a variance to allow this) their rear facades forming a wall against the main parking lot of the St. Benedict's development. The proposed structures will be set back twenty feet from the curb on Madison Street to preserve the tree canopy along Madison Street.
Materials:
- natural finish galvalume standing seam metal roofing
- stucco over walls created of insulated concrete forms
- wood window bays with wood siding infill
- wood windows -- double hung and fixed
- stile and rail doors of wood and wood/glass
- 2nd story screen porch off the master bedroom will be screened with bronze screen

The accompanying exhibits provide additional information.

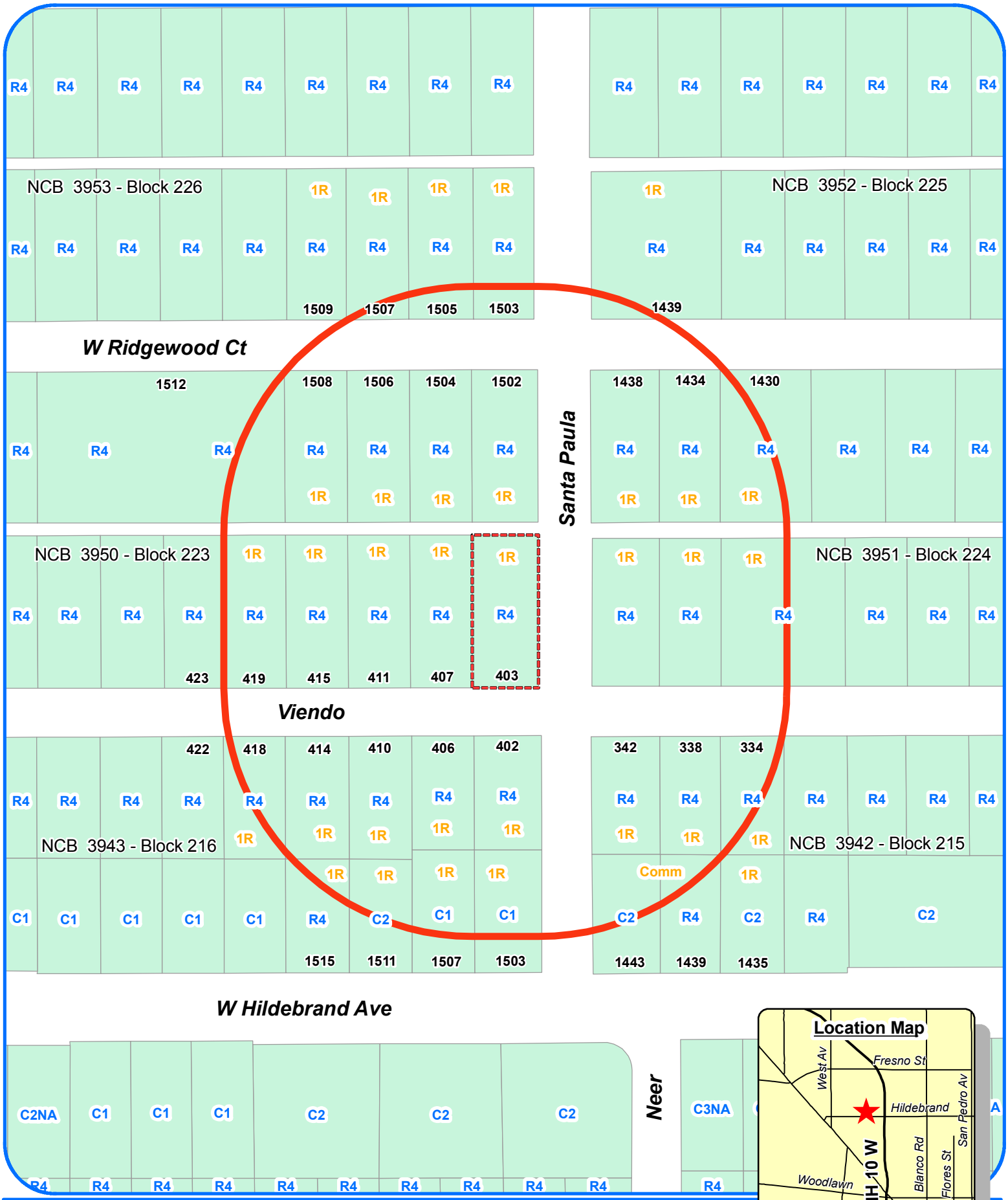
RECOMMENDATION:

The staff recommends approval of this request as submitted. The proposed project is set back from the street and is preserving the tree canopy along Madison. This project went to the Board of Adjustments and was granted a variance to allow them to build on the rear property line. The proposed structures are architecturally and esthetically appropriate for their setting and will have no adverse effects on the property or the district.

COMMISSION ACTION:

Conceptual approval with the following stipulations: 1) meet with the Architectural Committee before final approval and 2) no approval for anything requiring a variance.

Ann Benson McGlone
Historic Preservation Officer



Board of Adjustment

Notification Plan for

Case A-09-073

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 1

Planning and Development Services Dept
City of San Antonio
(06/16/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-073
Date:	August 3, 2009
Applicant:	Tommy Campos
Owner:	Tommy Campos
Location:	403 Viendo
Legal Description:	Lot 11, Block 223, NCB 3950
Zoning:	"R-4" Residential Single-Family District
Subject:	Front Yard Fence Height and Carport Variances
Prepared By:	Mike Farber, Planner

Summary

The applicant requests **1)** a 2-foot variance from the requirement that predominantly open front-yard fences not exceed 4 feet in height, in order to keep an existing 6-foot tall predominantly open front yard fence; **2)** a complete variance from the requirement that a minimum 5-foot side setback be maintained in "R-4" zoning districts, in order to keep an existing structure on the east side property line and **3)** a complete variance from the requirement that a minimum 10-foot front setback be maintained in "R-4" zoning districts, in order to keep an existing structure on the south side property line.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 17, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting a variance from the fence height standards for predominantly open front yard fences, in order to keep an existing fence that currently exceeds the maximum allowable height by two (2) feet. The fence is of a predominantly open design consisting of metal posts and balusters. Construction of the fence began without the

proper permits being obtained, and the fence was erected by the applicant. The applicant cites security concerns as the primary hardship.

The applicant is also requesting two variances with regard to the existing carport. The carport currently violates the required front and side setbacks on the south and east sides of the property. The carport was erected without permits. The applicant states that he was not aware of the setback standards when he constructed the carport. This case was initiated by a citizen complaint.

Additionally, the applicant has been made aware of the necessity of the construction of a firewall along the length of the structure. This is a requirement as per International Residential Code for One- and Two-Family Dwellings – Section R302.1: Exterior Walls (Table R302.1).

Surrounding Zoning/Land Use

North	R-4	Single-Family Residential
South	R-4	Single-Family Residential
East	R-4	Single-Family Residential
West	R-4	Single-Family Residential

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the Near Northwest Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 4) states "There does not appear to be any extenuating topographical constraints or similar issues related to the applicant's parcel which would warrant a variance from current UDC regulations."

The property is located within the boundaries of the Los Angeles Heights-Keystone Neighborhood Association. As of July 28, staff has not received a reply from the neighborhood association.

Criteria for Review

According to Section 482(e) of the Unified Development Code, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   The applicant did not obtain permits prior to constructing the fence or carport in question and, upon visiting the site, it did not appear that there were any similarly constructed carports or fences in the immediate vicinity. Because it appears that both the fence and carport are out of character with the immediate neighborhood, staff believes that the structures are contrary to the public interest.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   It does not appear that the literal enforcement of the ordinance would result in unnecessary hardship. There does not appear to be a physical or topographic condition

existing on the property that would warrant the existing carport and fence, as they are currently situated on the property.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   It appears that alternatives exist that would allow the applicant to make reasonable use of the property while still meeting setback requirements.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The granting of this variance would not authorize a use other than those specifically permitted in "R-4" zoning districts.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   It appears that the granting of this variance would alter the character of the neighborhood, in that, there appear to be no other similar fences/carports of similar construction near the subject property.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

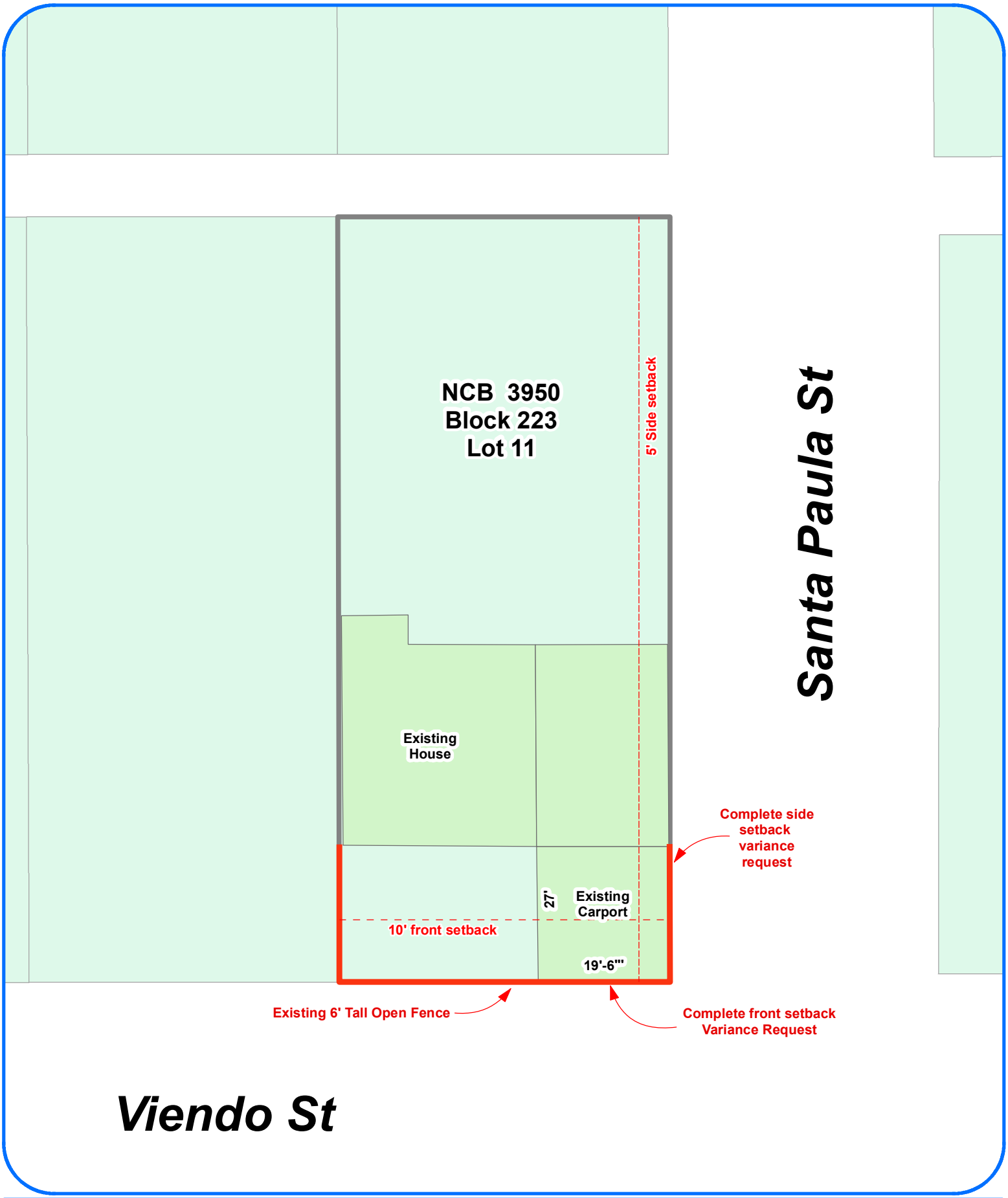
   There do not appear to be any unique circumstances existing on the property. The applicant cites security concerns as primary hardships. This justification is not sufficient grounds on which to request a variance and does not provide ample justification for the construction of the carport.

Staff Recommendation

The subject property does not appear to have any unique characteristics that would create an undue hardship due to literal enforcement of the side and front setback requirements. It also appears that there are no unique characteristics on the subject property that would warrant the five-foot tall front yard fence. The applicant has not provided sufficient evidence to warrant a variance based on the criterion stated above. Staff recommends **denial** of the requested variances.

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Proposed Site Plan
Attachment 4 – Neighborhood and Urban Design Division Case Review



Board of Adjustment

Plot Plan for

Case A-09-073

N
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Legend

Scale: 1" approx. = 20'
Council District 1

403 Viendo St

Planning and Development Services Dept
City of San Antonio
(07/16/2009 - P. Trinkle)

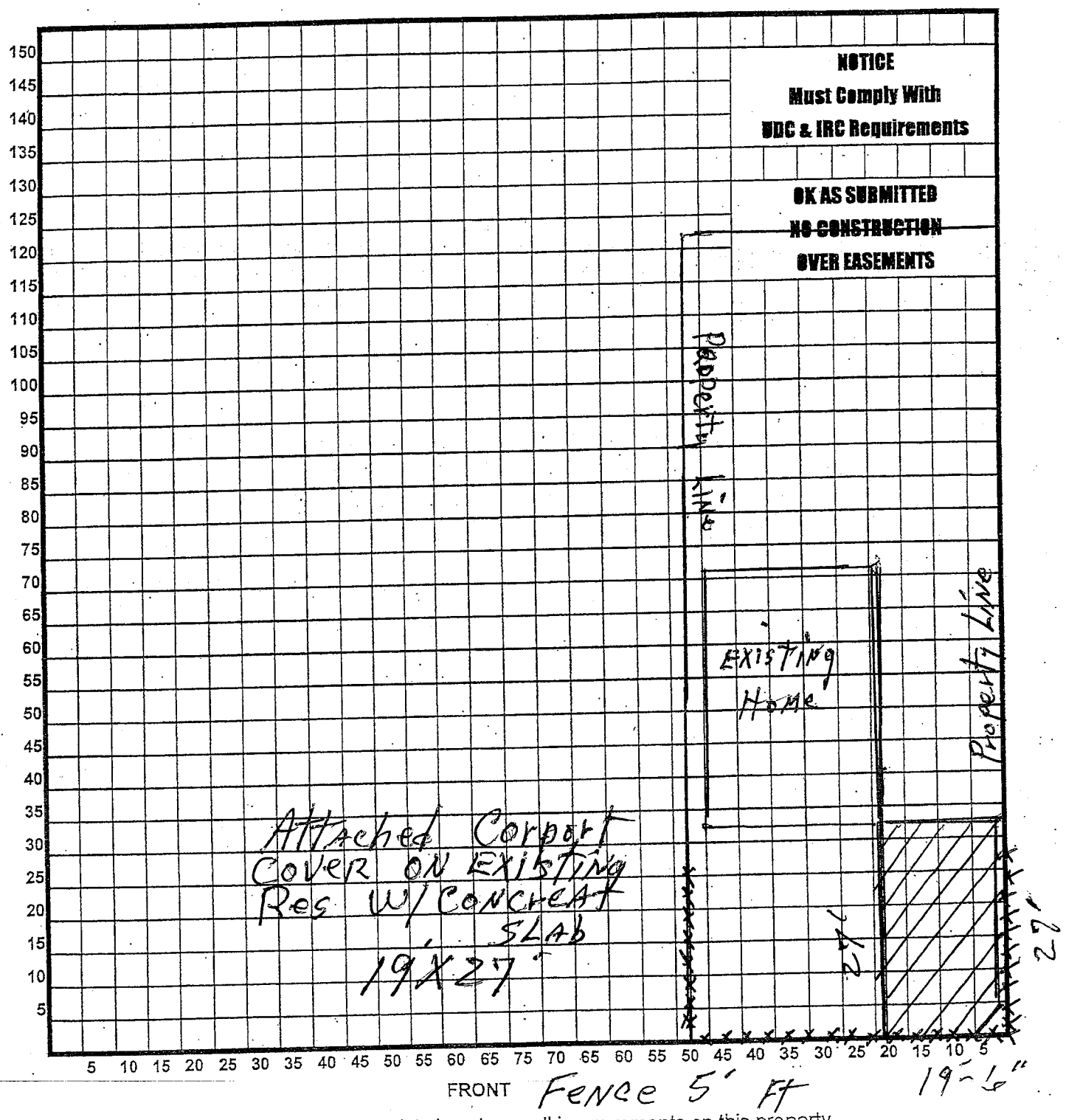
PLOT PLAN

FOR

BLDG PERMITS

Address 403 Viendo St Lot _____ Block _____ NCB _____

REAR



I certify that the above plot plan shows all improvements on this property

6-5-09
Date

Tommy O. Campos
Signature of Applicant

NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-09-073**

Property Address: 403 Viendo St. Zoning: R4

Hearing Date: 08/03/09

Type / Scope of BOA Request:

The applicant is requesting a variance to keep a 5' decorative iron fence along the perimeter of the front yard of a R4 zoned, single family residence, and to maintain a carport built within the front yard setback. Both requests were constructed without permits.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): Los Angeles Heights - Keystone
Neighborhood or Community Plan: Near Northwest Community Plan
Neighborhood Conservation District: n/a
Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The subject parcel is designated Low Density Residential land use in the Near Northwest Community Land Use Plan. Low density residential land use is composed of single-family houses on individual lots reflecting the predominate lot size in the area.

Standards for carports and front yard fences are not specifically addressed in the Near Northwest Community Plan, however; there are several goals that refer to maintaining neighborhood character. **Goal 3.3.1** states that residents should "Identify architects and builders who can remodel or rehabilitate homes in a sensitive manner that maintains the house's character" (pg 31).

There does not appear to be any extenuating topographical constraints or similar issues related to the applicant's parcel which would warrant a variance from current UDC regulations.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information ____

Support Request _____ Deny Request __X___

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Gary Edenburn, Senior Planner

Date Review Completed: July 23, 2009

Board of Adjustment

Notification Plan for

Case A-09-074

N
W
E
S

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 250'
Council District 9

Planning and Development Services Dept
City of San Antonio
(07/16/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-074
Date:	August 3, 2009
Applicant:	Mark R. Johnson
Owner:	The Church of Jesus Christ of Latter Day Saints
Location:	20080 Stone Oak Parkway
Legal Description:	Lot 77, Block 6, NCB 19219 and Lot P-3E & P-13B, NCB 19219
Zoning:	"C-2 ERZD MLOD-1" Commercial Edwards Recharge Zone Camp Bullis Military Lighting Overlay District-1
Subject:	Maximum Parking Adjustment
Prepared By:	Jacob Floyd, Planner

Summary

The applicant requests an adjustment from the maximum parking limitation imposed due to the Edwards Recharge Zone District to allow for a total of 171 spaces. The subject property is zoned C-2 ERZD MLOD-1.

If this adjustment were not granted the applicant must comply with the 7 spaces per 1,000 square feet parking requirement and could expand the parking lot up to 155 parking spaces.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 17, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting this parking adjustment in order to expand the current parking lot by 73 spaces (from 98 spaces to 171 spaces). The requested adjustment would allow

the expansion of the lot beyond the maximum allowable 155 parking spaces (number based on the 7 spaces per 1,000 square feet) imposed by the ERZD. The applicant indicates that the existing 98 parking spaces have proven to be insufficient for the regular use of the church, as the total occupancy load of the buildings is 368 people. As a result, patrons park along the public street.

Surrounding Zoning/Land Use

North	C-2 ERZD MLOD-1	Commercial Retail
South	R-6 ERZD MLOD-1	Single-Family Residential
East	C-2 ERZD MLOD-1, R-6 ERZD MLOD-1	Vacant, Single-Family Residential
West	C-2 ERZD MLOD-1, R-6 ERZD MLOD-1	Vacant, Single-Family Residential

Comprehensive Plan Consistency/Neighborhood Association

The subject property is not located within the boundaries of a Neighborhood/Community Plan.

The property is located within the boundaries of the Stone Oak Property Owners Association. As of July 29, staff has not received a reply from the neighborhood association.

Criteria for Review

According to Section 35-526(b) of the Unified Development Code, the Board of Adjustment may adjust the minimum or maximum parking requirements based on a showing, by the applicant, that a hardship is created by a strict interpretation of the parking regulations.

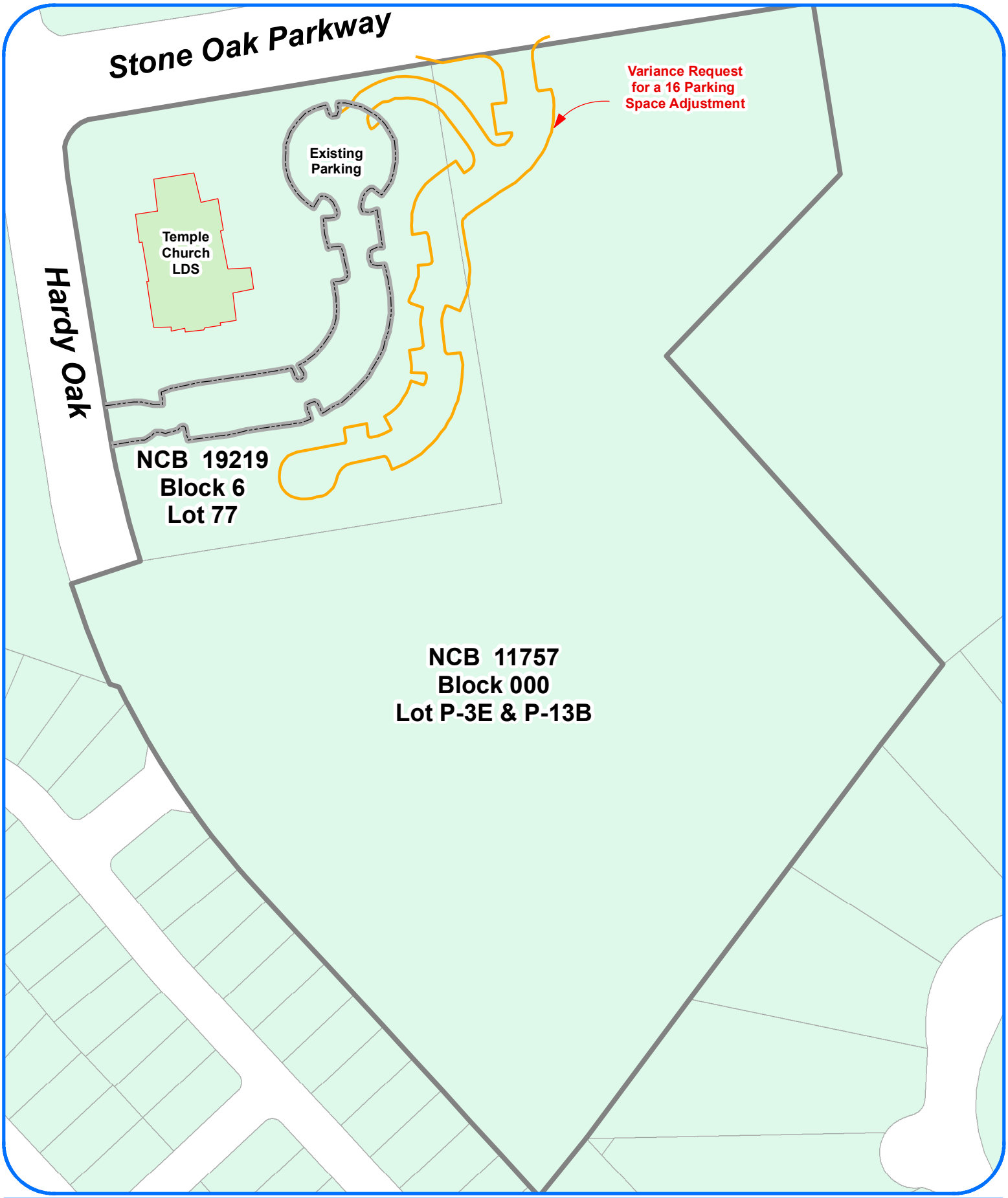
The applicant indicates that the existing 98 parking spaces have proven to be insufficient for the regular use of the property. However, no hardship has been shown to be created by the restriction of parking to 155 parking spaces. The applicant currently has the flexibility to provide an additional 57 parking spaces but has not done so to date. Staff does not believe that the applicant has attempted to exhaust all remedies prior to requesting the adjustment.

Additionally, the subject property is located within the Edwards Recharge Zone District, and as such, staff believes that this parking adjustment is contrary to the intent of the ERZD impervious cover standards.

Staff Recommendation

It does not appear that undue hardship will be created through the strict interpretation of the parking regulations applicable to the Edwards Recharge Zone District. The applicant has not shown that the strict interpretation of the parking regulations would create a hardship. Staff recommends **denial** of the requested adjustment to the maximum parking requirements.

Attachments
Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Proposed Site Plan



Board of Adjustment

Plot Plan for

Case A-09-074

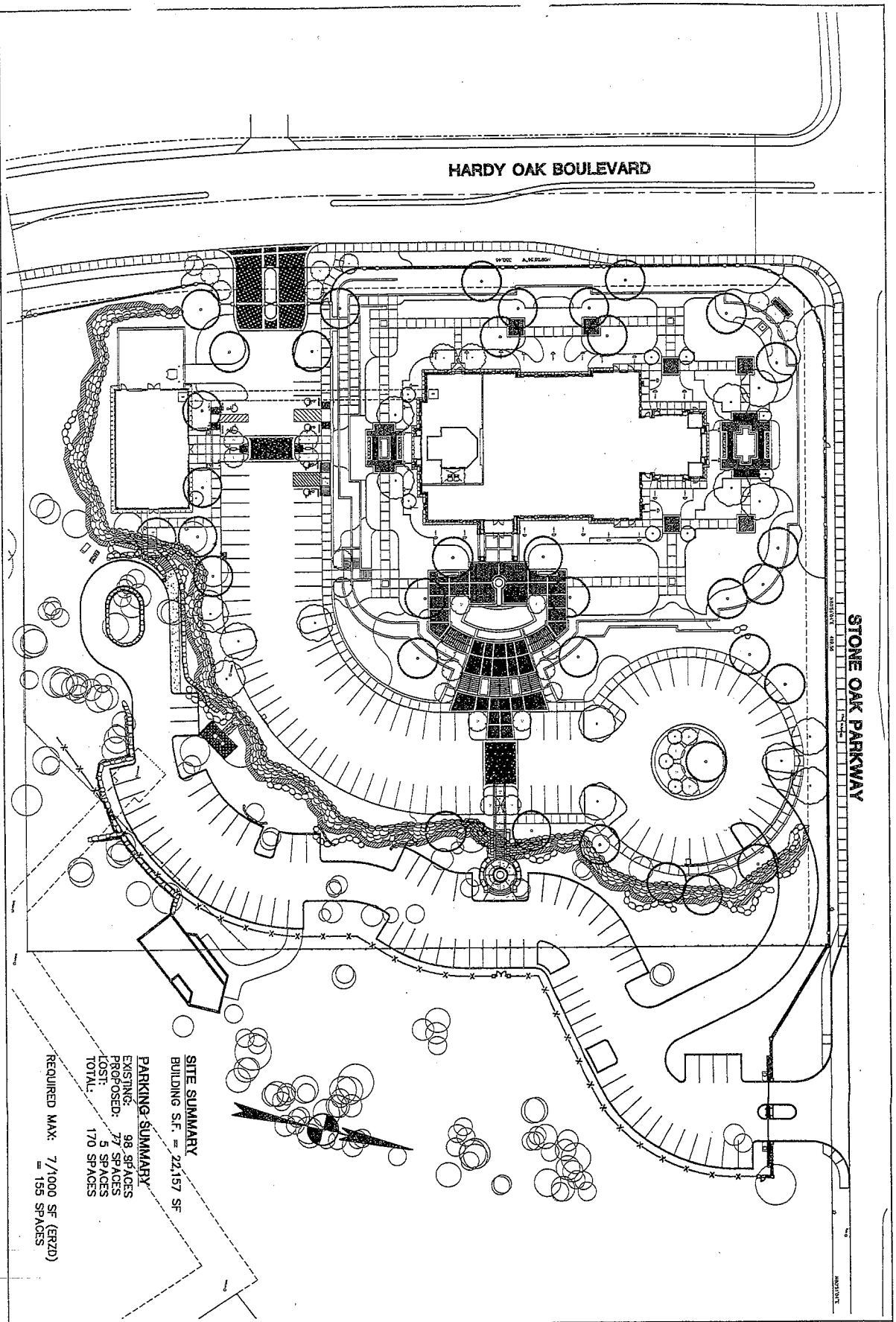
N
W E
S

Legend

Scale: 1" approx. = 150'
Council District 9

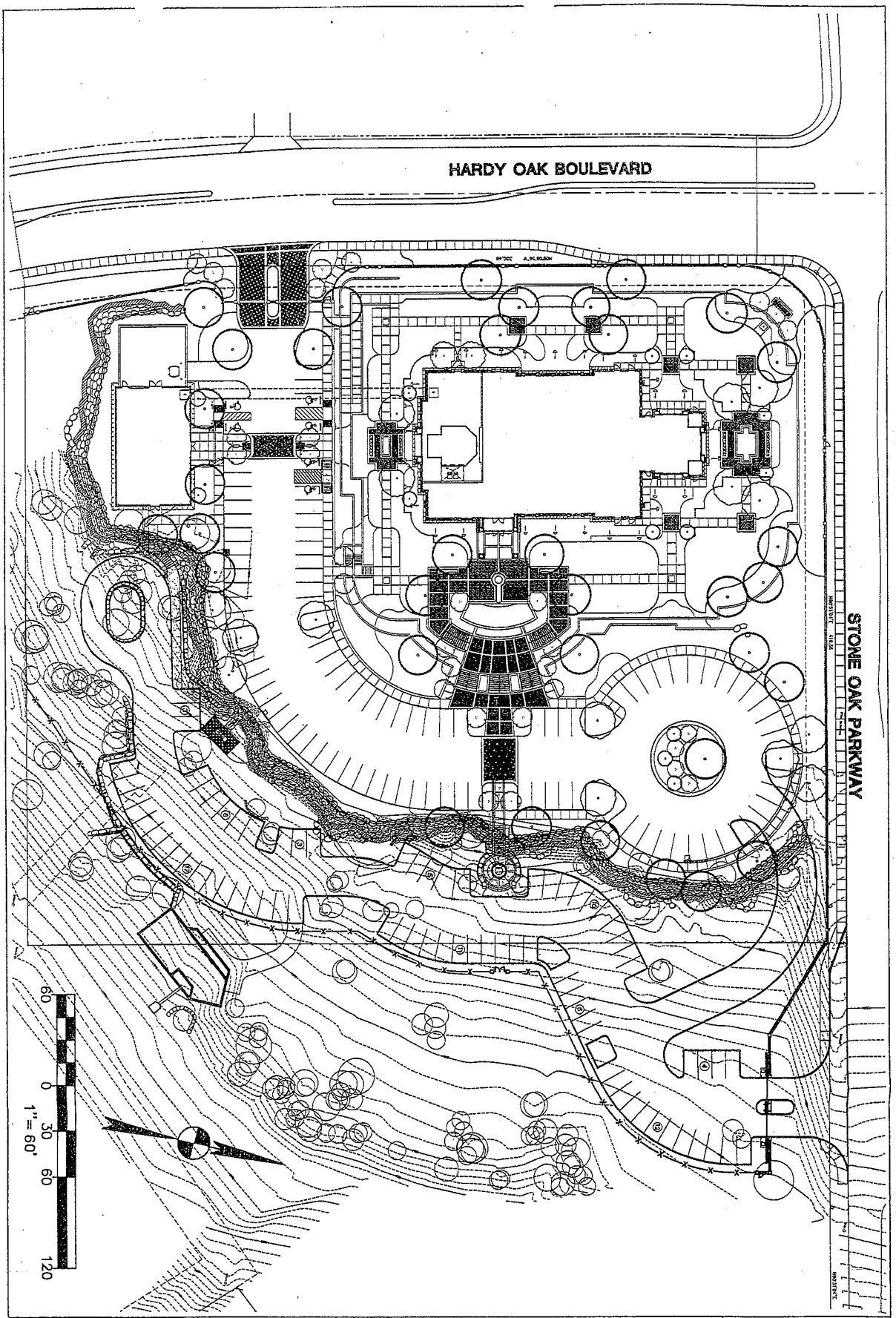
20080 Stone Oak Pkwy

Planning and Development Services Dept
City of San Antonio
(07/16/2009 - P. Trinkle)



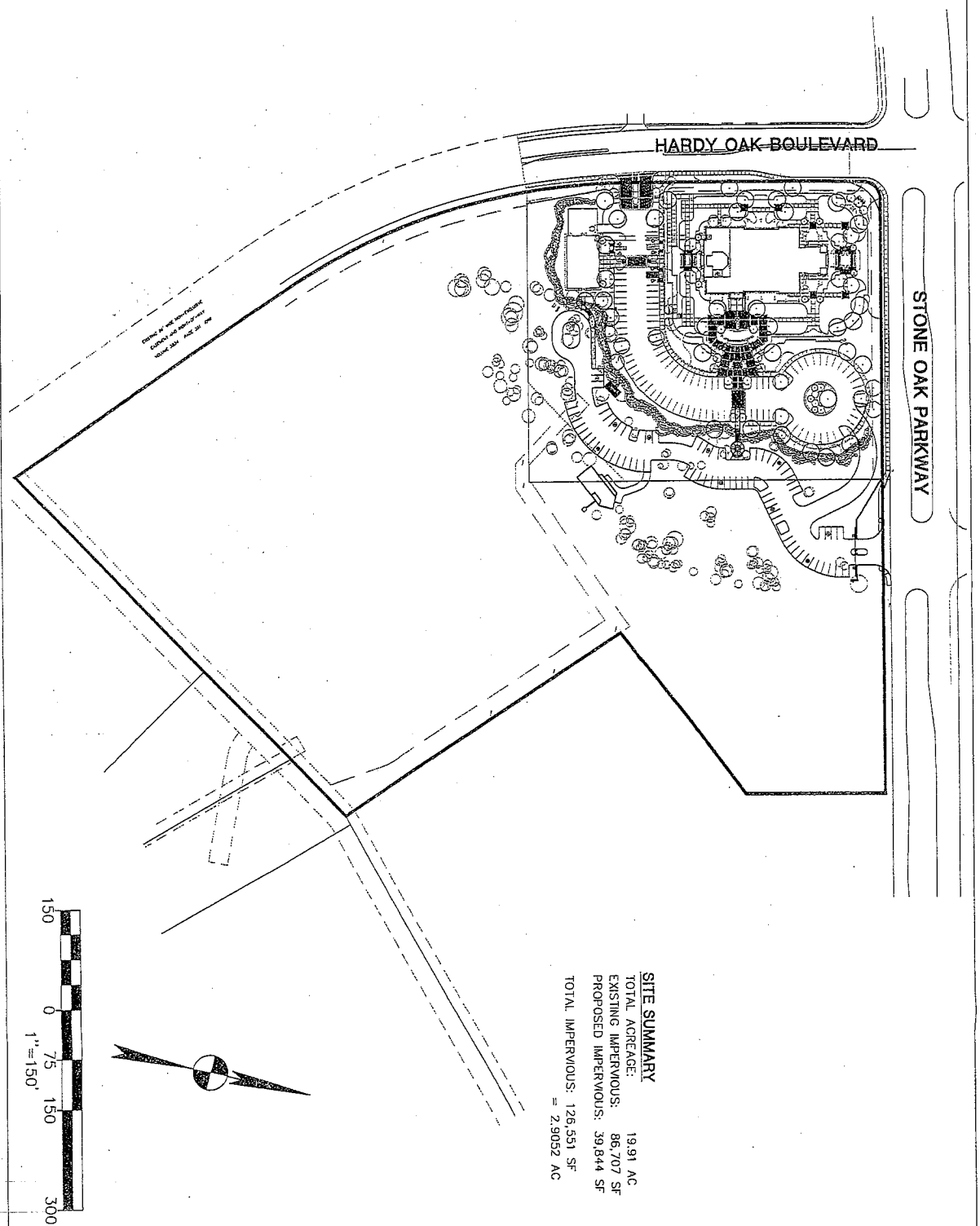
SHEET EXH01	SAN ANTONIO TEMPLE STONE OAK AND HARDY OAK SAN ANTONIO, TEXAS	LDS PARKING EXPANSION SITE PLAN EXHIBIT	Bury+Partners ENGINEERING SOLUTIONS [illegible]

DATE: Jun-19-2009 | SCALE: 1"=60' | DRAWN BY: MW | FILE: G:\703\02\EXHIBITS\SAWS\70302EXH01.dwg | PROJECT No.: 50703.02



SHEET EXH02	SAN ANTONIO TEMPLE STONE OAK AND HARDY OAK SAN ANTONIO, TEXAS	LDS PARKING EXPANSION SITE PLAN AND EXISTING GRADING EXHIBIT	Bury+Partners ENGINEERING SOLUTIONS 922 Saxon Road, Suite 106 San Antonio, TX 78216 Tel. (210)525-9009 Fax (210)525-0229 Bury+Partners-SA, Inc. ©Copyright 2009

DATE: Jun-19-2009 | SCALE: 1"=60' | DRAWN BY: MW | FILE: G:\703\02\EXHIBITS\SAWS\70302EXH02.dwg | PROJECT No.: 50703.02

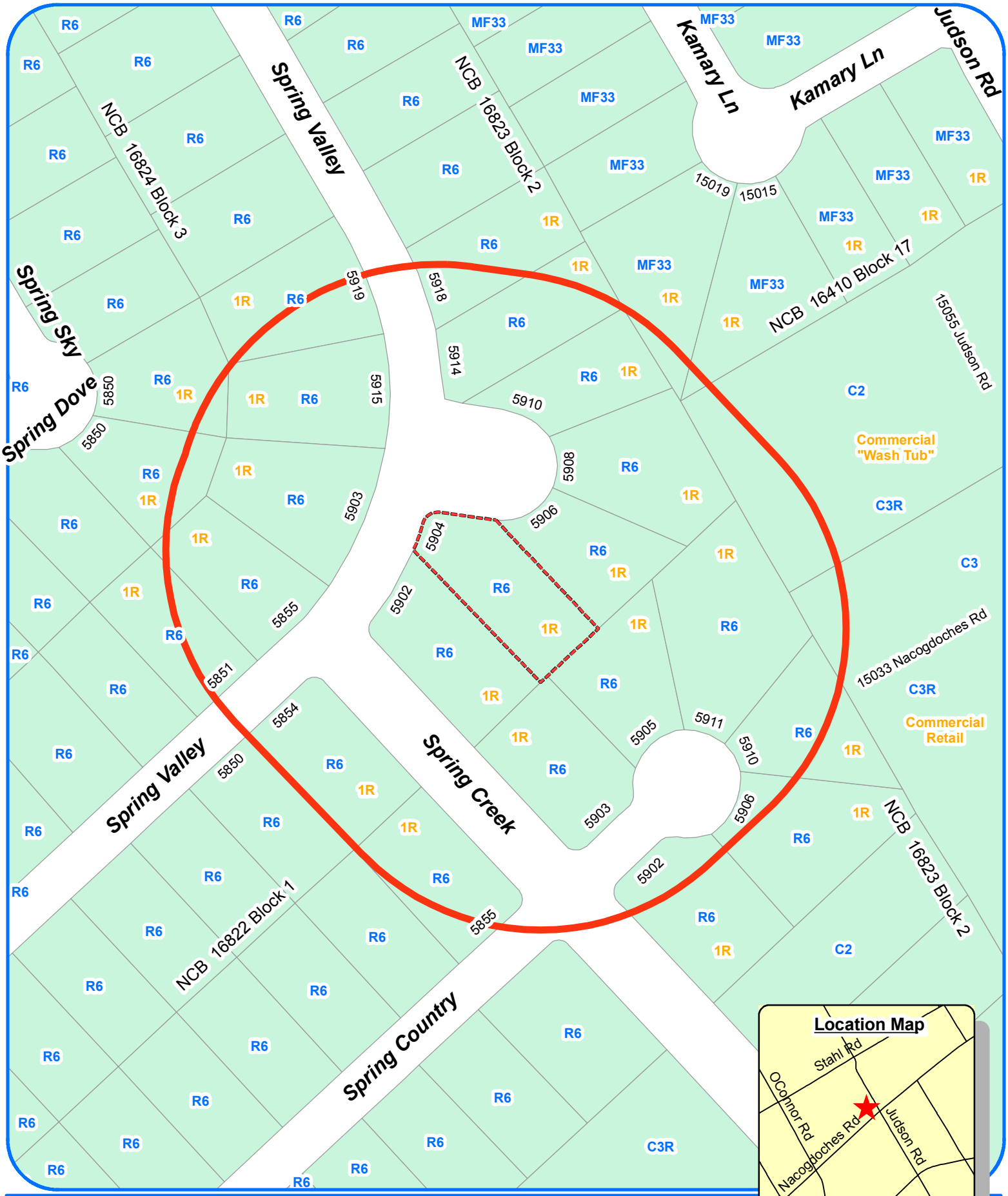


SITE SUMMARY

TOTAL ACREAGE: 19.91 AC
EXISTING IMPERVIOUS: 86,707 SF
PROPOSED IMPERVIOUS: 39,844 SF
TOTAL IMPERVIOUS: 126,551 SF
= 2.9052 AC

SHEET EXH03	SAN ANTONIO TEMPLE STONE OAK AND HARDY OAK SAN ANTONIO, TEXAS	LDS PARKING EXPANSION OVERALL SITE PLAN EXHIBIT	Bury+Partners ENGINEERING SOLUTIONS 922 Isom Road, Suite 100 San Antonio, TX 78215 Tel. (210)525-9090 Fax (210)525-0529 Bury+Partners-SA, Inc. ©Copyright 2009

DATE: Jun-19-2009	SCALE: 1"=200'	DRAWN BY: MW	FILE: G:\703\02\EXHIBITS\SAWS\70302EXH03.dwg	PROJECT No.:	50703.02



Board of Adjustment

Notification Plan for

Case A-09-075

N
W E
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Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 10

Planning and Development Services Dept
City of San Antonio
(7/7/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-075
Date:	August 3, 2009
Applicant:	Cesar A. and Alicia M. Silva
Owner:	Cesar A. and Alicia M. Silva
Location:	5904 Spring Valley
Legal Description:	Lot 8A, Block 2, NCB 16823
Zoning:	"R-6" Residential Single-Family District
Subject:	• Side Setback Variance • Side-Yard Fence Height Variances • Rear-Yard Fence Height Variance
Prepared By:	Jacob Floyd, Planner

Summary

The applicant requests the following variances:

1) a complete variance from the side setback requirement, in order to keep an existing patio cover on the west side property line; **2)** a 1-foot 9-inch variance from the requirement that fences in side yards not exceed 6 feet in height, in order to keep an existing fence 7 feet 9 inches tall in the west side yard; **3)** a 1 foot variance from the requirement that fences in side yards not exceed 6 feet in height, in order to keep an existing fence at a height of 7 feet in the east side yard; and, **4)** a 6 inch variance from the requirement that rear yard fences not exceed 6 feet in height, in order to keep an existing fence at a height of 6 feet 6 inches.

If these variances are not granted, the applicant must comply with the side setback and side and rear yard fence standards.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on July 16 and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 17, in accordance with the public

noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting these variances in order to keep an existing patio cover on the west side property line; an existing fence at a height of 7 feet 9 inches in the west side yard; an existing fence at a height of 7 feet in the east side yard; and an existing fence at a height of 6 feet 6 inches in the rear yard. The applicant indicates that the patio cover was built in an effort to shade the west side of the house from the sun and as an aesthetic feature. The fences have been at their current heights for a number of years; the 7-foot tall iron gates being the only recent modifications. The applicant indicates that the additional fence height allows them to prevent rotting of the wood by raising the fence above the ground. Additional height is created by an approximately 1-foot 3-inch tall retaining wall along a portion of the west side property line (in the west side yard), which results in a total height of 7 feet 9 inches. The height of the fence in the rear yard is due partially to varying elevation in the rear of the property.

Surrounding Zoning/Land Use

North	R-6, MF-33	Single-Family Residential
South	R-6	Single-Family Residential
East	R-6, C-2, C-3R	Single-Family Residential, Commercial
West	R-6	Single-Family Residential

Comprehensive Plan Consistency/Neighborhood Association

The subject property is not located within a Neighborhood Plan.

The property is located within the boundaries of Spring Creek Neighborhood Alliance. As of July 29, staff has not received an official reply from the neighborhood association.

Criteria for Review

According to Section 482(e) of the Unified Development Code, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   It does not appear that the granting of these variances would be contrary to the public interest.

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   It does not appear that literal enforcement of the side setback requirements would result in an unnecessary hardship in regards to the side setback requirements. Nor does it appear that unnecessary hardship would result from the literal enforcement of the fence height standards in the east side yard.

However, literal enforcement of the west side and rear yard fence height standards may result in an unnecessary hardship in that the retaining wall causes the property abutting to the west to sit approximately 1.5 feet higher than the subject property. In addition, the slope of the property causes the rear of the subject property to sit several feet higher than the residential dwelling abutting to the rear.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   The reasonable use of the subject property will not be denied should the side setback variance not be granted, nor by denial of the fence height variance in the east side yard.

   However, the granting of the fence height variances in the west side and rear yards would allow the property owners to adequately screen their yard and create the desired level of privacy by compensating for the variation of the terrain.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The granting of the requested variances would not authorize a use other than those specifically permitted in the "R-6" zoning district.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   It does not appear that the granting of any of the requested variances would injure the appropriate use of the adjacent conforming properties, nor would it alter the essential character of the district.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

   The encroachment into the side setback is not due to unique circumstances existing on the property nor is the additional fence height in the east side yard.

   However, the west side and rear yard fence height may be appropriate due to the unique topography of the subject property, specifically the slope of the property and the difference in elevation between the properties abutting to the west and south.

Staff Recommendation

It does appear that the requested variances to the fence height standards in the west side and rear yards are due to the unique topography of the property and would allow the property owners to adequately screen their property, while not negatively affecting the abutting lots. The slope of the land and the difference in elevation between the subject

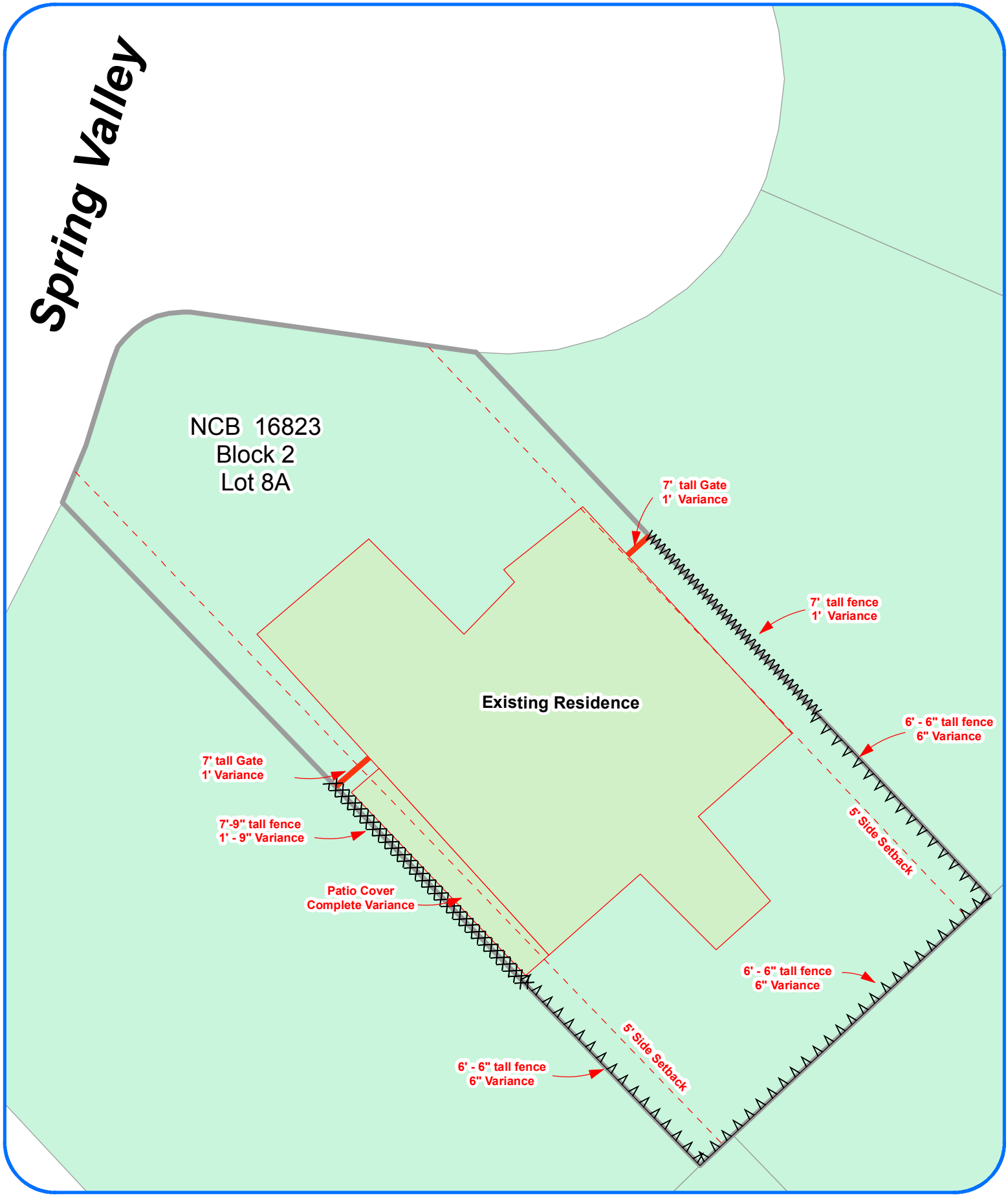
property and the abutting lots appear to create a unique situation necessitating additional fence height. Staff recommends **approval** of variances #2 and #4.

However, it does not appear that the topography of the property would create an unnecessary hardship through the literal enforcement of the side setback requirement and the fence height standards in the east side yard. Reasonable use of the subject property may still be made should these variances be denied. Staff recommends **denial** of variances #1 and #3.

Should the Board grant the applicants' request for a complete variance from the side setback requirement in the west side yard, the applicant would be required to construct a firewall along the side of the patio cover, parallel to the affected lot line. This is a requirement as per International Residential Code for One- and Two-Family Dwellings – Section R302.1: Exterior Walls (Table R302.1).

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Submitted Survey
Attachment 4 – Topographic Contour Map



Board of Adjustment

Plot Plan for

Case A-09-075

N
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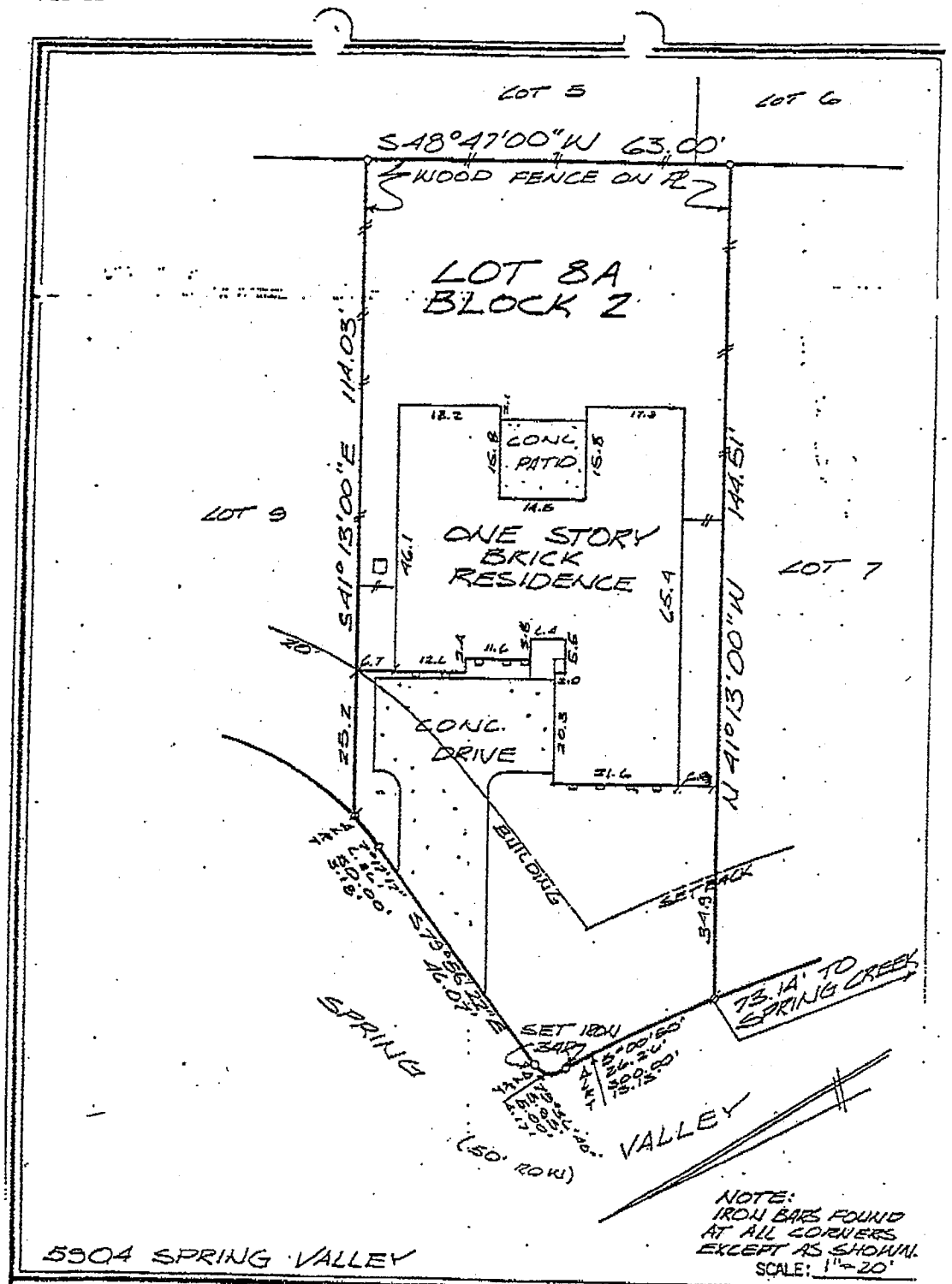
Legend

Scale: 1" approx. = 20'
Council District 10

5904 Spring Valley

Planning and Development Services Dept
City of San Antonio
(7/16/2009 - P. Trinkle



NOTE:
IRON BARS FOUND AT ALL CORNERS EXCEPT AS SHOWN.
SCALE: 1"=20'

SURVEY OF
LOT 8A
BLOCK 2
SPRING CREEK FOREST
UNIT-2
NCB 16825
SAN ANTONIO
BEXAR COUNTY, TEXAS
RECORDED
VOL. 8800 PAGE 230 DATE 4-2-80

WE, MAVERICK ENGINEERING COMPANY, HAVE MADE A SURVEY ON THE GROUND OF THE FOREGOING PROPERTY AND WE CERTIFY THAT THERE ARE NO VISIBLE ENCROACHMENTS.

BY: Robert J. Schroeder

MAVERICK ENGINEERING COMPANY

STATE OF TEXAS
ROBERT J. SCHROEDER
4045
REGISTERED PUBLIC SURVEYOR

GF NO.
DATE 4-29-85
JOB NO. S 107130
DRN: PC CKD: RS

928
928
926
928
924
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912
Legend
2FT Contours
BCAD Parcels 2008
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15
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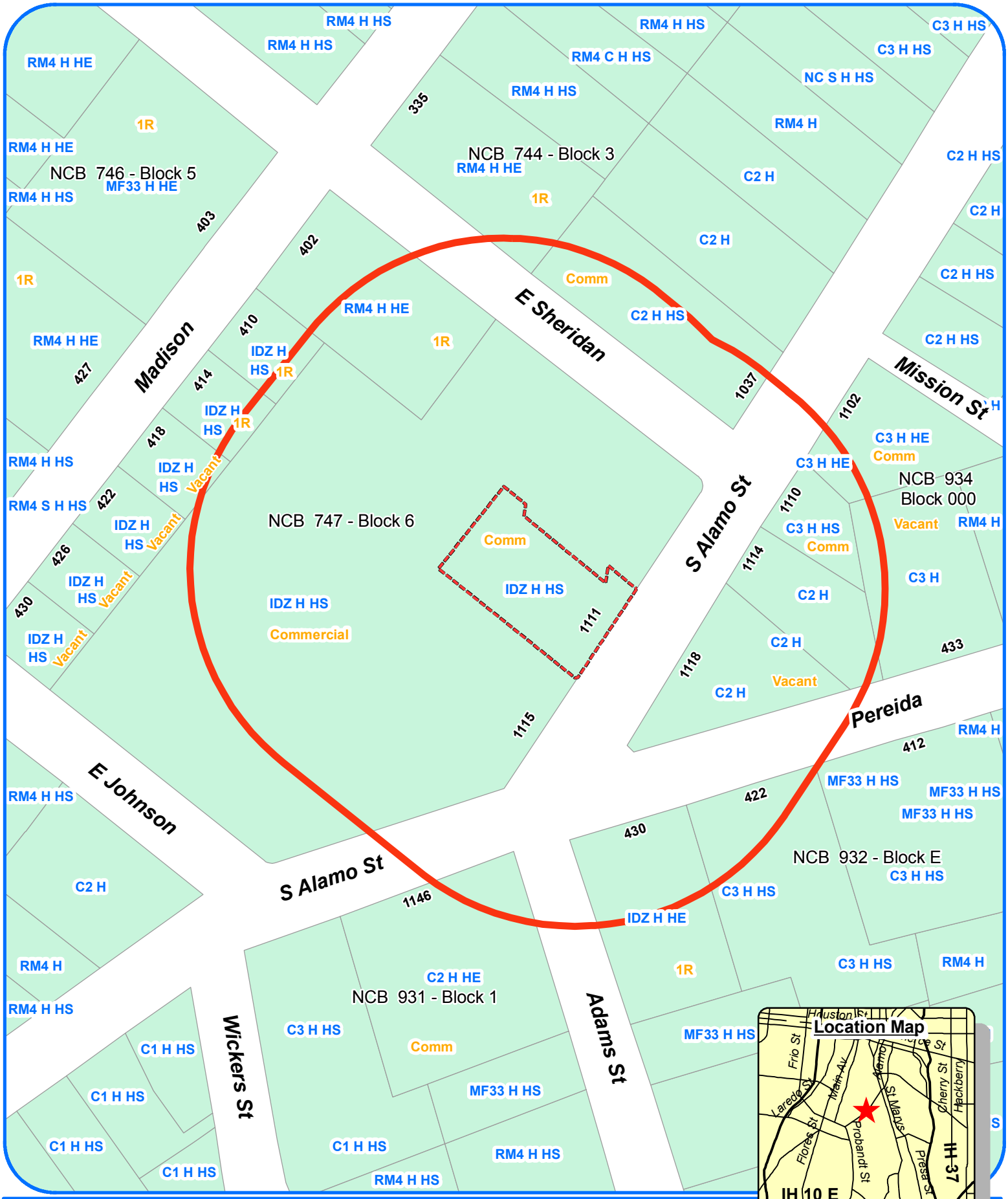
90
120
Feet



Board of Adjustment

Notification Plan for

Case A-09-076

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 1

Planning and Development Services Dept
City of San Antonio
(07/07/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-076
Date:	August 3, 2009
Applicant:	Brown & Ortiz, P.C.
Owner:	Frolic & Detour, LLC
Location:	1111 South Alamo Street
Legal Description:	Lot 26, Block 6, NCB 747
Zoning:	"H HS IDZ" Infill Development Zone King William Historic District, Historic Significant with uses permitted in "C-2" Commercial District and "RM-4" Mixed Residential District and a hotel with related bar, restaurant and health club services
Subject:	Rear Setback Variance
Prepared By:	Mike Farber, Planner

Summary

The applicant requests a 1-foot, 1 3/8-inch variance from the requirement that a minimum 5-foot rear setback be maintained in "IDZ" zoning districts, in order to erect an addition that would sit approximately 3 feet, 10 5/8 inches from the rear property line.

Public Notice

The request was publicly noticed in accordance with Section 403 of the Unified Development Code (UDC). Notices were sent to property owners and registered neighborhood associations within two hundred (200) feet of the subject property on July 16, and the application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This was published on July 17, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Project Description

The applicant is requesting a variance from the rear setback standards in order to erect an addition to an existing structure that would encroach into the required rear setback. The applicant is citing the configuration of the re-plat of the property, coupled with the 10-foot no-build easement in addition to the required rear setback, as the primary hardships.

According to the applicant, the proposed addition would be utilized as a dining and storage area for the proposed restaurant. Upon visiting the site, it appeared that preparatory work had already begun for the foundation of the addition. Permits were obtained for the preparatory work, along with the interior remodeling, on June 18, 2009 (Permit #1539810). On February 4, 2009, the HDRC recommended approval of a new two-story back porch addition as part of the "adaptive reuse of the old Sisters of Scholastica Convent as a restaurant."

Surrounding Zoning/Land Use

North	H HS IDZ	King William Historic District Historic Significant Infill Development Zone-Commercial
South	H HS IDZ	King William Historic District Historic Significant Infill Development Zone-Commercial
East	H HS IDZ	King William Historic District Historic Significant Infill Development Zone-Commercial
West	H C2	King William Historic District Commercial District-Vacant

Comprehensive Plan Consistency/Neighborhood Association

The subject property is located within the Downtown Neighborhood Plan. The Neighborhood Planning and Urban Design Section review (Attachment 4) states that "the literal enforcement of the rear setback requirements of the UDC does not impose an unnecessary burden or hardship related to any physical feature or characteristic of the property."

The property is located within the boundaries of the King William Neighborhood Association. As of July 28, staff has not received a reply from the neighborhood association. Additionally, this property is located in the boundaries of the King William Historic District.

Criteria for Review

According to Section 482(e) of the UDC, in order for a variance to be granted, the applicant must demonstrate all of the following:

1. The variance is not contrary to the public interest:

   It appears that the granting of this variance would not be contrary to the public interest in that this request involves the adaptive re-use of an existing historic structure. The use as proposed has been approved by the HDRC (see attachment 5).

2. Due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship.

   It does appear that the literal enforcement of the ordinance would result in unnecessary hardship. Although the re-plat created the hardship in this case, it was not initiated by the current owner, and thus the hardship present is topographic in nature.

3. By granting the variance, the spirit of the ordinance will be observed and substantial justice will be done.

   It appears that due to the physical constraints of the lot, the applicant may not be able to make reasonable use of the property while meeting the required rear setbacks.

4. Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located.

   The granting of this variance would not authorize a use other than those specifically permitted in "IDZ" zoning districts.

5. Such variance will not substantially injure the appropriate use of adjacent conforming property or alter the essential character of the district in which the property is located.

   It does not appear that the granting of these variances would negatively influence or alter the character of the district.

6. The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located.

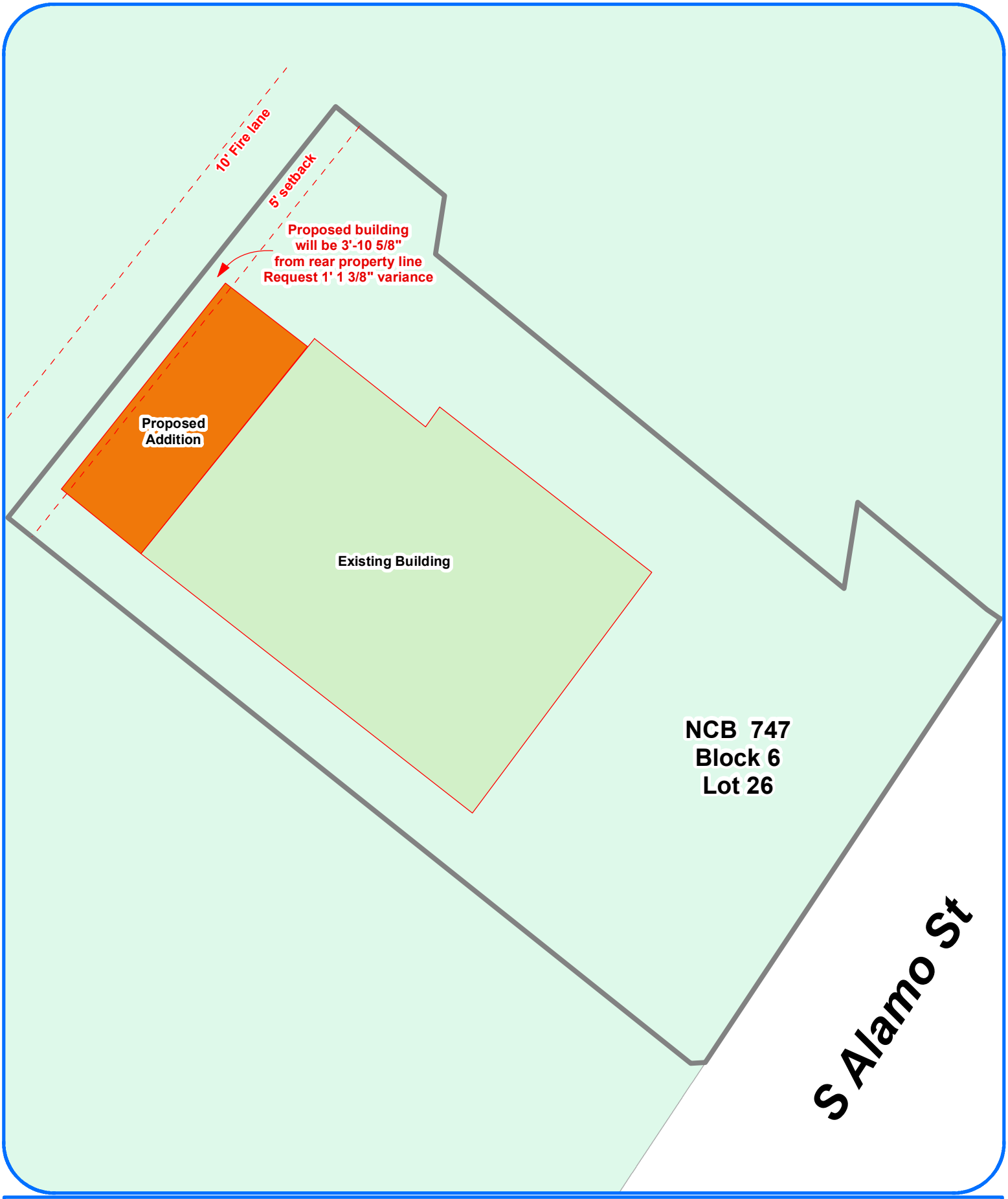
   There do not appear to be any unique topographic circumstances existing on the subject property. However, as the recent re-plat of the property was initiated by a previous owner, it appears that the hardship was not self-created.

Staff Recommendation

The subject property does appear to have a unique characteristic that would create an undue hardship due to literal enforcement of the rear setback requirements in that the lot was re-platted by the previous owner in an irregular fashion. Staff believes that the hardship present was not self created, in that the current owner had no part in the re-platting efforts. Furthermore, the proposed use is part of an adaptive re-use of an existing historic structure, and said use has already been given approval by the HDRC. Therefore, Staff recommends **approval** of the requested variance.

Attachments

Attachment 1 – Location Map
Attachment 2 – Plot Plan
Attachment 3 – Applicant's Proposed Site Plan
Attachment 4 – Neighborhood and Urban Design Division Case Review
Attachment 5 – HDRC Certificate of Appropriateness



Board of Adjustment

Plot Plan for

Case A-09-076

N
W E
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Legend

Scale: 1" approx. = 20'
Council District 1

1111 S Alamo St

Planning and Development Services Dept
City of San Antonio
(07/08/2009 - P. Trinkle)

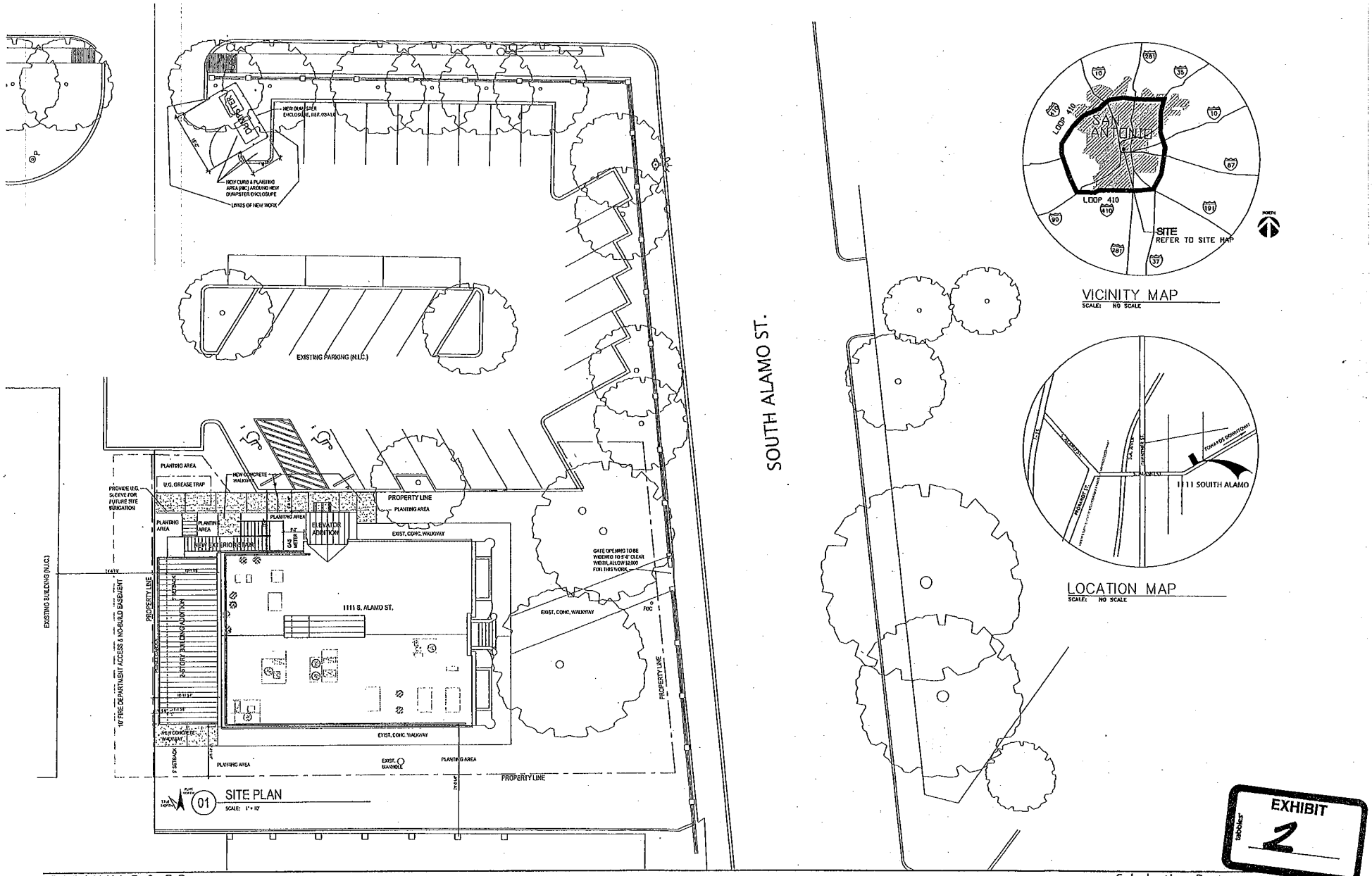


EXHIBIT 2

SPRINKLE & CO.
ARCHITECTS

Scholastica Restaurant
1111 S. Alamo St. San Antonio, TX 78210

NEIGHBORHOOD AND URBAN DESIGN DIVISION
BOARD OF ADJUSTMENT CASE REVIEW FORM

CASE INFORMATION

Case #: **A-09-076**

Property Address: 1111 S. Alamo Zoning: IDZ

Hearing Date:

Type / Scope of BOA Request:
Applicant is requesting a 2-foot variance from the requirement that a minimum of 5-foot rear setback be maintained in "IDZ" zoning districts. The variance is being requested to allow an addition to the existing structure.

PLANNING PROGRAM / PROJECT OVERLAP

Neighborhood Association(s): King William
Neighborhood or Community Plan: Downtown Neighborhood Plan
Neighborhood Conservation District: n/a
Corridor Overlay District (name or n/a): n/a

ANALYSIS STATEMENT

The future land use of the subject parcel is designated Residential, and is located in the Downtown Neighborhood Plan. The plan for the King William area, specifically the S. Alamo corridor, calls for continued preservation within the historic district with maximum densities of 40 units per gross acre.

The request is for a variance to build within the rear building setback. Code building setback requirements are intended to provide buffering and safety distances between properties. The granting of this request potentially compromises these safety requirements.

Additionally, the applicant states that the hardship is due to "the replat of the property which did not sufficiently consider its implication on" future redevelopment of the subject parcel. Therefore, the literal enforcement of the rear setback requirements of the UDC does not impose an unnecessary burden or hardship related to any physical feature or characteristic of the property.

RECOMMENDATION

Recommendation Pending Additional Analysis / Information ____

Support Request _____ Deny Request ___X___

REVIEWER INFORMATION

Neighborhood Planner Reviewing: Gary Edenburn, Sr. Planner

Date Review Completed: July 13, 2009

CITY OF SAN ANTONIO

HISTORIC AND DESIGN REVIEW COMMISSION
CERTIFICATE OF APPROPRIATENESS

February 04, 2009

HDRC CASE NO:	**2008-355**	
ADDRESS:	1111 South Alamo	
LEGAL DESCRIPTION:	NCB747BLK6LOT26	
PUBLIC PROPERTY:		
HISTORIC DISTRICT:	King William Historic District	
DISTRICT:		
APPLICANT:	Davis Sprinkle	1710 N. Main
OWNER:	Dwight Hobart	
TYPE OF WORK:	Addition	

REQUEST:

The applicant is requesting a Certificate of Appropriateness for Final Approval for the adaptive reuse of the old Sisters of Scholastica Convent as a restaurant. The exterior will be cleaned and repaired with minimal alterations to the existing architecture.

The following three items received Conceptual Approval on December 3, 2008:
1. New 2-story back porch addition of 13' x 43'-5" footprint, with wood frame, 4" exterior siding and trim, and a standing seam metal shed roof.
2. New exterior staircases at side rear, constructed of steel structural members with wood plank treads, and steel and wood railing.
3. New 4-stop elevator on exterior of northeast elevation of 8' x 10' footprint, with painted stucco exterior to match existing building.

The remaining two items have been proposed subsequently to the conceptual approval submission. The architectural committee reviewed them at an on-site meeting on January 20, 2009.
4. New roof access stair shed, the volume of which will follow minimum requirements for head height. It will be clad and constructed similarly to the new porch, and will be located centrally on the roof, well back from the public facades.
5. New rooftop safety railing constructed of steel tubing and welded wire mesh. The railing will be located near the exterior side and rear walls of the existing building, and will stop well back from the parapet at the southeast façade of the building.

The applicant will return to the HDRC for approval of landscaping, exterior finishes/color, and signage.

RECOMMENDATION:

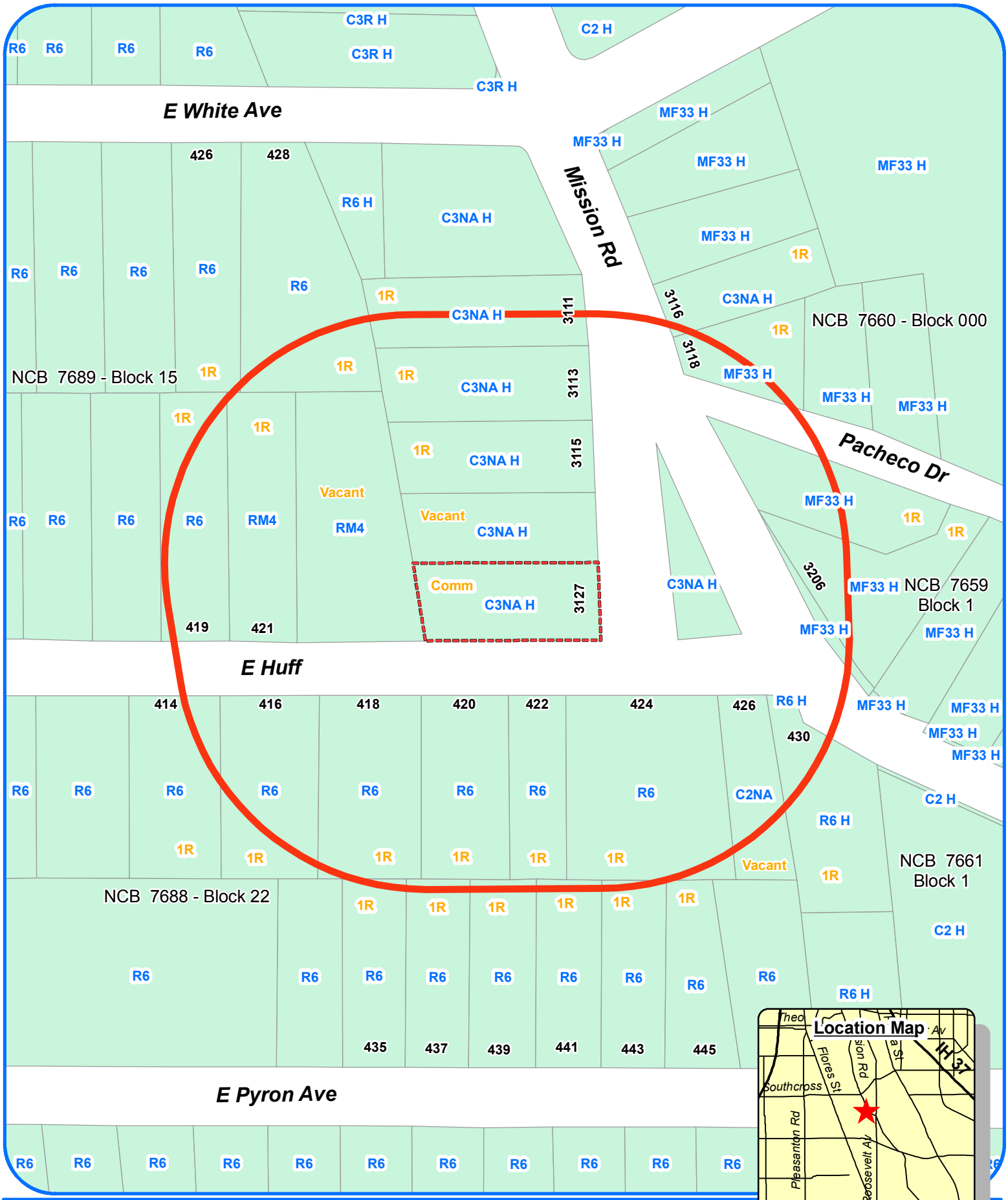
Staff commends the reuse of the old Sisters of Scholastica Convent and the attempts to reuse materials.
Staff recommends approval of items 1, 2, & 3 which received conceptual approval. Staff does not recommend

approval of item 4 as submitted. The new stair access adds a new element to the roof that is heavy for the 2-story building. The proposed roof access is similar to roof access for much taller buildings. The access shed would be highly visible especially from the northeast elevation. The proposed access is for private use only and will not be open to the public. Staff recommends a less obvious solution is provided for access to the roof. Staff understands the need to place mechanical equipment on the roof. Staff has requested a line of site study to show visibility of the roof access if it is to be persued. Staff recommends approval of item 5 to allow screening of these mechanical units. The railing should be as minimal as possible and should not be a green screen. The owner can place potted plants in strategic locations to block the view of the mechanical equipment. At the time recommendations were written staff had not seen a detail of the newly proposed fritted glass canopy steel angle supports to be placed over the elevator door.

COMMISSION ACTION:

Approved as submitted including proposed 1st floor protection.

Shanon Peterson Wasielewski
Historic Preservation Officer



Board of Adjustment

Notification Plan for

Case A-09-078

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 1

Planning and Development Services Dept
City of San Antonio
(07/27/2009 - P. Trinkle)

City of San Antonio
Planning & Development Services Department
Staff Report

To:	Board of Adjustment
Case No.:	A-09-078
Date:	August 3, 2009
Applicant:	City of San Antonio
Owner:	Hacienda Club, LLC.
Location:	3127 Mission Road
Legal Description:	Lot 19, Block 15, NCB 7689
Zoning:	"H C-3 NA" General Commercial, Non-Alcoholic Sales, Mission Historic District
Subject:	Revocation of Certificate of Occupancy No. 1333923
Prepared By:	Rudy Niño, Jr. Senior Planner

Summary

In accordance with Section 406 of the Unified Development Code (Chapter 35), The Director of the Planning and Development Services Department is recommending that the Board of Adjustment take action to terminate the Certificate of Occupancy of the Hacienda Club.

Public Notice

The request was publicly noticed in accordance with Sections 403 and 406 (c) of the Unified Development Code (herein referred to as UDC) and 406 (c). A notice was hand-delivered to the Hacienda Club on July 10, 2009. The application was noticed in The Daily Commercial Recorder, an official newspaper of general circulation. This case was published on July 17, in accordance with the public noticing requirements of the Section above. Notice of this meeting was posted at city hall and on the city's internet website on July 31, in accordance with Section 551.043(a) of the Texas Government Code.

Surrounding Zoning/Land Use

North	H C-3 NA	Single-Family Residential
South	R-6	Single-Family Residential
East	H C-3 NA	Vacant Land
West	RM-4	Parking and Single-Family Residential

Background

The Director of the Planning and Development Services Department has initiated procedures to revoke the Certificate of Occupancy (herein referred to as CofO) for the Hacienda Club. The subject property is zoned "H C-3 NA", which is a heavy commercial district and allows a number of retail and service uses, including a lounge without alcohol sales. The club is addressed at 3127 Mission Road and is located within a free-standing commercial structure with parking on the lots to the immediate north and west. The lots to the west have been utilized for parking, however, the current RM-4 zoning does not allow for parking by-right. A mixture of light commercial and residential uses front on this block of Mission Road.

The Director has initiated the procedures, as delineated in Section 406 of the City's UDC, due to numerous violations of the business' CofO.

The business owner, or their representative, of the lounge applied for, and received, a CofO numbered 1333923, dated February 21, 2007 for a "Lounge w/o Alcohol Sales and Live Entertainment and No Sexually Oriented Business Operations Allowed" (see Attachment #2). Upon applying for a CofO for this type of use (a use that could potentially be sexually oriented in nature), the City of San Antonio requires that the applicant indicate if the business will be operated as an "Adult Entertainment Establishment" and requires that an affidavit be submitted with the CofO application. This affidavit certifies that the applicant is aware of the regulations regarding sexually oriented businesses and that their proposed use will not violate said regulations (see Attachment #3-4 for regulations regarding sexually oriented businesses and UDC definition).

It appears that soon after receiving their CofO and commencing operation, the club began to operate outside the scope of their CofO; as a sexually oriented establishment, in violation of city code. The San Antonio Police Department Vice Unit has provided Staff a number of examples of violations (*see Attachments #5-9),* to include:

- 06/03/09 (Case No. 90 413389/01) – Violation of City Ordinance (CofO Violation)
- 04/09/09 (Case No. 90 259113/01) – Violation of CofO
- 10/06/07 (Case No. 70 771765) - Multiple Violations: Public Lewdness
- 10/06/07 (Case No. 70 771845) – Violation: Public Lewdness
- 08/03/07 (Case No. 70 596867/01) – Multiple Violations: Public Lewdness

Additionally, the Planning and Development Services Department is in possession of video taken by the Vice Unit that shows clear violations of their CofO on the following dates:

- 10/08/07
- 02/07/08

Historic District/Neighborhood Association

The subject property is located within the Mission Historic District.

The property is also located within the boundaries of the Mission San Jose Neighborhood Association. Staff received an e-mail on July 29, 2009, stating that they are in support of the CofO termination (see Attachment #10).

Criteria for Review

According to Section 406(d) of the UDC, the Board may issue an order to terminate or suspend a permit by submitting a basis for the decision that addresses the following findings:

1. Condition(s) violated:

   Based on the attached evidence and the definition of a Sexually Oriented Business, Staff believes that the Hacienda Club has clearly operated without the appropriate CofO. Had they attempted to obtain a CofO with the appropriate land use, they would have been instructed that they do not meet the criteria listed in Section 388 of the UDC, which states that this type of business shall not be located within 1,000 feet of a protected land use as delineated in Section 388 of the UDC. It is located within 1,000 feet of Pyron Avenue Baptist Church, which is located at 431 East Pyron Avenue, as well as multiple residential zoning districts and uses.

2. Harm such violation caused:

   The violations, as listed in the police reports, demonstrate a pattern of non-compliance with the CofO granted in 2007. Allowing this business to remain open would allow a sexually oriented business within 1,000 feet of protected land uses (a church and residential uses/zoning districts) and compromises the integrity of the rules established to protect said uses.

3. Reason such violation cannot be cured:

   A violation of this class does not allow the Director any discretion to recommend that the business be allowed to remain open at this location. This business cannot obtain the appropriate CofO due to the aforementioned distance requirements.

Staff Recommendation

The Hacienda Club has been operated, as evidence by the numerous examples of violations, in clear disregard of their CofO and other city ordinances and laws. Further, according to Section 388 of the UDC, this location is inappropriate for a sexually oriented business because it is within one-thousand (1,000) feet of protected land uses.

Staff recommends that the Board support the Director's recommendation and revoke the certificate of occupancy of the Hacienda Club.

Attachments

Attachment 1 – Location Map
Attachment 2 – Certificate of Occupancy
Attachment 3 – Section 388: Sexual Oriented Business Regulations
Attachment 4 – Appendix A: Definitions – *Sexually Oriented Business*
Attachment 5 – Case No. 90 413389/01
Attachment 6 – Case No. 90 259113/01
Attachment 7 – Case No. 70 771765
Attachment 8 – Case No. 70 771845
Attachment 9 – Case No. 70 596867/01
Attachment 10 – Neighborhood Association E-mail
Attachment 11 – Aerial Map

SAN ANTONIO POLICE DEPARTMENT

PRELIMINARY INVESTIGATION REPORT CASE NO: 90 413389/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

REPORTING OFFICER: 2300 CASIAS, PETE III

O F F E N S E I N F O R M A T I O N

OFFENSE: 890926 VIOLATION OF CITY ORDINANCE
000056 WNTD PERS

DATES OF OCCURRENCE
WED 06-03-09 2320

OFF. LOC : 03127 MISSION RD
DISTRICT : 6240

WEATHER: WARM / DRY

COMP. NAME: CASIAS, PETE #2300 TITLE DET/VICE R/S ID? DOB
RES ADDR: 00000 APT NO.:
CITY/ST:
AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST:
AC/PHONE: / 207-2370 B

CALL#	DETECTIVES ASSIGNED	BADGE	CALL#	DETECTIVES ASSIGNED	BADGE

ARRESTED PERSON 01

CODE	N A M E	NICKNAME/ALIAS
AP01	WILLIAMS, RODNEY CRAIG	TX17773494

ADDR: 08358 WINDWAY
WINDCREST TX

CHARGES: CITY ORDINANCE VIOLATIONS

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
W	M	/	10-21-75	508/	120/	BLOND	HAZEL

ARRESTED PERSON 02

CODE	N A M E	NICKNAME/ALIAS
AP02	PENA, GEORGINA	TXID23372374

ADDR: 00207 LONGCREEK
FLORESVILLE TX

CHARGES: ALIAS CAPIAS WARRANT

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	F	/	09-02-89	505/	185/	BROWN	BROWN

SUSPECTED PERSON 01

CODE	N A M E	NICKNAME/ALIAS
SP01	JUAREZ, ANITA SUGAR	TX00608413

ADDR: 02109 TENTH ST
FLORESVILLE TX

CHARGES:

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	F	/	05-22-79	503/	140/	BROWN	BROWN

SAN ANTONIO POLICE DEPARTMENT
PRELIMINARY INVESTIGATION REPORT CASE NO: 90 413389/01
**** REPORT FINALIZED ****
INVESTIGATIVE UNIT: CID

W I T N E S S E S A N D O T H E R S

CODE			TITLE	R S ID?	DOB
C	NAME: CASIAS, PETE #2300		DET/VICE		
	RES ADDR:	APT NO.:			
	CITY/ST:		AC/PHONE:	/	-
	BUS ADDR: 00214 W NUEVA	APT NO.:			
	CITY/ST:		AC/PHONE:	/ 207-2370	B
CODE			TITLE	R S ID?	DOB
W01	NAME: CANTRELL, MIKE #256		T.A.B.C.		
	RES ADDR:	APT NO.:			
	CITY/ST:		AC/PHONE:	/	-
	BUS ADDR: 04302 WOODCOCK	APT NO.:			
	CITY/ST:		AC/PHONE:	/ 731-1720	B
CODE			TITLE	R S ID?	DOB
W02	NAME: DAVIS, KENNETH #3062		SGT/VICE		
	RES ADDR:	APT NO.:			
	CITY/ST:		AC/PHONE:	/	-
	BUS ADDR: 00214 W NUEVA	APT NO.:			
	CITY/ST:		AC/PHONE:	/ 207-2370	B

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:
C AND W2 ARE ASSIGNED TO THE S.A.P.D. VICE UNIT. W1 IS A T.A.B.C. AGENT. ON THE LISTED DATE AND TIME WE ENTERED THE LISTED LOCATION, "HACIENDA". THE LOCATION HAS A CERTIFICATE OF OCCUPANCY FOR A LOUNGE WITH OUT ALCOHOLIC BEVERAGE SALES AND LIVE ENTERTAINMENT AND NO SEXUALLY ORIENTED BUSINESS ALLOWED. WE ENTERED THE LOCATION TO CHECK FOR ANY C OF O VIOLATIONS. UPON ENTERING THE LOCATION W1 AND MYSELF WENT UPSTAIRS TO A PRIVATE AREA WHERE LAP DANCES ARE PERFORMED. WE OBSERVED A MALE PATRON SITTING ON A SOFA AND SP01 SITTING ON THE MALES LAP. SP01 WAS WEARING WHAT SHE CALLED A PAIR OF SHEER BLACK SHORTS. SP01 WAS NOT WEARING ANYTHING ON TOP AND HAD HER BREAST FULLY EXPOSED. SP01'S PASTIES WERE ON THE FLOOR NEXT TO HER. IT APPEARED THAT SP01 HAD PERFORMED FOR THE MALE PATRON BECAUSE THE SP01 ASKED THE PATRON TO PAY HER. THE MALE GAVE SP01 AN UNKNOWN AMOUNT OF CURRENCY. SP01 WAS TAKEN TO THE FRONT BAR AREA. THE MANAGER(AP01) WAS CONTACTED AND ADVISED OF WHAT WE HAD FOUND. BOTH AP01 AND SP01 WERE IDENTIFIED. WHILE AT THE LOCATION AP02 WAS FOUND TO HAVE A ALIAS CAPIAS WARRANT. AP02 WAS ARRESTED FOR WARRANT B1178922. WHILE AT THE LOCATION WE ALSO FOUND THAT THERE WAS NOT HOT WATER FOR EMPLOYEES TO WASH THEIR HANDS. THE LOCATION HAS A FOOD AND BEVERAGE PERMIT.WE ALSO FOUND A FIRE EXTINGUISHER WITH A EXPIRED CERTIFICATION TAG(03/09). THE AP01 WAS ISSUED THE LISTED CITATIONS AND THE AP02 WAS TRANSPORTED TO 401 S. FRIO.
CITATIONS:
X-1182673 VIOLATION CERTIFICATE OF OCCUPANCY(OPERATING AS A SEXUALLY ORIENTED

BUSINESS).
X-1182674 NO HOT WATER
X-1182750 EXPIRED FIRE EXTINGUISHER CERTIFICATION.

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 55 VICE REQUEST FOR SERVICE

06-04-09 0048

EXTRA COPY

SAN ANTONIO POLICE DEPARTMENT

PRELIMINARY INVESTIGATION REPORT CASE NO: 90 413389/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: CID

RECEIVED: 06-04-09 0024
DISPATCH: - -
ARRIVED: - -
CLEARED: - -

DISPATCH TO: 03127 MISSION RD
DISTRICT 6240
REPORT UNIT: RMC

REPORTED BY:
ADDRESS: APT: PHONE:

OFFICERS DISPATCHED	BADGE	OFFICERS DISPATCHED	BADGE
CASIAS, PETE III	2300-R		

REPORT ENTERED BY: 99 06-04-09 0024
APPROVING: 3062 DAVIS, KENNETH P SUPERVISOR: 3062 DAVIS, KENNETH P
REPORT ENTERED BY: 0000 CASIAS III, PETE 06-04-09 0048
COPIES OF REPORT TO: CID

SAN ANTONIO POLICE DEPARTMENT
EXTRA COPY

PRELIMINARY INVESTIGATION REPORT CASE NO: 90 259113/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: VICE

REPORTING OFFICER: 2300 CASIAS, PETE III

O F F E N S E I N F O R M A T I O N

OFFENSE: 410503 MINOR CONSUMING ALC BEV
410504 MINOR POSS ALC BEV
890926 VIOLATION OF CITY ORDINANCE

DATES OF OCCURRENCE
THU 04-09-09 2300

OFF. LOC : 03127 MISSION RD
DISTRICT : 6240

WEATHER: WARM / DRY

		TITLE	R/S ID?	DOB
COMP. NAME: CASIAS, PETE #2300		DET		
RES ADDR: 00000	APT NO.:			
CITY/ST:		AC/PHONE:	/	-
BUS ADDR: 00214 W NUEVA	APT NO.:			
CITY/ST:		AC/PHONE:	/ 207-2370 B	

CALL#	DETECTIVES ASSIGNED	BADGE	CALL#	DETECTIVES ASSIGNED	BADGE

ARRESTED PERSON 01

CODE	N A M E	NICKNAME/ALIAS
AP01	MATA, JOSE FRANCISCO	TX22631157

ADDR: 01903 RED ELM
SAN ANTONIO TX CHARGES: CITY ORDINANCE VIOLATION

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	M	/	07-03-77	511/	200/	BROWN	BROWN

ARRESTED PERSON 02

CODE	N A M E	NICKNAME/ALIAS
AP02	XIMENEZ, MARLENA MARIE	TXID 23625823

ADDR: 00927 VFW BLVD 4307
SAN ANTONIO TX CHARGES: M.I.P. / MINOR CONSUME A-B

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	F	/	11-05-88	501/	143/	BROWN	BROWN

W I T N E S S E S A N D O T H E R S

CODE		TITLE	R S ID?	DOB
C NAME: CASIAS, PETE #2300		DET		
RES ADDR:	APT NO.:			
CITY/ST:		AC/PHONE:	/	-
BUS ADDR: 00214 W NUEVA	APT NO.:			
CITY/ST:		AC/PHONE:	/ 207-2370 B	
CODE		TITLE	R S ID?	DOB
W01 NAME: MARKS, A. #2136		DET		
RES ADDR:	APT NO.:			

SAN ANTONIO POLICE DEPARTMENT EXTRA COPY

PRELIMINARY INVESTIGATION REPORT CASE NO: 90 259113/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: VICE

CITY/ST:			AC/PHONE:	/ -			
BUS ADDR:	00214 W NUEVA	APT NO.:					
CITY/ST:			AC/PHONE:	/ 207-2370 B			
CODE			TITLE	R	S	ID?	DOB
W02 NAME:	MISEK, P. #2283		DET				
RES ADDR:		APT NO.:					
CITY/ST:			AC/PHONE:	/ -			
BUS ADDR:	00214 W NUEVA	APT NO.:					
CITY/ST:			AC/PHONE:	/ 207-2370 B			
CODE			TITLE	R	S	ID?	DOB
O00 NAME:	SOTO, SONIA SOTELLO		DANCER	L	F		11-06-78
RES ADDR:	04516 W DURANGO	APT NO.:					
CITY/ST:			AC/PHONE:	/ -			
BUS ADDR:	03127 MISSION RD	APT NO.:					
CITY/ST:			AC/PHONE:	/ -			

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT:

C AND W'S ARE ASSIGNED TO THE SAPD VICE UNIT. ON THE LISTED DATE AND TIME WE ENTERED THE LISTED LOCATION, "HACIENDA CLUB". THE LOCATION HAS LIVE ENTERTAINMENT BUT IS NOT A SEXUALLY ORIENTED BUSINESS, THE LOCATION DOES NOT SELL ALCOHOLIC BEVERAGES. WE ENTERED THE LOCATION TO CHECK FOR ANY ORDINANCE VIOLATIONS. THIS DETECTIVE HAD ALSO RECEIVED INFORMATION THAT SOME OF THE FEMALE ENTERTAINERS WERE PROSTITUTING IN THE UPSTAIRS PRIVATE AREA. WHILE INSIDE THE LOCATION WE OBSERVED TWO FEMALES DANCING ON THE STAGES. BOTH WERE WEARING BIKINI TYPE OUTFITS. THERE WERE SEVERAL MALE PATRONS IN THE LOCATION THAT HAD BROUGHT THERE OWN ALCOHOLIC BEVERAGES. THIS DETECTIVE OBSERVED AP02 SITTING AT ONE OF THE TABLES DRINKING FROM A 24 OZ CAN OF BUD LIGHT BEER. AP02 APPEARED TO BE VERY YOUNG AND UNDER THE AGE TO CONSUME A ALCOHOLIC BEVERAGE. I ASKED THE MANAGER(AP01) IF HE KNEW HOW OLD AP01 WAS. AP01 STATED THAT HE HAD JUST HIRED AP02. I APPROACHED THE AP02 AND IDENTIFIED MYSELF. AP02 WAS ASKED HOW OLD SHE WAS AND SHE SAID SHE WAS 20. WE THEN WENT UPSTAIRS WHERE HE LOCATED O WHO WAS GIVING A MALE A LAP DANCE. UPON FURTHER INSPECTION WE FOUND THAT O'S NIPPLES WERE EXPOSED. AT ONE TIME O HAD LATEX PASTIES COVERING HER AREOLA BUT HER NIPPLES WERE EXPOSED. THE MANAGER WAS CONTACTED AND ADVISED THAT HE WAS OPERATING THE LOCATION IN VIOLATION OF THE CERTIFICATE OF OCCUPANCY BY ALLOWING O TO DANCE WHILE HER NIPPLES WERE EXPOSED. AP01 AND AP02 WERE ISSUED THE LISTED CITATIONS AND RELEASED.AP01 WAS ALSO ADVISED THAT THE REAR DOOR FIRE EXIT LIGHT WAS INOPERATIVE.

CITATIONS:

AP01 X-1182352 VIOLATION CITY ORDINANCE (VIOLATION C OF O)
AP01 X-1182353 FIRE EXIT LIGHT INOPERATIVE (REAR DOOR)
AP02 X-1182332 MINOR CONSUMING ALCOHOLIC BEVERAGE
AP02 X-1157067 MINOR IN POSSESSION ALCOHOLIC BEVERAGE

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 55 VICE

REQUEST FOR SERVICE
RECEIVED: 04-10-09 0116

DISPATCH TO: 03127 MISSION RD
DISTRICT 6240
REPORT UNIT: RMC

DISPATCH: - -
ARRIVED: - -
CLEARED: - -

04-10-09 0147

EXTRA COPY

SAN ANTONIO POLICE DEPARTMENT

PRELIMINARY INVESTIGATION REPORT

CASE NO: 90 259113/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: VICE

REPORTED BY:
ADDRESS: APT: PHONE:

OFFICERS DISPATCHED	BADGE	OFFICERS DISPATCHED	BADGE
CASIAS, PETE III	2300-R		

REPORT ENTERED BY: 99 04-10-09 0116
APPROVING: 3062 DAVIS, KENNETH P SUPERVISOR: 3062 DAVIS, KENNETH P
REPORT ENTERED BY: 0000 CASIAS III, PETE 04-10-09 0147
COPIES OF REPORT TO: VICE

San Antonio Police Department — SAPD Form 2-2 (Oct 00) PC

☒ OFFENSE ☐ INCIDENT ☐ SUPPLEMENTAL REPORT

(1) Weather Conditions at Time of Offense: ☒ Warm ☐ Cool ☒ Dry ☐ Wet ☐ Unknown

(2) Case Number: 70-771765

☐ Gang Related ☐ Suspected Hate Crime ☐ Domestic Violence ☐ Drive-by Shooting

Routing of Reports Check Appropriate Box (Original to Records): ☐ Homicide ☐ Robbery ☐ Forgery ☐ Intelligence ☐ Arson ☐ Youth ☐ T. I. D. ☐ ☐

(3) Offense/Event	(4) Location of Offense (Number, Street, Apt., Number)	(5) District
PC 21.07 Public Lewdness	3127 Mission Rd	6240

(6) Dates of Occurrence (MM/DD/YY)	(7) Hours of Occurrence	(8) Reporting Officer (Name/Badge)	Signature	Reporting Date
10-06-07	1245	J. Saenz #2405	→	10-06-07

(9) Firm Name Address Phone

(10) Approving Authority (Name, Badge Date)

(11) Code: C – Complainant, R – Reporting Person, M – Manager/Owner, W – Witness, G – Guardian, O – Other

Code	Name (Last, First, MI) Title Race – Sex - DOB	Best Address Phone	D – Day N – Night B – Both
c	Saenz, J #2405	Res.	
		Bus. 214 W. Nueva 207-2370	B
w	Vidal, G #2158	Res.	
		Bus. 214 W. Nueva 207-2370	B
		Res.	
		Bus.	
		Res.	
		Bus.	

Inj. Per.	Code	(12) Victim Taken to	(13) Transported By	(14) Describe Injuries	(15) Condition

Property Section

Codes: S- Stolen D – Damaged L – Lost F – Found R – Recovered E – Evidence

Code	Description (Brand/Make) Article Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.

X _____ (Signature of Owner/Manager) X _____ (Signature of Reporting Officer) Date: _____

Forgery Evidence

One Forged Check/Card on the Account of _____

Check Number _____ Dated _____ Pay to the order of _____

In the Amount of $ _____ Drawn on the _____ Bank

Account/Card Number _____ And signed with the Makers Signature of _____

(16) Property Tag Number	(17) Property Receipt Made	(18) Photograph Taken	(19) OAN applied it (TYPE)	(20) Total Stolen Value
	☐ Yes ☐ No	☐ Yes ☐ No	☐ DL ☐ SSN ☐ DOB ☐ OTHER	

(21) Size of Property Taken Was: ☐ Concealable ☐ Hand Carried ☐ Needed Assistance

(22) Obvious Property Not Taken: ☐ Jewelry ☐ Money ☐ Furs ☐ Guns ☐ Radio/TV/Stereo ☐ Personal Accessories ☐ Other:

Vehicles/Bicycle Information

(23) ☐ Stolen ☐ Crim. Misch. ☐ Burg Vehicle ☐ Unauth. Use ☐ Access. Theft ☐ Theft LPO ☐ Impound Vehicle	License Number	State/Yr/Type	Year	Make	Model	Style	VIN

Bicycle Serial Number	Make	Model	Type Frame ☐ Boys ☐ Girl	Type Brake ☐ Hand ☐ Foot	Wheel Size	Speed

(24) Color 1 (Solid or Top) Color 2

(25) Special Vehicle Features Enter Number(s) From Below

1 Beige	9 Cream	17 Pink	1. Level Altered	9. Damage to Front	17. Special Wheels/Tires (Mags, Wide Tires, Etc.)
2 Black	10 Gold	18 Red	2. Sticker/Decal on Body/Bumper	10. Damage to Rear	18. Extra Antenna(s)/Mirrors
3 Blue/Light	11 Gray	19 Silver	3. Sticker/Decal on Window	11. Damage to Side	19. CB Handle/Call Numbers
4 Blue	12 Green/Light	20 Tan	4. Rust or Primer	12. Painted Inscription on Body	20. Other
5 Blue/Dark	13 Green	21 Turquoise	5. Decorative Paint	13. Vinyl Top	
6 Bronze	14 Green/Dark	22 White	6. Window Broken	14. Door Panel(s) Removed	
7 Brown	15 Maroon	23 Yellow	7. Missing Parts	15. Torn Seat(s).Headliner	
8 Copper	16 Orange	24 Other	8. Loud Mufflers	16. Camper Top	

(26) Further Vehicle/Bicycle Description:

(27) Insurance Company	Policy Number	(28) Value of Vehicle/Bicycle	(29) Vehicle/bicycle insured? ☐ Yes ☐ No

Police Department | SAPD Form 2-2 (Oct 00) PC | Police Department | Case Number 70-771765

CRIME AGAINT PROPERTY

House	5. Chain/Convenience Store	9. Bar/Lounge	13. Car/Bus/Truck	17. Park
	6. Liquor Store	10. Bank/Saving & Loan	14. Office	18. Parking Lot
	7. Gas/Service Station	11. Finance Company	15. Street/Roadway	19. Other
Residential	8. Other Retail Sales	12. Other Commercial House	16. School/Public Building	

Direction

Entry Only
1. North
2. South
3. East
4. West

(32) Location

Entry Only
1. Front
2. Right Side
3. Left Side
4. Rear

(33) Entry/Exit Description

Point of Entry/Exit
1/1 Door
2/2 Window
3/3 Wall
4/4 Garage
5/5 Fence
6/6 Roof
7/7 Floor
8/8 Skylight
9/9 Fire Escape
10/10 Duct/Vent
11/11 Sliding Glass Door
12/12 Adjacent Building
13/13 Unknown
14/14 Other
15/15 N/A

(Burglary M. V.) Entry Only
16. Vent Window
17. Door Window
18. Door
19. Hood
20. Trunk
21. Windshield/Back Glass

(34) Method of Entry

1. Pried
2. Broke
3. Cut
4. Shop/Pound
5. Remove
6. Concealment
7. Threats
8. Fraud
9. Attempt Only
10. Unlocked
11. Open For Trade
12. Unknown
13. Other
14. N/A

(35) Instrument/Tool Used for Entry

1. Blackjack/Club
2. Bodily force
3. Bolt Cutter
4. Chain, Locks/Vice Grips
5. Coat Hanger/Wire
6. Cutting Torch
7. Drill
8. Explosives/Chemicals
9. Glass Cutter
10. Gun (Describe)
11. Key/Pick/Plastic
12. Knife
13. Lock-Puller
14. Pliers
15. Pry Bar
16. Rock/Brick
17. Screwdriver
18. Unknown
19. Other
20. N/A

(36) Suspects Actions

1. Ate/Drank on Premises
2. Attempted Defeat/ Defeated Alarm)
3. Crime not Complete
4. Crime Skillfully Done
5. Knew Location of Hidden Valuable
6. Malicious Destruction
7. Removed Prints/Gloves
8. Tripped Alarm/Returned Later
9. Turned Lights on/off
10. Used Tools Found at Scene
11. Other
12. N/A

(37) Complainant Was

1. At Funeral/Church/Wedding
2. At Home
3. At Work/School
4. Absent (Ad in Paper)
5. Moving
6. Out of Town
7. Place of Entertainment
8. Present
9. Shopping
10. Other
11. N/A

(38) Crime Elements

1. Alarm Inoperative
2. Victim of Similar Crime
3. Object of Attack- Abandoned or Under Construction
4. N/A

Forgery and Credit Card Abuse

(39) I. D. Presented by Actor	I. D. Numbers	(40) Witness's Statement	List Witnesses on Front	Pin Number / Initials
1. Drivers License		1. Can Teller/Cashier identify Actor?	☐ Yes ☐ No	Service Agent /
2. Social Security		2. Is Tell/Cashier Known?	☐ Yes ☐ No	Crime Analyst /
3. Credit Card		3. Does Teller/Cashier Recall Transaction?	☐ Yes ☐ No	Data Entry Clk. /
4. Other		4. Are There Witnesses Who Can identify Actor?	☐ Yes ☐ No	

(41) Explain "Other" Responses by Box Number

(42) List Significant M. O. by Box Number 1. 2. 3. 4. 5.

(43) Details of the Offense/Event: THE LISTED WITNESS AND I ARE POLICE DETECTIVES ASSIGNED TO THE VICE UNIT. ON 10-05-07 AT 2330 HOURS WE ENTERED THE HACIENDA NIGHT CLUB LOCATED ON THE 3100 BLK OF MISSION RD. W AND I PAID $20 COVER CHARGE TO ENTER. WE WERE THERE TO INVESTIGATE VICE RELATED COMPLAINTS. I WAS WEARING A HIDDEN CAMERA TO RECORD AUDIO AND VIDEO OF ANY VICE RELATED OFFENSES. THE ABOVE LOCATION IS OPERATING UNDER A CERTIFICATE OF OCCUPANCY WHICH PHOHIBITS SEXUALLY ORIENTED ACTIVITY FROM OCCURRING INSIDE THE LOCATION. THE VICE UNIT HAD RECEIVED NUMEROUS COMPLAINTS THAT THE BUSINESS WAS OPERATING AS A STRIP CLUB. W AND I WERE SITTIING AT THE SOUTH END OF THE MAIN STAGE AND WE HAD A CLEAR VIEW OF THE STAGE. W AND I OBSERVED ~~AP2 DANCING ON THE STAGE WEARING ONLY A BIKINI THONG BOTTOM~~. AP2 DID NOT APPEAR TO HAVE ANYTHING HER AREOLA. AT 0045 HRS ON 10-06-07 AP1 APPROACHED THE STAGE WHERE AP2 WAS DANCING. AP1 POSITIONED HERSELF DIRECTLY IN FRONT OF AP2. AP1 THEN PULLED DOWN THE TOP PORTION OF HER DRESS EXPOSING BOTH HER BARE BREAST. ALSO, IT DID NOT APPEAR AP1 WAS WEARING ~~ANYTHING COVERING HER AREOLA'S. AP1 LEANED FORWARD AT PUT HER BREAST DIRECTLY IN FRONT OF AP2'S FACE. AP2 THEN LEANED FOWARD AND OPENED HER MOUTH PLACING AP1'S ENTIRE RIGHT BREAST AREOLA INSIDE HER MOUTH~~. AP1 THEN WALKED OUT OF THE LOCATION. W FOLLOWED AP1 OUTSIDE OF THE LOCATION AND OBSERBVED HER GET INTO A SILVER CHEVY ~~TAHOE DISPLAYING TX LP 55LRHL AND DRIVE AWAY. BOTH AP1 AND AP2'S CONDUCT WAS A VIOLATION OF P.C. 21.07 PUBLIC LEWDNESS~~. W PHONED SGT. DAVIS# 3062 TO ADVISE HIM OF THE VIOLATION THAT OCCURRED. W GAVE A DESCRIPTION OF THE VEHICLE TO VICE UNIT MEMBERS AND THE SILVER TAHOE MATCHING THE ABOVE LISTED L.P. WAS STOPPED AT THE INTERSECTION OF MISSION RD AND MITCHELLE RD. AP2'S DESCRIPTION WAS ALSO GIVEN TO SGT. DAVIS AND SHE WAS LATER CONTACTED AND PLACED INTO CUSTODY BY DET. MAREK # 2397. W AND I OBSERVED DET. MAREK PLACE AP2 INTO CUSTODY. W AND I LEFT THE LOCATION APPROX. 5 MINUTES AFTER THE VICE UNIT ENTERED THE LOCATION. WE WENT TO THE INTERSECTION OF MISSION AND MITCHELLE WHERE WE POSITIVELY IDENTIFIED AP1 AS THE PERSON INVOLVED IN THE PUBLIC LEWDNESS OFFENSE. AP1 AND AP2 WERE BOTH TRANSPORTED TO THE 401 S. FRIO WHERE THE WERE CHARGED WITH P.C. 21.07 PUBLIC LEWDNESS. AP1'S PERSONAL PROPERTY WHICH CONSISTED OF $323.00, A VISA DEBIT/CREDIT CARD AND THE KEYS TO THE CHEVY TAHOE WERE PLACED IN THE PROPERTY ROOM. ~~THE VIDEO CAMERA MALFUCTIONED AND NO VIDEO OR AUDIO WAS RECORDED~~ OF THE OFFENSE ACCORDING TO OFFICER PRICE OF THE TECHNICAL SURVIELLANCE UNIT.

Check one
Yes – Victim Notified of Provision of Victim Compensation Act (Art 8309 – 1V.T.C.S
No – Explain in Details)

SRTS Sergeant | Badge # | Date | Time | Supplement Attached ☐

SAN ANTONIO POLICE DEPARTMENT Offense/Incident/Supplemental Report (Continuation)

Continuation of ☐ Incident Report ☒ Offense Report ☐ Supplemental Report | ☐ Recovered Vehicle | ☐ Field Interview | (48) CASE NO 70-771765

Location	Date	Time	Officer	Badge
3127 MISSION RD	10-06-07	0045	J. SAENZ	2405

(49) CODES SP – Suspected Person AP – Arrested Person WP - Wanted Person MP – Missing Person FC- Field Contact

Code	Name (Last, First Middle)	Race	S	Age or DOB	Height	Weight	Hair	Eye
AP1	TERRAZAS, NANETTE	☐W ☐B ☒H ☐I ☐A ☐M	F	11-12-83	5-5	115	BLK	BRO
	Address and Phone: 110 TELSA, SAN ANTONIO, TX	Alias			Charges: PUBLIC LEWDNESS			
AP2	ADAMS, TARISHA	☐W ☒B ☐H ☐I ☐A ☐M	F	10-31-87	502	110	BLK	BRO
	Address and Phone: 9205 DARTBROOK #2, SAN ANTONIO, TX	Alias			Charges: PUBLIC LEWDNESS			
		☐W ☐B ☐H ☐I ☐A ☐M						
	Address and Phone	Alias			Charges			

SUBJECTS PERSONAL HISTORY

(50) Hair Length — Subject NO. 1 2 3
- 1 Shoulder
- 2 Collar
- 3 Ear Top
- 4 Short
- 5 Bald/Balding
- 6 Other

(51) Hair Style — Subject NO. 1 2 3
- 1 Afro
- 2 Wavy
- 3 Shag
- 4 Straight
- 5 Braided
- 6 Pony Tail
- 7 Other

(52) Facial Hair — Subject NO. 1 2 3
- 1 Full Beard
- 2 Goatee
- 3 Mustache
- 4 Sideburns(Unusual)
- 5 Other
- 6 None

(53) Speech Manner — Subject NO. 1 2 3
- 1 Profane/Abusive
- 2 Soft/Polite
- 3 Apologetic
- 4 Articulate
- 5 Bad Grammar
- 6 Other

(54) Speech Characteristic — Subject NO. 1 2 3
- 1 Accent
- 2 Stutter
- 3 Deep/Raspy
- 4 High/Effeminate
- 5 Lisp
- 6 Slurred
- 7 Other

(55) General Appearance — Subject NO. 1 2 3
- 1 Neatly Dressed
- 2 Well Dressed
- 3 Dirty/Ragged
- 4 Uniformed
- 5 Unusual Jewelry
- 6 Modern/Unusual
- 7 Dressed as Opposite Sex
- 8 Other

(56) Tattoo Description — Subject NO. 1 2 3
- 1 Picture(s)
- 2 Name(s)
- 3 Initial(s)
- 4 Word(s)
- 5 Symbol(s)
- 6 Other

Tattoo Location — Subject NO. 1 2 3

(57) Scars- Birthmarks — Subject NO. 1 2 3
- 1 Head
- 2 Ear
- 3 Nose
- 4 Neck
- 5 Body
- 6 Arm
- 7 Hand
- 8 Finger
- 9 Leg
- 0 Other

(58) Deformity — Subject NO. 1 2 3
- 1 Head
- 2 Ear
- 3 Nose
- 4 Neck
- 5 Body
- 6 Arm
- 7 Hand
- 8 Finger
- 9 Leg
- 0 Other

(59) Complexion — Subject NO. 1 2 3
- 1 Light
- 2 Medium
- 3 Dark
- 4 Acne
- 5 Freckled
- 6 Ruddy
- 7 Other

(60) Teeth — Subject NO. 1 2 3
- 1 Gold Design
- 2 Silver Design
- 3 Missing (Gaps)
- 4 Protrude/Overbite
- 5 Decayed/Dirty
- 6 Crooked/Broken
- 7 Very White
- 8 Other

(61) Eyes — Subject NO. 1 2 3
- 1 Missing
- 2 Crossed
- 3 Bulging
- 4 Squint
- 5 Afflicted Eye
- 6 Blink
- 7 Different Colors
- 8 Other

(62) Right-Left Handed — Subject NO. 1 2 3
- 1 Right
- 2 Left
- 3 Both

(63) Build — Subject NO. 1 2 3
- 1 Light
- 2 Medium
- 3 Heavy

(64) Subject Wore — Subject NO. 1 2 3
- 1 Ski Mask
- 2 Stocking Mask
- 3 Cap/Hat/Head Band
- 4 Coat/Jacket
- 5 Wig
- 6 Gloves
- 7 Glasses
- 8 Bandages
- 9 Other

(65) Description Reliability — Subject NO. 1 2 3
- 1 Excellent
- 2 Good
- 3 Poor

(66) Outstanding Description Boxes — Subject NO. 1 2 3

(67) Possible Cause of Absence: | (68) Competency (Physical) : | (69) Competency (Mental) : | (70) Possible Destination:

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Box NO.	Subj. Code	

WEAPON DESCR.

(72) Weapon — Subject NO. 1 2 3
- 1 Handgun
- 2 Shotgun
- 3 Rifle
- 4 Derringer
- 5 Simulated Gun
- 6 Unknown Gun
- 7 Switchblade
- 8 Pocket Knife
- 9 Butcher/Steak Knife
- 10 Machete
- 11 Sword
- 12 Other

(73) Gun Features — Subject NO. 1 2 3
- 1 Chrome/Nickel
- 2 Blue Steel
- 3 Automatic
- 4 Revolver
- 5 Short Barrel
- 6 Long Barrel
- 7 Single Barrel
- 8 Double Barrel
- 9 Sawed-Off
- 10 Bolt Action
- 11 Altered Stock
- 12 White Grips
- 13 Western Style
- 14 Large Bore
- 15 Small Bore
- 16 Pump
- 17 Other

Make | Model | Cal/Guage

SAN ANTONIO POLICE DEPARTMENT Offense/Incident/Supplemental Report (Continuation)

(48) CASE NO

Ct. Vered	Driver Was (Code)	Lic No.	State	Yr.	Type	Veh Year	Make	Model	Style	VIN No.
	AP1	55L-RHL	TX		TK		CHEVY	TAHOE	SUV	

(Solid or Top) 19 | Color 2 | (76) Special Vehicle Features

9 Cream	17 Pink	1 ☐ Level Altered	7 ☐ Missing Parts	14 ☐ Door Panels Removed
10 Gold	18 Red	2 ☐ Sticker/Decal on Body/Bumper	8 ☐ Loud Mufflers	15 ☐ Torn Seat(s)/Headliner
11 Gray	19 Silver	3 ☐ Sticker/Decal on Window	9 ☐ Damage to Front	16 ☐ Camper Top
12 Green/Light	20 Tan	4 ☐ Rust or Primer	10 ☐ Damage to Rear	17 ☐ Special Wheels/Tires (Mags/Wide Tires, etc.)
13 Green	21 Turquoise	5 ☐ Decorative Paint	11 ☐ Damage to Side	18 ☐ Extra Antenna(s)/Mirrors
14 Green/Dark	22 White	6 ☐ Window Broken	12 ☐ Painted Inscription on Body	19 ☐ Tinted Windows
15 Maroon	23 Yellow		13 ☐ Vinyl Top	20 ☐ Other
16 Orange	24 Other			

(77) Further Vehicle Description

(78) Description Reliability ☒ Excellen ☐ Good ☐ Poor

RECOVER VEHICLE

(79) District Recovered | (80) Disposition of Vehicle: 1☐ Auto Pound 2☐ Release to Owner | (81) Method Used: 1☐ Towed/Carried 2☐ Hot Wired 3☐ Key in Vehicle 4☐ Other

(82) Condition of Vehicle 1☐ Stripped 2☐ Wrecked 3☐ Burned 4☐ No Apparent Damage

(83) Stripped or Missing Parts 1☐ Engine 2☐ Transmission 3☐ Battery 4☐ Body Parts 5☐ Tires 6☐ Wheels 7☐ Radio 8☐ Seats 9☐ License Plate(s) 10☐ Other

CRIME AGAINST PERSON M.O.

(84) Pre-Incident Contact
1 ☐ Bar
2 ☐ Party
3 ☐ Place of Entertainment (Movie, etc.)
4 ☐ Residence (Own/Other)
5 ☐ Shopping
6 ☐ School
7 ☐ Park/Recreational Fac.
8 ☐ Complainant Knows Susp.
9 ☐ None
10 ☐ N/A

(85) Suspect/Complainant Location
1 ☐ Suspect a Pedestrian
2 ☐ Suspect in a Vehicle
3 ☐ Complainant a Pedestrian
4 ☐ Complainant in Vehicle
5 ☐ N/A

(86) Suspect Pretended to be
1 ☐ Customer
2 ☐ Seeking someone
3 ☐ Aiding Complainant
4 ☐ Blind/Crippled, etc.
5 ☐ Delivery/Repairman
6 ☐ Renting
7 ☐ Military Person
8 ☐ Police Officer
9 ☐ Other
10 ☐ N/A

(87) Suspect Solicited/Offered
1 ☐ Aid for Vehicle
2 ☐ Ride
3 ☐ Use Phone
4 ☐ Information
5 ☐ Money
6 ☐ Sex
7 ☐ Asked for Merchandise
8 ☐ Drugs
9 ☐ 3-Card Monty
10 ☐ Pigeon Drop
11 ☐ Home Repair
12 ☐ Other Type Con Game
13 ☐ Other
14 ☐ N/A

(88) Suspect Actions
1 ☐ Demanded Money
2 ☐ Made Gestures
3 ☐ Rip Out Telephone
4 ☐ Used Note
5 ☐ Used Lookout/Accomplice
6 ☐ Fired Shots
7 ☐ Purse Snatch
8 ☐ Assault(S)
9 ☐ Took Comp's Clothing
10 ☐ Raped Complainant
11 ☐ Fondled Complainant
12 ☐ Raped More Than Once
13 ☐ Ripped/Cut Clothing
14 ☐ Used Lubricant
15 ☐ Other
16 ☐ N/A

(89) Forced Complainant to
1 ☐ Lie Down
2 ☐ Enter Restroom
3 ☐ Rear Of Building
4 ☐ Disrobe
5 ☐ Place Property In Sack
6 ☐ Unnatural Sex Acts
7 ☐ No Force
8 ☐ Other
9 ☐ N/A

(90) Weapon – Means of Attack
1 ☐ Gun (Describe)
2 ☐ Knife/Cut/Stab Instrument
3 ☐ Rock Or Brick
4 ☐ Explosives
5 ☐ Strangulation
6 ☐ Bodily Force- Hand/Feet
7 ☐ Burn/Scald
8 ☐ Blackjack/Club
9 ☐ Gas/Carbon Monoxide
10 ☐ Poison/Drugs/Liquor
11 ☐ Threats Against Complainant/Family
12 ☐ Mutual Consent
13 ☐ Vehicle (Describe)
14 ☐ Other
15 ☐ N/A

(91) Force Inflicted
1 ☐ Handcuff/Tie Comp.
2 ☐ Burn/Scald Comp.
3 ☐ Covered Comp. Face
4 ☐ Cut/Stab Comp.
5 ☐ Pull/Grab Comp.
6 ☐ Shot Comp.
7 ☐ Choke/Strangle Comp.
8 ☐ Blindfold/Gag Comp.
9 ☐ Hit Comp. Prior To Act
10 ☐ Hit Comp. During Act
11 ☐ Hit Comp. After Act
12 ☐ Other
13 ☐ None

(92) Vehicle Involvement
1 ☐ Hid In Rear Seat
2 ☐ Comp Forced Into Veh
3 ☐ Comp's Vehicle Taken
4 ☐ Comp Parking /Garaging
5 ☐ Forced Comp's Vehicle To Curb
6 ☐ Cover/Bend/Alter License Plate
7 ☐ Forced Way Into Vehicle
8 ☐ Disabled Comp's Vehicle
9 ☐ N/A

(93) Means of Escape
1 ☐ Vehicle Alone
2 ☐ Vehicle Cohorts
3 ☐ Bicycle
4 ☐ Foot
5 ☐ Unknown
6 ☐ N/A

(94) Complainant was
1 ☐ Opening/Closing Business
2 ☐ Physically/ Mentally Handicapped
3 ☐ Intoxicated
4 ☐ Tourist
5 ☐ Gambling
6 ☐ Alone
7 ☐ Other
8 ☐ N/A

(95) Complainant's Occupation | (96) Place of Employment | (97) Uniform Worn ☐ Yes ☐ No

(98) Explain Other Responses by Box No.

(99) List Significant M.O. by Box No. | 1 | 2 | 3 | 4 | 5

(100) SUBJECT # 1	2	3	CONTACT DATA	CODES 0	1	2	3	4	5
3			Duration		1 - 15	16 – 30	Over 30		
2			Video Camera		Yes	No			
3			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory	Refused Search
0			Contraband	None	Evidence	Block Not Used	Recovered Stolen	Found	Narcotics
3			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other	
4			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest	Field Contact
2			Known Criminal History		Yes	No			
3			3rd Party Information		Other Officer/Agency	Complainant/Citizen	None		

(101) Additional Detail Information:

Additional Sheets Attached ☐

SAPD Form 2-3 (09-04) PC

☒ OFFENSE ☐ INCIDENT ☐ SUPPLEMENTAL REPORT

☐ Gang Related ☐ Suspected Hate Crime ☐ Domestic Violence ☐ Drive-by Shooting

Routing of Reports ☐ Homicide ☐ Robbery ☐ Forgery ☐ Intelligence ☐ Arson ☐ Youth ☐ T. I. D.
Check Appropriate Box (Original to Records) ☒ VICE SQUAD

(3) Offense/Event	(4) Location of Offense (Number and Street)	Apt. #	(5) District
419999 COMMERCIAL BUILDING INSPECTION	3127 MISSION RD		6240

(6) Dates of Occurrence (MM/DD/YY)	(7) Hours of Occurrence	(8) Reporting Officer (Name/Badge)	Signature	Reporting Date
10-06-07	0100	MAREK, TROY 2397		10-06-07

(9) Firm Name Address Phone	(10) Approving Authority (Name, Badge Date)
HACIENDA CLUB LLC	

(11) Code C – Complainant R – Reporting Person M – Manager/Owner W – Witness G – Guardian O – Other

D – Day N – Night B – Both

Code	Name (Last, First, MI)	Title	Race – Sex - DOB	Best Address Phone	
C	MAREK, TROY 2397 DETECTIVE			Res.	
	Race	Sex	DOB	Bus. SAPD VICE SQUAD	B
W1	OBERHEU, MYRON 2403 DETECTIVE			Res.	
	Race	Sex	DOB	Bus. SAPD VICE SQUAD	B
W2	DAVIS, KENNETH 3062 SERGEANT			Res.	
	Race	Sex	DOB	Bus. SAPD VICE SQAD	B
W3	MISEK, PHILLIP 2283 DETECTIVE			Res.	
	Race	Sex	DOB	Bus. SAPD VICE SQAD	B

Inj. Per.	Code	(12) Victim Taken to	(13) Transported By	(14) Describe Injuries	(15) Condition

Property Section

Codes S- Stolen D – Damaged L – Lost F – Found R – Recovered E – Evidence

Code	Description (Brand/Make) Article Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.

X _____ (Signature of Owner/Manager) X _____ (Signature of Reporting Officer) Date: _____

Forgery Evidence

One Forged Check/Card on the Account of _____
Check Number _____ Dated _____ Pay to the order of _____
In the Amount of $ _____ Drawn on the _____ Bank
Account/Card Number _____ And signed with the Makers Signature of

(16) Property Tag Number	(17) Property Receipt Made	(18) Photograph Taken	(19) OAN applied it (TYPE)	(20) Total Stolen Value
	☐ Yes ☐ No	☐ Yes ☐ No	☐ DL ☐ SSN ☐ DOB ☐ OTHER	

(21) Size of Property Taken Was ☐ Concealable ☐ Hand Carried ☐ Needed Assistance

(22) Obvious Property Not Taken ☐ Jewelry ☐ Money ☐ Furs ☐ Guns ☐ Radio/TV/Stereo ☐ Personal Accessories ☐ Other:

Vehicles/Bicycle Information

(23) ☐ Stolen ☐ Crim. Misch. ☐ Burg Vehicle ☐ Unauth. Use ☐ Access. Theft ☐ Theft LPO ☐ Impound Veh. ☐ Abandoned Veh.

License Number	State/Yr/Type	Year	Make	Model	Style	VIN

Bicycle Serial Number	Make	Model	Type Frame	Type Brake	Wheel Size	Speed
			☐ Boys ☐ Girl	☐ Hand ☐ Foot		

(24) Color 1 (Solid or Top)
Color 2

1 Beige	9 Cream	17 Pink
2 Black	10 Gold	18 Red
3 Blue/Light	11 Gray	19 Silver
4 Blue	12 Green/Light	20 Tan
5 Blue/Dark	13 Green	21 Turquoise
6 Bronze	14 Green/Dark	22 White
7 Brown	15 Maroon	23 Yellow
8 Copper	16 Orange	24 Other

(25) Special Vehicle Features Enter Number(s) From Below

1. Level Altered	9. Damage to Front	17. Special Wheels/Tires (Mags, Wide Tires, Etc.)
2. Sticker/Decal on Body/Bumper	10. Damage to Rear	18. Extra Antenna(s)/Mirrors
3. Sticker/Decal on Window	11. Damage to Side	19. Tinted Windows
4. Rust or Primer	12. Painted Inscription on Body	20. Other
5. Decorative Paint	13. Vinyl Top	
6. Window Broken	14. Door Panel(s) Removed	
7. Missing Parts	15. Torn Seat(s).Headliner	
8. Loud Mufflers	16. Camper Top	

(26) Further Vehicle/Bicycle Description:

(27) Insurance Company	Policy Number	(28) Value of Vehicle/Bicycle	(29)Vehicle/bicycle Insured?
			☐ Yes ☐ No

2 | San Antonio Police Department | Case Number 70-771830

CRIME AGAINST PROPERTY M. O.

(30) Type Premises:
1. Single Family House
2. Apartment
3. Hotel/Motel
4. Other Residential
5. Chain/Convenience Store
6. Liquor Store
7. Gas/Service Station
8. Other Retail Sales
9. Bar/Lounge
10. Bank/Saving & Loan
11. Finance Company
12. Other Commercial House
13. Car/Bus/Truck
14. Office
15. Street/Roadway
16. School/Public Building
17. Park
18. Parking Lot
19. Restaurant
20. Other

(31) Direction
Entry Only
1. North
2. South
3. East
4. West

(32) Location
Entry Only
1. Front
2. Right Side
3. Left Side
4. Rear

(33) Entry/Exit Description
Point of Entry/Exit /
1/1 Door
2/2 Window
3/3 Wall
4/4 Garage
5/5 Fence
6/6 Roof
7/7 Floor
8/8 Skylight
9/9 Fire Escape
10/10 Duct/Vent
11/11 Sliding Glass Door
12/12 Adjacent Building
13/13 Unknown
14/14 Other
15/15 N/A

(Burglary M. V.)
Entry Only
16. Vent Window
17. Door Window
18. Door
19. Hood
20. Trunk
21. Windshield/Back Glass

(34) Method of Entry
1. Pried
2. Broke
3. Cut
4. Chop/Pound
5. Remove
6. Concealment
7. Threats
8. Fraud
9. Attempt Only
10. Unlocked
11. Open For Trade
12. Unknown
13. Other
14. N/A

(35) Instrument/Tool Used for Entry
1. Blackjack/Club
2. Bodily force
3. Bolt Cutter
4. Chain, Locks/Vice Grips
5. Coat Hanger/Wire
6. Cutting Torch
7. Drill
8. Explosives/Chemicals
9. Glass Cutter
10. Gun (Describe)
11. Key/Pick/Plastic
12. Knife
13. Lock-Puller
14. Pliers
15. Pry Bar
16. Rock/Brick
17. Screwdriver
18. Unknown
19. Other
20. N/A

(36) Suspects Actions
1. Ate/Drank on Premises
2. Attempted Defeat/ Defeated Alarm)
3. Crime not Complete
4. Crime Skillfully Done
5. Knew Location of Hidden Valuable
6. Malicious Destruction
7. Removed Prints/Gloves
8. Tripped Alarm/Returned Later
9. Turned Lights on/off
10. Used Tools Found at Scene
11. Other
12. N/A

(37) Complainant Was
1. At Funeral/Church/Wedding
2. At Home
3. At Work/School
4. Absent (Ad in Paper)
5. Moving
6. Out of Town
7. Place of Entertainment
8. Present
9. Shopping
10. Other
11. N/A

(38) Crime Elements
1. Alarm Inoperative
2. Victim of Similar Crime
3. Object of Attack- Abandoned or Under Construction
4. N/A

Forgery and Credit Card Abuse

(39) I. D. Presented by Actor — I. D. Numbers
1. Drivers License
2. Social Security
3. Credit Card
4. Other

(40) Witness's Statement — List Witnesses on Front
1. Can Teller/Cashier Identify Actor? ☐ Yes ☐ No
2. Is Teller/Cashier Known? ☐ Yes ☐ No
3. Does Teller/Cashier Recall Transaction? ☐ Yes ☐ No
4. Are There Witnesses Who Can identify Actor? ☐ Yes ☐ No

Pin Number / Initials
Service Agent /
Crime Analyst /
Data Entry Clk. /

(41) Explain "Other" Responses by Box Number

(42) List Significant M. O. by Box Number 1. 2. 3. 4. 5.

(43) Details of the Offense/Event:

THE LOCATION COMMERCIAL BUILDING WAS INSPECTED DUE TO A COMPLAINT OF PUBLIC LEWDNESS INSIDE THE COMMERCIAL BUILDING, (HACIENDA CLUB LLC). THE CERTIFICATE OF OCCUPANCY STATED "NO SEXUALY ORIENTED BUSSINESS". THE MAX. OCCUPANCY LOAD AT THE LOCATION IS 200 PERSONS. THE AP IS THE MANAGER/AGENT IN CHARGE OF THE LOCATION AND WAS INSIDE THE LOCATION AND HAD FULL VIEW OF THE BUSSINESS. UPON INVESTIGATING THE LOCATION, PUBLIC LEWDNESS WAS OBSERVED AND THREE FEMALES WERE ARRESTED FOR THE PC 21.07 VIOLATION UNDER SAPD CASE NUMBERS 70-771765 AND 70-771845. UPON INSPECTION, WE FOUND THAT THE LOCATION FIRE EXTINGUISHERS WERE NOT CERTIFIED X3 AND ONE MISSING FIRE EXTINGUISHER. THE SOUTH MARKED FIRE EXIT WAS BLOCKED WITH SEVERAL LARGE CHAIRS. THE AP OPERATED THE COMMERCIAL BUSSINESS OUT OF THE SCOPE OF THE CERTIFICATE OF OCCUPANCY. THE LOCATION CHARGES PATRONS $20.00 TO ENTER THE LOCATION AND THE LOCATION HAS A POOL-BILLIARDS TABLE, BUT NO POOL-BILLIARDS HALL WINDOW. THE FRONT EXIT WAS NOT PROPERLY MARKED/ILLUMINATED. THE AP WAS CITED FOR THE VIOLATIONS;
CITY CODE 35-3004 VIOL. OF CERTIFICATE OF OCCUPANCY CIT.#X1085985
CITY CODE 11-32 FAIL TO MAINTAIN FIRE EXTINGUISHERS CIT.#X1085983
CITY CODE 11-32 BLOCKED MARKED FIRE EXIT CIT.#X1085984
CITY CODE 16-30 NO BILLIARDS HALL WINDOW CIT.#X1085986
CITY CODE 11-32 FIRE EXIT NOT PROPERLY MARKED/ILLUMINATED CIT.#X1085987

Check one
Yes -- Victim Notified of Provision of Victim Compensation Act (Art 8309 – 1V.T.C.S
No -- Explain in Details)

PRTS Sergeant | Badge # | Date | Time | Supplement Attached ☐ ☒☐

SAPD Form 2-2 Rev. (Jun 07) PC

Continuation of ☐ Incident Report ☒ Offense Report ☐ Supplemental Report | ☐ Recovered Vehicle | ☐ Field Interview | (48) CASE NO 70-771830

Location	Date	Time	Officer	Badge
3127 MISSION RD	10-06-07	0100	MAREK, TROY DETECTIVE	2397

(49) CODES SP – Suspected Person AP – Arrested Person WP - Wanted Person MP – Missing Person FC- Field Contact

Code	Name (Last, First Middle)	Race	S	Age or DOB	Height	Weight	Hair	Eyes
AP	BARNES, JAMAR D	☐W ☒B ☐H ☐I ☐A ☐M	M	01-18-85	6'2	280	BLK	BRO
	Address and Phone: 6901 TWIN LAKE SA TX	Alias			Charges: CITY CODE VIOLATIONS			
		☐W ☐B ☐H ☐I ☐A ☐M						
	Address and Phone	Alias			Charges			
		☐W ☐B ☐H ☐I ☐A ☐M						
	Address and Phone	Alias			Charges			

SUBJECTS PERSONAL HISTORY

(50) Hair Length — Subject NO. 1 2 3
1☐ ☐ ☐ Shoulder
2☐ ☐ ☐ Collar
3☐ ☐ ☐ Ear Top
4☒ ☐ ☐ Short
5☐ ☐ ☐ Bald/Balding
6☐ ☐ ☐ Other

(51) Hair Style — Subject NO. 1 2 3
1☒ ☐ ☐ Afro
2☐ ☐ ☐ Wavy
3☐ ☐ ☐ Shag
4☐ ☐ ☐ Straight
5☐ ☐ ☐ Braided
6☐ ☐ ☐ Pony Tail
7☐ ☐ ☐ Other

(52) Facial Hair — Subject NO. 1 2 3
1☐ ☐ ☐ Full Beard
2☐ ☐ ☐ Goatee
3☐ ☐ ☐ Mustache
4☐ ☐ ☐ Sideburns(Unusual)
5☐ ☐ ☐ Other
6☒ ☐ ☐ None

(53) Speech Manner — Subject NO. 1 2 3
1☐ ☐ ☐ Profane/Abusive
2☒ ☐ ☐ Soft/Polite
3☐ ☐ ☐ Apologetic
4☐ ☐ ☐ Articulate
5☐ ☐ ☐ Bad Grammar
6☐ ☐ ☐ Other

(54) Speech Characteristic — Subject NO. 1 2 3
1☐ ☐ ☐ Accent
2☐ ☐ ☐ Stutter
3☐ ☐ ☐ Deep/Raspy
4☐ ☐ ☐ High/Effeminate
5☐ ☐ ☐ Lisp
6☐ ☐ ☐ Slurred
7☐ ☐ ☐ Other

(55) General Appearance — Subject NO. 1 2 3
1☐ ☐ ☐ Neatly Dressed
2☐ ☐ ☐ Well Dressed
3☐ ☐ ☐ Dirty/Ragged
4☐ ☐ ☐ Uniformed
5☐ ☐ ☐ Unusual Jewelry
6☐ ☐ ☐ Modern/Unusual
7☐ ☐ ☐ Dressed as Opposite Sex
8☐ ☐ ☐ Other

(56) Tattoo Description — Subject NO. 1 2 3
1☐ ☐ ☐ Picture(s)
2☐ ☐ ☐ Name(s)
3☐ ☐ ☐ Initial(s)
4☐ ☐ ☐ Word(s)
5☐ ☐ ☐ Symbol(s)
6☐ ☐ ☐ Other

Tattoo Location — Subject NO. 1 2 3

(57) Scars- Birthmarks — Subject NO. 1 2 3
1☐ ☐ ☐ Head
2☐ ☐ ☐ Ear
3☐ ☐ ☐ Nose
4☐ ☐ ☐ Neck
5☐ ☐ ☐ Body
6☐ ☐ ☐ Arm
7☐ ☐ ☐ Hand
8☐ ☐ ☐ Finger
9☐ ☐ ☐ Leg
0☐ ☐ ☐ Other

(58) Deformity — Subject NO. 1 2 3
1☐ ☐ ☐ Head
2☐ ☐ ☐ Ear
3☐ ☐ ☐ Nose
4☐ ☐ ☐ Neck
5☐ ☐ ☐ Body
6☐ ☐ ☐ Arm
7☐ ☐ ☐ Hand
8☐ ☐ ☐ Finger
9☐ ☐ ☐ Leg
0☐ ☐ ☐ Other

(59) Complexion — Subject NO. 1 2 3
1☐ ☐ ☐ Light
2☐ ☐ ☐ Medium
3☐ ☐ ☐ Dark
4☐ ☐ ☐ Acne
5☐ ☐ ☐ Freckled
6☐ ☐ ☐ Ruddy
7☐ ☐ ☐ Other

(60) Teeth — Subject NO. 1 2 3
1☐ ☐ ☐ Gold Design
2☐ ☐ ☐ Silver Design
3☐ ☐ ☐ Missing (Gaps)
4☐ ☐ ☐ Protrude/Overbite
5☐ ☐ ☐ Decayed/Dirty
6☐ ☐ ☐ Crooked/Broken
7☐ ☐ ☐ Very White
8☐ ☐ ☐ Other

(61) Eyes — Subject NO. 1 2 3
1☐ ☐ ☐ Missing
2☐ ☐ ☐ Crossed
3☐ ☐ ☐ Bulging
4☐ ☐ ☐ Squint
5☐ ☐ ☐ Afflicted Eye
6☐ ☐ ☐ Blink
7☐ ☐ ☐ Different Colors
8☐ ☐ ☐ Other

(62) Right-Left Handed — Subject NO. 1 2 3
1☐ ☐ ☐ Right
2☐ ☐ ☐ Left
3☐ ☐ ☐ Both

(63) Build — Subject NO. 1 2 3
1☐ ☐ ☐ Light
2☐ ☐ ☐ Medium
3☐ ☐ ☐ Heavy

(64) Subject Wore — Subject NO. 1 2 3
1☐ ☐ ☐ Ski Mask
2☐ ☐ ☐ Stocking Mask
3☐ ☐ ☐ Cap/Hat/Head Band
4☐ ☐ ☐ Coat/Jacket
5☐ ☐ ☐ Wig
6☐ ☐ ☐ Gloves
7☐ ☐ ☐ Glasses
8☐ ☐ ☐ Bandages
9☐ ☐ ☐ Other

(65) Description Reliability — Subject NO. 1 2 3
1☐ ☐ ☐ Excellent
2☐ ☐ ☐ Good
3☐ ☐ ☐ Poor

(66) Outstanding Description Boxes — Subject NO. 1 2 3

(67) Possible Cause of Absence: | (68) Competency (Physical) : | (69) Competency (Mental) : | (70) Possible Destination:

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Box NO.	Subj. Code	

WEAPON DESCR.

(72) Weapon — Subject NO. 1 2 3
1☐ ☐ ☐ Handgun
2☐ ☐ ☐ Shotgun
3☐ ☐ ☐ Rifle
4☐ ☐ ☐ Derringer
5☐ ☐ ☐ Simulated Gun
6☐ ☐ ☐ Unknown Gun
7☐ ☐ ☐ Switchblade
8☐ ☐ ☐ Pocket Knife
9☐ ☐ ☐ Butcher/Steak Knife
10☐ ☐ ☐ Machete
11☐ ☐ ☐ Sword
12☐ ☐ ☐ Other

(73) Gun Features — Subject NO. 1 2 3
1☐ ☐ ☐ Chrome/Nickel
2☐ ☐ ☐ Blue Steel
3☐ ☐ ☐ Automatic
4☐ ☐ ☐ Revolver
5☐ ☐ ☐ Short Barrel
6☐ ☐ ☐ Long Barrel
7☐ ☐ ☐ Single Barrel
8☐ ☐ ☐ Double Barrel
9☐ ☐ ☐ Sawed-Off
10☐ ☐ ☐ Bolt Action
11☐ ☐ ☐ Altered Stock
12☐ ☐ ☐ White Grips
13☐ ☐ ☐ Western Style
14☐ ☐ ☐ Large Bore
15☐ ☐ ☐ Small Bore
16☐ ☐ ☐ Pump
17☐ ☐ ☐ Other

Make	Model	Cal/Guage

SAN ANTONIO POLICE DEPARTMENT Offense/Incident/Supplemental Report (Continuation)

(48) CASE NO 70-771830

VEHICLE INFORMATION

(74) ☐ Suspect ☐ Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Veh Year	Make	Model	Style	VIN No.

(75) Color 1 (Solid or Top) | Color 2

1 Beige, 2 Black, 3 Blue/Light, 4 Blue, 5 Blue/Dark, 6 Bronze, 7 Brown, 8 Copper, 9 Cream, 10 Gold, 11 Gray, 12 Green/Light, 13 Green, 14 Green/Dark, 15 Maroon, 16 Orange, 17 Pink, 18 Red, 19 Silver, 20 Tan, 21 Turquoise, 22 White, 23 Yellow, 24 Other

(76) Special Vehicle Features

1 ☐ Level Altered
2 ☐ Sticker/Decal on Body/Bumper
3 ☐ Sticker/Decal on Window
4 ☐ Rust or Primer
5 ☐ Decorative Paint
6 ☐ Window Broken
7 ☐ Missing Parts
8 ☐ Loud Mufflers
9 ☐ Damage to Front
10 ☐ Damage to Rear
11 ☐ Damage to Side
12 ☐ Painted Inscription on Body
13 ☐ Vinyl Top
14 ☐ Door Panels Removed
15 ☐ Torn Seat(s)/Headliner
16 ☐ Camper Top
17 ☐ Special Wheels/Tires (Mags/Wide Tires, etc.)
18 ☐ Extra Antenna(s)/Mirrors
19 ☐ Tinted Windows
20 ☐ Other

(77) Further Vehicle Description

(78) Description Reliability ☐ Excellen ☐ Good ☐ Poor

RECOVERED VEHICLE

(79) District Recovered

(80) Disposition of Vehicle: 1☐ Auto Pound 2☐ Release to Owner

(81) Method Used: 1☐ Towed/Carried 2☐ Hot Wired 3☐ Key in Vehicle 4☐ Other

(82) Condition of Vehicle: 1☐ Stripped 2☐ Wrecked 3☐ Burned 4☐ No Apparent Damage

(83) Stripped or Missing Parts: 1☐ Engine 2☐ Transmission 3☐ Battery 4☐ Body Parts 5☐ Tires 6☐ Wheels 7☐ Radio 8☐ Seats 9☐ License Plate(s) 10☐ Other

CRIME AGAINST PERSON M.O.

(84) Pre-Incident Contact
1 ☐ Bar
2 ☐ Party
3 ☐ Place of Entertainment (Movie, etc.)
4 ☐ Residence (Own/Other)
5 ☐ Shopping
6 ☐ School
7 ☐ Park/Recreational Fac.
8 ☐ Complainant Knows Susp.
9 ☐ None
10 ☐ N/A

(85) Suspect/Complainant Location
1 ☐ Suspect a Pedestrian
2 ☐ Suspect in a Vehicle
3 ☐ Complainant a Pedestrian
4 ☐ Complainant in Vehicle
5 ☐ N/A

(86) Suspect. Pretended to be
1 ☐ Customer
2 ☐ Seeking someone
3 ☐ Aiding Complainant
4 ☐ Blind/Crippled, etc.
5 ☐ Delivery/Repairman
6 ☐ Renting
7 ☐ Military Person
8 ☐ Police Officer
9 ☐ Other
10 ☐ N/A

(87) Suspect Solicited/Offered
1 ☐ Aid for Vehicle
2 ☐ Ride
3 ☐ Use Phone
4 ☐ Information
5 ☐ Money
6 ☐ Sex
7 ☐ Asked for Merchandise
8 ☐ Drugs
9 ☐ 3-Card Monty
10 ☐ Pigeon Drop
11 ☐ Home Repair
12 ☐ Other Type Con Game
13 ☐ Other
14 ☐ N/A

(88) Suspect Actions
1 ☐ Demanded Money
2 ☐ Made Gestures
3 ☐ Rip Out Telephone
4 ☐ Used Note
5 ☐ Used Lookout/Accomplice
6 ☐ Fired Shots
7 ☐ Purse Snatch
8 ☐ Assault(S)
9 ☐ Took Comp's Clothing
10 ☐ Raped Complainant
11 ☐ Fondled Complainant
12 ☐ Raped More Than Once
13 ☐ Ripped/Cut Clothing
14 ☐ Used Lubricant
15 ☐ Other
16 ☐ N/A

(89) Forced Complainant to
1 ☐ Lie Down
2 ☐ Enter Restroom
3 ☐ Rear Of Building
4 ☐ Disrobe
5 ☐ Place Property In Sack
6 ☐ Unnatural Sex Acts
7 ☐ No Force
8 ☐ Other
9 ☐ N/A

(90) Weapon – Means of Attack
1 ☐ Gun (Describe)
2 ☐ Knife/Cut/Stab Instrument
3 ☐ Rock Or Brick
4 ☐ Explosives
5 ☐ Strangulation
6 ☐ Bodily Force- Hand/Feet
7 ☐ Burn/Scald
8 ☐ Blackjack/Club
9 ☐ Gas/Carbon Monoxide
10 ☐ Poison/Drugs/Liquor
11 ☐ Threats Against Complainant/Family
12 ☐ Mutual Consent
13 ☐ Vehicle (Describe)
14 ☐ Other
15 ☐ N/A

(91) Force Inflicted
1 ☐ Handcuff/Tie Comp.
2 ☐ Burn/Scald Comp.
3 ☐ Covered Comp. Face
4 ☐ Cut/Stab Comp.
5 ☐ Pull/Grab Comp.
6 ☐ Shot Comp.
7 ☐ Choke/Strangle Comp.
8 ☐ Blindfold/Gag Comp.
9 ☐ Hit Comp. Prior To Act
10 ☐ Hit Comp. During Act
11 ☐ Hit Comp. After Act
12 ☐ Other
13 ☐ None

(92) Vehicle Involvement
1 ☐ Hid In Rear Seat
2 ☐ Comp Forced Into Veh
3 ☐ Comp's Vehicle Taken
4 ☐ Comp Parking /Garaging
5 ☐ Forced Comp's Vehicle To Curb
6 ☐ Cover/Bend/Alter License Plate
7 ☐ Forced Way Into Vehicle
8 ☐ Disabled Comp's Vehicle
9 ☐ N/A

(93) Means of Escape
1 ☐ Vehicle Alone
2 ☐ Vehicle Cohorts
3 ☐ Bicycle
4 ☐ Foot
5 ☐ Unknown
6 ☐ N/A

(94) Complainant was
1 ☐ Opening/Closing Business
2 ☐ Physically/ Mentally Handicapped
3 ☐ Intoxicated
4 ☐ Tourist
5 ☐ Gambling
6 ☐ Alone
7 ☐ Other
8 ☐ N/A

(95) Complainant's Occupation

(96) Place of Employment:

(97) Uniform Worn ☐ Yes ☐ No

(98) Explain Other Responses by Box No.

(99) List Significant M.O. by Box No. 1 2 3 4 5

(100) 1	SUBJECT # 2	3	CONTACT DATA	CODES 0	1	2	3	4	5
2			Duration		1 - 15	16 – 30	Over 30		
2			Video Camera		Yes	No			
2			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory	Refused Search
0			Contraband	None	Evidence	* Block Not Used *	Recovered Stolen	Found	Narcotics
4			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other	
3			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest	Field Contact
2			Known Criminal History		Yes	No			
2			3rd Party Information		Other Officer/Agency	Complainant/Citizen	None		

(101) Additional Detail Information:

Additional Sheets Attached ☐

SAPD Form 2-3 (09-04) PC

PAGE 1 OF 7

San Antonio Police Department
☒ OFFENSE ☐ INCIDENT ☐ SUPPLEMENTAL REPORT

(1) Weather Conditions at Time of Offense: ☒ Warm ☐ Cool ☒ Dry ☐ Wet ☐ Unknown

(2) Case Number: 70 771845

☐ Gang Related ☐ Suspected Hate Crime ☐ Domestic Violence ☐ Drive-by Shooting

Routing of Reports: ☐ Homicide ☐ Robbery ☐ Forgery ☐ Intelligence ☐ Arson ☐ Youth ☐ T. I.

Check Appropriate Box (Original to Records) ☒ VICE

(3) Offense/Event: Public Lewdness

(4) Location of Offense (Number and Street): 3127 Mission Rd.

Apt. #:

(5) District: 6240

(6) Dates of Occurrence (MM/DD/YY): 10-06-07

(7) Hours of Occurrence: 0100

(8) Reporting Officer (Name/Badge): DET. M. L. OBERHEU 2403

Signature: M. L. Oberheu

Reporting Date: 10-06-07

(9) Firm Name Address Phone

(10) Approving Authority (Name, Badge Date)

(11) Code: C – Complainant, R – Reporting Person, M – Manager/Owner, W – Witness, G – Guardian, O – Other

D – Day, N – Night, B – Both

Code	Name (Last, First, MI) / Title / Race – Sex – DOB	Best Address / Phone	
C	OBERHEU M.L. DET. BADGE 2403	Res.	
	Race / Sex / DOB	Bus. SAPD-VICE 207-2370	B
W1	MARES, A DET. BADGE 2136	Res.	
	Race / Sex / DOB	Bus. SAPD-VICE 207-2370	B
W2	MISEK, P DET BADGE 2283	Res.	
	Race / Sex / DOB	Bus. SAPD-VICE 207-2370	B
W3	MAREK, T DET BADGE 2397	Res.	
	Race / Sex / DOB	Bus. SAPD-VICE 207-2370	B

Inj. Per.	Code	(12) Victim Taken to	(13) Transported By	(14) Describe Injuries	(15) Condition

Property Section

Codes: S- Stolen D – Damaged L – Lost F – Found R – Recovered E – Evidence

Code	Description (Brand/Make) Article Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.

X _____ (Signature of Owner/Manager) X _____ (Signature of Reporting Officer) Date: _____

Forgery Evidence

One Forged Check/Card on the Account of _____

Check Number _____ Dated _____ Pay to the order of _____

In the Amount of $ _____ Drawn on the _____ Bank

Account/Card Number _____ And signed with the Makers Signature of _____

(16) Property Tag Number

(17) Property Receipt Made ☐ Yes ☐ No

(18) Photograph Taken ☐ Yes ☐ No

(19) OAN applied it (TYPE) ☐ DL ☐ SSN ☐ DOB ☐ OTHER

(20) Total Stolen Value

(21) Size of Property Taken Was ☐ Concealable ☐ Hand Carried ☐ Needed Assistance

(22) Obvious Property Not Taken ☐ Jewelry ☐ Money ☐ Furs ☐ Guns ☐ Radio/TV/Stereo ☐ Personal Accessories ☐ Other:

Vehicles/Bicycle Information

(23) ☐ Stolen ☐ Crim. Misch. ☐ Burg Vehicle ☐ Unauth. Use ☐ Access. Theft ☐ Theft LPO ☐ Impound Veh. ☐ Abandoned Veh.

License Number	State/Yr/Type	Year	Make	Model	Style	VIN

Bicycle Serial Number	Make	Model	Type Frame	Type Brake	Wheel Size	Speed
			☐ Boys ☐ Girl	☐ Hand ☐ Foot		

(24) Color 1 (Solid or Top) Color 2

1 Beige, 2 Black, 3 Blue/Light, 4 Blue, 5 Blue/Dark, 6 Bronze, 7 Brown, 8 Copper, 9 Cream, 10 Gold, 11 Gray, 12 Green/Light, 13 Green, 14 Green/Dark, 15 Maroon, 16 Orange, 17 Pink, 18 Red, 19 Silver, 20 Tan, 21 Turquoise, 22 White, 23 Yellow, 24 Other

(25) Special Vehicle Features Enter Number(s) From Below

1. Level Altered
2. Sticker/Decal on Body/Bumper
3. Sticker/Decal on Window
4. Rust or Primer
5. Decorative Paint
6. Window Broken
7. Missing Parts
8. Loud Mufflers
9. Damage to Front
10. Damage to Rear
11. Damage to Side
12. Painted Inscription on Body
13. Vinyl Top
14. Door Panel(s) Removed
15. Torn Seat(s).Headliner
16. Camper Top
17. Special Wheels/Tires (Mags, Wide Tires, Etc.)
18. Extra Antenna(s)/Mirrors
19. Tinted Windows
20. Other

(26) Further Vehicle/Bicycle Description:

(27) Insurance Company | Policy Number | (28) Value of Vehicle/Bicycle | (29) Vehicle/bicycle Insured? ☐ Yes ☐ No

San Antonio Police Department
☐ OFFENSE ☐ INCIDENT ☐ SUPPLEMENTAL REPORT

(1) Weather Conditions at Time of Offense: ☒ Warm ☐ Cool ☒ Dry ☐ Wet ☐ Unknown

(2) Case Number

☐ Gang Related ☐ Suspected Hate Crime ☐ Domestic Violence ☐ Drive-by Shooting

Routing of Reports: ☐ Homicide ☐ Robbery ☐ Forgery ☐ Intelligence ☐ Arson ☐ Youth ☐ T D.

Check Appropriate Box (Original to Records) ☑ VICE

(3) Offense/Event	(4) Location of Offense (Number and Street)	Apt. #	(5) District
PC 21.07 PUBLIC LEWDNESS	3127 MISSION Rd		6240

(6) Dates of Occurrence (MM/DD/YY)	(7) Hours of Occurrence	(8) Reporting Officer (Name/Badge)	Signature	Reporting Date
10-06-07	0100	DET. M. L. OBERHEU 2403	M. L. Oberheu	10-06-07

(9) Firm Name Address Phone

(10) Approving Authority (Name, Badge Date)

(11) Code: C – Complainant, R – Reporting Person, M – Manager/Owner, W – Witness, G – Guardian, O – Other

D – Day, N – Night, B – Both

Code	Name (Last, First, MI) / Title / Race – Sex – DOB	Best Address / Phone		
W4	FALKNER G DET. BADGE 2106	Res.		
	Race / Sex / DOB	Bus. SAPD-VICE	207-2370	B
W5	DAVIS K SGT. BADGE 3062	Res.		
	Race / Sex / DOB	Bus. SAPD-VICE	207-2370	B
W6	SWINDELL, W SGT BADGE 3263	Res.		
	Race / Sex / DOB	Bus. SAPD-VICE	207-2370	B
W7	SAENZ, J DET. BADGE 2405	Res.		
	Race / Sex / DOB	Bus. SAPD-VICE	207-2370	B

Inj. Per.	Code	(12) Victim Taken to	(13) Transported By	(14) Describe Injuries	(15) Condition

Property Section

Codes: S – Stolen, D – Damaged, L – Lost, F – Found, R – Recovered, E – Evidence

Code	Description (Brand/Make) Article Model/Caliber/Color	Serial Number	OAN Number	Estimated Value

List Additional items on SAPD Form 2-PCU

I on the above listed date and time, had legal custody, and was the legal owner of the property listed here-in, which corporeal, personal property was wrongfully taken, without my consent, and I desire to prosecute the party, or parties, responsible.

X _____ (Signature of Owner/Manager) X _____ (Signature of Reporting Officer) Date: _____

Forgery Evidence

One Forged Check/Card on the Account of _____

Check Number _____ Dated _____ Pay to the order of _____

In the Amount of $ _____ Drawn on the _____ Bank

Account/Card Number _____ And signed with the Makers Signature of _____

(16) Property Tag Number	(17) Property Receipt Made	(18) Photograph Taken	(19) OAN applied it (TYPE)	(20) Total Stolen Value
	☐ Yes ☐ No	☐ Yes ☐ No	☐ DL ☐ SSN ☐ DOB ☐ OTHER	

(21) Size of Property Taken Was: ☐ Concealable ☐ Hand Carried ☐ Needed Assistance

(22) Obvious Property Not Taken: ☐ Personal Accessories ☐ Jewelry ☐ Money ☐ Furs ☐ Guns ☐ Radio/TV/Stereo ☐ Other:

Vehicles/Bicycle Information

(23) ☐ Stolen ☐ Crim. Misch. ☐ Burg Vehicle ☐ Unauth. Use ☐ Access. Theft ☐ Theft LPO ☐ Impound Veh. ☐ Abandoned Veh.

License Number	State/Yr/Type	Year	Make	Model	Style	VIN

Bicycle Serial Number	Make	Model	Type Frame	Type Brake	Wheel Size	Speed
			☐ Boys ☐ Girl	☐ Hand ☐ Foot		

(24) Color 1 (Solid or Top) Color 2

1 Beige	9 Cream	17 Pink
2 Black	10 Gold	18 Red
3 Blue/Light	11 Gray	19 Silver
4 Blue	12 Green/Light	20 Tan
5 Blue/Dark	13 Green	21 Turquoise
6 Bronze	14 Green/Dark	22 White
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8 Copper	16 Orange	24 Other

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3. Sticker/Decal on Window	11. Damage to Side	19. Tinted Windows
4. Rust or Primer	12. Painted Inscription on Body	20. Other
5. Decorative Paint	13. Vinyl Top	
6. Window Broken	14. Door Panel(s) Removed	
7. Missing Parts	15. Torn Seat(s) Headliner	
8. Loud Muffiers	16. Camper Top	

(26) Further Vehicle/Bicycle Description:

(27) Insurance Company	Policy Number	(28) Value of Vehicle/Bicycle	(29) Vehicle/bicycle Insured?
			☐ Yes ☐ No

San Antonio Police Department
☐ OFFENSE ☐ INCIDENT ☐ SUPPLEMENTAL REPORT

(1) Weather Conditions at Time of Offense: ☒ Warm ☐ Cool ☒ Dry ☐ Wet ☐ Unknown

(2) Case Number

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☐ Domestic Violence ☐ Drive-by Shooting

Routing of Reports: ☐ Homicide ☐ Robbery ☐ Forgery ☐ Intelligence ☐ Arson ☐ Youth ☐ Internal Affairs
Check Appropriate Box (Original to Records) ☒ VICE

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PC 21.07 PUBLIC LEWDNESS	3127 MISSION Rd		6240

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10-06-07	0100	DET. M. L. OBERHEU 2403	M. L. Oberheu	10-06-07

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(11) Code: C – Complainant, R – Reporting Person, M – Manager/Owner, W – Witness, G – Guardian, O – Other

D – Day, N – Night, B – Both

Code	Name (Last, First, MI) / DOB	Title	Race	Sex	DOB	Best Address / Phone	
W8	VIDAL, G	DET BADGE 2158				Res.	
						Bus. SAPD-VICE 207-2370	B
W9	CANTRELL, M	AGENT BADGE 256				Res.	
						Bus. TABC 207-2320	B
O1	CONTRERAS, WILLIAM JAMES		L	M	09-11-83	Res. PO BOX 240297 SA, TX	
						Bus. TXDL-00217669	
						Res.	
						Bus.	

Inj. Per.	Code	(12) Victim Taken to	(13) Transported By	(14) Describe Injuries	(15) Condition

Property Section

Codes: S – Stolen, D – Damaged, L – Lost, F – Found, R – Recovered, E – Evidence

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X _____ (Signature of Owner/Manager) X _____ (Signature of Reporting Officer) Date: _____

Forgery Evidence

One Forged Check/Card on the Account of _____
Check Number _____ Dated _____ Pay to the order of _____
In the Amount of $ _____ Drawn on the _____ Bank
Account/Card Number _____ And signed with the Makers Signature of _____

(16) Property Tag Number	(17) Property Receipt Made	(18) Photograph Taken	(19) OAN applied it (TYPE)	(20) Total Stolen Value
	☐ Yes ☐ No	☐ Yes ☐ No	☐ DL ☐ SSN ☐ DOB ☐ OTHER	

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(23) ☐ Stolen ☐ Crim. Misch. ☐ Burg Vehicle ☐ Unauth. Use ☐ Access. Theft ☐ Theft LPO ☐ Impound Veh. ☐ Abandoned Veh.

License Number	State/Yr/Type	Year	Make	Model	Style	VIN

Bicycle Serial Number	Make	Model	Type Frame	Type Brake	Wheel Size	Speed
			☐ Boys ☐ Girl	☐ Hand ☐ Foot		

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4. Rust or Primer	12. Painted Inscription on Body	20. Other
5. Decorative Paint	13. Vinyl Top	
6. Window Broken	14. Door Panel(s) Removed	
7. Missing Parts	15. Tom Seat(s) Headliner	
8. Loud Mufflers	16. Camper Top	

(26) Further Vehicle/Bicycle Description:

(27) Insurance Company	Policy Number	(28) Value of Vehicle/Bicycle	(29) Vehicle/Bicycle Insured?
			☐ Yes ☐ No

San Antonio Police Department | Case Number 70 771845

CRIME AGAINST PROPERTY M. O.

(30) Type Premises:
1. Single Family House
2. Apartment
3. Hotel/Motel
4. Other Residential
5. Chain/Convenience Store
6. Liquor Store
7. Gas/Service Station
8. Other Retail Sales
9. Bar/Lounge
10. Bank/Saving & Loan
11. Finance Company
12. Other Commercial House
13. Car/Bus/Truck
14. Office
15. Street/Roadway
16. School/Public Building
17. Park
18. Parking Lot
19. Restaurant
20. Other

(31) Direction
Entry Only
1. North
2. South
3. East
4. West

(32) Location
Entry Only
1. Front
2. Right Side
3. Left Side
4. Rear

(33) Entry/Exit Description
Point of Entry/Exit
1/1 Door
2/2 Window
3/3 Wall
4/4 Garage
5/5 Fence
6/6 Roof
7/7 Floor
8/8 Skylight
9/9 Fire Escape
10/10 Duct/Vent
11/11 Sliding Glass Door
12/12 Adjacent Building
13/13 Unknown
14/14 Other
15/15 N/A
(Burglary M. V.)
Entry Only
16. Vent Window
17. Door Window
18. Door
19. Hood
20. Trunk
21. Windshield/Back Glass

(34) Method of Entry
1. Pried
2. Broke
3. Cut
4. Chop/Pound
5. Remove
6. Concealment
7. Threats
8. Fraud
9. Attempt Only
10. Unlocked
11. Open For Trade
12. Unknown
13. Other
14. N/A

(35) Instrument/Tool Used for Entry
1. Blackjack/Club
2. Bodily force
3. Bolt Cutter
4. Chain, Locks/Vice Grips
5. Coat Hanger/Wire
6. Cutting Torch
7. Drill
8. Explosives/Chemicals
9. Glass Cutter
10. Gun (Describe)
11. Key/Pick/Plastic
12. Knife
13. Lock-Puller
14. Pliers
15. Pry Bar
16. Rock/Brick
17. Screwdriver
18. Unknown
19. Other
20. N/A

(36) Suspects Actions
1. Ate/Drank on Premises
2. Attempted Defeat/ Defeated Alarm)
3. Crime not Complete
4. Crime Skillfully Done
5. Knew Location of Hidden Valuable
6. Malicious Destruction
7. Removed Prints/Gloves
8. Tripped Alarm/Returned Later
9. Turned Lights on/off
10. Used Tools Found at Scene
11. Other
12. N/A

(37) Complainant Was
1. At Funeral/Church/Wedding
2. At Home
3. At Work/School
4. Absent (Ad in Paper)
5. Moving
6. Out of Town
7. Place of Entertainment
8. Present
9. Shopping
10. Other
11. N/A

(38) Crime Elements
1. Alarm Inoperative
2. Victim of Similar Crime
3. Object of Attack- Abandoned or Under Construction
4. N/A

Forgery and Credit Card Abuse

(39) I. D. Presented by Actor — I. D. Numbers
1. Drivers License
2. Social Security
3. Credit Card
4. Other

(40) Witness's Statement — List Witnesses on Front
1. Can Teller/Cashier Identify Actor? ☐ Yes ☐ No
2. Is Teller/Cashier Known? ☐ Yes ☐ No
3. Does Teller/Cashier Recall Transaction? ☐ Yes ☐ No
4. Are There Witnesses Who Can identify Actor? ☐ Yes ☐ No

Pin Number / Initials
Service Agent /
Crime Analyst /
Data Entry Clk. /

(41) Explain "Other" Responses by Box Number

(42) List Significant M. O. by Box Number 1. 2. 3. 4. 5.

(43) Details of the Offense/Event:

(W1)-(W8) AND I ARE ASSIGNED TO THE SAPD VICE UNIT (W9) IS AN AGENT WITH THE TABC. THE SAPD VICE UNIT HAD RECEIVED A COMPLAINT OF PUBLIC LEWDNESS OCCURING AT THE "LA HACIENDA NIGHT CLUB" AT THE ABOVE LOCATION. THE LOCATION HAS A CERTIFICATE OF OCCUPANCY LISTING LIVE ENTERTAINMENT BUT IS NOT A SEXUALLY ORIENTED BUSINESS ON THE ABOVE DATE (W7) AND (W8) WENT INTO THE "LA HACIENDA NIGHT CLUB" IN AN UNDERCOVER CAPACITY AND DID OBSERVE A PUBLIC LEWDNESS ON STAGE (SEE SAPD CASE 70 771845). (W7) AND (W8) NOTIFIED US OF THE VIOLATION. (W1)-(W6), (W9) AND I WENT INTO THE LOCATION. (W1) AND I WENT TO THE BACK LAP DANCE AREA. WHEN (W1) AND I ENTERED THE LAP DANCE AREA I SAW (O1) SITTING ON THE FIRST COUCH ALONG THE WALL. (AP1) WAS LYING ON HER BACK ACROSS (O1)'S LAP. (AP1) HAD HER BREASTS AND NIPPLES UNCOVERED AND EXPOSED. WHILE I STOOD THERE I SAW (AP1) [illegible] AND STRADDLE (O1)'S LAP FACING HIM. (AP1) RAISED UP, PUSHED HER BREASTS TOGETHER AND START RUBBING HER EXPOSED NIPPLES ALL OVER (O1)'S FACE AND MOUTH IN AN ATTEMPT TO SEXUALLY EXCITE (O1). AT THIS TIME I CONTACTED (AP1) AND ESCORTED HER TO THE DRESSING ROOM AREA TO GET HER ID. (AP1) DID NOT HAVE AN ID BUT DID GIVE ME HER PERSONAL INFORMATION. A COMPUTER CHECK WAS RUN ON (AP1) AND (AP1) WAS FOUND TO HAVE THE BELOW LISTED 3-CAPIAS WARRANTS WHICH WERE CONFIRMED. (AP2) WAS ALSO AT THE LOCATION. A WARRANT CHECK WAS RUN ON (AP2). (AP2) WAS FOUND TO HAVE THE BELOW LISTED 6 MUNICIPAL COURT WARRANTS WHICH WERE CONFIRMED. (AP1) AND (AP2) WERE PLACED UNDER ARREST AND WERE TRANSPORTED TO 401 S. FRIO WHERE [illegible] BOOKED FOR PUBLIC LEWDNESS AND ON

Check one: Yes -- Victim Notified of Provision of Victim Compensation Act (Art 8309 – 1V.T.C.S) No -- Explain in Details)

PRTS Sergeant | Badge # | Date | Time | Supplement Attached ☐

SAPD Form 2-2 Rev. (Jun 07) PC

SAN ANTONIO POLICE DEPARTMENT — Offense/Incident/Supplemental Report (Continuation)

(48) CASE NO. 90 771845

VEHICLE INFORMATION

(74) ☐ Suspect ☐ Recovered	Driver Was (Code)	Lic No.	State	Yr.	Type	Veh Year	Make	Model	Style	VIN No.

(75) Color 1 (Solid or Top) — Color 2

1 Beige, 2 Black, 3 Blue/Light, 4 Blue, 5 Blue/Dark, 6 Bronze, 7 Brown, 8 Copper, 9 Cream, 10 Gold, 11 Gray, 12 Green/Light, 13 Green, 14 Green/Dark, 15 Maroon, 16 Orange, 17 Pink, 18 Red, 19 Silver, 20 Tan, 21 Turquoise, 22 White, 23 Yellow, 24 Other

(76) Special Vehicle Features

1 ☐ Level Altered
2 ☐ Sticker/Decal on Body/Bumper
3 ☐ Sticker/Decal on Window
4 ☐ Rust or Primer
5 ☐ Decorative Paint
6 ☐ Window Broken
7 ☐ Missing Parts
8 ☐ Loud Mufflers
9 ☐ Damage to Front
10 ☐ Damage to Rear
11 ☐ Damage to Side
12 ☐ Painted Inscription on Body
13 ☐ Vinyl Top
14 ☐ Door Panels Removed
15 ☐ Tom Seat(s)/Headliner
16 ☐ Camper Top
17 ☐ Special Wheels/Tires (Mags/Wide Tires, etc.)
18 ☐ Extra Antenna(s)/Mirrors
19 ☐ Tinted Windows
20 ☐ Other

(77) Further Vehicle Description

(78) Description Reliability ☐ Excellen ☐ Good ☐ Poor

RECOVERED VEHICLE

(79) District Recovered

(80) Disposition of Vehicle: 1☐ Auto Pound 2☐ Release to Owner

(81) Method Used: 1☐ Towed/Carried 2☐ Hot Wired 3☐ Key in Vehicle 4☐ Other

(82) Condition of Vehicle: 1☐ Stripped 2☐ Wrecked 3☐ Burned 4☐ No Apparent Damage

(83) Stripped or Missing Parts: 1☐ Engine 2☐ Transmission 3☐ Battery 4☐ Body Parts 5☐ Tires 6☐ Wheels 7☐ Radio 8☐ Seats 9☐ License Plate(s) 10☐ Other

CRIME AGAINST PERSON M.O.

(84) Pre-Incident Contact
1 ☑ Bar
2 ☐ Party
3 ☐ Place of Entertainment (Movie, etc.)
4 ☐ Residence (Own/Other)
5 ☐ Shopping
6 ☐ School
7 ☐ Park/Recreational Fac.
8 ☐ Complainant Knows Susp.
9 ☐ None
10 ☐ N/A

(85) Suspect/Complainant Location
1 ☐ Suspect a Pedestrian
2 ☐ Suspect in a Vehicle
3 ☐ Complainant a Pedestrian
4 ☐ Complainant in Vehicle
5 ☑ N/A

(86) Suspect Pretended to be
1 ☐ Customer
2 ☐ Seeking someone
3 ☐ Aiding Complainant
4 ☐ Blind/Crippled, etc.
5 ☐ Delivery/Repairman
6 ☐ Renting
7 ☐ Military Person
8 ☐ Police Officer
9 ☐ Other
10 ☑ N/A

(87) Suspect Solicited/Offered
1 ☐ Aid for Vehicle
2 ☐ Ride
3 ☐ Use Phone
4 ☐ Information
5 ☐ Money
6 ☐ Sex
7 ☐ Asked for Merchandise
8 ☐ Drugs
9 ☐ 3-Card Monty
10 ☐ Pigeon Drop
11 ☐ Home Repair
12 ☐ Other Type Con Game
13 ☐ Other
14 ☑ N/A

(88) Suspect Actions
1 ☐ Demanded Money
2 ☐ Made Gestures
3 ☐ Rip Out Telephone
4 ☐ Used Note
5 ☐ Used Lookout/Accomplice
6 ☐ Fired Shots
7 ☐ Purse Snatch
8 ☐ Assault(S)
9 ☐ Took Comp's Clothing
10 ☐ Raped Complainant
11 ☐ Fondled Complainant
12 ☐ Raped More Than Once
13 ☐ Ripped/Cut Clothing
14 ☐ Used Lubricant
15 ☐ Other
16 ☐ N/A

(89) Forced Complainant to
1 ☐ Lie Down
2 ☐ Enter Restroom
3 ☐ Rear Of Building
4 ☐ Disrobe
5 ☐ Place Property In Sack
6 ☐ Unnatural Sex Acts
7 ☐ No Force
8 ☐ Other
9 ☐ N/A

(90) Weapon – Means of Attack
1 ☐ Gun (Describe)
2 ☐ Knife/Cut/Stab Instrument
3 ☐ Rock Or Brick
4 ☐ Explosives
5 ☐ Strangulation
6 ☐ Bodily Force- Hand/Feet
7 ☐ Burn/Scald
8 ☐ Blackjack/Club
9 ☐ Gas/Carbon Monoxide
10 ☐ Poison/Drugs/Liquor
11 ☐ Threats Against Complainant/Family
12 ☐ Mutual Consent
13 ☐ Vehicle (Describe)
14 ☐ Other
15 ☐ N/A

(91) Force Inflicted
1 ☐ Handcuff/Tie Comp.
2 ☐ Burn/Scald Comp.
3 ☐ Covered Comp. Face
4 ☐ Cut/Stab Comp.
5 ☐ Pull/Grab Comp.
6 ☐ Shot Comp.
7 ☐ Choke/Strangle Comp.
8 ☐ Blindfold/Gag Comp.
9 ☐ Hit Comp. Prior To Act
10 ☐ Hit Comp. During Act
11 ☐ Hit Comp. After Act
12 ☐ Other
13 ☐ None

(92) Vehicle Involvement
1 ☐ Hid In Rear Seat
2 ☐ Comp Forced Into Veh
3 ☐ Comp's Vehicle Taken
4 ☐ Comp Parking /Garaging
5 ☐ Forced Comp's Vehicle To Curb
6 ☐ Cover/Bend/Alter License Plate
7 ☐ Forced Way Into Vehicle
8 ☐ Disabled Comp's Vehicle
9 ☐ N/A

(93) Means of Escape
1 ☐ Vehicle Alone
2 ☐ Vehicle Cohorts
3 ☐ Bicycle
4 ☐ Foot
5 ☐ Unknown
6 ☐ N/A

(94) Complainant was
1 ☐ Opening/Closing Business
2 ☐ Physically/ Mentally Handicapped
3 ☐ Intoxicated
4 ☐ Tourist
5 ☐ Gambling
6 ☐ Alone
7 ☐ Other
8 ☐ N/A

(95) Complainant's Occupation

(96) Place of Employment

(97) Uniform Worn ☐ Yes ☐ No

(98) Explain Other Responses by Box No.

(99) List Significant M.O. by Box No. 1 2 3 4 5

(100) 1	SUBJECT # 2	3	CONTACT DATA	CODES 0	1	2	3	4	5
			Duration		1-15	16-30	Over 30		
			Video Camera		Yes	No			
			Search	None	Probable Cause	Consensual	Incident to Arrest	Inventory	Refused Search
			Contraband	None	Evidence	* Block Not Used *	Recovered Stolen	Found	Narcotics
			Reason for Contact	Traffic	Dispatched	Field Contact	Suspicious Conduct	Other	
			Disposition of Contact	Released	Written Warning	Traffic Citation	Misdemeanor Citation	Custodial Arrest	Field Contact
			Known Criminal History		Yes	No			
			3rd Party Information		Other Officer/Agency	Complainant/Citizen	None		

(101) Additional Detail Information: MUNICIPAL COURT WARRANTS (AP2) WAS BOOKED ON MUNICIPAL COURT WARRANTS.

(AP1) CHARGES - PUBLIC DRUNKNESS

- MUNICIPAL COURT CAPIAS WARRANTS 1 [illegible] B927477 AND B929245

(AP2) CHARGES - MUNICIPAL COURT ALIAS WARRANTS D677455A D677455B

Additional Sheets Attached ☐

SAN ANTONIO POLICE DEPARTMENT — Offense/Incident/Supplemental Report (Continuation)

Continuation of ☐ Incident Report ☑ Offense Report ☐ Supplemental Report | ☐ Recovered Vehicle | ☐ Field Interview | (48) CASE NO 771845

Location	Date	Time	Officer	Badge
3127 MISSION RD	10-6-07	0100	M. OBERHEU	2463

(49) CODES SP – Suspected Person AP – Arrested Person WP - Wanted Person MP – Missing Person FC- Field Contact

Code	Name (Last, First Middle)	Race	S	Age or DOB	Height	Weight	Hair	Eyes
AP1	LOPEZ JACKIE	☑W ☐B ☐H ☐I ☐A ☐M	F	10-24-85	5'0"	110	BLK	BRO
	Address and Phone: 618 E. HARLAN	Alias:			Charges: PUBLIC INTOXICATION			
AP2	ROSAS FELICIA GALLARDO	☑W ☐B ☐H ☐I ☐A ☐M	F	6-16-77	4'9"	130	BRO	BRO
	Address and Phone: 259 WAHRMUND	Alias:			Charges: WARRANTS			
		☐W ☐B ☐H ☐I ☐A ☐M						
	Address and Phone:	Alias:			Charges:			

SUBJECTS PERSONAL HISTORY

(50) Hair Length Subject NO. 1 ☑ 2 ☑ 3 ☐
1 ☑ ☑ ☐ Shoulder
2 ☐ ☐ ☐ Collar
3 ☐ ☐ ☐ Ear Top
4 ☐ ☐ ☐ Short
5 ☐ ☐ ☐ Bald/Balding
6 ☐ ☐ ☐ Other

(51) Hair Style Subject NO. 1 2 3
1 ☐ ☐ ☐ Afro
2 ☐ ☐ ☐ Wavy
3 ☐ ☐ ☐ Shag
4 ☐ ☐ ☐ Straight
5 ☐ ☐ ☐ Braided
6 ☑ ☐ ☐ Pony Tail
7 ☐ ☑ ☐ Other

(52) Facial Hair Subject NO. 1 2 3
1 ☐ ☐ ☐ Full Beard
2 ☐ ☐ ☐ Goatee
3 ☐ ☐ ☐ Mustache
4 ☐ ☐ ☐ Sideburns(Unusual)
5 ☐ ☐ ☐ Other
6 ☐ ☐ ☑ None

(53) Speech Manner Subject NO. 1 2 3
1 ☐ ☐ ☐ Profane/Abusive
2 ☑ ☑ ☐ Soft/Polite
3 ☐ ☐ ☐ Apologetic
4 ☐ ☐ ☐ Articulate
5 ☐ ☐ ☐ Bad Grammar
6 ☐ ☐ ☐ Other

(54) Speech Characteristic Subject NO. 1 2 3
1 ☐ ☐ ☐ Accent
2 ☐ ☐ ☐ Stutter
3 ☐ ☐ ☐ Deep/Raspy
4 ☐ ☐ ☐ High/Effeminate
5 ☐ ☐ ☐ Lisp
6 ☐ ☐ ☐ Slurred
7 ☐ ☐ ☐ Other

(55) General Appearance Subject NO. 1 2 3
1 ☑ ☑ ☐ Neatly Dressed
2 ☐ ☐ ☐ Well Dressed
3 ☐ ☐ ☐ Dirty/Ragged
4 ☐ ☐ ☐ Uniformed
5 ☐ ☐ ☐ Unusual Jewelry
6 ☐ ☐ ☐ Modern/Unusual
7 ☐ ☐ ☐ Dressed as Opposite Sex
8 ☐ ☐ ☐ Other

(56) Tattoo Description Subject NO. 1 2 3
1 ☐ ☐ ☐ Picture(s)
2 ☐ ☐ ☐ Name(s)
3 ☐ ☐ ☐ Initial(s)
4 ☐ ☐ ☐ Word(s)
5 ☐ ☐ ☐ Symbol(s)
6 ☐ ☐ ☐ Other

Tattoo Location Subject NO. 1 2 3

(57) Scars- Birthmarks Subject NO. 1 2 3
1 ☐ ☐ ☐ Head
2 ☐ ☐ ☐ Ear
3 ☐ ☐ ☐ Nose
4 ☐ ☐ ☐ Neck
5 ☐ ☐ ☐ Body
6 ☐ ☐ ☐ Arm
7 ☐ ☐ ☐ Hand
8 ☐ ☐ ☐ Finger
9 ☐ ☐ ☐ Leg
0 ☐ ☐ ☐ Other

(58) Deformity Subject NO. 1 2 3
1 ☐ ☐ ☐ Head
2 ☐ ☐ ☐ Ear
3 ☐ ☐ ☐ Nose
4 ☐ ☐ ☐ Neck
5 ☐ ☐ ☐ Body
6 ☐ ☐ ☑ Arm
7 ☐ ☑ ☐ Hand
8 ☐ ☐ ☐ Finger
9 ☑ ☐ ☐ Leg
0 ☐ ☐ ☐ Other

(59) Complexion Subject NO. 1 2 3
1 ☑ ☐ ☐ Light
2 ☐ ☐ ☐ Medium
3 ☐ ☐ ☐ Dark
4 ☐ ☐ ☐ Acne
5 ☐ ☐ ☐ Freckled
6 ☐ ☐ ☐ Ruddy
7 ☐ ☐ ☐ Other

(60) Teeth Subject NO. 1 2 3
1 ☐ ☐ ☐ Gold Design
2 ☐ ☐ ☐ Silver Design
3 ☐ ☐ ☐ Missing (Gaps)
4 ☐ ☐ ☐ Protrude/Overbite
5 ☐ ☐ ☐ Decayed/Dirty
6 ☐ ☐ ☐ ~~Crooked/Broken~~
7 ☐ ☐ ☐ Very White
8 ☐ ☐ ☐ Other

(61) Eyes Subject NO. 1 2 3
1 ☐ ☐ ☐ Missing
2 ☐ ☐ ☐ Crossed
3 ☐ ☐ ☐ Bulging
4 ☐ ☐ ☐ Squint
5 ☐ ☐ ☐ Afflicted Eye
6 ☐ ☐ ☐ ~~Blank~~
7 ☐ ☐ ☑ Different Colors
8 ☐ ☑ ☐ Other

(62) Right-Left Handed Subject NO. 1 2 3
1 ☑ ☑ ☐ Right
2 ☐ ☐ ☐ Left
3 ☐ ☐ ☐ Both

(63) Build Subject NO. 1 2 3
1 ☐ ☑ ☐ Light
2 ☐ ☐ ☐ Medium
3 ☐ ☐ ☐ Heavy

(64) Subject Wore Subject NO. 1 2 3
1 ☐ ☐ ☐ Ski Mask
2 ☐ ☐ ☐ Stocking Mask
3 ☐ ☐ ☐ Cap/Hat/Head Band
4 ☐ ☐ ☐ Coat/Jacket
5 ☐ ☐ ☐ Wig
6 ☐ ☐ ☐ ~~Gloves~~
7 ☐ ☐ ☑ ~~Glasses~~
8 ☐ ☐ ☐ Bandages
9 ☐ ☐ ☐ Other

(65) Description Reliability Subject NO. 1 2 3
1 ☑ ☑ ☐ Excellent
2 ☐ ☐ ☐ Good
3 ☐ ☐ ☐ Poor

(66) Outstanding Description Boxes Subject NO. 1 2 3

(67) Possible Cause of Absence: | (68) Competency (Physical): | (69) Competency (Mental): | (70) Possible Destination:

(71) Further Subject(s) Description(s): (Explain "Other" Responses by Box and Subject Numbers)

Box NO.	Subj. Code	

WEAPON DESCR.

(72) Weapon Subject NO. 1 2 3
1 ☐ ☐ ☐ Handgun
2 ☐ ☐ ☐ Shotgun
3 ☐ ☐ ☐ Rifle
4 ☐ ☐ ☐ Derringer
5 ☐ ☐ ☐ Simulated Gun
6 ☐ ☐ ☐ Unknown Gun

Subject NO. 1 2 3
7 ☐ ☐ ☐ Switchblade
8 ☐ ☐ ☐ Pocket Knife
9 ☐ ☐ ☐ Butcher/Steak Knife
10 ☐ ☐ ☐ Machete
11 ☐ ☐ ☐ Sword
12 ☐ ☐ ☐ Other

(73) Gun Features Subject NO. 1 2 3
1 ☐ ☐ ☐ Chrome/Nickel
2 ☐ ☐ ☐ Blue Steel
3 ☐ ☐ ☐ Automatic
4 ☐ ☐ ☐ Revolver
5 ☐ ☐ ☐ Short Barrel
6 ☐ ☐ ☐ Long Barrel

Subject NO. 1 2 3
7 ☐ ☐ ☐ Single Barrel
8 ☐ ☐ ☐ Double Barrel
9 ☐ ☐ ☐ Sawed-Off
10 ☐ ☐ ☐ Bolt Action
11 ☐ ☐ ☐ Altered Stock
12 ☐ ☐ ☐ White Grips

Subject NO. 1 2 3
13 ☐ ☐ ☐ Western Style
14 ☐ ☐ ☐ Large Bore
15 ☐ ☐ ☐ Small Bore
16 ☐ ☐ ☐ Pump
17 ☐ ☐ ☐ Other

Make | Model | Cal/Guage

SAN ANTONIO POLICE DEPARTMENT

EXTRA COPY

PRELIMINARY INVESTIGATION REPORT

CASE NO: 70 596867/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: VICE

REPORTING OFFICER: 2397 MAREK, TROY E 3062 DAVIS, KENNETH P

O F F E N S E I N F O R M A T I O N

OFFENSE: 419999 INVESTIGATION/INSPECTION
890926 VIOLATION OF CITY ORDINANCE
800500 ALIAS WARR-MOVING TRAFFIC VIOL
360005 PUB LEWD-SEXUAL CONTACT
520301 UNLAW CARRY WPN
410503 MINOR CONSUMING ALC BEV
410504 MINOR POSS ALC BEV

DATES OF OCCURRENCE
FRI 08-03-07 2200
2345

OFF. LOC : 03127 MISSION RD
DISTRICT : 6240

WEATHER: WARM / DRY

	TITLE	R/S ID?	DOB
COMP. NAME: MAREK, TROY 2397	DETECTIVE		

RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

CALL#	DETECTIVES ASSIGNED	BADGE	CALL#	DETECTIVES ASSIGNED	BADGE

ARRESTED PERSON 01

CODE N A M E NICKNAME/ALIAS
AP01 MAYS, JOHN H.
ADDR: 06322 BEECH TRAIL
CONVERSE TX CHARGES: CITY CODE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
B	M	/	11-22-85	601/	195/	BLACK	BROWN

DESCRIPTION RELIABLITY:

ARRESTED PERSON 02

CODE N A M E NICKNAME/ALIAS
AP02 LEDESMA, EMMANUEL J.
ADDR: 01906 DULUTH
SAN ANTONIO TX CHARGES: LIQUOR LAWS/UNLAW CARRY GUN

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	M	/	02-11-87	509/	140/	BROWN	BROWN

DESCRIPTION RELIABLITY:

ARRESTED PERSON 03

CODE N A M E NICKNAME/ALIAS
AP03 LOZANO, ALDO V.
ADDR: 00212 BRIGGS
SAN ANTONIO TX CHARGES: LIQUOR LAWS

**** REPORT FINALIZED ****
INVESTIGATIVE UNIT: VICE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	M	/	08-10-88	504/	140/	BROWN	BROWN

ARRESTED PERSON 04

CODE N A M E NICKNAME/ALIAS
AP04 LEE, CHRISTINA
ADDR: 14121 CHURCHILL ESTS 104
SAN ANTONIO TX CHARGES: WARRANTSP-PUB LUDE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
W	F	/	11-13-84	503/	168/	BROWN	GREEN

DESCRIPTION RELIABLITY: SUSPECTED PERSON 01

CODE N A M E NICKNAME/ALIAS
SP01 RODRIGUEZ, STEPHANIE
ADDR: 05632 FM536
FLORESVILLE TX CHARGES: SP-PUB LUDE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	F	/	04-29-87	503/	125/	BLACK	BROWN

DESCRIPTION RELIABLITY: SUSPECTED PERSON 02

CODE N A M E NICKNAME/ALIAS
SP02 ELIZANDO, RUBEN T.
ADDR: 11806 DROUGH PASS
HELOTES TX CHARGES: SP-PUB LUDE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	M	/	11-29-52	503/	200/	GRAY	BROWN

SUSPECTED PERSON 03

CODE N A M E NICKNAME/ALIAS
SP03 VILLARREAL, GEORGE

ADDR: 08322 SHOAL CREEK
SAN ANTONIO TX CHARGES: SP-PUB LUDE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
L	M	/	04-30-52	508/	170/	BLACK	BROWN

**** REPORT FINALIZED ****
INVESTIGATIVE UNIT: VICE

DESCRIPTION RELIABLITY: SUSPECTED PERSON 04

CODE N A M E NICKNAME/ALIAS
SP04 SMITH, CASSANDRA
ADDR: 13999 OLD BLANCO RD 1324
SAN ANTONIO TX CHARGES: SP-PUB LUDE

RAC	SEX	AGE	DOB	HEIGHT	WEIGHT	HAIR COLOR	EYE COLOR
B	F	/	10-05-80	503/	125/	BLACK	BROWN

W I T N E S S E S A N D O T H E R S

CODE TITLE R S ID? DOB
C NAME: MAREK, TROY 2397 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

CODE TITLE R S ID? DOB
W01 NAME: SAENZ, JOHN 2405 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

CODE TITLE R S ID? DOB
W02 NAME: MISEK, PHILLIP 2283 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

CODE TITLE R S ID? DOB
W03 NAME: MARKS, ANDREW 2136 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

CODE TITLE R S ID? DOB

W04 NAME: ELLIS, DAVID 2115 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -
CODE TITLE R S ID? DOB
W05 NAME: OBERHEU, MYRON 2403 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -
CODE TITLE R S ID? DOB

**** REPORT FINALIZED ****
INVESTIGATIVE UNIT: VICE

W06 NAME: FAULKNER, GERALD 2106 DETECTIVE
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -
CODE TITLE R S ID? DOB
W07 NAME: DAVIS, KENNETH 3062 SAPD SGT
RES ADDR: APT NO.:
CITY/ST: AC/PHONE: / -
BUS ADDR: 00214 W NUEVA APT NO.:
CITY/ST: SAN ANTONIO TX AC/PHONE: 210 / -

D E T A I L S

NOTIFIED OF PROVISIONS OF TEXAS CRIME VICTIM ACT: THE LOCATION COMMERCIAL BUSSINESS, (HACIENDA CLUB LLC), WAS INVESTIGATED AND INSPECTED DUE TO VICE UNIT COMPLAINT #07-208. THE CITIZEN COMPLAINT STATED THAT THE LOCATION IS ADVERTISED AS A MENS "STRIPCLUB" IN SA CURRENT PAPER AND IS NEXT TO HOMES AND SCHOOLS. THE CERTIFICATE OF OCCUPANCY FOR THE LOCATION STATED NO SEXUALLY ORIENTED BUSSINESS. THE W1 AND W2 WENT INTO THE LOCATION IN AN UNDERCOVER CAPASITY. THE COVER CHARGE AT THE DOOR WAS $20.00 DOLLARS EACH PERSON. WHILE INSIDE THE LOCATION, THE W1 AND W2 SAW THE SP1 DANCING ON THE MAIN STAGE OF THE LOCATION WITH EXPOSED AREOLA. WHILE DANCING SHE PULLED HER "G-STING" TO THE SIDE AND EXPOSED HER GENITALS TO THE SP2. THE SP1 ALSO PLACED HER BREASTS NIPPLES INTO THE MOUTH OF BOTH SP2 AND AP2 WHILE DANCING IN THE LOCATION. WHILE THE AP4 DANCED AT THE LOCATION, SHE PLACED HER BREASTS NIPPLES INTO THE MOUTH OF THE SP-3. THE AP4 ALSO HAD EXPOSED AREOLA. THE W1 AND W2 SAW THE AP2 AND AP3 DRINKING BUDWEISER BEERS FROM 12 O/Z CANS, BOTH THE AP2 AND AP3 LOOKED YOUNG AND WERE FOUND TO BE UNDER THE AGE OF 21YRS OLD. THE W1 AND W2 CALLED THE REST OF THE W'S AND REPORTED THE VIOLATIONS VIA PHONE. WE WENT INTO THE LOCATION WITH UNIFORMED PATROL. WHILE INSPECTING THE LOCATION BUSSINESS, THE W5 SAW THE SP4 AT THE UPSTAIRS PART OF THE BUSSINESS WITH HER "G-STRING" PULLED DOWN AND THE SP3 RUBBING HER GENITALIA WITH BOTH HIS HANDS, THE SP4 ALSO HAD EXPOSED BREASTS AND AREOLA. THE AP1 IS THE MANAGER/AGENT IN CHARGE OF THE LOCATION AND WAS PRESENT AND

IN FULL VIEW OF THE VIOLATIONS. THE LOCATION IS OPERATING AS A SEXUALLY ORIENTED BUSSINESS. UPON FURTHER INSPECTION, WE FOUND THAT NONE OF THE FIRE EXTINGUISHERS HAD INSPECTION CERTIFICATES AND TWO MARKER EXTINGUISHER AREAS HAD NO FIRE EXTINGUISHERS. THE LOCATION HAS A BILLIARDS TABLE, BUT HAD NO BILLIARDS HALL WINDOW. THE LOCATION HAS A MAX. OCCUPANCY LOAD OF 200 PERSONS, BUT THE FRONT EXIT SIGN WAS NOT ILLUMINATED-BROKEN. THE AP2 HAD ACTIVE MC WARRANTS AND WAS ARRESTED AND FOUND TO HAVE A LOADED GUN IN HIS POSSESSION AND WAS ARRESTED UNDER CASE #70596699. THE AP4 AND SP4 WERE FOUND TO HAVE WARRANTS AND WERE ARRESTED. THE AP1 WAS CITED FOR THE CITY CODE VIOLATIONS. I WILL REQUEST THAT CASES BE FILED AT LARGE ON THE SP1, SP2, AP2, SP3, SP4 AND AP4 FOR PC 21.07, PUBLIC LEWDNESS.

AP1-CITY CODE 35-3004 VIOL. OF CERTIFICATE OF OCCUPANCY CIT.#X1019610 ?

CITY CODE11-32 FAIL TO MAINTAIN FIRE EXTINGUISHERS CIT.#X1019611

CITY CODE 11-32 FIRE EXIT NOT MARKED/ILLUMINATED CIT.#X1019612

CITY CODE 16-30 NO BILLIARD HALL WINDOW CIT#X1019613

AP2-TABC CODE 106.04 MINOR CONSUMING A/B CIT.#X1085403

TABC CODE 106.05 MIP-BEER CIT.#X1085402

MC WARRANTS P034117B AND P076363A-ARRESTED

SAN ANTONIO POLICE DEPARTMENT EXTRA COPY

PRELIMINARY INVESTIGATION REPORT CASE NO: 70 596867/01

**** REPORT FINALIZED ****

INVESTIGATIVE UNIT: VICE

PC 46.02 UNLAWFULL CARRY WEAPON GUN-ARRESTED

AP3-TABC CODE 106.04 MINOR CONSUMING A/B CIT. #X1085305

TABC CODE 106.05 MIP-BEER CIT.#X1085304AP4

AP4-WARRANT N472436A-ARRESTED

PC 21.07 PUBLIC LEWDNESS-FILE AT LARGE

SP1-PC 21.07 PUBLIC LEWDNESS-FILE AT LARGE

SP2-PC 21.07 PUBLIC LEWDNESS-FILE AT LARGE

SP3-PC 21.07 PUBLIC LEWDNESS-FILE AT LARGE

SP4-WARRANT P083959A-ARRESTED

PC 21.07 PUBLIC LEWDNESS-FILE AT LARGE

COMMERCIAL BUILDING INVESTIGATION/INSPECTION.....

D I S P A T C H I N G I N F O R M A T I O N

DISPATCH CODE: 55 VICE

REQUEST FOR SERVICE

RECEIVED: 08-04-07 0123

DISPATCH TO: 03127 MISSION RD

DISPATCH: - -

DISTRICT 6240

ARRIVED: - -

REPORT UNIT: RMC

CLEARED: - -

REPORTED BY:

ADDRESS: APT: PHONE:

OFFICERS DISPATCHED	BADGE	OFFICERS DISPATCHED	BADGE
MAREK, TROY E	2397-R	DAVIS, KENNETH P	3062-R

REPORT ENTERED BY: 99 08-04-07 0123

APPROVING: 0000 SUPERVISOR: 3062 DAVIS, KENNETH P
REPORT ENTERED BY: 0000 MAREK, TROY E 08-04-07 0314
COPIES OF REPORT TO: VICE

Rudy Nino

From: Mari Cortez [los.cortez@earthlink.com]
Sent: Wednesday, July 29, 2009 1:05 AM
To: Rudy Nino
Cc: Rene Luna; Gerald Hess; Andrew Anguiano; Roberto Anguiano; Rene Cortez; Gerrit Dinkla
Subject: Request Closure of Hacienda

Dear Mr. Nino:

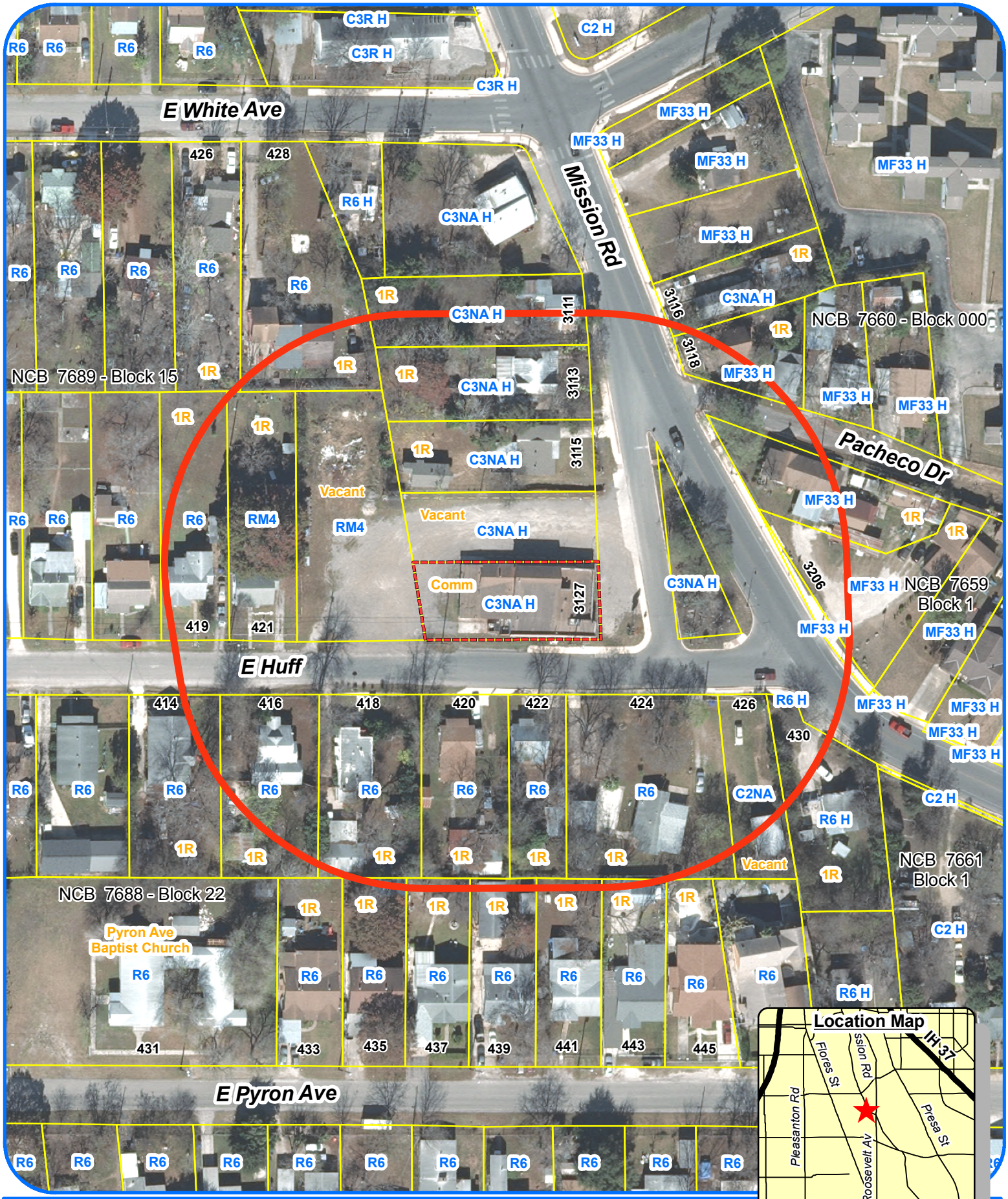
This is an official request from the Mission San José Neighborhood Association for the City of San Antonio Board of Adjustments to close down the Hacienda on Mission Road a sexually oriented business out of zoning compliance. For years complaints from community members and business owners alike have protested the activities at the Hacienda that is incompatible to any residential community. This business must be closed down due to its proximity to schools and church institutions, and for not being properly zoned as an SOB.

A long police record exist on crimes at Hacienda that demonstrates it to be a liability and a hazard for the safety of our community members. To have this business around children and families where organized crime can gravitate to makes it an evil and hideous place for our residence. The Hacienda is a community liability, because it is a horrible drug infested hang-out with criminal elements.

Please help us protect and improve the quality of life of our families and stop this sexually oriented business from operating, including the serious health hazard it represents as part of the sex trade. A criminal investigation by the San Antonio Police Department should be pursued in earnest to make the Hacienda owners responsible for operating a sexually oriented business.

Respectfully,

Armando Cortez, President
Mission San Jose NA
701 E. Pyron
San Antonio, TX 78214



Board of Adjustment

Notification Plan for

Case A-09-078

Legend

Subject Property

200' Notification Boundary

Scale: 1" approx. = 100'
Council District 1

Planning and Development Services Dept
City of San Antonio
(07/30/2009 - P. Trinkle)