



# CASE NO: Z2002227

**Zoning Commission Meeting Date:** November 19, 2002

**Council District:** 3

**Ferguson Map:** 650 D-2

**Appeal:** No

**Applicant:**

City of San Antonio

**Owner**

Johnny J. Valadez

**Zoning Request:** From "R-6" Residential Single-Family District to "C-3NA" Commercial Non-Alcoholic Sales District.

The north 100 feet of Lot 4, Block 14, NCB 3232

**Property Location:** 116 East Malone Avenue

Southside of 116 East Malone Avenue, 180.7 feet east of the intersection of South Flores Street and East Malone Avenue.

**Applicants Proposal:** To have the City of San Antonio zoning maps corrected to reflect "B-3NA" Non-Alcoholic Sales District (converted to "C-3NA" Commercial Non-Alcoholic Sales District on February 4, 2002).

**Staff Recommendation:**

Approval. The property fronts onto East Malone Avenue, a secondary arterial on the Major Thoroughfare Plan (one way street with No Parking signs on the southside of East Malone Avenue) and falls within the South Central San Antonio Community Plan which encourages Transit-Oriented Development. Mr. Valadez was issued Building Permits and a Certificate of Occupancy for an automotive repair facility by the Building Inspection Department in 1975. On March 23, 1995 the City Council approved "B-3NA" Non-Alcoholic Sales District. On November 7, 1996 the City Council approved the Burbank Rezoning Plan which improperly rezoned the property from "B-3NA" Non-Alcoholic Sales District to "R-1" Single-Family Residence District (converted to "R-6" Residential Single-Family District on February 4, 2002).

**Zoning Commission Recommendation:**

Approval

**VOTE**

FOR	9
AGAINST	0
ABSTAIN	0
RECUSAL	0

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Applicant: City of San Antonio

Zoning Request: "R-6" Residential Single Family District to "C-3NA" Commercial Non-Alcoholic Sales District.

Johnny Valadez, 715 Cypressbrook, stated he is requesting the property be corrected on the City maps with the correct "C-3NA" zoning. He stated he has been in business at this location since 1975. The area was rezoned on November 1996 and was improperly zoned "R-1".

### **OPPOSE**

Carlos Zapata, 122 E. Malone, stated he does not support this request. He stated this area is residential and feels this business would deteriorate the neighborhood. He expressed concerns with the traffic in this area. This is a very busy street and he feels on street parking would be very dangerous. He stated there is a school in this area and is concerned for safety of the children.

Yoland Elizondo, 118 E. Malone, stated her residence is adjacent to Mr. Valadez's business. She expressed concerns with parking. She stated she has a very difficult time exiting her driveway due to the customer parking and vending truck that come to deliver.

### **REBUTTAL**

Johnny Valadez, stated this area does have some commercial use and feels his business would not have a negative impact on the neighborhood. He further stated Mr. Zapata operates an income tax business from his home.

Staff stated there were 23 notices mailed out to the surrounding property owners, 3 returned in opposition and 5 returned in favor and no response from Englewood Neighborhood Association.

Everyone present, for and against having been heard and the results of the written notices having been received, the Chairman declared the public hearing closed.

### **COMMISSION ACTION**

The motion was made by Commissioner Hophan and seconded by Commissioner Grau to recommend approval.

1. Property is located on north 100 feet of Lot 4, Blcok 14, NCB 3232 at 116 East Malone Street.

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2. There were 23 notices mailed, 3 returned in opposition and 5 returned in favor.
3. Staff recommends approval.

**AYES: Mehringer, Grau, Cardenas-Gamez, Kissling, Hophan, Sherrill, McAden,  
Avila, Morell, Martinez**

**NAYS: None**

**THE MOTION CARRIED.**

**RESULTS OF NOTICE FOR COUNCIL HEARING**

To be provided at Council hearing.