



May 06, 2016

Mr. Art Rinehart, P.E., C.F.M.
Assistant Director
Transportation and Capital Improvements
City of San Antonio
1901 S. Alamo
San Antonio, TX 78204

Re: Vitamin Cottage Natural Foods Market-N. New Braunfels
Meadowwood Estates Subdivision 1A (Replat) / Plat Number 160220
UDC Section Appendix H 14.3.2

- ☐ Administrative Exception
- ☐ Environmental Variance
- ☒ Subdivision Platting Variance –Drainage Easement

Dear Mr. Rinehart:

We are seeking approval for a variance from the City of San Antonio Planning Commission in regard to the Vitamin Cottage Natural Foods Market, an approximately 1 acre tract that is located at 6514 N. New Braunfels Avenue. Per the City of San Antonio (CoSA) Unified Development Code (UDC), the 1% annual chance (100 year) flood zone running through a proposed subdivision must be contained inside a drainage easement. A small portion of the proposed building sits within the 1% annual chance (100 year) flood zone. The proposed drainage easement will be placed around the building, and therefore, will not contain the 1% annual chance (100 year) flood zone, which is not permissible per the CoSA UDC. The variance will be that the easement will not contain all of the 1% annual chance floodplain.

The applicant has taken all practicable measures to minimize any adverse impacts on the public health, safety and public welfare. Under the circumstances, the public interest underlying the proposed exception outweighs the public interest underlying the particular regulation for which the exception/variance is granted. In addition, the criteria of UDC Section 35-483 (e) are satisfied according to the following.

- If the applicant complies strictly with the provisions of these regulations, he/she can make no use of his/her property.
- The hardship relates to the applicant's land, rather than personal circumstances.
- The hardship is unique, or nearly so, rather than one shared by many surrounding properties.
- The hardship is not the result of the applicant's own actions.



- The granting of the exception/variance will not be injurious to other property and will not prevent the orderly subdivision of the other property in the area in accordance with these regulations.

In our professional opinion, the proposed variance remains in harmony with the spirit and intent of the UDC as it will not adversely affect the health, safety, or welfare of the public.

We appreciate your time and consideration of this matter. If you should have further questions or require additional information, please contact our office.



Sincerely,

A handwritten signature in black ink, appearing to read 'Luke Spellmeyer'.

Luke Spellmeyer ~~(Owner)~~ Manager of
EVC Texas LP, L.C., General Partner of
EVC Alamo Heights, L.P. (Owner)

Enclosures: FEMA Exhibit
Drainage Exhibit
UDC Section Appendix H 14.3.2



CITY OF SAN ANTONIO

DEVELOPMENT SERVICES DEPARTMENT

1901 S. Alamo, San Antonio, TX 78204

ADMINISTRATIVE EXCEPTION/VARIANCE REQUEST APPLICATION

Project Name:	Vitamin Cottage Natural Foods Market-N. New Braunfels Avenue
A/P #/EPR #/Plat #	Plat 140220
Date:	05/06/2016
Code Issue:	Drainage Easement
Code Sections:	Appendix H 14.3.2

Submitted By: <input checked="" type="checkbox"/> Owner	Owners Agent * (Requires notarized Letter of Agent)
Owners Name: Luke R. Spellmeier, Manager	
Company: EVC Texas GP, L.C., its General Partner, EVC Alamo Heights, L.P., Owner	
Address: 3501 SW Fairlawn Road, Suite 200, Topeka, KS Zip Code: 66614	
Tel #: 785-272-1398 Fax# 785.272.1796 E-Mail: lspellmeier@equityventurescd.com	
Consultant: Juan Rodriguez, Project Manager	
Company: KFW Engineers	
Address: 3421 Paesanos Parkway, Suite 200, San Antonio, TX Zip Code: 78231	
Tel #: (210) 979-8444 Fax# (210) 979-8441 E-Mail: jrodriguez@kfwengineers.com	
Signature: <u>L. Spellmeier, Manager</u>	

Additional Information – Subdivision Plat Variances & Time Extensions

1. ☐ Time Extension ☐ Sidewalk ☐ Floodplain Permit ☐ Completeness Appeal
☒ Other Drainage Easement
2. City Council District 10 Ferguson Map Grid 583, C3 Zoning District C2 (AHOD)
3. San Antonio City Limits ☒ Yes ☐ No
4. Edwards Aquifer Recharge Zone? ☐ Yes ☒ No
5. Previous/existing landfill? ☐ Yes ☒ No
6. Parkland Greenbelts or open space? Floodplain? ☒ Yes ☐ No