



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-6426

**Type:** Staff Briefing - Without Ordinance

**In control:** Planning Commission

**On agenda:** 11/28/2018

**Title:** 170115: A) On November 11, 2018, the applicant requested a variance from Section 35-F124(f)(16) and 35-F125(a)(2) Appendix F of the Unified Development Code (UDC). The Transportation & Capital Improvements (TCI) Department, Storm Water Division recommendation is pending. (ATTACHMENT #2).  
B) Request by Alfred Flores, ADM Investment Co. and Peter Greenblum, 118 Guadalupe, LLC, for approval to subdivide a tract of land to establish Guadalupe & Flores-1, IDZ Subdivision, generally located along the southwest intersection of Guadalupe Street and Flores Street. Staff recommendation is pending. (Martha Bernal, Planner, (210) 207-0210, Martha.Bernal@sanantonio.gov, Development Services Department)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 170115 signed mylar

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Development Services

**SUBJECT:**

Guadalupe & Flores-1, IDZ 170115

**SUMMARY:**

- A. On November 11, 2018, the applicant requested a variance from Section 35-F124(f)(16) and 35-F125(a)(2) Appendix F of the Unified Development Code (UDC). The Transportation & Capital Improvements (TCI) Department, Storm Water Division recommendation is pending. (ATTACHMENT #2).
- B. Request by Alfred Flores, ADM Investment Co. and Peter Greenblum, 118 Guadalupe, LLC, for approval to subdivide a tract of land to establish Guadalupe & Flores-1, IDZ Subdivision, generally located along the southwest intersection of Guadalupe Street and Flores Street. Staff recommendation is pending. (Martha Bernal, Planner, (210) 207-0210, Martha.Bernal@sanantonio.gov, Development Services Department)

**BACKGROUND INFORMATION:**

Council District: 1  
Filing Date: November 19, 2018  
Owner: ADM Investment Co. and Peter Greenblum, 118 Guadalupe, LLC  
Engineer/Surveyor: Seda Consulting Engineers, Inc.  
Staff Coordinator: Martha Bernal, Planner, (210) 207-0210

## ANALYSIS:

### **Zoning:**

“MF-25 IDZ AHOD and C-2 IDZ AHOD” Low Density Multi-Family Infill Development Zone Airport Hazard Overlay District and Commercial Infill Development Zone Airport Hazard Overlay District

## ALTERNATIVE ACTIONS:

- Per State Law, Section, 212.009 and Unified Development Code (UDC), Section 35-432(d) the Planning Commission considers staff review of the variance request along with the plat.
- In accordance with UDC 35-483 the Planning Commission shall render a written finding of the variance by approving, denying, or approving with conditions.
  1. **Approve with conditions:** In granting variances, the commission may impose such reasonable conditions as will ensure that the property will be as compatible as practical with the regulations and surrounding properties.
  2. **Approval criteria:** The Planning Commission may grant variances if it concludes that strict compliance with regulations would result in practical difficulties or unnecessary hardships for the applicant and that, by granting the variance, the spirit of these regulations will be observed, public safety and welfare secured, and substantial justice done. The Planning Commission may grant a variance only if it finds that:
    1. The proposed variance will not be contrary to the spirit and intent of this code and the regulations from which the variance is requested and the proposed variance complies with all other applicable standards of subsection 35-432(e) to the extent practicable; and
    2. The hardship relates to the applicant's land, rather than personal circumstances; and
    3. The hardship is not the result of the applicant's own actions and that the applicant has taken all practicable measures to minimize any adverse impacts on the public health, safety and public welfare;
    4. Under the circumstances, the public interest underlying the proposed variance outweighs the public interest underlying the particular regulation for which the variance is granted; and
    5. The granting of the variance will not be injurious to other property and will not prevent the orderly subdivision of other property in the area in accordance with these regulations.
  3. **Denial:** The Planning Commission may disapprove a variance based on staff error by specifically identifying non-compliance with the Unified Development Code.

## RECOMMENDATION:

Approval pending of a Subdivision Plat that consists of 0.7873 acre tract of land, which proposes six (6) single-family residential lots and three (3) non-single-family residential lots.

Staff reviewed the request of the plat and found it in conformance with the Unified Development Code (UDC) with exception of the Variance mentioned above. In regards to the Variance, staff is pending concurrence with the applicant's justification. Therefore, the Director of Development

Services recommendation is pending approval of the variance and plat.