

ORDINANCE 2022-12-15-0999

**AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.**

\* \* \* \* \*

**WHEREAS**, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

**WHEREAS**, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

**SECTION 1.** Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 19, the west 10.08 feet of Lot 20, and Lot 21, Block S, NCB 3078, located at 110 Biering Avenue, from RM-4 CD NCD-1 AHOD" Residential Mixed South Presa/South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for Multi-Family Dwellings not to exceed eleven (11) dwelling units per acre or a total of two (2) dwelling units to "IDZ-1 NCD-1 AHOD" Limited Intensity Infill Development Zone South Presa/South St. Mary's Street Neighborhood Conservation Airport Hazard Overlay District with uses permitted for two (2) dwelling units.

**SECTION 2.** The City council approves this Infill Development Zone so long as the attached site plan is adhered to. A site plan is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

**SECTION 3.** All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

**SECTION 4.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 5.** This ordinance shall become effective December 25, 2022.

**PASSED AND APPROVED** this 15<sup>th</sup> day of December, 2022.



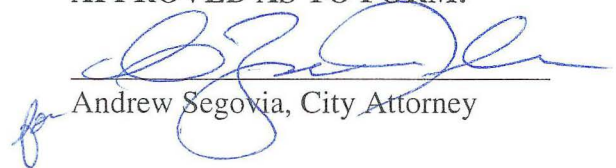
**M A Y O R**  
**Ron Nirenberg**

**ATTEST:**



**Debbie Racca-Sittre, City Clerk**

**APPROVED AS TO FORM:**



**Andrew Segovia, City Attorney**



## City of San Antonio

### City Council Meeting December 15, 2022

3.

**2022-12-15-0999**

ZONING CASE Z-2022-10700299 (Council District 1): Ordinance amending the Zoning District Boundary from "RM-4 CD NCD-1 AHOD" Residential Mixed South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with a Conditional Use for Multi-Family Dwellings not to exceed eleven (11) dwelling units per acre or a total of two (2) dwelling units to "IDZ-1 NCD-1 AHOD" Limited Intensity Infill Development Zone South Presa/South St. Mary's Streets Neighborhood Conservation Airport Hazard Overlay District with uses permitted for two (2) dwelling units on Lot 19, the west 10.08 feet of Lot 20, and Lot 21, Block S, NCB 3078, located at 110 Biering Avenue. Staff and Zoning Commission recommend Approval.

Councilmember Bravo moved to Approve on Zoning Consent. Councilmember Courage seconded the motion. The motion carried by the following vote:

<b>Aye:</b>	Nirenberg, Bravo, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Pelaez, Courage, Gallagher
<b>Absent:</b>	McKee-Rodriguez, Sandoval

# **Exhibit “A”**



A rezoning from RM-4 to IDZ-1 for two single family homes

**BIERING AVENUE**  
(38' R.O.W.) (50.0')  
N 73°00'43" E 49.77'

NOTE:  
PRIOR SURVEY (WESTAR JOB #44019) WAS USED FOR REFERENCE.

Z-2022-10700299  
110 Biering Avenue  
0.1941 acres

C.M. N 73°04'10" E N 72°53'46" E C.M.  
100.26' (100.0') 49.73' (50.0')

NOTE:  
THE SIGNING SURVEYOR WAS NOT PROVIDED A CURRENT TITLE COMMITMENT AND THERE MAY BE EASEMENTS, RIGHTS OF WAY OR OTHER INSTRUMENTS OF RECORD WHICH MAY AFFECT THIS PROPERTY WHICH ARE NOT SHOWN ON THE FACE OF THIS SURVEY.

NOTE: NO RESTRICTIVE COVENANTS OF RECORD WERE FOUND.

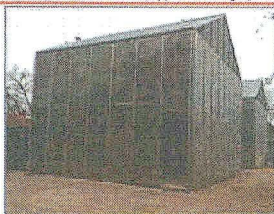
I, Imperative Holding LLC, acknowledge that this site plan submitted for the purpose of rezoning this property is in accordance with all applicable provisions of the Unified Development Code. Additionally, I understand that City Council approval of a site plan in conjunction with a rezoning case does not relieve me from adherence to any/all City adopted Codes at the time of plan submittal for building permits.

NOTE:  
THE ORIGINAL PLAT OF RECORD IS WITHOUT BEARINGS. THIS IS REPRESENTATION OF THIS SURVEYOR'S BEST INTERPRETATION OF RECORD INFORMATION.

NOTE:  
BEARING BASIS (N 73°00'43" E 149.99') BEING THE THEORETICAL LINE BETWEEN THE NW CORNER OF LOT 16 AND THE NW CORNER OF LOT 19.

NOTE:  
BEARINGS SHOWN HEREON ARE BASED ON PLAT RECORDED IN VOLUME 9716, PAGE 50, BEXAR COUNTY, PLAT RECORDS.

FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 480296, Panel No. 0415 G, which is Dated 09/29/2010. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the survey did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or state or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <http://www.fema.gov/index.shtm>.



Property Address:  
110 BIERING AVENUE

Property Description:

LOT 19, NEW CITY BLOCK 3078, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 105, PAGE 108, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS.

Owner:  
T.B.D.

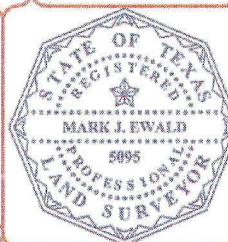
FIRM REGISTRATION NO.  
10111700

**Westar Alamo**  
LAND SURVEYORS, LLC.  
P.O. BOX 1645 BOERNE, TEXAS 78006  
PHONE (210) 372-8500 FAX (210) 372-9999

**LEGEND**

- = 1/2" IRON ROD SET
- = FND 1/2" IRON ROD
- = FND PK NAIL
- = RECORD INFORMATION
- = BUILDING SETBACK
- = CONTROLLING MONUMENT
- = POWER POLE
- = ELECTRIC METER
- = GAS METER
- = WATER METER
- = OVERHEAD ELECTRIC
- = WIRE FENCE
- = CHAIN LINK FENCE
- = WOOD FENCE
- = METAL FENCE

DRAWN BY: JS



I, MARK J. EWALD, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

*Mark J. Ewald*  
MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095

G.F. NO. N/A

JOB NO. 80378

TITLE COMPANY: N/A

DATE: 01/02/2018

SCALE: 1"=20'

Exhibit "A"  
THIS SURVEY IS  
ACKNOWLEDGED AND  
IS ACCEPTED: