

ORDINANCE NO. 20110804-040

AN ORDINANCE AMENDING ORDINANCE NO. 040826-58 TO CLARIFY THE PROVISIONS FOR A TWO-FAMILY RESIDENTIAL USE FOR PROPERTY LOCATED WITHIN THE NORTH UNIVERSITY NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN AREA, AND REZONING AND CHANGING THE ZONING MAP FROM NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (NCCD-NP) COMBINING DISTRICT TO NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (NCCD-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 040826-58 (the “Original Ordinance”) zoned property and established a neighborhood conservation-neighborhood plan combining district to approximately 234.87 acres of land in the City of Austin, Travis County, Texas, generally known as the North University conservation-neighborhood plan combining district (“NUNA”) and more particularly described and identified in Zoning Case No. C14-04-0022. The Original Ordinance was amended by Ordinance No. 20070111-077 in Zoning Case No. C14-06-0186, and by Ordinance No. 20081120-026.

PART 2. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from neighborhood conservation-neighborhood plan (NCCD-NP) combining district to neighborhood conservation-neighborhood plan (NCCD-NP) combining district on approximately 234.87 acres of land described in Zoning Case No. C14-04-0022.01, on file at the Planning and Development Review Department, and generally identified in the map attached as Exhibit “A” incorporated into this ordinance, (the “Property”), locally known as the area bounded by 38th Street to the north, San Jacinto Boulevard and 27th Street to the south, Guadalupe Street to the west, and Duval Street to the east, in the City of Austin, Travis County, Texas.

PART 3. Section 5 of Part 6 (*General Provisions*) of the Original Ordinance is amended as shown in this Part.

5. Two-family residential use.

- a. [~~In the Residential District, a~~] A two family residential use is permitted on a lot that is 7,000 square feet or larger and has a front lot width of at least 48 [50] feet.

b. Two-family use is permitted on a lot that is at least 5,750 square feet if all other Code and NCCD requirements are met and if the floor-to-area ratio as defined by Subchapter F of the Code does not exceed 0.4 to 1.0.

~~{b. In District 1A, a two family use is permitted on a lot that is at least 7,000 square feet or larger and has a front lot width of at least 48 feet.~~

c. Except as otherwise provided in this section, the maximum gross floor area of the rear dwelling unit of a two-family residential use is 850 square feet. On a corner lot, the rear dwelling unit may exceed 850 square feet if:

- 1) living space is provided on the ground floor.
- 2) one unit has frontage on a north-south street; and
- 3) one unit has frontage on an east-west street.

PART 4. Except as otherwise specifically provided in this ordinance, the Property in the NUNA neighborhood plan area is subject to Ordinance No. 040826-58, as amended, that established the North University neighborhood conservation-neighborhood plan combining district.

PART 5. This ordinance takes effect on August 15, 2011.

PASSED AND APPROVED


August 4, 2011

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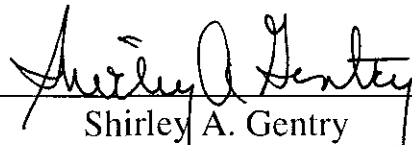
Lee Leffingwell
Mayor

APPROVED:

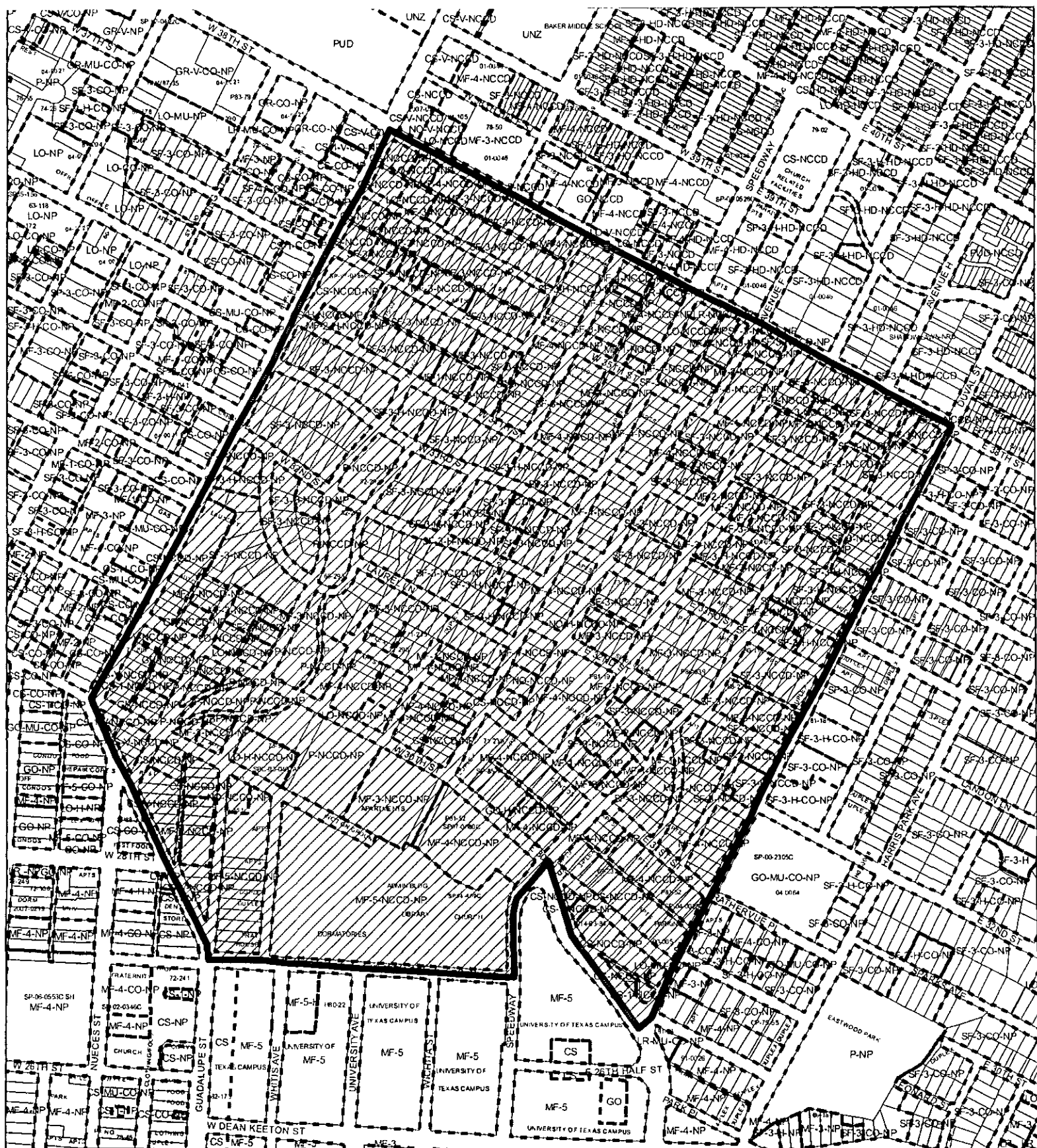


Karen M. Kennard
City Attorney




ATTEST:



Shirley A. Gentry
City Clerk



ZONING EXHIBIT A

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY

ZONING CASE#: C14-04-0022.01
 LOCATION: W 38TH ST
 SUBJECT AREA: 234.87 ACRES
 GRID: J24/J25
 MANAGER: C.PATTERSON



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.