

ORDINANCE NO. 20070111-077

AN ORDINANCE AMENDING ORDINANCE NO. 040826-58 TO PROHIBIT CLUB OR LODGE USE FOR THE PROPERTY GENERALLY IDENTIFIED AS THE RESIDENTIAL DISTRICT 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, AND DECLARING AN EMERGENCY.

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

PART 1. Ordinance No. 040826-58 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.

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 the property described in Zoning Case No. C14-06-0186, on file at the Neighborhood Planning and Zoning Department, as follows:

Approximately 234.87 acres of land in the City of Austin, Travis County, Texas, more particularly described 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. Part 5 Section 1 of Ordinance No. 040826-58 is amended as to the Residential District described in Part 4 of Ordinance No. 040826-58, as follows:

1. Residential Base Districts.

- a. Except as provided in this section, the permitted and conditional uses for the residential base zoning districts apply in accordance with the Code.
- b. Single family attached residential use is prohibited.
- c. Group residential use is prohibited in the Residential District, the Transition District, the San Jacinto District, and the Speedway District.
- d. Except as provided in Subsection e and g, a civic use that is 5,000 gross square feet or less is permitted. A civic use that is greater than 5,000 gross square feet is a conditional use. This does not apply to a religious assembly use or to a use in Waller Creek/Seminary district 7 and 7A.
- e. Religious assembly use is a permitted use.
- f. A drive-in service use is not permitted.
- g. Except as provided in Subsection h, a club or lodge use is a prohibited use.
- h. Subsection g does not apply to the following property:

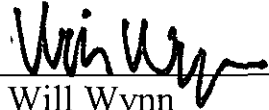
Lots 1, 2, and 3, Block 5, Resubdivision of Block 5 Grooms Addition, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 446, Page 1, of the Plat Records of Travis County, Texas.

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

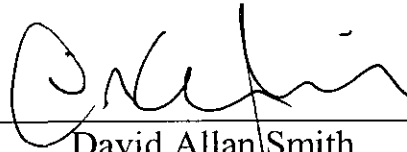
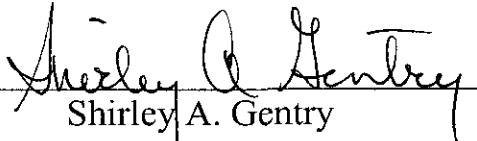
PART 5. The Council finds that imminent development concerns create an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the preservation of the public peace, health, and safety.

PASSED AND APPROVED

January 11, 2007 §
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Will Wynn
Mayor

APPROVED:  **ATTEST:** 

David Allan Smith Shirley A. Gentry
City Attorney City Clerk



 1" = 600'	SUBJECT TRACT 	ZONING EXHIBIT A CASE #: C14-06-0186 ADDRESS: Area bounded by 38 th Street to the North; 27 th Street to the South; Duval Street to the East; and Guadalupe Street to the West SUBJECT AREA (acres): 234.870	DATE: 06-09 INTLS: SM	CITY GRID REFERENCE NUMBER J24-25
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: J. ROUSSELIN			