

A U S T I N C I T Y C O U N C I L  
**AGENDA**

Thursday, January 11, 2007

 + [Back](#) [Print](#)**Zoning and Neighborhood Plan Amendments  
(Public Hearings and Possible Action)  
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 77**

**Subject:** C14-06-0186 - North University NCCD Amendment - City Initiated - Conduct a public hearing to amend Chapter 25-2 of the Austin City Code by rezoning property locally known as the area bounded by 38th Street to the North; 27th Street to the South, Duval Street to the East; and Guadalupe Street to the West (Shoal Creek, Waller Creek and Boggy Creek Watersheds) from neighborhood conservation combining district-neighborhood plan (NCCD-NP) combining district zoning to neighborhood conservation combining district-neighborhood plan (NCCD-NP) combining district zoning to change a condition of zoning Staff Recommendation. To grant neighborhood conservation combining district-neighborhood plan (NCCD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation. To grant neighborhood conservation combining district-neighborhood plan (NCCD-NP) combining district zoning to change a condition of zoning Applicant and Agent. Neighborhood Planning and Zoning Department. City Staff: Jorge E Rousselin, 974-2975 A valid petition has been filed in opposition to this rezoning request.

**Additional Backup  
Material**

(click to open)

[Staff Report](#)**For More Information:**

**ZONING REVIEW SHEET****CASE:** C14-06-0186**P.C. DATE:** October 10, 2006  
October 24, 2006  
November 14, 2006  
November 28, 2006**ADDRESS:** Area bounded by 38<sup>th</sup> Street to the North, 27<sup>th</sup> Street to the South; Duval Street to the East; and Guadalupe Street to the West**OWNER:** Various**APPLICANT:** City Council initiated, City of Austin – Neighborhood Planning & Zoning Department (Jorge E. Rousselin)**REZONING FROM:**

NCCD-NP (Neighborhood conservation combining district- neighborhood plan)

**TO:** NCCD-NP (Neighborhood conservation combining district- neighborhood plan),  
The proposed amendment may change the “Club or Lodge” land use from a permitted use to a conditional or prohibited use within the residential district of the North University Neighborhood Association NCCD**AREA:** 234.870 Acres**SUMMARY PLANNING COMMISISON RECOMMENDATION:***November 28, 2006:****APPROVED STAFF’S RECOMMENDATION; WITH THE EXEPTION OF THE UT PHI  
DELTATRACT AS READ INTO THE RECORD BY CONSENT.******[J.REDDY, C.RILEY 2ND] (7-0) G.STEGEMAN – ABSENT*****ISSUES:**

A valid petition has been filed in opposition to this request

**SUMMARY STAFF RECOMMENDATION:**

The Staff recommends prohibiting the “Club or Lodge” land use within the residential district of the North University NCCD

The recommendation is based on the following considerations:

- 1 ) The recommended land use prohibition is consistent with land use prohibitions in the established North University Neighborhood Association NCCD,
- 2 ) The recommended land use prohibition will maintain the residential character of the established residential district;
- 3.) The recommended land use prohibition shall deter incompatible land uses within the residential core

**DEPARTMENT COMMENTS:**

At the request of the City Council under resolution No. 20060810-059 approved on August 10, 2006, (Please see Attachment “A”), the subject rezoning area consists of a neighborhood-wide rezoning of the North University Neighborhood Association NCCD including 234 870 acres The North

University Neighborhood Conservation Combining District was enacted under Ordinance No. 040826-58 (Please see Attachment "B") The residential district is described in Part 4 of the ordinance and includes all property not included in another district from 27th to 38th Street and from Guadalupe Street to Duval Street It includes Districts 1 and 1A (Please see Attachment "C").

Under Part 5 (1.) (d ) of the NCCD Ordinance, civic uses are addressed in the following manner

*d. Except as provided in Subsection e, 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*

Therefore, a civic land use such as a "Club or Lodge" *that is 5,000 gross square feet or less is permitted and a civic use that is greater than 5,000 gross square feet is a conditional use.*

Under Part 5 (2), of the NCCD Ordinance, permitted and conditional land uses are addressed under each NCCD district as described in the ordinance A "Club or Lodge" land sue is not permitted in any other district of the NCCD.

The neighborhood-wide rezoning will address the prohibition of "Club or Lodge" land use within the residential district as described in Part 4

**NEIGHBORHOOD PLAN:**

Central Austin Combined- North University

**TIA:** Waived, See Transportation comments

**WATERSHED:** Shoal Creek, Waller Creek, Boggy Creek

**DESIRED DEVELOPMENT ZONE:** Yes

**CAPITOL VIEW CORRIDOR:** N/A

**HILL COUNTRY ROADWAY:** N/A

**NEIGHBORHOOD ORGANIZATIONS:**

25--Eastwoods Association  
31--Hancock Neighborhood Assn  
33--Heritage Neighborhood Assn  
34--Hyde Park Neighborhood Assn.  
48--North University Neighborhood Assn.  
69--University Area Partners  
283--North Austin Neighborhood Alliance  
511--Austin Neighborhoods Council  
603--Mueller Neighborhoods Coalition

631--Alliance to Save Hyde Park  
698--West Campus Neighborhood Association  
742--Austin Independent School District  
754--Central Austin Neighborhoods Planning Area Committee  
764--North University Planning Team  
786--Home Builders Association of Greater Austin  
937--Taking Action Inc.

**SCHOOLS:**

Austin Independent School District

- Mathews Elementary School
- O Henry Middle School
- Austin High School

**RELATED CASES:**

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-04-0022	North University Neighborhood NCCD	05/25/04 APVD STAFF REC (8-0)	06/10/04 APVD PC REC (7-0), 1ST RDG  08/05/04 APVD 2ND RDG (6-0)  08/26/04 APVD W/CHANGES (7-0)

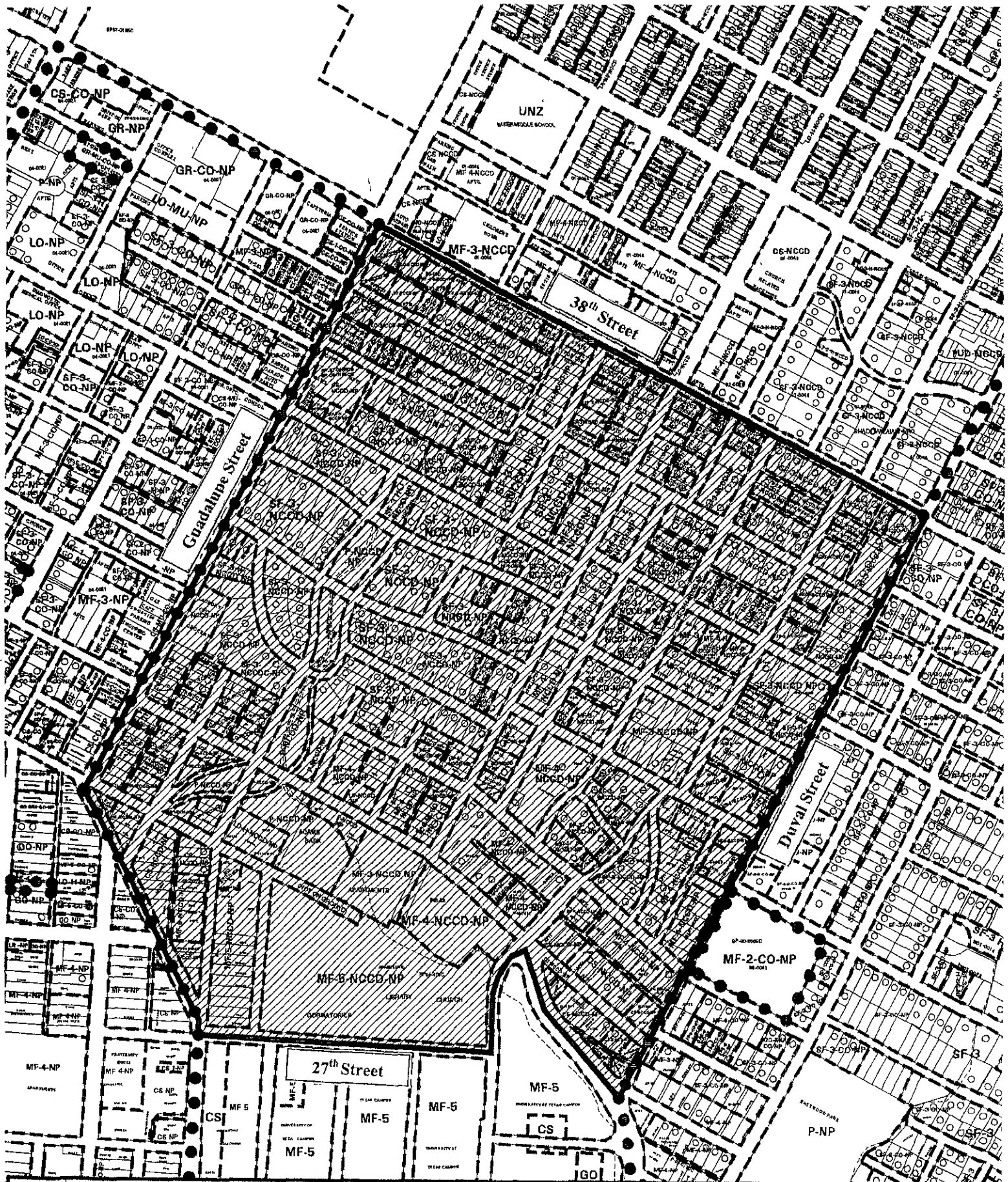
**ABUTTING STREETS:**

NAME	ROW	PAVEMENT	CLASSIFICATION	SIDEWALKS	CAPITAL METRO ROUTE	BICYCLE PLAN ROUTE
Guadalupe	90'	Varies	Arterial	Varies	N/A	N/A
Duval	70'	44'	Collector	Varies	#7, #60	#49
27th Street	60'	30'	Collector	No	#55	N/A
29th Street	60'	Varies	Collector	No	N/A	#40
38th Street	60'	Varies	Arterial	Varies	N/A	#36

**CITY COUNCIL DATE**

January 11, 2007

**ACTION:****ORDINANCE READINGS:** 1<sup>st</sup> 2<sup>nd</sup> 3<sup>rd</sup>**ORDINANCE NUMBER:****CASE MANAGER:** Jorge E Rousselin, NPZD**PHONE:** 974-2975**E-MAIL:** [jorge.rousselin@ci.austin.tx.us](mailto:jorge.rousselin@ci.austin.tx.us)



	SUBJECT TRACT		<b>ZONING</b>  <b>CASE #:</b> C14-06-0186 <b>ADDRESS</b> Area bounded by 38 <sup>th</sup> Street to the North, 27 <sup>th</sup> Street to the South, Duval Street to the East, and Guadalupe Street to the West <b>SUBJECT AREA (acres).</b> 234.870	<b>DATE:</b> 06-09  <b>INTLS:</b> SM	<b>CITY GRID REFERENCE NUMBER</b>  J24-25
	PENDING CASE				
	ZONING BOUNDARY				
	CASE MGR: J ROUSSELIN				





Guadalupe Street

38th Street

Duval Street

**Legend**

Major Roads

0 90 180 270 360 Feet

N

## STAFF RECOMMENDATION

The Staff recommends prohibiting the “Club or Lodge” land use within the residential district of the North University NCCD

The recommendation is based on the following considerations:

- 1.) The recommended land use prohibition is consistent with land use prohibitions in the established North University Neighborhood Association NCCD,
- 2.) The recommended land use prohibition will maintain the residential character of the established residential district,
- 3.) The recommended land use prohibition shall deter incompatible land uses within the residential core.

## BASIS FOR RECOMMENDATION

- 1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

The proposed rezoning will promote a compatible mix of land uses within the designated residential district of the NCCD and will preserve the residential character of the established residential district

- 1. The proposed zoning should promote consistency and orderly planning.*

The proposed rezoning will be consistent with prohibited land uses as listed in the NCCD ordinance for all districts established by the NCCD

## EXISTING CONDITIONS

### Site Characteristics

At the request of the City Council under resolution No 20060810-059 (Please see Attachment “A”), the subject rezoning area consists of a neighborhood-wide rezoning of the North University Neighborhood Association NCCD including 234 870 acres. The North University Neighborhood Conservation Combining District was enacted under Ordinance No 040826-58 (Please see Attachment “B”) The residential district is described in Part 4 of the ordinance and includes all property not included in another district from 27th to 38th Street and from Guadalupe Street to Duval Street. It includes Districts 1 and 1A (Please see Attachment “C”)

### Transportation

1. Additional right-of-way (ROW) necessary for future roadway improvements within the proposed zoning may be required during the subdivision review process or the site plan review process
2. Since the rezoning of this area is being initiated by the City of Austin through the neighborhood planning process and does not reflect a specific development proposal, no trip generation calculations are provided on a tract by tract basis for any proposed land uses as would typically be provided.
3. A Traffic Impact Analysis (TIA) will be required during the site plan review stage for any proposed land use that would generate over 2,000 vehicle trips per day. Additional ROW,

participation in roadway improvements, and/or limitation on development intensity may also be recommended based on review of the TIA.

### **Environmental**

- 1 The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
- 2 Impervious cover is not limited in this watershed class, therefore the zoning district impervious cover limits will apply.
3. According to flood plain maps, there is flood plain within the neighborhood area.
4. At this time, site-specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
5. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

### **Water and Wastewater**

- 1 The landowner intends to serve each lot and site with City of Austin water and wastewater utilities. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, offsite main extension, system upgrades, utility adjustments, and relocation. Also, the water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater utility construction must be inspected by the City. The landowner must pay all associated and applicable City fees.



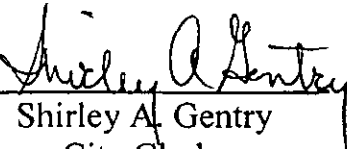
**RESOLUTION NO. 20060810-059**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

Council directs the City Manager to initiate an amendment to Ordinance No. 040826-58 which established the North University Neighborhood Conservation-Neighborhood Plan Combining District to address the location of club or lodge uses.

**ADOPTED:** August 10, 2006

**ATTEST:**

  
Shirley A. Gentry  
City Clerk

**ATTACHMENT A**

ORDINANCE NO. 040826-58

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP ACCOMPANYING CHAPTER 25-2 OF THE CITY CODE TO ESTABLISH THE NORTH UNIVERSITY NEIGHBORHOOD CONSERVATION-NEIGHBORHOOD PLAN (NCCD-NP) COMBINING DISTRICT FOR THE PROPERTY WHOSE BOUNDARIES ARE 38<sup>TH</sup> STREET TO THE NORTH, SAN JACINTO BOULEVARD AND 27<sup>TH</sup> STREET TO THE SOUTH, GUADALUPE STREET TO THE WEST AND DUVAL STREET TO THE EAST, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; AND TO MODIFY CERTAIN BASE DISTRICTS IN THE NCCD-NP.**

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

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to establish the North University neighborhood conservation-neighborhood plan (NCCD-NP) combining district and to add a NCCD-NP to each base zoning district within the property and to change the base zoning districts on 74 tracts of land on the property described in Zoning Case No.C14-04-0022, 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 identified in the attached Exhibit "A" incorporated into this ordinance, (the "Property"),

generally known as the North University conservation-neighborhood plan combining district, locally known as the area bounded by 38<sup>th</sup> Street to the north, San Jacinto Boulevard and 27<sup>th</sup> Street to the south, Guadalupe Street to the west, and Duval Street to the east, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The base zoning of the 74 tracts shown in the chart below are changed from family residence (SF-3) district, multifamily residence low density (MF-2) district, multifamily residence medium density (MF-3) district, multifamily residence moderate-high density (MF-4) district, multifamily residence high density (MF-5) district, multifamily residence medium density-historic (MF-3-H) combining district, limited office (LO) district, general office (GO) district, general office-mixed use (GO-MU) combining district, neighborhood commercial (LR) district, general commercial services (CS) district, commercial-liquor sales (CS-1) district, and unzoned (UNZ) district to family residence

neighborhood conservation-neighborhood plan (SF-3-NCCD-NP) combining district, multifamily residence limited density-neighborhood conservation-neighborhood plan (MF-1-NCCD-NP) combining district, multifamily residence low density-neighborhood conservation-neighborhood plan (MF-2-NCCD-NP) combining district, multifamily residence medium density-neighborhood conservation-neighborhood plan (MF-3-NCCD-NP) combining district, multifamily residence moderate high density-neighborhood conservation-neighborhood plan (MF-4-NCCD-NP) combining district, multifamily residence high density-neighborhood conservation-neighborhood plan (MF-5-NCCD-NP) combining district, multifamily residence limited density-historic-neighborhood conservation-neighborhood plan (MF-1-H-NCCD-NP) combining district, multifamily residence low density-historic-neighborhood conservation-neighborhood plan (MF-2-H-NCCD-NP) combining district, multifamily residence medium density-historic-neighborhood conservation-neighborhood plan (MF-3-H-NCCD-NP) combining district, neighborhood office-neighborhood conservation-neighborhood plan (NO-NCCD-NP) combining district, limited office-neighborhood conservation-neighborhood plan (LO-NCCD-NP) combining district, community commercial-neighborhood conservation-neighborhood plan (GR-NCCD-NP) combining district, neighborhood commercial-neighborhood conservation-neighborhood plan (LR-NCCD-NP) combining district, general commercial services-neighborhood conservation-neighborhood plan (CS-NCCD-NP) combining district, and public-neighborhood conservation-neighborhood plan (P-NCCD-NP) combining district.

TRACT	ADDRESS	FROM	TO
APD-843	3004-A FRUTH ST; 502 W 30TH ST	CS	GR-NCCD-NP
APD-846	501, 503 W 30TH ST, 2910 FRUTH ST	LO	GR-NCCD-NP
APD-848	500, 510 W 29TH ST	LO, CS	GR-NCCD-NP
APD-850	0 FRUTH ST (W PT OF LOT 4-7 BLK 2 OLT 73 DIV D FRUTH ADDN)	UNZ	P-NCCD-NP
APD-851	0 W 30TH ST (W TRI OF LOT 10-11 BLK 2 OLT 73 DIV D FRUTH ADDN)	UNZ	P-NCCD-NP
APD-852	0 WEST DR (PART OF LOT 2-7&10-14 * & ALLEY BLK 2 OLT 73 DIV D FRUTH ADDN)	UNZ	P-NCCD-NP
APD-853	0 W 29TH ST (E PT OF LOT 1-4,14-15 BLK 2 OLT 74 DIV D FRUTH ADDN)	MF-3, UNZ	P-NCCD-NP
APD-855	0 HEMPHILL PARK (W PART OF LOT 7-9 BLK 3 OLT 73 DIV D FRUTH ADDN)	UNZ	P-NCCD-NP
APD-856	0 (LOT 5,10-14 & E PT OF LOT 6-8 & ALLEY BLK 3 OLT 73 DIV D FRUTH ADDN), 201 W 30TH ST (THE PORTION OF BLK 4, ALLEY, & ADJ W25FT OF STREET OLT 73 DIV D FRUTH ADDN THAT EXTENDS FROM THE NORTH RIGHT-OF-WAY LINE OF W 29TH ST TO THE CENTERLINE OF WALLER CREEK)	UNZ	P-NCCD-NP
APD-861	3001 CEDAR ST (N 156 FT OF S 176 FT OF BENCHMARK CONDOMINIUMS AMENDED)	GO	MF-4-NCCD-NP
APD-861A	3001 CEDAR ST (S 20 FT OF BENCHMARK CONDOMINIUMS AMENDED)	GO	MF-4-NCCD-NP
APD-865	2807, 2809, 2811 HEMPHILL PARK; 305 W 29TH ST,	MF-5	NO-NCCD-NP

TRACT	ADDRESS	FROM	TO
GDC-714A	2819 (E 37 79 FT LOT 2 BLK 2 OLT 14 DIV D FRUTH ADDN) GUADALUPE ST	CS-1	CS-NCCD-NP
GDN-701A	505 W 38TH ST (E 16 FT LOT 3 BLK 2 OLT 77 DIV D LAKEVIEW ADDN)	LO	CS-NCCD-NP
GDN-704A	510 W 35TH ST (E 16 FT LOT 3 BLK 1 OLT 77 DIV B STEINLE ADDN)	GO	CS-NCCD-NP
GDS-715A	2819 (E 37.79 FT AV & 1/2 ADJ 16 FT VAC ALLEY LOT 1 BLK 2 OLT 14 DIV D FRUTH ADDN	CS-1	CS-NCCD-NP
RDE-783A	3710 TOM GREEN ST	MF-3	SF-3-NCCD-NP
RDE-784	300 E 35TH ST, 3503 GROOMS ST	MF-3	MF-1-NCCD-NP
RDE-794	3405 HELMS ST	MF-4	MF-3-NCCD-NP
RDE-805A	407 E 35TH ST; 3408 (S 5 FT LOT 6 BLK 9 RESUB OF BLK 9 GROOMS ADDN), 3410, 3412 DUVAL ST	MF-3	SF-3-NCCD-NP
RDE-807A	3305 HELMS ST, 200, 202, 204 E 33RD ST	MF-3, MF-2	SF-3-NCCD-NP
RDE-809	305 E 34TH ST	MF-4	MF-3-H-NCCD- NP
RDE-810A	311 E 34TH ST	MF-4	MF-3-NCCD-NP
RDE-813	3305 TOM GREEN ST	MF-3	MF-2-NCCD-NP
RDE-818A	202 E 32ND ST	MF-4	MF-3-NCCD-NP
RDE-821	400, 402 E 32ND ST, 3203 TOM GREEN ST	MF-3	SF-3-NCCD-NP
RDE-825	301 E 32ND ST	MF-4	MF-2-NCCD-NP
RDE-826	300, 302, 304, 308 MOORE BLVD; 303, 305, 309 E 32ND ST; 3110, 3112 WALLING DR, 3111 GROOMS ST	MF-4	SF-3-NCCD-NP
RDE-827	308 MOORE BLVD, 3108 WALLING DR	MF-4	MF-2-NCCD-NP
RDE-828	301, 303, 305, 309 MOORE BLVD, 3105 GROOMS ST	MF-4	SF-3-NCCD-NP
RDE-829	311 MOORE BLVD	MF-4	MF-1-NCCD-NP
RDE-830	200, 202, 206 E 31ST ST, 3103 GROOMS ST	MF-4	MF-1-NCCD-NP
RDE-831	208 E 31ST ST	MF-4	MF-3-NCCD-NP
RDE-832	3100, 3102, 3104 TOM GREEN ST, 3101, 3103, 3105, 3109 WALLING DR	MF-4	SF-3-NCCD-NP
RDE-833	403, 405, 407 E 32ND ST	MF-4	SF-3-NCCD-NP
RDE-834	3116 BENELVA DR	MF-4	MF-1-NCCD-NP
RDW-729A	403 W 38TH ST	MF-4	MF-3-NCCD-NP
RDW-737A	404 W 35TH ST	MF-4	MF-3-NCCD-NP
RDW-739A	405 W 35TH ST	MF-4	SF-3-NCCD-NP
RDW-740	303, 305 W 35TH ST	MF-4	MF-3-NCCD-NP
RDW-742	408, 410 W 34TH ST; 3405 FRUTH ST	MF-3	SF-3-NCCD-NP
RDW-742B	400 W 34TH ST	MF-4	SF-3-NCCD-NP
RDW-742D	306, 308, 310, 312 W 34TH ST	MF-3	MF-1-NCCD-NP
RDW-745	3707, 3709 CEDAR ST	MF-4	MF-2-NCCD-NP
RDW-746	3703, 3705 CEDAR ST	MF-4	SF-3-NCCD-NP
RDW-748A	3405 CEDAR ST	MF-3	SF-3-NCCD-NP
RDW-755	3201 HEMPHILL PARK	SF-3	P-NCCD-NP
RDW-763B	3112 WHEELER ST (S 34 FT LOT 2 MARKOVITS & DILLER ADDN)	MF-3	SF-3-NCCD-NP
RDW-766	3006, 3008 HEMPHILL PARK	MF-3	SF-3-NCCD-NP

TRACT	ADDRESS	FROM	TO
RDW-767	0 HEMPHILL PARK (1 05ACR APPROX LOT 1 BLK 2 OLT 74 DIV D ALDRIDGE PLACE)	SF-3	P-NCCD-NP
RDW-770	3105, 3107 CEDAR ST	MF-4	MF-1-NCCD-NP
RDW-773	3013 HEMPHILL PARK	UNZ	P-NCCD-NP
RDW-774	300 W 30TH ST	UNZ	P-NCCD-NP
SD-868	3706 SPEEDWAY	MF-4	LR-NCCD-NP
SD-869A	3704 (LOT 9 BLK 2 OLT 77 DIV D SIMMS RESUB OF BUDDINGTON SUBD)	LR	MF-4-NCCD-NP
SD-870	102 W 35TH ST; 3502, 3504 SPEEDWAY	MF-4	MF-1-NCCD-NP
SD-870A	3500 SPEEDWAY	MF-4	MF-1-H-NCCD-NP
SD-872	104 E 37TH, 3701, 3703 SPEEDWAY	GO, MF-4	LO-NCCD-NP
SD-874	3410, 3412, 3414 SPEEDWAY	MF-4	MF-1-NCCD-NP
SD-879	3121 SPEEDWAY	CS	MF-4-NCCD-NP
SD-880	3105 (W1/2 OF LOT 3 BLK 15 DIV D GROOMS ADDN), 3107, 3109, 3111 SPEEDWAY; 3104 (E1/2 OF LOT 3 BLK 15 DIV D GROOMS ADDN) HELMS ST	CS	NO-NCCD-NP
SD-880A	3108 (S45FT OF E69FT OF LOT 5 BLK 15 DIV D GROOMS ADDN) HELMS ST	CS	NO-NCCD-NP
SJD-886	300, 302, 304, 306 E 30TH ST, 3001 SPEEDWAY	LR, GO-MU, MF-4	CS-NCCD-NP
SJD-886A	400, 402, 404, 406 E 30TH ST	MF-4	CS-NCCD-NP
SJD-887	303 E 30TH ST	LR	CS-NCCD-NP
SJD-888	2911 SAN JACINTO BLVD	CS	CS-1-NCCD-NP
SJD-889	309, 405, 407, 409 E 30TH ST, 2827 SAN JACINTO BLVD	LR	CS-NCCD-NP
SJD-889A	411 E 30TH ST	LR	CS-NCCD-NP
TD-722	506 W 37TH ST	MF-4	LO-NCCD-NP
TD-725	502 W 35TH ST	MF-4	MF-3-NCCD-NP
TD-726A	3401 (E 117 39 FT OF S CEN 65.8 FT OF BLK 6 OLT 77 DIV D BUDDINGTON SUB) GUADALUPE ST	MF-3	CS-NCCD-NP
TD-727	506 (S 94.35 FT OF THE E 202.93 FT BLK 6 OLT 77 BUDDINGTON SUB LESS THE PORTION DESCRIBED IN TRACT TD-728) W 34TH ST	CS	CS-H-NCCD-NP
TD-728	506 (62%, MORE OR LESS, OF S 94 35 FT OF E 202.93 FT BLK 6 OLT 77 BUDDINGTON SUB) W 34TH ST	MF-3-H	MF-2-H-NCCD-NP
WCD-893A	2803 HEMPHILL PARK (N 100 FT OF S 200 FT OF W 1/2 OF LOT 10 BLK 13 OLT 13 DIV D WHITIS SUBD)	CS	MF-5-NCCD-NP
WCD-893B	2707 HEMPHILL PARK (N 46FT OF W 1/2 OF LOT 4 & W 1/2 OF LOT 5 BLK 13 OLT 13 DIV D WHITIS SUBD)	CS	MF-5-NCCD-NP
WCD-893C	2703 GUADALUPE ST; 300 W 27TH ST (LOTS 1-2 BLK 13 OLT 13 DIV D WHITIS SUBD)	CS	MF-5-NCCD-NP

**PART 3. Definitions.** In this ordinance:

**ACCESSORY BUILDING** means a building in which an accessory use is located that is detached from and located on the same site as a building in which a principal use is located.

**CIRCULAR DRIVEWAY** means a cul-de-sac type driveway with one access point or a half-circular driveway with two access points.

**COMMERCIAL DISTRICT** means the districts within the hierarchy of zoning districts from neighborhood office (NO) district through commercial-liquor sales (CS-1) district.

**DISTRICT** means the Residential District, Speedway District, Adams Park District, San Jacinto District, Guadalupe District, Transition District, and Waller Creek/Seminary District.

**DRIVEWAY RUNNERS** means a pair of pavement strips used as access to a parking space.

**EXCESS PARKING** means parking spaces that exceed the parking required by Title 25 of the Code and the regulations in this ordinance.

**FRONT OF BUILDING** means the side of a building that includes the main entrance to the building including any offset.

**HABITABLE SPACE** has the meaning used in the Building Code.

**HALF-STORY** means livable space that is contained between the eave and ridge of a dwelling.

**MANEUVERING** means managing a vehicle into or out of a driveway or parking space from a public right-of-way.

**PEDESTRIAN-ORIENTED USES** means those uses identified in Subsection (C) of Section 25-2-691 (*Waterfront Overlay District Uses*).

**REDEVELOPMENT** means development in which the value of the improvements is 50 percent of the value of all existing improvements on the site or development that requires a site plan.

**TANDEM PARKING** means one car behind another so that one car must be moved before the other can be accessed.

**PART 4.** The North University NCCD-NP is divided into the following districts which are more particularly identified on the map attached as Exhibit "C".

1. The Residential District - includes all property not included in another district from 27<sup>th</sup> to 38<sup>th</sup> Street and from Guadalupe Street to Duval Street. It includes Districts 1 and 1A.
2. The Speedway District - generally located along both sides of Speedway Street from 30<sup>th</sup> Street to 38<sup>th</sup> Street. It includes Districts 2 and 2A.
3. The Adams Park District - generally located within one-half block of Adams Park between 29<sup>th</sup> Street and 30<sup>th</sup> Street. It includes Districts 3 and 3A.
4. The San Jacinto District - generally located in the area bounded by Duval Street, West 31<sup>st</sup> Street, Speedway and San Jacinto Street. It includes District 4.
5. The Guadalupe District - generally located along the east side of Guadalupe Street from 27<sup>th</sup> Street to 38<sup>th</sup> Street. This district does not include single family residential zoning districts. This includes District 5.
6. The Transition District - generally located east of the northern section of the Guadalupe District from 34<sup>th</sup> Street to 38<sup>th</sup> Street. It includes District 6.
7. The Waller Creek/Seminary District - generally located from 27<sup>th</sup> Street to 30<sup>th</sup> Street and from Speedway to the Adams Park District. It includes Districts 7, 7A, and 7B.

**PART 5.** Permitted and Conditional Uses.

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, 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.

2. Commercial Base District.

Except as otherwise provided in this ordinance, the following table establishes the permitted and conditional uses for property in commercial zoning district in the North University NCCD-NP.

NUNA NCCD DISTRICTS	Speedway 2	Speedway 2	Speedway 2A	Adams Park 3	Adams Park 3A	San Jacinto 4	Guada- lupe 5	Transition 6
	CS/LR	LO/NO						
<b>Residential Uses</b>								
Bed & Breakfast (Group 1)	P	P	P	P	P	P	P	P
Bed & Breakfast (Group 2)	P	P	P	P	P	P	P	P
Condominium Residential	P	P	P	P	P	P	C	P
Duplex Residential	--	P	P	P	--	--	--	P
Group Residential	--	--	P	P(2)	P(5)	P	P	--
Mobile Home Residential	--	--	--	--	--	--	--	--
Multifamily Residential	P	--	P	P	P	P	P	P
Retirement Housing (Small Site)	P	P	P	P	P	P	P	P
Retirement Housing (Large Site)	C	--	C	C	C	C	P	C
Single-Family Attached Residential	--	--	--	--	--	--	--	--

<b>NUNA NCCD DISTRICTS</b>	<b>Speedway 2</b>	<b>Speedway 2</b>	<b>Speedway 2A</b>	<b>Adams Park 3</b>	<b>Adams Park 3A</b>	<b>San Jacinto 4</b>	<b>Guada- lupe 5</b>	<b>Transition 6</b>
	<b>CS/LR</b>	<b>LO/NO</b>						
Single-Family Residential	P	P	P	P	P	P	--	P
Small Lot Single-Family Residential	--	--	P	--	--	--	--	--
Townhouse Residential	--	P	P	P	--	--	--	--
Two-Family Residential	P	P	P	P	P	P	--	P
<b>Commercial Uses</b>	<b>2</b>	<b>2</b>	<b>2A</b>	<b>3</b>	<b>3A</b>	<b>4</b>	<b>5</b>	<b>6</b>
Administrative and Business Offices	P	P	P	P	P	P	P	P
Agricultural Sales and Services	--	--	--	--	--	--	--	--
Art Gallery	P	--	P	--	P	P	P	--
Art Workshop	--	--	P	--	P	C	P	P
Automotive Rentals	--	--	--	--	--	--	P(2)	--
Automotive Repair Services	--	--	--	--	--	--	P(2)	--
Automotive Sales	--	--	--	--	--	--	P(2)	--
Automotive Washing (of any type)	--	--	--	--	--	--	P(2)	--
Building Maintenance Services	--	--	--	--	--	--	--	--
Business or Trade School	--	--	P	--	C	C	C	--
Business Support Services	--	--	--	--	P(1)	P(1)	P(2)	--
Campground	--	--	--	--	--	--	--	--
Carriage Stable	--	--	--	--	--	--	--	--
Cocktail Lounge	--	--	--	--	P(10)	C(2)	--	--
Commercial Blood Plasma Center	--	--	--	--	--	--	--	--
Commercial Off-Street Parking	--	--	--	--	--	--	--	--
Communications Services	P	--	P	--	P	P	P	P
Construction Sales and Services	--	--	--	--	--	--	--	--
Consumer Convenience Services	P	--	P	--	P	P	P	--
Consumer Repair Services	P	--	P	--	P	P	P	--

NUNA NCCD DISTRICTS	Speedway 2	Speedway 2	Speedway 2A	Adams Park 3	Adams Park 3A	San Jacinto 4	Guada- lupe 5	Transition 6
	CS/LR	LO/NO						
Convenience Storage	--	--	--	--	--	--	--	--
Drop-Off Recycling Collection Facility	--	--	--	--	--	--	--	--
Electronic Prototype Assembly	--	--	P	--	--	--	--	--
Equipment Repair Services	--	--	--	--	--	--	--	--
Equipment Sales	--	--	--	--	--	--	--	--
Exterminating Services	--	--	--	--	--	--	--	--
Financial Services	--	--	P	--	--	--	P	--
Food Preparation	P	--	P	--	P	P	P	--
Food Sales	P(4)	--	P	--	P(4)	P/C	P(3)	--
Funeral Services	--	--	--	--	--	--	--	--
General Retail Sales (Convenience)	P	--	P	--	P	P	P	--
General Retail Sales (General)	P/C(13)	--	P	--	P	P	P	--
Hotel-Motel	P	--	P	--	P	P	P	C
Indoor Entertainment	--	--	P	--	--	--	--	--
Indoor Sports and Recreation	--	--	P	--	C	C	C	--
Kennels	--	--	--	--	--	--	--	--
Laundry Services	--	--	--	--	--	--	P(11)	--
Liquor Sales	--	--	--	--	--	--	P(10)	--
Marina	--	--	--	--	--	--	--	--
Medical Offices -- Exceeding 5000 sq. ft gross floor area	--	--	P(6)	--	C	C	P	--
Medical Offices -- not exceeding 5000 sq. ft. gross floor area	P	--	P	--	P	P	P	--
Monument Retail Sales	--	--	--	--	--	--	--	--
Off-Site Accessory Parking	--	--	C	P(12)	C	C	C	--
Outdoor Entertainment	--	--	--	--	--	--	--	--

<b>NUNA NCCD DISTRICTS</b>	<b>Speedway 2</b>	<b>Speedway 2</b>	<b>Speedway 2A</b>	<b>Adams Park 3</b>	<b>Adams Park 3A</b>	<b>San Jacinto 4</b>	<b>Guada- lupe 5</b>	<b>Translition 6</b>
	<b>CS/LR</b>	<b>LO/NO</b>						
Outdoor Sports and Recreation	--	--	--	--	C	--	C	--
Pawn Shop Services	--	--	P(4)	--	--	--	--	--
Personal Improvement Services	P	--	P	--	P	P	P	--
Personal Services	P	--	P	--	P	P	P	P
Pet Services	--	--	P	--	P	P	P	--
Plant Nursery	--	--	--	--	C	C	C	--
Printing and Publishing	--	--	--	--	--	--	P	--
Professional Office	P	P	P	P	P	P	P	--
Recreational Equipment Maint. & Stor.	--	--	--	--	--	--	--	--
Recreational Equipment Sales	--	--	--	--	--	--	--	--
Research Assembly Services	--	--	--	--	--	--	--	--
Research Services	--	--	P	--	--	--	--	--
Research Testing Services	--	--	--	--	--	--	--	--
Research Warehousing Services	--	--	--	--	--	--	--	--
Restaurant (General)	P(4)	--	P/C(7)	--	P	P	P	--
Restaurant (Limited)	P	--	P	--	P	P	P	--
Scrap and Salvage	--	--	--	--	--	--	--	--
Service Station	--	--	P(8)	--	--	--	P(2)	--
Software Development	P	P	P	P	P	P	P	P
Special Use Historic	C	--	C	--	C	C	P	C
Stables	--	--	--	--	--	--	--	--
Theater	P/C(13)	--	P	--	P	P	P	--
Vehicle Storage	--	--	--	--	--	--	--	--
Veterinary Services	P(4)	--	P(4)	--	--	--	P	--
Industrial Uses	<b>2</b>	<b>2</b>	<b>2A</b>	<b>3</b>	<b>3A</b>	<b>4</b>	<b>5</b>	<b>6</b>
Basic Industry	--	--	--	--	--	--	--	--
Custom Manufacturing	P(4)	--	P(4)	--	P(4)	P(4)	P(4)	--

NUNA NCCD DISTRICTS	Speedway 2	Speedway 2	Speedway 2A	Adams Park 3	Adams Park 3A	San Jacinto 4	Guada- lupe 5	Transition 6
	CS/LR	LO/NO						
General Warehousing and Distribution	--	--	--	--	--	--	--	--
Light Manufacturing	--	--	--	--	--	--	--	--
Limited Warehousing and Distribution	--	--	--	--	--	--	--	--
Recycling Center	--	--	--	--	--	--	--	--
Resource Extraction	--	--	--	--	--	--	--	--
Urban Farm	P	P	P	P	P	--	--	P
All Other Agricultural Uses	--	--	--	--	--	--	--	--
<b>Civic Uses</b>	<b>2</b>	<b>2</b>	<b>2A</b>	<b>3</b>	<b>3A</b>	<b>4</b>	<b>5</b>	<b>6</b>
Administrative Services	P(4)	P	P(4)	P	P	P	P	P
Aviation Facilities	--	--	--	--	--	--	--	--
Camp	--	--	--	--	--	--	--	--
Cemetery	--	--	--	--	--	--	--	--
Club or Lodge	--	--	--	--	--	--	--	--
College and University Facilities	--		C		--	C	C	--
Communication Service Facilities	C	--	P	--	C	C	C	--
Community Events	--	--	--	--	--	--	--	--
Community Recreation (Private)	--	--	P(9)	--	C	C	C	--
Community Recreation (Public)	--	--	--	--	C	C	C	--
Congregate Living	--	C	C	C	--	--	--	--
Convalescent Services	--	--	--	--	--	--	--	--
Convention Center	--	--	--	--	--	--	--	--
Counseling Services	--	--	--	--	--	--	P	--
Cultural Services	P	--	P	--	P	P	P	C
Day Care Services (Commercial)	C	C	C	C	C	C	C	--
Day Care Services (General)	C	P	C	P	C	C	P	--
Day Care Services (Limited)	P	P	P	P	P	P	P	P

NUNA NCCD DISTRICTS	Speedway 2	Speedway 2	Speedway 2A	Adams Park 3	Adams Park 3A	San Jacinto 4	Guada- lupe 5	Transition 6
	CS/LR	LO/NO						
Detention Facilities	--	--	--	--	--	--	--	--
Employee Recreation	--	--	--	--	--	--	--	--
Family Home	--	P	P	P	P	P	P	P
Group Home, Class I (General)	--	--	P	C	C	C	C	C
Group Home, Class I (Limited)	--	--	P	P	P	P	P	P
Group Home, Class II	--	--	C	--	--	--	C	--
Guidance Services	--	--	C	--	--	--	C	--
Hospital Services (General)	--	--	--	--	--	--	--	--
Hospital Services (Limited)	--	--	P	--	--	--	C	--
Local Utility Services	C	C	C	C	C	C	C	C
Maintenance and Service Facilities	--	--	--	--	--	--	--	--
Major Public Facilities	--	--	--	--	--	--	--	--
Major Utility Facilities	--	--	--	--	--	--	--	--
Military Installations	--	--	--	--	--	--	--	--
Park and Recreation Services (General)	--	--	--	--	--	--	--	--
Park and Recreation Services (Special)	--	--	--	--	--	--	--	--
Postal Facilities	C	--	C	--	--	--	C	--
Private Primary Educational Facilities	--	--	C	C	C	C	C	C
Private Secondary Educational Facilities	--	--	--	C	C	C	C	C
Public Primary Educational Facilities	--	--	--	C	P	P	P	P
Public Secondary Educational Facilities	--	--	--	C	P	P	P	P
Railroad Facilities	--	--	--	--	--	--	--	--
Religious Assembly	P	P	P	P	P	P	P	P
Residential Treatment	--	--	C	C	--	--	--	--
Safety Services	C	--	C	--	C	C	C	--
Transitional Housing	--	--	--	--	--	--	C	--

NUNA NCCD DISTRICTS	Speedway 2	Speedway 2	Speedway 2A	Adams Park 3	Adams Park 3A	San Jacinto 4	Guada- lupe 5	Transition 6
	CS/LR	LO/NO						
Transportation Terminal	--	--	--	--	--	--	--	--
All other Civic Uses	--	--	--	--	--	--	--	--
(1) Limited to 5,000 Gross Square Feet								
(2) Limited to south of 29th St..								
(3) Limited to 10,000 Gross Square Feet								
(4) Limited to 2,500 Gross Square Feet								
(5) South of 30th St. only								
(6) Limited to 8,000 Gross Square Feet								
(7) Conditional over 3500 Square Feet								
(8) Limited to 2,000 Gross Square Feet								
(9) Indoor only								
(10) Limited to CS-1 only								
(11) Permitted only at 3001 Guadalupe								
(12) Permitted at 3000 Hemphill Park only								
(13) P under 5,000GSF - C over 5,000 SF per tenant								

NUNA NCCD DISTRICTS	Waller Crk/ Seminary 7	Waller Crk/ Seminary 7A	Waller Crk/ Seminary 7B
<b>Residential Uses</b>			
Bed & Breakfast (Group 1)	P	P	P
Bed & Breakfast (Group 2)	P	P	P
Condominium Residential	P	P	P
Duplex Residential	P	P	P



<b>NUNA NCCD DISTRICTS</b>	<b>Waller Crk/ Seminary 7</b>	<b>Waller Crk/ Seminary 7A</b>	<b>Waller Crk/ Seminary 7B</b>
Group Residential	P	P	P
Mobile Home Residential	--	--	--
Multifamily Residential	P	P	P
Retirement Housing (Small Site)	P	P	P
Retirement Housing (Large Site)	C	C	C
Single-Family Attached Residential	--	--	--
Single-Family Residential	P	P	P
Small Lot Single-Family Residential	--	--	--
Townhouse Residential	P	P	P
Two-Family Residential	P	P	P
<b>Commercial Uses</b>	<b>7</b>	<b>7A</b>	<b>7B</b>
Administrative and Business Offices	P(2)	P	--
Agricultural Sales and Services	--	--	--
Art Workshop	--	P	--
Art Gallery	--	--	--
Automotive Rentals	--	--	--
Automotive Repair Services	--	--	--
Automotive Sales	--	--	--
Automotive Washing (of any type)	--	--	--
Building Maintenance Services	--	--	--
Business or Trade School	--	--	--
Business Support Services	--	--	--
Campground	--	--	--
Carriage Stable	--	--	--
Cocktail Lounge	--	--	--
Commercial Blood Plasma Center	--	--	--
Commercial Off-Street Parking	--	--	--
Communications Services	P(2)	P	--
Construction Sales and Services	--	--	--

NUNA NCCD DISTRICTS	Waller Crk/ Seminary 7	Waller Crk/ Seminary 7A	Waller Crk/ Seminary 7B
Consumer Convenience Services	P(2)	P	--
Consumer Repair Services	--	--	--
Convenience Storage	--	--	--
Drop-Off Recycling Collection Facility	--	--	--
Electronic Prototype Assembly	--	--	--
Equipment Repair Services	--	--	--
Equipment Sales	--	--	--
Exterminating Services	--	--	--
Financial Services	C(2)	P	--
Food Preparation	P(2)	P	--
Food Sales	P(2)	P	--
Funeral Services	--	--	--
General Retail Sales (Convenience)	--	P	--
General Retail Sales (General)	--	--	--
Hotel-Motel	P(2) (3)	P	--
Indoor Entertainment	--	--	--
Indoor Sports and Recreation	--	P	--
Kennels	--	--	--
Laundry Services	--	--	--
Liquor Sales	--	--	--
Marina	--	--	--
Medical Offices --			
exceeding 5000 sq. ft. gross floor area	--	--	--
Medical Offices --			
not exceeding 5000 sq. ft. gross floor area	--	--	--
Monument Retail Sales	--	--	--
Off-Site Accessory Parking	P(1)	P(1)	--
Outdoor Entertainment	--	--	--
Outdoor Sports and Recreation	--	--	--

<b>NUNA NCCD DISTRICTS</b>	<b>Waller Crk/ Seminary 7</b>	<b>Waller Crk/ Seminary 7A</b>	<b>Waller Crk/ Seminary 7B</b>
Pawn Shop Services	--	--	--
Personal Improvement Services	--	--	--
Personal Services	--	--	--
Pet Services	--	--	--
Plant Nursery	--	--	--
Printing and Publishing	--	--	--
Professional Office	--	--	--
Recreational Equipment Maint. & Stor.	--	--	--
Recreational Equipment Sales	--	--	--
Research Assembly Services	--	--	--
Research Services	--	--	--
Research Testing Services	--	--	--
Research Warehousing Services	--	--	--
Restaurant (General)	--	P/C(1)	--
Restaurant (Limited)	--	P/C(1)	--
Scrap and Salvage	--	--	--
Service Station	--	--	--
Software Development	--	P	--
Special Use Historic	--	P	--
Stables	--	--	--
Theater	--	P	--
Vehicle Storage	--	--	--
Veterinary Services	--	--	--
<b>Industrial Uses</b>	<b>7</b>	<b>7A</b>	<b>7B</b>
Basic Industry	--	--	--
Custom Manufacturing	--	--	--
General Warehousing and Distribution	--	--	--
Light Manufacturing	--	--	--
Limited Warehousing and Distribution	--	--	--

NUNA NCCD DISTRICTS	Waller Crk/ Seminary 7	Waller Crk/ Seminary 7A	Waller Crk/ Seminary 7B
Recycling Center	--	--	--
Resource Extraction	--	--	--
Urban Farm	P	P	P
All Other Agricultural Uses	--	--	--
<b>Civic Uses</b>	<b>7</b>	<b>7A</b>	<b>7B</b>
Administrative Services	P	P	P
Aviation Facilities	--	--	--
Camp	--	--	--
Cemetery	--	--	--
Club or Lodge	--	--	--
College and University Facilities	P	P	--
Communication Service Facilities	--	P	--
Community Events	--	--	--
Community Recreation (Private)	P	P	C
Community Recreation (Public)	P	P	C
Congregate Living	C	C	C
Convalescent Services	--	--	--
Convention Center	--	--	--
Counseling Services	C	C	--
Cultural Services	P	P	C
Day Care Services (Commercial)	P	P	P
Day Care Services (General)	P	P	P
Day Care Services (Limited)	P	P	P
Detention Facilities	--	--	--
Employee Recreation	--	--	--
Family Home	P	P	P
Group Home, Class I (General)	P	P	C
Group Home, Class I (Limited)	P	P	C
Group Home, Class II	--	--	--

NUNA NCCD DISTRICTS	Waller Crk/ Seminary 7	Waller Crk/ Seminary 7A	Waller Crk/ Seminary 7B
Guidance Services	P	P	--
Hospital Services (General)	--	--	--
Hospital Services (Limited)	--	--	--
Local Utility Services	C	C	C
Maintenance and Service Facilities	--	--	--
Major Public Facilities	--	--	--
Major Utility Facilities	--	--	--
Military Installations	--	--	--
Park and Recreation Services (General)	--	--	--
Park and Recreation Services (Special)	--	--	--
Postal Facilities	--	--	--
Private Primary Educational Facilities	P	P	P
Private Secondary Educational Facilities	P	P	P
Public Primary Educational Facilities	P	P	P
Public Secondary Educational Facilities	P	P	P
Railroad Facilities	--	--	--
Religious Assembly	P	P	P
Residential Treatment	--	--	--
Safety Services	--	--	--
Transitional Housing	--	--	--
Transportation Terminal	--	--	--
All other Civic Uses	--	--	--
(1) P under 5,000GSF – C over 5,000 SF per tenant (2) Total commercial uses shall not exceed 10,000 SF (does not apply to accessory uses); A display window for commercial uses may not be visible from 30 <sup>th</sup> St.; A commercial building entrance or sign may not be located on or visible from 30 <sup>th</sup> St.; (3) Limited to temporary housing of Seminary faculty, students and staff			

3. This section applies to the uses established in Section 2 of this part.
  - a. A drive-in service use is not permitted.
  - b. An automotive repair services use and a service station use are permitted uses on Guadalupe north of 35<sup>th</sup> Street. The maximum lot size for the use is 12,500 square feet.
  - c. A multi-family residential use, condominium residential use, or any combination of multifamily and condominium residential uses permitted in the Guadalupe District may not exceed 75 percent of the gross floor area of all buildings constructed on a site.
  - d. A residential use may not be located in the front 70 percent of the ground floor of a building in the Guadalupe District.
  - e. Only residential uses may be located above the ground floor in the Transition District.
  - f. A telecommunication tower use is a permitted or conditional use as defined by Section 25-2-839 (*Telecommunication Towers*) of the Code.
  - g. A commercial use that is permitted in the Guadalupe District is permitted on Tract TD 726 if:
    - 1) there is a five foot setback at Fruth and W. 35<sup>th</sup> Streets;
    - 2) vehicular access is prohibited to Fruth Street; and
    - 3) a commercial use is screened according to Section 25-2-1066 (*Screening Requirements*) of the Code.
  - h. The following uses are permitted on Tract RDE 817
    - 1) uses permitted in the neighborhood office district; and
    - 2) a single-family residential, two-family residential, and duplex residential use.

**PART 6. General Provisions.** Except as otherwise provided in this ordinance, the following provisions apply to all property within the NCCD-NP. This section does not apply to Waller Creek/Seminary District 7 or District 7A.

1. Pedestrian-oriented uses. A pedestrian-oriented use, a civic use, or habitable space shall be located at the front of a building on the ground floor.
2. Front of building and lot.
  - a. Except as provided in Subsection b, a building shall front on the short side of the lot or where lots have been combined, on the side where the original short ends of the lots fronted.
  - b. A building on a through lot located west of Speedway between West 33<sup>rd</sup> Street and West 34<sup>th</sup> Street shall front on West 33<sup>rd</sup> Street.
3. Street yard setbacks.
  - a. Front yard setback.. The minimum front yard setback equals the average of the front yard setbacks of the principal single family buildings on the same side of the street of a block. The maximum setback may not exceed the average setback by more than five feet.
  - b. Street side yard setbacks. Except as otherwise provided in this section, minimum street side yard setbacks are established by Exhibit "E".
    - 1) On a block face that includes an alley approach, the street yard setback of the subject property may equal the average of the street yard setbacks of the buildings on adjoining lots that front the same street. In this section, a building across an alley is a building on an adjoining lot. The street side yard setback may be established by a building that contains a living unit on the ground floor that fronts on the same street.
    - 2) If there are no adjoining buildings that contain a living unit on the ground floor that fronts on the same street to establish an average setback, then the street yard setbacks are according to the Setback Map attached as Exhibit "E".
  - c. Notwithstanding any other provision in this section, a street side yard setback may not be less than five feet.



4. Site development standards for certain two-family residential uses. Except in the Guadalupe District, this section applies to construction of a two-family residential use on property that is located in a townhouse and condominium residence (SF-6) district or less restrictive zoning district. Except as otherwise provided in this section, construction must comply with the regulations for the family residence (SF-3) district. Construction may comply with the regulations of the district in which the use is located if construction complies with the compatibility standard of the Code.
5. Two-family residential use.
  - a. In the Residential District, 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 50 feet.
  - 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.
6. Duplex residential use. In the Residential District, a duplex residential use is permitted on a lot that is 7,000 square feet or larger and has a front lot width of at least 50 feet.
7. Parking.
  - a. Except as otherwise provided in this section, a parking space for a residential use may not be located in a street side yard.
  - b. The maximum number of parking spaces in all street yards on a site is two.
  - c. Pavement for a parking space in a front yard may not be located in front of a principal structure.

- d. Except for a single-family or two-family residential use, excess parking is prohibited.
  - e. This subsection applies to an existing single-family, duplex, or two-family residential. If 400 square feet or more are added to the conditioned gross building floor area, the use must comply with current parking regulations. This includes conversion of accessory space to habitable space.
  - f. A person may not reduce existing parking spaces to a number less than the number of spaces prescribed in the City Code for the present use nor may a person reallocate existing parking spaces to a new use unless the prior use is terminated or reduced in size.
  - g. For a multi-family use, a parking space must be provided for each bedroom in a dwelling unit.
  - h. For tandem parking, only one car may be parked behind one other. This provision includes a car parked in a garage or open parking area.
  - i. The following provision applies to required parking spaces.
    - 1) For a single-family residential use, tandem parking is permitted.
    - 2) For a multi-family use, tandem parking is permitted if both spaces are assigned to the same unit.
    - 3) For a duplex or two-family residential use, tandem parking is permitted if the use is less than 2,500 gross square feet.
  - j. This section applies to a duplex or two-family residential use if there are at least five bathrooms in all buildings in which the use is located. An additional parking space is required for each new full bathroom constructed on the property.
  - k. The parking requirements in Title 25 and this ordinance apply to a two-family or duplex residential use that is converted from a single-family use.
8. Driveways and parking access.
- a. A driveway that provides four or fewer required parking spaces may be designed with gravel surfacing or using driveway runners. The Director of the Watershed

Protection and Development Review Department must approve design and construction. Parking spaces must be solid pavement.

- b. Alley access is permitted if the access complies with applicable City regulations for turning and maneuvering into and out of parking spaces. The sum of the alley width and the distance between the property line and the parking space must equal 25 feet or more.
- c. The following provisions apply in all Districts except the Guadalupe District.
  - 1) Except as otherwise provided in the section, access to a site is limited to one curb cut. Except in the Residential District, a site that has 100 feet of frontage or more may have two curb cuts. In the Residential District, a site may have two curb cuts if the site has 100 feet of frontage or more and has two dwelling units.
  - 2) The width of a driveway for a single family residential use may not exceed:
    - i) 12 feet from the driveway apron to the building setback line for a one lane driveway;
    - ii) 18 feet for a two lane driveway; and
    - iii) 24 feet from the building setback line to a parking area.
  - 3) Except as otherwise provided in this subsection, for a commercial, civic multifamily residential, or condominium residential use with three or more units the maximum driveway width is the minimum allowed by the City Code. If the minimum width established by the Code is less than 20 feet, then the maximum width is 20 feet.
  - 4) A one-lane circular driveway is permitted on lots over 100 feet wide.
- d. Not more than a total of two driveway lanes are permitted in all street yards of a single-family, duplex or two-family residential use.

9. Accessory buildings.

Accessory buildings may not exceed 10 percent of the site area.

10. Fences.

A fence located in a front yard may not exceed a height of four feet and shall have a ratio of open space to solid material of not less than 1 to 1.5.

11. Minimum site area for multifamily uses (square feet).

<b>RESIDENTIAL, SPEEDWAY &amp; TRANSITION DISTRICTS</b>							
	<b>Efficiency</b>	<b>1 Bdrm</b>	<b>2 Bdrm</b>	<b>3 Bdrm</b>	<b>4 Bdrm</b>	<b>5 Bdrm</b>	<b>6 Bdrm</b>
MF-1	2500	3000	3500	4000	4500	5000	5500
MF-2	1600	2000	2400	2800	3200	3600	4000
MF-3	1400	1700	2000	2300	2600	2900	3200
MF-4	1200	1400	1600	1800	2000	2200	2400
MF-5	1200	1400	1600	1800	2000	2200	2400
MF-6	1200	1400	1600	1800	2000	2200	2400
NO	3600	4000	4400	4800	5200	5600	6000
LO/LR	1600	2000	2400	2800	3200	3600	4000
GO/GR/CS/CS-1	1200	1400	1600	1800	2000	2200	2400

<b>ADAMS PARK DISTRICT</b>							
	<b>Eff'cy</b>	<b>1 Bdrm</b>	<b>2 Bdrm</b>	<b>3 Bdrm</b>	<b>4 Bdrm</b>	<b>5 Bdrm</b>	<b>6 Bdrm</b>
MF-1	2500	3000	3500	4000	4500	5000	5500
MF-2	1600	2000	2400	2800	3200	3600	4000
MF-3	1200	1500	1800	2100	2400	2700	3000
MF-4	800	1000	1200	1400	1600	1800	2000
MF-5	800	1000	1200	1400	1600	1800	2000
MF-6	800	1000	1200	1400	1600	1800	2000
NO	2500	3000	3500	4000	4500	5000	5500
LO/LR	1200	1400	1600	1800	2000	2200	2400

GO/GR/CS/CS-1	700	800	900	1000	1100	1200	1300
<b>SAN JACINTO, GUADALUPE, SPEEDWAY 2A, &amp; WALLER CREEK 7B DISTRICTS</b>							
	Effcy	1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	5 Bdrm	6 Bdrm
MF-1	2500	3000	3500	4000	4500	5000	6000
MF-2	1600	2000	2400	2800	3200	3600	4000
MF-3	1200	1500	1800	2100	2400	2700	3000
MF-4	700	800	900	1000	1100	1200	1300
MF-5	700	800	900	1000	1100	1200	1300
MF-6	700	800	900	1000	1100	1200	1300
NO	2500	3000	3500	4000	4500	5000	6000
LO/LR	700	800	900	1000	1100	1200	1300
GO/GR/CS/CS-1	600	700	800	900	1000	1100	1200

**PART 7. RESIDENTIAL DISTRICT.** The Residential District is intended to protect the original buildings and development patterns of the neighborhood that were established for residential use. Single family homes and some of the older multi-family structures were built in the context of the traditional development patterns. New residential development should respect traditional patterns including building orientation, scale, height, setbacks and parking location.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply.

RESIDENTIAL DISTRICT		SITE DEVELOPMENT STANDARDS			
	SF-2/SF-3	MF-1	MF-2	MF-3 thru MF-6	NO
Min. lot size	5750*	8000*	8000*	8000*	5750*
Min lot width	50*	50*	50*	50*	50%
Max. FAR	Duplex 0.4:1	0.5:1	0.5:1	0.5:1	0.35:1
Max building coverage	40%	45%	50%	55%	35%

RESIDENTIAL DISTRICT		SITE DEVELOPMENT STANDARDS			
	SF-2/SF-3	MF-1	MF-2	MF-3 thru MF-6	NO
Max. impervious cover	45%	55%	60%	65%	60%
Max height	(See Height Map – Exhibit -D)				
Min front setback	(See Part 6. General Provisions)				
Max. front setback	(See Part 6. General Provisions)				
Min. street side yard setback	(See Part 6 General Provisions)				
Min. interior side yard setback	5'***	5'***	5'***	5'***	5'***
Min rear setback -- principal structure	10' ***	10' ***	10' ***	10' ***	10' ***
*See Part 6. Subsections 5 & 6 (General Provisions)					
**A new principal structure must be at least 10' from a principal structure on an adjacent lot					
***For a through lot the rear setback is 15'					

2. Porch setback.

- a. A porch may extend a maximum of eight feet in front of the front yard setback if a principal building has a setback of at least 25 feet.
- b. On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- c. A porch must set back at least five feet from a property line.

3. Accessory building setbacks.

- a. Street yard setback - for an accessory building the minimum setback from:
  - 1) The front property line of a residential use is 60 feet.
  - 2) The setback map determines any other street yard setback.
- b. Interior side yard setback: The minimum setback from an interior side property line is five feet.

- c. Rear setback - the minimum setback from a rear property line abutting an alley or the South side of West 34<sup>th</sup> St. for an accessory building that is not more than 30 feet in height, is five feet.
  - d. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior side property lines.
  - e. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.
4. On 3701 Cedar Street, the maximum number of multifamily units is 40 units per acre.
  5. On 208 E. 31<sup>st</sup> Street, the maximum number of multifamily units is 28 units per acre.
  6. Compatibility standards for height and setbacks do not apply to the rear 70 feet of the common property line between 305 East 34<sup>th</sup> Street (Tract RDE 809) and 309 E. 34<sup>th</sup> Street (Tract RDE 810-part).

**PART 8. SPEEDWAY DISTRICT.** The Speedway District is intended to protect remaining single family buildings, encourage multi-family redevelopment compatible with nearby single family structures, enhance historical streetscape patterns, and support existing commercial uses. Area "2A" is intended to replace existing intense commercial zoning with mixed use zoning to encourage infill residential development with appropriate supporting commercial use.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply.

SPEEDWAY DISTRICT	SITE DEVELOPMENT STANDARDS								
	SF-3	MF-1	MF-2	MF-3	MF-4	NO	LO/GO	LR	CS
Min. Lot Size	5750*	8000*	8000*	8000*	8000*	5750*	5750*	5750*	5750*
Min. Lot Width	50*	50*	50*	50*	50*	50*	50*	50*	50*
Max. FAR	duplex 0.4 : 1	0.5 : 1	0.5 : 1	0.75 : 1	0.75 : 1	0.5 : 1	0.7 : 1	0.5 : 1	2.0 : 1



SPEEDWAY DISTRICT	SITE DEVELOPMENT STANDARDS								
	SF-3	MF-1	MF-2	MF-3	MF-4	NO	LO/GO	LR	CS
Max. Building Coverage	40%	45%	50%	55%	60%	40%	50%	50%	95%
Max. Impervious Cover	45%	55%	60%	65%	70%	60%	70%	80%	95%
Max. Height	(see Height Map - Exhibit D)								
Min. Front Setback	(See Part 6 General Provisions)								
Max. Front Setback	(See Part 6 General Provisions)								
Min. Street Side Yard Setback	(See Part 6 General Provisions)								
Min. Interior Side Yard Setback	5'	5'	5'	5'	5'	5'	5'	5'	5'
Min. Rear Setback	10'	10'	10'	10'	10'	10'	10'	10'	10'
* See Part 6 Subsections 5 & 6 (General Provisions)									
** A new principal structure must be at least 10' from a principal structure on an adjacent lot.									
*** For a through lot the rear setback is 15'.									

## 2. Porch setback.

- A porch may extend a maximum of eight feet in front of the front yard setback if a principal building has a setback of at least 25 feet.
- On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- A porch must set back at least five feet from a property line.

## 3. Accessory building setbacks.

- Street yard setback - for an accessory building the minimum setback from:
  - The front property line of a residential use is 60 feet.

- 2) The setback map determines any other street yard setback
  - b. Interior side yard setback: The minimum setback from an interior side property line is five feet.
  - c. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior side property lines.
  - d. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.
4. Front of building.  
All buildings shall front onto Speedway unless they have no Speedway lot frontage.
  5. Parking for a restaurant use with outdoor seating.
    - a. This section applies to a restaurant use located at:
      - 3706 Speedway (Tract SD 868)
      - 3705 Speedway (Tract SD 871)
      - 100 E. 31<sup>st</sup> Street. (Tract SD 881)
      - 100 E. 31<sup>st</sup> Street (Tract SD 883)
      - 3000 University (Tract SD 883A)
    - b. The outdoor seating area does not count against the allowable square footage for a restaurant (limited) and restaurant (general) use established in Part 5 and is not used to determine the parking requirement if:
      - 1) The outdoor seating does not exceed 40 percent of the total seating; and
      - 2) Not more than 10 tables are located outside.
    - c. The outdoor seating area that exceeds 40 percent of the total seating area is counted as part of the allowable square footage for a restaurant (limited) and restaurant (general) use and is used to determine the parking requirement.
  6. Development located at 3410 and 3412 Speedway (Tract SD 874) does not trigger height or setback compatibility regulations at 3414 Speedway (Tract SD 874) and 3408 Speedway (Tract 875) if the development is more than 30 feet in height.

7. The following apply to Lots 8-14, Block 6, Fruth Addition (Tracts SD 883, SD, 882A, SD 883, and SD 883A).
- a. The total gross floor area may not exceed 58,652 square feet.
  - b. The maximum number of multifamily units is 50 units and 114 bedrooms.
  - c. The parking requirement for a multifamily residential use is one space per bedroom for resident parking plus a number equal to ten percent of the resident parking for visitor parking.
  - d. The maximum number of parking spaces allowed on the site is 139.
  - e. Only pedestrian-oriented uses and residential living space are permitted along University Street.
  - f. One driveway is permitted from the property to University Street. Except as otherwise provided, the maximum width of a driveway is the minimum width established by the City Code. If the minimum width established by the Code is less than 20 feet, then the maximum width is 20 feet.
  - g. The minimum building setbacks are as follows:
    - 1) W. 31<sup>st</sup> – 14 feet
    - 2) University – 15 feet
    - 3) Alley – 0 feet
  - h. Building height.
    - 1) Except as otherwise provided, the maximum height is 45 feet.
    - 2) Within 30 feet of property line on West 31<sup>st</sup> Street, the maximum eave height is three stories and 30 feet.
    - 3) Beyond 30 feet of the property line on West 31<sup>st</sup> Street, the maximum eave height is 40 feet.

4) Within 20 feet of the property line on West 30<sup>th</sup> Street the maximum eave height is two stories and 20 feet.

5) Beyond 20 feet of the property line on West 30<sup>th</sup> Street, the maximum eave height is 40 feet.

6) The maximum cave height is 40 feet on University Street.

i. Lighting on the street side of a building shall be shielded.

j. Parking is prohibited in a street yard on University Street.

k. A pole sign and freestanding sign are prohibited.

l. The maximum setback from University Street for a commercial use is 15 feet.

8. The following applies to Tract 880A.

a. The minimum front setback is five feet.

b. The minimum side yard setback is 0 feet.

c. The maximum impervious cover is 95 percent.

**PART 9. ADAMS PARK DISTRICT.** The Adams Park District is intended to encourage public use and enjoyment of Adams Park and to support public efforts to improve the park and the streets surrounding it. The district regulations allow a mix of commercial and residential uses that are oriented to face the park, that encourage pedestrian traffic, and that are compatible with nearby residential areas.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply.

ADAMS PARK DISTRICT	SITE DEVELOPMENT STANDARDS						
	MF-1/ MF-2/ MF-3	MF-4	MF-5/ MF-6	NO	LO	GR	CS & CS-1
Min Lot Size	8000*	8000*	8000*	5000'	5750*	5750*	5750*

ADAMS PARK DISTRICT	SITE DEVELOPMENT STANDARDS						
	MF-1/ MF-2/ MF-3	MF-4	MF-5 / MF-6	NO	LO	GR	CS & CS-1
Min. Lot Width	50**	50**	50**	50**	50**	50**	50**
Max. FAR	0.75 : 1	0.75 : 1	1.0 : 1	0.6 : 1	0.75 : 1	1.0 : 1	1.0 : 1
Max. Building Coverage	55%	60%	60%	50%	50%	50%	60%
Max. Impervious Cover	65%	70%	70%	70%	80%	80%	80%
Max. Height	(see Height Map – Exhibit D)						
Min. Front Setback	(see Setback Map – Exhibit E)						
Max. Front Setback	(see Setback Map – Exhibit E)						
Min. Street Side Yard Setback	(see Setback Map – Exhibit E)						
Min. Interior Side Yard Setback	5'***	5'***	5'***	5'***	5'***	5'***	5'***
Min. Rear Setback	10'***	10'***	10'***	10'***	10'***	10'***	10'***
* See Part 6 Subsections 5 & 6 (General Provisions)							
** A new principal structure must be at least 10' from a principal structure on an adjacent lot							
*** For a through lot the rear setback is 15'.							

## 2. Porch setback.

- A porch may extend a maximum of eight feet in front of the front yard setback if a principal building has a setback of at least 25 feet.
- On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- A porch must set back at least five feet from a property line.

- d. Notwithstanding Subsections a and b, the setback for a porch or patio abutting Adams Park or a street adjacent to Adams Park is five feet.
3. Accessory building setbacks.
- a. Street yard setback - for an accessory building the minimum setback from:
    - 1) The front property line of a residential use is 60 feet.
    - 2) The setback map determines any other street yard setback.
  - b. Interior side yard setback: The minimum setback from an interior side property line is five feet.
  - c. A non-complying accessory building may be reconstructed at its existing location but may not be less than three feet from the rear and interior side property lines.
  - d. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.
4. Front of building.
- a. A principal building shall front onto Adams Park.
  - b. A building façade that fronts on Adams Park, West 29<sup>th</sup> Street, Fruth Street, or West 30<sup>th</sup> street shall have an entrance or window on each level of the building.
  - c. Curb cuts are not permitted on the side of a lot that faces W. 29<sup>th</sup>, Fruth or W. 30<sup>th</sup> Streets and also faces the park unless there is no other access.
  - d. A loading dock or service area of a building may not face Adams Park; Fruth Street or West 30<sup>th</sup> Street.
  - e. Parking at the ground level may not be visible from Adams Park. Automobiles in the upper level of a parking structure must be screened from public view.
5. Parking for a restaurant use with outdoor seating.

- a. The outdoor seating area does not count against the allowable square footage for a restaurant (limited) and restaurant (general) use established in Part 5 6—and is not used to determine the parking requirement if:

- 1) The outdoor seating does not exceed 40 percent of the total seating; and
- 2) Not more than 10 tables are located outside.

- b. The outdoor seating area that exceeds 40 percent of the total seating area is counted as part of the allowable square footage for a restaurant (limited) and restaurant (general) use and is used to determine the parking requirement.

**PART 10. SAN JACINTO STREET DISTRICT.** The San Jacinto District is intended to encourage redevelopment of older housing stock in concert with appropriate commercial uses to foster a dense enclave of housing with supporting commercial use close to the University of Texas campus.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply in the San Jacinto Street District.

SAN JACINTO STREET DISTRICT	SITE DEVELOPMENT STANDARDS	
	MF-4	CS & CS-1
Min Lot Size	8000*	5750*
Min. Lot Width	50**	50**
Max. FAR****	0.75 : 1	2.0 : 1
Max Building Coverage	60%	60%
Max. Impervious Cover*****	70%	80%
Max Height	(see Height Map – Exhibit D)	
Min. Front Setback	(see Setback Map – Exhibit - E)	
Max. Front Setback	(see Setback Map – Exhibit - E )	

SAN JACINTO STREET DISTRICT	SITE DEVELOPMENT STANDARDS	
	MF-4	CS & CS-1
Min. Street Side Yard Setback	(see Setback Map – Exhibit - E)	
Min Interior Side Yard Setback	5'	0'
Min Rear Setback	10'***	10'***
<p>* See Part 6 Subsections 5 &amp; 6 (General Provisions)</p> <p>** A new principal structure must be at least 10' from a principal structure on an adjacent lot</p> <p>*** Except as shown on the Setback Map.</p> <p>**** The Max. FAR for Tract SJD-885A is 1:1.17</p> <p>***** The Max impervious cover for Tract SJD-885A is 76 %</p>		

2. Porch setback.

- a. A porch may extend a maximum of eight feet in front of the front yard setback if a principal building has a setback of at least 25 feet
- b. On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- c. A porch must set back at least five feet from a property line.

3. Accessory building setbacks.

- a. Street yard setback - for an accessory building the minimum setback from:
  - 1) The front property line of a residential use is 60 feet.
  - 2) The setback map determines any other street yard setback.
- b. Interior side yard setback: The minimum setback from an interior side property



line is five feet.

- c. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior side property lines.
  - d. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.
4. Front of buildings.
- a. A building shall front onto San Jacinto Street, Duval Street, East 30th Street, or East 31<sup>st</sup> Street.
  - b. A building entrance shall face the street.
  - c. A loading dock or service area may not face the streets.
5. A parking area that is located at ground level and under a building must be screened from the street.
6. Parking for a restaurant use with outdoor seating.
- a. The outdoor seating area does not count against the allowable square footage for a restaurant (limited) and restaurant (general) use established in Part 5 6-and is not used to determine the parking requirement if:
    - 1) The outdoor seating does not exceed 40 percent of the total seating; and
    - 2) Not more than 10 tables are located outside.
  - b. The outdoor seating area that exceeds 40 percent of the total seating area is counted as part of the allowable square footage for a restaurant (limited) and restaurant (general) use and is used to determine the parking requirement.

**PART 11. GUADALUPE DISTRICT.** The Guadalupe District is intended to support commercial use that serves area residents, to allow new opportunities for additional housing by permitting residential use above the first floor, to enhance the Guadalupe streetscape for pedestrian activity and to accommodate and plan for all modes of transportation.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply in the Guadalupe District.

GUADALUPE DISTRICT	SITE DEVELOPMENT STANDARDS	
	MF-6	CS / CS-1
Min. Lot Size	8000	4000
Min. Lot Width	50	25
Max. FAR	--	2.01
Max. Building Coverage	70%	95%
Max. Impervious Cover	80%	95%
Max. Height	(see Height Map – Exhibit - D)	
Min. Front Setback	(see Setback Map – Exhibit -- E )	
Max. Front Setback	(see Setback Map – Exhibit – E)	
Min. Street Side Yard Setback	(see Setback Map – Exhibit – E)	
Min. Interior Side Yard Setback	5'	0'
Min. Rear Setback	10'	10'
Min. Accessory Bldg. Setback	10'	10'

2. This section applies to Tracts GDS 716, GDS 716A, and GDS 716B.
  - a. Except as otherwise provided in this section the maximum height of a building is 60 feet.
  - b. The site development regulations shown in Subsection c apply to a development

project that meets the following conditions:

- 1) parking must not be visible from Guadalupe Street or Fruth Street except through an access driveway;
  - 2) a minimum 80 percent of the street frontage is occupied by pedestrian oriented uses; and
  - 3) the pedestrian oriented uses occupy at least 28 feet of the ground floor of a building.
- c. This subsection applies to a development project described in Subsection b.
- 1) The maximum height is 70 feet.
  - 2) Except as otherwise provided in this subsection, the minimum setback from Fruth Street is ten feet. For the portion of a building that is at least 11 feet above grade at the setback, the minimum setback is three feet.
  - 3) Except as otherwise provided in this subsection, the minimum setback from the alley is two feet. For Tract GDS 716B, there is no minimum setback.
  - 4) The maximum F.A.R. is 3.5 to 1.0.
  - 5) The minimum site area requirements set out in Part 6, Section 11 does not apply.
  - 6) The maximum gross floor area requirements set out in Part 5, Section 3.c does not apply.
- d. Fifty percent of a building may have a maximum height of 70 feet if the same percentage of the building is reduced in height to 50 feet or less. The area that is reduced in height must include the front 5 feet of the building that is adjacent to Guadalupe Street.
- e. In the area above 60 feet, a parapet, screening or open space may exceed the final height of a building by an amount not greater than 10 percent of the additional height about 60 feet.

### 3. Front of buildings.

- a. If a lot fronts Guadalupe Street, a building on the lot shall front Guadalupe Street.
  - b. A building entrance shall face Guadalupe Street.
  - c. A loading dock or service area may not face Guadalupe Street.
  - d. A building façade that fronts on Guadalupe Street shall have an entrance or window on each level of the building.
  - e. A sidewalk sign is permitted. Section 25-10-153 (*Sidewalk Sign in Downtown Sign District*) applies to a sidewalk sign. A projecting sign is permitted. Section 25-10-129 (*Downtown Sign District Regulations*) applies to a projecting sign.
4. Parking for a restaurant use with outdoor seating.
- a. The outdoor seating area does not count against the allowable square footage for a restaurant (limited) and restaurant (general) use established in Part 5 6-and is not used to determine the parking requirement if:
    - 1) The outdoor seating does not exceed 40 percent of the total seating; and
    - 2) Not more than 10 tables are located outside.
  - b. The outdoor seating area that exceeds 40 percent of the total seating area or that exceeds ten tables is counted as part of the allowable square footage for a restaurant (limited) and restaurant (general) use and is used to determine the parking requirement.
5. The rear setback for development at 2801 Guadalupe is 0 feet.

**PART 12. TRANSITION DISTRICT.** The Transition District is intended to create a transition between commercial uses on Guadalupe and the single family uses on the streets that intersect Guadalupe Street. The district allows low intensity commercial uses or multi-family uses in a scale and character that respects the single family homes that lie close to this busy arterial.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply in the Transition District.

TRANSITION DISTRICT	SITE DEVELOPMENT STANDARDS				
	SF-2, SF-3	MF1, MF2	MF3, MF4	NO, LO, GO	CS
Min Lot Size	5750*	8000*	8000*	5750*	5750*
Min Lot Width	50**	50**	50**	50**	50**
Max. FAR	0.4 : 1 duplex	0.5 : 1	.75 : 1	1.0 : 1	2.0 : 1
Max Building Coverage	40%	50%	55%	50%	60%
Max Impervious Cover	45%	60%	65%	80%	80%
Max Height	(See Height Map – Exhibit - D)				
Min. Front Setback	(See Setback Map – Exhibit – E)				
Max Front Setback	(See Setback Map – Exhibit -- E)				
Min Street Side Yard Setback	(See Setback Map – Exhibit – E)				
Min Interior Side Yard Setback	5'***	5'***	5'***	5'***	5'***
Min. Rear Setback	10'****	10'****	10'****	10'****	10'****
* See Part 6. Subsections 5 & 6 (General Provisions)					
** See Part 6. Subsections 5 & 6 (General Provisions)					
*** A new principal structure must be at least 10' from a principal structure on an adjacent lot					
**** Except as shown on the Setback Map					

## 2. Porch setback.

- a. A porch may extend a maximum of eight feet in front of the front yard setback if a principal building has a setback of at least 25 feet
- b. On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- c. A porch must set back at least five feet from a property line.

3. Accessory building setbacks.

- a. Street yard setback - for an accessory building the minimum setback from:
  - 1) The front property line of a residential use is 60 feet.
  - 2) The setback map determines any other street yard setback.
- b. Interior side yard setback: The minimum setback from an interior side property line is five feet.
- c. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior side property lines.
- d. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.

**PART 13. WALLER CREEK / SEMINARY DISTRICT.** The Waller Creek/Seminary District is intended to provide opportunities for continued development of the Austin Presbyterian Seminary, to provide additional housing for its students and their families, and to encourage additional housing density on adjacent tracts that lie close to the University of Texas.

1. Site development standards table. Except as otherwise modified in this part, the following site development regulations apply in the Waller Creek/Seminary District.

WALLER CREEK / SEMINARY	SITE DEVELOPMENT STANDARDS			
	MF-3	MF-4	MF-5	MF-6
Min. Lot Size	8000*	8000*	8000*	8000*
Min. Lot Width	50*	50*	50*	50*
Max. FAR	1.1****	1.1****	1.1****	--
Max. Building Coverage	55%	60%	60%	70%

WALLER CREEK / SEMINARY	SITE DEVELOPMENT STANDARDS			
	MF-3	MF-4	MF-5	MF-6
Max Impervious Cover	65%	70%	70%	80%
Max Height	(see Height Map -- Exhibit -- D)			
Min. Front Setback	(See Setback Map -- Exhibit -- E)			
Max Front Setback	(See Setback Map -- Exhibit -- E)			
Min. Street Side Yard Setback	(See Setback Map -- Exhibit -- E)			
Min Interior Side Yard Setback	5'	5'	5'	5'
Min Rear Setback	10'	10'	10'	10'
* See Part 6. Subsections 5 & 6 (General Provisions)				
** A new principal structure must be at least 10' from a principal structure on an adjacent lot.				
*** For a through lot the minimum setback is 15'				
**** FAR for District 7A is 2 : 1				

2. Porch setback .

- A porch may extend a maximum of eight feet in front of the street yard setback if a principal building has a setback of at least 25 feet
- On a corner lot, a porch may extend a maximum of five feet in front of the street side yard setback.
- A porch must set back at least five feet from a property line.

3. Accessory building setbacks.

- Street yard setback - for an accessory building the minimum setback from:

- 1) The front property line of a residential use is 60 feet.
- 2) The setback map determines any other street yard setback.
- b. Interior side yard setback: The minimum setback from an interior side property line is five feet.
- c. A non-complying accessory building may be reconstructed at its existing location, but may not be less than three feet from the rear and interior side property lines.
- d. Attached Garage - An attached garage shall set back a minimum of 60 feet from the front property line.
4. As long as any of the existing structures remain at 2807, 2809 and 2811 Hemphill Park and 305 W. 29<sup>th</sup> Streets, new multifamily development that abuts the properties may not exceed a height of 30 feet within 50 feet of a common property line. A 15 foot setback is required from the common property line.
5. The height limit on the part of District 7 north of Waller Creek is 45 feet beginning at the property line along 30<sup>th</sup> Street and continuing to a point 23 feet inside the property line. The height on the remainder of the lot is 52 feet. The eave line may not exceed 40 feet at the 30<sup>th</sup> Street property line. Within 20 feet of the property line along 30<sup>th</sup> Street an intervening eave line not exceeding 20 feet above grade is required.
6. The maximum height is 70 feet in Waller Creek/Seminary District 7A.
7. This section applies to the use and site development regulations in Districts 7 and 7A. This section does not grant a variance related to the floodplain regulations.
  - a. the maximum building cover and the maximum impervious cover is 95 percent outside the 100 year flood plain and 60 percent within the 100 year flood plain.
  - b. In Districts 7 and 7A structured parking is permitted in the 100 year floodplain, but not the 25 year floodplain.
8. This section applies to parking requirements for the Waller Creek/Seminary District.

For dwelling units associated with a college and university facilities use, one parking space per dwelling unit is required. For dorm uses, one parking space per two



residents is required. For all other uses, one parking space per 1,000 square feet less the parking provided for residential uses is required.

9. For certain existing buildings, the setbacks are established as shown on Exhibit "F".
10. The minimum site area for multifamily uses (square feet).

<b>WALLER CREEK 7 DISTRICT</b>							
	Eff'cy	1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	5 Bdrm	6 Bdrm
Multifamily uses	700	800	900	1000	1100	1200	1300
<b>WALLER CREEK 7A DISTRICT</b>							
	Eff'cy	1 Bdrm	2 Bdrm	3 Bdrm	4 Bdrm	5 Bdrm	6 Bdrm
MF-3	1200	1500	1800	2100	2400	2700	3000
MF-4	700	800	900	1000	1100	1200	1300
MF-5	700	800	900	1000	1100	1200	1300
MF-6	700	800	900	1000	1100	1200	1300

11. A pedestrian-oriented use, civic use, or habitable space shall be located at the front of a building on the ground floor.
12. This section applies to driveways.
  - a. Except as otherwise provided in this subsection, for a commercial, civic, multifamily residential, or condominium residential use with three or more units, the maximum driveway width is the minimum allowed by the City Code.
  - b. If the minimum width established by the Code is less than 20 feet, then the maximum width is 20 feet.
  - c. If University Avenue is vacated and becomes a private drive, then this Section does not apply.

**PART 14.** The following applies to property at 2701 and 2717 Guadalupe Street and 2804 through 2816 Hemphill Park that are part of Tracts APD 864, APD 863, GDS 717, GDS 718, and GDS 719.

1. The property is more particularly described as follows:

Tract One: A 1.070 acre tract of land, more or less, out of Lots 16-19, Block 1, Fruth Addition and out of a portion of Lot A, Hemphill Park Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "G" incorporated into this ordinance, and

Tract Two: A 0.794 acre tract of land, more or less, out of a 1.864 acre tract out of Lots 2, 23, 12-19, Block 1, Fruth Addition and out of a portion of Lot A, Hemphill Park Subdivision, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "H" incorporated into this ordinance, (the "Property").

2. The maximum number of residential units on the Property is 150 units.
3. The maximum height of a building or structure or portion of a building or structure on Tract One shall be 60 feet from ground level.
4. The maximum height of a building or structure is 40 feet on the property identified in Tract Two as a 5,410 square foot parcel of land, more particularly described by metes and bounds in Exhibit "G" generally located in the area along and adjacent to 29<sup>th</sup> Street and Hemphill Park. A height measurement taken at the southwest corner of 29<sup>th</sup> Street and Hemphill Park shall be used to determine the base line for measuring this 40-foot height.
5. The minimum site area for dwelling units on Tract Two must comply with Section 25-2-647 of the City Code.
6. The minimum site area of Tracts One and Two when combined may not be less than the following:  
  
468 square feet for a one bedroom dwelling unit, and  
564 square feet for a dwelling unit with two or more bedrooms.
7. Access to the parking garage shall be limited to a single driveway on 29<sup>th</sup> Street and a single driveway located between 29<sup>th</sup> Street and Guadalupe Street.

**PART 15.** This ordinance takes effect on September 6, 2004.

**PASSED AND APPROVED**

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August 26, 2004

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Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Brown  
City Clerk