

ORDINANCE NO. 20250508-057

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 1326 AND 1328 LAMAR SQUARE DRIVE FROM MULTIFAMILY RESIDENCE MODERATE-HIGH DENSITY (MF-4) DISTRICT AND MULTIFAMILY RESIDENCE HIGH DENSITY (MF-5) DISTRICT TO GENERAL COMMERCIAL SERVICES-CONDITIONAL OVERLAY (CS-CO) COMBINING DISTRICT.

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 change the base district from multifamily residence moderate-high density (MF-4) base district and multifamily residence high density (MF-5) base district to general commercial services-conditional overlay (CS-CO) combining district on the property described in Zoning Case No. C14-2025-0028.SH, on file at the Planning Department, as follows:

A 0.579 acre tract of land situated in the Isaac Decker Survey, Abstract No. 8, in the City of Austin, Travis County, Texas, being all of LOT 9A, RESUBDIVISION OF LOTS 8 AND 9, BLOCK "A", SOUTH LAMAR SQUARE, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 39, Page 47, of the Plat Records of Travis County, Texas, and being all of LOT 10-A, BLOCK "A", RESUBDIVISION OF LOTS 10 AND 11, BLOCK A, SOUTH LAMAR SQUARE, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Volume 44, Page 21, of the Plat Records of Travis County, Texas, said LOTS 9A and 10-A being the same tracts conveyed by deed recorded in Document No. 2023100723 of the Official Public Records of Travis County, Texas, said 0.579 acre tract of land being more particularly described by metes and bounds in **Exhibit "A"** incorporated into this ordinance, (the "Property"),

locally known as 1326 and 1328 Lamar Square Drive in the City of Austin, Travis County, Texas, generally identified in the map attached as **Exhibit "B"**.

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

The following uses are prohibited uses of the Property:

Alternative Financial Services	Automotive Rentals
Automotive Repair Services	Automotive Sales
Automotive Washing (of any type)	Bail Bond Services
Campground	Construction Sales and Services
Convenience Storage	Custom Manufacturing
Equipment Repair Services	Equipment Sales
Exterminating Services	Funeral Services
Indoor Crop Production	Indoor Sports and Recreation
Laundry Services	Limited Warehousing and Distribution
Monument Retail Sales	Off-Site Accessory Parking
Outdoor Sports and Recreation	Pawn Shop Services
Pedicab Storage and Dispatch	Research Services
Service Station	Urban Farm
Vehicle Storage	

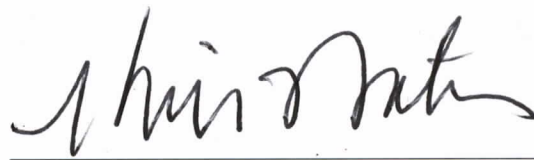
PART 3. Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the general commercial services (CS) base district and other applicable requirements of the City Code.

PART 4. This ordinance takes effect on May 19, 2025.

PASSED AND APPROVED

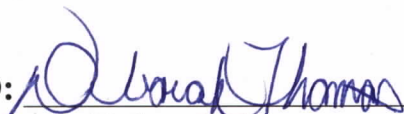
_____, May 8, 2025

§
§
§



Kirk Watson
Mayor

APPROVED:



Deborah Thomas
City Attorney

ATTEST:



Erika Brady
City Clerk

EXHIBIT "A"



912 S. Capital of Texas Hwy., Suite 300
Austin, Texas 78746
Tel: 512.441.9493
www.quiddity.com

LEGAL DESCRIPTION

BEING a 0.579-acre tract of land situated in the Isaac Decker Survey Abstract No. 8, City of Austin, Travis County, Texas, being all of Lot 9-A of the Resubdivision of Lots 8 & 9 Block "A" South Lamar Square Subdivision as shown on a plat in Volume 39, Page 47 of the Plat Records of Travis County, Texas and being all of Lot 10-A of the Resubdivision of Lots 10 and 11, Block A, South Lamar Square Subdivision as shown on a plat in Volume 44, Page 21 of the Plat Records of Travis County, Texas, said Lots 9-A and 10-A being the same Tract 1: 1326 Lamar Square and Tract 2: 1328 Lamar Square as described in a Special Warranty Deed to FC AUSTIN FIFTEEN HOUSING CORPORATION in Document No. 2023100723 of the Official Public Records of Travis County, Texas; said 0.579-acre tract of land being more particularly described by metes and bounds as follows, with bearings based on the Texas Coordinate System of 1983, Central Zone:

BEGINNING: at a 1/2-inch iron rod found on the northwestern line Lamar Square Drive (60' R.O.W.) as shown on a plat of South Lamar Square Subdivision in Volume 35, Page 22 of the Plat Records of Travis County, Texas, for the Southeastern corner of said Lot 10-A, the Northeastern corner of Lot 11-A as shown in said plat in Volume 44, Page 21 of the Plat Records of Travis County, Texas, for the southeastern corner of this herein described tract, from which a Mag Nail with shiner set for a corner of said Lot 11-A, a corner of said Lamar Square Drive bears South 27°14'16" West a distance of 14.76 feet;

THENCE: North 62°54'35" West a distance of 131.80 feet along the southwestern line of said Lot 10-A, the northeastern line of said Lot 11-A to a 1/2-inch iron rod found on the southeastern line of the Ashton Green Condominiums as described in a Condominium Declaration for Ashton Green Condominium Project in Volume 8884, Page 735 of the Real Property Records of Travis County, Texas, for the southwestern corner of said Lot 10-A, the northwestern corner of said Lot 11-A for the southwestern corner of this herein described tract, from which a 5/8-inch iron rod with cap stamped "Quiddity Eng" set for a corner of said Lot 11-A bears South 29°42'08" West a distance of 33.50 feet;

THENCE: North 29°42'08" East a distance of 20.52 feet along the northwestern line of said Lot 10-A, the southeastern line of the said Ashton Green Condominium Project to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set for a corner of said Lot 10-A, the northeastern corner of the said Ashton Green Condominium Project, the southeastern corner of Lot 5 of the J.W. Templer Subdivision as shown on a Plat in Volume 3, Page 188 and being the same tract of land as described in a General Warranty Deed to Kyle W. Kinsel in Document No. 2018146151 of the Official Public Records of Travis County, Texas, for a corner of this herein described tract, from which a 1/2-inch iron rod with cap stamped "Holt Carson" found bears North 51°13'46" West a distance of 2.40 feet;



THENCE: North 26°45'08" East continuing along the northwestern line of said Lot 10-A, the northwestern line of said Lot 9-A, the southeastern line of said Lot 5, the southeastern line of Lot 7 of the said J.W. Templer Subdivision, being the same tract of land for Kinney Lofts Condominiums in Document No. 2004117128 of the Official Public Records of Travis County, Texas, at 79.43 feet pass a 1/2-inch iron rod found for the northwestern corner of said Lot 10-A, the southwestern corner of said Lot 9-A, at 105.46 feet pass a calculated point for the northeastern corner of said Lot 5, the southeastern corner of said Lot 7 from which a 3/4-inch iron pipe found bears North 62°55'47" West a distance of 1.42 feet; continuing along said line **a distance in all of 171.43 feet** to a 1/2-inch iron rod found for the northwestern corner of said Lot 9-A, the southwestern corner of Lot 8-A in said plat in Volume 39, Page 47, for the northwestern corner of this herein described tract;

THENCE: South 62°45'44" East a distance of 132.37 feet along the northeastern line of said Lot 9-A, the southwestern line of said Lot 8-A to a 5/8-inch iron rod with cap stamped "Quiddity Eng" set on the northwestern line of said Lamar Square Drive, for the northeastern corner of said Lot 9-A, the southeastern corner of said Lot 8-A, for the northeastern corner of this herein described tract, from which a Mag Nail with shiner stamped "Quiddity Eng" set for a corner of said Lamar Square Drive, a corner of said Lot 8-A bears North 27°14'16" East a distance of 23.65 feet;

THENCE: South 27°14'16" West along the western line of said Lamar Square Drive, at 92.00 feet pass a calculated point for the southeastern corner of said Lot 9-A, the northeastern corner of said Lot 10-A, at 171.75 feet pass a 1/2-inch iron rod found, **a distance in all of 191.59 feet** to the **POINT OF BEGINNING and CONTAINING** an area of 0.579-acres of land.

Bearing Basis:

All bearings shown are based on Texas Coordinate System, Central Zone, NAD 83. All distances shown are surface and may be converted to grid by dividing by a Surface Adjustment Factor of 1.0000560025, Units: U.S. Survey Feet.

Rex L. Hackett
Registered Professional Land Surveyor No. 5573
rhackett@quiddity.com

02-13-2025

Date



LEGEND

- 1/2" IRON ROD FOUND
- IRON PIPE FOUND
- ▲ NAIL FOUND
- △ CALCULATED POINT
- "X" FOUND
- 5/8" IRON ROD SET W/ CAP
- STAMPED "QUIDDITY ENG."
- NAIL SET
- AC UNIT
- SIGN
- BOLLARD POST
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- STORM MANHOLE
- WASTEWATER MANHOLE
- WASTEWATER CLEANOUT
- GAS VALVE
- GAS METER
- TELEPHONE PEDESTAL
- TELEPHONE CABLE MARKER
- ELECTRIC MANHOLE
- ELECTRIC METER
- UTILITY POLE
- GUY ANCHOR
- OVERHEAD UTILITIES
- WOOD FENCE
- CHAIN LINK FENCE
- METAL FENCE
- EDGE OF ASPHALT
- AREA OF CONCRETE
- 10x SCHEDULE B ITEM NO.
- D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS
- R.P.R.T.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- P.R.T.C.T. PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

SCALE - 1" = 20'

LOT 7
KINNEY LOFTS CONDOMINIUM
CONDOMINIUM DECLARATION
DOC. NO. 2004117128 O.P.R.T.C.T.

LOT 5
KYLE W. KINSELE
GENERAL WARRANTY DEED
DOC. NO. 2018146151 O.P.R.T.C.T.

PORTIONS OF
LOTS 1, 2, 3 & 4
ASHTON GREEN CONDOMINIUM
CONDOMINIUM DECLARATION
VOL. 8894, PG. 735
R.P.R.T.C.T.

SCHEDULE B ITEMS:

1. The survey shown hereon has been prepared as the result of an on the ground survey completed on June 5, 2023 & December 19, 2024.
2. The bearings shown hereon are referenced to the Texas Coordinate System of 1983, Central Zone. Coordinates and distances shown are Surface Values. Combined Scale Factor is 1.0000560025.
3. The recorded easements, setbacks and encumbrances shown hereon are from Schedule B of the commitment for title insurance issued by Stewart Title Guaranty Company, countersigned by Stewart Title Company File No. 2504373, effective date November 12, 2024, issue date December 17, 2024. The Surveyor has relied upon the accuracy and completeness of the information described above and has made no independent investigation or search for this information.
4. The following restrictive covenants of record itemized below:
Those recorded in/under County Clerk's File No. 2023100723 of the Official Public Records of Travis County, Texas.
By scaling the subject property into the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) No. 48453C0445K, effective date January 22, 2020, the subject property is in Zone X (unshaded), defined as areas determined to be outside the 0.2% annual chance floodplain. The Surveyor makes no representation as to the accuracy of said FIRM, or that it is the most current published flood map.
6. The utility appurtenances shown hereon include those visible at the time of the survey and are for general locative purposes only. In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on or adjacent to the site, whether private, municipal or public owned.
7. The buildings and other improvements shown hereon represent the outline at ground level. The Surveyor has not located any underground buildings, overhead protrusions or improvements not obvious and located at ground level, unless otherwise noted.
8. Surveyor has not identified any geological or environmental conditions in connection with the subject property and Surveyor fully disclaims any and all responsibility related to issues or claims related thereto or resulting therefrom.
9. The Surveyor has not abstracted the subject property, nor made any independent investigation or search for easements of record, restrictive covenants or any other encumbrances that may affect the subject property.

- 10c. Easements and building setback line as shown on plat recorded in/under Volume 39, Page 47 and Volume 44, Page 21 of the Map/Plat Records of Travis County, Texas, which cities among other thing the following:
A stated 5 foot public utility easement
A stated 10 foot public utility easement
A stated 25 foot building setback line
DOES AFFECT TRACTS 1 & 2.
- 10d. Easement, Right of Way and/or Agreement by and between Lela Miller Aloright, a feme sole, sole heir of Mary A. Miller, deceased and the City of Austin, by instrument dated April 23, 1963, recorded in/under Volume 2596, Page 408 of the Deed Records of Travis County, Texas.
DOES NOT AFFECT TRACTS 1 & 2.
- 10e. Easement, Right of Way and/or Agreement by and between Mary Lee Foundation and Time Warner Entertainment-Advance/Newhouse Partnership, through its Austin Division, d/b/a Time Warner Cable, by instrument dated September 16, 2003, filed October 23, 2003, recorded in/under County Clerk's File No. 2003249481 of the Official Public Records of Travis County, Texas.
DOES AFFECT TRACTS 1 & 2 (blanket).
- 10f. Easement, Right of Way and/or Agreement by and between Mary Lee Foundation, a Texas non-profit corporation and the City of Austin, by instrument dated March 31, 2004, filed April 01, 2004, recorded in/under County Clerk's File No. 2004060495 of the Official Public Records of Travis County, Texas.
DOES AFFECT TRACT 1 (blanket).
- 10g. Easement, Right of Way and/or Agreement by and between Mary Lee Foundation, a Texas non-profit corporation and City of Austin, by instrument dated March 31, 2004, filed April 01, 2004, recorded in/under County Clerk's File No. 2004060495 of the Official Public Records of Travis County, Texas.
DOES AFFECT TRACT 1 (blanket).
- 10h. Easement, Right of Way and/or Agreement granted to the City of Austin, by instrument dated January 22, 2009, filed January 27, 2009, recorded in/under County Clerk's File No. 2009011897 of the Official Public Records of Travis County, Texas.
As affected by Amendment recorded in/under County Clerk's File No. 2010025528 of the Official Public Records of Travis County, Texas.
DOES AFFECT TRACT 2.
- 10i. All terms, conditions, and provisions of that certain Access Easement Agreement, recorded in/under County Clerk's File No. 2024059703 of the Official Public Records of Travis County, Texas.
DOES AFFECT TRACT 1 & 2 (blanket).

LEGAL DESCRIPTION OF LAND:

- TRACT 1
Lot 9A, in Block A, of the Resubdivision of Lots 8 & 9, Block "A" South Lamar Square, an addition in Travis County, Texas, according to the map or plat thereof recorded in/under Volume 39, Page 47, of the Map/Plat Records of Travis County, Texas.
- TRACT 2
Lot 10A, in Block A, of Resubdivision of Lots 10 & 11, Block "A", South Lamar Square, or addition in Travis County, Texas, according to the map or plat thereof recorded in/under Volume 44, Page 21 of the Map/Plat Records of Travis County, Texas.

SURVEYOR'S CERTIFICATION

To: FC Austin Fifteen Housing Corporation, a Texas non-profit corporation & Stewart Title Guaranty Company

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

Drawing Date: December 19, 2024

Rex L. Hackett
Rex L. Hackett
Registered Professional Land Surveyor No. 5573



LAND TITLE SURVEY
OF 0.579 ACRES BEING
LOTS 9A & 10A OF THE
SOUTH LAMAR SQUARE
SUBDIVISION
OUT OF THE
ISAAC DECKER SURVEY, A-8
CITY OF AUSTIN,
TRAVIS COUNTY, TEXAS
DECEMBER 2024



