

ORDINANCE NO. 2024-00011

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7084 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 3111-A; A ZONING CHANGE FROM HDR TO AC ZONING DISTRICT AT 3002 EAST 19TH STREET AND 1950 ASPEN AVENUE, LOCATED SOUTH OF EAST 19TH STREET AND EAST OF ASPEN AVENUE, ON 87 ACRES OF LAND OUT OF BLOCK B, SECTION 3, INCLUDING MHMR ADDITION, TRACT A, LUBBOCK, TEXAS; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING FOR PUBLICATION.

WHEREAS, the proposed changes in zoning as hereinafter made have been duly presented to the Planning and Zoning Commission for its recommendation which was received by the City Council and, after due consideration, the City Council found that due to changed conditions, it would be expedient and in the interest of the public health, safety and general welfare to make those proposed changes in zoning; and

WHEREAS, all conditions precedent required by law for a valid amendment to the Zoning Ordinance and Map have been fully complied with, including giving notices in compliance with Section 40.01.005 of the Code of Ordinances, City of Lubbock, Texas, and the notices provided by the Texas Local Government Code §211.007 (Vernon, 1990), and notice was duly published in the Lubbock Avalanche-Journal more than fifteen (15) days prior to the date of the public hearing before the City Council on such proposed amendment, and the public hearing according to said notice, was held in the City Council Chamber of the Municipal Building, Lubbock, Texas, at which time persons appeared in support of the proposal; and after said hearing, it was by the City Council determined that it would be in the public interest, due to changed conditions, that the Zoning Ordinance and the Zoning Map be amended in the manner hereinafter set forth in the body of this Ordinance and this Ordinance having been introduced prior to first reading hereof; **NOW THEREFORE:**

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

ZONE CASE NO. 3111-A

SECTION 1. THAT Ordinance No. 7084 and the Official Zoning Map are amended as follows:

A change of zoning under the provisions of Section 40.01.005 of the Code of Ordinances of the City of Lubbock from **HDR** to **AC** zoning district at **3002 East 19th Street and 1950 Aspen Avenue, located south of East 19th Street and east of Aspen Avenue, on 87 acres of land out of Block B, Section 3, including MHMR Addition, Tract A, City of Lubbock, Lubbock County, Texas,** and being further described as follows:

METES AND BOUNDS DESCRIPTION: Attached as Exhibit "A".

SECTION 2. THAT violation of any provision of this Ordinance shall be deemed a misdemeanor punishable by fine not to exceed Two Thousand and No/100 Dollars (\$2,000.00) as provided in Section 40.01.006 of the Zoning Ordinance of the City of Lubbock.

SECTION 3. THAT should any paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this Ordinance shall not be affected thereby.

SECTION 4. THAT the City Secretary is hereby authorized to cause publication of the descriptive caption of this Ordinance as an alternative method provided by law.

AND IT IS SO ORDERED.

Passed by the City Council on first reading on February 13, 2024.

Passed by the City Council on second reading on February 27, 2024.

/s/ Tray Payne
TRAY PAYNE, MAYOR

ATTEST:

/s/ Courtney Paz
Courtney Paz, City Secretary

APPROVED AS TO CONTENT:

/s/ Kristen Sager
Kristen Sager, Director of Planning

APPROVED AS TO FORM:

/s/ Kelli Leisure
Kelli Leisure, Senior Assistant City Attorney



**RE-ZONING DESCRIPTION OF AN
87.085-ACRE TRACT IN SECTION 3, BLOCK B,
T.T. RR. CO. SURVEY, ABSTRACT NO. 95,
LUBBOCK COUNTY, TEXAS**

An 87.085-acre rezoning tract in Section 3, Block B, T.T. RR. Company Survey, Abstract Number 95, Lubbock County, Texas, being all of Tract "A", MHMR Addition, an addition to the City of Lubbock, according to the map, plat and/or dedication deed thereof recorded in Volume 4332, Page 7 of the Real Property Records of Lubbock County, Texas and all of that certain 79-acre tract of land conveyed to Lubbock Regional Mental Health Mental Retardation Center, described in Exhibit "A" of a special warranty deed recorded in County Clerk's File Number 2010024501 of the Official Public Records of Lubbock County, Texas, said 87.085-acre tract being further described by metes and bounds as follows:

BEGINNING at a point in the east line of said Section 3, for the most easterly northeast corner of said 79-acre tract and the most easterly northeast corner of this tract, whence a 5/8-inch iron rod found in the south right-of-way line of 19th Street, described in a street dedication recorded in Volume 1959, Page 836 of the Real Property Records of Lubbock County, Texas bears *North 01 degrees 47 minutes 33 seconds East* a distance of 126.52 feet and the northeast corner of said Section 3 bears *North 01 degrees 47 minutes 33 seconds East* a distance of 156.52 feet;

(1) THENCE *South 01 degrees 47 minutes 33 seconds West*, along the east line of said Section 3, a distance of 1775.33 feet to a point for the southeast corner of said 79-acre tract and the southeast corner of this tract, whence a 1-inch iron pipe found at the southeast corner of said Section 3 bears *South 01 degrees 47 minutes 33 seconds West* a distance of 3396.04 feet;

(2) THENCE *North 88 degrees 13 minutes 15 seconds West*, at a distance of 0.39 feet pass a found 1/2-inch iron rod, continuing at a distance of 40.88 feet pass a found 1/2-inch iron rod, continuing at a distance of 1617.04 feet pass a 1/2-inch iron rod with a plastic cap marked "RPLS 4460" found at the south common corner of said 79-acre tract and said Tract "A", MHMR Addition, continuing for a total distance of 2267.04 feet to a 1/2-inch iron rod found at the southwest corner of said Tract "A", MHMR Addition, for the southwest corner of this tract;

(3) THENCE *North 01 degrees 44 minutes 29 seconds East* a distance of 600.04 feet to a point for the northwest corner of said Tract "A", for the most westerly northwest corner of this tract;

(4) THENCE *South 88 degrees 13 minutes 55 seconds East* a distance of 294.87 feet to a point in a curve to the left in the southwest right-of-way line of Aspen Avenue, described in a street dedication recorded in Volume 4332, Page 181 of the Real Property Records of Lubbock County, Texas, for the most northerly northeast corner of said Tract "A", at a point of intersection for a corner of this tract;

(5) THENCE southeasterly, along the southwest right-of-way line of said Aspen Avenue, the northeast line of said Tract "A", and a curve to the left, an arc distance of 16.89 feet, said curve having a radius of 106.00 feet, a delta angle of *09 degrees 07 minutes 51 seconds*, a chord bearing of *South 50 degrees 40 minutes 36 seconds East* and a chord distance of 16.88 feet to a point of tangency for the most northerly northeast corner of said Tract "A", for a corner of this tract;

(6) THENCE *South 55 degrees 14 minutes 31 seconds East*, along the southwest right-of-way line of said Aspen Avenue, a distance of 407.58 feet to a 1/2-inch iron rod with a yellow plastic cap found at the most easterly northeast corner of said Tract "A", at a point of intersection in the west line of said 79-acre tract, for a corner of this tract;

(7) THENCE *North 34 degrees 45 minutes 29 seconds East*, along the west line of said 79-acre tract, a distance of 56.00 feet to a bent 1/2-inch iron rod found in the northeast right-of-way line of said Aspen Avenue, at a point of intersection for a corner of this tract;

(8) THENCE *North 55 degrees 14 minutes 31 seconds West*, along the northeast right-of-way line of said Aspen Avenue and the southwest line of said 79-acre tract, a distance of 407.58 feet to a 1/2-inch iron rod with an orange plastic cap found at a point of curvature for a corner of this tract;

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(9) THENCE northwesterly, along the east right-of-way line of said Aspen Avenue, the west line of said 79-acre tract, and a curve to the right, an arc distance of 49.70 feet, said curve having a radius of 50.00 feet, a delta angle of *56 degrees 59 minutes 00 seconds*, a chord bearing of *North 26 degrees 45 minutes 01 seconds West* and a chord distance of 47.70 feet to a 1/2-inch iron rod found at a point of tangency for a corner of this tract;

(10) THENCE *North 01 degrees 44 minutes 29 seconds East*, along the east right-of-way line of said Aspen Avenue and the west line of said 79-acre tract, a distance of 1157.34 feet to a point of curvature for a corner of this tract;

(11) THENCE northeasterly, along the east right-of-way line of said Aspen Avenue and a curve to the right, an arc distance of 23.47 feet, said curve having a radius of 15.00 feet, a delta angle of *89 degrees 40 minutes 24 seconds*, a chord bearing of *North 46 degrees 34 minutes 41 seconds East* and a chord distance of 21.15 feet to a point of tangency in the south right-of-way line of said 19th Street, at the most northerly northwest corner of said 79-acre tract and the most northerly northwest corner of this tract;

(12) THENCE *South 88 degrees 35 minutes 07 seconds East*, along the south right-of-way line of said 19th Street and the north line of said 79-acre tract, a distance of 1264.24 feet to a point of intersection for a corner of this tract;

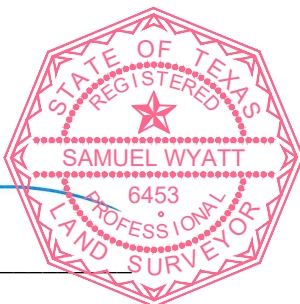
(13) THENCE *North 88 degrees 00 minutes 55 seconds East*, along the south right-of-way line of said 19th Street and the north line of said 79-acre tract, a distance of 587.29 feet to a point for the most northerly northeast corner of said 79-acre tract and the most northerly northeast corner of this tract;

(14) THENCE *South 01 degrees 48 minutes 34 seconds West*, along the east line of said 79-acre tract, a distance of 122.32 feet to a point of intersection for an ell corner of this tract;

(15) THENCE *South 88 degrees 13 minutes 44 seconds East*, along the north line of said 79-acre tract, a distance of 87.59 feet to the **POINT OF BEGINNING**. Bearings and coordinates called in this description are based on the Texas Coordinate System, North Central Zone 4202, North American Datum of 1983. Distances called in this description are at surface. Areas called in this description are based on calculations made from surface distances.

This description was prepared for rezoning purposes from an actual survey of the property and the information hereon represents the findings of this survey to the best of my knowledge and belief.

Surveyed: August 31, 2023
Signed: January 09, 2024



Samuel Wyatt, R.P.L.S. 6453