

ORDINANCE NO. 2024-00013

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7084 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 3496; A ZONING CHANGE FROM SF-2 TO AC ZONING DISTRICT AT 2416 130TH STREET, LOCATED EAST OF UNIVERSITY AVENUE AND NORTH OF 130TH STREET, ON 2.71 ACRES OF UNPLATTED LAND OUT OF BLOCK E, SECTION 15, 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. 3496

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 **SF-2** to **AC** zoning district at **2416 130th Street, located east of University Avenue and north of 130th Street, on 2.71 acres of unplatted land out of Block E, Section 15**, 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:

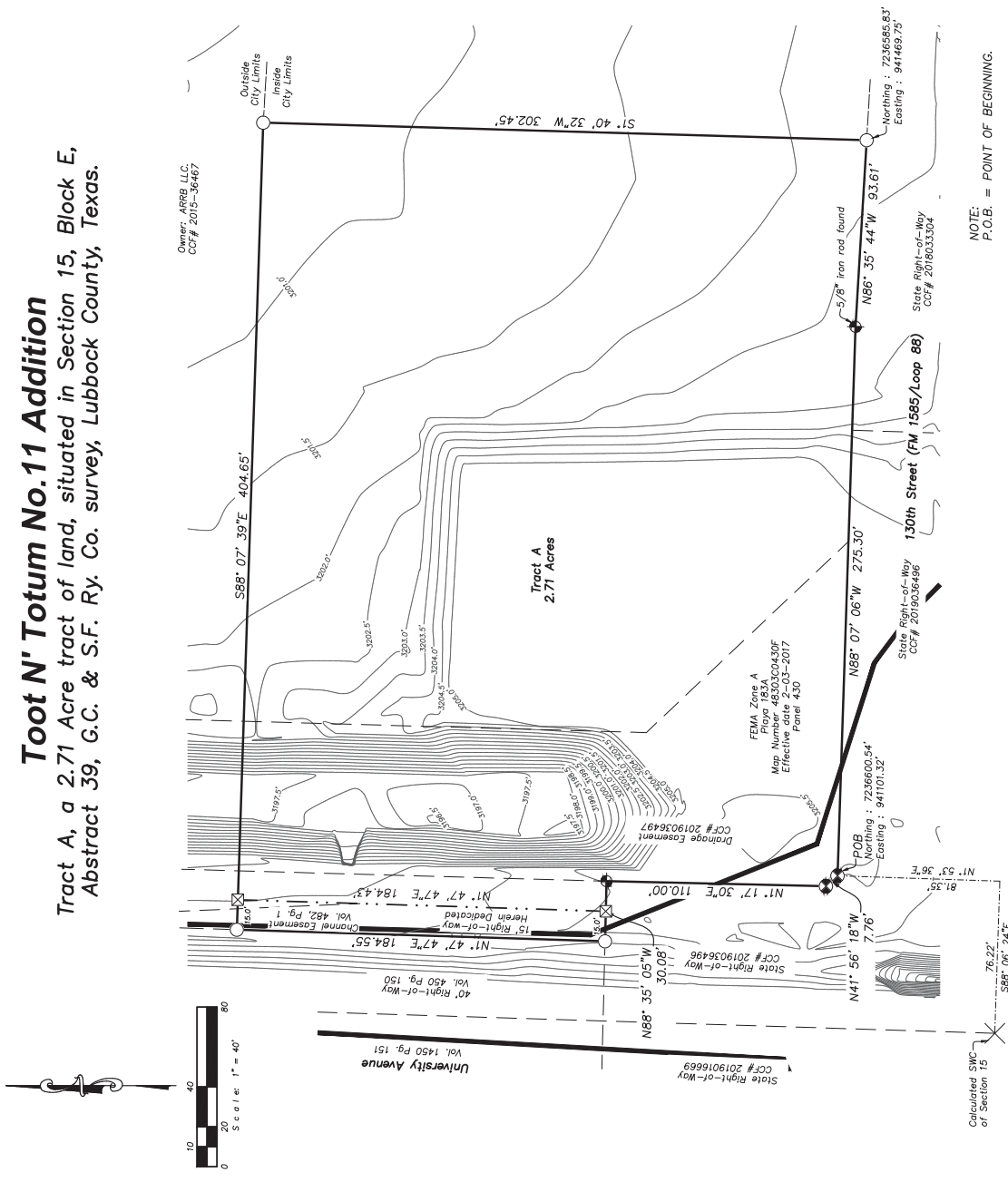
/s/ Kristen Sager
Kristen Sager, Director of Planning

APPROVED AS TO FORM:

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

Toot N' Totum No.11 Addition

Tract A, a 2.71 Acre tract of land, situated in Section 15, Block E, Abstract 39, G.C. & S.F. Ry. Co. survey, Lubbock County, Texas.



NOTE:
P.O.B. = POINT OF BEGINNING.

- ☒ = 1/2" iron rod with "OJD ENG" cap set
- = 1/2" iron rod with "HRA" cap found
- ⊕ = 1/2" iron rod found
- ⊗ = 5/8" iron rod with "TXDOT" Aluminum cap found

14. Texas Real Estate LLC,
1201 S. Taylor St. Amarillo TX. 79101
(806) 373-4351

Bearings based on U.S. State Plane of 1983
Texas North Central
Distances shown are ground distances.
Scale Factor: 1.000241042



- PLAT NOTES:**
1. Heavy lines indicate plat limits.
 2. All streets, alleys, and easements within plat limits are herein dedicated unless otherwise noted.
 3. The building permit shall be issued on any survey certificate that is not in accordance with the approved Final Plat and infrastructure and final drainage analysis acceptance or by the Lubbock Code of Ordinances.
 4. All utility service shall be in accordance with the underground Utilities Policy and the provisions of section 37.01 of the Lubbock Code of Ordinances.
 5. Any relocation or revision of existing facilities shall be at the subdividers expense. Compensation shall be made prior to the recording of this final plat.
 6. All existing or proposed utility services to and on tracts indicated by this plat shall be contained in the public right-of-way and public or private utility easements. Utility service installation requested at a future date and not within an easement indicated by this plat, shall be within a proper utility easement granted by the owner of said property by separate recorded instrument prior to the provision of such service. Such easements shall be at the expense of the entity requesting such easement.
 7. All easements herein granted shall entitle the city or the utility company using such easements to the right to remove, repair or replace any lines, pipes, conduits, or poles within such easements as may be determined by the city or utility company without the city or utility company being responsible or liable for the replacement of improvements, paving, or surfacing of the easement necessitated by such repair, removal, or replacement. Easements designated or intended for vehicular passage (utility and emergency) or pedestrian access shall not be fenced or otherwise obstructed.
 8. Any easement or rights-of-way shown as "to be dedicated by separate instrument" are shown on the plat for information purposes only. This plat does not dedicate said easements.
 9. Minimum floor elevations shall conform to the requirements of the Lubbock Drainage Criteria Manual as adopted by Ordinance 30072, as amended, and Section 26.09.131, Subchapter 26.09, and Section 30.0322, as amended.
 10. Public pedestrian access easement is herein granted for persons traveling along the public roadway and easement to enter onto private property for the purpose of crossing a driveway. The easement is limited to those portions of the as-constructed driveways and walks which may extend outside public right-of-way onto private property and are constructed for the continuance of the accessible (wheelchair) routes across the back of the driveway. This easement applies to existing and any future drive entrances as constructed.
 11. No abstract of title or title commitment was provided to this surveyor for this proposed plat. Any record research done by this surveyor was made only for the purpose of determining the boundary of this property (and as it may relate to adjoining properties or rights-of-way). Record document other than those shown on this plat may exist and encumber this property. This plat does not constitute or imply a complete title examination and any such title examinations are not the responsibility of this surveyor.
 12. Blanket underground utility, transformer pad and switching enclosure easement as indicated for electric service within the plat limits be granted to Lubbock Power & Light.
 13. Blanket solid waste collection easement as required for service within plat limits is herein granted.
 14. A portion of this property lies within a special hazard flood zone. Determined through a FIRM, Playa 183A, Map Number 48303C0430F. Effective date 2-03-2017. Panel 430.

Known all men by these presents: That I, Richard E. Johnson, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments indicated thereon were properly placed under my personal supervision in accordance with the Subdivision Regulations of the City of Lubbock, Texas.

"Preliminary Plat, this document shall not be recorded for any purpose and shall not be used or relied upon as a final survey document!"

Richard E. Johnson
Registered Professional
Land Surveyor #4263

Preliminary Plat

SCALE: 1" = 40'	PROJECT #22-AS0008	DRAWN BY: TSM
DATE: 08/29/2023		FILE NAME: REJ

OJD Engineering, LLC
Consulting Engineers & Surveyors

806-447-2903
P.O. Box 543
Wilmington, Texas 79058

Firm No. 10090900
DRAWING NUMBER
1 of 1

APPROVED by the Director of planning, or designee, of the City of Lubbock, Texas

DIRECTOR OF PLANNING