

ORDINANCE NO. 2024-00015

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7084 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 3495; A ZONING CHANGE FROM SF-2 TO HC ZONING DISTRICT AT 7109 MARSHA SHARP FREEWAY, LOCATED SOUTH OF MARSHA SHARP FREEWAY AND WEST OF ROCHESTER AVENUE, ON 0.43 ACRES OF UNPLATTED LAND OUT OF BLOCK AK, SECTION 30, 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. 3495

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 **HC** zoning district at **7109 Marsha Sharp Freeway, located south of Marsha Sharp Freeway and west of Rochester Avenue, on 0.43 acres of unplatted land out of Block AK, Section 30**, 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

Perimeter and Improvement Survey

of a 0.4305 Acre Tract Located

in the Northwest Quarter of

Section 30, Block AK

Lubbock County, Texas

Street Address: 7109 Marsha Sharp Freeway

“Tract One”

METES AND BOUNDS DESCRIPTION of a 0.2962 acre tract of land, being that same tract described in Volume 6298, Page 254 (Tract One) of the Real Property Records of Lubbock County, Texas, located in the Northwest Quarter of Section 30, Block AK, Lubbock County, Texas, and being further described as follows:

BEGINNING at a 3/8” iron rod found in the Southeast right-of-way line of the Marsha Sharp Freeway (U.S. Highway No. 82) as described in Volume 684, Page 475 of the Deed of Records of Lubbock County, Texas at the Northwest corner of a 7.0 acre tract described under County Clerk File No. 2010008660 (Tract III) of the Official Public Records of Lubbock County, Texas and the Northeast corner of this tract, which bears East a distance of 1072.01 feet and South a distance of 199.00 feet from the Northwest corner of Section 30, Block AK, Lubbock County, Texas;

THENCE South, along the Western boundary of said 7.0 acre tract, a distance of 182.13 feet (deed calls: 181.81 feet) to a point for the Northeast corner of a 0.13 acre tract described in Volume 6298, Page 254 (Tract Two) of the Real Property Records of Lubbock County, Texas and the Southeast corner of this tract, from whence a found 3/8” iron rod bears 0.27 feet West and 0.13 feet South;

THENCE S. 89°46’48” W., along the Northern boundary of said 0.13 acre tract, a distance of 85.29 feet (deed calls: West 85.00 feet) to a point in the East line of a 15 foot public alley described in Volume 1455, Page 891 of the Deed Records of Lubbock County, Texas, for the Northwest corner of said 0.13 acre tract and the Southwest corner of this tract;

THENCE N. 00°04’03” W., along said alley line, a distance of 120.09 feet (deed calls: North 120.00 feet) to a “MAG” nail with washer marked “HRA” set in said Southeast right-of-way line for the Northwest corner of this tract;

THENCE N. 53°52’ E., along said Southeast right-of-way line, a distance of 105.78 feet (deed calls: N. 53°56’ E. 105.00 feet) to the Point of Beginning.

Contains: 12,901 square feet.

“Tract Two”

METES AND BOUNDS DESCRIPTION of a 0.1343 acre tract of land, being that same tract described in Volume 6298, Page 254 (Tract Two) of the Real Property Records of Lubbock County, Texas, located in the Northwest Quarter of Section 30, Block AK, Lubbock County, Texas, and being further described as follows:

BEGINNING at a point in the East line of a 15 foot public alley described in Volume 1455, Page 891 of the Deed of Records of Lubbock County, Texas for the Southwest corner of a 0.30 acre tract described in Volume 6298, Page 254 (Tract One) of the Real Property Records of Lubbock County, Texas, located in the Northwest corner of this tract; which bears East a distance of 987.01 feet and South a distance of 380.81 feet from the Northwest corner of Section 30, Block AK, Lubbock County, Texas;

THENCE N. 89°46'48" E., along the Southern boundary of said 3.0 acre tract, a distance of 85.29 feet (deed calls: West 85.00 feet) to a point in the Western boundary of a 7.0 acre tract described under County Clerk File No. 2010008660 (Tract III)) of the Official Public Records of Lubbock County, Texas, for the Southeast corner of said 3.0 acre tract and the Northeast corner of this tract, from whence a found 3/8" iron rod bears 0.27 feet West and 0.13 feet South;

THENCE South, along the Western boundary of said 7.0 acre tract, a distance of 69.32 feet (deed calls: 69.20 feet) to a 3/8" iron rod found in the North line of a 20 foot public alley described in Volume 1455, Page 891 of the Deed of Records of Lubbock County, Texas at the Southwest corner of a 7.0 acre tract and the Southeast corner of this tract;

THENCE N. 89°55'09" W., along said North alley line, a distance of 75.18 feet (deed calls: West 75.00 feet) to a 3/8" iron rod found at a point of intersection, being the most Southerly Southwest corner of this tract;

THENCE N. 45°31'41" W., continuing along said North alley line, a distance of 14.07 feet (deed calls: N. 45° W. 14.14 feet) to a 3/8" iron rod found in said East alley line, at the most Westerly Southwest corner of this tract;

THENCE N. 00°04'03" W., along said East alley line, a distance of 59.24 feet (deed calls: North 59.20 feet) to the Point of Beginning.

Contains: 5,851 square feet.

Bearings are relative to the Eastern boundary of "tracts One and Two", previously surveyed and recognized as being North-South.

PERIMETER AND IMPROVEMENT SURVEY
OF A 0.4305 ACRE TRACT LOCATED
IN THE NORTHWEST QUARTER OF
SECTION 30, BLOCK AK
LUBBOCK COUNTY, TEXAS

Street Address: 7109 Marsha Sharp Freeway



"Tract One"
MITTS AND BIGNONS DESCRIPTION of a 0.2962 acre tract of land, being the same tract described in Volume 6298, Page 234 (Tract One) of the Real Property Records of Lubbock County, Texas, located in the Northwest Quarter of Section 30, Block AK, Lubbock County, Texas, and being further described as follows:
BEGINNING at a 3/8" iron rod found in the Southwest right-of-way line of the Marsha Sharp Freeway (U.S. Highway No. 82) as described in Volume 614, Page 137 of the Real Records of Lubbock County, Texas and the Northeast corner of Section 30, Block AK, Lubbock County, Texas, and being further described as follows: 1.90 acre tract described in Volume 6298, Pages 234 & 235 of the Real Property Records of Lubbock County, Texas and the Northeast corner of Section 30, Block AK, Lubbock County, Texas.
THENCE South, along the Western boundary of Section 30, Block AK, Lubbock County, Texas, a distance of 197.51 feet to a 3/8" iron rod found in the Northeast corner of Section 30, Block AK, Lubbock County, Texas.
THENCE East, along the Northern boundary of said 197.51 acre tract, a distance of 182.13 feet (dead call: 181.81 feet) to a post for the Northeast corner of a 1.12 acre public alley described in Volume 6278, Page 241 of the Real Property Records of Lubbock County, Texas and the Southeast corner of the said 1.12 acre tract.
THENCE North, along said alley line, a distance of 100.00 feet (dead call: 99.79 feet) to the Northeast corner of said 1.12 acre tract and the Southeast corner of this tract.
THENCE N. 09°04'03" W., along said alley line, a distance of 100.00 feet (dead call: 99.79 feet) to the Northeast corner of this tract.
THENCE N. 33°32' E., along said Southeast right-of-way line, a distance of 195.73 feet (dead call: N. 33°32' E. 195.00 feet) to the Point of Beginning.
Contains: 12,491 square feet.

"Tract Two"
MITTS AND BIGNONS DESCRIPTION of a 0.1343 acre tract, being the same tract described in Volume 6298, Page 234 (Tract Two) of the Real Property Records of Lubbock County, Texas, located in the Northwest Quarter of Section 30, Block AK, Lubbock County, Texas, and being further described as follows:
BEGINNING at a point on the East line of a 1.12 acre public alley described in Volume 6278, Page 241 of the Real Property Records of Lubbock County, Texas, at the Southeast corner of a 0.29 acre tract described in Volume 6298, Page 234, of the Real Property Records of Lubbock County, Texas, and being further described as follows: 1.90 acre tract described in Volume 6298, Pages 234 & 235 of the Real Property Records of Lubbock County, Texas, and the Northeast corner of Section 30, Block AK, Lubbock County, Texas.
THENCE N. 09°04'03" W., along the Southern boundary of said 0.29 acre tract, a distance of 64.29 feet (dead call: 64.00 feet) to the Northeast corner of a 0.29 acre tract described in Volume 6298, Page 234, of the Real Property Records of Lubbock County, Texas, and being further described as follows: 1.90 acre tract described in Volume 6298, Pages 234 & 235 of the Real Property Records of Lubbock County, Texas, and the Northeast corner of Section 30, Block AK, Lubbock County, Texas.
THENCE South, along the Western boundary of said 0.29 acre tract, a distance of 69.32 feet (dead call: 69.20 feet) to a 3/8" iron rod found in the North line of a 3.28 acre public alley described in Volume 6455, Page 891 of the Real Records of Lubbock County, Texas, at the Southwest corner of said 0.29 acre tract and the Southeast corner of this tract.
THENCE S. 89°53'09" W., along said North alley line, a distance of 73.18 feet (dead call: West 73.00 feet) to a 3/8" iron rod found as a point of intersection, being the most Southerly Southwest corner of this tract.
THENCE N. 45°14'17" W., continuing along said North alley line, a distance of 14.07 feet (dead call: N. 45°14'17" W. 14.14 feet) to a 3/8" iron rod found in said East alley line, at the most Westerly Southwest corner of this tract.
THENCE N. 09°04'03" W., along said East alley line, a distance of 39.34 feet (dead call: North 39.29 feet) to the Point of Beginning.
Contains: 5,831 square feet.

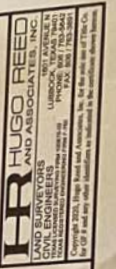
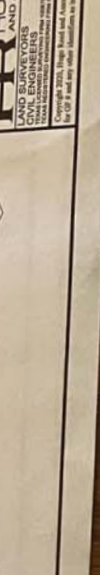
Measurements are relative to the Eastern boundary of "Tract One and Two", previously surveyed and recognized as being North-South.
III. COMMITMENT
The commitment was provided to this surveyor. Record research done by this surveyor was made only for the purpose of determining the boundary of this property and of the following parcels. Record documents other than those shown on this survey may exist and encumber this property.

ENCROACHMENTS
Improvements are shown to verify as to the existence or non-existence of any encroachments due to the legal definition of an encroachment. However, improvements indicated herein are shown in relationship to Property Lines, Minimum Building Set Back Lines and Easement Lines as encumbrances on the ground.

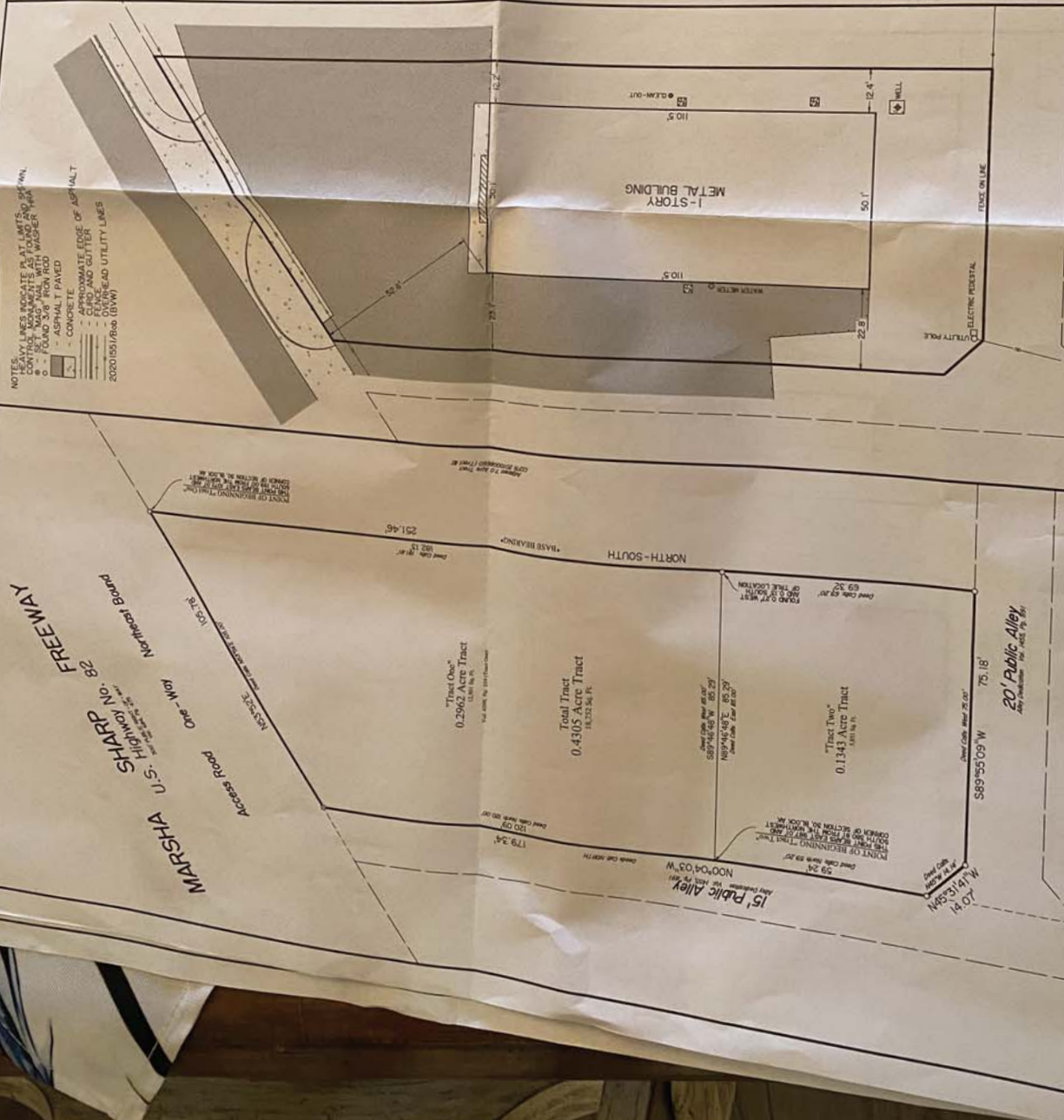
NOTE: "Tract Number" are for identification purposes only.
This survey and all information herein is for the exclusive use of Frames Mart and shall not be copied or used except for the purpose for which it is expressly furnished.

I, Brent Carroll, Texas Registered Professional Land Surveyor No. 5410, do hereby certify that this survey was made on the ground. A determination as to whether this property lies within a special flood hazard area was not made for this survey.
September 18, 2020

Brent Carroll
Registered Professional Land Surveyor
No. 5410 State of Texas
email: bcarroll@hugoreed.com



- NOTES:**
HEAVY LINES INDICATE PLAT LIMITS OF SECTION 30, BLOCK AK, LUBBOCK COUNTY, TEXAS.
CONCRETE DRIVEWAYS AND ASPHALT DRIVEWAYS ARE SHOWN WITH DOTTED LINES.
FOUND 3/8" IRON ROD
O - ASPHALT PAVED
- CONCRETE
- GRANITE DOSE OF ASPHALT
- CURB AND GUTTER
- OVERHEAD UTILITY LINES
20201051/800 (BWW)



IMPROVEMENTS

BOUNDARY

MARSHA U.S. HIGHWAY NO. 82
SHARP ROAD
Access Road One Way
Northward Bound
FREEMAN

15' Public Alley
20' Public Alley
889'± 05'± W
75'± 18'

POINT OF BEGINNING TRACT ONE
ORDER OF SECTION 30, BLOCK AK, LUBBOCK COUNTY, TEXAS
DEED CALL: 182.13'±
179.34'

POINT OF BEGINNING TRACT TWO
ORDER OF SECTION 30, BLOCK AK, LUBBOCK COUNTY, TEXAS
DEED CALL: 64.29'±
69.32'

"Tract One"
0.2962 Acre Tract
18,233.56± sq. ft.
Total Tract
0.4305 Acre Tract
18,233.56± sq. ft.

POINT OF BEGINNING TRACT TWO
ORDER OF SECTION 30, BLOCK AK, LUBBOCK COUNTY, TEXAS
DEED CALL: 64.29'±
69.32'

POINT OF BEGINNING TRACT ONE
ORDER OF SECTION 30, BLOCK AK, LUBBOCK COUNTY, TEXAS
DEED CALL: 182.13'±
179.34'