

ORDINANCE NO. 2024-00064

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7084 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 3500; A ZONING CHANGE FROM SF-2 TO RE ZONING DISTRICT AT 4901, 5002, 5004, AND 5401 EAST ERSKINE STREET, LOCATED SOUTHEAST OF EAST HIGHWAY 62, NORTH AND SOUTH OF EAST ERSKINE STREET, AND NORTH OF ACUFF ROAD, ON 693.3 ACRES OF UNPLATTED LAND OUT OF BLOCK A, SECTIONS 23 AND 26, 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. 3500

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 **RE** zoning district at **4901, 5002, 5004, and 5401 East Erskine Street, located southeast of East Highway 62, north and south of East Erskine Street, and north of Acuff Road, on 693.3 acres of unplatted land out of Block A, Sections 23 and 26, 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 April 23, 2024.

Passed by the City Council on second reading on May 14, 2024.

/s/ Tray Payne
TRAY PAYNE, MAYOR

ATTEST:

/s/ Courtney Paz
Courtney Paz, City Secretary

APPROVED AS TO CONTENT:

/s/ Victor Escamilla for
Kristen Sager, Director of Planning

APPROVED AS TO FORM:

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

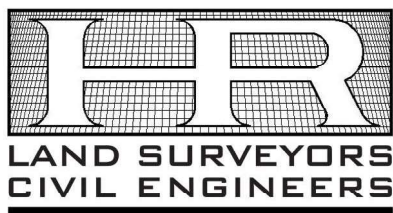


EXHIBIT "A"

METES AND BOUNDS DESCRIPTION of an approximate 693.3 acre tract, being that same tract described in Volume 7653, Page 50 of the Official Public Records of Lubbock County, Texas, located in Section 23, Block A, John H. Gibson Survey, Lubbock County, Texas, and that tract described under County Clerk File Number 202106488 of the Official Public Records of Lubbock County, Texas, located in Section 26, Block A, John H. Gibson Survey, Lubbock County, Texas, said 693.3 acre tract being further described as follows:

BEGINNING at a point for the Northwest corner of Section 23 and the Southwest corner of Section 26, Block A, John H. Gibson Survey, Lubbock County, Texas;

THENCE N. 01°23'26" E., along the West line of said Section 26, an approximate distance of 3299.7 feet to a point for the Northwest corner of this tract;

THENCE S. 88°37'18" E., along the Southern boundary of various tracts in Franklin Estates, an unrecorded subdivision, an approximate distance of 1831.1 feet to a point at the Southeast corner of said Franklin Estates and the Southwest corner of Barnard Tracts, an unrecorded subdivision;

THENCE S. 88°36'34" E., along the Southern boundary of said Barnard tracts, an approximate distance of 3447.0 feet to a point in the East line of said Section 26, for the Northeast corner of this tract;

THENCE S. 01°28'33" W, along the East line of said Section 26, an approximate distance of 3292.7 feet to a point at the Southeast corner of said Section 26 and the Northeast corner of said Section 23, same being the most Easterly Southeast corner of this tract;

THENCE N. 88°41'24" W., along the South line of said Section 26 and the North line of said Section 23, an approximate distance of 1813.5 feet to a point at the Southeast corner of a 3.0 acre tract described under County Clerk File Number (CCFN) 2019042553 of the Official Public Records of Lubbock County, Texas (OPRLCT), and a corner of this tract;

THENCE N. 27°43'55" E., along the Eastern boundary of said 3.0 acre tract, an approximate distance of 320.4 feet to a point at the Northeast corner of said 3.0 acre tract and a corner of this tract;

THENCE N. 88°39'51" W., along the Northern boundary of said 3.0 acre tract, an approximate distance of 521.2 feet to a point at the Northwest corner of said 3.0 acre tract and a corner of this tract;

THENCE S. 01°18'36" W., along the Western boundary of said 3.0 acre tract, an approximate distance of 87.2 feet to a point for a corner of said 3.0 acre tract and a corner of this tract;

THENCE N. 88°41'24" W., along the Western boundary of said 3.0 acre tract, at an approximate distance of 7.2 feet pass a corner of said 3.0 acre tract and the Northeast corner of a 0.5 acre tract described as "Tract 1" in Volume 5754, Page 112 of the Official Real Property Records of Lubbock County, Texas (ORPRLCT), continuing for an approximate total distance of 442.7 feet to a point at the Northwest corner of a 1.5 acre tract as described under CCFN 2019043917, OPRLCT, and a corner of this tract;

THENCE S. 01°18'36" W., along the Western boundary of said 1.5 acre tract, an approximate distance of 200.0 feet to a point in the South line of said Section 26 and the North line of said Section 23, at the Southwest corner of said 1.5 acre tract, same being the Southwest corner of the Southeast Quarter of said Section 26, and a corner of this tract;

THENCE N. 88°41'24" W., along the South line of said Section 26 and the North line of said Section 23, an approximate distance of 15.8 feet to a point at the Northwest corner of an 11.8 acre tract described under CCFN 2020033841, OPRLCT, for an "ell" corner of this tract;

THENCE S. 01°20'12" W., along the Western boundary of various tracts, an approximate distance of 4924.9 feet to a point at the Northeast corner of a 0.6 acre tract described under CCFN 2017020118, OPRLCT;

THENCE N. 88°41'22" W., along the Northern boundary of various tracts, an approximate distance of 1063.2 feet to a point at the Northwest corner of a 1.3 acre tract described in Volume 3464, Page 252, OPRLCT, for an "ell" corner of this tract;

THENCE S. 01°18'38" W., along the Western boundary of said 1.3 acre tract and a 0.3 acre tract described in Volume 6671, Page 146, OPRLCT, an approximate distance of 300.0 feet to a point in the North line of a 40 foot right-of-way easement described in Volume 215, Page 189 of the Deed Records of Lubbock County, Texas, at the Southwest corner of said 0.3 acre tract and the most Southerly Southeast corner of this tract;

THENCE N. 88°41'22" W., along said easement line, an approximate distance of 135.4 feet to a point at the Southeast corner of a 1.4 acre tract described in Volume 423, Page 336 of the Deed Records of Lubbock County, Texas, and a corner of this tract;

THENCE N. 01°18'38" E., along the Eastern boundary of said 1.4 acre tract, an approximate distance of 300.0 feet to a point at the Northeast corner of said 1.4 acre tract and an "ell" corner of this tract;

THENCE N. 88°41'22" W., along the Northern boundary of various tracts, an approximate distance of 1088.0 feet to a point at an "ell" corner of a 1.5 acre tract described under CCFN 2009030777, OPRLCT, and an "ell" corner of this tract;

THENCE N. 01°26'54" E., along the Northern boundary of said 1.5 acre tract, an approximate distance of 29.9 feet to a point at the Northwest corner of said 1.5 acre tract and a corner of this tract;

THENCE S. 47°15'45" W., along the Western boundary of said 1.5 acre tract, an approximate distance of 474.5 feet to a point in said easement line, at the Southwest corner of said 1.5 acre tract and a corner of this tract;

THENCE N. 88°41'22" W., along said easement line, an approximate distance of 5.8 feet to a point in the West line of said Section 23, for the Southwest corner of this tract;

THENCE N. 01°27'14" E., along the West line of said Section 23, an approximate distance of 5224.8 feet to the Point of Beginning.

PREPARED FOR ZONE CHANGE PURPOSES. DOES NOT REPRESENT AN ACTUAL SURVEY.

Prepared for Plant-AS
February 29, 2024

