

ORDINANCE NO. 2024-00081

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2023-00054 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 3504; A ZONING CHANGE FROM SF-2 TO HC ZONING DISTRICT AT 2416, 2406, 2402 ERSKINE STREET AND 2407 GRINNELL STREET, LOCATED EAST OF NORTH UNIVERSITY AVENUE AND NORTH OF ERSKINE STREET, THE NORTH 480 FEET OF TULL ADDITION, BLOCK 1, AND APPROXIMATELY 3.3 ACRES OF UNPLATTED LAND OUT OF BLOCK A, SECTION 16, 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 39.07.007 of the Unified Development Code, 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. 3504

SECTION 1. THAT Ordinance No. 2023-00054 and the Official Zoning Map are amended as follows:

A change of zoning under the provisions of Section 39.07.032 of the Unified Development Code of the City of Lubbock from **SF-2** to **HC** zoning district at **2416, 2406, 2402 Erskine Street and 2407 Grinnell Street, located east of North University Avenue and north of Erskine Street, the north 480 feet of Tull Addition, Block 1, and approximately 3.3 acres of unplatted land out of Block A, Section 16,** 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 39.09.004 of the Unified Development Code 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 May 28, 2024.

Passed by the City Council on second reading on June 11, 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

METES AND BOUNDS DESCRIPTION of an approximate 6.3 acre tract, being the North 480 feet of Block 1, Tull Addition to the City of Lubbock, Lubbock County, Texas, according to the map, plat and/or dedication deed thereof recorded in Volume 1027, Page 213 of the Deed Records of Lubbock County, Texas, the North 480 feet of the tract described under County Clerk File No. 2014039323 of the Official Public Records of Lubbock County, Texas, all of the tract described under County Clerk File No. 2018025237 of the Official Public Records of Lubbock County, Texas and the North 180 feet of the tract described under County Clerk File No. 2018017297 of the Official Public Records of Lubbock County, Texas, located in the Southwest Quarter of Section 16, Block A, Lubbock County, Texas, being further described as follows:

BEGINNING at a point in the East right-of-way line of University Avenue and in the Western boundary of said Block 1, Tull Addition, for the Southwest corner of this tract, which bears East an approximate distance of 60 feet and North an approximate distance of 150 feet from the Southwest corner of Section 16, Block A, Lubbock County, Texas;

THENCE North, along the East right-of-way line of University Avenue and Western boundary of said Block 1, Tull Addition, at an approximate distance of 480 feet to a point in the South right-of-way line of Grinnell Street for the Northwest corner of this tract;

THENCE East, along the South right-of-way line of Grinnell Street and the Northern boundary of said Block 1, Tull Addition, at an approximate distance of 270 feet pass the Northwest corner of said tract described under County Clerk File No. 2018025237, at an approximate distance of 445 pass the Northwest corner of said tract described under County Clerk File No. 2014039323, for an approximate total distance of 570 feet to a point in West right-of-way line of Avenue X, for the Northeast corner of said tract described under County Clerk File No. 2014039323 and this tract;

THENCE South, along the West right-of-way line of Avenue X and the Eastern boundary of said tract described under County Clerk File No. 2014039323, a distance of 480.00 feet to a point for the Southeast corner of this tract;

THENCE West an approximate distance of 570 feet to the Point of Beginning.

FOR CONTRACT PURPOSES ONLY. DOES NOT REPRESENT AN ACTUAL ON THE GROUND SURVEY.

Prepared For: MR3 Entertainment

March 8, 2024