

**ORDINANCE NO. 2024-00085**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 2023-O0054 AND THE OFFICIAL MAP OF THE CITY OF LUBBOCK MAKING THE FOLLOWING CHANGES: ZONE CASE NO. 2933-I; A ZONING CHANGE FROM SF-2 AND HDR TO OF AND AC ZONING DISTRICT AT 9102 AND 9602 MILWAUKEE AVENUE, LOCATED SOUTH OF 94<sup>TH</sup> STREET, WEST OF MILWAUKEE AVENUE, AND NORTH OF 98<sup>TH</sup> STREET ON 26.6 ACRES OF UNPLATTED LAND OUT OF BLOCK AK, SECTION 27, 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**, the 2040 Future Land Use Plan is a guide to help the Lubbock Planning and Zoning Commission and the City Council determine the physical development of the community; however, planning is a continuous process and change is inevitable; and

**WHEREAS**, the Lubbock Planning and Zoning Commission and City Council recognize that the zone change is a minor deviation from the 2040 Future Land Use Plan, which protects the public and private commitments that have been previously based on the Plan; 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. 2933-I**

**SECTION 1. THAT** Ordinance No. 2023-O0054 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 and HDR** to **OF and AC** zoning district at **9102 and 9602 Milwaukee Avenue, located south of 94<sup>th</sup> Street, west of Milwaukee Avenue, and north of 98<sup>th</sup> Street on 26.6 acres of unplatted land out of Block AK, Section 27**, 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

**ABACUS** ENGINEERING  
SURVEYING  
2737 81ST STREET LUBBOCK, TEXAS 79423  
(806) 745-7670



**METES AND BOUNDS DESCRIPTION** prepared for Zone Change Purposes only on a 23.0 acre tract out of Section 27, Block AK, Lubbock County, Texas being further described as follows:

**BEGINNING** at the Northeast corner of the Tract described as Tract 7 in City of Lubbock Ordinance Number 2002-00037 for the most Easterly Southeast corner of this tract, from which the Southeast corner of Section 27, bears S 01° 49' 18" W, an approximate distance of 679.89 feet;

**THENCE** N 88°00'42" W, with the North line of said Tract 7, an approximate distance of 757.69 feet to a corner of this tract;

**THENCE** S 01°49'18" W, with the West line of said Tract 7, an approximate distance of 679.89 feet to a corner of this tract;

**THENCE** N 88°00'42" W, with the South line of Section 27, an approximate distance of 1866.35 feet to the Southwest corner of this tract;

**THENCE** N 01°58'20" E, an approximate distance of 355.00 feet to a point in the East line of Quincy Avenue for a corner of this tract;

**THENCE** S 88°00'42" E, an approximate distance of 1365.29 feet to a corner of this tract;

**THENCE** N 01°49'18" E, an approximate distance of 493.91 feet to a corner of this tract;

**THENCE** S 88°11'14" E, an approximate distance of 1257.87 feet to the Northeast corner of this tract;

**THENCE** S 01°49'18" W, with the East line of Section 27, an approximate distance of 142.87 feet to the **PLACE** of **BEGINNING** and containing 23.0 acres.

**METES AND BOUNDS DESCRIPTION** prepared for Zone Change Purposes only on a 3.6 acre tract out of Section 27, Block AK, Lubbock County, Texas being further described as follows:

**BEGINNING** at the Northwest corner of Tract A, the Vineyards, an Addition to the City of Lubbock, Lubbock County, Texas as shown by the Plat recorded in Lubbock County Clerk File Number, 2015009698 for the Northeast corner of this tract;

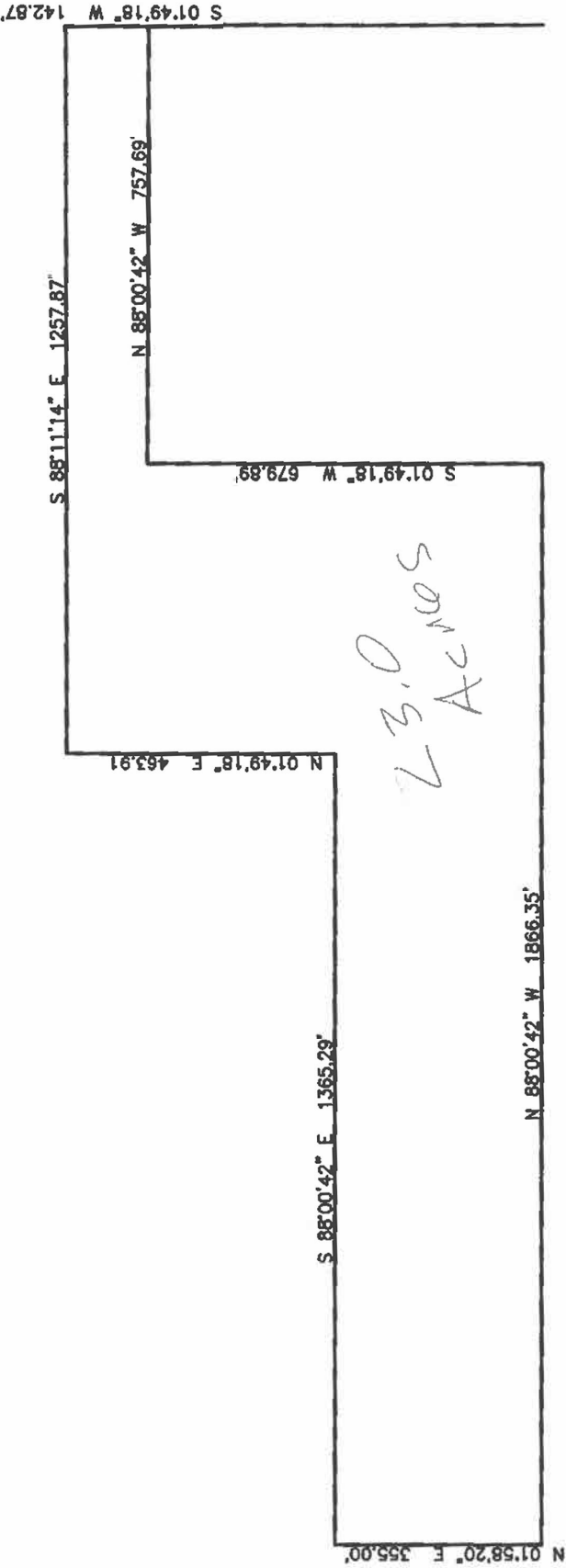
**THENCE** S 01°49'18" W, with the West line of said Tract A, an approximate distance of 310.43 feet to the Southeast corner of this tract;

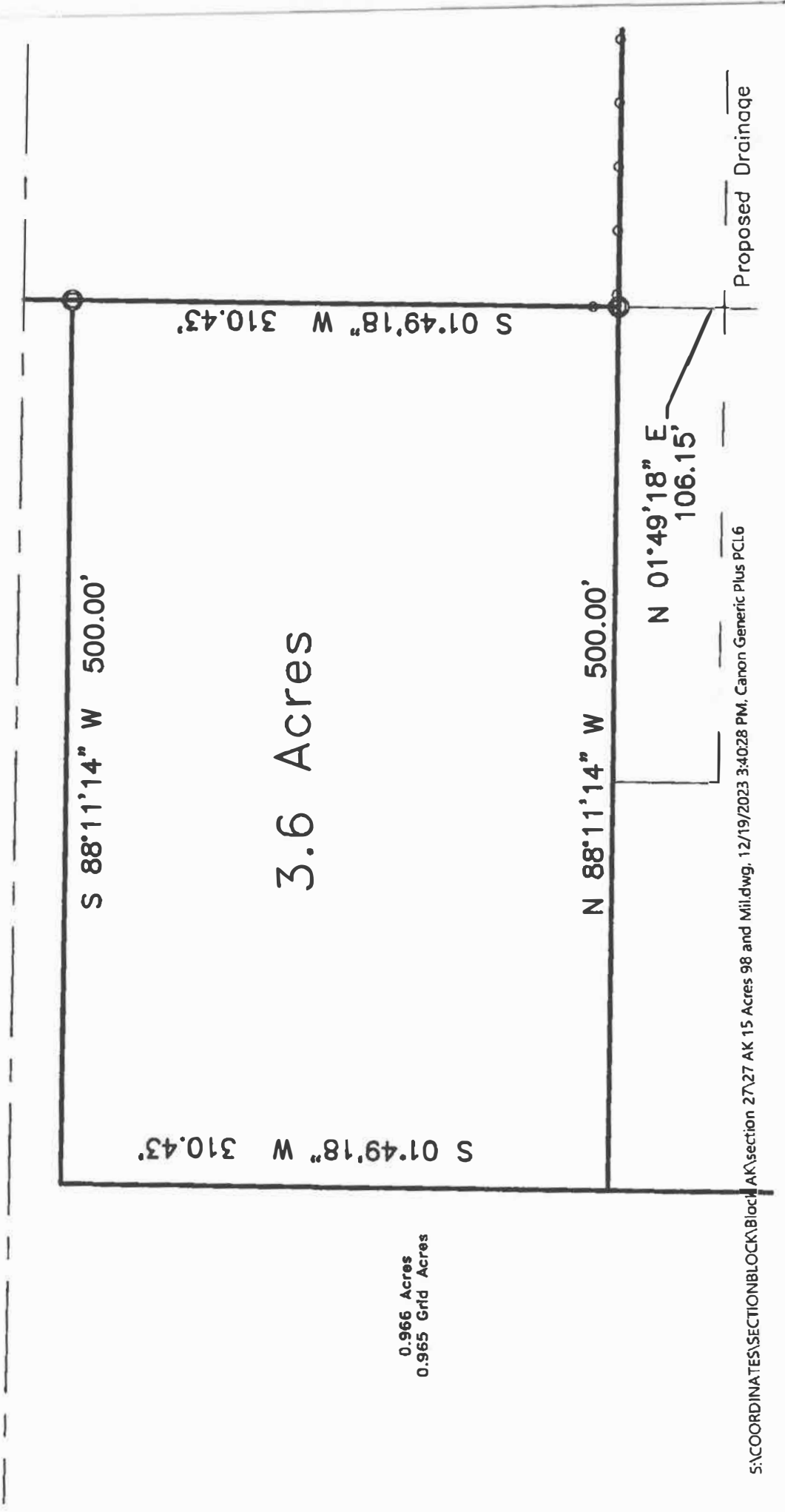
**THENCE** N 88°11'14" W, an approximate distance of 500 feet to the Southwest corner of this tract;

**THENCE** N 01°49'18" E, an approximate distance of 310.43 feet to the Northwest corner of this tract;

**THENCE** S 88°11'14" E, an approximate distance of 500.00 feet the **PLACE** of **BEGINNING** and containing 3.6 acres.

Prepared for Zone Change Purposes Only, Does Not represent a Survey





0.966 Acres  
0.965 Grd Acres