



# Lewisville City Council

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## MEMORANDUM

**TO:** Claude King, City Manager

**VIA:** Eric Ferris, Director of Community Development

**FROM:** Gene Lewis, Planning & Community Services Manager

**DATE:** July 15, 2008

**SUBJECT:** **Public Hearing: Consideration of an Ordinance for a Zone Change Request From Local Commercial (LC) to General Business (GB) on a 0.56 Acre Tract Located at 1342 South Business SH 121; Further identified as Tract 30C of the W.M. King Survey, Abstract 697, as Requested by E.K. & J Arledge IV, Family LP, the Current Property Owner (Case No. PZ20080717).**

### **BACKGROUND**

This request originally came before the Planning and Zoning Commission and City Council in 2005. The property in the original request included two tracts, one zoned Local Commercial (LC) which has a one story office building on it as well as a three bay automotive building in back, and a second tract to the north zoned General Business (GB) which was vacant but had been used for automobile sales display. Under the GB zoning, outside display of automobiles is allowed, however it is not allowed in LC zoning. The request was recommended for approval 7-0 by the P&Z, but denied by the City Council 4-1. The applicant has operated his used car sales business on the two lots since that time, but has periodically been cautioned about the appearance of cars being displayed for sale on the LC lot. The applicant is now asking that the City reconsider the request to allow GB zoning on the lot currently zoned LC.

### **ANALYSIS**

The site is surrounded by tracts that are zoned Light Industrial or General Business. Only seven other tracts on SH 121 Business between IH35E and the south city limit line are zoned Local Commercial. The commercial zoning on all of the more than 70 other commercial tracts or lots is either Light Industrial or General Business. The requested zoning would be in keeping with the surrounding area of Business S.H. 121, including the four adjacent lots that are also used car dealers. The City Council was concerned in 2005 about having a used car lot on this tract, even though it was one of five lots used for that purpose. Since more than 70 other commercial lots on SH 121 Business south of IH35E could be used to display cars for sale, it seems unreasonable to deny the zoning on this one lot unless all the other commercial lots in that three-mile section are changed to Local Commercial too. The Planning and Zoning Commission recommended approval of the zoning request on a vote of 6-0 at their July 1, 2008, meeting.

### **RECOMMENDATION**

It is City staff's recommendation that the City Council approve the proposed ordinance amending the Lewisville City Code, Chapter 17, the Comprehensive Zoning Ordinance, approving the requested zone change from Local Commercial (LC) to General Business (GB).

**MINUTES  
PLANNING AND ZONING COMMISSION  
JULY 1, 2008**

**Item 1:**

The Lewisville Planning and Zoning Commission was called to order at 6:30 p.m. Members present: Rod Russell (Chairman), Jim Gallegos (Vice-Chairman), Alvin Turner, James Davis, Joy Townsend and William “Bill” Price. Karen Boenker was absent. Staff members Gene Lewis, and Gillian Goldthorpe were present.

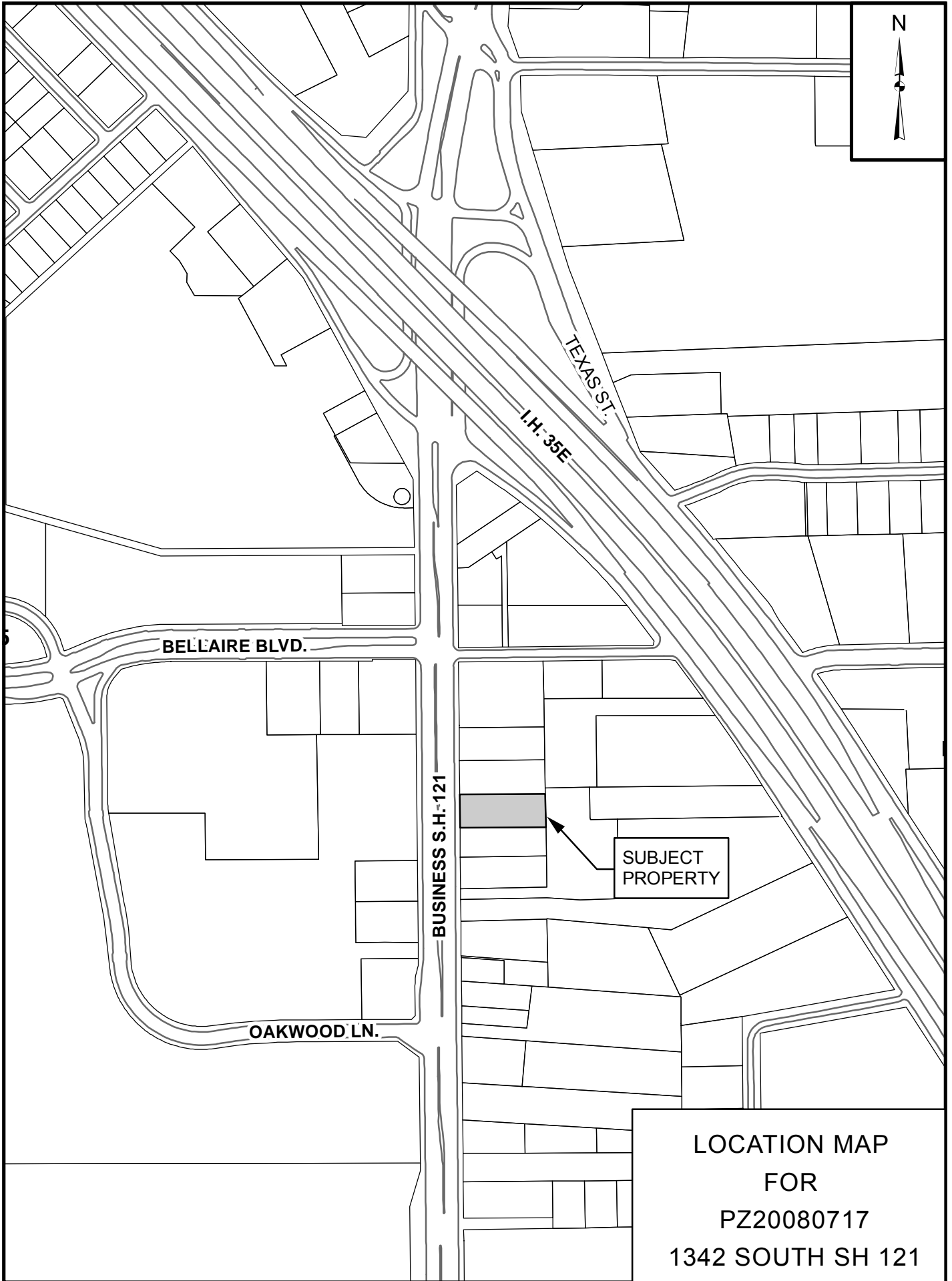
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**Item 3:**

The public hearing for zoning was the next item on the agenda. There were two items for consideration:

- A. Consideration of a zone change request from Local Commercial (LC) to General Business on a 0.56 acre tract located at the east side of Business SH 121, south of Bellaire Boulevard. The request is being made by the current property owner EK & J Arledge IV Family, LP. (Case No. PZ 20080717).

Staff gave a brief presentation and history of the property. The original zoning change request came before the Planning & Zoning Commission in 2005. At that time the tract zoned Local Commercial (LC) had a three bay automotive building and a one story office building with room for outside display/storage of vehicles. An adjacent second tract zoned General Business (GB) was vacant but was previously used for automobile display. The applicant has since operated his used car sales business on both tracts, but has been required on several occasions to remove vehicles for display/sale on the LC tract. Re-zoning to GB would allow the outside display of automobiles and would be consistent with the surround businesses in the area. The public hearing was then opened, and Steve Homeyer, of Homeyer Engineering representing the property owner stated that staff member Gene Lewis had covered the purpose for the zoning change request, and made himself available to answer any questions. The P & Z Commission had no questions. A motion was then made by Bill Price to close the public hearing and seconded by Joy Townsend. The motion passed unanimously (6-0). A motion was made by Jim Gallegos to recommend approval of Item 3A, seconded by Bill Price. The motion passed unanimously (6-0).



## **SECTION 17-22. "GB" GENERAL BUSINESS DISTRICT REGULATIONS**

(a) **Use Regulations:** A building or premise shall be used only for office, retail and service uses which are primarily retail in nature including, but not limited to:

- (1) Any use permitted in District "LC".
- (2) Auto or mobile home display, sales and repair, but not including auto body shops.
- (3) Bakeries.
- (4) Building material sales, including lumber yards.
- (5) Business or commercial schools.
- (6) Clinic, medical and dental, and professional offices.
- (7) Carpentry, painting, plumbing or tinsmithing shop.
- (8) Cleaning, laundry and dyeing plants.
- (9) Creamery, ice cream manufacturing and dairy operations.
- (10) Farm implement display and sales room.
- (11) Hotels, Motels and Inns.
- (12) Mortuaries.
- (13) Office buildings.
- (14) Pet shops, retail.
- (15) Printing, engraving and newspaper plants.
- (16) Radio or television broadcasting station or studio. Monopole towers up to one hundred (100) feet in height and including no more than one monopole platform or communications dish are allowed as an accessory use for such broadcasting use or other uses in General Business. All other towers (except those of 25 feet in height or less) will require Specific Use District Zoning.
- (17) Retail stores.
- (18) Veterinarian or animal hospital provided that no such building, kennel or exercise runway shall be closer than fifty (50) feet to any residential district.
- (19) Bowling alley and other commercial amusement uses.
- (20) Church worship facilities.
- (21) Uses similar to the above mentioned permitted uses, provided activities conducted observe the requirements of all City Ordinances.
- (22) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (23) Accessory buildings and uses customarily incident to any of the above uses, provided that such not be objectionable because of odor, smoke, noise, vibration or similar nuisance. Open storage shall be considered an accessory use but no more than ten percent (10%) of the platted lot may be used for outside storage, including access and maneuvering areas for moving the stored items.
- (24) Dwelling units of 850 square foot minimum size when located over a retail, restaurant or similar use on the first floor.

(b) **Height Regulations:** No building shall exceed in height the width of the street on which it faces plus the depth of the front yard. On a lot adjoining a residential district, no building shall exceed forty-five (45) feet in height, except that this height may be increased up to the maximum of twelve (12) stories or one hundred eighty (180) feet at the rate of two (2) feet of additional height for each one (1) foot of additional setback from required yard lines. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

(c) **Area Regulations:**

(1) **Size of Yards:**

- a. **Front Yard:** There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in District "GB", except that automobile parking (including automobile dealer display

parking) will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.

- b. **Side Yard:** A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the City's General Development Ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.
- c. **Rear Yard:** No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the City's General Development Ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

**(2) Reserved:**

**(d) Outside Storage Regulations:** In all zoning districts where outside storage yards are allowed, such storage yards shall be screened from view in accordance with the standards outlined in the City General Development Ordinance. This provision applies to all outside storage which began after the original date of passage of this provision (April 4, 1994). Any variance request involving the requirements or standards relating to such required screening devices shall be considered by the City Council in accordance with the General Development Ordinance. Areas which are used for infrequent and temporary storage for a period of thirty (30) days or less per year shall not be deemed as "storage yards".

## **SECTION 17-21. "LC" LOCAL COMMERCIAL DISTRICT REGULATIONS**

**(a) Use Regulations:** A building or premise shall be used only for indoor, neighborhood office, retail, and services which are primarily retail in nature, including, but not limited to:

- (1) Any use permitted in District "OD".
- (2) Grocery stores.
- (3) Barber and beauty shops.
- (4) Book, card, gift and stationary stores.
- (5) Dry cleaning and laundry services.
- (6) Gasoline service stations, excluding those with major motor or transmission repair services.
- (7) Minor automobile services including tune-up and repair services, tire stores and car washes, providing there is no overnight outside storage of vehicles. (Not including transmission or body shops.)
- (8) Restaurants (except that no private club for the sale of alcoholic beverages may be located on a lot abutting any Single Family zoned lot except in the Lakeland Plaza and Lewisville West shopping centers as well as other shopping centers in operation as of April 05, 1976).
- (9) Florists.
- (10) Video rental stores, movie theaters and other indoor amusements.
- (11) Church worship facilities.
- (12) Buildings and uses owned or operated by public governmental agencies.
- (13) Other retail, office and service uses of a similar nature provided that the business establishment supplies the everyday needs of the immediate neighborhood and is subject to the following conditions:
  - a. There is no outside display and storage of merchandise or vehicles, except for the incidental and occasional sale of merchandise outside the building for periods not to exceed thirty (30) days (i.e. Christmas tree sales and sidewalk sales, etc.).
  - b. That required yards not be used for display, sale or storage of merchandise, or for the storage of vehicles, equipment, containers or waste material.
  - c. That such use not be objectionable because of odor, excessive light, smoke, dust, noise, vibration, or similar nuisance.
- (14) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (15) Accessory buildings and uses customarily incident to any of the above uses, provided that such not be objectionable because of odor, smoke, dust, noise, vibration or similar nuisance.

**(b) Height Regulations:** No building shall exceed forty-five (45) feet or three (3) stories in height, except that a building may be erected to a height of eighty (80) feet and eight (8) stories if set back from all required yard lines a distance of one (1) foot for each two (2) feet of additional height above forty-five (45) feet. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

**(c) Area Regulations:**

**(1) Size of Yards:**

- a. **Front Yard:** There shall be a front yard having a minimum depth of twenty-five (25) feet. No parking, storage or similar use shall be allowed in required front yards in District "LC", except that automobile parking will be permitted in such yards if separated by at least twenty-five (25) feet from any residential district.
- b. **Side Yard:** A side yard of not less than fifteen (15) feet in width shall be provided on the side of a lot adjoining a side street. A side yard of not less than ten (10) feet in width shall be provided on the side of a lot adjoining a residential district. The required side yard shall be waived when a screening device is installed in accordance with the City's General Development Ordinance. The building itself can serve as a portion of the screening device when that portion of the building

exterior is constructed of the same materials as the screening device. No parking, storage or similar use shall be allowed in any required side yard or in any side street yard adjoining a residential district.

- c. **Rear Yard:** No rear yard is required, except that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the City's General Development Ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) **Reserved:**

## **SECTION 17-19. "OD" OFFICE DISTRICT REGULATIONS**

### **(a) Use Regulations:**

- (1) Professional and administrative offices where only services are provided, no chattels or goods are offered for sale, and no outside storage is provided on the premises. This includes but is not limited to doctors, dentists, attorneys, architects, engineers, insurance, real estate, banks and similar offices.
- (2) Business or commercial schools and institutions of education.
- (3) Clinics, medical and dental.
- (4) Veterinarian or animal clinic, provided the use is operated within an enclosed structure and is not on a lot abutting a Single Family zoned lot.
- (5) Day nurseries.
- (6) The incidental retail sale of food, beverages and other convenience items or services is permitted to the occupants, employees and guests, as long as these items are not advertised nor offered for sale to the general public.
- (7) Church worship facilities.
- (8) Buildings and uses owned or operated by public governmental agencies.
- (9) Temporary buildings for uses incidental to construction work on the premises, which buildings shall be removed upon the completion or abandonment of construction work.
- (10) Accessory buildings and uses customarily incidental to any of the above uses, provided that such not be objectional because of odor, smoke, dust noise, vibration or similar nuisance.

### **(b) Building & Coverage Regulations:**

- (1) **Building Regulations:** The minimum floor area in "OD" Office District shall be one thousand (1000) square feet.
- (2) **Coverage Regulations:** In no case shall any building or building complex cover more than thirty-five percent (35%) of the site area.

(c) **Height Regulations:** The maximum height for buildings shall be fifty (50) feet. In no event, however, shall the portion of a building located within one hundred fifty (150) feet of any property zoned for residential purposes exceed the height allowed in that residential zoning district.

### **(d) Area Regulations:**

#### **(1) Size of Yards:**

##### **a. Front Yard:**

1. There shall be a minimum front yard having a depth of not less than forty (40) feet adjacent to any street with a right-of-way of one hundred (100) feet or more.
2. There shall be a minimum front yard having a depth of not less than thirty (30) feet adjacent to any street with a right-of-way less than one hundred (100) feet.
3. Lots having double frontage, running through from one street to another, shall provide the required setback from both streets.

**b. Side Yard:** There shall be a minimum side yard of ten (10) feet on each side of the lot or tract on which any single building or building complex is constructed.

**c. Rear Yard:** No rear yard is required except, that a rear yard of not less than twenty-five (25) feet in depth shall be provided upon that portion of a lot abutting or across a rear street from a residential district, except that such yard requirement

shall not apply where the property in the residential district also backs up to the rear street. The required rear yard shall be waived when a screening device is installed in accordance with the City's General Development Ordinance. The building itself can serve as a portion of the screening device when that portion of the building exterior is constructed of the same materials as the screening device.

(2) **Reserved:**

DATE RECEIVED STAMP AREA

TRANSACTION #:	0000061690
ACCT. #: 101-0000-322.09-00 (ZONING/SUBDIVISION/SITE PLANS)	
PZ CASE #:	PZ 20080717
PZ MEETING DATE:	July 1, 2008

DO NOT WRITE ABOVE THIS LINE (FOR OFFICE USE ONLY)

**CITY OF LEWISVILLE PLANNING & COMMUNITY SERVICES DIVISION (PHONE # 972-219-3455)  
APPLICATION FOR ZONE CHANGE (PLEASE PRINT OR TYPE CLEARLY)**

**OWNER/APPLICANT/AGENT INFORMATION SECTION**

(OWNER(S) MUST SIGN THIS FORM OR SUBMIT LETTER(S) OF AUTHORIZATION)

NAME OF PROPERTY OWNER: EGS ARLEDGE IV FAMILY, LP

MAILING ADDRESS: P.O. BOX 1269, ALLEN, TX 75013

PHONE NUMBER: 214-538-0811 FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

OWNER SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME & TITLE (IF ANY): CYNTHIA D. ARLEDGE

NAME OF APPLICANT (FILL IN ONLY IF OTHER THAN OWNER): \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ FAX NO.: \_\_\_\_\_ E-MAIL: \_\_\_\_\_

APPLICANT SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME & TITLE (IF ANY): \_\_\_\_\_

NAME OF REPRESENTING AGENT (IF ANY): HOMER ENGINEERING, INC

MAILING ADDRESS: P.O. BOX 294527, LEWISVILLE, TX 75029

PHONE NUMBER: 972-906-9985 FAX NO.: 972-906-9987 E-MAIL: shomeyer@homer-engineering.com

AGENT SIGNATURE: [Signature] DATE: 6-13-08

PRINTED NAME & TITLE (IF ANY): STEVEN HOMER

**REQUESTED ACTION SECTION**

PRESENT ZONING: LC REQUESTED ZONING: GB TOTAL LAND AREA(ACRES) 0.5555

ADDRESS AND/OR LOCATION OF SUBJECT TRACT(S) (EXHIBIT MAP(S) AND LEGAL DESCRIPTION(S) MUST BE SUBMITTED WITH APPLICATION)  
1342 SH 121, LEWISVILLE, TX

**PROPOSED USE:** EXISTING CAR SALES

**FEE SECTION (APPLICATION & SIGN FEES) (PLEASE FILL IN APPROPRIATE BLANKS AND ENTER TOTAL FEE DUE)**

Less than 1/2 acre	\$ 150.00
<input checked="" type="checkbox"/> 1/2 acre up to 4.99 acres	\$ 250.00
5 acres up to 24.99 acres	\$ 400.00
<u>1</u> #** of Zone Change Signs @ \$35/Sign	\$ <u>35</u>

25 acres up to 49.99 acres	\$ 750.00
50 acres up to 99.99 acres	\$1,000.00
100 acres and more	\$1,500.00

\*\* PLEASE CALL THE PLANNING DIVISION (972-219-3455) FOR THE CORRECT # OF ZONE CHANGE SIGNS TO PURCHASE.

TOTAL FEE DUE \$ \$ 285.00



ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT AMENDS THE ZONING ORDINANCE OF THE CITY OF LEWISVILLE, TEXAS, GRANTING ZONING CHANGES ON THE 0.56 ACRE TRACT OF LAND FULLY AND COMPLETELY DESCRIBED IN THE ATTACHED EXHIBIT "A", ORDERING A CHANGE IN THE USE OF SAID PROPERTY FROM LOCAL COMMERCIAL (LC) DISTRICT ZONING TO GENERAL BUSINESS (GB) DISTRICT ZONING; CORRECTING THE OFFICIAL ZONING MAP; PRESERVING ALL OTHER PORTIONS OF THE ZONING ORDINANCE; PROVIDING A CLAUSE RELATING TO SEVERABILITY; DETERMINING THAT THE PUBLIC INTERESTS AND GENERAL WELFARE DEMAND A ZONING CHANGE AND AMENDMENT THEREIN MADE; PROVIDING A PENALTY; AND DECLARING AN EMERGENCY.**

**WHEREAS**, applications were made to amend the Official Zoning Map, City of Lewisville, Texas, by making applications for same with the Planning and Zoning Commission of the City of Lewisville, Texas, as required by State statutes and the Zoning Ordinances of the City of Lewisville, Texas, said Planning and Zoning Commission has made the recommendation that the change of the zoning classification as requested on the property described in the attached Exhibit "A" be **approved**, and all the legal requirements, conditions and prerequisites having been complied with, the case having come before the City Council of the City of Lewisville, Texas, after all legal notices, requirements, conditions and prerequisites having been complied with; and,

**WHEREAS**, the City Council of the City of Lewisville, Texas, at a public hearing called by the City Council of the City of Lewisville, Texas, did consider the following factors in making a determination as to whether this requested change should be granted or denied; effect on the

congestion of the streets, the fire hazards, panics and other dangers possibly present in the securing of safety from same, the effect on the promotion of health and the general welfare, effect on adequate light and air, the effect on the overcrowding of the land, the effect of the concentration on population, the effect on the transportation; water, sewerage, schools, parks and other public facilities; and,

**WHEREAS**, the City Council further considered among other things the character of the district and its peculiar suitability for particular uses and with the view to conserve the value of buildings, encourage the most appropriate use of land throughout this City; and,

**WHEREAS**, the City Council of the City of Lewisville, Texas, does find that there is a public necessity for the zoning change, that the public demands it, that the public interest clearly requires the amendment, that the zoning changes do not unreasonably invade the rights of adjacent property owners; and,

**WHEREAS**, the City Council of the City of Lewisville, Texas, does find that the change in zoning lessens the congestion in the streets, helps secure safety from fire, panic and other dangers; promotes health and the general welfare; provides adequate light and air; prevents the overcrowding of land; avoids undue concentration of population; facilitates the adequate provisions of transportation, water, sewerage, schools, parks and other public requirements; and,

**WHEREAS**, the City Council of the City of Lewisville, Texas, has determined that there is a necessity and need for this change in zoning and has also found and determined that there has been a change in the conditions of the property surrounding and in close proximity to the property requested for a change since this property was originally classified and, therefore, feels that a

change in zoning classification for the particular piece of property is needed, is called for, and is in the best interest of the public at large, the citizens of the City of Lewisville, Texas, and helps promote the general health, safety, and welfare of this community;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT:**

**SECTION 1.** The Zoning Ordinance of the City of Lewisville, Texas, be, and the same is hereby amended and changed in that the use of the property described in the attached Exhibit "A" is hereby changed to **GENERAL BUSINESS (GB) DISTRICT ZONING**.

**SECTION 2.** The City Manager is hereby directed to correct the official zoning map of the City of Lewisville, Texas, to reflect the herein change in zoning.

**SECTION 3.** That in all other respects the use of the tract or tracts of land hereinabove described shall be subject to all the applicable regulations contained in said City of Lewisville Zoning Ordinance and all other applicable and pertinent ordinances of the City of Lewisville, Texas.

**SECTION 4.** That the zoning regulations and districts as herein established have been made in accordance with the comprehensive plan for the purpose of promoting health, safety, and the general welfare of the community. They have been designed with respect to both present conditions and the conditions reasonably anticipated to exist in the foreseeable future, to lessen congestion in the streets; to secure safety from fire, panic, flood and other dangers; provide adequate light and air; to prevent overcrowding of land, to avoid undue concentration of population; facilitate the adequate provisions of transportation, water, sewage, parks and other

public requirements, and to make adequate provisions for the normal business, commercial needs and development of the community. They have been made with reasonable consideration, among other things of the character of the district, and its peculiar suitability for the particular uses and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the community.

**SECTION 5.** This Ordinance shall be cumulative of all other ordinances of the City of Lewisville, Texas, affecting zoning and shall not repeal any of the provisions of said ordinances, except in those instances where provisions of those ordinances which are in direct conflict with the provisions of this Ordinance.

**SECTION 6.** That the terms and provisions of this Ordinance shall be deemed to be severable and that if the validity of the zoning affecting any portion of the tract or tracts of land described in the attached Exhibit "A" shall be declared to be invalid, the same shall not affect the validity of the zoning of the balance of the tract or tracts of land described herein.

**SECTION 7.** Any person, firm or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$2,000.00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense.

**SECTION 8.** The fact that the present Zoning Ordinance and regulations of the City of Lewisville, Texas, are inadequate to properly safeguard the health, safety, peace and general welfare of the inhabitants of the City of Lewisville, Texas, creates an emergency for the immediate preservation of the public business, property, health, safety and general welfare of the public which

requires that this Ordinance shall become effective from and after the date of its final passage, and it is accordingly so ordained.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF \_\_\_\_ TO \_\_\_\_, ON THIS THE 4TH DAY OF AUGUST, 2008.**

**APPROVED:**

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Gene Carey, MAYOR

**ATTEST:**

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Julie Heinze, CITY SECRETARY

**APPROVED AS TO FORM:**

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Ronald J. Neiman, CITY ATTORNEY

## LEGAL DESCRIPTION

BEING ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATED IN THE WM KING SURVEY, ABSTRACT NUMBER 697, CITY OF LEWISVILLE, DENTON COUNTY, TEXAS, BEING ALL THAT CERTAIN CALLED TRACT 30C, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

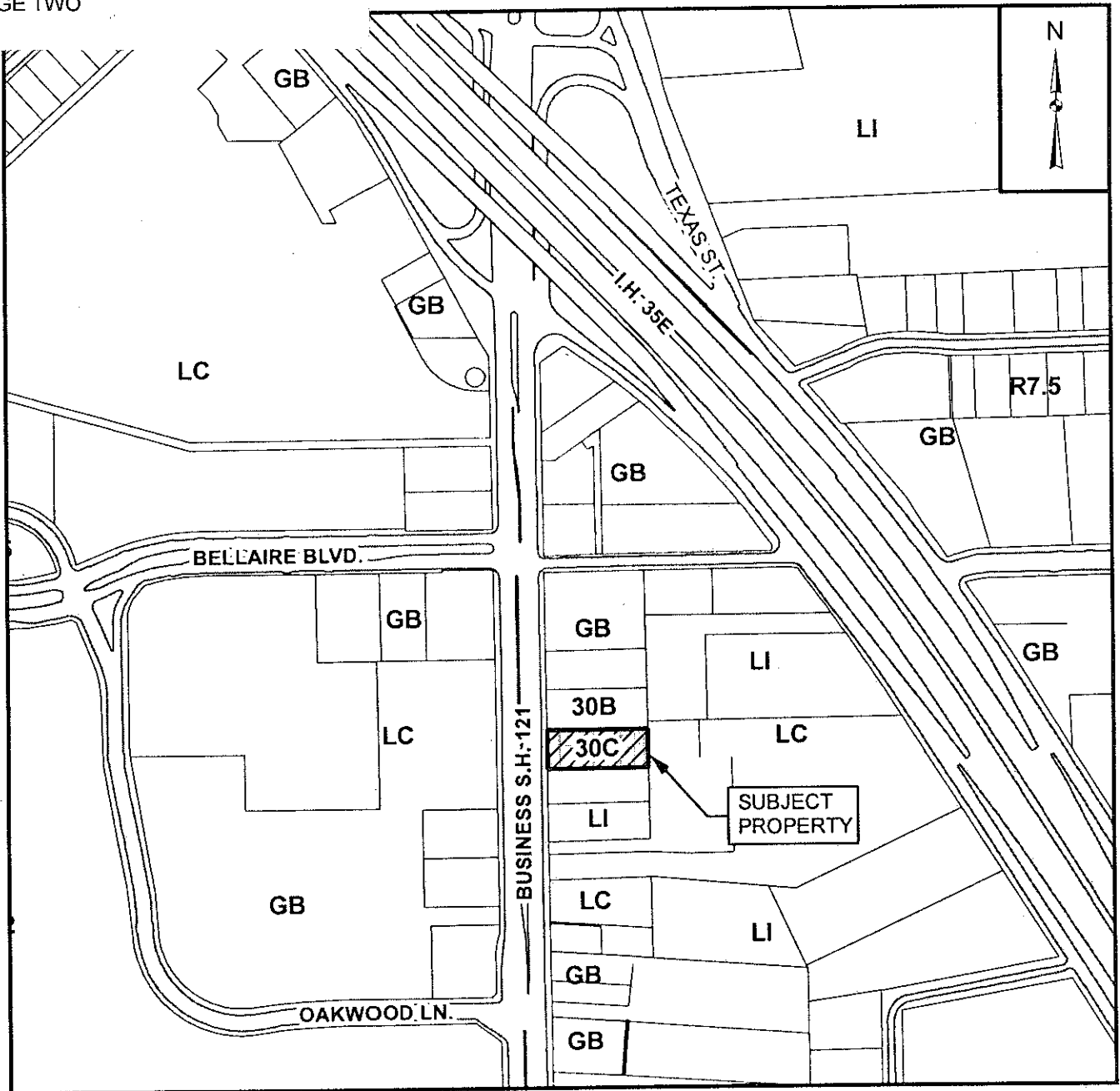
BEGINNING AT A 5/8" IRON ROD FOUND IN THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 121 (120 FOOT RIGHT-OF-WAY), BEING THE NORTHWEST CORNER OF LOT 1, BLOCK A, SOUTHWEST ADDITION, RECORDED IN CABINET N, PAGE 199 OF THE PLAT RECORDS OF DENTON COUNTY, TEXAS;

THENCE NORTH A DISTANCE OF 100.00 FEET, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF STATE HIGHWAY 121, TO A POINT FOUND FOR CORNER;

THENCE EAST A DISTANCE OF 242.00 FEET TO A POINT FOUND FOR CORNER;

THENCE SOUTH A DISTANCE OF 100.00 FEET, ALONG THE WEST LINE OF LOT 2, BLOCK A, SEIDEL ADDITION AND LOT 1, BLOCK A, SKATELAND ADDITION TO A 1/2" IRON ROD FOUND FOR CORNER;

THENCE WEST A DISTANCE OF 242.00 FEET, ALONG THE NORTH LINE OF LOT 1, BLOCK A OF THE SOUTHWEST ADDITION, RECORDED IN CABINET N, PAGE 199, TO THE POINT OF BEGINNING AND CONTAINING APPROXIMATELY 0.5555 ACRES OF LAND.



**ZONING CASE NO. PZ20080717**

**NAME:** E.K. & J ARLEDGE IV, FAMILY LP (APPLICANT)

**PROPERTY LOCATION:** EAST SIDE BUSINESS SH 121 APPROXIMATELY 400' SOUTH OF BELLAIRE BOULEVARD  
1342 SOUTH SH 121  
TRACT 30C, W. KING SURVEY, ABSTRACT 697

**CURRENT ZONING:** LOCAL COMMERCIAL (LC)

**PROPOSED ZONING:** GENERAL BUSINESS (GB)

**ACRES:** 0.56 ACRES

