

**CITY OF SANGER, TEXAS**

**ORDINANCE No. XX-XX-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REGARDING A SPECIFIC USE PERMIT TO ALLOW A QUICK SERVICE FOOD AND BEVERAGE SHOP AT 650 N STEMMONS FRWY ON APPROXIMATELY 0.61 ACRES OF LAND DESCRIBED AS LOT 1R-2, BLOCK 1 OF THE SANGER LODGING ADDITION; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A CUMULATIVE CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE IN ACCORDANCE WITH SECTION 1.109 OF THE CODE OF ORDINANCE FOR VIOLATIONS; AND PROVIDING A SAVINGS CLAUSE; AUTHORIZING PUBLICATION; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Sanger (the “City”) is a home rule municipality regulated by state law and Charter; and

**WHEREAS**, the City Council finds it necessary for the public health, safety and welfare that development occur in a controlled and orderly manner; and

**WHEREAS**, all requests for a Specific Use Permit (SUP) were duly filed with the City of Sanger, Texas, concerning the hereinafter described property; and

**WHEREAS**, following provision of proper legal notice requirements, which were made in the time and manner prescribed by law, including written notice to owners within 200 feet of the subject property; and

**WHEREAS**, the Planning and Zoning Commission on August 8, 2022, duly covered and conducted public hearing for the purpose of assessing a request for a Specific Use Permit (SUP), recommending approval for the hereinafter described property; and

**WHEREAS**, the City Council finds that the passage of this Ordinance is in the best interest of the citizens of Sanger.

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

**SECTION 1.** That a Specific Use Permit (SUP) to allow a Quick Service Food and Beverage Shop on approximately 0.61 acres of land zoned Business District 2 (B-2) use is hereby granted for the property described as 650 N Stemmons Frwy, Lot 1-R2, Block 1 of the Sanger Lodging Addition and further described in **Exhibit A**.

**SECTION 2.** That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

**SECTION 3.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, phrases and words of this Ordinance are severable and, if any word, phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining portions of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional word, phrase, clause, sentence, paragraph, or section.

**SECTION 4.** That this Ordinance shall be cumulative of all other City Ordinances and all other provisions of other Ordinances adopted by the City which are inconsistent with the terms or provisions of this Ordinance are hereby repealed.

**SECTION 5.** Any person, firm or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in The Code of Ordinances, Section 1.109 General Penalty for Violations of Code.

**SECTION 5.** This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such case provides.

**PASSED AND APPROVED** by the City Council of the City of Sanger, Texas, on this 6th day of September, 2022.

**APPROVED:**

**ATTEST:**

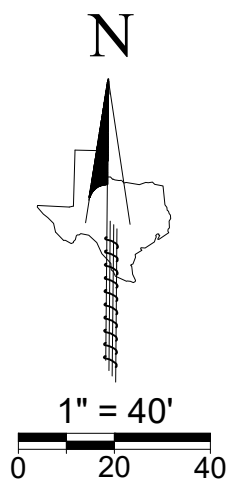
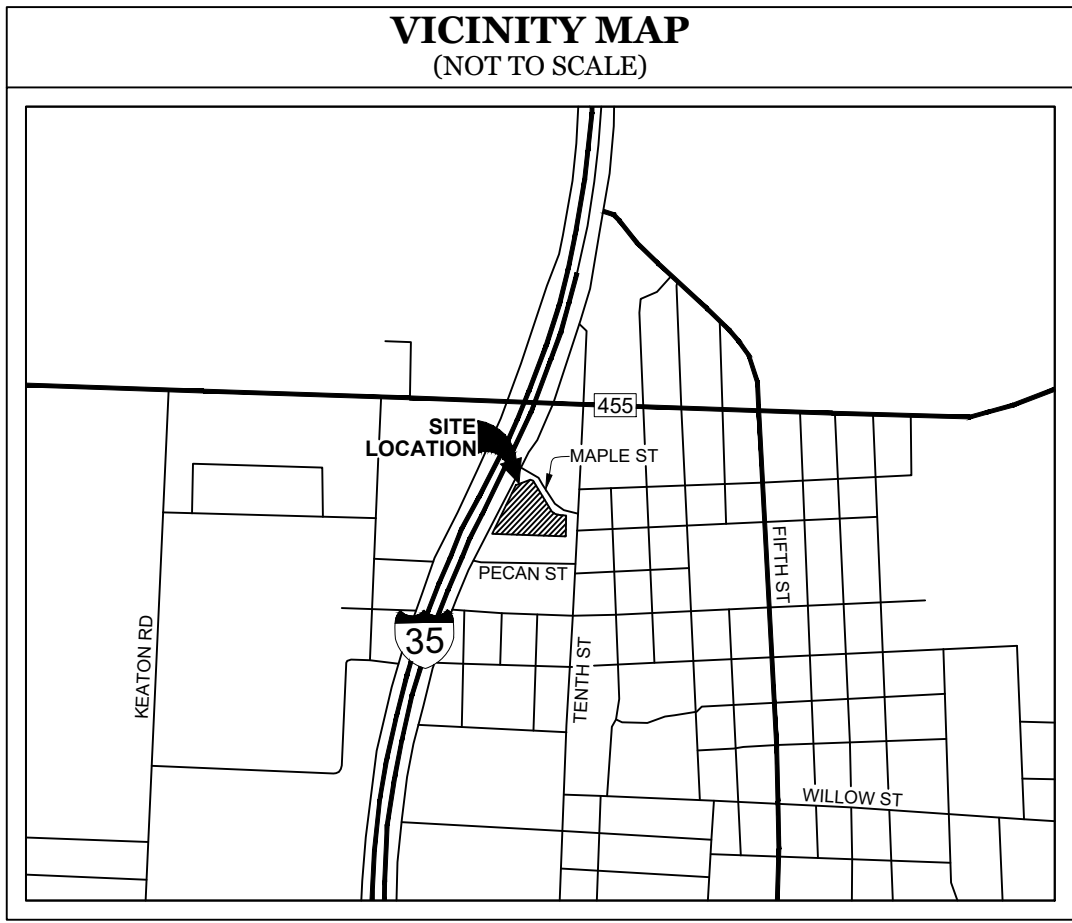
\_\_\_\_\_  
**Thomas E. Muir, Mayor**

\_\_\_\_\_  
**Kelly Edwards, City Secretary**

**APPROVED TO FORM:**

\_\_\_\_\_  
**Hugh Coleman, City Attorney**





- GENERAL NOTES**
- 1.) The purpose of this replat is to split the existing lot into two separate lots.
  - 2.) This property is located in "Non-shaded Zone X" according to the F.E.M.A. Flood Insurance Rate Map dated April 18, 2011 as shown on Map Number 48121C0210G.
  - 3.) The grid coordinates shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) State Plane Coordinate System (Texas North Central Zone - 4202).
  - 4.) Notice: Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and withholding of utilities and building permits.
  - 5.) All interior property corners are marked with a 1/2-inch iron rod with a green plastic cap stamped "EAGLE SURVEYING" unless noted otherwise.
  - 6.) The bearings shown on this plat are based on GPS observations utilizing the AllTerra RTKNET Cooperative network. NAD 83(2011) Datum.
  - 7.) Water and Sanitary Sewer, are provided by the City of Sanger, PO Box 1729, Sanger, TX 76266, 940-458-2571. Electric Service is provided by Sanger Electric Utilities, 202 Railroad Ave., Sanger, TX 76266, 940-458-2064.
  - 8.) All lots comply with the minimum size requirements of the zoning district.
  - 9.) This property may be subject to charges related to impact fees and the applicant should contact the City regarding any applicable fees due.
  - 10.) All common areas, drainage easements, and detention facilities will be owned and maintained by the HOA/POA. Any common area with in the City's right-of-way will require a facilities agreement, to be reviewed and approved by the City.
  - 11.) This plat does not alter or remove existing deed restrictions, if any, on this property.
  - 12.) Minimum finished floor elevations are at least 2 feet above the 100 year floodplain.
  - 13.) This property is zoned B-2.

**CERTIFICATE OF SURVEYOR**

STATE OF TEXAS §  
COUNTY OF DENTON §

I, **MATTHEW RAABE**, Registered Professional Land Surveyor, do hereby certify that this plat was prepared from an actual survey made on the ground and that the monuments shown hereon were found or placed with 1/2-inch iron rods with green plastic caps stamped "EAGLE SURVEYING" under my direction and supervision in accordance with the current provisions of the Texas Administrative Code and the Ordinances of the City of Sanger, Denton County, Texas.

**PRELIMINARY**  
this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document

Matthew Raabe, R.P.L.S. # 6402

Date \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **MATTHEW RAABE**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public in and for the State of Texas

LINE TABLE			
LINE	BEARING	DISTANCE	
L1	N 64°10'58" W	10.00'	
L2	S 00°34'12" W	16.86'	
L3	N 00°34'12" E	34.22'	
L4	S 64°10'58" E	31.45'	
L5	S 32°35'29" E	67.46'	

CURVE TABLE					
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	33.82'	24.76'	78°15'23"	S 73°26'46" E	31.25'
C2	74.09'	76.57'	55°26'14"	S 62°14'36" E	71.23'
C3	11.01'	30.00'	21°02'04"	N 40°07'07" W	10.95'
C4	23.71'	14.24'	95°22'07"	S 67°37'15" W	21.06'
C5	60.34'	30.00'	115°14'50"	N 58°11'37" E	50.67'
C6	11.01'	30.00'	21°02'04"	S 88°14'48" E	10.95'
C7	50.36'	96.57'	29°52'46"	S 49°15'10" E	49.79'

Project	2003.042-01	 <b>EAGLE SURVEYING, LLC</b> 210 S. Elm Street, Suite: 104 Denton, TX 76201 (940) 222-3009 TX Firm #10194177
Date	04/28/2020	
Revised	03/01/2022	
Drafter	TR	

**SURVEYOR**  
Eagle Surveying, LLC  
Contact: Tyler Rank  
210 S. Elm Street, Suite: 104  
Denton, TX 76201  
(940) 222-3009

**OWNER**  
Sanger Lodging, LLC  
Contact: Dev Surati  
1400 N Stemmons Freeway  
Sanger, TX 76266  
(940) 206-2001

LEGEND	
POB	= POINT OF BEGINNING
CIRS	= CAPPED IRON ROD SET
CIRF	= CAPPED IRON ROD FOUND
D.R.D.C.T.	= DEED RECORDS DENTON COUNTY, TEXAS
R.P.R.D.C.T.	= REAL PROPERTY RECORDS DENTON COUNTY, TEXAS
P.R.D.C.T.	= PLAT RECORDS DENTON COUNTY, TEXAS

**APPROVED AND ACCEPTED**

**CITY OF SANGER  
DENTON COUNTY, TEXAS**

Chairman, Planning & Zoning Commission  
Mayor, City of Sanger, Texas

Date \_\_\_\_\_

Thomas Muir  
Mayor, City of Sanger, Texas

Date \_\_\_\_\_

**ATTEST:**

Kelly Edwards, City Secretary  
City of Sanger, Tx

Date \_\_\_\_\_

REPLAT  
**SANGER LODGING  
ADDITION**  
LOTS 1R-1 & 1R-2, BLOCK 1  
2.64 ACRES  
2 LOTS  
REPLAT OF LOT 1, BLOCK 1 OF SANGER LODGING ADDITION,  
RECORDED IN DOCUMENT NO. 2018-283 P.R.D.C.T.,  
HENRY TIERWESTER SURVEY, ABSTRACT No. 1241,  
CITY OF SANGER, DENTON COUNTY, TEXAS

**OWNER'S CERTIFICATE & DEDICATION**

STATE OF TEXAS §  
COUNTY OF DENTON §

We, the undersigned owner of the land shown on this plat within the area described by metes and bounds as follows:

Being a 2.64 acre tract of land situated in the Tierwester Survey, Abstract Number 1241, Denton County, Texas and being all of Lot 1, Block 1 of Sanger Lodging Addition, recorded in Document Number 2018-283 of the Plat Records of Denton County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2" iron rod with cap stamped "METROPLEX 1849" found at the Northeast corner of said Sanger Lodging Addition and the common Northwest corner of Lot 12, Block 7 of the Burgess Addition, recorded in Volume 187, Page 574 of the Plat Records of Denton County, Texas and also being in the South Right-of-Way (R.O.W.) line of Maple Street (a variable width R.O.W.);

**THENCE** S 00°07'04" W, with the East line of said Sanger Lodging Addition and the common West line of said Lot 12, Block 7, a distance of 140.13 feet to a 1/2" iron rod with cap stamped "METROPLEX 1849" found at the Southeast corner of said Sanger Lodging Addition and the common Southwest corner of said Lot 12, Block 7 and also being in the North line of a tract of land described in deed to Stevie Eaton recorded in Document Number 1996-33167 of the Real Property Records of Denton County, Texas;

**THENCE** N 88°44'16" W, with the South line of said Sanger Lodging Addition, a distance of 500.35 feet to a 1/2" iron rod with cap stamped "METROPLEX 1849" found at the Southwest corner of said Sanger Lodging Addition and the common Northwest corner of a tract of land described in deed to Richeson Restaurants Company #2 and also being in the East R.O.W. line of Interstate Highway 35/Stemmons Freeway (a variable width R.O.W.);

**THENCE** N 25°49'02" E, with the West line of said Sanger Lodging Addition and the common East R.O.W. line of said Interstate Highway 35/Stemmons Freeway, a distance of 361.86 feet to a 1/2" iron rod found at the Northwest corner of said Sanger Lodging Addition, at the intersection of the East R.O.W. line of said Interstate Highway 35/Stemmons Freeway and the South R.O.W. line of said Maple Street,

**THENCE** with the North line of said Sanger Lodging Addition and the South R.O.W. line of said Maple Street the following courses and distances;

N 67°04'11" E, a distance of 94.88 feet to a 1/2" iron rod found;

With a non-tangent curve to the right having a radius of 24.76 feet, a delta angle of 78°15'23", a chord bearing of S 73°26'46" E, a chord length of 31.25 feet, and an arc length of 33.82 feet to a 1/2" iron rod found;

S 32°35'29" E, a distance of 227.47 feet to a 1/2" iron rod with cap stamped "EAGLE SURVEYING" set;

With a non-tangent curve to the left having a radius of 76.57 feet, a delta angle of 55°26'14", a chord bearing of S 62°14'36" E, a chord length of 71.23 feet, and an arc length of 74.09 feet to a 1/2" iron rod with cap stamped "EAGLE SURVEYING" set;

N 89°49'20" E, a distance of 40.03 feet to the **POINT OF BEGINNING** and containing 2.64 acres of land more or less.

**NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:**

THAT **SANGER LODGING, LLC**, acting herein by and through its duly authorized officer does hereby adopt this plat designating the hereinabove described property as **SANGER LODGING ADDITION** an addition to the City of Sanger, Texas, and does hereby dedicate to the public use forever by fee simple title, free and clear of all liens and encumbrances, all streets, thoroughfares, alleys, fire lanes, drive aisles, parks, and watercourses, and to the public use forever easements for sidewalks, storm drainage facilities, utilities, and any other property necessary to serve the plat and to implement the requirements of the subdivision regulations and other City codes and do hereby bind ourselves, our heirs, successors and assigns to warrant and to forever defend the title on the land so dedicated. Further, the undersigned covenants and agrees that he/she shall maintain all easements and facilities in a state of good repair and functional condition at all times in accordance with City codes and regulations. No buildings, fences, trees, shrubs, or other improvements or growths shall be constructed or placed upon, over, or across the easements as shown, except that landscape improvements may be installed, if approved by the City of Sanger. The City of Sanger and public entities shall have the right to access and maintain all respective easements without the necessity at any time of procuring permission from anyone.

WITNESS MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

**SANGER LODGING, LLC**, a Texas limited liability company, owner

BY: \_\_\_\_\_  
Dev Surati  
Managing Member

Date \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE ME, the undersigned authority, on this day personally appeared **DEV SURATI**, Managing Member of SANGER LODGING, LLC, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

Notary Public in and for the State of Texas