

ORDINANCE #09-29-03

AN ORDINANCE PROVIDING FOR THE AMENDMENT TO THE CENTRAL ZONING MAP OF THE CITY OF SANGER, TEXAS, AND PROVIDING FOR A ZONING CHANGE AND A ZONING CLASSIFICATION FROM "AG" - AGRICULTURE TO A PLANNED DEVELOPMENT OR "PD" ZONING CLASSIFICATION SPECIFICALLY DESCRIBED HEREIN; APPROVING DEVELOPMENT CONDITIONS AND SITE PLAN; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE: AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, a Request for Change in Zoning Classification was duly filed with the City of Sanger, Texas, concerning the hereinafter described property;

WHEREAS, due notice of hearing was made in the time and manner prescribed by law and the Planning and Zoning Commission of the City of Sanger, Texas, duly covered and conducted a public hearing for the purpose of assessing a zoning classification change on the hereinafter described property located in the City of Sanger, Texas; and

WHEREAS, an additional opportunity for all interested persons to be heard was provided by the City Council of the City of Sanger, Texas, at an open meeting, with proper notice posted;

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

Section 1. That the legal description of the property zoned herein is generally described as follows:

COMMENCING: at a 2-inch iron pipe found at the Northwest corner of the said 76.19 acre tract:

THENCE South 00 degrees 14 minutes 27 seconds West with the west line of the said 76.19 acre tract a distance of 845.55 feet to a ½ inch iron rod set with a blue plastic cap stamped "GEES" (hereinafter called ½ inch iron rod set) for the POINT OF BEGINNING:

THENCE North 27 degrees 28 minutes 17 seconds East, departing the West line of the said 79.19 acre tract a distance of 16.65 feet to a ½ inch iron rod set for a corner;

THENCE South 75 degrees 37 minutes 50 seconds East a distance of 184.88 feet to a ½ inch iron rod set for a corner at the beginning of curve to the right having a central angle of 11 degrees 52 minutes 57 seconds, a radius of 470.00 feet, and a chord bearing of North 21 degrees 31 minutes 48 seconds East and chord a distance of 97.30 feet;

THENCE in a Northeasterly direction along the said curve an arc length of 97.47 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE North 27 degrees 28 minutes 17 seconds East a distance of 27.88 feet to a ½ inch iron rod set for a corner;

THENCE South 62 degrees 31 minutes 43 seconds East a distance of 45.66 feet to a ½ inch iron rod set for a corner;

THENCE North 89 degrees 51 minutes 36 seconds East a distance of 189.10 feet to a ½ inch iron rod set for a corner;

THENCE South 00 degrees 08 minutes 24 seconds East a distance of 160.00 feet to a ½ inch iron rod set for a corner;

THENCE North 89 degrees 51 minutes 36 seconds East, a distance of 73.81 feet to a ½ inch iron rod set for a corner;

THENCE South 00 degrees 17 minutes 00 seconds West, a distance of 686.20 feet to a ½ inch iron rod set for a corner;

THENCE North 89 degrees 45 minutes 33 seconds West, a distance of 26.91 feet to a ½ inch iron rod set for a corner;

THENCE South 00 degrees 14 minutes 27 seconds West, a distance of 50.00 feet to a ½ inch iron rod set for a corner;

THENCE North 89 degrees 45 minutes 33 seconds West, a distance of 13.00 feet to a ½ inch iron rod set for a corner;

THENCE South 00 degrees 14 minutes 27 seconds West, a distance of 246.45 feet to a ½ inch iron rod set for a corner at the beginning of curve to the right having a central angle of 23 degrees 33 minutes 39 seconds, a radius of 110.00 feet, and a chord bearing of South 12 degrees 01 minutes 16 seconds West and a chord distance of 44.92 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 45.23 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 23 degrees 48 minutes 06 seconds West, a distance of 175.02 feet to a ½ inch iron rod set for a corner at the beginning of curve to the right having a central angle of 40 degrees 43 minutes 29 seconds, a radius of 110.00 feet, and a chord bearing of South 44 degrees 09 minutes 50 seconds West and a chord distance of 76.55 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 78.19 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 64 degrees 31 minutes 34 seconds West, a distance of 54.57 feet to a ½ inch iron rod set for a corner at the beginning of curve to the left having a central angle of 47 degrees 41 minutes 23 seconds, a radius of 38.00 feet, and a chord bearing of South 40 degrees 40 minutes 53 seconds West and a chord distance of 30.72 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 31.63 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 16 degrees 50 minutes 11 seconds West, a distance of 31.57 feet to a ½ inch iron rod set for a corner at the beginning of curve to the right having a central angle of 34 degrees 19 minutes 32 seconds, a radius of 62.00 feet, and a chord bearing of South 33 degrees 59 minutes 57 seconds West and a chord distance of 36.59 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 37.14 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 51 degrees 09 minutes 43 seconds West, a distance of 38.89 feet to a ½ inch iron rod set for a corner at the beginning of curve to the left having a central angle of 48 degrees 09 minutes 54 seconds, a radius of 38.00 feet, and a chord bearing of South 27 degrees 04 minutes 46 seconds West and a chord distance of 31.01 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 31.94 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 02 degrees 59 minutes 50 seconds West, a distance of 41.06 feet to a ½ inch iron rod set for a corner at the beginning of curve to the left having a central angle of 24 degrees 01 minutes 32 seconds, a radius of 38.00 feet, and a chord bearing of South 09 degrees 00 minutes 57 seconds East and a chord distance of 15.85 feet;

THENCE in a Southwesterly direction along the said curve an arc length of 15.93 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 21 degrees 01 minutes 43 seconds East, a distance of 33.86 feet to a ½ inch iron rod set for a corner at the beginning of curve to the left having a central angle of 21 degrees 23 minutes 49 seconds, a radius of 62.00 feet, and a chord bearing of South 10 degrees 19 minutes 48 seconds East and a chord distance of 23.02 feet;

THENCE in a Southeasterly direction along the said curve an arc length of 23.15 feet to a ½ inch iron rod set for a corner at the end of the curve;

THENCE South 00 degrees 22 minutes 06 seconds West, a distance of 52.50 feet to a ½ inch iron rod set for a corner in a centerline of McReynolds Road;

THENCE North 89 degrees 37 minutes 54 seconds West , with the south line of the said 76.19 acre tract and along and near the centerline of said McReynolds Road a distance of 241.25 feet to a ½ inch iron rod set for a corner at the southwest corner said 76.19 acre tract;

THENCE North 00 degrees 14 minutes 27 seconds East, with the West line of the said 76.19 acre tract a distance of 1658.90 feet to the point of beginning and containing 17.86 acres of land more or less.

Bearing System is based on the east line of the said 76.19 acre tract of land recorded in Volume 4675, Page 1204 of the Real Property Records of Denton County, Texas.

Section 2. The zoning classification on the hereinabove described property is hereby changed to "PD", Planned Development Zoning and is restricted to the attached development plan described as "Exhibit A". That the property shall be developed in accordance with the Comprehensive Zoning Ordinance as amended hereby, and with the approved Site Plan, attached hereto as Exhibit "B" and made part hereof for all purposes.

Section 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. 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.

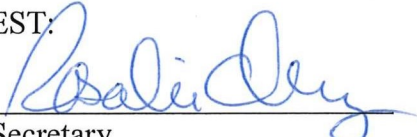
Section 5. Any person, firm, or corporation who shall violate any of the provisions of this article shall be guilty of a misdemeanor and upon conviction shall be fined in accordance with the general penalty provision found in Section 1.109 of this Code.

Section 6. This ordinance will take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

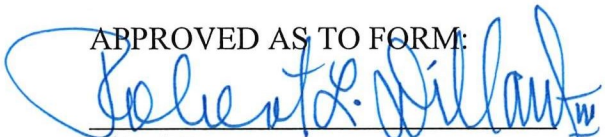
DULY PASSED, APPROVED AND ADOPTED by the City Council of the City of Sanger, Texas, on this 15th day of September, 2003.



Mayor

ATTEST:


City Secretary

APPROVED AS TO FORM:


City Attorney



“EXHIBIT A”

Lake Ridge Estates

A Planned Development in Sanger, Texas

Owner: Mr. Al McNatt

Project Manager: Mr. Don Frazier

By: Allen R. Bussell

Greg Edwards Engineering Services, Inc.

1621 Amanda Ct.

Ponder, Texas 76259

(940) 482-2907

www.gees.us

Lake Ridge Estates

A Planned Development in Sanger, Texas

Tuesday, March 11, 2003

Owner: Mr. Al McNatt
Project Manager: Mr. Don Frazier



By: Allen R. Bussell
Greg Edwards Engineering Services, Inc.
1621 Amanda Ct.
Ponder, Texas 76259
(940) 482-2907
www.gees.us

Mayor
City Council
City of Sanger
201 West Bolivar
Sanger, TX 76266
P (940) 458-7930

Re: Letter of Intent for request to rezone approximately 76.2 acres to Planned Development

Hon. Mayor and City Council,

We humbly request the rezoning of the tract of land as described in the attached legal description to a Planned Development classification. The Zoning request includes setbacks and uses as shown in the Preliminary Plat submitted to the City with this Letter.

Our vision is to bring single-family and a limited number of multi-family homes to the city. Also included in this proposal is parkland and open spaces to insure that families living in the new homes have a close outlet for recreation.

The uses are defined in the City's current code. Setbacks have been modified slightly in the Single Family-detached area to better work with the geometry of the property.

We would appreciate your support of this zoning case and look forward to working with the City of Sanger.

Thank you.

Sincerely,



Allen R. Bussell
GEES, Inc.

LOCATION:

The area to be rezoned is approximately 76.2 Acres located east of downtown on McReynolds Road.

CURRENT ZONING:

The property is current outside the City limits no zoning exists on the property.

CURRENT USE:

Older apartments exist on the southwest of the property. These apartments will be removed. There is a very large pond on the southeast side of the property. Floodplain exists along the western edge of the site. The remainder of the property is vacant.

ALLOWABLE USES AND SIZES:

Single Family – 72.1 Acres

- Uses: per SF-8
- Minimum lot size: 6,000 sq. ft.
- Min. width: 60'
- Min. depth: 100'
- Building line: 25'
- Side yard set back: 8', 20' if siding to Right of Way
- Rear Yard set back: 20'

Multi Family – 4.1 Acres

- Uses, Density, Building Height, Coverage, & Parking per MF-2
- 30' Building line along Mc Reynolds Road.
- 20' Building setback along East property line
- 10' Buffer yard along East property line
 - 6' Cedar Fence on steel poles and one large, broadleaf, native tree every 50' on center.
- 5' Rear Yard (considered line adjacent to Open Space/Park)
- Landscaping and Fencing along McReynolds Road:
 - One large, native, broadleaf tree every 50' on center.
 - If fenced, material may be architectural metal or a combination of masonry and architectural metal.

INFRASTRUCTURE

Water, Sanitary Sewer, Drainage

See Preliminary Plat.

Surrounding Uses and Buffering

Adjoining properties vacant with the property adjacent to West currently being rezoned to allow Multi-Family

Signage

Two monument type signs are allowed. Signs shall not exceed 60 square feet each in actual sign area – not including columns or masonry trim. Signs shall conform in both style and materials to the architecture of the uses for which they are being built.

Signs are only allowed along McReynolds Road. Signs may be lighted either internally or with landscape lights.

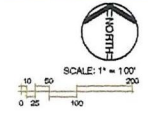
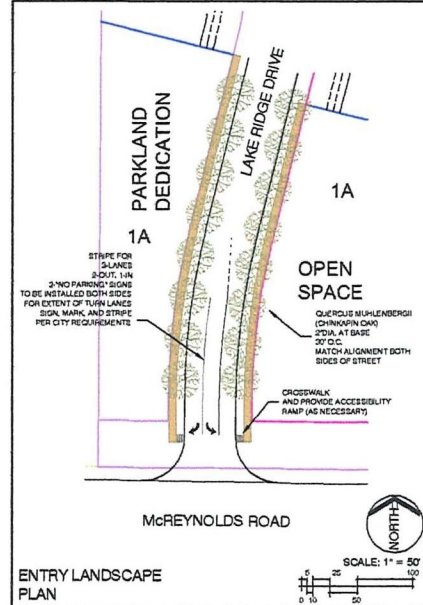
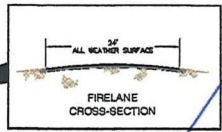
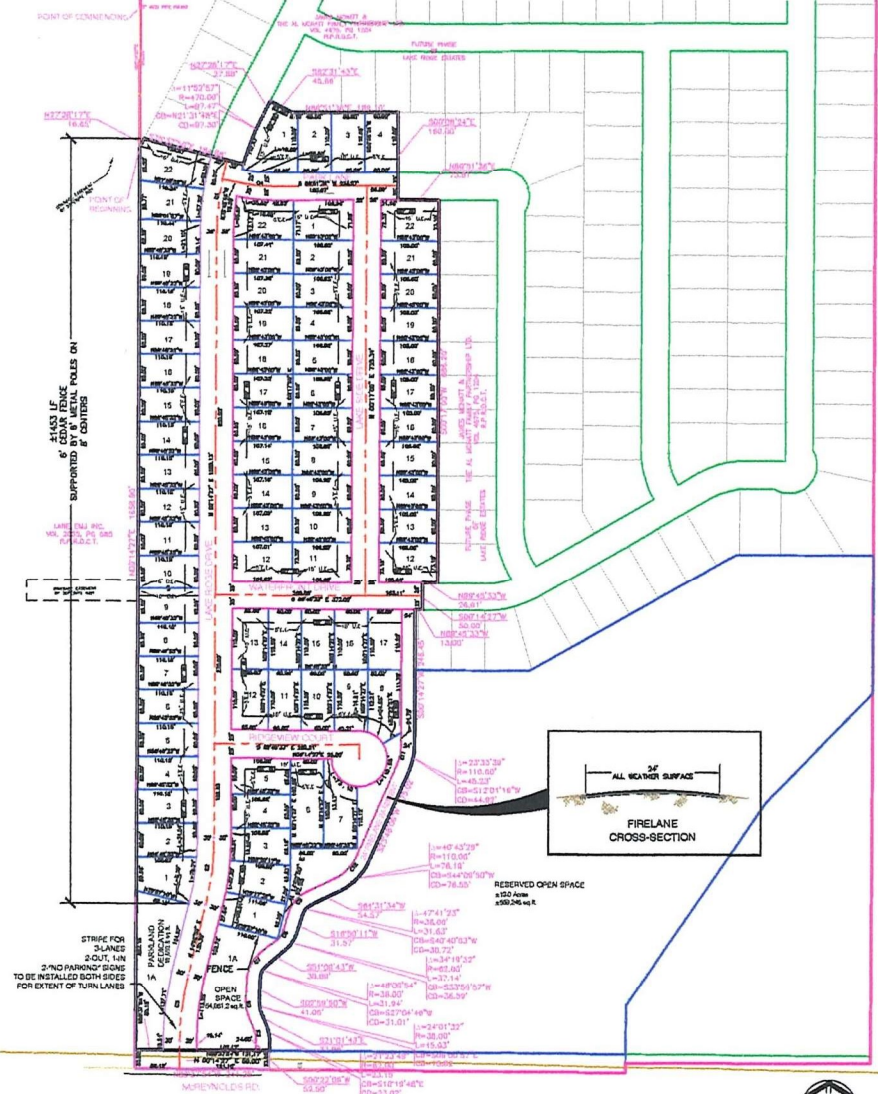
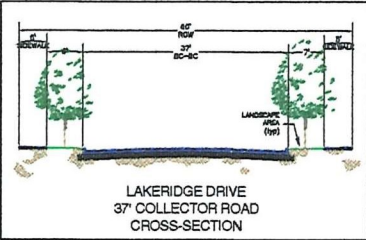
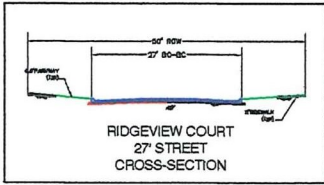
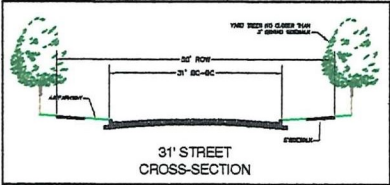
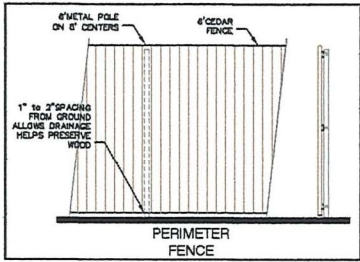
Variances Required (compare to Zoning Classification SF-8):

1. Single Family:
 - a. (16.2) Rear Yard Set back: Code is 25 feet, requesting 20 feet to enable larger homes.
2. Multi Family:
 - a. (19.3) Rear Yard Set back: Code is 20 feet, requesting 10 feet to place building right next to Park/Open Space.
 - b. (19.6) Fencing: Code requires a 6' wood fence abutting adjacent properties. Requesting that no solid fence is allowed between proposed Open Space/ Park and this lot.

Additional Conditions:

1. Three lanes will be constructed on Lake Ridge Drive at the intersection of McReynolds Road.
2. There will be consistent fencing around the single family development area.
3. Traffic Control Devices will be placed on the main road into the Development.
4. Action will be taken to insure that this development will not cause flooding down-stream.
5. The Developer will dedicate adequate R.O.W. on McReynolds Road so that the total R.O.W. on McReynolds will be 80 feet.
6. Minimum Living area of Single Family homes shall be 1,400 square feet.
7. An Open Fence design is allowed on the "lake side" of the Multi-family area.
8. A 10 feet rear yard setback is established for the multi-family area.

EXHIBIT B



DATE: 23 JUL 2003

REGIS. NO. _____

GREG EDWARDS ENGINEERING SERVICES, INC.
 GREG EDWARDS, P.E.
 1800 AVONDA COURT, FORT WORTH, TX 76120
 Ph: (817) 498-2307 Fax: (817) 498-8129
 www.gees.us

DEVELOPER: LAKETIG LLC
 MAINTAINED BY: GREG EDWARDS ENGINEERING SERVICES, INC.

PD - DETAIL PLAN
 Laketig Estatics
 78 LOTS, 17.86 ACRES IN THE
 RUBEN BEBEE SURVEY, ABSTRACT 28
 CITY OF SAINGER
 DENTON COUNTY, TEXAS

JOB NUMBER: 9-6

DESIGNED: GKE
 DRAWN: ARB
 CHECKED: GKE

01 OF 01