CITY OF SANGER, TEXAS

ORDINANCE 10-28-22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REGARDING AMENDING THE ZONING MAP OF APPROXIMATELY 12.01 ACRES OF LAND DESCRIBED AS A1241A TIERWESTER, TR 264 AND 265 FROM AGRICULTURAL (A) TO PLANNED DEVELOPMENT (PD); 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, the Planning and Zoning Commission on September 12, 2022, duly covered and conducted public hearing for the purpose of assessing a request for amendment to the Zoning Map, recommending approval for the hereinafter described property; and

WHEREAS, all requests for amendment to the Zoning Map were duly filed with the City of Sanger, Texas, concerning the hereinafter described property; and

WHEREAS, the following provisions of proper legal notice requirements, including written notice to owners within 200 feet of the subject property, were made in the time and manner prescribed by law; 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 an amendment to the Zoning Map from Agricultural (A) to Planned Development (PD) is hereby granted for the property generally located on the southeast corner of 5th Street and Cowling Road and described in **Exhibits A - E**.

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. 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 cases provide.

PASSED AND APPROVED by the City Council of the City of Sanger, Texas, on this 3rd day of October, 2022.

	APPROVED:
ATTEST:	Thomas E. Muir, Mayor
Kelly Edwards, City Secretary	APPROVED TO FORM:
	Hugh Coleman, City Attorney

Prepared for the City of Sanger (the "City")

PURPOSE STATEMENT:

To establish a quality master planned multi-phase and multiple product residential and commercial community for the property described by metes and bounds on **Exhibit "B"** (the "Property") of this Planned Development Ordinance ("PD"). Development and use of the Property shall comply with the Sanger Zoning Ordinance adopted as of August 3, 1987, and subsequent amended (the "The Zoning Ordinance") and this PD ordinance. In the event of a conflict between the Zoning Ordinance and this PD ordinance, this PD ordinance shall control. If the PD is silent in a particular area, the City of Sanger Code of Ordinances shall apply.

References to City of Sanger Exterior Façade Design Criteria Manual ("Design Criteria") shall mean such manual as adopted on October 7, 2019.

PROPOSED USES:

Business District (B-2)

Approximately 3.53 +/- acres are proposed as local business and retail space which open space of approximately 1.16 acres, including outdoor seating for patrons. Will meet or exceed the required minimum parking spaces of 144 spaces, assuming 1 space / 250 sf, actual will be directly correlated to the actual square footage of the commercial buildings

Business designated areas shall consist of four (4) individual buildings of approximately 36,000 square feet.

Zoning Ordinance set-back for the side and rear yards have a five (5') foot set-back. See additional information below under Business District.

Multi-family (MF-2)

Approximately 8.48 +/- acres are proposed as multifamily which includes open space of approximately 2.69 acres. Will meet or exceed the required minimum parking spaces of 288 spaces, per Section 19.4 of the 'MF-2' Multifamily Residential District -2 specifications, which is comprised of open-air parking, carport parking and garage parking.

Multifamily shall consist of a clubhouse and nine (9) residential buildings, which will consist of:

- four (4) two-story buildings which back to single-family residential,
- one (I) two-story and one (I) three-story building along the shared property line with agricultural land
- three (3) three-story buildings in the center of the property.

Zoning Ordinance set-back along the East wall backing to the Willowood Addition of twenty feet (20').

PARKING

The parking of both the Business District and Multi-family are necessary for a combined design. Parking spaces may be available to both business patrons and multi-family residents. A minimum number of spaces will be designated as 'Reserved' for each of the multi-family units. B-2 patrons may park to the rear of the business entrances, and MF-2 parking may be visible from the public streets. There will be landscaping in areas as shown on the Site Plan ('Exhibit C') and further per the City approved landscape plans, however, all off-street parking will not be completely screened due to off-street parking serving both B-2 and MF-2.

Total Property Acreage = +/- 12.01. Total Parking will meet or exceed the required minimum of 432 spaces.

COMMUNITY FEATURES:

The hardscape within the community shall include entry monuments, screening walls of brick, stone and/or concrete masonry backing to residential spaces; brick, stone, concrete, and or black metal backing to public or commercial spaces; and community signage constructed of brick, stone and/or decorative metal. Height and installation of fencing will meet or exceed the Design Criteria (Section 2.2(i)) a minimum of 6 feet tall. See **Exhibit D** for community amenities.

Satellite Dishes will be prohibited on the individual units.

Trash compactors and dumpsters will be fenced or walled from view with gates and will be accented with landscape. The enclosures will be CMU blocks with steel / metal gates.

A property owners association ("POA") shall be established to own and maintain the private open spaces, common areas, landscape improvements, perimeter masonry and/or steel fencing, entry monuments and signage. The POA shall maintain common area parking lots. Sidewalks shall be constructed within a pedestrian access easement and owned and maintained by the POA. The sidewalks running parallel to South 5th Street in front of the commercial buildings shall be five foot (5') wide.

DESIGN ELEMENTS

MULTIFAMILY:

Residential dwellings will meet the Design Criteria. This includes the minimum of four (4) amenities for the common areas available to residents. Such amenities are detailed on **Exhibit D** for both the units and community.

No building shall exceed a maximum height of forty-five feet (45'). The building height of the two-story residential units along the eastern edge of the property with a shared property line with Willowood Addition, shall not exceed twenty-five feet (25') and shall have a set-back of twenty feet (20') from the fence / property line.

BUSINESS DISTRICT:

The maximum height of the Business District-2 ("B-2") will be maximum 40'.

The front set-back will be per current zoning ordinance, with five foot ("5") rear and side setbacks. The side and rear of the commercial buildings do not abut directly to other buildings, each building has parking separating it from other buildings on and off the property.

Any mechanical equipment including roof top equipment shall be screened from residential areas either by fencing, landscaping or rooftop screening as applicable.

MULTIFAMILY, TOWNHOME AND NON-RESIDENTIAL USES LANDSCAPE REQUIREMENTS:

All landscape requirements shall comply with Sections 48.4 and 48.5, Landscape Regulations of the Zoning Ordinance. There will be sidewalks as required parallel to the commercial spaces fronting South 5th Street. There will be landscape screening of utilities.

DESCRIPTION FOR PROPOSED ZONING CHANGE OF 12.015 ACRES OF LAND

BEING that certain tract of land situated in the H. Tierwester Survey, Abstract Number 1241, City of Sanger, Denton County, Texas, being all that certain tract of land described by deed to James Holt and Pamela Holt, recorded in Instrument Number 2012-98755, County Records, Denton County, Texas (C.R.D.C.T.), and being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of herein described tract, being in the east right-of-way line of Cowling Road (60-foot right-of-way), same being the northwest corner of that certain tract of land described by deed to Glen Edwin Giese and wife, Helen Jean Giese, recorded in Volume 2769, Page 367, C.R.D.C.T., same also being the beginning of a curve to the right;

THENCE with said east right-of-way line and said curve to the right, an arc distance of 197.80 feet, through a central angle of 19°14'10", having a radius of 589.15 feet, the long chord of which bears N 17°44'04"E, 196.87 feet, to the beginning of a curve to the right;

THENCE with said curve to the right, continuing with said east right-of-way line, an arc distance of 302.53 feet, through a central angle of 24°53′54", having a radius of 696.19 feet, the long chord of which bears N 39°48′06"E, 300.16 feet, to the southeast right-of-way line of 5th Street (60 foot right-of-way);

THENCE N 52°15'03"E, continuing with said southeast right-of-way line, 450.15 feet to the beginning of a curve to the left;

THENCE with said curve to the left, continuing with said southeast right-of-way line, an arc distance of 261.96 feet, through a central angle of 10°50'46", having a radius of 1383.83 feet, the long chord of which bears N 46°49'32"E, 261.57 feet, to the northwest corner of herein described tract, same being the southwest corner of that certain tract of land described by deed to Sable Development Corporation, recorded in Instrument Number 1996-20534, C.R.D.C.T.;

THENCE S 87°13'05"E, with the south line of said Sable Development Corporation tract, 124.31 feet to the northeast corner of herein described tract, same being the southeast corner of said Sable Development Corporation tract, same also being in the west line of Lot CA-1, Block E, Willowood Addition, an addition to the City of Sanger, Denton County, Texas, according to the plat thereof recorded in Instrument Number 2019-482, Plat Records, Denton County, Texas (P.R.D.C.T.);

THENCE S 00°49'32"W, with said west line, 20.49 feet;

THENCE S 02°48'39"W, continuing with the west line of said Willowood Addition, 890.01 feet to the southeast corner of herein described tract, same being the northeast corner of Lot 1R, Block A, Ashley Waters Addition, an addition to the City of Sanger, Denton County, Texas, according to the plat thereof recorded in Instrument Number 2019-264, P.R.D.C.T., same also being the northwest corner of Quail Run Phase 3, an addition to the City of Sanger, Denton

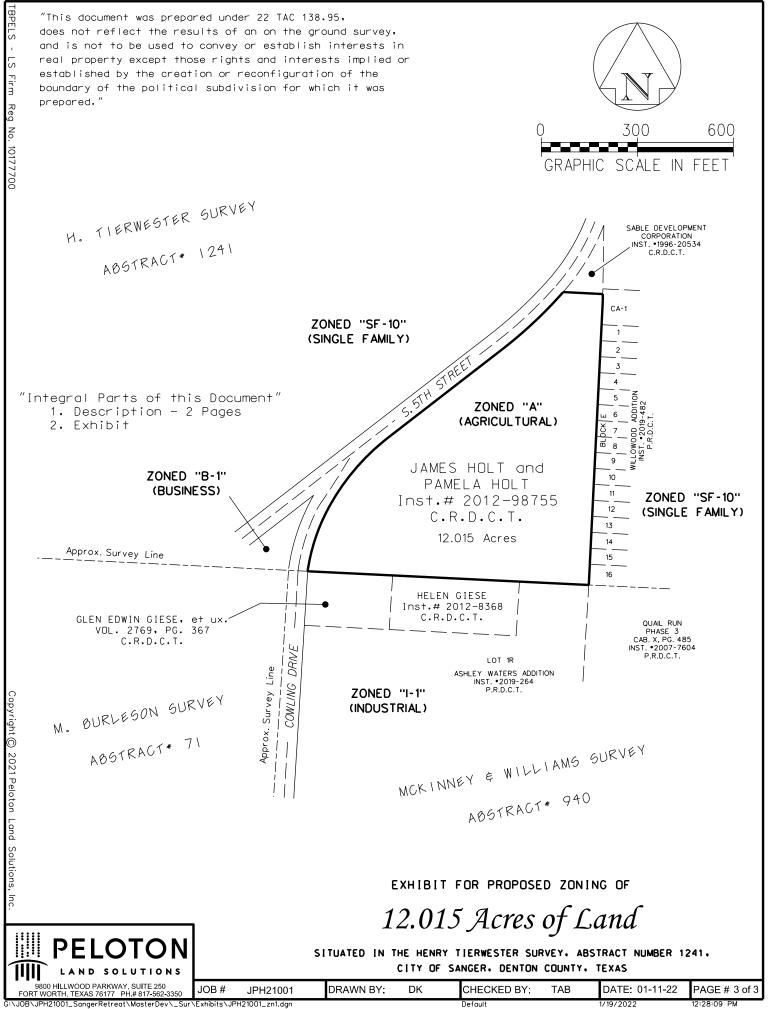
County, Texas, according to the plat thereof recorded in Cabinet X, Page 485 (Instrument Number 2007-7604), P.R.D.C.T.;

THENCE N 87°12'48"W, 880.06 feet, to the **POINT OF BEGINNING** and containing 523,362 square feet or 12.015 acres of land more or less.

"Integral Parts of this Document"

- 1. Description 2 Pages
- 2. Exhibit

"This document was prepared under 22 TAC 138.95, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."



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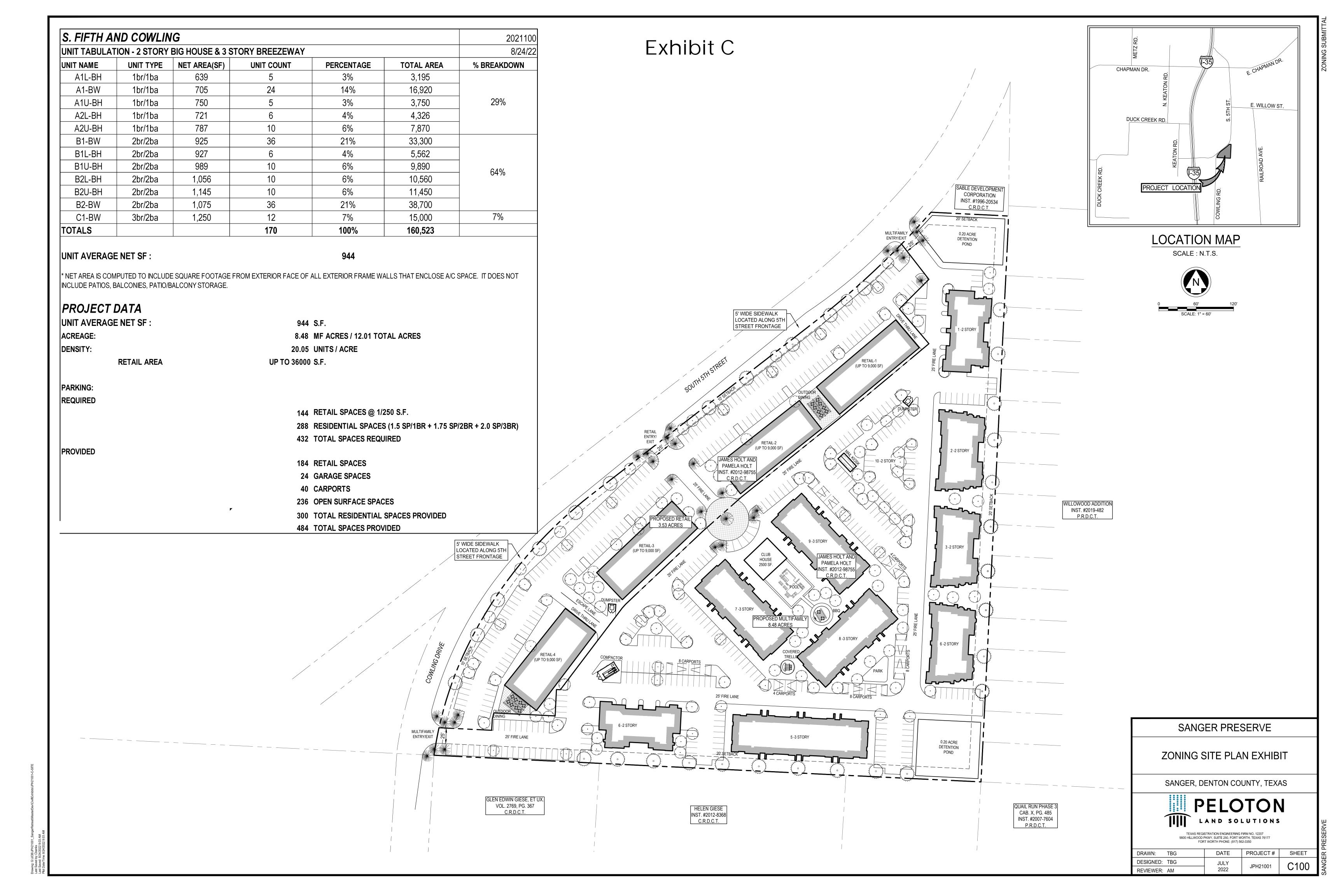


EXHIBIT D

RESIDENTIAL PROPERTY AMENITIES:	ADDITIONAL POTENTIAL RESIDENTIAL
 □ CLUBHOUSE □ YOGA / EXERCISE ROOM □ RESORT-STYLE POOL WITH TANNING LEDGE □ COMMUNITY BBQ AREAS WITH GRILLS □ COFFEE BAR / WI-FI CAFÉ □ WIRED FOR HIGH-SPEED INTERNET □ KITCHEN / SERVING AREA FOR PRIVATE RESIDENT FUNCTIONS IN CLUBHOUSE □ DOG PARK □ TRASH COMPACTOR (SINGLE LOCATION) □ PACKAGE LOCKERS 	Property Amenities: Dog Wash Station
UNIT AMENITIES:	Additional Potential Unit Amenities:
 □ WOOD-LOOK LVT PLANK FLOORING □ TECH PACKAGE: DIGITAL WI-FI CONTROLLED THERMOSTAT, ELECTRONIC LOCKS, USB PORTS □ ENERGY EFFICIENT PACKAGE: DOUBLE-PANE WINDOWS, ENERGY STAR APPLIANCES, LED LIGHTS, LOW VOC PAINT □ SOLID SURFACE COUNTERTOPS □ STAINLESS STEEL KITCHEN APPLIANCES □ INCLUDES MICROWAVE □ WASHER / DRYER HOOK-UPS □ OVERSIZED WALK-IN SHOWERS * □ 2" WOOD LOOK BLINDS □ CEILING FANS □ 9' CEILINGS □ PRIVATE 'PUPPY' YARDS* □ COVERED / GARAGE PARKING * 	☐ KITCHEN PANTRIES * ☐ KITCHEN ISLANDS * ☐ WASHER / DRYER INCLUDED ☐ VALET TRASH PICK-UP
*Some Unit Amenities available for specific Units only.	

EXHIBIT E







AUGUST 2022
DESIGN FEATURES & COMMUNITY FEATURES



AN EXPERIENCED TEAM

ASSEMBLED FOR

MULTIFAMILY DEVELOPMENT







HUMPHREYS & PARTNERS ARCHITECTS



WATER OAK LLC
OWNER / OPERATOR
PAMELA K. & JAMES HOLT

EJTJ VENTURES LLC, DALLAS, TEXAS CONSULTANT - DEVELOPMENT MARIE C. FREEMAN

CAF MANAGEMENT, FRISCO, TX
PROPERTY MANAGEMENT
TRENT WOODS & BROOKE HENDRY

Humphreys & Partners Architects Architect Michael Smith, & Madison Kruk

PELOTON LAND SOLUTIONS
CIVIL ENGINEERING
RICHARD PAYNE & BRAD SICARD



PROJECT OVERVIEW

- ☐ THE SANGER PRESERVE | S. FIFTH AND COWLING, SANGER, TEXAS
- □ 170-UNITS MULTIFAMILY, WALK-UP COMMUNITY, TOTALING +/- 160K SF AND 3,000-3,3500 SF CLUBHOUSE, DESIGNED WITH RESIDENT AMENITIES ON APPROX. 12 ACRES. RESIDENTIAL AVG / ACRE: 20
 - FIVE 2-STORY RESIDENTIAL BLDGS | FOUR 3-STORY
 RESIDENTIAL BLDGS
- ☐ FOUR RETAIL BLDGS FOR A TOTAL OF UP TO 36,000 SF, INCLUDING OUTDOOR GATHERING SPACES
- RESIDENTS WILL ENJOY AMENITIES EXPECTED IN A NEW MULTIFAMILY COMMUNITY WHICH ARE NOT CURRENTLY AVAILABLE IN THE MARKET, INCLUDING: STAINLESS APPLIANCES, SOLID SURFACE COUNTERTOPS, RESORT STYLE POOL, 9 FT CEILINGS, WOOD-LOOK PLANK FLOORING & ENERGY EFFICIENCIES.

Floor Plan	SF	Unit Mix	% Unit Mix
I BED / I BATH	639 - 787	50	29%
2 BED / 2 BATH	925 – 1145	108	64%
3 BED / 2 BATH	1250	12	7%
TOTAL RENTABLE SF	160,523	170	100%
Unit Average Net SF	944		
CLUBHOUSE SF (APPROX.)	3,000 – 3,500		
RETAIL SF (APPROX. MAX)	36,000		
PROJECTED AVG RENT PSF	\$1.60-1.70		
PROJECTED AVG RENT PER UNIT	\$1,580-1,685		



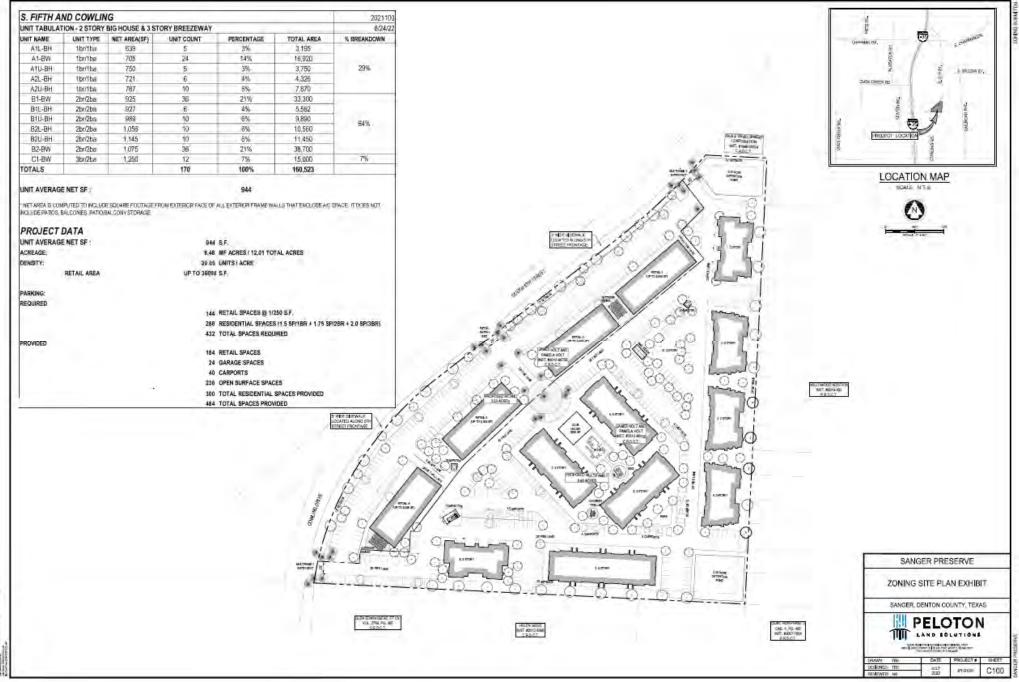
- ☐ SANGER, TX, IS ONLY 15 MINUTES N. OF DENTON, TX
- ☐ THE CITY HAS A POPULATION OF JUST OVER 9,200 AS OF 2021 ESTIMATES, AN INCREASE FROM 7,000 IN 2010 (A 24% INCREASE). DENTON COUNTY HAS A POPULATION OF AN ESTIMATED 944,000. WHICH HAS GROWN BY OVER 41% SINCE 2010. [1]
- THE PROJECT IS LOCATED JUST 1.2 MILES FROM THE MAJOR I-35 FREEWAY ON I-35 BUSINESS.



The submittal for a variance includes revising parking requirements based on Section 19 (MF-2) and 23 (B-2) of the Building Code for Multifamily & Retail Parking

CURRENT PARKING REQUIRED:	
COMMERCIAL SPACES	144
RESIDENTIAL SPACES	288
TOTAL REQUIRED	432

PARKING PROVIDED:	MF-2	B-2	TOTAL
OPEN SURFACE SPACES	236	184	420
RESERVED CARPORT	40	0	40
PRIVATE GARAGES	24	0	24
TOTAL PROVIDED	300	184	484



STATE OF THE PERSON NAMED IN

IDEA BOARD - CLUBHOUSE & AMENITIES



















Idea Board – Property Exterior





HERMOSA VILLAGE LEANDER, TX HUMPHREYS ARCHITECTS







CREEKSIDE PARK THE RESIDENCES THE WOODLANDS, TX HUMPHREYS ARCHITECTS



Idea Board – Unit Interiors









Unit Plans

Typical Floor Plans will range from 700 SF to 1300 SF



ENERGY STAR FEATURES

BUILDING WITH THESE ELEMENTS IN MIND RESULTS IN LOWER OPERATING COSTS, ENHANCES THE QUALITY OF LIFE FOR OUR RESIDENTS, AND MAXIMIZES VALUE FOR OUR INVESTORS AND SHAREHOLDERS. ■ ENERGY STAR-RATED APPLIANCES * ☐ LOW VOC INTERIOR PAINTS ☐ ENERGY EFFICIENT DOUBLE-PANE WINDOWS & PATIO/BALCONY DOORS TO MAXIMIZE NATURAL LIGHT. ☐ INSULATION INCLUDING CAULKING OR SPRAY FOAM AROUND LIGHT SWITCH & OUTLET DIGITAL WI-FL CONTROLLED THERMOSTAT ■ WOOD-LOOK PLANK FLOORING – GREEN RATED ☐ CABINETS SOURCED FROM WITHIN 500 MILES OF THE PROPERTY ☐ CFILING FANS ☐ 2" WOOD LOOK BLINDS ☐ NATIVE LANDSCAPE & PLANTINGS, WATER-SENSE IRRIGATION SYSTEM WITH SEPARATE METER ☐ LED / CFL LIGHTING INDIVIDUAL ELECTRIC & WATER METERING TO PROMOTE RESIDENT CONSERVATION HIGH-EFFICIENCY PLUMBING FIXTURES PACKAGE LOCKERS SHOWN TO REDUCE THE PROPERTY CARBON FOOTPRINT

PARCEL LOCKERS

SECURE PACKAGE DELIVERY FOR OUR RESIDENTS

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WITH THE EXPLOSION OF ALL-THINGS DELIVERED RIGHT TO OUR 'DOOR-STEP', WE NEED A WAY TO **SECURE** IMPORTANT DELIVERIES OF OUR RESIDENTS **PACKAGE** LOCKERS PROVIDE EASY TO USE, AUTOMATED LOCKERS. WORRIES ABOUT BEING HOME TO RECEIVE PACKAGE - THE ULTIMATE IN RESIDENT CONVENIENCE!





LOCATION ~ S. FIFTH & COWLING, SANGER, TEXAS

