

CITY OF SANGER, TEXAS

ORDINANCE No. 04-11-22

AN ORDINANCE OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REZONING APPROXIMATELY 326 ACRES OF TRACTS DESCRIBED AS A0029A R. BEEBE, TR 56, 56A, 56B, 60, 61 and 65, FROM “A” AGRICULTURAL TO “PD” PLANNED DEVELOPMENT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; 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 FOR 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 May 9, 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, On May 9, 2022 the City Council approved the amendment to the Zoning Map from Agricultural (A) to Planned Development (PD); and

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

WHEREAS, the following provision 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 the legal description of the tracts zoned herein is generally described as **A0029A R. BEEBE, TR 56, 56A, 56B, 60, 61 and 65 326 ACRES.**

SECTION 2. That the subject property described in Section 1 and further described through metes and bounds in Exhibit A, and generally located on the south side of FM 455 and approximately 330 feet east of the intersection of Marion Road and FM 455 and continuing south

to McReynolds Rd, is rezoned from A (Agricultural) to PD (Planned Development), as illustrated in Exhibit B and the conceptual plan as illustrated in Exhibit C.

SECTION 3. 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 4. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION 5. 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 6. 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 7. 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 9th day of May, 2022.

ATTEST:



Kelly Edwards, City Secretary

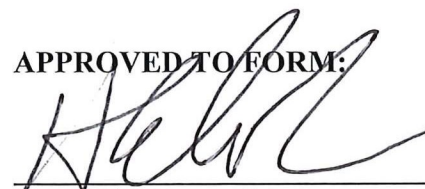


APPROVED:



Thomas E. Muir, Mayor

APPROVED TO FORM:



Hugh Coleman, City Attorney

EXHIBIT A

LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, being part of the Rueben Bebee Survey, Abstract No. 29, Denton County, Texas, and being all of that tract of land described in a deed to Hien & Duyet Nguyen recorded in Document No. 2016-27020 Real Property Records of Denton, County, Texas (RPRDCT) and all of that tract of land described in a deed to Dualbond Holdings, LLC recorded in Document No. 2016-27021 (RPRDCT) and all of that tract of land described in a deed to Sanger Town Center LLC recorded in Document No. 2017-48301 (RPRDCT), being more completely described as follows, to-wit:

BEGINNING at 1/2" iron rod set for the southeast corner of the Hien & Duyet Nguyen tract and the north right-of-way line of McReynolds Road;

THENCE with the north right-of-way line of McReynolds Road North 87°54'58" West a distance of 1,789.63 feet to a 1/2" iron rod set for the southwest corner of the Hien & Duyet Nguyen tract and the southeast corner of a tract of land described in a deed to Winston Grove Apartments, LLC recorded in Document No. 2018-13037 (RPRDCT);

THENCE North 2°23'22" East a distance of 2,526.23 feet to 1/2" iron rod set for the northeast corner of a tract of land described in a deed to Marion Hills Apartments, LLC recorded in Document No. 2017-92008 (RPRDCT);

THENCE North 88°13'32" West a distance of 1,325.35 feet to a 2" iron rod found for the northwest corner of the Marion Hills Apartments, LLC;

THENCE South 2°25'03" West a distance of 2,504.45 feet to a 1/2" iron rod set for the southwest corner of Lake Ridge Estates, Phase 1 an addition to the City of Sanger recorded in Cabinet V, Page 752 of the Plat Records of Denton County, Texas (PRDCT) and the north right-of-way line of McReynolds Road;

THENCE with the north right-of-way line of McReynolds Road North 87°25'44" West a distance of 612.45 feet to a 1/2" iron rod set for the southwest corner of the Sanger Town Center LLC tract and the east right-of-way line of Indian Lane right-of-way recorded in Document No. 2004-145888 (RPRDCT);

THENCE with the east right-of-way line of Indian Lane as follows:

North 2°15'10" East a distance of 1,935.36 feet to a 1/2" iron rod set for corner;

North 5°39'58" East a distance of 200.32 feet to a 1/2" iron rod set for corner;

North 2°02'56" East a distance of 24.96 feet to the beginning of a curve to the left, having a radius of 550.39 feet, a chord of North 14° 26' 46" West – 313.65 feet, a distance of 318.05 feet to a 1/2" iron rod set for the southwest corner of land described in a deed to Marion Hills Apartments, LLC recorded in Document No. 2017-48293 (RPRDCT);

THENCE with the east line of the Marion Hills Apartments, LLC as follows:

North 56°02'48" East a distance of 658.23 feet to a 1/2" iron rod set for the beginning of a curve to the left, having a radius of 800.00 feet, a chord of North 29° 03' 15" East – 726.20 feet, a distance of 753.77 feet to a 1/2" iron rod set corner;

North 2°03'42" East a distance of 408.45 feet to the beginning of a curve to the left, having a radius of 800.00 feet, a chord of North 05° 18' 19" West – 205.15 feet, a distance of 205.72 feet to a 1/2" iron rod set for the northeast corner of the Marion Hills Apartments, LLC tract;

THENCE with the north line of the Marion Hills Apartments, LLC as follows:

South 78°30'05" West a distance of 64.61 feet to a curve to the right, having a radius of 800.00 feet, a chord of South 85° 33' 17" West – 196.47 feet, a distance of 196.97 feet to a 1/2" iron rod set corner;

North 87°23'31" West a distance of 565.51 feet to a 1/2" iron rod set for the northwest corner of the Marion Hills Apartments, LLC and the east line of a tract of land described in a deed to Sanger ISD recorded in Volume 1841, Page 662 (RPRDCT);

THENCE with the east line of the Sanger ISD tract North 2°36'29" East a distance of 840.18 feet to a 1/2" iron rod set for the northeast corner of the Sanger ISD tract and the northwest corner of the Sanger Town Center LLC and the south right-of-way line of West Chapman Road;

THENCE with the south right-of-way line of West Chapman Road and the north line of the Sanger Town Center LLC as follows:

South 87°53'26" East a distance of 1,269.90 feet to a 1/2" iron rod set for corner;

South 88°02'57" East a distance of 500.69 feet to a 1/2" iron rod set for corner;

South 87°47'23" East a distance of 2,068.95 feet to a 1/2" iron rod set for the northeast corner of the Dualbond Holdings, LLC Tract and the northwest corner of a tract of land described in a deed to Miller Family Trust recorded in Document No. 94-0089391 (RPRDCT);

THENCE with the west line of the Miller Family Trust tract South 2°58'32" West a distance of 1,272.08 feet to a 1/2" iron rod set for corner;

THENCE South 2°42'07" West a distance of 3,659.25 feet to the place of beginning, containing 326.825 acres, or 14,236,483 square feet of land.

EXHIBIT B

326.825 ACRE LANE RANCH PD SUMMARY

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 "A" (the "Property") of this PD Ordinance. Development and use of the Property shall

comply with the Sanger Zoning Ordinance as it existed on the date of its adoption on 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.

PROPOSED USES

Single Family (242.890 Acres)

Approximately 152.38 acres are proposed as single family detached uses, 16.35 acres as single family attached (townhome) and 74.16 acres of open space. The net density is 3.76 units/acre.

Business District (83.935 Acres)

Approximately 43.079 acres are proposed as local business and retail, 8.762 acres of assisted living along with 18.469 acres of multi-family and 13.625 acres of open space.

COMMUNITY FEATURES

The hardscape within the community shall include entry monuments, screening walls and community signage constructed of brick or stone. Signs shall not be within the sight visibility triangles.

A mandatory homeowners association shall be established to own and maintain the private open spaces, common areas and greenbelts; all private landscape improvements; dog parks and dog waste stations, perimeter masonry and tubular steel fencing; entry monuments and signage. The homeowner's association shall maintain on street parking spaces within a street right-of-way and any parking spaces located within a common area lot. Private trails and sidewalks shall be constructed within a pedestrian access easement and owned and maintained by the HOA.

The 100-year floodplain shall be designated as a public drainage easement within the Public Parkland dedication. Maintenance responsibility shall be identified on the plat using the City of Sanger Standard drainage easement inscription.

RESIDENTIAL LAND USES

- I. Lot Sizes, Setbacks, etc. for Single Family Detached.** Except as otherwise provided below, detached single family residences shall comply with Section 53, "R-1" RESIDENTIAL DISTRICT -1 of the Zoning Ordinance, subject to the following changes:

A. Minimum Lot Width, Depth, and Size.

The Estate Lots (60' X 120'):

The minimum lot width shall be 60 feet. The minimum lot depth shall be 120 feet. The minimum lot size shall be 7,200 square feet.

The Manor Lots (50' X 120'):

The minimum lot width shall be 50 feet. The minimum lot depth shall be 120 feet. The minimum lot size shall be 6,000 square feet.

The Garden Lots (40' X 120'):

The minimum lot width shall be 40 feet. The minimum lot depth shall be 120 feet. The minimum lot size shall be 4,800 square feet.

B. Minimum House Size.

The Estate Lots:

The minimum air-conditioned area within each residence shall be 2,250 square feet.

The Manor Lots:

The minimum air-conditioned area within each residence shall be 1,800 square feet. Over the entire development, the Manor Lots shall average over 2,000 square feet in house size. The Manor Lots shall place a limit of 15% of the total lot count to be below 2,000 square feet.

The Garden Lots:

The minimum air-conditioned area within each residence shall be 1,500 square feet. Over the entire development, the Garden Lots shall average over 1,650 square feet in house size. The Garden Lots shall place a limit of 15% of the total lot count to be below 1,650 square feet.

C. Maximum Height.

The maximum building height shall be 2 stories or 35 feet.

D. Front Yard Setback.

The minimum front yard building setback shall be twenty-five feet (25'). Front porches and architectural features such as stoops, overhangs, courtyard walls, masonry chimneys and bay windows may extend into the front yard a maximum of five feet (5').

E. Side Yard Setback.

The minimum side yard building setback shall be five feet (5') on each side. A side yard adjacent to a street on a corner lot shall always have a minimum ten-foot (10') side yard building setback.

F. Rear Yard Setback.

The minimum rear yard building setback shall be twenty feet (20') from the rear facade of the residence (excluding porches and projecting architectural features) to the rear lot line. Porches and architectural features such as stoops, overhangs, courtyard walls, masonry chimneys and bay windows may extend into the rear yard a maximum of five feet (5').

G. Maximum Lot Coverage.

The maximum lot coverage will be 65% for any residential lot.

H. Garages.

An enclosed parking area of at least four hundred square feet shall be provided for a garage (this does not count towards the minimum house size). The face of a garage door must be located at least 20 feet from the street right-of-way line that the garage door faces. The garage door does not have to be behind the street facing façade of the house. Split garage doors with a separate door for each vehicle bay are not required.

I. Design Elements

All residential dwellings will meet the City of Sanger Exterior Façade Design Criteria Manual as adopted on October 7, 2019.

II. Lot Sizes, Setbacks, etc. for Single Family Attached. Except as otherwise provided below, attached single family residences shall comply with Section 57, "TH" TOWNHOME RESIDENTIAL DISTRICT of the Zoning Ordinance, subject to the following changes:

A. Minimum Lot Width, Depth, and Size.

The minimum lot width shall be 22 feet. The minimum lot depth shall be 90 feet. The minimum lot size shall be 1,980 square feet.

B. Minimum House Size.

The minimum air-conditioned area within each residence shall be 1,300 square feet.

C. Maximum Height.

The maximum building height shall be 2 stories or 35 feet.

D. Front Yard Setback.

The minimum front yard building setback shall be twenty-five feet (20'). Front porches and architectural features such as stoops, overhangs, courtyard walls, masonry chimneys and bay windows may extend into the front yard a maximum of five feet (5').

E. Side Yard Setback.

The minimum side yard building setback at the end of each building shall be seven- and one-half feet (7.5') on each side creating a 15-foot separation between buildings. A side yard adjacent to a street on a corner lot shall always have a minimum twenty-feet (20') side yard building setback.

F. Rear Yard Setback.

The minimum rear yard setback shall be five feet from the rear facade of the residence to the alley right-of-way.

G. Maximum Lot Coverage.

The maximum lot coverage shall not apply to any townhomes.

H. Parking

Two off-street parking spaces shall be provided per unit and shall not be within the required front yard.

I. Design Elements

All residential dwellings will meet the City of Sanger Exterior Façade Design Criteria Manual as adopted on October 7, 2019.

III. Lot Sizes, Setbacks, etc. for Multi-Family. Multi-Family residences shall comply with Section 19, "MF-2" MULTI-FAMILY RESIDENTIAL DISTRICT – 2 of the Zoning Ordinance.

IV. General Conditions.

- A. For the purposes of determining compliance with the lot width requirements, lot widths shall be measured at the rear of the required front yard setback as shown on the Final Plats.
- B. Sidewalks may be located outside of the public right-of-way if located within an adjacent open space lot with a pedestrian access easement to provide for meandering sidewalks and trails that may be located within adjacent common area lots or to preserve existing trees along perimeter roads.

V. Residential Single Family Detached Landscape Requirements. Except as otherwise provided below, landscape requirements shall comply with Section 48, Landscape Regulations of the Zoning Ordinance, subject to the following changes:

The following requirements apply to single family residential development:

- A. Each single-family residence shall have an irrigation system in the front yard and street corner side yard with a freeze sensor regulator shut off.
- B. Each Home lot shall have a minimum of two shade trees that are at least three inches in caliper planted. The trees shall be planted in the front and rear yard. If the lot fronts or sides onto a common area lot, the front yard requirement may be satisfied with the trees located in the adjacent greenspace. No other front yard or side yard tree planting requirement shall apply.
- C. All required trees shall be selected from a tree list approved during the Detail Plan stage.
- D. Each Home lot shall have a minimum of twelve (12) shrubs placed in the front yard. Individual shrubs shall be a minimum of three (3) gallons in size when planted.

VI. 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.

VII. Parkland/Open Space (83.783 Acres)

- A. Developer, and its assigns, agree to dedicate approximately 59.7 acres of the total 83.783 acres of floodplain/open space as Public Park property (the "Parkland") to the City of Sanger. Common areas shall include floodplain, ponds, detention areas, and small open spaces as shown on the Preliminary Park Concept Plan. Small Open Spaces shall be connected with sidewalks to be a comprehensive pedestrian system. Common areas will abut a public street right-of-way in at least one location with a sidewalk connection. The Parkland shall be credited toward the Park Land Dedication requirement.
- B. A pedestrian circulation system shall be provided that affords connectivity to the entire community and the perimeter of the Property. The pedestrian circulation system shall include concrete trails that are a minimum of six feet in width. Trails in greenbelts will be constructed of concrete and shall connect with the project sidewalks. The pedestrian circulation system may be located on private property with a pedestrian access easement or within the right-of-way. The pedestrian circulation system shall include such items as benches, landscaping, signage, lighting, bike racks, water fountains, trash cans, and doggie waste stations. These items are represented on the Park Plan.

- C. All interior residential street rights-of-way shall be improved with sidewalks that are a minimum of four feet in width and (1) constructed by the homebuilders at the time of adjacent house construction; or (2) constructed by the developer for all non-buildable lots. All sidewalks along Collector and Arterial Road frontages are to be five feet in width. The pedestrian circulation system will replace the required public sidewalk along Lane Ranch Drive as shown on the Preliminary Park Concept Plan.
- D. Developer, and its assigns, agree to also install additional amenities such as an off-street parking lot, dog park, covered picnic area, playground equipment and fishing docks as shown on the Preliminary Park Concept Plan. The exact number and location of these amenities may change during the final design process. They are generally represented on the Park Plan.
- E. The phasing of the park improvements will coincide with the residential phasing plan and is noted on the overall Preliminary Park Concept Plan.

VIII. Fencing Requirements

- A. The developer shall install a perimeter brick or stone screening wall along Major Collector Streets as shown on the Detail Plan. Floodplain, parks, open spaces, right-of-way shall be exempt from the screening requirements in this Section; however, tubular steel fencing may be installed in these areas at the developer's option.
- B. Homebuilder side yard and back yard fencing on residential lots shall be a maximum of six feet in height and shall be setback a minimum of five feet from the front building line shown on the Detail Plan.
- C. Fencing on all residential lots abutting an open space lot or greenbelt shall be restricted to tubular steel painted black. No solid fencing other than a brick and/or stone masonry courtyard wall under 42 inches shall be permitted abutting an open space lot or greenbelt; however, landscape borders, included trimmed hedges, are permitted.

IX. Street Typology

- A. Standard curbs will be required adjacent to streets abutting all residential lot types unless otherwise approved by the City's engineering department.
- B. Streets fronting open space lots must have standard curbs adjacent to the common area lot. Streets adjacent to common area lots may provide for on-street parking. In addition, the street faces adjacent to open spaces near the flood plain will have a maintenance access location.
- C. Developer shall work with City to determine the location and number of stop signs within the subdivision and speed limits to facilitate traffic calming and maximum the benefit from the pedestrian system.

X. Utilities and Equipment

- A. Electrical and gas utility meters and AC condensers should be unobtrusively located beyond the front or side street facade zone and screened from view from adjacent streets or common open spaces with landscaping or appropriate fencing.
- B. Transformers on individual lots should be screened to minimize visual impact.
- C. Satellite dishes, and solar panels should be located in less conspicuous locations and out of view from adjacent streets or common open spaces when possible.
- D. Antennas should be located inside the building when possible.
- E. Solar panels when visible from the front should be flush with the roof.

XI. Refuse Locations

- A. Refuse containers should be stored within an enclosed storage area, fenced, or walled to be screened from view from adjacent streets or common open spaces with landscaping can be added.

XII. Home Variety

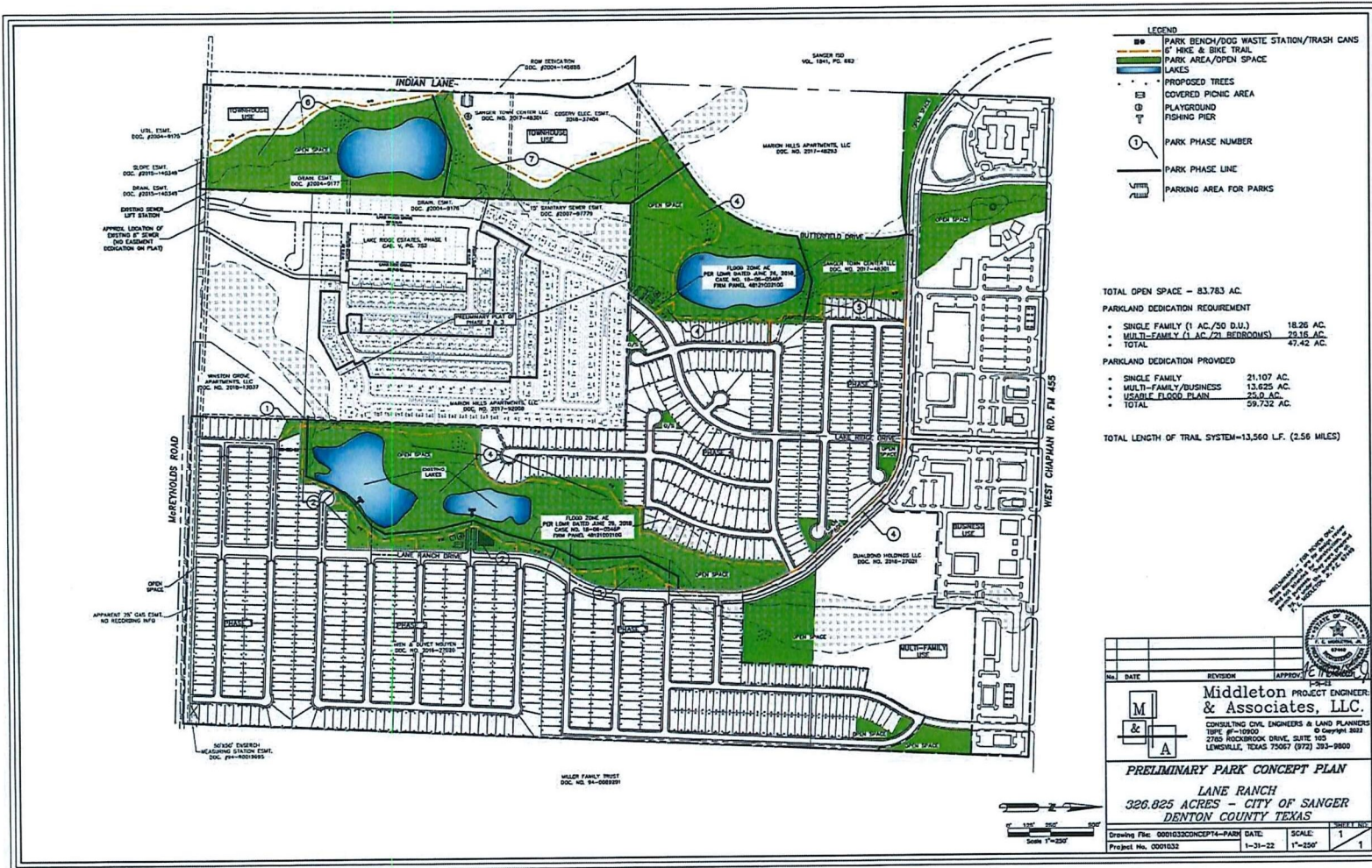
- A. Detached home designs with the same or similar facade, materials, or colors should be separated by a minimum of three lots on the same side of the street and should not be located directly across or diagonally across the street from each other.
- B. If a detached home plan is repeated on an adjacent lot, it should be elevated with a different architectural style or two of the following three elevation changes - brick color, roof color, or flipped plan.

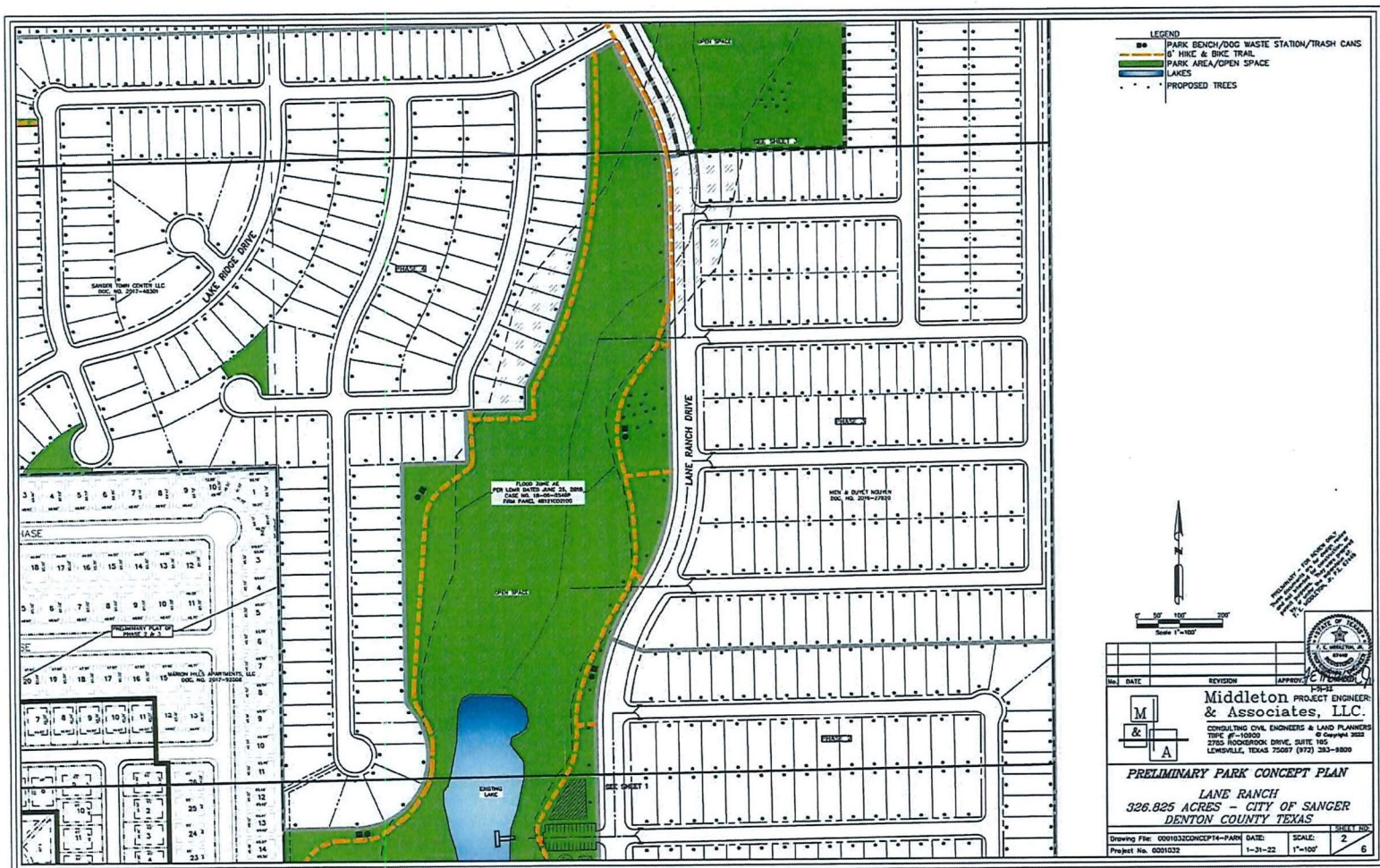
BUSINESS DISTRICT USES

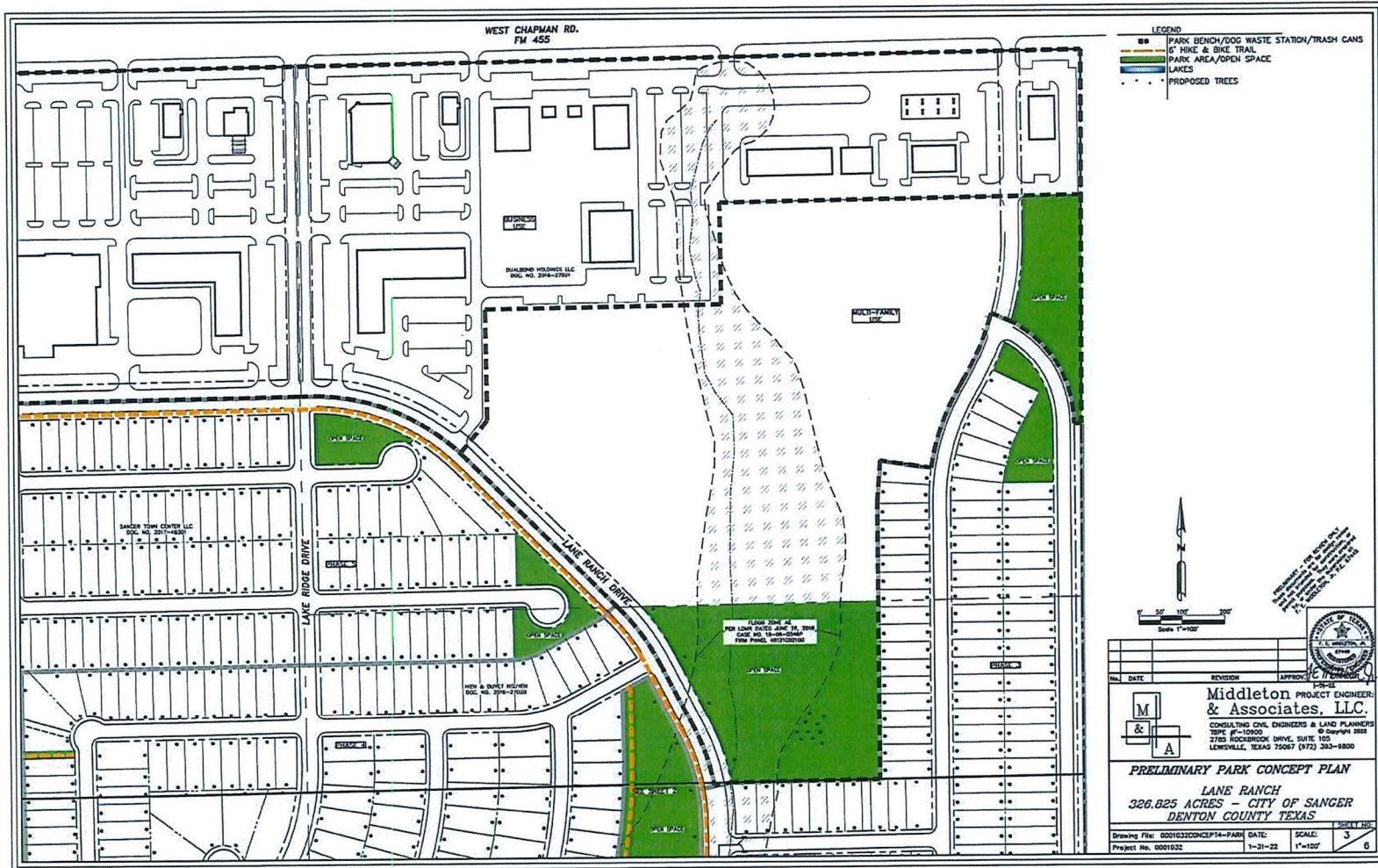
Except as otherwise provided below, commercial uses shall comply with Section 23, "B-2" Business District - 2 of the Zoning Ordinance, subject to the following changes:

- 1. An 18.5-acre multi-family site will be allowed. The base zoning for this tract will be "MF-2" Multi-Family Residential District - 2 at 20 units per gross acre.
- 2. Self-Storage facilities may be allowed by SUP approval.
- 3. Boat storage facilities may be allowed by SUP approval.

4. The building height for a pitched roof building shall be a maximum of 45 feet.
5. The front, rear and side building setbacks adjacent to any internal street shall be a minimum of 15 feet.
6. Any mechanical equipment including roof top equipment shall be screened from residential districts either by fencing, landscaping or rooftop screening as applicable.







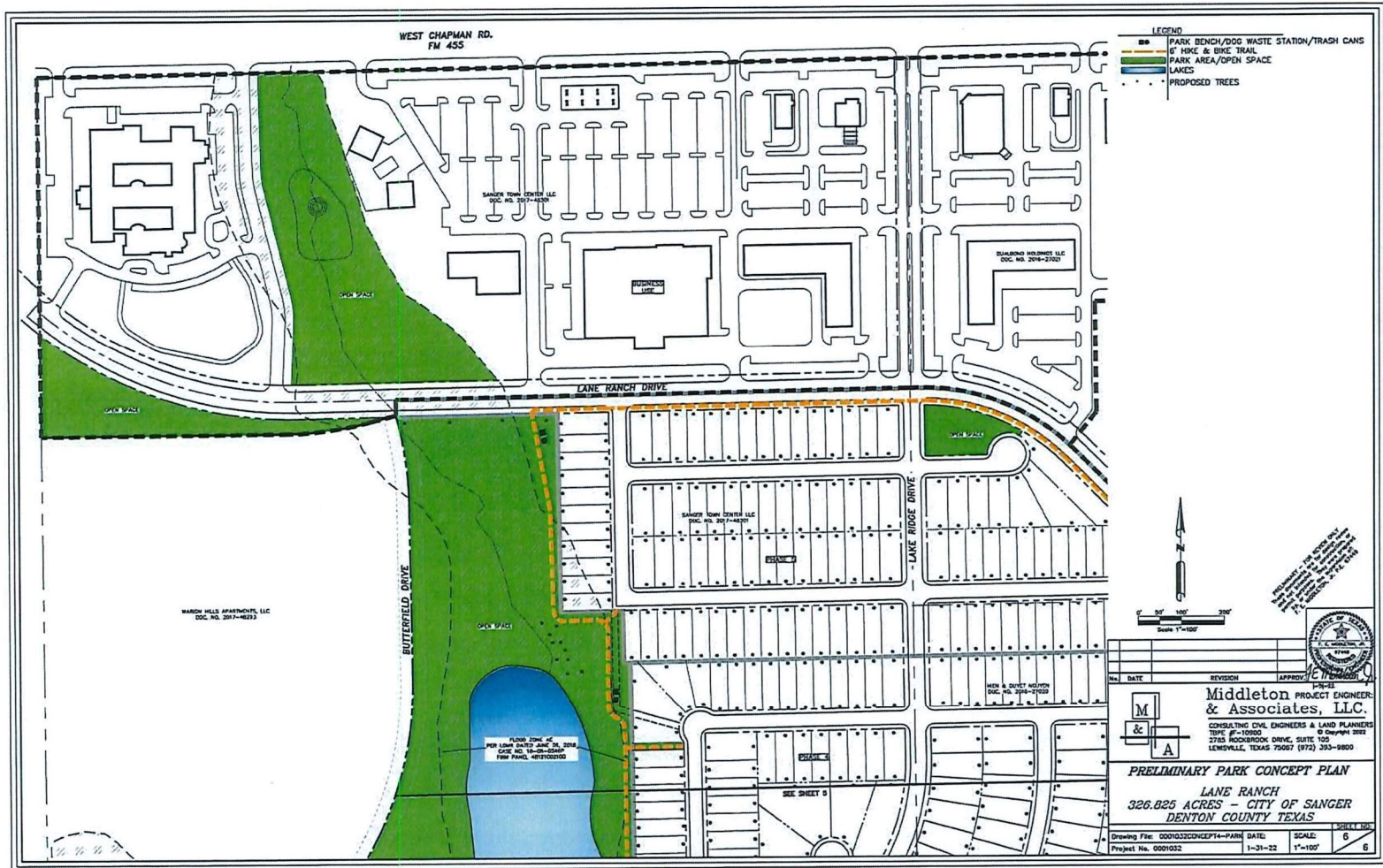


EXHIBIT C

