

# PLANNING & ZONING COMMISSION

## MEETING AGENDA

AUGUST 08, 2022, 7:00 PM



PLANNING & ZONING COMMISSION REGULAR MEETING

HISTORIC CHURCH BUILDING - 403 N 7TH STREET, SANGER, TEXAS

### CALL THE REGULAR MEETING TO ORDER AND ESTABLISH A QUORUM

### INVOCATION AND PLEDGE

### CITIZENS COMMENTS

*This is an opportunity for citizens to address the Commission on any matter. Comments related to public hearings will be heard when the specific hearing begins. Citizens are allowed 3 minutes to speak. Each speaker must complete the Speaker's Form and include the topic(s) to be presented. Citizens who wish to address the Commission with regard to matters on the agenda will be received at the time the item is considered. The Commission is not allowed to converse, deliberate or take action on any matter presented during citizen input.*

### CONSENT AGENDA

*All items on the Consent Agenda will be acted upon by one vote without being discussed separately unless requested by a Commissioner to remove the item(s) for additional discussion. Any items removed from the Consent Agenda will be taken up for individual consideration.*

1. Approval of Minutes from 07/11/22

### PUBLIC HEARING ITEMS

2. Conduct a Public Hearing on Ordinance No. 08-21-22 amending Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings to allow Quick Service Food and Beverage by right in the Business District 2 (B-2) without the requirement of a Specific Use Permit (SUP) and adding Section 32.7 Vehicle Stacking Requirements.
3. Conduct a public hearing on a request for a Specific Use Permit (SUP) for Quick Service Food and Beverage Shop, on 0.61 acres of land described as Lot 1R-2, Block 1 of the Sanger Lodging Addition, Zoned as Business District 2 (B-2) and generally located on the east side of Stemmons Frwy approximately 594 feet South of FM 455.
4. Conduct a public hearing on a Replat of Lot 6R2-1B, Block A of Sanger Industrial Park Addition, being 1.75 acres, located in the City of Sanger, and generally located on the south west corner of I-35 and FM 455.

## **ACTION ITEMS**

5. Consideration and possible action on Ordinance No. 08-21-22 amending Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings to allow Quick Service Food and Beverage by right in the Business District 2 (B-2) without the requirement of a Specific Use Permit (SUP) and adding Section 32.7 Vehicle Stacking Requirements.
6. Consideration and possible action on a request for a Specific Use Permit (SUP) for Quick Service Food and Beverage Shop, on 0.61 acres of land described as Lot 1R-2, Block 1 of the Sanger Lodging Addition, Zoned as Business District 2 (B-2) and generally located on the east side of Stemmons Frwy approximately 594 feet South of FM 455.
7. Consideration and possible action on a Replat of Lot 6R2-1B, Block A of Sanger Industrial Park Addition, being 1.75 acres, located in the City of Sanger, and generally located on the south west corner of I-35 and FM 455.

## **FUTURE AGENDA ITEMS**

*The purpose of this item is to allow the Chairman and Commissioners to bring forward items they wish to discuss at a future meeting, A Commissioner may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting. Items may be placed on a future meeting agenda with a consensus of the Commission or at the call of the Chairman.*

## **ADJOURN**

## **CERTIFICATION**

I certify that a copy of this meeting notice was posted on the bulletin board at City Hall is readily accessible to the general public at all times and posted on the City of Sanger website on August 5, 2022, at 10:45 AM.

/s/ Stefani Dodson  
Stefani Dodson, Secretary

The Historical Church is wheelchair accessible. Request for additional accommodations or sign interpretation or other special assistance for disabled attendees must be requested 48 hours prior to the meeting by contacting the City Secretary's Office at 940.458.7930.



## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Conduct a Public Hearing on Ordinance No. 08-21-22 amending Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings to allow Quick Service Food and Beverage by right in the Business District 2 (B-2) without the requirement of a Specific Use Permit (SUP) and adding Section 32.7 Vehicle Stacking Requirements.

**SUMMARY:**

- Currently the zoning ordinance requires a SUP for all Quick Services Food and Beverage Shops.
- The Business District 2 (B-2) is the most intensive Business District and is located along the major thoroughfares.
- The B-2 District is where most Quick Service Food and Beverage Shops will be located.
- This use should be allowed without the burden of obtaining a SUP.
- There are currently five Quick Service Food and Beverage Shops already in place in these areas.
- There has been other Quick Service Food and Beverage Shops show interest in coming into these areas. For this reason, we would like to simplify the process.

**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

**ATTACHMENTS:**

Ordinance No 08-21-22

**CITY OF SANGER, TEXAS****ORDINANCE 08-21-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REGARDING AMENDING THE CITY OF SANGER CODE OF ORDINANCE, CHAPTER 14 PLANNING AND ZONING, SECTION 30 USE OF LAND AND BUILDINGS, SECTION 30.2 LEGEND FOR INTERPRETING SCHEDULE OF USES, TO ALLOW QUICK SERVICE FOOD AND BEVERAGE BY RIGHT IN THE B-2 ZONING DISTRICT WITHOUT THE REQUIREMENT OF A SUP AND ADDING SECTION 32.7 VEHICLE STACKING REQUIREMENTS; 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 August 8, 2022, duly covered and conducted public hearing for the purpose of assessing a request for an amendment to the Zoning Ordinance, recommending approval for the hereinafter described property; and

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

**WHEREAS**, the following provision of proper legal notice requirements, 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 Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings, Section 30.2 Legend for Interpreting Schedule of Uses, removing the SUP requirement for Quick Service Food and Beverage Shop in Business District 2 (B-2) and adding Section 32.7 Vehicle Stacking Requirements as described in Exhibit A is hereby granted.

**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 15th day of August, 2022.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED TO FORM:**

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

### 32.7 Vehicle Stacking Requirements For Drive Through Services

1. Generally. Stacking spaces are used to measure the capacity of a drive-through lane to hold cars while transactions are taking place at drive-through stations. Stacking spaces measure eight feet six inches wide by 20 feet long and provide direct access to a service window. The position in front of a drive-through station (service window, ATM, or station at a drive-through bank) is counted as a stacking space.

2. Requirements. Uses that include drive-through service shall provide not less than the following numbers of stacking spaces:

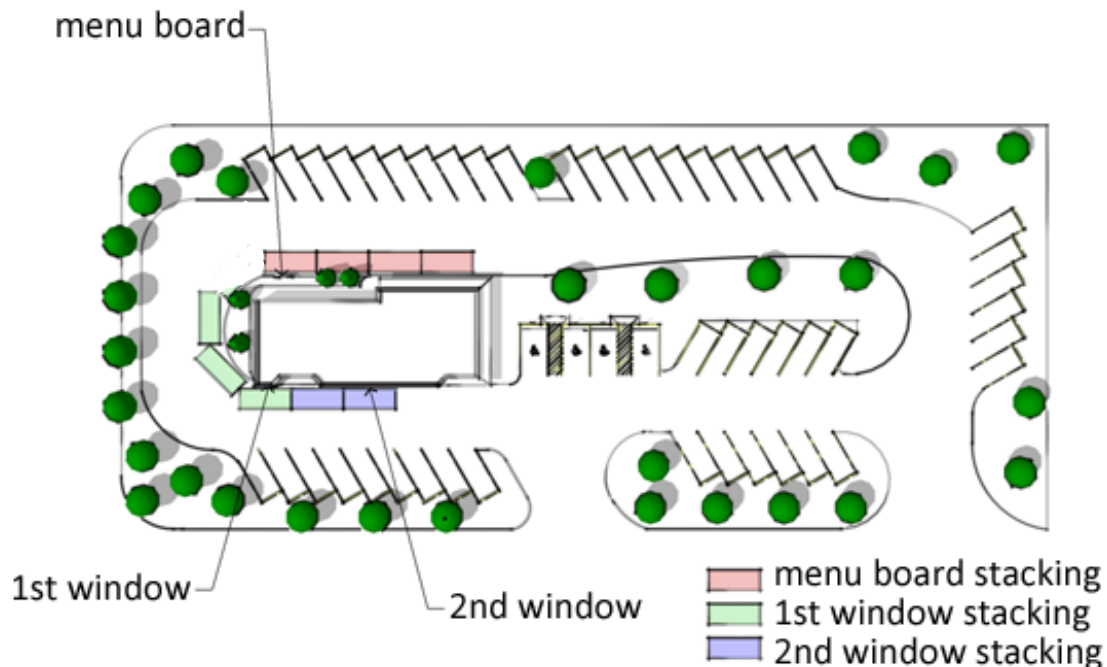
a. Financial institutions, drive-through convenience retail, or pharmacies: Three stacking spaces per drive-through station.

b. Drive-through restaurants if two service windows are provided (one for payments and one for pick up): a minimum of nine (9) stacking spaces shall be provided designed as follows

(1) Four stacking spaces to the menu board

(2) Three stacking spaces between the menu board and the first window (including position at the first window); and

(3) Two spaces between the first window and the second window (including the position at the second window).



c. If one service window is provided (for both payments and pick up):

(1) Six stacking spaces to the menu board;

(2) Three stacking spaces between the menu board and the service window.

d. Dry Cleaners: Three stacking spaces, including the position at the window.

e. Vehicle Wash:

(1) Three stacking spaces for each bay in self-service vehicle wash facility (including wash area);

(2) Five stacking spaces for each in-bay or conveyor vehicle wash facility; and

(3) If the facility provides detailing, manual drying or polishing, and/or vacuuming, sufficient area to provide those services without creating additional demand for stacking at the vehicle wash entrance.

f. Stacking spaces for other uses are determined by the Development Service Director.

### 3. Design

a. Stacking lanes shall be clearly marked, and shall not interfere with on-site or traffic circulation, whether on or off-site.

b. Stacking areas shall not be located between the façade of a building and the public street upon which the building fronts unless there is a grade change of at least five feet between the centerline of the street and the stacking area or alternatively, there is a buffer yard installed.

c. Stacking lanes shall be designed with an abutting nine-foot-wide bypass lane.

d. Stacking begins at first stopping point.



## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Conduct a public hearing on a request for a Specific Use Permit (SUP) for Quick Service Food and Beverage Shop, on 0.61 acres of land described as Lot 1R-2, Block 1 of the Sanger Lodging Addition, Zoned as Business District 2 (B-2) and generally located on the east side of Stemmons Frwy approximately 594 feet South of FM 455.

**SUMMARY:**

- The applicant is proposing a Quick Service Food and Beverage Shop with a drive-thru.
- This lot is located between the Holiday Inn and Taco Bell.
- The site is zoned Business District 2 (B-2) which allows Quick Service Food and Beverage Shop with a SUP.
- The site will be a new location for Jack In the Box.
- The applicant has been made aware of the new stacking regulations that will be implemented.
- The property currently has two Quick Service Food and Beverage Shops in close proximity.
- Staff mailed 5 notices and at the time of this report has received 1 in favor.

**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

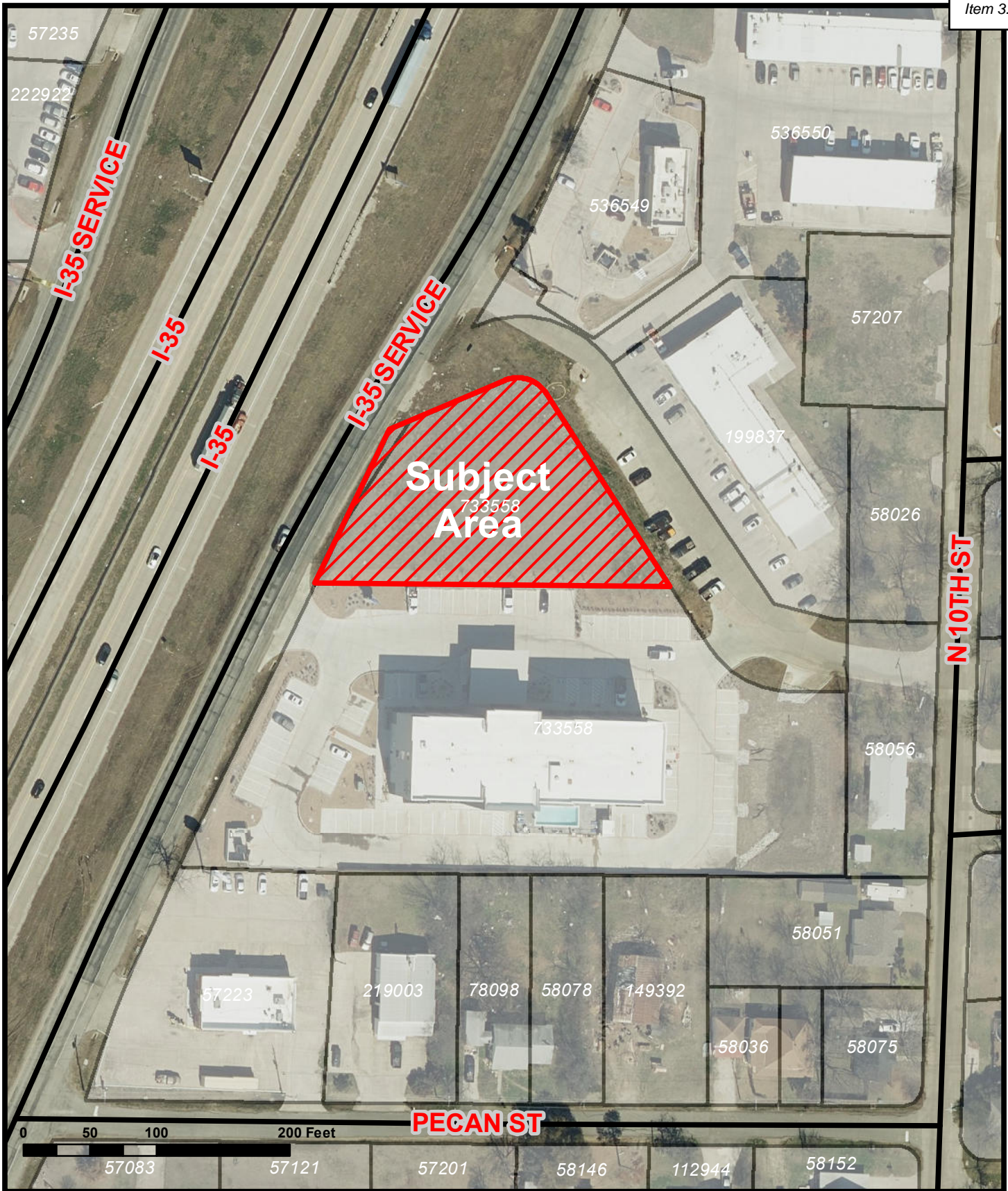
**RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

**ATTACHMENTS:**

Location Map





**SANGER**  
TEXAS

Project Name: 650 N Stemmons SUP  
Project: 22SANZON-0045

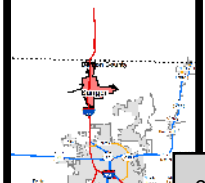


City Limits



Exhibits

DISCLAIMER:  
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Date: 7/24/2022 3:12:42 PM  
Doc Name: 22SANZON-0045\_650 Stemmons SUP





## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Conduct a public hearing on a Replat of Lot 6R2-1B, Block A of Sanger Industrial Park Addition, being 1.75 acres, located in the City of Sanger, and generally located on the south west corner of I-35 and FM 455.

**SUMMARY:**

- The applicant is proposing to create 1 lot of 1.75 acres from a partially platted tract of land.
- The lot currently has access from N Stemmons (I-35 service road) and will have approximately 546 feet of frontage on the public ROW.
- The property will be the site of the Quik Trip Convenience Store
- ROW was previously dedicated with the road expansions.
- The property meets City of Sanger Subdivision Regulations.

**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

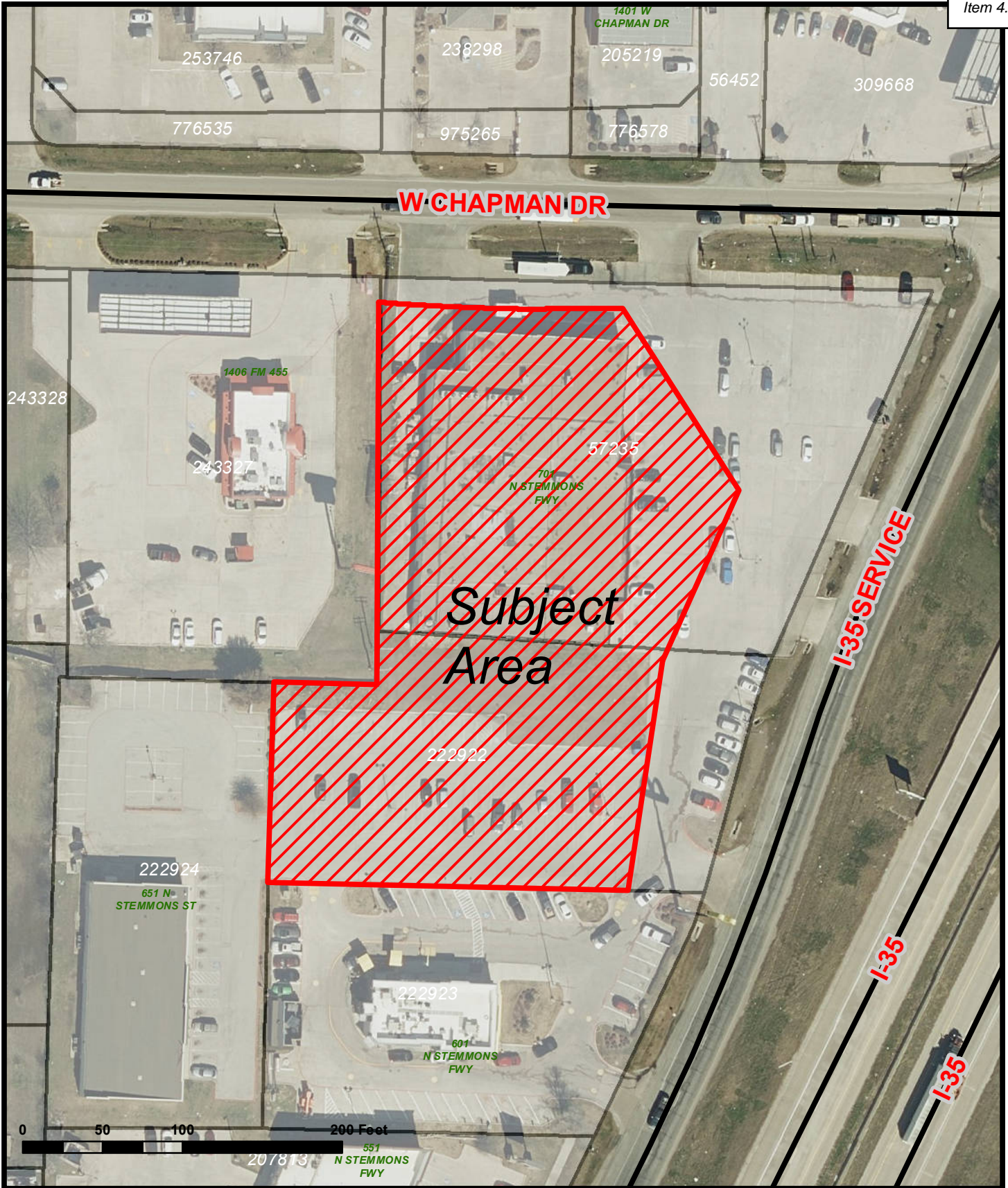
**RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

**ATTACHMENTS:**

Location Map





**SANGER**  
TEXAS

Project Name: Quik Trip  
Project: 22SANZON-0041



City Limits



Exhibits

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Date: 2/21/2022 3:19:24 PM  
Doc Name: 22SANZON-0011\_Quiktrip Variance





## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Consideration and possible action on Ordinance No. 08-21-22 amending Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings to allow Quick Service Food and Beverage by right in the Business District 2 (B-2) without the requirement of a Specific Use Permit (SUP) and adding Section 32.7 Vehicle Stacking Requirements.

**SUMMARY:**

- Currently the zoning ordinance requires a SUP for all Quick Services Food and Beverage Shops.
- The Business District 2 (B-2) is the most intensive Business District and is located along the major thoroughfares.
- The B-2 District is where most Quick Service Food and Beverage Shops will be located.
- This use should be allowed without the burden of obtaining a SUP.
- There are currently five Quick Service Food and Beverage Shops already in place in these areas.
- There has been other Quick Service Food and Beverage Shops show interest in coming into these areas. For this reason, we would like to simplify the process.

**FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

**RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

**ATTACHMENTS:**

Ordinance No 08-21-22

**CITY OF SANGER, TEXAS**

**ORDINANCE 08-21-22**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANGER, DENTON COUNTY, TEXAS, REGARDING AMENDING THE CITY OF SANGER CODE OF ORDINANCE, CHAPTER 14 PLANNING AND ZONING, SECTION 30 USE OF LAND AND BUILDINGS, SECTION 30.2 LEGEND FOR INTERPRETING SCHEDULE OF USES, TO ALLOW QUICK SERVICE FOOD AND BEVERAGE BY RIGHT IN THE B-2 ZONING DISTRICT WITHOUT THE REQUIREMENT OF A SUP AND ADDING SECTION 32.7 VEHICLE STACKING REQUIREMENTS; 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 August 8, 2022, duly covered and conducted public hearing for the purpose of assessing a request for an amendment to the Zoning Ordinance, recommending approval for the hereinafter described property; and

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

**WHEREAS**, the following provision of proper legal notice requirements, 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 Chapter 14 Planning and Zoning, Section 30 Use of Land and Buildings, Section 30.2 Legend for Interpreting Schedule of Uses, removing the SUP requirement for Quick Service Food and Beverage Shop in Business District 2 (B-2) and adding Section 32.7 Vehicle Stacking Requirements as described in Exhibit A is hereby granted.

**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 15th day of August, 2022.

**APPROVED:**

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

**ATTEST:**

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

**APPROVED TO FORM:**

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

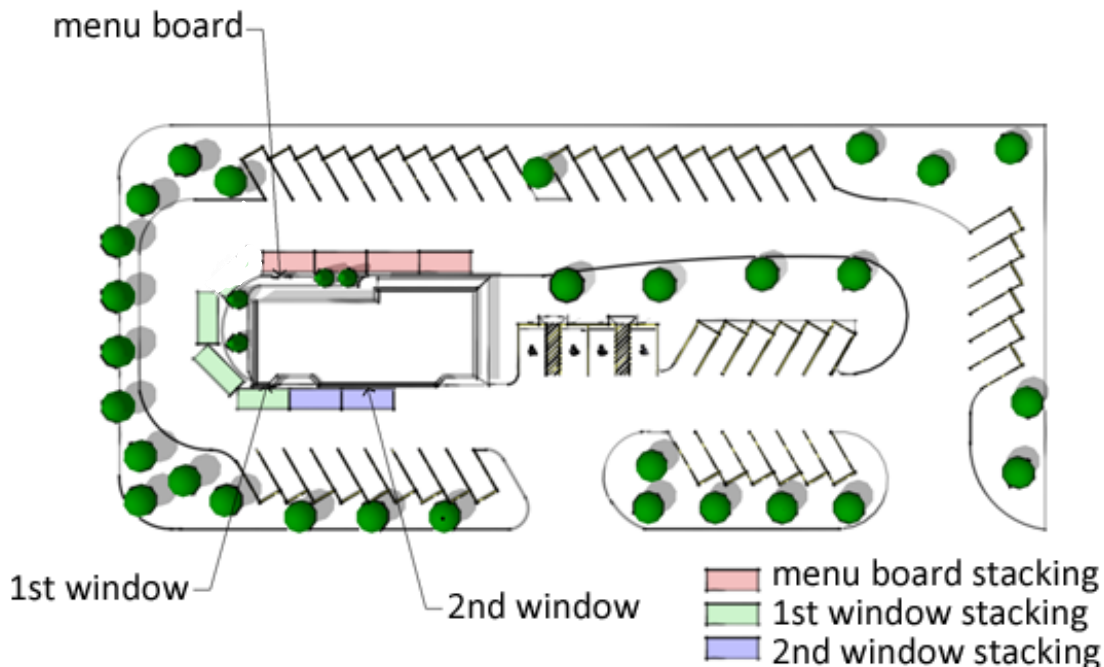


### 32.7 Vehicle Stacking Requirements For Drive Through Services

1. Generally. Stacking spaces are used to measure the capacity of a drive-through lane to hold cars while transactions are taking place at drive-through stations. Stacking spaces measure eight feet six inches wide by 20 feet long and provide direct access to a service window. The position in front of a drive-through station (service window, ATM, or station at a drive-through bank) is counted as a stacking space.

2. Requirements. Uses that include drive-through service shall provide not less than the following numbers of stacking spaces:

- a. Financial institutions, drive-through convenience retail, or pharmacies: Three stacking spaces per drive-through station.
- b. Drive-through restaurants if two service windows are provided (one for payments and one for pick up): a minimum of nine (9) stacking spaces shall be provided designed as follows
  - (1) Four stacking spaces to the menu board
  - (2) Three stacking spaces between the menu board and the first window (including position at the first window); and
  - (3) Two spaces between the first window and the second window (including the position at the second window).



c. If one service window is provided (for both payments and pick up):

(1) Six stacking spaces to the menus board;

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d. Dry Cleaners: Three stacking spaces, including the position at the window.

e. Vehicle Wash:

(1) Three stacking spaces for each bay in self-service vehicle wash facility (including wash area);

(2) Five stacking spaces for each in-bay or conveyor vehicle wash facility; and

(3) If the facility provides detailing, manual drying or polishing, and/or vacuuming, sufficient area to provide those services without creating additional demand for stacking at the vehicle wash entrance.

f. Stacking spaces for other uses are determined by the Development Service Director.

### 3. Design

a. Stacking lanes shall be clearly marked, and shall not interfere with on-site or traffic circulation, whether on or off-site.

b. Stacking areas shall not be located between the façade of a building and the public street upon which the building fronts unless there is a grade change of at least five feet between the centerline of the street and the stacking area or alternatively, there is a buffer yard installed.

c. Stacking lanes shall be designed with an abutting nine-foot-wide bypass lane.

d. Stacking begins at first stopping point.





## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Consideration and possible action on a request for a Specific Use Permit (SUP) for Quick Service Food and Beverage Shop, on 0.61 acres of land described as Lot 1R-2, Block 1 of the Sanger Lodging Addition, Zoned as Business District 2 (B-2) and generally located on the east side of Stemmons Frwy approximately 594 feet South of FM 455.

### **SUMMARY:**

- The applicant is proposing a Quick Service Food and Beverage Shop with a drive-thru.
- This lot is located between the Holiday Inn and Taco Bell.
- The site is zoned Business District 2 (B-2) which allows Quick Service Food and Beverage Shop with a SUP.
- The site will be a new location for Jack In the Box.
- The applicant has been made aware of the new stacking regulations that will be implemented.
- The property currently has two Quick Service Food and Beverage Shops in close proximity.
- Staff mailed 5 notices and at the time of this report has received 1 in favor.

### **FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

### **RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

### **ATTACHMENTS:**

Location Map  
Ordinance No. XX-XX-22  
Application  
Letter of Intent



**SANGER**  
TEXAS

Project Name: 650 N Stemmons SUP  
Project: 22SANZON-0045

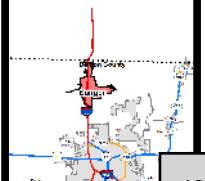


City Limits



Exhibits

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Date: 7/24/2022 3:12:42 PM  
Doc Name: 22SANZON-0045\_650 Stemmons SUP



**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



## Exhibit A

## OWNER'S CERTIFICATE &amp; 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: \_\_\_\_\_ Date \_\_\_\_\_  
Dev Surati  
Managing Member

STATE OF TEXAS §  
COUNTY OF DENTON §

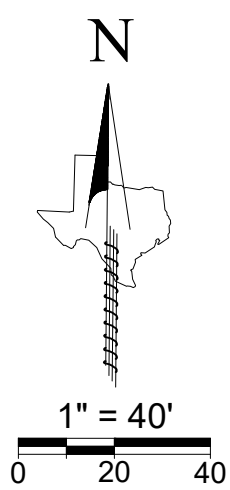
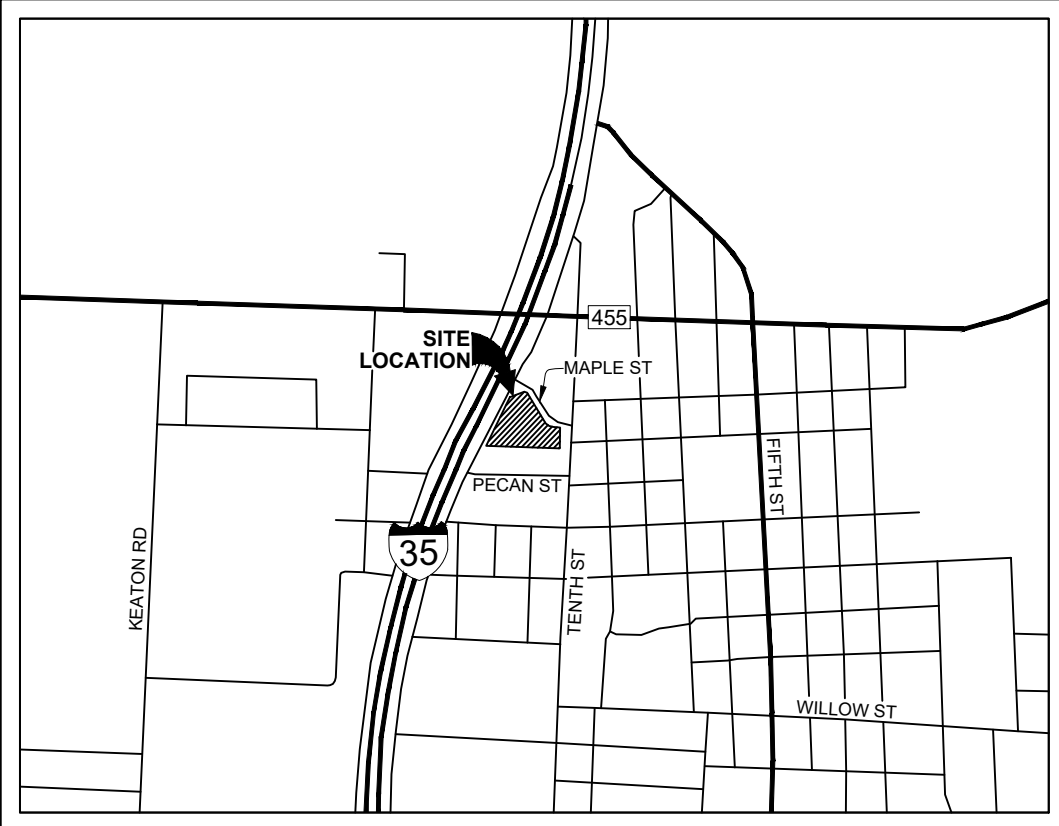
BEFORE ME, the undersigned authority, on this day personally appeared **DEV SURATI**, Managing Member of **SANGER LODGING, LLC**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein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

# REPLAT SANGER LODGING ADDITION LOTS 1R-1 & 1R-2, BLOCK 1 2 LOTS 2.64 ACRES

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

VICINITY MAP  
(NOT TO SCALE)

## 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
C1	33.82'	24.76'	78°15'23"	S 73°26'46" E
C2	74.09'	76.57'	55°26'14"	S 62°14'36" E
C3	11.01'	30.00'	21°02'04"	N 40°07'07" W
C4	23.71'	14.24'	95°22'07"	S 67°37'15" W
C5	60.34'	30.00'	115°14'50"	N 58°11'37" E
C6	11.01'	30.00'	21°02'04"	S 88°14'48" E
C7	50.36'	96.57'	29°52'46"	S 49°15'10" E

## 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

Thomas Muir  
Mayor, City of Sanger, Texas

## ATTEST:

Kelly Edwards, City Secretary  
City of Sanger, Tx

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



201 Bolivar Street/PO Box 1729 \* Sanger, TX 76266  
940-458-2059(office) 940-458-4072(fax) www.sangertexas.org

## ZONING CHANGE/SUP APPLICATION

☐

Zoning Change

☒

Specific Use Permit

**Applicant****Owner (if different from applicant)**

Name: Jason Smith	Name: Sanger lodging llc
Company: Office of Architecture and Design	Company:
Address: 4355 West Emerald, Suite 110	Address: 1400 N Stemmons St
City, State, Zip Boise, ID 83706	City, State, Zip Sanger, Texas 76266
Phone: (208) 949-7850	Phone: 9402062001
Fax:	Fax:
Email: jason@oa-d.com	Email: Dev@ntxhotels.com

**Submittal Checklist**

<input type="checkbox"/>	Site Plan (for Specific Use Permits Only)
<input type="checkbox"/>	Letter of Intent
<input type="checkbox"/>	Application Fee (Check Payable to City of Sanger)

I certify that I am the legal owner of the above referenced property and that to the best of my knowledge this is a true description of the property upon which I have requested the above checked action. I designate the applicant listed as my representative.

Describe the subject property (address, location, size, etc.):


---

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Describe the proposed zoning change or Specific Use Permit (SUP):


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---

  
Owner Signature

7/18/22

Date

  
Applicant Signature

7/13/22

Date

**Office Use**

	Fee
	Date





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## **ZONING CHANGE/SUP APPLICATION**

A request for rezoning is a proposed amendment to the Official Zoning Map. The zoning district boundaries on the Official Zoning Map can be amended through the adoption of an ordinance by the City Council. A request to rezone property must include the contents listed below. The City of Sanger will act on the request through the process described herein.

### **SUBMITTAL REQUIREMENTS:**

- Letter of Intent
- Site Plan (required for Specific Use Permits only)
- Application form signed by the owner and describing the property
- Application Fee

**APPLICATION FEES:** The application fee covers part of the cost for the city to review and act on the rezoning request, including providing notice of the public hearings as required by law. The application fee is non-refundable.

- Zoning Change
  - Up to 5 acres: \$250.00
  - 5+ acres to 25 acres: \$400.00
  - 25+ acres to 50 acres: \$600.00
  - 50+ acres: \$800.00
- Specific Use Permit
  - Flat \$250.00

**SUBMITTAL DEADLINES:** The deadline for zoning application is 26 days prior to the Planning & Zoning Commission meeting. This provides adequate time to publish and mail the required notices for the public hearings. Meeting dates and deadlines are sometimes adjusted for holidays. Consult the published schedule and city staff for more information.



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## **ZONING CHANGE REQUEST PROCESS**

The process for considering and acting on a request for an amendment to the Official Zoning Map involved the following steps:

1. Pre-Application Consultation: A pre-application consultation with the city staff is recommended for all proposed map amendments. Staff can describe the review process and the criteria used for considering proposed map amendments.
2. Application: The completed application, letter of intent, description of the property, and application fee should be submitted to the Department of Development Services on or before the deadline.
3. Public Notification: State law and the Zoning Ordinance require the public to be notified of the public hearings that the Planning & Zoning Commission and the City Council will conduct on the proposed rezoning. Notice of the public hearing must be published in the newspaper at least fifteen (15) days prior. Notification of the public hearing is also mailed to the owners of the property within 200 feet of the proposed rezoning at least ten (10) days prior.
4. Planning & Zoning Commission: The Planning & Zoning Commission will hold at least one (1) public hearing on the proposed rezoning. The applicant is expected to address the Commission to describe the proposed rezoning and answer questions. During the public hearing, anyone in attendance may address the Commission with comments and questions. City Staff will prepare a report for the Commission and possibly make a recommendation to the Commission. After the public hearing, the Commission will prepare a report making a recommendation to the City Council.
5. City Council: The City Council will hold a separate public hearing on the proposed rezoning. The applicant is expected to address the Council to describe the proposed rezoning and answer questions. During the public hearing, anyone in attendance may address the Council with comments and questions. The City Council can approve the proposed rezoning by adopting an ordinance.

## **SPECIFIC USE PERMIT REQUEST PROCESS**

The process for considering and acting on a request for a Specific Use Permit is identical to the process for a zoning change. A site plan is required to be submitted along with the application and letter of intent.





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## **ZONING CHANGE REQUEST CRITERIA**

The Zoning Ordinance sets the following criteria for the consideration of changes to the Official Zoning Map.

In making its determination, the Planning & Zoning Commission shall consider the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area and shall note the findings.
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unsuitable for development.
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
5. The manner in which other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether such designation for other areas should also be modified.
6. Any other factors which will substantially affect the public health, safety, morals, or general welfare.

If the Planning & Zoning Commission recommends denial of the proposed amendment to the Official Zoning Map, a  $\frac{3}{4}$  majority vote of the City Council is required to approve it (four (4) votes to approve from the five (5) City Council members).

A request that has been denied may be resubmitted at any time, unless it is denied with prejudice, triggering a one (1) year waiting period.

A  $\frac{3}{4}$  favorable vote of the City Council can also be required if the proposed change is properly protested by the owner(s) of twenty percent (20%) of the area to be changed or the area within 200 feet of the proposed change.



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## **SPECIFIC USE PERMIT CRITERIA**

In recommending that a Specific Use Permit for the premises under consideration be granted, the Planning & Zoning Commission shall determine that such uses are harmonious and adaptable to building structures and uses of adjacent property and other property in the vicinity of the premises under consideration, and shall make recommendations as to requirements for the paving of streets, alleys and sidewalks, means of access to public streets, provisions for drainage, adequate off-street parking, protective screening and open space, heights of structures, and compatibility of buildings.

In granting a Specific Use Permit, the City Council may impose conditions which shall be complied with by the owner guarantee before a certificate of occupancy may be issued by the building inspector for use of the building on such property pursuant to such Specific Use Permit; and such conditions precedent to the granting of the certificate of occupancy.

No Specific Use Permit shall be granted unless the applicant, owner, and grantee of the Specific Use Permit shall be willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit, as attached to the site plan drawing (or drawings) and approved by the Planning & Zoning Commission and City Council. No public hearing is necessary for site plan approval.

The Board of Adjustment shall not have jurisdiction to hear, review, reverse or modify any decision, determination or ruling with respect to the granting, extension, revocation, modification to any other action taken relating to such specific use permit.

Whenever regulations or restrictions imposed by this ordinance are either more or less restrictive than regulations imposed by any governmental authority through legislation, rule, or regulation, the regulations, rules or restrictions which are more restrictive or impose higher standards or requirements shall govern. Regardless of any other provision of this ordinance, no land shall be used and no structure erected or maintained in violation of any State or Federal pollution control or environmental protection law or regulation.



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## GUIDELINES FOR LETTER OF INTENT

All rezoning applications should include a Letter of Intent. The Letter of Intent is the applicant's opportunity to describe and justify the proposed zoning change to the City Staff, the Planning & Zoning Commission, the City Council, and the public at large. The Commission and Council will receive copies of the letter prior to the public hearings.

Recommended content for a Letter of Intent:

- Describe the area proposed for rezoning. The description can include any or all of the following:
  - Metes and bounds description, such as a survey
  - Legal description, such as a tract and abstract, or a lot, block, and subdivision
  - Physical address
  - Location (southwest corner of This Street and That Road, across the street from Landmark)
  - Denton Central Appraisal District reference numbers
  - Acreage or square footage of property
  - If only a portion of tract, lot, or property is requested for rezoning, a detailed description of the portion is required.
- Identify the current zoning district the property is within
- Identify the zoning district the applicant is requesting for the property
- Describe the current physical condition of the property, such as existing buildings, parking lots, trees, or unusual features
- Describe the reason(s) why the applicant is requesting a rezoning. Review the criteria the city will use to review requested rezoning's.
- Contact information for the applicant or representative. This can be the owner, the prospective buyer, or someone else designated as point of contact.

## GUIDELINES FOR SITE PLAN OF SPECIFIC USE PERMIT REQUESTS

An application for Specific Use Permit (SUP) shall be accompanied by a site plan drawn to scale and showing the general arrangements of the project, together with essential requirements such as:

- |   |  |
|---|--|
| • off-street parking facilities   | • means of ingress and egress to public streets  |
| • location and construction of signs  | • the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two (200) hundred feet. |
| • size, height, construction materials and locations of buildings, and uses to be permitted |  |
| • visual screening such as walls, landscaping, and fences                                   |  |

*The Planning & Zoning Commission or City Council may require information, operating data, and expert evaluation concerning the location and function and characteristics of any building or use proposed.*

July 13, 2022

Planning & Zoning  
City of Sanger, TX  
502 Elm Street  
Sanger, TX 76266

Re: Specific Use Permit (SUP)  
Jack in the Box – Lot 1, Block 1 Sanger Lodging Addition – Sanger, TX

Dear Planning Staff;

OA+D is pleased to submit the attached Specific Use Permit Application and supporting materials for a Jack in the Box Restaurant located between Stemmons Road and Maple Street (Lot 1, Block 1, Sanger Lodging Addition) in the B-2 Business District. The proposed 1,879 square foot restaurant is a single story, 23'-2" tall structure with a drive-thru. The proposed drive-thru currently requires an SUP in the B-2 District.

The proposed Jack in the Box will be placed at the north side of the site with the drive-thru facing Stemmons Road and Maple Street. The building is oriented with main entries on the south and east elevations. The property is bound to the west by Stemmons Road with a Holiday Inn Express to the south. A number of commercial/restaurant uses exist to the north and east, including: Taco Bell with a drive-thru, Subway, Pizza Hut, Imperial Ale and Spirits, Metro PCS and Fuzzy's Taco Shop.

There is existing cross access at the southwest corner of the site connecting to Stemmons Road. We are proposing a second access point on the east side of the site with a connection to Maple Street to provide efficient and functional vehicular access and circulation.

The drive-thru lane will accommodate a 6-car stack. Provisions will be made for a future second drive-thru lane providing an additional 3-4 car stack. A total of 17 parking stalls will be located onsite. The drive-thru will be open 24 hours and the dining room will be open from 6am to 12am.

The architectural character of the building is consistent with the current standard Jack in the Box branding. All four building facades incorporate a uniform material palette of exterior tile and stucco along with storefront windows, awnings, modulation, and horizontal and vertical material changes to create a cohesive design. The building will have a flat roof with parapet walls that screen all mechanical equipment from view.

We appreciate your consideration of this application and look forward to working with the City of Sanger as the project moves through the development approval process. Please do not hesitate to contact me with any questions you may have or if additional materials are required.

Sincerely,



Jason Smith, AIA  
Office of Architecture and Design, PLLC



## PLANNING & ZONING COMMISSION COMMUNICATION

**DATE:** August 8, 2022

**FROM:** Ramie Hammonds, Development Service Director

**AGENDA ITEM:** Consideration and possible action on a Replat of Lot 6R2-1B, Block A of Sanger Industrial Park Addition, being 1.75 acres, located in the City of Sanger, and generally located on the south west corner of I-35 and FM 455.

### **SUMMARY:**

- The applicant is proposing to create 1 lot of 1.75 acres from a partially platted tract of land.
- The lot currently has access from N Stemmons (I-35 service road) and will have approximately 546 feet of frontage on the public ROW.
- The property will be the site of the Quik Trip Convenience Store
- ROW was previously dedicated with the road expansions.
- The property meets City of Sanger Subdivision Regulations.

### **FISCAL INFORMATION:**

Budgeted: N/A

Amount: N/A

GL Account: N/A

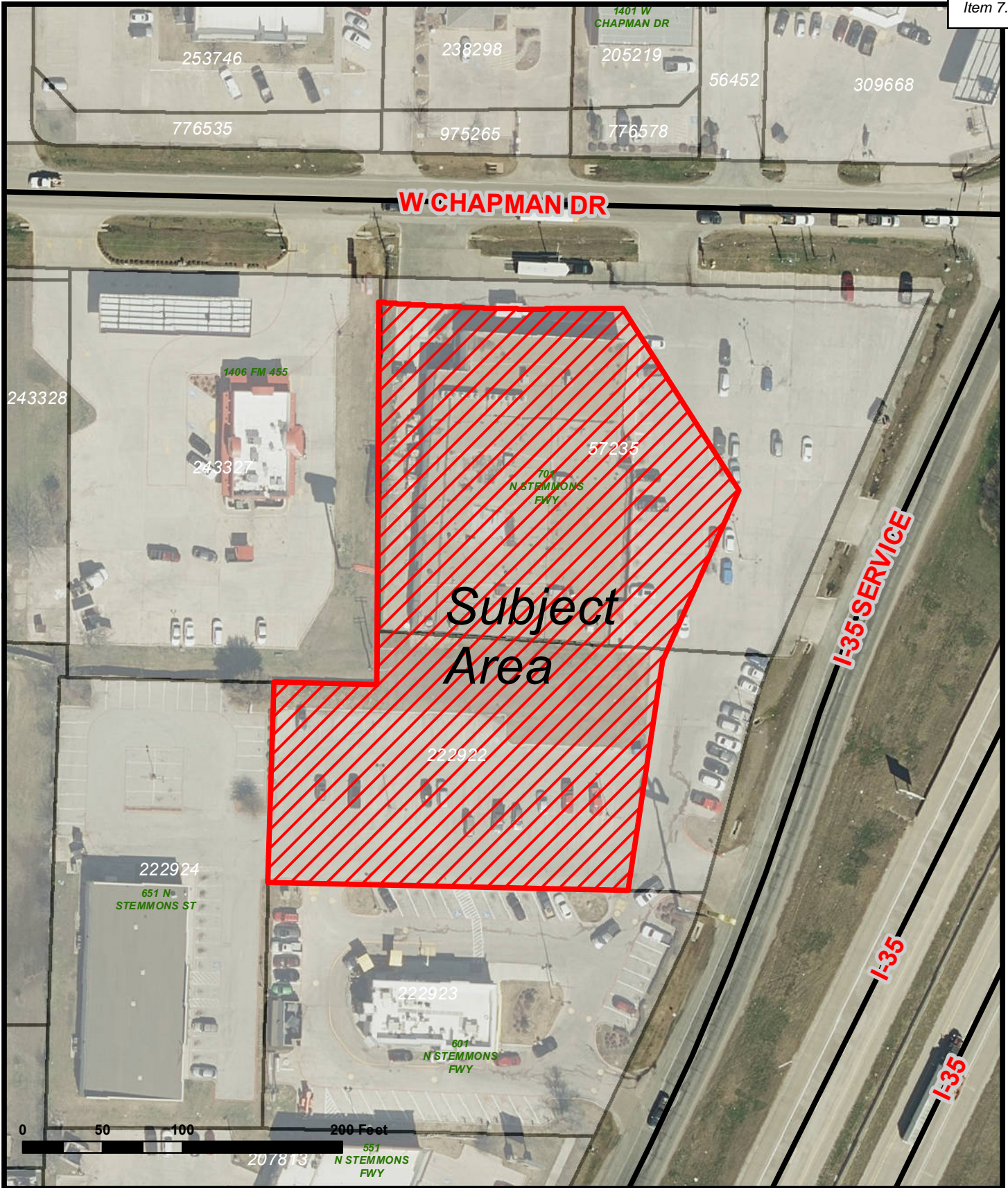
### **RECOMMENDED MOTION OR ACTION:**

Staff recommends APPROVAL.

### **ATTACHMENTS:**

Location Map  
Replat  
Application  
Letter of Intent





**SANGER**  
TEXAS

Project Name: Quik Trip  
Project: 22SANZON-0041

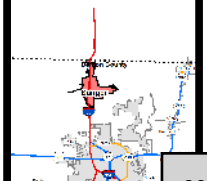


City Limits

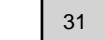


Exhibits

DISCLAIMER:  
This map was generated by GIS data provided by the Sanger GIS Department. The City of Sanger does not guarantee the correctness or accuracy of any features on this map. These map products are for illustration purposes only and are not suitable for site-specific decision making. GIS data is subject to constant changes, and may not be complete, accurate or current.  
Date: 2/21/2022 3:19:24 PM  
Doc Name: 22SANZON-0011\_Quiktrip Variance









OWNER'S DEDICATION

State of Texas  
County of Denton

I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:

BEING a 1.7456 acre tract of land situated in the Henry Tierwester Survey, Abstract No. 1241, City of Sanger, Denton County, Texas, being a portion of a called 2.758 acre tract of land as described in the deed to Clear Creek Retail, LLC recorded under Document No. 2014-102411 of the Official Public Records of Denton County, Texas and being a portion of Lot 6R-1B of the plat designated as "Resubdivision Plat - Lot 6R-1A, 6R-1B, 6R-1C, of Sanger I-35 Industrial Park" recorded in Cabinet R, Page 363 of the Plat Records of Denton County, Texas. Said 1.7456 acre tract of land surveyed on the ground in 2021 under the direction and supervision of Robert A. Hansen, Registered Professional Land Surveyor No. 6439 (the Basis of Bearings for this survey is GRID North as established by GPS utilizing the Texas Coordinate System of 1983, North Central Zone) and being more particularly described by metes and bounds as follow:

COMMENCING at a 1/2-inch capped iron rod stamped "RPLS 4857" found at the intersection of the south right of way line of Farm to Market Road 455, a variable width right of way, as described in the deed to the State of Texas recorded in Volume 334, Page 46 of the Deed Records of Denton County, Texas with the west right of way line of Interstate Highway 35, a variable width right of way, as described in the deed to the State of Texas recorded in Volume 400, Page 213 of said Deed Records and being the beginning of a non-tangent curve; THENCE southerly, coincident with the west right of way line of said Interstate Highway 35 and said non-tangent curve, concave to the northwest, having a radius of 5554.58 feet and a chord bearing and distance of SOUTH 24 degrees 09 minutes 42 seconds WEST, 247.20 feet; an arc length of 247.22 feet to an "X" cut set at a salient corner of the west right of way line of said Interstate Highway 35; THENCE SOUTH 18 degrees 47 minutes 03 seconds WEST, with the west right of way line of said Interstate Highway 35, passing at 32.36 feet a 1/2-inch bent iron rod found at the northeast corner of said Lot 6R-1B, continuing for a total distance of 180.64 feet to an "X" cut found at the east common corner of said Lot 6R-1B and Lot 6R-1A of said "Resubdivision Plat - Lot 6R-1A, 6R-1B, 6R-1C, of Sanger I-35 Industrial Park"; THENCE NORTH 88 degrees 08 minutes 09 seconds WEST, 47.60 feet with the common line of said Lots 6R-1A and 6R-1B, to an "X" cut found at its intersection with the west line of a TXDOT Possession and Use Agreement as described under Document No. 110668 of said Official Public Records and being the POINT OF BEGINNING;

THENCE NORTH 88 degrees 08 minutes 09 seconds WEST, 225.59 feet with the common line of said Lots 6R-1A and 6R-1B to a 1/2-inch capped iron rod with a broken cap found at the west common corner of Lots 6R-1A and 6R-1B and being on the east line of Lot 6R-1C of said "Resubdivision Plat - Lot 6R-1A, 6R-1B, 6R-1C, of Sanger I-35 Industrial Park";  
THENCE NORTH 01 degree 55 minutes 41 seconds EAST, 123.10 feet with the common line of said Lots 6R-1C and 6R-1B to a 1/2-inch capped iron rod found at the northerly common corner of said Lots 6R-1C and 6R-1B and being on the south line of Lot 1R-1, Block A of the plat designated as "Sanger I-35 Industrial Park, Lot 1R-1, 1R-2, 2R-1, Block A" recorded in Cabinet U, Page 474 of said Plat Records;  
THENCE SOUTH 88 degrees 06 minutes 08 seconds EAST, 63.23 feet with the common line of said Lot 1R-1 and Lot 6R-1B to a 1/2-inch iron rod found at a re-entrant corner of said Lot 6R-1B and being the southeast corner of said Lot 1R-1;  
THENCE NORTH 00 degrees 20 minutes 03 seconds EAST, with the common line of said Lot 6R-1B and Lot 1R-1, passing at 25.09 feet a 1/2-inch iron rod found at the northwest corner of said Lot 6R-1B, continuing with the east line of said Lot 1R-1 and the west line of said called 3.614 acre tract of land a total distance of 243.63 feet to a 5/8-inch pink capped iron rod stamped "TXDOT SURVEY MARKER RIGHT OF WAY MONUMENT" found at its intersection with the south line of the TXDOT Possession and Use Agreement as described under Document No. 110695 of said Official Public Records and being the beginning of a non-tangent curve, from which a 1/2-inch capped iron rod stamped "1519 SURVEYING" set at the northwest corner of said called 3.614 acre tract of land and being on the south right of way line of said Farm to Market Road 455 bears NORTH 00 degrees 20 minutes 03 seconds EAST, 31.48 feet;  
THENCE the following four (4) calls coincident with the southerly and easterly line of said TXDOT Possession and Use Agreement recorded under Document No. 110695:  
1. easterly, with said non-tangent curve, concave to the north, having a radius of 1548.00 feet and a chord bearing and distance of SOUTH 86 degrees 38 minutes 17 seconds EAST, 109.56 feet, an arc length of 109.58 feet to a 1/2-inch capped iron rod stamped "BOWMAN PROP COR" set;  
2. SOUTH 88 degrees 39 minutes 58 seconds EAST, 45.47 feet with the south line of said TXDOT Possession and Use Agreement to a 1/2-inch capped iron rod stamped "BOWMAN PROP COR" set;  
3. SOUTH 32 degrees 12 minutes 07 seconds EAST, 136.32 feet to a 1/2-inch capped iron rod stamped "BOWMAN PROP COR" set;  
4. SOUTH 24 degrees 29 minutes 04 seconds WEST, 116.56 feet to a 1/2-inch capped iron rod stamped "BOWMAN PROP COR" set at the west common corner of said TXDOT Possession and Use Agreement recorded under Document No. 110695 and said TXDOT Possession and Use Agreement recorded under Document No. 110668;  
THENCE SOUTH 08 degrees 55 minutes 32 seconds WEST, 144.75 feet with the west line of said TXDOT Possession and Use Agreement recorded under Document No. 110668 to the POINT OF BEGINNING, containing 1.7456 acres (76,03± square feet).

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS: THAT CLEAR CREEK RETAIL, LLC, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as \_\_\_\_\_ (lot/block/subdivision), 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 utility 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.

\_\_\_\_\_, Owner

Clear Creek Retail, LLC.

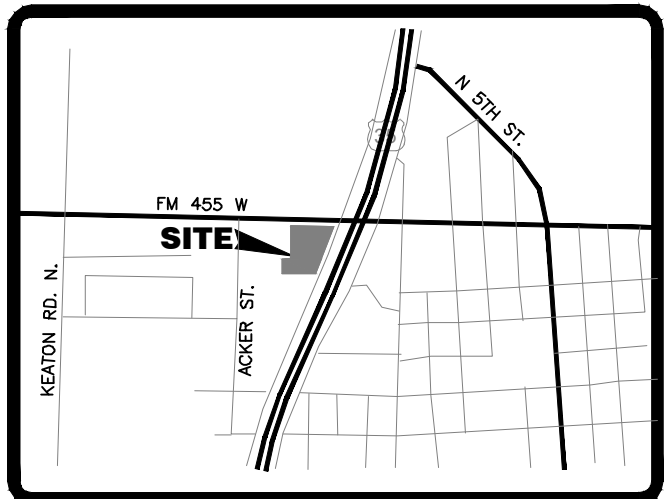
By: \_\_\_\_\_  
Signature Name Title

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE me, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed

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

\_\_\_\_\_  
Notary Public in and for the State of Texas



NOT TO SCALE

Approved and Accepted

\_\_\_\_\_  
Chairman, Planning & Zoning Commission  
City of Sanger, TX Date

\_\_\_\_\_  
Mayor  
City of Sanger, TX Date

Attested by

\_\_\_\_\_  
City Secretary  
City of Sanger, TX" Date

SURVEYOR'S STATEMENT

I, Robert A. Hansen, a Registered Professional Land Surveyor, licensed by the State of Texas, affirm that this plat was prepared under my direct supervision, from recorded documentation, evidence collected on the ground during field operations and other reliable documentation; and that this plat substantially complies with the Rules and Regulations of the Texas Board of Professional Land Surveying, and that the digital drawing file accompanying this plat is a precise representation of this Signed Final Plat.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

RELEASED FOR REVIEW PURPOSES ONLY FOR THE CLIENT AND CITY. 2022-08-03  
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.

Robert A. Hansen  
LSL & Registered Professional  
Land Surveyor No. 6439

STATE OF TEXAS §  
COUNTY OF DENTON §

BEFORE me, the undersigned authority, a Notary Public for the State of Texas, on this day personally appeared **Robert A. Hansen**, known to me to be the person whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same for the purposes and considerations therein expressed.

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

\_\_\_\_\_  
Notary Public in and for the State of Texas

SURVEY NOTES

- BEARINGS ARE BASED ON THE STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983 (NAD 83).
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT/COMMITMENT. THERE MAY BE EASEMENTS, RESTRICTIONS, AND/OR COVENANTS AFFECTING THIS PROPERTY, NOT SHOWN HEREON.
- THE PURPOSE OF THIS PLAT IS TO CREATE 1 LOT FROM THE PARENT TRACT AND LOT AND REMOVE THE BUILDING LINE FROM INTERIOR LOT LINE.

STANDARD PLAT NOTES

- LOT TO LOT DRAINAGE WILL NOT BE ALLOWED WITHOUT ENGINEERING SECTION APPROVAL.
- TXDOT approval may be required for any driveway modification or new access points.
- All lots comply with the minimum size requirements of the zoning district.
- This property may be subject to charges related to impact fees and the applicant should contact the City regarding any applicable fees due.
- All common areas, drainage easements, and detention facilities will be owned and maintained by the HOA/POA. Any common area within the City's right-of-way will require a facilities agreement, to be reviewed and approved by the City.
- 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.
- This plat does not alter or remove existing deed restrictions, if any, on this property.
- Minimum finished floor elevations are at least 2 feet above the 100 year flood plain.
- The subject property does not lie within a 100-year floodplain according to Community Panel No. 210 of 750 dated April 18, 2011.

REPLAT  
LOT 6R2-1B  
SANGER INDUSTRIAL PARK ADDITION

BEING A REPLAT OF LOT 6R-1B  
SANGER INDUSTRIAL PARK ADDITION  
CABINET R, PAGE 363 P.R.D.C.T. AND A PORTION OF ELK RIVER-SANGER I, L.P.  
DOCUMENT NO. 2004-31023 O.R.D.C.T.  
BEING 1.75 ACRES SITUATED WITHIN THE HENRY TIERWESTER SURVEY, ABSTRACT NO. 1241  
CITY OF SANGER, DENTON COUNTY, TEXAS

DATE OF PREPARATION IS 06/06/2022

TOTAL NUMBER OF LOTS: 1

OWNERS:  
CLEAR CREEK RETAIL LLC.  
PO BOX 170,  
GAINESVILLE, TX, 76241-0170

**Bowman**  
© 2021 Bowman Consulting Group, Ltd.  
1200 West Magnolia Blvd., Suite 300 Phone: (214) 484-8586  
Fort Worth, TX 76104  
TBPCLS #10120600 www.bowman.com

DRAWN BY: RAH/OS

SHEET 1 OF 2 SHEETS



**SUBDIVISION APPLICATION**☐Preliminary Plat  
Minor Plat☒Final Plat/Replat  
Amended Plat☐Vacating Plat  
Conveyance Plat

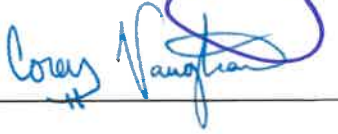
Applicant

Owner (if different from applicant)

Name: Corey Vaughan	Name: Steve Schmitz
Company: QT LLC South	Company: Mesa Real Estate Partners, LP
Address: 1120 North Industrial Boulevard	Address: 211 West California Street PO Box 388
City, State, Zip: Euless, Texas 76039	City, State, Zip: Gainesville, Texas 76241
Phone: (817) 358 - 7680	Phone: (940) 736 - 1547
Fax: (918) 994 - 3799	Fax: (940) 736 - 1547
Email: cvaughan@quiktrip.com	Email: steve@mesa-re.com

**Submittal Checklist**

<input checked="" type="checkbox"/>	Pre-Application Conference (Date: 02 / 01 / 2022)
<input checked="" type="checkbox"/>	One (1) Paper Copy of Plat (24"x36", folded to 1/4 size)
<input checked="" type="checkbox"/>	Letter of Intent
<input checked="" type="checkbox"/>	Non-Refundable Application Fee (Check Payable to City of Sanger)
<input checked="" type="checkbox"/>	Application Form (Signed by Owner)
<input checked="" type="checkbox"/>	Applicable Plat Checklist (Completed)
<input checked="" type="checkbox"/>	Additional Required Documents/Traffic & Drainage Studies etc.
<input checked="" type="checkbox"/>	One (1) PDF Copy of all Documents Provided on a CD/DVD or Emailed to <a href="mailto:development@sangertexas.org">development@sangertexas.org</a>

Supporting Materials (List if provided): N/AR Number(s): R57235  
Owner's Signature6/9/2022  
Date  
Applicant's Signature6/9/2022  
DateOffice Use: Reviewed by Director of Development Services      /      /     

<input type="checkbox"/>	Complete (Check # <u>    </u> )
<input type="checkbox"/>	Incomplete (Returned to Applicant <u>    </u> / <u>    </u> / <u>    </u> )

City of Sanger  
201 Bolivar / P.O. Box 1729  
Sanger, TX 76266  
940-458-2059 (office) 940-458-4072 (fax)[www.sangertexas.org](http://www.sangertexas.org)

Effective Date: 02/11/2020

## SUBDIVISION PACKET

A Plat subdividing land within the city limits of Sanger or within Sanger Extraterritorial Jurisdiction (ETJ) requires the approval of the City of Sanger. The platting process involves the preparation of one or more plats by the landowner, a review by staff, and consideration by the Planning & Zoning Commission and City Council.

**PLAT TYPES:** There are seven different types of plats, each with their own function.

- **Preliminary Plat** – A preliminary plat is required for most subdivisions, particularly those providing for dedication of public right-of-way and construction of public improvements. It is used to determine the layout of the proposed development.
- **Final Plat** – A final plat will follow a preliminary plat to specify in detail the arrangement of lots, the dedication of public right-of-way, and the provision of public improvements and services.
- **Replat** – A replat revises an existing plat and is controlling over the preceding plat. A public hearing is required for replat.
- **Minor Plat** – A minor plat is one creating three lots or fewer, and not requiring the dedication of right-of-way or construction of improvements. Minor plats can be approved with the preparation of a preliminary plat.
- **Amended Plat** – An amended plat revises a previously platted lot to correct an error or add or modify a feature. Amending plats cannot increase the number of lots.
- **Conveyance Plat** – A conveyance plat may be used to convey the property or interests therein. It may also be used in lieu of a final plat to record a subdivision or property. A conveyance plat is an interim step in the subdivision of land and shall contain a notation that indicates that no development is intended.
- **Vacating Plat** – A vacating plat removes/vacates the plat covering a tract of land before any lot in the plat is sold. The plat is vacated when a signed, acknowledged instrument declaring the plat vacated is approved and recorded in the manner prescribed for the original plat.

**SUBMISSION REQUIREMENTS:** The submittal requirements for each kind of plat are included in this packet.

**SUBMISSION SCHEDULE:** Plats must be submitted during regular business hours before the submittal cut-off date for each Planning and Zoning (P&Z) Commission meeting. Before the application is filed, a mandatory completeness check is required. Application are encouraged to be submitted at least 9 days prior to the submittal cut-off date for completeness check. Plat will be scheduled for P&Z Commission and for City Council according to The Schedule for Planning Applications on the City's website. Staff will provide review comments within 2 weeks of application filing. All corrections must be made prior to the P&Z Commission meeting. If more time is needed for revisions/corrections, the applicant and owner must submit a request in the form of a signed letter a week before the P&Z meeting date. Staff may extend the application review time for up to 25 days upon receipt of the signed letter.

**APPLICATION FEES:** The non-refundable application fee covers part of the cost for the city to review and act on the plat application.

- **Residential Preliminary or Final Plat / Replat**
  - \$400.00 + \$6.00 per lot < 10
  - \$500.00 + \$10.00 per lot > 10
  - \$500.00 + \$15.00/acre for plats with lot sizes of one acre or more
- **Commercial Preliminary or Final Plat / Replat**
  - Less than five (5) acres - \$500.00 + \$15.00 per acre
  - Five (5) acres to less than 25 acres - \$600.00 + \$15.00 per acre
  - 25 acres to less than 100 acres - \$950.00
  - 100 acres or more - \$950.00 + \$5.00 per acre
- **Minor Plat** - \$400.00 + \$3.00 per lot, or \$15.00 per acre for lots larger than 1 acre
- **Amended Plat** - \$200.00 + \$3.00 per lot
- **Conveyance Plat** - \$200.00 + \$3.00 per lot
- **Vacating Plat** - \$200.00

**PUBLIC NOTIFICATION FEE:** Public notification fee for all plats requiring public notification shall be \$100.00 due at the time of submission/acceptance of application.

## SUBDIVISION PROCEDURE

The process for subdividing land involved the following steps:

1. **Pre-Application Conference:** Prior to filing of a plat, the owner must consult with the Director of Development Services, and other City staff concerning compliance with all applicable ordinances and regulations, and the provision of adequate infrastructure and public services. Also, the applicable application review and approval procedure for the plat will be identified.
2. **Completeness Check:** The applicant will provide all required documents and fees along with the signed application and applicable checklist for a completeness check 9 days prior to the submittal cut-off date. Staff will review the documents for completeness of items listed on the checklists and provide feedback about any additional information or documents required from the applicant. Applications deemed to be incomplete at the time of submittal cut-off date will be returned to the applicant without the application being filed.
3. **Submission:** Upon determination of application completeness, the application will be considered filed with the Development Services Department. The application submittal cut-off date will be considered as the application filing date and as the first day of review of application.
4. **Review:** City Staff will review the plat for compliance with the Subdivision Ordinance and other city requirements, and provide comments within 2 weeks of application submittal. The applicant may need to make changes and revisions to the plat or supporting materials. The applicant must provide additional copies of the plat if requested by staff prior to the P&Z Commission and City Council meetings.
5. **Planning & Zoning Commission:** The Planning & Zoning Commission will consider the plat at a regular meeting. The meeting date will be determined at the time of application filing. Staff will recommend approval of the project only if all of staff's comments have been addressed prior to P&Z meeting. If the plat is approved, it will be forwarded to the City Council. If the plat is denied, applicant may resubmit a response addressing all of staff's comments prior to City Council meeting date.
6. **City Council:** The City Council will consider the plat at a regular meeting. The meeting date will be determined at the time of application filing. Staff will recommend approval of the project only if all of staff's comments have been addressed prior to City Council meeting. City Council's action will be final. If the plat is denied, staff will provide written statement with specific reasons for disapproval. The applicant may resubmit a response satisfying all reasons for disapproval. Upon resubmittal of the applicant's response, City will have 15 days to either approve or deny the plat. If plat is denied again, the applicant will be required to start a new application. If approved, applicant may schedule a pre-construction meeting with City staff.
7. **Filing for Recordation:** Following approval by the City Council, and construction and acceptance of any required public improvements, the plat will be signed by the P&Z Chairman, Mayor, sealed by the City Secretary, and filed for record with Denton County. A Plat Execution Package containing the following must be provided to the Development Services to file the plat for record with Denton County:
  - a. three (3) full-sized (24"x36") notarized copies of the plat with all signatures (except P&Z Chairman, Mayor and City Secretary), seals, stamps or other validation/certifications of work as applicable in accordance with State law and local requirements, folded to 8.5"x11" with the title block facing outwards;
  - b. recent original certified & sealed tax certificates showing \$0.00 amount due;
  - c. \$100.00 plat filing fee;

**Note:** Preliminary Plats are not filed for record

Consult the Schedule of Planning Application for submittal dates and corresponding meeting dates of the Planning & Zoning Commission and City Council.

## SUBMITTAL REQUIREMENTS & PROCESS

All plat submittals must include the correct copies of the plat, the completed and signed application form, plat checklist, the application fee, and a Letter of Intent. Some plats may also require additional copies of the plat and/or other supplementary materials. The Pre-Application Conference with city staff will determine the specific submittal requirements for each applicant.

**PLAT:** The applicant must provide one (1) copy of the plat, printed on a 24"x36" paper, folded to one quarter that size, along a pdf copy of the plat provided on a CD/DVD or emailed to [development@sangertexas.org](mailto:development@sangertexas.org). Additional copies of the plat may be required for staff, depending on the nature of the plat. Additional copies may be required prior to the Planning & Zoning Commission and City Council meetings.

**APPLICATION FORM:** The application form must be completed and signed by the owner(s).

**PLAT CHECKLIST:** Each item on the applicable plat checklist must be check marked as completed and submitted along with the application form.

**APPLICATION FEE:** The required application fee must be provided by check made payable to the City of Sanger. If the submittal is complete, the payment will be accepted. If the submittal is incomplete, the check will be returned with the other materials.

**LETTER OF INTENT:** Each plat submittal must include a Letter of Intent which provides the following:

- The subdivider's name and address
- The contact information of the person(s) preparing the submitted documents
- The designated point of contact for future correspondence
- The intent of the plat application
- A brief description of the location, land area, particulars as to the intended use(s) of the property, and any intended future development on the property
- A request that the plat be reviewed and considered by the appropriate approval body

**SUBMITTAL PROCESS:** The applicant shall submit the plat application to the Department of Development Services as indicated by the Schedule of Planning Application. A plat application submittal is accepted by the City when the Director of Development Services has certified to the applicant that a complete submittal providing adequate information for a comprehensive review has been received. No plat application will be considered submitted with the city until and unless the prescribed application fees have been paid. All original plat application documents must be submitted to the Department of Development Services, as well as emailed to [development@sangertexas.org](mailto:development@sangertexas.org).

## FINAL, REPLAT, MINOR, AMENDED, AND CONVEYANCE PLAT CHECKLIST

- ✓ The Plat shall be drawn to a scale of not more than two hundred feet to the inch (1" = 200').
- ✓ The boundary marked with heavy weighted lines with accurate distances and bearings, a metes and bounds description of the boundary (error of closure shall not exceed one (a) in fifty thousand (50,000) for the plat boundary), exact acreage to hundredths, and the exact location and width of all existing or recorded rights-of-way intersecting the boundary of or bordering on the tract. One (1) copy of the traverse closure sheet shall be enclosed.
- ✓ True bearings and distances to the nearest established street lines, official monuments or subdivision corner, which shall be accurately described on the plat. Municipal, township, county or abstract survey lines shall be accurately tied to the lines of the subdivision by the distances and bearings, where applicable.
- ✓ Describe and locate all permanent survey monument, pins, and control points and tie and reference the survey corners at two points to the Texas State Plane Coordinate System North Central Zone 1983-1999 datum. The Point of Beginning (POB) shall be clearly marked including State Plane Coordinates, NAD 83.
- ✓ An accurate location of at least two (2) corners of the subdivision with reference to original corners of the original survey of which the subdivision is a part or an existing permanent monument to an approved and recorded plat or permanent markers established by and approved by the City Engineer.
- ✓ Subdivision name of adjacent properties (P.R.D.C.T) or ownership information for adjacent unplatted properties (D.R.D.C.T.) with recording information.
- ✓ An accurate location of the subdivision in reference to the deed records of the county which shall include the volume and page of the deed of the property to be subdivided.
- ✓ If the property owner information does not match the Denton Central Appraisal District record, then information related to the purchase must be provided.
- ✓ The exact layout, including:
  - 1) Street and/or alley names
  - 2) The length of all arcs, radii, internal angles and points of curvature, length and bearing of the tangents
  - 3) All existing and proposed easements for right-of-way, public services, utilities or any other easements and any limitations of the easements
  - 4) Show centerline of existing streets. Dimensions from centerline to edges of existing and proposed right-of-way on both sides of the centerline.
  - 5) All lot number and lines, with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines to the nearest second
- ✓ The accurate location, material, and approximate size of all monuments.
- ✓ The accurate outline description of all property which is offered for dedication for public use, such as parks, etc., with the purpose indicated thereon, and all property that may be reserved by deed covenant for the common use of the property owners in the subdivision.
- ☐ A signed and notarized copy of private restriction (if any), that are filed for record in the office of the County Clerk shall be provided with the Final Plat.
- ✓ Name and addresses of the owner, subdivider, engineer, and surveyor.



## FINAL, REPLAT, MINOR, AMENDED, AND CONVEYANCE PLAT CHECKLIST (cont.)

- ☒ North point, written and graphic scale, and date.
- ☒ 3"x3" recording box at the lower right hand corner.
- ☒ A Title Block with the following information shall be provided on each page:
  - 1) Plat Type (ex: "Final Plat", "Preliminary Plat", etc.)
  - 2) Name of the proposed development/addition/subdivision
  - 3) Total number of lots and HOA/Open Space lots
  - 4) Survey name and abstract number
  - 5) Gross acreage
  - 6) Right-of-Way acreage, if dedicated
  - 7) Date of preparation and subsequent revisions
- ☒ Standard Notation to be added on the plat:
  - 1) "All lots comply with the minimum size requirements of the zoning district."
  - 2) "This property may be subject to charges related to impact fees and the applicant should contact the City regarding any applicable fees due."
  - 3) "All common areas, drainage easements, and detention facilities will be owned and maintained by the HOA/POA. Any common area within the City's right-of-way will require a facilities agreement, to be reviewed and approved by the City."
  - 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) "This plat does not alter or remove existing deed restrictions, if any, on this property."
  - 6) "Minimum finished floor elevations are at least 2 feet above the 100 year flood plain."
  - 7) "The subject property does not lie within a 100 – year floodplain according to Community Panel No. \_\_\_\_\_, dated \_\_\_\_\_, of the National Flood Insurance Rate Maps for Denton County, Texas."
  - 8) "The purpose of this plat is \_\_\_\_\_ [state the purpose] \_\_\_\_\_"
  - 9) "Bearings are based on the State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983 (NAD '83)"
- ☐ The name, address and phone number of all utilities providing service to the development is required. A signature from each provider or a will-serve letter, signifying their ability to provide service to the subdivision is required.
- ☒ Location map showing existing and proposed streets and thoroughfares covering an area at least one thousand feet (1000') outside the proposed subdivision.
- ☐ One paper copy (24"x36") and one soft copy (pdf) of approved civil/construction plans, along with GIS/CAD files for all approved public improvements on a CD/DVD.
- ☐ For Conveyance Plats Only: All conveyance plats must be titled "Conveyance Plat" and carry the following text:

"A conveyance plat is a record of property approved by the City of Sanger for the purpose of sale or conveyance in its entirety or interests thereon defined. No building permit may be issued, nor development begin, nor permanent public utility service provided until a final plat is approved, filed of record and public improvements are accepted in accordance with the City of Sanger Code of Ordinances. Selling a portion of this property by metes and bounds, except as shown on an approved, filed and accepted conveyance plat, final plat or replat is a violation of the state law."

## FINAL, REPLAT, MINOR, AMENDED, AND CONVEYANCE PLAT CHECKLIST (cont.)

- ☒ Certification by a registered public surveyor or licensed state land surveyor, registered in the State of Texas to the effect that the plat represents a survey made by him or under his direct supervision and that all monuments shown thereon have been verified and actually exist, and that their location, size, and material are correctly shown. Such surveyor's certificate may be prepared as follows:

*"State of Texas  
County of Denton*

*I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made on the ground under my supervision.*

(Engineer or Surveyor's Seal)

\_\_\_\_\_  
Licensed Professional Engineer OR  
Registered Public Land Surveyor Texas R.P.L.S. No.

\_\_\_\_\_  
Date"

- ☒ A certificate of ownership and dedication of all streets, alleys, parks, and playgrounds to public use forever, signed and acknowledged before a notary public, by the owner or authorized representative and lien holder of the land, and a complete and accurate description of the land subdivided and the streets dedicated. Such owner's certificate may be prepared as follows:

*"State of Texas  
County of Denton*

*I (we), the undersigned, owner(s) of the land shown on this plat within the area described by metes and bounds as follows:*

(Metes and Bounds Description of Boundary)

**NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS:**

**THAT** Steve Schmitz, acting herein by and through its duly authorized officer, does hereby adopt this plat designating the hereinabove described property as R57235 (lot/block/subdivision), 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 utility 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 8<sup>th</sup> day of June, 2022.

Steve Schmitz, Owner

Clear Creek Retail LLC, Title and Company (if applicable)"

Vice-President

City of Sanger

201 Bolivar / P.O. Box 1729

Sanger, TX 76266

940-458-2059 (office)

940-458-4072 (fax)

www.sangertexas.org

Effective Date: 02/11/2020



City of Sanger  
Developmental Services  
502 Elm Street  
P.O. Box 1729  
Sanger, Texas 76266

Project Narrative:

QuikTrip is formally requesting a Final Plat approval from the City of Sanger upon plat application submittal through Planning and Zoning Commission and City Council per City of Sanger Code of Ordinances Chapter 10, Section 10.104 Procedure, Subsection (d) Final Plat & 10.105 General Plat Requirements.

QuikTrip South LLC currently leases the property on the Southwest corner of I-35E frontage/Stemmons Freeway & FM 455/West Chapman Drive. Also addressed as 701 North Stemmons Freeway or:

Tract 1 Legal Description: A1241A TIERWESTER, TR 126, 1.806 ACRES, OLD DCAD SHT 4, TR 2.

Tract 2 Legal Description: SANGER I-35 INDUSTRIAL PARK LOT 6R-1B.

Respectfully,

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Corey Vaughan  
Real Estate Project Manager  
QuikTrip Corporation