

**CITY OF CELINA, TEXAS
ORDINANCE 2019-27
COLLIN COLLEGE PD-97**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS, AMENDING ORDINANCE NO. 2006-57, AS HERETOFORE AMENDED, THE SAME BEING THE COMPREHENSIVE ZONING ORDINANCE, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY BY DESIGNATING THE ZONING OF LAND THAT IS AN APPROXIMATELY 75 ACRE TRACT OF LAND LOCATED IN THE SHELBY GLASS SURVEY, ABSTRACT NO. 346, CITY OF CELINA, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED SOUTH OF CHOATE PARKWAY AND APPROXIMATELY 2,500 FEET EAST OF PRESTON ROAD; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT NO. 97; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT STANDARDS; PROVIDING FOR REVISION OF ZONING MAP; PROVIDING FOR COMPLIANCE; PROVIDING FOR A PENALTY NOT TO EXCEED \$2,000.00 AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES AND INCLUDING PROVISIONS FOR THE AUTHORIZATION TO SEEK INJUNCTIVE RELIEF TO ENJOIN VIOLATIONS WHICH CONSTITUTE AN IMMINENT HAZARD OR DANGER TO PUBLIC HEALTH AND SAFETY; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING FOR SAVINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Celina is a home rule municipality located in Collin and Denton County, Texas created in accordance with the provisions of the Texas Local Government Code, The Texas Constitution and operating pursuant to the enabling legislation of the state of Texas; and

WHEREAS, the City Council of the City of Celina, Texas is empowered under Local Government Code 54.001 to do all acts and make all regulations which may be necessary or expedient for the promotion of the public health, safety and general welfare; and

WHEREAS, Title 7 Chapter 211.003 of the Texas Local Government Code, empowers a municipality to, among other things, establish and amend zoning districts, classifications of land use, adopt a comprehensive plan to regulate the use of land and open spaces, adopt and amend zoning regulations, regulate population density, and regulate the use and location of buildings; and

WHEREAS, the establishment of a zoning classification has been requested for the property more specifically described in Exhibit "A" attached hereto and incorporated herein; and

WHEREAS, the property has been depicted in detail in Exhibit "B" attached hereto; and incorporated herein; and

WHEREAS, the Concept Plans, Phasing Plan, Building Elevations, and Development Regulations set forth in Exhibit "C", Exhibit "D", Exhibit "E", and Exhibit "F", respectively, and attached hereto and incorporated herein, define the base zoning districts and provide for certain modifications to such district regulations.

WHEREAS, the City Council has considered, among other things, the character of the property and its suitability for particular uses, with a view of encouraging the most appropriate use of land in the City, and is in the interest of public health, safety, and welfare, and does hereby find that the requested zoning accomplishes such objectives and is consistent with the provisions of the 2030 Comprehensive Plan of the City of Celina; and

WHEREAS, the Planning and Zoning Commission of the City of Celina and the City Council of the City of Celina, in compliance with the laws of the State of Texas and the ordinances of the City of Celina, have given the requisite notices by publication and otherwise, and have held public hearings and afforded a full and fair hearing to all property owners generally and to all persons interested in and situated in the affected area and in the vicinity thereof; and

WHEREAS, the City Council, in the exercise of its legislative discretion has concluded that the zoning classification on the tract of land described herein should be changed and the zoning map so amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS

SECTION 1
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2
FINDINGS

After due deliberations the City Council has concluded that the adoption of this Ordinance is in the best interest of the City of Celina, Texas and of the public health, safety and welfare.

SECTION 3
AMENDMENT OF ZONING CLASSIFICATION

That the zoning classification is hereby established as “PD” Planned Development District No. 97 on a certain tract of land described in in Exhibit “A” and depicted in Exhibit “B.”

SECTION 4
ZONING DESIGNATION AND DEVELOPMENT STANDARDS

That Ordinance No. 2006-57 of the City of Celina, Texas, as heretofore amended, the same being the City’s Comprehensive Zoning Ordinance, is hereby amended by designating the zoning on the land depicted in Exhibit “A” attached hereto and incorporated herein as PD No. 97, and incorporates the Concept Plans, Phasing Plan, Building Elevations, and Development Regulations attached hereto as Exhibit “C”, Exhibit “D”, Exhibit “E”, and Exhibit “F”, respectively

SECTION 5
REVISION OF ZONING MAP

That the City Manager for the City of Celina is hereby directed to mark and indicate on the official Zoning District Map of the City the zoning change herein made.

SECTION 6
COMPLIANCE REQUIRED

That the property depicted on Exhibit “A” hereto shall be used only in the manner and for the

purposes provided for in this ordinance and the Comprehensive Zoning Ordinance, of the City of Celina as amended.

SECTION 7
PENALTY

7.01 Any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances as amended hereby, shall be subject to the same penalty as provided for in the Code of Ordinances of the City of Celina, and upon conviction shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) for each offense.

7.02 If the governing body of the City of Celina determines that a violation of this Ordinance has occurred, the City of Celina may bring suit in district court to enjoin the person, firm, partnership, corporation, or association from engaging in the prohibited activity.

SECTION 8
CUMULATIVE REPEALER CLAUSE

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

SECTION 9
SAVINGS CLAUSE

All rights and remedies of the City of Celina, Texas are expressly saved as to any and all violations of the provisions of any other ordinance affecting zoning regulation which have secured at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances same shall not be affected by this Ordinance but may be prosecuted until final disposition by the court.

SECTION 10
SEVERABILITY

The provisions of the Ordinance are severable. However, in the event this Ordinance or any procedure provided in this Ordinance becomes unlawful, or is declared or determined by a judicial, administrative or legislative authority exercising its jurisdiction to be excessive, unenforceable, void, illegal or otherwise inapplicable, in whole or in part, the remaining and lawful provisions shall be of full force and effect and the City shall promptly promulgate new revised provisions in compliance with the authority's decisions or enactment.

SECTION 11
PUBLICATION CLAUSE

The City Secretary of the City of Celina is hereby directed to publish in the Official Newspaper of the City of Celina the Caption, and Effective Date of this Ordinance as required by Section 52.013 of the Local Government Code.

SECTION 12

ENGROSSMENT AND ENROLLMENT

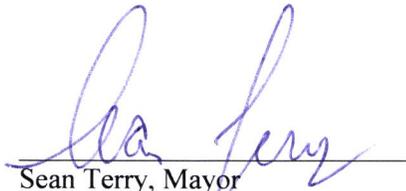
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive Caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

SECTION 13
EFFECTIVE DATE

This Ordinance shall become effective from and after its date of passage and publication as required by law.

AND IT IS SO ORDAINED.

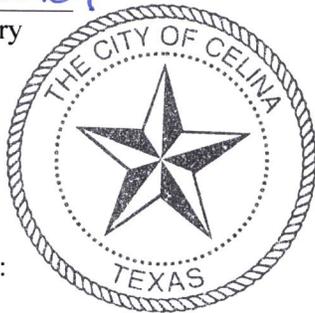
PASSED AND APPROVED by the City Council of the City of Celina, Texas this 13th day of August, 2019.


Sean Terry, Mayor
City of Celina, Texas

ATTEST:


Vicki Faulkner, City Secretary
City of Celina, Texas

[SEAL]



APPROVED AS TO FORM:

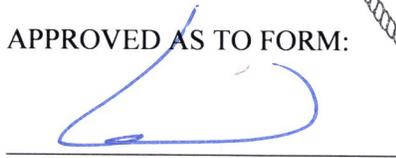

City Attorney
City of Celina, Texas

Exhibit "A"
Legal Description

BEING a tract of land situated in the Shelby Glass Survey, Abstract No. 346, Collin County, Texas and being all of a called 75.000 acre tract conveyed to Collin County Community College District as recorded in County Clerks No. 20090818001039820, Land Records of Collin County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner at the northwest corner of said 75.000 acre tract, said capped iron rod being in the east line of The Carter Ranch Phase IIC - Section 2 Addition, an Addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Volume 2014, Page 346, Plat records of Collin County, Texas, said capped iron rod also being at the southwest corner of a ROW dedication for County Road No. 88 conveyed to Collin County as recorded in County Clerks No. 20061122001662300, Land Records of Collin County, Texas;

THENCE N 89°38'04" E following the south ROW line of said County Road No. 88 a distance of 854.43' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner at the beginning of a curve to the right;

THENCE along said curve to the right following the south ROW line of said County Road No. 88 through a central angle of 39°54'51", a radius of 1356.38', an arc length of 944.90', with a chord bearing of S 70°24'30" E, and a chord length of 925.91' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner;

THENCE S 39°32'55" W a distance of 200.00' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner at the beginning of a curve to the left;

THENCE along said curve to the left through a central angle of 63°57'09", a radius of 750.00', an arc length of 837.13', with a chord bearing of S 07°34'21" W, and a chord length of 794.35' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner;

THENCE S 24°24'15" E a distance of 239.76' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner at the beginning of a curve to the right;

THENCE along said curve to the right through a central angle of 23°51'14", a radius of 999.94', an arc length of 416.30', with a chord bearing of S 12°28'38" E, and a chord length of 413.30' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner;

THENCE S 00°33'04" E a distance of 242.54' to a point for corner in the north line of Bluewood Phase I Addition, an Addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Volume 2017, Page 745, Plat records of Collin County, Texas;

THENCE S 89°26'56" W following the north line of said Bluewood Phase I a distance of 1665.00' to a 1/2" iron rod with yellow plastic cap stamped (KHA) found for corner in the east line of The Carter Ranch Phase IIA Addition, an Addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Volume 2007, Page 293, Plat records of Collin County, Texas,;

THENCE N 00°33'04" W following the east line of The Carter Ranch Phase IIA Addition and the east line of The Carter Ranch Phase IIC - Section 2 Addition a distance of 2127.18' to the POINT OF BEGINNING and containing 3,266,992 Square Feet or 75.000 Acres of land.
he Carter Ranch Phase IIA Addition, an Addition to the City of Celina, Collin County, Texas, according to the plat thereof recorded in Volume 2007, Page 293, Plat records of Collin County, Texas,;

THENCE N 00°33'04" W following the east line of The Carter Ranch Phase IIA Addition and the east line of The Carter Ranch Phase IIC - Section 2 Addition a distance of 2127.18' to the POINT OF BEGINNING and containing 3,266,992 Square Feet or 75.000 acres of land.

Exhibit "C" Concept Plans



Collin College - Celina Campus
Not to Scale | 2019.07.16
BEEC

PHASE 1 CONCEPT PLAN



EXHIBIT "D"
Phasing Plan

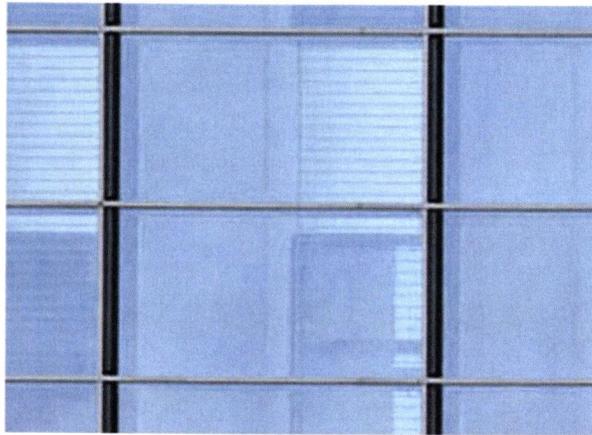


BECC
Collin College - Celina Campus
Not to Scale | 2019.07.16

PHASING PLAN



EXHIBIT "E"
Building Elevations



Glass



Accent Materials

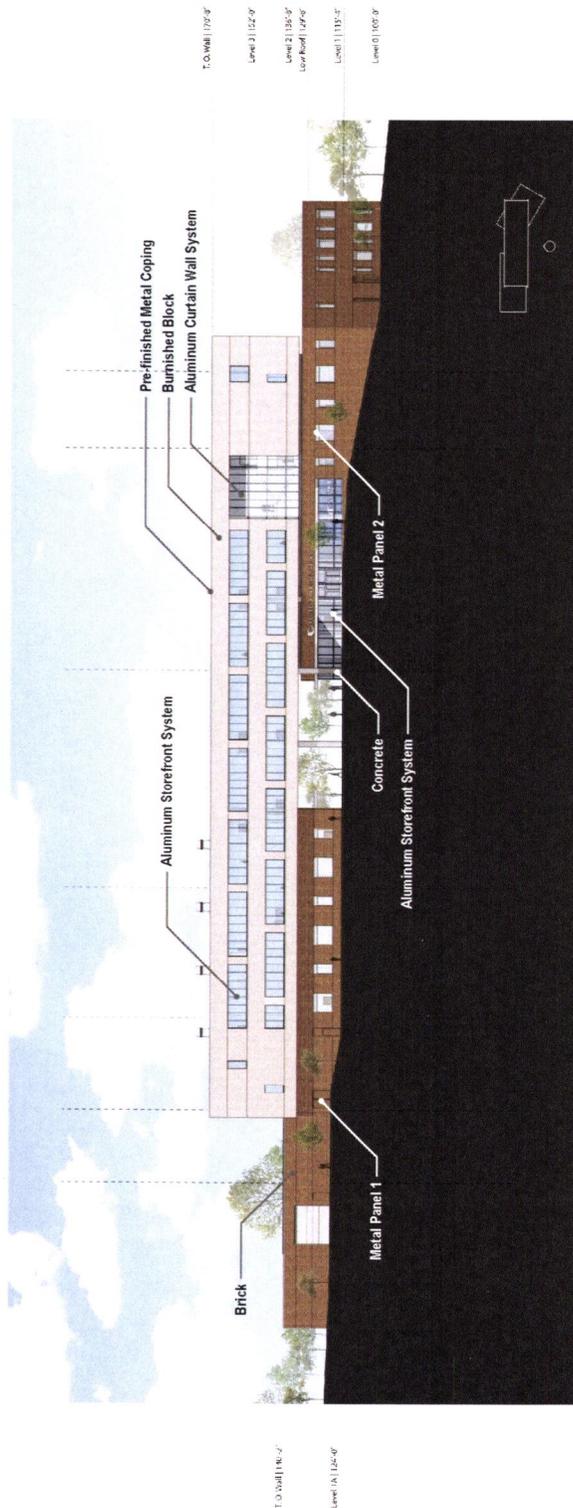


Burnished Block



Brick

EXHIBIT "E" Building Elevations



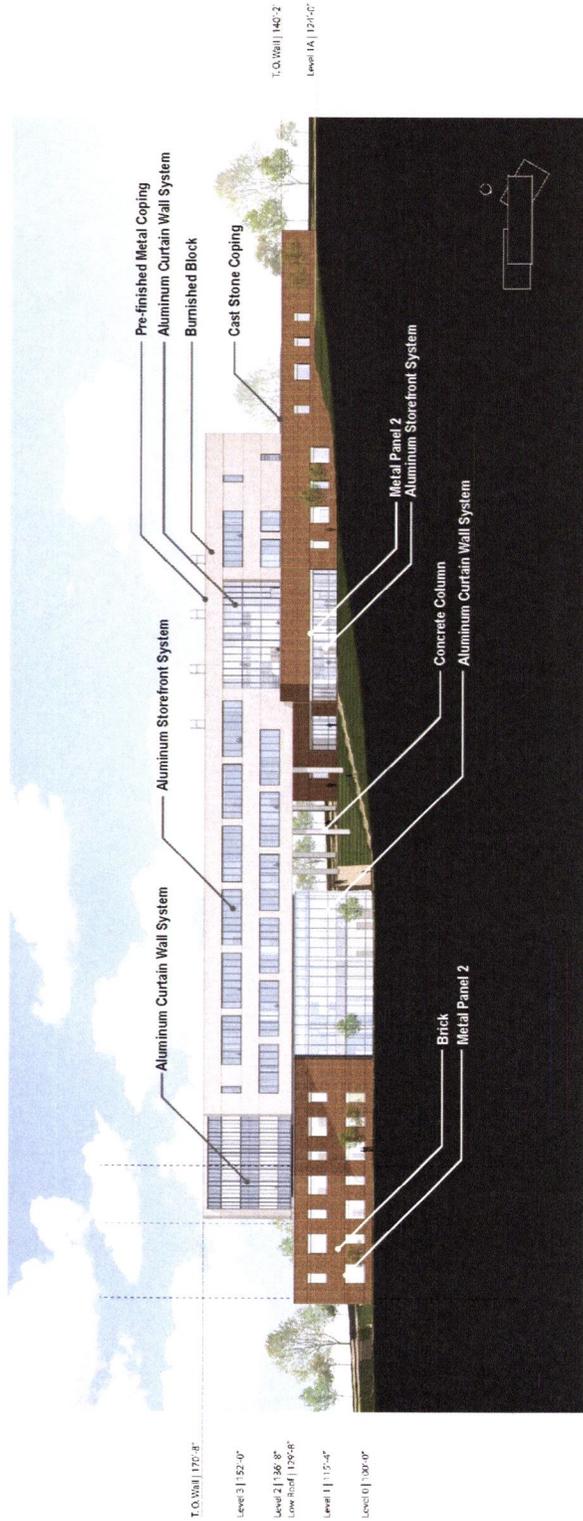
COLLIN COLLEGE
 BECS
 Collin College - Celina Campus
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COLOR ELEVATION - PHASE 1 BUILDING - EAST ELEVATION



EXHIBIT "E"

Building Elevations



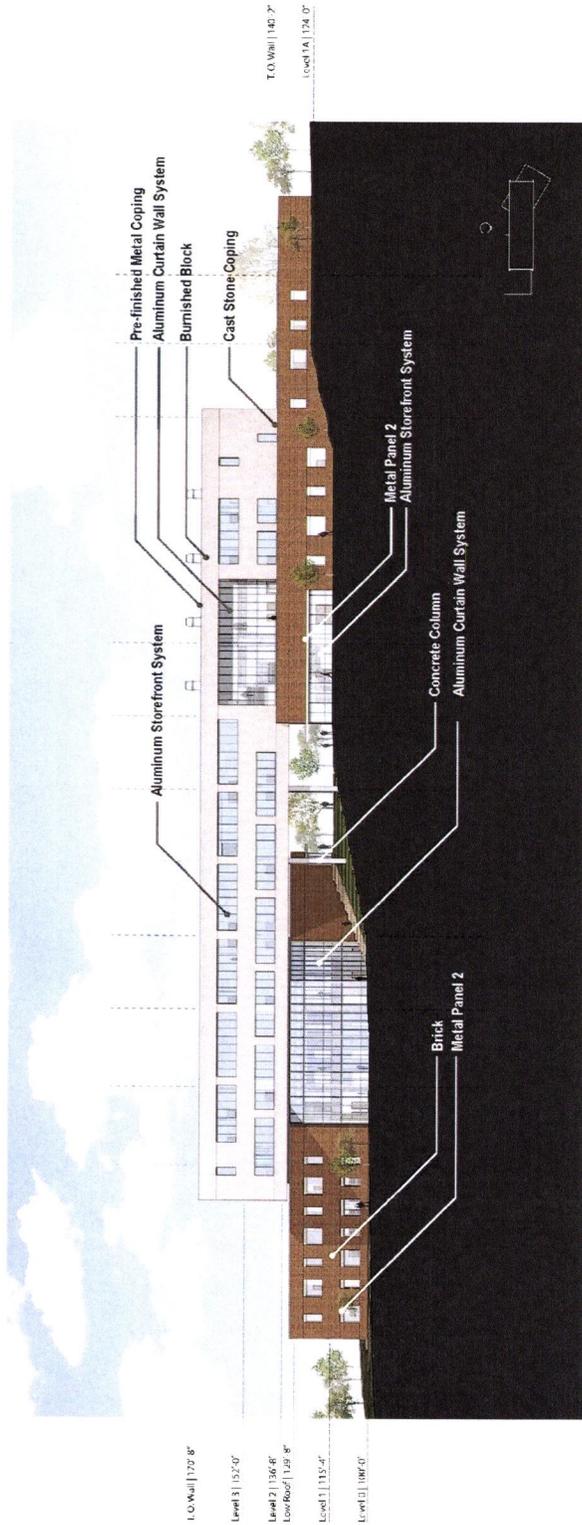
Collin College - Celina Campus
Not to Scale | 2019.07.16

COLOR ELEVATION - PHASE 1 BUILDING - NORTHWEST ELEVATION



EXHIBIT "E"

Building Elevations



Collin College - Celina Campus
 Not to Scale | 2019.07.16

COLOR ELEVATION - PHASE 1 BUILDING - WEST ELEVATION



EXHIBIT “F”
Development Regulations

PROJECT OVERVIEW

A 2009 era Development Agreement between Collin College and the City of Celina outlined its annexation, zoning, infrastructure understandings, and future general development. The intent of this Planned Development (PD) is to continue that vision and to allow for the development of a college campus, phased over time, without the necessity of revising the PD as each phase evolves and develops.

LAND USES

1. The base zoning for the subject property shall be Community Facilities (CF) district, which is appropriate for government, institutional, and public education facilities. Any deviations to the CF zoning district and/or Zoning Ordinance regulations are discussed below.
2. College land uses customary to campus activities and facilities are allowed, in addition to any incidental and secondary land uses normally associated with and necessary for the functionality of college campus land use, including academic buildings, parking lots, and support institutions.
3. Dormitories and other multi-unit residential land uses are not contemplated by this PD, although security lodges and comparable small-scale habitation quarters are allowed.
4. Any associated recreation or athletic fields are permitted, provided these are small in scale and not intended for organized team play, nor larger scale athletic field installations, such as stadium lighting. Operational hours of such outdoor fields or courts shall be restricted between 9 PM and 7 AM.

CONCEPT PLAN

1. The subject property shall generally develop per the attached Concept Plan for the campus. It displays the general location and configurations of buildings, parking lots, and other site layout features, all of which can be adjusted for pragmatic purposes at time of permitting, and such modifications shall not be unreasonably withheld.
2. It is possible, however, that major modifications may require future revisions to the PD, depending upon the scope and nature of the major modification.
3. The subject property is not required to connect into the residential subdivision to the west. The College will be responsible for removing the street stub of the adjacent subdivision to the west as part of Phase 3.
4. Any associated generating or power facility necessary for the operations of the campus shall be strategically located to minimize view from public rights-of-way and separated as far as practical from adjacent residential land use.

ARCHITECTURE

The subject property shall generally develop per the attached building elevations. Future buildings may attempt to continue the existing elevation themes, or may deviate to other architectural styles desired by Collin College, so long as the future building elevations are primarily masonry in nature, within industry standard for college campuses, and provide visual appeal to the community.

LANDSCAPING & SCREENING

1. A 40' wide landscape buffer applies along the northern property line, generally along Choate Parkway. A 30' wide landscape buffer applies along the eastern property line, generally along Kinship Parkway. Within these landscape buffers, large canopy trees shall be provided every 40 linear feet along with a small ornamental tree planted every 5 large canopy trees.
2. A 70' wide landscape buffer applies along the western and southern property lines, generally along single family land uses, so long as a minimum 40' wide landscape buffer is maintained at the two known "choke points". Within these landscape buffers, a row of evergreen large canopy trees shall be planted near the perimeter every 50 linear feet. A second row of large canopy trees shall then also be planted, staggered between the row of evergreens, every 50 linear feet, resulting in a double row of trees with a tree every 25 feet. This landscape buffer along with the required trees shall be installed with Phase 2.
3. A masonry wall is not required along the perimeter adjacent to single family residential. However, an 8' tall cedar, board-on-board fence with decorative cap and metal posts (with the smooth side facing the campus) shall be installed along the adjacent residential property lines, to be maintained by Collin College, as each associated phase develops. Occasional berms for landscaping shall also be provided.
4. Interior landscaping and additional perimeter landscaping is required per the Zoning Ordinance. However, minor modifications are allowed at time of permitting to accommodate designs that meet the spirit and intent of the Zoning Ordinance, including clustering or alternative interior parking lot designs that are comparable. Internal parking lot islands with trees are not required due to the landscape promenades being provided, as generally shown on the Concept Plan.
5. The existing pond shall have a large canopy tree planted every 50 linear feet around its perimeter in the absence of existing tree cover.
6. No detention facilities are allowed within the landscape buffer.

PEDESTRIAN AVENUES

1. 10' wide sidewalks are required along Choate Parkway and Kinship Parkway, with appropriate lighting to illuminate the sidewalks for safety purposes.
2. A 10' wide concrete trail is required along the perimeter of the campus, generally running along the southern, northern, and western property lines, connecting to the perimeter rights-of-way. This trail is required as each adjacent phase is developed.
3. Interior pedestrian connections, paths, and malls are also required to sufficiently accommodate heavy pedestrian use associated with a college campus environment. Designs shall incorporate decorative paving, streetscape features, and landscaping appropriate for the location, scale, and purpose of such paths.
4. A concrete trail shall also be provided along the perimeter edge of the existing pond.

LIGHTING

1. All exterior light sources, including wall packs and light poles, shall be properly recessed and/or shielded so that the source of light is not visible horizontally nor upward.
2. Light poles are limited to 30' in height.
3. Perimeter property lines shall have zero foot candles where adjacent to single family residential use in terms of illumination measurement.

OTHER DESIGN STANDARDS

1. The existing pond, generally located along the northern portion of the subject property, shall be amenitized by installing an aeration fountain, a pedestrian path around its perimeter edge, landscaping, and streetscape elements such as benches, at time of the associated adjacent phase is developed or at the time a FEMA permit is required.
2. No overhead utilities are allowed on-site.
3. An area, or easement, on the subject property, agreeable to both parties, shall be reserved for an outdoor warning siren to be installed and maintained by the City.
4. Perimeter landscaping, trails, pond installations, and other amenities and requirements within this PD are required at the time each phase develops, generally per the attached Phasing Map.