

**CITY OF CELINA, TEXAS**

**ORDINANCE 2019-44**

**THE GROVE AT FRONTIER (LANTERRA)**

**AN AMENDMENT TO PLANNED DEVELOPMENT #67**

**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 33 ACRE TRACT OF LAND LOCATED IN THE COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, CITY OF CELINA, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED ON THE NORTHWEST CORNER OF PRESTON ROAD AND FRONTIER PARKWAY, WITHIN THE CITY LIMITS; AS DESCRIBED IN EXHIBIT "A" AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT NO. 67; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING FINDINGS; PROVIDING FOR AMENDMENT OF ZONING CLASSIFICATION; PROVIDING FOR ZONING DESIGNATION AND DEVELOPMENT REGULATIONS; 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**, this Ordinance amends PD #67, which has previously been amended by ordinance 2016-30.

**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 Concept Plan, Renderings, and Development Regulations set forth in Exhibit "B", Exhibit "C", and Exhibit "D" 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. 67 on a certain tract of land described in in Exhibit "A".

**SECTION 4**  
**ZONING DESIGNATION AND DEVELOPMENT REGULATIONS**

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. 67, and incorporates the Concept Plan attached hereto as Exhibit "B", Renderings attached hereto as Exhibit "C", and the Development Regulations attached hereto as Exhibit "D."

**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 8<sup>th</sup> day of October, 2019.

  
\_\_\_\_\_  
Sean Terry, Mayor  
City of Celina, Texas

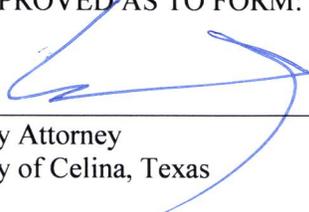
ATTEST:

  
\_\_\_\_\_  
Vicki Tarrant, 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 City of Celina, Collin County, Texas, a part of the Collin County School Land Survey, Abstract No. 167, and being part of a called 134.88 acre tract of land as described in a General Warranty Deed to Keeran Family Partnership, Ltd., recorded in Volume 4957, Page 2455 and Volume 4957, Page 2463, Deed Records, Collin County, Texas (D.R.C.C.T) and being more particularly described as follows:

**BEGINNING** at a brass monument stamped "TXDOT" (herein after called brass monument) found, being in the west line of N. Preston Road-S.H. 289 (a variable width right-of-way);

**THENCE** South 01 degrees 24 minutes 03 seconds West, a distance of 569.84 feet along the west line of said N. Preston Road-S.H. 289 to a brass monument found at the northeast end a corner clip between the west line of said N. Preston Road-S.H. 289 and the north line of Frontier Parkway (a variable width right-of-way);

**THENCE** South 45 degrees 32 minutes 47 seconds West, a distance of 35.50 feet along said corner clip to a five-eighths inch iron rod with yellow plastic cap "stamp illegible" found at the southwest end of said corner clip;

**THENCE** along the north line of said Frontier Parkway, the following courses and distances:

South 89 degrees 50 minutes 55 seconds West, a distance of 180.14 feet to a one-half inch iron rod with yellow plastic cap stamped "Prop. Cor. Bohler" (herein after called capped iron rod) set for corner;

South 79 degrees 34 minutes 15 seconds West, a distance of 75.43 feet to a five-eighths inch iron rod found for corner;

South 00 degrees 03 minutes 52 seconds East, a distance of 36.00 feet to a capped iron rod set for corner;

South 89 degrees 53 minutes 08 seconds West, a distance of 224.00 feet to a capped iron rod set for corner;

South 89 degrees 30 minutes 06 seconds West, a distance of 685.91 feet to a Mag Nail found for corner at the southeast corner of a called 101.9292 acre tract of land described in a General Warranty Deed to LFC Land Company II, LLC, recorded in Instrument No. 20121113001449460, Official Public Records, Collin County, Texas (O.P.R.C.C.T);

**THENCE** North 00 degrees 31 minutes 09 seconds West, a distance of 1,341.21 feet along the east line of said 101.9292 acre tract of land to called capped iron rod set at

**Exhibit A**  
**Legal Description**

the southwest corner of a called 12.0734 acre tract of land described in a Warranty Deed with Vendor's Lien to Inverciones Meza, LLC, recorded in Instrument No. 20160119000060220, O.P.R.C.C.T.;

**THENCE** North 89 degrees 58 minutes 03 seconds East, a distance of 927.14 feet along the south line of said 12.0734 acre tract of land to a 60D nail found in the east line of said 134.88 acre tract of land, at the northwest corner of a called 2.3684 acre tract of land described as Tract 5 in a Special Warranty Deed to SCK Revocable Trust, recorded in Instrument No. 20160629000828260, O.P.R.C.C.T.,

**THENCE** South 00 degrees 23 minutes 15 seconds West, a distance of 624.97 feet along the east line of said 134.88 acre tract of land to a capped iron rod set at the southwest corner of a called 1.1842 acre tract of land described as Tract III in a Warranty Deed to Kim A. Cannaday, recorded in Volume 4163, Page 133, D.R.C.C.T., from which a five-eighths inch iron rod found bears North 20 degrees 30 minutes 13 seconds East a distance of 2.70 feet;

**THENCE** North 89 degrees 45 minutes 08 seconds East, a distance of 300.56 feet along the south line of said 1.1842 acre tract of land to a one-half inch iron rod with orange plastic cap stamped "Premier Surveying" found in the west line of said N. Preston Road-S.H. 289;

**THENCE** South 06 degrees 42 minutes 36 seconds West, a distance of 67.42 feet along the west line of said N. Preston Road-S.H. 289 to the **POINT OF BEGINNING** and containing 1,417,326 square feet or 32.537 acres.



# Exhibit C Renderings



**BUILDING ELEVATIONS** **O'BRIEN**  
Scale: 1/8" = 1'-0"

The Grove at Frontier  
LUNY TERRA GROUP // CELENA, TX

**Exhibit C  
Renderings**



**Exhibit C  
Renderings**



## Exhibit C Renderings



## **Exhibit D Development Regulations**

### **PROJECT OVERVIEW**

This Planned Development contemplates an integrated, mixed use development on the northwest corner of Preston Road and Frontier Parkway intended to serve as a destination for quality retail, restaurants, offices, and housing options to function as a southern gateway into the community.

### **CONCEPT PLAN**

The subject property shall generally develop per the attached Concept Plan showing the division of the property into three tracts, the Western Transitional Tract, the Non-Residential Tract, and the Central Multi-Family Tract. The Concept Plan 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, but are subject to review and approval by the Director of Development Services.

### **ARCHITECTURE**

The subject property is an architecturally, historically, and culturally significant tract of land that serves as a gateway into the community and shall abide by the City's architectural standards, as may be amended. The attached building elevations show various themes and styles which the larger non-residential buildings may utilize but which may not strictly comply with the ordinance. Retail pad sites and all multi-family uses are expected to abide by full architectural standards except as modified herein.

### **LANDSCAPING SCREENING**

The landscaping on the subject property shall abide by the Zoning Ordinance, as may be amended.

### **PEDESTRIAN AVENUES**

1. 10' wide sidewalks are required along Preston Road and Frontier Parkway, with appropriate lighting to illuminate the sidewalks for safety purposes.
2. Interior pedestrian connections (both within a tract and from tract to tract), paths, and malls at major intersections as identified on the attached Concept Plan are required to incorporate decorative paving, streetscape features, and landscaping appropriate for the location, scale, and purpose of such paths.

### **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 in the north-central portion of the subject property, shall be used for regional detention and include installation of amenities, which at a minimum should include an aeration fountain, a pedestrian path around its perimeter edge, landscaping, and streetscape elements (benches). The amenities are required when the associated adjacent phase is developed.
2. No overhead utilities are allowed on-site.
3. Vehicular cross access and pedestrian connectivity is required throughout the subject property.

4. Vehicular cross access is required with the Light Farms subdivision on the west.
5. An area, or easement, on the subject property, agreeable to both parties, shall be reserved for installation of a public art piece, an interactive display, a monumentation sign, or other unique feature, generally at the hard corner of Preston Road and Frontier Parkway. Being the gateway into the City of Celina, the feature should incorporate a municipal theme or reference.
6. The development team will work with the City staff on the development of the Frontier Parkway and Preston Road hard corner on the placement of structures, buildings, and the supporting parking, with the goal being an attractive corner entry.
7. Where possible, elevation changes that require retaining walls shall not undermine the requirements for landscape buffers, trees, and pedestrian linkages.

**NON-RESIDENTIAL TRACT**

1. This tract will adhere to the uses, standards, and other requirements of the RO-Retail Office Zoning District as may be amended, except as modified below:
  - A. Additional Permitted Uses by Right:
    1. General commercial, office, and retail
    2. Veterinarian Clinic (with indoor kennels)
    3. One (1) fuel station, meeting the City's Architectural Standards, as may be amended, is permitted by-right without the requirement to obtain a Specific Use Permit (SUP). The hard corner of Preston Road and Frontier Parkway is not permitted to be developed for this use.
    4. All restaurants, including drive-thru service for stand-alone or end cap users
  - B. Permitted with a Specific Use Permit:
    1. Auto Repair, Minor
    2. Car Wash
    3. Cigar Lounge
    4. Country Club
    5. Liquor/Wine Shop (as primary sales)
    6. Medical Spa with Permanent Cosmetic Tattooing
    7. Nursery (with retail outdoor sales)
    8. Private Club
  - C. Prohibited Uses:
    1. Alternative financial services (including Check Cashing services)
    2. Auto Sales
    3. Body Art Studio (Tattoo Shop, Body Piercings, etc.)
    4. Cannabidiol Shop (CBD Shop)
    5. Gaming or slot machines (excluding arcades)
    6. Head Shop
    7. Hookah Shop
    8. Motorcycle Sales and Repair
    9. Outdoor storage/display (exempting home improvement centers)
    10. Pawn Shop
    11. Recycling Center or Kiosk
    12. Residential uses
    13. Sexually Oriented Businesses (SOBs)
    14. Smoke Shop/Cigar Shop (where smoke/cigar sales are a primary use)
2. Parking to be at a ratio of 1:250 sf generally for the site and non-required parking on adjacent non-residential tracts may be used as credit towards required parking. Restaurants located on Preston

- Road and Frontier Parkway frontage pad sites is to be parked at a ratio of 1:100 sf.
3. 40' wide landscape buffers apply along Preston Road and Frontier Parkway.
  4. A minimum 2-story mid-rise office building (maximum of 8 stories) shall be included with a minimum of a 10,000 sf footplate within this tract. Alternatively, a use comparable to this in terms of scale, scope, ad-valorem impact, and other concerns may be presented to City staff for consideration and approval. Minor modifications may be made at the staff level to accommodate the design of such use.

**WESTERN TRANSITIONAL TRACT**

1. This tract can support a wide range of land uses, including retail, office, light commercial, townhouse, and multi-family.
  2. A maximum of 2-story buildings is allowed within 100-feet adjacent to the single-family use along the west boundary for all uses.
  3. A 20-ft landscape buffer is required adjacent to the single-family use along the western boundary. Residential fences may be placed within this landscape buffer.
  4. A 10-ft landscape buffer is required adjacent to the north, east, and south limits of this tract. Residential fences may be placed within this landscape buffer.
  5. An 8-ft high masonry wall is required for all uses adjacent to the single-family along the western boundary except townhome use. For all other perimeters of the Western Transitional Tract, tall opaque contiguous evergreen vegetative screen is required.
  6. No residential component, including leasing office, may have frontage on Frontier Parkway (interior only).
- A) For non-residential use, please refer to the guidance outlined in the Non-Residential Tract section with the following modifications:
1. A maximum of 4-story height is allowed for all non-residential uses on this tract, except within 100-feet of the single-family use along the western boundary where the height is 2-story maximum.
- B) For Townhome uses, standards and other requirements will be applied in accordance with the TH - Townhome Zoning District as adopted at the time improvements are submitted for review by the City except as modified herein.
1. Amenities shall include one child's play area and a minimum of one bench near the play area.
- C) For multi-family, the MF – Multi-family Zoning District will apply, as adopted at the time improvements are submitted for review by the City, except as modified herein.
1. A maximum of 200 units are allowed within this tract.
  2. The maximum height shall be 2 stories.
  3. Buildings, when sprinkled, shall have a minimum of 8-ft of separation between foundations.
  4. Yard spaces may be divided by 6-ft wooden fences.
  5. Parking shall be 1.8 per unit minimum.
  6. Amenities shall consist of a pool, spa, dog park, outdoor grill, and a fire pit/gathering area.
  7. Allowable building materials to include brick, stone, synthetic stone, stucco, and fiber cement siding. Brick or stone shall be used on a minimum of 85% of the gross front elevation area with 50% minimum on the sides and rear elevations.
  8. Tall opaque contiguous evergreen vegetative screen is required on the northern, eastern, and southern boundaries of the tract.

**CENTRAL MULTI-FAMILY TRACT**

1. A maximum of 350 units are allowed within this tract.

2. Only a minimum of 3 story multi-family is permitted within this tract.
3. The multi-family shall be a maximum of 4 stories.
4. No perimeter fencing/walls is allowed.
5. Buildings should be pushed to the fire lanes as much as practical (urban edge), and parking should generally be on the interior.
6. 10' perimeter landscape buffer along all sides (with trees) is required.
7. Parking ratio:
  - a. No less than 1.8 spaces per dwelling unit overall
  - b. Three-bedroom unit type limited to maximum 10% of overall dwelling units.
8. If the Central Multi-Family Tract develops with structured parking in an Urban Living design, a maximum of 6 stories (minimum of 4) would be permitted.