

**CITY OF CELINA, TEXAS**

**ORDINANCE 2016-58  
GRACE BRIDGE ZONING - PD-69**

**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 1.953 ACRE TRACT OF LAND SITUATED IN COLLIN COUNTY SCHOOL LAND SURVEY ABSTRACT NO. 170 AND THE THOMAS STAYTON SURVEY ABSTRACT NUMBER 805 AND BEING PART OF A TRACT OF LAND CONVEYED TO BILLY AND CYNDEE HERRIN AS RECORDED IN COUNTY CLERK FILE NUMBER 96-0039268, DEED RECORDS, COLLIN COUNTY, TEXAS, AND GENERALLY LOCATED EAST OF BUSINESS 289 (N. LOUISIANA DRIVE), AND NORTH OF POPLAR STREET, COLLIN COUNTY, TEXAS; AS DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B" ATTACHED HERETO AND INCORPORATED HEREIN TO BE ZONED "PD" PLANNED DEVELOPMENT DISTRICT NO. 69; 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 tract comprising the property has been depicted in detail in Exhibit "B" attached hereto; and incorporated herein; and

**WHEREAS**, the concept plan and development regulations set forth in Exhibits "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. 69 on a certain tract of land described in in Exhibit "A" and depicted in Exhibits "B" and "C."

**SECTION 4**  
**ZONING DESIGNATION AND DEVELOPMENT STANDARDS**

4.01 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" Planned Development District No. 69.

4.02 This ordinance only regulates the uses allowed for the property identified above. All development and construction shall occur in accordance with the requirements of this ordinance; the concept plan set forth in Exhibit "C"; the development standards set forth in Exhibit "D" and all other applicable ordinances, rules, and regulations of the City.

**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**

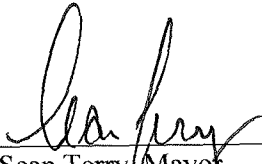
The City Secretary is hereby directed to engross and enroll this Ordinance by copying the descriptive Caption in the minutes of the City Council and by filing this Ordinance in the Ordinance records of the City.

**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.**

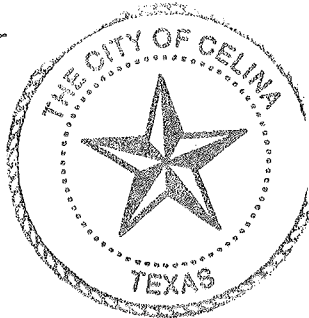
**PASSED AND APPROVED** by the City Council of the City of Celina, Texas this 9<sup>th</sup> day of August, 2016.

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

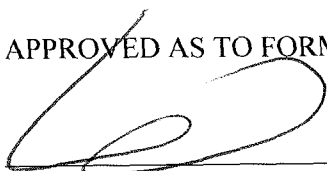
ATTEST:

  
\_\_\_\_\_  
Vicki Faulkner, City Secretary  
City of Celina, Texas

[SEAL]



APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney  
City of Celina, Texas

**"EXHIBIT A"**  
**Grace Bridge**  
**Legal Description**

BEING a 1.953 acres tract or parcel of land out of the Collin County School Land Survey Abstract No. 170 and the Thomas Stayton Survey Abstract Number 805 and being part of a tract of land conveyed to Billy and Cyndee Herrin as recorded in County Clerk File Number 96-0039268, Deed Records, Collin County, Texas, and being more particularly described as follows:

BEGINNING at a 1" pipe crimped at the top found for the Northeast corner of said Herrin tract and the Southeast corner of a tract of land conveyed to MacElroy Development as recorded in County Clerk File Number 20060320010001070, Deed Records, Collin County, Texas, said point also being in the west line of Burlington Northern Railway right-of-way;

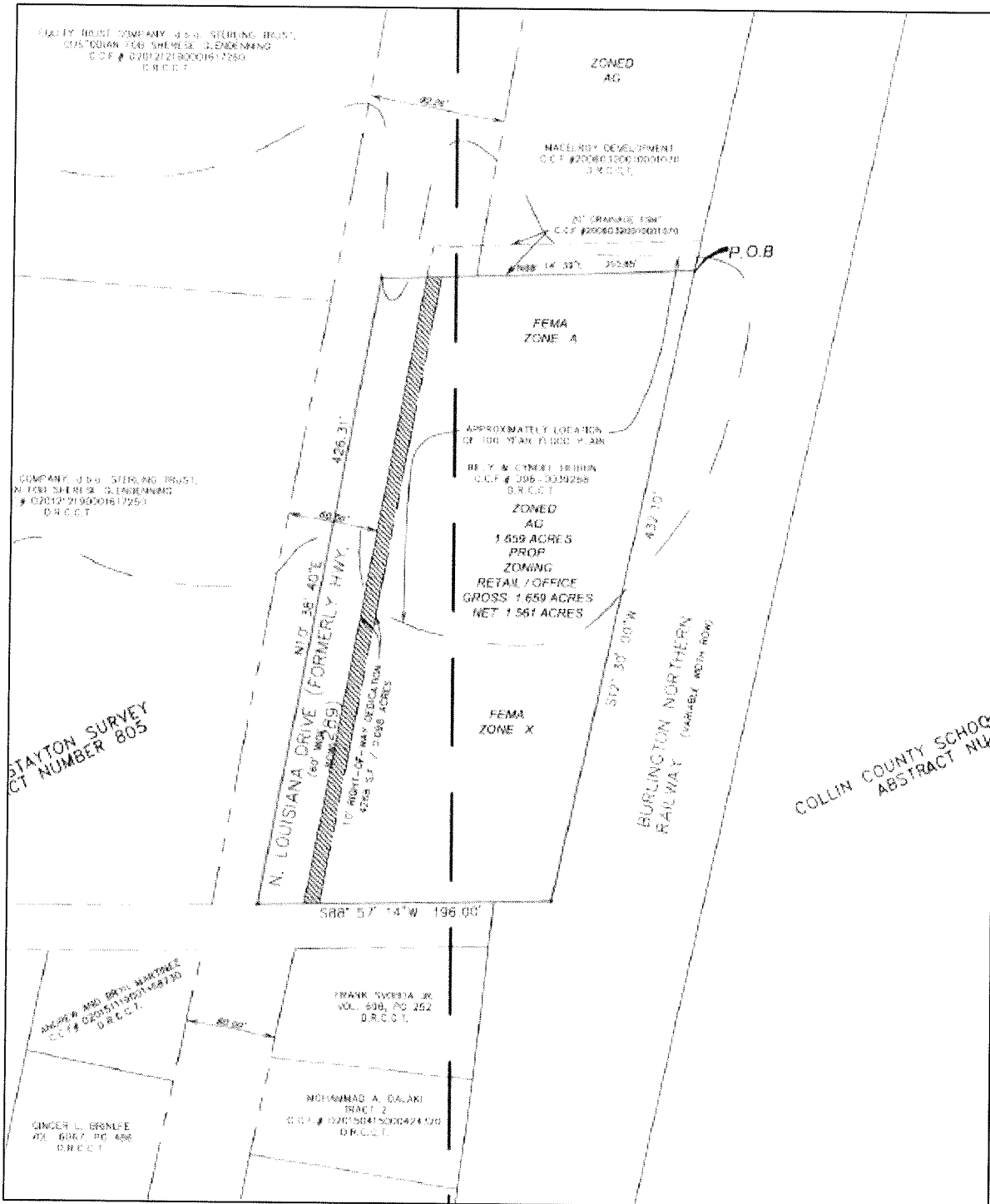
THENCE South 12°30'00" West along the east line of said Herrin tract and the west line of said Burlington Northern Railway right-of-way a distance of 432.10 feet to a point for corner;

THENCE South 88°57'14" West along the southerly line of said Herrin tract a distance of 196.00 feet to a point for corner, said point being in the centerline of North Louisiana Drive (60 foot right-of-way);

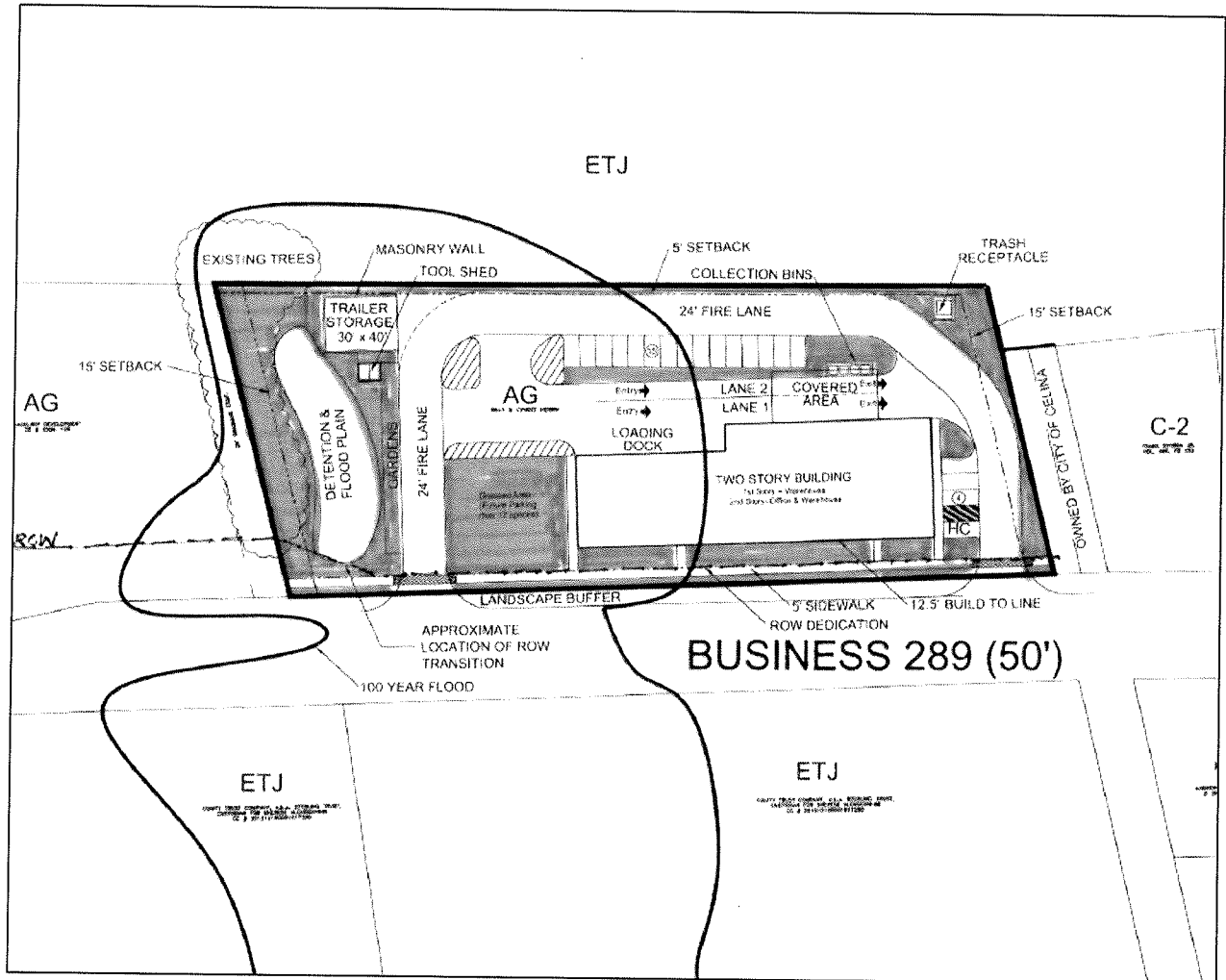
THENCE North 10°38'40" East along the centerline of said North Louisiana Drive a distance of 426.31 feet a point for corner;

THENCE North 88°14'39" East departing the centerline of said North Louisiana Drive and along the south line of said MacElroy tract and the north line of said Herrin tract a distance of 210.85 feet to the POINT OF BEGINNING containing 1.953 acres of land more or less.

## Exhibit B Grace Bridge Tract Zoning Exhibit



**Exhibit C  
Grace Bridge  
Concept Plan**



**Exhibit D**  
**Development Regulations**  
**Grace Bridge Tract**

**Base Zoning District – Retail Office (RO)**

The Planned Development shall conform to the Zoning Ordinance standards for the Retail/Office (R/O) Zoning District, as they exist or may be amended, except as follows:

1. General purpose and description: This district is established to provide areas for retail sales and professional offices which are not part of an overall larger development. These retail, office and warehouse buildings will be freestanding buildings, fully contained on a single lot or tract of land.
2. Permitted Uses: Additional uses for this district are as follows:
  - a. Recycling Center (limited to clothing, furniture and household goods)
  - b. Warehouse
3. Area regulations: Size of yards
  - a. Minimum Front Yard – 12.5 foot build-to line.
  - b. Minimum Rear Yard – 5.0 feet
4. Special district requirements
  - a. Open storage – No open storage is proposed.

The Planned Development shall conform to the Zoning Ordinance, Section 14.05.152 Construction Standards, as they exist or may be amended, except as follows:

1. The following materials may be permitted for nonresidential exterior construction.
  - a. Masonry as shown on elevations
  - b. Painted Metal Siding
    - i. Shall be allowed on back elevation of the building, not visible from the ROW,
    - ii. Stone and brick shall wrap around the corners of the building for a distance not less than three (3) feet, and
    - iii. A water table consisting of material that matches the remaining masonry elevations, as shown on the elevations, shall be located along the bottom perimeter of the back of the building.

**Sec. 14.03.031 PD, Planned Development District**

1. Open Space: A detention/retention pond shall be provided in lieu of open space shall be provided.
2. Landscaping: Landscaping shall be provided as required in the Zoning Ordinance, Article 14.05, Division 3, Landscaping, as it exists or may be amended.



**NOTES:**

**LAND USE:**  
 Existing: PC  
 Proposed: PC

**BLDG. F.P.:**  
 411' Foot

**Area (1.65 Ac):**  
 Total: 12,460 Sq Ft  
 1,720 (No. Parking (1.65 Ac))  
 10,740 (No. Parking (1.65 Ac))

**2nd Floor:**  
 1,912 Sq Ft  
 3,222 Sq Ft

**Total Building:**  
 16,874 Sq Ft

**PARKING:**  
 1,720 (No. Parking (1.65 Ac))  
 10,740 (No. Parking (1.65 Ac))

**LOT COVERAGE:** 73.9%

**18 Spaces**

**LEGAL DESCRIPTION:**  
 Tract 1, Thomas Shaw Survey  
 Abstract No. 805  
 Tract 1, Block 2  
 Collin County Sec. 1, Land #15 Survey  
 Abstract No. 170

**OWNER:**  
 Billy and Candice Herrin  
 10415 Preston Road, Suite A  
 Celina, Texas 75009  
 214-502-3400

**ARCHITECT:**  
 P. S. S. Architects  
 239 W. Pecos Street, Ste. 103  
 Celina, TX 75009  
 972-382-4694

**DEVELOPER:**  
 Canine Morris  
 9400 Maeda Blvd. Ste. 330  
 Frisco, Texas 75035  
 214-425-6443

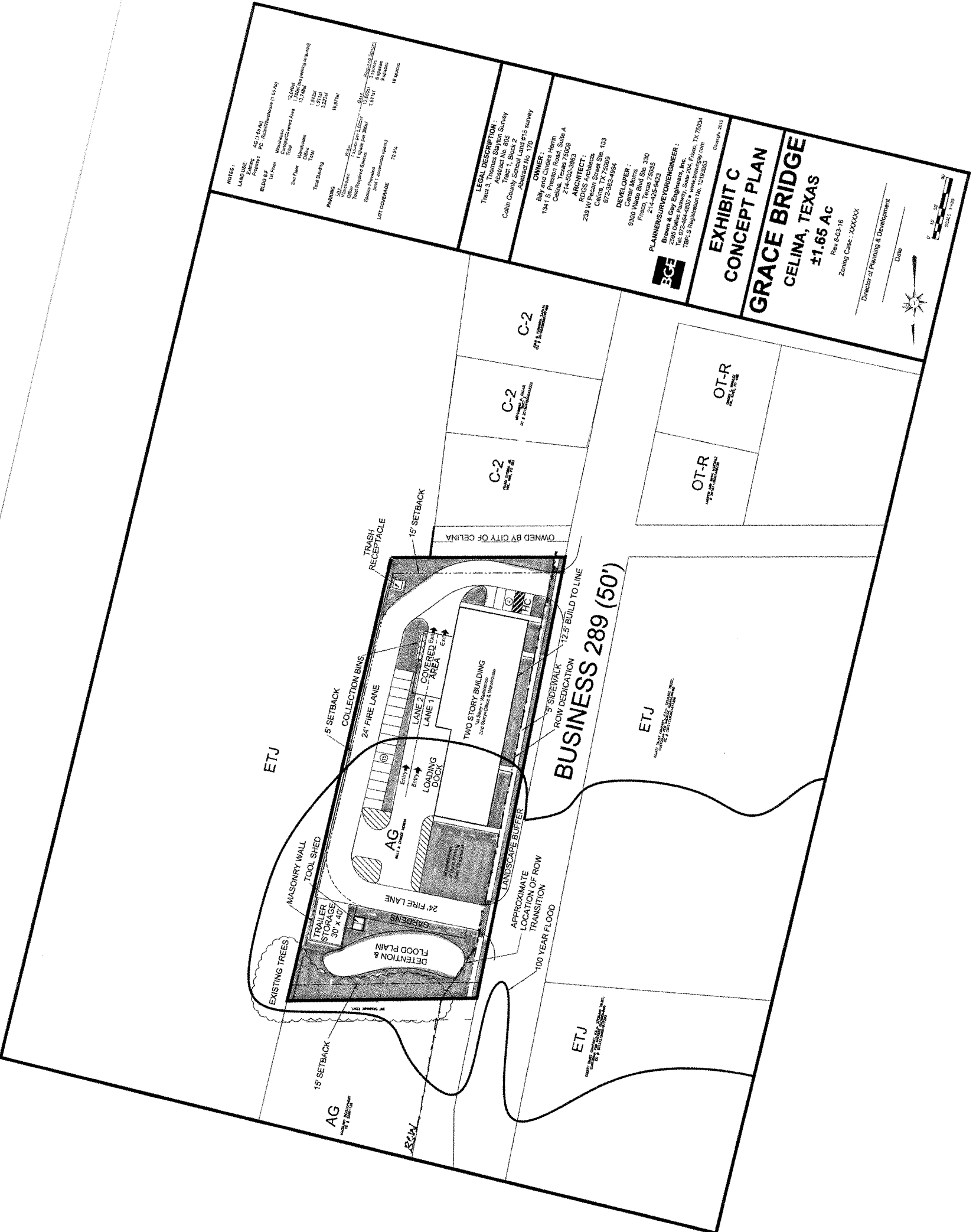
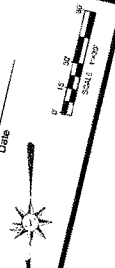
**PLANNING SURVEYOR/ENGINEER:**  
 Brown & Gay Engineering, Inc.  
 2305 E. Loop Parkway, Suite 204, Frisco, TX 75034  
 Tel: 972-481-8800 • www.browngay.com  
 Texas Registration No. 12181803

**EXHIBIT C  
 CONCEPT PLAN**

**GRACE BRIDGE  
 CELINA, TEXAS  
 ±1.65 AC**

Rev. 8-03-16  
 Zoning Case: -XXXXXX

Director of Planning & Development

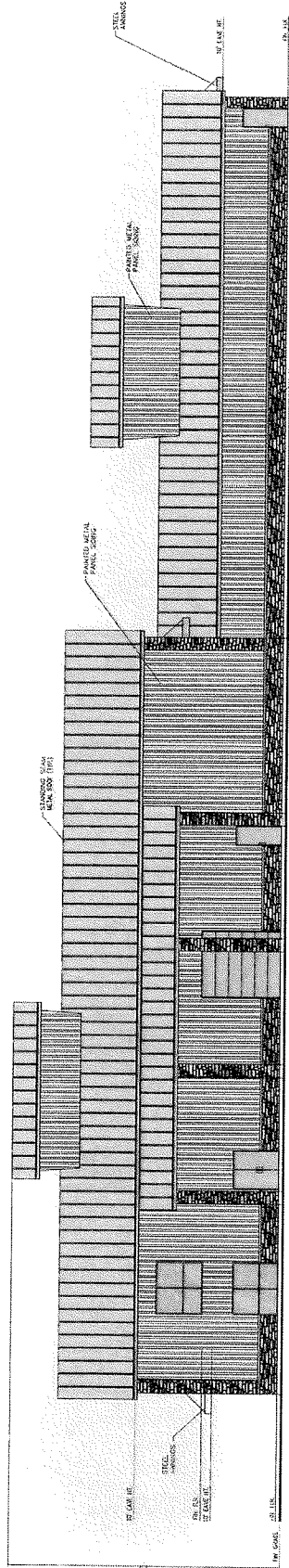




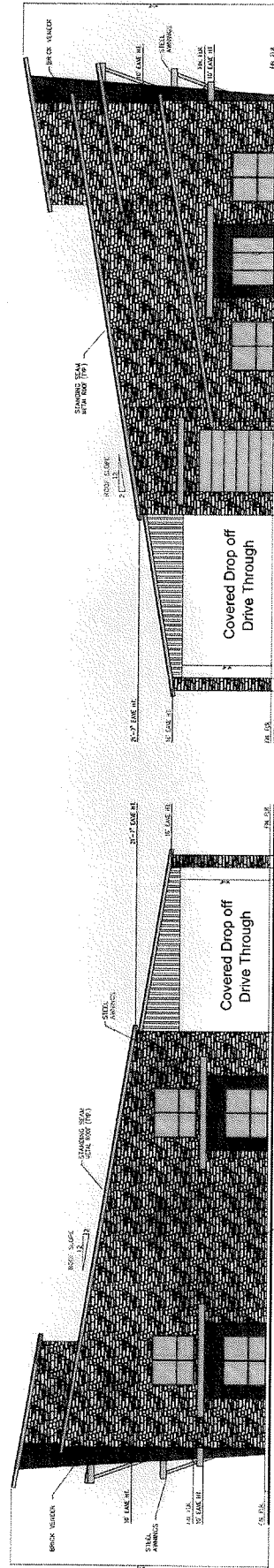
239 W. 51  
 PECAN STRILL  
 SUITE 103  
 CELINA, TEXAS  
 75009  
 Phone: 972.584.4444  
 www.rdgscpa.com

PROJECT NO: 160007

THIS SET OF ARCHITECTURAL DRAWINGS IS THE PROPERTY OF RDGS ARCHITECTS. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, REPRODUCED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RDGS ARCHITECTS.



**EAST BUILDING ELEVATION CONCEPT**  
 SCALE: 1/8" = 1'-0"



**SOUTH BUILDING ELEVATION CONCEPT**  
 SCALE: 1/8" = 1'-0"

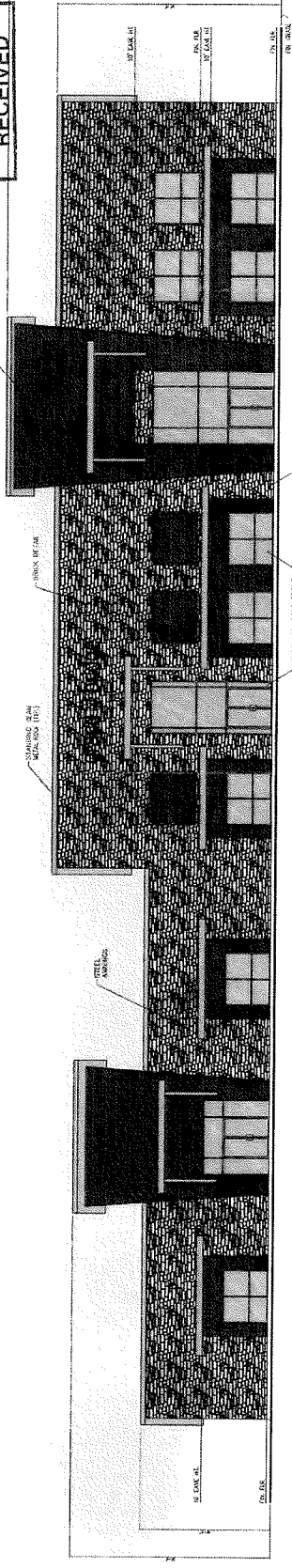
Grace Bridge

160007

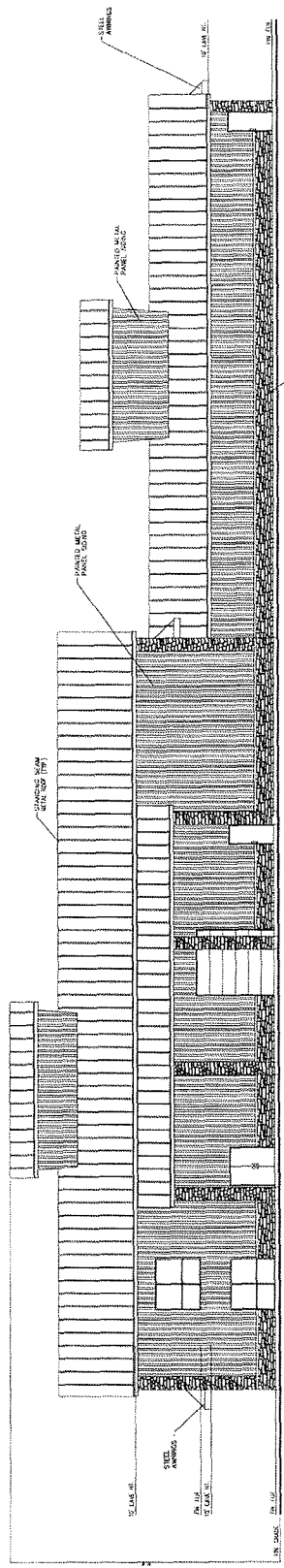
A2.00

**CITY OF CELINA**  
 APR 15 2016  
 RECEIVED

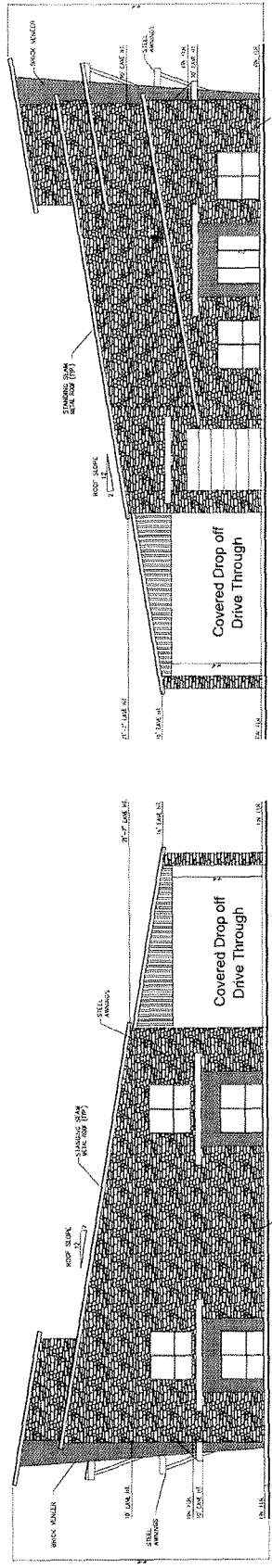
**NORTH BUILDING ELEVATION CONCEPT**  
 SCALE: 1/8" = 1'-0"



**WEST BUILDING ELEVATION CONCEPT**  
 SCALE: 1/8" = 1'-0"



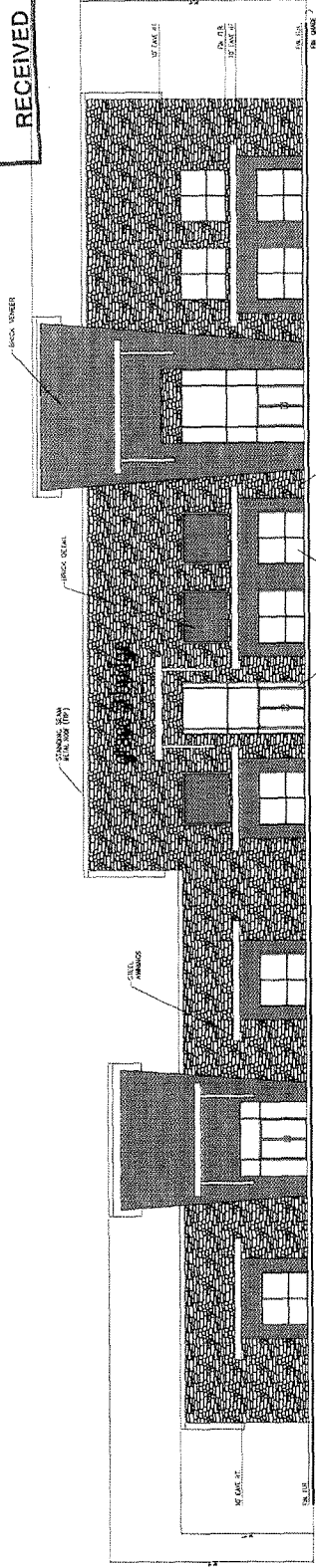
**EAST BUILDING ELEVATION CONCEPT**  
SCALE: 1/8" = 1'-0"



**SOUTH BUILDING ELEVATION CONCEPT**  
SCALE: 1/8" = 1'-0"

CITY OF CELINA  
 APR 15 2016  
 RECEIVED

**NORTH BUILDING ELEVATION CONCEPT**  
SCALE: 1/8" = 1'-0"



**WEST BUILDING ELEVATION CONCEPT**  
SCALE: 1/8" = 1'-0"