

**CITY OF PRINCETON**

**ORDINANCE NO. 2017-12-11-02**

**AN ORDINANCE OF THE CITY OF PRINCETON AMENDING THE COMPREHENSIVE ZONING ORDINANCE NUMBER 2016-01-25-01 OF THE CITY OF PRINCETON, FROM “AG”, AGRICULTURE & “PD14” PLANNED DEVELOPMENT 14, ON A PORTION OF THE HARDIN WRIGHT SURVEY, ABSTRACT NO. 957; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** the owner of the property generally described as 50.050 acres of land situated in the Hardin Wright Survey, Abstract No. 957, City of Princeton, Collin County, Texas, as reflected on the map shown in Exhibit A; and

**WHEREAS,** the tract of land subject of this zoning amendment from “AG” Agriculture to “PD14” Planned Development 14, is more particularly described by metes and bounds description set forth in Exhibit B; and

**WHEREAS,** the Planning and Zoning Commission held a public hearing, heard the case on November 20, 2017 and recommended approval of the zoning amendment from “AG” Agriculture to “PD14” Planned Development 14 on December 11, 2017 and

**WHEREAS,** the City Council held a public hearing, heard the case and recommended approval of the zoning amendment from “AG” Agriculture to “PD14” Planned Development 14 on December 11, 2017 and

**WHEREAS,** the property subject of Planned Development, shall be subject to specific Development Regulations, attached hereto as Exhibit C; and

**WHEREAS,** all legal requirements, conditions and pre requisites having been complied with, the case now comes before the City Council for the City of Princeton for final consideration.


**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PRINCETON, TEXAS:**

**Section 1.** That the above recitals are hereby found to be true and correct and incorporated herein for all purposes.

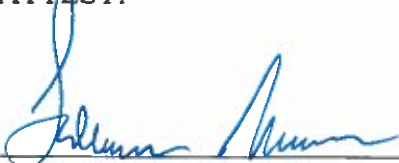
**Section 2.** The Comprehensive Zoning Ordinance Number 2016-01-25-01 of the City of Princeton be, and the same is hereby, amended by amending the Zoning Map of the City of Princeton so as to reflect the property described in Exhibits A and B the zoning change classification from “AG” Agriculture to “PD14” Planned Development 14.

- Section 3.** That Planned Development shall be subject to the Development Regulations attached hereto as Exhibit C and incorporated herein by reference as if fully set forth herein and for all purposes.
- Section 4.** That all ordinances of the City of Princeton in conflict with the provisions of this Ordinance be, and are the same hereby repealed, and all other provisions of the ordinances of the City of Princeton not in conflict with the provisions of this Ordinance shall remain in full force and effect.
- Section 5.** If any word, section, article, phrase, paragraph, sentence, clause or portion of this ordinance or application thereto to any person or circumstance is held to be invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect for any reason, the validity of the remaining portion of this ordinance; and the City Council hereby declares it would have passed such portions of this ordinance despite such invalidity, which remaining portions shall remain in full force and effect.
- Section 6.** Any person, firm or corporation who violates any provision of this Ordinance or Princeton's Comprehensive Zoning Ordinance No. 2016-01-25-01 shall be deemed guilty of a misdemeanor, and upon conviction therefor, shall be fined in a sum not exceeding Two Thousand Dollars (\$2000.00), and each and every day such violation continues shall be continued a separate offense; provided, however, such penal provision shall not preclude a suit to enjoin such violation.
- Section 7.** This ordinance shall become effective from and after its adoption and publication as required by law.

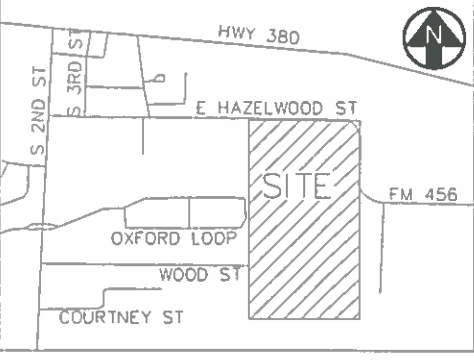
DULY PASSED AND APPROVED by the City Council of the City of Princeton, Texas, on this 11<sup>th</sup> day of December, 2017.

  
\_\_\_\_\_  
John-Mark Caldwell, Mayor

ATTEST:

  
\_\_\_\_\_  
Tabatha Monk, City Secretary

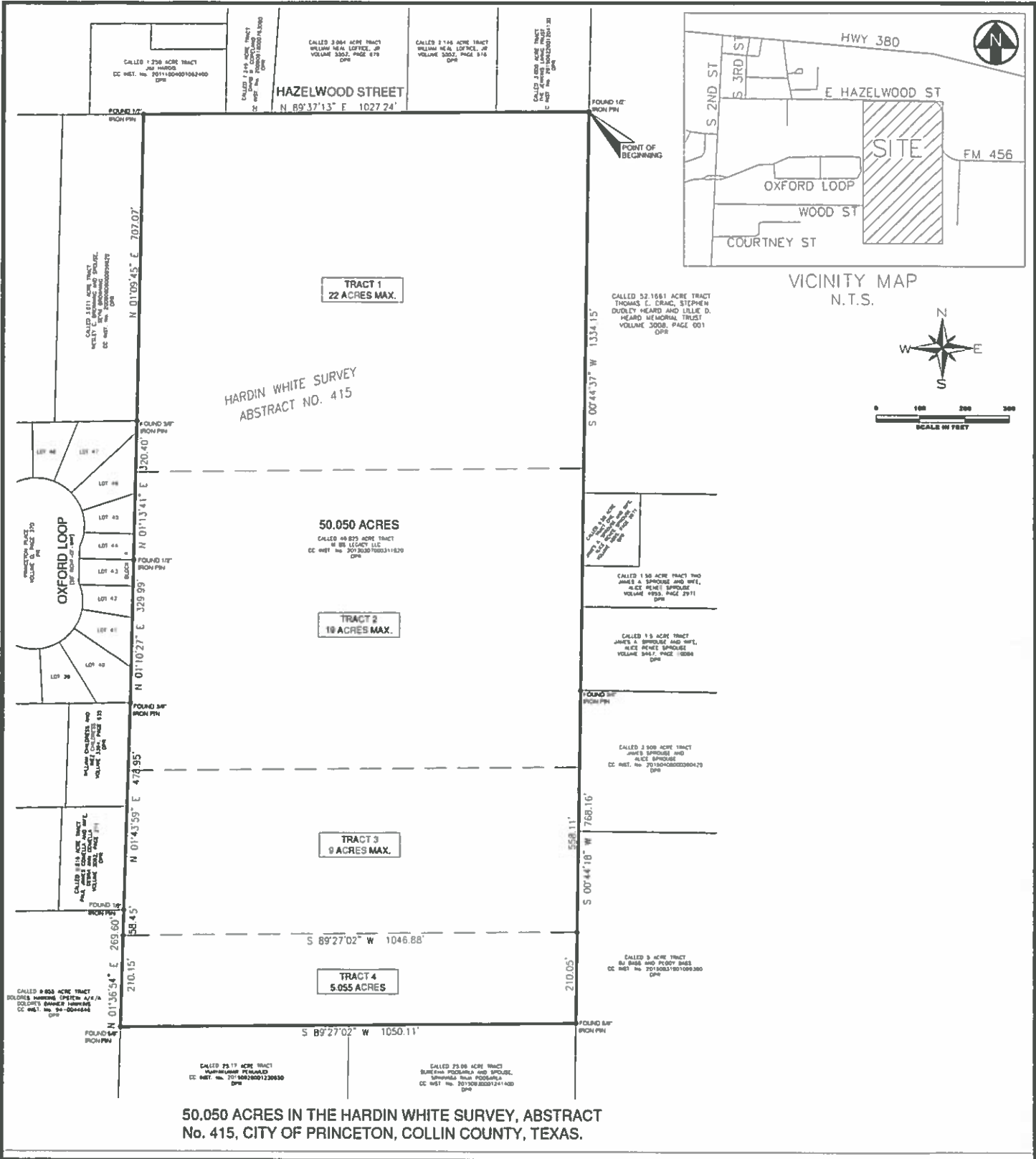




VICINITY MAP  
N.T.S.



0 100 200 300  
SCALE IN FEET



50.050 ACRES IN THE HARDIN WHITE SURVEY, ABSTRACT  
No. 415, CITY OF PRINCETON, COLLIN COUNTY, TEXAS.

PRINCETON RESIDENTIAL  
CITY OF PRINCETON, TX  
  
EXHIBIT A



2415 N. ELM STREET  
DENTON, TEXAS 76201  
Phone (940) 380-9453  
  
TBE FIRM REG. # F-7898  
info@ae-grp.com

SHEET  
EXHT A

**Planned Development # \_\_\_\_\_**

**Princeton, Texas**

**EXHIBIT "B"**

**BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATED IN THE HARDIN WHITE SURVEY, ABSTRACT NUMBER 415, COLLIN COUNTY, TEXAS, AND BEING PART OF A CALLED 49.825 ACRE TRACT DESCRIBED IN A DEED TO III BS LEGACY LLC, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20130307000311020, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A 1/2 IRON PIN FOUND AT THE NORTHEAST CORNER OF SAID 49.825 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 3.000 ACRE TRACT DESCRIBED IN A DEED TO THE JENKINS LIVING TRUST, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20150922001204130, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID PIN ALSO BEING ON THE WEST LINE OF A CALLED 52.1661 ACRE TRACT DESCRIBED IN A DEED TO THOMAS E. CRAIG, STEPHEN DUDLEY HEARD AND LILLIE D. HEARD MEMORIAL TRUST, RECORDED IN VOLUME 3008, PAGE 001, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;**

**THENCE SOUTH 00 DEGREES 44 MINUTES 37 SECONDS WEST WITH THE EAST LINE OF SAID 49.825 ACRE TRACT AND THE WEST LINE OF SAID 52.1661 ACRE TRACT, A DISTANCE OF 1334.15 FEET TO A 3/8 INCH IRON PIN FOUND ON THE EAST LINE OF SAID 49.825 ACRE TRACT AND AT THE SOUTHWEST CORNER OF A CALLED 1.5 ACRE TRACT DESCRIBED IN A DEED TO JAMES A. SPROUSE AND WIFE, ALICE RENEE SPROUSE, RECORDED IN VOLUME 5467, PAGE 10086, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID PIN ALSO BEING AT THE NORTHWEST CORNER OF A CALLED 2.500 ACRE TRACT DESCRIBED IN A DEED TO JAMES SPROUSE AND ALICE SPROUSE, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20150408000390420, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;**

**THENCE SOUTH 00 DEGREES 44 MINUTES 18 SECONDS WEST WITH THE EAST LINE OF SAID 49.825 ACRE TRACT, A DISTANCE OF 768.16 FEET TO A 5/8 INCH IRON PIN FOUND AT THE SOUTHEAST CORNER OF SAID 49.825 ACRE TRACT AND THE NORTHEAST CORNER OF A CALLED 25.06 ACRE TRACT DESCRIBED IN A DEED TO SRINIVASA POOSARLA AND SPOUSE, SRINIVASA RAJA POOSARLA, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20150930001241400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;**

**THENCE SOUTH 89 DEGREES 27 MINUTES 02 SECONDS WEST WITH THE SOUTH LINE OF SAID 49.825 ACRE TRACT, A DISTANCE OF 1050.11 FEET TO A 5/8 INCH IRON PIN FOUND AT THE SOUTHWEST CORNER OF SAID 49.825 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 25.17 ACRE TRACT DESCRIBED IN A DEED TO VIJAYAKUMAR PENUMUDI, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20150928001230650, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID PIN ALSO BEING ON THE EAST LINE OF A CALLED 9.855 ACRE TRACT DESCRIBED IN A DEED TO DOLORES HAWKINS EPSTEIN AK/A DOLORES DANNER HAWKINS, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 94-0044646, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;**

**THENCE NORTH 01 DEGREES 36 MINUTES 54 SECONDS EAST WITH THE WEST LINE OF SAID 49.825 ACRE TRACT AND THE EAST LINE OF SAID 9.855 ACRE TRACT, A DISTANCE OF 269.60 FEET TO A 1/2 INCH IRON PIN SET ON FOUND ON THE WEST LINE OF SAID 49.825 ACRE TRACT AND THE NORTHEAST CORNER OF**

SAID 9.855 ACRE TRACT, SAID PIN ALSO BEING THE SOUTHEAST CORNER OF A CALLED 0.816 ACRE TRACT DESCRIBED IN A DEED TO PAUL JAMES COMELLA AND WIFE, DEBRA ANN COMELLA, RECORDED IN VOLUME 3062, PAGE 271, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE NORTH 01 DEGREES 43 MINUTES 59 SECONDS EAST WITH THE WEST LINE OF SAID 49.825 ACRE TRACT, A DISTANCE OF 478.95 FEET TO A 3/8 INCH IRON PIN FOUND ON THE WEST LINE OF SAID 49.825 ACRE TRACT AND THE NORTHEAST CORNER OF A TRACT DESCRIBED IN A DEED TO WILLIAM CHILDRESS AND INEZ CHILDRESS, RECORDED IN VOLUME 3394, PAGE 935, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS, SAID PIN ALSO BEING AT THE SOUTHEAST CORNER OF LOT 40, BLOCK A, PRINCETON PLACE, RECORDED IN VOLUME O, PAGE 370, PLAT RECORDS, COLLIN COUNTY, TEXAS;

THENCE NORTH 01 DEGREES 10 MINUTES 27 SECONDS EAST WITH THE WEST LINE OF SAID 49.825 ACRE TRACT, A DISTANCE OF 329.99 FEET TO A 1/2 INCH IRON PIN FOUND ON THE WEST LINE OF SAID 49.825 ACRE TRACT;

THENCE NORTH 01 DEGREES 13 MINUTES 41 SECONDS EAST WITH THE WEST LINE OF SAID 49.825 ACRE TRACT, A DISTANCE OF 320.40 FEET TO A 3/8 INCH IRON PIN FOUND ON THE WEST LINE OF SAID 49.825 ACRE TRACT AND THE NORTHEAST CORNER OF LOT 47, BLOCK A, OF SAID PRINCETON PLACE, SAID PIN ALSO BEING AT THE SOUTHEAST CORNER OF A CALLED 3.011 ACRE TRACT DESCRIBED IN A DEED TO WESLEY C. BROWNING AND SPOUSE, SEYNI BROWNING, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20080806000959620, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY, TEXAS;

THENCE NORTH 01 DEGREES 09 MINUTES 45 SECONDS EAST WITH THE WEST LINE OF SAID 49.825 ACRE TRACT AND THE EAST LINE OF SAID 3.011 ACRE TRACT, A DISTANCE OF 707.07 FEET TO A 1/2 INCH IRON PIN FOUND IN HAZELWOOD STREET AT THE NORTHWEST CORNER OF SAID 49.825 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 3.011 ACRE TRACT, SAID PIN ALSO BEING ON THE SOUTH LINE OF A CALLED 1.258 ACRE TRACT DESCRIBED IN A DEED TO JIM HARGIS, RECORDED UNDER COUNTY CLERK'S INSTRUMENT NUMBER 20111004001062400, OFFICIAL PUBLIC RECORDS, COLLIN COUNTY TEXAS;

THENCE NORTH 89 DEGREES 37 MINUTES 13 SECONDS EAST WITH THE NORTH LINE OF SAID 49.825 ACRE TRACT IN HAZELWOOD STREET, A DISTANCE OF 1027.24 FEET TO THE POINT OF BEGINNING AND CONTAINING IN ALL 50.050 ACRES OF LAND.

**Planned Development #\_\_\_\_\_**

**Princeton, Texas**

**EXHIBIT "C"**

## **Planned Development Regulations**

### **Proposed Tracts 1-4**

#### **1.0 General Description and Definitions**

This Planned Development Ordinance permits a maximum of five hundred and twenty-eight (528) Multi-Family residential units on Tract 1, (24 units per acre \* 22 acres maximum); Tract 2 will allow a maximum of one hundred ninety (190) units (10 units per acre \* 19 acres maximum). Tract 3 permits a maximum of fifty-four (54) units (6 units per acre \* 9 acres maximum). Tract 4 is a 5.05 acre agricultural lot. The residential developments (Tracts 2 and 3) shall have mandatory Home Owner's Associations. The development standards and definitions used herein set forth for the aforementioned housing are outlined within the text as set forth in the Zoning classification of Article III of the Princeton Zoning Ordinance No. 2016-01-25-01, of the City of Princeton, Texas as it exists. In the event of a conflict between this Ordinance and the Princeton Zoning Ordinance No. 2016-01-25-01, the Princeton Zoning Ordinance No. 2016-01-25-01 shall control. The base zoning district applied to Tract 1 is MF-2, Tract 2 is TF-Duplex, Tract 3 is SF-2 and Tract 4 is A. There are no other districts applied to or requested for this Planned Development.

#### **2.0 Use, Area, & Setback Regulations**

Permitted uses, areas, and setbacks shall be those allowed as follows:

**A. Tract 1 (MF-2)** - Permitted uses, areas, and setbacks for Tract 1 are all those allowed within the 'MF-2' Zoning Classification as currently approved by the City of Princeton Zoning Ordinance: No. 2016-01-25-01.

**B. Tract 2 (TF)**- Permitted uses, areas, and setbacks for Tract 2 are all those allowed within the 'TF' Zoning Classification as currently approved by the City of Princeton Zoning Ordinance: No. 2016-01-25-01.

**C. Tract 3 (SF-2)**- Permitted uses, areas, and setbacks for Tract 3 are all those allowed within the 'SF-2' Zoning Classification as currently approved by the City of Princeton Zoning Ordinance: No. 2016-01-25-01.

**D. Tract 4 (A)**- Permitted uses, areas, and setbacks for Tract 4 are all those allowed within the 'A' Zoning Classification as currently approved by the City of Princeton Zoning Ordinance: No. 2016-01-25-01.

#### **3.0 Development Regulations**

The Development shall meet the standards as required by the City of Princeton Zoning Ordinance and the City of Princeton Subdivision Ordinance.

#### **4.0 Amenity Centers**

An Amenity Center will be provided for the Multi-Family tract (Tract 1).

#### **5.0 General Conformance**

The preliminary plat will be required to be in general conformance with the approved conceptual plan with the exception that street layout can be altered in regards to unforeseen engineering issues and to avoid major changes. Lot-to-lot drainage may be utilized but that drainage easements must be in place on the final plat to accommodate said drainage. Such changes will be as minor, as the circumstances allow and can be approved administratively without re-submittal of the concept plan. If a minor plat is required, the Princeton development regulations outline the qualifications for a minor plat. The preliminary plat shall be valid for a period of thirty-six (36) months from the date of approval of the City Council. As a subsequent phase of the development is constructed, it shall extend the validity of the preliminary plat for an additional period of twenty-four (24) months established from the time of city acceptance of that phase. If construction does not commence within thirty-six (36) months, the city council may grant twelve (12) month extensions for the validity of preliminary plat at its discretion.

#### **6.0 Legal Description**

See Exhibit "B".