



**KENNEDALE**  
Planning and Zoning Commission  
[www.cityofkennedale.com](http://www.cityofkennedale.com)

**KENNEDALE PLANNING & ZONING COMMISSION**  
**AGENDA**  
**COMMISSIONERS - REGULAR MEETING**  
**August 15, 2013**  
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**WORK SESSION - 6:00 PM**  
**REGULAR SESSION - 7:00 PM**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. WORK SESSION**

- A. Discuss any item on the Regular Session agenda
- B. Discuss zoning on city-owned and EDC-owned property in Oak Crest
- C. Discuss creation or modification of zoning districts to implement the comprehensive land use plan
- D. Discuss use of form-based codes in implementing the comprehensive land use plan at the Bowman Springs/Dick Price & Kennedale Pkwy intersection
- E. Discuss Old Town zoning district regulations
- F. Discuss item(s) for future consideration
  - 1. Zoning standards for the Oak Crest area
  - 2. Green / environmental regulations

**IV. REGULAR SESSION**

**V. CALL TO ORDER**

**VI. ROLL CALL**

**VII. MINUTES APPROVAL**

- A. Consider approval of the minutes from the July 18, 2013 Planning & Zoning Commission meeting

**VIII. VISITOR/CITIZENS FORUM**

*At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual commissioners or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.*

## **IX. REGULAR ITEMS**

A. Case PZ 13-03 to receive comments and consider approval of an ordinance amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by establishing new sections providing for creation and purpose, membership, organization, rules and requirements, and powers and duties of the board of adjustment.

- A. Staff Presentation
- B. Public Hearing
- C. Staff Response and Summary of the Case
- D. Action by the Commission

B. Case PZ 13-04 to receive comments and consider approval on a request by Alluvium Development, Inc. for a zoning change for an approximately 45.5 acre tract from "R-2" Single Family Residential District to "PD" Planned Development District for property located at 925 Mansfield Cardinal Rd, legal description of J M Lilly Survey A 980 Tract 2 & A 985 Tract 3, Tarrant County, Texas.

- A. Staff Presentation
- B. Applicant Presentation
- C. Public Hearing
- D. Applicant Response
- E. Staff Response and Summary of the Case
- F. Action by the Commission

## **X. REPORTS/ANNOUNCEMENTS**

## **XI. ADJOURNMENT**

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirno, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

## **CERTIFICATION**

I certify that a copy of the August 15, 2013, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Amethyst G. Cirno, City Secretary



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - A.

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**I. Subject:**

Discuss any item on the Regular Session agenda

**II. Originated by:**

**III. Summary:**

During this agenda item, the Commission may discuss any item on the regular session agenda. No action may be taken on this item during the work session, and no comments from the public may be heard or considered until the regular session.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - B.

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**I. Subject:**

Discuss zoning on city-owned and EDC-owned property in Oak Crest

**II. Originated by:**

**III. Summary:**

We have been making good progress on this item. The consultant and I met with Mr. Harvey to discuss his concerns, and we plan to hold a work session soon with representatives from Council, P&Z, and the EDC. In the meantime, we have been working on a draft set of standards based on known concerns, constraints, and goals. I will keep the Commission informed on this item as we move closer to bringing you an official agenda item to consider.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

None

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - C.

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**I. Subject:**

Discuss creation or modification of zoning districts to implement the comprehensive land use plan

**II. Originated by:**

**III. Summary:**

As I continue drafting revisions to our zoning standards, it would help guide my work to know what some of the Commission's concerns are about our current zoning classifications or about potential land development patterns. I've attached to this staff report an excerpt from the comprehensive plan that shows the Future Land Use Map and describes the land use character districts. A description of our current zoning districts and regulations are available online at the municode website ([www.municode.com](http://www.municode.com); click on "code library"); I can also email a link if that would be easier for you.

During the next several work sessions, I would appreciate hearing your concerns and comments on each of the character districts. Remember, the districts laid out in the Future Land Use Plan are not based on uses allowed in each district but are instead based on other development qualities, such as character, intensity, and pattern. Use plays a role in the character of each district, but it is subservient to the other development qualities. Therefore your concerns and comments should focus less on which uses should be permitted in which district and provide more input on each district's character, intensity, and pattern. Community preferences, land suitability, access, and environmental factors (areas worthy of preservation, areas with drainage or flooding problems, soil suitability for different uses, potential trail locations, etc.) are also factors to consider.

To refresh your memory on what we know about the community's preferences, I've attached to this report a summary of comments received during the public involvement stages of the comprehensive plan adoption. And I'm also enclosing a copy of the transportation/thoroughfare & trails map and descriptions of the various thoroughfare types.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

None

**VIII. Alternative Actions:****IX. Attachments:**

|    |                                             |                                                           |
|----|---------------------------------------------|-----------------------------------------------------------|
| 1. | Future Land Use Map                         | Kennedale_Future Land Use (portrait).pdf                  |
| 2. | Land use character districts                | Land Use Character Districts (excerpt from comp plan).pdf |
| 3. | Public Involvement (comments for comp plan) | Public Involvement (excerpt from comp plan).pdf           |
| 4. | Thoroughfare map (with trails)              | Kennedale_Transportation Plan, wTrails (portrait).pdf     |
| 5. | Roadway types                               | Roadway Types (except from comp plan).pdf                 |
| 6. | Thoroughfare context                        | Thoroughfare Context (table from comp plan).pdf           |

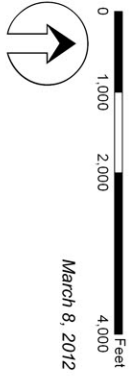
# KENNEDALE COMPREHENSIVE PLAN UPDATE

## FUTURE LAND USE PLAN

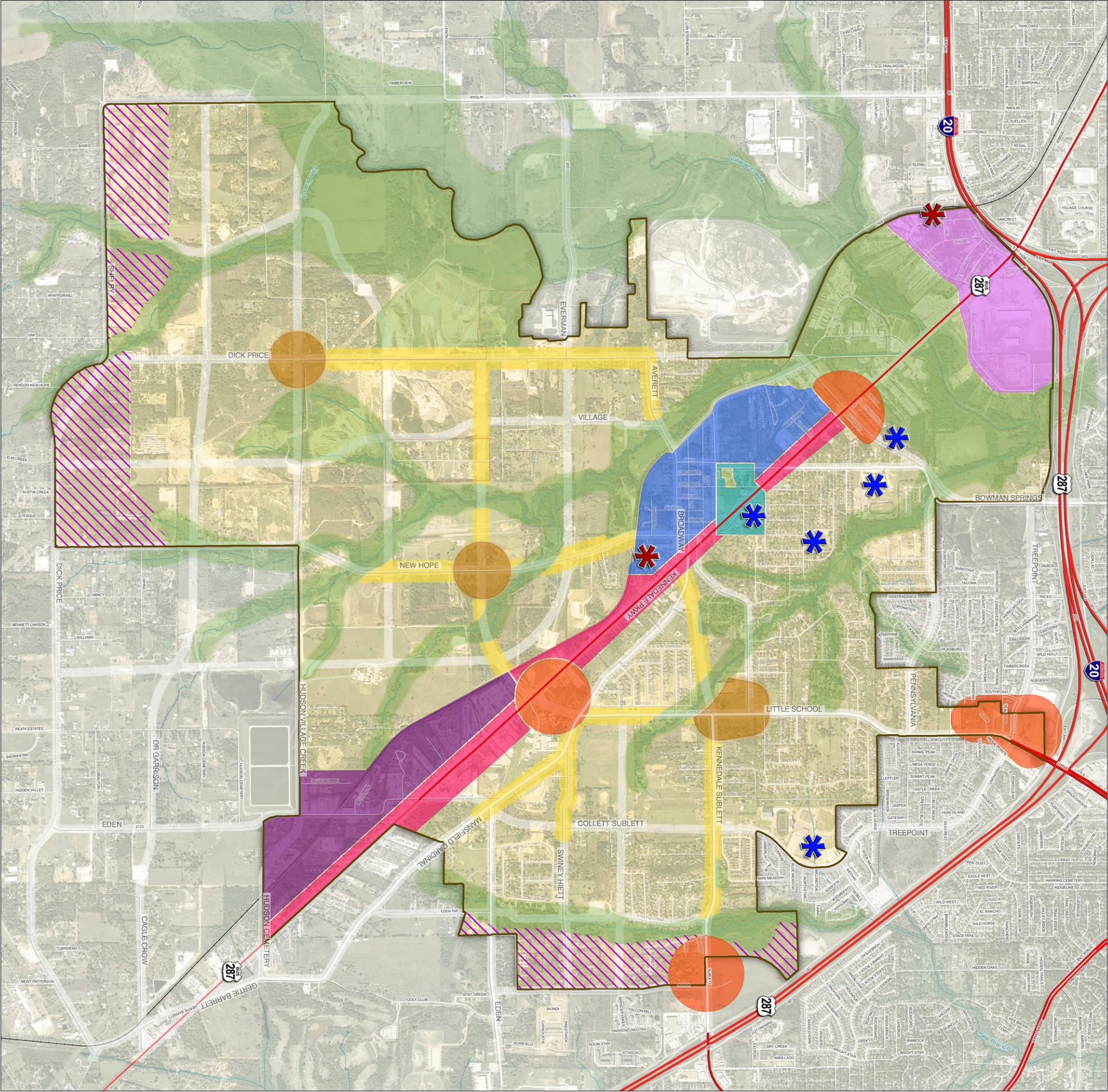
### CATEGORIES

- Town Center
- Downtown Village
- Urban Village
- Urban Corridor
- Neighborhood Village
- Neighborhood Corridor
- Neighborhoods
- Employment Center
- Light Industrial District
- Park & Open Space
- Conservation Overlay
- Potential Commuter Train or  
Park & Ride Station
- Schools

A comprehensive plan shall not  
constitute zoning regulations or  
establish zoning district boundaries.



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## Land Use Districts

The ten land use districts and one overlay district that constitute the Future Land Use Plan are described in this section. The districts are intended to complement existing development while facilitating the application of various tools to achieve Kennedale's vision for the future. Each description includes general characteristics that describe the community's vision and appropriate land uses for the district.

### **Towncenter**

The goal of this district is to provide a central place for civic activity in Kennedale. Currently the City Hall, the Library, the Police Station, the Fire Station, Kennedale ISD offices, and James F. Delany Elementary School are located in this area. This center for civic activity defines the "heart" of Kennedale, and should continue growing into a high intensity mixed-use area with buildings that can accommodate government and professional offices, specialized retail, plazas and squares, and limited residential uses. The street pattern should govern the scale of the built environment. A tight network of streets with wide sidewalks and streetscaping will encourage walking within the district and from nearby districts/areas.

Sample Development Types:

- Government institution
- Public gathering place
- Museum
- Restaurant
- Professional office
- Specialized retail
- Live-work
- Performance/concert hall



*Johnson County Courthouse, Cleburne, Texas*



*Town Center Plaza, Coppell, Texas*



*Museum, McKinney, Texas*



*Shops at Legacy, Frisco, Texas*



*Boulder, Colorado*



*Capitol Hill, Washington, DC*

## Corridors

The goal for corridor districts is to emphasize the direct relationship between the built environment and the roadway corridor and to shape that environment in a comprehensive way. This is achieved by creating a development pattern along roadways that emphasizes a continuous edge along the street that is walkable and that enriches the character and image of the roadway. Architectural standards and frontage regulations will help pull buildings closer to the street and create a character along the corridor that makes it attractive by car as well as by foot.

### Urban Corridor

The areas along Kennedale Parkway fall within the urban corridor district. This corridor typology assumes a higher intensity of activity in terms of traffic and commerce than other corridor types. Given the existing character and regional positioning of the corridor, it can be expected that it will remain auto-oriented, and development patterns will reflect that reality. Still, development patterns should encourage pedestrian safety and should make provisions as necessary for walking and biking along the corridor. Parkway and Multiway Parkway are the typical roadway types for this corridor (see Chapter 6).

Sample Development Types:

- Restaurant
- Professional office
- Retail
- Service

### Neighborhood Corridor

Neighborhood corridors assume a lower level of density and intensity than urban corridors, but still identify an area where residents can come together to shop, eat, socialize, and relax in a walkable environment; thereby experiencing increased quality of life. Boulevard and Avenue are the typical roadway types for these corridors (see Chapter 6).

Sample Development Types:

- |                       |                                             |
|-----------------------|---------------------------------------------|
| • Restaurant          | • Corner Store                              |
| • Professional office | • Café/coffee shop                          |
| • Retail              | • Townhouse/Rowhouse                        |
| • Service             | • Context-sensitive small-scale multifamily |



## **Villages**

The goal for villages, generally, is to concentrate a cohesive mix of uses in a well-planned center of activity. Villages should promote walkability within the node, and encourage pedestrian access from nearby neighborhoods.

### **Downtown Village**

The Downtown Village preserves and expands the original downtown street grid and block pattern. Uses should include a relatively dense mix of residences and businesses. The village should be easily accessible by pedestrians from the Towncenter and other nearby areas. This village will serve as a gateway into the center of Kennedale, distinguishing it from neighboring communities.

Sample Development Types:

- Professional office
- Specialized retail
- Live-work units
- Café/coffee shop
- Small-lot single family
- Attached single-family
- Townhome/rowhouse
- Accessory dwelling unit
- Plazas/pocket parks
- Community theater

### **Urban Village**

These villages act as gateways into the “core” of Kennedale. These areas should include a dense mix of residences and businesses in a walkable environment. They are similar to Neighborhood Villages, yet larger and of a higher intensity. While Urban Villages should promote pedestrian circulation and access from nearby neighborhoods and areas, it can be expected that a significant number of visitors will access the urban village by car. A “park once and walk everywhere” approach should be taken during the design phase of urban villages to enable convenient and pleasant walking.

Sample Development Types:

- Loft apartments/condos
- Live/Work
- Multi-tenant office
- Retail
- Service
- Movie theater
- Restaurant
- Grocery store
- Large-scale retail
- Plazas/squares



*Stapleton, Denver, Colorado*



*Weatherford, Texas*



*Uptown Village, Cedar Hill, Texas*



*Hingham, Massachusetts*



*The Woodlands, Texas*



*Montgomery Farm, Allen, Texas*

### **Neighborhood Village**

These villages serve the surrounding neighborhood and community. They are smaller and less intense than Urban Villages. Uses should include a dense mix of residences and businesses. Neighborhood Villages should be very easily accessible by foot from the surrounding neighborhoods. Intensity of each Neighborhood Village will vary based on the surrounding context.

Sample Development Types:

- Townhome/Rowhouse
- Context-sensitive small-scale multifamily
- Neighborhood-serving retail and services
- Restaurant
- Café/coffee shop
- Community theater

### **Neighborhoods**

This district is primarily residential in nature. Neighborhoods should have defined boundaries, a clear center, and be easily accessible to day-to-day goods and services, such as those provided at Neighborhood Villages. The center of a neighborhood should be a civic, public, or community use in which people can come together—such as a park, school, or neighborhood amenity center.

Sample Development Types:

- Single family
- Attached single-family
- Townhome/Rowhouse
- Accessory dwelling unit
- Cluster development
- Context-sensitive small-scale multifamily
- Clearly marked centers that include public gathering space, school, small park, or other civic use

### **Conservation Overlay**

This area is intended to preserve the rural and cultural landscape of Kennedale and serve as a buffer between adjacent communities. This will provide a greenbelt gateway into Kennedale and help the city retain a geographic identity distinct from surrounding areas.

Sample Development Types:

- Conservation subdivision
- Agriculture
- Open space preservation



### **Employment Center**

This district is designated for a major office development for corporate headquarters or multiple smaller offices. The area designated has significant challenges regarding access from the adjacent freeways (I-20 and US-287), making it an unlikely place for large-scale retail and—being located in Fort Worth ISD rather than the more desirable Kennedale ISD—an unlikely place for residential uses. However, the visibility from and proximity to two major freeways make it a good candidate for a major employer or business center to serve several employers. With proximity to a rail line, the area is also ideal for a park & ride station as future commuter rail comes to Kennedale.

Ideally, a mix of land uses—including office and retail—would occupy this site, with an emphasis on employment and possible transit park & ride supportive uses. Buildings should be Class-A professional office and possibly mixed-use buildings with street-level employee-supportive retail with offices above. Buildings should be four- to eight-stories and front streets. The adjacency of this area to the large Village Creek Greenbelt (and its planned protection and limited improvements, e.g. nature trails) would increase the attractiveness of the space for new development.

Sample Development Types:

- Multi-tenant office
- Restaurant
- Light industrial
- Multifamily
- Retail
- Hotel

### **Light Industrial District**

This is a district designated for the growth and relocation of industrial uses that currently exist in Kennedale. This area could house small, “incubator” type spaces for smaller business, as well as larger industrial complexes. The goal should be a tidier version of Kennedale’s existing industrial area that will attract more high-value companies. Incidentally, industrial uses with their often nondescript “warehouse” type structures provide interesting opportunities to attract the “creative class” and artists to Kennedale.

Sample Development Types:

- Light industrial
- Services (printer, materials, etc)
- Distribution center
- Recycle center
- Artist workshops



*Plano, Texas*



*The Domain, Austin, Texas*



*Dallas, Texas*



*Granbury, Texas*



*The Woodlands, Texas*

## **Park and Open Space**

Parks and Open Space follow Kennedale's "green infrastructure" system—a composite of the city's existing and new parks, open spaces, and linear greenways along the creeks and floodplain corridors in the city. The greenways offer an opportunity to enhance the city's recreational and transportation networks by connecting parks, neighborhoods, and destinations throughout the community. In addition, these corridors provide the opportunity to create regional connections, linking Kennedale via trails with surrounding communities and even major metropolitan centers like Downtown Fort Worth and Arlington's Entertainment District.

### Sample Development Types:

- Trails
- Sport Fields
- Nature Preserves
- Playgrounds
- Picnic Areas
- Wetlands
- Bioretention
- Wildlife Habitat
- Bird Sanctuary
- Rural/Agricultural (grandfathered)



## Public Involvement

Involving residents in the planning process is a crucial step in empowering the community to shape its own future. A Comprehensive Plan Advisory Committee was formed of City Council members, Planning & Zoning members, and general residents. This committee established the goals for this update, reviewed alternative development scenarios, approved the Future Land Use and Transportation Plans, and provided input on implementation strategies. Meetings were held for the general population to be informed and educated about the planning process, to share their vision for the future of Kennedale, to be informed about the progress, and finally to comment about the results of the Comprehensive Plan Update.

One of the most formative events that occurred during the development of the Comprehensive Plan Update was a discussion with the Comprehensive Plan Advisory Committee regarding their vision for the physical appearance of Kennedale 10 to 20 years in the future. Namely, people were asked how Kennedale should be different in the future, and how it should be the same.



## ***In 10 to 20 Years, How Should Kennedale be Different?***

### **All-In-One Community**

People should be able to access everything they need within Kennedale, including shopping, entertainment, and jobs. There should be more night life and public activities that help build a better sense of community. A transit-oriented development around the future commuter rail station, a pedestrian-friendly town center, and walkable businesses along Kennedale parkway will all serve to make Kennedale a small town with a big town mentality.

### **Neighborhoods**

There should be new residential development in the southwestern portion of the city. New and existing neighborhoods should provide better housing and should eliminate neighborhood decline. A better mix of housing opportunities should be present so that young adults, seniors, and others with limited resources and/or mobility can live in Kennedale and contribute to the community's vitality.

### **Parks & Open Space**

Kennedale should have an extensive network of linear parks and trails along its creeks. This, coupled with additional neighborhood and community parks and trails along streets, railroads, and utility corridors will link neighborhoods and bring residents closer to nature.

### **Streets & Roads**

Kennedale's streets should be enhanced and improved to handle traffic more efficiently without increasing traffic. There should be trees and sidewalks along roadways to make them attractive, comfortable places. The enhancement of Kennedale Parkway and the extension of Little School Road across the railroad tracks are priorities.



### **Commerce**

Commercial businesses should thrive in Kennedale, especially local businesses and “mom and pop” shops. People should be able to shop in Kennedale to keep their money in the community. Mixed use development in and around the Town Center should thrive and should anchor additional commercial development along Kennedale Parkway.

### **Beautification**

Kennedale should be beautiful. Salvage yards and other unsightly properties should be redeveloped or screened from view. An overall beautification effort should include the development of appealing gateways at the city’s entrances.

## ***In 10 to 20 Years, How Should Kennedale be the Same?***

### **Sense of Community**

Kennedale should maintain its small town feel and the sense of belonging that comes with living in a small community. An environment of simple living—with a friendly atmosphere—should exist to make sure families want to remain here for a lifetime.

### **Natural Environment**

The community’s natural beauty should be preserved. Its parks, creeks, and open spaces provide relief to the concrete environment of the Metroplex and should remain and be given greater prominence.

### **Diversity**

Kennedale’s diversity in its population and local businesses should remain and should flourish by way of new improvements to the community.

### **Community Services**

Kennedale has excellent city services that are responsive to residents’ needs. The quality of these services should be maintained. Similarly, the quality of the Kennedale ISD schools should continue.

### **Community Vitality**

Kennedale’s great neighborhoods should continue to thrive and suburban decline should be avoided. The city’s roadways should continue to convey traffic efficiently, but without creating negative impacts to the surrounding neighborhoods.



# KENNEDALE COMPREHENSIVE PLAN UPDATE

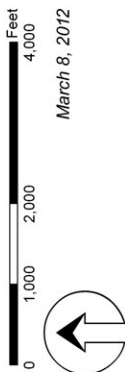
FUTURE  
TRANSPORTATION  
PLAN:  
THOROUGHFARE TYPOLOGY

## LEGEND

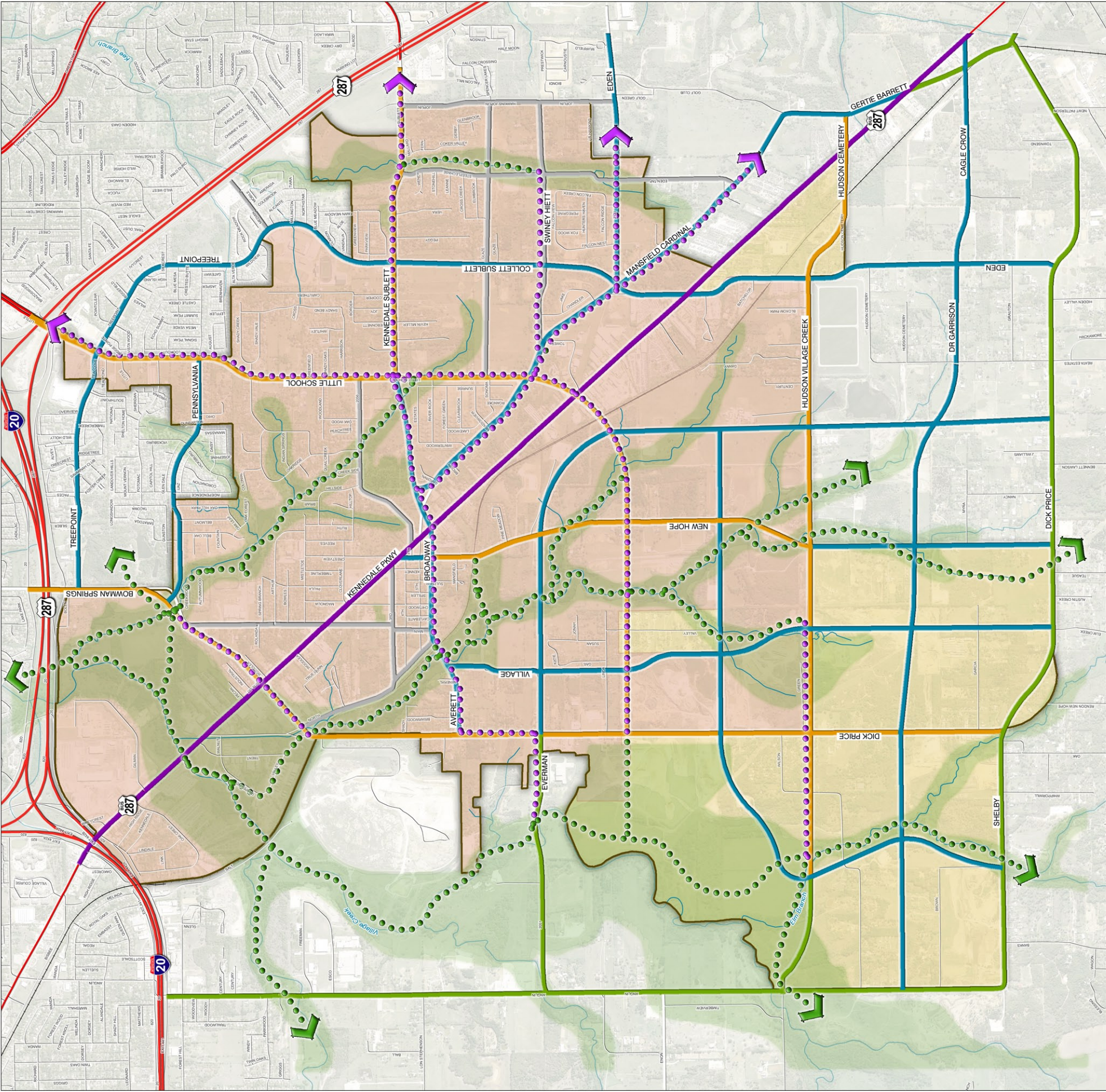
Planned Thoroughfare Type

- Freeway
- Parkway
- Boulevard
- Avenue
- Rural Road
- Street
- Trails

- Priority Bicycle/  
Pedestrian Projects



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## Roadway Types

In order to achieve the vision of a multi-modal, context-sensitive transportation system, seven key roadway types are identified. These roadway types incorporate both the functional classification and context-defining elements such as surrounding land uses, urban form, site design (including plazas and parks), and the design of buildings. Table 6.1 describes the seven thoroughfare types that comprise the Future Transportation Plan. Table 6.2 (at the end of this chapter) summarizes the context of the thoroughfare as it relates to the land use district in which it is located.

| TABLE 6.1 – THOROUGHFARE TYPE DESCRIPTIONS                                                                                                                                |                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Thoroughfare Type                                                                                                                                                         | Functional Definition                                                                                                                                                                                                                                                                                     |
| <b>Parkway</b>                                                                                                                                                            | High speed (40 to 45 mph) divided arterial thoroughfare in urban and suburban environments designed to carry primarily higher speed, long-distance traffic and serve large tracts of separated single land uses (e.g., residential subdivisions, shopping centers, industrial areas, and business parks). |
| <b>Multiway Parkway</b>                                                                                                                                                   | A multiway parkway is a modified parkway, combining main through-lanes with parallel slip lanes. This modification allows the built environment to engage the slower-moving slip lanes while also allowing through traffic to proceed on the main lanes.                                                  |
| <b>Boulevard</b>                                                                                                                                                          | Walkable, medium speed (35 to 40 mph) divided arterial in urban environments designed to carry through and local traffic, pedestrians, and bicyclists.                                                                                                                                                    |
| <b>Avenue</b>                                                                                                                                                             | Walkable, low-to-medium speed (30 to 35 mph) urban arterial or collector thoroughfare, generally shorter in length than boulevards, serving access to abutting land.                                                                                                                                      |
| <b>Street</b>                                                                                                                                                             | Walkable, low speed (25 mph) thoroughfare in urban areas primarily serving abutting property.                                                                                                                                                                                                             |
| <b>Rural Road</b>                                                                                                                                                         | Low-to-medium speed (30 to 35 mph) thoroughfare in rural areas primarily serving abutting property.                                                                                                                                                                                                       |
| <i>Modified from the Institute of Transportation Engineers' <u>Context Sensitive Solutions in Designing Major Urban Thoroughfares for Walkable Communities</u> report</i> |                                                                                                                                                                                                                                                                                                           |



## Parkway

Parkways emphasize traffic movement and are therefore designed to carry primarily long-distance traffic. Pedestrian and bicycle transportation—though still accommodated—is secondary to the vehicle on parkways. They are designed for high speed (40 to 45 mph) as divided arterial thoroughfares in urban and suburban environments. Because they function primarily as movers of traffic, surrounding land uses tend to be large tracts of separated single land uses (e.g., residential subdivisions, shopping centers, industrial areas and business parks).

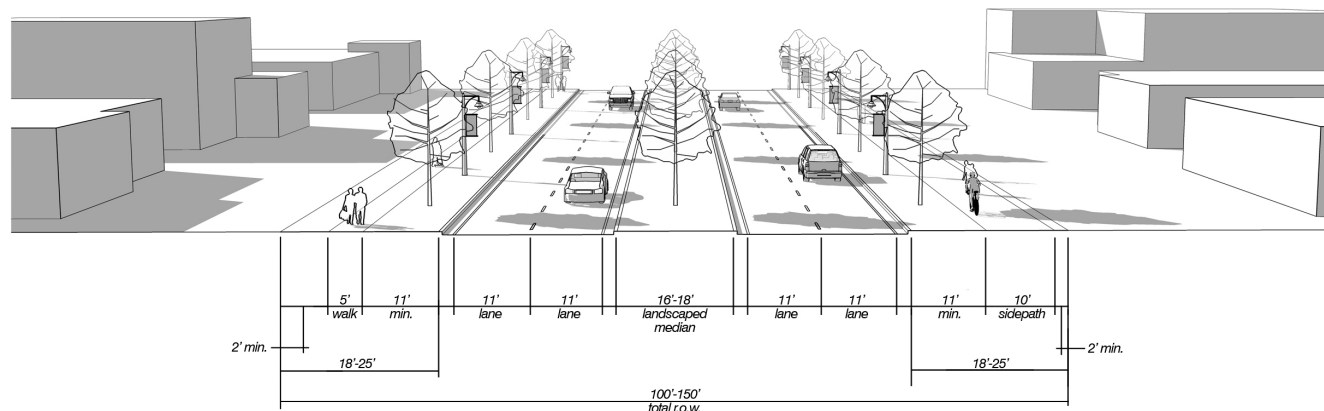
Parkways may be long corridors, typically 4 to 8 or more lanes and provide very limited access to land. They may be transit corridors and therefore accommodate pedestrians with sidewalks or separated paths. Signalized pedestrian crossings and cross-streets may be widely spaced to maintain the flow of traffic. Bicycles will be accommodated with separate paths, which may be shared with pedestrians in lieu of sidewalks. To accommodate vehicular traffic, parking lots are easily accessible off of parkways, and buildings typically have large landscaped setbacks. They are primary goods movement and emergency response routes and widely use access management techniques.

Kennedale Parkway is the only parkway identified on the Future Transportation Plan.

|                                                       |                            |
|-------------------------------------------------------|----------------------------|
| Number of Through Lanes                               | 4                          |
| Lane Width                                            | 11'                        |
| Desired Operating Speed (mph)                         | 40-45                      |
| Median                                                | Required, 16'-18'          |
| Driveway Access                                       | Limited                    |
| Curb Parking                                          | No                         |
| Pedestrian Facilities <sup>1</sup> (clear throughway) | 5' clear throughway        |
| Bicycle Facilities                                    | Separated path or shoulder |
| Streetside Width <sup>2</sup>                         | 18'-25'                    |
| Required ROW Width                                    | 100'-150'                  |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.

<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/ planting strip, clear throughway, and frontage zones.



### Multiway Parkway

|                                                       |                                          |
|-------------------------------------------------------|------------------------------------------|
| Number of Through Lanes                               | 4 (main)<br>2 (access)                   |
| Lane Width                                            | 11' (main)<br>11' (access)               |
| Desired Operating Speed (mph)                         | 40-45 (main)<br>30-35 (access)           |
| Median                                                | 12'-18' (main)<br>6'-8' (access)         |
| Driveway Access                                       | From access lanes                        |
| Curb Parking                                          | Yes<br>(access lanes)                    |
| Pedestrian Facilities <sup>1</sup> (clear throughway) | 5'-10'<br>(access lanes)                 |
| Bicycle Facilities                                    | Bike lane or shared lane on access lanes |
| Streetside Width <sup>2</sup>                         | 15'-20'                                  |
| Required ROW Width                                    | 120'-160'                                |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.

<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/ planting strip, clear throughway, and frontage zones.

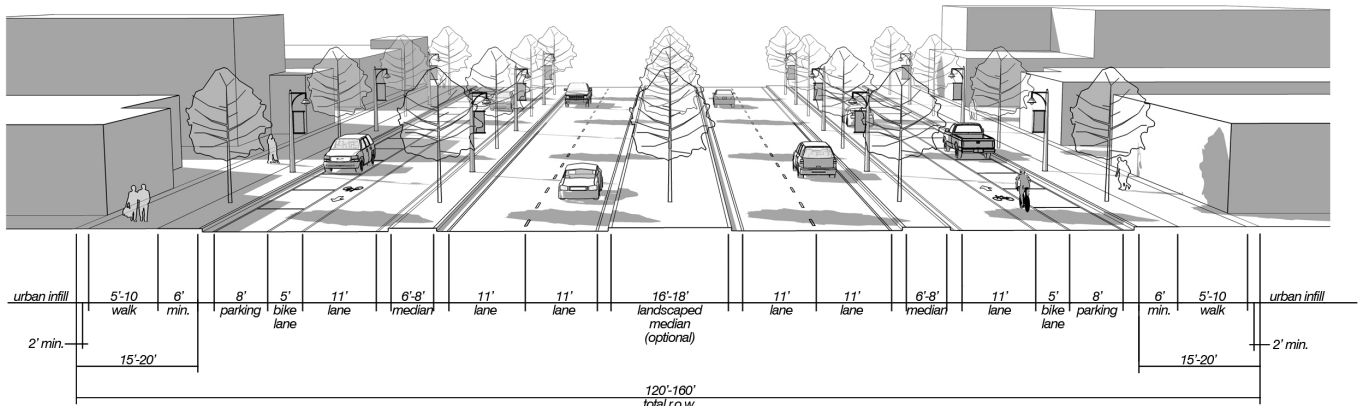
The multiway parkway attempts to reconcile pedestrian and bicycle mobility on an auto-oriented thoroughfare. It is a modified parkway that combines the main through-lanes of the parkway with parallel low-speed access lanes that can improve the environment for pedestrian and bicycle activity. In support of the intent of a multi-parkway, a median is installed between the main lanes and access lanes to buffer the fast moving traffic from the slow moving traffic. Using this median as a planting strip will also buffer the perception of noise of the main lanes and improve the character of the access lane as a more urban street. A center median will also exist between the main lanes.

The multiway parkway allows the built environment to engage a slower-moving street while also allowing through traffic to proceed. In order to encourage lively street life, buildings are located relatively close to the access lanes with overhangs, a continuous pedestrian walkway, and trees. The main lanes are designed to still carry higher speed, long distance traffic. Access lanes are low-speed and designed to be more walkable and accommodate on-street curb parking.

No streets in Kennedale have been specifically identified as a multiway parkway; however, it may be an appropriate modification for parts of Kennedale Parkway where development is envisioned to be more urban in character along the thoroughfare, especially at the Town Center and future Urban Villages.



Paris, France  
Source: Payton Chung





## Boulevard

Boulevards are most closely associated with the traditional minor arterial roadway. Based on this role, boulevards are expected to carry a fairly high capacity of both local and regional traffic, but in a more urban or local setting than the parkway. Bicycle and pedestrian use is also expected to be higher on these roads.

Boulevards should be designed for medium-speed travel of vehicles (35 to 40 mph) in a walkable, urban environment. Boulevards may be long corridors and typically consist of 4 lanes. Because they carry a significant mix of local and through traffic, access management is important along boulevards, such as synchronized signal timing, shared access for businesses, or even restricting access to side streets. Boulevards may be high ridership transit corridors. Curb parking may be allowed on boulevards in more urban contexts.

Boulevards identified on the Future Transportation Plan include:

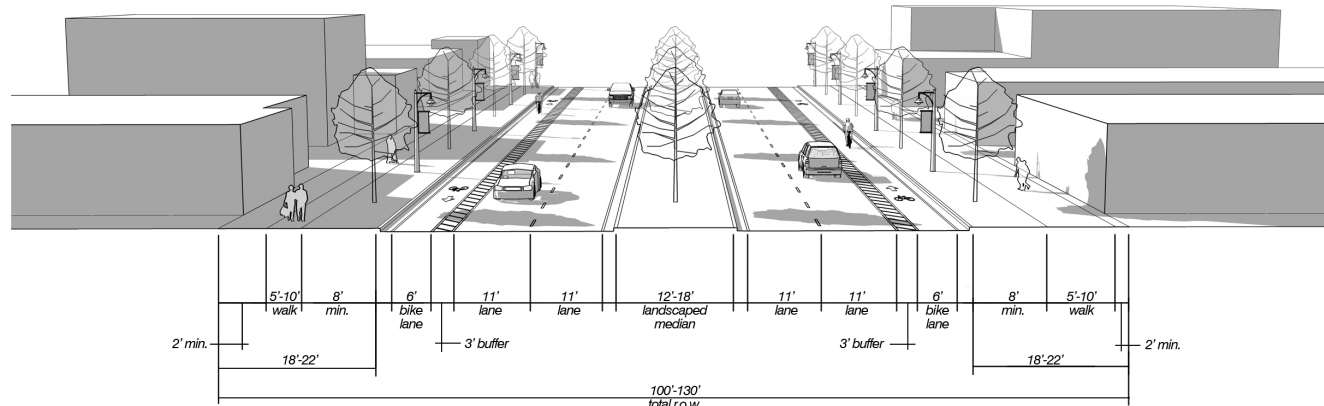
- Little School Road (and the extension to southwest)
- Dick Price Road (south of Kennedale Parkway to Shelby)
- Kennedale Sublett Road
- Hudson Village Creek Road
- Bowman Springs Road
- New Hope Road

|                                                       |                                 |
|-------------------------------------------------------|---------------------------------|
| Number of Through Lanes                               | 4                               |
| Lane Width                                            | 11'                             |
| Desired Operating Speed (mph)                         | 35-40                           |
| Median                                                | 12'-18'                         |
| Driveway Access                                       | Limited                         |
| Curb Parking                                          | Optional                        |
| Pedestrian Facilities <sup>1</sup> (clear throughway) | 5'-10'                          |
| Bicycle Facilities                                    | Bike lane or buffered bike lane |
| Streetside Width <sup>2</sup>                         | 18'-22'                         |
| Required ROW Width                                    | 100'-130'                       |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.  
<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/ planting strip, clear throughway, and frontage zones.



Mesquite, Texas



### Avenue

Avenues are intended to carry mostly local traffic in a “collector” fashion - that is to the larger major collectors or arterials. Given its role in serving local traffic and its potential for higher bicycle and pedestrian use, the avenue should be designed to be a walkable, low-to-medium speed (30 to 35 mph) collector. Avenues should serve abutting land uses, which may range from single-family housing to multifamily residential to even local-serving convenience retail and services.

Avenues serve as primary pedestrian and bicycle routes and may serve local transit routes. Avenues do not exceed 4 lanes and access to land is a primary function. Goods movement is typically limited to local deliveries. Avenues may feature a raised landscaped median. Avenues may serve commercial or mixed-use sectors and usually provide curb parking.

Avenues identified in Kennedale include:

- Broadway
- Averett
- Treepoint/Collet Sublett
- Pennsylvania
- Mansfield Cardinal
- Eden
- Village
- Cagle Crow/Dr Garrison

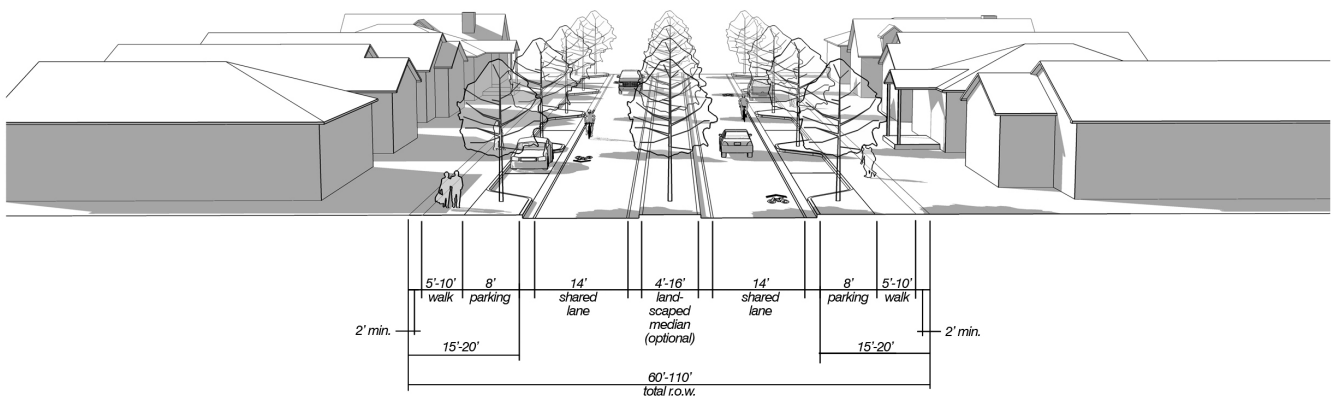
|                                                          |                                            |
|----------------------------------------------------------|--------------------------------------------|
| Number of Through Lanes                                  | 2 to 4                                     |
| Lane Width                                               | 10'/14'<br>(depending on bicycle facility) |
| Desired Operating Speed (mph)                            | 30-35                                      |
| Median                                                   | 4'-16'<br>(optional)                       |
| Driveway Access                                          | Yes                                        |
| Curb Parking                                             | Yes                                        |
| Pedestrian Facilities <sup>1</sup><br>(clear throughway) | 5'-10'                                     |
| Bicycle Facilities                                       | Bike lane or shared lane                   |
| Streetside Width <sup>2</sup>                            | 15'-20'                                    |
| Required ROW Width                                       | 60'-110'                                   |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.

<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/ planting strip, clear throughway, and frontage zones.



*Fort Collins, Colorado*





## Street

The street category includes all local, non-arterial and non-collector roads in Kennedale. A street is designed to provide mobility within residential neighborhoods, connect neighborhoods with commercial and other districts, and provide connections to boulevards and avenues.

Streets serve adjacent land uses, which will primarily be residential uses in neighborhoods. Streets may also serve as the main street of commercial or mixed-use sectors and emphasize curb parking. Goods movement is restricted to local deliveries only. Walking is expected on streets, which are designed for low speeds (25 mph). Lanes should also be narrow and allow on-street parking. In addition to providing parking for houses and businesses, on-street parking also serves as a traffic-calming device, slowing cars and improving pedestrian safety.

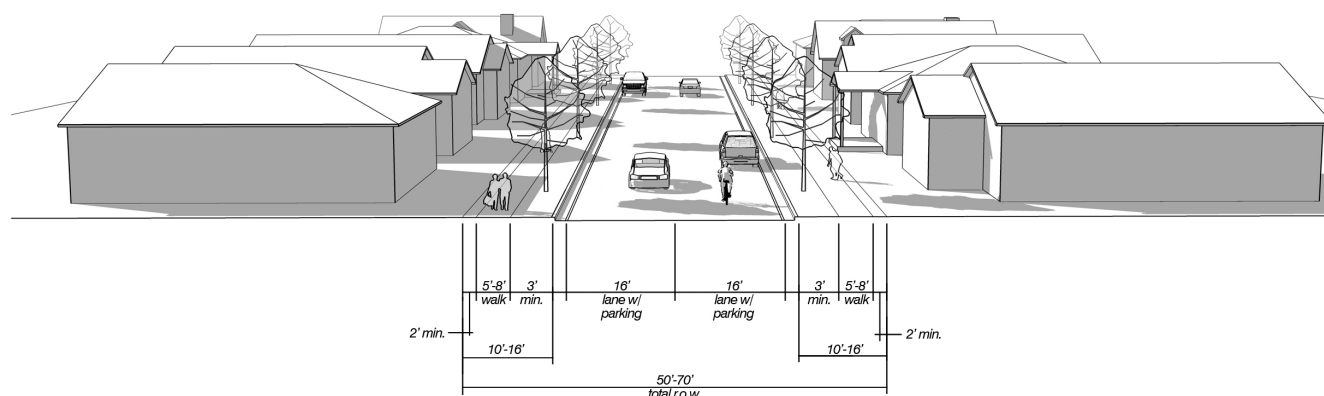
|                                                       |                             |
|-------------------------------------------------------|-----------------------------|
| Number of Through Lanes                               | 2                           |
| Lane Width                                            | 16' (includes parking lane) |
| Desired Operating Speed (mph)                         | 25                          |
| Median                                                | --                          |
| Driveway Access                                       | Yes                         |
| Curb Parking                                          | Yes<br>(not delineated)     |
| Pedestrian Facilities <sup>1</sup> (clear throughway) | 5'-8'                       |
| Bicycle Facilities                                    | Shared lane                 |
| Streetside Width <sup>2</sup>                         | 10'-16'                     |
| Required ROW Width                                    | 50'-70'                     |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.

<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/planting strip, clear throughway, and frontage zones.



Denver, Colorado



### Rural Road

|                                                       |                         |
|-------------------------------------------------------|-------------------------|
| Number of Through Lanes                               | 2                       |
| Lane Width                                            | 11'                     |
| Desired Operating Speed (mph)                         | 30-35                   |
| Median                                                | - -                     |
| Driveway Access                                       | Yes                     |
| Curb Parking                                          | No                      |
| Pedestrian Facilities <sup>1</sup> (clear throughway) | 5'                      |
| Bicycle Facilities                                    | Shared lane or shoulder |
| Streetside Width <sup>2</sup>                         | 25'-30'                 |
| Required ROW Width                                    | 80'-100'                |

<sup>1</sup>Proposed widths of pedestrian facilities should be applied to both sides of the street.

<sup>2</sup>Refers to the area between the street and building. Includes edge, furnishings/ planting strip, clear throughway, and frontage zones.

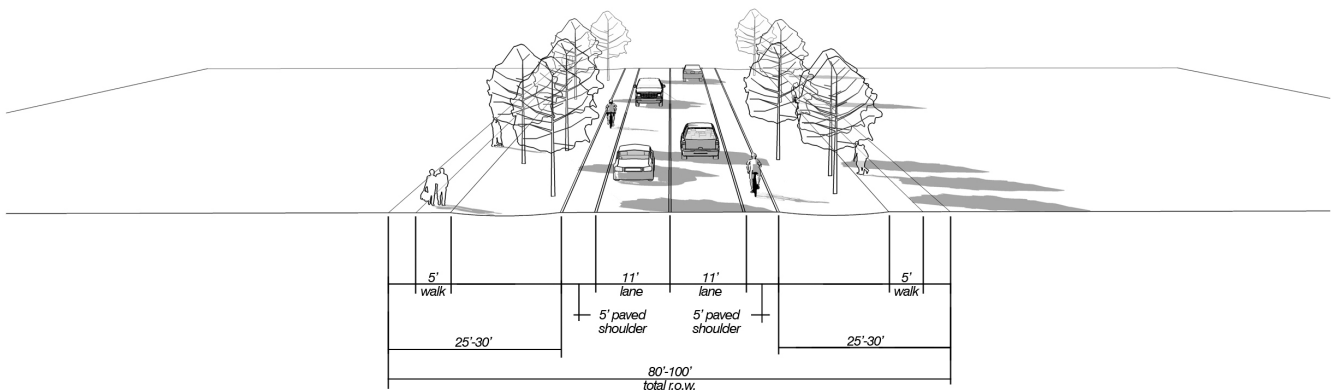
In conservation areas or areas where development is expected to be rural in nature, the roads should be designed with a more rural character. Rural roads primarily serve the abutting properties, which are anticipated to be very low density and low traffic generators. Therefore, the capacity of these roadways would be limited.

These roads will have varying speeds, ranging from 30 to 35 miles per hour. Rural roads should include an emergency shoulder for incapacitated vehicles or emergency access. This shoulder can also double as a bicycle facility.

Pedestrian access should always be included along roadways, but even more critical is their inclusion near development, where pedestrian movement may be greater. The appropriate design of pedestrian facilities will depend on the surrounding land uses. Designed in the form of a trail, the pedestrian access must engage the surrounding landscape as much as possible with views and an appropriate separation from the roadway itself.



*Sunnyvale, Texas*



| TABLE 6.2 – THOROUGHFARE CONTEXT BY LAND USE DISTRICT |                                                                                                                     |                                                                                        |                                                   |                                                                                      |                                 |                                                       |
|-------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|---------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------|-------------------------------------------------------|
| Land Use District                                     | Character                                                                                                           | Building Design                                                                        | Building Placement                                | Frontage Types                                                                       | Building Height                 | Parking Placement                                     |
| <b>Town Center</b>                                    | Civic uses, including offices, public gathering places, office-supportive retail.                                   | Attached buildings forming continuous street wall                                      | Small or no setback, oriented to street           | Stoops, dooryards, storefronts, arcaded walkways                                     | 3 to 5 story                    | On-street and behind building                         |
| <b>Downtown Village</b>                               | Dense and diverse mix of residences and businesses                                                                  | Mix of attached buildings and detached buildings                                       | No setback or shallow setback, oriented to street | Stoops, porches, storefronts, arcaded walkways                                       | 2 to 4 story                    | On-street and behind building                         |
| <b>Urban Village</b>                                  | High-intensity nodes of activity with diverse mix of residences and businesses                                      | Attached, multi-story                                                                  | No setback or shallow setback, oriented to street | Stoops, porches, storefronts, arcaded walkways                                       | 3 to 5 story                    | On-street, garage                                     |
| <b>Neighborhood Village</b>                           | Mix of residences and businesses in primarily residential neighborhood                                              | Mix of attached buildings and detached buildings                                       | No setback or shallow setback, oriented to street | Stoops, porches, storefronts, arcaded walkways                                       | 1 to 2 story, with some 3 story | On-street and behind building                         |
| <b>Urban Corridor</b>                                 | Primarily commercial and businesses on high speed, auto-oriented roadway                                            | Primarily detached buildings                                                           | Large setback for parking and landscaping         | Parking, storefronts                                                                 | 1 to 5 story                    | In front of building; on-street for multi-way parkway |
| <b>Neighborhood Corridor</b>                          | Primarily commercial and mixed-use along roadway                                                                    | Predominantly attached buildings to form sense of enclosure and continuous street wall | Shallow to medium setback                         | Storefronts,                                                                         | 2 to 3 story                    | On-street, behind buildings                           |
| <b>Neighborhoods</b>                                  | Primarily residential with walkable development pattern and scattered commercial uses that support residential uses | Predominantly detached buildings                                                       | Varying front and side yards                      | Residential: Lawns, porches<br>Commercial: No to shallow setback, oriented to street | 1 to 2 story, with some 3 story | On-street, driveways, behind or beside buildings      |
| <b>Employment Center</b>                              | Professional offices                                                                                                | Large setbacks                                                                         | Oriented to street                                | Landscaping                                                                          | 5+                              | Parking lot                                           |
| <b>Light Industrial District</b>                      | Industrial uses                                                                                                     | Large setbacks                                                                         | NA                                                | Landscaping                                                                          | 1 to 2 story, with some 3 story | Parking lot                                           |
| <b>Park and Open Space</b>                            | Recreational activities                                                                                             | NA                                                                                     | NA                                                | NA                                                                                   | NA                              | NA                                                    |
| <b>Conservation Overlay</b>                           | Agriculture activities and natural features                                                                         | Varies                                                                                 | Varies                                            | Varies                                                                               | Varies                          | Varies                                                |



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - D.

---

**I. Subject:**

Discuss use of form-based codes in implementing the comprehensive land use plan at the Bowman Springs/Dick Price & Kennedale Pkwy intersection

**II. Originated by:**

**III. Summary:**

The Commission members have indicated they would like to continue working on this item while the Employment Center form-based code is developed. I have not had time to make changes to the draft code due to time commitments for other projects, but I will be happy to incorporate any additional comments or changes you may have considered since the last P&Z meeting. I could make the changes or address comments as part of the next draft.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - E.

---

**I. Subject:**

Discuss Old Town zoning district regulations

**II. Originated by:**

**III. Summary:**

The Commission asked for this item to be placed on the work session agenda so it can begin discussion of the topic. In addition to the concerns previously raised, the Commission should consider how zoning standards developed for Old Town could work with or support a historic district designation for parts of the neighborhood.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** August 15, 2013

**Agenda Item No:** WORK SESSION - F.

---

**I. Subject:**

Discuss item(s) for future consideration

1. Zoning standards for the Oak Crest area
2. Green / environmental regulations

**II. Originated by:**

**III. Summary:**

The Commission maintains a list of topics it would like to address under a future agenda. These items are not intended for discussion at this time, but the Commission may discuss these topics in terms of when they will be added as regular work session agenda items and the scope of the future discussion.

1. Zoning standards for the Oak Crest area
2. Green/Environmental Regulations

We will be able to address the first item on the list, zoning standards for Oak Crest, partly through the work to be done with Livable Plans & Codes. Once that project has been completed, the Commission will be in an excellent position to move forward with developing standards for the rest of Oak Crest, and this agenda item should be moved up to a regular work session item accordingly at that time.

The Commission has had brief discussions about what should be covered when you begin looking at the second item, environmental regulations. When you are ready to move this item up as a work session agenda item, it will be helpful for me in preparing your information packets to know in more detail what your concerns about environmental regulations are. For example, are you more concerned with permitting new environmental innovations in land use and buildings (e.g., new kinds of solar panels or wind turbines), or are you more concerned with the attractiveness or compatibility of environmentally-friendly products within the built environment (e.g., preventing noise from wind turbines or prohibiting turbines entirely)? You have touched on this topic before, but only briefly, and before you begin discussion as a work session item, I would like to understand your priorities better.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** August 15, 2013

**Agenda Item No:** MINUTES APPROVAL - A.

---

**I. Subject:**

Consider approval of the minutes from the July 18, 2013 Planning & Zoning Commission meeting

**II. Originated by:**

**III. Summary:**

The minutes from the July 18 meeting are enclosed for your review and consideration.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                       |                           |
|----|-----------------------|---------------------------|
| 1. | 07.18.2013 PZ Minutes | 07.18.2013 PZ Minutes.doc |
|----|-----------------------|---------------------------|



**KENNEDALE**  
Planning and Zoning Commission  
[www.cityofkennedale.com](http://www.cityofkennedale.com)

**KENNEDALE PLANNING & ZONING COMMISSION  
MINUTES  
COMMISSIONERS - REGULAR MEETING  
July 18, 2013  
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**I. CALL TO ORDER**

Chairman Harvey called the work session to order at 6:18 P.M.

**II. ROLL CALL**

Ms. Roberts called roll.

**Commissioners present:** Ernest Harvey (chair), Tom Pirtle (vice-chair), Ray Cowan, Michael Herring, Adrienne Kay, Carolyn Williamson, Donald Rawe (alternate), Martin Young (alternate)

**Staff present:** Rachel Roberts (planner); James Cowey (director of development services)

A quorum was present.

**III. WORK SESSION**

**A. Discuss use of form-based codes in implementing the comprehensive land use plan, including use at Bowman Springs/Dick Price & Kennedale Pkwy and on city-owned and EDC-owned property in Oak Crest**

Ms. Roberts said they had hired a consultant to help with creating a form-based code. The consultant suggested starting with the city's & EDC's properties in Oak Crest for the city's first form-based code, since the properties might be sold soon, and the city should have standards in place before the properties are sold. City staff will pursue developing a code for the city/EDC properties in Oak Crest, with the assistance of the consultant, and will be asking the chair and vice-chair of P&Z for input before a draft code is created.

**B. Comments from the Planning & Zoning Commission about possible future development on property located on Little School Rd.**

Ms. Roberts said the developer interested in buying the Harper property had held a meeting with residents/owners of property near the site. She described comments made by residents at the meeting. The Commission discussed general issues that would have to be addressed if the developer submits an application, such as entry and exits from a subdivision (for example, is there a best practice about when you need two exits?).

**C. Discuss Old Town zoning district regulations**

The Commission did not have time to discuss this item.

**D. Discuss item(s) for future consideration**

## **1. Zoning standards for the Oak Crest area**

The Commission did not have time to discuss this item.

## **2. Green / environmental regulations**

The Commission did not have time to discuss this item.

The work session closed at 7:02 P.M.

## **IV. REGULAR SESSION**

### **V. CALL TO ORDER**

Chairman Harvey called the regular meeting to order at 7:02 P.M.

### **VI. ROLL CALL**

Ms. Roberts called roll.

**Commissioners present:** Ernest Harvey (chair), Tom Pirtle (vice-chair), Ray Cowan, Michael Herring, Adrienne Kay, Carolyn Williamson, Donald Rawe (alternate), Martin Young (alternate)

**Commissions absent:** none

A quorum was present.

Staff present: Rachel Roberts (planner); James Cowey (director of development services)

### **VII. MINUTES APPROVAL**

#### **A. Consider approval of the minutes from the June 20, 2013 Planning & Zoning Commission meeting**

Mr. Pirtle motioned to approve the minutes from the June 20, 2013 meeting, seconded by Ms. Kay. The motion passed with all in favor except Mr. Harvey, who abstained.

### **VIII. VISITOR/CITIZENS FORUM**

No one registered to speak.

### **IX. REGULAR ITEMS**

There were no regular items.

### **X. REPORTS/ANNOUNCEMENTS**

Ms. Roberts said the Southwest Nature Preserve had opened. She also said the North Central Texas Council of Governments would be holding a training workshop for Planning & Zoning commissioners in August.

Mr. Harvey added that COG was going to hold a legislative session workshop tomorrow.

## **XI. ADJOURNMENT**

Mr. Pirtle made a motion to adjourn, seconded by Mr. Cowan. The motion passed with all in favor except Mr. Harvey, who abstained.

The regular session adjourned at 7:06 P.M.

\_\_\_\_\_  
Chairman, Planning & Zoning Commission

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Secretary, Planning & Zoning Commission

\_\_\_\_\_  
Date



**Date:** August 15, 2013

**Agenda Item No:** REGULAR ITEMS - A.

---

**I. Subject:**

Case PZ 13-03 to receive comments and consider approval of an ordinance amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by establishing new sections providing for creation and purpose, membership, organization, rules and requirements, and powers and duties of the board of adjustment.

- A. Staff Presentation
- B. Applicant Presentation
- C. Public Hearing
- D. Applicant Response
- E. Staff Response and Summary of the Case
- F. Action by the Commission

**II. Originated by:**

**III. Summary:**

In an effort to standardize and increase transparency, City Council adopted a new appointment process at the July 11, 2013 meeting, which will be implemented this year. Also, the Council combined the Board of Adjustment and Board of Building Appeals last year. The section of the city code governing the Board of Adjustment needs to be updated to reflect these changes; the ordinance you are considering makes those changes.

The members of the BBA and BOA have been notified about the board consolidation and the new appointment process.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

PZ 13-03 ordinance amending city code re BOA.docx

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 17, ARTICLE VI, “ZONING”, OF THE CODE OF ORDINANCES OF THE CITY OF KENNEDALE, TEXAS, AS AMENDED, BY ESTABLISHING NEW SECTIONS PROVIDING FOR CREATION AND PURPOSE, MEMBERSHIP, ORGANIZATION, RULES AND REQUIREMENTS, AND POWERS AND DUTIES OF THE BOARD OF ADJUSTMENT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Kennedale is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City Council previously adopted an ordinance providing for the creation and appointment of the Board of Adjustment; and

**WHEREAS**, the City Council now desires to amend said ordinance to revise the provisions regarding membership on the board.

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

**SECTION 1.**

Chapter 17, Article VI, Section 17-430 of the Kennedale City Code is hereby amended by revising subsection (a) and adding new subsections (b) and (c) to read as follows and by re-lettering current subsections (b) – (g) as subsections (d) – (i) respectively:

**“Sec. 17-430. Board of Adjustment**

(a) *Creation and Purpose.* There is hereby created a Board of Adjustment. Such board shall be officially designated as the Board of Adjustment of the City of Kennedale, Texas. The board is a quasi judicial board for the purpose of hearing appeals and making determinations on matters involving the zoning ordinance as hereinafter provided.

(b) *Membership.*

(1) Appointed by majority vote of the city council, this board shall consist of five (5) regular members designated by Places 1 through 5. Appointments shall take place in October of each year, with Places 1, 3, and 5 appointed in odd numbered years and Places 2 and 4 appointed in even numbered years. The term for each place shall be two (2) years. Members must meet the following qualifications:

a. Be a registered voter of the city;

- b. Shall have resided in the corporate limits of the city for at least one (1) year; and
- c. Continue residency in the city during the term of office.

(2) The city council, may, at its discretion, appoint four (4) additional persons to serve as alternate members to the board, designated as Places 6, 7, 8, and 9. The alternate members shall only be entitled to serve at a meeting of the board in which a regular member is absent. If only one regular member is absent the chair shall determine which alternate member shall be entitled to serve during the regular member's absence. When serving in the absence of a regular member, an alternate member shall have the same powers, authority and duties as a regular member of the board.

(3) As the board of adjustment also serves as the city's Building Board of Appeals, it is the intent of the city council that the board members shall, to the extent feasible, have experience, education or training in various fields of building construction and building standards.

- (4) The city council shall appoint a replacement to fill any vacancy for the unexpired term of any member whose place has become vacant.
- (5) The city council shall have the authority to remove any member at any time for cause, as found by the city council, on a written charge after a public hearing.

(c) *Organization, Rules, and Requirements.*

- (1) By November of each year, the city council shall designate one member as chair and one member as vice chair. The terms of the chair and vice chair shall be one (1) year. It will be the duty of the chair to preside over meetings and to administer oaths and compel the attendance of witnesses. If the chair is absent the vice chair shall assume the duties of that office.
- (2) The board shall meet at least ten (10) times per year, on a regular day and time selected by its members. The chair may call special meetings as necessary.
- (3) The board by majority vote shall adopt rules of procedure that are not inconsistent with state law to conduct meetings and govern its proceedings. The board shall abide by the Texas Open Meetings Law, and shall keep a record of its proceedings, including votes and attendance, and shall submit these records to the City Secretary's Office.
- (4) Members of the board shall not take any action unless a quorum is present. A quorum shall consist of four (4) members. Each member, including the chair, is entitled to one vote.
- (5) The City Manager shall designate a city employee to serve as staff liaison to the board.

- (6) Members of the board shall receive five dollars (\$5.00) for each regular meeting attended as compensation for the performance of their duties, but no compensation shall be paid for special meetings. In addition, members may receive reimbursement of authorized expenses attendant to the performance of their duties.

## **SECTION 2.**

This Ordinance shall be cumulative of all other ordinances of the City of Kennedale, and shall not repeal any of the provisions of such ordinance except in those instances when provisions of such ordinances are in direct conflict with the provisions of this ordinance, in which event the conflicting provisions of such ordinances are hereby repealed.

## **SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, 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 phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 4.**

This ordinance shall be in full force and effect from and after its passage and it is so ordained.

**PASSED AND APPROVED** on this \_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Mayor, John Clark

Attest:

\_\_\_\_\_  
Amethyst G. Cirimo, City Secretary

Effective Date: \_\_\_\_\_

Approved As To Form And Legality:

---

Wayne Olson, City Attorney



**Date:** August 15, 2013

**Agenda Item No:** REGULAR ITEMS - B.

---

**I. Subject:**

Case PZ 13-04 to receive comments and consider approval on a request by Alluvium Development, Inc. for a zoning change for an approximately 45.5 acre tract from "R-2" Single Family Residential District to "PD" Planned Development District for property located at 925 Mansfield Cardinal Rd, legal description of J M Lilly Survey A 980 Tract 2 & A 985 Tract 3, Tarrant County, Texas.

- A. Staff Presentation
- B. Applicant Presentation
- C. Public Hearing
- D. Applicant Response
- E. Staff Response and Summary of the Case
- F. Action by the Commission

**II. Originated by:**

**III. Summary:**

|                     |                                                                                                                  |
|---------------------|------------------------------------------------------------------------------------------------------------------|
| <b>CASE NUMBER:</b> | PZ 13-04                                                                                                         |
| <b>REQUEST:</b>     | Rezone property from "R-2" Single Family Residential District to "PD" Planned Development District (residential) |
| <b>APPLICANT:</b>   | Alluvium Development, Inc.                                                                                       |

**Overview and Background.**

The property for which rezoning is requested is an approximately 45-acre parcel of land located on Little School Road and Mansfield Cardinal Road (see attached map). The property is zoned R-2 Single Family Residential, and the Planning & Zoning Commission approved a preliminary plat under that zoning classification in 2007. The preliminary plat has expired, but the R-2 zoning designation remains in place.

Terry Jobe of Alluvium Development met with city staff several months ago to discuss the possibility of developing the site as a residential subdivision. Because the city's existing zoning classifications do not fit the comprehensive land use plan, staff asked Mr. Jobe to consider submitting a request to rezone the property as a Planned Development in order to incorporate elements that are drawn from the comprehensive plan.

In addition to meeting with staff, Mr. Jobe also held a meeting with owners of property near the site to get a better understanding of what their concerns might be. Drainage and traffic safety on Mansfield Cardinal Rd were two of the major concerns voiced during the meeting. Mr. Jobe has been working with an engineering firm to address the drainage issue. In 2007, the city conducted a study of the tributary of Village Creek that runs through the property, and the engineer has reviewed the study and incorporated it into the drainage and grading plans.

*Brief outline of proposed development standards.*

The proposed ordinance would:

- Allow only residential, open space, and related uses (no commercial or industrial uses would be permitted).
- Allow four different lot sizes. Two lot types meet or exceed the minimum lot and width required in the R-2 zoning district, although all are smaller in area than the R-2 minimum lot area: 100 x 140 ("A" lots), 100 x 135 ("B" lots), 85 x 120 ("C" lots), and 70 x 120 ("D" lots). Please note that the minimum lot area of 15,000 square feet required in R-2 districts was adopted in 2006, which is after the plats for the two major R-2 subdivisions, Brookstone and Shady Creek, were adopted. Despite its pre-dating the current regulations, Shady Creek meets the minimum area requirement, but Brookstone does not.
- Require larger minimum house sizes than required in R-1, R-2, or R-3 zoning districts.
- Require smaller setbacks.
- Establish a series of five detention/retention ponds that serve to control the rate of storm water flow and also would be designed to serve as permanent natural amenities for the neighborhood.
- Require 80% masonry for new homes in "C" and "D" type lots, as required in the standards for R-1, R-2, and R-3 zoning districts. Require 90% masonry for homes in "A" and "B" type lots, the lots on the north and east sides of the property.
- Allow a small number of lots (13) to have front entry garages, due to the reduced lot width. These garages would be required to have ornamental garage doors, and the garage would be limited to no more than 50% of the front facade (to prevent the building of "snout" houses).
- Establish a restriction on how often an elevation may be repeated (none of our standard zoning districts have this requirement).
- Require non-turf landscaping (e.g., flower beds) to use high-efficiency irrigation systems, such as soaker hoses.
- Require a minimum sidewalk width of 5 feet (the city standard is 4 feet).
- Allow for a community garden to be established, if land is dedicated for that purpose and would be managed by a home owners' association. A community garden is not required but would be permitted, reflecting the current trend of community gardening as a neighborhood amenity.

**Staff Review.**

*Compliance with the Comprehensive Plan.*

The bulk of the property is categorized as "Neighborhood" in the Future Land Use Plan (FLUP). Neighborhoods are intended to be primarily residential in nature and should have a clear center that has a civic, public, or community use in which people can come together. Sample development types include (but are not limited to) single family residential, accessory dwelling units (e.g., guest houses), and small parks. The proposed PD clearly meets this description, with the proposed development entirely residential in nature, except for the detention/open space features located in the center of the development.

The western and southern edges of the property are classified as "Neighborhood Corridor" in the FLUP. This district classification denotes areas where people can come together to shop, eat, and socialize and is generally expected to be the site of small retail or commercial uses. In this respect, the proposed development does not fit the FLUP. However, it should be noted that it is not intended that all of the properties shown in the FLUP as Neighborhood Corridor will develop as commercial uses. Kennedale does not have the population or the daily traffic to support that amount of commercial use, and it is expected that some of the areas indicated as Neighborhood Corridor will develop as other land use types. With that in mind, staff does not see a conflict between the proposed rezoning and the comprehensive plan.

In addition to complying with the Future Land Use Plan, the proposed rezoning also supports the following goals from the comprehensive plan:

Support a walkable built environment. The development is intended to have a more pedestrian-friendly environment than the standard subdivision permitted in Kennedale.

Promote human health and the environment. The development would use greenbelts “to bring open space into urbanized areas” (p. 4-2 of the comprehensive plan).

Promote access to housing. Although the proposed development would not be considered “affordable” in the sense of “affordable housing,” the range of lot and housing sizes will give more options for housing. Potential buyers or existing residents who prefer new homes with small yards, for example, would have access to housing options that Kennedale does not offer currently.

Establish a sense of place. The proposed development, with the required front porches, series of open spaces/detention ponds, and wider sidewalks, would stand out from the typical subdivision in the region. Although other cities are beginning to adopt regulations similar to those proposed in this ordinance, the regulations are not standard across the region. Also, the proposed neighborhood design, with attributed borrowed from neo-traditional neighborhoods, contributes to retaining Kennedale’s small town character.

#### *Compliance with other plans.*

One of the recommendations in the Strategic Plan (2009) is to revise residential zoning standards to allow alternative residential options, such as zero lot line homes, senior housing, and neo-traditional developments. While not falling neatly into any of these three categories, the proposed zoning would provide smaller yards desired by buyers of zero lot lines homes and senior housing. The smaller setback, front porches, and wider sidewalks are borrowed from neo-traditional zoning standards. Staff believes the requested rezoning is in compliance with the strategic plan.

#### *Other issues.*

Our engineering firm is reviewing the preliminary drainage and grading plan and will have comments for you by next Thursday’s meeting.

In terms of traffic safety on Mansfield Cardinal, the applicant is open to different options to achieve the city’s requirement for two entry and exit points. Exact specifications can be determined during the platting process as long as the city is satisfied with the general location and size of entrance points show in the Concept Plan.

#### *Compliance with City Council priorities.*

The City Council recently adopted a new set of goals for actions by the City and an accompanying standard for reviewing whether City activities meet those goals. This approach is called “the balanced scorecard,” and city staff report to Council monthly on the scorecard. The goals related to planning and zoning are:

- Be a Sustainable, Attractive City
- Be Family Oriented

Council has defined for itself what these goals mean, and below is the staff’s review of which of the goals can be furthered by the proposed rezoning.

### Be a Sustainable, Attractive City

Activities related to being an attractive city include code compliance, which are not applicable to this case, but the goal also includes activities such as adopting or encouraging good design standards. The proposed ordinance requires, at a minimum, the same masonry standards as required in other districts and also requires changes in elevations so that the homes in the neighborhood will have variety.

The soaker hose requirement is intended to help with water conservation, an issue of growing concern around the state. The smaller lot sizes and smaller yard setbacks are also expected to help with water conservation.

Providing a range of housing options should make the neighborhood more attractive to a wider market, making it more economically stable and, therefore, more sustainable over the long-term.

### Be Family-Oriented

The proposed standards require front porches for all of the homes. Front porches can't guarantee neighbors will interact with each other, but they do encourage neighbors getting to know neighbors by providing a vehicle for residents to meet and to interact with each other more easily. In addition, a front porch provides space for parents to more easily supervise and spend time with children playing outside.

The sidewalk width is wider than the city's usual minimum size in order to accommodate pedestrians better, which facilitates walking, whether for exercise, recreation, or visiting a neighbor, and makes sidewalks feel safer. Given that children visiting their friends in the neighborhood will usually walk to each other's homes, having wider sidewalks is an important contributor to creating a family-oriented community.

The open spaces would provide places for families to recreate together.

### **Additional Information.**

Sample elevations will be provided in an amended staff report to be sent to you early next week.

### **Staff Recommendation.**

The rezoning requested is in compliance with the comprehensive plan and other city plans. In addition, it furthers the Council's recently-adopted goals for City activities. Staff tentatively recommends approval of the request for rezoning and the accompanying Concept Plan and ordinance, pending comments from our engineers and staff review of additional supporting documents. Our final recommendation will be provided in the amended staff report sent to you next week.

### **Action by the Commission.**

Kennedale City Code sets forth the Commission's role in hearing rezoning cases. The Commission may recommend approval or denial (with or without prejudice). In addition, for PD districts, the Commission may recommend changes to the conceptual plan or may recommend conditions be imposed on the development.

"The planning and zoning commission, after conducting a hearing on a zoning request, shall report its recommendations on the zoning request to the city council for their consideration. The planning and zoning commission may recommend favorable approval of the request or that the request be denied, with or without prejudice... When the planning and zoning commission recommends that the proposal should be denied, it shall report the same to the city council and the applicant. Furthermore, notwithstanding any provision to the contrary, the planning and zoning commission in considering a rezoning application shall

have the authority to consider and recommend approval of any zoning classification set forth in the zoning ordinance having a lesser intensity and being more restrictive than the zoning designation requested by the applicant."

*Sample Motions.*

For your reference, sample motions are provided below.

- I make a motion to recommend approval of the Concept Plan presented under Case PZ 13-04 and the adopting ordinance as written.
- I make a motion to recommend approval of the Concept Plan presented under Case PZ 13-04 and the adopting ordinance; with the following changes [or conditions]...
- I make a motion to recommend denial of Case PZ 13-04.
- I make a motion to recommend denial of Case PZ 13-04 without prejudice.

**IV. Notification:**

Notice was published in the *Fort Worth Star-Telegram* as required by city code.

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

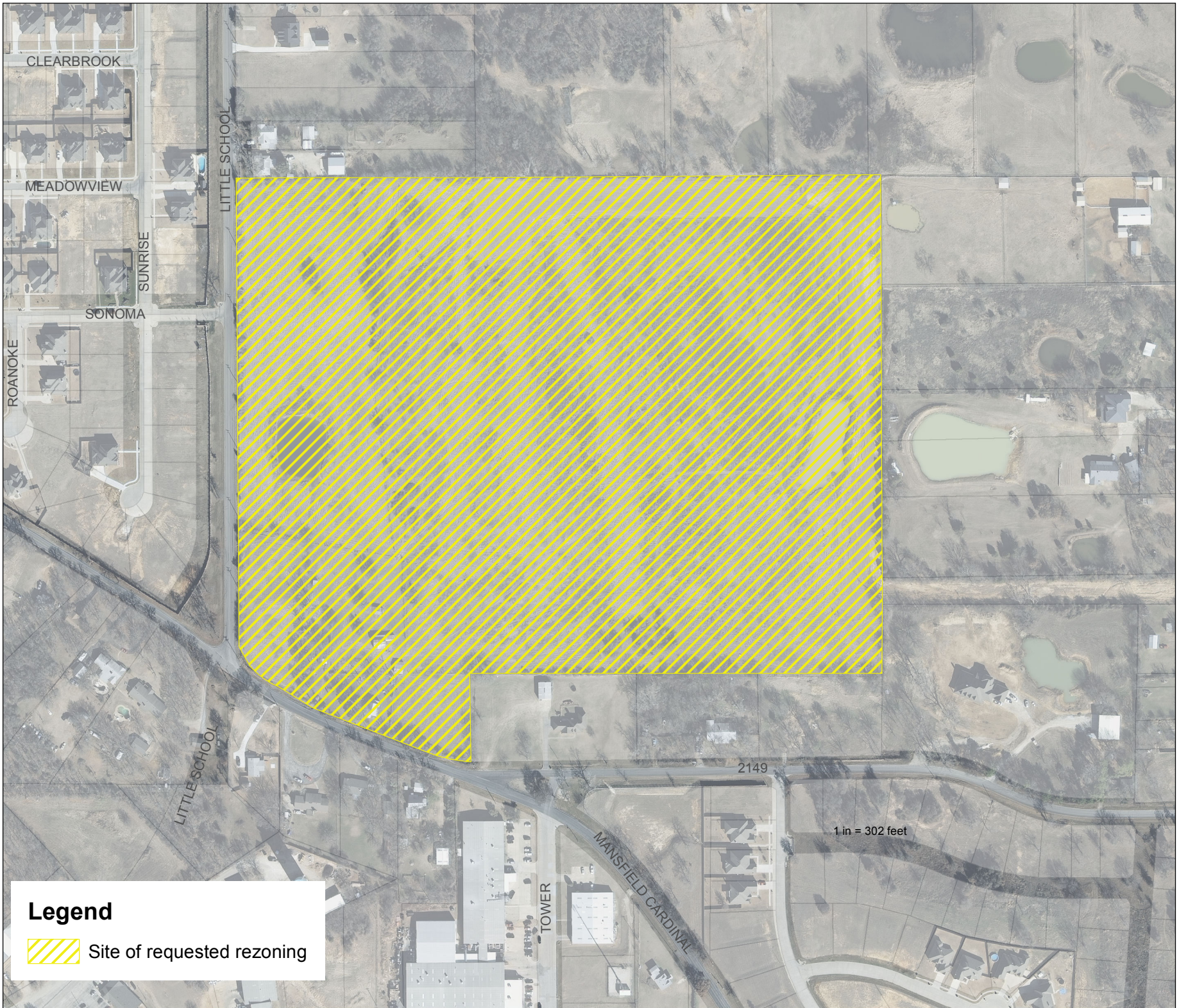
**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                                              |
|----|----------------------------------------------|
| 1. | PZ 13-04 map of site                         |
| 2. | PZ 13-04 ordinance (draft)                   |
| 3. | PZ 13-04 site plan                           |
| 4. | PZ 13-04 site plan with lot types labeled    |
| 5. | PZ 13-04 preliminary drainage & grading plan |
| 6. | PZ 13-04 preliminary utility plan            |
| 7. | PZ 13-04 application                         |

PZ 13-04

Parcels within 200' of rezoning request



CITY OF KENNEDALE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Kennedale Texas is a Home Rule municipality acting under its charter adopted by the electorate pursuant to Article XI, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential, or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City of Kennedale desires to promote the redevelopment of properties located along Little School Road in line with the city's long-term vision as described in the comprehensive land use plan; and

WHEREAS, the redevelopment of this property provides an opportunity to begin implementation of the comprehensive plan; and

WHEREAS, Alluvium Development, Inc. wishes to develop the property described below as a Planned Development District, in compliance with the city's comprehensive land use plan; and

WHEREAS, the City of Kennedale believes the development as proposed would help achieve the vision set forth in the comprehensive land use plan; and

WHEREAS, Alluvium Development, which has a contract to buy said property, with permission from John Harper, who has a proprietary interest in said property being an approximately 45.5 acre tract in the J

M Lilly Survey, more particularly described as J M Lilly Survey A 980 Tract 2 & A 985 Tract 3, Tarrant County, Texas, has filed an application to rezone the property from its present classification of "R-2" Single Family Residential District to a "PD" Planned Development District; and

WHEREAS, the City Council has determined that a planned development zoning district is the most appropriate zoning district to facilitate the development of the property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 15th day of August 2013 and by the City Council of the City of Kennedale on the 19th day of September 2013 with respect to the zoning changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to amend the City's Zoning Ordinance as described herein.

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

#### SECTION 1.

The Comprehensive Zoning Ordinance is hereby amended so that the zoning classification and the uses in the hereinafter described area shall be changed and or restricted as shown and described below:

An approximately 45.5 acre tract in the J M Lilly Survey, more particularly described as J M Lilly Survey A 980 Tract 2 & A 985 Tract 3, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein from "R-2" Single Family Residential District to The Vineyard Planned Development District ("PD-The Vineyard") for residential and civic use with modified restrictions, as more fully described on the Concept Plan, attached hereto as Exhibit "B" and incorporated herein.

#### SECTION 2.

The use of the Property shall be subject to the restrictions, terms and conditions set forth in the

Concept Plan, attached hereto as Exhibit "B", and the Concept Plan is hereby approved. The use of the Property shall further conform to the standards and regulations of the "R-2" Single Family Residential zoning district and to Chapter 17, Division 10 Subdivision Design Criteria of the City of Kennedale City Code, to the extent not modified in this Ordinance and the documents attached as Exhibit "B", and shall be subject to all other applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale. The Property shall conform to the following supplemental standards and regulations, which shall supersede any other requirements to the extent of a conflict:

1. *Permitted Uses.* The only permitted uses in the "PD-Vineyard" shall be:

*single family detached residential;*

*park, playground, or open space;*

*community garden*, where such use is managed by a home owners' association or authorized agent, in accordance with the standards of this ordinance and the City of Kennedale Code of Ordinances;

*accessory building* (other than a *guest house*), when such use does not exceed fifteen (15) feet in height, is a subordinate building incidental to that of the main building on the same lot, has a maximum interior floor area of fifteen (15) percent of the living space of the primary structure, and is constructed of at least eighty (80) percent masonry as defined in the Kennedale City Code;

*guest house*, when such use does not exceed fifteen (15) feet in height and is a subordinate building incidental to that of the main building on the same lot, has a maximum living space of fifteen (15) percent of the living space of the primary structure, is constructed of at least eighty (80) percent masonry as defined in the Kennedale City Code, and is not used as a rental residence or permanent living facility.

2. *Density.* The number of residential lots within PD – Vineyard shall not exceed 117. The PD – Vineyard shall have a minimum of five (5) lots dedicated for open space or storm water detention. When used as storm water detention, the lots shall be designed to include open space for use by the public.

3. *Lot size.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding lot size, lot size requirements shall be as follows.

| Lot Type                                                                                                                                            | Maximum Number<br>of Lot Type | Minimum Lot<br>Width | Minimum Lot Depth |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------|-------------------|
| A                                                                                                                                                   | 25                            | 100                  | 140               |
| B                                                                                                                                                   | 15                            | 100                  | 135               |
| C                                                                                                                                                   | 80                            | 85                   | 120               |
| D                                                                                                                                                   | 13                            | 70                   | 120               |
| <b>Lots may be platted in a combination of the lots types listed above,<br/>provided the total number of lots does not exceed a maximum of 117.</b> |                               |                      |                   |

4. *Lot coverage.* Lot coverage shall not exceed sixty (60) percent of the lot. *Lot coverage* means the percentage of the total area of a lot occupied by the first story or ground floor of all buildings located on the lot.

5. *Minimum livable area.* The minimum livable area for all primary residential structures on type “C” and “D” lots is 2,200 square feet. The minimum livable area for all primary residential structures on type “A” and “B” lots is 3,000 square feet.

6. *Setbacks.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding required front yard, rear yard, side yard - interior lot, and side yard - corner lot setbacks, the Planned Development zoning herein approved shall require the following minimum setbacks:

| Lot<br>Type                                                                                                                                                                                                                                                                                                                                    | Front Setback<br>Minimum (ft.) | Front Setback<br>Maximum (ft.) | Rear Setback Minimum<br>(ft.) | Side Setback Minimum<br>(ft.) |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------|-------------------------------|-------------------------------|
| A                                                                                                                                                                                                                                                                                                                                              | 15*                            | 20                             | 20                            | 10**                          |
| B                                                                                                                                                                                                                                                                                                                                              | 15*                            | 20                             | 20                            | 10**                          |
| C                                                                                                                                                                                                                                                                                                                                              | 15*                            | 20                             | 15                            | 10**                          |
| D                                                                                                                                                                                                                                                                                                                                              | 15*                            | 20                             | 15                            | 10**                          |
| *Sitting-style front porches that run the full width of a primary structure (excluding the garage) and are not capped by a second story, balcony, upper-floor porch, or any other part of the structure may encroach up to two (2) feet into the required minimum front setback. Porches that encroach into the front setback shall be covered |                                |                                |                               |                               |

but may not be enclosed or permanently screened.

**\*\*Side setback may be reduced to five (5) feet on one side as long as the total from both side setbacks is a minimum of twenty (20) feet.**

7. *Building height.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding building height, buildings shall not exceed a height of two and one half (2 ½) stories, at a maximum of forty (40) feet in height.

8. *Masonry requirements.* All structures (primary and accessory) on “C” and “D” lots as identified in Exhibit “B”, attached, must be of a minimum eighty percent (80%) masonry as defined in Kennedale City Code. All structures on “A” and “B” lots shall be of ninety percent (90%) masonry as defined in Kennedale City Code.

9. *Front porches.* All homes shall be required to have a covered front porch of a minimum depth of six (6) feet. At least fifteen (15) percent of the homes shall have sitting-style porches.

10. *Elevation repetition.* No elevation shall be used more than once in every four contiguous lots (i.e., the first and fifth lots in a row may contain the same elevation, but the second, third, and fourth may not). No identical elevation shall be repeated on any lot directly across the street or diagonal (“catty corner”) from itself. Elevations shall be substantially different beyond simple mirrored plans, or garage or window relocation, and shall include combinations of architectural variety such as: front porches, dormers, gables, bay windows, roof pitch, or other such architectural features that substantially differentiate house façades.

11. *Parking.* Parking spaces for at least two (2) motor vehicles shall be provided in an enclosed garage for any single family dwelling constructed within the PD-Vineyard.

- a. “A”, “B”, and “C” lots: For lots noted as type “A”, “B”, or “C” on the approved Site Plan, front entry garages are prohibited unless the vehicle entryway is screened from view from the front public right-of-way by the dwelling or other structure. For the purposes of this section, a porte-cochere shall constitute sufficient screening of a front entry garage provided the vehicle

entryway of the garage is located no less than eighty (80) feet from the front curb. Regardless of the orientation of the garage required by this section, any gate or door to a porte-cochere must be of wrought iron construction and must not screen more than twenty-five (25) percent of its entryway. Notwithstanding the above, a tandem garage accommodating one (1) vehicle may be front-facing without screening, provided the vehicle entryway of the garage is located no less than eighty (80) feet from the front curb and the garage has an ornamental garage door. J-swing garages that accommodate more than two (2) vehicles are prohibited.

- b. "D" lots: Front entry garages are permitted, subject to the following regulations.
  - 1. The garage shall not project greater than six (6) feet closer to the front setback than the livable part of the structure.
  - 2. A front entry garage may occupy a maximum of fifty (50) percent of the house linear frontage.
  - 3. Front entry garages shall have ornamental garage doors.
  - 4. If the front porch is permitted to encroach into the required minimum front setback, the garage shall not be permitted to encroach into the required minimum setback.
  - 5. J-swing garages that accommodate more than two (2) vehicles are prohibited.

12. *Landscaping.* Landscaping locations shall conform substantially to the approved Concept Plan attached hereto as Exhibit "B". Landscaping shall be regulated by the City of Kennedale City Code unless otherwise controlled by this ordinance.

- a. *Plants.* Use of native and adaptive xeriscape plants is encouraged. Landscaping shall be maintained in good condition.
- b. *Irrigation.* All landscaped areas shall be provided with an approved irrigation system that meets the requirements of this sub-section.
  - i. Landscaped areas should be controlled by an automatically controlled timer, unless the use of the property would otherwise prohibit use of a timer. Irrigation systems shall be installed with a rain shut off sensor.

- ii. The irrigation system should be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
- iii. High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
- iv. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- v. The use of rain cisterns is permitted.
  - 1. Cisterns must be located in the rear yard or side yard and must be screened so as not to be seen from the public street. Screening must meet the screening materials regulations of the Kennedale City Code.
  - 2. Cisterns may not exceed ten (10) percent coverage in any required yard.
  - 3. A cistern no more than five (5) feet in height and three (3) feet in diameter may be placed anywhere in the rear yard. A cistern greater than five (5) feet in height and/or three (3) feet in diameter shall be a minimum of eight (8) feet from any side lot line and eight (8) feet from any rear lot line.
  - 4. A cistern may not be greater than six (6) feet in height unless screened by the primary structure so that it is not visible from the public street in front of the residence, or for corner lots, from the public street in front of and to the side of the residence.
  - 5. The maximum height of any cistern, even when screened by the residence, shall be fifteen (15) feet.
- c. *Protection of quality trees.* The Director of Development Services may approve a deviation from the lot layout or street layout shown in the attached Site Plan in order to retain and protect an existing quality tree, as defined in the Chapter 16, Article VI of the Kennedale City Code.

Permission to deviate from the approved Site Plan must be requested, in writing, by the developer. In no case shall the Director approve a deviation from the required minimum front setback of any new primary structure or from the required minimum rear setback of any new primary structure on “A” and “B” type lots.

13. *Utilities and Drainage.* Utilities shall conform to the approved Concept Plan as depicted in Exhibit "B".

14. *Driveways and Access.* All entry and exit points shall conform to the approved Concept Plan and supporting documents, as depicted in Exhibit "B", and shall conform to the standards of the City of Kennedale public works design manual and the City of Kennedale subdivision design criteria of Chapter 17, Division 10 of the City of Kennedale Code of Ordinances, unless otherwise regulated by this ordinance. Notwithstanding the above, it is understood that exact locations may need to be adjusted due to topographic, soil, or other similar development constraints, and therefore the entry and exit points may be modified with written approval of the Director of Development Services. The Director of Development Services may approve such requests if they are made in writing and present evidence of development constraints that would prohibit the safe ingress or egress of traffic at the location(s) approved in the Concept Plan, but the Director is not required to grant such requests.

15. *Sidewalks.* Sidewalks are required within the PD-Vineyard and shall be constructed according to the requirements of the City of Kennedale Code of Ordinances, the City of Kennedale Public Works Design Manual, and any other applicable regulations, where not otherwise controlled by this ordinance. Sidewalks must be a minimum of five (5) feet in width and notwithstanding the above, may be constructed of permeable materials and may be designed and constructed using low-impact development standards. Review and approval of low-impact infrastructure or public facilities shall follow the process for review and approval of standard infrastructure or public facilities as set forth in the codes, regulations, and design manuals of the City of Kennedale. Low-impact development standards shall not be approved unless the Director of Public Works is satisfied the materials and construction methods used will meet the same standards for safety and

durability as used in standard sidewalk construction within the City of Kennedale.

16. *Community Gardens.* If the developer dedicates land within the PD-Vineyard for a community garden, then a community garden shall be permitted if such use is primarily used for growing and harvesting food crops and ornamental crops, such as flowers, for consumption or donation, but not for sale. Raising of animals or livestock in a community garden is prohibited. Community gardens shall be managed and maintained in compliance with all applicable standards of this ordinance and the City of Kennedale Code of Ordinances, including but not limited to those pertaining to: nuisance abatement, storm water, site accessibility, signage, and any required tree conservation and landscaping. Community gardens must be managed and maintained by a home owners' association which must establish and enforce rules and regulations governing the development and use of any such gardens. Management of such gardens may be delegated to a designated agent such as a non-profit organization, but responsibility for proper maintenance, adherence to all applicable local, state, or federal regulations, and nuisance abatement shall be the responsibility of the home owners' association. If the PD-Vineyard does not have a home owners' association, then the community garden must be managed and maintained by the developer, who will also be responsible for proper maintenance, nuisance abatement, and adherence to all applicable regulations. If the developer does not dedicate land for a community garden, land donated by an individual property owner may be used for such purpose if the owners of eighty (80) percent of the residential property within the PD-Vineyard agree, in writing, to the use of the land for a community garden and have a home owners' association responsible for management and maintenance.

### SECTION 3.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage,

parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

#### SECTION 4.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

#### SECTION 5.

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

#### SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, including but not limited to all Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

#### SECTION 7.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

#### SECTION 8.

All rights or remedies of the City of Kennedale Texas are expressly saved as to any and all violations of any ordinances governing zoning or of any amendments thereto that have accrued at the time of the

effective date of this Ordinance and as to such accrued violations and all pending litigation both civil and criminal same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

#### **SECTION 9.**

It is hereby declared to be the intention of the City Council that the phrases clauses sentences paragraphs and sections of this ordinance are severable and if any 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 phrases clauses sentences paragraphs and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase clause sentence paragraph or section

#### **SECTION 10.**

The City Secretary of the City of Kennedale is hereby directed to publish the caption penalty clause publication clause and effective date clause of this ordinance in every issue of the official newspaper of the City of Kennedale for two days or one issue of the newspaper if the official newspaper is a weekly newspaper as authorized by Section 3.10 of the City of Kennedale Charter.

#### **SECTION 11.**

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED ON THIS 19<sup>TH</sup> DAY OF SEPTEMBER 2013.

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MAYOR

---

SECRETARY

Preliminary Draft only -- has not been reviewed by city attorney

EFFECTIVE: \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

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CITY ATTORNEY

EXHIBIT "A"  
LEGAL DESCRIPTION OF PROPERTY

## EXHIBIT "A"

### DESCRIPTION OF PROPERTY

BEING 46.192 acres of land in the J.M. LILLY SURVEY, ABSTRACT NUMBER 980 and the J.M. LILLY SURVEY, ABSTRACT NUMBER 985, Tarrant County, Texas and being all of that certain tract of land conveyed to John L. Harper according to the deed recorded in Volume 5162, Page 37, Deed Records, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a "pk" nail found, being the southwest corner of said Harper tract and the center of North Little School Road, said pk nail also being approximately 307 feet north of the southwest corner of said J.M. Lilly Survey, Abstract Number 980;

THENCE, North 00 degrees 01 minutes 42 seconds East, generally along the center of said North Little School Road, 1157.95 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, South 89 degrees 58 minutes 20 seconds East, at 26.67 feet passing a 1/2" iron rod found for corner being the southwest corner of a tract of land conveyed to Jaunita Russell Truitt according to the deed recorded in Volume 12766, Page 254, D.R.T.C.T. and continuing in all, along the north line of said Harper tract, 1605.46 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, South 00 degrees 03 minutes 58 seconds West, along the West line of Lots 7-11, Block 1, Oliver Acres according to the plat recorded in Volume 1383, Page 587, D.R.T.C.T., 1266.29 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, North 89 degrees 16 minutes 07 seconds West, along the north line of Lots 1-5, Block 1 of said Oliver Acres, 1000.90 feet to a fence post found for corner, said fence post being the northwest corner of Lot 1-R, Block 1, Oliver Acres according to the plat recorded in Cabinet B, Slide 1785, P.R.T.C.T.;

THENCE, South 00 degrees 43 minutes 53 seconds West, along the west line of said Lot 1-R, Block 1 Oliver Acres, 245.98 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

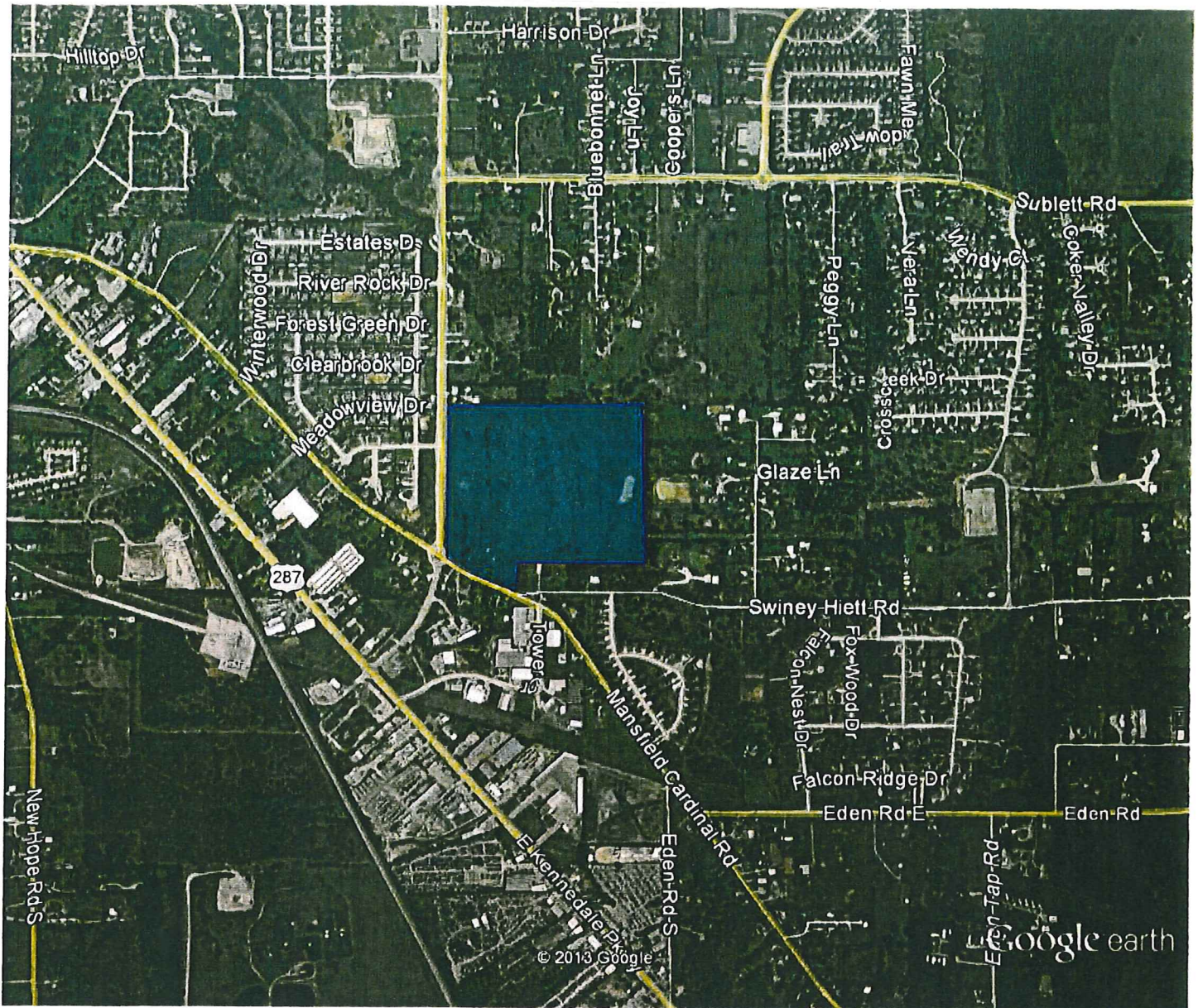
THENCE, North 63 degrees 17 minutes 05 seconds West, along the most southerly line of said Harper tract and along Mansfield Cardinal Road, 672.44 feet to the POINT OF BEGINNING.

The tract of land herein described contains 46.192 acres of land.

Preliminary Draft only – has not been reviewed by city attorney

**EXHIBIT "B"**  
**MAP OF PROPERTY**

EXHIBIT "B"

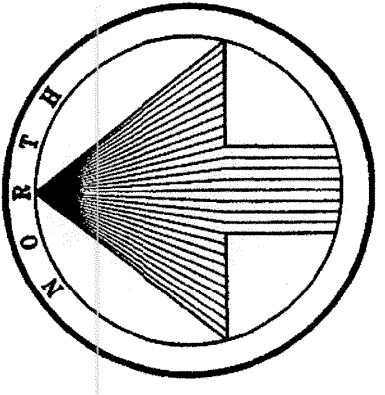


Google earth

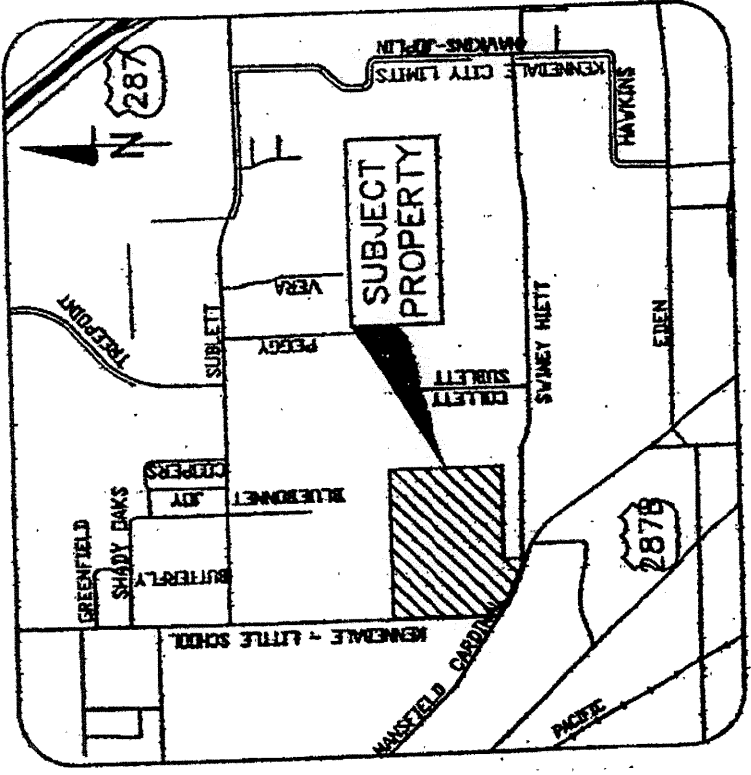
feet 4000  
km 1



EXHIBIT "C"  
CONCEPTUAL PLAN:  
PRELIMINARY SITE PLAN  
PRELIMINARY UTILITY PLAN  
PRELIMINARY DRAINAGE &  
GRADING PLAN  
(PLANNED DEVELOPMENT DISTRICT STANDARDS)



100 50 0 100 150 200  
SCALE: 1" = 100'



LOCATION MAP  
SCALE: 1"=200'  
MAPSCO 108-F

EXISTING ZONING: R-2  
PROPOSED ZONING: PD

BASE ZONING NOTE:

THE USE OF THE PROPERTY SHALL CONFORM TO THE STANDARDS AND REGULATIONS OF THE F2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT. TO THE EXTENT NOT MODIFIED IN THIS ORDINANCE, THE F2 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, TO THE EXTENT NOT MODIFIED HEREIN, AND SHALL BE SUBJECT TO ALL OTHER APPLICABLE REGULATIONS CONTAINED IN THE ZONING ORDINANCE AND ALL OTHER APPLICABLE AND PERTINENT ORDINANCES OF THE CITY OF KENNEDALE.

AREA: 46.182 ACRES  
PUBLIC OPEN SPACES:  
- 7 LOTS  
- 5 RETENTION PONDS  
- 4.82 ACRES

PROPOSED PD REGULATIONS:  
STREET R.O.W.:  
60 FT. WIDE - 27' PAVING  
PARKWAY ENHANCEMENT:  
- MEANDERING SIDEWALKS  
- STREET TREES @ 50' SPACING  
- BENCHES @ 200' SPACING

SETBACKS:  
FRONT - 15 ft.  
REAR - 20 ft.  
SIDES - 20 ft. Combined  
(15 ft. + 5 ft.)  
(10 ft. + 10 ft.)

MIN. LOT DIMENSIONS:  
13 @ 70 ft. x 120 ft. Adjacent to Neighbors or Internal  
73 @ 85 ft. x 120 ft. Adjacent to Neighbors or Internal  
8 @ 100 ft. x 135 ft. Adjacent to Neighbors  
17 @ 100 ft. x 140 ft. Adjacent to Neighbors

AVERAGE LOT SIZE: 10,800 sq. ft.

PROPOSED PD  
R-2 TO PD

## THE VINEYARD

117 LOTS

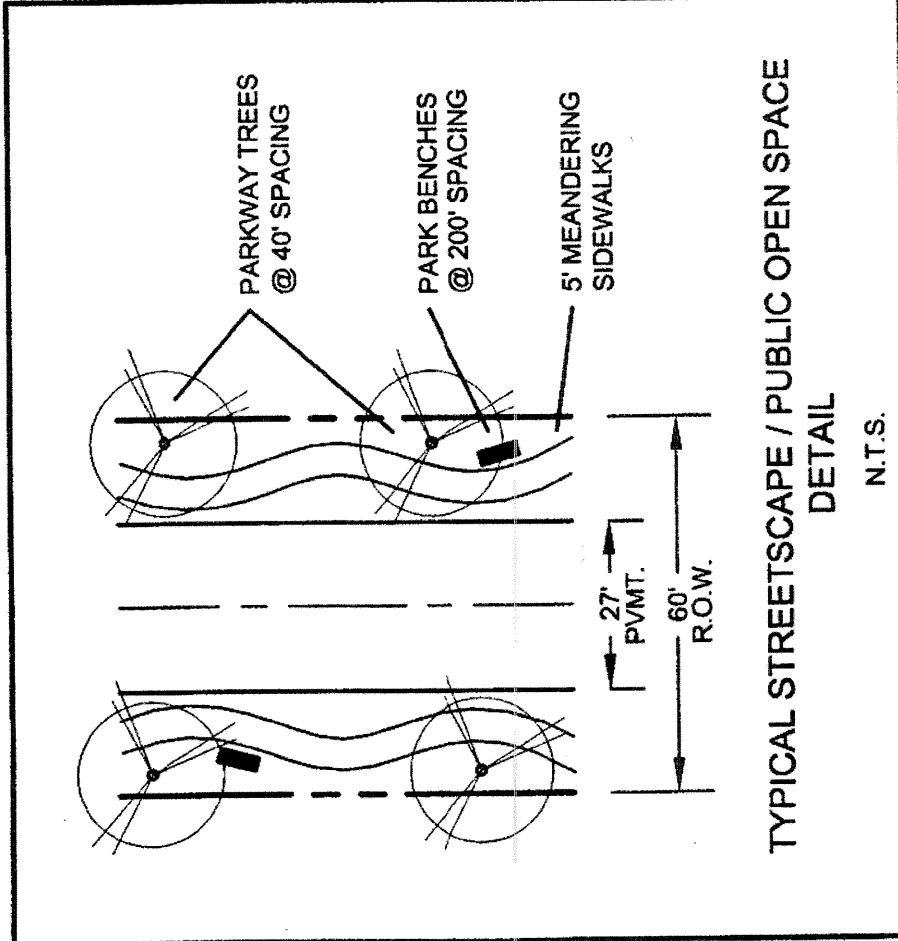
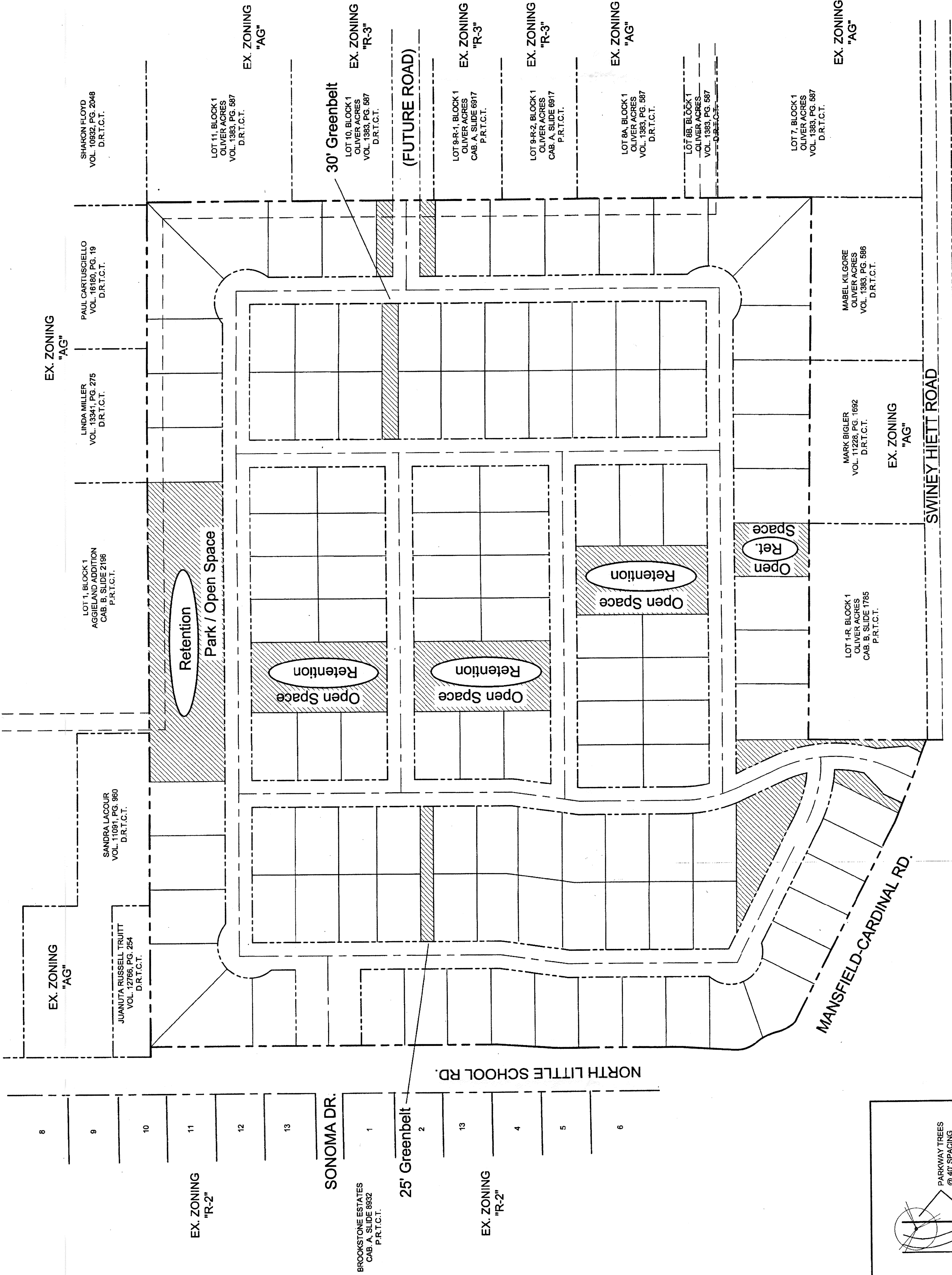
BEING 46.2 ACRES OF LAND IN THE  
J.M. LILLY SURVEY, ABST. NO. 980 AND THE  
J.M. LILLY SURVEY, ABST. NO. 985 IN THE  
CITY OF KENNEDALE, TARRANT COUNTY, TEXAS

DATE PREPARED: JULY 19, 2013

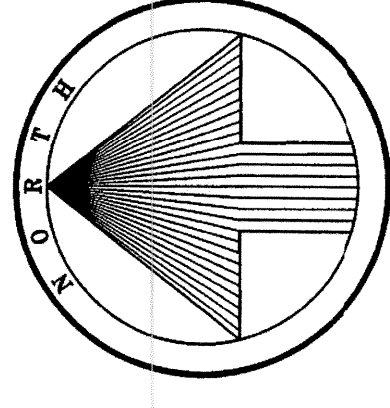
ENGINEER:  
MACATEE ENGINEERING LLC  
DAYTON MACATEE, PE  
3519 MILES STREET  
DALLAS, TEXAS 75209  
(214) 373-1180

DEVELOPER:  
ALLUVIUM DEVELOPMENT, INC.  
TERRANCE JOBE  
3526 ROUTH STREET  
DALLAS, TEXAS 75219  
(972) 995-9500

OWNERS:  
JOHN HARPER  
JOHN HARPER III  
3401 W. HWY 22  
CORSICANA, TEXAS 75110  
(972) 654-3395

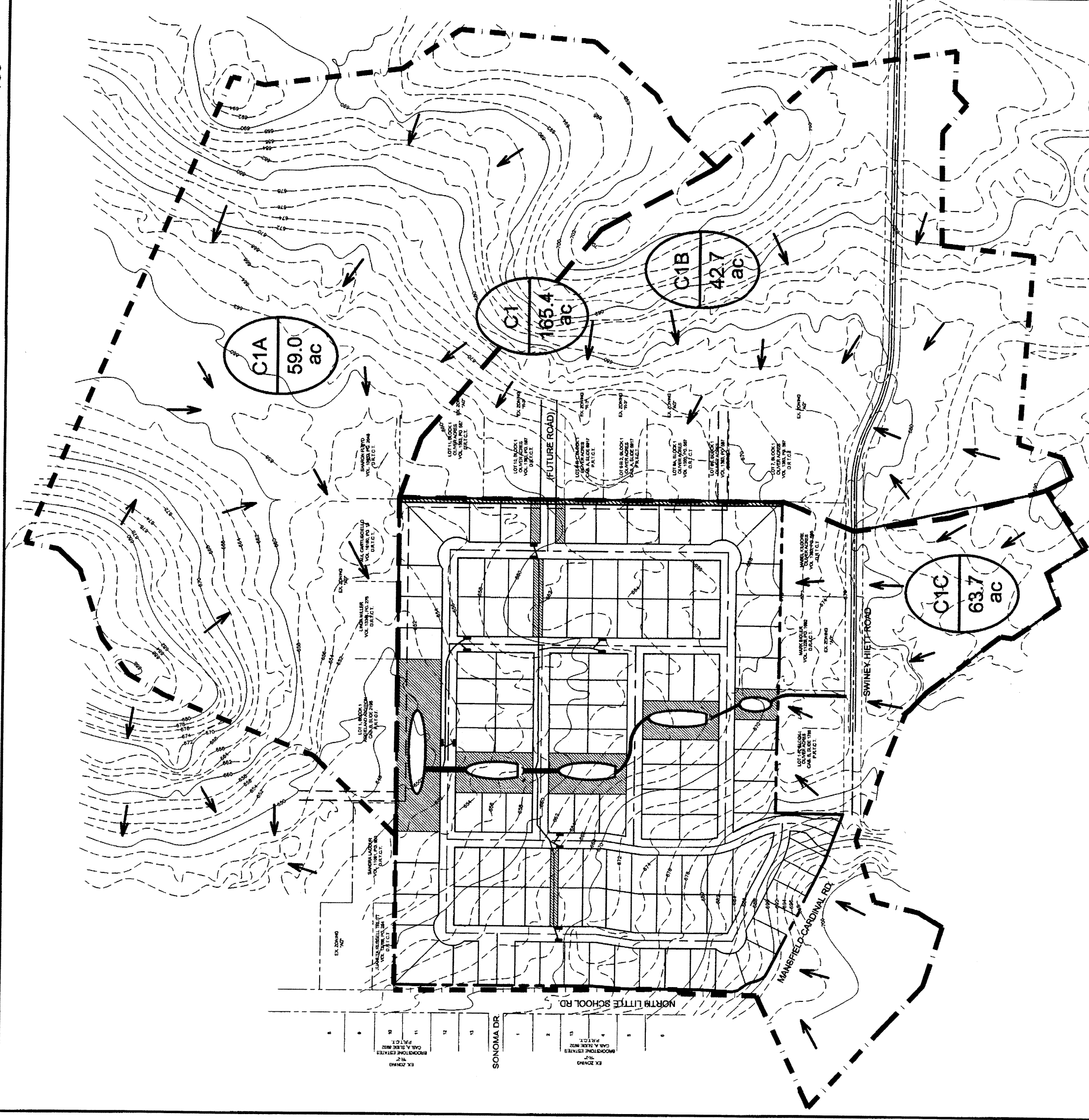






SCALE: 1" = 100'

| LEGEND                                         |                             |
|------------------------------------------------|-----------------------------|
| EX. 2 FOOT CONTOUR INTERVALS                   | AREA DESIGNATION            |
| PROP. 10 FOOT CONTOUR INTERVALS                | XX                          |
| PROP. 2 FOOT CONTOUR INTERVALS                 | X.X ac                      |
| DIRECTION OF FLOW                              | ACRES                       |
| OVERALL BOUNDARY OF DRAINAGE                   |                             |
| PREPARED BY TEAGUE NALL AND PERKINS, JUNE 2007 |                             |
| SUBBASIN DRAINAGE DIVIDE                       |                             |
|                                                | PROPOSED PAVEMENT ELEVATION |



Drainage Area Map

SCALE: 1"=300'

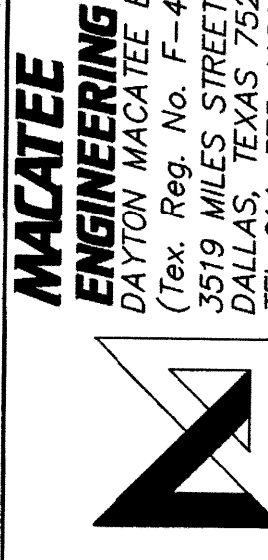
PRELIMINARY  
FOR REVIEW ONLY  
DAYTON C. MACATEE, P.E., 65028  
AUGUST 2013

| REV. | BY | DATE | DESCRIPTION |
|------|----|------|-------------|
|------|----|------|-------------|

PRELIMINARY GRADING  
& DRAINAGE PLAN

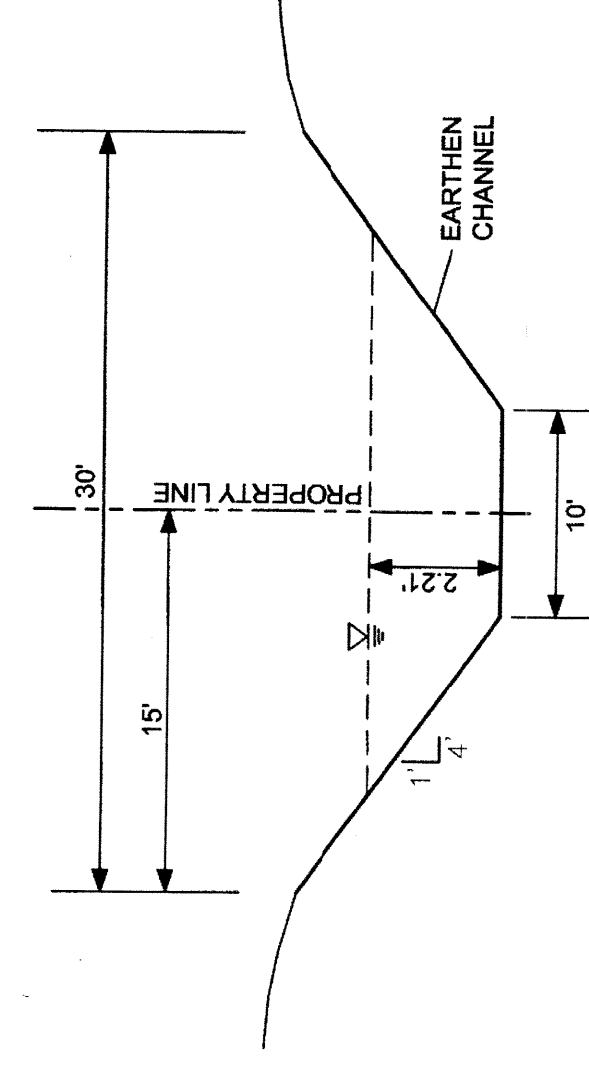
THE VINEYARD

CITY OF KENNEDALE  
TARRANT COUNTY, TEXAS



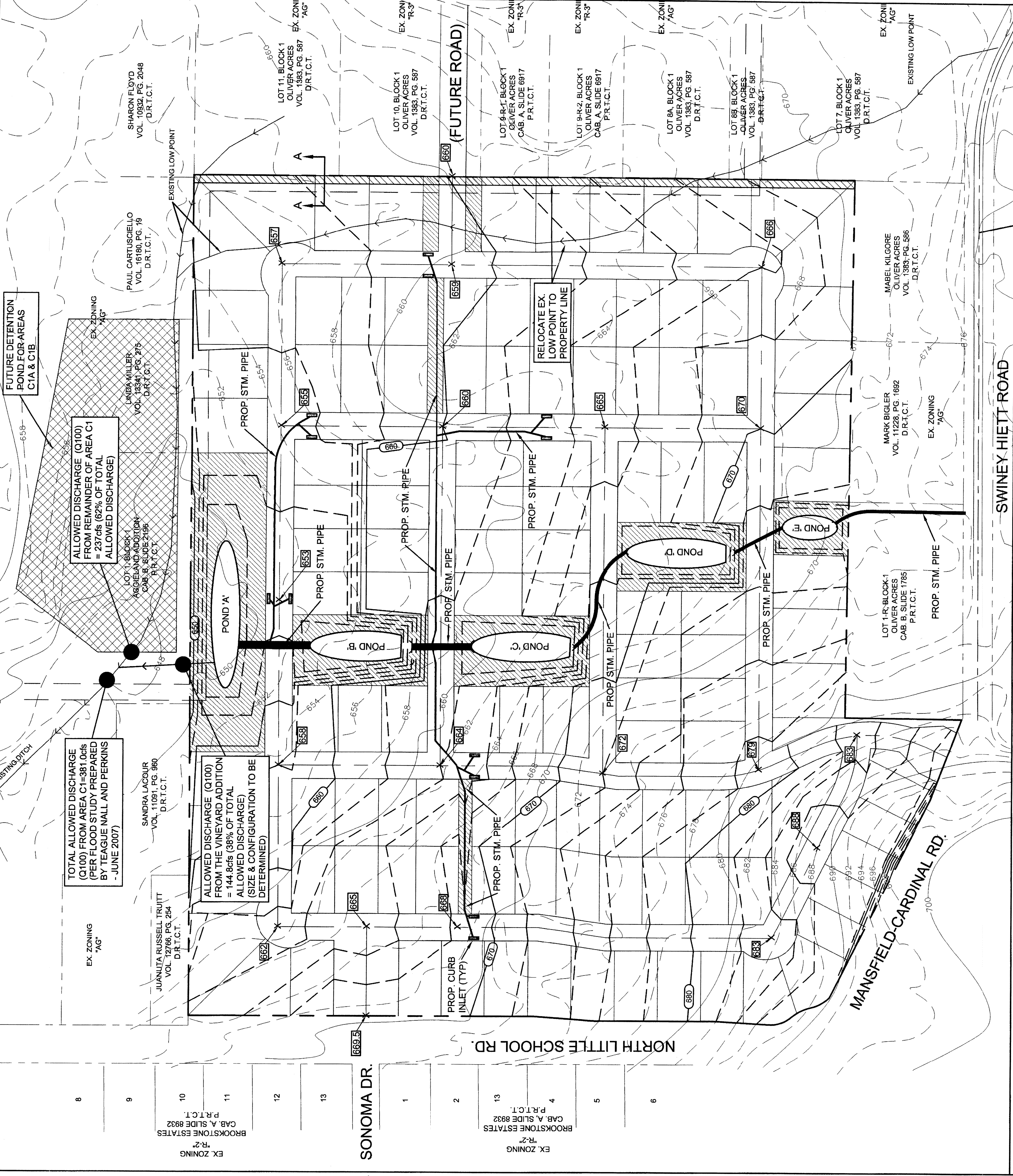
DAYTON MACATEE ENGINEERING, LLC  
(Tex. Reg. No. F-456)  
3519 WILES STREET  
DALLAS, TEXAS 75209  
TEL 214-373-1180 \* FAX 214-373-6580  
E-MAIL: daytonm@macatee-engineering.com

| DESIGNED | DRAWN | DATE    | DWG FILE | PROJECT # | SHEET NO. |
|----------|-------|---------|----------|-----------|-----------|
| MAC      | PJF   | 08/5/13 |          | T402      | 2 OF 2    |



SECTION A-A  
N.T.S.

PRELIMINARY LOCATIONS OF THE  
PROPOSED STORM LINES ARE  
SHOWN. THE SIZE OF PROPOSED  
STORM PIPES SHALL BE DETERMINED  
DURING FINAL DESIGN.



SCALE: 1"=100'

PRELIMINARY DRAINAGE & GRADING PLAN

PRELIMINARY POND CALCULATIONS FOR  
DRAINAGE AREA C1C

| POND | NORMAL<br>W.S. | 100yr W.S. | ***DETENTION<br>STORAGE<br>PROVIDED |
|------|----------------|------------|-------------------------------------|
| A    | 650.00         | 652.00     | 127.76sf                            |
| B    | 652.00         | 653.00     | 11.44sf                             |
| C    | 660.00         | 661.00     | 12.89sf                             |
| D    | 664.00         | 665.00     | 12.25sf                             |
| E    | 669            | 670        | 5.45sf                              |

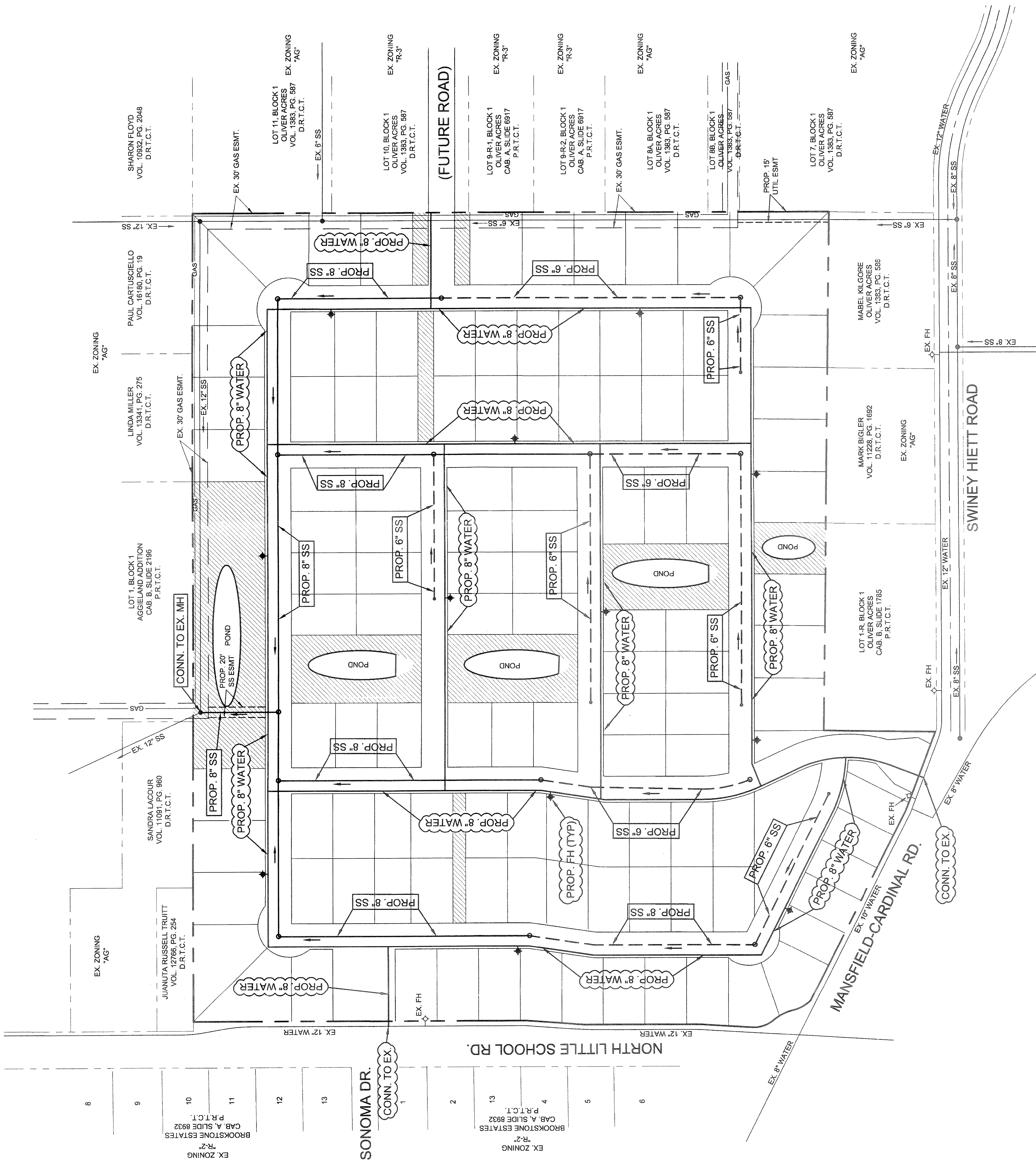
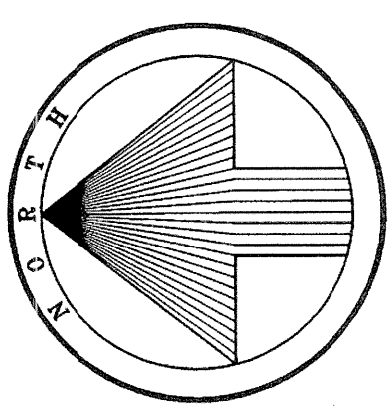
| TOTAL DETENTION VOLUME REQUIRED |           |          |           |
|---------------------------------|-----------|----------|-----------|
| REQUIRED<br>STORAGE             | Q2        | Q10      | Q100      |
| 68,595sf                        | 106,774sf | 130,83sf | 168,618sf |

| AREA RUNOFF |               |
|-------------|---------------|
| AREA        | Q100<br>(cfs) |
| C1A         | 59.00         |
| C1B         | 42.70         |
| C1C         | 63.70         |

\*\*\*ALLOWABLE DISCHARGE IS 144.8cfs  
FULLY DEVELOPED RUNOFF IS 280.0cfs

\*\*\*BASED ON DEVELOPED RUNOFF SHOWN IN FLOOD  
STUDY PREPARED BY TEAGUE NALL AND PERKINS (JUNE  
2007) & PERCENTAGE OF OVERALL DRAINAGE AREA  
(C1=165.4ac)

\*\*\*CALCULATED USING CURRENT 'C' VALUE FOR  
RESIDENTIAL & 15 MINUTE TIME OF CONCENTRATION



PRELIMINARY  
FOR REVIEW ONLY  
DAYTON C. MACATEE, P.E., 65028  
AUGUST 2013

| REV.                                                                                                                                                                                                                 | BY    | DATE    | DESCRIPTION |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|---------|-------------|
|                                                                                                                                                                                                                      |       |         |             |
| PRELIMINARY UTILITY PLAN                                                                                                                                                                                             |       |         |             |
| THE VINEYARD                                                                                                                                                                                                         |       |         |             |
| CITY OF KENNEDALE                                                                                                                                                                                                    |       |         |             |
| TARRANT COUNTY, TEXAS                                                                                                                                                                                                |       |         |             |
| <b>MACATEE ENGINEERING</b><br>DAYTON MACATEE ENGINEERING, LLC<br>(Tex. Reg. No. F-456)<br>3519 MILES STREET<br>DALLAS, TEXAS 75209<br>TEL 214-373-1180 * FAX 214-373-6580<br>E-MAIL: daytonm@macatee-engineering.com |       |         |             |
| DESIGNED                                                                                                                                                                                                             | DRAWN | DATE    | PROJECT #   |
| MAC                                                                                                                                                                                                                  | PJF   | 08/5/13 | TJ402       |
| DWG FILE                                                                                                                                                                                                             |       |         | SHEET NO.   |
|                                                                                                                                                                                                                      |       |         | 1 OF 2      |

PETITION FOR  
CHANGE OF ZONING CLASSIFICATION

ZONING CASE # PZ 13-04  
(assigned by city staff)

DATE:

City Council  
City of Kennedale  
Kennedale, Texas 76060

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

You are hereby respectfully requested to approve the following request for a change of zoning classification.

To change the zoning classification of the property described on Exhibit "A" attached, from its current zoning classification of "R-2" (S.F. Residential) to that of "PD" (Planned Development) in its entirety as shown on Exhibit "B" attached. The property totals some 46.2 acres. for S.F. Residential

Legal Description is Attached

Present use of the property is Ag. Exempt

Address of the property is \_\_\_\_\_

Property Owner's Name: John L. Harper and John L. Harper, III

Address: 3401 W. Hwy 22  
Corsicana, TX 75110

Telephone Number: 903-654-3395

Applicant's Name: ALLUVIUM DEVELOPMENT INC

Address: 3526 ROUTH ST  
DALLAS, TX 75219

Telephone Number: 817.995.9500

THIS IS TO CERTIFY THAT THE HARPER'S, JOHN & JOHN III IS THE SOLE OWNER(S) OF THE PROPERTY DESCRIBED IN EXHIBIT "A" AND DEPICTED IN EXHIBIT "B", ON THE DATE OF THIS APPLICATION.

John L. Harper  
Owner Signature

John L. Harper III  
Owner Signature

## EXHIBIT "A"

### DESCRIPTION OF PROPERTY

BEING 46.192 acres of land in the J.M. LILLY SURVEY, ABSTRACT NUMBER 980 and the J.M. LILLY SURVEY, ABSTRACT NUMBER 985, Tarrant County, Texas and being all of that certain tract of land conveyed to John L. Harper according to the deed recorded in Volume 5162, Page 37, Deed Records, Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a "pk" nail found, being the southwest corner of said Harper tract and the center of North Little School Road, said pk nail also being approximately 307 feet north of the southwest corner of said J.M. Lilly Survey, Abstract Number 980;

THENCE, North 00 degrees 01 minutes 42 seconds East, generally along the center of said North Little School Road, 1157.95 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, South 89 degrees 58 minutes 20 seconds East, at 26.67 feet passing a 1/2" iron rod found for corner being the southwest corner of a tract of land conveyed to Jaunita Russell Truitt according to the deed recorded in Volume 12766, Page 254, D.R.T.C.T. and continuing in all, along the north line of said Harper tract, 1605.46 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, South 00 degrees 03 minutes 58 seconds West, along the West line of Lots 7-11, Block 1, Oliver Acres according to the plat recorded in Volume 1383, Page 587, D.R.T.C.T., 1266.29 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

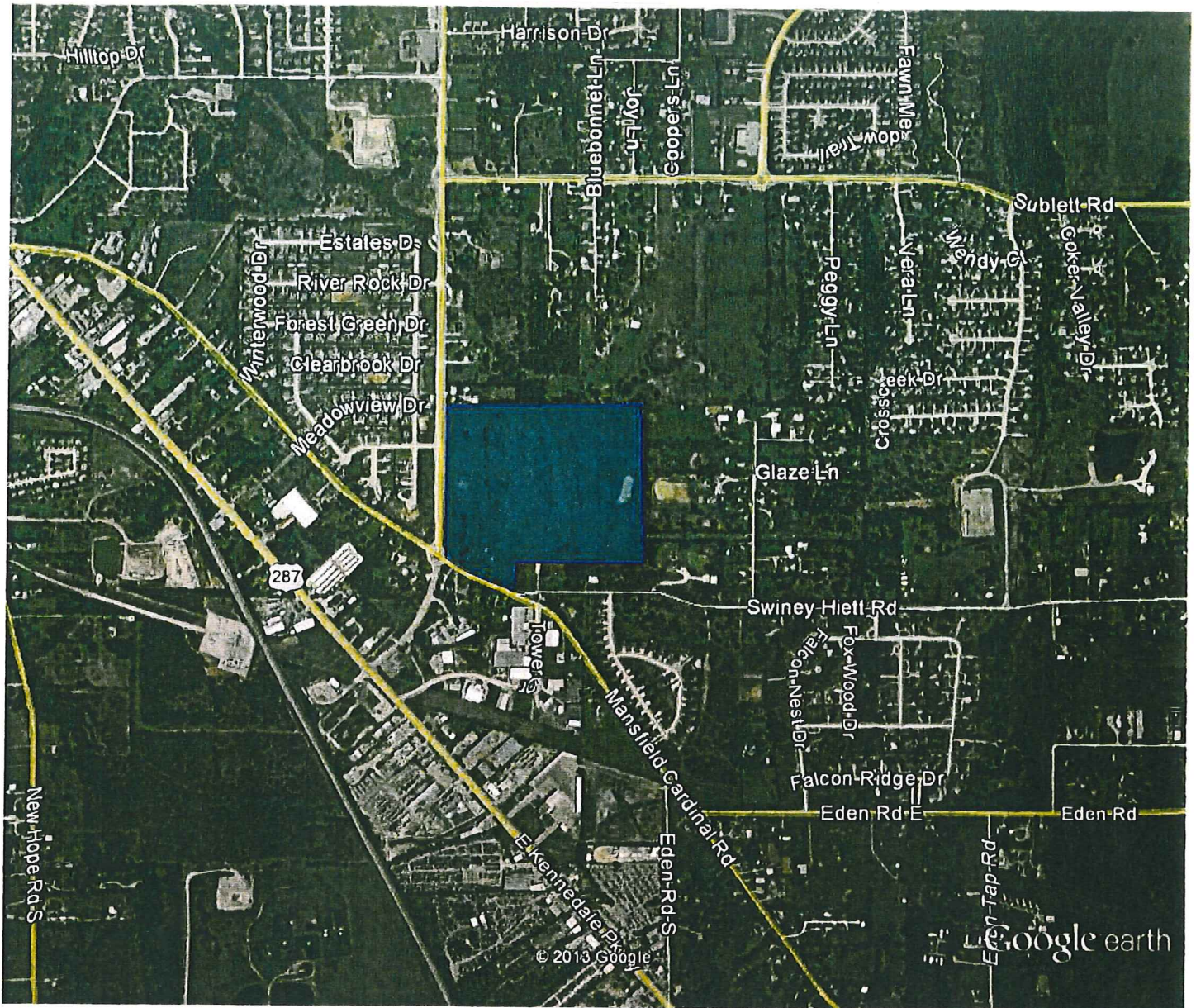
THENCE, North 89 degrees 16 minutes 07 seconds West, along the north line of Lots 1-5, Block 1 of said Oliver Acres, 1000.90 feet to a fence post found for corner, said fence post being the northwest corner of Lot 1-R, Block 1, Oliver Acres according to the plat recorded in Cabinet B, Slide 1785, P.R.T.C.T.;

THENCE, South 00 degrees 43 minutes 53 seconds West, along the west line of said Lot 1-R, Block 1 Oliver Acres, 245.98 feet to a 1/2" iron rod set for corner with a red cap stamped "CSI";

THENCE, North 63 degrees 17 minutes 05 seconds West, along the most southerly line of said Harper tract and along Mansfield Cardinal Road, 672.44 feet to the POINT OF BEGINNING.

The tract of land herein described contains 46.192 acres of land.

EXHIBIT "B"



Google earth

feet 4000  
km 1





3519 Miles Street  
Dallas, Texas 75209  
Tel. (214) 373-1180  
FAX (214) 373-6580

July 19, 2013

City of Kennedale  
405 Municipal Drive  
Kennedale, Texas 76060

Attn: Rachel Roberts  
City Planner  
Re: The Vineyard

Change in Zoning: R-2 to PD

Dear Ms. Roberts,

Please accept this application on behalf of John Harper, John Harper III and Alluvium Development, Ltd. requesting the zoning for the Harpers' property be changed from "R-2 – Single Family Residential" to "PD – Single Family Residential". This development hopes to achieve elements of the City's "Comprehensive Plan Update", prepared by Halff Associates in March 2012.

**In General:** The development will feature a mix of lot sizes and home sizes. All homes will have covered front porches to encourage community interaction along the enhanced streetscape. The proposed street rights-of-way will be wider than standard to allow for meandering sidewalks and public amenities such as benches and shade trees. The two entrances will have divided pavement and enhanced landscaping. Additional dedicated public parks and open spaces comprising over 10% of the project (approximately five (5) acres) will enhance the quality of life for the residents. Finally, there will be two narrower (25'-30') public access ways to help pedestrians circulate from the perimeter streets toward the internal parks and ponds.

**Home Specifics:** The project will provide 117 single-family home sites having a variety of garage configurations and home sizes as follows:

- Perimeter lots adjacent to neighboring landowners will have minimum 3,000 s.f. homes.
- All remaining lots will have minimum 2,200 s.f. homes.
- All garages will be side, J-swing or rear entry with the exception of the 70' lots (13 max.). Corner lots are allowed side entry garages with the garage facing the side street.
- Roof pitch will have a minimum pitch of 8:12.
- All houses will have covered front porches; 15% will have large sitting-style covered porches.
- Elevations may only be repeated every 4<sup>th</sup> lot. No repeat elevations are allowed directly across the street.
- Setbacks: Front – 15', Rear – 15', Sides – 20' Total (10'+10' or 15'+5').

The Vineyards  
Request for Zoning Change  
July 19, 2013

**Street Specifics:** The streets within the development will be public 60-foot rights-of-way with pavement that is 27 feet wide. The resulting 16.5-foot parkways will be enhanced with meandering sidewalks, benches and shade trees.

**Existing Infrastructure:** Public streets, water mains and sanitary sewer mains are available at the property boundary. They will be extended to serve the project. The creek where the site's drainage will outfall is unimproved. Therefore, the proposed ponds will be used for retention to mitigate the effects of the project and protect the welfare of the downstream landowners.

**Public Open Spaces:** The public open spaces will be enhanced with sidewalks, shade trees and benches to encourage neighborhood use.

**Ownership:** The current landowners, the Harpers, are joining the develop in the effort to rezone the property. The current intent is to consummate the sale upon successful resolution of our zoning request. Alluvium Development, Ltd. is purchasing and developing the property with the intent of selling the lots to a single builder. The builder has provided input on and is supportive of the requirements stated above.

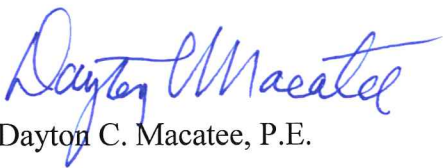
**Timing:** The developer intends to commence design and construction immediately upon receipt of a favorable outcome of this zoning request. It is unknown whether the site will be developed in one or two phases. Regardless, all of the infrastructure necessary to properly serve the subdivision will be part of the initial construction. All of the primary drainage system and retention ponds will be constructed with the initial construction. The first home sites should be ready for sale within a year of commencing design.

**Statement of Accurate Portrayal:** I, the undersigned, confirm the statements made herein and the information provided on the accompanying documents are true and accurate to the best of my knowledge, and represent a reasonably accurate portrayal of the general nature and character of the proposals.

We believe the neighbor resulting from the City's approval of this Change of Zoning request will be consistent with the City's "Comprehensive Plan Update" and an asset to Kennedale. Please let us know if you have any questions.

Sincerely,

**MACATEE ENGINEERING**



Dayton C. Macatee, P.E.