



**KENNEDALE**  
Planning and Zoning Commission  
www.cityofkennedale.com

**KENNEDALE PLANNING & ZONING COMMISSION**  
**AGENDA**  
**COMMISSIONERS - REGULAR MEETING**  
**November 21, 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 use of form-based codes in implementing the comprehensive land use plan at the Bowman Springs/Dick Price & Kennedale Pkwy intersection
- C. Discuss creation or modification of zoning districts to implement the comprehensive land use plan

**IV. REGULAR SESSION**

**V. CALL TO ORDER**

**VI. ROLL CALL**

**VII. MINUTES APPROVAL**

- A. Review and consider approval of minutes from the October 17, 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 13-08** to receive comments and consider action on a request by Ashton Holdings, Inc. for a zoning change for approximately 6.3 acres from "OT" Old Town District to "PD" Planned Development District located at 260 Hilltop (access on 3<sup>rd</sup> St), legal description of Hilltop Addition Block 1 Lots 1-15.
  - (1) Staff Presentation
  - (2) Applicant Presentation
  - (3) Public Hearing
  - (4) Applicant Response

- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

B. **CASE # PZ 13-10** to receive comments and consider action on a request by Ashton Holdings, Inc. for a zoning change for approximately 4.3 acres from "AG" Agricultural District to "R-1" Single Family Residential District for property owned by Ricardo Trevino and located at the corner of Swiney Hiatt Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

C. **CASE # PZ 13-11** to receive comments and consider action on a request by Ashton Holdings, Inc. for a replat of approximately 4.3 acres, for property owned by Ricardo Trevino and located at the corner of Swiney Hiatt Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6, to create Lots 6R1-6R8.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

D. **CASE # PZ 13-12** to receive comments and consider approval on a request by Alluvium Development, Inc. to amend the regulations for the 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, to correct a scrivener's error that listed the minimum lot width for "C" type lots as 85 feet instead of 80 feet.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning 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 November 21, 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:** November 21, 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:** November 21, 2013

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

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**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:**

Now that the first phase of the Employment Center Code has been completed, the Commission is in a good position to take another look at the draft code for the Bowman Springs/Kennedale Pkwy urban village. Considering the elements and standards covered by the Employment Center code, does the Commission want to revise any parts of the urban village code? For the Commission's new members, I have included a copy of the draft code with this report. For members who were already serving before the recent appointments, it is the same document you've seen several times before.

Also, in discussing this code with our consultant, I was reminded that what really helped focus the discussion of the Employment Center code and what helped drive the decisions on land use, site design, and streetscape design was the Employment Center concept/master plan. This concept plan was based on the vision in the comprehensive land use plan but has a more specific vision than the comprehensive plan had for this area. The code for the Bowman Springs/Kennedale Pkwy urban village could benefit from having a similar planning tool. I'm including with this report a copy of the Employment Center concept plan for the new members. You'll also find with the report three reports that were created as a first step in drafting form-based codes in McKinney, Mansfield, and Austin. These reports and the concept plan provide examples of how we might approach establishing a vision and needs statement specific to this urban village. The Commission has already written a policy paper on rezoning for the city in general, but we don't have a guidance document specific for the urban villages or for this area. Before the Commission moves forward with adopting a code for the urban village, we should be sure the Commission members have a common vision for the urban village, and that this vision is also shared by the Council. In addition, the city needs to meet with property owners in the area to convey this vision to them and to determine where their vision fits with the city's.

I would like to arrange a brainstorming meeting with the Commission to develop the vision for the Bowman Springs/Kennedale Parkway urban village. I'm discussing the meeting with other staff and with our consultant, and we are working out whether it would be better to have the discussions during a regular work session or a separate meeting. We'll work out the details soon and will check with you on availability if a separate meeting is needed. With the holidays coming up, it may be after the new year before we can make arrangements, but we plan to move forward as quickly as possible. In the meantime, it would be helpful if you could give me a list or description of your concerns about our existing zoning codes in relation to how they could affect land use or development in this urban village. If possible, please give me your comments in writing no later than the Commission's December meeting, and then I will compile the comments and create a master list for the Commission to review and edit. The Commission has had some discussions on this topic in the past, but we



have never created a written description that fully captures the Commission's concerns (if any) about our existing zoning codes and why new codes may be needed. A written description could be the foundation of our background report and vision exercise, so we may want to make creating the description the first step in moving forward with a form-based code for this area.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

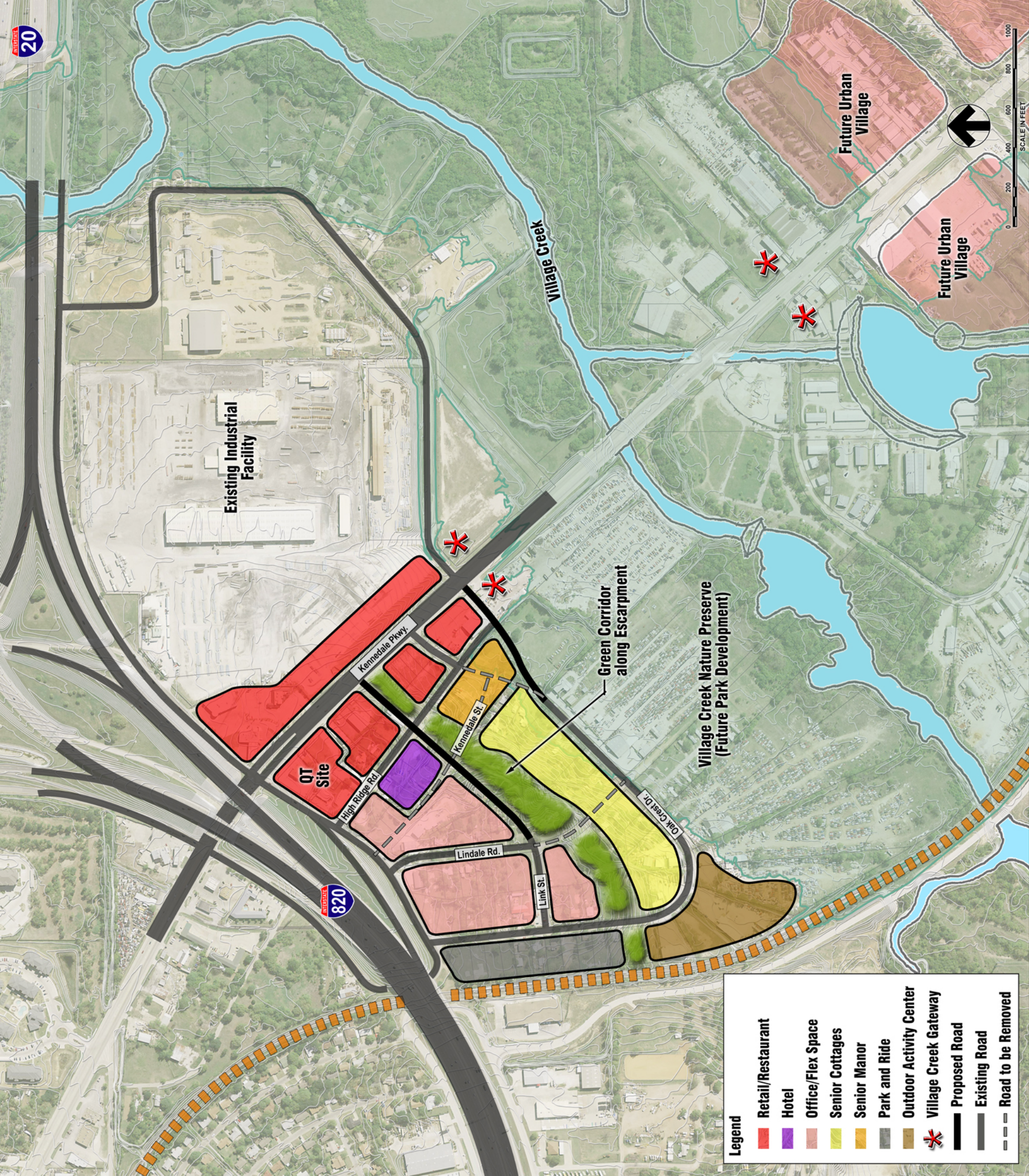
**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                                |                                                              |
|----|--------------------------------|--------------------------------------------------------------|
| 1. | Employment Center concept plan | Kennedale_Employment district MP portrait.pdf                |
| 2. | Draft urban village code       | Standards draft (scribus).pdf                                |
| 3. | Mansfield background report    | Downtown Mansfield zoning assessment draft (rotated).pdf     |
| 4. | McKinney background report     | McKinney_Code Framework_revised (rotated).pdf                |
| 5. | Austin background report       | Airport Boulevard Redevelopment Code framework (rotated).pdf |





**Legend**

- Retail/Restaurant
- Hotel
- Office/Flex Space
- Senior Cottages
- Senior Manor
- Park and Ride
- Outdoor Activity Center
- Village Creek Gateway
- Proposed Road
- Existing Road
- Road to be Removed

August 28, 2012



# Kennedale Employment District Master Plan

Kennedale, TX





# Bowman Springs Urban Village

*a form-based code*

adopted [date]





## TOC

### Article I.

#### Sections 1-3

### Article II. Sections 4-6

#### Section 4 Building Mass & Placement

- Build-to lines

- Minimum frontage requirements

- Mass & height

#### Section 5 Site Design Standards

- Parking placement

- Parking screens

- Sidewalks standards

- Curb cuts

- Landscape standards

#### Section 6 Entry Orientation

- Building entrance orientation

### Article III.

#### Sections 7-9

#### Section 7 Frontage Types

- Private frontages

- Public frontages

#### Section 8 Roof Form & Projections

- Roof forms

- Building corners

- Terminated vistas

#### Section 9 Façade Standards

- Solid & void ratios (% glazing and % solid materials)

- Façade articulation

#### Section 10 Materials

### Article IV

#### Section 11 Special Requirements



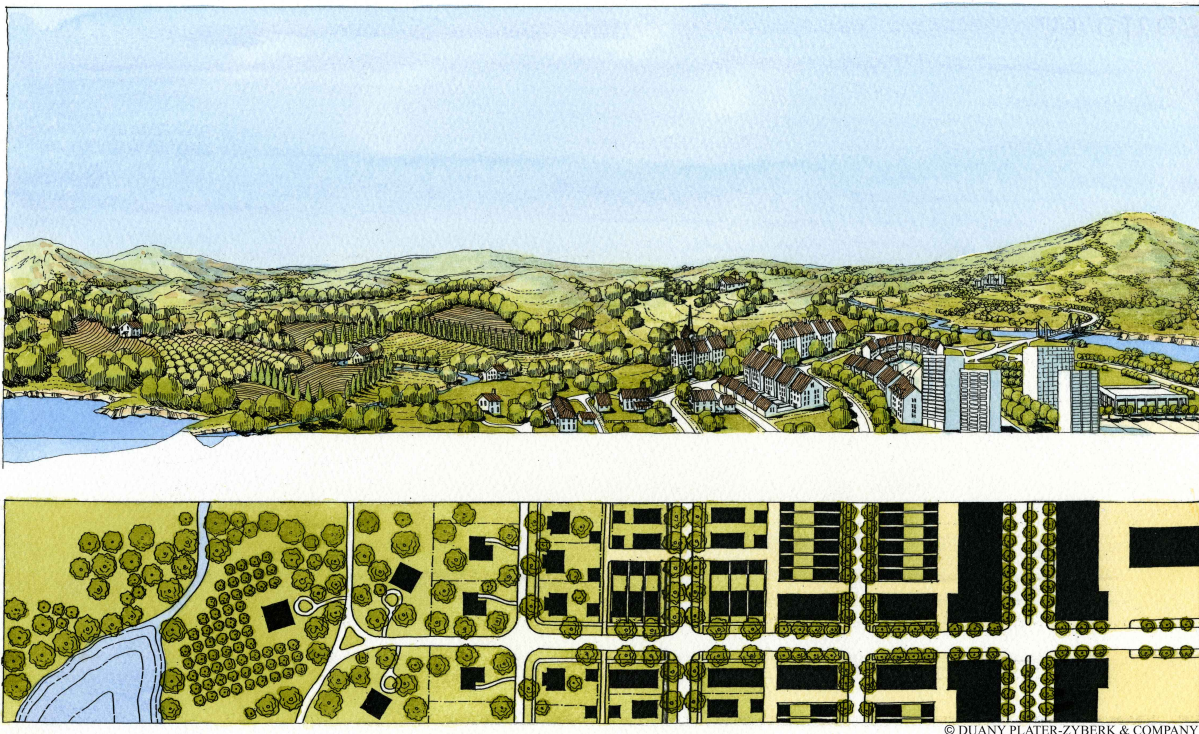
## Section 1. Overview.

### Form-Based Codes and Transects.

The City of Kennedale has chosen to use a form-based code approach to setting standards for the Urban Villages established in the comprehensive plan. Although a form-based code may not be appropriate for use in the entire city, this tool allows for flexibility in use while also providing more certainty in design, which is needed at these important intersections.

Design standards in form-based codes are generally based on a system of Transect Zones. Transect Zones are a way of characterizing development. The concept is borrowed from the natural sciences, which describes how vegetation and the natural environment change as one moves in the direction from the sea farther and farther inland. In a similar way, the character of development patterns change as one moves from rural areas into urban areas. In recent years, the elements that define these different types of development pattern—or transects—have been documented and illustrated. Communities who have decided what kind of development they want can then use the transects as a guide when creating development regulations.

The Transect Zone concept is intended for broad application in a wide range of cities. It's



important for cities using Transect Zones to customize the zone descriptions to fit their cities. For example, a T4 General Urban zone in Kennedale shouldn't look like a T4 General Urban zone in Fort Worth or Dallas; what seems "urban" here would be unsuitable for a T4 zone in a larger city.

The SmartCode defines T4 and T5 zones this way:

|                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description: T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized Blocks. | General character: Mix of Houses, Townhouses and small Apartment buildings with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description: T-5 Urban Center Zone consists of higher density mixed use building that accommodate Retail, Offices, Row-houses and Apartments. It has a tight network of streets with wide sidewalks, steady street tree planting and buildings set close to the sidewalks. | General character: Shops mixed with Townhouses, larger Apartment houses, Offices, work place and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In Kennedale, the Urban Village would be classified as a T4 zone, but calibrated for our local conditions. Some variation from the general standards for T4 and T5 districts will have to be allowed in order to ensure infill areas are developed in a way that is compatible with existing neighborhoods, and to ensure the standards take into account existing natural conditions, such as topography and floodplain. Our T4 zone is a blend of T4 and T5 characteristics, with standards set to be suitable and realistic for a community of our size and resources.

#### Intent of the Urban Village:

"To provide a flexible area that can accommodate smaller, neighborhood serving commercial uses in a main street form that allows for interim uses such as live/work and ground floor residential until the commercial corridor matures."

To integrate vibrant main-street commercial and retail environments into neighborhoods, providing access to day-to-day amenities within walking distance, creating potential for a transit stop, and serving as a focal point for the neighborhood."

[borrowed from Mesa, AZ FBC; tailor to fit Urban Village intent]



## Section 2. Administration.

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The Urban Village Development Code implements the vision for the Urban Village as established in the Future Land Use Plan and the Comprehensive Land Use Plan of the City of Kennedale. The Future Land Use Plan and the Comprehensive Land Use Plan shall provide general guidance on the form, character, and intensity of future development within the areas designated as Urban Village in the Future Land Use Plan.

### **Section 1. Authority.**

The code shall be administered by: the Kennedale City Council (“Council”); the Planning & Zoning Commission (“Commission”); the Director of Development Services (“Director”); the Permits & Planning Department (“Department”); and other City bodies and officials as identified in this Development Code.

### **Section 2. Responsibility for Administration.**

This Bowman Springs Urban Village Development Code shall be administered by the Director and the other decision-making authorities as identified in this Urban Village Code and the zoning ordinance. All findings, approvals, determinations, or other exercises of discretionary judgment or any other delegation of authority pursuant to this code by the Director, his or her successors or designees, or any other decision-making authorities, shall be carried out in a manner consistent with the purposes of this Urban Village Development Code, the zoning code, the City’s Comprehensive Land Use Plan, and the health, safety, general welfare, and orderly development of the City.

If the Director or his or her designated administrative official finds that any of the provisions of this article are being violated, the Director or his or her designated administrative official shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Director or his or her designated administrative official shall order the discontinuance of any illegal use of land, buildings or structures, the removal of any illegal buildings or structures or of any illegal additions, alterations or structural changes, the discontinuance of any illegal work being performed; or shall take any other action authorized by this article to insure compliance with or to prevent violation of these provisions.

### **Section 3. Interpretation and appeals.**

It is the intent of this article that all questions of interpretation and enforcement shall be first presented to the city manager or his or her designated representative, and that such questions shall be presented to the zoning board of adjustment only on appeal from the decision of the city manager or other administrative official, and that recourse from the decisions of the board of adjustment shall be to the courts as provided by law.

### **Section 4. City Council duties.**

The city council shall consider and adopt, modify, or reject proposed amendments to this article, or of its repeal.

### **Section 5. Applicability.**

This Bowman Springs Urban Village Development Code applies to all development, subdivisions, and land uses within the Regulating Plan boundaries, as shown in Section [insert section number].

The development, sign, and landscaping regulations under Chapter 17 of the Kennedale City Code, as amended, shall not apply to the Bowman Springs Urban Village unless specifically stated herein. Signs specifically prohibited in the zoning ordinance or by City Code are prohibited in the Bowman Springs Urban Village unless specifically stated otherwise herein.

Development standards not addressed in this code shall be governed by the City of Kennedale development regulations (Chapter 17 of the city code, as of [date]), to the extent they are not in conflict with the intent or text of the Bowman Springs Urban Village Code.

All private and public development and redevelopment projects are subject to review by the Permits & Planning Department for compliance with this Code, as defined below.

[insert table illustrating when redevelopment is subject to the code]

#### **Section 6. Building permits.**

No building permit shall be issued by the City of Kennedale for any new structure or addition unless the structure conforms to the provisions of this Code. No certificate of occupancy shall be issued for new development unless the structure conforms to the provisions of this Code.

#### **Section 7. Non-conformities.**

[to be added after discussion with city attorney]

#### **Section 8. Shall, should, may.**

Provisions of this code preceded by “shall” note regulations or standards that are required, “should” when recommended and encouraged, and “may” when optional.

#### **Section 9. Conflict with other city codes.**

Where provisions of this code conflict with other City of Kennedale codes, ordinances, or regulations, the provisions of the Urban Village Development Code shall prevail.

#### **Section 10. Conflict with illustrations and text.**

Where provisions of this code provided through illustration conflict with provisions provided in text, the provisions provided in text shall prevail. Photographs used to illustrate text are for illustration purposes only when marked as such.

**Section 11. Rules for interpretations of boundaries.** Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning map, boundaries shall be determined in accordance with Section 17-404(c) of the Kennedale City Code.

#### **Section 12. Development review process.**

##### **A. Administrative Review.**

Projects that clearly comply with all standards of this Code shall be process administratively by the Director. Projects that require interpretation shall be forwarded to the city manager for review, and the city manager may forward such projects to the Planning & Zoning Commission and City Council for interpretation.

The Director shall be responsible for the following:

- i) Reviewing site plan applications for compliance with the standards and regulations of this Code and all applicable city regulations and ordinances.
- ii) Approving site plan applications that are in compliance with this Code and all applicable city regulations and ordinances.
- iii) Approving modifications or revisions to previously approved site plans that are in compliance with this Code and all applicable city regulations and ordinances.
- iv) Approving minor modifications to the Regulating Plan or minor modifications from the standards set by this Code per Section X.
- v) Approving building permits for projects that are in compliance with this Code.
- vi) Coordinating any necessary review of projects with other departments within the City of Kennedale.
- vii) Forwarding to the city manager projects requiring interpretation.
- viii) Forwarding to the Planning and Zoning Commission projects requiring or requests for major modifications.
- ix) Forwarding to the Board of Adjustment requests for variances.

#### **B. Minor Modifications.**

The Director is authorized to approve minor modifications to this Code that do not materially change the intent of this Code, including the relationship between buildings and the street. Permitted minor modifications are noted in the Code and include: alternative masonry materials when new materials have been developed and are not yet listed in the Code but clearly meet the intent of the Code; change in landscaping plants to similar plants that meet the intent of the Code and achieve the same effect; minor changes in the site plan that do not significantly alter building orientation, vehicle or pedestrian traffic flow, location of parking areas, or building placement, or does not allow increase in building height. Other minor modifications include, but are not limited to: increase or decrease in setback of less than 10% from the requirements of the Code; increase or decrease in glazing of less than 10% from the requirements of the Code; decrease of less than 10% of the requirements of the Code in the required percentage of building that must be placed at build-to line.

#### **C. Major Modifications.**

The City Council is authorized to approve major modifications to this Code. Major modifications are changes to the standards in the Code that change the intent of the Code or alter the character of the district. Major modifications include, but are not limited to, changes to minimum or maximum building heights; increase or decrease in setback of more than 10% from the requirements of the Code; increase or decrease in glazing of more than 10% from the requirements of the code; decrease in masonry requirements; change in the design of landscaping, other than a change in plants to be used to another similar plant (as permitted under Minor Modifications, above); changes in building placement; permitting a use currently prohibited under this Code; permitting a frontage type currently prohibited under this Code. Major modifications are considered an amendment to the Code for the Urban Village and as such are subject to the procedures, notifications, public hearings, and other standards for zoning amendments as set forth in the Kennedale City Code Section 17-429.

#### **D. Variances.**

The Board of Adjustment is authorized to approve variances to the minimum setback, lot width, and lot depth regulations of this Code where the literal enforcement of the provisions of this article would result in an unnecessary hardship, or where such variance is necessary to permit the reasonable



development of a specific parcel of land which differs from other parcels of land in the Bowman Springs Urban Village by being of such area, shape or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the Urban Village.

## Section 3. Uses.

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### Office

The following Office uses are permitted.

- medical & dental (includes holistic health/accupuncture)
- legal services
- insurance office
- real estate office
- financial services (accounting, bookkeeping, investment brokerage, and related services)
- design office (e.g., architect, home builder, interior design, fashion design)
- government office
- contractor's office permitted, but no outside storage permitted, no fleet parking

### Retail

All non-office uses listed as permitted (by right) in the Kennedale city code Sec. 17-421 for zoning districts C-0, C-1, and C-2 are permitted , except for those uses listed below.

- Amusement Park
- Auto inspection station
- Auto parts sales (incl. parts for boats or RVs)
- Auto repair, incl. body/paint work
- Auto sales: sales of new autos permitted with indoor showroom only<sup>1</sup>; all other sales prohibited
- Bars
- Boat sales
- Building materials/lumber yard
- Bus terminal
- Cabinet shop
- Car wash
- Contractor yards
- Cemetery monument sales
- Convenience store with gas sales (permitted without gas sales)
- Drive-thrus
- Electrical sales & service
- Farm implement sales
- Feed store, with or without animal sales
- Flea market
- Game hall
- Golf course
- Gun shooting range
- Heating A/C sales & service
- Heavy equipment sales
- Impounded vehicle storage
- Lawnmower sales & service
- Lithographic shop, except as part of art studio
- Manufactured home sales lot
- Mini-warehouse
- Mortuary or funeral home
- Motorcycle sales are permitted with indoor showroom only<sup>1</sup>
- Movie theater (drive-in)
- Nightclub or dance hall
- Pawnshop
- Plumbing sales & service
- Pool or billiard hall
- Private club (serving alcohol)
- Recreational vehicle sales, service, or repair
- Recreational vehicle storage
- Restaurant (drive-in)
- Sexually-oriented businesses
- Taxidermist
- Tire sales, repair, or installation
- Tool & Equipment rental
- Trailer sales & rental
- Truck rental, repair, or sales
- Truck wash
- Vehicle impoundment

- Vehicle storage

<sup>1</sup> No vehicles for sale may be parked or stored outside, at any time, and no repairs permitted onsite; buildings must meet glazing standards

## Residential

The following Residential uses are permitted.

- Single Family Attached
- Single Family Detached
- Small Multi-Family (No more than 30 units will be permitted within the Urban Village)

## Lodging

The following Lodging use is permitted.

- Bed and Breakfast

## Other Uses Permitted

- art gallery, art studio, art workshop (if ground floor, must be open to the public)
- dance studio
- fire sub-station
- home occupation, subject to Sec. 17-423 of the Kennedale city code
- museum
- park or playground
- police sub-station
- post office
- tutoring & educational facilities

## Additional Prohibitions

The following uses are not permitted:

- Hospital
- Industrial uses prohibited except: brew pub permitted as part of restaurant
- Paintball sports, survival games
- Parking lot, commercial (for a fee)
- Plant nursery
- Service station, no gas station
- Tobacco Shop

## Compatibility with Residential Uses

Hours of operations and noise levels of any non-residential use must be compatible with residential uses in the Urban Village and adjacent neighborhoods.

## Section 4. Building Mass & Placement.

### SETBACKS - PRINCIPAL BUILDING

*Setback* is the distance from the edge of right-of-way/property line.

|                                            |                                     |
|--------------------------------------------|-------------------------------------|
| Front Setback                              | 0 ft. min., 5 ft. max. <sup>1</sup> |
| Side Setback, interior lot                 | 0 ft. min., 20 ft. max.             |
| Side Setback, corner lot on Kennedale Pkwy | [TxDOT min], 30 ft max.             |
| Rear Setback                               | 3 ft. min.* <sup>2</sup>            |

### SETBACKS - OUTBUILDING

|                            |                             |
|----------------------------|-----------------------------|
| Front Setback              | 20 ft. min. + bldg. setback |
| Side Setback, interior lot | 3 ft. min., 10 ft. max.     |
| Rear Setback               | 3 ft. min.* <sup>2</sup>    |

<sup>1</sup> See Section X for requirements on façade changes for buildings 80 feet or greater in width.

<sup>2</sup> A thirty (30) foot minimum setback is required from properties with existing residential use not located within the Urban Village. A twenty-five (25) foot setback from the floodplain is required. Front setback shall be increased as needed if sidewalk is not wide enough to provide six (6) feet of clear space between the building and the planting zone.

### FRONTAGE REQUIREMENT

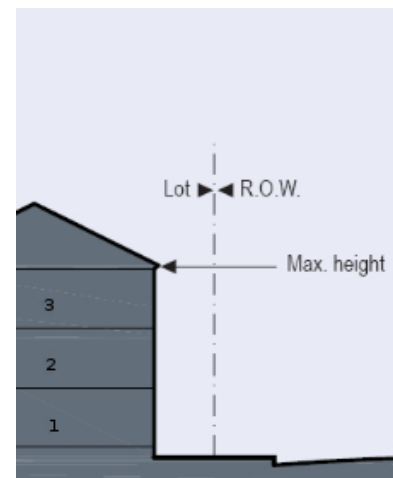
For lots 50' wide or greater, a minimum of 75% of the primary façade of the primary structure shall be built at the setback line or closer to the right-of-way.

For lots less than 50' wide, a minimum of 90% of the primary façade of the primary structure shall be built at the setback line or closer to the right-of-way.

### BUILDING HEIGHT

#### Maximum height.

|                                                                                                                                                                                                                                      |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Buildings shall not exceed 3 stories in height.                                                                                                                                                                                      |
| Buildings adjacent to existing neighborhoods shall not exceed 2 stories in height.                                                                                                                                                   |
| Buildings located at the corner of Kennedale Pkwy and Bowman Springs/Dick Price shall not exceed 2 stories in height but may have distinctive architectural elements (as described in Section X) that may rise above a second story. |





### **Minimum height.**

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|                                   |                 |
|-----------------------------------|-----------------|
| Ground floor ceiling, residential | 10 ft min clear |
| Ground floor ceiling, commercial  | 14 ft min clear |
| Upper floor ceiling               | 9 ft min clear  |

### **BLOCK SIZE**

|                         |       |
|-------------------------|-------|
| Maximum block perimeter | 1440' |
| Maximum block width     | 480'  |
| Maximum block depth     | 240'  |

Single block faces longer than 360' must include a publicly-dedicated sidewalk or passage at least 8 feet in width that connects to another street, sidewalk, or off-street parking. The passage must be designed to provide a safe, comfortable pedestrian experience; final design must be approved by the Director.

### **LOT SIZE**

|                                              |      |
|----------------------------------------------|------|
| Minimum lot width, single family residential | 25'  |
| Maximum lot width, single family residential | 60'  |
| Minimum lot width, all other uses            | 25'  |
| Maximum lot width, all other uses            | 120' |

### **LOT COVERAGE**

*Lot coverage* is the portion of a lot occupied by buildings (primary and accessory), enclosures, decks, and patios.

|                      |     |
|----------------------|-----|
| Maximum lot coverage | 80% |
|----------------------|-----|

## Section 5. Site Design Standards.

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### Location of Parking

For all uses, off-street parking shall be located behind the main structure. Structures should be accessible from the street and from parking areas. On corner lots, parking drive shall not be located on Kennedale Pkwy. Parking may be provided off-site within 1,300' or as shared parking.

On-street parking is permitted but is prohibited within x feet of Kennedale Parkway. On-street parking facilities must be provided by the developer. On-street parking in the travel lanes of Dick Price Rd or Bowman Springs Rd is prohibited.

Off-street parking in existence before this code was adopted that is not behind a primary structure or within buildings shall be screened by a 3 foot 6 inch tall hedge or masonry wall. For pedestrian safety, however, hedges or walls taller than 4 feet are prohibited.

### Off-Street Parking: Required Number of Spaces

See Section x for Shared Parking, Compact Parking, Land Banking, and Parking Reduction options.

Use Type

#### **Residential**

Towhhomes or multi-family

1.5 per dwelling unit

Single family

2 per dwelling unit

#### **Retail**

Uses occupying 1,000 square feet or greater

3 spaces (non-compact) for the first 1,000 sf,

1 space/500 sf for remaining building area, but in no case shall lot coverage area for parking exceed lot coverage area for the primary structure

Uses occupying less than 1,000 square feet

3 spaces (non-compact)

#### **Restaurant**

1 space per 2 seats, but in case shall lot coverage for parking exceed lot coverage for the primary structure

#### **Office**

Uses occupying 1,000 square feet or greater

3 spaces (non-compact) for the first 1,000 sf,

1 space/500 sf for remaining building area, but in no case shall lot coverage area for parking exceed lot coverage area for the primary structure

Uses occupying less than 1,000 square feet

3 spaces (non-compact)

## Bicycle Parking

### Number of Spaces Required.

|                                                                       |                     |
|-----------------------------------------------------------------------|---------------------|
| Single-family residential:                                            | No spaces required  |
| Multi-family residential:                                             | Minimum of 4 spaces |
| Restaurant:                                                           | Minimum of 2 spaces |
| Office, 1,000 square feet or greater                                  | Minimum of 1 space  |
| Office, less than 1,000 square feet                                   | No spaces required  |
| Retail, 1,000 square feet or greater                                  | Minimum of 1 space  |
| 5,000 square feet or greater, add 1 space for every 5,000 square feet |                     |
| Retail, less than 1,000 square feet                                   | No spaces required  |

### Design of Bicycle Parking Spaces.

For each required bicycle parking space, a stationary object shall be provided to which a user can secure a bicycle with at least two points of contact with a 6-foot cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket. Freestanding bicycle racks shall be inverted “U,” post and ring, or some other form of bicycle rack providing at least two points of contact. Grid/fence-type racks and wave/ribbon-type bicycle racks are prohibited.

The bicycle rack shall be located within 60 feet of the main entrance of the building it serves, and may be located between the street curb and the building, subject to the approval of the Director of Development Services.

Each bicycle parking area shall be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard, or by at least five (5) feet of open space.

## Lot Coverage

In no case shall the lot coverage designated for parking exceed the lot coverage designated for structures.

## Safe Passage for Pedestrians

Parking shall be designed to accommodate the people needing access to the buildings on site. Parking design shall consider pedestrians, keeping in mind that when drivers exit vehicles, they become pedestrians who need safe passage to buildings. Although the design of pedestrian paths is up to the developer, pedestrian paths must be provided.

Examples of safe passage include, but are not limited to:

- a pedestrian walkway a minimum of eight (8) foot wide with pavement differentiated from parking area pavement through a change in surface texture, material, style, and/or color.
- a raised walkway between opposite-facing parking spaces, with curb stops or other safety features provided to prevent vehicles from encroaching into the pedestrian path

[show illustrations/photos]

## Loading Docks

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

## SIDEWALK STANDARDS

| <u>Feature</u>      | <u>Minimum width (in feet)</u> |
|---------------------|--------------------------------|
| Sidewalk            | 6                              |
| Planting strip zone | 5                              |
| Frontage zone       | 3                              |

### **Planting strip zone**

The planting strip should be the location of landscaping (continuous or non-continuous), utility poles (if above-ground), mail boxes, fire hydrants, and other necessary or required improvements that would otherwise obstruct the sidewalk. This zone is also where trash receptacles, bicycle parking, and benches may be provided.



Incorrect placement of mailbox; sidewalks should be kept clear, and mailboxes and other pedestrian features should be placed in the planting strip zone.



Correct use of planting strip: utility poles and landscaping located in the planting strip zone, not in the sidewalk.





Frontage zone, sidewalk, and planting strip. Outdoor seating (background) or planters (foreground) may be placed in the frontage zone and may encroach into the sidewalk as long as 6 feet of clear space is retained for safe passage for pedestrians.

### **Frontage zone**

The frontage zone is located between the sidewalk (usually located in the public right-of-way) and the front of the building. The frontage zone is typically located in the public right-of-way, but it may be used by building tenants to provide pedestrian amenities, such as benches, planters/potted plants, and other material that improve the pedestrian experience. Such amenities may not impair the pedestrian walkway.

For buildings not built at the property line, the frontage zone may be located out of the public right-of-way, between the right-of-way/property line and the structure. The frontage zone may be paved or planted. If it is planted, then adequate pedestrian access to the front entry of the structure must be provided.

## **CURB CUTS**

Except as otherwise stated below or elsewhere in this document, driveway standards and curb cuts are governed by the City of Kennedale Public Works Manual.

Driveway access among the lots in the Urban Village must be coordinated; curb cuts for each lot will not be permitted for lots less than 100 feet wide.

Maximum width, parking drive

|                                                              |         |
|--------------------------------------------------------------|---------|
| Access from Bowman Springs,<br>Kennedale Pkwy, or Dick Price | 12 feet |
| Access from side street/alley                                | 20 feet |

## LANDSCAPING STANDARDS

Except as otherwise state below or elsewhere in this document, landscaping shall be regulated by Chapter 17 Article VIII of the Kenneadle city code.

### **Plant species.**

#### *Non-residential*

Only native Texas, non-invasive plants may be used for landscaping for non-residential uses. Species native to the North Texas region are encouraged.

#### *Residential*

Only native Texas, non-invasive plant species may be used in the area between the sidewalk and curb. Maintenance is the responsibility of the property owner.

#### *General to all uses*

Ground vegetation or shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited within the public right-of-way, including the planting strip.

Artificial plants or artificial turf are prohibited.

Plants shall have normal, well-developed branches and vigorous root systems.

Preservation of on-site existing trees and native vegetation is encouraged and may be used to fulfill the landscape requirements. Priority shall be given to preserving and protecting significant trees that provide screening, buffering, wildlife habitat and/or linkages to wildlife habitat.

The developer may remove mature, healthy, noninvasive trees only within areas of a lot that are inside the proposed footprint of the primary structure, and only with a minor modification.

The developer shall replace mature trees that are removed on the site with trees of the same or similar species whose combined caliper dimensions equal that of the tree removed.

### **Design.**

The spacing and placement of plants shall be adequate and appropriate for the typical size, shape and habit of the plant species at maturity.

In parking lots containing twenth (20) spaces or more, parking spaces shall be broken with landscape islands every 20 spaces. The landscape islands shall be distributed throughout the lot and may be combined as a component of a stormwater management plan to facilitate water harvesting.

### **Irrigation.**

Where possible and practical, bubbler, drip irrigation, and soaker hose emitters shall be used. Natural communities and areas of naturalized vegetation may be exempt from the installation irrigation systems. All other aspects of irrigation shall be regulated by Kennedale city code.

### **Landscaping during construction.**

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

Wind erosion shall be mitigated and controlled through dust abatement and similar practices during the period of site work and construction.

Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six (6) inches before planting.

The root zones of existing trees and vegetation to be preserved shall be protected from clearing or construction activities.

**Landscaping location.**

Landscaping shall be provided as stated elsewhere in this document [INSERT SECTIONS] and as required in Chapter 17 Article VIII of the Kennedale city code. If a conflict exists between Section [x] of this document and Chapter 17 Article VIII of the Kennedale city code, the Director shall determine the appropriate location. In any case, the stricture provision shall prevail, unless a minor modification is permitted by the city according to Section x Administration of this document.

## Section 6. Building & Entry Orientation.

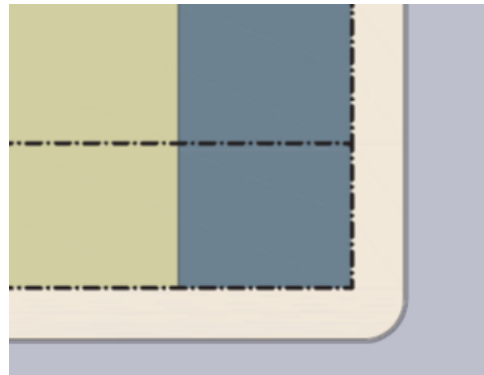
This section describes the approximate location of the structure relative to the boundaries of each individual lot, establishing suitable basic building types.

**Sideyard:** A building that occupies one side of the lot with the setback to the other side. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. Energy costs, and sometimes noise, are reduced by sharing a party wall in this disposition. **Only limited use of this disposition type is permitted in the Urban Village.** Specific Types - Charleston single-House, double house, zero-lot-line house, twin.



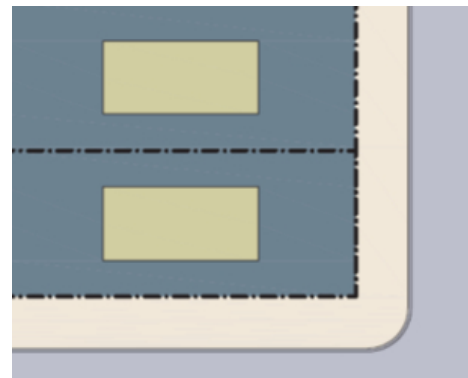
**Rearyard:** A building that occupies the full frontage, leaving the rear of the lot as the sole yard. This disposition type is typical for an Urban Village context, as the continuous facade steadily defines the public thoroughfare. The rear elevations may be articulated for functional purposes. In its residential form, this type is the Rowhouse. For its commercial form, the rear yard can accommodate substantial parking. **This disposition type is encouraged for commercial and office uses in the Urban Village.**

Specific Types - Townhouse, Rowhouse, Live-work unit, loft building, Apartment House, Mixed use Block, Flex Building, perimeter Block.

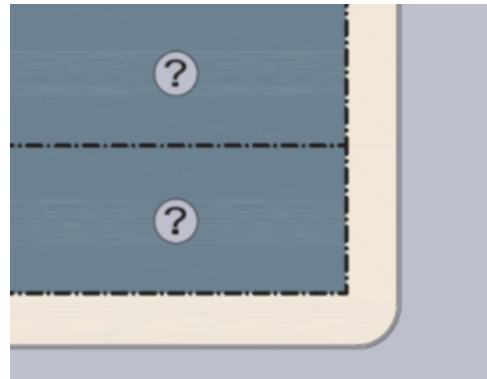


**Courtyard:** A building that occupies the boundaries of its lot while internally defining one or more private patios. This disposition type is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, lodging, and schools. The high security provided by the continuous enclosure is useful for tenants or owners concerned about crime.

Specific Types - patio House.

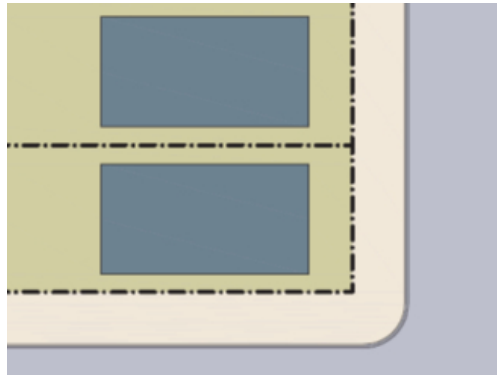


**Specialized:** A building that is not subject to categorization. Buildings dedicated to manufacturing and transportation may have special features that shape building design and disposition; for example, the machinery required for such uses can distort the trajectory of the building. Civic buildings, which may express the aspirations of institutions, may be included in this category, as well. Only limited use of this disposition type is permitted in the Urban Village.



**Edgeward:** A building that occupies the center of its lot with setbacks on all sides. This disposition type is the least suitable in an Urban Village context, as the front yard sets it back from the frontage, while the side yards weaken the spatial definition of the public thoroughfare space. **This disposition type is prohibited in the Urban Village.**

Specific Types - single-family House, Cottage, villa, Estate House, urban villa.



Building orientation. All primary structures shall be oriented toward the lot front.  
illustration]

**Main entrance.** The main entrance to all primary structures shall be accessed along the front.

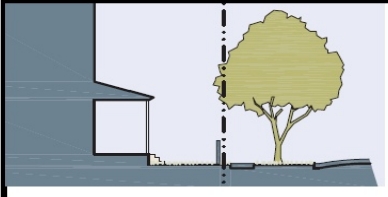
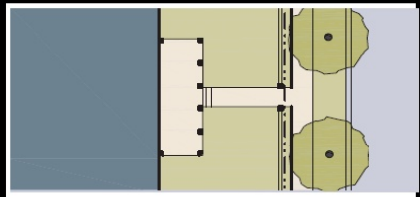
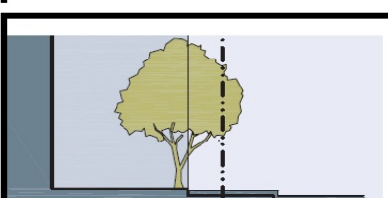
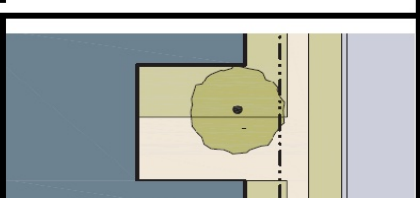
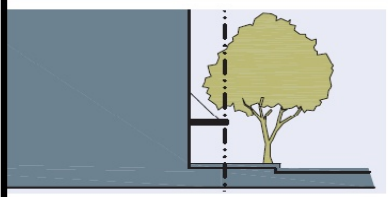
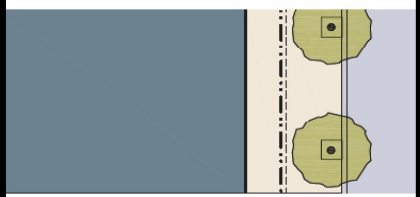
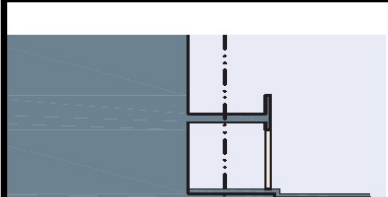
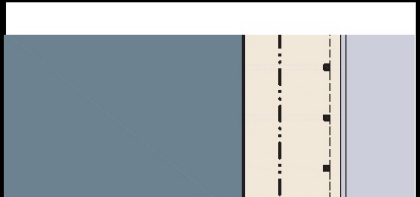
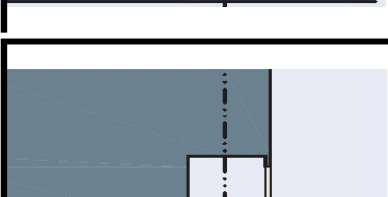
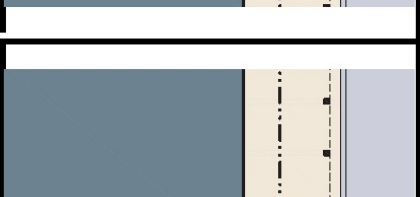
[[insert illustration]

**Lot coverage.** If 70% or more of the lot is covered by impervious surfaces, then low-impact development or green infrastructure standards must be used for all off-street parking and other impervious surfaces in order to reduce the rate and flow of storm-water runoff.



## Section 7. Frontages

The private frontage is the area between the building facades and the lot line.

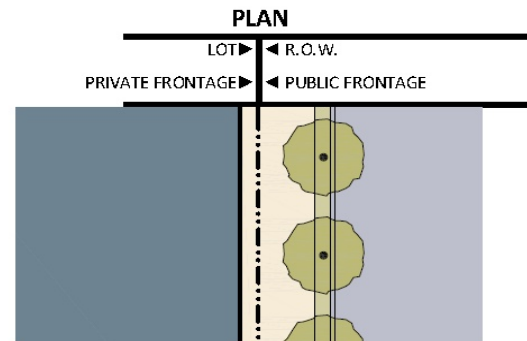
|                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SECTION                                                                              | PLAN                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                      | LOT ► ◄ R.O.W.<br>PRIVATE ► ◄ PUBLIC<br>FRONTAGE   FRONTAGE                          | LOT ► ◄ R.O.W.<br>PRIVATE ► ◄ PUBLIC<br>FRONTAGE   FRONTAGE                           |
| <p>Porch &amp; Fence: a planted frontage where the façade is set back from the frontage line with an attached porch permitted to encroach. A fence at the frontage line maintains street spatial definition. Porches shall be no less than 8 feet deep. <u>This frontage type is permitted only for residential use within the Urban Village.</u></p>                                                                                                |    |    |
| <p>Terrace / Lightwell: the façade is setback from the frontage line by an elevated terrace or sunken lightwell. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment; it is also suitable for outdoor cafes. <u>This frontage type is permitted where slope is such that access to the front public frontage would otherwise be difficult or</u></p>                                        |    |    |
| <p>Forecourt: the façade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. Large trees within the forecourts may overhang the sidewalks. <u>A maximum of 40% of private frontage along main roadways are permitted to have forecourts.</u></p>                                                                                                                           |   |   |
| <p>Stoop: the façade is aligned close to the frontage line, with the first story elevated from the sidewalk sufficiently to ensure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>                                                                                                                                                                    |  |  |
| <p>Shopfront: the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It typically has substantial glazing on the sidewalk level and an awning that should overlap the sidewalk to within 2 feet of the curb. Syn: Retail frontage.</p>                                                                                                                             |  |  |
| <p>Gallery: a frontage wherein the façade is aligned with the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the curb. <u>If permanent landscaping is not possible (as determined by the Director), temporary landscaping (e.g., planters)</u></p> |  |  |
| <p>Arcade: a collonade supporting habitable space overlaps the sidewalk, while the façade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use. The arcade shall be no less than 12 feet wide and should overlap the sidewalk to within 2 feet of the curb. <u>If permanent landscaping is not possible (as determined by the Director), temporary</u></p>                                             |  |  |



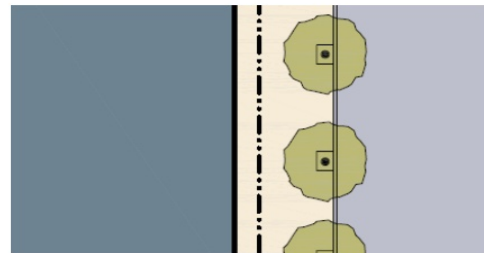
The Public Frontage is the area between the private Lot Line and the edge of the vehicular lanes. Dimensions are given elsewhere in this document.

### Public Frontages - General.

**Kennedale Pkwy:** This frontage consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters; it may have slips lanes on both sides, if permitted by TxDOT. The landscaping consists of single or double rows of tree species aligned in a regularly spaced allee. Design along Kennedale Pkwy is constrained by regulations set by TxDOT, but wherever possible, design for the public frontages along Kennedale Pkwy should follow standards outlined for Multiway Parkways in the comprehensive land use plan.



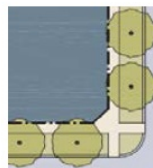
**Bowman Springs and Dick Price:** This frontage has raised curbs drained by inlets and wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides (on-street parking not permitted within x' of the intersection). The landscaping consists of a row of trees aligned with regular spacing where possible but clears the storefront entrances.



**Public Frontages - Specific.** This table assembles prescriptions and dimensions for the Public Frontage elements - curbs, walkways and planters.

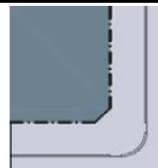
**Assembly:** The principal variables are the type and dimension of curbs, walkways, planters and landscape.

Total width



12-20ft.

**Curb.** The detailing of the edge of the vehicular pavement incorporating drainage.

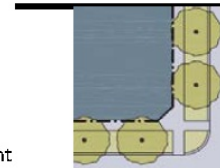


Type  
Radius

raised curb  
5-20 ft.

**Planter:** The layer which accommodates street trees and other landscape materials.

Arrangement  
Species  
Planter Type  
Planter Width



Single or Alternating  
Continuous

5-12 ft.

(not to exceed width of sidewalk)

**Landscape.** The recommended plant species. (See Table TBD)

**Lighting.** The recommended Public Lighting. (See Table)



## Section 8. Roof Forms & Projections.

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## Section 9. Façade Standards.

Any building or development standards not controlled by the this section shall be governed by Chapter 4, Chapter 17 of the Kennedale City Code and any other city code related to building construction or site development.

### Fenestration.

Retail uses at the sidewalk level shall be directly accessible from sidewalks and shall have clear glazed areas for a minimum of 40% and maximum of 50% between 2 feet and 12 feet of the ground floor façade, including side entry windows (if present).



Not permitted: façade with approximately 10% glazing on ground floor

Permitted: 50% glazing

- All glazing shall be more clear than opaque in its transparency.
- Dark tinted windows are prohibited.
- Windows on upper floors shall be a minimum of 25% of each upper floor façade area, measured between 3 feet and 9 feet above each finished floor.
- Windows shall be operable except windows used as storefronts.
- Blank walls greater than 25 feet in width are not permitted on any building along main streets.
- Blank walls greater than 40 feet in width are not permitted along any façade.
- Single panels of glass may not be larger than 6 feet in height by 4 feet wide.

### **Façade standards.**

Any building façade of 80 feet or more in length shall have a change in façade every 40-50 feet so that the building will read as a series of buildings no wider than 40-50 feet each, rather than as one long building. There are a variety of methods that can be used to meet this requirement, such as change in roof height, façade material, window style, and building setback. This code does not specify which tools shall be used to achieve the desired effect but instead provides several options for achieving the change in façade and leaves the design decision to the builder or developer. Façade design plans will be reviewed by city staff and may be required to be changed if the intent of the façade regulation is not met.

The change in the plane of the façade shall be in at least one of the following forms:

- an offset of a minimum of three (3) feet from the adjacent portions of the buildings;
- the inclusion of a canopy or roof element projecting a minimum of five (5) feet from the building;
- a change in the building materials, color, or other design element such as columns or pilasters, significant enough so that the façade will read as a separate storefront.

In any case, due to the summer heat in Kennedale, the use of awnings is encouraged.

Other means of changing the plane of the façade may be permitted with a minor waiver from the Director of Development if they meet the intent of this code and are consistent with the code's intent to produce durable, high-quality design that will stand the test of time.

Shown below are illustrations of types of façade design that meet this code, as well as illustrations of façades that would not meet the intent of the code. The illustrations are not intended to serve as regulations and are intended for illustration purposes only.



Acceptable change in façade



Acceptable change in façade



Unacceptable change in façade -- does not read as separate buildings





## Section 10. Materials.

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Building walls shall be constructed of a minimum of 80% of brick, stone, cast stone, stucco (3-step), or other high-quality, long-lasting masonry

Masonry material not specifically listed above are subject to approval of the director of development or designee and will be reviewed according to quality, durability, and whether it fits the character of the district.

Non-masonry materials may be used up to 20% and may not be used on the ground floor or on sides facing a primary street.

Glazing may not be used within 6" of the base of each façade.



## Section 11. Parking Reductions

---

Reduction in parking requirement.

The Director of Development Services is authorized to grant a reduction in the required number of parking spaces. To receive a reduction in parking requirements, the developer must be able to demonstrate that there will not be a need for the required amount of parking. The developer must submit the following to the Director of Development Services:

- ☐ A request, in writing, for a reduction in the parking space requirement, including a statement of the number of spaces to be provided instead
- ☐ A parking study, conducted by a qualified engineer, demonstrating a reduced need in parking for this type of use in a similar (i.e., suburban) environment without access to transit
- ☐ Intended market area(s) to be served

The Director of Development Services may grant a reduction in parking space requirement if he or she determines the information submitted by the developer is valid and has merit. In no case shall the Director of Development Services be required to grant a reduction in the parking space requirement.

### LAND BANKING

If development will be built in phases, or if multi-tenant building will be finished out in phases, the developer may use land banking for future parking.

Up to thirty-five percent (35%) of the required parking may be land banked

Banked land must be reserved for future parking and may not be used for any other purpose, except it may be used as a park or open space on a temporary basis until such time as it is converted to parking. It must be part of the same lot as the development and under the same ownership.

The land banked must be area suitable for parking and must be able to accommodate the required number of spaces, in compliance with all local, state, and federal regulations related to storm water runoff.

The land banked shall comply with all applicable city regulations for parking areas and driveways, as well as all other applicable laws, ordinances, codes, rules or regulations. For banked parking to be accessed from Kennedale Parkway, the banked land must also comply with all applicable state regulations for driveways.

Banked areas must be kept covered with grass or landscaping and must be maintained until converted to parking. The developer or property owner must file a covenant with the city that says that areas reserved for future parking shall be maintained as landscaped open space until unless required to be used for off-street parking.

Banked land must be designated on the site plan and any future site plans as land banked for future parking.

The Zoning Administrator, on the basis of increased parking demand for the use, may require the conversion of all or part of the land banked area to off-street parking spaces.

After build-out of the Urban Village has been completed for a period of three (3) years, the Board of Adjustment may authorize the conversion of land banked for parking to open space on a permanent

basis, with the open space to be maintained by the development.

## SHARED PARKING

Parking areas must provide connectors to neighboring lots within the Urban Village in order to create connectivity and to facilitate sharing of parking.

### **Parking shared by uses with different peak hours.**

Parking may be shared by uses with different peak operating hours. Required parking may be reduced by 25% of the total required spaces for all uses to share the parking facility. For example, if a restaurant and office propose to share parking, the required parking may be reduced for up to 25% of the total of the required parking for the restaurant and the office added together. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of each use. A shared parking agreement must be signed and notarized by the owner of each use and filed with the Tarrant County Clerk's Office.

Shared parking is permitted as described above, but the developer is expected to provide adequate parking for planned uses and unplanned future uses. If uses are added for which parking is insufficient, the developer will be required to add parking as needed, as determined by the city, before a certificate of occupancy or business license will be issued.

### **Parking shared by uses with similar peak hours.**

Parking may be shared by uses with different peak operating hours. Required parking may be reduced by ten percent (10%) of the total required spaces for all uses to share the parking facility. For example, if a restaurant and office propose to share parking, the required parking may be reduced for up to ten percent (10%) of the total of the required parking for the restaurant and the office added together. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of each use. A shared parking agreement must be signed and notarized by the owner of each use and filed with the Tarrant County Clerk's Office. Shared parking is permitted as described above, but the developer is expected to provide adequate parking for planned uses and unplanned future uses. If uses are added for which parking is insufficient, the developer will be required to add parking as needed, as determined by the city, before a certificate of occupancy or business license will be issued.

## COMPACT CAR PARKING

Up to twenty percent (20%) of the required parking may be designed and sized for compact vehicles. For developments using phased/land banked parking, up to ten percent (10%) of required parking sized for compact cars until the banked land is converted to parking, at which time the full 20% of compact spaces may be built.

## Section 12. Definitions.

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See Section 17-431 of the Kennedale city code for definitions of terms not listed below.

*Building, principal* means the main building on a lot.

*Courtyard* (see Section 6)

*Edgeward* (see Section 6)

*Frontage, public* means the area between the curb of the vehicular lanes and the public frontage line.

*Frontage, private* means the privately held layer between the public frontage line and the façade of the principal building.

*Frontage line, public* means a lot line located on a public frontage.

*Lodging* means a facility or establishment maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public, such as a hotel, motel, lodging house, bed and breakfast, or resort. Apartments are not included in this definition.

*Layer* (lot layer) means the portion of a lot, measured by depth, within which certain elements are permitted.

*Lot Line* means the boundaries that demarcate the legal dimensions of a lot.

*Rearyard* (see Section 6)

*Setback* means...

*Sideward* (see Section 6)

*Story* means a habitable level within a building from finished floor to finished ceiling. Attics and raised basements are not considered stories for the purposes of determining building height.

*Street, primary* means a street determined by the city to be of higher impact on district character than non-primary streets. Buildings located on primary streets shall be held to the highest standard of the Code in terms of design standards.

*Street, secondary* means a street determined by the city to be of less impact on district character than primary streets.

*Streetscape* means the urban element that establishes the major part of the public realm. The streetscape is composed of streets (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages and the amenities of the public frontages.

*Tobacco Shop* means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental. "Tobacco products" include loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco, plants, or herbs and related smoking accessories. Tobacco shop does not include a tobacco department or section of any individual business establishment whose primary use is for another purpose, for example, a grocery store or a convenience store selling a variety of packaged goods.

*Index will go here*



## **Downtown Mansfield Implementation Plan Existing Zoning Assessment & Recommended Regulatory Framework**

### **Introduction**

The Downtown Mansfield Strategic Implementation Study identifies key redevelopment opportunities within Downtown Mansfield. It also includes distinct character areas that include the Historic Main Street Blocks, Historic Broad Street corridor, Hwy 287 north and south of the Historic 100 Main Street block, potential TOD around the future rail station, and transitions to existing neighborhoods southeast and west of Downtown. In order to both preserve existing downtown assets and to implement the future vision for redevelopment within the Downtown, a carefully crafted regulatory strategy will be necessary. One of the most critical aspects of successful plan implementation is establishing adjacency predictability for redevelopment. This ensures that property values will increase consistently as redevelopment occurs. Consequently, a regulatory mechanism consistent with the community vision is essential for this plan to be implemented and for the TIF assumptions for future development potential to be realized.

Based on the improvements to the historic 100 block of Main Street and the recently approved Tax Increment Finance zone (TIRZ) for downtown, the city will continue investing in public infrastructure including parking, streetscaping, and public facilities. The city needs to implement a comprehensive and predictable regulatory system that ensures private development will maximize its leverage of this public investment.

### **Existing Zoning Framework**

The basis for zoning in Mansfield, much like the rest of the United States, is a result of health, welfare, and safety concerns of cities during the early 1900's. Industrial uses and tenement housing during this time were major concerns for cities and zoning was seen as a way to address the ills of urbanism. Zoning first started as a way to separate industrial uses from other uses within the city and in its current form, zoning is firmly based on separating and regulating uses first and foremost. The second critical aspect of current zoning is development standards related to the automobile – parking, driveways, setbacks, etc. The last element is the standards for separating uses through the use of buffers and fences.

Consequently, the resulting built environment is auto-oriented, low density, and lacking in any cohesiveness. Much of the development in Mansfield and the rest of the United States from the 1940's through the 1990's is a result of this zoning framework.

Downtown Mansfield and adjoining neighborhoods were developed prior to the institution of the current zoning framework. Much of the city's center was designed with pedestrians in mind and as a result has an eclectic mix of uses, is compact (as seen by the block structure), and provides appropriate transitions to adjoining neighborhoods. Although downtown Mansfield has a conventional zoning application over much of its geographic area, some overlay standards and amendments have been undertaken to address some of the short

comings of conventional zoning. The following discussion is a summary of the existing zoning district standards that impact Downtown Mansfield.

Downtown Mansfield area is composed of a variety of zones (see Existing Downtown Zoning Map on page \_\_\_\_). The historic 100 block of North Main Street is zoned C-4 (Downtown Business District) with a Historic Landmark Overlay District. The blocks north and south of the 100 block of North Main and along the railroad line east of Main Street are zoned C-2. The neighborhoods east and west behind Main Street are generally zoned SF-7.5 and approximately 4 blocks between S 1<sup>st</sup> and S 3<sup>rd</sup> and Dallas and Alvarado Streets west of South Main Street are zoned 2F (duplex zoning). Broad Street is mostly zoned SF 7.5 (with a few lots zones OP- Office Park or PD-Planned Development) with some Historic Landmark Overlay zoned lots. Approximately 1 block along South Main between Dallas and Hunt Streets and ½ block behind North Main along Smith Street is zoned C-1 Neighborhood Business District

C-4 Downtown Business District:

This Zoning District is specifically intended to be the commercial zone for Downtown Mansfield. This zoning district permits a range of commercial (retail, office, and restaurant) uses and residential uses on the upper floors of buildings. The setback standards allow buildings to be built to the front property line, but do not require it which could result in a suburban building form along this section of Main Street. Although parking standards are not reduced, parking may be located within 300 feet of the property. This may become problematic if commercial uses transition over time from lower intensity office to higher intensity retail uses triggering additional parking requirements. Head in, on-street parking is permitted in the C-4 District.

C-2 Community Business District and C-1 Neighborhood Business District:

The C-2 Zoning District is the predominant commercial zoning district in the City of Mansfield. Not only is it applied in Downtown, but also along the city's major commercial corridors. The zoning district is essentially suburban in nature and requires 25 foot front yard setbacks, landscaped bufferyards along perimeter of sides and rear yards, 20 foot front yard setback for landscaping, 8' masonry walls with residential adjacencies, screening of mechanical equipment on the ground, screening of dumpsters, and suburban standards for off-street parking based on use of the land.

The C-1 Zoning District has similar setback standards to the C-2 District, but establishes a very low floor-area ratio standard (0.6 max.) relative to the need for more compact development in a downtown area. Some of the more intense commercial and auto-related sales and service uses are limited in this zone.

Historic Landmark Overlay:

This Overlay District has been established to preserve and enhance the historic buildings within the larger Downtown Mansfield area following a 1998 Historic Resources Update. Any change to a building or structure with the Historic Overlay designation requires a Certificate of Approval by the Historic Landmarks Commission after a duly held public hearing. This adds a layer of review over the current administrative review process for the adaptive reuse of any historic buildings in Downtown Mansfield. The guidelines for the

Certificate of Approval are based on the Secretary of the Interior “Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings.” The Secretary of the Interior’s standards for rehabilitation of historic structures address existing buildings but do not address design standards for new infill construction. Appropriate design considerations specific to new infill building types should be a part of the new regulatory framework.

SF-7.5/12 Single-Family Residential District:

This is a single-family residential district with a minimum lot size of 7,500 sq.ft. and is located immediately adjacent to some of the C-2 zoned properties along Main Street and along Broad Street. There are no specific transition standards, other than the standard fencing and setback requirements. Development in this zoning district is subjected to the standard conventional zoning requirements of minimum lot area per unit, setbacks, minimum masonry requirements, and lot coverage. Of specific concern are the masonry requirements (80% of the façade), 8/12 roof pitch and other design standards that are inconsistent with the existing neighborhood context that would apply to new residential development. However subdivisions platted prior to 2012 are exempt from the design standards that apply to SF districts.

2F Two Family Residential District:

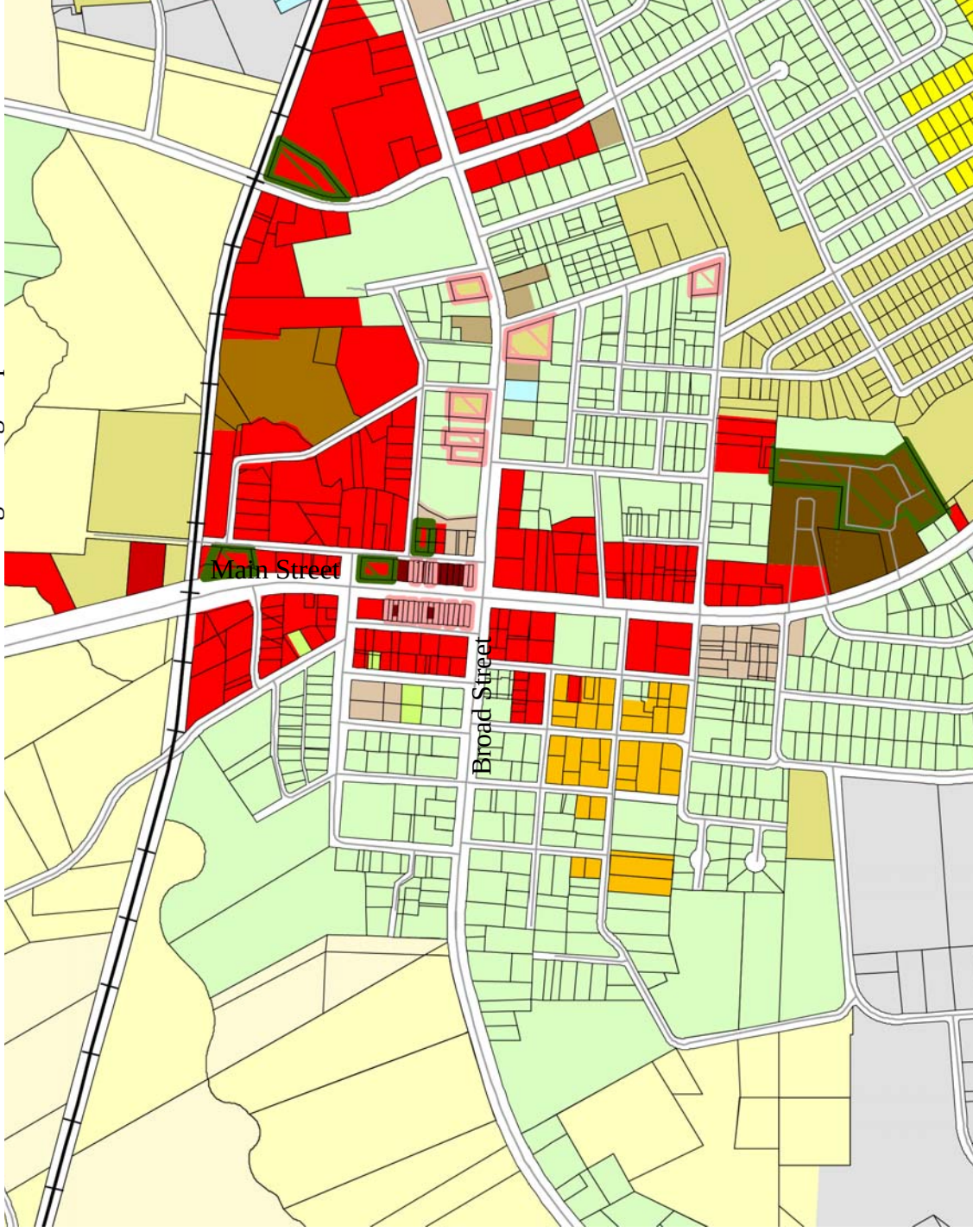
This is a duplex zoning district that allows a two-family unit (attached) on a lot with a minimum area of 3.750 sq.ft. While some blocks west of South Main Street are zoned 2F, it has not been consistently applied as a transition between the C-2 /C-4 zoning along Main Street and the single-family zoned neighborhoods.

MF-1 and MF-2 Multi-Family Residential District:

There are two significant areas zoned Multi-Family within the Downtown Plan area. One of them, zoned MF-2 is located at the southern end of the plan area along Main Street and is currently partially developed and the second, zoned MF-1, is located along the rail line with access on Sycamore Street and is currently undeveloped. The main difference between the two zoning districts is the gross density permitted which is 12 units per acre for MF-1 and 18 units per acre for MF-2. Development in this zoning district is subjected to the standard conventional zoning requirements of minimum lot area per unit (3,630 sq.ft./unit for MF-1 and 2,420 sq.ft./unit for MF-2), setbacks, minimum masonry requirements, and lot coverage.

Table 1 summarizes the development standards by commercial zoning category within Downtown Mansfield. Table 2 summarizes the development standards by residential zones within Downtown Mansfield.

Downtown Mansfield  
Existing Zoning Map



| LEGEND |           |
|--------|-----------|
|        | 2F        |
|        | A         |
|        | C-1       |
|        | C-2       |
|        | C-3       |
|        | C-4       |
|        | H         |
|        | I-1       |
|        | I-2       |
|        | MF-1      |
|        | MF-2      |
|        | MH        |
|        | OP        |
|        | PD        |
|        | PR        |
|        | SF-12/22  |
|        | SF-5AC/24 |
|        | SF-6/12   |
|        | SF-7.5/12 |
|        | SF-7.5/16 |
|        | SF-7.5/18 |
|        | SF-8.4/16 |
|        | SF-8.4/18 |
|        | SF-9.6/20 |
|        | SP        |

Downtown Mansfield – Existing Zoning Map

Table 1 – Summary of Commercial Downtown Zoning District standards

| Element Regulated<br>Land Uses | Zone | C-4                                                                                                                                                              | C-2                                                                                            | C-1                                                                                                       | Historic Landmark Overlay                                                                   | OP                                                                                             |
|--------------------------------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| Retail                         |      | Permitted                                                                                                                                                        | Permitted                                                                                      | Permitted (convenience retail uses)                                                                       | Same as underlying zone                                                                     | Some convenience retail permitted                                                              |
| Office                         |      | Permitted                                                                                                                                                        | Permitted                                                                                      | Permitted                                                                                                 |                                                                                             | Permitted                                                                                      |
| Industrial                     |      | Not permitted (with limited exceptions such as mini-warehouses and lumberyards)                                                                                  | Not permitted (with limited exceptions such as mini-warehouses and lumberyards)                | Not permitted                                                                                             |                                                                                             | Not permitted                                                                                  |
| Residential                    |      | Permitted by right (upper floors only)                                                                                                                           | Not permitted                                                                                  | Not permitted                                                                                             |                                                                                             | Not permitted                                                                                  |
| Civic                          |      | Permitted (with the exception of private schools and churches)                                                                                                   | Permitted                                                                                      | Permitted                                                                                                 |                                                                                             | Permitted (with some exceptions)                                                               |
| Personal service               |      | Permitted                                                                                                                                                        | Permitted                                                                                      | Permitted                                                                                                 |                                                                                             | Permitted (with some exceptions or w/ SUP)                                                     |
| Auto-service/ oriented uses    |      | Mostly permitted w/ Specific Use Permit                                                                                                                          | Mostly permitted w/ Specific Use Permit                                                        | Generally not permitted (with some exceptions w/ Specific Use Permit – auto parts sales and gas stations) |                                                                                             | Not Permitted                                                                                  |
| Lodging                        |      | Permitted                                                                                                                                                        | Permitted                                                                                      | Permitted                                                                                                 |                                                                                             | Permitted (with SUP)                                                                           |
| Height (max.)                  |      | 40' (3 - 4 stories) max.                                                                                                                                         | 50' (4 - 5 stories) max.                                                                       | 35' (2 - 3 stories) max.                                                                                  |                                                                                             | 35' (2 – 3stories) max.                                                                        |
| Bulk (FAR) (max.)              |      | 2.0                                                                                                                                                              | 2.0                                                                                            | 0.6                                                                                                       |                                                                                             | 0.6                                                                                            |
| Residential Density (max.)     |      | None                                                                                                                                                             | Not applicable                                                                                 | Not applicable                                                                                            |                                                                                             | Not applicable                                                                                 |
| Parking                        |      | Permitted to be located off-site within 300 feet of the subject property                                                                                         | To be located on the subject property                                                          |                                                                                                           |                                                                                             | Section 146-130                                                                                |
| Retail (general)               |      | 1 per 250 sq.ft. (for most retail uses except furniture sales – 1 per 400 sq.ft.; and open retail sales – 1 per 600 sq.ft.)                                      |                                                                                                |                                                                                                           |                                                                                             | Same as other                                                                                  |
| Restaurant                     |      | 1 per 100 sq.ft. for sit down restaurant and 1 per 75 sq.ft. for bar, nightclub and restaurant with drive-thru                                                   |                                                                                                |                                                                                                           |                                                                                             | Same as other                                                                                  |
| General office                 |      |                                                                                                                                                                  | 1 per 300 sq.ft.                                                                               |                                                                                                           |                                                                                             | Same as other                                                                                  |
| Doctor's office                |      |                                                                                                                                                                  | 1 per 150 sq.ft.                                                                               |                                                                                                           |                                                                                             | Same as other                                                                                  |
| Residential (apartment)        |      | 2 per dwelling unit                                                                                                                                              | Not applicable                                                                                 |                                                                                                           |                                                                                             | Not applicable                                                                                 |
| Setbacks (min.)                |      | Allows zero front setback; does not require it                                                                                                                   | 25' front setback (abutting street R-O-W)                                                      |                                                                                                           |                                                                                             | 25' front setback (abutting street R-O-W)                                                      |
| Historic Preservation          |      |                                                                                                                                                                  | Applies only within H Overlay                                                                  |                                                                                                           | Applies                                                                                     | Applies only within H Overlay                                                                  |
| Community Design Standards     |      | <ul style="list-style-type: none"> <li>Exempt from Section 4600 (A) Masonry Requirements</li> <li>Section 4600 (E) applies (architectural attributes)</li> </ul> | <ul style="list-style-type: none"> <li>Section 4600 applies for all new development</li> </ul> | <ul style="list-style-type: none"> <li>Section 4600 applies for all new development</li> </ul>            | <ul style="list-style-type: none"> <li>Secretary of the Interior Standards apply</li> </ul> | <ul style="list-style-type: none"> <li>Section 4600 applies for all new development</li> </ul> |

| Element Regulated                      | Zone | C-4                                                                                                                                                                                                                                          | C-2                                                                                                                                                                                                                                                                                                                                   | C-1                                                                                                                                                                                                                                   | Historic Landmark Overlay                                                                                                                                                                                                                                                                                           | OP                                                                                                                                                                                                                                    |
|----------------------------------------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Residential Proximity Standards</b> |      | <ul style="list-style-type: none"> <li>Limits building height to:               <ul style="list-style-type: none"> <li>o 35' or 1 story within 52.5' of any residential zoning</li> <li>o 40' or 2 stories within 60'</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Limits building height to:               <ul style="list-style-type: none"> <li>o 35' or 1 story with 52.5' setback to residential zoning</li> <li>o 40' or 2 stories with 60' setback</li> <li>o 45' or 3 stories with 67.5' setback</li> <li>o 50' beyond 75' setback</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Limits building height to:               <ul style="list-style-type: none"> <li>o 20' or 1 story with 20' setback to residential zoning</li> <li>o 35' with 35' setback</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>Same as underlying zoning</li> </ul>                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>Limits building height to:               <ul style="list-style-type: none"> <li>o 20' or 1 story with 20' setback to residential zoning</li> <li>o 35' with 35' setback</li> </ul> </li> </ul> |
| <b>Approval process</b>                |      | <ul style="list-style-type: none"> <li>Administrative approval by Planning Dept</li> <li>P&amp;Z /Council approval with public hearing for uses with SUP</li> </ul>                                                                          |                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                       | <ul style="list-style-type: none"> <li>Staff review</li> <li>Historic Landmark Commission PH and review for consistency with Secretary of the Interior Standards</li> <li>Historic Landmark Commission Certificate of Approval required for remodeling/rehab/demolition</li> <li>Appeals to City Council</li> </ul> | <ul style="list-style-type: none"> <li>Administrative approval by Planning Dept</li> <li>P&amp;Z /Council approval with public hearing for uses with SUP</li> </ul>                                                                   |

Table 2 – Summary of Residential Downtown Zoning District standards

| Element Regulated                 | Zone | SF - 7.5/12                                                                                                                                                                                             | 2F                                                                                                                                                                                     | MF-1                                                                                                                                                                                                    | MF-2                                                                                                               |
|-----------------------------------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------|
| <b>Land Uses</b>                  |      |                                                                                                                                                                                                         |                                                                                                                                                                                        |                                                                                                                                                                                                         |                                                                                                                    |
| Commercial uses                   |      | Not permitted (except home occupations)                                                                                                                                                                 | None permitted (except home occupations)<br>Permitted                                                                                                                                  | None permitted (except home occupations)<br>Permitted                                                                                                                                                   | None permitted (except home occupations)<br>Not permitted                                                          |
| Single family residential         |      | Permitted                                                                                                                                                                                               | Permitted                                                                                                                                                                              | Permitted                                                                                                                                                                                               | Permitted                                                                                                          |
| 1 – 2 unit residential (duplex)   |      | Not permitted                                                                                                                                                                                           | Permitted                                                                                                                                                                              | Permitted                                                                                                                                                                                               | Permitted                                                                                                          |
| Multi-family residential          |      | Not permitted                                                                                                                                                                                           | Not permitted                                                                                                                                                                          | Permitted                                                                                                                                                                                               | Permitted                                                                                                          |
| Civic & parks                     |      | Permitted (schools, churches public uses)                                                                                                                                                               | Permitted (schools, churches public uses)                                                                                                                                              | Permitted (schools, churches public uses)                                                                                                                                                               | Permitted (schools, churches public uses)                                                                          |
| <b>Height (max.)</b>              |      | 35' max.                                                                                                                                                                                                | 35' max.                                                                                                                                                                               | 35' or 2 stories max.                                                                                                                                                                                   | 35' or 2 stories max.                                                                                              |
| <b>Min. Lot Area/DU</b>           |      | 7,500 sq.ft.                                                                                                                                                                                            | 3,750 sq.ft.                                                                                                                                                                           | 3,630 sq.ft.                                                                                                                                                                                            | 2,420sq.ft.                                                                                                        |
| <b>Residential Density (max.)</b> |      | Approx 5.8 DU/Acre                                                                                                                                                                                      | Approx 11.6 DU/Acre                                                                                                                                                                    | 12 DU/acre                                                                                                                                                                                              | 18 DU/acre                                                                                                         |
| <b>Parking (min.)</b>             |      | 2/DU                                                                                                                                                                                                    | 2/DU                                                                                                                                                                                   | 2/DU for the first 50 units and then 1.75/DU                                                                                                                                                            | 2/DU for the first 50 units and then 1.75/DU                                                                       |
| <b>Setbacks (min.)</b>            |      | 25' front yard                                                                                                                                                                                          | 25' front yard                                                                                                                                                                         | 25' front yard                                                                                                                                                                                          | 25' front yard                                                                                                     |
| <b>Historic Preservation</b>      |      | Only if in the Historic Landmark Overlay                                                                                                                                                                |                                                                                                                                                                                        |                                                                                                                                                                                                         |                                                                                                                    |
| <b>Community Design Standards</b> |      | <ul style="list-style-type: none"> <li>Section 4600 (C) Building Materials and 4600 (D) Architectural Attribute standards apply for new construction</li> </ul>                                         |                                                                                                                                                                                        |                                                                                                                                                                                                         |                                                                                                                    |
| <b>Comments</b>                   |      | <ul style="list-style-type: none"> <li>Building form and location of parking not regulated</li> <li>Does not allow for any commercial uses</li> <li>Zoning districts not limited to downtown</li> </ul> | <ul style="list-style-type: none"> <li>Building form not regulated unless</li> <li>Does not allow for any commercial uses</li> <li>Zoning districts not limited to downtown</li> </ul> | <ul style="list-style-type: none"> <li>Building form and location of parking not regulated</li> <li>Does not allow for any commercial uses</li> <li>Zoning districts not limited to downtown</li> </ul> | <ul style="list-style-type: none"> <li>Section 4600 (B) Building Materials applies for new construction</li> </ul> |



## Issues with Existing Zoning and Regulatory Framework

Several aspects of the existing regulatory framework are incompatible with achieving the vision for Downtown Mansfield. Some of these critical issues are listed below:

- Existing downtown zoning districts do not directly relate to the Master Plan for a vibrant Main Street, revitalized Broad Street comprised of historic building rehabilitated into professional offices and retail uses, and transitions to adjoining neighborhoods through urban residential building types such as townhomes and live-work units. Specifically, the existing zoning districts do nothing to implement the distinct neighborhoods and opportunities identified in the master plan. This makes the development environment unpredictable and may fail to attract new investment.
- The existing regulations do not provide for “adjacency predictability” which is required to implement the master plan. Specifically, development standards within each district do not result in a predictable built environment. For example, there are no standards for where a building should be located on the lot which is one of the most important aspects of creating a pedestrian-oriented street. When a property owner does not have the assurance that a compatible building will be constructed on the adjacent lot, that property owner will find it difficult to justify a major investment on a mixed use, pedestrian oriented building on his/her lot.
- Current zoning in the larger downtown area is fractured and does not coalesce into a clear demarcation of a center, edge, transitions, and neighborhoods as identified in the Master Plan.
- Current Residential Proximity Standards are suburban in nature and are not conducive to creating a mixed-use environment as envisioned in the Master Plan. Transitions between higher intensity uses and neighborhoods should be encouraged in the form of urban residential (townhomes and live-work) building types instead of setbacks and height limits.
- Development standards in many of the zoning districts (commercial and residential) are suburban in nature (use based with limited aesthetic design standards) and do not result in the urban form needed to support walkable mixed use neighborhoods. Moreover, changing standards in these districts would impact other areas of the city that are also zoned the same.
- In addition, mixing residential with other commercial uses, a key aspect of long-term downtown livability, is not permitted by right in many downtown districts. Although higher density residential uses are controversial in the community, well designed mixed residential and multi-family are seen as desirable in downtown and to support the future TOD. To this end, the attention to design details and transitions to adjoining neighborhoods and uses will be critical.

- To implement the community vision for Downtown Mansfield, it will not be enough to just regulate historic preservation or retain existing architectural standards. At a minimum, good, functional urban design standards as they relate to achieving better pedestrian oriented development will be required in the areas adjoining Main Street to ensure that redevelopment is consistent with the community's vision.
- The current review process needs to be streamlined so that most development projects are approved administratively even within the Historic Landmark Overlay District. This not only reduces the time taken for development approval, it increased adjacency predictability. In addition, since all the standards are clearly established upfront, it will be less risky to a developer/applicant.

## Recommendations

With a clear vision for development within downtown Mansfield, having predictable building form outcomes will be critical to attracting new investment and preserving existing investment in downtown. The existing regulatory structure is fractured and may often lead to unpredictable results in the built environment. The goal should be to “make it easy to do the right thing.”

Since a high quality public realm is what creates a walkable, mixed use downtown, the changes to regulatory standards that affect the built environment will need to be applied mandatorily. Lack of cohesive design standards, will, in the long-term, undermine the goals of the plan by not requiring adjacent properties within the same area to redevelop under the same basic rules of design and quality; increasing property values through a coherent, predictable context from which investment can be measured and leveraged. Thus, a regulatory framework that does not require all property owners to meet higher design standards will create an uncertain environment and may fail to attract new investment. **Thus, mandatory design standards are an economic development imperative as opposed to an aesthetic requirement.**

*Proposed Regulatory Framework:* Based on the issues identified above and the goals of Master Plan, the following recommendations are made with respect to the proposed regulatory framework:

- The existing and desired development character of downtown and adjoining neighborhoods should be regulated through a comprehensive form-based approach to achieve mixed use, transitions, and pedestrian-oriented design.
- Create appropriate Downtown Character Zones to implement the vision for different areas of downtown – the historic Main Street Corridor, Broad Street Corridor, South Main Street, transition areas east and west of Main Street and the neighborhoods adjoining downtown.
- Establish appropriate urban design standards associated with each downtown character zone including building form, use, signage, and civic/open space standards with a focus on implementing pedestrian-oriented design.

- Establish Neighborhood Conservation districts with appropriate infill and redevelopment standards for the neighborhoods adjoining downtown
- Establish a clear review, approval, and appeals process for all development.
- Establish street design standards that are consistent with the different character zones and vision for downtown

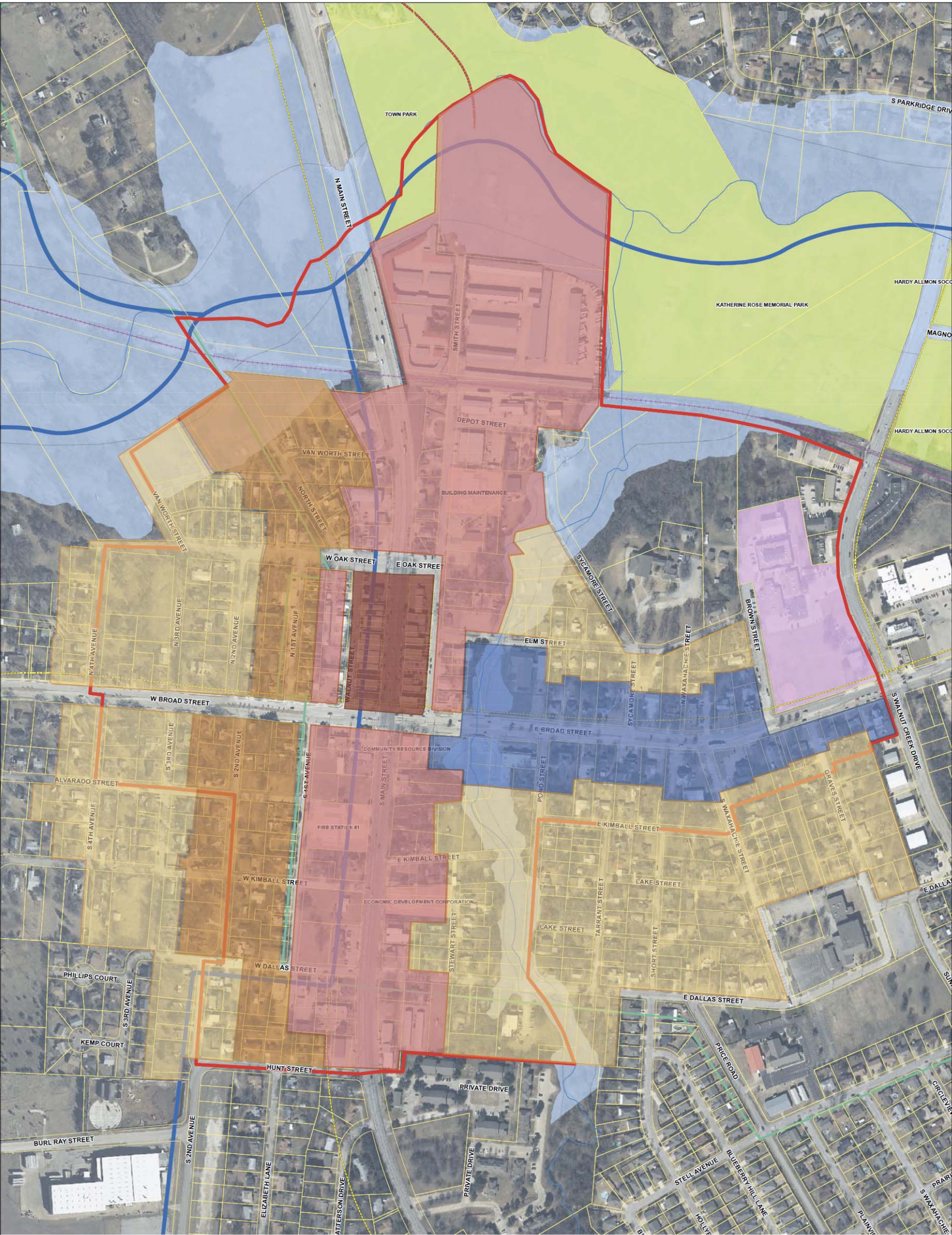
Recommended Downtown Mansfield Regulatory Framework

| Downtown Character Zone                 | Historic Main Street                                                                                                                                                                                                                                                                                                                                                                                                                          | Downtown Mixed Use                                                                                                                                                                                                                                                                                                                                                  | Broad Street Corridor                                                                                                                                                                                                                                                                                                                                                                                       | Downtown Transition                                                                                                                                                                                                                                                                                                                                                                                                                                     | Downtown Neighborhood                                                                                                                                                                                                                                                                                                                  |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose & Intent                        | <ul style="list-style-type: none"><li>Intended to preserve and enhance the existing Historic 100 block of North Main Street</li><li>Development standards in this zone will require new buildings and changes to existing buildings to be consistent with the historic architecture of the block</li></ul>                                                                                                                                    | <ul style="list-style-type: none"><li>Intended to encourage higher-intensity mixed use redevelopment along Main Street north and south of the Historic 100 block and the future TOD area.</li><li>Development standards will emphasize a pedestrian orientation and continuous building context along Main Street</li></ul>                                         | <ul style="list-style-type: none"><li>Intended to provide for adaptive reuse of existing historic homes into professional offices and lower intensity retail uses</li><li>Development standards will emphasize keeping the existing single-family building types and new buildings to be compatible with the adjoining residential neighborhood.</li></ul>                                                  | <ul style="list-style-type: none"><li>Intended to provide for a range of small scale commercial (retail, office, and live-work) and urban residential transitions between Main Street and adjoining neighborhoods.</li><li>Development standards will emphasize the use of urban residential building types such as townhomes, live-work, and smaller single-family residential buildings to be compatible with the adjoining neighborhoods..</li></ul> | <ul style="list-style-type: none"><li>Intended to preserve, enhance, and encourage compatible residential infill in the neighborhoods adjoining Main Street</li><li>Development standards to allow for a range of single and two-family residential including cottage homes, patio homes, zero-lot line homes, and duplexes.</li></ul> |
| General Boundary Description            | <ul style="list-style-type: none"><li>Historic 100 block of North Main Street</li></ul>                                                                                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"><li>Generally one block deep north and south of the Historic 100 N. Main block</li></ul>                                                                                                                                                                                                                                          | <ul style="list-style-type: none"><li>Generally one block deep along Broad Street from Walnut Creek to Main Street</li></ul>                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"><li>Area generally includes 1 – 2 blocks west of Main Street</li></ul>                                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"><li>Neighborhoods east and west of Main Street</li></ul>                                                                                                                                                                                                                                             |
| Permitted Uses                          | <ul style="list-style-type: none"><li>Commercial (office, retail) on any floor</li><li>Commercial frontage (ground floor built to commercial standards) required along Main Street frontage</li><li>Residential uses permitted by right on upper floors along Main Street and on any floor along other frontages</li><li>Auto-oriented site elements are restricted</li></ul>                                                                 | <ul style="list-style-type: none"><li>Commercial (office, retail) on any floor</li><li>Commercial frontage required on ground floors of all buildings at street intersections</li><li>Residential uses permitted by right on upper floors along Main Street and on any floor on other frontages</li><li>Design standards limiting Auto-oriented frontages</li></ul> | <ul style="list-style-type: none"><li>Small scale commercial uses (retail, office, and institutional) and urban residential uses (within existing single-family buildings or similar new buildings – multi-unit homes)</li><li>Surface parking limited to side yards or rear yards (discourage large surface parking lots along Broad Street)</li><li>Limits auto-oriented uses and site elements</li></ul> | <ul style="list-style-type: none"><li>Small scale commercial uses (retail, office, and institutional) and urban residential uses</li><li>Surface parking limited to side yards or rear yards</li><li>Limits auto-oriented site elements</li></ul>                                                                                                                                                                                                       | <ul style="list-style-type: none"><li>Small scale single-family and duplex uses</li><li>Accessory residential units/granny flats</li><li>Minimize impact of parking (surface and garages) by setting parking back from the front façade of the building</li></ul>                                                                      |
| Building Form and Development Standards |                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                        |
| Building Heights                        | <ul style="list-style-type: none"><li>4 stories (max.)</li></ul>                                                                                                                                                                                                                                                                                                                                                                              | <ul style="list-style-type: none"><li>5 stories (max.)</li></ul>                                                                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"><li>3 stories (max.) with appropriate transitions between existing/zoned single-family residential uses</li></ul>                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"><li>3 stories (max.) with appropriate transitions to the Downtown Neighborhood zone</li></ul>                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"><li>3 stories (max.)</li></ul>                                                                                                                                                                                                                                                                       |
| Building Placement                      | <ul style="list-style-type: none"><li>Require new buildings or additions to existing buildings to be built at or close to Main Street</li><li>Off-street parking not permitted between the sidewalk and building along Main Street</li></ul>                                                                                                                                                                                                  | <ul style="list-style-type: none"><li>Require new buildings or additions to existing buildings to be built at or close to Main Street</li><li>Limit the amount of off-street, surface parking visible from Main Street</li></ul>                                                                                                                                    | <ul style="list-style-type: none"><li>Require new buildings or additions to existing buildings to be built oriented towards Broad Street (keep setbacks within the range of the existing context along Broad Street)</li><li>Limit the amount of off-street, surface parking visible from Broad Street</li></ul>                                                                                            | <ul style="list-style-type: none"><li>Require new buildings or additions to existing buildings to be built at or close to the front property line</li><li>Lots less than 60' in width to be served by alleys for service and parking access</li></ul>                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                        |
| Building Frontage                       | <ul style="list-style-type: none"><li>A minimum amount of the lot frontage (approx. 75% - 80%) along Main Street to be occupied by buildings</li></ul>                                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"><li>A minimum amount of the lot frontage (approx. 60% - 75%) along Main Street to be occupied by buildings</li></ul>                                                                                                                                                                                                              | <ul style="list-style-type: none"><li>A minimum amount of the lot frontage (approx. &gt;50%) along Broad Street to be occupied by buildings</li></ul>                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"><li>A minimum amount of the lot frontage (approx. &gt;50%) along the primary street to be occupied by buildings</li></ul>                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                        |
| Off-Street Parking Strategy             | <ul style="list-style-type: none"><li>All non-residential uses shall require 1 space per 500 sq. ft.</li><li>All residential uses shall require 1 space per residential unit</li><li>Location of parking regulated (behind the building along Main Street or on the side of the building)</li><li>Shared parking may be permitted within 1,200 feet of the lot for both residential and non-residential uses.</li></ul>                       |                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"><li>All residential uses shall require 2 spaces per residential unit (of which 1 may be an on-street parking space)</li><li>Location of parking regulated</li></ul>                                                                                                                                  |
| Compatible Building Types               | Building types include, but are not limited to: <ul style="list-style-type: none"><li>Civic building</li><li>Shopfront building (ground floor retail frontage)</li><li>Mixed use building (non-residential use on ground floor, non-residential or residential use above)</li><li>Loft building (non-residential use on ground floor, office/residential use above)</li><li>Live-work building</li><li>Stacked residential building</li></ul> | Building types limited to: <ul style="list-style-type: none"><li>Civic building</li><li>Mansion homes</li><li>Multi-unit house</li><li>Garden office buildings</li></ul> Limit building footprint to 10,000 sq.ft. (to maintain a residentially compatible scale).                                                                                                  | Building types include, but are not limited to: <ul style="list-style-type: none"><li>Civic building</li><li>Mansion homes</li><li>Multi-unit house</li><li>Garden office buildings</li></ul> Limit building footprint to 10,000 sq.ft. (to maintain a residentially compatible scale).                                                                                                                     | Building types include, but are not limited to: <ul style="list-style-type: none"><li>Live-work building</li><li>Stacked residential building</li><li>Townhomes</li><li>Live-Work building</li><li>Multi-unit house</li><li>Cottage residential</li></ul>                                                                                                                                                                                               | Building types include, but are not limited to: <ul style="list-style-type: none"><li>Cottage residential</li><li>Duplex residential</li><li>Patio homes/zero lot line homes</li></ul>                                                                                                                                                 |
| Residential Transition Requirements     | None (since zone does not abut any neighborhoods)                                                                                                                                                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"><li>Building heights limited to 3 stories within 25' of an existing/zoned single-family residential use or next to Downtown Neighborhood Zone</li></ul>                                                                                                                                                                           | <ul style="list-style-type: none"><li>Building heights limited to 3 stories within 25' of Downtown Neighborhood Zone</li></ul>                                                                                                                                                                                                                                                                              | None                                                                                                                                                                                                                                                                                                                                                                                                                                                    | None                                                                                                                                                                                                                                                                                                                                   |



| Downtown Character Zone            | Historic Main Street                                                                                                                                                                                                                                             | Downtown Mixed Use                                                                                                                                                                                                                                               | Broad Street Corridor                                                                                                                                                                                                                   | Downtown Transition                                                                                                                                                                                                                                           | Downtown Neighborhood                                                                                                                                                                                                                                      |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Building Design Standards</b>   |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
| Building Orientation and Entrances | <ul style="list-style-type: none"> <li>Buildings to be oriented towards Main Street with at least one primary pedestrian entrance on Main Street</li> </ul>                                                                                                      |                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Buildings to be oriented towards Broad Street with at least one primary entrance on Main Street</li> </ul>                                                                                       | <ul style="list-style-type: none"> <li>Buildings to be oriented towards the primary street with at least one entrance on that street</li> </ul>                                                                                                               |                                                                                                                                                                                                                                                            |
| Private Frontage Types             | Permitted private frontage types: <ul style="list-style-type: none"> <li>Shopfront</li> <li>Arcade</li> <li>Gallery</li> </ul>                                                                                                                                   |                                                                                                                                                                                                                                                                  | Permitted private frontage types: <ul style="list-style-type: none"> <li>Forecourt</li> <li>Porch and fence</li> <li>Common Yard</li> </ul>                                                                                             | Permitted private frontage types: <ul style="list-style-type: none"> <li>Stoop</li> <li>Lightwell</li> <li>Forecourt</li> <li>Porch and fence</li> <li>Common Yard</li> </ul>                                                                                 | Permitted private frontage types: <ul style="list-style-type: none"> <li>Forecourt</li> <li>Porch and fence</li> <li>Common Yard</li> </ul>                                                                                                                |
| Roof Forms                         | Simple flat roofs with parapet with sloping roof accents (corners, towers, awnings, etc.)                                                                                                                                                                        |                                                                                                                                                                                                                                                                  | Simple gable and hipped roofs with minimum pitch (5/12)                                                                                                                                                                                 |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
| Minimum Façade Transparency        | <ul style="list-style-type: none"> <li>Establish a minimum requirement for doors and windows along Main Street and other street facing facades</li> <li>Limit large expanses of blank walls</li> </ul>                                                           |                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Establish a minimum requirement for doors and windows along Broad Street and other street facing facades</li> </ul>                                                                              | <ul style="list-style-type: none"> <li>Establish a minimum requirement for doors and windows along primary street facing facades</li> </ul>                                                                                                                   |                                                                                                                                                                                                                                                            |
| Façade Articulation                | <ul style="list-style-type: none"> <li>Base, middle, and top articulation</li> <li>Vertical rhythm (20'-30')</li> </ul>                                                                                                                                          |                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>Relatively flat fronts and simple roofs for residential buildings. Encourage window projections, stoops, porches, balconies, and similar extensions to add interest along the street.</li> </ul> |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
| Building Materials                 | <ul style="list-style-type: none"> <li>Compatible with historic precedents</li> <li>Convey the impression of permanence and stability</li> <li>Generally masonry or comparable for ground floor facades</li> </ul>                                               |                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>No more than 2 primary materials on building facades</li> <li>Range of building materials permitted based on historic precedents</li> </ul>                                                      |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
| Historic Preservation              | <ul style="list-style-type: none"> <li>Establish minimum Historic Preservation standards based on Secretary of the Interior Standards for buildings within the Historic Landmark Overlay and for new construction/additions within the Overlay</li> </ul>        |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
| <b>Images to Convey the Intent</b> |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                            |
|                                    |    |    |                                                                |    |    |





Not to scale

### Recommended Character Zones Downtown Mansfield

DRAFT - February 28, 2013

- Historic Main Street
- Downtown Mixed Use
- Downtown Transition
- Broad Street Corridor
- Downtown Neighborhood



Proposed McKinney Town Center Development Code Framework (DRAFT)

| Town Center Character Zone              | Historic Core                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Downtown Core                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Downtown Edge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Transit Village Core                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Transit Village Edge                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose & Intent                        | <ul style="list-style-type: none"><li>Intended to preserve and enhance the existing National Register Historic District and the Commercial Historic District (CHD) zoning.</li><li>Development standards in this zone will require new buildings and changes to existing buildings to be consistent with the historic architectural traditions of the area.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"><li>Generally follows the boundaries of the current CHD zoning</li><li>Area generally bounded by Herndon Street to the north, McDonald Street to the east, Cloyd Street to the south and Wood Street to the west</li></ul>                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"><li>Intended to provide for a range of small scale commercial (retail, office, and live-work) and residential transitions between the Downtown Core and neighborhoods to the north, south, and west.</li><li>Development standards will emphasize keeping a smaller scale for residential uses and limiting building types to be compatible with the adjoining neighborhoods.</li></ul>                                                                                                                         | <ul style="list-style-type: none"><li>Intended to provide the highest intensity of residential and commercial uses around the transit stop.</li><li>Development standards will emphasize pedestrian frontages along Virginia and Louisiana Streets.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"><li>Intended to provide for a range of commercial (retail, office, light/cottage industrial and live-work) as a transition between the Transit Village Core and the adjoining neighborhoods.</li><li>Development standards will emphasize transitioning of existing uses to ones more compatible with adjoining neighborhoods.</li></ul>                                                                                                                                                                                                                                        |
| General Boundary Description            | <ul style="list-style-type: none"><li>Generally follows the boundaries of the current CHD zoning</li><li>Area generally bounded by Herndon Street to the north, McDonald Street to the east, Cloyd Street to the south and Wood Street to the west</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <ul style="list-style-type: none"><li>Generally two blocks deep around the proposed Historic Core district</li><li>Area generally includes both sides of Lamar Street to the Historic Core, from Wood Street on the west to McDonald on the east, and from Anthony Street on the south to the Historic Core boundary</li></ul>                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"><li>Generally one block deep around the proposed Downtown Core district</li><li>Area generally includes both frontages along Walker Street to the north, one block between Bengé and Church Street on the west, and the blocks between Anthony Street and Standifer Street to the south</li></ul>                                                                                                                                                                                                               | <ul style="list-style-type: none"><li>Area generally includes the blocks east of McDonald Street from Walker Street on the north, to Anthony Street on the south. Area also includes the section of Virginia from the railroad tracks to Carver Street</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <ul style="list-style-type: none"><li>Area generally includes the frontages along Throckmorton, Main , Andrews, and Greenville Road located around the Transit Village Core</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Permitted Uses                          | <ul style="list-style-type: none"><li>Commercial (office, retail) on any floor</li><li>Commercial uses required on ground floors of all buildings around the Square, with the exception of civic buildings/sites</li><li>Commercial frontage (ground floor built to commercial standards) required for all buildings except civic buildings/sites</li><li>Residential uses permitted by right on upper floors only</li><li>Limits auto-oriented site elements</li></ul>                                                                                                                                                                                                                                                                                                                                                               | <ul style="list-style-type: none"><li>Commercial (office, retail) on any floor</li><li>Commercial frontage required on ground floors of all buildings along identified Pedestrian A Priority Street frontages except civic buildings/sites</li><li>Residential uses permitted by right on upper floors only</li><li>Limits auto-oriented site elements</li></ul>                                                                                                                                                                                                                                              | <ul style="list-style-type: none"><li>Small scale commercial uses (retail, office, and institutional) and urban residential uses</li><li>Surface parking limited to side yards or rear yards (discourage large surface parking lots next to existing residential neighborhoods)</li><li>Limits auto-oriented uses and site elements</li><li>Auto-oriented uses permitted along C Priority Street frontages only</li></ul>                                                                                                                         | <ul style="list-style-type: none"><li>Ground floor residential permitted at mid-block locations</li><li>Commercial frontage required at street intersections with any Pedestrian A or B Priority Street frontages (minimum of 30' along each applicable street frontage)</li><li>Limits auto-oriented site elements</li><li>Auto-oriented uses permitted along C Priority Street frontages only</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                           | <ul style="list-style-type: none"><li>Wider range of commercial uses (retail, office, cottage industrial, and institutional) and urban residential uses permitted</li><li>Auto-oriented uses permitted along C Priority Street frontages only</li></ul>                                                                                                                                                                                                                                                                                                                                                           |
| Building Form and Development Standards |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Building Heights                        | <ul style="list-style-type: none"><li>4 stories (max.); minimum 2 stories required around the Square Proper</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"><li>5 stories (max.); no minimum</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"><li>3 stories (max.) with appropriate transitions between existing/zoned single-family residential uses; no minimum</li></ul>                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"><li>6 stories (max. by right); higher if providing public benefits (criteria established); no minimum</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"><li>4 stories (max.) with appropriate transitions between existing/zoned single-family residential use; no minimum</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Off-Street Parking Strategy             | <p>Existing buildings/uses:</p> <ul style="list-style-type: none"><li>Off-street parking not required for both residential and non-residential uses (this applies to change of uses within existing buildings)</li><li>Location of parking regulated</li></ul> <p>New construction:</p> <ul style="list-style-type: none"><li>All non-residential uses shall require 1 space per 500 gsf<sup>1</sup> or shall pay an equivalent fee in-lieu/parking space required (to be set by City Council annually)</li><li>All residential uses shall require 1 space per residential unit</li><li>Location of parking regulated</li><li>Shared parking may be permitted within 1,200 feet of the lot for both residential and non-residential uses. Shared parking agreements are required for both public and private shared parking</li></ul> | <ul style="list-style-type: none"><li>All non-residential uses (existing buildings and new construction) shall require 1 space per 500 gsf. The first 2,000 gsf of every non-residential building or portion thereof may be exempt from this parking requirement</li><li>All residential uses (existing buildings and new construction) shall require 1 space per residential unit</li><li>Location of parking regulated</li><li>Shared parking may be permitted within 1,200 feet for non-residential uses only. Shared parking agreements are required for both public and private shared parking</li></ul> | <ul style="list-style-type: none"><li>All non-residential uses (existing buildings and new construction) shall require 1 space per 500 gsf. or pay an equivalent fee in lieu/parking space required.</li><li>All residential uses (existing buildings and new construction) shall require 1 space per residential unit</li><li>Location of parking regulated</li><li>Shared parking may be permitted within 1,200 feet for non-residential uses only. Shared parking agreements are required for both public and private shared parking</li></ul> | <ul style="list-style-type: none"><li>All non-residential uses in existing buildings shall require 1 space per 500 gsf. or pay an equivalent fee in lieu/parking space required. The first 1,500 gsf. of every non-residential building or portion thereof may be exempt from this parking requirement.</li><li>All new non-residential buildings or portions there of shall require 1 space per 500 gsf. or pay an equivalent fee in lieu/parking space required.</li><li>All residential uses (existing buildings and new construction) shall require 1 space per residential unit</li><li>Location of parking regulated</li><li>Shared parking may be permitted within 1,200 feet for all non-residential uses only. Shared parking agreements are required for both public and private shared parking</li></ul> | <ul style="list-style-type: none"><li>All non-residential uses (existing buildings and new construction) shall require 1 space per 500 gsf. The first 1,000 gsf of every non-residential building or portion thereof may be exempt from this parking requirement</li><li>All residential uses (existing buildings and new construction) shall require 1 space per residential unit</li><li>Location of parking regulated</li><li>Shared parking may be permitted within 1,200 feet for all non-residential uses only. Shared parking agreements are required for both public and private shared parking</li></ul> |

NOTE: All proposed zoning boundaries, street type designations, building form and development standards are subject to change.

<sup>1</sup> gsf: gross square feet

| Town Center Character Zone          | Historic Core                                                                                                                                                                                                                                                                                                                                                                                                                                             |  | Downtown Core | Downtown Edge                                                                                                                                                                                                                                                                                                                                                          | Transit Village Core                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Transit Village Edge                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Compatible Building Types           | Building types include, but are not limited to: <ul style="list-style-type: none"><li>• Civic building</li><li>• Shopfront building (ground floor retail frontage)</li><li>• Mixed use building (non-residential use on ground floor, non-residential or residential use above)</li><li>• Loft building (non-residential use on ground floor, office/residential use above)</li><li>• Live-work building</li><li>• Stacked residential building</li></ul> |  |               | Building types limited to: <ul style="list-style-type: none"><li>• Civic building</li><li>• Townhomes</li><li>• Live-Work building</li><li>• Multi-unit house</li><li>• Small lot residential/cottage</li></ul> Limit building footprint to 6,000 gsf (to maintain a residentially compatible scale). This standard does not apply to townhomes or live-work buildings | Building types include, but are not limited to: <ul style="list-style-type: none"><li>• Civic building</li><li>• Shopfront building (ground floor retail frontage)</li><li>• Mixed use building (non-residential use on ground floor, non-residential or residential use above)</li><li>• Loft building (non-residential use on ground floor, office/residential use above)</li><li>• Live-work building</li><li>• Stacked residential building</li><li>• Townhomes</li><li>• Live-Work building</li><li>• Multi-unit house</li></ul> | Building types include, but are not limited to: <ul style="list-style-type: none"><li>• Civic building</li><li>• Loft building (non-residential use on ground floor, office/residential use above)</li><li>• Live-work building</li><li>• Stacked residential building</li><li>• Townhomes</li><li>• Live-Work building</li><li>• Multi-unit house</li></ul> |
| Residential Transition Requirements | None (since zone does not abut any neighborhoods)                                                                                                                                                                                                                                                                                                                                                                                                         |  | None          | <ul style="list-style-type: none"><li>• Building heights limited to 2 stories within 25' of an existing/zoned single-family residential use</li></ul>                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <ul style="list-style-type: none"><li>• Building heights limited to 2 stories within 25' of an existing/zoned single-family residential use.</li></ul>                                                                                                                                                                                                       |
| Bonus Provisions                    | None                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | None          | None                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"><li>• Building heights over 6 stories may be permitted with the following amenities with City Council consideration only:<ul style="list-style-type: none"><li>o Provision of plazas, squares, or civic open spaces based on the Illustrative Master Plan</li><li>o Provision of structured parking and shared parking</li><li>o Building stepbacks required at the 6<sup>th</sup> story level</li></ul></li></ul>                                                                                  | None                                                                                                                                                                                                                                                                                                                                                         |

NOTE: All proposed zoning boundaries, street type designations, building form and development standards are subject to change.

Airport Boulevard Redevelopment Code  
Form-Based Code Framework  
(DRAFT – 11/18/2011)

| Character Zone                                                                                        | Mixed Use/Civic Campus<br>Highland Mall                                                                                                                                                                                                                                                                                                                                                                                                               | Civic Campus                                                                                                                                                                                                                                                                                                                                                                                                                | Fiskville TOD                                                                                                                                                                                                                                                                                                                                                                 | Corridor Mixed Use                                                                                                                                                                                                                                                                                                                           | Highway Mixed Use                                                                                                                                                                                                                                                                                                                                     | Local Mixed Use                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Commercial Transition                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Neighborhood Transition                                                                                                                                                                                                                                                                                                                                                                                                                                 |
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| <b>Element Regulated</b>                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>Purpose and Intent</b>                                                                             | <ul style="list-style-type: none"><li>• Create a vibrant mixed use environment in conjunction with the Austin Community College Campus</li><li>• Leverage the “town and gown” development opportunities</li><li>• Maximize the potential to create a regional destination with the Redline Metrorail Stop</li><li>• Allow for uses and buildings to transition to higher intensity mixed use as the market matures with appropriate phasing</li></ul> | <ul style="list-style-type: none"><li>• Create an employment center in conjunction with the Travis County North Campus</li><li>• Maximize the potential to create a regional destination with the future Redline Metrorail Stop at Middle Fiskville and 53<sup>rd</sup> Street.</li><li>• Allow for uses and buildings to transition to higher intensity mixed use as the market matures with appropriate phasing</li></ul> | <ul style="list-style-type: none"><li>• Create a high intensity transit-oriented development in a walkable mixed use context at the future rail stop at Middle Fiskville Road and 53<sup>rd</sup> Street.</li><li>• Allow the transitioning of significant underutilized properties into a true transit destination as the market matures with appropriate phasing.</li></ul> | <ul style="list-style-type: none"><li>• Create a vibrant, mixed-use urban corridor that leverages the corridor as a “Complete Street” supporting transit and linking other regional destinations</li><li>• Allow for uses and buildings to transition to higher intensity mixed use as the market matures with appropriate phasing</li></ul> | <ul style="list-style-type: none"><li>• Create opportunities for large scale redevelopment for retail and employment uses that takes advantage of the I-35 and Koenig Lane frontages, regional transit and automobile access.</li><li>• Development to take advantage of the highway frontage with appropriate transitions to the corridor.</li></ul> | <ul style="list-style-type: none"><li>• Create opportunities for small scale, incremental mixed-use redevelopment opportunities from 53<sup>rd</sup> Street to I-35.</li><li>• Encourage the retention of the unique, independent business mix with additions of modest neighborhood transitions.</li><li>• Encourage the consolidation of driveways and the creation of a pedestrian-friendly public realm along Airport Boulevard with linkages to the adjoining neighborhoods.</li></ul> | <ul style="list-style-type: none"><li>• Create appropriate transitions between high visibility and high traffic corridors and established neighborhoods by providing opportunities for small scale office, retail, live-work, and multi-family infill along 51<sup>st</sup> Street, Clarkson, Harmon, and 46<sup>th</sup> Streets.</li><li>• Transition standards will emphasize keeping a smaller scale for residential uses and limiting building types to be compatible with the adjoining neighborhoods.</li></ul> | <ul style="list-style-type: none"><li>• Intended to provide for a range of small scale office and residential (small apartments, live-work, townhomes, duplexes, patio homes, etc.) transitions between the Airport Boulevard Corridor and adjoining neighborhoods.</li><li>• Transition standards will emphasize keeping a smaller scale for residential uses and limiting building types to be compatible with the adjoining neighborhoods.</li></ul> |
| <b>Use Mix</b>                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"><li>• <i>Permitted Uses</i></li></ul>                               | <ul style="list-style-type: none"><li>• Mix of commercial (retail, office, entertainment), residential (range of residential types from multi-family to single-family attached and detached), lodging, civic, educational, and service uses.</li></ul>                                                                                                                                                                                                | <ul style="list-style-type: none"><li>• Mainly civic/governmental uses with some commercial (retail, office, restaurant) and service uses.</li></ul>                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"><li>• Mix of commercial (retail, office, entertainment), residential (range of residential types from multi-family to single-family attached), lodging, civic, educational, and service uses.</li></ul>                                                                                                                                     | <ul style="list-style-type: none"><li>• Mix of commercial (retail, office, entertainment), residential (range of residential types from multi-family to single-family attached), lodging, civic, educational, and service uses.</li></ul>                                                                                                    | <ul style="list-style-type: none"><li>• Mix of commercial (retail, office, entertainment), residential (primarily multi-family), lodging, civic, educational, and service uses.</li></ul>                                                                                                                                                             | <ul style="list-style-type: none"><li>• Mix of commercial (retail, office, entertainment), residential (lofts, small apartments, and live-work), lodging, civic, educational, and service uses.</li></ul>                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"><li>• Mix of commercial (office, personal service, low-intensity retail), and residential (small apartments, live-work, townhomes, duplexes, and patio homes) uses.</li></ul>                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"><li>• <i>Interim or Phased Uses</i></li></ul>                       | <ul style="list-style-type: none"><li>• Allow existing buildings and uses (Firestone, Cinema) to remain with triggers for phasing them out based on the investment level.</li><li>• Allow early phases of new construction and existing buildings to be surface parked, provided that frontage requirements are met.</li></ul>                                                                                                                        | <ul style="list-style-type: none"><li>• Allow existing buildings and uses to remain with triggers for phasing them out based on investment level and market.</li><li>• Allow early phases of new construction and existing buildings to be surface parked, provided that frontage requirements are met.</li></ul>                                                                                                           | <ul style="list-style-type: none"><li>• Allow existing buildings and uses to remain with triggers for phasing them out based on investment level and market when redeveloped.</li></ul>                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| <ul style="list-style-type: none"><li>• <i>Special standards for auto-oriented elements</i></li></ul> | <ul style="list-style-type: none"><li>• Establish standards and criteria for location and frontages of auto-oriented and service related site elements such as loading, unloading, and trash pick-up.</li></ul>                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"><li>• Not permitted</li></ul>                                                                                                                                                                                                                                                                                                                                                                                         |

| Element Regulated                       | Character Zone                                                                                                                               | Mixed Use/Civic Campus<br>Highland Mall                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Civic Campus                                                                                                                                                                                                                                    | Fiskville TOD                                                                                                                                                                                                                                                                                                                                                                         | Corridor Mixed Use                                                                                                                                                                                                                              | Highway Mixed Use                                                                                                                                                                                                                  | Local Mixed Use                                                                   | Commercial Transition                                                             | Neighborhood Transition                                                           |  |
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| Building Form and Development Standards |                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                    |                                                                                   |                                                                                   |                                                                                   |  |
|                                         | <ul style="list-style-type: none"><li><i>Setbacks and Build-to Zones</i></li><li><i>Building Heights</i></li></ul>                           | <ul style="list-style-type: none"><li>Generally 5 stories (60') (max.)</li><li>Allow additional stories for parking structures.</li><li>The Regulating Plan will establish areas of the site where additional height (up to 12 stories or 150' max.) could be allowed, subject to specific form standards (e.g., size of footprint, setbacks, etc.) and with appropriate transitions to adjoining context and with special consideration of residential neighborhoods</li></ul>                                                                                                                                                                                                                                        | <ul style="list-style-type: none"><li>Generally 5 stories (60') (max.).</li><li>Allow additional stories for parking structures.</li></ul>                                                                                                      | <ul style="list-style-type: none"><li>Generally 5 stories (60') (max.).</li><li>The Regulating Plan will establish areas of the site where additional height (8 stories) could be allowed, subject to specific form standards (e.g., size of footprint, setbacks, etc.) and with appropriate transitions from adjoining uses and consideration of residential neighborhoods</li></ul> | <ul style="list-style-type: none"><li>Generally 5 stories (60') (max.).</li><li>Allow additional stories for parking structures.</li></ul>                                                                                                      | <ul style="list-style-type: none"><li>Generally 12 stories (150') (max.).</li><li>Allow additional stories for parking structures.</li></ul>                                                                                       | <ul style="list-style-type: none"><li>Generally 4 stories (50') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> |  |
|                                         | <ul style="list-style-type: none"><li><i>Impervious Cover Requirements (maximum)</i></li><li><i>Residential Density (max/min.)</i></li></ul> | <ul style="list-style-type: none"><li>None (height and parking standards provide a defacto density maximum)</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | NA                                                                                                                                                                                                                                              | <ul style="list-style-type: none"><li>None (height and parking standards provide a defacto density maximum)</li></ul>                                                                                                                                                                                                                                                                 | <ul style="list-style-type: none"><li>75%</li></ul>                                                                                                                                                                                             |                                                                                                                                                                                                                                    |                                                                                   |                                                                                   |                                                                                   |  |
|                                         | <ul style="list-style-type: none"><li><i>Parking Strategy (on and off-street)</i></li></ul>                                                  | <ul style="list-style-type: none"><li>Allow on-street parallel or angled parking (based on the street design and cross section).</li><li>Off-street parking in parking structures or surface parking with location of surface parking determined by the street type frontage.</li><li>Establish the same parking ratio for all non-residential uses (generally a minimum of 1 per 500 sq. ft.).</li><li>Establish one ratio for all residential uses (generally a minimum of 1 per residential unit).</li><li>Shared parking may be permitted for non-residential uses.</li><li>Required parking may be provided anywhere within the character zone.</li><li>Allow for car share related parking reductions.</li></ul> | <ul style="list-style-type: none"><li>Generally block face dimensions not to exceed 1,000' (due to the large existing blocks)</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Urban block standards – generally block face dimensions not to exceed 600'</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul>                                                                                                                                                    | <ul style="list-style-type: none"><li>Generally block face dimensions not to exceed 1,000' (due to the large existing blocks)</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Urban block standards – generally block face dimensions not to exceed 600'</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Generally 4 stories (50') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> |  |
|                                         | <ul style="list-style-type: none"><li><i>Block standards</i></li></ul>                                                                       | <ul style="list-style-type: none"><li>Urban block standards – generally block face dimensions not to exceed 600' (except for the ACC campus blocks with existing structures that remain)</li><li>Allow some larger blocks under certain conditions where greater connectivity is not feasible (with mid block pedestrian cut-through, etc.)</li></ul>                                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"><li>Generally block face dimensions not to exceed 1,000' (due to the large existing blocks)</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Urban block standards – generally block face dimensions not to exceed 600'</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul>                                                                                                                                                    | <ul style="list-style-type: none"><li>Generally block face dimensions not to exceed 1,000' (due to the large existing blocks)</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Urban block standards – generally block face dimensions not to exceed 600'</li><li>Allow some larger blocks under certain conditions (with mid block pedestrian cut-through, etc.)</li></ul> | <ul style="list-style-type: none"><li>Generally 4 stories (50') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> | <ul style="list-style-type: none"><li>Generally 3 stories (40') (max.).</li></ul> |  |
|                                         | <ul style="list-style-type: none"><li><i>Transition Requirements (if any)</i></li></ul>                                                      | <ul style="list-style-type: none"><li>None</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"><li>Appropriate transitions established from existing residential neighborhoods through the 2 transition zones</li><li>Frontage along Helen</li></ul>                                                         | <ul style="list-style-type: none"><li>Appropriate transitions established from existing residential neighborhoods through the 2 transition zones</li><li>Screening and buffering of any parking, service, loading, unloading areas, if they front along any Neighborhood Transition areas.</li></ul>                                                                                  | <ul style="list-style-type: none"><li>Building type standards will establish transition standards to existing residential uses.</li></ul>                                                                                                       |                                                                                                                                                                                                                                    |                                                                                   |                                                                                   |                                                                                   |  |



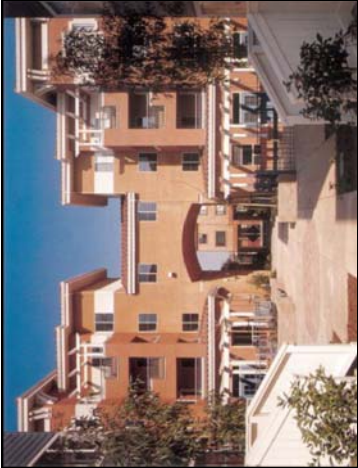
| Element Regulated                    | Character Zone                                           | Mixed Use/Civic Campus<br>Highland Mall                                                                                                                                                                                                                                                                                                                                                                                                                                  | Civic Campus                                                                                                                                                                                                                                                                 | Fiskville TOD | Corridor Mixed Use | Highway Mixed Use | Local Mixed Use                                                                                                                                                                                                                          | Commercial Transition | Neighborhood Transition |
|--------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-------------------------|
|                                      |                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <div>Street should provide a buffer to the neighborhood transition area to the east.</div> <ul style="list-style-type: none"><li>Screening and buffering of any parking, service, loading, unloading areas, if they front along any Neighborhood Transition areas.</li></ul> |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
| Frontage and Street Design Standards |                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Relationship to the Regulating Plan</i>               | <ul style="list-style-type: none"><li>The Regulating Plan would establish the network of required and recommended streets in addition to establishing street type and cross sections for different streets.</li><li>Regulating Plan would distinguish pedestrian oriented streets from more auto and service oriented streets.</li></ul>                                                                                                                                 |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Frontage Standards</i>                                | <ul style="list-style-type: none"><li>Building frontage standards would be based on the street type designations with higher building frontage standards along pedestrian-oriented streets.</li></ul>                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>On-Site Streets</i>                                   | <ul style="list-style-type: none"><li>Shall be based on the Regulating Plan with block standards and allowance for minor modifications.</li></ul>                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Overall Street Network</i>                            | <ul style="list-style-type: none"><li>Established in the Regulating Plan.</li><li>Minor Modification process and criteria would allow for the alignment and cross-sections of the street network to be amended based on specific development contexts.</li></ul>                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Streetscape Standards</i>                             | <ul style="list-style-type: none"><li>Would be established based on the street type designation.</li><li>Pedestrian-oriented streets would be held to a higher standard of streetscape compared to auto and service oriented streets.</li><li>Minor modification process would allow for some flexibility in the specific streetscape elements based on established criteria and performance standards.</li></ul>                                                        |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Landscape Standards</i>                               | <ul style="list-style-type: none"><li>Focus on landscape standards in the public realm (street trees) and within open spaces (public and private)</li><li>Focus on screening parking lots from adjoining roadways</li><li>Focus on landscaping as buffering in some locations</li><li>Exemption from tree planting and landscaping standards within surface parking lots which are scheduled to be converted into structured parking or future building sites.</li></ul> |                                                                                                                                                                                                                                                                              |               |                    |                   | <ul style="list-style-type: none"><li>Focus on landscape standards in the public realm (street trees) and within open spaces (public and private)</li><li>Focus on screening parking lots from adjoining roadways</li></ul>              |                       |                         |
|                                      | <i>Street Cross Sections</i>                             | <ul style="list-style-type: none"><li>Establish ultimate cross sections for new and modified streets within the entire Redevelopment Corridor</li><li>Cross sections to specify number of travel lanes, on-street parking accommodation, bicycle accommodation, and pedestrian accommodation.</li></ul>                                                                                                                                                                  |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Driveway Standards</i>                                | <ul style="list-style-type: none"><li>Establish standards for driveways from auto-oriented streets and limit driveways on pedestrian-oriented streets.</li><li>Establish standards for alley/cross access easements in conjunction with temporary driveways from pedestrian oriented streets when lots do not have access to auto-oriented streets.</li></ul>                                                                                                            |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
| Functional Urban Design Standards    |                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Building scale and massing</i>                        | <ul style="list-style-type: none"><li>General building scale and massing that clearly distinguishes a building's base, middle, and top or other elements that provide a pedestrian scale at the sidewalk level.</li></ul>                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                              |               |                    |                   | <ul style="list-style-type: none"><li>Building type standards will establish the building scale and massing.</li></ul>                                                                                                                   |                       |                         |
|                                      | <i>Design of auto-related elements and service areas</i> | <ul style="list-style-type: none"><li>Establish standards for the design and location of auto-oriented site elements based on street type frontage.</li><li>Establish street screen requirements for service and loading areas.</li><li>Establish standards for the treatment of parking garages along various street types and building types.</li></ul>                                                                                                                |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Building orientation and articulation</i>             | <ul style="list-style-type: none"><li>Standards for the location of primary building entrances to be from the sidewalk and secondary entrances from parking areas (based on the street type frontage).</li><li>For buildings on Airport Boulevard, the main entrance to the building shall be located along the Boulevard.</li><li>Ground floor treatments (doors, windows, etc) based on street types and building types.</li></ul>                                     |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Materials</i>                                         | <ul style="list-style-type: none"><li>Building materials to project a sense of permanence and sense of place and region.</li><li>Allow a range of building materials to be used to reflect the eclectic style already in place in Austin and along Airport Blvd.</li></ul>                                                                                                                                                                                               |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Other</i>                                             | <ul style="list-style-type: none"><li>Provisions for rehab/maintenance of existing buildings.</li></ul>                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Building Types</i>                                    | NA                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                              |               |                    |                   | <ul style="list-style-type: none"><li>Identify appropriate building types for both the Transition zones.</li><li>Establish standards for building types including massing and scale keeping with the neighborhood adjacencies.</li></ul> |                       |                         |
| Signage Standards                    |                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Monument Signs</i>                                    | <ul style="list-style-type: none"><li>Allow monument signs (including multi-tenant signs) along more auto-oriented streets and at key “gateway” locations along other streets.</li><li>Establish appropriate standards for the same based on the street type frontage.</li></ul>                                                                                                                                                                                         |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Building or attached signs</i>                        | <ul style="list-style-type: none"><li>Allow for appropriately scaled building or attached signs for facades along all streets.</li><li>Establish appropriate standards for the same based on the street type frontage.</li></ul>                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Pedestrian oriented signs</i>                         | <ul style="list-style-type: none"><li>Allow for appropriate pedestrian-oriented signs (such as blade signs and sandwich board signs) along certain pedestrian-oriented streets.</li><li>Establish appropriate standards for the same based on the street type frontage.</li></ul>                                                                                                                                                                                        |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |
|                                      | <i>Temporary signs</i>                                   | <ul style="list-style-type: none"><li>Establish standards for temporary signs.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                              |               |                    |                   |                                                                                                                                                                                                                                          |                       |                         |



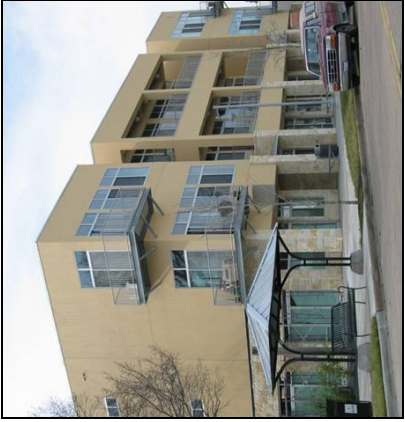
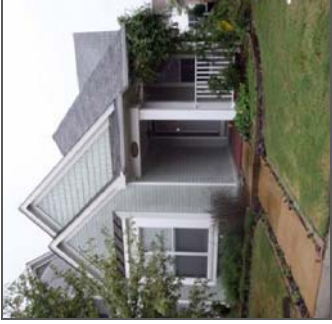
| Character Zone                                                                                               | Mixed Use/Civic Campus<br>Highland Mall                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Civic Campus | Fiskville TOD | Corridor Mixed Use | Highway Mixed Use | Local Mixed Use | Commercial Transition | Neighborhood Transition |
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| Element Regulated                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Master Sign Plans</li></ul>                                            | <ul style="list-style-type: none"><li>Allow for flexibility in developers/applicants coming up with unique sign plans for specific projects or sub-areas.</li></ul>                                                                                                                                                                                                                                                                                                                          |              |               |                    |                   |                 |                       |                         |
| Open Space/Civic Space standards                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Relationship to the Regulating Plan and development context</li></ul>  | <ul style="list-style-type: none"><li>Regulating Plan to establish locations for required and recommended civic/public open spaces for the entire Redevelopment Corridor.</li><li>The required and recommended civic/public open spaces shall be distinguished by type of open space (park, green, plaza, square, detention/drainage facility, etc.)</li></ul>                                                                                                                               |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Standards for Civic Space/Public Open Space</li></ul>                  | <ul style="list-style-type: none"><li>Code shall establish standards for a range of appropriate public/civic spaces such as parks, squares, plazas, paseos, and greens.</li><li>Code shall establish standards for treatment of regional detention and water quality facilities as amenities to the whole Redevelopment Corridor with linkages to the overall pedestrian network.</li></ul>                                                                                                  |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Standards for Private Open Space</li></ul>                             | <ul style="list-style-type: none"><li>Code shall establish standards for a palette of private open space opportunities including patios, roof terraces, community gardens, courtyards, pedestrian passages, playgrounds, etc.</li><li>Code shall also establish minimum private open space standards based on the scale of development with flexibility on the specific type of private open space to be provided by developers.</li></ul>                                                   |              |               |                    |                   |                 |                       |                         |
| Sustainability Standards                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Building Orientation and Design</li></ul>                              | <ul style="list-style-type: none"><li>Code shall establish standards for building orientation and design based to reduce energy costs and improve the indoor environment.</li><li>Provision for solar-ready buildings for new construction.</li></ul>                                                                                                                                                                                                                                        |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Public Darkness</li></ul>                                              | <ul style="list-style-type: none"><li>Standards to reduce light pollution at night.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Stormwater Management</li></ul>                                        | <ul style="list-style-type: none"><li>Standards shall be established to manage stormwater runoff through light imprint design options based on the development context.</li><li>A matrix will establish appropriate sustainability standards for each character zone.</li></ul>                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| Administration and Development Phasing                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Approval authority</li></ul>                                           | <ul style="list-style-type: none"><li>Administrative approval for development that meets the standards established in the Code</li></ul>                                                                                                                                                                                                                                                                                                                                                     |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Minor modifications</li></ul>                                          | <ul style="list-style-type: none"><li>Establish a matrix for minor modifications of certain standards in the code based on specific criteria to provide for some flexibility within the parameters of the code under certain conditions.</li><li>Minor modifications to be approved by the Planning and Development Review Director.</li></ul>                                                                                                                                               |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Phased projects</li></ul>                                              | <ul style="list-style-type: none"><li>Specific standards for site plan review to be established for phased projects where development is proposed incrementally.</li></ul>                                                                                                                                                                                                                                                                                                                   |              | N/A           |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Non-conforming uses and buildings</li></ul>                            | <ul style="list-style-type: none"><li>Establish standards that specify grandfathering of existing (non-conforming) surface parking lots under certain conditions when there are minimal improvements proposed to the parking lot (for example, a parking lot that is just restriped will not be required to provide parking lot landscaping).</li><li>Need to establish appropriate standards for non-conforming building triggers that are based on level of investment proposed.</li></ul> |              |               |                    |                   |                 |                       |                         |
| Relationship to existing ordinances                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Compatibility standards</li></ul>                                      | <ul style="list-style-type: none"><li>Shall not apply; alternative transition standards are established in this code based on specific adjacencies.</li></ul>                                                                                                                                                                                                                                                                                                                                |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Commercial Design Standards (Sub-Chapter E)</li></ul>                  | <ul style="list-style-type: none"><li>Alternative design standards to be established in lieu of the Commercial Design Standards.</li></ul>                                                                                                                                                                                                                                                                                                                                                   |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Other (Subdivision Ord., Public Infrastructure requirements)</li></ul> | <ul style="list-style-type: none"><li>Coordinate complementary amendments to other city ordinances to apply appropriate public infrastructure standards under infill conditions (subdivision ordinance, etc.).</li><li>Apply urban utility clearance criteria (similar to Downtown).</li></ul>                                                                                                                                                                                               |              |               |                    |                   |                 |                       |                         |
| <ul style="list-style-type: none"><li>Corridor-wide issues (TIA, detention, water quality)</li></ul>         | <ul style="list-style-type: none"><li>To be addressed for the entire Redevelopment Corridor and not on a case-by-case or lot-by-lot basis</li></ul>                                                                                                                                                                                                                                                                                                                                          |              |               |                    |                   |                 |                       |                         |



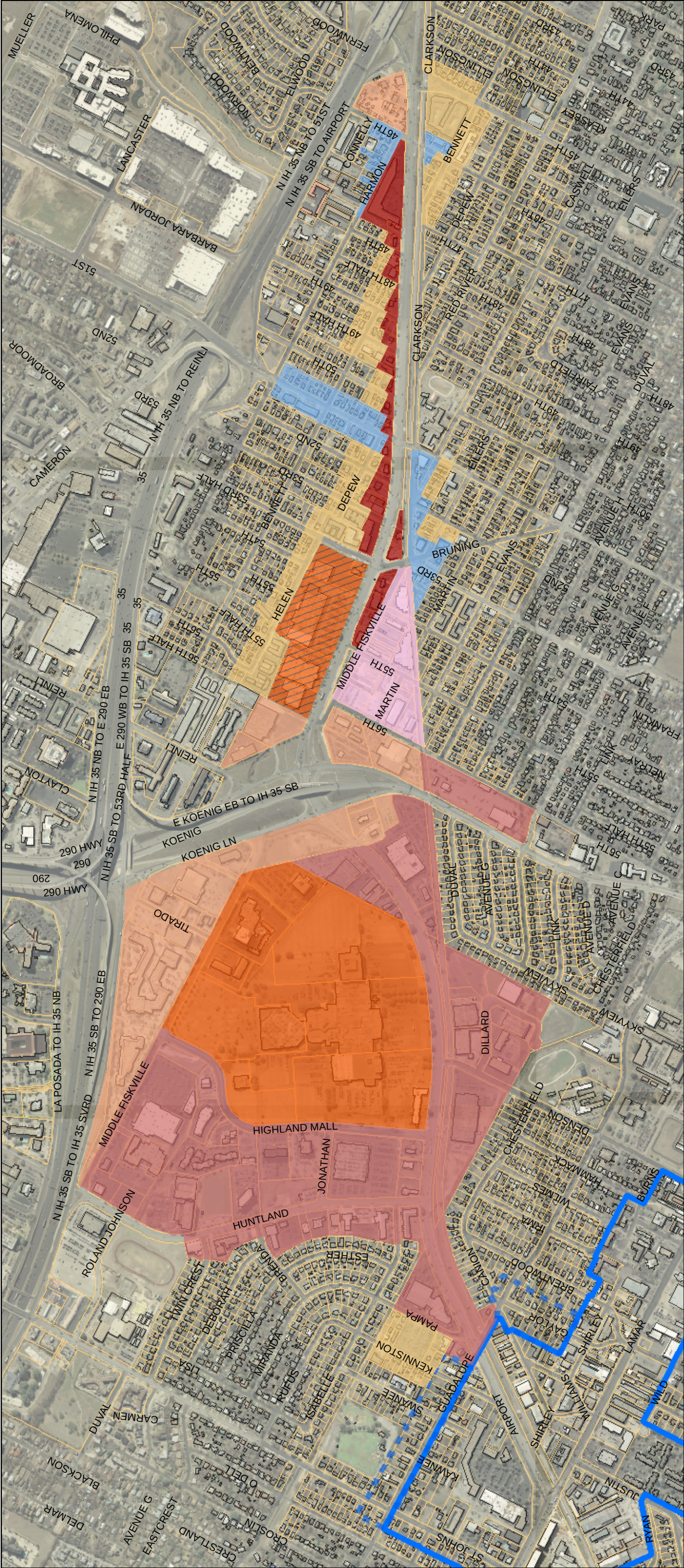
**Characteristic Images:** Images shown in this section are for informational purposes only and are not intended to establish any standards for development. They are intended to be examples of the range of development outcomes that are possible and envisioned within this character zone.

| Mixed Use/Civic Campus (Highland Mall)                                                |                                                                                       | Civic Campus                                                                          |                                                                                      |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|    |    |     |     |
|   |   |    |    |
| Fiskville TOD                                                                         |                                                                                       | Corridor Mixed Use                                                                    |                                                                                      |
|  |  |  |  |
|  |  |  |  |
| Highway Mixed Use                                                                     |                                                                                       | Local Mixed Use                                                                       |                                                                                      |
|                                                                                       |                                                                                       |                                                                                       |                                                                                      |



|                                                                                       |                                                                                       |                                                                                       |                                                                                      |                                                                                     |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
|    |    |    |    |    |
|    |    |    |    |    |
| Commercial Transition                                                                 |                                                                                       | Neighborhood Transition                                                               |                                                                                      |                                                                                     |
|   |   |  |  |   |
|  |  |  |  |  |

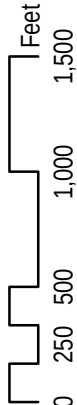




This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the City of Austin Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

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## Preliminary Character Zones

### Airport Boulevard

### Redevelopment Code Framework

DRAFT November 18, 2011

## Legend

### Character Zones

- Mixed Use - Highland Mall
- Civic Campus
- Corridor Mixed Use
- Fiskville TOD
- Highway Mixed Use
- Commercial Transition
- Local Mixed Use
- Neighborhood Transition

- Addition to the Lamar/Crestview TOD Zoning District
- Existing Lamar/Crestview TOD Zoning District
- Parcel Boundaries
- Existing Building Footprints





**Date:** November 21, 2013

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

---

**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.

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.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

None

**VIII. Alternative Actions:**

**IX. Attachments:**







**Date:** November 21, 2013

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

---

**I. Subject:**

Review and consider approval of minutes from the October 17, 2013 Planning & Zoning Commission meeting

**II. Originated by:**

**III. Summary:**

Please find following the page the minutes from the October 17th meeting for your review.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |            |                           |
|----|------------|---------------------------|
| 1. | 10.17.2013 | 10.17.2013 PZ Minutes.doc |
|----|------------|---------------------------|



**KENNEDALE**  
Planning and Zoning Commission  
www.cityofkennedale.com

**KENNEDALE PLANNING & ZONING COMMISSION**  
**MINUTES**  
**COMMISSIONERS - REGULAR MEETING**  
**October 17, 2013**  
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**I. CALL TO ORDER**

Chairman Harvey called the work session to order at 6:16 P.M.

**II. ROLL CALL**

Ms. Roberts called roll.

A quorum was present.

Members present: Ernest Harvey (chair); Tom Pirtle (vice-chair); Stephen Brim, Michael Herring, Katie McFadden, Don Rawe, Mike Walker, Carolyn Williamson (alternate)

Members absent: none

Staff present: Rachel Roberts (planning director)

Also present was Jay Narayana of Livable Plans & Codes, the city's consultant on form-based codes.

**III. WORK SESSION**

**A. Discuss any item on the Regular Session agenda**

The Commission discussed Chair / Vice-chair appointments. The longer-serving Commission members introduced themselves to the new Commission members. Mr. Harvey gave a brief description of the city's direction in planning.

The Commission discussed the Employment Center code.

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

The Commission did not have time to discuss this item.

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

The Commission did not have time to discuss this item.

The work session closed at 7:03 P.M.

**IV. REGULAR SESSION**

**V. CALL TO ORDER**

Chairman Harvey called the regular session to order at 7:03 P.M.

**VI. ROLL CALL**

Ms. Roberts called roll.

A quorum was present.

Members present: Ernest Harvey (chair); Tom Pirtle (vice-chair); Stephen Brim, Michael Herring, Katie McFadden, Don Rawe, Mike Walker, Carolyn Williamson (alternate)

Members absent: none

Staff present: Rachel Roberts (planning director)

Also present was Jay Narayana of Livable Plans & Codes, the city's consultant on form-based codes.

## **VII. MINUTES APPROVAL**

### **A. Review and consider approval of minutes from the September 19, 2013 Planning & Zoning Commission regular meeting**

Mr. Pirtle made a motion to approve the minutes as written, seconded by Mr. Rawe. The motion passed with Mr. Brim, Mr. Walker, and Mr. Harvey abstaining.

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

No one registered to speak.

## **IX. REGULAR ITEMS**

### **A. Planning & Zoning Commission Chair and Vice-Chair appointments**

Mr. Rawe made a motion to appoint Mr. Harvey as chair and Mr. Pirtle as vice-chair, seconded by Ms. McFadden. The motion passed with all in favor except Mr. Harvey, who abstained.

### **B. CASE # PZ 13-05 to receive comments and consider approval on an ordinance amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by establishing a new zoning district, "Employment Center District" and regulations for same, including regulations on permitted uses, building design, site design, landscaping, and signs.**

#### **1. Staff Presentation**

Ms. Roberts gave the staff presentation and recommended approval. The Commission briefly discussed the proposed Employment Center District code.

#### **2. Public Hearing**

No one registered to speak.

#### **3. Staff Response and Summary**

Ms. Roberts recommended approval.

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

Mr. Pirtle made a motion to recommend approval of Case PZ 13-05 with changes discussed by the Commission, seconded by Mr. Herring. The motion passed with all Commissioners voting in favor except Mr. Harvey, who abstained.

### **C. CASE # PZ 13-06 to receive comments and consider approval on a request by the City of Kennedale and the Kennedale Economic Development Corporation for a zoning change and ordinance adopting such change for 20 parcels totaling approximately 5 acres from "C-1" Restricted Commercial District to "EC" Employment Center District for properties located at 1101, 1103, 1105, 1107, 1109, 1111, 1113, 1115, 1117, 1119, 1121, & 1125 W Kennedale Pkwy, and 5409, 5413, 5417, 5421, 5429, 5433, & 5437 High Ridge Rd, with legal description of Oak Crest Addition Block 4 Lots 8, 9, 10A, 11A, 12A, 13A, 14-18, 19A, 20-26, Tarrant County, Texas. The property in question is owned by the City of Kennedale and the Kennedale Economic Development Corporation.**

#### **1. Staff Presentation**

Ms. Roberts gave the staff presentation and recommended approval.



Mr. Pirtle asked if all the Commissioners were aware which properties are being considered, and Mr. Brim asked for clarification. Mr. Harvey mentioned that the number of lots involved in this case is one of the issues faced by developers in Kennedale, that we have so many little lots, so that developers have to assemble land and negotiate with many different entities/owners.

## **2. Public Hearing**

No one registered to speak.

## **3. Staff Response and Summary**

Ms. Roberts recommended approval.

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

Mr. Pirtle made a motion to approve Case PZ 13-06 as presented, seconded by Mr. Brim. The motion passed with all Commissioners in favor, except Mr. Harvey, who abstained.

## **X. REPORTS/ANNOUNCEMENTS**

Ms. Roberts reminded the Commission about the “bring it” recycling event and Arbor Day event to be held on October 19<sup>th</sup>. She also mentioned the city-wide garage sale to be on October 25<sup>th</sup> and the prescription drug take back event on October 26<sup>th</sup>. She also notified the Commission that the city had won a comprehensive plan award at the recent conference of the Texas Chapter of the American Planning Association.

## **XI. ADJOURNMENT**

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

ATTEST:

---

Ernest Harvey, Chair

---

Rachel Roberts, board secretary

---

Date

---

Date



**Date:** November 21, 2013

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

---

**I. Subject:**

**CASE # PZ 13-08** to receive comments and consider action on a request by Ashton Holdings, Inc. for a zoning change for approximately 6.3 acres from "OT" Old Town District to "PD" Planned Development District located at 260 Hilltop (access on 3<sup>rd</sup> St), legal description of Hilltop Addition Block 1 Lots 1-15.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

**II. Originated by:**

**III. Summary:**

**Request:** Rezone from "OT" Old Town to "PD" Planned Development District

**Location:** Hilltop, accessed from 3rd St (see map included in exhibits)

**Applicant:** Ashton Holdings, Inc., Adlai Pennington, President

**Background.**

The subject property was platted in the 1950s as a 15-lot subdivision (see attached plat drawing). The property was never developed but is surrounded by other lots that have been developed. Some of the surrounding properties are large lots with single family homes; typical lots are narrow and deep, with the houses sitting closer to the street than is typical in newer neighborhoods.

Ashton Holdings has requested to rezone the property to a Planned Development District. The proposed standards would keep the same or larger lot width, depth, and area required by the OT district but would allow for building materials more in keeping with the character of Old Town (see attached table). The proposed PD would also add standards for architectural style and would require a larger minimum home size than is required in the OT district. The proposed standards are intended to establish a neighborhood character reflecting of Old Town's history and the city's goals for this area. Please see the attached table for a full comparison of the standards required for OT districts by Sec. 17-405 of the city code and the proposed PD standards.

**Staff Review.**

*Compliance with the comprehensive land use plan.*

The comprehensive plan identifies the Hilltop Addition as part of the Downtown Village. The plan describes the Downtown Village as follows.

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 include small lot single family residential, townhomes, specialized retail, and pocket parks.

The proposed development is small-lot single family, which fits the character of the Downtown Village district. Ideally, the development would provide a connection to TownCenter, but since the Hilltop Addition does not include land connecting to Corry A Edwards Dr, a connection is not possible through this development.

The proposed architectural styles and materials support and enhance the historic character Old Town and the desired character of the Downtown Village.

Staff considers the proposed PD to be in compliance with the comprehensive land use plan.

*Compliance with the strategic plan.*

The Strategic Plan recommended “that steps be taken to revise all residential definitions and standards to reflect current market conditions,” which included Traditional Neighborhood Development. The lot size, setbacks, and materials proposed for this PD are characteristics found in TNDs.

*Compliance with City Council priorities.*

Several of the Council's goals are related to this rezoning request. One objective under the goal Enhance the Business Climate is to increase the number of residents, which increases the viability of local businesses. Increasing residents is especially important for the west side of town; residents on the east side tend to visit businesses in Arlington, but it is hoped that residents on the west side will be more likely to visit businesses in TownCenter or elsewhere within the city limits.

Another related goal is Balance the Tax Burden. This goal mainly calls for increasing the number and type of businesses, but a related objective raised by the Council is to increase housing density (in context sensitive design and location in compliance with the comprehensive plan). The proposed rezoning would allow for development that increases density in keeping with the character of Old Town.

*Staff Recommendation.*

The requested rezoning is in compliance with the comprehensive plan, the strategic plan, and city council goals. Moreover, this property was platted over fifty years ago and has since sat vacant. Infill development (such as this proposed project) provides property tax revenue and additional residents to the city at a lower cost for infrastructure installation and maintenance than development at city edges. Infill development thus tends to be more cost-effective for the city over the long-term. Also, an addition like the one proposed would help sustain the historic character of the neighborhood.

Staff recommends approval of the request rezoning.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                                   |                                                 |
|----|-----------------------------------|-------------------------------------------------|
| 1. | PZ 13-08 ordinance                | PZ 13-08 draft PD ordinance -- no exhibits.docx |
| 2. | PZ 13-08 ordinance Exhibit A      | PZ 13-08 exhbt A.pdf                            |
| 3. | PZ 13-08 Exhibit B                | PZ 13-08 exhibit b.pdf                          |
| 4. | PZ 13-08 Exhibit C, Site Plan     | PZ 13-08 Exhibit C site plan.pdf                |
| 5. | PZ 13-08 code comparison table    | PZ 13-08 comparison table.pdf                   |
| 6. | Hilltop Addn plat (original)      | Hilltop Addn to Kennedale (1955) blueline.pdf   |
| 7. | PZ 13-08 application              | PZ 13-08 application.pdf                        |
| 8. | PZ 13-08 application illustration | PZ 13-08 appl illustr.pdf                       |



**AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "OT" OLD TOWN DISTRICT TO "PD" PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT TIDS 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 development of certain infill property located in the Original Town of Kennedale, and which was platted more than 50 years ago but never developed, when such development is consistent with the comprehensive land use plan; and

**WHEREAS**, the redevelopment of this property provides an opportunity to implement the comprehensive plan's vision for the Downtown Village character district; and

**WHEREAS**, Ashton Holdings, Inc. wishes to develop the property described below as a Planned Development District, in compliance with the 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**, Ashton Holdings, Inc., which has a proprietary interest in said property being an approximately 6.3 acre tract in the Jacob Prickett Survey A-1225, more particularly described as Hilltop Addition Block 1 Lots 1-15, Tarrant County, Texas, has filed an application to rezone the property from its present classification of "OT" Old Town 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 21<sup>st</sup> day of November 2013 and by the City Council of the City of Kennedale on the 12th day of December 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 6.3 acre tract in the Jacob Prickett Survey, more particularly described as Hilltop Addition Block 1 Lots 1-15, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein, from "OT" Old Town District to The Hilltop Planned Development District ("Hilltop PD") for residential use with modified restrictions, as more fully described on the Concept Plan, attached hereto as Exhibit "C" 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 "C", and the Concept Plan is hereby approved. The use of the Property shall further conform to the standards and regulations of the "OT" Old Town 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 document attached as Exhibit "C", 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, where not otherwise controlled by the regulations set forth below. 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 “Hilltop PD” shall be:

*single family detached residential;*

*park, playground, or open space, including detention or retention facilities;*

*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 masonry (as defined in Kennedale city code), stone, 3-coat/3-step stucco, or Hardie-Plank or material equivalent to Hardie-Plank in quality and durability, with city staff to determine whether alternative materials are equivalent to Hardie-Plank;

*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 masonry (as defined in Kennedale city code), stone, 3-coat/3-step stucco, or Hardie-Plank or material equivalent to Hardie-Plank in quality and durability, with city staff to determine whether alternative materials are equivalent to Hardie-Plank, and is not used as a rental residence or permanent living facility.

2. *Density.* The number of residential lots within the Hilltop PD shall not exceed 28. The Hilltop PD shall have a minimum of one (1) lot dedicated for open space or storm water detention. When used as storm water detention, the lot(s) shall be designed to include natural features, such as plants or grasses, so that the detention facility also serves as a neighborhood amenity.

3. *Lot size.* Lot size requirements shall be as follows.

| Lot Type                                                                                                        | Maximum Number of Lot Type | Minimum Lot Width | Minimum Lot Depth | Minimum Lot Area |
|-----------------------------------------------------------------------------------------------------------------|----------------------------|-------------------|-------------------|------------------|
| Residential                                                                                                     | 28                         | 50                | 110               | 5,500            |
| Public/Detention                                                                                                | n/a                        | n/a*              | n/a*              | n/a*             |
| <b>*Minimum size of detention facilities shall be determined during platting and final construction design.</b> |                            |                   |                   |                  |

4. *Lot coverage.* Lot coverage shall not exceed seventy (70) 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 is 1,350 square feet.

6. *Setbacks.* The Hilltop PD herein approved shall require the following minimum setbacks:

| Lot Type         | Front Setback<br>Minimum (ft.) | Rear Setback<br>Minimum (ft.) | Side Setback<br>Minimum – R-o-<br>W Adjacent (ft.) | Side Setback<br>Minimum –<br>Interior (ft.) |
|------------------|--------------------------------|-------------------------------|----------------------------------------------------|---------------------------------------------|
| Residential      | 20*                            | 5                             | 15                                                 | 5                                           |
| Public/Detention | n/a                            | n/a                           | n/a                                                | n/a                                         |

\*Usable 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.

7. *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. *Building materials.* All primary structures shall be constructed of stone, Hardie-Plank or material equivalent to Hardie-Plank in quality and durability, with city staff to determine whether alternative materials are equivalent to Hardie-Plank, or 3-coat/3-step stucco.

9. *Elevations.* All exterior elevations shall be constructed of at least two building material types.

10. *Architectural style.* All homes shall be consistent with cottage scale and shall include architectural styles consistent with the historic character of Old Town, including Victorian, Craftsman, and Texana.

11. *Front porches.* All homes shall have a usable front porch of a minimum size of forty-eight (48) square feet.

12. *Roof pitch.* All homes shall have a minimum roof pitch of 6/12.

13. *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 Hilltop PD. All garage doors shall be stained decorative wood panel. Front entry garages may occupy a maximum of fifty (50) percent of the house linear



frontage. J-swing garages that accommodate more than two (2) vehicles are prohibited.

14. *Landscaping.* Landscaping shall be regulated by the Kennedale City Code except as otherwise controlled by this ordinance.

- a. *Lawns.* All residential lots shall have sodded front and rear lawns and shall be fully sprinklered.
- b. *Plants.* Use of native or adaptive xeriscape plants is encouraged. Landscaping shall be maintained in good condition.
- c. *Street trees.* A minimum of one (1) tree of three (3) inch caliper or greater shall be required for each residential lot, to be planted centered between the sidewalk and the curb. The developer shall be responsible for installation of all street trees and shall ensure tree selection and installation are sufficient to ensure a long tree life. The developer shall be responsible for maintenance and replacement of trees, as needed, for a period of two (2) years after the development's public improvements have been accepted by the city.
- d. *Irrigation.* Sprinkler systems 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. The irrigation system shall be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
  - i. High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
  - ii. 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.
  - iii. 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 of less than three (3) feet in diameter may be placed anywhere in the rear yard. A cistern with diameter of three (3) feet or more 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.

e. *Protection of quality trees.* The Zoning Administrator may approve a deviation from the lot layout or street layout shown Exhibit "C" 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.

15. *Driveways and Access.* All entry and exit points shall conform to the approved Concept Plan and supporting documents, as depicted in Exhibit "C", 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 the exact entry and exit point for the subdivision developed under the Hilltop PD may need to be adjusted due to topographic, soil, or other similar development constraints, and therefore the entry and exit point may be modified with written approval of the Director of Public Works. The Director of Public Works 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 approved in the Concept Plan, but the Director is not required to grant such requests.

16. *Sidewalks.* Sidewalks are required within the Hilltop PD 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 may be constructed of permeable materials and may be designed and constructed using low-impact development standards if approved, in writing, by the Director of Public Works. 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.

### **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 12<sup>TH</sup> DAY OF DECEMBER 2013.**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
SECRETARY

EFFECTIVE: ☐ \_\_\_\_\_

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY



EXHIBIT "A"  
LEGAL DESCRIPTION OF PROPERTY

## DESCRIPTION OF PROPERTY

Being 6.30 acres of land out of the Jacob Prickett Survey, Abstract Number 1225 and being all of Lots 1-15, Block 1, HILLTOP ADDITION according to the plat recorded in Volume 388-2, Page 68, Plat Records of Tarrant County, Texas as conveyed to Rockshield Investments according to the deed recorded in Clerk Instrument Number D207423630, Deed records of Tarrant County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" iron rod found for corner being the northeast corner of Lot 1, Block 1, Gregory Addition according to the plat recorded in Cabinet B, Slide 2846, P.R.T.C.T.;

THENCE, South 89 degrees 32 minutes 00 seconds West, along the north line of said Gregory Addition and the north line of Lot 1, Block 1, Roberson Addition according to the plat recorded in Cabinet B, Slide 2223, P.R.T.C.T., 262.00 feet to a 3/4" iron rod found for corner, being the northwest corner of said Roberson Addition;

THENCE, North 01 degrees 05 minutes 00 seconds West, along the west line of said Hilltop Addition, 567.20 feet to a 3/4" iron rod found for corner;

THENCE, North 89 degrees 55 minutes 00 seconds East, along the north line of said Hilltop Addition, 575.00 feet to a 3/4" iron rod found for corner;

THENCE, South 01 degrees 11 minutes 00 seconds East, along the east line of said Hilltop Addition, 347.00 feet to a 3/4" iron rod found for corner;

THENCE, South 88 degrees 46 minutes 00 seconds West, along the north line of a tract of land conveyed to Bobby Joe Camp according to the deed recorded in Volume 16153, Page 200, D.R.T.C.T., 259.00 feet to a 3/4" iron rod found for corner;

THENCE, South 00 degrees 00 minutes 00 seconds East, along the west line of said Camp tract, 377.00 feet to a 1/2" iron rod found for corner, being in the existing north right-of-way line of Third Street;

THENCE, North 90 degrees 00 minutes 00 seconds West, along the existing north right-of-way line of said Third Street, 50.51 feet to a 1/2" iron rod found for corner, being the southeast corner of said Gregory Addition;

THENCE, North 00 degrees 00 minutes 00 seconds West, along the east line of said Gregory Addition, 163.70 feet to the POINT OF BEGINNING.

The tract of land herein described contains 6.30 acres of land.

EXHIBIT "B"  
MAP OF PROPERTY

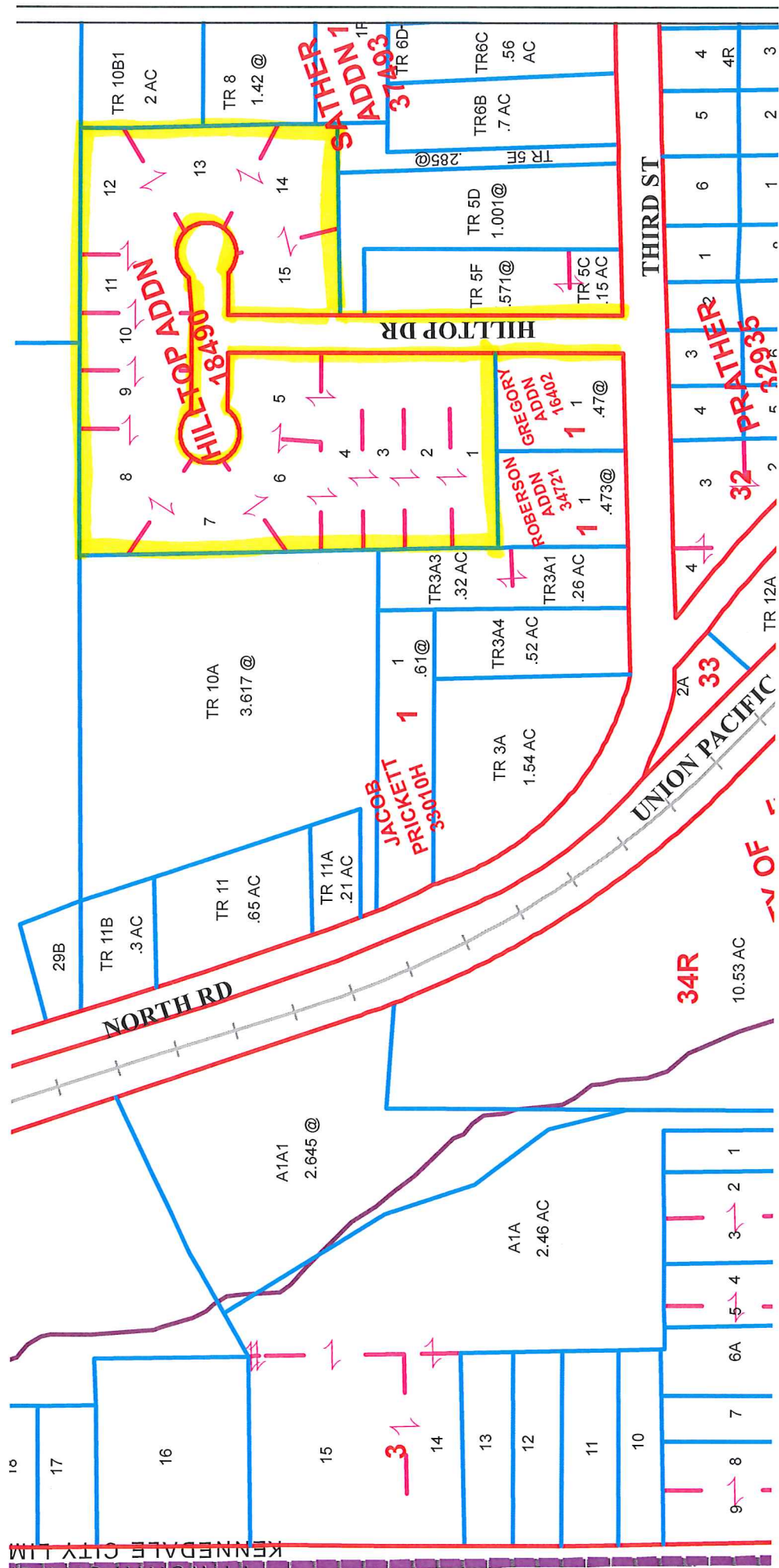
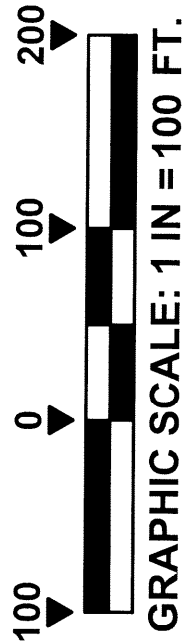
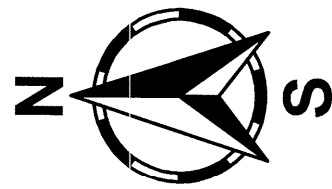
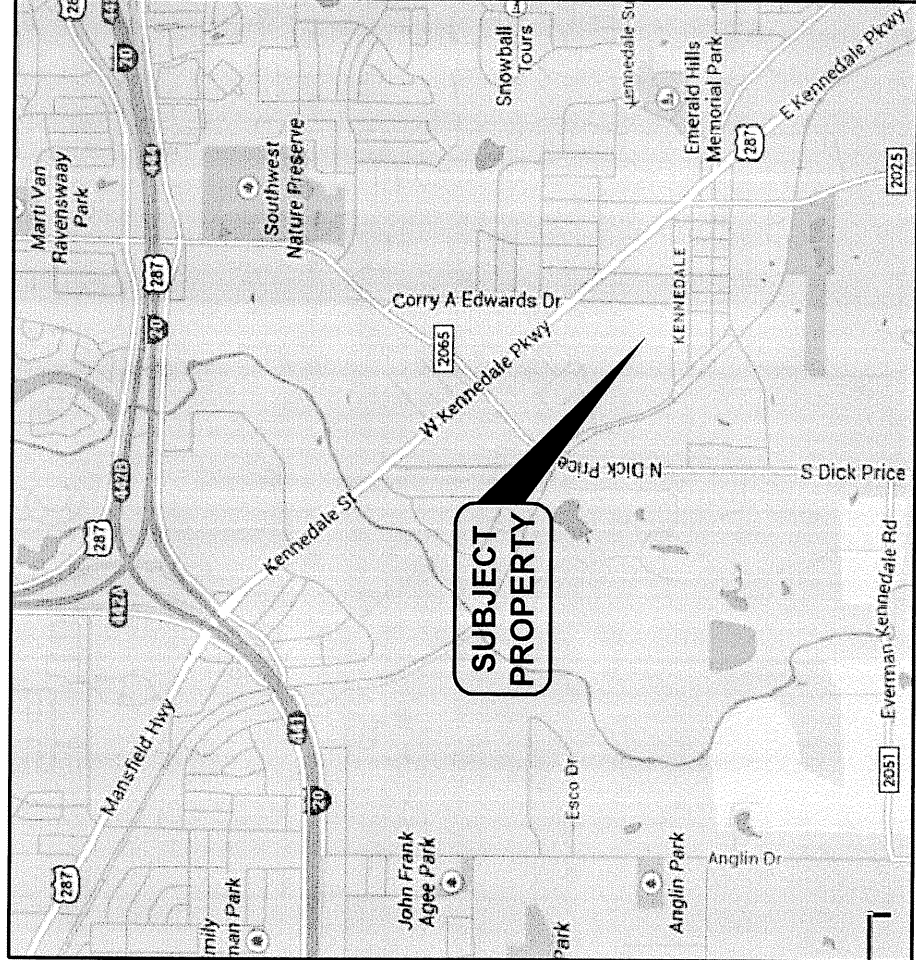


EXHIBIT "C"  
CONCEPTUAL PLAN (PRELIMINARY SITE PLAN)





#### LOCATION MAP



#### LAND USE DATA:

TOTAL AREA – 6.30 ACRES  
TOTAL LOTS – 29  
RESIDENTIAL LOTS – 28  
DETENTION POND LOT – 1  
DENSITY – 4.60 LOTS/ACRE  
STREET LENGTH – 958.32 FT.  
MINIMUM LOT WIDTH – 50.00 FT.  
MINIMUM LOT DEPTH – 110.00 FT.  
MINIMUM LOT AREA – 5,000 SQ. FT.

#### BUILDING LINES:

FRONT – 20 FT.  
SIDE – 5 FT.  
SIDE ADJACENT TO R.O.W. – 15 FT.  
REAR – 5 FT.

#### PLANNED DEVELOPMENT DISTRICT

##### Single Family Residential The Village at Hilltop

- 1.1 **Building Materials:** The acceptable exterior building materials are Hardi-Plank or equivalent, 3 step masonry, stucco, and stone.
- 1.2 **Street Trees:** A minimum of 1 (3") caliber tree is required for each residential lot to be planted centered between the sidewalk and the curb.
- 1.3 **Fencing:** All lot fencing shall be 6' high except for fencing parallel with the street in the sideyard setback which shall be 6' wrought iron.
- 1.4 **Building Spaces:** The minimum square footage of homes shall be 1350 SF of air conditioned space, not including garage and porches.
- 1.5 **Design Elevations:** All front elevations will be articulated to accommodate a useful porch of at least 48 square feet. All elevations will have a minimum of 6/12 pitch.
- 1.6 **Roof:** All roofs shall be a minimum of 6/12 pitch.
- 1.7 **Architectural styles:** All homes shall be consistent with cottage scale and will include varied architectural styles, including Victorian, Craftsman, and Texana.
- 1.8 **Landscape:** All homes shall have sodded front and rear lawns and be fully sprinklered.
- 1.9 **Garage Doors:** All garage doors shall be stained decorative wood panel.
- 1.10 **Sidewalks:** Each home will have 4' sidewalk in right of way.

#### DESCRIPTION OF PROPERTY

Being 6.30 acres of land out of the Jacob Prickett Survey, Abstract Number 1225 and being all of Lots 1-15, Block 1, HILLTOP ADDITION according to the plat recorded in Volume 388-2, Page 68, Plat Records of Tarrant County, Texas as conveyed to Rockehild Investments according to the deed recorded in Clerk Instrument Number D207423630, Deed records of Tarrant County, Texas and being more particularly described as follows:

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THENCE, South 88 degrees 46 minutes 00 seconds West, along the north line of a tract of land conveyed to Bobby Joe Camp according to the deed recorded in Volume 16153, Page 280, D.R.T.C.T., 239.00 feet to a 3/4" iron rod found for corner;

THENCE, South 00 degrees 00 minutes 00 seconds East, along the west line of said Camp tract, 377.00 feet to a 1/2" iron rod found for corner, being in the existing north right-of-way line of Third Street;

THENCE, North 90 degrees 00 minutes 00 seconds West, along the existing north right-of-way line of said Third Street, 50.51 feet to a 1/2" iron rod found for corner, being the southeast corner of said Gregory Addition;

THENCE, North 00 degrees 00 minutes 00 seconds West, along the east line of said Gregory Addition, 163.70 feet to the POINT OF BEGINNING.

The tract of land herein described contains 6.30 acres of land.

#### KNOW ALL MEN BY THESE PRESENTS:

That I, William L. Boomer, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and that I am the actual survey made under my supervision on the ground.

William L. Boomer, R.P.L.S. No. 2559  
Date: \_\_\_\_\_

OWNER:  
ROCKSHIELD INVESTMENTS  
1009 KILLIAN DRIVE  
MANSFIELD, TX 76063

DEVELOPER:  
MKP & ASSOCIATES, INC.  
1375 GILMAN ROAD  
FORT WORTH, TEXAS 76140  
(817) 561-7949  
CONTACT: ADLAI PENNINGTON  
pennington@mkpassociates.com

## HILLTOP ADDITION

BEING A REVISION OF LOTS 1-15, BLOCK 1, HILLTOP ADDITION  
ACCORDING TO THE PLAT RECORDED IN VOLUME 388-2, PAGE 68,  
PLAT RECORDS OF TARRANT COUNTY, TEXAS AND ALSO BEING  
6.3 ACRES OF LAND IN THE  
JACOB PRICKETT SURVEY, ABSTRACT NUMBER 1225,  
CITY OF KENNEDALE, TARRANT COUNTY, TEXAS

PREPARED SEPTEMBER 2013

**CivilSolutions Inc**  
Engineers Surveyors Planners

P.O. Box 1000, Fort Worth, Texas 76185  
(817) 423-0050 (817) 423-0050 Fax  
CivilSolutions Inc  
Texas Registered Engineering Firm F-389  
Texas Licensed Surveying Firm 100662-00

The Planning and Zoning Commission of the City of Kennedale, Texas voted affirmatively on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, to approve this Preliminary Plat.

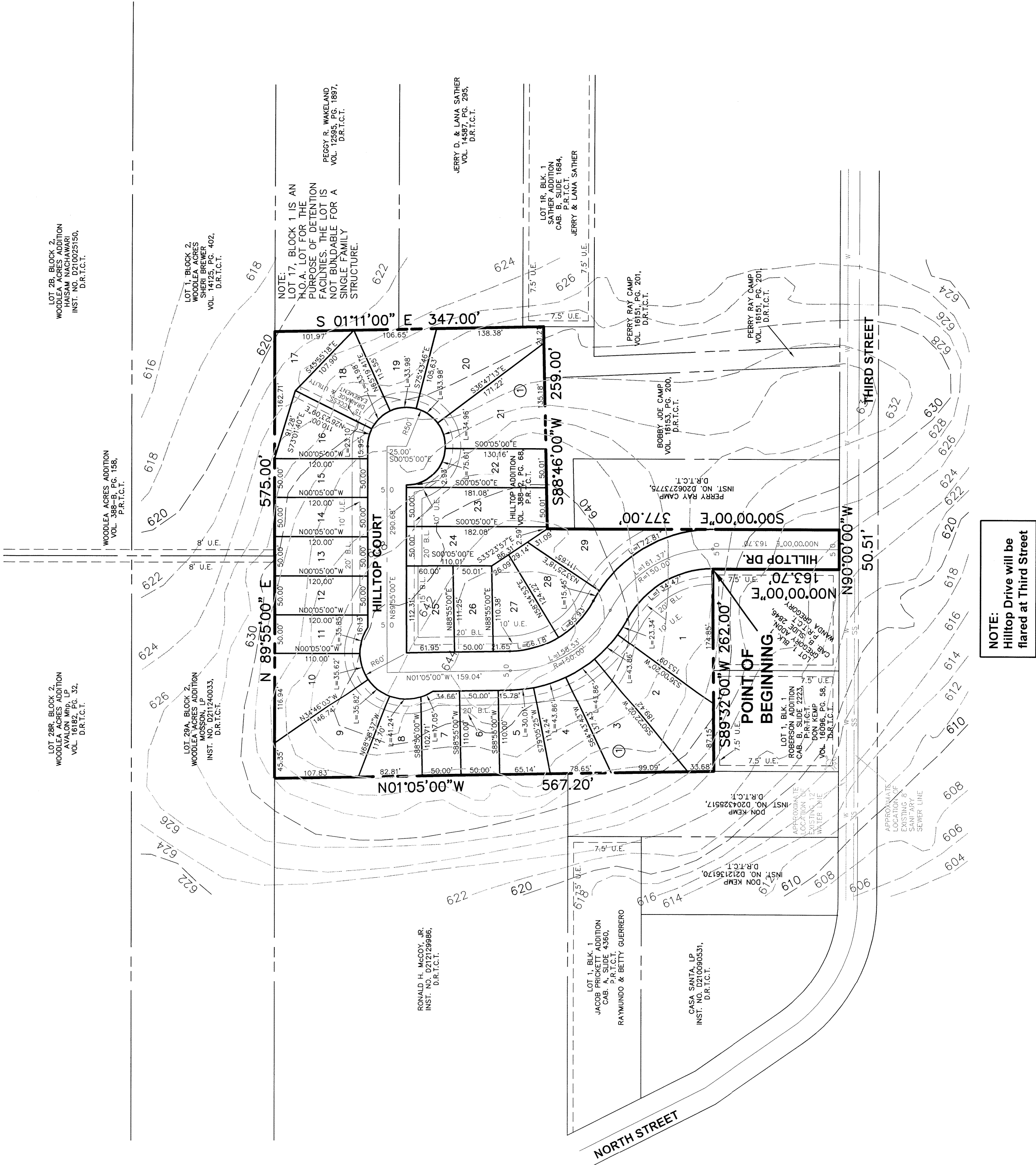
Chairman, Planning and Zoning Commission

Attest: Secretary, Planning and Zoning Commission

The City Council of the City of Kennedale, Texas voted affirmatively on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, to approve this Preliminary Plat.

Mayor

City Secretary



NOTE:  
Hilltop Drive will be  
flared at Third Street

PZ 13-08 comparison table

| Standard/Regulation                  | Existing – Old Town                                         | Proposed – PD                                                                                                                                                             |
|--------------------------------------|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Lot Width                            | 50'                                                         | 50'                                                                                                                                                                       |
| Lot Depth                            | 80'                                                         | 110'                                                                                                                                                                      |
| Minimum Lot Area                     | 5,000 sq ft                                                 | 5,000 sq ft                                                                                                                                                               |
| Front Setback                        | 20'                                                         | 20'                                                                                                                                                                       |
| Side Setback, interior               | 5'                                                          | 5'                                                                                                                                                                        |
| Side Setback, corner                 | 5'                                                          | 15' (adjacent to r-o-w)                                                                                                                                                   |
| Rear Setback                         | 15'                                                         | 5'                                                                                                                                                                        |
| Minimum building size (livable area) | 1,000 sq ft                                                 | 1,350 sq ft                                                                                                                                                               |
| Building materials                   | 80% masonry; 20% materials as desired by builder/home owner | Masonry, hardie-plank, stucco, stone                                                                                                                                      |
| Street trees                         | Not regulated in zoning code                                | A minimum of 1 (3") caliper tree is required for each residential lot to be planted centered between the sidewalk and the curb.                                           |
| Landscaping                          | Not regulated in zoning code                                | All homes shall have sodded front and rear lawns and be fully sprinklered.                                                                                                |
| Fencing                              | n/a – no minimum height                                     | All lot fencing shall be 6' high except for fencing parallel with the street in the sideyard setback, which shall be 6' wrought iron.                                     |
| Elevations                           | Not regulated in zoning code                                | All front elevations will be articulated to accommodate a useful porch of at least 48 square feet. All elevations will have a combination of two building material types. |
| Roof                                 | Not regulated in zoning code                                | All roofs shall be a minimum of 6/12 pitch.                                                                                                                               |
| Architectural styles                 | Not regulated in zoning code                                | All homes shall be consistent with cottage scale and will include varied architectural styles, including Victorian, Craftsman, and Texana.                                |
| Garage Doors                         | Not regulated in zoning code                                | All garage doors shall be stained decorative wood panel.                                                                                                                  |
| Sidewalks                            | 4 feet minimum width                                        | 4 feet minimum width                                                                                                                                                      |

Lot size, width, and depth meet or exceed existing regulations for development in Old Town.







**KENNEDALE**  
Planning Department  
www.cityofkennedale.com  
**PETITION FOR**

## CHANGE OF ZONING CLASSIFICATION

**ZONING CASE #** \_\_\_\_\_  
(assigned by city staff)

DATE: 10/18/13

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. I, the applicant, request to change the zoning classification of the property described on Exhibit "A" attached, from its current zoning classification of

" OT " ( Old Town ) to that of

" PD " ( Planned Development ) in its entirety as shown on Exhibit "B"

attached. The property totals some 6.3 acres.

A statement of why the zoning change should be approved is attached to this application. I understand that I must satisfy the Council that either the general welfare of all the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.

Legal Description is Lots 1-15 Block 1 Hilltop Addition

Present use of the property is Vacant

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

Property Owner's Name: Ashton Holdings, Inc.

Address: 1375 Gilman Rd  
Fort Worth, TX 76140

Telephone Number: 817 561 7949





**KENNEDALE**  
Planning Department  
www.cityofkennedale.com  
Applicant's Name:

Address:

Telephone Number:

Ashton Holdings, Inc  
1375 Gilman Rd  
Fort Worth, TX 76140  
817 561 7949

**If applicant is not the owner, an owner's affidavit must be submitted with this application.**

I, the applicant, understand that city staff, the Planning & Zoning Commission, or the City Council may request from me a site plan or other supporting documents concerning the nature, extent, and impact of my request for rezoning, in addition to what I supply with my application for a change in zoning.

I further certify that Ashton Holdings, Inc is the sole owner(s) of the property described in the legal description and shown in the map attached to this application, as of the date of this application.

  
Applicant Signature

10/18/13  
Date



# **PLANNED DEVELOPMENT DISTRICT Single Family Residential**

## **The Village at Hilltop**

- 1.1 Building Materials: The acceptable exterior building materials are hardiplank, masonry, stucco, and stone.
- 1.2 Street Trees: A minimum of 1 (3") caliper tree is required for each residential lot to be planted centered between the sidewalk and the curb.
- 1.3 Fencing: All lot fencing shall be 6' high except for fencing parallel with the street in the sideyard setback which shall be 6' wrought iron.
- 1.4 Building Size: The minimum square footage of homes shall be 1350 SF of air conditioned space, not including garage and porches.
- 1.5 Design Elevations: All front elevations will be articulated to accommodate a useful porch of at least 48 square feet. All elevations will have a combination of 2 building material types.
- 1.6 Roof: All roofs shall be a minimum of 6/12 pitch.
- 1.7 Architectural styles: All homes shall be consistent with cottage scale and will include varied architectural styles, including Victorian, Craftsman, and Texana.
- 1.8 Landscape: All homes shall have sodded front and rear lawns and be fully sprinklered.
- 1.9 Garage Doors: All garage doors shall be stained decorative wood panel.
- 1.10 Sidewalks: Each home will have 4' sidewalk in right of way.

## **The Village at Hilltop Narrative**

The Village at Hilltop is a 28 lot infill community located at 601 North Street, Kennedale in the Old Town section of Kennedale. The mission of The Village at Hilltop is to provide a new home alternative to the large lot and large home housing stock in Kennedale. The empty nest and young professional market is currently underserved in Kennedale. Further the central location of Hilltop makes it a perfect site for families and individuals who want to access the services that are within walking distance. Town Center and the associates retail services including pharmacy, senior center, banking and restaurants, etc. are all within walking distance. This walkable convenience is highly desirable to both empty nesters and young professionals.

The Village at Hilltop is planned to begin construction in January 2014 and be complete by June 2014 and ready for new home construction. The marketing program has scheduled sales of about 1 home per month so the build out should be early 2016.

The Village at Hilltop was platted in 1955 as a 15 lot subdivision. The property will be owned and developed by Ashton Holding, Inc. and Summit Homes located here in Kennedale will be the community builder.

The Village at Hilltop will embrace the architectural characteristics of a small town. With varied building materials and a wide range of styles Hilltop will perpetuate the feel of older enclave in Kennedale.





**Date:** November 21, 2013

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

---

**I. Subject:**

**CASE # PZ 13-10** to receive comments and consider action on a request by Ashton Holdings, Inc. for a zoning change for approximately 4.3 acres from "AG" Agricultural District to "R-1" Single Family Residential District for property owned by Ricardo Trevino and located at the corner of Swiney Hiatt Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

**II. Originated by:**

**III. Summary:**

**Request:** Rezone from "AG" Agricultural to "R-1" Single Family Residential

**Location:** corner of Swiney Hiatt and Collett Sublett

**Applicant:** Ashton Holdings, Inc., Adlai Pennington, President

**Background.**

The property was platted more than 70 years ago as part of the Oliver Acres subdivision. Although most of the other lots in Oliver Acres were developed as large lot single family homes, this lot is undeveloped. Nearby neighborhoods include Beacon Hill (across the street, at Mansfield Cardinal and Swiney Hiatt) and Falcon Wood (across the street, between Swiney Hiatt and Eden). The primary land use in this area is residential.

Ashton Holdings has requested to rezone the property in question from its current zoning of AG Agricultural to that of R-1 Single Family Residential. A summary comparison of the development standards for each district is as follows: minimum lot area under AG zoning is 1 acre, whereas R-1 lots are required to be at least 1/2 an acre. A change in zoning would increase the potential number of lots from 4 to 8. Minimum lot width is smaller in the current zoning, but minimum lot depth is the same in the two districts. Front and side setback minimums are the same in AG and R-1, but required rear setbacks are smaller in R-1 than in AG districts. The minimum living area for homes and the masonry requirements are the same in both districts.

**Staff Review.**

*Compliance with the comprehensive land use plan.*

The comprehensive land use plan identifies this area as Neighborhood (note: the adjacent intersection of Swiney Hiatt and Collett Sublett is noted as Neighborhood Corridor). The plan describes the Neighborhood



character district as follows.

"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."

R-1 zoning is in compliance with the character district description (or as close as any of our residential zoning districts can come to it).

*Compliance with the strategic plan.*

Staff reviewed the strategic plan for relevant recommendations and found that the plan's recommendations are not applicable to this rezoning request.

*Compliance with City Council priorities.*

Two of Council's priorities (developed during its balanced scorecard process) are related to this rezoning case: (1) Enhance the Business Climate -- Increasing resident population was noted as part of enhancing the business climate; and (2) Balance the Tax Burden -- Creating higher density housing was identified as one way to balance the tax burden. The proposed rezoning increases potential density (reducing minimum lot size from 1 acre to ½ acre) and increases potential number of new residents. Rezoning from AG to R-1 does not guarantee greater density or more residents but allows such increases to occur.

**Staff Recommendation.**

The requested rezoning is in compliance with the comprehensive plan and Council priorities and does not conflict with the strategic plan. Staff recommends approval.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                    |                         |
|----|--------------------|-------------------------|
| 1. | PZ 13-10 ordinance | PZ 13-10 ordinance.docx |
|----|--------------------|-------------------------|

|    |                    |                                     |
|----|--------------------|-------------------------------------|
| 2. | PZ 13-10 exhibit A | PZ 13-10 exhibit A legal descr.docx |
| 3. | PZ 13-10 Exhibit B | PZ 13-10 exhibit b.pdf              |

**AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 17 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, BY REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "AG" AGRICULTURAL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; 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**, 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**, Ashton Holdings, Inc., on behalf of owner Richard Trevino, who has a proprietary interest in said property being an approximately 4.28 acre tract in the J.M. Lilly Survey Abstract 980, more particularly described as Oliver Acres Subdivision Block 2 Lot 6, Tarrant County, Texas, has filed an application to rezone the property from its present classification of "AG" Agricultural District to "R-1" Single Family Residential District; and

**WHEREAS**, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on November 21, 2013, and the City Council of the City of Kennedale, Texas held a public hearing on December 12, 2013, with respect to the amendments described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the approval of amending the Schedule of Uses under Section 17-421 of the Kennedale City Code; 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, THAT:**

**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 4.28 acre tract in the J. M. Lilly Survey, Abstract 980 and 985, Tarrant County, Texas ("the Property"), being that same tract conveyed to Richard Trevino according to the deed recorded in Tarrant County Clerk's Instrument Number D202074623, and more particularly described as Lot 6, Block 2, Oliver Acres, an Addition to the City of Kennedale, Tarrant County, Texas, according to the Plat thereof recorded in Volume 1383, Page 586, Plat Records, Tarrant County, as shown and described on Exhibit "A" attached hereto and incorporated herein, from "AG" Agricultural District to "R-1" Single Family Residential District.

**SECTION 2.**

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, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

**SECTION 3.**

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

**SECTION 4.**

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

**SECTION 5.**

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

**SECTION 7.**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF DECEMBER 2013.**

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

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

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY



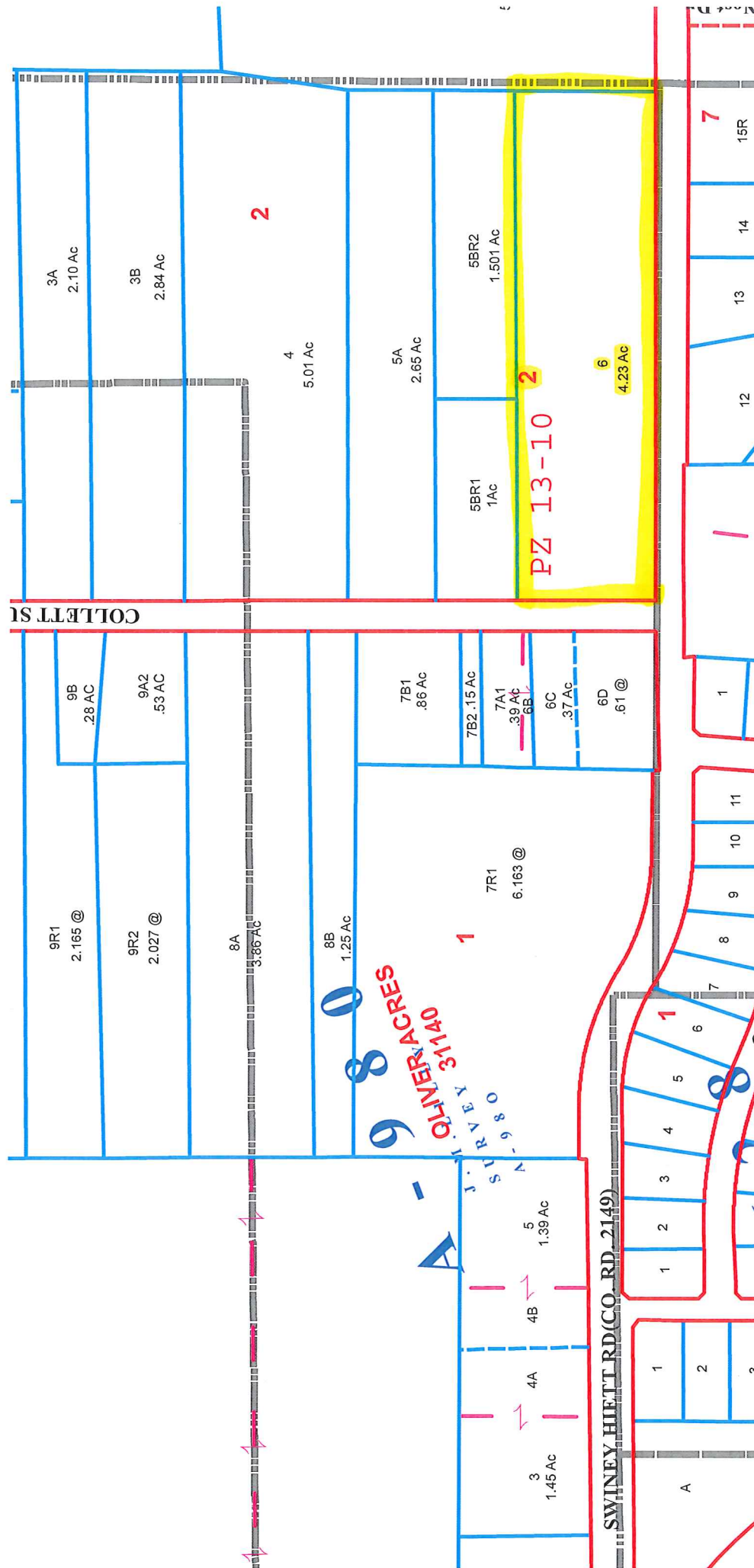
EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

## LEGAL DESCRIPTION

An approximately 4.28 acre tract in the J. M. Lilly Survey, Abstract 980 and 985, Tarrant County, Texas, being that same tract conveyed to Richard Trevino according to the deed recorded in Tarrant County Clerk's Instrument Number D202074623, and more particularly described as Lot 6, Block 2, Oliver Acres, an Addition to the City of Kennedale, Tarrant County, Texas, according to the Plat thereof recorded in Volume 1383, Page 586, Plat Records, Tarrant County.

EXHIBIT "B"  
MAP OF PROPERTY





**Date:** November 21, 2013

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

---

**I. Subject:**

**CASE # PZ 13-11** to receive comments and consider action on a request by Ashton Holdings, Inc. for a replat of approximately 4.3 acres, for property owned by Ricardo Trevino and located at the corner of Swiney Hiatt Rd and Collett Sublett Rd, legal description of Oliver Acres Addition Block 2 Lot 6, to create Lots 6R1-6R8.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

**II. Originated by:**

**III. Summary:**

**Background.**

Lot 6, Block 2 in the Oliver Acres subdivision is located at the corner of Collett Sublett Rd and Swiney Hiatt Rd. The original plat was filed at least 70 years ago. This lot is the same property considered under Case PZ 13-10. If the rezoning request under Case PZ 13-10 is approved, then the zoning for the property will be R-1 Single Family Residential. If it is not approved, then the zoning will remain AG Agricultural.

The applicant, Ashton Holdings, proposes to subdivide the property into eight (8) lots, oriented toward Swiney Hiatt. Each lot would be approximately 0.53 acres in size. Water and sewer lines are available in the area, and therefore the replat would not require the extension of water or sewer utilities.

Please note that state law requires the city to allow protests on replats if variances are requested and that we notify certain property owners of the right to protest. No variance has been requested for this replat, so no protest is authorized under state law.

**Staff Review.**

Planning and Public Works staff reviewed the proposed plat. The plat complies with applicable sections of the comprehensive plan, with the exception of the right-of-way dedications (see below). It also meets all city requirements for new lots in the R-1 zoning district (including lot width, depth, and area), with the exception of the following changes that should be made:

1. Change the title from "Amending Plat" to "Replat".
2. Add Oliver Acres to title block ("Lots 6R1-6R8, Block 2, Oliver Acres...")
3. Add total gross acreage to title block.
4. Change the front setback line from 30 feet to 50 feet.



5. Remove any other setback lines from the plat drawing.
6. Add a signature box for City Council.
7. Correct the plat title in the signature box for the Commission.
8. Add depth dimensions for each lot (currently, depth dimensions are given on the exterior lots only).
9. Provide a scale for the vicinity map.
10. For adjacent properties, make sure each owner name is shown. If adjacent lots are platted, state the subdivision name.
11. Verify all existing easements are shown.
12. State the area of each lot in square feet (area is given in acres).
13. Dedicate right-of-way, if needed, for Collett Sublett side sufficient for a 70-foot right-of-way.
14. Dedicate right-of-way, if needed, for Swiney Hiatt side sufficient for a 60-foot right-of-way.
15. Submit a drainage study for this property for existing and proposed conditions, incorporating the requirements of Kennedale's detention policy.
16. Submit a supplemental document providing fire hydrant assemblies, connected to the Kennedale 12" main in Swiney Hiatt, to provide coverage for this subdivision.

Most of these changes are non-substantive and simply reflect the city's preferences for how plats should be drawn. A few of the changes, however, are substantive and will affect how the property is developed. These changes are those related to drainage and to the right-of-way.

#### **Staff Recommendation.**

The plat is in compliance with the comprehensive plan, except that we have not been able to verify that sufficient right-of-way exists for the two roadways shown on the plat. If the plat is revised to show the right-of-way on Swiney Hiatt and to dedicate additional r-o-w if needed, and if it is revised to dedicate any additional r-o-w needed on Collett Sublett, then it will be in compliance with the comprehensive land use plan. Making the other corrections will bring the plat into compliance with the city requirements if the city first approves the rezoning requested under Case PZ 13-10.

If the Commission votes to approve rezoning of this property under Case PZ 13-10, then staff recommends approving the replat on the condition that the changes listed above be made before the replat is considered by City Council.

If the Commission votes to deny rezoning of this property under Case PZ 13-10, then staff recommends denying the plat, since the request would not meet all applicable city requirements (i.e., the minimum lot size requirements for the zoning district).

For the new Commission members, please note that for plats cases, state law only grants cities a limited amount of control in deciding whether to approve plat requests. If the plat meets all the city requirements for a plat and is in compliance with the comprehensive plan, you must approve it.

#### **IV. Notification:**

#### **V. Fiscal Impact Summary:**

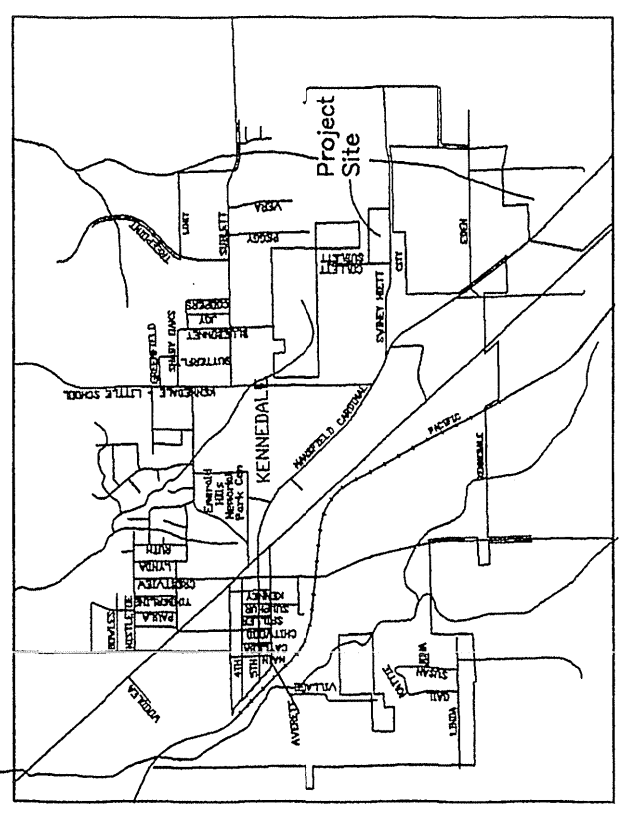
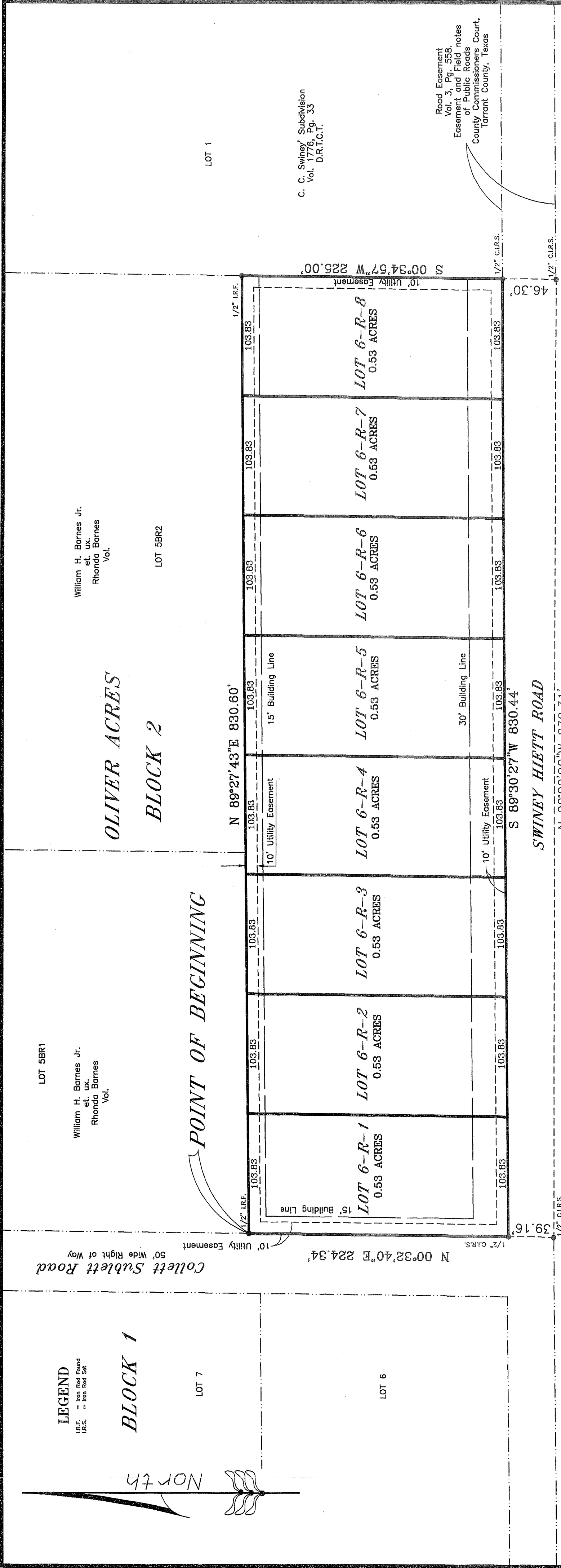
**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                         |                                     |
|----|-------------------------|-------------------------------------|
| 1. | PZ 13-11 replat drawing | Lot 6 Blk 2 Oliver Acres replat.pdf |
| 2. | PZ 13-11 map            | PZ 13-10 & 13-11 map.pdf            |
| 3. | PZ 13-11 application    | PZ 13-11 application.pdf            |



FLOOD STATEMENT

The property shown hereon appears to be located in Zone 2 (Areas determined to be outside the 500-Year Flood Plain) according to the Flood Insurance Rate Map, Map No. 48439C0439 H, Map Revised: August 2, 1995. This Surveyor will not accept the responsibility for the accuracy of said map, nor will this Surveyor accept the responsibility for the local surface drainage affecting the property shown hereon.

This plat represents an actual survey made on the ground under my supervision and is true and correct to the best of my knowledge.

**\* PRELIMINARY \***  
**\* For review only, not to be recorded. \***

Registered Professional Land Surveyor  
Texas Registration No. ????

METES AND BOUNDS DESCRIPTION

Being a portion of that certain lot, tract or parcel of land situated in the J. M. Lilly Survey, Abstract Number 980, Tarrant County, Texas and being all of Lot 6, Block 2, Oliver Acres, an addition to Tarrant County, Texas, according to the plat recorded in Volume 1383, Page 587, Deed Records, Tarrant County, Texas:

BEGINNING at a 1/2 inch iron rod found on the east line of Collett Sublett Road, being the northwest corner of Lot 6 and the southwest corner of Lot 5, Block 2;

THENCE North 89 degrees 27 minutes 43 seconds East, along the common line of said Lots 5 and 6, a distance of 830.60 feet to a 1/2 inch iron rod found for the common easterly corner of said lots;

THENCE South 00 degrees 34 minutes 57 seconds West, along the east line of said Lot 6, a distance of 225.00 feet to a 1/2 inch capped iron rod set for the northeast corner of that certain road easement recorded in Volume 3, Page 558, of the Easement and Field Notes of Public Road County Commissioner's Records, Tarrant County, Texas, from which a 1/2 inch capped iron rod set for southeast corner of said lot 6 bears South 0 degrees 34 minutes 57 seconds West, a distance of 46.30 feet;

THENCE South 89 degrees 30 minutes 27 seconds West, along the north line of said easement and the north line of Swiney Hiatt Road, a distance of 830.44 feet to a 1/2 inch capped iron rod set for the northwest corner of said easement being on the east line of Collett Sublett Road, and the west line of said lot 6, from which a 1/2 inch capped iron rod set for the southwest corner of lot 6, bears South 00 degrees 32 minutes 40 seconds West, a distance of 39.16 feet;

THENCE North 00 degrees 32 minutes 40 seconds East, along the east line Collett Sublett Road and the west line of lot 6, a distance of 224.34 feet to the point of beginning.

The Planning and Zoning Commission of the City of Kennedale, Texas voted affirmatively on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, to approve this preliminary Plat.

Chairman, Planning and Zoning Commission

ATTEST: SECRETARY Planning and Zoning Commission

THE STATE OF TEXAS

Before me \_\_\_\_\_, a Notary Public in and for the State of Texas on this day personally appeared Adlai Pennington, President, Ashton Holdings, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration herein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

AMENDING PLAT SHOWING  
Lots 6-R-1 thru 6-R-8, Block 2  
Being 4.28 acres of land out of the  
J. M. LILLY SURVEY, ABSTRACT 980  
and also being  
A Revision of Lot 6, Oliver Acres,  
Tarrant County, Texas  
recorded in Volume 1383, Page 586,  
Deed Records, Tarrant County, Texas

THIS PLAT FILED IN  
CABINET \_\_\_\_\_, SLIDE \_\_\_\_\_  
DATE \_\_\_\_\_

|                                                                                  |            |           |         |
|----------------------------------------------------------------------------------|------------|-----------|---------|
| Barney Ballard Corporation<br>P.O. BOX 545, BARBERSBURG, TEXAS 76697 817795-4891 |            |           |         |
| Scale: 1"=60'                                                                    | Drawn: ATV | Project # | 2806037 |
| Book: 10-10-13                                                                   | App: btb   | dt: J     | 2404072 |

# Site of Cases PZ 13-10 & PZ 13-11



# City of Kennedale Re-Plat Application

APPLICANT NAME: Ashton Holdings, Inc DATE: 10/18/13  
 SUB-DIVISION NAME: Falcon Crest  
 LEGAL DESCRIPTION: Lot 6 Oliver Acres ACRES: 4.28  
 CURRENT ZONING: AG PROPOSED ZONING: R-1  
 BEING PLATTED AS: LOTS: 6-R-1 BLOCKS: 2 PHASES: 1  
6-R-8

OWNER OF RECORD: Ricardo Trevino  
 ADDRESS: 717 Woodland Ct PHONE: \_\_\_\_\_  
 CITY: Kennedale STATE: TX ZIP: 76060

SURVEYOR: Barney Ballard Corporation  
 ADDRESS: P.O. Box 545 PHONE: \_\_\_\_\_  
 CITY: Burleson STATE: TX ZIP: 76097

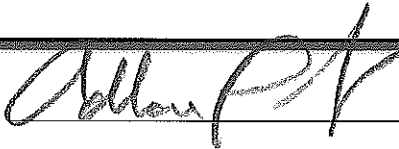
ENGINEER: N/A  
 ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

DEVELOPER: Ashton Holdings, Inc  
 ADDRESS: 1375 Gilman Rd PHONE: 817 561 7149  
 CITY: Fort Worth STATE: TX ZIP: 76140

DESCRIPTION OF THE PROJECT FOR WHICH THE PLAT IS SOUGHT, INCLUDING PROPOSED LAND  
 USES AND THEIR LOCATIONS:



APPLICANT SIGNATURE:



DATE:

10/18/13

OWNER SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

SURVEYOR SIGNATURE: \_\_\_\_\_

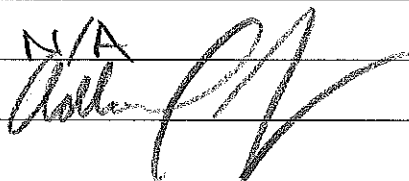
DATE: \_\_\_\_\_

ENGINEER SIGNATURE: \_\_\_\_\_

N/A

DATE: \_\_\_\_\_

DEVELOPER SIGNATURE:



DATE:

10/18/13

Please submit with your application a tax certificate from Tarrant County showing that any delinquent taxes, fee, and outstanding liens due to the city have been paid.

KENNEDALE



**Date:** November 21, 2013

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

---

**I. Subject:**

**CASE # PZ 13-12** to receive comments and consider approval on a request by Alluvium Development, Inc. to amend the regulations for the 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, to correct a scrivener's error that listed the minimum lot width for "C" type lots as 85 feet instead of 80 feet.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

**II. Originated by:**

**III. Summary:**

The site plans for The Vineyard planned development district (approved by the city under case PZ 13-04) showed a lot width of 85 feet for "C" type lots. The applicant's intent had been for the "C" type lots to have a width of 80 feet; that width is what the lots are scaled at on the site plan and what he thought had been proposed in the site plan text. Unfortunately, the mistake was not caught in time, and the site plans were reviewed and approved by the Commission and by City Council at the wider width of 85 feet. The approved layout and number of lots are not possible with a width of 85 feet for the "C" lots, unfortunately, so the applicant is requesting a change to the approved site plan to allow a lot width of 80 feet. This lot width would apply only to "C" type lots.

**Staff Review.**

The request to amend the site plan does not conflict with city plans or goals, and staff therefore recommends approval of the request to amend the site plan for The Vineyard Planned Development District.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |                                     |                                                          |
|----|-------------------------------------|----------------------------------------------------------|
| 1. | PZ 13-12 adopting ordinance (draft) | PZ 13-12 ordinance correcting error in PD site plan.docx |
| 2. | PZ 13-12 corrected site plan        | PD Exhibit - The Vineyard - Error Correction 110113.pdf  |

**AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED, THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF KENNEDALE; BY AMENDING THE VINEYARD PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; 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**, 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**, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

**WHEREAS**, a scrivener's error was made on the site plan submitted and approved as part of The Vineyard Planned Development District; and

**WHEREAS**, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on November 21, 2013, and the City Council of the City of Kennedale, Texas held a public hearing on December 12, 2013, with respect to the amendments described herein; and

**WHEREAS**, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the approval of amending the Schedule of Uses under Section 17-421 of the Kennedale City Code; and

**WHEREAS**, the City of Kennedale, Texas does hereby deem it advisable and in the public interest to amend Ordinance No. 40, as amended, as described herein.

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

**SECTION 1.**

The Vineyard Planned Development District site plan is hereby amended as follows:

See Exhibit "A".

**SECTION 2.**

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, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

### **SECTION 3.**

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

### **SECTION 4.**

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

### **SECTION 5.**

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

### **SECTION 6.**

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

### **SECTION 7.**

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

**PASSED AND APPROVED ON THIS 12<sup>TH</sup> DAY OF DECEMBER 2012.**

ATTEST:

\_\_\_\_\_  
MAYOR

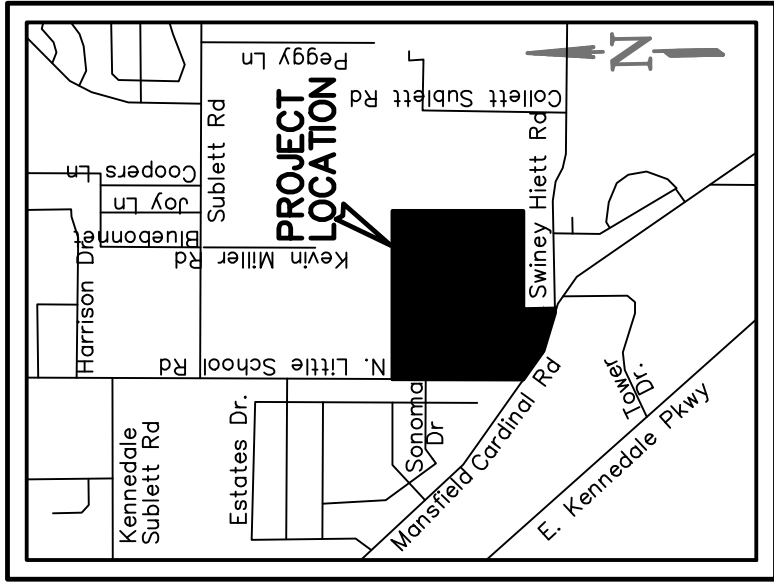
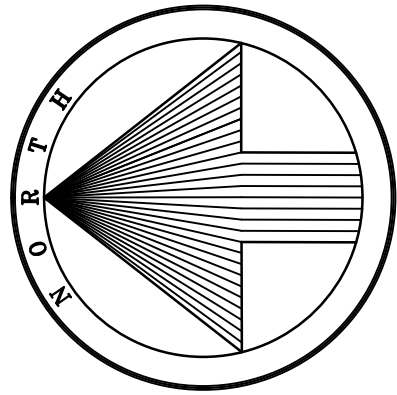
\_\_\_\_\_  
CITY SECRETARY

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

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
CITY ATTORNEY





LOCATION MAP  
NIS  
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 R-2 SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, TO THE EXTENT NOT MODIFIED IN THIS ORDINANCE AND THE DOCUMENTS APPURTENANT HERETO, 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: 46.192 ACRES  
PUBLIC OPEN SPACES:  
- 7 LOTS  
- 5 RETENTION PONDS  
- 4.92 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  
~~20 @ 85 ft. x 120 ft.~~    Adjacent to Neighbors or Internal  
79 @ 80 ft. x 120 ft.    Adjacent to Neighbors  
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.

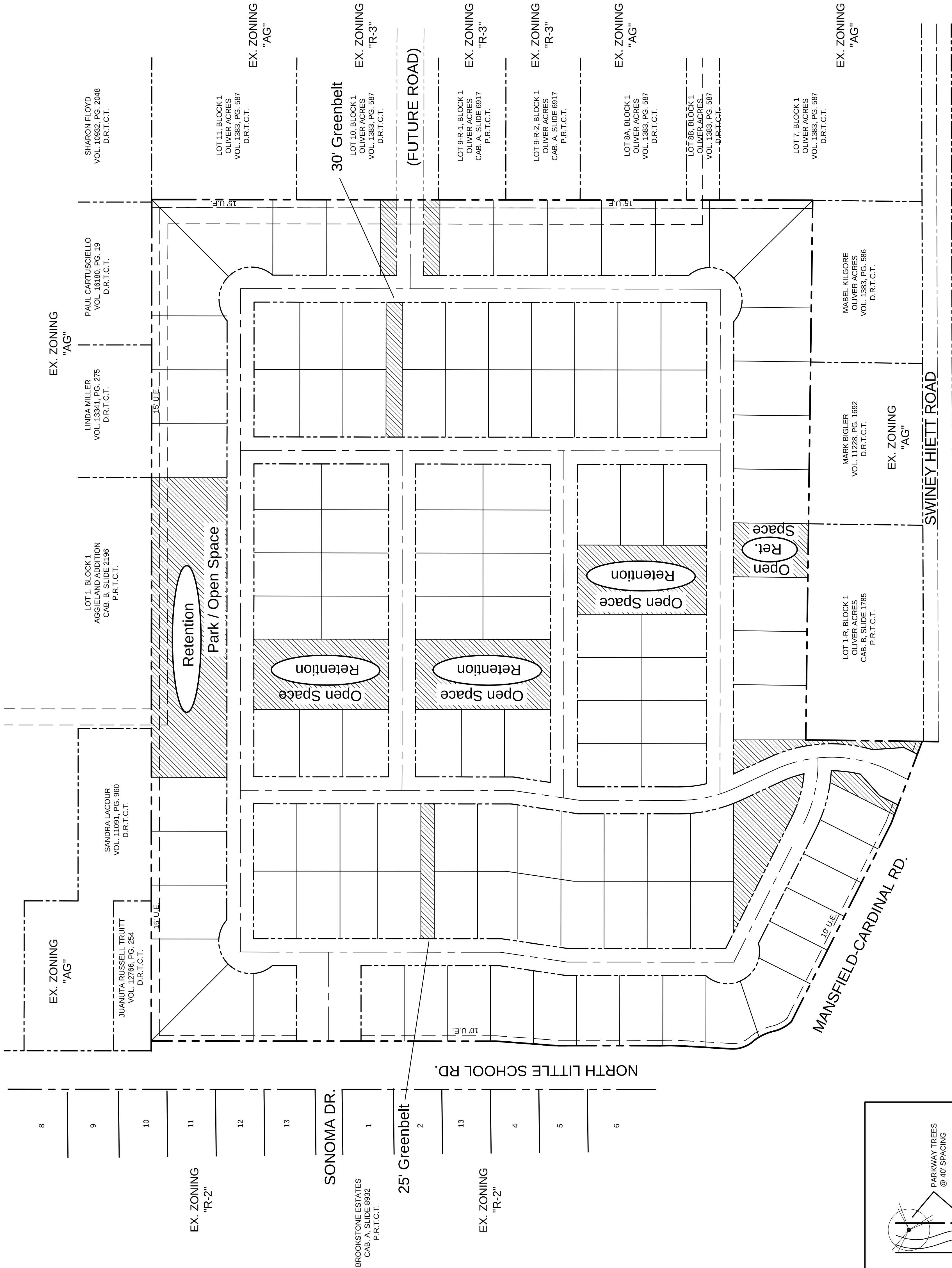


PROPOSED PD  
R-2 TO PD

## 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  
ORIGINALLY APPROVED: SEPTEMBER 12, 2013  
REVISED: NOVEMBER 1, 2013



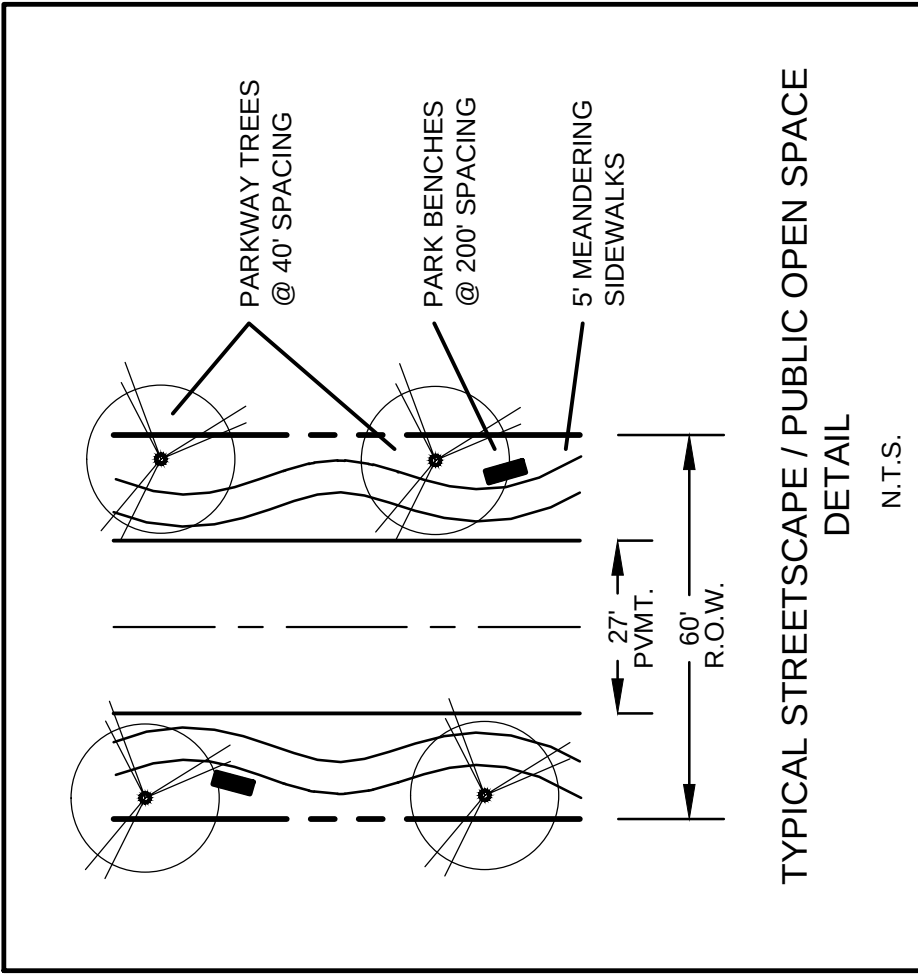
### REVISION EXPLANATION

CORRECTION OF A TYPOGRAPHICAL ERROR;  
REVISED THE STATED DIMENSION TO MATCH THE  
DIMENSION OF THE ADJACENT LOT;  
\* PREVIOUS CALLED DIMENSION: 88ft x 120ft  
\* CORRECT DIMENSION: 80ft x 120ft

OWNERS:  
FIRST TEXAS HOMES, INC.  
500 CRESENT COURT, SUITE 350  
DALLAS, TEXAS 75201  
CONTACT: TERRY JOBE  
(817) 995-9500

DEVELOPER:  
ALLUVIUM DEVELOPMENT, INC.  
TERRANCE JOBE  
3526 ROUTH STREET  
DALLAS, TEXAS 75219  
(817) 995-9500

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



TYPICAL STREETSCAPE / PUBLIC OPEN SPACE  
DETAIL  
N.T.S.