

KENNEDALE CITY COUNCIL
AGENDA
REGULAR MEETING
August 14, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 5:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. WORK SESSION

***NOTE: Pursuant to Section 551.071, Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the work session or the regular session to discuss posted executive session items or to seek legal advice from the City Attorney on any item posted on the agenda.**

- A. Discuss bid award for health, dental, life and AD&D, and voluntary life insurance.
- B. Discuss the bids for 'Kennedale Parkway Sidewalk Improvements' project.
- C. Review the Employment Center Code.
- D. Discuss the lease of city infrastructure space to Netlink for the placement of telecommunications equipment.
- E. Discuss any other items on the agenda.

III. EXECUTIVE SESSION

- A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.
- B. The City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect that the city council seeks to locate within the city limits.

IV. REGULAR SESSION (7:00PM)

V. ROLL CALL

VI. INVOCATION

VII. UNITED STATES PLEDGE

VIII. TEXAS PLEDGE

"Honor the Texas Flag; I Pledge Allegiance to Thee, Texas, One State under God; One and Indivisible."

IX. VISITOR/CITIZENS FORUM

At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

X. REPORTS/ANNOUNCEMENTS

In addition to any specific matters listed below, the city council may receive a report about items of community interest, including but not limited to recognition of individual officials, citizens or departments, information regarding holiday schedules, upcoming or attended events, etc.

- A. Updates from the Mayor.
 - Board application process
 - Free YAC Movie event in TownCenter Park on August 23

B. Updates from City Council.

C. Updates from the City Manager.

D. Organizational Performance Report.

XI. CONSENT ITEMS

All matters listed under consent agenda have been previously discussed, require little or no deliberation, or are considered to be routine by the council. If discussion is desired, then an item will be removed from the consent agenda and considered separately.

- A. Consider approval of minutes from the July 10, 2014 regular meeting.
- B. Consider approval of bid award for health, dental, life and AD&D, and voluntary life insurance and authorize the City Manager to execute all associated contracts.
- C. Consider awarding a bid for 'Kennedale Parkway Sidewalk Improvements' project to Northstar Construction, Inc.
- D. Consider authorizing the City Manager to execute a lease contract with Netlink for the placement of telecommunications equipment on city property.

XII. REGULAR ITEMS

A. **CASE # PZ 14-06** Public hearing to receive comments and consider approval of Ordinance 552 amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by amending Section 17-415A "EC" employment center district of the Kennedale City Code and Exhibit "A" for same.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary
4. Action by City Council on Ordinance 552

B. **CASE # PZ 14-07** Public hearing and consideration of approval of Ordinance 553 regarding a request for a city-initiated zoning change from "C-2" General commercial district to "EC" Employment Center district for approximately 3.1 acres located at 5411 Kennedale Pkwy, 1298 & 1302 W Kennedale Pkwy, 5500 E IH 20, and an unaddressed parcel on E IH 20, legal description of David Strickland Survey A1376 Tr 32B01 & 32D, M J Freeman Addn Blk 1 Lot 1, Broyles Addn Blk 1 Lot 1 & Part of closed street, and Dunlap Subdivision Blk 1 Lot 1, Kennedale, Tarrant County, Texas.

1. Staff presentation
2. Public hearing
3. Staff response and summary
4. Action by City Council on Ordinance 553

C. Public Hearing and consideration to approve Resolution 428, allowing the Kennedale Economic Development Corporation to authorize the EDC President to execute an Economic Performance Agreement for development of property at 1298 W. Kennedale Parkway.

XIII. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

XIV. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the August 14, 2014, 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. Sloane, City Secretary

Date: August 14, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss bid award for health, dental, life and AD&D, and voluntary life insurance.

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

In April 2014, staff met with Brinson Benefits, the city's current insurance consultant regarding the city's benefit plans, plan utilization and preparation for the July bid process. At that time the 12 month claims loss ratio was approximately 70% with three (3) claims over \$15,000.

July 1, 2014, staff received the insurance renewal with an overall increase of 15%, staff then immediately bid the insurance to review other competitive offers. The City advertised and received bids from two companies (Blue Cross Blue Shield, Aetna). Cigna, Humana and United Health Care declined to provide a bid.

Aetna completely changed all their insurance plans which increases employees out of pocket expenses including offering an HSA with an 90% coinsurance, four tiered pharmacy and a PPO with 30% coinsurance for office visit copays. These benefit reductions and a 15% increase in premiums led staff to consider Blue Cross Blue Shield.

Blue Cross Blue Shield offered the most competitive rates (6% increase) and offered to provide similar plan designs with minimal changes. The City will maintain the Health Savings Account and offer one PPO plan with a \$2,500 deductible. The PPO plan offered by BCBS has improvements in emergency room, urgent care and prescription drug copays, which reduces the out-of-pocket costs to employees. Staff proposes to continue to offer a \$600 incentive for all employees that enroll in the HSA. A chart comparing current and proposed plans is attached.

After review of the bid proposals, staff recommends moving to Blue Cross Blue Shield for a total premium increase of 6% as well as maintaining the \$600 incentive for employees enrolling in the HSA. The overall increase in health insurance line item is approximately \$9,973.

Dental Insurance

Staff also recommends moving to a new dental provider, Met Life. Assurant, the current dental provider renewed with an 11.11% rate increase. The city received quotes from six other companies. Three companies (Guardian, Reliance Standard and UNUM) proposed rate increases from 5.5% to 19.35% increase in rates. The other three (MetLife, Lincoln Financial and Principal) all proposed rate decreases. After comparing each plan design, MetLife offered the best plan with an overall rate decrease of 9.35%. Met life provides a solid network, improved plan design, as well as reasonable rates for employees covering dependents.

Staff recommends moving to MetLife with a decrease in the city's annual cost by \$1,785.

Vision Insurance

The city's current vision provider, Block Vision, offered a two year rate guarantee last year. Block offers a good network of providers including Wal-Mart, Sam's Club, Eyemasters and private practices. Staff recommends remaining with Block Vision for an additional year.

Life Insurance

Staff also bid life insurance due to billing and other administrative issues experienced with the current provider. Five bids were received from Assurant, Metlife, Sunlife, Lincoln, and Principal. Metlife offered the most comprehensive benefit increasing guarantee issue for spouse, additional coverage options for children, 80% living benefit maximum, does not reduce insurance due to age, and offers better term rates for employee voluntary life coverage. Staff recommends moving to MetLife with an increase of \$1,720.

In closing, with the changes proposed by staff for the benefits program, moving medical insurance to BCBS, moving dental insurance to Metlife, maintaining vision insurance with Block Vision and moving life insurance to MetLife, the city will experience an overall expenditure of \$394,609 an increase of \$6,674 in the proposed budget.

Recommendation

Recommend acceptance of BCBS proposal for medical, Metlife proposal for dental, Block Vision for vision insurance, and Metlife for life and AD&D for a total allocation of \$394,609, maintain Brinson Benefits as the agent of record and authorizing the City Manager to execute the agreements.

IV. Fiscal Impact Summary:

The city will experience an overall expenditure of \$394,609 an increase of \$6,674 in the proposed budget.

V. Legal Impact:

VI. Recommendation:

Approve
None

VII. Alternative Actions:

VIII. Attachments:

1.	Medical Benefits Proposed	2014 Medical Insurance Proposed Comparison to Current.docx
----	---------------------------	--

2014 Medical Insurance Proposed Comparison to Current

Plan Design	Current Plans with Aetna		Aetna Proposed Plans		BCBS Proposed Plans	
	HSA	PPO	HSA	PPO	HSA	PPO-1
Deductible	3,500	2,500	3,000	2,500	3,500	2,500
Family Deductible	2X	3X	2X	2X	2X	3X
Out of Pocket	3,500	7,500	6,350	6,350	3,500	5,500
Coinsurance	100%*	80%	90%	70%	100%*	80%
Office Visit Copay	100%*	\$30/60	\$30/60	\$35/30%	100%*	\$25/25
Preventative	100%	100%	100%	100%	100%	100%
Hospital	100%*	80%	90%	70%	100%*	80%
ER Copay	100%*	\$200.00	\$500	\$0.00	100%*	\$100
Urgent Care	100%*	\$100.00	90%	\$100.00	100%*	\$50
Prescription	100%*	\$15/40/60/ 30% up to \$200	\$10/50%/50% up to \$500	\$10/50/50%/30% up to \$300	100%*	\$10/40/60
*After Deductible						
Rates						
Employee Only	322.00	370.00	336.00	442.00	337.13	393.26
EE + Spouse	768.00	884.00	801.00	1,055.00	804.67	938.67
EE + Children	672.00	773.00	701.00	923.00	703.99	821.22
EE + Family	1,083.00	1,247.00	1,131.00	1,488.00	1,134.94	1,323.93
Increase/(Decrease)			4%	19%	5%	6%

Date: August 14, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss the bids for 'Kennedale Parkway Sidewalk Improvements' project.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

This process was conducted by Shield Engineering. Please see the attached information in reference to this item.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Bids	Contractor Award Recommendation Letter.pdf
----	------	--



August 7, 2014

Mr. Bob Hart
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

RE: Recommendation of Award
Kennedale Parkway Sidewalk
CSJ 0172-01-052 & CSJ 0172-02-072

Dear Mr. Hart:

On Tuesday August 5, 2014, six bids were received for the above referenced project. Northstar Construction, Inc. submitted the lowest total bid of \$912,870.40.

A summary of bids received is as follows:

- | | |
|---------------------------------|----------------|
| 1. Northstar Construction, Inc. | \$ 912,870.40 |
| 2. Jackson Construction LTD | \$ 923,765.25 |
| 3. CLLA Group | \$ 950,698.15 |
| 4. The Fain Group, Inc. | \$ 957,095.60 |
| 5. Ken-Do Contracting, LP | \$1,018,596.75 |
| 6. 2L Construction, LLC | \$1,144,072.25 |

Northstar Construction, Inc. has successfully completed numerous sized projects for developments in Dallas/ Fort Worth and surrounding areas. Based on the bid submitted, it is recommended that Northstar Construction, Inc. be authorized to perform this work for the proposed amount of \$912,870.40.

Upon your approval, we will immediately begin to prepare and circulate the appropriate contract documents for execution. Should you have any questions or require any additional information, please call me at 817.810.0696.

Sincerely,

Jean-Marie Alexander, P.E., CEO
Shield Engineering Group, PLLC

Shield Engineering Group, PLLC



1200 W. Freeway, Suite 300, Fort Worth, TX 76102 • office (817) 810-0696 • fax (817) 810-0372
Email: info@segpllc.com • www.shieldengineeringgroup.com

Date: August 14, 2014

Agenda Item No: WORK SESSION - C.

I. Subject:

Review the Employment Center Code.

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Review the Development Code.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Proposed Employment Center Code	Employment Center Code (Draft).pdf
----	---------------------------------	------------------------------------

Employment Center District Code

City of Kennedale

Adopted August 14, 2014



EMPLOYMENT CENTER DISTRICT CODE

TABLE OF CONTENTS

	SECTION	PAGE
SECTION 1.	PURPOSE & INTENT	4
SECTION 2.	REGULATING PLAN (WITH MAP)	7
SECTION 3.	ADMINISTRATION	11
SECTION 4.	BUILDING MASS AND PLACEMENT Build-to lines/setbacks Minimum frontage requirements Mass & height	17
SECTION 5.	BUILDING DESIGN Entry Orientation Glazing/Fenestration Façade Articulation Building Materials	22
SECTION 6.	SITE DESIGN STANDARDS Parking placement Parking amount Parking screens Sidewalk standards Curb cuts Landscape standards Lighting	27
SECTION 7.	SIGNS	41

EXHIBITS

Exhibit A Regulation Plan and Description of Boundaries

APPENDICES

Appendix A. Definitions

Appendix B. Native Plants

Appendix C. Irrigation

Appendix D. Photo & Illustration Credits

SECTION 1. PURPOSE & INTENT

In 2012, the City of Kennedale adopted a revised Comprehensive Land Use Plan. The new Comprehensive Plan establishes a long-term vision and goals for the city and serves as a policy guide and framework for land use decisions. The Plan supports a need for changing zoning and development standards for many areas of the city, including the Oak Crest area, which is located at the entrance to the city at Kennedale Parkway and I-20. In addition, recent studies and plans for Oak Crest and adjacent areas suggest the need for sidewalks, trails and green spaces, environmental cleanup, consolidation of lots that could support newer forms of development with a mix of uses that can leverage the potential of this critical location.

The Oak Crest area plays an important role in establishing the city's image in the region and locally. The Comprehensive Plan and the related Employment Center Concept Plan recognize the area's importance to community image and also note its potential desirability for businesses needing easy access to downtown Fort Worth, I-20, I-820, and surrounding communities. Based on the area's assets, the Comprehensive Land Use Plan envisioned this area as an Employment Center, a district with a vibrant mix of retail, office (corporate and small), lodging, and residential uses. Ideally, a mix of land uses—including office and retail—will eventually occupy this district, with an emphasis on employment and possible transit park & ride supportive uses. Development on the interior of the Employment Center should be designed to encourage and accommodate pedestrians. While it is understood that development on the exterior of the district will need to contend with a more auto-oriented reality, pedestrian safety, access, and comfort should not be ignored.

The Employment Center Concept Plan is an extension of the Comprehensive Plan. It lays out sub-districts that are intended to serve different purposes but are also related to and supported by the other sub-districts. The uses envisioned in the concept plan are retail/restaurant, hotel, office/flex space, senior living, a green corridor, a nature preserve/natural area and related outdoor activity center, and a park and ride stop.

This Code is intended to implement the Comprehensive Plan as it pertains to the Employment Center character district and also draws from the concept plan. The Employment Center is a redevelopment district; most of the properties have previously been developed, and many of these properties are now vacant lots or buildings awaiting reuse. The Employment Center is envisioned as a series of sub-districts, each implementing a specific redevelopment vision based on the context of the site. Standards for the

entire Employment Center will be developed in phases, with this first phase addressing the part of the district with the most visibility: properties located along Kennedale Parkway and along High Ridge Road. The Code will be updated and expanded at a later date to include the remaining segments of the Employment Center.

The development standards in this District have four main goals.

- Move toward development patterns that are closer to the vision of the comprehensive plan while taking advantage of frontages along major regional corridors such as Kennedale Parkway and Interstate-20;
- Serve as a transition between development along the Parkway and development in the interior of the Employment Center district, which will be more accommodating to pedestrians and a mix of uses, along with the potential for higher intensity development;
- Ensure new development and improvements to existing development support the City's vision of the Employment Center as a gateway to Kennedale; and
- Provide a high level of predictability, both for the development community and the public.

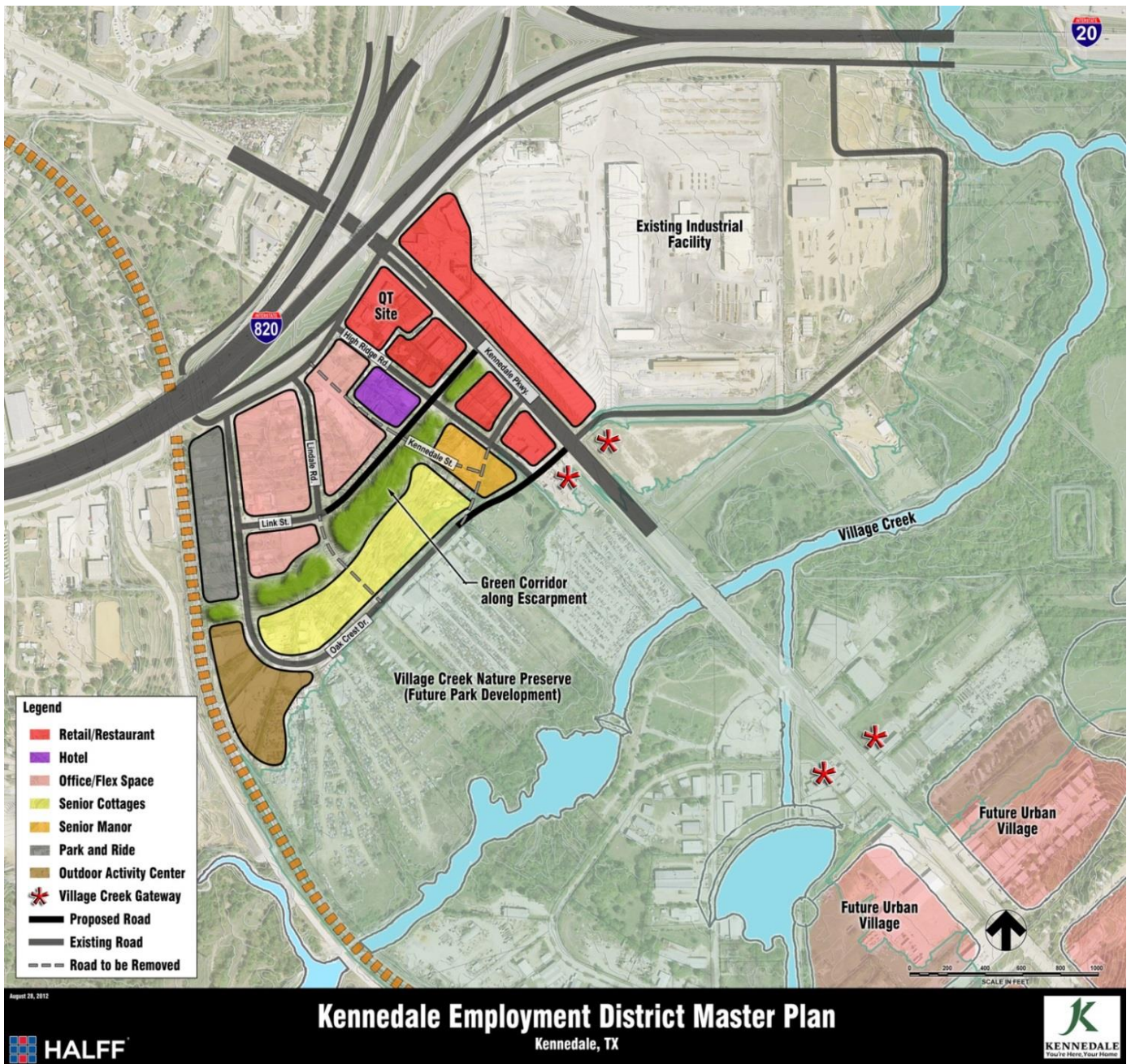


FIGURE 1. EMPLOYMENT CENTER MASTER PLAN

SECTION 2. REGULATING PLAN

The Employment Center character district shall ultimately consist of five districts: Corridor Commercial; Transition District; Flex District; Neighborhood District; and Green Corridor. Where not controlled by this Code, the Employment Center shall be governed by the Kennedale Code of Ordinances to the extent the Code of Ordinances is not in conflict with the intent or text of the this Code.

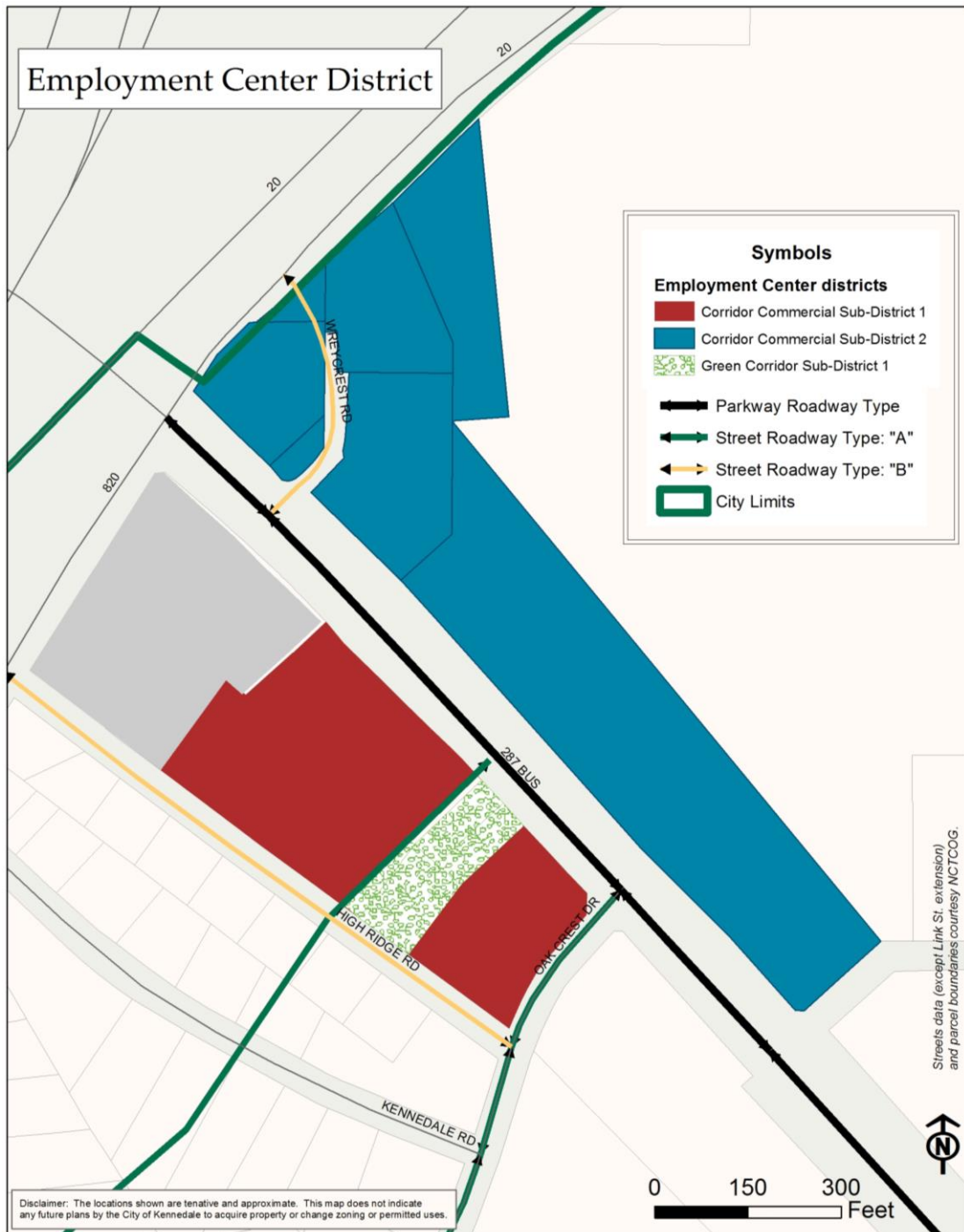


FIGURE 2. REGULATING PLAN BOUNDARIES

This Code is intended to set forth regulations for the Corridor Commercial (Sub-Districts 1 and 2) and Green Corridor Sub-District 1 only.

2.1 CORRIDOR COMMERCIAL

The purpose of the Corridor Commercial district is to encourage commercial development consistent with the vision for this important gateway into Kennedale, creating a hybrid development context that merges the predictability provided through some form-based code elements with the land use control provided through more traditional zoning tools. This district creates a unified streetscape and landscape context for an area that is both a major gateway to the city and a major suburban thoroughfare. The district as proposed currently consists of two sub-districts (shown in the illustration above): Corridor Commercial Sub-District 1, located on the south/west side of Kennedale Pkwy, and a second sub-district located on the north/east side of Kennedale Pkwy.

2.2 GREEN CORRIDOR

The Green Corridor district provides a green belt to buffer land located on either side of an escarpment running through the Employment Center along Link St and provides a transition between the residential uses of the Neighborhood district and the more commercial uses to be located north of the Green Corridor. The Green Corridor has two sub-districts: Green Corridor Sub-District 1 bisects the Commercial Corridor Sub-District 1; Green Corridor Sub-District 2, when established, will run between the Transition and Flex districts and the Neighborhood district.

2.3 OTHER SUB-DISTRICTS

Additional sub-districts will be established as this Code is updated in the future. The sub-districts will be drawn from the Employment Center Master Plan and will create a flex district, a transition district, and a neighborhood district, as well as an additional corridor commercial district. The Flex District will provide for office uses, light manufacturing or small-scale distribution, live/work units, and light commercial. The Transition District will provide a buffer between the more auto-centric development patterns of the Corridor Commercial district and the adjacent parts of Oak Crest that will likely redevelop over time into a more urban character. The Neighborhood District is intended for residential development for seniors; residences may take the form of single-family residential or small, context-sensitive multi-family residential. It is intended that all of the properties within the Employment Center will eventually be regulated by this Code, after the Code has been updated to include additional standards fitting the other sub-districts and maintaining the desired character of the district.

2.4 ROADWAY CONTEXT

The Employment Center is bisected by Kennedale Pkwy and is bounded by the I-20 frontage road to the north, a rail line to the west, and Village Creek to the south. The area is therefore not only the major gateway to Kennedale, but it is also disconnected from the rest of the city. New land development tools adopted for the Employment Center must be realistic about what kind of development can be expected but should also encourage or, at times, require building, site, and infrastructure design standards that help connect the neighborhood to other areas. And given that this area is physically separated from the rest of the city, and this separation can make residents and businesses more reliant on each other for success, intra-neighborhood connections are also important.

Connections can be enhanced through a well-designed transportation system. The comprehensive plan's Future Transportation Plan describes the kind of transportation options (automobile-based and pedestrian) that should be established for the Employment Center and notes that roadways should be designed using a Complete Streets approach. Complete streets are designed with a goal of balancing the safety and convenience of everyone using the road. Roadway design varies by location, topography, types of users, and a variety of other factors that may change from site to site. For example, areas intended to have heavy foot traffic should have a different roadway design than an interstate highway would have.

The Future Transportation Plan indicates that Kennedale Pkwy should be designed as a Parkway or Multiway Parkway roadway type. The Parkway type has two lanes of traffic in each direction separated by a 16-18-foot wide median and with sidewalks a minimum of five (5) feet in width. The Multiway Parkway type also has two travel lanes in each direction and has a 12-18-foot wide median, with sidewalks a minimum of 5 feet in width. The Multiway Parkway can also be designed with an access/slip lane. This Code includes a 6 foot minimum sidewalk width and sets a minimum front setback of twenty (20) feet, which falls within the 18-25 foot range for the Parkway roadway type; it also sets forth streetscape standards that will establish a quasi-slip lane along Kennedale Pkwy.

Interstate 20 runs along the northern border of the Employment Center, and the frontage road for I-20 may be an access point for properties located along the roadway. The Future Transportation Plan does not address how frontage roads should be designed, since the city is not authorized to build or maintain frontage roads. However, development with the district along these roads is within the city's review authority and, as such, this Code addresses site design standards for properties along frontage roads. Properties along the frontage road should be designed to the same streetscape and site design standards as Parkways.

The interior roadways in the Employment Center are classified as Streets. Streets typically have two travel lanes and no median. The Employment Center has two Street roadway types: "A" Streets and "B" Streets.

Sidewalks for Streets should be 5-8 feet in width, and travel lanes should accommodate bicycle traffic safely and comfortably. “A” Streets are considered primary thoroughfares on the interior of the district. These streets shall have higher standards for pedestrian-oriented design and access, ensuring that the relationship between buildings and the street and between the pedestrian and auto-oriented realms enforce the desired character for the district. “B” Streets are minor streets within the district. While design is less important for these streets, it still plays an important role in establishing community character and ease of access and connectivity.

SECTION 3. ADMINISTRATION

3.1 Authority

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

3.2 Responsibility for Administration

This Employment Center District Code shall be administered by the Zoning Administrator (“Administrator”) and the other decision-making authorities as identified in this Code and the zoning ordinance. Administration of this Code shall follow the process established in Section 3.11 of this Code and Section 17-403 of the Kennedale City Code.

3.3 Interpretation and appeals

Interpretation and appeals of this Code shall follow the process established in Section 17-405 of the Kennedale City Code.

3.4 City Council duties.

The City Council shall consider and adopt, modify, or reject proposed amendments to this article or of its repeal after recommendation from the Planning & Zoning Commission.

3.5 Applicability.

This Code applies to all development, subdivisions, and land uses within the Regulating Plan boundaries, as shown in Figure 2 and more particularly described in Exhibit A. Where not controlled by the Employment Center code, the Employment Center shall be governed by the Kennedale Code of Ordinances to the extent the provisions in the Code of Ordinances are not in conflict with the intent or text of the Employment Center code. Signs specifically prohibited in the zoning ordinance or by City Code are prohibited in the Employment Center District unless specifically stated otherwise herein.

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.

Table 3.1. Review Authority			
Type of Project	Zoning Administrator or City Staff Review Required	Planning & Zoning Commission / City Council Review Required	Board of Adjustment Review Required
New construction meeting the standards set forth in this Code	√		
Minor Modifications (see Section 3.11.B)	√		
Major Modifications (see Section 3.11.C)		√	
Variance Request (other than Minor Modifications)			√
Expand, renovate, or repair an existing building meeting the standards of this Code	√		
Expand an existing, non-conforming building by more than 10%, but not to exceed 25% of the existing area of the land being occupied by the non-conforming building			√
Expand an existing, non-conforming building, not to exceed 10% of the existing area of the land being occupied by the non-conforming building	√		
Renovate an existing, non-conforming building without making structural alterations	√		
Renovate or repair an existing, non-conforming building, with renovations or repairs to include structural alterations	√		
Repair an existing, non-conforming building without making structural alterations	√		
Appeal a decision made by the Zoning Administrator			√
Request an amendment to this Code		√	

3.6 Non-conforming buildings.

Notwithstanding the regulations in this Code and in Section 17-428(c) and (d) of the Kennedale City Code regarding non-conforming buildings, a non-conforming building may be renovated or repaired, with such renovations or repairs to include structural alterations, without approval from the Board of Adjustment, provided the following conditions are met. In addition, a non-conforming building may be expanded or enlarged, not to exceed ten percent (10%) of the existing area of the land being occupied by the non-conforming building, without approval from the Board of Adjustment, provided the conditions listed above in this sub-section are met.

- A building permit application meeting all City requirements for building permits, is submitted to the City and is reviewed and approved by City staff; and
- A building permit is subsequently issued by the City; and
- The non-conforming building is not enlarged or expanded in any way; and
- Any non-conforming use within the building is not enlarged or expanded; and
- The renovations or repairs are in conformance with Kennedale City Code, including any masonry requirements, screening requirements, and landscaping requirements.

3.7 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, except that a building permit may be issued for an addition as permitted under Section 3.6 of this Code. No certificate of occupancy shall be issued for new development unless the structure conforms to the provisions of this Code, except where permitted by Section 3.6 of this Code.

3.8 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.

3.9 Conflict with other city codes.

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

3.10 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 unless otherwise noted.

3.11 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.

3.12 Development review process.

A. Administrative Review. Projects that comply with all standards of this Code shall be processed administratively by the Department. Projects that require interpretation shall be forwarded to the Administrator for review, and the Administrator may direct the Planning Director to forward such projects to the Planning & Zoning Commission and City Council for interpretation. See Figure 3 (flow chart) for more information on the process for development review under this Code.

The Zoning Administrator shall be responsible for the following:

- i) Approving minor modifications to the Regulating Plan or minor modifications from the standards set by this Code.
- ii) Forwarding to the Planning and Zoning Commission projects requiring or requesting major modifications.

The Community Development Director shall be responsible for the following:

- i) Reviewing site plan applications for compliance with this Code.
- 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) Coordinating any necessary review of projects with other departments within the City of Kennedale.
- v) Forwarding to the zoning administrator projects requiring interpretation.
- vi) Forwarding to the Board of Adjustment requests for variances.

The Building Official shall be responsible for the following:

- i) Approving building permits for projects that are in compliance with this Code.

B. Minor Modifications. The Zoning Administrator is authorized to approve minor modifications to this Code. Permitted minor modifications are as follows:

- i) 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;
- ii) change in landscaping plants to similar plants that meet the intent of the Code and achieve the same effect;
- iii) 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 an increase in building height; and
- iv) changes to a site plan (including landscaping and lighting plans), building plan, or sign design that require a modification of any numerical standard in this Code by no more than ten percent (10%) (increase or decrease) with the exception of additional building stories.
- v) permit use of a sign type not authorized by this Code, provided the sign is permitted by the Kennedale City Code and is not a sign type prohibited by this Code or by the Kennedale City Code.

C. Major Modifications. The City Council is authorized to approve major modifications to this Code. Major modifications are changes that are beyond minor modifications specifically listed above in subsection B. Major modifications are considered an amendment to this Code 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 beyond Minor Modifications as permitted by City Code section 17-430.

E. Required Documents. In general, the following information is required, as applicable:

- i) Site Plans (which may include, but are not limited to, landscaping plans, lighting plans, grading and drainage plans, and utility plans)
- ii) Building Plan(s) and Elevations
- iii) Landscape Plan
- iv) Material Specifications
- v) Plans and Specifications for Proposed Signs
- vi) Description of Proposed Scope of Work
- vii) Photographs of Site and Existing Conditions

City staff may ask for additional documentation to confirm compliance with this Code.

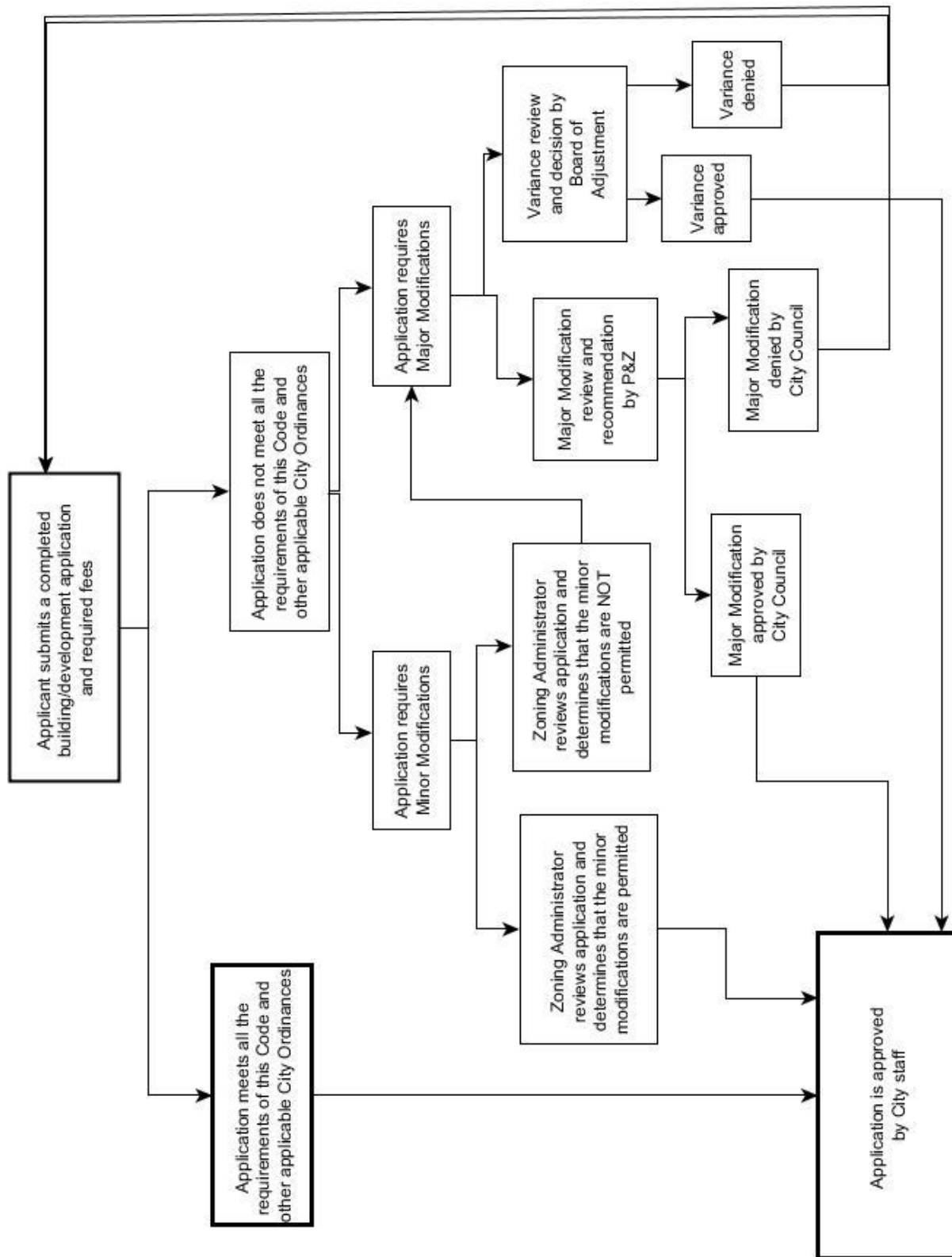


Figure 3. Approval process.

SECTION 4. BUILDING PLACEMENT & FRONTAGE

4.1 REQUIRED SETBACKS FOR CORRIDOR COMMERCIAL

Properties regulated by this Code shall adhere to the setback requirements set forth below.

Table 4.1 Properties oriented toward or having primary access from Parkway roadway types		
Primary structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (from Parkway) ¹	20 (see Figure 10)	60 (see Figure 10)
Side (from side property line)	0 ²	--
Rear (from rear property line)	8	--
Accessory structures	Minimum setback (in feet) from primary structure	Maximum setback (in feet)
Front (setback from primary structure)	8	--
Side (from side property line)	0 ²	--
Rear (from rear property line)	8	--
1 Front setback for a primary structure is the distance between the front façade of a structure and the street right-of-way. 2 Side setback is 0', subject to fire code.		

Table 4.2. Properties oriented toward or having primary access from "A" type streets		
Primary structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (from "A" Street)	20	25
Side (from side property line)	0	--
Rear (from rear property line)	8	--
Accessory structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (setback from primary structure)	8	--
Side (from side property line)	0	--
Rear (from rear property line)	8	--
1 Front setback for a primary structure is the distance between the front façade of a structure and the street right-of-way. 2 Side setback is 0', subject to fire code.		

Table 4.3. Properties oriented toward or having primary access from “B” Street roadway types

Primary structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (from “B” Street)	20	25
Side (from side property line)	0	--
Rear (from rear property line)	8	--
Accessory structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (setback from primary structure)	8	--
Side (from side property line)	0	--
Rear (from rear property line)	8	--

1 Front setback for a primary structure is the distance between a structure and the street right-of-way.
 2 Side setback is 0', subject to fire code.

Table 4.4. Properties oriented toward or having primary access from the I-20 frontage road

Primary structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (from I-20 frontage road)	20	75
Side	0	--
Rear	8	--
Accessory structures	Minimum setback (in feet)	Maximum setback (in feet)
Front (setback from primary structure)	8	--
Side (from side property line)	0	--
Rear (from rear property line)	8	--

1 Front setback for a primary structure is the distance between a structure and the street right-of-way.
 2 Side setback is 0', subject to fire code.-

The terms “front setback,” “side setback,” and “rear setback” have the same meaning as “setback,” “front yard,” “side yard,” and “rear yard” as defined in Kennedale City Code Section 17-431.

4.2 GREEN CORRIDOR SUB-DISTRICT 1

Structures are prohibited within the Green Corridor. Retaining walls are permitted when required for safety or stabilization purposes.

4.3 FRONTAGE REQUIREMENTS

4.3.1 Minimum frontage requirement for “A” Type streets

Building frontage covering at least fifty percent (50%) of the lot shall be required at the front build-to zone (see Figure 5). The “Build-to zone” is the range of allowable distances from a street right-of-way that a building may be built. The principal building façade line shall be located within this area (see Figures 4). The Build-to Zone for properties along Parkways in the Corridor Commercial Sub-Districts, for example, is 20-60 feet from the street right-of-way.

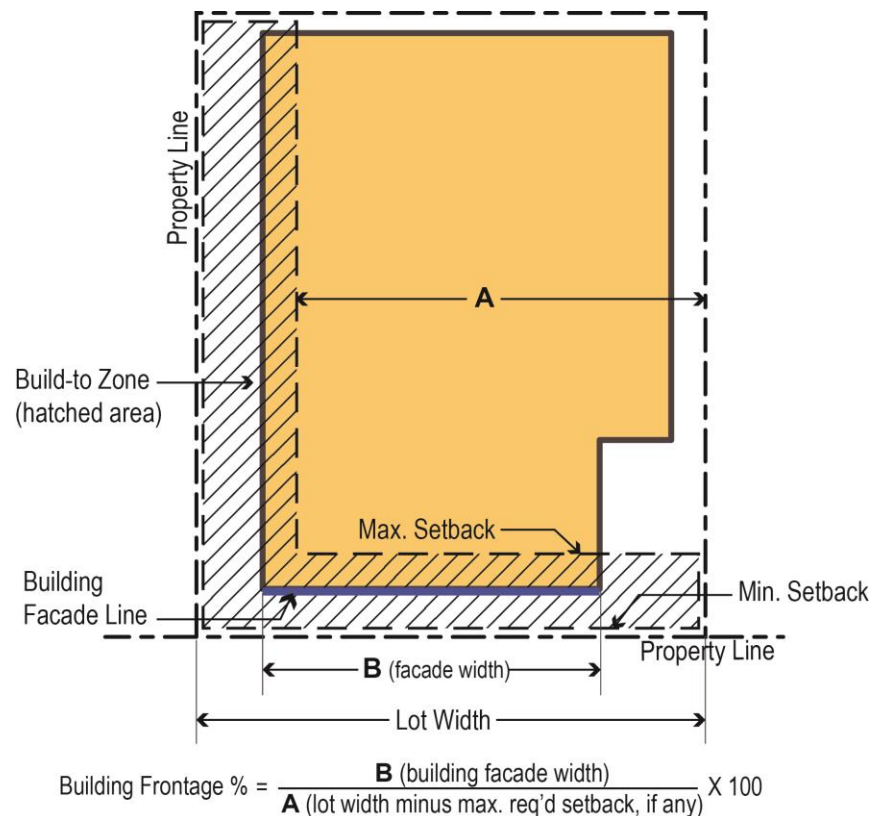


Figure 4. Percent of building façade required to be constructed within the build-to zone.

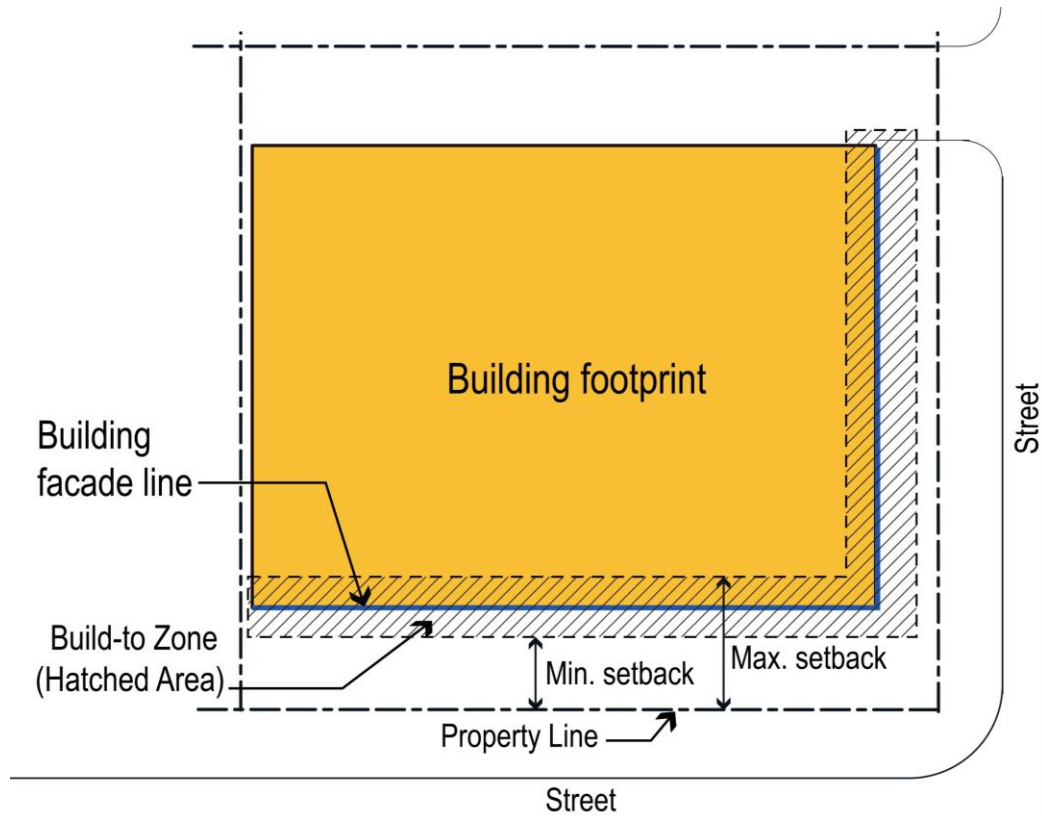


Figure 5. Illustration of build-to zone.

4.3.2 Corridor Commercial (Sub-Districts 1 & 2)

A. Properties with primary access from or primary orientation toward Link St

For rectangular buildings, the longer length of the building shall be oriented toward Link St. Additional orientation standards are controlled by Section 5.1 “Building Orientation” in this document.

B. All other properties

Building orientation is controlled by Section 5.1 “Building Orientation” in this document.

4.4 BUILDING HEIGHT

4.4.1 Corridor Commercial (Sub-Districts 1 & 2)

A. Maximum height.

Primary structures shall not exceed five (5) stories in height.

B. Finish floor height.

Buildings shall have a minimum floor-to-floor height of twelve (12) feet on ground floors and nine (9)

feet on upper floors. The ground floor finish level shall be a maximum of twelve (12) inches above the sidewalk.

C. Accessory structure size.

Accessory structures shall clearly be secondary to the primary structure(s) in size and use.

4.4.2 Green Corridor Sub-District 1

Structures are prohibited with Green Corridor Sub-District 1.

SECTION 5. BUILDING DESIGN STANDARDS

5.1 BUILDING ORIENTATION

The orientation of buildings has a large impact on the character of a district. In the Employment Center, it is important to recognize the auto-oriented nature of this district while also accommodating visitors who come to the Employment Center by bike or on foot. The regulations in this sub-section are intended to ensure building orientation provides for a variety of access options and supports the district character.

5.1.1 Corridor Commercial (Sub-Districts 1 & 2)

A. *Pedestrian-oriented entrance required.*

For each primary building whose primary entrance is oriented toward an off-street parking area, a pedestrian-oriented entrance shall be provided on at least one street-facing side of the building (at least one side of the building not oriented toward the off-street parking area). The entrance shall provide a connection to the closest street or sidewalk (or a farther street/sidewalk if another street or sidewalk is more pedestrian-oriented).

B. *Additional regulations for properties “A” Streets.*

For properties with primary access from an “A” type roadway or where the primary building is oriented toward Link St, the primary building shall be oriented so that the primary entrance is along the “A” Street. The entrance shall provide a connection to the closest street or sidewalk. A second entrance shall be provided to the building from the side facing the off-street parking area.

C. *Location of uses within buildings.*

Buildings shall foster a strong connection to the street by placing internal uses that require window openings and pedestrian entrances (such as offices) in the front of the building. Other internal uses (such as warehousing and storage) shall be placed in the back of the building.

5.2 FENESTRATION/GLAZING

The use and design of windows on a structure can have a significant impact on the character of a district, including appeal to pedestrians and to potential visitors driving by in cars, feeling of safety, and

approachability of a particular building. This section regulates fenestration in order to provide the desired character for the Employment Center.

5.2.1 Corridor Commercial (Sub-Districts 1 & 2)

A. *Required glazing for primary structures with primary entrance on or oriented toward Parkways or “A” Street roadways*

(a) Structures accessible/visible to the public on four (4) or more sides. Primary structures shall have a minimum twenty percent (20%) glazing and a maximum of sixty percent (60%) glazing on at least two (2) sides and a minimum ten percent (10%) glazing (60% maximum) on at least one (1) other side.

(b) Structures accessible/visible to the public on three (3) or fewer sides. Primary structures shall have a minimum twenty percent (20%) glazing and a maximum of 60% glazing on at least one (1) side and a minimum ten percent (10%) glazing (60% maximum) on at least one (1) other side.

B. *Required Glazing for primary structures with primary entrance on or oriented toward “B” Street roadways*

Primary structures must have a minimum of twenty percent (20%) and a maximum of sixty percent (60%) glazing on the front (street-facing) façade and a minimum of ten percent (10%) and a maximum of sixty percent (60%) glazing on at least one other side.

C. *Blank walls not permitted.* Blank walls longer than sixty (60) feet are prohibited. For purposes of this section, “blank wall” means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four feet in height from ground level and longer than 60 feet, as measured horizontally, without having a window, door, building modulation (as defined in Appendix A Definitions, below), or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.

D. *Visible Transmittance.*

Glazing on ground-floor facades shall have a visible transmittance of 0.6 or higher. Glazing cannot be mirrored or darkly tinted glass that obscures visibility. For this section, “visible transmittance (‘vt’)” means the amount of light transmitted through a window. VT is expressed as a number between 0 and 1; the closer the number is to 1, the higher the potential for daylighting.

E. *Minimum height of glazing.*

Ground floor glazing shall have a maximum sill height of four (4) feet.

5.3 FAÇADE ARTICULATION

Articulation adds to the visual interest of a building and can make a building more appealing to pedestrians and other passers-by. This sub-section is intended to establish articulation standards reflecting the desired character of the Employment Center.

5.3.1 Corridor Commercial (Sub-Districts 1 & 2)

For all new structures (for which a building permit application is submitted to the City after the date the Employment Center code is adopted), primary building façades must be articulated every 40 feet, with a horizontal or vertical articulation of at least 24" (2 feet). New additions to existing buildings shall also be required to have articulation every 40 feet, with a horizontal or vertical articulation of at least 24" (2 feet).

Examples of articulation. Examples of acceptable articulation are as follows.

1. Construction of building entrances, display windows, storefronts, balconies, columns, and arcades (obstructing of sidewalks or frontage zones is prohibited);
2. Inclusion of awnings meeting the requirements of Section 7-Signs of this Code;
3. Inclusion of a roof element projecting a minimum of five (5) feet from the building;
4. Additional architectural elements may be used to meet this requirement. Elements not listed above require written approval from the Administrator.



Figure 6. Not permitted: Blank wall is longer than 60 feet, and no articulation is provided along the façade.

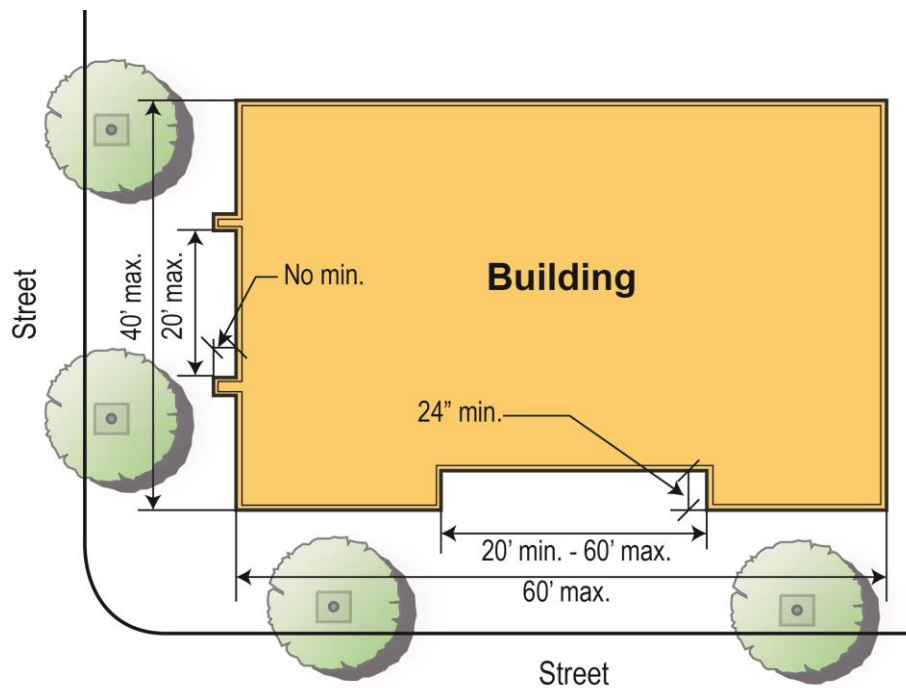


Figure 7. Illustration showing articulation along the building façade

5.4 BUILDING MATERIALS

5.4.1 Primary Structures

A. Corridor Commercial (Sub-Districts 1 & 2)

1. *Parkways and "A" Streets.* All new primary structures shall be constructed of 100% masonry. A minimum of 50% of the masonry material shall be similar in color and style to Acme brand Burgundy type brick (see illustration), with contrasting color permitted for trim and/or cornice and other architectural details.
 - a. The remaining fifty percent (50%) materials used may be determined by the builder/developer subject to the following, so long as masonry (as defined in Section 17-405 of Kennedale City Code) is used.
 - i. Board and batten, vinyl siding, and corrugated metal are prohibited.
 - ii. Hardie-Plank™ (or equivalent) shall be permitted on upper floors of residential buildings or lodging uses only
 - iii. EIFS shall only be permitted on facades ten (10) feet or more above the finished grade of the sidewalk along that façade.
2. *"B" Streets.* All new primary structures must be constructed of a minimum of 80% masonry. Masonry

materials used shall include a minimum 50% brick and the remaining materials permitted to be other masonry materials. For example, materials may be 40% brick, 40% stone, and 20% non-masonry materials such as cedar or architectural metal. The primary color shall be similar in color and style to Acme brand Burgundy brick (see illustration), with contrasting color permitted for trim and/or cornice and other architectural details.

- a. The remaining twenty percent (20%) accent materials used may be determined by the builder/developer subject to the following:
 - i. Board and batten, vinyl siding, and corrugated metal shall not be used for the remaining 20%.
 - ii. Hardie-Plank™ (or equivalent) shall be permitted on façades ten (10) feet or more above the finished grade of the sidewalk along that façade.
 - iii. EIFS shall only be permitted on façades ten (10) feet or more above the finished grade of the sidewalk along that façade.



Figure 8. Acme Burgundy brick, as seen in TownCenter

5.4.2 Secondary Structures

A. Corridor Commercial (Sub-Districts 1 & 2)

Secondary or accessory structures must complement the primary structure. Secondary/accessory buildings must be 80% masonry as defined in Section 17-405 of the Kennedale City Code.

SECTION 6. SITE DESIGN STANDARDS

6.1 PARKING

6.1.1 Off-Street Parking Placement

A. Corridor Commercial (Sub-Districts 1 & 2)

1. *Properties oriented toward or with primary access from “A” Street roadways*

No off-street parking is permitted between the primary structure and the street (all parking must be behind or to the side of the primary structure). Off-street parking areas must be screened (see Parking Screens, below).

2. *Properties oriented toward or with primary access from Parkways or “B” Street roadways*

Off-street parking is permitted along the public street. Off-street parking must be setback from the right-of-way a minimum of six (6) feet and must be screened by masonry or vegetation (see Sub-Section 6.1.2).



Figures 9a, 9b, 9c, 9d. Off-street parking area provided behind the primary structure



6.1.2 Screening of Off-Street Parking

A. Corridor Commercial (Sub-Districts 1 & 2)

Off-street parking visible from a public street must be screened in accordance with the table below.

Table 6.2			
Location of Off-Street Parking	Minimum Height of Screening (in feet) ¹	Maximum Height of Screening (in feet)	Permitted Screening Materials
"A" Street types	3	4	A combination of masonry and vegetation (maximum 50% of screening materials may be masonry)
All other streets	3	4	Vegetation (evergreen) or a combination of vegetation and masonry (maximum 50% of screening materials may be masonry)
¹ If requirements for maintaining a sight triangle do not permit a minimum of three (3) feet, screening must be the maximum height allowed by the sight triangle.			
² For this sub-section, "masonry" is defined per Section 17-405 of the Kennedale City Code.			
³ If masonry is used for screening, it must be of the same material as the primary building.			
⁴ Vegetated screening must be in compliance with Section 6.5.4 of this Code and, where applicable, Section 17-425 and Chapter 17, Article VIII of the Kennedale City Code (where not in conflict with this Code).			
⁵ When masonry is used for screening, no section of masonry screening shall exceed twenty (20) feet in length.			

6.1.3 Off-Street Parking Amount

A. Corridor Commercial (Sub-Districts 1 & 2)

1. For each of the use types listed below, the parking requirement listed is the minimum amount required.

Table 6.3	
Use Type	Minimum Number of Spaces Required
All non-residential <i>except</i> lodging	1 per 250 square feet of building area
Residential	1 per unit
Lodging	1 per guest room

2. *Shared Parking.* Shared parking is permitted if a shared parking agreement has been signed and notarized by all users/parties who intend to share parking. The shared parking plan will be subject to review and approval of the Administrator, and the parking agreement must be filed with the Tarrant County Clerk. A reduction of up to 20% of the required parking may be permitted. 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 the primary structure for each use. The Administrator is not required to approve a reduction in the required number of parking spaces.
3. *Compact Car Parking.* Up to fifteen percent (15%) of the required parking may be designed and sized for compact vehicles.
4. *Handicapped Accessible Parking.* Number and size of handicapped parking spaces provided shall comply with the Americans with Disabilities Act, the Texas Accessibility Standards, and any other applicable federal, state, or local regulations.

6.1.4 Bicycle Parking

Parking for bicycles must be provided for every non-residential use.

A. Parking amount.

Bicycle parking shall be provided at a minimum amount of 5% of the number of spaces provided for car parking.

B. 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 shall 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. Objects for securing bicycles must be dedicated for that purpose and may not be primarily for any other purpose (e.g., signage, traffic safety).

C. Location of bicycle parking.

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 Development Services

Director. 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.

6.1.5 Landscaping for Off-Street Parking

A. *Corridor Commercial (Sub-Districts 1 & 2)*

All parking lots and drive areas shall be designed and landscaped in accordance with the following provisions:

1. Where off-street parking is permitted between the primary structure and a public road, all parking or drive areas shall be located a minimum of six (6) feet from right of way lines along public streets.
2. Off-street parking located between the primary structure and the property line or street pavement edge shall be screened.
3. Landscaped areas in a parking lot shall be in addition to all other landscape requirements of this Code and shall be provided in any parking lot of five (5) spaces or more in accordance with the following requirements.
4. One (1) tree shall be provided for each ten (10) parking spaces in all developments, however, no car parking space shall be located greater than seventy-five (75) feet from the center of a tree. Trees shall be a minimum of three (3) inch caliper measured one (1) foot from the ground and planted within a planting island with a minimum dimension of five feet in width. The tree-planting island shall be further planted with a ground cover, grass, or shrubs.

B. *Vehicle protection.*

All required landscape areas, planters, walls, and/or fences adjacent to vehicle use areas shall be protected by wheel stops, curbs, or other physical barriers. In no instance shall a parking area be designed so as to permit the encroachment or overhang of a vehicle beyond the required setback line(s) set out above in this sub-section.

6.2 SCREENING

6.2.1 Screening required between incompatible uses

A. Screening must be erected, placed, grown and maintained along the common boundary line of any commercial or industrial uses sharing a common boundary with an existing residential use before any commercial or industrial use is made of the property. This screening requirement shall be the responsibility of the owner of the commercial or industrial use. For the purposes of this section, “commercial or industrial use” means any use that is

not primarily used for residential use. For example, a business with a caretaker living on site would not be considered a primarily residential use, nor would a hotel. However, a residence with an approved home occupation would be considered a primarily residential use for purposes of this Code, even though some business may be transacted at the home.

B. No screening wall or fence shall be constructed of materials not manufactured or designed for the primary purpose of wall or fence construction. Gates shall be steel and painted in color corresponding to the primary structure.

6.2.2 Screening for garbage, refuse and trash collection/storage areas

- A. Garbage, refuse and trash collection/storage areas shall be screened by a masonry enclosure on three (3) sides. Screening walls shall be a minimum of one (1) foot in height above the materials being stored, and screening walls and fences shall not be greater than eight (8) feet in height. Materials being stored shall not be stored higher than one (1) foot below the screening provided.
- B. The fourth side shall be screened by a gate. The gate shall be made of wrought iron or architectural metal.
- C. The masonry used must be of the same material as the primary building.

6.2.3 Screening for loading docks

Loading docks shall be screened according to Section 17-424 of the Kennedale City Code.

6.2.4 Screening for parking areas

Screening of parking areas is controlled by Sub-section 6.1.2, "Screening of Off-Street Parking," above.

6.2.5 Screening for service bays

Service bays shall not face public streets unless screened according to the standards for parking areas, in Sub-section 6.1.2.

6.3 STREETSCAPE STANDARDS

The sidewalk widths as specified in Kennedale's Future Transportation Plan were established based on known best practices for pedestrian facilities, and they are the basis of sidewalk width requirements for this Code. The Future Transportation Plan states that Streets (the classification of roadways on the interior of the Employment Center) shall have a minimum sidewalk width of five (5) feet and a maximum sidewalk width of eight (8) feet. Sidewalks along Parkways or Multiway Parkways (the classifications applicable to Kennedale Pkwy) shall have a

minimum sidewalk width of five (5) feet. In addition, sidewalks shall be designed to meet the requirements of the Americans with Disabilities Act, the Texas Accessibility Standards, and any other applicable federal, state, or local regulations.

6.3.1 Kennedale Parkway frontage requirements

The following standards shall apply to all development with frontage along Kennedale Pkwy (see Figure 10).

- A. If surface parking is located between the building and the street right of way, a pedestrian walkway of at least six (6) feet clear width shall be located immediately adjacent to the building. In addition, canopy trees shall be located within this walkway in tree planting strips (minimum 5'x5') at a rate of one (1) tree per thirty (30) linear feet of building frontage. Pedestrian scale lighting shall be added at a rate of one (1) per fifty (50) linear feet of building frontage.
- B. This walkway shall be clearly linked (through pavers or pavement markings and h/c ramps) to the public sidewalk within the right-of-way of Kennedale Pkwy and to the walkway in front of any adjoining building.

6.3.2 Sidewalk requirements

A. Sidewalks are to be installed by the developer or builder. Notwithstanding any written agreement between the City and any other person or entity, in no case is the City obligated to install sidewalks. Where it is not feasible to install sidewalks at the time of development, the developer or builder shall pay a fee in lieu of installation.

B. Sidewalks shall be installed according to the standards in the Kennedale City Code and the Public Works Design Manual. Notwithstanding the above, sidewalks may be installed using Low-Impact Development Standards if approved, in writing, by the Director of Public Works. Requests to use Low-Impact Development standards must be made in writing. The Director of Public Works shall grant approval to use Low-Impact Development standards only when the Director of Public Works is satisfied the proposed standards will meet the same durability and safety standards as expected from sidewalk construction materials and construction practices required by Kennedale City Code and the Public Works Design Manual. The Director of Public Works is not required to approve the use of Low-Impact Development standards.

C. Sidewalks shall be installed at the minimum widths and additional requirements shown in the table below.

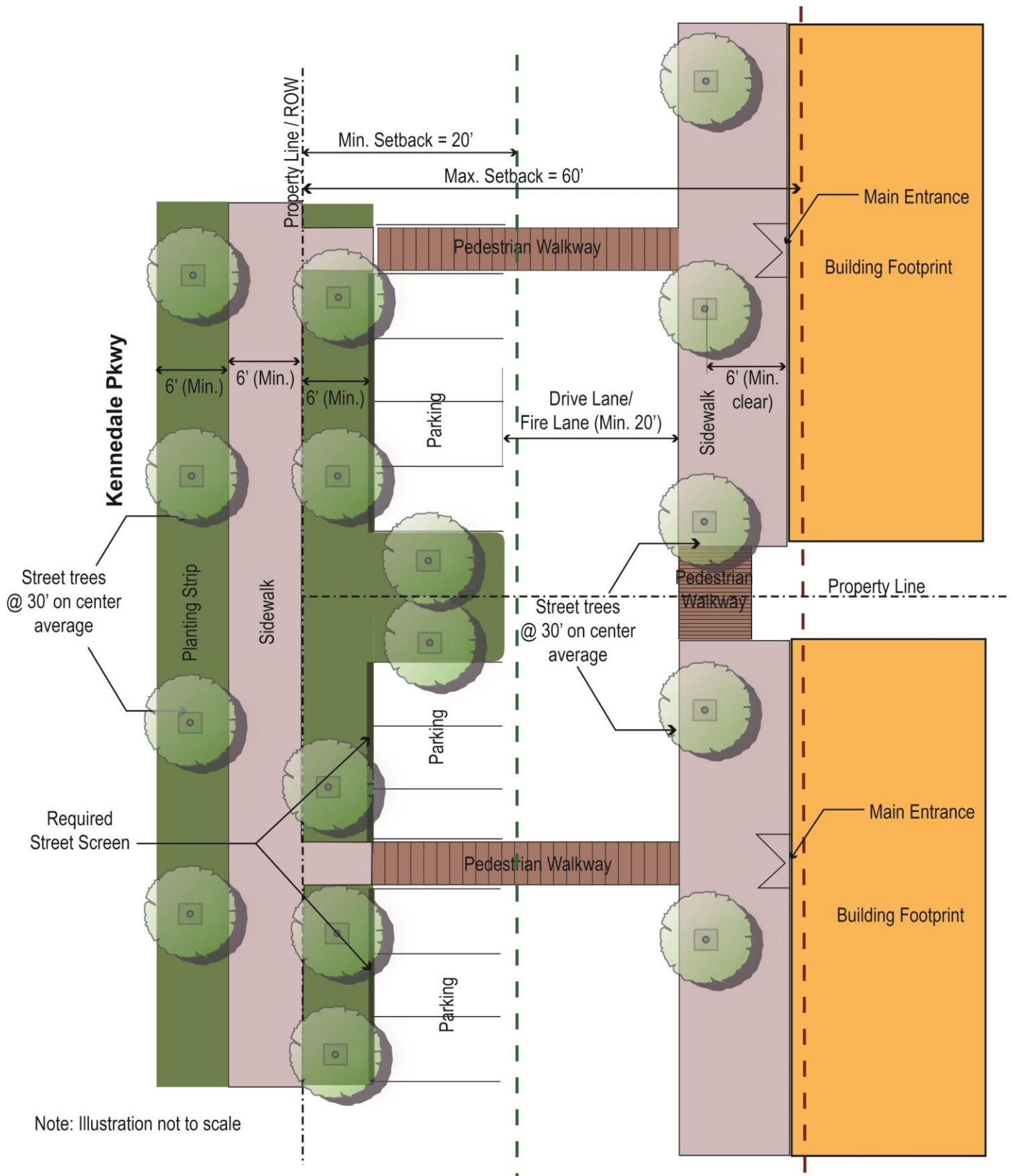


Figure 10. Example of parking area showing required streetscape and site design for properties along Parkway street type.

Table 6.5		
Sidewalk location	Minimum Width (in feet)	Additional Requirements
Parkways	6	Street trees shall be installed by the developer/builder when sidewalks are installed, if permitted by TxDOT.* If street trees are not permitted, then alternative landscaping plans shall be submitted to the City for review and approval.
"A" streets	5-8	Street trees shall be installed when a curb and gutter or approved alternative storm water conveyance system is installed. Minimum sidewalk width varies from 5 to 8 feet, depending on available right-of-way.
Frontage road	6	Street trees shall be installed by the developer/builder when sidewalks are installed, if permitted by TxDOT.* If street trees are not permitted, then alternative landscaping plans shall be submitted to the City for review and approval.
"B" streets	5	Street trees shall be installed by the developer/builder when sidewalks are installed.*
* Street trees may be installed after sidewalk installation in order to prevent damage to tree roots during construction. However, sidewalk improvements will not be accepted by the City until street trees are also installed, inspected, and accepted.		

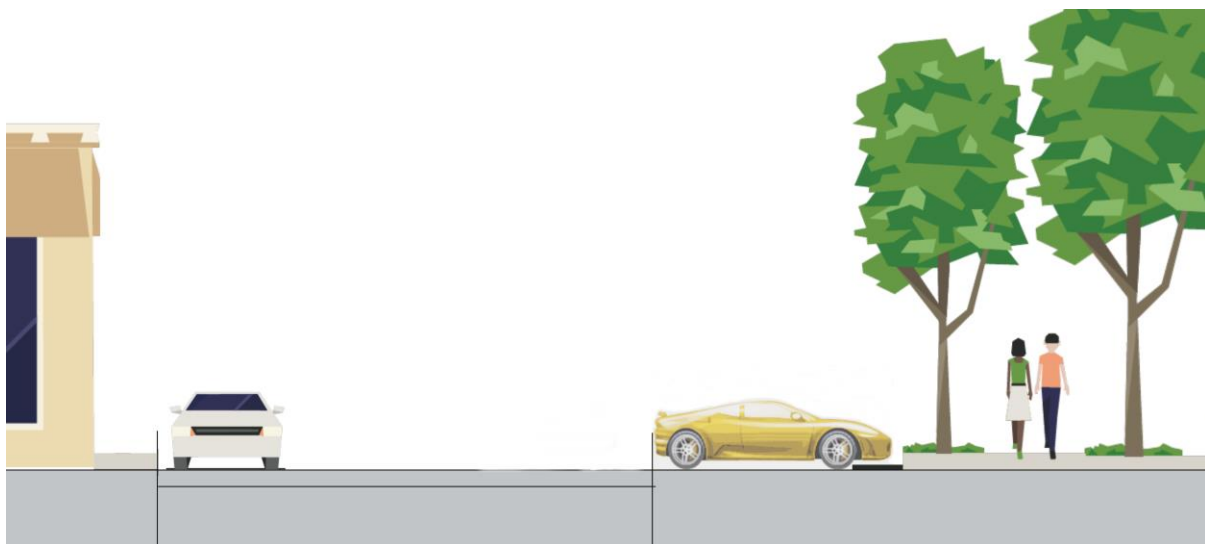


Figure 11. Example of sidewalk between planting strip and parking lot driveway (along Parkways).

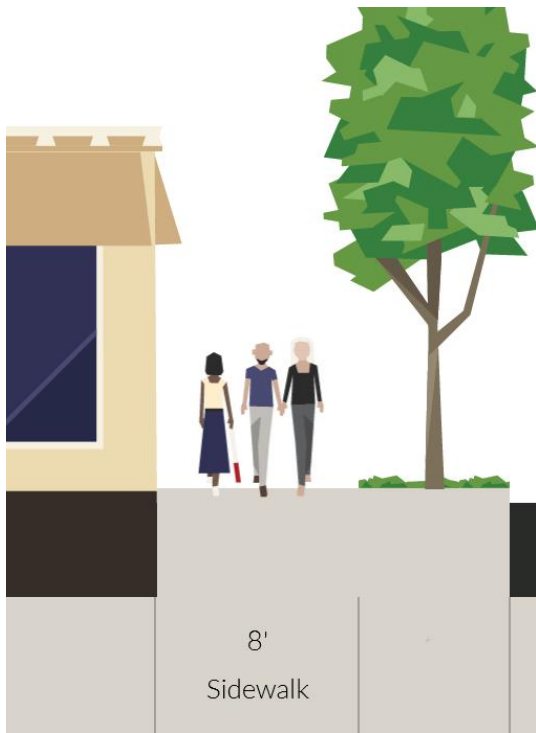


Figure 12. Example of sidewalk location along “A” street types.



Figure 13. Example of sidewalk location along “B” street types.

6.3.3 Connections

Pedestrian walkways shall be connected across properties to ensure safe, comfortable, and easily-accessible pedestrian connections are present throughout the Employment Center District.

6.4 CURB CUTS

Poor design and placement of parking lots and driveways can impede traffic flow and can also inhibit connectivity among sites and may reduce pedestrian safety. To enhance connectivity and increase safety, therefore, parking lots and driveways shall be planned to reduce the number of curb cuts and shall be designed to support pedestrian safety, connections, and comfort.

The sub-sections below establish criteria for curb cuts within the property regulated by this Code. The following regulations apply to any new curb cuts within the Employment Center and any existing curb cuts within the Employment Center for which a change in location or size is proposed.

- A. Primary driveways should be designed as streets. This includes designing pedestrian sidewalks and appropriate traffic control measures, as well as providing streetscape improvements and lighting to improve way-finding.
- B. Parking lots and driveways shall provide pedestrian connections to storefronts. Dedicated walkways through parking lots and sidewalks shall be included in the design of access roadways.
- C. Traffic calming techniques shall be employed in parking and driveway areas to support pedestrian circulation concepts.
- D. Drive approach size and construction standards shall be governed by the City of Kennedale Public Works Design Manual.

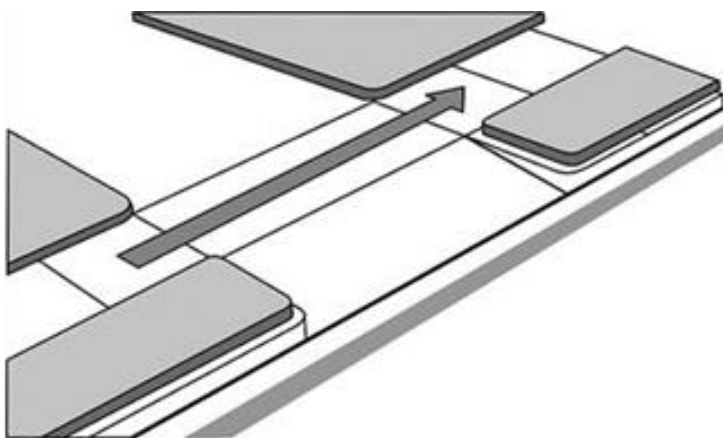


Figure 14. Primary driveway designed as a street, leading to off-street parking located behind the primary structure. Primary driveways should be designed as streets and should include pedestrian facilities such as sidewalks.

6.4.1 Kennedale Parkway

Placement and dimensions of curb cuts along Kennedale Pkwy shall be determined by the Texas Department of Transportation (TxDOT). To the extent authorized by TxDOT, cross access or shared access easement shall be

required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

6.4.2 “A” Streets

- A. Curb cuts on “A” Streets shall be limited to 1 per 300 feet (as measured between curb cuts added after this Code is adopted).
- B. Cross access or shared access easements shall be required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

6.4.3 “B” Streets

- A. Curb cuts on “B” Streets shall be limited to 1 per 250 feet (as measured between curb cuts added after this Code is adopted).
- B. Cross access or shared access easements shall be required. No new certificate of occupancy or building permit will be issued until cross or shared access is in place.

6.5 LANDSCAPING

Landscaping shall adhere to the requirements of Kennedale City Code except where modified by this Code.

6.5.1 Kennedale Parkway

Development along Kennedale Pkwy shall follow the landscaping plans approved for the City of Kennedale’s landscaping on the TxDOT green ribbon grant program.

6.5.2 “A” Streets

Street trees are required along roadways classified as “A” Streets. One (1) tree is required a minimum of every forty (40) feet and a maximum of fifty (50) feet, center to center, on average, but can vary to accommodate signage, topography, or other site conditions. For “A” Streets without curb and gutter storm water systems in place at the time of development, placement of street trees is deferred while existing storm water controls are in place. Until such time as curb and gutter or an approved alternative storm water conveyance system is installed, developers may pay a fee in lieu of planting trees.

6.5.3 “B” Streets

Street trees for roadways classified as “B” Streets shall follow the requirements of Kennedale City Code in terms of number of trees, size required, placement of trees, and care during construction, as well as any other requirement not in conflict with this Code.

6.5.4 Tree and Plant Selection

- A. *Street trees.* Street trees shall be selected from the list of approved street trees in Chapter 17, Article VIII, Section 17-605, Table A (b) of the Kennedale City Code, except that Chinese Pistache (*Pistachio Chinensis*) is prohibited.
- B. *Landscaping plants.* Landscaping plants shall be selected from the list of approved plants in Chapter 17, Article VIII, Section 17-605, Table A of the Kennedale City Code, except that the following plants are prohibited:
- Japanese Honeysuckle / Purple Leaf Honeysuckle (*Lonicera Japonica* / *Lonicera Japonica Halliana*)
 - Vinca / Bigleaf Periwinkle (*Vinca Major*)
- C. *Other permitted plants.* Notwithstanding the above, a landscaping plant not on the approved list may be used if it is demonstrated to be drought tolerant and is a native Texas plant suitable for growing in this area. A list of native plants suitable for North Central Texas is available online at the Lady Bird Johnson Wildflower Center website (www.wildflower.org), and a list of plants suitable for Tarrant County is available from the Texas Parks & Wildlife Department website (tpid.tpwd.state.tx.us). A list of plants recommended by these organizations is attached to this Code as an appendix. Non-invasive, native plants from these lists may be used for landscaping required by this Code.

6.5.5 Landscaping Used as Screening

For regulations governing use of landscaping to screen parking areas, see Sub-section 6.2.2 of this Code governing parking, above. For regulations governing use of landscaping for screening other uses, see Section 6.3.

6.5.6 Irrigation

Applicable regulations. Except where otherwise in Appendix C, irrigation shall be regulated as set forth in Kennedale City Code.

6.6 LIGHTING

Adequate lighting is important to ensure safety for employees who work in the Employment Center District, for customers, and for residents who live nearby. Proper lighting design can also add to the attractiveness and visibility of a property. Poor lighting design, however, can diminish the attractiveness of a site and can also impede safety. This section is intended to regulate lighting in the Employment Center to ensure public health, safety, and general welfare and to ensure lighting contributes to the desired character of the district.

6.6.1 Requirements for Exterior Lighting

- A. Lighting for each property shall be designed for the context of traffic (automobile, bicycle, or pedestrian) on the surface streets abutting the property, rather than for visibility from Interstate 20.
- B. All luminaries used primarily for illuminating off-street parking areas, lighted canopies for commercial uses, and similar lighting needs shall have a maximum height of twenty (20) feet.
- C. All luminaires used primarily for walkways, trails, security, decorative effects, lighting equipment or storage areas, fountains, art work, building walls, or similar lighting needs shall have a mounting height no higher than fourteen (14) feet.
- D. Light trespass shall be minimized; light levels at the property line should not exceed 2 footcandles (fc). *Footcandle* means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
- E. Fixtures for decorative lighting must be selected, located, aimed, and shielded so that direct illumination is focused solely on the building façade, plantings, and other intended site feature, and away from adjoining properties and the public street right-of-way.
- F. The operation of searchlights for advertising purposes is prohibited between the hours of 9:00 P.M. and 7:00 A.M.

SECTION 7. SIGNS

7.1 Purpose of Sign Regulations

The purpose of this section is to create the legal framework for a comprehensive and balanced system of signage in the Employment Center District. These regulations are intended to provide an easy and pleasant communication between people and their environment and avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. In addition to protecting the health, welfare, and safety of the community, these standards are adopted in order to:

- Maintain and enhance the aesthetics of our community;
- Enhance automobile and pedestrian safety;
- Encourage the integration of signage with landscaping and building design;
- Protect and enhance scenic views and natural landscapes;
- Protect and enhance economic viability of the city's commercial corridors by assuring aesthetic appeal to businesses and residents alike;
- Promote the use of aesthetically pleasing sign materials, colors, and types; and
- Require safe and effective signage.

7.2 Definitions

Terms in this section use the definitions provided in Section 17-502 of the Kennedale City Code unless otherwise specified in this section.

7.3 Administration and Enforcement

Administration and enforcement of this Section shall follow the administration and enforcement provisions of Section 17-503 of the Kennedale City Code.

7.4 Applicability.

Unless otherwise expressly prohibited under this section or regulated in this section, Sections 17-504 through 17-516 of the Kennedale City Code shall apply to all signs proposed in the Employment Center Zoning District.

7.5 Signs to be located on private property

All signs must be wholly located on private property. EDC-owned signs shall be located within an easement dedicated for the purpose of allowing installation, maintenance, and replacement of such signs.

7.6 Prohibited signs

Except as otherwise stated in this Code, any sign prohibited in Chapter 17 Section 17-514 of the Kennedale City Code is also prohibited within the Employment Center District. In addition, Electronic Reader Board/Message Board signs and Changeable Electronic Variable Message signs (CEVMS) (as defined in the Kennedale City Code) are also prohibited.

7.7 Sign Height and Location

Sign height, type, and location shall be as set forth in the tables below. Figures shown are for illustration purposes only. The illustrations used do not necessarily show signs meeting the standards of this Code.

		Figures 15 and 16. Pole signs, various heights.	
TABLE 7.1			
POLE SIGNS			
Location	Maximum height (in feet)	Maximum sign face area (in square feet)	
Permitted on High Ridge Rd and Wrey Crest Rd	75	360	
Additional Requirements: 1) A total of two (2) pole signs are permitted within the Sub-District 1, and two (2) signs are permitted with Sub-District 2. No more than one (1) pole sign shall be permitted per lot. Pole signs on High Ridge Rd shall be located between the I-20 frontage road and Link St, but shall not be located within one hundred (100) feet of Link St. Pole signs on Wrey Crest shall not be located within one hundred (100) feet of Kennedale Pkwy. Pole signs in existence before adoption of this Code shall be considered non-conforming under Section 17-513 of Kennedale City Code. 2) Pole signs in Sub-District 1 shall be shared between at least two tenants/businesses within the Employment Center District. Tenants/businesses in Sub-District 2 may share a pole sign, subject to 3) and 4), below. 3) Pole signs in Sub-District 1 shall not be permitted without a signed, recorded agreement as described in Section 17-510(e) of the Kennedale City Code concerning unified sign agreements. 4) Pole signs in Sub-District 1 shall not be permitted without an approved sign plan as described in Section 17-510(d) of the Kennedale City Code concerning unified sign agreements.			



Figure 17. Example of monument sign.

TABLE 7.2		
MONUMENT SIGNS		
Location	Maximum Height (in feet)	Maximum sign face area (in square feet)
All parcels ⁶	12 ²	100
Additional Requirements:		
1) The sign base and sign structure shall be brick, stone, or masonry material matching the front façade of the primary building. The sign face shall be framed on the sides by a minimum of six (6) inches of brick, stone, or masonry material matching the front façade of the primary building. 2) Address numbers are required on business monument signs. If the area of the address number is five (5) square feet or less, the area will not count toward the maximum sign face area. The address numbers can be placed in or encroach into the masonry perimeter. 3) A maximum of one (1) monument sign is permitted per lot. A monument sign may not be located on the same lot as a KEDC-owned multi-tenant monument sign. 4) KEDC-owned monument signs shall follow regulations in Table 7.3.		



Figure 18. Example of brick multi-tenant sign.

TABLE 7.3

KEDC*-OWNED MULTI-TENTANT MONUMENT SIGNS

Location	Maximum Height (in feet)	Maximum sign face area (in square feet)
To Be Determined	15	150 (each side)

- 1) One (1) sign of this height and area is permitted within the Employment Center Corridor Commercial sub-district.
- 2) The purpose of the sign is to permit multiple businesses to reserve space on a monument sign not located on the businesses' property, with design and maintenance of the sign to be the responsibility of the EDC.
- 3) The sign base and sign structure shall be brick, stone, or masonry material matching the front façade of the building. The sign face shall be framed on the sides by a minimum of six (6) inches of brick, stone, or masonry material matching the front façade of the building.

*KEDC = Kennedale Economic Development Corporation

The following illustrations are not intended to show signs that meet the requirements of this Code, but rather are intended to illustrate the general concept of a district identification sign.



Figures 19-21. Examples of district identification signs. Images courtesy WikiCommons users. See Appendix D for credit information.

TABLE 7.3		
KEDC-OWNED DISTRICT IDENTIFICATION SIGNS		
Location	Maximum Height (in feet)	Maximum sign face area (in square feet)
Kennedale Pkwy	27	135 (each side)

Additional Requirements:

- 1) On property owned by the Kennedale Economic Development Corporation (KEDC), the KEDC is permitted to install and manage one (1) identification sign, the purpose of which is to identify the Employment Center District. The sign shall serve as a gateway feature and may also be used to provide way-finding information for sub-districts and features within the District. The sign shall not be used to identify or promote individual tenants of the District but may be used to indicate the location of particular businesses or sub-districts. Sign listings shall have a consistent font type, color, and size so as not to promote individual tenants.
- 2) The sign(s) must be designed and maintained as an entry feature for the city and the district.
- 3) The sign base and sign structure shall be brick, stone, or masonry material matching the primary design theme for the District.



Figure 22. Example of an attached sign.

TABLE 7.4

ATTACHED SIGNS

Location	Maximum height	Maximum sign face area
Permitted on all properties	Shall not exceed 75% of façade	Maximum four hundred (400) square feet

Additional Requirements:

- 1) Attached signs facing existing residential or lodging uses shall be shielded or use lighting techniques that prevent the illumination from intruding into structures on adjacent or other properties at night.
- 2) A maximum of two (2) attached signs is allowed per business. Every sign should be an integral, subordinate element within the overall building and site design. The scale and proportion of the signage shall not overpower the building or obscure the building's architectural features.
- 3) The direct painting of signs on buildings shall be prohibited except for signs less than a three-square-foot area used for building identification (such as the street address).
- 4) In no case shall an attached sign project above the roof line of any building, except those attached to parapet walls, and the sign may not extend above the parapet wall.
- 5) Signs may be illuminated with internal lighting. No exposed neon is permitted.
- 6) For multi-tenant buildings, the following regulations apply:
 - (a) Each lease or tenant space shall be permitted only one attached sign per street front with a maximum of two attached signs per tenant/lease space.
 - (b) The dimensions of each of the two signs shall be based upon the street typology that the respective building façade faces.
 - (c) Signs may be illuminated with internal lighting. No exposed neon is permitted.



Figure 23. Example of an awning sign. Photo courtesy Gary Halvorson, Oregon State Archives.

TABLE 7.5

AWNING SIGNS

Location	Minimum height	Maximum sign face area
Permitted on all properties	8 ft above sidewalk/ clear zone	See below

Additional Requirements:

- Awnings may encroach into the sidewalk to within 2 feet of the curb (or within 2 feet of the edge of the clear zone, if building is not adjacent to the sidewalk) but must clear the sidewalk/clear zone vertically by at least 8 feet.
- Permitted materials shall be canvas cloth or equivalent (no shiny or reflective materials), metal, or glass.
- Awnings shall have a minimum depth of three (3) feet.
- No internal illumination is permitted through the awning/overhang.
- Except for wall signs permitted to be attached to canopies, lettering and/or logos on awning and canopies shall be limited to 5 inches tall on the vertically hanging fabric/face at the curb side of the awning or canopy.
- Lettering on awnings or canopies is limited to the business logo, business name, and/or slogan. Phone numbers, website addresses, and other additional wording that would clutter the lettering space are prohibited.



Figure 24. Example of off-premises pole-type directional sign.



Figure 25. Example of off-premises monument-type directional sign.

TABLE 7.6

OFF-PREMISES DIRECTIONAL SIGNS

Sign Type	Maximum Height (in feet)	Maximum sign face area (in square feet)
Pole – Street Sign Type	Pole height – 10 Sign blade – .5 (6")	1.5 (see Additional Requirements)
Monument	4	16

Additional Requirements:

- 1) For monument signs, the sign base and sign structure shall be brick, stone, or masonry material matching the front façade of the primary building. The sign face shall be framed on the sides by a minimum of six (6) inches of brick, stone, or masonry material matching the front façade of the primary building.
- 2) A maximum of one (1) monument directional sign is permitted per lot. A maximum of one (1) pole type directional sign is permitted per Corridor Commercial sub-district. A directional sign may not be located on the same lot as a KEDC-owned multi-tenant monument sign. Lettering shall not exceed fifty percent (50%) of the sign height.
- 3) Sign blades for directional pole signs shall be a maximum of 6" (.5 feet) in height and three (3) feet in length. If sign blades extend on both sides of the sign pole, maximum sign blade length is one-and-a-half (1.5) feet.

7.8 Measurement of sign height

As applied to a sign, height shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and final finished grade at the center of the base of the sign. *Final finished grade* means the top compacted and leveled earth for the purposes of constructing a slab foundation, as shown on the approved site plan for the development for which a sign is requested.

7.9 Master Sign Plan

The owner(s) of a tract or tracts of land may file a master sign plan request in order to ask for a multi-tenant sign to be permitted or for a modification of any requirements that may apply to a sign under this Code. To request a multi-tenant sign, the property or properties in question must qualify under a unified sign agreement under Section 17-510 of the Kennedale City Code and must follow the process for requesting a unified sign agreement as stated in Section 17-510. To request a master sign plan to permit a modification of sign requirements, the owner(s) shall follow the process as stated in Section 17-511 of the Kennedale City Code.

SECTION 8. LAND USES

Table 8.1 Schedule of Uses			
Land Use	Character Zone	Corridor Commercial Sub-Districts 1 & 2	Green Corridor Sub-District 1
Retail Sales or Service (personal service uses), <u>with no drive through facility</u>		X	NP
Retail Sales or Service (personal service uses), <u>with drive through facility</u> (Excluded from this category are retail sales and service establishments geared towards the automobile)		X/C	NP
Auto-related Sales or Service establishments		X/C	NP
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u>		X	NP
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with drive through facility</u>		X/C	NP
Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, and other non-medical professionals, etc.		X	NP
Health / Medical Clinics providing outpatient care, including physician offices, dentists, chiropractors, optometrists, etc., <u>with no drive through facility</u> (e.g., for attached pharmacy, glasses pick-up, etc.)		X	NP
Research laboratory headquarters, laboratories and associated facilities		X	NP

Table 8.1 Schedule of Uses			
Character Zone	Corridor Commercial Sub-Districts 1 & 2	Green Corridor Sub-District 1	
Food Service Uses such as full-service restaurants, fast food establishments, cafeterias, bakeries and snack bars with <u>no drive through facilities</u>	X	NP	
Food Service Uses such as full-service restaurants, fast food establishments, cafeterias, bakeries and snack bars <u>with drive through facilities</u>	X/C	NP	
Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages (with food service).			
Pet and animal sales or service (incl. vet clinic)	X	NP	
Amusement or theme park establishment (indoor) including bowling alleys, bingo parlor, games arcades, skating, etc.	X	NP	
Art galleries	X	NP	
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service)	X	NP	
Theater, cinema, dance, or music establishment	X	NP	
Museums and other special purpose recreational institutions	X	NP	
Fitness, recreational sports, gym, or athletic club	X	NP	
Parks & open space, trails	X	X	
Business associations and professional membership organizations	X	NP	
Child day care and preschools	X	NP	

Table 8.1 Schedule of Uses			
	Character Zone	Corridor Commercial Sub-Districts 1 & 2	Green Corridor Sub-District 1
Schools, libraries, and community halls		X	NP
Universities and colleges		X	NP
Technical, trade, and specialty schools		X	NP
Hospitals and nursing establishments		X	NP
Civic uses		X	NP
Social and fraternal organizations		X	NP
Social services and philanthropic organizations		X	NP
Public administration uses (including local, state, and federal government uses, public safety, health and human services)		X	NP
Religious Institutions		X	NP
Home Occupations		X/C	NP
Multi-family residential		NP	NP
Ground floor		NP	NP
Upper floors		X/C	NP
Live-work unit		X	NP
Publishing (newspaper, books, periodicals, software)		X	NP
Motion picture and sound recording		X	NP

Table 8.1 Schedule of Uses			
	Character Zone	Corridor Commercial Sub-Districts 1 & 2	Green Corridor Sub-District 1
	Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	X/C	NP
	Information services and data processing	X	NP
	Hotels	X	NP
	Parking, surface (primary use of property)	NP	NP
	Parking, surface (accessory use of property)	X/C	NP
	Parking, structured	X	NP
	Veterinary clinic	X	NP
	Community garden	X	NP
	Outdoor Display	X/C	NP
	Antennas including cell, accessory, and mounted on top of buildings.	X/C and X/SE	NP
	Wind energy equipment	X/C	NP
	Solar energy equipment	X/C	NP
	Special Event	CUP	CUP

X= Permitted by right
 NP= Not Permitted
 X/C = Permitted with Specific Criteria as established in Table 8.2
 X/SE = Permitted with a Special Exception from the Board of Adjustment
 CUP = Permitted with a Conditional Use Permit from the City Council

8.2 Use Criteria: All uses listed as X/C in Table 8.1 shall also meet the following standards in Table 8.2

Table 8.2 – Use Criteria

Use		District	Location & Design Criteria
Non-Residential Uses			
Retail sales or service (personal service uses) with drive through facilities		Corridor Commercial Sub-Districts 1 & 2	Service windows and stacking lanes for drive-thru businesses shall have a minimized impact on public streets, particularly at corner sites. In cases where site constraints require the location of the drive-thru lanes between the street and the building, the view of the lanes should be minimized with the use of landscaping and other design elements.
Auto-related Sales or Service establishments		Corridor Commercial Sub-Districts 1 & 2	Automobiles or related items for sale shall be located behind the primary structure. Service bays shall not face a public street unless screened. Site design shall provide for safe, comfortable passage for pedestrians across the property where it abuts a public street. Various site design options will be considered by staff, but any design proposal shall insure pedestrians and drivers entering or exiting the site can see each other clearly and in enough time to avoid a crash. Other design options include, but are not limited to, providing a median or other pedestrian refuge for drive approaches 30 feet or wider, providing and maintaining clearly marked crosswalks across driveways or drive approaches, and other means of alerting drivers to the potential presence of pedestrians.
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services <u>with drive through facility</u>		Corridor Commercial Sub-Districts 1 & 2	Service windows and stacking lanes for drive-thru businesses shall have a minimized impact on public streets, particularly at corner sites. In cases where site constraints require the location of the drive-thru lanes between the street and the building, the view of the lanes should be minimized with the use of landscaping and other design elements.
Food Service Uses such as full-service restaurants, fast food establishments, cafeterias, bakeries and snack bars <u>with drive through facilities</u>		Corridor Commercial Sub-Districts 1 & 2	Service windows and stacking lanes for drive-thru businesses shall have a minimized impact on public streets, particularly at corner sites. In cases where site constraints require the location of the drive-thru lanes between the street and the building, the view of the lanes should be minimized with the use of landscaping and other design elements.
Residential Uses			
Home occupations		Corridor Commercial Sub-Districts 1 & 2	Home Occupations are permitted as allowed in Kennedale City Code Section 17-423.
Multi-family residential Upper Floor		Corridor Commercial Sub-Districts 1 & 2	Residential uses may not exceed fifty percent (50%) of the structure's gross floor area.
Other Uses			
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)		Corridor Commercial Sub-Districts 1 & 2	- Fleet parking and outdoor storage are prohibited. - Radio & television towers, Microwave towers, and telephone exchanges require a special exception from the Board of Adjustment.
Parking, surface (accessory use of		Corridor Commercial Sub-Districts 1 & 2	Parking shall be screened as required by this Code. Commercial parking lots (parking for a fee) are not permitted.

Table 8.2 – Use Criteria

Use		District	Location & Design Criteria
	property)		
	Outdoor Display	Corridor Commercial Sub-Districts 1 & 2	Outdoor display is permitted when in compliance with Section 4-227 of the Kennedale City Code. Outdoor display shall not be used for storage. For the purposes of this Code, “display” means the exhibition of goods, wares, or merchandise for sale. Vehicles, trailers, or boats shall not be displayed outdoors. Items displayed outdoors shall be located within 15 feet of the primary building entrance and shall not exceed more than 20% of the width of the front façade.
	Antennas including cell, accessory, and mounted on top of buildings	Corridor Commercial Sub-Districts 1 & 2	Satellite antennas shall be regulated under Section 17-417 of the Kennedale City Code. Other uses under this category require a special exception from the Board of Adjustment.
	Wind energy equipment	Corridor Commercial Sub-Districts 1 & 2	- Freestanding wind energy equipment shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances, including height limits. Wind energy production/generation shall not be the primary use of any property within the Corridor Commercial Sub-Districts 1 & 2. - Wind energy equipment shall comply with the height requirements and other requirements for accessory buildings as regulated by Kennedale City Code Section 17-405. - Wind energy equipment shall be subject to Chapter 15, Article V of the Kennedale City Code concerning loud noises (nuisances). - All portions of the wind energy system shall be a non-reflective, non-obtrusive color, subject to the approval of the Planning Director. - Wind energy equipment shall not be used for displaying any advertising and shall not be illuminated. - The electrical collection system shall be placed underground within the interior of each parcel. - A building permit and any other permit related to work required to install wind energy equipment shall be obtained prior to installation of any wind energy equipment.
	Solar energy equipment	Corridor Commercial Sub-Districts 1 & 2	- Freestanding solar collectors shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances, including height limits. Solar energy production/generation shall not be the primary use of any property within the Corridor Commercial Sub-Districts 1 & 2. - Structurally attached solar collectors are permitted in the Corridor Commercial Sub-Districts 1 & 2. “Structurally attached solar collector” means solar collectors attached to an existing structure’s roof or wall or serving as a structure’s roof, wall, window or other structural member. Structurally attached solar collectors installed on a building with a sloped roof shall not project vertically above the peak of the roof. Structurally attached solar collectors installed on a building with a flat roof shall not project vertically more than five (5) feet above the roof. - Roof-mounted or structurally attached solar energy systems shall comply with the maximum height requirements in the applicable zoning district. Ground-mounted solar energy equipment shall comply with the height requirements and other requirements for accessory buildings as regulated by Kennedale City Code Section 17-405. - A building permit, electrical permit, or any other permit related to work required to install solar energy equipment shall be obtained prior to installation of any solar energy equipment.
	Special Event	Corridor Commercial Sub-Districts 1 & 2 Green Corridor Sub-District 1	- Special Events require approval from the City Council. Flea markets are prohibited (indoor or outdoor). - Special Events require approval from the City Council. - It shall be unlawful to place or erect any structure, sign, bulletin board, post, pole, or advertising device of any kind whatever, or to attach to any tree, shrub, fence, railing, post within the Green Corridor; provided, however, the city manager, or his designee, may permit in writing the erection of temporary decorations on occasions of public celebrations or holidays.

EXHIBITS

A District boundaries: property regulated by this Code

The boundaries of the Employment Center district are, approximately: Kennedale Pkwy to the east, the Union Pacific rail line to the west, the IH-20 frontage road to the north, and Village Creek to the south.

The Corridor Commercial Sub-District 1 is bisected by the Green Corridor Sub-District 1. The boundaries of the northern section are, approximately: the QuikTrip Planned Development District to the north, the Green Corridor Sub-District 1 to the south, High Ridge Road to the west, and Kennedale Pkwy to the east. The boundaries of the southern section are, approximately: the Green Corridor Sub-District 1 to the north, Oak Crest Drive to the south, High Ridge Road to the west, and Kennedale Pkwy to the east.

The boundaries of Corridor Commercial Sub-District 2 are, approximately: the IH-20 frontage road to the north, Kennedale Pkwy to the west, Gilman Rd and the FWT Addition to the south, and the FWT Addition to the east.

The boundaries of the Green Corridor Sub-District 1 are, approximately: Corridor Commercial Sub-District 1 to the north and to the south, High Ridge Rd to the west, and Kennedale Pkwy to the east.

More specific boundaries shall be established as properties are re-zoned under this Code.

APPENDICES

- A. Definitions
- B. Native plant lists
- C. Irrigation requirements
- D. Photo credits

APPENDIX A. DEFINITIONS

Blank wall means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four feet in height from ground level and longer than 60 feet, as measured horizontally, without having a window, door, building modulation, or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.

Build-to zone means range of allowable distances from a street right-of-way that a building may be built.

Footcandle means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.

Frontage zone means the area between the pedestrian walkway or sidewalk and primary structure (or property line, for structures where no front setback is required). Pedestrians tend to avoid walking close to barriers such as buildings, storefronts, walls, or fences, in the same way that they tend to avoid walking close to the roadway. For this reason, some sub-districts in the Employment Center have a minimum frontage zone width in order to provide more comfort for pedestrians. Typically, the frontage zone is also the area in which sidewalk entertainment, such as street cafes and vendors, are located. Sometimes also referred to as a *clear zone*, the frontage zone buffers pedestrians from appurtenances, doorways, and similar obstacles.

Harvested rainwater means storm water that is conveyed from a building roof, stored in a cistern or rain barrel, and disinfected and filtered before being used.

Modulation means the stepping back or projecting forward of parts of a building.

Structure means anything constructed or erected having location on or under the ground or attached to something having location on or under the ground, but not including fences or screening walls required by this Code.

Visible Transmittance means the amount of light transmitted through a window. VT is expressed as a number between 0 and 1; the closer the number is to 1, the higher the potential for daylighting.

APPENDIX B.

NATIVE PLANTS APPROPRIATE FOR THE KENNEDALE REGION

APPENDIX B

Native Plants

The following plants are recommended by the Lady Bird Johnson Wildflower Center for use in the North Central Texas area.

Scientific Name	Common Name	Duration	Habit	Sun	Water
<i>Acer negundo</i>	Ash-leaf maple, Ash-leaved maple, Box elder, Boxelder, Fresno de guajuco	Perennial	Tree	Sun	Moist
<i>Aesculus glabra</i>	Ohio buckeye, Texas buckeye, Fetid buckeye, Horse chestnut	Perennial	Tree	Sun, Shade, Part-shade	Moist
<i>Amblyolepis setigera</i>	Huisache daisy, Butterfly daisy, Honey daisy	Annual	Herb	Part-shade	Dry
<i>Amorpha fruticosa</i>	Indigo bush, False indigo bush, False indigo, Desert false indigo	Perennial	Shrub	Sun, Part-shade	Moist
<i>Andropogon gerardii</i>	Big bluestem, Turkeyfoot	Perennial	Grass/Grass-like	Sun, Part-shade	Moist
<i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>	Flame acanthus, Hummingbird bush, Wright's desert honeysuckle, Wright acanthus, Mexican flame, Wright's Mexican flame	Perennial	Shrub	Sun, Part-shade	Moist, Dry
<i>Aquilegia canadensis</i>	Eastern red columbine, Wild red columbine	Perennial	Herb	Shade, Part-shade	Moist, Dry
<i>Asclepias tuberosa</i>	Butterflyweed, Butterfly milkweed, Orange milkweed, Pleurisy root	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Bignonia capreolata</i>	Crossvine	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Bouteloua curtipendula</i>	Sideoats grama	Perennial	Grass/Grass-like	Sun, Part-shade	Moist, Dry
<i>Bouteloua dactyloides</i>	Buffalograss, Buffalo grass	Perennial	Grass/Grass-like	Sun	Dry
<i>Bouteloua gracilis</i>	Blue grama	Perennial	Grass/Grass-like	Sun	Dry
<i>Callicarpa americana</i>	American beautyberry, French mulberry	Perennial	Shrub	Part-shade	Moist
<i>Callirhoe digitata</i>	Finger poppy-mallow, Poppy mallow, Standing winecup, Wine cup, Winecup	Perennial	Herb	Sun	Dry

<i>Callirhoe involucrata</i>	Winecup, Purple poppy mallow	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Campsis radicans</i>	Trumpet creeper, Trumpet vine, Common trumpet creeper, Cow vine	Perennial	Vine	Sun	Moist, Dry
<i>Carya illinoensis</i>	Pecan	Perennial	Tree	Sun	Moist
<i>Carya texana</i>	Black hickory	Perennial	Tree	Part-shade	Dry
<i>Castilleja indivisa</i>	Entireleaf indian paintbrush, Texas paintbrush, Indian paintbrush, Scarlet paintbrush, Entire-leaf indian-paintbrush	Annual	Herb	Sun	Dry
<i>Centaurea americana</i>	American basket-flower, American star-thistle, Basket-Flower, Star thistle, Shaving brush	Annual	Herb	Part-shade	Dry
<i>Cephalanthus occidentalis</i>	Common buttonbush, Buttonbush, Button willow	Perennial	Shrub	Shade, Part-shade	Wet, Moist
<i>Cercis canadensis</i> var. <i>texensis</i>	Texas redbud	Perennial	Tree	Sun, Part-shade	Dry
<i>Chromolaena odorata</i>	Jack in the bush, Fragrant boneset, Fragrant mistflower, Crucita, Blue mistflower	Perennial	Shrub	Part-shade	Dry
<i>Clematis pitcheri</i>	Purple clematis, Purple leatherflower, Leatherflower, Bluebill	Perennial	Vine	Sun, Part-shade	Moist
<i>Conoclinium coelestinum</i>	Blue mistflower	Perennial	Herb	Sun, Part-shade	Moist
<i>Cooperia drummondii</i>	Evening rain lily, Evening star rain lily	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Coreopsis tinctoria</i>	Plains coreopsis, Golden tickseed, Goldenwave, Calliopsis	Annual	Herb	Sun, Part-shade	Moist
<i>Diospyros texana</i>	Texas persimmon, Mexican persimmon, Black persimmon, Chapote, Chapote prieto	Perennial	Tree	Sun, Part-shade	Dry
<i>Echinacea angustifolia</i>	Black Sampson, Black Samson echinacea, Narrow-leaf Coneflower	Perennial	Herb	Sun, Part-shade	Dry
<i>Echinacea purpurea</i>	Eastern purple coneflower, Purple coneflower	Perennial	Herb	Sun, Part-shade	Dry
<i>Engelmannia</i>	Engelmann's daisy, Engelmann Daisy,	Perennial	Herb	Sun	Dry

<i>peristenia</i>	Cutleaf Daisy				
<i>Eryngium leavenworthii</i>	Leavenworth's eryngo, Eryngo	Annual	Herb	Sun, Part-shade	Moist
<i>Eustoma exaltatum</i> ssp. <i>russellianum</i>	Texas bluebells, Texas bluebell, Bluebell, Showy prairie gentian, Prairie gentian	Annual, Biennial, Perennial	Herb	Sun	Moist
<i>Frangula caroliniana</i>	Carolina buckthorn, Carolina false buckthorn, Indian cherry	Perennial	Tree	Part-shade	Moist
<i>Fraxinus americana</i>	White ash	Perennial	Tree	Sun, Shade, Part-shade	Moist, Dry
<i>Gaillardia pulchella</i>	Firewheel, Indian Blanket	Annual	Herb	Sun, Part-shade	Dry
<i>Glandularia bipinnatifida</i> var. <i>bipinnatifida</i>	Prairie verbena, Purple prairie verbena, Dakota mock vervain, Dakota vervain	Annual, Perennial	Herb	Sun, Part-shade	Dry
<i>Helianthus maximiliani</i>	Maximilian sunflower, Max sunflower	Perennial	Herb	Sun	Moist, Dry
<i>Hesperaloe parviflora</i>	Red yucca, Coral yucca, Red flowered false yucca, Redflower false yucca, Samandoque, Yellow yucca	Perennial	Cactus/Succulent	Sun	Dry
<i>Hibiscus laevis</i>	Halberdleaf rosemallow, Halberdleaf hibiscus, Scarlet rose mallow	Perennial	Shrub	Sun, Part-shade	Moist
<i>Hilaria belangeri</i> var. <i>belangeri</i>	Curly-mesquite	Perennial	Grass/Grass-like	Sun	Dry
<i>Ilex decidua</i>	Possumhaw, Possumhaw Holly, Deciduous Holly, Winterberry, Deciduous yaupon	Perennial	Shrub	Sun, Part-shade	Moist
<i>Ilex vomitoria</i>	Yaupon, Yaupon holly, Cassina	Perennial	Shrub, Tree	Sun, Shade, Part-shade	Moist, Dry
<i>Juglans nigra</i>	Black walnut, Eastern black walnut	Perennial	Tree	Sun, Part-shade	Moist
<i>Juniperus ashei</i>	Ashe juniper, Ashe's juniper, Mountain cedar, Blueberry juniper	Perennial	Tree	Part-shade	Dry
<i>Juniperus virginiana</i>	Eastern red cedar, Eastern redcedar, Virginia juniper	Perennial	Tree	Sun, Shade, Part-shade	Dry
<i>Lantana urticoides</i>	Texas lantana, Calico bush, West	Perennial	Shrub	Sun	Dry

	Indian shrub-verbena				
<i>Leptochloa dubia</i>	Green sprangletop	Perennial	Grass/Grass-like	Part-shade	Dry
<i>Liatris elegans</i>	Blazing star, Gay feather, Pink-scale gayfeather, Pinkscale blazing star	Perennial	Herb	Sun	Dry
<i>Liatris mucronata</i>	Cusp gayfeather, Gayfeather, Blazing star, Narrow-leaf gayfeather, Texas gayfeather, Cusp blazing star	Perennial	Herb	Sun	Dry
<i>Lobelia cardinalis</i>	Cardinal flower	Perennial	Herb	Sun, Shade, Part-shade	Wet, Moist
<i>Lonicera albiflora</i>	Western white honeysuckle, Texas honeysuckle, White honeysuckle, White shrub honeysuckle, White limestone honeysuckle	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Lonicera sempervirens</i>	Coral honeysuckle, Trumpet honeysuckle, Woodbine	Perennial	Vine	Sun, Part-shade	Moist
<i>Lupinus texensis</i>	Texas bluebonnet, Bluebonnet, Texas lupine, Buffalo clover, Wolf-flower	Annual	Herb	Sun	Dry
<i>Machaeranthera tanacetifolia</i>	Tanseyleaf tansyaster, Tahoka Daisy, Tansy Aster	Annual	Herb	Sun, Part-shade	Dry
<i>Mahonia swaseyi</i>	Texas barberry, Texas Oregon-grape	Perennial	Shrub	Sun	
<i>Mahonia trifoliolata</i>	Agarita, Agarito, Algerita, Laredo mahonia, Laredo Oregon-grape, Trifoliate barberry	Perennial	Shrub	Sun, Part-shade	Moist, Dry
<i>Melampodium leucanthum</i>	Blackfoot Daisy, Rock daisy, Plains blackfoot	Perennial	Herb	Sun, Part-shade	Dry
<i>Monarda citriodora</i>	Lemon beebalm, Horsemint, Purple horsemint, Lemon mint, Plains horsemint, Lemon horsemint	Annual	Herb	Sun, Part-shade	Dry
<i>Muhlenbergia lindheimeri</i>	Lindheimer's muhly, Big muhly, Lindheimer muhly	Perennial	Grass/Grass-like	Sun	Moist, Dry
<i>Muhlenbergia reverchonii</i>	Seep muhly	Perennial	Grass/Grass-like	Sun	Moist, Dry
<i>Oenothera macrocarpa</i> ssp. <i>macrocarpa</i>	Bigfruit evening-primrose, Fluttermill, Missouri evening primrose	Perennial	Herb	Sun, Part-shade	Dry
<i>Oenothera speciosa</i>	Pink evening primrose, Showy evening primrose, Mexican evening primrose, Showy primrose, Pink ladies, Buttercups, Pink buttercups	Perennial	Herb	Sun	Moist, Dry
<i>Palafoxia callosa</i>	Small palafox, Small palafoxia	Annual	Herb	Sun	Dry

<i>Panicum virgatum</i>	Switchgrass, Wand panic grass	Perennial	Grass/Grass-like	Sun, Part-shade	Moist, Dry
<i>Parthenocissus quinquefolia</i>	Virginia creeper	Perennial	Vine	Sun, Shade, Part-shade	Moist
<i>Passiflora incarnata</i>	Purple passionflower, Purple passion vine, Maypop, Apricot vine	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Penstemon cobaea</i>	Wild foxglove, Prairie penstemon, Foxglove penstemon, False foxglove, Large-flowered beardtongue, Large-flowered penstemon, Prairie beardtongue, Cobaea penstemon	Perennial	Herb	Sun, Part-shade	Dry
<i>Phlox drummondii</i>	Annual phlox, Phlox, Drummond phlox	Annual	Herb	Sun, Part-shade	Dry
<i>Physostegia pulchella</i>	Beautiful false dragon-head, Showy false dragonhead	Perennial	Herb	Part-shade	Moist
<i>Platanus occidentalis</i>	American sycamore, Buttonwood, Plane-tree, Sycamore	Perennial	Tree	Sun, Shade, Part-shade	Moist
<i>Poa arachnifera</i>	Texas bluegrass, Texas blue grass	Perennial	Grass/Grass-like	Sun, Part-shade	Moist
<i>Prosopis glandulosa</i>	Honey mesquite	Perennial	Tree	Sun	Dry
<i>Prunus mexicana</i>	Mexican plum, Bigtree plum	Perennial	Tree	Sun, Part-shade	Moist, Dry
<i>Quercus fusiformis</i>	Escarpment live oak, Plateau live oak, Texas live oak, Scrub live oak, Hill country live oak, Plateau oak	Perennial	Tree	Sun, Part-shade	Dry
<i>Quercus macrocarpa</i>	Bur oak, Burr oak, Savannah oak, Overcup oak, Prairie oak, Mossy-cup oak, Mossy-overcup oak, Blue oak	Perennial	Tree	Sun, Shade, Part-shade	Wet, Moist, Dry
<i>Quercus marilandica</i>	Blackjack oak, Barren oak, Black oak, Jack oak	Perennial	Tree	Part-shade	Dry
<i>Quercus muehlenbergii</i>	Chinkapin oak, Chinquapin oak, Chestnut oak, Yellow chestnut oak, Yellow oak, Rock chestnut oak, Rock oak	Perennial	Tree	Sun, Part-shade	Dry
<i>Quercus shumardii</i>	Shumard oak, Shumard's oak, Shumard red oak, Southern red oak	Perennial	Tree	Sun, Part-shade	Moist, Dry

<i>Quercus stellata</i>	Post oak	Perennial	Tree	Part-shade	Dry
<i>Quercus texana</i>	Nuttall Oak, Texas red oak, Texas oak, Spanish oak, Rock oak	Perennial	Tree	Part-shade	
<i>Ratibida columnifera</i>	Mexican hat, Prairie coneflower, Upright prairie coneflower, Red-spike mexican-hat, Long-headed coneflower, Thimbleflower	Perennial	Herb	Sun	Moist, Dry
<i>Rhus aromatica</i>	Fragrant sumac, Aromatic sumac, Lemon sumac, Polecats bush	Perennial	Shrub	Sun, Shade, Part-shade	Moist, Dry
<i>Rhus lanceolata</i>	Prairie flameleaf sumac, Flame-leaf sumac, Prairie sumac, Lance-leaf sumac	Perennial	Tree	Sun	Dry
<i>Rudbeckia hirta</i>	Black-eyed Susan, Common black-eyed Susan, Brown-eyed Susan	Annual	Herb	Sun, Shade, Part-shade	Moist, Dry
<i>Salvia azurea</i>	Pitcher sage, Big blue sage, Azure sage, Giant blue sage, Blue sage	Perennial	Herb	Part-shade	Dry
<i>Salvia farinacea</i>	Mealy blue sage, Mealy sage, Mealcup sage	Perennial	Herb	Sun	Moist
<i>Salvia greggii</i>	Autumn sage, Cherry sage, Gregg salvia	Perennial	Shrub	Sun	Dry
<i>Salvia regia</i>	Mountain sage, Royal sage	Perennial	Shrub	Shade, Part-shade	Dry
<i>Salvia roemeriana</i>	Cedar sage	Perennial	Herb	Part-shade	Dry
<i>Sapindus saponaria</i> var. <i>drummondii</i>	Western soapberry, Soapberry	Perennial	Tree	Sun, Part-shade	Moist, Dry
<i>Schizachyrium scoparium</i>	Little bluestem	Perennial	Grass/Grass-like	Sun, Part-shade	Dry
<i>Sorghastrum nutans</i>	Indiangrass, Yellow indian grass	Perennial	Grass/Grass-like	Sun, Shade, Part-shade	Moist, Dry
<i>Styphnolobium affine</i>	Eve's necklace, Eve's necklacepod, Texas sophora	Perennial	Tree	Part-shade	Dry
<i>Taxodium distichum</i>	Bald cypress, Baldcypress, Common bald cypress, Southern bald cypress, Deciduous cypress	Perennial	Tree	Sun, Part-shade	Moist
<i>Thelesperma</i>	Stiff green thread, Green thread	Annual	Herb	Sun	Dry

<i>filifolium</i>					
<i>Tradescantia occidentalis</i>	Prairie spiderwort, Western Spiderwort, Spiderwort	Perennial	Herb	Sun, Part-shade	Dry
<i>Tripsacum dactyloides</i>	Eastern gamagrass	Perennial	Grass/Grass-like	Part-shade	Moist
<i>Ulmus americana</i>	American elm, White elm	Perennial	Tree	Sun, Part-shade	Moist
<i>Ulmus crassifolia</i>	Cedar elm, Fall elm, Olmo	Perennial	Tree	Part-shade	Moist
<i>Ungnadia speciosa</i>	Mexican buckeye	Perennial	Tree	Sun, Part-shade	Dry
<i>Vernonia baldwinii</i>	Baldwin's ironweed, Western Ironweed, Ironweed	Perennial	Herb	Sun	Moist
<i>Viburnum rufidulum</i>	Rusty blackhaw viburnum, Rusty blackhaw, Southern blackhaw, Downy viburnum	Perennial	Tree	Part-shade	Dry
<i>Wedelia texana</i>	Zexmenia, Orange zexmenia, Wedelia, Hairy wedelia, Texas creeping-oxeye	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Yucca rupicola</i>	Twistleaf yucca, Twisted-leaf yucca, Texas yucca	Perennial	Cactus/Succulent	Sun, Part-shade	Dry

APPENDIX C. IRRIGATION

- I. *Control by automated irrigation system.* Landscaped areas shall 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.
 - (a) The irrigation system shall be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
 - (b) High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
 - (c) 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.
- II. *Cisterns.* The use of cisterns for rainwater harvesting is permitted.
 - (a) Harvest rainwater shall be used for irrigation only. Piping for rainwater harvesting systems shall be separate from and shall not include any direct connection to any potable water piping or to the city's sanitary sewer system. Cisterns shall not be used to provide potable water. Filter systems are required to remove solids and debris and shall be treated or controlled to prevent mosquito breeding.
 - (b) Cisterns shall 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 regulations of this Code.
 - (c) Cisterns shall not exceed ten (10) percent coverage in any required yard. The maximum height of any cistern shall be ten (10) feet.
 - (d) Cisterns shall be located a minimum of eight (8) feet from any side lot line and a minimum of eight (8) feet from any rear lot line.
 - (e) Cisterns shall be made of durable materials sufficient to withstand weight and pressure from water storage and resist leaking or corrosion.
 - (f) Every irrigation outlet shall be permanently identified with an indelibly marked placard stating: "CAUTION: HARVESTED RAINWATER; DO NOT DRINK."
 - (g) Installation and repair of cisterns requires an irrigation permit or plumbing permit, as applicable, from the City of Kennedale. Cisterns larger than 175 square feet require an accessory building permit.
 - (h) Rain barrels with capacity of 100 gallons or less shall not require an irrigation or plumbing permit but shall meet all other requirements of this sub-section.
 - (i) The design, maintenance, and use of rainwater harvesting systems are the responsibility of the individual system owners

APPENDIX D. IMAGE CREDITS

All images in this document are courtesy City of Kennedale, Livable Plans & Codes, or Morgue File Photo Archive unless otherwise stated below.

Figure 17. Morpho Landscape Architecture

Figure 19. Dsafdy (GFDL or CC-BY-SA-3.0-2.5-2.0-1.0, via Wikimedia Commons)

Figure 20. Xnatedawgx (Own work) [(CC-BY-SA-3.0 or GFDL), via Wikimedia Commons]

Figure 21. Stacalusa (Own work) (Public domain), via Wikimedia Commons

Figure 23. Gary Halvorson, Oregon State Archives

Date: August 14, 2014

Agenda Item No: WORK SESSION - D.

I. Subject:

Discuss the lease of city infrastructure space to Netlink for the placement of telecommunications equipment.

II. Originated by:

Bob Hart

III. Summary:

In order to provide enhanced high-speed internet capabilities for our residents, the city is looking to partner with Netlink. Netlink is an internet technology provider looking to provide these services for Kennedale. The company boasts 24/7 dedicated support, fully-scalable internet bandwidth, digital phone service, internet/voice bundles, and a seamless installation. In order to provide services in Kennedale, Netlink will need to lease space on our water tower/standpipe to place communications equipment.

Additional information on this topic will be provided at the meeting.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: WORK SESSION - E.

I. Subject:

Discuss any other items on the agenda.

II. Originated by:

City Council, City Council

III. Summary:

Discuss any other items on the agenda as needed.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: EXECUTIVE SESSION - A.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.

II. Originated by:

Bob Hart

III. Summary:

At this time the city council will meet in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: EXECUTIVE SESSION - B.

I. Subject:

The City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect that the city council seeks to locate within the city limits.

II. Originated by:

Bob Hart

III. Summary:

This item will be discussed in executive session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - A.

I. Subject:

Updates from the Mayor.

- Board application process
- Free YAC Movie event in TownCenter Park on August 23

II. Originated by:

City Council, City Council

III. Summary:

BOARD APPLICATION PROCESS:

August 8: Online Applications become available

September 12: Online Applications DUE by 5:00PM

September 22: Interviews with City Council (TBD)

September 23: Interviews with City Council (TBD)

September 24: Interviews with City Council (TBD)

September 26: Candidates notified of Council's recommendations

October 10: Official appointments made at the regular City Council meeting (7:00PM)

The Youth Advisory Council will be showing *The Incredibles* in TownCenter Park on Saturday, August 23rd at 7:30PM. Snacks will be available for purchase.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - B.

I. Subject:

Updates from City Council.

II. Originated by:

City Council, City Council

III. Summary:

Updates and information, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - C.

I. Subject:

Updates from the City Manager.

II. Originated by:

Bob Hart

III. Summary:

Updates and information, if any.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

VII. Alternative Actions:

VIII. Attachments:

Date: August 14, 2014

Agenda Item No: REPORTS/ANNOUNCEMENTS - D.

I. Subject:

Organizational Performance Report.

II. Originated by:

Bob Hart

III. Summary:

This month's report will include the following:

- Balanced Scorecard update
- Governance policy compliance update
- City Marshal's office data report

IV. Fiscal Impact Summary:

V. Legal Impact:

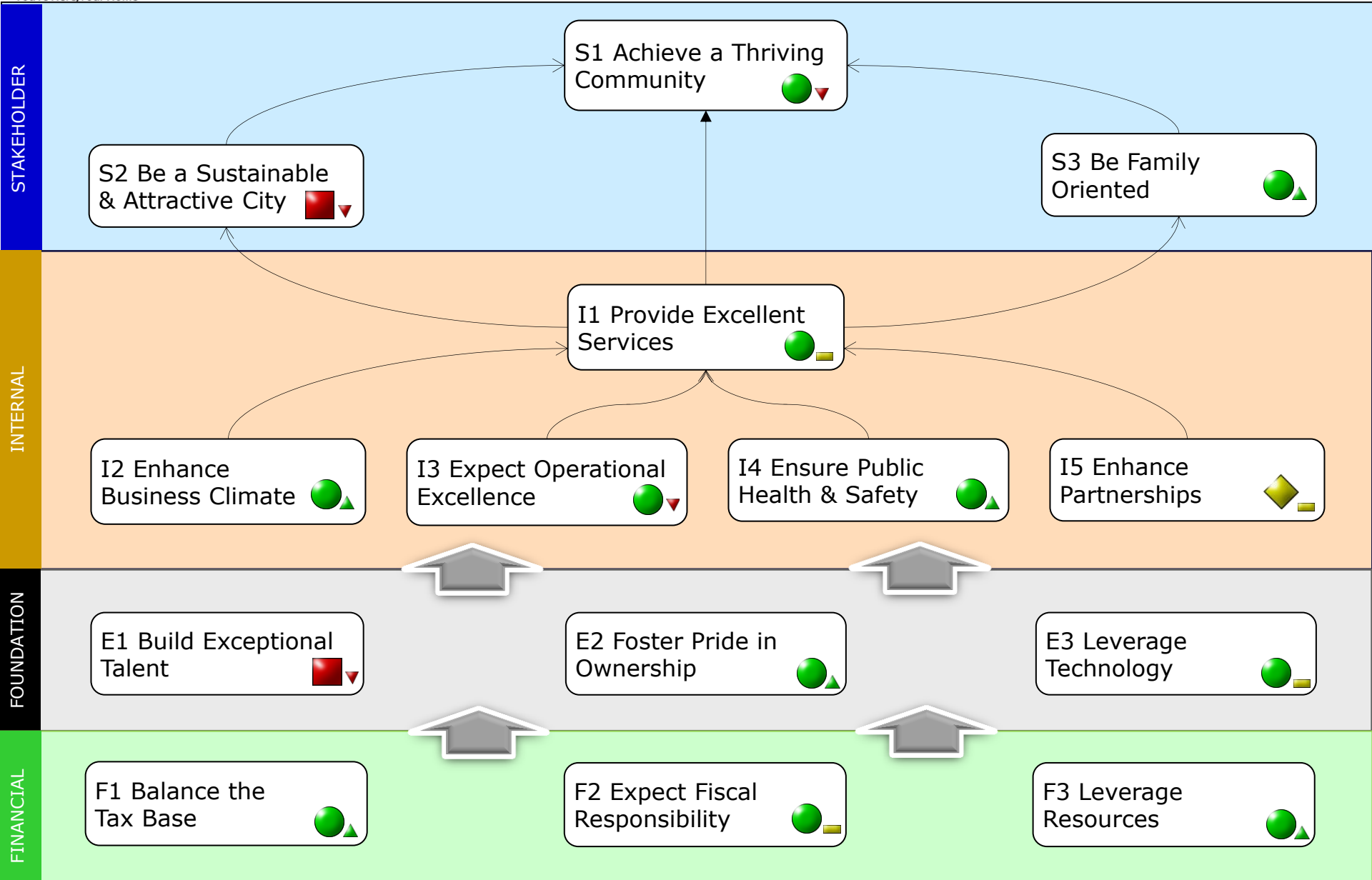
VI. Recommendation:

None

VII. Alternative Actions:

VIII. Attachments:

1.	Balanced Scorecard	07.2014 Balanced Scorecard Report.pdf
2.	City Marshall Report	City Marshal Department Statistic Report - 07-2014.pdf
3.	Governance Policy Update	governance limitation report.docx



Balanced Scorecard Scoring Sheet & Indicators

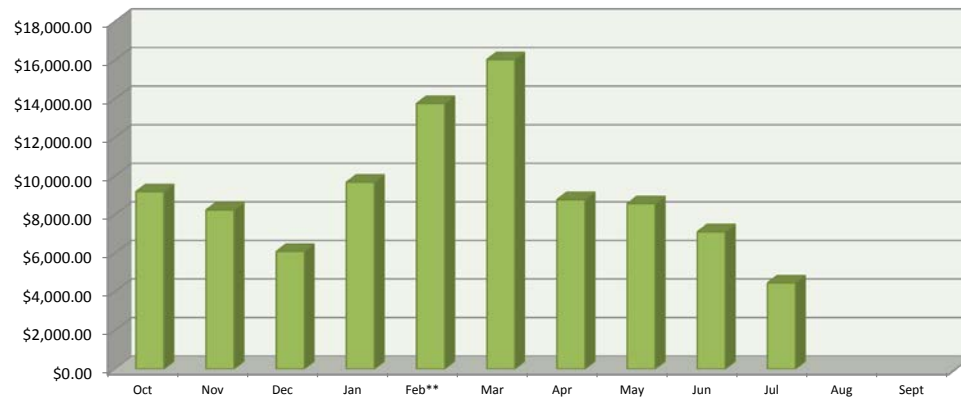
 = Satisfactory  = Flat  = Unsatisfactory					
	Item is Green this month, and has increased since last month		Item is Yellow this month, and has increased since last month		Item is Red this month, and has increased since last month
	Item is Green this month, and is the same as last month		Item is Yellow this month, and is the same as last month		Item is Red this month, and is the same as last month
	Item is Green this month, and has decreased since last month		Item is Yellow this month, and has decreased since last month		Item is Red this month, and has decreased since last month

City Marshal Department Statistic Report

FY 12-13	Oct	Nov	Dec	Jan	Feb**	Mar	Apr	May	Jun	Jul	Aug	Sept	Total
Citations													
FY11-12	406	326	218	332	200	211	214	204	234	239	258	287	3129
FY12-13	384	418	264	460	532	460	398	351	208	318	297	319	4409
FY13-14	281	284	187	296	216	210	24.53	247	186	252			2183.53
Citation Collections Percentage													
FY13-14	29.98%	38.65%	31.80%	32.12%	30.88%	25.69%	23.47%	21.71%	13.08%	6.71%			2.5409
Warrants													
Issued	336	178	167	275	124	173	193	239	119	175			1979
Cleared	111	68	118	43	87	94	99	126	95	75			916
Total Warrant Value													
Issued	\$100,605.77	\$57,535.79	\$52,590.07	\$89,168.67	\$38,313.80	\$54,607.02	\$63,960.87	\$76,615.00	\$37,413.30	\$57,870.67			\$628,680.96
Cleared	\$35,935.02	\$23,589.55	\$42,364.02	\$16,020.14	\$12,778.78	\$32,642.54	\$38,240.98	\$45,656.14	\$39,918.50	\$28,063.13			\$315,208.80
Collected													
Total Collected	\$21,684.30	\$19,189.89	\$16,063.05	\$20,914.00	\$33,678.90	\$40,671.76	\$24,112.42	\$20,661.66	\$16,391.18	\$15,833.89			\$229,201.05
Retained by City	\$9,186.65	\$8,239.08	\$6,085.90	\$9,677.69	\$13,763.59	\$16,036.55	\$8,775.12	\$8,560.30	\$7,103.85	\$4,455.27			\$91,884.00
Credit for Time Served													
FY11-12	\$4,917.55	\$13,224.20	\$16,068.80	\$20,732.32	\$14,992.00	\$13,828.17	\$20,649.40	\$13,934.78	\$12,690.80	\$22,230.74	\$12,064.26	\$14,076.24	\$179,409.26
FY12-13	\$18,467.37	\$6,005.70	\$15,674.20	\$14,964.78	\$30,337.53	\$16,599.58	\$19,790.90	\$20,140.16	\$22,331.80	\$31,207.65	\$18,132.22	\$7,882.39	\$221,534.28
FY13-14	\$21,997.37	\$12,452.67	\$18,038.84	\$14,239.37	\$16,578.87	\$13,389.80	\$19,182.70	\$23,101.94	\$18,780.50	\$20,748.73			\$178,510.79
Other													
Prisoners Transported	11	12	7	13	9	13	9	7	7	8			96
Field Arrests	28	18	7	7	11	2	1	9	8	2			93
Voluntary Arrests	0	1	1	0	1	2	1	2	2	1			11
Community Service	0	1	2	2	2	0	0	2	3	0			12
Phone/Field Contacts	400	500	300	300	600	1,000	600	600	600	600			5500
Expenditures													
	\$4,314.92	\$8,763.07	\$5,772.68	\$5,542.87	\$5,194.34	\$7,667.13	\$2,938.39	\$3,437.14	\$5,220.20	\$5,135.41			0
% of Annual Goal	6%	4.99%	3.69%	5.87%	8.34%	9.72%	5.32%	5.19%	4.31%	2.70%	0.00%	0.00%	55.69%

** State-wide Warrant Round Up in effect

Collections Retained for City Use



Annual Goal



SECTION I: EXECUTIVE LIMITATIONS

(I-A) GLOBAL EXECUTIVE CONSTRAINT

The City Manager shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, or in violation of commonly accepted business and professional ethics.

I have complied with this limitation.

(I-B) TREATMENT OF CUSTOMERS OF CITY SERVICES

With respect to interactions with customers, the City Manager shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The City Manager will not

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing customer information that fail to protect against improper access to the material.
3. Operate facilities without appropriate accessibility and privacy.
4. Operate without establishing with customers a clear understanding of what may be expected and what may not be expected from the service offered.
5. Operate without informing customers of this policy or providing a way to be heard for persons who believe that they have not been accorded a reasonable interpretation of their rights under this policy.

The organization has complied with this limitation.

(I-C) TREATMENT OF STAFF

With respect to the treatment of paid and volunteer staff, the City Manager shall not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The City Manager will not

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for nondisruptive expression of dissent.
3. Allow staff to be unaware of City Manager's interpretations of their protections under this policy.
4. Allow staff to be unprepared to deal with emergency situations.

I have complied with this limitation.

(I-D) FINANCIAL PLANNING/BUDGETING

The City Manager shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year that deviates materially from Council Ends priorities, risks financial jeopardy, or is not derived from a multiyear plan.

The City Manager will not allow budgeting which:

1. Risks incurring those situations or conditions described as unacceptable in the Executive Limitations policy entitled “Financial Condition and Activities.”
2. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow analysis, and disclosure of planning assumptions.
3. Provide less than the amount determined annually by the Council for the Council’s direct use during the year.

The general fund balance is below the 25% policy requirement. I do not anticipate meeting this provision for approximately five years. It will be addressed in the budget workshop.

The projections of revenues and expenses are credible, realistic and conservative.

(I-E) FINANCIAL CONDITION AND ACTIVITIES

With respect to the actual, ongoing financial condition and activities, the City Manager may not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Council priorities established in Ends policies.

The City Manager will not

1. Expend more funds than have been received in the fiscal year to date unless the Council’s debt guideline is met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenue within 60 days.
3. Use any long-term reserves.
4. Conduct inter-fund shifting in amounts greater than can be restored to a condition of discrete fund balance within 30 days.
5. Allow payables or receivables not to be settled within a reasonable time frame.
6. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than \$50,000. Splitting orders to avoid this limit is not acceptable.

8. Acquire, encumber or dispose of real estate.
9. Issue expense checks to himself or herself without the signature of a Council-approved signatory who has been provided with appropriate documentation and receipts.

The organization is in compliance with these limitations with the exception of delinquent court fines. The city does maintain an aggressive compliance practice but is limited by people's ability to pay.

(I-F) ASSET PROTECTION

The City Manager may not allow the City's assets to be unprotected, inadequately maintained, or unnecessarily risked.

The City Manager will not

1. Insure the organization's assets for less than one hundred percent of replacement value against theft, fire and casualty losses or insure against liability losses to Council members, staff, volunteers and the organization itself for less than the average for comparable organizations.
2. Allow personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the organization, its Council, or staff to claims of liability.
5. Receive, process or disburse funds under controls that are insufficient to meet the Council-appointed auditor's standards.
6. Make any purchase: (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than \$3,000 without having obtained comparative process and quality; (c) of more than \$10,000 without a stringent method of assuring the balance of long-term quality and cost. Orders shall not be split to avoid these criteria.
7. Allow property, information and files to be unprotected from loss or significant damage.
8. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than an acceptable rating, or in non-interest bearing accounts except where necessary to facilitate ease in operational transactions.

The city is in compliance with these limitations. The proposed budget will address #3 with respect to vehicles.

(I-G) EMERGENCY CITY MANAGER SUCCESSION

In order to protect the Council from sudden loss of the City Manager Services, the City Manager shall not permit there to be less than one other person familiar enough with Council and City Manager issues and procedures to be able to maintain organization services.

I am in compliance with this provision relying upon Kelly Cooper and the department heads generally.

(I-H) COMPENSATION AND BENEFITS

With respect to employment, compensation, and benefits to employees, consultants, contract workers and volunteers, the City Manager shall not cause or allow jeopardy to fiscal integrity or public image.

The City Manager will not

1. Change the City Manager's own compensation and benefits, except as those benefits are consistent with a package for all other employees.
 2. Promise or imply permanent or guaranteed employment.
 3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
 4. Create obligations over a longer term than revenues can be safely projected.
 5. Establish or change pension benefits so as to cause unpredictable or inequitable situations, including those that:
 - a) Incur unfunded liabilities,
 - b) Provides less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited,
 - c) Allow any employee to lose benefits already accrued from any foregoing plan, and
 - d) Treat the City Manager differently from other key employees.
- I have complied with this provision; however, our pay scale is below market. The proposed budget will address this partially. I have not proposed or altered my compensation.

(I-I) COMMUNICATION AND SUPPORT TO THE CITY COUNCIL

The City Manager shall not cause or allow the city council to be unformed or unsupported in its work.

The City Manager will not

1. Neglect to submit monitoring data required by the Council according to its policy "Monitoring CM Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of Council policies being monitored, and including City Manager interpretations consistent with the "Delegations to the City Manager" policy, as well as relevant data.
2. Let the Council be unaware of any significant incidental information it requires including anticipated adverse media coverage, threatened or pending lawsuits, and material internal and external changes.

3. Allow the Council to be unaware that, in the City Manager's opinion, the Council is not in compliance with its own policies on Governance Process and Council-Management Delegation, particularly in the case of Council behavior which is detrimental to the work relationship between the Council and the City Manager.
4. Allow the Council to be without decision information required periodically by the council or let the council be unaware of relevant trends.
5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
6. Allow the Council to be without a workable mechanism for Council, officer, or committee communications.
7. Deal with the Council in a way that favors or privileges certain Council members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.
8. Allow the Council to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy of the Council regardless of the Council's monitoring schedule.
9. Endanger the city's public image, credibility, or its ability to accomplish Ends.

I am in compliance with these limitations.

Date: August 14, 2014

Agenda Item No: CONSENT ITEMS - A.

I. Subject:

Consider approval of minutes from the July 10, 2014 regular meeting.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

Please see the attached minutes for your review.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	minutes	07.10.2014 CC Minutes.doc
----	---------	---------------------------

**KENNEDALE CITY COUNCIL
MINUTES
REGULAR MEETING
July 10, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

I. CALL TO ORDER

Mayor Johnson called the meeting to order at 5:30PM.

II. WORK SESSION

A. Discuss proposed KKB pilot recycling program.

Kelly Cooper, staff liaison for the Keep Kennedale Beautiful, noted that due to ongoing overflow problems with community recycling bins at city hall and the landfill has lead the KKB to develop a pilot recycling program. The program will begin with a survey, followed by three months of curbside service in a selected neighborhood, and ending with a follow-up survey. KKB has determined that the Steeplechase neighborhood (around 185 homes) is a good cross-section of Kennedale demographics and is the best location for this pilot program. The curbside pickup will be provided by our current waste company, Progressive Waste Solutions, and will last from approximately October 2014 to December 2014.

B. Discuss FEMA flood plain mapping project.

Jack Tidwell from the North Central Texas Council of Governments and Jessica Baker from Halff and Associates presented information on this grant-funded flood mapping cooperative technical partnership with the Federal Emergency Management Agency (FEMA). FEMA created updated flooding maps in 2009, data at that time did not reflect new engineering analysis. New ground survey data was gathered to assist with updated hydraulic modeling, which she presented. New flood maps were distributed to Council and discussed.

Ms. Baker noted that newly proposed detention plans for new developments were being factored in, and that this analysis would be completed shortly.

Mayor Johnson asked the city manager to discussed Regular item B

Mr. Hart noted that this item dealt with a Chapter 380 agreement to develop a portion of the Oak Crest area. As the EDC cannot technically enter into an agreement of this type, they instead have to enter into an Economic Performance Agreement. As the development in question exceeds \$10,000.00 in value the EDC cannot enter into the agreement without the Council's approval. This item has to be presented in two public hearings, and Council will see the item on the August agenda as well.

As there was time prior to the meeting, Mayor Johnson asked the Executive session be started early.

City Council recessed into executive session at 6:20PM.

EXECUTIVE SESSION (Part 1)

- A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.
 - 1. Discuss erosion issues related to 1033 Estates Drive.
- B. The City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect that the city council seeks to locate within the city limits.

III. REGULAR SESSION

Mayor Johnson opened the regular session at 7:03PM.

IV. ROLL CALL

Present: Brian Johnson, Charles Overstreet, Michael Walker, Kelly Turner, Frank Fernandez, Liz Carrington

Absent: none

V. INVOCATION

VI. UNITED STATES PLEDGE

VII. TEXAS PLEDGE

VIII. VISITOR/CITIZENS FORUM

Three individuals signed up to speak during the forum.

- 1. Endiya Norwood asked Council to consider allowing the Rocking H Ranch to allow for her family reunion party to be held this weekend, and she was recently notified that due to city regulations parties had to be cancelled.
- 2. Diane Norwood approached Council on behalf of the same event noted by Endiya Norwood regarding a family reunion at the Rocking H Ranch.
- 3. Barbara Boedinger of 2001 Perry Drive in Mansfield TX approached the Council to thank them for their continued support of the local Boy Scout troop's annual use of Sonora Park for their camp. She noted that this was her last year as camp director and presented the Council with a framed certificate of thanks.

IX. REPORTS/ANNOUNCEMENTS

- A. Presentation from the local Boy Scouts.

This presentation was given during the visitors/citizens forum.

B. Updates from the Mayor.

Mayor Johnson noted that he recently had a chance to meet Sally Jewell, the United States Secretary of the Interior, during a visit to North Texas through the Streams and Valleys organization.

C. Updates from City Council.

Councilmembers Turner and Overstreet noted that they recently met with individuals from regional cities and towns, and talked about roundabouts and boulevards. Councilmember Overstreet noted that the representatives from Waxahachie were very impressed with the roundabouts and hoped to create similar features in their city.

D. Updates from the City Manager.

No updates were given.

X. CONSENT ITEMS

A. Consider approval of minutes from June 12, 2014 regular meeting.

Motion To approve the consent agenda as presented. **Action** Approve, **Moved By** Charles Overstreet, **Seconded By** Liz Carrington.

Motion Passed Unanimously

XI. REGULAR ITEMS

A. Consider appointing Robert Mundy as Chair of the Tax Increment Reinvestment Zone #1 Board.

Staff noted that this position must be appointed annually, and recommended to reappoint Robert Mundy.

Motion To appoint Robert Mundy as Chair of the Tax Increment Reinvestment Zone #1 Board.

Action Approve, **Moved By** Kelly Turner, **Seconded By** Charles Overstreet.

Motion Passed Unanimously

B. Public Hearing and consideration to approve the Kennedale Economic Development Corporation's approval to authorize the EDC President to execute an Economic Performance Agreement for development of property at 1298 W. Kennedale Parkway.

The Mayor opened the public hearing. No one signed up to speak and the hearing was closed.

Bob Hart noted that the Economic Development Corporation (EDC) had already held their hearing and is now EDC is asking council to allow them to conduct this agreement. Council will hold a second public hearing in August, to which a Resolution will be attached.

No action is necessary at this time.

C. Discuss and consider implementation of a recycling pilot program.

This item was discussed at length during the work session.

Motion To approve the implementation of a recycling pilot program as presented. **Action** Approve, **Moved By** Liz Carrington, **Seconded By** Mike Walker.
Motion Passed Unanimously

Mayor Johnson recessed into executive session at 7:30PM.

XII. EXECUTIVE SESSION (Part 2)

A. The City Council will meet in closed session pursuant to Section 551.071 of the Texas Government Code for consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct may conflict with the Open Meetings Act, including discussion of any item posted on the agenda, legal issues regarding nonconforming uses, discussion of zoning issues in the city, and legal issues regarding the preparation of developer's agreements.

1. Discuss erosion issues related to 1033 Estates Drive.

B. The City Council will meet in closed session pursuant to Section 551.087 of the Texas Government Code to deliberate the offer of a financial or other incentive to a business prospect that the city council seeks to locate within the city limits.

XIII. RECONVENE INTO OPEN SESSION, AND TAKE ACTION NECESSARY PURSUANT TO EXECUTIVE SESSION, IF NEEDED

Mayor Johnson reconvened into regular session at 9:28PM.

No action was necessary.

XIV. ADJOURNMENT

Motion To adjourn. **Action** Adjourn, **Moved By** Liz Carrington, **Seconded By** Charles Overstreet.
Motion Passed Unanimously

The meeting was adjourned at 9:30PM.

APPROVED:

ATTEST:

Mayor Brian Johnson

City Secretary Amethyst G. Sloane

Date: August 14, 2014

Agenda Item No: CONSENT ITEMS - B.

I. Subject:

Consider approval of bid award for health, dental, life and AD&D, and voluntary life insurance and authorize the City Manager to execute all associated contracts.

II. Originated by:

Kelly Cooper, Director of Human Resources

III. Summary:

This information was described and discussed during the Work Session.

IV. Fiscal Impact Summary:

The city will experience an overall expenditure of \$394,609 an increase of \$6,674 in the proposed budget.

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Medical Benefits Proposed	2014 Medical Insurance Proposed Comparison to Current.docx
----	---------------------------	--

2014 Medical Insurance Proposed Comparison to Current

Plan Design	Current Plans with Aetna		Aetna Proposed Plans		BCBS Proposed Plans	
	HSA	PPO	HSA	PPO	HSA	PPO-1
Deductible	3,500	2,500	3,000	2,500	3,500	2,500
Family Deductible	2X	3X	2X	2X	2X	3X
Out of Pocket	3,500	7,500	6,350	6,350	3,500	5,500
Coinsurance	100%*	80%	90%	70%	100%*	80%
Office Visit Copay	100%*	\$30/60	\$30/60	\$35/30%	100%*	\$25/25
Preventative	100%	100%	100%	100%	100%	100%
Hospital	100%*	80%	90%	70%	100%*	80%
ER Copay	100%*	\$200.00	\$500	\$0.00	100%*	\$100
Urgent Care	100%*	\$100.00	90%	\$100.00	100%*	\$50
Prescription	100%*	\$15/40/60/ 30% up to \$200	\$10/50%/50% up to \$500	\$10/50/50%/30% up to \$300	100%*	\$10/40/60
*After Deductible						
Rates						
Employee Only	322.00	370.00	336.00	442.00	337.13	393.26
EE + Spouse	768.00	884.00	801.00	1,055.00	804.67	938.67
EE + Children	672.00	773.00	701.00	923.00	703.99	821.22
EE + Family	1,083.00	1,247.00	1,131.00	1,488.00	1,134.94	1,323.93
Increase/(Decrease)			4%	19%	5%	6%

Date: August 14, 2014

Agenda Item No: CONSENT ITEMS - C.

I. Subject:

Consider awarding a bid for 'Kennedale Parkway Sidewalk Improvements' project to Northstar Construction, Inc.

II. Originated by:

Amethyst G. Sloane, City Secretary and Communications Coordinator

III. Summary:

This process was conducted by Shield Engineering. Please see the attached information in reference to this item.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	Bids	Contractor Award Recommendation Letter.pdf
----	------	--



August 7, 2014

Mr. Bob Hart
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

RE: Recommendation of Award
Kennedale Parkway Sidewalk
CSJ 0172-01-052 & CSJ 0172-02-072

Dear Mr. Hart:

On Tuesday August 5, 2014, six bids were received for the above referenced project. Northstar Construction, Inc. submitted the lowest total bid of \$912,870.40.

A summary of bids received is as follows:

- | | |
|---------------------------------|----------------|
| 1. Northstar Construction, Inc. | \$ 912,870.40 |
| 2. Jackson Construction LTD | \$ 923,765.25 |
| 3. CLLA Group | \$ 950,698.15 |
| 4. The Fain Group, Inc. | \$ 957,095.60 |
| 5. Ken-Do Contracting, LP | \$1,018,596.75 |
| 6. 2L Construction, LLC | \$1,144,072.25 |

Northstar Construction, Inc. has successfully completed numerous sized projects for developments in Dallas/ Fort Worth and surrounding areas. Based on the bid submitted, it is recommended that Northstar Construction, Inc. be authorized to perform this work for the proposed amount of \$912,870.40.

Upon your approval, we will immediately begin to prepare and circulate the appropriate contract documents for execution. Should you have any questions or require any additional information, please call me at 817.810.0696.

Sincerely,

Jean-Marie Alexander, P.E., CEO
Shield Engineering Group, PLLC

Shield Engineering Group, PLLC



1200 W. Freeway, Suite 300, Fort Worth, TX 76102 • office (817) 810-0696 • fax (817) 810-0372
Email: info@segpllc.com • www.shieldengineeringgroup.com

Date: August 14, 2014

Agenda Item No: CONSENT ITEMS - D.

I. Subject:

Consider authorizing the City Manager to execute a lease contract with Netlink for the placement of telecommunications equipment on city property.

II. Originated by:

Bob Hart

III. Summary:

This item was discussed during the work session.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:



Date: August 14, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 14-06 Public hearing to receive comments and consider approval of Ordinance 552 amending Chapter 17, Article VI, "Zoning", of the code of ordinances of the City of Kennedale, Texas, as amended, by amending Section 17-415A "EC" employment center district of the Kennedale City Code and Exhibit "A" for same.

1. Staff Presentation
2. Public Hearing
3. Staff Response and Summary
4. Action by City Council on Ordinance 552

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: amend the Employment Center district regulations

Location: not applicable

Applicant: City of Kennedale

Background/Overview

The City adopted the first phase of the Employment Center ("EC") district in November 2013. The ordinance you are considering would add to the Employment Center by creating a second Corridor Commercial sub-district. Please note that no properties are rezoned by amending the Employment Center, but the code is intended to apply (after rezoning) to properties on the northeast side of Kennedale Pkwy near and the I-20/820 frontage road.

The second Corridor Commercial sub-district would require new development to be consistent with the character established through the first sub-district regulations and would encourage redevelopment within the sub-district, while recognizing that the presence of existing structures will present challenges. The City would prefer the structures be used rather than sit vacant, so staff recommends adding some provisions to make it easier for non-conforming structures to be renovated (see additions to the EC code regarding non-conforming uses).

As you'll notice when reading through the proposed amendments to the code, only a few sections have been revised. The most notable changes were made to accommodate existing uses and encourage redevelopment of properties with existing buildings, as noted above. For example, the revised version of the code permits additional pole signs in the newly-created Corridor Commercial sub-district 2 and, also as noted above, permits existing, non-conforming buildings to have structural renovations without approval from the Board of Adjustment. The Planning & Zoning Commission also recommends allowing a non-conforming structure to be enlarged by up to 10% of its original footprint without approval from the BOA, as long as a non-conforming use is not also enlarged. Additional recommendations from the Commission are listed below.

Staff Recommendation.

Staff recommends approval of Case PZ 14-06.

Recommendation by the Planning & Zoning Commission.

The Planning & Zoning Commission considered this case during its July meeting and voted to recommend approval, with the following changes to the proposed district code.

1. Allow administrative approval for non-conforming structures to be expanded or enlarged by up to 10%, without expansion of a non-conforming use.
2. Adjust use table to ensure medical clinics are permitted.
3. Adjust language about minor modifications to ensure the zoning administrator can also approve minor modifications to sign regulations in this Code.
4. Allow staff to permit sign types not included in this Code, as long as the sign types are in compliance with the Kennedale City Code and are not prohibited by this Code or by Kennedale City Code. For example, blade signs are not listed in the Employment Center Code as permitted. However, they are permitted in Kennedale City Code and are not prohibited in this Code, so staff would be authorized to permit blade signs.
5. Decrease curb cut spacing requirements for "A" type streets. The Commission noted that some of the blocks along Link Street, an "A" Type street, are quite short, and it would be difficult for new development to meet the curb cut standard as originally presented. The Commission recommended decreasing the curb cut spacing to either (a) 1 per 300 feet or (b) 1 per 500 feet from intersection to intersection (instead of from driveway to driveway), whichever the streets department would prefer.
After discussing the issue with the streets department, we recommend reducing the curb cut spacing requirement to 300 feet for "A" streets, as measured between curb cuts added after this Code is adopted, and also requiring the "B" street curb cut spacing between curb cuts added after this Code is adopted. In other words, new development would not be prohibited from adding a driveway due to the existence of driveways already serving older development.
6. Non-substantive text corrections and clarifications.

No one attended the public hearing.

Sample Motions.

I make a motion to approve Case PZ 14-06 and Ordinance 552.

I make a motion to deny Case PZ 14-06.

I I make a motion to deny Case PZ 14-06 without prejudice.

NOTE: Exhibit A to this ordinance is the 'Employment Center Code,' which was attached to the work session item.

IV. Notification:**V. Fiscal Impact Summary:****VI. Legal Impact:****VII. Recommendation:**

Approve

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

1.	O552	O522 - PZ Case 14-06.docx
----	------	---------------------------

ORDINANCE NO. 552

AN ORDINANCE AMENDING ORDINANCE NO. 40, THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS, AS AMENDED, BY AMENDING SECTION 17-415A OF ARTICLE VI ZONING BY EXTENDING THE DISTRICT PURPOSE AND BOUNDARIES AND BY AMENDING 'EXHIBIT A'; 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, in order to promote the public health, safety and general welfare the City Council desires to adopt the proposed amendment to its city code in order to continue implementing the comprehensive land use plan adopted in March 2012; 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 (the "Zoning Ordinance") which is codified as Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on July 17, 2014, and the City Council of the City of Kennedale, Texas held a public hearing on August 14, 2014, with respect to proposed amendments to the Zoning Ordinance 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 Article VI of the Kennedale City Code.

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

SECTION 1.

Section 17-415A, of Article VI, "Zoning", of Chapter 17, "Planning and Land Development", of the Code of Ordinances of the City of Kennedale is hereby amended by revising section (a) "Purpose" to read as follows:

Sec. 17-415A.- “EC” employment center district.

(a) *Purpose.* The “EC” employment center district is intended to be utilized in the neighborhoods and districts of Kennedale north of Village Creek to encourage redevelopment of the area with a mix of land uses, including retail/restaurant, hotel, office/flex space, senior living, a green corridor, a nature preserve/natural area and related outdoor activity center, and a park and ride stop.

SECTION 2.

The Employment Center District Code attached to this ordinance as Exhibit “A” is hereby adopted and shall replace the Employment Center District Code attached as Exhibit “A” to the Zoning Ordinance.

SECTION 3.

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 4.

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 5.

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 6.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the Zoning Ordinance or the provisions of any ordinances governing land use 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 7.

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 8.

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 14TH DAY OF AUGUST 2014.

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY



Date: August 14, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

CASE # PZ 14-07 Public hearing and consideration of Ordinance approval regarding a request for a city-initiated zoning change from "C-2" General commercial district to "EC" Employment Center district for approximately 3.1 acres located at 5411 Kennedale Pkwy, 1298 & 1302 W Kennedale Pkwy, 5500 E IH 20, and an unaddressed parcel on E IH 20, legal description of David Strickland Survey A1376 Tr 32B01 & 32D, M J Freeman Addn Blk 1 Lot 1, Broyles Addn Blk 1 Lot 1 & Part of closed street, and Dunlap Subdivision Blk 1 Lot 1, Kennedale, Tarrant County, Texas.

- 1) Staff presentation
- 2) Public hearing
- 3) Staff response and summary
- 4) Action by City Council

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Case #: PZ 14-07

Request: rezone from C-2 to EC

Location: I-20 & Kennedale Pkwy; see attached map

Requestor: City of Kennedale

Property Owner:

various

Background & Overview.

The properties in this case are at the entrance to Kennedale at I-20/820 and Kennedale Pkwy. Three of the properties have structures, two of which are not in use. The other two properties are very small, and are not large enough for buildings, as you'll see on the attached map and ordinance exhibit "A." One of the existing buildings used to house a sexually-oriented business and was sold to a medical practice. The medical practitioners had intended to open an urgent care clinic at that location, but we understand that their plans have since changed, and they intend to sell the property. The former Majestic Liquor building is currently vacant and is available for sale.

Last year, the City rezoned properties across the street as Employment Center ("EC") district, and staff is now requesting the City rezone the properties in this case as EC, as well.

Staff Summary.

Compliance with the Comprehensive Land Use Plan.

The Future Land Use Plan identifies this area as Employment Center. The Employment Center is intended to have a mix of uses, including office, retail, restaurant, hotel, or multi-family. The EC zoning district was created to allow implementation of the comprehensive plan in this part of Kennedale, and staff considers the EC code to be in compliance with the comprehensive plan. Because the requested zoning change is in compliance with the comprehensive plan's Future Land Use Plan and because staff considers the EC district code to be also in compliance with the comprehensive plan, staff believes the requested rezoning complies with the comprehensive plan.

Compliance with other plans.

As noted during the first phase of rezoning properties as EC, the Strategic Plan does not directly address the idea of developing new zoning standards for this area, but it does recognize the area as being in need of redevelopment. The plan recommends taking steps to attract new businesses to Kennedale. Having a more predictable zoning code is helpful in business recruitment, so the EC district rezoning supports this recommendation.

Compliance with City Council priorities.

One of the Council's goals is for Kennedale to be a sustainable, attractive city. The EC code sets a higher standard for building form and site design than our zoning code requires, and development under this code is expected to be more attractive than would be expected under the regular zoning code.

In addition, two of the Council's other goals also relate to this case. One goal, Achieve a Thriving Community, calls for providing more options for the community in terms of appropriate, desired businesses, as well as creating an environment where residents will want to live in Kennedale throughout their lives. The Employment Center code relates to this goal by setting standards that make this gateway area more attractive for residents and by establishing predictable development codes that are more attractive to potential businesses.

Predictability and attractiveness to potential new businesses is related to another Council goal, Balance the Tax Burden, which calls for diversifying land uses and attracting and retaining appropriate businesses. And finally, the City is encouraged to make clarity and flexibility available to the business community in the goal Enhance the Business Climate. This goal is addressed also by having a more predictable development code with more authority at the administrative level.

Staff Recommendation.

The rezoning is in compliance with the comprehensive land use plan and with City Council goals and priorities. Staff recommends approval.

Recommendation by the Planning & Zoning Commission.

The Planning & Zoning Commission considered this case during its regular July meeting. The Commission voted to recommend approval. No one attended the public hearing.

Sample motions.

For your reference, sample motions are provided below.

I make a motion to approve Case PZ 14-07.

I make a motion to deny Case PZ 14-07 without prejudice.

I make a motion to deny Case PZ 14-07.

IV. Notification:

We sent letters to owners of real property within 200 feet of the rezoning request, published notice in the *Fort Worth Star-Telegram*, and posted signs on site, as required by City Code. In addition, we also sent letters to the owners of the property for which the City requests rezoning, explaining what was proposed and including a copy of the proposed EC district code. We received no responses from the owners of property to be rezoned. We received a few calls in response to the signs and notification letters, but no one spoke against the rezoning.

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 14-07 ordinance	PZ 14-07 ordinance (draft) (rezoning).docx
2.	PZ 14-07 map	PZ 14-07 site.pdf

ORDINANCE NO. 553

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "C-2" GENERAL COMMERCIAL DISTRICT TO "EC" EMPLOYMENT CENTER 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 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 (the "Zoning Ordinance"); and

WHEREAS, the City has filed an application to rezone an approximately 3.1 acre tract of land more particularly described herein from its present classification of "C-2" General Commercial to "EC" Employment Center District; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City of Kennedale on the 17th day of July, 2014 and by the City Council of the City of Kennedale on the 14th day of August, 2014 with respect to the rezoning 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 has determined that the Employment Center district is the most appropriate zoning district to facilitate the development of the property and does hereby deem it advisable and in the public interest to amend the Zoning Ordinance as described herein.

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

SECTION 1:

The 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 3.1 acre tract, more particularly described as David Strickland Survey A1376 Tr 32B01 & 32D, M J Freeman Addn Blk 1 Lot 1, Broyles Addn Blk 1 Lot 1 & Part of closed street, and Dunlap Subdivision Blk 1 Lot 1, Kennedale, Tarrant County, Texas, as shown on Exhibit "A" attached hereto (the "Property"), from "C-2" General Commercial district to "EC" Employment Center district.

SECTION 2.

The use of the Property shall be subject to the restrictions, terms and conditions set forth in the Employment Center District Code and Chapter 17, Article V, Division 10, "Subdivision Design Criteria" of the Kennedale City Code, 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, to the extent not modified by the regulations set forth in the Employment Center District Code.

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 14TH DAY OF AUGUST 2014.

APPROVED:

Mayor Brian Johnson

ATTEST:

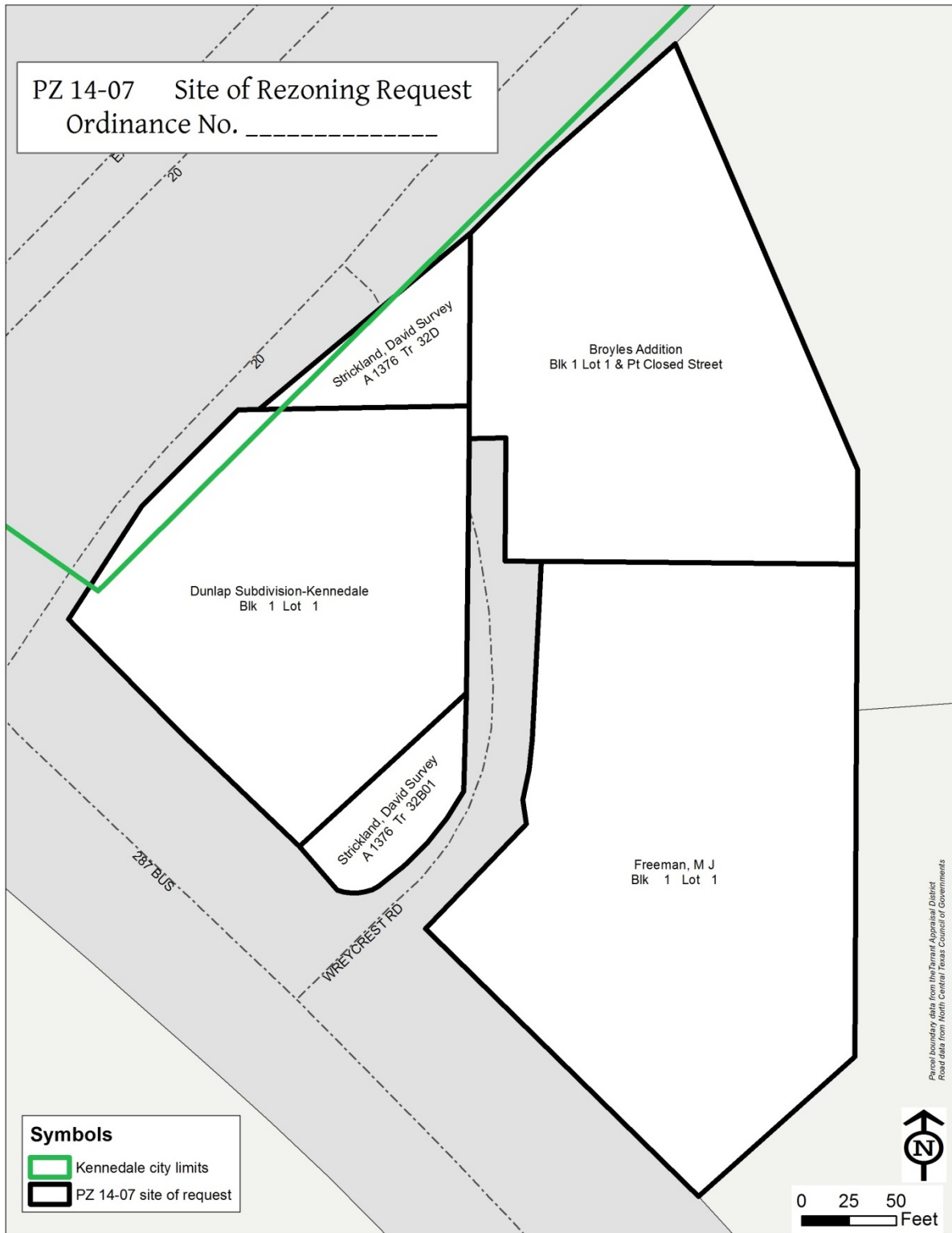
City Secretary, Amethyst Sloane

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson

Exhibit "A"
Map of Properties to be Re-Zoned



Date: August 14, 2014

Agenda Item No: REGULAR ITEMS - C.

I. Subject:

Public Hearing and consideration to approve Resolution 428, allowing the Kennedale Economic Development Corporation to authorize the EDC President to execute an Economic Performance Agreement for development of property at 1298 W. Kennedale Parkway.

II. Originated by:

Bob Hart

III. Summary:

This is the second and final public hearing on this item. Please see the attached resolution.

IV. Fiscal Impact Summary:

V. Legal Impact:

VI. Recommendation:

Approve

VII. Alternative Actions:

VIII. Attachments:

1.	R428	R428 - KEDC 1298 W Kennedale Pkwy Economic Performance Agreement.doc
----	------	--

RESOLUTION NO. 428

A RESOLUTION OF THE CITY OF KENNEDALE, TEXAS, AUTHORIZING AN ECONOMIC DEVELOPMENT PROJECT AND AUTHORIZING THE EXECUTION OF A PERFORMANCE AGREEMENT FOR DEVELOPMENT OF PROPERTY LOCATED AT 1298 W. KENNEDALE PARKWAY

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

WHEREAS, the Kennedale Economic Development Corporation (the “EDC”) is an Economic Development Corporation created by the City and operating under the authority of Chapters 501 and 505 of the Local Government Code (the “Act”); and

WHEREAS, on July 22, 2014 the EDC held a public hearing to receive comments from citizens regarding an economic development project for development of property located at 1298 W. Kennedale Parkway; and

WHEREAS, at the conclusion of the public hearing, the EDC’s Board of Directors considered and authorized execution of an economic performance agreement which is attached to this resolution as Exhibit “A”; and

WHEREAS, on July 10, 2014 and August 14, 2014 the City Council considered the agreement and the project approved by the EDC and determined that it is authorized by the Act and that it will further the mission of the EDC including the promotion of new or expanded business development and the economic development of the City.

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

SECTION 1.

The City Council of the City of Kennedale hereby approves the Economic Development Project and authorizes the president of the Kennedale Economic Development Corporation to execute an economic performance agreement for development of property located at 1298 W. Kennedale Parkway, attached hereto as Exhibit “A.”

SECTION 2.

This Resolution shall be effective upon final adoption on second reading.

PASSED AND APPROVED on first reading this 10th day of July, 2014.

PASSED AND APPROVED on second reading this 14th day of August, 2014.

Mayor

Attest:

City Secretary