



KENNEDALE
Planning and Zoning Commission
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KENNEDALE PLANNING & ZONING COMMISSION

AGENDA

COMMISSIONERS - REGULAR MEETING

November 20, 2014

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

II. ROLL CALL

III. WORK SESSION

- A. Discuss any item on the regular session agenda
- B. Discuss joint work session with City Council
- C. Discuss ideas for changes to the Schedule of Uses, Section 17-421 of the Kennedale City Code
- D. Discuss progress on code update

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from the October 16, 2014 Planning and Zoning Commission meeting

VIII. VISITOR/CITIZENS FORUM

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

IX. REGULAR ITEMS

A. **CASE PZ # 14-09** Public hearing and consideration of Ordinance approval regarding a request by Delia Vela for a zoning change from "R-2" Single family residential district to "PD" Planned development district for approximately 1.98 acres at 6901 Mansfield Cardinal Rd, legal description of Jesse Russell Addn Lot 4.

1. Staff presentation
2. Applicant presentation
3. Public hearing
4. Applicant response
5. Staff response and summary
6. Action by the Planning & Zoning Commission

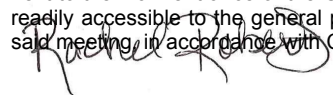
X. REPORTS/ANNOUNCEMENTS

XI. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the November 20, 2014, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Rachel Roberts, Board Secretary



Date: November 20, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Under this agenda item, the Commission members may discuss any item on the regular session agenda. No public hearing may be held on any of the regular session agenda items, and no action may be taken.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: November 20, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss joint work session with City Council

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

By the date of your November meeting, you will have held a joint work session with the City Council to discuss the upcoming update to the zoning code and the project to create zoning regulations for a Downtown Village (the character district described in the comprehensive land use plan). I've added this item to the agenda in case the Commission would like to discuss any issues or comments brought up during the joint work session.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: November 20, 2014

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss ideas for changes to the Schedule of Uses, Section 17-421 of the Kennedale City Code

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Last month, the Commission voted to recommend approval of a zoning change for property designated as "Light Industrial" in the Future Land Use Plan. As you will recall, the next step in the process to transitioning to light industrial uses (at least as far as new land uses are concerned) is to update the schedule of uses in the city code so that the most intensive uses require a special exception or conditional use permit or are no longer permitted. A copy of the table from section 17-421 is attached to this report with proposed changes marked in red. **Please note that for uses that are amended or eliminated, existing uses would be grandfathered and allowed to continue, so changing the schedule of uses will not eliminate any existing land uses.**

The changes shown are not yet an official recommendation. Staff is still reviewing the uses and considering in terms of intensity and potential for negative effects on public health, safety, or general welfare. However, before we get too far along in our revisions, I would like to have input from the Commission on which uses, if any, you feel would not be suitable in a light industrial district.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:

1.	ideas for changes to Schedule of Uses	draft changes to I dist in Sec. 17-421 schedule of uses.docx
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Sec. 17-421. - Schedule of uses and off-street parking requirements.

- (a) *Schedule of uses and off-street parking established.* Land and buildings in each of the following classified districts may be used for any of the following listed uses but no land shall hereinafter be used and no building or structure shall hereinafter be occupied, used, erected, altered, removed, placed, demolished, or converted which is arranged or designed to be used for other than those uses specified for the district in which it is located as set forth by the following schedule of uses:

X	Designates use permitted in district
	Designates use prohibited in district
S	Use permitted with special exception
CUP	Designates use permitted with conditional use permit

Note: Gross floor area is abbreviated as g.f.a. Also, any numbers in parenthesis represents a footnote and all footnotes are found at the end of this schedule of uses.

	AG	R-1	R-2	R-3	OT	D	MF	MH	C-0	C-1	C-2	I	PARKING
Residential Use:													
Basketball court (private)	X	X	X	X	X	X	X	X			X	X	4 per court
Tennis court (private)	X	X	X	X	X	X	X	X			X	X	1 per court
Swimming pool (private)	X	X	X	X	X	X	X	X			X	X	None Minimum of 10
Agriculture/Ranch Uses:													
Farmer's market	S									X	X	X	2/Stall
Produce stand	S								X	X	X	X	1/200 G.F.A.
Stable, private	X	S	S	S	S	S	S	S		S	S	S	None
Stable, public	X										S	S	1/2 Stalls

Utility/Solid Waste Uses:													
Railroad freight terminal												X S	1/Employee
Railroad yard												X S	1/Employee
Commercial Uses:													
Bank or financial institution										X	X	X	1/300 G.F.A.
Bed & breakfast accommodations	S	S	S	S	S	S	X		S	X	X		1/Guest room
Barber or beauty shop	S	S	S	S	S	S	S		X	X	X		3/Chair
Bicycle sales and repair									X	X	X	X	1/300 G.F.A.
Boat sales											X	X	1/400 G.F.A.
Boat storage											X	X	1/1000 Site area
Book store									CUP	X	X		1/200 G.F.A.
Bowling alley										X	X	X	6/Lane
Brewery											X	X	See subsection 17-416(e)
Building materials/lumber yard											X	X	1/500 G.F.A.
Bus terminal										X	X	X	1/300 G.F.A.
Business office										X	X	X	1/300 G.F.A.
Cabinet shop										S	X	X	1/400 G.F.A.

Camera store (retail)									X	X	X		1/200 G.F.A.
Car wash										S	X	X	1/Wash Bay
Carnival or circus										S	S	S	Specified by Special Exception
Carpet store (retail)									X	X	X	X	1/400 G.F.A.
Cemetery monument sales											X	X	1/400 G.F.A.
Child care center or facility										X	X	X	1/6 Children
Christmas tree sales	S								S	S	X	X	1/1000 Site area
Computer store (retail/service)									X	X	X		1/200 G.F.A.
Contractor yard (outside storage)											X	X	1/2000 Site area
Convenience stores										X			1/400 G.F.A.
Dental clinic or office										X	X		1/200 G.F.A.
Department store									X	X	X		1/200 G.F.A.
Electrical sales & service									S	X	X	X	1/400 G.F.A.
Electronics store (retail)									X	X	X		1/200 G.F.A.
Employment agency										X	X		1/200 G.F.A.
Farm implement sales											X	X	1/400 G.F.A.
Feed store											X	X	1/400 G.F.A.
Feed store with animal sales											S	S	1/400 G.F.A.

Firewood sales	S										X	X	1/1000 Site area
Florist shop									X	X	X		1/300 G.F.A.
Flea market (inside)											S	S	1/200 G.F.A.
Flea market (outside)											S	S	1/1000 Site area
Fraternity/sorority lodge										X	X		1/200 G.F.A.
Furrier										S	X	X	1/400 G.F.A.
Furniture store (retail)									X	X	X		1/400 G.F.A.
Game hall										S	X	X	1/100 G.F.A.
Gift or novelty shop									CUP	X	X		1/200 G.F.A.
Golf course	X	S	S	S	S	S	S	S			X	X	2/Green
Golf course, miniature											X	X	1.5/Hole
Golf driving range	X										X	X	1/Driving tee
Grocery store									X	X	X		1/200 G.F.A.
Gun shooting range (indoor)	S										S	X	1/500 G.F.A.
Gunsmith shop									X	X	X	X	1/300 G.F.A.
Hardware store									X	X	X	X	1/400 G.F.A.
Heating/AC sales & service										X	X	X	1/400 G.F.A.
Heavy equipment sales											X	X	1/1000 Site area
Hobby shop									X	X	X		1/200 G.F.A.
Hotel or motel									S	S	X	X	1/Guest room

Impounded vehicle storage facility												S	
Insurance sales office										X	X		1/400 G.F.A.
Jewelry store									X	X	X		1/200 G.F.A.
Kennel	S									S	X	X	1/400 G.F.A.
Laboratory, medical or dental										S	X	X	1/400 G.F.A.
Large retail facility ⁴									CUP	CUP	CUP	CUP	1/200 G.F.A.
Laundry or dry cleaners									X	X	X	X	1/400 G.F.A.
Lawnmower sales & service										S	X	X	1/400 G.F.A.
Leather goods shop (retail)									X	X	X	X	1/400 G.F.A.
Lithographic shop										X	X	X	1/300 G.F.A.
Locksmith shop										X	X	X	1/300 G.F.A.
Meat, poultry & fish market									S	X	X	X	1/300 G.F.A.
Medical clinic or office										X	X		1/300 G.F.A.
Micro-brewery										X	X	X	1/300 G.F.A.
Micro-winery, without vineyard										X	X	X	1/300 G.F.A.
Mini-warehouse											X	X	1/500 G.F.A.
Manufactured home sales lot											X	X	1/1000 Site area
Massage establishment											S	S	1/200 G.F.A.

Mortuary or funeral home										S	X	X	1/Sanctuary Seats
Motorcycle sales											X	X	1/200 G.F.A.
Movie theater (drive-in)											X	X	1/Employee
Movie theater (indoor)									CUP	X	X	X	1/3 Seats
Musical instrument store									X	X	X		1/200 G.F.A.
Newspaper office										X	X		1/200 G.F.A.
Newsstand									CUP	X	X		1/200 G.F.A.
Nightclub or dance hall										S	X	X	1/100 G.F.A.
Office supply store									X	X	X		1/200 G.F.A.
Optical clinic or office										X	X		1/200 G.F.A.
Optical dispensary store									X	X	X		1/200 G.F.A.
Paint sales store (retail)									X	X	X	X	1/200 G.F.A.
Paintball sports, survival games	S										X	X	1/500 Site area
Parking lot (commercial, for fee)	S									S	S	X	
Pawnshop										S	X		1/200 G.F.A.
Pet grooming shop									S	X	X		1/200 G.F.A.
Pet shop									X	X	X		1/200 G.F.A.
Pharmacy or drug store									X	X	X	X	1/200 G.F.A.
Photography studio									CUP	X	X		1/200 G.F.A.

Picture framing shop									X	X	X		1/200 G.F.A.
Plant nursery	S										X	X	1/400 G.F.A.
Plumbing sales and service										X	X	X	1/400 G.F.A.
Pool or billiard hall										S	X	X	1/100 G.F.A.
Print shop									S	X	X	X	1/400 G.F.A.
Private club (serving alcohol)										S	X	X	1/100 G.F.A.
Professional offices										X	X	X	1/300 G.F.A.
Racquetball court										X	X	X	2/Court
Real estate or leasing office	(3)	(3)	(3)	(3)	(3)	(3)	(3)	(3)		X	X	X	1/300 G.F.A.
Recording studio										X	X		1/300 G.F.A.
Recreational vehicle sales											X	X	
Recreational vehicle storage											X	X	1/400 G.F.A.
Rental store										X	X	X	1/400 G.F.A.
Restaurant or cafe (inside)									X	X	X	X	1/3 Seats
Restaurant (drive-in)									X	X	X	X	1/100 G.F.A.
Restaurant (kiosk)									X	X	X	X	1/100 G.F.A.
Retail sales, alcohol									X	X	X		1/200 G.F.A.
Secondhand store									X	X	X	X	1/200 G.F.A.
Service station										X	X	X	4 Minimum

Sexually oriented business											X	X	1/100 G.F.A.
Shoe or boot store									X	X	X		1/200 G.F.A.
Sign shop										X	X	X	1/400 G.F.A.
Skating rink										X	X	X	1/400 G.F.A.
Snow cone stand									S	X	X		2 Minimum
Sporting goods store									X	X	X		1/200 G.F.A.
Tack store										X	X	X	1/400 G.F.A.
Tailor or seamstress shop										X	X		1/300 G.F.A.
Tanning salon									S	X	X	X	1/200 G.F.A.
Tattoo shop										S	X	S	1/200 G.F.A.
Taxidermist											S	X	1/400 G.F.A.
Tire sales, repair, & installation										S	X	X	1/400 G.F.A.
Title & abstract office										X	X		1/200 G.F.A.
Tool & equipment rental											X	X	1/400 G.F.A.
Trailer sales & rental											CUP	X	1/1000 Site area
Travel agency										X	X		1/300 G.F.A.
Truck rental											CUP	X	1/400 G.F.A.
Truck repair											CUP	X	1/400 G.F.A.
Truck sales											CUP	X	1/1000 Site area
Truck wash											CUP	X	2/Wash bay

Upholstery shop										X	X	X	1/400 G.F.A.
Vehicle storage facility												S	Specified by Special Exception
Vehicular racing facility											S	S	Specified by Special Exception
Veterinary clinic										X	X	X	1/300 G.F.A.
Veterinary hospital											S	S	1/300 G.F.A.
Video store									CUP	X	X	X	1/200 G.F.A.
Washateria (self-service)							X	X		X	X	X	1/Wash machine
Winery, without vineyard											X	X	See subsection 17-416(e)
Industrial Uses:													
Airport											S	S	Specified by Special Exception
Ammonia manufacturing												S	See subsection 17-416(e)
Amusement complex												X	1 per 4 occupant load
Apparel manufacturing												X	See subsection 17-416(e)
Appliance manufacturing												S	See subsection 17-416(e)
Artificial limb manufacturing												S	See subsection 17-416(e)

Asphalt batching plant												S	See subsection 17-416(e)
Bakery, commercial												X	See subsection 17-416(e)
Bleach manufacturing												S	See subsection 17-416(e)
Bookbinding & publishing											S	X	See subsection 17-416(e)
Bottling plant											S	X	See subsection 17-416(e)
Box manufacturing												S	See subsection 17-416(e)
Brick or tile manufacturing												S	See subsection 17-416(e)
Canning operation												X	See subsection 17-416(e)
Carpet manufacturing												S	See subsection 17-416(e)
Chemical storage or manufacturing												S	See subsection 17-416(e)
Chlorine manufacturing												S	See subsection 17-416(e)
Cold storage plant												X	See subsection 17-416(e)
Composite manufacturing												S	See subsection 17-416(e)
Composting (commercial)	S											S	See subsection

													17-416(e)
Concrete batching plant										S		CUP	See subsection 17-416(e)
Concrete product casting plant												CUP	See subsection 17-416(e)
Contractor yard (outside storage)										X	X		See subsection 17-416(e)
Creamery											X		See subsection 17-416(e)
Creosote manufacturing												S	See subsection 17-416(e)
Distribution center (small)									S	X	X		See subsection 17-416(e)
Distribution center (large)										S	X		See subsection 17-416(e)
Distillation plant											S		See subsection 17-416(e)
Dyeing plant											X		See subsection 17-416(e)
Electrical components manufacturing												CUP	See subsection 17-416(e)
Electroplating											X		See subsection 17-416(e)
Envelope manufacturing												CUP	See subsection 17-416(e)
Explosives manufacturing												CUP	See subsection 17-416(e)

													17-416(e)
Ice cream plant												X	See subsection 17-416(e)
Ice plant												X	See subsection 17-416(e)
Incinerator												S	See subsection 17-416(e)
Insecticide processing												S	See subsection 17-416(e)
Junk yard												S	See subsection 17-416(e)
Laundry plant												X	See subsection 17-416(e)
Light fabrication plant										S		X	See subsection 17-416(e)
Machine shop										S		X	See subsection 17-416(e)
Marble manufacturing												X	See subsection 17-416(e)
Mattress manufacturing												CUP	See subsection 17-416(e)
Meat, poultry & fish processing										S		S	See subsection 17-416(e)
Metal fabrication												S	See subsection 17-416(e)
Metal plating												X	See subsection 17-416(e)

Metal stamping and extrusion												X	See subsection 17-416(e)
Mining, extraction operation												S	See subsection 17-416(e)
Monument works												X	See subsection 17-416(e)
Packaging operation										S		S	See subsection 17-416(e)
Paint manufacturing												CUP	See subsection 17-416(e)
Pallet manufacturing												X	See subsection 17-416(e)
Paper mill												X	See subsection 17-416(e)
Paper products manufacturing												X	See subsection 17-416(e)
Pesticide processing												S	See subsection 17-416(e)
Petroleum products (wholesale)												S	See subsection 17-416(e)
Petroleum refinery or storage												S	See subsection 17-416(e)
Pharmaceutical manufacturing												X	See subsection 17-416(e)
Planing mill												X	See subsection 17-416(e)
Plastic product												S	See subsection

manufacturing														17-416(e)
Pottery manufacturing												X	See subsection 17-416(e)	
Radio transmitting station										S	S	S	See subsection 17-416(e)	
Recycling processing plant												S	See subsection 17-416(e)	
Rendering plant												S	See subsection 17-416(e)	
Rock crushing plant												S	See subsection 17-416(e)	
Salvage yard												S	See subsection 17-416(e)	
Smelter plant												S	See subsection 17-416(e)	
Tanning plant												S	See subsection 17-416(e)	
Television transmitting station										S	S	S	See subsection 17-416(e)	
Temporary construction office	S	S	S	S	S	S	S	S		S	S	X	See subsection 17-416(e)	
Textile manufacturing												X	See subsection 17-416(e)	
Tire manufacturing												S	See subsection 17-416(e)	
Tire recapping plant												S	See subsection 17-416(e)	

Vehicle conversion facility											X	X	See subsection 17-416(e)
Warehouse											S	X	See subsection 17-416(e)
Welding shop											S	X	See subsection 17-416(e)

Notes to schedule of uses:

- (1) Allowed with mini-warehouse use only.
- (2) Home occupations are permitted when in accordance with section 17-423 hereof. Home occupations not specifically permitted in section 17-423 may be permitted only with a specific use permit.
- (3) Allowed for a period of one (1) year or until the development is sold out, whichever is longer.
- (4) A facility offering retail sales and/or services, whether occupied by one (1) or multiple tenants, that is comprised of more than fifty thousand (50,000) square feet of floor area, which includes gross floor area, outdoor storage areas, and any outside area that provides associated services to the public, including, without limitation, outdoor merchandise display. The floor area does not include outdoor motor vehicle parking or loading areas. In addition to other parking regulations that apply, parking for a large retail facility is permitted only as an accessory use, and is allowed only when immediately adjacent to a large retail facility that is located within the corporate limits of the city.

(Ord. No. 40, 9-9-93; Ord. No. 108, § 3, 10-10-96; Ord. No. 134, § 1, 6-12-97; Ord. No. 133, § 3, 7-20-97; Ord. No. 169, § 5, 1-18-99; Ord. No. 187, § 3, 3-9-00; Ord. No. 197, §§ 1—3, 9-14-00; Ord. No. 212, § 1, 4-12-01; Ord. No. 286, § 1, 1-13-05; Ord. No. 367, § 2, 6-14-07; Ord. No. 373, § 1, 8-9-07; Ord. No. 395, § 5, 5-20-08; Ord. No. 467, § 4(Exh. A), 11-11-10; Ord. No. 470, § 2(Exh. A), 1-13-11)



Date: November 20, 2014

Agenda Item No: WORK SESSION - D.

I. Subject:

Discuss progress on code update

II. Originated by:

III. Summary:

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: November 20, 2014

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from the October 16, 2014 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Consider approval of minutes from the October 16, 2014 Planning and Zoning Commission meeting

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	October 16, 2014 minutes	10.16.2014 PZ minutes Final.docx
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KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
October 16, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

Mr. Harvey called the meeting to order at 6:10 P.M.

II. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle	x	
<i>vacant</i>		
Stephen Brim	x	
Katie McFadden	x	
Don Rawe	x	
<i>vacant</i>		
<i>Alternates</i>		
Carolyn Williamson	x	
<i>vacant</i>		

A quorum was present

Staff present: Rachel Roberts (planning director); Katherine Rountree (board secretary).

III. WORK SESSION

A. Discuss rezoning application for a planned development district at 6901 Mansfield Cardinal

Ms. Roberts discussed the future changes that the property owners want to do and asked the commission for any concerns that they would like the owners to address before they apply for a rezoning. Mr. Harvey said he is concerned that the type of use the property owners are wanting would not be appropriate for the location. He suggested the property owners provide more details about the use.

B. Discuss possible change in meeting dates for regular meetings

Ms. Roberts said City Council will be meeting the third Monday of each month. The Planning and Zoning Commission has the choice to start meeting the second Thursday of each month rather than the third. Mr. Harvey suggested waiting to see what date City Council definitely settles on.

C. Discuss any item on the regular session agenda

Mr. Harvey asked if Ms. Roberts had spoken with the city attorney about the previous discussion of updates to the zoning code. She stated she still needed to discuss it with him.

D. Update on revisions to the zoning code, including plans for establishing zoning for Urban Villages and Neighborhood Centers

Ms. Roberts said next month the Planning and Zoning Commission will be joining a work session with City

Council to discuss the plans for updating the zoning code and for establishing regulations for a Downtown Village zoning district with a consultant.

The work session closed at 6:48 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

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

VI. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle	x	
<i>vacant</i>		
Stephen Brim	x	
Katie McFadden	x	
Don Rawe	x	
<i>vacant</i>		
<i>Alternates</i>		
Carolyn Williamson	x	
<i>vacant</i>		

A quorum was present.

Ms. Williamson was asked to serve as a regular member for the meeting.

Staff present: Rachel Roberts (planning director); Katherine Rountree (board secretary).

VII. MINUTES APPROVAL

A. Review and consider approval of minutes from the September, 18 2014 Planning and Zoning Commission meeting.

Mr. Pirtle motioned to approve the minutes. The motion was seconded by Mr. Rawe and passed with all in favor except Mr. Harvey, who abstained from voting.

VIII. VISITOR/CITIZENS FORUM

No one registered to speak.

IX. REGULAR ITEMS

- A.** CASE # PZ 14-08 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale for a zoning change for 23.8 acres from "C-2" General commercial district to "I" Industrial district, at 7200, 7201, 7203, 7205, 7206, 7207, 7208, 7210, 7218, 7220, 7222, 7224, 7226, 7228, 7230, 7232, 7234, & 7236 & 3 unaddressed parcels on **Bloxom Park Rd**, 7208, 7210, 7213, 7225, & an unaddressed parcel on **Hudson Village Creek Rd**, and 4310, 4382, & an unaddressed parcel on **Eden Rd S**, legal descriptions of Wade H Hudson Survey A 716 Tracts 2C, 2C01, 2C02, 2C03, 2C04, 2C04A, 2C05, 2C06, 2C07, 2C08, 2C09, 2C10, 2C10A, 2C11, 2C12, 2C13, 2C18, 2C19, 2C20, 2C21, 2C22, 2C23, 2C24, 2C25, 2C25A, 2C25B, 2C14, 2C15, 2C16, & Peter Rouché Survey A1338 Tracts 1, 1B, 1C, 2, 2B, & 2C.

1. Staff presentation

Ms. Roberts gave the staff presentation. She said each of these locations are the only ones in the area identified as Light Industrial in the Future Land Use Plan that are not zoned Industrial. She said the uses are already industrial, and the City staff would like to bring them out of grandfathered status and into compliance with the city code. She said that she had one complaint from a property owner and several positive

responses from other property owners to the zoning change. Mr. Brim said he is concerned that some heavy industrial uses will surface at some of the properties in between the time of turning the properties from industrial to light industrial in the future. Mr. Rawe stated that in the staff report, Ms. Roberts implied that we might or might not change the industrial zoning to light industrial in the future. She said that we could either revise the existing code for industrial districts or have separate heavy and light industrial districts.

2. Public hearing

No one registered to speak

3. Staff Response and Summary

Staff recommended approval.

4. Action by the Planning and Zoning Commission

Mr. Pirtle motioned to approve. The motion was seconded by Ms. Williamson. Four members approved, Mr. Rawe opposed, Mr. Harvey abstained from voting, and the motion passed.

X. REPORTS/ANNOUNCEMENTS

The Bird Identification Workshop is being held on November 17, 2014 at 8:00 A.M.

The Bring It! event is being held on Saturday, October 18th at 9:00 A.M.

XI. ADJOURNMENT

Mr. Brim motioned to adjourn. The motion was seconded by Mr. Rawe and passed with all in favor except Mr. Harvey, who abstained from voting.

The meeting adjourned at 7:47 P.M.



Date: November 20, 2014

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE PZ # 14-09 Public hearing and consideration of Ordinance approval regarding a request by Delia Vela for a zoning change from "R-2" Single family residential district to "PD" Planned development district for approximately 1.98 acres at 6901 Mansfield Cardinal Rd, legal description of Jesse Russell Addn Lot 4.

1. Staff presentation
2. Applicant presentation
3. Public hearing
4. Applicant response
5. Staff response and summary
6. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: rezone from "R2" to "PD"

Location: 6901 Mansfield Cardinal

Applicant: Delia Vela (property owner)

Background.

Last year, the property at 6901 Mansfield Cardinal Rd was purchased by the owners of Water Tank Services, a company that specializes in painting water towers. The property had been in use for commercial purposes, several of the surrounding uses are intensive commercial in nature, and the previous owner assured the buyers that the property was zoned for commercial use. The buyers also called the city to verify the zoning and were told the property was zoned commercial. The buyers purchased the property with the intent of using it for their office and to store equipment when the equipment was not in use at a job site.

After the current owners, Mr. and Mrs. Vela, purchased the property and attempted to obtain a certificate of occupancy, they were told that the property is actually zoned for residential use. When they had called to verify the zoning prior to purchasing, the person they spoke with looked at a map that had not been updated to show the property's correct zoning. The Velas would like to rezone the property for commercial use so that they can use it for their business. The requested zoning district is a PD in order to allow greater control over the uses and appearance of the property than could be had under a straight rezoning.

Staff Review.

Compliance with the comprehensive land use plan.

This property is located at the end of an area identified as Neighborhood Corridor in the comprehensive land use plan. Neighborhood corridors "assume a lower level of density and intensity than urban corridors, but still identify an area where residents can come together to shop, eat, socialize, and relax in a walkable environment; thereby experiencing increased quality of life" (excerpt from the comprehensive plan). Sample development types include restaurant, coffee shop, corner store, retail, small-scale multi-family or townhouse residential, as well as services and professional offices.

The proposed ordinance allows for uses that fit this description. In addition, the ordinance also allows for a contractor's business office with some outside storage. Outside storage would not be permitted to exceed 50% of the land not occupied by a structure and would have a number of screening requirements (see Section 2 in the attached ordinance). In addition, commercial uses within the PD would be limited to certain hours of operations in order to decrease the likelihood of noise problems, and outdoor lighting would likewise be limited. In this way, a contractor whose main use of property within the PD is for a business office could operate on this property while still being able to accommodate some outside storage in a way that does not have a negative impact on surrounding properties.

The City has not yet established zoning regulations that implement the Neighborhood Corridor concept, so in creating the draft PD ordinance, I've used some requirements from recently-adopted zoning regulations. These requirements address some concerns the Commission has had over the past few years about the quality of development and the way development can affect surrounding properties. The regulations include prohibitions against blank walls, glazing requirements, and controls for exterior commercial lighting.

Compliance with the strategic plan.

Several of the recommendations in the strategic plan relate to providing more opportunities for businesses to relocate to or expand in Kennedale, but none of the recommendations relate directly to this rezoning request.

Compliance with City Council priorities.

None of the City Council's priorities relate directly to this rezoning request, although the Council does place a priority on a business-friendly environment. In this kind of environment, regulations are clear yet flexible; they work with the community's market conditions and demographics with compromising the public health, safety, or general welfare.

Staff Recommendation.

The requested rezoning, as controlled by the draft ordinance, is in compliance with the comprehensive land use plan. The comprehensive land use plan provides a general description of the character district in which this property is located (Neighborhood Corridor) but does not provide an exhaustive list of compatible land use types or development regulations. The proposed regulations for the request planned development district provide for enhanced development regulations above the requirements in the city's standard commercial districts and, unlike the city's standard zoning districts, the proposed PD allows for a variety of land use types, both residential and commercial.

Staff recommends approval.

Commission Review and Consideration.

The city code outlines the Commission's review process:

Upon submission of the application for a "PD" district or development in a "PD" district and after proper notice has been given to all affected parties and public hearings have been held, the planning and zoning commission and the city council shall review the application and may either give approval, with or without modifications, or reject it. In approving the application, the city council may impose conditions and these conditions shall be complied with before a certificate of occupancy is issued for the use of land or any structure which is part of the "PD" district.

Sample Motions.

Sample motions are provided below for your reference. You are not required to use one of these motions.

I make a motion to recommend approval of Case PZ 14-09.

I make a motion to recommend denial of Case PZ 14-09.

I make a motion to postpone Case PZ 14-09.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

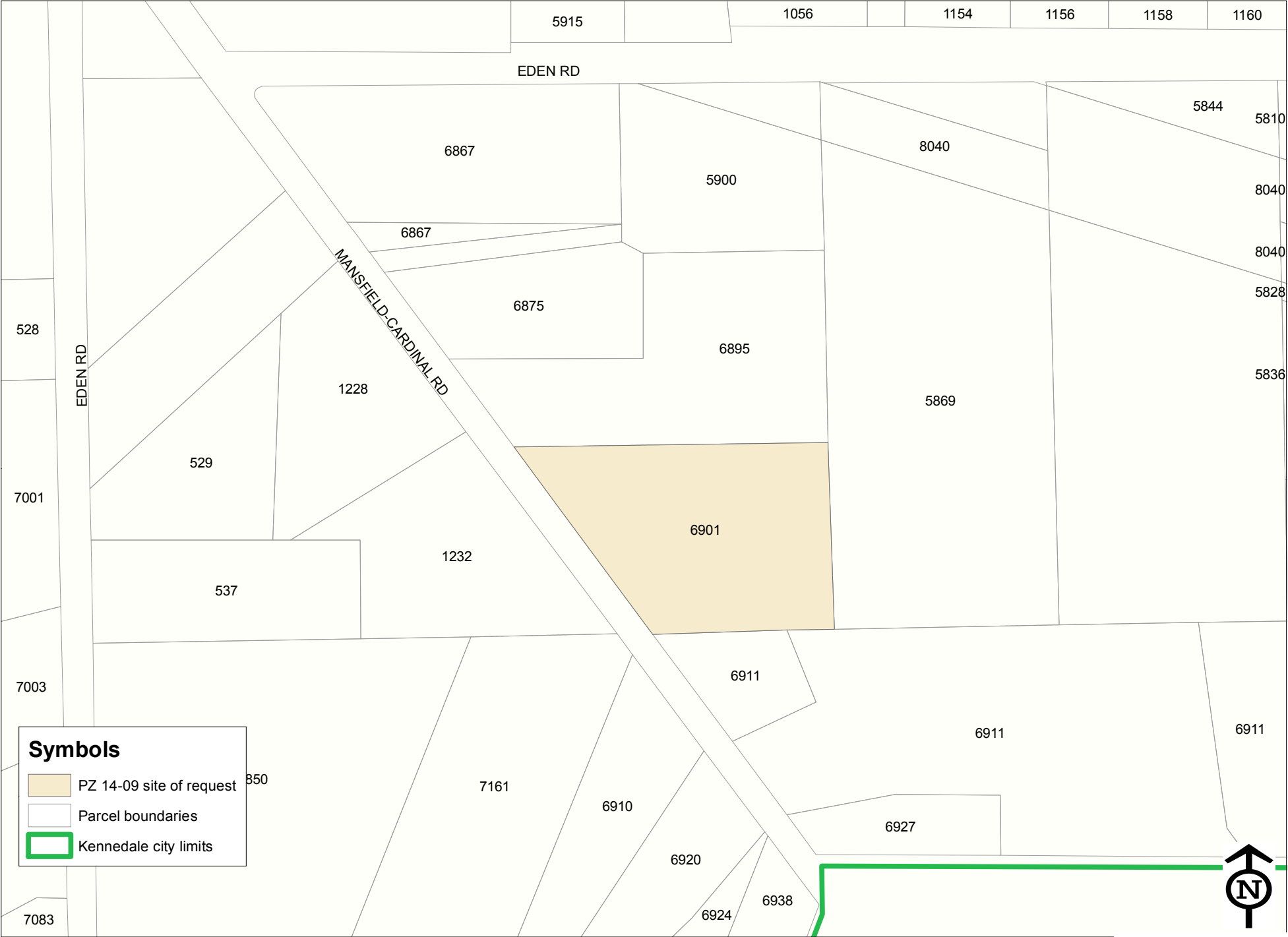
Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 14-09 map	PZ 14-09 map.pdf
2.	PZ 14-09 aerial view	PZ 14-09 aerial view.pdf
3.	PZ 14-09 FLUP excerpt	PZ 14-09 FLUP excerpt.pdf
4.	PZ 14-09 ordinance (draft)	PZ 14-09 ordinance.doc
5.	PZ 14-09 application	PZ 14-09 application.pdf

PZ 14-09

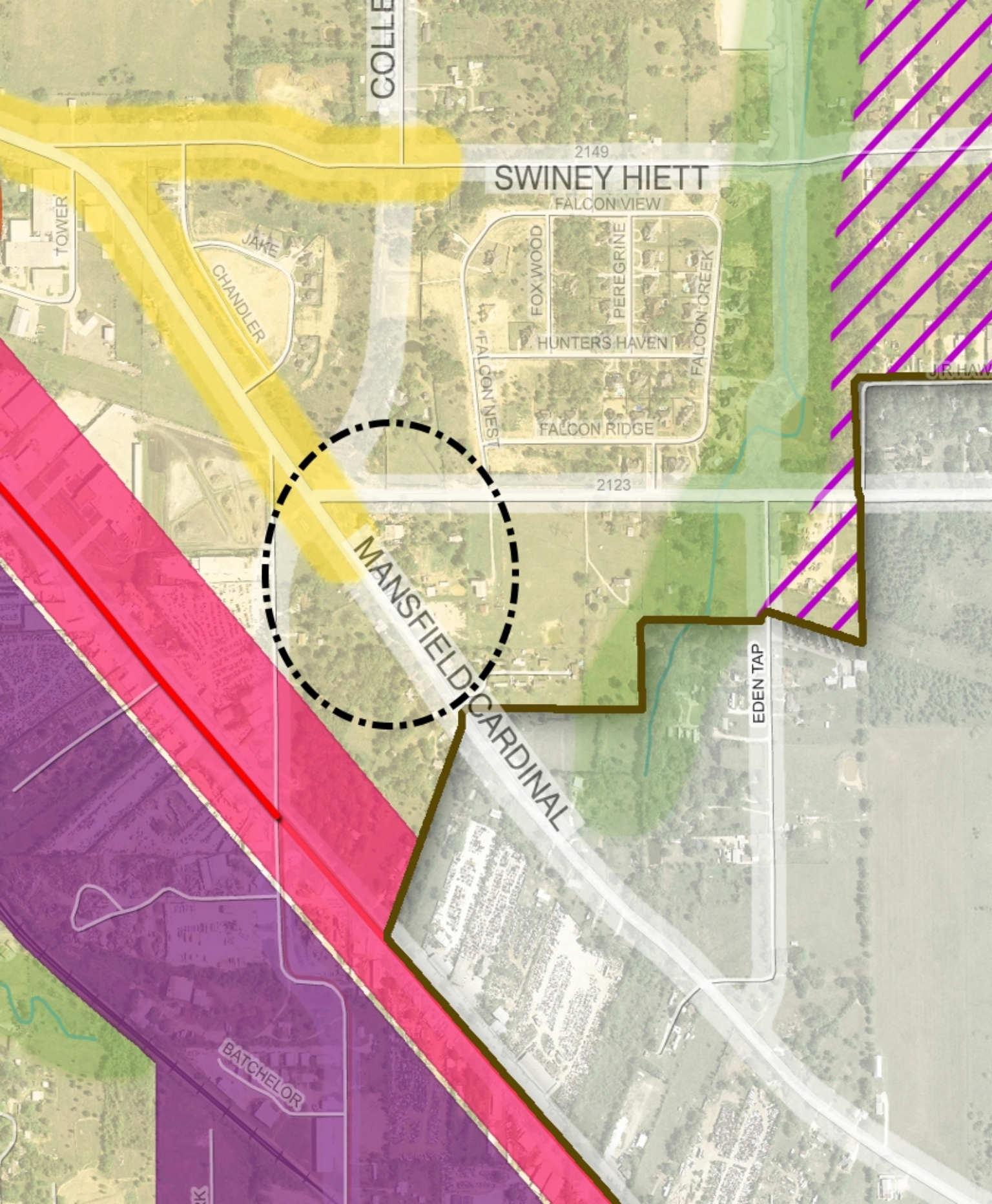


PZ 14-09 aerial view



Symbols

-  PZ 14-09 site of request
-  Parcel boundaries



COLLEGE

SWINEY HIETT

FALCON VIEW

TOWER

CHANDLER

JAKE

FOX WOOD

PEREGRINE

HUNTERS HAVEN

FALCON CREEK

FALCON RIDGE

FALCON NEST

2149

2123

MANSFIELD
CARDINAL

EDEN TAP

BATCHELOR

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM “R2” SINGLE FAMILY RESIDENTIAL DISTRICT TO “PD” PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, Delia Vela, who has a proprietary interest in said property being an approximately 1.98 acre tract in the Jesse Russell Survey A-1361, more particularly described as Jesse Russell Addition Lot 4, Tarrant County, Texas, has filed an application to rezone the property from its present classification of “R2” Single Family Residential district to “PD” Planned Development district; and

WHEREAS, the City of Kennedale’s comprehensive land use plan envisions the property in question to permit land use and development of a commercial nature when such uses are compatible with surrounding residential uses; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 20th day of November 2014 and by the City Council of the City of Kennedale on the _____ day of [month] 2014 with respect to the zoning changes described herein; and

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

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

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

SECTION 1:

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

An approximately 1.98 acre tract in the Jesse Russell Survey A-1361, more particularly described as Jesse Russell Addition Lot 4, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein, from "R-2" Single Family Residential District to "PD" Planned Development District ("Russell PD"), as more fully described on the Concept Plan, attached hereto as Exhibit "B" and incorporated herein.

SECTION 2.

The use of the Property shall be subject to the restrictions, terms and conditions set forth in the Concept Plan, attached hereto as Exhibit "B", and the Concept Plan is hereby approved. The use of the Property shall further be subject to all other applicable regulations contained in the Zoning Ordinance, the Subdivision Regulations, and all other applicable and pertinent ordinances of the City of Kennedale, where not otherwise controlled by the regulations set forth below. The Property shall conform to the following supplemental standards and regulations, which shall supersede any other requirements to the extent of a conflict:

1. *Permitted Uses.*

- a. The only permitted uses in the "Russell PD" shall be:
 - i. Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services;
 - ii. Offices for business, professional, administrative, and technical services such as accountants, architects, lawyers, and other non-medical professionals, etc.;
 - iii. Offices for contractor uses, with outdoor storage limited to 50% of the land area not occupied by a structure(s);
 - iv. Health / Medical Clinics providing outpatient care, including physician offices, dentists, chiropractors, optometrists, etc., with no drive through facility (e.g., for attached pharmacy, glasses pick-up, etc.);
 - v. Food Service Uses such as full-service restaurants, fast food establishments, cafeterias, bakeries, and snack bars, with no drive through facilities;
 - vi. Art galleries, and art, antique, or furniture studio (retail, repair or light fabrication);
 - vii. Business associations and professional membership organizations;

- viii. Child day care and preschools;
- ix. Civic uses;
- x. Religious institutions;
- xi. Home occupations (in accordance with Kennedale city code Section 17-423);
- xii. Single family detached residential;
- xiii. Single family attached residential;
- xiv. Veterinary clinic;
- xv. Park, playground, or open space, including detention or retention facilities.

b. Drive-throughs are prohibited.

2. *Hours of operation.* Operating hours for any business located within the Russell PD shall not begin earlier than 5 AM and shall not cease later 10 PM. Deliveries, moving of heavy equipment, equipment repairs, vehicle loading or unloading, or other similar activities shall be permitted only between 7 AM and 9 PM.

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

Minimum Lot Width (ft.)	Minimum Lot Depth (ft.)	Minimum Lot Area (in square feet)
50	110	5,000

4. *Lot coverage* Lot coverage shall not exceed seventy (70) percent of the lot. *Lot coverage* means the percentage of the total area of a lot occupied by the first story or ground floor of all buildings located on the lot.

5. *Setbacks.* The Russell PD herein approved shall require the following minimum setbacks:

Front Setback Minimum (ft.)	Rear Setback Minimum (ft.)	Side Setback Minimum – R-o-W Adjacent (ft.)	Side Setback Minimum – Interior (ft.)
25	20	15	10

6. *Building height.* Buildings shall not exceed a height of two and one half (2 ½) stories, at a maximum of forty (40) feet in height.

7. *Building materials.* All primary structures constructed after the date this ordinance is adopted shall have exterior buildings materials of 80% masonry. All primary structures

existing at the date this ordinance is adopted shall have a masonry veneer applied to at least 80% of the exterior facades within three (3) years after the date this ordinance is adopted. "Masonry" shall be as defined in Kennedale City Code Section 17-421(f).

8. *Glazing.* Any primary structure constructed after the date this ordinance is adopted shall have a minimum of twenty percent (20%) glazing and a maximum of sixty percent (60%) glazing on the front façade and a minimum of ten percent (10%) and a maximum of sixty percent (60%) glazing on at least one other side.
 - a. Any structure in existence at the time this ordinance is adopted shall comply with the glazing requirements of this section at such time when the building is expanded by more than twenty-five (25) percent or when an existing building is renovated, repaired, remodeled, or has structural alterations, with costs for such improvements having a value of more than fifty (50) percent of the value of the building.
 - b. Ground floor glazing shall have a maximum sill height of four (4) feet.
9. *Blank walls not permitted.* For any structure constructed after the date this ordinance is adopted, 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 or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.
10. *Parking.* Number of parking spaces and parking surfaces for vehicles shall be provided as required by Kennedale city code.
11. *Paving for equipment stored outside.* Equipment stored outside shall be stored on a paved, all-weather surface of asphalt or concrete as approved by city staff after review for compliance with storm water and other applicable city regulations.
12. *Landscaping.* Landscaping shall be regulated by the Kennedale City Code except as otherwise controlled by this ordinance.
 - a. *Plants.* Use of native or adaptive xeriscape plants is encouraged. Landscaping shall be maintained in good condition.
 - b. *Irrigation.* Sprinkler systems should be controlled by an automatically controlled timer, unless the use of the property would otherwise prohibit use of a timer. Irrigation systems shall be installed with a rain shut off sensor. The irrigation system shall be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
 - i. High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
 - ii. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required as close as possible to the point of connection of

the water supply to minimize water loss in case of an emergency (such as a main line break) or routine repair.

- iii. The use of rain cisterns is permitted.
 - iv. Cisterns must be located in the rear yard or side yard and must be screened so as not to be seen from the public street. Screening must meet the screening materials regulations of the Kennedale City Code.
 - 1. Cisterns may not exceed ten (10) percent coverage in any required yard.
 - 2. A cistern of less than three (3) feet in diameter may be placed anywhere in the rear yard. A cistern with diameter of three (3) feet or more shall be a minimum of eight (8) feet from any side lot line and eight (8) feet from any rear lot line.
 - 3. A cistern may not be greater than six (6) feet in height.
13. *Screening.* Any area outside of a structure where equipment or other materials are stored shall be screened from view from all public street rights-of-way and adjacent properties for the entire length of the property lines except for points of necessary access. Screening shall be accomplished as follows.
- a. *Fencing.* Within one year of the date this ordinance is adopted, a wooden privacy fence or masonry screening wall shall be installed along the perimeter of any area designated for outside storage. The fencing or screening wall shall be approximately eight (8) feet in height, sufficient to screen all equipment to be stored outside.
 - b. *Landscaping.* Within one year of the date this ordinance is adopted, landscaping shall be installed along the perimeter of any area designated for outside storage sufficient in height and width to screen any equipment, trailers, or other materials that exceed the height of the screening wall or fence. Such landscaping materials shall be maintained in good, living condition at all times. Because smaller, younger plants are more likely to survive transplanting, landscaping materials shall not be required to screen all equipment at time of planting, however, materials shall be required to be of sufficient size to screen materials and equipment stored outside within five (5) years of the date this ordinance is adopted.
14. *Sidewalks.* Sidewalks are required within the Russell PD and shall be constructed when new development occurs and shall be constructed according to the requirements of the City of Kennedale Code of Ordinances, the City of Kennedale Public Works Design Manual, and any other applicable regulations, where not otherwise controlled by this ordinance.
- a. Sidewalks shall be a minimum of five (5) feet in width.
 - b. For the purposes of this Code, "new development" means when an application is filed for any new primary structure or when a building already existing when this ordinance is adopted is expanded by more than twenty-five (25) percent or when an existing building is renovated, repaired, remodeled, or has structural alterations,

- with costs for such improvements having a value of more than fifty (50) percent of the value of the building.
- c. Sidewalks may be constructed of permeable materials and may be designed and constructed using low-impact development standards if approved, in writing, by the Director of Public Works. Review and approval of low-impact infrastructure or public facilities shall follow the process for review and approval of standard infrastructure or public facilities as set forth in the codes, regulations, and design manuals of the City of Kennedale. Low-impact development standards shall not be approved unless the Director of Public Works is satisfied the materials and construction methods used will meet the same standards for safety and durability as used in standard sidewalk construction within the City of Kennedale.
 - d. In lieu of constructing sidewalks at the time of development, the City may approve placing funds for constructing the sidewalks into an escrow account to be used for installing sidewalks at a later time, as approved by the City.

15. *Lighting.*

- a. 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.
- b. 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 twelve (12) feet.
- c. 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.
- d. 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.
- e. The operation of searchlights for advertising purposes is prohibited.

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 ☐☐☐☐ **DAY OF** _____ **2014.**

APPROVED:

Mayor

ATTEST:

City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney

Exhibit “A”

EXHIBIT "A"

Lot 4, Jesse Russell Addition, an addition to the City of Kennedale, Tarrant County, Texas, according to the plat recorded in Cabinet B, Slide 1247, Plat Records, Tarrant County, Texas.

Exhibit “B”

**PETITION FOR
CHANGE OF ZONING CLASSIFICATION**

ZONING CASE # _____
(assigned by city staff)

DATE: September 22, 2014

City Council
City of Kennedale
Kennedale, Texas 76060

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

You are hereby respectfully requested to approve the following request for a change of zoning classification. I, the applicant, request to change the zoning classification of the property described on Exhibit "A" attached, from its current zoning classification of

"R2" (Single Family Residential) to that of

"PD" (Planned Development), the Concept plan of which is shown in its entirety on Exhibit "B" attached. The Property totals some 1.98 acres. The planned uses for the Property are: [1] office use, as a dispatch center for Applicant's business, and [2] outside storage use. The areas within the Property where these uses are to be utilized are shown on the Concept Plan attached as Exhibit "B."

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

Attached as Exhibit "D" is a list of proposed development standards which may be incorporated into the "PD" district ordinance.

Legal Description is: See attached Exhibit "A"

Present use of the property is as an office and dispatch center for the applicant's business, Water Tank Services, LLC. To my knowledge, the property has never been used for residential purposes.



KENNEDALE

Planning Department

www.cityofkennedale.com

Address of the property is 6901 Mansfield Cardinal Road, Kennedale, TX 76060

Property Owner's Name: Water Tank Services, LLC

Address: 6901 Mansfield Cardinal Road
Kennedale, Texas 76060

Telephone Number: (817) 271-8817

Applicant's Name: Delia Vela (owner of Water Tank Services, LLC)

Address: 6901 Mansfield Cardinal Road
Kennedale, Texas 76060

Telephone Number: (817) 271-8817

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

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

I further certify that Water Tank Services, LLC is the sole owner of the property described in the legal description and shown in the map attached to this application, as of the date of this application.


Applicant Signature

09/22/2014
Date

EXHIBIT "A"

Lot 4, Jesse Russell Addition, an addition to the City of Kennedale, Tarrant County, Texas, according to the plat recorded in Cabinet B, Slide 1247, Plat Records, Tarrant County, Texas.



KENNEDALE
Planning Department
www.cityofkennedale.com

EXHIBIT "B"

TAX TRACT 9F
NICHOLS J. & BEVERLY D. QUENTIN
12171 / 588

TAX TRACT 9E & 9E1A
YEN H. VO
022000008

TAX TRACT 9E3
ELVIS & ALDA JOHNSON
12501 / 229

APPLICATION "PD" DISTRICT

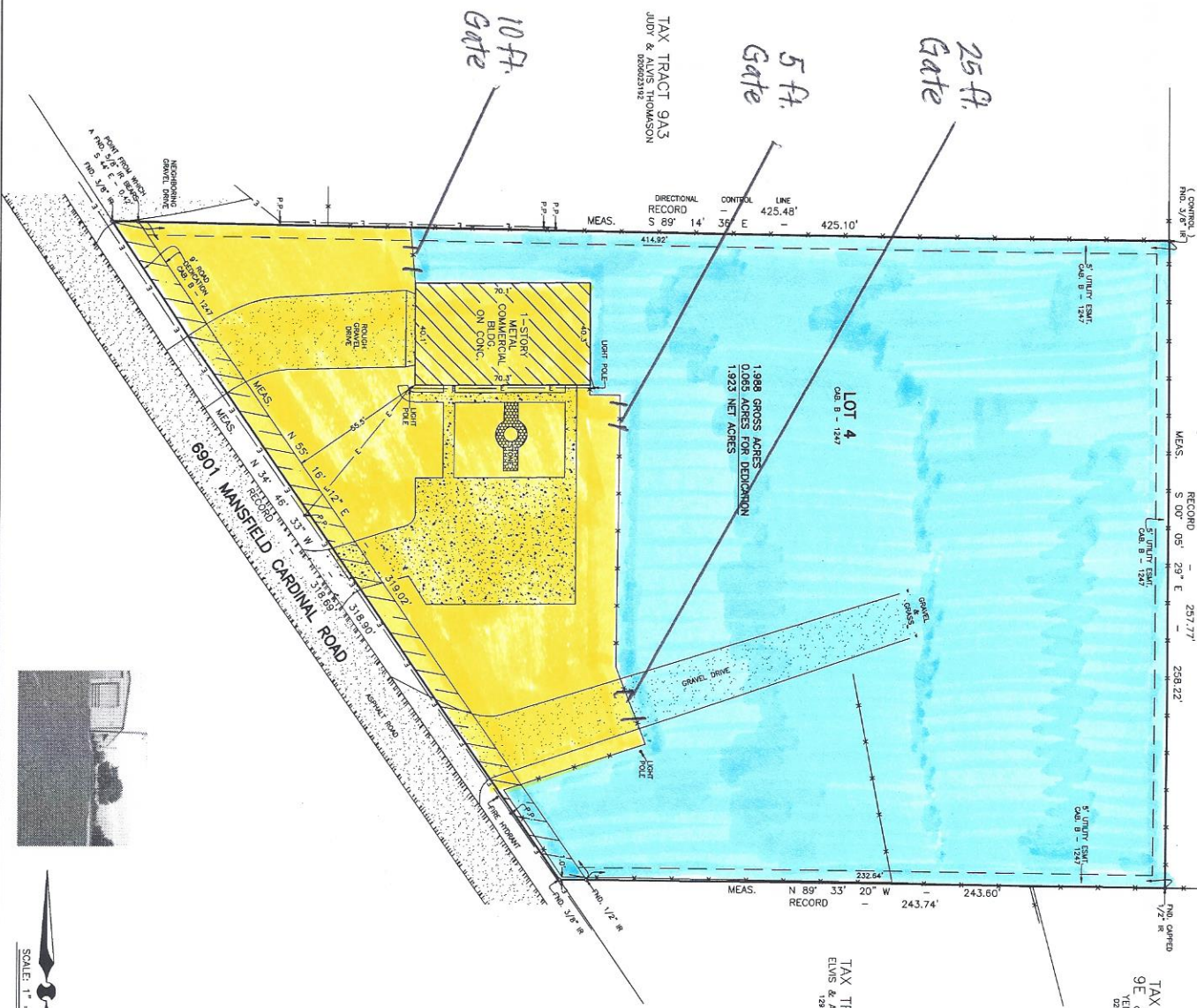
 = Office
 = Outside Storage

[Entire Outside Storage area to be perimeter fenced with 8 ft. wood privacy fencing]

Reference No: 4011Y13
Title Co: EDELBY NATIONAL TRUST COMPANY
Purchaser: WATER TANK SERVICES, LLC

PROPERTY DESCRIPTION

Lot 4, 1/2 Acre Addition, an Addition to the City of Kennedale, Tarrant County, Texas, according to the Plat thereof recorded in Caddell B. Slide 1247, Plat Records, Tarrant County, Texas.



	IMPROVED UTILITIES
	BRICK
	WOOD DECK
	CONCRETE

This survey is hereby accepted and approved.

Purchaser _____

Purchaser _____

Date _____

PROLINE
SURVEYING LTD.
www.prolinesurveyors.com
Ph 817-276-1148 info@prolinesurveyors.com
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DATE: 10-16-13
SIGNED BY: MS
SIGNED BY: MS
SIGNED BY: MS

EXHIBIT "C"

The Property was purchased in November, 2013 for use as a commercial property. At that time, the City of Kennedale's zoning map identified the Property as being zoned Commercial (C2), and City Staff confirmed the Commercial zoning. After I purchased the Property, I discovered that the City's zoning map was incorrect, but I could do nothing about it. I would not have purchased the Property if I had known that it was not zoned Commercial.

The Property improvements consist of a large parking lot, with 11 parking spaces, including 1 space designated for handicap parking, a large metal building, and a concrete walkway between the parking lot and the metal building. The metal building contains a small lobby area by the front door, 2 small offices, a break room, and a large open workshop area with 18 foot ceilings. The large open workshop area was constructed to service trucks and other vehicles.

The building's construction materials, floor plan, and layout make it unsuited for residential use. The Property is unusable for the purposes allowed under existing zoning, because it is not suitable for any type of residential use. The metal building on the Property would have to be either demolished, or comprehensively remodeled at substantial cost in order for the Property to support a residential use.

In addition, there are numerous commercial land uses in the immediate area of the Property that make the Property unsuitable for use as a residence. For example, there is a concrete contractor, Reb Concrete, at 6867 Mansfield Cardinal Road to the northwest of the Property, as well as the commercial business Functional Ideas, Inc., at 5869 Eden Road currently adjacent and to the northeast of the Property.

The person from whom I purchased the Property used it for commercial purposes as did the owner of the Property before him. To my knowledge, the Property has never been used for residential purposes.

I believe that the general welfare of all the City will be enhanced by a change of zoning, recognizing the obvious commercial use of the Property. My requested zoning recognizes the long standing use of the Property, its current and obvious suitability only for a commercial use, and is in harmony with the City's Neighborhood Corridor uses in the comprehensive plan, and the existing uses in my neighborhood and the City's comprehensive plan.

EXHIBIT "D"

The only proposed developments on the Property are:

1. To erect an 8 foot tall wooden privacy fence along the perimeter of the area designated for outside storage. A depiction of the type of wooden fencing to be erected is attached. There are three gates that are to be constructed in the perimeter fencing. These gates are 25 feet, 10 feet, and 5 feet in size, and are shown on the Concept Plan included as Exhibit "B." This wooden privacy fencing is contemplated to be undertaken within 1 year from the date this zoning case is formally approved.
2. The placement of a brick veneer on the outside of the existing metal building. This brick veneer is contemplated to be constructed within 3 years from the date this zoning case is formally approved.
3. There are no known drainage issues on the Property.

From: [Marco M. Lopez](#)
To: [W.M. Gomez](#)
Subject: Fwd: 8 Cedar Fence Pics
Date: Friday, June 06, 2014 6:25:13 PM

Sent from my iPhone

Begin forwarded message:

From: "Corral Fence Co." <corralfence@yahoo.com>
Date: June 6, 2014 at 6:30:43 PM CDT
To: "dmtankk@yahoo.com" <dmtankk@yahoo.com>
Subject: 8 Cedar Fence Pics
Reply-To: "Corral Fence Co." <corralfence@yahoo.com>

Fotos: 8' Cedar Fence / 1x4 boards - 2x4 treated rails / 2 3/8" steel post

