



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
February 19, 2015
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. Update on Status of Plat Application for Hilltop Development
- B. Update on Downtown Village project
- C. Discuss Any Item on the Regular Session Agenda
- D. Discuss Meeting Dates for Planning & Zoning Commission Regular Meetings
- E. Discuss Items for Future Consideration

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from 01.15.2015 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 15-01** Public hearing and consideration of Ordinance approval regarding a request by Wal-Mart Stores, Inc. for a zoning change from "C-0" Retail commercial district to "C-1" Restricted commercial district for approximately 1.014 acres at 4850 US 287 Hwy, legal description of Southwest Crossing Addition Block 1R Lot 2.

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 the City Secretary at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the February 19, 2015, 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: February 19, 2015

Agenda Item No: WORK SESSION - A.

I. Subject:

Update on Status of Plat Application for Hilltop Development

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The engineers for the Hilltop development and our engineers have been discussing the revisions needed for the engineering plans for the project. We expect the developer's engineers to have plans revised and submitted to the city in time for the replat to be considered on your agenda next month. However, please note that due to the long lead time for public notices, even if the plans are revised before the March meeting, the replat may not be on your agenda until the April meeting or later. But in any case, when the replat is to be considered by the Commission, we will send out notices and put a notice in the newspaper so that the public will be aware of the public hearing.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: February 19, 2015

Agenda Item No: WORK SESSION - B.

I. Subject:

Update on Downtown Village project

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The town hall meeting held for the Downtown Village project had great turnout -- 54 adults and 7 children/youth. Our consultant, Shai Roos of SJR Planning, is tabulating the results of the surveys taken, as well as the comments collected at the meeting and through the MindMixer website. At the meeting on the 19th, she will present the preliminary results.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: February 19, 2015

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss Any Item on the Regular Session Agenda

II. Originated by:

III. Summary:

Under this agenda item, you may discuss any item on the Regular Session agenda. No public hearing may be held at this time, and no action may be taken on any of your Regular Session agenda items.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: February 19, 2015

Agenda Item No: WORK SESSION - D.

I. Subject:

Discuss Meeting Dates for Planning & Zoning Commission Regular Meetings

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The Commission has an opportunity to change its regular meeting date now that the City Council has changed its meeting date. I checked the 2015 calendar for the timing between the Commission and Council meetings if you were to change your meeting date. The time between meetings is as follows.

Under the current schedule (the 3rd Thursday of each month), the time between your meeting and Council's varies from 4 days between meetings to 3 weeks and 4 days.

Changing to the 2nd Thursday of each month would result in a spacing of either 4 days or 11 days, depending on the month.

Changing to the 2nd Monday of each month would leave 1 week between Commission and Council meetings.

Another option is to switch to the 4th Thursday of each month. This arrangement would leave several weeks between a Commission meeting and the following Council meeting, but you would need to reschedule your November and December meetings this year to work around the Thanksgiving and Christmas holidays.

It may be best for the Commission to leave your regular meeting date as-is. However, if the Commission would prefer to change meeting dates to decrease the decision time on cases, either the 2nd Thursday or 2nd Monday would work for that purpose.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: February 19, 2015

Agenda Item No: WORK SESSION - E.

I. Subject:

Discuss Items for Future Consideration

II. Originated by:

III. Summary:

Under this agenda item, you may discuss what work session items you would like to see on future agendas.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: February 19, 2015

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from 01.15.2015 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Minutes approval for 01.15.2015

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	01.15.2015 minutes	01.15.15 PZ Minutes Final.docx
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION

MINUTES

MEETING January 15, 2015

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 6:05 P.M.

II. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle	x	
Harry Browne		
Stephen Brim	x	
<i>Vacant</i>		
Don Rawe		
Carolyn Williamson	x	
<i>Alternates</i>		
Billy Gilley	x	
<i>vacant</i>		

A quorum was present.

Mr. Gilley was asked to join the commission.

Mr. Browne joined the commission at 6:30 P.M.

Staff present: Rachel Roberts (city planner); Katherine Rountree (board secretary).

III. WORK SESSION

A. Discuss any item on the regular session agenda

The commission and Ms. Roberts went over changes Ms. Roberts had made to address commission members' concerns in the ordinance for a special exception for special functions.

B. Discuss meeting dates for Planning & Zoning Commission Regular Meetings

The commission decided to table this item until next month.

C. Update on Employment Center District code

Ms. Roberts said there will be an advisory meeting on February 18th, 2015. She said that Mr. Harvey and Mr. Pirtle were the commission's representatives on the committee, so the commissioners should pass along to them any comments they may have on the Employment Center District code.

D. Update on Downtown Village and zoning code update

The commission decided to table this item until next month.

E. Discuss future items for consideration by the Planning & Zoning Commission

The commission did not have time to discuss this item.

The work session ended at 7:04 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

Mr. Harvey called the meeting to order at 7:05 P.M.

VI. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle	x	
Harry Browne	x	
Stephen Brim	x	
<i>Vacant</i>		
Don Rawe		
Carolyn Williamson	x	
<i>Alternates</i>		
Billy Gilley	x	
<i>vacant</i>		

A quorum was present.

Mr. Gilley was asked to join the commission.

Staff present: Rachel Roberts (city planner); Katherine Rountree (board secretary).

VII. MINUTES APPROVAL

A. Consider approval of minutes from 12.18.2014 Planning and Zoning Commission meeting

Mr. Pirtle motioned to approve the minutes. The motion was seconded by Ms. Williamson 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 14-10 Consideration of Ordinance approval regarding a request by the City of Kennedale to amend Section 17-430(i) "Authorized Special Exceptions" and Section 17-431 "Definitions" of Article VI "Zoning" of Chapter 17 "Planning and Land Development" of the Kennedale City Code to authorize the Board of Adjustment to grant special exceptions for special functions in single family residential districts.

Ms. Roberts said that she amended the draft ordinance based on prior concerns mentioned by the commission after its public hearing on this item in December. The commission discussed elements of the ordinance, such as the amount of guests, plans to be submitted, parking requirements, screening guidelines, lighting, noise standards, amount of events held per year, hours of operation, density in the

area, TABC regulations serving alcoholic beverages, and giving two notices to neighbors before events. The commission directed Ms. Roberts to amend the draft ordinance per their discussion. Ms. Roberts read aloud the changes to the ordinance requested by the commission.

Mr. Pirtle motioned to approve as noted and read. The motion was seconded by Mr. Browne and passed with four approvals and Mr. Gilley opposed.

B. CASE # PZ 14-12 Public hearing and consideration of Ordinance approval regarding a request by the City of Kennedale for a zoning change for approximately 19.46 acres from “AG” Agricultural district to “PD” Planned Development district at 1001 Corry A Edwards Dr, an unaddressed parcel on Bowman Springs Rd, 1021 Bowman Springs Rd, & 1083 Bowman Springs Rd, legal description of Woodlea Acres Addn Blk 1 Lots 18A, 18B, 19R, and 20R1.

1. Staff presentation

Ms. Roberts said the City wants to initiate a rezoning since “AG” is not a suitable zoning district, and the Neighborhood and Parks character districts identified in the comprehensive plan are not feasible for this area. She stated staff suggests rezoning as a “PD” Planned Development district to allow single family, church, and educational related uses. Mr. Harvey suggested using the rezoning to establish this area as part of the Urban Village designated in the Future Land Use Map for the nearby intersection of Bowman Springs and Kennedale Parkway.

2. Public hearing

No one registered to speak.

3. Staff summary and response

Staff recommended approval.

The commission took a five minute break so Ms. Roberts could get for them a copy of the ideas for the Urban Village that the commission had worked on before.

The meeting continued at 8:05 P.M. The commission members read through the concepts for the Urban Village and noted which of those concepts they wanted added to the draft ordinance for PZ 14-12.

4. Action by the Planning & Zoning Commission

Ms. Roberts read aloud the changes to the ordinance requested by the commission. Mr. Pirtle motioned to approve with amendments as read by the city planner. The motion was seconded by Mr. Gilley and passed with all in favor except Mr. Harvey, who abstained from voting.

X. REPORTS/ANNOUNCEMENTS

The Bird Workshop will be held on January 17, 2015.

The Congress for New Urbanism will be held on April 29 - May 2, 2015 in Dallas.

Sonora Park is stocked with trout.

XI. ADJOURNMENT

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

The meeting adjourned at 9:35 P.M.



Date: February 19, 2015

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 15-01 Public hearing and consideration of Ordinance approval regarding a request by Wal-Mart Stores, Inc. for a zoning change from "C-0" Retail commercial district to "C-1" Restricted commercial district for approximately 1.014 acres at 4850 US 287 Hwy, legal description of Southwest Crossing Addition Block 1R Lot 2.

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 "C-O" to "C-1"

Location: 4850 US Hwy 287 (off the frontage road and Little School Rd)

Applicant: Wal-Mart Stores, Inc

Surrounding uses: surrounding uses are all commercial -- big box retail, commercial strip center with various typical strip center businesses (restaurant, nail salon, retail), and bank

Background.

This property is the last empty pad site at the Wal-Mart. It is bordered to the north by US 287, to the east by Little School Rd, to the south by EECU (credit union), and to the west by Wal-Mart.

The property can be served by existing curb cuts off the 287 frontage road and Little School Rd, so no additional curb cuts would be needed for new development. The property would be served by Arlington water and sewer utilities. The existing detention pond was designed to serve the entire development, including this pad site, and should be sufficient.

When this property was originally approved for the Wal-Mart development, Wal-Mart had represented that all the pad sites would be retail sites. One of the pad sites, however, was sold to a bank (EECU). The City subsequently rezoned the subject property as C-0 Retail Commercial to ensure the remaining lot would indeed have a retail use. In 2011, Chase Bank applied for a rezoning to C-1; the request was denied.

Staff Review.

Compliance with the Comprehensive Land Use Plan.

This property is included in an area designated as Urban Village in the Future Land Use Plan. This Urban Village stretches from the city limits at the US 287 frontage road down to Potomac (see attached excerpt from the FLUP). Most of the properties in the Urban Village character district are already developed. Creation of an Urban Village, therefore, is envisioned to occur over time--keeping in mind that a comprehensive plan typically covers a 20-year time frame.

As the Commission is aware, the Zoning Code does not have any zoning districts that fit the Urban Village character. In terms of uses, C-1 uses are commercial and would fit the Urban Village concept.

The area will gradually transition to an Urban Village character as redevelopment and infill development occur. In the meantime, the city must look for ways to allow uses of property now while laying the groundwork for the Urban Village. The city should explore using infrastructure requirements to spur the transition -- for example, requiring pedestrian connections between uses as new uses occur. At the current time, though, we do not have these requirements in place, and a straight rezoning request (e.g., not a request for a planned development district) does not allow the City to add infrastructure requirements as part of zoning approval.

Compliance with the Strategic Plan.

Several of the goals of the strategic plan are related to attracting businesses. The plan's strategies and action steps, though, are tied to developing TownCenter, creating a TIF district, and establishing a business park or industrial park. No consideration is given to establishing a retail or commercial district in the part of the city where this rezoning is requested.

Compliance with City Council priorities.

The Council priority "Achieve a Thriving Community" relates to business development and attraction, but the Council's goals for this priority include widening the range of the kinds of businesses and services available to residents. The area around the property you are considering is already served by convenience store/gas station businesses, so the rezoning request does not affect attainment of this goal. Adding another business, however, does help balance the ratio of businesses to residents, and a convenience store brings in sales tax, which helps rebalance the tax burden. Balancing the tax burden is one of the Council priorities.

Staff Recommendation.

The proposed commercial use of a gas station with convenience store fits the City's intent for this property, since a convenience store is a retail use and would help balance the tax burden. The format does not fit the Urban Village, but as described earlier, the Urban Village is not expected to occur with the development as it is now. Instead, the Urban Village character will have to be achieved through other means, over time.

The infrastructure can support the land use proposed through this rezoning request, so development staff do not have any concerns from a development standpoint. Because the proposed use fits the City's intent for retail use and fits the commercial use aspect of the Urban Village in the comprehensive plan, staff recommends approval of the rezoning.

Please note, though, that once a rezoning to C-1 is approved, any use permitted in C-1 zoning districts would be

permitted, including non-retail uses. If Wal-Mart decided not to pursue the gas station and convenience store, or if the store were to close in the future, a non-retail use may be developed at this site. As long as the Commission believes the C-1 zoning district (permitted uses and development standards) at this location would be in the best interest of the general welfare of the city, however, staff recommends approval of the rezoning. If the Commission does not believe a C-1 zoning designation at this site would benefit the general welfare of the community, it should not approve the rezoning. Another option in that case would be to suggest to the applicant that it pursue a change to the Schedule of Uses that would allow convenience stores in the C-0 zoning district.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 15-01 map showing site	PZ 15-01 map showing site.pdf
2.	Excerpt from Future Land Use Plan	Little School & 287 Urban Village.pdf
3.	PZ 15-01 application for rezoning	PZ 15-01 appl.pdf

Case PZ 15-01

Map Showing Site of Request



Excerpt from the city's Future Land Use Plan:
area marked in orange is designated as an Urban Village



CHANGE OF ZONING CLASSIFICATION

ZONING CASE # 15-01
(assigned by city staff)

DATE: 1/17/2015

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

" C0 " (RETAIL COMMERCIAL) to that of

" C1 " (RESTRICTED COMMERCIAL DISTRICT) in its entirety as shown on Exhibit "B" attached. The property totals some 1.014 acres.

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

Legal Description is SOUTHWEST CROSSING ADDITION BLOCK 1R LOT 2

Present use of the property is UNDEVELOPED OUTLOT

Address of the property is 4850 US 287 HWY, KENNEDALE, TX

Property Owner's Name: WAL-MART STORES TEXAS LP

Address: 2001 SOUTHEAST 10TH STREET
BENTONVILLE, AR 72716-5535

Telephone Number: 479-204-9841

**KENNEDALE**

Planning Department

www.cityofkennedale.com

Applicant's Name:

WAL-MART STORES, INC.

Address:

2001 SOUTHEAST 10TH STREETBENTONVILLE, AR 72716-5535

Telephone Number:

479-204-9841

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 WAL-MART STORES TEXAS LP is the sole owner(s) of the property described in the legal description and shown in the map attached to this application, as of the date of this application.

Patricia Beel for Wal-Mart
Applicant Signature

1-19-15
Date

January 17, 2015

City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

STATEMENT OF WHY ZONING CHANGE REQUEST SHOULD BE APPROVED

The proposed project consists of a fueling station and convenience store. The improvements include a 2,750 square foot convenience store and a ten pump fuel canopy. The improvements will take place on Lot 2 of the Southwest Crossing Addition, which consists of 1.014 acres. Current zoning is C0 - Retail Commercial. C0 - Retail Commercial zoning does not allow fuel stations. We are proposing to re-zone the property to C1 - Restricted Commercial District.

All properties adjacent to the proposed fuel station located within Kennedale city limits are zoned C1 - Restricted Commercial District, which matches our proposed zoning requested. There are six outlots along the east and south perimeter of the Walmart Supercenter parking lot. All of the outlots in this development are zoned C1 - Restricted Commercial District, except the lot where the proposed fuel station is to be located. For this reason, we believe the proposed re-zoning is appropriate and compatible with the use of surrounding properties.

The fuel station will include a 2,750 square foot convenience store with retail area for general merchandise. The retail provided within the convenience store will be similar to the expected use under the current zoning. For this reason, we believe the proposed use of this property after re-zoning will closely match the intended use required by current zoning.

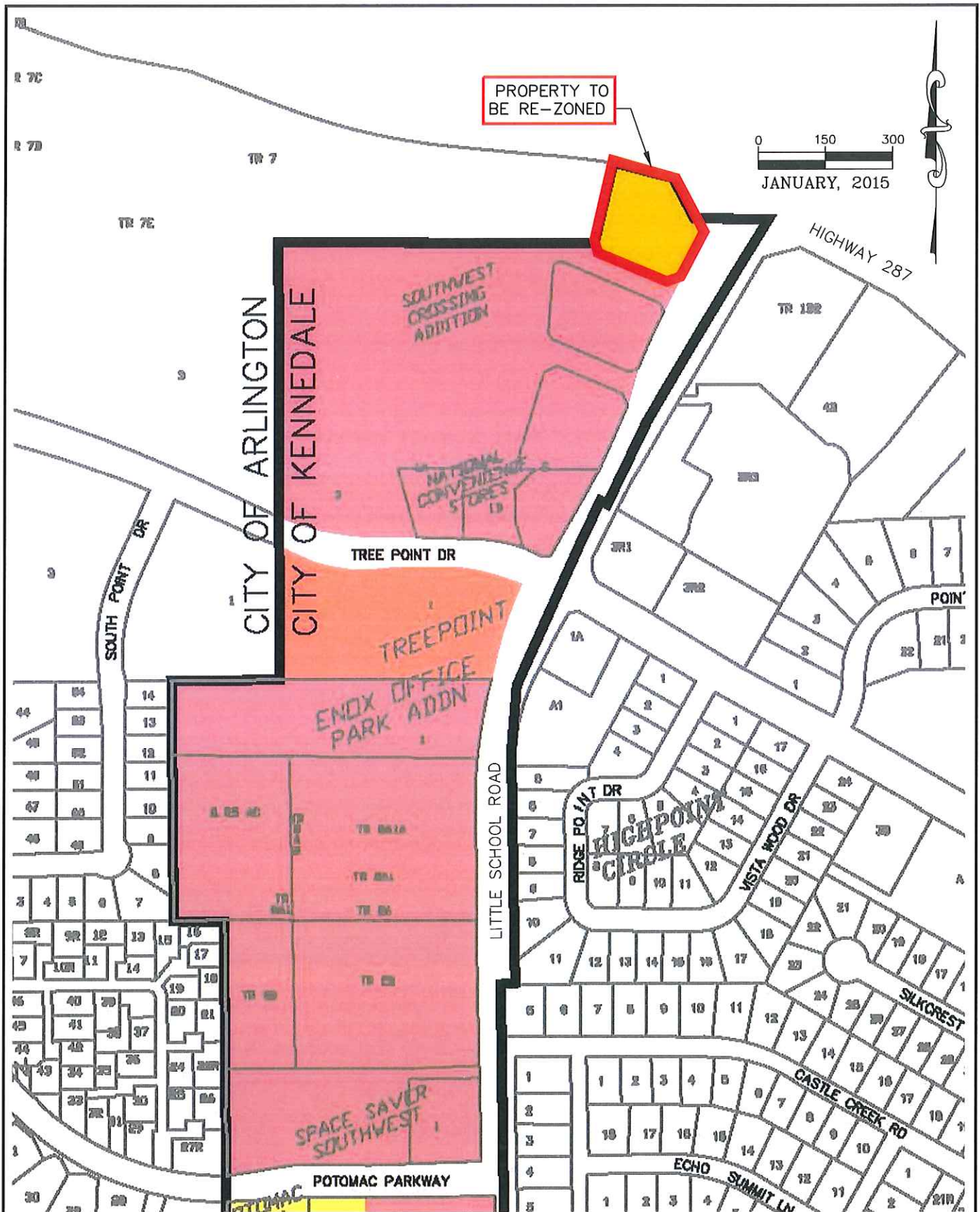
For the above stated reasons, we believe re-zoning Lot 2 of the Southwest Crossing Addition from C0 - Retail Commercial to C1 - Restricted Commercial District will enhance the general welfare of the City of Kennedale and allow for the immediate development of the property. If successful in rezoning the property, the Owner intends to begin construction in the spring of 2015.

The project will be designed in strict compliance with the City of Kennedale Code of Ordinances as well any other jurisdictional requirements.

Store #3284 Arlington, TX
Project No. 14-6001
January 19, 2015

A tract of land being Lot 2 of the "Amended Plat of Southwest Crossing Addition" described as follows:

Beginning at the Northeast corner of aforementioned lot being on the West right of way of Little School Road travel along a curve with a chord bearing of S25° 31' 31"W - 204.80' with a radius of 1174.92; thence S68° 33' 03"W - 33.27', thence N67° 08' 31"W - 166.47, thence N27° 01' 35"W - 22.94' thence N13° 05' 21"E - 187.27' to the South right of way of U. S. Highway 287, thence along a curve with a chord bearing of S79° 53' 03"E - 147.95' with a radius of 924.93 thence S28° 56' 00"E - 130.25' to the point of beginning and containing 1.014 acres of land.



GENERAL NOTES / LEGEND

VICINITY MAP
WALMART FUEL
WALMART SUPERCENTER #3284



DRAWN BY: KSK
DATE: JAN. 19, 2015
SCALE: 1" = 300'
PROJ. NO: 14-6001
PLATE: 1