



KENNEDALE
Planning and Zoning Commission
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KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
May 21, 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. Discuss items on the regular session agenda
- B. Discuss items for future consideration

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from April 16, 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 15-05** Public hearing and consideration of approval of an ordinance establishing a new zoning district and district regulations for an area identified as the Downtown Village in the comprehensive land use plan.

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

B. **Case PZ 15-06** Public hearing and consideration of Ordinance approval regarding a city-initiated zoning change for various properties within an approximately 170-acre tract in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, to a sub-district with the "OT" Old Town zoning district.

- A. Staff presentation
- B. Public hearing
- C. Staff response and summary
- D. 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 May 21, 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: May 21, 2015

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss items on the regular session agenda

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

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

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: May 21, 2015

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss items for future consideration

II. Originated by:

III. Summary:

Under this item, the Commission may discuss items to be discussed under future agendas.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: May 21, 2015

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from April 16, 2015 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Minutes approval for April 16, 2015.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	April 16, 2015 Minutes	04 16 2015 PZ Minutes Final.docx
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**KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
April 16, 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 6:13 P.M.

II. ROLL CALL

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

A quorum was present.

Mr. Gilley joined the commission at 6:15 P.M.

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

III. WORK SESSION

A. Discuss possible senior living development on New Hope Rd.

Emanuel Glockzin, 4500 Carter Creek, Bryan, TX, gave an overview of the proposed senior living development. He said that it will be located on approximately 16 acres. The buildings will be about 25,000 square feet total with full time on-site staff. There will be one and two bedroom fourplexes for rent for independent living. There will also be a community center for the residents. He said there will be one and a half parking spaces per apartment. He said that there will be a trail to the park as part of the development. The land would be zoned as "PD" Planned Development.

B. Discuss regulations for a Downtown Village zoning district.

Ms. Roberts said the consultant Shai Roos is going to be presenting the regulations for the Downtown Village zoning district. Shai Roos, 4429 Emerson Ave. University Park, TX presented the review of the regulations and design guidelines for the commission members.

C. Discuss any item on the regular session agenda.

The commission did not have time to discuss this item.

D. Discuss establishing overlay districts for areas identified as Villages in the comprehensive land use plan and discuss regulations for these overlay districts.

The commission did not have time to discuss this item.

E. Discuss properties with unsuitable or incompatible zoning.

The commission did not have time to discuss this item.

The work session closed at 7:07 P.M.

The work session reopened at 7:40 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

Mr. Harvey called the meeting to order at 7:08 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	X	
Carolyn Williamson	X	
<i>Alternates</i>		
Billy Gilley	X	
<i>vacant</i>		

A quorum was present.

Mr. Gilley was asked to join the commission as a regular member.

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

VII. MINUTES APPROVAL

A. Consider approval of minutes from March 19, 2015 Planning and Zoning Commission meeting.

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

VIII. VISITOR/CITIZENS FORUM

Adrienne Kay, 918 Shady Oaks, stated that Art in the Park is in need of volunteers.

George Jones, owner of Avalon MHP, wants to make sure his mobile home park is grandfathered in when the rezoning is in place.

IX. REGULAR ITEMS

A. CASE # PZ 15-04 Public hearing and consideration of Ordinance approval regarding a city- initiated request for a zoning change for approximately 27 acres from "MH" Manufactured Home district to "C-2" General Commercial district at 7205 Hudson Village

Creek Rd, legal description of Wade H Hudson Survey A-716 Tract 2.

1. Staff presentation

Ms. Roberts said that the property is located on the edge of the Neighborhood character district in the future land use plan. She said a residential use is not really suitable for this property, and that a C-2 commercial district would be the most suitable district. She said the commercial use would serve as a buffer between the industrial uses to the east and the residential uses to the west.

2. Public hearing

Jacqueline Skaggs, located at 4125 Danny Dr. Kennedale, TX, said that she is against the case. She said she doesn't want any additional commercial uses around her property and that if a business locates on the property, she would like it to be screened.

3. Staff response and summary

Staff recommended approval. Ms. Roberts added that if the rezoning is approved, any future businesses at this location would be required to install screening..

4. Action by the Planning & Zoning Commission

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

B. CASE # PZ 15-05 Public hearing and consideration of approval of an ordinance establishing a new zoning district and district regulations for an area identified as the Downtown Village in the comprehensive land use plan. No rezoning will be considered under this ordinance.

Mr. Rawe motioned to move the meeting to May 21, 2015. The motion was seconded by Mr. Pirtle and passed with all in favor except Mr. Harvey, who abstained from voting.

X. REPORTS/ANNOUNCEMENTS

The Brickworks festival will be from April 17-19, 2015.

The Bird Habitat cleanout will be on May 9, 2015 at 9:30 A.M.

The Bird Identification Workshop will be on April 25, 2015 at 8:00 A.M.

The Citywide Garage Sale will be from May 22-23, 2015.

The city will be conducting the City Wide Spring Cleanup on Saturday, May 30, 2015.

Bark in the Park and KidFish will be located at Sonora Park on Saturday, May 16, 2015.

XI. ADJOURNMENT

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

The meeting adjourned at 7:39 P.M.

The commission continued its discussion of the draft regulations for the Downtown Village character district in the work session.

The work session closed at 8:45 P.M.

ORDINANCE _____

AN ORDINANCE AMENDING ARTICLE VI OF CHAPTER 17 OF THE KENNEDALE CITY CODE (1991), AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS BY AMENDING SECTIONS 17-405 ZONING DISTRICTS GENERALLY BY AMENDING THE REQUIREMENTS FOR THE “OT” OLD TOWN DISTRICT, 17-410 “OT” OLD TOWN DISTRICT BY ESTABLISHING THE BOUNDARIES OF THE “OT” DISTRICT AND CREATING SUB-DISTRICTS AND REGULATIONS FOR SAME, 17-421 SCHEDULE OF USES AND OFF-STREET PARKING REQUIREMENTS BY AMENDING THE USES PERMITTED IN THE “OT” OLD TOWN ZONING DISTRICT, AND 17-431 DEFINITIONS BY ADDING DEFINITIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, in order to promote the public health, safety and general welfare the City Council desires to adopt proposed amendments to the zoning ordinance in order to establish regulations that allow for development in keeping with the character of the Downtown Village and TownCenter districts described in the comprehensive land use plan; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on May 21, 2015, and the City Council of the City of Kennedale, Texas held a public hearing on June 15, 2015 with respect to the amendments described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the adoption of the amendments proposed herein.

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

SECTION 1.

Section 17-410 of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended to read as follows:

Sec. 17-410. - "OT" old town district.

(a) *Adoption of district; purpose.* The "OT" district boundaries shall be the general area depicted as the downtown village and town center in the 2012 Comprehensive Plan and specifically as shown in exhibit A and described in exhibit B attached with this ordinance. This district has a unique character as it allows a wide range of mixed uses that include potential historical structures, older single-family residences and existing new single-family residences, duplexes, multifamily, institutional, and commercial uses. This area has been in transition for over thirty (30) years and will continue to redevelop with a mix of uses on the remaining undeveloped lots. The purpose of the regulations in this section is to promote a central place for civic activity in Kennedale as well as to preserve and expand the original old town area to serve as a gateway into the center of Kennedale, in a manner that distinguishes it from neighboring communities. The regulations in this section are intended to encourage a relatively dense mix of residences and businesses that create a built environment which is both aesthetically pleasing, and which encourages walkability and public gatherings.

(b) *District regulations.* Properties within the "OT" district shall be governed by regulations approved by the city council either as a planned development or as one of four subdistricts that have been created for this district. Unless governed by a planned development district, all properties within this district shall be zoned as one of the following subdistricts:

Subdistrict 1 (SD-1) shall preserve the existing single family residential uses and promote historic residential building designs in this area.

Subdistrict 2 (SD-2) shall promote a mix of single family residential and low intensity retail in this area, to be housed in residential structures that are similar to the building designs and materials allowed in subdistrict 1.

Subdistrict 3 (SD-3) shall promote mainly institutional uses in historical or the modern interpretation of storefront type building designs in the area.

Subdistrict 4 (SD-4) shall promote a mix of residential and non-residential uses in historical or the modern interpretation of storefront type building designs in the area.

These subdistricts are envisioned to be created in the general areas depicted in exhibit A; however individual properties may be zoned as one of the other subdistricts or as a planned development district as deemed appropriate by the city council. Existing planned development districts within the boundaries of the "OT" district shall remain in effect until rezoned.

(c) *Permitted uses.* The uses permitted in the "OT" district include those listed in the "schedule of uses" found in section 17-421 hereof. Any use not expressly authorized and permitted therein is expressly prohibited in this district, unless otherwise allowed as a planned development or in conformance with section 17-427 of this article dealing with new and unlisted uses.

(d) *Special exception uses.* In order to allow for certain uses which, because of their nature or unusual character, cannot be unconditionally permitted in this district, yet would or could be an appropriate or compatible use under certain controlled circumstances and locations, the board of adjustment may, after public hearing thereon, authorize and grant the issuance of a special use permit for such special exception uses allowed in the "schedule of uses" in section 17-421 of this article. The issuance of the permit by the board shall be contingent upon reasonable and appropriate conditions and safeguards, including the length of time, so as to properly protect any adjacent property, use or neighborhood character, as well as insure the appropriate conduct of the special exception use of the land and buildings granted. See section 17-422 of this article.

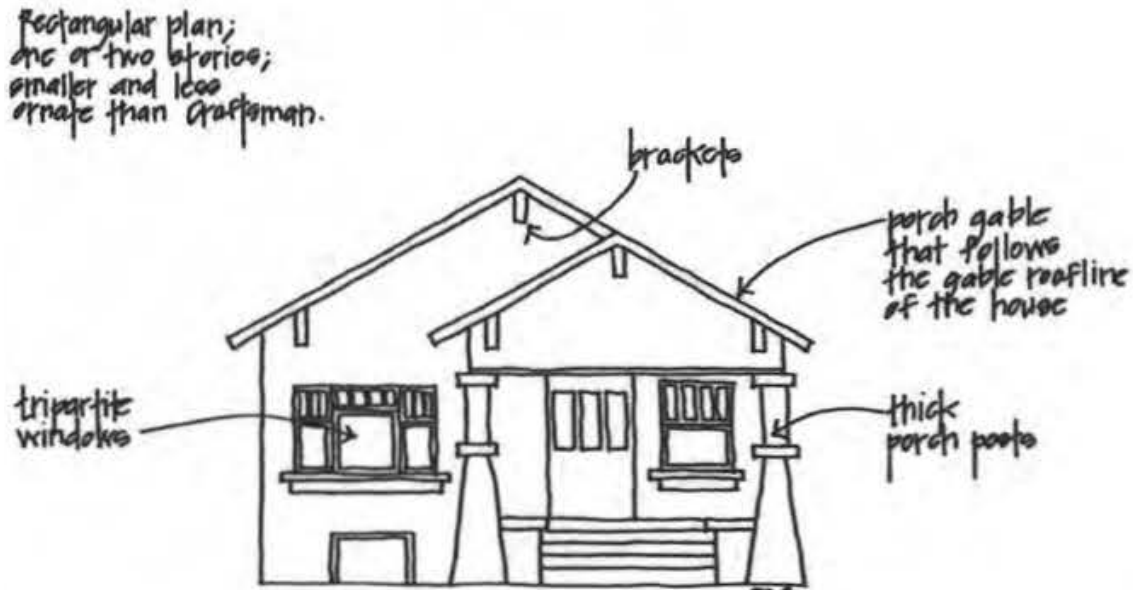
- (e) *Area; yard; height; lot coverage; and building size.* The requirements regulating the minimum lot size, minimum yard sizes (front, side and rear), maximum building height, maximum percent of lot coverage by buildings and the minimum size of buildings, as pertains to this district, shall conform with the provisions of the "schedule of district regulations" found in subsection 17-405(d) and any other applicable regulations as herein provided.
- (f) *Building Design.* The requirements regulating building design for all new structures and substantial (50% or more of existing square footage) renovations to existing structures in this district are as follows:
- A.) *Subdistrict 1 - Single Family Residential subdistrict and Subdistrict 2 - Single Family Residential and Retail Mixed Use subdistrict.* In these subdistricts the building designs shall conform to one of the following five architectural styles provided below:
- a. **Prairie Style** (1900s to 1920) If choosing this style the following elements shall be followed:



- (i) Building Form Elements required:
1. Maximum two stories in height.
 2. Exhibit solid geometric forms with minimal ornamentation.
 3. Complex massing, usually two stories with one-story wings.
 4. Horizontal lines and massing (intended to unify the structure with the native prairie landscape) with masonry belt-courses between the stories.
 5. Oversized front entry porch minimum of eighty square feet (80 SF) in area and covering 80% of the front façade. Minimum depth of the porch shall be 5 feet.
 6. Masonry or stucco with cast stone accents on exterior. Clad Lap siding or shingles (Cementitious Fiber Board shall be permitted) may be used on rest of the façade.
 7. Massive central chimney constructed of kiln-fired masonry is optional.
- (ii) Roof Elements required:
1. Hipped or gabled roof.
 2. Roof pitch - Max. = 5:12, Min. = 2:12.
 3. Wide, over-sized eaves extending up to 48 inches out from exterior wall. These eaves are allowed within the required setback.
- (iii) Windows and Door Elements required:
1. Casement-style windows grouped in bands with shared projecting sills that appear to wrap around the building.
 2. Clerestory windows.

3. Windows and doors surrounded by large 4" to 6" moldings that set them apart from the plane of the wall.
4. Doors stained in a natural color and punctuated with a glass opening.

b. **Bungalow** (1900s to 1925). If choosing this style the following elements shall be followed:



(i) Building Form Elements required:

1. Maximum two stories in height.
2. Clad Lap siding or shingles (Cementitious Fiber Board shall be permitted) may be used on 80% of the façade.
3. Prominent entrance with a covered porch containing a minimum of sixty square feet (60 SF) in area and covering minimum 40% of the front façade. Minimum depth of the porch shall be 5 feet.
4. Porch columns shall be optional features. If such are provided, at least two street facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry or stone at a finished thickness at column of no less than 16 inches in width.

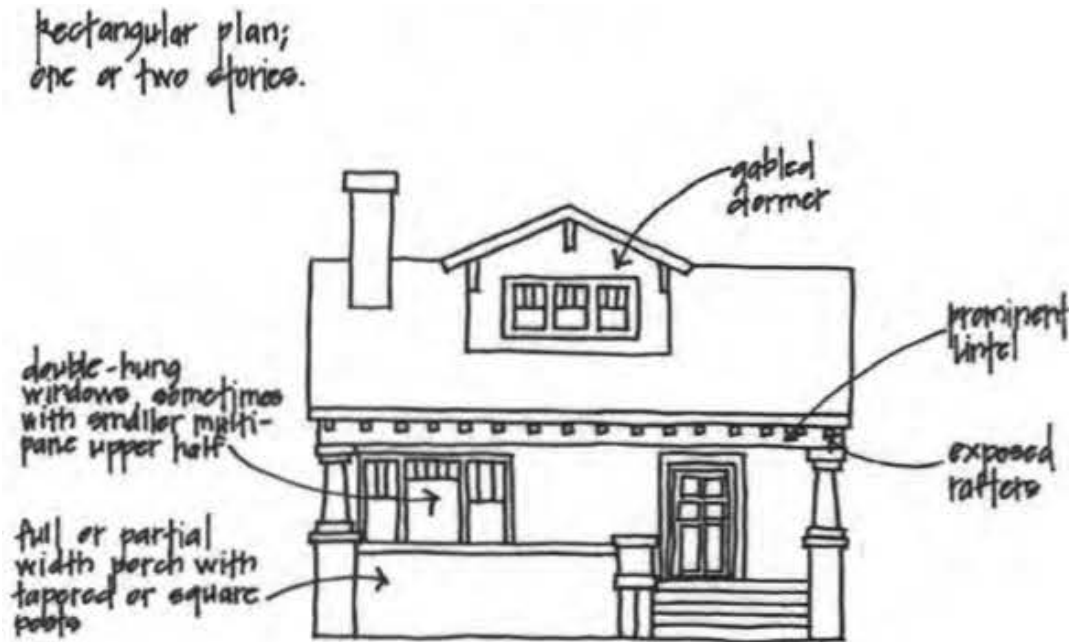
(ii) Roof Elements required:

1. Hip roof with overhang.
2. A gable pediment or roof dormer feature shall be above the porch structure.
3. Roof pitch max. = 6:12, min. = 2:12.
4. Gabled dormers.
5. Painted exposed roof rafters at eave.

(iii) Windows and Door Elements required:

1. Symmetrical placement of doors and windows.
2. Entrance door located in the center of wide houses, or at the side corner of narrow houses
3. Double hung windows depicting multiple panes.
4. At least one tripartite window used on front façade.

- c. **Craftsman** (1900s to 1930). If choosing this style the following elements shall be followed:



(i) Building Form Elements:

1. Maximum two stories in height.
2. Clad lap siding or shingles (cementitious fiber board shall be permitted) shall be allowed over 80% of the façade.
3. Decorative corbels (bracket work).
4. Prominent entrance with a covered porch containing a minimum of eighty square feet (80 SF) in area and covering minimum 90% of the front façade. Minimum depth of the porch shall be 5 feet.
5. Porch shall be supported by tapered square columns or pedestals extending to ground level of porch floor.
6. At least two-thirds (2/3) of the street facing edge(s) of the porch structure shall be enclosed with vertical wood or iron railing, or solid masonry bulkhead that has a minimum height of 36 inches.
7. At least two street facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry or stone at a finished thickness at column of no less than 16 inches in width.

(ii) Roof Elements required:

1. Hip roof type with overhang.
2. 12"—24" maximum overhang.
3. Roof pitch Max.= 8:12, Min.= 3:12.
4. Gabled or single pitched dormers. Low-pitched, gabled roof (occasionally hipped) with wide, unenclosed eave overhang.
5. Roof Rafters to be exposed; or provide false decorative beams or braces under gables.

(iii) Windows and Door Elements required:

1. Asymmetrical placement of doors and windows.
2. Double-hung (tripartite) windows with decorative crowns depicting multiple panes.

- d. **American Foursquare** (1900s to 1930) If choosing this style the following elements shall be followed:



(i) Building Form Elements required:

1. Minimum two stories in height.
2. Square shape in plan and usually symmetrical façades.
3. Brick, stone, cast stone used at base of structure minimum of 5 feet in height. The remaining façade shall be masonry except simulated or engineered wood (with a fire rating complying with the adopted building code) siding and shakes may be used on 40% of the second story exterior (cementitious fiber board shall be permitted).
4. A water table composed of a 2" x 12" board, or cast stone string course element, with a continuous drip cap which separates the masonry base from the upper cladding materials.
5. Prominent entrance with a covered porch containing a minimum of eighty square feet (80 SF) in area and covering minimum 50% of the front façade. Minimum depth of the porch shall be 5 feet.
6. At least three street-facing columns, in which at least the lower forty percent (40%) of said column height is clad in brick masonry or stone at a finished thickness at column of no less than 16 inches in width.

(ii) Roof Elements required:

1. Hipped roof with dominant projecting dormers.
2. Minimum of one roof dormer with a minimum base width of 5 feet.
3. Composition, wood shingle, slate or cementitious tile roof.

(iii) Windows and Door Elements required:

1. Double-hung windows with various patterns of glazing.
2. Boxed or bay windows shall be permitted.

e. **Colonial Revival** (1910s to 1935) If choosing this style the following elements shall be followed:

(i) Building Form Elements required:

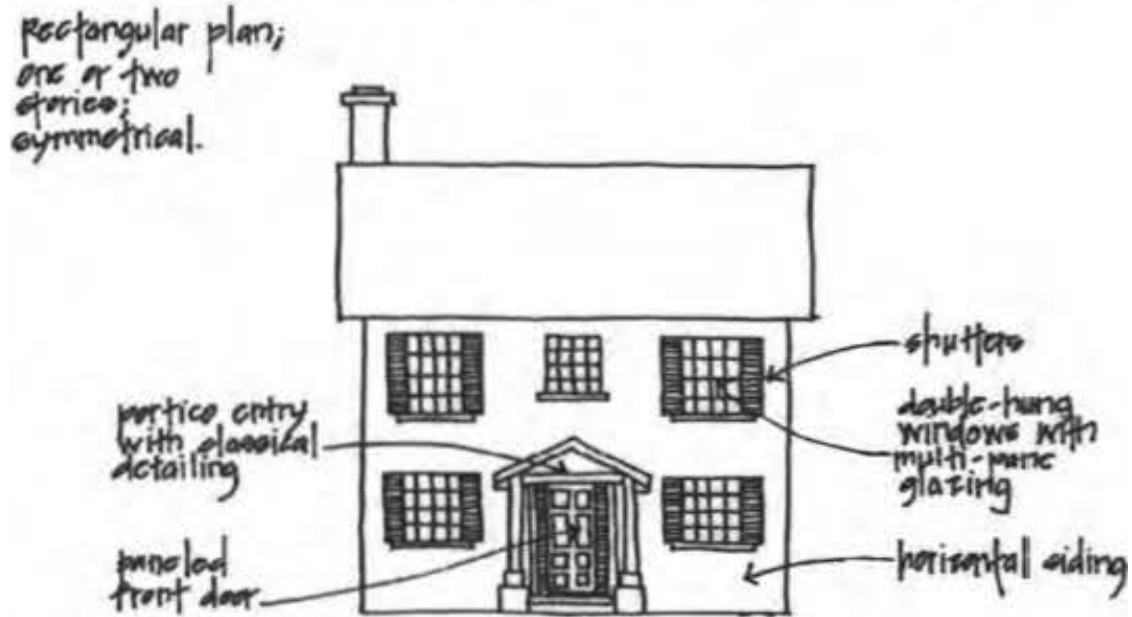


Figure 4.10 - Basic design elements

1. One, one and a half, or two stories in height.
2. Façade shall be symmetrical, but may have side porches or sunrooms on either or both sides.
3. Rectangular building mass.
4. Dominant, masonry chimney on side façade is optional.
5. Entrance is centered and accented with columns, pilasters, pediment, and/or hooded cover to create a covered porch minimum of forty square feet (40 SF) in area and covering minimum 30% of the front façade. Minimum depth of the porch shall be 5 feet.
6. Simulated or engineered wood (with a fire rating complying with the adopted building code) clapboard (6") siding most common exterior wall material (Cementitious Fiber Board and brick masonry shall be permitted as well).
7. Classical columns, two-story pilasters, dentils under eaves.

(ii) Roof Elements:

1. Steep roof, with side-facing gables.
2. 6"—18" max overhang.
3. Roof pitch Max. = 12:12, Min. = 6:12.
4. Hipped roof and dormers are occasionally evident and are optional.

(iii) Windows and Door Elements:

1. Fanlight or transom, sidelights built with paneled door.
2. Multi-pane, double-hung windows with shutters.
3. Palladian accent windows shall be permitted.

B.) *Subdistrict 3 - Town Center subdistrict and Subdistrict 4 - Mixed Use subdistrict.* In these subdistricts the building design shall conform to the following regulations:

- a. Architectural Styles: An applicant shall choose one of the following architectural styles. A modern interpretation of these styles using clean lines and newer materials will be allowed as long as the massing and façade articulation follows the style elements below:

- (i) The Vernacular Commercial Storefront (1860s to 1920). This style maybe used for nonresidential buildings, condominiums, multifamily apartment buildings, and for live/work units. If choosing this style the following elements shall be followed:



1. Vertical ordering of front façade into a definitive base, body and bap, where:
 - (I) Base: Is the ground level, where the building makes contact with the earth,
 - (II) Body: Is the upper middle portion of the architecture, forming the majority of the structure, and
 - (III) Cap: Is the parapet, entablature or roofline, where the building meets the sky.
2. Larger display windows with a window pediment or base.
3. First floor transom windows.
4. Recessed street entry.
5. Double street entry doors.
6. Tall second-story windows.
7. Cornice molding and accents at roof parapet.

- (ii) Italianate (1850s to 1885). This style maybe used for nonresidential buildings, multifamily apartment buildings, and for live/work units. If choosing this style the following elements shall be followed:



1. Double-hung, narrow windows, often with round arch heads.
2. Window panes are either one-over-one or two-over-two.
3. Ornate treatment of the eaves, including the use of brackets, medallions and dentil courses.

4. Quoins (projecting square surface pattern) at building corners.
5. Flat roof or sloped with a maximum 3:12 pitch.
6. Exaggerated roof parapet molding.
7. Transom, often curved, above the front door.
8. Brackets, modillions and dentil courses.
9. Overall, a vertical emphasis in building proportions.

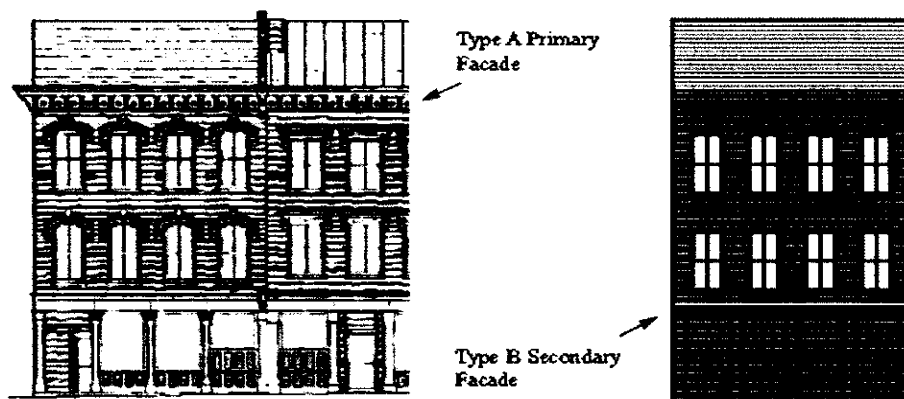
- (iii) Art Deco/Moderne (1930s to 1950). This style maybe used for nonresidential buildings and for live/work units. If choosing this style the following elements shall be followed:



1. Variety of colors and textures.
2. Molded metal panels or grills.
3. Stucco and tile combined.
4. Stylized floral patterns.
5. Rounded corner windows.
6. Repetitive geometric forms.
7. Colored brick or tile.
8. Zigzag or chevron moldings.

b. Building Façades.

- (i) Any building located on a lot with frontage on the public ROW, must place the primary surface of the front wall of the building on the front building line for at least 60 percent of the length of the frontage.
- (ii) Building façades that face a public ROW (Type A Primary Façade) and shall be designed as the primary front plane of the building and shall contain the primary building entrance. Building façades that face internal parking and alley areas (Type B Secondary Façade) may contain a secondary or rear entrance. See Figure below for articulation of primary and secondary façades.



- (iii) The proportions of walls, windows, and portions of walls shall be predominately vertical. Areas that are predominately horizontal shall be subdivided by pilasters, mullions, columns, trim work, or other architectural elements to achieve a balanced or vertical appearance. Vertical stripes, however, are undesirable.
- (iv) Pilasters and columns should be used as an expression of the actual or imaginary structural system on the exterior of the building. These elements shall divide the horizontal façade into smaller, more vertical panels. Pilasters should be placed no farther apart than they are tall and should extend to the eave or above the parapet.
- (v) The major entry to the building is required to be placed on the public ROW façade and requires at least one entry into the building for each 50 feet of frontage on the property line.
- (vi) One-story buildings shall be maximum one-half block long with a single building façade design. Two or more stories may be unlimited in length.
- (vii) Corner Treatment:



1. Buildings shall reinforce a strong protruding corner condition at street intersections.
2. Angled corner clips (or other building conditions which do not form a protruding corner) are not permitted at street intersections, but shall be permitted where such building corner contains a minimum of three (3) of the following five (5) architectural elements:
 - a. Stone appliqués, masonry banding features or attaching architectural building elements that are constructed with a stone finish of a different color and surface texture used for the main structure.
 - b. Architectural canopy above the sidewalk with masonry canopy supports or pilasters that extend outward a minimum of eight (8) inches from the base of the building.
 - c. Public doorway entrance feature with a glazed transom window above doorway, with said transom being substantially equal in width with the door frame, with glazed portion of transom measuring a minimum sixteen (16) inches in height.
 - d. A cornice element at the parapet wall that is either constructed integrally with the parapet structure, or attached to the surface of the parapet, and shall extend above the parapet a minimum of eighteen inches (18") higher than those parapets that are attached to exterior walls that are built parallel to the street. EFIS/Stucco shall be a permitted material for the parapet cornice specified herein.
 - e. Variations to the roof profile for those sections of a corner façade that contain at least one or more curvilinear, domed or arched formations at the roofline.
3. Buildings will be designed to accommodate City of Kennedale's required visibility triangles without compromising the corner design.

- (viii) Storefront - Storefront regulations apply to type A facades and are optional for type B façades.
1. Base (where building makes contact with the earth) shall be a part of all storefronts and shall establish a visible base for the material above.
 2. Window pediment (a section of wall under the display window elevating the glass above the sidewalk) materials may include any materials from the materials section of these standards except glass. The minimum height of a window pediment shall be six inches and maximum height shall be 36 inches.
 3. The intent of the regulations is to provide as much opportunity for observation as possible, achieving the maximum visibility into the display window. Clear, single pane glass shall be permitted, insulated glass is permitted, light tinting for UV protection is permitted, and heavy tinting is prohibited. Glass panels should have a generally vertical proportion.
 4. Display Window sills must be sloped to drain over the window pediment.
 5. The minimum return from the primary wall surface to the display window jamb shall be three inches. A trim or panning shall be permitted.
 6. The design of the display window incorporating transom window elements above door height shall be permitted. Above the glass and frame, unit masonry walls must have a visible masonry lintel above the glass. Stucco-style walls do not require a visible masonry lintel.
 7. Awnings on all street level windows are required. Awnings are to be made of predominantly natural or natural-appearing fabric. The bottom of the awning must be placed below the top of the window. Awnings may project into the public ROW but may not interfere with the accessible route of the sidewalk.
 8. An awning or canopy over the entry doors may extend into the public R.O.W. and may be supported on columns. However, the columns may not interfere with the accessible route of the sidewalk.
 9. Entry doors shall be a minimum of 30 percent glass, and may be 100 percent glass.
 10. Trim, panning, or a section of wall is required between the entry door jamb and the adjacent jamb of the display window.
 11. A transom or transom-type panel shall be permitted above the entry door(s).
- (ix) Sign band. Sign band regulations do not apply to type B façades. The sign band is designed to display the identity of the business within and express in graphic form the character of the business. Highly expressive graphics are encouraged; A sign band that is too long or too tall is not consistent with the intended character.
1. *Location.* The top of the head of the display window is the bottom of the sign band, and the bottom of the second floor window sills or the bottom of the cornice is the top of the sign band. The band ends horizontally either at a pilaster, a tower, or an adjacent façade.
 2. The maximum height allowed that is uninterrupted by a change in plane, change in material or a change in color shall be five feet.
 3. The maximum length allowed that is uninterrupted by a change in plane, change in color or a change in material is 50 feet on a one story building, unlimited on two or more stories.
 4. Indirect lighting of the signage and identity graphics shall be permitted.
- (x) Upper stories. The regulation of the façade design of the building above the first floor allows for wide latitude to encourage dignified, beautiful, creative, and gracious design. The following shall apply to all upper story facades:
1. *Windows.* Window sizes may range from eight percent of the wall surface area to 80 percent of the wall surface area as measured from the head of the first floor windows

to the bottom of the eave or cornice across the length of the type A façade. Windows shall align with windows above or below and left to right, creating a regular pattern within each façade design.

2. *Windows, sills.* Permitted materials shall include masonry, metal or wood, sloped to drain away from the window.
3. *Windows, jambs.* Trim or panning shall be permitted. The jamb must be recessed from the primary wall plane a minimum of three inches unless trim or panning is used.
4. *Window, heads.* In unit masonry construction, a visible masonry header is required. Stucco does not require a masonry header.
7. *Balconies, floors.* Floors must be a solid, concrete surface; metal grates are prohibited. Floors may project up to 24 inches into the public ROW.
8. *Balconies, railings.* Ornamental railings are required and should be consistent with the architectural character of the façade. The top of the railing shall be convex shaped to prevent placement of objects on the railing.
9. *Cornice/eave/parapet.* Shall be tall enough to conceal the rooftop equipment, otherwise an added screen compatible with the façade design will be required behind the parapet to do so.

(xi) Roof.

1. *Roofing materials.* Materials used on flat roofs with parapet façades are not restricted. Sloping roofs visible from the front of the building may be standing seam metal, slate, simulated slate, tile or simulated tile. Asphalt shingles are prohibited on roofs over 3,000 square feet in area. Mansard roofs are generally prohibited unless allowed by special exception.
2. *Eaves.* The surface of the soffit under the overhang is to be treated as a finished surface. Trim is required at least at the intersection of the soffit and wall surfaces. Paint or other finish is required. Venting is to be incorporated into the design of the soffit surface.
3. *Gutters and downspouts.* If gutters and downspouts are to be visible on the type A façade, they must be incorporated into the façade design.

(xii) Visible interior. The portion of the building interior that is, or is intended to be, part of the pedestrian experience visible from the public ROW.

1. *Window display.* The window display is to be visible at least one foot into the interior. The display should be lighted, clean and organized.
2. *Window display floor.* A raised floor shall be permitted.
3. *Window display lighting.* Lighting should be warm in color and either LED or metal halide bulbs. Fluorescent lighting is prohibited.
4. *Window display window coverings.* No coverings should be applied that eliminate visibility into the display space such as blinds, medium or heavy tinting or draperies.

c. Materials. The material lists are divided into materials that are unrestricted, materials that are desirable in small quantities, and materials that are undesirable unless used in an unusual or artistic fashion.

- (i) Unrestricted siding materials. These materials may be used, in a manner consistent with the chosen architectural style, without limits for walls in type A or type B façades: brick, stone, cast stone, ceramic tile and stucco.
- (ii) Restricted siding materials. These materials may be used without limits for walls in type A or type B façades, provided the architecturally appropriate detailing is used in a manner consistent with the chosen architectural style and is consistent with high quality stucco construction: concrete tilt-wall, exterior insulation and finish system (EIFS) and stucco.

- (iii) Limited siding materials. The use of the following materials is encouraged provided the material is appropriate with the chosen architectural style: Simulated or engineered wood (with a fire rating complying to the adopted building code), hardiplank clapboard siding, fiberglass, and ceramic-faced concrete block.
 - 1. Decorative or stamped architectural metal wall panels shall be utilized as an accent surface material for no more than fifteen percent (15%) of any single type A or type B façade.
- (iv) Type B façade siding material. The following material may be used on type B façades: concrete masonry units, and EIFS.
- (v) Restricted siding materials. The following material may be used for buildings subject to these standards with a conditional use permit: aluminum siding, vinyl siding, vertical wood siding, and corrugated metal siding. All other material not specifically listed above falls into this category.
- (vi) Colors for siding material shall be low reflectance, neutral, or earth tone colors. The use of high intensity primary, metallic, or fluorescent colors is prohibited. Painted trim colors may be selected from the list of colors for historic structures recommended by the National Trust for Historic Preservation. Bright colors may be used on trim or decorative elements.

(g) Site Design.

A.) *Subdistrict 1 - Single Family Residential subdistrict and Subdistrict 2 - Single Family Residential and Retail Mixed Use subdistrict.* In these subdistricts the site design for all parcels shall conform to the following standards below:

- a. Building placement. Main entrance of all structures shall be oriented towards the primary street. For the purposes of locating the main entrance, if a street has 60% of the existing structures with a main entryway facing it then that street shall be considered a primary street.
 - (i) porch entrance, steps, and stoops must also be oriented to the primary street.
- b. Parking requirements. Off-street parking space requirements shall be in accordance with the parking schedule found in section 17-421 hereof. Except for:
 - (i) parking spaces for only two (2) motor vehicles shall be provided on-site in an enclosed garage or under a carport for structures constructed after May 2015. Additional on-site parking shall require a conditional use permit.
 - (ii) additional off-street parking space requirements for retail uses found in section 17-421 shall be provided through shared parking agreements and off street parking spaces within 1,000 feet of the property.
 - (iii) carport or garage shall be no closer to the street than the face of the enclosed air-conditioned space of the main structure or when the carport and the front porch have a common roof then the carport can extend as far as the foundation of the porch.
- c. Landscape requirements. Landscaping shall be in accordance with Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Requirements for R-1 district shall apply to single family residential or duplex uses. All other uses shall comply with the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Except for:
 - (i) all uses other than single family residential uses, the Planning Director may substitute the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances in lieu of one of the following - public park, courtyard, or public plaza that have:
 - 1. a combination of at least three of the following amenities: seating, water feature, landscaping, decorative paving or patterned concrete paving, sculptures and/or other public art; and
 - 2. minimum 500 square feet in size or 25% of the total property square feet, whichever is greater, with public access and visibility from the street.

d. Sales displays prohibited.

- (i). Garage sales shall be permitted in accordance with section 11-5 of the Kennedale Code of Ordinances.
- (ii) It shall be unlawful for any person to display or allow to be displayed for sale or lease on any lot any motor vehicle, boat or vessel subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or family shall at any time be permitted to display more than two (2) of the following, or combination thereof, per lot: motor vehicles, boats or other similar vessels subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shells per lot at any time.

B.) *Subdistrict 3 - Town Center subdistrict and Subdistrict 4 - Mixed Use subdistrict.* In these subdistricts the site design for all parcels shall conform to the following standards below:

a. Building placement.

- (i) Main entrance of all structures shall be oriented towards the primary street. For the purposes of locating the main entrance, if a street has 60% of the existing structures with a main entryway facing it then that street shall be considered a primary street.
- (ii) Buildings shall be located on the property line along the primary street.

b. Parking requirements. Off-street parking requirements shall be in accordance with the parking schedule found in section 17-421 hereof. Except for:

- (i) off-site parking requirements for non residential uses found in section 17-421 may be provided through shared parking agreements and off street parking spaces within 1,000 feet of the property.
- (ii) off-site parking that exceeds the minimum requirements in the parking schedule found in section 17-421 shall require a conditional use permit.
- (iii) off-street parking shall not be located adjacent to the primary street.
- (iv) off-street parking shall be located behind or between structures such that only the driveways are visible from the street.

c. Landscape requirements. Landscaping shall be in accordance with Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Requirements for R-1 district shall apply to single family residential or duplex uses. All other uses shall comply with the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances. Except for:

- (ii) all uses other than single family residential uses, the Planning Director may substitute the requirements in Chapter 17. Article VIII. Landscape Standards of the Kennedale Code of Ordinances in lieu of one of the following - public park, courtyard, or public plaza that have:
 - 1. a combination of at least three of the following amenities: seating, water feature, landscaping, decorative paving or patterned concrete paving, sculptures and/or other public art; and
 - 2. minimum 500 square feet in size or 25% of the total property square feet, whichever is greater, with public access and visibility from the street.

d. Sales displays prohibited.

- (i). Garage sales shall be permitted in accordance with section 11-5 of the Kennedale Code of Ordinances.
- (ii) It shall be unlawful for any person to display or allow to be displayed for sale or lease on any lot any motor vehicle, boat or vessel subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shell designed for use on a motor vehicle unless such vehicle is owned by the actual occupant of the premises. However, no person or family shall at any time be permitted to display more than two (2) of the following, or combination thereof, per lot:

motor vehicles, boats or other similar vessels subject to registration under V.T.C.A., Parks and Wildlife Code, ch. 31, or camper shells per lot at any time.

C.) Public land and rights-of-way (ROW). If required to upgrade or construct streets, sidewalks or other public amenities as a part of the development in the Old Town District, the following requirements shall apply:

- a. Drive lanes. The paving section of a roadway supporting the travel lanes for vehicles.
 - (I) Number of lanes. All roads will be built in accordance with the thoroughfare plan.
 - (II) Material specifications. Street construction specifications shall comply with the city standards.
 - (III) Width. The intent to calm traffic and the desire of motorists to use on-street parking or to tour the town requires slower speeds. The use of slightly narrowed street widths helps to slow traffic. Lane widths may be reduced to 11 feet where appropriate subject to city review and approval.
- b. Parking lanes. The paving section of roadways supporting parking for automobiles, motorcycles, or bicycles.
 - (I) Material specifications. Street construction specifications shall comply with the city standards for parking areas.
 - (II) Dimensions. Parking spaces shall comply with the city standards.
- c. Curbs. The vertical separation between the roadway and the pedestrian section of the public ROW.
 - (I) Accessibility. Standards shall comply with city regulations, Texas Accessibility Standards (TAS) and the Americans with Disabilities Act (ADA).
 - (II) Material specifications. Construction specifications shall comply with the city standards for parking areas.
 - (III) Dimensions. Height shall comply with city standards. Steps may be required to transition between sidewalk and the street.
- d. Parkways. The part of the pedestrian section of the public ROW that supports plantings, green-space and open-space.
 - (I) Width. The parkway is a continuous or intermittent strip of land between the street and the sidewalk to allow for planting. The parkway and the sidewalk together must be at least ten feet wide.
 - (II) Landscape materials. In the absence of sidewalk paving, the minimum planting schedule requires trees evenly spaced over the length of the block, approximately 40 feet apart with grass or ground cover. Tree species must comply with the permitted species list in Chapter 17. Article VIII. landscape standards.
 - (III) Street lights. The streetlights must be of historical design and approved by the Planning Director to maintain similar/compatible streetlight design in a subdistrict. All light fixtures must be full cut-off fixtures. Streetlights shall have a minimum output of 300 lumens per fixture and maximum output of 600 lumens per fixture. The fixtures are to be evenly spaced over the length of the block, but not more than 50 feet apart and shall be a maximum of 20 feet in height. Fixtures must be equipped with two banner arms on each pole, placed perpendicular to the street.
 - (IV) Street furniture. Benches, trash receptacles and drinking fountains must be maintained by the owner of the street furniture.
 - (V) Displays. Temporary displays are permitted for seasonal or commercial activity, with the approval of the Planning Director.
- e. Sidewalks. The part of the pedestrian section of the public ROW that supports the hard surfaced sidewalks for pedestrian use.
 - (I) Width. The sidewalks plus parkway shall not be less than ten feet wide. Sidewalk widths must conform to requirements of the commercial activity within the building: restaurants need wide

sidewalks for dining areas, retailers need medium width sidewalks to permit window-shopping without impeding pedestrian traffic, and office areas only require minimal width to accommodate the pedestrian traffic. In no case shall sidewalk width be less than five feet.

- (II) Accessibility. Standards shall comply with city regulations, Texas Accessibility Standards (TAS) and the Americans with Disabilities Act (ADA).
 - (III) Material specifications. Construction specifications shall comply with the city standards for sidewalks. Sidewalks pavers may be used subject to approval by the Public Works Director.
- f. Public amenities. Green space and open space owned and operated by the public for the use and enjoyment of the public are desirable amenities for the residents and patrons of the town. They are subject to review and approval by the City Council and are reviewed individually as required.
 - g. Alleys. Public ROW roadways for vehicles to access the sides and rear of buildings and parking lots.
 - (I) Width. Commercial alley ROW widths shall be between 20 feet and 30 feet. Paving may cover entire ROW width.
 - (II) Material specifications. Alley construction specifications shall comply with the city standards.

SECTION 2.

Section 17-421 of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by replacing the uses permitted in the “OT” Old Town district with the following four sub-districts as follows:

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Residential Uses:				
Single-family dwelling	X	X		
Two-family dwelling	X	X		
Three-family dwelling		X		
Four-family dwelling		X		X
Apartment or multi-family building				X
Manufactured home				
Industrialized housing				
Manufactured home park				
Townhouse				X
Condominium				X
Recreational vehicle park				
Boarding (rooming) house		X		X
Child day care home	X	X		
Group home				
Group day care home				
Halfway house				
Guest house/servants quarters	X	X		
Accessory building	X	X	X	X
Basketball court (private)	X	X	X	X
Tennis court (private)	X	X	X	X
Swimming pool (private)	X	X	X	X
Home occupation (2)	X	X		X
Agricultural/Ranch Uses:				
Farm or ranch				
Farmer's market		CUP	CUP	CUP
Use	OT			

	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Grainery or gin			CUP	CUP
Micro-winery, with vineyard		CUP		CUP
Orchard				
Produce stand		X	S	X
Rodeo ground, arena (public)				
Stable, private	CUP	CUP		
Stable, public				
Vineyard		CUP		CUP
Winery, with vineyard		CUP		CUP
Utility/Solid waste uses:				
Cable TV lines	X	X	X	X
Electric substations	S	S	S	S
Gas regulations/gate station	S	S	S	S
Gathering station	S	S	S	S
Microwave tower	S	S	S	S
Radio & television tower	S	S	S	S
Railroad freight terminal	S	S	S	S
Railroad yard	S	S	S	S
Recycling collection facility				
Refuse transfer station	S	S	S	S
Sewer lift station	X	X	X	X
Telephone exchange	S	S	S	S
Utility poles and lines	X	X	X	X
Utility mains and lines	X	X	X	X
Wastewater treatment plant	S	S	S	S
Water pump station	X	X	X	X
Water storage tank	X	X	X	X
Water treatment plant	S	S	S	S
Water well	S	S	S	S

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Government & Institutional Uses:				
Athletic field or stadium	S	S	S	S
Auditorium or amphitheater	S	S	S	S
Basketball courts (public)	S	S	S	S
Baseball/softball (public)	S	S	S	S
Cemetery or mausoleum	S	S	S	S
Church or rectory	X	X	X	X
College or university	S	S	X	S
Community center	S	S	X	S
Convalescent center	S	S	S	X
Fire station	S	S	X	X
Government office	S	S	X	X
Hospital	S	S	X	X
Library	S	X	X	X
Museum or art gallery	S	X	X	X
Park or playground	X	X	X	X
Police station	S	X	X	X
Post office	S	X	X	X
Prison or penitentiary				
Sanitarium	S	X	S	X
School (nursery or kindergarten)	S	S	X	X
School (trade or business)	S	S	X	X
School (elementary or middle)	S	S	X	X
School (high school)	S	S	X	X
Soccer fields (public)	S	S	S	S
Swimming pool (public)	S	S	S	S
Tennis court (public)	S	S	S	S
Commercial Uses:				
Amusement park (outside)				
Animal shelter				

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Antique shop		X	X	X
Apparel or clothing store		X	X	X
Appliance repair shop		X	X	X
Appliance store (retail)		X	X	X
Arcade			X	X
Art supply store		X	X	X
Athletic or fitness club		X	X	X
Auction		X	X	X
Audio store (retail)		X	X	X
Auto inspection station				X
Auto paint & body shop				S
Auto parts store		X		X
Auto rental				X
Auto repair garage				S
Auto sales lot				
Bakery (retail)		X	X	X
Bank or financial institution ⁵		X	X	X
Bed & breakfast accommodations		X	S	X
Barber or beauty shop		X	X	X
Bicycle sales and repair		X	X	X
Boat sales				
Boat storage				
Book store		X	X	X
Bowling alley				S
Brewery		S	S	S
Building materials/lumber yard				
Bus terminal				S
Business office		X	X	X
Cabinet shop		S	S	S
Camera store (retail)		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Car wash			S	S
Carnival or circus			S	S
Carpet store (retail)		X	X	X
Cemetery monument sales		X	X	X
Child care center or facility		X	X	X
Christmas tree sales		S	S	S
Computer store (retail/service)		X	X	X
Contractor yard (outside storage)				
Convenience stores		X	X	X
Dental clinic or office		X	X	X
Department store			CUP	CUP
Electrical sales & service		S	X	X
Electronics store (retail)		X	X	X
Employment agency		X	X	X
Farm implement sales				X
Feed store				X
Feed store with animal sales				S
Firewood sales				S
Florist shop		X	X	X
Flea market (inside)		S	S	S
Flea market (outside)				
Fraternity/sorority lodge		X	X	X
Furrier				
Furniture store (retail)		X	X	X
Game hall		X	X	X
Gift or novelty shop		X	X	X
Golf course				
Golf course, miniature				S
Golf driving range				S
Grocery store		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Gun shooting range (indoor)				S
Gunsmith shop		S	S	X
Hardware store		X	X	X
Heating/AC sales and service		X	X	X
Heavy equipment sales				S
Hobby shop		X	X	X
Hotel or motel			X	X
Impounded vehicle storage facility				
Insurance sales office		X	X	X
Jewelry store		X	X	X
Kennel				S
Laboratory, medical or dental				X
Large retail facility ⁴			CUP	CUP
Laundry or dry cleaners		X	X	X
Lawnmower sales & service			X	X
Leather goods shop (retail)		X	X	X
Lithographic shop		X	X	X
Locksmith shop		X	X	X
Meat, poultry & fish market		X	X	X
Medical clinic or office		X	X	X
Micro-brewery			X	X
Micro-winery, without vineyard		X	X	X
Mini-warehouse				
Manufactured home sales lot				
Massage establishment		S	X	X
Mortuary or funeral home			X	X
Motorcycle sales				
Movie theater (drive-in)		S	S	S
Movie theater (indoor)			X	X
Musical instrument store		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Newspaper office		X	X	X
Newsstand			X	X
Nightclub or dance hall			X	X
Office supply store			X	X
Optical clinic or office		X	X	X
Optical dispensary store		X	X	X
Paint sales store(retail)		X	X	X
Paintball sports, survival games		S	S	S
Parking lot (commercial, for fee)			S	S
Pawnshop			S	S
Pet grooming shop		X	X	X
Pet shop		X	X	X
Pharmacy or drug store		X	X	X
Photography studio		X	X	X
Picture framing shop		X	X	X
Plant nursery		X	X	X
Plumbing sales and service		X	X	X
Pool or billiard hall			X	X
Print shop		X	X	X
Private club (serving alcohol)		X	X	X
Professional offices		X	X	X
Racquetball court			S	S
Real estate or leasing office		X	X	X
Recording studio		X	X	X
Recreational vehicle sales				
Recreational vehicle storage				
Rental store		S	S	S
Restaurant or cafe (inside)		X	X	X
Restaurant (drive-in)				
Restaurant (kiosk)		X	X	X

Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Retail sales, alcohol		X	X	X
Secondhand store		X	X	X
Service station			S	S
Sexually oriented business				
Shoe or boot store		X	X	X
Sign shop		X	X	X
Skating rink			X	X
Snow cone stand		X	X	X
Sporting goods store			X	X
Tack store				
Tailor or seamstress shop		X	X	X
Tanning salon		X	X	X
Tattoo shop		S	X	X
Taxidermist				
Tire sales, repair, & installation				X
Title & abstract office		X	X	X
Tool & equipment rental		X	X	X
Trailer sales & rental				
Travel agency		X	X	X
Truck rental				
Truck repair				
Truck sales				
Truck wash				
Upholstery shop		X	X	X
Vehicle storage facility				
Vehicular racing facility				
Veterinary clinic		X	X	X
Veterinary hospital				X
Video store		X	X	X
Washateria (self-service)			X	X

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Winery, without vineyard		X	X	X
Industrial Uses:				
Airport				
Ammonia manufacturing				
Amusement complex				
Apparel manufacturing				
Appliance manufacturing				
Artificial limb manufacturing				
Asphalt batching plant				
Bakery, commercial				X
Bleach manufacturing				
Bookbinding & publishing				
Bottling plant				
Box manufacturing				
Brick or tile manufacturing				
Canning operation		S	S	X
Carpet manufacturing				
Chemical storage or manufacturing				
Chlorine manufacturing				
Cold storage plant				
Composite manufacturing				
Composting (commercial)				
Concrete batching plant				
Concrete product casting plant				
Contractor yard (outside storage)				
Creamery		S	S	X
Creosote manufacturing				
Distribution center (small)				
Distribution center (large)				
Distillation plant				

Use	OT			
	SD-1	SD-2	SD-3	SD-4
	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Dyeing plant				
Electrical components manufacturing				
Electroplating				
Envelope manufacturing				
Explosives manufacturing				
Fertilizer manufacturing				
Fiberglass manufacturing				
Fireworks manufacturing				
Food processing				
Foundry				
Freight terminal, motor				
freight terminal, railroad				
Furniture manufacturing				
Garment manufacturing				
Glass manufacturing				
Glue manufacturing				
Grainery or gin				
Gypsum manufacturing				
Heliport or helistop				
Ice cream plant				
Ice plant				
Incinerator				
Insecticide processing				
Junk yard				
Laundry plant				
Light fabrication plant				
Machine shop			S	X
Marble manufacturing				
Mattress manufacturing				
Meat, poultry & fish processing				
Use	OT			
	SD-1	SD-2	SD-3	SD-4

	SF residential	SF residential & retail in SF design	Town Center	Mixed Use
Metal fabrication				
Metal plating				
Metal stamping and extrusion				
Mining, extraction operation				
Monument works				
Packaging operation				
Paint manufacturing				
Pallet manufacturing				
Paper mill				
Paper products manufacturing				
Pesticide processing				
Petroleum products (wholesale)				
Petroleum refinery or storage				
Pharmaceutical manufacturing				
Planing mill				
Plastic product manufacturing				
Pottery manufacturing				
Recycling processing plant				
Rendering plant				
Rock crushing plant				
Salvage yard				
Smelter plant				
Tanning plant				
Television transmitting station				
Temporary construction office				
Textile manufacturing				
Tire manufacturing				
Tire recapping plant				
Vehicle conversion facility				
Warehouse				
Use	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use

Welding shop			S	S
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SECTION 3.

Section 17-405(d) of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by revising the district regulations for the “OT” Old Town district and the table footnotes to read as follows:

	OT			
	SD-1 SF residential	SD-2 SF residential & retail in SF design	SD-3 Town Center	SD-4 Mixed Use
Lot Area (sq. ft.)	8,000	5,000	5,000	5,000
Minimum lot width (feet) ^(d)	60	50	50	50
Minimum lot depth (feet)	120	80	100	100
Front yard setback (feet)	20	10	5	5
Rear yard setback (feet), interior lot	15	15	5	5
Side yard setback (feet), interior lot	5	5	5	5
Side yard setback (feet), corner lot (street side only)	5	5	5	5
Maximum height (stories)	2.5	2.5	3.0	3.0
Maximum height (feet)	35	35	50	50
Maximum lot coverage	50%	70%	75%	75%
Masonry requirement ^(f)	See sec.17-410 (e)(A.): (a.)(i)(6); (b.)(i)(2); (c.)(i)(2); (d.)(i)(3); & (e.)(i)(6)	See sec.17-410 (e)(A.): (a.)(i)(6); (b.)(i)(2); (c.)(i)(2); (d.)(i)(3); & (e.)(i)(6)	See sec.17-410 (e)(B.)(c.)	See sec.17-410 (e)(B.)(c.)
Minimum Main building living area (square feet) ^{(h) (i) (j)}	1,500 ^(k)	1,500 ^(k)	1,000	1,000

** Require minimum 8 ft. with a total of 20 ft. side yard.

- (a) The minimum lot area for multifamily dwellings shall be two thousand seven hundred fifty (2,750) square feet per apartment unit. There shall be a maximum of sixteen (16) units per acre.
- (b) For manufactured home parks, the minimum lot area shall be not less than five thousand (5,000) square feet per manufactured home lot when a public sewer system serves the park. Where no public sewer system is available and septic tanks are used for sewage disposal, the minimum lot area shall be one (1) acre per manufactured home. The minimum size of any manufactured home park shall be five (5) acres.
- (c) The minimum living area per unit or apartment shall be six hundred (600) square feet for an efficiency, eight hundred (800) square feet for one (1) bedroom, nine hundred (900) square feet for two (2) bedrooms, and one thousand one hundred (1,100) square feet for three (3) or more bedrooms. However, the average living area for all apartments in an apartment building must be a minimum of seven hundred (700) square feet.
- (d) Whenever any lot is located on a cul-de-sac, the lot width shall not be less than eighty (80) percent of the required lot width at the building line.
- (e) Whenever any lot is located on a cul-de-sac, the rear yard setback shall be fifteen (15) feet.
- (f) For the purposes of this requirement, the following materials shall be considered "masonry": glass, natural stone, face brick, face tile, concrete, split face concrete masonry units (haydite block), decorative pattern concrete block masonry unit, masonry veneer, and cement stucco. In determining the percentage of masonry required, the surface of the exterior walls exclusive of the doors and windows shall be measured, up to the eave area or up to a maximum of twelve (12) feet in height, whichever is less.
- (g) The minimum setback for one (1) side yard of an interior lot may be ten (10) feet, however the total side yard setback for both side yards must equal thirty (30) feet.
- (h) The minimum living area excludes garage, porch, and breezeways.
- (i) Accessory buildings are those structures that are subordinate to the main residence, on the same lot. Accessory buildings may not exceed fifteen (15) feet in height and include detached garages, bathhouses, greenhouses, bomb/fallout shelters, and barns. Storage buildings that contain more than one hundred seventy-five (175) square feet of space are included in this category. Accessory buildings shall be located at least five (5) feet from the residence, eight (8) feet from the side lot line and eight (8) feet from the rear yard line, public easement or drainage easement. Accessory buildings shall be of new construction and have exterior walls made of masonry, wood, stone, brick, or vinyl siding, except in OT district where an accessory building shall be located only in the rear yard and may be built on the property lines when not adjacent to a primary street. If adjacent to a street the accessory building will be setback 5 feet from the property line. Accessory buildings shall be compatible in design and materials to the primary structure.
- (j) The water's edge of swimming pools must be located at least eight (8) feet from the main building, eight (8) feet from the side lot lines, and eight (8) feet from the rear lot line. Swimming pools may not be placed in the required front yard, public utility easements, or drainage easements.
- (k) The maximum main building living area in subdistricts 1 and 2 of OT district shall be 5,000 square feet.

SECTION 4.

Section 17-428(c) of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended by revising the nonconforming use regulations to read as follows:

- (c) Nonconforming buildings. Repairs and alterations may be made to a nonconforming building, provided that no structural alterations shall be made except those required by law or ordinance, unless the building is brought into conformity with the provisions of this section.
 - i. Notwithstanding the above, for buildings in the “OT” district all repairs, alterations, and enlargement of up to 50% of the existing floor area of the building may be made to a nonconforming building without the building being brought into conformity with the provisions in section 17-405(d) and section 17-410.

SECTION 5.

Section 17-431 Definitions of the Zoning Ordinance of the City of Kennedale, Texas, as amended, is hereby amended to add the following definitions:

Brackets. A projection from a vertical surface providing structural or visual support under cornices, balconies, or any other overhanging member.

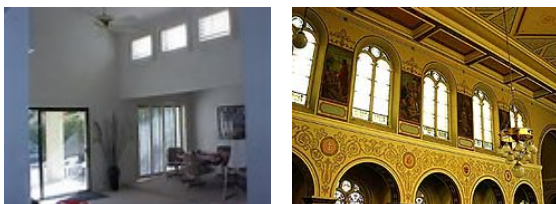


Massing. The exterior shape and volumetric view of a building is called massing. It refers to the general shape and size of a building. Example - The Arts Tower in Sheffield shown below can be considered as a simple upright cuboid shape.



Solid geometric forms. Refers to three dimensional geometric forms.

Clerestory windows. An upperstory row of windows; windows in the part of a wall rising above the adjacent roof with windows admitting light.



Clad lap siding. Wall and roof covering of thin horizontal boards.

Gable. That part of the wall immediately under the end of a pitched roof, cut into a triangular shape by the sloping sides of the roof.



Gabled roof. A pitched roof having a gable at each end.



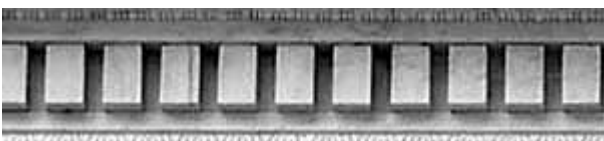
Hipped Roof. It is a type of roof where all sides slope downwards to the walls, usually with a fairly gentle slope. Thus it is a house with no gables or other vertical sides to the roof.



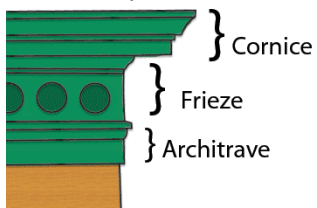
Pilasters. A pilaster is a narrowly protruding column attached to a wall, giving the illusion of a real free standing support column.



Dentils. A small rectangular block - a tooth-like cube - used in a series forming a molding under a cornice. Dentil molding is the exact shape of a toothy dental smile on a jack-o'-lantern.



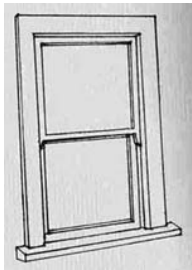
Cornice. The projection that forms the top band of an entablature (horizontal band of elements above the column capitals in classical architecture) or wall.



Tripartite window. A window composed of three parts.



Double hung window. Windows divided into two main sections. One section can slide up and down past the other one.



Dormer. A small structure that projects from a sloping roof, with a window in the façade face.



Eaves. The projecting overhang at the lower edge of a roof.

Fanlight. A semi-circular (fan shaped) window placed atop a door, commonly seen in Federal and Colonial Revival style buildings

Transom. A small window placed above a door or window

Sidelights. Narrow windows flanking an entry door.

Palladian window. A three-part, round-arched window, named for the 15th century Italian architect Andreas Palladino, also known as a Venetian Window and common in the Georgian and Colonial Revival styles.



Bay window. A window that sticks out from the outer wall of a house and usually has three sides.



Window head. A brick oriented with the smaller end exposed on the face of the wall and smaller dimension vertical placed over window openings.



Quoin. A large rectangular block of stone or brick (sometimes wood) used to accentuate an outside corner of a building; typically in a toothed form with alternate quoins projecting and receding from the corner.



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, 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 7.

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 8.

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 9.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 10.

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 11.

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 15th DAY OF JUNE 2015.

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

Exhibit A

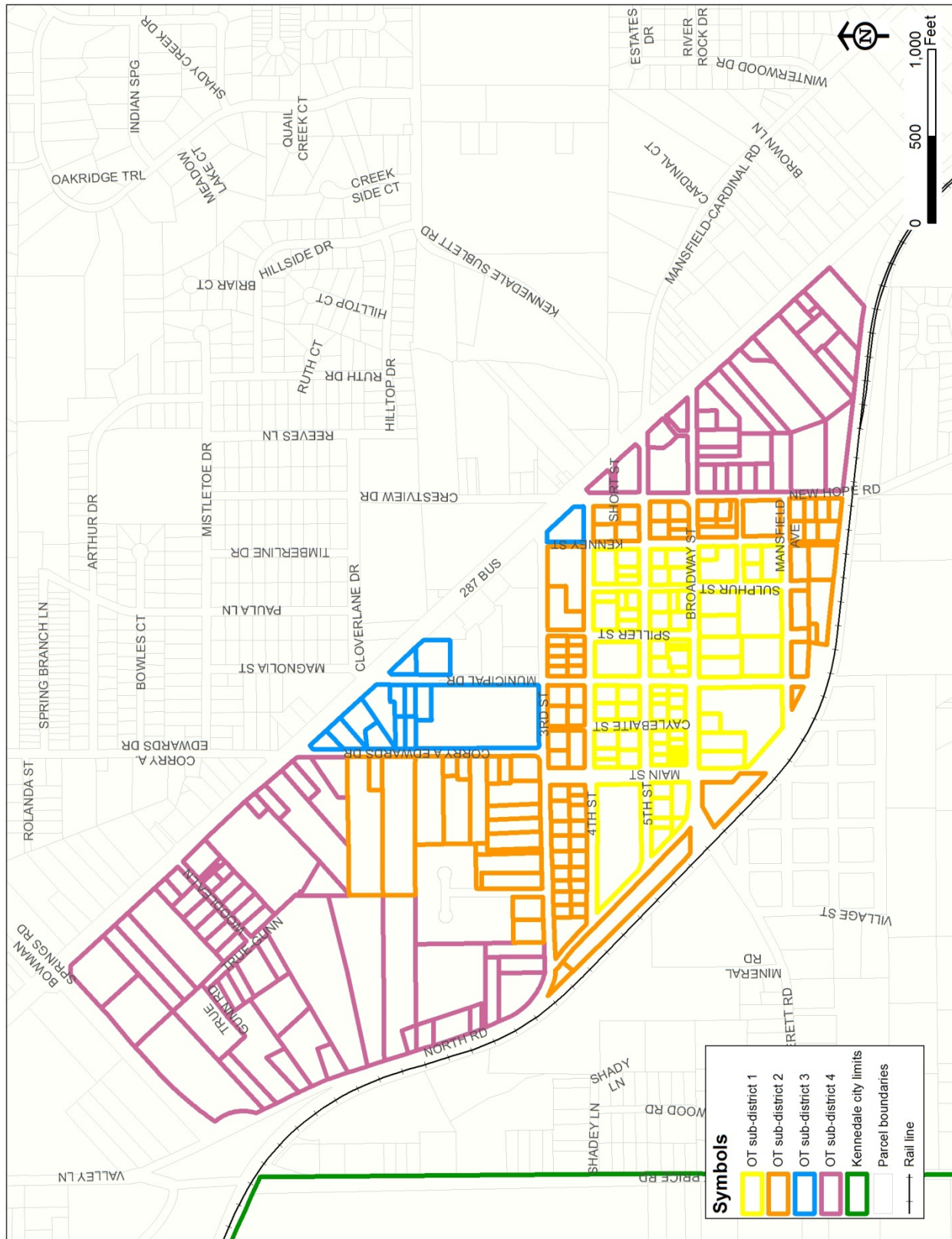


Exhibit B**Sub-district 1:****City of Kennedale Addition**

Blocks 36, 37, & 38 & Vacate Alley per 11414-1569

Block 39 Lots 1, 2, 3, 4, 5R, 7, 8

Block 40 Lots 1R, 3R, 5R, 7R

Block 41 Lot 1R

Block 42 Lots 1 & Pt Closed Alley, 2R, 5 & Pt Closed Alley, 6 - 8 & Pt Closed Alley, Block 42 N40'4 & N40'E40'3 & Pt Closed Alley, Block 42 S80'4 & S80'E40'3

Block 43 Lots 1 & Vacated Alley per 11414/1569, 2 & Vacate Alley Per 11414/1569, 3 & 4 & Vacate Alley Per 11414/1569, 5R

Block 46 Lots 1 - 4, 5 - 8, 9R, & 13 - 16

Block 47 Lots 1R, N 1/2 5 To 8, 9 - 12, & 13 - 16, E1'S52'4 & S 1/2 5 To 8

Block 48 Lots 1, 2, 3 - 6 & Pt of Alley, 7 & Pt of Alley, 8 & Pt of Alley, 9R, 13R

Block 49 Lots 1 - 3 & Pt of Closed Alley, 4R, 8R & Pt of Closed Alley, 9R, 11R, 13 - 16 & Pt of Closed Alley

Block 50 Lots 1 & Pt of Closed Alley, 2 & Pt of Closed Alley, 3 & Pt of Closed Alley, 4 & Pt of Closed Alley, 5 & 6 & Pt of Closed Alley, 7R, 9 - 11 & Pt of Closed Alley, 12 & 13 & E 1/2 14 & Pt of Closed Alley, 15 & 16 W 1/2 14 & Pt of Closed Alley

Block 51 Lots 1 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley, 13 - 16

Block 52 Lot 3, 4, 5 & Pt of Closed Alley & St, 6 - 10 & E18'11

Block 61 Lots 1-4 & 13-16 & Pt of Closed Alley

Block 63 Lot 1R, 2R

Block 64 Lots 1R & Pt Closed St, 2R & Pt Closed Sts

Block 65 Lots 1 - 8 & 12 - 16 & Pt of Closed Alley, 9 - 11 & Pt of Closed Alley

Block 68 Lots 1 - 4 & Pt of Closed Alley, 5 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley

Block 69 Lots 1 - 12 & Pt Closed Street & Alley

Block 70 & Pt Closed Streets & Alley

George A Lowery

Tracts Block Lots A & B1A, B1, B2

Sub-district 2:**City of Kennedale Addition**

Block 24 Lot 1R

Block 25 Lot 1R

Block 26 Lot 1R1, 1R2, 2R1, 2R2, 3R1, 3R2, 4R1, 4R2

Block 27 Lots 1R, 2R, 3R, 4R

Block 28 Lots 1, 2, 3, 4

Block 29 Lots 1R, 2R, 3 & E5'4 E Pt Lt 4, 4R, E 60' Lt 2

Block 30R Lots 1, 2, 3, 4, 5, 6

Block 32 Lots 2 - 4 Less Row

Block 33 Lot 2A

Block 44 Lots 1, 2, 3 & 4, 5 & 6 & Vacated Alley Per 11414/1569, S 20' 7 & 8, N 100' 7 & 8

Block 45 Lots 1R, 3R, 5 - 8 & Pt Closed Alley, 9 - 12 & Pt Closed Alley, 13 - 16 & Pt Closed Alley

Block 60 Lot 1R

Block 66 Lots 1, 2, 15 & 16 & Pt of Closed Alley, 3, 4B, 5B, 6B, 7B, 8B & Pt of Closed Alley, S 35' Lts 5 Thru 8 & 4 Les Nec, 9 - 12, 13A & Pt of Closed Alley E 10' of Lot 13, 5A, 4A, 6A, 7A, 8A & Pt of Closed Alley, N 55' Lts 4-8 & E 10' Lt 4, 14 & 13B & Pt of Closed Alley W 15' of Lot 13

Block 67 Lots 1 – 12 & Closed Alley

Block 84

Block 85 Lots 1 & 2

Block 86 Lots 1 & 2 & W Pt Closed St

Block 87 Lots 1 & 2 & A1506 Trs 2A1 & 2A4, 3 & 4

Block 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R

Gregory Addition

Block 1 Lot 1

Prather Subdivision

Block Lots 1, 2, 3, 4, 5, 6, 7, 8

Jacob Prickett Survey

A 1225 Tracts 5C & 5F, 5D, 5E, 6B, 6C, 6D, 7, 7A, 7B, 8, 8B, 8C & 8E, 10B01, 12A 12B & 12C

Roberson Addition

Block 1 Lot 1

The Sather Addition

Block 1 Lot 1R

Soto Addition

Block 1 Lot 1R

C B Teague Survey

A 1506 Tracts 2A & 2A3, 2A02, 2A1 & 2A4

Woodlea Acres Addition

Block 2 Lots 1, 2B Bal Of 2 Blk 2, 2A, SE Pt Of Lot 2

Sub-district 3:

City of Kennedale Addition

Block 23 Lot 1A

James A Arthur Addition

Block Lots 1R1, 1R2, 7B

Block 4 Lots 4, 5A & 6

Cazanda Rose Suvey

A 1285 Tracts 1A, 1D, 2C, 2B & 2D1

B T Webb Subdivision

Block A Lot 1, 2, 3, 4

Municipal Addition

Block 1 Lot 1

Sub-district 4:

C A Boaz Subd Of J B Renfro Survey

Block Lots 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33 Portion With Exception, 34A, 34B, 35A W 1/2 of Lot 35, 35B E 1/2 Lot 35, 36A, 36A1, 36A2 & NE Pt 37, 36A3, 36A4 & 36D, 36A5 & 36E, 36B, 36C, 37A, 37B, 37B1, 38, 39

Carol Heights

Block Lots 1, 2, 3 & S 15' 4, 5R, 6R, 7R, 8R1 1980 28 X 48, 9R 1987 Oak Creek 28 X 64, 8R2

Jacob Prickett Addition

Block 1 Lot 1

Jacob Prickett Survey

A 1225 Tracts 3A, 3A1 & 3A3, 3A04, 10A, 11, 11A, 11B

Jesse B Renfro Survey

A 1260 Tracts 3E, 5E, 5E1, 5E2, 5E4 & 5H, 5E03, 5E05, 5F, 5F1 & 5J

Woodlea Acres Addition

Block 2 Lots 3A, 3B, 3C, 4A, 4B, 5R1A, 5R1R, 5R2, 7Ar, 7BR2, 7C, 7D, 7E, 7F, 8A1 & 8B1, 8A2 N 150' Lot 8A, 8B2 N 150' Lot 8B, 8C, 8D, 8E, 8F, 9, 10A SE Pt of 10, 10B NW Pt of 10, 11R, 12R, 22R, 24A N Pt of 24, 24B W Pt of S Pt Lot 24, 24R1, 24R2, 27, 29A, 28R, 29B SW Corner Lot 29



Date: May 21, 2015

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

CASE # PZ 15-06 Public hearing and consideration of Ordinance approval regarding a city-initiated zoning change for various properties within an approximately 170-acre tract in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, to a sub-district with the "OT" Old Town zoning district.

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: rezone 259 properties (approx. 170 acres) in and around Old Town to a sub-district within the Old Town zoning district

Requested by: city-initiated

Location: see map (attached)

This case is the next step in implementing the new zoning regulations for the area described as the Downtown Village in the comprehensive plan. The Commission considered the regulations for the district in the previous case, and this case will rezone properties into sub-districts under the new regulations.

Compliance with the comprehensive land use plan.

The comprehensive plan classifies each part of the city into a type of character district. The character districts incorporate multiple compatible land uses in an attempt to create dynamic places that advance the plan's principles and goals.

The plan identifies the area under consideration as Downtown Village. The Downtown Village is intended to preserve and expand the original downtown street grid and block pattern. Uses should include a relatively dense mix of residences and businesses. The Village should be easily accessible by pedestrians from the Towncenter and other nearby areas.

Sample development types include, but are not limited to:

- Professional office
- Specialized retail
- Live-work units
- Café/coffee shop

- Small-lot single family
- Attached single-family
- Townhome/rowhouse
- Accessory dwelling unit
- Plazas/pocket parks
- Community theater

The regulations for this area (considered under PZ 15-05) were written specifically for the purpose of establishing the Downtown Village character district, and the properties proposed for rezoning are within the areas designated as Downtown Village in the Future Land Use Plan.

Also included are properties identified as TownCenter in the Future Land Use plan but not included in the existing TownCenter planned development district. The intent of the TownCenter character district is to provide a central place for civic activity in Kennedale. Rather than establish a separate zoning category, the new Old Town sub-district 3 (if approved under PZ 15-05) was established to implement the TownCenter character district.

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

Compliance with the strategic plan.

The strategic plan calls for establishing a historic district. Generally, historic districts have two main components: preservation of existing historic structures and creation of architectural guidelines that ensure new development fits the district character. Establishment of the architectural standards in the ordinance considered under the previous case meets that second component. Rezoning would apply those standards to the properties within the Old Town area.

Staff considers the rezoning to be in compliance with the strategic plan.

Compliance with City Council priorities.

The proposed ordinance would help ensure new development is attractive and suitable for the area, as well as more pedestrian- and family-friendly, which is in line with the council's priorities.

Staff considers the rezoning to be in compliance with City Council priorities.

Staff Recommendation.

The rezoning is in compliance with the city's comprehensive land use plan and with other planning and policy documents. Staff recommends approval.

Action by the Planning & Zoning Commission.

City code describes the Commission's authority in approving requests for rezoning.

You may:

- * recommend granting the requested zoning change; or
- * recommend denying the requested zoning change; or
- * recommend changing the zoning designation on a portion of the property for which zoning is requested; or

- * recommend initiating a request to consider changing all or a portion of such property to a district other than that requested and of a different character; or
- * consider and recommend approval of any zoning classification in the adopted zoning ordinance having a lesser intensity and being more restrictive than the zoning designation requested by the applicant.
(from Sec. 17-429 of the City Code)

Sample Motions.

The motions provided below are examples, and you are not required to use them.

Approval

I find the rezoning to be in compliance with the comprehensive land use plan [or state other reason] and make a motion to recommend approval of Case PZ 15-06.

Denial

I find the rezoning to be in conflict with the comprehensive land use plan [or state other reason] and make a motion to recommend denial of Case PZ 15-06.

Postponement

I make a motion to postpone Case PZ 15-06 until _____ (state date).

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE TO SUB-DISTRICTS WITHIN THE OLD TOWN ZONING 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, the City of Kennedale adopted a comprehensive land use plan that designates a certain art of the city as a character district called the Downtown Village; and

WHEREAS, the City Council has adopted regulations to establish sub-districts in the Old Town zoning district and to regulate property in the City of Kennedale in keeping with the Downtown village character district; governing the areas identified in the comprehensive land use plan

WHEREAS, the City Council has determined that Old Town zoning district sub-districts are the most appropriate zoning district to facilitate the development of the properties described below; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 21st day of May 2015 and by the City Council of the City of Kennedale on the _____ day of [month] [year] 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 170 acre tract in the City of Kennedale, Tarrant County, Texas ("the Property"), in the City of Kennedale Addition, George A Lowery Addition, Gregory Addition, Prather Subdivision, Jacob Prickett Survey A-1225, Roberson Addition, Sather Addition, Soto Addition, C B Teague Survey A-1506, Woodlea Acres Addition, James A Arthur Addition, Cazanda Rose Survey A-1285, B T Webb Subdivision, Municipal Addition, C A Boaz Subd of J B Renfro Survey, Carol Heights, Jacob Prickett Addition, and Jesse B Renfro Survey A-1260, Tarrant County, Texas, more particularly described on Exhibit A, to a sub-district with the "OT" Old Town zoning district, as also described on Exhibit A.

SECTION 2.

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, Section 1, the penalty clause, the publication clause, and the 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 TH DAY OF [month] 2015.

APPROVED:

Mayor, Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson

Exhibit A

Legal Descriptions

From “OT” Old Town to “OT S-1” Old Town Sub-District 1

City of Kennedale Addition

Blocks 36, 37, & 38 & Vacate Alley per 11414-1569

Block 39 Lots 1, 2, 3, 4, 5R, 7, 8

Block 40 Lots 1R, 3R, 5R, 7R

Block 41 Lot 1R

Block 42 Lots 1 & Pt Closed Alley, 2R, 5 & Pt Closed Alley, 6 - 8 & Pt Closed Alley, Block 42 N40'4 & N40'E40'3 & Pt Closed Alley, Block 42 S80'4 & S80'E40'3

Block 43 Lots 1 & Vacated Alley per 11414/1569, 2 & Vacate Alley Per 11414/1569, 3 & 4 & Vacate Alley Per 11414/1569, 5R

Block 46 Lots 1 - 4, 5 - 8, 9R, & 13 - 16

Block 47 Lots 1R, N 1/2 5 To 8, 9 - 12, & 13 - 16, E1'S52'4 & S 1/2 5 To 8

Block 48 Lots 1, 2, 3 - 6 & Pt of Alley, 7 & Pt of Alley, 8 & Pt of Alley, 9R, 13R

Block 49 Lots 1 - 3 & Pt of Closed Alley, 4R, 8R & Pt of Closed Alley, 9R, 11R, 13 - 16 & Pt of Closed Alley

Block 50 Lots 1 & Pt of Closed Alley, 2 & Pt of Closed Alley, 3 & Pt of Closed Alley, 4 & Pt of Closed Alley, 5 & 6 & Pt of Closed Alley, 7R, 9 - 11 & Pt of Closed Alley, 12 & 13 & E 1/2 14 & Pt of Closed Alley, 15 & 16 W 1/2 14 & Pt of Closed Alley

Block 51 Lots 1- 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley, 13 - 16

Block 52 Lot 3, 4, 5 & Pt of Closed Alley & St, 6 - 10 & E18'11

Block 61 Lots 1-4 & 13-16 & Pt of Closed Alley

Block 63 Lot 1R, 2R

Block 64 Lots 1R & Pt Closed St, 2R & Pt Closed Sts

Block 65 Lots 1 - 8 & 12 - 16 & Pt of Closed Alley, 9 - 11 & Pt of Closed Alley

Block 68 Lots 1 - 4 & Pt of Closed Alley, 5 - 8 & Pt of Closed Alley, 9 - 12 & Pt of Closed Alley

Block 69 Lots 1 - 12 & Pt Closed Street & Alley

Block 70 & Pt Closed Streets & Alley

George A Lowery

Tracts Block Lots A & B1A, B1, B2

From “OT” Old Town to “OT S-2” Old Town Sub-District 2

City of Kennedale Addition

Block 26 Lots 1R1, 1R2, 2R1, 2R2, 3R1, 3R2, 4R1, 4R2

Block 27 Lots 1R, 2R, 3R, 4R
Block 28 Lots 1, 2, 3, 4
Block 29 Lots 1R, 2R, 3, 4R, E 60' Lt 2

Block 30R Lots 1, 2, 3, 4, 5, 6
Block 32 Lots 2 Thru 4 Less Row
Block 33 Lot 2A

Block 45 Lots 1R, 3R, 5 Thru 8 & Pt Closed Alley, 9 - 12 & Pt Closed Alley, 13 - 16 & Pt Closed Alley

Block 60 Lot 1R
Block 66 Lots 1, 2, 15 & 16 & Pt of Closed Alley, 14 & 13B & Pt of Closed Alley,
3,4B,5B,6B,7B,8B & Pt of Closed Alley, 5A,4A,6A,7A,8A & Pt of Closed Alley,
9,10,11,12,13A & Pt of Closed Alley
Block 67 Lots 1 - 12 & Closed Alley

Block 84
Block 85 Lots 1&2
Block 86 Lots 1 & 2 & W Pt Closed St
Block 87 Lots 1 & 2, 3 & 4
Block 88 Lots 1R, 2R, 3R, 4R, 5R, 6R, 7R

Gregory Addition

Block 1 Lot 1

Prather Subdivision

Block Lot 1, 2, 3, 4, 5, 6, 7, 8

Jacob Prickett Survey A-1225

Tracts 3A1 & 3A3, 5C & 5F, 5D, 5E, 6B, 6C, 6D, 7, 7A, 7B, 8, 8B, 8C & 8E,
10B01, 12A 12B & 12C

Roberson Addition

Blk 1 Lot 1

The Sather Addition

Block 1 Lot 1R

Soto Addition

Block 1 Lot 1R

C B Teague Survey

A 1506 Tracts 2A02, 2A & 2A3, 2A1 & 2A4

From “C-1” Restricted Commercial to “OT S-2” Old Town Sub-District 2

City of Kennedale Addition

Block 24 Lot 1R

Block 25 Lot 1R

Block 44 Lots 1, 2, S20' 7 & 8, 3 & 4, 5 & 6 & Vacate Alley Per 11414/1569, N 100' 7 & 8

From “C-2” General Commercial to “OT S-2” Old Town Sub-District 2

Woodlea Acres Addition

Block 2 Lots 1, 2B Bal Of 2 Blk 2, 2A SE Pt Of Lot 2

From “MH” Manufactured Housing to Old Town Sub-District 2

Woodlea Acres Addition

Block 2 Lot 28R

From “C-1” to “OT S-3” Old Town Sub-District 3

City of Kennedale Addition

Block 23 Lot 1A

James A Arthur Addition

Block Lot 1R1, 1R2, 7B

Block 4 Lots 4, 5A & 6

Municipal Addition

Block 1 Lot 1

Cazanda Rose Survey A-1285

Tract 1A, 1D, 2C

B T Webb Subdivision

Block A Lot 1, 2, 3, 4

From “C-2” General Commercial to “OT S-3” Old Town Sub-District 3

Cazanda Rose Survey A-1285

Tracts 2B & 2D1

From “OT” Old Town to “OT S-4” Old Town Sub-District 4

Jacob Prickett Addition

Block 1 Lot 1

Jacob Prickett Survey A-1225

Tracts 33A1 & 3A3, A04, 10A, 11, 11A, 11B

Woodlea Acres Addition

Block 2 Lot 29B

Roberson Addition

Block 1 Lot 1

From “C-1” Restricted Commercial to “OT S-4” Old Town Sub-District 4

C A Boaz Subd of J B Renfro Survey

Block Lot 36A1

Jesse B Renfro Survey A-1260

Tract 3E

From “C-2” General Commercial to “OT S-4” Old Town Sub-District 4

C A Boaz Subd of J B Renfro Survey

Block Lots 29 & 30, 31, 32B, 32C, 32D2A, 32Dr, 32E, 32R, 33, 34A, 34B, 35A, 35B, 36A, 36A2 & NE Pt 37, 36A3, 36A5 & 36E, 36A4 & 36D, 36B, 36C, 37A, 37B, 37B1, 38, 39,

Jacob Prickett Survey A -1225

Tract 3A

Jesse B Renfro Survey A-1260

Tracts 5E, 5E01, 5E02, 5E03, 5E04, 5E05, 5F, 5F1, 5H, 5J

Woodlea Acres Addition

Block 2 Lots 1, 2B, 3A, 3B, 3C, 4A, 4B, 5R1A, 5R1R, 5R2, 7Ar, 7Br1C, 7Br2, 7C, 7Br1A, 7Br1B, 8A1 & 8B1, 8A2, 8B2, 8C, 9, 10A, 10B, 11R, 12R, 22R, 24A, 24B, 29A

From “MH” Manufactured Home District to “OT S-4” Old Town Sub-District 4

Carol Heights

Block Lot 8R1, 8R2, 9R

Woodlea Acres Addition

Block 2 Lots 24R2, 27, 28R

**From “R-3” Single Family Residential to “OT S-4” Old Town Sub-District 4
Carol Heights**

Block Lots 1, 2, 3 & S 15' 4, 5R, 6R, 7R,

Woodlea Acres Addition

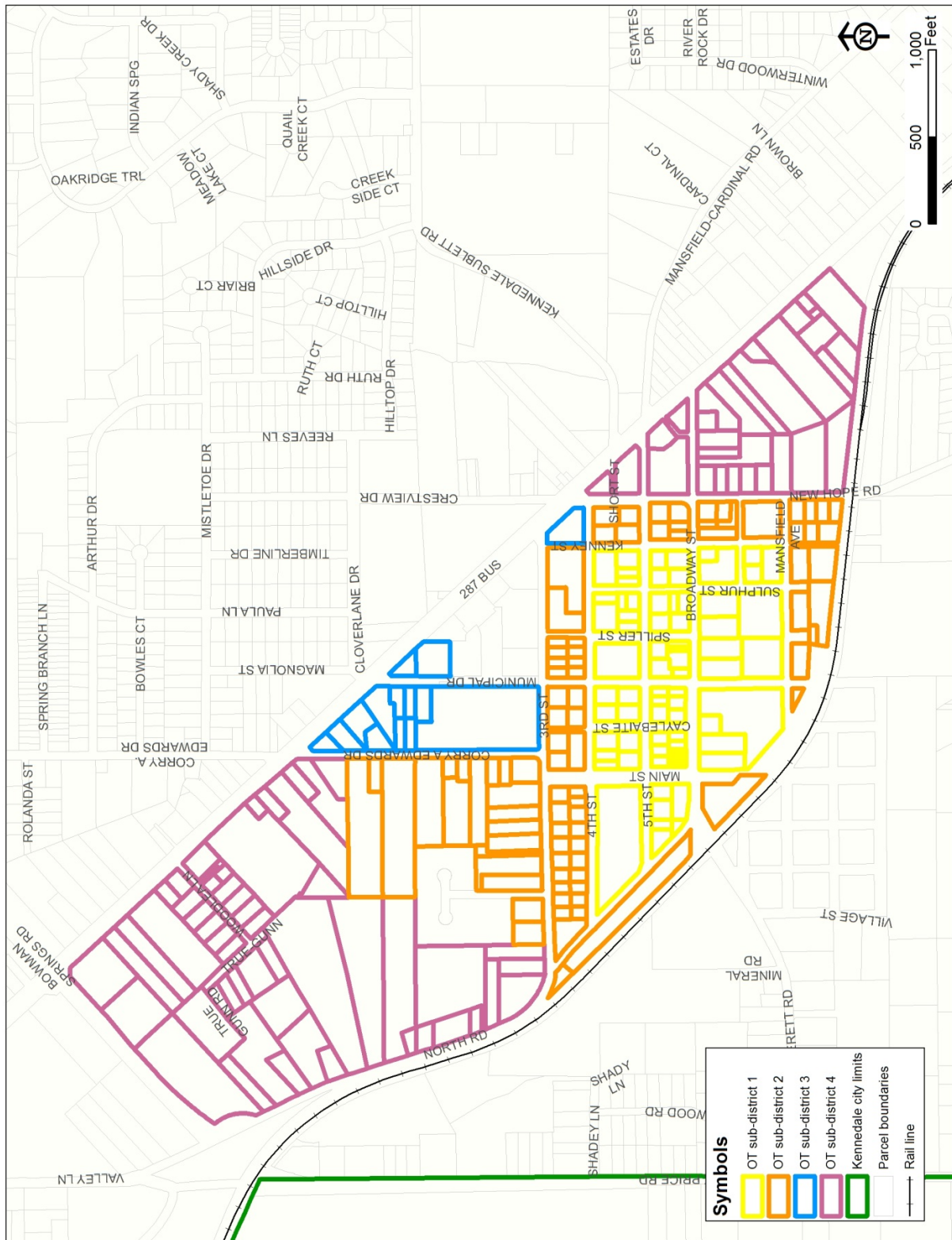
Block 2 Lots 7D, 7E, 7F, 8D, 8E, 8F

From “MH” Manufactured Home & “C-2” General Commercial to “OT S-4” Old Town Sub-District 4

Woodlea Acres Addition

Block 2 Lot 24R1

Exhibit B Map of the Property



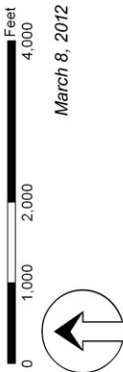
KENNEDALE COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

CATEGORIES

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

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



KENNEDALE
You're Here. Your Home

