



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

**KENNEDALE PLANNING & ZONING COMMISSION
AGENDA**

COMMISSIONERS - REGULAR MEETING

June 18, 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 any item on the regular session agenda
- B. Discuss draft ordinance for Neighborhood Center and Urban Village overlay districts
- C. Discuss items for future consideration

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from May 21, 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 15-02** Public hearing and consideration of Ordinance approval regarding a request by Kennedale Seniors, Ltd. for a zoning change from "R-3" Single Family Residential district to "PD" Planned Development district for residential use for senior citizens for an approximately 24-acre tract at 332-370 S. New Hope Rd, more particularly described as C B Teague Survey A 1506 Tracts 4A, 4B, 5, and 5B, and Jesse B Renfro Survey A 1260 Tract 1B, Kennedale, Tarrant County, Texas.

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

X. REPORTS/ANNOUNCEMENTS

XI. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the June 18, 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: June 18, 2015

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

At this time, you may discuss any item on the regular session agenda. No comments from the public may be received, and no presentation may be given by an applicant with a case on the regular agenda. The Commission may not vote on any agenda items at this time.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: June 18, 2015

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss draft ordinance for Neighborhood Center and Urban Village overlay districts

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The attached ordinance is a draft based on comments from the Planning & Zoning Commission in past work sessions. Due to budget limitations, we are not able to bring the case to you for a public hearing at this time. However, if the Commission supports the ordinance as written, staff will schedule the public hearing for ordinance adoption as soon as the budget permits. Please note that because you are considering this item during a work session, you are not able to formally approve the ordinance or receive comments from the public during discussion of the ordinance. Agreeing with the ordinance as written at this time would be in concept only, and indicating approval at this time does not oblige Commission members to approve the ordinance when it is considered formally.

You will see one or two places in the draft ordinance where an illustration is still needed, and some of the numbering needs correcting. However, the text of the ordinance should have captured your comments from past work sessions.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:

1.	draft ordinance Neighborhood Village and Urban Village	draft ordinance establishing NC district.docx
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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 SECTION 17-420 "OVERLAY DISTRICTS" BY ADDING A NEIGHBORHOOD CENTER OVERLAY DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, in order to promote the public health, safety and general welfare the City Council desires to adopt the proposed amendment to its city code in order to establish regulations that allow for development in keeping with the character of the Neighborhood Village and Urban Village character districts described in the comprehensive land use plan; 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 Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on [August 20, 2015], and the City Council of the City of Kennedale, Texas held a public hearing on [DATE], with respect to the amendments described herein; and

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

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

SECTION 1.

Article VI, "Zoning", of Chapter 17, "Planning and Land Development", of the Code of Ordinances of the City of Kennedale is hereby amended by amending existing text and adding a new section to Section 17-420, "Overlay Districts" to read as follows:

(a) *Location of overlay districts.* In addition to any other applicable regulations, the standards contained in this section shall govern the development of land and structures along the Business 287 corridor and the Interstate 20/Loop 820 corridors.

(1) *Business 287 overlay district.* The Business 287 overlay district shall be that corridor which is located along the entire length of Business 287 between southeast Loop 820 (to the northwest) and F.M. 1187 (to the southeast) and passing through the City of Kennedale. The overlay district shall include all property that has its access to and is located within three hundred (300) feet of the centerline of Business 287 on both sides of the highway except for that portion which is in an unincorporated area. Any area within these boundaries that is annexed into the city after the adoption of this section shall automatically be included in the Business 287 overlay district.

(2) *Interstate 20/Loop 820 overlay district.* The Interstate 20/Loop 820 overlay district shall be that corridor which is located along the south side of the entire length of the Loop 820 and Interstate 20 access road adjacent to the Kennedale city limits, between the Union Pacific railroad tracks to the west and the westernmost side of the access road bridge over Village Creek to the east. The Interstate 20/Loop 820 overlay district shall include all property that has its access to and is located on the south side of the road within three-hundred (300) feet of the centerline of the Loop 820 and the Interstate 20 access road adjacent to the Kennedale city limits.

(3) *“NC” Neighborhood center overlay district.* The “NC” Neighborhood center overlay district shall be located in areas identified in the comprehensive land use plan identified as Neighborhood Village.

(4) *“UV” Urban village overlay district.* The “UV” Urban village overlay district shall be located in areas identified in the comprehensive land use plan identified as Urban Village.

(5) *Employment center district.* Notwithstanding anything in this section to the contrary, the Business 287 and Interstate 20/Loop 820 overlay districts shall not be deemed to extend into any area now or subsequently zoned as “EC” employment center district.

(b) *Purpose.*

(1) The purposes of the Business 287 and the Interstate 20/Loop 820 overlay districts are:

(a) To provide for the development of a combination of office, retail, service, commercial, industrial and manufacturing uses in a consistent manner throughout the overlay districts in the City of Kennedale; and

(b) To enhance the visual image of the corridors and maximize traffic safety.

(2) The purpose of the Neighborhood center overlay district is to serve the surrounding neighborhood and community. Uses should include a dense mix of residences and businesses. Neighborhood center districts should be very easily

accessible by foot from the surrounding neighborhoods. Intensity of each district should vary based on the surrounding context.

(3) The purpose of the Urban village overlay district is to act as gateways into the “core” of Kennedale. These areas should include a dense mix of residences and businesses in a walkable environment. They are similar to Neighborhood Villages, yet larger and of a higher intensity. While Urban Villages should promote pedestrian circulation and access from nearby neighborhoods and areas, it can be expected that a significant number of visitors will access the urban village by car. A “park once and walk everywhere” approach should be taken during the design phase of urban villages to enable convenient and pleasant walking.

(c) **Applicability in event of conflict.** This section is to be superimposed in addition to the regulations applicable to any approved underlying (or base) district. The existence or use of any building or land in an overlay district shall be subject to the time limitations and amortization provisions set forth in this section and in sections 17-428 and 17-430. To the extent of any conflict between this section and any other provision in any city ordinance, the more strict provision shall prevail. [no change from existing text]

(d) **Permitted underlying (or base) district.** Prior to the use of any land or building in the overlay district, a permitted underlying (or base) zoning district shall be approved in accordance with section 17-429 of this division in addition to the overlay district.

(1) Permitted underlying zoning districts in the Business 287 overlay district shall include C-0, C-1, C-2 and I districts. AG, R-1, R-2, R-3, OT, D, MF, and MH districts are not permitted as underlying districts. Sexually oriented businesses are not permitted in the Business 287 overlay district.

(2) Permitted underlying zoning districts in the Interstate 20/Loop 820 overlay district shall include R-3, MF, MH, C-0, C-1, C-2, and I districts. AG, R-1, R-2, OT, and D districts are not permitted as underlying districts. Sexually oriented businesses are not permitted in the Interstate 20/Loop 820 overlay district.

(3) Permitted underlying zoning districts in the Neighborhood center overlay district and the Urban village overlay district are [list current zoning for those properties].

(4) Notwithstanding subsections (d)(1) and (2) above, a sexually oriented business may be operated on the following sites:

- a. Tract 31C of Abstract 1376 in the David Strickland Survey (1.0 acre).
- b. Tract 3G, Abstract 716, W.H. Hudson Survey (3.5 acres).

(e) **Building setback regulations.**

(1) Setbacks for the Business 287 and the Interstate 20/Loop 820 overlay districts.

(1) – (4) [no change except renumber as (a) – (d)]

(2) Setbacks for the Neighborhood center overlay district.

Setbacks for the Neighborhood center overlay district shall be as set forth in the following table. Conforming residential uses in existence at the date this ordinance is adopted [or insert date] shall be considered conforming in terms of setbacks after this ordinance is adopted.

	Front (in feet)		Side (in feet)		Rear (in feet)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Residential	20	40	10	15	Per underlying base district	n/a
Residential corner lot	20	40	30, or as specified by Public Works design manual	n/a	Per underlying base district	n/a
Non-residential	20	25	8 ¹	n/a ¹	10 ^{1, 2}	20 ²
Non-residential corner lot	20	25	As specified by Public Works design manual ^{1, 2}	30, unless otherwise specified by Public Works design manual ²	10 ^{1, 2}	20 ²

Additional requirements:

- (a) A twenty-five (25) foot setback from the 100-year floodplain is required for all structures.
- (b) Accessory structures shall have a minimum front setback of ten feet (10') from the primary structure. Side and rear setbacks shall be the same as for primary structures.

¹ A thirty-five (35) foot minimum side and rear setback is required from adjacent properties with existing residential use not located within the Neighborhood center overlay district. The setback is required on any side abutting an existing residential use not located within the overlay district, where the use was in existence prior to adoption of this district.

² Additional setback may be required to accommodate fire lanes, easements, or other uses. The minimum and maximum setback requirements shall not supersede other safety or public health requirements of the Kennedale City Code that may require larger side or rear setbacks.

(3) Setbacks for the Urban village overlay district.

Setbacks for the Urban village overlay district shall be as set forth in the following table. Conforming residential uses in existence at the date this ordinance is adopted [or insert date] shall be considered conforming in terms of setbacks after this ordinance is adopted.

	Front (in feet)	Side (in feet)	Rear (in feet)
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	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Residential	20	40	10	20	Per underlying base district	n/a
Residential corner lot	20	40	20, or as specified by Public Works design manual	40	Per underlying base district	n/a
Non-residential	15	25	10 ¹	n/a ¹	10 ^{1, 2}	20 ²
Non-residential corner lot	15	25	As specified by Public Works design manual ^{1, 2}	45, unless otherwise specified by Public Works design manual ²	10 ^{1, 2}	20 ^{1, 2}

Additional requirements:

- (a) A twenty-five (25) foot setback from the 100-year floodplain is required for all structures.
 (b) Accessory structures shall have a minimum front setback of ten feet (10') from the primary structure. Side and rear setbacks shall be the same as for primary structures.

¹ A thirty-five (35) foot minimum side and rear setback is required from adjacent properties with existing residential use not located within the Neighborhood center overlay district. The setback is required on any side abutting an existing residential use not located within the overlay district, where the use was in existence prior to adoption of this district.

² Additional setback may be required to accommodate fire lanes, easements, or other uses. The minimum and maximum setback requirements shall not supersede other safety or public health requirements of the Kennedale City Code that may require larger side or rear setbacks.

(f) *Parking regulations.*

(1) *Parking regulations for the Business 287 and the Interstate 20/Loop 820 overlay districts.* [no change except renumbered]

(a) For each permissible use in an overlay district, all off-street parking shall be regulated in accordance with the regulations of section 17-424 of this article.

(b) Any building or use not in an overlay district before the effective date of this article shall be required to comply with the parking regulations of this subsection by September 9, 2000. All other uses shall be required to comply immediately with this subsection.

(2) *Parking for the Neighborhood center overlay district.* [add illustration]

(a) All off-street parking created after the date this ordinance is adopted [or supply date] shall be located behind the main structure or to the side of the main structure. No parking shall be permitted within the minimum front setback.

(b) If off-street parking is constructed to the side of the primary structure, no more than forty percent (40%) of the lot frontage (lot width) shall be used for off-street parking (residential or non-residential use). The Zoning Administrator is authorized to permit up to fifty (50) percent of the lot frontage to be used for off-street parking when requested, in writing, to permit construction of parking for irregular-shaped parcels where the shape of the parcel prohibits the construction of sufficient parking behind the main structure to meet the minimum parking requirements.

(c) Parking minimums and maximums.

(i) Minimum. For each permissible use in a Neighborhood center overlay district, all off-street parking shall be regulated in accordance with the regulations of section 17-424 of this article.

(ii) Maximum. No more than fifty percent (50%) more than the minimum number of required parking spaces per use shall be permitted.

(d) Where off-street parking areas for non-residential uses are located adjacent to a property with a residential primary use in existence before this overlay district was adopted, the off-street parking areas shall be screened in accordance with Sec. 17-425, except that breaks in the screening structure shall be provided, as needed, to accommodate pedestrian and cyclist connections across properties (if provided). Screening shall be maintained in good condition at all times.

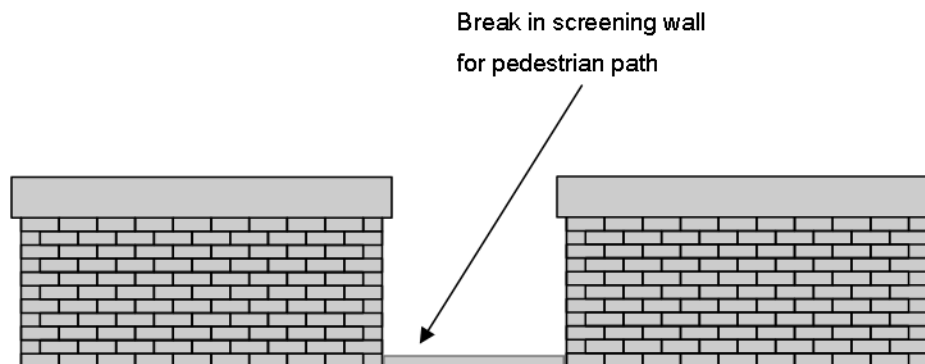


Illustration [x]. Example of break in screening wall.

(e) *Shared parking.* Shared parking is permitted if a shared parking agreement has been signed and notarized by all users/parties who intend to share parking. The shared parking plan will be subject to review and approval of the Administrator, and the parking agreement must be filed with the Tarrant County

Clerk. A reduction of up to twenty percent (20%) of the required parking may be permitted. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of the primary structure for each use. The Administrator is not required to approve a reduction in the required number of parking spaces.

(f) *Compact car parking.* Up to fifteen percent (15%) of the required parking may be designed and sized for compact vehicles.

(g) *Bicycle parking.* Bicycle parking shall be provided for every non-residential use.

(i) *Parking amount.* Bicycle parking shall be provided at a minimum amount of 5% of the number of spaces provided for car parking.

(ii) *Design of bicycle parking spaces.* For each required bicycle parking space, a stationary object shall be provided to which a user can secure a bicycle with at least two points of contact with a 6-foot cable and lock. The stationary object shall be either a freestanding bicycle rack or a wall-mounted bracket. Freestanding bicycle racks shall be inverted “U,” post and ring, or some other form of bicycle rack providing at least two points of contact. Grid/fence-type racks and wave/ribbon-type bicycle racks are prohibited. Objects for securing bicycles must be dedicated for that purpose and may not be primarily for any other purpose (e.g., signage, traffic safety).

(iii) *Location of bicycle parking.* The bicycle rack shall be located within 60 feet of the main entrance of the building it serves, and may be located between the street curb and the building, subject to the approval of the Development Services Director. Each bicycle parking area shall be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard or by at least five (5) feet of open space.

(iv) *Shared bicycle parking.* Up to two (2) bicycle parking spaces may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of the primary entry for the primary structure for each use.

(3) *Parking for the Urban village overlay district.*

(a) All off-street parking created after the date this ordinance is adopted [or supply date] shall be located behind the main structure or to the side of the main structure. No parking shall be permitted within the minimum front setback.*

(b) *Parking located to the side of a primary structure.* [add illustration]

(i) *Non-residential uses.* If off-street parking is constructed to the side of the primary structure, no more than twenty-five percent (25%) of the lot frontage (lot width) shall be used for off-street parking for non-residential uses. The Zoning Administrator is authorized to permit up to thirty-five (35) percent of the lot frontage to be used for off-street parking when requested, in writing, to permit construction of parking for irregular-shaped parcels where the shape of

the parcel prohibits the construction of sufficient parking behind the main structure to meet the minimum parking requirements.

(ii) *Residential uses.* If off-street parking is constructed to the side of the primary structure, and no more than forty (40%) of the frontage of the lot shall be used for off-street parking. Off-street parking requirements shall be in accordance with the parking schedule found in section 17-421 hereof. Parking spaces for at least two (2) motor vehicles shall be provided in an enclosed garage for any single family dwelling constructed after the date of adoption of this section. A front entry garage is prohibited unless the vehicle entryway is screened from view from the front public right-of-way by the dwelling or other structure. For the purposes of this section, a porte-cochere shall constitute sufficient screening of a front entry garage provided the vehicle entryway of the garage is located no less than eighty (80) feet from the front property line. Regardless of the orientation of the garage required by this section, any gate or door to a porte-cochere must be of wrought iron construction and must not screen more than twenty-five (25) percent of its entryway.

(c) *Parking minimums and maximums.*

(i) Minimum. For each permissible use in a Neighborhood center overlay district, all off-street parking shall be regulated in accordance with the regulations of section 17-424 of this article.

(ii) Maximum. No more than fifty percent (50%) more than the minimum number of required parking spaces per use shall be permitted.

(iii) The area used for off-street parking may not exceed fifty percent (50%) of the total lot area. Travel lanes serving the parking lot will count as part of the lot area used for parking spaces; travel lanes function primarily as drive lanes rather than parking lanes, however, will not count toward the lot area used for parking spaces.

(d) Where off-street parking areas for non-residential uses are located adjacent to a property with a residential primary use in existence before this overlay district was adopted, the off-street parking areas shall be screened in accordance with Sec. 17-425, except that breaks in the screening structure shall be provided, as needed, to accommodate pedestrian and cyclist connections across properties (if provided). Screening shall be maintained in good condition at all times.

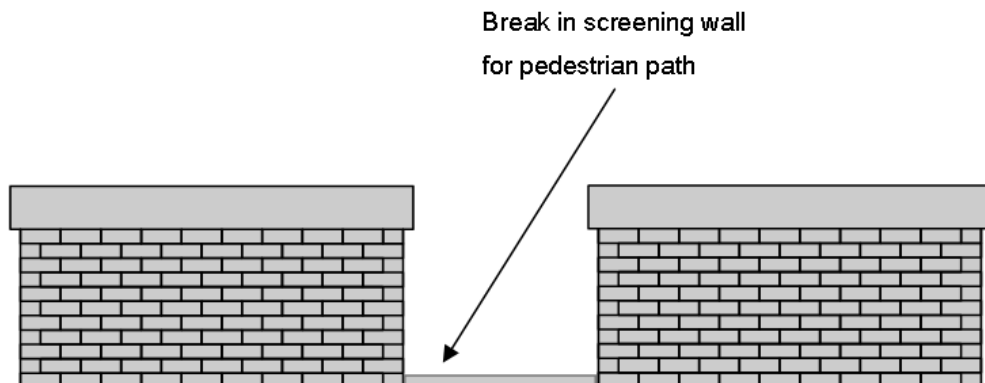


Illustration [x]. Example of break in screening wall.

(e) *Shared parking.* Shared parking is permitted if a shared parking agreement has been signed and notarized by all users/parties who intend to share parking. The shared parking plan will be subject to review and approval of the Administrator, and the parking agreement must be filed with the Tarrant County Clerk. A reduction of up to twenty percent (20%) of the required parking may be permitted. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of the primary structure for each use. The Administrator is not required to approve a reduction in the required number of parking spaces.

(f) *Compact car parking.* Up to fifteen percent (15%) of the required parking may be designed and sized for compact vehicles.

(g) *Bicycle parking.* Bicycle parking shall be provided for every non-residential use.

(i) *Parking amount.* Bicycle parking shall be provided at a minimum amount of 5% of the number of spaces provided for car parking.

(ii) *Design of bicycle parking spaces.* For each required bicycle parking space, a stationary object shall be provided to which a user can secure a bicycle with at least two points of contact with a 6-foot cable and lock. The stationary object shall be either a freestanding bicycle rack or a wall-mounted bracket. Freestanding bicycle racks shall be inverted "U," post and ring, or some other form of bicycle rack providing at least two points of contact. Grid/fence-type racks and wave/ribbon-type bicycle racks are prohibited. Objects for securing bicycles must be dedicated for that purpose and may not be primarily for any other purpose (e.g., signage, traffic safety).

(iii) *Location of bicycle parking.* The bicycle rack shall be located within 60 feet of the main entrance of the building it serves, and may be located between the street curb and the building, subject to the approval of the Development Services Director. Each bicycle parking area shall be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard or by at least five (5) feet of open space.

(iv) *Shared bicycle parking.* Up to two (2) bicycle parking spaces may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of the primary entry for the primary structure for each use.

(g) *Building construction.*

(1) Setbacks for the Business 287 and the Interstate 20/Loop 820 overlay districts.

[no change except renumbering]

(a) Any building wall that faces Business 287 or the access road to Interstate 20/Loop 820 shall have a minimum of eighty (80) percent of the surface area of

the exterior walls from the grade to the eave area, excluding doors and windows, constructed from one (1) or more of the following permanent building materials:

- i. Glass or natural stone;
- ii. Face brick or face tile;
- iii. Concrete; or
- iv. Split face concrete masonry units (haydite block) or decorative pattern concrete block masonry units.

(b) Any building or use not in an overlay district before the effective date of Ordinance No. 187 shall be required to comply with the building construction regulations of this subsection when new building construction increases the overall gross square footage of the structures on the entire lot by thirty (30) percent or more of the square footage existing on the effective date of the ordinance.

(h) *Outside storage regulations.*

(1) *Outside storage regulations* for the Business 287 and the Interstate 20/Loop 820 overlay districts. [no change except renumbering]

(a) All outside storage, when permitted by the regulations of both the underlying zoning district and the overlay district, shall be regulated in accordance with section 4-226 of the City Code.

(b) Any building or use not in an overlay district before the effective date of this article shall be required to comply with the outside storage by the earlier of the following dates:

- i. March 9, 2002; or
- ii. When the land use or ownership changes.

(2) *Outside storage regulations* for the Neighborhood center overlay district.

(a) All outside storage, when permitted by the regulations of both the underlying zoning district and the overlay district, shall be regulated in accordance with section 4-226 of the City Code and any other applicable codes and regulations.

(3) *Outside storage regulations* for the Urban village overlay district.

(a) All outside storage, when permitted by the regulations of both the underlying zoning district and the overlay district, shall be regulated in accordance with section 4-226 of the City Code and any other applicable codes and regulations.

(i) *Screening regulations.*

(1) *Screening regulations* for the Business 287 and the Interstate 20/Loop 820 overlay districts. [no change except renumbering]

(a) Screening shall be in accordance with the underlying zoning district and with section 17-425 of the City Code, except for salvage yards. When a conflict occurs between the underlying zoning district and section 17-425, the stricter regulations shall prevail.

(b) Special screening regulations for salvage yards are described in subsection (m) (special conditions for salvage yards) hereof.

(c) Any building or use not in an overlay district before the effective date of Ordinance No. 187 shall be required to comply with the screening regulations by the earlier of the following dates:

- a. March 9, 2003; or
- b. When the land use or ownership changes.

(2) *Screening regulations for the Neighborhood center overlay district.*

(a) *Screening for single family residential uses.* Screening shall be in accordance with Sec. 17-425.

(b) *Screening for all other uses.* Screening shall be in accordance with Sec. 17-425 except where otherwise regulated below.

- i. Garbage, refuse and trash collection/storage areas shall be screened by a masonry enclosure on three (3) sides. Screening walls and fences shall not be greater than eight (8) feet in height. Materials being stored shall not be stored higher than one (1) foot below the screening provided.
- ii. The fourth side shall be screened by a gate. The gate shall be made of wrought iron or architectural metal.
- iii. The masonry used must be of the same material as the primary building.
- iv. Trash collection/storage areas or dumpsters shall be located behind the primary structure but shall not be placed within 35 feet of a residential use existing prior to the construction of a building intended for commercial use.

(3) *Screening regulations for the Urban village overlay district.*

(a) *Screening for single family residential uses.* Screening shall be in accordance with Sec. 17-425.

(b) *Screening for all other uses.* Screening shall be in accordance with Sec. 17-425 except where otherwise regulated below.

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

- iv. Trash collection/storage areas or dumpsters shall be located behind the primary structure but shall not be placed within 35 feet of a residential use existing prior to the construction of a building intended for commercial use.
- (j) *Reserved.*
- (k) *Sign regulations.* The sign regulations set forth in chapter 17, article VII, "Signs," of this Code shall apply to all uses located in the Business 287 and Interstate 20/Loop 820 overlay districts and in the Neighborhood Center and Urban Village overlay districts except where otherwise regulated under sub-sections (n) and (o) below.
- (l) *Loading dock regulations for new construction.* The following applies to new construction:
 - (1) For each permissible use in an overlay district, all off-street parking shall be regulated in accordance with the regulations of section 17-424 of this article.
- (m) *Special conditions for salvage yards.* [no change from existing text]
- (n) *Additional regulations for Neighborhood center overlay districts.*
 - (1) *Blank wall limitation.*
 - (a) Blank walls longer than forty (40) feet are prohibited for all uses (residential and non-residential).
 - (b) For purposes of this district, "blank wall" means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four (4) feet in height from ground level and longer than forty (40) feet, as measured horizontally, without having a window, door, building modulation, or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.
 - (2) *Glazing requirements.*
 - (a) For any primary structure, a minimum of twenty percent (20%) and a maximum of sixty percent (60%) of the primary façade shall have glazing. At least one other façade shall have a minimum of ten percent (10%) glazing.
 - (b) For non-residential uses, ground floor glazing on the primary facade shall have a maximum sill height of four (4) feet.
 - (3) *Building orientation and disposition.* Each primary structure shall have its primary entrance oriented to the front of the lot (toward the street right-of-way) on which it is located. Additional entry points may be provided on side or rear façades, but primary entries shall be oriented to the front of the lot. For corner lots, the primary entrance may be oriented toward the street intersection (corner).
 - (4) *Sidewalks.* Notwithstanding the requirements of Sec. 17-243, sidewalks within this district shall be a minimum of five feet (5') and a maximum of eight feet (8') in width.

(5) *Prohibited uses.* Notwithstanding the underlying zoning district, the following uses are prohibited within this district, except that any use hereby prohibited within this district that is already in existence as a legal use at the time this district is adopted shall be considered a legal use as permitted by and in accordance with Sec. 17-428.

- (a) Auto Inspection Station
- (b) Auto Paint & Body Shop
- (c) Auto Parts Store
- (d) Auto Repair Garage
- (e) Auto Sales Lot
- (f) Boat Sales
- (g) Boat Storage
- (h) Building materials establishment with outside storage
- (i) Cabinet Shop
- (j) Car Wash
- (k) Contractor Yard
- (l) Farm Implement Sales
- (m) Golf Course
- (n) Gun Shooting Range
- (o) Gunsmith Shop
- (p) Heavy Equipment Sales
- (q) Large Retail Facility
- (r) Lumber Yard
- (s) Manufacture Homes Sales Lot
- (t) Mini-Warehouse
- (u) Movie Theater, drive-in
- (v) Nightclub or Dance Hall
- (w) Paintball Sports, Survival Games
- (x) Parking Lot, Commercial (for a fee)
- (y) Pawnshop
- (z) Private Club
- (aa) Recreational Vehicle Sales
- (bb) Restaurant, Drive-In
- (cc) Service Station
- (dd) Sexually Oriented Business
- (ee) Taxidermist
- (ff) Tool & equipment rental
- (gg) Trailer sales & rental
- (hh) Truck rental
- (ii) Truck repair

- (jj) Truck sales
- (kk) Truck wash
- (ll) Vehicular racing facility

(6) *Uses by special exception.* When the following uses are permitted within the underlying zoning district, they are permitted within this district only by special exception. Any use prohibited within the underlying zoning district is also prohibited within this district.

- (a) Auto Rental
- (b) Auto Sales (indoor display only; no outside storage or display and no repairs permitted; all vehicles for sale, storage, or display must be stored inside an enclosed structure meeting the standards of the overlay district, the underlying zoning district, and all other applicable codes and regulations)
- (c) Bowling Alley
- (d) Motorcycle Sales (indoor display only; no outside storage or display and no repairs permitted; all motorcycles for sale, storage, or display must be stored inside an enclosed structure meeting the standards of the overlay district, the underlying zoning district, and all other applicable codes and regulations)
- (e) Plant Nursery

(o) *Additional regulations for Urban Village overlay districts.*

(1) *Blank wall limitation.*

- (a) Blank walls longer than forty (40) feet are prohibited for all uses (residential and non-residential).
- (b) For purposes of this district, “blank wall” means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four (4) feet in height from ground level and longer than forty (40) feet, as measured horizontally, without having a window, door, building modulation, or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.

(2) *Glazing requirements.*

- (a) For any primary structure, a minimum of twenty percent (20%) and a maximum of sixty percent (60%) of the primary façade shall have glazing. At least one other façade shall have a minimum of twenty percent (20%) glazing.
- (b) For non-residential uses, ground floor glazing on the primary facade shall have a maximum sill height of four (4) feet.

(3) *Building orientation and disposition.* Each primary structure shall have its primary entrance oriented to the front of the lot (toward the street right-of-way) on which it is located. Additional entry points may be provided on side or rear façades, but primary entries shall be oriented to the front of the lot. For corner lots, the primary entrance may be oriented toward the street intersection (corner).

(4) *Sidewalks.* Notwithstanding the requirements of Sec. 17-243, sidewalks within this district shall be a minimum of five feet (5') and a maximum of eight feet (8') in width.

(5) *Prohibited uses.* Notwithstanding the underlying zoning district, the following uses are prohibited within the Urban Village Overlay district, except that any use hereby prohibited within this district that is already in existence as a legal use at the time this district is adopted shall be considered a legal use as permitted by and in accordance with Sec. 17-428.

- (a) Auto Inspection Station
- (b) Auto Paint & Body Shop
- (c) Auto Parts Store
- (d) Auto Repair Garage
- (e) Auto Sales Lot
- (f) Boat Sales
- (g) Boat Storage
- (h) Building materials establishment with outside storage
- (i) Cabinet Shop
- (j) Car Wash
- (k) Contractor Yard
- (l) Farm Implement Sales
- (m) Golf Course
- (n) Gun Shooting Range
- (o) Gunsmith Shop
- (p) Heavy Equipment Sales
- (q) Lumber Yard
- (r) Manufacture Homes Sales Lot
- (s) Mini-Warehouse
- (t) Movie Theater, drive-in
- (u) Nightclub or Dance Hall
- (v) Paintball Sports, Survival Games
- (w) Parking Lot, Commercial (for a fee)
- (x) Pawnshop
- (y) Private Club
- (z) Recreational Vehicle Sales
- (aa) Restaurant, Drive-In
- (bb) Service Station
- (cc) Sexually Oriented Business
- (dd) Taxidermist
- (ee) Tool & equipment rental

- (ff) Trailer sales & rental
- (gg) Truck rental
- (hh) Truck repair
- (ii) Truck sales
- (jj) Truck wash
- (kk) Vehicular racing facility

(6) *Uses by special exception.* When the following uses are permitted within the underlying zoning district, they are permitted within this district only by special exception. Any use prohibited within the underlying zoning district is also prohibited within this district.

- (a) Auto Rental
- (b) Auto Repair
- (c) Auto Paint & Body Shop
- (d) Auto Sales (indoor display only; no outside storage or display and no repairs permitted; all vehicles for sale, storage, or display must be stored inside an enclosed structure meeting the standards of the overlay district, the underlying zoning district, and all other applicable codes and regulations)
- (e) Bowling Alley
- (f) Motorcycle Sales (indoor display only; no outside storage or display and no repairs permitted; all motorcycles for sale, storage, or display must be stored inside an enclosed structure meeting the standards of the overlay district, the underlying zoning district, and all other applicable codes and regulations)
- (g) Plant Nursery with outside sales, storage, or display

(7) *Uses by conditional use permit.* When the following uses are permitted within the underlying zoning district, they are permitted within this district by conditional use permit. Any use prohibited within the underlying zoning district is also prohibited within this district.

- (a) Large Retail Facility.

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction

such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clause, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause, or phrase.

SECTION 4.

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

SECTION 5.

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

SECTION 6.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, Section 1, the penalty clause, the publication clause, and the effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 7.

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

PASSED AND APPROVED ON THIS DAY OF [DATE].

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

DRAFT: subject to change pending review by city attorney and city council

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY



Date: June 18, 2015

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss items for future consideration

II. Originated by:

III. Summary:

Under this agenda item, the Commission may discuss items members would like added to future agendas.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: June 18, 2015

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from May 21, 2015 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Minute's approval for May 21, 2015

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	05.21.2015 minutes	05.21.2015 PZ Minutes Final.docx
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KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
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

Mr. Harvey called the meeting to order at 6:17 P.M.

II. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	X	
Tom Pirtle	X	
Harry Browne		X
Stephen Brim	X	
Jeff Whitacre	X	
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).

III. WORK SESSION

A. Discuss items on the regular session agenda

Ms. Roberts said that in the proposed zoning regulations, the consultant has added all remarks from the previous Planning and Zoning Commission meeting. The commission went through the ordinance with comments about revisions.

B. Discuss items for future consideration

The commission did not have time to discuss this item.

The work session ended at 7:01 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

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

VI. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	X	

Tom Pirtle	X	
Harry Browne		X
Stephen Brim	X	
Jeff Whitacre	X	
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 April 16, 2015 Planning and Zoning Commission meeting.

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

VIII. VISITOR/CITIZENS FORUM

No one registered to speak.

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

Shia Roos, 4429 Emerson Ave, went through the presentation of the Downtown Village proposed regulations in the ordinance. She said that she has conducted different meetings to get public opinions on the regulations and used those in the proposed ordinance.

2. Public hearing

Naseem Patel, 317 W. Kennedale Parkway, said he has already been through five zoning changes. He said that he is against the new regulations.

James Whitt, 126 W Kennedale Parkway, wanted to ask the commission if they could expand sub-district one to the railroad tracks.

Mr. Harvey said he would close the public hearing but one more person wanted to speak.

Ed Posey, 2026 Rockcreek Ct, said that he owns a property in sub-district three and has not been able to do anything with it because of the size of his property and where it is located.

3. Staff response and summary

Ms. Roos stated that the only business that would be located in sub-district two would be specific uses that would be required to look like a residence. The commission went through the ordinance with revisions.

4. Action by the Planning & Zoning Commission

Mr. Pirtle motioned to approve the ordinance with alterations. The motion was seconded by Ms.

Williamson and passed with all in favor except Mr. Harvey, who abstained from voting.

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.

1. Staff presentation

Ms. Roberts said the rezoning includes about 259 properties. She said that this rezoning would fall in line with the Comprehensive Land Use Plan. She said that the rezoning will preserve historic areas and allow future businesses to be allowed in the area. She said this is to propose a more family friendly area and allow pedestrians to be able to gain better access to surrounding properties. She said that any existing buildings or houses are to be grandfathered in.

2. Public hearing

John Goss, 445 True Gunn Rd, said that he owns two vacant lots in the area and wanted to know what they would be rezoned as.

Naseem Patel, 317 W. Kennedale Parkway, wanted to know exactly what would apply if his property is grandfathered.

Hal Thurow, 1204 Oakmont Ct. Mansfield, TX, was speaking on behalf of Kennedale First Methodist Church. He wanted to know if he could do a retail business in an existing home.

3. Staff response and summary

Staff recommended approval.

4. Action by the Planning & Zoning Commission

Mr. Pirtle motioned to approve as written pending Council approval for PZ Case # 15-05. The motion was seconded by Mr. Rawe and passed with all in favor except Mr. Harvey, who abstained from voting.

X. REPORTS/ANNOUNCEMENTS

The City Wide Garage Sale is on May 22-23, 2015.

The City Wide Cleanup is on May 30, 2015 from 8:00 A.M. to 12:00 P.M.

City Hall will be closed on May 25, 2015 for Memorial Day.

XI. ADJOURNMENT

Mr. Rawe motioned for the meeting 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 8:38 P.M.

Ernest Harvey, Chair

Date

ATTEST:

Rachel Roberts, Planner/Board Secretary

Date



Date: June 18, 2015

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 15-02 Public hearing and consideration of Ordinance approval regarding a request by Kennedale Seniors, Ltd. for a zoning change from "R-3" Single Family Residential district to "PD" Planned Development district for residential use for senior citizens for an approximately 24-acre tract at 332-370 S. New Hope Rd, more particularly described as C B Teague Survey A 1506 Tracts 4A, 4B, 5, and 5B, and Jesse B Renfro Survey A 1260 Tract 1B, Kennedale, Tarrant County, Texas.

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

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: rezone property to a planned development district to allow development of tax-credit (rental) housing for senior citizens

Requested by: Kennedale Seniors, Ltd.

Location: Kennedale New Hope Rd, south of the rail lines (see attached map)

Surrounding land uses: public park (Sonora Park); duplex residential (across New Hope Rd to the east); commercial (race track to the south; scheduled to close by the end of 2016 and later convert to single family residential); single family residential; ranch land; utilities

Background and Overview.

The property is located on New Hope Rd south of the railroad lines. Sonora Park is adjacent to the property to the north, and an Oncor electrical transmission line bisects the property. In addition, a portion of the property is within the floodplain. The site is mostly undeveloped; it is zoned as R-3 single family and is used mainly for keeping a few cattle.

The requested rezoning would allow for development of a tax-credit housing development for senior citizens. The proposed redevelopment would be restricted to residents 55 years of age and older. The ordinance also allows for single family residential in case plans for the senior housing development were to fall through.

The comprehensive land use plan allows for small-scale multi-family at this site (see below), but because the city's existing duplex and multi-family zoning districts do not meet the intent of the comprehensive plan, the applicant has applied for rezoning as a planned development district based on the goals of the comprehensive plan.

The applicant proposes to build 34 quad-plex buildings. Twenty-three buildings would have one-

bedroom units, and eleven buildings would offer two-bedroom units.

Additional features:

- The development would be built on 17 acres, which does not include the land within the floodplain.
- Each residential building would be constructed of 90% masonry.
- At the request of city staff, the proposed site plan includes the minimum amount of parking expected to be needed for a development of this kind (senior living is not expected to have an excessive demand for parking).
- The main entry for each unit will face either another unit or green space (or both).
- The development will have a clubhouse and gazebo available for use of the community.

Please note that the site plan contains one error; it states that the driveway on the north side of the development would be built on land obtained from the City of Kennedale. While the driveway will be built across this land as shown, the land will remain the property of the City of Kennedale.

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 three planning principles—Connected City, Economic Prosperity, and Thriving Community.

The plan identifies the area under consideration primarily as Neighborhood. A portion of the property is within the floodplain, and that area is designated as Park & Open Space in the Future Land Use Plan. The Neighborhood character district is intended to be primarily residential in nature. Neighborhoods should have defined boundaries, a clear center, and be easily accessible to day-to-day goods and services, such as those provided at Neighborhood Villages. The center of a neighborhood should be a civic, public, or community use in which people can come together—such as a park, school, or neighborhood amenity center.

Sample development types include:

- Single family
- Townhome/Rowhouse
- Cluster development
- Context-sensitive small-scale multifamily
- Clearly marked centers that include public gathering space, school, small park, or other civic use

The proposed development would fall under the category of “context-sensitive small-scale multifamily,” one of the sample development types mentioned in the comprehensive plan as suitable for the Neighborhood character district. In addition, the clubhouse/community center and gazebo for the development will provide the gathering spaces that the plan encourages to be built.

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

Compliance with the strategic plan.

The strategic plan calls for encouraging residential development in the part of Kennedale south and west of the railroad tracks, which includes the site considered under this rezoning case.

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

Compliance with City Council priorities.

The Council has made it a priority to encourage residential development in this part of the city to increase the number of residents to support local businesses. The requested rezoning would allow for an increase in the population in this part of the city.

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

Additional factors.

The property's current zoning as single family is not the most suitable zoning designation, given the site constraints. The Oncor transmission line that bisects the property can be unappealing for single family development. In addition, the amount of floodplain on the property reduces the number of lots that can be developed and sold. Fewer lots available can reduce the profit available for a typical single family development, which can also reduce the likelihood this site would be used as single family residential. For a multi-family development, however, the presence of floodplain and the transmission line are easier obstacles to work around, since individual lots are not necessary for development.

Staff Recommendation.

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

Recommendation 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 and make a motion to recommend approval of Case PZ 15-02.

Denial

I find the rezoning to be in conflict with the comprehensive land use plan and make a motion to recommend denial of Case PZ 15-02.

Postponement

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

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

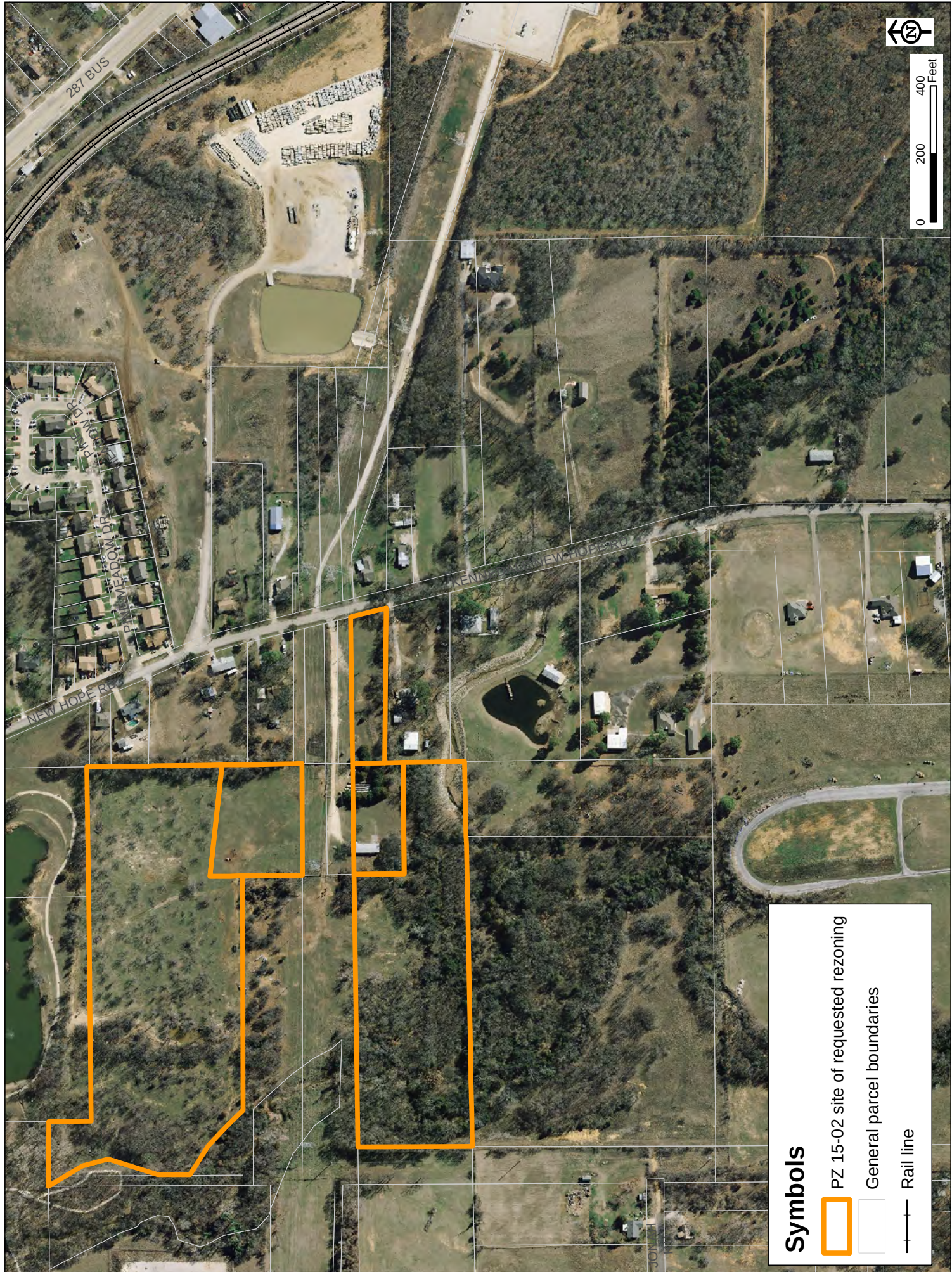
VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 15-02 map showing location	PZ 15-02 map of site -- compressed.pdf
2.	PZ 15-02 map of surrounding land uses	PZ 15-02 land uses.pdf
3.	PZ 15-02 preliminary site plan	Senior living revised site plan.pdf
4.	PZ 15-02 concept drawings & elevations	PZ 15-02 -- concept drawings, elevations.pdf
5.	PZ 15-02 photos of similar project	PZ 15-02 -- illustration, similar project.pdf
6.	PZ 15-02 Ordinance	Ordinance PZ 15-02.docx
7.	PZ 15-02 Ordinance Exhibit B (site plan)	Senior living revised site plan.pdf
8.	Kennedale Seniors application	PZ 15-02 application.pdf

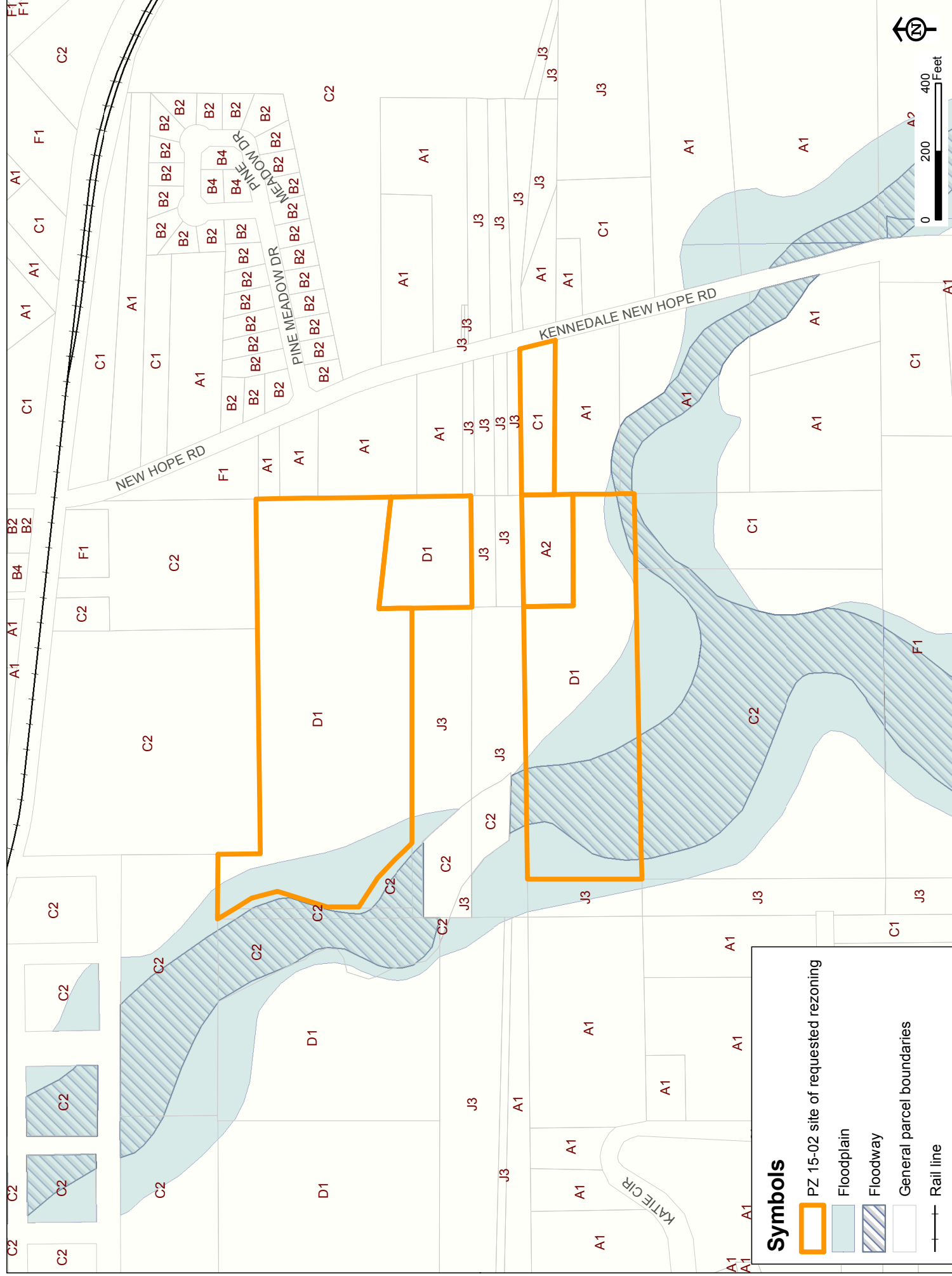
PZ 15-02 Site of Requested Rezoning



Symbols

-  PZ 15-02 site of requested rezoning
-  General parcel boundaries
-  Rail line

PZ 15-02 Land Uses



STATE USE CODES

A RESIDENTIAL	
A1	Single-Family
A2	Mobile Homes
A3	Condominiums
A4	Townhomes
A5	Planned Unit Development (PUD)
A9	Interim use

B RESIDENTIAL	
B1	Multi-Family
B2	Duplex
B3	Triplex
B4	Quadraplex

C VACANT PLATTED LOTS/TRACTS	
C1	Residential
C2	Commercial
C3	Rural
C6	Vacant Exempt (Right-of-Way)

D ACREAGE	
D1	Ranch Land
D2	Timberland
D3	Farmland
D4	Undeveloped

E FARM/RANCH	
E1	House + Limited Acres
E2	Mobile Home + Limited Acres
E3	Other Improvements

F COMMERCIAL/INDUSTRIAL	
F1	Commercial
F2	Industrial
F3	Billboards

G OIL/GAS/MINERAL RESERVES	
G1	Oil/Gas/Mineral Reserves

J UTILITIES	
J1	Water Systems
J2	Gas Companies
J3	Electric Companies
J4	Telephone Companies
J5	Railroads
J6	Pipelines
J7	Cable Companies
J8	Other

L COMMERCIAL/INDUSTRIAL	
L1	Commercial BPP
L2	Industrial BPP

M MOBILE HOMES	
M2	Private Aircraft
M3	Mobile Home
M4	Other Tangible PP

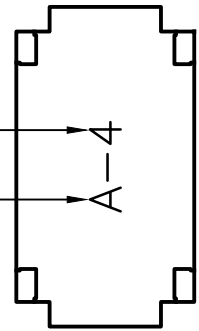
O RESIDENTIAL INVENTORY	
O1	Vacant
O2	Improved

- NOTES:
1. Proposed Use:
Senior Apartments
Proposed Units:
44 Units - 11 Building Type A (1 Bedroom Units)
44 Units - 11 Building Type B (2 Bedroom Units)
Total: 136 - Dwelling Units (Density: 136 DU/23.02 Acres = 5.91 DU/ac.)
 2. Proposed Development Size: ±17,706 acres
 3. Parking Spaces:
Total: 200 provided = 1.47 parking spaces per Dwelling Unit.
 4. According to the Flood Insurance Rate Maps for Tarrant County, Texas and Incorporated Areas, Map Number 48435C0340K, effective date September 25, 2009, the proposed development is located within the Special Flood Hazard Area Zone "AE".
 5. All dimensions are to the face of curb, unless otherwise noted.

DRAWING NOTES

1. Property boundary/property lines information obtained from plat provided by Client.

BUILDING TYPE: BUILDING NUMBER



TYPICAL BUILDING LABEL

Rentable Units			
Unit Type	Number of Units	BR/Unit	Baths/Unit
A	92	1	1
B	44	2	1
			Net Rentable Sq. Ft.
			813
			1,034

±0.290 Acre to be obtained from the City of Kennedale for entrance.

NEW HOPE ROAD (FM 2025)

NEW HOPE ROAD (FM 2025)

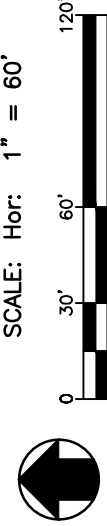
Dumpster (Typ.)

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

PRELIMINARY SITE PLAN



Preliminary Site Plan

Kennedale Development

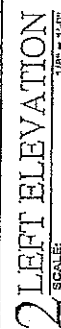
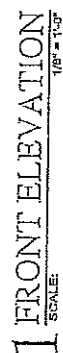
Proposed ±17,706 Acres
Kennedale, Tarrant County, Texas
May 7, 2015

Engineer:
McClure & Brown, Engineering/Surveying, Inc.
1000 Westworth Parkway, Suite 200
College Station, Texas 77845
(979) 693-3838
Firm Reg. No. F-458

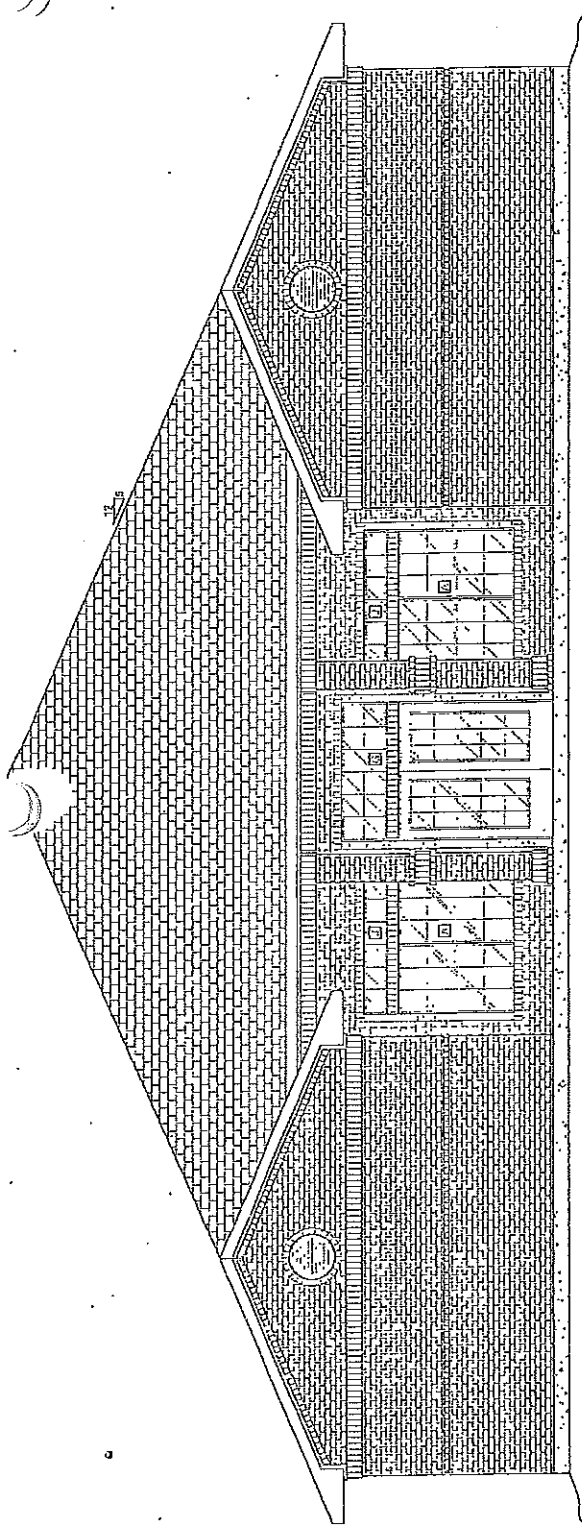


10/2022-PM

& floor plans

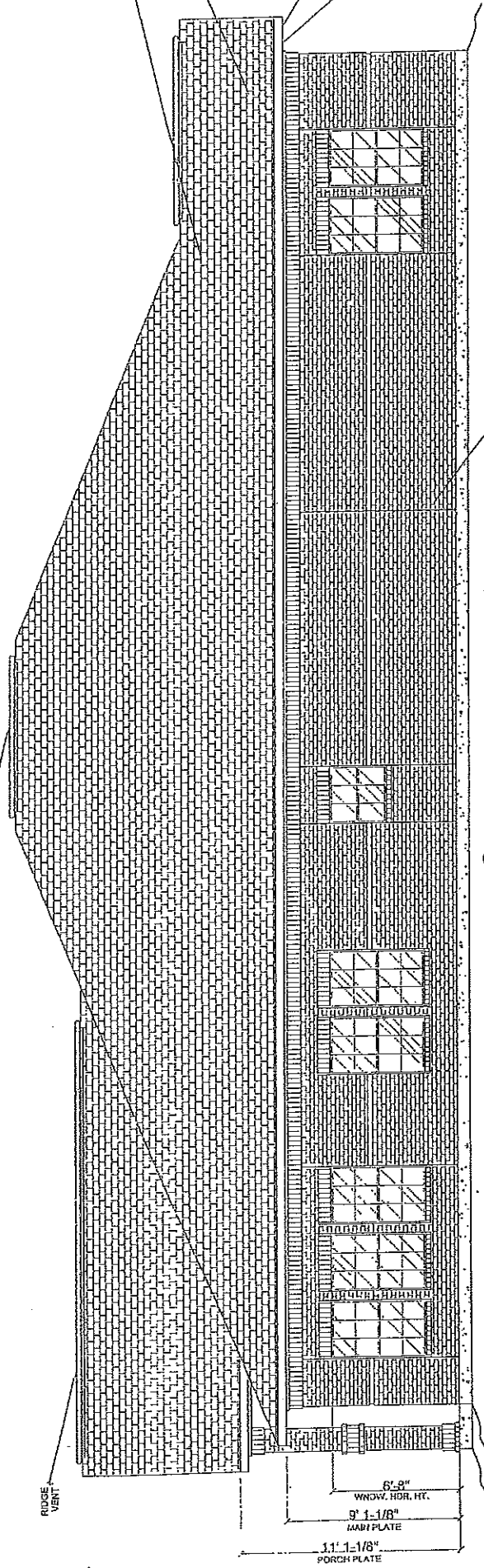


75% Brick 25% Hardiplank.



1 BACK ELEVATION
SCALE 3/16" = 1'-0"

1
RIDGE VENT



2 RIGHT ELEVATION
SCALE 3/16" = 1'-0"

CONTROL JOINT

BRICK
ASSEMBLY
CHIMNEYS

BRICK
ASSEMBLY
CHIMNEYS

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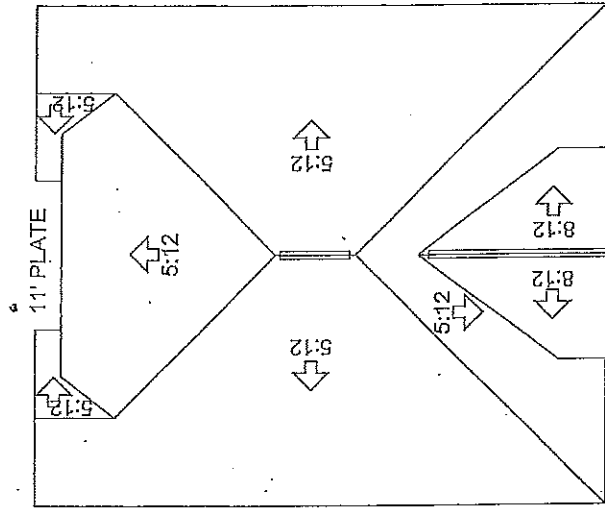
BRICK
ASSEMBLY
CHIMNEYS

BRICK
ASSEMBLY
CHIMNEYS

6'-8"
WINDOW HOR. HT.
9'-1-1/8"
MAIN PLATE
11'-1-1/8"
PORCH PLATE

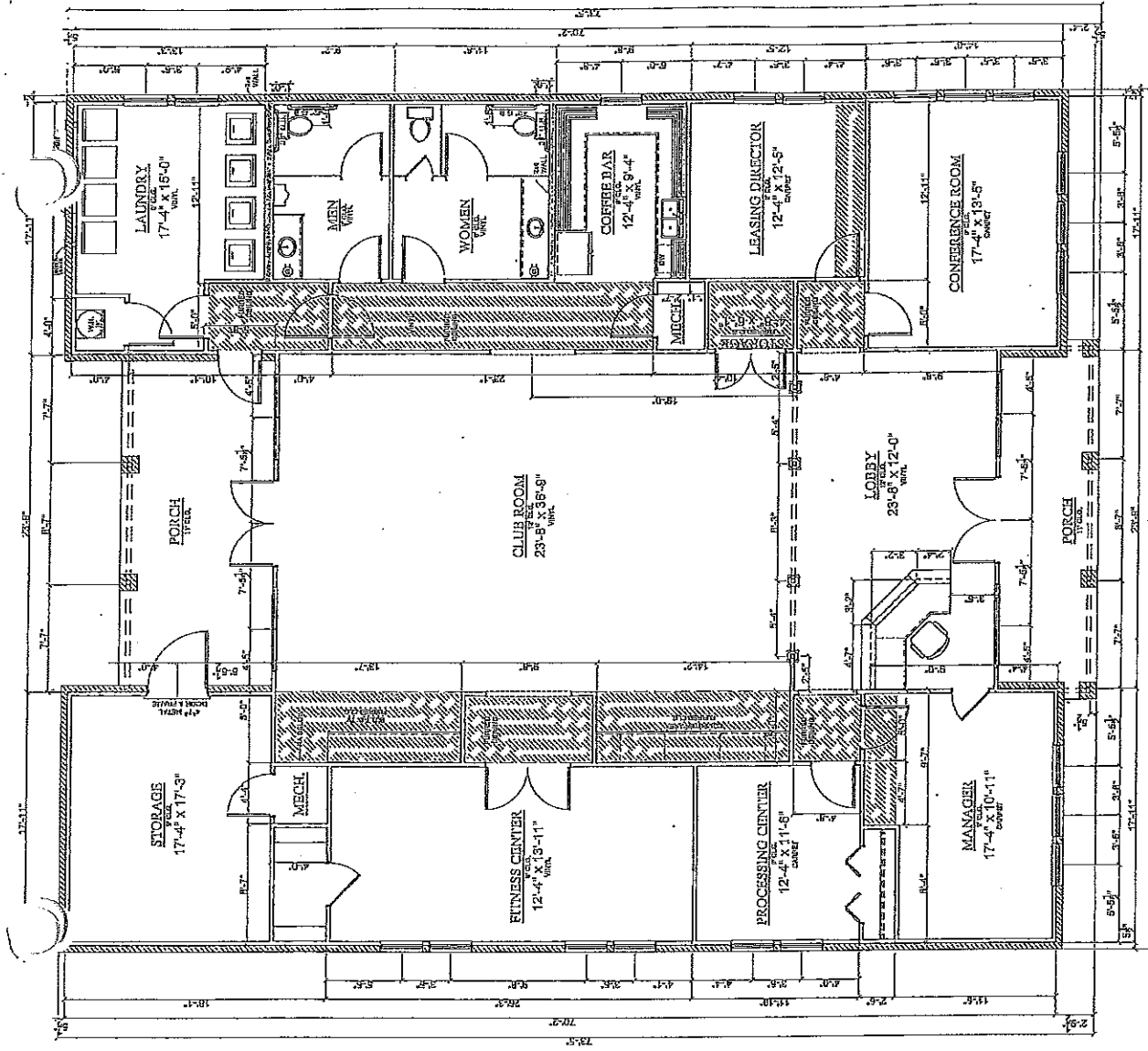
75% Brick 25% Hardiplank

AREA SUMMARY	
TOTAL A/C	3743.46 SF
PORCHES	408.94 SF
BRICKLEDGE	115.72 SF
SLAB	4268.12 SF

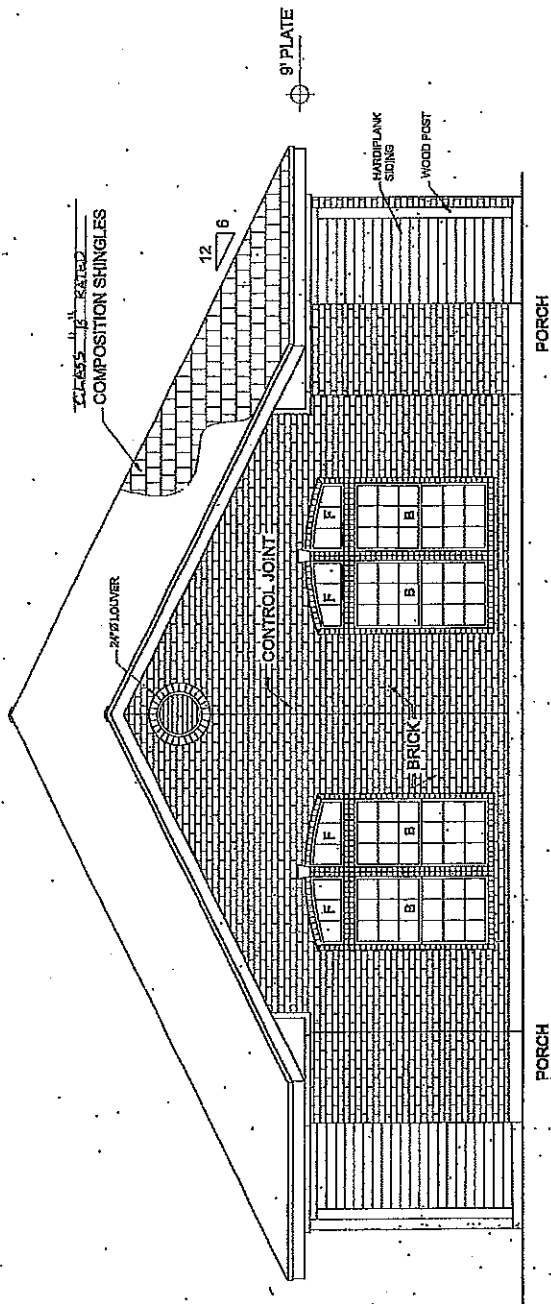


NOTE: ALL PLATES 9' AND
ALL ROOF SLOPES 5:12
UNLESS OTHERWISE NOTED

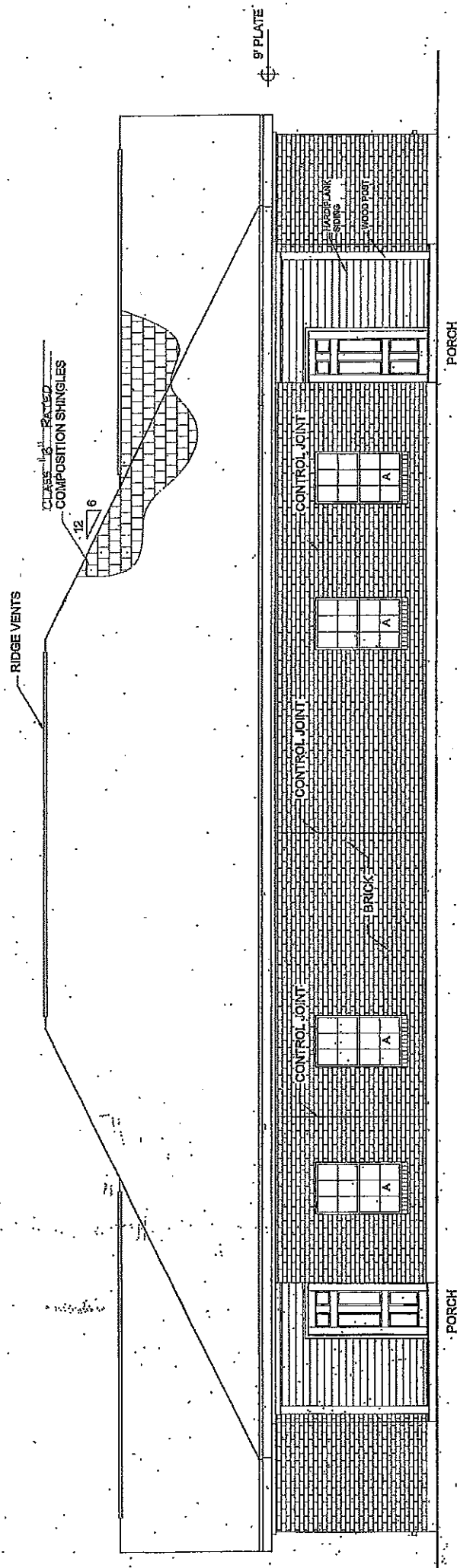
1 ROOF PLAN
SCALE 1/16" = 1'-0"



2 CLUBHOUSE
SCALE 1/8" = 1'-0"



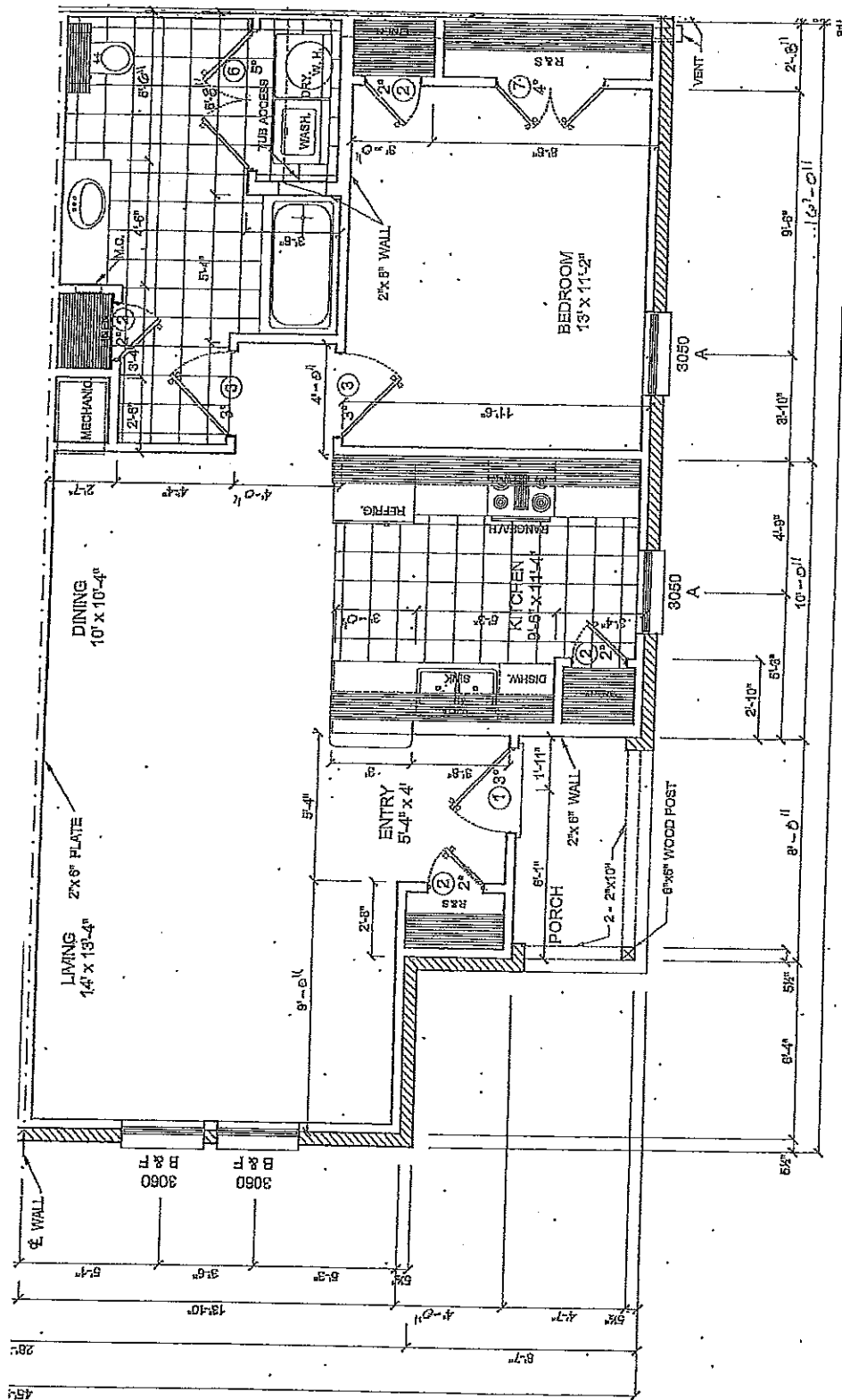
END ELEVATION
1/4" = 1'0"



SIDE ELEVATION
1/4" = 1'0"

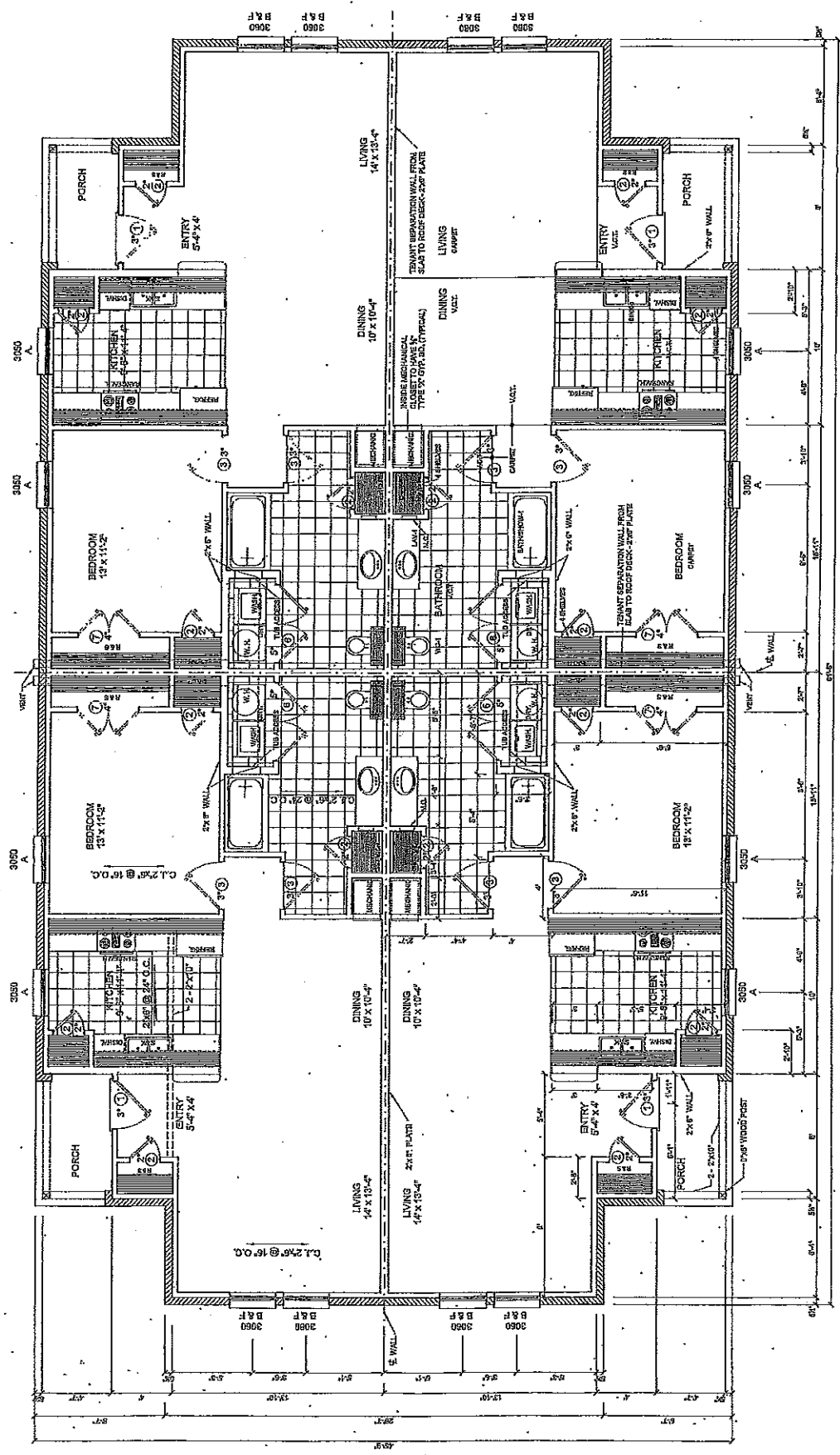
BUILDING "A" - ONE BEDROOM FOURPLEX

90% Brick
10% Hardiplank



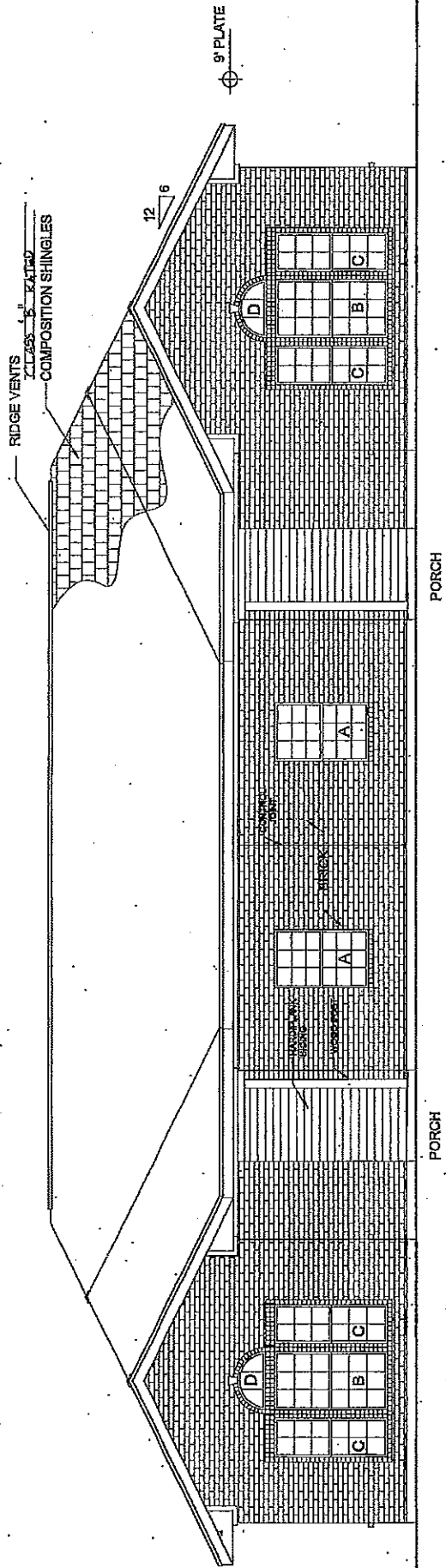
FLOOR PLAN
1/4" = 1'-0"
BUILDING "A" - ONE BEDROOM FOURPLEX
ALL CEILING HEIGHT 9'-0"

NET RENTABLE AREA (HEATED)	811.00 s.f.
PORCHES	42.75 s.f.
BRICKLEDGE	23.00 s.f.
SLAB	876.75 s.f.

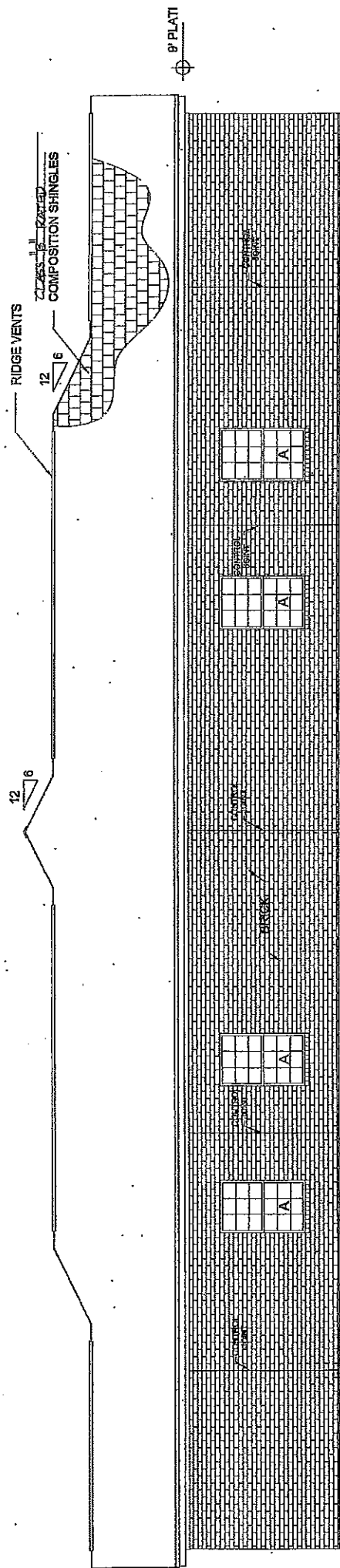


NET RENTABLE AREA (HEATED)	3,244 s.f.
COMMON AREAS	171 s.f.
MECHANICAL	117 s.f.
BRICK/GERBER	3,537 s.f.
SLAB	811 s.f.
NET RENTABLE AREA PER UNIT	

FLOOR PLAN
 1/4" = 1'-0"
 BUILDING "A" - ONE BEDROOM FOURPLEX
 ALL CEILING HEIGHT 9'-0"



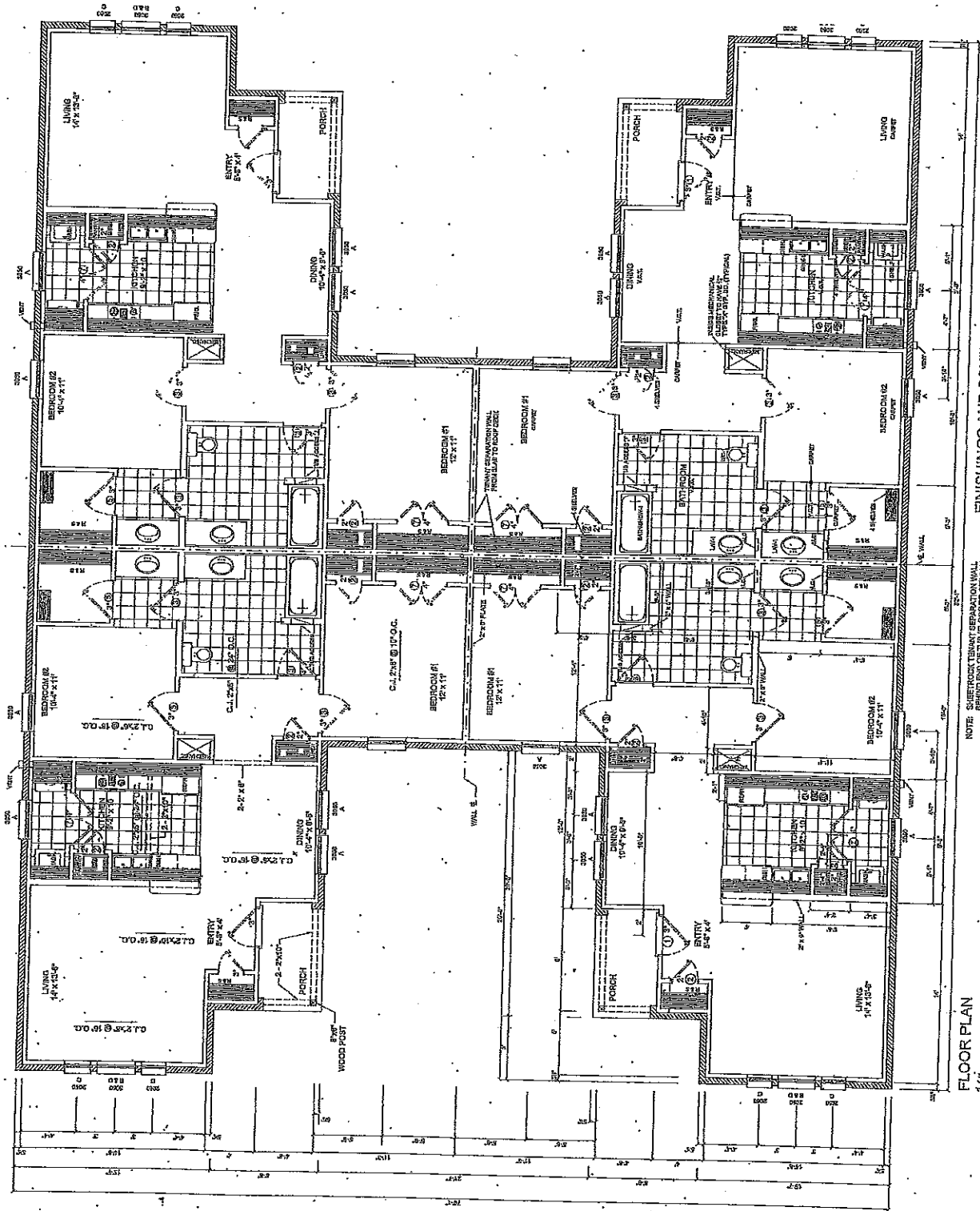
END ELEVATION
 $\frac{1}{4}" = 1'0"$



SIDE ELEVATION
 $\frac{1}{4}" = 1'0"$

90% Brick
 10% Hardiplank

BUILDING "B" - TWO BEDROOM FOURPLEX



FINISHINGS AND SCHEDULES
1/4" = 10'

NOTE: SUBTYPED UNIT SEPARATION WALL
BEHIND END OF THE FLOOR TO CEILING
NET RESIDENTIAL AREA (HEATED)
4,132 S.F.
784 S.F.
100 S.F.
1,246 S.F.

FLOOR PLAN
1/4" = 10'
BUILDING 'B' - TWO BEDROOM FOURPLEX









ORDINANCE _____

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS BY REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS FROM “R-3” SINGLE FAMILY DISTRICT TO “PD” PLANNED DEVELOPMENT DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

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

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

WHEREAS, the City of Kennedale desires to promote the development of a range of housing types to fulfill a need in the community for housing variety, in compliance with the comprehensive land use plan;

WHEREAS, the city’s housing stock does provide options for senior citizens who are no longer able to live in single family housing or no longer wish to do so; and

WHEREAS, Kennedale Seniors, Ltd wishes to develop the property described below as a Planned Development District, in compliance with the comprehensive land use plan; and

WHEREAS, the City of Kennedale believes the development as proposed would help achieve the vision set forth in the comprehensive land use plan; and

WHEREAS, the C D Fincher Estate, owner of the property described below, which is an approximately 23-acre tract in the C B Teague Survey and Jesse B Renfro Survey, more particularly described as C B Teague Survey A 1506 Tracts 4A, 4B, 5, and 5B, and Jesse B Renfro Survey A 1260 Tract 1A, has filed with the City of Kennedale a signed affidavit permitting Kennedale Seniors, Ltd to submit a request to rezone the property from its present classification of “R-3” Single Family District to a “PD” Planned Development District; and

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

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 18th day of June 2015 and by the City Council of the City of Kennedale on the 16th day of July 2015 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 23 acre tract in the C B Teague Survey and Jesse B Renfro Survey, more particularly described as C B Teague Survey A 1506 Tracts 4A, 4B, 5, and 5B, and Jesse B Renfro Survey A 1260 Tract 1A, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein, from "R-3" Single Family Residential District to the Kennedale Seniors Planned Development District ("Senior Living PD") for residential use with modified restrictions, as more fully described on the Concept and Site Plan, attached hereto as Exhibit "B" and incorporated herein.

SECTION 2.

The use of the Property shall be subject to the restrictions, terms and conditions set forth in the Concept Plan, attached hereto as Exhibit "B", and the Concept Plan is hereby approved. The use of the Property shall further conform to the standards and regulations of the "R-3" Single Family Residential District and to Chapter 17, Division 10 Subdivision Design Criteria of the City of Kennedale City Code, to the extent not modified in this Ordinance and the document attached as Exhibit "B", and shall be subject to all other applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, where not otherwise controlled by the regulations set forth below. The Property shall conform to the following supplemental standards and regulations, which shall supersede any other requirements to the extent of a conflict:

1. *Permitted Uses.* The only permitted uses in the “Senior Living PD” shall be:
 - a. *single family detached residential;*
 - b. *four-family residential;*
 - c. *community center;*
 - d. *gazebo, pavilion, and similar structures to serve as meeting or gathering places for residents of the community;*
 - e. *park, playground, or open space, including detention or retention facilities.*
2. *Density.* If used for four-family residential, the Senior Living PD shall have a maximum of 140 primary structures. If used for single family residential, the density shall be the maximum allowed by the “R-3” Single Family Residential District.
3. *Lot coverage* Lot coverage for four-family residential use shall not exceed sixty (60) percent of the lot. Lot coverage for single family residential use shall not exceed seventy (70) percent of the lot.
4. *Minimum livable area.*
 - a. *Four-family residential.* The minimum livable area for four-family residential units shall be 800 square feet for one-bedroom units and 900 square feet for two-bedroom units.
 - b. *Single family residential.* The minimum livable area for all primary residential structures shall be the minimum required by the “R-3” Single Family Residential District.
5. *Setbacks.* The setbacks in the Senior Living PD herein approved shall be governed by the minimum setback requirements of the “R-3” Single Family Residential District.
6. *Building height.*
 - a. *Four-family residential.* Primary structures for four-family residential use shall not exceed a height of one and one half (1 ½) stories, at a maximum of twenty-five (25) feet.
 - b. *Single family residential.* Single family residential primary structures shall not exceed a height of two and one half (2 ½) stories, at a maximum of forty (40) feet in height.
 - c. *Accessory buildings.* Height of accessory buildings shall be as required by Kennedale city code.
7. *Building materials.* All structures (primary and secondary) shall be a minimum of 90% masonry. Masonry materials shall be as defined in Kennedale city code, except that if stucco is used, only 3-coat/3-step stucco shall be permitted. EIFS shall be prohibited.
8. *Primary entries.* Primary entries for four-family residential shall face other dwelling unit primary entries or green space / open space. Primary entries for dwelling unit shall not face parking areas. Primary entries for single family residential primary structures shall

face the street.

9. *Front porches.*

- a. All four-family residential dwelling units shall have a usable front porch of a minimum size of nine (9) square feet. Front porch supports or columns shall be masonry. Other durable, attractive materials may be used with written permission from the Zoning administrator, except that unpainted wood is prohibited. If wood supports are permitted by the Zoning Administrator, supports shall be painted or treated to ensure durability and shall be maintained in good condition and appearance at all times.
- b. All single family residential primary structures shall have a usable front porch of a minimum size of forty-eight (48) square feet.

10. *Parking.*

- a. *Four-family residential.* Parking for one (1) motor vehicles shall be provided for each one-household dwelling unit and parking for one and one-half (1 ½) motor vehicles shall be provided for each two-household dwelling unit. A maximum of 210 spaces shall be provided within the Senior Living PD.
- b. *Single family residential.* Parking spaces for at least two (2) motor vehicles shall be provided in an enclosed garage for any single family dwelling constructed within the Senior Living PD. Front entry garages are prohibited. J-swing garages that accommodate more than two (2) vehicles are prohibited.

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

a. *Lawns.*

- i. *Four-family residential.* All common areas without structures shall be sodded or shall have alternative landscaping such as landscaped beds or ground covers. Sodded areas shall be sprinklered.
- ii. *Single-family residential.* All single family residential lots that are sodded shall be fully sprinklered. If lawns are not sodded, other landscaping such as landscaped beds or ground covers shall be provided across the entire front and rear lawns. The Zoning Administrator may permit other types of landscaping if requested in writing, except that paving of required front or rear yards and artificial turf are prohibited.

b. *Plants.* Use of native or adaptive xeriscape plants and grasses is required. Landscaping shall be maintained in good condition.

c. *Street trees.*

- i. *Four-family residential.* Four-family residential development shall be governed by the street tree requirements of Kennedale city code, except that native or drought-tolerant adaptive trees are required.
- ii. *Single-family residential.* A minimum of one (1) tree of three (3) inch caliper or greater shall be required for each residential lot, to be planted centered between the sidewalk and the curb. The developer shall be responsible for installation of

all street trees and shall ensure tree selection and installation are sufficient to ensure a long tree life. The developer shall be responsible for maintenance and replacement of trees, as needed, for a period of two (2) years after the development's public improvements have been accepted by the city.

- d. *Irrigation.* Sprinkler systems should be controlled by an automatically controlled timer, unless the use of the property would otherwise prohibit use of a timer. Irrigation systems shall be installed with a rain shut off sensor. The irrigation system shall be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
 - i. High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
 - ii. Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency (such as a main line break) or routine repair.
 - iii. The use of rain cisterns is permitted.
 - iv. Cisterns must be located in the rear yard or side yard and must be screened so as not to be seen from the public street. Screening must meet the screening materials regulations of the Kennedale City Code.
 - 1. Cisterns shall not exceed ten (10) percent coverage in any required yard for single family residential use. For four-family residential, a cistern shall not exceed 2,500 gallon capacity, and a maximum of six (6) cisterns shall be permitted. Cisterns shall not exceed eight (8) feet in height.
 - 2. A cistern of less than three (3) feet in diameter may be placed anywhere in the rear yard. A cistern with diameter of three (3) feet or more shall be a minimum of eight (8) feet from any side lot line and eight (8) feet from any rear lot line.
 - 3. A cistern may not be greater than six (6) feet in height.
 - 4. Cisterns shall be subject to the City of Kennedale's water quality and water protection regulations, as applicable.
- e. *Protection of quality trees.* The Zoning Administrator may approve a deviation from the lot layout or street layout shown Exhibit "C" in order to retain and protect an existing quality tree, as defined in the Chapter 16, Article VI of the Kennedale City Code. Permission to deviate from the approved Site Plan must be requested, in writing, by the developer.

- 12. *Driveways and Access.* All entry and exit points shall conform to the approved Concept Plan and supporting documents, as depicted in Exhibit "B", and shall conform to the standards of the City of Kennedale public works design manual and the City of Kennedale subdivision design criteria of Chapter 17, Division 10 of the City of Kennedale Code of Ordinances, unless otherwise regulated by this ordinance. Notwithstanding the above, it is understood that the exact location of entry and exit points for the Senior Living PD may need to be adjusted due to topographic, soil, or other similar development constraints, and therefore the entry and exit point may be

modified with written approval of the Director of Public Works. The Director of Public Works may approve such requests if they are made in writing and present evidence of development constraints that would prohibit the safe ingress or egress of traffic at the location approved in the Concept Plan, but the Director is not required to grant such requests.

13. *Sidewalks.* Sidewalks or walkways are required within the Senior Living PD to provide pedestrian access within the development and shall be constructed according to the requirements of the City of Kennedale Code of Ordinances, the City of Kennedale Public Works Design Manual, and any other applicable regulations, where not otherwise controlled by this ordinance. Sidewalks may be constructed of permeable materials and may be designed and constructed using low-impact development standards if approved, in writing, by the Director of Public Works. Review and approval of low-impact infrastructure or public facilities shall follow the process for review and approval of standard infrastructure or public facilities as set forth in the codes, regulations, and design manuals of the City of Kennedale. Low-impact development standards shall not be approved unless the Director of Public Works is satisfied the materials and construction methods used will meet the same standards for safety and durability as used in standard sidewalk construction within the City of Kennedale.
14. *Street lighting.* Street lighting shall be decorative and shall be aesthetically compatible with the character of the district. Street lighting shall be shielded or placed to minimize light from street lamps entering bedrooms of any residential unit.
15. *Drainage.* The developers shall adequately address storm water run-off resulting from developing property within the district. Construction plans submitted to the city shall include detailed drainage plans.
16. *Maintenance of drainage facilities and common areas through a home owners' association or property management company.* For single family residential development, the developer shall establish a home owners' association, which shall be responsible for maintaining drainage facilities and common areas within the district. For four-family residential, the property owner shall be responsible for maintaining drainage facilities and common areas within the district. The owner may use the services of a property management company for this purpose, but in case, the owner shall be responsible for ensuring that drainage facilities and common areas are maintained.
17. *Fencing & screening.* Where the property abuts existing single family residential uses, privacy fencing shall be installed by the developer. Fencing materials and height for privacy fencing shall be governed by the Kennedale city code. Where the property abuts existing park land, fencing shall be installed by the developer and shall be wrought iron with masonry columns placed a minimum of six (6) feet and a maximum of ten (10) feet apart. Columns shall not exceed six (6) feet in height. Where the property abuts existing floodplain, fencing materials are not required, but if fencing is installed, it

shall be open metal materials meeting the fencing regulations of Kennedale city code. Such materials shall include, but are not limited to, wrought iron and chain link. Barbed wire is prohibited.

SECTION 3.

The following terms shall have the following definitions when used in this Ordinance.

Community center means a building used primarily for the social or recreational activities serving the city, neighborhood, or apartment complex.

Four-family residential means a building which is intended, designed, or occupied as the home or residence of up to four (4) households living independently of each other and maintaining separate cooking facilities.

Household means one (1) or more persons living together as a single housekeeping unit, in which not more than two (2) individuals are unrelated by blood, marriage or adoption, but not including a group occupying a hotel, motel, boarding house, club, dormitory, fraternity or sorority house.

Lot coverage means the percentage of the total area of a lot occupied by the first story or ground floor of all buildings located on the lot.

SECTION 4.

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 5.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

SECTION 6.

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 7.

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 8.

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 9.

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 10.

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 11.

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 12.

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 20TH DAY OF JULY 2015.

APPROVED:

Brian Johnson, Mayor

ATTEST:

Leslie Galloway, City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

Wayne K. Olson, City Attorney

EXHIBIT "A"
Legal Description

Tract 1:

Being 14.638 acres of land located in the C.B. Teague Survey, Abstract No. 1506, Tarrant County, Texas, being a portion of the tract of land described as "First Tract, Parcel No. 1" in the deed to CD. Fincher and Mary Lane Fincher, recorded in Volume 6928, Page 119, Deed Records, Tarrant County, Texas. Said 14.638 acres of land being more particularly described as follows:

BEGINNING at a 3/4" iron rod found at the Northeast corner of said Fincher tract, being in the South line of a tract of land described in the deed to the City of Kennedale, recorded in Volume 6003, Page 710, Deed Records, Tarrant County, Texas, from which a 1/2" iron rod found bears N 76° 33' 38" E 0.51 feet;

THENCE S 00° 01' 16" E, along the East line of said Fincher tract, a distance of 590.76 feet to a 1/2" iron rod found at the Southeast corner of said Fincher tract, being at the most Northerly Northeast corner of a tract of land described in the deed to Texas Electric Service Company, recorded in Volume 3872, Page 354, Deed Records, Tarrant County, Texas;

THENCE along the South line of said Fincher tract as follows:

1. N 88° 19' 20" W, along the North line of said Texas Electric Service Company tract, a distance of 325.56 feet to a 5/8" iron rod found at the Northwest corner of said Texas Electric Service Company tract and in the East line of a tract of land described in the deed to Texas Electric Service Company, recorded in Volume 3953, Page 36, Deed Records, Tarrant County, Texas;

2. N 01° 37' 32" E, along the East line of said Texas Electric Service Company tract recorded in Volume 3853, Page 36, a distance of 125.22 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

3. S 89° 54' 30" W, along the North line of said Texas Electric Service Company tract recorded in Volume 3853, Page 36, a distance of 686.70 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set at the Southeast corner of a tract of land described in the deed to the City of Kennedale, recorded in Instrument No. D209227306, Deed Records, Tarrant County, Texas;

THENCE along the East line of said City of Kennedale tract recorded in Instrument No. D209227306 as follows:

1. N 43° 43' 57" W, a distance of 68.95 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

2. N 46° 41' 59" W, a distance of 74.26 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

3. N 57° 13' 55" W, a distance of 102.11 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

4. North, a distance of 93.25 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

5. N 17° 18' 39" E, a distance of 153.16 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

6. N 14° 56' 08" W, a distance of 77.83 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set;

7. N 31° 13' 03" W, a distance of 58.62 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set in the West line of said Fincher tract, being the North corner of said City of Kennedale tract recorded in Instrument No. D209227306;

THENCE N 00° 18' 59" W, along the West line of said Fincher tract, a distance of 71.21 feet to a 3/8" iron rod found at the Northwest corner of said Fincher tract and in the South line of said City of Kennedale tract recorded in Volume 6003, Page 710;

THENCE along the North line of said Fincher tract and the South line of said City of Kennedale tract recorded in Volume 6003, Page 710 as follows:

1. N 89° 38' 01" E, a distance of 142.67 feet to a 1/2" iron rod found;

EXHIBIT "A"
Legal Description

2. S 00° 49' 19" E, a distance of 34.96 feet to a 1/2" iron rod found;
3. S 84° 33' 22" E, a distance of 1,062.80 feet to the point of beginning, containing 14.638 acres of land.

The bearings recited hereon are oriented to NAD 83, Texas North Central Zone.

Tract 2:

Being 8.383 acres of land located in the Robert C. Richey Survey, Abstract No. 1358, and the C. B. Teague Survey, Abstract No. 1506, Tarrant County, Texas, being the tracts of land described as "First Tract, Parcel No. 2" and "Second Tract" in the deed to C.D. Fincher and Mary Lane Fincher, recorded in Volume 6928, Page 119, Deed Records, Tarrant County, Texas. Said 8.383 acres of land being more particularly described as follows:

BEGINNING at a PK Nail set at the Northeast corner of said "First Tract, Parcel No. 2", being the Southeast corner of a tract of land described in the deed to Texas Electric Service Company, recorded in Volume 3872, Page 354, Deed Records, Tarrant County, Texas;

THENCE S 14° 00' 54" E, along the East line of said "First Tract, Parcel No. 2" a distance of 109.79 feet to a PK set at the Southeast corner of said "First Tract, Parcel No. 2", from which a 1/2" iron rod found bears S 23° 38' 36" E 2.46 feet;

THENCE S 88° 09' 23" W, along the South line of said "First Tract, Parcel No. 2", a distance of 477.29 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set at the most Easterly Northeast corner of said "Second Tract", being the Northwest corner of a tract of land described in the deed to Exempt Trust FBO Stephen R. Hunsaker, recorded in Instrument No. D207082608, Deed Records, Tarrant County, Texas;

THENCE S 02° 44' 19" W, along the most Easterly East line of said "Second Tract" and the West line of said Exempt Trust FBO Stephen R. Hunsaker tract, a distance of 125.67 feet to a 1/2" iron rod stamped "Beasley RPLS 4050" set at the Southeast corner of said "Second Tract", being at the Northeast corner of a tract of land described as "Tract 2" in the deed to James Eugene Kite and Joyce Elizabeth Kite, recorded in Instrument No. D212194840, Deed Records, Tarrant County, Texas;

THENCE N 89° 27' 20" W, along the South line of said "Second Tract" and the North line of said Kite tract, at a distance of 208.49 feet passing a bent 3/4" iron rod found at the Northwest corner of said Kite tract and at the Northeast corner of a tract of land described in the deed to Cindi McMillan, recorded in Instrument No. D210013627, Deed Records, Tarrant County, Texas, continuing along the North line of said McMillan tract, in all, a distance of 1,128.60 feet to a 1/2" iron rod found at the Southwest corner of said "Second Tract", being the Northeast corner of a tract of land described in the deed to Texas Electric Service Company, recorded in Volume 4204, Page 66, Deed Records, Tarrant County, Texas and the Southeast corner of a tract of land described in the deed to Texas Electric Service Company, recorded in Volume 4185, Page 473, Deed Records, Tarrant County, Texas;

THENCE N 00° 43' 33" W, along the West line of said "Second Tract" and the East line of said Texas Electric Service Company tract recorded in Volume 4185, Page 473, a distance of 283.90 feet to a 3/8" iron rod found inside a 5/8" iron pipe found at the Northwest corner of said "Second tract" and at the Northeast corner of said Texas Electric Service Company tract recorded in Volume 4185, Page 473;

THENCE S 88° 17' 54" E, along the North line of said "Second Tract", at a distance of 804.77 feet passing a 1/2" iron rod found at the most Northerly Northeast corner of said "Second Tract" and at the Northwest corner of said "First Tract, Parcel No. 2" tract, continuing in all a distance of 1,589.31 feet to the point of beginning, containing 8.383 acres of land.

The bearings recited hereon are oriented to NAD 83, Texas North Central Zone.

NOTE: COMPANY DOES NOT REPRESENT THAT THE ABOVE ACREAGE AND/OR SQUARE FOOTAGE CALCULATIONS ARE CORRECT.

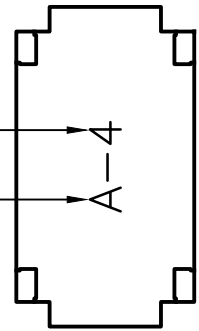
Exhibit “B”
Concept and Site Plan

- NOTES:
1. Proposed Use:
Senior Apartments
Proposed Units:
44 Units - 11 Building Type A (1 Bedroom Units)
44 Units - 11 Building Type B (2 Bedroom Units)
Total: 136 - Dwelling Units (Density: 136 DU/23.02 Acres = 5.91 DU/ac.)
 2. Proposed Development Size: ±17,706 acres
 3. Parking Spaces:
Total: 200 provided = 1.47 parking spaces per Dwelling Unit.
 4. According to the Flood Insurance Rate Maps for Tarrant County, Texas and Incorporated Areas, Map Number 48435C0340K, effective date September 25, 2009, the proposed development is located within the Special Flood Hazard Area Zone "AE".
 5. All dimensions are to the face of curb, unless otherwise noted.

DRAWING NOTES

1. Property boundary/property lines information obtained from plat provided by Client.

BUILDING TYPE: BUILDING NUMBER



TYPICAL BUILDING LABEL

Rentable Units			
Unit Type	Number of Units	BR/Unit	Baths/Unit
A	92	1	1
B	44	2	1
		Net Rentable Sq. Ft.	
		813	
		1,034	

±0.290 Acre to be obtained from the City of Kennedale for entrance.

NEW HOPE ROAD (FM 2025)

NEW HOPE ROAD (FM 2025)

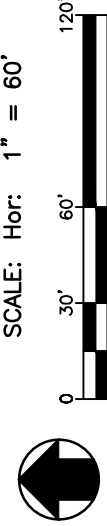
Dumpster (Typ.)

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

Approx. Flood Zone AE as per FEMA FIRM 48435C0340K, dated September 25, 2009.

PRELIMINARY SITE PLAN

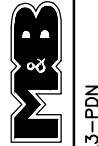


Preliminary Site Plan

Kennedale Development

Proposed ±17,706 Acres
Kennedale, Tarrant County, Texas
May 7, 2015

Engineer:
McClure & Brown Engineering/Surveying, Inc.
1000 Westworth Parkway, Suite 200
College Station, Texas 77845
(979) 693-3838
Firm Reg. No. F-458



10/2022-2-PN

PETITION FOR

CHANGE OF ZONING CLASSIFICATION

ZONING CASE # 15-02
(assigned by city staff)

DATE: 2/26/2015

City Council
City of Kennedale
Kennedale, Texas 76060

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

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

" R-3 " (Single Family Residential District) to that of
PD Planned Development
" ~~MF~~ " (~~Multifamily Residential District~~) in its entirety as shown on Exhibit "B"

attached. The property totals some 23 acres.

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

Robert C. Richey Survey Abstract #1358 CB Teague Survey Abstract #1506
Legal Description is City of Kennedale, Tarrant County, Texas

Present use of the property is Vaccant Land

Address of the property is 332-370 S. New Hope Road, Kennedale, Texas 77606

Property Owner's Name: C.D. Fincher and Mary Lane Fincher - Estate of C D Fincher

Address: 322 S. New Hope Road
Kennedale, TX 77606

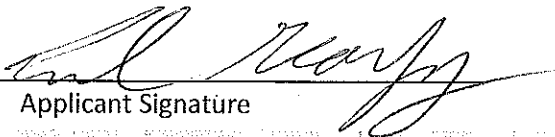
Telephone Number: _____

Applicant's Name: Kennedale Seniors, Ltd.
Address: 4500 Carter Creek Parkway, Suite 101
Bryan, TX 77802
Telephone Number: 979-846-8878

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

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

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


Applicant Signature

2/26/15
Date

KENNEDALE