



KENNEDALE
Planning and Zoning Commission
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KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
July 16, 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. Introduction to LSL Planning staff
- 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 June 18, 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

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 July 16, 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: July 16, 2015

Agenda Item No: WORK SESSION - A.

I. Subject:

Introduction to LSL Planning staff

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Kennedale selected the consultant planning firm of LSL Planning to lead the code update for the City of Kennedale. Project staff from LSL Planning will attend the meeting to introduce themselves to the Commission. LSL is based out of Michigan, but its staff has done work throughout the country. Kennedale city staff were impressed by LSL's innovative approach to codifying planning and development regulations, known as iZone. This approach makes the development process much easier to understand. We look forward to working with the LSL team.

LSL staff have sent us a survey for the Planning & Zoning Commission members to fill out, which you should have received by email. In case you didn't get the email, though, the survey is also included in your packet. If possible, please bring your completed survey to the meeting. If you prefer, you can also turn in the survey (drop off at City Hall or send to me by email) prior to the meeting.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: July 16, 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 (we're hoping to be able to move it forward in August or September). 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.

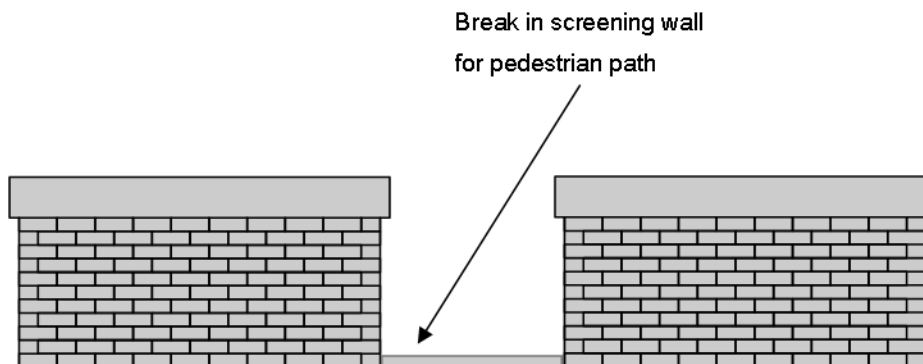


Illustration [x]. Example of break in screening wall.

(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.

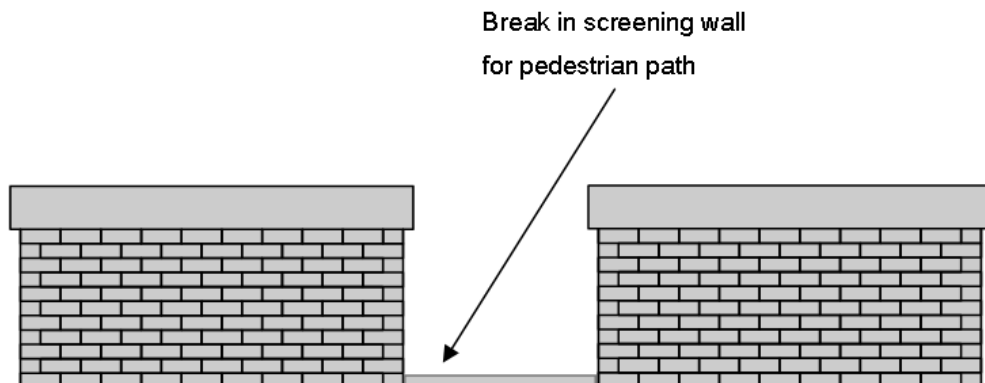


Illustration [x]. Example of break in screening wall.

(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: July 16, 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 what work session items you would like to see on future agendas.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: July 16, 2015

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from June 18, 2015 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

Review and approve minutes from June 18, 2015 Planning and Zoning meeting

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	06.18.2015 Planning and Zoning meeting	06 18 2015 PZ Minutes Final.docx
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
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

Mr. Harvey called the meeting to order at 6:07 PM

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. Brim joined the commission at 6:16 PM

Mr. Whitacre joined the commission at 6:48 PM

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

III. WORK SESSION

A. Discuss any item on the regular session agenda

Ms. Roberts and the commissioners went over the ordinance for Case PZ 15-02 for revisions. She went over details on what was being proposed to the board. Mr. Harvey said that the proposed plans for the future development need to have more detail as well as the ordinance.

B. Discuss draft ordinance for Neighborhood Center and Urban Village overlay districts

The commission did not have time to discuss this item.

C. Discuss items for future consideration

The commission did not have time to discuss this item.

The work session closed at 6:58 PM

IV. REGULAR SESSION

V. CALL TO ORDER

Mr. Harvey called the meeting to order at 7:00 PM

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.

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

VII. MINUTES APPROVAL

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

VIII. VISITOR/CITIZENS FORUM

No one registered to speak.

IX. REGULAR ITEMS

A. **CASE # PZ 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

Ms. Roberts said the proposed development is going to be a four-plex residential district occupied by independent senior citizens over the age of 55. She said the applicant and staff said that the "PD" Planned Development goes along with the Comprehensive Plan, which calls for neighborhood development in this area, with neighborhood included single family residential and small multi-family. She said that the applicant will have all required plans and permits needed by the city. She said that a City Council goal is to add residents to this part of the city to support local businesses and attract the kinds of businesses residents would like to see, and this rezoning would support that goal. She said the property is difficult to build on so it is unlikely that a single family residential development will be built on this property. Mr. Harvey said that by zoning the property as "PD" Planned Development, the board can now limit the development to what the city and the residents would desire.

2. Applicant presentation

Emanuel Glockzin, developer of the proposed senior living development, said there will be 136 units in the complex and that the facility is income restricted but that there are thirteen units that are not income restricted. The residents must be 55 years or older to live in the development. He went over pictures that he brought with him to show how the development would look once completed. He said his company would also manage the property. Mr. Whitacre asked Mr. Glockzin about fencing and materials. Mr. Harvey said that all the details would be included in the developer agreement. The board

discussed the trail system to Sonora Park.

3. Public hearing

Steve Hunsaker, 402 S. New Hope Rd, said he wanted more information on the residents and was worried about the land value. He stated that he thinks that crime will rise in the area.

Joyce Kite, 408 S. New Hope Rd, said that her and her husband have lived there for 40 years. She said she spoke with surrounding home owners and they had the same views as her. She said she wanted more information on the development. She was worried about pollution and traffic impact. She said she believes the assisted living will raise the crime rate. She thinks the land value will lower and that she is against the development.

Ronnie Barcroft, speaking on behalf of Jay Brown who lives at 409 S. New Hope Rd, read the letter that Mr. Brown had sent to the city.

Dave McMillan, 3830 Kennedale New Hope Rd, submitted a written opinion stating that he is against the proposed subdivision if it includes low income or subsidized housing.

Jeff Gonsman, 328 S. New Hope Rd, wanted to know if the lot was already sold to the developer. He said he is concerned about the traffic impact the development will create. He said he purchased his property for the country feel and that it will diminish with the proposed development. He is worried about siblings that will live with the seniors as well. He said he is worried about the current residents getting full use of Sonora Park. He stated he is opposed to the development.

Elizabeth Gonsman, 328 S. New Hope Rd, said that she is concerned about the crime rate and traffic impact. She said she is opposed to the development.

Luann Hull, 416 S. New Hope Rd, submitted a written opinion stating that Kennedale does not need any more duplexes in Kennedale. She said Kennedale already has trouble with the existing duplexes. She said assisted living is just another word for duplex/apartments.

4. Applicant response

Emanuel Glockzin, developer of proposed development, stated that his management team does background checks. He said they check where the senior citizen lived before and that they take all required measures to make sure safety isn't an issue.

5. Staff response and summary

Ms. Roberts said that the parking spaces are going to be a maximum of 210. She said that with the "R-3" Residential zoning, either way the property would be developed would be a major change to what surrounding properties are used to. She said the management is taking measures to prevent crime.

6. Action by the Planning & Zoning Commission

Mr. Browne motioned to approve the ordinance with the following conditions:

1. Use the street lighting requirements from the recently-approved regulations for Old Town.
2. Require parking islands to have vegetation/be landscaped. Use city code requirements for commercial parking lots.
3. Include elevations in the concept plan for the ordinance: one elevation per building type (1-bedroom, 2-bedroom, gazebo, and clubhouse).
4. Require an entry feature, which shall be masonry, and a minimum height of six feet and a maximum height of eight feet.
5. The district shall have at least two access points connecting the development to a public road.
6. Development within the district shall install sidewalks or trails connecting to existing sidewalks or trails.
7. Change the ordinance section on fencing to require wrought iron to be used for fencing if fencing is installed along the floodplain side of the property.
8. Any part of the district not abutting a city park or floodplain shall have a landscaped buffer in addition to fencing, as follows.

- a. An additional ten feet of setback shall be required above what is required for R-3 zoning districts.
 - b. Trees of a minimum of 3" caliper shall be planted twenty feet on center, with trees being of a type with a mature canopy expected to reach at least twenty feet in height.
 - c. Shrubs shall be planted between the trees to ensure adequate screening.
9. To ensure there is no conflict between the development and a future expansion of New Hope Rd, any parking or structures built on the parcel identified as Tract 4 in the concept and site plan shall be setback at least 70 feet from the existing right-of-way on New Hope Rd.

The motion was seconded by Mr. Pirtle and passed with four approvals except Mr. Rawe and Mr. Pirtle, who opposed and Mr. Harvey abstained from voting.

X. REPORTS/ANNOUNCEMENTS

City Hall will be closed on Friday, July 3, 2015.

The Old Town ordinance was approved on Monday, June 15, 2015.

The 22nd Annual North Texas Elected & Appointed Officials Planning Workshop is going to be on Friday, July 31, 2015.

XI. ADJOURNMENT

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

The meeting adjourned at 9:13 PM