



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
March 17, 2016
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 items for future consideration

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Consider approval of minutes from the February 18, 2016 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 16-01** Public hearing and consideration of Ordinance approval regarding a request by Adam Blow for a zoning change from "C-1" General Commercial to "R-1" Single Family Residential located on 0.5 acre at 600 Little School Rd. legal description of J M Lilly Survey, A 980 Tr 6A.

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

B. **CASE # PZ 16-02** Public hearing and consideration of Ordinance approval regarding a request by Linda Miller for a zoning change from "AG" Agricultural to "R-3" Single Family Residential for approximately .3049 acres at 431 Kevin Miller Rd., legal description of a portion of Lot 9 from the J M Estes Home Tracts.

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

C. Update Future Transportation Plan in the Comprehensive Land Use Plan

1. Staff Presentation
2. Public Hearing
3. Staff Summary and Response
4. 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 March 17, 2016, 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



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

III. Summary:

At this time, the Commission members may discuss any item on the regular session agenda, but no action may be taken and no public hearing may be held.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss items for future consideration

II. Originated by:

III. Summary:

The Commission may discuss items to be placed on future work session agenda. No action may be taken on these items.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from the February 18, 2016 Planning and Zoning Commission meeting

II. Originated by:

Katherine Rountree, Permits Clerk

III. Summary:

February 18, 2016 Planning and Zoning Commission meeting minutes

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	02.18.2016 PZ Minutes	02.18.2016 PZ Minutes.doc
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
February 18, 2016
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:30 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

The meeting was not called to order.

II. ROLL CALL

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

There was not a quorum.

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

III. WORK SESSION

A. Discuss any item on the Regular Session agenda

The commission did not discuss this item.

B. Discuss any items for future consideration

The commission did not discuss this item.

IV. REGULAR SESSION

V. CALL TO ORDER

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

VI. ROLL CALL

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

There was a quorum.

Mr. Whitacre joined at 7:01 P.M.

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

VII. MINUTES APPROVAL

A. Consider approval of minutes from January 21, 2016 Planning and Zoning Commission meeting

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

VIII. VISITOR/CITIZENS FORUM

No one registered to speak

IX. REGULAR ITEMS

A. **CASE # PZ 15-14** Public hearing and consideration of approval on a request by Linda Miller for a minor replat of approximately 1 acre from Lot 9 of the J. M. Estes Home Tracts, Kennedale, Tarrant County, Texas. A variance from the cul-de-sac requirements of Section 17-303(a)(8) is requested.

**** POSTPONEMENT REQUESTED BY APPLICANT ****

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

The Brickworks Festival will be held from April 15-17, 2016.

There will be a Meet-and-Greet with Commissioner Andy Nguyen on February 25, 2016.

XI. ADJOURNMENT

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

The meeting adjourned at 7:15 PM.



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 16-01 Public hearing and consideration of Ordinance approval regarding a request by Adam Blow for a zoning change from "C-1" General Commercial to "R-1" Single Family Residential located on 0.5 acre at 600 Little School Rd. legal description of J M Lilly Survey, A 980 Tr 6A.

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:

Applicant: Adam Blow

Location: Little School Rd at Kennedale Sublett (north), across from Life Fellowship Church and south of Harrison Dr

Surrounding land uses: primarily single-family residential; also agricultural (across the street) and commercial (church across the street; small commercial buildings located nearby)

Surrounding zoning: C-1 restricted commercial (same as site for this case); AG agricultural; R-3 residential

Staff recommendation: postpone or deny

Background and overview.

The property is just off the roundabout at the north intersection of Little School Rd and Kennedale Sublett roads. The properties on either side of this one are zoned the same as this one, C-1 restricted commercial. Nearby but to the back is a residential neighborhood zoned R-3 single family. Across the street is a large property with one house and a gas well pad site, zoned AG (see map).

This property is part of a Neighborhood Village character district in the Future Land Use Plan (see Staff Review below). The property used to have a single-family house, but the house burned down several years ago and was then demolished.

The applicant has requested to rezone the property to R-1 single family residential.

Staff Review.

Compliance with the comprehensive land use plan.

The Future Land Use Plan shows the property as being part of a Neighborhood Village character district. The comprehensive plan describes this character district as follows.

These villages serve the surrounding neighborhood and community. They are smaller and less intense than Urban Villages. Uses should include a dense mix of residences and businesses. Neighborhood Villages should be very easily accessible by foot from the surrounding neighborhoods. Intensity of each Neighborhood Village will vary based on the surrounding context.

Sample development types include--but are not limited to-- townhomes, small-scale multifamily, restaurants, coffee shops/cafes, and neighborhood-serving retail and services. The R-1 zoning district is not consistent with the Neighborhood Village character district. However, this property is at the edge of the character district, and since the boundaries in the Future Land Use Plan are not set legal boundaries, the city has some flexibility in determining which character districts the edge properties should be part of.

Compliance with the strategic plan.

The strategic plan does not have any recommendations related to this rezoning case.

Compliance with City Council priorities.

Related priorities: Balance the Tax Base and Enhance the Business Climate (neither priorities is strongly supported by this rezoning request)

The priorities established through the Balanced Scorecard do not directly relate to this case. The priorities do relate indirectly in that the current commercial zoning allows for the opportunity to attract a sales tax generating-business, which would help with the priority to Balance the Tax Base. The priority to Enhance the Business Climate encourages attracting more residents, which a residential zoning designation on this site would help with. However, the Neighborhood Village character district calls for a larger number of residents than an R-1 zoning district would allow, so rezoning to a district not in keeping with the Neighborhood Village character will not help as much with enhancing the business climate as keeping the current zoning would do.

Additional Factors to Consider.

(1) Is the current zoning suitable?

While the adjacent properties are zoned C-1, most of them are actually used for residential purposes. Thus a rezoning to R-1 is not expected to have an adverse impact on surrounding properties.

(2) Will the rezoning have an adverse impact on surrounding properties?

A commercial use would fit here (businesses are already located across the street), but although the city receives inquiries from time to time from potential business owners interested in the property, the area is not in high demand for commercial uses. Therefore, either a residential or commercial zoning could be suitable at this location--although the suitability would depend on the intensity and design of these uses.

Staff Recommendation.

The requested rezoning is not consistent with the comprehensive land use plan, and the applicant has not provided information supporting a request to deviate from the Future Land Use Plan. At this time,

staff recommends either continuing this case until the next month or denying the request. Please note that the applicant may have information in his presentation to the Commission that would argue for why this property should not be part of a zoning district consistent with the Neighborhood Village character district, which might affect the Commission's decision. However, if the applicant does not have additional information or arguments during the presentation, the Commission should either deny his application for rezoning or postpone deciding until the next month and ask the applicant to provide a better case.

Action by the Planning & Zoning Commission.

The Commission may approve, approve with conditions, deny, or deny without prejudice the request for rezoning. You may also postpone the case; if you postpone consideration, you must state when the case will be considered again.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:

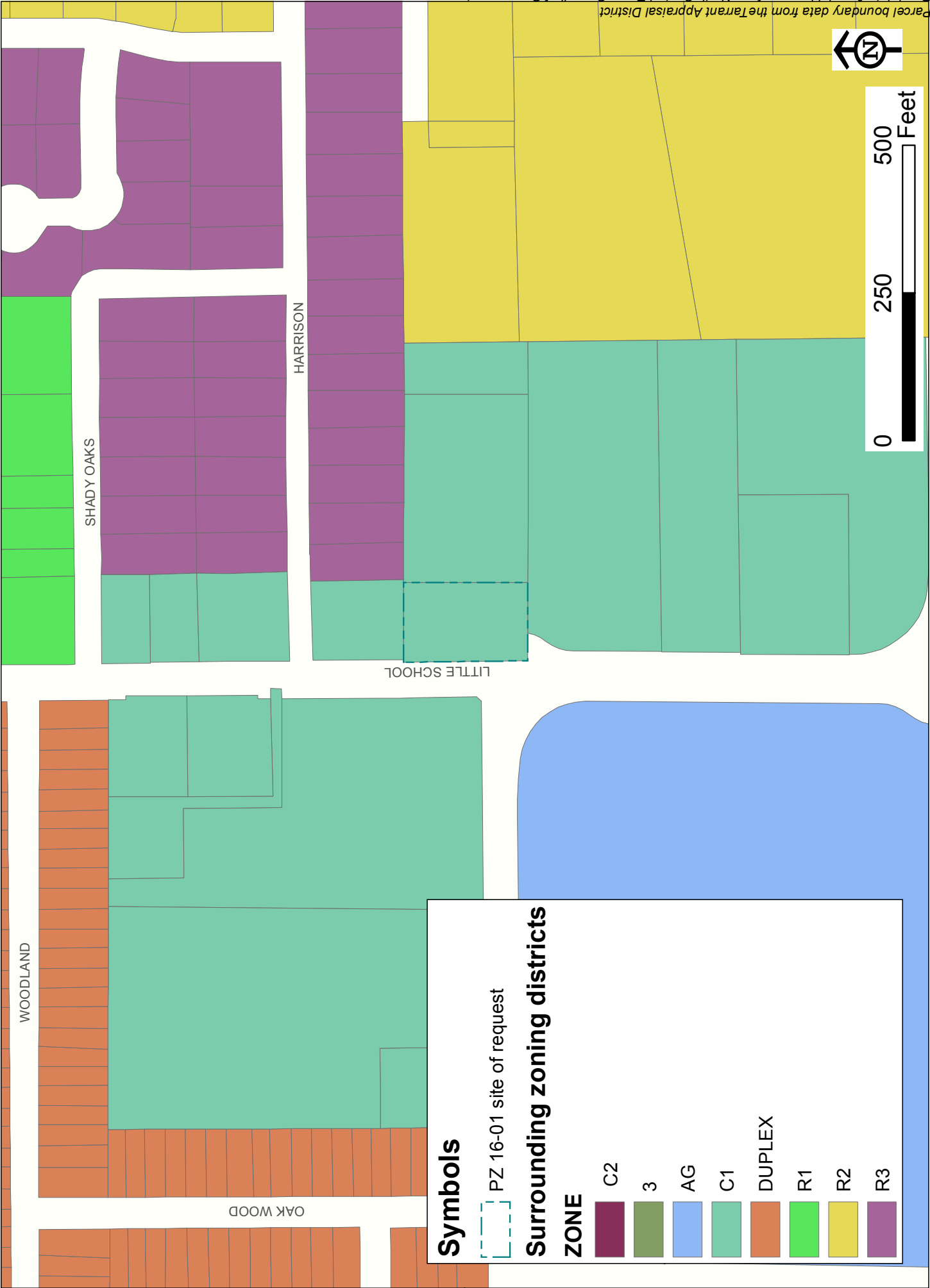
1.	PZ 16-01 map showing site	PZ 16-01 map of site.pdf
2.	Zoning map	PZ 16-01 map showing surrounding zoning.pdf
3.	Future Land Use Plan	Future Land Use Plan showing site.pdf
4.	Aerial view	PZ 16-01 aerial view (reduced size).pdf
5.	Ordinance 592 (draft)	ORDINANCE 592 draft (PZ 16-01).pdf
6.	PZ 16-01 application	PZ 16-01 application.pdf

PZ 16-01 site of requested rezoning



Parcel boundary data from the Tarrant Appraisal District
Road data & aerial imagery from North Central Texas Council of Governments

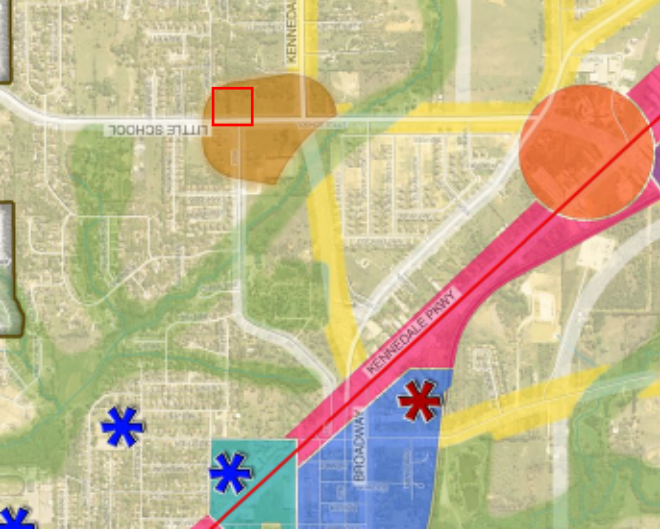
Zoning districts around site of request PZ 16-01





CATEGORIES

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



Aerial view of site, PZ 16-01



ORDINANCE 592

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "C-1" RESTRICTED COMMERCIAL DISTRICT TO "R-1" SINGLE FAMILY RESIDENTIAL 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, Adam Blow has filed an application to rezone the property described below and on Exhibit "A" (attached) from its present classification of "C-1" Restricted Commercial District to "R-1" Single Family Residential District; and

WHEREAS, the City Council has determined that the requested rezoning is consistent with the comprehensive land use; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 17th day of March 2016 and by the City Council of the City of Kennedale on the 21st day of March 2016 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 0.5 acre portion of Tract 6 in the J M Lilly Survey A-980, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein and as shown on Exhibit "B" attached hereto, from "C-1" Restricted Commercial District to "R-1" Single Family Residential District.

SECTION 2.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4.

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

SECTION 5.

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, including but not limited to all Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

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

SECTION 8.

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

SECTION 9.

It is hereby declared to be the intention of the City Council that the phrases clauses sentences paragraphs and sections of this ordinance are severable and if any phrase clause sentence paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction such unconstitutionality shall not affect any of the remaining phrases clauses sentences paragraphs and sections of this ordinance since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase clause sentence paragraph or section.

SECTION 10.

The City Secretary of the City of Kennedale is hereby directed to publish the caption, Section 1, the penalty clause, the publication clause, and the effective date clause of this ordinance in every issue of the official newspaper of the City of Kennedale for two days or one issue of the newspaper if the official newspaper is a weekly newspaper as authorized by Section 3.10 of the City of Kennedale Charter.

SECTION 11.

This ordinance shall be in full force and effect from and after its passage and publication as required by law and it is so ordained.

PASSED AND APPROVED ON THIS 21st DAY OF MARCH 2016.

APPROVED:

Mayor Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

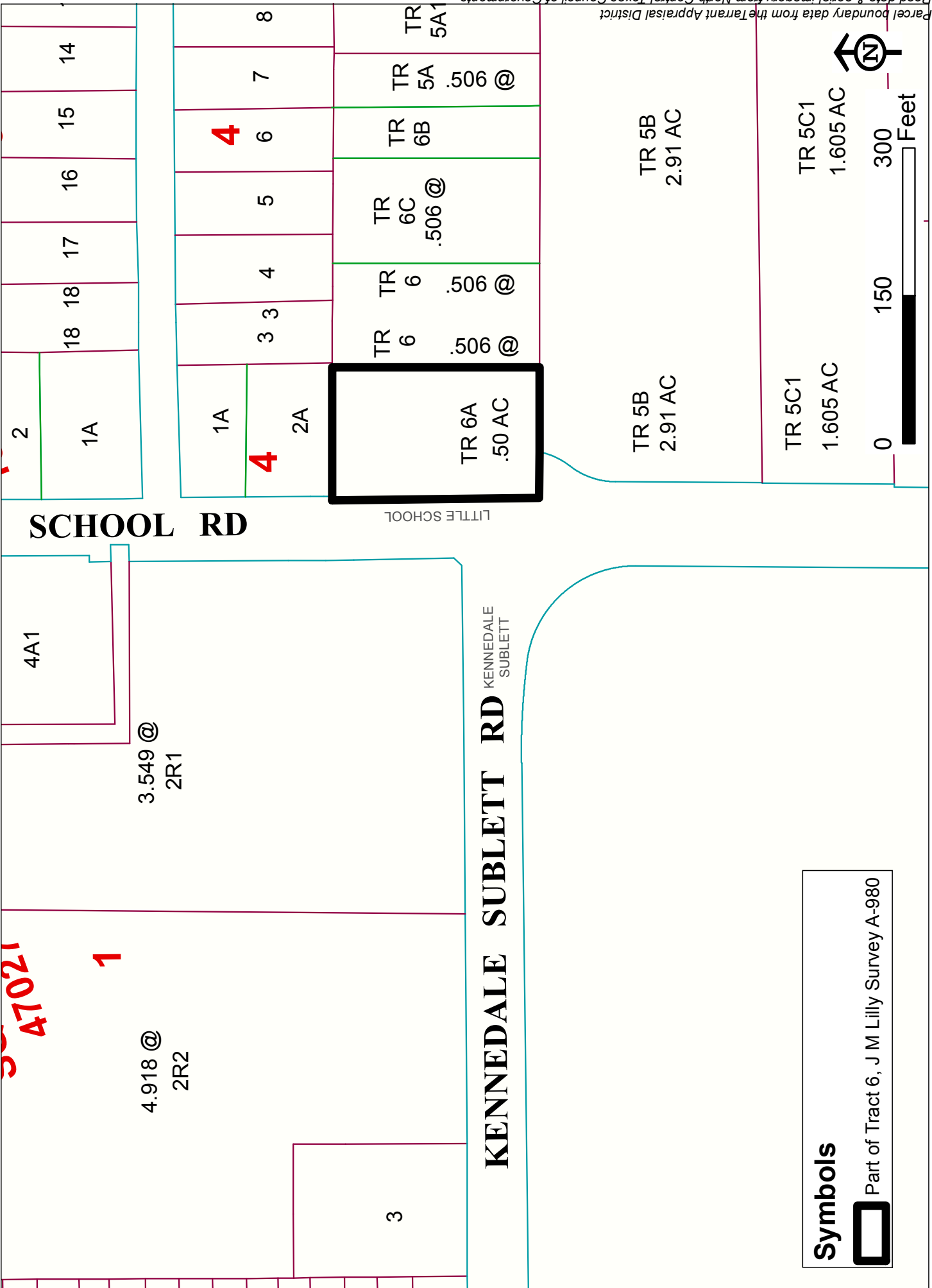
City Attorney, Wayne K. Olson

Exhibit A
Description of Property

An approximately 0.5 acre portion of Tract 6 in the J M Lilly Survey A-980, Tarrant County, Texas, as more particularly described as a portion of that property described in a warranty deed to Clyde Bedford, filed in the Tarrant County Clerk's Office records as instrument number D205383312.

Exhibit B
Map showing location of the property

Exhibit B, Map Showing Part of Tract 6, J M Lilly Survey, A-980, Tarrant County, Texas



Symbols

 Part of Tract 6, J M Lilly Survey A-980

Parcel boundary data from the Tarrant Appraisal District
Road data & aerial imagery from North Central Texas Council of Governments

PETITION FOR CHANGE OF ZONING CLASSIFICATION

ZONING CASE # 16-01
(assigned by city staff)

DATE: 2.12.16

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

"_____ " (Commercial) to that of

"_____ " (Residential R-1) in its entirety as shown on Exhibit "B"

attached. The property totals some 0.5 acres.

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

Legal Description is Killy, 1m Survey Abstract 980 Tract 6A

Present use of the property is Vacant

Address of the property is WOODLITTLE School Rd.

Property Owner's Name: Cecil Bradford

Address: 12429 Oak Grove S.

Burleson, TX. 76028

Telephone Number: _____

Applicant's Name:

Adam Blow

Address:

4112 Heritage Dr
Crawley, TX. 76036

Telephone Number:

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 Cecil Bealford 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.

Adam Blow

Applicant Signature

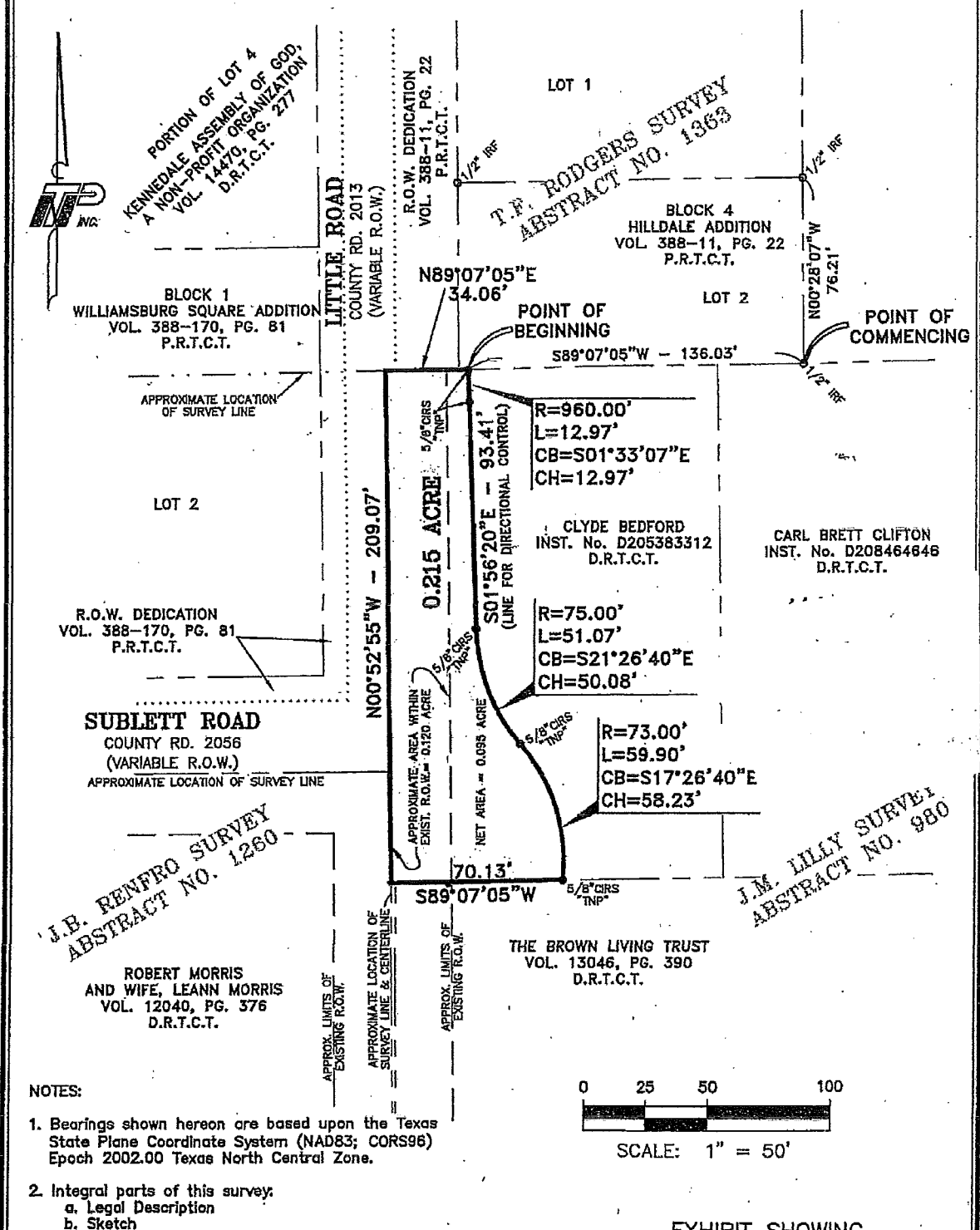
12 Feb 2016

Date

Items to be submitted with this application:

- ☐ Owner affidavit (if applicant is not the property owner)
- ☐ Application fee
- ☒ Statement of why the zone change should be approved
- ☒ Map showing the property requested to be rezoned
- ☒ Legal description (metes and bounds) for the property to be rezoned.
 - If you do not have a current survey with a metes and bounds description, you may submit the most recent deed for the property if it includes a metes and bounds description.

EXHIBIT "B"



PRELIMINARY — THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

Ricky L. Gentry, R.P.L.S.
Texas Registration No. 5519

September 25, 2009

Date:

EXHIBIT SHOWING
0.215 ACRE

Situated in the J.M. Lilly Survey
Abstract No. 980
City of Kennedale
Tarrant County, Texas

JOB No. KEN08305-01

PARCEL No. 18



TEAGUE NALL AND PERKINS

Civil Engineering | Surveying | Landscape Architecture | Planning

1100 Macon Street, Fort Worth, TX 76102

(817) 336-5773

SHEET 2 OF 2



CITY OF KENNEDALE PLANNING & ZONING COMMISSION

OWNER AFFIDAVIT

Case #PZ _____

Property Address: 600 Little School Rd

Kennedale, TX. 76060-5408

Legal Description: Killy JM Survey A980 TR 1A

Applicant:

Type of P&Z request: ☒ Rezoning ☐ Conditional Use Permit ☐ Final Plat ☐ Replat

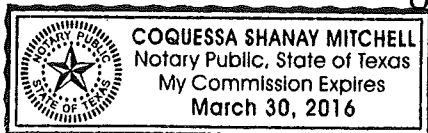
I, Cecil Bedford, current owner of above mentioned property, authorize the applicant or his authorized representative to make application for the Kennedale Planning & Zoning Commission to consider granting the above reference request on my behalf and to appear before the Commission.

Owner Signature: Cecil Bedford

Date: 2-10-16

SWORN TO and Subscribed before me by Cecil Bedford

ON THIS 10th DAY OF February, 2016



Coquessa Shanay Mitchell
Notary Public, Tarrant County, Texas

My name is Adam Blow; I am a veteran of the US ARMY, and currently run track for US ARMY Athletic Program. I'm writing this letter due to the fact that the land located at 600 N. Little School Road is currently zoned as commercial and I am requesting it to be rezoned to residential.

Growing up, my family moved around a lot with my father's job and I have always loved the Kennedale area I knew that once I became of age, this was the area I would like to settle in myself. Now that I am retired, the property 600 N. Little School Road and would like to call that home for myself and two children.

While deployed, my realtor informed me of this property and upon return, fell in love with the area.



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

CASE # PZ 16-02 Public hearing and consideration of Ordinance approval regarding a request by Linda Miller for a zoning change from "AG" Agricultural to "R-3" Single Family Residential for approximately .3049 acres at 431 Kevin Miller Rd., legal description of a portion of Lot 9 from the J M Estes Home Tracts.

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:

Applicant: Linda Miller

Location: on the last property at the end of Kevin Miller Rd

Surrounding land uses: single-family residential

Surrounding zoning: R-3 single family (all other properties on Kevin Miller Rd), Agricultural, and Vineyard PD

Staff recommendation:
approve

Background and overview.

Ms. Miller owns just under 5 acres at the end of Kevin Miller Rd. The property was once part of one large lot in the J M Estes Home Tract Addn. Over time, most of this original Lot 9 has been subdivided and replatted into dmslrrt residential lots, and all of the properties on Kevin Miller Rd except the 4 acre lot owned by Ms. Miller are zoned R-3 single family residential. Ms. Miller would like to plat out another lot in order to build a new home; she would like the lot to be another single family lot instead of an Agricultural lot, so she is applying to rezone a portion of her property large enough to fit the lot size requirements of the R-3 zoning district. She will then apply for a plat, but the rezoning must be approved before a plat can be approved under the R-3 lot size.

Staff Review.

Staff reviews rezoning requests for compliance with the comprehensive land use plan and with other city planning and policy documents.

Compliance with the comprehensive land use plan.

The Future Land Use Plan shows this area to be within a Neighborhood character district.

This district is primarily residential in nature. Neighborhoods should have defined boundaries, a clear center, and be easily accessible to day-to-day goods and services... 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.

While residential rezoning in undeveloped areas might best be achieved through the use of new zoning standards that fit the comprehensive plan, it is expected that rezoning within existing neighborhoods would follow existing zoning, provided the city can still achieve compliance with the comprehensive plan. The other residential lots on this streets are all R-3 single-family residential, which is residential in nature. Staff considers the rezoning to be in compliance with the comprehensive land use plan.

Compliance with the strategic plan.

The recommendations from the strategic plan do not relate to this rezoning request.

Compliance with City Council priorities.

Related priorities: Enhance the Business Climate.

Bringing in more residents provides more potential customers for local businesses, through enhancing the business climate. A site this small (one R-3 lot only) does not substantially contribute to meeting this goal, but the requested rezoning does not impede achieving city goals or Council priorities.

Additional Factors to Consider.

(1) Is the current zoning suitable?

The city is transitioning away from agricultural uses as Kennedale becomes more and more developed. The property is in an area of transition, with both typical single-family lots and large acreage lots. An agricultural zoning district is suitable at this time, provided large-scale agricultural uses are not undertaken, but it is expected that over time the area will transition away from agricultural uses. Single family zoning is suitable in this area, as well.

(2) Will the rezoning have an adverse impact on surrounding properties?

The rezoning would be in keeping with residential uses on surrounding properties and is not expected to have an adverse impact.

Staff Recommendation.

Staff recommends approval.

Action by the Planning & Zoning Commission.

The Commission may approve, approve with conditions, deny, or deny without prejudice the request for rezoning. You may also postpone the case; if you postpone consideration, you must state when the case will be considered again.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 17, 2016

Agenda Item No: REGULAR ITEMS - C.

I. Subject:

Update Future Transportation Plan in the Comprehensive Land Use Plan

1. Staff Presentation
2. Public Hearing
3. Staff Summary and Response
4. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

After the new comprehensive land use plan was adopted in March 2012, the city adopted a master plan for the Oak Crest area in August 2012. This Employment Center Master Plan was based on the comprehensive plan but provided a more detailed vision for the Oak Crest neighborhood than could be established through the larger, more comprehensive Future Transportation Plan. A major component of the master plan is the realignment of Oak Crest Drive so that the roadway will line up with Gilman Rd, which is now located slightly to the south of the Oak Crest Dr intersection with Kennedale Pkwy.

City staff would like to include this realignment in the upcoming five-year capital improvement program (to be considered by City Council in the upcoming budget year), but in order for the project to be included, it must be shown on the Future Transportation Plan. City Council has already given approval to the concept of the realignment through adopting the Employment Center Master Plan, so city staff recommends updating the Future Transportation Plan so that both plans are consistent with each other and with the city's vision. Specifically, staff recommends updating the map shown on page 6-3 of the comprehensive plan. We have asked Halff Associates, the consultants who produced the comprehensive plan, to provide a revised page, but in the meantime, the map attached to this report shows the desired change and what will be shown in the new map produced by Halff.

Please also note that our attorney is currently making some corrections to the ordinance, so the attached version is not the final version. We will have a final version for you at the meeting.

UPDATE: We have received the corrected ordinance from our attorney. The corrected version is now attached to the packet.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	Updated Future Thoroughfare Map	Future Transp Plan update Mar 2016.pdf
2.	O595 updating transportation plan	Comp Plan update ordinance (revised by W Olson) Mar 2016 -- O595.pdf

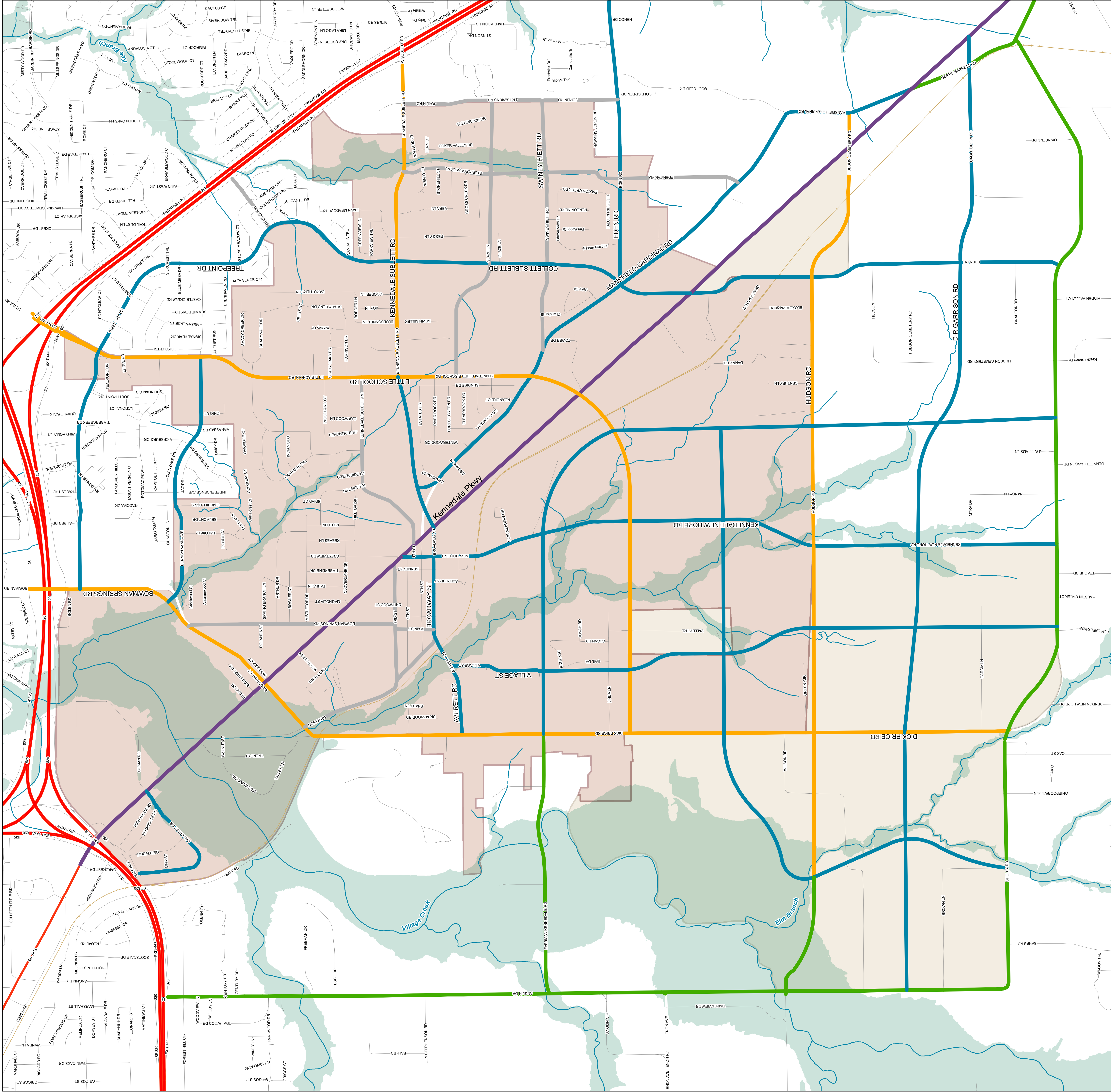
Comprehensive Plan Update

LEND

Freeway
Parkway
Boulevard
Avenue
Rural Road
Street

City of
KENNEDALE.
Texas
EST. 1887

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ORDINANCE 595

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN FOR THE CITY OF KENNEDALE BY UPDATING THE FUTURE TRANSPORTATION PLAN; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR 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 effectively plan for infrastructure and long-range development of the City, and to deliver city services adequate to serve the citizenry of the City of Kennedale, the City has previously adopted a Comprehensive Plan; and

WHEREAS, it is necessary to amend the future transportation plan element of the Comprehensive Plan in order to revise the Thoroughfare Plan Map to reflect transportation goals, objectives and policies for future development within the City; and

WHEREAS, in accordance with the powers and duties of the Planning and Zoning Commission, the Planning and Zoning Commission has assessed and developed goals, objectives and policies to guide the future development of the City and has recommended the adoption of the proposed amended Comprehensive Plan in accordance therewith; and

WHEREAS, it is the opinion of the City Council that the attached Thoroughfare Plan Map developed for the City of Kennedale, Texas, and endorsed by the City's Planning and Zoning Commission, should be adopted and be used as a guideline on which to base zoning, platting and other land use decisions; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 17th day of March 2016, and by the City Council on the 21st day of March 2016, with respect to the proposed amendment to the Comprehensive Plan; and

WHEREAS, all requirements of law dealing with notice and publication and all procedural requirements have been complied with in accordance with Chapter 213 of the Local Government Code.

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

SECTION 1.

The Future Transportation Plan element of the Comprehensive Plan of the City of Kennedale is hereby amended by adopting a revised Thoroughfare Plan Map as shown on Exhibit "A", attached hereto. The Thoroughfare Plan Map hereby adopted shall supersede and replace the current Thoroughfare Plan Map on page 6-3 of the Comprehensive Plan.

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances of the City of Kennedale, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

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 4.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON THIS 21st DAY OF MARCH, 2016.

APPROVED:

Mayor Brian Johnson

ATTEST:

Leslie Galloway, City Secretary

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

Wayne K. Olson, City Attorney