



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
September 15, 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

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

A. Consider approval of minutes from the August 18, 2016 Planning & 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 16-03** Public hearing to receive public comments and consider approval of a request by Hickman Consulting Engineers for MKP Associates, Inc. for a replat of approximately 5.005 acres at 1209 Swiney Hiatt Rd, being a replat of C C Swiney's Subdivision Lot 1, Kennedale, Tarrant County, to create Falcon Crest Estates Block 1 Lots 1-7.

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

B. **CASE # PZ 16-11** Public Hearing to receive public comments and consider approval of a request by Ashton Holdings for a replat of approximately 0.988 acres at 408 3rd St, being a replat of Soto Addition Block 1 Lot 1R, Kennedale, Tarrant County, to create Soto Addition Lot 1R-1 and 1R-2.

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

C. **CASE # PZ 16-12** Public hearing and consider approval of Ordinance No. 609 regarding a request by Joe Boston, Jr for SOS Renovations, LLC for a zoning change from "AG" Agricultural to "R-3" Single-family residential for approximately 1.5 acres in the W E Haltom Survey A-731 and described in a deed recorded as D213282537 in the Tarrant County deed records and located at 1115 Border Ln.

1. Staff presentation
2. Applicant presentation
3. Public Hearing
4. Applicant response
5. Staff response and summary
6. Action by the Planning and 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 September 15, 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: September 15, 2016

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

III. Summary:

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: September 15, 2016

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from the August 18, 2016 Planning & Zoning Commission meeting

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Minutes from the August meeting are attached to this page for your review.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	08.18.2016 PZ Minutes	08.18.16 PZ minutes.pdf
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

**KENNEDALE PLANNING & ZONING COMMISSION
MINUTES**

COMMISSIONERS - REGULAR MEETING

August 18, 2016

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

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

I. CALL TO ORDER

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

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	

[A quorum was not present until 7:00 P.M.]

Staff present: Rachel Roberts (planning director).

Also present: Mike Bennett, city engineer (Shield Engineering) and Dave Jirousek, LSL Planning.

III. WORK SESSION

IV. REGULAR SESSION

V. CALL TO ORDER

Chairman Harvey called the meeting to order at 7:00 P.M.

VI. 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	

VII. MINUTES APPROVAL

A. Consider approval of minutes from June 16, 2016 Planning and Zoning Commission meeting

Mr. Pirtle made a motion to approve the minutes as written, seconded by Ms. Williamson. The motion passed with all in favor except Mr. Harvey, who abstained.

VIII. VISITOR/CITIZENS FORUM

No one registered to speak.

IX. REGULAR ITEMS

A. CASE # PZ 16-09 *To consider approval regarding a request by CHC Development for a final plat of the Glen of Village Creek (formerly Swiney Estates, plat abandoned by instrument numbers D214210746 and D216057891, PRTC) for approximately 15.982 acres located on Bowman Springs Rd, generally located south of Swiney Estates Block 1 Lot 4R, west of Bowman Springs Rd, north of Winding Creek Rd, and east of 1141 Bowman Springs Rd. The plat will create 35 residential lots and 3 open space parcels. Property addresses include 1201, 1305, & 1307 Bowman Springs Rd.*

Ms. Roberts said the plat and plans conform to city regulations and recommended approval. Mr. Harvey had a question about visibility corridor along Bowman Springs. Mike Bennett, engineer for the city, said there was an open space there that would help; he added that he didn't see that anything would need to be done by the developer. He said they could look at the visibility issue, and maybe if it came to it, put up a warning sign. He said the question is, does someone see the intersection in time at the posted speed limit? Mr. Harvey asked about the intersection width. Mr. Bennett said that usually the turn radius is set by traffic you're going to get turning in, and there is a 30-foot radius planned, which a larger radius.

Mr. Harvey asked about the roadway going through the floodplain. Mr. Bennett said that is looked at in drainage calculations, and there will be a letter of map revision submitted to FEMA, but that is after construction is completed. He said the developer will build up the dirt and compact it before they get to the road and that the roadway design is not something really unique. Mr. Pirtle asked if there would be a retaining wall, and. Bennett said there is a retaining wall to protect the road, so there would be no slope to worry about in the road.

Mr. Pirtle made a motion to recommend approval but asked Ms. Roberts if the Commission could add conditions. Ms. Roberts said the Commission could but Council cannot. Mr. Harvey said they can add conditions but can't say that something has to be added to the development or the development agreement between the city and the developer. Mr. Pirtle clarified that he recommended approval on the condition that the City gets a response from the streets department on whether additional signage is needed.

The motion was seconded by Mr. Browne, and the Commission voted to recommend approval, with all in favor except Mr. Harvey, who abstained.

B. 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.*

Ms. Roberts said the Commission had considered this case in March. The applicant had not submitted information in his application supporting the city's approving a rezoning that does not conform to the comprehensive land use plan, and he did not attend the hearing to provide any additional information, so the Commission had postponed the case until August to allow the applicant time to provide something. She said since then, the applicant had not been in touch with staff, and after talking with the property owner, it appeared as though the applicant was no longer interested in buying the property.

The applicant was not present, and no one registered to speak at the public hearing.

Mr. Pirtle made a motion to deny Case PZ 16-01, seconded by Mr. Browne. There was no discussion, and the motion passed with all in favor except Mr. Harvey, who abstained.

C. CASE # PZ 16-10 *To receive public comments and consider Ordinance No. 605, adopting a Unified Development Code to regulate land use within the City of Kennedale; establishing zoning districts to regulate and restrict the use of property for residential, commercial, industrial and other purposes; regulating parking, landscaping, screening, lighting, signs, building design and materials; providing for the submission of site plans, subdivision plats and other development applications; providing regulations for flood damage prevention, stormwater protection, erosion and sediment control; and providing for procedures for review, approval and administration of these regulations.*

Ms. Roberts gave a brief overview and then added there was one more item they were proposing to change from the version the Commission had received already, which is to require all monument sign bases to have a minimum height of 18 inches to make the requirement consistent between both single-family residential and commercial districts. Then, with additional comments from Mr. Jirousek, she talked about input from the public forum and discussed how to resolve issues raised at that forum concerning the proposed center neighborhood village. For example, the city could adopt mapped village districts as regulating plans rather than going ahead and rezoning them.

The Commission discussed the pros and cons of the different options and the different perspectives, from property owner concerns about value and being able to sell, and developer concerns about predictability.

Mr. Jirousek said the UDC adoption is ahead of rezoning property, so one way or another, rezoning is happening after the UDC is adopted. Adopting regulating plans would solidify the city's position a bit more by adopting language that the maps will be general guidance on rezoning, whether that's one month for now or six months from now. He said that adopting the maps as exhibits embraces the concepts in general but does not tie the City into these specific boundaries.

Mr. Jirousek then gave a presentation to the Commission covering the UDC process from start to finish, the background of the project, and information on major changes since the last draft the Commission had seen. He also gave more details about the proposed regulations for the Neighborhood and Urban Village districts.

Ms. Roberts showed the Commissioners a list of ordinances that were proposed to be repealed from the city code and included in the UDC.

Mr. Browne asked if the City adopted the village district maps, did that set the boundaries for those districts. Mr. Jirousek said that if the maps are adopted as part of the UDC, then they would serve as guidelines, but the City could work the boundaries on a case by case basis. He added that the City could build in flexibility.

Mr. Jirousek pointed out the new maximum setback proposed for buildings in the Urban Corridor overlay district, stating that the steering committee thought it was important to limit parking in front of some buildings along the urban corridor so you don't have buildings pushed way back with a sea of parking. He said the regulations also promote cross access easements to promote traffic management while cars are moving with greater speeds.

Mr. Harvey noted that the proposed Employment Center regulations don't have a green belt. Mr. Jirousek said LSL suggested removing the green belt district and replacing it with steep slope regulations instead so that the City doesn't have a district type that doesn't allow development.

Mr. Jirousek said they hadn't removed a lot of regulations, but had mainly moved around and consolidated existing regulations. They also applied good regulations done recently to city-wide regulations.

The chairman opened the public hearing.

Cecil Bedford, who owns 600 Little School Rd, addressed the Commission. He said he'd had a contract for someone to buy his property, but that person backed out because he wanted to build and didn't want to wait until August. He asked if what LSL had done [proposed through the mapping] is the way it's going to be done. Mr. Harvey said he thinks the Commission's stance is through using a regulating plan, and not changing what it is today, then if Mr. Bedford wanted to submit for a rezoning again, the desire is that to be based on the regulating plan, but the Commission would have an opportunity to hear his justification for why it shouldn't be C-1 or what the regulating plan. He said that's kind of what their decision earlier [PZ 16-01] was, they needed to hear why it shouldn't be C-1, and then the Commission can make a decision.

Mr. Bedford asked why the previous applicant [Mr. Blow] was told it couldn't be rezoned. Mr. Harvey said he couldn't answer why he would have been told that, but that if Mr. Bedford and other property owners see an opportunity to come in together to say why they think it should be rezoned, if various property owners want different zoning, if there are competing factions, the Commission has a harder time making that decision, and it's probably a better opportunity if they could provide a view of a better plan.

Mr. Bedford said that the property owners around his property don't live in Kennedale, so how do they all get down to City Hall for the hearing. Ms. Roberts said they could use an owner affidavit, which would be signed by the property owners and notarized, and one person could represent all the property owners. Mr. Bedford asked about the rezoning application fee, and Ms. Roberts said that if all the property owners applied together on one application, they would have one fee.

Mr. Bedford asked if the UDC was all decided on, and Mr. Harvey said they hadn't voted yet. He said if the Commission approved it, it will go to City Council, and Mr. Bedford would have another opportunity to give comments.

Brett Clifton, who owns property behind Mr. Bedford's, also 600 Little School Rd, addressed the Commission. He had a copy of the Center neighborhood village proposed by LSL Planning and asked what the "general" area is, and Mr. Jirousek said the general area is a sub-area of the village district, and it's the most flexible area. He said it allows residential buildings, office buildings, commercial buildings, or a mix within the same structure. He said the more restrictive are transition and center sub-areas.

Mr. Clifton asked if there are restrictions for the residential buildings. Mr. Harvey asked if Mr. Jirousek was talking multi-unit, and Mr. Clifton asked if meant duplex. Mr. Jirousek said yes, and Ms. Roberts added that townhomes would be an example. Mr. Harvey explained by saying if someone had an acre, he could build multiple condominium homes within that acre and create some density but also create a buffer next to the adjacent neighborhoods.

Mr. Clifton asked what the projected timeline was in terms of going from current zoning to rezoning. Mr. Harvey said first the unified development code has to be passed. Mr. Jirousek said it was up to the city's discretion. The maps regulating maps will be available, but the timing is up to the city or to someone who wants to request the rezoning.

Mr. Harvey ask Mr. Jirousek if he had any response to comments from LSL the public hearing. Mr. Jirousek said that in terms of access management concerns raised by some property owners in the Central Neighborhood Village, you'll have a lot of the same issues and issues of assembling property in any zoning district, whether it's C-1, C-2, or village districts. This code provides more predictability, which makes it more attractive to developers.

Ms. Roberts recommend approval of the UDC and also adopting maps as either regulating plans or guidance documents. She said the city had been working on this document for a long time, and she was very excited to bring this before the Commission. She said she is hoping it will provide flexibility for property owners but also predictability for the city and developers.

Mr. Pirtle described the nice walkable downtown of Fredericksburg and said that's what they were working toward. Mr. Harvey agreed but added that Kennedale is working from a downtown that burned down, and that's what we're struggling with, getting residents to see the vision. He said Fredericksburg

was able to embrace their downtown, and they've done a tremendous job, but they had a structure to build from.

Mr. Pirtle said the UDC is easy to read. He said as an architect, he hates going through code, and this is pretty to-the-point. He said he liked its organization and simplicity. Mr. Harvey said it will be hyperlinked and online, and even a pdf version online will be hyperlinked, and he thought it was going to be a very useful document.

Mr. Browne made a motion to adopt the UDC pending review by the city attorney and recommending the Village District maps be adopted as regulatory plans. The motion was seconded by Ms. Williamson. Mr. Pirtle said he would like to add to the motion that all of the areas marked in yellow in the UDC [edits to be done] get completed prior to recommendation to City Council. Ms. Williamson seconded the amendment.

The motion passed with all in favor except Mr. Harvey, who abstained.

X. REPORTS/ANNOUNCEMENTS

Ms. Roberts said a groundbreaking for Dickey's BBQ was held earlier this month. She said coming up in October will be the beginner's bird workshop and a historical society event with Melvin Cooper as the speaker, talking about the Cooper family history in Kennedale. She said the Council will hold budget hearings in September, and coming up is the 6th annual Brooke Hester Hustle. She also said that on October 22nd will be KKB's Bring It! Recycling Event, the KPD Drug Takeback, and the Public Safety Open House.

Mr. Browne asked if there was a way to put out information about citizens, since there was a resident who recently saved a couple in Joe Pool Lake. Ms. Roberts said there might be a way to put the information in the city newsletter, and she could give the information to the communications coordinator.

XI. ADJOURNMENT

Mr. Pirtle made a motion to adjourn, seconded by Ms. Williamson. The motion passed with all in favor except Mr. Harvey, who abstained. The meeting adjourned at 9:06 P.M.

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

Date: September 15, 2016

Agenda Item No: REGULAR ITEMS (A)

I. SUBJECT

CASE # PZ 16-03 Public hearing and consider approval of a request by Hickman Consulting Engineers for MKP Associates, Inc. for a replat of approximately 5.005 acres at 1209 Swiney Hiatt Rd, being a replat of C C Swiney's Subdivision Lot 1, Kennedale, Tarrant County, to create Falcon Crest Estates Block 1 Lots 1-7.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Replat
Applicant	Hickman Consulting for MKP Associates, Inc.
Location	Swiney Hiatt Rd between Joplin and Collett Sublett Rds (see map)
Surrounding Uses	Single-family residential
Surrounding Zoning	Agricultural, R-1 single family residential, R-3 single family residential
Future Land Use Plan Designation	Neighborhood
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is zoned R-2 residential (PD-R2, which has R-2 zoning district regulations), and no zoning change is proposed. The property is surrounded by other single-family residential uses. Previously, the property was used for one single-family residence.

SURROUNDING PROPERTIES & NEIGHBORHOOD

As stated above, the surrounding properties are all single-family residential.

PLATTING HISTORY

C C Swiney's Subdivision was platted in 1946. Many of the other original lots have been subdivided since then, but this property has remained unchanged (in terms of lot divisions).

STAFF REVIEW

The City Council shall approve a plat if it conforms to the comprehensive land use plan and platting regulations.

COMPREHENSIVE LAND USE PLAN

The Future Land Use Plan shows this area as part of a **Neighborhood** character district.

The comprehensive plan states that the Neighborhood character district should be 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.

The proposed plat is for residential development as called for in the future land use plan, and the proposed street is not included in the future transportation plan (the city's standard street requirements would therefore apply).

The replat conforms to the comprehensive land use plan.

CITY DEVELOPMENT REQUIREMENTS

City staff and the city's engineers reviewed the plat for compliance with the city's regulations for replats. Revisions to the first submitted plat and associated plans were required, in particular for meeting drainage requirements. The applicant has made the required revisions.

PLANNING REQUIREMENTS

TECHNICAL SPECIFICATIONS FOR PLAT DRAWINGS. The replat drawing meets the technical requirements for replat drawings.

ZONING DISTRICT LOT REQUIREMENTS. The proposed plat meets the requirements of the R-2 single family residential zoning district.

SUBDIVISION REGULATIONS & PUBLIC WORKS DESIGN MANUAL

PLANS REQUIRED. All required plans were submitted by the applicant. The plans have been reviewed by Public Works Department staff and the city engineers and have been approved, except for a few minor items that do not require revision prior to plat approval. Staff considers the plan requirement to be met by the applicant.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the replat.

ACTION BY THE PLANNING & ZONING COMMISSION

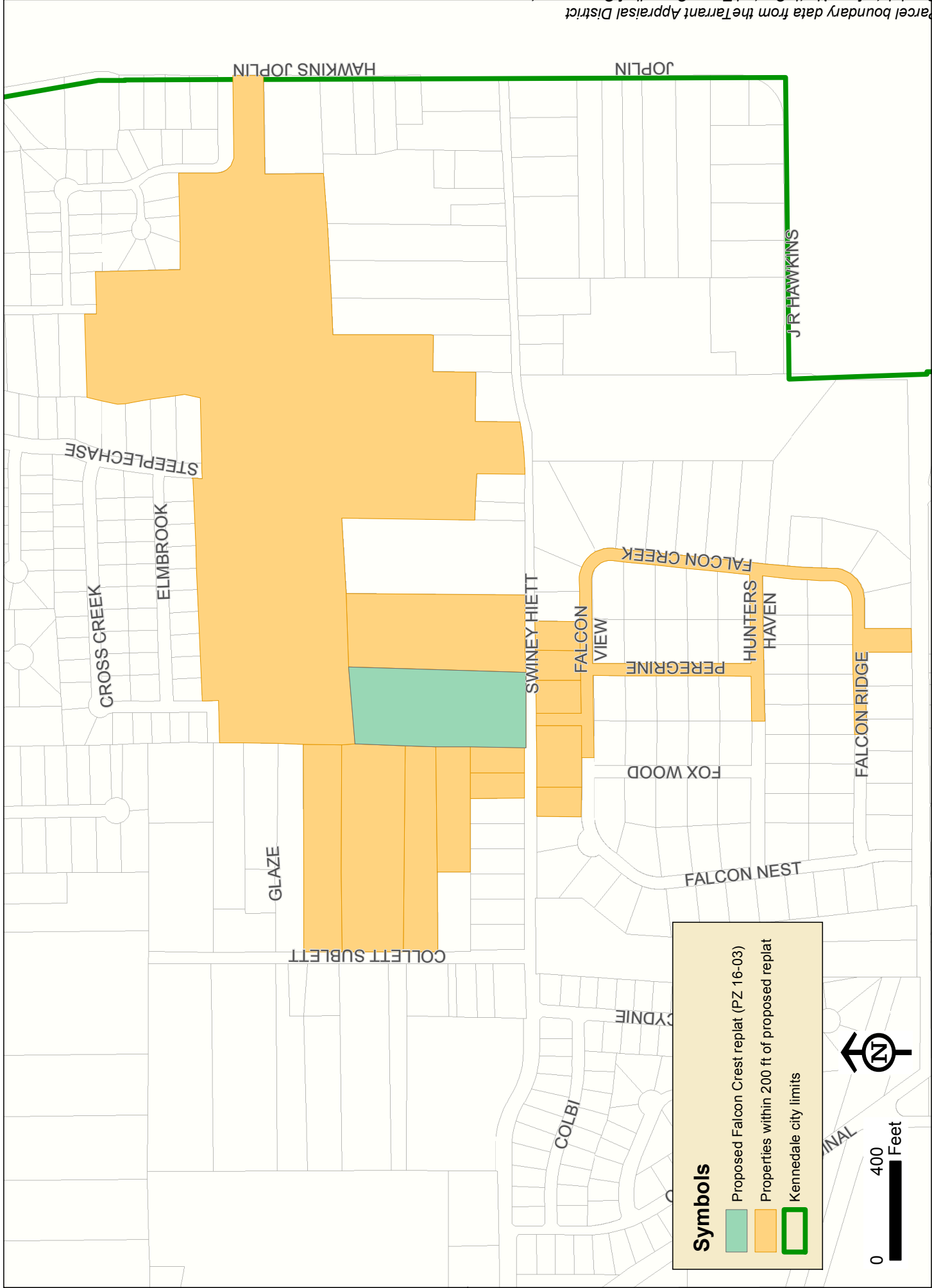
The Planning & Zoning Commission may recommend approval, approval with conditions, or denial of the replat. Sample motions are provided below (you are not required to use one of these motions).

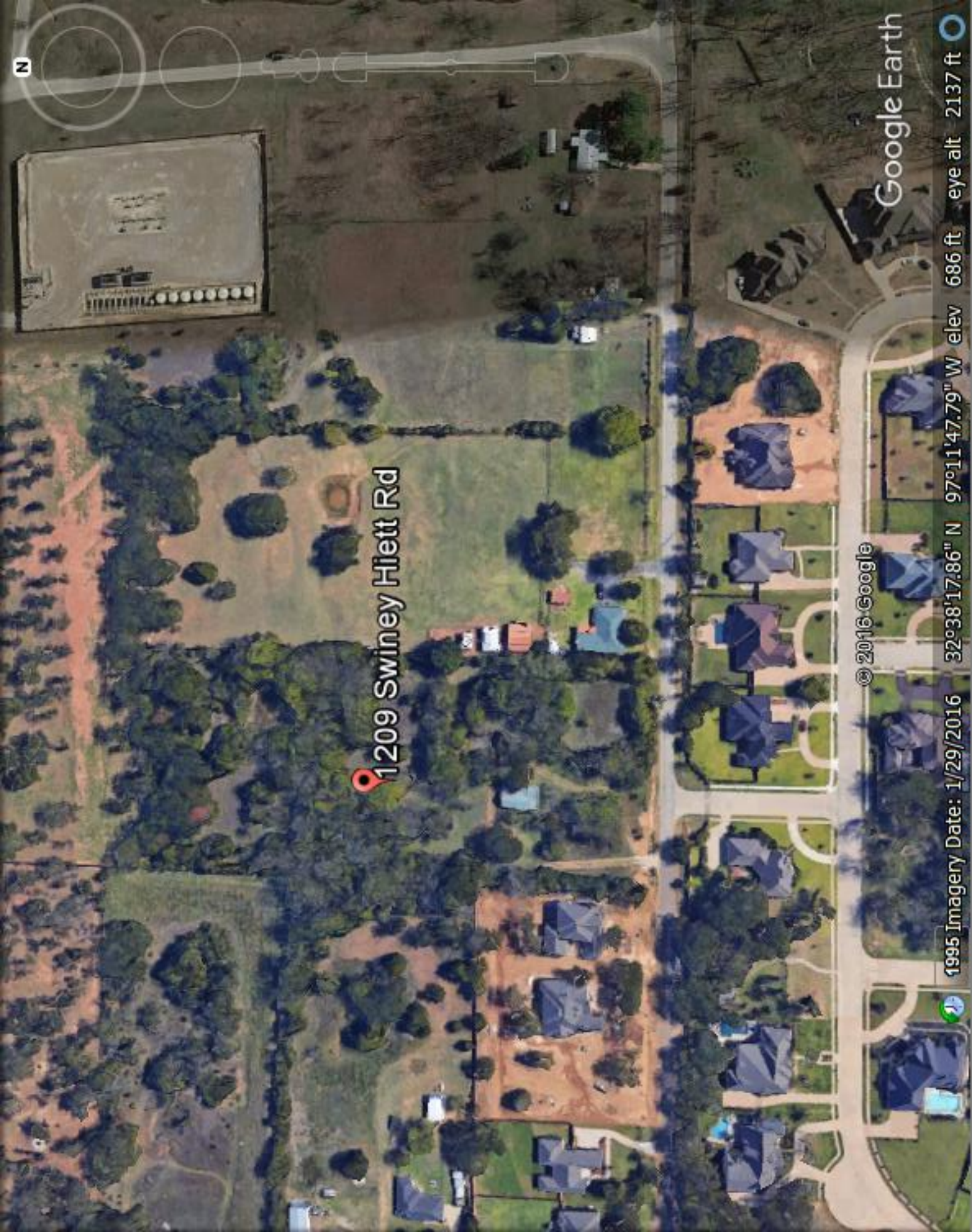
Approval: Based on the information presented, I find that the replat is in compliance with the comprehensive land use plan and meets city requirements for replats. I make a motion to approve Case PZ 16-03.

Approval with Conditions: Based on the information presented, I find that the replat is in compliance with the comprehensive land use plan and meets city requirements except for [state requirement that needs to be met]. I make a motion to approve Case PZ 16-03 with the following conditions [list conditions].

Deny: Based on the information presented, I find that the proposed replat does not meet [list standards or requirements not met]. I make a motion to deny Case 16-03.

PZ 16-03: site of proposed replat





1209 Swiney Hiatt Rd

© 2016 Google

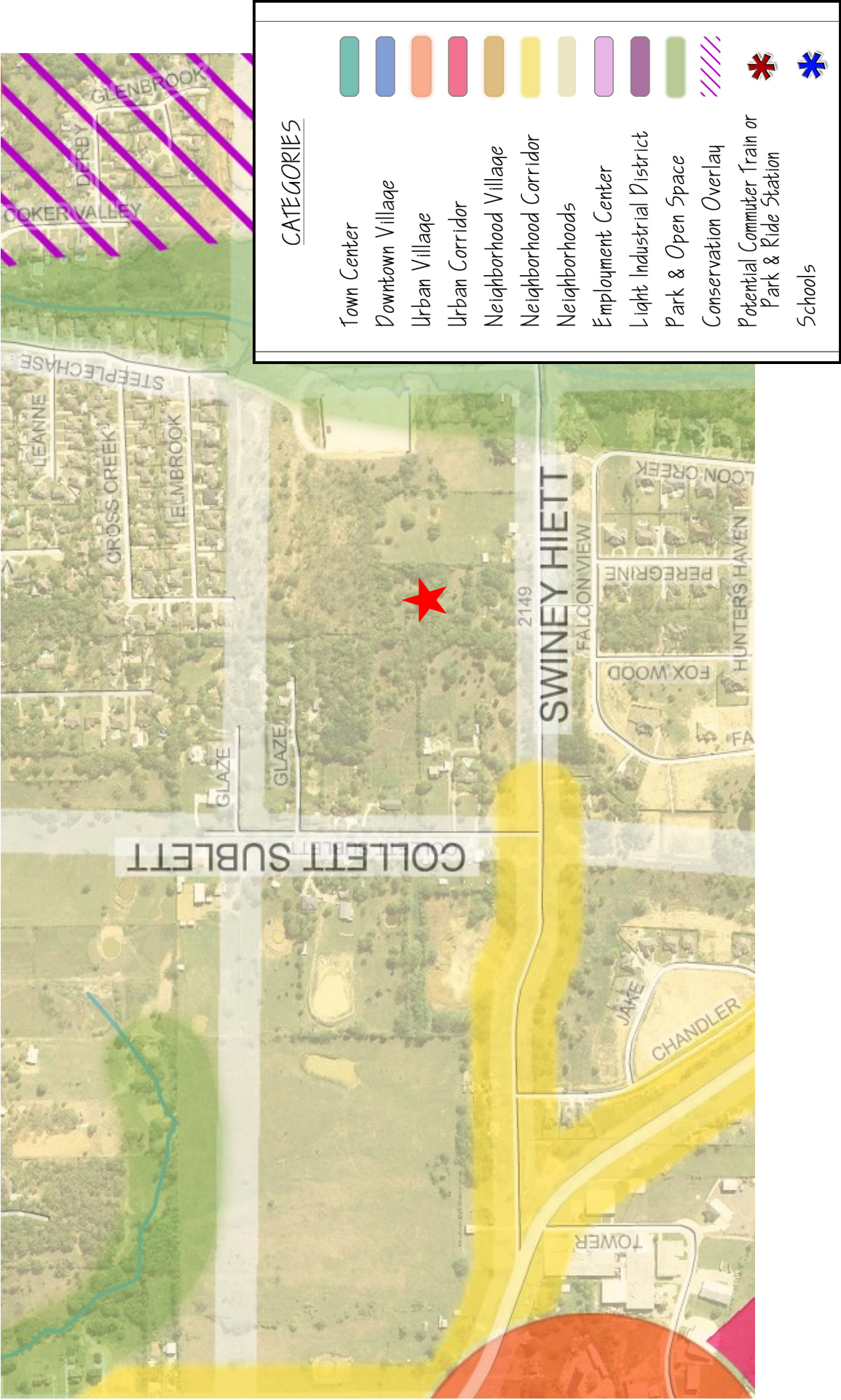
Google Earth

1/29/2016

32°38'17.86" N 97°11'47.79" W

elev 686 ft eye alt 2137 ft

PZ 16-03: Future Land Use Map



Property owners notified: PZ 16-03

Owner_Name_Last	Owner_Name_First	Owner_Addr	Owner_City	Owner_Zip
Berry	James A & Patricia	136 Collett Sublett Rd	Kennedale, TX	76060
Bowerman Oil & Gas Inc		PO Box 171199	Arlington, TX	76003
Ellis	Mark & Heather	1209 Falcon View Dr	Kennedale, TX	76060
Falcon Wood Estates Inc		1308 Canterbury Ct	Arlington, TX	76013
Faulkner	Dennis L	1217 Swiney Hiatt Rd	Kennedale, TX	76060
Summit Building & Development Inc		1375 Gilman Rd	Fort Worth, TX	76140
Joines	Martin B & Karen	1217 Falcon View Dr	Kennedale, TX	76060
Current Owner		1177 Swiney Hiatt Rd	Kennedale, TX	76060
Roessler	Robert W & Tambrea	1157 Falcon View Dr	Kennedale, TX	76060
Russell	Taryn	1811 Swiney Hiatt Rd	Kennedale, TX	76060
Schwind	Patrick & Tiffany	PO Box 603	Kennedale, TX	76060
Templin	Marion Eva	PO Box 274	Kennedale, TX	76060
Williams	Courtney & Jay	206 Collett Sublett Rd	Kennedale, TX	76060
Watson	Rick A & Lea Ann	1211 Falcon View Dr	Kennedale, TX	76060
Watt	John & Margaret	1161 Falcon View Dr	Kennedale, TX	76060

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

Date: September 15, 2016

Agenda Item No: REGULAR ITEMS (B)

I. SUBJECT

CASE # PZ 16-11 Public Hearing to receive public comments and consider approval of a request by Ashton Holdings for a replat of approximately 0.988 acres at 408 3rd St, being a replat of Soto Addition Block 1 Lot 1R, Kennedale, Tarrant County, to create Soto Addition Lot 1R-1 and 1R-2.

II. SUMMARY

BACKGROUND AND OVERVIEW	
Request	Replat 1 lot into 2 lots
Applicant	Ashton Holdings
Location	3 rd Street (Old Town) near intersection with Corry A Edwards Dr
Surrounding Uses	Single family residential; park; civic uses; multi-family (duplex, quadplex)
Surrounding Zoning	Old Town sub-districts 2 and 3
Future Land Use Plan Designation	Downtown Village
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property has been vacant for some time, except for some outbuildings that have recently been removed. It has been subject to drainage problems, which will be addressed as required through development of the property.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The properties surrounding it are primarily single family residential, but there are duplex and quadplex residences located nearby. Old Town is an older neighborhood, with many of the nearby lots being larger than required by the zoning district regulations.

PLATTING HISTORY

The property was platted as Soto Addition Block 1 Lot 1R in 1996.

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

STAFF REVIEW

The City Council shall approve a plat if it conforms to the comprehensive land use plan and platting regulations.

COMPREHENSIVE LAND USE PLAN

The Future Land Use Plan shows this area as part of the Downtown Village character district.

The comprehensive plan states that the Downtown Village character district should be based on the original downtown street grid and block pattern. Uses should include a relatively dense mix of residences and businesses. The village should be easily accessible by pedestrians from the Towncenter and nearby.

The proposed replat preserves the existing block pattern. The street on which the proposed lots front, 3rd Street, has a 50-foot right-of-way, in compliance with the future transportation plan portion of the comprehensive land use plan. The proposed lots are for residential purposes, which also conforms to the comprehensive plan.

The replat complies with the comprehensive land use plan.

CITY DEVELOPMENT REQUIREMENTS

In addition to compliance with the comprehensive land use plan, plats must also be in compliance with applicable city regulations in order to be approved.

PLANNING REQUIREMENTS

TECHNICAL SPECIFICATIONS FOR PLAT DRAWINGS. The plat drawing meets the technical requirements for replats.

ZONING DISTRICT LOT REQUIREMENTS. The proposed plat meets the requirements of the Old Town sub-district 2 zoning district.

SUBDIVISION REGULATIONS & PUBLIC WORKS DESIGN MANUAL

PLANS REQUIRED. No plans were required by the Public Works Department or the city engineers.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the replat.

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

ACTION BY THE PLANNING & ZONING COMMISSION

The Planning & Zoning Commission may recommend approval, approval with conditions, or denial of the replat. Sample motions are provided below (note: you are not required to use one of these motions).

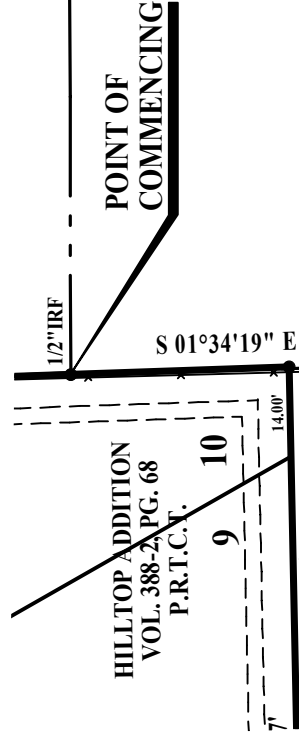
Approval: Based on the information presented, I find that the replat meets city requirements and is in compliance with the comprehensive land use plan. I make a motion to approve the Case PZ 16-11.

Approval with Conditions: Based on the information presented, I find that the request meets city requirements except for [list requirement(s) not met] and is in compliance with the comprehensive land use plan. I make a motion to approve Case PZ 16-11 with the following conditions [list conditions].

Deny: Based on the information presented, I find that the proposed use does not meet [list standards or requirements not met] and make a motion to deny Case PZ 16-11.

PZ 16-11 site of proposed replat





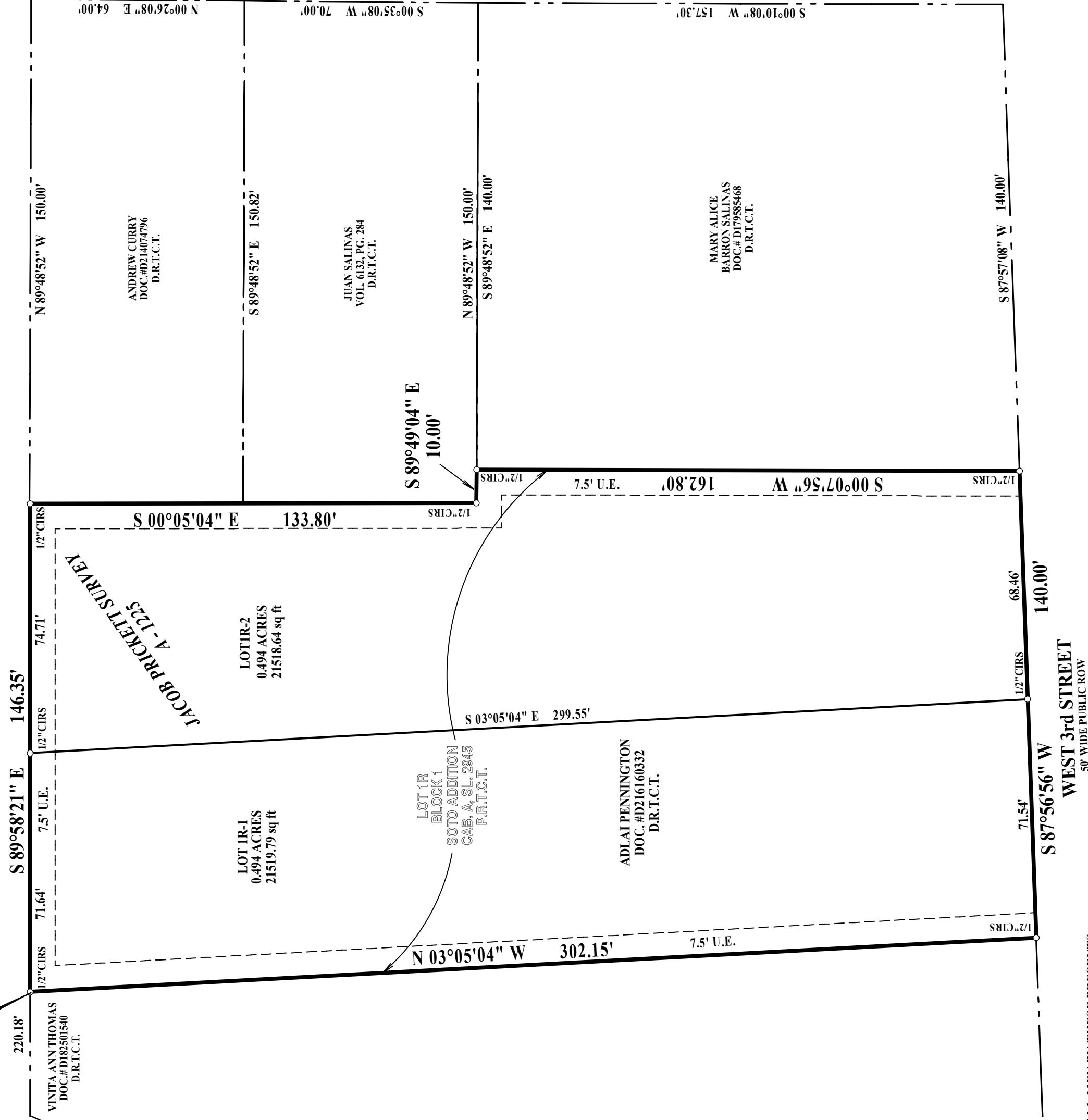
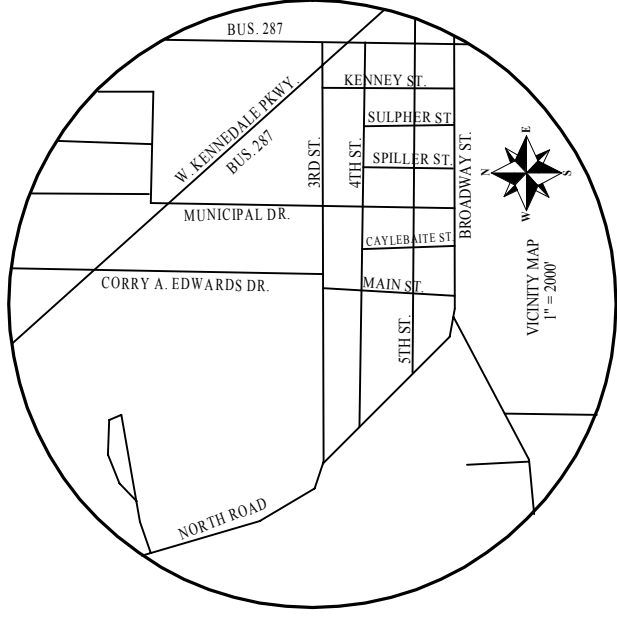
PERRY RAY CAMP
VOL. 16153, PG. 201
D.R.T.C.T.

PERRY RAY CAMP
DOC. #D20627375
D.R.T.C.T.

RICHARD D. THOMAS
VOL. 12158, PAGE 2164
D.R.T.C.T.

LOT 1R, BLOCK 1
THE SATHER ADDITION
CAB. B. SL. 1684
P.R.T.C.T.

JERRY D. SATHER
LANA SATHER
VOL. 12890, PG. 481
D.R.T.C.T.



- LEGEND**
- IRON ROD END.
 - "X" IN CONC.
 - CAPED IR. SET.
 - POWER POLE
 - LIGHT POLE
 - WATER VALVE
 - WATER METER
 - ELC. MANHOLE
 - SN. SEW. M.H.
 - GAS RISER
 - TEL. PED.
 - FENCE CORNER
 - BL. - BUILDING SETBACK LINE
 - U.E. - UTILITY EASEMENT
 - D.E. - DRAINAGE EASEMENT

The Planning and Zoning Commission of the City of Kennedale, Texas voted affirmatively on this _____ day of _____, 2016, to recommend approval of this Replat by the City Council

Chairman, Planning and Zoning Commission _____

Attest: Secretary, Planning and Zoning Commission _____

The City Coucil of the City of Kennedale, Texas voted affirmatively on this _____ day of _____, 2016, to approve this Replat.

Mayor, City of Kennedale _____

Attest: City Secretary _____

- NOTES:
- THE BEARINGS FOR THIS SURVEY ARE CORRELATED TO THE TEXAS STATE PLANE SYSTEM NAD 83 TEXAS NORTH CENTRAL ZONE (4202), OBSERVATIONS TAKEN ON FEBRUARY 5, 2015.
 - NO PORTION OF THIS SITE IS WITHIN AN EXISTING 100 YEAR FLOOD PLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR TARRANT COUNTY, TEXAS AND INCORPORATED AREAS, COMMUNITY PANEL NUMBER 48439C0340 K, MAP REVISED SEPTEMBER 25, 2009.
 - BUILDING SETBACKS:
FRONT YARD = 20' MIN.
BACK YARD = 30' MIN.
SIDE YARD = 5' MIN.

PROPERTY DESCRIPTION

BEING an 0.988 acre tract of land out of the Jacob Prickett Survey, Abstract No. 1225, situated in the City of Kennedale, Tarrant County, Texas, and being all of that certain tract of land described in deed to Adlai Pennington, recorded in Document Number D216160332, Deed Records, Tarrant County, Texas and also being all of Lot 1R, Block 1 of Soto Addition, an addition to the City of Kennedale, Tarrant County, Texas, recorded in Cabinet A, Slide 2945, Plat Records, Tarrant County, Texas. The bearings for this description are based on the bearing of the south line of Lot 1, Hilltop Addition, as recorded in Volume 388-2, Page 68, Plat Records, Tarrant County, Texas. Said 0.988 acres being described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod found at the northwest corner of a certain tract of land described in deed to Jerry D. Sather and Lana Sather, recorded in Volume 12890, Page 481, Deed Records, Tarrant County, Texas,

THENCE South 01°34'19" East, along the west line of said Sather tract, a distance of 102.54 Feet to the southwest corner of said Sather tract;

THENCE South 89°58'21" East, departing said west line and continuing along the south line of said Sather tract, a distance of 220.18 feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the northwest corner of said Lot 1R and for the POINT OF BEGINNING;

THENCE South 89°58'21" East, along the north line of said Lot 1R and continuing along said south line, a distance of 146.35 Feet to a 1/2" iron rod with plastic cap stamped "RPLD 4818" set for the northeast corner of said Lot 1R;

THENCE departing said north and south lines and continuing along the east line of said Lot 1R, the following courses and distances;

South 00°45'04" East, distance of 133.80 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

South 89°49'04" East, a distance of 10.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set;

South 00°49'56" West, a distance of 162.80 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the southeast corner of said Lot 1R and in the north right of way line of West 3rd Street, a variable width public right of way;

THENCE South 87°56'56" West, departing said west line and continuing along the south line of said Lot 1R and said north right of way line, a distance of 140.00 Feet to a 1/2" iron rod with plastic cap stamped "RPLS 4818" set for the southwest corner of said Lot 1R;

THENCE North 03°05'04" West, departing said south line and said north right of way line and continuing along the west line of said Lot 1R, a distance of 302.15 Feet to the POINT OF BEGINNING and containing a computed area of 0.988 Acres, more or less.

KNOW ALL MEN BY THESE PRESENTS:

That I, Adlai Pennington do hereby certify that I am the legal owner of the above described tract of land and do hereby convey to the public for public use: the streets, alleys, rights-of-way, easements, and any other public areas shown on this plat.

Adlai Pennington Owner _____

STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared Adlai Pennington, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, in the capacity therein stated, and as the act and deed of said partnership.

Given under my hand and seal of office
this _____ day of _____, 2016

NOTARY PUBLIC in and for the State of Texas
My Commission Expires: _____

CORRY A. EDWARDS DR.
50' R.O.W.

REPLAT
OF
**LOT 1R-1 AND 1R-2
BLOCK 1**
SOTO ADDITION
BEING
0.988 ACRES
43,038.43 SQ. FT.

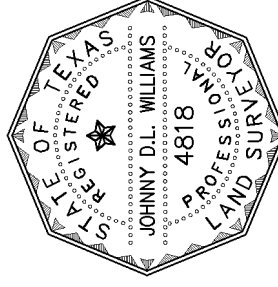
OUT OF THE
JACOB PRICKETT SURVEY, ABSTRACT NO. 1225,
CITY OF KENNEDALE, TARRANT COUNTY, TEXAS,
AND BEING A REPLAT OF LOT 1R, BLOCK 1 OF SOTO
ADDITION, AS RECORDED IN CABINET A, SLIDE 2945,
PLAT RECORDS, TARRANT COUNTY, TEXAS.

SURVEYOR:

WHITFIELD - HALL SURVEYORS
REGISTERED PROFESSIONAL LAND SURVEYORS
3559 WILLIAMS ROAD, SUITE 107
FORT WORTH, TEXAS 76116
CONTACT: JOHNNY WILLIAMS
(817) 560-2916

OWNER

ADLAI PENNINGTON
1375 GILMAN RD
FORT WORTH TX 76140



KNOW ALL MEN BY THESE PRESENTS:
That I, Johnny D.L. Williams, a Registered Professional Land Surveyor licensed in the State of Texas, do hereby certify that this Plat is true and correct and was prepared from an actual survey made under my supervision on the ground.

PRELIMINARY - FOR REVIEW ONLY
NOT TO BE FILED FOR ANY REASON
JOHNNY D.L. WILLIAMS
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4818
TBPLS FIRM REG. NO. 10138500
Phone Number: 817-560-2916

09/07/2016
Date

THIS PLAT RECORDED IN INSTRUMENT NUMBER _____, DATE _____, 2016

WHITFIELD - HALL SURVEYORS
REGISTERED PROFESSIONAL LAND SURVEYORS
3559 WILLIAMS ROAD, SUITE 107
FORT WORTH, TEXAS 76116
(817) 560-2916



2

408 W 3rd St

© 2016 Google

Google Earth



1995

32°38'50.57" N 97°13'35.89" W elev 643 ft eye alt 1918 ft

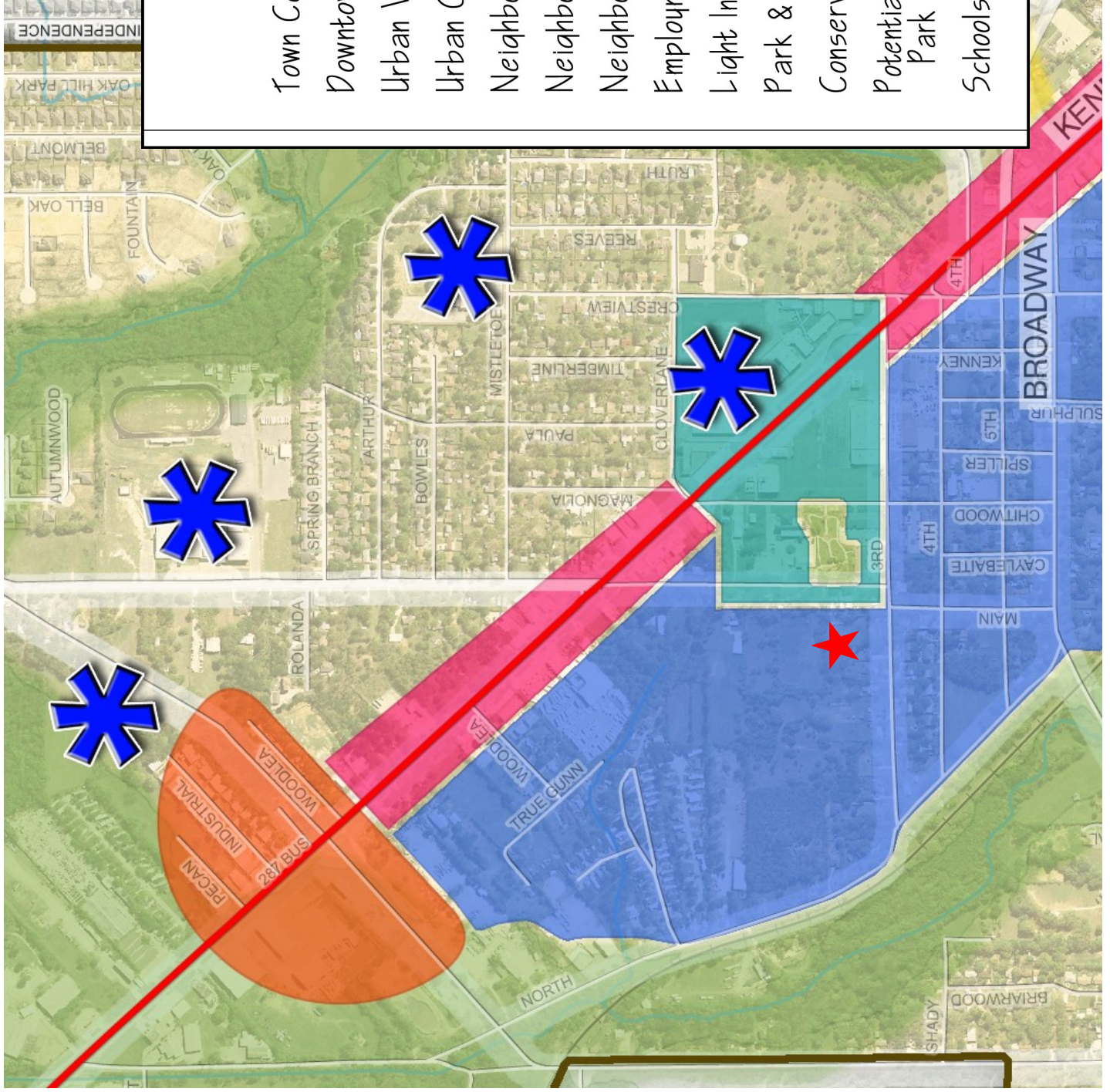
Property owners notified

Owner_Last_Name	Owner_First_Name	Owner_Addr	Owner_City
BOYD	ALICE LOREE	321 W 3RD ST	KENNEDALE, TX
BRAY	KENNETH J ETAL	PO BOX 1715	ALEDO, TX
CAMP	PERRY RAY	4900 MARBLE FALLS RD	FORT WORTH, TX
CHAVEZ	DOMINGO	412 W 4TH ST	KENNEDALE, TX
CRAWFORD	CAROLE JEAN	424 W 4TH ST	KENNEDALE, TX
JOBLON	HAYLEY & CHRISTOPHER	417 CORRY A EDWARDS DR	KENNEDALE, TX
GONZALES	EDWARD M	320 W 4TH ST	KENNEDALE, TX
GONZALES	PAUL	400 W 4TH ST	KENNEDALE, TX
GONZALEZ	DOMINGO	429 CORRY A EDWARDS DR	KENNEDALE, TX
KENNEDALE	CITY OF	405 MUNICIPAL DR	KENNEDALE, TX
KEYES	CORNELIUS M ETAL	25474 VIA ESCOVAR	VALENCIA, CA
LEACH	RAMONA R	401 W 3RD ST	KENNEDALE, TX
RHODES	KELLY N	421 W 3RD ST	KENNEDALE, TX
SALINAS	MARY ALICE BARRON	405 CORRY A EDWARDS DR	KENNEDALE, TX
SALINAS	JUAN	405 CORRY A EDWARDS DR	KENNEDALE, TX
SALINS	RACHEL A	329 W 3RD ST	KENNEDALE, TX
SATHER	JERRY D	421 CORRY A EDWARDS DR	KENNEDALE, TX
SATHER	JERRY D	421 CORRY A EDWARDS DR	KENNEDALE, TX
PENNINGTON	ADLAI		
THOMAS	RICHARD D	416 W 3RD ST	KENNEDALE, TX
THOMAS	VINITA ANN	412 W 3RD ST	KENNEDALE, TX
VILLAIRE	SEAN	500 HILLSIDE DR	KENNEDALE, TX
WISE	RICHARD	417 W 3RD ST	KENNEDALE, TX

Owner_Zip	Owner_Zip4
-----------	------------

76060	2203
76008	1715
76103	1220
76060	2215
76060	2215
76060	4436
76060	2213
76060	2215
76060	
76060	2249
91355	2914
76060	
76060	2205
76060	4436
76060	4436
76060	2203
76060	4436
76060	4436
	2230
76060	2204
76060	
76060	2607
76060	2205

PZ 16-11: Future Land Use Map



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

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

Date: September 15, 2016

Agenda Item No: REGULAR ITEMS (C)

I. SUBJECT

CASE # PZ 16-12 Public hearing and consideration of Ordinance approval regarding a request by Joe Boston, Jr for SOS Renovations, LLC for a zoning change from "AG" Agricultural to "R-3" Single-family residential for approximately 1.5 acres in the W E Haltom Survey A-731 and described in a deed recorded as D213282537 in the Tarrant County deed records and located at 1115 Border Ln.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Rezone
Applicant	Joe Boston for SOS Renovations
Location	Border Lane, behind Shady Creek East neighborhood (see map)
Surrounding Uses	Single family residential; educational
Surrounding Zonings	R-1 single family residential to the east and west; Agricultural to the north, and R-3 and R-2 single family residential to the south
Future Land Use Plan Designation	Neighborhood
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is approximately 1.5 acres in size and has one house; the property is owned by the applicant.

SURROUNDING PROPERTIES & NEIGHBORHOOD

SURROUNDING ZONING CLASSIFICATIONS

All of the zoning districts surrounding this property are for single family residential use: R-1, R-2, and R-3 single family residential, as well as Agricultural.

SURROUNDING LAND USES

The majority of properties surrounding this one are single-family residential in use. The exception is the east side, which is the high school property.

STAFF REVIEW

COMPREHENSIVE LAND USE PLAN

The Future Land Use Plan shows this area as part of a Neighborhood character district.

The comprehensive plan states that the Neighborhood character district should be 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.

The proposed rezoning would provide for single family residential development, which conforms to the comprehensive land use plan. The property is surrounded by existing residential development, so it can't feasibly connect to an existing community or civic use, and providing such a space would be difficult in a site this size.

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

COMPLIANCE WITH OTHER CITY PLANS AND POLICIES

STRATEGIC PLAN

The recommendations of the strategic plan do not relate to the requested rezoning.

CITY COUNCIL PRIORITIES MEASURED THROUGH THE BALANCED SCORECARD

Only one of the Council's priorities as measured through the balance scorecard relates to this request, which is enhancing the business climate relates to this rezoning request. Increasing the number of residents who can use Kennedale businesses was identified as one way to enhance the business climate, and the R-3 zoning district allows for more residences – and therefore more people – than the Agricultural zoning district does.

ADDITIONAL FACTORS TO CONSIDER

When considering rezoning requests, the City may also consider the appropriateness of current zoning and whether a rezoning would have an adverse impact on surrounding properties. In this case, the current zoning is no longer appropriate. The area is primarily suburban in character, and agricultural operations permitted under current zoning would not be suitable.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the rezoning.

ACTION BY THE PLANNING & ZONING COMMISSION

Approval: Based on the information presented, I find that the request conforms to the comprehensive land use plan and meets city requirements for rezoning. I make a motion to recommend approval of Case PZ 16-12.

Approval with Conditions: Based on the information presented, I find that the request conforms to the comprehensive land use plan and meets city requirements for rezoning, except for [list exception]. I make a motion to recommend approval the Case PZ 16-12 with the following conditions [list conditions].

Deny: Based on the information presented, I find that the proposed use does not conform to the comprehensive land use plan [or does not meet requirements for rezoning, state which one] and make a motion to deny Case PZ 16-12.

.



SOS Renovations LLC
P.O. Box 591
Mansfield Tx 76063
Phone 817-477-3222
Fax 817-200-7565
SOSRenovationsLLC@gmail.com

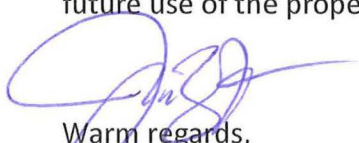
8/12/2016

Dear City of Kennedale – Planning and Zoning,

I am requesting a zoning change for the property located at 1115 Border Lane, Kennedale Tx. 76060 from (AG) agricultural to (R3) single family residential. I am the sole owner of this 1.5 acre property and 1 acre of the property currently sits vacant.

The current zoning for the property is (AG) agricultural. This is primarily due to the original land owner receiving that designation many years ago. Obviously, since that time the majority of lots and land that reside next to that location were sold and rezoned residential.

Currently, (AG) agricultural zoning does not comply with the property or any resident near that location. Frankly, it will never be used for that purpose. The future use of the property will be for single family residential usage.



Warm regards,
Joseph W. Boston Jr for SOS Renovations LLC



PETITION FOR CHANGE OF ZONING CLASSIFICATION

ZONING CASE # _____
(assigned by city staff)

DATE: 8-12-16

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

" (AG) " (Agricultural) to that of

" (R3) " (Single Family Residential) in its entirety as shown on Exhibit "B"

attached. The property totals some 1.5 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 HALTOM, WE Survey, Abstract: 731 TRACT: 1C01

Present use of the property is Vacant land

Address of the property is 1115 BORDER LN, Kennedale TX 76060

Property Owner's Name: JOSEPH Boston JR For SOS Renovations LLC

Address: 13 CALLAWAY CT
MANFIELD TX 76063

Telephone Number: [REDACTED]

Applicant's Name:

JOSEPH BOSTON JR for SOS Renovations LLC

Address:

13 CALLOWAY CT
MANVEL TX 76063

Telephone Number:

[REDACTED]

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 SOS Renovations LLC 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.

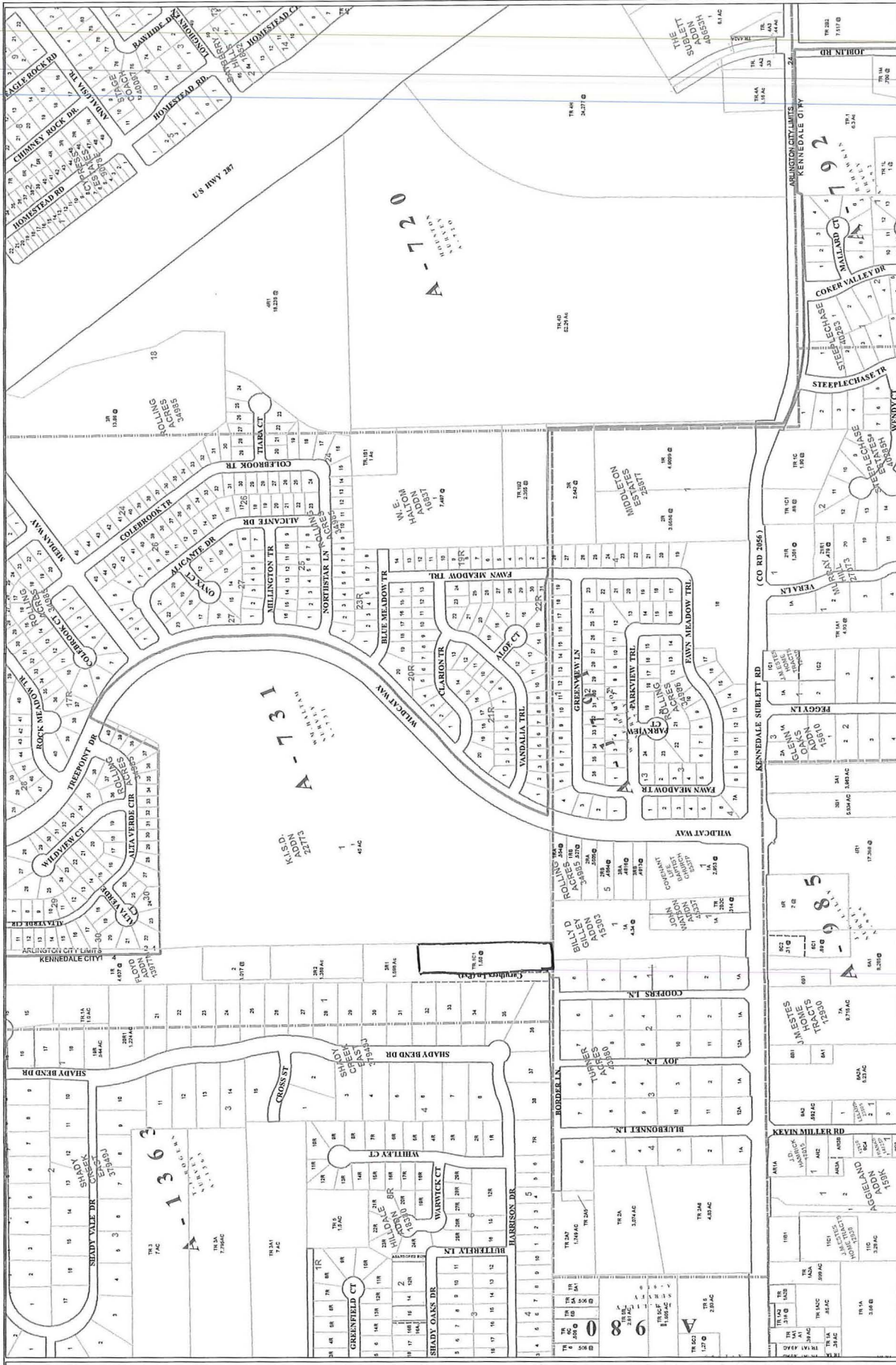
Joseph W. Boston Jr for SOS Renovations LLC
Applicant Signature

8-12-16

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.



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It is not to be used as a legal document. The information herein represents only the approximate relative location of property boundaries.



Legend

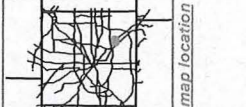
Deeds_Boundary

RECORD_BOUNDARYTYPE

- Parcel Line
- Parcel Split Line
- Private Road
- ROW
- Unknown
- HistoricLot
- School
- City
- Abstracts
- County
- Water_District

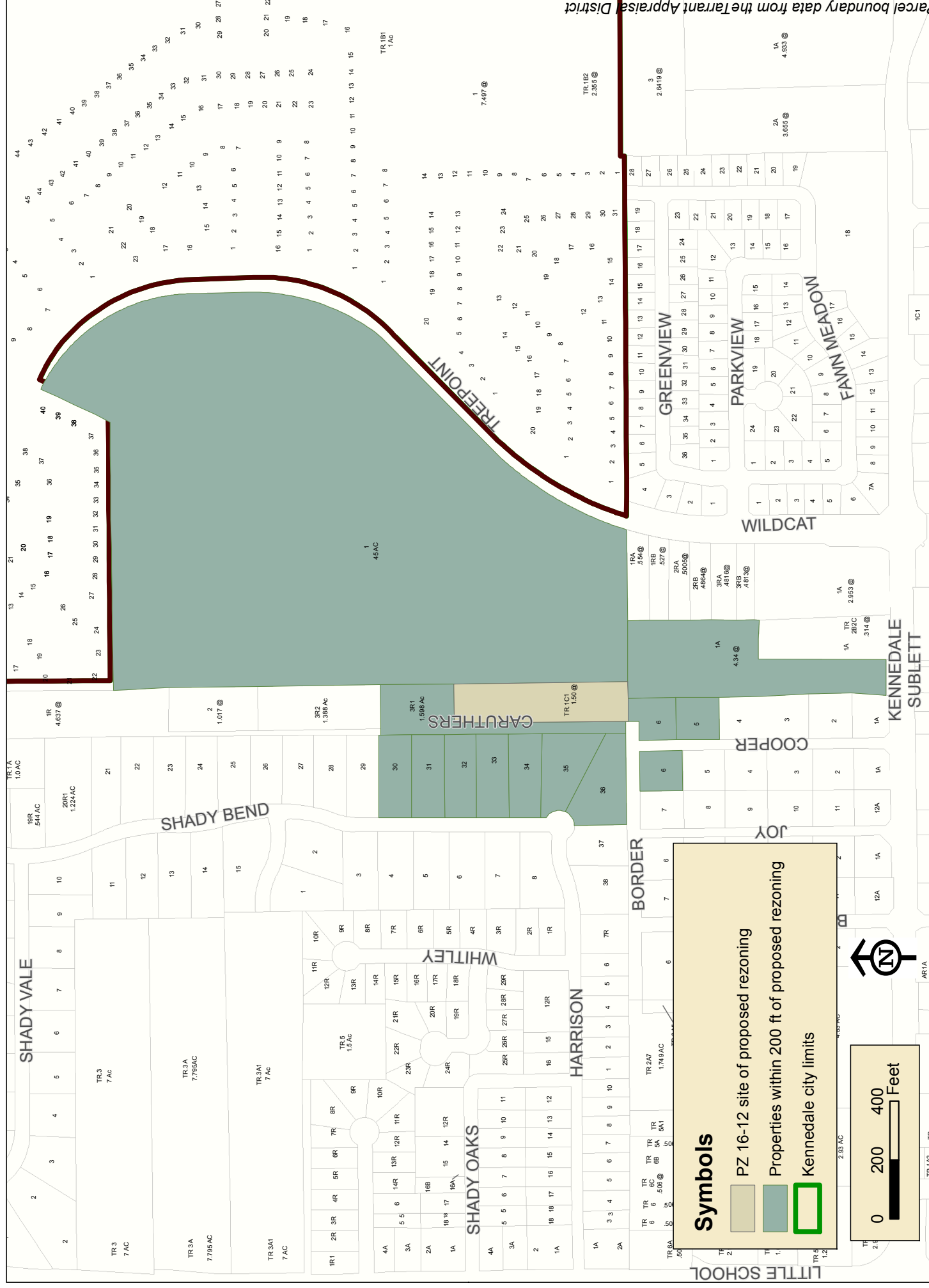
Map created on:
4/19/2016

1 inch = 400 feet



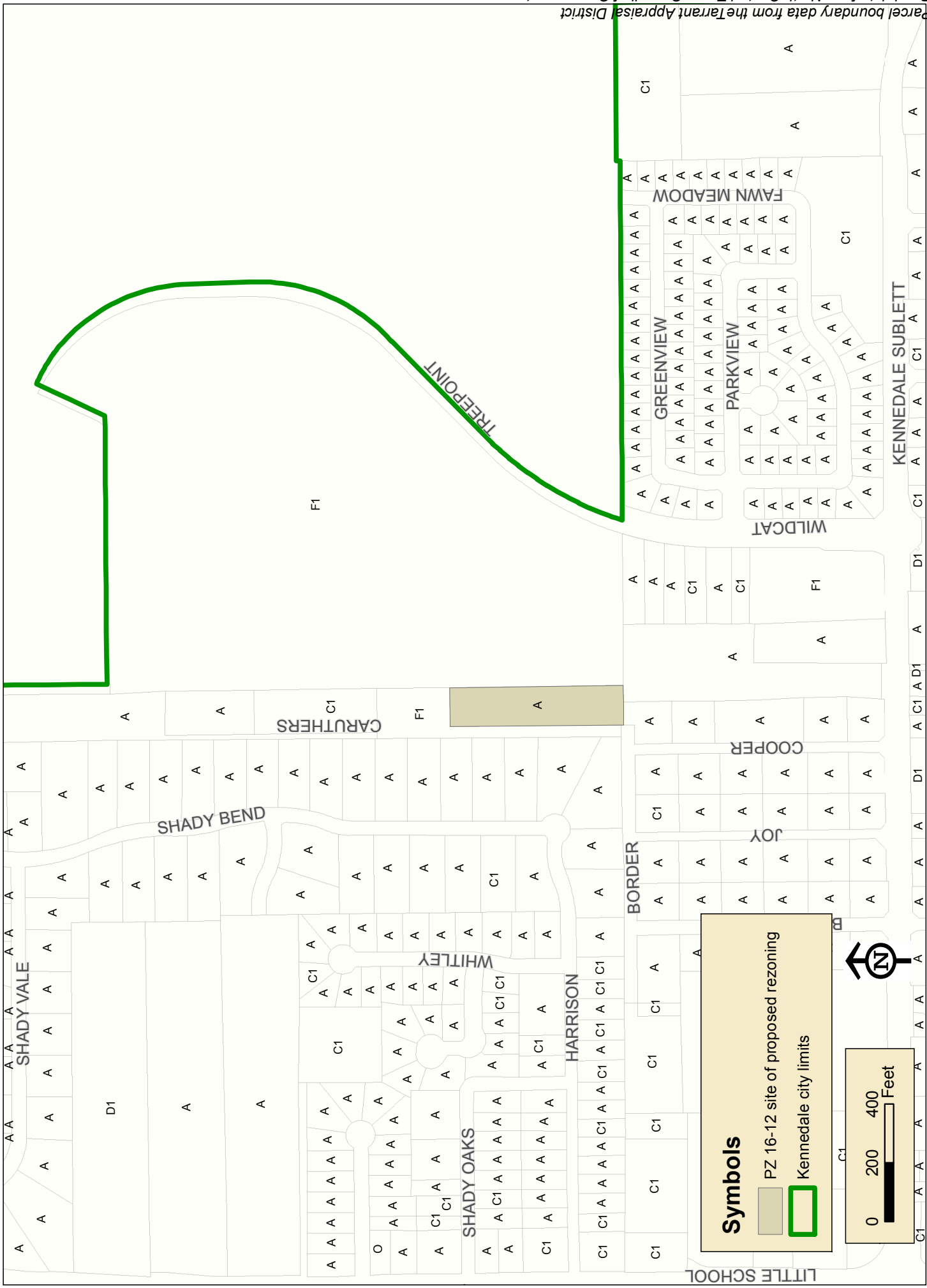
* map location

PZ 16-12: site of proposed rezoning



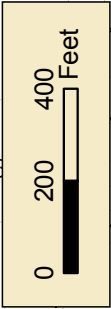
Parcel boundary data from the Tarrant Appraisal District

PZ 16-12: land uses surrounding site of proposed rezoning



Symbols

- PZ 16-12 site of proposed rezoning
- Kennedy city limits



Note: state use codes are listed on the reverse side of this map.

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

STATE USE CODES

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

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

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

D ACREAGE	
D1	Ranch Land
D2	Timberland
D3	Farmland
D4	Undeveloped

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

F COMMERCIAL/INDUSTRIAL	
F1	Commercial
F2	Industrial
F3	Billboards

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

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

L COMMERCIAL/INDUSTRIAL	
L1	Commercial BPP
L2	Industrial BPP

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

O RESIDENTIAL INVENTORY	
O1	Vacant
O2	Improved

ORDINANCE 609

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF KENNEDALE, TEXAS BY REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM "AG" AGRICULTURAL DISTRICT TO "R-3" 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, SOS Renovations, having a proprietary interest in the property described below, has requested a zoning change as described below; AND

WHEREAS, the City Council has determined that the current Agricultural zoning designation is no longer suitable for said property, given the character of surrounding development; and

WHEREAS, a public hearing was duly held by September 2016 and by the City Council of the City of Kennedale on the 19th day of September 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 1.5-acre tract in the W. E. Haltom Survey, Tarrant County, Texas, being that same property conveyed by Warranty Deed from Donna Kay Geter to SOS Renovations LLC, instrument number D213282537 ("the Property"), more particularly described on Exhibit "A" attached hereto and incorporated herein, from "AG" Agricultural zoning district to "R-3" 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 3.

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

SECTION 4.

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 5.

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 6.

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 7.

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 8.

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 9.

The City Secretary of the City of Kennedale is hereby directed to publish the caption, Section 1, penalty clause, publication clause and 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 10.

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 19TH DAY OF SEPTEMBER, 2016.

Mayor, Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson

Exhibit "A"

Legal Description

Metes and Bounds Description Attached as Exhibit A to Warranty Deed Filed in Tarrant County, Texas, D206017824

ATTACHMENT A

TRACT I

Being all that certain lot, tract or parcel of land located in the W.E. HALTOM SURVEY ABSTRACT 731, Tarrant County, Texas and being the same land described in Deed to Thurman R. Henry and wife, Barbara Henry, recorded in Volume 4051, Page 444, Deed Records, Tarrant County, Texas and being more particularly described as follows:

Thence North 89 deg. 57 min. 17 sec. West, along the said common line of the W.E. Haltom Survey, Abstract 731 and the W.E. Haltom Survey, Abstract 1791, a distance of the 114.69 feet to a ½ inch diameter iron rod set at the most Southernly Southeast corner of a tract of land described in Deed to Jerry J. Floyd and Wife, Penny L. Floyd, recorded in Volume 13154, Page 409, Deed Records, Tarrant County, Texas;

THENCE North, a distance of 568.80 feet to a 3/8 inch diameter iron rod found at the "ell" corner of said Floyd tract;

THENCE South 89 deg. 57 min. 17 sec. East, a distance of 114.69 feet to a ½ inch diameter rod with plastic cap stamped "Landes & Assoc." at the most Northerly Southeast corner of said Floyd tract, said point being in the West line of said Lot 1, Block 1, K.I.S.D. Addition;

THENCE South (basis of bearing derived from aforementioned Deed to Henry), along the West line of said Lot 1, Block 1, KISD, Addition, a distance of 568.80 feet to the PLACE of BEGINNING and containing 1.500 acres of land.

TRACT II

Easement estate from Merle M. Caruthers and wife, Dorothy A. Caruthers to Thurman R. Henry and wife, Barbara Henry in deed recorded in Volume 4051, Page 447, Deed Records, Tarrant County, Texas, described as follows:

BEGINNING at a point 171.7 feet E. and 2640 feet S. of the NW corner of said Haltom Survey, thence East 50 feet;

THENCE N 568.17 feet to a point for corner;

THENCE West 50 feet to a pin for corner;

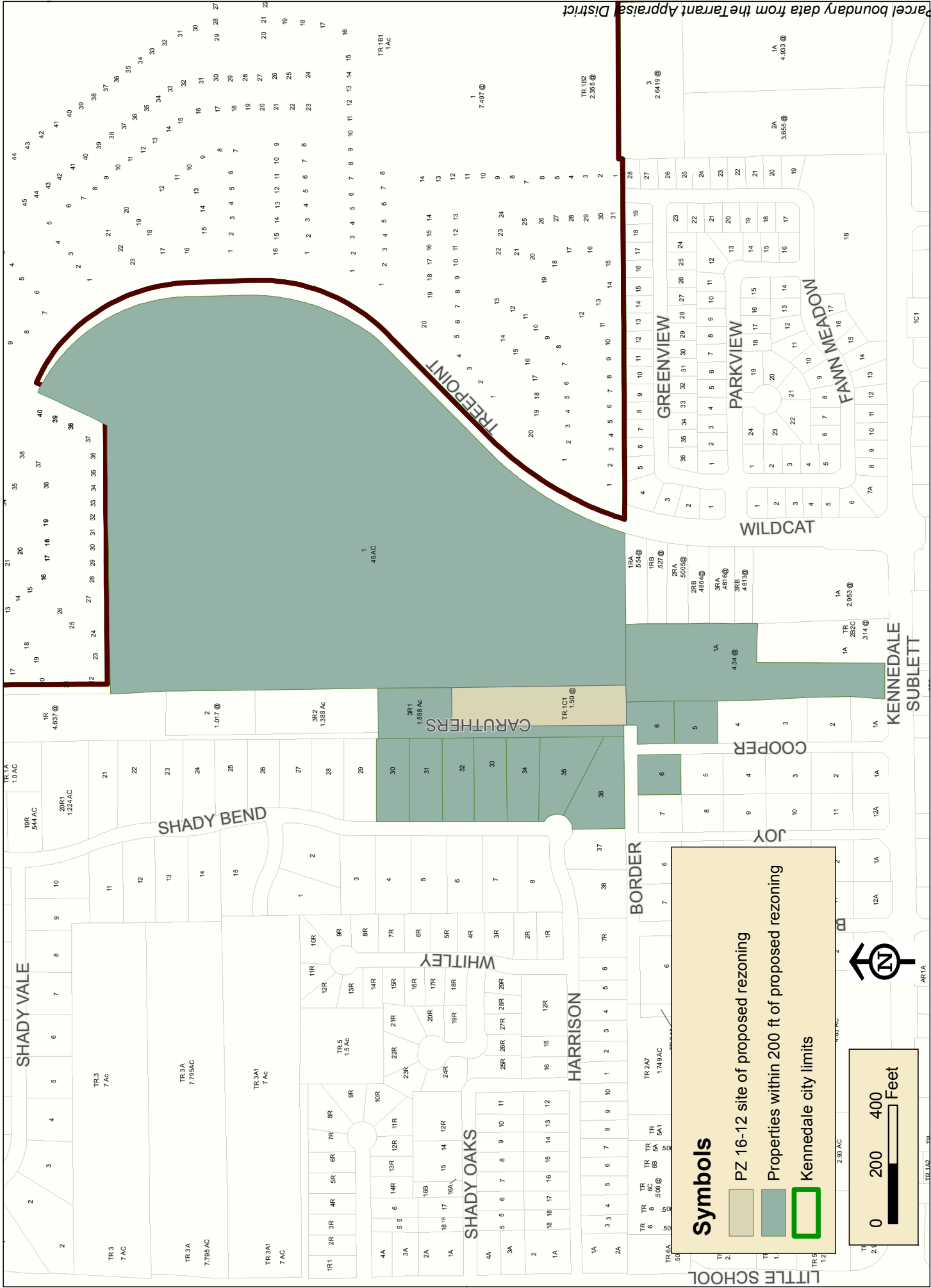
THENCE South 568.17 feet to the Point of Beginning

A.P.N. 04469569

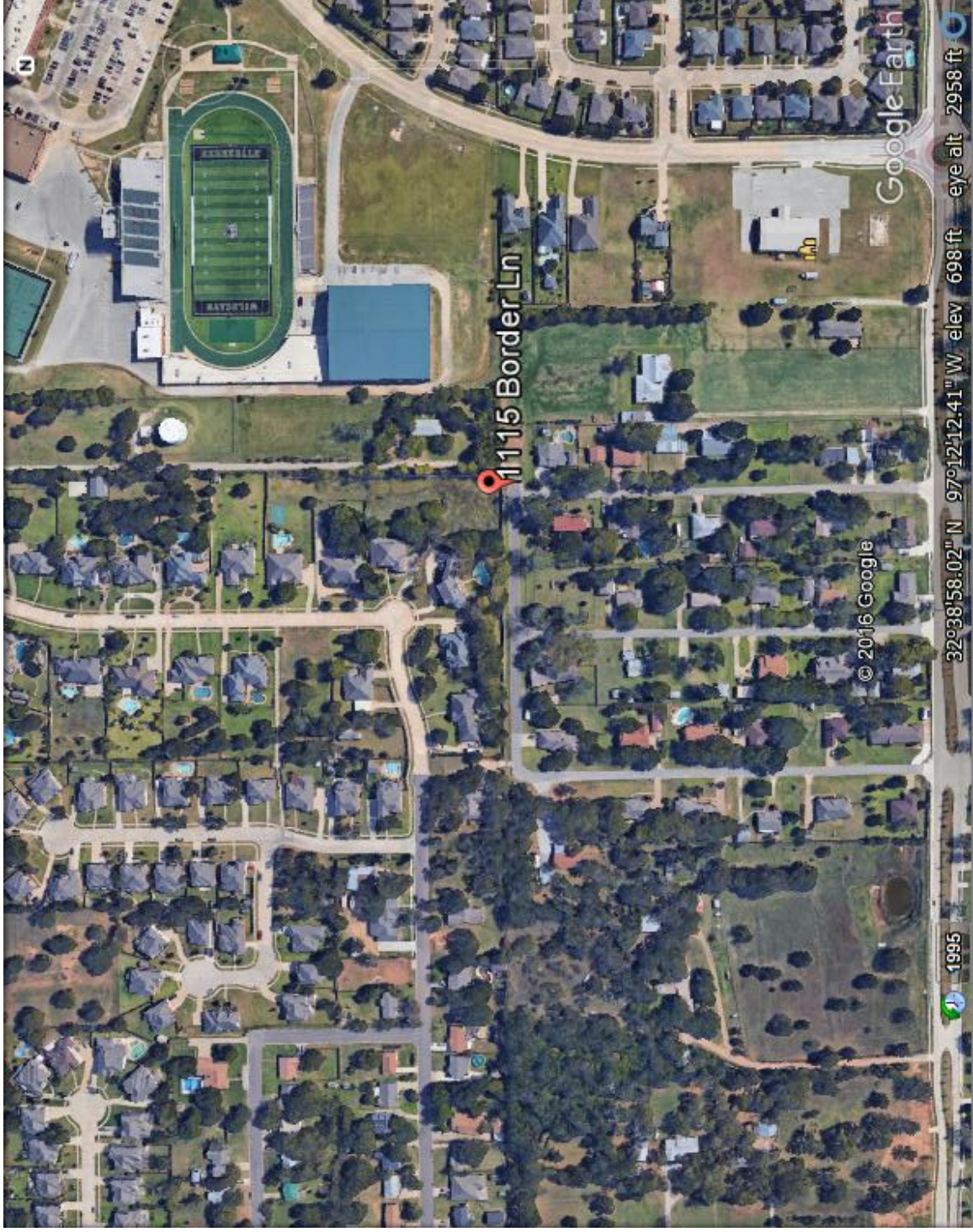
Properties within 200 feet of proposed rezoning

Owner_Name_Last	Owner_Name_First	Owner_Addr	Owner_City	Owner_Zip	Owner_Zip4
Sos Renovations Llc		1115 Border Ln	Kennedale, TX	76060	5834
Wright	Terry	620 Cooper Ln	Kennedale, TX	76060	5812
Beckham	John D, attention: Terry C Beckman TR	616 Cooper Ln	Kennedale, TX	76060	5812
Kennedale ISD		Po Box 467	Kennedale, TX	76060	467
City of Kennedale		405 Municipal Dr	Kennedale, TX	76060	2249
West	Irma L	621 Cooper Ln	Kennedale, TX	76060	5813
Johannsen	Kandy D	3608 Le Mans Ct	Arlington, TX	76016	2937
O'Reilly	Walther & Katherine	810 Shady Bend Dr	Kennedale, TX	76060	
Brown	Catherine	808 Shady Bend Dr	Kennedale, TX	76060	5478
Bostad	Patti J	806 Shady Bend Dr	Kennedale, TX	76060	5478
Penny	William & Shirley	804 Shady Bend Dr	Kennedale, TX	76060	5478
Mcgaughey	Deborah	802 Shady Bend Dr	Kennedale, TX	76060	5478
Shaikh	Azam	800 Shady Bend Dr	Kennedale, TX	76060	5478
Gilley	Billy	1115 Kennedale Sublett Rd	Kennedale, TX	76060	5821

PZ 16-12: site of proposed rezoning



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



11115 Border Ln

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Google Earth

32°38'58.02" N 97°12'12.41" W elev 698 ft eye alt 2958 ft

1995

PZ 16-12: Future Land Use Map

