



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
November 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

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

A. Consider approval of minutes from the October 20, 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 16-12** 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. Staff response and summary
 4. Action by the Planning & Zoning Commission

B. **CASE # PZ 16-14** Public hearing and consideration of a request by Joyce Stanton for re-platting of 1399 J R Hawkins Rd., legal description of Falcon Wood Estates Section One, Block 1, Lot 17, Kennedale, Tarrant County, Texas. The replat would create Lots 17R-A and 17 R-B.

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. **CASE # PZ 16-15** Public hearing and consideration of a request by the Kennedale Economic Development Corporation for re-platting of Block 5, Lots 1-6 and 12-16, Oak Crest Addition, Kennedale, Tarrant County, Texas. The replat would create Lots 1R & 6R, Block 5.

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

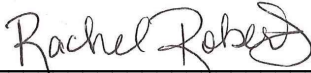
X. REPORTS/ANNOUNCEMENTS

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 November 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: November 17, 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: November 17, 2016

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from the October 20, 2016 Planning & Zoning Commission meeting

II. Originated by:

Dale Gwak, Permit Clerk

III. Summary:

The minutes from the October meeting are attached to this page for your review and consideration.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	10.20.2016 PZ Minutes	10.20.2016 PZ Minutes FINAL VERSION.doc
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KENNEDALE
Planning and Zoning Commission
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KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
October 20, 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 6:17 PM.

II. ROLL CALL

COMMISSIONER	PRESENT	ABSENT
Ernest Harvey, Chair	✓	
Carolyn Williamson	✓	
Stephen Brim	✓	
Thomas Pirtle	✓	
Patrick Filson		✓
Horace Young, Alternate		✓
Greg Adams, Alternate		✓

A quorum was present.

Staff Present:

Rachel Roberts (Planning Director)

Dale Gwak (Permits Clerk and Board Secretary)

III. WORK SESSION

A. Discuss any item on the regular session agenda

The Commission discussed case PZ 16-13. Ms. Roberts said that only four of the seven lots at the address were proposed for rezoning, with the three closest to Mansfield Cardinal proposed to remain as residential zoning. She mentioned that the Unified Development Code's new regulations were intended to help with compatibility of commercial uses next to adjacent uses.

PZ 16-12

Mr. Harvey asked Ms. Roberts questions about that site. Ms. Roberts said when a neighbor had mentioned a 50-foot easement in a previous meeting, she had assumed he meant a roadway easement, but the only 50-foot easement staff could find a record of was an easement related to the nearby city water well. That easement did not appear to encroach on the property proposed for rezoning, but it would need to be confirmed by the applicant's surveyor, since there was a problem with the easement exhibit showing the north arrow facing the wrong way, and staff couldn't be entirely sure about the accuracy of the exhibit in that case. If there is an easement affecting the property, the applicant may not be able to fit as many houses as he wished.

The Commission discussed the possibilities that the owner would have with an R-2 zoning instead of an R-3 zoning as the applicant/owner had applied for. There were some concerns about the setback

requirements that an R-2 was going to have in an area that was so limited in space. Mr. Harvey asked if the owner could be allowed a special exception, but Ms. Roberts advised him that this would not be possible because special exceptions do not affect setbacks, so instead, asking for a variance could be a possibility since the owner was subject to some legitimate concerns regarding space. Mr. Harvey also asked about the potential of impact on local property prices. Ms. Roberts advised him that most likely there would be no negative effect of property prices

The work session closed at 7:00PM.

IV. REGULAR SESSION

V. CALL TO ORDER

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

VI. ROLL CALL

COMMISSIONER	PRESENT	ABSENT
Ernest Harvey, Chair	V	
Carolyn Williamson	V	
Stephen Brim	V	
Thomas Pirtle	V	
Patrick Filson		V
Horace Young, Alternate		V
Greg Adams, Alternate		V

A quorum was present.

Staff Present:

Rachel Roberts (Planning Director)

Dale Gwak (Permits Clerk and Board Secretary)

Other People Present:

Harry Browne (Accidentally left off the list of Commission Board Members. Will be reappointed in November 2016. Attendance was accidental, no one was aware of this change.).

Harry Browne was also present. Due to the recent appointment process, the Commission and staff did not realize the Mr. Browne had not yet been reappointed to the Commission.

VII. MINUTES APPROVAL

A. Consider approval of minutes from the September 15, 2016 regular meeting.

Mr. Pirtle motioned to approve the minutes, seconded by Ms. Williamson. The motion passed unanimously.

VIII. VISITOR/CITIZENS FORUM

No one registered to speak.

IX. REGULAR ITEMS

A. 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.*

Ms. Roberts gave the staff presentation. She said that staff had looked into the 50-foot easement mentioned by a neighboring property owner at the previous meeting, and the only record they found was for a sanitary control easement that does not appear to affect this property, although this would need to be verified by a surveyor. She said an easement could affect how many lots could be created but should not affect zoning, since there is nothing that prevents the lots from being larger than the minimum size. She also said that the city has R-1 neighborhoods next to R-3, such as Falcon Wood, and this has not appeared to have negative impact on property values or neighborhood character. In response to questions from the Commission, she said land within the sanitary control easement land could be a part of someone's yard but would have restrictions to where drainage and sewer systems could be located.

Joe Boston (the applicant) provided an overview of his plan for this property. He expressed his wish to have the area zoned as R-3 (currently Agricultural AG) instead of the Board's suggestion that R-2 might be a better option. He provided the property values of neighboring areas where R-3 zones were right next to R-1 and/or R-2, and how the R-3 zones did not affect the property prices of the R-1/R-2 properties. He explained that the zoning plan would in fact help the neighborhood as it would create a buffer between the R-1 areas and the school nearby. He said that an R-3 zoning is what he really wanted, but if an R-2 is recommended, that he would be willing to accept that as well.

Mr. Ernest Harvey expressed concerns about the "buffer" and transition argument that Mr. Boston had presented for making the zoning in the area R-3.

There was no one who signed up to speak on the Public Hearing portion of the meeting.

The discussion for staff concerns was raised. Ms. Rachel Roberts expressed concerns that due to the odd nature of the lot size, if the property were zoned R-2, there was a danger that an unusable lot could be created. However, public works might be able to make an exception to the road width requirement. Mr. Brim said that too much restriction could in fact lead to the land being undevelopable. Mr. Harvey suggested zoning it as Planned Development (PD) to satisfy the unusual nature of the lot and make it more consistent with the residential area around it.

Mr. Harvey explained to Mr. Boston that a PD zoning approach would be better than R-3 or R-2 because the regulations could be set to make it possible to build homes that would not only satisfy the residents in the area but also stand a better chance of satisfying the City Council who ultimately has the last say and the decision making powers on zoning. Mr. Harvey also clarified that an R-3 would be unfavorable because a zoning is more or less permanent, and should the land fall under different ownership, there would be little or nothing to stop them from building seven or so more homes in a row on that lot, which is exactly what the homeowners in the vicinity are concerned about.

Mr. Boston was advised by Mr. Harvey to have his engineers begin looking at site design so that more specifics could be put into place for the rezoning of the property.

Mr. Brim made a motion to table the case until the November 17 meeting, seconded by Mr. Pirtle. The motion passed unanimously.

B. Case # PZ 16-13 700 Mansfield Cardinal Rd. *Public hearing and consideration of Ordinance approval regarding a request by John K. Dancer for change in zoning from R-3 (single family residential) to C-2 (general commercial) for .688 acres at 700 Mansfield Cardinal Rd, legal description of CA Boaz subdivision of JB Renfro, block 13, lots 4-7, Kennedale, Tarrant County, Texas.*

Ms. Roberts gave the staff presentation. She said the property itself looks like one large lot but is actually seven lots. The applicant's plan is to apply for a zoning change for four of those seven lots from R-3 residential to C-2 commercial. The land is vacant and has commercial and residential uses nearby. The comprehensive plan shows the area as part of the Urban Corridor, which is expected to be auto-oriented commercial uses. The request is consistent with the city's strategic plan goal of assisting the expansion of existing businesses. Concerns about the impact of businesses operating next to residential areas have

been taken into account with the updated UDC which has put better and more stringent noise, light, and buffering requirements, and with all those factors taken into account, staff considered the rezoning to be appropriate at this location.

Applicant John Dancer of 2001 Dancer Dr., Arlington, TX, provided the applicant presentation. He explained that the plan to rezone should not adversely affect anyone in the area because the plan is to extend the existing structure into the lots that are being requested for rezoning into C-2 and to leave the remaining lots as residential zoning. The entrance to the lot will remain as is on Kennedale Highway, and additional access roads either via Mansfield Cardinal Road or Meadowview Drive would not be constructed. When asked about security lighting possibly affecting the nearby residences, Mr. Dancer assured Mr. Harvey that due to the nature of the structure, it would not be possible.

The Chairman opened the public hearing. Two people requested to speak: Dr. Stanley Seat of 1325 Meadowview Dr. and Dean Dunaway of 612 Mansfield Cardinal Rd.

Dr. Seat raised the issue that the owner has not kept up with the property. He was also concerned about the potential light pollution problems and about traffic problems that may arise. He said he would be open to supporting this rezoning if the owner kept up with the property. He also stated that his wife had called the city to enquire about what structure would be built but claimed that the city provided no answers.

Mr. Dunaway stated that he is the current owner of the property that Dr. Seat raised concerns about. Mr. Dunaway claimed that the difficulty in keeping up with the property stemmed from Meadowview Dr. He claimed that since the road was put in about three years ago, maintenance had been extremely difficult.

The Chairman called for the applicant response.

Mr. John Dancer explained that the property would now be kept up because it would be redeveloped. He presented pictures on slideshow to serve as visuals. He indicated that his plan involved land between the business and the residences being landscaped to become more esthetically pleasing. He also made assurances that the plans would ensure that truck traffic would not be present near the residential areas.

The Chairman called for the staff response.

Ms. Rachel Roberts stressed that the new UDC has restrictions, such as lighting restrictions to prevent light pollution from affecting the residential areas. Also that there was no plan for the city to expand the existing residential areas toward Kennedale Pkwy, as that is not part of the comprehensive plan. Ms. Rachel Roberts recommended approval of the rezoning application.

Mr. Pirtle made a motion to recommend approval, seconded by Ms. Williamson. The motion passed with all in favor. Mr. Harvey said that the City Council will consider this case during its meeting on November 21.

X. REPORTS/ANNOUNCEMENTS

Ms. Roberts said the KKB Bring It event would be held on October 22, and so would the library's Pumpkin Palooza and the YAC's Trunk-or-Treat. She said the Christmas Tree Lighting Festival would be on December 6.

XI. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 8:30PM.

Ernest Harvey, Chair

Date

Attest: _____

Dale Gwak, Board Secretary

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

Date: November 17, 2016

Agenda Item No: REGULAR ITEMS (A)

I. SUBJECT

CASE # PZ 16-12 Consider approval of Ordinance 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.

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 R-2 and R-3 zoning with conditions

UPDATED STAFF REPORT (CASE CONTINUED FROM OCTOBER)

During last month's meeting, the Commission discussed the idea of using a planned development district for rezoning rather than the R-3 district requested by the applicant. The Commission can recommend rezoning for a less intensive (more restrictive) zoning district that was requested by the applicant, and the Commission considered this option because a few of the neighboring property owners objected to the lot size allowed through R-3 zoning. The Commission postponed voted on this case for one month and recommended that the applicant meet with his surveyor and engineer in the meantime to look at what development options might work for him, taking into account how many lots he would like to create as well as the amount of right-of-way dedication that might be required and the existing property size.

Since last month's meeting, city planning staff has discussed the concept with the city attorney, who advised us that a planned development district is not necessarily considered a less intensive zoning district and that the PD idea was not really a feasible option. Keeping in mind the Commission's desire to balance the applicant's request (which conforms to the comprehensive land use plan) with objections from some of the neighboring property owners, staff recommends rezoning a portion of the property to R-2 and a portion to R-3. Specifically, staff recommends rezoning a half-acre of the

property that includes the existing house as R-2 and rezoning the remainder as R-3. The property is not deep enough to meet the standards for an R-2 zoning district if the lots were to be oriented to the existing road, and generally it's better to avoid creating lots that can't meet standard development practices such as having lots oriented toward the road. With R-3 zoning, however, any new lots created would be deep enough that lots and homes could be oriented toward the existing roadway.

Planning staff has met with public works staff about the roadway, and they have no objection to the fifty feet of roadway owned by the city being used as public right-of-way.

Staff's recommendation is to rezone the half acre of the property with the house as R-2 single family residential and the remaining property as R-3 single family residential. Staff recommends this rezoning be approved on the condition that the applicant's surveyor provide a metes and bounds description of the portions to be rezoned as R-2 and R-3 as an exhibit for the ordinance.

The original staff report from September is shown below for your reference.

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

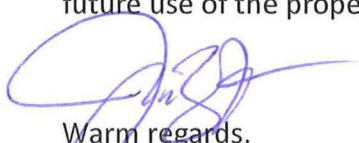
8/12/2016

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.

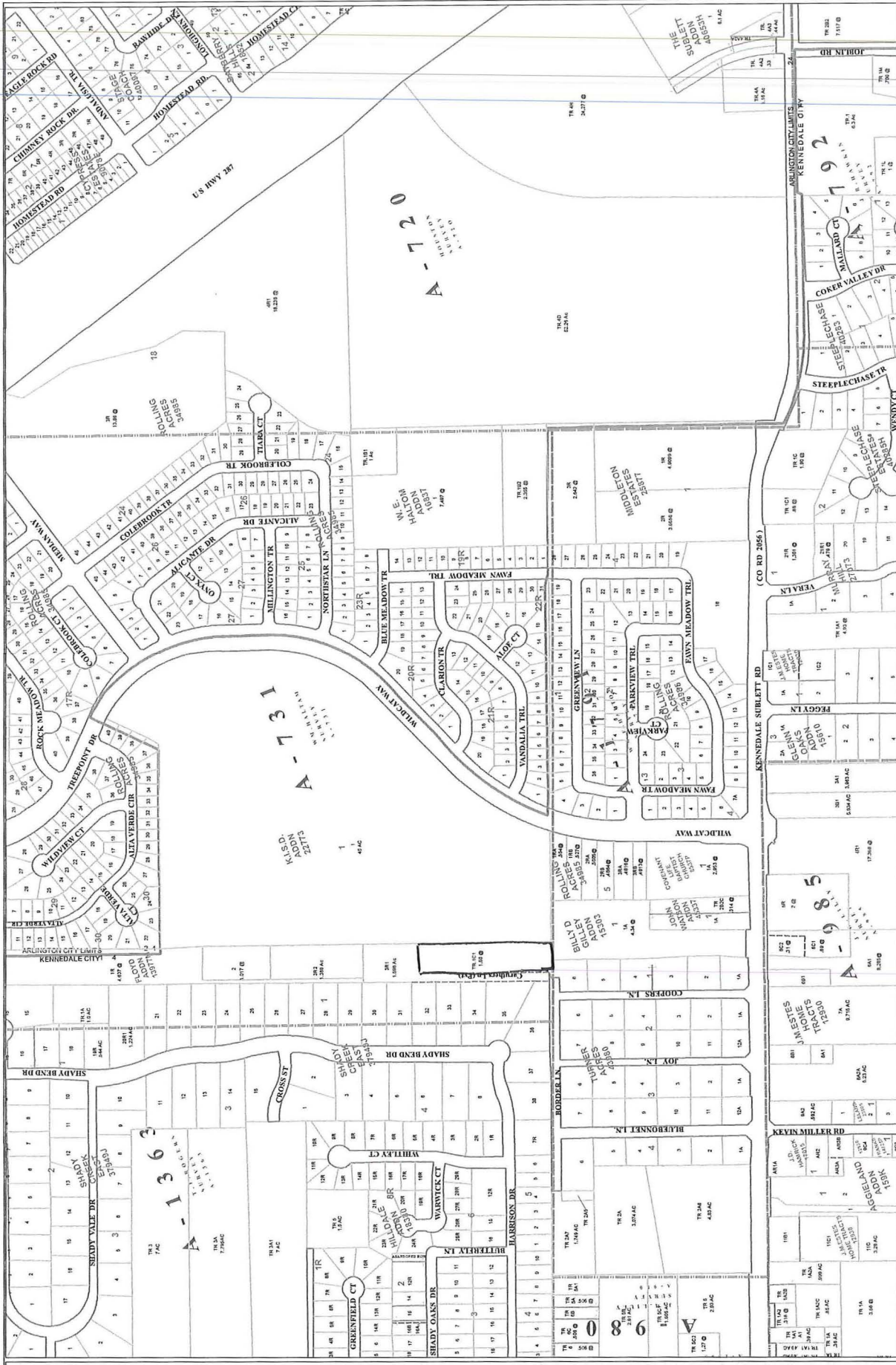
Joseph W. Boston Jr for SOS Renovations LLC
Applicant Signature

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.



2090-356



Legend

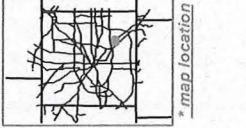
Deeds_Boundary

RECORDBOUNDARYTYPE

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

Map created on:
4/19/2016

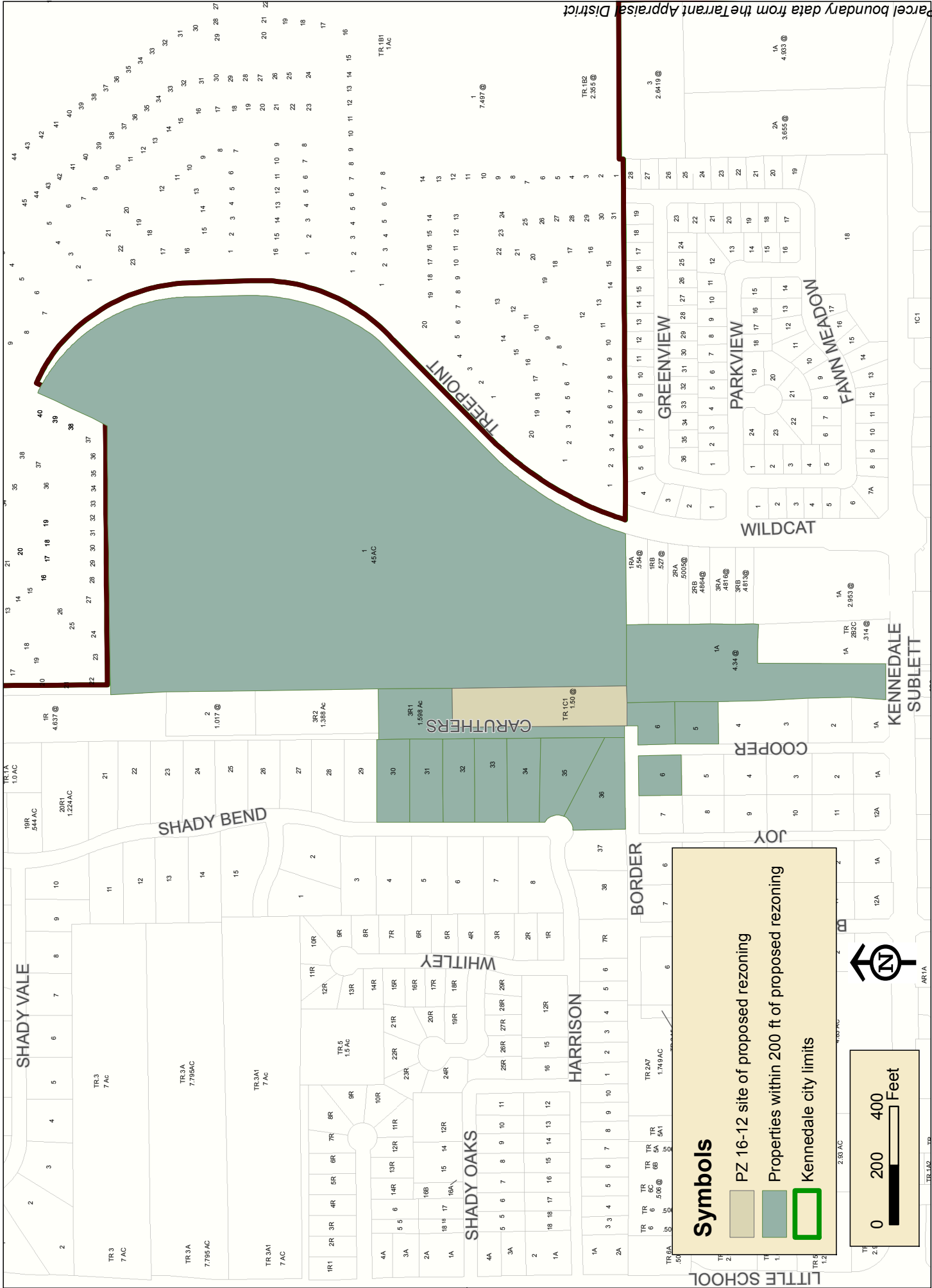
1 inch = 400 feet



* map location

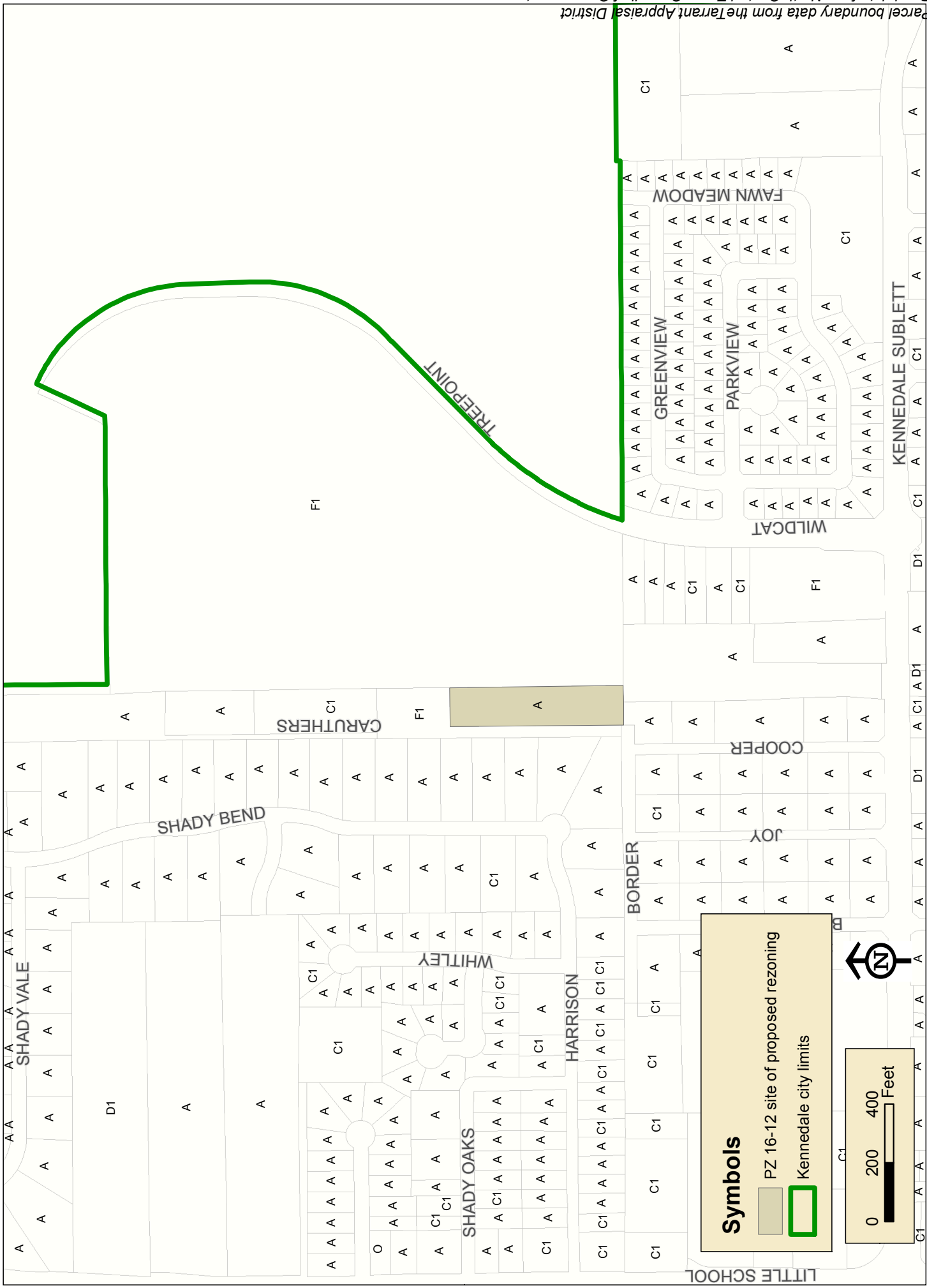
This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. The user assumes all liability for the use of this product. The user represents only the approximate relative location of property boundaries.

PZ 16-12: site of proposed rezoning



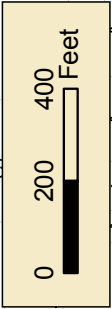
Parcel boundary data from the Tarrant Appraisal District
Road data from North Central Texas Council of Governments

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-2" and "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 the Planning & Zoning Commission on the 20th day of October 2016 and by the City Council of the City of Kennedale on the 21st day of November 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:

The south half-acre of 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-2" Single family residential, and the remained 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;

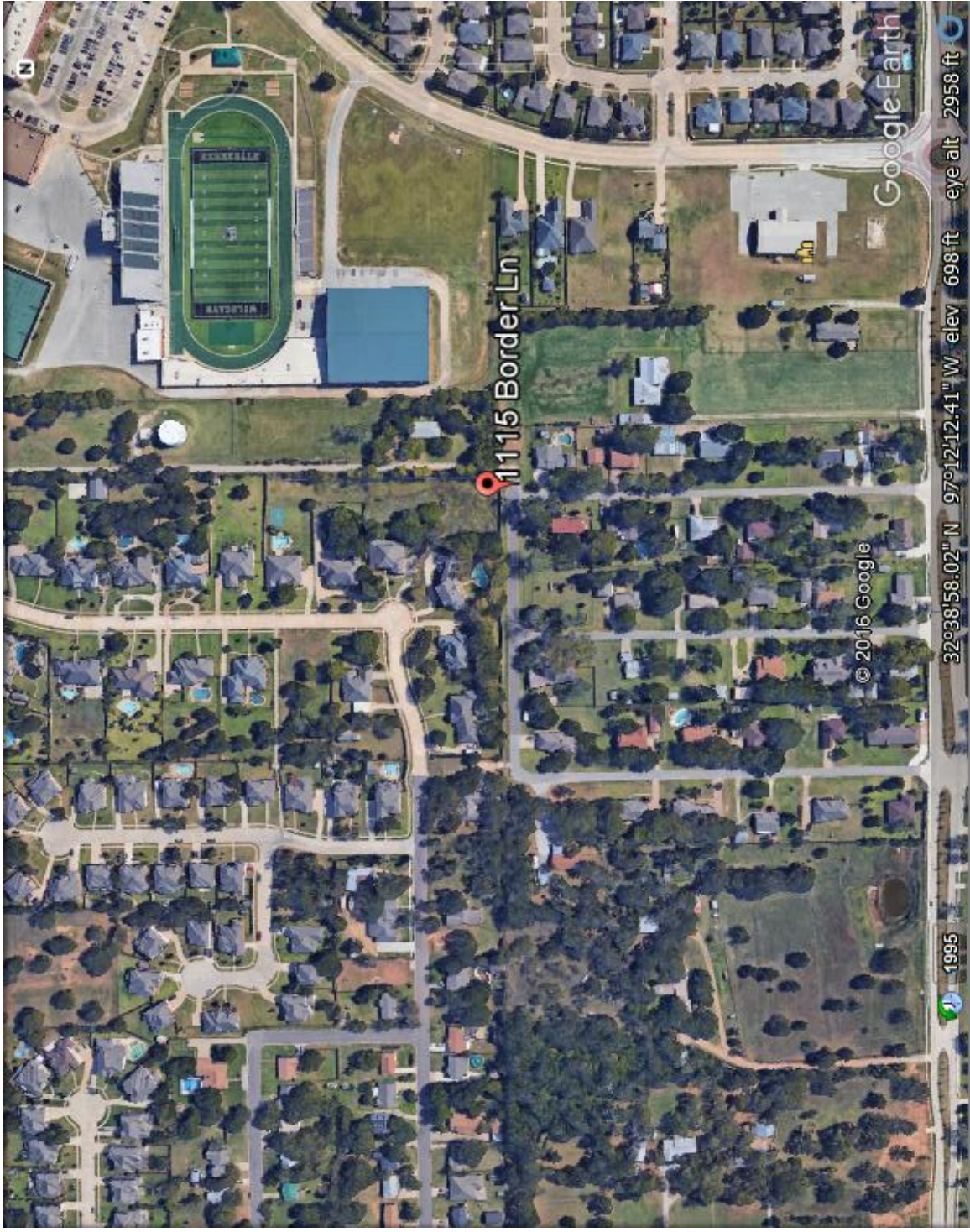
THENCE West 50 feet to a pin for corner;

THENCE South 568.17 feet to the Point of Beginning

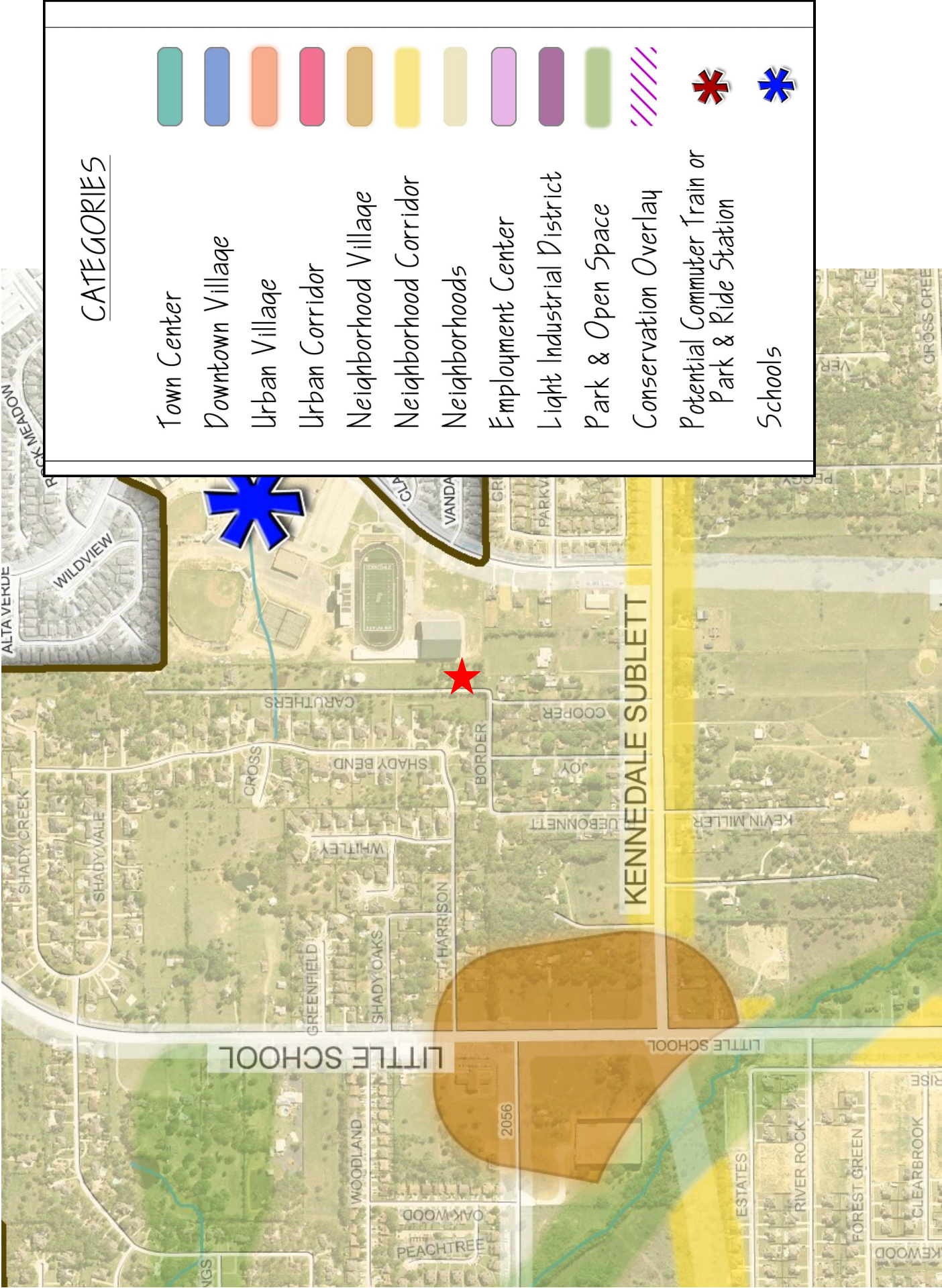
A.P.N. 04469569

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: Future Land Use Map



3
THE STATE OF TEXAS
COUNTY OF TARRANT

KNOW ALL MEN BY THESE PRESENTS:

That Jerry J. Floyd and Penny L. Floyd are the owners of Lot 3, Block 1, Floyd Addition in the W.E. Haltom Survey, Abstract 731 in Tarrant County, Texas, as shown on the plat, recorded in Cabinet A, Slide 4844 of the Deed Records of Tarrant County, Texas, do hereby declare such property bound by the hereinafter set out restrictions and covenants and agree that said purchasers and subsequent owners of said lots or parts thereof shall comply with same. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for two years from the date that these covenants are recorded, after which time said covenants shall be automatically extended until the use of this water well as a source of water for a public water system ceases.

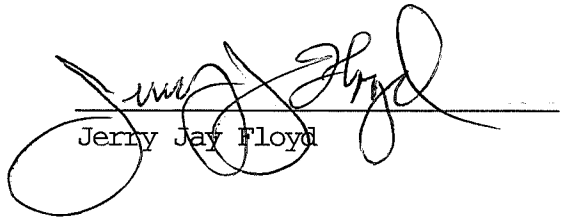
Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgement or court order shall not in any way affect any of the other provisions which shall remain in full force and effect.

Such restrictions are as follows, to wit:

1. Sanitation control upon all of that area of land included within a 150 foot radius of a proposed deep water well as shown on Exhibit "A" of this easement and specifically prohibiting the construction and/or operation of underground petrochemical storage tanks, stock pens, feed lots, dump grounds, privies, cesspools, septic tank drainfields, drilling of improperly constructed water wells of any depth and all other construction or operation that could create an insanitary condition within, upon or across the above described tract of land;
2. Tile or concrete sanitary sewers, sewer appurtenances, septic tanks and storm sewers are specifically prohibited within a 50 foot radius of the deep water well described and located above.
3. This sanitation control permits the construction of homes or buildings upon same, provided, however, that all underground petrochemical storage tanks, stock pens, feed lots, privies, tile or concrete sanitation sewers, cesspools, septic tanks, storm sewers, septic tank drainfields, drilling of improperly constructed wells of any depth and other construction and/or operations that could create an insanitary condition within, upon or across same are specifically prohibited within the designated distances.
4. Normal farming and ranching operations are permitted except that livestock shall not be allowed within 50 feet of the proposed well.

5. IN WITNESS WHEREOF the said owners have executed this instrument this 5 day of April, 1999.


Jerry Jay Floyd

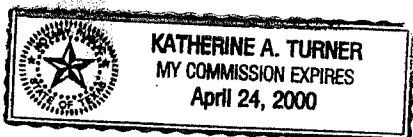

Penny Rigby Floyd

THE STATE OF TEXAS

COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared JERRY JAY FLOYD + PENNY RIGBY FLOYD, known to me to be the person(s) whose name(s) are subscribed to the foregoing instrument and acknowledged to me that the (he/she) executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the 5 day of April, 1999.



Katherine A. Turner
Notary Public in and for TARRANT County, Texas

Recorded at _____ Courthouse, _____, Texas on _____

AFTER RECORDING RETURN TO:

CITY SECRETARY'S OFFICE
CITY OF KENNEDALE
P.O. BOX 268
KENNEDEALE, TEXAS 76060-0268

EXHIBIT A

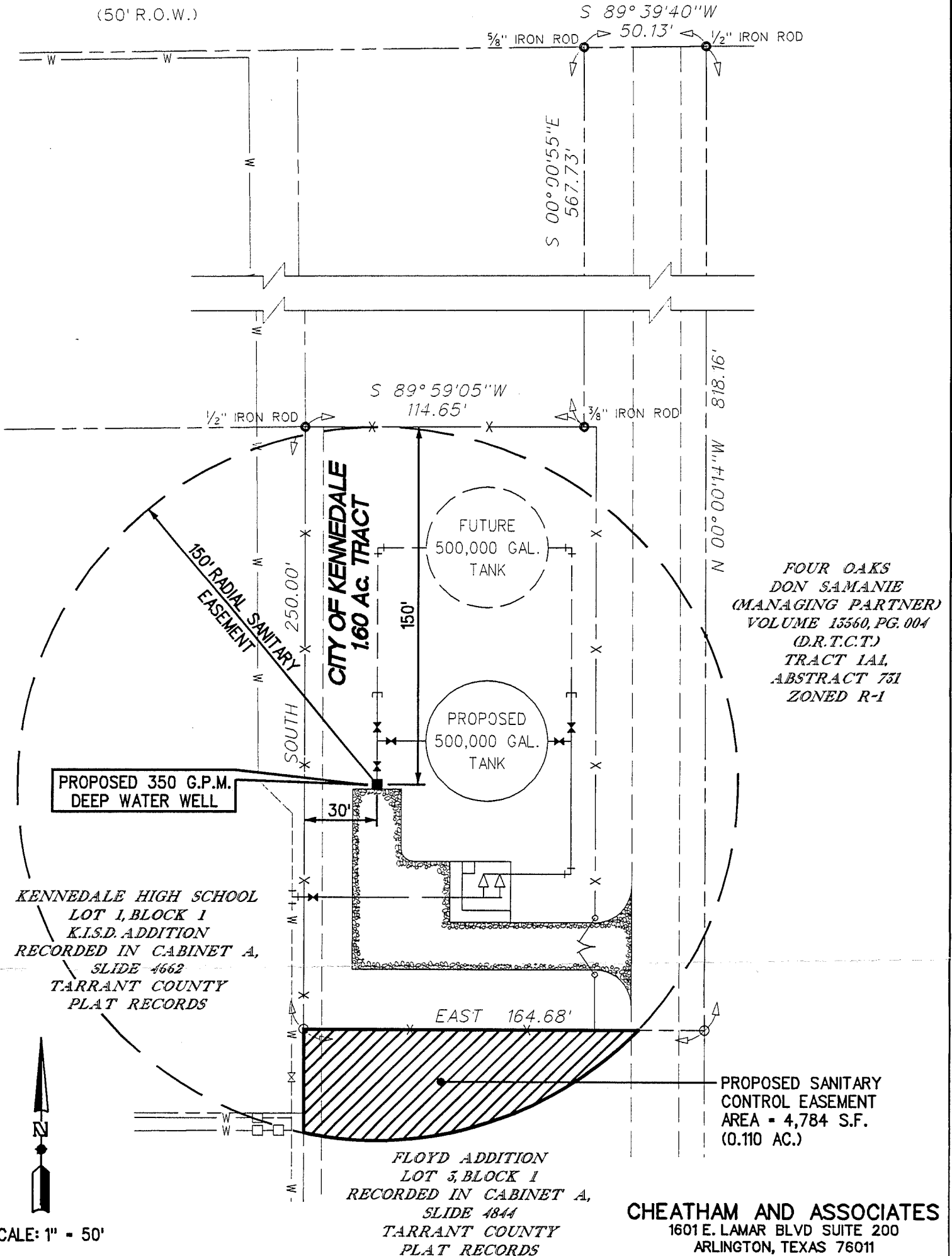
SANITARY CONTROL EASEMENT PUBLIC WATER WELL

CITY OF KENNEDALE, TRINITY WELL No. 4
BORDER STREET SITE

MARCH 30, 1999
PROJECT No. 015-503

BORDER LANE

(50' R.O.W.)



D199103805
CITY OF KENNEDALE
CITY SECRETARY'S OFFICE
P O BOX 268
KENNEDEALE TX 76060

-W A R N I N G-T H I S I S P A R T O F T H E O F F I C I A L R E C O R D--D O N O T D E S T R O Y

I N D E X E D -- T A R R A N T C O U N T Y T E X A S
S U Z A N N E H E N D E R S O N -- C O U N T Y C L E R K
O F F I C I A L R E C E I P T

T O : C I T Y O F K E N N E D A L E

RECEIPT NO	REGISTER	RECD-BY	PRINTED DATE	TIME
199231293	DR96	A I	04/26/1999	09:29

	INSTRUMENT	FEECD	INDEXED	TIME	
1	D199103805	WD	19990426	09:29	CK 34651*

T O T A L : D O C U M E N T S : 01 F E E S : 13.00

B Y: _____

ANY PROVISION WHICH RESTRICTS THE SALE RENTAL OR USE
OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE
IS INVALID AND UNENFORCEABLE UNDER FEDERAL LAW.

PZ 16-12

Looking at the property, facing east

(high school facility shown in the background)



PZ 16-12

Looking at the property, facing north



PZ 16-12

Looking at developed portion of the property, facing south toward
Border Lane



PZ 16-12

Facing southwest, showing the closest intersection to the property
(Border Lane and Coopers Lane)



Date: November 17, 2016

Agenda Item No: REGULAR ITEMS (B)

I. SUBJECT

CASE # PZ 16-14 Public hearing and consideration of Ordinance approval regarding a request by Joyce Stanton for Re-platting of 1399 J R Hawkins Rd., legal description of Falcon Wood Estates Section One, Block 1, Lot 17, Kennedale, Tarrant County, Texas. The replat would create Lots 17R-A and 17 R-B.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Replat one lot into two lots
Applicant	Joyce Stanton, representing the property owner
Location	Falcon Wood subdivision off Swiney Hiatt and Eden Rds
Surrounding Uses	Primarily single-family residential
Surrounding Zoning	R-1 and R-3 single-family residential, Manufactured Home, Agricultural
Future Land Use Plan Designation	Parks / open space due to floodplain
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

This property is 9.025 acres in size and is zoned R-1 single family residential. It was originally created to serve as a drainage and 100-year floodplain easement for the Falcon Wood subdivision, although it was also designed to leave room for one (1) one-acre pad site for a house outside of the drainage easement and floodplain.

An amending plat for this property was approved earlier this year to amend the boundaries of the floodplain drainage easement. Prior to approving the amending plat, the city required the applicant to submit a new floodplain study, which was reviewed by the city's engineers.

SURROUNDING PROPERTIES & NEIGHBORHOOD

SURROUNDING PROPERTIES AND NEIGHBORHOOD

Most of the properties in the area are single family residential, although there are a few commercial properties in the vicinity. The lot is within the Falcon Wood Estates subdivision, a large-lot single

family residential neighborhood. Across Swiney Hiatt to the north are mostly single family residences developed before the Falcon Wood subdivision was built.

STAFF REVIEW

COMPREHENSIVE LAND USE PLAN

Property is designated as Parks / Open Space in the Future Land Use Plan due to floodplain

The area is designated as Parks / Open Space due to the floodplain on the property. However, the properties outside the floodplain may be developed as residential if the open space character is preserved. In this case, the lots would be 3.29 and 5.53 acres, and a large portion of each property is still reserved as a 100-year floodplain/drainage easement, so the open space character would be retained. The adjacent residential lots within Falcon Crest are designated as Neighborhood in the Future Land Use Plan.

SUMMARY

The replat conforms to the comprehensive land use plan.

CITY DEVELOPMENT REQUIREMENTS

Plats must comply with the city's technical requirements in order to be approved.

PUBLIC WORKS AND ENGINEERING REQUIREMENTS

The replat meets the city's public works and engineering requirements.

PLANNING REQUIREMENTS

The plat drawing meets the technical requirements for plat drawings.

FIRE DEPARTMENT REQUIREMENTS

The fire chief has reviewed the plat drawing and has no concerns.

STAFF RECOMMENDATION

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

ADDITIONAL FACTORS TO CONSIDER.

By state law, if a variance is requested for a replat and the variance is protested by a certain percentage of property owners* within the same subdivision (Falcon Wood), then the replat can only be approved with a supermajority vote. There are no variances requested for this replat.

* Owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area.

ACTION BY THE PLANNING & ZONING COMMISSION

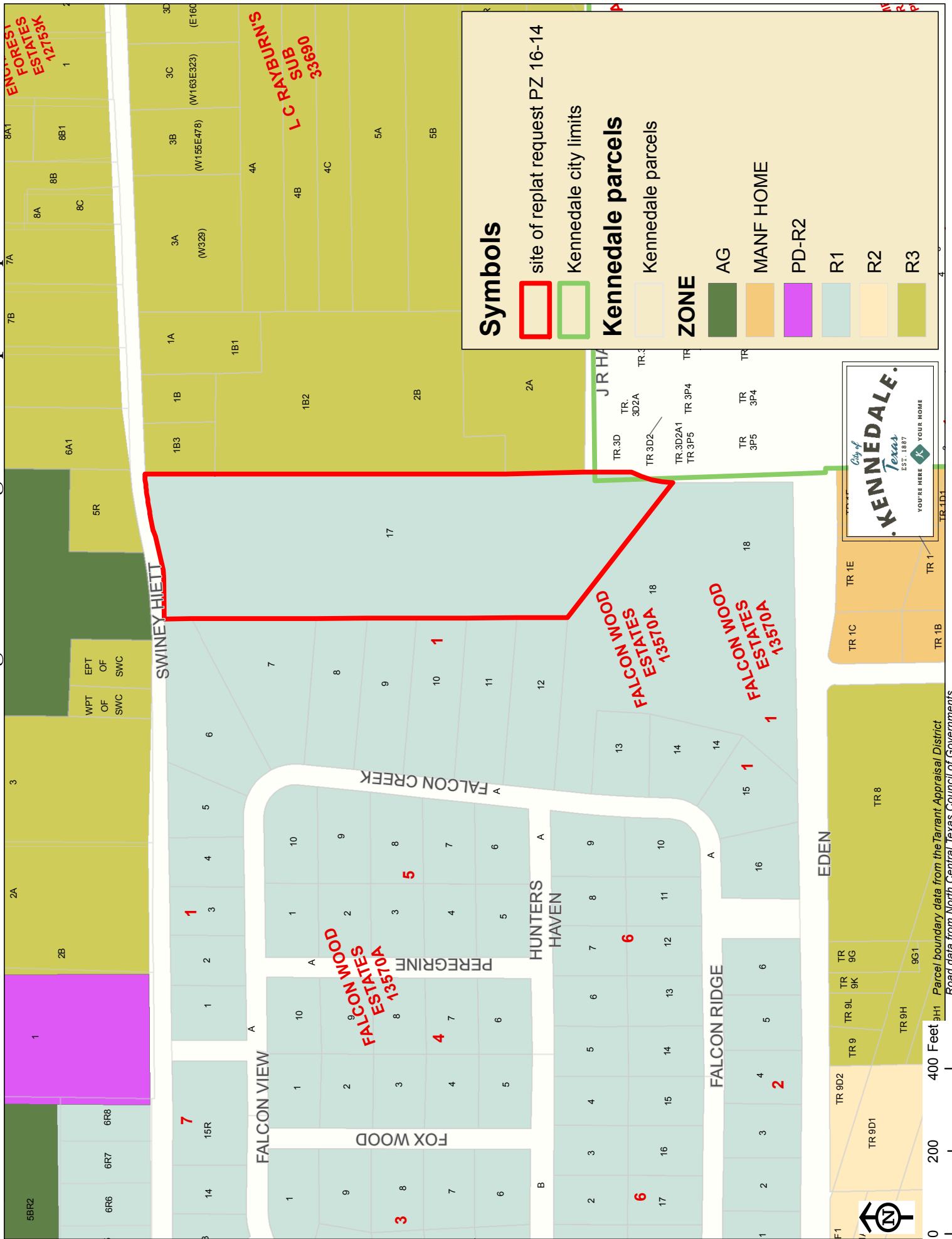
Sample motions are provided below (you are not required to use the examples).

Approval: Based on the information presented, I find that the replat meets city requirements for plats and conforms to the comprehensive land use plan. I make a motion to approve the replat.

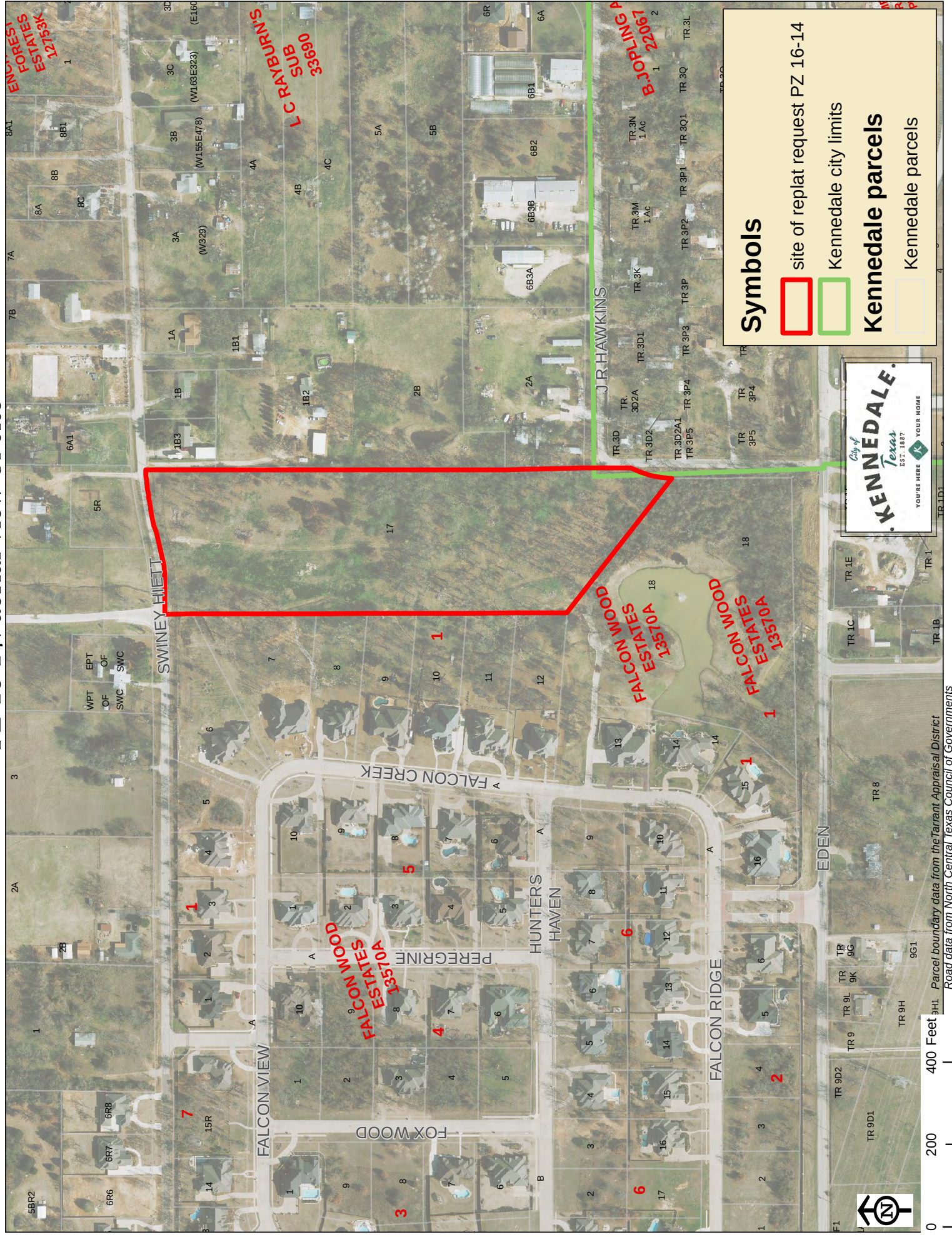
Approval with Conditions: Based on the information presented, I find that the replat conforms to the comprehensive land use plan and meets city requirements except for [state what/how the plat doesn't meet requirements] and make a motion to approve the replat with the following conditions [list conditions].

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

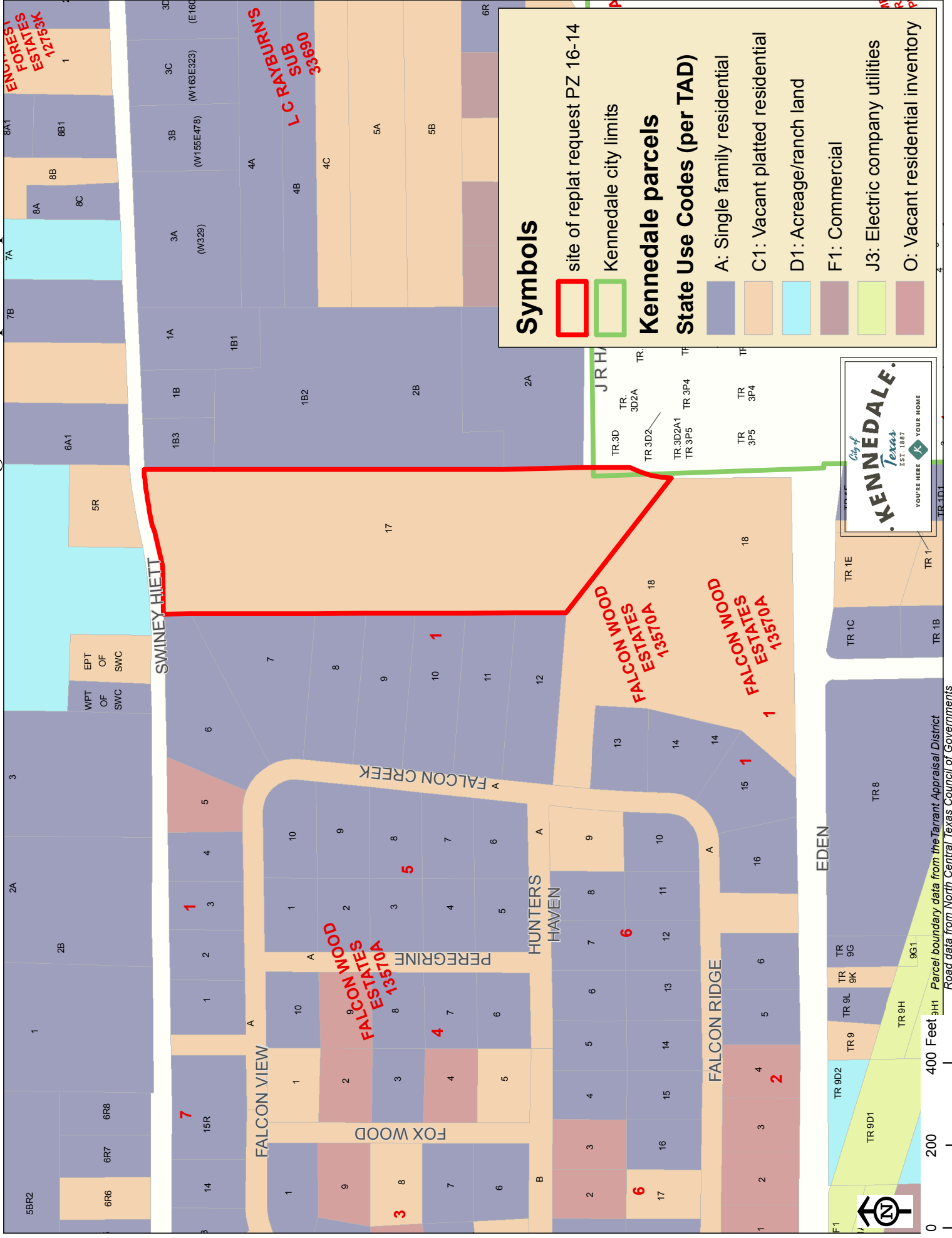
PZ 16-14: Zoning surrounding site of replat request



PZ 16-14: aerial view of site



PZ 16-14: Land uses surrounding site of replat request



Future Land Use Map for PZ 16-14

2149
NEY HIETT
FALCON VIEW

PEREGRINE
FALCON CREEK
WINTERS HAVEN
FALCON RIDGE

2123

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	

City of Kennedale Re-Plat Application

APPLICANT NAME: Joyce Stanton DATE: September 23, 2016
PROPOSED SUB-DIVISION NAME: Lot 17R-A & 17R-B, Blk 1, Falcon Wood Estates, Phase One
CURRENT LEGAL DESCRIPTION: Lot 17R, Blk 1, Falcon Woods Estates, Phase One ACRES: 9.025
CURRENT ZONING: R1 PROPOSED ZONING: R1
BEING PLATTED AS: LOTS: 2 BLOCKS: _____ PHASES: _____

OWNER OF RECORD: 64-ACRE JOINT VENTURE (Contact: Ralph Shelton)
MAILING ADDRESS: PO BOX 171199
PHONE: [REDACTED] EMAIL (optional): [REDACTED]
CITY: Arlington STATE: Texas ZIP: 76003

SURVEYOR: Joyce Stanton
MAILING ADDRESS: 908 West Main Street
PHONE: 817-275-3361 EMAIL (optional): jstanton@dterry.com
CITY: Arlington STATE: Texas ZIP: 76013

ENGINEER: [REDACTED]
MAILING ADDRESS: [REDACTED]
PHONE: [REDACTED] EMAIL (optional): [REDACTED]
CITY: [REDACTED] STATE: [REDACTED] ZIP: [REDACTED]

DEVELOPER: [REDACTED]
MAILING ADDRESS: [REDACTED]
PHONE: [REDACTED] EMAIL (optional): [REDACTED]
CITY: [REDACTED] STATE: [REDACTED] ZIP: [REDACTED]

Who is the primary contact for questions or comments from city staff regarding this plat application?
NAME: Joyce Stanton

Please provide below (or on an attached page) a description of the project for which the plat is sought. Include proposed land uses and their locations.

The purpose of this plat is to divide the current Lot 17R, Block 1, Falcon Wood Estates, Phase One into two lots.

APPLICANT SIGNATURE: _____ DATE: _____

OWNER SIGNATURE: _____ DATE: _____

SURVEYOR SIGNATURE: [Signature] DATE: 9/23/2016

ENGINEER SIGNATURE: _____ DATE: _____

DEVELOPER SIGNATURE: _____ DATE: _____

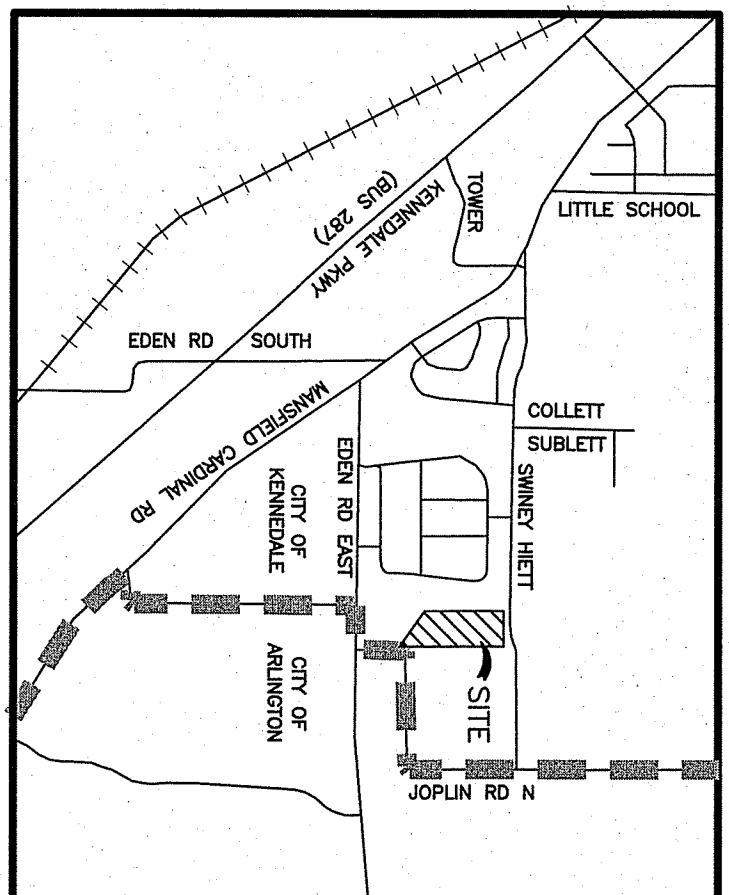
KENNEDALE

For Office Use Only:

Date Received: _____

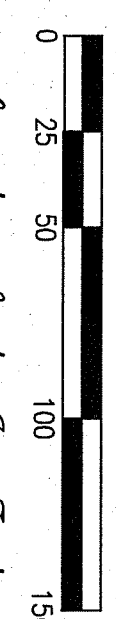
Reviewed by:

- ☐ Community Development Director _____ (initial after review)
- ☐ Public Works Director _____ (initial after review)
- ☐ Fire Chief _____ (initial after review)
- ☐ Other Staff, as needed _____ (initial after review)



VICINITY MAP
SCALE: 1"=2000'

- LEGEND
- IRF IRON ROD FOUND
 - CRF CAPPED IRON ROD FOUND
 - IRS 1/2" IRON ROD SET WITH PINK PLASTIC CAP STAMPED "STANTON RPLS 6173"
 - UE UTILITY EASEMENT
 - DE DRAINAGE EASEMENT
 - PRCT PLAT RECORDS OF TARRANT COUNTY, TEXAS
 - DRCT DEED RECORDS OF TARRANT COUNTY, TEXAS
 - INST# INSTRUMENT NUMBER
 - VOL VOLUME (V)
 - PG PAGE (P)



Graphic Scale In Feet
1"=50'

The purpose of this replat is to create two lots from one lot.

2 LOTS

9.025 ACRE TRACT
REPLAT

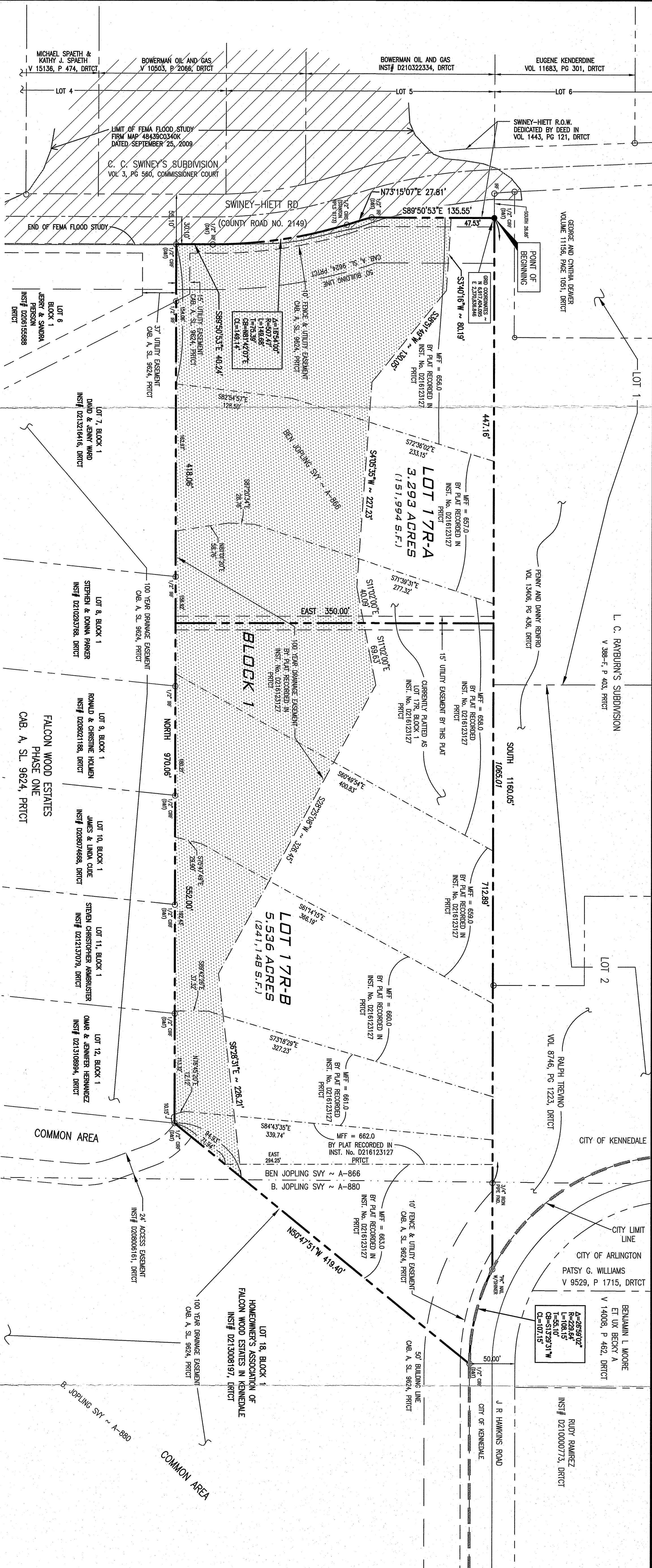
FALCON WOOD ESTATES SECTION ONE LOTS 17R-A & 17R-B, BLOCK 1

BEING A REPLAT OF LOT 17R, BLOCK 1, FALCON WOOD ESTATES - SECTION ONE, AN ADDITION TO THE CITY OF KENNEDALE, TARRANT COUNTY, TEXAS, ACCORDING TO THE AMENDED PLAT RECORDED IN INSTRUMENT NO. D216123127, DEED RECORDS OF TARRANT COUNTY, TEXAS, IN THE BEN JOPLING SURVEY, ABSTRACT NO. 880 AND THE BEN JOPLING SURVEY, ABSTRACT NO. 886.

KENNEDALE, TARRANT COUNTY, TEXAS

DI SCIULLO-TERRY, STANTON & ASSOCIATES, INC.
ENGINEERING AND SURVEYING

908 WEST MAIN STREET * ARLINGTON, TEXAS 76013
TELEPHONE: 817-275-3361 * FAX: 817-275-8920
ESTABLISHED 1953 * FIRM NO. E-6115 & S-100049-00
EMAIL: jstanton@dierry.com



NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, 64-ACRE JOINT VENTURE, by and through the undersigned, its duly authorized agent, does hereby adopt this plat designating the heretofore described real property as LOTS 17R-A and 17R-B, BLOCK 1, FALCON WOOD ESTATES - SECTION ONE, an addition to the City of Kennedale, Tarrant County, Texas, and does hereby dedicate to the public's use the streets and easements shown thereon.

By: BILL BOWERMAN, PRESIDENT
STATE OF TEXAS
COUNTY OF TARRANT

BEFORE ME, the undersigned authority, on this day personally appeared BILL BOWERMAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said Joint Venture.

Notary Public, for the State of Texas

NOTES:
1. All iron rods set (IRS) are 1/2" in diameter and have a pink plastic cap stamped "STANTON RPLS 6173". Iron rods will be set at points of curvature and tangency.
2. Basis of Bearings - The recorded west line of the L. C. Royburn's Subdivision, same being the east line of Falcon Wood Estates - Section One as recorded in Cabinet A, Slide 9624, DRCT.

3. Subject tract lies within Zone X (unshaded area ~ defined as areas determined to be outside the 0.2% annual chance floodplain), according to Federal Emergency Management Agency Flood Insurance Study for Tarrant County, Texas and incorporated Areas No. 484330C3430K ~ Revision Date September 25, 2009. However, subject tract is outside the flood plain of the 0.2% annual chance floodplain as determined by the Ben Jopling Survey, Abstract No. 880 and the Ben Jopling Survey, Abstract No. 886.

SURVEYOR'S CERTIFICATE

I, Joyce P. Stanton, a Registered Professional Land Surveyor of 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, this document shall not be recorded for any purpose - Release date November 4, 2016."

Joyce P. Stanton
Registered Professional Land Surveyor
Texas Registration No. 6173

SURVEYED ON THE GROUND SEPTEMBER 15, 2016

STAFF REPORT TO THE PLANNING & ZONING COMMISSION

Date: November 17, 2016

Agenda Item No: REGULAR ITEMS (C)

I. SUBJECT

CASE # PZ 16-15 Public hearing and consideration of a request by the Kennedale Economic Development Corporation for re-platting of Block 5, Lots 1-6 and 12-16, Oak Crest Addition, Kennedale, Tarrant County, Texas. The replat would create Lots 1 R and 6R, Block 5.

II. SUMMARY

BACKGROUND AND OVERVIEW	
Request	Replat
Applicant	Kennedale Economic Development Corporation
Location	Oak Crest at High Ridge and Link St
Surrounding Uses	Commercial and residential
Surrounding Zoning	C-1, R-3, EC, PD (QT); Commercial Corridor overlay
Future Land Use Plan Designation	Employment Center
Staff Recommendation	approve

CURRENT STATUS OF PROPERTY

The property has been acquired by the Kennedale Economic Development Corporation and cleared as part of KEDC's economic development program. As the next step in its redevelopment efforts for this area, the KEDC would like to create one large lot (essentially) to facilitate selling and developing the property. The property is currently vacant.

SURROUNDING PROPERTIES & NEIGHBORHOOD

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The area has a mix of uses and zoning. On the east side are PD and Employment Center zoning districts, with gas station / convenience store and drive-through restaurant land uses. To the west are C-1 restricted commercial and R-3 single family residential zoning with commercial and residential land uses, and immediately to the south is R-3 (see attached map). This neighborhood was originally platted in the 1940s and has seen a lot of transition of the years, including changing from primarily residential into a freeway-adjacent mix of commercial, light industrial, and residential uses. Link St was recently extended and now bisects Block 5.

PLATTING HISTORY

The property was originally platted in 1947 as approximately quarter-acre residential lots. The properties in question have not been replatted since that time and were until recently under separate ownership.

STAFF REVIEW

COMPREHENSIVE LAND USE PLAN

The property is designated as Employment Center in the Future Land Use Plan.

The comprehensive plan shows this area as Employment Center. The Employment Center district is designed for a major office development for corporate headquarters or multiple smaller offices. The plan notes that ideally a mix of land uses—including office and retail—would occupy this site, with an emphasis on employment.

SUMMARY

The replat conforms to the comprehensive land use plan.

CITY DEVELOPMENT REQUIREMENTS

Plats must comply with the city's technical requirements in order to be approved.

PUBLIC WORKS AND ENGINEERING REQUIREMENTS

The plat meets public works and engineering requirements for plats.

PLANNING REQUIREMENTS

The plat meets technical requirements for plat drawings.

FIRE DEPARTMENT REQUIREMENTS

The fire chief has reviewed the plat drawing and has no concerns.

STAFF RECOMMENDATION

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

ADDITIONAL FACTORS TO CONSIDER.

By state law, if a variance is requested for a replat and the variance is protested by a certain percentage of property owners* within the same subdivision (Oak Crest), then the replat can only be approved with a supermajority vote. There are no variances requested for this replat.

* Owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area.

ACTION BY THE PLANNING & ZONING COMMISSION

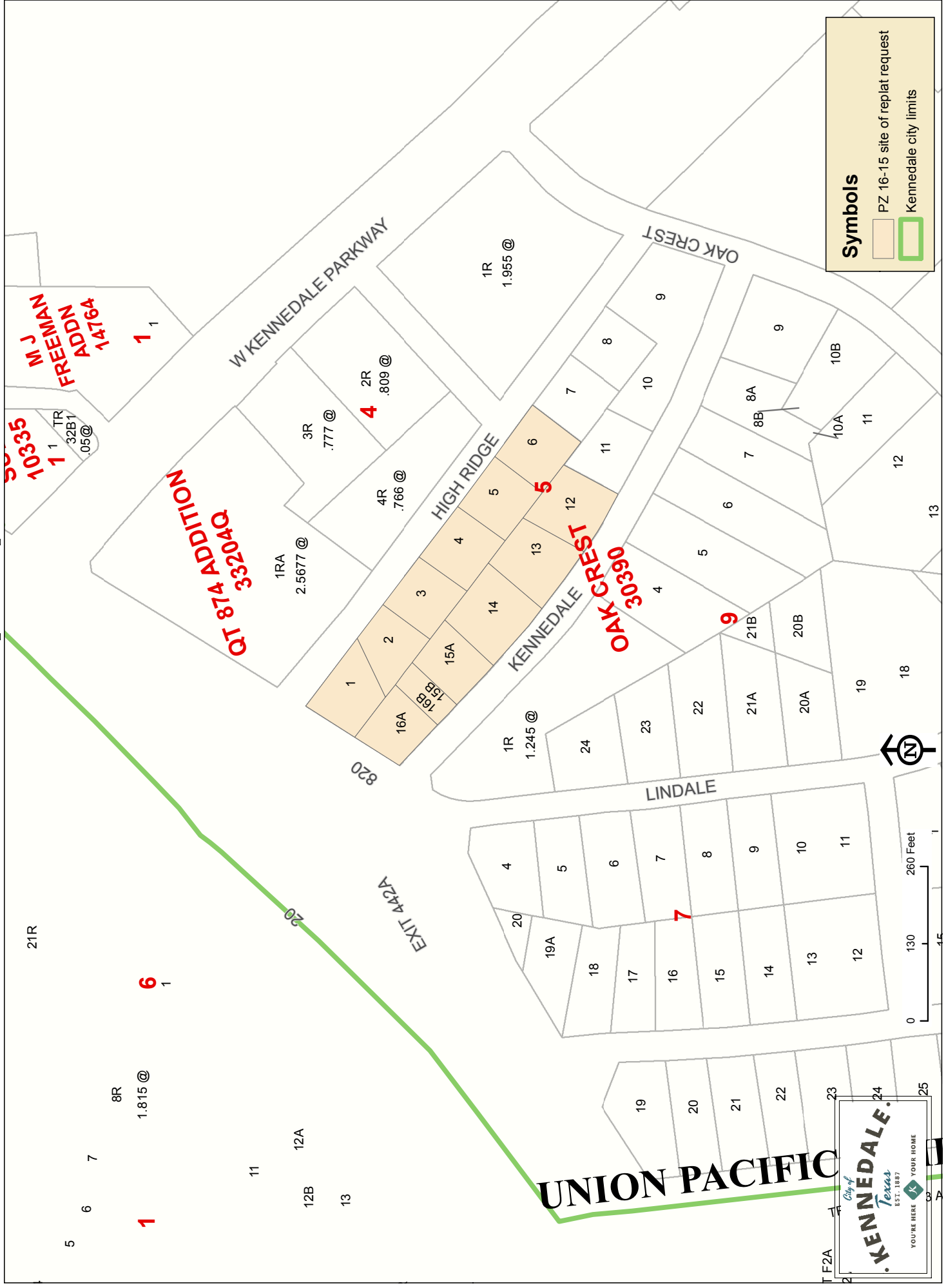
Sample motions are provided below (you are not required to use these examples).

Approval: Based on the information presented, I find the replat meets city requirements for plats and conforms to the comprehensive land use plan. I make a motion to approve the replat.

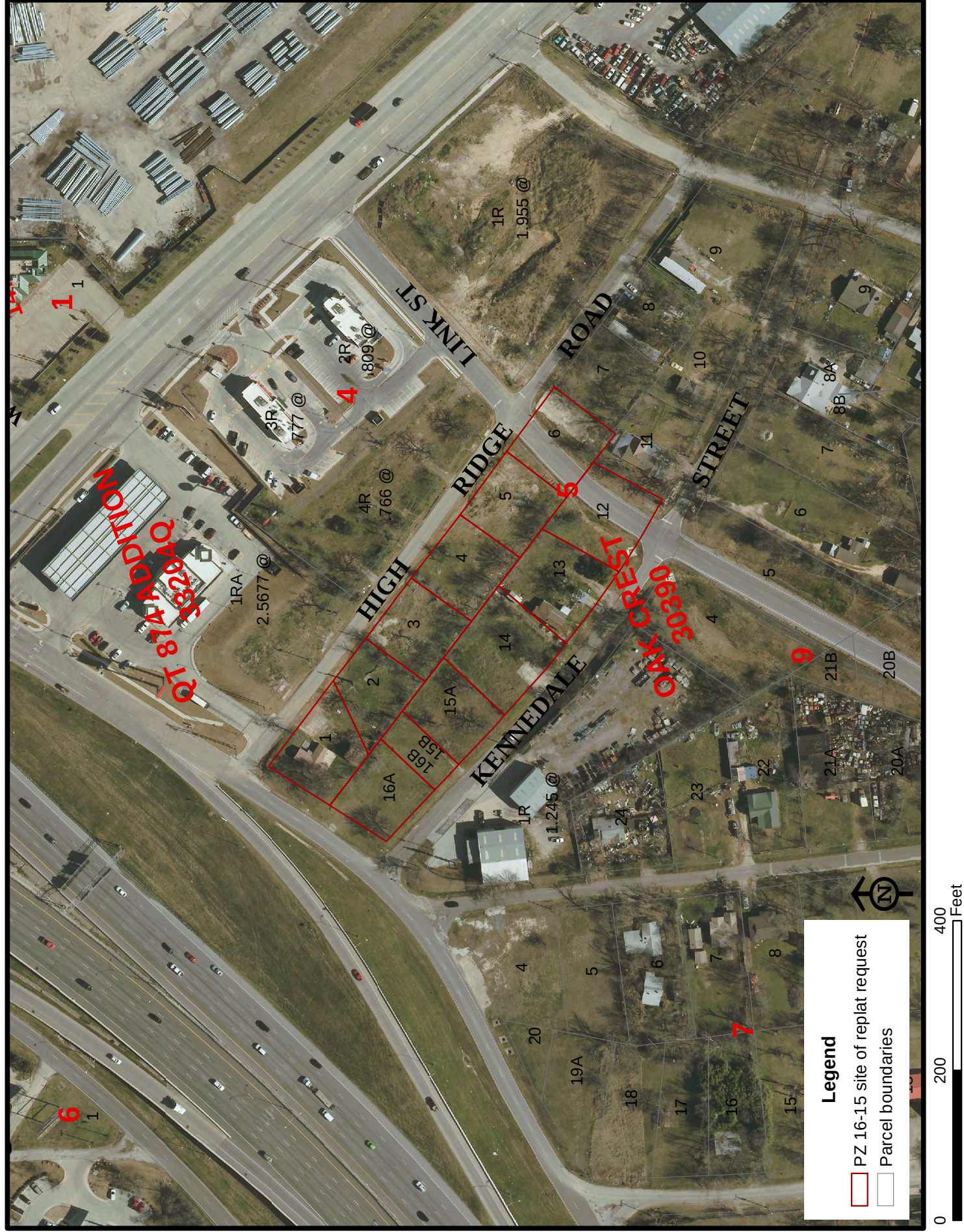
Approval with Conditions: Based on the information presented, I find the replat conforms to the comprehensive land use plan and meets city requirements except for [state what/how the plat doesn't meet requirements] and make a motion to approve the replat with the following conditions [list conditions].

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

PZ 16-15 replat request



PZ 16-15: aerial view



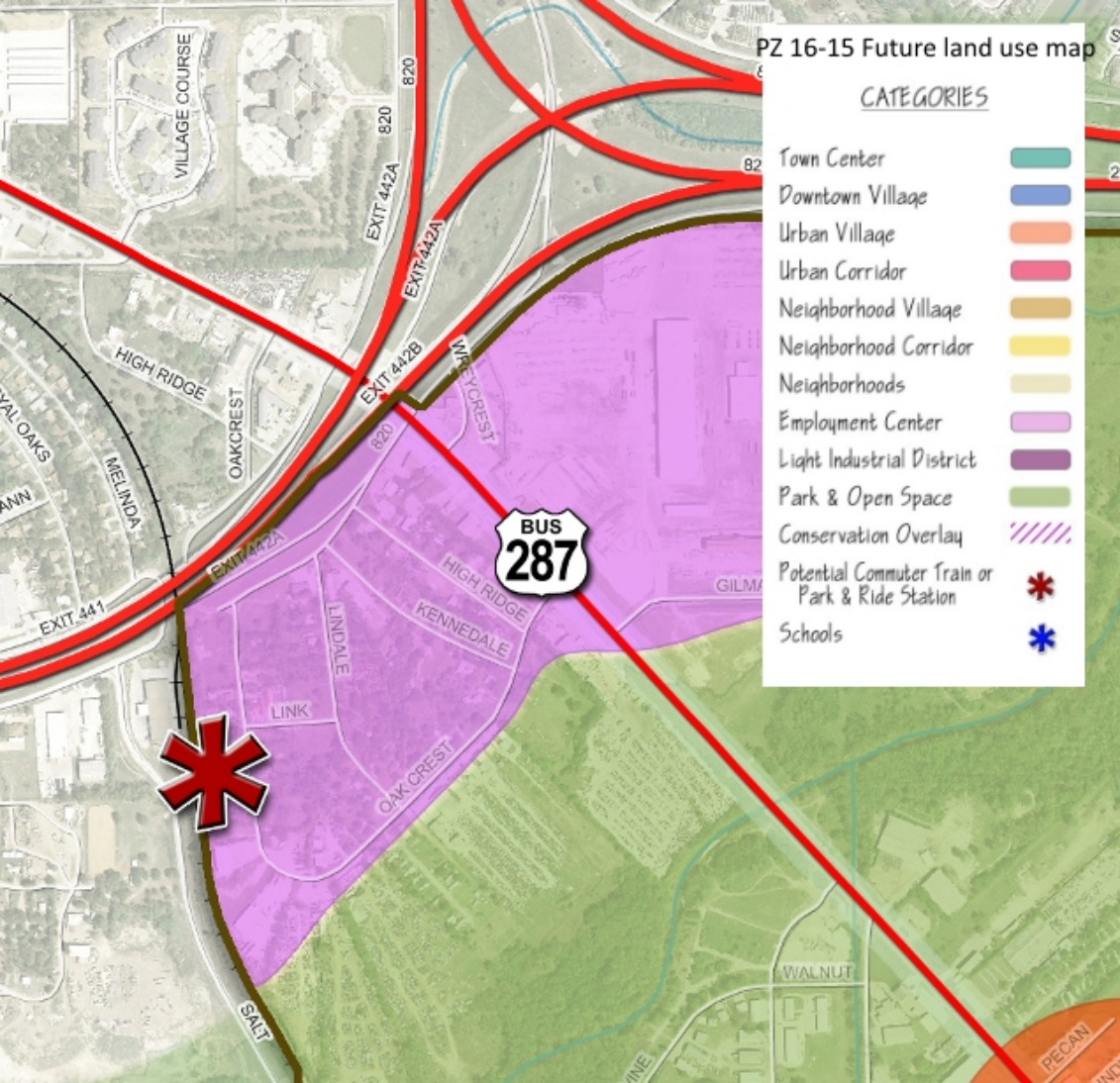
PZ 16-15: state use classifications (from TAD)



PZ 16-15 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	



City of Kennedale Re-Plat Application

APPLICANT NAME: KEDC DATE: 10.18.16
PROPOSED SUB-DIVISION NAME: _____
CURRENT LEGAL DESCRIPTION: Block 5, Lots 1-6, 12-16, Oak Crest Addn ACRES: 2.968
CURRENT ZONING: C-1 and R-3 PROPOSED ZONING: n/a
BEING PLATTED AS: LOTS: 12 BLOCKS: 52-1 PHASES: 1
6R 5

OWNER OF RECORD: KEDC
MAILING ADDRESS 405 Municipal Dr., Kennedale
PHONE: 817-985-2102 EMAIL (optional): bhart@CityofKennedale.com
CITY: _____ STATE: _____ ZIP: _____

SURVEYOR: Shield Engineering
MAILING ADDRESS: _____
PHONE: _____ EMAIL (optional): _____
CITY: _____ STATE: _____ ZIP: _____

ENGINEER: _____
MAILING ADDRESS: _____
PHONE: _____ EMAIL (optional): _____
CITY: _____ STATE: _____ ZIP: _____

DEVELOPER: _____
MAILING ADDRESS: _____
PHONE: _____ EMAIL (optional): _____
CITY: _____ STATE: _____ ZIP: _____

Who is the primary contact for questions or comments from city staff regarding this plat application?
NAME: _____

Please provide below (or on an attached page) a description of the project for which the plat is sought. Include proposed land uses and their locations.

economic development

APPLICANT SIGNATURE: _____

DATE: 10.18.16

OWNER SIGNATURE: _____

DATE: 10.18.16

SURVEYOR SIGNATURE: _____

DATE: _____

ENGINEER SIGNATURE: _____

DATE: _____

DEVELOPER SIGNATURE: _____

DATE: _____

KENNEDALE

For Office Use Only:

Date Received: _____

Reviewed by:

- ☐ Community Development Director _____ (initial after review)
- ☐ Public Works Director _____ (initial after review)
- ☐ Fire Chief _____ (initial after review)
- ☐ Other Staff, as needed _____ (initial after review)

