

BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS
AGENDA
REGULAR MEETING
July 11, 2017
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. SWEARING IN OF SPEAKERS

IV. MINUTES APPROVAL

A. Consider approval of minutes from the June 2017 BOA meeting.

V. VISITOR/CITIZENS FORUM

At this time, any person with business before the Board of Adjustment not scheduled on the Agenda may speak to the Board, provided that an official 'Speaker's Request Form' has been completed and submitted to the Board Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual board members 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.

VI. REGULAR ITEMS

A. CASE # BOA 17-03 to receive comments and consider action on a request by TJ Composites dba Martin Enterprises for a Special Exception as required by the Unified Development Code Section 6.2, "Schedule of Uses," to allow Manufacturing, Processing and Packaging -Heavy in an Industrial Zoning District at 501 S. Dick Price Road, Kennedale, TX 76060, more particularly described as Harris Corporation Addition Block 1 Lot 1A1 and Block 2 Lot 1.

B. CASE # BOA 17-04 to receive comments and consider action on a request Jose Jaime for a Special Exception as required by the Unified Development Code Section 6.2, "Schedule of Uses," to allow salvage operations in an Industrial Zoning District at 6940 E. Kennedale Pkwy., Kennedale, TX 76060, more particularly described as W H Hudson Addition Lot 1.

C. CASE # BOA 17-05 to receive comments and consider action on a request Chandra Cosper for a Special Exception as required by Unified Development Code Section 6.2, "Schedule of Uses," to allow Manufacturing, Processing, and Packaging – Light in a C-2 General Commercial Zoning District at 428 W. Kennedale Pkwy., Kennedale, TX 76060, more particularly described as Woodlea Acres Addition Block 1 Lots 1A 1B1A 1B2 2A 2B 17B1 & 17B2.

VII. REPORTS/ANNOUNCEMENTS

VIII. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the July 11, 2017, Board of Adjustment & Building Board of Appeals 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.

A handwritten signature in black ink that reads "Rachel Roberts". The signature is written in a cursive, flowing style.

Rachel Roberts, Board Secretary



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: July 11, 2017

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Consider approval of minutes from the June 2017 BOA meeting.

II. Originated by:

III. Summary:

The minutes from last meeting are attached.

IV. Recommendation:

V. Alternative Actions:

VI. Attachments:

1.	06.06.2017 BOA Minutes	060617 BOA MINUTES.docx
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BOARD OF ADJUSTMENT & BUILDING BOARD OF APPEALS
MINUTES
REGULAR MEETING
June 6, 2017
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

Chairman Clark called the meeting to order at 7:01 PM

II. ROLL CALL

PLACE	COMMISSIONER	PRESENT	ABSENT
1	John Clark, Chair	X	
2	Brian Cassady	X	
3	VACANT		
4	Patrick Vader, Vice Chair	X	
5	Martin Young	X	
	ALTERNATES		
	Jeff Nevarez	X	
	Lana Sather	X	
	Kelli Rod	X	
	Josh Altom	X	

Chairman Clark noted that all regular members were present; a quorum was present. Chairman Clark explained the process for Board of Adjustment hearings. Board member Mr. Altom was asked to join the board as a regular member for this evening's meeting.

Staff present: Rachel Roberts, Development Director, and Alicia Santos, Board Secretary.

III. SWEARING IN OF SPEAKERS

Ms. Santos swore in the speakers .

IV. MINUTES APPROVAL

- A. Consider approval of minutes from the September 2016 Board of Adjustment regular meeting.

Mr. Vader made the motion to approve the minutes, seconded by Mr. Altom. The motion passed with all in favor.

V. VISITOR/CITIZENS FORUM

VI. REGULAR ITEMS

A. **CASE # BOA 17-01** to hold a public hearing and consider a request by Miriam Llamas for a variance from the Unified Development Code Section 3.3, Spatial Requirements: Agricultural and Residential Districts, to reduce the required front yard setback by 10 feet and reduce the required side yard setback by 7 feet in an "R-1" single family residential zoning district at 905 Shady Oaks Dr., more particularly described as Hilldale Addition Block 2 Lot 18.

1. Staff presentation

Ms. Roberts gave an overview of the case and recommended approval. She described the original setbacks for the neighborhood, and where the property in question is located, and the surrounding zoning. Ms. Roberts provided information regarding the different size lots in this zone and others within the neighborhood. She said the property was platted years ago and rezoned later to a zoning district that required larger lot sizes than the property was platted at. She said the situation was not created by Ms. Llamas, and that the situation is unique to just this lot and a few others. Ms. Roberts recommended approval of the variance

The board inquired if there is a house to the east of the property. Mr. Roberts advised there is not and there is a vacant lot to the west. The board asked if there was a house plan provided, but one was not included in the agenda.

2. Applicant presentation

Ms. Llamas advised the board she would like to have a side setback of 13 feet on the west side of the lot and 10 feet on the east side. She also advised the house is planned to be 2100 square feet with the driveway on the west side. The property facing Little School Road on the other side is vacant.

3. Public hearing

No one registered to speak.

4. Applicant response

No response was needed at this time.

5. Staff response and summary

No response was needed at this time.

6. Action by the Board of Adjustment

Mr. Vader made the motion to approve the requested variance for the west side setback of 13 feet, 10 feet for the east side setback and a front setback of 40 feet, second by Mr. Cassidy. The motion passed with all in favor.

VII. REPORTS/ANNOUNCEMENTS

A. Reports and updates from city staff

Ms. Roberts advised the board that they needed a new date selected for July's BOA meeting due to the meeting falling on the 4th of July holiday. The board chose Monday, July 10th unless Tuesday, July 11th is available. Ms. Roberts announced that the De La Rosa property was sold. She also said the city-wide garage sale will be on Friday, June 16 and Saturday, June 17. She gave an update on past cases the board had decided the previous year.

B. Reports and updates from Board of Adjustment members

Mr. Navarez reported 150 thousand pounds of food was donated for the foodbank, and talked about the recent Kidfish/Bark in the Park event. He said there may be a concert in the park in September to benefit the food bank.

VIII. ADJOURNMENT

Mr. Clark made a motion to adjourn, second by Mr. Cassady. The motion was passed with all in favor.

The meeting adjourned at 7:21 P.M.

Date: July 11, 2017

Agenda Item No: REGULAR ITEMS (A)

I. SUBJECT

CASE # BOA 17-03 to receive comments and consider action on a request by TJ Composites dba Martin Enterprises for a Special Exception as required by the Unified Development Code Section 6.2, "Schedule of Uses," to allow Manufacturing, Processing and Packaging - Heavy in an Industrial Zoning District at 501 S. Dick Price Road, Kennedale, TX 76060, more particularly described as Harris Corporation Addition Block 1 Lot 1A1 and Block 2 Lot 1.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Manufacturing / processing – heavy (manufacturing underground utility enclosures)
Applicant	TJ Composites dba Martin Enterprises
Location	Corner S Dick Price Rd and Linda Rd, south of Everman Kennedale Burleson Rd, near city limits; site of former Goss International
Surrounding Uses	General contractor's yard; sand pit; rural residential; landfill
Surrounding Zoning	C-2; R-3; R-1
Future Land Use Plan Designation	Neighborhoods and Neighborhood Corridor
Staff Recommendation	Approve with conditions

CURRENT STATUS OF PROPERTY

Martin Enterprises recently bought the property in order to move operations from a nearby site on Everman Burleson Kennedale Rd, which the company has outgrown. The property was already in use for manufacturing operations for Goss International (formerly Harris Intertype, then Heidelberg Harris), which operated at this site from the 1960s until last year and built printing press equipment.

The site has several buildings with office, warehouse/manufacturing, parking, and loading dock space already in place. In addition, the property includes a vacant parcel across Linda Rd.

The Future Land Use Plan (from the comprehensive plan) categorizes this site as Neighborhood and Neighborhood Corridor (which will have a light commercial character). However, the area is not expected to transition to this character in the near future, given the surrounding heavy industrial uses. Rather, the area is intended to transition over time as the landfill reaches capacity and closes and the sand pits decline in use. This transition is not expected to occur in the near future (at least five to ten

years).

SURROUNDING PROPERTIES & NEIGHBORHOOD

There are several different use types in the area. Nearby to the west—although not adjacent—is a single family residential neighborhood. The neighborhood is zoned R-3 and is an older neighborhood that was already partly developed before the area was annexed and before the city's major overhaul of the zoning code in 1993. The neighborhood thus has a rural residential feel, and several of the owners still keep horses or small livestock. There are also several rural residential lots to the north of the property along Dick Price Rd. These have agricultural zoning and tend to be narrow, deep lots, some with a small number of animals kept (e.g., goats).

In addition to the residential uses nearby, there are several large heavy commercial and industrial uses nearby. Across Dick Price Rd is a contractor's yard, and also across Dick Price is the Progressive Waste Solutions construction debris landfill. Immediately to the south is a sand pit/construction operation (note: the Tarrant Appraisal District classifies these properties as vacant residential, but they are actually in commercial/industrial use).

SPECIAL EXCEPTION HISTORY

There have been no special exceptions granted for this property.

ANALYSIS

STANDARDS FOR GRANTING A SPECIAL EXCEPTION.

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present.

STANDARD 1

The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.

Martin Enterprises' application should demonstrate that the proposed use will not have a negative effect on the public health, safety, or general welfare. Potential elements of an industrial operation that could affect general welfare include the chemicals used (if any), disposal of waste products, noise, and fumes.

The applicant has provided a description of the process used, as follows.

1. Add aggregate, resin and catalyst into a mixing tank
2. Pour the mix into molds lined with fiberglass mesh
3. Allow time to cure
4. De-mold the part and assemble with a cover

The applicant states they have the required air filtration systems for this type of business. In addition, the fire department has conducted a preliminary certificate of occupancy inspection and was comfortable enough with the proposed use to issue a temporary certificate of occupancy (for storage

only, since the business does not yet have a special exception). Staff does not expect the use as proposed to endanger the public health, safety, or general welfare.

STANDARD 2

The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for purposes already permitted.

This would include continuance of existing uses.

EXISTING AND PERMITTED USES IN THE VICINITY OF THIS LOCATION

COMMERCIAL AND INDUSTRIAL. The proposed use is compatible with the existing commercial and industrial uses.

RURAL RESIDENTIAL. Any industrial use has the potential to impair or diminish the use or enjoyment of residential properties located nearby. However, this property has been in industrial use since the 1960s, and it appears that so far this kind of land use has not impeded the growth of residential use nearby. While there were some residences in place before industrial operations began, many of the nearby R-3 neighborhood filled in after the industrial use started. Now that a new type of industrial use is proposed, though, the board must look at the potential for a negative impact. Noise, fumes, and truck traffic are the main concerns from the staff perspective. As described elsewhere in this report, the manufacturing will take place entirely indoors and will have required air filtration equipment. Staff believes these concerns have been addressed by the applicant and will not affect the residential uses. As for truck traffic, the business will be using Dick Price Rd for access and should not be entering the adjacent neighborhood. The area has a lot of commercial and industrial uses, and this site already had an industrial use that generated heavy truck traffic. The new use is not expected to change the character of the traffic already in existence.

STANDARD 3

The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?

The nearby neighborhood along Linda Rd is already mostly developed. Because all operations are expected to take place within the existing building, staff does not anticipate that the operations would impede the normal and orderly development of remaining undeveloped properties for uses permitted in that district. With proper screening, the use should not prohibit the orderly redevelopment of the properties to the south if the operations on those properties were to close and seek redevelopment for residential purposes. If properties along Dick Price were to redevelop as residential uses, truck traffic could be an issue, but that would have to be addressed in a comprehensive way, as there are a number of land use along the roadway that generate large truck traffic.

STANDARD 4

The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

UTILITIES

The Public Works department has access to water/waste water utilities.

DRAINAGE

The city's storm water coordinator has no concerns about drainage associated with the proposed operations.

ACCESSROADS

Adequate access to the property is provided via Dick Price Rd.

STANDARD 5

The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

"Adequate measures" would include an adequate drive approach, deceleration lane if needed, etc.

The streets department has no concerns about traffic congestion from this use.

STANDARD 6

The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

AREA, YARD, HEIGHT, LOT COVERAGE, BUILDING SIZE, & EXTERIOR REQUIREMENTS

The warehouse building, offices, and loading docks are already in place from the previous use and are grandfathered in terms of location, size, and materials.

PARKING REGULATIONS

A new industrial use requires 1 parking space per 550 square feet of usable floor area; this does not include storage areas, restrooms, stairs, etc. The existing size of the buildings on site would require additional parking than is already provided; however, the applicant plans to operate at a smaller scale than the previous business. The site already has 246 parking spaces, and the new owner expects to have a maximum of 150 employees at maximum capacity, with little-to-no drop-in traffic. Staff considers the amount of parking provided to be adequate.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends **approval but with conditions** (listed below). Note that the first condition would not be listed for a site that was undeveloped, as it would apply automatically.

But because this site has already been developed, staff recommends applying the condition on outside storage to ensure all the city's outside storage regulations apply.

RECOMMENDED CONDITIONS OF APPROVAL:

1. Outside storage shall be required to follow Section 11.25 of the Unified Development Code and any other regulations related to outside storage.
2. The city may require additional parking to be provided by the use if the employee count exceeds 150 or if other factors indicate additional parking is warranted. The property owner shall agree to provide parking as required by the city.

ACTION BY THE BOARD OF ADJUSTMENT

The board may grant or deny the request or postpone its vote until a later date. If you postpone your decision, you should state in your motion when the case will be heard by the board again. Sample motions are provided for your reference below. You are not required to use either of the motions provided, but your motion should state why you are granting or denying the request.

Approve: Based on the evidence and testimony provided, I find that the proposed request meets the standards for a special exception and make a motion to approve case BOA 17-03.

Deny: Based on the evidence and testimony provided, I find that the proposed use does not meet the standards for a special exception and make a motion to deny case BOA 17-03.



APPLICATION FOR SPECIAL EXCEPTION

Special Exception Use Requested: TO ALLOW FOR HEAVY INDUSTRIAL

Note: the use must be listed as a special exception use in Kennedale City Code Section 17-421.

Applicant

NAME: <u>TJ COMPOSITES, INC. (TX)</u>	
PHONE: <u>972-754-2281</u>	EMAIL OR ALTERNATE PHONE: <u>J-WILKINSON@SBCGLOBAL.NET</u>
MAILING ADDRESS: <u>11816 INWOOD RD</u> (Street) <u>#178</u> <u>DALLAS, TX 75244</u>	
(City, State, Zip Code) <u>DALLAS, TX 75244</u>	

Property for which a Special Exception is requested

ADDRESS: <u>501 S. DICK PRICE RD</u>
LEGAL DESCRIPTION:

NOTE: Attach metes and bounds description if property is not platted.

Property Owner

NAME: <u>TJ COMPOSITES, INC. (TX)</u>	
PHONE: <u>972-754-2281</u>	EMAIL OR ALTERNATE PHONE: <u>J-WILKINSON@SBCGLOBAL.NET</u>
MAILING ADDRESS: <u>11816 INWOOD RD</u> (Street) <u>#178</u>	
(City, State, Zip Code) <u>DALLAS, TX 75244</u>	

1. Has a previous application or appeal been filed on this property? ☐ Yes ☒ No

1.a. If yes, when was the application or appeal filed?

2. Identify any requirements of Section 17-422 of the Kennedale city code that cannot be met. Give reason(s) why the requirement(s) cannot be met. Use the back of this form or attach a separate page if additional space is needed.

NONE

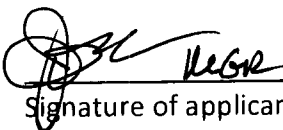
3. If the special exception request is for a land use, is the request for a use not allowed in the zoning district? ☐ Yes ☒ No

3.a. Is this a remodel of an existing structure? ☐ Yes ☒ No

3.b. Is this new construction? ☐ Yes ☒ No

4. If the special exception request is for oil or gas well drilling, how many wells are requested for this location? NO

5. **Special exceptions may be granted by the Board of Adjustment only if all of the conditions listed on the Notice to Special Exception Applicant are present.**


Signature of applicant

6/15/17
Date

Standards for Special Exceptions

(1) Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals or general welfare?

(2) Will the uses, values and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the use for you are requesting a special exception?

(3) Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district?

(4) Have adequate utilities, access roads, drainage and other necessary site improvements been (or will be) provided? (If adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when.)

(5) Have adequate measures been taken or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets?

(6) Does the use conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located (see Sections 17-405, 17-421, and 17-424 of Kennedale city code)?

Rachel Roberts

From: accounting@martinfrp.com
Sent: Friday, May 26, 2017 3:23 PM
To: Rachel Roberts
Subject: 501 S. Dick Price Rd

Rachel,

Thank you for returning my call. Listed below, I have addressed the 6 conditions.

1. The process we use to manufacture underground utility enclosures will not be materially detrimental to the public. Our manufacturing will be completed inside the building with the required air filter system.
2. Our facility will manufacture 100% of our product inside the building and finished goods will be stored outside awaiting shipping. We do not for-see any interruption in the quality of enjoyment of our neighbors.
3. Our business will not impede the normal and orderly development of surrounding property.
4. Utilities, access roads, and drainage and established and will be maintained.
5. We have a shipping schedule we adhere to to avoid any traffic delays.
6. Our use of the property will adhere to the regulations within the district we are located in.

We manufacture polymer concrete and fiberglass underground utility enclosures. The process is as follows:

1. Add aggregate, resin and catalyst into a mixing tank,
2. Pour the mix into molds lined with fiberglass mesh
3. Allow time to cure
4. De-mold the part and assemble with a cover.

I have attached photos and a map of the property.

Marjorie Morales
Office Manager
accounting@martinfrp.com

Martin Enterprises
"Your Underground Enclosure Experts"

19940 Hansen Avenue Nuevo, CA 92567
Off (951) 928-8713 Fax (951) 248-4623

UL Listed / ISO 9001:2008 Registered
QuEST Forum TL9000 Registered

Rachel Roberts

From: accounting@martinfrp.com
Sent: Wednesday, May 31, 2017 10:41 AM
To: Rachel Roberts
Cc: see3@martinfrp.com
Subject: RE: 501 S Dick Price Rd
Attachments: occ permit.pdf

Good morning,

In regards to standard #3, 100% of all of our production will be performed inside the building. Thus eliminating noise and all processes affiliated with the production of our products. The property is large and since all manufacturing is done inside the building, with the finished goods being staged outside (by the building) the impact on the surrounding properties will not be effected. The property is much larger than we will use. Our use of the building and the immediate surrounding area is our usage plans. We ship goods as soon as they are complete so the footprint of our inventory outside is kept at an absolute minimum. Our company supports growth and would encourage the development of the surrounding properties.

Our hours of operation are Monday-Saturday from 6:00 a.m. to 4:30 p.m. As I stated previously, we have 2 other manufacturing facilities, one in California (in a residential community) and one in Kennedale. We have not had concerns from our neighbors. We have an open door policy with our neighbors and any concerns they may have we do our best to address.

We schedule trucks to pick up our goods on a schedule whereas the trucks coming on our property have a pickup time as to not cause any traffic congestion.

Please see the attached application and feel free to call me for the credit card payment at any time.

Marjorie Morales
Office Manager
accounting@martinfrp.com

Martin Enterprises
"Your Underground Enclosure Experts"

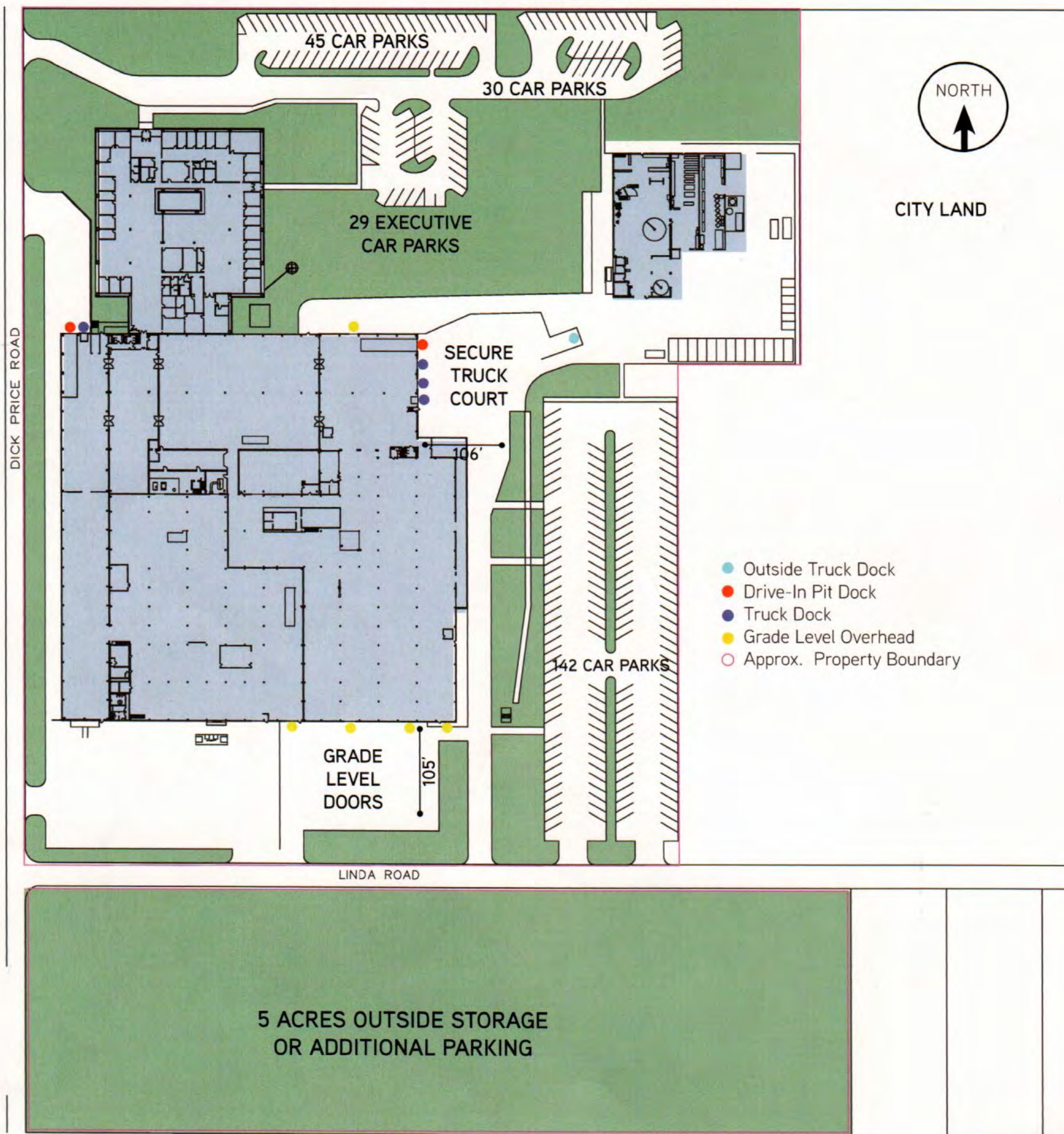
19940 Hansen Avenue Nuevo, CA 92567
Off (951) 928-8713 Fax (951) 248-4623

UL Listed / ISO 9001:2008 Registered
QuEST Forum TL9000 Registered

FOR SALE > INDUSTRIAL MANUFACTURING

501 S DICK PRICE RD

KENNEDALE, TX 76060



Please Contact

TOM PEARSON, SIOR

DIR: 214 217 1277

Dallas, TX

tom.pearson@colliers.com

BRAD BALKE

DIR: 214 706 6023

Dallas, TX

brad.balke@colliers.com

TODD LAMBETH

DIR: 214 706 6041

Dallas, TX

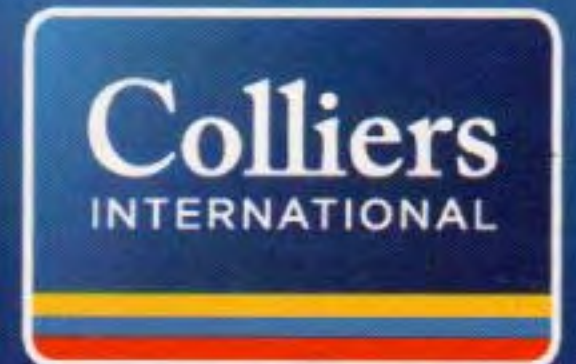
todd.lambeth@colliers.com

Colliers
INTERNATIONAL

FOR SALE > INDUSTRIAL MANUFACTURING

501 S DICK PRICE RD

KENNEDALE, TX 76060



FOR SALE 208,911 SF / CRANE SERVED / 20.05 TOTAL ACRES /PRICE: \$5,199,000 (\$24.88 PSF)



Property Overview

Building is located minutes away from the Carter Industrial Park and major highway arteries – I-35, I-20, Loop 820 and Hwy 287. This manufacturing facility has existing cranes, heavy power and offers flexibly with ± 5 Acres of additional land.

Property Features

Building: $\pm 160,000$ WH SF, $\pm 8,911$ SF Service Bldg., $\pm 40,000$ SF Office

Land: ± 15.05 AC; plus an additional 4.96 AC for extra storage or parking

Land-to-Building Ratio: 3.14:1

Clear Height: 20' - 31'

Parking: 246 Car Parks

Sprinklered: 100%

HVAC: 100%

Doors: 4 Dock High with 14 Grade Level Doors

Power: Three (3) 5,600 Amps services, 3 - Phase 3 - Wire Delta System

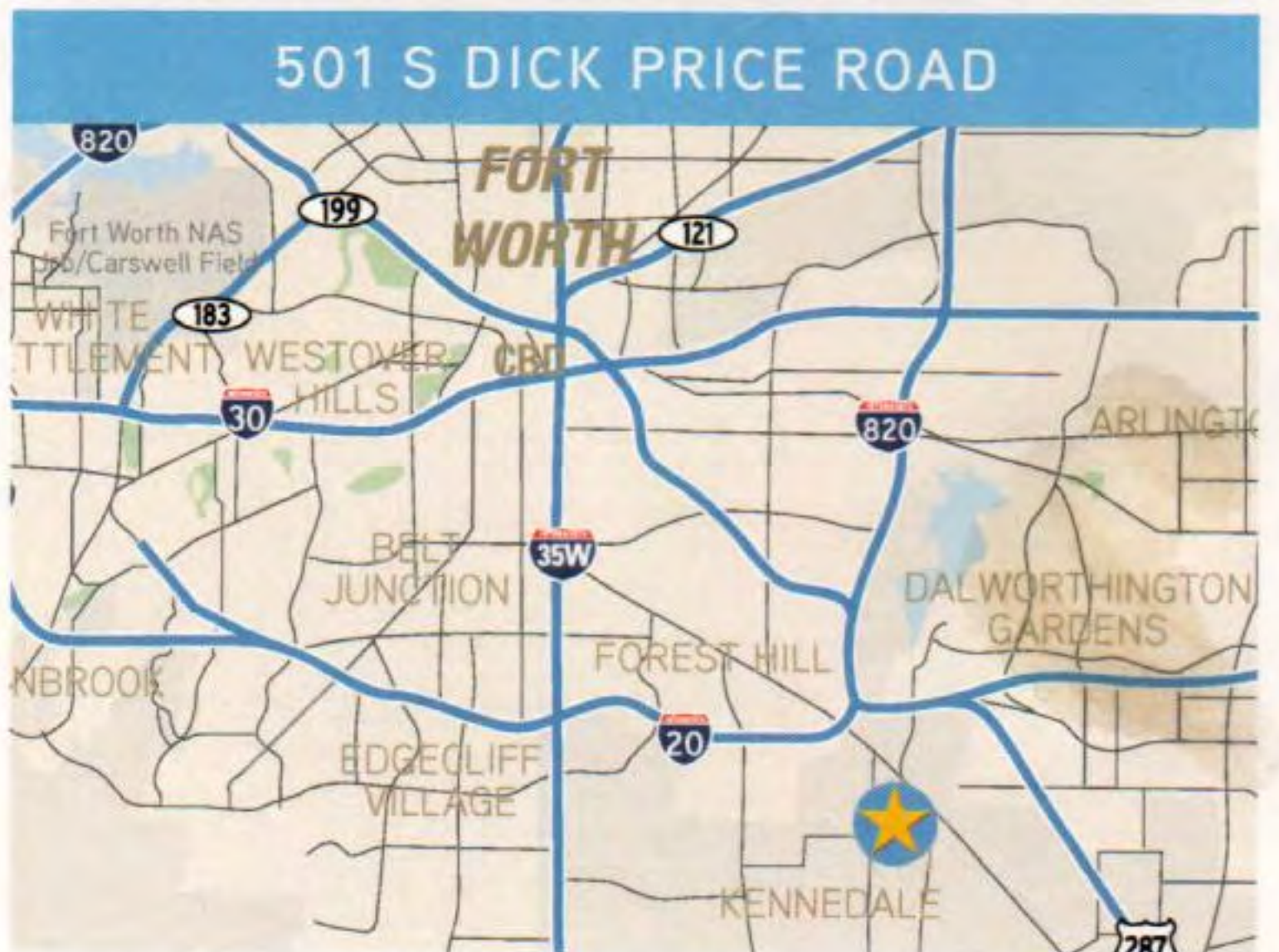
Lighting: T-5

Roof: Frame Line and Office - Replaced in 2007

Warehouse and Shipping: Replaced in 2014

Cranes: (1) 25 Ton, (13) 10 Ton, (11) 5 Ton, (8) 3 Ton

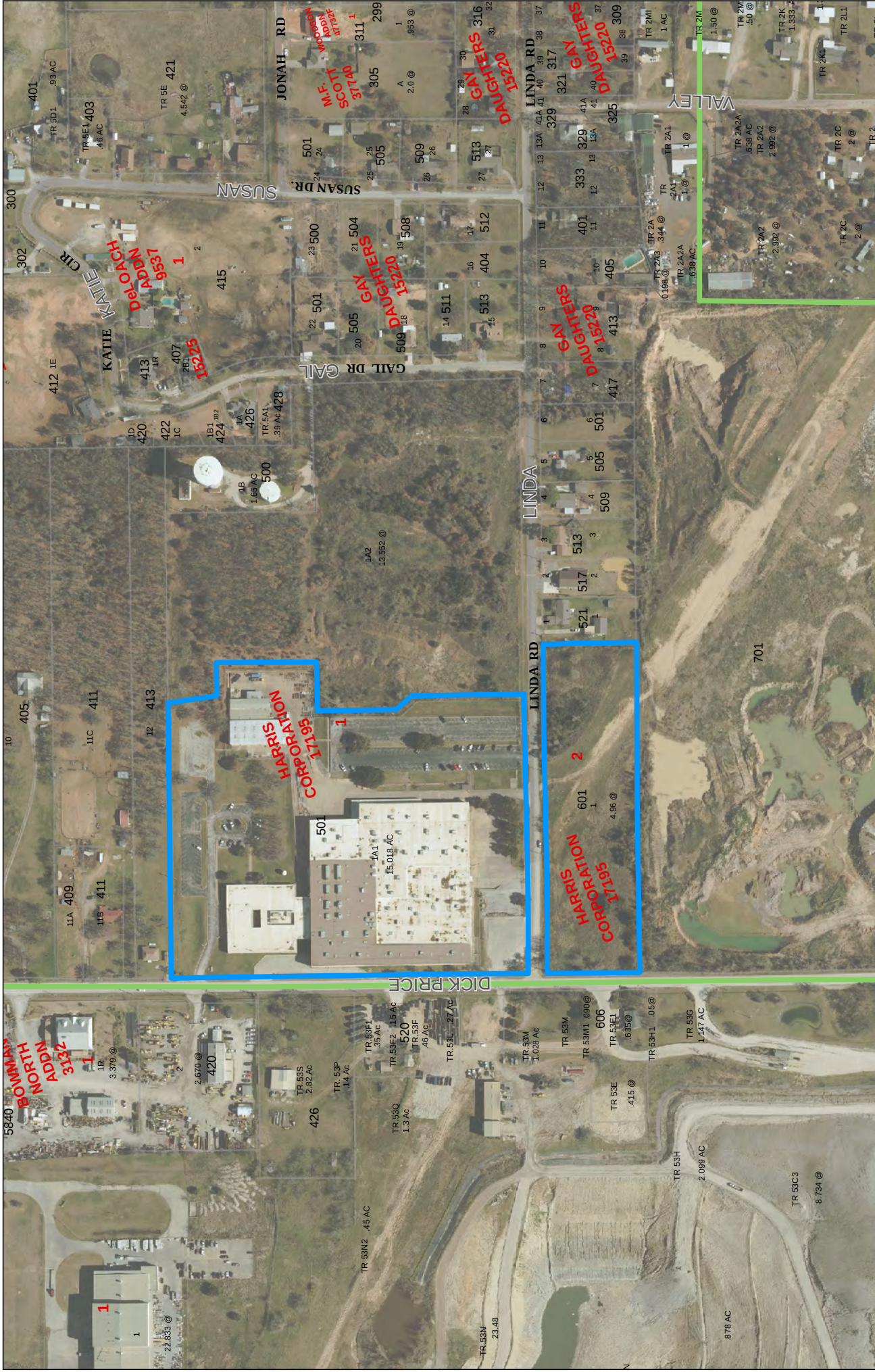
**Sales Price does not include Jib Cranes*



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BOA 17-03 site of special exception request

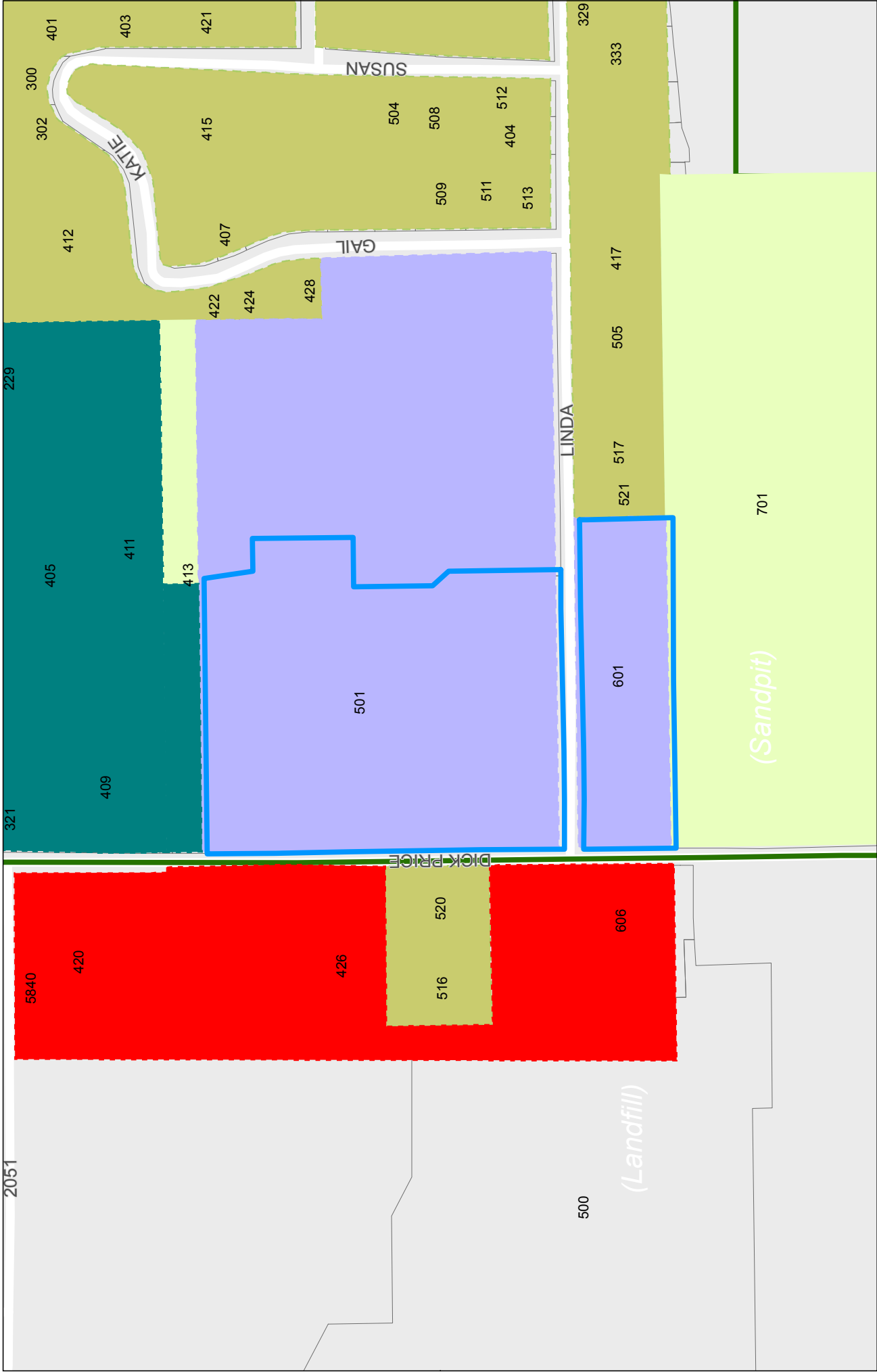
Symbols

- BOA 17-03 site
- Kennedale parcels (2015 boundaries)
- Kennedale city limits



Note: city limits as shown are do not accurately depict the western city limits.

GIS data from NCTCOG and TAD

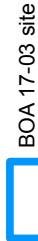


0 250 500 Feet

BOA 17-03

zoning near special
exception request

Symbols



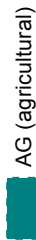
BOA 17-03 site



Kennedale city limits



Tarrant County



AG (agricultural)



C2 (general commercial)



I (industrial)

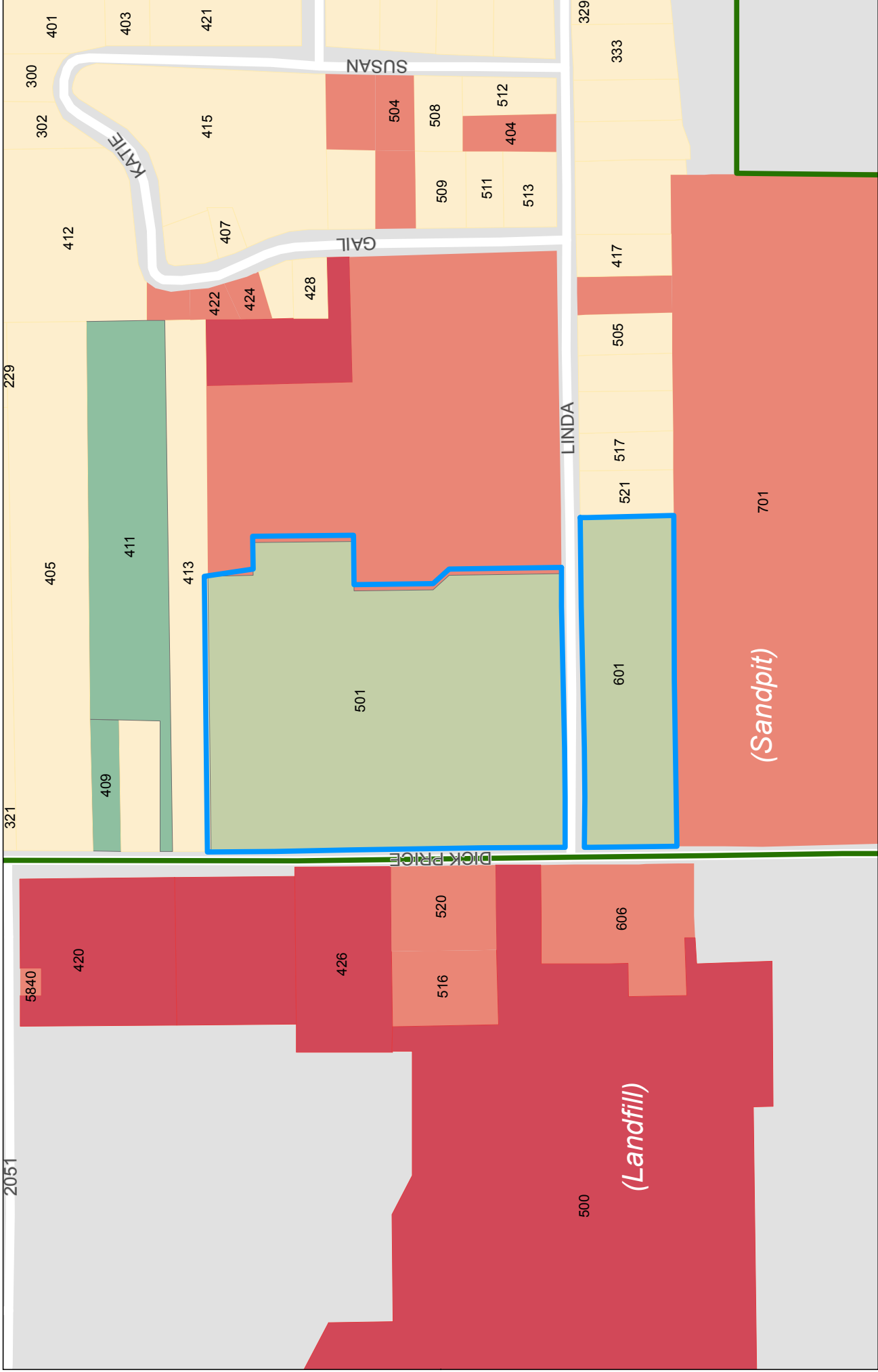


R-1 (single family res.)



R-3 (single family res.)





0 250 500 Feet

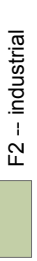
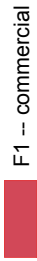
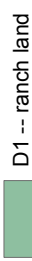
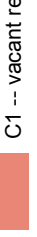
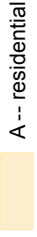


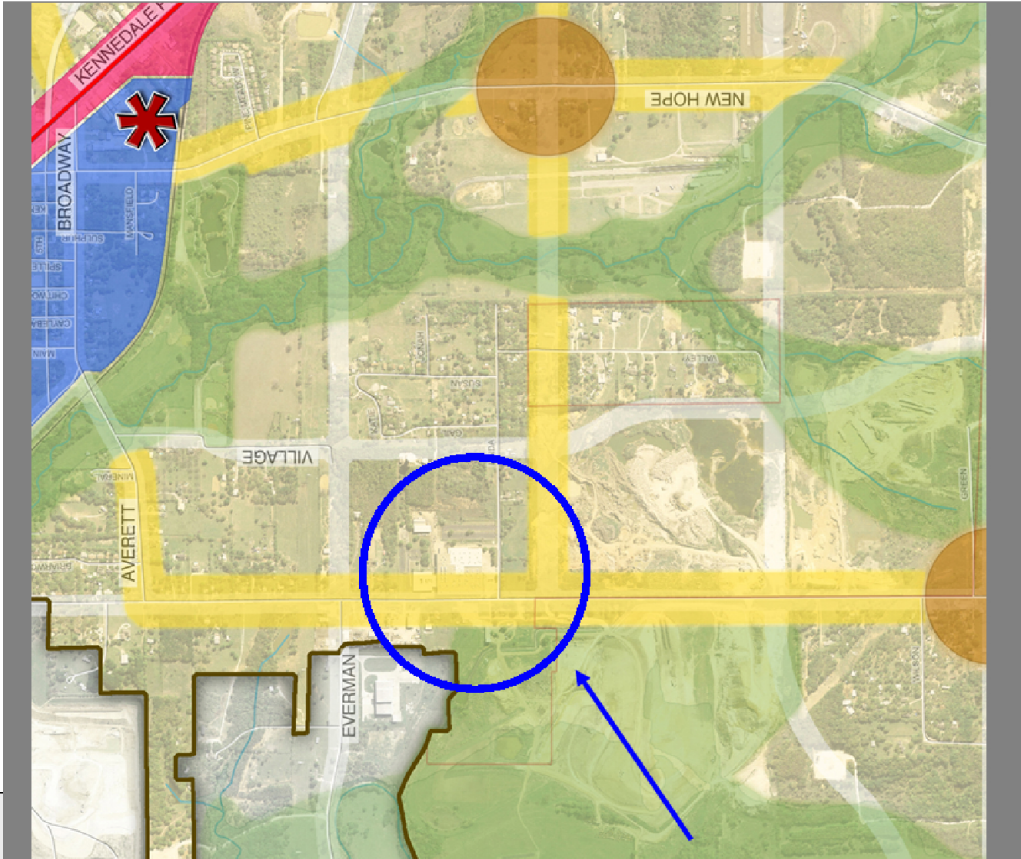
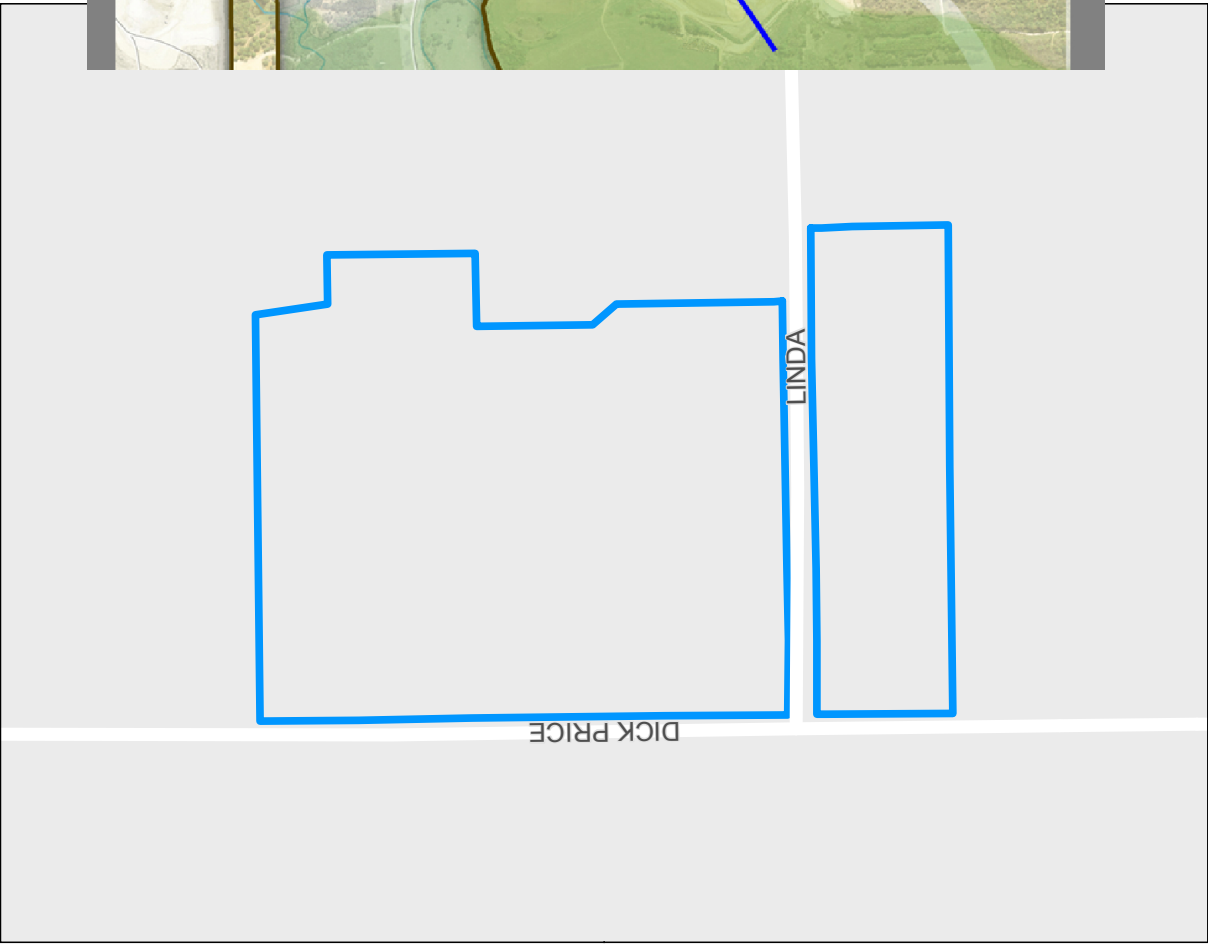
BOA 17-03 Land uses near special exception request

Symbols



Land Use (per TAD)





KENNEDALE

COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

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

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

March 8, 2012



0 300 600 Feet

BOA 17-03
Future Land Use Plan

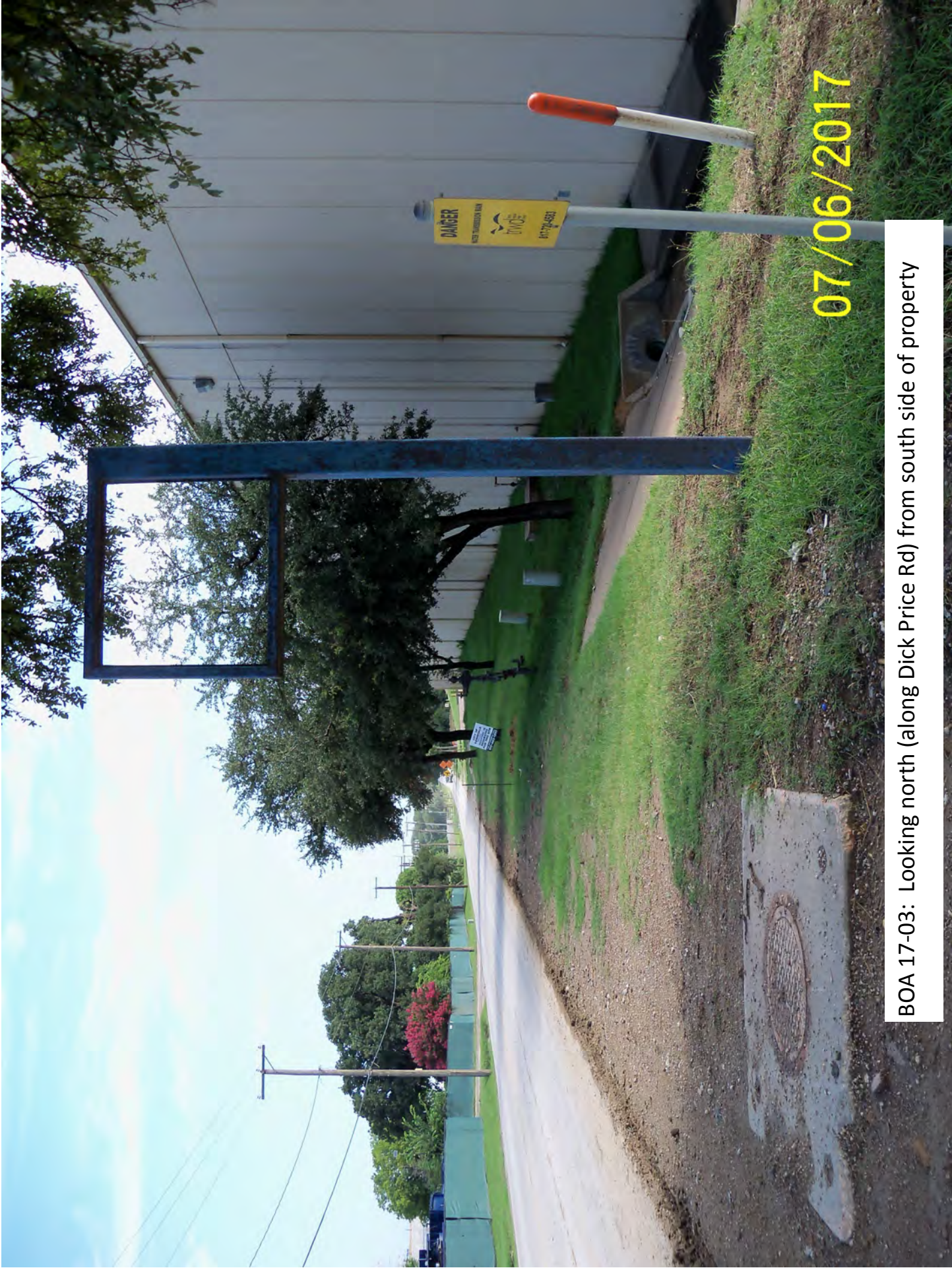
Symbols



BOA 17-03 site



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



BOA 17-03: Looking north (along Dick Price Rd) from south side of property



BOA 17-03: south side of the main building, looking from Dick Price, showing parking area (foreground), then loading area, then main/large parking in the background



BOA 17-03: facing Dick Price, looking south



BOA 17-03: showing main loading docks off Linda Rd



BOA 17-03: Looking northwest from north side of property:

On the left in the distance is a contractor's yard; on the right (on the other side of the fence) is a rural residential property



BOA 17-03: looking toward Dick Price from Linda Rd, showing the south side of the main building



BOA 17-03: looking north from Linda Rd showing large parking area



BOA 17-03: looking east along Linda Rd; large parking area is on the left



BOA 17-03: additional loading dock off Dick Price Rd

Date: July 11, 2017

Agenda Item No: REGULAR ITEMS (B)

I. SUBJECT

CASE # BOA 17-04 to receive comments and consider action on a request Jose Jaime for a Special Exception as required by the Unified Development Code Section 6.2, "Schedule of Uses," to allow salvage operations in an Industrial Zoning District at 6940 E. Kennedale Pkwy., Kennedale, TX 76060, more particularly described as W H Hudson Addition Lot 1.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Special exception to operate a salvage yard
Applicant	Jose Jaime / AB's Auto
Location	South / west end of Kennedale Pkwy near the city limits
Surrounding Uses	Commercial and industrial uses, residential uses
Surrounding Zoning	Light Industrial
Future Land Use Plan Designation	Light industrial
Staff Recommendation	Approve for a period of two (2) years

CURRENT STATUS OF PROPERTY

This property is zoned "I" - Industrial. The business has been operating at this location since 1999. The first special exception for a salvage yard at this location was granted in 2002; a history of the special exceptions granted at this site is provided below.

The Future Land Use Plan classifies this property as part of the Light Industrial character district, which is intended to accommodate light industrial uses but not heavy ones, and the properties across the street are identified being as within an Urban Corridor, which is intended to be generally commercial in nature.

SURROUNDING PROPERTIES & NEIGHBORHOOD

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located at the south end of Kennedale Pkwy, not far from the city limits. Many of the surrounding land uses are commercial or industrial in character, but there are some residential uses

located nearby. The closest residential area is separated from the AB's property by a railroad line with a tall berm, and AB's operations are not clearly visible from that neighborhood.

The board has granted this business a special exception on an annual basis since 2014, after the previous special exception expired several years prior to that (see below for history).

SPECIAL EXCEPTION HISTORY

- Granted in April 2002 for two years
 - Reviewed April 1, 2003 – Tabled until June 2003;
 - Reviewed June 3, 2003 - No action taken;
- Reviewed June 1, 2004 – Stacking in question. Tabled;
- Reviewed August 3, 2004 – Renewed for 2 years with annual reviews;
- Expired in 2006;
- Granted in May 2014 for one year;
- Granted in June 2015 for one year;
- Granted in July 2016 for one year.

ANALYSIS

STANDARDS FOR GRANTING A SPECIAL EXCEPTION.

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present.

STANDARD 1

The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.

Mr. Jaime's application should demonstrate that the salvage yard does not have a negative on the public health, safety, or general welfare. Potential elements of a salvage yard operation that could affect general welfare include the following.

NOISE

To staff's knowledge, noise levels have not increased from the previous year. Therefore, as long as noise levels remain consistent with current levels, staff's analysis of this issue is the same as last year (see attached report).

LIGHT

It does not appear that lights from this business would be visible from Danny Dr. (the nearby residential neighborhood), so staff is not concerned about lighting as a nuisance or harm to the general welfare at this time.

If the board approves the special exception request, staff recommends adding a condition **that if the business adds or changes any exterior lighting on site, the lighting must be kept to a level that is not visible to nearby residential areas.**

POLLUTION

Staff are not aware of any violations documented by the Texas Commission on Environmental Quality. However, please note at this time, Kennedale is not subject to the more stringent storm water requirements from the TCEQ or the EPA that apply to large cities. Kennedale is expected to be phased into those requirements in the coming years. When those regulations go into effect, the city may need to revisit whether this land use is still able to meet this standard for a special exception.

CRIME

The business is not known to be involved with any activity related to auto theft.

OTHER HAZARDS

The fire department has no concerns about fire hazards at this property (see staff report from 2016; the staff analysis on this issue has not changed).

STANDARD 2

The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for purposes already permitted.

This would include continuance of existing uses.

EXISTING AND PERMITTED USES IN THE VICINITY OF THIS LOCATION

The staff analysis from last year's report continues to apply this year. Last year's report is included in the packet for your reference. To summarize, the salvage yard will not impede the use or operation of nearby industrial uses and is unlikely to affect existing commercial uses. There is a potential for negative impact on nearby residential uses and for impediments to redevelopment for commercial uses. However, in the short term, given the nature of surrounding land uses, the salvage yard is not expected to affect uses already permitted.

STANDARD 3

The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?

The properties are either side of AB's property are primarily zoned for light industrial use. Permitted light industrial uses include, but are not limited to:

- Light manufacturing;
- Warehousing;
- Wholesale and distribution; and
- Mini-warehouse/self-storage.

Some light industrial uses--especially those that do not depend on customers visiting their facilities--would be willing to locate near a salvage yard. Those with clients who visit their facilities or that prefer a more commercial-looking environment could object to being located near a use with such an industrial character. In addition, properties located very near AB's to the rear are residences along Danny Drive. Some of the property owners in the nearby neighborhood have expressed to city staff that they would like their part of the community to be cleaned up and that they dislike having so many commercial/industrial businesses located so closely. The presence of a salvage yard this close to the neighborhood has the potential to inhibit the orderly improvement of that neighborhood.

Therefore, the presence of a salvage yard has the potential to impede the normal and orderly development and improvement of surrounding property. Whether development is impeded partly depends on how the salvage yard is operated. To date, staff have not received any complaints from nearby residents.

STANDARD 4

The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

According to Public Works staff, the business is served by all necessary site improvements.

STANDARD 5

The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

"Adequate measures" would include an adequate drive approach, deceleration lane if needed, etc.

According to Public Works staff, adequate measures have been provided.

STANDARD 6

The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

AREA, YARD, HEIGHT, LOT COVERAGE, BUILDING SIZE, & EXTERIOR REQUIREMENTS

The Industrial zoning district does not have a minimum requirement for lot area or building size and has no masonry requirement.

PARKING REGULATIONS

Adequate parking for customers has been provided.

FIRE LANE

A previous special exception required the applicant to install a fire lane. Mr. Jaime has installed a fire lane meeting fire department requirements.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the special exception subject to the conditions listed below, which are intended to ensure the continued operation of AB's meets the requirements of a special exception. Staff previously recommended these same or similar conditions in the past and recommends they be apply to this special exception, as well.

RECOMMENDED CONDITIONS OF APPROVAL:

- 1) The special exception shall be granted for two (2) years, to expire in June 2019.
- 2) Outdoor storage areas must be maintained in good condition, with adequate gravel fill in place at all times.
- 3) No outside storage shall be permitted on grass or other areas that are unpaved or without gravel.
- 4) Any heavy-duty equipment or other equipment that may create loud noises shall be prohibited from use before 8 AM or after 8 PM.
- 5) If the business adds or changes any exterior lighting on site, the lighting must be kept to a level that is not visible to nearby residential areas.

ACTION BY THE BOARD OF ADJUSTMENT

The board may grant or deny the request or postpone its vote until a later date. If you postpone your decision, you should state in your motion when the case will be heard by the board again. Sample motions are provided for your reference below. You are not required to use either of the motions provided, but your motion should state why you are granting or denying the request.

Approve: Based on the evidence and testimony provided, I find that the proposed request meets the standards for a special exception and make a motion to approve case BOA 17-04.

Deny: Based on the evidence and testimony provided, I find that the proposed use does not meet the standards for a special exception and make a motion to case BOA 17-04.



APPLICATION FOR SPECIAL EXCEPTION

Special Exception Use Requested: _____

Note: the use must be listed as a special exception use in Kennedale City Code Section 17-421.

Applicant

NAME: <u>ARSI AUTO PARTS</u>	
P	MAIL OR ALTE
MAILING ADDRESS:	
(Street)	<u>6940 E Kennedale Pkwy</u>
(City, State, Zip Code)	<u>Kennedale, TX 76060</u>

Property for which a Special Exception is requested

ADDRESS:
LEGAL DESCRIPTION:

NOTE: Attach metes and bounds description if property is not platted.

Property Owner

NAME: <u>Jose Jaime</u>	
	EMAIL OR ALTERNATE PHONE:
MAILING ADDRESS:	
(Street)	<u>819 Shady Creek Dr</u>
(City, State, Zip Code)	<u>Kennedale, TX 76060</u>

1. Has a previous application or appeal been filed on this property? ☐ Yes ☐ No

1.a. If yes, when was the application or appeal filed?

2. Identify any requirements of Section 17-422 of the Kennedale city code that cannot be met. Give reason(s) why the requirement(s) cannot be met. Use the back of this form or attach a separate page if additional space is needed.

3. If the special exception request is for a land use, is the request for a use not allowed in the zoning district?

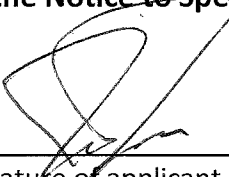
☐ Yes ☐ No

3.a. Is this a remodel of an existing structure? ☐ Yes ☐ No

3.b. Is this new construction? ☐ Yes ☒ No

4. If the special exception request is for oil or gas well drilling, how many wells are requested for this location?

5. **Special exceptions may be granted by the Board of Adjustment only if all of the conditions listed on the Notice to Special Exception Applicant are present.**



Signature of applicant

5-30-17
Date



0 300 600 Feet

300

60

Feet

BOA 17-04

site of special exception request

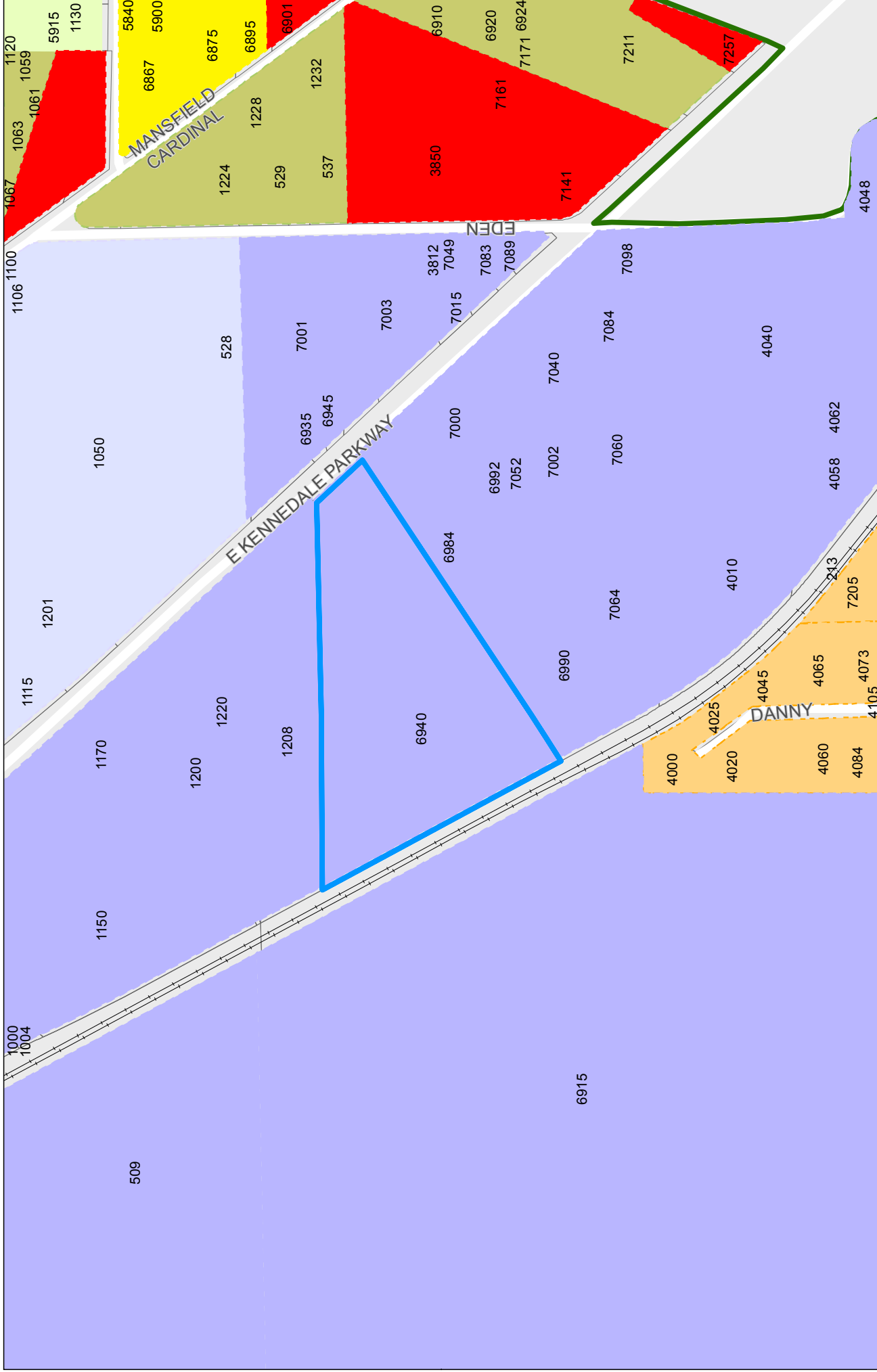
Symbols

BOA 17-04 site of request

Kennedale parcels (June 2017)

Kennedale city limits





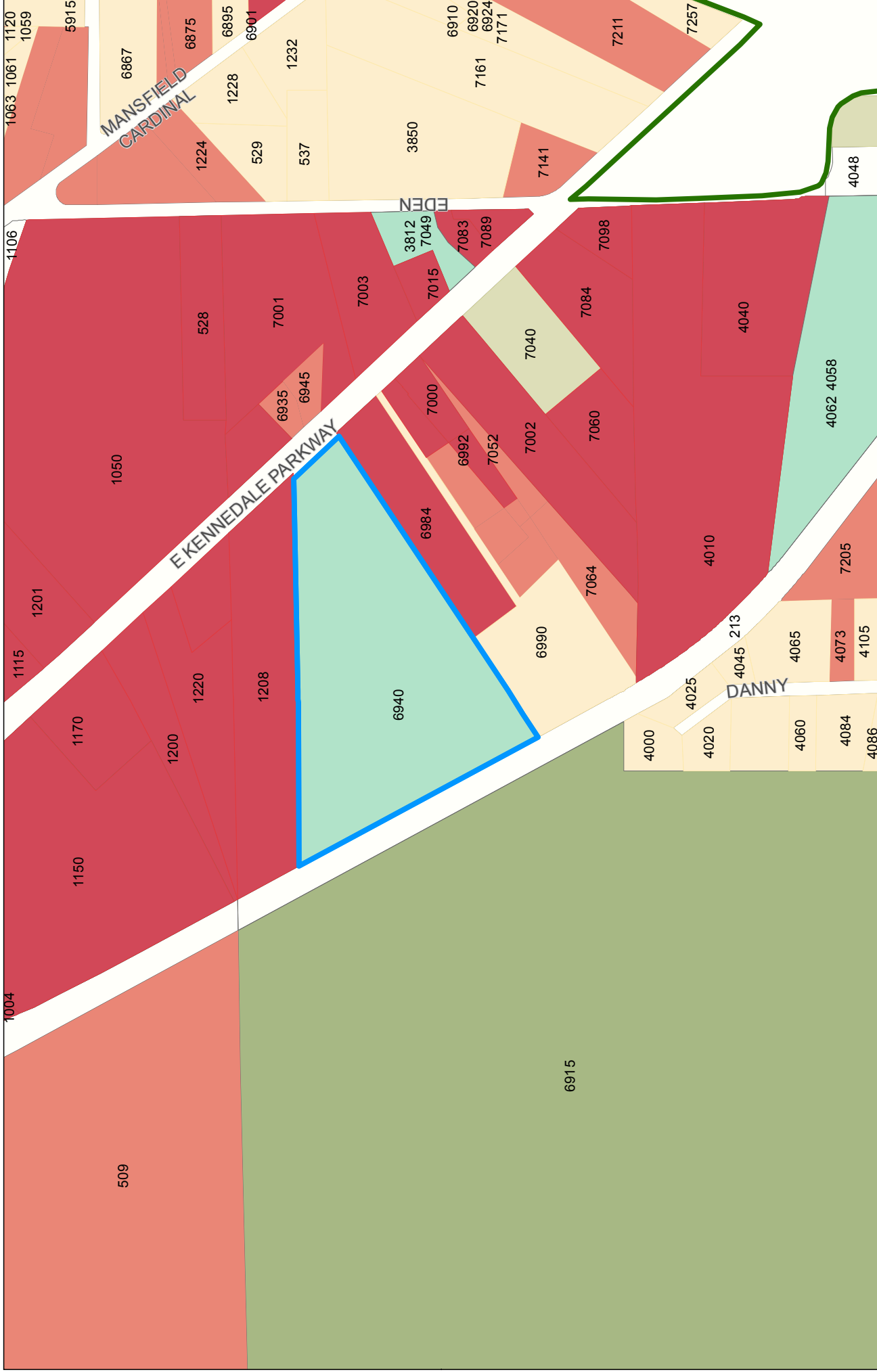
0 300 600 Feet



Symbols

- BOA 17-04 site of request
- Kennedale city limits
- Tarrant County
- AG (agricultural)
- C2 (general commercial)
- I (industrial)
- MH (manufactured home)
- PD-I (industrial pd)
- R-1 (single family res.)
- R-3 (single family res.)
- R-2 (single family res.)

BOA 17-04
zoning near special
exception request



0 200 400 Feet

BOA 17-04 Land uses near special exception request

Symbols

- Kennedale city limits
- BOA 17-04 site of request
- Land Use (per TAD)**
 - A -- residential
 - C1 -- vacant residential
 - C2 -- vacant commercial
 - F1 -- commercial
 - L1 -- commercial business personal property
 - L2 -- industrial business personal property



KENNEDALE COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

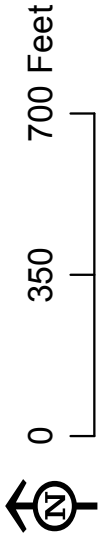
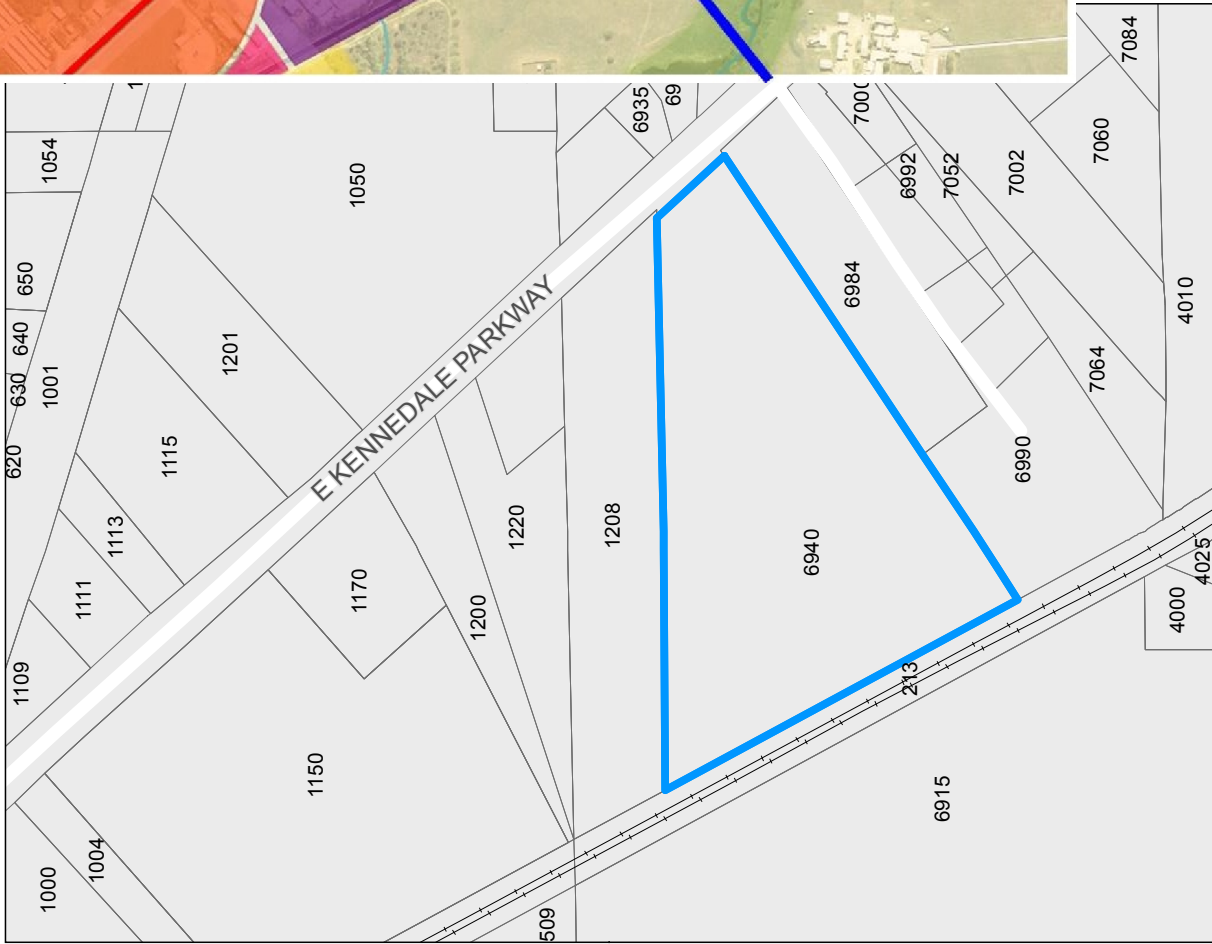
CATEGORIES

- 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

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



March 8, 2012



BOA 17-04
Future Land Use Plan

Symbols



BOA 17-04 site of request

Date: July 5, 2016

Agenda Item No: REGULAR ITEMS (A)

I. SUBJECT

CASE # BOA 16-03 to receive comments and consider action on a request by Jose Jaime for a Special Exception as required by City Code Section 17-421, Schedule of uses and off-street parking requirements, to allow a salvage yard in an "I" Industrial district at 6940 E Kennedale Parkway, more particularly described as W H Hudson Addn Lot 1.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Special exception to allow a salvage yard
Applicant	Jose Jaime of AB's 1 Auto Parts
Location	6940 Kennedale Pkwy (south end of Kennedale Pkwy)
Surrounding Uses	Commercial and industrial uses, residential uses
Future Land Use Plan Designation	Light Industrial
Staff Recommendation	Approve with conditions for a period of three (3) years

CURRENT STATUS OF PROPERTY

This property is zoned "I" - Industrial. According to the business license applications on file, the business has been in operation since at least February 1999. The first special exception for a salvage yard at this location was granted in 2002; a history of the special exceptions granted at this site is provided at the end of this report.

The Future Land Use Plan identifies this property as within a Light Industrial character district, which is intended to accommodate light industrial uses rather than heavy ones, and the properties across the street are identified being as within an Urban Corridor, which is intended to be generally commercial in nature.

SURROUNDING PROPERTIES & NEIGHBORHOOD

SURROUNDING PROPERTIES AND NEIGHBORHOOD

The property is located at the south end of Kennedale Pkwy, not far from the city limits. Many of the surrounding land uses are commercial or industrial in character, but there are some residential uses

located nearby. The closest residential area is separated from the AB's property by a railroad line, and AB's operations are not clearly visible from that neighborhood.

SPECIAL EXCEPTION HISTORY

This business has been in operation since at least February 1999 (the business provided Feb. 1999 as the business start date on a business permit application).

Special exception history:

- Granted in April 2002 for two years
 - Reviewed April 1, 2003 – Tabled until June 2003;
 - Reviewed June 3, 2003 - No action taken;
- Reviewed June 1, 2004 – Stacking in question. Tabled;
- Reviewed August 3, 2004 – Renewed for 2 years with annual reviews;
- Expired in 2006;
- Granted in May 2014 for one year;
- Granted in June 2015 for one year;

ANALYSIS

STANDARDS FOR GRANTING A SPECIAL EXCEPTION.

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present.

STANDARD 1

The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.

Mr. Jaime's application should demonstrate that the salvage yard does not have a negative on the public health, safety, or general welfare. Potential elements of a salvage yard operation that could affect general welfare include the following.

- *Noise*
- *Light*
- *Pollution (in soil, air, or storm water)*
- *Crime (salvaging stolen cars)*

NOISE

At the last special exception hearing for this property, the staff presentation noted that city staff had not observed noise levels in excess of city code and have not received complaints from neighbors, and this is still the case. However, once the special exception is approved, there is nothing to prevent the business from changing its operations in a way that raises noises to a nuisance level.

If the board approves the special exception application, Mr. Jaime should be aware that the approval is based, in part, on the business not creating nuisance noise levels, and that any changes to operations that cause an increase in noise may require staff to ask the board to consider revoking the special

exception. **In addition, staff recommends continuing the noise/hours restriction placed on the previous special exception if the board approves the special exception requested in this case.**

LIGHT

It does not appear that lights from this business would be visible from Danny Dr. (the nearby residential neighborhood), so staff is not concerned about lighting as a nuisance or harm to the general welfare at this time.

If the board approves the special exception request, staff recommends adding a condition **that if the business adds or changes any exterior lighting on site, the lighting must be kept to a level that is not visible to nearby residential areas.**

POLLUTION

Staff are not aware of any violations documented by the Texas Commission on Environmental Quality. However, there are many opportunities for pollution from a salvage yard. The applicant should speak to how his operation prevents contamination of soil, air, or water. In addition, some salvage yard operators hire consultants to verify their operations are meeting regulations. **If the applicant has reports generated by any consultants hired for that purpose, he should submit copies of these reports so the Board can review them.**

CRIME

The business is not known to be involved with any activity related to auto theft.

OTHER HAZARDS

The kinds of materials and chemicals that can be present at a salvage yard present a potential for fire or explosions, with the potential to affect persons and property within a half-mile radius (see attached handout from the EPA). However, the city's fire chief is not concerned about fire on this property spreading to surrounding properties.

STANDARD 2

The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for purposes already permitted.

This would include continuance of existing uses.

EXISTING AND PERMITTED USES IN THE VICINITY OF THIS LOCATION

INDUSTRIAL. The existing salvage yards adjacent to AB's are not likely to be impaired by the continued operation of AB's auto salvage.

COMMERCIAL. In addition to salvage yards, other businesses in the vicinity are a combination of commercial and industrial uses, including the Tarrant County maintenance facility, a restaurant, and a feed store. The presence of the salvage yard has not impaired the continued operation of these businesses, but many of the surrounding businesses are located in older structures that could benefit

from improvements. New businesses, however, that might be interested in building a new facility could be discouraged from investing in this area if the salvage yard is not maintained properly and if it is not screened well.

NEIGHBORHOOD (MOBILE HOME). Generally, salvage yards are not suitable to be located next to an existing neighborhood. A salvage yard could easily impair or diminish the use and enjoyment of a residential neighborhood. However, as long as the business is managed well so that any negative aspects of the operations do not spill over onto or affect the residential areas, then as long as city does not received any complaints about this business from nearby residents and staff does not observe any problems, staff will consider that AB's is not impeding the use and enjoyment of the property along Danny Drive for current residents at this time.

STANDARD 3

The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?

The properties are either side of AB's property are primarily zoned for light industrial use. Permitted light industrial uses include, but are not limited to:

- distribution center;
- ice cream plant;
- contractor yard;
- pottery manufacturing; and
- welding shop.

Some light industrial uses--especially those that do not depend on customers visiting their facilities--would be willing to locate near a salvage yard. Those with clients who visit their facilities or that prefer a more commercial-looking environment could object to being located near a use with such an industrial character. In addition, properties located very near AB's to the rear are residences along Danny Drive. Some of the property owners in the nearby neighborhood have expressed to city staff that they would like their part of the community to be cleaned up and that they dislike having so many commercial/industrial businesses located so closely. The presence of a salvage yard this close to the neighborhood door has the potential to inhibit the orderly improvement of that neighborhood.

Therefore, the presence of a salvage yard has the potential to impede the normal and orderly development and improvement of surrounding property. Whether development is impeded partly depends on how the salvage yard is operated. Mr. Jaime should provide information to the board about how his salvage yard will not impede the normal and orderly development of the surrounding properties for the uses permitted in the district, including how he controls for any potential environmental problems due to the nature of his business.

STANDARD 4

The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

According to Public Works staff, the business is served by all necessary site improvements.

STANDARD 5

The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

"Adequate measures" would include an adequate drive approach, deceleration lane if needed, etc.

According to Public Works staff, adequate measures have been provided.

STANDARD 6

The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

AREA, YARD, HEIGHT, LOT COVERAGE, BUILDING SIZE, & EXTERIOR REQUIREMENTS

The Industrial zoning district does not have a minimum requirement for lot area or building size and has no masonry requirement.

PARKING REGULATIONS

Adequate parking for customers has been provided.

FIRE LANE

A previous special exception required the applicant to meet with the fire department staff and designate a fire lane. Mr. Jaime met with fire department staff for that purpose, and although a fire lane was designated, fire department staff notified Mr. Jaime that asphalt or gravel was not required.

STAFF RECOMMENDATION

Based on the above analysis, staff recommends approval of the special exception subject to the conditions listed below, which are intended to ensure the continued operation of AB's meets the requirements of a special exception.

RECOMMENDED CONDITIONS OF APPROVAL:

- 1) The special exception shall be granted for a maximum of three (3) years, to expire in May 2019.

- 2) Outdoor storage areas must be maintained in good condition, with adequate gravel fill in place at all times, with what is considered adequate to be determined by the fire department.
- 3) No outside storage shall be permitted on grass or other areas that are unpaved or without gravel.
- 4) Any heavy-duty equipment or other equipment that may create loud noises shall be prohibited from use before 8 AM or after 8 PM.
- 5) If the business adds or changes any exterior lighting on site, the lighting must be kept to a level that is not visible to nearby residential areas.

ACTION BY THE BOARD OF ADJUSTMENT

The board may grant or deny the request or postpone its vote until a later date. If you postpone your decision, you should state in your motion when the case will be heard by the board again. Sample motions are provided for your reference below. You are not required to use either of the motions provided, but your motion should state why you are granting or denying the request.

Approval with Conditions: Based on the evidence and testimony provided, I find that the proposed use can meet the standards for a special exception under certain conditions and make a motion to approve the requested special exception with the following conditions [list conditions].

Deny: Based on the evidence and testimony provided, I find that the proposed use does not meet [list standards for a special exception not met] and make a motion to deny the request.



BOA 17-04: Front of building



BOA 17-04: approved fire lane



BOA 17-04: approved fire lane



BOA 17-04: approved fire lane



BOA 17-04: approved fire lane



BOA 17-04: Aisles kept clear as required



BOA 17-04: Aisles kept clear as required



Date: July 11, 2017

Agenda Item No: REGULAR ITEMS (C)

I. SUBJECT

CASE # BOA 17-05 to receive comments and consider action on a request Chandra Cosper for a Special Exception as required by Unified Development Code Section 6.2, "Schedule of Uses," to allow Manufacturing, Processing, and Packaging – Light in a C-2 General Commercial Zoning District at 428 W. Kennedale Pkwy., Kennedale, TX 76060, more particularly described as Woodlea Acres Addition Block 1 Lots 1A 1B1A 1B2 2A 2B 17BI & 17B2.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Special exception to operate a tannery (light manufacturing), specifically, processing animal hides to be used for taxidermy purposes (NOTE: the applicant has not proposed running a taxidermy operation at this location and has proposed the tannery only)
Applicant	Chandra Cosper / Wildwood Tannery
Location	W Kennedale Pkwy near the intersection with Corry A Edwards Dr— between Woodlea Lane and Corry A Edwards, on the north/east side of Kennedale Pkwy (on the right if heading toward I-20)
Surrounding Uses	Commercial and residential (see attached map)
Future Land Use Plan Designation	Urban Corridor
Staff Recommendation	Approve with conditions

CURRENT STATUS OF PROPERTY

The property is situated on the north/east side of Kennedale Pkwy between Woodlea Lane and Corry A Edwards Drive, across from Kennedale Campers and near Foxy Propaganda. The property has already been developed and has utilities in place. The existing building is a small structure that the appraisal district estimates was built in the 1950s. A portion of the property is already in use for another business, and the applicant proposes to use only small portion of the site (the white brick-front structure only, but not the garage or back buildings).

The Future Land Use Plan shows this area as part of an Urban Corridor district. This type of district will be commercial and auto-oriented while also accommodating pedestrians. It is expected that the land uses will be of a higher intensity of activity in terms of traffic and commerce than in other thoroughfares in Kennedale.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The properties along Kennedale Pkwy in the vicinity of this site are all in commercial use. Uses include an RV sales lot, a printing/marketing company, a small retail strip center, and an auto repair establishment. Behind the site, land uses are generally residential in nature.

SPECIAL EXCEPTION HISTORY

There have been no special exceptions granted for this property.

ANALYSIS

STANDARDS FOR GRANTING A SPECIAL EXCEPTION.

No application for a special exception shall be granted by the Board of Adjustment unless the board finds all of the conditions described below are present.

STANDARD 1

The board must find that the establishment, maintenance or operation of the use will not be materially detrimental to or endanger the public health, safety, morals or general welfare.

Mr. Cospers application should demonstrate that the proposed use will not have a negative effect on the public health, safety, or general welfare. Potential elements of a tannery that could affect general welfare include the following processes and chemicals used in tanning operations.

There are several elements of a typical tannery operation that could be detrimental to public health, safety, or general welfare. However, the proposed use will not be doing all steps that a tannery might use. The applicant does not use harsh or dangerous chemicals in her operations; as you will read in her application, she primarily uses salt to soften the hides that will be used. Based on the information supplied by Ms. Cospers, her operations do not appear to be a detriment. In addition, she does not have customers visiting her site on a regular basis and is not expected to generate noise, traffic, or fumes that would be endanger the public.

STANDARD 2

The board must find that the requested use will not impair or diminish the establishment, maintenance, or operation of, or use, values, or enjoyment of other property in the neighborhood for purposes already permitted.

This would include continuance of existing uses.

EXISTING AND PERMITTED USES IN THE VICINITY OF THIS LOCATION

COMMERCIAL. The nearby commercial businesses will not be affected by the proposed use. The traffic generated will be very limited, no outside storage is proposed, and the scope and operations of the business will be in keeping with the character of the area and surrounding businesses.

SINGLE FAMILY RESIDENTIAL. All operations will be conducted indoors. The processes used should not generate noise or fumes that could be detected at nearby residences. Traffic will be minimal.

STANDARD 3

The board must find that the establishment of the use will not significantly impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Would the requested use be likely to impede the development and improvement of surrounding property for uses already permitted in the area but that don't exist there now? Would it impede improvement of property for existing uses?

Most of the immediately adjacent properties are in commercial use and are zoned as such. The proposed use should not impede development of the nearby vacant commercial properties.

The area behind this property is zoned for residential use and is already developed. Because the proposed use is small in size and is not expected to generate any noise, trash, traffic, or other negative effects that would extend into the neighborhood, the use should not impede redevelopment or improvements.

STANDARD 4

The board must find that adequate utilities, access roads, drainage and other necessary site improvements have been or are being provided.

UTILITIES

The Public Works department has confirmed that utilities are already in place. Ms. Cosper has affirmed that she has the required hair trap already.

DRAINAGE

The city's storm water coordinator has not expressed concerns about drainage associated with the proposed operations.

ACCESSROADS

Adequate access to the property is provided via Kennedale Pkwy.

STANDARD 5

The board must find that adequate measures have been or will be taken to provide ingress or egress so designed as to minimize traffic congestion in the public streets.

"Adequate measures" would include an adequate drive approach, deceleration lane if needed, etc.

Most of Ms. Cosper's customers work with her through the mail rather than visiting in person, and she does not receive large truck deliveries. Her business is not expected to cause any traffic congestion.

STANDARD 6

The board must find that the use shall conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located.

AREA, YARD, HEIGHT, LOT COVERAGE, BUILDING SIZE, & EXTERIOR REQUIREMENTS

The applicant will be working in an existing, grandfathered building, which already has the masonry veneer required for the Commercial Corridor zoning district. The building and lot area, building height, and lot coverage are grandfathered as-is.

PARKING REGULATIONS

Staff estimates this use would need two (2) parking spaces, and six (6) are provided. Although these spaces are for both uses on site, staff have observed the property on a number of occasions and have never seen the number of parking spaces to be a problem.

STAFF RECOMMENDATION

Staff recommends approval with the following conditions.

RECOMMENDED CONDITIONS OF APPROVAL:

1. If the tannery's processing methods change so that chemicals are introduced to the process, the operator must notify the city so that staff may determine whether the process has changed enough that a new special exception should be sought.
2. If the tannery's operations expand to include additional employees or frequent customer visits, the business shall provide additional parking as required by city code.

ACTION BY THE BOARD OF ADJUSTMENT

The board may grant or deny the request or postpone its vote until a later date. If you postpone your decision, you should state in your motion when the case will be heard by the board again. Sample motions are provided for your reference below. You are not required to use either of the motions provided, but your motion should state why you are granting or denying the request.

Approve: Based on the evidence and testimony provided, I find that the proposed request meets the standards for a special exception and make a motion to approve case BOA 17-05.

Deny: Based on the evidence and testimony provided, I find that the proposed use does not meet the standards for a special exception and make a motion to deny case BOA 17-05.



APPLICATION FOR SPECIAL EXCEPTION

Special Exception Use Requested: Manufacturing, Processing & Packaging Light
Note: the use must be listed as a special exception use in Kennedale City Code Section 17-421.

Applicant

NAME: <u>Chancha Cosper, Wildwood Tannery & Taxidermy</u>	
PHON: [REDACTED]	EMAIL OR ALTERNATE PHONE: <u>wildwoodtannery@yahoo.com</u>
MAILING ADDRESS: (Street) <u>721 Hawthorne Ln.</u>	
(City, State, Zip Code) <u>Grand Prairie, TX 75052</u>	

Property for which a Special Exception is requested

ADDRESS: <u>428 W. Kennedale Pkwy.</u>
LEGAL DESCRIPTION: <u>Wood Lea Acres Addition Block: 1 Lot: 1A</u> <u>1B1A, 1B2, 2A, 2B, 17B1 & 17B2</u>
NOTE: Attach metes and bounds description if property is not platted.

Property Owner

NAME: <u>Mikhail Frumkin</u>	
PHON: [REDACTED]	EMAIL: <u>8</u>
MAILING ADDRESS: (Street) <u>5709 Homestead Rd</u>	
(City, State, Zip Code) <u>Arlington, TX 76017</u>	

1. Has a previous application or appeal been filed on this property? ☐ Yes ☒ No

1.a. If yes, when was the application or appeal filed?

2. Identify any requirements of Section 17-422 of the Kennedale city code that cannot be met. Give reason(s) why the requirement(s) cannot be met. Use the back of this form or attach a separate page if additional space is needed.

N/A

3. If the special exception request is for a land use, is the request for a use not allowed in the zoning district?

☐ Yes ☒ No

3.a. Is this a remodel of an existing structure? ☐ Yes ☐ No

3.b. Is this new construction? ☐ Yes ☒ No

4. If the special exception request is for oil or gas well drilling, how many wells are requested for this location? N/A

5. **Special exceptions may be granted by the Board of Adjustment only if all of the conditions listed on the Notice to Special Exception Applicant are present.**



Signature of applicant

5/24/17

Date



Standards for Special Exceptions

- (1) Will the establishment, maintenance, or operation of the use you are requesting be materially detrimental to or endanger the public health, safety, morals, or general welfare?

No, our company does not use any materials that are not humanly or environmentally safe for any of our process or procedures.

- (2) Will the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted be in any foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation for the uses you are requesting a special exception?

No other properties in the neighborhood will impair or diminish the establishment or operations of our business.

- (3) Will the establishment of the use you are requesting significantly impede the normal and orderly development and improvement of the surrounding property for the uses permitted in the district?

No, our company has not nor will ever impede the development or improvement of any surrounding properties or uses permitted in the district.

- (4) Have Adequate utilities, access roads, drainage, and other necessary site improvements been (or will be) provided? (if adequate improvements are not already in place, you must demonstrate what improvements you will make and how/when)

There are no utility, access road, drainage, or any other site improvements are needed in order for our company to open.

- (5) Have adequate measures been taken or will be taken to provide ingress, or egress designed as to minimize traffic congestion in the public streets?

No other necessary measures will need to be taken. Our company will not effect public traffic in any way at all. There are proper parking spaces marked and accessible driveways.

- (6) Does the use conform to all applicable area, yard, height, lot coverage, building size and exterior requirements and parking space regulations of the district in which it is located (see Sections 17-405, 17-421, and 17-424 of the Kennedale city code)?

Yes, Parking spaces have been designated, and painted updated to clearly mark all 6 spaces



CITY OF KENNEDALE
BOARD OF ADJUSTMENT
OWNER AFFIDAVIT

CASE #BOA _____

PROPERTY ADDRESS:

428 W. Kennedale Pkwy.

LEGAL DESCRIPTION:

Woodlea Acres Block: 1 Lot: 1A, 1B1A, 1B2, 2A, 2B, 17B1, 17B2

APPLICANT:

Chandra Cosper

TYPE OF BOA REQUEST (E.G., SPECIAL EXCEPTION, VARIANCE):

I, Mikhail Frumkin, current owner of above mentioned property, authorize the applicant or his authorized representative to make application for the Kennedale Board of Adjustment to consider granting the above reference request on my behalf and to appear before the Board.

Owner Signature: _____

Date: 6/1/17

SWORN TO and Subscribed before me by Mikhail Frumkin / Kim Doan

ON THIS 1st DAY OF June, 20 17.



Notary Public, Tarrant County, Texas

KITCHEN

PANTRY

LOBBY

ALC

BATHROOM

OFFICE # 1

OFFICE # 2

Wildwood Tannery
Chandra Cosper
(817) 938-1870



EXIT



Steps of Tanning process:

- 1) Receive hide from Taxidermist
- 2) Split the eyes, nose, and ears inside out with a scalpel
- 3) Salt the hide over night with non-iodinzed salt (stock salt that is also used for livestock)
- 4) Next Day bag and throw away extra salt that did not soak into hide
- 5) Shave the entire hide with a fleshing machine blade
- 6) Neutralize the hide to stop the salt from working with baking soda and water for 30 min
- 7) Brush on tanning oil on to skin side of hide let sit over night
- 8) Next day when hide is hardened from oil, break the skin over a table side
- 9) Tumble to soften hide
- 10) Wet hide down with plain water
- 11) Freeze and process is complete

May 22, 2017

Chisholm Trail Taxidermy
Brandan and Eugene Pridgen, Owners
100 Oak Lane
Weatherford, Texas 76088

RE: Certificate of Occupancy

To whom it may concern:

Please accept this letter on behalf of Chandra Cosper, owner of Wildwood Tannery and Taxidermy, as our testimony of her business' positive addition to the City of Kennedale.

The business solution Chandra will provide us is invaluable. The closest tannery, that we would consider using, is in South Texas. Having her within an hour's drive provides us additional resources to use elsewhere in building our new business.

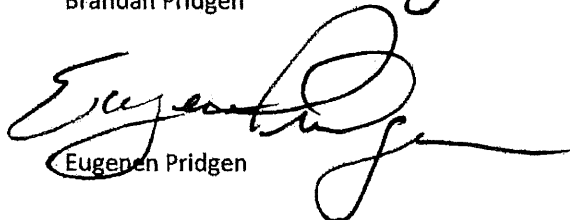
Her professional tanning service is a need among most taxidermists who do not tan hides in-house. I foresee her growing and providing employment opportunities within the community and providing additional tax revenue for the City of Kennedale.

We look forward to watching Chandra grow and become an asset to your community and within the Taxidermy community.

Please feel free to reach out to us if you have additional questions.

Kind regards,


Brandan Pridgen


Eugene Pridgen

May 30, 2017

Mikhail Frumkin, PE
Property Owner of:
428 W. Kennedale Pkwy.
Kennedale. TX

RE: Application for Special Exception

To Whom It May Concern:

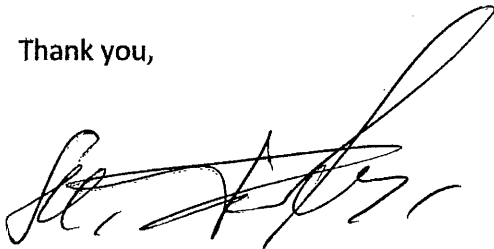
Please Accept this letter on behalf of my tenant Chandra Cosper at 428 W. Kennedale Pkwy. I as the owner of the property approve and support the business of Wildwood Tannery & Taxidermy, at my property in the City of Kennedale.

Chandra Cosper and her staff has done several impressive cosmetic improvements at my said property, and done a wonderful job giving the once empty building a significant curbside appearance for the main parkway of the City of Kennedale.

Chandra Cosper and her business take pride in the property and gone above and beyond to make sure her and her staff is a good addition to the City.

So again I ask as the property owner of this property to please accept the Application of Special Exception and approve the said request for Mrs. Cosper and her business, as I believe and stand that she will be a generous and active participant in the community.

Thank you,

A handwritten signature in black ink, appearing to read 'Mikhail Frumkin', with a large, stylized flourish extending upwards and to the right.

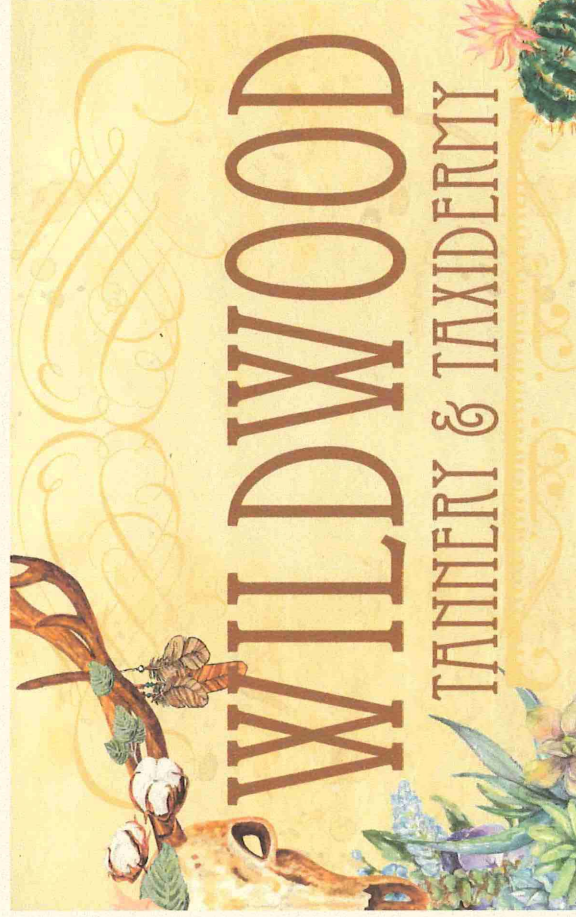
Mikhail Frumkin, PE
Property Owner



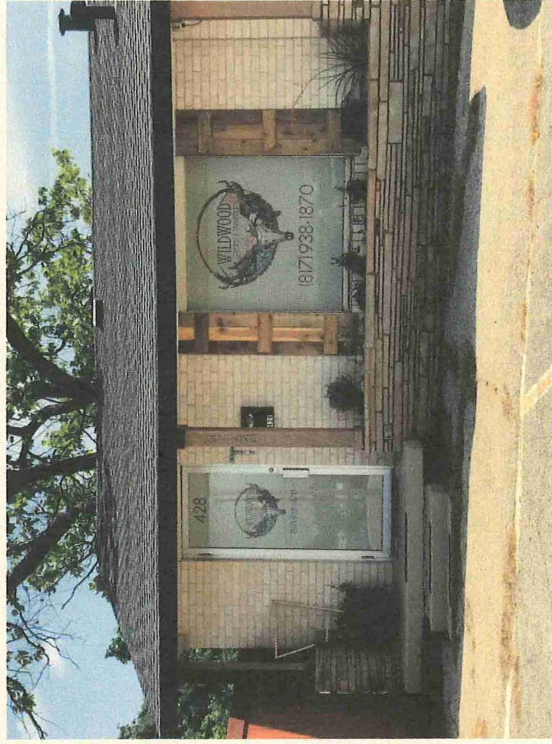
Est. 2016

Est. 2016

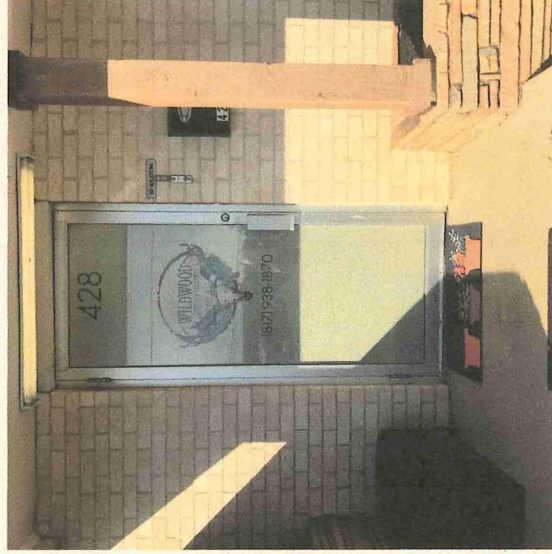
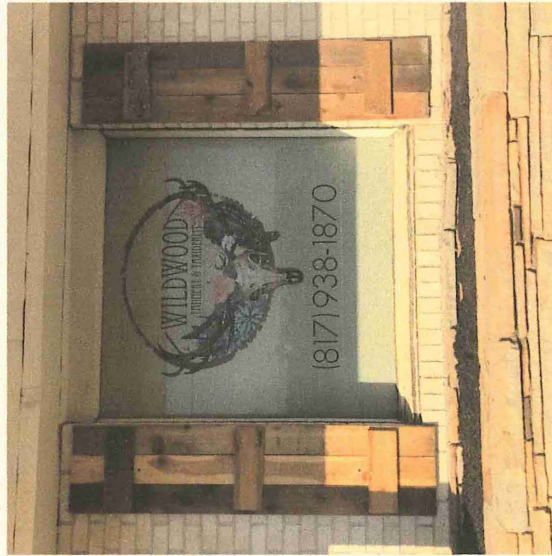
Owner: Chandra Cosper
Production Manager: Paul Zaragoza



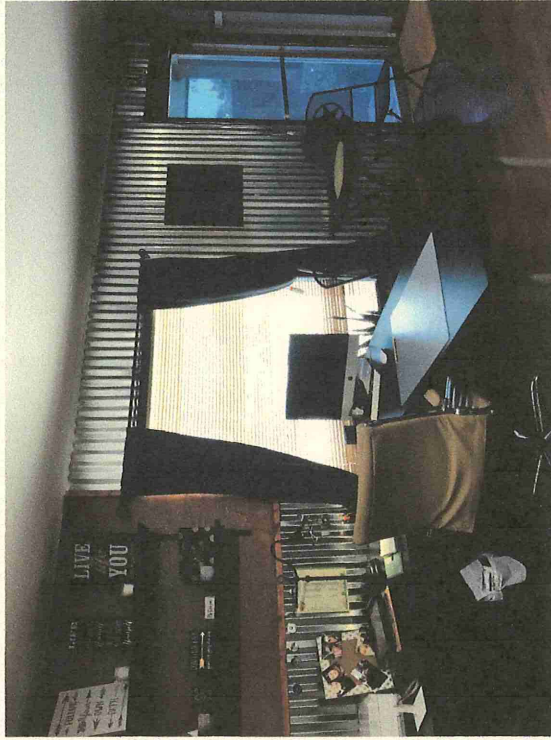
Wildwood



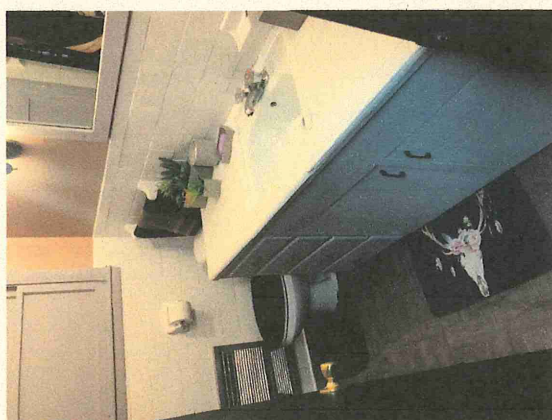
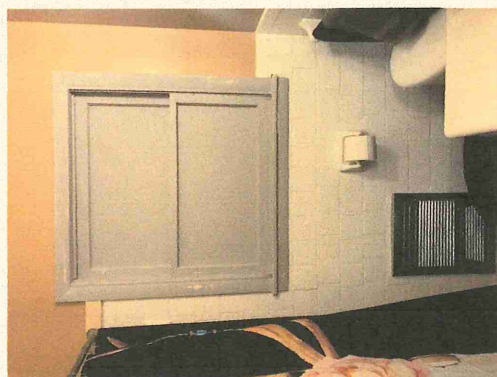
Wildwood



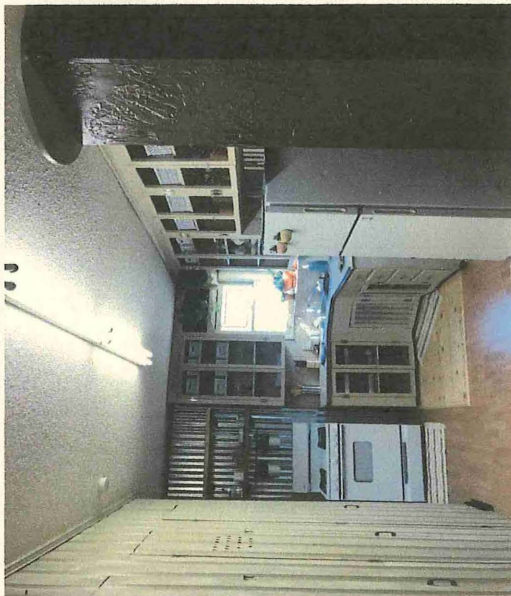
Wildwood



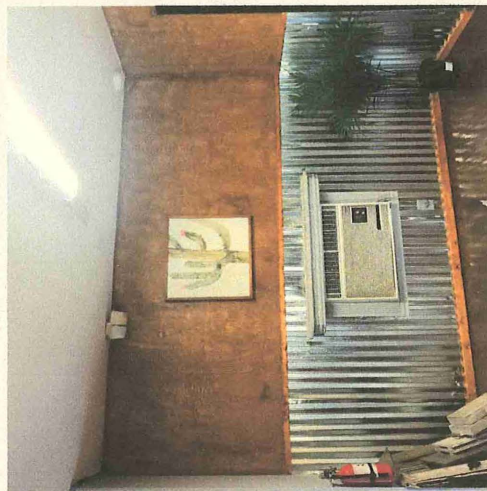
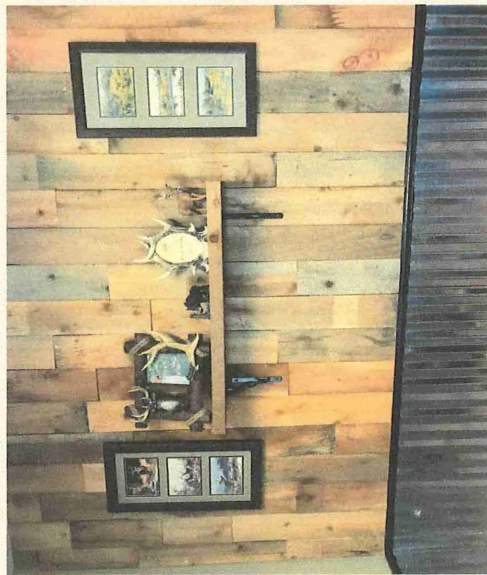
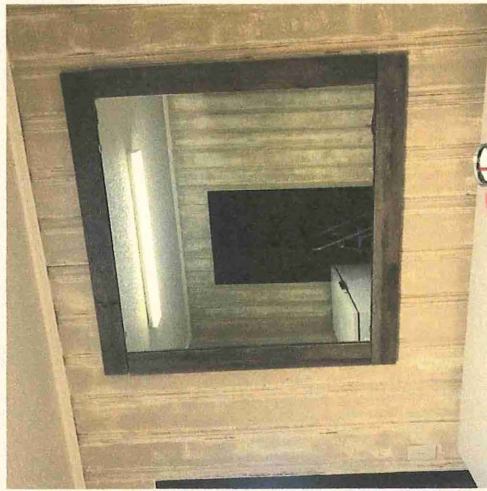
Wildwood



Wildwood



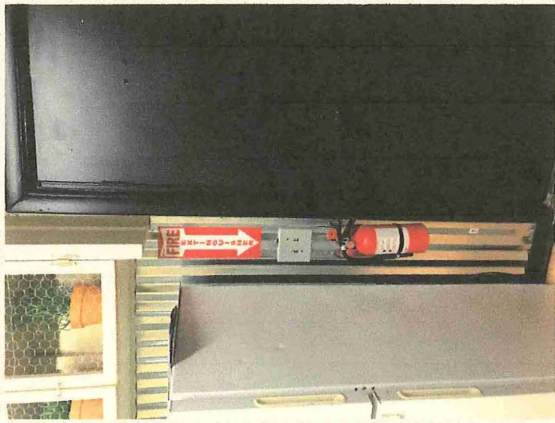
Wildwood



Wildwood



Wildwood



Wildwood

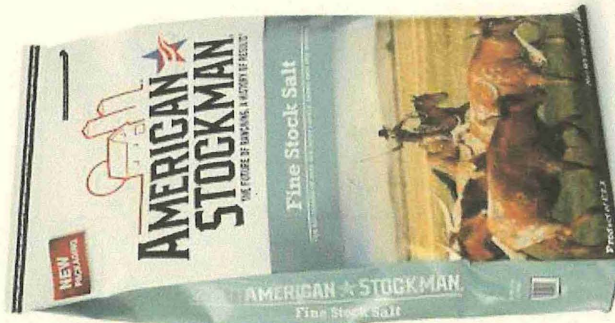
GUARANTEED ANALYSIS

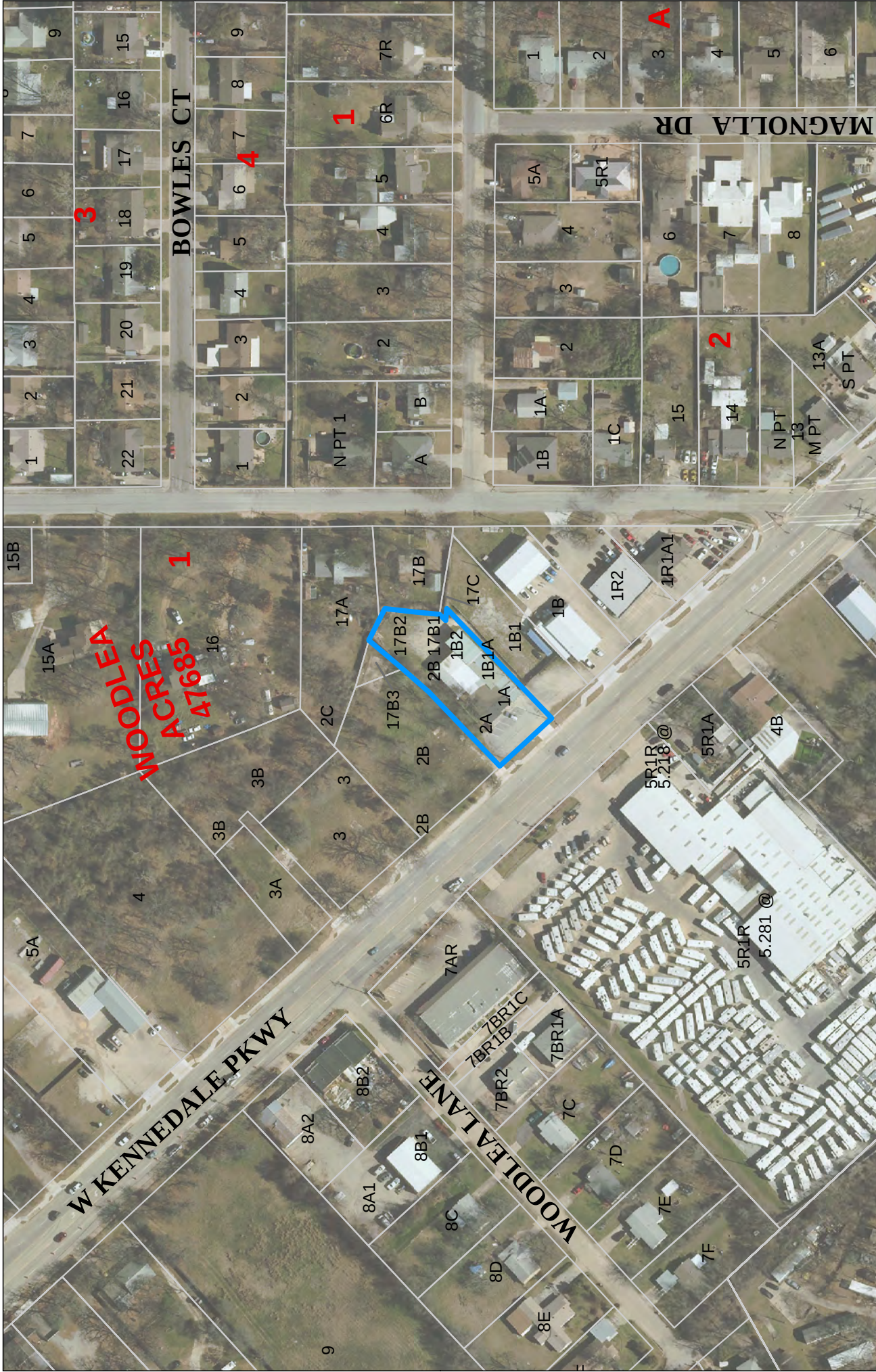
Salt (NaCl) Min	95.0%
Salt (NaCl) Max	98.0%

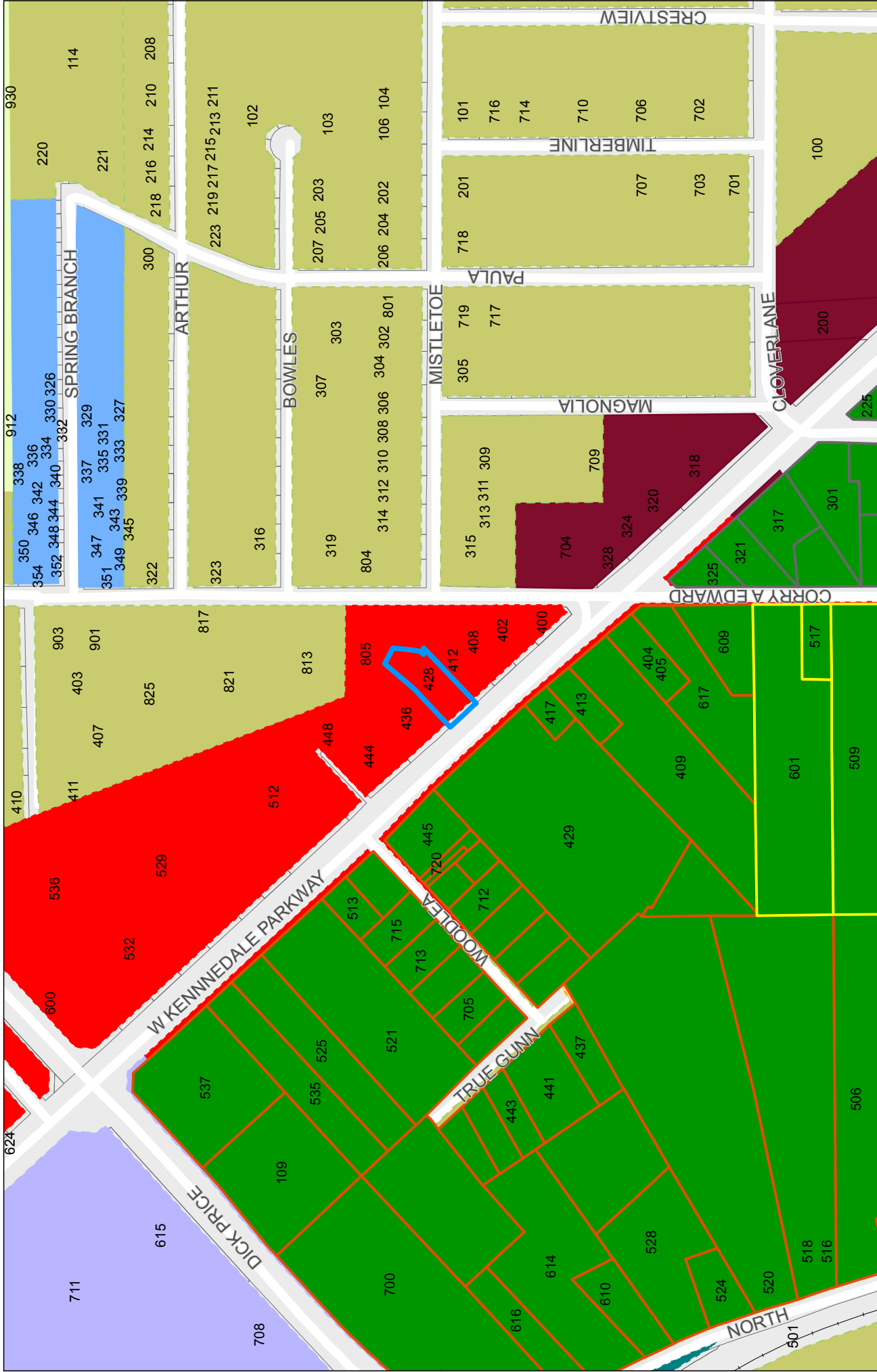
INGREDIENTS

Salt, Yellow Prussiate of Soda (YPS) free flow agent

American Stockman Fine Stock Salt, 50 lb.







0 250 500 Feet

BOA 17-05 zoning near special exception request

Symbols



BOA 17-05 site



C-1 (restricted commercial)



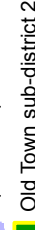
C2 (general commercial)



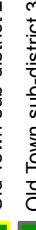
D (duplex res.)



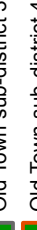
I (industrial)



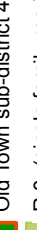
Old Town sub-district 2



Old Town sub-district 3

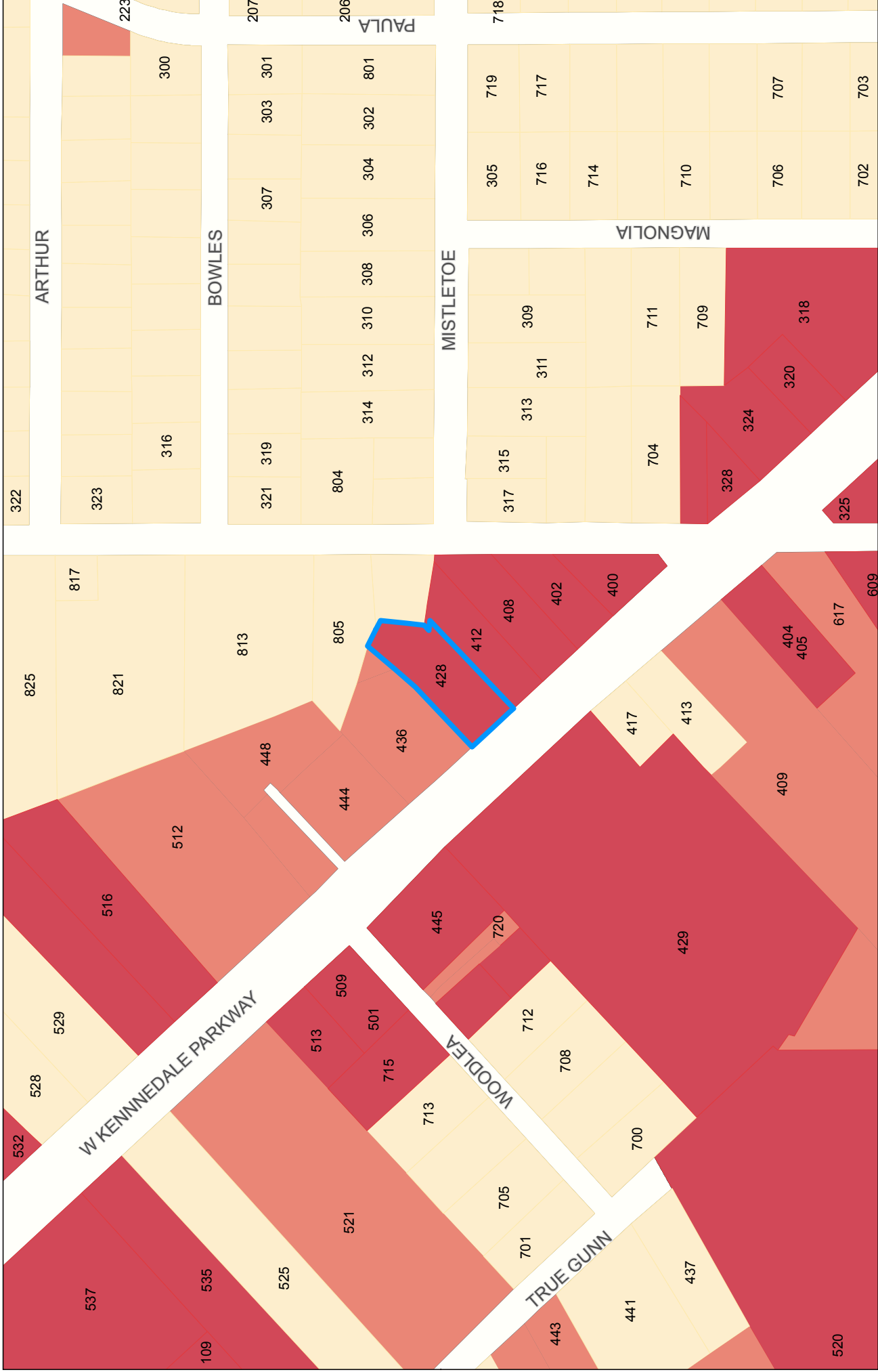


Old Town sub-district 4



R-3 (single family res.)





BOA 17-05 Land uses near special exception request



Symbols

BOA 17-05 site

Kennedale city limits

Land Use (per TAD)

A -- residential

C1 -- vacant residential

F1 -- commercial

KENNEDALE COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

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

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.

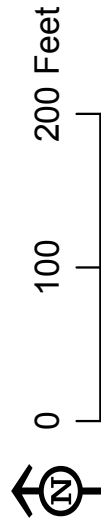
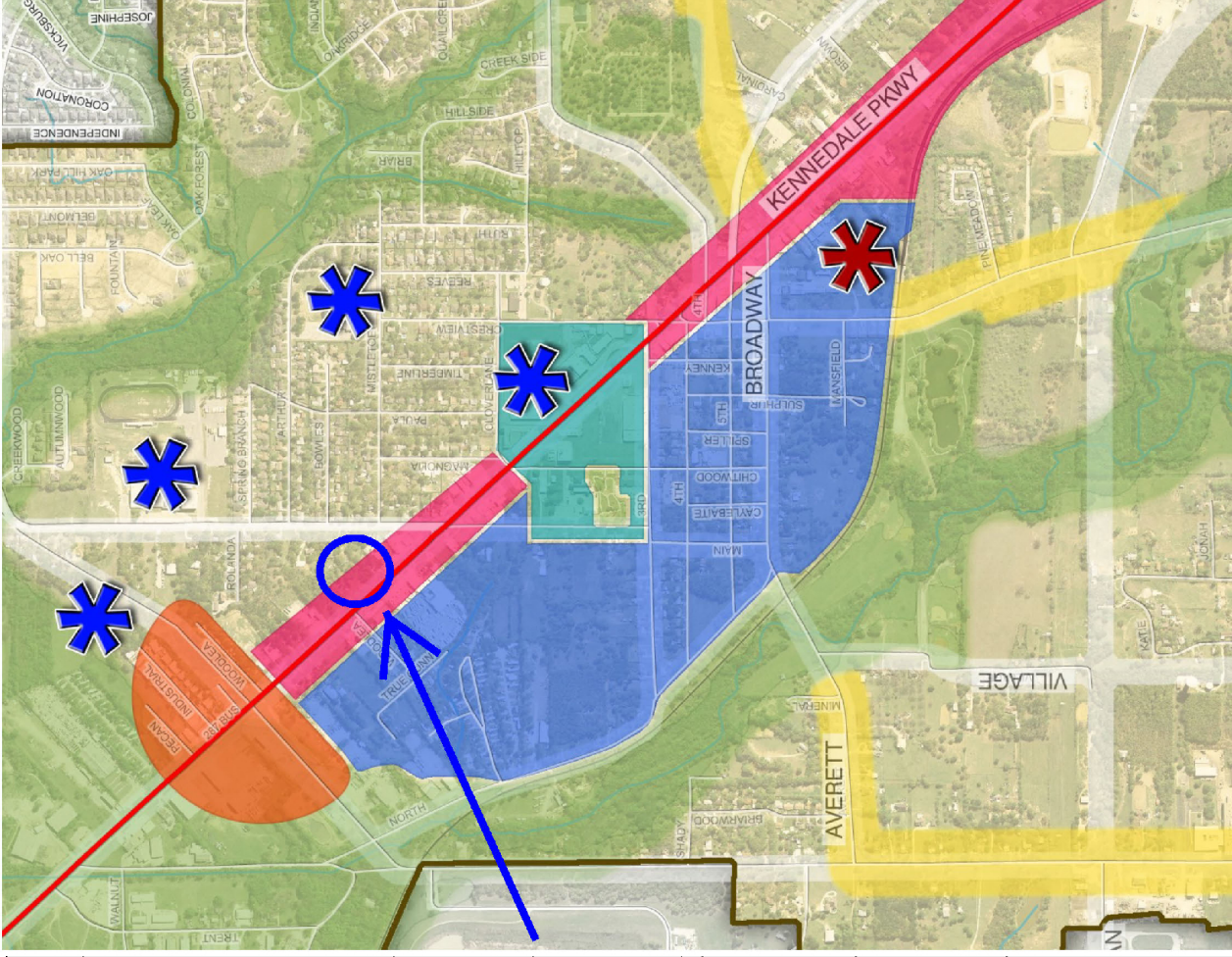
0 100 200 300 400 Feet



March 8, 2012



KENNEDALE
You're Here, Your Home



BOA 17-05 Future Land Use Plan

Symbols



BOA 17-05 site



Portion used by other tenant

Portion of property to be used by Wildwood Tannery

BOA 17-05: View of front of building



BOA 17-05: looking north on Kennedale Pkwy (building on right)



BOA 17-05: looking south on Kennedale Pkwy (Wildwood Tannery building on left, not visible)



BOA 17-05: Facing Kennedale Pkwy looking northwest (Kennedale Campers visible across the street)



BOA 17-05: Facing Kennedale Pkwy looking west

Back of building for BOA 17-05



BOA 17-05: View from behind (off Corry A Edwards)