



KENNEDALE PLANNING & ZONING COMMISSION AGENDA

**COMMISSIONERS REGULAR MEETING | March 15, 2018
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE
WORK SESSION - 6:00 PM | REGULAR SESSION – 7:00 PM**

I. CALL TO ORDER

NOTE: Pursuant to §551.071, Texas Government Code, the Planning & Zoning Commission reserves the right to adjourn into Executive Session at any time during the Work Session or the Regular Session to discuss posted Executive Session items or to seek legal advice from the City Attorney on any item posted on the agenda.

II. WORK SESSION

- A. Discuss the appointment of a temporary chairperson for this meeting
- B. Discussion of rain run-off across Danny Drive, in association with the proposed Hudson Village Business Park
- C. Discussion of possible improvements to foliage conditions along Kennedale Parkway
- D. Discuss any item on the regular session agenda

III. EXECUTIVE SESSION

The Planning & Zoning Commission reserves the right to convene in Executive Session(s) during this meeting pursuant to the following Sections of the Government Code of the State of Texas:

Pursuant to Sec. 551.071 (2), consultation with its Attorney: The Planning & Zoning Commission may conduct private consultations with its attorneys when the Planning & Zoning Commission seeks the advice of its attorney concerning any item on this agenda or a matter in which the duty of the attorney to the Planning & Zoning Commission under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Government Code.

IV. REGULAR SESSION

V. ROLL CALL

VI. APPOINTMENT OF TEMPORARY CHAIRPERSON

- A. Consider appointment of a temporary chairperson to preside over this meeting

VII. DECISION ITEMS

- A. Consider approval of the minutes from the February 20, 2018 regular meeting
- B. **CASE # PZ 18-01** to conduct a public hearing, receive comments, and consider approval on a request by Skorburg Retail Corp., for a Zoning change and Concept Plan for approximately 23.1 acres from "AG" Agricultural District to "PD" Planned Development District for a new neighborhood "Good Estates" consisting of 96 single-family lots on property located at 1118 and 1132 Kennedale Sublett Road, legal description of Lots 4R1 & 3B1, JM Estes Home Tracts, Tarrant County, Texas.
 - 1. Staff presentation
 - 2. Applicant presentation
 - 3. Public hearing
 - 4. Applicant response
 - 5. Staff response and summary
 - 6. Action by the Planning & Zoning Commission

VIII. VISITOR/CITIZENS FORUM

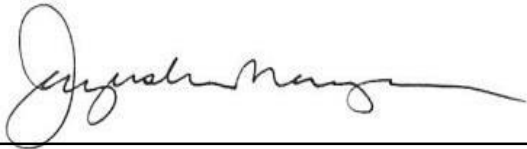
At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must 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. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the March 15, 2018, Planning and Zoning Commission agenda was posted on the 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, appearing to read "Jay Narayana", written over a horizontal line.

Jay Narayana, AICP
Interim Planning Director



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 15, 2018

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss the appointment of a temporary chairperson for this meeting

II. Originated by:

III. Summary:

At this time, the Commission may discuss the appointment of a temporary chairperson to preside over tonight's meeting, as City Council has not yet made a permanent appointment.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 15, 2018

Agenda Item No: WORK SESSION - B.

I. Subject:

Discussion of rain run-off across Danny Drive, in association with the proposed Hudson Village Business Park

II. Originated by:

Lary Adkins

III. Summary:

Mr. Adkins would like to discuss stormwater runoff issues associated with the recently approved preliminary plat for Hudson Village Creek Business Park. The P&Z approved the preliminary plat for Hudson Village Creek at the P&Z meeting on January 16, 2018.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 15, 2018

Agenda Item No: WORK SESSION - C.

I. Subject:

Discussion of possible improvements to foliage conditions along Kennedale Parkway

II. Originated by:

Lary Adkins

III. Summary:

Mr. Adkins would like to discuss landscaping maintenance along Kennedale Parkway. Staff has invited the city's consultant who led this project to the meeting to provide the P&Z with a summary of the project.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 15, 2018

Agenda Item No: WORK SESSION - D.

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: March 15, 2018

Agenda Item No: APPOINTMENT OF TEMPORARY CHAIRPERSON - A.

I. Subject:

Consider appointment of a temporary chairperson to preside over this meeting

II. Originated by:

III. Summary:

At this time, the Commission may discuss and consider the appointment of a temporary chairperson to preside over tonight's meeting.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



STAFF REPORT TO THE BOARD OF DIRECTORS

Date: March 15, 2018

Agenda Item No: DECISION ITEMS - A.

I. Subject:

Consider approval of the minutes from the February 20, 2018 Regular Meeting

II. Originated by:

III. Summary:

Please see the attached minutes for your approval.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:

1.	02.20.2018 PZ MINUTES	02.20.2018 PZ MINUTES.pdf
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KENNEDALE PLANNING & ZONING COMMISSION MINUTES

COMMISSIONERS - REGULAR MEETING | FEBRUARY 20, 2018

CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 7:00 PM

REGULAR SESSION IMMEDIATELY FOLLOWING THE WORK SESSION

I. CALL TO ORDER

Jay Narayana, Community and Development – Interim, called the work session to order at 7:05 P.M.

II. WORK SESSION

A. Discuss the appointment of a temporary chairperson for this meeting.

- Mr. Adkins made a motion for Mr. Chris Pugh to temporary chair, seconded by Mr. Medina. Motion passed with all in favor and none opposed.

PLACE	COMMISSIONER	PRESENT	ABSENT
1	Lary Adkins	X	
2	VACANT		
3	Sheldon Geron	X	
4	John Hivale	X	
5	Kayla Hughes		X
6	Daniel Medina	X	
7	Chris Pugh	X	
8	Horace Young		X
9	VACANT		

B. Presentation and discussion of development concept for a new residential subdivision, Kennedale Sublett Estates, on approximately 17 acres located at Kennedale Sublett Road and Wildcat Way by the applicant, Skorburg Company.

- Mr. Rich Darragh brought new plans to increase lot size with a total 96 lots
- 66 lots would be 50x125 and 30 lots would be 60x125
- With parks, trails, open space for greenery, gazebo and water pond
- With HOA maintaining the subdivision
- Mr. Adkins stated per fire chief they recommend 20ft between houses
- Mr. Darragh stated he would sit with the fire chief to discuss recommendation
- Mr. Medina asked about the lighting, if LED or lamp poles
- Mr. Darragh stated they would install decorative lights, not industrial
- Mr. Hivale asked if there would be gas lines
- Mr. Darragh stated they will have both gas and electric

- Mr. Adkins asked if the property would be gated
- Mr. Darragh stated it would not be gated
- Mr. Medina suggested planting deep rooted trees
- Mr. Darragh stated they will speak with the landscaping contractor and will see what the city requirements are for trees.
- Mr. Darragh also stated once they have sold 75% they will hand over to the HOA

C. Discussion of rain run-off across Danny Drive, in association with the proposed Hudson Village Business Park

- Ms. Narayana advised the board there was no power point due to the power outage earlier in the evening. She stated Jean Marie was there to explain
- Jean Marie stated has not approved plans of now. The final design will not impact the property and they feel comfortable with the design.
- Mr. Hivale asked if there would be no more flooding
- Ms. Jean Marie stated there is a flooding issue at this time but it is not in their current budget to fix the issue. They are working on a design to have the water discharge into a pond and the pond would be gated.
- Mr. Pugh stated it's not the developer's responsibility to fix the issue but to not make it worse.
- Ms. Jean Marie stated she needs to set up a meeting with the developer to make sure they come up with a design and solution.

D. Discussion of possible improvements to foliage conditions along Kennedale Parkway

- Mr. Adkins stated he would like to postponed this item on the agenda since the computers were not working due to the power outage earlier in the evening
- Mr. Adkins stated that according to the city code corner section 10.16 20x20, 30x30 no plat zone over 3ft tall
- Mr. Pugh stated Wells Fargo bank has tall plants and that's a concern because it blocks the view
- Ms. Narayana stated they are aware of the concerns and would like the addresses of the locations that have the issues.
- Mr. Medina asked how is responsible for maintaining the plants
- Ms. Narayana stated there was an agreement between city and state, and would check the UDC to see if over grown. It is Public Works department to maintain the plants
- Mr. Gerron asked if the plants were in code when they were first planted
- Ms. Narayana stated the city has contractor to maintain the plants and would speak to Public Works
- Mr. Pugh suggested to have Mr. Larry Hoover present at next meeting with documentation and agreements

E. Discuss any item on the regular session agenda

- Mr. Pugh suggested they make recommendations for the chair and vice-chair, as City Council advised

Mr. Pugh closed the work session at 8:13 P.M.

III. EXECUTIVE SESSION

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IV. REGULAR SESSION

V. CALL TO ORDER

I. APPOINTMENT OF TEMPORARY CHAIRPERSON

- A. Consider appointment of a temporary chairperson to preside over this meeting
- Mr. Adkins made a motion to appoint Mr. Pugh for temporary chairperson, seconded by Mr. Medina. The motion passed with all in favor and none opposed.

PLACE	COMMISSIONER	PRESENT	ABSENT
1	Lary Adkins	X	
2	VACANT		
3	Sheldon Geron	X	
4	John Hivale	X	
5	Kayla Hughes		X
6	Daniel Medina	X	
7	Chris Pugh	X	
8	Horace Young		X
9	VACANT		

II. DECISION ITEMS

- A. Make a recommendation to City Council on the appointment of a Chair and Vice Chair

- Mr. Adkins made a motion to recommend Mr. Chris Pugh as the chairperson, second by Mr. Geron. The motion passed with all in favor and none opposed.
- Mr. Hivale made a motion to recommend Mr. Lary Adkins as the vice-chairperson, second by Mr. Medina. The motion passed with all in favor and none opposed.

B. Consider approval of the minutes from the January 16, 2018 regular meeting

- Mr. Adkins made a motion to approve the minutes, seconded by Mr. Hivale. The motion passed with all in favor and none opposed.

III. VISITOR/CITIZENS FORUM

No one registered to speak.

IV. ADJOURNMENT

Mr. Adkins made a motion to adjourn, second by Mr. Hivale the motion was passed with all in favor. The regular session adjourned at 8:15 PM

Date: March 15, 2018

Agenda Item No: REGULAR ITEMS (B)

I. SUBJECT

CASE # PZ 18-01 to conduct a public hearing, receive comments and consider approval on a request by Skorborg Retail Corp., for a Zoning change and Concept Plan for approximately 23.1 acres from "AG" Agricultural District to "PD" Planned Development District for a new neighborhood "Good Estates" consisting of 96 single-family lots on property located at 1118 and 1132 Kennedale Sublett Road, legal description of Lots 4R1 & 3B1, JM Estes Home Tracts, Tarrant County, Texas.

II. SUMMARY

BACKGROUND AND OVERVIEW

Request	Rezone from AG to PD for a Single-Family residential neighborhood of approximately 96 lots on 23 acres.
Applicant	Rich Darragh (on behalf of Skorborg Retail Corp.)
Location	1118 and 1132 Kennedale Sublett Road (lots 4-R & 5-R, Kennedale Addition, Tarrant County, Texas)
Surrounding Uses	Primarily single family residential
Surrounding Zoning	AG, R2, PD-R3, PD-109, R3, R1
Future Land Use Plan Designation	Neighborhood and Neighborhood Corridor
Staff Recommendation	Approve

SUMMARY OF CONCEPT PLAN AND PD REGULATIONS

The purpose of this request is to seek approval of a Zoning Change and Concept Plan from "AG" Agricultural Zoning District to "PD" Planned Development District.

SITE DATA SUMMARY

Existing Zoning	"AG" Agricultural
Proposed Zoning	"PD" Planned Development
Proposed Land Uses	Single-Family Residential
Gross Acreage	23.1 acres
Number of Residential Lots	96 lots
Gross Density	4.1 dwelling units/acre
Open Space Acreage	2.95 Acre
Open Space Percentage	12.7%

The following table provides a summary comparing the development regulations for the R3 Zoning District and proposed PD Regulations.

Spatial Requirements		R-3 Residential District	Proposed PD Standards	
			Lot Type A	Lot Type B
Lots				
Min. Area (s.f.)		8,750	6,000	7,200
Min. Width (feet)		80	50	60
Min. Depth (feet)		100	120	120
Max. Impervious (%)		50	65	65
Setbacks				
Min. Front (feet)	Primary	30	20	20
	Secondary	15	15	15
Min. Side (feet)	Total	20		
	Least	8	5	5
Min. Rear (feet)		15	10	10
Principal Buildings				
Max. Height (feet)		40	40	40
Max. Stories (number)		2.5	2.5	2.5
Min. GFA (s.f.)		1,250	1,800	1,800
Min. Masonry (%)		80	80	80
Accessory Buildings				
Max. Number		1	1	1
Max. Size (% of rear yard)		10	10	10
Max. Height (feet)		15	15	15
Max. Stories (number)		1	1	1
Min. Side Street Setback (feet)		-	-	-
Min. Side Setback (feet)		8	5	5
Min. Rear Setback (feet)		8	5	5
Min. Setback from Principal Bldg. (feet)		5	5	5

ACTION NEEDED

- Conduct a Public Hearing
- Consider approval of a zoning change and concept plan

ATTACHMENTS

- Background Information
- Staff Review
- Location Map
- Surrounding Property Owners Map and Responses
- Public Notification
- Proposed Concept Plan
- Proposed PD Ordinance

III. ATTACHMENTS

A. BACKGROUND INFORMATION

The subject property is located just south of the roundabout at Kennedale Sublett Road and Wildcat Way. It is composed of two currently undeveloped tracts and is designated in the City's future land use plan for neighborhoods. Current zoning of the property is AG Agricultural District.

SURROUNDING PROPERTIES AND NEIGHBORHOOD

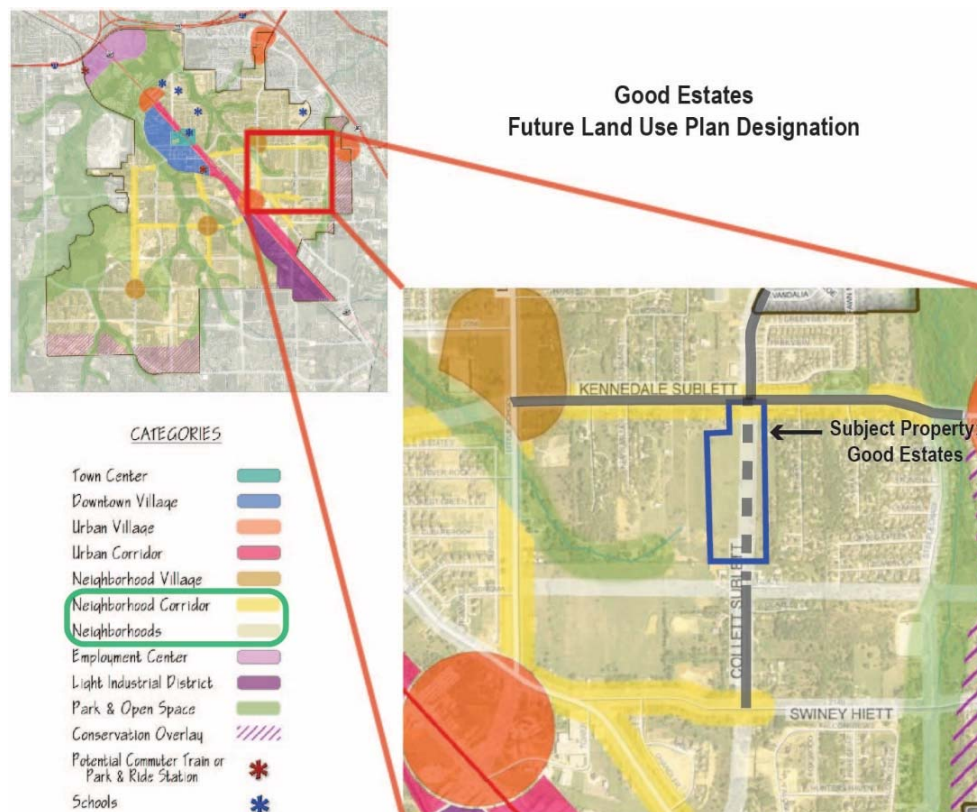
The subject property is surrounded by mostly residential uses. To the northeast along Kennedale Sublett Road is the established neighborhood of Rolling Acres Addition (zoned PD 109). To the north is the site of Covenant Life Baptist Church (zoned PD-R3). Immediately to the west are large residential/agricultural properties (zoned AG) and to the east, there is one large residential parcel and the neighborhood along Peggy Lane (Glenn Oaks Addition) (zoned R2). Immediately to the south is the neighborhood along Collette Sublett Road (Oliver Acres Subdivision) (zoned a mix of AG, R1 and R3).

B. STAFF REVIEW

COMPREHENSIVE LAND USE PLAN

The property is located in an area designated for Neighborhood and Neighborhood Corridor.

As mentioned above, the subject property at 1118 and 1132 Kennedale Sublett Road consists of two tracts under separate ownership. The entire area is designated as Neighborhood and Neighborhood Corridor along Kennedale Sublett Road.



The comprehensive plan describes the Neighborhood and Neighborhood Center designations as follows.

Neighborhoods

This district is primarily residential in nature. Neighborhoods should have defined boundaries, a clear center, and be easily accessible to day-to-day goods and services, such as those provided at Neighborhood Villages. 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.

Sample Development Types:

- Single family
- Attached single-family
- Townhome/Rowhouse
- Accessory dwelling unit
- Cluster development
- Context-sensitive small-scale multifamily
- Clearly marked centers that include public gathering space, school, small park, or other civic use

Neighborhood Corridor

Neighborhood corridors assume a lower level of density and intensity than urban corridors, but still identify an area where residents can come together to shop, eat, socialize, and relax in a walkable environment; thereby experiencing increased quality of life. Boulevard and Avenue are the typical roadway types for these corridors (see Chapter 6).

Sample Development Types:

- Restaurant
- Professional office
- Retail
- Service
- Corner Store
- Café/coffee shop
- Townhome/Rowhouse
- Context-sensitive small-scale multifamily

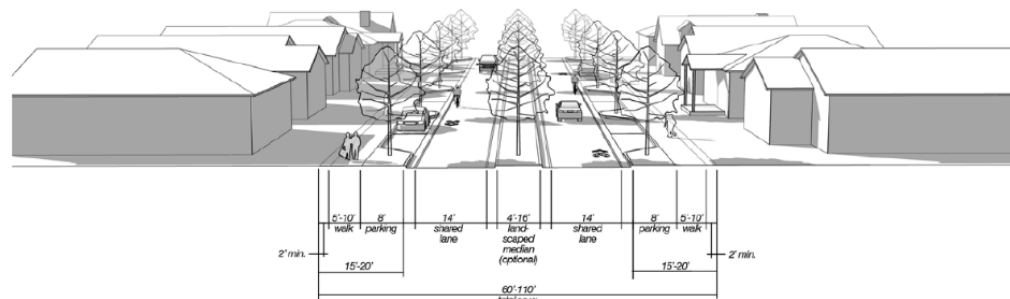
RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

The proposed plan for the neighborhood implements the key principles of the Comprehensive Plan that prioritizes creating a Connected City and enabling Economic Prosperity.

Principle #1 Connected City: Traffic congestion, health, social engagement, and natural resources are all issues that are impacted by a city's level of connectivity. Having a well-connected street system allows traffic to disperse so that traffic is not forced to a few major arterials, resulting in congestion. Additionally, incorporating facilities to enable walking and bicycling will provide our residents with opportunities to exercise, interact with one another, and experience the surrounding natural and built environment.

Specifically, the proposed development connects Kennedale Sublett Road to the south to Collette Sublett Road and provides an important link in the city's thoroughfare network. This street is designated as an Avenue in the Comprehensive Plan.

avenue (example)



Principle #2 Economic Prosperity: Kennedale's location as a first-tier suburb in close proximity to Fort Worth provides opportunities for the city's economy to flourish. In essence, this principle is about making sure economic prosperity is achievable for every resident, as well as diversifying and expanding Kennedale's economy through sustainable business growth.

- **Goal: Promote Access to Housing:** The 1949 Housing Act promised a "decent home ... for every American family." This necessitates providing housing options for people of varying financial means and residential preferences including providing the regulatory framework and developer support for quality housing for residents.

Specifically, the proposed development provides for a housing type that is not in abundance in Kennedale. This includes quality homes on smaller than typical lots in Kennedale and organized in a compact manner together with the provision of parks, open space, and pedestrian amenities.

ADDITIONAL FACTORS TO CONSIDER: UDC REQUIREMENTS AND PD CONCEPT PLAN

UDC Chapter 9: The UDC Chapter 9 provides the following guidelines and standards for consideration of PD zoning districts in the city:

9.1 B Purpose. The PD rezoning process is provided as a design option to allow for one (1) or more of the following:

1. Encourage innovation in land development in terms of variety, design, layout, and type of structures constructed;
2. Promote the efficient use of land to facilitate a more economic arrangement of buildings, circulation systems, land use, and utilities;
3. Encourage the adaptive re-use of significant or historic buildings;
4. Provide the opportunity to mix compatible uses or residential types;
5. Preserve and protect significant natural features, open space, and cultural/historic resources;
6. Ensure that new development is consistent with the character of the community;
7. Promote efficient provision of public services and utilities;
8. Minimize adverse traffic impacts and accommodate safe and efficient pedestrian access and circulation;
9. Encourage development of convenient recreational facilities; and
10. Encourage the use and improvement of land where site conditions make development under conventional zoning difficult or less desirable.

(items marked in green above indicate the goals that the proposed development meets per staff's review and assessment.)

9.1 C. Design Flexibility. The PD process and standards provide for flexibility in design and permit variation of the specific spatial requirements on the basis of the total PD plan, subject to the approval of the PD by the City Council in accordance with the requirements set forth in this article. A PD shall not be sought primarily to avoid the standards and requirements of other zoning districts.

In addition, the UDC also requires that PD districts provide at least four (4) of the following site design elements that could not be attained through a conventional zoning districts:

1. Mixed-use development with residential and non-residential uses, or a variety of housing types;
2. Pedestrian/transit-oriented design with buildings oriented to the sidewalk and parking to the side or rear of the site;
3. High quality architectural design beyond the site plan requirements of this article;
4. Extensive landscaping beyond the site plan requirements of this article;
5. Preservation, enhancement, or restoration of natural resources (trees, slopes, wetland areas, views, etc.);
6. Preservation or restoration of significant or historic resources;
7. Provision of open space or public plazas or features;
8. Efficient consolidation of poorly dimensioned parcels or property with difficult site conditions (e.g. topography, shape etc.);
9. Effective transition between higher and lower density uses, and/or between nonresidential and residential uses; or allowing incompatible adjacent land uses to be developed in a manner that is not possible using a conventional approach;
10. Shared vehicular and pedestrian access between properties or uses;
11. Mitigation to offset impacts on public facilities (such as street improvements); or
12. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, passive solar heating, reuse/recycled/renewable materials, indoor air quality, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED) or ANSI National Green Building Standards.

(items marked in green above indicate the site design elements provided by the proposed development meets per staff's review and assessment.)

UDC Chapter 27: Chapter 27 of the UDC also provides procedures Planned Developments including requirements for minimum spatial standards (based upon a base zoning district), any variations to these minimal spatial standards and justifications for the same, and a PD Concept Plan.

Per 27.2.C, in reviewing any variations to the standards in the base zoning districts, the P&Z and City Council may consider one or more of the following criteria:

1. Whether the development preserves the best natural features of the site;
2. Whether the development creates, maintains, or improves habitat for wildlife;
3. Whether the development creates, improves, or maintains open space for residents;
4. The extent to which the development enhances the views into the site as well as the view from dwellings to be built on site; and
5. The extent to which the development results in a better development, consistent with the purposes of the PD per Section 9.1 and the recommendations of the City's Comprehensive Plan.

(items marked in green above indicate the criteria the proposed development meets with respect to its request for variations to the base spatial standards per staff's review and assessment.)

PD Concept Plan: The PD Concept Plan shall be reviewed and approved as part of the zoning change request. The applicant has provided the PD Concept Plan and Development Regulations (Attachment E and F of this Staff Report).

Of specific consideration is the property to the immediate east (JM Estes Addition Lot 3A1) located at 1150 Kennedale Sublett Road. This adjoining property is approximately 4 acres in size and is immediately adjacent to another platted subdivision (Glenn Oaks Addition). The property's long and narrow configuration and only access along Kennedale Sublett Road limit its future potential for subdivision or incorporation into a new neighborhood layout. The applicant has been requested to contact this adjoining property owner to explore the feasibility of coordinating development in order to maximize the development opportunity and resulting tax base potential to the city.

Another consideration is the Thoroughfare Plan connection along Collette Sublett Road that would create a direct connection between Kennedale Sublett Road and Swiney Hiatt Road. Given the potential to induce speeding and cut-through traffic, staff recommends certain traffic calming measures to be implemented to make the street safe for all users of the roadway --residents, bicyclists, pedestrians, and motorists. The applicant has proposed street neckdowns (chicanes) to 22' of pavement width at three different locations to address this concern.

STAFF RECOMMENDATION

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

ACTION BY THE PLANNING & ZONING COMMISSION

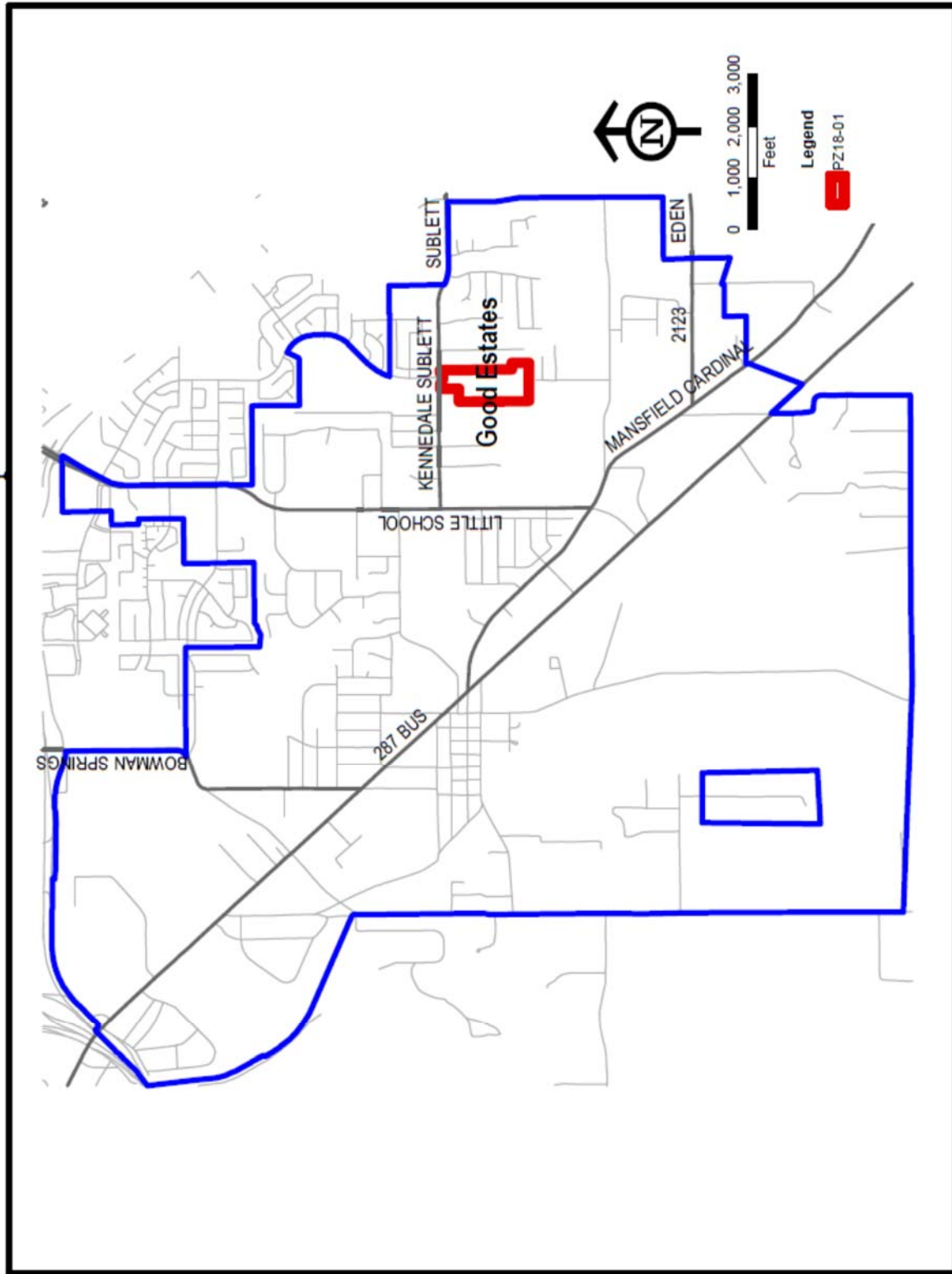
Public Hearing: Conduct a Public Hearing to gather input from the staff, applicant and the public.

Approval: Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning and concept plan.

Approval with Conditions: Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning and concept plan with the following conditions [list conditions].

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

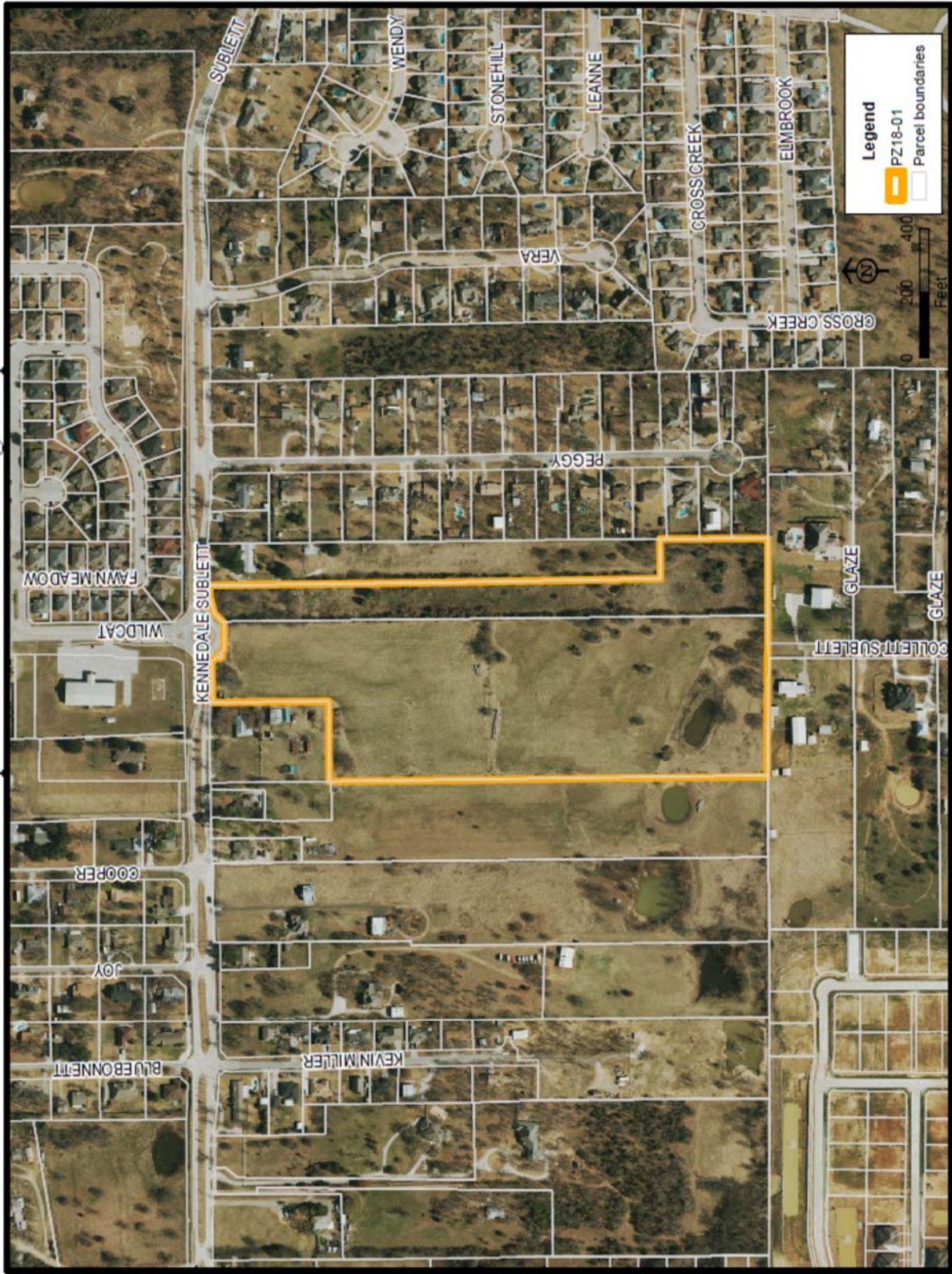
PZ 18-01: Location Map



Note: for informational purposes only. Lot boundaries shown are approximate only.

Parcel data from TAD. Aerial from NCTCOG

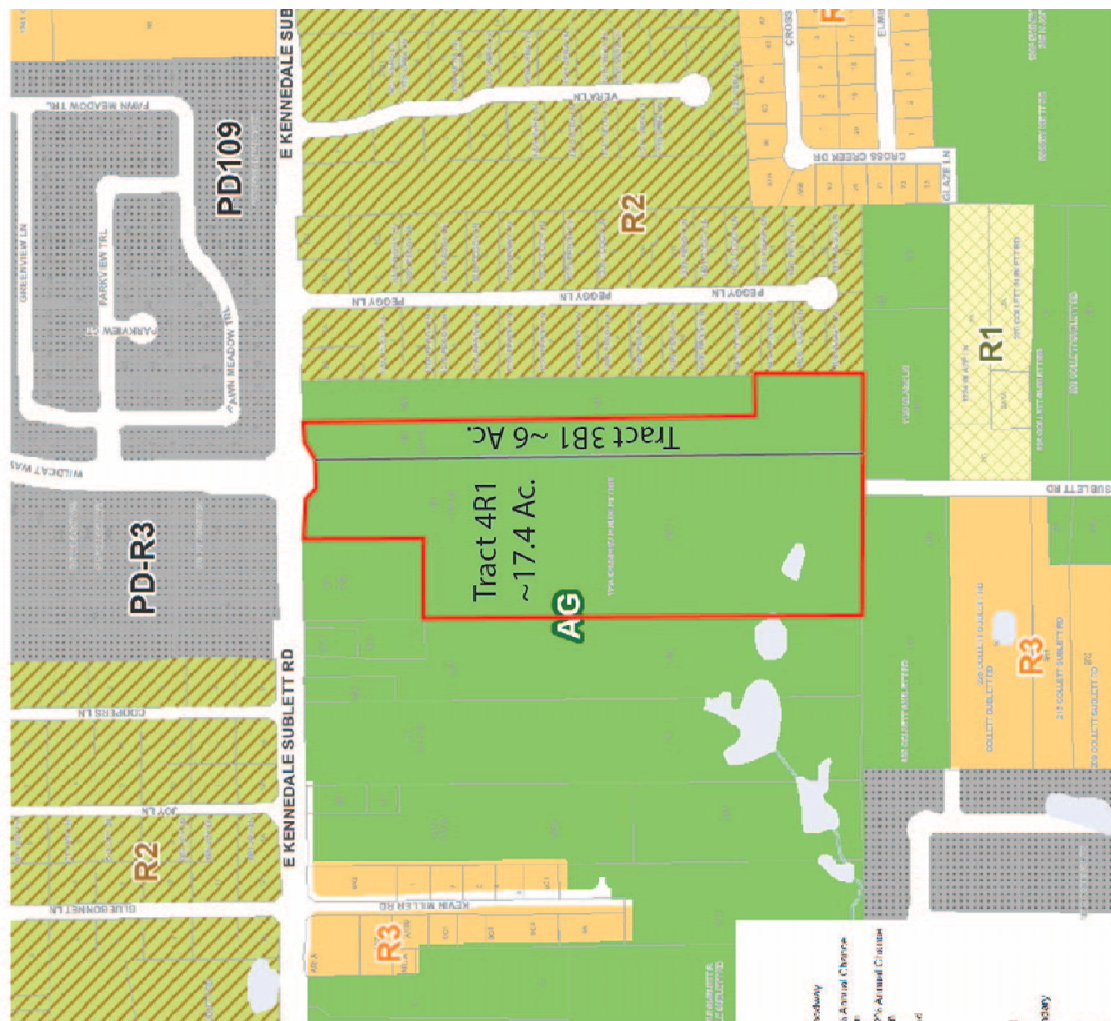
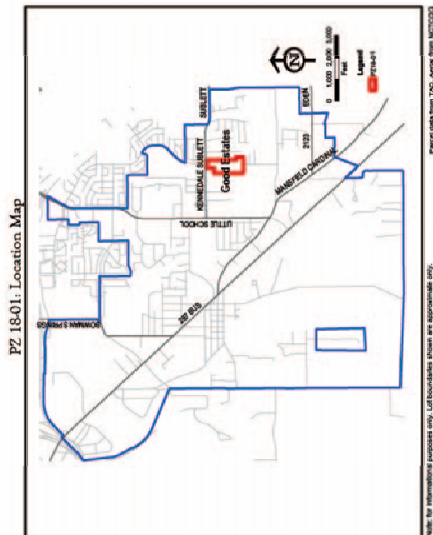
PZ 18-01: Request for PD Rezoning Request



Note: for informational purposes only. Lot boundaries shown are approximate only.

Parcel data from TAD. Aerial from NCTCOG

**PZ 18-001 Good Estates
Zoning of Surrounding Properties**



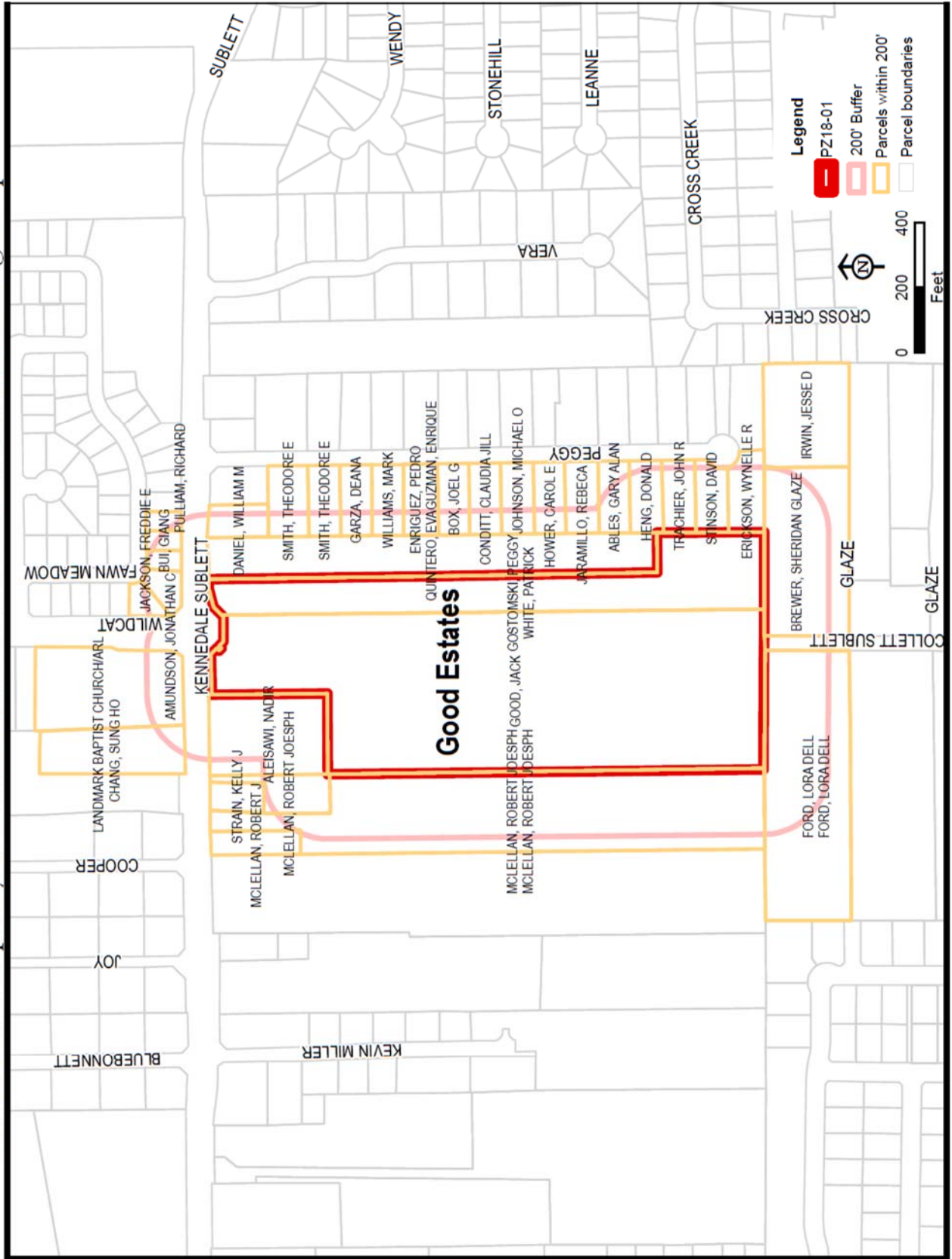
EXISTING ZONING MAP

LEGEND

	Old Town Sub-District 3 (OT-3)		Old Town Sub-District 4 (OT-4)		FEHA Boundary
	Agricultural District (AG)		Old Town Sub-District 4 (OT-4)		FEHA 1/2 Annual Chance Floodplain
	Single Family Residential District (R1)		Neighborhood Commercial District (NCB)		FEHA 1/25 Annual Chance Floodplain
	Single Family Residential District (R2)		Neighborhood Commercial District (NCB)		1 mile Flood
	Single Family Residential District (R3)		General Commercial District (C-2)		Shoreline
	Two-Family Duplexed District (D)		Industrial District (I)		Harbor
	Multi-Family District (MF)		Employment Center (EC)		City Limit
	Manufactured Home District (MH)		Planned Development District (PD)		L.J. Boundary
	Old Town Sub-District 1 (OT-1)		Transitional Jurisdiction (LJ)		Highway
	Old Town Sub-District 2 (OT-2)		Business 1997 and Interstate 215/50 Overlay District		Post-Port

City of

PZ 18-01: Property Owners within 200 feet of the Rezoning Request



#	Owner Name	Owner Address	Response
1	ABLES, GARY ALAN	1400 PEGGY LN	NR
2	ALEISAWI, NADIR	2152 APPLE VALLEY RD	NR
3	AMUNDSON, JONATHAN C	1112 FAWN MEADOW TR	NR
4	BOX, JOEL G	1222 PEGGY LN	NR
5	BREWER, SHERIDAN GLAZE	PO BOX 222	NR
6	BUI, GIANG	1116 FAWN MEADOW TR	NR
7	CHANG, SUNG HO	2900 ZEPHYR RD APT 1041	NR
8	CONDITT, CLAUDIA JILL	1224 PEGGY LN	NR
9	DANIEL, WILLIAM M	1152 KENNEDALE SUBLETT RD	NR
10	ENRIGUEZ, PEDRO	1218 PEGGY LN	NR
11	ERICKSON, WYNELLE R	1408 PEGGY LN	NR
12	FORD, LORA DELL	305 COLLETT SUBLETT RD	NR
13	GARZA, DEANA	1210 PEGGY LN	NR
14	GOOD, JACK	130 DEANNA LN	NR
15	GOSTOMSKI, PEGGY	1513 WHITEWAY DR	NR
16	GUZMAN, ENRIQUE	1218 PEGGY LN	NR
17	HATFIELD, MARK	1114 FAWN MEADOW TR	NR
18	HENG, DONALD	1402 PEGGY LN	NR
19	HOWER, CAROL E	1306 PEGGY LN	NR
20	IRWIN, JESSE D	1120 GLAZE LN	NR
21	JACKSON, FREDDIE E	1110 FAWN MEADOW TR	NR
22	JARAMILLO, REBECA	1308 PEGGY LN	NR
23	JOHNSON, MICHAEL O	1300 PEGGY LN	NR
24	LANDMARK BAPTIST CHURCH/ARL	PO BOX 1306	NR
25	MCLELLAN, ROBERT JOESPH	1106 KENNEDALE SUBLETT RD	NR
26	PULLIAM, RICHARD	1118 FAWN MEADOW TR	NR
27	QUINTERO, EVA	1150 KENNEDALE SUBLETT RD	NR
28	SMITH, THEODORE E	1202 PEGGY LN	NR
29	STINSON, DAVID	1406 PEGGY LN	NR
30	STRAIN, KELLY J	1112 KENNEDALE SUBLETT RD	NR
31	TRACHIER, JOHN R	1404 PEGGY LN	NR
32	WHITE, PATRICK	4301 N LORDSBURG CT	NR
33	WILLIAMS, MARK	1214 PEGGY LN	NR

NR = No Response

FRIDAY MARCH 2 2018

legals & public notices

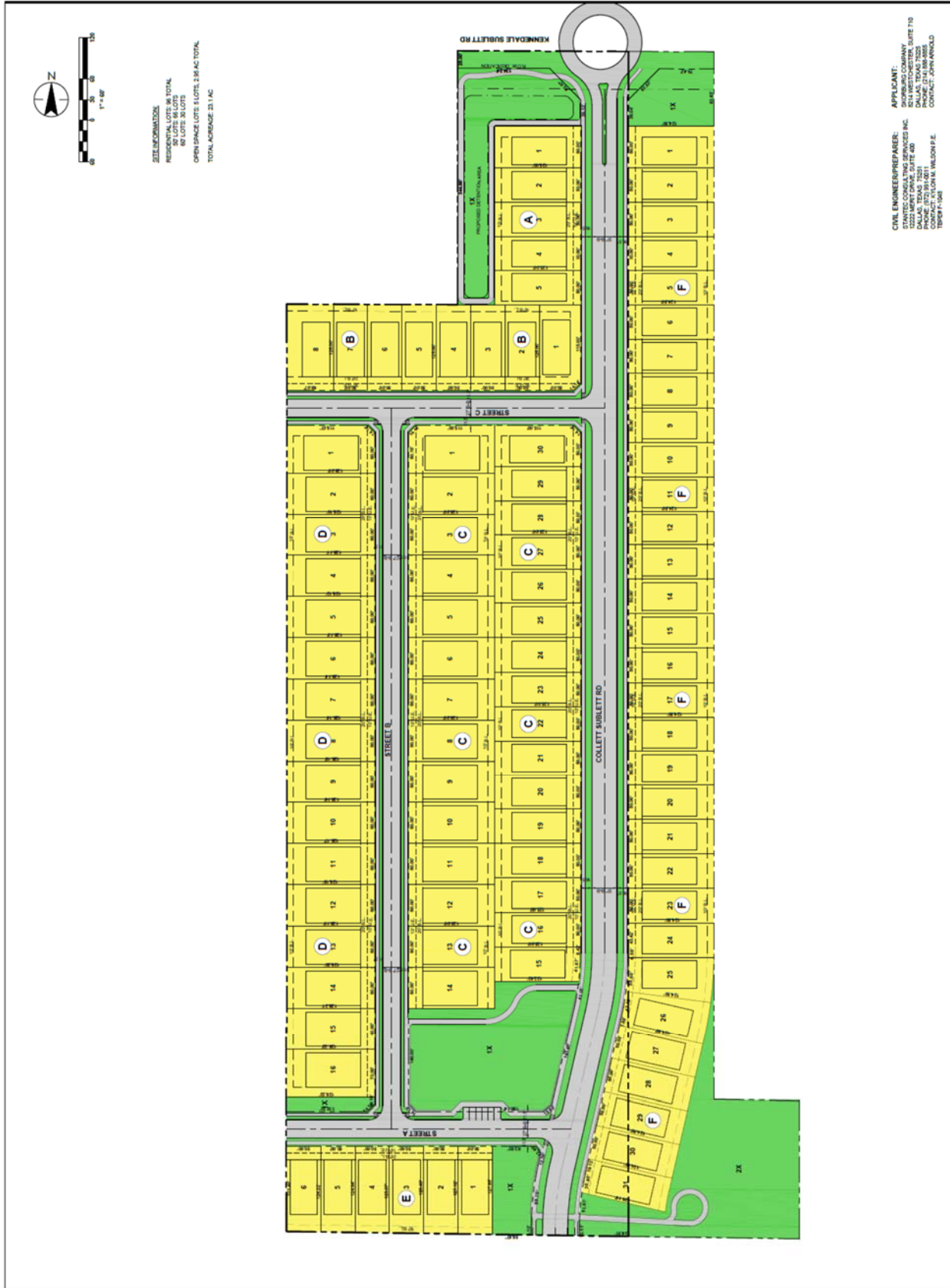
NOTICE OF PUBLIC HEARING

The Kennedale Planning & Zoning Commission will hold a public hearing for the following case on Thursday, March 15, 2018 at 7:00 P.M. in the Kennedale City Council Chambers, located at 405 Municipal Drive, Kennedale, Tarrant County, Texas 76060.

CASE # PZ-18-01 to receive comments and consider approval on a request by Skorburg Retail Corp., for a zoning change for an approximately 25.1 acres from "AG" Agricultural District to "PD" Planned Development District for property located at 1118 and 1132 Kennedale Sublett Road, legal description of Lots 4-R & 5-R, Kennedale Addition, Tarrant County, Texas.

Interested persons are encouraged to attend the public hearing to offer public comments or provide written comments prior to the meeting to the Permits & Planning Office, 405 Municipal Drive, Kennedale, TX, 76060. For more information, please call (817) 985-2135.

F. CONCEPT PLAN



ORDINANCE N O . 6 4 0

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; REZONING CERTAIN PROPERTY WITHIN THE CITY LIMITS OF THE CITY OF KENNEDALE FROM “AG” AGRICULTURAL DISTRICT TO “PD” PLANNED DEVELOPMENT 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, the property described below is within an area designated as Neighborhoods in the Future Land Use Plan within the comprehensive land use plan; and

WHEREAS, the City Council has determined that the “PD” Planned Development district is the most suitable zoning district for the property described below, in accordance with the comprehensive land use plan, and with the standards in the Unified Development Code; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the 15th day of March 2018 and by the City Council of the City of Kennedale on the 16th day of April 2018 with respect to the zoning changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to amend the City's Zoning Ordinance as described herein.

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

SECTION 1.

The Comprehensive Zoning Ordinance is hereby amended so that the zoning classification and the uses in the hereinafter described area shall be changed and or restricted as shown and described below:

An approximately 17.4 acre tract described as Lot 4R-1 and an approximately 5.8 acre tract described as Lot 3B1, JM Estes Home Tracts, Tarrant County, Texas ("the Property"), as more particularly described on Exhibit "A" attached hereto and incorporated herein, "AG" *Agricultural District* to "PD" *Planned Development district*.

SECTION 2.

The uses in the PD shall conform to the uses permitted in the "R-3" single-family residential zoning district. The PD development shall be subject to the restrictions, terms, and conditions set forth in the Concept Plan and Development Regulation, attached hereto as Exhibit "C" and Exhibit "B" respectively, and the UDC for the purpose of promoting the health, safety, morals and general welfare of the community. The Development Standards in Exhibit "B" shall supersede those in the UDC in case of any conflict. All other standards shall meet the City of Kennedale UDC, as amended. 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.

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 5.

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

SECTION 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 16th DAY OF APRIL 2018.

APPROVED:

Mayor, Brian Johnson

ATTEST:

City Secretary, Leslie Galloway

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

City Attorney, Wayne K. Olson

Exhibit "A"
Metes and Bounds Description

Tract 1

Beginning at an iron pipe at the northwest corner of said lot 5, in the south right-of-way line of Kennedale-Sublett road (60' R.O.W), same being s 89° 34' 37" W. a distance of 1245.00 feet from the northeast corner of said J. M. Estes home tracts;

Thence n 89° 34' 37" E. with said north line of lot 5 and lot 4, a distance of 498.00 feet to an iron rod for corner;

Thence s 0° 36' 43", E. with the east line of said lot 4, a distance of 1,724.77 feet to an iron pipe for corner;

Thence n 89° 46' 45" W. with the south line of said lots 4 and 5, a distance of 498.31 feet to an iron pipe for corner;

Thence n 0° 36' 12" W. with the west line of said Lot 5, a distance of 1,719.17 feet to the place of beginning and containing 857,761.00 square feet or 19.691 acres of land.

Tract 2

Being a tract of land, being a portion of Tract 3, J.M. Estes Home Tracts. a subdivision out of the J.M. Lilly Survey, Abstract 985, and the W.E. Haltom Survey, Abstract 1791, in the City of Kennedale, Tarrant County, Texas, according to the plat recorded in Volume 1857, Page 283, Deed Records, of Tarrant County, Texas; said tract of land being described by metes and bounds as follows:

Beginning at an iron pin found in the south line of Kennedale-Sublett Road (County Road No. 2056), being the northwest corner of said Tract 3, J.M. Estes Home Tracts;

Thence along the south line of said Kennedale-Sublett Road and the north line of said Tract 3, East 124.5 feet to the iron pin found, being the northwest corner of a tract of land described in deed recorded in Volume 7258, Page 328, Deed Records of Tarrant County, Texas;

Thence leaving the north line of said Tract 3 and along a fence line and the west line of said tract of land described in deed recorded in Volume 7258, Page 328. Deed Records of Tarrant County, Texas, South 1399.52 feet to an iron pin found, being the southwest corner of said tract of land;

Thence along a fence line and the south line of said tract of land described in deed recorded in Volume 7258. Page 32B, Deed Records of Tarrant County, Texas, East 124.5 feet to an iron pin found for the southeast corner of said tract of land, said point being in the east line of said Tract 3;

Thence along a fence line along said east line, South 325.90 feet (according to plat: 316.24 feet) to an iron pin found for the southeast corner of said Tract 3;

Thence along a fence line and the south line of said Tract 3, North 89 degrees 46 minutes West 249.0 feet to an iron pin found for the southwest corner of said Tract 3;

Thence along the west line of said Tract 3, partially along a fence line, North 1724.84 foot (plat distance 1715.60 feet to the point of beginning, containing approximately 5.86 acres of land, more or less.

SAVE AND EXCEPT:

Being a 0.066 of an acre tract of land situated within the J.M. Lilly Survey, Abstract No. 985, and being a portion of Tract 3, J.M. Estes Home Tracts, an addition to the City of Kennedale, Tarrant County, Texas as recorded in Volume 1857, Page 283, Plat Records, Tarrant County, Texas and also being a portion of a tract of land described to Patrick M. White and wife, Peggy L. White by deed recorded in Volume 7400, Page 257. Deed Records of Tarrant County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod found for the northwest corner of said White tract, same being on the south right-of-way line of Kennedale Sublett Road (a variable width right-of-way);

THENCE South 89°58'22" East, with said south right-of-way line, a distance of 124.51 feet to a point for the northeast corner of said White tract, from which a 3/8 inch iron rod found for the northeast corner of a tract of land described to Dempsey S. Farmer and Sandra S. Farmer by deed recorded in Volume 14846, Page 1 of said Deed Records bears South 89°58'22" East, 124.33 feet;

THENCE South 01° 00'16" East, with the east line of said White tract, a distance of 14.93 feet to a 5/8 inch capped iron rod stamped "TNP" set for corner;

THENCE South 89°57'30" West, over and across said White tract, a distance of 44.14 feet to a 5/8 inch capped iron rod stamped "TNP" set for corner;

THENCE South 75° 44'41" West, continuing over and across said White tract, a distance of 57.70 feet to a 5/8 inch capped iron rod stamped "TNP" set for corner;

THENCE South 45°00'00" West, continuing over and across said White tract, a distance of 33.65 feet to a 5/8 inch capped iron rod stamped "TNP" set for corner on the west line of same;

THENCE North 00°59'22" West, with said west line, a distance of 53.02 feet to the point of beginning and containing 0.066 of an acre of land, more or less.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

Exhibit “B”

“Good” Estates Planned Development Regulations

The use of the Property shall be subject to the restrictions, terms and conditions set forth in the Concept Plan and the Planned Development standards, attached hereto and as stated below.

1) *Property location and size.*

“Good” Estates (*Subject Property*) is established on property located south of the roundabout/intersection of Wildcat Way and Kennedale Sublett Road. This Planned Development is comprised of two (2) tracts of land consisting of approximately 23 gross acres, more particularly and shown on the Concept Plan, which is attached hereto for all purposes.

2) *Purpose*

To create a Planned Development for ninety-six (96) single family residential lots. The minimum gross density and a net density are as shown on the Development Plan. An entry feature will be provided at the connection point to Kennedale Sublett Road. This neighborhood will meet at least 5 of the qualifying conditions as laid out in Section 9.2 of the Unified Development Code. These conditions include; a provision of open space, efficient consolidation of poorly dimensioned parcels, effective transition between higher and lower density uses, shared vehicular and pedestrian access between properties, and mitigation to offset impacts on public infrastructure.

3) *Development plan.*

The proposed Concept Plan will be in complete accordance with the provisions of the approved Planned Development and shall be binding upon the applicant thereof, his successors and assigns, and shall limit and control all building permits.

4) *Lot Composition and Layout.* The lot layout and composition shall generally conform to the *Concept Plan* and stated in *Table 1*, which is as follows:

Table 1: Lot Composition

<i>Lot Type</i>	<i>Lot Size (FT)</i>	<i>Lot Size (SF)</i>
<i>A</i>	50' x 120'	6,000 SF
<i>B</i>	60' x 120'	7,200 SF

5) Unless specifically provided by this Planned Development ordinance, the development standards stipulated by the Single-Family Residential District (R-3) are applicable to all development on the *Subject Property*. The maximum permissible density for the *Subject Property* shall not exceed 4.26 dwelling units per gross acre of land; however, in no case should the proposed development exceed 98 units. All lots shall conform to the standards depicted in *Table 2*, which is as follows:

Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ²	A	B
Minimum Lot Width/Frontage ⁽¹⁾	50'	60'
Minimum Lot Depth	120'	120'
Minimum Lot Area	6,000 SF	7,200 SF
Minimum Front Yard Setback ⁽²⁾	20'	20'
Minimum Side Yard Setback	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'
Minimum Length of Driveway Pavement	20'	20'
Maximum Height	40'	40'
Minimum Rear Yard Setback	10'	10'
Minimum Area/Dwelling Unit (SF)	1,800 SF	1,800 SF
Maximum Lot Coverage	65%	65%

General Notes:

- ¹: Lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may have the front lot width reduced, provided that the lot width will be met at the front building line. Additionally, the lot depth on lots fronting onto curvilinear streets, cul-de-sacs and eyebrows may be reduced by up to 10%, but shall meet the minimum lot size for each lot type as referenced within *Table 1*.
- ²: The Director of Planning or his designee may grant a reduction in the required 20-foot front yard building setback of up to five (5) feet for lots situated along cul-de-sacs or curvilinear streets, or where a 20-foot front yard building setback would create an undue hardship on the property.

6) Community Architectural Controls.

The pictures are shown as a representation only.





- A) Architectural attributes for this residential development will consist of the following:
- 1) Facades will avoid large expanses of uninterrupted single exterior materials and must be broken up by changes in plane through architectural attenuation, accented with the effects of window placement, window trim, or material type and color changes.
 - 2) Shutters, if provided, will be sized and shaped to match the associated openings.
 - 3) Gutters, if provided, will be exposed or painted copper, galvanized steel, or aluminum if exposed to the street.
 - 4) All asphalt roof shingles will be laminated architectural shingles with a three-dimensional appearance and warranted for at least thirty (30) years.
 - a) *Roof Materials.*
 - i. All roof shingles shall be an architectural or dimensional shingle (*3-Tab Roofing Shingles are prohibited*).
 - 5) A minimum of overall 8:12 roof pitch is required on all structures with the exception of sunrooms, covered patios, and porches, which shall have a minimum of a 4:12 roof pitch. Front and rear elevations may have 6:12 roof pitch.
 - 6) In order to encourage variety on a continuous block, the exterior facades for houses will vary within every 6 houses. Once a house is constructed the same combination of brick, stone, masonry-like materials, and paint will not be used within four (4) houses on either side of that house.
 - a) Identical brick blends or paint colors may not occur on adjacent (side-by-side) properties along any block face without at least four (4) intervening homes of differing materials on the same side of the street beginning with the adjacent

property and two (2) intervening homes of differing materials on the opposite side of the street.

- b) Front building elevations shall not repeat along any block face without at least four (4) intervening homes of differing appearance on the same side of the street and two (2) intervening homes of differing appearance on the opposite side of the street. Homes are considered to have a differing appearance if any of the following two (2) items deviate:
 - i. Number of stories
 - ii. Permitted encroachment type and layout
 - iii. Roof type and layout
 - iv. Articulation of the front façade
- 7) The minimum masonry requirement for the exterior façades of all buildings shall be 80%. For the purposes of this ordinance the masonry requirement shall be limited to full width brick, natural stone and cast stone. Cementaceous fiberboard, horizontal lap-siding (*e.g. HardiBoard or Hardy Plank, Hardi Stucco Board*) and, stucco (*i.e. three [3] part stucco or a comparable -- to be determined by staff*) may all be used in addition to the masonry requirement.
- 8) Any home with a covered front porch shall be at least fifty (50) square feet in total size to allow this space to be usable. A covered porch may encroach into area designated as front yard or side yard not greater than five (5) feet to help improve the architecture of the home and the character of the street.
- 9) Garages shall be oriented in a front entry configuration or a “J” Swing configuration. If a front entry garage configuration is utilized there shall be a minimum driveway length of 20-feet.
- 10) Decorative street lighting will be utilized and will conform to Oncor and City of Kennedale standards and include the following if approved by and available from Oncor: low profiling lighting; *or* induction lights (LED), scotopic lumens allowing street lights with lower wattages and lower photopic lumens. Lighting shall be consistent with the design of the neighborhood and shall be distinguished from lights on adjacent or nearby arterial streets.
 - a) Light poles shall not exceed 20-feet in total height (*i.e. base and lighting standard*). All fixtures shall be directed downward and be positioned to contain all light within the development area.

- 11) The landscape design along Kennedale Sublett Road will utilize tubular steel fencing and architectural features at the entrance to the subdivision.



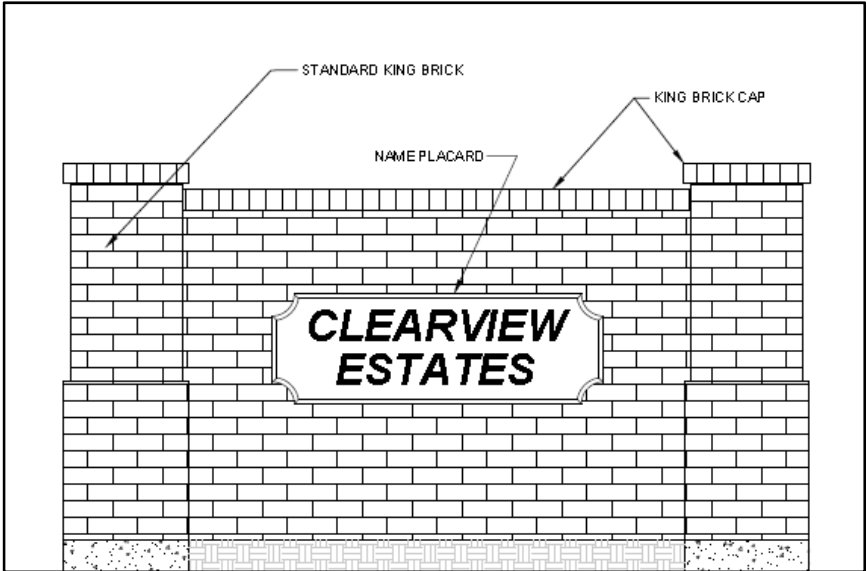
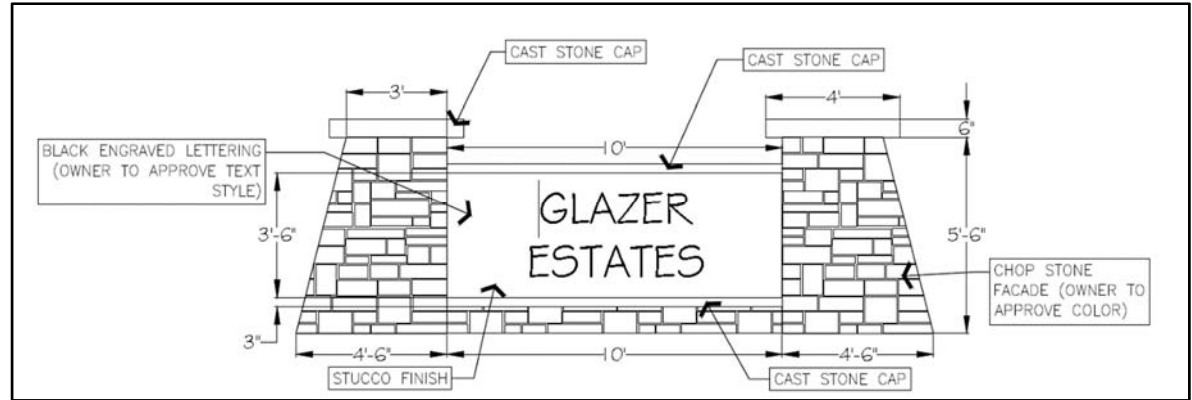
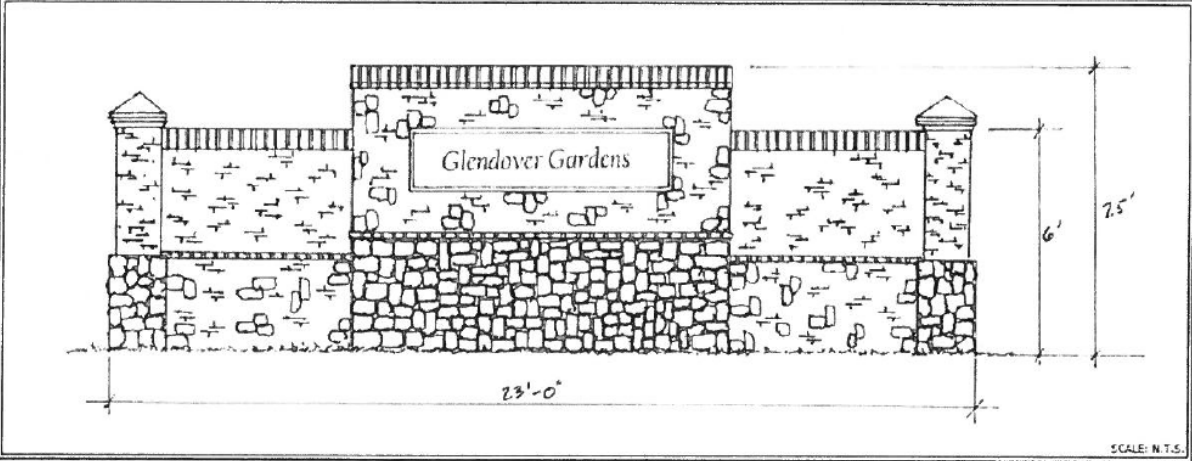
- 12) All common open space, landscaping in open space areas, private roads, drainage areas and masonry columns will have a mandatory Home Owners' Association (HOA) to maintain those improvements.
- 13) *Utility, Service and Mechanical Equipment*
- a) All equipment related to utilities intended to serve one Lot shall be installed by the Owner of the Lot and shall be located underground if possible.
 - b) All services to the Lot, including pre-wiring for cable television, must be installed underground if available.
 - c) Ground-mounted mechanical equipment, such as HVAC units, shall be screened from view and grouped together away from street and public view. Private, surface-mounted mechanical equipment, air conditioners, condensers, compressors, pool equipment, switches, etc. should be placed behind the side yard fence of a Lot.
- 14) All wood fencing will be constructed of spruce and shall comply with the following:
- a) All wood fences shall be constructed of a standard fencing material and use fasteners that are hot dipped galvanized or stainless steel. Generally, the Wood Fences shall be spruce or whitewood, with a maximum height of 6 feet, with metal posts. Wood fences facing onto a street shall be painted and/or stained and sealed with all pickets being placed on the *public side* facing the street. All wood fences shall be pre-stained, smooth-finished, free of burs and splinters, and be a maximum of six (6) feet in height.
 - b) The side yards and rear yards of all residential lots shall have a minimum six-foot (6') high spruce fence to be installed by the builder and maintained by homeowner. The wood fences cannot be located in front of the front façade of the building.
- 15) Wrought Iron/Tubular Steel fencing shall be installed on the lot lines that are abutting green space, green belts and parks. These fences will be installed by the homebuilder and can be a maximum of six (6) feet in height.
- 16) The HOA shall require builder(s) to provide at least two (2) single-story options for homebuyer consideration.

7) *General conditions.*

A) *Landscaping and Open Space.*

- 1) The City's Landscaping ordinance will supersede where this ordinance is silent. This ordinance will supersede to resolve any conflicts.
- 2) The development shall consist of no less than 2.56 acres of open space and shall generally conform to the Concept Plan. Any open space within the development may be used as a detention pond or retention pond. Within the open spaces, there will be a minimum amount of amenities included in at least one of the open spaces. The minimum amount of amenities shall include: benches, trash cans and a shade structure.
- 3) There will be a minimum of two 3" caliper trees per residential lot located in the front yard and installed by the homebuilder. All tree locations and types will conform to the City of Kennedale ordinances. For purposes of this section only (Section 7.A.3), the term "front yard" includes the area within the dedicated right-of-way for a roadway immediately adjoining the front yard of the lot.
- 4) There will be a minimum of 6 three-gallon (3 gal) shrubs per residential lot located in the front yard. All shrub locations and types will conform to the City of Kennedale ordinances.
- 5) All lawns and landscaping will be irrigated.
- 6) Landscaping will be installed by the developer at the entry to the subdivision and in common areas, including within the right-of-way for Kennedale Sublett Road and along the subdivision wrought iron/tubular steel fencing, and along the right-of-way on Kennedale Sublett Road adjacent to the planned development district.
 - a) Landscaping shall be irrigated
 - b) The following plant types shall be included in the landscaping along the Kennedale Sublett Road right-of-way:
 - i. Five-gallon (5 gal) shrubs;
 - ii. Three-inch (3") caliper trees with one planted at least every forty (40) feet.
- 7) The entry of the subdivision will include a minimum of one (1) entry statement at the connection of Collett Sublett to the roundabout on Kennedale Sublett. This will serve as a permanent subdivision identification sign and will generally conform to the signage depicted below. Final design and location of any entry feature shall be reviewed and approved with the Preliminary Plat. The following sketches are representations of what maybe installed at the entry to the subdivision:

MONUMENT SIGNAGE



- 8) Landscaping installed by the developer shall be maintained by the Homeowners' Association (HOA).
- 9) *Right-Of-Way.* Street right-of-way within the subdivision will be equal to 50' in width and have a 27' back to back paving section. Collett Sublett will be a 65' right-of-way with a 32' back to back paving section. There will be sections of Collett Sublett that will taper down to a 22' back to back paving section, to serve as "traffic calming sections." There will be a minimum of 2 of these "traffic calming sections" along Collett Sublett. All houses on Collett Sublett can face the street and can have driveways accessing Collett Sublett. Where the street sections are tapered down to a 22' back to back paving section, there will be additional landscaping.
- 10) *Lot Area and Setbacks.* Lot areas and setbacks will be as shown on the Concept Plan and as in *Table 2*.
- 11) *Minimum Floor Area per dwelling unit.* All lots will have a minimum of 1,800 square feet of dwelling space.
- 12) *Perimeter Walls/Screening.* The perimeter fencing adjacent to Kennedale Sublett Road will be a minimum of 6' in height and be constructed of tubular steel.

B) Sidewalk Requirements.

- 1) Sidewalks will be required throughout the development. If not installed by the developer, sidewalks along residential lots (front yards and side yards) are to be constructed by the home builder at the time of home construction for each residential lot.
- 2) Sidewalks shall be a minimum of four (4) feet in width. All trails within the development will be six (6) feet in width. The trail around the retention/detention pond will be four (4) feet in width and will be made of natural material, such as mulch, gravel and other natural materials.

C) Access to the public parks will be provided within the development.

- 1) Access shall comply with accessibility standards and fire code

8) *Homeowners' Association.*

- A) *Homeowner's Association (HOA).* A Homeowner's Association shall be created to enforce the restrictions established in accordance with the HOA requirements of the City of Kennedale UDC. The HOA shall also maintain all neighborhood parks, trails, open space and common areas, irrigation, landscaping, amenity centers, screening fences associated with this development.

[illegible]