

KENNEDALE CITY COUNCIL AGENDA
SPECIAL MEETING | OCTOBER 22, 2019 AT 7:00 PM
CITY HALL COUNCIL CHAMBERS
405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. CALL TO ORDER

NOTE: Pursuant to Texas Government Code §551.071, the City Council 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. ROLL CALL

III. VISITOR AND CITIZEN FORUM

At this time, any person may address the City Council, provided that a 'Speaker Request Form' is submitted to the City Secretary before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the submitted form, and should address the Council as a whole, rather than individual Councilmembers or staff. No formal action or discussion may be taken at this time. Those wishing to speak about an agenda item should indicate as much on the "Speaker Request Form" and will be called upon to speak when the Council considers that item.

IV. REGULAR ITEMS

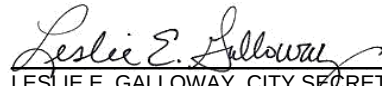
- A. Consider Ordinance 683, adopting a "fine-free" structure for the Kennedale Public Library and an annual fee for those cardholders living outside the legal boundaries of the City of Kennedale
- B. Receive a report and hold a discussion regarding types of past and future residential development in relation to the Comprehensive Plan
- C. **CASE # PZ 19-07** — Continue a public hearing and consider Ordinance 680, regarding a request by Trifecta Homes, LLC for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 4 acres located at 962 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 6, 968 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 5R, 1022 N. Bowman Springs Road, Block 1, Lot 4R, 1028 N. Bowman Springs Road, Block 1, Lot 3R, 1034 N. Bowman Springs Road, Block 1, Lot 2R, and 1040 N. Bowman Springs Road, Block 1, Lot 1R, City of Kennedale, Tarrant County, Texas
- D. **CASE #PZ 19-08** — Continue a public hearing and consider Ordinance 681, regarding a request by Trifecta Homes, LLC for a rezoning from "C1" Commercial to "MF" Multi-Family for approximately 2.5 acres located at 801 Potomac Parkway, M. P. Lamar Survey, Abstract 987, Tract 2, City of Kennedale, Tarrant County, Texas
- E. **CASE #PZ 19-09** — Continue a public hearing and consider Ordinance 682, regarding a request by Devan Pharis for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 11 acres located at 5306 Kennedale Sublett Road, Block 1, Lot 2, Vaquero Coker Addition, 5310 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1L, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1K Homesite, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1J, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1M Homesite, 1996 Palm Arbor 28x66 LB #PFS411170& Palm Harbor, 3176 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1H, 3190

Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1F, 1989 High Chaparral 28 x 56, LB #Tex0340915 Tiffany, 3196 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1E, City of Kennedale, Tarrant County, Texas

V. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE OCTOBER 22, 2019 KENNEDALE CITY COUNCIL AGENDA WAS POSTED INSIDE THE MAIN ENTRANCE OF CITY HALL (405 MUNICIPAL DRIVE), IN A PLACE CONVENIENT AND READILY ACCESSIBLE TO THE GENERAL PUBLIC AT ALL TIMES; AND THAT SAID AGENDA WAS POSTED AT LEAST SEVENTY-TWO (72) HOURS PRECEDING THE SCHEDULED TIME OF SAID MEETING, IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE.



LESLIE E. GALLOWAY, CITY SECRETARY

In compliance with the Americans with Disabilities Act (ADA), the City of Kennedale will provide for reasonable accommodations for persons attending meetings. This facility is wheelchair accessible and accessible parking spaces are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meeting by calling 817-985-2104 or (TTY) 1-800-735-2989.

DATE: October 22, 2019

AGENDA ITEM: REGULAR ITEMS ITEM A.

SUBJECT:

Consider Ordinance 683, adopting a "fine-free" structure for the Kennedale Public Library and an annual fee for those cardholders living outside the legal boundaries of the City of Kennedale

ORIGINATED BY:

Amanda King, Library Director

SUMMARY:

A proposal regarding moving the Kennedale Public Library to a "fine free" structure, waiving all outstanding overdue fines, and implementing a patron card fee for non-residents was originally presented to the City Council via an Informal Staff Report on Friday, September 27.

Councilmember Chris Pugh requested further discussion, which occurred during the Work Session of the Tuesday, October 15 Regular Meeting. Following that discussion, the City Council directed staff to draft an Ordinance (attached) that incorporated the following staff recommendations:

- Elimination of fines for late materials
- Forgiveness of all outstanding overdue fines
- Implementation of an annual \$35.00 non-resident cardholder fee (with the exception of residents of the Cities of Arlington and Mansfield, due to the existing consortium)
- Continued collection of fines for lost materials
- Continued blockage of additional patron card use when items are overdue

RECOMMENDATION: Approve

ATTACHMENTS:

1.	O683 Fine Free Library and Non Resident Card Fees	O683 Fine Free Library and Non Resident Card Fees.pdf
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ORDINANCE NO. 683

AN ORDINANCE AMENDING THE KENNEDALE CITY CODE, AS AMENDED, BY AMENDING EXHIBIT A "SCHEDULE OF FEES" OF SECTION 2-3, "FEES FOR LICENSES, INSPECTIONS, PERMITS, ETC." TO PROVIDE FOR DIFFERENT LIBRARY RELATED FEES; PROVIDING A CUMULATIVE CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale, Texas, is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, in order to offset costs associated with the administration, investigation and implementation of ordinances and regulations applicable to development and other activities, the city council has previously established a schedule of fees; and

WHEREAS, the City Council now desires update its schedule of fees by amending the library fees.

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

SECTION 1.

The "Library" section of the Exhibit "A" "Schedule of Fees" in Section 2-3 "Fees for licenses, inspections, permits, etc." of the Kennedale City Code is hereby amended to read as shown on the attached Exhibit A to this ordinance.

SECTION 2.

The fee for "Annual Library Card for Non-Residents" described in Exhibit A to this ordinance will be deferred and not apply until January 1, 2020.

SECTION 3.

All outstanding overdue fines as of November 1, 2019 are waived.

SECTION 4.

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

SECTION 5.

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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or 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 invalid or unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

This ordinance shall be in full force and effect on November 1, 2019 and it is so ordained.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 22ND DAY OF OCTOBER, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

SERVICE		ADMINISTRATIVE	
CHECK AND CREDIT CARD TRANSACTIONS	COST	NOTES	
Credit Card Payments			
Municipal Court and Permitting	3.0%	When payment of any fee, fine, court cost, or other charge related to Kennedale Permitting is made by credit card via phone, online or in-person, a fee equaling three (3) percent per fee, fine, or other charge paid by credit card will be added to the fee, fine, or other charge paid.	
Utility Billing	2.8%	When payment of any utility billing charge related to Kennedale Utility Billing is made by credit card via phone, mail, online or in-person to City of Kennedale or Fathom Global, a fee equaling 2.8 percent per fee, fine or other charge paid by credit card will be added to the charge paid.	
Other Departments Not Listed	No Charge	When payment of any fee or other charge related to any other miscellaneous activity not listed department is made by credit card online, by phone (817-985-2120), or in-person, no fee will be required.	
Returned Check/Declined Credit Transaction Fee (All Departments)	\$30.00		
CODE ENFORCEMENT			
Lien Assessment Fee	Actual Cost	Plus \$100.00 administrative fee	
Mowing, Cleaning, and/or Boarding Property (By Contractor)	Actual Cost	Plus \$100.00 administrative fee	
FACILITY RENTALS/RESERVATIONS			
Ballfields (Village Street off of Averett Rd.; Subfacility of Sonora Park)			
General Reservations (Residents and Non-Residents)	\$25.00	Per two (2) hour block	
Kennedale Youth Association (KYA) Annual Lease Agreement			
Community Center (316 W Third St.; in the Kennedale Public Library Building)			
Deposit (applies to all Community Center rentals)	\$150.00	May be returned, dependent upon satisfactory inspection by staff	
Non-Residents	\$40.00	Per hour, during library's normal hours; Minimum of \$100 charge per rental	
	\$50.00	Per hour, during library's closed hours; Minimum of \$100 charge per rental	
	\$30.00	Per hour, during library's normal hours; Minimum of \$100 charge per rental	
Residents	\$40.00	Per hour, during library's closed hours; Minimum of \$100 charge per rental	
Pavilions (TownCenter Park at 405 Municipal Drive; Sonora Park at 263 S. New Hope Rd.)			
Deposit (applies to all pavilion rentals)	\$50.00	May be returned, dependent upon satisfactory inspection by staff	
Non-Residents	\$120.00	For 2 Hours, \$180 For 4 Hours, \$230 For 6 Hours, \$280 For 8 Hours	
Residents	\$60.00	For 2 Hours, \$90 For 4 Hours, \$115 For 6 Hours, \$140 For 8 Hours	
Senior Center Banquet Room (420 Corry A. Edwards Dr.)			
Deposit (Members)	\$75.00	May be returned, dependent upon satisfactory inspection by staff	
Members	\$75.00	Per day	
Deposit (Non-Members)	\$150.00	May be returned, dependent upon satisfactory inspection by staff	
Non-Members	\$125.00	Per day	
SERVICE	COST	NOTES	
LIBRARY			
Overdue Book	\$0.25 No Charge		
Photocopies From Copier (Only Black and White Available)	\$0.10	Per page	
Printouts From Computer	\$0.25	Per page	

update

	Materials Lost or Damaged Beyond Repair	\$5.00		Processing fee + listed retail price
	Repair of Inventory Material	Actual Cost		
	Replace Lost or Damaged Audiobook Binder	\$5.00		
	Replace Lost or Damaged CD Case	\$1.00		
	Replace Lost or Damaged DVD Case	\$2.00		
	Interlibrary Loan	No Charge		
new new update	Initial (New Account) Library Card for Residents	No Charge		For residents of the Cities of Kennedale, Arlington, and Mansfield
	Annual Library Card for Non-Residents	\$35.00		Per Year
	Library Card Replacement (Residents and Non-Residents)	\$2.00		Per card
	Repair of CD/DVD	\$1.00		
	Transmittal Fax Only (Local)	\$1.00		First page, \$0.25 each additional page
	Transmittal Fax Only (Long Distance)	\$2.00		First page, \$0.50 each additional page
	POLICE DEPARTMENT			
	Fingerprinting of Residents for Background Checks	\$7.50		Per Card
	Vehicle Accident Report	\$6.00		Per copy
	Offense or Arrest Report	\$1.50		Per report, plus \$0.10 per page for additional copies
PERMITS AND INSPECTIONS				
SERVICE	COST		NOTES	
NOTE: Minimum Fee For Any Single Permit or Inspection, Listed or Unlisted, Regardless of Department		\$	55.00	Excluding signs
Building Permit for Residential Construction (single family, two family and townhome)		\$	0.85	Per square foot
Building Permit for Non-Residential Construction Based on Total Valuation of Project (Used for Building Code Pricing Below)				
\$1.00 to \$500.00	\$23.50			For the first \$500.00, plus \$3.05 for each additional \$100.00, or fraction thereof, up to and including \$2,000.00
\$501.00 to \$2,000.00	\$23.50			For the first \$2,000.00, plus \$14.00 for each additional \$1,000.00, or fraction thereof, up to and including \$25,000.00
\$2,001.00 to \$25,000.00	\$69.25			For the first \$25,000.00, plus \$10.10 for each additional \$1,000.00, or fraction thereof, up to and including \$50,000.00
\$25,001.00 to 50,000.00	\$391.25			For the first \$50,000.00, plus \$7.00 for each additional \$1,000.00, or fraction thereof, up to and including \$100,000.00
\$50,001.00 to \$100,000.00	\$643.75			For the first \$100,000.00, plus \$5.60 for each additional \$1,000.00, or fraction thereof, up to and including \$500,000.00
\$100,001.00 to \$500,000.00	\$993.75			For the first \$500,000.00, plus \$4.75 for each additional \$1,000.00, or fraction thereof, up to and including \$1,000,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75			For the first \$1,000,000.00, plus \$3.65 for each additional \$1,000.00, or fraction thereof
\$1,000,001.00+	\$5,608.75			
SERVICE	COST		NOTES	
BUILDING CODE PERMITS, INSPECTIONS AND PLAN REVIEWS				
Accessory Building (Min. 175 ft ²)	Varies			Consult Construction Table (above)
Alterations and Repairs To Existing Structures	Varies			Consult Construction Table (above)
Building Code Appeal	\$100.00			

Canopy - Larger than 400 ft ²	\$55.00	
Carnival or Temporary Amusement	\$55.00	
Carport	Varies	Consult Construction Table (above)
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00.
Detached Garage	Varies	Consult Construction Table (above)
Demolition	\$55.00	
Drive Approach	\$55.00	
Fence, Retaining Wall, Screen Wall	Varies	Consult Construction Table (above)
Fireplace	Varies	Consult Construction Table (above)
Moving Building into the City	\$100.00	
Patio Cover	Varies	Consult Construction Table (above)
Portable Building (Min. 175 ft ²)	Varies	Consult Construction Table (above)
Signs	Varies	Consult Construction Table (above)
Swimming Pool and/or Hot Tub (Above Ground)	Varies	Consult Construction Table (above)
Swimming Pool and/or Hot Tub (In-Ground)	Varies	Consult Construction Table (above)
Tent (Commercial) - Larger Than 200 ft ²	\$55.00	
Tree Mitigation Fee	\$200.00	Per caliper inch
Underground Storage Tanks (Includes Gas Lines To Tank)	Varies	Consult Construction Table (above)
Reinspection Fee	\$55.00	
Plan Review		
New, Addition, Remodel for Commercial, Industrial, and Multi-Family	20%	Of building permit fee
New, Addition, Remodel for Single or Two Family	\$55.00	
All Other Permits Requiring Plan Review	\$25.00	
Re-Review Fee	\$25.00	
SERVICE	COST	NOTES
ELECTRICAL CODE PERMITS AND INSPECTIONS		
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per ft ² ; Minimum calculation of \$55.00
Commercial/Industrial New Construction	\$0.06	Per ft ² ; Minimum calculation of \$55.00
Single Family, Duplex, Townhouse, Etc.	\$0.06	Per ft ² ; Minimum calculation of \$55.00
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00
Electric Generators Used By Carnival, Circuses, Traveling Shows, Exhibits	\$55.00	
Electrical Code Appeal	\$100.00	
Fixed Residential Appliances, Receptacle Outlets, Etc.	\$55.00	As Defined by City Code
Minimum For Any Single Permit	\$55.00	Except Temporary Construction Pole Reconnects
Swimming Pool, In-Ground, Residential	\$110.00	
Receptacles, Switch, Lighting or Other Outlet Holding Devices	\$55.00	
Reinspection Fee	\$55.00	
Services of 600 Volts or Less		

Less than 200 Amps	\$55.00	
600+ Volts or 1,000+ Amps	\$55.00	
Each Power Apparatus (As Defined By City Code)	\$2.00	
Rating in Horsepower, Etc.		
Up To And Including 1. Each	\$55.00	
Over 1. Up To And Including 10. Each	\$55.00	
Over 10. Up To And Including 50. Each	\$55.00	
Over 50. Up To And Including 100. Each	\$55.00	
Over 100. Each	\$55.00	
Signs, Outline Lighting, or Marquees		
One Branch Circuit. Each	\$55.00	
Additional Branch Outlets	\$55.00	
Temporary Power To Any Structure (Maximum Of Ninety (90) Days)	\$55.00	
SERVICE	COST	NOTES
MECHANICAL CODE PERMITS AND INSPECTIONS		
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00.
HVAC (Heating/Cooling Systems)	\$110.00	\$55 Per air handling unit (e.g. inside unit + outside unit = \$110.00)
Replacement of Furnaces, Condensing Unit or Cooling/Heating System	\$55.00	
Vent-A-Hood (Commercial)	\$55.00	
Re-Inspection Fee	\$55.00	
Mechanical Code Appeal	\$100.00	
SERVICE	COST	NOTES
PLUMBING CODE PERMITS AND INSPECTIONS		
Apartments, Condominiums, Triplex, Etc.	\$0.05	Per ft ² , Minimum fee of \$55.00
Commercial/Industrial New Construction	\$0.06	Per ft ² , Minimum fee of \$55.00
Single Family, Duplex, Townhouse, Etc.	\$0.06	Per ft ² , Minimum fee of \$55.00
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	-	Not required for plumbers.
Unit Fee Schedule		
Building Water Line	\$55.00	Each
Building Sewer Line	\$55.00	Each
Fireplace Piping and Valve	\$55.00	
Gas Fired Applicable W/Special Vent Pipe	\$55.00	
Gas Piping System (1-4 Outlets)	\$55.00	Each
Gas Piping System (5+ Outlets)	\$55.00	Each
Industrial Waste Pre-Treatment Interceptor	\$55.00	
Installation/Repair of Water Piping and/or Water Treatment Equipment	\$55.00	
Lawn Sprinkler System On Any One Meter, Including Backflow Protection	\$55.00	Each
Private Sewage Disposal System	\$55.00	
Repair of Existing Piping	\$55.00	

Repair or Alteration of Drainage or Vent Piping	\$55.00	
Gas Line Pressure Check	\$55.00	
Plumbing Fixture, Trap or Set Fixture, Etc.	\$55.00	Each
Yard Line Pressure Check	\$55.00	
Plumbing Code Appeal	\$100.00	
Reinspection Fee	\$55.00	
SERVICE	COST	NOTES
REGISTRATION AND MISCELLANEOUS PERMITS		
Business License	\$25.00	
Home Business License	\$25.00	
Certificate of Occupancy (CO)	\$55.00	
Contractor Registration, Initial (Article XIII, Chapter 4 Of City Code)	\$100.00	
Contractor Registration, Annual Renewal	\$50.00	If not renewed within 30 days of expiration, renewal fee is \$100.00
Garage Sale Permit	\$10.00	No more than three (3) garage sales per address per year
Gathering Station Inspection	\$1,000.00	
Itinerant Vendor License	\$100.00	Contact the Police Department Records Dept. at 817-985-2160, ext. 2219
Sub-Division Construction Inspection Fee	4%	Of construction cost
Tree Removal Permit	\$150.00	Per acre: \$150 minimum charge
SERVICE	COST	NOTES
SHORT TERM RENTAL		
Permit	\$100.00	per each permit and renewal permit
Inspection and Reinspection	\$75.00	Per each inspection or reinspection
SERVICE	COST	NOTES
OIL AND GAS WELLS		
Annual Air Sampling And Reporting Fee Per Low-To-Moderate Impact Pad Sites (As Determined By City Official(s))	\$12,000.00	
Annual Air Sampling And Reporting Fee Per High Impact Pad Site (As Determined By City Official(s))	\$45,000.00	May be paid in quarterly installments
Annual Air Sampling And Reporting Fee As Needed	\$12,000.00	Per instance of additional monitoring
Annual Inspection Per Well	\$2,000.00	\$300 per additional well on same pad site
Well Requested On Application for Pad Site	\$5,000.00	Per well
SERVICE	COST	NOTES
PLANNING AND DEVELOPMENT		
Annexation, Request for	\$200.00	
Commercial Site Plan Review	\$500.00	Engineering review fee; In addition to applicable permitting fees
Conditional Use Permit	\$500.00	
Easement or Right-Of-Way Abandonment, Request for	\$300.00	
Zoning		
Zoning Verification Letter	\$30.00	
Zoning Change or Amendment for Less Than 10 Acres, Request for	\$500.00	
Zoning Change or Amendment for 10+ Acres, Request for	\$1,500.00	

Rezone Less Than 10 Acres to Planned Development District (PD)	\$750.00	
Rezone 10+ Acres to Planned Development District (PD)	\$1,500.00	
Plats		
Minor Plat, Vacated Plat, Amended Plat	\$300.00	Plus \$10.00 per lot
Minor Plat Engineering Review Fee	\$200.00	
Preliminary Plat	\$300.00	Plus \$10.00 per lot
Preliminary Plat Engineering Review Fee	\$1,000.00	
Replat (0-10 Acres)	\$500.00	
Replat (10+ Acres)	\$1,500.00	
Final Plat	\$300.00	Plus \$10.00 per lot
Final Plat, Repat Engineering Review Fee	\$2,500.00	Placed in escrow; unused funds can be requested for return
Other		
Renotification	\$125.00	Cost to republish legally required notifications after a request for date change
Special Exception, Request for	\$250.00	
Variance, Request for	\$250.00	
Printouts/Copies From Plotter	\$1.00	Per Square Foot (ft ²)
SERVICE	COST	NOTES
UTILITY BILLING PUBLIC WORKS WATER AND WASTEWATER		
<i>View monthly utility rate information at www.cityofkenneedale.com/waterrates</i>		
Deposits		
Residential Water (Owner Occupied)	\$60.00	If an account is finaled out for nonpayment, re-establishment of service requires a deposit of 2X the normal fee. Accounts are associated with the name of the responsible party (or parties); not the address.
Residential Sewer (Owner Occupied)	\$30.00	
Residential Water (Tenant Occupied)	\$90.00	
Residential Sewer (Tenant Occupied)	\$60.00	
Commercial/Industrial w/High Consumption	Varies	1/6 of annual consumption
Commercial Water	\$90.00	
Commercial Sewer	\$60.00	
Water for Cleanup (15 Day Temp Service)	\$30.00	Per day
Use of Bulk Water Meter (Fire Hydrant)	\$600.00	Plus \$50 service fee
Use of Bulk Water Meter (Gas Drilling)	\$1,000.00	Plus \$50 service fee
Use of Bulk Unmetered Water	Varies	(rate) X (estimated gallons)
Disconnect Service At The Main	Actual Cost	
Liquid Waste Permit	\$50.00	The Building Inspection and Public Works departments regulate the installation, maintenance, and the transportation of liquid wastes. Questions? Call 817-985-2170.
Liquid Waste Trip Ticket Book	\$20.00	
Move City Utilities	Actual Cost	
Private Water Well Permit And Inspection	\$75.00	
Water Administrative Fee	\$20.00	Assessed when account appears on cut-off list; in addition to any late fee
Water Transfer Fee	\$15.00	
Wrecker License/Permit	\$20.00	
Utility Equipment	Actual Cost	Meter, meter base, MTU, register, bullhead, and any other associated equipment installed for water/sewer metering

Water and Wastewater Fees			
Fire Hydrant Fee (Construction Meter)	\$79.50	Monthly base charge	
Meter Calibration Fee (When Executed By City Staff)	\$45.00	Charges not incurred if meter is found to be inaccurate.	
Meter Calibration Fee (When Executed By Independent Contractor)	\$125.00		
Meter Set Reinspection Fee	\$100.00		
Meter Tampering, Tampering With Lock, Or Cutting Lock On Meter	\$200.00	Per offense, plus actual cost of repair or replacement	
Water Tap Fee (No Street Cut)			
¾" (.75")	\$475.00	Plus \$300 meter set fee; plus cost of meter	
1"	\$525.00	Plus \$350 meter set fee; plus cost of meter	
1½" (1.5")	\$950.00	Plus \$550 meter set fee; plus cost of meter	
2"	\$1,075.00	Plus \$700 meter set fee; plus cost of meter	
3" or Larger	Actual Cost	Plus actual cost of meter set fee; plus cost of meter	
Water Tap Fee (With Street Cut or Bore)			
¾" (.75")	\$925.00	Plus \$300 meter set fee; plus cost of meter	
1"	\$975.00	Plus \$350 meter set fee; plus cost of meter	
1½" (1.5")	\$1,400.00	Plus \$550 meter set fee; plus cost of meter	
2"	\$1,525.00	Plus \$700 meter set fee; plus cost of meter	
3" or Larger	Varies	Plus actual cost of meter set fee; plus cost of meter	
Sewer Tap Fee (No Street Cut)			
4"	\$425.00		
6"	\$600.00		
8" or Larger	Actual Cost		
Sewer Tap Fee (With Street Cut or Bore)			
4"	\$875.00		
6"	\$1,050.00		
8" or Larger	Actual Cost		
SERVICE	COST	NOTES	
FIRE DEPARTMENT			
Ambulance Fees	Actual Cost	Established according to reasonable and customary reimbursement allowances of applicable insurance carriers; reviewed and approved quarterly by the City Manager	
Building/Fire Plan Review	\$55.00		
EMS Report	\$15.00		
False Alarm (3 rd +)	\$55.00	Beginning with the 3 rd , the fee doubles for each subsequent false alarm	
Fire Code Appeal	\$100.00		
Fire Inspections			
Annual, Bi-Annual of Certificate of Occupancy (CO)	No Charge		
Re-Inspection	No Charge		
2 nd Re-Inspection	\$55.00		
3 rd + Re-Inspection	Varies	Beginning with the 3 rd , the fee doubles for each subsequent re-inspection	
Fire Suppression Systems	\$55.00		

Fire Report	\$15.00	
Site Plan Review	\$55.00	
Standby		
Brush Truck	\$75.00	Hourly
Engine	\$150.00	Hourly
Fire Marshall	\$40.00	Hourly
HazMat Squad	\$300.00	Hourly
Paramedic	\$30.00	Hourly
NOTE: Minimum fee for any single permit or inspection, listed or unlisted, regardless of department	\$55.00	Excluding signs
SERVICE	COST	NOTES
REQUEST FOR PUBLIC INFORMATION/OPEN RECORDS REQUESTS/REQUESTS UNDER THE PUBLIC INFORMATION ACT (PIA)		
The City Secretary's Office encourages communication and transparency between the City of Kennedale and its residents by serving as the primary office responding to Public Information Requests. In an effort to save requestors time and money, frequently requested documents are available online, including: • Laserfiche: Ordinances, Resolutions, Agendas, Packets, Minutes, and Press Releases • MuniCode: Code of Ordinances and Copies of Individual Ordinances • Monthly Reports: Building Permits, Fires, and Substandard Buildings If what you need is not available online, you can make a Quibic information request. Requests are processed in the order they are received, and should be for existing documents or information. Staff may not ask why you want the information, but may ask for clarification if needed, please be aware that some records are exempt from disclosure or require redaction.		
Requests may incur a fee, and the City of Kennedale may require prepayment. Charges vary depending on the number of responsive documents and personnel time required. Vaguely-worded or broad requests return more results. The more specific your request, the quicker it can be fulfilled. Generally, the city will charge \$0.10 per page and \$15.00 an hour for labor. Requests for standard-sized documents that will be delivered via email usually do not incur charges, unless the request: • is for more than fifty (50) pages, • requires more than thirty (30) minutes of personnel time to locate, compile, manipulate data, and reproduce the information, or • includes documents that are stored off-site. If the estimated charges exceed \$40.00, the requestor must approve an itemized estimate before work begins. When estimated costs exceed \$100.00, the requestor is required to make a deposit (typically 100% of the estimate) before work begins. If a requestor (or their organization) has a balance exceeding \$100.00 for past requests, the City of Kennedale will not process additional requests until the account is paid in full. You must approve any estimate of charges within ten (10) business days of the date the estimate is sent or the request will be considered withdrawn.		
CHARGES ASSOCIATED WITH A PUBLIC INFORMATION REQUEST VARY DEPENDING ON THE AMOUNT OF RESPONSIVE DOCUMENTS AND PERSONNEL TIME REQUIRED.		
GENERAL CHARGES ARE OUTLINED BELOW.		
Single Sided, Black & White, 8.5x11" Paper	\$0.10	Per paper copy
11x17" or Other Oversized Paper, Not Including Maps & Photographs	\$0.50	Per paper copy
Plat Page	\$3.00	Per plat page
Compact Disc (CD)	\$1.00	Per CD
Digital Video Disc (DVD)	\$3.00	Per DVD
Personnel Time for Locating, Compiling and Reproducing Records	\$15.00	
Mailing Expenses, Specialty Papers (including but not limited to mylar, blueprints, maps, and photos), Off-Site Storage Retrieval	Actual Cost	Off-site storage costs (currently \$16.00 truck charge + \$2.00/box) per retrieval and return
Charges not outlined here will be calculated according to the regulations and recommendations of the Texas State Library and Archives Commission, the Texas Attorney General, and the Texas Administrative Code		

DATE: October 22, 2019

AGENDA ITEM: REGULAR ITEMS ITEM B.

SUBJECT:

Receive a report and hold a discussion regarding types of past and future residential development in relation to the Comprehensive Plan

ORIGINATED BY:

Melissa Dailey, Director of Planning & Economic Development

SUMMARY: Staff will provide background information regarding the types of residential development that have occurred in Kennedale over the past 10-15 years, residential trends and demographics, and Comprehensive Plan data and goals related to residential development.

RECOMMENDATION:

ATTACHMENTS:

DATE: October 22, 2019

AGENDA ITEM: REGULAR ITEMS ITEM C.

SUBJECT:

CASE # PZ 19-07 — Continue a public hearing and consider Ordinance 680, regarding a request by Trifecta Homes, LLC for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 4 acres located at 962 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 6, 968 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 5R, 1022 N. Bowman Springs Road, Block 1, Lot 4R, 1028 N. Bowman Springs Road, Block 1, Lot 3R, 1034 N. Bowman Springs Road, Block 1, Lot 2R, and 1040 N. Bowman Springs Road, Block 1, Lot 1R, City of Kennedale, Tarrant County, Texas

ORIGINATED BY:

Melissa Dailey, Director of Planning & Economic Development

SUMMARY:

This item originally appeared on the Tuesday, October 15, 2019 Regular Meeting agenda, at which time the Council began the Public Hearing. At that time, it was the consensus of the Council to continue the Public Hearing and further consideration of this item to this Special Meeting so that all members of the Council could be present to consider the adoption of the related Ordinance.

BACKGROUND AND OVERVIEW

Request	Rezone from R3 Single Family (Residential) to MF (Multi-Family Residential)
Applicant	Trifecta Homes, LLC
Location	Multiple lots at Bowman Springs Road and Corry A Edwards Drive
Surrounding Uses	Schools, Single-Family Residential, Commercial, Industrial
Surrounding Zoning	PD-UV, UV, R1, R3, C2, I
Future Land Use Plan Designation	Residential
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is currently vacant land.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The property fronts Bowman Springs Road and is located at the Corry A Edwards intersection. Bowman Springs is identified in the Future Transportation Plan as a Boulevard and a priority bicycle/pedestrian project. The corridor is characterized by a variety of uses, including Kennedale Junior High School, Fellowship Academy, single family homes and subdivisions, a golf driving range, commercial buildings, industrial buildings, undeveloped land, and the Southwest Nature Preserve.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as residential.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- **PRINCIPLE 1: CONNECTED CITY. SUPPORTING A WALKABLE BUILT ENVIRONMENT.**
As land development creates the demand to travel, ensure that it reduces the need to drive by providing ample direct connections for pedestrians, bicycles, and transit.
- **PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.**
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.
- **PRINCIPLE 3: THRIVING COMMUNITY. CREATE VIBRANT CENTERS.**
Promote social integration and economic activity through the development of different scale centers throughout the community.

City Council Ends Statements and Goals

- Business uses are compatible with residential areas.
- Sidewalks and landscaping are integral to the community.
- Financially responsible and sustainable.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.
- Connected city with a multi-modal transportation system designed and maintained to reduce auto congestion, increase accessibility and accommodate pedestrians and cyclists safely and comfortably.

SUMMARY

This property has been vacant for many years. The growth in the area along with the surrounding development in the immediate vicinity has made this property viable for development, particularly for multi-family planned for the site. Surrounding uses are highly mixed with institutional, commercial and residential development.

The developer plans to build townhomes in a walkable, sustainable development on this 4-acre site, providing for an optimal transitional use for adjacent residential and commercial development. The development will be required to meet the new building and street form recently adopted for Multi-Family zoning that requires a quality, walkable development in an urban form. The location on an arterial street that connects to Kennedale Parkway and to Arlington and Interstate-20 is ideal for a higher density residential development.

Townhomes are in high demand by those wanting a different type of housing with less maintenance, and this development will provide quality housing for that market, while adding to the diversity of housing options in Kennedale.

The Planning & Zoning (P&Z) Commission recommended approval of this request with a 4-2 vote at their meeting on October 10, 2019.

STAFF RECOMMENDATION

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

ACTION BY THE CITY COUNCIL

- **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.
- **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.

RECOMMENDATION:

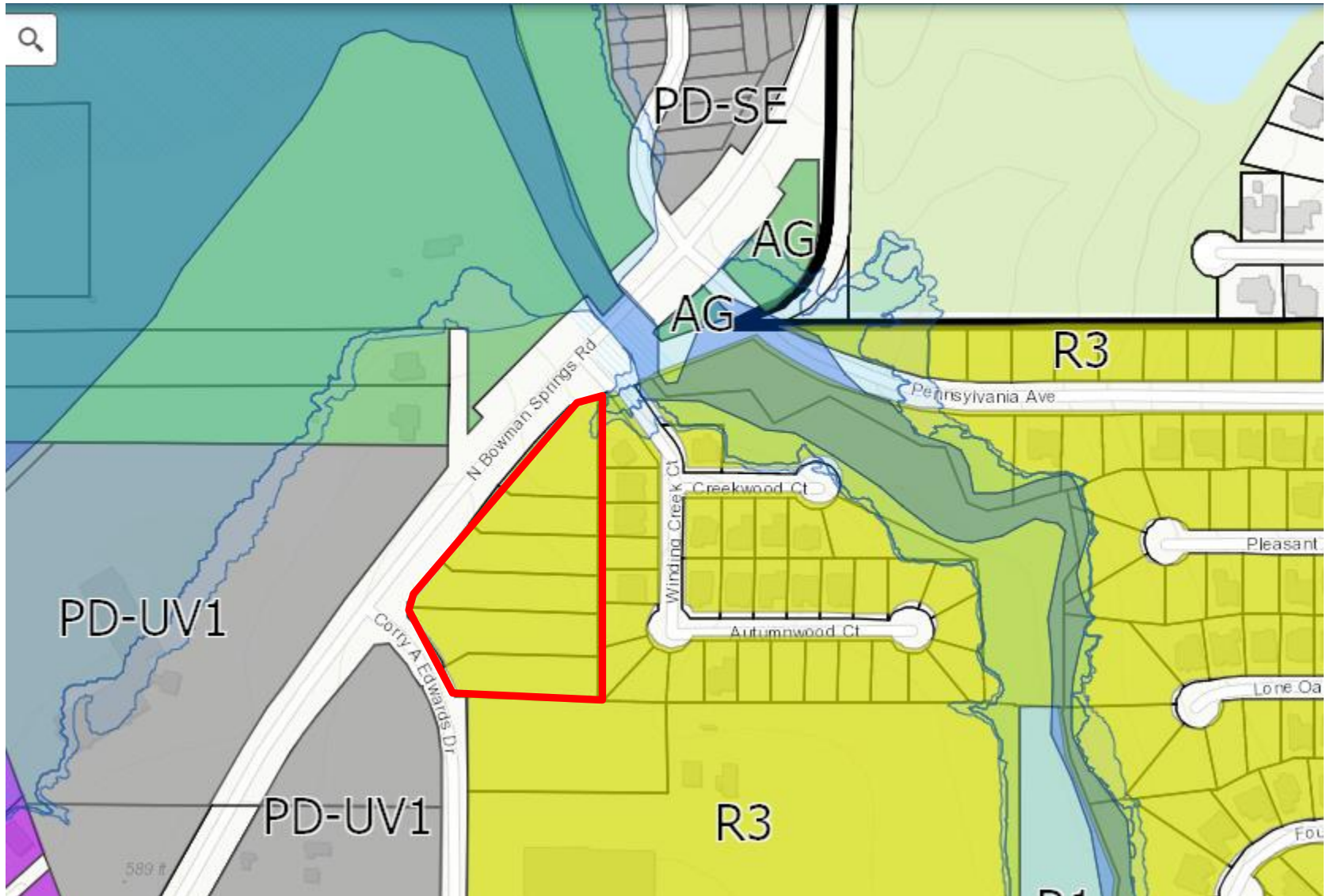
ATTACHMENTS:

1.	19-07	PZ19-07 1022 Bowman Springs Maps.pdf
2.	O680 PZ 19-07 962 Corry A Edwards Ordinance FINAL	O680 PZ 19-07 962 Corry A Edwards Ordinance FINAL.pdf

PZ 19-07 Location Map

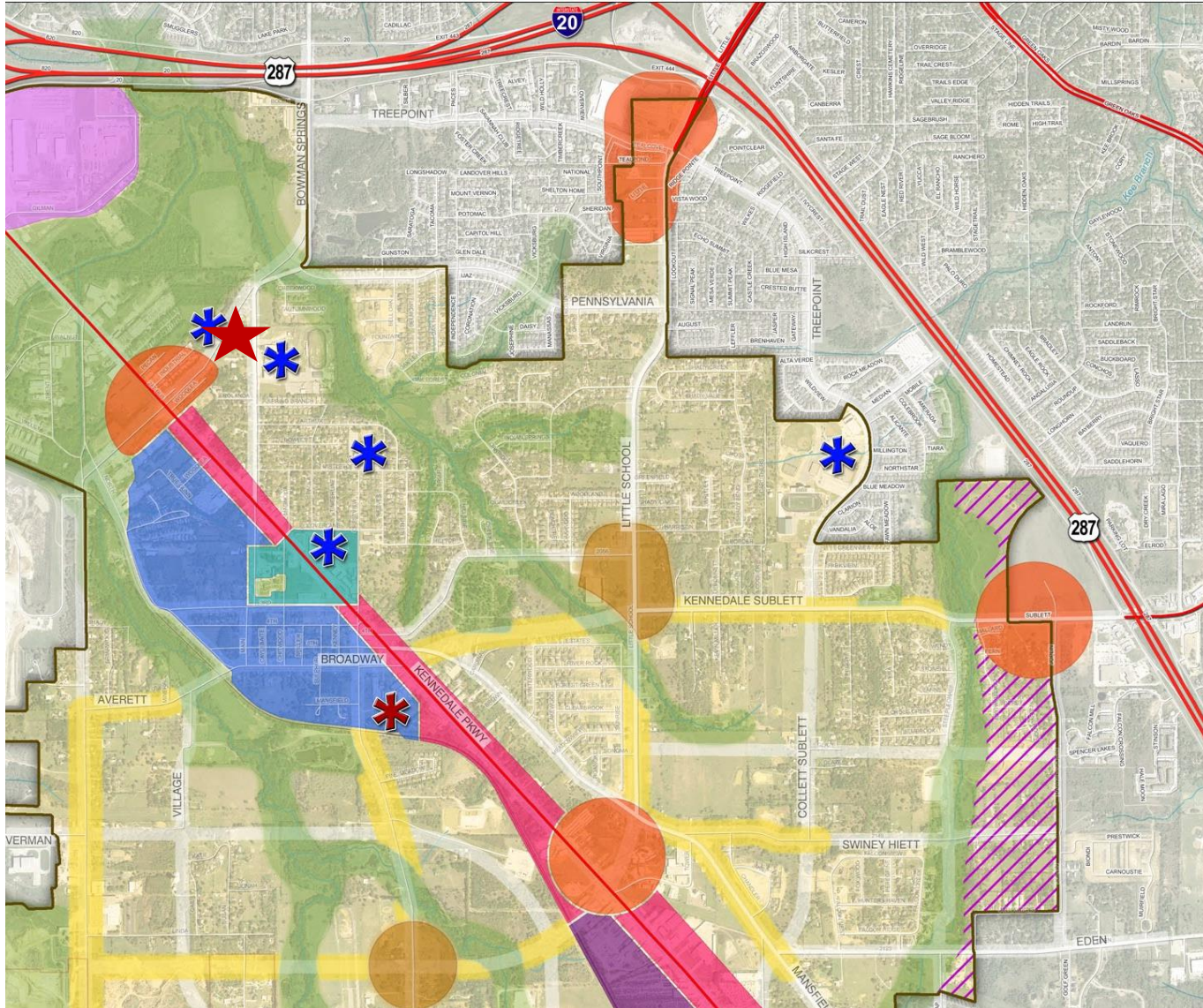


PZ 19-07
Zoning Map



★ Property location

PZ 19-07 Future Land Use Map



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 |  |

ORDINANCE NO. 680

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 4 ACRES DESCRIBED AS 962 CORRY A EDWARDS DRIVE, EMERALD CREST ESTATES, BLOCK 1, LOT 6, 968 CORRY A EDWARDS DRIVE, EMERALD CREST ESTATES, BLOCK 1, LOT 5R, 1022 N. BOWMAN SPRINGS ROAD, BLOCK 1, LOT 4R, 1028 N. BOWMAN SPRINGS ROAD, BLOCK 1, LOT 3R, 1034 N. BOWMAN SPRINGS ROAD, BLOCK 1, LOT 2R, AND 1040 N. BOWMAN SPRINGS ROAD, BLOCK 1, LOT 1R FROM "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT TO "MF" MULTIFAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY 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 city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government; 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, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on October 10, 2019, and by the City Council of the City of Kennedale, Texas, on October 15, 2019 (continued to October 22, 2019), with respect to the zoning change 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 of the City of Kennedale, Texas, does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

Approximately 4 acres, located at 962 Corry A Edwards Drive, and being described as Emerald Crest Estates, Block 1, Lot 6, 968 Corry A Edwards Drive, Emerald Crest Estates, Block 1, Lot 5R, 1022 N. Bowman Springs Road, Block 1, Lot 4R, 1028 N. Bowman Springs Road, Block 1, Lot 3R, 1034 N. Bowman Springs Road, Block 1, Lot 2R, and 1040 N. Bowman Springs Road, Block 1, Lot 1R on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this ordinance, is hereby rezoned from "R-3" Single Family Residential District to "MF" Multifamily Residential District.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

The use of the property hereinabove described shall be subject to all the applicable regulations contained in the Unified Development Code, as amended, and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all other Ordinances of the City of Kennedale, Texas, affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

All rights or remedies of the City of Kennedale, Texas, are expressly saved as to any and all violations of the Unified Development Code, as amended, 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 7.

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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.

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 9.

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

SECTION 10.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OFF THE CITY OF
KENNE DALE, TEXAS, THIS THE 22ND DAY OF OCTOBER, 2019.**

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

CITY ATTORNEY DREW LARKIN

DATE: October 22, 2019

AGENDA ITEM: REGULAR ITEMS ITEM D.

SUBJECT:

CASE #PZ 19-08 — Continue a public hearing and consider Ordinance 681, regarding a request by Trifecta Homes, LLC for a rezoning from "C1" Commercial to "MF" Multi-Family for approximately 2.5 acres located at 801 Potomac Parkway, M. P. Lamar Survey, Abstract 987, Tract 2, City of Kennedale, Tarrant County, Texas

ORIGINATED BY:

Melissa Dailey, Director of Planning & Economic Development

SUMMARY:

This item originally appeared on the Tuesday, October 15, 2019 Regular Meeting agenda, at which time the Council began the Public Hearing. At that time, it was the consensus of the Council to continue the Public Hearing and further consideration of this item to this Special Meeting so that all members of the Council could be present to consider the adoption of the related Ordinance.

BACKGROUND AND OVERVIEW

Request	Rezone from C1 (Commercial) to MF (Multi-Family Residential)
Applicant	Trifecta Homes, LLC
Location	801 Potomac Parkway
Surrounding Uses	Commercial, Single-Family Residential, Institutional (church)
Surrounding Zoning	C1, R2, R1, UV, single family (Arlington)
Future Land Use Plan Designation	Residential
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is currently vacant land.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The property is located at Potomac and N. Little School Road. North Little School Road is identified in the Future Transportation Plan as a Boulevard and a priority bicycle/pedestrian project. The corridor is characterized by a variety of uses, including a self-storage facility, various neighborhood commercial uses, a church, single family residential, and vacant land. A 12-acre property zoned Urban Village is located 300 feet north and is planned for townhomes and neighborhood commercial.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as residential.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- **PRINCIPLE 1: CONNECTED CITY. SUPPORTING A WALKABLE BUILT ENVIRONMENT.**
As land development creates the demand to travel, ensure that it reduces the need to drive by providing ample direct connections for pedestrians, bicycles, and transit.

- **PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.**
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.
- **PRINCIPLE 3: THRIVING COMMUNITY. CREATE VIBRANT CENTERS.**
Promote social integration and economic activity through the development of different scale centers throughout the community.

City Council Ends Statements and Goals

- Business uses are compatible with residential areas.
- Sidewalks and landscaping are integral to the community.
- Financially responsible and sustainable.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.
- Connected city with a multi-modal transportation system designed and maintained to reduce auto congestion, increase accessibility and accommodate pedestrians and cyclists safely and comfortably.

SUMMARY

This property has been vacant for many years. The growth in the area along with the surrounding development in the immediate vicinity has made this property viable for development, particularly for multi-family planned for the site. Surrounding uses are mixed with institutional, commercial and residential development.

The developer plans to build townhomes in a walkable, sustainable development on this 2.5-acre site, providing for an optimal transitional use for adjacent residential and commercial development. The development will be required to meet the new building and street form recently adopted for Multi-Family (MF) zoning that requires a quality, walkable development in an urban form.

The location on an arterial street that connects Kennedale and Arlington is ideal for a higher density residential development. Townhomes are in high demand by those wanting a different type of housing with less maintenance, and this development will provide quality housing for that market, while adding to the diversity of housing options in Kennedale.

The Planning & Zoning (P&Z) Commission recommended approval of this request with a 4-2 vote at their meeting on October 10, 2019.

STAFF RECOMMENDATION

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

ACTION BY THE CITY COUNCIL

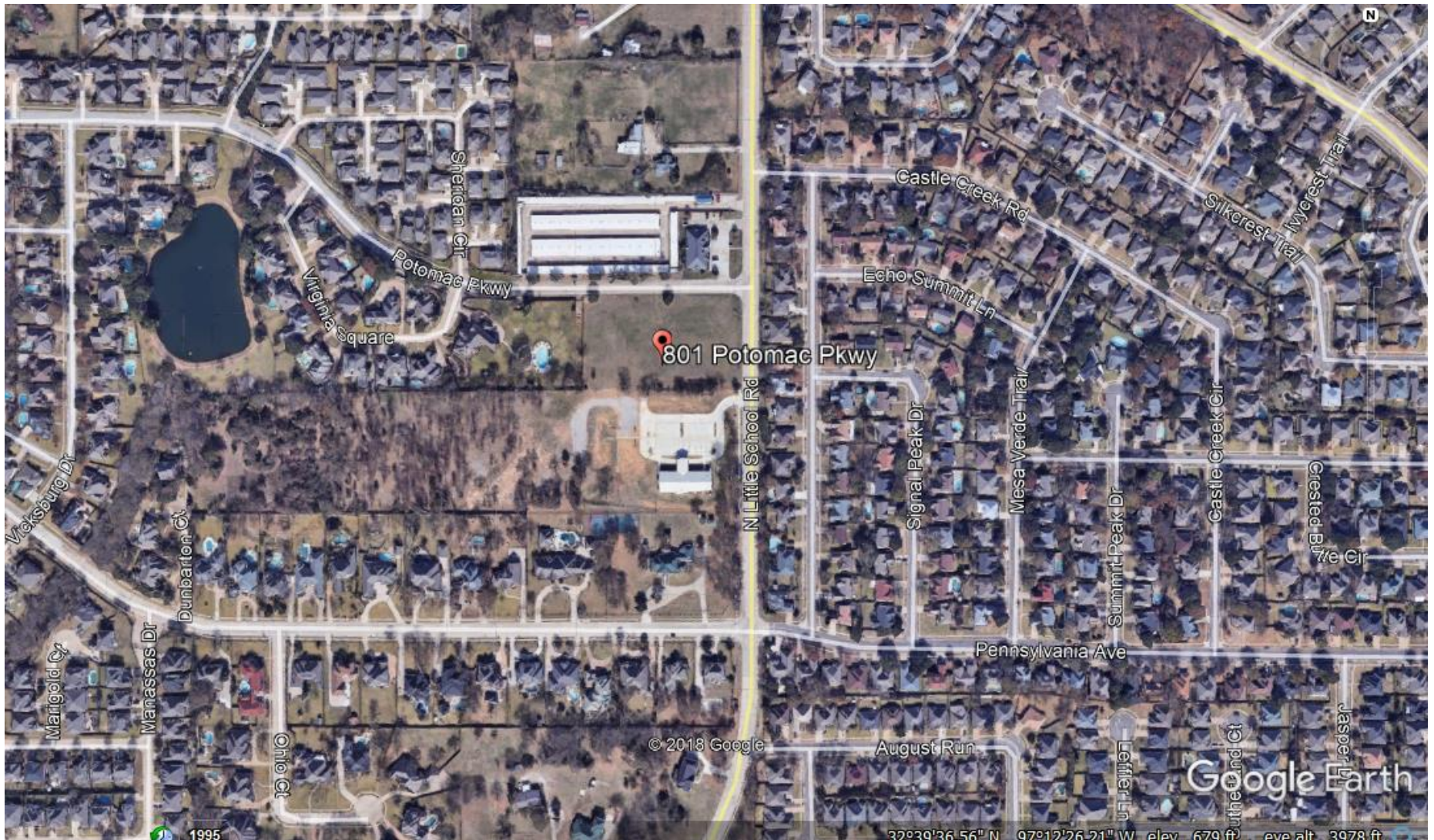
- **Approval:** Based on the information presented, I find that the request meets City requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning.
- **Deny:** Based on the information presented, I find that the proposed use does not meet (list standards or requirements not met) and make a motion to deny the request.

RECOMMENDATION:

ATTACHMENTS:

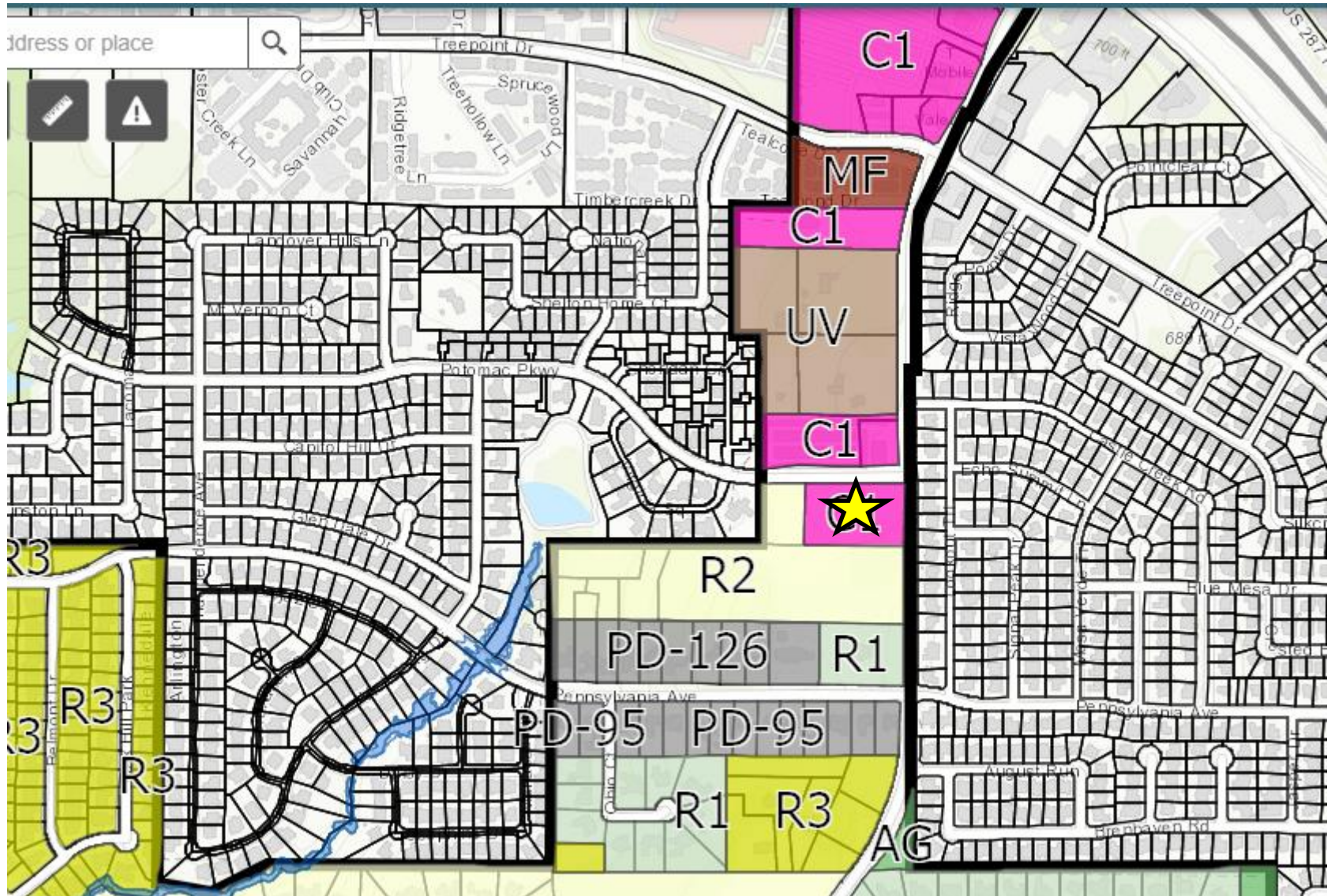
1.	19-08	PZ19-08 801 Potomac Maps.pdf
2.	O681_PZ19-08 801 Potomac Parkway Ordinance FINAL	O681_PZ19-08 801 Potomac Parkway Ordinance FINAL.pdf

PZ 19-08 801 Potomac Parkway
Location Map



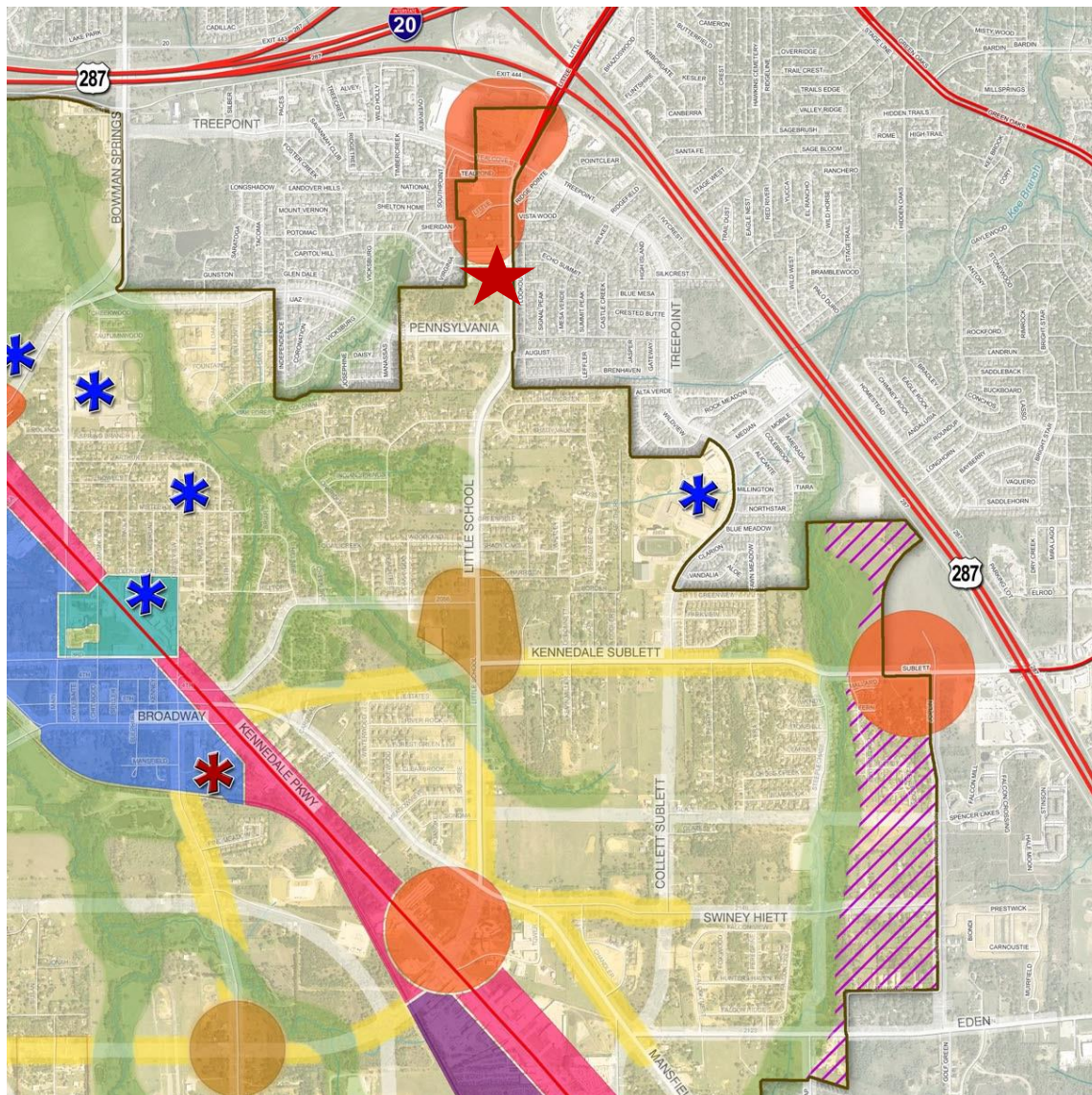


PZ 19-08 801 Potomac Parkway Zoning Map





PZ 19-08 801 Potomac Parkway Future Land Use Map



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	

ORDINANCE NO. 681

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 2.5 ACRES LOCATED AT 801 POTOMAC PARKWAY, M. P. LAMAR SURVEY, ABSTRACT 987, TRACT 2, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM “C-1” RESTRICTED COMMERCIAL DISTRICT TO “MF” MULTIFAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY 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 city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government; 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, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on October 10, 2019, and by the City Council of the City of Kennedale, Texas, on October 15, 2019 (continued to October 22, 2019), with respect to the zoning change 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 of the City of Kennedale, Texas, does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

Approximately 2.5 acres located at 801 Potomac Parkway, M. P. Lamar Survey, Abstract 987, Tract 2, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this ordinance, is hereby rezoned from "C-1" Restricted Commercial District to "MF" Multifamily Residential District.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

The use of the property hereinabove described shall be subject to all the applicable regulations contained in the Unified Development Code, as amended, and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all other Ordinances of the City of Kennedale, Texas, affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

All rights or remedies of the City of Kennedale, Texas, are expressly saved as to any and all violations of the Unified Development Code, as amended, 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 7.

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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.

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 9.

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

SECTION 10.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE 22ND DAY OF OCTOBER, 2019.

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:

DATE: October 22, 2019

AGENDA ITEM: REGULAR ITEMS ITEM E.

SUBJECT:

CASE #PZ 19-09 — Continue a public hearing and consider Ordinance 682, regarding a request by Devan Pharis for a rezoning from "R3" Residential to "MF" Multi-Family for approximately 11 acres located at 5306 Kennedale Sublett Road, Block 1, Lot 2, Vaquero Coker Addition, 5310 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1L, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1K Homesite, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1J, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1M Homesite, 1996 Palm Arbor 28x66 LB #PFS411170& Palm Harbor, 3176 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1H, 3190 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1F, 1989 High Chaparral 28 x 56, LB #Tex0340915 Tiffany, 3196 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1E, City of Kennedale, Tarrant County, Texas

ORIGINATED BY:

Melissa Dailey, Director of Planning & Economic Development

SUMMARY:

This item originally appeared on the Tuesday, October 15, 2019 Regular Meeting agenda, at which time the Council began the Public Hearing. At that time, it was the consensus of the Council to continue the Public Hearing and further consideration of this item to this Special Meeting so that all members of the Council could be present to consider the adoption of the related Ordinance.

BACKGROUND AND OVERVIEW

Request	Rezone from R3 (Single-Family Residential) to MF (Multi-Family Residential)
Applicant	Devan Pharis
Location	Various lots at Kennedale Sublett Road and Joplin Road
Surrounding Uses	Commercial and single-family residential
Future Land Use Plan Designation	Urban Village
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The property is vacant land.

SURROUNDING PROPERTIES & NEIGHBORHOOD

This property is located at the southwest corner of Kennedale Sublett and Joplin Roads. Kennedale Sublett Road is identified in the Future Transportation Plan as a Boulevard and a priority bicycle/pedestrian project. The corridor is characterized by a variety of uses, including a self-storage facility, two large garage stores, fast food restaurants and other neighborhood commercial uses, and single family residential. Commercial uses are planned for the site immediately adjacent to the north. A new retail strip center and fitness club are currently under construction directly across Kennedale Sublett Road from this site.

STAFF REVIEW

Future Land Use Plan

The Future Land Use Plan indicates this property as Urban Village.

Related Goals From the Comprehensive Land Use Plan

The comprehensive plan goal related to this rezoning request falls under:

- **PRINCIPLE 1: CONNECTED CITY. SUPPORTING A WALKABLE BUILT ENVIRONMENT.**
As land development creates the demand to travel, ensure that it reduces the need to drive by providing ample direct connections for pedestrians, bicycles, and transit.
- **PRINCIPLE 2: ECONOMIC PROSPERITY. PROMOTE ACCESS TO HOUSING.**
Providing housing options for people of varying financial means and residential preferences. Provide the regulatory framework and developer support to provide quality housing for residents. Create job opportunities in Kennedale that help stabilize the local tax base and allow residents to work close to home.
- **PRINCIPLE 3: THRIVING COMMUNITY. CREATE VIBRANT CENTERS.**
Promote social integration and economic activity through the development of different scale centers throughout the community.

City Council Ends Statements and Goals

- Business uses are compatible with residential areas.
- Sidewalks and landscaping are integral to the community.
- Financially responsible and sustainable.
- Well planned community based on principles of a connected city, economic prosperity, and a thriving community.
- Connected city with a multi-modal transportation system designed and maintained to reduce auto congestion, increase accessibility and accommodate pedestrians and cyclists safely and comfortably.

SUMMARY

significant growth in the area, along with the surrounding development in the immediately vicinity, has made this property viable for development, particularly for multi-family planned for the site. Over the past several years, a new grocery store and multiple restaurants have been built, with more being constructed at this time adjacent to this property. Interstate 287 is approximately 1,100 feet to the east.

The developer plans to build high-end apartments in a walkable, sustainable development on this 11-acre site, providing an optimal transitional use for adjacent single family to the intense commercial uses to the north and east. The development will be required to meet the new building and street form recently adopted for Multi-Family (MF) zoning that requires a quality, walkable development in an urban form. The location on an arterial street that connects Kennedale and Arlington is ideal for a higher-density residential development.

Apartments are in high demand by those wanting a different type of housing with less maintenance, and this development will provide that quality housing for that market, while adding to the diversity of housing options in Kennedale. The future land use plan calls for this site to be Urban Village. This developer plans commercial on the site immediately north of the multi-family, and the multi-family to be developed in accordance with the building/site form that emulates the urban village requirements.

The Planning & Zoning (P&Z) Commission recommended approval of this request with a 4-2 vote at their meeting on October 10, 2019.

STAFF RECOMMENDATION

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

ACTION BY THE CITY COUNCIL

- **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.
- **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.

RECOMMENDATION: Approve

ATTACHMENTS:

1.	19-09	PZ 19-09 5306 Kennedale Sublett Maps.pdf
2.	O682 PZ19-09 5306 Kennedale Sublett FINAL	O682 PZ19-09 5306 Kennedale Sublett FINAL.pdf

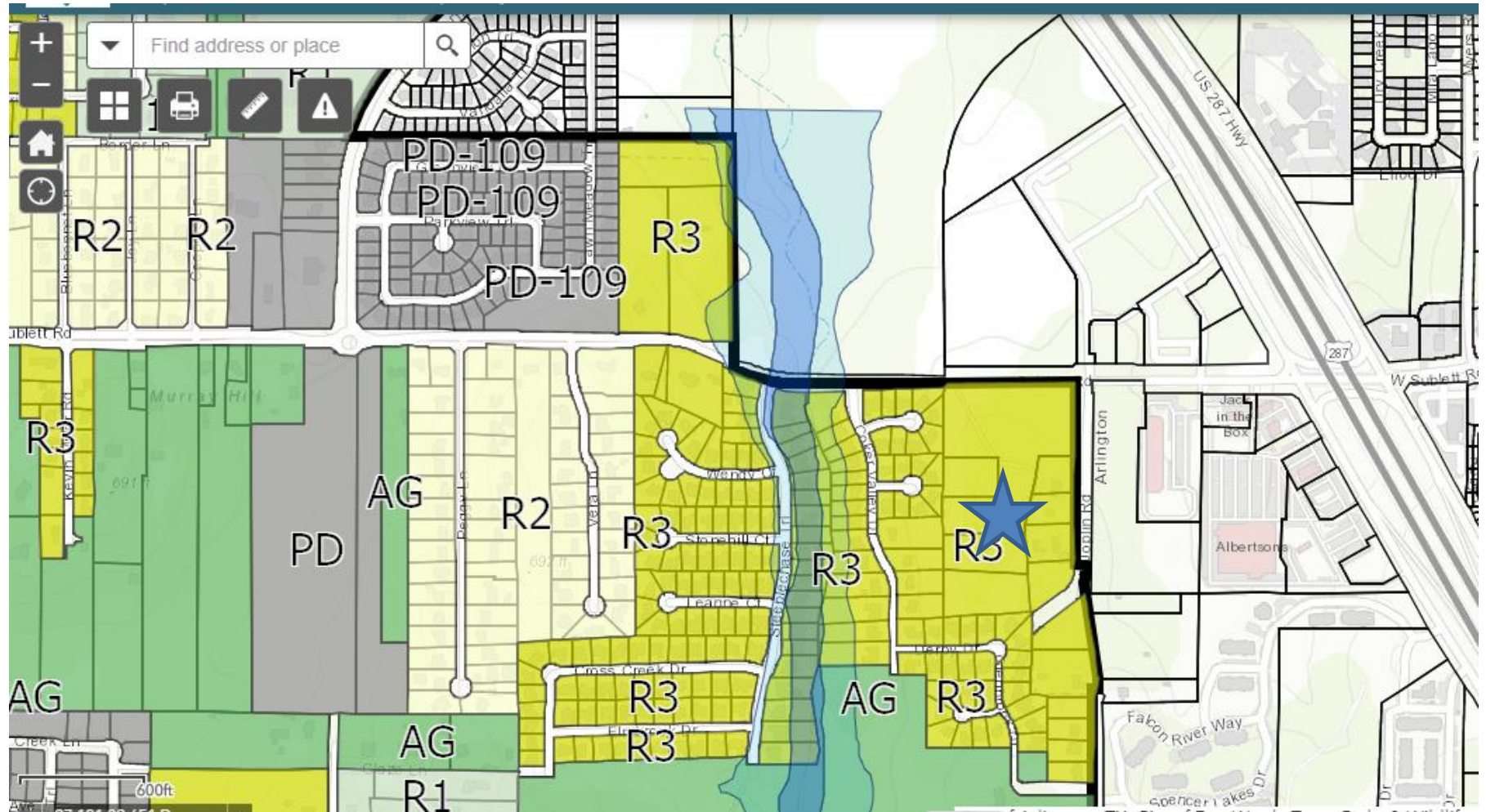
PZ 19-09 Location Map





Property location

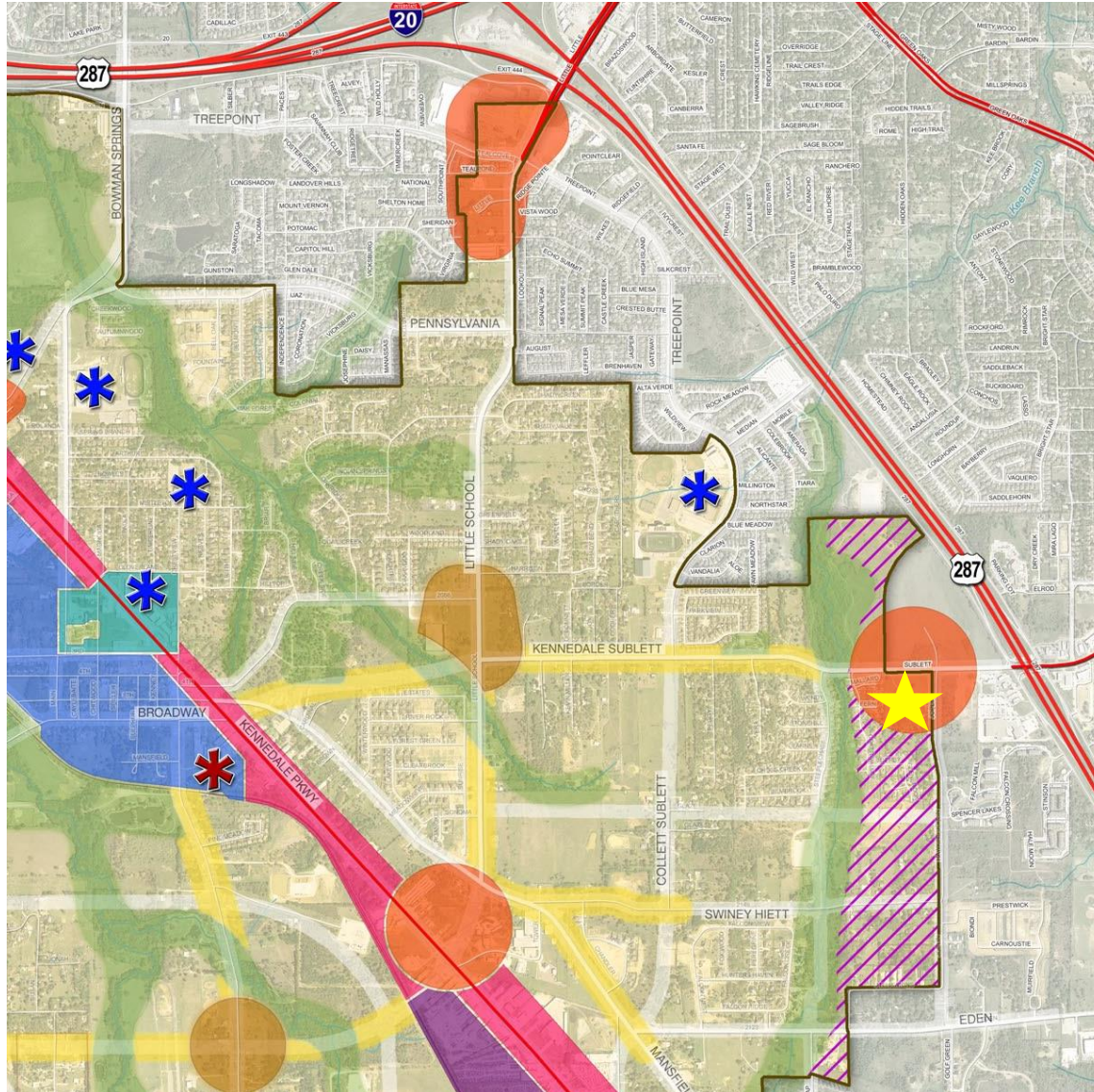
PZ 19-09 Zoning Map





Property location

PZ 19-09 Future Land Use Map



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	

ORDINANCE NO. 682

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 11 ACRES LOCATED AT 5306 KENNEDALE SUBLETT ROAD, BLOCK 1, LOT 2, VAQUERO COKER ADDITION, 5310 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1L, 5308 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1G, 5308 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1G, 5306 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1K HOMESITE, 5306 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1J, 5306 KENNEDALE SUBLETT ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1M HOMESITE, 1996 PALM ARBOR 28X66 LB #PFS411170& PALM HARBOR, 3176 HAWKINS JOPLIN ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1H, 3190 HAWKINS JOPLIN ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1F, 1989 HIGH CHAPARRAL 28 X 56, LB #TEX0340915 TIFFANY, 3196 HAWKINS JOPLIN ROAD, JAMES R HAWKINS SURVEY, ABSTRACT 792, TRACT 1E, CITY OF KENNEDALE, TARRANT COUNTY, TEXAS FROM "R-3" SINGLE FAMILY RESIDENTIAL DISTRICT TO "MF" MULTIFAMILY RESIDENTIAL DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY 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 city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government; 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, a change in the zoning classification of the property listed below was requested by a person or entity having a proprietary interest in said property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale, Texas, on October 10, 2019, and by the City Council of the City of Kennedale, Texas, on October 15, 2019 (continued to October 22, 2019), with respect to the zoning change 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 of the City of Kennedale, Texas, does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

The Unified Development Code, as amended, is hereby amended so that the permitted uses in the hereinafter described area shall be altered, changed and amended as shown and described below:

Approximately 11 acres located at 5306 Kennedale Sublett Road, Block 1, Lot 2, Vaquero Coker Addition, 5310 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1L, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5308 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1G, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1K Homesite, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1J, 5306 Kennedale Sublett Road, James R Hawkins Survey, Abstract 792, Tract 1M Homesite, 1996 Palm Arbor 28x66 LB #PFS411170& Palm Harbor, 3176 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1H, 3190 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1F, 1989 High Chaparral 28 x 56, LB #Tex0340915 Tiffany, 3196 Hawkins Joplin Road, James R Hawkins Survey, Abstract 792, Tract 1E, City of Kennedale, Tarrant County, Texas on the illustration attached hereto as Exhibit "A" and incorporated herein for all purposes of this ordinance, is hereby rezoned from "R-3" Single Family Residential District to "MF" Multifamily Residential District.

SECTION 2.

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

SECTION 3.

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

SECTION 4.

The use of the property hereinabove described shall be subject to all the applicable regulations contained in the Unified Development Code, as amended, and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 5.

This Ordinance shall be cumulative of the Unified Development Code, as amended, and all other Ordinances of the City of Kennedale, Texas, affecting zoning and land use, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 6.

All rights or remedies of the City of Kennedale, Texas, are expressly saved as to any and all violations of the Unified Development Code, as amended, 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 7.

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 invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.

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 9.

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

SECTION 10.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OFF THE CITY OF
KENNE DALE, TEXAS, THIS THE 22ND DAY OF OCTOBER, 2019.**

APPROVED:

MAYOR BRIAN JOHNSON

[CITY SEAL]

ATTEST:

CITY SECRETARY LESLIE E. GALLOWAY

APPROVED AS TO FORM AND LEGALITY:

EFFECTIVE DATE:
