

PLANNING AND ZONING COMMISSION AGENDA

REGULAR MEETING | NOVEMBER 10, 2022 AT 6:00 PM
CITY HALL COUNCIL CHAMBERS | 405 MUNICIPAL DRIVE, KENNEDALE, TX 76060

I. VISITOR AND CITIZEN FORUM

II. CALL TO ORDER

To address the Planning and Zoning Commission regarding an agenda item, submit a 'Request to Speak' form before the meeting begins. Speakers are allotted three (3) minutes, must limit their comments to the subject indicated on the form, and should address the Planning and Zoning Commission as a whole, rather than individual members or staff. Pursuant to Texas Government Code §551.071, the Planning and Zoning Commission reserves the right to adjourn into Executive (Closed) Session at any time during the meeting to seek legal advice from the City Attorney on any item posted on the agenda.

A. ROLL CALL

III. WORK SESSION

A. WORK SESSION REPORTS

B. DISCUSSION AND/OR REQUESTS FOR CLARIFICATION OF ITEMS LISTED ON THE AGENDA

IV. REGULAR SESSION

A. ITEMS FOR INDIVIDUAL CONSIDERATION

1. Approval of the minutes from the October 13, 2022 Regular Meeting

B. PUBLIC HEARING

1. **CASE # PZ 22-14** Conduct a public hearing and consider a zoning change from AG Agricultural to PD Planned Development for approximately 18.2 acres being part of tract 11 of the Oliver Acres Addition, part of lots 6 and 7 in the J.M. Estes Home Tracts, located at 1106 Kennedale Sublet Road, City of Kennedale, Tarrant County, Texas
 - A. Staff Presentation
 - B. Applicant
 - C. Public Hearing
 - D. Action

V. ADJOURNMENT

CERTIFICATION

I DO HEREBY CERTIFY THAT THE NOVEMBER 10, 2022 PLANNING AND ZONING COMMISSION 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.



ROSIE Q. ERICKSON, 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.

MEETING DATE: NOVEMBER 10, 2022

AGENDA ITEM NUMBER: CONSENT AGENDA ITEM IV.A.1.

SUBJECT: Approval of the minutes from the October 13, 2022 regular meeting

ORIGINATED BY: Rosie Ericson

SUMMARY Unapproved minutes were not available at the time to post. You will have a draft on the dais.

RECOMMENDATION

ATTACHMENTS



MEETING DATE: NOVEMBER 10, 2022

AGENDA ITEM NUMBER: REPORTS AND ANNOUNCEMENTS ITEM IV.B.

SUBJECT
PUBLIC HEARING

ORIGINATED BY

SUMMARY

RECOMMENDATION

ATTACHMENTS

STAFF REPORT TO PLANNING AND ZONING COMMISSION

Date: November 10, 2022

Agenda Item No:

I. SUBJECT

CASE # PZ 22-14 Conduct a public hearing and consider a zoning change from AG Agricultural to PD Planned Development for approximately 18.2 acres being part of tract 11 of the Oliver Acres Addition, part of lots 6 and 7 in the J.M. Estes Home Tracts, located at 1106 Kennedale Sublet Road, City of Kennedale, Tarrant County, Texas

II. SUMMARY

BACKGROUND AND OVERVIEW	
Request	from AG Agricultural to PD Planned Development
Applicant	Skorburg Company (John Arnold)
Location	1102 Kennedale Sublet Rd.
Surrounding Uses	Undeveloped and Residential
Surrounding Zoning	North: "AG" Agricultural "R2" & "R3" Residential East: "PD" Planned Development (Magnolia Hills) South: "AG" Agricultural & "PD" Planned Development (Vineyards) West: "AG" Agricultural
Future Land Use Plan Designation	Neighborhoods
Staff Recommendation	Approve

CURRENT STATUS OF PROPERTY

The subject property is approximately 18.2 acres and is currently undeveloped.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The subject property is located south of Kennedale Sublett Road and directly west of the existing Magnolia Hills subdivision. The existing Vineyard Addition is to the southwest. The areas to the north and west consists of existing single-family houses situated on large agricultural lots.

STAFF REVIEW

LAND USE COMPATIBILITY

The applicant is requesting to rezone the subject property to "PD" Planned Development in order to continue to develop in part with the existing Magnolia Hills single-family residential. All surrounding property is currently zoned for single-family residential and agricultural use. The proposed development would connect with the existing single-family subdivision Magnolia Hills to the east.

The proposed zoning is compatible with the surrounding uses.

COMPREHENSIVE PLAN CONSISTENCY

The 2012 Comprehensive Plan designates the subject property as Neighborhoods on the Future Land Use Map. Unless the City intends for this area to remain as undeveloped preserve land or agricultural uses, then the Future Land Use Plan designation would need to be modified. In order to accommodate the current proposal, a designation of Single Family Residential would be required in order to accommodate a PD with a base zoning of "R4" Single Family Residential.

The proposed zoning is consistent with the Comprehensive plan

RELATED GOALS FROM THE COMPREHENSIVE LAND USE PLAN

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.

CITY COUNCIL ENDS STATEMENTS AND GOALS

- Well-planned community based on principles of connected city, economic prosperity, and a thriving community.

SUMMARY

The current plan indicates for all residential lots to exceed the minimum spatial requirements for "R4" Single-Family residential. A total of 71 residential lots are proposed in the 18.2-acre development with portions of the site are to be preserved as open space. As per the Unified Development Code for "PD" Planned Developments an approved site plan will be required.

There have been concerns with the existing ponds as being jurisdictional waters as well negatively impacting underground aquifers. Through an environmental assessment obtain by the developer, the existing ponds were determined not to be either jurisdictional waters or impacting aquifers.

STAFF RECOMMENDATION

The applicant's request for a zoning change to "PD" Planned Development with a base zoning district of "R4" Single-Family Residential, is compatible with the existing land use and is consistent with the current Comprehensive Plan, therefore staff has recommended approval.

Land Use Compatibility:	Requested change <i>is compatible.</i>
Comprehensive Plan Consistency:	Requested change <i>is consistent.</i>
Staff Recommendation:	Approve

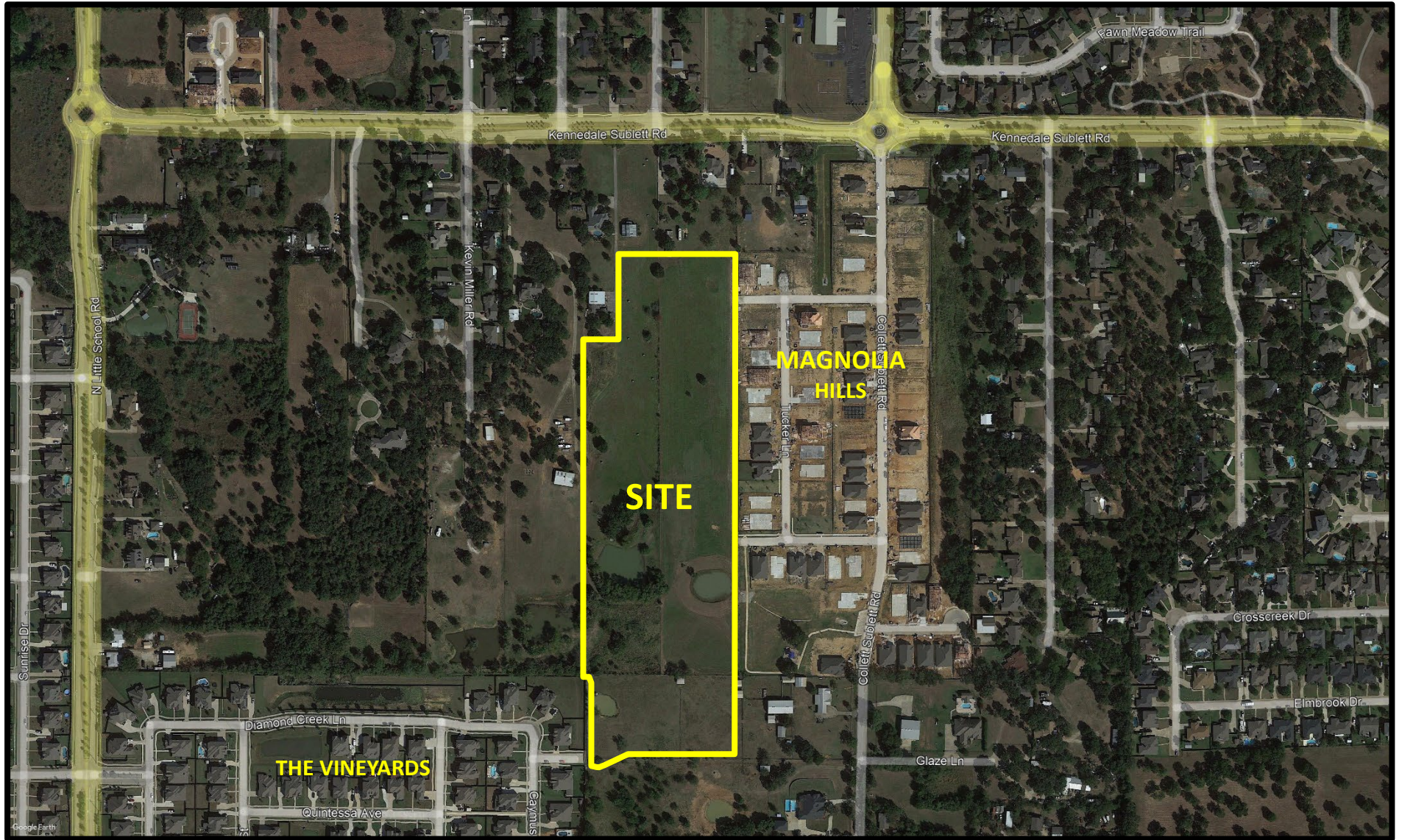
ACTION BY THE PLANNING & ZONING COMMISSION

The City Council may approval or deny the request for a zoning change.

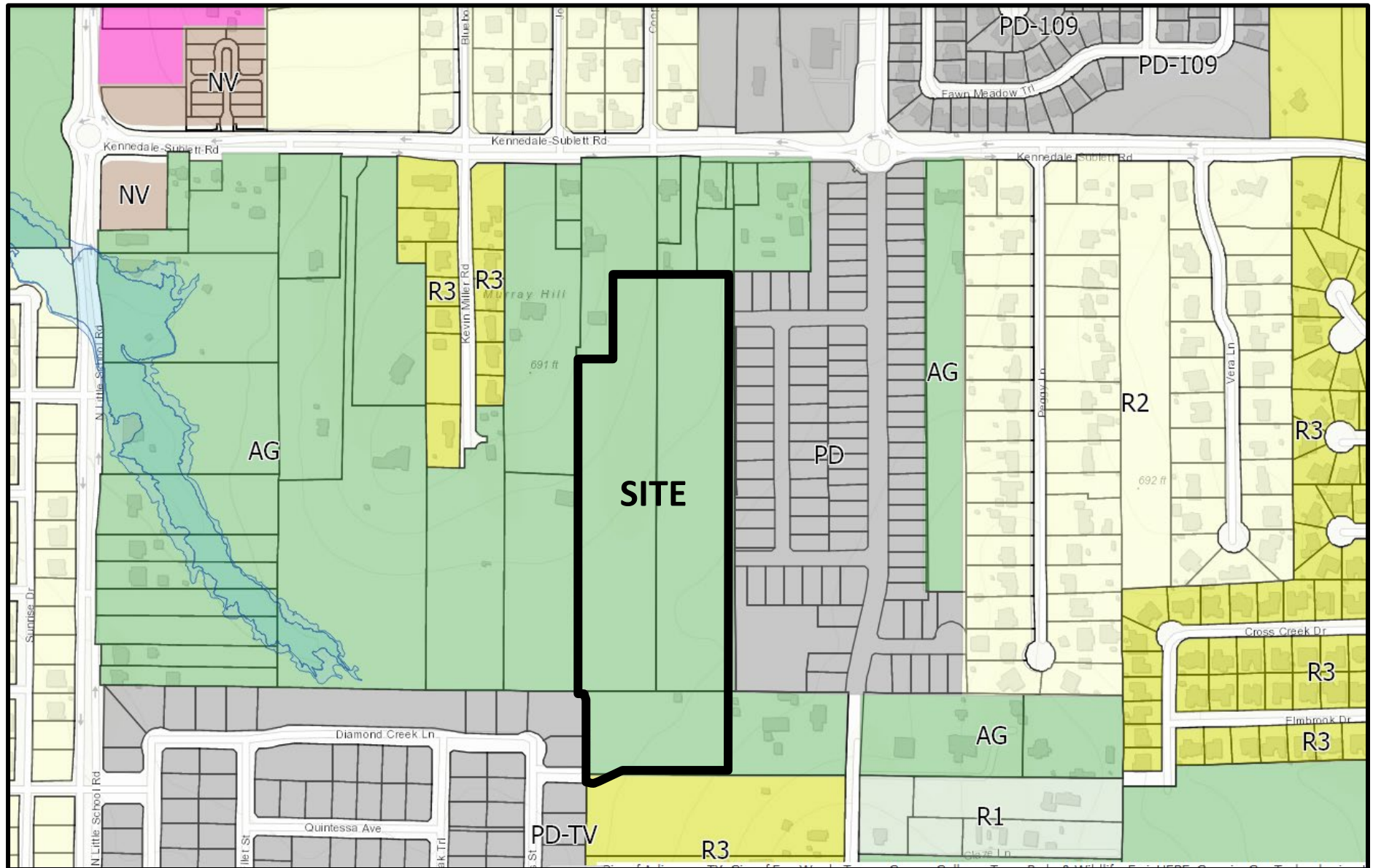
Approval: Based on the information presented, I find that the request meets city requirements and is in compliance with the comprehensive land use plan and make a motion to approve the request for rezoning.

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

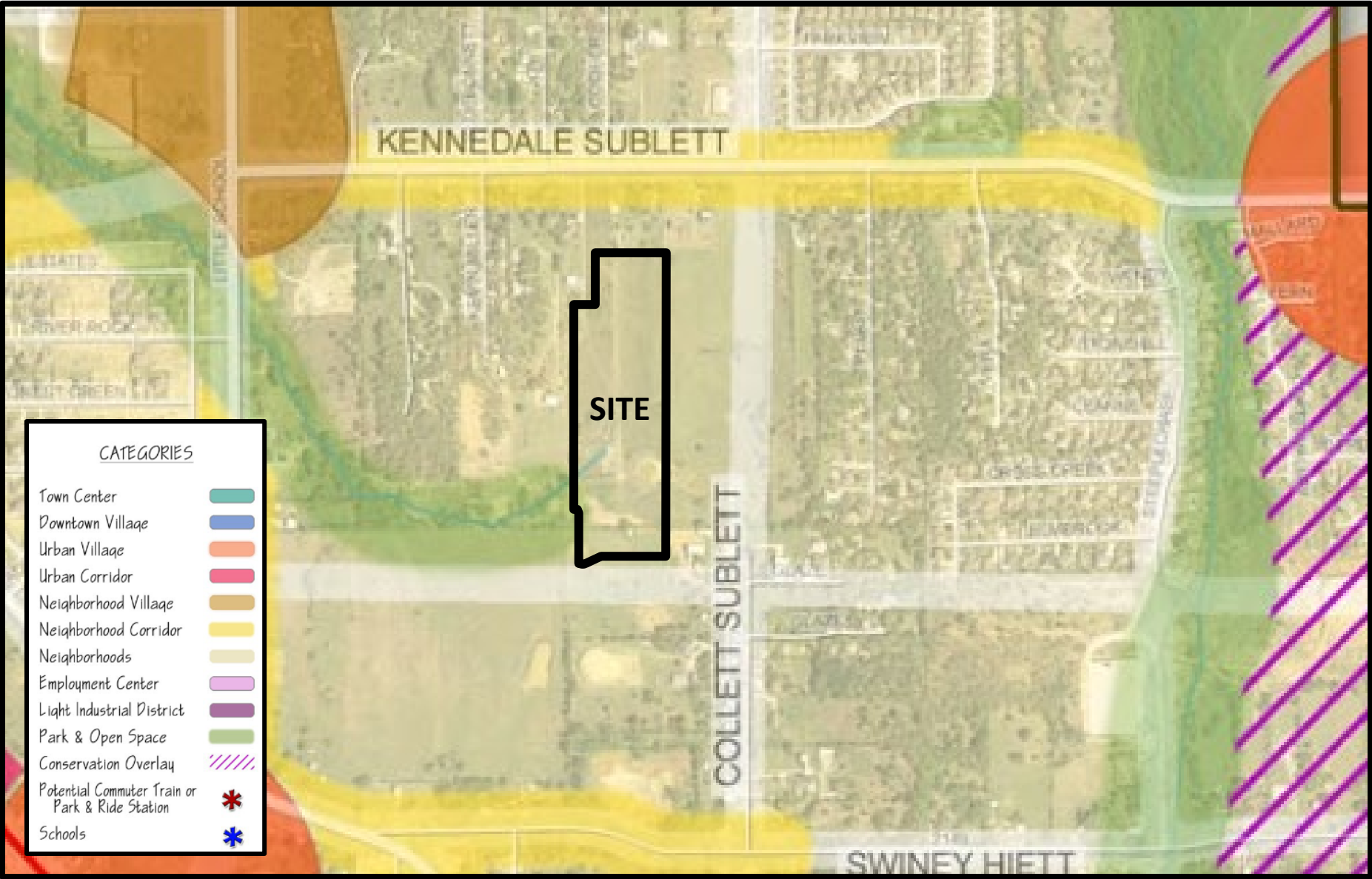
1106 KENNEDALE SUBLETT RD AERIAL



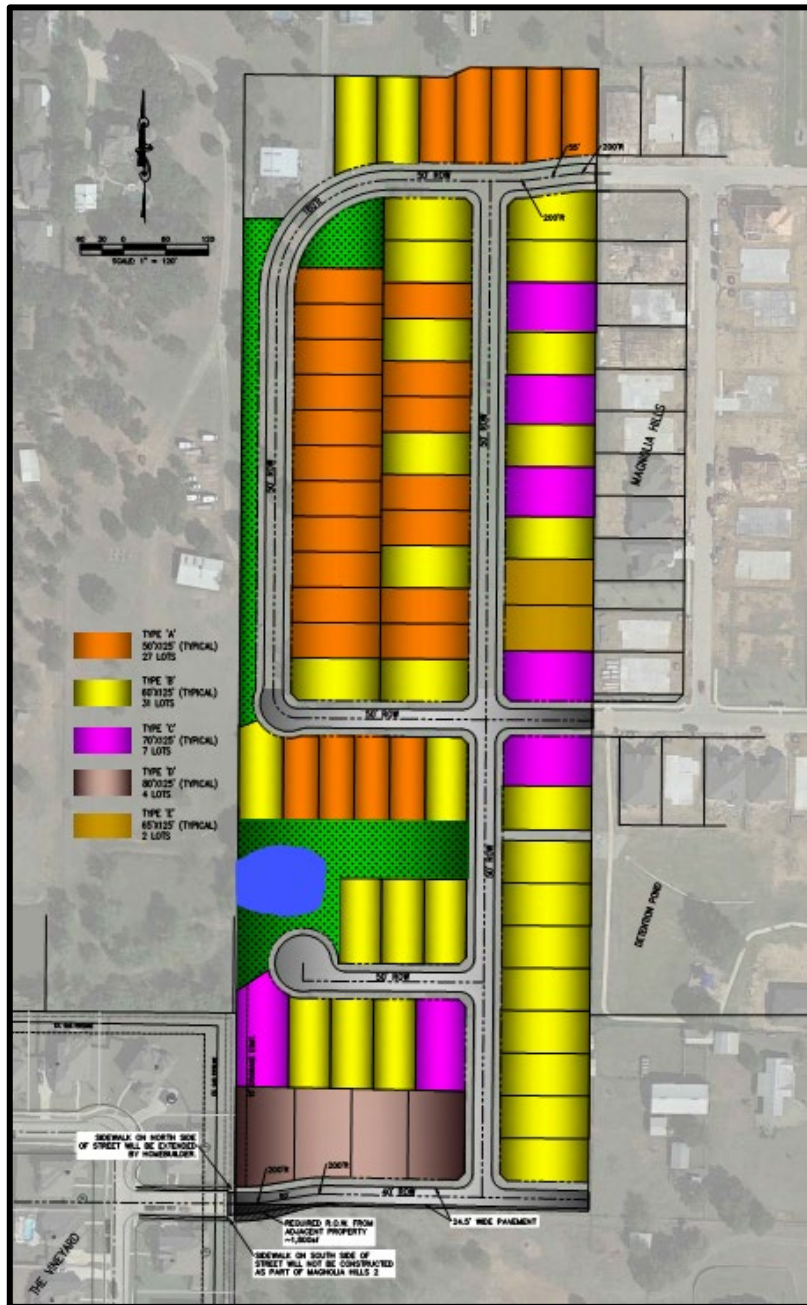
1106 KENNEDALE SUBLETT RD ZONING MAP



1106 KENNEDALE SUBLETT RD.
FUTURE LAND USE



1106 KENNEDALE SUBLETT RD.



	TYPE 'A' 50'X125' (TYPICAL) 27 LOTS
	TYPE 'B' 60'X125' (TYPICAL) 31 LOTS
	TYPE 'C' 70'X125' (TYPICAL) 7 LOTS
	TYPE 'D' 80'X125' (TYPICAL) 4 LOTS
	TYPE 'E' 65'X125' (TYPICAL) 2 LOTS

71 Residential Lots

- Consist of both R3 & R4 Lots

Per Sec. 9.2 "Qualifying Conditions"

1. Provision of Open Space
2. Efficient Consolidation of poorly dimensioned parcels
3. Transition between higher and lower density uses
4. Shared vehicular & pedestrian access
5. Mitigation to offset impacts of public infrastructure.



RESIDENTIAL SPATIAL REQUIREMENTS

Table 3.3 Spatial Requirements: Agricultural and Residential Districts							
Requirement		AG	R-1	R-2	R-3	R-4	D
Lots							
Min. Area (s.f.)	Sewer	43,560	21,780	15,000	8,750	5,000	8,750
	Septic	43,560	43,560	43,560	43,560	43,560	43,560
Max. Density (units per acre)		-	-	-	-	-	-
Min. Width (ft.)		80	100	100	80	50	70
Min. Depth (ft.)		125	125	125	100	100	125
Max Impervious (%)		50	50	50	50	50	50
Setbacks							
Min. Front (ft.) ¹	Primary	50	50	40	20	20	30
	Secondary	20	20	20	15	15	15
Min. Side (ft.)	Total ²	30	30	30	20	5	16
	Least	10	10	10	8	2	8
Min. Rear (ft.) ³		45	30	30	15	15	15
Principal Buildings							
Max. Height (ft.)		50	50	40	40	40	35
Max. Stories (number)		2.5	2.5	2.5	2.5	2.5	2.5
Min. GFA (s.f.)		1,500	1,500	1,500	1,250	1,000/unit	1,000/unit
Min. Multi-Family Bedroom Area (s.f.) ⁴	Efficiency	-	-	-	-	-	-
	One BR	-	-	-	-	-	-
	Two BR	-	-	-	-	-	-
	Three BR	-	-	-	-	-	-
Min. Masonry (%)		80	80	80	80	80	80
Accessory Buildings (100 s.f. +)							
Max. Number		-	3	2	1	1	2
Max. Size (% of rear yard)		20	10	10	10	10	10
Max. Height (ft.)		-	15	15	15	15	15
Max. Stories (number)		1	1	1	1	1	1
Min. Side Street Setback (ft.)		-	-	-	-	-	-
Min. Side Setback (ft.)		8	8	8	8	8	8
Min. Rear Setback (ft.)		8	8	8	8	8	8
Min. Setback from Principal (ft.)		5	5	5	5	5	5

UDC REQUIREMENTS

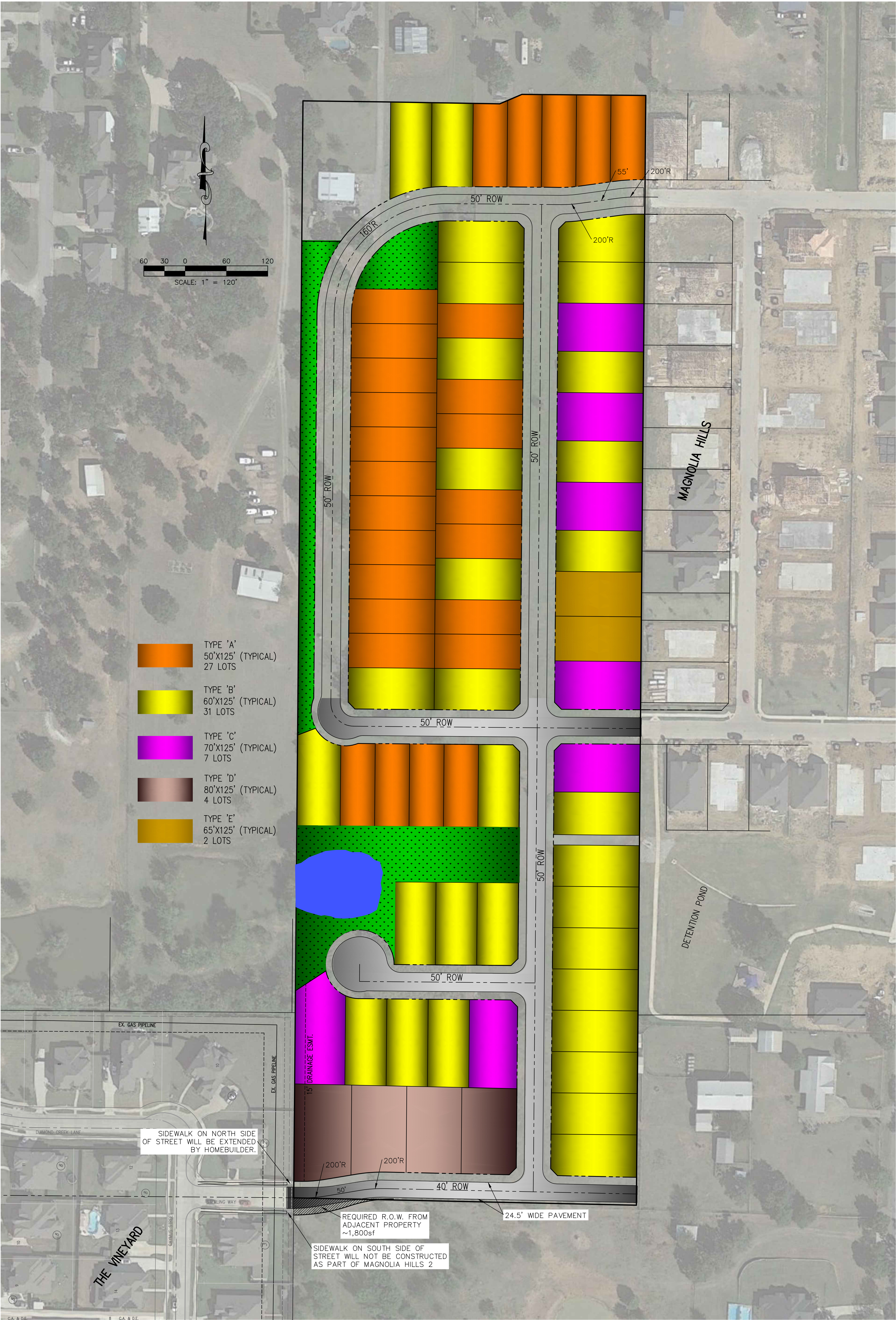
Table 2: Lot Dimensional Requirements

Lot Type (see Concept Plan) ▶	A	B	C	D
Minimum Lot Width/Frontage ⁽¹⁾	50'	60'	70'	80'
Minimum Lot Depth	120'	120'	120'	120'
Minimum Lot Area	6,000 SF	7,200 SF	8,400 SF	9,600 SF
Minimum Front Yard Setback ⁽²⁾	20'	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'	10'	10'
Minimum Length of Driveway Pavement	20'	20'	20'	20'
Maximum Height	40'	40'	40'	40'
Minimum Rear Yard Setback	10'	10'	10'	10'
Minimum Area/Dwelling Unit (SF)	1,800 SF	1,800 SF	1,800 SF	1,800 SF
Maximum Lot Coverage	65%	65%	65%	65%

PROPOSED "PD"

All lots exceed the minimum R4 & R3 requirements





CONCEPT PLAN
MAGNOLIA HILLS - PHASE 2
CITY OF KENNEDALE, TARRANT COUNTY, TEXAS



(Tex. Reg. No. F-456)
12655 N. CENTRAL EXPWY, SUITE 420
DALLAS, TEXAS 75243
TEL 214-373-1180 * FAX 214-373-6580
daytonm@macatee-engineering.com
phillipf@macatee-engineering.com

10/24/2022

“Magnolia Hills Addition” Planned Development

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.*

Magnolia Hills Addition (*Subject Property*) is established on property located west of the existing Magnolia Hills subdivision off Kennedale Sublett Road. This Planned Development is comprised of three (3) tracts of land consisting of approximately 18.5 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 seventy-one (71) single family residential lots. The primary access to the proposed development will be provided at the connection points to Magnolia Hills on McLellan Court and Levee Lane, an additional access point will be provided at the southern connection to the Vineyards subdivision in the southwest corner. 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>
A	50' x 120'	6,000 SF
B	60' x 120'	7,200 SF
C	70' x 120'	8,400 SF
D	80' x 120'	9,600 SF
E	65' x 120'	7,800 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 dwelling units per gross acre of land; however, in no case should the proposed development exceed 71 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) ►	A	B	C	D	E
Minimum Lot Width/Frontage ⁽¹⁾	50'	60'	70'	80'	65'
Minimum Lot Depth	120'	120'	120'	120'	120'
Minimum Lot Area	6,000 SF	7,200 SF	8,400 SF	9,600 SF	7,800 SF
Minimum Front Yard Setback ⁽²⁾	20'	20'	20'	20'	20'
Minimum Side Yard Setback	5'	5'	5'	5'	5'
Minimum Side Yard Setback (Adjacent to a Street)	10'	10'	10'	10'	10'
Minimum Length of Driveway Pavement	20'	20'	20'	20'	20'
Maximum Height	40'	40'	40'	40'	40'
Minimum Rear Yard Setback	10'	10'	10'	10'	10'
Minimum Area/Dwelling Unit (SF)	1,800 SF	1,800 SF	1,800 SF	1,800 SF	1,800 SF
Maximum Lot Coverage	65%	65%	65%	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) 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.
- 12) *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.
- 13) All wood fencing will be constructed of spruce or whitewood 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 minimum height of 6 feet and a maximum height of 8 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 minimum 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 or whitewood 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.
- 14) 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.
- 15) 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) 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. Due to the amount of open space being provided on this project, the all fees associated with the City of Kennedale parks department shall be waived.
- 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 in common areas, and along the right-of-way adjacent to the western property boundary. Landscaping shall be irrigated.
- 7) Landscaping installed by the developer shall be maintained by the Homeowners' Association (HOA).
- 8) *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. The southernmost street shall have a reduced right-of-way equal to 40' in width and have a 24.5' back-to-back paving section.
- 9) *Lot Area and Setbacks.* Lot areas and setbacks will be as shown on the Concept Plan and as in *Table 2*.
- 10) *Minimum Floor Area per dwelling unit.* All lots will have a minimum of 1,800 square feet of dwelling space.
- 11) *Perimeter Walls/Screening.* The perimeter fencing adjacent to the western property boundary running parallel to the street shall be 8' tall and incorporate 4" cal.

Magnolia trees, or a similar species, equivalent to the number of lots fronting on the adjacent side of the street to be installed by the developer and maintained by the HOA.

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 five (5) feet in width. The trail around the retention/detention pond will be five (5) feet in width and will be made of natural material, such as mulch, gravel, and other natural materials.

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.