



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
May 16, 2013
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:00 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. WORK SESSION

- A. Discuss zoning at Bowman Springs Rd intersection with Kennedale Pkwy
- B. Discuss Old Town zoning district regulations
- C. Discuss item(s) for future consideration
 - 1. Green / environmental regulations
 - 2. Creation or modification of zoning districts to implement comprehensive plan
 - 3. Zoning standards for the Oak Crest area

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Review and consider approval of minutes from the April 18, 2013 Planning & Zoning Commission Regular Meeting

VIII. VISITOR/CITIZENS FORUM

At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual commissioners or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.

IX. REGULAR ITEMS

- A. CASE # PZ 13-02** to receive comments and consider action on a request by the Kennedale Economic Development Corporation to amend regulations governing signs in the Kennedale TownCenter Planned Development District adopted under Ordinance No. 434, for property located at 201 W Kennedale Pkwy, more particularly described as Block A, Kennedale Town Center Planned Development District.

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Applicant Response
5. Staff Response and Summary
6. Action by the Planning & Zoning Commission

X. REPORTS/ANNOUNCEMENTS

XI. ADJOURNMENT

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

CERTIFICATION

I certify that a copy of the May 16, 2013, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Amethyst G. Cirno, City Secretary



Date: May 16, 2013

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss zoning at Bowman Springs Rd intersection with Kennedale Pkwy

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

This item is a continuation of discussions by the Commission about standards for the Urban Village.

If they have time to prepare something before the meeting, Michael Herring and Tom Pirtle will provide illustrations to guide discussions on site design standards.

I've been talking with Bob Hart about on-street parking options, and he agrees that the example of head-in parking on Camp Bowie (see picture handed out at last meeting)--with room provided to back out of the space without also backing into the travel lane on the street--might work along Bowman Springs or Dick Price and might even be an extra benefit for lots that don't have sufficient room for off-street parking. He thought the parallel parking option would not work as well, since it doesn't allow for as many parking place. I'll be visiting several locations like the Camp Bowie example to take measurements and will pass those measurements along to Mr. Pirtle and Mr. Herring to use in their illustrations.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: May 16, 2013

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss Old Town zoning district regulations

II. Originated by:

III. Summary:

The Commission asked for this item to be placed on the Work Session agenda. At the meeting, staff will take input from the Commission on how it would like to proceed with the item.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: May 16, 2013

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss item(s) for future consideration

1. Green / environmental regulations
2. Creation or modification of zoning districts to implement comprehensive plan
3. Zoning standards for the Oak Crest area

II. Originated by:

III. Summary:

The Commission maintains a list of topics that it would like to address under a future agenda. These items are not intended for discussion at this time, but the Commission may discuss these topics or additional topics in terms of when they will be added as a regular work session agenda item and the scope of the future discussion.

1. Green/Environmental Regulations
2. Creation or modification of zoning districts to implement the comprehensive plan
3. Zoning standards for the Oak Crest area

The latter two items stem from policy papers recently reviewed by City Council. In the near future, staff will bring forward ideas to start the discussion for zoning districts, in general, for beginning implementation of the comprehensive plan. As for the 3rd item, staff recommends holding a public input forum with residents and property owners in the Oak Crest area to better understand their expectations and concerns about future development and zoning regulations. Getting a better idea of what residents see as issues and opportunities will allow the city to craft a better set of standards. When the City is ready to move forward with this item, we will arrange for a public input session.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

VIII. Alternative Actions:

IX. Attachments:



Date: May 16, 2013

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Review and consider approval of minutes from the April 18, 2013 Planning & Zoning Commission Regular Meeting

II. Originated by:

III. Summary:

The minutes from the April 18th meeting are enclosed with your packet for your review and consideration for approval.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	04.18.2013 PZ Minutes	04.18.2013 PZ Minutes.doc
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
April 18, 2013
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Mr. Harvey called the meeting to order at 6:04 P.M.

II. ROLL CALL

Members present: Ernest Harvey (chair), Thomas Pirtle (vice-chair), Ray Cowan, Michael Herring, and Martin Young (alternate)

Members absent: Adrienne Kay, Carolyn Williamson, Don Rawe (alternate)

Staff present: Rachel Roberts (planner)

Staff absent: James Cowey (director of development services)

III. WORK SESSION

A. Discuss zoning at Bowman Springs Rd intersection with Kennedale Pkwy

The Commission discussed possibilities for on-street parking along Bowman Springs and Dick Price.

Ms. Roberts reported that she had discussed with Bob Hart some of the work on the Urban Village, and he had suggested adding Bed and Breakfasts as a permitted use. The Commission agreed that adding the use was acceptable but that it may be better to limit where they can be located within the Urban Village.

The Commission next discussed liner buildings, in terms of how and where they might be used. The members discussed using liner buildings to screen parking lots for existing uses that don't fit the desired form of the Urban Village, while still ensuring enough parking is provided for those uses. The Commission also discussed how a multi-story liner building could be used to provide parking on the bottom level so that an existing business would be able to keep some parking when and if a structure is built.

Ms. Roberts said she'd find out the size of the head-in parking area she had shown the Commission, to see if it would work in this district. Mr. Harvey said he also liked the parallel parking concept shown in the illustration Ms. Roberts had handed out, and the Commission discussed how it would need to be designed differently than how it is shown in the picture so that the parking doesn't take up the sidewalk.

B. Discuss items for future consideration

1. Old Town zoning district regulations

The Commission decided to move this item up as a work session item for the next meeting.

2. Green / environmental regulations

The Commission did not have time to discuss this item.

The work session closed at 7:03 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

Mr. Harvey called the regular session to order at 7:03 P.M.

VI. ROLL CALL

Members present: Ernest Harvey (chair), Thomas Pirtle (vice-chair), Ray Cowan, Michael Herring, and Martin Young (alternate)

Members absent: Adrienne Kay, Carolyn Williamson, Don Rawe (alternate)

Staff present: Rachel Roberts (planner)

Staff absent: James Cowey (director of development services)

VII. MINUTES APPROVAL

A. Review and consider minutes from the March 21, 2013 Planning & Zoning Commission regular meeting

Mr. Cowan made a motion to approve the minutes, seconded by Mr. Pirtle. The motion passed with all in favor.

VIII. VISITOR/CITIZENS FORUM

No one registered to speak. There was one visitor in the audience, so the Commission asked her how long she's lived in Kennedale and why she was attending the meeting. Mr. Pirtle encouraged her to look at the comprehensive plan and to keep coming to the meetings.

IX. REGULAR ITEMS

There were no items for the regular session.

X. REPORTS/ANNOUNCEMENTS

Ms. Roberts gave the dates for the upcoming workshop on bird identification for beginners and the work day for the demonstration garden. She also announced that the City Council had confirmed Mr. Pirtle as vice-chair of the Commission and that the Council had reviewed the policy papers but hadn't made a decision about them. She added that it may not have been clear to Council that the papers were an action item.

Mr. Pirtle said his client would be submitting a permit for the old automotive alignment building that was damaged in the tornado, so the building will go under construction.

XI. ADJOURNMENT

Mr. Pirtle made a motion to adjourn, seconded by Mr. Herring. The motion passed with all in favor.

The meeting adjourned at 7:18 P.M.

Ernest Harvey, Chair

Date

ATTEST:

Rachel Roberts, Board Secretary

Date



Date: May 16, 2013

Agenda Item No: REGULAR ITEMS - A.

I. Subject:

CASE # PZ 13-02 to receive comments and consider action on a request by the Kennedale Economic Development Corporation to amend regulations governing signs in the Kennedale TownCenter Planned Development District adopted under Ordinance No. 434, for property located at 201 W Kennedale Pkwy, more particularly described as Block A, Kennedale Town Center Planned Development District.

II. Originated by:

III. Summary:

Case Number: PZ 13-02

Request: amend zoning district regulations for the TownCenter zoning district (PD) to permit larger (taller and wider) monument signs than currently permitted in the district

Applicant: Kennedale Economic Development Commission

Overview and Background:

New signs in TownCenter are regulated by the district's planned development district ordinance, adopted in 2009. Since the regulations were adopted, the developer for TownCenter, Cypress Properties, has had difficulty attracting new tenants. Some of this difficulty could be attributed to the recession and to Kennedale's small size and demographics, but according to Cypress Properties, signs also appear to play a role.

The developer has met with two commercial real estate brokers about listing TownCenter with their firms, and the brokers advised Cypress to install larger monument signs (referred to in the attached letter as "pylon signs"), as visibility would be an issue for businesses that would have no direct frontage on Kennedale Parkway. In addition, the developer says that prospective tenants have also remarked on the need for larger signs (see attached letter from Cypress Properties).

TownCenter originally had a pole sign in place, which was apparently larger than the monument signs now requested, but that sign was blown down during the tornado last year. The pole sign did not fit the image of the TownCenter development, and the developer did not reinstall the sign. Instead, he would like to install a tall monument sign to replace the destroyed pole sign, and he would also like to add an additional large monument sign in the location of the current Chicken Express sign.

The Economic Development Corporation is concerned about the ability to lease and fully develop the TownCenter project with the sign regulations in place now. The EDC is therefore requesting to amend the zoning regulations to allow larger monument signs (see attached exhibit of sign illustration/design). The larger sign face would have more visibility from the roadway and also allows for more spaces or larger spaces for tenants.

The EDC's request and description of the issue is attached to this report. It states why the larger signs are

requested and gives examples of other cities in the region that have changed their ordinances to allow such signs.

Staff Review.

Comprehensive Plan compliance.

TownCenter falls within the Towncenter land use district in the comprehensive plan. This area is to be the center for civic activity and is expected to grow into "a high intensity mixed-use area...", with a tight network of streets designed to encourage walking within the district and from nearby districts. Sample development types include government institutions, professional offices, specialized retail, and restaurants.

The three principles and supporting goals of the comprehensive plan do not directly address this request. On the other hand, we do have guidance from the goal descriptions, in that the plan specifically calls for supporting local businesses and promoting opportunities to shop in Kennedale.

Staff believes that a larger sign is compatible within a high intensity mixed-use district, especially considering the district's location on a major thoroughfare. In addition, in our research on larger signs of this type, staff has not found any documentation that such signs discourage the kind of environment (accessible by car but also by pedestrians) desired for the district. However, lighting at night may be a concern for nearby residential areas; this issue is addressed in the recommendations section below.

Compliance with other plans.

The Strategic Plan recommends the city work to attract businesses and help existing businesses expand. The requested change to the sign regulations is in line with this recommendation.

Other issues.

If taller, larger signs are vital for the success of TownCenter, they may also be necessary for other large, multi-tenant developments. Although TownCenter is the only development of this scale in Kennedale now, the Urban Villages to be developed in the future may be of a similar scale. The City will need to consider whether sign regulations governing those districts should also be permitted to have monument signs of a comparable size--or at least larger than what is now permitted.

In addition, staff's understanding of TxDOT regulations is that signs along TxDOT roadways must be outside the right-of-way, but that no specified setback must be met. We have checked with TxDOT and expect to hear from that agency soon as to whether this understanding is correct. If a setback is required, it will be addressed through the sign permitting and review process.

Recommendation.

The comprehensive plan calls for supporting local businesses and promoting opportunities to shop in Kennedale. Staff does not interpret that language to mean that the city should grant any request from businesses for changes to the zoning code; what it does mean, from the staff perspective, is that we should be realistic about the marketplace and the development business today and make sure our regulations are in keeping with the needs of business and customers, if we want our businesses to be successful.

The request is in compliance with the comprehensive land use plan and other planning documents. In addition, staff does not foresee any conflict between goals for this district and the request. Staff recommends approving the ordinance.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

Notice was published in the newspaper (*Fort Worth Star-Telegram*) as required by city code.

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 13-02 application	PZ 13-02 EDC appl.pdf
2.	PZ 13-02 letter from Cypress Properties	PZ 13-02 lttr from Cypress.pdf
3.	PZ 13-02 ordinance (draft)	PZ 13-02 Ordinance.docx

**PETITION FOR
CHANGE OF ZONING CLASSIFICATION**

ZONING CASE # PZ 13-02
(assigned by city staff)

DATE: April 19, 2013

City Council
City of Kennedale
Kennedale, Texas 76060

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

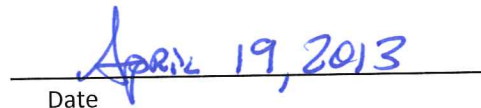
You are hereby respectfully requested to approve the following request for a change to the zoning code.

To change the zoning regulations governing signs for the TownCenter Planned Development District, which is shown on the attached map (Exhibit "A"), in order to permit an increase in height in monument signs from a maximum sign height of seven (7) feet with a maximum base height of two (2) feet, to a maximum sign height of fifteen (15) feet six (6) inches with a maximum base height of seven (7) feet six (6) inches, and an increase in sign face area from a maximum of 50 feet per side to a maximum of 145 feet per side.

Applicant's Name: Kennedale Economic Development Corporation
Address: 405 Municipal Drive
Kennedale, TX 76060
Telephone Number: 817-985-2102



Applicant Signature



Date

The original PD for the TownCenter contemplated two monument signs. The original sign on the property was removed in order to accelerate the movement to a monument sign. However, during the intervening time, the EDC has found that a monument sign will not work in the marketplace. Potential businesses and brokers are indicating that without a street facing business, the businesses require extra signage. This issue appears to be common in other communities in the metroplex. Fort Worth and North Richland Hills, for example, have both modified their signage requirement to permit larger signage for inward facing buildings. An example is the Hulen Crossing shopping area on Overton Ridge in Fort Worth (photo attached). In this case, the sign dimensions are 20 feet X 21 feet. The EDC is requesting two signs 23 feet X 11 feet. One sign will replace the old sign and one will replace the current Chicken Express sign and in both cases are intended to replace the previously approved monument signs.



April 23, 2013

Mr. Bob Hart
Kennedale Economic Development Corporation (KEDC)
405 Municipal Dr
Kennedale, Texas 76060

RE: Request To Amend Zoning To Allow Pylon Signage

Dear Mr. Hart:

This letter is to request that the KEDC formally seek to have the PD zoning amended to allow Pylon Signage.

As you are aware, we have had and continue to have challenges leasing space to new Tenants in TownCenter. This is due to numerous issues including but not limited to:

1. The "Plaza" style site plan is not common in the DFW market. Tenant visibility of the majority of the TownCenter is limited.
2. Tenant's are not used to no parking spaces being available between the front of the building and the street.
3. Tenant prospects and other Real Estate Brokers and Agents have strongly noted the need for Pylon signage vs the allowed monument signage.

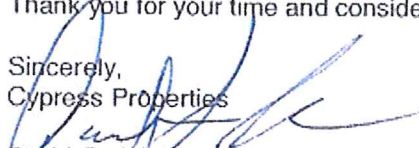
In an effort to try and break into the local market better we have interviewed several local Commercial Real Estate firms with the intent of listing TownCenter leasing responsibilities with them. Two of these companies are:

- The Woodmont Company
- The Westover Group

Each of the principals that we met with from these companies strongly suggested that we install pylon signs. They stressed that retailing remains a very hard business to survive in and anything that we as Landlords can do to try and help make them as success we need to do it!

Thank you for your time and consideration.

Sincerely,
Cypress Properties

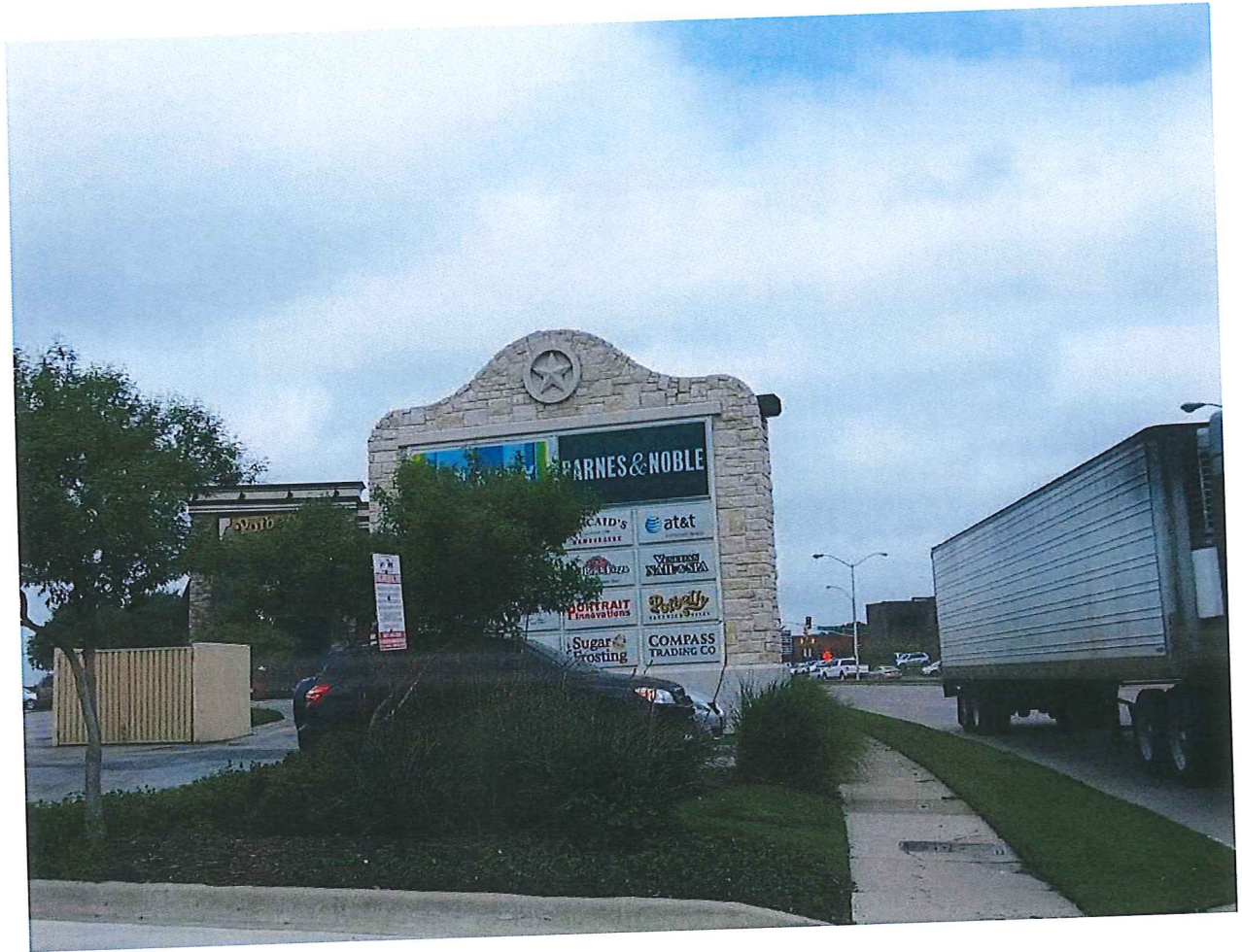

David G. Johnson
President/Broker

601 E. Whitestone Blvd.
Building 4, Suite 246
Cedar Park, Texas 78613
Office: (512) 528-9994
Fax: (512) 528-9995









AN ORDINANCE AMENDING CITY OF KENNEDALE ORDINANCE 434 BY AMENDING REGULATIONS GOVERNING SIGNS IN THE KENNEDALE TOWNCENTER PLANNED DEVELOPMENT DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale 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 promote the public health, safety and general welfare the City Council desires to adopt the proposed amendment to Ordinance 434 in order to amend the regulations governing signs within the TownCenter Planned Development District; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the Planning and Zoning Commission of the City of Kennedale, Texas held a public hearing on May 16, 2013, and the City Council of the City of Kennedale, Texas held a public hearing on June 13, 2013, with respect to the amendments described herein; and

Whereas, the City has complied with all requirements of Chapter 211 of the Local Government Code, Section 17-429 of the Zoning Ordinance, and all other laws dealing with notice, publication, and procedural requirements for the approval of amending the Schedule of Uses under Section 17-421 of the Kennedale City Code.

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

SECTION 1.

Section 3.12.a of Ordinance 434 the City of Kennedale, Texas is hereby amended as follows:

Section 3.

12. *Signs*

a. *Monument signs.* Monument signs, as defined in Section 17 - 502 of the City of Kennedale Code of Ordinances shall be allowed in the KTCPDD subject to the following requirements:

- i. *Height.* Monument signs may be placed atop a base of a maximum of seven (7) feet six (6) inches and a maximum width of eleven (11) feet. Sign face shall have a maximum height of fifteen (15) feet six (6) inches, excluding the base and the frame.
- ii. *Sign face area.* Sign face area shall not exceed a maximum of 145 square feet per side, excluding sign frame, with a maximum of two (2) sides.
- iii. *Illumination.* Monument signs, if illuminated, shall be internally illuminated. No exposed neon is permitted. Signs must be sited so as to minimize visibility in nearby residential areas.
- iv. *Address numbers.* Address numbers are required on business monument signs. Address numbers will not count toward the maximum sign face area. The address numbers can be placed in or encroach into the masonry perimeter.
- v. *Non-conforming signs.* Monument signs existing in place at the KTCPDD site at the time of approval of Ordinance 434 shall not be required to conform to the regulations established by said Ordinance.
- vi. *City-owned signs.* Monument signs owned by the City may also be located within the allowable space for electronic message boards or electronic message signs.

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clause, or phrase of this Ordinance shall be declared

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

SECTION 4.

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00). Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Kennedale are expressly saved as to any and all violations of the provisions of any ordinances governing zoning 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, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Kennedale is hereby directed to publish in the official newspaper of the City of Kennedale the caption, penalty clause, publication clause and effective date clause of this ordinance as provided by Section 3.10 of the Charter of the City of Kennedale.

SECTION 7.

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

PASSED AND APPROVED ON THIS DAY OF [DATE].

MAYOR

DRAFT: subject to change pending review by city attorney and city council

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY