



**KENNEDALE**  
Planning and Zoning Commission  
[www.cityofkennedale.com](http://www.cityofkennedale.com)

**KENNEDALE PLANNING & ZONING COMMISSION**  
**AGENDA**  
**COMMISSIONERS - REGULAR MEETING**  
**June 20, 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. Discussion of Planned Development District concept for undeveloped property on Little School Rd
- B. Discuss zoning at Bowman Springs Rd intersection with Kennedale Pkwy
- C. Creation or modification of zoning districts to implement comprehensive plan
- D. Discuss Old Town zoning district regulations
- E. Discuss item(s) for future consideration
  - 1. Zoning standards for the Oak Crest area
  - 2. Green / environmental regulations

**IV. REGULAR SESSION**

**V. CALL TO ORDER**

**VI. ROLL CALL**

**VII. MINUTES APPROVAL**

- A. Review and consider approval of minutes from the May 16, 2013 Planning & Zoning Commission 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****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 Cirmo, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

**CERTIFICATION**

I certify that a copy of the June 20, 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.

A handwritten signature in black ink that reads "Amethyst G. Cirmo". The signature is written in a cursive style with a horizontal line underneath the name.

Amethyst G. Cirmo, City Secretary



**Date:** June 20, 2013

**Agenda Item No:** WORK SESSION - A.

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**I. Subject:**

Discussion of Planned Development District concept for undeveloped property on Little School Rd

**II. Originated by:**

**III. Summary:**

Staff recently met with Terrence Jobe, a developer interested in the Harper property at the corner of Little School Rd and Mansfield Cardinal Rd. The property is zoned R-2 Single Family Residential and was previously approved for a preliminary plat (the proposed subdivision at that time was called The Vineyards). After the preliminary plat was approved, the original development plans were not pursued, and the preliminary plat expired. Although the property could be platted again under its current zoning, we talked with Mr. Jobe and his engineer about the possibility of pursuing a rezoning to Planned Development District to allow development in compliance with the comprehensive plan. As you know, our current zoning regulations do not allow the city to implement the comprehensive plan.

Mr. Jobe would like to discuss with you his ideas for the development. He's already begun sketching out ideas, which include keeping the R-2 lot size around the perimeter of the development (to act as a buffer for neighboring properties) and creating smaller lots with smaller setbacks on the interior of the development, which is in keeping with the city's vision of providing a range of housing types, as well as moving toward smaller front yards for water conservation purposes. The development would have a detention pond that would also serve as a water feature, as well as additional dedicated green space and an area set aside to serve as a neighborhood center, as called for in the description for the "Neighborhood" category of the comprehensive plan.

Proposed lots sizes for the smaller lots are 70 feet wide by 100 feet deep, and the proposed front setback is 25 feet. To give some perspective, these measurements are **smaller** than what is required in R-3 districts but **larger** than required for Old Town zoning districts. The measurements are also **larger** than what is required in Home Town, the Traditional Neighborhood Development in North Richland Hills that served as an example of desired development types during the discussions held while developing the new comprehensive plan. In addition, the development would have side or rear entry garages as required by current zoning regulations.

We've spoken with Mr. Jobe about the city wanting to allow smaller lots with smaller setbacks while maintaining property values. He has worked on projects in other cities with similar concerns, such as Frisco and Mansfield, and he is aware of the kinds of building standards the city might impose in order to ensure durable, attractive homes are built. He is prepared to meet such standards as part of the PD.

Mr. Jobe will attend the work session to discuss ideas and hear from the Commission about any concerns you may have about the possibility of moving forward with a PD rezoning application.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** June 20, 2013

**Agenda Item No:** WORK SESSION - B.

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**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.

Attached to this report is a draft of the form-based code document. You'll see the document still needs a lot of formatting and illustrations. In addition, I need to add information about liner buildings and more details about head-in parking, once those details have been worked out by staff.

Once we have a good draft put together, we have more work to be done before the city can move forward with considering adoption of a form-based code. For one thing, we need to collect input from property owners who would be affected by adoption of this code. Are there any aspects of it that concern them? What, if anything, would like like added? Although any code adopted will need to conform to the intent and vision of the comprehensive land use plan, the community's needs and wants should be considered if the code is to be effective.

Also, we will have the code reviewed by a consultant, and once we've met with a consultant, he or she may have suggestions that require the city to take a few steps back and re-examine the code in terms of both intent and regulations. But with those points made, the Commission has made good progress in shaping a document that it can take to Council and to the public to show what a form-based code can (and cannot) do.

I've changed the order a bit to follow a format that moves from more less restrictive to more restrictive, from the parts that are crucial to include in a form-based code to those that are optional. Following this format makes it easier for Council (and the public) to review. Elements that are considered crucial for a form-based code are: building mass and placement (build-to lines/setbacks, minimum frontage requirements, & mass & height), site design standards (parking placement, parking screens, sidewalk standards, curb cuts, and landscape standards), and entry orientation (building disposition, e.g., courtyard, edgeyard, sideyard, etc.). Without these elements, we don't have a form-based code. The remaining elements can provide important standards for shaping the built environment and achieving the city's vision, but even without adopting those additional elements, the city can still put in place a form-based code that makes a strong statement about the relationship between structures and the street, and how people people interact with and within the Urban

Village.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**

|    |           |                               |
|----|-----------|-------------------------------|
| 1. | draft FBC | Standards draft (scribus).pdf |
|----|-----------|-------------------------------|

# Bowman Springs Urban Village

*a form-based code*

adopted [date]





TOC

Article I.

Sections 1-3

Article II. Sections 4-6

Section 4 Building Mass & Placement

Build-to lines

Minimum frontage requirements

Mass & height

Section 5 Site Design Standards

Parking placement

Parking screens

Sidewalks standards

Curb cuts

Landscape standards

Section 6 Entry Orientation

Building entrance orientation

Article III.

Sections 7-9

Section 7 Frontage Types

Private frontages

Public frontages

Section 8 Roof Form & Projections

Roof forms

Building corners

Terminated vistas

Section 9 Façade Standards

Solid & void ratios (% glazing and % solid materials)

Façade articulation

Section 10 Materials

Article IV

Section 11 Special Requirements



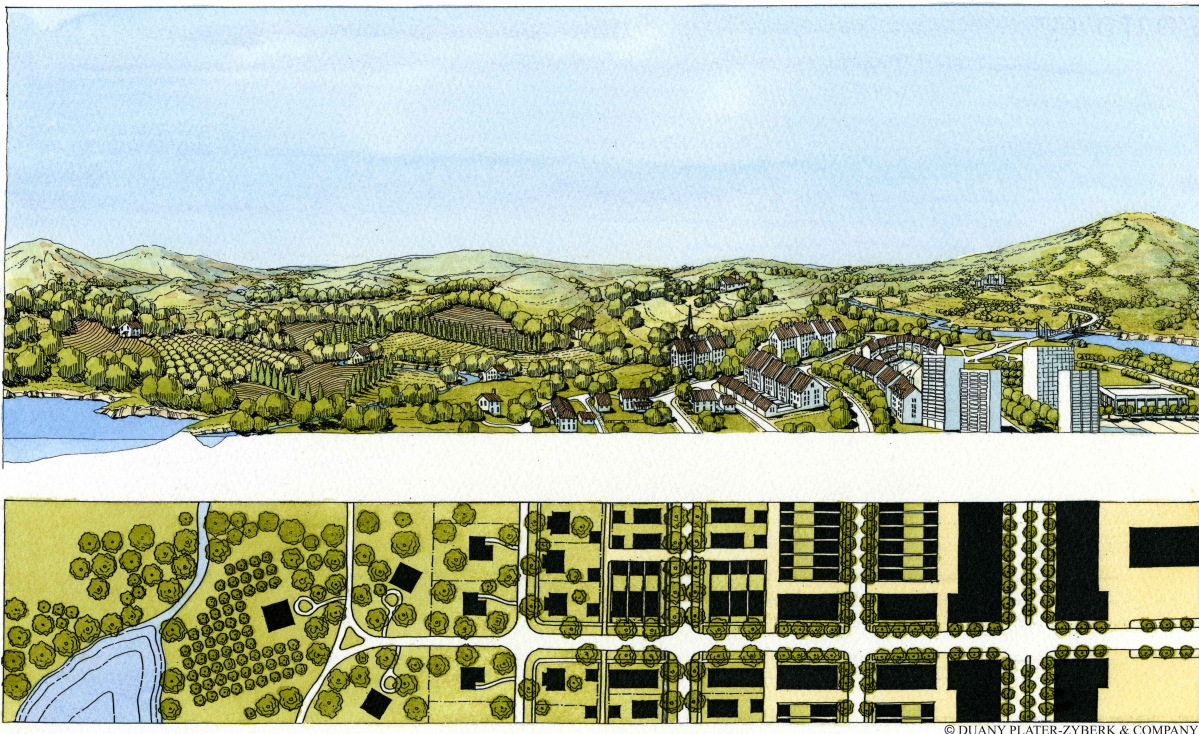
## Section 1. Overview.

### Form-Based Codes and Transects.

The City of Kennedale has chosen to use a form-based code approach to setting standards for the Urban Villages established in the comprehensive plan. Although a form-based code may not be appropriate for use in the entire city, this tool allows for flexibility in use while also providing more certainty in design, which is needed at these important intersections.

Design standards in form-based codes are generally based on a system of Transect Zones. Transect Zones are a way of characterizing development. The concept is borrowed from the natural sciences, which describes how vegetation and the natural environment change as one moves in the direction from the sea farther and farther inland. In a similar way, the character of development patterns change as one moves from rural areas into urban areas. In recent years, the elements that define these different types of development pattern—or transects—have been documented and illustrated. Communities who have decided what kind of development they want can then use the transects as a guide when creating development regulations.

The Transect Zone concept is intended for broad application in a wide range of cities. It's



important for cities using Transect Zones to customize the zone descriptions to fit their cities. For example, a T4 General Urban zone in Kennedale shouldn't look like a T4 General Urban zone in Fort Worth or Dallas; what seems "urban" here would be unsuitable for a T4 zone in a larger city.

The SmartCode defines T4 and T5 zones this way:

|                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description: T-4 General Urban Zone consists of a mixed use but primarily residential urban fabric. It may have a wide range of building types: single, Sideyard, and Rowhouses. Setbacks and landscaping are variable. Streets with curbs and sidewalks define medium-sized Blocks. | General character: Mix of Houses, Townhouses and small Apartment buildings with scattered Commercial activity; balance between landscape and buildings; presence of pedestrians |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                            |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Description: T-5 Urban Center Zone consists of higher density mixed use building that accommodate Retail, Offices, Row-houses and Apartments. It has a tight network of streets with wide sidewalks, steady street tree planting and buildings set close to the sidewalks. | General character: Shops mixed with Townhouses, larger Apartment houses, Offices, work place and Civic buildings; predominantly attached buildings; trees within the public right-of-way; substantial pedestrian activity. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

In Kennedale, the Urban Village would be classified as a T4 zone, but calibrated for our local conditions. Some variation from the general standards for T4 and T5 districts will have to be allowed in order to ensure infill areas are developed in a way that is compatible with existing neighborhoods, and to ensure the standards take into account existing natural conditions, such as topography and floodplain. Our T4 zone is a blend of T4 and T5 characteristics, with standards set to be suitable and realistic for a community of our size and resources.

#### Intent of the Urban Village:

"To provide a flexible area that can accommodate smaller, neighborhood serving commercial uses in a main street form that allows for interim uses such as live/work and ground floor residential until the commercial corridor matures."

To integrate vibrant main-street commercial and retail environments into neighborhoods, providing access to day-to-day amenities within walking distance, creating potential for a transit stop, and serving as a focal point for the neighborhood."

[borrowed from Mesa, AZ FBC; tailor to fit Urban Village intent]

## Section 2. Administration.

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The Urban Village Development Code implements the vision for the Urban Village as established in the Future Land Use Plan and the Comprehensive Land Use Plan of the City of Kennedale. The Future Land Use Plan and the Comprehensive Land Use Plan shall provide general guidance on the form, character, and intensity of future development within the areas designated as Urban Village in the Future Land Use Plan.

### **Section 1. Authority.**

The code shall be administered by: the Kennedale City Council (“Council”); the Planning & Zoning Commission (“Commission”); the Director of Development Services (“Director”); the Permits & Planning Department (“Department”); and other City bodies and officials as identified in this Development Code.

### **Section 2. Responsibility for Administration.**

This Bowman Springs Urban Village Development Code shall be administered by the Director and the other decision-making authorities as identified in this Urban Village Code and the zoning ordinance. All findings, approvals, determinations, or other exercises of discretionary judgment or any other delegation of authority pursuant to this code by the Director, his or her successors or designees, or any other decision-making authorities, shall be carried out in a manner consistent with the purposes of this Urban Village Development Code, the zoning code, the City’s Comprehensive Land Use Plan, and the health, safety, general welfare, and orderly development of the City.

If the Director or his or her designated administrative official finds that any of the provisions of this article are being violated, the Director or his or her designated administrative official shall notify, in writing, the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. The Director or his or her designated administrative official shall order the discontinuance of any illegal use of land, buildings or structures, the removal of any illegal buildings or structures or of any illegal additions, alterations or structural changes, the discontinuance of any illegal work being performed; or shall take any other action authorized by this article to insure compliance with or to prevent violation of these provisions.

### **Section 3. Interpretation and appeals.**

It is the intent of this article that all questions of interpretation and enforcement shall be first presented to the city manager or his or her designated representative, and that such questions shall be presented to the zoning board of adjustment only on appeal from the decision of the city manager or other administrative official, and that recourse from the decisions of the board of adjustment shall be to the courts as provided by law.

### **Section 4. City Council duties.**

The city council shall consider and adopt, modify, or reject proposed amendments to this article, or of its repeal.

### **Section 5. Applicability.**

This Bowman Springs Urban Village Development Code applies to all development, subdivisions, and land uses within the Regulating Plan boundaries, as shown in Section [insert section number].

The development, sign, and landscaping regulations under Chapter 17 of the Kennedale City Code, as amended, shall not apply to the Bowman Springs Urban Village unless specifically stated herein. Signs specifically prohibited in the zoning ordinance or by City Code are prohibited in the Bowman Springs Urban Village unless specifically stated otherwise herein.

Development standards not addressed in this code shall be governed by the City of Kennedale development regulations (Chapter 17 of the city code, as of [date]), to the extent they are not in conflict with the intent or text of the Bowman Springs Urban Village Code.

All private and public development and redevelopment projects are subject to review by the Permits & Planning Department for compliance with this Code, as defined below.

[insert table illustrating when redevelopment is subject to the code]

#### **Section 6. Building permits.**

No building permit shall be issued by the City of Kennedale for any new structure or addition unless the structure conforms to the provisions of this Code. No certificate of occupancy shall be issued for new development unless the structure conforms to the provisions of this Code.

#### **Section 7. Non-conformities.**

[to be added after discussion with city attorney]

#### **Section 8. Shall, should, may.**

Provisions of this code preceded by “shall” note regulations or standards that are required, “should” when recommended and encouraged, and “may” when optional.

#### **Section 9. Conflict with other city codes.**

Where provisions of this code conflict with other City of Kennedale codes, ordinances, or regulations, the provisions of the Urban Village Development Code shall prevail.

#### **Section 10. Conflict with illustrations and text.**

Where provisions of this code provided through illustration conflict with provisions provided in text, the provisions provided in text shall prevail. Photographs used to illustrate text are for illustration purposes only when marked as such.

**Section 11. Rules for interpretations of boundaries.** Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning map, boundaries shall be determined in accordance with Section 17-404(c) of the Kennedale City Code.

#### **Section 12. Development review process.**

##### **A. Administrative Review.**

Projects that clearly comply with all standards of this Code shall be process administratively by the Director. Projects that require interpretation shall be forwarded to the city manager for review, and the city manager may forward such projects to the Planning & Zoning Commission and City Council for interpretation.

The Director shall be responsible for the following:

- i) Reviewing site plan applications for compliance with the standards and regulations of this Code and all applicable city regulations and ordinances.
- ii) Approving site plan applications that are in compliance with this Code and all applicable city regulations and ordinances.
- iii) Approving modifications or revisions to previously approved site plans that are in compliance with this Code and all applicable city regulations and ordinances.
- iv) Approving minor modifications to the Regulating Plan or minor modifications from the standards set by this Code per Section X.
- v) Approving building permits for projects that are in compliance with this Code.
- vi) Coordinating any necessary review of projects with other departments within the City of Kennedale.
- vii) Forwarding to the city manager projects requiring interpretation.
- viii) Forwarding to the Planning and Zoning Commission projects requiring or requests for major modifications.
- ix) Forwarding to the Board of Adjustment requests for variances.

#### **B. Minor Modifications.**

The Director is authorized to approve minor modifications to this Code that do not materially change the intent of this Code, including the relationship between buildings and the street. Permitted minor modifications are noted in the Code and include: alternative masonry materials when new materials have been developed and are not yet listed in the Code but clearly meet the intent of the Code; change in landscaping plants to similar plants that meet the intent of the Code and achieve the same effect; minor changes in the site plan that do not significantly alter building orientation, vehicle or pedestrian traffic flow, location of parking areas, or building placement, or does not allow increase in building height. Other minor modifications include, but are not limited to: increase or decrease in setback of less than 10% from the requirements of the Code; increase or decrease in glazing of less than 10% from the requirements of the Code; decrease of less than 10% of the requirements of the Code in the required percentage of building that must be placed at build-to line.

#### **C. Major Modifications.**

The City Council is authorized to approve major modifications to this Code. Major modifications are changes to the standards in the Code that change the intent of the Code or alter the character of the district. Major modifications include, but are not limited to, changes to minimum or maximum building heights; increase or decrease in setback of more than 10% from the requirements of the Code; increase or decrease in glazing of more than 10% from the requirements of the code; decrease in masonry requirements; change in the design of landscaping, other than a change in plants to be used to another similar plant (as permitted under Minor Modifications, above); changes in building placement; permitting a use currently prohibited under this Code; permitting a frontage type currently prohibited under this Code. Major modifications are considered an amendment to the Code for the Urban Village and as such are subject to the procedures, notifications, public hearings, and other standards for zoning amendments as set forth in the Kennedale City Code Section 17-429.

#### **D. Variances.**

The Board of Adjustment is authorized to approve variances to the minimum setback, lot width, and lot depth regulations of this Code where the literal enforcement of the provisions of this article would result in an unnecessary hardship, or where such variance is necessary to permit the reasonable

development of a specific parcel of land which differs from other parcels of land in the Bowman Springs Urban Village by being of such area, shape or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the Urban Village.

## Section 3. Uses.

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### Office

The following Office uses are permitted.

- medical & dental (includes holistic health/accupuncture)
- legal services
- insurance office
- real estate office
- financial services (accounting, bookkeeping, investment brokerage, and related services)
- design office (e.g., architect, home builder, interior design, fashion design)
- government office
- contractor's office permitted, but no outside storage permitted, no fleet parking

### Retail

All non-office uses listed as permitted (by right) in the Kennedale city code Sec. 17-421 for zoning districts C-0, C-1, and C-2 are permitted , except for those uses listed below.

- Amusement Park
- Auto inspection station
- Auto parts sales (incl. parts for boats or RVs)
- Auto repair, incl. body/paint work
- Auto sales: sales of new autos permitted with indoor showroom only<sup>1</sup>; all other sales prohibited
- Bars
- Boat sales
- Building materials/lumber yard
- Bus terminal
- Cabinet shop
- Car wash
- Contractor yards
- Cemetery monument sales
- Convenience store with gas sales (permitted without gas sales)
- Drive-thrus
- Electrical sales & service
- Farm implement sales
- Feed store, with or without animal sales
- Flea market
- Game hall
- Golf course
- Gun shooting range
- Heating A/C sales & service
- Heavy equipment sales
- Impounded vehicle storage
- Lawnmower sales & service
- Lithographic shop, except as part of art studio
- Manufactured home sales lot
- Mini-warehouse
- Mortuary or funeral home
- Motorcycle sales are permitted with indoor showroom only<sup>1</sup>
- Movie theater (drive-in)
- Nightclub or dance hall
- Pawnshop
- Plumbing sales & service
- Pool or billiard hall
- Private club (serving alcohol)
- Recreational vehicle sales, service, or repair
- Recreational vehicle storage
- Restaurant (drive-in)
- Sexually-oriented businesses
- Taxidermist
- Tire sales, repair, or installation
- Tool & Equipment rental
- Trailer sales & rental
- Truck rental, repair, or sales
- Truck wash
- Vehicle impoundment

- Vehicle storage

<sup>1</sup> No vehicles for sale may be parked or stored outside, at any time, and no repairs permitted onsite; buildings must meet glazing standards

## Residential

The following Residential uses are permitted.

- Single Family Attached
- Single Family Detached
- Small Multi-Family (No more than 30 units will be permitted within the Urban Village)

## Lodging

The following Lodging use is permitted.

- Bed and Breakfast

## Other Uses Permitted

- art gallery, art studio, art workshop (if ground floor, must be open to the public)
- dance studio
- fire sub-station
- home occupation, subject to Sec. 17-423 of the Kennedale city code
- museum
- park or playground
- police sub-station
- post office
- tutoring & educational facilities

## Additional Prohibitions

The following uses are not permitted:

- Hospital
- Industrial uses prohibited except: brew pub permitted as part of restaurant
- Paintball sports, survival games
- Parking lot, commercial (for a fee)
- Plant nursery
- Service station, no gas station
- Tobacco Shop

## Compatibility with Residential Uses

Hours of operations and noise levels of any non-residential use must be compatible with residential uses in the Urban Village and adjacent neighborhoods.

## Section 4. Building Mass & Placement.

### SETBACKS - PRINCIPAL BUILDING

*Setback* is the distance from the edge of right-of-way/property line.

|                                            |                                     |
|--------------------------------------------|-------------------------------------|
| Front Setback                              | 0 ft. min., 5 ft. max. <sup>1</sup> |
| Side Setback, interior lot                 | 0 ft. min., 20 ft. max.             |
| Side Setback, corner lot on Kennedale Pkwy | [TxDOT min], 30 ft max.             |
| Rear Setback                               | 3 ft. min.* <sup>2</sup>            |

### SETBACKS - OUTBUILDING

|                            |                             |
|----------------------------|-----------------------------|
| Front Setback              | 20 ft. min. + bldg. setback |
| Side Setback, interior lot | 3 ft. min., 10 ft. max.     |
| Rear Setback               | 3 ft. min.* <sup>2</sup>    |

<sup>1</sup> See Section X for requirements on façade changes for buildings 80 feet or greater in width.

<sup>2</sup> A thirty (30) foot minimum setback is required from properties with existing residential use not located within the Urban Village. A twenty-five (25) foot setback from the floodplain is required. Front setback shall be increased as needed if sidewalk is not wide enough to provide six (6) feet of clear space between the building and the planting zone.

### FRONTAGE REQUIREMENT

For lots 50' wide or greater, a minimum of 75% of the primary façade of the primary structure shall be built at the setback line or closer to the right-of-way.

For lots less than 50' wide, a minimum of 90% of the primary façade of the primary structure shall be built at the setback line or closer to the right-of-way.

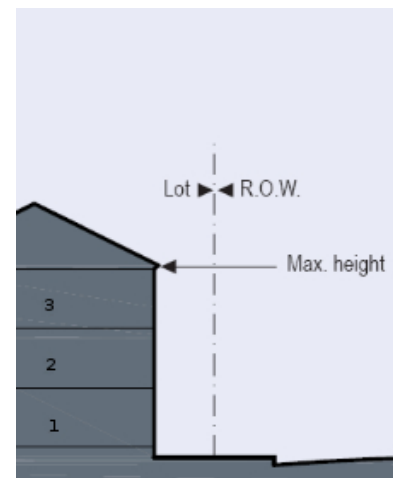
### BUILDING HEIGHT

#### Maximum height.

Buildings shall not exceed 3 stories in height.

Buildings adjacent to existing neighborhoods shall not exceed 2 stories in height.

Buildings located at the corner of Kennedale Pkwy and Bowman Springs/Dick Price shall not exceed 2 stories in height but may have distinctive architectural elements (as described in Section X) that may rise above a second story.



### **Minimum height.**

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|                                   |                 |
|-----------------------------------|-----------------|
| Ground floor ceiling, residential | 10 ft min clear |
| Ground floor ceiling, commercial  | 14 ft min clear |
| Upper floor ceiling               | 9 ft min clear  |

### **BLOCK SIZE**

|                         |       |
|-------------------------|-------|
| Maximum block perimeter | 1440' |
| Maximum block width     | 480'  |
| Maximum block depth     | 240'  |

Single block faces longer than 360' must include a publicly-dedicated sidewalk or passage at least 8 feet in width that connects to another street, sidewalk, or off-street parking. The passage must be designed to provide a safe, comfortable pedestrian experience; final design must be approved by the Director.

### **LOT SIZE**

|                                              |      |
|----------------------------------------------|------|
| Minimum lot width, single family residential | 25'  |
| Maximum lot width, single family residential | 60'  |
| Minimum lot width, all other uses            | 25'  |
| Maximum lot width, all other uses            | 120' |

### **LOT COVERAGE**

*Lot coverage* is the portion of a lot occupied by buildings (primary and accessory), enclosures, decks, and patios.

|                      |     |
|----------------------|-----|
| Maximum lot coverage | 80% |
|----------------------|-----|

## Section 5. Site Design Standards.

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### Location of Parking

For all uses, off-street parking shall be located behind the main structure. Structures should be accessible from the street and from parking areas. On corner lots, parking drive shall not be located on Kennedale Pkwy. Parking may be provided off-site within 1,300' or as shared parking.

On-street parking is permitted but is prohibited within x feet of Kennedale Parkway. On-street parking facilities must be provided by the developer. On-street parking in the travel lanes of Dick Price Rd or Bowman Springs Rd is prohibited.

Off-street parking in existence before this code was adopted that is not behind a primary structure or within buildings shall be screened by a 3 foot 6 inch tall hedge or masonry wall. For pedestrian safety, however, hedges or walls taller than 4 feet are prohibited.

### Off-Street Parking: Required Number of Spaces

See Section x for Shared Parking, Compact Parking, Land Banking, and Parking Reduction options.

#### Use Type

##### **Residential**

Towhhomes or multi-family

1.5 per dwelling unit

Single family

2 per dwelling unit

##### **Retail**

Uses occupying 1,000 square feet or greater

3 spaces (non-compact) for the first 1,000 sf,

1 space/500 sf for remaining building area, but in no case shall lot coverage area for parking exceed lot coverage area for the primary structure

Uses occupying less than 1,000 square feet

3 spaces (non-compact)

##### **Restaurant**

1 space per 2 seats, but in case shall lot coverage for parking exceed lot coverage for the primary structure

##### **Office**

Uses occupying 1,000 square feet or greater

3 spaces (non-compact) for the first 1,000 sf,

1 space/500 sf for remaining building area, but in no case shall lot coverage area for parking exceed lot coverage area for the primary structure

Uses occupying less than 1,000 square feet

3 spaces (non-compact)

## Bicycle Parking

### Number of Spaces Required.

|                                                                       |                     |
|-----------------------------------------------------------------------|---------------------|
| Single-family residential:                                            | No spaces required  |
| Multi-family residential:                                             | Minimum of 4 spaces |
| Restaurant:                                                           | Minimum of 2 spaces |
| Office, 1,000 square feet or greater                                  | Minimum of 1 space  |
| Office, less than 1,000 square feet                                   | No spaces required  |
| Retail, 1,000 square feet or greater                                  | Minimum of 1 space  |
| 5,000 square feet or greater, add 1 space for every 5,000 square feet |                     |
| Retail, less than 1,000 square feet                                   | No spaces required  |

### Design of Bicycle Parking Spaces.

For each required bicycle parking space, a stationary object shall be provided to which a user can secure a bicycle with at least two points of contact with a 6-foot cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket. Freestanding bicycle racks shall be inverted “U,” post and ring, or some other form of bicycle rack providing at least two points of contact. Grid/fence-type racks and wave/ribbon-type bicycle racks are prohibited.

The bicycle rack shall be located within 60 feet of the main entrance of the building it serves, and may be located between the street curb and the building, subject to the approval of the Director of Development Services.

Each bicycle parking area shall be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard, or by at least five (5) feet of open space.

## Lot Coverage

In no case shall the lot coverage designated for parking exceed the lot coverage designated for structures.

## Safe Passage for Pedestrians

Parking shall be designed to accommodate the people needing access to the buildings on site. Parking design shall consider pedestrians, keeping in mind that when drivers exit vehicles, they become pedestrians who need safe passage to buildings. Although the design of pedestrian paths is up to the developer, pedestrian paths must be provided.

Examples of safe passage include, but are not limited to:

- a pedestrian walkway a minimum of eight (8) foot wide with pavement differentiated from parking area pavement through a change in surface texture, material, style, and/or color.
- a raised walkway between opposite-facing parking spaces, with curb stops or other safety features provided to prevent vehicles from encroaching into the pedestrian path

[show illustrations/photos]

## Loading Docks

Loading docks, overhead doors, and other service entries may not be located on street-facing facades.

## SIDEWALK STANDARDS

| <u>Feature</u>      | <u>Minimum width (in feet)</u> |
|---------------------|--------------------------------|
| Sidewalk            | 6                              |
| Planting strip zone | 5                              |
| Frontage zone       | 3                              |

### **Planting strip zone**

The planting strip should be the location of landscaping (continuous or non-continuous), utility poles (if above-ground), mail boxes, fire hydrants, and other necessary or required improvements that would otherwise obstruct the sidewalk. This zone is also where trash receptacles, bicycle parking, and benches may be provided.



Incorrect placement of mailbox; sidewalks should be kept clear, and mailboxes and other pedestrian features should be placed in the planting strip zone.



Correct use of planting strip: utility poles and landscaping located in the planting strip zone, not in the sidewalk.



Frontage zone, sidewalk, and planting strip. Outdoor seating (background) or planters (foreground) may be placed in the frontage zone and may encroach into the sidewalk as long as 6 feet of clear space is retained for safe passage for pedestrians.

### **Frontage zone**

The frontage zone is located between the sidewalk (usually located in the public right-of-way) and the front of the building. The frontage zone is typically located in the public right-of-way, but it may be used by building tenants to provide pedestrian amenities, such as benches, planters/potted plants, and other material that improve the pedestrian experience. Such amenities may not impair the pedestrian walkway.

For buildings not built at the property line, the frontage zone may be located out of the public right-of-way, between the right-of-way/property line and the structure. The frontage zone may be paved or planted. If it is planted, then adequate pedestrian access to the front entry of the structure must be provided.

## **CURB CUTS**

Except as otherwise stated below or elsewhere in this document, driveway standards and curb cuts are governed by the City of Kennedale Public Works Manual.

Driveway access among the lots in the Urban Village must be coordinated; curb cuts for each lot will not be permitted for lots less than 100 feet wide.

Maximum width, parking drive

|                                                              |         |
|--------------------------------------------------------------|---------|
| Access from Bowman Springs,<br>Kennedale Pkwy, or Dick Price | 12 feet |
| Access from side street/alley                                | 20 feet |

## LANDSCAPING STANDARDS

Except as otherwise state below or elsewhere in this document, landscaping shall be regulated by Chapter 17 Article VIII of the Kenneadle city code.

### **Plant species.**

#### *Non-residential*

Only native Texas, non-invasive plants may be used for landscaping for non-residential uses. Species native to the North Texas region are encouraged.

#### *Residential*

Only native Texas, non-invasive plant species may be used in the area between the sidewalk and curb. Maintenance is the responsibility of the property owner.

#### *General to all uses*

Ground vegetation or shrub plantings with spines, thorns or needles that may present hazards to pedestrians, bicyclists or vehicles are prohibited within the public right-of-way, including the planting strip.

Artificial plants or artificial turf are prohibited.

Plants shall have normal, well-developed branches and vigorous root systems.

Preservation of on-site existing trees and native vegetation is encouraged and may be used to fulfill the landscape requirements. Priority shall be given to preserving and protecting significant trees that provide screening, buffering, wildlife habitat and/or linkages to wildlife habitat.

The developer may remove mature, healthy, noninvasive trees only within areas of a lot that are inside the proposed footprint of the primary structure, and only with a minor modification.

The developer shall replace mature trees that are removed on the site with trees of the same or similar species whose combined caliper dimensions equal that of the tree removed.

### **Design.**

The spacing and placement of plants shall be adequate and appropriate for the typical size, shape and habit of the plant species at maturity.

In parking lots containing twenth (20) spaces or more, parking spaces shall be broken with landscape islands every 20 spaces. The landscape islands shall be distributed throughout the lot and may be combined as a component of a stormwater management plan to facilitate water harvesting.

### **Irrigation.**

Where possible and practical, bubbler, drip irrigation, and soaker hose emitters shall be used. Natural communities and areas of naturalized vegetation may be exempt from the installation irrigation systems. All other aspects of irrigation shall be regulated by Kennedale city code.

### **Landscaping during construction.**

The soil structure of planting strips shall be protected from compaction with a temporary construction fence. Standards of access, excavation, movement, storage and backfilling of soils in relation to the construction and maintenance of deep utilities and manholes shall be specified.

Wind erosion shall be mitigated and controlled through dust abatement and similar practices during the period of site work and construction.

Landscape soils that have been compacted during construction activities shall be loosened and aerated to a depth of at least six (6) inches before planting.

The root zones of existing trees and vegetation to be preserved shall be protected from clearing or construction activities.

**Landscaping location.**

Landscaping shall be provided as stated elsewhere in this document [INSERT SECTIONS] and as required in Chapter 17 Article VIII of the Kennedale city code. If a conflict exists between Section [x] of this document and Chapter 17 Article VIII of the Kennedale city code, the Director shall determine the appropriate location. In any case, the stricture provision shall prevail, unless a minor modification is permitted by the city according to Section x Administration of this document.

## Section 6. Building & Entry Orientation.

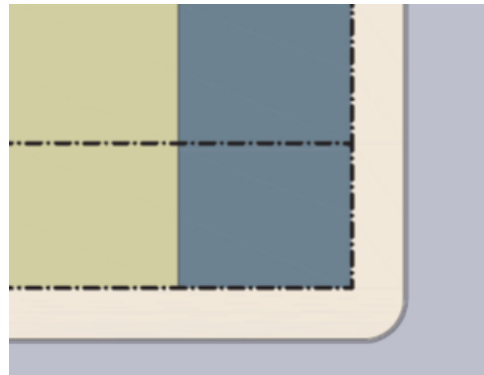
This section describes the approximate location of the structure relative to the boundaries of each individual lot, establishing suitable basic building types.

**Sideyard:** A building that occupies one side of the lot with the setback to the other side. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. Energy costs, and sometimes noise, are reduced by sharing a party wall in this disposition. **Only limited use of this disposition type is permitted in the Urban Village.** Specific Types - Charleston single-House, double house, zero-lot-line house, twin.



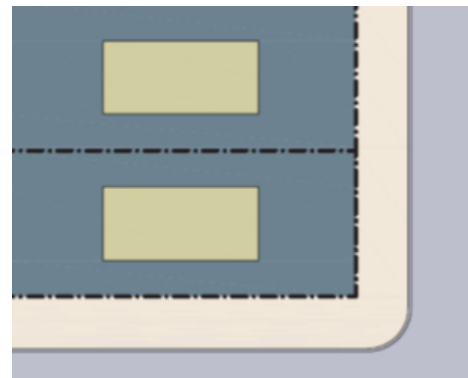
**Rearyard:** A building that occupies the full frontage, leaving the rear of the lot as the sole yard. This disposition type is typical for an Urban Village context, as the continuous facade steadily defines the public thoroughfare. The rear elevations may be articulated for functional purposes. In its residential form, this type is the Rowhouse. For its commercial form, the rear yard can accommodate substantial parking. **This disposition type is encouraged for commercial and office uses in the Urban Village.**

Specific Types - Townhouse, Rowhouse, Live-work unit, loft building, Apartment House, Mixed use Block, Flex Building, perimeter Block.

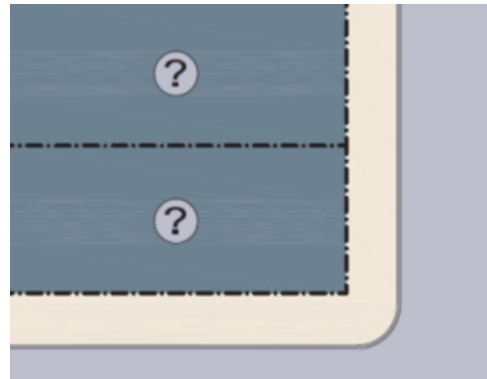


**Courtyard:** A building that occupies the boundaries of its lot while internally defining one or more private patios. This disposition type is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, lodging, and schools. The high security provided by the continuous enclosure is useful for tenants or owners concerned about crime.

Specific Types - patio House.

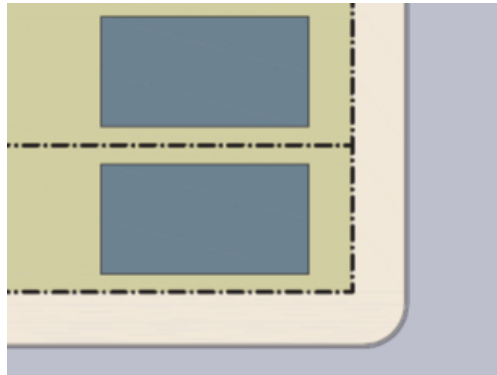


**Specialized:** A building that is not subject to categorization. Buildings dedicated to manufacturing and transportation may have special features that shape building design and disposition; for example, the machinery required for such uses can distort the trajectory of the building. Civic buildings, which may express the aspirations of institutions, may be included in this category, as well. Only limited use of this disposition type is permitted in the Urban Village.



**Edgeward:** A building that occupies the center of its lot with setbacks on all sides. This disposition type is the least suitable in an Urban Village context, as the front yard sets it back from the frontage, while the side yards weaken the spatial definition of the public thoroughfare space. **This disposition type is prohibited in the Urban Village.**

Specific Types - single-family House, Cottage, villa, Estate House, urban villa.



Building orientation. All primary structures shall be oriented toward the lot front.  
illustration]

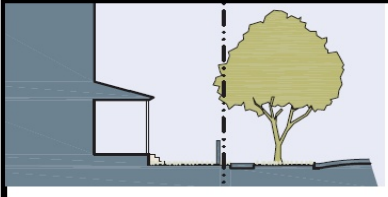
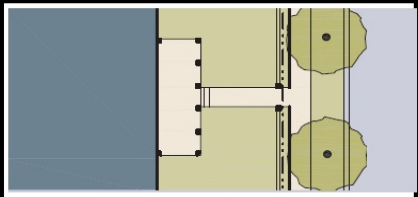
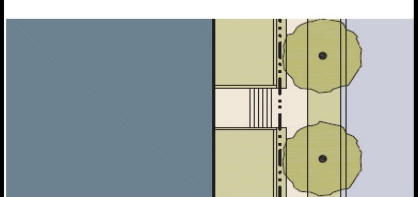
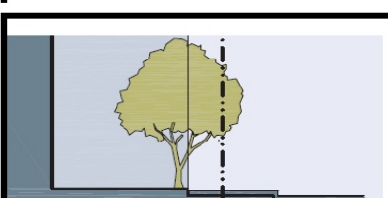
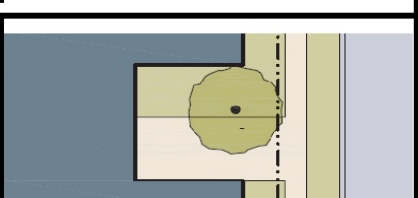
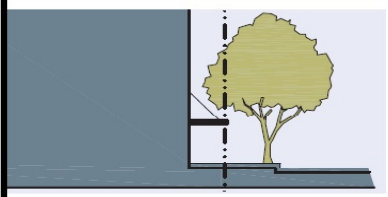
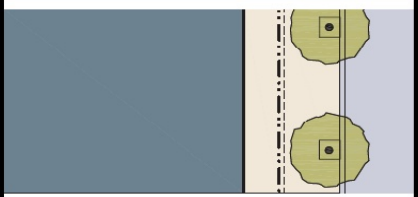
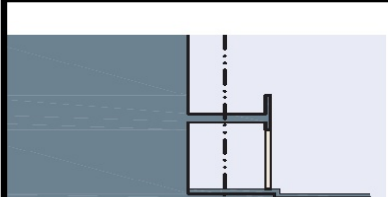
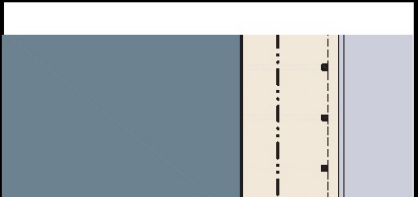
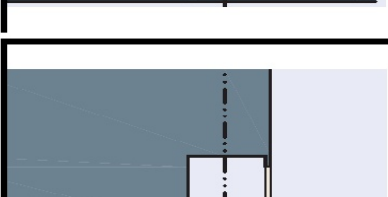
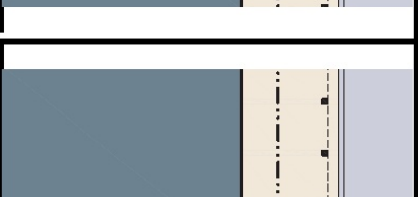
**Main entrance.** The main entrance to all primary structures shall be accessed along the front.

[[insert illustration]

**Lot coverage.** If 70% or more of the lot is covered by impervious surfaces, then low-impact development or green infrastructure standards must be used for all off-street parking and other impervious surfaces in order to reduce the rate and flow of storm-water runoff.

## Section 7. Frontages

The private frontage is the area between the building facades and the lot line.

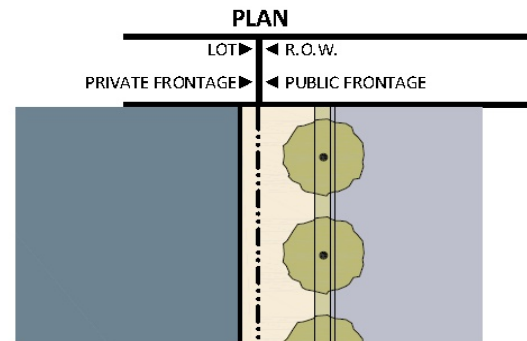
|                                                                                                                                                                                                                                                                                                                                                                                                                                                      | SECTION                                                                              | PLAN                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                      | LOT ► ◀ R.O.W.<br>PRIVATE ► ◀ PUBLIC<br>FRONTAGE   FRONTAGE                          | LOT ► ◀ R.O.W.<br>PRIVATE ► ◀ PUBLIC<br>FRONTAGE   FRONTAGE                           |
| <p>Porch &amp; Fence: a planted frontage where the façade is set back from the frontage line with an attached porch permitted to encroach. A fence at the frontage line maintains street spatial definition. Porches shall be no less than 8 feet deep. <u>This frontage type is permitted only for residential use within the Urban Village.</u></p>                                                                                                |    |    |
| <p>Terrace / Lightwell: the façade is setback from the frontage line by an elevated terrace or sunken lightwell. This type buffers residential use from urban sidewalks and removes the private yard from public encroachment; it is also suitable for outdoor cafes. <u>This frontage type is permitted where slope is such that access to the front public frontage would otherwise be difficult or</u></p>                                        |    |    |
| <p>Forecourt: the façade is close to the frontage line and the central portion is set back. The forecourt created is suitable for vehicular drop-offs. Large trees within the forecourts may overhang the sidewalks. <u>A maximum of 40% of private frontage along main roadways are permitted to have forecourts.</u></p>                                                                                                                           |   |   |
| <p>Stoop: the façade is aligned close to the frontage line, with the first story elevated from the sidewalk sufficiently to ensure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor residential use.</p>                                                                                                                                                                    |  |  |
| <p>Shopfront: the façade is aligned close to the frontage line with the building entrance at sidewalk grade. This type is conventional for retail use. It typically has substantial glazing on the sidewalk level and an awning that should overlap the sidewalk to within 2 feet of the curb. Syn: Retail frontage.</p>                                                                                                                             |  |  |
| <p>Gallery: a frontage wherein the façade is aligned with the frontage line with an attached cantilevered shed or lightweight colonnade overlapping the sidewalk. This type is conventional for retail use. The gallery shall be no less than 10 feet wide and should overlap the sidewalk to within 2 feet of the curb. <u>If permanent landscaping is not possible (as determined by the Director), temporary landscaping (e.g., planters)</u></p> |  |  |
| <p>Arcade: a collonade supporting habitable space overlaps the sidewalk, while the façade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use. The arcade shall be no less than 12 feet wide and should overlap the sidewalk to within 2 feet of the curb. <u>If permanent landscaping is not possible (as determined by the Director), temporary</u></p>                                             |  |  |



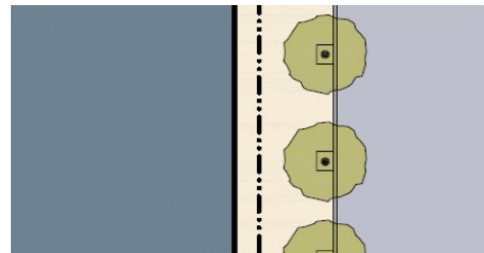
The Public Frontage is the area between the private Lot Line and the edge of the vehicular lanes. Dimensions are given elsewhere in this document.

### Public Frontages - General.

**Kennedale Pkwy:** This frontage consists of raised curbs drained by inlets and sidewalks along both sides, separated from the vehicular lanes by planters; it may have slips lanes on both sides, if permitted by TxDOT. The landscaping consists of single or double rows of tree species aligned in a regularly spaced allee. Design along Kennedale Pkwy is constrained by regulations set by TxDOT, but wherever possible, design for the public frontages along Kennedale Pkwy should follow standards outlined for Multiway Parkways in the comprehensive land use plan.



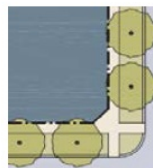
**Bowman Springs and Dick Price:** This frontage has raised curbs drained by inlets and wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides (on-street parking not permitted within x' of the intersection). The landscaping consists of a row of trees aligned with regular spacing where possible but clears the storefront entrances.



**Public Frontages - Specific.** This table assembles prescriptions and dimensions for the Public Frontage elements - curbs, walkways and planters.

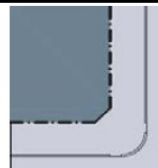
**Assembly:** The principal variables are the type and dimension of curbs, walkways, planters and landscape.

Total width



12-20ft.

**Curb.** The detailing of the edge of the vehicular pavement incorporating drainage.

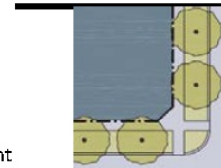


Type  
Radius

raised curb  
5-20 ft.

**Planter:** The layer which accommodates street trees and other landscape materials.

Arrangement  
Species  
Planter Type  
Planter Width



Single or Alternating  
Continuous

5-12 ft.

(not to exceed width of sidewalk)

**Landscape.** The recommended plant species. (See Table TBD)

**Lighting.** The recommended Public Lighting. (See Table)



## Section 8. Roof Forms & Projections.

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## Section 9. Façade Standards.

Any building or development standards not controlled by the this section shall be governed by Chapter 4, Chapter 17 of the Kennedale City Code and any other city code related to building construction or site development.

### Fenestration.

Retail uses at the sidewalk level shall be directly accessible from sidewalks and shall have clear glazed areas for a minimum of 40% and maximum of 50% between 2 feet and 12 feet of the ground floor façade, including side entry windows (if present).



Not permitted: façade with approximately 10% glazing on ground floor

Permitted: 50% glazing

- All glazing shall be more clear than opaque in its transparency.
- Dark tinted windows are prohibited.
- Windows on upper floors shall be a minimum of 25% of each upper floor façade area, measured between 3 feet and 9 feet above each finished floor.
- Windows shall be operable except windows used as storefronts.
- Blank walls greater than 25 feet in width are not permitted on any building along main streets.
- Blank walls greater than 40 feet in width are not permitted along any façade.
- Single panels of glass may not be larger than 6 feet in height by 4 feet wide.

### **Façade standards.**

Any building façade of 80 feet or more in length shall have a change in façade every 40-50 feet so that the building will read as a series of buildings no wider than 40-50 feet each, rather than as one long building. There are a variety of methods that can be used to meet this requirement, such as change in roof height, façade material, window style, and building setback. This code does not specify which tools shall be used to achieve the desired effect but instead provides several options for achieving the change in façade and leaves the design decision to the builder or developer. Façade design plans will be reviewed by city staff and may be required to be changed if the intent of the façade regulation is not met.

The change in the plane of the façade shall be in at least one of the following forms:

- an offset of a minimum of three (3) feet from the adjacent portions of the buildings;
- the inclusion of a canopy or roof element projecting a minimum of five (5) feet from the building;
- a change in the building materials, color, or other design element such as columns or pilasters, significant enough so that the façade will read as a separate storefront.

In any case, due to the summer heat in Kennedale, the use of awnings is encouraged.

Other means of changing the plane of the façade may be permitted with a minor waiver from the Director of Development if they meet the intent of this code and are consistent with the code's intent to produce durable, high-quality design that will stand the test of time.

Shown below are illustrations of types of façade design that meet this code, as well as illustrations of façades that would not meet the intent of the code. The illustrations are not intended to serve as regulations and are intended for illustration purposes only.



Acceptable change in façade



Acceptable change in façade



Unacceptable change in façade -- does not read as separate buildings



## Section 10. Materials.

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Building walls shall be constructed of a minimum of 80% of brick, stone, cast stone, stucco (3-step), or other high-quality, long-lasting masonry

Masonry material not specifically listed above are subject to approval of the director of development or designee and will be reviewed according to quality, durability, and whether it fits the character of the district.

Non-masonry materials may be used up to 20% and may not be used on the ground floor or on sides facing a primary street.

Glazing may not be used within 6" of the base of each façade.



## Section 11. Parking Reductions

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Reduction in parking requirement.

The Director of Development Services is authorized to grant a reduction in the required number of parking spaces. To receive a reduction in parking requirements, the developer must be able to demonstrate that there will not be a need for the required amount of parking. The developer must submit the following to the Director of Development Services:

- ☐ A request, in writing, for a reduction in the parking space requirement, including a statement of the number of spaces to be provided instead
- ☐ A parking study, conducted by a qualified engineer, demonstrating a reduced need in parking for this type of use in a similar (i.e., suburban) environment without access to transit
- ☐ Intended market area(s) to be served

The Director of Development Services may grant a reduction in parking space requirement if he or she determines the information submitted by the developer is valid and has merit. In no case shall the Director of Development Services be required to grant a reduction in the parking space requirement.

### LAND BANKING

If development will be built in phases, or if multi-tenant building will be finished out in phases, the developer may use land banking for future parking.

Up to thirty-five percent (35%) of the required parking may be land banked

Banked land must be reserved for future parking and may not be used for any other purpose, except it may be used as a park or open space on a temporary basis until such time as it is converted to parking. It must be part of the same lot as the development and under the same ownership.

The land banked must be area suitable for parking and must be able to accommodate the required number of spaces, in compliance with all local, state, and federal regulations related to storm water runoff.

The land banked shall comply with all applicable city regulations for parking areas and driveways, as well as all other applicable laws, ordinances, codes, rules or regulations. For banked parking to be accessed from Kennedale Parkway, the banked land must also comply with all applicable state regulations for driveways.

Banked areas must be kept covered with grass or landscaping and must be maintained until converted to parking. The developer or property owner must file a covenant with the city that says that areas reserved for future parking shall be maintained as landscaped open space until unless required to be used for off-street parking.

Banked land must be designated on the site plan and any future site plans as land banked for future parking.

The Zoning Administrator, on the basis of increased parking demand for the use, may require the conversion of all or part of the land banked area to off-street parking spaces.

After build-out of the Urban Village has been completed for a period of three (3) years, the Board of Adjustment may authorize the conversion of land banked for parking to open space on a permanent

basis, with the open space to be maintained by the development.

## SHARED PARKING

Parking areas must provide connectors to neighboring lots within the Urban Village in order to create connectivity and to facilitate sharing of parking.

### **Parking shared by uses with different peak hours.**

Parking may be shared by uses with different peak operating hours. Required parking may be reduced by 25% of the total required spaces for all uses to share the parking facility. For example, if a restaurant and office propose to share parking, the required parking may be reduced for up to 25% of the total of the required parking for the restaurant and the office added together. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of each use. A shared parking agreement must be signed and notarized by the owner of each use and filed with the Tarrant County Clerk's Office.

Shared parking is permitted as described above, but the developer is expected to provide adequate parking for planned uses and unplanned future uses. If uses are added for which parking is insufficient, the developer will be required to add parking as needed, as determined by the city, before a certificate of occupancy or business license will be issued.

### **Parking shared by uses with similar peak hours.**

Parking may be shared by uses with different peak operating hours. Required parking may be reduced by ten percent (10%) of the total required spaces for all uses to share the parking facility. For example, if a restaurant and office propose to share parking, the required parking may be reduced for up to ten percent (10%) of the total of the required parking for the restaurant and the office added together. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of each use. A shared parking agreement must be signed and notarized by the owner of each use and filed with the Tarrant County Clerk's Office. Shared parking is permitted as described above, but the developer is expected to provide adequate parking for planned uses and unplanned future uses. If uses are added for which parking is insufficient, the developer will be required to add parking as needed, as determined by the city, before a certificate of occupancy or business license will be issued.

## COMPACT CAR PARKING

Up to twenty percent (20%) of the required parking may be designed and sized for compact vehicles. For developments using phased/land banked parking, up to ten percent (10%) of required parking sized for compact cars until the banked land is converted to parking, at which time the full 20% of compact spaces may be built.

## Section 12. Definitions.

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See Section 17-431 of the Kennedale city code for definitions of terms not listed below.

*Building, principal* means the main building on a lot.

*Courtyard* (see Section 6)

*Edgeward* (see Section 6)

*Frontage, public* means the area between the curb of the vehicular lanes and the public frontage line.

*Frontage, private* means the privately held layer between the public frontage line and the façade of the principal building.

*Frontage line, public* means a lot line located on a public frontage.

*Lodging* means a facility or establishment maintained as, advertised as, or held out to be a place where sleeping accommodations are furnished to the public, such as a hotel, motel, lodging house, bed and breakfast, or resort. Apartments are not included in this definition.

*Layer* (lot layer) means the portion of a lot, measured by depth, within which certain elements are permitted.

*Lot Line* means the boundaries that demarcate the legal dimensions of a lot.

*Rearyard* (see Section 6)

*Setback* means...

*Sideward* (see Section 6)

*Story* means a habitable level within a building from finished floor to finished ceiling. Attics and raised basements are not considered stories for the purposes of determining building height.

*Street, primary* means a street determined by the city to be of higher impact on district character than non-primary streets. Buildings located on primary streets shall be held to the highest standard of the Code in terms of design standards.

*Street, secondary* means a street determined by the city to be of less impact on district character than primary streets.

*Streetscape* means the urban element that establishes the major part of the public realm. The streetscape is composed of streets (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages and the amenities of the public frontages.

*Tobacco Shop* means a retail store utilized primarily for the sale of tobacco products and accessories and in which the sale of other products is incidental. "Tobacco products" include loose tobacco, plants, or herbs and cigars, cigarettes, pipes, and other smoking devices for burning tobacco, plants, or herbs and related smoking accessories. Tobacco shop does not include a tobacco department or section of any individual business establishment whose primary use is for another purpose, for example, a grocery store or a convenience store selling a variety of packaged goods.



*Index will go here*



**Date:** June 20, 2013

**Agenda Item No:** WORK SESSION - C.

---

**I. Subject:**

Creation or modification of zoning districts to implement the comprehensive land use plan

**II. Originated by:**

**III. Summary:**

Over the past few months, I have been developing ideas for zoning districts the city could adopt to allow the comprehensive plan to be implemented. These ideas are still being worked out, and they are not ready for action or consideration by the Commission. However, if you have any concerns or comments related to modifying zoning standards, please give them to me at the meeting or send them to me by email so I can address them as I continue working on this item.

Some of the ideas under development are related to what to do with existing subdivisions and how to update agricultural zoning districts to be more in keeping with development patterns in the area. For existing, already-built subdivisions, we should not attempt to change the standards already in place. The residents who live there bought their properties with certain expectations about what would be built around them, and what's more, with the properties platted in line the current zoning standards, residents may be able to make certain legal arguments about setbacks and related regulations--in other words, they could argue that the setback lines and lot sizes shown on the plat are deed restrictions that can be enforced. While it's up to the courts to determine whether old setback lines could be enforced, we don't want to put future home owners in a position of having to defend their setback lines in a court of law. Staff therefore proposes that for existing subdivisions built in the typical suburban layout, those zoning districts be carried forward into the new zoning code, with the districts being allowed only on properties already having that kind of zoning (in other words, only already-built subdivisions currently zoned R-3 could continue to use the R-3 zoning standards, etc).

With that said, there have been several variance cases over the past several years requesting to build additions to existing homes that would encroach into the rear setback line. In each case, staff received no comments from neighbors opposed to granting the variance. It may be that the city's rear setback requirements for existing subdivisions could be adjusted without negatively affecting the neighboring properties.

As for agriculture zoned property, I am exploring the idea of recommending adding a Countryside (or similar) category to the code. Agricultural zoning would be reserved for properties suitable for true agricultural uses, for example, properties of 10 acres or larger. Smaller properties that are on the edges of the city or that are expected to retain a rural feel in the years to come could be designated as Countryside, and some agricultural uses would be permitted, but the scale of agricultural operations would be restricted to make the properties compatible with surrounding uses and more suited for the smaller lot sizes.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** June 20, 2013

**Agenda Item No:** WORK SESSION - D.

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**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 so it can begin discussions of the topic. In addition to the concerns previously raised (see minutes from the May meeting), the Commission should consider how zoning standards developed for Old Town could work with or support a historic district designation for parts of the neighborhood.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** June 20, 2013

**Agenda Item No:** WORK SESSION - E.

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**I. Subject:**

Discuss item(s) for future consideration

1. Zoning standards for the Oak Crest area
2. Green / environmental regulations

**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. Zoning standards for the Oak Crest area
2. Green/Environmental Regulations

Although the Commission wants to consider the Oak Crest area before addressing Old Town zoning standards, I've left this item under "Items for Future Consideration," since we are not ready to move forward with this topic at this time.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

**VIII. Alternative Actions:**

**IX. Attachments:**



**Date:** June 20, 2013

**Agenda Item No:** MINUTES APPROVAL - A.

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**I. Subject:**

Review and consider approval of minutes from the May 16, 2013 Planning & Zoning Commission meeting

**II. Originated by:**

**III. Summary:**

Attached to this message for your review are the minutes from the May 16th meeting.

**IV. Notification:**

**V. Fiscal Impact Summary:**

**VI. Legal Impact:**

**VII. Recommendation:**

Approve

**VIII. Alternative Actions:**

**IX. Attachments:**

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| 1. | 05.16.2013 PZ Minutes | 05.16.2013 PZ Minutes.doc |
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**KENNEDALE PLANNING & ZONING COMMISSION**  
**MINUTES**  
**COMMISSIONERS - REGULAR MEETING**  
**May 16, 2013**  
**CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE**

**I. CALL TO ORDER**

Chairman Harvey called the work session to order at 6:08 P.M.

**II. ROLL CALL**

Ms. Roberts called roll. Commissioners present: Ernest Harvey (chair); Thomas Pirtle (vice-chair), Ray Cowan, Adrienne Kay, Michael Herring, Carolyn Williamson, Donald Rawe (alternate), Martin Young (alternate). Staff present: Rachel Roberts (planner), James Cowey (Director of Development Services).

A quorum was present, but Ms. Kay did not arrive until 6:23 P.M., and one regular seat is vacant. Martin Young served in the vacant seat for the meeting.

**III. WORK SESSION**

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

The Commission discussed on-street parking. Commissioners were tentatively in favor of allowing head-in parking along Bowman Springs and Dick Price if adequate space to back up were provided. Ms. Roberts asked if there was anything else the Commission wanted her to look at for next time. Mr. Harvey asked about what to do to fill in the spaces in front of the warehouses facing Kennedale Pkwy.

Mr. Harvey asked Ms. Roberts if the standards were ready to be moved forward into a formatted, draft document. Ms. Roberts said she thought so.

**B. Discuss Old Town zoning district regulations**

Mr. Harvey said they wanted this item on the agenda so they could discuss it when time is available. He described three issues: building materials; lot size and setbacks; and bar ditches.

Ms. Kay suggested walking around collectively and looking at the blocks. She said the Commissioners had different ideas about what the complaints from Old Town were: should lots be larger, or is it that the houses being built now don't have the right character? The Commission discussed whether the 25' lots were feasible and noted that not all the lots were platted that small. They said maybe the issue isn't really the lot size rather but the appearance or style.

Ms. Roberts suggested putting together some background material, maybe a preliminary list of known concerns, and then scheduling a public input meeting.

### **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

The Commission discussed meeting places for a public forum in the Oak Crest area. Also, Mr. Harvey suggested moving up item 2 as a work session agenda item and moving item 3 above the Old Town topic, since the Commission already has an idea of where to start. The Commission considered what topics it would address under green regulations and determined that it would cover a variety of topics, including whether wind turbines should be permitted and how to address the use of solar panels.

The work session closed at 6:54 P.M.

### **IV. REGULAR SESSION**

#### **V. CALL TO ORDER**

Chairman Harvey called the regular session to order at 7:01 P.M.

#### **VI. ROLL CALL**

Ms. Roberts called roll. Commissioners present: Ernest Harvey (chair); Thomas Pirtle (vice-chair), Ray Cowan, Adrienne Kay, Michael Herring, Carolyn Williamson, Donald Rawe (alternate), Martin Young (alternate). Staff present: Rachel Roberts (planner), James Cowey (Director of Development Services)

A quorum was present; alternate Mr. Young served in the vacant seat.

#### **VII. MINUTES APPROVAL**

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

Mr. Pirtle motioned to approve the minutes, seconded by Ms. Kay. The motion passed unanimously.

#### **VIII. VISITOR/CITIZENS FORUM**

No one registered to speak.

#### **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**

Ms. Roberts gave the staff presentation, providing an overview of the information in the staff report.

Mr. Harvey said when the sign ordinance was adopted several years ago, they came to the conclusion about the height because they had a certain look they wanted to get to, and to avoid sign clutter. He said form-based codes talk about signs, a visual concept, and ensuring you get what you're looking for.

He said signs should match the transect where they're located, and the example photo in the packet of the sign on Hulen St. is a transect zone 5, but in Kennedale, we're in a 3-4 range.

Ms. Kay asked for clarification on the requested sign height. Ms. Roberts said the sign requested was a sign face of 15.5 height feet and base of 7.5 feet, with a combined height of 23 feet. Mr. Young asked how tall the buildings are in TownCenter. Mr. Harvey asked what was allowed, and Ms. Roberts said 3 stories or 45 feet. He asked what is planned; Mr. Cowey said existing buildings are about 25 feet tall.

## **2. Applicant Presentation**

Mr. Bob Hart gave the first part of the applicant presentation as executive director of the EDC. He said an economic analysis of the area shows we have about a 7% leakage in general sales. The EDC is working on redevelopment in various parts of the city, with an objective to meet the vision of having buildings up closer to the street, and TownCenter was built that way, with parking inside the development. Because the buildings are inward-facing, there's a lack of signage. He said that when the city created the TownCenter development, the monument signs permitted would have advertised the center but not the tenants. The tenant sign would be placed on top of a monument sign and would replace the pole sign blown down last year. He added that they would also remove the Chicken Express pole sign and replace it with a monument tenant sign. He said they've found that other cities—North Richland Hills and Fort Worth—have had to adjust their sign ordinances for inward-facing developments. The example on Hulen was a similar roadway, but the sign was about twice as wide as what was requested. Mr. David Johnson of Cypress Properties (the developer) handed out an illustration of the proposed sign, stating that the sign would be brick based with a cast stone centerpiece.

Mr. Johnson gave the next part of the applicant presentation. He said the first building has been open for over a year with no tenant sign available. After the old pole sign blew down, the existing tenants want the sign replaced, and Surplus Warehouse has said their sales are down since they're not as visible as they used to be. With a higher speed limit on the roads, the tenants need signs with greater visibility. They've talked with more than 150 prospective tenants, and the signs have been an issue. The larger signs allow drivers to see the signs in advance and plan to make a stop. He added that retail is very difficult right now, and TownCenter is a secondary location, not a regional center, so we've got to increase visibility of tenants. Mr. Johnson brought one of his tenants in case they had questions for him.

Ms. Williamson asked about where the sign would be set, and could it be seen with the buildings on either side? Mr. Johnson said the original development district had two sign locations, both outside of the building sites. Mr. Pirtle and Ms. Williamson expressed concerns about visibility, and Mr. Hart said the signs as addressed through the original ordinance were planned to be outside the sight triangle.

Mr. Harvey asked if they had lost any tenants because of the sign issue. Mr. Johnson said he believed so, that it's one of the issues they all mention. The idea that the front door isn't facing the street is also an issue. The Commissioners discussed height, noting that the buildings are only 2 feet taller than the requested sign. Mr. Pirtle said he understood the issue of speed and how it affects visibility, but he wanted to see where the signs were originally intended to be located. Mr. Johnson showed Mr. Pirtle an illustration showing where the signs would go. Mr. Herring asked if any TxDOT issues had been worked out, and Ms. Roberts said TxDOT was supposed to be in touch with her soon.

## **3. Public Hearing**

No one registered for the public hearing.

#### **4. Applicant Response**

No applicant response needed, since no one spoke during the public hearing.

#### **5. Staff Response and Summary**

Ms. Roberts said the staff supported the request.

#### **6. Action by the Planning & Zoning Commission**

Mr. Herring asked how the developer had come up with the requested sign height. Ms. Roberts said she'd asked the same thing, and they thought it was a typical height for this type of sign. Mr. Harvey described using a form-based code to regulate signs and gave the example of Fort Worth's Southside. Ms. Kay said we're in a secondary market, not at the busy corner by Wal-Mart, and isn't that a factor? We might want to modify our sign requirements slightly, but 23 feet is a lot. Mr. Harvey said that they had nothing that said raising the sign height has an economic impact.

Mr. Cowan said one thing that will get TownCenter going is bigger signs that can be seen when you're driving down the street. Mr. Pirtle said he worked for a big retailer for a long time, and signs are everything. Mr. Pirtle and Mr. Herring said the height on the Third St side would work, but both were concerned about the height near Chicken Express. Ms. Williamson suggested splitting the signs, with half the tenants on one sign and half on the other. Mr. Young said he understands how important signage is but the requested height was too tall for the area.

Mr. Herring asked the number of proposed tenants. Mr. Johnson said he had five buildings to add, so tenants will eventually outnumber sign spaces. He said the 23 foot height came from his development in Cedar Park; he added that tenants live and die by their road signs. He said the current Chicken Express sign is within 2 feet of the proposed sign. He asked the Commission to support the request.

Mr. Pirtle made a motion to approve Case PZ 13-02, seconded by Mr. Cowan. Mr. Cowan, Mr. Herring, Mr. Pirtle, and Ms. Williamson voted in favor; Mr. Harvey, Ms. Kay, and Mr. Young voted against. The motion passed 4 to 3.

#### **X. REPORTS/ANNOUNCEMENTS**

Ms. Roberts said the city was slowly moving forward with the sidewalk project on Kennedale Pkwy. She also mentioned upcoming events, Kid Fish, Bark in the Park, and National Kids to Parks Day (all on May 18<sup>th</sup>). Bob Hart said the landscaping along Kennedale Pkwy was under an open TxDOT contract, and TxDOT has told the city not to try to mow until the project was closed.

#### **XI. ADJOURNMENT**

Mr. Cowan motioned to adjourn, seconded by Mr. Pirtle. The motion passed with all in favor. The meeting adjourned at 8:09 P.M.

ATTEST:

\_\_\_\_\_  
Ernest Harvey, Chair

\_\_\_\_\_  
Rachel Roberts, Board Secretary

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date