

ORDINANCE NO. 158

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF KENNEDALE, TEXAS, BY CHANGING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY WITHIN THE CITY OF KENNEDALE, BEING APPROXIMATELY 6.18 ACRES DESCRIBED AS “KENNE DALE OAKS”, LOT 1R, BLOCK 1 OF THE HARRIS HILL ESTATE, LOCATED AT 439 MANSFIELD CARDINAL ROAD FROM “PD” PLANNED DEVELOPMENT DISTRICT TO “PD-TH” PLANNED DEVELOPMENT TOWNHOME DISTRICT; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

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

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

WHEREAS, the property owners of a certain tract or parcel of land have requested a zoning classification change on the property from its current classification of “PD” Planned Development District to “PD-TH” Planned Development Townhome District; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City on September 8, 2022, and by the City Council of the City on October 18, 2022, with respect to the zoning change described herein; and

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

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to amend the Unified Development Code, as amended, as described herein.

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

SECTION 1.

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

A certain tract or parcel of land, known as ±6.18 acres, described as "Kennedale Oaks", being lot 1R, Block 1 of the Harris Hill Estate, located at 439 Mansfield Cardinal Road, City of Kennedale, Tarrant County, Texas (the "Property"), shall be rezoned from "PD" Planned Development District to "PD-TH" Planned Development Townhome District as depicted in **Exhibit "A"** Zoning Map.

SECTION 2.

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

SECTION 3.

The Development Standards for the Property, attached hereto as **Exhibit "B"**, is hereby approved and incorporated herein. The use of the Property described above shall be subject to the restrictions, terms and conditions set forth in the Development Standards; shall conform to the permitted standards and regulations of the Unified Development Code; and shall conform to all applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances of the City.

Any further amendments to the permitted standards and regulations of the standards described herein shall require public hearings and approval by the Planning and Zoning Commission and the City Council.

SECTION 4.

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

SECTION 5.

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

SECTION 6.

All rights or remedies of the City of Kennedale, Texas, are expressly saved as to any and all violations of the Unified Development Code, as amended, that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 7.

It is hereby declared to be the intention of the City Council of the City of Kennedale that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such invalid or unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.

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

SECTION 9.


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

SECTION 10.

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

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, THIS THE ON THIS 19th DAY OF DECEMBER, 2023.

APPROVED:


MAYOR, JAN JOPLIN

ATTEST:

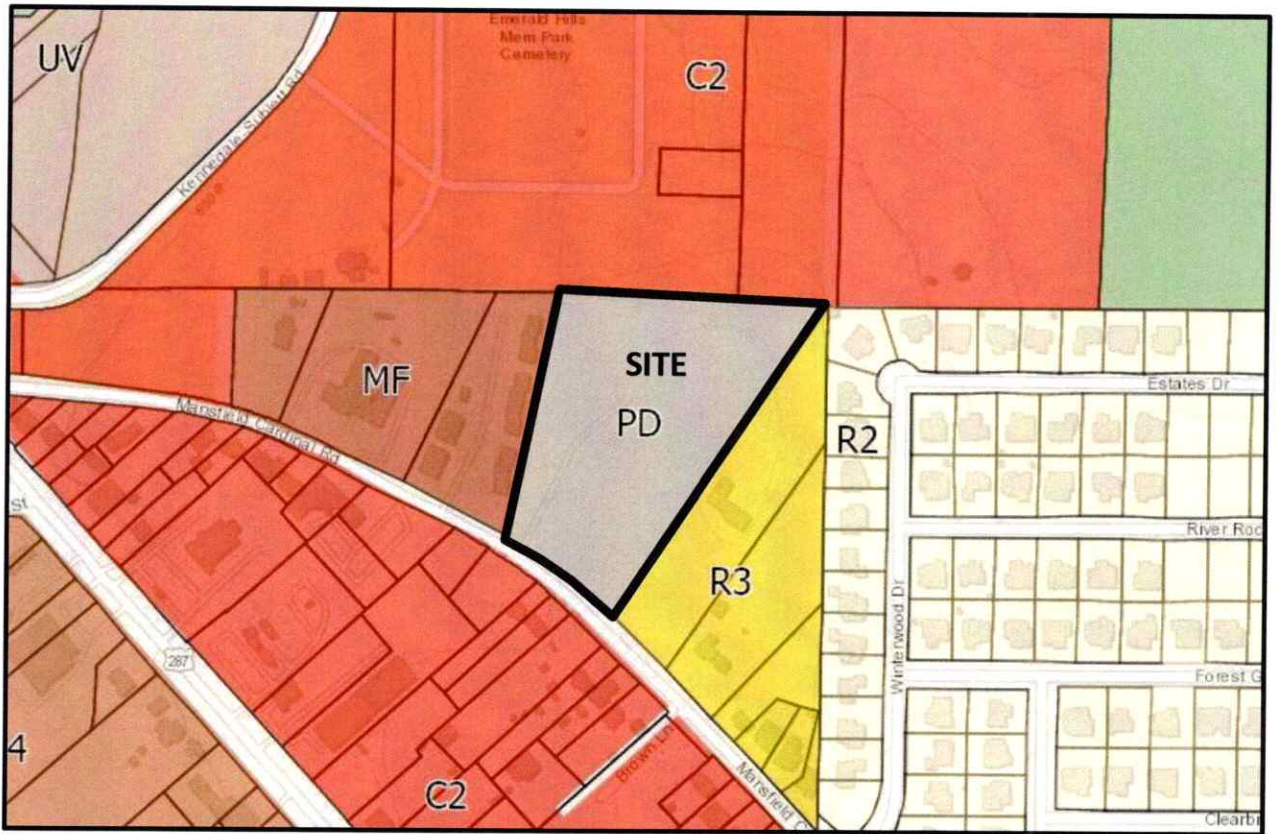

CITY SECRETARY, RAEANNE BYINGTON

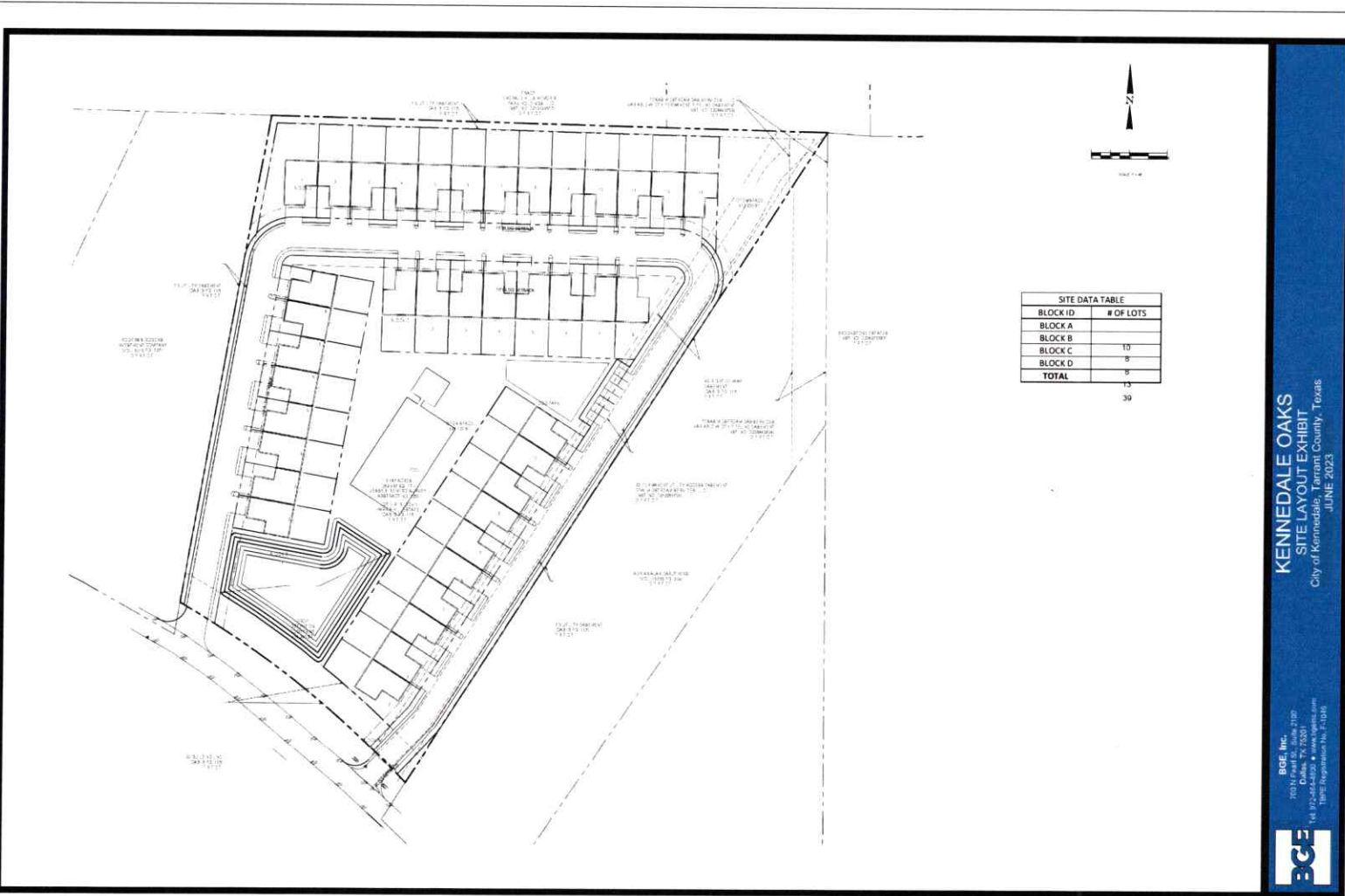


439 MANSFIELD CARDINAL RD.



**439 MANSFIELD CARDINAL RD.
ZONING MAP**





SITE DATA TABLE	
BLOCK ID	# OF LOTS
BLOCK A	
BLOCK B	10
BLOCK C	8
BLOCK D	8
TOTAL	26

KENNEDALE OAKS
 SITE LAYOUT EXHIBIT
 City of Kennedale, Tarrant County, Texas
 JUNE 2023

ROE, Inc.
 10101 West 5th, Suite 2122
 Dallas, TX 75226
 Tel: 972.432.4232 • www.roe.com
 1885 Regentwood Dr., 110-26



439 MANSFIELD CARDINAL RD.

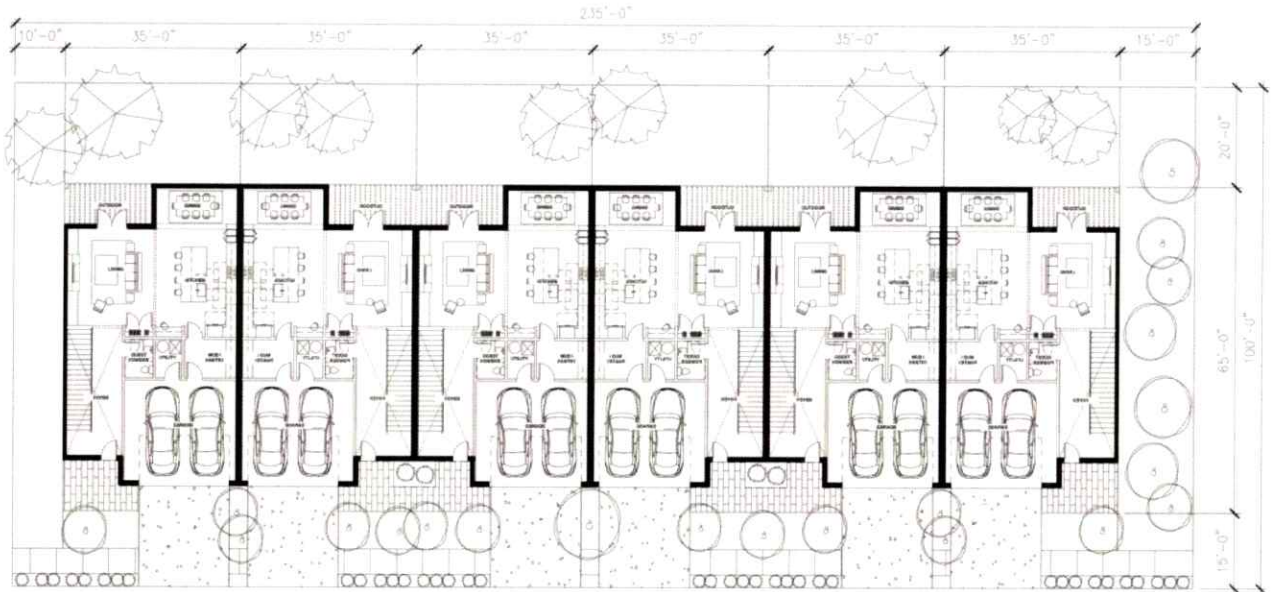


Exhibit "B"

**KENNEDALE OAKS
DEVELOPMENT STANDARDS FOR TOWNHOME (TH) RESIDENTIAL
(PLANNED DEVELOPMENT)**

Kennedale Oaks is a townhome community located off Mansfield Cardinal Road in Kennedale, Texas.

The intent of these PD guidelines is to promote a community that upholds and enhances the quality of the surrounding environment. This neighborhood will feature high-quality attached townhomes that are desirable in a higher density residential area.

- I. **Purpose:** This lot type is designed to allow a minimum of three (3) to thirteen (13) attached dwellings per building. Each dwelling (townhome) will be situated on a platted lot of not less than three thousand five hundred (3,500) square feet and up to a maximum of three thousand six hundred thirty (3,675) square feet. A Homeowner's Association (HOA), or similar managing authority for common areas, shall be created for the purpose of maintaining all common areas, private firelane and access easements, public access, and utility easements. If required, the Town of Kennedale will maintain any dedication of public right of ways and water and sanitary sewer easements.
- II. **Permitted Uses:** Land use and structures shall comply with uses permitted for townhome residential districts (TH) in Section 3 of the City of Kennedale Unified Development Code and in accordance with the following:
- A) Conditional Uses: Any conditional uses may be permitted as noted herein.

III. **Development Regulations**

- A) **Plan Requirements:** No application for a building permit for the construction of a building or structure shall be approved unless a plat, meeting all the requirements of the City of Kennedale, has been approved by the City Council and recorded in the Tarrant County Plat Records.
- B) **Area Regulations:** The following minimum standards shall be required as measured from property lines:
- | | |
|--|-----------------------|
| 1. Minimum Lot Size: | 3,500 square feet |
| 2. Maximum Lot Size: | 7,400 square feet |
| 3. Average Lot Size: | 5,450 square feet |
| * Minimum lot width shall be 35 feet (measured at front lot line). | |
| 4. Lot Coverage: | 80% maximum |
| 5. Density: | 8 units max. per acre |
| 6. Dwelling Size (Minimum): | 1,600 square feet |
| 7. Dwelling Size (Maximum): | 2,200 square Feet |

- | | |
|--|---|
| 8. Front Yard Setback: | 10 feet |
| * Front porches shall be allowed to encroach up to five feet into the front setback. | |
| 9. Rear Yard setback: | 10 feet |
| 10. Side Yard setback (interior): | 0 feet between units; 0 Feet at end of building |
| 11. Side Yard Setback Adjacent to Street: | 15 feet |
| 12. Lot Width (Minimum): | 35 feet |
| 13. Lot Depth (Minimum): | 86 feet |
| 14. Garage Setback (Driveways): | 18 feet minimum* |

* Minimum distance measured from edge of public access curb/gutter to face of garage.

C) Parking:

1. All off-street parking shall be located between the edge of public access/face of curb to face of garage and measured at eighteen (18) feet minimum.
2. Minimum parking spaces per unit, regardless of bedroom count, shall be two (2) spaces per unit. The garage parking spaces and/or parking areas in front of the garages may count towards the parking calculations.
3. A minimum of one (1) bicycle rack shall be provided for every ten (10) units to meet UDC requirements.
4. Loading zone requirements shall be excluded from the development.
5. Surface parking lot requirements shall be excluded from the development.
6. On-street parking shall be restricted along Mansfield Cardinal Road and the private firelane/access easement. If required, "no parking" signs shall be installed.

IV. Design Standards:

- A) Building Form Standards: All buildings shall meet, at minimum, the building form and design standards outlined in the Unified Development Code Section 3.7 (B) and (C).
- B) Architectural Enhancements: Each Townhome dwelling may utilize the following architectural or design features:
 - a. Building materials may consist of any combination of vinyl/fiber cement siding, masonry, such as stucco, tile/porcelain/artificial stone, brick, and natural stone.

C) Siting

- a. The parking setback shall be a minimum of eighteen (18) feet and shall be measured from the face of curb/access drive (parallel to the public access easement) to the front façade of the garage.

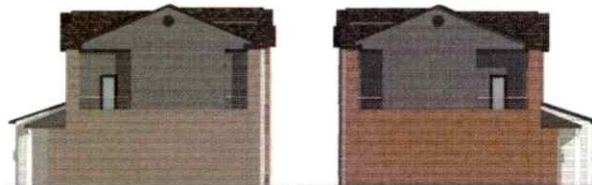
D) Elements:

- a. The minimum and maximum ground floor fenestration (1st Floor) shall be between 3% and 80%.
- b. The minimum and maximum upper story fenestration (2nd Floor) shall be between 10% and 70%.

E) Elevations: Refer to presentation:



FRONT ELEVATION

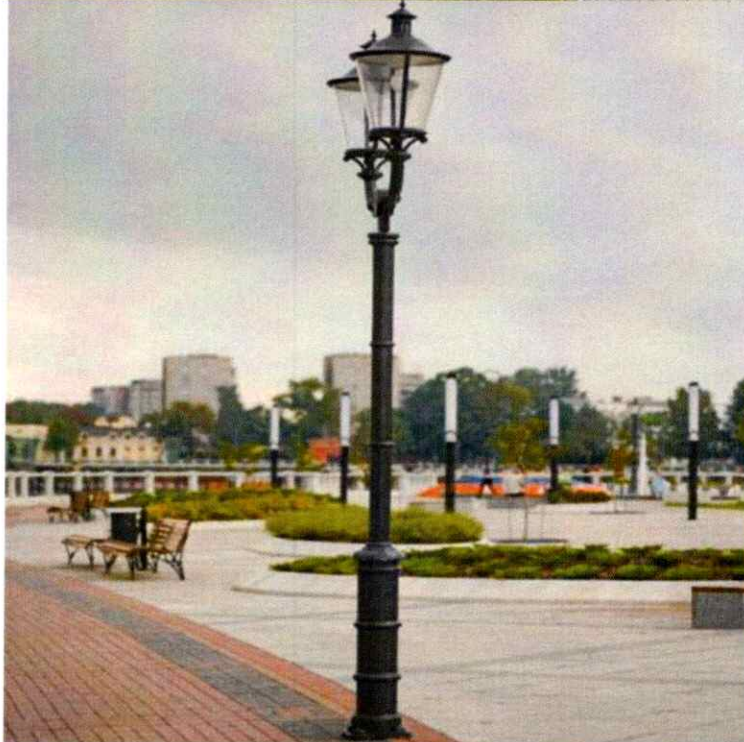


SIDE ELEVATIONS



REAR ELEVATION

- F) Fences/ Walls/ Retaining Walls:
- a. Fences, screen walls and retaining walls shall be maintained by a Homeowner's Association or similar managing authority.
 - b. Maximum privacy fence height shall be seven (7) feet and allowed along rear and common lot lines.
 - c. HVAC Screening: All buildings shall be designed such that the mechanical equipment (HVAC), except venting & stacks, is not visible from Cardinal Mansfield Road.
- G) Garages:
- a. All units and/or lots shall provide a minimum two-car garage.
 - b. Garages may face and access from a dedicated public access easement and/or public right of way.
- H) Sidewalks: A 5' wide sidewalk will be required within the development and provide a continuous loop within the development. The sidewalk will be located within a 40' wide private firelane and access easement. In addition, a 5' wide sidewalk will be required within the public right of way of Mansfield Cardinal Road.
- I) Landscaping: Landscaping, at minimum, shall conform to the requirements outlined in Article 13 of the Unified Development Code. All site landscaping, including maintenance of the right-of-way, shall be HOA-maintained.
- J) Exterior Lighting: All exterior lighting, including streetlights, shall be decorative and complement the design of the development. Examples of appropriate light fixtures and streetlights are provided below:



- K) Refuse Facilities: Each resident will be responsible for trash & recycling collection through an individual 3rd party vendor. Rollout bins will be utilized and stored inside the proposed garages.
- L) Amenities: All development amenities, including pools, parks, and open-space areas, shall be HOA-maintained.

Any regulation not specifically addressed herein or shown on Table A shall be in accordance with the current ordinances of the City of Kennedale for Townhome (TH) District.

Planned Development Regulations Summary Table 'A'

PLANNED DEVELOPMENT REGULATIONS - TABLE 'A'		
	UDC Form-Based Code	Proposed
Base Zoning	TH	PD
Uses	Vacant	Townhomes
Setbacks (Minimum)		
Front Yard - Primary	10 Feet	10 Feet
Front Yard - Secondary	10 Feet	10 Feet
Side Yard (Interior Common Lot Line)	0 Feet	0 Feet
Side Yard (Exterior End of Building)	0 Feet	0 Feet
Side Yard (Adjacent to Street)	15 Feet	15 Feet
Rear Yard	20 Feet	10 Feet
Lot Dimensions (Minimum)		
Lot Width (Minimum)	40 Feet	35 Feet
Lot Depth (Minimum)	80 Feet	100 Feet
Lot Area (Minimum)	3000 SF	3,500 SF
Building Height (Maximum)	2 nd Story Top Wall Plate	3 stories
Minimum ground floor clear height	9 Feet	9 Feet
Minimum upper story clear height	9 Feet	9 Feet
Max garden wall height	10 Feet	10 Feet
Max privacy fence height	7 Feet	8 Feet
Minimum build-to percentage	75%	50%
Minimum parking setback	30 Feet	18 Feet
Garden wall	Permitted on unbuilt RBL	Permitted on unbuilt RBL
Privacy fence (Lots)	Permitted on common and rear lot lines only	Permitted on common and rear lot lines only
Min/Max ground floor (1st Floor) façade fenestration	33% to 80%	3% to 80%
Min/Max upper story (2nd Floor) fenestration	20% to 70%	10% to 70%
Max blank wall limitation	30 Feet	30 Feet
Max distance between façade entrances	60 Feet	70 Feet
Balconies	Permitted	Permitted
ROW Section/Access Easement	50 Feet	40 Feet
Parking	Up to 1,000SF: one (1) space/unit Above 1,000SF: one and a quarter (1.25)	(2) parking enclosed spaces/unit
Bicycle Parking	One (1) parking rack / ten (10) units	One (1) parking rack / ten (10) units