

## MEMORANDUM

**DATE:** August 12, 2019

**TO:** Mayor & City Council  
**CC:** Mercy Rushing, City Administrator

**FROM:** David Madsen

**SUBJECT:** **Council Meeting Agenda Item:** Two public hearings

**Background Information:** A company has purchased approximately 25 that enters off of Kings Lane and continues to Sycamore Street. The property is four separate lots. Lots 24 and 25 of the King Addition and Block 256 and 255 Mineola Townsites, the entrance of the property is at 1137 Kings Lane. Lot 24 and 25 King Addition are currently zoned SF-7 (Single Family) and Block 255 and 256 are zoned AG. The property is owned by Rio Sabine Construction. The owner wants to build Two Family Dwellings (Duplex) on a portion of the property with the possibility of some multifamily in the future. The property will need to be rezoned and a specific Use Permit will need to be granted in order to build Two Family Dwellings. The first public hearing will be for the rezoning request. The request is to rezone all of the property to MF-18 (Multi-Family). If the rezoning is granted, a second public hearing will be held for the Specific Use Permit. The SUP will be to build Two Family Dwellings on the property.

There were twelve notices sent to surrounding property owners within 200 feet and several of them were in attendance. None were opposed to the requests. They were there for information and to ask questions.

**Recommendation:** The Planning and Zoning Commission recommends approval of both requests.

**Final Disposition:**

# Untitled Map

Vacant lot. Proposed entrance site to development

Legend



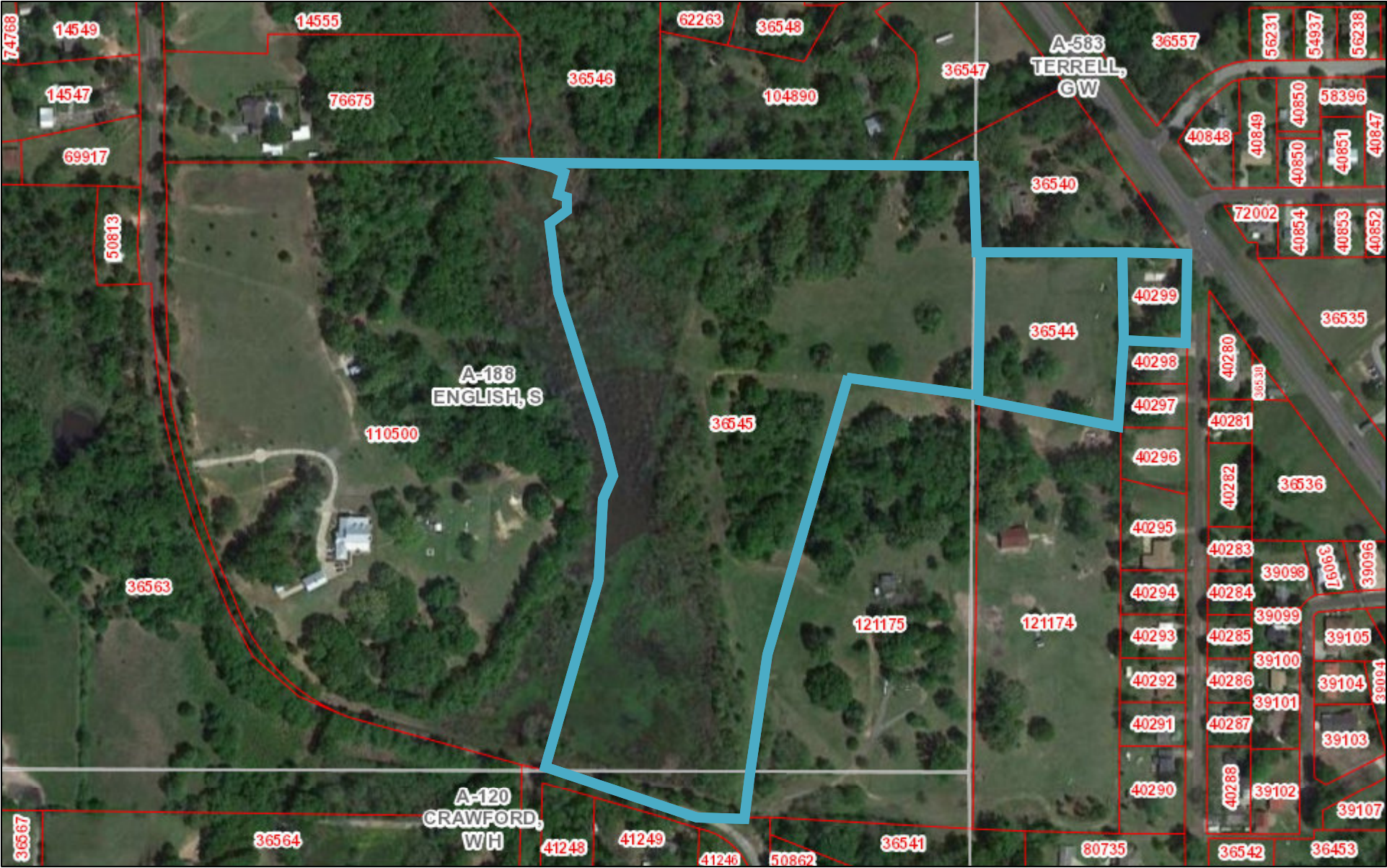
Google Earth

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8.58 ft



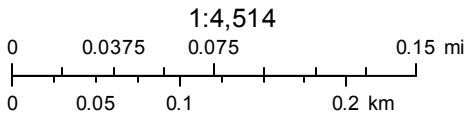
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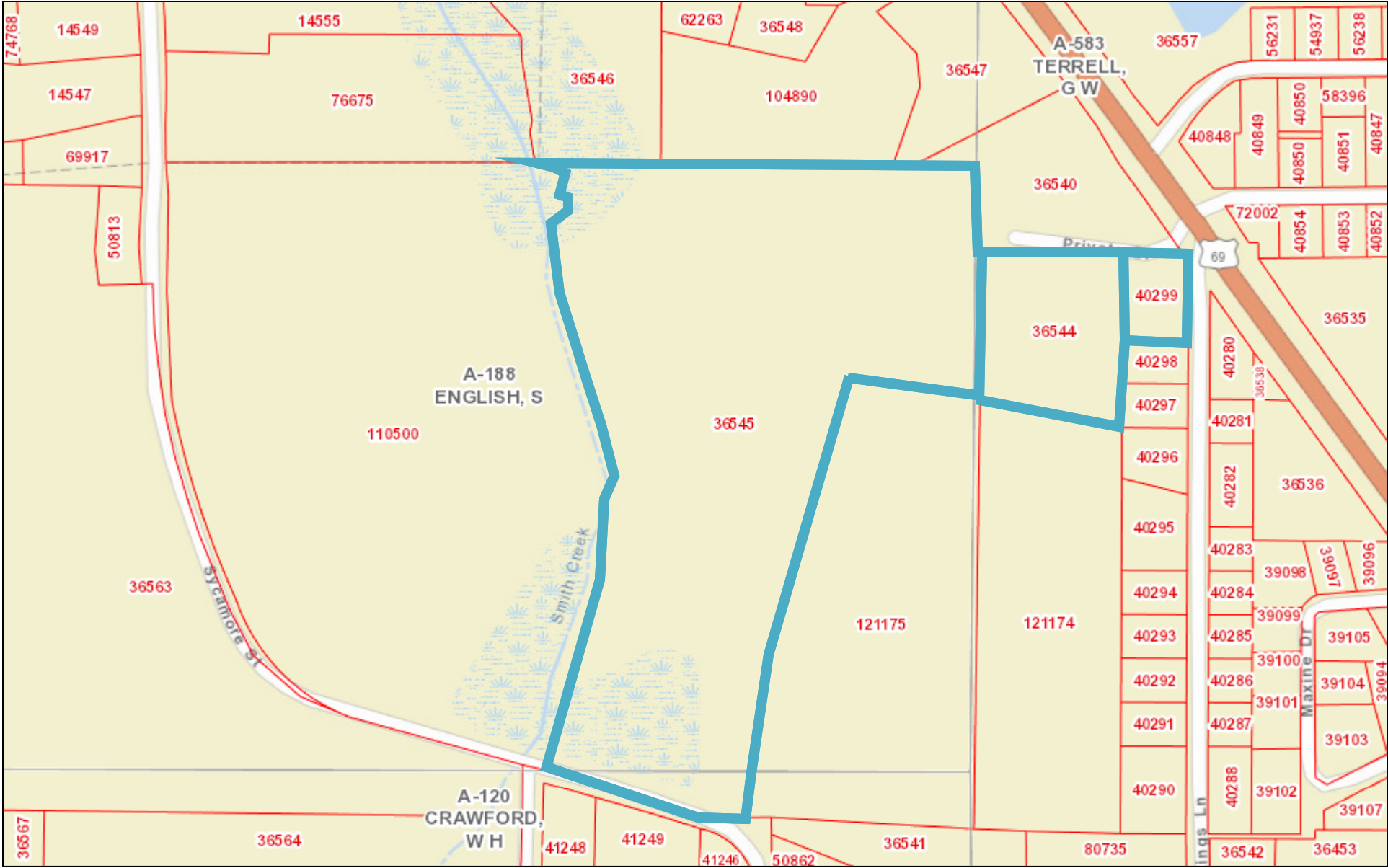
August 1, 2019

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- Lines**
-  Override 1
-  Parcels
-  Abstracts




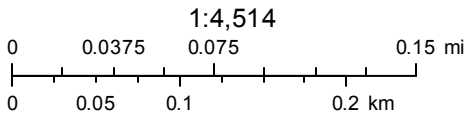
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August 1, 2019

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Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF MINEOLA, TEXAS AMENDING THE CITY ZONING ORDINANCE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City of Mineola, as an incorporated municipality in the State of Texas, has been given the authority by Chapter 211 of the Local Government Code to establish zoning and amend zoning in accordance with Chapter 211; and

**WHEREAS**, the City Council of the City of Mineola has heretofore adopted zoning ordinances for the City of Mineola, Texas, which regulates and restricts the location and use of buildings, structures, and land for trade, industry, residence, and other purposes, and provides for the establishment of zoning districts of such number, shape, and area as may be best suited to carry out these regulations; and

**WHEREAS**, all requirements of Chapter 211 of the Local Government Code, and all other laws dealing with notice, publication, and procedural requirements for zoning of property have been complied with; and

**WHEREAS**, a public hearing was held by the City Council of the City of Mineola on August 26, 2019 and a recommendation has been received from the Planning and Zoning Board with respect to the amendments described herein; and

**WHEREAS**, the City Council of the City of Mineola does hereby deem it advisable and in the public interest to amend the Zoning Ordinances of the City of Mineola, Texas, so that henceforth and hereafter the Zoning Ordinance is amended;

**THEREFORE, BE IT ORDAINED** by the City Council of the City of Mineola, Texas, as follows:

**Section 1**

The following described area is hereby declared to be MF-18 (Multi-Family): Lots 24, 25 King Addition, and Block 255 & 256 Mineola Townsites.

**Section 2**

The City Zoning Map shall be updated to properly demonstrate the property rezoned in Section 1.

### **Section 3**

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Mineola, and this ordinance shall not operate to repeal or affect the Code of Ordinances of the City of Mineola or any other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such Code of Ordinances or any other ordinances are hereby repealed.

### **Section 4**

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

### **Section 5**

Any person, firm, association of persons, corporation, or other organization violating the provisions of this ordinance shall be deemed to be guilty of a misdemeanor and, upon conviction, shall be fined an amount not to exceed \$2000.00 per offense. Each day that a violation occurs shall be deemed a separate offense.

### **Section 6**

This ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the laws of the State of Texas.

Passed and approved by the Mineola City Council on the 26th day of August, 2019 and effective upon passage.

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Mayor, Kevin White

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Cindy Karch, City Secretary