

MEMORANDUM

DATE: January 9, 2024

TO: Mayor & City Council
CC: Mercy Rushing, City Manager

FROM: David Madsen

SUBJECT: Council Meeting Agenda Item: Rezoning of property

Background Information: The purpose of the hearing is to hear a request from Brady Chambers to rezone Lots 1, 2, 3, 6 Block L Landers & Revelle Addition. The property is in the 400 block of McDaniel between Jones and Engle on the south side of McDaniel. The request is to rezone the properties from SF-7 (Single Family) to MD (Medium Density) for the purpose of building Two-Family Dwellings or Single Family Attached (Townhomes). Mr. Chambers will improve two sections of unimproved streets at no cost to the city and install a fire hydrant. The sections of streets to be improved are a section of Willis and Jones. Nineteen notices were sent out to surrounding property owners advising them of the meeting. Three letters came back undeliverable. I received concerns from one property whose property abuts the proposed area for rezoning. They attended the zoning meeting along with several other people from the neighborhood. Five of them spoke in opposition to the rezoning. The email listed concerns from her and other owners in the area. I have listed excerpts from the email listing those concerns.

1. I have spoken with the neighbors, most of whom have lifelong ties to this area, none wish to see this single-family neighborhood turn into MD for Two-Family Dwellings. Nor do we wish to see the ally abandoned between lots as that would allow structures to be built right up to one another, restricting privacy and greatly increasing traffic flow in a small, condensed area making it less safe for our children.
2. This is not a high income area, most are struggling in this economy as it is and a development will only increase property taxes making it even harder for people to afford to continue living here. There are many areas available for these kinds of housing developments and they should not penalize current property owners that have a vested interest, are raising families or have lived here their entire lives.
3. Building the infrastructure alone will destabilize the neighborhood and directly affect families that live there while in progress. It is not fair to those who can't afford to move. Selling those lots as single family will be a slower, gentler change with the effects not so broad sweeping. Zoning changes for the sake of profit is inhumane and unfair especially in low income, mostly black or minority neighborhoods.

Mr. Chambers addressed all the concerns and will give the same presentation at the council meeting. Everyone in attendance at the zoning meeting were advised to attend the council meeting and express their concerns.


Recommendation: Planning and zoning recommend approval of the request.

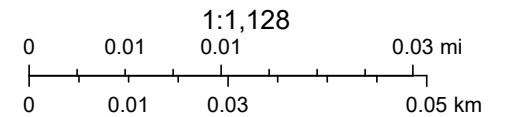
Final Disposition:

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1/9/2024, 9:45:05 AM

-  Abstracts
-  Parcels



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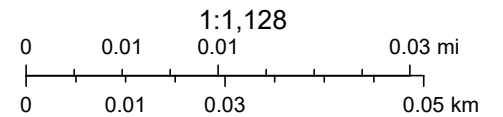
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1/9/2024, 9:41:18 AM

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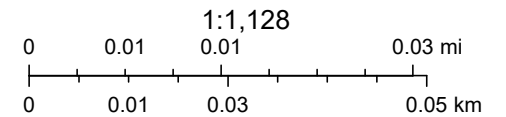
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1/9/2024, 9:57:06 AM

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ORDINANCE NO. 24-01-22

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 January 22, 2024 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 MD Medium Density: Lots 1, 2, 3, 6 Block L Landers & Revelle Addition.

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 22nd day of January 22, 2024 and effective upon passage.

Mayor, Jayne Lankford

Cindy Karch, City Secretary, Finance Director