

# *City of Kingsville, Texas*

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## **AGENDA CITY COMMISSION**

**TUESDAY, AUGUST 25, 2020  
SPECIAL MEETING**

**CITY HALL  
HELEN KLEBERG GROVES COMMUNITY ROOM  
400 WEST KING AVENUE  
4:00 P.M.**

**Conference Line call: 1 (415) 655-0001 and  
when prompted type access code: 126 210 9951 #**

**OR**

**Live Videostream: <http://www.cityofkingsville.com/webex>**

### **I. Preliminary Proceedings.**

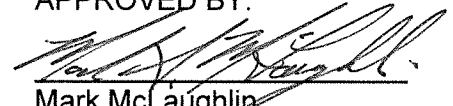
#### **OPEN MEETING**

**INVOCATION / PLEDGE OF ALLEGIANCE – (Mayor Fugate)**

**MINUTES OF PREVIOUS MEETING(S)**

None.

APPROVED BY:

  
Mark McLaughlin  
City Manager

**\*\*AUDIENCE AND PRESENTER SOCIAL DISTANCING AND PUBLIC TESTIMONY AND PUBLIC HEARING INPUT AT PUBLIC MEETINGS OF THE CITY COMMISSION.** To reduce the chance of COVID-19 transmission, public meetings will be held in a manner intended to separate, to the maximum practical extent, audience and presenters from personal contact with members of Community, City Staff, and City Commission. Public testimony and public hearing input for Public Comment and all items on the agenda at public meetings of the City Commission shall be provided in written format and presented to the City Secretary and/or designee prior to the start of each meeting of the City Commission. This testimony and/or public input shall be in accordance with the City Secretary's instructions, which shall be posted on the City Secretary's outdoor public bulletin board at City Hall and on the City website and allow for electronic submission. The written public testimony shall be provided to members of the City Commission prior to voting on measures for that meeting. Written testimony shall be limited in accordance with the City Secretary requirements and shall be placed into the record of each meeting. This written testimony shall serve as the required public testimony pursuant to Texas Government Code section 551.007 and shall constitute a public hearing for purposes of any public hearing requirement under law. The meeting may be held telephonically or via videoconference; and, if so conducted, the public may participate remotely by following the instructions of the City Secretary which would be posted on the City Secretary's outdoor public bulletin at City Hall and on the City website.

## II. Public Hearing - (Required by Law).<sup>1</sup>

None.

## III. Reports from Commission & Staff.<sup>2</sup>

*"At this time, the City Commission and Staff will report/update on all committee assignments which may include, but is not limited to the following: Planning & Zoning Commission, Zoning Board of Adjustments, Historical Board, Housing Authority Board, Library Board, Health Board, Tourism, Chamber of Commerce, Coastal Bend Council of Governments, Conner Museum, Keep Kingsville Beautiful, and Texas Municipal League. Staff reports include the following: Building & Development, Code Enforcement, Proposed Development Report; Accounting & Finance – Financial & Investment Information, Investment Report, Quarterly Budget Report, Monthly Financial Reports; Police & Fire Department – Grant Update, Police & Fire Reports; Street Updates; Public Works- Building Maintenance, Construction Updates; Park Services - grant(s) update, miscellaneous park projects, Administration –Workshop Schedule, Interlocal Agreements, Public Information, Hotel Occupancy Report, Quiet Zone, Proclamations, Health Plan Update, Tax Increment Zone Presentation, Main Street Downtown, Chapter 59 project, Financial Advisor, Water And Wastewater Rate Study Presentation. No formal action can be taken on these items at this time."*

## IV. Public Comment on Agenda Items.<sup>3</sup>

1. Comments on all agenda and non-agenda items.

## V.

### Consent Agenda

### Notice to the Public

*The following items are of a routine or administrative nature. The Commission has been furnished with background and support material on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commission Member in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.*

### CONSENT MOTIONS, RESOLUTIONS, ORDINANCES AND ORDINANCES FROM PREVIOUS MEETINGS:

*(At this point the Commission will vote on all motions, resolutions and ordinances not removed for individual consideration)*

1. Motion to approve final passage of an ordinance amending the zoning ordinance by granting a special use permit for an R2 Two-Family Use (duplex) in C1 Neighborhood Service District at 314 E. Ave B, Kingsville, Texas, also known as Col. Mex., Block 15, Lot 26-28; amending the comprehensive plan to account for any deviations from the existing comprehensive plan. (Director of Planning & Development Services).

### REGULAR AGENDA

### CONSIDERATION OF MOTIONS, RESOLUTIONS, AND ORDINANCES:

## VI. Items for consideration by Commissioners.<sup>4</sup>

2. Review and discuss proposed fiscal year 2020-2021 budget for departments of the City of Kingsville. (City Manager).

## VII. Adjournment.

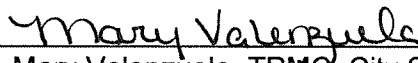
1. No person's comments shall exceed 5 minutes. Cannot be extended by Commission.
2. No person's comments shall exceed 5 minutes without permission of majority of Commission.
3. Comments are limited to 3 minutes per person. May be extended or permitted at other times in the meeting only with 5 affirmative Commission votes. The speaker must identify himself by name and address.
4. Items being considered by the Commission for action except citizen's comments to the Mayor and Commission, no comment at this point without 5 affirmative votes of the Commission.

### NOTICE

This City of Kingsville and Commission Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 361/595-8002 or FAX 361/595-8024 or E-Mail [mvalenzuela@cityofkingsville.com](mailto:mvalenzuela@cityofkingsville.com) for further information. Braille Is Not Available. The City Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Section 551-071 (Consultation with Attorney), 551-072 (Deliberations about Real Property), 551-073 (Deliberations about Gifts and Donations), 551-074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551-086 (Certain Public Power Utilities: Competitive Matters), and 551-087 (Economic Development).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall, City of Kingsville, 400 West King Avenue, Kingsville, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

August 20, 2020 at 3:30 P.M. and remained so posted continuously for at least 72 hours proceeding the schedule time of said meeting.

  
\_\_\_\_\_  
Mary Valenzuela, TRMC, City Secretary  
City of Kingsville, Texas

This public notice was removed from the official posting board at the Kingsville City Hall on the following date and time: \_\_\_\_\_

By: \_\_\_\_\_  
City Secretary's Office  
City of Kingsville, Texas

# **CONSENT AGENDA**

# **AGENDA ITEM #1**

Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



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## MEMO

**Date:** August 20, 2020

**To:** Mark McLaughlin (City Manager)

**From:** Uche Echeozo (Director of Planning and Development Services)

**Subject:** **Re:** Special Use Permit request from Victor Saenz, authorized agent for a Duplex Two-family Use in C1 (Neighborhood Service) located at Colonia Mexicana Subdivision, Lots 26, 27, 28 Block 15, Kingsville, Texas, also known as 314 E Avenue B, Kingsville Texas.

The Planning and Zoning Commission meeting held as scheduled yesterday, August 19, 2020 with 5 members in attendance. There were two members that were absent – Commissioners Lupe Alvarez and Bill Aldrich

Members deliberated over the issue of granting a Special Use Permit for a Duplex Two-Family Use in C1 (Neighborhood Service) and at the end, voted unanimously to approve the recommendation to carry out the development under the Special Use regime. A recorded vote of all members present was taken and Commissioners Brian Coufal, Idotha Battle, Debbie Tiffie, Mike Klepac and the Chairman – Steve Zamora all voted 'YES'

The meeting was adjourned by 6.35p.m.

Thank you.

Planning and Development Services  
410 W King  
Kingsville, TX 78363  
PH: 361-595-8093



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## MEMO

**Date:** August 14, 2020  
**To:** Planning and Zoning Commission Members  
**From:** Uche Echeozo (Director of Planning and Development Services)  
**Subject:** Special Use Permit request from Victor Saenz, authorized agent for a Duplex Two-family Use in C1 (Neighborhood Service) located at Colonia Mexicana Subdivision, Lots 26, 27, 28 Block 15, Kingsville, Texas, also known as 314 E Avenue B, Kingsville Texas.

The applicant approached the department because they wanted to put up a two-family duplex. A look at the current zoning of the property revealed a C1 (Neighborhood Service) zoning which does not permit such development except under a Special Use Permit regime.

Consequently, a Special Use Permit application is being submitted for your consideration. Therefore, it is recommended that you consider the said application and approve same since the eventual use would be in conformity with the zoning ordinance of the City of Kingsville.

Thank you.

A handwritten signature in black ink, appearing to be "Uche Echeozo", written over a horizontal line.

**Uche Echeozo**  
Director of Planning and  
Development Services

CITY OF KINGSVILLE  
PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 314 East Ave B, Kingsville, Texas Nearest Intersection 7th Street and Ave B, Kingsville, Texas

(Proposed) Subdivision Name Colonia Mexicana Lot Lots 26, 27, 28 Block 15

Legal Description: Lots 26, 27, 28, Block 15, Colonia Mexicana

Existing Zoning Designation C1 Future Land Use Plan Designation R2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Victor S. Saenz Phone 361-522-6535 FAX 361-595-7623

Email Address (for project correspondence only): victor.s.saenz@sstitle.com

Mailing Address 593 North CR 1050 City Kingsville State Texas Zip 78363

Property Owner Victor S. Saenz Phone 361-522-6535 FAX 361-595-7623

Email Address (for project correspondence only): victor.s.saenz@sstitle.com

Mailing Address 593 North CR 1050 City Kingsville State Texas Zip 78363

Select appropriate process for which approval is sought. Attach completed checklists with this application.

<input type="checkbox"/> Annexation Request	No Fee	<input type="checkbox"/> Preliminary Plat	Fee Varies
<input type="checkbox"/> Administrative Appeal (ZBA)	\$250.00	<input type="checkbox"/> Final Plat	Fee Varies
<input type="checkbox"/> Comp. Plan Amendment Request	\$250.00	<input type="checkbox"/> Minor Plat	\$100.00
<input type="checkbox"/> Re-zoning Request	\$250.00	<input type="checkbox"/> Re-plat	\$250.00
<input checked="" type="checkbox"/> SUP Request/Renewal	\$250.00	<input type="checkbox"/> Vacating Plat	\$50.00
<input type="checkbox"/> Zoning Variance Request (ZBA)	\$250.00	<input type="checkbox"/> Development Plat	\$100.00
<input type="checkbox"/> PUD Request	\$250.00	<input type="checkbox"/> Subdivision Variance Request	\$25.00 ea

Please provide a basic description of the proposed project:

Need to rezone the property at 314 East Ave B, Kingsville, Texas for multi-family. We want to build a duplex on this property.

We plan to have two families living at this property.

I hereby certify that I am the owner and /or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

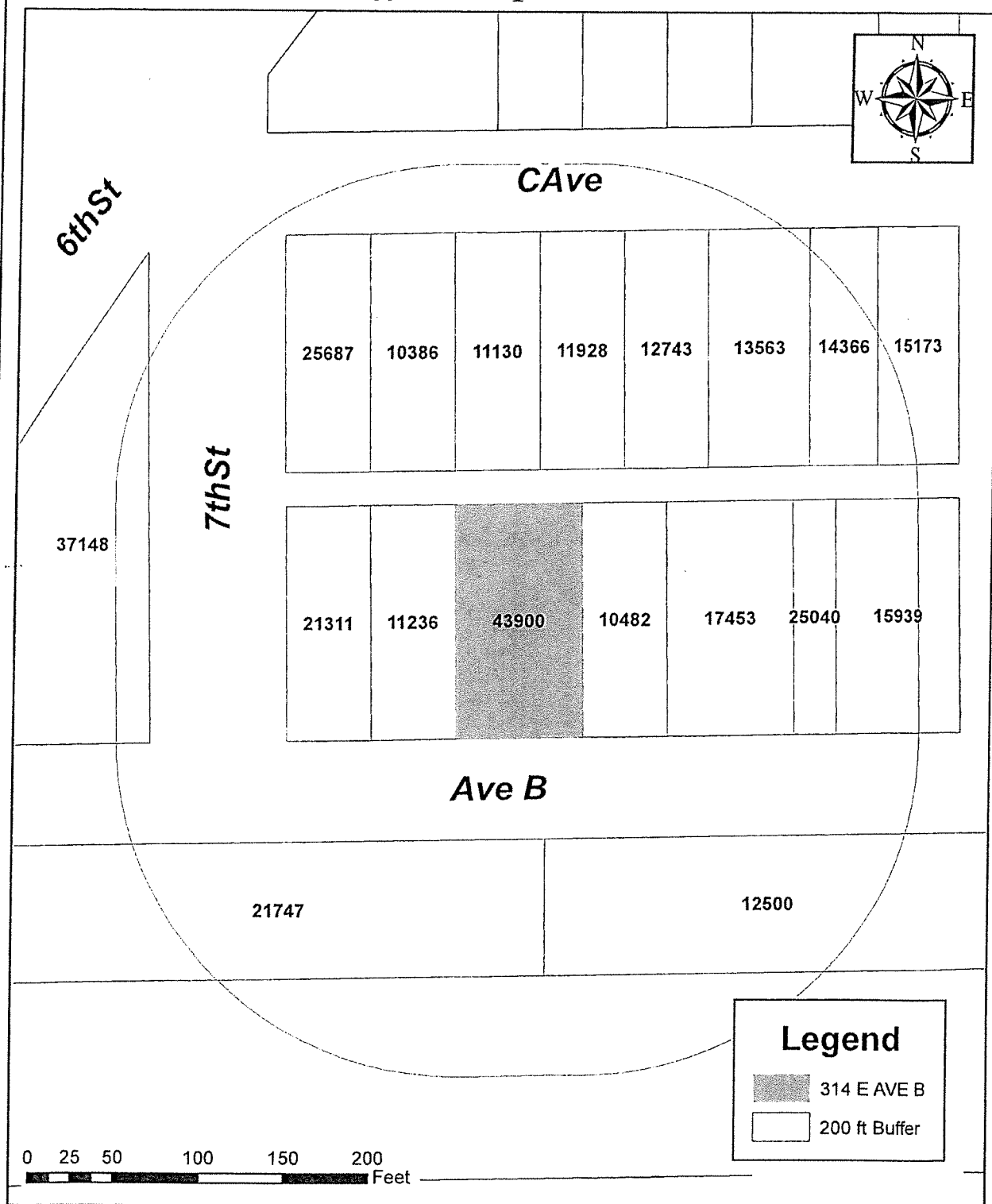
Applicant's Signature Victor S. Saenz Date: 7/9/2020

Property Owner's Signature Victor S. Saenz Date: 7/9/2020


Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_



# 200 ft Buffer Map 314 East Ave B



Document Path: C:\Users\sresendez\Desktop\GIS\Maps\Buffer Map.mxd

Page 1 / 1	Drawn By: Planning Department	<b>DISCLAIMER</b> THIS MAP IS FOR VISUAL PURPOSES ONLY. THE INFORMATION ON THIS SHEET MAY CONTAIN INACCURACIES OR ERRORS. THE CITY OF KINGSVILLE IS NOT RESPONSIBLE IF THE INFORMATION CONTAINED HEREIN IS USED FOR ANY DESIGN, CONSTRUCTION, PLANNING, BUILDING, OR ANY OTHER PURPOSE.	 <b>CITY OF KINGSVILLE</b> <b>PLANNING DEPARTMENT</b> 410 West King Kingsville, Texas 78363 Office: 361-595-8055
	Last Update: 7/15/2020		
	Note:		

CITY OF KINGSVILLE  
PO BOX 1458  
KINGSVILLE, TX 78364-1458  
#37148, 21747

PETER R SAENZ  
321 E AVE C  
KINGSVILLE, TX 78363  
#12743

VICTOR S SAENZ  
ETUX ANNA R  
593 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8834  
#21311, 11236, 10482

MARIBEL MORENO  
332 E AVE B  
KINGSVILLE, TX 78363-3715  
#15939, 15939

PEDRO M SAENZ  
ETUX MARGARITA S  
560 N COUNTY ROAD 1050  
KINGSVILLE, TX 78363-8833  
#25687, 10386, 11928, #13563

DORA REYES (LIFE EST)  
RIVERA REYES ELIAS  
3533 S CHERYL DRIVE  
FLAGSTAFF, AZ 86005  
#14366

RAMIRO LONGORIA JR  
2434 E COOK ROAD  
GRAND BLANC, MI 48439  
#17453

GUADALUPE ALANIZ  
327 E AVE B  
KINGSVILLE, TX 78363-3714  
#12500

WILMA RUTH SAENZ ALLEN  
309 E AVE C  
KINGSVILLE, TX 78363  
#11130

HOMERO P GARZA EST  
ETUX JOSEFA R (LIFE EST)  
RODNEY R GARZA  
318 E AVE C  
KINGSVILLE, TX 78363-3721  
#15173

MANUEL R REYES  
ETUX FRANCISCA CRUZ  
PO BOX 490  
BLOOMINGTON, TX 77951-0490  
#25040

Land Use Chart													
Land Use Description	R1	R2	R2A	R3	R4	MH	C1	C2	C3	C4	I1	I2	Ag
Dwelling, one-family det.	P	P		P	P	P	P	P	P				P
Dwelling, one-family att.		P	P	P	P		S	P					P
Dwelling, two-family		P		P	P		S	P					
Dwelling, multi-family				P	P		P	P	P				
Tiny Homes		P	P			P							
Dwelling, above business									P				
Work/live units									P				
Boarding or rooming house					P			S	P	P			
Hotel or motel					P			S	P	P			
Dormitory					P								
Fraternity, sorority					P								





new property in Kingsville  
rain from Hurricane Hanna. (Photo by Frank Cardenas)

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 19, 2020, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

Victor Saenz, applicant and owner, requesting a Special Use Permit for dwelling, two family use in C1 (Neighborhood Service) at COL MEX, BLOCK 15, LOT 26-28 also known as 314 E. Ave B, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, August 24, 2020 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard: Victor Saenz, applicant and owner, requesting a Special Use Permit for dwelling, two family use in C1 (Neighborhood Service) at COL MEX, BLOCK 15, LOT 26-28 also known as 314 E. Ave B, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

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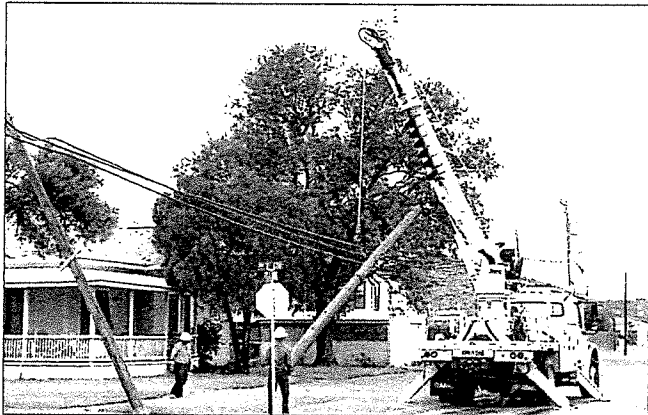
### Lion Pride

Members of the Santa Gertrudis Academy football team donated their time and labor to help clean up damage in the Riviera-Buffin Bay area earlier this week. (Courtesy photo)



### S&G Appliances

Workers lay out plywood in Kingsville on Friday, July 24, in anticipation of Hurricane Hanna. The three businesses in this plaza were all boarded up in preparation for the storm. (Photo by Dean Smith)



### Restoring Power

AEP crews were out Sunday morning in Bishop replacing poles holding electric power lines and restoring power to some residents. Pictured are crews repairing a very slanted electric pole on the corner of Sixth and Birch Streets. (Photo by Tina Morales Salinas)



### Family Dollar clean up

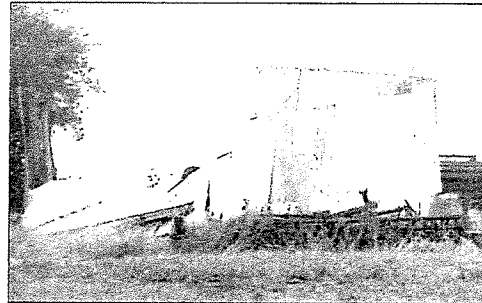
Kevin Zeller mops up over an inch of rain from Hurricane Hanna at the Family Dollar store in Ricardo. (Photo by Dean Smith)

### PUBLIC NOTICE

On July 27, 2020, the Kingsville City Commission had public hearings and action items to consider condemnation of structures on the following properties. The City Commission found the structures on each of the properties to be dangerous, unsafe, in violation of city ordinances, unable to be corrected without substantial expense of reconstruction, and a public nuisance. The Commission ordered the property owner/agent/person in charge of each of the properties to demolish the structures within 30 days:

626 N. 6th Street (auxiliary building), Kingsville, Texas  
429 E. Mesquite, Kingsville, Texas

A copy of each order can be obtained from the City Secretary at City Hall (400 W. King Avenue, Kingsville, Texas) or by mailing her at P.O. Box 1458, Kingsville, Texas 78364.



### Riviera storm damage

A few properties in Riviera suffered some storm damage due to the high winds and heavy rain from Hurricane Hanna. (Photo by Frank Carlenas)

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Orthodontic (Braces)  
Exam & Records  
**\$100**  
Expires 01-31-2021. (761) 545-4121  
Dr. Tanya P. Lawhon, D.D.S.

**Dr. Tanya P. Lawhon, D.D.S.**



116 South 4th Street, Kingsville

Hours: Monday - Thursday 8 am - 5 pm  
Friday 8 am - 4:00 pm

**(361) 595-4121**

### PUBLIC HEARING NOTICE

The Planning & Zoning Commission of the City of Kingsville will hold a Public Hearing Wednesday, August 19, 2020, at 6:00 p.m. wherein the Commission will discuss and/or take action on the following items and at which time all interested persons will be heard:

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The meeting will be held at City Hall, 400 West King, Kingsville, Texas in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the Planning Department at (361) 595-8055.

### PUBLIC HEARING NOTICE

The City Commission of the City of Kingsville will hold a Public Hearing Monday, August 24, 2020 at 5:00 p.m. wherein the City Commission will discuss the introduction on the following item and at which time all interested persons will be heard: Victor Saenz, applicant and owner, requesting a Special Use Permit for dwelling, two family use in C1 (Neighborhood Service) at COL MEX, BLOCK 15, LOT 26-28 also known as 314 E. Ave B, Kingsville, Texas.

The meeting will be held at City Hall, 400 West King, Kingsville, Texas, in the Helen Kleberg Groves Community Room. If you have any questions about the items on the agenda, please contact the City Secretary at (361) 595-8002.

**Subscribe Today**

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AMENDING THE ZONING ORDINANCE BY GRANTING A SPECIAL USE PERMIT FOR AN R2-TWO-FAMILY DISTRICT USE (DUPLEX) IN C1 - NEIGHBORHOOD SERVICE DISTRICT AT 314 E. AVE. B, KINGSVILLE, TEXAS, ALSO KNOWN AS COLONIA MEXICANA SUBDIVISION, BLOCK 15, LOTS 26, 27, 28; AMENDING THE COMPREHENSIVE PLAN TO ACCOUNT FOR ANY DEVIATIONS FROM THE EXISTING COMPREHENSIVE PLAN; PROVIDING FOR PUBLICATION.**

**WHEREAS**, the Planning Commission has forwarded to the City Commission its reports and recommendations concerning the application of Victor Saenz (applicant/owner) for amendment to the zoning map of the City of Kingsville;

**WHEREAS**, the property is currently zoned R1-Single Family District and it is desired for the area to be used as a duplex for multi-family uses, while its prior use was a vacant lot;

**WHEREAS**, the City Code of Ordinances, Chapter XV-Land Usage, Appendix A- Land Use Categories states that in R1 a special use permit is required to have a duplex use as listed on the SUP application; and

**WHEREAS**, the City of Kingsville Code of Ordinances section 15-6-142 regulates special use permits; and

**WHEREAS**, with proper notice to the public, public hearings were held on Wednesday, August 19, 2020, during a meeting of the Planning Commission, and on Monday, August 24, 2020, a public hearing was held during a meeting of the City Commission, in the Helen Kleberg Groves Community Room/Commission Chambers, at City Hall, in the City of Kingsville, during which all interested persons were allowed to appear and be heard; and

**WHEREAS**, a majority of the Planning and Zoning Commission voted 5-0 to APPROVE, with 0 abstentions and two absences, the requested special use permit; and

**WHEREAS**, the City Commission has determined that this amendment would best serve public health, necessity, and convenience and the general welfare of the City of Kingsville and its citizens.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF KINGSVILLE, TEXAS:**

**SECTION 1.** That the Zoning Ordinance of the City of Kingsville, Texas, is amended and a Special Use Permit is granted for duplex use on the premises known as 314 E. Ave. B, Kingsville, Texas, (Colonia Mexicana, Block 15, Lots 26-28), as more specifically describe on site plan attached as Exhibit A.



**SECTION 2.** That the Special Use Permit granted in Section 1 of this Ordinance is subject the following conditions:

1. **ALLOWED USE:** The only uses authorized by this Special Permit other than the permitted "C1" Neighborhood Service District use is for a residential duplex.

2. **STATE LICENSE:** The premises or operator will be licensed or registered by the State of Texas, if needed, for such use.

3. **TIME LIMIT:** This Special Permit is good for the duration of the business from the date of this ordinance unless the property is not being used for the purpose outlined in Condition 1 or any other conditions have not been complied with.

4. **SPECIAL CONDITION:** The applicant shall obtain all required background checks, business licenses and have and cooperate with all annual fire safety, health, and sanitation inspections, or other inspections required for this type of use by the City of Kingsville or any State or Federal requirement, in order to maintain compliance with federal, state and city regulations for the use/facility.

**SECTION 3.** That the official Zoning Map of the City of Kingsville, Texas, is amended to reflect the amendment to the Zoning Ordinance made by Section 1 of this ordinance.

**SECTION 4.** That the Zoning Ordinance and Zoning Map of the City of Kingsville, Texas, as amended from time to time, except as changed by this ordinance and any other ordinances adopted on this date, remain in full force and effect.

**SECTION 5.** That to the extent that this amendment to the Zoning Ordinance represents a deviation from the Comprehensive Plan, the Comprehensive Plan is amended to conform to the Zoning Ordinance, as amended by this ordinance.

**SECTION 6.** That all ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed.

**SECTION 7.** That publication shall be made in the official publication of the City of Kingsville as required by the City Charter of the City of Kingsville.

**INTRODUCED** on this the 24th day of August, 2020.

**PASSED AND APPROVED** on this the 25th day of August, 2020.

Effective Date: \_\_\_\_\_, 2020

**THE CITY OF KINGSVILLE**

---

Sam R. Fugate, Mayor

**ATTEST:**

---

Mary Valenzuela, City Secretary

**APPROVED AS TO FORM:**

---

Courtney Alvarez, City Attorney

**200 ft Buffer Map 314 East Ave B**

6th St

7th St

CAve

Ave B

25687 10386 11130 11928 12743 13563 14366 15173

21311 11236 43900 10482 17453 25040 15939

37148


21747 12500

**Legend**

314 E AVE B

200 ft Buffer

0 25 50 100 150 200 Feet

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	Last Update: 7/15/2020		
	Note:		

**CITY OF KINGSVILLE  
PLANNING DEPARTMENT  
410 West King  
Kingsville, Texas 78363  
Office: 361-595-8055**

# **REGULAR AGENDA**

## **AGENDA ITEM #2**