

**CITY OF GONZALES  
PLANNING AND ZONING COMMISSION MEETING  
August 7, 2018  
MEETING MINUTES**

On the 7<sup>th</sup> day of August at 5:35 p.m., the Planning and Zoning Commission convened in the Council Chambers at the Gonzales Municipal Building, 820 Saint Joseph Street, Gonzales, Texas.

The following members were present constituting a quorum: Tim Gescheidle-Chairman, Paul Frenzel- Co-Chairman, Roland Martinez, Charles Patterson, James Hamilton and Paul Neuse

Members absent: none

Others Present: Kristina Vega – Zoning Administrator, Megan Santee-City Attorney

Chairman Tim Gescheidle called the meeting to order at 5:35 pm

Item #1: Chairman Tim Gescheidle asked for a motion to approve the minutes from the February 10, 2016 meeting. Commission member Paul Neuse made a motion to approve the minutes with the correction to item #3 to include “Paul Neuse stated since I wasn’t a member of the commission when this was originally done”. Chairman Gescheidle asked for a roll call vote. Commission member Paul Frenzel, Roland Martinez, Charles Patterson, James Hamilton and Paul Neuse and Chairman Gescheidle all voted “aye”.

Chairman Gescheidle stated this is a Public Hearing that we will have time in the meeting for someone to come up and speak. When you do if you will come up and state your name and address. The Public Hearing will be opened for each item and each item will be read aloud and a staff report will be given, then public hearing comments will be heard from the public regarding to each item listed. The commission will then discuss and consider the agenda item and then ask any additional questions of staff or legal counsel. The commission will then deliberate and make recommendation to the City Council.

Item #2: Chairman Gescheidle read and asked for a staff report regarding the item: Hold a public hearing, consider and make recommendation to City Council on an amendment of the City of Gonzales Code of Ordinances; Chapter 14 Zoning to add Section 14.308.2 Planned Development (PD) District and Section 14.804 Planned Development (PD) District Procedures. At this time staff will give their report. Chairman Gescheidle read and asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation to the commissioners regarding a request to consider and make recommendation to City Council on an amendment to Chapter 14 Zoning of the City of Gonzales Code of Ordinances adding section 14.308.2 Planned Development (PD) District and Section 14.804 Planned Development (PD) District Procedures. She explained to the commission that this is only an amendment to the Code of Ordinances to implement additional development tools. The Planned

Development is an overlay district and provides for numerous conditions and restrictions for buildings within the zone, including front, side and rear yard setbacks; building materials; landscaping; street lighting; building height; signage; driveways; fencing; and amenities. These restrictions would apply to all structures built or rebuilt after the effective date of the ordinance. Planned Development District is an additional tool for Economic Development.

City Attorney, Megan Santee gave further details regarding the Planned Development(PD) District and Planned Development (PD) District Procedures, and explained that the Planned Development process is a process that the City adopts that allows the individual to come in and make an application and then through that application process they work with the City to come up with the particular parameters that are going to be placed on that individual development, so they are unique for that property. So it's not a blanket cover for the entire city or all of the properties within that specific type of zoning regulation. It allows you to make changes to require conditions that will fit the character of that property. This process is putting into place what the City does not have right now, which is a process to allow development or developers to come in and apply to the City.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

The commissioners and staff engaged in further discussion regarding the Planned Development(PD) District and Planned Development (PD) District Procedures,

Mr. Hamilton made a motion to accept and make a recommendation to City Council to add Sections 14.308.2 Planned Development (PD) District and Section 14.804 Planned Development (PD) District Procedures to the Code of Ordinances. Mr. Neuse seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye. Mr. Frenzel voted nay.

Item #3:

Chairman Gescheidle read and asked for a staff report regarding the item: Hold a public hearing, consider and make recommendation to City Council on an amendment of the City of Gonzales Code of Ordinances; Chapter 14 Zoning to amend Sec. 14.310 Permitted and Specific Uses by District; (d) C-1 Business District; (1) Permitted Uses. adding Tattoo Parlor to the list of permitted uses.

Zoning Administrator, Kristina Vega gave a staff presentation to the commissioners regarding a request to consider and make recommendation to City Council on an amendment to Chapter 14 Zoning of the City of Gonzales Code of Ordinances Chapter 14 Zoning amending Section. 14.310 Permitted and Specific Uses by District; (d) C-1 Business District; (1) Permitted Uses. adding Tattoo Parlor to the list of permitted uses. She explained to the commission there is currently City staff is requesting an amendment to the current Zoning Ordinance to include Tattoo Parlor in the list of permitted uses for the C-1 Business District. A few permitted uses currently included in the C-1 Business

District are art studios, barber shop, beauty parlor, administrative offices and cafes. Adding the permitted use of a Tattoo Parlor would be more efficient than requiring a specific use permit for a Tattoo Parlor within this use category. There is nothing in the ordinance that pertains to Tattoo Parlors and that it was a suggestion to include it versus require them to obtain a specific use permit.

Chairman Gescheidle opened the Public Hearing.

Kevin Miller stated all these uses are permitted in a C-1 are also permitted in a C-2 there's no restrictions in any of these zoning permitted uses. All of your commercial zones are allowing just about anything in them. You're allowing a Tattoo Parlor to be put up next to somebody's house and I want you to consider that.

No other comments were made.

Chairman Gescheidle closed the Public Hearing.

The commissioners and staff engaged in further discussion regarding amending Section 14.310 Permitted and Specific Uses by District by adding Tattoo Parlor to the list of permitted uses.

Mr. Patterson made a motion to accept staff's recommendation and make a recommendation to City Council to amend Sec. 14.310 Permitted and Specific Uses by District; (d) C-1 Business District; (1) Permitted Uses. adding Tattoo Parlor to the list of permitted uses. Mr. Frenzel seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Frenzel, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye.

Item #4: Chairman Gescheidle read and asked for a staff report regarding the item: Hold a public hearing, consider and make a recommendation to City Council on a proposal to rezone the following properties initiated by the City of Gonzales to correct a procedural error that occurred when each of these properties were requested to be rezoned in 2012.

- a. **PROPERTY OWNER:** Jacob & Mandalyn Leal  
**LEGAL DESCRIPTION:** PT 2 RANGE VII  
**PARCEL:** 12467
- b. **PROPERTY OWNER:** Barry C. Miller  
**LEGAL DESCRIPTION:** PT 11 AND 12 GONZ Tier 2  
**PARCEL:** 12729
- c. **PROPERTY OWNER:** Pish Marek Investments LLC.  
**LEGAL DESCRIPTION:** PT 1 RANGE VII  
**PARCEL:** 12483
- d. **PROPERTY OWNER:** Mike M. & Mary T. Almaguer Life Estate  
**LEGAL DESCRIPTION:** PT 2 AND 3 RANGE VII  
**PARCEL:** 12454

- e. **PROPERTY OWNER:** Kevin & Teresa Miller  
**LEGAL DESCRIPTION:** PT 2 RANGE VII  
**PARCEL:** 12456
- f. **PROPERTY OWNER:** JT Deloach ETAL  
**LEGAL DESCRIPTION:** PT 1 AND 2 RANGE VII  
**PARCEL:** 12462
- g. **PROPERTY OWNER:** Ann Keck  
**LEGAL DESCRIPTION:** PT 1 RANGE VII  
**PARCEL:** 12479
- h. **PROPERTY OWNER:** Gonzales County Senior Citizen Assoc. Inc.  
**LEGAL DESCRIPTION:** PT 1 RANGE VII  
**PARCEL:** 12489
- i. **PROPERTY OWNER:** Vincent & Carmen Reyes  
**LEGAL DESCRIPTION:** PT 1 RANGE VII  
**PARCEL:** 12482
- j. **PROPERTY OWNER:** Maulding & Sons Inc.  
**LEGAL DESCRIPTION:** PT 11, 12 GONZ TIER 2-BJ LIQUOR  
**PARCEL:** 12700
- k. **PROPERTY OWNER:** Janie & Frank Rosales  
**LEGAL DESCRIPTION:** PT 11, 12 GONZ TIER 2  
**PARCEL:** 12696
- l. **PROPERTY OWNER:** Juan & Alejandra Maria Cardoza  
**LEGAL DESCRIPTION:** PT 11-12 GONZ TIER 2  
**PARCEL:** 12624
- m. **PROPERTY OWNER:** Michael & Kara D. Tuch  
**LEGAL DESCRIPTION:** PT 11 AND 12 GONZ TIER 2  
**PARCEL:** 12659
- n. **PROPERTY OWNER:** Michael & Kara D. Tuch  
**LEGAL DESCRIPTION:** PT 11 AND 12 GONZ TIER 2  
**PARCEL:** 12684
- o. **PROPERTY OWNER:** Nathan E. & Adline Gordon Estate  
**LEGAL DESCRIPTION:** PT 11 AND 12 GONZ TIER 2  
**PARCEL:** 12670
- p. **PROPERTY OWNER:** Nathan E. & Adline Gordon Estate  
**LEGAL DESCRIPTION:** PT 11-12 GONZ Tier 2 SNAKES GARAGE  
**PARCEL:** 22479
- q. **PROPERTY OWNER:** Cleo & Norma Kay Cooper  
**LEGAL DESCRIPTION:** PT 11 AND 12 GONZ TIER 2  
**PARCEL:** 12649

Zoning Administrator, Kristina Vega gave a staff presentation stating that the rezones are from an error that happened in 2012. The items went to the Planning & Zoning Commission February 15, 2012 and then City Council considered and approved on February 28, 2012. Public Hearing notices were sent out in the 200 foot radius the only issue is that zoning can only be accomplished via ordinance and when it was presented to Council for the very final step after their Public Hearing it was presented as resolutions instead of an ordinance therefore it did not finish the process all the way through. When staff realized this a few months back it was presented to the City Attorney and we discussed this and felt the best way to correct this was to go through the steps all over again just for procedural reasons and for the Planning & Zoning to make a recommendation to Council for the rezone. Staff is recommending to rezone these properties in the manner in which they thought the rezone had happened in 2012. A total of 51 notification letters were mailed. At the time of this staff report two notification letters were received back with no objections and two letters were received objecting to the rezoning change. The original rezone was from R-1 Single Family District to C-2 Heavy Commercial District.

Chairman Gescheidle opened the Public Hearing.

Kevin Miller, 1006 Seydler Street, expressed he understands that the rezone happened in 2012 but wanted to express that he was opposed to the rezone.

Zoning Administrator, Kristina Vega stated for the record that this property is currently zoned in every aspect except the final step of the zoning as C-2.

No other comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Frenzel made a motion to accept and make a recommendation to City Council to rezone the listed properties from R-1 Single Family District to C-2 Heavy Commercial District. Mr. Patterson seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Frenzel, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye.

Item#5:

Chairman Gescheidle read and asked for a staff report regarding the item: The below listed properties were the subject of a rezoning project that came before the Planning & Zoning Commission and the City Council in 2012. The request was to rezone the property from R-1 Single Family District to R-2 Multi-Family District.

**PROPERTY OWNER:** KP Enterprises LLC.

**LEGAL DESCRIPTION:** PT 6 RANGE VII

**PARCEL:** 12473

Zoning Administrator, Kristina Vega gave a staff presentation stating to the Commission that this item is coming before the Planning & Zoning Commission for recommendation to Council. This rezone was originally presented to the Planning & Zoning in 2012. The items went to the Planning & Zoning

Commission November 29, 2011 and made a recommendation to the City Council for the rezone the property from R-1 Single Family to R-2 Multi Family Residential. The item was then considered and approved by Council considered and approved on January 10, 2012. A total of 10 notification letters were mailed. At the time of this staff report one notification letter was received back with no objections to the rezoning change.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Hamilton made a motion to accept and make a recommendation to City Council to rezone the listed properties from R-1 Single Family District to R-2 Multi-Family District. Mr. Neuse seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Frenzel, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye.

Item #6: Chairman Gescheidle read and asked for a staff report regarding the item: The below listed properties were the subject of a rezoning project that came before the Planning & Zoning Commission and the City Council in 2012. The request was to rezone the properties from C-2 Heavy Commercial District to M-1 Industrial District.

a. **PROPERTY OWNER:** MDCT Real Estate LTD.  
**LEGAL DESCRIPTION:** INDUSTRIAL PARK SUBD-PHASE ONE  
**PARCEL:** 17068

b. **PROPERTY OWNER:** MDCT Real Estate LTD.  
**LEGAL DESCRIPTION:** INDUSTRIAL PARK SUBD-PHASE ONE  
**PARCEL:** 918

Zoning Administrator, Kristina Vega gave a staff presentation stating to the Commission that this item is coming before the Planning & Zoning Commission for recommendation to Council. This rezone was originally presented to the Planning & Zoning in 2012. The items went to the Planning & Zoning Commission February 9, 2012 and made a recommendation to the City Council for the rezone the property from C-2 Heavy Commercial to M-1 Industrial District. The item was then considered and approved by Council considered and approved on February 28, 2012. A total of 11 notification letters were mailed. At the time of this staff report two notification letters were received back with no objections to the rezoning change.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Patterson made a motion to accept and make a recommendation to City Council to rezone the listed properties from C-2 Heavy Commercial District to M-

1 Industrial District. Mr. Martinez seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Frenzel, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye.

Item #7: Chairman Gescheidle read and asked for a staff report regarding the item: The below listed property was subject of a rezoning project that came before the Planning & Zoning Commission and the City Council in 2012. The request was to rezone the property from M-1 Industrial District to C-2 Heavy Commercial District.

- a. **PROPERTY OWNER:** Johnny P. & Linda Rathmann  
**LEGAL DESCRIPTION:** PT 1,2 5 Range I West PT 3 AB 25 TOWN OF GONZ WEST  
**PARCEL:** 12063

Zoning Administrator, Kristina Vega gave a staff presentation stating to the Commission that once again this is one more item that needs to be corrected. The item is coming before the Planning & Zoning Commission for recommendation to Council. This rezone was originally presented to the Planning & Zoning in 2012. The items went to the Planning & Zoning Commission April 25, 2012 and then City Council considered and approved on May 1, 2012. Public Hearing notices were sent out in the 200 foot radius the only issue is that zoning can only be accomplished via ordinance and when it was presented to Council for the very final step after their Public Hearing it was presented as resolutions instead of an ordinance therefore it did not finish the process all the way through. When staff realized this a few months back it was presented and discussed with the City Attorney and the best way to correct this was to go through the steps all over again just for procedural reasons and for the Planning & Zoning to make a recommendation to Council for the rezone. Staff is recommending to rezone these properties in the manner in which they thought the rezone had happened in 2012. A total of 11 notification letters were mailed. At the time of this staff report three notification letters were received back with no objections to the rezoning change. The original rezone was from M-1 Industrial District to C-2 Heavy Commercial District.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Neuse made a motion to accept and make a recommendation to City Council to rezone the listed properties from M-1 Industrial District to C-2 Heavy Commercial District. Mr. Martinez seconded the motion. Chairman Gescheidle asked for a roll call vote. Mr. Hamilton, Mr. Patterson, Mr. Frenzel, Mr. Neuse, Mr. Martinez, and Chairman Gescheidle voted aye.

Item #8: Chairman Gescheidle then asked for a motion to adjourn. Commission member Paul Neuse made a motion to adjourn. Commissioner Roland Martinez seconded the motion. Chairman Gescheidle asked for a roll call vote.

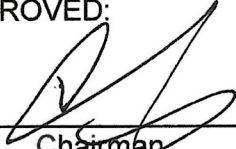
Commission member Paul Frenzel, Roland Martinez, Charles Patterson, James Hamilton and Paul Neuse and Chairman Gescheidle all voted "aye". The meeting adjourned at 6:37 p.m.



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City Secretary

APPROVED:



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Chairman