

**CITY OF GONZALES, TEXAS
PLANNING AND ZONING MEETING
MINUTES –JUNE 3, 2024**

The regular meeting of the Planning & Zoning Commission was held on **June 3, 2024** at 5:15 p.m. at the Gonzales Municipal Building, 820 St. Joseph Street. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at the Gonzales Municipal Building, giving notice of time, date, place, and agenda thereof. The meeting notice, agenda and agenda packet were posted online at www.gonzales.texas.gov.

CALL TO ORDER

Chairperson Gescheidle called the meeting to order at 5:15 p.m. and a quorum was certified.

Attendee Name	Title	Status
Tim Gescheidle	Chairperson	Present
Manuel Pena		Present
Robert Cantu		Present
Pedro DeLuna		Present
Paul Neuse	Vice Chairperson	Present
Tom Tiller		Absent
Rose Ruiz Jones		Absent

STAFF PARTICIPATING:

Zoning Administrator-Kristina Vega, Administrative Assistant-Erica Leopold and Economic Development Director-Susan Sankey

PUBLIC COMMENTS

No public comments were made.

ACTION ITEMS

Item # 1. Consider Approval of May 6, 2024 Planning & Zoning Commission Meeting Minutes

Member Neuse moved to approve the minutes as presented. Member DeLuna seconded the motion. The motion passed unanimously.

Item #2. Conduct a public hearing and consider a recommendation to the City Council regarding an amendment the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1007 St. Andrew Street.

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that as per Local Government Code Section 211.004 Zoning Regulations must be adopted in accordance with a comprehensive plan. The City of Gonzales adopted the Gonzales Comprehensive Plan (“the Plan”) in 2013 which includes a future land use map which illustrates possible future land uses. the property owner is requesting an amendment to the City’s Future Land Use Map in conjunction with the rezone from C-1 Light Commercial District to SF-6 Single Family 6 District. In order to complete the rezone, the Gonzales Comprehensive Plan Future Land Use map must be amended prior to the change in zoning, in order to be in conformance with state law. The property shows within the Appraisal District records to have been used as a residence since at least 1930. A recent structure fire has placed the structure in a state of disrepair leaving the house uninhabitable. The property owner would like to continue to utilize the property as residential and place a new residential structure on the property. However, with the property zoned as C-1 Light Commercial this is not possible as per the City’s Zoning Code. Staff respectfully recommends the amendment to the Future Land Use map as presented.

Chairman Gescheidle opened the Public Hearing.

Thomas Enriquez stated that he is the one requesting the rezone. The house was left unlivable after a house fire that claimed the life of his great aunt. He is in the process of purchasing the property from his uncle. He has plans to demolish the existing structure within a few weeks if the rezone is approved and remove it from being an eyesore from the community.

Chairman Gescheidle closed the Public Hearing.

Chairman Gescheidle asked for a motion. Mr. Pena made a motion to accept and make a recommendation to City Council to amend the City of Gonzales’ Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from “Commercial” to “Single-Family Residential” on the property located at 1007 St. Andrew Street. Mr. Cantu seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

- Item #3.** Conduct a public hearing and consider a recommendation to the City Council regarding an amendment the City of Gonzales’ Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from “Commercial” to “Single-Family Residential” on the property located at 1607 St. Joseph Street.

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that the property owner is requesting an amendment to the City’s Future Land Use Map in conjunction with the rezone from C-1 Light Commercial District to SF-6 Single

Family 6 District. The property has been used as a residence for many years. The property owner would like to continue to utilize the property as residential and remodel the existing accessory structure to become an accessory dwelling unit on the property. However, with the property zoned as C-1 Light Commercial this is not possible as per the City's Zoning Code. Therefore, the property owner is requesting an amendment to the City's Future Land Use Map in conjunction with the rezone from C-1 Light Commercial District to SF-6 Single Family 6 District. Staff respectfully recommends the amendment to the Future Land Use map as presented.

Chairman Gescheidle opened the Public Hearing.

Curt Pish stated that he is a builder and remodeler in the area and he is speaking on behalf of the property owners Craig and Aimee Casper. They are from Austin and investing in Gonzales. They own a couple of rental properties in Gonzales and taking some small structures and bringing them back to life. They would like to turn the structure into an accessory dwelling to have more housing in Gonzales. This is a long lot and there is plenty of room to do this

Chairman Gescheidle closed the Public Hearing.

Chairman Gescheidle asked for a motion. Mr. Cantu made a motion to accept and make a recommendation to City Council to amend the City of Gonzales' Future Land Use Map within the Gonzales Comprehensive Plan changing the designation from "Commercial" to "Single-Family Residential" on the property located at 1607 St. Joseph Street. Mr. DeLuna seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

- Item #4.** Conduct a public hearing and consider a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 1007 St. Andrew Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Felipe & Lupe Silva
LEGAL DESCRIPTIONS: PT 1 RANGE III
PROPERTY ADDRESS: 1007 St. Andrew Street
PARCELS: 12331

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that this item is in conjunction with the first item that was discussed regarding an

amendment to the comprehensive plan future land use map. You heard from the potential property owner in regards to what their use for the property, where it would continue to be used as a residential lot.

A notice was published in the newspaper for three weeks beginning on May 23, 2024 and notices were mailed to property owners within 200' of the subject property on May 20, 2024. Nineteen (19) property owners were notified of the zoning change. As of preparation of the staff report, there were not any objection letters filed, and three no objection letters filed.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Pena made a motion to accept and a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 1007 St. Andrew Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Mr. DeLuna seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

Item #5.

Conduct a public hearing and consider a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 1607 St. Joseph Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Gary and Amiee Casper
LEGAL DESCRIPTIONS: 4 Juengermann
PROPERTY ADDRESS: 1607 St. Joseph Street
PARCELS: 12961

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that this item is in conjunction with one of the previous items discussed regarding an amendment to the comprehensive plan future land use map and a request for rezone from C-1 Light Commercial District to SF-6 Single Family 6 District. During the Public Hearing for the Comprehensive Plan amendment agenda item, Mr. Pish extended his comments in regards to the request for rezone and what the intention for the property is.

A notice was published in the newspaper for three weeks beginning on May 23, 2024 and notices were mailed to property owners within 200' of the subject property on May 20, 2024. Thirteen (13) property owners were notified of the zoning change. As of preparation of the staff report, there was one no objection letters filed.

Chairman Gescheidle opened the Public Hearing.

No comments were made.

Chairman Gescheidle closed the Public Hearing.

Mr. Cantu made a motion to accept and a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 1607 St. Joseph Street, said property being currently zoned as C-1, Light Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Mr. DeLuna seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

- Item #6.** Conduct a public hearing and consider a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 802 Seydler Street, said property being currently zoned as C-2, Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District.

PROPERTY OWNER: Charles "Curt" Pish
LEGAL DESCRIPTIONS: PT 1 Range VII
PROPERTY ADDRESS: 802 Seydler Street
PARCELS: 12483

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that the request for rezone does not require a future land use map amendment. However the property owner is requesting a rezone from C-2 Heavy Commercial District to SF-6 Single Family 6 District. In speaking with Mr. Pish, the intent is to place a single-family residence on the property. There is currently nothing on the property at this time. The property was previously used as a residential property. When Mr. Pish acquired the property he removed/demolished the existing uninhabitable structure. The property owner would like to again utilize the property as residential. Therefore, the property owner is requesting a rezone from C-2 Heavy Commercial District to SF-6 Single Family 6 District.

A notice was published in the newspaper for three weeks beginning on May 23, 2024 and notices were mailed to property owners within 200' of the subject

property on May 20, 2024. Fifteen (15) property owners were notified of the zoning change. As of preparation of the staff report, there was one objection letter filed, and two no objection letters filed.

Chairman Gescheidle opened the Public Hearing.

Curt Pish stated that he purchased the property in 2016 with the intent to placing a residence on it. At the time, it had a mobile home on the property that was in bad shape which was moved off. During the time, the City made some changes to the zoning and what you could build changed. At first you could place a residence on the commercially zoned property, so he didn't have any objections to it being zoned commercial, but then that changed and he didn't have the opportunity to do what he initially intended to do so he is requesting the rezone to single-family residential.

Chairman Gescheidle closed the Public Hearing.

Mr. Neuse made a motion to accept and a recommendation to the City Council regarding a request for an amendment to the Official Zoning Map of the City of Gonzales for the property commonly known as 802 Seydler Street, said property being currently zoned as C-2 Heavy Commercial District and seeking to be rezoned SF-6, Single Family 6 District. Mr. Pena seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

Item #7. Conduct a public hearing and consider a recommendation to the City Council regarding a proposal for an amendment to the Official Zoning Map of the City of Gonzales for the properties listed below from LI, Light Industrial to HI, Heavy Industrial.

The following properties within an area generally bounded by Church Street on the west, E Sarah Dewitt Drive on the north, Robertson and Johnson Streets on the east, and approximately 1,200 feet north of Saint Andrew Street on the south:

Parcel IDs: 682, 762, 782, 783, 823, 870, 889, 913, 914, 918, 950, 951, 1005, 1012, 1020, 1034, 1091, 1229, 12416, 17027, 17036, 20031, 21558, 21559, 21561, 21562, 21829, 21873, 24451, 24462, 24519, 26061, 26062, 26063, 26064, 26207, 26746, 26865, 27078, 27079

The following properties within an area generally bounded by FM 794 on the west, E Sarah Dewitt Drive on the south, the eastern boundary of the properties adjacent to and east of the railroad right-of-way on the east, and approximately 2,400 feet north of Delago Road on the north:

Parcel IDs: 17119, 17131, 22305, and 22306

Chairman Gescheidle asked for a staff report regarding the item.

Zoning Administrator, Kristina Vega gave a staff presentation stating that following properties within the area are zoned Light Industrial currently. Back in 2021 the City Council adopted a new zoning ordinance. Prior to that, there was only one Industrial District. When the new ordinance was adopted, they created a Light Industrial and Heavy Industrial District and an equivalency chart that moved everything that was previous Industrial to Light Industrial. That is not necessarily conducive to production or development within the industrial park area, and may limit some of the uses there. Therefore, staff went through to do a City initiated rezone to correct those to be Heavy Industrial in that area. The notice was published in the newspaper for three weeks beginning on May 23, 2024 and notices were mailed to property owners within 200' of the subject property on May 20, 2024. One-hundred seventy-six (176) property owners were notified of the zoning change. As of preparation of the staff report, there fourteen objection letters filed, and seven no objection letters filed. This is to correct what should be corrected when the zoning ordinance was adopted. We do not want to limit the ability for the industrial park area to continue to operate or limit the development in those areas. There were a few objection letters that came in from within the industrial park area. Most of these properties are already being used as Heavy Industrial, therefore it is not changing the uses actual use that is already existing on the properties. There were a few questions that were received regarding property taxes, and I did reach out to the Appraisal District on how it could affect their property taxes. I was told that the properties are taxed on the actual use, so if they are ag exempt, even if they are in the industrial park, then they are being taxed as ag exempt. However, if they developed their property then their taxes could change because they developed their property.

Commissioner member DeLuna clarified the areas that are being proposed for rezone.

Commissioner member Pena asked when the properties went from Industrial to Light did it limit the uses of some of the businesses?

Zoning Administrator Vega stated it could potentially limit development. If they are zoned Light Industrial but they are considered legal non-conforming, it can continue to operate as they are operating currently. However, if they wanted to do any type of expansion and it is not zoned appropriately, that could limit their ability to expand. Most uses that are allowed in Light Industrial are allowed in Heavy Industrial with a few exceptions where a Specific Use Permit is required to operate.

Chairman Gescheidle opened the Public Hearing.

Brandon Spangler, Superintendent for Texas Gonzales and Northern Railway stated that the railway runs through and serves some of the existing customers in the area proposed for rezoning. Through affiliates we own land targeted for future

industrial use and development. We believe that this rezoning is appropriate, not only for the existing users and the land uses, but also for the future economic development of the area. The proposed changes align with the current and anticipated industrial activities and ensuring that all uses are legally authorized for expansion and growth. Furthermore, this rezoning will enhance the economic landscape by accommodating large scale industrial operations that are crucial for sustained development. This transition will support the local economy, providing a conducive environment for significant industrial growth, investments and employment opportunities and contributing to the community's economic vitality. On behalf of Texas Gonzales and Northern Railway and its affiliates, we offer our support of the proposed rezoning of the properties from Light Industrial to Heavy Industrial for the City of Gonzales.

Betty Martin, representing Mark and Sally Ploeger, Mark has property near the railroad, a large ranch. I spoke to Kristina earlier and she explained the details and provided answers regarding the rezone. The Ploeger's were afraid that their property was being changed from Light to Heavy and they had some concerns there. There are already businesses there doing the heavy industrial, but understand it does not change what the Ploeger's are currently doing on their property.

Michael Worrell, Controller for Adams Extract and also work with some of the other legal entities such as Central Texas Ingredients who owns parcels 950 and 889. I filed an objection on both of those parcels and the reason was stated that we use those properties as what I would consider as Light Industrial, including warehousing, distribution and production of small items. The buildings themselves could not be programmed for what I would consider as Heavy Industrial usage at this time. Having said that, the other primary concern was on the taxes, and now that that we've gotten some conversation on what will happen with taxes or won't happen with taxes. I am less concerned with the change. I am aware also that Heavy Industrial properties can also be used for Light Industrial usage after the discussions from today. That having that Heavy Industrial zoning does not preclude someone from using it as Light Industrial and that is one of the uses that is allowed in Heavy Industrial zoned area.

Georgia Pavliska, 2833 Harwood Road, and have been living there since 1963. It has changed a lot, but it is still a very peaceful residential area. I just want to ask you on behalf of the residential, just be on guard and keep us safe over there. We love our properties and hope to see our grandchildren and great-grandchildren there too. We just appreciate you taking care of properties near by.

Chairman Gescheidle closed the Public Hearing.

Mr. Neuse made a motion to accept and make a recommendation to City Council to amend the Official Zoning Map by Zoning Property Parcel IDs: 682, 762, 782, 783, 823, 870, 889, 913, 914, 918, 950, 951, 1005, 1012, 1020, 1034, 1091, 1229, 12416, 17027, 17036, 20031, 21558, 21559, 21561, 21562, 21829, 21873, 24451, 24462, 24519, 26061, 26062, 26063, 26064, 26207, 26746, 26865, 27078, 27079, 17119, 17131, 22305, and 22306, said properties being currently zoned as LI-Light Industrial and seeking to be rezoned to HI, Heavy Industrial. Pena seconded the motion. Chairman Gescheidle asked for further discussion. Mr. Neuse stated, how he sees it, I remember when they first starting talking about Industrial Park and how they put it as putting a buffer and trust that the EDC or whoever is developing the industrial park is not going to bring something nasty here that will bring a lot of pollutants or anything dangerous chemicals to the city and don't think that is what we are in the business of doing. I am making this motion with the trust in our leaders that make our developments that they are going to use this wisely. Mr. DeLuna asked before why this is Light Industrial if we are already doing Heavy Industrial there. I think that this is a great opportunity. Chairman Gescheidle mimicked what both Mr. Neuse and Mr. DeLuna said and this is just a correction and I think it is being handled right and we can trust our city leaders to make those decisions moving forward. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Cantu, Pena, DeLuna and Gescheidle all voted aye.

Item #8. Conduct a public hearing and consider a recommendation to the City Council regarding a request for a request to rezone two properties located at 2004 Church Street (property IDs 872 and 17048) from the LI, Light Industrial District to a Planned Development District (PDD).

Chairman Gescheidle asked for a staff report regarding the item.

Contract Planner, Bryce Cox gave a staff presentation stating this a Planned Development District request rezoning. Planned Development Districts are basically a write your own zoning districts and gives a lot of latitude in the code. This request is specific because it has some unique pieces that didn't fall into the regular code. This is an existing veterinary clinic that is out there which is a great support to the community where they do small and large animals. What they are asking for this Planned Development District is to have an accessory dwelling unit there. So they have on-call and visiting physicians that come out for special surgeries or starting an internship program to replenish their ranks, so they want a place to be able to house folks overnight on location. The Planned Development District will maintain the base zoning district of Light Industrial and adds to it the ability to have a "Commercial Accessory Dwelling" shall mean a dwelling unit that is accessory to a principal commercial use, one Commercial Accessory Dwelling is allowed on the subject property as an accessory use to a veterinary clinic, the Commercial Accessory Dwelling may be a site-built structure, modular housing, or HUD-code manufactured home, the Commercial Accessory Dwelling may include household living space, as well as office uses such as meeting rooms,

break rooms, and storage space, additional landscaping per the requirements of Section 14.601 shall not apply to the site solely due to the addition of a Commercial Accessory Dwelling if placed or constructed on the site prior to December 31, 2027, the Commercial Accessory Dwelling shall not be considered a single-family use as it relates to the screening requirements of Section 14.602 and Section 14.603, and additional parking per the requirements of Section 14.604 shall not be required for a Commercial Accessory Dwelling if it is placed or constructed on the site prior to December 31, 2027.

Chairman Gescheidle opened the Public Hearing.

Chairman Gescheidle asked Bryan Glass of Guadalupe Valley Vet Clinic if this would be more of an accessory to the business and not like a separate residential structure or anything like that?

Bryan Glass explained that what brought this up is that rural veterinarian clinics have been having an issue trying to attract new veterinarians that want to come to small rural towns. You may be aware that Texas Tech University has a veterinary program like Texas A&M. Texas Tech University now sends veterinarians in their senior year of the program out to be part of veterinarian clinics. This allows those young veterinarians practical experience in those veterinary clinics. What we are hoping to do is put housing there, adjacent to the clinic so that when those students come to us, we are able to have them for four weeks at a time. They are able to live there and then when we have calls at night, they can walk over and be part of it in a convenient way. So far, we are in the second week of the first student coming to us. We think this will help us to establish a better relationship with some of these younger students and attract them to rural areas, hopefully, to Gonzales. We are anticipating eight students in one year.

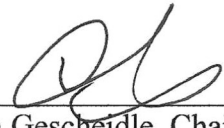
Chairman Gescheidle closed the Public Hearing.

Chairman Gescheidle asked for a motion. Mr. Pena made a motion to accept and make a recommendation to the City Council regarding a request for a request to rezone two properties located at 2004 Church Street (property IDs 872 and 17048) from the LI, Light Industrial District to a Planned Development District (PDD). Mr. DeLuna seconded the motion. Chairman Gescheidle asked for a roll call vote. Commissioners Neuse, Pena, Cantu, DeLuna and Gescheidle all voted aye.

ADJOURN

Chairman Gescheidle asked for a motion to adjourn. Member Neuse and a second by Member Pena the meeting was adjourned at 6:07 p.m.

Approved this 27th day of August, 2024.



Tim Gescheidle, Chairperson



Kristina Vega, City Secretary