

**CITY OF GONZALES  
PLANNING AND ZONING COMMISSION MEETING  
February 24, 2014  
MINUTES**

On the 24th day of February at 5:45 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: Paul Frenzel- Co-Chair, Roland Martinez, Charles Patterson, Phillip Borowitz

Members absent: Tim Gescheidle-Chair, Jereline Clack, Steve Pirkle

Others Present: Kristina Vega – Zoning Administrator, Allen Barnes-City Manager, Jackie Williamson-City Attorney, William Ince-Building Official

Item #1: Co-Chairman Frenzel called the meeting to order at 5:45 pm

Item #2: Co-Chairman Frenzel asked the commission if they have had time to review the minutes from the previous meetings. Co-Chairman Frenzel then asked for a motion. Mr. Philip Borowitz made a motion to approve the minutes from the January 29, March 18, April 8, July 16, July 22, August 8, August 13, August 27, September 17 and the October 21, 2013 Planning & Zoning Commission. Mr. Charlie Patterson seconded the motion. The Co-Chairman then asked for a roll call vote. Roland Martinez, Charles Patterson, Phillip Borowitz and Co-Chair Paul Frenzel all voted "aye".

Item #3: Open Public Hearing

Ken Mosher, 1207 Water Street, on the maps I am the owner of parcel 13064, and I am also the owner to the parcels to the west of the property in question. Just for the sake of clarification you were discussing how far back that C-2 line falls. Water Street is entirely included within the ROW of Highway 183. The Highway 183 is actually wider than Water Street. So the 200 foot falls just within the west property line, so if you draw a line it is about where my back fence line is. That's where it currently changes from C-2 to R-1. What's been suggested is that the new owner intends to build Multi-Family Residential housing and there is a zoning for multi-family residential. Where C-2 is currently the 200 foot corridor along Water Street which is a commercial highway, all of the property behind there is currently being used as residential. My concern if we jump from single family residential to heavy commercial is that if a developer wanted to tear down the multi-family residential that's coming in and wants to build something like a chemical plant, they could, or if they wanted to build an oil depo they could. If the intent is to use it for multi-family residential then I would prefer that it would be zoned that way and not zoned as industrial or heavy commercial.

Co-Chairman, Paul Frenzel stated that on the map where it is showing 200 feet of commercial, isn't that Hwy 183?

Ken Mosher stated that the 200 feet is from Water Street and that Water Street is 50 varas wide whereas the 183 Right-of-Way actually includes some property beyond Water Street.

Martin Perales, 113 Morey, I think Ken covered just about everything about it, but my concern about it is the safety for the public residential area. We have quite a bit of business going through there on 183 as it is. Even Morey Street is getting pretty heavy on traffic already. What are we talking about heavy commercial? I think that we are talking about tractors or what.

Zoning Administrator, Kristina Vega, showed the surrounding property owners a copy of the Zoning Ordinance that stated the permitted uses allowed in C-2 Heavy Commercial. She also asked Sara Breitschopf for clarification of the reason for the zoning change and if she was planning on putting apartments on that property.

Sara Breitschopf stated yes, that she wishes to put apartments on that property.

Zoning Administrator, Kristina Vega, stated if we zoned the other portion R-2 then we would be spot zoning. The next thing we could do to avoid spot zoning is rezoning the remaining portion C-2 also.

Marti Macias, my question is why does it have to be C-2 can't it stay residential.

Sara Breitschopf, wished to express her intentions. She stated she has rental properties in town, I have 22 and I pride myself in offering our community nice and affordable places to live because it seems a problem. My properties are all very affordable and I market to the part of the community that I grew up with. They are the teachers and work at Walmart, HEB, and I have people that work at the City of Gonzales that rent from me. I want to offer more options for people that live here that are just working people like us. I can tell you that the most recent project was on Wallace Street and as soon as I built that I had somebody come buy it from me within a month. I hope to ease your mind by saying that. My very first rent house that I bought was in New Braunfels and the purpose for that was to send my son to college. That is what I do for a living. I keep my properties nice and neat, my rules are that you can't put anything in the front yard, you need to keep all of your personal stuff in the backyard. As far as safety we try to be as safe as possible. I have a speed limit sign on the property and am on the property because I actually do the lawn maintenance.

Ken Mosher stated that if the P & Z is concerned about spot zoning that he is ok if they rezone his properties to R-2.

Roland "Barry" Martinez asked Mr. Mosher which properties are his?

Ken Mosher stated that he owns Parcel #13064, 13078, 13079, 13042 are all mine.

Item #4: Co-Chairman, Paul Frenzel then closed the Public Hearing

Item #5: Discuss and Consider Application submitted for rezone from R-1 Single Family Residential to C-2 Heavy Commercial of the property listed below:

Property Owner: Sara & Spencer Breitschopf

Legal Description: PT 15 Kings 4<sup>th</sup>; PT Lot 15 Kings 4<sup>th</sup>; PT 14, 22 Kings 4<sup>th</sup>; PT 15 and 22 Kings 4<sup>th</sup>

Parcel: 13080, 24805, 13065, 13066

Co-Chairman, Paul Frenzel, stated that when the property was rezoned in 98 Highway 183 was already there, and the 200 foot was supposed to be from 183. The other question is, what if we rezone the other part of that block to R-2? I know that will delay that but it will help solve our issue with spot zoning.

Co-Chairman, Paul Frenzel asked for a motion. Charlie Patterson made a motion to table this item and reissue notices for this block. Roland "Barry" Martinez seconded the motion. Co-Chairman Frenzel asked for a roll call vote. Roland Martinez, Charles Patterson, Phillip Borowitz and Co-Chairman Paul Frenzel all voted "aye".

Item #6: Co-Chairman Frenzel then adjourned the meeting at 6:28 p.m.

*Kristina*

City Secretary

APPROVED:

*Paul D. Stempel*

Chairman