

**CITY OF GONZALES
PLANNING AND ZONING COMMISSION
August 8, 2013
MINUTES**

On the 8th day of August at 3:00 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-Chair, Paul Frenzel, Steve Pirkle, Roland Martinez, Jereline Clack, Charles Patterson

Others Present: Kristina Vega – Zoning Administrator

Item #1: Chairman Gescheidle called the meeting to order at 3:00 pm.

Item #2: Discuss application submitted to approve Preliminary Plat and Final Plat of the property listed below:

APPLICANT NAME: Avalonpark Texas, L.P.

PROPERTY OWNER: Tilson Home Corporation/Avalonpark Texas L.P.

PHYSICAL DESCRIPTION: 12.32 Acres, Parts of Lots No. 10 and 11, Range No. 9 East of Water Street in the Original Outer Town of Gonzales

City Manager, Allen Barnes began by quoting the Texas Local Government Code 212.006 (a) Authority Responsible for Approval Generally, "The Municipal authority responsible for approving plats under this subchapter is the municipal planning commission or, if the municipality has no planning commission, the governing body of the municipality. The governing body by ordinance may require the approval of the governing body in addition to that of the municipal planning commission. And Texas Local Government Code 212.005 Approval by Municipality Required, "The municipal authority responsible for approving plats must approve a plat or replat that is required to be prepared this subchapter and that satisfies all applicable regulations.

This is a plat of the first phase of the 1835 Village Subdivision; it is subject to a Developers Agreement which was negotiated between the City of Gonzales and the developer Avalonpark Texas. The preliminary plat and final both comply with that agreement. The principal is Richard Kunz and he has done what he said he was going to do and when the time is upon us it will be staff's recommendation to approve it. His plan is to do 31 individual houses, 8 town homes and a spot for an assisted living center. He has indicated that as soon as everything goes through that he will only be weeks away from breaking ground.

Mr. Paul Frenzel asked are we approving this saying all of the set-backs are correct and all the heights of the buildings are correct.

City Manager, Allen Barnes referred back to TLGC 212.006 and 212.005.

Item #3: Discuss application submitted for Rezone from C-2 Heavy Commercial District to M-H Mobile Home District of the property listed below:

ADDRESS: 2405 Church Street

PROPERTY OWNER: Doug Pagel

PHYSICAL DESCRIPTION: Part of Lots 14, 15 and 16 in Range No. 3 East of Water Street

PARCEL: 21066

City Manager, Allen Barnes stated this is a part of a mobile home park, there is a contact of someone else buying the property. In their due diligence the prospective buyer found

that only a portion of the property is zoned M-H park, which caused us to review all zoning maps and zoning ordinances since 1995. The cleanest way to do this is that when that property was brought into the City limits it was a mobile home park, it has continued to operate as a mobile home park. How half got zoned one thing and half of it zoned another we do not know. I know the reluctance to zone property mobile home but this is just righting what can be perceived as a wrong.

Zoning Administrator, Kristina Vega expressed in speaking with the City Attorney, Jackie Williamson since this property is an illegal non-conforming use, but it is grand fathered in, it can always be used as a mobile home park but this is going to get our zoning map correct.

Chairman Gesheidle then adjourned the meeting at 3:31 p.m.



City Secretary

APPROVED:


Chairman