

MINUTES OF THE JOINT WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AND THE JERSEY VILLAGE PLANNING AND ZONING COMMISSION HELD ON FEBRUARY 15, 2011 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order by Mayor Pro tem Berube at 6:05 p.m. with the following present:

Mayor Pro tem, Joyce Berube
Council Member, Rod Erskine
Council Member, Curtis Haverty
Council Member Mark Maloy
Council Member Jill Klein

City Manager, Mike Castro
City Secretary, Lorri Coody
Martha Williams, City Attorney
Eric Foerster, Chief of Police
Isabel Kato, Director of Finance
Danny Segundo, Director of Public Works
Michael Brown, Director of Parks
Mark Bitz, Fire Chief

Mayor Russell Hamley was not present. Council Member Jill Klein was not present at the time the meeting was called to order, but joined the meeting in progress at 6:30 p.m.

B. Open Meeting. Call to Order and the roll of appointed P&Z officers taken.

The following City of Jersey Village Planning and Zoning Commission members were present:

Commissioner Debra Mergel, Chairman
Commissioner Justin Ray
Commissioner Tom Eustace
Commissioner Harry Beckwith, III
Commissioner Barbara Freeman

Commissioners Richard Faircloth and Michael O'Neal were not present at this meeting.

After taking the roll of appointed officers, Mayor Pro-tem Berube called the meeting's agenda beginning with the following item:

C. Review the proposed amendments/recommendations by Kimley-Horn and Associates pertaining to the implementation of Form Based Codes Requirements for the property located south of the U.S. Highway 290 right-of-way and within the corporate city limits of the City of Jersey Village, and provide an opportunity for the Consultants to answer questions concerning the proposed changes.

After calling the item, Mayor Pro-tem Berube called upon Joe Willhite with Kimley-Horn and Associates to make the presentation and address any questions posed by the Commission and Council members.

Joe Willhite briefly addressed Council and the Planning and Zoning Commission concerning the objectives for the evening and introduced Jay Narayana with Gateway Planning Group to give the presentation covering the proposed recommendations for Form Based Codes (FBC).

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Ms. Narayana began with an overview of project goals, pointing out that FBC bring sustainable value to the Jersey Village Crossing area. She explained the difference between conventional development and sustainable development and how the zoning objectives of FBC focus on “form” rather than “use.”

Ms. Narayana explained that FBC:

1. Provides for a predictable community
2. Concentrates on physical form
3. Regulates development at various scales with vision
4. Encourages a concept of “walkable” urbanism
5. Provides opportunity to respond to changing market conditions.

In reviewing the Conceptual Plan Map for Jersey Village Crossing, Ms. Narayana explained how the plan would work according to the map. The zoning that comes with the conceptual plan is actually a zoning map with text explaining the code along with graphics. Included are the following:

1. A Use Table
2. Design Standards
3. Sign Standards
4. Street Standards
5. Civic and Open Space Standards
6. An Approval Process

Ms. Narayana also explained the Regulating Plan along with the development character for:

1. The TOD Cord
2. The TOD Mixed Use
3. The TOD Neighborhood
4. The TOD Neighborhood Transition
5. The TOD Highway Mixed Use

A map was displayed depicting how these different TOD areas are situated that fall only within the current boundaries of the corporate city limits of Jersey Village.

Ms. Narayana closed her presentation by explaining how to use FBC by using hypothetical examples to which she applied the FBC standards.

Following Ms. Narayana’s presentation, City Council and the Planning and Zoning Commission had several questions to which Ms. Narayana and/or Mr. Willhite answered accordingly. A summary of the questions and answers follows:

Question: Will there be residential property in the TOD area that falls only within the current boundaries of the corporate City limits of Jersey Village?

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Answer: Ms. Narayana stated yes, but it will be above the ground floor of commercial/retail establishments located in the TOD Core.

Question: What is the possibility that residential property will develop more quickly outside the Jersey Village Crossing Area because the codes are less stringent?

Answer: City Manager Castro fielded this question. He stated that any construction outside the City limits will need to obtain water and sewer services. The City would be the contact for these services. Accordingly, as a condition of making the service connection, the city would require annexation.

Question: What is the possibility that no commercial development will take place because it will be economically feasible to build elsewhere because the codes are less stringent?

Answer: Mr. Willhite stated that it is plausible that the commercial development will build elsewhere. However, there are two camps when it comes to FBC developments – those that want it and those that don't. He gave City Centre at Memorial City as an example. He told Council no one would have expected that the project would have had such success when it first began. He stated that City Centre is a prime example of what can happen when this alternative mode of development is chosen. Input was received from the Planning and Zoning Commission that typically it is residential development that drives commercial development.

Council member Klein joined the meeting in progress at 6:30 p.m.

Question: In a recent Council Meeting, it was learned that some vendors/retailers in the City are of the opinion that the City's building codes are not "builder friendly." In connection with this statement, will developers find FBC helpful and/or "builder friendly"?

Answer: Consultant Willhite explained that the code will be more helpful because developers will see that the code preserves the value of their investment. The developers attracted to this mode of development are ones that want to hold on to the property as an investment, rather than build it for resale.

Question: Will the approval process, which is an "administrative process" that basically involves city staff, cause staffing issues/shortages or increases in workload?

Answer: Consultant Willhite explained that the project with Kimley-Horn includes a certain number of consultant hours to train staff in using the form based code. It is thought that the best way to roll out this training will be "hands-on" training. Therefore, once the code is in place and requests are received, Kimley-Horn will assist staff in processing the requests. It is believed that once one or two requests are completed staff will have a fairly good understanding of the process. With that being said, no it should not increase the workload. In fact it will improve workflow due to the administrative process.

Question: If an HEB or a Tinsel Town were to make a request to come into the TOD Core, how would this work/look and where would they be located?

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Answer: Ms. Narayana explained that it would depend upon the company's request. She explained that should the request be for their standard buildings, it would be located along the highway frontage. Mr. Willhite explained that most of these large chains now have urban prototypes which would work within the conceptual plan.

Question: What type of architecture will be used?

Answer: Ms. Narayana explained that Section 8 of the FBC document explains building design standards; however, it does not call for a specific type of building architecture.

Question: What is the possibility of the 30 acres being build-out in one "chunk" by a developer?

Answer: Mr. Willhite explained that currently there is a 20 acre piece of land for sale. The other 10 acres making up the 30 acres is not for sale and is owned by two separate owners. Therefore, doing all of the 30 acres at one time might be difficult. Mr. Willhite explained in the discussions about the sale/purchase of land, the asking price was a bit high and none of the developers wanted to invest at this time. However, Mr. Willhite explained that having FBC in place will drive development. But right now the price of land is the stumbling block.

Question: Once FBC is passed, how will the developers know about the code/the prospect of development? Should there be someone to market this prospect?

Answer: Mr. Willhite stated that they have reached out to seven different companies and have already met with three and have meetings set to meet with the remaining four. However, the consensus thus far seems to be that while the area seems to have potential, the timing is not right.

With no further discussion, Mayor Pro-tem Berube called the next item on the agenda as follows:

D. Review the proposed amendments/recommendations by HDR – Claunch & Miller Engineering Consultants as they relate to amending the City's Code of Ordinances regarding Slab Elevation Requirements in the City of Jersey Village, and provide an opportunity for the Consultants to answer questions concerning the proposed changes.

Rich Gallegos with HDR – Claunch & Miller gave a slide presentation on the proposed changes concerning water runoff issues resulting from conflicting floodplain requirements; utilization of fill to meet floodplain requirements; construction phase drainage patterns to avoid flooding; and internal consistency of ordinances, including building codes.

Upon completing his presentation he opened the floor for questions. There was considerable discussion surrounding the requirement that should a residence be destroyed by more than 50% the slab would need to be replaced as well. Mr. Gallegos explained that this requirement is actually not new. The only thing that is changing is the height of the replacement from 12 inches to 18 inches. He explained that the 50% loss requirement has been in effect for quite some time. Discussion continued on this topic about the need for residents to obtain a special rider on their insurance to make sure they are covered in the event of loss.

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There was concern that residents do not know about the need to obtain this insurance and will not have it in the event of a loss. There was also concern that there may be many residents placed in a situation where they have to walk away from their homes because they cannot pay for the replacement of a slab elevation to accommodate this requirement.

There was discussion that approximately one third of the homes in the City are located within the 100 year flood plain and over 60% are located in the 500 year flood plain.

With no further discussion Mayor Pro-tem Berube closed the joint work session at 7:25 p.m., and the Planning and Zoning Commission retired from the City Council meeting to conduct its separate posted meeting agenda at 7:28 p.m.

After the Planning and Zoning Commission retired, Council continued discussion about the slab elevation changes and the 50% requirement calling for rebuild, including slab elevation.

City Manager Castro explained that in order for the residents of the City of Jersey Village to obtain flood insurance from the National Insurance Program, the City must abide by FEMA requirements. The 50% requirement has been in affect now for some time. It is incumbent upon each individual citizen to insure that their property is protected.

It was the consensus of Council that an article should be included in the JV Star outlining the requirement so that the citizens are made aware of same and can visit with the insurance agents about adequate insurance coverage.

E. Adjourn

There being no further business on the Agenda the meeting was adjourned at 7:50 p.m.

Lorri Coody, City Secretary