

**MINUTES OF THE MEETING OF THE JERSEY VILLAGE
PLANNING AND ZONING COMMISSION**

December 5, 2011 – 6:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENEED ON DECEMBER 5, 2011, AT 6:00 P.M. IN THE CIVIC CENTER MEETING ROOM, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.

A. The meeting was called to order at 6:00 p.m. and the roll of appointed officers was taken. Commissioners present were:

Debra Mergel, Chairman
Barbara Freeman, Commissioner
Michael O'Neal, Commissioner
George Ohler, Commissioner

Rick Faircloth, Commissioner
Justin Ray, Commissioner
Tom Eustace, Commissioner

Council Liaison Harry Beckwith

Commissioner Michael O'Neal was not present when the meeting was called to order, but joined the meeting in progress at 6:02 p.m.

Staff in attendance: Mike Castro, City Manager; Lorri Coody, City Secretary; Bobby Gervais, City Attorney; Danny Segundo, Director of Public Works; and Christian Somers-Kuenzel, Building Official.

B. Consider approval of the minutes for the meeting held on October 10, 2011.

Commissioner Ohler moved to approve the minutes for the meeting held on October 10, 2011. Commissioner Freeman seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, Eustace, Ray, and Ohler
Chairman Mergel

Nays: None

The motion carried.

Commissioner Michael O'Neal joined the meeting at 6:02 p.m.

C. Discuss with possible action a request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs.

Danny Segundo, Director of Public Works introduced the item. Background information is as follows:

On September 19, 2011, Council charged the Planning and Zoning Commission with reviewing the request of Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs.

In carrying out this directive, on October 10, 2011, the Commission received a presentation from Clear Channel Communications which outlined the details of their request. The resulting action from the October 10, 2011 meeting was a directive to Staff to bring back proposed amendments to the Code of Ordinances.

After the October 10 meeting, staff met with the City Attorney in order to discuss possible amendments to the Code related to permitting LED signs with changeable messages as a specific use along the US 290 Corridor. We specifically explored the following option:

1. If digital billboards are permitted as a specific use in district H, can that specific use be limited to a certain area in District H by the ordinance? For example an amendment to Section 14-107(a) adding a subsection (2) as follows:

“(2) The following uses are permitted with a specific use permit only in that portion of the US 290 ground sign corridor outlined in Section 14-253 that falls within district H:
a. Digital Billboards.”

We chose District H because it is comprised mostly of the area that runs along the US 290 corridor with the exception of the small area to the south of the City near FM 529 just below the newly created District D. In our discussions and review, we determined that should digital billboards be permitted in District H with a specific use permit (SUP), we could limit that use to within a certain distance of a state highway, by imposing that as one of the conditions of the SUP. If it is the desire of the Commission to move forward with the SUP, it would be prudent to place this condition in the ordinance as a “standing” condition for an SUP for a digital billboard.

Nevertheless, even with such ability to have “standing” conditions for specific use permits, it is not Staff’s recommendation for the Commission to approve this option.

Since the October 10 meeting, in researching spectacular signs and digital billboards, staff has gathered a considerable amount of information pertaining to these signs. Much has been learned that has not been presented for the Commission’s review. Perhaps the most compelling information gathered that has had the greatest impact upon staff’s position and recommendation are the following documents which have been included in the meeting packet:

- Billboard & Sign Regulations 2011
- Review of Potential Safety Effects 2011
- Comprehensive Review 2007 State of Maryland

In addition to these documents, staff spent considerable time reviewing the information on the following two websites:

<http://scenic.org> and <http://www.scenictexas.org>

After reviewing all the information, it is staff’s recommendation that the Commission deny the request from Clear Channel Communications to amend Section 14-243(15) of the City of

Jersey Village Code of Ordinances to allow Spectacular Signs because it is not in the best interest of the City for the following reasons:

1. Making provisions for a SUP or any other amendments to the code to permit spectacular LED/digital billboards is not consistent with past precedent, historic guidelines, and values set by the city in connection with billboards. Currently, the city does not permit billboards. Those existing are grandfathered as non-conforming uses and will therefore, at some point in the future, be non-existent. To change the code at this point and permit the placement of a converted billboard is not consistent with longstanding practices and values of the city and will not further the city's goal of reducing the overall number of billboards in the community.
2. With the expansion of US Highway 290 on the horizon, there is concern about the placement/location of these signs and how they will look once the right-of-way changes occur. At this time, US Highway 290 looks a certain way; however, once the project is complete, the appearance will be different and is not really known at this time.
3. With the expansion of US Highway 290, staff is concerned about placing/locating new signs in the US 290 right-of-way because the project calls for the condemning of property along this corridor. In reading the Billboard & Sign Regulations document which is made apart of the meeting packet, there is particular concern with the business income issues brought about in the case *State v. Central Expressway Sign Associates*, **302 S.W.3d 866 (2009)** which increase the value of condemned property.
4. Making the changes does not benefit the health and welfare of the residents of Jersey Village. Although the applicant claims that the proposed signage will be incorporated into an emergency notification network, this argument seems tenuous at best. There is not a direct benefit to the residents of Jersey Village.
5. The recently completed extension of Jones Road portends great potential for development of this neglected area of Jersey Village. City council has spent nearly three years considering the potential development of a Transit Oriented Development within the city's extra-territorial jurisdiction (ETJ). A primary goal for a future TOD is to enhance economic development in the community and spur a revitalized US 290 / Jones Road corridor. Staff believes that placement of spectacular signs in close proximity to the TOD will act as a deterrent to development of this area.
6. In staff's investigation into the matter, we have become aware of a significant pending federal study of digital billboards. A primary aim of this study is to research potential safety issues associated with digital billboards. Please note that this study is not sponsored by the advertising industry, and should provide unbiased information of a substantive nature.

If, after considering staff's recommendation to deny Clear Channel's request, the Commission believes that it is in the best interest of the City to move forward with an amendment to Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs, staff suggests that such amendments be made with the following considerations:

1. Provisions that protect scenic and other important areas, namely District D – Jersey Village Crossing;

2. Provisions that provide beautification and provide fairness to the residents of the city;
3. Sunset provisions;
4. Provisions for “Face” and Square Footage Swapping or some type of exchange program (see page 20 of Billboard & Sign Regulations document); and
5. Include a City Attorney review process

The Commission engaged in discussion about the request of Clear Channel Communications. City Manager Castro explained the item in further detail giving the recommendation of staff and explaining the reasoning behind same. He told the Commission that they had two options before them at this time (1) to approve the recommendation of staff or (2) to go forward with granting the request of Clear Channel and discuss how this might be implemented.

Discussion was had about the existing non-conforming use billboards and how it might be important for any decisions made in connection with same remain consistent and that the Commission is cognizant of the fact that these decisions may be of a precedent setting nature. It was acknowledged that the existing signs are non-conforming and will be eliminated over time. It was discussed that adding new signs, even if they replaced an existing non-conforming use billboard, may give the appearance that billboards are now “okay” or “accepted” in the City, and as such, this would be a significant policy change from having no billboard ordinance with existing billboards being grandfathered as non-conforming uses.

Discussion was had about various options in moving forward and the Commission discussed the issue of eminent domain and the valuation for same. The City Attorney explained this process in detail including how the property would be condemned if no changes were made and the signs being condemned were non-conforming use signs versus if changes were made and the signs being condemned were specific use permitted signs. The end result was that the permitted specific use signs under condemnation proceedings would cost the tax payer much more than the non-conforming use signs which will eventually cease to exist due to attrition. The Commission then discussed which entity (the State or the City) would be responsible for paying for the condemned signs and decided that in either case it will be tax payers’ dollars that provide for the expense.

The Commission then engaged in discussion about the perception of the signs of various members based upon their viewing of an actual digital billboard. There were mixed feelings as some felt there was no benefit for the City and the signs posed a safety threat while others did not see the safety threat but were concerned if the signs were in keeping with the image that the City has recently worked so hard to establish in its Jersey Village Crossing efforts. There was concern that the signs do not fit this image which the City spent a considerable amount of tax dollars to establish.

The Commission also discussed safety issues involved with the signs. City Manager Castro told the Commission that the Federal Government has performed a study, the results of which are set for release, that he believes will better address any questions pertaining to safety than any of the information before the Commission at this time.

It was noted that 100's of Texas Cities have chosen to ban digital billboards, including Houston, Fort Worth, and Austin. The consensus of the Commission was:

1. It is important for the City to remain consistent in its guidelines to eliminate billboards, especially as it relates to the image needed for the development of Jersey Village Crossing;
2. Making a change in the ordinance to allow for Clear Channel's request could be construed as setting a precedent and may open the door for additional vendor requests;
3. Making a change may jeopardize the non-conforming use standard for existing billboards that is currently in place; and
4. Eminent domain costs will ultimately be borne by the tax payer; and therefore, every effort should be made to minimize these costs.

With no further discussion on this matter, Commissioner Ohler moved that the request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs be denied, and that the Commission prepare a recommendation containing same for presentation to the City Council at its December 19, 2011 Council Meeting. The motion was seconded by Commissioner Faircloth. The vote follows:

Ayes: Commissioners Faircloth, Freeman, Eustace, Ray, O'Neal and Ohler
Chairman Mergel

Nays: None

The motion carried.

D. Discuss and take appropriate action regarding the preparation and presentation of a recommendation to Council on December 19, 2011 pertaining to the request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs.

Debra Mergel, P&Z Chairperson called the item. The Commission agreed that the motion made in the previous item covered this item. It was the consensus of the Commission that Chairman Mergel sign and present the recommendation prepared by staff for presentation to Council at its December 19, 2011 Council Meeting. The recommendation is made apart of these minutes as Exhibit A.

E. Discuss and take appropriate action concerning the application request of T-Mobile West, Inc., 2 Greenway Plaza #1100, Houston, Texas 77046 (Applicant) and Danny Erdeljac, SW 1 Management Co. LLC, 7911 Capri Circle, Houston, Texas 77095 (Owner) for a specific use permit to allow for the installation and use of a 100' stealth cell tower (telecommunication tower) on Lot 3, Block No. 2 located in the Northwest Station Section of zoning District G within the City of Jersey Village.

Danny Segundo, Public Works Director introduced the item. He told the Commission that on November 4, 2011, T-Mobile, Inc. filed an application for a Specific Use Permit to allow for the installation and use of a 100' stealth cell tower (telecommunication tower) on Lot 3,

Block No. 2 located in the Northwest Station Section of zoning District G within the City of Jersey Village.

The application was included in the meeting packet and outlined the specifics as to T-Mobile, Inc.'s intent. He also told the Commission that there is a height limitation requirement for District G of 56' and T-Mobile is asking that the tower be 100' in height.

The Commission engaged in discussion about the application and the process for notice. The Commission recalled the public comments pertaining to the tower's appearance made during the joint public meeting with Council when consideration was being given for amendments to the code to permit telecommunication towers in District G with a Specific Use Permit.

Mr. David Petrakovitz, Agent for T-Mobile West, Inc. addressed the Commission. He explained what the tower would look like once it was installed. He also told the Commission that the site is located approximately one mile from the freeway and about 100 to 200 feet from the Steeplechase subdivision.

The Commission then reviewed the landscaping plans. Mr. Petrakovitz explained that T-Mobile intends to adhere to the City's landscape policy. He presented the Commission with a rough landscaping sketch and stated that an official site plan would be completed in time for the final report that is expected to be presented to Council in January after the Joint Public Hearing.

With no further discussion on this matter, Commissioner Ray moved that the Commission recommend that Council approve the request of T-Mobile West, Inc. (Applicant) and Danny Erdeljac, SW 1 Management Co. LLC (Owner) for a specific use permit to allow for the installation and use of a 100' stealth cell tower (telecommunication tower) on Lot 3, Block No. 2 located in the Northwest Station Section of zoning District G within the City of Jersey Village. Commissioner O'Neal seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, Eustace, Ray, O'Neal and Ohler
Chairman Mergel

Nays: None

The motion carried.

- F. Discuss and take appropriate action regarding the preparation and presentation of the Preliminary Report to Council on December 19, 2011, as it relates to the request of T-Mobile West, Inc., 2 Greenway Plaza #1100, Houston, Texas 77046 (Applicant) and Danny Erdeljac, SW 1 Management Co. LLC, 7911 Capri Circle, Houston, Texas 77095 (Owner) for a specific use permit to allow for the installation and use of a 100' stealth cell tower (telecommunication tower) on Lot 3, Block No. 2 in the Northwest Station Section of zoning District G within the City of Jersey Village.**

Debra Mergel, P&Z Chairperson called the item and asked for discussion on preparing the Preliminary Report for Council. She told the Commission that staff has prepared a proposed ordinance as a starting point for adding and deleting conditions of the specific use permit.

Accordingly, the Commission focused on Sections 4 and 5 of the proposed ordinance, recognizing that section 4 was a sunset provision.

The Commission reviewed each item in Section 5 of the proposed ordinance which included 9 items, and agreed that all were necessary. Additionally, item (10) was added as follows:

10. No permanent illumination allowed, only that required for maintenance will be permitted.

Mr. Petrakovitz stated that T-Mobile will want to know a tower color preference. The Commission decided that the color preference would fall under item (5) and would be something that staff should designate during the site plan approval process.

In completing the list of special conditions for the specific use permit, the commission agreed that two (2) years was the appropriate time frame for Section 4.

With no further discussion on this matter, Commissioner Ray moved that the proposed ordinance, as amended, be approved and attached to the Commission's Preliminary Report for presentation to Council at its December 19, 2011 Council Meeting by Chairman Debra Mergel. Commissioner Ohler seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, Eustace, Ray, O'Neal and Ohler
Chairman Mergel

Nays: None

The motion carried.

The Preliminary Report is attached to these minutes as Exhibit B.

G. Discuss with possible action a request to amend section 66-146 of the City of Jersey Village Code of Ordinances relating to Junked Vehicles.

Danny Segundo, Public Works Director introduced the item. Background information on the item is as follows: Council Member Beckwith has suggested a change to the city ordinance related to Junk Vehicles. The suggested change is to the definition of Junked Vehicles.

On September 19, 2011, Council Member Beckwith explained to Council his request which basically seeks to change the opening sentence of the current definition as follows:

Junked Vehicle means a vehicle that is self-propelled and inoperable ~~and~~ **or**:

In hearing the request, Council motioned to charge the Planning and Zoning Commission with reviewing same and providing Council with its recommendation.

After Council's review of the item on September 19, 2011, staff learned that the "Junked Vehicle" definition, as outlined in Section 683.071 of the Transportation Code, had been amended during the 82nd Legislative Session. In light of these amendments, the City Attorney recommended that the City's Code of Ordinances be amended to comport to the State law definition for "junked vehicle."

On October 10, the Planning and Zoning Commission considered the information presented and recommended that the city's junk vehicle ordinance be amended to reflect the definition of junked vehicle as set out in HB 1376 with additional changes to accommodate the request made by Council Member Beckwith.

Since the October 10 Planning and Zoning Meeting, further review has been made of the junked vehicle changes made by the 82nd Legislative Session and Staff believes that several issues related to Junked Vehicles have been overlooked. Accordingly, in this item, staff is asking the Commission to consider amending section 66-146 of the City of Jersey Village Code of Ordinances relating to Junked Vehicles to reflect the changes made by both HB 1376 and HB 787 without any additional changes, making sure to include changes for antique vehicles.

In completing the background information, Mr. Segundo reviewed the proposed ordinance with the Commission and the Commission engaged in discussion about:

1. Special interest vehicles and the meaning of same;
2. The importance or the necessity of adhering to the State's language;
3. Changing the "and" to "or" so that the definition would require that instead of needing to have both an expired license plate and an expired inspection sticker to even begin the process of considering a vehicle "junked," only one or the other would be required; and
4. In the event the language was changed (the "and" to "or") the enforcement issues that this change would present.

Further discussion was had about enforcement. Staff explained the enforcement process, stating that once a violation is realized, a letter advising the resident is placed in the mail stating that the resident has ten (10) days to remedy the problem. The City Attorney then told the Commission that once the ten (10) days has expired and if the resident has not yet remedied the problem, the City cannot begin the removal process for another eleven (11) days.

The Commission then discussed problems with recreational vehicles and how these vehicles may be considered "junked" as well. The "blight" issue was discussed.

With no further discussion on this matter, Commissioner Ohler moved to recommend to City Council to amend section 66-146 of the City of Jersey Village Code of Ordinances relating to Junked Vehicles to reflect the changes related to HB 1376 and HB 787 without any additional changes as outlined in the proposed ordinance. Commissioner Faircloth seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, Eustace, Ray, O'Neal and Ohler
Chairman Mergel

Nays: None

The motion carried.

H. Discuss and take appropriate action regarding the preparation and presentation of a recommendation to Council on December 19, 2011 pertaining to Junked Vehicles.

Debra Mergel, P&Z Chairperson called the item. It was the consensus of the Commission that Chairman Mergel would present the recommendation to Council on December 19, 2011, which has been made a part of these minutes as Exhibit C.

I. Discuss and take appropriate action for reworking the zoning ordinance as it pertains to inoperable vehicles, unlicensed vehicles, trailers, travel trailers, boats, boat trailers, other trailers, motorcycles, recreational vehicles (RV's) and the regulations pertaining to these vehicles, in order to make recommended changes to Council.

Danny Segundo, Director of Public Works introduced the item. He told the Commission that Staff would like to address the Planning and Zoning Commission in relation to the concerns brought to the department's attention by Council Member Beckwith in connection with inoperable vehicles. Staff has considered the changes that were discussed at the October 10th Planning and Zoning Commission meeting and has some alternative ideas for the Commission to consider.

In researching this issue, the following alternative methods used by other cities in handling the issue of inoperable vehicles may be useful in the City of Jersey Village:

1. Implementing a new ordinance that would prohibit the parking of disabled, unlicensed, or inoperable vehicles on private property. However, at the same time the ordinance will allow for these vehicles be stored out of sight (in a garage).
2. Another avenue is to address these concerns via the City's current ordinance, Section 14-88 (6) (a). On October 18th Staff met with Council Member Beckwith to discuss issues related to trailers, travel trailers, boats, boat trailers, other trailers, motorcycles, RV's and the regulations pertaining to these vehicles. The discussion centered on the temporary time period allowed for these vehicles to be stored in the front yards of residences in districts A, C, and C-2. A revision of the ordinance to include a more stringent time frame may address this issue.

In completing the introduction to this item, the Commission engaged in discussion. The current temporary requirement is: *shall not be parked or stored in front or side yards in zoning districts A, C, or C-2, except for temporary periods of time not exceeding seven days within a 30-day period.*

Council Member Beckwith explained that he believed the intent of the temporary parking period was to allow for a period of time, up to seven (7) days in which residents could have these vehicles parked temporarily at their residence; however, some are circumventing the ordinance by parking one type of vehicle for six (6) days and replacing it with another type of vehicle for six (6) days on a continuous basis so that some type of vehicle is parked in the front or side yard all the time and this was not the intent. Accordingly, a possible solution might be to change the ordinance so that the temporary period is seven (7) days total within a 30 day period with no more than two (2) consecutive time periods.

The Commission then had discussion on what was the exact wording of the change, the specifics and/or details, being recommended by Staff. The Commission had concerns about how such a change might affect the residents and wanted to be clear on the specific language of the change being requested.

City Manager Castro explained that should such a change be considered, before any recommendations for same are made, public notice will be given through the JV Star and town hall meetings will be conducted in order that input is received from the concerned and affected citizens.

Council Member Beckwith explained that the purpose of this request came about as a result of his meetings with residents and hearing the following four standard complaints:

1. Speeding;
2. Running Stop Signs;
3. The condition of one particular home within the City; and
4. Dog problems

This request would address issue three (3).

The consensus of the Commission was for Staff to bring back the language of the suggested/recommended change for their review and discussion. With this consensus, the Commission discussed the correct process for handling this issue. The City Attorney stated that City Council should first discuss this issue in order to determine if there is a desire to pursue the request.

No action was taken on this item.

J. Adjourn

With no additional business to conduct Commissioner Faircloth moved to adjourn the meeting. Commissioner Ray seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, O'Neal, Eustace, Ohler, and Ray
Chairman Mergel

Nays: None

The motion carried.

The meeting adjourned at 8:17 p.m.

Lorri Coody, City Secretary



CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION RECOMMENDATION - SPECTACULAR SIGNS

The Planning and Zoning Commission has met in order to review the request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs.

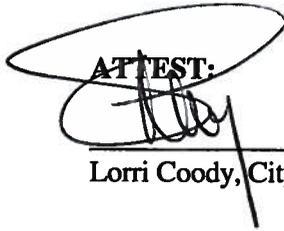
After review and discussion, the Commissioners recommend that the request from Clear Channel Communications to amend Section 14-243(15) of the City of Jersey Village Code of Ordinances to allow Spectacular Signs be denied because it is not in the best interest of the City for the following reasons:

1. Making provisions for a SUP or any other amendments to the code to permit spectacular LED/digital billboards is not consistent with past precedent, historic guidelines, and values set by the city in connection with billboards. Currently, the city does not permit billboards. Those existing are grandfathered as non-conforming uses and will therefore, at some point in the future, be non-existent. To change the code at this point and permit the placement of a converted billboard is not consistent with longstanding practices and values of the city and will not further the city's goal of reducing the overall number of billboards in the community.
2. With the expansion of US Highway 290 on the horizon, there is concern about the placement/location of these signs and how they will look once the right-of-way changes occur. At this time, US Highway 290 looks a certain way; however, once the project is complete, the appearance will be different and is not really known at this time.
3. With the expansion of US Highway 290, staff is concerned about placing/locating new signs in the US 290 right-of-way because the project calls for the condemning of property along this corridor. In reading the Billboard & Sign Regulations document which is made apart of the meeting packet, there is particular concern with the business income issues brought about in the case *State v. Central Expressway Sign Associates*, 302 S.W.3d 866 (2009) which increase the value of condemned property.
4. Making the changes does not benefit the health and welfare of the residents of Jersey Village. Although the applicant claims that the proposed signage will be incorporated into an emergency notification network, this argument seems tenuous at best. There is not a direct benefit to the residents of Jersey Village.
5. The recently completed extension of Jones Road portends great potential for development of this neglected area of Jersey Village. City council has spent nearly three years considering the potential development of a Transit Oriented Development within the city's extra-territorial jurisdiction (ETJ). A primary goal for a future TOD is to enhance economic development in the community and spur a revitalized US 290 / Jones Road corridor. Staff believes that placement of spectacular signs in close proximity to the TOD will act as a deterrent to development of this area.
6. In staff's investigation into the matter, we have become aware of a significant pending federal study of digital billboards. A primary aim of this study is to research potential safety issues associated with digital billboards. Please note that this study is not sponsored by the advertising industry, and should provide unbiased information of a substantive nature.

Respectfully submitted, this 5th day of December 2011.


Debra Mergel, Chairman

ATTEST:


Lorri Coody, City Secretary





**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
PRELIMINARY REPORT
TO ALLOW A TELECOMMUNICATION TOWER AS A SPECIFIC
USE IN ZONING DISTRICT G**

The Planning and Zoning Commission has met in order to review the application request of T-Mobile West, Inc., 2 Greenway Plaza #1100, Houston, Texas 77046 (Applicant) and Danny Erdeljac, SW 1 Management Co. LLC, 7911 Capri Circle, Houston, Texas 77095 (Owner) for a specific use permit to allow for the installation and use of a 100' stealth cell tower (telecommunication tower) on Lot 3, Block No. 2 in the Northwest Station Section of zoning District G within the City of Jersey Village.

After review and discussion, the Commissioners preliminarily proposed that T-Mobile West, Inc. be allowed to use as a specific use a telecommunication tower on the tract of land located at Lot 3, Block No. 2 in the Northwest Station Section of zoning District G within the City of Jersey Village.

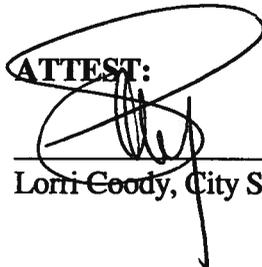
This preliminary proposal is more specifically detailed in the proposed ordinance attached as Exhibit "A."

The next step in the process as required by Section 14-84(c)(2)(b) of the Jersey Village Code of Ordinances is for Council to call a joint public hearing with the Planning and Zoning Commission.

Respectfully submitted, this 5th day of December 2011.



Debra Mergel, Chairman

ATTEST:


Lori Coody, City Secretary



ORDINANCE NO. 2011-XX

AN ORDINANCE OF THE CITY OF JERSEY VILLAGE, TEXAS, AMENDING CHAPTER 14, ARTICLE IV, OF THE CODE OF ORDINANCES, CITY OF JERSEY VILLAGE, SAID ORDINANCE BEING CITY OF JERSEY VILLAGE ORDINANCE NO. 77-14, AS AMENDED, ORIGINALLY ADOPTED THE 6TH DAY OF SEPTEMBER 1977, AND BEING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, BY GRANTING TO T-MOBILE WEST, INC., A SPECIFIC USE PERMIT TO ALLOW FOR THE INSTALLATION AND USE OF A TELECOMMUNICATION TOWER ON PROPERTY DESCRIBED AS LOT 3, BLOCK 2, NORTHWEST STATION SECTION OF DISTRICT G; PROVIDING REQUIREMENTS AND CONDITIONS FOR THIS SPECIFIC USE PERMIT; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS FOR VIOLATIONS HEREOF; PROVIDING FOR AMENDMENT OF THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, T-Mobile, Inc. has made an application for a Specific Use Permit for a tract of land described as Lot 2, Block 3 in the Northwest Station Section of District G, ("the Property") situated within the corporate limits of the City of Jersey Village, Texas ("the City"), said tract being more particularly described in the applicant's application which is attached hereto as Exhibit "A" and made a part hereof for all purposes; and

WHEREAS, the Property presently has a zoning classification of District G pursuant to the comprehensive zoning ordinance of the City; and

WHEREAS, T-Mobile West, Inc. has made application to the City for a Specific Use Permit to use said Property for the purpose of installing and using a telecommunication tower ("the Specific Use"), as authorized by the City's comprehensive zoning ordinance; and

WHEREAS, the Planning and Zoning Commission and the City Council of the City have, in the time and manner and after the notice required by law, conducted a public hearing on such request for a Specific Use Permit described above; and

WHEREAS, the City Council has received the final written recommendation of the Planning and Zoning Commission; and

WHEREAS, the City Council finds the application complies with section 14-84.1 of the City Code and deems it appropriate to approve such request; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS:

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. A Specific Use Permit allowing the use of a telecommunication tower on the Property subject to the terms and conditions set forth below, is hereby granted to T-Mobile West, Inc. The Specific Use Permit shall run with the land and include any successor in interest.

Section 3. The Official Zoning District Map of the City, as referenced by section 14-82 of The City Code, shall be revised and amended to show the Specific Use authorized hereby for the Property as provided in Section 2 hereof, with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of the Specific Use authorized.

Section 4. The Specific Use Permit granted hereby shall be null and void after the expiration of two (2) years from the date of adoption of this Ordinance unless the Property is being used in accordance with the Specific Use Permit herein granted or unless an extension of time is approved by City Council.

Section 5. The Specific Use authorized and permitted hereby shall be, and is, subject to the following additional limitations, restrictions, and conditions:

1. The maximum tower height of the tower shall not exceed 100 feet.
2. The tower shall be a self-supporting stealth monopole structure.
3. Tower will be erected and operated in compliance with current FCC and FAA rules and regulations and other applicable federal, state and local standards.
4. The tower must be identified by a sign visible from outside the screening stating in letters at least two inches high the name and telephone number of the tower manager and the Federal Communications Commission license number.
5. The site plan, architectural drawings and landscaping plan for the structure shall be in accordance with the City of Jersey Village Code of Ordinances at Chapter 14, Article XII.
6. All paved areas, permanent drives, streets, and drainage structures, if any, on the Property must be constructed in accordance with City of Jersey Village specifications.
7. City shall be informed of any intent to abandon or cease using the antenna or tower within thirty (30) days of the date the use ceases.
8. Upon discontinued use of the tower, the owner will remove the tower and equipment within six (6) months of such discontinued use. In the event the tower and equipment are not removed as agreed, City shall have the right to remove the tower and equipment and recover the costs associated with such removal from the landowner and place a lien on the property until such costs are paid.
9. A report must be submitted that has been prepared by a registered professional engineer stating all structural components of the tower comply with all applicable codes and regulations and is designed or built to accommodate collocation. A sealed report from a registered electrical engineer certifying that electromagnetic spectrum emissions are in compliance with applicable federal standards must be submitted.
10. No permanent illumination allowed, only that required for maintenance will be permitted.

Section 6. Any person who shall willfully, intentionally, or with criminal negligence violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 7. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 8. This ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2011.

Russell Hamley, Mayor

ATTEST:

Lorri Coody, City Secretary

CITY OF JERSEY VILLAGE
ZONING APPLICATION

Requested Action

ZONING CHANGE ()

SPECIAL EXCEPTION (X)

NON CONFORMING USE PERMIT ()

APPLICANT / OWNER INFORMATION

Applicant: T-Mobile West, INC

Telephone: (281) 701-0604

Address: 26 Greenway Plaza # 1100

City/State/Zip: HOUSTON TX 77044

APPLICANT'S STATUS: Check One OWNER () TENANT (X) PROSPECTIVE BUYER ()

Property Owner must sign that application or submit a notarized letter of authorization.

Owner: Sus I Management Co, LLC

Telephone: (281) 894-9484 (o)

Address: 7911 CAPRI CIRCLE

City/State/Zip: HOUSTON, TX 77095

Representative: DANNY ERDELIAC

Telephone: (713) 824-1662 (cell)

Address: 7911 CAPRI CIRCLE

City/State/Zip: HOUSTON, TX 77095

OWNERSHIP: Check One INDIVIDUAL () TRUST () PARTNERSHIP () CORPORATION ()

If ownership is a trust, partnership, or corporation, name the partners or principals and their addresses and positions on a separate attachment.

DAVID PETRAKOVITZ, AGENT
Print Name (and Title if Applicable)

DANNY ERDELIAC
Print Name (and Title if Applicable)

David Petrakovitz
Signature of Applicant

Danny Erdeliac
Signature of Owner

ZONING REQUEST INFORMATION

SITE LOCATION: NORTHWEST STATION SECTION

LOT(S) NO(S): 3 BLOCK NO: 2 SIZE OF REQUEST: _____

EXISTING ZONING: _____ G

PROPOSED ZONING: _____ G - SUP

DESCRIPTION OF REQUEST: To allow for the use of a 100' stealth cell tower (subject to Special Exception Approvals by City of Jersey Village)

(Please attach detailed map(s) showing proposed changes)

DOCUMENTATION
(Please provide the following)

- TRAFFIC IMPACT STUDY (if applicable)
- SITE MAP
- PROPER SIGNATURES
- CORRECT LOT & BLOCK

- INDEX LOCATION MAP
- PROPER FILING FEE
- SURVEY MAPS (Metes & Bounds)

FILING FEE - \$650.00

ACCEPTED BY: _____

DATE ACCEPTED: _____

Form Reference #



October 31, 2011

Lorrie Coody
City Secretary
City of Jersey Village
16501 Jersey Drive
Jersey Village, TX 77040

Ms. Coody,

Thank you for your assistance and help to date on the T-Mobile proposed cell tower application.

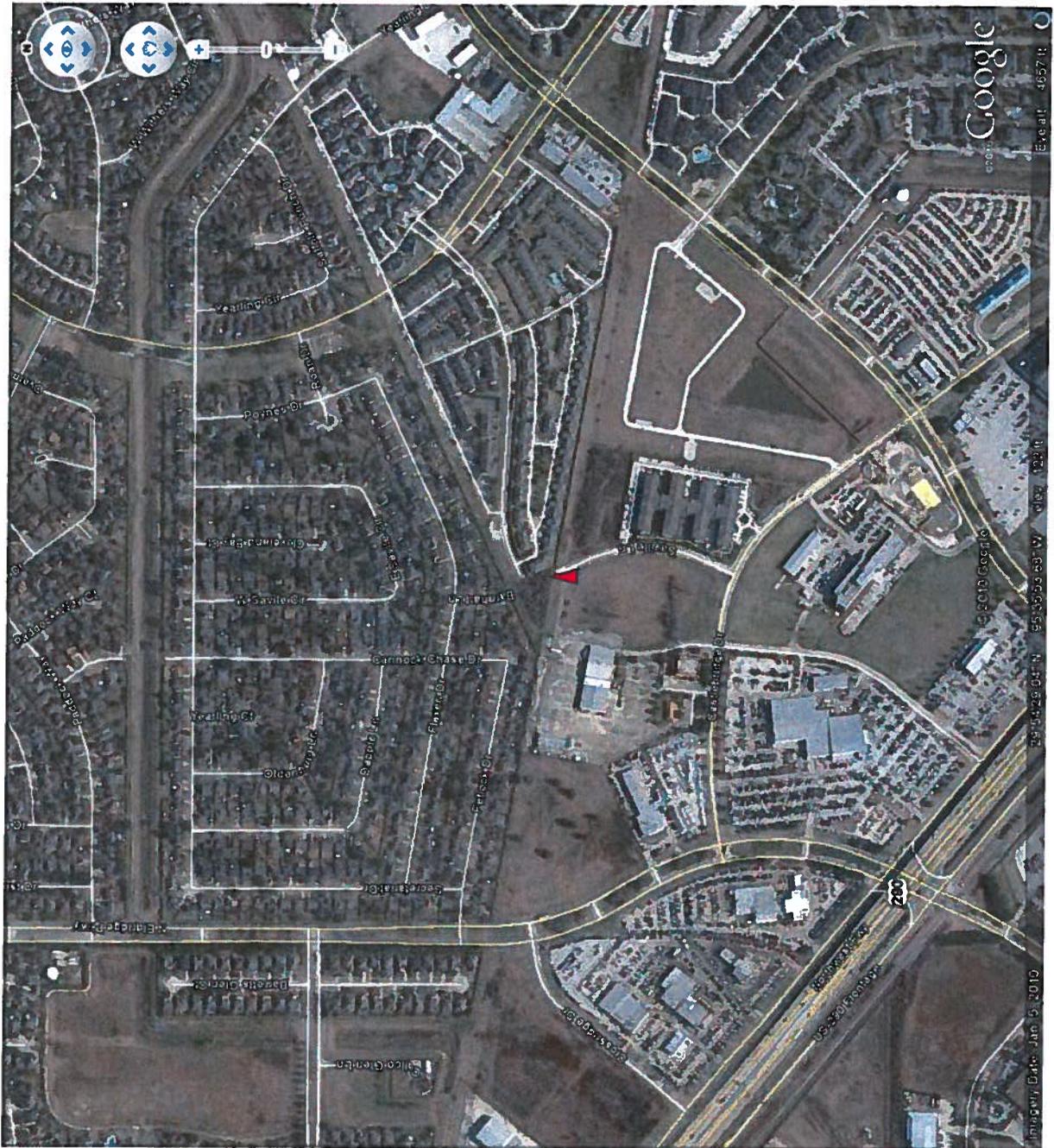
Attached you will find an Application for a Special Exception to allow T-Mobile West, Inc, to erect a 100' stealth cell tower in G Districts under such provisions which allow a cell tower subject to Special Exception approval by City Council.

Again, thank you for all your help to date.

A handwritten signature in black ink, which appears to read "Dave Petrakovitz". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Dave Petrakovitz
agent for T-Mobile West Corporation
2 Greenway Plaza
Suite 1100
Houston, Texas 77090

Seville Lane (Castlebridge Dr)



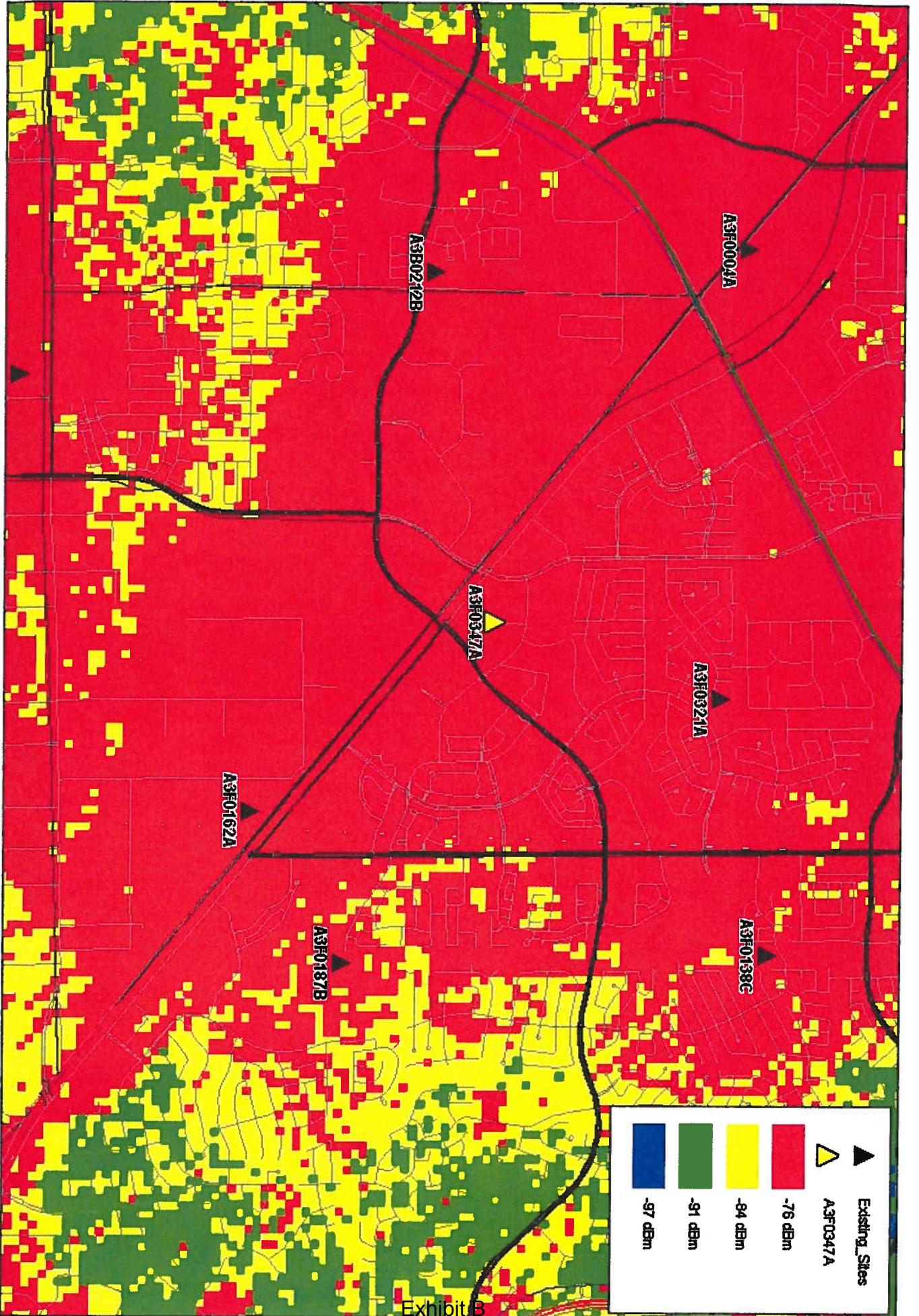


Exhibit B

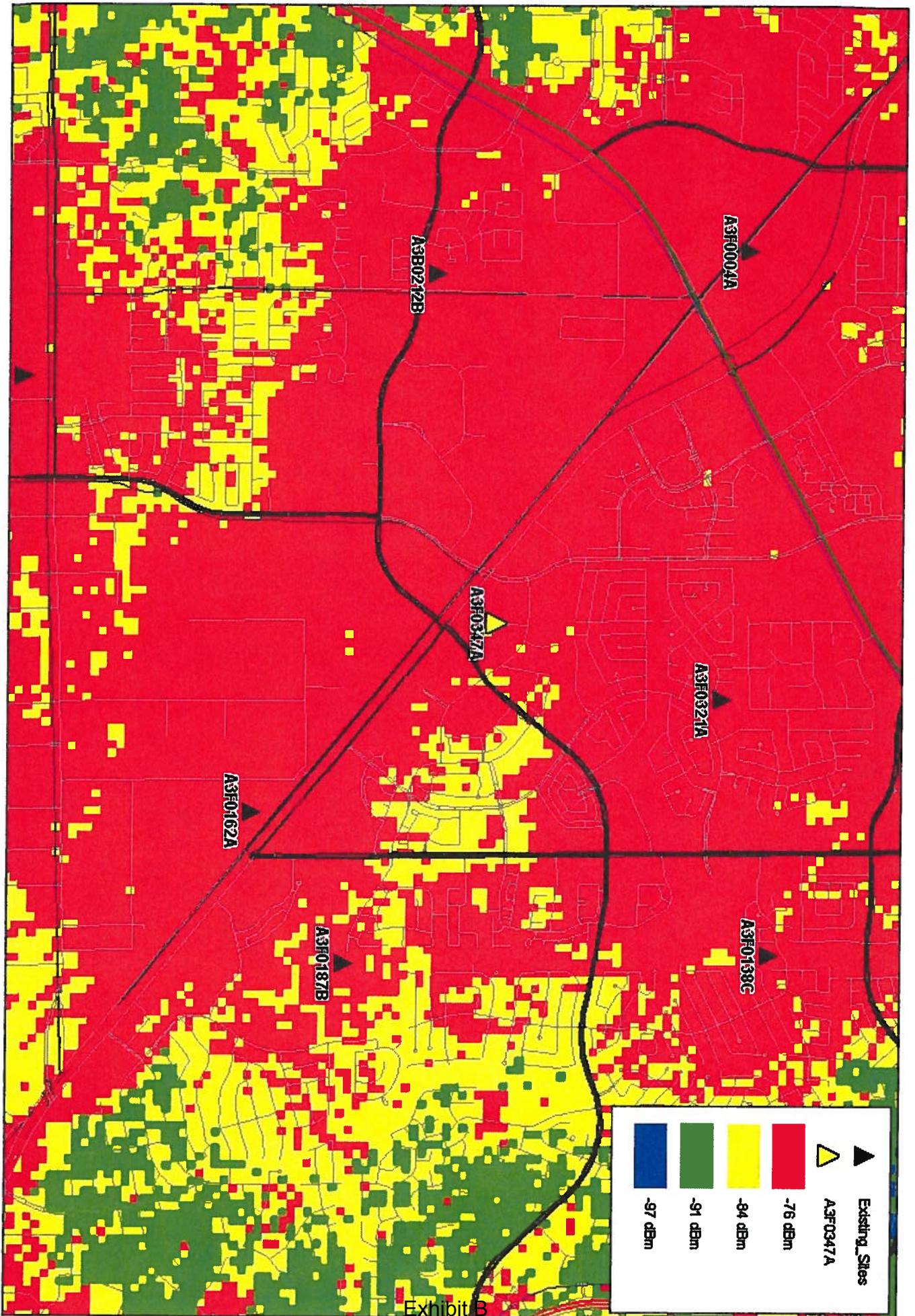


Exhibit B



Flagpole Tower at Houston Baptist University

Exhibit B

**100' Flagpole Antenna Site
at Houston
Baptist University**



Exhibit B

**75' Flagpole Antenna Site
Beltway 8 North
Little League field**

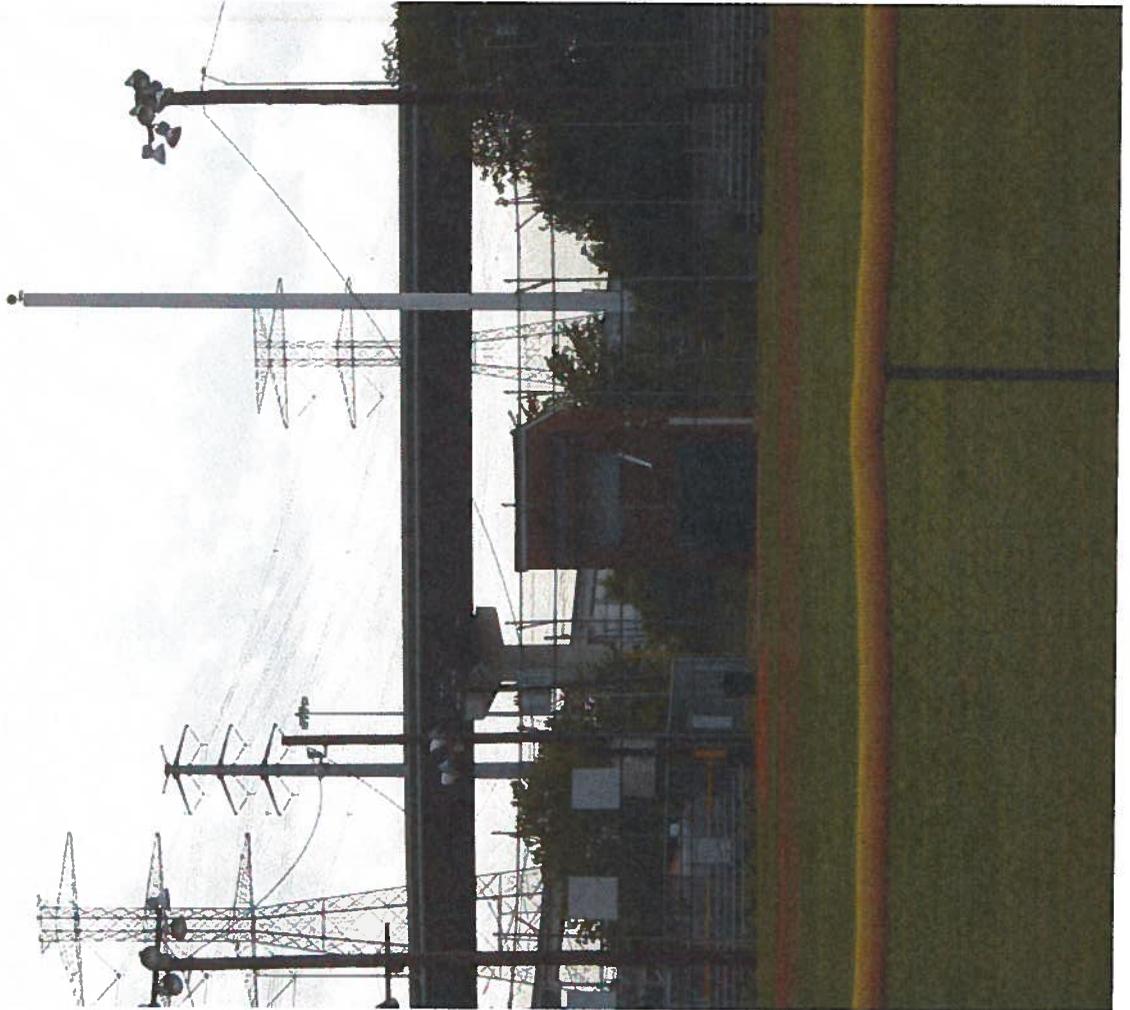


Exhibit B

75' Antenna Site Cokesbury United Methodist Church

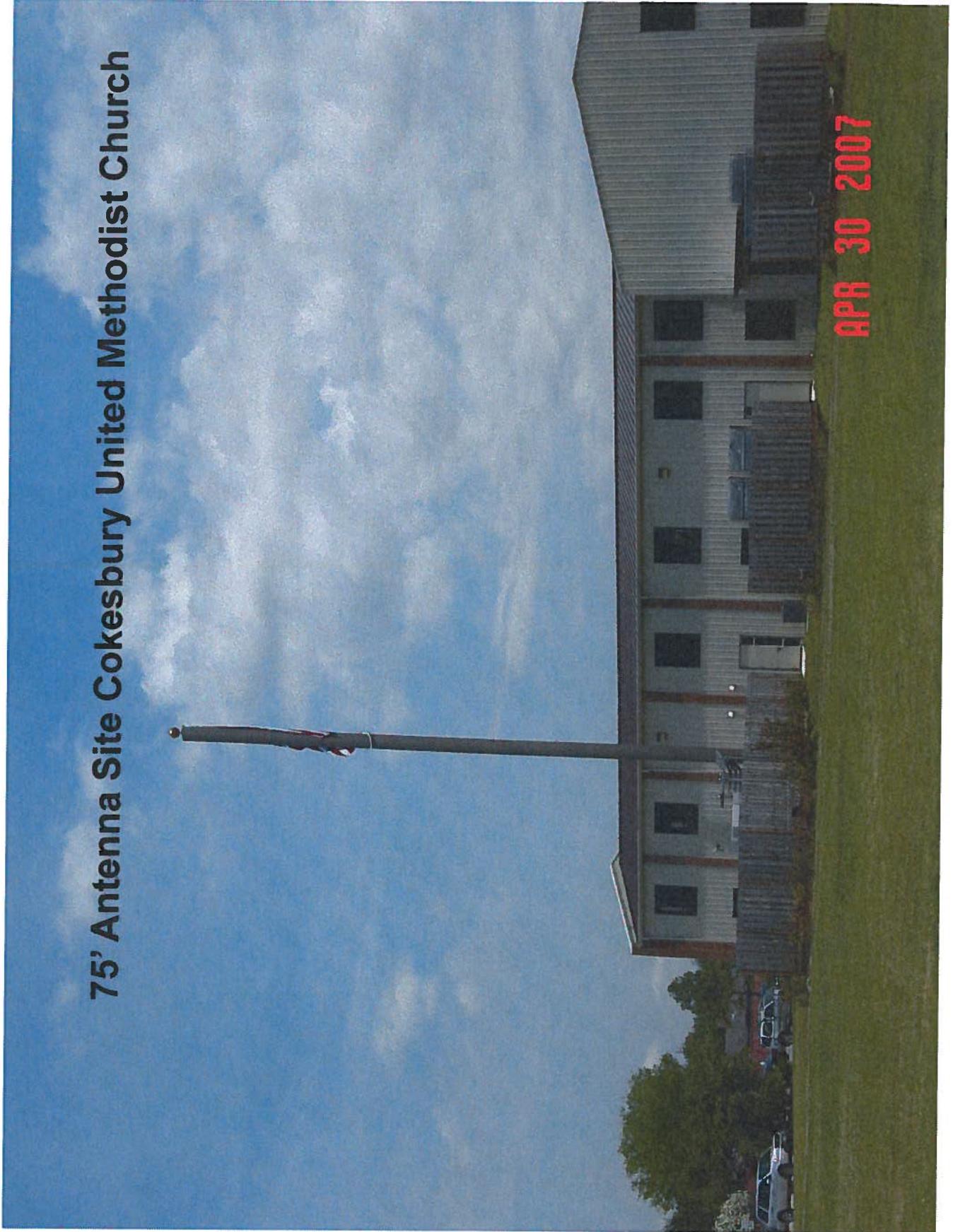


Exhibit B

**Interior view of
Cellular Antennas
Inside a Flagpole Stealth site**

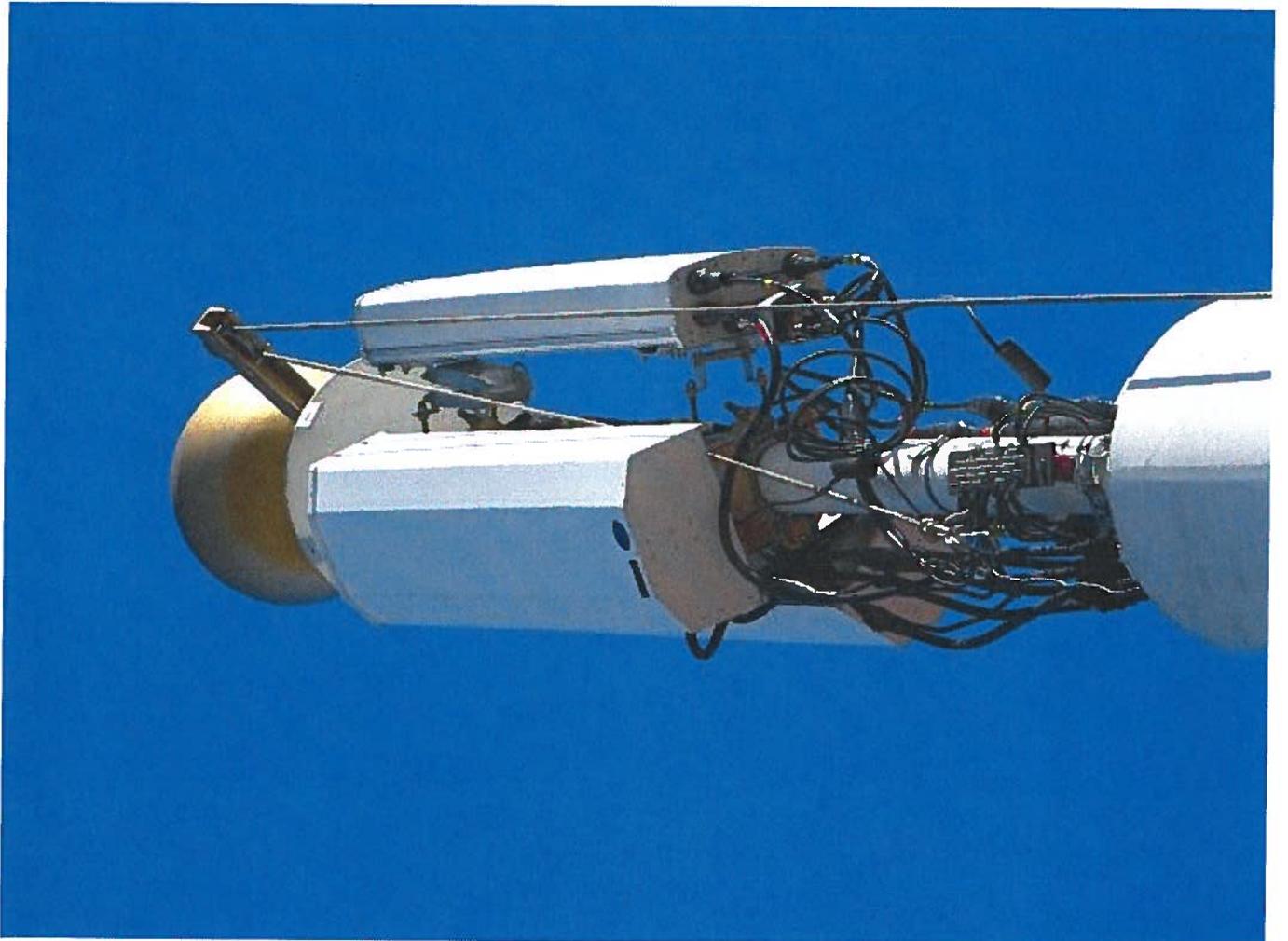


Exhibit B

**160' Woodlands stealth pole
(interior mounted antennas)
Village of Panther Creek**

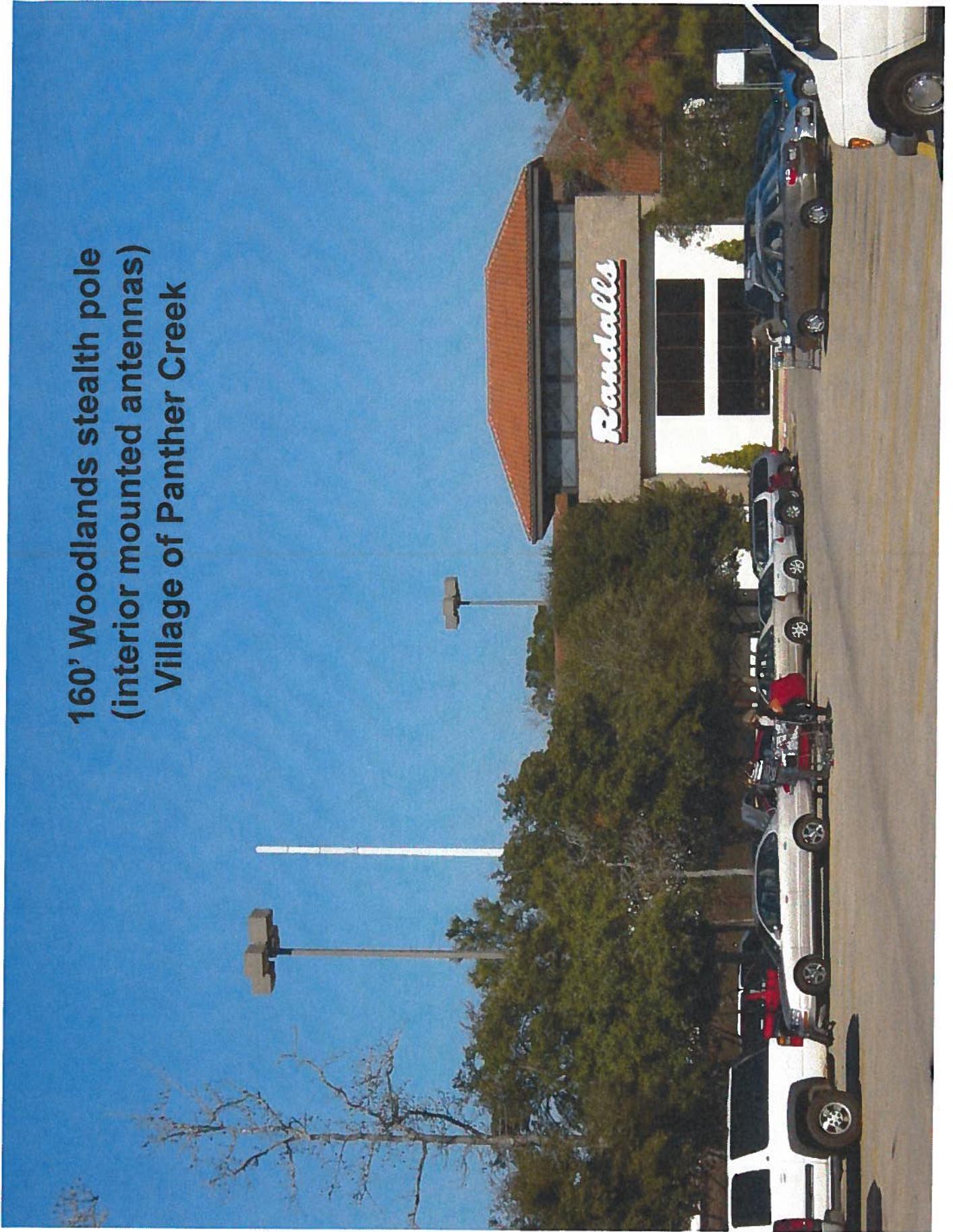
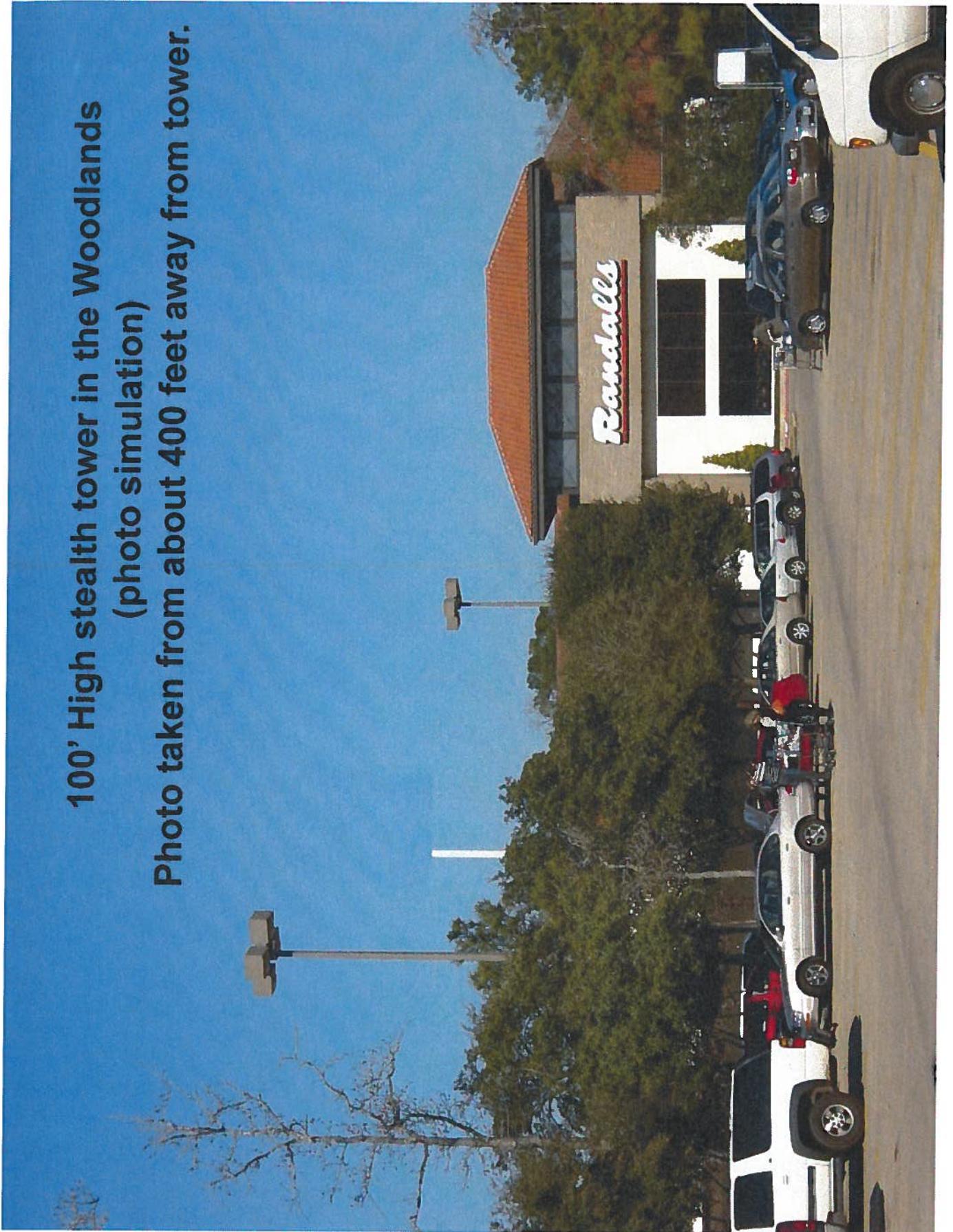
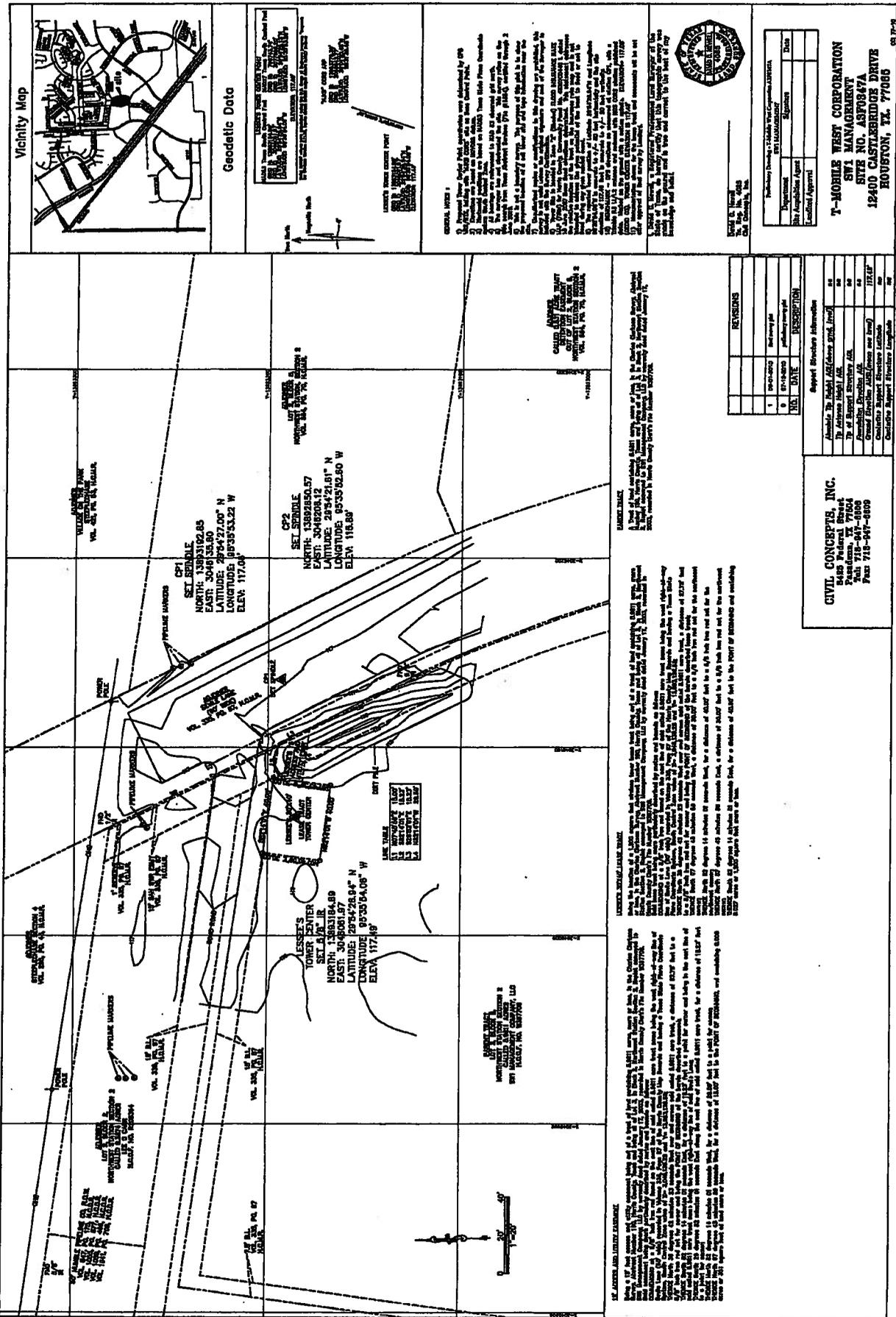


Exhibit B

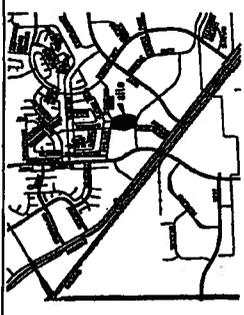
**100' High stealth tower in the Woodlands
(photo simulation)**

Photo taken from about 400 feet away from tower.





Vicinity Map



Geodetic Data



GENERAL NOTES:

1. General Notes: This plat is based on the survey of 1978.
2. The survey was conducted by the Texas State Survey Commission.
3. The survey was conducted in accordance with the Texas Surveying Act.
4. The survey was conducted in accordance with the Texas Surveying Act.
5. The survey was conducted in accordance with the Texas Surveying Act.
6. The survey was conducted in accordance with the Texas Surveying Act.
7. The survey was conducted in accordance with the Texas Surveying Act.
8. The survey was conducted in accordance with the Texas Surveying Act.
9. The survey was conducted in accordance with the Texas Surveying Act.
10. The survey was conducted in accordance with the Texas Surveying Act.



Project Name	T-MOBILE WEST CORPORATION
Client	SWI MANAGEMENT
Site No.	ASPO847A
Address	12400 CASTLEBRIDGE DRIVE
City	HOUSTON, TX 77066

T-MOBILE WEST CORPORATION
 SWI MANAGEMENT
 12400 CASTLEBRIDGE DRIVE
 HOUSTON, TX 77066

LESSEE'S TOWER CENTER
 SET SQUARE
 NORTH: 3048032.85
 EAST: 3048032.85
 LATITUDE: 29°54'27.00" N
 LONGITUDE: 95°39'53.22" W
 ELEV: 117.00'

LESSEE'S TOWER CENTER
 SET SQUARE
 NORTH: 3048032.85
 EAST: 3048032.85
 LATITUDE: 29°54'27.00" N
 LONGITUDE: 95°39'53.22" W
 ELEV: 117.00'

REVISIONS

NO.	DATE	DESCRIPTION
1	01-15-2010	ISSUED FOR PERMIT
2	01-15-2010	ISSUED FOR PERMIT

CIVIL CONCEPTS, INC.
 5485 Federal Street
 Pasadena, TX 77054
 Phone: 281-718-8478
 Fax: 281-718-8478

Support Structure Information

Structure Name	Structure Type	Structure Material	Structure Height
LESSEE'S TOWER CENTER	TOWER	STEEL	117.00'
SET SQUARE	STRUCTURE	CONCRETE	117.00'



T-Mobile West Corp.
2 Greenway Plaza, Suite 1100
Houston, Texas 77046



820 W. 112th Street, Suite 300
Overland Park, Kansas 66210
Phone: 913-438-7700 Fax: 913-438-7777

DESIGNER:	W.T. GARRETT
LEAD DR.	A.J. HENNING
LEAD USER:	ALL OWNERS

NO.	DATE	DESCRIPTION	BY
1	08/11/09	ISSUED FOR PERMITS	W.T.G.
2	08/11/09	ISSUED FOR PERMITS	W.T.G.
3	08/11/09	ISSUED FOR PERMITS	W.T.G.

THIS DRAWING IS THE PROPERTY OF SW1 MANAGEMENT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SW1 MANAGEMENT.

CONTRACTOR'S RESPONSIBILITY:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING THE ACCURACY OF ALL DATA AND INFORMATION PROVIDED TO HIM BY THE CLIENT AND THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE ACCURACY OF ALL DATA AND INFORMATION PROVIDED TO HIM BY THE CLIENT.

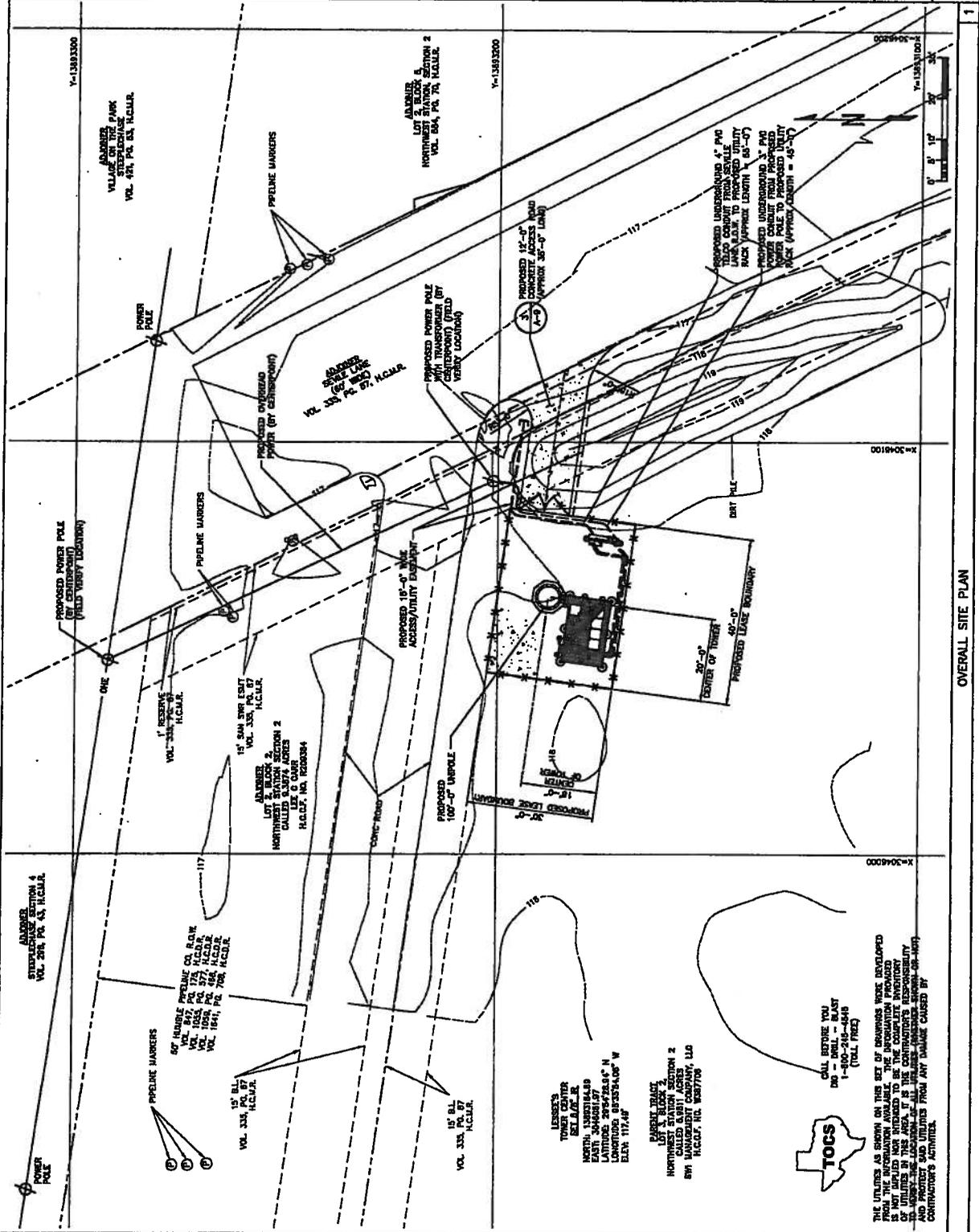
SW1 MANAGEMENT
SITE NAME

SW1 MANAGEMENT
SITE NUMBER
A370347A

0 CASTLEBERRY DRIVE
HOUSTON, TEXAS
77065

OVERALL SITE PLAN
SHEET TITLE

A-1
SHEET NUMBER

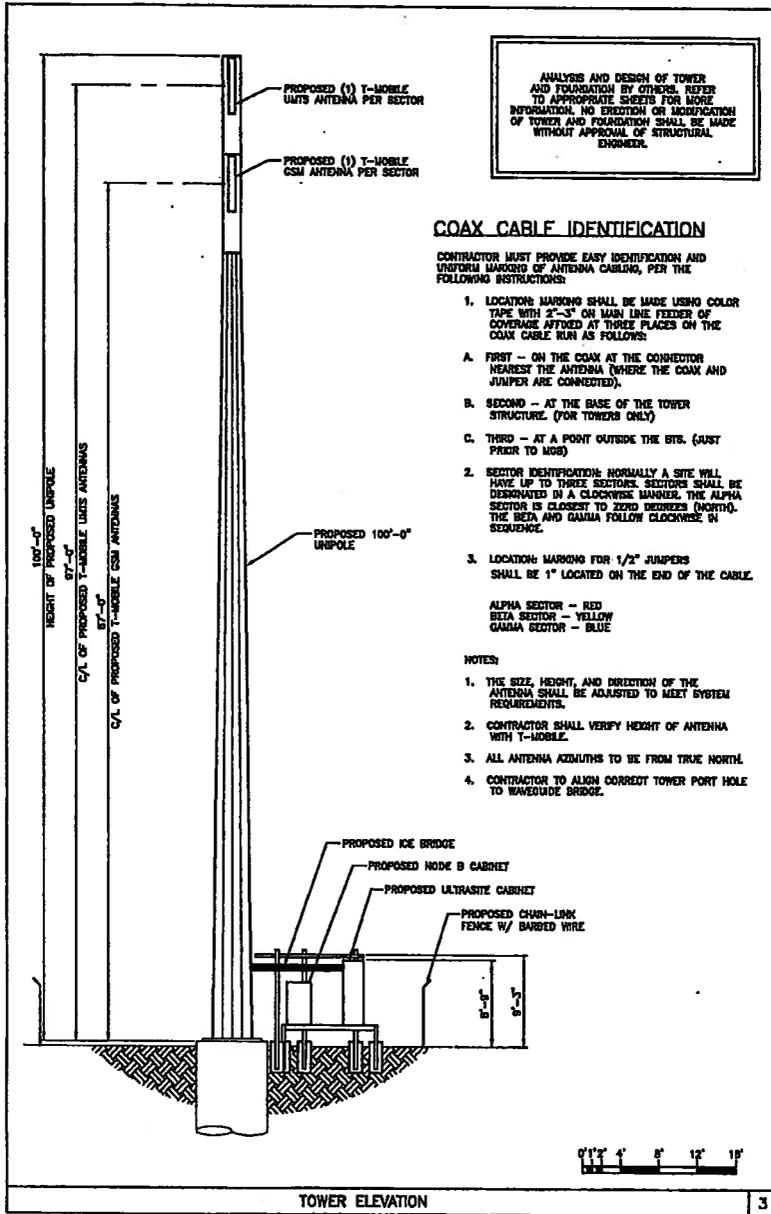


CALL BEFORE YOU DIG
800-485-4848
1-800-245-4848
(TOLL FREE)



THE UTILITIES AS SHOWN ON THIS SET OF DRAWINGS WERE DEVELOPED BY THE CONTRACTOR AND SW1 MANAGEMENT. SW1 MANAGEMENT IS NOT BEING HELD RESPONSIBLE FOR THE ACCURACY OF THE UTILITIES SHOWN IN THIS AREA. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES AND TO PROTECT AND GUARANTEE FROM ANY DAMAGE CAUSED BY CONTRACTOR'S ACTIVITIES.

Exhibit B



ANALYSIS AND DESIGN OF TOWER AND FOUNDATION BY OTHERS. REFER TO APPROPRIATE SHEETS FOR MORE INFORMATION. NO ERECTION OR MODIFICATION OF TOWER AND FOUNDATION SHALL BE MADE WITHOUT APPROVAL OF STRUCTURAL ENGINEER.

COAX CABLE IDENTIFICATION

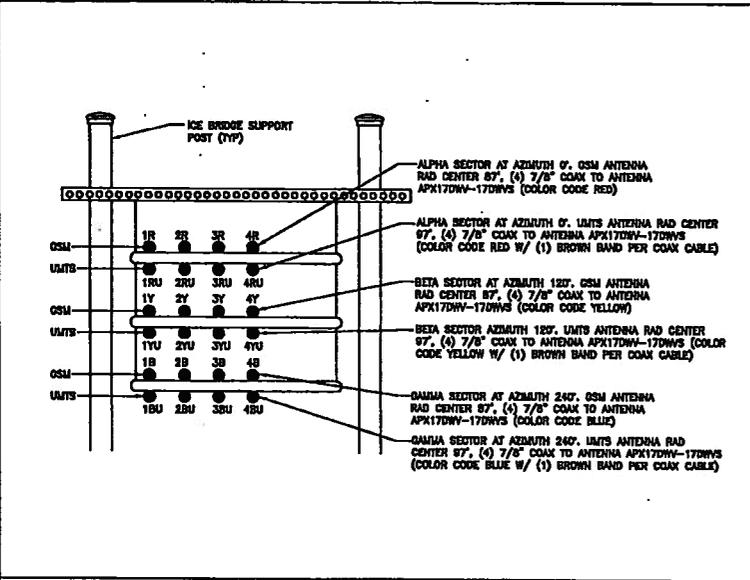
CONTRACTOR MUST PROVIDE EASY IDENTIFICATION AND UNIFORM MARKING OF ANTENNA CABLING, PER THE FOLLOWING INSTRUCTIONS:

1. LOCATION MARKING SHALL BE MADE USING COLOR TAPE WITH 2"-3" ON MAIN LINE FEEDER OF COVERAGE ATTACHED AT THREE PLACES ON THE COAX CABLE RUN AS FOLLOWS:
 - A. FIRST - ON THE COAX AT THE CONNECTOR NEAREST THE ANTENNA (WHERE THE COAX AND JUMPER ARE CONNECTED).
 - B. SECOND - AT THE BASE OF THE TOWER STRUCTURE (FOR TOWERS ONLY).
 - C. THIRD - AT A POINT OUTSIDE THE SITE. (JUST PRIOR TO MGS).
2. SECTOR IDENTIFICATION: NORMALLY A SITE WILL HAVE UP TO THREE SECTORS. SECTORS SHALL BE DESIGNATED IN A CLOCKWISE MANNER. THE ALPHA SECTOR IS CLOSEST TO ZERO DEGREES (NORTH). THE BETA AND GAMMA FOLLOW CLOCKWISE IN SEQUENCE.
3. LOCATION MARKING FOR 1/2" JUMPERS SHALL BE 1" LOCATED ON THE END OF THE CABLE.

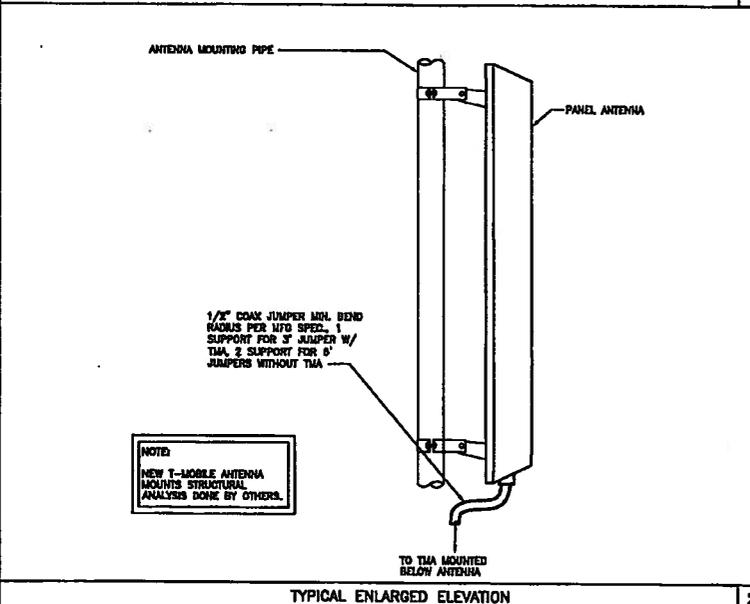
ALPHA SECTOR - RED
 BETA SECTOR - YELLOW
 GAMMA SECTOR - BLUE

NOTES:

1. THE SIZE, HEIGHT, AND DIRECTION OF THE ANTENNA SHALL BE ADJUSTED TO MEET SYSTEM REQUIREMENTS.
2. CONTRACTOR SHALL VERIFY HEIGHT OF ANTENNA WITH T-MOBILE.
3. ALL ANTENNA AZIMUTHS TO BE FROM TRUE NORTH.
4. CONTRACTOR TO ALIGN CORRECT TOWER PORT HOLE TO WAVEGUIDE BRIDGE.



COAX COLOR DETAIL



T-Mobile West Corp.
 2 Greenway Plaza, Suite 1100
 Houston, Texas 77048



6500 W. 110th Street, Suite 300
 Overland Park, Kansas 66210
 Phone: 913-438-7700 Fax: 913-438-7717

DESIGNER: M.T. GARRETT
 LEAD EE: S.J. KESSELING
 LEAD CSER: M.L. OWENS

SUBMITTALS		
NO.	DATE	DESCRIPTION
1	01/20/03	COAX FOR REVIEW
2	02/27/03	COAX FOR REVIEW

NOTE: THIS CONTRACT HAS NOT BEEN REPRODUCED TO THE SCALE PROPERTY OF SSC, INC. AND SUBJECT TO THE AGREEMENT FOR THESE CONTRACTS. USE ONLY AS BE COMPLETION OF THE LEAD OF THIS DRAWING. THE DRAWING PREPARED AND APPROVED BY OTHERS AND AGREES THAT IT WILL NOT BE REPRODUCED, COPIED, LENT OR OTHERWISE DISPOSED OF WITHOUT THE WRITTEN PERMISSION FOR ANY PURPOSE OTHER THAN FOR THE PROJECTS IDENTIFIED.

DATE OF ISSUE: _____
 CHECKED BY: _____
 RESPONSIBLE ENGINEER: _____
 SLD: MICHAEL L. DUNN
 TSB: TERRY W. L. SUPER
 BOX: BRITTON G. KERRANG

SITE NAME: _____

SW 1 MANAGEMENT

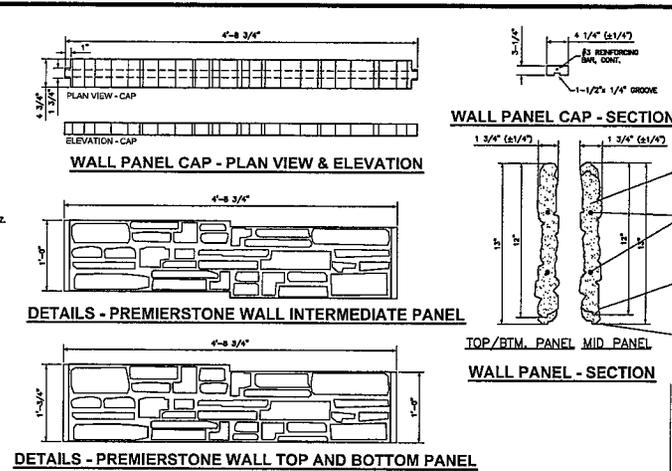
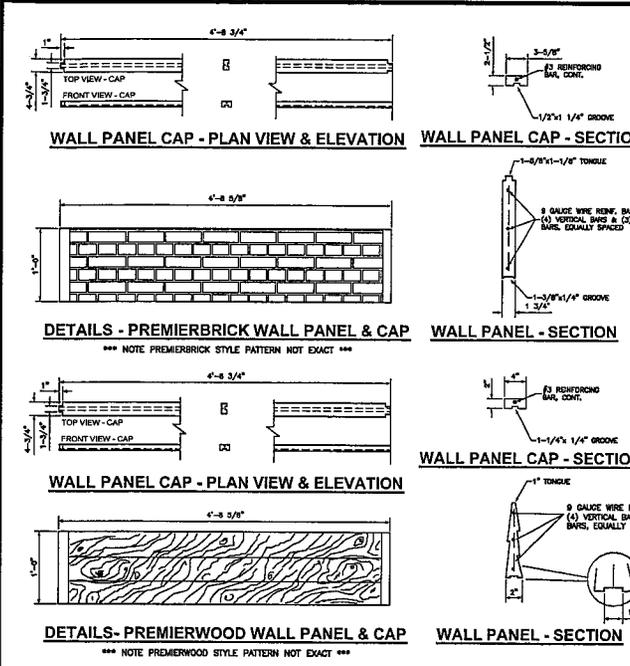
SITE NUMBER: A3F0347A

SITE ADDRESS: 0 CASTLEBERRY DRIVE
 HOUSTON, TEXAS 77063

SHEET TITLE: TOWER ELEVATION

SHEET NUMBER: A-3

Exhibit B

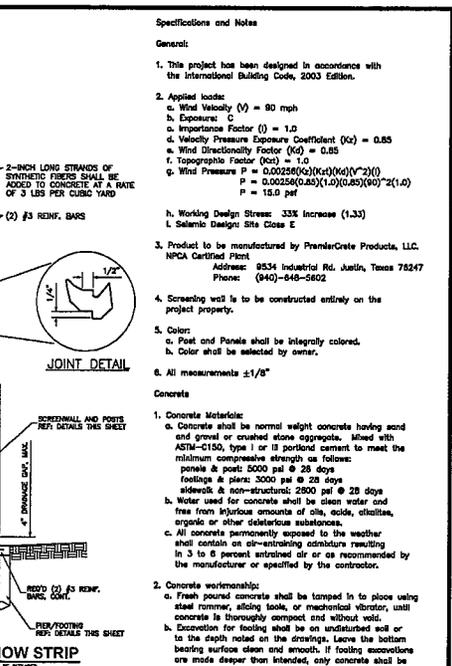


THE CONTRACTOR/OWNER IS RESPONSIBLE FOR HIRING A GEOTECHNICAL ENGINEER TO DETERMINE IF LOCAL SOIL CONDITIONS MEET OR EXCEED MINIMUM SOIL PROPERTIES SHOWN ON THIS PLAN.

THIS FOUNDATION HAS BEEN DESIGNED BASED ON MINIMUM SOIL PROPERTIES SET FORTH BY THE 2003 INTERNATIONAL BUILDING CODE.

PIER INSTALLATION MAY ENCOUNTER AREAS OF GRANULAR, COLLAPSING SOILS THAT MAY CONTAIN PERCHED GROUNDWATER. PIERS MUST BE EXTENDED THROUGH SOFT AND ORGANIC DEPOSITS TO PROVIDE ADEQUATE LATERAL AND VERTICAL SUPPORT. TEMPORARY CASING MAY BE NECESSARY FOR THE DRILLED PIER INSTALLATION OPERATIONS TO MAINTAIN THE DRILLED SHAFT OPEN THROUGH THESE SOILS DURING CONSTRUCTION.

IF THE CONTRACTOR FINDS ANY DISCREPANCIES BETWEEN THE SITE AND THESE PLANS, HE SHALL NOTIFY THE ENGINEER IMMEDIATELY.



Specifications and Notes

General:

- This project has been designed in accordance with the International Building Code, 2003 Edition.
- Applied loads:
 - Wind Velocity (V) = 80 mph
 - Exposure: C
 - Importance Factor (I) = 1.0
 - Velocity Pressure Design Coefficient (Kc) = 0.85
 - Wind Directionality Factor (Kd) = 0.85
 - Topographic Factor (Kzt) = 1.0
 - Wind Pressure P = 0.00256(Kc)(Kd)(Kzt)(V)^2(1.0)
 - P = 0.00256(0.85)(1.0)(0.85)(80)^2(1.0) = 18.0 psf
- Working Design Stress: 33k (Increase 1.33)
- Seismic Design: Site Class E

Product to be manufactured by PremierCrete Products, LLC, NPCA Certified Plant

Address: 9534 Industrial Rd. Justin, Texas 75247
Phone: (940)-648-5802

- Screening wall to be constructed entirely on the project property.
- Color:
 - Post and Panels shall be integrally colored.
 - Color shall be selected by owner.
- All measurements ±1/8"

Concrete

- Concrete Material:
 - Concrete shall be normal weight concrete having sand and gravel or crushed stone aggregate, mixed with ASTM-C150, type I or II portland cement to meet the minimum compressive strength as follows:
 - panels & post: 5000 psi @ 28 days
 - footings & piers: 3000 psi @ 28 days
 - slabs & non-structural: 2800 psi @ 28 days
 - Water used for concrete shall be clean water and free from injurious amounts of oils, acids, chlorides, or other deleterious substances.
 - All concrete permanently exposed to the weather shall contain an air-entraining admixture resulting in 3 to 6 percent entrained air or as recommended by the manufacturer or specified by the contractor.
- Concrete workmanship:
 - Fresh poured concrete shall be tamped in to place using steel rammer, allowing tools, or mechanical vibrator, until concrete is thoroughly compact and without void.
 - Excavation for footing shall be on undisturbed soil or to the depth noted on the drawings. Leave the bottom bearing surface clean and smooth. If footing excavations are made deeper than intended, only concrete shall be used for fill. Remove all loose material from excavations prior to concrete pour.

Reinforcement:

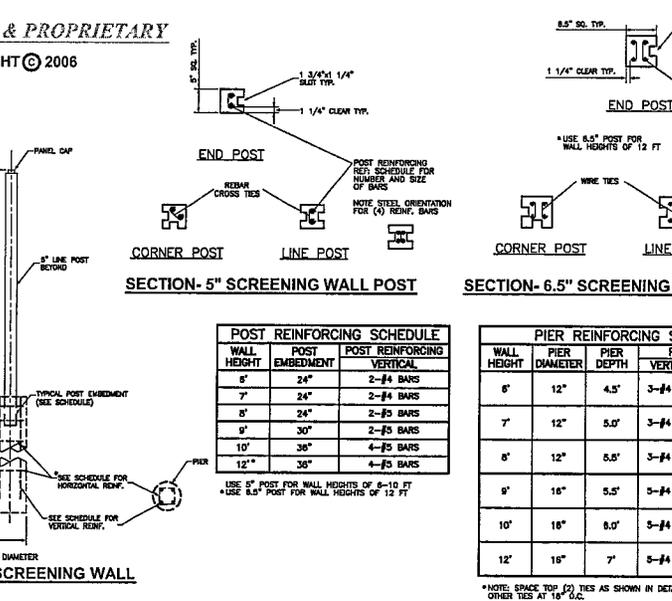
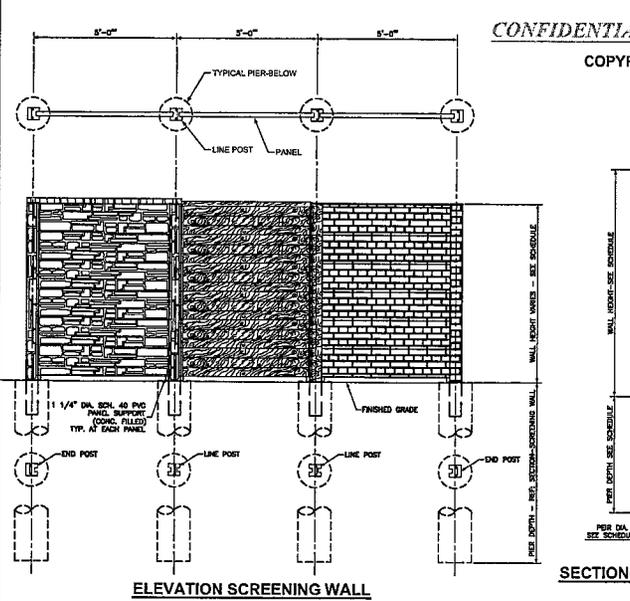
- Reinforcing material:
 - Deformed type bars shall conform to ASTM-A 615, Grade 60 placed as shown on the drawings.
 - Steel reinforcing wire shall meet U.S. Steel Wire gauge, ASTM-A 82, fy = 70,000 psi min galvanized.
 - All flat and stress shall conform to the requirements of ASTM-A 615, grade 40.
 - PremierStone panels to be made of 5,000 psi normal weight concrete at 28 days and shall be 1-ft by 5-ft (nominal dimensions). Solid panels shall be reinforced with (2) #3 horizontal reinforcing bars of 50 grade steel. Solid reinforcing bars shall be equally spaced, in the middle of the panel. Solid panels shall also be fabricated with 2-inch long strands of "synthetic structural fibers" and shall be added to the concrete at a rate of 4.5 lbs per cubic yard and mixed thoroughly.
- Reinforcing workmanship:
 - Reinforcement steel shall be fabricated in accordance with the CRSI Standard Detail. Reinforcing bars shall be cold-bent only. Use of heat to bend reinforcement steel shall be avoided for rebar.
 - Reinforcement steel bars and wire fabric shall be thoroughly cleaned before placing and shall be accurately positioned and secured in place. No touch of porous materials may be used to support the steel off the ground.
 - Have all reinforcement with the following clearance between reinforcing steel and face of concrete:
 1. footing, pier or beam bottom (3")
 2. earth-formed pier or beam side (2")
 3. formed footing, pier or beam side, exposed (1")
 4. Precast exposed to weather: panels (3/4"), posts (1-1/4")
 - Splices within continuous unanchored reinforcing steel shall have a minimum top of 30 bar diameters.

Soils

- Footing size is based on the following minimum soil properties:
 - Soil Compression >>>>> 90k sid. greater
 - Bearing Capacity >>>>> 1,500 psf
 - Friction Resistance >>>>> 260 psf
 - Lateral Bearing >>>>> 100 psf/ft of depth

Fill

- All design criteria based on construction on natural ground. Screenings not to be constructed on berms or fill dirt without further analysis.



POST REINFORCING SCHEDULE

WALL HEIGHT	POST EMBEDMENT	POST REINFORCING VERTICAL
5'	24"	2-#4 BARS
7'	24"	2-#4 BARS
8'	24"	2-#5 BARS
9'	30"	2-#5 BARS
10'	36"	4-#5 BARS
12"	36"	4-#5 BARS

USE 5" POST FOR WALL HEIGHTS OF 8-10 FT
*USE 6.5" POST FOR WALL HEIGHTS OF 12 FT

PIER REINFORCING SCHEDULE

WALL HEIGHT	PIER DIAMETER	PIER DEPTH	PIER REINFORCING VERTICAL	HORIZONTAL
6'	12"	4.5'	3-#4 BARS	#3 TIES AT 18"OC
7'	12"	5.0'	3-#4 BARS	#3 TIES AT 18"OC
8'	12"	5.5'	3-#4 BARS	#3 TIES AT 18"OC
9'	16"	5.5'	3-#4 BARS	#3 TIES AT 18"OC
10'	16"	6.0'	5-#4 BARS	#3 TIES AT 18"OC
12'	16"	7'	5-#4 BARS	#3 TIES AT 18"OC

*NOTE: SPACE TOP (2) TIES AS SHOWN IN DETAIL. OTHER TIES AT 18" O.C.

CONFIDENTIAL & PROPRIETARY
COPYRIGHT © 2006

HAMILTON DUFFY, PC
CONSULTING ENGINEERS
501 N. WINTER PARK - SUITE 1000
FREDERICK, TEXAS 75841
PHONE: (940) 648-5802

CONCRETE SCREENWALL

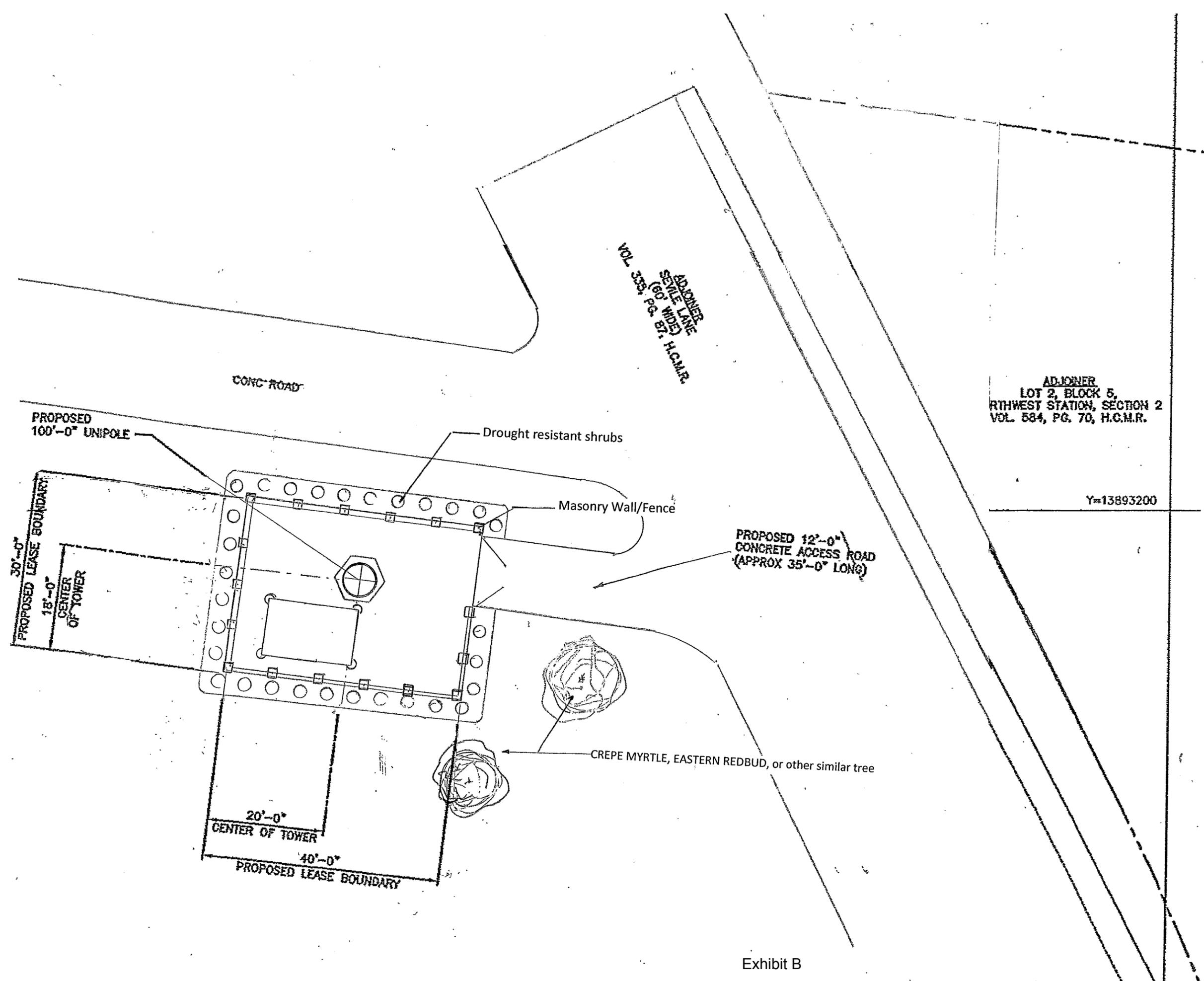
PREMIERCRETE PRODUCTS, LLC
9534 INDUSTRIAL ROAD
JUSTIN, TEXAS 75247
(940) 648-5802
www.premiercrete.com

STRUCTURAL

NO.	DATE	BY	CHKD	APP'D	REV.	DESCRIPTION

SHEET **S1.0**
1 OF 1

Exhibit B



ADJONER
 SEWEL LINE
 (60' WIDE)
 VOL. 335, PG. 57, H.C.M.R.

ADJONER
 LOT 2, BLOCK 5,
 RTHWEST STATION, SECTION 2
 VOL. 584, PG. 70, H.C.M.R.

Y=13893200

T-Mobile
Get More From Life

T-Mobile West Corp.
 2 Greenway Plaza, Suite 1100
 Houston, Texas 77046



1200 square feet of permeable
 cover inside fence

576 square feet of landscaping
 around the masonry fence

Approx. 425' of concrete driveway

SITE NAME

SW 1 MANAGEMENT

SITE NUMBER

A3F0347A

SITE ADDRESS

0 CASTLEBERRY DRIVE

Exhibit B



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
RECOMMENDATION
JUNKED VEHICLES**

The Planning and Zoning Commission has met in order to review a request to amend section 66-146 of the City of Jersey Village Code of Ordinances relating to Junked Vehicles.

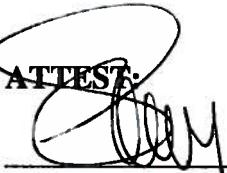
After review and discussion, the Commissioners recommend that the City of Jersey Village Code of Ordinances be amended at Chapter 66, Article IV to reflect changes identified in the proposed ordinance which is attached as Exhibit “A” and made a part of this recommendation.

Should Council desire to accept the recommendation of the Planning and Zoning Commission, the next step in the process is for Council to place the proposed ordinance on its agenda and approve same.

Respectfully submitted, this 5th day of December 2011.



Debra Mergel, Chairman

ATTEST:


Lorri Coody, City Secretary



ORDINANCE NO. 2011-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, CHAPTER 66, TRAFFIC AND VEHICLES, BY AMENDING CERTAIN SECTIONS OF ARTICLE IV TO PROVIDE FOR CHANGES RELATED TO JUNKED VEHICLES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY; AND PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, a junked vehicle, including a part of a junked vehicle, that is visible at any time of the year from a public place or public right-of-way is detrimental to the safety and welfare of the public; tends to reduce the value of private property; invites vandalism; creates a fire hazard; is an attractive nuisance creating a hazard to the health and safety of minors; produces urban blight adverse to the maintenance and continuing development of municipalities; and is a public nuisance; and

WHEREAS, an ordinance adopted by a governing body of a municipality may provide for a more inclusive definition of a junked vehicle subject to regulation under the Texas Transportation Code;

WHEREAS, the City Council of the City of Jersey Village desires to amend the regulations pertaining to junked vehicles, to ensure the current regulations are consistent with the Texas Transportation Code;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, THAT:

Section 1. Section 66-146 of the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended to change the definitions of “antique auto” as follows:

“Sec. 66-146. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Antique auto means a passenger car or truck that is at least [35] 25 years old.

...”

Section 2. Section 66-146 of the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended to reflect changes in the definition for “junked vehicle” as follows:

“Sec. 66-146. - Definitions.

...

~~[Junked vehicle means a vehicle that is self-propelled and inoperable and:~~

- ~~(1) — Does not have lawfully attached to it:
 - a. — An unexpired license plate; or
 - b. — A valid motor vehicle inspection certificate; or~~
 - ~~(2) — Is wrecked, dismantled or partially dismantled or discarded; or~~
 - ~~(3) — Has remained inoperable for more than 45 consecutive days.~~
- ~~Vehicle means a vehicle subject to registration under the Certificate of Title Act.]~~

Junked vehicle means a vehicle that:

- (1) is self-propelled; and
- (2) is:
 - (A) wrecked, dismantled or partially dismantled, or discarded; or
 - (B) inoperable and has remained inoperable for more than:
 - (i) 72 consecutive hours, if the vehicle is on public property; or
 - (ii) 30 consecutive days, if the vehicle is on private property.

For the purposes of Chapter 66, “junked vehicle” includes a motor vehicle, aircraft, or watercraft, and applies only to:

- (1) a motor vehicle that does not have lawfully attached to it:
 - (A) an unexpired license plate; and
 - (B) a valid motor vehicle inspection certificate;
- (2) an aircraft that does not have lawfully printed on the aircraft an unexpired federal aircraft identification number registered under Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; or
- (3) a watercraft that:
 - (A) does not have lawfully on board an unexpired certificate of number; and
 - (B) is not a watercraft described by Section 31.055, Parks and Wildlife Code.

...”

Section 3. Section 66-146 of the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended to add the definition for “special interest vehicle” as follows:

...

Special interest vehicle means a motor vehicle of any age that has not been changed from original manufacturer’s specifications and, because of its historic interest, is being preserved by a hobbyist.

...

Section 4. Section 66-147 of the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended to read and provide as follows:

“Sec. 66-147. - Junked vehicles as public nuisance.

- (a) A junked vehicle that is located in a place where it is visible from a public place, public street or public right-of-way is detrimental to the safety and welfare of the general public, tends to reduce the value of private property, invites vandalism, creates fire hazards, constitutes an attractive nuisance creating a hazard to the health and safety of minors, and is detrimental to the economic welfare of the city by producing urban blight adverse to the maintenance and continuing development of the city, and is a public nuisance. The provisions of this section shall not apply to a vehicle or vehicle part that is:
 - (1) Completely enclosed in a building in a lawful manner and is not visible from the street or other public or private property; or
 - (2) Stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area, if any, are:
 - a. Maintained in an orderly manner;
 - b. Not a health hazard; and
 - c. Screened from ordinary public view by appropriate means, including a fence, rapidly growing trees, or shrubbery.
- (b) A person commits an offense if that person maintains a public nuisance as determined under this section. An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.
- (c) The court shall order abatement and removal of the nuisance on conviction.”

Section 5. Section 66-148 of the Code of Ordinances of the City of Jersey Village, Texas, is hereby amended to read and provide as follows:

“Sec. 66-148. - Procedures for abating nuisance.

- (a) For a nuisance on private property, not less than ten days' notice is required stating the nature of the public nuisance on private property, that it must be removed and abated within ten days after the date on which the notice was mailed, and that a request for a hearing must be made before expiration of the ten-day period. The notice shall be sent, by certified mail, with a five-day return requested, to:
 - (1) The last known registered owner of the nuisance;
 - (2) Each lienholder of record of the nuisance; and
 - (3) The owner or occupant of the property on which the nuisance is located.If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance or, if the owner is located, hand delivered. If the notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not less than 11 days after the date of the return.
- (b) For a nuisance on public property, not less than ten days' notice is required stating the nature of the public nuisance on public property or on a public right-of-way, that the nuisance must be removed and abated within ten days after the date on which the notice was mailed,

and that a request for a hearing must be made before expiration of the ten-day period. The notice shall be sent, by certified mail, with a five-day return requested, to:

- (1) The last known registered owner of the nuisance;
- (2) Each lienholder of record of the nuisance; and
- (3) The owner or occupant of:
 - a. The property on which the nuisance is located; or
 - b. If the nuisance is located on a public right-of-way, the property adjacent to the right-of-way.

If the post office address of the last known registered owner of the nuisance is unknown, notice may be placed on the nuisance or, if the owner is located, hand delivered. If the notice is returned undelivered by the United States Post Office, official action to abate the nuisance shall be continued to a date not less than 11 days after the date of the return.

(c) A vehicle removed under these procedures shall not be reconstructed or made operable after it has been removed.

(d) A public hearing is required before the removal of the vehicle or vehicle part as a public nuisance, if requested as provided in subsections (a) and (b) of this section. The hearing shall be held before the municipal court if a hearing is requested by the owner or occupant of the public or private premises or by the owner or occupant of the premises adjacent to the public right-of-way on which the vehicle is located, not earlier than the 11th day after service of notice to abate the nuisance. At the hearing, the junked motor vehicle is presumed, unless demonstrated otherwise by the owner, to be inoperable. A resolution or order requiring the removal of a vehicle or vehicle part must include [~~a description of the vehicle and the correct identification number and license plate number of the vehicle~~] the following if the information is available at the site[-] :

(1) for a motor vehicle, the vehicle's:

- (A) description;
- (B) vehicle identification number; and
- (C) license plate number;

(2) for an aircraft, the aircraft's:

- (A) description; and
- (B) federal aircraft identification number as described by Federal Aviation Administration aircraft registration regulations in 14 C.F.R. Part 47; and

(3) for a watercraft, the watercraft's:

- (A) description; and
- (B) identification number as set forth in the watercraft's certificate of number.

(e) The Municipal Court Judge may issue necessary orders to enforce the procedures."

Section 6. Severability. In the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Jersey Village, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

Section 7. Repeal. All other ordinances or parts of ordinances in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed.

Section 8. Penalty. Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine not to exceed \$200.00.

Section 9. Effective Date. This ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2011.

ATTEST:

Russell Hamley, Mayor

Lorri Coody, City Secretary