

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

May 14, 2013 – 7:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENEED ON MAY 14, 2013 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS

A. The meeting was called to order at 7:02 p.m. and the roll of appointed officers was taken. Commissioners present were:

Chairman, Debra Mergel	Tom Eustace, Commissioner
Barbara Freeman, Commissioner	Joyce Berube, Commissioner
George Ohler, Commissioner	

Commissioners Rick Fairecloth and Michael O’Neal were not present. Commissioner, Joyce Berube was not present when the meeting was called to order, but joined the meeting in progress at 7:06 p.m.

Council Liaison, Justin Ray was present at this meeting. Council Member, Jill Klein attended this meeting.

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

B. Consider approval of the minutes for the meeting held on April 29, 2013 and the minutes for the Joint Work Session Meeting held on April 29, 2013.

Commissioner Eustace moved to approve the minutes for the meeting held on April 29, 2013 and the minutes for the Joint Work Session Meeting held on April 29, 2013. Commissioner Freeman seconded the motion. The vote follows:

Ayes: Commissioners Eustace, Berube, Freeman, and Ohler
Chairman Mergel

Nays: None

The motion carried.

C. Discuss and take appropriate action concerning the application request of Heights Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 to amend Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Permit and amending table 6.1 by changing references of “specific use permit” to “special development permit.”

Christian Somers, Building Official, presented the item. He explained that Heights Venture Architects, LLP has filed two applications with the Commission for review. The first application is basically a request for a “text” change to the City’s Code of Ordinances

wherein the requirements for District D will be amended to allow for warehouses as a permitted use with the approval of a special development plan. The second request is actually the request for approval of a special development plan seeking permission to build warehouses in District D along with other minor modifications.

With these opening remarks, the Commission engaged in discussion concerning the difference between a Special Development Plan (SDP) and a Specific Use Permit (SUP). City Attorney Gervais explained that a Specific Use Permit is typically connected with a request for a single property where as the Special Development Plan covers a larger area, and in this instance concerns a large portion of property located in District D. Accordingly, an SDP is a cross between a SUP and a master development plan.

Commissioner Joyce Berube joined the meeting in progress at 7:06 p.m.

The Commission had further questions about the life of the SDP. The City Attorney explained that the SDP goes with the land, just like it does with a SUP. The Commission was concerned that in granting this SDP that a precedence would be set, opening the door for future requests. City Attorney Gervais explained that the Form Based Code Ordinance for District D is set up in such a manner to accommodate flexibility in development. With this in mind, SDP's are provided for in the Ordinance.

City Building Official Somers explained that in this case, the SDP is to "kick-start" the development in this area and to un-lock areas of land that are currently "un-developable" due to topography.

The Commission then discussed the location of the warehouses and how these would receive goods. There were questions if it would be by truck or by railroad. It was explained that the goods would be received by truck and not by rail.

The applicant explained that the property fronting the railroad is Highway Mixed Use and would not want the railroad stopping there for loading and unloading. Accordingly, the applicants agreed that a condition could be placed into the SDP restricting servicing of warehouses in the Highway Mixed Use Zone.

There was concern that there would be traffic jams along Jones Road from the trucks entering the warehouses. There was also discussion that a traffic study cannot be had on a conceptual plan. While the Commission has concern about truck traffic connected with this proposal, they noted that the land in its current state is locked and not suitable for development. Nonetheless, the Commission wondered about the effects of approving this SDP, how it will be viewed and if it will have a negative effect on the City's reputation.

City Attorney Gervais explained that this is a two-step process. First there is the text change, which will be followed by the request for approval of the Special Development Plan. In considering the two-step processes, the Commission wondered what the Transit Oriented Development (TOD) Consultants would recommend concerning this proposal. Mr. Somers reminded the Commission that the Ordinance built in flexibility and the Consultants authored the Ordinance. Nonetheless, the Commission wondered about contacting the Consultants for input. City Manager Castro explained that this would be an option; however, the Consultants would not have the benefit of the prior proposals that the City had received for this property

or the extensive discussions had recently concerning the current proposal. All of this information factors into the decision making process. Mr. Castro told the Commission, it is not so much what the Consultant sees and thinks. It is more about what the Commission is comfortable with and desires for District D. It is incumbent upon the Commission to make this decision.

Discussion was had about the Prologis warehouse complex. The applicant pointed out that a warehouse constructed in District D would need to meet the building requirements of District D which are form based code, so construction of this nature really does not compare to the Prologis complex.

With no further discussion on the matter, Commissioner Eustace moved to accept the application request of Heights Venture Architects LLP, and permit amendments to Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Plan and amending table 6.1 by changing references of “specific use permit” to “special development plan.” Commissioner Berube seconded the motion. The vote follows:

Ayes: Commissioners Eustace, Berube, Freeman, and Ohler
Chairman Mergel

Nays: None

The motion carried.

D. Discuss and take appropriate action regarding the preparation and presentation of the Preliminary Report to Council on May 20, 2013, as it relates to request of Heights Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 to amend Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Permit and amending table 6.1 by changing references of “specific use permit” to “special development permit.”

With no discussion on the matter, Commissioner Berube moved that the Commission’s Preliminary Report to be presented to City Council on May 20, 2013 propose that amendments be made to Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Plan; and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.” Commissioner Eustace seconded the motion. The vote follows:

Ayes: Commissioners Eustace, Berube, Freeman, and Ohler
Chairman Mergel

Nays: None

The motion carried.

Upon passage of this motion, the Preliminary Report was signed for presentation to Council. A copy of the Preliminary Report is attached to and made a part of these minutes as Exhibit "A."

E. Discuss and take appropriate action concerning the application request of Heights Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 for a Special Development Permit to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting "warehouse" as a permitted use for the area shown in the Special Development Permit; and allowing minor modifications to the development standards of District D.

Christian Somers, the City's Building Official, introduced the item. He explained that this item is the second step to the two part process. It is the request for a Special Development Plan. The request seeks to place warehouses upon approval of the plan and makes other adjustments such as shifting the civic plaza and re-aligning streets.

Commissioner Ohler moves to approve the application request of Heights Venture for a Special Development Plan to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting "warehouse" as a permitted use for the area shown in the Special Development Plan; and allowing minor modifications to the development standards of District D with the inclusion of a condition that the warehouses not be permitted to be serviced by the railroad for loading and unloading. This motion received no second.

Discussion continued. It was explained that the warehouse complex will be comprised of three or more buildings on two different sites. Conceptually, this is 30% building coverage. The buildings will be dock-height in a typical warehouse setting with frontage less than warehouse use.

The Commission engaged in discussion about the other districts that have outside warehouse storage. There was cause for concern. With this type of warehouse, there is concern for outside storage. Discussion was had on how requirements might be placed on outside storage to control visual aspects and to limit the amount of outside storage.

Landscaping was another issue discussed by the Commission, as well as how noise might be mitigated. It was mentioned that the mere distance from Jones Road might be enough to mitigate any noise coming from warehouse activity.

City Manager Castro spoke to the calendar of events needed to move these items forward. He explained the need to present the preliminary reports at the May 20, 2013 Council Meeting and the need to call for the Joint Public Hearings for June 17. The Commission decided that another meeting prior to June 17 would be appropriate in order to work on conditions for the SDP.

F. Discuss and take appropriate action regarding the preparation and presentation of the Preliminary Report to Council on May 20, 2013, as it relates to request of Heights Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 for a Special Development Permit to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting "warehouse" as a permitted use for the area

shown in the Special Development Permit; and allowing minor modifications to the development standards of District D.

With limited discussion on this item, Commissioner Berube moved that the Commission in its Preliminary Report recommend that Council approve the request of Heights Venture Architects LLP's for a Special Development Plan to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting "warehouse" as a permitted use for the area shown in the Special Development Plan; and allowing minor modifications to the development standards of District D. Commissioner Eustace seconded the motion. The vote follows:

Ayes: Commissioners Eustace, Berube, Freeman, and Ohler
Chairman Mergel

Nays: None

The motion carried.

Upon passage of this motion, the Preliminary Report was signed for presentation to Council. A copy of the Preliminary Report is attached to and made a part of these minutes as Exhibit "B."

G. Consider with possible action removing from the table the action regarding a request from Council to review city requirements relating to digital billboards.

City Secretary, Lorri Coody introduced the item. She explained that during the Commission's April 29, 2013 meeting, Commissioner Ohler successfully moved to table the request from Council to review city requirements relating to digital billboards for further discussion.

Therefore, before any discussions can be had on the request from Council to review city requirements relating to digital billboards, the Commission must remove this item from the table. Below is the appropriate motion to accomplish same.

Accordingly, Commissioner Berube moved to remove from the table the action regarding a request from Council to review city requirements relating to digital billboards. Commissioner Eustace seconded the motion. The vote follows:

Ayes: Commissioners Eustace, Berube, and Freeman
Chairman Mergel

Nays: None

Abstain: Commissioner Ohler

The motion carried.

H. Discuss with possible action a request from Council to review city requirements relating to digital billboards.

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

Prior to this evening's meeting, the Planning and Zoning Commission previously met on March 11, April 9, and April 29 to discuss digital billboards. Before discussing the topic with the Commission, City Council discussed the item on two separate occasions, January 21 and February 18, 2013.

Much work has gone into this topic by the Commission and Staff. The Commission has several possibilities to move forward at this time, namely:

- Recommend city council not move forward with any alteration to the city's sign ordinance at this time;
- Recommend the city attorney draft proposed changes to the city sign ordinance to facilitate the placement of digital billboards within the city (The commission will need to specify elements to be the focus of draft language);
- Request staff provide further information on specific topics as enumerated by the Commission;
- Take no action.

Commissioner Ohler summarized prior discussions by the Commission regarding the Pros and Cons of digital billboards. He reminded the Commission that at the last meeting certain information was presented about the advertising rates for these signs that would make it cost prohibitive for most small/local businesses in Jersey Village to utilize this method of advertising for their businesses. Additionally, Commissioner Ohler mentioned the concern of the Commission that there may be spill over light from the sign into backyards of residents along that side of the City. He mentioned that the City of Houston does not allow these signs and while they are permitted in some cities like Humble and Conroe, the Commission learned that these signs are not carrying local advertising. Mr. Ohler also mentioned the in-depth reports the Committee received concerning driver distraction and how driver safety may be affected. He also recalled the US 290 expansion project and how the Highway is going to look considerably different once constructed.

In ending his summary, Commissioner Ohler moved that the City's sign ordinance not be amended at this time. Commissioner Freeman seconded the motion. Discussion followed.

Commissioner Berube wanted to have more discussion/input about the legal ramifications should the digital sign be permitted. City Attorney Gervais stated at a minimum Clear Channel's proposal is limited to signs to be removed from Clear Channel's billboard inventory. The potential exists for other outdoor advertising companies to request digital billboards within Jersey Village city limits, and they may or may not agree to this "swapping proposal." There is concern that approving an ordinance that requires removal of existing billboards (of any quantity) in return for installation of a new billboard may shut out new entrants.

The Commission engaged in discussion about on-site digital signs. Staff explained that these type signs are currently permitted as long as they do not change more than every five (5) minutes. They also discussed changing the Ordinance. There were questions about the

proposal to keep the signs landscaped. The Commission asked about the pictures that were presented of the existing sign that is to be changed, showing the poorly kept landscaping. The Commission wondered why Clear Channel wasn't properly maintaining the landscaping around this sign. The Commission questioned why making the sign digital would offer any hope that the landscaping would be something that would continue in the future?

The Commission agreed that the question here is to decide if Jersey Village should have digital billboards. They agreed that digital billboards attract attention. There was concern that once the sign is installed, if the sign can be seen from Seattle, Singapore, and Congo from the street level, it may be disruptive.

With no further discussion on the matter, Chairman Mergel called for a vote on Commissioner Ohler's motion seconded by Commissioner Freeman that the City's sign ordinance not be amended at this time. The vote follows:

Ayes: Commissioners Eustace, Ohler, and Freeman
Chairman Mergel

Nays: Commissioner Berube

The motion carried.

I. Adjourn

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

Ayes: Commissioners Eustace, Berube, Freeman, and Ohler
Chairman Mergel

Nays: None

The motion carried and the Commission adjourned at 8:30 p.m.

Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
PRELIMINARY REPORT
AMENDMENTS TO CHAPTER 14
ARTICLE IV, DIVISION 3, SECTION 6.2**

The Planning and Zoning Commission has met in order to review the zoning ordinances as they relate to amending Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Plan; and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.”

After review and discussion, the Commissioners preliminarily propose that the amendments be made to Chapter 14, Article IV, Division 3, Section 6.2 “schedule of permitted uses” by amending Table 6.1 to allow “warehouse” as a permitted use, with an approved Special Development Plan; and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.”

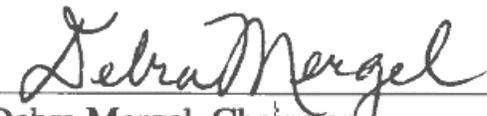
This preliminary changes to the City’s comprehensive zoning ordinance are more specifically detailed in the proposed ordinance attached as Exhibit “A.”

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 14th day of May 2013.

ATTEST: 

Lorri Coody, City Secretary



Debra Mergel, Chairman



ORDINANCE NO. 2013-XX

AN ORDINANCE AMENDING CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF JERSEY VILLAGE, TEXAS, THE JERSEY VILLAGE DEVELOPMENT CODE, BY AMENDING CHAPTER 14. *BUILDING AND DEVELOPMENT*, ARTICLE IV. *ZONING DISTRICTS*, DIVISION 3. *FORM BASED ZONING DISTRICTS*, SECTION 6.2 “SCHEDULE OF PERMITTED USES” BY AMENDING TABLE 6.1 TO ALLOW “WAREHOUSE” AS A PERMITTED USE, WITH AN APPROVED SPECIAL DEVELOPMENT PLAN; AMENDING TABLE 6.1 BY CHANGING REFERENCES OF “SPECIFIC USE PERMIT” TO “SPECIAL DEVELOPMENT PLAN”; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jersey Village, Texas, determines it in the best interest of the health, safety, and welfare of the citizens of the City to amend the permitted uses of District D of the Zoning Ordinance to allow “Warehouse” as a permitted use, with an approved Special Development Plan; and

WHEREAS, the City Council of the City of Jersey Village, Texas, also determines it in the best interest of the health, safety, and welfare of the citizens of the City to amend table 6.1 of District D of the Zoning Ordinance to change references of “specific use permit” to “Special Development Plan” to provide consistency with the Zoning Ordinance; and

WHEREAS, the Planning & Zoning Commission has issued its report and approved this amendment to the Zoning Ordinance herein; and

WHEREAS, the Planning & Zoning Commission and City Council have conducted, in the time and manner required by law, a public hearing on such amendment to the zoning ordinance and find that the adoption of this ordinance is in the best interest of the citizens of Jersey Village; **NOW THEREFORE**,

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

Section 1. The Code of Ordinances of the City of Jersey Village, Texas, is hereby amended by amending Chapter 14. *Building and Development*, Article IV. *Zoning Districts*, Division 3. *Form Based Zoning Districts*, Section 6.2 “Schedule of Permitted Uses” by amending Table 6.1 to allow “Warehouse” as a permitted use, with an approved Special Development Plan and amending Table 6.1 by

changing references of “Specific Use Permit” and “SUP” to “Special Development Plan” and “SDP,” respectively, said amendments to read and provide as follows:

“Chapter 14 - BUILDING AND DEVELOPMENT

ARTICLE IV. – ZONING DISTRICTS

...

DIVISION 3. FORM BASED ZONING DISTRICTS

...

Sec. 6. – Schedule of Permitted Uses.

...

6.2 Schedule of Uses:

Table 6.1

	Character Zone	District D Core	District D Mixed Use	Highway Mixed Use	District D Neighborhood	District D Transition
<i>Land Use</i>						
Commercial Uses (Office, Retail, Sales & Service Uses)						
Retail Sales or Service with no drive through facility (includes alcohol sales which shall meet Chapter 6, Alcoholic Beverages of the City of Jersey Village Code of Ordinances). Excluded from this use category is Auto-Retail Sales and Services (see Section 4 for Definition of Retail, Service Uses, and Auto-related Sales and Services)	P	P	P		P/C	P
Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, with no drive through facility	P	P	P		P/C	P
Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc.	P	P	P		P/C	P
Research laboratory headquarters, laboratories and associated facilities	P	P	P		NP	P
Food Service Uses such as full-service restaurants, cafeterias, bakeries and snack bars with no drive through facilities . Included in this category is café seating within a public or private sidewalk area with no obstruction of pedestrian circulation. Also included in this category is the sale of alcoholic beverages which meets Chapter 6 Alcoholic Beverages of the City of Jersey Village Code of Ordinances.	P	P	P		P/C	P
Any use with a drive through facility	P/C	P/C	P/C		NP	P/C
Auto-related Sales and Services	NP	NP	P/C		NP	P/C
Arts, Entertainment, and Recreation Uses						
Art galleries	P	P	P		P/C	P
Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto and electronics sales or service)	P	P	P		NP	P
Games arcade establishments	P	P	P		NP	P
Theater, cinema, dance, music or other entertainment establishment	P	P	P		NP	P
Museums and other special purpose recreational institutions	P	P	P		NP	P
Fitness, recreational sports, gym, or athletic club	P	P	P		NP	P
Parks, greens, plazas, squares, and playgrounds	P	P	P		P	P
Educational, Public Administration, Health Care and Other Institutional Uses						
Business associations and professional membership organizations	P	P	P		P/C	P
Child day care and preschools	P	P	P		NP	P

Character Zone	District D Core	District D Mixed Use	Highway Mixed Use	District D Neighborhood	District D Transition
Schools, libraries, and community halls	P	P	P	NP	P
Universities and Colleges	P/C	P/C	P	NP	P
Hospital	P	P	P	NP	P
Civic uses	P	P	P	NP	P
Social and fraternal organizations	P	P	P	P/C	P
Social services and philanthropic organizations	P	P	P	P/C	P
Religious Institutions	P	P	P	NP	P
Funeral homes	P	P	P	NP	P
Residential Uses					
Home Occupations	P/A	P/A	P/A	P/A	P/A
Multi-family residential					
Ground Floor	P/C	P	P/C	P	P
Upper Floors	P	P	P	P	P
Residential Lofts	P	P	P	P	P
Single-family residential attached dwelling unit (Townhomes)	P/C	P/C	P/C	P	P
Live-work unit	P	P	P	P	P
Manufacturing, Transportation, Communication, and Utility Uses					
Wood, paper, and printing products manufacturing	NP	NP	NP	NP	P
Warehouse and storage	NP	[NP] P/SDP	[NP] P/SDP	NP	P/A
Miscellaneous manufacturing (included in this category are jewelry, silverware, personal metal goods, flatware, dolls, toys, games, musical instruments, office supplies, and signs.)	NP	NP	NP	NP	P
Wholesale trade establishment	NP	NP	NP	NP	P
Publishing (newspaper, books, periodicals, software)	NP	P	P	NP	P
Motion picture and sound recording	NP	P	P	NP	P
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	NP	NP	P	NP	P
Information services and data processing	NP	P	P	NP	P
Other Uses					
Model homes for sales and promotion**	P	P	P	P	P
Hotels	P	P	P	NP	P
Parking, surface (primary use of property)	NP	NP	P	NP	P
Parking, surface (accessory use of property)	P	P	P	P	P
Parking, structured	P	P	P	P	P
Private attached garage	NP	NP	NP	P	P
Private detached garage	NP	NP	NP	P	P
Sales from kiosks	P	P	NP	NP	NP
Veterinary clinic	NP	P	P	NP	P
Community garden	P	P	P	P	P
Antennas including cell, accessory, and mounted on top of buildings	P/A/C	P/A/C	P/A/C	NP	P/A/C
Wind energy equipment	P/SUP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP
Solar energy equipment	P/A	P/A	P/A	P/A	P/A
Special Event	P/SUP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP	[P/SUP] P/SDP
Rain harvesting equipment	P/A/C	P/A/C	P/A/C	P/A	P/A
Utility equipment (includes electrical transformers, gas meters, etc.)	P/A/C	P/A/C	P/A/C	P/A/C	P/A/C

** Model homes are limited to a time period until all the homes are sold in the neighborhood.

P= Permitted by right NP= Not Permitted P/C= Permitted with design criteria per Table 6.2 [P/SUP] P/SDP = Permitted with a [Specific Use] Special Development Plan P/A = Permitted Accessory Use NA= Not applicable

A = Accessory use to not exceed 25% of the primary use building square footage

...”

Section 2. **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 3. **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 4. **Penalty.** Any person who shall violate any provision of this Ordinance shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8 of The City Code.

Section 5. **Effective Date.** This ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2013.

Russell Hamley, Mayor

ATTEST:

Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
PRELIMINARY REPORT
SPECIAL DEVELOPMENT PLAN
ALLOWING “WAREHOUSE” AS A PERMITTED USE IN DISTRICT D**

The Planning and Zoning Commission has met in order to review the application request of Height Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 for a Special Development Plan to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting “warehouse” as a permitted use for the area shown in the Special Development Plan; and allowing minor modifications to the development standards of District D.

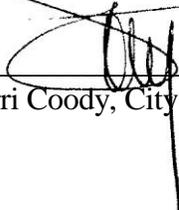
After review and discussion, the Commissioners preliminarily recommend that Council approve the request of Height Venture Architects LLP, 1111 North Loop West, Suite 800, Houston, TX 77008 for a Special Development Plan to allow development in District D as provided by Chapter 14, Article IV, Division 3; permitting “warehouse” as a permitted use for the area shown in the Special Development Plan; and allowing minor modifications to the development standards of District D.

This preliminary change to the City’s comprehensive zoning ordinance 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 14th day of May 2013.



ATTEST:


Lorri Coody, City Secretary



ORDINANCE NO. 2013-XX

AN ORDINANCE APPROVING A SPECIAL DEVELOPMENT PLAN TO ALLOW DEVELOPMENT IN DISTRICT D AS PROVIDED BY CHAPTER 14. *BUILDING AND DEVELOPMENT*, ARTICLE IV. *ZONING DISTRICTS*, DIVISION 3. *FORM BASED ZONING DISTRICTS*; PERMITTING “WAREHOUSE” AS A PERMITTED USE FOR THE AREA SHOWN IN THE SPECIAL DEVELOPMENT PLAN; ALLOWING MINOR MODIFICATIONS TO THE DEVELOPMENT STANDARDS OF DISTRICT D; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-8 OF THE CODE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Jersey Village, Texas, has adopted a form-based zoning district known as “District D”; and

WHEREAS, the District D regulations implement the vision for Jersey Village Crossing as established in the Conceptual Plan (Appendix A) and the Jersey Village Crossing Regulating Plan, known as the Regulating Plan (Appendix B).; and

WHEREAS, the District D regulations require the development of property within District D to comply with all applicable development standards set forth in Section 14-120, but allow minor modifications to the development standards upon approval of a “Special Development Plan” (SDP); and

WHEREAS, Special Development Plans are intended to allow applicants development flexibility to address specific market opportunities and/or contexts; and

WHEREAS, in addition to modifications to the development standards, the permitted use table of District D, Table 6.1, allows “Warehouse” as a permitted use, only with an approved Special Development Plan; and

WHEREAS, the Applicant has submitted an application for a Special Development Plan to develop property in District D, said application and required site plan are attached as Exhibit A hereto; and

WHEREAS, the Special Development Plan application contains a request to allow “Warehouse” as a permitted use for the area(s) shown in the SDP; and

WHEREAS, the Special Development Plan application requests minor modifications to the development standards, such a modifications to mandatory roads, plaza & civic building, and map modifications; and

WHEREAS, section 3.7.1 states that an application for a Special Development Plan shall be processed as an amendment to the zoning ordinance under Chapter 14, Article IV of the City of Jersey Village Code of Ordinances and may only be considered by the CC after the P&Z has made a recommendation; and

WHEREAS, the Planning & Zoning Commission has issued its report and approved this Special Development Plan herein; and

WHEREAS, the Planning & Zoning Commission and City Council have conducted, in the time and manner required by law, a public hearing on such Special Development Plan, which is processed as an amendment to the zoning ordinance, and find that the adoption of this ordinance is in the best interest of the citizens of Jersey Village; **NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS THAT:**

Section 1. In accordance with Chapter 14. *Building and Development*, Article IV. *Zoning Districts*, Division 3. *Form Based Zoning Districts*, Section 6.2 “Schedule of Permitted Uses,” the City Council hereby allows “Warehouse” as a permitted use, for the area(s) shown in the Special Development Plan, attached hereto as Exhibit B and incorporated herein. Any expansion or change in boundaries of said use, other than that depicted herein, will require an amendment to the SDP and approval by City Council.

Section 2. In accordance with Chapter 14. *Building and Development*, Article IV. *Zoning Districts*, Division 3. *Form Based Zoning Districts*, section 3.7, the modifications to the District D development standards requested in the Application are approved and therefore permitted. The modifications include: modifications to BTZ in “Mixed Use”; modifications to mandatory roads, plaza & civic building; and map modifications.

Section 3. **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 4. **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 5. **Penalty.** Any person who shall violate any provision of this Ordinance, including the use and modifications permitted by approval of the SDP, shall be guilty of a misdemeanor and subject to a fine as provided in Section 1-8 of The City Code.

Section 6. **Effective Date.** This ordinance shall be in full force and effect from and after its passage.

PASSED, APPROVED, AND ADOPTED this _____ day of _____, 2013.

Russell Hamley, Mayor

ATTEST:

Lorri Coody, City Secretary

CITY OF JERSEY VILLAGE
ZONING APPLICATION

Requested Action

ZONING CHANGE (✓)

SPECIAL EXCEPTION ()

NON CONFORMING USE PERMIT ()

APPLICANT / OWNER INFORMATION

Applicant: Heights Venture Architects LLP

Telephone: () 713 869 1103 x 6106, cell 713 299 4520

Address: 1111 North Loop West, Suite 800

City/State/Zip: Houston, TX 77008

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

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

Owner: _____

Telephone: () _____

Address: _____

City/State/Zip: _____

Representative: _____

Telephone: () _____

Address: _____

City/State/Zip: _____

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

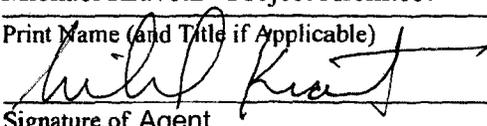
If ownership is a trust, partnership, or corporation, name the partners or principals and their addresses and positions on a separate attachment.

Michael Kravetz - Project Architect

Print Name (and Title if Applicable) _____

Print Name (and Title if Applicable) _____

Signature of Applicant _____

Signature of Agent 

ZONING REQUEST INFORMATION

SITE LOCATION: Conceptual Plans attached, for land on either side of Jones Road for 2000' south of US 290.

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

EXISTING ZONING: District "D": "Core", "Mixed-use", "Highway Mixed-use"

PROPOSED ZONING: Modifications to some "Mixed-use", and "Highway Mixed-use", and mandatory plaza, civil bldg, & streets.

DESCRIPTION OF REQUEST: Consideration of the conceptual plan as an SDP (Special Development Plan), as per Section 3.7

(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 PLUS \$125.00 NOTICE DEPOSIT

ACCEPTED BY: _____

DATE ACCEPTED: _____

Form Reference #

020732

**HEIGHTS
VENTURE**
ARCHITECTS LLP

1111 North Loop West, Suite 800
Houston, Texas 77008

713.869.1103 V

HOUSTON
DALLAS

Bank of River Oaks
35-2523/1130 (01)

CHECK DATE

4-16-2013

Security Check Features
Included
Details on Back

PAY **Seven Hundred Seventy Five and 00/100 Dollars**

AMOUNT

\$775.00

TO **City of Jersey Village
16327 Lakeview Drive
Jersey Village, TX 77040**

MP
AUTHORIZED SIGNATURE

⑈020732⑈ ⑆⑆⑆302523⑆⑆ ⑆⑆⑆5856⑈

CITY OF JERSEY VILLAGE

REC#: 00454068 4/24/2013 8:35 AM
OPER: PR TERM: 001
REF#: 20732

TRAN: 192.0000 MISC. REVENUE
HEIGHTS VENTURE DISTRICT D
ZONING APPLICATION
01 -10-9899
MISCELLANEOUS 775.0000

TENDERED: 775.00 CHECK
APPLIED: 775.00-

CHANGE: 0.00

April 23, 2013

P& Z Board Members
Christian Somers - Building Official
City of Jersey Village
16327 Lakeview Drive
Jersey Village, Texas 77040
713-466-2106



RE: Request for Zoning Change for District D

P&Z Board Members,

We are submitting the Request for Zoning Change as per Christian Somers and Mike Castro's request as the next step in the process needed to change the District D ordinances which will allow development of the land currently owned and identified as Jersey Village Court and the Jones Crossing developments.

This submittal includes a multipage presentation illustrating how the requested changes are intended to strengthen the ordinance and resolve some inconsistencies with the regulating plan, the existing topography, and the ownership property boundaries.

After your review, we urge that these Jersey Village Staff supported changes can be organized into a P&Z preliminary report for presentation to the May Council meeting. And furthermore, if all aspects can be coordinated for a Final Report presented to a Joint P&Z and Council meeting in June.

The attached 11 x 17 multi-page presentation should illustrate the following.

Cover - Aerial view with development plan overlays.

Page 1 - The current regulating plan

Page 2 - Color overlay of the developments for clarify of boundary.

Page 3 - Overlay of development lines on existing regulating plan, illustrating the road inconsistencies.

Page 4 - Overlay of the proposed development, road realignments, and zoning changes with text regarding Roads

Page 5 - Overlay of the proposed development, road realignments, and zoning changes with text regarding Zoning.

Page 6 - The Jersey Village Court submitted conceptual plans.

Page 7 - The Jones Crossing submitted conceptual plans.

The Jones Crossing Partnership has a significant financial expense with the ongoing unresolved nature of the District D ordinance and their land, which we can explain in greater detail at the April 29th meeting. I look forward to addressing your comments and questions, as we have been involved with the Building Officials office for 4 months getting to this point.

Thank you,

Michael A Kravetz
Project Architect, Sr. Associate

A handwritten signature in blue ink that reads "Michael Kravetz".

HOUSTON
1111 North Loop West
Suite 800
Houston, Texas 77008
713.869.1103 V
713.869.5573 F

Jersey Village Court and Jones Crossing



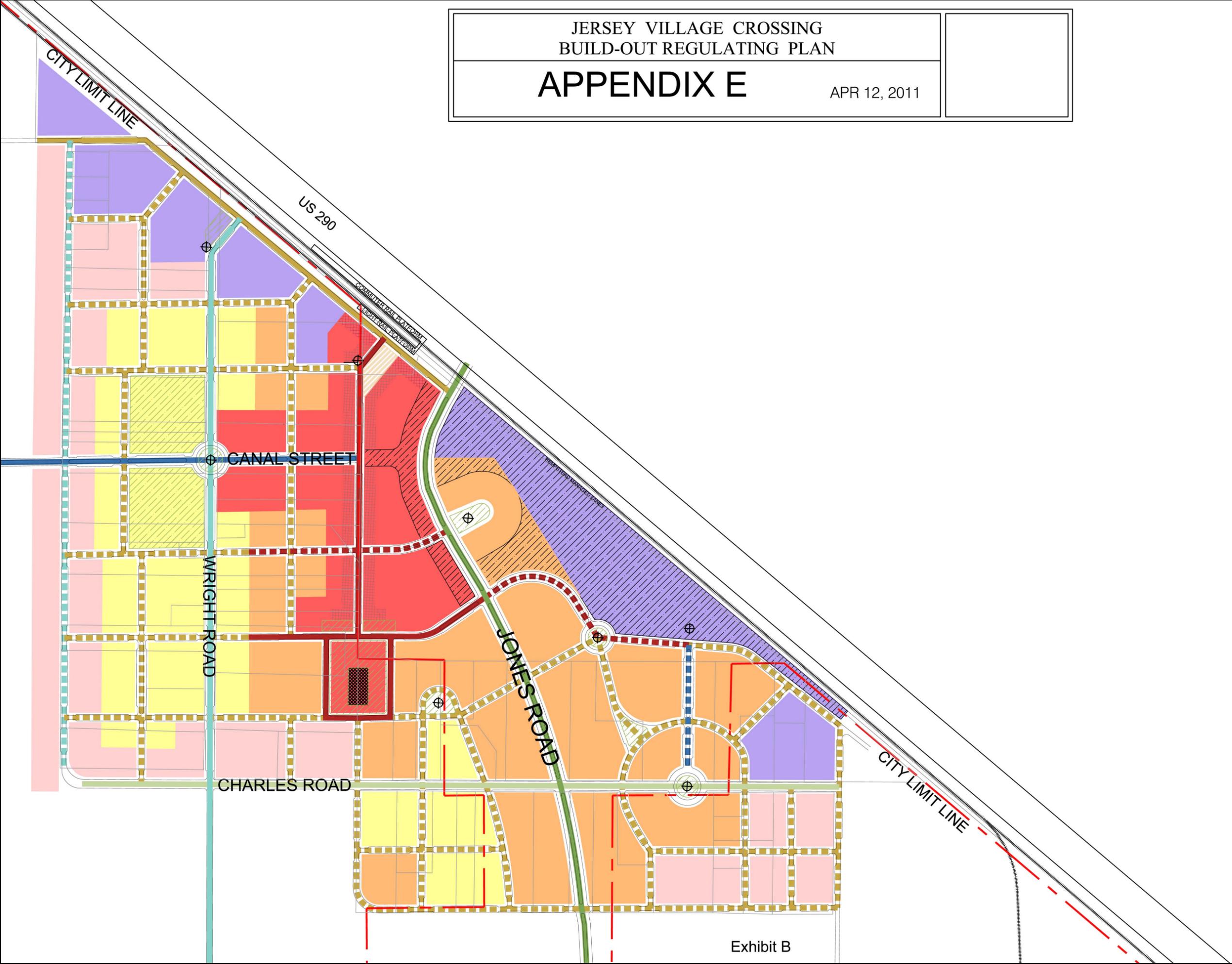
Zoning Change Request

Submitted 04/23/2013

JERSEY VILLAGE CROSSING
BUILD-OUT REGULATING PLAN

APPENDIX E

APR 12, 2011



CHARACTER ZONES	
■	District "D" Core
■	District "D" Mixed Use
■	District "D" Neighborhood
■	District "D" Transition
■	District "D" Highway Mixed-Use

STREET TYPES	
TYPE A STREETS	
■	District "D" Main Street
■	District "D" Mixed Use Avenue
■	District "D" Canal Street
TYPE B STREETS	
■	District "D" Suburban Boulevard
■	District "D" Urban Avenue
■	District "D" General Street
	Solid line denotes mandatory street
	Dashed line denotes non-mandatory street

OPEN SPACE TYPES	
	Mandatory Plaza
	Non-Mandatory Green, Square or Plaza
	Non-Mandatory Park

SPECIAL REQUIREMENTS	
	Required Civic Building Site
	Station frontage
	Main Street frontage
⊕	Recommended Vista Terminus
- - -	City Limit Line
---	Existing Parcel Lines

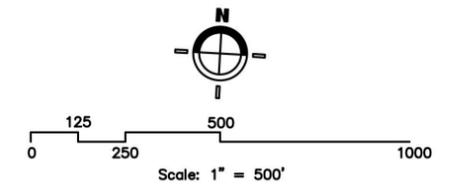
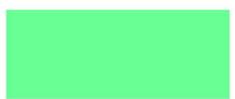
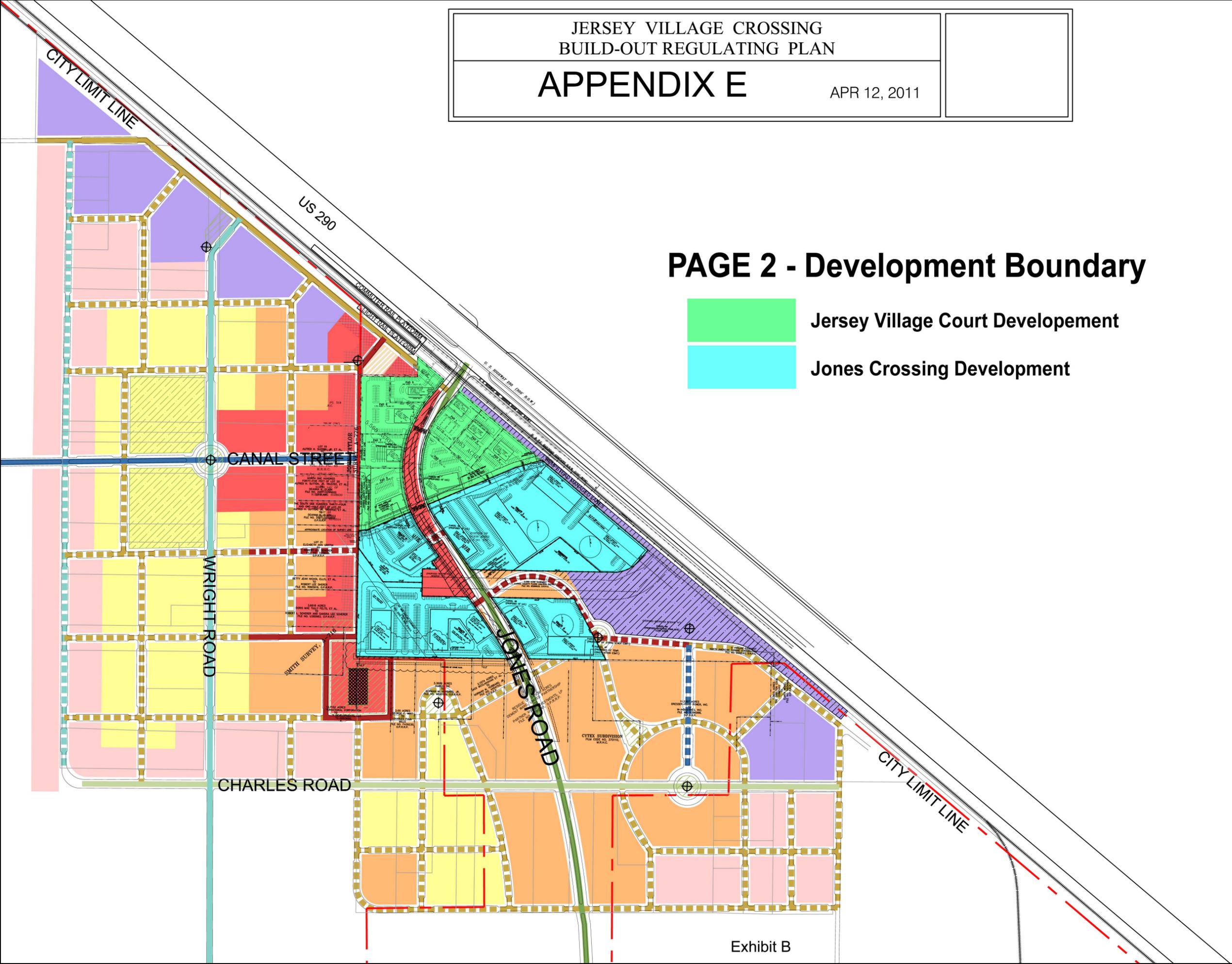


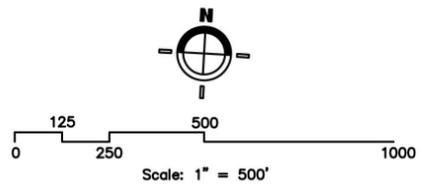
Exhibit B

PAGE 2 - Development Boundary

 Jersey Village Court Development
 Jones Crossing Development

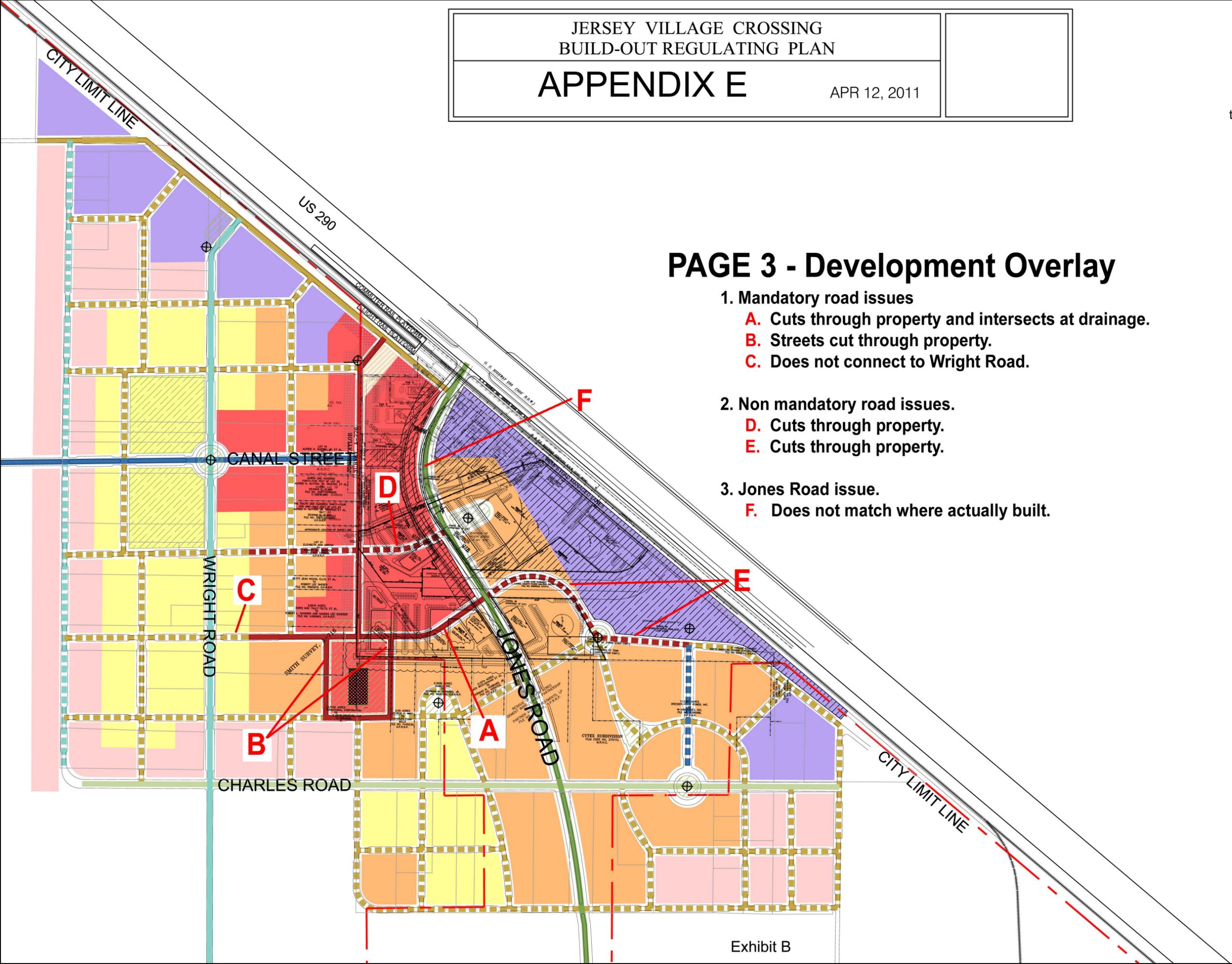


CHARACTER ZONES	
	District "D" Core
	District "D" Mixed Use
	District "D" Neighborhood
	District "D" Transition
	District "D" Highway Mixed-Use
STREET TYPES	
TYPE A STREETS	
	District "D" Main Street
	District "D" Mixed Use Avenue
	District "D" Canal Street
TYPE B STREETS	
	District "D" Suburban Boulevard
	District "D" Urban Avenue
	District "D" General Street
	Solid line denotes mandatory street
	Dashed line denotes non-mandatory street
OPEN SPACE TYPES	
	Mandatory Plaza
	Non-Mandatory Green, Square or Plaza
	Non-Mandatory Park
SPECIAL REQUIREMENTS	
	Required Civic Building Site
	Station frontage
	Main Street frontage
	Recommended Vista Terminus
	City Limit Line
	Existing Parcel Lines



PAGE 3 - Development Overlay

1. Mandatory road issues
 - A. Cuts through property and intersects at drainage.
 - B. Streets cut through property.
 - C. Does not connect to Wright Road.
2. Non mandatory road issues.
 - D. Cuts through property.
 - E. Cuts through property.
3. Jones Road issue.
 - F. Does not match where actually built.



CHARACTER ZONES

- District "D" Core
- District "D" Mixed Use
- District "D" Neighborhood
- District "D" Transition
- District "D" Highway Mixed-Use

STREET TYPES

TYPE A STREETS

- District "D" Main Street
- District "D" Mixed Use Avenue
- District "D" Canal Street

TYPE B STREETS

- District "D" Suburban Boulevard
- District "D" Urban Avenue
- District "D" General Street

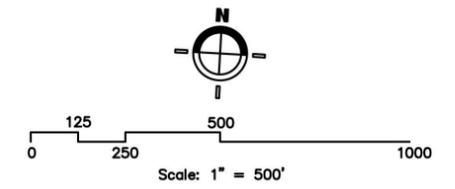
- Solid line denotes mandatory street
- Dashed line denotes non-mandatory street

OPEN SPACE TYPES

- Mandatory Plaza
- Non-Mandatory Green, Square or Plaza
- Non-Mandatory Park

SPECIAL REQUIREMENTS

- Required Civic Building Site
- Station frontage
- Main Street frontage
- Recommended Vista Terminus
- City Limit Line
- Existing Parcel Lines



PAGE 4 - Road Alignments

1. Mandatory Road realignments

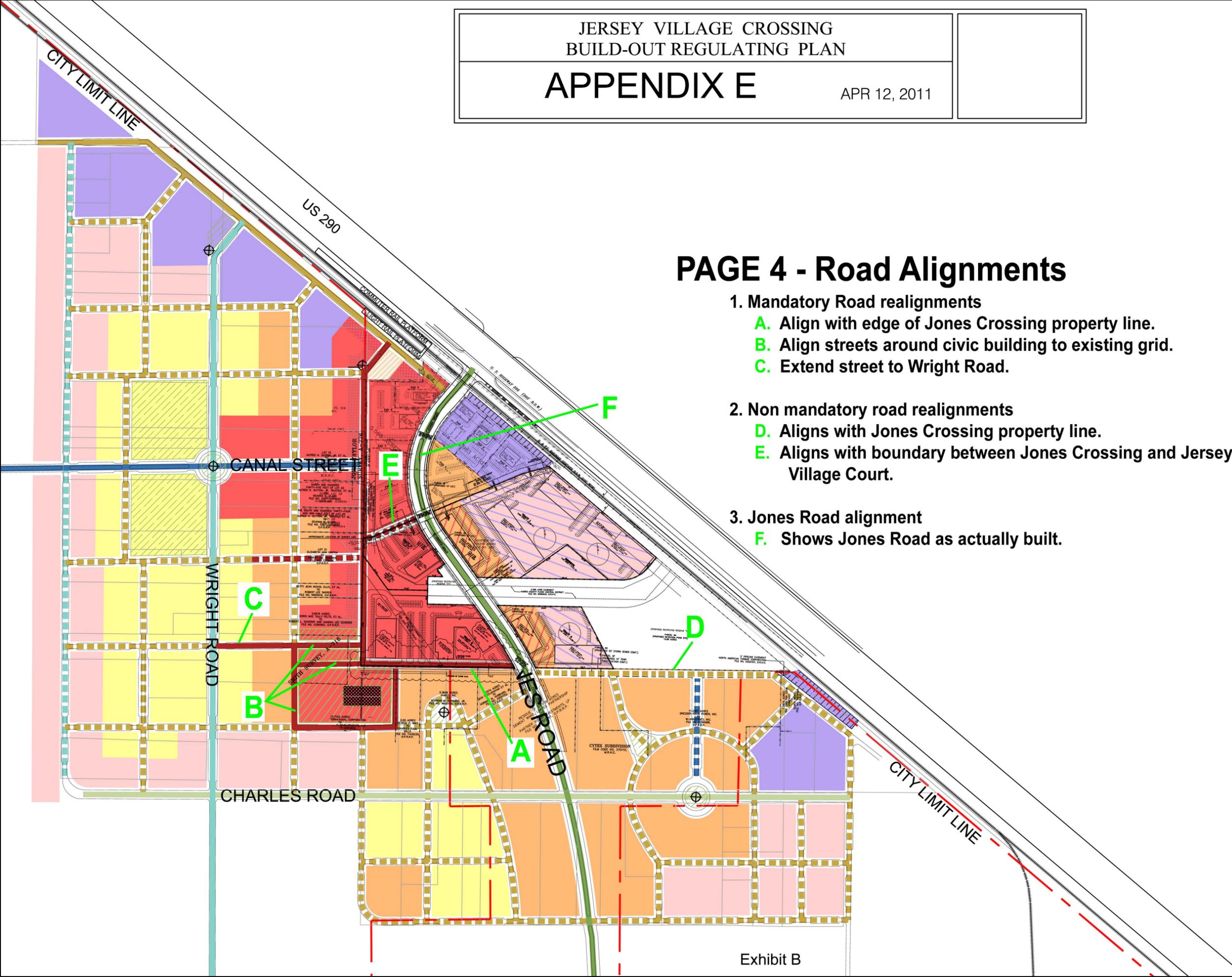
- A. Align with edge of Jones Crossing property line.
- B. Align streets around civic building to existing grid.
- C. Extend street to Wright Road.

2. Non mandatory road realignments

- D. Aligns with Jones Crossing property line.
- E. Aligns with boundary between Jones Crossing and Jersey Village Court.

3. Jones Road alignment

- F. Shows Jones Road as actually built.



CHARACTER ZONES

- District "D" Core
- District "D" Mixed Use
- District "D" Neighborhood
- District "D" Transition
- District "D" Highway Mixed-Use

STREET TYPES

TYPE A STREETS

- District "D" Main Street
- District "D" Mixed Use Avenue
- District "D" Canal Street

TYPE B STREETS

- District "D" Suburban Boulevard
- District "D" Urban Avenue
- District "D" General Street

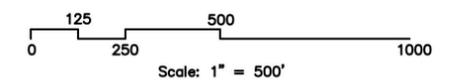
- Solid line denotes mandatory street
- Dashed line denotes non-mandatory street

OPEN SPACE TYPES

- Mandatory Plaza
- Non-Mandatory Green, Square or Plaza
- Non-Mandatory Park

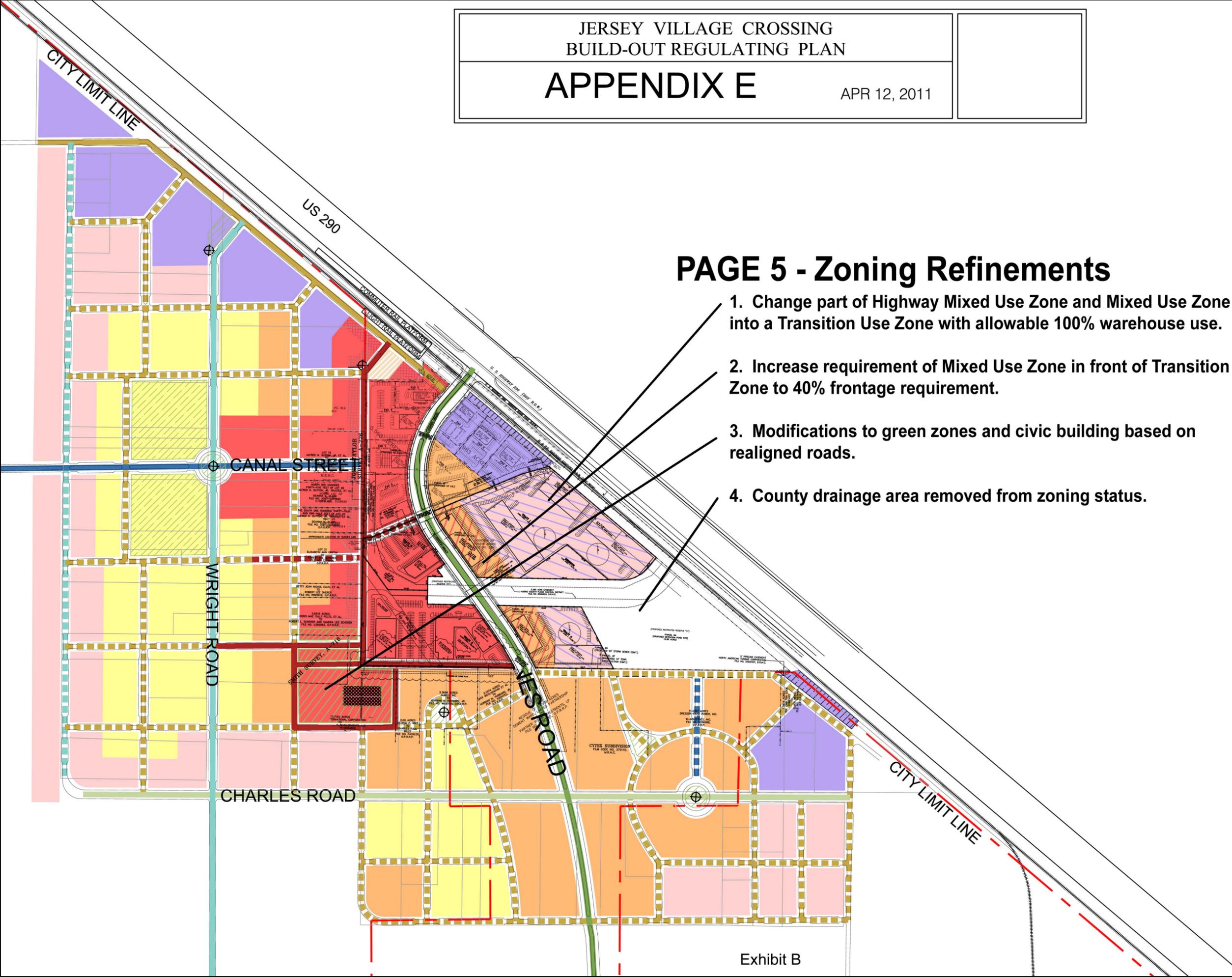
SPECIAL REQUIREMENTS

- Required Civic Building Site
- Station frontage
- Main Street frontage
- Recommended Vista Terminus
- City Limit Line
- Existing Parcel Lines



PAGE 5 - Zoning Refinements

1. Change part of Highway Mixed Use Zone and Mixed Use Zone into a Transition Use Zone with allowable 100% warehouse use.
2. Increase requirement of Mixed Use Zone in front of Transition Zone to 40% frontage requirement.
3. Modifications to green zones and civic building based on realigned roads.
4. County drainage area removed from zoning status.



CHARACTER ZONES

- District "D" Core
- District "D" Mixed Use
- District "D" Neighborhood
- District "D" Transition
- District "D" Highway Mixed-Use

STREET TYPES

TYPE A STREETS

- District "D" Main Street
- District "D" Mixed Use Avenue
- District "D" Canal Street

TYPE B STREETS

- District "D" Suburban Boulevard
- District "D" Urban Avenue
- District "D" General Street

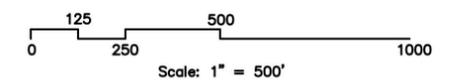
- Solid line denotes mandatory street
- Dashed line denotes non-mandatory street

OPEN SPACE TYPES

- Mandatory Plaza
- Non-Mandatory Green, Square or Plaza
- Non-Mandatory Park

SPECIAL REQUIREMENTS

- Required Civic Building Site
- Station frontage
- Main Street frontage
- Recommended Vista Terminus
- City Limit Line
- Existing Parcel Lines

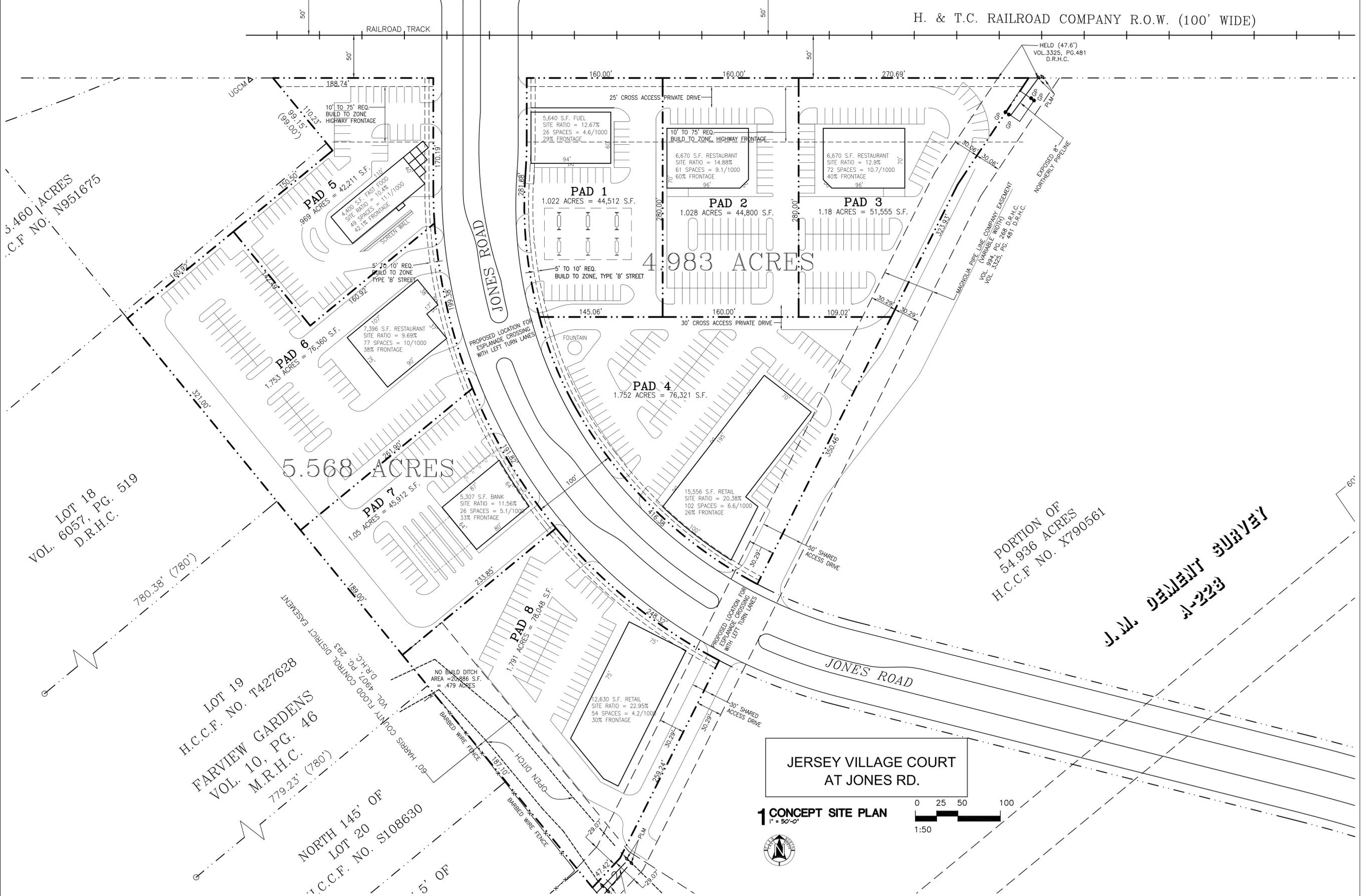


U. S. HIGHWAY 290 SERVICE ROAD (300' R.O.W.)

H. & T.C. RAILROAD COMPANY R.O.W. (100' WIDE)

David Scott Roselius, AIA
Texas Registration # 14178
Incomplete. This document
may not be used for
regulatory approval, permit or
construction.
Date: 02/25/13
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HEIGHTS VENTURE ARCHITECTS, LLP

ISSUE DATES	
ISSUE NAME	DATE
JVC-CONCEPT PLAN	02-25-13



**JERSEY VILLAGE COURT
AT JONES RD.**

1 CONCEPT SITE PLAN
1" = 50'-0"

0 25 50 100
1:50

HOUSTON: 1555 West, Suite 800
Houston, Texas 77006
713.869.1103 V

DALLAS: 5777 Lyndon Drive, Suite 240
Dallas, Texas 75206
972.499.7262 V

**HEIGHTS
VENTURE
ARCHITECTS, LLP**

REGISTERED ARCHITECTS
REGISTERED PLANNERS

JERSEY VILLAGE COURT AT JONES RD.
US HWY 290 AND JONES ROAD
JERSEY VILLAGE, TX

SATYA INC. 713-789-4443

PROJECT NO. 11075
DATE PLOTTED: 02-25-13
CHECKED BY: SR | DRAWN BY: MK
FILE NAME:

SHEET TITLE
CONCEPTUAL
DEVELOPMENT

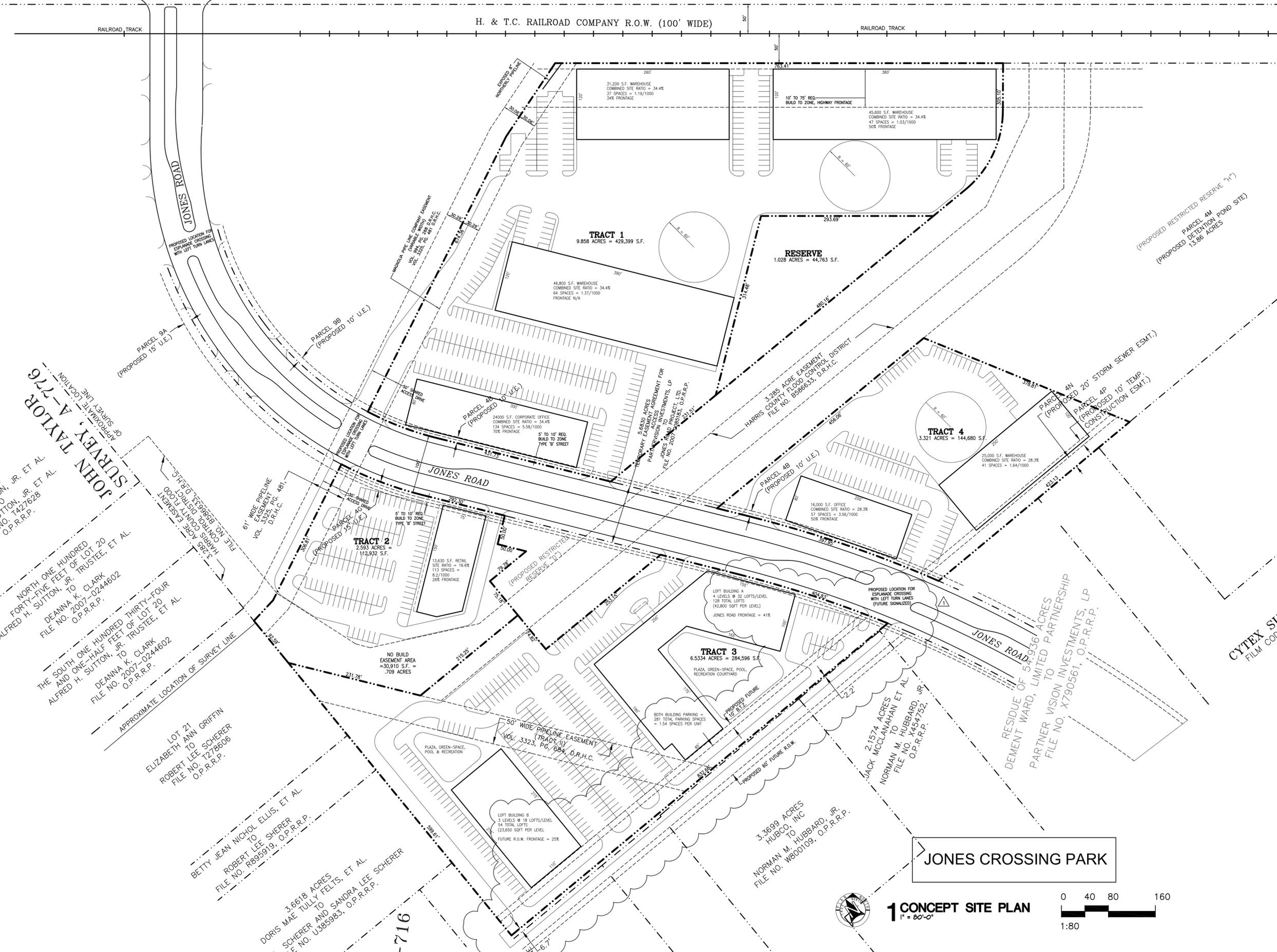
SHEET NUMBER
A1.0

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© COPYRIGHT 2013 HEIGHTS VENTURE ARCHITECTS, LLP

U. S. HIGHWAY 290 SERVICE ROAD (300' R.O.W.)

H. & T.C. RAILROAD COMPANY R.O.W. (100' WIDE)



LOT 19
ALFRED H. SUTTON, JR. ET AL.
TO
ALFRED H. SUTTON, JR. ET AL.
FILE NO. 1427628
O.P.R.R.P.

NORTH ONE HUNDRED
FORTY-FIVE FEET OF
LOT 20
H. SUTTON, JR. TRUSTEE, ET AL.
DEANNA K. CLARK
FILE NO. 2007-0244602
O.P.R.R.P.

THE SOUTH ONE HUNDRED THIRTY-FOUR
AND ONE-HALF FEET OF LOT 20
H. SUTTON, JR. TRUSTEE, ET AL.
DEANNA K. CLARK
FILE NO. 2007-0244602
O.P.R.R.P.

LOT 21
ELIZABETH ANN GRIFFIN
TO
ROBERT LEE SCHERER
FILE NO. 1278606
O.P.R.R.P.

BETTY JEAN NICHOL ELLIS, ET AL.
TO
ROBERT LEE SCHERER
FILE NO. R895919, O.P.R.R.P.

3,6618 ACRES
TO
SCHERER AND SANDRA LEE SCHERER
FILE NO. U385983, O.P.R.R.P.

3,3699 ACRES
TO
HUBCO, INC.
NORMAN M. HUBBARD, JR.
FILE NO. W800108, O.P.R.R.P.

2,1574 ACRES
TO
JACK MCCLANAHAN ET AL.
NORMAN M. HUBBARD, JR.
FILE NO. X454752,
O.P.R.R.P.

RESIDUE OF 54,936 ACRES
PARTNER VISION INVESTMENTS, LP
FILE NO. X790561, O.P.R.R.P.

JONES CROSSING PARK

1 CONCEPT SITE PLAN
1" = 80'-0"



David Scott Roselius, AIA
Texas Registration # 141178
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may not be used for
regulatory approval, permit or
construction.
Date: 03/11/13
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HEIGHTS VENTURE ARCHITECTS, LLP

ISSUE DATES	
DATE	ISSUE NAME
03-11-13	1V-CONCEPTUAL PLAN SUBMITTAL (revision for meeting)

HOUSTON
North Loop West, Suite 600
Houston, Texas 77009
713.869.1103 V

DALLAS
5717 Legacy Drive, Suite 240
Ft. Worth, Texas 75224
972.489.1268 V

HEIGHTS VENTURE ARCHITECTS, LLP
ROBERT R. MCCLANAHAN, ARCHITECT

JONES CROSSING PARK
US HWY 290, SOUTH OF JONES ROAD
JERSEY VILLAGE, TX

JONES ROAD HOLDING, LTD., 713-278-7900
VIP281@SBCGLOBAL.COM

PROJECT NO. 13003
DATE PLOTTED: 03-11-13
CHECKED BY: MK DRAWN BY: EA
FILE NAME: Jones Crossing Park 03-11-13.dwg

SHEET TITLE
CONCEPTUAL DEVELOPMENT WITH REGULATING PLAN

SHEET NUMBER
A1.03

_____, 2013

Michael A Kravetz
Project Architect, Sr. Associate
Heights Venture Architects, LLP
1111 North Loop West, Suite 800
Houston, Texas 77008

SPECIAL DEVELOPMENT PLAN

Mr. Kravetz:

I am pleased to inform you that on _____, 2013, the City Council of the City of Jersey Village adopted Ordinance No. 2013-XX approving your request on behalf of the property owners for a Special Development Plan for the anticipated development of the Jersey Village Court and the Jones Crossing Park developments, located within the City's District D zoning district.

In accordance with the Jersey Village Crossing Development Review Process, Appendix "D", your application, comprised of two conceptual development proposals, was approved as a single "Special Development Plan" (SDP). As specified in the Ordinance, "Warehouse" as a permitted use is approved for those locations contained within the submitted site plan drawings. Any expansion or change in boundaries of the "Warehouse" use, other than that depicted in the site plan drawings submitted to the City, will require an amendment to the SDP and approval by City Council.

Additionally, in accordance with Chapter 14. *Building and Development*, Article IV. *Zoning Districts*, Division 3. *Form Based Zoning Districts*, section 3.7, the modifications to the District D development standards requested in your application were approved by the Ordinance and are therefore permitted. The modifications include: modifications to Build-to Zone in "Mixed Use"; modifications to mandatory roads, plaza & civic building; and map modifications.

Please allow this letter to serve as the Special Development Plan. This Special Development Plan is hereby comprised of: (1) this letter; (2) the Ordinance; (3) the Application and documents submitted therewith, and (4) the site plan drawings.

Consistent with section 3.7.1, your SDP was processed as an amendment to the Zoning Ordinance. Your development must conform to the Zoning Ordinance, Ordinance No. 2013-XX, this SDP including the site plan drawings, and any other applicable ordinance or state law. Violation of any provision of the Zoning Ordinance or the Ordinance, including the permitted use and modifications permitted by approval of the SDP, subjects the violator to a fine as provided in Section 1-8 of The City Code.

We look forward to working with your clients and with Heights Venture Architects on this development.

Regards,

Christian Somers
Building Official / Development Officer
City of Jersey Village, TX
csomers@ci.jersey-village.tx.us
W: 713.466.2106
M: 281.960.6113