

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

June 17, 2013 – 7:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENEED ON JUNE 17, 2013 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS

A. The meeting was called to order at 7:00 p.m. and the roll of appointed officers was taken. Commissioners present were:

Chairman, Debra Mergel	Barbara Freeman, Commissioner
Tom Eustace, Commissioner	George Ohler, Commissioner
Rick Faircloth, Commissioner	

Commissioners Joyce Berube and Michael O’Neal were not present.

The following City of Jersey Village City Council Members were present:

Mayor, Rod Erskine	City Manager, Mike Castro, PhD
Council Member, Justin Ray	City Secretary, Lorri Coody
Council Member, Sandra Joachim	City Attorney, Bobby Gervais
Council Member, Harry Beckwith III, PE	
Council Member, Sheri Sheppard	
Council Member, Jill Klein	

Staff in attendance: Mark Bitz, Fire Chief; Eric Foerster, Chief of Police; Danny Segundo, Director of Public Works; Isabel Kato, Director of Finance; Michael Brown, Director of Parks and Recreation; Courtney Rutherford, Assistant City Secretary; and Christian Somers, City Building Official.

B. Conduct Joint Public Hearing with the City Council on the proposal 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 Plan and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.”

Mayor Erskine called the item and Chairman Debra Mergel announced a quorum for the Planning and Zoning Commission. Mayor Erskine opened the Joint Public Hearing at 7:02 p.m., stating that the purpose of the meeting was to give those in attendance the right to speak and be heard concerning the proposal 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 Plan and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.”

After opening the joint public hearing, Mayor Erskine called the first person desiring to speak as follows:

Sam Burt, 11625 Charles, Jersey Village, Texas (713) 570-4233 – Mr. Burt spoke to Council about the Special Development Plan. Basically, he had questions about the details of the plan and wanted answers to his questions. He wanted to know what is meant by warehouse. He wanted to understand how the granting of the Special Development Plan would change the requirements and what that would mean in terms of how it would affect what is permitted now and what will be permitted after the granting of the Special Development Plan in terms of “warehouses.” He had many questions about what was discussed by the Planning and Zoning Commission in arriving at their recommendation. Mayor Erskine explained that the Joint Public Hearing was to receive comments and not to address/answer questions. Mayor Erskine suggested that Mr. Burt visit the City’s website under the City Secretary Page where he would find the Planning and Zoning Meeting Minutes. He suggested that the answers to most of his questions would be addressed in the Planning and Zoning Meeting Minutes.

Rick Faircloth, 16010 Lakeview, Jersey Village, Texas (713) 466-8065 – Mr. Faircloth told Council that he is a Planning and Zoning Member. He does not support the requested change. He told Council that the request is not in the spirit of what the City has planned for that area of the City. A few years back, the City hired a consultant to work on a Transit Oriented Development Plan for the area. As a result, the City implemented the existing form based codes. This request is not in line with the form based codes and for that reason, Mr. Faircloth told Council that he cannot support the request.

With no one else desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:07 p.m., and Mayor Erskine called the next item on the agenda as follows:

C. Conduct Joint Public Hearing with the City Council on the request 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.

Mayor Erskine along with Chairman Debra Mergel opened the Joint Public Hearing at 7:08 p.m., stating that the purpose of the meeting was to receive comments on the request 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 no one desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:09 p.m., and the Planning and Zoning Commission retired from the City Council meeting at 7:09 p.m. to conduct its posted meeting agenda and prepare the final report in connection with this joint public hearing.

Chairman Mergel reconvened the meeting at 7:15 p.m.

D. Discuss and take appropriate action regarding the preparation and presentation of the Final Report as it relates 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.”

Chairman, Debra Mergel, introduced the item. Background information is as follows: On April 24, 2013, Heights Venture Architects LLP (HVA) filed an application for a zoning amendment. The Applicant requested modifications to some “mixed-use,” “highway mixed-use,” mandatory plaza, civil building, and streets within District D. The Applicant further requested consideration of the existing Conceptual Plan as a Special Development Plan in accordance with Chapter 14, Section 14-120, subsection 3.7 of the Jersey Village Code of Ordinances.

The preliminary report was submitted to the Jersey Village City Council at its May 20, 2013 meeting. The report was reviewed by the City Council and the Joint Public Hearing was conducted on June 17, 2013

This item is to prepare and vote on the Final Report concerning the proposal 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 Plan and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.”

Christian Somers, Building Official, explained that this item is only to change the table to include warehouses by 100% and clean up the table by changing Specific Use Permits (SUP) to Special Development Plan (SDP). Bobby Gervais stated that this item only changes the wording of the chapter and this does not approve the SDP.

The Commissioners discussed the change. There was concern that in making this change they would be setting precedence and developers will keep pushing for changes, which would result in a moving away from the original vision for this area.

With no further discussion on the matter, Commissioner Eustace moved to approve the Final Report as presented 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 Plan and amending table 6.1 by changing references of “specific use permit” to “Special Development Plan.” The motion was seconded by Commissioner Freeman. The vote follows:

Ayes: Commissioners Eustace, Freeman, Ohler,
Chairman Mergel

Nays: Commissioner Faircloth

The motion carried.

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

E. Discuss and take appropriate action regarding the preparation and presentation of the Final Report as it relates to approving the request for a Special Development Plan regarding 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.”

Chairman, Debra Mergel, introduced the item. Now that the Commission has voted to present a final report to Council recommending 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” the Commission must consider the request for a Special Development Plan regarding 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.”

There was discussion among the Commission and Staff regarding the Conceptual Site Plan submitted by the Applicant and changes that may be made to it since it is submitted as “conceptual.” Building Official Somers stated that the Conceptual Site Plan is a requirement of the Special Development Plan; however, any future changes made to it that are not minor in nature would require review and approval by the Commission and Council. There was also concern regarding truck traffic and the Commission asked Staff to continue looking at possibilities to limit truck traffic in connection with this request.

With no further discussion on the matter, Commissioner Eustace moved to approve the Final Report as presented in the meeting packet, approving the request for a Special Development Plan regarding 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.” The motion was seconded by Commissioner Freeman. The vote follows:

Ayes: Commissioners Eustace, Freeman, Ohler,
Chairman Mergel

Nays: Commissioner Faircloth

The motion carried.

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

F. 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, Ohler, Faircloth
Chairman Mergel

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Nays: None

The motion carried and the Commission adjourned at 7:40 p.m.

Courtney Rutherford, Assistant City Secretary



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

The Planning and Zoning Commission has previously met on April 29, 2013 and May 14, 2013, and in its preliminary report recommended 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.”

The preliminary report was submitted to the Jersey Village City Council at its May 20, 2013 meeting. The report was received and the City Council ordered a Joint Public Hearing for June 17, 2013.

On June 17, 2013, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public meeting, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on June 17, 2013 at 7:00 p.m., the Planning and Zoning Commission recommends that:

The City’s comprehensive zoning ordinance be amended at 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.”

The amendments to the City’s zoning ordinance are more specifically detailed in the attached proposed ordinance marked as Exhibit “A.”

Respectfully submitted, this 17th day of June 2013.



Debra Mergel, Chairman

ATTEST:



Courtney Rutherford, Assistant City Secretary



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 <u>no drive through facility</u> (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 <u>no drive through facility</u> .	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 <u>no drive through facilities</u> . 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/SDP	[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/SDP	[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.

Rod Erskine, Mayor

ATTEST:

Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
FINAL REPORT RECOMMENDING APPROVAL OF
A SPECIAL DEVELOPMENT PLAN
ALLOWING “WAREHOUSE” AS A PERMITTED USE AND
ALLOWING MINOR MODIFICATIONS TO DEVELOPMENT
STANDARDS IN DISTRICT D**

The Planning and Zoning Commission has previously met on April 29, 2013, May 14, 2013, and June 12, 2013 and in its preliminary report recommended 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.

The preliminary report was submitted to the Jersey Village City Council at its May 20, 2013 meeting. The report was received and the City Council ordered a Joint Public Hearing for June 17, 2013.

On June 17, 2013, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public meeting, which gave the public an opportunity to make comments concerning the proposed amendment.

The Planning and Zoning Commission after duly considering all the information before it including that gathered at the Joint Public Hearing with City Council on June 17, 2013 at 7:00 p.m., the Planning and Zoning Commission recommends that:

City Council approve a Special Development Plan regarding 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.

The amendments to the City’s zoning ordinance are more specifically detailed in the attached proposed ordinance marked as Exhibit “A.”

Respectfully submitted, this 17th day of June 2013.

ATTEST:


Courtney Rutherford, Assistant City Secretary


Debra Mergel, Chairman



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 City Council after the Planning & Zoning Commission 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 3.7 of Section 14-120, the City Council hereby approves the submitted application attached as Exhibit A and approves the Special Development Plan, subject to the following conditions:

- A. The approval of this Special Development Plan is expressly conditioned upon the Special Development Plan being located, constructed, and conducted upon the Property in conformity with the Site Plan attached hereto as Exhibit “C” (the “Site Plan”) and made a part hereof for all purposes, and the description of activities as represented to the City of Jersey Village in the application for this Special Development Plan. The City Manager or his designee is further authorized to grant any requested minor modifications as outlined in Section 14-120, Subsection 3.8 of Division 3, Form Based Zoning District;
- B. The fencing constructed pursuant to this Special Development Plan shall be chain link, vinyl privacy fencing with 95% privacy screening capability, and when fencing as opposed to screening wall is used, it must itself be screened with landscaping in accordance with Division 3 Form Based Code requirements;
- C. Public street access must comply with all state and local regulations regarding accessibility to streets;

- D. Exterior lighting must comply with lighting standards and light must not shine on adjacent property;
- E. Accessory buildings will not be permitted in district D;
- F. The Property Owner and its agents, operators, tenants, successors and assigns shall comply with all applicable local, state, and federal laws; and
- G. No loading or unloading via the adjacent railroad or any proposed spur will be permitted.

Any use in contradiction of District D and this Special Development Plan, including conditions, shall constitute a violation of the Zoning Ordinance.

Section 2. 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.

The area(s) shown in Exhibit B that are approved for use as “Warehouse” are subject to the general conditions of the SDP as stated in section 1 above, and are also subject to the following conditions that are specific to the Warehouse use:

- A. All outside storage must be limited to appurtenances and equipment associated with warehouse operations and must be screened from the adjacent property at all times;
- B. An eight-foot (8’) fence shall be constructed on the property at the locations identified on the Site Plan to screen equipment, trucks and vehicles from adjacent property; and
- C. No screen walls will be permitted within 200 feet of the front property line along Jones Road, without the approval of the City’s Building Official.

Section 3. 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 the Build-to-Zone (BTZ) in “Mixed Use”; modifications to mandatory roads, plaza & civic building; and map modifications.

Section 4. 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 Special Development Plan authorized for the Property described in this Ordinance, with the appropriate references thereon to the number and effective date of this Ordinance and a brief description of the nature of the Special Development Plan and modifications authorized.

Section 5. The Special Development Plan, and the specific SDP approval for “Warehouse” as a permitted use for the area(s) shown in Exhibit B, granted herein 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 Special Development Plan granted herein, or unless an extension of time is approved by City Council.

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/Revocation. 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. This SDP may be revoked or modified by the City Council, after notice and hearing, for either of the following reasons:

- (1) The SDP was obtained or extended by misrepresentation, fraud or deception: or
- (2) That one of more of the conditions imposed by the SDP has not been met or has been violated.

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 _____, 2013.

Rod Erskine, Mayor

ATTEST:

Lorri Coody, City Secretary

**Exhibit A to Proposed Ordinance
Heights Venture Architects, LLP
Application for Special Development Plan**

**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 ()

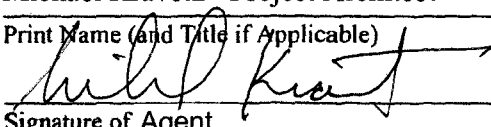
If ownership is a trust, partnership, or corporation, name the partners or principals and their addresses and positions on a separate attachment.

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 775.000R

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". The signature is written in a cursive, flowing style.

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

Jersey Village Court and Jones Crossing



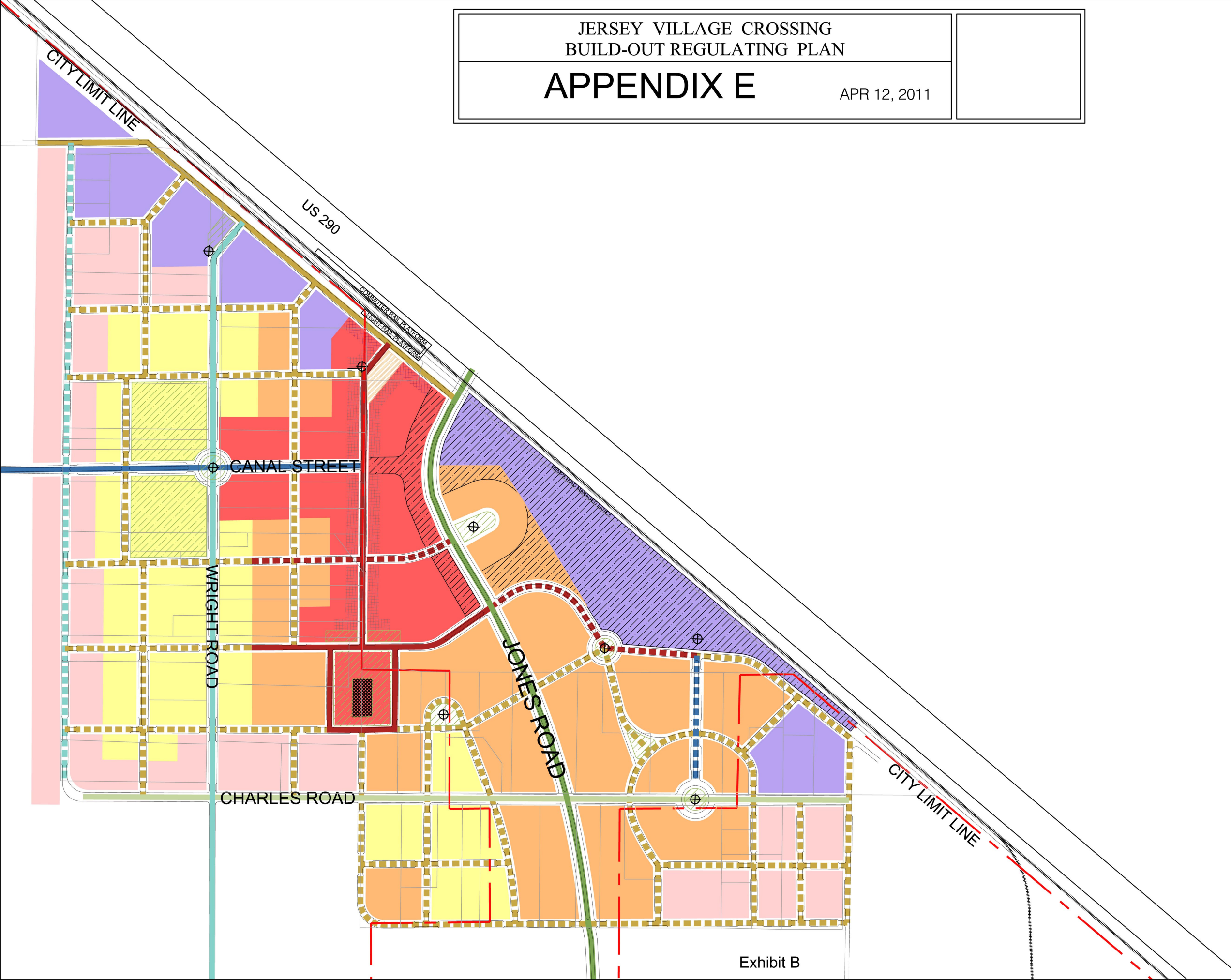
Zoning Change Request

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

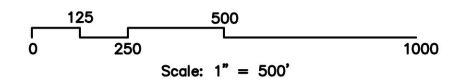
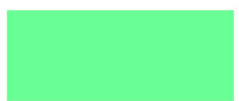

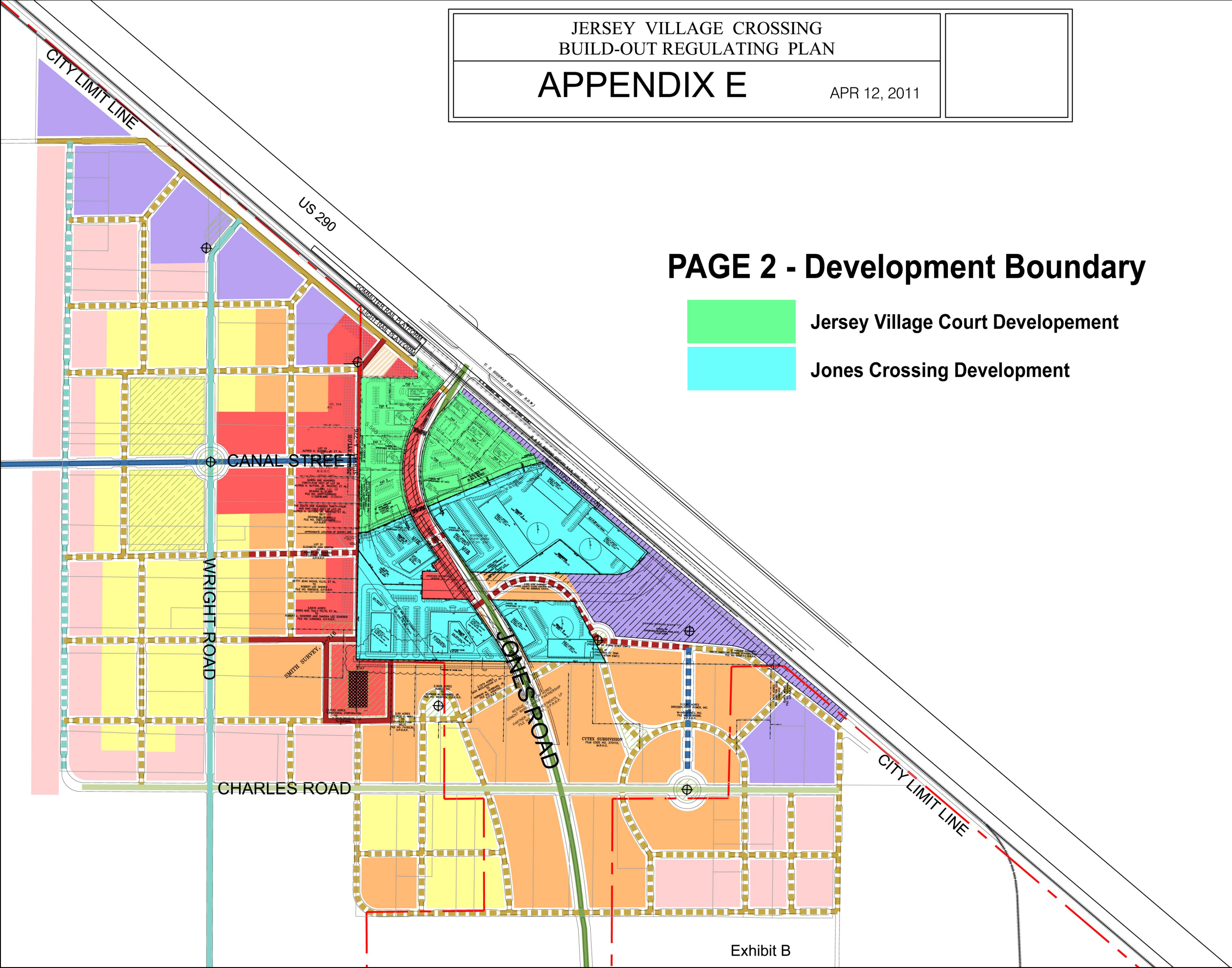















Exhibit B




PAGE 2 - Development Boundary







 Jersey Village Court Development
 Jones Crossing Development

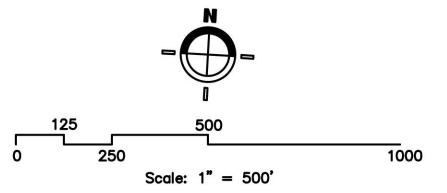


CHARACTER ZONES	
	District "D" Core
	District "D" Mixed Use
	District "D" Neighborhood
	District "D" Transition
	District "D" Highway Mixed-Use

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

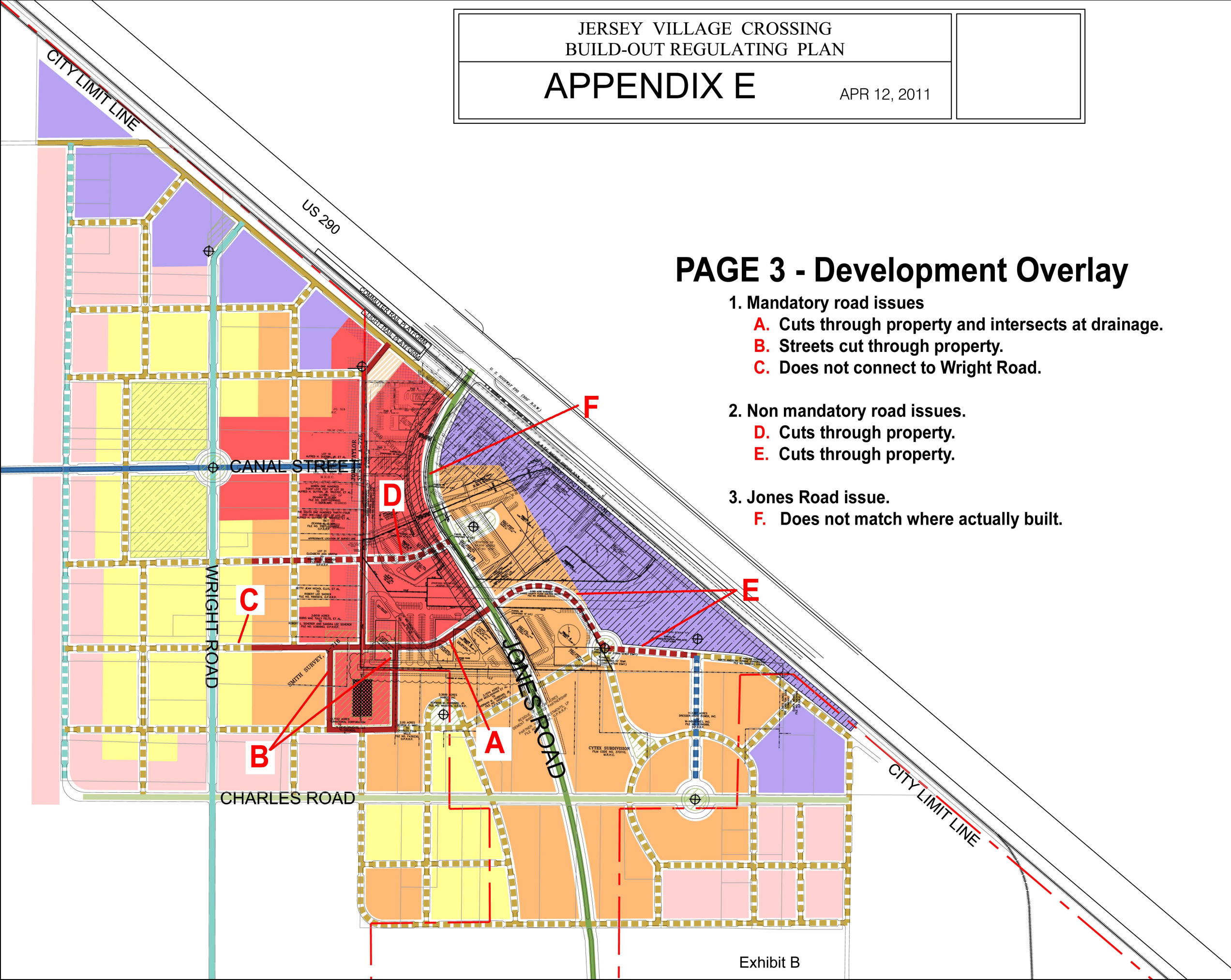
- A.** Cuts through property and intersects at drainage.
- B.** Streets cut through property.
- C.** Does not connect to Wright Road.

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

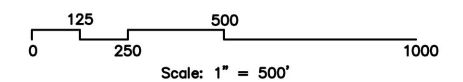
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- Dashed line denotes non-mandatory street

OPEN SPACE TYPES

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

SPECIAL REQUIREMENTS

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



PAGE 4 - Road Alignments

1. Mandatory Road realignments

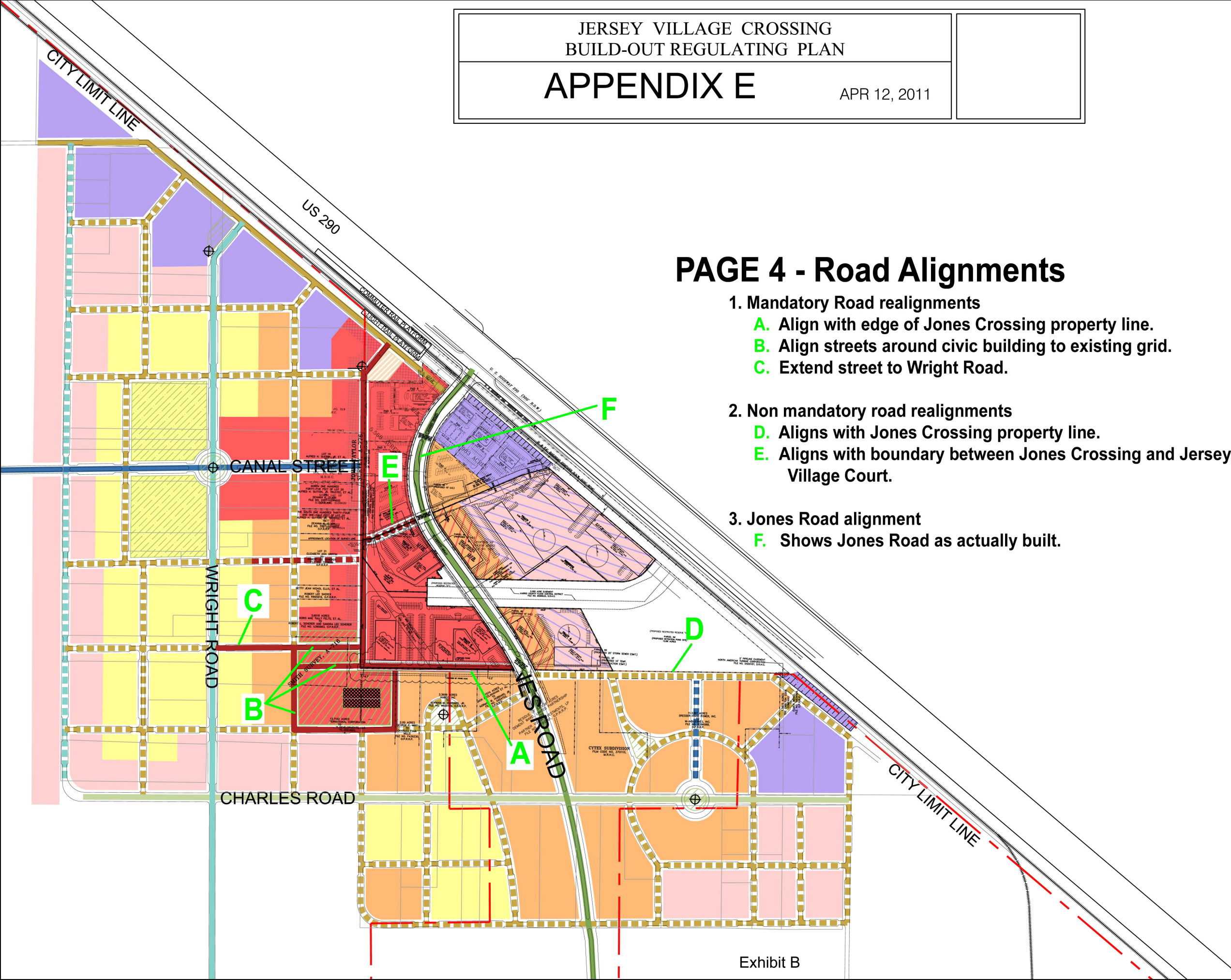
- A. Align with edge of Jones Crossing property line.
- B. Align streets around civic building to existing grid.
- C. Extend street to Wright Road.

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

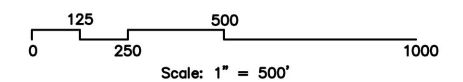
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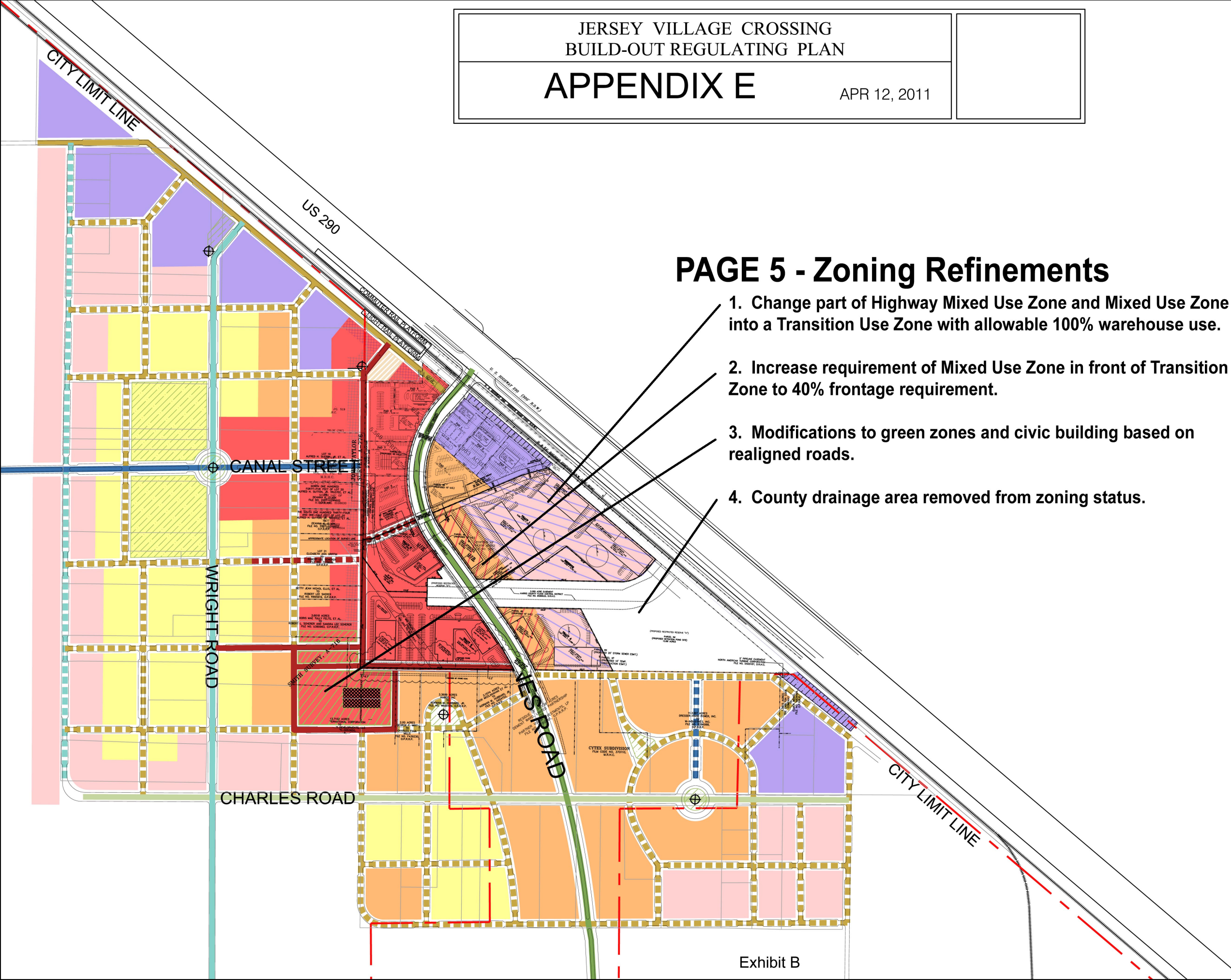
SPECIAL REQUIREMENTS

- 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.

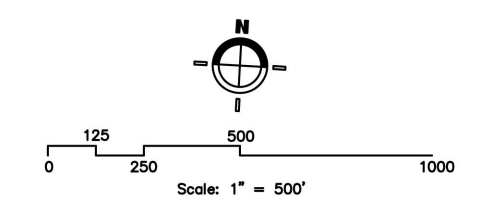


CHARACTER ZONES	
■	District "D" Core
■	District "D" Mixed Use
■	District "D" Neighborhood
■	District "D" Transition
■	District "D" Highway Mixed-Use

STREET TYPES	
TYPE A STREETS	
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■	District "D" Suburban Boulevard
■	District "D" Urban Avenue
■	District "D" General Street
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	Dashed line denotes non-mandatory street

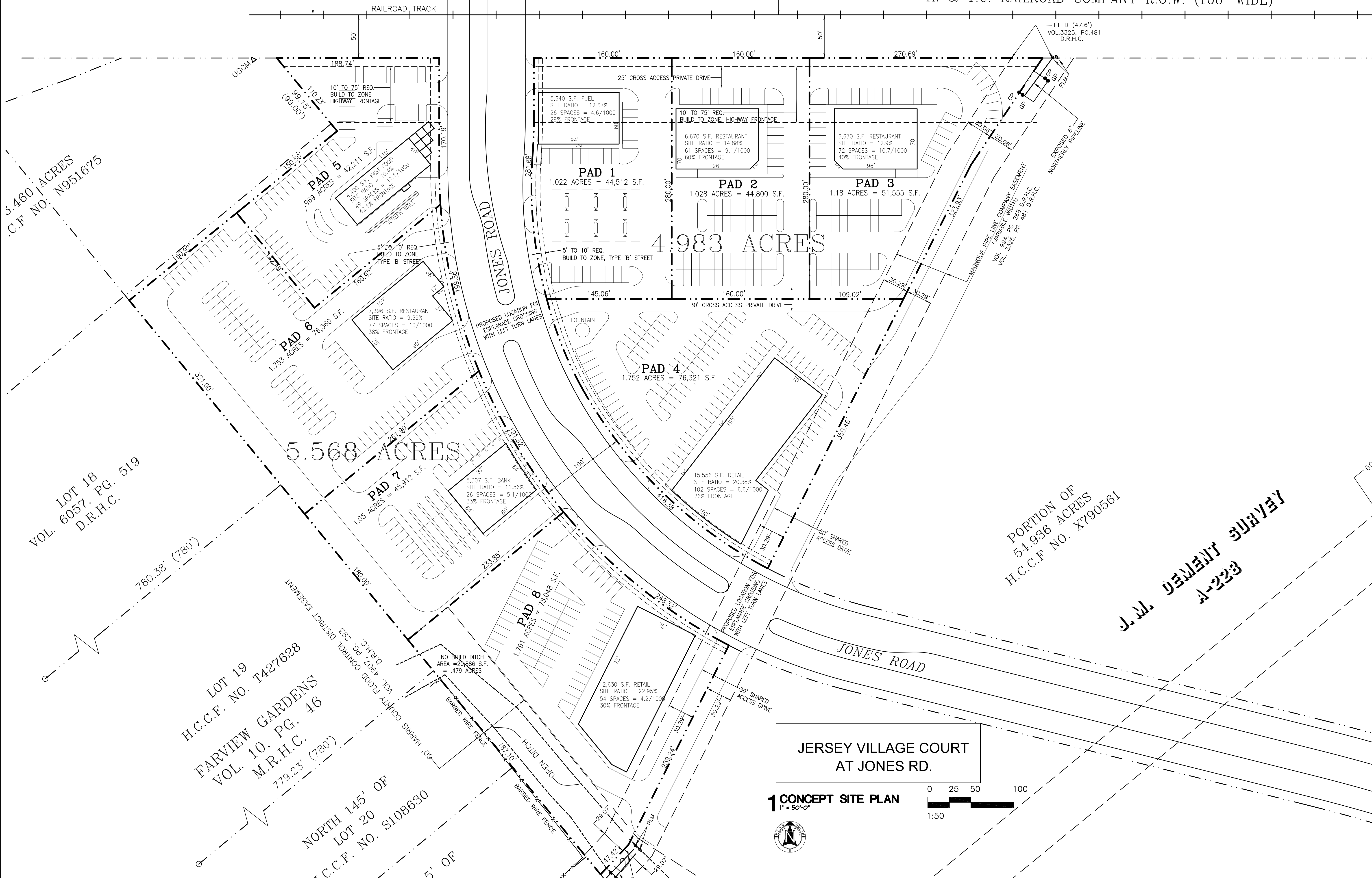
OPEN SPACE TYPES	
	Mandatory Plaza
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SPECIAL REQUIREMENTS	
	Required Civic Building Site
	Station frontage
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⊕	Recommended Vista Terminus
	City Limit Line
	Existing Parcel Lines



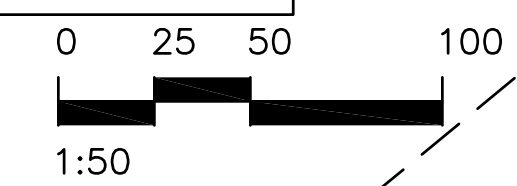
U. S. HIGHWAY 290 SERVICE ROAD (300' R.O.W.)

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



JERSEY VILLAGE COURT
AT JONES RD.

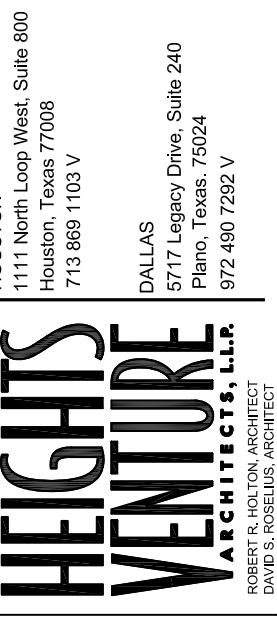
1 CONCEPT SITE PLAN
1" = 50'-0"



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

HOUSTON 1555 West, Suite 800 Houston, Texas 77006 713.869.1103 V	DALLAS 5777 Legacy Drive, Suite 240 Dallas, Texas 75244 972.499.7262 V
---	---



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:

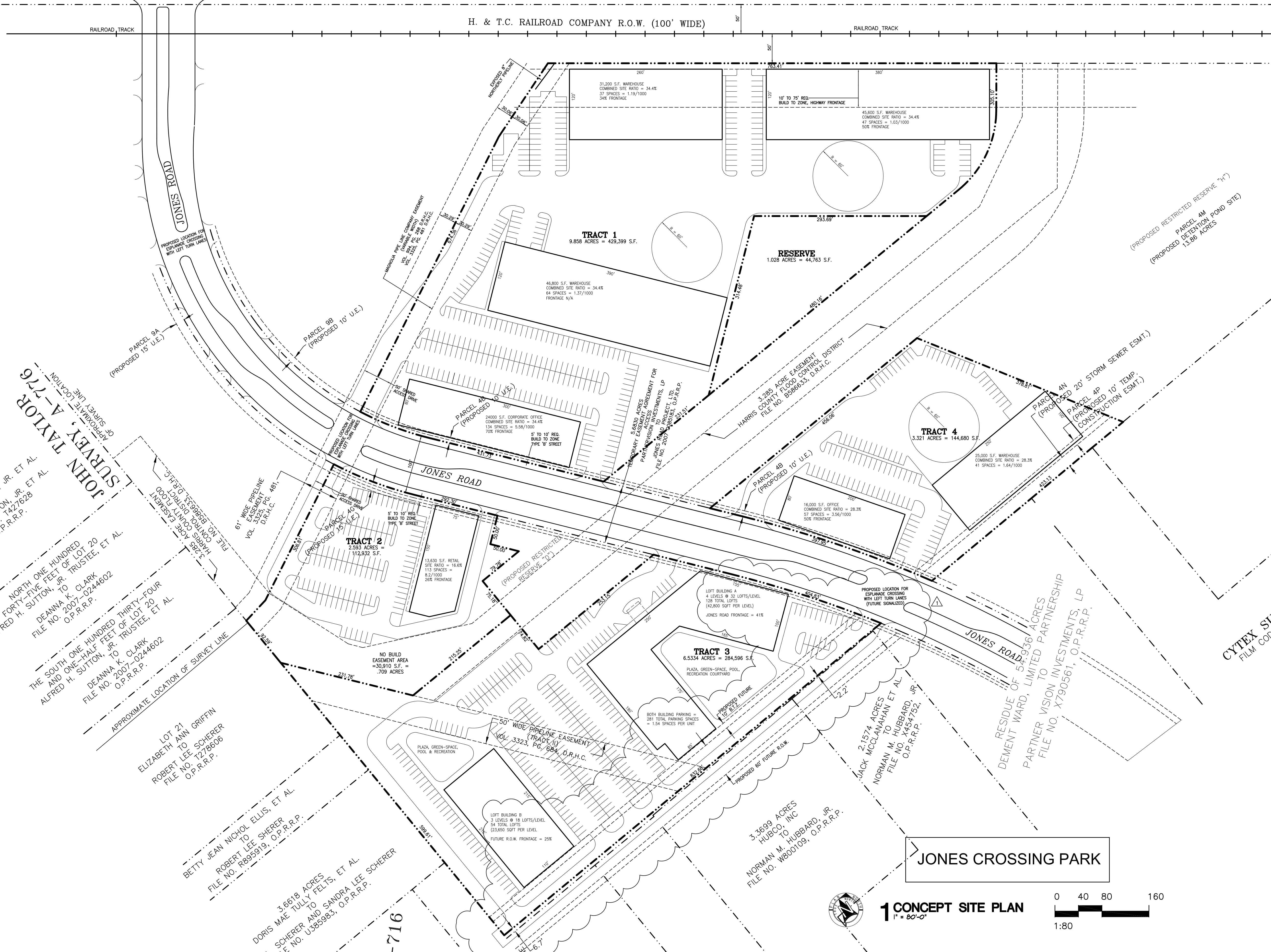
SHEET TITLE
CONCEPTUAL
DEVELOPMENT

SHEET NUMBER
A1.0

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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
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 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	3V-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
 Plano, Texas 75024
 972.489.1268 V



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

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

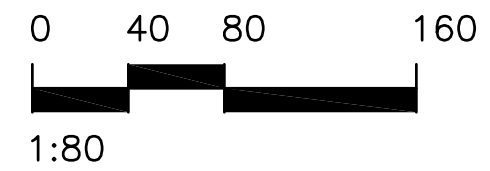
PROJECT NO. 13003
 DATE PLOTTED: 03-11-13
 CHECKED BY: MK DRAWN BY: EA
 FILE NAME: Jones Crossing Park 03-11-13.dwg

SHEET TITLE
 CONCEPTUAL DEVELOPMENT WITH REGULATING PLAN

SHEET NUMBER
A1.03

JONES CROSSING PARK

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



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_____, 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.

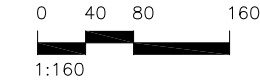
We look forward to working with your clients and with Heights Venture Architects on this development.

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



1 CONCEPT SITE PLAN - EXHIBIT C
 1" = 160'-0" ON 11" x 17" PRINT



THIS DRAWING IS CONSIDERED TO BE THE SPECIAL DEVELOPMENT PLAN AS DESCRIBED IN THE PROPOSED JERSEY VILLAGE ORDINANCE EXCERPTED BELOW:

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. ...

SECTION 1. IN ACCORDANCE WITH CHAPTER 14. BUILDING AND DEVELOPMENT, ARTICLE IV. ZONING DISTRICTS, DIVISION 3. FORM BASED ZONING DISTRICTS, SECTION 3.7 OF SECTION 14-120, THE CITY COUNCIL HEREBY APPROVES THE SUBMITTED APPLICATION ATTACHED AS EXHIBIT A AND APPROVES THE SPECIAL DEVELOPMENT PLAN, SUBJECT TO THE FOLLOWING CONDITIONS:

- A. THE APPROVAL OF THIS SPECIAL DEVELOPMENT PLAN IS EXPRESSLY CONDITIONED UPON THE SPECIAL DEVELOPMENT PLAN BEING LOCATED, CONSTRUCTED, AND CONDUCTED UPON THE PROPERTY IN CONFORMITY WITH THE SITE PLAN ATTACHED HERETO AS EXHIBIT "C" (THE "SITE PLAN") AND MADE A PART HEREOF FOR ALL PURPOSES, AND THE DESCRIPTION OF ACTIVITIES AS REPRESENTED TO THE CITY OF JERSEY VILLAGE IN THE APPLICATION FOR THIS SPECIAL DEVELOPMENT PLAN. THE CITY MANAGER OR HIS DESIGNEE IS FURTHER AUTHORIZED TO GRANT ANY REQUESTED MINOR MODIFICATIONS AS OUTLINED IN SECTION 14-120, SUBSECTION 3.8 OF DIVISION 3, FORM BASED ZONING DISTRICT;
- B. THE FENCING CONSTRUCTED PURSUANT TO THIS SPECIAL DEVELOPMENT PLAN SHALL BE CHAIN LINK, VINYL PRIVACY FENCING WITH 95% PRIVACY SCREENING CAPABILITY, AND WHEN FENCING AS OPPOSED TO SCREENING WALL IS USED, IT MUST ITSELF BE SCREENED WITH LANDSCAPING IN ACCORDANCE WITH DIVISION 3 FORM BASED CODE REQUIREMENTS;
- C. PUBLIC STREET ACCESS MUST COMPLY WITH ALL STATE AND LOCAL REGULATIONS REGARDING ACCESSIBILITY TO STREETS;
- D. EXTERIOR LIGHTING MUST COMPLY WITH LIGHTING STANDARDS AND LIGHT MUST NOT SHINE ON ADJACENT PROPERTY;
- E. ACCESSORY BUILDINGS WILL NOT BE PERMITTED IN DISTRICT D;
- F. THE PROPERTY OWNER AND ITS AGENTS, OPERATORS, TENANTS, SUCCESSORS AND ASSIGNS SHALL COMPLY WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL LAWS; AND
- G. NO LOADING OR UNLOADING VIA THE ADJACENT RAILROAD OR ANY PROPOSED SPUR WILL BE PERMITTED.

ANY USE IN CONTRADICTION OF DISTRICT D AND THIS SPECIAL DEVELOPMENT PLAN, INCLUDING CONDITIONS, SHALL CONSTITUTE A VIOLATION OF THE ZONING ORDINANCE.

SECTION 2. 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.

THE AREA(S) SHOWN IN EXHIBIT B THAT ARE APPROVED FOR USE AS "WAREHOUSE" ARE SUBJECT TO THE GENERAL CONDITIONS OF THE SDP AS STATED IN SECTION 1 ABOVE, AND ARE ALSO SUBJECT TO THE FOLLOWING CONDITIONS THAT ARE SPECIFIC TO THE WAREHOUSE USE:

- A. ALL OUTSIDE STORAGE MUST BE LIMITED TO APPURTENANCES AND EQUIPMENT ASSOCIATED WITH WAREHOUSE OPERATIONS AND MUST BE SCREENED FROM THE ADJACENT PROPERTY AT ALL TIMES;
- B. AN EIGHT-FOOT (8') FENCE SHALL BE CONSTRUCTED ON THE PROPERTY AT THE LOCATIONS IDENTIFIED ON THE SITE PLAN TO SCREEN EQUIPMENT, TRUCKS AND VEHICLES FROM ADJACENT PROPERTY; AND
- C. NO SCREEN WALLS WILL BE PERMITTED WITHIN 200 FEET OF THE FRONT PROPERTY LINE ALONG JONES ROAD, WITHOUT THE APPROVAL OF THE CITY'S BUILDING OFFICIAL.

SECTION 3. 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 THE BUILD-TO-ZONE (BTZ) IN "MIXED USE"; MODIFICATIONS TO MANDATORY ROADS, PLAZA & CIVIC BUILDING; AND MAP MODIFICATIONS.

SECTION 4. 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 SPECIAL DEVELOPMENT PLAN AUTHORIZED FOR THE PROPERTY DESCRIBED IN THIS ORDINANCE, WITH THE APPROPRIATE REFERENCES THEREON TO THE NUMBER AND EFFECTIVE DATE OF THIS ORDINANCE AND A BRIEF DESCRIPTION OF THE NATURE OF THE SPECIAL DEVELOPMENT PLAN AND MODIFICATIONS AUTHORIZED.

SECTION 5. THE SPECIAL DEVELOPMENT PLAN, AND THE SPECIFIC SDP APPROVAL FOR "WAREHOUSE" AS A PERMITTED USE FOR THE AREA(S) SHOWN IN EXHIBIT B, GRANTED HEREIN 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 SPECIAL DEVELOPMENT PLAN GRANTED HEREIN, OR UNLESS AN EXTENSION OF TIME IS APPROVED BY CITY COUNCIL.

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/REVOCAION. 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. THIS SDP MAY BE REVOKED OR MODIFIED BY THE CITY COUNCIL, AFTER NOTICE AND HEARING, FOR EITHER OF THE FOLLOWING REASONS:

- (1) THE SDP WAS OBTAINED OR EXTENDED BY MISREPRESENTATION, FRAUD OR DECEPTION; OR
- (2) THAT ONE OF MORE OF THE CONDITIONS IMPOSED BY THE SDP HAS NOT BEEN MET OR HAS BEEN VIOLATED.

SECTION 9. EFFECTIVE DATE. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE.

ISSUE DATES	
DATE	ISSUE NAME
06-13-13	SDP CONCEPTUAL PLAN

HOUSTON
 North Loop West, Suite 860
 Houston, Texas 77008
 713 869 1103 V

DALLAS
 5717 Lemay Drive, Suite 240
 Plano, Texas 75024
 972 469 7262 V

HEIGHTS VENTURE PARTNERS, L.P.
 ROBERT B. ROSS, ARCHITECT
 DAVID S. ROSS, ARCHITECT

JONES CROSSING PARK & JERSEY VILLAGE COURT
 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:	06-13-13 on 11 x 17 print
CHECKED BY:	MK
DRAWN BY:	MK
FILE NAME:	Jones Crossing Park 03-13-13.dwg

SHEET TITLE
CONCEPTUAL DEVELOPMENT SITE PLAN

SHEET NUMBER
A1.01