

**MINUTES OF THE JOINT WORK SESSION MEETING OF THE CITY COUNCIL OF THE CITY OF JERSEY VILLAGE, TEXAS, AND THE JERSEY VILLAGE PLANNING AND ZONING COMMISSION HELD ON AUGUST 19, 2013 AT 6:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW, JERSEY VILLAGE, TEXAS.**

**A. The meeting was called to order by Mayor Erskine at 6:02 p.m. with the following present:**

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

Council Member, Jill Klein was not present at this meeting.

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; Christian Somers, Building Official; and Deborah Capaccioli-Paul, Engineering Technician.

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

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

Chairman, Debra Mergel	Commissioner, Joyce Berube
Vice Chairman, Rick Faircloth	Commissioner, Barbara Freeman
Commissioner, George Ohler	Commissioner, Michael O'Neal

Commissioner, Tom Eustace was not present at this meeting.

After taking the roll of appointed officers, Chairman Mergel announced that a quorum of the Planning and Zoning Commission was present. Mayor Erskine called the meeting's agenda beginning with the following item:

**C. Discuss and take appropriate action concerning the revised application request of Heights Venture Architects LLP 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.**

Danny Segundo, Director of Public Works, introduced the item. Background information is as follows: The Planning and Zoning Commission met on April 29, 2013, May 14, 2013 and June 12, 2013 to review the applicants request 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.

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The Planning and Zoning Commission submitted its preliminary report to Council on May 20, 2013, and a Joint Public Hearing was ordered for June 17, 2013. On June 17, 2013 the City Council and the Planning and Zoning Commission conducted a joint public hearing and the Planning and Zoning Commission made its final report and recommendations, which were received by Council.

On June 17, 2013, Council considered the Ordinance to enact the final recommendations from the Planning and Zoning Commission allowing 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. However, having received no motion to approve said Ordinance, Council revisited the request on August 1, 2013.

During the August 1, 2013 meeting, City Council approved an Ordinance that amended the Code of Ordinances to permit the construction of warehouses in District D – Highway Mixed Use Zone with an approved Special Development Plan. However, in revisiting the proposed Special Development Plan, Council learned that the applicant has revised the plan to reflect Highway Mixed Use only. This revised plan adjusted the boundary lines of the Highway Mixed Use Character Zone from the Original Conceptual Plan passed by City Council when creating District D. As a result of the revised plan, Council moved to refer the plan to a Joint Work Session with Council and the Planning and Zoning Commission for further review. This item is to conduct the joint review.

Discussion was had concerning how the most recent request is different. It was explained that the initial request of Heights Venture was to locate warehouses in the Highway Mixed Use and Mixed Use Zones of District D. The most recent request seeks to locate them only in the Highway Mixed Use Zone; but in doing so, the Special Development Plan (SDP) submitted adjusts the boundary lines of the Highway Mixed Use Character Zone, making that zone different from what was originally approved by City Council when District D was created. This revised SDP locates three warehouses in tract 1 and one warehouse in tract 4.

The SDP submitted is “conceptual” in nature. That is, Heights Venture has stated on several occasions that it intends to use the approved “conceptual” SDP as a marketing tool. It is likely that the “conceptual” SDP will be adjusted and in doing so said adjustments will need to be approved by going back through the SDP approval process, including a public hearing. Nonetheless, Staff reminded that should a developer want to proceed with the approved “conceptual” plan, no additional approval would be necessary.

Project sequencing was discussed. For example, there was concern for what portions/sections of the project would be built first. Will the developers build the warehouses first and then the office buildings? Because of the concern, Staff suggested that sequencing should be a condition of any finalized/approved SDP.

The number of owners involved in developing this section of District D was discussed. There was concern that due to the fact that more than one owner is involved, there will be

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issues in developing the property as presented in the SDP submitted. It was felt that just because one of the owners is willing to proceed with the project does not mean that the other owners will do the same. To add to the concern, Staff indicated that Michael Kravetz, the lead architect, has stated that he has working relationships with some of the owners; but that he may not be the person to work a proposal that would bring all of the owners together.

Since Council has approved the placement of warehouses in District D with an approved SDP, the next step is to decide what conditions should be placed within the SDP.

City Manager Castro recapped that during the last meeting of City Council it was discussed that the issue was to be sent back to Planning and Zoning (P&Z). At that time, the question was asked concerning the guidance to be given to the Commission. This meeting was set in order to outline that guidance so that the P&Z could work with the developer to come up with a SDP proposal that is likely to be favorable and meet the approval of Council.

Discussion was had about the area of land termed “landlocked” within the SDP. Some felt that other venues besides warehouses could be located on this parcel of land. It was mentioned that the railroad tracks limit the options. It was agreed that if there had to be warehouses located here that it should be limited to the area near the railroad tracks, but those currently located near Jones Road in the submitted SDP are not acceptable.

Those on the Planning and Zoning Commission explained the discussions had by the Commission about this landlocked area. They also expressed their concern about the traffic along Jones Road that a warehouse facility might produce.

Discussion was then had about how the City might influence what a land owner ultimately builds. It was decided that the market and zoning ultimately make these decisions.

It was agreed that most do not want warehouses located near Jones Road. An approved SDP must contain the placement of warehouses as far away from Jones Road as possible.

Discussion was then had about the initial criteria for the Mixed Use Zone and what was expected. There was also discussion about what was expected for Jones Road and how it would look five years from now.

Tax abatements were briefly discussed as a method to attract potential businesses to the area. City Manager Castro explained that the City had used this method in the past. Generally these programs are used to bring in high paying jobs and are targeted for larger areas to be developed.

Discussion was then had about the City marketing this area. City Manager Castro explained that the City tried this about six years ago. The problem encountered then was that there are too many owners, which resulted in poor interest on behalf of developers.

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City Manager Castro then explained that the reason the developers want to have an approved conceptual SDP is so they can market that it is possible to get an approved SDP in District D that contains warehouses as part of the plan.

Discussion was then had if it is possible for the Planning and Zoning Commission to negotiate with the developer to come up with an SDP based upon the discussions had this evening and based upon the desires of Council.

City Attorney Gervais explained that there can be negotiations had concerning the SDP, but he is not sure that the Planning and Zoning Commission is the body to conduct these negotiations.

After further discussions, the Planning and Zoning Commission members felt they had enough direction from Council to work with the developer to come up with a SDP proposal that is likely to be favorable and meet the approval of Council.

With no further discussion on the matter, Council Member Beckwith moved to refer the SDP to the Planning and Zoning Commission for further discussions with the applicant in reaction to comments of Council and Planning and Zoning Commission tonight. Council Member Ray seconded the motion. The vote follows:

Ayes: Council Members Ray, Joachim, Beckwith, and Sheppard

Nays: None

The motion carried.

**D. Adjourn**

There being no further business on the Agenda and with no further discussion, the meeting was adjourned at 6:55 p.m.

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Lorri Coody, City Secretary