

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

February 16, 2015 – 7:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENED ON FEBRUARY 16, 2015 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, 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

George Ohler, Commissioner

Michael O’Neal, Commissioner

Joyce Berube, Commissioner

Commissioners Rick Faircloth and Ratan K. Jha were not present at this meeting.

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, Harry Beckwith III, PE

City Attorney, Mary Ann Powell

Council Member, Sheri Sheppard

Council Member, Tom Eustace

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

*The following items were called out of order:*

**C. Conduct Joint Public Hearing with City Council on the request of Gordon NW Village LP to amend the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “health club” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.”**

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 7:04 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 the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “health club” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.”

With no one desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:05 p.m.

**D. Conduct a Joint Public Hearing with City Council on the request of Stone Development Group to amend the Specific Use Permit for the property located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, by allowing a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive.**

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 7:05 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 the Specific Use Permit for the property located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, by allowing a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive. Mayor Erskine then called those signing up to speak as follows:

**Karthik Ramakumar, 50 Cherry Hills, Jersey Village, Texas** – Mr. Ramakumar addressed City Council, outlining his concerns with the proposed access drive. He listed security and safety as his primary concerns. He stated that the fence along the back of his property is not very high, and he fears that the access road will increase traffic along the property line and invite unwanted access to his property via the low fence. He opposes this access drive and asks that City Council deny the request.

**Deborah Finlay, 30 Cherry Hills, Jersey Village, Texas (713) 816-2088** – Ms. Finlay spoke to Council concerning comments made during the last City Council Meeting. She outlined various items that she felt were misstated concerning the distance of the access drive to the back of her property and the issue of drainage for the area. She stated concerns about drainage and possible flooding coming from Jones Road to the homes located on Cherry Hills as well as safety concerns and signage as reasons the access drive should not be permitted.

**Bill Schuster, 8 Peachtree Court, Jersey Village, Texas (832) 407-9011** – Mr. Schuster opposes the access drive. He told City Council he is concerned with safety issues, people entering the back yards of those living along the neighborhood fence, noise, and flooding. He asks that City Council deny the request for an access road.

**Laura Boyd, 84 Cherry Hills, Jersey Village, Texas (281) 890-9870** – Ms. Boyd opposes the access drive and echoes all of the concerns already stated during this public hearing. She also stated that she is concerned about property values and asked that City Council deny the request.

With no one else desiring to speak at the hearing, Mayor Erskine and Chairman Mergel closed the joint public hearing at 7:20 p.m., and the Planning and Zoning Commission retired from the City Council meeting at 7:20 p.m. to conduct its posted meeting agenda and prepare the final reports in connection with these joint public hearings.

Chairman Mergel reconvened the Planning and Zoning meeting at 7:21 p.m. and called the next item as follows:

**B. Consider approval of the minutes for the meetings held on January 13, 2015.**

Commissioner Berube moved to approve the minutes for the meeting held on January 13, 2015. Commissioner Ohler seconded the motion. The vote follows:

Ayes: Commissioners Berube, Freeman, Ohler, and O’Neal  
Chairman Mergel

Nays: None

The motion carried.

**E. Discuss and take appropriate action regarding the preparation and presentation of the Final Report as it relates to the request of Gordon NW Village LP to amend the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “[health club](#)” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club.”**

Chairman Mergel introduced the item. The Commission reviewed the final report that was provided in the meeting packet.

The Commission reviewed the definition of health club and stated concerns with what type of health club the retail shop would allow. Scott Gordon, of Gordon NW Village LP, was present and stated that at this time they do not have a health club applicant. He is trying to get ahead of the game in hopes that a health club will move into the strip center if allowed. The Commission reminded Mr. Gordon that this change will apply to the entire district and not just the strip center, and is the reason why the Commission needs to be thorough in its research and decision. The Commission then discussed allowing health clubs by a specific use permit in order to be more restrictive as to what type of health clubs are to be approved. The Commission then agreed that staff and the city attorney should review the definition of “health clubs,” and provide, for the Commission’s consideration, a more restrictive definition with possible exclusions.

With no further discussion, Commissioner Ohler moved to table the final Report as it relates to the request of Gordon NW Village LP to amend the Jersey Village Code of Ordinances, Chapter 14, Article IV, Section 14-105(a) by adding a new Subsection (24) to include “[health club](#)” as a use regulation in District F; and to amend Section 14-5 by adding a definition for “health club” in order to get a more detailed definition of “health club” and/or exclusions. Commissioner Freeman seconded the motion. The vote follows:

Ayes: Commissioners Berube, Freeman, Ohler, and O’Neal  
Chairman Mergel

Nays: None

The motion carried.

**F. Discuss and take appropriate action regarding the preparation and presentation of the Final Report as it relates to the request of Stone Development Group to [amend the Specific Use Permit](#) for the property located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson**

**Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, by allowing a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive.**

Chairman Mergel introduced the item. The Commission reviewed the final report that was provided in the meeting packet.

After hearing comments during the public hearing the Commission questioned the advantages of the access drive and why it was not presented at the time of the original specific use permit request. The Commission agreed that traffic flow and access were considered at the time of the specific use permit and no issues concerning an “access drive” were brought up by the applicant.

Dan Bertoni, from IShine, stated that they always intended to build the private access drive. He stated that both Advanced Auto Parts and CVS Pharmacy have back access, but the empty lot does not. They want to complete the access drive across the empty lot and run it to Jersey Meadow Drive. There was discussion among staff and the Commission regarding use of the access drive by larger, louder vehicles, such as delivery and trash trucks, to access the other businesses. There was concern that this would be disruptive to the residential area backing this property.

With no further discussion, Commissioner Berube moved to amend the final report included in the meeting packet, and present to City Council a final report recommending that the Specific Use Permit for the property located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, NOT BE amended to allow a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive. Commissioner Ohler seconded the motion. The vote follows:

Ayes: Commissioners Berube, Freeman, Ohler, and O’Neal  
Chairman Mergel

Nays: None

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.”

**G. Adjourn**

With no additional business to conduct the Commission adjourned at 8:19 p.m. to allow Chairman Mergel to present to City Council.

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Courtney Rutherford, Assistant City Secretary

**EXHIBIT A  
TO THE  
FEBRUARY 16, 2014  
P&Z MINUTES**

**FINAL REPORT**

**AMEND THE FINAL REPORT INCLUDED IN THE MEETING PACKET, AND PRESENT TO CITY COUNCIL A FINAL REPORT RECOMMENDING THAT THE SPECIFIC USE PERMIT FOR THE PROPERTY LOCATED ON A 1.8317 ACRE TRACT OF LAND (BEING OUT OF LOT 2, BLOCK 1, A REPLAT OF GULF COAST JERSEY VILLAGE), LOCATED IN THE CHARLES CLARKSON SURVEY, ABSTRACT 190, ALONG JONES ROAD IN JERSEY VILLAGE, HARRIS COUNTY, TEXAS, NOT BE AMENDED TO ALLOW A CONTINUOUS ACCESS DRIVE ALONG THE EAST SIDE OF THE COMMERCIAL DEVELOPMENT THROUGH TO JERSEY MEADOW DRIVE**



**CITY OF JERSEY VILLAGE  
PLANNING & ZONING COMMISSION – FINAL REPORT  
AMENDMENTS TO SPECIFIC USE PERMIT**

The Planning and Zoning Commission has previously met on January 13, 2015 and in its preliminary report proposed that the Specific Use Permit granted to Service Franchise Inc. and any successor in interest of the property for a carwash located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, be amended to include a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive with the condition that the previously approved landscaping is carried through to Jersey Meadow Drive.

The preliminary report was submitted to the Jersey Village City Council at its January 19, 2015 meeting. The report was reviewed and the City Council ordered a Joint Public Hearing for February 16, 2015.

On February 16, 2015, 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 February 16, 2015 at 7:00 p.m., recommends that the Specific Use Permit granted to Service Franchise Inc. and any successor in interest of the property for a carwash located on a 1.8317 acre tract of land (being out of Lot 2, Block 1, a replat of Gulf Coast Jersey Village), located in the Charles Clarkson Survey, Abstract 190, along Jones Road in Jersey Village, Harris County, Texas, not be amended to include a continuous access drive along the east side of the commercial development through to Jersey Meadow Drive with the condition that the previously approved landscaping is carried through to Jersey Meadow Drive.

Respectfully submitted, this 16th day of February 2015.

ATTEST:

  
Courtney Rutherford, Assistant City Secretary

  
Debra Mergel, Chairman

