

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

August 15, 2016 – 7:00 p.m.

THE PLANNING AND ZONING COMMISSION OF THE CITY OF JERSEY VILLAGE, TEXAS, CONVENEED ON AUGUST 15, 2016 AT 7:00 P.M. IN THE CIVIC CENTER, 16327 LAKEVIEW DRIVE, JERSEY VILLAGE, TEXAS.

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

Chairman, Debra Mergel
Rick Faircloth, Commissioner
Joseph Paul, Commissioner

Barbara Freeman, Commissioner
Michael O’Neal, Commissioner

Commissioner, Joyce Berube, was not present at this meeting. Commission Place 1 is vacant. Lorri Coody, City Secretary, was only present for items A and B on this agenda.

B. JOINT PUBLIC HEARINGS

Mayor, Justin Ray and Planning and Zoning Chairman, Debra Mergel opened the joint public hearing at 7:08 p.m. In addition to the Planning and Zoning Commission Members listed above, the following City of Jersey Village City Council members were present:

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| 1. Mayor, Justin Ray | 4. Council Member, C. J. Harper |
| 2. Council Member, Andrew Mitcham | 5. Council Member, Sheri Sheppard |
| 3. Council Member, Greg Holden | 6. Council Member, Gary Wubbenhorst |

The purpose of the Joint Public Hearing is to receive written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.

After opening the Joint Public Hearing, Mayor Ray called the following item:

1. Presentation on the proposal to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway.

Kevin T. Hagerich, Director of Public Works, gave a presentation on the proposal to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning District “F” at 17100 Northwest Freeway. The presentation covered the following items:

- A. Section 14-84 Amendments to district boundaries;
- B. Answered why we are going through this process;
- C. The zoning application filed June 16, 2016;
- D. The current zoning map;
- E. The location of the property on the current zoning map;
- F. Adjacent Property Uses in Zoning District F – and Property Values;
- G. Specific Use Considerations;

- H. Excerpt from Comprehensive Plan regarding Future Land Use along the US 290 Corridor;
- I. Insert of Motor Vehicle Sales Overlay District; and
- J. Concluding statements.

Hearing no questions about the presentation, Mayor Ray called the next item on the agenda as follows:

2. **Presentation of application to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway by the applicant Gary Campbell on behalf of the property owners Pamela Pappas Mattingly and Mersina Pappas Stubbs.**

Gary Campbell, Applicant, gave a brief explanation of his request to expand the boundaries of the Motor Vehicle Sales Overlay District to include the property located in base zoning district “F” at 17100 Northwest Freeway. He explained that he intended to purchase the property in order to build a Subaru Dealership. He gave background information about the Subaru Dealership and concluded that this location is perfect for this type of business.

3. **Conduct a Joint Public Hearing with the Planning and Zoning Commission for the purpose of receiving written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.**

In calling the item, Mayor Ray restated that the purpose of the Joint Public Hearing is to receive written and oral comments from any interested person(s) concerning the Preliminary Report of the Planning and Zoning Commission on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.

He then called those individuals signing up to speak on this matter as follows:

Oscar Mohkamkar, 17000 Preston Road, Suite 322, Dallas, Texas 75248 (972) 365-7999 –

Mr. Mohkamkar is the architect drawing the plans for the dealership to be located on the property that is the subject of this Joint Public Hearing. He gave a short presentation consisting of the following PowerPoint slides:

- Location of Site;
- Proposed Facility;
- Location of Facility on Property;
- Architectural Site Plan;
- Floor Plan;
- Exterior Elevations and Material to be used in construction; and
- Furniture and Fixture Plan.

Brad LyBrand, 1730 French Village Drive, Houston, Texas 77055 (713) 438-9516 – Mr. LyBrand spoke about the property that is the subject of this public hearing. He showed a

PowerPoint slide that demonstrated the general location of the property and the abutting properties. He explained that it is a difficult property to develop because of its limited highway frontage. He tried to market the property for retail, but was unable to get any interest due to the size and location of the property along US Hwy 290. He concluded his talk by stating that the property is ideally suited for a car dealership.

Dan Quinlan (did not complete a Joint Public Hearing Comment Card) – Mr. Quinlan is a resident of Jersey Village. He explained that he sold the property in question to the Pappas family who in turn leased it to Houston Garden Center. He spoke to the limited highway frontage and the single curb cut. He stated that having a Subaru Dealership at this location would be a blessing and would increase tax revenues for the city.

Ryan Getz, 2500 Tangewilde Street, Suite 120, Houston, Texas 77441 – Mr. Getz is a civil engineer. He spoke about the importance of drainage for new construction in Jersey Village. He stated for this particular property, drainage is important. The proposed plans include a detention pond that ties into the Harris County Flood Control District's existing drainage.

Cris Feldman, 3355 West Alabama, Houston, Texas (713) 986-9471 – Mr. Feldman, although completing a Joint Public Hearing Comment Card, did not speak when called.

With no other citizens signing up to speak at the Joint Public Hearing, Mayor Ray and Chairman Mergel closed the public meeting at 7:25 p.m. and the Planning and Zoning Commission retired from the City Council meeting to conduct its posted meeting agenda at 7:25 p.m.

C. Consider approval of the minutes for the meetings held on July 11, 2016.

Commissioner Freeman moved to approve the Minutes for the Meeting held on July 11, 2016. Commissioner O'Neal seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, O'Neal, and Paul
Chairman Mergel

Nays: None

The motion carried.

D. EXECUTIVE SESSION

Chairman Mergel closed the Regular Session of the Planning and Zoning Meeting at 7:33 p.m. to convene into Executive Session pursuant to the Texas Open Meetings Act, Government Code Section 551.071– Consult with Attorney.

- 1. Pursuant to the Texas Open Meetings Act Section 551.071 – Consultation with Attorney, conduct an Executive Session in order to consult with the City Attorney regarding pending or contemplated litigation in the matter related to the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas. City Attorney, Leah Hayes**

Chairman Mergel adjourned the Executive Session at 8:21 p.m. and reconvened the Regular Session of the Planning and Zoning Meeting, stating that no final actions, decisions, or votes were had during the Executive session.

E. Discuss and take appropriate action concerning the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas; and prepare the Final Report for submission to Council on August 15, 2016.

Background information on this item is as follows: A joint public hearing was conducted at the August 15, 2016 Council and P&Z Meetings, giving opportunity for public comment on the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas as provided by Section 14-84 of the City of Jersey Village Code of Ordinances.

Jersey Village Code of Ordinances Section 14-84(b) requires that the Planning and Zoning Commission submit a written Final Report to the City Council concerning the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, with conclusions and recommendations.

In preparing the final report, consideration should be given to: (1) The application packet; (2) the Jersey Village Code of Ordinances Section 14-111 Motor Vehicle sales overlay district requirements; and (3) the public comments.

Mr. Cris Feldman, attorney representing the property owner, addressed the Commission. He thanked the Planning and Zoning Commission for their time. Mr. Feldman commented that given current market conditions, and considering the details set forth in the City Ordinance, a car dealership would be the best and most practical use of the property in question.

With no further discussion, Commissioner O’Neal moved to deny the request to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas; and prepare the Final Report for submission to Council on August 15, 2016. Commissioner Paul seconded the motion. The vote follows:

Ayes: Commissioners Faircloth, Freeman, O’Neal, and Paul
Chairman Mergel

Nays: None

The motion carried.

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

F. Adjourn

There being no further business on the Agenda the meeting was adjourned at 8:30 p.m.

Lorri Coody, City Secretary



**CITY OF JERSEY VILLAGE – PLANNING & ZONING COMMISSION
FINAL REPORT CONCERNING THE REQUEST TO EXPAND THE
BOUNDARIES OF THE MOTOR VEHICLE SALES OVERLAY
DISTRICT**

The Planning and Zoning Commission met on July 11, 2016 to consider a petition (application) from Gary Campbell as representative of property owners Pamela Pappas Mattingly and Mersina Pappas Stubbs to amend the boundaries of the Motor Vehicle Sales Overlay District to include the property commonly known as 17100 Northwest Freeway, Jersey Village, Harris County, Texas; and prepare its Preliminary Report in connection with same.

The preliminary report was submitted to the Jersey Village City Council at its July 18, 2016, meeting. The report was received and the City Council ordered a Joint Public Hearing for August 15, 2016.

On August 15, 2016, the City Council and the Jersey Village Planning and Zoning Commission conducted a joint public meeting concerning the requested amendment.

The Planning and Zoning Commission makes the following conclusions and recommendations to the City Council:

That the property located at 17100 Northwest Freeway, Jersey Village, Harris County, Texas, is in zoning district F (first business district); and

That the Motor Vehicle Sales Use is not appropriate for the proposed location at 17100 Northwest Freeway, Jersey Village, Harris County, Texas; and

That the proposal to amend the Motor Vehicle Sales Overlay District does not meet the intent of the Motor Vehicle Sales Overlay District Ordinance to promote the general welfare, to conserve property values, and to promote the most appropriate use of land in the city; and therefore,

The Planning and Zoning Commission recommends that City Council disapprove the proposal to amend Chapter 14 of the Code of Ordinances of the City of Jersey Village, Texas, to authorize a revision of the boundaries of the motor vehicle sales overlay district to include the property located at 17100 Northwest Freeway, Jersey Village, Harris County, Texas.

Respectfully submitted, this 15th day of August 2016.

ATTEST:

s/Lorri Coody, City Secretary



s/Debra Mergel, Chairman