

NOTICE OF PUBLIC MEETING

TO: THE DEVELOPMENT STANDARDS COMMITTEE AND ALL OTHER INTERESTED PERSONS:

**Development Standards Committee
September 2, 2020 at 5:00 p.m.
The Woodlands Township
MINUTES**

Notice was hereby given that the Development Standards Committee will hold a Regular Meeting on Wednesday, September 2, 2020, at 5:00 p.m., via video conference within the boundaries of The Woodlands Township in The Woodlands, Texas, which may be viewed online at <http://www.thewoodlandstowship-tx.gov/778/Meeting-Videos>

To call in to the September 2, 2020 Development Standards Committee meeting to provide public comment, you may call any of the numbers listed below. For the best quality audio, it is recommended to use one of the local numbers:

- (346) 248-7799 or (253) 215-8782 or (669) 900-6833 or (312) 626-6799 or (301) 715-8592 or (888) 788-0099 (Toll Free)

Once you have connected, you will need to enter **Webinar ID: 847 3171 6758**, then enter the pound sign “#” on your telephone keypad.

Members Present: Walt Lisiewski, Robert Heinemann, John A. Brown, John Anderson, Arthur Bredehoft, Bob Adams and Mary Funderburg

Counsel Present: Bret Strong

Staff Present: Kimberly McKenna, Neslihan Tesno, and Hennie van Rensburg

I. Welcome/Call Meeting to Order.

Chairman Walter Lisiewski called the meeting to order at 5:01 pm. Walt declared that in accordance with state law notice of this meeting was posted 72 hours in advance of the meeting. This posting occurred inside the boundaries of the Township at this office building. In addition, this meeting was posted online and is being held via videoconference in accordance with the declaration made by Texas Governor Gregg Abbott, which temporarily suspends certain requirements within the Texas Open Meetings Act to help reduce the potential transmission of the COVID-19 public health pandemic emergency.

Determination of a Quorum requires that at least four of our Committee members be in attendance to establish a quorum for conducting business. Walt called role and it was noted that Walt Lisiewski, John Anderson, John A. Brown, Arthur Bredehoft, Bob Adams and Mary Funderburg were present. It was noted that a sufficient number of members are present to declare that we have a quorum. Robert Heinemann arrived at a later time.

II. Consideration and action regarding the minutes of the meeting August 5, 2020.

The minutes of the meeting of August 5th were presented to the committee. It was moved by Arthur Bredehoft and seconded by John Anthony Brown to approve the minutes as presented. The motion carried unanimously.

III. Public Comments *See Guidelines (listed below)

It was identified that On March 16, 2020, Texas Governor Greg Abbott temporarily suspended certain requirements within the Texas Open Meetings Act (TOMA) to help reduce the potential transmission of COVID19. These provisions relate to the public health pandemic emergency.

The Development Standards Committee will be using videoconferencing for their September 02, 2020 meeting.

The following guidelines will be used to allow the public to provide public comment in accordance with the Open Meetings Act and have been modified for the purpose of the Committee’s meetings held by videoconference.

Participation by members of the public in open meetings of the Committee is welcomed and encouraged. To produce the most efficient and effective process for allowing constituents to address the Committee, The

Members accept public comments in accordance with State Law and the following Guidelines for Participating in Public Meetings, which have been adjusted due to the use of videoconferencing during the COVID19 pandemic emergency:

- Each person wishing to address the Committee must call in via phone prior to the conclusion of the “public comments” agenda item. Phone numbers are included on the posted agenda, and additional phone numbers are available in the agenda materials for the “public comments” agenda item online.
- Individuals who wish to make general announcements address a topic that is not included on the agenda, or who wish to address specific agenda items must do so under the “public comments” agenda item at the beginning of the meeting. The Committee may request you follow the agenda on line and call again at the time your item will be heard. Please be advised if you are calling in more than once you may be required to use one of the other numbers provided.
- Individuals will be limited to a total of three (3) minutes regardless of the number of topics, and individuals who provide and utilize a translator will be limited to a total of six (6) minutes.
- Speakers will be taken in the order in which they call in.
- State Law prohibits the Committee from formally acting on a specific item or public comment unless it appears on the posted agenda. Therefore, any Committee discussion of items not included on the posted agenda is limited to questions for clarification and whether or not the item should be placed on a future agenda.
- Speakers may express their opinions or viewpoints on an issue, but are not permitted to participate in the debate on an issue. Speakers will not use profanity.
- Comments from speakers can be made to the Committee as a whole or to an individual member(s).
- Consistent with in-person meetings, public comment will only be taken during the “public comments” agenda item.
- When calling in, you will be placed in a queue, and you will be called upon in the order in which your call was received, and only during the “public comments” agenda item.
- If you receive a busy signal when calling in and the “public comments” period has not concluded, please hang up and call back. The Committee will make every effort to ensure that all callers have an opportunity to speak.
- If you are watching the video of the meeting when you are called upon to speak, please mute the volume on your computer before speaking to avoid audio feedback for Members. There is a brief lag between the audio and video feeds.
- After you have been called upon, you may disconnect from the phone call and continue to watch through the live stream broadcast at <http://www.thewoodlandstowntship.tx.gov/778/Meeting-Videos>.

These guidelines and a full list of available call-in numbers can be found in the online agenda posting under the “Public Comment” agenda item for the August 5th, online agenda. These call-in numbers are active for the August 5th, 2020 Committee meeting scheduled for 5 p.m. only. New phone numbers will be issued for each future meeting in this format during the public health pandemic emergency. As each caller is unmuted, Chair will ask the caller to state their name and address or village for the record, and remind them of the three-minute limit.

There were no public comments:

IV. Consideration and Action of the Commercial and Residential Applications and Covenant Violations in Sections V and VI recommended for Summary Action.

These items were reviewed by The Committee. The lists consisted of Commercial Items A, B, D – S and Residential Items 7 – 16, 18.

It was then moved by John Anderson and seconded by Bob Adams to approve the Commercial Summary List in Section VI by staff recommendation for the items listed above.

It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve the Residential Summary List in Section VII as presented by staff recommendation. The motion carried unanimously.

V. Consideration and Action of the Commercial Applications and Covenant Violations.

A. Consideration and action to allow the owner to pursue amending the Initial Land Use Designation.

Lex Gen Woodlands LP / Lexicon Pharmaceuticals Inc.

4000 Research Forest Drive

Lot 0240 Block 0547 Section 0000/Lots 9024, 9046 Block 0051 Section 0999 Village of Research Forest

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve the Owner pursuing the amended land Use Designation on the following conditions:

- The permitted Use designation is specified and consistent for both tracts 6.7677 ac tract.
- Use will include light manufacturing, including the manufacturing of pharmaceuticals.
- Final Amended Land Use Designation must be reviewed for accuracy by The Development Standards Committee's legal counsel, prior to recordation.

The motion carried unanimously.

B. Variance request for the proposed planting plan that does not include the removal of stumps.

Two Waterway Lofts Ltd.

3 Waterway Court

Lot 0001 Block 0599 Section 0006 Village of Town Center

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve the revised planting plan, on the following conditions:

- Accept the arborist report and require the owner address the stumps in accordance with the report (drilled or sliced to increase decay) and then landscaped to cover any exposed stump.
- Replants are approved in accordance with the arborist's recommendations that include the planting of four (4) forty-five to sixty-five (45-65) gallon Little Gem Magnolias according to the marked aerial photograph along the south and southwest portion of the property and two (2) forty-five to sixty-five (45-65) gallon Little Gem Magnolias according to the pedestrian level photograph provided.
- Relocate the "Private Property" sign up to the bottom edge of the brick coursing ledge (approximately one brick coursing). Trim and maintain hedges at a continuously even height where the sign was relocated, so the top portion of the sign reading "Private Property" is legible above the hedge line.
- No additional tree or vegetation trimming or removal shall occur within the Two Waterway Lofts property without written approval and a member of The Woodlands Township being present.

The motion carried unanimously.

C. Variance request for a sign package that includes monument and building signs that do not match, a monument panel that does not comply with the approved colors, a building sign that does comply with the approved colors, letter and raceway sizes and a blade sign.

Carl B. Zucker & ETB LLC / Farmers Insurance

27130 Glen Loch Drive

Lot 0290 Block 0045 Section 0007 Village of Panther Creek

This item was heard by the full Committee. The Committee deliberated regarding the signs, colors and applicable standards. It was then moved by Walter Lisiewski and seconded by Arthur Bredehoft to approve the BUILDING SIGN & BLADE SIGN on the following conditions:

Move to approve the building sign as presented, in accordance with the modified and resubmitted plans. Move to approve the Blade Sign on the condition allowed only if other approvals with agent name otherwise allow without agent information.

MONUMENT:

Move to table monument sign action until staff can speak with the owner regarding overall sign maintenance and tenant panels both proposed and existing. Consistent criteria.

The motion carried unanimously.

- D. Variance request for a proposed sign package that includes two building signs and does not include an arcade sign in accordance with the shopping center criteria.

US Regency Alden Bridge LLC / El Chaparro Mexican Grill

8000 Research Forest Drive, Suite 200

Lot 0400 Block 0257 Section 0047 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to deny as presented and require the owner revise and resubmit on the following conditions:

1. The building sign is to be displayed on the tower. Space around the sign shall be equally spaced in the message area.
2. The proposed sign is 85% of the message area width. Reduce the scale of the sign to be 70% of the message area per the center criteria.
3. Refinish the message area to a like-new condition prior to sign installation.
4. LED Illumination to be between 6000K and 6500K color temperature.
5. The applicant is proposing secondary building signs on center designated sign/decorative panels. Signage is disapproved to be displayed on panels as the tenant has an entry tower for signage.
6. Replace center approved graphic design centered on both sign/decorative panels.
No other exterior signage is approved other than specifically submitted and approved within this written approval. All exterior signage must be submitted for review and written Committee approval prior to fabrication and installation.

The motion carried unanimously.

- E. Variance request for the proposed sign package that does not include a registered trademarked logo and an arcade sign that does not comply with the criteria regarding font, size and color.

US Regency Alden Bridge LLC / Javara

8000 Research Forest Drive, Suite 250

Lot 0400 Block 0257 Section 0047 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to deny as presented as require that the owner revise and resubmit on the following conditions:

- Javara USPTO Registration does not include a logo. USPTO Registration, including logo, is to be acquired within one (1) year.
- The tenant does not have sign panels for their storefront. The building sign is to be displayed on the tower. Space around the sign shall be equally spaced in the message area.
- The proposed sign is 81% of the message area width. Reduce the scale of the sign to be 70% of the message area per the center criteria.
- A variance is approved for the blade sign content to differ from the center criteria requirements to be blue in color, include logo and font to match the building sign. Reduce the scale of "Javara" to better fit the blade panel with 3-inch tall lettering and logo.
- No other exterior signage is approved other than specifically submitted and approved within this written approval. All exterior signage must be submitted for review and written Committee approval prior to fabrication and installation.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

- F. Consideration and action for time extension for the allowance of a temporary metal canopy system in the drive through area of the parking lot.

Chick-Fil-A Inc.

1660 Lake Woodlands Drive

Lot 7150 Block 0599 Section 0999 Village of Town Center

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve the time extension for the temporary installation of the tent, on the following conditions:

- Must be maintained in good order and repair.
- Temporary tent must be removed no later than November 2, 2020. In the event that Chick Fil A opens the dining area prior to this date, the tent must be removed prior to the dining room opening to allow for the appropriate parking requirements.
- Any additional time extensions must be submitted for review and written approval.
- Area under tent must remain free of any permanently stored equipment such as tents, tables etc.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

G. Consideration and action for the proposed exterior renovation.

Killens Land & Cattle CO LLC

8800 Six Pines Drive

Lot 6603 Block 0350 Section 1000 Village of Research Forest

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

General Site

1. Provide Construction Activity Plan - All construction materials, dumpsters, storage bins, office trailers, and portable toilets shall be within a screened construction fence.
2. Screen property during construction with entry/exit gates that can be locked for security after working hours. Owner to submit revised plan to show screened area for review and final action by the designated subcommittee representative and designated CAD staff.
3. Construction work is to adhere to the work hours as set forth by The Woodlands Commercial Planning and Design Standards, weekdays, weekends, and holidays.
4. Provide a landscape plan showing vegetation to remain and new vegetation to include a landscape bed at monument sign. All plantings require irrigation concealed from public view.
5. Property is to be cleared of all debris and vegetation overgrowth immediately.
6. Patio furniture is not submitted for review. Repair current furniture to like-new condition or remove from the property immediately.
7. "Dumpster enclosure" in the parking lot is to be cleaned and repaired to like-new condition. Remove deteriorated and missing gates and replace them with metal panel gates. All contents within the enclosure shall be screened from public view.

Building

1. Submit information for any HVAC replacement to include sound output levels.
2. Building body color to be repainted "Downing Sand." Trim color "Rock Garden" to be added at the roofline, windows, and doors. The entire exterior to be properly cleaned and prepped for new paint per the manufacturer's guideline. Mildew is to be removed from all exterior surfaces.
3. Conditional approval is granted for structural smoker cover with CMU stone wall and W.I. fence. Stone to match existing. Canopy structure to be painted to match building color with green trim.
4. Smokestacks shall be painted to match the existing roof if code permits.
5. Smokers are to be maintained on a regular basis per the manufacturer's recommended procedures. Any residual run-off on the parking lot from smoker cleaning shall be cleaned immediately.
6. Proposed floodlights (2) off the corners of new smoker structural cover are disapproved. Lights may cause excessive glare off of the property.
7. Light fixtures under the smoker cover must be installed such that the light source cannot be seen from the exterior of the cover. Light output temperature color must be within 500K of the other exterior light fixtures on the building and around the property.

Signage

1. Existing signage is to be removed.

2. No signage is approved at this time. Submit a complete sign package to the CSC to include (but not limited to) building sign (cabinet signs will not be approved), service signs, parking, directional, monument, and window graphics. Submit for new parking lot striping and fire lane paint.
3. The internal components of the monument sign shall never be left exposed. Install a "blank" white, beige or dark bronze panel that is opaque as to not allow internal illumination light transmission through.

The motion carried unanimously.

- H. Variance request for the proposed sign package that includes two building signs and contains a logo that is not trademarked.

Centro NP Holdings 12 SPE LLC / Star Cinema and Grill

9420 College Park Drive, Suite 100

Lot 0500 Block 0490 Section 0046 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve with the following conditions:

- Star Cinema Grill is conditionally approved to install two (2) building signs, "Star Cinema Grill" and "Star Entertainment Center," as the tenant has two separate entrances.
- The star logo and fonts for both proposed signs "Star Cinema Grill" and "Star Entertainment Center" are conditionally approved pending that the business name and logo/logotype be registered with the USPTO within one (1) year of this conditional approval. If proof of registration is not received, the tenant risks the signage being removed at the expense of the tenant.
- Any damage to the façade from the removal of the "Randall's" building sign elements must be repaired to a like-new condition prior to the installation of the new approved building sign.
- Construction work hours are to adhere to the times set within The Woodlands Commercial Planning and Design Standards.
- A clean and professional job site is to be maintained at all times and shall not block fire lanes around the perimeter of the building.
- No other exterior signage is approved other than specifically submitted and approved within this written approval. All exterior signage, including, but not limited to, door/window graphics, hours of operation, and service door signage, must be submitted for review and written Committee approval prior to fabrication and installation.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

- I. Consideration and action for the proposed raising of the roof and replacement and addition of rooftop HVAC system.

Centro NP Holdings 12 SPE LLC / Star Cinema and Grill

9420 College Park Drive, Suite 100

Lot 0500 Block 0490 Section 0046 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

- Star Cinema Grill is conditionally approved to remove the existing RTU HVAC from the former Randall's and replace it with 21 specific units per Theater and functional areas such as restrooms, offices, kitchen, and bowling lanes.
- Star Cinema Grill is conditionally approved to raise the roof for clearance in new large-format movie theaters. The raised roof structure and new HVAC equipment shall be fully screened from public and residential views by the revised storefront elevations.
- The proposed construction schedule of a 9-month period is conditionally approved. If additional time is required, the contractor and/or applicant must apply for additional time.
- Construction work hours are to adhere to the times set within The Woodlands Commercial Planning and Design Standards.
- A clean and professional job site is to be maintained at all times and shall not block fire lanes around the perimeter of the building.
- HVAC Units are not to be visible from public view from any vantage point around the building.

- Sound output from HVAC units shall not exceed 65 dB at the property line. The closest unit is 89 dB, and at 100 ft from the property line reduces sound to approx. 65 dB at the property line.
- Must comply with the Commercial Planning and Design Standards.

The motion carried unanimously.

J. Consideration and action for the proposed exterior renovation.

Centro NP Holdings 12 SPE LLC / Star Cinema and Grill

9420 College Park Drive, Suite 100

Lot 0500 Block 0490 Section 0046 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

- The proposed construction schedule of a 9-month period is conditionally approved. If additional time is required, the contractor and/or applicant must apply for additional time.
- Construction work hours are to adhere to the times set within The Woodlands Commercial Planning and Design Standards.
- Provide a Construction Activity Plan indicating staging area with 6' tall chain link fence with screening, storage units, trailer, dumpsters, and portable toilets.
- Provide a parking analysis that conforms to The Woodlands Standards for gathering spaces and verify adequate parking count.
- A clean and professional job site is to be maintained at all times and shall not block fire lanes around the perimeter of the building.
- EIFS finishes and stone to match existing shopping center finishes. Dark Bronze Mica panels to be added at entry towers are approved. The new canopy over Star Cinema Grill entry with a new metal wall structure in dark bronze for a new green wall is conditionally approved. Provide overall rendered elevations with shopping center finishes integrated with Cinemark proposed finishes.
- The revised storefront elevation with taller parapet and the green wall is to completely conceal new roof structure (for larger format theater) and all HVAC equipment from public and residential views.
- Storefront frames will be dark anodized bronze. Glass shall be non-reflective per The Woodlands Standards.
- Patio furniture shall be of a durable exterior grade commercial finish.
- Black metal chairs are conditionally approved, pending that the seat cushions are to be maintained in a clean and professional appearance at all times.
- Conditional approval is granted for powder-coated aluminum tables. Fiberglass/ Polypropylene chairs may fade or crack in direct sunlight and are disapproved. Consider additional outdoor black metal chairs.

The motion carried unanimously.

K. Variance request to allow less than the number of parking spaces required in the Commercial Parking Ratios.

Fawn Ridge Apartments LLC

12420 Sawmill Road

Lot 0450 Block 05999 Section 0006 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve the parking variance as presented. The motion carried unanimously.

L. Consideration and action for the proposed exterior renovation that includes proposed lighting that exceeds the maximum foot candle levels allowed at the property line.

Fawn Ridge Apartments LLC

12420 Sawmill Road

Lot 0450 Block 05999 Section 0006 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

1. Revise cut sheets for all new exterior light fixtures to be 4000K and submit information on the existing parking lot to compare specifications.
 2. Revise shade structure color to green or tan color.
 3. Revise dumpster enclosure design to include doors and if allowed, revise PVC color to clay option. Owner must maintain enclosures in good order and repair. Including but not limited to routine exterior washing and debris removal.
 4. All exterior lighting is to be within 500K color temperature of each fixture.
 5. Owner is to provide construction timeline and construction activity plan. All construction fences shall be minimum 6' tall chain link with mesh screening in black, green or brown applied to the exterior of the fence.
 6. Contractor shall adhere to the construction work hours as outlined in The Woodlands Commercial Planning and Design Standards.
 7. A clean and professional job site shall be maintained at all times and shall not block fire lanes around the perimeter of the building.
 8. All portable units such as dumpsters, Conex boxes, trailers, and portable toilets shall be of a neutral grey, tan or white color.
 9. Dumpsters to only be placed as needed per section during construction and to be fence-in with 6' tall chain-link construction fence with screening.
 10. Exterior colors approved as submitted.
 11. All windows, doors, and paint are to be installed according to the manufacturer's recommended instructions.
 12. The DSC Committee reserves the right to limit/dim light output and/or require additional shielding to exterior light fixtures.
 13. All improvements must be completed in accordance with the Commercial Planning and Design Standards.
- The motion carried unanimously.

M. Variance request for the proposed directional signs that contain the business name.

Fawn Ridge Apartments LLC
12420 Sawmill Road
Lot 0450 Block 05999 Section 0006 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to deny as presented and require that the owner revise and resubmit on the following conditions:

- Business name is removed from sign.
- Background and text is revised to coordinate with existing building number signs.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

N. Variance request for the proposed monument sign that includes a logo that is not trademarked, the street address and a phone number.

Fawn Ridge Apartments LLC
12420 Sawmill Road
Lot 0450 Block 05999 Section 0006 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

- A formal planting area, not more than eight (8) feet wide, must be installed, irrigated, and maintained around any new monument Sign.
- Owner must obtain trademark for name and logo with either the USPTO or the Texas Secretary of State within one year, no later than Sept. 2, 2021 or logo must be removed at the expense of the owner.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

- O. Variance request for the existing exterior lighting that exceeds the maximum foot candle levels allowed at the property line.

The Woodlands Community Presbyterian Church
4881 W. Panther Creek Drive

Lot 0305 Block00 45 Section 0040 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

- The Committee reserves the right to limit light output or require additional shielding or a revised photometric plan to the property line, in the event an objection is received.
- All LED fixtures to be 4000K color temperature.
- No other exterior modifications are approved other than specifically submitted and approved within this written approval. All exterior modifications must be submitted for review and written Committee approval prior to fabrication and installation.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

- P. Consideration and action for the proposed building sign.

Spirit Filled Celebration Church Inc. / Education Building
7253 E. Capstone Circle

Lot 500 Block 0101 Section 0067 Village of Cochran's Crossing

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve as presented. Must comply with Commercial Planning and Design Standards. The motion carried unanimously.

- Q. Variance request for the proposed monument sign panel that does not match the registered trademark name.

Woodlands Anchor Acquisition LP / Torchy's
1555 Lake Woodlands Drive, Suite 500

Lot 0284 Block 0599 Section 0099 Village of Town Center

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve on the following conditions:

- Fasteners must be concealed or painted to match panel.
- Must comply with the Commercial Planning and Design Standards including, but not limited to the installation and the maintenance of a landscape bed with concealed irrigation.
- No other signs are approved at this time, including but not limited to door and window vinyl graphics. Owner must submit an application and specifications in accordance with the Standards should graphics be requested.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

- R. Consideration and action for the proposed cell tower equipment upgrade.

American Towers LLC
2630 Sawdust Road

Lot 0525 Block 0547 Section 0006 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve based on the following:

- The tower shall not increase in height as indicated on the project application and in the project drawings.
- No additional lighting, equipment, site modifications or signs are approved at this time. Any additional items or accessories, other than the upgrade equipment with associated connections, shall be submitted for review and approval by the committee.
- Must comply with Commercial Planning and Design Standards.

The motion carried unanimously.

S. Consideration and action for the proposed concrete pad and seating area.

Black Forest Woodlands Holdings LLC

2828 Technology Forest Boulevard

Lot 0272 Block 0547 Section 0999 Village of Research Forest

This item was heard by the Committee under the summary list as presented by staff. It was then moved by John Anderson and seconded by Bob Adams to approve with the following conditions:

- Verify hard-surface coverage conforms to any existing restrictions.
- The smoking area is within direct access to a building entrance. The smoking area must adhere to all applicable codes.
- Revise the bench layout to allow for unobstructed egress.
- Connect the patio to the existing egress pathway.
- Patio furniture has not been submitted for review. Remove patio furniture in lieu of built-in benches. The smoking stand is approved, as presented.
- Stain or paint the treated lumber bench to a neutral, non-contrasting color.

The motion carried unanimously.

VI. Consideration and Action of the Residential Applications and Covenant Violations.

1. Consideration and action regarding the request for rehearing regarding disapproval of the existing color change that is not a muted shade or consistent with the neighborhood's existing character.

John Bizer

11 Gate Hill Drive

Lot 06, Block 20, Section 01 Village of Indian Springs

This item was heard by the full Committee. The Owner was present to address the Committee. The Committee reviewed the presentation from the staff. The Committee deliberated regarding the existing color, the request from the homeowner and the rehearing options. It was then moved by Walter Lisiewski and seconded by Arthur Bredehoft to approve the request for a rehearing and post at the DSC meeting October 7th and circulate notifications to the neighboring properties for meeting date. The motion carried unanimously.

2. Variance request for conceptual proposal for a room addition that requires sealed plans which have not been provided, and may pose impact to adjoining properties.

Josh & April Thompson

2 Torch Pine Court

Lot 03, Block 02, Section 05 Village of Panther Creek

This item was heard by the full Committee. The Committee reviewed the presentation from the staff. The Committee deliberated regarding the proposed room addition, impact to adjacent properties and overall architectural compatibility with the neighborhood. It was then moved by Arthur Bredehoft and seconded by Walter Lisiewski to approve a conceptual proposal for an addition over the garage with the following modifications:

- Modify design of the windows facing out to the driveway.
- Possibly enclose stairwell or design for the door to face the driveway instead of the neighboring house.
- Ensure roof pitch matches the existing home for the proposed addition.
- Consider improved column or post design supporting the carport.
- Consider revised design to the window closest to house #4. Windows appear to be in the kitchen area, maybe modify to transom or frosted glass.
- Final plans to be submitted to be reviewed by a designee of the Development Standards Committee for final approval.

The motion carried unanimously.

3. Variance request for the conceptual proposal for a detached garage that would encroach into 15-foot side setback.

Joseph O'Connor

27 Grogan's Point Court

Lot 35, Block 03, Section 44 Village of Grogan's Mill

This item was heard by the full Committee. The Committee reviewed the presentation from the staff. The committee reviewed the conceptually proposed garage, its potential impact to adjacent properties, hard surface area, roof styles and overall size and scale. After deliberation, the Committee denied the variance as submitted and request the owner revise and resubmit to show reflect the following changes:

- Incorporate any hard surface additions in the final plans. Revise and resubmit to show the hard surface design of the driveway leading up to the proposed garage addition.
- Revise and resubmit the design of the garage addition to either relocate, push back or adding it to the home as an addition. Attaching as an addition would reduce the encroachment by 6 feet, making the total encroachment only 4 feet into the 15-foot setback.
- The Committee also requires a modification to the design of the roof. The roof design must be modified to a Hipped roof design as opposed to a Pitched/Gable Roof design. Please see the attached example as a further reference.
- The Owner must relocate the storage area that is located adjacent to the impacted property, to the rear of the addition in order to further minimize impact and encroachment.
- The Owner must submit a Drainage Plan. Drainage plans must be comprehensive site plans that define the overall site and any site topography. Drainage plans should show any natural change in grade and define the direction the water flows onto and off of the property. Drainage plans should include any specifications for drainage swales, piping, catch basins and drain outlets.

The motion carried unanimously.

4. Variance request for a proposed arbor that will encroach into the rear easement and may impact an adjacent property.

Williams

27 North Cochran's Green

Lot 57, Block 3, Section 23 Village of Cochran's Crossing

This item was heard by the full Committee. The Committee reviewed the presentation from the staff. After deliberation, it was moved by Walter Lisiewski and seconded by Arthur Bredehoff to deny the proposed improvement as presented and suggests the owner work with the contractor to consider alternate locations. The motion carried unanimously.

5. Variance request for the proposed removal of five trees that do not meet the criteria for approval.

Michael Lowman

62 Smokestone Drive

Lot 21, Block 02, Section 29 Village of Panther Creek

This item was heard by the full Committee. The Committee reviewed the presentation from the staff. After deliberation, it was moved by Walter Lisiewski and seconded by Arthur Bredehoff to deny the variance as submitted and suggest the owner consult with an arborist or individual degreed in forestry to assess the condition of the trees on the lot. The motion carried unanimously.

6. Request to appeal the conditions of approval for their tree removal permit, which requires the homeowner to plant and maintain three, forty-five gallon native trees in the front yard of their lot.

Randall & Catherine Ball

22 East Torch Pine Court

Lot 10, Block 01, Section 05 Village of Panther Creek

This item was heard by the full Committee. The Committee reviewed the presentation from the staff. The Owner was present to address the Committee. After deliberation, it was moved by Walter Lisiewski and seconded by Arthur

Bredehoft to deny the appeal to the conditions of approval for the tree removal permit, and require the homeowner plant and maintain three, forty-five gallon native trees in the front yard for the proposed reforestation; and place the owner on notice for failure to maintain the front yard landscaping in accordance with the Residential Development Standards. (Forty percent of the front yard (excluding the portion covered by driveway and walkways) must be trees, shrubbery, flowers, mulch or plants other than turf or grass. No trees, shrubbery, plants or vegetation may be removed that would result in the grassed area exceeding 60 percent of the front yard. The Committee has granted a 90-day timeline to allow for completion of these requirements. The motion carried unanimously.

7. Variance request for the existing detached storage building that is not screened from view.

Geoffrey Go Cavilte

11011 Meadow Rue Street

Lot 09, Block 03, Section 07 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as presented on the condition the owner plant and maintain native vegetation around the shed to screen the view from the street. Planting should occur in front of and adjacent to, to soften each view. The motion carried unanimously.

8. Variance request for existing fence that was built with the construction side facing outward from the lot.

Charles Beasley

26 Still Corner Place

Lot 17, Block 04, Section 01 Village of Indian Springs

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition the portions of fence that are construction side out are not visible to the street. IN the event any portion of a neighboring property fences is removed and causes the construction side members to become visible, the owner will be required to modify the fence to ensure the construction members are not visible to the street. The motion carried unanimously.

9. Variance request for an existing balcony that encroaches into the 10-foot rear easement.

Juan Jose Signoret

8 Emory Oak Court

Lot 06, Block 08, Section 05 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as presented. The improvement must meet code and pass final inspection. Additionally, the owner must ensure placement of the improvements does not halt or materially impede drainage as defined in the residential Development Standards. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

10. Variance request for existing trash cart screen that is not setback a minimum of three feet from the front façade of the dwelling.

Juan Jose Signoret

8 Emory Oak Court

Lot 06, Block 08, Section 05 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as presented. The motion carried unanimously.

11. Consideration and action for street right-of-way improvements located on the cul-de-sac island in Emory Court.

Juan Jose Signoret

8 Emory Oak Court

Lot 06, Block 08, Section 05 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as presented on the condition the owner who installed the improvements signed a memorandum of understanding, that requires the owner to maintain the improvements and all landscaping and lawn maintenance for the cul de sac island. Including but not limited to leaf blowing, edging, mowing and trash and debris removal. The motion carried unanimously.

12. Variance request for a patio cover and summer kitchen that will encroach into the 25-foot rear setback line.

Attaway

10 Ash Branch Court

Lot 22, Block 3, Section 8 Village of Cochran's Crossing

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition the owner must keep tree #2 as marked on the survey and require the owner replant one 15-gallon native tree anywhere on the lot for reforestation of the one tree approved for removed. All improvements must meet code and pass final inspection. Additionally, the owner must ensure placement of the improvements does not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

13. Variance request for a driveway widening and walkway that exceeds the maximum width allowed for driveway borders and walkways.

Young

54 East Rumplescreek

Lot 42, Block 2, Section 31 Village of Cochran's Crossing

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition the contrasting driveway border material is compatible with the Brick of the home. Border should be used for the purposes of step off from the driveway. The motion carried unanimously.

14. Consideration and action for a Short-Term Rental Application.

Brooke Castle

2824 S Logrun Circle

Lot 0012, Block 0001, Section 0002 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition that the owner must sign the Short-Term Rental Maintenance and User Agreement, pay compliance deposit, submit insurance certificate and must provide a secondary responsible party in order to accommodate the possible absence of the primary responsible party. Owner must also comply with all the Short-Term Rental regulations per Section 3.7 of The Woodlands Residential Development Standards. This approval is valid for a period not to exceed one year. Owner must reapply by January 2021. Short Term Rental application may be revoked at any time for failure to comply with the conditions of approval, as a result of impact or at the discretion of the Development Standards Committee. The motion carried unanimously.

15. Consideration and action for a Short-Term Rental Application.

Brooke Castle

78 Wind Whisper Court

Lot 0055, Block 002, Section 0038 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition that the owner must sign the Short-Term Rental Maintenance and User Agreement, pay compliance deposit, submit insurance certificate and must provide a secondary responsible party in order to accommodate the possible absence of the primary responsible party. Owner

must also comply with all the Short-Term Rental regulations per Section 3.7 of The Woodlands Residential Development Standards. This approval is valid for a period not to exceed one year. Owner must reapply by January 2021. Short Term Rental application may be revoked at any time for failure to comply with the conditions of approval, as a result of impact or at the discretion of the Development Standards Committee. The motion carried unanimously.

16. Consideration and action for a Short-Term Rental Application.

Amanda & Jimmy Enriquez

2 East Racing Cloud Court

Lot 0020, Block 0001, Section 0046 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition that the owner must sign the Short-Term Rental Maintenance and User Agreement, pay compliance deposit, submit insurance certificate and must provide a secondary responsible party in order to accommodate the possible absence of the primary responsible party. Owner must also comply with all the Short-Term Rental regulations per Section 3.7 of The Woodlands Residential Development Standards. This approval is valid for a period not to exceed one year. Owner must reapply by January 2021. Short Term Rental application may be revoked at any time for failure to comply with the conditions of approval, as a result of impact or at the discretion of the Development Standards Committee. The motion carried unanimously.

17. Consideration and action for the proposed home demolition application.

Jortney LLC

40 Autumn Crescent

Lot 10, Block 4, Section 9, Village of Cochran's Crossing

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to withdraw the application from consideration. The motion carried unanimously.

18. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the property.

Aristides and Martha Macris

19 Firefall Court

Lot 29, Block 03, Section 48 Village of Grogan's Mill

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve the pursuit of legal action and authorize our attorneys and staff to notify the owner of the Committee's action, what is required to cure the violations and establish a reasonable timeframe for resolution to resolve. Correspondence will include that failure to correct these violations will result in a lawsuit filed and a court hearing scheduled. Furthermore, we recommend the Township Board authorize funding of legal action, as necessary, to correct these violations of the Woodlands Covenants and Commercial Planning and Design Standards, if the initial correspondence by the Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

VII. Consideration and action regarding the Standards for Residential and Commercial Standards for interim actions during the Coronavirus (COVID-19) Pandemic.

This item was heard by the full Committee. The Committee deliberated regarding the More Space Program adopted by the City of Houston and the concept for an outdoor seating program. It was then moved by Arthur Bredehoft and seconded by John Anderson to approve an extended outdoor seating arrangement regarding outdoor dining facilities and best practices limited to sidewalks areas on the following conditions:

- The tenants and business owners must adhere to the specified guidelines.
- A detailed design plan must be submitted to the designated Covenant Administration staff. Plan should include location, space to be used, design, any seating arrangements, barricades or amenities proposed.

- The designated staff must review the design plan and monitor the installation on site, for compliance with the guidelines and designs set forth in the program.
 - The Program is valid only through COVID-19 pandemic. (The Development Standards Committee will allow the use as a temporary consideration and will evaluate use as needed during restricted access and occupancy and will provide due notice for any establishment to remove when the program is no longer in effect. Revisit end of January 2021.
 - Business owners and management are responsible for ensuring their continued compliance with Texas Alcoholic Beverage Commission (TABC) rules and any permitting required. Adoption by the Development Standards Committee does not constitute action by any other entity. It is the owner's responsibility to obtain any additional permitting such as through TABC or County.
 - The overall program and/or use at individual sites is revocable by the Development Standards Committee and their designated staff at any time.
 - The owner must provide authority to participate in this program according to the terms of any lease or operating agreement.
 - Participation in the More Space program does not allow for any additional amplification beyond what has been previously approved for the site.
 - All outdoor equipment must be maintained in good order and repair.
 - Failure to comply will result in temporary suspension, require removal or proceed with enforcement.
 - The DSC may revoke the program or business use for a violation of the program or an impact.
 - All businesses must follow social distancing guidelines or other county guideline, state, county, federal ordinances and guidelines.
 - Use of the designed space is for dining only and not be used for storage or entertainment.
 - Outdoor dining spaces must refrain from advertisements or signage on the equipment or furniture proposed for the space.
 - Outdoor equipment must be cohesive customary outdoor furniture, commercial grade, in good keeping, and evaluated for approval to installation.
 - Areas must be on an approved hard surface area and not compromise existing vegetation.
- The motion carried unanimously.

VIII. Member Comments

The Committee thanked the staff. Arthur Bredehopt inquired about the dry cleaners signs at 8021 Research Forest. John Anderson inquired about the delay in the video feed and what the callers are seeing. Hennie Van Rensburg will follow up on the matter. Mary Funderburg inquired about the operational status of the Residential Design Review Committees.

IX. Staff Reports

Kim McKenna thanked Devon Jordan and Kathleen Eaton for additional assistance.

X. Adjourn

It was then moved by John Anthony Brown and seconded by John Anderson to adjourn the meeting at 7:49pm

***Modified Guidelines for Public Comments to be used when the Committee is meeting via videoconference during the COVID-19 Pandemic Emergency**
 On March 16, 2020, Texas Governor Greg Abbott temporarily suspended certain requirements within the Texas Open Meetings Act (TOMA) to help reduce the potential transmission of COVID-19. These provisions relate to the public health pandemic emergency. The Township began using videoconferencing for their March 25, 2020 Board meeting, and will continue to use this format until normal Township operations have resumed. The following guidelines will be used to allow the public to provide public comment in accordance with the Open Meetings Act and have been modified for the purpose of the Board's meetings held by videoconference.

Participation by members of the public in open meetings of the Development Standards Committee is welcomed and encouraged. A "public comment" agenda item is included at the beginning of all regular meeting agendas. To produce the most efficient and effective process for allowing constituents to address the Committee, The Committee accepts public comments in accordance with State Law and the following Guidelines for Participating in Public Meetings, which have been adjusted due to the use of videoconferencing during the COVID-19 pandemic emergency:

- Individuals, who wish to make general announcements, address a topic that is not included on the agenda, or who wish to address specific agenda items must do so under the "public comments" agenda item at the beginning of the meeting.

- Individuals will be limited to a total of three (3) minutes regardless of the number of topics, and individuals who provide and utilize a translator will be limited to a total of six (6) minutes.
- State Law prohibits the Committee from formally acting on a specific item or public comment unless it appears on the posted agenda. Therefore, any Committee discussion of items not included on the posted agenda is limited to questions for clarification and whether or not the item should be placed on a future agenda.
- Speakers may express their opinions or viewpoints on an issue, but are not permitted to participate in the debate on an issue.
- Speakers will not use profanity.
- Comments from speakers can be made to the Committee as a whole or to an individual member(s).
- Consistent with in-person meetings, public comment will only be taken during the “public comments” agenda item.

Additional notes for those wishing to call in for Public Comment:

- When calling in, you will be placed in a queue. If you are calling for a specific agenda item, we will request what item you are present for; and return you to the call queue until your item is ready to be presented.
- If you receive a busy signal when calling in and the “public comments” period has not concluded, please hang up and call back. The Committee will make every effort to ensure that all callers have an opportunity to speak.
- **If you are watching the video of the meeting when you are called upon to speak, please mute the volume on your computer before speaking to avoid audio feedback for the Committee members. There is a brief lag between the audio and video feeds.**
- After you have been called upon, you may disconnect from the phone call and continue to watch through the live stream broadcast at <http://www.thewoodlandstowship-tx.gov/778/Meeting-Videos>.
- When your item is being presented, please select *9 to indicate you are present for that matter and wish to speak.
- If your call is engaged and you are muted and wish to speak, *6 will unmute your call.

To call in to the September 2, 2020 Development Standards Committee meeting to provide public comment, you may call any of the numbers listed below. For the best quality audio, it is recommended to use one of the local numbers:

- (346) 248-7799 or
- (253) 215-8782 or
- (669) 900-6833 or
- (312) 626-6799 or
- (929) 205-6099 or
- (301) 715-8592 or
- (877) 853- 5247 (Toll Free) or
- (888) 788-0099 (Toll Free)

Once you have connected, you will need to enter Webinar ID: 847 3171 6758, then enter the pound sign “#” on your telephone keypad.

To request other accommodations, call (281) 210-3800 or email ADA@thewoodlandstowship-tx.gov During the September 2, 2020 videoconference Development Standards Committee Meeting, members of the public may provide public comment by calling the numbers shown above and using the Webinar ID #. Calls will be in the order the calls are received and should call in during the “public comment” in order to identify matter for which we have someone present. These phone number are active only for the September 2, 2020 Development Standards Committee meeting. New Phone numbers will be issued for each future meeting during the public health pandemic emergency.


 Property Compliance Manager
 For The Woodlands Township

