

NOTICE OF PUBLIC MEETING

DRAFT MINUTES

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

Development Standards Committee

April 7th, 2021 at 5:00 p.m.

The Woodlands Township

Notice is hereby given that the Development Standards Committee will hold a Regular Meeting on Wednesday, April 7th, 2021, 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> Once selected go to “Watch Virtual Public Meetings”

To call in to the April 7th, 2021 Development Standards Committee meeting to provide public comment or speak on a specific item, 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: 895 3635 5126**, then enter the pound sign “#” on your telephone keypad.

I. Welcome/Call Meeting to Order.

Chairman Arthur Bredehoft called the meeting to order at 5:00pm

II. Public Comments *See Guidelines (listed below).

There were no public comments.

III. Consideration and action regarding the minutes of the meeting of March 3rd, 2021.

The minutes of the meeting of March 3rd, 2020 were presented to the committee. It was moved by Bob Adams and seconded by David Smith to approve the minutes as presented. The motion carried unanimously.

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

These items were reviewed by The Committee. The lists consisted of Commercial Items G, H, I, J, K and Residential Items 2, 8, 10 – 20, 22 – 30 and Roman numeral IX.

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

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

V. Recess to Executive Session to consult with the Development Standards Committee’s attorney pursuant to 551.071, Texas Government Code.

There was no executive session.

VI. Reconvene in Public Session.

There was no executive session.

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

- A. Consideration and action for the proposed concept plan for the exterior remodeling.
Bonaventure Fund I LLC / Velvet Taco
9120 Gosling Road

Lot 0400 Block 0051 Section 0999 Village of Research Forest

This item was heard by the full Committee. The Committee deliberated regarding the exterior remodeling, applicable standards, and overall visual compatibility with the neighborhood. After deliberation, it was moved by Bob Adams and seconded by Robert Heinemann to approve on the following conditions:

- Revise the roof color back to the original black/charcoal color design.
- Velvet Taco is conditionally approved to keep the checkered pattern on the facade as well as the pink door frames.
- A variance for the south façade painted mural is conditionally approved. No advertising is approved.
- Dashed red lines represent a portion of the interior to be removed and converted to an exterior covered patio to create a larger outdoor dining area. The existing roof shall remain as-is in this area.
- Exterior patio furniture shall all match and be a neutral color and of exterior grade commercial material. Umbrellas are to match in a color yellow to match the yellow trim on the building.
- Exterior lighting around the perimeter of the building shall be concealed within the soffit of the building. Edison-style light strings will only be considered at the outdoor seating area.
- Two (2) building signs are permitted per The Woodlands Standards as submitted.
- A monument sign fitting to the Research Forest area will need to be submitted for review and approval.
- Final submission is to include a thorough site plan to indicate the extents of the forest preserve locations to verify compliance with the Commercial Planning and Design Standards.

The motion carried unanimously.

B. Variance request for the proposed monument sign panels that do not match the size of the existing tenant panels.

Haidar Estates LLC / Radiance Medical Aesthetics & Wellness

9940 Woodlands Parkway, Suite 500-600

Lot 9940 Block 0078 Section 0046 Village of Sterling Ridge

This item was heard by the full Committee. The Committee deliberated regarding the monument sign panels, applicable standards and overall visual compatibility with the neighborhood. After deliberation, it was moved by Bob Adams and seconded by Robert Heinemann to deny as presented and require the owner revise and resubmit to comply with the Standards, which includes the following conditions:

- Monument panel is disapproved as submitted with a different size than the other tenant panels. Revise sign panels to either three (3) equal size panels or four (4) equal size panels per The Woodlands Standards.
- Monument signs are to have a formal landscape bed around the sign base to include a permanent irrigation system concealed from public view.

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.

C. Consideration and action for the conceptually proposed plans for a patio area that will include the removal of parking spaces and relocation of trees and the replacement of the front door.

REG8 Sterling Ridge / Perry's Steakhouse and Grille

6700 Woodlands Parkway, Suite 300

Lot 0200 Block 0499 Section 0000 Village of Sterling Ridge

This item was heard by the full Committee. The Committee deliberated regarding the conceptually proposed plans, Adams and seconded by Robert Heinemann to approve the revised concept plans for the outdoor seating area and on the following conditions:

- Street side parking spaces may be replaced with an additional promenade walkway or seating area.
- New front primary entry door is conditionally approved.
- The sidewalk extension and tree configuration are required to occur congruently on the opposite of the street.
- New trees are to be similar in size and species to the current trees that were damaged in the winter storm.

- Meet code requirements and comply with the Commercial Planning and Design Standards.

The motion carried unanimously.

- D. Variance request for a proposed building sign that exceeds the maximum height allowed and is not placed on a raceway in accordance with the shopping center criteria.

GRI Woodlands Crossing LLC / Frontier Center for Surgery

10710 Kuykendahl Road

Lot 0100, Block 0592, Section 0060 Village of Indian Springs

This item was heard by the full Committee. The Committee deliberated regarding the conceptually proposed plans, applicable standards, and overall visual compatibility with the neighborhood. After deliberation, it was moved by Bob Adams and seconded by Robert Heinemann to deny as presented and require the owner revise and resubmit on the following conditions:

- Tenant is disapproved for 12-inch-tall letters for "Center for Surgery" and overall height of 28 inches.
- The DRC Committee has reviewed and approved smaller than 9-inch illuminated channel letters with available LED technology. The minimum height for LED technology is currently at 6" according to other sign vendors.
- "Center for Surgery" letters shall be upper case at 10 inches tall each line with 4-inch spacing, or 10 inch & 7 inch upper/lower case letters with 4-inch spacing.
- The building sign is to be reduced from 28 inches in sign height to 24 inches as the previous two tenants were approved similarly.
- The criteria call for letters mounted to a raceway, painted to match the façade. A variance is approved to omit the raceway and individually mount each channel letter to the façade.
- Repair the façade to like-new condition from removal of previous building sign.
No exterior signage is approved. Revise and Resubmit for building signage to comply with the Committee's decisions. All exterior signage must be submitted for review and written Committee approval prior to fabrication and installation.

The motion carried unanimously.

- E. Consideration and action for the proposed replacement of two dumpster enclosures.

Columbia Texas Grogans Industrial LP

9391 Grogan's Mill Road

Lot 0210 Block 0599 Section 0999 Village of Research Forest

This item was heard by the full Committee. The Committee deliberated regarding the proposed plans, applicable standards, and overall visual compatibility with the neighborhood. After deliberation, it was moved by Bob Adams and seconded by John Anderson to deny the plans as presented and require the owner revise and resubmit on the following conditions:

- Design to incorporate metal panels on all four sides in dark bronze color.
- Enclosures are approved to be in current location only.
- Enclosures must be maintained in good order and repair, routinely emptied and trash and debris removal cleared from the surrounding area.
- The enclosure doors must remain closed when not in use.
- No tree removal has been approved at this time. If one needs to be removed, please apply for its removal.
- Must comply with Commercial Planning and Design Standards.
- This approval does not constitute approval by any additional entities. It is the owner's responsibility to obtain approval by those entities.

The motion carried unanimously.

- F. Variance request for the proposed addition of parking spaces that do not meet the minimum width requirements and includes one space that will encroach into the forest preserve.

Alden Heights Place LLC
4840 W. Panther Creek Drive
Lots 0310 Block 0045 Section 0040 Village of Panther Creek

This item was heard by the full Committee. The Committee deliberated regarding the proposed plans, applicable standards, and overall visual compatibility with the neighborhood. After deliberation, it was moved by Arthur Bredehoft and seconded by Robert Heinemann to deny as presented. This entire complex needs a revision. Including considerations for all parking areas to comply with the current Standards for 9 feet and consider alternate solutions such as a parking garage to accommodate additional parking spaces. The motion carried unanimously.

G. Consideration and action for the proposed conceptual plans for a playground.

Centro NP Holdings 12 SPE LLC / Rock & Roll Daycare
3275 College Park Drive
Lot 0811 Block 0388 Section 0999 Village of College Park

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 concept plans for the playground addition on the following conditions:

- Rock & Roll Daycare is conditionally approved to close off the drive around the building for a playground.
- Playground fence shall not extend into the Forest Preserve.
- No trees are to be removed for the playground development. Mid-growth removal within the playground but outside of the Forest Preserve may be considered with a review from a DSC Representative.
- Provide a written notice from the Fire Marshal that the removal of the existing fire lane around the building is permitted due to existing alternate routes.
- The drive and curb shall be completely removed and replaced with soil, new sod, landscaping, and added irrigation to properly drain and promote healthy vegetation. The drive shall be removed all the way to the north parking drive with a curb added.
- Existing drive light pole, base, and wiring to be removed. Any light fixtures to be added or modified for the playground are to be submitted for review and approval.
- Bollards and additional plant screening at the southwest end of the playground shall be added.
- Parking spaces and sidewalks shall align with the existing layout in front of the building.
- Any additional modifications to the exterior of the building, site, or added signage shall be submitted to the DSC Review Committee for approval prior to fabrication or installations.
- Final plans are to be submitted to the plan review committee, including but not limited to the items above and a civil layout, grading, drainage, and utility plan; landscape and irrigation plans, site lighting plan with photometric plan and light fixture cutsheets; playground equipment details and layout; fencing layout and cutsheets; bollard details.
- No work is to commence until the final permit is issued.
- Must comply with Commercial Planning and Design Standards.

The approval of this committee does not constitute the approval of any other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

H. Variance request for a sign package that does not contain a registered logo and a blade sign that does not comply with shopping center criteria due to the inclusion of a logo and alternate font.

Regency Centers LP / 100% chiropractic
4747 Research Forest Drive, Suite 195
Lot 0100 Block 0687 Section 0047 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 on the following conditions:

- Signs must be installed in accordance with the approved plans and materials and sizing must comply with shopping center criteria.
- Owner must obtain registration for the name/logo with either the United States Patent & Trademark Office or the Texas Secretary of State within one year of this date of approval, no later than April 7, 2022, or the logos must be removed from the signs.
- No other signs are approved at this time and must comply with Commercial Planning and Design Standards. This approval does not constitute the approval of other entities. It is the owner's responsibility to obtain those approvals

The motion carried unanimously.

- I. Variance request for the proposed conceptual plans for a building expansion that exceeds the maximum square footage allowed.

AHTW LLC / Animal Hospital of The Woodlands

12212 Branch Crossing Drive

Lot 0500 Block 0078 Section 0046 Village of Sterling Ridge

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 Special Warranty Deed must be amended and recorded with a revised maximum floor area SF up to 11,300 SF to accommodate the proposed permanent improvement before a permit is to be issued to begin construction. Enforcement of this item is through the parties identified in the Deed.
- A variance for parking to be under the required minimum per SF is conditionally approved so long as a total of 30 parking spaces are provided.
- Ensure hard surface area calculations are verified using the available property SF interior of the Forest Preserves.
- All Forest Preserves must be supplemented with additional vegetation to meet the minimum requirements for spacing and density. All new plantings must be irrigated with a permanent, concealed system.
- The exterior materials and colors are to match the existing. Provide seamless transitions from the existing structure to the new addition. The intent is for the entire structure to look original to the site.
- Provide site lighting / photometrics and cut sheets for all exterior lighting. Lighting should match existing. Lighting must include shielding to limit the extent of glare. The review committees reserve the right to have lighting adjusted to mitigate glare or intensity. Lighting levels are typically not to exceed 0.1 Fc at the property line. 4000K color temperature lighting is highly recommended.
- Provide comprehensive landscape and irrigation drawings that include existing and proposed vegetation.
- Provide comprehensive full-set documents, including all disciplines. (If mechanical equipment such as condensers are being replaced, provide cut-sheets for the old equipment as well as the new, highlighting the decibel readings of those units. Equipment shall not emit sound in excess of 65 Decibels at the property line.
- Provide details and finishes for all exterior site accessories, including but not limited to fencing, light poles, wall packs, bollards, etc.
- No revised signage has been submitted for review or approval at this time. No exterior signage beyond previously approved signs are approved.
- All mechanical equipment is to be screened.
- Confirm expansion and function of business services will not require a trash dumpster and enclosure. Provide a Construction Activity Plan that includes the extents of the work areas, construction fencing layout, and type, including screening, site access, construction trailer, laydown areas, toilets, construction dumpster, and any impact to existing parking. Obtain Fire Marshal approval if any elements impact existing Fire Lane Access or emergency services utilities.

The motion carried unanimously.

J. Consideration and action for the proposed wrought iron fence.

Sabra Texas Holdings LP / Nexus Health Systems

9182 Six Pines Drive

Lot 1300 Block 0350 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 on the following conditions:

- The wrought iron fence is conditionally approved black in color with tri-rail design and top pointed finials.
- The fence shall be shifted inward from the curb line approximately five (5) feet.
- The fence may be rerouted near curb to enclosed HVAC equipment.
- All vegetation shall be undisturbed. Any vegetation removed due to fence location shall be replaced. No trees may be removed.
- Fence is to be installed per local required code with appropriate safety devices on gates.
This approval does not constitute the approval of the other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

K. Consideration and action for the proposed modifications to the existing patio.

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 approve on the following conditions:

- Furniture is to consist of eleven (11) black fiberglass woodgrain look four-top tables with orange chairs on the existing patio.
- No signage shall be displayed on tables or chairs.
- Three (3) wall-mounted fans, in dark bronze approved as submitted. Consider fans to be mounted building side placed high up into canopy structure as to limit visibility from the exterior of the patio.
- Two (2) 55-inch LED TVs are approved. TV electrical outlet boxes, and conduit to be painted to match canopy or building façade to which mounted to.
- LED TVs are not to display advertisements or signage for El Chaparro Mexican Grill.
- LED patio string lights are not to exceed three rows with light spacing at a minimum of three feet apart. Lights are to be 2700K color temperature.
- Applicant is to close off the north end of the patio awning to screen residential properties from noise and exterior lighting glare and TV view. The finish material is to match the metal canopy.
Replace center-approved graphic design centered on both sign/decorative panels.

The motion carried unanimously.

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

1. Request for Rehearing by an affected neighbor regarding an approval of a proposed patio cover at 67 South Fremont Ridge Loop that was previously approved by the Development Standards Committee on March 17, 2021.

Floyd Broussard

67 South Fremont Ridge Loop

Lot 03, Block 02, Section 23 Village of Creekside Park

Affected Neighbor Requesting Rehearing

Joseph and Melissa Tacchino

23 South Fremont Ridge Loop

Lot 07, Block 02, Section 23 Village of Creekside Park

This item was heard by the full Committee. The Affected neighbor was present to address the Committee. The Homeowner was present to address the address the Committee. After deliberation, it was moved by John Anthony Brown and seconded by David Smith to grant the rehearing and schedule a site visit prior to the rehearing. The motion carried unanimously. The motion carried unanimously.

2. Consideration and Action for a home business renewal.

Maria Mercedes Vargas

90 North Rushwing Circle

Lot 21, Block 09, 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 Mary Funderburg and seconded by David Smith to approve on the following conditions:

- Business must comply with the Home Business Standards.
- Home Business can be revoked at any time for a violation of the Residential Development Standards or at the discretion of the Development Standards Committee.

Owner must submit a renewal application no later than April 2023.

The motion carried unanimously.

3. Variance request for the proposed play structure that has an elevated platform, exceeds the maximum square footage allowed for the elevated platform and would be located where the Residential Design Review Committee determined would cause an unreasonable or disproportionate impact on neighboring properties.

Michael Dodd

6 Bridle Oak Ct

Lot 11, Block 01, Section 61 Village of Grogan's Mill

This item was reviewed by the full committee. The contractor and owner were present to address the Committee. It was moved by Arthur Bredehoff and seconded by David Smith to approved on the condition the owner work with staff to add screening and additional vegetation to the rear for the purposes of screening. The structure must be stained to reflect natural colors or muted earth tones. The owner must ensure there must not be nor intended future use of a zip line. The motion carried unanimously.

4. Variance request for existing patio cover with integrated summer kitchen and fireplace that encroaches into the thirty-foot rear setback and five-foot side easement.

Timothy Manherz

78 North Berryline Circle

Lot 40, Block 02, Section 35 Village of Panther Creek

This item was heard by the full committee. Owner was present to address the Committee. The Committee deliberated regarding the improvements, impact to adjacent properties and applicable standards. It was then moved by David Smith and seconded by Mary Funderburg to deny as presented and have the owner revise and resubmit with a plan to move out of the 5-foot side yard easement. The Committee asked for it to return to the May pending the revisions. If no plan is submitted within 30 days, it will be considered a violation of the standards. The Committee also suggests the owners attain the following in preparation for the next meeting:

- Fire retardant rating for stucco
- Sealed drainage plan from engineer. 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. Drainage plans may be required to be sealed by a licensed landscape architect registered with the State or sealed by a licensed engineer registered with the Texas Board of Professional Engineers. Please reference the applicable Standard.
- Attain a consent to use or a release of easement. It is recommended to visit the texas811.org to locate which entities are in the easements.

The motion carried unanimously.

5. Variance request for an existing patio cover that did not include a complete application, which includes a Qualified Inspector Form with a chosen inspector and required elevation drawings.
Craig Rickard
182 E. Pathfinders Circle
Lot 58, Block 07, Section 01 Village of Cochran's Crossing
This item was heard by the full committee. Owner was present to address the Committee. The affected neighbor was present to address The Committee. The Committee deliberated regarding the improvements, impact to adjacent properties and applicable standards. It was then moved by Arthur Bredehoft and seconded by David Smith to deny as presented and require the owner remove the posts, the crossbeams, lights, and associated cables. The motion carried unanimously.

6. Variance request for an existing pergola that was found to not be compatible with the home and neighborhood and may cause impact on adjacent properties.
Craig Rickard
182 E. Pathfinders Circle
Lot 58, Block 07, Section 01 Village of Cochran's Crossing
This item was heard by the full committee. Owner was present to address the Committee. The Committee deliberated regarding the improvements, impact to adjacent properties and applicable standards. It was then moved by Arthur Bredehoft and seconded by David Smith to approve on the condition:
 - The horizontal slats on the pergola are extended down to the decking.
 - The improvements are to be stained neutral colors, including the red bar. The Committee suggested it would look more visually consistent.
 - Add vegetation to the rear of the fence, adjacent to the pergola, for the purpose of screening the pergola and the umbrella.The motion carried unanimously.

7. Variance request for an existing fence that was not considered compatible with homes in the neighborhood when acted upon by the Residential Design Review Committee.
Cornerstone Construction LLC
29 Doe Run Drive
Lot 23, Block 01, Section 16 Village of Grogan's Mill
This item was heard by the full Committee. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as presented on the condition the owner maintains landscaping beds in front of the fencing to soften and screen the view from the street. If the fence serves as a secure pool barrier, the owner must meet code and pass final inspection. The motion carried unanimously.

8. Variance request for the existing fence that does not respect the setback from the front façade of the dwelling.
Cheryl Tullis
134 S Timber Top Drive
Lot 17, Block 01, Section 15 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 Mary Funderburg and seconded by David Smith to approve on the condition the owner must plant and maintain one native evergreen shrub to the front of the fence extension to soften and screen the view to the street. The motion carried unanimously.

9. Variance request for a proposed garage door color that was not considered compatible with the home and others in the area when acted upon by the Residential Design Review Committee.
Shea Walker
49 N Deerfoot Circle
Lot 11, Block 02, Section 28 Village of Grogan's Mill
This item was heard by the full Committee. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve color as presented with the option that the Homeowner can work with staff on a

lighter gray. The motion carried unanimously.

10. The proposed front door color was not viewed as architecturally compatible with the home and others in the area when acted upon by the Residential Design Review Committee.

Jonathan and Nami Southern

10 S Brokenfern Drive

Lot 03, Block 04, Section 40 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 Mary Funderburg and seconded by David Smith to Approve as presented. The motion carried unanimously.

11. Consideration and action to amend the Initial Land Use Designation to increase the maximum amount of living area allowed.

Magalys Perez

48 Rockfern Rd

Lot 01, Block 02, Section 38 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 Mary Funderburg and seconded by David Smith to approve the pursuit of amending the Initial Land Use Designation to increase the maximum amount of living area allowed to accommodate the proposed concept addition. Owner must submit a final application with a comprehensive set of plans for review by the Plan Review Committee or their designee upon completion of an Amended and Executed Initial Land Use Designation. Final submissions must be in accordance with the Residential Development Standards. No trees are approved for removal for the current concept submission. Upon final submission, the owner should only request removal for trees located in the construction area and replants according to the standard, if the owner intends to propose trees for removal outside of the construction area, the owner should provide documentation consistent with the Standards. The motion carried unanimously.

12. Variance request for the proposed concept room addition that would cause the lot to exceed the maximum living area allowed by the Neighborhood Criteria and Initial Land Use Designation.

Magalys Perez

48 Rockfern Rd

Lot 01, Block 02, Section 38 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 Mary Funderburg and seconded by David Smith to approve the pursuit of amending the Initial Land Use Designation to increase the maximum amount of living area allowed to accommodate the proposed concept addition. Owner must submit a final application with a comprehensive set of plans for review by the Plan Review Committee or their designee upon completion of an Amended and Executed Initial Land Use Designation. Final submissions must be in accordance with the Residential Development Standards. No trees are approved for removal for the current concept submission. Upon final submission, the owner should only request removal for trees located in the construction area and replants according to the standard, if the owner intends to propose trees for removal outside of the construction area, the owner should provide documentation consistent with the Standards. The motion carried unanimously.

13. Consideration and action regarding an existing driveway widening that was not found to be compatible with the home and neighborhood when acted on by the Residential Design Review Committee.

Brian Blotnick

27 E Summer Storm Circle

Lot 07, Block 01, 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 Mary Funderburg and seconded by David Smith to approve on the condition the owner plant and maintain a landscape bed to the side of the expanded driveway, in the front yard to soften the view of the expansion. Additionally, the owner must maintain the existing landscaping bed between the home and the driveway. Owner must ensure placement of the improvement does not halt or materially impede drainage as defined in

the Residential Development Standards. The motion carried unanimously.

14. Variance request for a proposed swimming pool and decking that will exceed the maximum hard surface area allowed.

Mark & Ashley Lawrence

30 Silverstrand Place

Lot 76, Block 04, Section 04 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 Mary Funderburg and seconded by David Smith to approve on the following conditions:

- Owner must submit a comprehensive drainage plan, in accordance with the residential development Standards.
- All improvement must meet code and pass final inspection.
- Owner must ensure placement of the improvements do not halt or materially impede drainage as defined in the Residential Development Standards.

The motion carried unanimously.

15. Variance request for a proposed patio cover with an incorporated summer kitchen that will encroach the rear twenty-foot rear building setback and will exceed the maximum amount of hard surface area allowed.

Mark & Ashley Lawrence

30 Silverstrand Place

Lot 76, Block 04, Section 04 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 Mary Funderburg and seconded by David Smith to approve on the following conditions:

- Submit a comprehensive drainage plan, in accordance with the residential development Standards.
- Plant and maintain 2 – 15- gallon native trees anywhere on the lot for reforestation.
- All improvement must meet code and pass final inspection.
Owner must ensure placement of the improvements do not halt or materially impede drainage as defined in the Residential Development Standards.

The motion carried unanimously.

16. Variance request for a proposed pool and decking that will exceed the maximum amount of hard surface area allowed.

Pam Magee

135 South Timber Top Drive

Lot 31, Block 02, Section 15 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 Mary Funderburg and seconded by David Smith to approve on the condition the owner meet the following conditions:

- Must submit a comprehensive drainage plan in accordance with the Residential Development Standards.
Already received
- All improvements must meet code and pass final inspection.

The motion carried unanimously.

17. Variance request for an existing garage conversion that does not include sealed plans and allow for 135 sq. ft. of storage space.

Greenview Holdings LLC Series A

4 Redberry Court

Lot 28, Block 09, Section 07 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve on the condition the improvement meets code and passes final inspection. The motion carried unanimously.

18. Variance request for proposed eight-foot fence that exceeds the maximum height allowed.

Michael & Vanessa Kaiser

5 Wedgewood Point

Lot 03, Block 03, Section 11 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve as presented and advise the staff to allow 8-foot fencing for properties along this major thoroughfare and modify the criteria to reflect the allowance. If the fence serves as a secure pool barrier the owner must meet code and pass final inspection. The motion carried unanimously.

19. Variance request for existing putting green that encroaches more than five feet into the ten-foot rear easement and encroaches one foot into the five-foot side easement.

Michael & Vanessa Kaiser

5 Wedgewood Point

Lot 03, Block 03, Section 11 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve as presented. Improvement must not halt or materially impede drainage as defined in the residential Development Standards. Approval by this committee does not constitute approval by any other easement holder. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

20. Variance request for a proposed walkway that will exceed the maximum amount of hard surface allowed per the Neighborhood Criteria for the lot.

James & Debora Sciscoe

7 Scarlet Sage Place

Lot 08, Block 05, Section 08 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 Mary Funderburg and seconded by David Smith to approve the hard surface to exceed the maximum allowed on the following conditions:

- the owner submits a comprehensive drainage plan for the lot in accordance with the Residential Development Standards.
- The hard surface area is 4.4 % over the maximum allowed and is now considered to be at the maximum amount of hard surface allowed on the lot. Future improvements should take into consideration the hard surface and will require modifying the existing hard surface on the lot in order for the committee to consider future proposals.
- the owner must ensure placement of the improvement does not halt or materially impede drainage as defined in the Residential Development Standards,

The motion carried unanimously.

21. Variance request for an existing driveway that exceeds the maximum width allowed for a two-car garage, encroaches the five-foot side covenant easement and exceeds the maximum amount of hard surface area allowed per the Neighborhood Criteria for the lot.

Antonio & Shelley Delgado

70 E Stony End Place

Lot 21, Block 02, Section 31 Village of Cochran's Crossing

This item was heard by the full committee. The Committee deliberated regarding the improvements, impact to adjacent properties and applicable standards. It was then moved by Arthur Bredehoft and seconded by David Smith to approve on the following conditions:

- The owner must modify the pavers used for the driveway widening to reduce one or two rows of pavers adjacent to the foundation of the home and plant a landscape bed to separate the driveway from the home.
- The owner must remove the extended areas that bump out and encroach further into the 5-foot side yard easement.

- The owner must plant and maintain native evergreen vegetation in front of the driveway widening portions that will soften and screen the view of the widening from the street.
- Approval by this committee does not constitute approval by the additional easement holder, it is the owner's responsibility to obtain those approvals and may be subject to removal.
- 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.

22. Variance request for an existing driveway widening that exceeds the maximum width allowed.

David and Carol Heideman

1 Macaw Street

Lot 04, Block 04, Section 25 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 Mary Funderburg and seconded by David Smith to approve on the condition a landscape bed of native evergreen vegetation that is planted and maintained between walkway to front door and driveway to soften the view and the owner uses the area primarily as the walkway and parks the vehicle in the drive using the walkway as the step off area. The motion carried unanimously.

23. Consideration and action for the Short-Term Rental application.

Calamia Deon

6 Fairmeade Bend Drive

Lot 0028, Block 0001, Section 0016 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith 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.

24. Consideration and action for the Short-Term Rental application.

Bernadette and Ariel Frometa

17 Ridgeline Court

Lot 0018, Block 0002, Section 0015 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith 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.

25. Consideration and action for the Short-Term Rental application.

Melanie Johnson

98 Crystal Lake Lane

Lot 0022, Block 0004, Section 0005 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 Mary Funderburg and seconded by David Smith 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.

26. Consideration and action for the home business renewal.

Ron and Nancy Ryan

9 Huntsmans Horn Circle

Lot 05, Block 01, Section 35 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 Mary Funderburg and seconded by David Smith to approve on the following conditions:

- Business must comply with the Home Business Standards.
- Home Business can be revoked at any time for a violation of the Residential Development Standards or at the discretion of the Development Standards Committee.

Owner must submit a renewal application no later than April 2023.

The motion carried unanimously.

27. Variance request for a proposed dog run that is not located at least three feet away from all perimeters fencing adjacent to a residential lot.

John Logsdon

66 Watertree Drive

Lot 28, Block 03, Section 44 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 Mary Funderburg and seconded by David Smith to approve on the condition the owner maintains the dog run area in good order and repair and consistent with good animal husbandry and the dog run is not a concern to the neighboring property. Additionally, the committee reserves the right to revisit and/or revoke the dog run permit in the event an objection is received, or an impact matter is brought to the attention of the Committee. The motion carried unanimously.

28. Variance request for proposed tree removal that does not meet the requirements for removal.

John Hagerman

61 South Waxberry Road

Lot 04, Block 03, Section 01 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve on the condition the owner plant and maintain one fifteen-gallon native tree anywhere on the front yard for the purposes of reforestation. The motion carried unanimously.

29. Consideration and action to appeal the conditions of approval requiring the homeowner to plant and maintain two thirty-gallon native trees anywhere on the lot.

George Scarborough

71 North Berryline Circle

Lot 48, Block 01, Section 35 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve on the condition the owner plant and maintain one 15-gallon native trees anywhere on the lot. The motion carried unanimously.

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

Thomas M. Nolan
1 Meadow Star Court
Lot 31, Block 01, Section 15 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to table the item. Progress was made. The motion carried unanimously.

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

William Braden

12 Fiddleleaf Court

Lot 05, Block 02, Section 01 Village of Panther Creek

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith 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.

IX. Consideration and action for the proposed revised Neighborhood Criteria for Sections 28 and 48 of the Village of Grogan's Mill to allow an increase to the maximum amount of hard surface area allowed by an additional 5% and increase the fence height backing to the flyover and major thoroughfare.

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Mary Funderburg and seconded by David Smith to approve the proposed revisions and record the updated criteria to reflect the following changes.

❖ Section 28

- Neighborhood Criteria limit was at 40%. Proposal to increase to 45% per DSC action March 03, 2021.
- Increase the overall height allowance for fences to be 8 feet on all property lines that abut I-45 Flyover.

❖ Section 48

Neighborhood Criteria limit was at 35%. Proposal to increase to 40% per DSC action February 22, 2021.

X. Consideration and action regarding the Residential Development Standards and Commercial Planning and Design Standards and/or any promulgated rules for interim actions during the Coronavirus (COVID-19) Pandemic or resulting from the extreme winter weather conditions.

This item was heard by the full Committee. The Committee deliberated regarding not issuing violations for dead shrubs and trees due to the winter freeze still in effect. It was then moved by Arthur Bredehoft and seconded by David Smith to allow staff to pursue violations as they normally would for dead trees and shrubs on April 15th to allow enough time for residents to address any concerns with dead vegetation. The motion carried unanimously.

XI. Consideration and action regarding future facilitation of the Development Standards Committee meetings.

This item was heard by the full Committee. The Committee deliberated regarding the future facilitation of the Development Standards Committee meetings and whether to continue meeting through zoom or to establish a return date for in person meetings. After deliberation, it was moved by Arthur Bredehoft and seconded by John Anderson to continue with zoom meeting for the time being and wait for the State Governor to act or until the Texas Open Meetings Act has been modified. The motion carried unanimously.

XII. Member Comments

Members of the Committee and staff expressed gratitude and appreciation for favorable resident comments.

XIII. Staff Reports

No staff reports.

XIV. Adjourn

It was then moved by John Anderson and seconded by Bob Adams to adjourn the meeting at 9:00pm. The motion carried unanimously.

***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 3rd, 2021 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 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>. Once selected go to "Watch Virtual Public Meetings"
- **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 April 7th, 2021, 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:

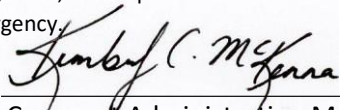
- (346) 248-7799 or
- (253) 215-8782 or
- (669) 900-6833 or
- (312) 626-6799 or
- (929) 205-6099 or
- (301) 715-8592 or
- (877) 853- 5247 (Toll Free) or
- (888) 788-0099 (Toll Free)

Once you have connected, you will need to enter Webinar ID: 895 3635 5126, 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 April 7th, 2021, 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 April 7th, 2021, Development Standards Committee meeting. New Phone numbers will be issued for each future meeting during the public health pandemic emergency.



Covenant Administration Manager
For The Woodlands Township