

Development Standards Committee Minutes

December 17, 2014 at 5:30 PM

The Woodlands Township
2801 Technology Forest Boulevard
The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Chris Florack, and Robert Heineman Ken Anderson, and Mark Bacon

Member absent: Danie van Loggerenberg and Kim Hess,

Staff Present: Hennie van Rensburg, Neslihan Tesno and Danielle Allen

I. Welcome/Call Meeting to Order

The meeting was called to order by Chair Deborah Sargent at 5:32 p.m.

II. Consideration and Action of the minutes of the Development Standards Committee (DSC) Meeting on November 5, 2014 and November 19, 2014.

It was moved by Ken Anderson and seconded by Mark Bacon to approve the minutes of the November 19, 2014 meeting. The motion carried unanimously.

III. Consideration and Action of the Applications and Violations in Section IV recommended for Summary Action. This item was heard by the full committee. Chair Deborah Sargent presented the Summary List as presented by Staff. The list consisted of Items 1-7, 10-22. Item 8 was withdrawn. Item 28 was tabled. It was moved by Ken Anderson and seconded by Chris Florack to approve the Summary List as presented. The motion carried unanimously.

IV. Review and Disposition of applications and violations.

1. Consideration and action for replacement of a Monument sign

1001 Medical and Dental Plaza

1001 Medical Plaza Drive

Lot 0210, Block 0350, Section 0999, Village of Research Forest

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to deny the variance as presented and allow a variance request for the following modifications:

- Require the property limit the proposal to one sign at the entrance and remove the proposed sign at the exit.
- Allow the street name and number provided they are centered.
- Allow a sign with 6 panels to display the tenants; provided the panels are equal in size and the overall size is reduced as described by the Community Standards Committee and Township Staff proposal. (Rendering included)
- Restrict the names under the businesses to one medical/business professional that is affiliated with the company. (Example included)

The motion carried unanimously.

2. Consideration and action for final action regarding the proposed driveway location

GeoSouthern Energy Corporation

1425 Lake Front Circle

Lot 0350, Block 0599, Section 0999, Village of Town Center

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted, including the additional plantings and landscaping.

Approval by this committee does not constitute approval by the additional easement holders and entities. The motion carried unanimously.

3. Consideration and action for a new monument sign.
Greater Houston Neurology Center
9200 New Trails Drive
Lot 7500, Block 0547, Section 0999, Village of Research Forest
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted (based upon the alternate location submitted.)
Installation of monument sign and landscaping/reforestation, must be installed in accordance with the Standards. The motion carried unanimously.
4. Consideration and action regarding an enclosure to an existing outdoor sitting area
Kirby's Steakhouse
1111 Timberloch Place
Lot 9133, Block 0599, Section 0999, Village of Town Center
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the proposed patio cover on the condition the signage is disapproved and the proposed "Kirby's Lounge" is denied and is not considered to be part of this approved permit. The motion carried unanimously.
5. Consideration and action regarding the concept design for the entry and patio, including signage, at a new restaurant.
Nick's Restaurant
20 Waterway Avenue
Lot 2650, Block 0599, Section 0999, Village of Town Center
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the conceptual submission on the condition the preliminary and final submissions are completed in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.
6. Consideration and action for a new building sign
Texas Children's Welcome Center
1501 Lake Robbins
Lot 3000, Block 0599, Section 999, Village of Town Center
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve on the condition the owner must modify the sign lighting to HALO lit channel letters to be in keeping with the surrounding area. The motion carried unanimously.
7. Variance request for the installation of two additional building signs
Peek
9595 Six Pines Drive, Suite 450
Lot 7111, Block 0599, Section 0999, Village of Town Center
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. Installation of signs must be in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.
8. Consideration & action for a gated privacy entrance including a fence and integrated columns at West Isle Place.
West Isle Estate Property Owners Association
West Isle Estate
Section 25 Village of Panther Creek
This item was withdrawn prior to the meeting.

9. Consideration and action for approval of tenant monument sign and possible variance for the number of signs allowed for one tenant space.
Hunter Family Orthodontics – previously Le Crone Orthodontics
6704 Sterling Ridge Drive Suite B
Lot 550 Block 499 Section 46 Village of Sterling Ridge
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Mark Bacon to deny as presented – must comply with standards. The motion carried unanimously.
10. Variance request for a proposed fence that may not be in keeping with neighborhood character.
Mark and Dawn Farley
10 Players Trail
Lot 27 Block 1, Section 32 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. The motion carried unanimously.
11. Variance request for a proposed fence stain that is not an approvable color.
Joseph Christoffel
135 South Veranda Ridge Drive
Lot 24 Block 1, Section 69 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to deny the requested color – must stain with an approvable solid or semi-transparent stain (Cedar or Redwood natural tone). The motion carried unanimously.
12. Variance request for a proposed room addition that will not respect the rear building setback.
Loyd and Lequeta Foust
7 Lenox Hill Drive
Lot 36 Block 1, Section 20 Village of Indian Springs (TWA)
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to conditionally approve – Plant and maintain evergreen trees or shrubs at least 7' in height along the right side to aid in screening and to soften view. Pass all inspection, meet code and standard conditions. The motion carried unanimously.
13. Variance request for an existing fence design with an unacceptable fencing material.
Mindy Potter
59 Silver Bayou Court
Lot 5 Block 2, Section 74 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. The motion carried unanimously.
14. Variance request for an existing patio that does not respect the side five foot or rear ten foot easements.
Carlos A Lage
34 Eagle Mead Place
Lot 36 Block 2, Section 63 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

15. Variance request for existing paving that does not respect the rear ten foot easement.
Edward Kennedy
2 Cairn Oaks Place
Lot 13 Block 1, Section 1 Village of College Park (Grogan's Forest)
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.
16. Variance request for an existing patio that does not respect the rear ten foot easement.
Clinton Eric Scott
22 Little Falls Place
Lot 31, Block 1, Section 5 Village of Creekside Park West
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.
17. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Victor Oswaldo Fuentes
95 North Victoriana Circle
Lot 24 Block 1, Section 7 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development 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.
18. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Armon Jason and Leila M Higham
102 South Shawnee Ridge Circle
Lot 12 Block 1, Section 22 Village of Indian Springs (TWA)
This item was resolved prior to the meeting.
19. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Antimo Family Living Trust
98 Frosted Pond Place

Lot 30 Block 4, Section 13 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by submitting an application for the Breezeway/other construction) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development 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.

20. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Ulises C. Acero

11 Yarrowdale Court

Lot 5, Block 1, Section 29 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development 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.

21. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

John Thomson

91 South Vershire Circle

Lot 23, Block 3, Section 91 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds, removing the mold from the siding on the chimney, store trash cans from public view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development 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.

22. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Thomas M Huey

114 West Greywing Circle

Lot 9 Block 4 Section 6 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that

failure to correct these violations (by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds and by removing and storing the trash, recycle carts and debris out of public view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development 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.

23. Variance request for a proposed removal of a tree that does not meet the standard of approval.

Ronald Reilly

22 Rhapsody Bend Drive

Lot 18 Block 1, Section 27 Village of Sterling Ridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was present to address the committee. The owner's major concern was tripping hazards from the roots. It was moved by Chris Florack and seconded by Mark Bacon to deny the tree removal with a recommendation to install root barriers. The motion carried unanimously.

24. Variance request for a proposed pool that exceeds the maximum allowed hard surface area.

Pierre & Patricia Portman

43 Silvermont Drive

Lot 11, Block 1, Section 26 Village of Sterling Ridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was present to address the committee. He stated that when the house was purchased he was not aware of any restrictions to building a pool. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve – Plant and maintain sufficient evergreen vegetation to screen pool equipment from the view of street and neighboring properties. Vegetation must be at least 4 feet tall at time of planting. Any fencing constructed to screen pool equipment requires an application and will be limited to a 4 foot high solid capped picket fence screened completely from view with evergreen vegetation. Pool and decking may not encroach into any easement. Meet code and pass inspections. Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). Verify all CenterPoint energy easements as they may differ from the covenant easements. The motion carried unanimously.

25. Variance request for a proposed patio cover with fireplace that does not respect the rear 25 foot setback.

Vladimir Khavkin

18 Spincaster Drive

Lot 26, Block 1, Section 30 Village of Creekside Park

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The contractor was present to address the committee. It was moved by Chris Florack and seconded by Mark Bacon to conditionally approve as follows: Fireplace/chimney to be direct vent, Meet code and pass inspections. Submit landscape plan showing evergreen native vegetation to right and rear for screening. Plants must be at least 7' tall at time of planting. Staff is to review and approve the landscape plan. The motion carried unanimously.

26. Variance request for a proposed patio that will exceed the maximum hard surface area allowed.

Tom Walters

10 Trellis Gate

Lot 5 Block 2, Section 74 Village of Alden Bridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was not present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve with the reduction of the patio to a maximum of 8' from the edge of the

existing patio. Plant and maintain evergreen vegetation to screen to soften to the right side (at least 7' tall at time of planting). Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.

27. Variance request for an existing paving that does not respect the side five foot and rear ten foot easements.
Green Set LLC Series O
35 Witherbee Place
Lot 21, Block 1, Section 5 Village of Creekside Park West
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was not present to address the committee. An affected neighbor spoke of her drainage concerns. It was moved by Deborah Sargeant and seconded by Mark Bacon to table the item until the master drainage plan can be reviewed. The motion carried unanimously.
28. Variance request for an existing shed that does not respect the rear ten foot and side five foot easements.
Don Phillips
60 North York Gate Court
Lot 9 Block 2, Section 19 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Chris Florack to table the item at the owner's request. The motion carried unanimously.
29. Variance request for an existing play structure that does not respect the rear ten foot easement.
Roy and Autumn Buchler
50 Spincaster Drive
Lot 18, Block 1, Section 30 Village of Creekside Park
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Chris Florack to disapprove and bring into compliance. The motion carried unanimously.
30. Variance request for an existing fence that does not meet the Development criteria for Section 8 of Creekside Park West
Mariana De Sievers
151 West Wading Pond Circle
Lot 38 Block 1, Section 8 Village of Creekside Park West
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was not present to address the committee. It was moved by Robert Heineman and seconded by Mark Bacon to approve as submitted. The motion carried unanimously.
31. Variance request for a gazebo with summer kitchen, paving, and fireplace that does not respect the rear ten foot easement and the side five foot easement.
Xiangqian Li & Ying Wang
74 West Shale Creek Circle
Lot 17, Block 2, Section 20 Village of Sterling Ridge
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The owner was present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve as follows: pass inspections – if fireplace cannot pass inspection it must be made inoperable, Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders.

V. Public Comments

George Mendes from the Bicycle Advisory Task Force submitted a handout to the Committee requesting that the Commercial Standards be revised to accommodate bicycle paths and bicycle use such as bicycle parking spaces in new developments. George Newman also gave his support to the issue.

Everett Ison – Panther Creek Residential Design Review Committee – inquired about the scheduling of DSC/ RDRC Joint Meetings and also wanted to review fuel storage standards at residential properties and stamped driveway guidelines.

Dave and Margie Smith of 19 East Honeygrove stated their safety concerns about a neighbor's tree that hung over their home. Deborah Sargeant indicated to staff to place this on the agenda of a future DSC meeting.

VI. Member Comments

Deborah Sargeant thanked Mark Bacon for his service on the committee for the past year.

VII. Staff Reports

There were no staff reports.

VIII. Adjourn

There being no further business to discuss it was moved by Ken Anderson and seconded by Mark Bacon to adjourn at 7:02 p.m. The motion carried unanimously.