

**Development Standards Committee**

**March 16, 2016 at 5:30 p.m.**

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Robert Heineman, Chris Florack, Ken Anderson, Danie van Loggerenberg and Walter Lisiewski

Members Absent: Kim Hess

Staff Present: Neslihan Tesno, Sharlene Novak and Danielle Allen

Legal Counsel: None

**I. Welcome/Call Meeting to Order.**

The meeting was called to order by Chair Deborah Sargeant at 5:30 p.m.

**II. Consideration and action regarding the minutes of the meeting of February 17, 2016.**

The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Walter Lisiewski to approve the minutes as presented. Danie van Loggerenberg abstained. The motion carried.

**III. Consideration and Action of the Applications and Covenant Violations in Section VI, recommended for Summary Action.**

This item was heard by the full committee. Chair Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Items 1-5, 8-12, 14-23 and 26. Item 13 was pulled from the Summary List for review and Item 24 was tabled. It was moved by Chris Florack and Danie van Loggerenberg to approve the Summary List. The motion carried unanimously.

**IV. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code.**

No action was taken on this item.

**V. Reconvene in Public Session**

No action was taken on this item.

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

**1. Consideration and action for preliminary plan approval for the 2,031 square foot expansion to the central plant.**

St. Anthony of Padua Catholic Church

7801 Bay Branch Drive

Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing

7985 Bay Branch Drive

Lot 2000, Block 0257, Section 0047 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the preliminary plan on the condition that additional trees are planted within the large grassy area between the baseball field and the parking area. The shrub hedge should remain in a continuous hedge around the playground area between the fence and the sidewalk adjacent to the parking lot. A complete colored rendering and specifications for the signs must be submitted for all exterior signage and plant and maintain additional vegetation to the forest preserves as necessary to remain in compliance with the standards. The motion passed unanimously.

2. Consideration and action for preliminary plan approval for a new multipurpose building.  
St. Anthony of Padua Catholic Church  
7801 Bay Branch Drive  
Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing  
7985 Bay Branch Drive  
Lot 2000, Block 0257, Section 0047 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the preliminary plan on the condition that additional trees are planted within the large grassy area between the baseball field and the parking area. The shrub hedge should remain in a continuous hedge around the playground area between the fence and the sidewalk adjacent to the parking lot. A complete colored rendering and specifications for the signs must be submitted for all exterior signage and plant and maintain additional vegetation to the forest preserves as necessary to remain in compliance with the standards. The motion passed unanimously.
  
3. Consideration and action for preliminary plan approval for a new Chapel Building.  
St. Anthony of Padua Catholic Church  
7801 Bay Branch Drive  
Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing  
7985 Bay Branch Drive  
Lot 2000, Block 0257, Section 0047 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the preliminary plan on the condition that additional trees are planted within the large grassy area between the baseball field and the parking area. The shrub hedge should remain in a continuous hedge around the playground area between the fence and the sidewalk adjacent to the parking lot. A complete colored rendering and specifications for the signs must be submitted for all exterior signage and plant and maintain additional vegetation to the forest preserves as necessary to remain in compliance with the standards. The motion passed unanimously.
  
4. Consideration and action for a new building sign.  
The Woodlands Sport Medicine Centre  
1411 Woodstead Court  
Lot 0204, Block 0599, Section 0036 Village of Grogan's Mill  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the building sign on the condition the building signs match at the top of the building and above the covered entry in regards to the placement of The Woodlands on the first line of text and Sports Medicine Centre on the Second. Additionally, installation of the sign must be in accordance with the Commercial Planning and Design Standards. The motion passed unanimously.
  
5. Consideration and action for approval to hang light pole banners throughout Hughes Landing.  
The Woodlands Land Development Company  
1790 Hughes Landing Boulevard  
Lot 0633, Block 0599, Section 0999 Village of Town Center  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the banners on the condition any modifications to the light pole banner designs require approval by the Development Standards Committee prior to installation. Banners must be installed in accordance with the Commercial Planning and Design Standards. The motion passed unanimously.
  
6. Variance request for a temporary banner and multiple recurring temporary events.  
Operation Pets Alive/ Petco  
10864 Kuykendahl Road  
Lot 100, Block 592, Section 60 Village of Indian Springs TWA  
This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Deborah Sargeant and seconded by Ken Anderson to conditionally approve the events appearing on the schedule

submitted by Operation Pets Alive. The tents and event must not occupy any handicap parking space or hinder access to handicap parking. The approval will be revisited at the end of the submitted schedule.

The banner was not approved. Walter Lisiewski voted in opposition, all others present voted in favor. The motion passed.

7. Consideration and action for approval and possible variance request for a new building mounted sign.

The Republic Grille  
30340 FM 2978 Suite 800

Lot 220, Block 78, Section 46 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to conditionally approve the building sign, not to exceed 4' 6" in total height (including space between lines) and 3 lines of letters allowed. The sign must meet all other Commercial sign standards. The motion passed unanimously.

8. Consideration and action for approval of a new building mounted sign.

C2 Education Be Smarter  
6777 Woodlands Parkway Suite 325

Lot 500, Block 592, Section 60 Village of Indian Springs TWA

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve of the second sign option that uses the 18" letter set and 10" Box sign. The tenant must have flush mount channel letters with the raceway concealed behind parapets or within a soffit. The overall channel letter depth needs to be 6". The box sign is to be unlit. Additionally, it is recommended that the aluminum backing match the return color of Koko Brown with white plexi to match channel letters (#7328 Rohm & Haas) The sign must meet Commercial Sign Standards. The motion passed unanimously.

9. Variance request for proposed retaining walls that do not respect the rear ten foot easement

Bruno Preaux  
11 Tannery Hill Road

Lot 3 Block 1, Section 11 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg 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 passed unanimously.

10. Variance request for proposed fence along the rear property line that does not comply with the fence design and height required by the Development Criteria.

Chiu Wen Ray  
35 South Old Cedar Circle

Lot 15 Block 1 Section 19 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve the fence, allowing the height to extend to 6' 6" all around, but the fence style for the rear fence must remain a type "H" to be uniform with the other lots backing up to Alden Bridge Drive. Side perimeter fencing may be J style. The motion passed unanimously.

11. Variance request for an existing driveway widening that does not respect the side five foot easement.

Guvelioglu  
3 Beacons Light Place  
Lot 9 Block 2, Section 19 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the driveway widening 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 passed unanimously.

12. Variance request for a proposed patio that does not respect the rear ten foot easement.  
Charleen B Allen  
7 Veranda Ridge Drive  
Lot 56 Block 1, Section 69 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the patio 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 passed unanimously.
13. Variance request for a proposed shed that exceeds the maximum height allowed.  
Larry Salazar and Amanda Enerson  
47 North Misty Canyon Place  
Lot 78 Block 2, Section 4 Village of College Park  
This item was removed from the summary list for review. It was moved by Chris Florack and seconded by Ken Anderson to disapprove the shed due to the height and possible neighbor impact. The motion passed unanimously.
14. Variance request for an existing wood deck that does not respect the rear ten foot easement.  
Estuardo Sierra  
19 East Ambassador Bend  
Lot 41 Block 1 Section 33 Village of Sterling Ridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the deck 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 passed unanimously.
15. Variance request for an existing rear patio that does not respect the side five foot easement.  
R & I Shook Properties LLC (Mari Shook)  
44 Teak Mill Place  
Lot 4 Block 1, Section 40 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the patio 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 passed unanimously.
16. Variance request for an existing wood fence that has the unfinished side visible to another tract of land.  
Robert D Whitaker  
71 South Bristol Oak Circle  
Lot 44 Block 1 Section 11 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg approve the fence as submitted. The motion passed unanimously.
17. Variance request for an existing wood fence that has the unfinished side visible to another tract of land.  
Bradley and Ramona Berg  
10 Sonnet Grove Court  
Lot 21 Block 1 Section 18 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg approve the fence as submitted. The motion passed unanimously.

18. Consideration and action for a proposed home business.  
Ruben Garcia Lopez  
26 Chippewa Trail  
Lot 29 Block 4, Section 3 Village of Creekside Park  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg conditionally approve the home business for 2 years on the condition the owner must reapply for renewal in March 2018. Additionally the business must operate in accordance with the Residential Development Standards and may be revoked at any time for a violation of these standards, impact to adjacent properties or by The Development Standards Committee. The motion passed unanimously.
  
19. Consideration and action for a proposed home business.  
Beat Kuttel  
10 Spooner Ridge Court  
Lot 20, Block 1, Section 17 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg Motion to conditionally approve the home business for 2 years on the condition the owner must reapply for renewal in March 2018. Additionally the business must operate in accordance with the Residential Development Standards and may be revoked at any time for a violation of these standards, impact to adjacent properties or by The Development Standards Committee. The motion passed unanimously.
  
20. Consideration and action to pursue legal action for outstanding Covenant violations.  
Robert Barnstead  
19 Ivory Moon Place; 77381-6441  
Lot 5, Block 2, Section 13 Village of Indian Springs (TWA)  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg 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 (including but not limited to: submitting an application for a permit for the new pool barrier fence, and submitting final passing inspection) 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 passed unanimously.
  
21. Consideration and action to pursue legal action for outstanding Covenant violations.  
Tracy Glassel  
27 Wintergrass Place  
Lot 7 Block 1 Section 41 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg 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 artificial ground cover from the driveway, removing and storing trash/recycle carts and debris, including but not limited to cooler, car seat and other miscellaneous items 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 passed unanimously.

22. Consideration and action to pursue legal action for outstanding Covenant violations.

Michael Britton

30 Wind Harp Place

Lot 34 Block 1 Section 10 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg 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 remove and store trash and recycle carts 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 passed unanimously.

23. Consideration and action to pursue legal action for outstanding Covenant violations.

Bradley J Corekin

79 Pleasant Bend Place

Lot 3 Block 1 Section 23 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg 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 submit an application for a play structure or removal of structure 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 passed unanimously.

24. Consideration and action for the existing satellite dishes at 118 North Pinto Point Circle, requested by an adjacent neighbor at 114 North Pinto Point Circle.

Jacob Gorsky

118 North Pinto Point Circle

Lot 68, Block 1, Section 12 Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to table this item to give the committee the opportunity to consult Legal Counsel. The motion passed unanimously.

25. Variance request for an existing greenhouse/seasonal plant protection that does not meet the Standards in regard to location and size and causes an unreasonable and disproportionate impact to adjacent properties.

Arthur Salerno

18 Hearthwick Road

Lot 7 Block 2, Section 2 Village of Creekside Park West

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Danie van Loggerenberg and seconded by Ken Anderson to disapprove the structure: Remove the entire structure or revise the design of the structure and resubmit with it complying with the Standards. This would entail removing the portion off the fence, out of the easement, reducing the height and reducing the size to 120 square feet or less. The motion passed unanimously.

26. Variance request for a proposed attached pool bath and home addition that exceeds the allowed maximum living area per the Development Criteria.

Monica Macias Tubilla

83 Birch Canoe Drive

Lot 17 Block 1, Section 20 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve the revised plans. Must meet code and pass inspections. The motion passed unanimously.

27. Request to amend the planting conditions set by Development Standards Committee and the Residential Design Review Committee.

Shannon Barker/Starkweather

135 East Jagged Ridge Circle

Lot 24 Block 5, Section 14 Village of Creekside Park

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Deborah Sargeant and seconded by Ken Anderson to table the item to allow committee members Danie van Loggerenberg and Walter Lisiewski to meet at the site with staff to determine where plantings can be located. The owner will have the utilities marked in advance. The motion passed unanimously.

28. Variance request for a proposed pool and patio exceed maximum hard surface area allowed, in addition the patio cover with summer kitchen does not respect the 25 foot rear building setback.

Peter Barton

102 North Garnet Bend

Lot 11 Block 1, Section 8 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The architect was present and addressed the committee. It was moved by Ken Anderson and seconded by Chris Florack to conditionally approve the pool, patio and patio cover, based on the submission of revised plans showing a reduction of hard surface area by 3.5%. Decomposed crushed granite (no cement) must be used under the pavers, and the homeowner must plant and maintain 3 30 gallon native trees. Additionally, the homeowner 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). Staff will review revised plans for approval. The motion passed unanimously.

29. Variance request for a proposed driveway widening that exceeds the maximum width allowed.

Ho Wu

107 East Black Knight Drive

Lot 2 Block 4, Section 77 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Robert Heineman and seconded by Chris Florack to conditionally approve the driveway widening, allowing 8' expansion. The expansion must match the existing driveway with a border, must not encroach past the front of the front facing garage doors alongside of home, and must taper to the existing driveway. Trash & recycle carts must be screened from public and adjacent properties. The motion passed unanimously.

30. Variance request for paving that does not respect the side five foot and rear ten foot easements.

Martin & Debra Miller

63 Silvermont Drive

Lot 6 Block 1, Section 26 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the paving. The homeowner must plant and maintain evergreen trees and/or shrubs at least 7 feet tall at the time of planting to screen the patio cover to the rear property line and the adjacent property line (planting between existing plants). Staff will review upon completion of planting to determine if screening is sufficient. Robert Heineman was not present for the vote. All other committee members voted in agreement. The motion passed.

31. Variance request for two proposed walkways that will not be at least one foot from the side property line and will exceed the maximum allowed width.

Tommaso Esmanech

27 Laurelhurst Circle

Lot 7 Block 1, Section 45 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve walkway #1, not to exceed 4 feet in width and must have a minimum of 1 foot distance from the property line and to approve walkway #2 as submitted. Deborah Sargeant and Ken Anderson voted in opposition; all others present voted in agreement. The motion passed.

32. Variance request for existing pool decking that exceeds the maximum allowed hard surface area.

Dennis Banks

110 North Concord Valley Circle

Lot 3 Block 2, Section 25 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Chris Florack and seconded by Deborah Sargeant to conditionally approve the pool decking on the right side of the pool. The homeowner must remove the portion of decking on the left side of the pool (the larger piece of decking that was installed without approval) within 60 days. Staff is to send a letter to the contractor. The motion passed unanimously.

33. Variance request for a patio cover with associated fireplace, fire pit and tree removals that do not respect the 50 foot rear building setback and the 15 foot development setback and does not meet the required minimum living area per the ILUD and Development Criteria, the fence exceeds the maximum height allowed, the putting green do not respect the 15 foot development setback, and the pavers do not respect the rear ten foot easement and the 15 foot development setback.

Peter and Megan K. Shedden

7 Player Bend Drive

Lot 11, Block 1, Section 23 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was present and addressed the committee. It was moved by Robert Heineman and seconded by Chris Florack to table the patio cover with fireplace to be moved to a location that complies with the setbacks. The homeowner must submit revised plans for DSC review and a tree survey on the plan with the improvements (such as the submitted color plan) showing tree type and size. Staff will visit the site to review the trees. Homeowner must attempt to keep all healthy trees. The fence and gates must be the same height as the existing wrought iron fence, meet code and pass inspections. The putting green, paving and walkway are approved as submitted, dependent upon the revised plans. The motion passed unanimously.

34. Variance request for pavers/walkway that do not respect the rear ten foot easement and the 15 foot development setback.

Peter and Megan K. Shedden

2 Saint Peter's Gate

Lot 10, Block 1, Section 23 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was present and addressed the committee. It was moved by Robert Heineman and seconded by Chris Florack to approve the paving and walkway as submitted, dependent upon the revised plans. The motion passed unanimously.

## **VII. Public Comments**

There were no public comments.

## **VIII. Member Comments**



Walter Lisiewski asked about a possible special meeting and update on open carry signs and lettering. Deborah Sargeant asked staff to reschedule the special meeting on short term rentals to April 1. Danie van Loggerenberg said he will be out of town on that day.

**IX.** Staff Reports

Staff advised the committee on tracking system for contractors building projects with application or making changes without approval. Chris Florack asked for the name of the contractor who added pool decking at 110 North Concord Valley Circle (Item 32). Staff to send update to committee on letters sent to contractors to date.

**X.** Adjourn

There being no further business Chair Deborah Sargeant asked for a motion to adjourn. It was moved by Chris Florack and seconded by Ken Anderson to adjourn the meeting at 7:49 p.m.