

**Development Standards Committee**

**April 6, 2016 at 5:30 p.m.**

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

**MINUTES**

**Members Present:** Deborah Sargeant, Danie van Loggerenberg, Chris Florack, Kim Hess, Walter Lisiewski, and Ken Anderson

**Staff Present:** Kimberly McKenna, Neslihan Tesno, Sharon Davis and Kathleen Eaton

**Legal Counsel Present:** Bret Strong

- I. Welcome/Call Meeting to Order.**  
The meeting was called to order by Deborah Sargeant at 5:30p.m.
- II. Consideration and action regarding the minutes of the meeting of March 2, 2016.**  
The minutes were reviewed by the committee. It was then moved by Walter Lisiewski and seconded by Danie van Loggerenberg to approve the minutes for the meetings of March 2, 2016 as presented. The motion carried unanimously.
- III. Consideration and Action of the Applications and Covenant Violations in Section VI, recommended for Summary Action.**  
This item was reviewed by the committee. The list consisted of items 2, 3, 4, 8, 13-22, 24, 25 and 27-32. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the Summary List as presented by staff recommendation. 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.**  
The committee convened in executive session in accordance with section 551.071 of the Texas Government Code to consult with legal counsel.
- V. Reconvene in Public Session.**  
The Committee reconvened in public session at 6:30p.m.
- VI. Consideration and Action of the Applications and Covenant Violations.**
  1. Consideration and action for approval of a temporary event banner and temporary inflatable.  
First Choice Emergency Room  
10864 Kuykendahl Road Suite B  
Lot 150, Block 499, 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 Chris Florack and seconded by Walter Lisiewski to take no action. Deborah Sargeant and Kim Hess voted in opposition. The motion passed.
  2. Consideration and action for approval of building mounted sign  
Amici Café & Bakery  
6700 Woodlands Parkway Suite 220  
Lot 200, Block 499, Section 00 Village of Sterling Ridge  
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve on the condition that the sign height is reduced by 2" from the "Amici" portion, the returns to be dark bronze to match MPC Rich Brown 42-224, the sign must be centered in sign band area.

Additionally they must submit revised plans with corrections and meet the Commercial Planning and Design Standards. The motion passed unanimously.

3. Consideration and action for approval of building mounted sign.

Armstrong McCall

9420 College Park Drive Suite 150

Lot 500, Block 490, Section 46 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve on the condition that the returns to be painted "MPC Rich Brown", the Plexiglas color is to be white, Center sign left to right within tenant space, as close to centered over the main entry door as possible when taking into account the architecture of the shopping center and the sign must be mounted at height consistent with neighboring tenants. The motion passed unanimously.

4. Variance request for an existing paving and arbor that does not respect the side five 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 Ken Anderson 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.

5. 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 to address the committee. It was moved by Ken Anderson and seconded by Chris Florack to amend the planting requirement to plant and maintain 2 30 gallon native trees in the front yard. The motion passed unanimously.

6. Consideration and discussion regarding compliance with the conditions of approval related to the monument sign.

Woodlands Resort & Conference Center

2301 N. Millbend Drive

Lot 0470, Block 0547, Section 0006 Village of Grogan's Mill

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as the previous actions by the committee. The committee discussed the need to verify the location on the plat, inquire about the columns the staff noted at each entry and whether or not additional landscape was proposed. Once complete, the staff will report back to the committee and post the item for consideration and action at a future meeting.

7. Variance request for an existing building sign that does not meet the requirements as stated in the shopping center criteria.

Russo's New York Pizzeria

3335 College Park Drive

Lot 0806, Block 0388, Section 0999 Village of College Park

This item was heard by the full committee. The staff provided a presentation of the improvement and the location and specifications as well as the previous actions by the committee. It was then moved by Kim Hess and seconded by Chris Florack to approve the sign as presented. The motion carried unanimously.

8. Consideration and action regarding the temporary storage containers to be staged in parking lot during interior store updates.

Target

1100 Lake Woodlands Drive

Lot 0590, Block 0599, Section 0999 Village of Town Center

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to allow no more than two (2) temporary storage containers from May 6th through June 6th, not to exceed two (2) containers to be stored at a time. Storage containers must be maintained and all trash debris or materials should be stored within the containers or out of public view. The motion carried unanimously.

9. Variance request for building and monument signs that may not meet the requirements as stated in the shopping center criteria.

Dunkin' Donuts/Baskin Robbins

3085 College Park Drive

Lot 9058, Block 0555, Section 0000 Village of College Park

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as the information from the contractor and owner regarding permitting with the City of Conroe and Montgomery County. It was then moved by Kim Hess and seconded by Ken Anderson allow a building and monument sign on the condition the owner must modify the plans and submit them to the staff for final review and action, identifying individually mounted, fabricated metal channel letters and/or graphics with an internal closed face using acrylic or similar material on the letter face. The motion carried unanimously.

10. Variance request for directional and drive thru signs that may not meet the requirements as stated in the shopping center criteria.

Dunkin' Donuts/Baskin Robbins

3085 College Park Drive

Lot 9058, Block 0555, Section 0000 Village of College Park

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as the information from the contractor and owner regarding permitting with the City of Conroe and Montgomery County. It was then moved by Kim Hess and seconded by Ken Anderson to allow the orange drive thru improvement as presented. The motion carried unanimously.

11. Variance request for a monument sign with the street address located in the bottom left hand corner and includes a logo with a registered trademark pending.

Brighton Academy

10400 Gosling Road

Lot 0561, Block 0045, Section 0040 Village of Panther Creek

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as the information from the owner regarding visibility, parking and previous sign information. It was then moved by Kim Hess and seconded by Ken Anderson to approve a monument sign located on Gosling, on the condition the sign base is reduced to no greater than 18 inches in height, the logo must be registered with the USPTO within one (1) year of this conditional approval, April 6, 2017. If the logo is not registered with the USPTO at that time, applicant will be required to remove the logo. The logo size must be reduced to comply with the Commercial Planning and Design Standards and relocated to the sign panel instead of the sign's column. Additionally the owner must install the address numbers to the left hand corner closest to the street. Landscaping must be installed and the location of the monument sign along Gosling must not extend any further than the existing sign. The motion carried unanimously.

12. Variance request for an additional smaller monument sign to be located near the parking area and includes a logo with a registered trademark pending.

Brighton Academy

10400 Gosling Road

Lot 0561, Block 0045, Section 0040 Village of Panther Creek

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as the information from the owner regarding visibility, parking and previous sign information. It was then moved by Kim Hess and seconded by Ken Anderson to deny the variance request as proposed and request the owner revise the design to be located on the building or relocated to an area that is closer to the building and not located in

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the landscape median or if the sign is to be located in the median the sign base must not exceed 18 inches, the tagline must be removed and the logo must be reduced in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.

13. Consideration and action to replace the existing parking lot light fixtures.

Sonic  
3081 College Park Drive  
Lot 9059, Block 0555, Section 0999 Village of College Park  
This item was withdrawn from the agenda.

14. Consideration and action regarding two new building signs.

CHI St. Luke's Health-Baylor St. Luke's Emergency Center  
4524 Research Forest Drive  
Lot 6010, Block 0051, Section 0999 Village of Research Forest  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the signs on the condition the names established on the building, monument and directional signs all match. Installation of all signs must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

15. Consideration and action regarding new monument sign panels.

CHI St. Luke's Health-Baylor St. Luke's Emergency Center  
4524 Research Forest Drive  
Lot 6010, Block 0051, Section 0999 Village of Research Forest  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the monument sign panel on the condition the names established on the building, monument and directional signs all match. Installation of all signs must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

16. Variance request for a new sign panel on an existing monument sign and includes a logo with a registered trademark pending.

Keane Group  
8301 New Trails Drive  
Lot 2200, Block 0051, Section 0999 Village of Research Forest  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve on the condition the logo/Logotype must be registered with the USPTO within one (1) year of this conditional approval (date). If not registered with the USPTO at that time, applicant will be required to remove this conditionally approved panel/logo and replace with a panel using standard Arial or Helvetica font until such time as the applicant can provide certification from the USPTO of a registered logo/logotype. By accepting this conditional approval the applicant agrees to the terms outlined here. Please see additional notes below and on the following pages. Keane Group panel is conditionally approved on the condition it must include (routed) building address number on panel as shown on existing tenant panel so that building address will be illuminated at night. The black area of logo will be routed out of the aluminum panel. The inner gray area will also be aluminum and will be flush with the rest of the panel and the panel background color must match the existing. The motion carried unanimously.

17. Variance request for a proposed fence that would exceed the maximum height allowed.

Stephanie Ruckert  
60 Woodhaven Wood Drive  
Lot 31, Block 04, Section 28 Village of Grogan's Mill  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the fence on the condition the overall height of the fence nearest the front façade of the home is tapered down not to exceed 6 feet 6 inches in height. The motion carried unanimously.

18. Variance request for a proposed trellis that would be located in the ten foot rear easement and would exceed six feet in height.  
Jack Norman  
90 Huntsman's Horn Circle  
Lot 04, Block 01, Section 18 Village of Grogan's Mill  
This item was withdrawn from the agenda.
19. Variance request for a proposed pergola that would encroach into the ten foot rear easement.  
Jack Norman  
90 Huntsmans Horn Circle  
Lot 04, Block 01, Section 18 Village of Grogan's Mill  
This item was withdrawn from the agenda.
20. Variance request for a proposed detached patio cover that will exceed the maximum height allowed.  
Peter Lyon  
36 West Wedgewood Glen  
Lot 39, Block 01, Section 11 Village of Panther Creek  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the patio cover on the condition the owner must meet code and pass final inspection. Additionally the improvements must not halt or materially impede drainage as defined in The Residential Development Standards,
21. Variance request for a proposed expansion that will encroach into the side setback.  
Ed Robb  
18 Spindrift Place  
Lot 01, Block 01, Section 43 Village of Village of Panther Creek  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the expansion on the condition the owner must plant and maintain native evergreen vegetation around the addition to soften and screen the view towards Spindrift and Destiny Cove.
22. Variance request for the proposed color change that was not considered to be compatible with the home and the neighborhood, when it was acted upon by the Residential Design Review Committee.  
William Murphy  
40 Waterford Lake  
Lot 30, Block 01, Section 44 Village of Cochran's Crossing  
This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the color change as presented. The motion carried unanimously.
23. Variance request regarding the condition of approval to replant three (3) - fifteen (15) gallon native trees anywhere on the lot.  
Ariel Frometa  
3 Hickory Hollow Place  
Lot 01, Block 17, Section 01 Village of Indian Springs  
This item was heard by the full committee. The staff provided a presentation of the improvements and the committee's conditions of approval and owner's request for a variance. It was then moved by Chris Florack and seconded by Walter Lisiewski to donate three fifteen gallon native evergreen tress to reforest alternate locations in the Woodlands or plant and maintain six ten gallon shrubs anywhere on the lot. The motion carried unanimously.
24. Variance request for an existing walkway that exceeds the maximum width allowed and encroaches into the side yard easement.  
Eduardo Gutierrez-Orozco  
88 West Rainbow Ridge Circle  
Lot 02, Block 03, Section 01 Village of Cochran's Crossing

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the walkway as submitted. Approval by this committee does not constitute approval by the additional easement holders and may be subject to removal for access by the additional easement holders. Additionally the owner must ensure the improvements do not halt or materially impede drainage as defined in the Residential Standards. The motion carried unanimously.

25. Variance request for an existing fence that is not set back three feet from the front façade of the dwelling.

William Gregory Gowans

62 Coldbrook Court

Lot 07, Block 02, Section 25 Village of Cochran's Crossing

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve on the condition the owner maintain the existing vegetation at the front left hand side of the fence to soften and screen the view from the front of the street. Additionally the fence must meet code and pass final inspection. The motion carried unanimously.

26. Variance request for an existing play fort/ tree house that contains more than 72 square feet of elevated floored area and exceeds the maximum height allowed.

Mark R. Beach

38 Mistflower Place

Lot 41, Block 02, Section 21 Village of Cochran's Crossing

This item was heard by the full committee. The staff provided a presentation of the improvements and their locations as well as information received by the owner and affected neighbor. After deliberation regarding impact, precedent and visibility it was moved by Deborah Sargeant and seconded by Chris Florack to deny the variance as presented and consent to delay enforcement based upon the execution of a memorandum of agreement and conditions of allowance which require the owner paint the structure to match the home or another muter earth tone color, that must be applied for and approved prior to painting. Additionally the owner must plant and maintain a heavily vegetated native evergreen mix of trees and shrubs to the area to the side of the structure, at a minimum of fourteen feet tall at the time of planting to screen the structure from the adjacent property. Installation of planting and submission of color change should be completed within 60 days. Additionally, the owner must sign and execute a memorandum of agreement requiring the owner to remove the play structure when the owner no longer owns the home sells or transfers title or when the structure is in disrepair and requires maintenance. The memorandum will be recorded with the courthouse and binding on the land. The motion carried unanimously.

27. Variance request for an existing home business that has clients or customers traveling to or from the lot in connection with the business.

Jason Ridenbaugh

50 Sweetdream Place

Lot 47, Block 03, Section 19 Village of Cochran's Crossing

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve on the condition the home business must comply with the Residential Development Standards and is permitted for two years. The owner must resubmit an application in April 2018 for continued Home Business operations. Additionally the permit may be revoked at any time for a violation of these Standards or by action of the Committee at any time. The motion carried unanimously.

28. Consideration and action to proceed with legal action for outstanding violations.

Harry van Heldorf

2103 North Red Cedar Circle

Lot 46, Block 02, Section 10 Village of Grogan's Mill

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. 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, 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.

29. Consideration and action to proceed with legal action for outstanding violations.

Janet Taylor

11820 South Red Cedar Circle

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

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. 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, 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.

30. Consideration and action to proceed with legal action for outstanding violations.

Kelley L Johnson

35 Wisteria Walk Circle

Lot 09, Block 01, Section 37, Village of Cochran's Crossing

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. 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, 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.

31. Consideration and action to proceed with legal action for outstanding violations.

Aaron David Robinson

10 Emery Cliff Place

Lot 09, Block 04, Section 06, Village of Cochran's Crossing

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. 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, 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.

32. Consideration and action to proceed with legal action for outstanding violations.

Children's Learning Adventure Childcare Centers/ Spirit SPE Portfolio 2112-5 LLC

3709 College Park Drive

Lot 0150, Block 0388, Section 0999 Village of College Park

This item was heard under the summary list as presented by staff recommendation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. 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, 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.

- VII. Consideration and action of the status of improvements at 47 and 51 South Longspur. Alexandro Rovirosa Martinez and Alberto Hinojos Lot 09 & 10, Block 04, Section 45 Village of Grogan's Mill.**  
The committee discussed the progress on the property. The committee tabled this item, no further action was taken.
- VIII. Consideration and discussion of changes to the Residential Development Standards and possible dates for a public forum.**  
The committee discussed possible upcoming dates for availability to hold a public forum. The staff will coordinate meeting room availability and follow up with the Committee regarding possible meeting dates.
- IX. Public Comments**  
There were no public comments.
- X. Member Comments**  
There were no member comments.
- XI. Staff Reports**  
There were no staff reports.
- XII. Adjourn**  
There being no further business it was moved by Chris Florack and seconded by Ken Anderson to adjourn the meeting at 8:17p.m. The motion carried unanimously.