

Development Standards Committee

October 18, 2017 at 5:00 p.m.

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Robert Heineman, Ken Anderson, John Anderson, Walter Lisiewski and Ron Harris

Members Absent: Chris Florack

Staff Present: Neslihan Tesno, Kim McKenna, Sharlene Novak and Joe Hans

Legal Counsel: Bret Strong

- I. Welcome/Call Meeting to Order.
Chair Deborah Sargeant called the meeting to order at 5:01 p.m.
- II. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071 of the Texas Government Code.
The Committee recessed to Executive Session at 5:13 p.m. and again at 6:30 p.m.
- III. Reconvene in Public Session.
The Committee reconvened at 5:46 p.m. and again at 6:58 p.m.
- IV. Consideration and action regarding the minutes of the meeting of September 20, 2017.
The minutes were reviewed by the Committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the minutes as presented.
- V. Consideration and Action regarding Short Term Rental Operation.
This item was tabled.
- VI. Consideration and Action of the Commercial Applications and Covenant Violations in Section VII, recommended for Summary Action.
Chair Deborah Sargeant presented the Commercial Summary List as prepared by Staff. The list consisted of Items E, F, H, J & K. Items C and G were tabled. It was moved by Ken Anderson and seconded by John Anderson to approve the Commercial Summary List as presented. The motion passed unanimously.
- VII. Consideration and Action of the **Commercial** Applications and Covenant Violations.
 - A. Consideration and action regarding lighting issues that may conflict with the Commercial Planning and Design Standards and may impact adjacent properties.
St. Anthony of Padua Catholic Church
7801 Bay Branch Drive
Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing
This item was heard by the full committee. Representatives for the church were present to address the Committee. The staff provided the Committee with a presentation noting the lighting on the property and the visibility of headlights through the fence. The Committee deliberated on the lighting issue and discussed possible design options to mitigate the light. It was then moved by Deborah Sargeant and seconded by John Anderson to table the item and suggest the Church provide some sample applications of materials that could eliminate the lighting shining through the fence. Afterwards, the Church should reach out to the staff for the Committee members and staff to review and evaluate the sample materials applied to the fence. The committee suggested the Church consider adding a sample of the mesh tennis court screen material and identified any sample portions as well as add any

other options to assist with the screening of the headlights toward Laurelhurst Residents. The motion carried unanimously.

- B. Consideration and action on the addition of three parking lot lights in the rear of the property.
Saints Simon & Jude Catholic Church
26777 Glen Loch Drive
Lot 0421, Block 0045, Section 0007 Village of Panther Creek
This item was heard by the full committee. Representatives for the church were present to address the Committee. The staff provided the Committee with a presentation noting the parking lot lights. The staff noted the lights were proposed near the dumpsters that the committee previously acted on, to relocate and screen from view. As a result, the staff noted a recommendation to hold the issuance of a permit until the owner completes the requirements for the dumpsters. It was then moved by Deborah Sargeant and seconded by Ken Anderson to table the lighting matter and allow the church to apply for the dumpsters and their enclosures so that the lights and the dumpsters can be heard at the same time. The motion carried unanimously.
- C. Consideration and action to modify the existing tenant panels on the monument signs, with a new panel that says, "Shops and Restaurants" and has an additional tenant panel with a different business name.
Grogan's Mill Retail Center
7 Switchbud Place
Lot 0840, Block 0547, Section 0006 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. The owner was present to address the committee. It was moved by Ron Harris and seconded by Walter Lisiewski to table the item. The motion carried unanimously.
- D. Variance request to remove five trees around the monument sign for increased visibility.
College Park Crossing
3707 College Park Drive
Lot 0100 Block 0388, Section 0999 Village of College Park
This item was heard by the full committee. Representatives were present to address the Committee. The staff provided the Committee with a presentation noting the trees and identified the owner's request to modify the original proposal provided to the staff upon his arrival at the meeting. It was then moved by Robert Heineman and seconded by Ken Anderson to approve the removal of one tree closest to the sidewalk and not require any replants. The motion carried unanimously.
- E. Variance request for temporary light pole banners that include a website and sponsorship.
The Woodlands Center for the Performing Arts
2005 Lake Robbins Drive
Lot 0290, Block 0599, Section 0999 Village of Town Center
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the light pole banners as presented and require installation and maintenance comply with the Commercial Planning and Design Standards.
- F. Variance request for the addition of two building signs that would exceed the overall height allowed .
True Food Kitchen
9595 Six Pines Drive
Lot 7111 Block 0599, Section 0999 Village of Town Center
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the building signs as presented. The installation must be in accordance with the Commercial Planning and Design Standards. All other signage including but not limited to, vinyl decals, blade signs or monument signs, require review and approval prior to installation.

- G. Consideration and action for exterior remodeling to the storefront, that includes but is not limited to, painting, awning installation, door and window framing updates and a renovated patio.
True Food Kitchen
9595 Six Pines Drive
Lot 7111 Block 0599, Section 0999 Village of Town Center
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to table the item. The motion carried unanimously.
- H. Consideration and action to allow for sidewalk furniture and artificial grass in front of the restaurant.
Gringo's Mexican Kitchen
30420 FM 2978
Lot 0046 Block 0458, Section 0110 Village of Sterling Ridge
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the sidewalk furniture and artificial grass on the condition no logos or tag-lines are installed on the exterior furniture or umbrellas. Additionally, request the staff coordinate with the Property Manager to receive an overall plan of the shopping center and all furniture and exterior finishes and require applications and compliance as applicable. The motion carried unanimously.
- I. Variance request for window graphics that include a logo that is not registered and includes additional messaging.
Gringo's Mexican Kitchen
30420 FM 2978
Lot 0046 Block 0458, Section 0110 Village of Sterling Ridge
This item was heard by the full committee. Representatives were present to address the Committee. The staff provided the Committee with a presentation noting the window graphics and logo. It was moved by John Anderson and seconded by Ken Anderson to deny the variance and require Gringos to comply with the Commercial Planning and Design Standards. The motion carried unanimously.
- J. Consideration and Action for the addition of paving for more parking spaces.
Life Forms Office Park
4810 West Panther Creek Drive
Lot 0330, Block 045, Section 040 Village of Panther Creek
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve paving on the condition the owner submit the revised location of the Mail Boxes and Fed EX drop off to the staff, the remaining landscaped median islands should add vegetation as replacement for the vegetation removed for parking spaces. The motion carried unanimously.
- K. Consideration and Action to allow temporary storage containers during the holiday season
Target
1100 Lake Woodlands Drive
Lot 0590, Block 0599, Section 0999 Village of Town Center
This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve two temporary containers on the condition the previously approved construction containers in the main parking lot have been removed, prior to the installation of the new containers. All materials must be stored within the containers and out of public view and free of trash and debris around the exterior. Containers must be removed no later than January 8, 2018. The motion carried unanimously.
- L. Consideration and Action to extend the memorandum of agreement for the temporary storage of a portable building; and to provide an update of proposed building plans
Woodlands Community Church
5401 Rush Haven Drive
Lot 0220, Block 0592, Section 060 Village of Indian Springs

This item was heard by the full committee. Representatives were present to address the Committee. The staff provided the Committee with a presentation noting the portable temporary storage buildings. After deliberation, it was moved by Ken Anderson and seconded by John Anderson approve an extension allowing an additional year from the date of this meeting and initiate a new memorandum of agreement on the condition that the owner must sign and execute a memorandum of agreement noting the temporary building is to be removed no later than **December 2019**. Additionally, the Church must keep the Committee aware of the construction timeline for the permanent structures and any delays that would cause the temporary building to be postponed. Additional time requested past **December 2019** will only be considered if the conceptual plans have been reviewed and acted upon by the Plan Review Committee and the request should include updates to the master site plan, a construction timeline and estimated dates for preliminary and final plans proposals. The motion carried unanimously.

M. Consideration and Action for the existing fencing that surrounds the play area.

Woodlands Community Church

5401 Rush Haven Drive

Lot 0220, Block 0592, Section 060 Village of Indian Springs

This item was heard by the full committee. Representatives were present to address the Committee. The staff provided the Committee with a presentation noting the fence that exists on the property. After deliberation, it was moved by Ken Anderson and seconded by Robert Heineman to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the church to remove the chain link and panel fencing no later than January 1, 2020. Additionally, suggest the owner consider wrought iron or wood fencing materials for any future fencing or enclosures and obtain a permit for fencing in advance of installation. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

VIII. Consideration and Action of the **Residential** Applications and Covenant Violations in Section IX, recommended for Summary Action.

Chair Deborah Sargeant presented the Residential Summary List as prepared by Staff. The list consisted of Items 2, 3 & 5-10. Items 4 & 11 were tabled. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the Residential Summary List as presented. The motion passed unanimously.

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

1. Consideration and action regarding modifications to the memorandum of agreement related to the deadline for project completion due to the effects of Hurricane Harvey Damage.

Rovirosa

47 North Longspur Drive

Lot 9, Block 4, Section 45, Village of Grogan's Mill

This item was heard by the full committee. Representatives for the owner and affected neighbors were present to address the Committee. The staff and Committee's legal counsel provided the Committee with a presentation noting the modifications proposed to the memorandum by the owner. The Committee heard from all individuals present to speak on the matter. The Committee then adjourned in executive session to consult with their legal counsel at 6:30 pm. The Committee reconvened in public session at 6:58pm. After deliberating on the matter, it was moved by Deborah Sargeant and seconded by Walter Lisiewski to deny the proposed modifications to the memorandum as presented and identify the committee would only consider a modified memorandum with the original language and must include the following conditions and terms: An agreed memorandum may be executed provided the owner include an additional \$10,000 deposit for each matter left to be completed on the construction timeline (21 items in total), which would be forfeited if the completion date is not met. A Sealed landscaping plan must be submitted for review and action and a sealed drainage plan sealed by a professional engineer be submitted, consistent with a plan commonly received for new home construction, for review and final action. The owner must agree to weekly meetings with The Woodlands Township Staff, Legal counsel, A Development Standards Committee member and a representative of the and residents who will meet to discuss on going progress reports. All of which must be included in a revised Memorandum which must be signed and

executed no later than the end of business October 20th, 2017 and executed in Montgomery County Real Property Records. Failure to do so will cause an immediate pursuit of legal action. The motion carried unanimously.

2. Variance request for the existing patio cover/balcony that was submitted for approval without the required sealed plans but includes the suggested engineer's report for the existing repair and remodel to the second story balcony/patio cover area.

Irene Mackay

10708 Whisper Willow Place

Lot 25, Block 07, Section 06 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve as presented with the inclusion of the sealed engineer's report as suggested by the committee for their action of November 2, 2016. The improvement must meet code and pass final inspection. Additionally, the owner must plant and maintain native evergreen vegetation to the rear of the lot that will be allowed to grow tall and help soften and screen the view of the second story improvement to the adjacent properties. The Plan Review Committee or their designee can review the final plantings for compliance with the Committee's actions. The owner must ensure the improvements do not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

3. Variance request for the home & garage expansion that encroaches into the side setback, includes a garage addition with upper story living area and a master bedroom expansion, all of which were submitted with a portion of the sealed plans from a licensed and registered civil engineer.

Tawna and Jon Kingsley

2 North Longpsur Drive

Lot 01, Block 06, Section 45 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to approve as presented on the condition the owner plant and maintain native evergreen vegetation surrounding the proposed improvements to soften and screen the view to the adjacent residential lot or the street. Additionally, the owner must ensure the placement of the improvements does not halt or materially impede drainage as defined in the residential Development Standards. The motion carried unanimously.

4. Consideration and Action regarding the exterior lighting and recent modification at the property.

Rittenhouse Baptist Church, Inc.

23 Treasure Cove Drive

Lot 36, Block 01, Section 24 Village of Panther Creek

This item was reviewed under the summary list as presented by staff. It was moved by Ron Harris and seconded by Walter Lisiewski to table the item. The motion carried unanimously.

5. Variance request for a proposed fence that exceeds the maximum height allowed.

Dennis Banks

110 North Concord Valley Circle

Lot 3 Block 2, Section 25 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski to conditionally approve the fence as presented. It must meet code and pass inspections. The motion carried unanimously.

6. Variance request for existing paving that does not respect the ten foot rear easement, a walkway that is not located at least one foot from the side property line and the property exceeds the maximum allowed hard surface area.

Link S. Alander

35 Alden Glen Drive

Lot 9 Block 1, Section 20 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the paving and walkway 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 the requirement is by the affected property owner(s). The motion carried unanimously.

7. Variance request for an existing storage shed that does not respect the ten foot rear easement.

Gerald St John

26 Wimberly Way

Lot 84 Block 1, Section 3 Village of College Park

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski to disapprove the storage shed and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident or when the shed is in disrepair and needs replacement, whichever comes first. The memorandum will be recorded with the court house and is binding on the land. 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.

8. Variance request for an existing storage shed that does not respect the five foot side easement.

Deborah Moore

2 South Rambling Ridge Place

Lot 32 Block 1, Section 8 Village of College Park

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski to disapprove the shed and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident or when the shed is in disrepair and needs replacement, whichever comes first. The memorandum will be recorded with the court house and is binding on the land. 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.

9. Variance request for an existing summer kitchen that does not respect the ten foot rear easement.

James Fox

143 Fairwind Trail Drive

Lot 3 Block 2, Section 11 Village of College Park

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski conditionally approve the summer kitchen as presented. It must meet code and pass inspections. 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.

10. Variance request for an existing fire pit bench that does not respect the five foot side easement.

Scott Custer

34 Artist Grove Place

Lot 68 Block 1, Section 21 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. The homeowner did not attend the meeting. It was moved by Ron Harris and seconded by Walter Lisiewski to approve the fire pit bench 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.

11. Request to appeal the patio cover conditions that required the planting of three 15 gallon trees.

James McFarland
23 Drifting Shadows Circle
Lot 51 Block 2, Section 7 Village of College Park
This item was tabled at the request of the homeowner.

12. Variance request for a proposed patio cover that does not respect the rear 20 foot setback.

Wilford W. Cole
42 Pipers Meadow Street
Lot 1 Block 2, Section 55 Village of Alden Bridge
This item was heard by the full committee. The homeowners were present at the meeting. It was moved by Deborah Sargeant and seconded by Ken Anderson to conditionally approve the patio cover concept. It must meet code and Standard conditions and pass inspections. The homeowners must submit final plans, documents and fees and maintain existing evergreen vegetation to screen structure.

- X. Consideration and action related to Covenant Enforcement and policies because of Hurricane Harvey or any continuing inclement weather issues.

The staff provided the committee with an update to the covenant enforcement and inquires received requesting owner's make corrections to their homes. It was moved by John Anderson and seconded by Ron Harris to allow staff to proceed only with properties where violations existed prior to the hurricane. They affirmed their original action requiring any new violations cited after hurricane Harvey must not be enforced until Oct 30th. It was further moved by Ken Anderson and seconded by Deborah Sargeant that 90 extensions will be given to 120 day notices that expired during the time of hurricane Harvey. The motions passed unanimously.

- XI. Consideration and Action for approval of allowing civil engineer Jon Kingsley professional engineer #63745 to submit plans without the required Structural Brand identification.

The Committee deliberated regarding the request for approval to allow a Jon Kingsley to submit plans. The Committee discussed a need to review the details of Mr. Kingsley work. The staff noted Mr. Kingsley was unable to make the meeting and would be happy to return to a later meeting if additional information was needed. It was then moved by Ken Anderson and seconded by Deborah Sargeant to table this item and request Mr. Kingsley present information on his certifications. They also asked that this be added to the November 1 agenda. The motion passed unanimously.

- XII. Public Comments

There were no public comments.

- XIII. Member Comments

There were no member comments.

- XIV. Staff Reports

There were no staff reports.

- XV. Adjourn

There being no further business, Chair Deborah Sargeant asked for a motion to adjourn. Ken Anderson made the motion and Walter Lisiewski seconded. The meeting was adjourned at 8:11 p.m.





DEVELOPMENT STANDARDS COMMITTEE MEETING OF 9/20/17

NAME (please print)	REPRESENTING	ADDRESS	ISSUE	SIGN- IN TIME	SIGNATURE
Denis Carmichael	Resident	11 Laurelhurst		4:32	<i>[Signature]</i>
Suzanne Bird	St. Anthony of Padua	7801 Bay Branch		5:00	<i>[Signature]</i>
Amber Derr	Cross Creek	1210 Bayview Dr. Home, TX		4:50	<i>[Signature]</i>
Leela Duncan	Laurelhurst	47 Laurelhurst Cir	STOP	5:00	<i>[Signature]</i>
TOMASO ESMUECH	"	27 LAURELHURST CP	STOP	5:00	<i>[Signature]</i>
William Dailey	"	39 Laurelhurst Cr		5:10	<i>[Signature]</i>

FOR ST ANTHONY OF PADUA

9/28/17

DEVELOPMENT STANDARDS COMMITTEE MEETING OF

NAME (PLEASE PRINT)	HOMEOWNER, NEIGHBOR OR CONTRACTOR	AGENDA ITEM ADDRESS	AGENDA ITEM NUMBER	SIGN-IN TIME	SIGNATURE
Rachel Herman	Landlady	Panther Creek paint colors	D	4:45	
Teresa Whitrow	owner	stand			
LINDA EMMETT	L				
William Darity	owner				
Tammy Garner	owner	2 S. Dulcet Hollow Cir	19	5:10	Tammy Garner
Roxana Johnson	owner	150 N Whistling Bens Cir	21	5:15	
Johna Cappello	owner	42 Camp Hill Rd	4	5:15	Johna
Just Borens	owner	XI	XI	5:30	
Davis Mc	owner	16		5:30	
Donna Davidson	owner	23 Serenity Woods Pl	17	5:30	Donna Davidson

9/20/17

DEVELOPMENT STANDARDS COMMITTEE MEETING OF

NAME (PLEASE PRINT)	HOMEOWNER, NEIGHBOR OR CONTRACTOR	AGENDA ITEM ADDRESS	AGENDA ITEM NUMBER	SIGN-IN TIME	SIGNATURE
Nelly Miford			Observed		<i>[Signature]</i>
Rebecca Cuppelt	Homeowner	42 Cottage Mill		5:35	<i>[Signature]</i>
Pate Finney	Homeowner	207 Berrington Ridge	20	5:45	<i>[Signature]</i>