

PUBLIC NOTICE OF MEETING



PLANNING AND ZONING COMMISSION

MARCH 24, 2020

TAKE NOTICE THAT A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WOODWAY, TEXAS, WILL BE HELD VIA TELEPHONE CONFERENCE AT 5:30 P.M. ON TUESDAY, MARCH 24, 2020, TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE IT INCLUDING, AMONG OTHERS, THE ITEMS LISTED ON THE FOLLOWING AGENDA. AS TEXAS WORKS TO MITIGATE THE SPREAD OF COVID-19, THE GOVERNOR GRANTED THE OFFICE OF THE ATTORNEY GENERAL'S REQUEST FOR SUSPENSION OF CERTAIN OPEN-MEETING STATUTES. PUBLIC ACCESS TO THE MEETING WILL BE BY TELEPHONE ONLY AND THE TOLL-FREE NUMBER IS 1-844-474-0925 WITH CODE 13244845.

AGENDA

1. **Call to order**
2. **Consider action on** the minutes of the February 25, 2020, regular meeting
3. A. **Public hearing on** request for renewal of Special Use Permit (general) at 300 Merrifield Drive, Woodway, Texas, from Cathy Kurfess on behalf of Alltel Corporation d/b/a Verizon Wireless (operation of communication tower)

B. **Discussion and consider action on** report/recommendation to the City Council regarding request for renewal of Special Use Permit (general) at 300 Merrifield Drive, Woodway, Texas, from Cathy Kurfess on behalf of Alltel Corporation d/b/a Verizon Wireless (operation of communication tower)
4. **Staff updates**
5. **Consider action on** the Open Meetings Act Resolution
6. **Consider action on** adjournment

I certify that the above notice of meeting was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 17th day of March 2020 at 5:00 p.m.


Donna Barkley, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254) 772-4480 or FAX (254) 772-0695 for further information.



**City of Woodway
Planning and Zoning Commission Meeting Minutes
February 25, 2020**

The Planning and Zoning Commission of the City of Woodway met in the Council Chambers at Woodway City Hall, 922 Estates Drive at 5:30 p.m., February 25, 2020.

**Planning & Zoning
Members Present:**

John Wells, Grant Martin, David Mercer,
Brent McKenzie, Nancy Pfanner, Raju Patel,
Mary Cunningham, Andrew Wilkinson,
Carrie Johnson

**Planning & Zoning
Members Absent:**

City Staff Present:

Shawn Oubre, John Norman, Amy Novak,

Registered Guests:

Jacob Bell (engineer), Chet Patel (applicant),
Scott Kapczynski (architect),
Jeton Haxhijaj (applicant)

1. Call to order

Chairman John Wells, called the meeting to order at 5:30 p.m.

2. Consider action on the minutes of the February 11, 2020, regular meeting

A motion was made by David Mercer, seconded by Nancy Pfanner, that the minutes be approved. The motion carried unanimously.

3. A. Public hearing on Amended Application to Develop in a Planned District (Staybridge Suites) Lot 10, Block 10, of the Woodway Center Addition to the City of Woodway, McLennan County, Texas, located at 205 Colonnade Pkwy.

Chairman John Wells opened the public hearing. Chet Patel (applicant) gave a brief description. With no one else coming forward to speak in favor of or in opposition too, Chairman John Wells closed the public hearing.

B. Discussion and consider action on report and recommendation to the City Council regarding Amended Application to Develop in a Planned District (Staybridge Suites) Lot 10, Block 10 of the Woodway Center Addition to the City of Woodway, McLennan County, Texas, located at 205 Colonnade Pkwy.

Assistant Director John Norman gave a brief description of the Amended Application to Develop. Chet Patel (applicant) gave a brief description. Raju Patel made a motion, seconded by Andrew Wilkinson recommending that the Amended Application to Develop be approved. The motion carried unanimously.

4. **A. Public hearing on** Application to Develop in a Planned District (restaurant) a 0.933 acre tract of land located in the Thomas B. White Survey, Abstract 896, in the City of Woodway, McLennan County, Texas, being a called 0.93 acre tract described as tract five in a deed to K-Twelve, Ltd., recorded in Volume 1636, Page 394 of the deed records of McLennan County, Texas (D.R.M.C.T.) being the remainder of a called 2 acre tract after the conveyance of a called 1.07 acre tract to Wagon Master Liquid Feeds, Inc., recorded in Volume 1317, Page 502 of the D.R.M.C.T, and being further described in the field notes, in the City of Woodway, McLennan County, Texas, located at 6025 Woodway Drive.

Chairman John Wells opened the public hearing. Scott Kapczynski (architect) gave a brief description. With no one else coming forward to speak in favor of or in opposition too, Chairman John Wells closed the public hearing.

- B. Discussion and consider action on report and recommendation to the City Council** regarding Application to Develop in a Planned District (restaurant) a 0.933 acre tract of land located in the Thomas B. White Survey, Abstract 896, in the City of Woodway, McLennan County, Texas, being a called 0.93 acre tract described as tract five in a deed to K-Twelve, Ltd., recorded in Volume 1636, Page 394 of the deed records of McLennan County, Texas (D.R.M.C.T.) being the remainder of a called 2 acre tract after the conveyance of a called 1.07 acre tract to Wagon Master Liquid Feeds, Inc., recorded in Volume 1317, Page 502 of the D.R.M.C.T, and being further described in the field notes, in the City of Woodway, McLennan County, Texas, located at 6025 Woodway Drive.

Assistant Director John Norman gave a brief description of the Application to Develop. Jeton Haxhijaj (applicant) gave a brief description. Raju Patel questioned about a drive thru and Jeton assured him there will not be a drive thru. Mary Cunningham made a motion seconded by Raju Patel recommending that the Application to Develop be approved. The motion carried unanimously.

5. **Discussion and consider action on** final plat of Lots 2 and 3, Block 1, Rodney Kroll Addition, being a resubdivision of Lot 1, Block 1, Rodney Kroll Addition, recorded in Volume 404, Page 202 of the Official Public Records of McLennan County, Texas.

City staff recommends approval. Assistant Director John Norman gave a brief description. There were no questions asked. David Mercer made a motion, seconded by Mary Cunningham that the final plat be approved. The motion carried unanimously.

6. Staff Updates

City Manager Dr. Shawn Oubre discussed the City Charter to the Planning and Zoning Commission. Shawn stated that this is the kind of rules and regulations the city staff operates under or the city operates under. Section 10 in the charter is what the Planning and Zoning Commission goes by in the governing body rules as far their authority that they receive from the state for the Planning and Zoning. In Subsection D, the Planning and Zoning Commission submits to the City Manager, not less than 90 days or prior to the budget year, a list of capital improvements. Shawn wants to make sure that the

Planning and Zoning Commission is aware of this charter and they can make recommendations to the City Council. Assistant Director John Norman gave a staff update on the Tanglewood Addition that the plat has been approved by City Council and the corrections have been made.

7. Consider action on the Open Meetings Act Resolution

David Mercer made a motion to accept the Open Meetings Act Resolution. The motion was seconded by Andrew Wilkinson. The motion carried unanimously.

8. Consider action on adjournment

A motion was made by Mary Cunningham and seconded by Andrew Wilkinson to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 5:48 p.m.

Planning & Zoning Commission Chairman

Planning & Zoning Commission Secretary

**CITY OF WOODWAY
PLANNING AND ZONING COMMISSION AGENDA**

AGENDA ITEM:

3

AGENDA DATE:

March 24, 2020

SUBJECT:

- A. **Public hearing on** request for renewal of Special Use Permit (general) at 300 Merrifield Drive, Woodway, Texas, from Cathy Kurfess on behalf of Alltel Corporation d/b/a Verizon Wireless (operation of communication tower)

- B. **Discussion and consider action on** report/recommendation to the City Council regarding request for renewal of Special Use Permit (general) at 300 Merrifield Drive, Woodway, Texas, from Cathy Kurfess on behalf of Alltel Corporation d/b/a Verizon Wireless (operation of communication tower)

DISCUSSION:

Verizon has requested a renewal of their general Special Use Permit for the operation of a communication tower. Verizon has held a permit at this site since 1994.

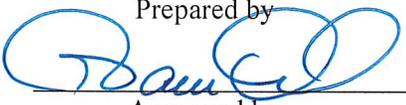
Public hearings are required at both a Planning and Zoning Commission meeting and City Council meeting. The City Council is scheduled to take action on April 13th, following the public hearing and after considering the recommendation of the Commission.

The maximum term for this type of special use permit is five years. The Special Use Permit (general) expired on October 31, 2019. Verizon has been in ground lease negotiations with the City since 2018 and the City is aware of the special use permit expiration and renewal efforts. The Special Use Permit (general) was scheduled to renew effective November 1, 2019.

ACTION RECOMMENDED:

- A. Conduct public hearing.

- B. Recommend Council approve or deny request for renewal of Special Use Permit (general) at 300 Merrifield Drive, Woodway, Texas, from Cathy Kurfess on behalf of Alltel Corporation d/b/a Verizon Wireless (operation of communication tower). If the recommendation is to approve the request, staff would recommend an expiration date no later than October 31, 2024.


Prepared by _____

Approved by _____

5 Has request been made before? Yes If so, date/action Permit granted in 1994; renewed in 1995, 2000, 2004, 2005, 2010 (for 6 months), 2011 and 2016

6. Have you operated without a permit? ? If yes, how long? October 31, 2019

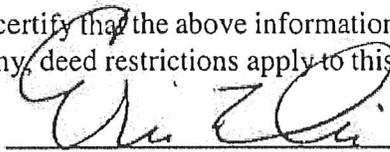
7. How did you learn that a permit is required? Verizon has been in lease negotiations with The City of Woodway since 2018 and the City is aware of the lease expiration and renewal efforts.

8. Owner of property (if other than applicant) City of Woodway
Mailing address P.O Box 20937
City / State / Zip Waco, TX 76702-0937

Phone 254-772-4480 Fax 254-772-0695 E-Mail N/A

By signing below, I certify that the above information is true and correct, and that I have checked to determine what, if any, deed restrictions apply to this property, and none conflict with this request.

Applicant Signature



Date

2/27/20

Fee Must Accompany Application:

All special uses requiring inspections

\$100.00

All other special uses

70.00

SECTION II - TO BE COMPLETED BY OWNER, IF OTHER THAN APPLICANT

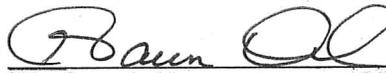
My signature below is evidence that I consent to the activity described above being conducted on the property I own at _____ (address).

Owner Signature _____

Date _____

SECTION III - TO BE COMPLETED BY STAFF

Application reviewed by the City Manager



Record of complaints (if applicable) Complaints from time to time regarding birds on the tower.

Permit history (if applicable) Permit granted in 1994; renewed in 1995, 2000, 2004, 2005, 2010 (for

6 months), 2011 and 2016

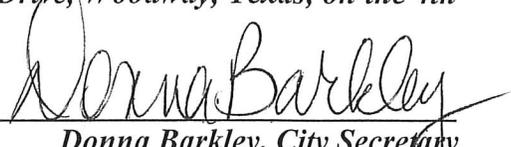
NOTICE OF PUBLIC HEARINGS



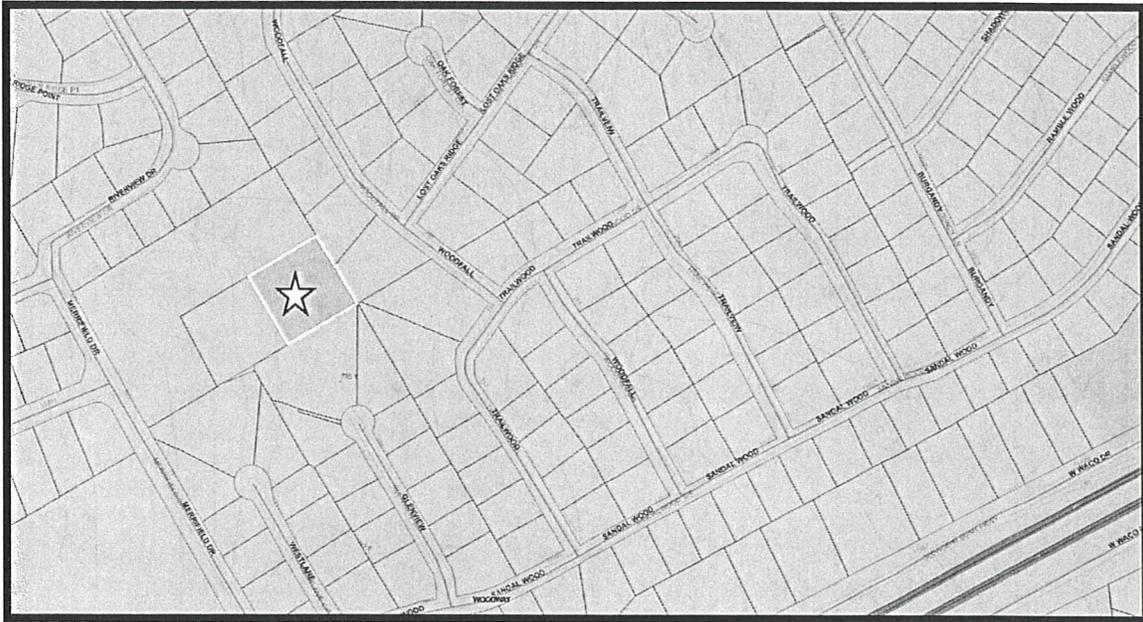
Notice is hereby given to all interested persons that the Planning and Zoning Commission of the City of Woodway will conduct a public hearing at Woodway City Hall (Donald J. Baker Council Chambers), 922 Estates Drive, Woodway, Texas, at 5:30 p.m. on Tuesday, March 24, 2020, on a request for the renewal of a General Special Use Permit (Verizon wireless communication tower) at 300 Merrifield, Woodway, Texas.

The Woodway City Council will conduct a public hearing on the request at Woodway City Hall (Donald J. Baker Council Chambers), 922 Estates Drive, Woodway, Texas, on Monday, April 13, 2020, at 5:30 p.m., and afterwards is scheduled to consider the recommendations of the Planning and Zoning Commission and take final action on the request.

This notice was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 4th day of March 2020 at 5:00 p.m.


Donna Barkley, City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's Office at (254) 772-4480 or FAX (254) 772-0695 for further information.



Part of the City's public hearing process includes mailing notices to the owners of all parcels of property (in the Woodway city limits) that are within 200 feet of the subject property. (We utilize McLennan County Appraisal District records - the most recently approved municipal tax roll - to compile the mailing list.) If you no longer own property within 200 feet of the subject property shown on this map, you may assist by forwarding this notice to the current owner; however, notices are also posted at Woodway City Hall and advertised in the official newspaper of the City, as required by law, to insure all notification requirements are met.

Request for Renewal of Special Use
Permit (General)
300 Merrifield – Alltel Corporation
d/b/a Verizon Wireless

Brandon Rhodes Oates
310 Westlane Circle
Woodway, TX 76712

Thomas John Moes
309 Westlane Circle
Woodway, TX 76712

James and Jennifer Hipp
308 Glenview Circle
Woodway, TX 76712

Randall Scrivner, et ux
310 Glenview Circle
Woodway, TX 76712

Will and Lisa Houck
311 Glenview Circle
Woodway, TX 76712

Kevin and Monita Keathley
310 Trailwood Drive
Woodway, TX 76712

David and Judy Piccianadra
312 Trailwood Drive
Woodway, TX 76712

Gerald W. Purdy, et ux
401 Woodfall Drive
Woodway, TX 76712

Bernice Willman
403 Woodfall Drive
Woodway, TX 76712

Bradley and Sara Herbelin
405 Woodfall Drive
Woodway, TX 76712

Jacquelyn Hawkins
500 B. Chapel Trail Circle
Waco, TX 76712

Ralph Lee, et ux
402 Woodfall Drive
Woodway, TX 76712

Tiffany and Andrew Hogue
400 Riverview Drive
Woodway, TX 76712

Ronald Leifeste, et ux
12000 Riverview Drive
Woodway, TX 76712

Cathy Kurfess
Alltel Corporation d/b/a Verizon
Wireless
180 Washington Valley Road
Bedminster, NJ 07921



OPEN MEETINGS ACT RESOLUTION

RESOLVED, that it is hereby officially found and determined that the meeting at which this resolution is adopted was noticed and has been open to the public as required by law.

PASSED AND APPROVED this the 24th day of March 2020.

THE CITY OF WOODWAY, TEXAS

By _____
CHAIR

ATTEST:

SECRETARY