

PUBLIC NOTICE OF MEETING



PLANNING AND ZONING COMMISSION

SEPTEMBER 22, 2020 – 5:30 P.M.
VIRTUAL MEETING

TAKE NOTICE THAT A REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF WOODWAY, TEXAS, WILL BE HELD VIA ZOOM MEETING AT 5:30 P.M. ON TUESDAY, SEPTEMBER 22, 2020, TO CONSIDER AND ACT UPON ANY LAWFUL SUBJECT WHICH MAY COME BEFORE IT INCLUDING, AMONG OTHERS, THE ITEMS LISTED ON THE FOLLOWING AGENDA.

To mitigate the spread of COVID-19, this meeting will be closed to in-person attendance by the public. Commissioners will attend virtually via Zoom Meeting. Citizens may join the Zoom Meeting by calling 1-888-475-4499, entering the Meeting ID # 9926081325 and the password 905053. Citizens may also provide written comments on the agenda items to Amy Novak at anovak@woodwaymail.org prior to 3:00 p.m. on September 22, 2020.

AGENDA

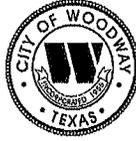
1. **Call to order**
2. **Consider action on** the minutes of the September 8, 2020, regular meeting
3. **Discussion and consider action on** approval of preliminary replat Lot 68, Block A of the Rainbow Lake Addition, to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas
4. **Staff updates**
5. **Consider action on** the Open Meetings Act Resolution
6. **Consider action on** adjournment

Page Two
Planning & Zoning Commission
September 22, 2020

I certify that the above notice of meeting was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 15th day of September 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
September 8, 2020**

The City of Woodway Planning and Zoning Commission attended a regular scheduled meeting virtually via Zoom Meeting, on September 8, 2020, at 5:30 p.m. To mitigate the spread of COVID-19, this meeting was closed to in-person attendance by the public. The Planning and Zoning Commission conducted the meeting via Zoom Meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The following individuals were in attendance via Zoom Meeting.

**Planning & Zoning
Members Present:**

Mary Cunningham, Rodney Kroll,
Martha Agee, Josef Varga, Bob Howard
Brent McKenzie,

**Planning & Zoning
Members Absent:**

Raju Patel, Grant Martin

City Staff Present:

Dr. Shawn Oubre, John Norman, Amy Novak,
Keith Lowrey

Registered Guests:

None

1. Call to order

Chairman Rodney Kroll, called the meeting to order at 5:30 p.m.

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

A motion was made by Mary Cunningham, seconded by Brent McKenzie, that the minutes be approved. The motion carried unanimously.

3. Discussion and consider action on final plat of Lot 1, Block 1, Luan Addition to the City of Woodway, McLennan County, Texas BEING all of that called 0.93 acres of land described in a deed to Jeton Haxhijaj and Bahrije as recorded in McLennan County Clerk’s Document 2019003825 of the Official Public Records of McLennan County, Texas.

City staff recommends approval. Assistant Director John Norman gave a brief Description of the final plat. Bob Howard made a motion, seconded by Nancy Pfanner that the final plat be approved. The motion carried unanimously.

5. Staff Updates

Assistant Director John Norman gave the update. John Norman stated to the Planning and Zoning Commission that the Badger Ranch Phase 6 subdivision is starting to sell lots. The city is finishing up the 911 addressing for the developer. The internal training that was conducted for the Planning and Zoning Commission turned out very well. Assistant Director John Norman told the commission that the Tanglewood Addition is still in progress.

6. Consider action on the Open Meetings Act Resolution.

Brent McKenzie made a motion to accept the Open Meetings Act Resolution. The motion was seconded by Mary Cunningham. The motion carried unanimously.

7. Consider action on adjournment.

A motion was made by Bob Howard and seconded by Brent McKenzie to adjourn the meeting. The motion carried unanimously and the meeting was adjourned at 5:39 p.m.

Planning & Zoning Commission Chairman

Planning & Zoning Commission Secretary

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

AGENDA ITEM: 3
AGENDA DATE: September 22, 2020

SUBJECT:

Discussion and consider action on approval of the preliminary replat of Lot 68, Block A of the Rainbow Lake Addition, to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.

DISCUSSION:

Jacob Waters (applicant) submitted a preliminary replat of Lot 68, Block A of the Rainbow Lake Addition, to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.

The applicant is requesting a variance regarding the public street frontage requirements. There is no public street in the Rainbow Lake Subdivision.

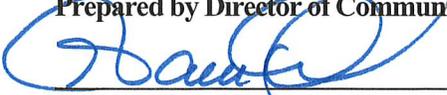
Please see attached letter from City Engineer.

City staff has requested that the applicant be present to answer any questions from the Planning and Zoning Commission.

ACTION RECOMMENDED:

Recommend approval or disapproval of the variance requested and if approved, conditional approval of the preliminary replat of Lot 68, Block A of the Rainbow Lake Addition, to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.


Prepared by Director of Community Services


Approved by City Manager



City of WOODWAY

Community Services & Development

www.woodway-texas.com

924 ESTATES DRIVE • WOODWAY, TEXAS 76712-3432 • 254/772-4050 • FAX 254/399-6518

September 15, 2020

City of Woodway
924 Estates Drive
Woodway, Texas 76712

ATTN: Planning and Zoning Commission

Re: Preliminary Plat – Lots 43-46, Block A Rainbow Lake Addition. Proposed Lot 68, Block A Rainbow Lake Addition.

Dear Commissioners:

Pursuant to the requirements of the City's Subdivision Ordinance, I have reviewed the preliminary plat for the above referenced subdivision as delivered to the City of Woodway, and have determined the following:

1. The preliminary plat for this subdivision meets all of the requirements set forth under Section 17-8 of Article I of the City of Woodway's Subdivision Ordinance.

A. In accordance with **Section 17-7:**

Provide 4, 18"X 24" corrected copies of the Preliminary Plat, an 11"X 17" copy and an electronic copy of the Preliminary Plat.

B. In accordance with **Section 17-7(a):**

Verify the owner of record for the property.

C. In accordance with **Section 17-7(c):**

Provide actual location of sewer, provide pipe size with accurate location. Create a 15 ft easement for the sewer line centered on the accurate location of the sewer. Accurately represent the 100 year Flood Plain on the face of the Plat. Verify electric provider.

D. In accordance with **Section 17-7(d):**

There is not any public street frontage (100' minimum) for the proposed R1 lot. The city understands that the applicant wishes to request a variance from this requirement for the proposed subdivision. This request will need to be made, outlining the reasons why it is necessary to the Planning and Zoning commission. The City Council will then approve/disapprove the request. This will be addressed at the Final Plat.

E. In accordance with **Section 17-7(j):**

Provide a preliminary drainage study for the property.



City of **WOODWAY**
Community Services & Development

www.woodway-texas.com

924 ESTATES DRIVE • WOODWAY, TEXAS 76712-3432 • 254/772-4050 • FAX 254/399-6518

F. In accordance with **Section 17-7(l)**:

Provide a signature line for the Chairman of the Planning and Zoning commission.

Approved by the City of Woodway on the

___ day of _____ A.D. 20__.

City Secretary

Chairman, Planning and Zoning Commission

G. In accordance with **Section 17-7(k)**:

A statement addressed to the city by the subdivider's registered engineer of the maximum amount of water use for each lot and each use determined in accordance with Texas Commission on Environmental Quality, or its successor, requirements.

2.The location and size of all existing water treatment, storage and transportation facilities within the city which will serve the proposed subdivision, together with such treatment, storage, and transportation facilities proposed to be constructed by the subdivider and which will serve the proposed subdivision, appear to be adequate to provide sufficient water supply, volume and pressure to serve each proposed lot and each use within the proposed subdivision.

3. The location and size of all existing sewage transportation, treatment and disposal facilities within the city which will serve the proposed subdivision, together with such sewage transportation, treatment and disposal facilities proposed to be constructed by the subdivider and which will serve the proposed subdivision, appear to be adequate to provide for transportation, disposal and treatment of sewage from each lot and each use within the proposed subdivision.



City of **WOODWAY**
Community Services & Development

www.woodway-texas.com

924 ESTATES DRIVE • WOODWAY, TEXAS 76712-3432 • 254/772-4050 • FAX 254/399-6518

Based on the findings and approvals, city staff recommends the Commission's conditional approval pending these minor corrections and approval of the variance requested for the preliminary plat for this subdivision.

Sincerely,

Mitch R. Davison, P.E.
City Engineer

PJZ - 9/22/20



CITY OF WOODWAY PRELIMINARY PLAT/REPLAT SUBMITTAL FORM

Per the City of Woodway Code of Ordinances, a plat and replat are defined as:

- Plat. A plat is a complete and exact subdivision plan.
- Re-plat. A re-plat is a complete and exact subdivision plan which involves one (1) or more lots of an existing platted and approved subdivision.

ITEMS TO BE COMPLETED BY APPLICANT

**ALL INFORMATION
REQUESTED MUST BE
PROVIDED**

Check one of the following: This submittal is a plat of acreage
 This submittal is a replat as defined above
 This submittal is an amended plat as defined by the Texas Local Gov. Code

Current legal description of property: Lots 43-46 Block A Rainbow Lake Add.
and a 0.4869 acre tract both under MCC# 2019025233
O.P.R.

Proposed legal description of property - Must list all lot(s), block(s), and name of addition: Lot 68,
Block A Rainbow Lake Add.

The applicant is the individual who will be contacted by City staff on all matters regarding this submittal. It is the responsibility of the applicant to make any additional contacts that are necessary to move the project forward.

Applicant name: Jacob Waters
Mailing address: 600 Austin Ave. Waco Tx 76701 . Suite 29
Telephone/fax numbers: 254-776-5151 / 254-776-5152
E-mail address: jwaters@mitchellinc.net
Alternate contact (in the event applicant cannot be reached): cmoore@mitchellinc.net
Telephone/fax numbers of alternate contact: _____

Applicant's Signature: Jacob Waters Date of submittal: 8-24-20

ITEMS TO BE COMPLETED BY STAFF

Date of submittal: 8/24/20 Submittal accepted by: Amy Novak

\$150.00 Fee Paid: Receipt Number: 171811 Date of notification to City Secretary: 8/25/20

Staff level review conducted by: Mitch Davison Cory Turnmire Other: J. Norman Date: 8/24/20

NOTICE OF PUBLIC HEARING



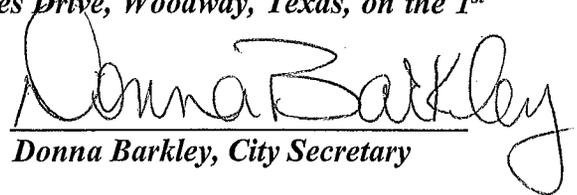
Notice is hereby given to all interested persons that the Planning and Zoning Commission of the City of Woodway, Texas, will conduct a public hearing via Zoom meeting at 5:30 p.m. on Tuesday, September 22, 2020, on the request listed below. Citizens may join the meeting by calling 1-888-475-4499, entering the Meeting ID # 9926081325 and the password 905053.

Request for approval of preliminary replat Lot 68, Block A of the Rainbow Lake Addition, to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43-46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas

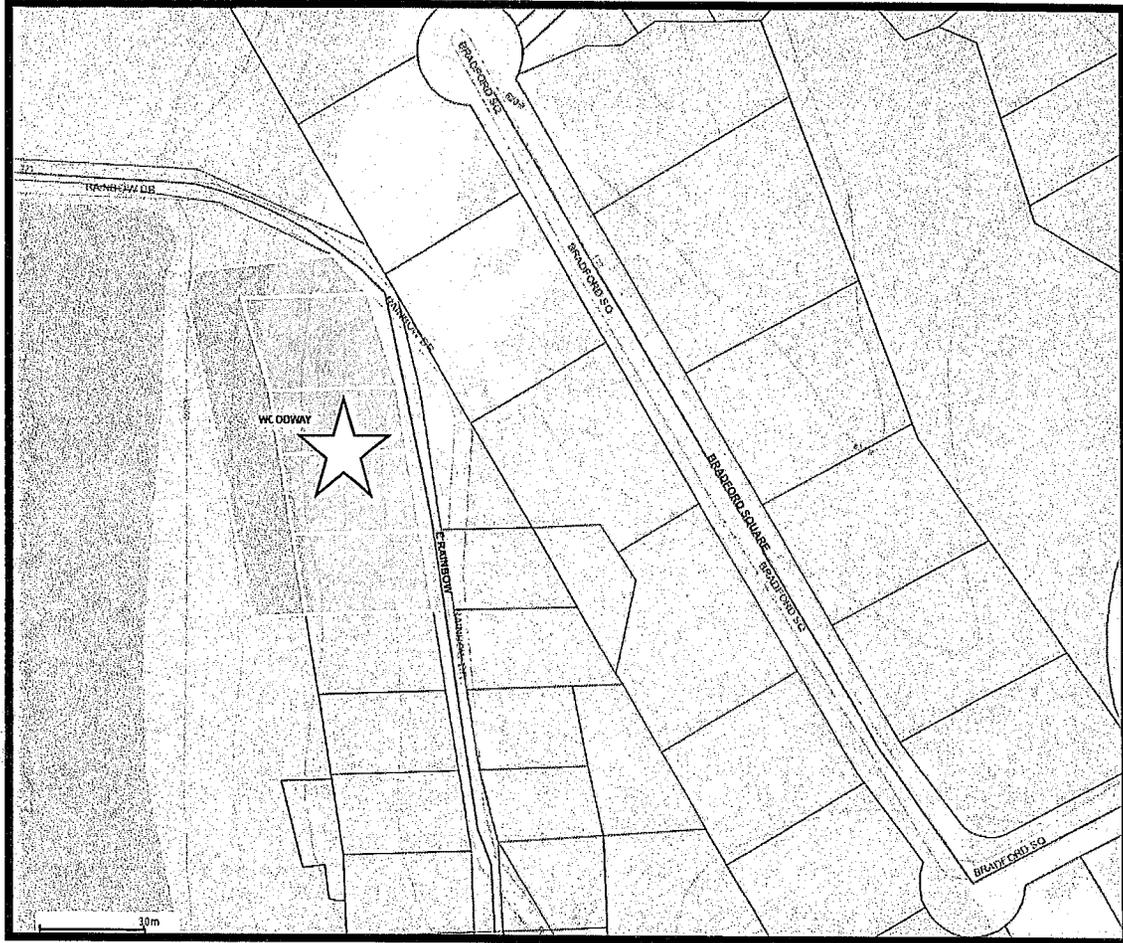
Following the public hearing, the Planning and Zoning Commission is scheduled to take action on the request.

For additional information related to this request, please contact Mitch Davison, Director of Community Services and Development, 924 Estates Drive, Woodway, Texas (254-772-4050).

This notice was posted at Woodway City Hall, 922 Estates Drive, Woodway, Texas, on the 1st day of September 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.

PRELIMINARY REPLAT

Lot 68, Block A, Rainbow Lake Addition
(Being Lots 43-46, Block A, Rainbow
Lake Addition)

Mary Anne Gardner, LTE
Julia Carol Gardner
321 Rainbow Dr.
Woodway, TX 76712

Roger Janosek and Beck Jones
116 Bradford Square
Woodway, TX 76712

Gordon L. Swanson, Jr
Susan Swanson
P.O. Box 21355
Waco, TX 76702

Robert and Mary Chambers
112 Bradford Square
Woodway, TX 76712

Jerry Dyer, Sr.
And Brenda Dyer
110 Bradford Square
Woodway, TX 76712

Rainbow Lake, Inc.
%Linda Turner
341 Rainbow Dr.
Woodway, TX 76712

Merlenna Mehaffey
330 Rainbow Dr.
Woodway, TX 76712

Brady and Vanessa Gibson
331 Rainbow Dr.
Woodway, TX 76712

Joel David and Lea Danielle Mendez
335 Rainbow Dr.
Woodway, TX 76712

STATE OF TEXAS
COUNTY OF McLENNAN

Field Notes for 1.30 acres of land in the Moses Allen Survey, Abstract Number 48, McLennan County, Texas, being all of Tract 1 described as Lots 43 - 46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas. Described as follows with bearings based on the State Plane Coordinate System, Texas Central, NAD 83.

Beginning at a 1/2-inch iron rod found at the Southwest corner of said Tract 2, at an interior corner of the Rainbow Lake common area as shown in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, for the Southwest corner of this tract;

THENCE N 13degrees 44minutes 38seconds W 297.78 feet to a 1/2-inch iron rod found at a Westerly corner of said Tract 2, for the West corner of this tract;

THENCE N 12degrees 35minutes 46seconds E 30.27 feet to a 1/2-inch iron rod found at the North corner of said Tract 2, for the North corner of this tract;

THENCE N 81degrees 44minutes 54seconds E 130.87 feet to a 1/2-inch iron rod found at the Northeast corner of said Tract 2, for the Northeast corner of this tract;

THENCE S 44degrees 54minutes 49seconds E 48.67 feet to a 1/2-inch iron rod found at the Northeast corner of said Lot 46, for an Easterly corner of this tract;

THENCE S 19degrees 22minutes 37seconds E 90.06 feet to a 1/2-inch iron rod found at the Southeast corner of said Lot 46, the Northeast corner of said Lot 45, Block A of for an Easterly corner of this tract;

THENCE S 10degrees 58minutes 09seconds E 209.84 feet to a railroad spike found at the Northeast corner of Lot 42, Block A of said Rainbow Lake Subdivision, for the Southeast corner of this tract;

THENCE S 85degrees 58minutes 14seconds W 120.35 feet to a 1/2-inch iron rod found at the Southwest corner of said Lot 43, the Northwest corner of said Lot 42, and at the Southeast corner of said Tract 2 for a Southerly corner of this tract;

THENCE S 85degrees 43minutes 06seconds W 49.97 feet to the POINT OF BEGINNING, containing 1.30 acres of land.

STATE OF TEXAS
COUNTY OF McLENNAN

That Julia Carol Gardner, being the owner of the property described above and wishing to subdivide same into lot and block do hereby adopt the plat attached hereto and titled PRELIMINARY PLAT RAINBOW LAKE ADDITION LOT 68, BLOCK A to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43 - 46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas, as my legal subdivision of same and do hereby dedicate all rights-of-way and easements shall be placed at no risk or obligation to the Public and McLennan County and the county shall have no responsibility to repair or replace such improvements if they are damaged or destroyed in the utilization of these rights-of-way or easements. The site of the lot shown on this plat shall be made in accordance therewith, subject to all restrictions and conditions recorded in McLennan County, Texas Real Property Records pertaining to such subdivision.

By: Julia Carol Gardner
321 Rainbow Drive
Woodway, TX 76712

STATE OF TEXAS
COUNTY OF McLENNAN

Before me, the undersigned authority, Notary Public in and for the State of Texas, on this day personally appeared Julia Carol Gardner, known to be the person whose name is subscribed to the foregoing instrument and she acknowledged to me that she executed the same for the purposes and considerations therein expressed; and in the capacity therein stated.

Given under my hand and seal of office this the ____ day of _____, 2020.

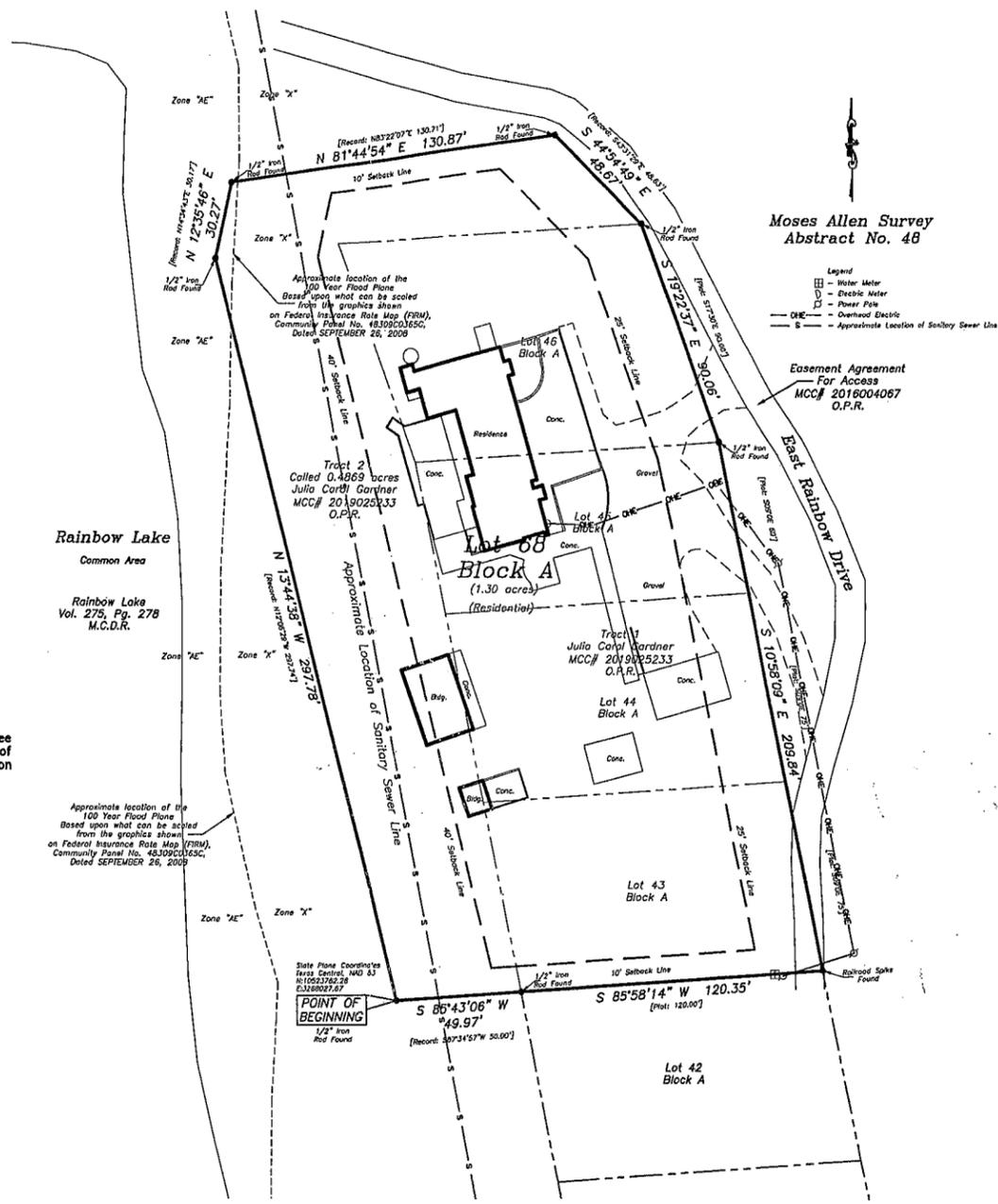
Notary Public in and for the State of Texas

"NOTE: Approval of this preliminary plat does not approve or disapprove any designated land use; nor guarantee availability or adequacy of water supply or sewage transportation, treatment or disposal; nor guarantee serviceability of streets, utilities or subdivision improvements; nor guarantee adequacy of soil or geological conditions for construction of improvements."

Approved by the City of Woodway on the ____ day of _____, A.D., 2020.

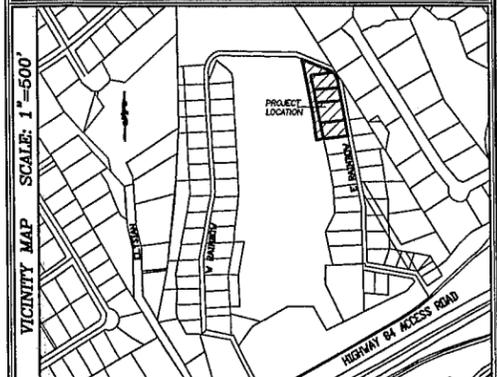
Attest:
City Secretary

PRELIMINARY PLAT
RAINBOW LAKE ADDITION LOT 68, BLOCK A
to the City of Woodway, McLennan County, Texas, being all of Tract 1 described as Lots 43 - 46, Block A of the Rainbow Lake Subdivision, to the City of Woodway, McLennan County, Texas, as per plat of record in Volume 275, Page 278 of the Deed Records of McLennan County, Texas, and all of Tract 2 described in a deed to Julia Carol Gardner, recorded under McLennan County Clerk's File Number 2019025233 of the Official Public Records of McLennan County, Texas.



COUNTY CLERK'S FILE NUMBER

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.



Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48309C0365C, Dated SEPTEMBER 26, 2008, the property shown on this plat appears to be situated in Zone "X". Under "OTHER AREAS" Zone "X" is defined as "Areas determined to be outside the 0.2% annual chance floodplain" and a portion of the Lot lies within Zone "AE". Under "SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD", The 1% annual chance flood (100-year flood), also known as the base flood, is the flood that has 1% chance of being equaled or exceeded in any given year. The Special Flood Hazard Area is the area subject to flooding by the 1% annual chance flood. Areas of the Special Flood Hazard include Zones A, AE, AH, AO, AR, A99, V AND VE. The Base Flood Elevation is the water-surface elevation of the 1% chance flood. Zone "AE" is defined as Base Flood Elevations determined. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or this company.

MITCHELL & ASSOCIATES, INC. DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

Water provided by City of Woodway CCN # 10022
Electric Service provided by TXU Electric
Sewer provided by City of Woodway
Land Use: Single Family Residential
School District: MIDWAY ISD

"All development within the 100-year floodplain shall comply with all applicable orders and regulations, including but not limited to McLennan County's Flood Damage Prevention Order." A floodplain development permit shall be obtained from the County Engineer's Office prior to the construction/placement of any structure(s) within the floodplain.

RECEIVED
AUG 24 2020
2:14pm

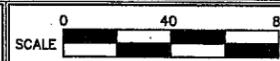
**"PRELIMINARY PLAT FOR INSPECTION PURPOSES ONLY. NOT FOR RECORDATION.
NOT FOR USE IN CONSTRUCTION OF IMPROVEMENTS"**



MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
600 Austin Ave, Ste. 29, Waco Texas (254) 776-5151
T. B. P. L. S. FIRM REGISTRATION NO. 10194044

1.30 ACRES
City of Woodway
McLennan County, Texas

Sheet:
1 of 1



ADDRESS: Rainbow Lake Drive DATE August, 2020
WORK ORDER NO. 20-07-3925 DRAWN BY JRW
DIGITAL FILE 20-07-3925.dwg FIELDBOOK/Pg. TNFDS 101/51

SURVEYORS RED SEAL

SURVEYORS CERTIFICATION:

I hereby certify that I have made an actual and accurate survey on the ground of the platted land and all monuments shown hereon noted as placed in connection with this subdivision were properly placed under my personal supervision, and pre-existing monuments and pins are noted in accordance with the subdivision regulations of the City of Woodway, Texas, and in accordance with all applicable rules, regulations and requirements of the Professional Land Surveying Practice Act and the General Rules of Procedure and Practice promulgated by Texas Board of Professional Land Surveying, and with the tolerances allowed therein and thereby. Permanent monuments were set after construction is completed.
Signed this ____ day of _____, 2020.

Preliminary, this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
Robert E. Mitchell R.P.L.S. 5801

SURVEYED: 8/11/2020

COUNTY CLERK'S FILE NUMBER

Copyright: Mitchell & Associates, Inc., 2020.



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 22nd day of September 2020.

THE CITY OF WOODWAY, TEXAS

By _____
CHAIR

ATTEST:

SECRETARY