

The background of the entire page is a map of Harker Heights. The map shows a network of streets and various zoning districts, which are represented by different patterns and shades of gray. A prominent road, likely Loop 121, runs diagonally across the center of the map. The text for the meeting is overlaid on this map.

**Harker Heights  
Planning and Zoning  
Commission Meeting**

**Wednesday,  
July 25, 2018  
6:30 P.M.**



**PLANNING & ZONING COMMISSION  
WORKSHOP AND MEETING AGENDA  
HARKER HEIGHTS CITY HALL  
WEDNESDAY, JULY 25, 2018 - 6:30 P.M.**

Notice is hereby given that, beginning at 6:30 P.M. on July 25, 2018, and continuing from day to day thereafter if necessary the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Meeting in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

**MEETING AGENDA**

- I.** Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.
- II.** Approval of Minutes from the Regular Planning and Zoning Meeting held on June 27, 2018.
- III.** Recognition of Affidavits for Conflict-of Interest.
- IV.** Report on Development Activity.
- V.** Report on City Council actions results of the July 10, 2018 meeting.
- VI.** Public Hearings:
  - 1. Z18-10** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to adjust design requirements for an air conditioning and heating repair company on property designated as B-4 (Secondary and Highway Business District), described as Kern Acres Second Extension and Revision Amended (L 7-8, 17-18, B1), Block 001, Lot 007A, Acres .65, identified as Property ID# 118033, generally located at 104 West Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.
  - 2. Z18-11** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) on property described as a 5.5 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas.

**VII.** New Business:

- 1. P18-120** Discuss and consider a request for Preliminary Plat approval on property described as 5.5 Acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County , Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas.

**VIII.** Citizens to be heard.

**IX.** Reports from Commissioners.

**X.** Staff Comments.

**XI.** Adjournment.

**Posted: July 20, 2018**

**Time: 10:00 A.M.**

*Courtney Peres*

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*Courtney Peres*  
*Senior Planner – City of Harker Heights*



Minutes of the Regular Meeting of the Harker Heights  
Planning & Zoning Commission held at the City Hall Building,  
June 27, 2018

Present: Larry Robison Chairman  
Darrel Charlton Vice-Chair  
Stephen Watford Commissioner  
Colen Wilson Commissioner  
Joseph Welch Commissioner  
Joshua McCann Commissioner  
Jan Anderson Commissioner  
Kay Carey Commissioner

Absent: Kendall Cox Alternate-Commissioner  
Noel Webster Secretary

Staff: Joseph Molis Director of Planning & Development  
Ty Hendrick Planning Administrative Assistant  
Courtney Peres Senior Planner  
Dan Phillips GIS Analyst/Planner  
Brad Alley Fire Marshal  
Taylor Williams Planning Intern

A quorum was established and the meeting was called to order at 6:32 P.M.

The First item on the agenda was the approval of the minutes from the May 30, 2018 meeting. Commissioner Charlton made the motion to approve the minutes and Commissioner Welch seconded the motion. The motion passed unanimously (8-0).

The next item on the agenda was to recognize affidavits for Conflict-of-Interest. Mr. Molis stated that there were no conflicts of interest.

Next, Ms. Peres presented the update on development activity for the City. She stated the City issued (0) zero commercial construction permits, two (2) single-family residential construction permits, and zero (0) duplex permits had been issued for the month of June.

Next was the report on City Council action regarding recommendations resulting from the May 30, 2018 Planning and Zoning Commission meeting.

Under Public Hearings, Mr. Molis presented Z18-08; Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow a small animal veterinarian hospital and indoor boarding facility on properties described as A0838BC R W TOM, 2-4, ACRES .551, Property ID# 126104, generally located at 111 Mountain Lion Drive, Harker Heights, Bell County, Texas and property

described as JAYLINN ADDITION, BLOCK 001, LOT 0001, ACRES .827, Property ID#385000 generally located at 109 Mountain Lion Drive, Harker Heights, Bell County, Texas.

Chairman Robison then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. James Mobley from 115 Mountain Lion spoke in opposition of the request. Jeanne Marcelle from 113 Mountain Lion did not speak for or against the request. She requested that a partition and possible signage be added to avoid confusion and to keep people from entering into her driveway. The applicant, Mr. Beene, from 913 South Ridge, Salado TX, 76571 was present to answer any questions.

Chairman Robison then closed the public meeting. Members of the commission then discussed the request with City Staff. Chairman Robison asked for a motion to approve or disapprove agenda item Z18-08. Commissioner Anderson made a motion for approval based upon staff's recommendations. Commissioner Watford seconded the motion. The motion passed unanimously (8-0).

The second item under Public Hearings, Ms. Peres presented P18-109; Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) on property described as A0258BC E DAWSON, 4, ACRES 3.007, identified as Property ID# 393005, generally located on Cedar Knob Road between Loblolly Drive and E. Knights Way, Harker Heights, Bell County, Texas.

Chairman Robison asked if there was anyone present to represent the request. The applicant Justin Muller, from 215 N. Main, Temple TX, 76501 was present to answer any questions. Renee Morrison from 2515 Boxwood spoke against the request.

Chairman Robison and members of the commission then discussed the request with the applicant and Mr. Molis. Chairman Robison asked for a motion to approve or disapprove agenda item P18-109. Commissioner Carey made a motion to approve the agenda item. Commissioner Charlton seconded the motion. The motion passed unanimously (8-0).

Chairman Robison asked if there were any staff comments. Mr. Molis stated that there were no staff comments.

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 7:57 P.M.

**CHAIRMAN:**

**DATE:**

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**ATTEST:**

**DATE:**

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**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**AGENDA ITEM #III**

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FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: July 25, 2018

Recognize Affidavits for Conflict-of-Interest – Joseph Molis, Director of Planning & Development



**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**AGENDA ITEM #IV**

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FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: JULY 25, 2018

Report on Development Activity – Courtney Peres.



## PLANNING AND ZONING COMMISSION MEMORANDUM

### AGENDA ITEM #V

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FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: JULY 25, 2018

At the regular called meeting of the Planning and Zoning Commission held June 27, 2018, the Commission forwarded the items below to the City Council at their regular meeting on July 10, 2018.

**Z18-08** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow a small animal veterinarian hospital and indoor boarding facility on properties described as A0838BC R W TOM, 2-4, ACRES .551, Property ID# 126104, generally located at 111 Mountain Lion Drive, Harker Heights, Bell County, Texas and property described as JAYLINN ADDITION, BLOCK 001, LOT 0001, ACRES .827, Property ID#385000 generally located at 109 Mountain Lion Drive, Harker Heights, Bell County, Texas.

**Planning and Zoning Commission – Approved (8-0)**  
**City Council – Denied (3-2)**

**Z18-09** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) on property described as A0258BC E DAWSON, 4, ACRES 3.007, identified as Property ID# 393005, generally located on Cedar Knob Road between Loblolly Drive and E. Knights Way, Harker Heights, Bell County, Texas.

**Planning and Zoning Commission – Approved (8-0)**  
**City Council – Approved (5-0)**





## PLANNING AND ZONING COMMISSION MEMORANDUM

**Z18-10**

**AGENDA ITEM VI-1**

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT

DATE: JULY 25, 2018

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ADJUST DESIGN REQUIREMENTS FOR AN AIR CONDITIONING AND HEATING REPAIR COMPANY ON PROPERTY DESIGNATED AS B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT), DESCRIBED AS KERN ACRES SECOND EXTENSION AND REVISION AMENDED (L 7-8, 17-18, B1), BLOCK 001, LOT 007A, ACRES .65, IDENTIFIED AS PROPERTY ID# 118033, GENERALLY LOCATED AT 104 WEST VETERANS MEMORIAL BOULEVARD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

### **BACKGROUND:**

The applicant is the co-owner of Central Texas Heating and Air currently based out of Bartlett, Texas and has approached the Planning staff with a plan to relocate their business to the Harker Heights area. Upon learning of the applicant's intent to locate the business along Veterans Memorial Boulevard, Staff felt that the applicant's case would be ideal as a pilot project for the future Veterans Memorial Boulevard Overlay District. The greyfield site located at 104 W. Veterans Memorial Boulevard has been vacant for some time and once served as a commercial business. The structure has since been demolished and all that remains is the foundation.

On June 27, 2018 the applicant and staff presented the project in a workshop to the Planning and Zoning Commission. During this workshop, Staff and the Commission discussed possible conditions and design requirements with the applicant that would meet the ongoing discussion of the requirements for the Overlay District, and these are represented in the conditions for the Conditional Use Permit (CUP).

### **EXPLANATION:**

The applicant would like to redevelop an approximately half-acre vacant property to construct a warehouse and office for their business. The zoning classification is currently B-4 (Secondary and Highway Business District) and allows the permitted use listed as, "(19) Plumbing, electrical, air conditioning service shop (no outside storage without screening)." The applicant is requesting the CUP to modify the design requirements within the Code of Ordinances §155.040 (A) (2), which requires all commercial facades to be comprised of masonry products. This requirement has historically limited the development of warehouses and other larger facilities because of costs associated with masonry construction.

Staff and the Planning and Zoning Commission have worked through various workshops to identify the Veterans Memorial Boulevard as a specific use district to be designated as an industrial-based zoning overlay that will encourage redevelopment of the area. The Overlay would aim to relieve business owners of the requirement to construct a full masonry structure as outlined in the Harker Heights Code of Ordinances, but utilize other strategies such as landscaping and screening fences to maintain aesthetic preferences for the area.

**Existing Use:**

The property located at 104 W. Veterans Memorial Boulevard is currently vacant and surrounded by commercial properties to the North, East, and West. Residential properties lie to the South of the property. Staff therefore believes the proposed commercial use of the site will likely not have any significant impact on surrounding land uses.

**Zoning:**

Current zoning designation for the property is B-4 (Secondary and Highway Business District), and is surrounded by B-4 zoning districts to the North, East, and West. To the south of the property are residential zoned properties. The proposed CUP, if approved, would not violate the zoning regulations of the B-4 district, will not alter the use and zoning of the property, and will not likely have any adverse impacts on the surrounding properties.

**Future Land Use:**

According to the Future Land Use Map within the 2007 Comprehensive Plan, the property is designated as Commercial, as are the surrounding properties to the North, East, and West. The proposed use will maintain the character, appearance and zoning of commercial property and does not conflict with the 2007 Comprehensive Plan.

**Flood Damage Prevention:**

No part of this property lies within flood hazard areas.

**Notices:**

Staff sent out thirty-four (34) notices to property owners within the 400 foot notification area. There was one (1) response received in favor of the request and zero (0) responses received in opposition of the request.

**PROPOSED CONDITIONS:**

Staff has worked with the applicant to create the following conditions for the CUP, which are based heavily on the design guidelines created by the Planning and Zoning Commission over the past two years in preparation for a potential Veterans Memorial Boulevard Development Overlay District:

1. The ground level of the front façade (fronting Veterans Memorial Boulevard) of any structure erected on the property must consist of at least 25% masonry products, preferably consisting of different materials and patterns. Architectural distinctiveness shall be maintained by the use of pilasters, canopies, parapets, banding, and any other architectural features approved by the Planning Director.
2. Side and rear facades (non-street facing) must consist of masonry products, but metal materials may be used provided they are in keeping with the architectural theme of the front façade. Further, these materials must vary in color or pattern to avoid the appearance of large, unbroken surfaces.

3. Landscaping shall be placed to maintain high aesthetic qualities for the development, and shall accentuate the front façade of the site. Landscaping materials shall consist of native and adaptive plants consistent with the Central Texas ecosystem. A total of 8 trees shall be placed on the site, and 4 of those must be canopy trees. A total of 30 shrubs must be placed on the site, and the majority of them shall be placed along the exterior of the building in areas that are visible to the public and not used for building access.
4. A 6-foot sidewalk shall be required along Veterans Memorial Boulevard, 1 foot off the property line within the ROW. The site shall be allowed 2 points of access; one along Veterans Memorial Boulevard and the other along W. Kathey Road.
5. A free-standing or monument sign out of the public right-of-way shall be permitted. The sign shall be designed in a consistent architectural style that complements the building, and shall not exceed 120 square feet in area and may not be more than 10 feet in height. Signage must be externally illuminated, shielded, and down lit. Wall and other signage shall be allowed as per the requirements of the Code of Ordinances.
6. Dumpsters that are placed in locations visible from the street must have an enclosure that matches the front façade of the building, and gates must not be visible from the street. Enclosures not visible from the street may consist of wood or metal, and dumpsters located behind screening or security fences that are not visible by the public may be placed without enclosures.
7. Mechanical and support systems such as HVAC and electrical panels must not be visible from the street. They must either be located in the back of the building or screened from the street with an enclosure consistent with the architectural style of the building.
8. An 8-foot screening fence wall shall be required to secure the facility and screen storage of vehicles and equipment on the site. Acceptable materials shall be wood, metal, masonry, or a combination of these materials.

**RECOMMENDATION:**

Staff recommends approval of an ordinance granting a Conditional Use Permit (CUP) to adjust design requirements for an air conditioning and heating repair company on property designated as B-4 (Secondary And Highway Business District), described as Kern Acres Second Extension and Revision Amended (1 7-8, 17-18, b1), Block 001, Lot 007A, Acres .65, identified as Property ID# 118033, generally located at 104 West Veterans Memorial Boulevard, Harker Heights, Bell County, Texas with the aforementioned conditions, and based upon the Staff's findings that:

1. The proposed use conforms with applicable regulations and standards established by the City's Building and Development Code;
2. The proposed use will be consistent with the objectives and purposes of the zoning district in which the development is located, or the goals, objectives and policies set forth in the 2007 City of Harker Heights Comprehensive Plan;
3. The proposed use will be compatible with existing or permitted uses on abutting sites because of use, building height, setbacks, square footage, landscaping and access to the site;
4. The proposed use is suitable to the premises or structure(s) in which it will be conducted;
5. The proposed use will not be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity;

6. The proposed use will not materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs;
7. The proposed use is suitable to the premises or structure(s) in which it will be conducted.

**ACTION TAKEN BY PLANNING AND ZONING COMMISSION:**

1. Motion to recommend/not recommend an ordinance granting a Conditional Use Permit (CUP) to adjust design requirements for an air conditioning and heating repair company on property designated as B-4 (Secondary And Highway Business District), described as Kern Acres Second Extension and Revision Amended (17-8, 17-18, b1), Block 001, Lot 007A, Acres .65, identified as Property ID# 118033, generally located at 104 West Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based upon Staff's recommendations and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application and Supporting Documents
2. Conditions
3. Location Map
4. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map
8. Citizen Responses



# Conditional Use Permit Application

City of Harker Heights  
Planning & Development  
305 Millers Crossing  
Harker Heights, TX 76548  
Phone: (254) 953-5647

**\*Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED\***  
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:  
1. Pre-Application Meeting Scheduled  
2. Payment of \$200.00 to the City of Harker Heights  
3. Site Plan  
4. Letter of Intent

Property Owner(s) Name: Central Texas Heating & Air Conditioning, LLC Date: 6/14/2018

Address: P.O. Box 2910

City/State/Zip: Harker Heights, TX 76548

Phone: (254) 527-4003 E-mail: centex hvac@gmail.com

**Legal Description of Property:**

Location of Property (Address if available): 104 W Veterans Memorial Blvd. Harker Heights, TX 76548

Lot: 007A Block: 001 Subdivision: \_\_\_\_\_

Acres: .65 Property ID: 118033 Survey: \_\_\_\_\_

*For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.*

Current Zoning Classification: \_\_\_\_\_ Future Land Use Designation: \_\_\_\_\_

**Applicant's Representative (if applicable):**

Applicant's Representative: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

**ATTACH A SITE PLAN:** Provide a plan drawn to scale to illustrate the boundaries of the area, location of all existing and proposed structure(s), gross floor area and location of building entrances and exits.

**ATTACH A LETTER OF INTENT:** Provide a detailed description of the proposed use including but not limited to: the changes to the site, structure(s), landscaping, parking and land use in reference to the Harker Heights Code of Ordinances Section 155.021 Conditional Use Permit.

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or \_\_\_\_\_ will represent the owner.

Central Texas Heating & Air Conditioning, LLC  
Printed Name of Property Owner

[Signature] Member  
Signature of Property Owner

Printed Name of Representative

Signature of Representative

Date Submitted: 6/14/18  
Received By: [Signature]

**STAFF ONLY - DO NOT FILL OUT BELOW**

Pre-Application Meeting

Revised: 2/28/18

Receipt #: \_\_\_\_\_  
Case #: 218-10

# Central Texas Heating & Air Conditioning, LLC



Physical: 256 N. HWY 95  
Bartlett, TX 76511  
Mailing: P.O. Box 2910  
Harker Heights, TX 76548

Phone: (254) 527-4003  
Fax: (254) 527-4003  
Web: [www.centexhvac.com](http://www.centexhvac.com)  
Email: [info@centexhvac.com](mailto:info@centexhvac.com)

June 14<sup>th</sup>, 2018

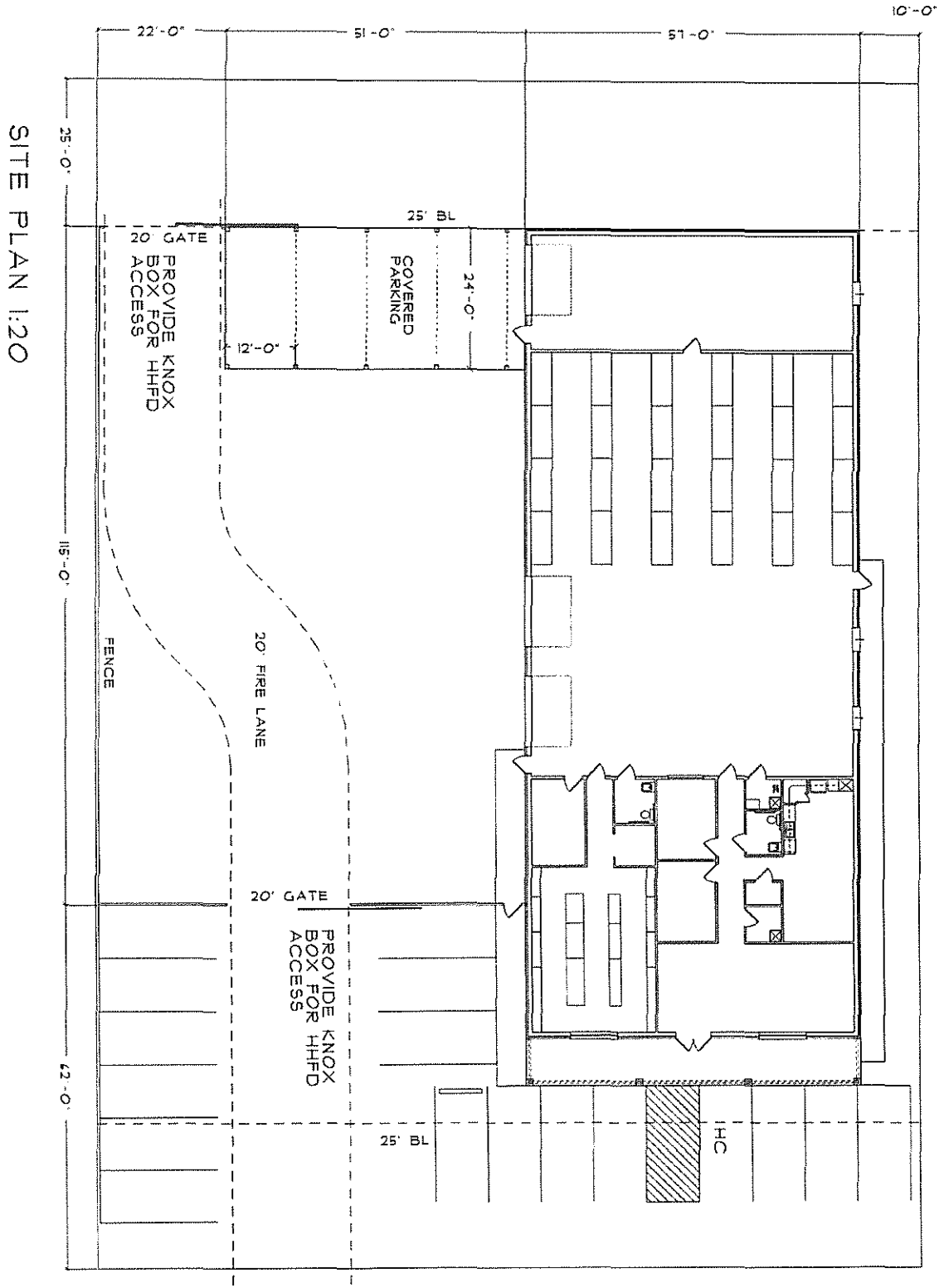
City of Harker Heights  
Planning & Development  
305 Millers Crossing  
Harker Heights, TX 76548  
Phone: (254) 953-5647

RE: Letter of Intent- 104 W. Veterans Memorial Blvd., Harker Heights, TX 76548

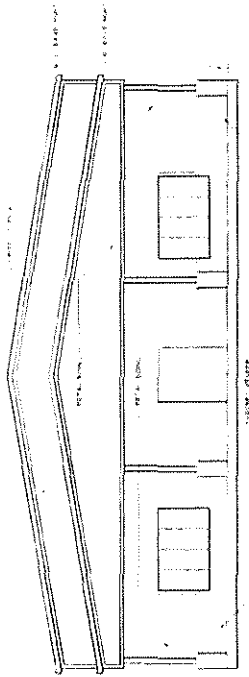
Our company has recently purchased the area of land located at 104 W. Veterans Memorial Blvd., Harker Heights, TX 76548. It is our intent to build and operate an air conditioning and heating repair company warehouse at this location. We would like to work with the city of Harker Heights as it pertains to permits and city ordinances in order to complete our project in an efficient and cost-effective manner while erecting a building that will coincide with other businesses in the area. We would purpose that we be permitted the ability to construct and erect a warehouse of approximately 7850 square feet that would primarily be metal construction and siding, would have a paved parking area, an enclosed metal privacy fence, and would have masonry veneer and stone elements in the front entry of the building. The masonry design that we are currently purposing would not fall into the guidelines of the current city ordinance for our location and we would ask that the city review our plans and make any recommendations needed or allow us to proceed with our current design as purposed. Thank you for this opportunity and we look forward to working with the planning and development department to help build our company and community!!

Tim Kropp  
Central Texas Heating & Air Conditioning, LLC  
(254) 527-4003

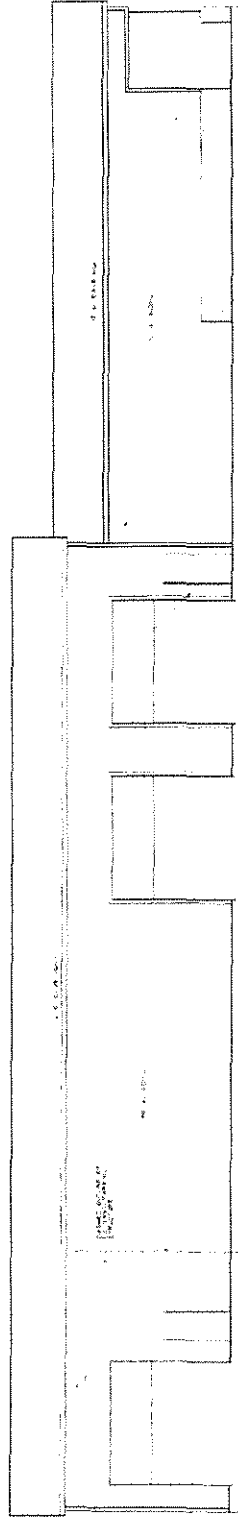
KATHEY ROAD



104 WEST VETERANS MEMORIAL BLVD.

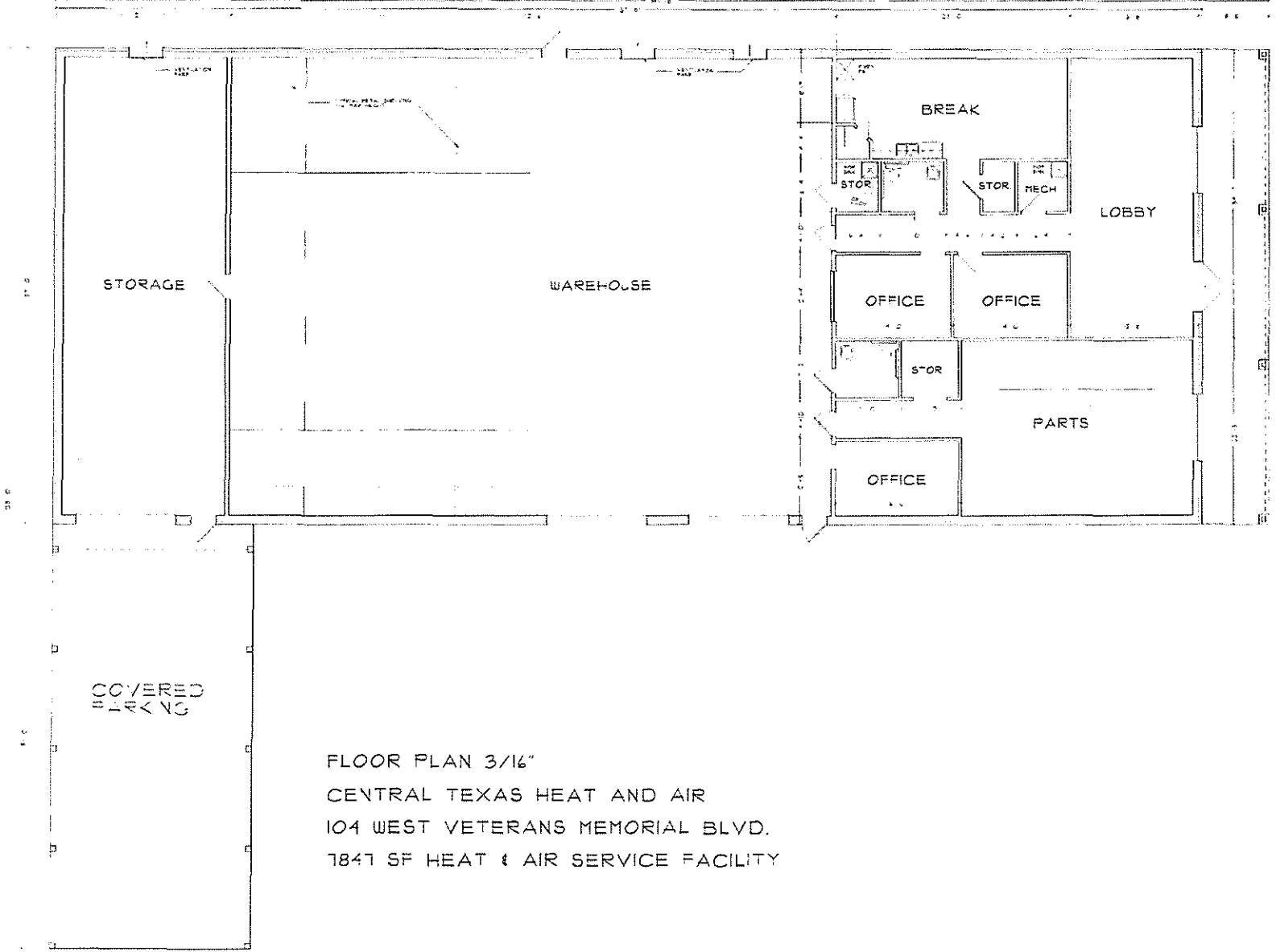


FRONT ELEVATION 3/16"



LEFT SIDE ELEVATION 3/16"





FLOOR PLAN 3/16"  
CENTRAL TEXAS HEAT AND AIR  
104 WEST VETERANS MEMORIAL BLVD.  
7847 SF HEAT & AIR SERVICE FACILITY

## City of Harker Heights Conditional Use Permit Conditions – 104 W Veterans Memorial Boulevard

Any development must meet or exceed the existing requirements of the Harker Heights Code of Ordinances, including any applicable building, electrical, fire, mechanical, and plumbing codes as adopted by the City. In addition to the regulations governed by the Code of Ordinances, the City imposes the following additional requirements to the site development.

### Building Façade Requirements

The ground level of the front façade (fronting Veterans Memorial Boulevard) of any structure erected on the property must consist of at least 25% masonry products, preferably consisting of different materials and patterns. Architectural distinctiveness shall be maintained by the use of pilasters, canopies, parapets, banding, and any other architectural features approved by the Planning Director.

Side and rear façades (non-street facing) must consist of masonry products, but metal materials may be used provided they are in keeping with the architectural theme of the front façade. Further, these materials must vary in color or pattern to avoid the appearance of large, unbroken surfaces.

Examples include, but are not limited to the following:



### Landscaping Requirements

Landscaping shall be placed to maintain high aesthetic qualities for the development, and shall accentuate the front façade of the site. Landscaping materials shall consist of native and adaptive plants

consistent with the Central Texas ecosystem. A total of 8 trees shall be placed on the site, and 4 of those must be canopy trees. A total of 30 shrubs must be placed on the site, and the majority of them shall be placed along the exterior of the building in areas that are visible to the public and not used for building access.

In addition to the examples above, the following is representative of ideal landscaping placement along the building:



### Sidewalks and Access

A 6-foot sidewalk shall be required along Veterans Memorial Boulevard, 1 foot off the property line within the ROW. The site shall be allowed 2 points of access; one along Veterans Memorial Boulevard and the other along Kathey Road.

### Signage

A free-standing or monument sign out of the public right-of-way shall be permitted. The sign shall be designed in a consistent architectural style that complements the building, and shall not exceed 120 square feet in area and may not be more than 10 feet in height. Signage must be externally illuminated, shielded, and down lit. Wall and other signage shall be allowed as per the requirements of the Code of Ordinances.

Example include but shall not be limited to the following:



**Screening**

Dumpsters that are placed in locations visible from the street must have an enclosure that matches the front façade of the building, and gates must not be visible from the street. Enclosures not visible from the street may consist of wood or metal, and dumpsters located behind screening or security fences that are not visible by the public may be placed without enclosures.

Mechanical and support systems such as HVAC and electrical panels must not be visible from the street. They must either be located in the back of the building or screened from the street with an enclosure consistent with the architectural style of the building.

An 8-foot screening fence wall shall be required to secure the facility and screen storage of vehicles and equipment on the site. Acceptable materials shall be wood, metal, masonry, or a combination of these materials.



**Harker Heights**  
City of Harker Heights  
Planning and Development  
205 Miller's Crossing  
Harker Heights, TX 75548  
254-953-2600  
www.ci.harkerheights.tx.us

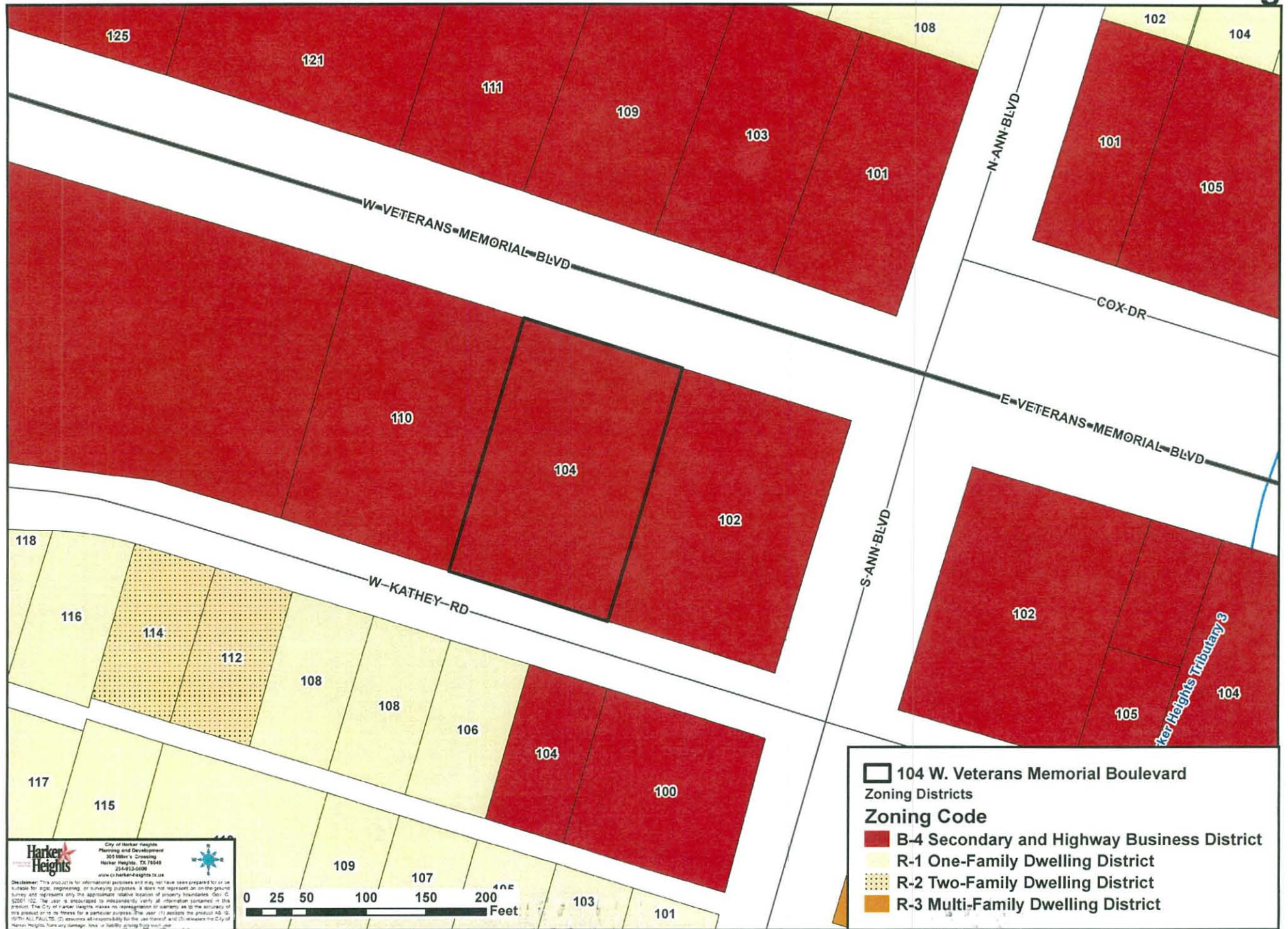
Disclaimer: This product is for informational purposes and may not have been prepared for or in compliance with any engineering or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. After 12/31/2022, the user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user, if it accepts the product as is, shall assume all responsibility for the use thereof and shall release the City of Harker Heights from any damage, loss, or liability arising from such use.

 104 W. Veterans Memorial Boulevard



**Harker Heights**  
City of Harker Heights  
Planning and Development  
305 West 6 Crossing  
Harker Heights, TX 78548  
254-933-0099  
www.ci.harkerheights.tx.us

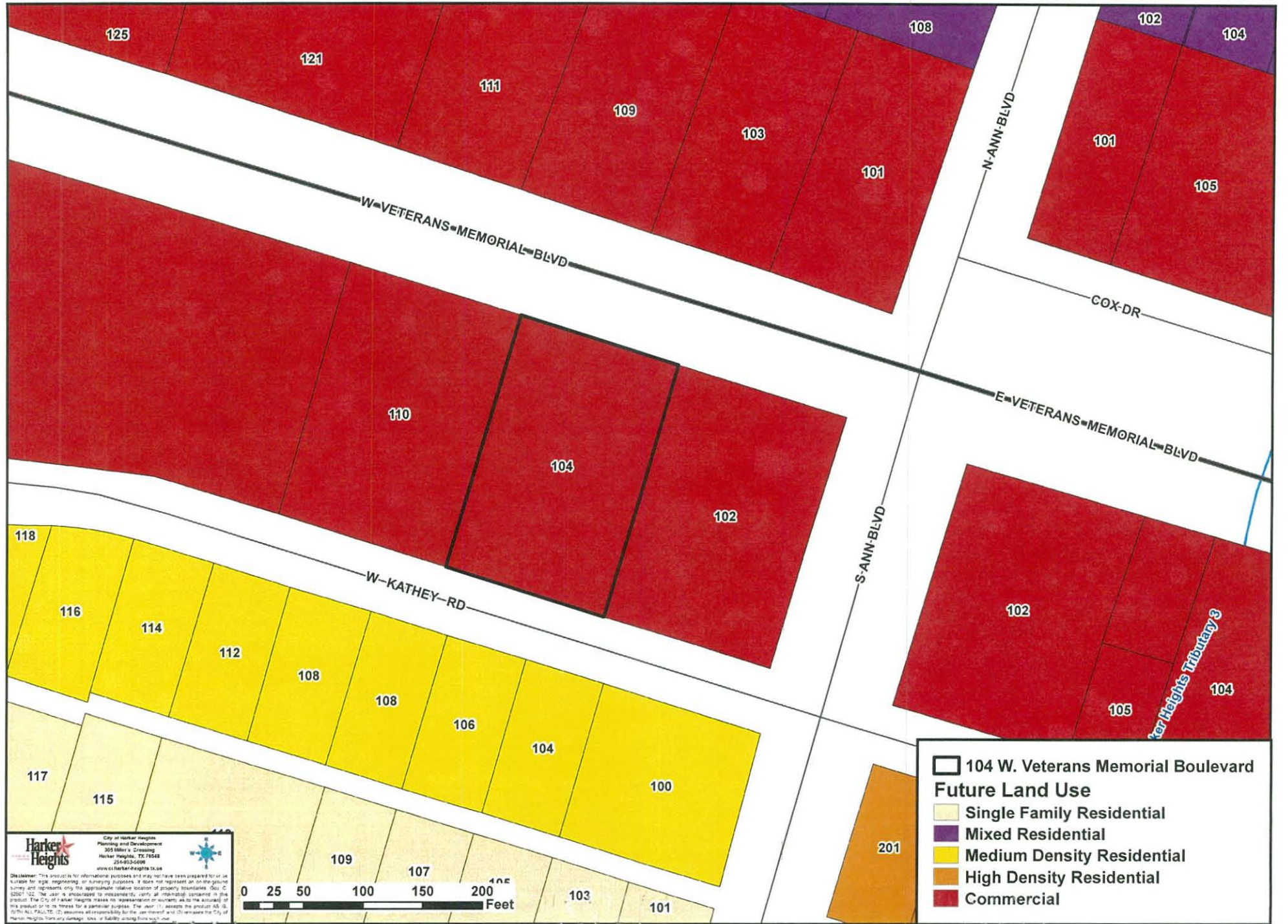
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**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 303 Main Street  
 Harker Heights, TX 78548  
 254-933-5099  
 www.ci.harkerheights.tx.us

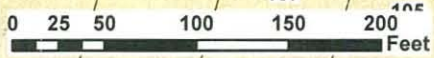
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**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 78548  
 254-623-6699  
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**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 303 Hillery Crossing  
 Harker Heights, TX 78548  
 254-933-5000  
 www.ci.harkerheights.tx.us

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-  104 W. Veterans Memorial Blvd.
-  400 Ft. Buffer
-  Recommend Approval (1)
-  Notified Properties (34)

TO: **City of Harker Heights**

FROM: WDT Properties, Ltd  
100 W. Kathey Rd  
(Address of Your Property that Could  
Be **Impacted** by this Request)

RE: An application has been made to consider recommending a Conditional Use Permit (CUP) to adjust design requirements for an air conditioning and heating repair company on property designated as B-4 (Secondary and Highway Business District), on property described as Kern Acres Second Extension and Revision Amended (L 7-8, 17-18, B1), Block 001, Lot 007A, Acres .65, identified as Property ID# 118033, generally located at **104 West Veterans Memorial Boulevard**, Harker Heights, Bell County, Texas (see attached location map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

I have no objections to the rezoning  
for this business.

WDT Properties, Ltd  
Printed Name

WDT Management, LLC  
by Diane Thompson Member  
Signature

7-16-18  
Date

**Received**  
JUL 19 2018  
Planning & Development



## PLANNING AND ZONING COMMISSION MEMORANDUM

### Z18-11

### AGENDA ITEM #VI-2

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FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: JULY 25, 2018

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) ON PROPERTY DESCRIBED AS A 5.5 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE URIAH HUNT SURVEY, ABSTRACT NO. 401, AND THE LAND HEREIN DESCRIBED BEING PART OF A CALLED 44.337 ACRE TRACT CONVEYED TO ANDERSON ORTEGA, JR. AND WIFE, JANIE J. ORTEGA, OF RECORD IN VOLUME 1985, PAGE 253, DEED RECORDS OF BELL COUNTY, TEXAS, IDENTIFIED AS PROPERTY ID# 81043, GENERALLY LOCATED AT 13950 E. KNIGHTS WAY, HARKER HEIGHTS, BELL COUNTY, TEXAS.

#### **EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) to coordinate the zoning with the remaining 5.5 acres. On May 12, 2018, the City Council approved a rezone for the front 1.677-acre tract of the property. The applicant is requesting to rezone the rear 5.5 acres to B-4 as well to further development of the property. The B-4 zoning district allows for commercial uses primarily along minor and major arterials in the city.

The proposed site is also located in the Knights Way development corridor, which is a development overlay district with specific design standards intended to improve the appearance and quality of development in the area. The proposed development would have to conform to the stipulated design standards in the overlay district.

#### **Existing Use:**

The subject property has a vacant commercial building on site. Surrounding properties include a commercial use (Cen-Tex Solar) to the West; vacant commercial building to the North; East and South being vacant parcels of land. The proposed use would not likely have any adverse effects on existing surrounding uses.

#### **Future Land Use:**

According to the Future Land Use Map taken from the City's 2007 Comprehensive Plan, the subject parcel is located in an area designated as Commercial. Properties to the east, west, north and south are designated as Commercial. The proposed rezoning to B-4

(Secondary and Highway Business District) and intended use of this parcel would be compatible to the uses outlined in the Commercial land use and consistent with the intent of the 2007 City of Harker Heights Comprehensive Plan.

**Zoning:**

Current zoning for this property is R-1 (One-Family Dwelling District). Surrounding properties to the North and East are zoned R-1 (One-Family Dwelling District), with B-4 (Secondary and Highway Business District) to the South and West of the property.

**Flood Damage Prevention:**

Per the FEMA Flood Zone Map, no part of any of the lot lies within either the 100-year or the 500-year flood plain area.

**Notices:**

Staff sent out twelve (12) notices to property owners within the 400-foot notification area. There has been zero (0) responses received in opposition of the request and there has been zero (0) responses received in favor of the request.

**RECOMMENDATION:**

Staff, therefore recommends approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) on property described as a 5.5 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas, based on the following:

1. The rezoning request is consistent with the Future Land Use Plan;
2. The proposed use would not likely have any adverse impact on adjoining uses.

**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to approve/disapprove an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-4 (Secondary and Highway Business District) on property described as a 5.5 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas based on staff's recommendation and findings.
2. Any other action desired.

**ATTACHMENTS:**

1. Application
2. Location Map
3. Existing Land Use Map
4. Zoning Map
5. Future Land Use Map
6. Notification Area Map



Application Fee \$ 200.00

City of Harker Heights  
Planning & Development  
305 Millers Crossing  
Harker Heights, TX 76548  
Phone: 254-953-5600

# CITY OF HARKER HEIGHTS RE-ZONING REQUEST APPLICATION

PROPERTY OWNER'S NAME: Janie & Anderson Ortega, Jr.

ADDRESS: 608 E. Briarwood Lane

CITY/STATE/ZIP: Harker Heights, 76548 PHONE: \_\_\_\_\_

LOCATION OF PROPERTY: 13950 FM 2410

### LEGAL DESCRIPTION OF PROPERTY:

PARCEL #: 81043

LOT: \_\_\_\_\_ BLOCK: \_\_\_\_\_ SUBDIVISION: \_\_\_\_\_

NUMBER OF ACRES: 5.5+- SURVEY: U. Hunt Survey, Abst. No. 401

For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and/or a complete legal field note description.

PROPOSED USE: Church

CURRENT ZONING: R-1 PROPOSED ZONING: B-4

CURRENT LAND USE: Commercial PROPOSED LAND USE IN PLAN: Commercial

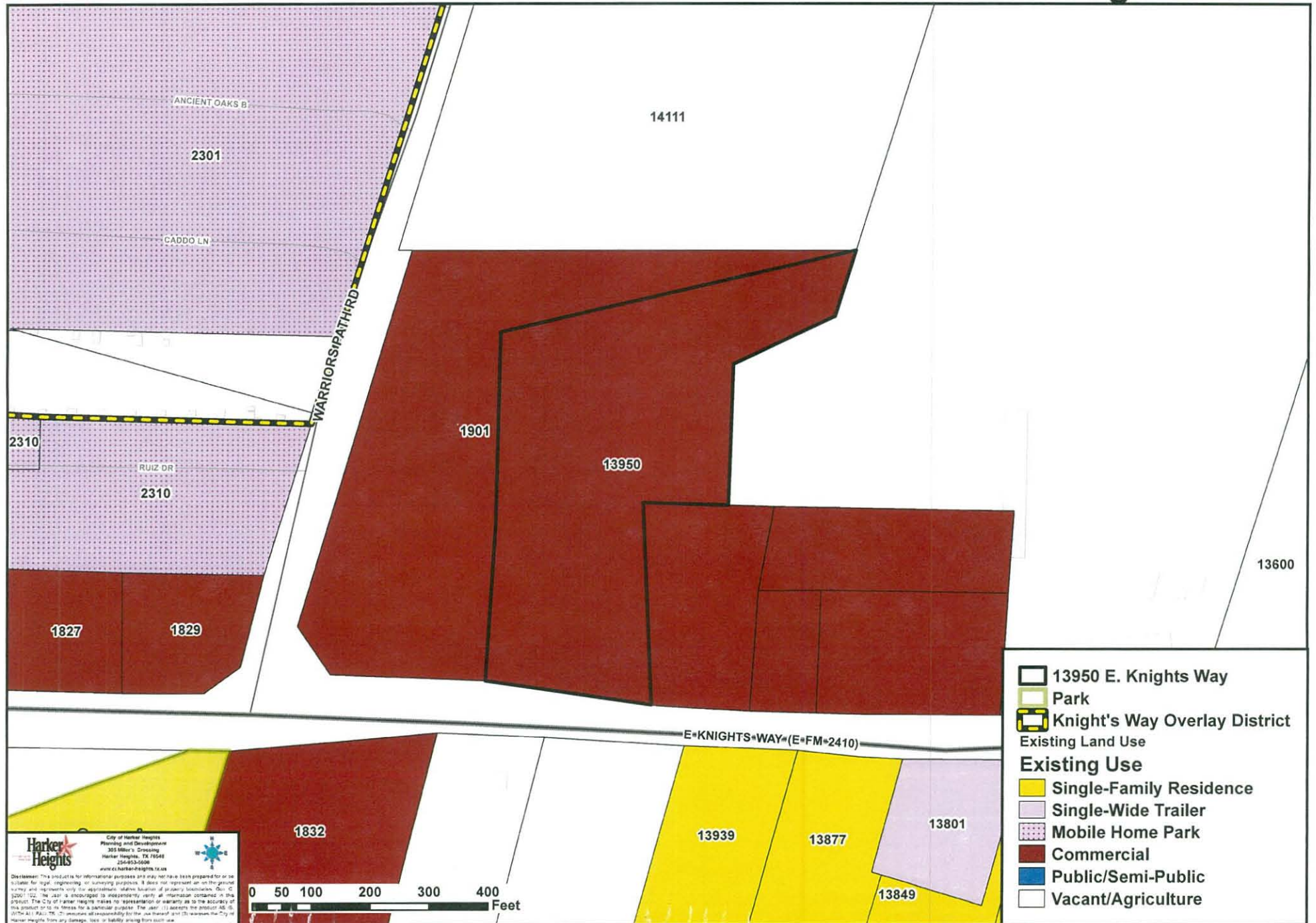
I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or Mitchell + Associates, Inc. will represent the owner.

Anderson Ortega  
Printed Name of Property Owner

Janie Ortega  
Signature of Property Owner

June 26-18  
Date





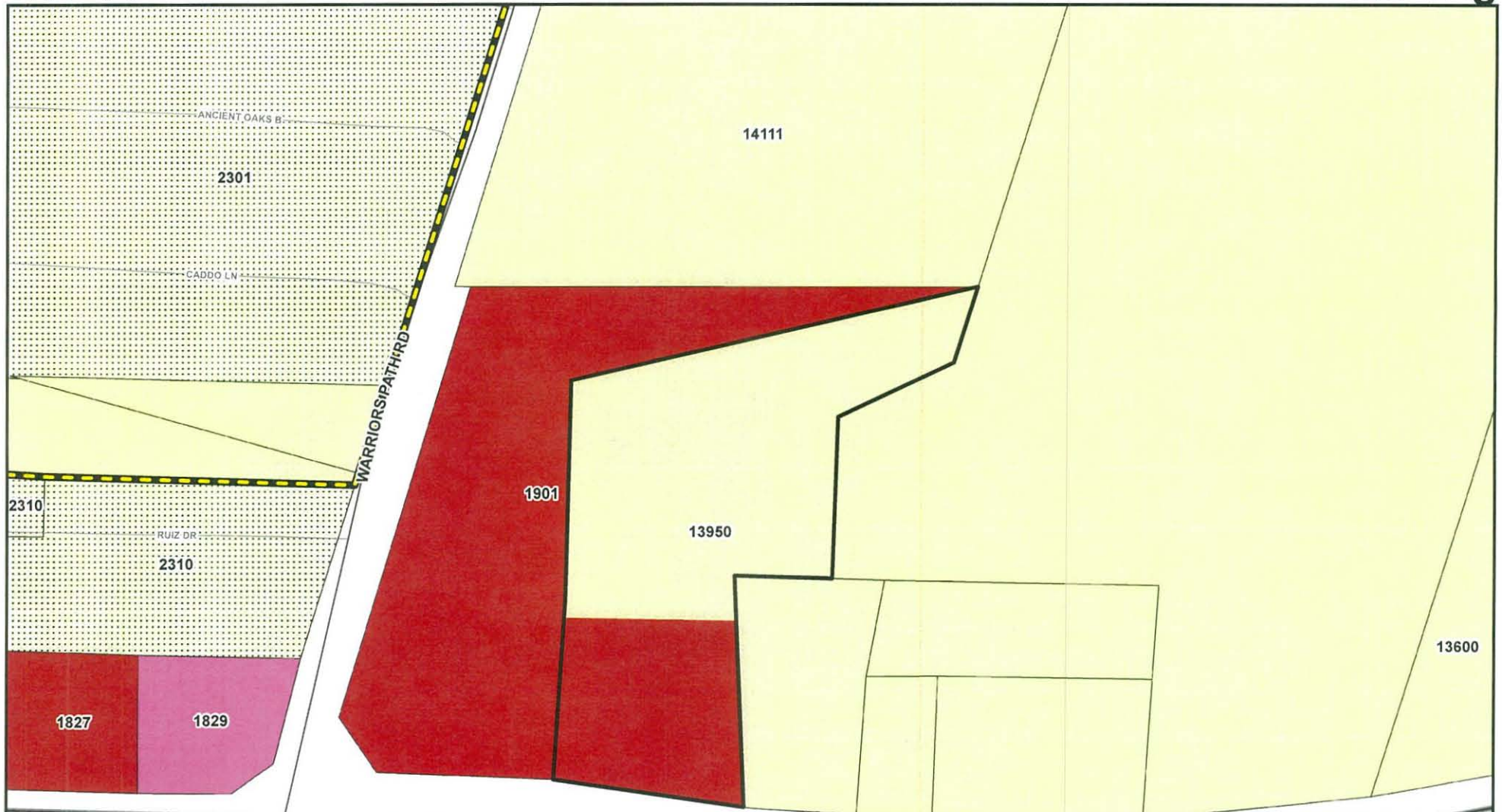
**13950 E. Knights Way**  
**Park**  
**Knight's Way Overlay District**  
**Existing Land Use**  
**Existing Use**  
 Single-Family Residence  
 Single-Wide Trailer  
 Mobile Home Park  
 Commercial  
 Public/Semi-Public  
 Vacant/Agriculture

**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 303 Miller's Crossing  
 Harker Heights, TX 76548  
 254-653-5000  
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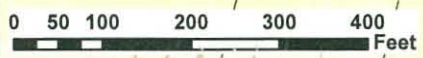


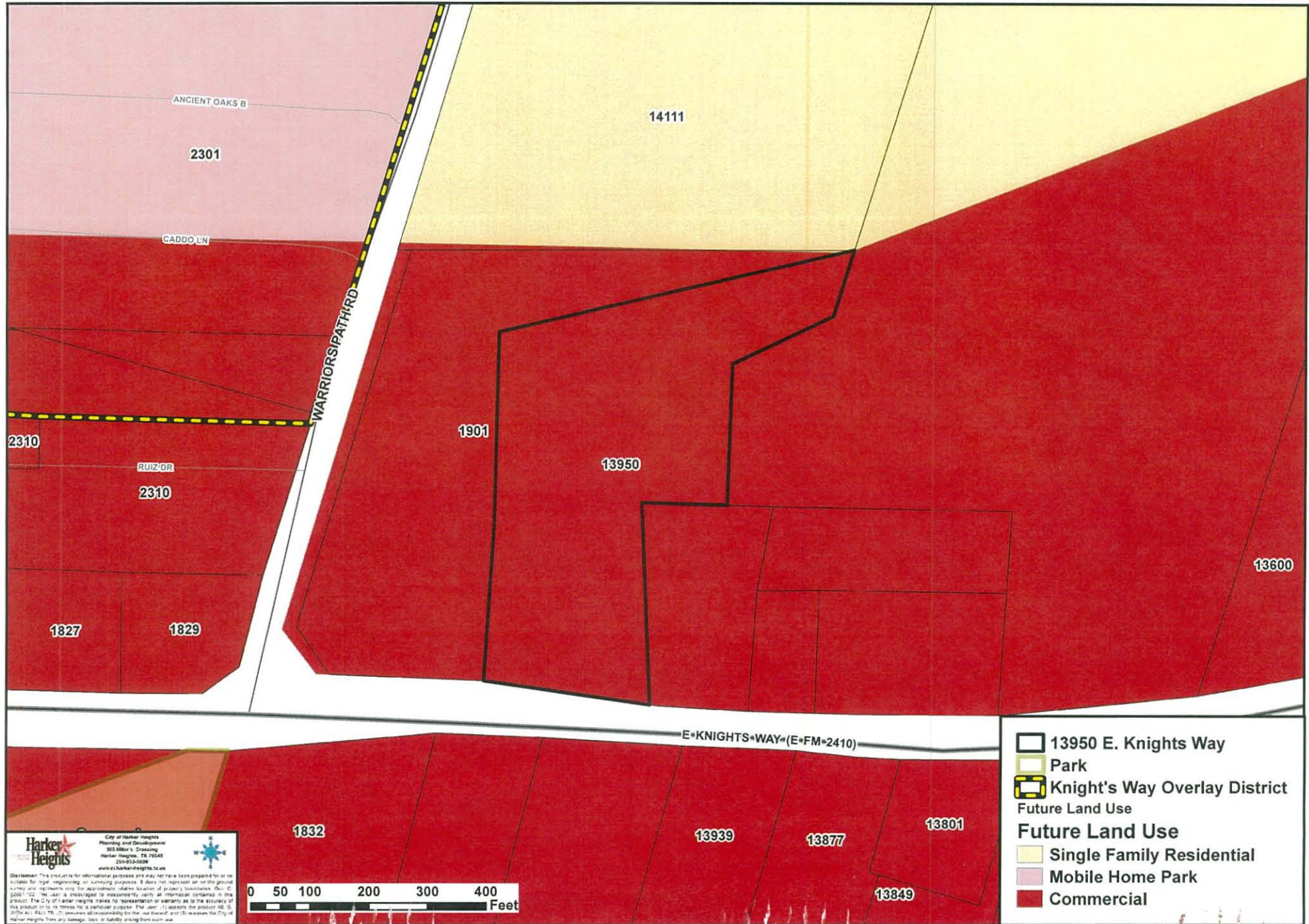


- 13950 E. Knights Way
- Park
- Zoning Code**
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District
- R-MH Manufactured Home Park District
- Knight's Way Overlay District

**Harrier Heights**  
 City of Harrier Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harrier Heights, TX 75648  
 281-993-0088  
[www.ci.harrier-heights.tx.us](http://www.ci.harrier-heights.tx.us)

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-  13950 E. Knights Way
-  Park
-  Knight's Way Overlay District
- Future Land Use**
-  Single Family Residential
-  Mobile Home Park
-  Commercial

**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 76548  
 254-933-2000  
[www.ci.harker-heights.tx.us](http://www.ci.harker-heights.tx.us)

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## PLANNING AND ZONING COMMISSION MEMORANDUM

**P18-120**

**AGENDA ITEM #VII-1**

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FROM: THE DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: JULY 25, 2018

DISCUSS AND CONSIDER A REQUEST FOR PRELIMINARY PLAT APPROVAL ON PROPERTY DESCRIBED AS 5.5 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE URIAH HUNT SURVEY, ABSTRACT NO. 401, AND THE LAND HEREIN DESCRIBED BEING PART OF A CALLED 44.337 ACRE TRACT CONVEYED TO ANDERSON ORTEGA, JR. AND WIFE, JANIE J. ORTEGA, OF RECORD IN VOLUME 1985, PAGE 253, DEED RECORDS OF BELL COUNTY, TEXAS, IDENTIFIED AS PROPERTY ID# 81043, GENERALLY LOCATED AT 13950 E. KNIGHTS WAY, HARKER HEIGHTS, BELL COUNTY, TEXAS

**EXPLANATION:**

The applicant has submitted a preliminary plat for commercial property consisting of 5.5 acres located off E. Knights Way. For the applicant to further construction on the property, they must extend a water line to properly service the property as well as install a new fire hydrant. Current requirements state that fire hydrants for commercial property must be located at a maximum spacing of three hundred (300) feet, as measured along the length of the roadway or as determined by the Fire Code Official. No part of the structure shall be further than five hundred (500) feet from the fire hydrant, as measured by the route that a fire hose would be laid (§150.02 (J) (55).

The property is also being considered for a rezoning from R-1 to B-4, which together with the plat, will aid in accommodating the applicant's desire for furthering commercial development as well as coming into compliance with City Code. The site will access the City of Harker Heights water utilities and will be required to extend utilities the length of their property.

Preliminary engineering plans provided to staff have been reviewed to meet the requirements set out by the City of Harker Heights Code of Ordinances. Further review of the development will be finalized during the permitting process to ensure applicable elements to the site are carried throughout the development of the property.

**RECOMMENDATION:**

The proposed preliminary plat has been revised to address all staff comments. Staff recommends approval of a preliminary plat for property described as 5.5 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas, for the following reasons:

- The plat is consistent with zoning requirements as outlined in §155.031 B-4 (Secondary and Highway Business District);
- The proposed provision and configuration of roads, water, wastewater, drainage and utility easements, and rights-of-way are adequate to serve the lot provided.

**ACTION BY PLANNING AND ZONING COMMISSION**

1. Motion to approve/disapprove a preliminary plat for property described as 5.5 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas, identified as Property ID# 81043, generally located at 13950 E. Knights Way, Harker Heights, Bell County, Texas.
2. Any other action desired.

**ATTACHMENTS:**

1. Application
2. Field Notes
3. Location Map
4. Plat
5. Staff Comments/Responses



City of Harker Heights  
 Planning & Development  
 305 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: 254-953-5600

**APPLICATION FOR SUBDIVISION PRELIMINARY PLAT APPROVAL**

Application Fee \$ 500.00 + \$ 25 / per lot

PLAT NAME: Ortega Addition

NUMBER OF LOTS: 1 NUMBER OF ACRES 5.559

EXISTING LAND USE: \_\_\_\_\_

PROPERTY OWNER: Janie & Anderson Ortega, Jr.

ADDRESS: 608 E. Briarwood Lane, Harker Heights, TX 76548

PHONE: \_\_\_\_\_

DEVELOPER: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

SURVEYOR/ENG: Mitchell & Associates, Inc.

ADDRESS: 102 N. College/P.O. Box 1088, Killeen, TX 76540

PHONE: 254-634-5541

**THIS IS TO CERTIFY THAT I/WE, THE UNDERSIGNED, AM/ARE THE SOLE OWNER(S) OF THE PROPERTY COMBINED WITH THE ABOVE DESCRIBED PLAT**

Janie Ortega *Janie Ortega*  
 NAME (PRINT) SIGNATURE

608 E. Briarwood Lane, Harker Heights, TX 76548

ADDRESS

Anderson Ortega, Jr. *Anderson Ortega Jr.*  
 NAME (PRINT) SIGNATURE

608 E. Briarwood Lane, Harker Heights, TX 76548

ADDRESS

**TO BE USED FOR CORPORATION/PARTNERSHIP**

NAME (PRINT) CORP/PARTNERSHIP

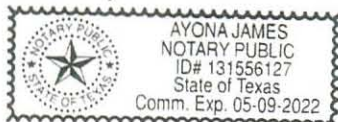
ADDRESS

BY: \_\_\_\_\_  
 AUTHORIZED AGENT TELEPHONE NO.

*The developer or their authorized representative must be present at all Planning and Zoning Commission Meetings and City Council Meetings at which their plan or plat is on the agenda for discussion or action. Failure of the developer or their authorized representative to appear before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 24 DAY OF June, 2018

*Ayona James* MY COMMISSION EXPIRES: \_\_\_\_\_  
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



ORTEGA ADDITION  
5.559 ACRES

FIELD NOTES for a 5.559 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, and the land herein described being part of a called 44.337 acre tract conveyed to Anderson Ortega, Jr. and wife, Janie J. Ortega, of record in Volume 1985, Page 253, Deed Records of Bell County, Texas (D.R.B.C.T.), and being more particularly described as follows:

BEGINNING at a concrete highway monument found on the north right-of-way line of F.M. Highway 2410 (R.O.W. varies) at an angle corner in the south line of said 44.337 acre tract, being the southeast corner of Guys With Green Shoes Addition to the City of Killeen, Texas, of record in Cabinet D, Slide 312-D, Plat Records of Bell County, Texas (P.R.B.C.T.), for the southwest corner of this tract;

THENCE N. 02° 58' 46" E., 267.74 feet, with the east line of said Guys With Green Shoes Addition, to a 1/2" iron rod with cap stamped "HARMON" found for an angle corner of this tract;

THENCE N. 00° 52' 10" E., 328.28 feet, with the east line of said Guys With Green Shoes Addition, to a 3/8" iron rod found at an interior corner of said Guys With Green Shoes Addition, for the northwest corner of this tract;

THENCE N. 77° 12' 30" E., 607.75 feet, with a south line of said Guys With Green Shoes Addition, to a 1/2" iron rod found on the west line of a called 20.755 acre tract designated Exhibit A, conveyed to Donald Hubbert, of record in Volume 4283, Page 321, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), being the southeast corner of that certain tract conveyed to Hatem Chouchane, of record in Volume 4481, Page 71, O.P.R.R.P.B.C.T., for the northeast corner of this tract;

THENCE with the west line of said 20.755 acre tract, the following three (3) calls:

1. S. 15° 56' 34" W., 117.76 feet, to a 1/2" iron rod with cap stamped "M&A" set at an angle corner of said 20.755 acre tract, for an angle corner of this tract;
2. S. 64° 43' 09" W., 187.13 feet, to a 1/2" iron rod with cap stamped "M&A" set at an angle corner of said 20.755 acre tract, for an angle corner of this tract;
3. S. 01° 40' 08" W., 241.72 feet, to a 1/2" iron rod found on the north line of a called 1.46 acre tract conveyed to Andrea Orince, of record in Volume 5943, Page 490, O.P.R.R.P.B.C.T., being the southwest corner of said 20.755 acre tract, for the northerly southeast corner of this tract;

THENCE N. 88° 12' 36" W., 141.29 feet, with the north line of said 1.46 acre tract, to a 1/2" iron rod with cap stamped "M&A" set at the northwest corner of said 1.46 acre tract, for an interior corner of this tract;

THENCE S. 04° 15' 10" E., 345.04 feet, with the west line of said 1.46 acre tract, to a 3/8" iron rod found on the north right-of-way line of said FM 2410 and the south line of said 44.337 acre tract, for the southeast corner of this tract, whence a concrete highway monument found at an angle corner of said 44.337 acre tract bears S. 81° 14' 37" E., 10.8 feet;

THENCE N. 81° 14' 37" W., 290.72 feet, with the south line of said 44.337 acre tract and the north right-of-way line of said FM 2410, to the POINT OF BEGINNING and containing 5.559 acres of land.


The bearings for the above description are based on the Texas Plane Coordinate System, Central Zone, NAD 83 (CORS 96), per Leica Texas SmartNet GPS observations.

See accompanying drawing.

STATE OF TEXAS  
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that this description is true and correct to the best of my knowledge and belief. Survey completed on the ground May 27, 2015.

IN WITNESS THEREOF, my hand and seal this the 11th day of June 2018.

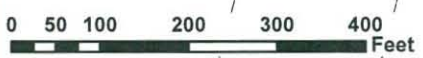
  
Rex D. Haas  
Registered Professional  
Land Surveyor, No. 4378





**Harker Heights**  
City of Harker Heights  
Planning and Development  
305 Miller's Crossing  
Harker Heights, TX 78548  
254-933-6008  
www.ci.harker-heights.tx.us

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13950 E. Knights Way  
 Park





# Ortega Addition

---

*Preliminary/Final Plat*

**Comments Sent: July 18, 2019**

## **Planning & Development**

1. Please provide an additional signature block for the Director of Planning.

STATE OF TEXAS  
COUNTY OF BELL

APPROVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016 BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF  
HARKER HEIGHTS, BELL COUNTY, TEXAS.

\_\_\_\_\_  
DIRECTOR OF PLANNING AND DEVELOPMENT

2. Please specify if access has been granted to locate the utilities within the ROW (TXDOT).

## **Public Works, Mark Hyde**

1. No Comments.

## **Consulting Engineer, Otto Wiederhold**

1. The plans are somewhat vague on how they will connect to the existing City infrastructure.
2. Existing water lines not shown.

## **Fire Marshall, Brad Alley**

1. No Comments.

## **Building Official, Steve Philen**

1. No Comments.

## **ONCOR, Greg Wade**

## **Century Link, Chris McGuire**

1. No Comments.

## **Time Warner Cable, Johnny Tindle**

## **Bell County Health District, Kent Stephens**

## **TxDOT**

1. TxDOT requests a one foot non-access easement to be placed along the entire frontage being broken only at the existing driveway location.