



Minutes of the Regular Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
March 29, 2017

Present:	Larry Robison	Chairman
	Jeffery Petzke	Vice Chairman
	Jeff Orlando	Secretary
	David Kingsley	Commissioner
	Noel Webster	Commissioner
	Darrel Charlton	Commissioner
	Stephen Watford	Commissioner
	Jan Anderson	Commissioner
	Dustin King	Alternate Commissioner
Staff:	Joseph Molis	Director of Planning and Development
	Brad Alley	Fire Marshal
	Ty Hendrick	Planning & Development Administrative Assistant
	Leo Mantey	Senior Planner
	Courtney Peres	City Planner/GIS Coordinator
	Steve Philen	Building Official

A quorum was established and the meeting was called to order at 6:30 P.M.

The First item on the agenda was the approval of the minutes from the January 25, 2017 meeting. Mr. Kingsley made the motion to approve the minutes and Mr. Orlando 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 Commissioner Orlando was going to step down for a conflict of interest.

Next, Ms. Peres presented the update on development activity for the City. She stated the City issued (0) zero commercial construction permits for the month of March 1st to March 29th. Eighteen (18) single-family residential construction permits and zero duplex permits have been issued for the month of March.

Under Public Hearings, Mr. Molis presented Z17-02 to discuss and consider an ordinance granting a conditional use permit (CUP) for a Micro Educational Farm, on property described as A1032BC D R Hughes, 2, Acres 18.498 with property ID #16734, generally located at Oakridge Boulevard and Mesa Oaks Circle, Harker Heights, Bell County, Texas.

Mr. Molis stated that the applicant is requesting a Conditional Use Permit (CUP) for approximately eighteen (18) acres of land generally located at Oakridge Boulevard and Mesa Oaks Circle. The purpose of the Conditional Use Permit is to identify those land uses which may be appropriate within a zoning district but, due to their location, function or operation could have a harmful impact on adjacent properties or the surrounding area. By enforcing further conditions on the property, the permit acts to mitigate or eliminate any potential adverse impacts that the proposed use may bring about. The Conditional Use Permit remains with the land, regardless of ownership, and the applicant has agreed to an annual renewal of the Conditional Use Permit.

Should the applicant not renew, the Conditional Use Permit is considered void, and the original R-1 (One Family Dwelling District) zoning shall remain in place. The property generally located at the intersection of Oakridge Boulevard and Mesa Oaks Circle is vacant and used primarily as agricultural land for horses. To the south of the property is the Oakridge Terrace subdivision and comprised of single family residences. To the north and east of the subject property are existing vacant properties. To the west of the property are single family residences mixed with vacant/agricultural land. Much of the land surrounding the subject property is vacant or currently being used as agricultural land for animals and therefore staff believes that a Micro Educational Farm will likely not have any significant impacts on surrounding land uses.

The current zoning designation for the property is R-1 (One-Family Dwelling District). All surrounding properties are zoned the same with the exception of the property immediately to the West zoned as PD-R (Planned Development Residential District) to accommodate a large accessory dwelling. The Conditional Use Permit will maintain the existing zoning of the property, but allow a commercial agricultural use on the property. At this time, the applicant does not intend to build any permanent structures on the site, however, should the applicant decide to erect permanent structures, the Conditional Use Permit will need to be amended. The future land use for the property is designated as single family residential, as are the surrounding properties. However, this property and its surrounding properties have been utilized in an open or agricultural nature, and the proposed use will maintain this agricultural nature. Based upon the pre-existing condition of the property, the proposed use will not dramatically change the character of the area, but the CUP does introduce a commercial aspect to the use of the property. However, Staff believes that with the imposed conditions, the applicants proposed use would be consistent with the dynamic of the neighborhood.

Mr. Molis stated that no portion of this property lies within the 100 year or 500 year flood hazard areas. Mr. Molis stated that staff sent out twenty-eight (28) notices to property owners within the 400 foot notification area. There were four (4) responses received in favor of the request, and six (6) responses received in opposition of the request.

Staff recommends approval for an ordinance granting a Conditional Use Permit for a Micro Educational Farm, on property described as A1032BC D R Hughes, 2, Acres 18.498 with property ID# 16734, generally located at Oakridge Boulevard and Mesa Oaks Circle. If approved, all development regulations in the Code of Ordinances will apply to include:

1. The Conditional Use Permit will expire one (1) year from the date of the City Council approval of the permit request. An application to extend the request for additional time must be received by the City of Harker Heights ninety (90) days prior to the expiration of the Conditional Use Permit.
2. No permanent buildings may be erected on the property.
3. A fence must be installed and properly maintained for the entire perimeter of property containing animals.
4. A native vegetated buffer consisting of trees and shrubs shall be located ten (10) feet from the property line for the entire distance of any parking facilities along any street frontages.
5. The parking lot must consist of a permanent, all weather surface or decomposed granite and provide two twenty-four (24) foot wide driveways for ingress/egress.
 - The driveways must have a ribbon curb at the street.
 - The parking area must include a twenty-four (24) foot drive aisle to accommodate emergency vehicles.

- All patrons must park within the designated parking lot. Parking for patrons will not be allowed on the street or on landscaped areas.
6. The property is allowed two (2) signs that shall not exceed thirty (30) square feet in area and may not be more than twelve (12) feet in height with letter font measuring no less than six (6) inches in height.
 7. Regular hours of operation will be daylight hours from Monday through Sunday. Any activities occurring past dusk will require City Council permission.
 8. This property must comply with all other City of Harker Heights Code of Ordinance requirements.

Mr. Robison asked the applicant to step forward and give his name and address. Teresa Anderson from 3511 Oakridge Blvd. stated that she was there to represent the request. The commissioners then spoke with Ms. Anderson in reference to his request. Chairman Robison then opened the public hearing and asked if there was anyone present to speak in favor or against the request.

Lee Ann Boore, 4314 Tahuaya Drive, spoke in favor of the Conditional Use Permit.
Patrick Kerr, 1811 Mesa Oaks Circle, spoke out in opposition to the Conditional Use Permit.
Marilyn Newkirk, 3401 Oakridge Boulevard spoke out in favor of the Conditional Use Permit.
Barbara Kerr, 1811 Mesa Oaks, spoke out in opposition to the Conditional Use Permit.

Chairman Robison then closed the public hearing. Members of the commission then discussed the conditional use permit with Mr. Molis.

Chairman Robison asked for a motion to approve or disapprove agenda item Z17-02. Commissioner Kingsley made a motion for approval based upon staff's recommendations and Commissioner Petzke seconded the motion to approve. The motion passed in favor (8-0).

Next, Ms. Peres presented Z17-03 to discuss and consider an ordinance to change Zoning Designation from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) for the property described as Sanders Addition Block 1, Lot 1 and 3, a replat of tract 65 Lakeside Hills, Section Two, and generally located at 4972 Lakeside Dr, Harker Heights, Bell County, Texas.

Ms. Peres stated that the applicant is requesting a change from the current zoning of R1-R (Rural One-Family Dwelling District) to R-1 (Single Family Dwelling District) on lots one (1) and three (3), Block 1, replat of tract 65 on the property generally located at 4972 Lakeside Drive. The existing lot is currently being subdivided into three lots. If approved lots one (1) and three (3) would be re-zoned to R-1 (Single Family Dwelling District) while lot two (2) would maintain its current zoning of R1-R (Rural One-Family Dwelling District). This request is to enable the applicant to construct single family homes on lots one (1) and three (3). The properties zoning of R1-R currently restricts the acreage of each lot to be comprised of at least two acres, by subdividing the larger parcel, two parcels will not meet the zoning requirement. The surrounding land uses include single family homes to the north, south, east and west of the property. Generally the area is comprised of single family dwellings. Staff believes the proposed use and zoning of the lots is consistent with the existing zoning regulations of the lots. Also, there are existing single family homes in the area, and as such, the proposed use will be compatible with existing land uses in the neighborhood. The current zoning for the property is R1-R (Rural One-Family Dwelling District). Adjacent and surrounding zoning includes R-1 (Single Family Dwelling District) to the west, north, east and south. Due to the presence of existing R-1 zones in general vicinity of the property, the proposed rezoning from R1-R to R-1 district will be compatible with the

neighborhood, and will likely not have any adverse impacts on surrounding residential zoning districts. Per the City's Future Land Use Map, the subject property is currently located in an area designated as Single Family Residential (SFR). Surrounding properties to the north, west, east and south are designated as Single Family Residential (SFR). Per the 2007 Comprehensive Plan the SFR designation is acceptable for new development in areas zoned appropriately within the City. The proposed rezoning from R1-R to R-1 will allow for the construction of single family homes on lots one (1) and three (3). Hence the proposed rezoning and intended use would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Ms. Peres stated that no portion of this property lies within the 100 year or 500 year flood hazard areas. Staff sent out forty-seven (47) notices to property owners within the 400 foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request. Ms. Peres stated that staff recommends approval of an ordinance to change the zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One Family Dwelling District) for the property described as Sanders Addition Block 1, Lot 1 and 3, a replat of Tract 65 Lakeside Hills, Section Two, and generally located at 4972 Lakeside Hills Dr., 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 is compatible with the neighborhood and would not likely have any adverse impacts on adjoining uses.

Chairman Robison then opened the public hearing and asked if there was anyone to speak for or against the request. There was no one to speak for or against. Chairman Robison then closed the public hearing.

Chairman Robison then asked for a motion to approve or disapprove agenda item Z17-03. Commissioner Anderson made a motion to approve the request and Commissioner Kingsley seconded the motion. The motion passed unanimously (8-0).

Under new business, Commissioner Orlando stepped down for a conflict of interest.

Mr. Mantey then presented P17-103 to discuss and consider a request by Central-West Development LLC, for preliminary plat approval for the Shoshoni Trail Garden Homes Filing Number 2, development on property described as Shoshoni Trail Garden Homes Re-Sub of Lot 3, Block 1 and Lot 4, Block 1 and Lot 4, Block 1, Harker Heights, Bell County, Texas.

Mr. Mantey stated that the applicant from Central West Development, LLC has submitted a Preliminary Plat for Shoshoni Trail Garden Homes on 0.513 acres of land located off Shoshoni Trail at the north-eastern corner of Shoshoni Trail and Chiricahua Trace. The lots are being platted for the construction of single family homes that conform to the R1-I zoning district regulations.

The subject property is zoned appropriately as R-MU, (Residential Mixed Use) and allows for the zoning regulations of the R1-I district. The Shoshoni Trail Garden Homes site will access the City of Harker Heights water and wastewater utilities and will be required to extend utilities to accommodate development.

Preliminary engineering plans provided to staff have been reviewed to meet the requirements of the Comprehensive Plan and Zoning district, and the layout will be finalized during final platting to ensure applicable elements to the site are carried throughout.

Mr. Mantey stated that the applicant has met all standards as outlined in the Harker Heights Code of Ordinances and has answered all staff comments on the Preliminary Plat. Therefore, Staff recommends approval of the Preliminary Plat request by Central West LLC for the Shoshoni Trail Garden Homes development on property described as Shoshoni Trail garden Homes Re-Sub of Lot 3, Block 1 and Lot 4, Block 1, Harker Heights, Bell County, Texas.

Chairman Robison then asked if there was a motion to approve or disapprove of agenda item P17-103. Commissioner Anderson made a motion to approve and Commissioner Petzke seconded the motion. The motion passed unanimously (8-0).

Chairman Robison then adjourned the meeting at 7:28pm.

Chairman



ATTEST:

