



Minutes of the Special Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
June 26, 2019

Present:

Robert Robinson III	Vice Chair
Kay Carey	Commissioner
Joshua McCann	Commissioner
Darrel Charlton	Commissioner
Jan Anderson	Commissioner
Noel Webster	Commissioner
Stephen Watford	Commissioner
Dustin Hallmark	Alternate Commissioner
Nuala Taylor	Alternate Commissioner
Rodney Shine	Alternate Commissioner

Absent:

Larry Robison	Chairman
Adam Parker	Secretary
Kendall Cox	Alternate Commissioner

Staff:

Joseph Molis	Director Planning&Development
Courtney Pate	Senior Planner/GIS Coordinator
Dan Phillips	GIS Analyst/Planner
Randy Ray	Lt. Deputy Fire Marshal
Tiffany Dake	Planning Admin. Assistant

Absent:

Mark Hyde	Director Public Works
-----------	-----------------------

A quorum was established and the meeting was called to order at 6:41 P.M.

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

Next, Mrs. Pate presented the update on development activity for the City.

Next was the report on City Council actions regarding recommendations resulting from the May 29, 2019 and June 6, 2019 Planning and Zoning Commission meeting.

Next under Public Hearings, Mr. Molis presented **Z19-13** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow uses associated with a B-1 zoning district or a real estate office on property described as Lot Four (4), Block Ten (10), Highland Oaks Estates Section Three (3), a subdivision in the City of Harker Heights according to the plat in Cabinet A, Slide 215-C, Plat Records of Bell County, Texas, and Lot One A (1A), Block One (1), Replat of Lot 4, Block B, Highland Oaks Estates, Section One, and Lots 1 & 5, Block 10,

Highland Oaks Estates, Section Three, an addition to the City of Harker Heights, according to the plat of record in Cabinet C, Slide 339-C, Plat Records of Bell County, Texas, generally located at 703 W. Knights Way (W. FM 2410), Harker Heights, Bell County, Texas.

Mr. Barry Hinshaw of 724 Cattail Circle, Harker Heights, TX 76548 was present to speak about the rezoning of this property. Mr. Hinshaw first stated that there was a sign company hired to cover the "Commercial" text on the real estate sign due to that being incorrect information. Mr. Hinshaw pointed out the history of FM 2410 in how it was a two (2) lane road when the seller had purchased the property sixteen (16) years ago but it is now a five (5) lane road. Due to this road expansion it has made the selling of this property as a single family home difficult. Mr. Hinshaw worked with the City to see if this property would be a good fit for a Conditional Use Permit (CUP) to B-1 to allow a business (such as office space or possible real estate office).

The applicant, Mr. Kevin Tramp, of 703 W. FM 2410, Harker Heights, TX 76548 spoke about the Conditional Use Permit (CUP) for his property. Mr. Tramp stated that when the house was purchased sixteen (16) years ago FM 2410 was a two (2) lane road and now it is a five (5) lane road. Mr. Tramp wanted to sell his house as residential but has not been able to, thus the request for the Conditional Use Permit (CUP). Mr. Tramp did state he is concerned about who purchases the property and would only want it to be used as an office space.

Acting Chairman Robinson then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. Mr. Larry Moehnke, of 200 Pin Oak, Harker Heights, TX 76548 did address his disapproval for the Conditional Use Permit (CUP) for this property. Mr. Moehnke stated that the Conditional Use Permit (CUP) would lower the value of his home. Mr. Moehnke was concerned this was also "spot zoning" in an older neighborhood. Mr. Moehnke also stated that the proposed conditions would not be adequate, especially the 6' foot fence.

Ms. Jeannie Davis, of 104 E. Briarwood Ln, Harker Heights, TX 76548 also stated her concern with this Conditional Use Permit (CUP). Ms. Davis's property is directly behind this property and it did raise concern for her safety and her property value as well.

Commissioner Webster did ask Mr. Molis if the property is sold will the Conditional Use Permit (CUP) stay with the property and Mr. Molis said yes. Commissioner Carey and Commissioner Webster did state that this would be a really tough decision.

Acting Chairman Robinson then closed the public hearing. A motion was made by Commissioner McCann to approve a Conditional Use Permit (CUP) for this property. Commissioner Anderson seconded the motion with acting Chairman Robinson abstaining. The motion failed (2-4). Commissioners Carey and McCann voted for and Commissioners ~~Watford~~, Charlton, Anderson and Webster voted against.

Next under Public Hearings, Mr. Molis presented **Z19-14** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to adjust design requirements for 4C Headstart Program on property described as a 0.294 acre tract of land in Bell County Texas and the land herein described being part of

Lot One (1), Block One (1), City of Harker Heights Harley Drive Addition, of record in Plat Year 2018, Number 119, Plat Records of Bell County, Texas, generally located at 120 Harley Drive, Harker Heights, Bell County, Texas.

The applicant, Janell Frazier on behalf of Central Texas 4C, Inc. (Head Start) spoke about the Conditional Use Permit (CUP) for the expansion of their program needing a 0-3 year old program and an expansion grant that was given to them to purchase a building to do this. Ms. Frazier stated they will be cooking at the new building to feed all children in the program in both buildings.

Commissioner Charlton did ask about morning and lunch drop-off traffic and questioned if this would be an issue. Mr. Molis stated at this time we cannot say it will be or will not. Ms. Frazier did state that they are aware of this as well as parking and will address this. Commissioner Webster asked if they would be able to park in the open area around the new building and there has been no discussion of this yet. There was a question on the fence and Ms. Frazier did state the fence will have double gates that will allow the children to be protected while moving to and from the playground.

Acting Chairman Robinson then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. There was no one present to speak for or against this item.

Acting Chairman Robinson then closed the public hearing. A motion was made by Commissioner McCann to approve a Conditional Use Permit (CUP) for this property. Commissioner Anderson seconded the motion with acting Chairman Robinson abstaining. The motion passed (6-0).

Next under Public Hearings, Mrs. Pate presented **MC19-01** Discuss and consider a request by Mike Garcia for a home based business described as Waggy Tails, a professional K9 training and behavioral modification business within a R-1 (One Family Dwelling District) district, on property described as Evergreen Phase One (1), Block Eight (8), Lot Eleven (11), generally located at 2520 Jackson Drive, Harker Heights, Bell County, Texas.

The applicant, Mr. Mike Garcia, of 2520 Jackson Dr., Harker Heights, TX 76548 spoke about his home business. Mr. Garcia stated 95% of the time he will be going to the homes of clients and only on occasion when needed would he have a training in his home by appointment only and for one hour. Mr. Garcia's services will only be available to Harker Heights residences. Mr. Garcia did state there would be no kenneling or boarding going on at his home.

Acting Chairman Robinson then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. Ms. Mary Oszust, of 2521 Alpine Fir Dr., Harker Heights, TX 76548 spoke of her concern of increased traffic and if this would effect the peacefulness of the neighborhood. Mr. Garcia stated again there should be minimal traffic since 95% of the time he will be in client's homes.

Acting Chairman Robinson then closed the public hearing. A motion was made by Commissioner Charlton to approve this Home Business for this property. Commissioner

Anderson seconded the motion with acting Chairman Robinson and Commissioner Carey abstaining. The motion passed (5-0).

Next under New Business, Mrs. Pate presented **CP19-02** Discuss and consider a request by Will Properties, Inc. and Adonias Frias for Concept Plan approval of a semi- truck parking facility on property described as a 4.149 acre tract of land in Bell County, Texas, being part of the Francis Hughes Survey, Abstract No. 396, and the land herein described being all of a called 0.725 acre tract conveyed to Will Properties, Inc., of record in Volume 5168, Page 659, Official Public Records of Real Property, Bell County, Texas, all of a called 1.017 acre tract conveyed to Will Properties, Inc., of record in Volume 5168, Page 730, and all of a called 2.407 acre tract conveyed to Will Properties, Inc., of record in Volume 5168, Page 708, Official Public Records of Real Property, Bell County, Texas, generally located within the peninsula between E. Veterans Memorial Boulevard and Edwards Drive, approximate address of 1212 E. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.

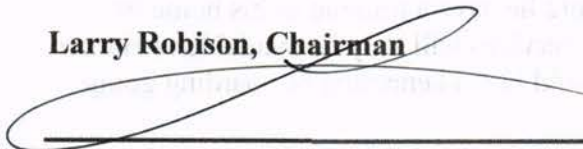
Mr. Ace Reneau with Mitchell and Associates at 102 N. College Street, Killeen, TX 76541 spoke as the representative of the Concept Plan and stated that the plan identified a clear representation of what is intended for this property.

Mr. Adonias Frias, the developer, did state they would be renting short term and long term parking; a driver could pay for the weekend or pay monthly if they should need it every day. Commissioner McCann asked if this was going to be like a Love's or a family business. Mr. Frias said a family business with the hopes of semi-trucks not needing to go further into town. Commissioner Anderson asked what else trucks would be able to do besides just park there. Mr. Frias stated they will be able to fuel, wash trucks and have quick maintenance on trucks. Commissioner McCann asked about food and Mr. Frias stated possibly in the future.

A motion was made by Commissioner Anderson to approve this Concept Plan for this property. Commissioner Webster seconded the motion. The motion passed unanimously (7-0).

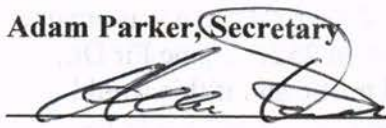
Acting Chairman Robinson then adjourned the meeting of the Planning and Zoning Commission at 8:26 P.M.

Larry Robison, Chairman



DATE:
8-28-19

Adam Parker, Secretary



DATE:
8/28/19