



**Harker Heights  
Planning and Zoning  
Commission Meeting**

**Wednesday,  
May 25, 2022  
5:30 p.m.**

**ACTIVITIES CENTER  
ROOM A  
400 INDIAN TRAIL DR.**



**PLANNING & ZONING COMMISSION MEETING  
HARKER HEIGHTS ACTIVITIES CENTER  
WEDNESDAY, MAY 25, 2022**

Notice is hereby given that beginning at 5:30 P.M. on Wednesday, May 25, 2022, and continuing from day to day thereafter if necessary, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will conduct a regular meeting. The Meeting will be held in the Room A of the City of Harker Heights Activities Center located at 400 Indian Trail Dr., Harker Heights, Texas, 76548. The subjects to be discussed are listed in the following Agenda:

**MEETING AGENDA**

**I. CALL TO ORDER** - Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**IV. APPROVAL OF AGENDA**

1. Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for May 25, 2022.

**V. CONSENT AGENDA**

1. Consider approval of Minutes from the Regular Planning and Zoning Meeting held on April 27, 2022.

**VI. Report on planning & development related items from the City Council's meetings and workshops between April 27, 2022 and May 24, 2022.**

**VII. Recognition of Affidavits for Conflict of Interest.**

**VIII. PUBLIC COMMENTS**

1. At this time, comments will be taken from the audience on non-agenda related topics, for a length of time not to exceed three minutes per person. To address the Planning and Zoning Commission, please clearly state your name and address for the Planning & Development Administrative Assistant prior to making a comment. *No action may be taken by the Planning and Zoning Commission during Public Comments.*

## **IX. PUBLIC HEARING**

- 1. Z22-12 Conduct a public hearing to discuss and consider recommending an ordinance for a Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, TX.**
- 2. Z22-11 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas.**
- 3. Z22-13 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property described as McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas.**
- 4. Z22-14 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 E. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 E. Bob White Lane, Harker Heights, Bell County, Texas.**

## **X. NEW BUSINESS**

- 1. P22-14 Discuss and consider a request for a Final Plat review for FilmTech Addition, on property described as a 1.454 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).**
- 2. P22-15 Discuss and consider a request for a Final Plat review for Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).**

3. **P22-16 Discuss and consider a request for a Minor Plat review for Comanche Land Third Unit Amending, on property described as all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an unrecorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as “Tract I” called 0.346 acre tract and “Tract III” called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas.**

**XI. REPORTS FROM COMMISSIONERS**

**XII. STAFF COMMENTS**

**XIII. ADJOURNMENT OF PLANNING & ZONING COMMISSION MEETING**

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, the above Notice of Meeting of the Planning and Zoning Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building, the Harker Heights Activities Center, and the City of Harker Heights website which is readily accessible to the public at all times, by **10:00 A.M. on Friday, May 20, 2022**. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Yvonne K. Spell

Yvonne K. Spell, City Planner

*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 254-953-5600, or FAX 254-953-5614, or email [jhelsham@harkerheights.gov](mailto:jhelsham@harkerheights.gov) for further information.*



**Minutes of the Harker Heights Planning & Zoning Commission Meeting & Workshop  
April 27, 2022**

Present:

**Commission**

Larry Robison	Chairman
Robert Robinson III	Vice Chairman
Michael Stegmeyer	Secretary
Joshua McCann	Commissioner
Stephen Watford	Commissioner
Natalie Austin	Commissioner
Bary Heidtbrink	Commissioner
Jerry Bess	Commissioner
Allen Strickland	Alternate Commissioner
Elizabeth McDaniel	Alternate Commissioner

**Staff**

Yvonne K. Spell	City Planner
Daniel Phillips	GIS Analyst/ Planner
Brad Alley	Fire Marshal
Raelin Fiscus	Planning & Development Administrative Assistant
Courtney Fye	Building Official Secretary

Absent:

Kristina Ramirez	Planning and Development Director
Michael Beard	Building Official
Rodney Shine	Commissioner

**Meeting Agenda:**

Agenda Item I: A quorum was established, and the regular meeting for the Planning and Zoning Commission was called to order at 5:30 P.M.

Agenda Item II: Invocation

Agenda Item III: Pledge of Allegiance

Agenda Item IV: The next agenda item was approval of the amended agenda from the regular Planning and Zoning Meeting for April 27, 2022. Commissioner Heidtbrink made a motion to approve the agenda, and Commissioner Bess seconded the motion. **The motion was approved as amended (8-0).**

Agenda Item V: The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on March 30, 2022. Commissioner Heidtbrink made a motion to approve the meeting minutes, and Commissioner Watford seconded the motion. **The motion was approved (8-0).**

Agenda Item VI: Mrs. Spell provided a summary of the City Council results from meetings and workshops between March 30, 2022 and April 26, 2022.

Agenda Item VII: Recognition of Affidavits for Conflict of Interest.

Agenda Item VIII: Public Comments:

Agenda Item X: Public Hearing:

**1. Z22-08 Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants request for consider a change in zoning designation from R-1 (M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District).

Lee Patrick Jr. 5019 Birmingham Cir, Killeen, Texas 76543 was present to represent this case

Secretary Stegmeyer made a motion to recommend approval of recommending an ordinance to change zoning from R-1(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., Harker Heights, Bell County, Texas.

Commissioner Austin seconded the motion. **The motion was approved (8-0).**

**2. Z22-09 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants request for an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit.

There was no one present to represent this case.

Commissioner Heidtbrink made a motion to recommend approval, with conditions, of an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, Harker Heights, Bell County, Texas. Vice Chairman Robinson seconded the motion. **The motion was approved (8-0).** The conditions are as follows:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).

2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have a maximum gross foundation footprint of 600 square feet.

**3. Z22-10 Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as A0115BC IT Bean, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Unit 2, Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants request for a change in zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District)

Jeff Lackmeyer of Lackmeyer Homes, offices located at 1201 S WS Young Dr, Killeen, Texas 76543 was present to represent this case

Commissioner McCann made a motion to recommend approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as A0115BC IT Bean, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Harker Heights, Bell County, Texas. Secretary Stegmeyer seconded the motion. **The motion was approved (8-0).**

**Agenda Item XI: New Business:**

**1. P22-09 Discuss and consider a request for a Minor Plat review for FilmTech Addition, on property described as a 1.454 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).**

This case was withdrawn by the applicant.

**2. P22-10 Discuss and consider a request for a Final Plat review for The Ridge Phase Three, Eighth Amendment, on property described as a 1.05 acre tract of land situated in the W.C. Biles Survey, A-1364, and the A. Gee Survey, A-1028, both of Bell County, Texas, being all of Lots 53 and 54, Block 10, The Ridge Phase Three, recorded in Cabinet D, Slides 201-D, 202-A, and 202-B, Plat Records of Bell County, Texas, and being described in a deed to Arvind Karthikeyan and Wife, Divya Ganesh, recorded in Instrument No. 2022017268, Deed Records of Bell County, Texas.**

Mrs. Spell explained the applicant's request for a Final Plat review for The Ridge Phase Three, Eighth Amendment.

Gorge Meza of Quintero Engineering, offices located at 1501 W. Stan Schlueter Loop, Killeen, Texas, 76542, was present to represent this case.

Commissioner McCann made a motion to recommend approval of a Final Plat referred to as The Ridge Phase Three, Eighth Amendment, on property described as a 1.05 acre tract of land situated in the W.C. Biles Survey, A-1364, and the A. Gee Survey, A-1028, both of Bell County, Texas, being all of Lots 53 and 54, Block 10, The Ridge Phase Three, recorded in Cabinet D, Slides 201-D, 202-A, and 202-B, Plat Records of Bell County, Texas, and being described in a deed to Arvind Karthikeyan and Wife, Divya Ganesh, recorded in Instrument No. 2022017268, Deed Records of Bell County, Texas. Commissioner Bess seconded the motion. **The motion was approved (8-0).**

**3. P22-11 Discuss and consider a request for a Final Plat review for Corona De Vida, on property described as a 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to CORONA DE VIDA, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).**

Mrs. Spell explained the applicant's request for a Final Plat referred to as Corona De Vida.

Ace Reneau of Mitchell & Associates, offices located at 102 N College St., Killeen, Texas, 76541, was present to represent this case.

Commissioner Heidtbrink made a motion to recommend approval with conditions of a Final Plat referred to as Corona De Vida, on property described as a 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to CORONA DE VIDA, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.). Commissioner Watford seconded the motion. **The motion was approved (8-0).** The conditions are as follows:

1. All outstanding comments will be addressed per staff recommendation prior to filing of plat with Bell County Public Records.

**4. P22-12 Discuss and consider a request for a Final Plat review for Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).**

This case was withdrawn by the applicant.



5. P22-13 Discuss and consider a request for a Final Plat review for Fuller Heights Addition, on property described as a 6.494 acre tract of land in Bell County, Texas, being part of the J.W. Renick Survey, Abstract No. 704 and part of the R.Y. Renick Survey, Abstract No. 722, the land herein being all of a called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya Reider, described in Exhibit “A” of record in Instrument No. 2021062073, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).

Mrs. Spell explained the applicant’s request for a Final Plat referred to as Fireside Heights Addition.

Ace Reneau of Mitchell & Associates, offices located at 102 N College St. Killeen, Texas 76541 was present to represent this case.

Commissioner Austin made a motion to recommend approval with conditions of a Final Plat referred to as Fuller Heights Addition, on property described as a 6.494 acre tract of land in Bell County, Texas, being part of the J.W. Renick Survey, Abstract No. 704 and part of the R.Y. Renick Survey, Abstract No. 722, the land herein being all of a called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya Reider, described in Exhibit “A” of record in Instrument No. 2021062073, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.). Commissioner McCann seconded the motion. **The motion was approved (8-0).** The conditions are as follows:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.

Agenda Item XI: Reports from commissioners

Agenda Item XII: Staff comments

Agenda Item XIII: Adjournment of P&Z Meeting. **Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 6:15 P.M.**

**MEETING WORKSHOP**

- I.*** Convene Workshop immediately following the Planning and Zoning Commission (P&Z) Meeting.
  
- II.*** Presentations by Staff:
  - 1.** Receive proposed updates to the Mobility 2030 Plan for discussion at a future workshop.
  
- III.*** Adjournment of Workshop at 6:16 p.m.

**Larry Robison, Chairman**

**DATE:**

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**Michael Stegmeyer, Secretary**

**DATE:**

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# PLANNING AND ZONING COMMISSION MEMORANDUM

**Z22-12**

**AGENDA ITEM IX-1**

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: MAY 25, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW FOR A PET GROOMING BUSINESS TO OPERATE AS A HOME OCCUPATION ON PROPERTY DESCRIBED AS HIGHLAND OAKS ESTATES SECTION 1, BLOCK 00F, LOT 14, PT 15, (W 1/2 OF 15), ACRES 0.441, GENERALLY LOCATED AT 100 E. WOODLAWN DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS**

**EXPLANATION:**

The applicant is requesting to operate a pet grooming business as a Home Occupation at property generally located at 100 E. Woodlawn Drive.

Parcel History

This area was platted in 1962 as part of the Highland Oaks Estates Section 1 Subdivision. The parcel was then annexed into the city limits in 1963. According to records on Bell County Appraisal District website, the residential structure was constructed in 1977 and consists of approximately 2,782 square feet. The size of the lot is approximately 0.441 acres.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below:

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Low Density Residential. The proposed Conditional Use Permit with its intended use will likely have an adverse impact on the neighborhood and is not consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

E. Woodlawn Rd. is classified as a residential street. Per §154.01 of the City’s code of ordinances, Residential Streets are defined as: “Streets that serve individual residential lots. They carry low traffic volumes at low speeds. RESIDENTIAL STREETS shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots”.

As of May 19, 2022, the applicant has not provided detailed business plan information on appointment frequency (duration, days and times), anticipated number of daily and/or weekly customers, anticipated customer parking; and waste disposal. According to §155.084, as cited below, a Home Occupation shall not allow for the increase in vehicular or pedestrian traffic, noise, odor, or commercial equipment.

§ 155.084 HOME OCCUPATIONS.

(A) Definition. A HOME OCCUPATION is an incidental use of a dwelling unit (not an accessory structure) for gainful employment, involving the provision of limited goods and/or services.

(1) Persons conducting a home occupation are required to comply with, and are subject to, any other laws, rules and regulations affecting the occupation and the property.

(2) Home occupations are permitted incidental uses only so long as all the following conditions are observed:

...

(e) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, except as provided in division (g), there shall be no more than two additional cars parked on the premises or adjacent to it for non-residents, including clients and employees. Parking shall not be permitted in the front or side yards, unless paved according to city standards;

...

(g) One commercial vehicle, not for advertising, having a capacity of one ton or less (excluding attached trailers), may be used or parked on appropriate pavement on the property in connection with the home occupation;

(h) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and...

(i) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas.

City Utilities

The City’s water and wastewater infrastructure in this neighborhood are designed for residential use and loadings. The nature of the proposed Home Occupation could result in the discharge of a

commercial level of animal fur/hair into the sanitary sewer system, which is expressly prohibited per the referenced code below (§53.27).

§ 53.27 IMPAIRMENT OF FACILITIES.

(A) No person may discharge into public sewers any substance that can be reasonably expected to cause:

- (1) Obstruction to the flow in sewers;
- (2) Interference with the operation of treatment processes of facilities; or
- (3) Excessive loading of treatment facilities.

...

(F) No person may discharge into public sewers solid or viscous substances which may violate division (A) of this section if present in sufficient quantity or size, including, but not limited to:

...

(9) Feathers;

...

(17) Hair and fleshings;

...

(21) Chemical residues;

...

Pharr vs. Tippett Considerations

1. The proposed commercial use and rezoning are not compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will likely have an adverse impact on surrounding properties.
3. The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning will likely pose an adverse impact to the public health, safety, or general welfare.

**NOTICES:**

Based on the most recently approved tax roll available, staff sent out forty-six (46) notices to property owners within the 400-foot notification area. As of May 18, 2022, two (2) responses were received in favor of the request, and eight (8) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

**RECOMMENDATION:**

Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request.

Staff Recommendation

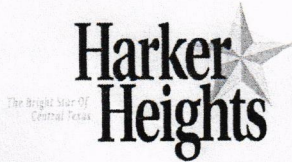
Staff recommends disapproval of a request for a Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, based on Pharr & Tippett considerations identified above.

**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to recommend approval or disapproval with explanation of request for a Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Letter of Intent
3. Applicable Ordinances
4. Location Map
5. Zoning Map
6. Existing Land Use Map
7. Land Use Plan Map
8. Notification Area Map
9. Public Responses



# Conditional Use Permit Application

**\*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
5. Please thoroughly read Section 155.201 - Conditional Use Permits (see attached)

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

Property Owner(s) Name: Sylvia Liani Acevedo Date: 04-27-2022

Address: 100 E. Woodlawn Dr.

City/State/Zip: Harker Heights TX 76548

Phone: 787-689-7895 E-mail: Compinche21@yahoo.com

**Legal Description of Property:**

Location of Property (Address if available): 100 E. Woodlawn Dr. Harker Heights, TX. 76548

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Acres: \_\_\_\_\_ Property ID: \_\_\_\_\_ 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 155.201 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.

Sylvia L Acevedo  
 Printed Name of Property Owner

[Signature]  
 Signature of Property Owner

Printed Name of Representative

Signature of Representative

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

Date Submitted: \_\_\_\_\_

Pre-Application Meeting

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Case #: \_\_\_\_\_

April 27, 2022

City of Harker Heights;

I, Sylvia L. Acevedo, here present this letter to the city of Harker Heights to express my intention of opening a small home business of pet grooming. After carefully reading section 155.201, I noticed that such business is not listed on the paper as allowed or not allowed. If granted authorization to operate this pet grooming service, it will be one pet/client at a time with schedule appointment only at location 100 E Woodlawn Dr. Harker Heights Tx 76548. No heavy traffic will be made to avoid disturbing the peaceful environment of the neighborhood. No additional employee will be necessary and no big signs will be placed at the premises. My intent is to be able to start this (low-key) business while enjoying my passion of "beautifying" the furry love ones.

Sincerely,

Sylvia L. Acevedo



## § 53.27 IMPAIRMENT OF FACILITIES.

(A) No person may discharge into public sewers any substance that can be reasonably expected to cause:

- (1) Obstruction to the flow in sewers;
- (2) Interference with the operation of treatment processes of facilities; or
- (3) Excessive loading of treatment facilities.

(B) Discharges prohibited by division (A) of this section include, but are not limited to, materials which exert or cause concentrations of:

(1) Inert suspended solids greater than 250 mg/l including but not limited to:

- (a) Fuller's earth;
- (b) Lime slurries; and
- (c) Lime residues;

(2) Dissolved solids greater than 1,000 mg/l including but not limited to:

- (a) Sodium chloride; and
- (b) Sodium sulfate;

(3) Excessive discoloration including but not limited to:

- (a) Dye wastes;
- (b) Vegetable tanning solutions; or

(4) BOD, COD, or chlorine demand in excess of normal plant capacity.

(C) No person may discharge into public sewers any substance that may be reasonably expected to:

- (1) Deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
- (2) Overload skimming and grease handling equipment;

(3) Pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action; or

(4) Deleteriously affect the treatment processes due to excessive quantities.

(D) No person may discharge any substance into public sewers which:

(1) Is not amenable to treatment or reduction by the processes and facilities employed; or

(2) Is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(E) The approving authority shall regulate the flow and concentration of slugs when they may:

- (1) Impair the treatment process;
- (2) Cause damage to collection facilities;
- (3) Incur treatment costs exceeding those for normal wastewater; or
- (4) Render the effluent unfit for stream disposal or industrial use.

(F) No person may discharge into public sewers solid or viscous substances which may violate division (A) of this section if present in sufficient quantity or size, including, but not limited to:

- (1) Ashes;
- (2) Cinders;
- (3) Sand;
- (4) Mud;
- (5) Straw;
- (6) Shavings;
- (7) Metal;
- (8) Glass;

- (9) Rags;
- (10) Feathers;
- (11) Tar;
- (12) Plastics;
- (13) Wood;
- (14) Unground garbage;
- (15) Whole blood;
- (16) Paunch manure;
- (17) Hair and fleshings;
- (18) Entrails;
- (19) Paper products, either whole or ground by garbage grinders;
- (20) Slops;
- (21) Chemical residues;
- (22) Paint residues; or
- (23) Bulk solids.

(Ord. 2011-01, passed 1-25-11) Penalty, see §53.99

## HOME OCCUPATIONS

### § 155.084 HOME OCCUPATIONS.

(A) *Definition.* A **HOME OCCUPATION** is an incidental use of a dwelling unit (not an accessory structure) for gainful employment, involving the provision of limited goods and/or services.

(1) Persons conducting a home occupation are required to comply with, and are subject to, any other laws, rules and regulations affecting the occupation and the property.

(2) Home occupations are permitted incidental uses only so long as all the following conditions are observed:

(a) The Texas tax identification number must be provided with the application.

(b) A sign not larger than 324 square inches (e.g., 18 inches by 18 inches) affixed to the wall or door is permitted. The home occupation shall not involve the use of advertising signs or window displays on the premises or any other local advertising media which call attention to the fact that the home is being used for business purposes; except that, for such purposes, a telephone number, but no business address, may be published.

(c) In no way shall the outside appearance of the dwelling be altered from its residential character;

(d) Performance of the occupation activity shall not be visible from the street (curtains or blinds may be used to accomplish this purpose);

(e) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, except as provided in division (g), there shall be no more than two additional cars parked on the premises or adjacent to it for non-residents, including clients and employees. Parking shall not be permitted in the front or side yards, unless paved according to city standards;

(f) There shall be no outside storage (to include trailers) or display related to the home occupation;

(g) One commercial vehicle, not for advertising, having a capacity of one ton or less (excluding attached trailers), may be used or parked on appropriate pavement on the property in connection with the home occupation;

(h) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and

(i) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

(B) *Occupations included.* Home occupations may include, but are not necessarily limited to, the following:

(1) Office facility of an accountant, architect, attorney, engineer, consultant, insurance agent, real estate broker or member of similar professions;

(2) Author, artist or sculptor, photographer;

(3) Dressmaker, seamstress or tailor;

(4) Music/dance teacher or other type of instruction;

(5) Individual tutoring;

(6) Home crafts such as rug weaving, model making;

(7) Office facility of a salesman, sales representative, manufacturer's representative, or service provider, for sale of goods or services, whether such individual or individuals are self-employed or otherwise; and provided that no retail or wholesale transactions or provision of services are made on the premises;

(8) Repair shops for small electrical appliances (such as irons, portable fans and the like), typewriters, cameras and other similar small items; provided the item does not have an internal combustion engine;

(9) Food preparation establishments such as cake maker, provided there is compliance with all state health laws and no consumption of food items by customers on the premises;

(10) Personal grooming with one customer at a time, by appointment only.

(C) *Occupations not included.* Permitted home occupations shall not in any event be deemed to include:

(1) Animal hospitals or clinics, commercial stables or commercial kennels;

(2) Restaurants;

(3) Automobile, boat or trailer paint or repair shops (major or minor);

(4) Doctor, dentist, veterinarian, sex therapy, massage therapy or other medically related offices;

(5) On-premise retail sales, except garage sales as otherwise provided in this code:

- (6) Mortuaries;
- (7) Private clubs;
- (8) Trailer rentals;
- (9) Carpentry work;
- (10) Photo developing using chemicals;
- (11) Gift shops;
- (12) Repair shops for any item with an internal combustion engine; and

(13) Those home occupation uses which, without regard to principal or accessory use conditions, would be classified as assembly, factory-industrial, hazardous, institutional or mercantile occupancies as defined by the 1988 Standard Building Code, as amended.

(D) *Application of provisions.* The provisions of this section shall apply to all home occupations, regardless of the date of inception, unless previously authorized in writing by the city.

(E) *Home occupations not listed in this section.*

(1) Persons wishing to operate home occupations which are not expressly permitted or prohibited by this section may make written request to the Planning and Development Director for a formal review of the proposed home occupation.

(2) The Planning and Development Director shall review the request to determine the appropriateness within the established general guidelines. If the Director makes a favorable determination, the request shall be forwarded to the Planning and Zoning Commission for hearing.

(3) The Planning and Zoning Commission shall, in accordance with applicable law, review all requests forwarded by the Director, and submit a final report and recommendation to the City Council.

(4) The City Council shall then, in accordance with applicable law, review and consider action on the request.

(5) Any person requesting a formal review to permit a particular use not otherwise permitted shall, at the time such request is submitted, pay a non-refundable fee established by the City Council.

(F) *License revocation.* Home occupations are subject to review by the city, should violations be reported or observed. Licenses shall be revoked for noncompliance.

(Ord. 2006-40, passed 10-24-06)

## § 155.201 CONDITIONAL USE PERMITS.

(A) *Purpose.* The purpose of the conditional use permit process is to identify those land uses which may be appropriate within a zoning district but, due to either their location, function or operation could have a harmful impact on adjacent properties or the surrounding area, and to provide a procedure whereby such uses may be permitted by further restricting or conditioning them so as to mitigate or eliminate such potential adverse impacts. The conditional use permit remains with land, regardless of ownership, until termination thereof.

(B) *Planning and Zoning Commission consideration.*

(1) *Application.* Only the property owner may apply for conditional use permits. The application for a conditional use permit shall be submitted on a form approved by the Planning and Development Director and shall be accompanied by a site plan in a form acceptable to the Planning and Development Director. The application shall be filed with the Planning and Zoning Commission, together with the application fee and all required attachments, not less than 30 days prior to the meeting at which the applicant wishes to have his or her request considered.

(2) *Notice and hearing.* For purposes of giving notice and conducting a public hearing, the Planning and Zoning Commission shall treat the application as a rezoning request.

(3) *Report by Planning and Zoning Commission.* Following proper application, notice to affected landowners and public hearing, the Planning and Zoning Commission shall make a report to the City Council which shall recommend approval or denial of the application for a conditional use permit, and which shall further specify such restrictions or conditions of approval as the Planning and Zoning Commission may deem appropriate.

(4) *Criteria for approval.* The Planning and Zoning Commission may recommend approval of a conditional use permit by majority vote, but should recommend disapproval of application if it finds one or more of the following to be true:

(a) The proposed use does not conform with applicable regulations and standards established by this chapter;

(b) The proposed use will be inconsistent 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 city's current Comprehensive Zoning Plan;

(c) The proposed use will be incompatible with existing or permitted uses on abutting sites because of use, building height, bulk and scale, setbacks and open spaces, coverage, landscaping and screening, drainage, or access and circulation features;

(d) The proposed use is not suitable to the premises or structure(s) in which it will be conducted;

(e) The proposed use potentially creates greater unfavorable effects or impacts on existing or permitted uses on abutting sites than those which might reasonably result from the use of the site for a use permitted by right;

(f) The proposed use will be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity in a manner specified by the Commission;

(g) The proposed use fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, or similar hazards or impacts;

(h) The proposed use will materially and adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be

generated by the proposed use and other uses reasonably anticipated in the area under existing zoning regulations;

(i) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs; or

(j) The proposed use fails to provide adequate and convenient off-street parking and loading facilities.

(C) *City Council consideration.*

(1) *Generally.* The City Council shall consider the application at the first regular meeting scheduled after it has received the final report of the Planning and Zoning Commission. The Council may vote to approve the application, vote to deny the application, table matter for future consideration, or refer the application back to the Planning and Zoning Commission for further study and a new recommendation. In the event that an application for a conditional use permit is not approved by the City Council within 180 days after the date it was first considered by the Planning and Zoning Commission, such application shall be deemed to have been denied on the 180th day after such first day of consideration.

(2) *Vote required.* The application may be approved by a majority vote of the Council, provided that the Council may not approve an application for a conditional use permit except by three-fourths approval vote if a written protest against such permit has been filed with the Building Official and such protest has been duly signed and acknowledged by the owners of at least 20% of the area of the lots or land immediately adjoining the area covered by the requested permit and extending 200 feet from that area.

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers, fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

(4) *Ordinance required.* If the application is duly approved by the City Council, an ordinance authorizing its issuance shall be promptly thereafter executed by the Mayor. The ordinance shall set forth the conditions of approval, and may provide that any person or legal entity found guilty of violating such ordinance may be fined an amount not exceeding \$2,000 for each day during which a violation is committed.

(5) *Submission of application following disapproval.* If an application for a conditional use permit has been disapproved by the City Council, whether such disapproval results from formal Council action or the failure to approve the application within the specified time, the same or substantially identical application shall not be filed with the Planning and Zoning Commission for a period of at least 180 days after the date of such disapproval. Upon disapproval of any subsequent identical or substantially identical application, the same or substantially identical application shall not be filed for a period of 12 months from the date of the last disapproval. However, the provisions of this division shall not operate to prohibit the filing of an application after legal title of record has been transferred to a new owner.

(D) *Record of permits.* The Planning and Development Director shall maintain a record of all conditional use permits granted by the city.

(E) *Term.*

(1) A conditional use permit shall continue in full force and effect until the earliest occurrence of any of the following events of termination, at which time it shall immediately become void and shall have no further effect:

(a) The building or premises is not put to the permitted use for a period of one year or more from the effective date of the ordinance authorizing issuance of the permit;

(b) The permit expires by its own terms;

(c) The property is rezoned;

(d) Another conditional use permit is approved for the site;

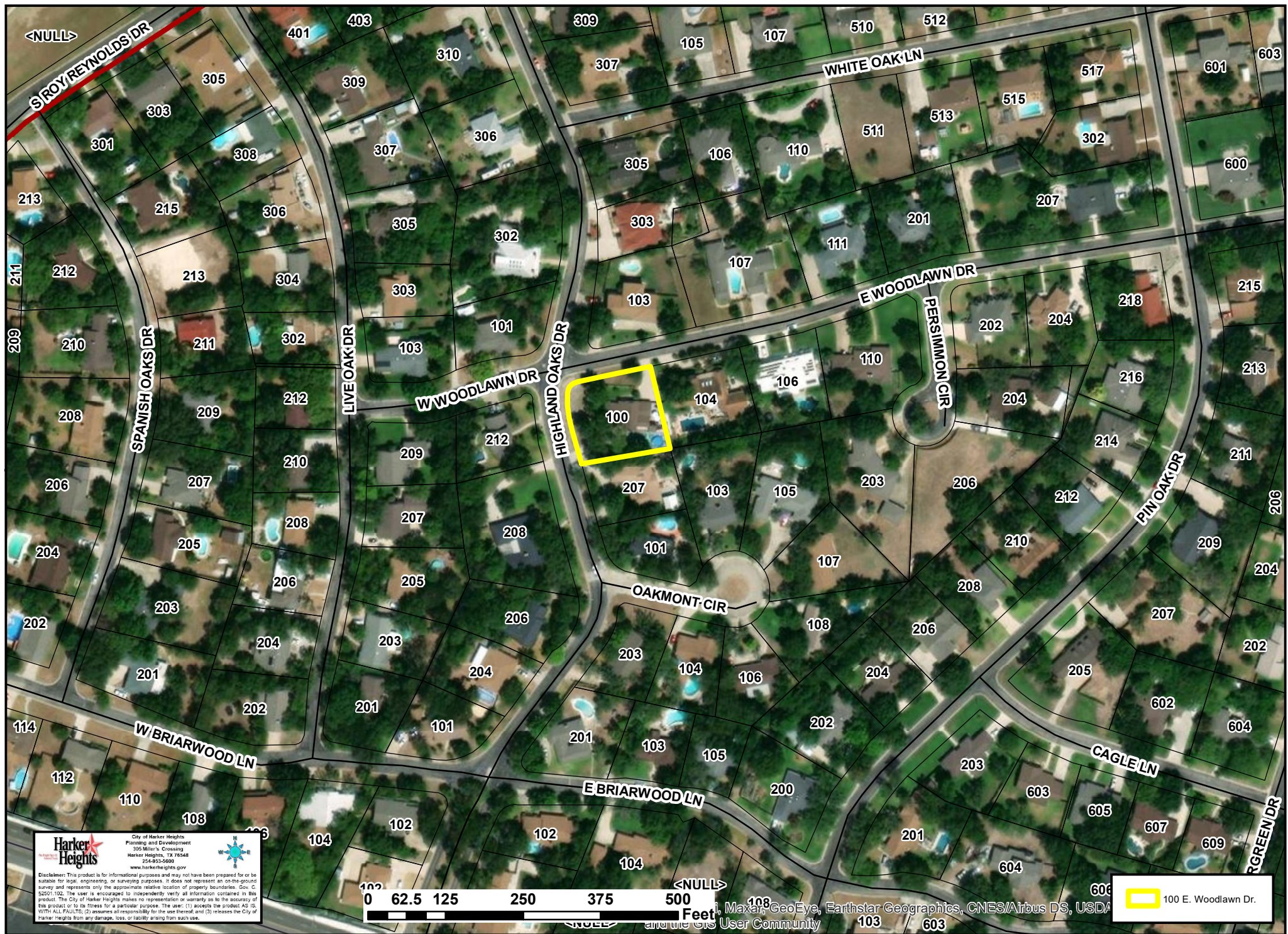
(e) The building or premises is substantially enlarged, extended, reconstructed or altered;

(f) The use of the building or premises is materially expanded, increased or otherwise altered;  
or

(g) The violation of any one or more of the conditions of approval.

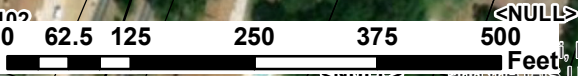
(2) For purposes of this section the City Manager shall have the authority, subject to review by the Zoning Board of Adjustment, to determine whether an event of termination has occurred. Whenever the City Manager shall make a formal determination as to whether an event of termination has occurred, he shall promptly make and forward to the Planning and Zoning Commission and Zoning Board of Adjustment a written report describing the facts surrounding such determination and the reasons for such determination.

(Ord. 2001-36, passed 11-13-01)



**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Miller's Crossing  
Harker Heights, TX 78548  
254-853-5690  
www.harkerheights.gov

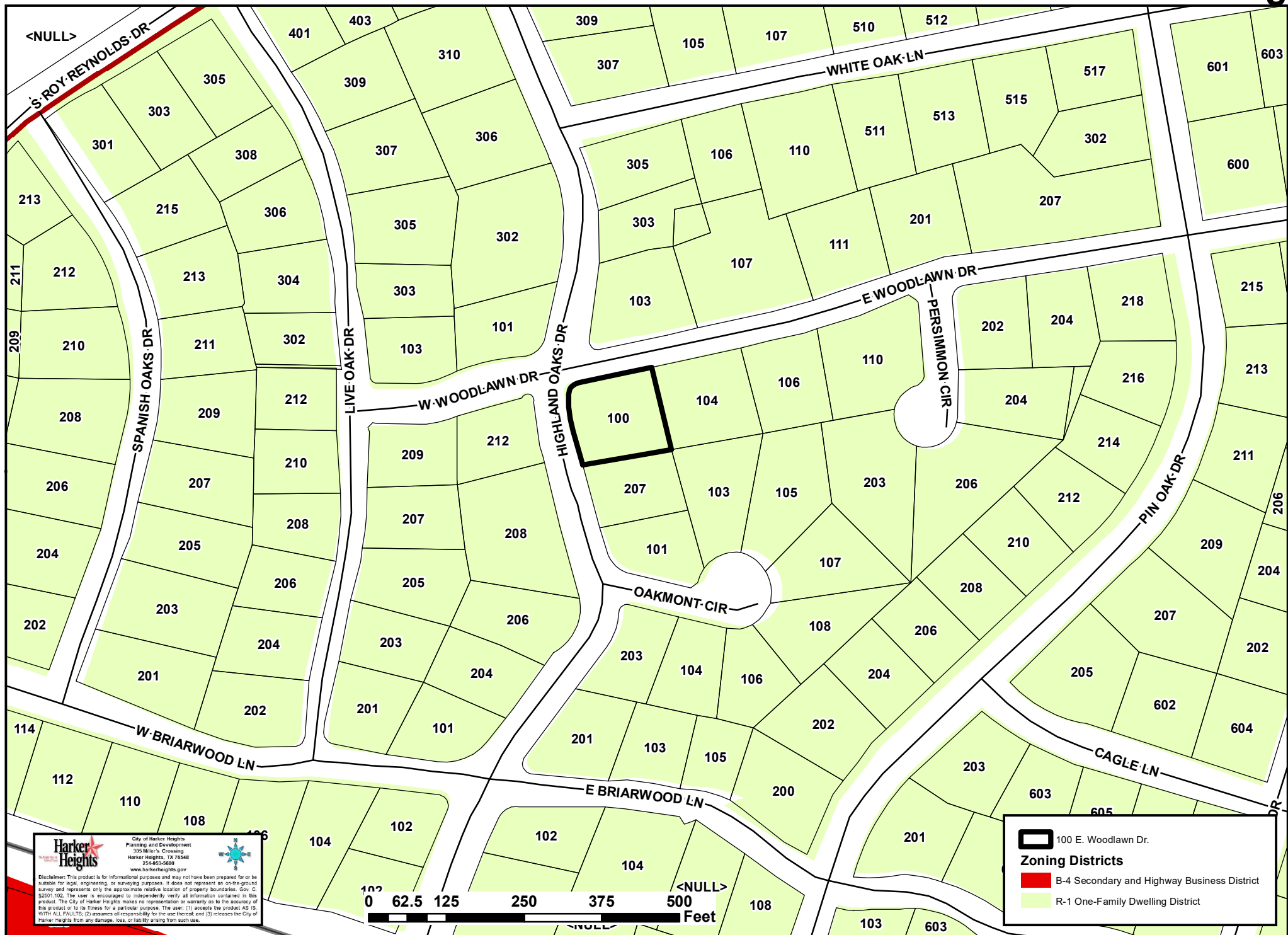
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100 E. Woodlawn Dr.

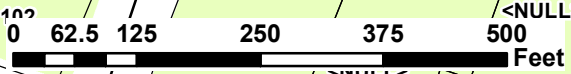
Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA and the GIS User Community





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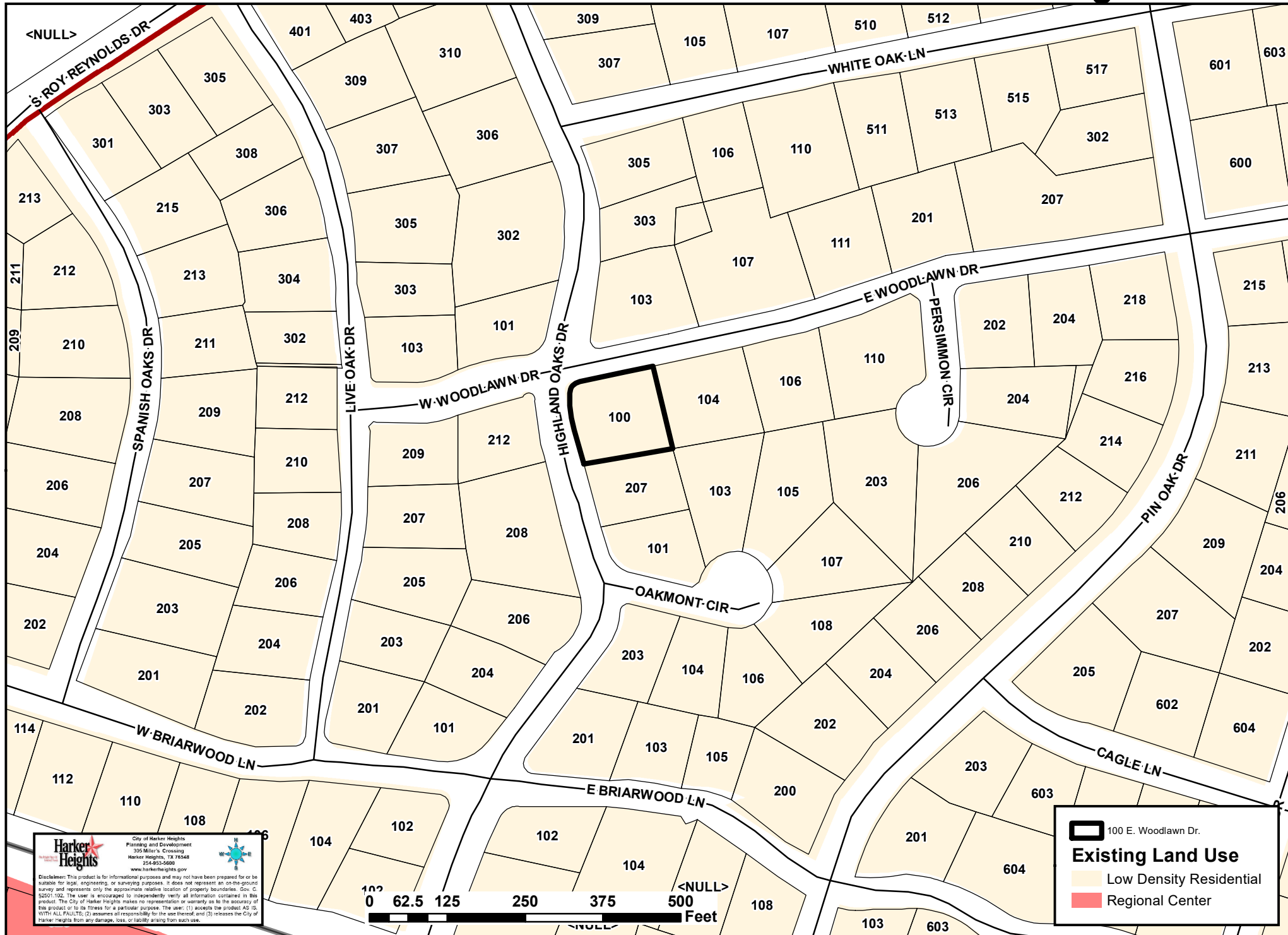
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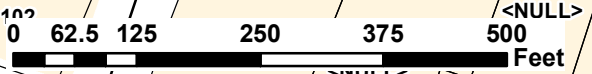
**Zoning Districts**

- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District



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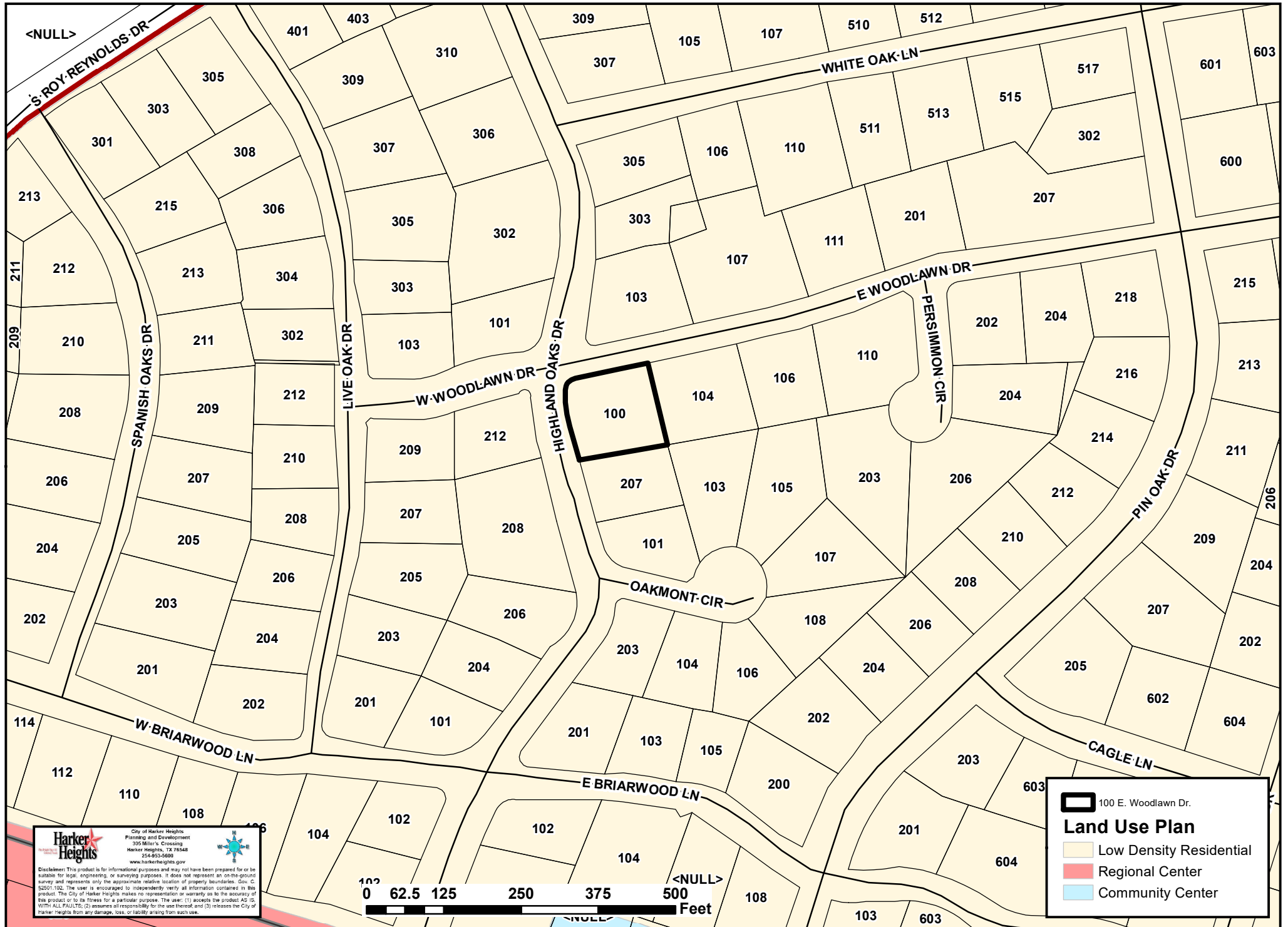
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**100 E. Woodlawn Dr.**

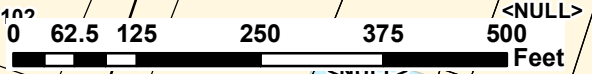
**Existing Land Use**

- Low Density Residential
- Regional Center



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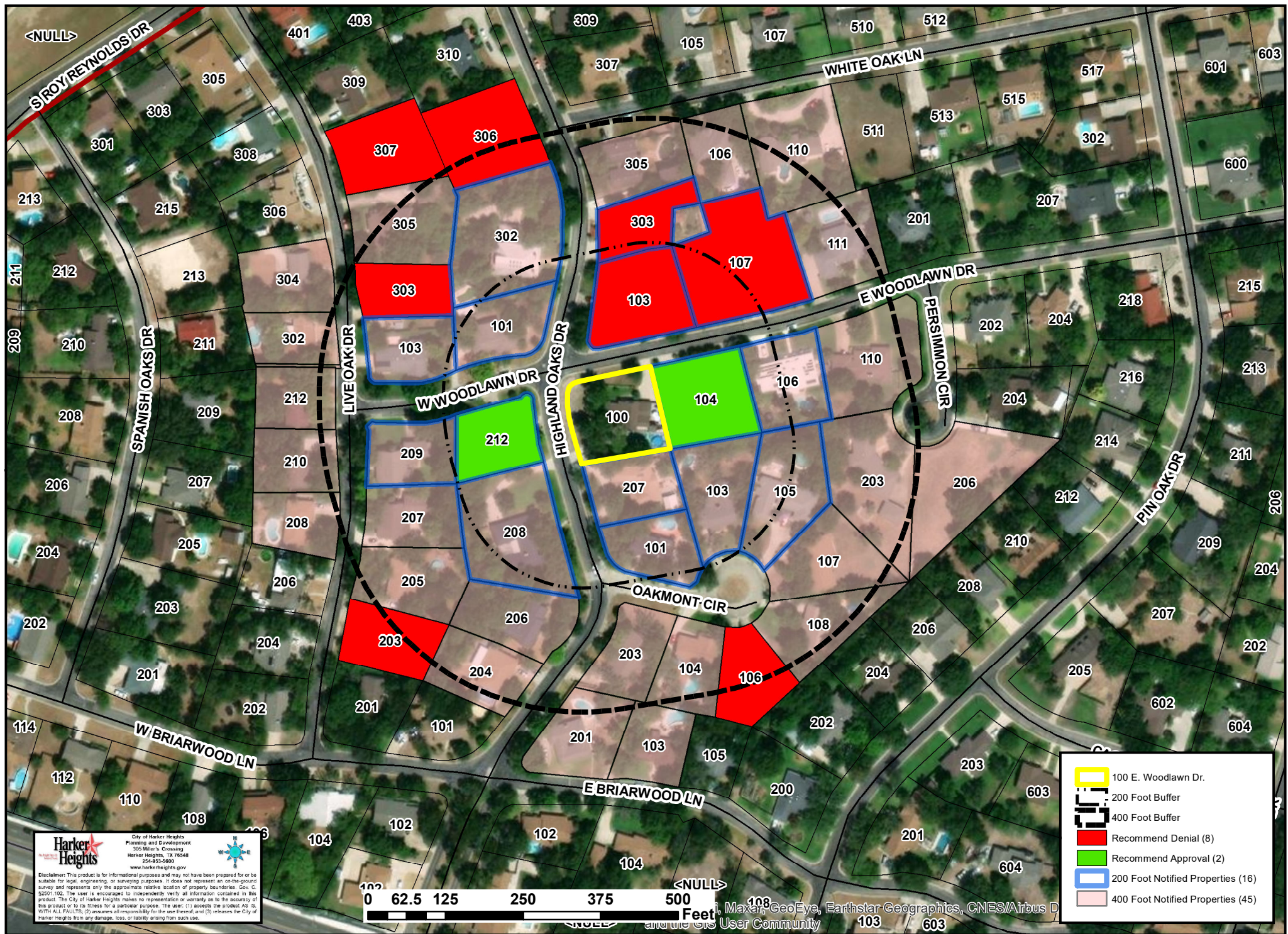
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100 E. Woodlawn Dr.

**Land Use Plan**

- Low Density Residential
- Regional Center
- Community Center



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: ACOSTA, MICHAEL A ETUX PATRICIA

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
103 E WOODLAWN DR	62102

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*HAVE attached background information with  
COMMENTS*

*Michael Acosta*

*Michael Acosta*

Printed Name

*Michael Acosta*

Signature

*5-13-2022*

Date

**Received**

MAY 16 2022

**Planning & Development**

Please review the attached copy of the Bell County Deed number 850. On July 30, 1962 Woodlawn Homes, Inc., represented by H. Roy Reynolds, President and attested by Roy J. Smith, Secretary, adopted restrictions, protective covenants and conditions for all Lots in Highland Oaks Estates Section One. Filed with Bell County Clerks office August 7, 1962.

First Restriction known as A.) "All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively..." Section J.) "No animal, livestock or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose."

Dog grooming violates the Deed Restrictions due to the premises not being used exclusively for residential uses and dog grooming for a fee is maintaining a dog for commercial purposes.

*Mike Acott*  
103 E. Woodlawn Dr

whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Goode & Hanson Construction Company, Inc., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 17th day of July, A.D. 1962.

(seal)

Neil E. Clinkenbeard  
Notary Public, Bell County, Texas

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That WOODLAWN HOMES INC., a corporation duly organized and existing under the Laws of the State of Texas, being the sole owner of all Lots and Blocks in HIGHLAND OAKS ESTATES, Section One, as a map or plat of the same is of record in the Records of Bell County, Texas, do hereby adopt the following restrictions, protective covenants and conditions, which are to run with the land and shall be binding on all parties and all persons claiming under them until August 1, 1982, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten years, until by the vote of the majority of the then owners of the lots in this addition, it is agreed to change the same in whole or in part, to-wit:

(a) All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively; and there shall be no structures erected on any lot other than a one family dwelling not to exceed 2 1/2 stories in height and private garages, carports, and/or servants quarters.

(b) No dwelling or any part thereof shall be erected less than 25 ft. from the front lot line on any lot in Highland Oaks Estates, Section One; nor shall any building be erected less than 10 ft. from any side lot line, except on corner lots where the minimum building distance shall be 25 ft. from the exterior lot line.

(c) No lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for the lots in the addition as originally platted.

(d) All dwellings erected in Highland Oaks Estates, Section One, must be equal to or better than the minimum construction requirements on file at the office of Woodlawn Homes Inc., which requirements shall at all times be equal to or better than the minimum requirements of the City of Harker Heights, Texas, zoning ordinances. If at any time, there is any dispute or misunderstanding as to the terms or meanings of said requirements, or as to the conformity of any dwelling being built thereunder, then such matters or dispute or misunderstanding shall be submitted to a board composed of the Board of Directors of Woodlawn Homes Inc., or its successors, for determination, and the decision of said Board shall be final unless there be a question of compliance with the said City zoning ordinance, in which event the question shall be submitted to the Council of the City of Harker Heights for determination and decision.

All one story dwellings erected in Highland Oaks Estates, Section One, must have an area of not less than 1200 sq. ft.; and all two story dwellings must have a ground floor area of not less than 800 sq. ft. All areas shall be computed on perimeter measurements of

No trailer or trailerhouse, prefabricated house, basement, tent, shack, garage apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

(f) No dwelling, structures, or buildings of any type shall be moved into Highland Oaks Estates, Section One, for permanent use therein.

(g) All restrictive covenants and conditions herein shall apply to future remodeling of building and to rebuilding in case of destruction by fire or the elements.

(h) An easement is reserved over portions of various lots as shown on the plat for utility installation and maintenance and no electric, telephone or other service poles, guys or utility structures shall be permitted above ground on any lot, except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said addition.

(i) No sign of any kind shall be displayed to the public view on any lot except that one professional sign of not more than one square foot, or sign of not more than five square feet advertising the property for sale or rent, or signs attached by a builder to advertise the property during construction<sup>and</sup>/sales period.

(j) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

(k) No lot shall be used or maintained as a dumping ground and rubbish, trash, garbage or other waste shall not be kept except in sanitary containers, all incinerators or other equipment for the storage of or disposal of such material shall be kept clean and in a sanitary condition.

(l) No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Harker Heights, Texas, and approval of such systems as installed shall be obtained from such authority.

(m) No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within a triangle area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a lot property corner from the intersection of the said property lines extended.

The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the



which shall remain in full force and effect.

WITNESS Our hands, this the 30th day of July, A.D. 1962.

(seal) ATTEST:  
Roy J. Smith, Secretary

WOODLAWN HOMES INC.  
By: H. Roy Reynolds, President

STATE OF TEXAS

COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared H. Roy Reynolds, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WOODLAWN HOMES INC. a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 30th day of July A.D. 1962.

(seal)

Pat Pitts  
Notary Public, Bell County, Texas.

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas

THE STATE OF TEXAS, I

COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, on the 22nd day of June, A.D. 1962, Louis H. Newlin and Wife, Sharon K. Newlin did execute one certain note, described as follows:

Being an FHA Deed of Trust Note in the original principal sum of \$8,500.00, and being payable at Killeen, Texas, to The First National Bank of Killeen, or order, in monthly installments of \$44.29 each, beginning August 1, 1962, and a like amount on the first day of each succeeding month thereafter until paid in full; with the final payment being due July 1, 1997, Said note bearing interest at the rate of five and one-fourth (5-1/4) per cent per annum, and containing the usual penalties and provisions common to like notes,

and which said note is set out and described in a certain Deed of Trust executed by Louis H. Newlin and wife, Sharon K. Newlin to D.M. Norman, Trustee for The First National Bank of Killeen and recorded in, records of Deed of Trust of Bell County, Texas, and secured by the vendor's lien therein expressed, on the following described lot, or parcel of land, situated in the County of Bell, State of Texas, to-wit:

Lot Twenty-five (25) in Block Eight (8) of the Hillandale Addition, Second Section, to the City of Killeen, Bell County, Texas, according to the map or plat of said addition appearing of record in the Plat Records of Bell County, Texas, and subject to the restrictive covenants and conditions contained in the dedication of said addition.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That The First National Bank of Killeen the payee and owner and holder of said note, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to it in hand paid by Federal National Mortgage Association the receipt of which is hereby acknowledged, have Sold, Transferred and Conveyed, and do hereby Sell, Transfer and Convey unto said Federal National Mortgage Association, of the County of Dallas, Texas, the said Note and said lien and all liens and titles held by it in and to said land.

To have and to hold the same unto the said Federal National Mortgage Association

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: MORALES, FREDDIE M ETUX GRACE O

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
104 E WOODLAWN DR	76191

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST
- I RECOMMEND DENIAL OF THE REQUEST

Comments:

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*Freddie + Grace Morales*  
Printed Name

*Freddie Morales*  
Signature

*5/10/2022*  
Date  
*05/10/2022*

**Received**  
MAY 18 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: LILES, MICHAEL

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
106 OAKMONT CT	64977

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Michael Liles  
Printed Name

*Michael Liles*  
Signature

5-13-2022  
Date

**Received**

MAY 13 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: PARKHILL, MARK W ETUX SUSAN D

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
107 E WOODLAWN	382986

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST m

Comments:

*I do not approve of a commercial business in a residential area*

*MARK Parkhill*  
*Susan Parkhill*  
Printed Name

*Mark Parkhill*  
*Susan Parkhill*  
Signature

*5-13-22*  
Date

**Received**  
MAY 16 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: BAHR, DERLAND G & CANDACE A

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
203 LIVE OAK DR	74328

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I am concerned about additional traffic flow, etc, with the operation of a business at that location. My understanding is that the city would support rezoning of properties on and facing 2410, but this property is in the heart of a residential area.*

*Derland Bahr*  
Printed Name

*Derland A Bahr*  
Signature

*May 9, 2022*  
Date

*P.S. I like the people. I just don't want a business there.*

**Received**

MAY 12 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: SMITH, MELVIN LYNN ETUX

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
212 HIGHLAND OAKS DR	108005

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

*The folks at 100 E. Woodlawn are good neighbors. I have no problem with their request.*

*Rebecca G. Smith*  
Printed Name

*Rebecca H. Daniel*  
Signature

*5-15-2022*  
Date

**Received**

MAY 16 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: MEYER, MARI M

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
303 HIGHLAND OAKS DR	73453

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I can not ask strongly enough for the denial of the Request for a conditional Use permit to allow for a pet grooming business to operate as a Home Occupation on the property described as Highland Oaks Estates. Located at 100 E. Woodlawn Dr. Harker Heights, Texas. 76548 in Bell County, Texas.*

MARI M MEYER  
Printed Name

*Mari M. Meyer*  
Signature

May 15, 2022  
Date

**Received**

MAY 18 2022

**Planning & Development**

whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Goode & Hanson Construction Company, Inc., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 17th day of July, A.D. 1962.

(seal)

Neil E. Clinkenbeard  
Notary Public, Bell County, Texas

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That WOODLAWN HOMES INC., a corporation duly organized and existing under the Laws of the State of Texas, being the sole owner of all Lots and Blocks in HIGHLAND OAKS ESTATES, Section One, as a map or plat of the same is of record in the Records of Bell County, Texas, do hereby adopt the following restrictions, protective covenants and conditions, which are to run with the land and shall be binding on all parties and all persons claiming under them until August 1, 1982, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten years, until by the vote of the majority of the then owners of the lots in this addition, it is agreed to change the same in whole or in part, to-wit:

(a) All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively; and there shall be no structures erected on any lot other than a one family dwelling not to exceed 2 1/2 stories in height and private garages, carports, and/or servants quarters.

(b) No dwelling or any part thereof shall be erected less than 25 ft. from the front lot line on any lot in Highland Oaks Estates, Section One; nor shall any building be erected less than 10 ft. from any side lot line, except on corner lots where the minimum building distance shall be 25 ft. from the exterior lot line.

(c) No lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for the lots in the addition as originally platted.

(d) All dwellings erected in Highland Oaks Estates, Section One, must be equal to or better than the minimum construction requirements on file at the office of Woodlawn Homes Inc., which requirements shall at all times be equal to or better than the minimum requirements of the City of Harker Heights, Texas, zoning ordinances. If at any time, there is any dispute or misunderstanding as to the terms or meanings of said requirements, or as to the conformity of any dwelling being built thereunder, then such matters or dispute or misunderstanding shall be submitted to a board composed of the Board of Directors of Woodlawn Homes Inc., or its successors, for determination, and the decision of said Board shall be final unless there be a question of compliance with the said City zoning ordinance, in which event the question shall be submitted to the Council of the City of Harker Heights for determination and decision.

All one story dwellings erected in Highland Oaks Estates, Section One, must have an area of not less than 1200 sq. ft.; and all two story dwellings must have a ground floor area of not less than 800 sq. ft. All areas shall be computed on perimeter measurements of



No trailer or trailerhouse, prefabricated house, basement, tent, shack, garage apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

(f) No dwelling, structures, or buildings of any type shall be moved into Highland Oaks Estates, Section One, for permanent use therein.

(g) All restrictive covenants and conditions herein shall apply to future remodeling of building and to rebuilding in case of destruction by fire or the elements.

(h) An easement is reserved over portions of various lots as shown on the plat for utility installation and maintenance and no electric, telephone or other service poles, guys or utility structures shall be permitted above ground on any lot, except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said addition.

(i) No sign of any kind shall be displayed to the public view on any lot except that one professional sign of not more than one square foot, or sign of not more than five square feet advertising the property for sale or rent, or signs attached by a builder to advertise the property during construction/sales period.

(j) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

(k) No lot shall be used or maintained as a dumping ground and rubbish, trash, garbage or other waste shall not be kept except in sanitary containers, all incinerators or other equipment for the storage of or disposal of such material shall be kept clean and in a sanitary condition.

(l) No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Harker Heights, Texas, and approval of such systems as installed shall be obtained from such authority.

(m) No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within a triangle area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a lot property corner from the intersection of the said property lines extended.

The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the

which shall remain in full force and effect.

WITNESS Our hands, this the 30th day of July, A.D. 1962.

(seal) ATTEST:  
Roy J. Smith, Secretary

WOODLAWN HOMES INC.  
By: H. Roy Reynolds, President

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared H. Roy Reynolds, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WOODLAWN HOMES INC. a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 30th day of July A.D. 1962.

(seal) Pat Pitts  
Notary Public, Bell County, Texas.

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas

THE STATE OF TEXAS, I  
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, on the 22nd day of June, A.D. 1962, Louis H. Newlin and Wife, Sharon K. Newlin did execute one certain note, described as follows:

Being an FHA Deed of Trust Note in the original principal sum of \$8,500.00, and being payable at Killeen, Texas, to The First National Bank of Killeen, or order, in monthly installments of \$44.29 each, beginning August 1, 1962, and a like amount on the first day of each succeeding month thereafter until paid in full; with the final payment being due July 1, 1997, Said note bearing interest at the rate of five and one-fourth (5-1/4) per cent per annum, and containing the usual penalties and provisions common to like notes,

and which said note is set out and described in a certain Deed of Trust executed by Louis H. Newlin and wife, Sharon K. Newlin to D.M. Norman, Trustee for The First National Bank of Killeen and recorded in, records of Deed of Trust of Bell County, Texas, and secured by the vendors lien therein expressed, on the following described lot, or parcel of land, situated in the County of Bell, State of Texas, to-wit:

Lot Twenty-five (25) in Block Eight (8) of the Hillandale Addition, Second Section, to the City of Killeen, Bell County, Texas, according to the map or plat of said addition appearing of record in the Plat Records of Bell County, Texas, and subject to the restrictive covenants and conditions contained in the dedication of said addition.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That The First National Bank of Killeen the payee and owner and holder of said note, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to it in hand paid by Federal National Mortgage Association the receipt of which is hereby acknowledged, have Sold, Transferred and Conveyed, and do hereby Sell, Transfer and Convey unto said Federal National Mortgage Association, of the County of Dallas, Texas, the said Note and said lien and all liens and titles held by it in and to said land.

To have and to hold the same unto the said Federal National Mortgage Association

SENT: MAY 6, 2022

DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: DINWIDDIE-MALICKI, CATHERINE GAIL

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
303 LIVE OAK DR	19180

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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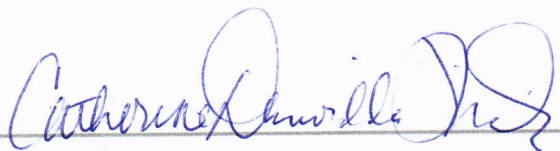
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Catherine Dinwiddie Malicki  05-10-2022

Printed Name Signature Date

**Received**

MAY 12 2022

**Planning & Development**

SENT: MAY 6, 2022

DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: BEEBE, BURDETTE W ETUX BARBARA A

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
306 HIGHLAND OAKS DR	332899

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I think any business operating in Highland Oaks would lower our property value*

B.W. Beebe  
Printed Name

BW Beebe  
Signature

5/9/22  
Date

**Received**

MAY 12 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: SWADER, WARREN

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
307 LIVE OAK DR	67687

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

- I RECOMMEND APPROVAL OF THE REQUEST  
 I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Warren A Swader  5-17-22  
Printed Name Signature Date

**Received**

MAY 17 2022

**Planning & Development**



**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**Z22-11**

**AGENDA ITEM IX-2**

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: MAY 25, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS VALLEY VIEW, BLOCK 002, LOT 0009, GENERALLY LOCATED AT 117 E. VALLEY RD., HARKER HEIGHTS, BELL COUNTY, TEXAS.**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 117 E. Valley Rd.

Parcel History

This parcel is located within the original area of the city incorporation (1960), as part of the Valley View subdivision. Per Bell County Appraisal District, the property is shown as vacant. Aerial images do indicate there was a structure on site until approximately January 2022; however, there has not been active water service at this address since November 2020.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below:

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Medium Density Residential. The proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

Valley Road is classified as a residential street. Per §154.01, Residential Streets are defined as: *Streets that serve individual residential lots. They carry low traffic volumes at low speeds. RESIDENTIAL STREETS shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots. Where entrances to subdivisions are not part of a collector street, they shall be 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection.*

### Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas.

### Pharr vs. Tippett Considerations

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

### **NOTICES:**

Based on the most recently approved tax roll available, staff sent out sixty-one (61) notices to property owners within the 400-foot notification area. As of May 19, 2022, one (1) response was received in favor of the request, and four (4) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Two of the responses in opposition are located on parcels located completely within the 200-foot notification area, and one response in opposition is for a parcel located partially within the 200-foot notification area.

Total area of land within the 200-foot notification area is: 214,426.15 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 24,565.38 sq. Ft.

Percentage of land area recommending denial: 11.45%

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots within the 200-foot buffer requires a super majority vote for approval. Note that when 20% of the number of landowners within the 200 foot buffer have provided written and signed opposition, there is not a requirement of Texas Local Government Code nor the City's Code of Ordinances for a super majority vote by the Planning & Zoning Commission.

### **RECOMMENDATION:**

#### Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr & Tippett.

#### Staff Recommendation

Staff recommends approval of an ordinance to change zoning designation from R-1 One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 117. E. Valley Rd.

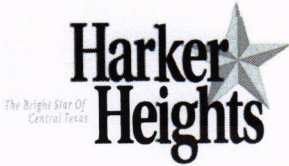
**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to recommend approval or disapproval with explanation of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Location Map
3. Zoning Map
4. Existing Land Use Map
5. Land Use Plan Map
6. Notification Area Map
7. Public Responses





# Rezoning Request Application

**\*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. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

**City of Harker Heights**  
 Planning & Development  
 305 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: (254) 953-5600  
 Email:  
 planning@harkerheights.gov

**Property Owner(s) Name:** Todd Gerjets **Date:** 4-27-2022

**Address:** 1414 Pima Trail

**City/State/Zip:** Harker Heights, TX 76548

**Phone:** 254-421-5201 **E-mail:** tool4evermore@gmail.com

### Legal Description of Property:

Location of Property (Address if available): 117E Valley

Lot: 9 Block: 2 Subdivision: Valley View addition

Acres: \_\_\_\_\_ Property ID: \_\_\_\_\_ 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.*

**Proposed Use:** duplexes

**Current Zoning Classification:** R-1 **Proposed Zoning:** R-2

**Current Land Use:** Vacant **Proposed Land Use:** Medium density residential

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

**Applicant's Representative:** \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

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.

Todd Gerjets  
 Printed Name of Property Owner

Todd Gerjets  
 Signature of Property Owner

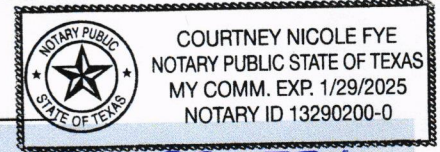
\_\_\_\_\_  
 Printed Name of Representative

\_\_\_\_\_  
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27<sup>th</sup> DAY OF April, 2022

Courtney Nicole Fye  
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 4/27/22

Pre-Application Meeting

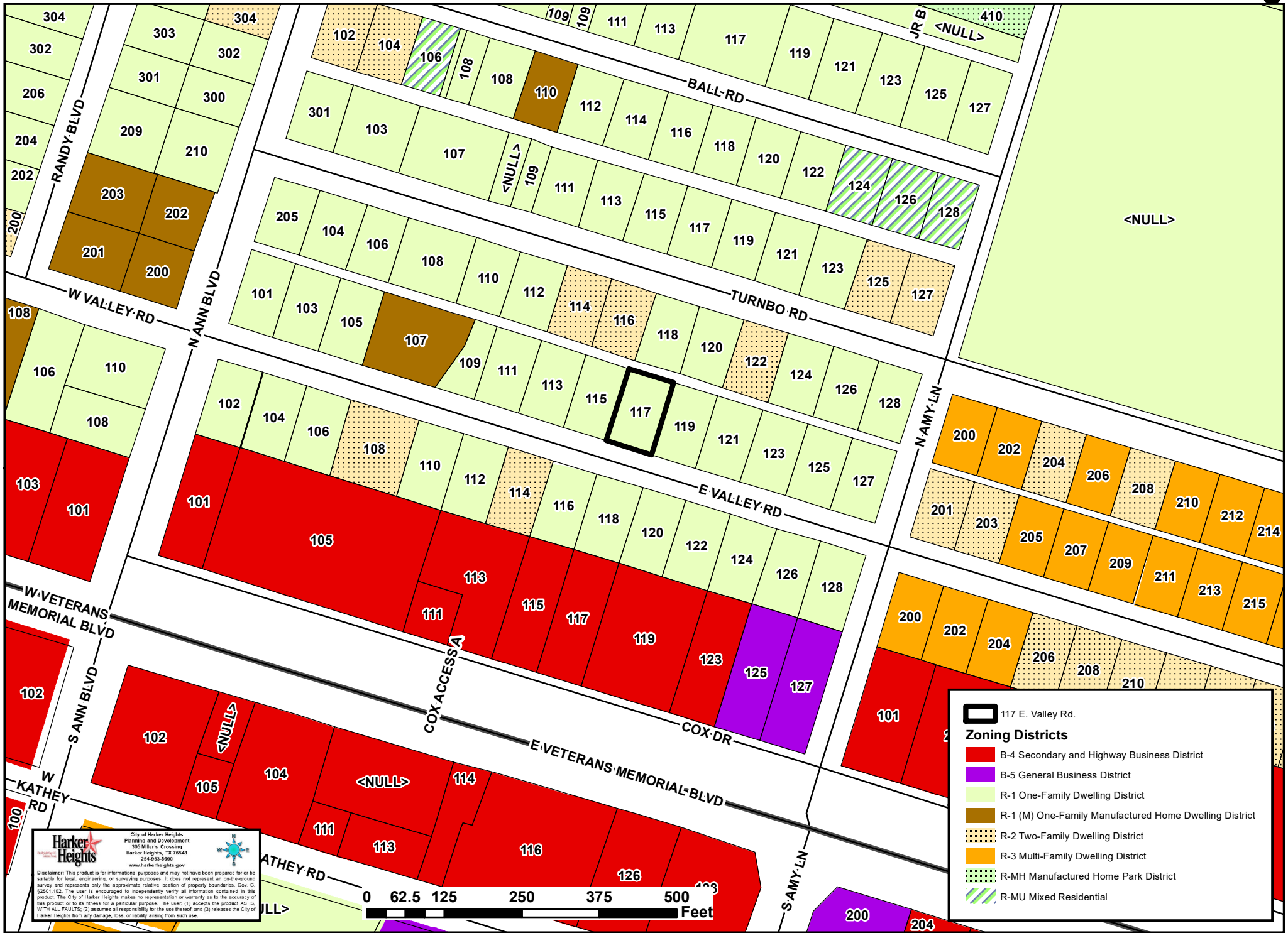
Receipt #: 01820554


Received By: C. Fye

Revised: 10/2021









Case #: \_\_\_\_\_





 117 E. Valley Rd.

**Zoning Districts**

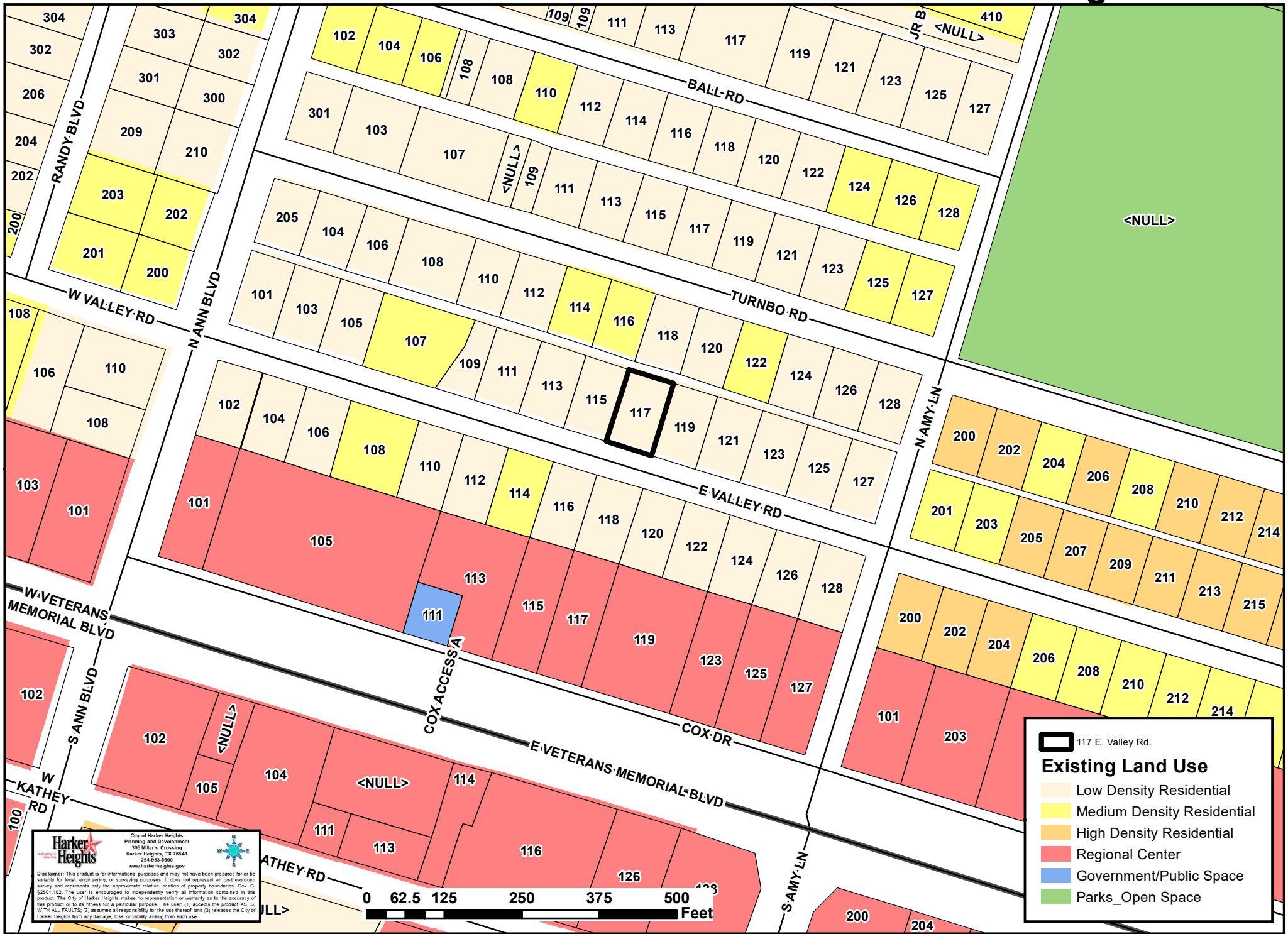
-  B-4 Secondary and Highway Business District
-  B-5 General Business District
-  R-1 One-Family Dwelling District
-  R-1 (M) One-Family Manufactured Home Dwelling District
-  R-2 Two-Family Dwelling District
-  R-3 Multi-Family Dwelling District
-  R-MH Manufactured Home Park District
-  R-MU Mixed Residential








**Harker Heights**

City of Harker Heights  
 Planning and Development  
 300 Miller's Crossing  
 Harker Heights, TX 78548  
 254-853-5699  
 www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.02. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

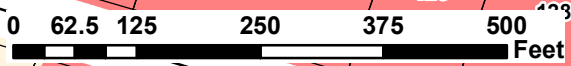


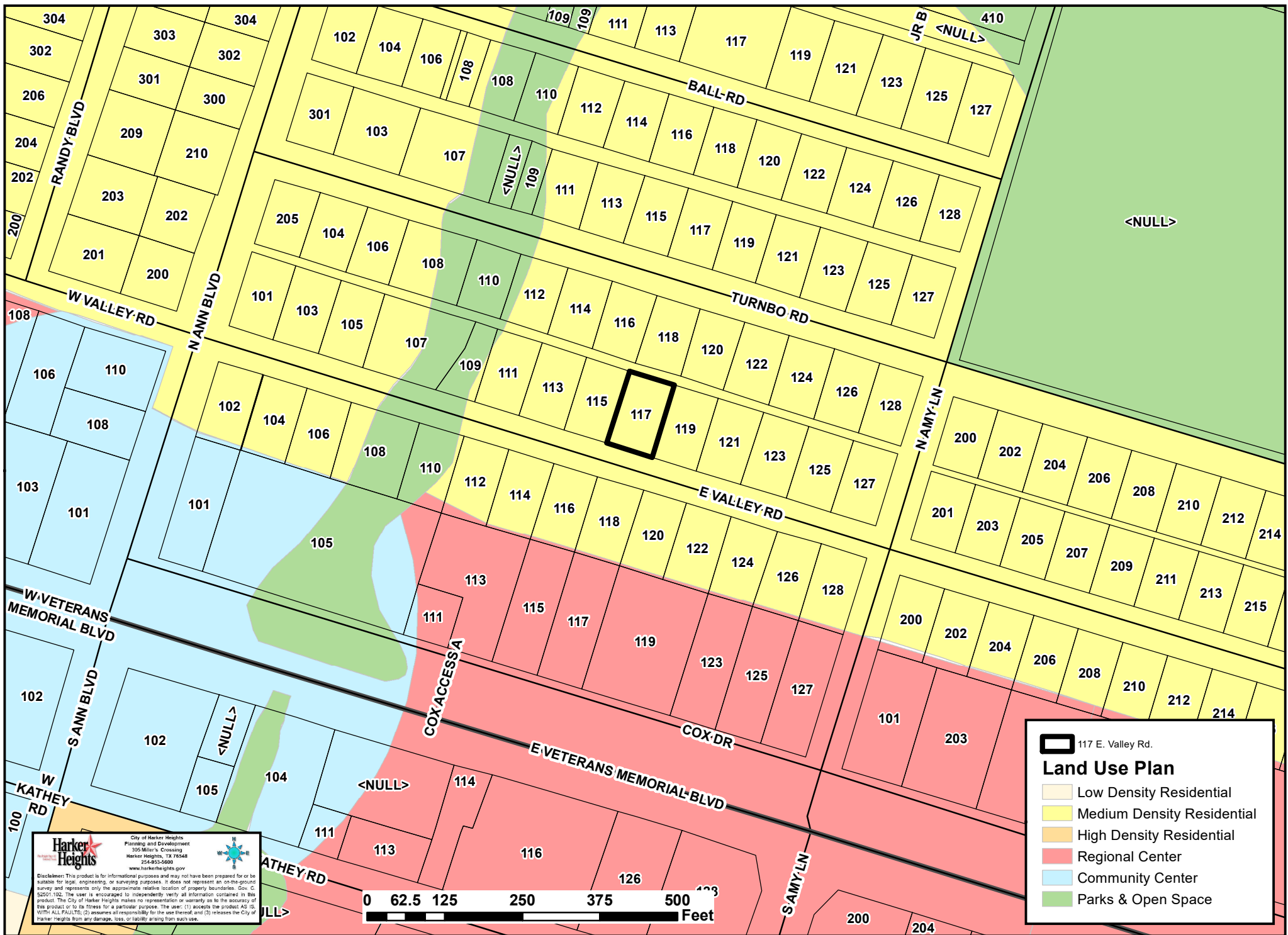



 117 E. Valley Rd.  
**Existing Land Use**  
 Low Density Residential  
 Medium Density Residential  
 High Density Residential  
 Regional Center  
 Government/Public Space  
 Parks\_Open Space

**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 Miller's Crossing  
 Harker Heights, TX 78548  
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



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 117 E. Valley Rd.

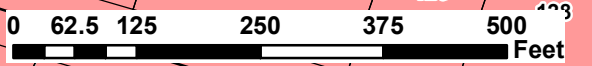
**Land Use Plan**

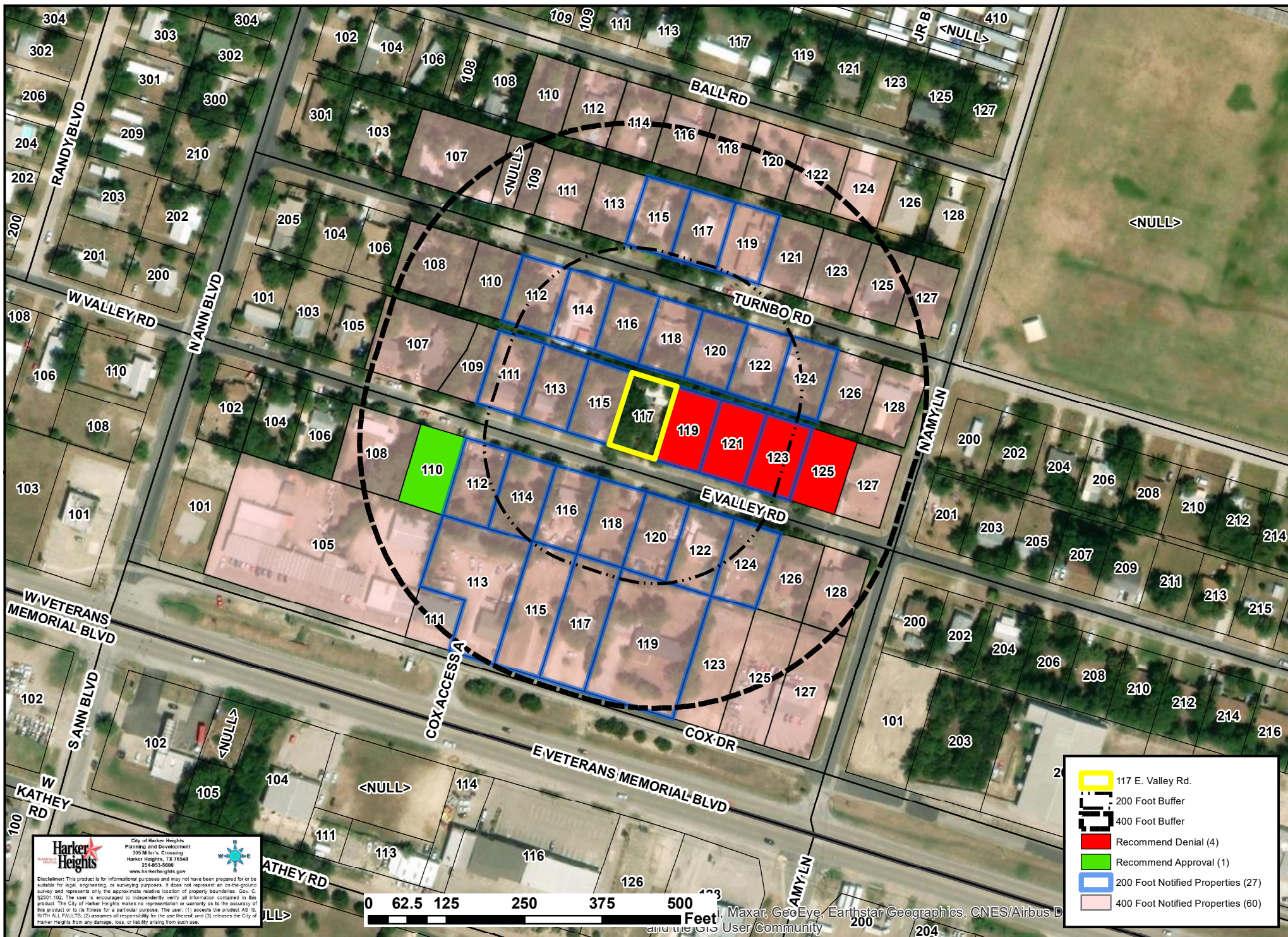
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Regional Center
-  Community Center
-  Parks & Open Space

**Harker Heights**

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SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: NELSON, RICHARD A

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
110 E VALLEY RD	26416

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

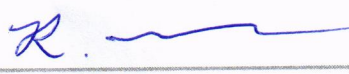
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RICHARD NELSON



5/12/22

Printed Name

Signature

Date

**Received**

MAY 13 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: PALO, BRUCE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
119 E VALLEY RD	14017

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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**Bruce C. Palo**  
Printed Name

**Bruce C. Palo**  
Signature

**17 MAY 22**  
Date

**Receiver**

MAY 18 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: PALO, BRUCE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
121 E VALLEY RD	14018

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

HAVE PROBLEMS WITH FOUL MOUTHED, BOLSTEROUS CHILDREN  
IN NEW DUPLEX ON TURBO.

Bruce C. PALO  
Printed Name

Bruce C. Palo  
Signature

17 MAY '22  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: PALO, BRUCE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
123 E VALLEY RD	14019

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

HAVE PROBLEMS WITH FOUR MOUTHED, BOWTIE RAYS CHILDREN  
IN NEW DUPLEX ON TURNBO.

Bruce C. PALO  
Printed Name

Bruce C. Palo  
Signature

17 MAY '22  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022

DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: PALO, BRUCE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
125 E VALLEY RD	14020

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Bruce C. Palo

Printed Name

Bruce C. Palo

Signature

17 MAY '22

Date

**Received**

MAY 18 2022

**Planning & Development**



# PLANNING AND ZONING COMMISSION MEMORANDUM

**Z22-13**

**AGENDA ITEM IX-3**

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: MAY 25, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (M) (ONE-FAMILY MANUFACTURED HOME DWELLING DISTRICT) ON A PORTION OF THE PROPERTY DESCRIBED AS MCLAUGHLIN WAY, BLOCK 001, LOT 0001, ACRES 4.46, GENERALLY LOCATED AT 1517 WACO TRACE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AS DISPLAYED IN EXHIBIT A.**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace.

Parcel History

This parcel was annexed in 1987, the annexation was repealed the same year, and re-annexed in 1988; the approved plat for this area was filed with Bell County Real Property Records in 2003.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below:

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Low Density Residential. The proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

### Thoroughfare Plan

Waco Trace is classified as a collector street per the most recently adopted Comprehensive Plan. Per City of Harker Heights Code of Ordinances §154.01:

- Minor Collectors are defined as: *Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors. Residential lots may front on these streets. MINOR COLLECTORS shall be 42 feet wide, with a minimum of 70 feet of right-of-way.*
- Major Collectors are defined as: *Streets generally located along borders of neighborhoods and within commercial areas to collect and to channel this traffic to the arterial system. MAJOR COLLECTORS shall be 48 feet wide with a minimum of 80 feet of right-of-way. These are limited access roads on which no single-family or two-family residential lots may front (i.e., no driveways shall be allowed) unless there is no other reasonable and safe access to the lot.*

### Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas.

### Pharr vs. Tippett Considerations

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

### **NOTICES:**

Based on the most recently approved tax roll available, staff sent out fifty-nine (59) notices to property owners within the 400-foot notification area. As of May 19, 2022, four (4) responses were received in favor of the request, and eighteen (18) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

### **RECOMMENDATION:**

#### Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr & Tippett.

#### Staff Recommendation

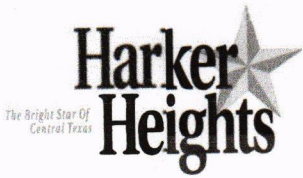
Staff recommends approval of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A.

**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to recommend approval or disapproval with explanation of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property described as McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Exhibit A
3. McLaughlin Way Replat Concept Plat (conditionally approved April 12, 2022)
4. Location Map
5. Zoning Map
6. Existing Land Use Map
7. Land Use Plan Map
8. Notification Area Map
9. Public Responses



# Rezoning Request Application

City of Harker Heights  
Planning & Development  
305 Millers Crossing  
Harker Heights, TX 76548  
Phone: (254) 953-5600  
Email:  
planning@harkerheights.gov

**\*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. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

Property Owner(s) Name: THOMAS GUICE Date: 04/27/22  
Address: 1517 WACO TRACE  
City/State/Zip: HARKER HEIGHTS, TX 76548  
Phone: (360) 649-2790 E-mail: GUICE72OLDS@YAHOO.COM

### Legal Description of Property:

Location of Property (Address if available): 1517 WACO TRACE  
Lot: 1 Block: 1 Subdivision: MCLAUGHLIN WAY  
Acres: 2.3<sup>rd</sup> 4.6 Property ID: 333106 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.

Proposed Use: MOBILE HOME  
Current Zoning Classification: R1 Proposed Zoning: R1M  
Current Land Use: NONE Proposed Land Use: LOW DENSITY RESIDENTIAL

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

Applicant's Representative: STACIE GUICE  
Phone: (254) 285-7499 E-Mail: SLEIGHX4@YAHOO.COM

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.

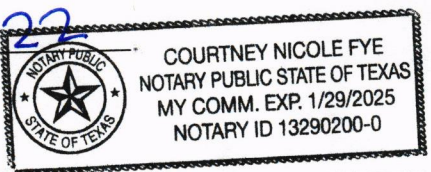
THOMAS GUICE  
Printed Name of Property Owner  
  
\_\_\_\_\_  
Printed Name of Representative

[Signature]  
Signature of Property Owner  
  
\_\_\_\_\_  
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27<sup>th</sup> DAY OF April, 2022

Courtney Nicole Fye  
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 4/27/22  
Received By: C. Fye

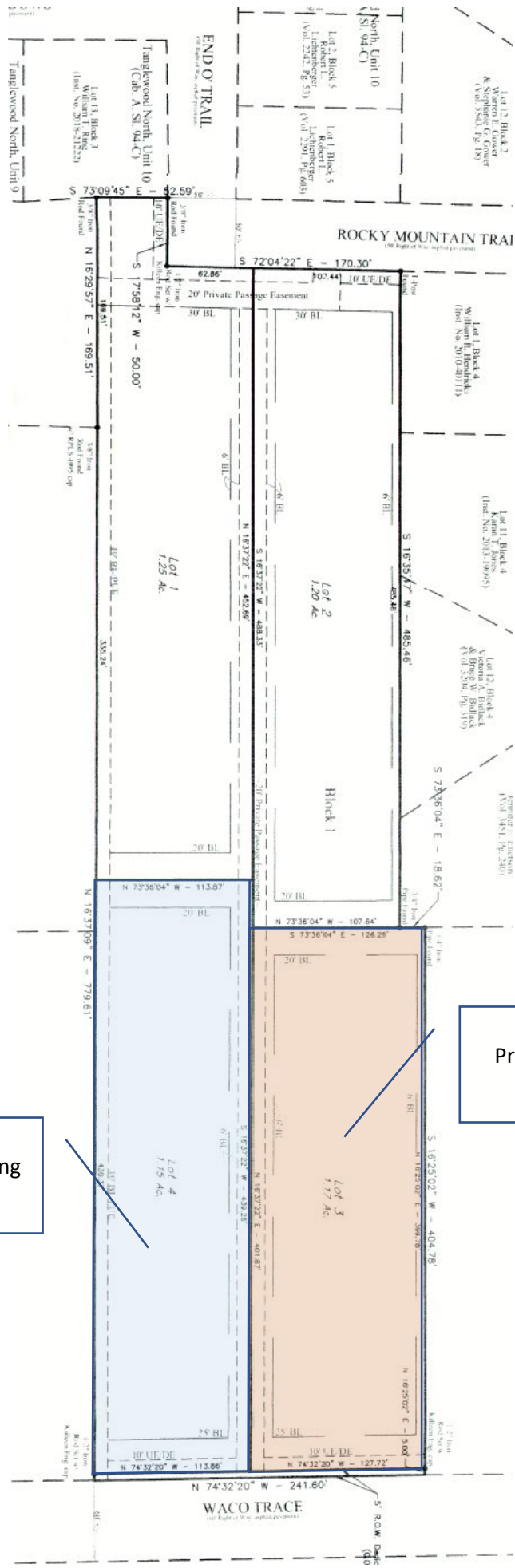
### STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Revised: 10/2021

Receipt #: 01820589

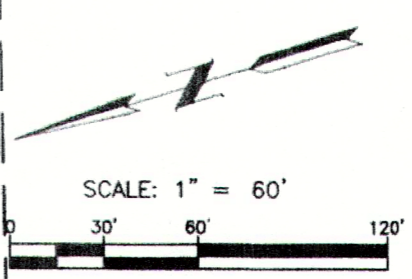
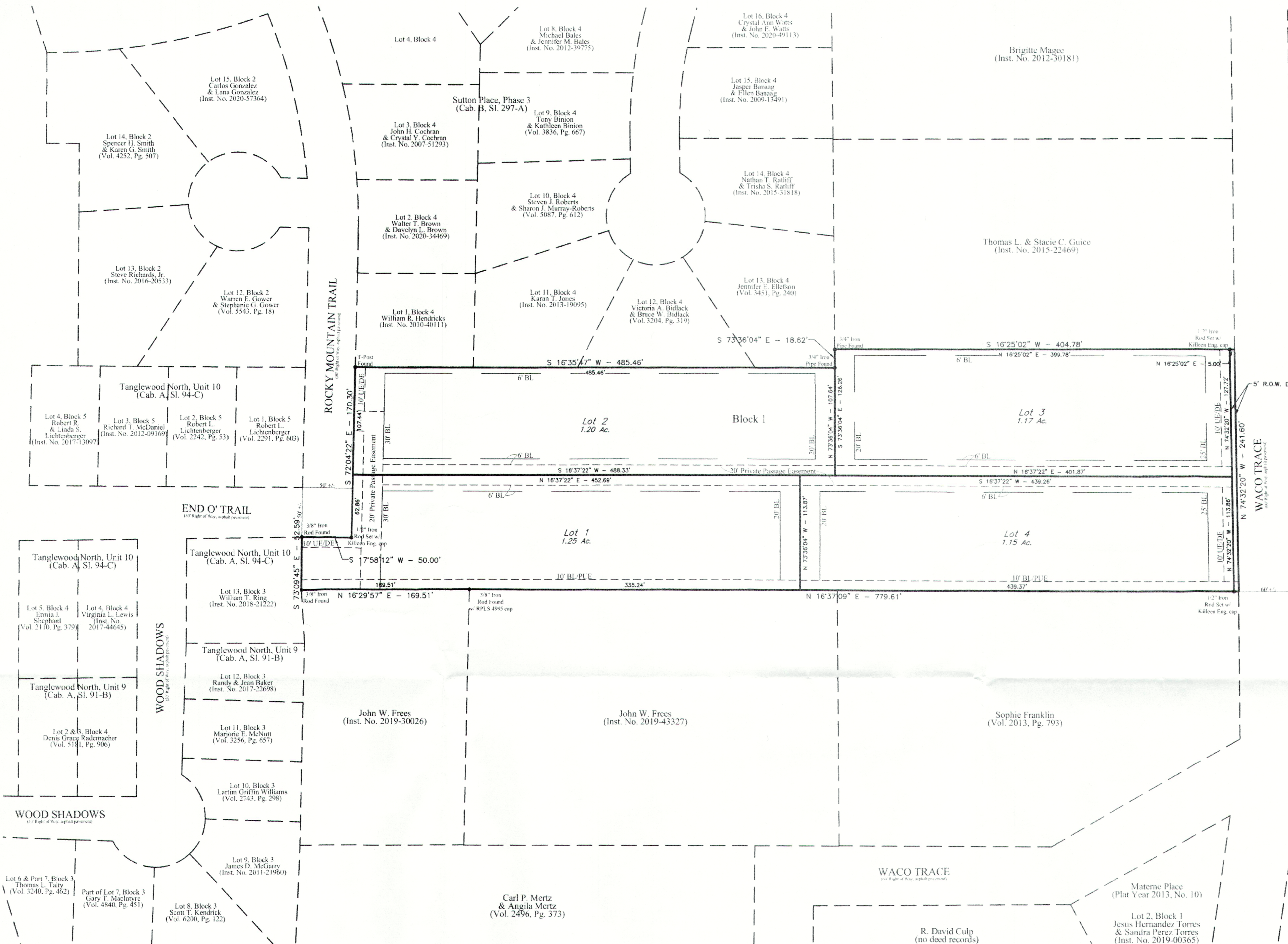
Case #: \_\_\_\_\_



Proposed R-1(M) Zoning

Proposed R-1(M) Zoning





KNOW ALL MEN BY THESE PRESENTS, that Thomas Guice and Stacie Guice, being the sole owners of that 4.80 acre tract shown hereon, which is more fully described in the dedication of McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115, do hereby subdivide the herein described property into lots and blocks according to the plat thereof, to be known as McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights Director of Planning and Development. Thomas Guice and Stacie Guice do hereby adopt the said plat of McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 as an addition to the City of Harker Heights for the purpose of selling lots and blocks of land with reference thereto, for the development of said land by its owner, and for all other purposes. Thomas Guice and Stacie Guice do hereby dedicate to the City of Harker Heights all streets, avenues, roads, alleys, and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings; the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas. The utility easements shown on the said plat are dedicated to the City of Harker Heights for the installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed and maintained.

*Thomas Guice*  
Thomas Guice  
*Stacie Guice*  
Stacie Guice

STATE OF TEXAS  
COUNTY OF BELL

This instrument was acknowledged before me on the 1 day of March, 2022 by Thomas Guice and Stacie Guice.



*Cynthia A. Murphy*  
Cynthia A. Murphy  
Notary Public, State of Texas

APPROVED this \_\_\_ day of \_\_\_, 20\_\_\_, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development

Attest: City Secretary

FILED FOR RECORD this \_\_\_ day of \_\_\_, 20\_\_\_ A.D.

Dedication instrument in Instrument No. \_\_\_, Official Records of Bell County, Texas.

KNOW ALL MEN BY THESE PRESENTS: That I, Michelle E. Lee, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the perimeter corner monuments shown hereon were properly placed or found under my personal supervision, in accordance with the Subdivision Regulations of the City of Harker Heights, Texas. This subdivision, McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1 McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115, is located within the City Limits of Harker Heights, Texas.

*Michelle E. Lee* 3-21-2022  
Michelle E. Lee, RPLS (TX 5772)

TAX CERTIFICATE

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this \_\_\_ day of \_\_\_, 20\_\_\_ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

By: \_\_\_\_\_

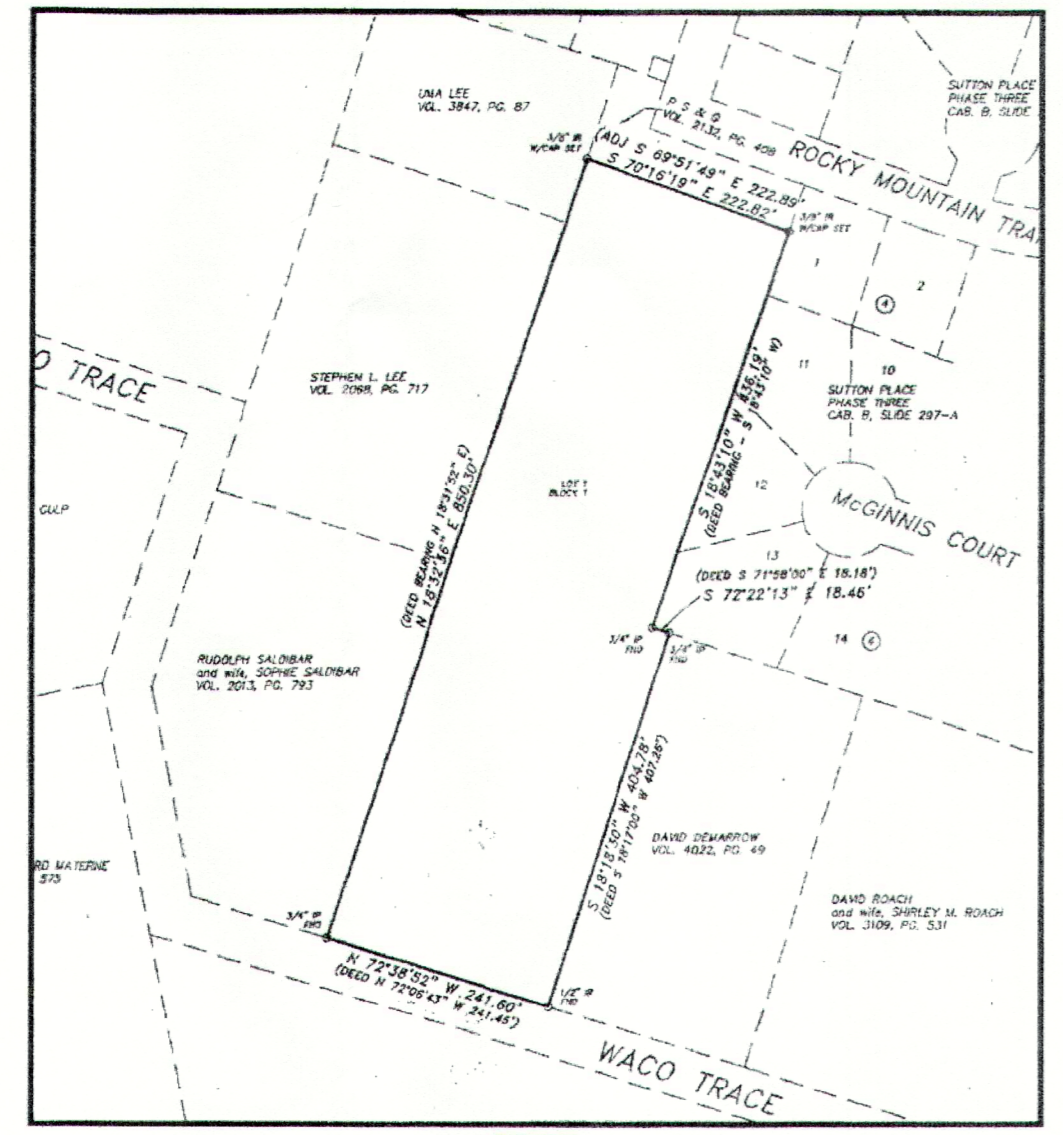
I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMENDED FOR APPROVAL.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

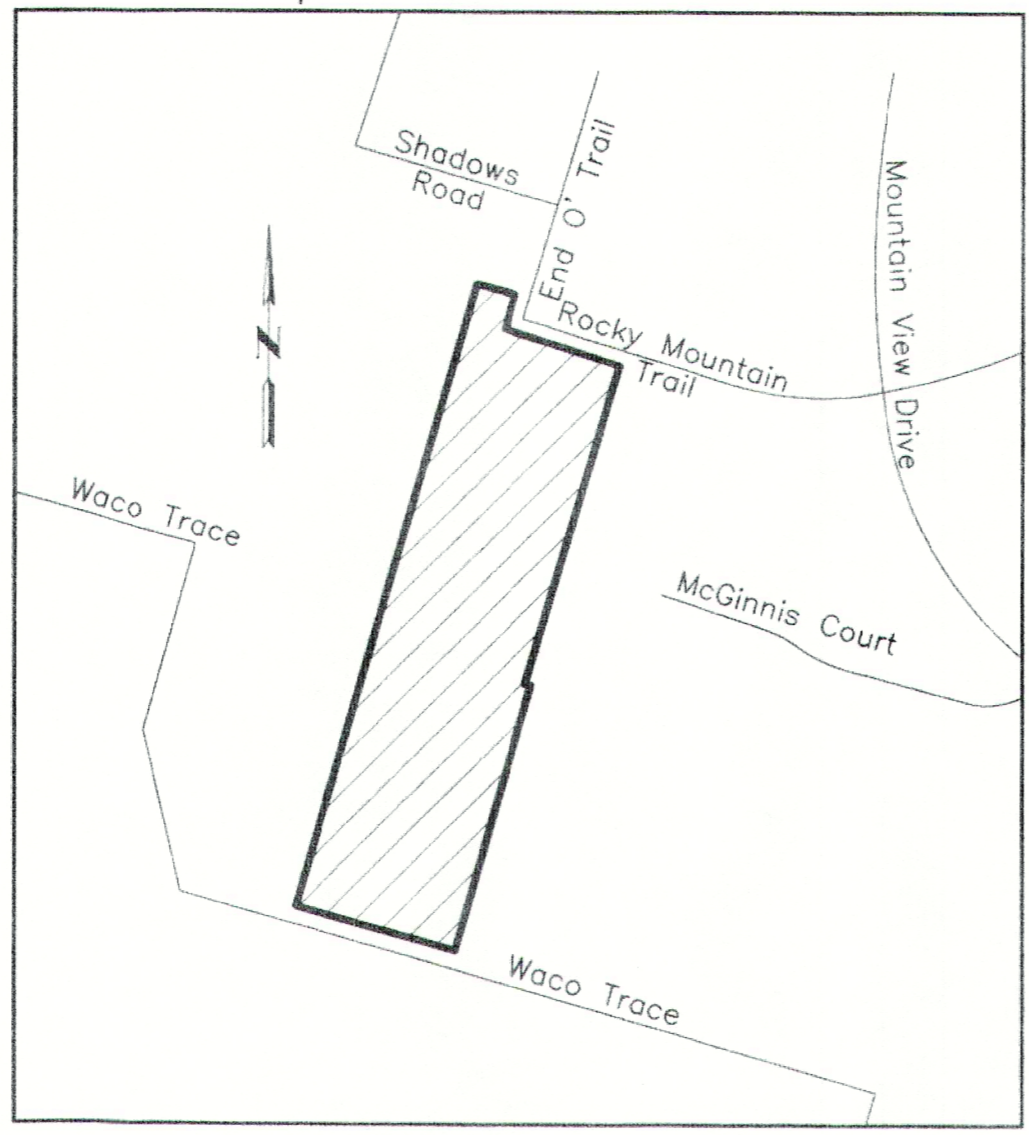
TITLE: \_\_\_\_\_ BELL COUNTY PUBLIC HEALTH DISTRICT

NOTE:

1. NO LOT IN THIS SUBDIVISION IS ENCLOSED BY ANY SPECIAL FLOOD HAZARD AREAS AS INUNDATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY BOUNDARY MAP, (FLOOD INSURANCE RATE MAP), MAP NO. 48027C0285E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS.



INSET  
McLAUGHLIN WAY  
CABINET C, SLIDE 348-B  
N.T.S.



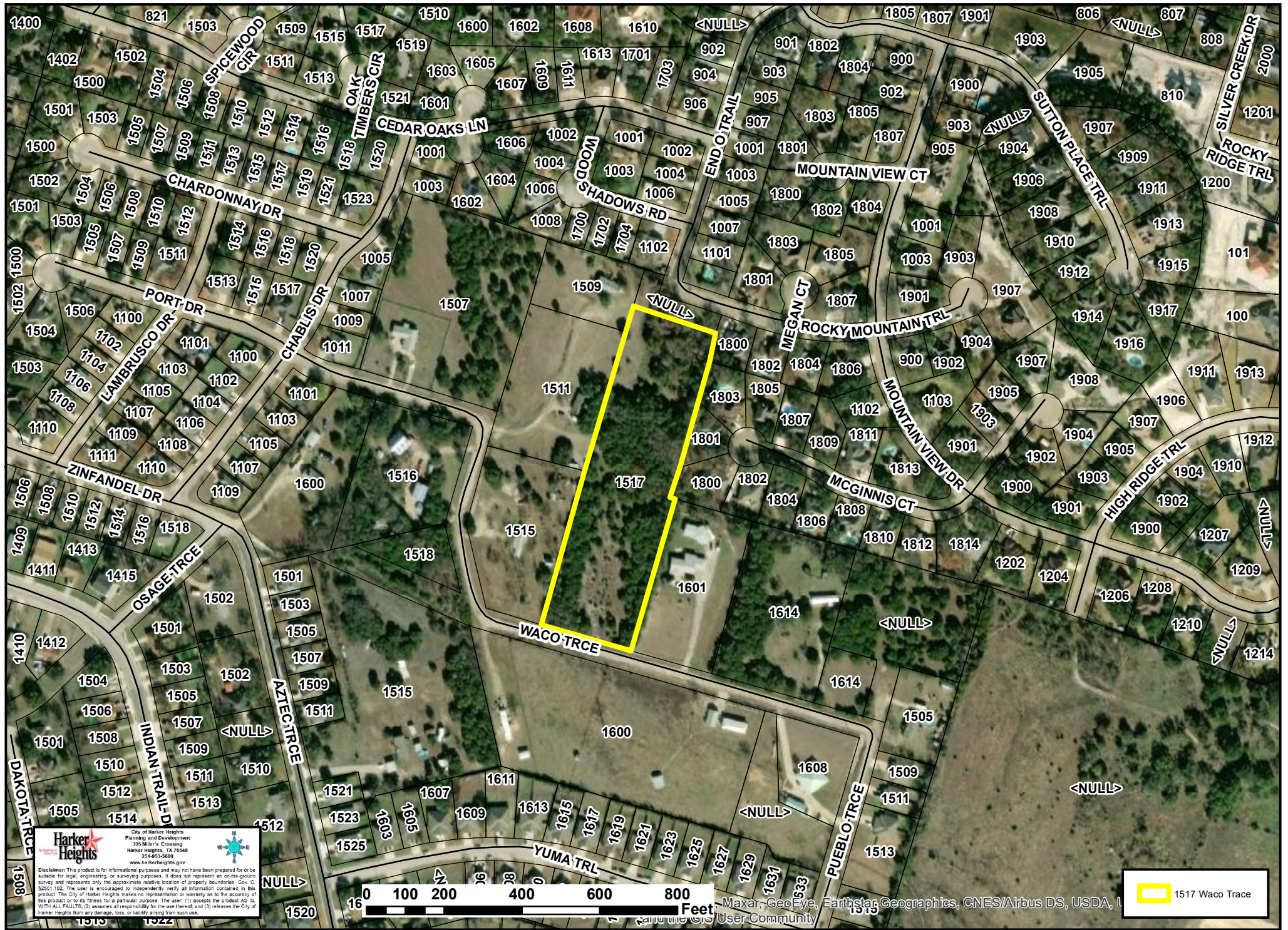
VICINITY MAP  
N.T.S.

CONCEPT PLAN

**KILLEN ENGINEERING & SURVEYING, LTD**  
2901 E. Stan Schlueter Loop  
Killeen, Texas 76542  
OFFICE: (254) 526-3981 FAX: (254) 526-4351  
TBPB REGISTRATION NO. F-4200  
TBPBS REGISTRATION NO. 10194541

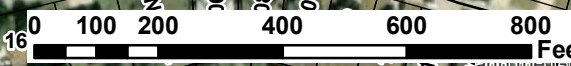
**MCLAUGHLIN WAY REPLAT**  
BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY  
AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115  
**HARKER HEIGHTS, BELL COUNTY, TEXAS**

Project No.:	2022-003
Acres:	4.80
No. of Lots:	4
Scale:	1" = 60'
Date:	03/16/2022
Design By:	GMH
Sheet No.:	1.00



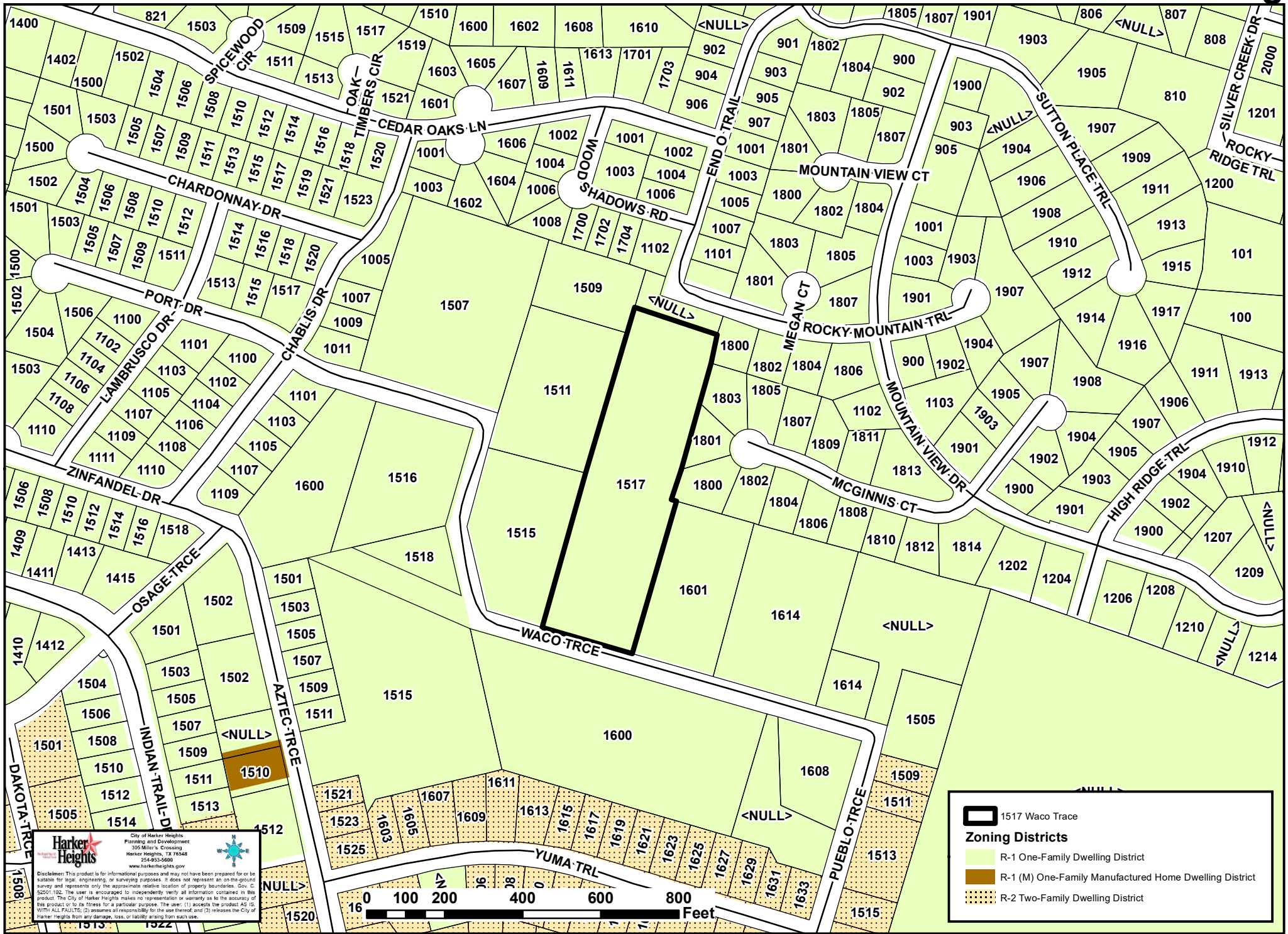
**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Miner's Crossing  
Harker Heights, TX 78548  
254-853-5699  
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201-102. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



1517 Waco Trace

Maxar, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, User Community



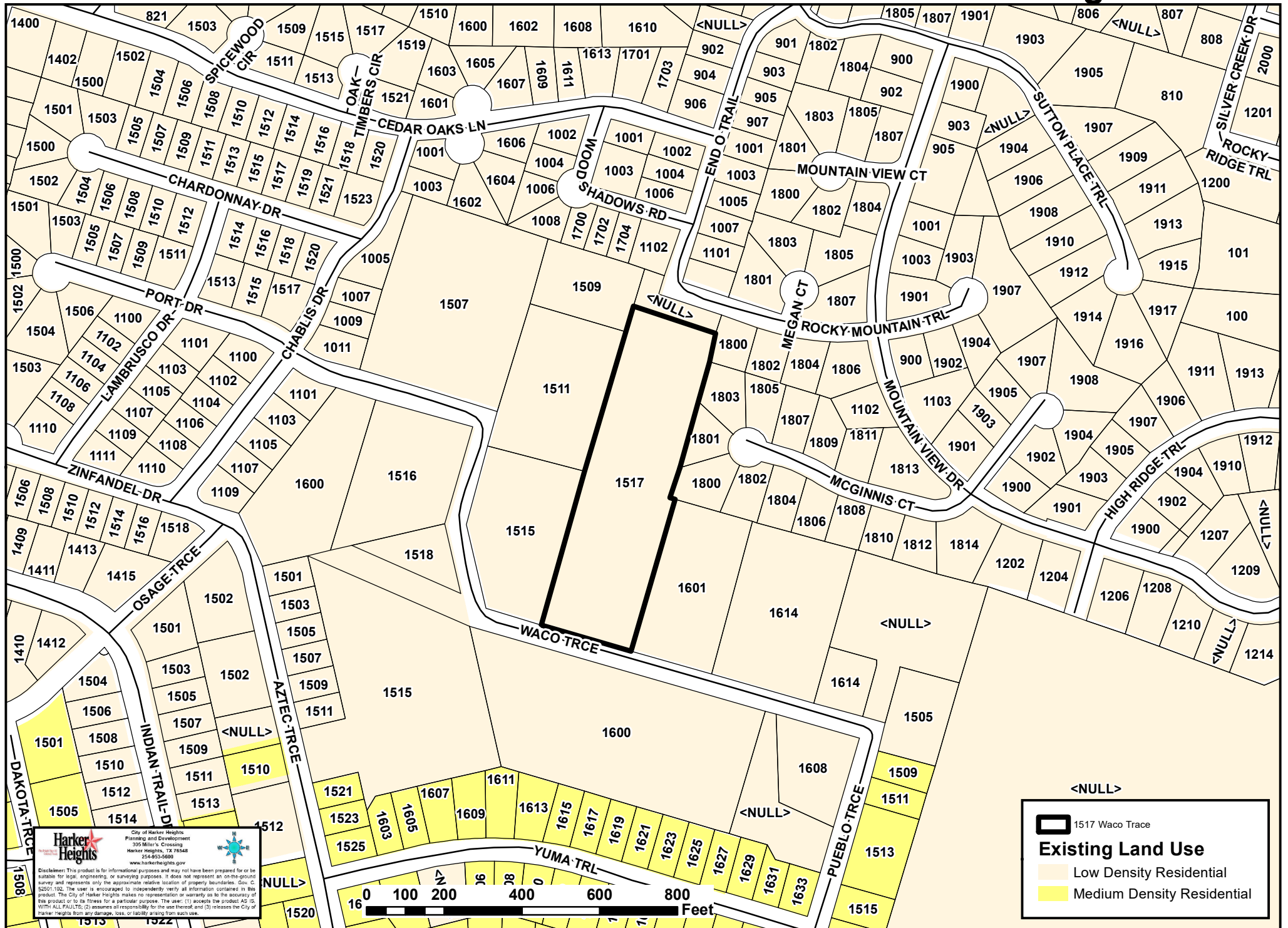
**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Miller's Crossing  
Harker Heights, TX 78548  
254-853-5690  
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1517 Waco Trace

**Zoning Districts**



- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District



<NULL>

 1517 Waco Trace

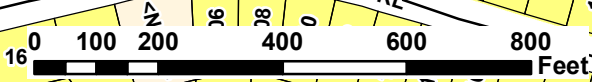
**Existing Land Use**

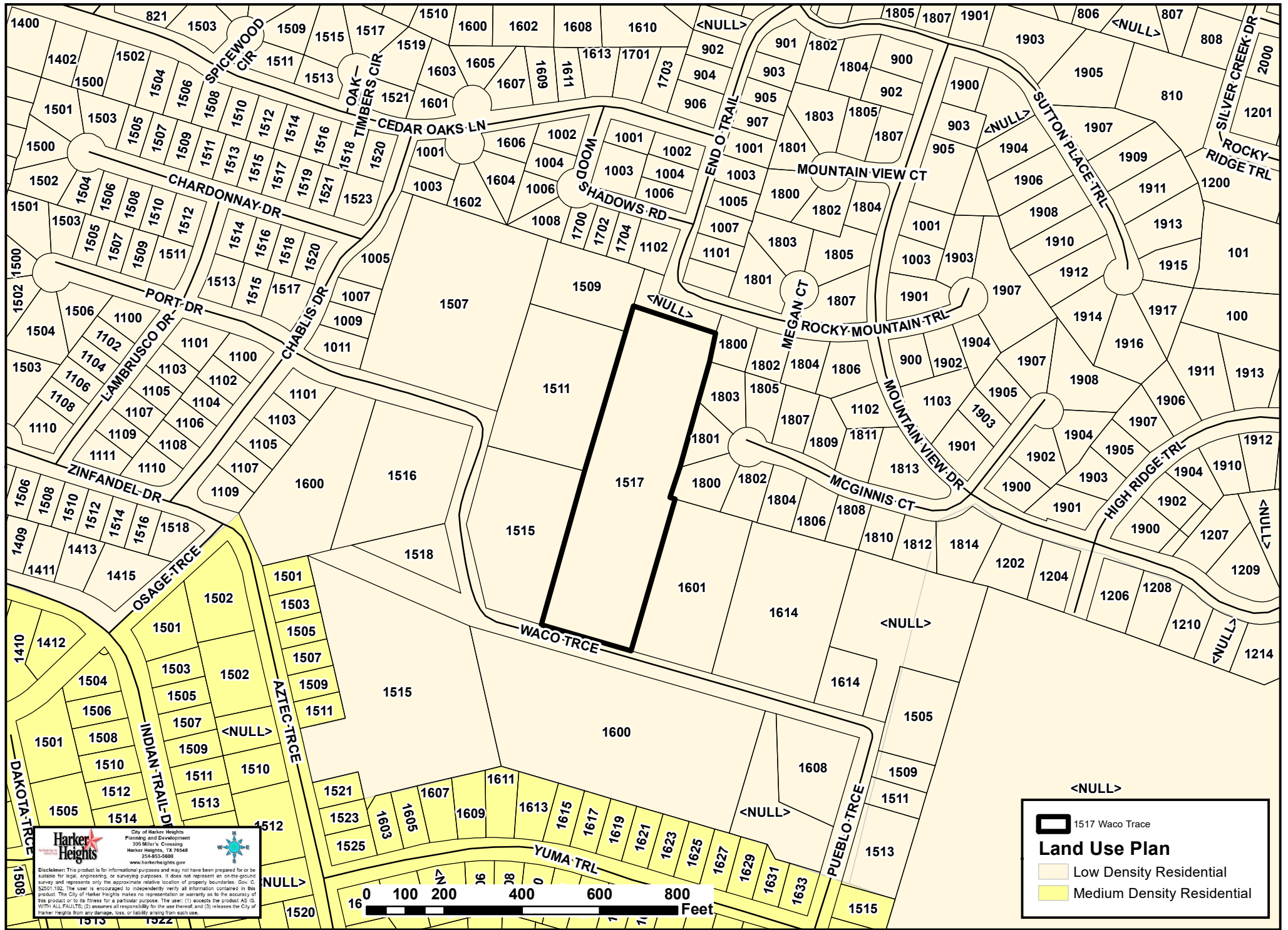
-  Low Density Residential
-  Medium Density Residential

**Harker Heights**

City of Harker Heights  
 Planning and Development  
 300 Miller's Crossing  
 Harker Heights, TX 78548  
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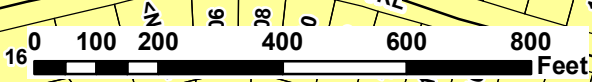
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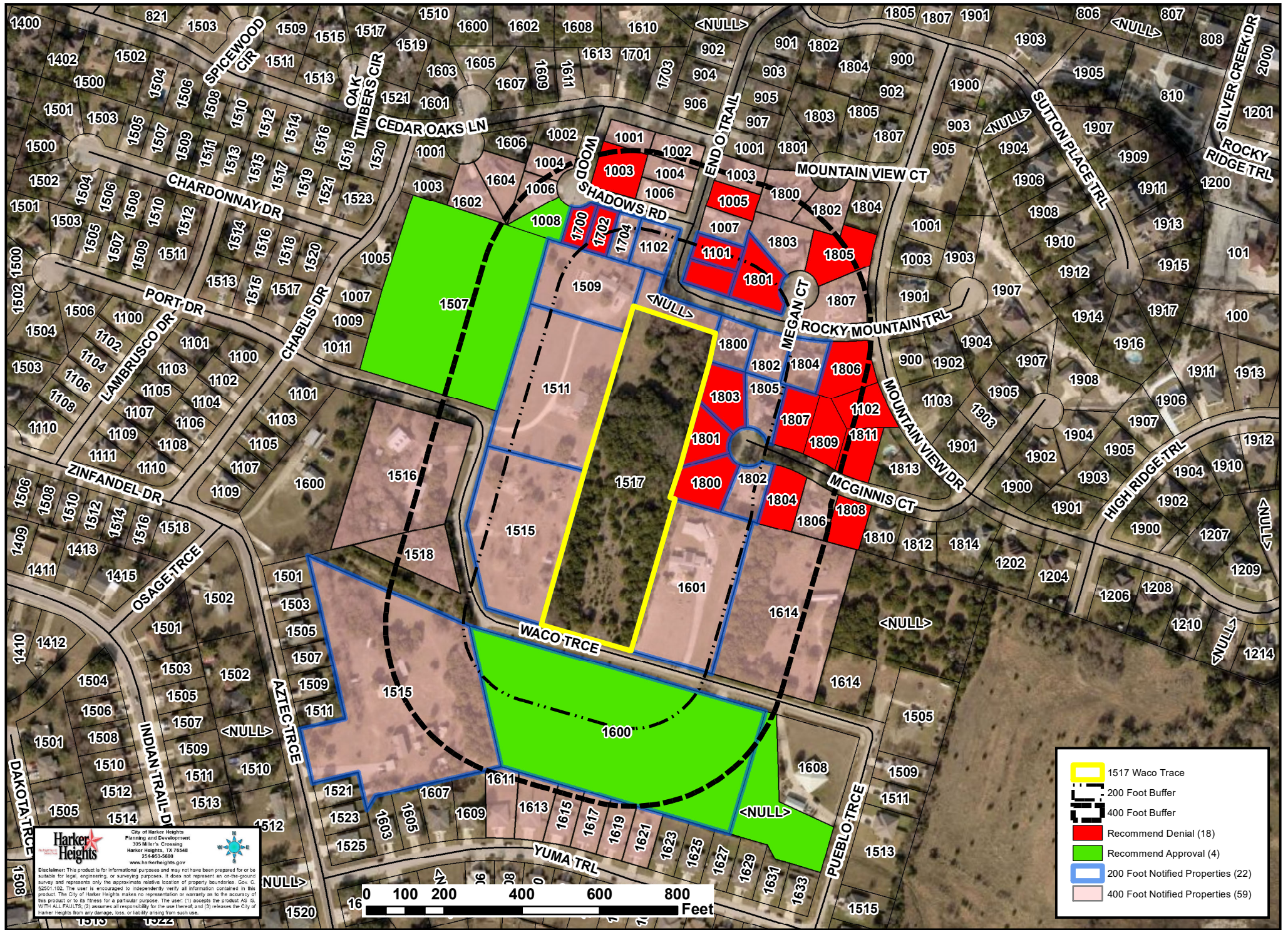
<NULL>

1517 Waco Trace

**Land Use Plan**

- Low Density Residential
- Medium Density Residential

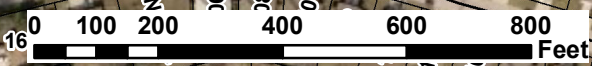




	1517 Waco Trce
	200 Foot Buffer
	400 Foot Buffer
	Recommend Denial (18)
	Recommend Approval (4)
	200 Foot Notified Properties (22)
	400 Foot Notified Properties (59)

**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 Milner's Crossing  
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SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: RADEMACHER, DENISE GRACE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1003 WOODSHADOWS	78169

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST
- I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Denise Grace Rademacher *Denise G. Rademacher* 5/16/22  
 Printed Name Signature Date  
 Denise Grace DeYoung *Denise G DeYoung*

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: LICHTENBERGER, ROBERT L ETUX LINDA S

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1005 END O TRAIL	107841

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST  
 I RECOMMEND DENIAL OF THE REQUEST


Comments:

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Linda S. Lichtenberger  5/18/22  
Printed Name Signature Date

**Received**  
MAY 18 2022  
Planning & Development



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: MCGARRY, JAMES D

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1008 WOODSHADOWS	41444

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

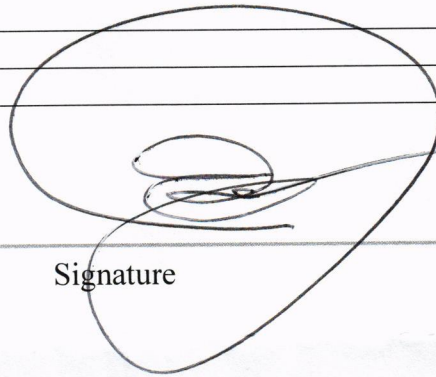
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James McGarry  
Printed Name



Signature

17 May 2022  
Date

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: LICHTENBERGER, ROBERT L ETUX

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1101 END O TRAIL	64885

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I am afraid this will set a precedent and open the door for more inexpensive manufactured homes/trailer houses etc.*

*Robert L. Lichtenberger*

Printed Name

*Robert L. Lichtenberger*

Signature

*5/18/22*

Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: HODSON, EVAN S ETUX JOYCE A

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1102 MOUNTAINVIEW DR	81500

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE ATTACHED

EVAN HODSON  
Printed Name

  
Signature

5/16/22  
Date

**Received**

MAY 16 2022

**Planning & Development**

HODSON, EVAN S ETUX JOYCE A  
1102 MOUNTAIN VIEW DR  
HARKER HTS, TX 76548-8035

SEE ATTACHED



EVAN HODSON

Received

APR 18 2005

Planning & Development

The proposed R-1(M) zoning allows mobile homes. For roughly 30 years, Harker Heights has striven to rid itself of the image of being a large mobile home park located next to Killeen. Thus the zoning was tightened and the new neighborhoods that came in were quite nice. Adding mobile homes again to Harker Heights is not a good idea.

This will be the classic "camel's nose under the tent" scenario. 1517 Waco Trace is a huge lot, looking to be roughly 800' by 300'. It looks to be the equivalent of around 14 to 16 of the lots along my stretch of Mountain View Dr. Once the zoning is changed to allow mobile homes, the subdividing will then commence. There is no telling how small the lots might be. These subdivided lots will need road access, so then comes a road down the middle of the lot, connecting from Waco Trace or End-O-Trail. Perhaps it will connect to both. And all of the problems with lower value housing, such as increased traffic and noise, and less attractive housing, will negatively affect the quality of life and property values along Mountain View Dr and McGinnis Ct., and possibly down End-O-Trail and Cedar Oaks as well.

This rezoning request should be denied.



Evan Hodson 5/16/22



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: MERTZ, CARL P ETUX ANGILA

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1507 WACO TRACE	73103

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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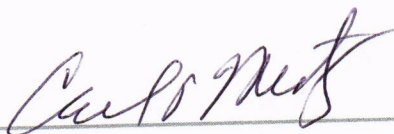
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CARL P MERTZ

Printed Name



Signature

10 May 2022

Date

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: MULLEN, RHODENIA ANN

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1600 WACO TRACE	67920

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

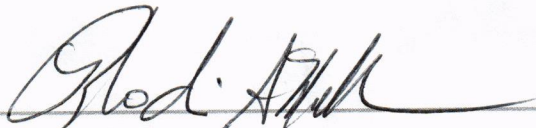
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Rhodenia Mullen  
Printed Name

  
Signature

5-11-22  
Date

**Received**

MAY 16 2022

**Planning & Development**





SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: MCNUTT, MARJORIE E

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1702 WOODSHADOWS	72183

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*At this time, Not sure what owner's future plans are for the property*

MARJORIE E McNUTT

Signature

*[Signature]* 13 May 2022

Date

**Receiver**

MAY 13 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: ELLEFSON, JENNIFER E &

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1800 MCGINNIS CT	81507

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*It appears as though the purpose of the rezoning variance is based exclusively upon a desire to make more money out of the property and that granting it will be detrimental to the public welfare or injurious to other property in the adjacent neighborhood. The proposed variance will impair the public health, safety, comfort and general welfare of the adjacent neighborhood, impair property values, unduly increase traffic congestion, and generally create a neighborhood nuisance.*

*Jennifer E Ellefson*

Printed Name

*J E Ellefson*

Signature

*5/17/2022*

Date

**Received**

**MAY 18 2022**

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: BIDLACK, VICTORIA A & BRUCE W

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1801 MCGINNIS CT	71108

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

PROPERTIES THIS SIZE SHOULD NOT BE  
DOWNGRADED. I THINK IT WOULD DEVALUE  
SURROUNDING PROPERTIES.

BRUCE BIDLACK  
Printed Name

*Bruce Bidlack*  
Signature

5/18/2022  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: GOWER, WARREN E ETUX STEPHANIE G

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1801 MEAGAN CT	81476

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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GOWER, WARREN

Printed Name



Signature

16 MAY 22

Date

**Received**  
MAY 17 2022  
Planning & Development

SENT: MAY 6, 2022

DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: JONES, KARAN T

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1803 MCGINNIS CT	81506

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*Our taxes on Me It will bring the value of not only my house down but the whole neighborhood! and yet our taxes continue to go up! Doesn't seem good or right!*

Karan T. Jones  
Printed Name

Signature

Date

*Karan T. Jones*

*K. Jones*  
*[Signature]*

*5-17-22*  
*5/17/22*

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022

DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: BANAAG, JASPER & ELLEN

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1804 MCGINNIS CT	71109

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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ELLEN BANAGAS  
 Banaag, Jasper J.  
 Printed Name

*[Handwritten Signature]*  
 Signature

5/16/22  
 Date

**Received**  
 MAY 17 2022  
 Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: SMITH, SPENCER H ETUX KAREN G

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1805 MEAGAN CT	81478

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*This zoning change request is not compatible with the surrounding R-1 properties. It would negatively impact the current property owners investment. R-1M in this area is not in the best interests of the City of Harker Heights.*

*SPENCER H. SMITH*

*Spencer H. Smith*

*9 May 2022*

*Karen G Smith*

*Karen G Smith*

*9 May 2022*

Printed Name

Signature

Date

**Received**

MAY 10 2022

**Planning & Development**





SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: BINION, TONY ETUX KATHLEEN

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1807 MCGINNIS CT	81504

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*This will decrease our property value.*

*Kathleen Binion*  
Printed Name

*Kathleen Binion*  
Signature

*5/12/22*  
Date

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: INGRAM, JOAN C ETVIR RONALD G

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1808 MCGINNIS CT	81510

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

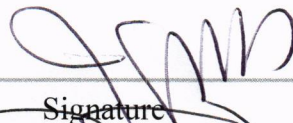
I RECOMMEND DENIAL OF THE REQUEST

Comments:

The close location of manufactured home dwellings will significantly decrease the resale value of homes in the area. This change request if approved would represent a breach of trust to be established. Homeowners

Joan C. Ingram

Printed Name



Signature

10 May 2022

Date

Ronald G. Ingram



10 May 2022

**Received**

MAY 11 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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TO: **City of Harker Heights  
Planning & Development Department**

FROM: BALES, MICHAEL ETUX JENNIFER M

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1809 MCGINNIS CT	81503

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

We respectfully request that 1517 Waco Trace remain R-1 zoning designation. Thank you for your consideration.  
Respectfully,  
Michael & Jennifer Bales

Michael D. Bales  
Printed Name

*M. Bales*  
Signature

10 May 22  
Date

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: STRANGE, RAYMOND A

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
1811 MCGINNIS CT	81502

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

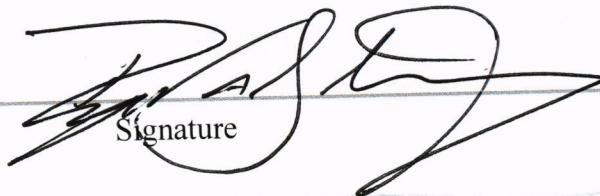
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*Raymond STRANGE*  
Printed Name

  
Signature

*9 MAY 22*  
Date

**Received**  
MAY 16 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: LICHTENBERGER, ROBERT L &

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
END O TRAIL	64884

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*Do not like the idea of what this  
could do to property values of current homes.*

*Robert L. Lichtenberger*  
Printed Name

*Robert L. Lichtenberger*  
Signature

*5/18/22*  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
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TO: **City of Harker Heights  
Planning & Development Department**

FROM: MULLEN, RHODENIA ANN

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
WACO TRACE	479703

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, (see attached notification map).*

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

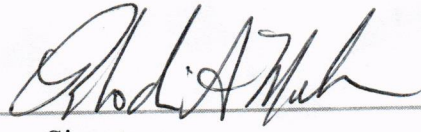
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Rhoderia Muller  
Printed Name

  
Signature

5-11-22  
Date

**Received**  
MAY 16 2022  
Planning & Development



**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**Z22-14**

**AGENDA ITEM IX-4**

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: MAY 25, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-3 (MULTI-FAMILY DWELLING DISTRICT) TO R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTIES DESCRIBED AS MEADOW ACRES, BLOCK 005, LOT PT 2, (E 1/2 OF 2), GENERALLY LOCATED AT 214 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND MEADOW ACRES, BLOCK 005, LOT PT 2 (W 1/2 OF 2), GENERALLY LOCATED AT 216 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties generally located at 214 & 216 W. Bob White Lane.

Parcel History

This parcel is located within the original area of the city incorporation (1960), as part of the Meadow Acres Subdivision.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below:

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Low Density Residential; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood.



### Thoroughfare Plan

Bob White Lane is classified as a residential street. Per §154.01 of the City's code of ordinances, Residential Streets are defined as: "Streets that serve individual residential lots. They carry low traffic volumes at low speeds. RESIDENTIAL STREETS shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots".

### Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas.

### Pharr vs. Tippett Considerations

1. The proposed use and rezoning are not compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

### **NOTICES:**

Based on the most recently approved tax roll available, staff sent out fifty-three (53) notices to property owners within the 400-foot notification area. As of May 19, 2022, zero (0) responses were received in favor of the request, and two (2) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

### **RECOMMENDATION:**

#### Alternatives Considered

Staff considered three (3) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr & Tippett.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

#### Staff Recommendation

Staff recommends approval of an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties generally located at 214 & 216 W. Bob White Lane.

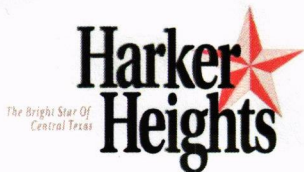
### **ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to recommend approval or disapproval with explanation of an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.

2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Location Map
3. Zoning Map
4. Existing Land Use Map
5. Land Use Plan Map
6. Notification Area Map
7. Public Responses



# Rezoning Request Application

**\*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. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

**City of Harker Heights**  
 Planning & Development  
 305 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: (254) 953-5600  
 Email:  
[planning@harkerheights.gov](mailto:planning@harkerheights.gov)

**Property Owner(s) Name:** Pamela Flohr **Date:** 04/27/2022

**Address:** 216 W Bob White Lane

**City/State/Zip:** Harker Heights, TX 76548

**Phone:** (254) 289-7417 **E-mail:** \_\_\_\_\_

**Legal Description of Property:**

Location of Property (Address if available): 214 and 216 W Bob White Lane

Lot: W part of 2/E part of 2 Block: 5 Subdivision: Meadow Acres

Acres: +/-1 Property ID: 46161 & 11415 Survey: n/a

*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.*

**Proposed Use:** Residential

**Current Zoning Classification:** R3 **Proposed Zoning:** R2-I

**Current Land Use:** LOW DENSITY RESIDENTIAL **Proposed Land Use:** MEDIUM DENSITY RESIDENTIAL

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

**Applicant's Representative:** Ace Reneau - Mitchell and Associates

**Phone:** 254-634-5541 **E-Mail:** areneau@mitchellinc.net

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 ACE RENEAU MITCHELL & ASSOC. will represent the owner.

Pamela Flohr  
 Printed Name of Property Owner

Pamela S Flohr  
 Signature of Property Owner

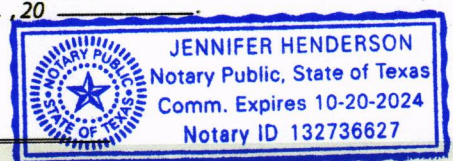
Ace Reneau  
 Printed Name of Representative

Ace Reneau  
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27th DAY OF April, 2022

Jennifer Henderson  
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 10-20-2024



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

Date Submitted: \_\_\_\_\_

Pre-Application Meeting

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Case #: \_\_\_\_\_

HENDERSON PROPERTY MANAGEMENT

11/15/2024

THE APPLICANT HAS BEEN ADVISED THAT THE APPLICANT MUST SIGN AND RETURN THE APPLICANT INFORMATION TO THE APPLICANT'S CURRENT EMPLOYER AND PROVIDE A LETTER FROM THE EMPLOYER CONFIRMING THE APPLICANT'S EMPLOYMENT STATUS AND DATES OF EMPLOYMENT.

Current Address: 214 W 8th St, Austin, TX 78701

APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

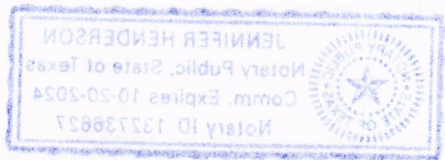
APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

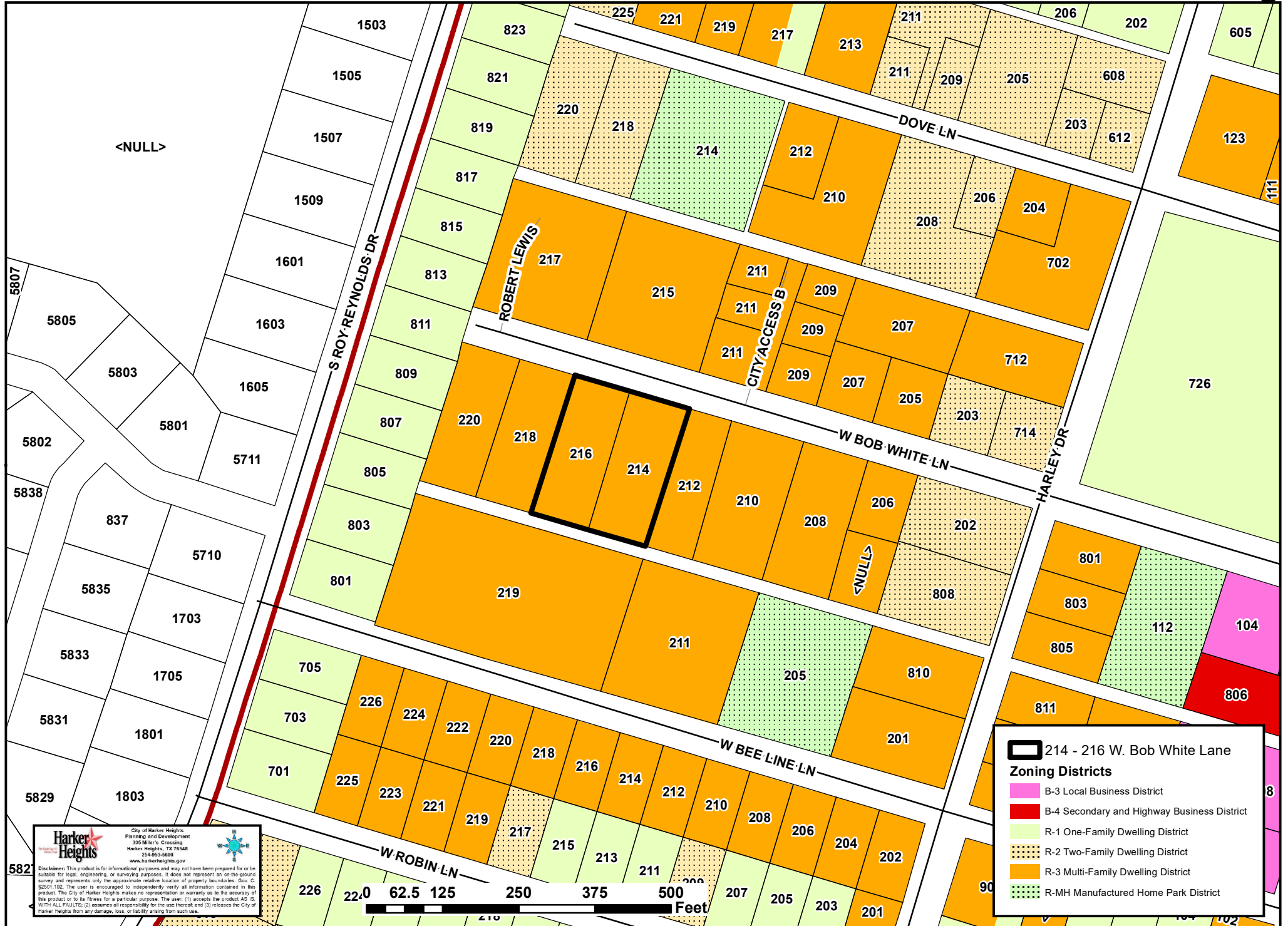
APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]

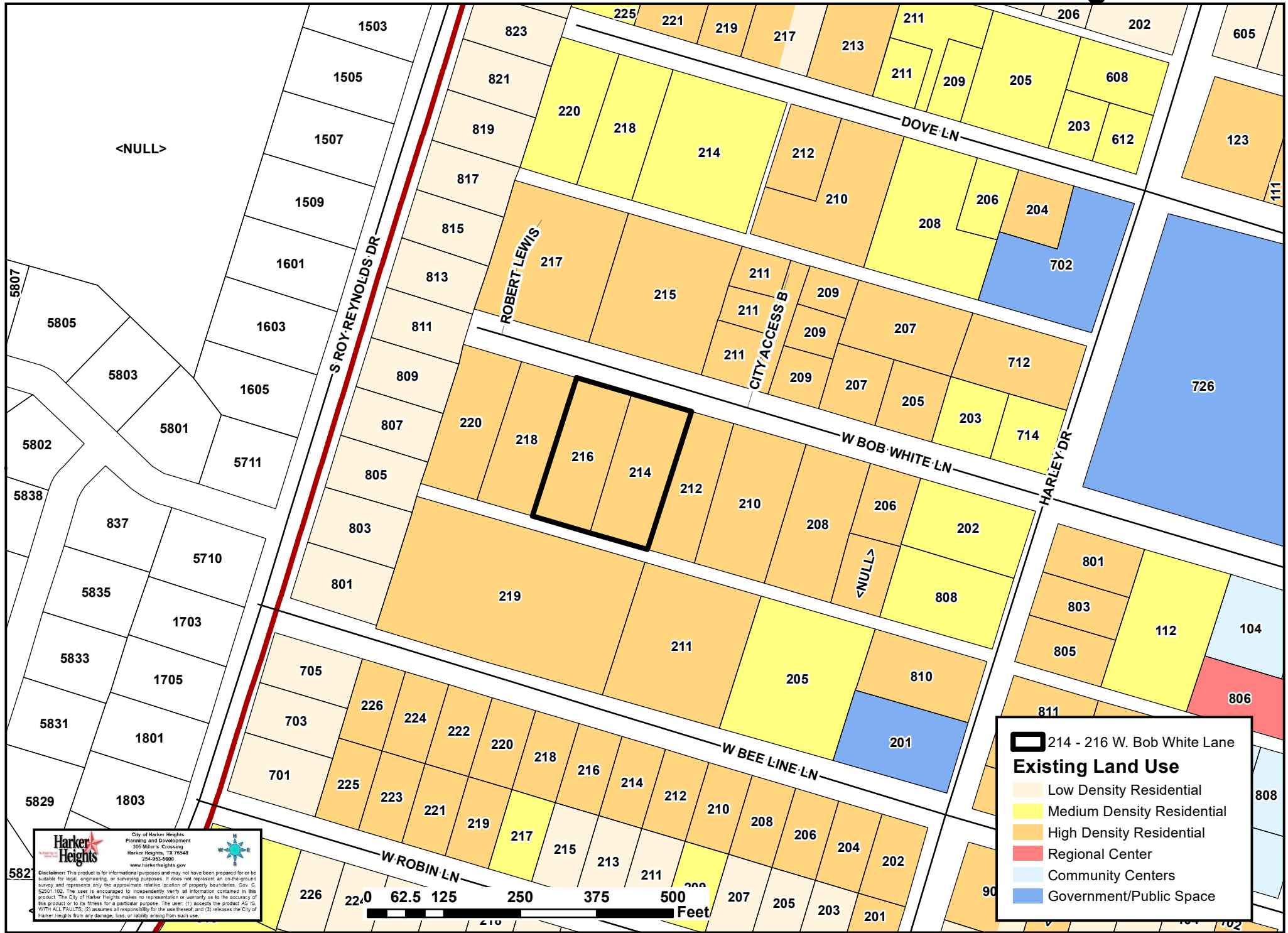
APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]



APPLICANT'S CURRENT EMPLOYER: [Redacted]  
APPLICANT'S CURRENT EMPLOYMENT DATES: [Redacted]







**214 - 216 W. Bob White Lane**

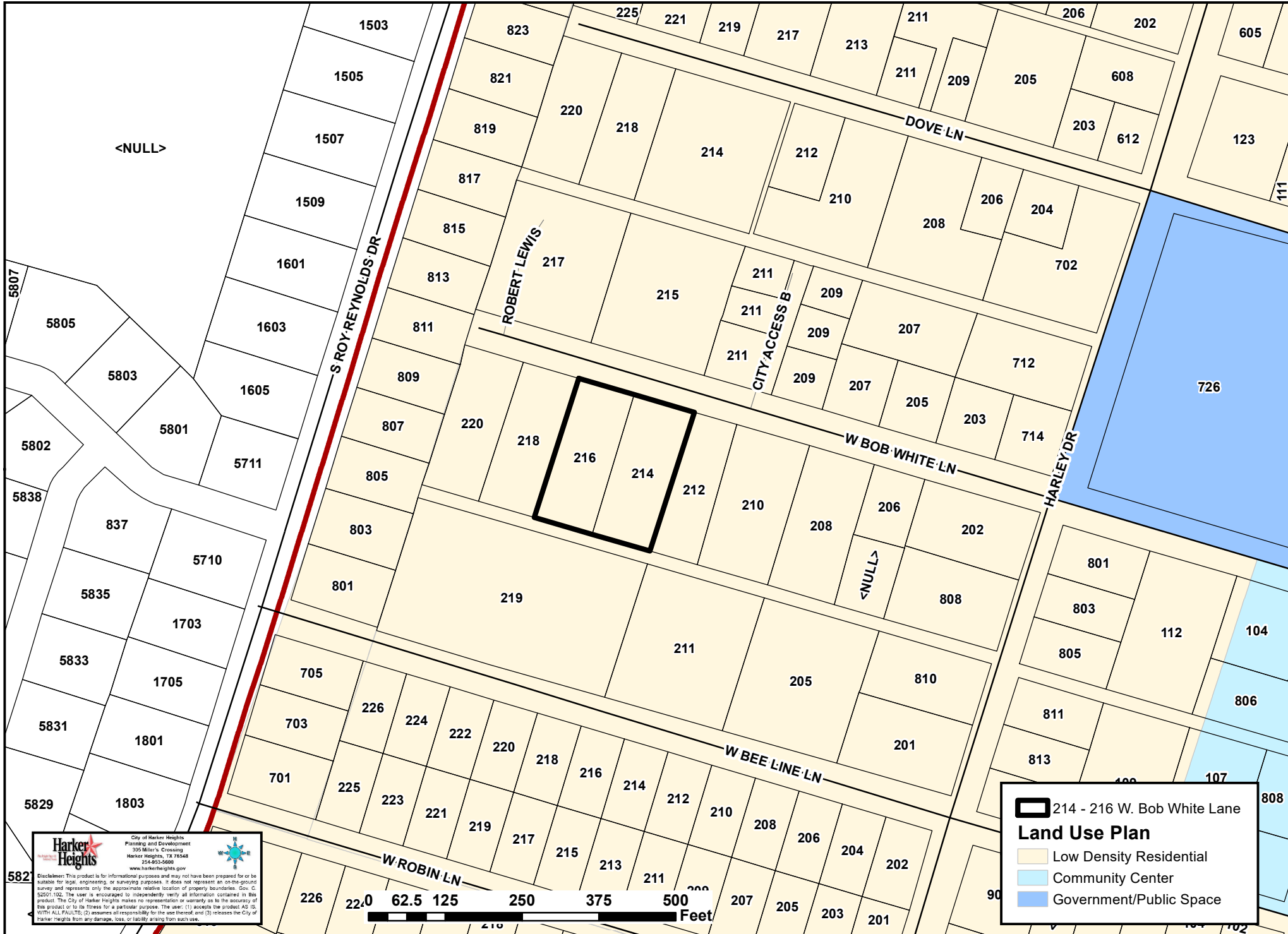
**Existing Land Use**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Community Centers
- Government/Public Space

**Harker Heights**

City of Harker Heights  
Planning and Development  
300 Miles Crossing  
Harker Heights, TX 78548  
254-853-5690  
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.002. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



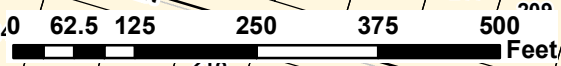
**214 - 216 W. Bob White Lane**

**Land Use Plan**

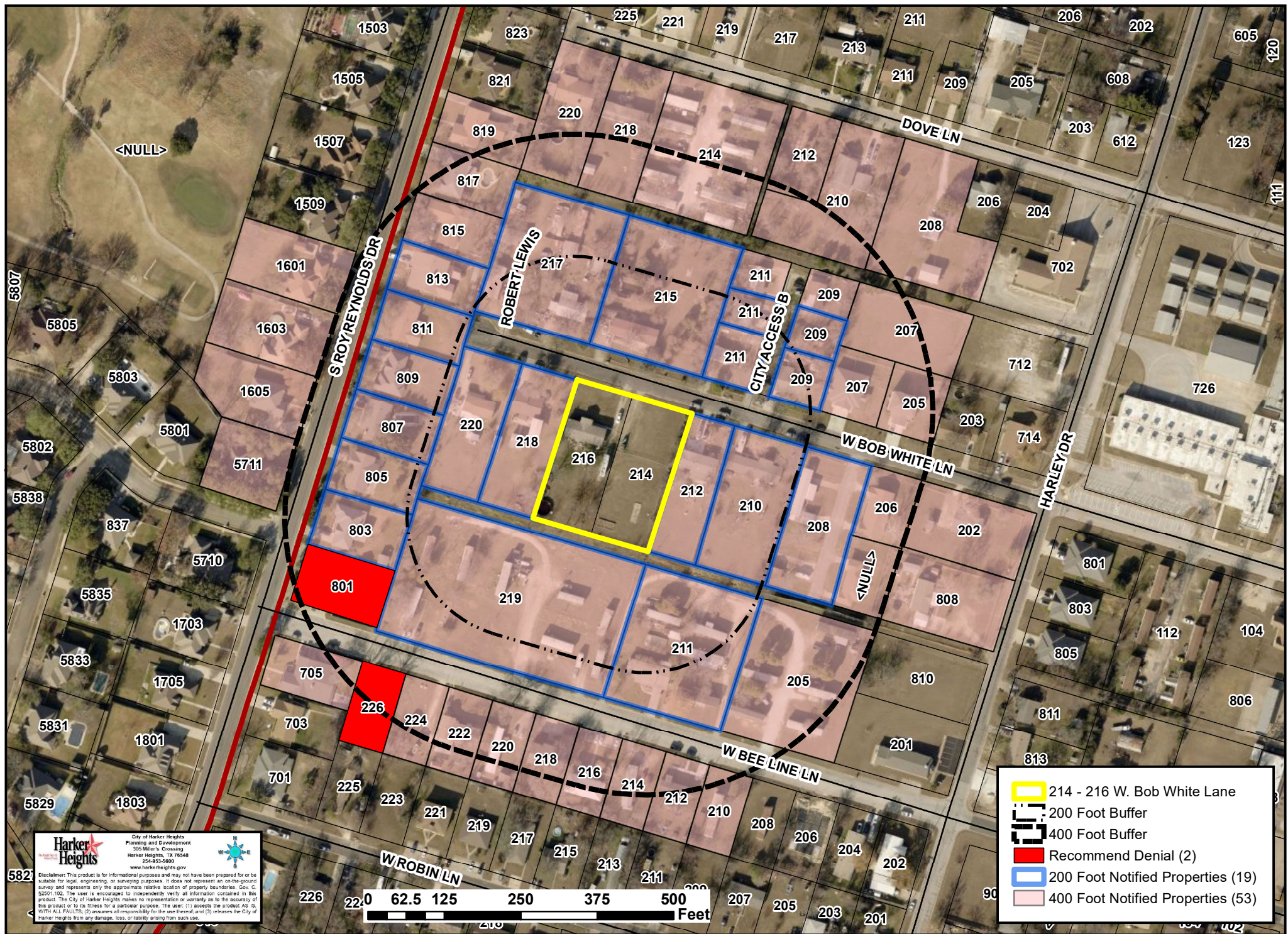
- Low Density Residential
- Community Center
- Government/Public Space

City of Harker Heights  
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SENT: MAY 6, 2022  
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RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: **City of Harker Heights  
Planning & Development Department**

FROM: SMITH, KENNETH B ETUX EARLYNE

Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
226 W BEELINE LN	107882

**Z22-14** RE: application has been made to consider a change in zoning designation from **R-3 (Multi-Family Dwelling District)** to **R2-I (Two-Family Infill Dwelling District)** on properties described as *Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 E. Bob White Lane, Harker Heights, Bell County, Texas,* and *Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 E. Bob White Lane, Harker Heights, Bell County, Texas,* (see attached notification map).

- I RECOMMEND APPROVAL OF THE REQUEST  
 I RECOMMEND DENIAL OF THE REQUEST

Comments:

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*Earlyne Smith*

Printed Name

*Earlyne Smith*

Signature

*5/11/22*

Date

**Received**

MAY 16 2022

**Planning & Development**





## PLANNING AND ZONING COMMISSION MEMORANDUM

**P22-14**

**AGENDA ITEM X-1**

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT

DATE: May 25, 2022

**DISCUSS AND CONSIDER A REQUEST FOR A FINAL PLAT REFERRED TO AS FILMTECH ADDITION, ON PROPERTY DESCRIBED AS A 1.454 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE URIAH HUNT SURVEY, ABSTRACT NO. 401, THE LAND HEREIN BEING ALL OF A CALLED 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDOR'S LIEN TO FILMTECH.COM, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.R.P.B.C.T.).**

**PROJECT DESCRIPTION:**

The applicant submitted an application for minor plat approval for approximately 1.455 acres of residential land near the northeast corner of Warrior's Path Road and E. Knight's Way/E. FM 2410. The proposed development will consist of one lot that is currently zoned R-1 (One-Family Dwelling District). The 2021 Land Use Plan identifies this parcel for Regional Center land use.

The initial application for this plat case was received on March 30, 2022, to be presented at the Planning & Zoning (P&Z) Meeting on April 27, 2022. The applicant withdrew the original plat application prior to the P&Z Meeting and re-applied on April 27, 2022. This plat is now scheduled to be heard at the May 25, 2022 Planning & Zoning Meeting, and the June 14, 2022 City Council Meeting.

Additional Right of Way (ROW) dedication was deemed to be required for the plat area based on the City's adopted Thoroughfare Plan and required ROW widths as identified in §154.37(C). Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission and City Council.

As of May 19, 2022, staff had reviewed the submitted Final Plat and made comments to address safety, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

**STAFF RECOMMENDATION:**

On May 16, 2022, staff returned comments to the applicant. As of May 19, 2022, revisions based on staff comments had not been received. Staff therefore recommends approval of the Final Plat for the subdivision referred to as FilmTech Addition with the following conditions:

1. Delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining frontage of FM 2410.
2. Dedicate a 30' passage/access easement to property on east side of this platted area, to plan for future development. Access only need be dedicated at this point, applicant will not be required to install an improved surface for this easement at this time.

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

1. Motion to **approve with conditions** a request for a Final Plat referred to as FilmTech Addition, on property described as a 1.454 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the conditions as presented by staff and based on staff's recommendations and findings.
2. Motion to **approve, or disapprove with explanation** a request for a Final Plat referred to as FilmTech Addition, on property described as a 1.454 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).
3. Any other action desired.

**ATTACHMENTS:**

1. Application
2. Field notes
3. Dedication
4. FilmTech Addition - Final Plat
5. FilmTech Addition – Engineering Plan Sheets
6. Location Map
7. Staff Comments for P22-14 and P22-09



# Minor/Amending Plat Application

**\* Requirements - APPLICATION MUST BE FULLY COMPLETED 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 with Staff to ensure applicability
2. Payment of \$150.00 +\$3.00 per acre
3. Signed & Original Field Notes and Dedication

City of Harker Heights  
 Planning & Development  
 105 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: (254) 953-5647  
 Fax: (254) 953-5666

### Property Information:

Plat Name: FilmTech Addition Date Submitted: Mar 30, 2022

Existing Lot Count: 1 Proposed Lot Count: 1 Acreage: 1.454

Site Address or General Location: 13950 F.M. 2410, Harker Heights, TX 76548

Reason for Amendment/  
Description of Subdivision:

Zoning Classification: R-1 Existing Land Use: Residential

Located in Overlay District?:  Yes  No

### Owner Information/Authorization:

Property Owner: Filmtech.com, LLC, a Texas limited liability company

Address: 425 North 8th Street, Killeen, TX 76541

Phone: 254-368-6099 E-mail: lane@filmtechusa.com

Developer: Filmtech.com, LLC, a Texas limited liability company

Address: 425 North 8th Street, Killeen, TX 76541

Phone: 254-368-6099 E-mail: lane@filmtechusa.com

Engineer/Surveyor: Mitchell & Associates, Inc.

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

Phone: 254-634-5541 E-mail: jkriegel@mitchellinc.net; areneau@mitchellinc.net

I HEREBY UNDERSTAND AND ACKNOWLEDGE:  
 THE MINOR PLAT INVOLVES **FOUR OR FEWER LOTS** FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED  
**OR**  
 THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

Lane Heigunbotham (For Filmtech.com, LLC)

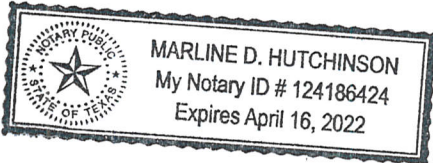
PRINTED NAME OF OWNER:

*Lane Heigun*  
OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 30 DAY OF March, 2022

*Marline D. Hutchinson*  
NOTARY PUBLIC SIGNATURE

MY COMMISSION EXPIRES: 16 April 2022



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

Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
 Received By: \_\_\_\_\_  Pre-Application Meeting Case #: \_\_\_\_\_

FILMTECH ADDITION  
1.454 ACRES

FIELD NOTES for a 1.454 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 1.454 acre tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod found on the north right-of-way line of F.M. 2410 (aka Knight's Way), same being at the southeast corner of Lot 1, Block1, Ortega Addition, an addition to the City of Harker Heights, Texas, being of record in Plat Year 2019, Plat No. 130, Plat Records of Bell County, Texas (P.R.B.C.T.), and the southwest corner of said 1.455 acre tract, for the southwest corner of this tract;

THENCE **N. 04° 14' 40" W., 345.05 feet**, departing the north right-of-way line of said F.M. 2410, with the east line of said Lot 1, and the west line of said 1.455 acre tract, to a 1/2" iron rod with cap stamped "M&A" set at the northwest corner of said 1.455 acre tract, for the northwest corner of this tract;

THENCE **S. 88° 15' 57" E., 219.11 feet**, continuing along the east line of said Lot 1 and with the north line of said 1.455 acre tract, to a (point) found on the west line of a called 8.148 acre tract of land conveyed to Sarah Elizabeth Sammons, being described of record in Instrument No. 2020-5060, O.P.R.R.P.B.C.T., and being at the northeast corner of said 1.455 acre tract, for the northeast corner of this tract;

THENCE **S. 10° 08' 51" W., 141.13 feet**, continuing along the east line of said 8.148 acre tract and with the east line of said 1.455 acre tract, to a (point) found at the northwest corner of a called 0.50 acre tract of land conveyed to Bonnie Maxine Daniels and Barbara Ann Daniels Mathis, being described of record in Instrument No. 2015-00031106, O.P.R.R.P.B.C.T., same being the southwest corner of said 8.148 acre tract, for an angle corner of this tract;

THENCE **S. 02° 58' 45" W., 207.98 feet**, with the west line of said 0.50 acre tract and continuing along the east line of said 1.455 acre tract, to a (point) found on the north right-of-way line of said F.M. 2410, also being the southwest corner of said 0.50 acre tract, and at the southeast corner of said 1.455 acre tract, for the southeast corner of this tract;

THENCE, along the north right-of-way line of said F.M. 2410 and with the south line of said 1.455 acre tract, the following two (2) calls:

1. **N. 87° 03' 45" W., 147.40 feet**, to a concrete highway monument found for an angle corner of this tract;
2. **N. 81° 26' 26" W., 10.71 feet**, to the **POINT OF BEGINNING** containing a 1.454 acre tract of land.

The bearings for the above description are grid bearings based on the Texas Coordinate System, Central Zone (NAD 83), as determined by Leica Texas SmartNet GPS observations.

See accompanying drawing.


STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I, Mike W. Kriegel, Registered Professional Land Surveyor, do hereby certify that the above described tract was surveyed on the ground and that this description is true and correct to the best of my knowledge and belief.

IN WITNESS THEREOF, my hand and seal this the 30th day of March, 2022.



  
Mike W. Kriegel  
Registered Professional  
Land Surveyor, No. 4330

# DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **FILMTECH.COM, LLC**, being the **sole owner** of that certain **1.454 acre tract of land in the City of Harker Heights, Texas, being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas**, shown and attached hereto and incorporated herein for all purposes, **does** hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FILMTECH ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **FILMTECH.COM, LLC**, **does** hereby adopt said **FILMTECH ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to **the City of Harker Heights**, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by **the City of Harker Heights, Texas**.

The utility and drainage easements shown on said plat are dedicated to **the City of Harker Heights** for installation and maintenance of any and all public utilities, which the **city** may elect to install and maintain or permit to be installed or maintained.

W I T N E S S the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**For: FILMTECH.COM, LLC**

\_\_\_\_\_  
**Lane Heginbotham**

Before me, the undersigned authority, on this day personally appeared **Lane Heginbotham** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **he** executed the foregoing instrument as the owner of the property described hereon.

\_\_\_\_\_  
NOTARY PUBLIC STATE OF TEXAS

My Commission Expires: \_\_\_\_\_



**FILMTECH ADDITION**

KNOW ALL MEN BY THESE PRESENTS, that **FILMTECH.COM, LLC**, whose address is **425 NORTH 8<sup>TH</sup> STREET, KILLEEN, TX 76541**, being the sole owner of that certain **1.454 acre tract of land in the City of Harker Heights, Texas, being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas**, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FILMTECH ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **FILMTECH.COM, LLC** does hereby adopt said **FILMTECH ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference hereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all right of way, as shown on said plat, to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Texas.

The utility and drainage easements shown on said plat are dedicated to **the City of Harker Heights** for installation and maintenance of any and all public utilities, which the **city** may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

For: **FILMTECH.COM, LLC**

**Lane Heginbotham**

Before me, the undersigned authority, on this day personally appeared **Mohammad Nasir** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **he** executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Planning and Zoning Commission of the City of Harker Heights, Bell County, Texas.

Chairperson, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the City Council of the City of Harker Heights, Bell County, Texas.

Mayor, City of Harker Heights

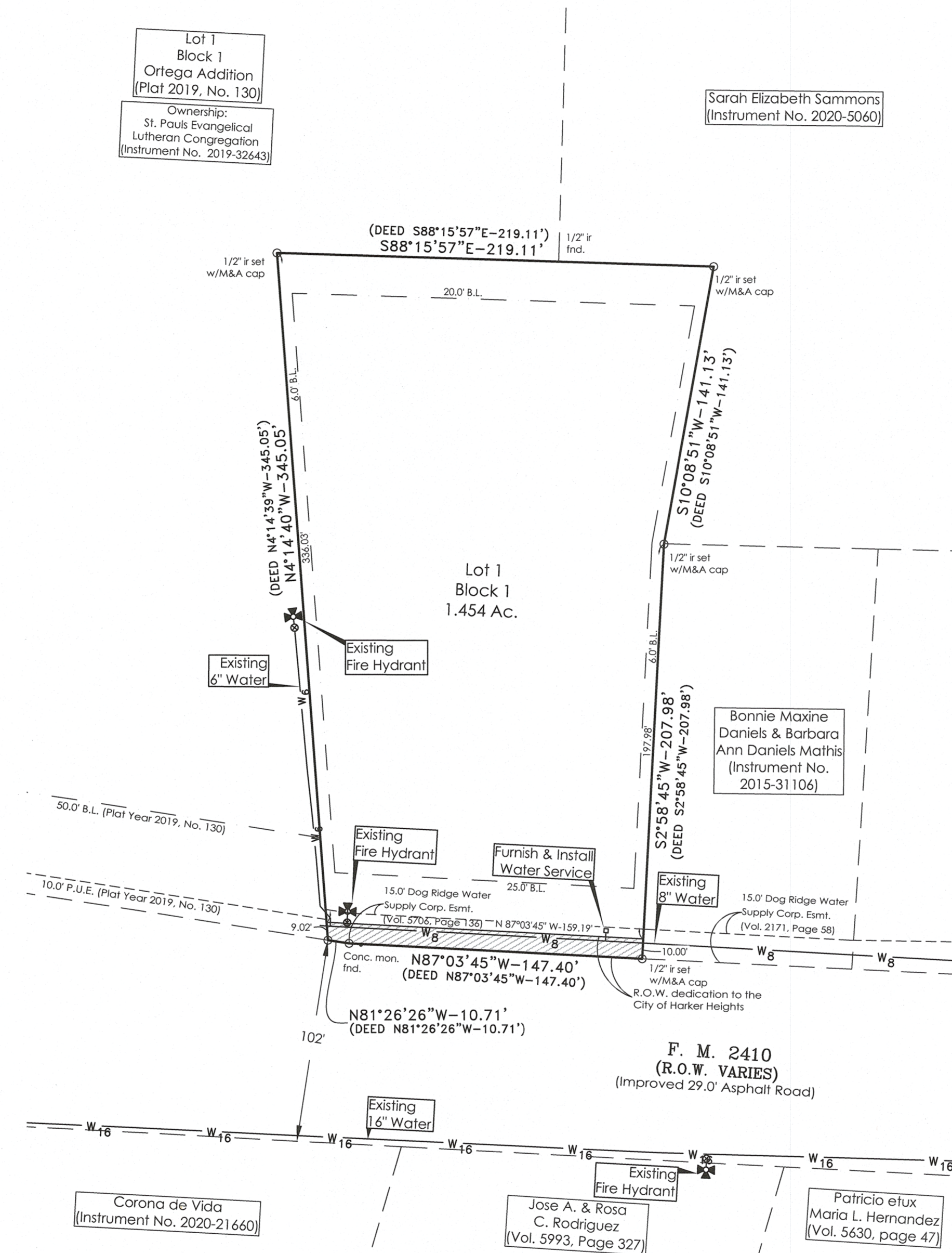
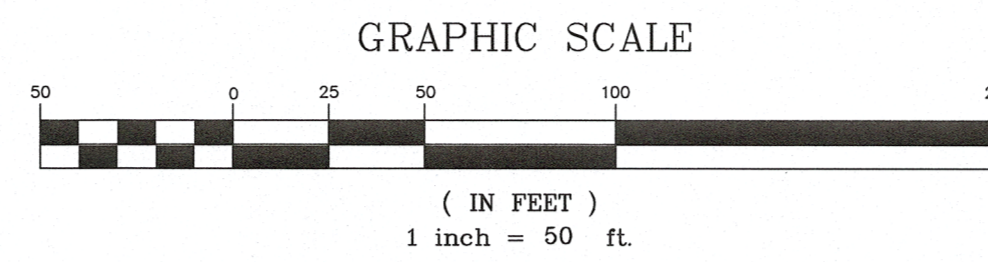
City Secretary

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development

KNOW ALL MEN BY THESE PRESENTS,

That I, **Mike W. Kriegel**, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Subdivision and Property Development Regulations of the **City of Harker Heights, Texas**, and this subdivision is within the **City Limits of Harker Heights, Texas**.



VICINITY MAP  
SCALE: N.T.S.

I, the undersigned, a registered sanitarian in the State of Texas, hereby certify that this subdivision has been reviewed for compliance with applicable state and county regulations governing On-Site Sewage Facilities and is hereby recommend for approval.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Bell County Public Health District

- NOTES:**
- All bearings are based upon the Texas Coordinate System, NAD 83 (CORS 96), Texas Central Zone as determined by Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
  - This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0285E, effective date September 26, 2008 for Bell County, Texas.
  - The Knight's Way Overlay District requirements apply to development on this parcel. Sidewalks will be required upon site development.
  - Right of Way (R.O.W.) dedication to the City of Harker Heights is 1,580 sq. ft. (0.036 Ac.).

**AFFIDAVIT:**

The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A. D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
Plat Records of Bell County, Texas, and Dedication Instrument # \_\_\_\_\_,  
Official Records of Real Property, Bell County, Texas

No.	DATE	REMARKS	REVISIONS
1	4/26/2022	CITY OF HH COMMENTS	FRB
			BY

**FILMTECH ADDITION**

BEING ALL OF A CALLED 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDOR'S LIEN TO FILMTECH.COM, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS

**HARKER HEIGHTS, BELL COUNTY, TEXAS**

**FINAL PLAT**

SHEET TITLE:

PROPERTY OWNER:  
**FILMTECH.COM, LLC**  
102 N. COLLEGE  
KILLEEN, TX 76541

SURVEYOR/ENGINEER:  
**MITCHELL & ASSOCIATES, INC.**  
P.O. BOX 1088  
KILLEEN, TX 76540

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141

TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 13241  
T. B. F. F. F. FIRM REGISTRATION NO. 108204-00

DWG No. \_\_\_\_\_ DRAWN BY: \_\_\_\_\_ DATE: \_\_\_\_\_ SCALE: \_\_\_\_\_ AS SHOWN

1 LOT  
1 BLOCK  
1.454 Ac.

Time of Concentration and Runoff Coefficient

**DRAINAGE AREA ID: X-DA A**  
**CONDITION: EXISTING**

**TIME OF CONCENTRATION SUMMARY**

Segment ID	1	2
Manning's Roughness Coefficient, n (Table 2-3)	0.011	0.15
Flow Length, L	61	483
Land slope, S	3.9	2.3
$T_1 = L_n / (42s^{0.5})$	0.1	0.0
Compute $T_1$	0.1	0.0

**Slow Concentrated Flow (T<sub>2</sub>) (Eq. 2-3)**

Segment ID	2
Manning's Roughness Coefficient, n (Table 2-3)	0.15
Flow Length, L	483
Land slope, S	2.3
$T_2 = L_n / (80s^{0.5})$	7.6
Compute $T_2$	7.6

**Open Channel or Storm Sewer Flow (T<sub>3</sub>)**

Segment ID	1	2
Cross Sectional Flow Area, a		
Wetted Perimeter, P <sub>w</sub>		
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / 4	0.00	0.00
Channel Slope, S	0.00	0.00
Manning's Roughness Coefficient, n	0.00	0.00
$V = (1.49n) R^{2/3} S^{1/2}$	0.00	0.00
Flow Length, L	0.0	0.0
$T_3 = L / (60V)$	0.0	0.0
Compute $T_3$	0.0	0.0

**WEIGHTED RUNOFF COEFFICIENT**

Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>10</sub> Area	C <sub>20</sub> Area	C <sub>30</sub> Area
Concrete	0.75	0.88	0.97	0.97	0.50	0.59	0.65
Grass - Fair - Average, 2-7%				2.74	0.90	1.15	1.34
<b>Total</b>				<b>3.41</b>	<b>1.41</b>	<b>1.74</b>	<b>1.99</b>
<b>C (Weighted) = Total C<sub>10</sub>Area / Total Area</b>					<b>0.41</b>	<b>0.51</b>	<b>0.58</b>

**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
b	58	80	102	
d	8	8.5	8	
e	0.796	0.771	0.751	

**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	ac	3.41		
Time of Concentration, T <sub>c</sub>	min	10.0		
Frequency	2-Year	25-Year	100-Year	
C (Weighted)	0.41	0.51	0.58	
Intensity, I	in/hr	5.98	9.49	11.64
Runoff, Q	cfs	7.85	16.52	23.19

**DRAINAGE AREA ID: P-DA A**  
**CONDITION: PROPOSED**

**TIME OF CONCENTRATION SUMMARY**

Segment ID	1	2
Manning's Roughness Coefficient, n (Table 2-3)	0.011	0.15
Flow Length, L	61	483
Land slope, S	3.9	2.3
$T_1 = L_n / (42s^{0.5})$	0.1	0.0
Compute $T_1$	0.1	0.0

**Slow Concentrated Flow (T<sub>2</sub>) (Eq. 2-3)**

Segment ID	2
Manning's Roughness Coefficient, n (Table 2-3)	0.15
Flow Length, L	483
Land slope, S	2.3
$T_2 = L_n / (80s^{0.5})$	7.6
Compute $T_2$	7.6

**Open Channel or Storm Sewer Flow (T<sub>3</sub>)**

Segment ID	1	2
Cross Sectional Flow Area, a		
Wetted Perimeter, P <sub>w</sub>		
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / 4	0.00	0.00
Channel Slope, S	0.00	0.00
Manning's Roughness Coefficient, n	0.00	0.00
$V = (1.49n) R^{2/3} S^{1/2}$	0.00	0.00
Flow Length, L	0.0	0.0
$T_3 = L / (60V)$	0.0	0.0
Compute $T_3$	0.0	0.0

**WEIGHTED RUNOFF COEFFICIENT**

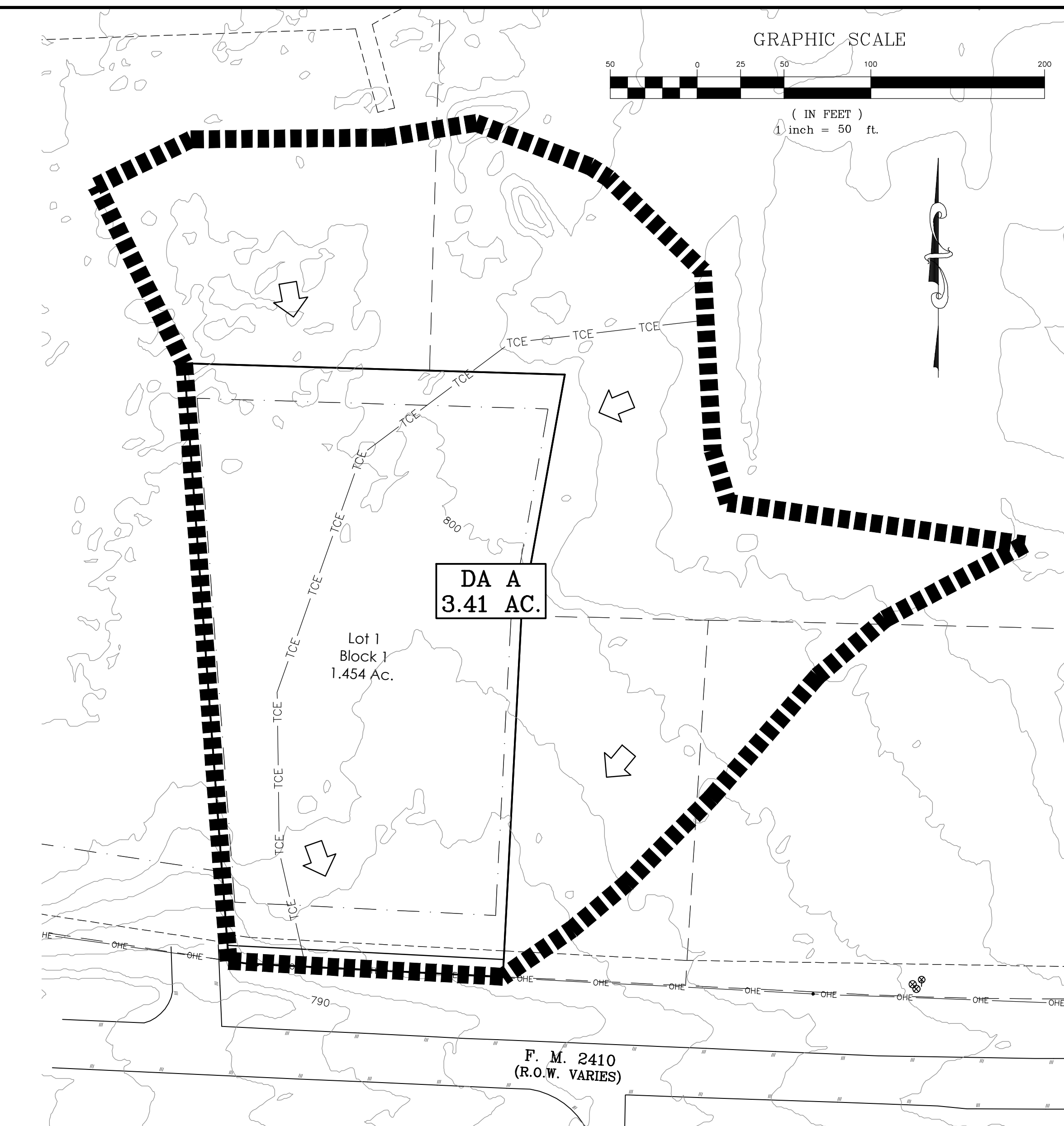
Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>10</sub> Area	C <sub>20</sub> Area	C <sub>30</sub> Area
Concrete	0.75	0.88	0.97	0.97	0.50	0.59	0.65
Grass - Fair - Average, 2-7%	0.33	0.42	0.49	2.29	0.52	0.90	1.12
Concrete	0.75	0.88	0.97	0.15	0.11	0.13	0.15
Grass - Good - Average, 2-7%	0.29	0.39	0.46	0.30	0.09	0.12	0.14
<b>Total</b>				<b>3.41</b>	<b>1.22</b>	<b>1.80</b>	<b>2.06</b>
<b>C (Weighted) = Total C<sub>10</sub>Area / Total Area</b>					<b>0.36</b>	<b>0.53</b>	<b>0.60</b>

**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
b	58	80	102	
d	8	8.5	8	
e	0.796	0.771	0.751	

**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	ac	3.41		
Time of Concentration, T <sub>c</sub>	min	10.0		
Frequency	2-Year	25-Year	100-Year	
C (Weighted)	0.36	0.53	0.60	
Intensity, I	in/hr	5.98	9.49	11.64
Runoff, Q	cfs	6.82	17.09	23.92



Storm Water Discharge Summary

	Drainage Basin	
	DA A	
<b>25 Year Storm Event</b>		
Existing (cfs)	16.52	
Developed (cfs)	17.09	
Change (cfs)	0.57	
<b>100 Year Storm Event</b>		
Existing (cfs)	23.19	
Developed (cfs)	23.92	
Change (cfs)	0.73	

THE FINAL DEVELOPED CONDITION IS UNKNOWN AT THIS TIME. BASED ON A CONCEPTUAL DEVELOPMENT, BASED ON THE CURRENT ZONING, AN INCREASE IN STORM WATER PEAK FLOWS IS ANTICIPATED. A STORM WATER MITIGATION PLAN MUST BE SUBMITTED WITH ANY FUTURE DEVELOPMENT.

**Drainage Legend**

DA A ← DRAINAGE AREA ABBREVIATION  
65.86 AC ← WATERSHED LETTER

← WATERSHED BOUNDARY LABEL

← TCE Existing Time Of Concentration  
← TCP Proposed Time Of Concentration

← Existing Watershed Boundary  
← Existing Sub-Basin Area  
← Proposed Watershed Boundary  
← Proposed Sub-Basin Area  
← Proposed Sub-Basin Area for Street and/or Channel Capacities

← Existing Drainage Arrow  
← Proposed Drainage Arrow

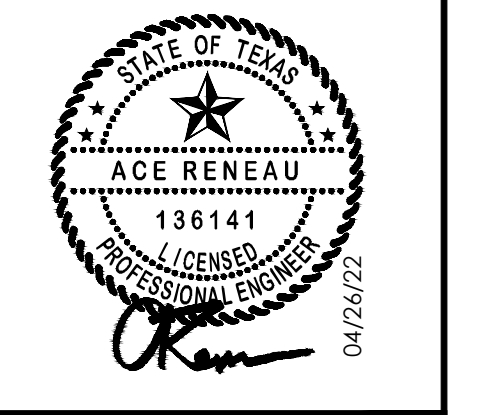
- NOTES:**
- DRAINAGE CALCULATIONS FOR THIS PLAT ARE BASED UPON THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL, DATED MAY 9, 2007. ROUTING CALCULATIONS ARE BASED UPON THE RATIONAL METHOD WITH A MINIMUM TIME OF CONCENTRATION OF 10 MINUTES. OVERLAND FLOW AND OTHER HYDRAULIC CALCULATIONS ARE BASED UPON THE MANNING'S EQUATION.
  - THE DRAINAGE AREA MAPS AND CALCULATIONS PROVIDED HEREIN ARE PRELIMINARY IN NATURE, AND ARE INTENDED TO PROVIDE A CONCEPTUAL DESIGN ONLY. FINAL SITE DRAINAGE DESIGN MAY VARY FROM THE CONCEPTUAL DESIGN SHOWN HEREIN, BUT MUST BE BASED IN SOUND ENGINEERING PRINCIPLES IN ACCORDANCE WITH THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
  - UNDER DEVELOPED CONDITIONS ALL UPSTREAM FLOWS SHALL BE ACCEPTED ON SITE AS THEY CURRENTLY EXIST.
  - TOPOGRAPHICAL INFORMATION IS FOR DRAINAGE PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. TOPOGRAPHICAL INFORMATION SHOWN IS DERIVED FROM THE UNITED STATES GEOGRAPHICAL SURVEY (USGS), [BELL, BURNET, MCLENNAN COUNTIES LIDAR, 2011] AS DOWNLOADED FROM THE TNRS DATAHUB WEB 2021-07-21.
  - IN NO INSTANCE SHALL A POINT DISCHARGE BE ALLOWED ONTO AN ADJACENT DOWNSTREAM PROPERTY, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION, THE USE OF LEVEL SPREADER(S) OR AN EQUIVALENT STRUCTURE SHALL BE USED TO PREVENT A POINT DISCHARGE.
  - UNDER PROPOSED CONDITIONS, THE SITE SHALL BE GRADED SUCH THAT ANY RUNOFF WILL SHEET FLOW ACROSS THE PROPERTY LINE ONTO THE ADJACENT DOWNSTREAM PROPERTY OWNER, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION.

No.	DATE	CITY OF	REVISIONS
1	4/26/2022	HH COMMENTS	FRB
		REMARKS	BY

**FILMTECH ADDITION**  
BEING ALL OF A CALLED 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDORS LIEN TO FILMTECH.COM, LLC. BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS  
HARKER HEIGHTS, BELL COUNTY, TEXAS

**DRAINAGE & TOPOGRAPHY LAYOUT**

SHEET TITLE



**PROPERTY OWNER:**  
FILMTECH.COM, LLC  
425 N. 8TH ST.  
KILLEEN, TX 76541

**SURVEYOR/ENGINEER:**  
MITCHELL & ASSOCIATES, INC.  
P.O. BOX 1088  
KILLEEN, TX 76540

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141

TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241  
T. E. L. S. FIRM REGISTRATION NO. 10204-00

DWG No.: 22-026-D-5  
DATE: MARCH 2022  
SCALE: AS SHOWN  
DRAWN BY: AR  
CHECKED BY: \*\*  
1 LOT  
1 BLOCK  
1.454 AC.




**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 76548  
 254-953-5600  
 www.harkerheights.gov



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. 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: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus D and the GIS User Community

 Filmtech Addition

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# FILMTECH ADDITION

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## P22-14 Minor/Amending Plat – FilmTech Addition

**Plat Distributed to HH Staff: April 29, 2022**

**Comments Sent to Engineer: May 16, 2022**

### **Planning & Development**

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Dedicate a 30' passage/access easement to property on east side, to plan for future development. Access only need be dedicated at this point, applicant will not be required to install an improved surface for this easement at this time.
3. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development. (Per §154.04, F, 1, sidewalk development not required on large-lot residential subdivisions, where lots are one acre or larger in size.)
4. Applicant is advised that this parcel is currently zoned R-1, One Family Dwelling District. As such the plat was only reviewed according to those code requirements.

### **Public Works, Mark Hyde**

### **City Engineer, Otto Wiederhold**

### **Fire Marshal, Brad Alley**

### **Building Official, Mike Beard**

### **ONCOR, Steven Huggins**

1. Oncor to keep existing facilities and easements.

### **Century Link, Chris McGuire**

### **Time Warner Cable/Spectrum, Shaun Whitehead**

### **ATMOS, Rusty Fischer**

### **Clearwater UWCD, Dirk Aaron**

### **TxDOT, Richard Rangel & Stephen Kasberg**

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# FILMTECH ADDITION

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## P22-09 Final Plat – FilmTech Addition

Plat Distributed to HH Staff: March 31, 2022  
Comments Sent to Engineer: April 14, 2022

### Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Pending TXDOT's approval of the driveway location, a 30' passage/access easement across the front of the property may also be required.
3. Applicant shall illustrate and annotate the setbacks on the plat dedication page.
4. Applicant shall provide a storm water plan/drainage analysis.
5. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
6. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat and for Bell County Public Health.
7. FM 2410 is identified as an Arterial on the City's Thoroughfare Plan. As such a 120-foot right-of-way (ROW) is required. Applicant shall provide half of the required ROW needed to meet the 120-foot requirement. This ROW dedication will require this plat to be processed as a Final Plat.
8. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
9. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.
10. Applicant is advised that this parcel is currently zoned R-1, One Family Dwelling District. As such the plat was only reviewed according to those code requirements.

### Public Works, Mark Hyde

1. Sanitary sewer is not available at this location. Since the lot is more than 300' from the nearest sanitary sewer, an on-site sewer facility is acceptable.
2. The Bell County Health Department permits and inspects all septic systems within the City of Harker Heights.

### City Engineer, Otto Wiederhold

- No comments

**Fire Marshal, Brad Alley**

- No comments

**Building Official, Mike Beard**

- No comments received and may be forthcoming.

**ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

**Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

**Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

**ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

1. Requests a 1' non-access easement except where the driveway will be located
2. Applicant will need to contact TxDOT for driveway access permits.



## PLANNING AND ZONING COMMISSION MEMORANDUM

**P22-15**

**AGENDA ITEM X-2**

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FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT  
DATE: MAY 25, 2022

**DISCUSS AND CONSIDER A REQUEST FOR A FINAL PLAT REFERRED TO AS FIRESIDE HEIGHTS ADDITION, ON PROPERTY DESCRIBED AS A 0.799 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE ELIZABETH DAWSON SURVEY, ABSTRACT NO. 258, THE LAND HEREIN BEING PART OF LOT 1, BLOCK 1, FIRESIDE ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, TEXAS, BEING OF RECORD IN CABINET C, SLIDE 199-D, PLAT RECORDS OF BELL COUNTY, TEXAS (P.R.B.C.T.), AND BEING A CALLED 0.80 ACRE TRACT OF LAND CONVEYED IN A GENERAL WARRANTY DEED TO J & U PROPERTIES, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD INSTRUMENT NO. 2015-00008355, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.R.P.B.C.T.)**

**PROJECT DESCRIPTION:**

The applicant submitted an application for administrative plat approval for approximately 0.8 acres of land north of E. Knight's Way/E. FM 2410 and west of Warrior's Path Rd. The parcel was previously approved as a Minor Plat named Fireside Addition and filed for record in March 2000. The platting action from the current application would separate the original parcel approved into two (2) separate lots. The 2021 Land Use Plan identifies this parcel for Regional Center land use.

The initial application for this plat case was received on March 30, 2022, to be presented at the Planning & Zoning (P&Z) Meeting on April 27, 2022. The applicant withdrew the original plat application prior to the P&Z Meeting and re-applied on April 27, 2022. This plat is now scheduled to be heard at the May 25, 2022 Planning & Zoning Meeting, and the June 14, 2022 City Council Meeting.

Additional Right of Way (ROW) dedication was deemed to be required for the plat area based on the City's adopted Thoroughfare Plan and required ROW widths as identified in §154.37(C). Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission and City Council.

As of May 19, 2022, staff had reviewed the submitted Final Plat and made comments to address safety, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

**STAFF RECOMMENDATION:**

On May 16, 2022, staff returned comments to the applicant. As of May 19, 2022, revisions based on staff comments had not been received. Staff therefore recommends approval of the Final Plat for the subdivision referred to as Fireside Heights Addition with the following condition:

1. Delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.

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

1. Motion to **approve with a condition** a request for a Final Plat referred to as Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the condition as presented by staff and based on staff's recommendations and findings.
2. Motion to **approve** or **disapprove with explanation** a request for a Final Plat referred to as Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.).
3. Any other action desired.

**ATTACHMENTS:**

1. Application
2. Field notes
3. Dedication
4. Fireside Heights Addition – Final Plat
5. Fireside Heights Addition – Engineering Plans
6. Location Map
7. Staff Comments (for P22-15 and P22-12)





# Minor/Amending Plat Application

**City of Harker Heights**  
Planning & Development  
305 Millers Crossing  
Harker Heights, TX 76548  
Phone: (254) 953-5647  
Fax: (254) 953-5666

**\* Requirements - APPLICATION MUST BE FULLY COMPLETED 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 with Staff to ensure applicability**  
**2. Payment of \$150.00 +\$3.00 per acre**  
**3. Signed & Original Field Notes and Dedication**

### Property Information:

**Plat Name:** Fireside Heights Addition **Date Submitted:** Mar 30, 2022

**Existing Lot Count:** 1 **Proposed Lot Count:** 1 **Acreage:** 0.799

**Site Address or General Location:** 1825 E. F.M. 2410, Harker Heights, TX 76548

**Reason for Amendment/  
Description of Subdivision:**

**Zoning Classification:** B-4 **Existing Land Use:** Commercial

**Located in Overlay District?:**  Yes  No

### Owner Information/Authorization:

**Property Owner:** J & U Properties, LLC

Address: 510 Omar Drive, Killeen, TX 76542

Phone: 254-458-6768 E-mail: mnasir510@hotmail.com

**Developer:** J & U Properties, LLC

Address: 510 Omar Drive, Killeen, TX 76542

Phone: 254-458-6768 E-mail: mnasir510@hotmail.com

**Engineer/Surveyor:** Mitchell & Associates, Inc.

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

Phone: 254-634-5541 E-mail: jkriegel@mitchellinc.net; areneau@mitchellinc.net

I HEREBY UNDERSTAND AND ACKNOWLEDGE:  
THE MINOR PLAT INVOLVES **FOUR OR FEWER LOTS** FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED  
**OR**  
THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

Mohammad Nasir (For J & U Properties, LLC) Mohammad Nasir

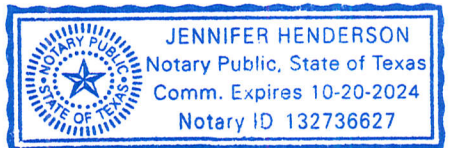
**PRINTED NAME OF OWNER:**

**OWNER SIGNATURE:**

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS March DAY OF 30th, 2022

Jennifer Henderson MY COMMISSION EXPIRES: 10-20-2024

NOTARY PUBLIC SIGNATURE



**STAFF ONLY - - DO NOT FILL OUT BELOW**  
Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
Received By: \_\_\_\_\_  Pre-Application Meeting Case #: \_\_\_\_\_

FIRESIDE HEIGHTS ADDITION  
0.799 ACRE

FIELD NOTES for a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record in Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 0.799 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the south line of a called 3.817 acre tract of land conveyed to Jutta Margareta and Matte Bushbaker, being described of record in Instrument No. 2012-0001602, same being at the northwest corner of a called 1.204 acre tract of land conveyed to Wieland Management Co. LLC, being described of record in Instrument No. 2016-00050845, both of the O.P.R.R.P.B.C.T., and the northeast corner of said 0.80 acre tract, for the northeast corner of this tract;

THENCE S. 02° 25' 07" W., 209.35 feet, with the west line of said 1.204 acre tract and the east line of said 0.80 acre tract, to a 1/2" iron rod with cap stamped "M&A" set on the north right-of-way line of Farm-to-Market Road 2410, same being at the southwest corner of said 1.204 acre tract, and the southeast corner of said 0.80 acre tract, for the southeast corner of this tract;

THENCE N. 88° 52' 21" W., 178.05 feet, continuing along the north right-of-way line of said F.M. 2410 and with the south line of said 0.80 acre tract, to a 1/2" iron rod with cap stamped "M&A" set at the southeast corner of Lot 2, Block 1, W.A. Matkin Subdivision, an addition to the City of Harker Heights, Texas, being of record in Cabinet B, Slide 188-D, P.R.B.C.T., and the southwest corner of said 0.80 acre tract, for the southwest corner of this tract;

THENCE N. 08° 59' 05" E., 211.80 feet, departing the north right-of-way line of said F.M. 2410, with the east line of said Lot 2, and the west line of said 0.80 acre tract, to a 3/8" iron rod found at the northwest corner of said 0.80 acre tract, for the northwest corner of this tract;

THENCE S. 88° 44' 04" E., 153.81 feet, continuing with the east line of Lot 2 and the north line of said 0.80 acre tract, to the POINT OF BEGINNING containing a 0.799 acre tract of land.

The bearings for the above description are grid bearings based on the Texas Coordinate System, Central Zone (NAD 83), as determined by Leica Texas SmartNet GPS observations.

See accompanying drawing.


STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS, that I, Mike W. Kriegel, Registered Professional Land Surveyor, do hereby certify that the above described tract was surveyed on the ground and that this description is true and correct to the best of my knowledge and belief.

COUNTY OF BELL

IN WITNESS THEREOF, my hand and seal this the 30th day of March, 2022.



  
Mike W. Kriegel  
Registered Professional  
Land Surveyor, No. 4330

# DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **J & U Properties, LLC**, being the sole owner of that certain 0.799 acre tract of land in the City of Harker Heights, Texas, being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being all of a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record in Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FIRESIDE HEIGHTS ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **J & U Properties, LLC**, does hereby adopt said **FIRESIDE HEIGHTS ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to **the City of Harker Heights**, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by **the City of Harker Heights**, Texas.

The utility and drainage easements shown on said plat are dedicated to **the City of Harker Heights** for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

W I T N E S S the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

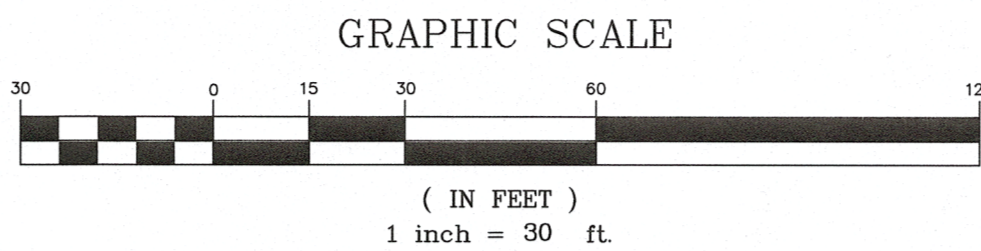
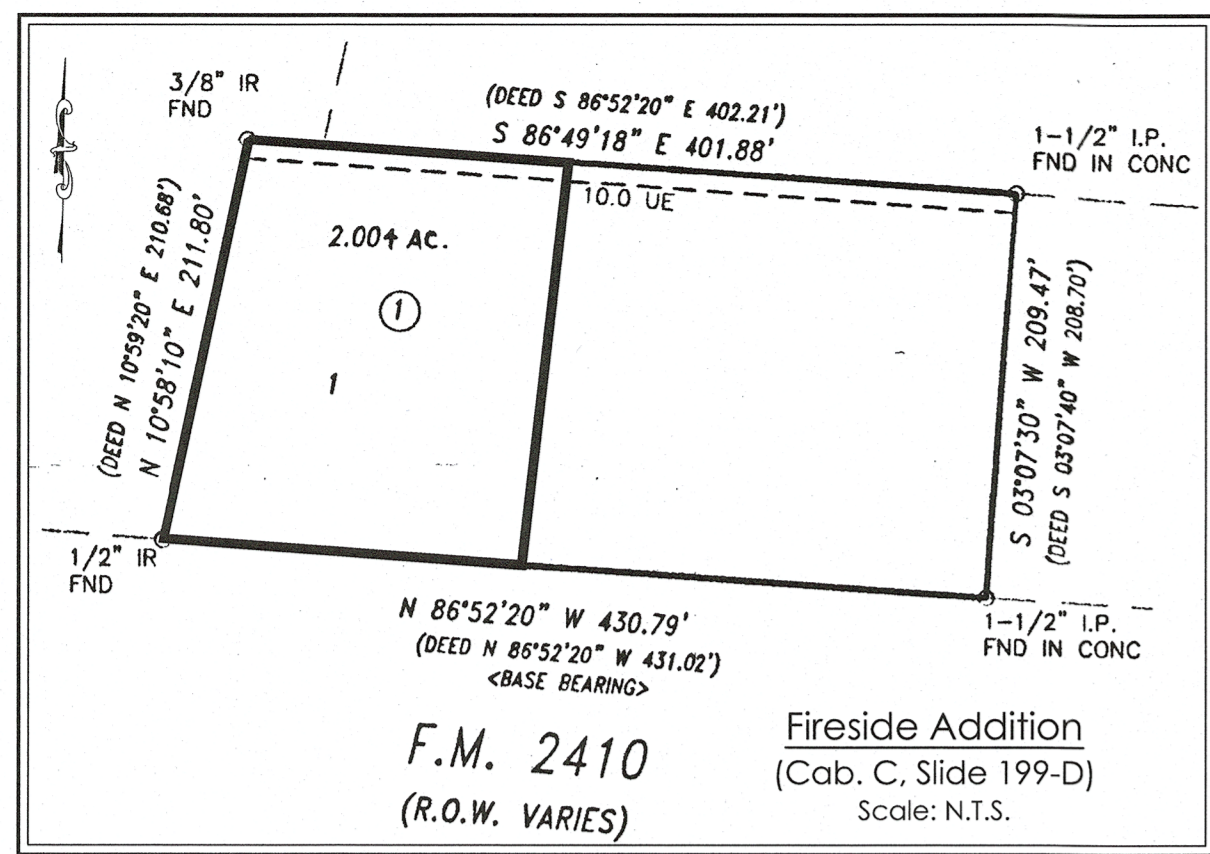
For: **J & U Properties, LLC**

\_\_\_\_\_  
**Mohammad Nasir**

Before me, the undersigned authority, on this day personally appeared **Mohammad Nasir** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **he** executed the foregoing instrument as the owner of the property described hereon.

\_\_\_\_\_  
NOTARY PUBLIC STATE OF TEXAS

My Commission Expires: \_\_\_\_\_



**FIRESIDE HEIGHTS ADDITION**

KNOW ALL MEN BY THESE PRESENTS, that **J & U Properties, LLC**, whose address is **510 Omar Drive, Killeen, TX 76542**, being the sole owner of that certain **0.799 acre** tract of land in the **Bell County, Texas**, being part of **Lot 1, Block 1, Fireside Addition**, an addition to the City of Harker Heights, Texas, being of record in **Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.)**, and being all of a called **0.80 acre** tract of land conveyed in a **General Warranty Deed to J & U Properties, LLC**, being described in **Exhibit "A"** of record in **Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas**, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FIRESIDE HEIGHTS ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **J & U Properties, LLC** does hereby adopt said **FIRESIDE HEIGHTS ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all right of way, as shown on said plat, to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Texas.

The utility and drainage easements shown on said plat are dedicated to the **City of Harker Heights** for installation and maintenance of any and all public utilities, which the **city** may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**For: J & U Properties, LLC**

**Mohammad Nasir**

Before me, the undersigned authority, on this day personally appeared **Mohammad Nasir** known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **he** executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Planning and Zoning Commission of the City of Harker Heights, Bell County, Texas.

Chairperson, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the City Council of the City of Harker Heights, Bell County, Texas.

Mayor, City of Harker Heights

City Secretary

APPROVED this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development

KNOW ALL MEN BY THESE PRESENTS,

That I, **Mike W. Kriegel**, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Subdivision and Property Development Regulations of the **City of Harker Heights, Texas**, and this subdivision is within the **City Limits** of Harker Heights, Texas.



Mike W. Kriegel  
Registered Professional  
Land Surveyor, No. 4330

- NOTES:**
- All bearings are based upon the Texas Coordinate System, NAD 83 (CORS 96), Texas Central Zone as determined by Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
  - This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0295E, effective date September 26, 2008 for Bell County, Texas.
  - The Knight's Way Overlay District requirements apply to development on this parcel. Sidewalks will be required upon site development.
  - Right of Way (R.O.W.) dedication to the City of Harker Heights is 1.066 sq. ft. (0.024 Ac.).

Lot 2  
Block 1  
W A Malkin  
Subdivision  
(Cab. B, Slide 188-B)  
Ownership:  
City of Harker Heights  
(Vol. 2596, Page 322)

Jutta Margareta  
et al  
Bushbaker Matte  
(Instrument No. 2012-1602)

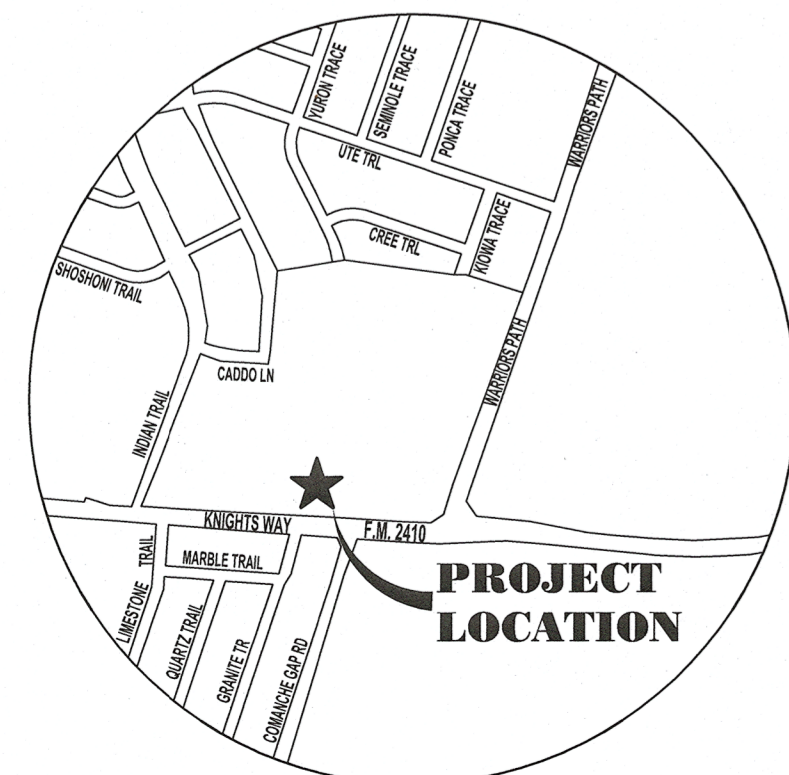
Remainder of Lot 1  
Block 1  
Fireside Addition  
(Cab. C, Slide 199-D)  
Ownership:  
Wieland Management Co LLC  
(Instrument No. 2016-50845)

Lot 1  
Block 1  
0.799 Ac.

F.M. 2410  
KNIGHTS WAY  
(Improved 29.0' Asphalt Road)

Carlos M. et ux  
Mary McDowell  
(Vol. 2670, Page 58)

Carlos M. et ux  
Mary McDowell  
(Vol. 3970, Page 186)



VICINITY MAP  
SCALE: N.T.S.

**AFFIDAVIT:**  
The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.  
Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A. D.  
By: \_\_\_\_\_  
Bell County Tax Appraisal District

FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
Plat Records of Bell County, Texas, and Dedication Instrument # \_\_\_\_\_  
Official Records of Real Property, Bell County, Texas

No.	DATE	REMARKS	BY

**FIRESIDE HEIGHTS ADDITION**  
BEING A REPLAT OF PART OF LOT 1, BLOCK 1,  
FIRESIDE ADDITION  
**HARKER HEIGHTS, BELL COUNTY, TEXAS**

**FINAL PLAT**

SHEET TITLE:

PROPERTY OWNER:  
**J & U PROPERTIES, LLC**  
510 OMAR DR.  
KILLEEN, TX 76542

SUBDIVISION ENGINEER:  
**MITCHELL & ASSOCIATES, INC.**  
P.O. BOX 1088  
KILLEEN, TX 76540

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141

TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241  
J. & P. L. S. FIRM REGISTRATION NO. 106204-00

DWG No. 22-016-D-5  
DATE: MARCH 2022  
SCALE: AS SHOWN  
SCALE: 1" = 30'  
DATE: 1999/8  
SCALE: 1" = 30'  
AREA: 0.799 AC.

Time of Concentration and Runoff Coefficient

**DRAINAGE AREA ID: X-DA A**  
**CONDITION: EXISTING**

**TIME OF CONCENTRATION SUMMARY**  
Overland Sheet Flow (1) (Eq. 2-5) (300 ft maximum length)

Segment ID	1			
Manning's Roughness Coefficient, n (Table 2-3)	0.15			
Flow Length, L	200			
Land slope, S	1.4			
$T_1 = L^n / (424^{2n})$				
Compute $T_1$ , min	6.0	0.0	6.0	

Shallow Concentrated Flow (1) (Eq. 2-3)

Segment ID	2			
Manning's Roughness Coefficient, n (Table 2-3)	0.15			
Flow Length, L	900			
Land slope, S	1.6			
$T_2 = L^n / (80n^2)$				
Compute $T_2$ , min	9.9	0.0	0.0	9.9

Open Channel or Storm Sewer Flow (1)

Segment ID	3	4		
Cross Sectional Flow Area, a	20.40	28.00		
Wetted Perimeter, P <sub>w</sub>	35.76	22.49		
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / Compute R <sub>h</sub>	0.57	1.24	0.00	0.00
Channel Slope, S	2.40	3.30		
Manning's Roughness Coefficient, n	0.016	0.050		
$V = (1.49n) R_h^{2/3} S^{1/2}$				
Flow Length, L	1000.00	1252.00		
Compute V, cfs	9.92	5.22	0.00	0.00
$T_3 = L / (60 V)$	2.7	4.0	0.0	0.0
Compute $T_3$ , min	2.7	4.0	0.0	0.0
Watershed or Subarea $T_c = T_1 + T_2 + T_3$				23.0
*T <sub>c</sub> is rounded to nearest whole number				

**WEIGHTED RUNOFF COEFFICIENT**

Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>1</sub> xArea	C <sub>2</sub> xArea	C <sub>30</sub> xArea
Asphaltic	0.73	0.88	0.95	21.5	15.70	18.49	20.43
Concrete	0.75	0.88	0.97	19.5	14.63	17.16	18.92
Grass - Fair - Flat, 0-2%	0.25	0.34	0.41	22.6	5.65	7.68	9.27
Grass - Good - Flat, 0-2%	0.21	0.29	0.36	17.6	3.70	5.10	6.34
<b>Total</b>				<b>81.2</b>	<b>39.67</b>	<b>48.44</b>	<b>54.94</b>
<b>C (Weighted) = Total C<sub>1</sub>xArea / Total Area</b>					<b>0.49</b>	<b>0.60</b>	<b>0.68</b>

**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
Bell		58	90	102
		8	8.5	8
		0.798	0.771	0.751

**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	81.2
Time of Concentration, T <sub>c</sub> , min	23.0
Frequency	2-Year
C (Weighted)	0.49
Intensity, I, in/hr	3.61
Runoff, Q, cfs	143.38
	304.95
	425.10

**DRAINAGE AREA ID: P-DA A**  
**CONDITION: PROPOSED**

**TIME OF CONCENTRATION SUMMARY**  
Overland Sheet Flow (1) (Eq. 2-5) (300 ft maximum length)

Segment ID	1			
Manning's Roughness Coefficient, n (Table 2-3)	0.15			
Flow Length, L	200			
Land slope, S	1.4			
$T_1 = L^n / (424^{2n})$				
Compute $T_1$ , min	6.0	0.0	6.0	

Shallow Concentrated Flow (1) (Eq. 2-3)

Segment ID	2			
Manning's Roughness Coefficient, n (Table 2-3)	0.15			
Flow Length, L	900			
Land slope, S	1.6			
$T_2 = L^n / (80n^2)$				
Compute $T_2$ , min	9.9	0.0	0.0	9.9

Open Channel or Storm Sewer Flow (1)

Segment ID	3	4		
Cross Sectional Flow Area, a	20.40	28.00		
Wetted Perimeter, P <sub>w</sub>	35.76	22.49		
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / Compute R <sub>h</sub>	0.57	1.24	0.00	0.00
Channel Slope, S	2.40	3.30		
Manning's Roughness Coefficient, n	0.016	0.050		
$V = (1.49n) R_h^{2/3} S^{1/2}$				
Flow Length, L	1000.00	1252.00		
Compute V, cfs	9.92	5.22	0.00	0.00
$T_3 = L / (60 V)$	2.7	4.0	0.0	0.0
Compute $T_3$ , min	2.7	4.0	0.0	0.0
Watershed or Subarea $T_c = T_1 + T_2 + T_3$				23.0
*T <sub>c</sub> is rounded to nearest whole number				

**WEIGHTED RUNOFF COEFFICIENT**

Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>1</sub> xArea	C <sub>2</sub> xArea	C <sub>30</sub> xArea
Asphaltic	0.73	0.88	0.95	21.5	15.70	18.49	20.43
Concrete	0.75	0.88	0.97	20.2	15.11	17.73	19.55
Grass - Fair - Flat, 0-2%	0.25	0.34	0.41	22.6	5.65	7.68	9.27
Grass - Good - Flat, 0-2%	0.21	0.29	0.36	17.0	3.56	4.92	6.10
<b>Total</b>				<b>81.2</b>	<b>40.02</b>	<b>48.82</b>	<b>55.34</b>
<b>C (Weighted) = Total C<sub>1</sub>xArea / Total Area</b>					<b>0.49</b>	<b>0.60</b>	<b>0.68</b>

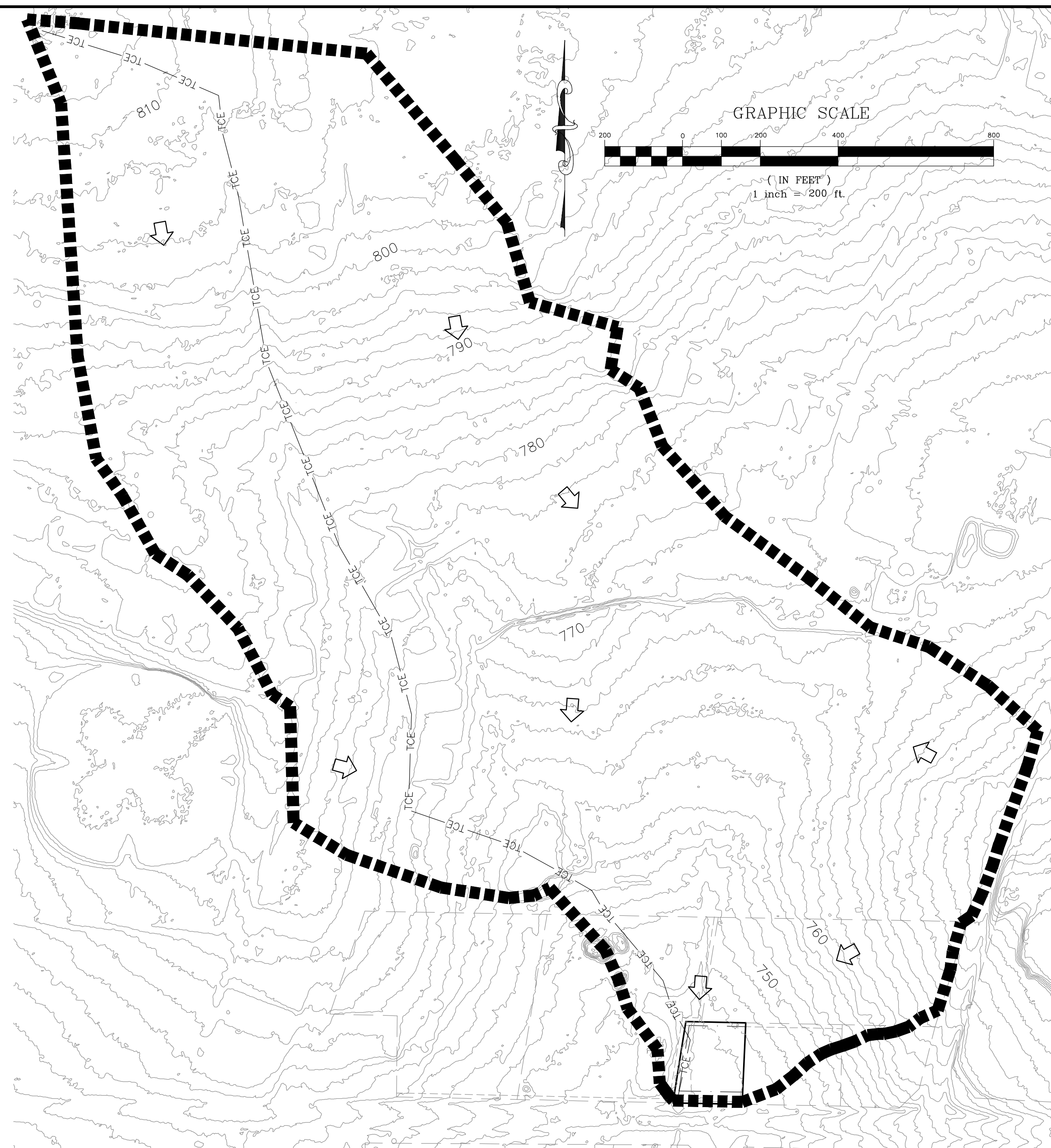
**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
Bell		58	90	102
		8	8.5	8
		0.798	0.771	0.751

**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	81.2
Time of Concentration, T <sub>c</sub> , min	23.0
Frequency	2-Year
C (Weighted)	0.49
Intensity, I, in/hr	3.61
Runoff, Q, cfs	144.65
	307.37
	425.17

- NOTES:
- DRAINAGE CALCULATIONS FOR THIS PLAT ARE BASED UPON THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL, DATED MAY 9, 2007. ROUTING CALCULATIONS ARE BASED UPON THE RATIONAL METHOD WITH A MINIMUM TIME OF CONCENTRATION OF 10 MINUTES. OVERLAND FLOW AND OTHER HYDRAULIC CALCULATIONS ARE BASED UPON THE MANNING'S EQUATION.
  - THE DRAINAGE AREA MAPS AND CALCULATIONS PROVIDED HEREIN ARE PRELIMINARY IN NATURE, AND ARE INTENDED TO PROVIDE A CONCEPTUAL DESIGN ONLY. FINAL SITE DRAINAGE DESIGN MAY VARY FROM THE CONCEPTUAL DESIGN SHOWN HEREIN, BUT MUST BE BASED IN SOUND ENGINEERING PRINCIPLES IN ACCORDANCE WITH THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
  - UNDER DEVELOPED CONDITIONS ALL UPSTREAM FLOWS SHALL BE ACCEPTED ON SITE AS THEY CURRENTLY EXIST.
  - TOPOGRAPHICAL INFORMATION IS FOR DRAINAGE PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. TOPOGRAPHICAL INFORMATION SHOWN IS DERIVED FROM THE UNITED STATES GEOGRAPHICAL SURVEY (USGS), (BELL, BURNETT, MCLENNAN COUNTIES LIDAR, 2011) AS DOWNLOADED FROM THE TNIRIS DATAHUB WEB 2021-07-21.
  - IN NO INSTANCE SHALL A POINT DISCHARGE BE ALLOWED ONTO AN ADJACENT DOWNSTREAM PROPERTY, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION. THE USE OF LEVEL SPREADER(S) OR AN EQUIVALENT STRUCTURE SHALL BE USED TO PREVENT A POINT DISCHARGE.
  - UNDER PROPOSED CONDITIONS, THE SITE SHALL BE GRADED SUCH THAT ANY RUNOFF WILL SHEET FLOW ACROSS THE PROPERTY LINE ONTO THE ADJACENT DOWNSTREAM PROPERTY OWNER, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION.



Storm Water Discharge Summary

	Drainage Basin	
	DA A	
<b>25 Year Storm Event</b>		
Existing (cfs)	304.95	
Developed (cfs)	307.37	
Change (cfs)	2.42	
<b>100 Year Storm Event</b>		
Existing (cfs)	425.10	
Developed (cfs)	428.17	
Change (cfs)	3.07	

THE FINAL DEVELOPED CONDITION IS UNKNOWN AT THIS TIME. BASED ON A CONCEPTUAL DEVELOPMENT, PER THE CURRENT ZONING, AN INCREASE IN STORM WATER PEAK FLOWS IS ANTICIPATED. A STORM WATER MITIGATION PLAN MUST BE SUBMITTED WITH ANY FUTURE DEVELOPMENT.

**Drainage Legend**

— DRAINAGE AREA ABBREVIATION —  
— WATERSHED LETTER —

DA A ← WATERSHED I.D.  
65.86 AC ← AREA (ACRES)

— WATERSHED BOUNDARY LABEL

— TCE — Existing Time Of Concentration  
— TCP — Proposed Time Of Concentration

— Existing Watershed Boundary  
— Existing Sub-Basin Area

— Proposed Watershed Boundary  
— Proposed Sub-Basin Area

— Proposed Sub-Basin Area for Street and/or Channel Capacities

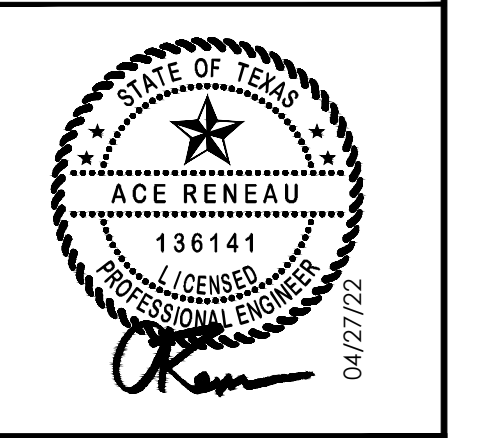
← Existing Drainage Arrow  
← Proposed Drainage Arrow

No.	DATE	REMARKS	BY

**FIRESIDE HEIGHTS ADDITION**  
BEING A REPLAT OF PART OF LOT 1, BLOCK 1,  
FIRESIDE ADDITION  
HARKER HEIGHTS, BELL COUNTY, TEXAS

**DRAINAGE & TOPOGRAPHY LAYOUT**

SHEET TITLE:



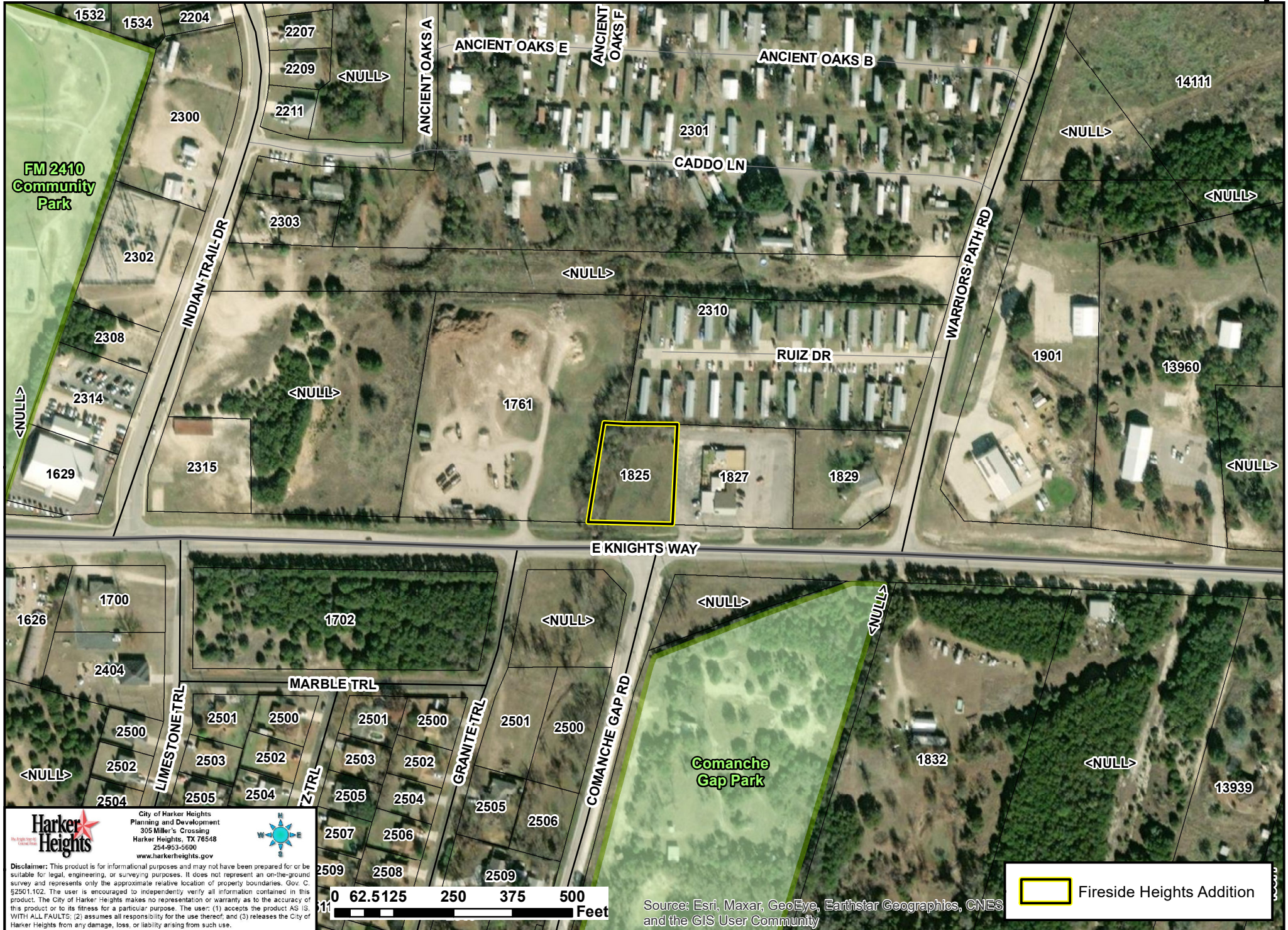
PROPERTY OWNER:  
J & U PROPERTIES LLC  
510 OMAH DR  
KILLEEN, TX 76542

SURVEYOR/ENGINEER:  
MITCHELL & ASSOCIATES, INC.  
P.O. BOX 1088  
KILLEEN, TX 76540

**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 834-9541  
FAX: (254) 634-2141  
T. B. P. S. SURVEY REGISTRATION NO. 10204-01

TEAS BOARD OF PROFESSIONAL ENGINEERS REGISTRATION NO. 3241


DWG No.: 22-016-D-S  
DRAWN BY: AR  
DATE: MARCH 2022  
SCALE: AS SHOWN  
1 LOT  
1 BLOCK  
AREA: 0.799 AC



**Harker Heights**  
City of Harker Heights  
Planning and Development  
305 Miller's Crossing  
Harker Heights, TX 76548  
254-953-6600  
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. 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: (1) accepts the product; AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES and the GIS User Community

 Fireside Heights Addition

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# FIRESIDE HEIGHTS ADDITION

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## P22-15 Final Plat – Fireside Heights Addition

Plat Distributed to HH Staff: April 29, 2022  
Comments Sent to Engineer: May 16, 2022

### **Planning & Development, Kristina Ramirez & Yvonne Spell**

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.

### **Public Works, Mark Hyde**

- No comments

### **City Engineer, Otto Wiederhold**

- No comments

### **Fire Marshal, Brad Alley**

- No Comments

### **Building Official, Mike Beard**

- No comments received and may be forthcoming.

### **ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

### **Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

### **Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

### **ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

1. Requests a 1' non-access easement except where the driveway will be located
2. Applicant will need to contact TxDOT for driveway access permits.



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# FIRESIDE HEIGHTS ADDITION

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## P22-12 Final Plat – Fireside Heights Addition

Plat Distributed to HH Staff: March 31, 2022

Comments Sent to Engineer: April 14, 2022

### **Planning & Development, Kristina Ramirez & Yvonne Spell**

1. Applicant and/or the Applicant's representative shall schedule and attend the mandatory pre-development meeting with the City's development staff. Contact [planning@harkerheights.gov](mailto:planning@harkerheights.gov) to schedule the meeting.
2. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
3. Pending TXDOT's approval of the driveway location, a 30' passage/access easement across the front of the property may also be required.
4. Applicant shall illustrate and annotate the setbacks on the plat dedication page.
5. Applicant shall provide a storm water plan/drainage analysis.
6. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
7. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat.
8. FM 2410 is identified as an Arterial on the City's Thoroughfare Plan. As such a 120-foot right-of-way (ROW) is required. Applicant shall provide half of the required ROW needed to meet the 120-foot requirement. This ROW dedication will require this plat to be processed as a Final Plat.
9. Provide LLC paperwork and provide authorization for those who can sign for J&U Properties, LLC.
10. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
11. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.

### **Public Works, Mark Hyde**

1. Change the annotation of the existing 15' PUE along FM 2410 to 15' Public Utility & Drainage Easement.

2. The dedication block on the plat has numerous items listed including “drives” to be dedicated to the City of Harker Heights. All of the public infrastructure shown on the plat has already been dedicated to the City of Harker Heights.

**City Engineer, Otto Wiederhold**

- No comments

**Fire Marshal, Brad Alley**

- No Comments

**Building Official, Mike Beard**

- No comments received and may be forthcoming.

**ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

**Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

**Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

**ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

1. Requests a 1’ non-access easement except where the driveway will be located
2. Applicant will need to contact TxDOT for driveway access permits.



## PLANNING AND ZONING COMMISSION MEMORANDUM

**P22-16**

**AGENDA ITEM X-3**

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT  
DATE: May 25, 2022

**DISCUSS AND CONSIDER A REQUEST FOR A FINAL PLAT REFERRED TO AS COMANCHE LAND, THIRD UNIT, ON PROPERTY DESCRIBED BEING ALL THAT CERTAIN 0.77 ACRE TRACT OF LAND SITUATED IN THE H.B. LITTLEFIELD SURVEY, A-511, BELL COUNTY, TEXAS, BEING ALL OF LOTS 1 AND 8, BLOCK 37, COMANCHE LAND THIRD UNIT, AND UN-RECORDED SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SAID LOTS BEING DESCRIBED IN A DEED TO MONICA KANKELFITZ, RECORDED IN VOLUME 3757, PAGE 245, DEED RECORDS OF BELL COUNTY, TEXAS, AND SAID LOTS BEING FURTHER DESCRIBED AS “TRACT I” CALLED 0.346 ACRE TRACT AND “TRACT III” CALLED 0.42 ACRE TRACT IN A DEED TO JAMES L. DAHM & WIFE, PAOLA DAHM, RECORDED IN VOLUME 1312, PAGE 582, DEED RECORDS OF BELL COUNTY, TEXAS.**

**PROJECT DESCRIPTION:**

The applicant submitted an application for minor plat approval for approximately 0.77 acres of residential land South of Pontotoc Trace and situated between Yuron Trace and Ponca Trace. The proposed development will consist of two lots that are currently zoned R-MU (Mixed Residential). The 2021 Land Use Plan identifies this parcel for Medium Density Residential land use.

The application for this plat case was received on April 27, 2022, staff comments were sent to the Engineer on May 11, 2022. Additional Right of Way (ROW) dedication was deemed to be required for the plat are, in addition to sidewalks being constructed. Based on staff’s review of the plat case and the City’s Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission.

**STAFF RECOMMENDATION:**

On May 11, 2022, staff returned comments to the applicant. As of May 18, 2022, revisions based on staff comments have not been received. Staff therefore recommends approval with conditions of the Final Plat for the subdivision referred to as Comanche Land Third Unit Amending with the following conditions:

1. Dedicate the required amount of Right of Way per staff comments.
2. Indicate location of sidewalk for Lot 2A.

3. Correct language on face of plat and separate dedication instrument to indicate utility and/or drainage easement will be dedicated to City of Harker Heights.

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

1. Motion to **approve with conditions** a request for a **Final Plat referred to as Comanche Land Third Unit Amending**, on property described as all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as “Tract I” called 0.346 acre tract and “Tract III” called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas., with the condition as presented by staff and based on staff’s recommendations and findings.
2. Motion to **approve**, or **disapprove with explanation** a request for a **Final Plat referred to as Comanche Land Third Unit Amending**, on property described as all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as “Tract I” called 0.346 acre tract and “Tract III” called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas., with the condition as presented by staff and based on staff’s recommendations and findings.
3. Any other action desired.

**ATTACHMENTS:**

1. Application
2. Field notes
3. Dedication
4. Comanche Land Third Unit Amending - Final Plat
5. Location Map
6. Staff Comments



# APPLICATION FOR MINOR OR AMENDING PLAT APPROVAL

Application Fee \$ 150.00 + \$ 3.00 per acre

PLAT NAME: LOMANCHE LAND, THIRD UNIT AMENDED

NUMBER OF LOTS: 2 NUMBER OF ACRES 0.77

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

REASON FOR AMENDMENT: TO PLAT A 2 LOT SUBDIVISION, BEING  
THE SAME LOT 1 & LOT 18, OF LOMANCHE LAND 3RD UNIT,  
AN UNRECORDED SUBDIVISION, IN THE CITY OF HARKER HEIGHTS.

PROPERTY OWNER: MONICA KANRELFITZ

ADDRESS: 1704 PONTOTOC TRACE, HARKER HEIGHTS  
PHONE: 254-251-8885

DEVELOPER: N/A

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

SURVEYOR/ENG: QUINTERO ENGINEERING, LLC

ADDRESS: 1501 W. STAN SCHLUETER LP., KILLEEN  
PHONE: 254-399-0034

**I HEREBY UNDERSTAND AND ACKNOWLEDGE:**

THE MINOR PLAT INVOLVES FOUR OR FEWER LOTS FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED, OR

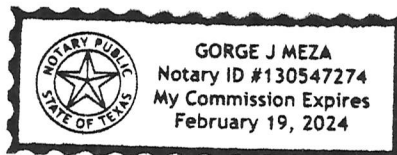
THE AMENDING PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

SIGNED: Monica Kanrelfitz  
OWNER

GORGE J. MEZA FOR QUINTERO ENGINEERING, LLC  
AUTHORIZED AGENT (CORPORATION/PARTNERSHIP)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25TH DAY OF APRIL, 20 22

Gorge J. Meza MY COMMISSION EXPIRES: 2/19/24  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS





## QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

415 E. AVENUE D, KILLEEN TEXAS (254) 493-9962

T.B.P.E. FIRM REGISTRATION NO.: 14709

T.B.P.L.S. FIRM REGISTRATION NO.: 10194110

### FIELD NOTES 0.77 ACRE BELL COUNTY, TEXAS

**BEING** all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as "Tract I" called 0.346 acre tract and "Tract III" called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a 3/4" iron pipe found at the intersection of the South line of Pontotoc Trace and the West line of Ponca Trace, for the Northeast corner of the herein described tract;

**THENCE**, S 16° 58' 50" W, 99.80 feet (Deed S 19° 08' 30" W, 100.00 feet), along the West line of Ponca Trace, to a 3/4" iron pipe found at the Northeast corner of Lot 2, Block 1, Crystal Addition, an addition to the City of Harker Heights, Bell County, Texas, recorded in Cabinet C, Slide 167-C, Plat Records of Bell County, Texas, for the Southeast corner of the herein described tract;

**THENCE**, N 73° 34' 37" W, 149.82 feet (Deed N 71° 41' 30" W, 150.00 feet), along the North line of the said Lot 2, to a 2" iron pipe found at the Northwest corner of the said Lot 2, being the Northeast corner of a called 0.297 acre tract of land described in a deed to Edwin B. Smelser and Candice Smelser, recorded in Volume 3778, Page 345, Deed Records of Bell County, Texas;

**THENCE**, N 74° 14' 37" W, 150.28 feet (Deed N 71° 41' 30" W, 150.00 feet), along the North line of the said 0.297 acre tract, to a 1/2" iron rod with cap stamped "QUINTERO 10194110" set, at the Northwest corner of the said 0.297 acre tract and in the East line of Seminole Trace, for the Southwest corner of the herein described tract;

**THENCE**, N 17° 07' 59" E, 152.50 feet (Deed N 19° 08' 30" E, 152.55 feet), along the East line of Seminole Trace, to a 3/8" iron rod found, at the intersection of the East line of Seminole Trace and the South line of Pontotoc Trace, for the Northeast corner of the herein described tract;

**THENCE**, S 43° 09' 10" E, 2.37 feet (Deed S 43° 09' 10" E, 2.37 feet), along the South line of Pontotoc Trace, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the beginning of a curve to the Left in South line of Pontotoc Trace;

**THENCE**, 210.33 feet along the arc of the said curve to the Left, having a Radius of 423.19 feet, and a Chord Bearing and Distance of S 59° 39' 00" E, 208.17 feet, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the end of the said curve to the Left in the South line of Pontotoc Trace;

**THENCE**, S 73° 47' 44" E, 95.00 feet (Deed S 71° 41' 30" E, 95.00 feet), along the South line of Pontotoc Trace, to the **POINT OF BEGINNING** and containing 0.77 acre of land, more or less.

The bearings for this description are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Texas Smart Net GPS observations, as surveyed on the ground April 26, 2022 by Quintero Engineering, LLC.

04/26/2022

Seth H. Barton, R.P.L.S.  
Registered Professional Land Surveyor  
No. 6878, Texas



**DEDICATION**

STATE OF TEXAS   §                   KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL   §

That Monica Kankelfitz, whose address is 1704 Pontotoc Trace, Harker Heights, Texas, being the sole owner(s) of the 0.77 acre tract of land in The City of Harker Heights, Bell County, Texas, Situated in the H.B. Littlefield Survey, Abstract No. 511, Bell County, Texas, and the land herein described being all of Lot 1 and 18, Block 37, Comanche Lnad Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, and being described in a deed to Monica Kankelfitz, Recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, Same lots being further described in a deed to James L. Dahm & wife, Paola Dahm, recorded in Volume 1362, Page 582, Deed Records of Bell County, Texas, Which is more fully described in the dedication of Comanche Land, Third Unit – Amended, as an addition to The City of Harker Heights, Bell County, Texas.

W I T N E S S the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
**Monica Kankelfitz**  
Owner

Before me, the undersigned authority, on this day personally appeared **Monica Kankelfitz**, known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **She** executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires:

\_\_\_\_\_



CALLED 1.647 ACRE  
 JAMES MICHAEL LOMBARDO JR.,  
 & LUCIA L. LOMBARDO  
 INSTRUMENT NO. 2014-0000771

JAMES L. JACOBS SR.  
 VOLUME 8578, PAGE 810  
 LOT 1, BLOCK 1  
 I.D.C. ADDITION  
 CABINET C, SLIDE 1470

KNOW ALL MEN BY THESE PRESENTS, THAT MONICA KANKELFITZ, WHOSE ADDRESS IS 1704 PONTOTOC TRACE, HARKER HEIGHTS, TEXAS, BEING THE SOLE OWNER(S) OF THE 0.77 ACRE TRACT OF LAND IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SITUATED IN THE H.B. LITTLEFIELD SURVEY, ABSTRACT NO. 511, BELL COUNTY, TEXAS, AND THE LAND HEREBY DESCRIBED BEING ALL OF LOTS 1 AND 18, BLOCK 37, COMANCHE LAND THIRD UNIT, AN UN-RECORDED SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SAID LOTS DESCRIBED IN A DEED TO MONICA KANKELFITZ, RECORDED IN VOLUME 3757, PAGE 245, DEED RECORDS OF BELL COUNTY, TEXAS, AND SAID LOTS BEING FURTHER DESCRIBED AS "TRACT 1" CALLED 0.348 ACRE TRACT AND "TRACT 18" CALLED 0.42 ACRE TRACT IN A DEED TO JAMES L. DAHM & WIFE, PAOLA DAHM, RECORDED IN VOLUME 1362, PAGE 582, DEED RECORDS OF BELL COUNTY, TEXAS, WHICH IS MORE FULLY DESCRIBED IN THE DEDICATION OF COMANCHE LAND, THIRD UNIT - AMENDED, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

WITNESS THE EXECUTION HEREOF, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MONICA KANKELFITZ  
 OWNER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY, PERSONALLY APPEARED MONICA KANKELFITZ, KNOWN TO ME TO BE THE PERSON(S) WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. IT HAS BEEN ACKNOWLEDGED TO ME THAT SHE EXECUTED THE FOREGOING INSTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HEREOF.

NOTARY PUBLIC STATE OF TEXAS  
 MY COMMISSION EXPIRES: \_\_\_\_\_

**CITY APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A.D. BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT

ATTEST: CITY SECRETARY

**SURVEYOR'S CERTIFICATE**

I, SETH H. BARTON, DO HEREBY CERTIFY THAT AN ACTUAL AND ACCURATE SURVEY WAS MADE ON THE GROUND OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE FOUND OR PLACED, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS.

*Seth H. Barton*  
 04/26/2022  
 SETH H. BARTON  
 R. P. L. S. NO. 8878  
 1501 W. STAN SCHLUETER LP,  
 KILLEEN, TX 76549



**AFFIDAVIT**

THE TAX APPRAISAL DISTRICT OF BELL COUNTY DOES HEREBY CERTIFY THERE ARE CURRENTLY NO DELINQUENT TAXES DUE TO THE TAX APPRAISAL DISTRICT OF BELL COUNTY ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ A.D.

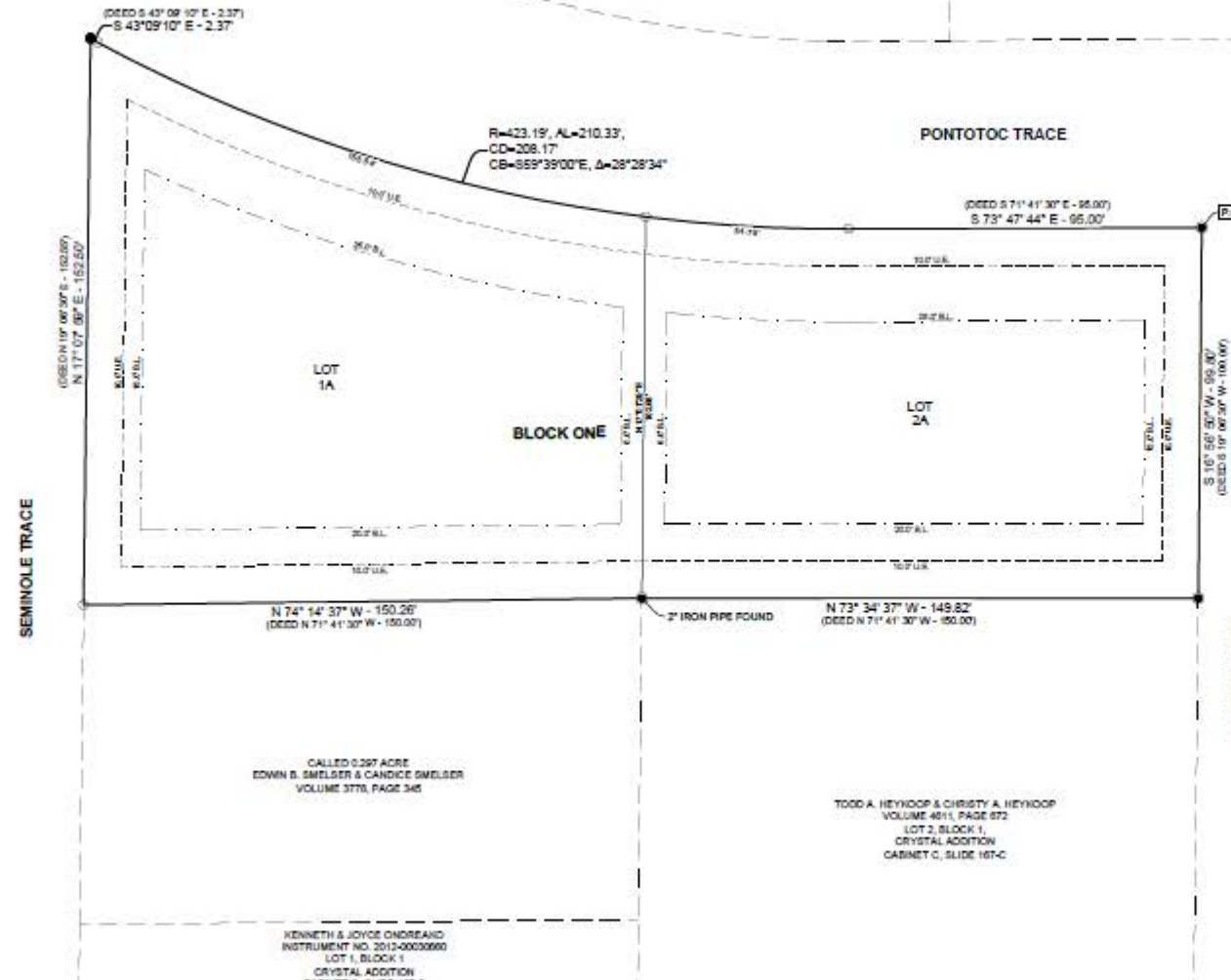
By: \_\_\_\_\_  
 BELL COUNTY TAX APPRAISAL DISTRICT

**COUNTY CLERK INFORMATION**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN YEAR \_\_\_\_\_  
 PLAT # \_\_\_\_\_ PLAT RECORDS OF BELL COUNTY, TEXAS, AND DEDICATION INSTRUMENT # \_\_\_\_\_  
 OFFICIAL RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

By: \_\_\_\_\_

SURVEY:	H.B. LITTLEFIELD SURVEY, A-511	OWNER:	MONICA KANKELFITZ 1704 PONTOTOC TRACE HARKER HEIGHTS, TEXAS 76548
NUMBER OF BLOCKS:	1	SURVEYOR:	QUINTERO ENGINEERING, L.L.C. 1501 W. STAN SCHLUETER LP, KILLEEN, TEXAS 76548 (254) 493-8962
NUMBER OF LOTS:	2		
TOTAL ACREAGE:	0.77 AC		
DATE:	APRIL 2022		



SEMINOLE TRACE

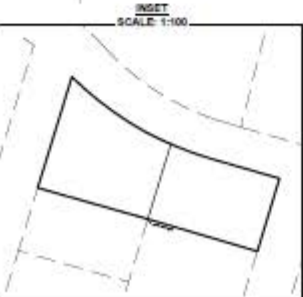
PONCA TRACE  
 (ENLARGED 1/4" = 100')

**LEGEND**

- PROPERTY BOUNDARY
- - - BUILDING LINE
- - - BASEMENT LINES
- - - ADJOINING TRACT PROPERTY LINES
- 3/4" IRON PIPE FOUND
- 3/8" IRON ROD FOUND
- 1/2" IRON ROD W/ CAP STAMPED "QUINTERO 10194107 SET"

**NOTES**

- THE BUILDING SETBACK LINES FOR THIS TRACT SHALL BE DETERMINED AS REQUIRED BY THE APPLICABLE ZONING SECTION OF THE CITY CODE OF ORDINANCES AS RELATED TO THE DEVELOPMENT OF THIS TRACT UNLESS SHOWN HEREOF.
  - THE BEARINGS AND DISTANCES SHOWN HERON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, PER LEICA SMART NET GPS OBSERVATION.
  - ALL LOTS TO BE SERVICED BY THE CITY OF HARKER HEIGHTS WATER AND SEWER.
  - THIS PROPERTY LIES WITHIN FEMA "OTHER AREAS, ZONE X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 4802700295E WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 25, 2006.
- "FEMA "OTHER AREAS, ZONE X" ARE DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% (500-YEAR) ANNUAL CHANCE FLOODPLAIN"



**LOCATION MAP**  
 SCALE: N.T.S.

GRAPHIC HORIZONTAL SCALE



**FINAL PLAT FOR:**  
**COMANCHE LAND, THIRD UNIT - AMENDED**  
 CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS

IS AN AMENDING PLAT OF ALL OF LOT 1 AND LOT 18, BLOCK 37, COMANCHE LAND, THIRD UNIT, AN UNRECORDED SUBDIVISION, IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT NO: 017-22  
 DRAWING NO: P1





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# COMANCHE LAND THIRD UNIT AMENDING

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P22-16 Amending Plat – Comanche Land Third Unit Amending

**Plat Distributed to HH Staff: April 29, 2022**  
**Comments Sent to Engineer: May 11, 2022**

## **Planning & Development**

1. Mobility 2030 indicates Pontotoc Trace is defined as a Collector. Collector street should have minimum of 70' ROW. Dedicate half of remaining right of way where ROW does not meet minimum required. This dedication action will require plat be designated as a Final Plat, please add all required signature blocks per §154.22 (B) (1) (q), and change plat type to "Final Plat" on all submitted documents.
2. Dedication statement on face of plat and separate dedication instrument do not state that easements will be dedicated to the City; please add verbiage indicating utility and/or drainage easements will be dedicated to the City of Harker Heights, in addition to ROW as mentioned in comment #1.
3. Correct spelling of "LAND" on separate dedication instrument (currently shows "Lnad", 4<sup>th</sup> line).
4. Please add location of sidewalk for Lot 2A (Sidewalks required for Collector Streets shall be 6', all other sidewalks shall be 5') See §154.40 for specs on sidewalk location, width, etc.

**Public Works, Mark Hyde**

**City Engineer, Otto Wiederhold**

**Fire Marshal, Brad Alley**

**Building Official, Mike Beard**

**ONCOR, Steven Huggins**

- Oncor to keep existing facilities and easements.

**Century Link, Chris McGuire**

Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Rusty Fischer

Clearwater UWCD, Dirk Aaron