



**Harker
Heights**

**Harker Heights
Planning and Zoning
Commission Meeting**

Wednesday

6:30 P.M.

October 26, 2016



PLANNING & ZONING WORKSHOP MEETING AGENDA

Notice is hereby given that, beginning at **5:30 p.m. on October 26, 2016**, and continuing from day to day thereafter if necessary the Planning & Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Workshop in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

- I. Convene workshop and establish a quorum.
- II. Announce a Closed Executive meeting for the P&Z members for the following purposes:
 - a. Pursuant to Government Code 551.071, to seek the advice of an attorney regarding matter in which the attorney's duty to the P&Z under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act, to-wit: proposed concept plan for Oakridge Terrace Section Four.
- III. Reconvene and workshop the following:
 - a. Continue discussion regarding a possible overlay district for Veterans Memorial Blvd
- IV. Adjournment

I certify that at 10:00 a.m. on October 21, 2016, an original copy of this notice was posted at the Harker Heights Municipal Building.

Ty Hendrick
Planning and Development Administrative Assistant – City of Harker Heights

Assistive listening devices are available upon request for those with hearing impairments. Please contact City Secretary 48 hours prior to meeting.

Pursuant to Chapter 551 of the Government Code the P&Z reserves the right to go into Closed Meeting on any item listed above if deemed necessary.



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**PLANNING & ZONING COMMISSION MEETING AGENDA
HARKER HEIGHTS CITY HALL
WEDNESDAY, OCTOBER 26, 2016 - 6:30 P.M.**

Notice is hereby given that, beginning at 6:30 p.m. on October 26, 2016, and continuing from day to day thereafter if necessary the Planning & Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Meeting in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

- I.** Convene regular meeting and establish a quorum
- II.** Approval of minutes from regular Planning and Zoning meeting held on September 28th, 2016 and Approval of minutes from the Building Standards Commission held on September 7th, 2016.
- III.** Recognition of Affidavits for Conflict-of-Interest.
- IV.** Report on City Council action regarding recommendations resulting from the October 11, 2016 meeting.
- V.** Report on Development Activity.
- VI.** Public Hearings:
 - I.** CP16-01 Discuss and consider a request by Luree Inc. for Concept Plan approval of a 45 acre tract of land to accommodate Single Family Residences in a R-1 Zone (One Family Dwelling District) within the Oakridge Terrace Subdivision, also known as 1901 Valley Oaks Drive, Harker Heights, Bell County, Texas.
- VII.** New Business
 - 1.** P16-106 Conduct a public hearing to consider a Preliminary Plat for 144.18 acres of land in Bell County, Texas, out of the H.R. Morrell Survey, Abstract No. 579, Lucy O'Dell Survey, Abstract No. 644, and the J.T.W.J. Hallmark Survey, Abstract No. 413, and also being a portion of the tract described as 490.1 acres in a deed to James Dennis Magill dated May 23, 1972 and recorded in Volume 1177, Page 145 of the Bell County Deed Records and laying east of F.M. 3481, and further described as Property ID#433992 and Property ID#67413
- VIII.** Citizens to be heard
- IX.** Staff Comments
- X.** Adjournment

Posted: October 21, 2016

Time: 10:00 A.M.

Ty Hendrick

Planning and Development Administrative Assistant – City of Harker Heights

**REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS**

DATE: 26 Oct 2016

AGENDA ITEM VI-1 Oak Ridge discussion

PRINT NAME: Patrick Kaur

ADDRESS: 1811 Mesa Oaks Cr.
Harker Heights, TX

COMMENTS: _____



SIGNATURE

**REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS**

DATE: 26 OCT 2016

AGENDA ITEM VI-1

PRINT NAME: Michael Blomquist

ADDRESS: 3100 Oakridge Blvd

Harker Heights, Texas 76548

COMMENTS: _____



SIGNATURE

**REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS**

DATE: 10-26-2016

AGENDA ITEM _____

PRINT NAME: Scott Clark

ADDRESS: 3206 Oskridge Blvd H H.

COMMENTS: Current infrastructure will not support the
development.



SIGNATURE

**REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS**

DATE: 10-26-2016

AGENDA ITEM Oakdale & the Golf Course Dev.

PRINT NAME: Marilyn Newkirk

ADDRESS: 3401 Oakridge Blvd

COMMENTS: Concerns regarding the future
development of golf course

Marilyn Newkirk

SIGNATURE

**REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS**

DATE: 10-26-16

AGENDA ITEM Oak Ridge Terrace

PRINT NAME: Laura McCartney

ADDRESS: 1804 Willowwood Cir
Harker Heights, TX 76548

COMMENTS: I oppose the development.
Additional traffic poses a risk
to traffic safety as well as
the wildlife in our area.

Laura McCartney
SIGNATURE

REQUEST TO ADDRESS AN ITEM ON THE AGENDA
AT THE PLANNING AND ZONING MEETING OF THE
CITY OF HARKER HEIGHTS

DATE: 10-26-16

AGENDA ITEM: Oak Ridge Terrace

Print Name Joyce Burns

Address 2100 Chinaberry Cir
Harker Heights

Phone Number 254-698-6892

Cell Phone Number 254-681-8200

E-Mail Address centxsaint@yahoo.com

Comments: drainage & infrastructure concerns



Signature

*Please give this completed form to the Secretary (prior to the meeting, if possible).
Responses will be limited to three (3) minutes.*

REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS

DATE: 10-26-16

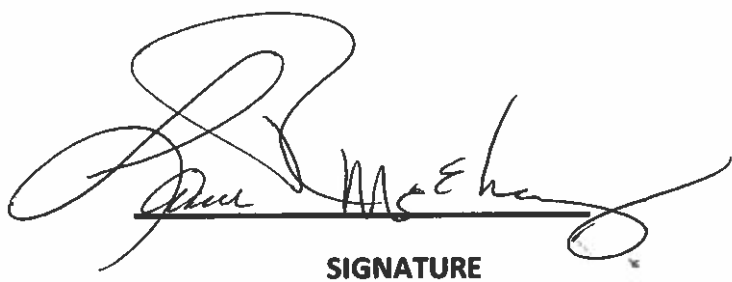
AGENDA ITEM GOLF COURSE

1850 Muse Oaks Club

PRINT NAME: Laurie McEhany

ADDRESS: CONVENTS & RESTRICTIONS

COMMENTS: REVIEWED


SIGNATURE

REQUEST TO ADDRESS AN ITEM ON THE AGENDA AT THE CITY
COUNCIL MEETING OF THE CITY OF HARKER HEIGHTS

DATE: Oct 26-2017

AGENDA ITEM Okridge Terrace

PRINT NAME: Annem Mullam Roberts
ADDRESS: 1803 Willowood Circle

COMMENTS: NO- TO Development
One of last areas left
wild life

Annem Mullam Roberts

SIGNATURE



Minutes of the Regular Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
September 28, 2016

Present:	Michael Schulte	Chairman
	Jeffery Petzke	Vice Chairman
	Jeff Orlando	Secretary
	Anthony Triola	Commissioner
	David Kingsley	Commissioner
	Jan Anderson	Commissioner
	Noel Webster	Commissioner
Absent:	Darrel Charlton	Commissioner
Staff:	Joseph Molis	Planning & Development Director
	Leo Mantey	City Planner
	Courtney Peres	Planner/GIS Coordinator
	Brad Alley	Fire Marshal
	Mark Hyde	Public Works Director
	Ty Hendrick	Planning Administrative Assistant

A quorum was established and the meeting was called to order at 6:38 P.M.

The first item on the agenda was the approval of the minutes from the August 31, 2016, regular meeting. Commissioner Petzke made a motion to approve the minutes and Commissioner Triola seconded the motion. The motion passed in favor (7-0).

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

Mr. Molis reported the actions from the City Council meeting which was held on September 13, 2016. City Council voted in favor (5-0) to approve an ordinance to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) for the property described as WILDEWOOD ACRES REPLAT (LTS 15-16 BLK 8), BLOCK 008, LOT 015A, Bell County, Texas, Property ID# 60206 also known as 930 Maplewood Drive. City Council voted in favor (5-0) to approve an ordinance to change the zoning designation from R-1(M) (One-Family Manufactured Home Dwelling District) to R-MU (Mixed Use Residential District) for the property described as KERN ACRES 1ST EXTENSION & REVISION, BLOCK 003, LOT 0005, Bell County, Texas, Property ID#131803 also known as 401 Bonnie Drive. City Council voted against (4-1) to disapprove an ordinance to change the zoning from R-1 (One-Family Home Dwelling District) to R-MU (Mixed Use Residential Dwelling District) for the property described as KERN ACRES 1ST EXTENSION & REVISION, BLOCK 005, LOT 0014, Bell County, Texas Property ID# 10560 also known as 304 Harley Drive. City Council voted in favor (5-0) to approve an ordinance granting a Conditional Use Permit (CUP) for a telecommunication tower on property described as HEIGHTS COMMERCIAL SUBDIVISION, BLOCK 002, LOT 0003, in the City of Harker Heights, Bell County, Texas, Property ID# 47731 also known as the Extraco Bank Building located at 100 W. Central Texas Expressway.

Next, Courtney Peres presented the update on development activity for the City. She stated the City issued zero commercial construction permits for the month of September 1st to September

28th. Fifteen (15) single-family residential construction permits had been issued and two (2) permits were issued for a two-family (duplex) for the month of September.

Under Public Hearings, Mr. Molis presented Z16-17 to discuss and consider an ordinance to change zoning from R-1 (Single Family Home Dwelling District) to R-2 (Two Family Dwelling District) for the property described as A0115BC I T BEAN, LOT 1-4 BLK 48 COMANCHE LAND UNDED ACRES 1.8, Bell County, Texas, Property ID#13103 also known as 1703 Pueblo Trace. Mr. Molis stated that the proposed rezoning from R-1 to R-2 district will not likely have any adverse effects on the surrounding residential zoning districts. He also stated that the rezoning would be consistent with the 2007 City of Harker Heights Comprehensive Plan. Staff sent out twenty eight (28) notices to property owners within the 400 foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request. Staff recommends approval of an ordinance to change the zoning designation from R-1 (Single Family Home Dwelling District) to R-2 (Two Family Dwelling District) for the property described as A0115BC I T BEAN, LOT 1-4 BLK 48 COMANCHE LAND UNDED ACRES 1.8, Bell County, Texas, Property ID#13103 also known as 1703 Pueblo Trace.

Chairman Schulte opened and closed the public hearing. There was no one to speak for or against the case. Chairman Schulte asked for a motion to approve or disapprove agenda item Z16-17. Commissioner Kingsley made a motion for approval and Commissioner Triola seconded the motion to approve. The motion passed (7-0)

Chairman Schulte adjourned the meeting at 7:00 pm.

Mike Schulte, Chairman

ATTEST:

Jeff Orlando, Secretary



PLANNING AND ZONING COMMISSION MEMORANDUM

AGENDA ITEM VI-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: OCTOBER 26, 2016

DISCUSS AND CONSIDER A REQUEST BY LUREE INC. FOR CONCEPT PLAN APPROVAL OF A 45 ACRE TRACT OF LAND TO ACCOMMODATE SINGLE FAMILY RESIDENCES IN AN R-1 ZONE (ONE FAMILY DWELLING DISTRICT) WITHIN THE OAKRIDGE TERRACE SUBDIVISION, ALSO KNOWN AS 1901 VALLEY OAKS DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

Luree Inc. has made an application for concept plan approval for approximately 45 acres of land zoned R-1 (One Family Dwelling District) located within the Oakridge Terrace Subdivision. The tract is currently addressed as 1901 Valley Oaks Drive and is proposed to be subdivided into 59 lots for single family residences. Per the concept plan, the minimum lot size is a half-acre (0.5 acres or 21,780 sq. ft.)

The property at 1901 Valley Oaks was platted as a golf course in 1972. The golf course later ceased to function, and the property has been vacant for several years. The applicant wishes to redevelop the property to single-family dwellings and has submitted the attached concept plan as the first step in the platting process, as required by the City of Harker Heights Code of Ordinances. Staff have reviewed the submitted concept plan, have made comments to address safety, connectivity, drainage and other pertinent requirements, and will also ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to, if this proposed plan moves on to the next stage in the development process.

The proposed single family dwellings should be a compatible use for the area since there are existing single family residences surrounding the property in a similar density and layout (See attached Density Map). The property is correctly zoned for the applicant's proposed use and Future Land Use Map of the city designates this area for Single Family Residences. Therefore, the proposed use is consistent with the City of Harker Heights zoning requirements and 2007 Comprehensive Plan.

Typically, Concept Plan approval has been a "New Business" action item in the Planning and Zoning Commission Agenda, but due to outstanding citizen interest, Staff has decided to make this agenda item a Public Hearing. As such, this agenda item was advertised in the local newspaper of common circulation, as outlined by State requirements. However, Staff did not place signs on the property nor mail comment forms, as this is not a rezoning case. Staff has received and attached comments from

citizens regarding this development, and has also received and attached a deed restriction document for your review and discussion.

While these attachments should be reviewed, please note you are considering approval of a concept plan for development. This is not a plat, nor is it a zoning case. The property is currently zoned for single-family use and has been reviewed in the most general of terms, as required for concept plans. Specific engineering and technical reviews will happen during the platting phase of development.

This case was presented for a public hearing at the July 27, 2016 Planning and Zoning Commission (P&Z) meeting. At the meeting, the P&Z voted to disapprove the Concept Plan as presented. The applicant has re-submitted the concept plan for approval in October 2016 and requests a second review and public hearing.

RECOMMENDATIONS

Staff has reviewed the Concept Plan and believes it has met all the requirements outlined in Section 154.20.2A of the Code of Ordinances. Staff has noted the outstanding comments of the reviewers as they pertain to the platting phase of development, and will ensure that those comments are addressed at the appropriate time of development. Staff therefore recommends approval of the concept plan request by LUREE INC. for Concept Plan approval on a 45 acre tract of land to accommodate Single Family Residences in an R-1 Zone (One Family Dwelling District) within the Oakridge Terrace Subdivision, also Known As 1901 Valley Oaks Drive, Harker Heights, Bell County, Texas.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to approve/disapprove a request by LUREE INC. for Concept Plan approval on a 45 acre tract of land to accommodate Single Family Residences in an R-1 Zone (One Family Dwelling District) within the Oakridge Terrace Subdivision, also known as 1901 Valley Oaks Drive, Harker Heights, Bell County, Texas.
2. Any other action desired.

ATTACHMENTS:

1. Application
2. Location Map
3. Future Land Use Map
4. Zoning Map
5. Density Map
6. Concept Plan
7. Staff Comments
8. Section 154.20.2A of the Code of Ordinances
9. Received Deed Restrictions
10. Received Citizen Comments



APPLICATION FOR DEVELOPMENT CONCEPT PLAN APPROVAL
Application Fee \$ 50.00

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

SUBDIVISION NAME: Oakridge Terrace Section Four

NUMBER OF LOTS: (if known) 61 NUMBER OF ACRES 45

PROPERTY OWNER: Luree, Inc.

ADDRESS: Rt. 2, Box 84 Killeen, TX 76542
PHONE: 512-783-3805

DEVELOPER: _____

ADDRESS: _____
PHONE: _____

SURVEYOR/ENG: Mitchell & Associates, Inc.

ADDRESS: 102 N. College/ P.O. Box 1088
PHONE: 254-634-5541

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

NAME (PRINT) _____ SIGNATURE _____
ADDRESS _____

NAME (PRINT) _____ SIGNATURE _____
ADDRESS _____

TO BE USED FOR CORPORATION/PARTNERSHIP

Jeff Smien Luree, Inc.
NAME (PRINT) _____ CORP/PARTNERSHIP _____

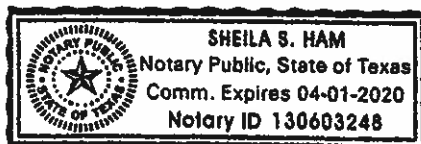
Rt. 2, Box 84 Killeen, TX 76542
ADDRESS _____

BY: [Signature] 423-3500
AUTHORIZED AGENT _____ TELEPHONE NO. 254-350-9701

- THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS 401, 402 AND/OR 404, AS APPROPRIATE FROM ENVIRONMENTAL PROTECTIVE AGENCY, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY AND/OR THE U.S ARMY CORPS OF ENGINEERS.
- The developer or their authorized representative must be present at all Planning and Zoning Commission Meetings and City Council Meetings at which their plan or plat is on the agenda for discussion or action. Failure of the developer or their authorized representative to appear before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.

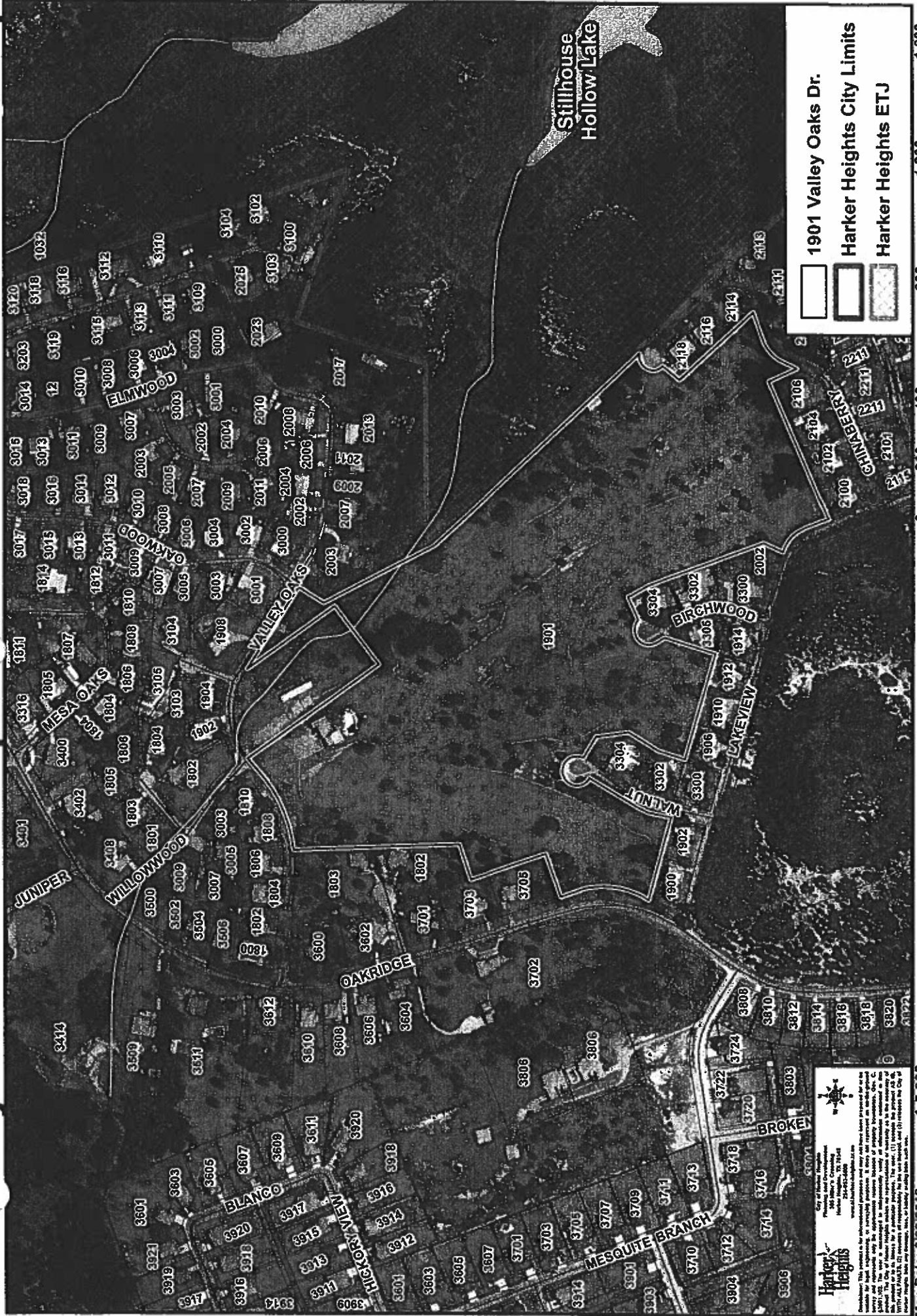
SWORN TO AND SUBSCRIBED BEFORE ME THIS 1st DAY OF June, 2016.


[Signature] MY COMMISSION EXPIRES: 04-01-2020
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



1901 Valley Oaks Dr. - Concept Plan

Location Map



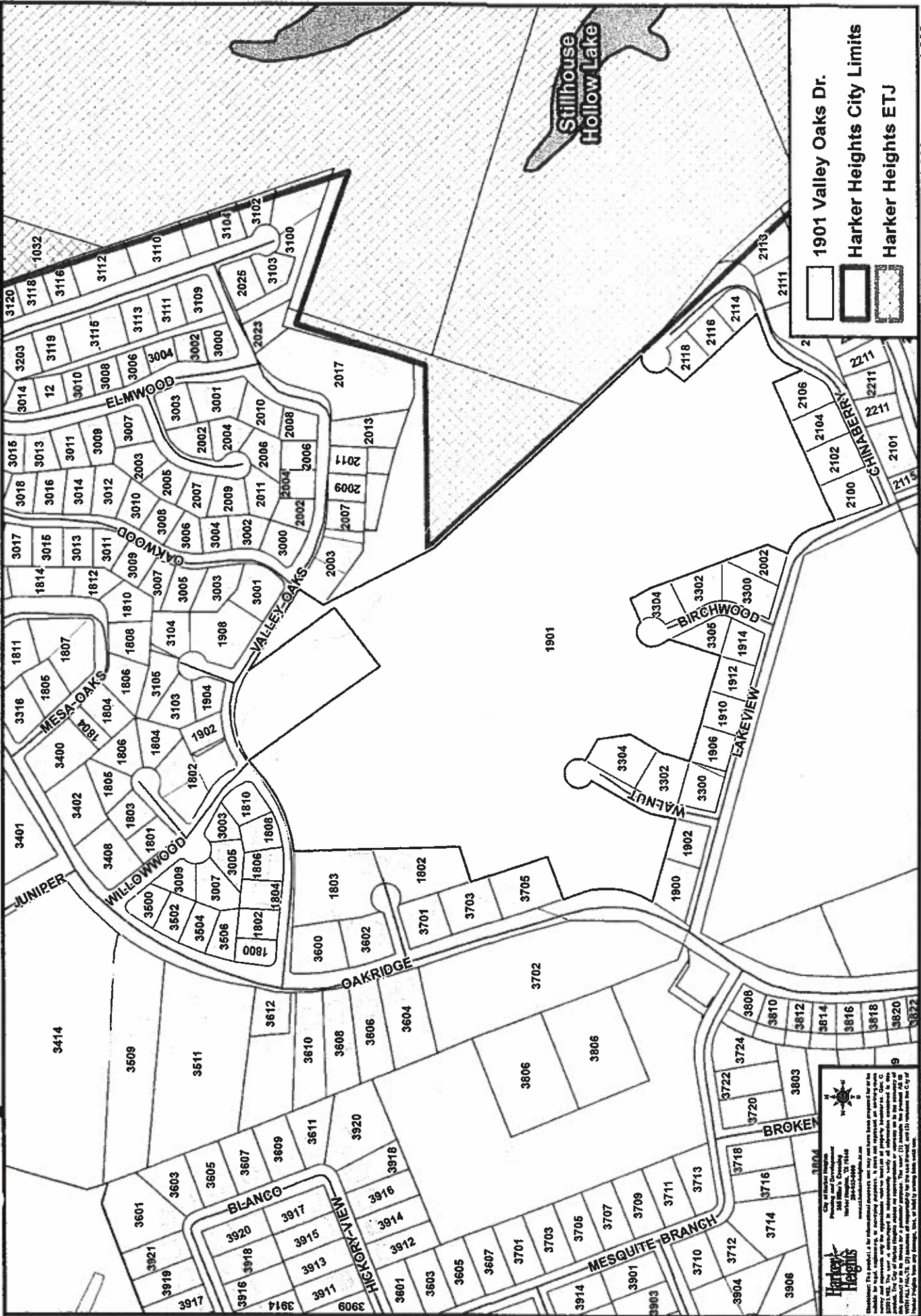


 City of Harker Heights
 Planning and Development
 305 Main St., Commerce
 Harker Heights, TX 76782
 254-972-2400
 www.harkerheights.com

Harker Heights is not responsible for any errors or omissions in this map. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information shown on this map. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information shown on this map. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information shown on this map.

Map Date: 6/22/2016 1:5,000

1901 Valley Oaks Dr. Future Land Use Map - Single Family



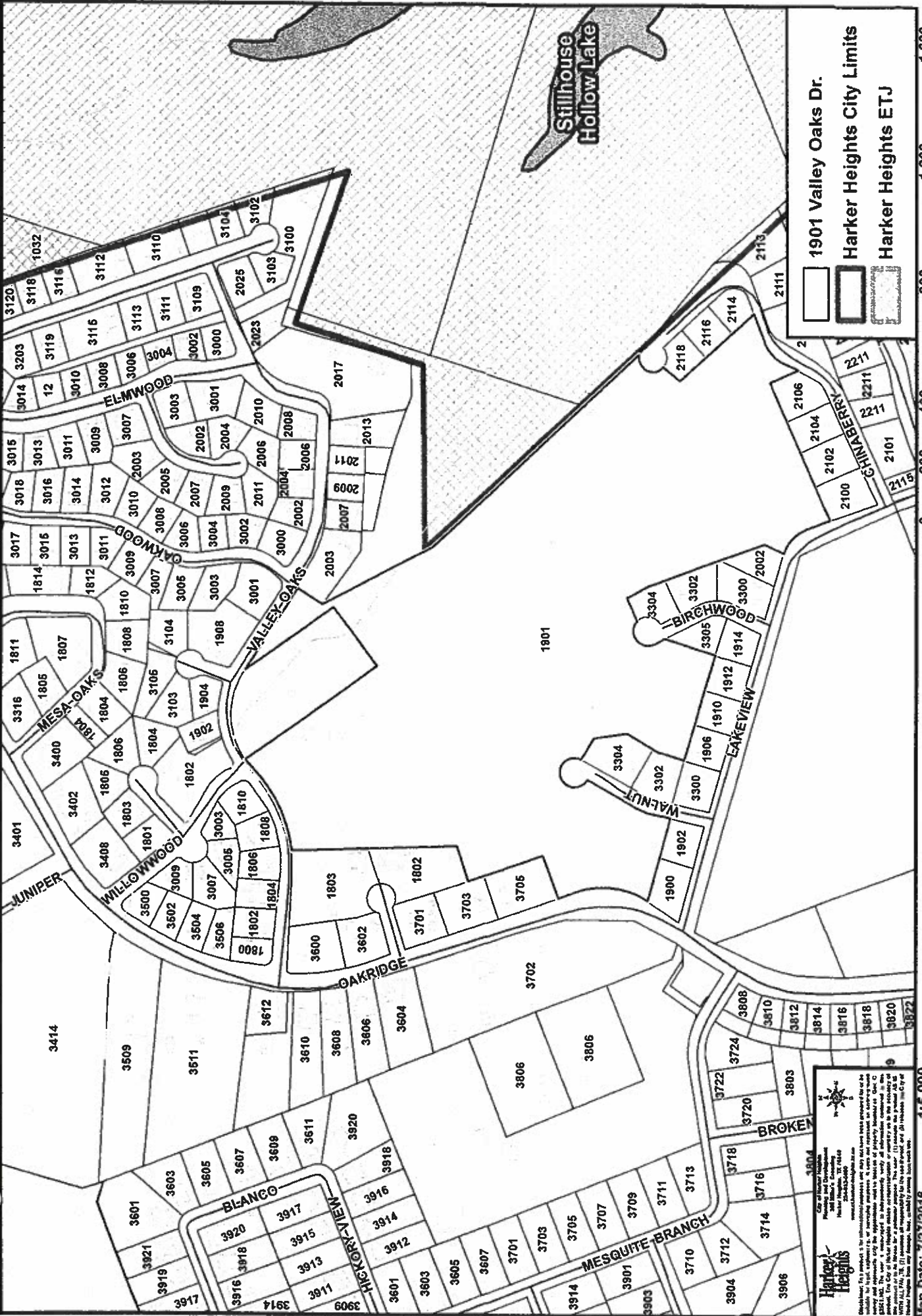
Harker Heights
 City of Harker Heights
 Planning and Development
 100 West 12th Street
 Harker Heights, TX 76047
 www.ci.harkerheights.tx.us

Disclaimer: This map is for informational purposes only and does not constitute a contract. The City of Harker Heights is not responsible for any errors or omissions on this map. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map.

Map Date: 7/27/2016 1:5,000

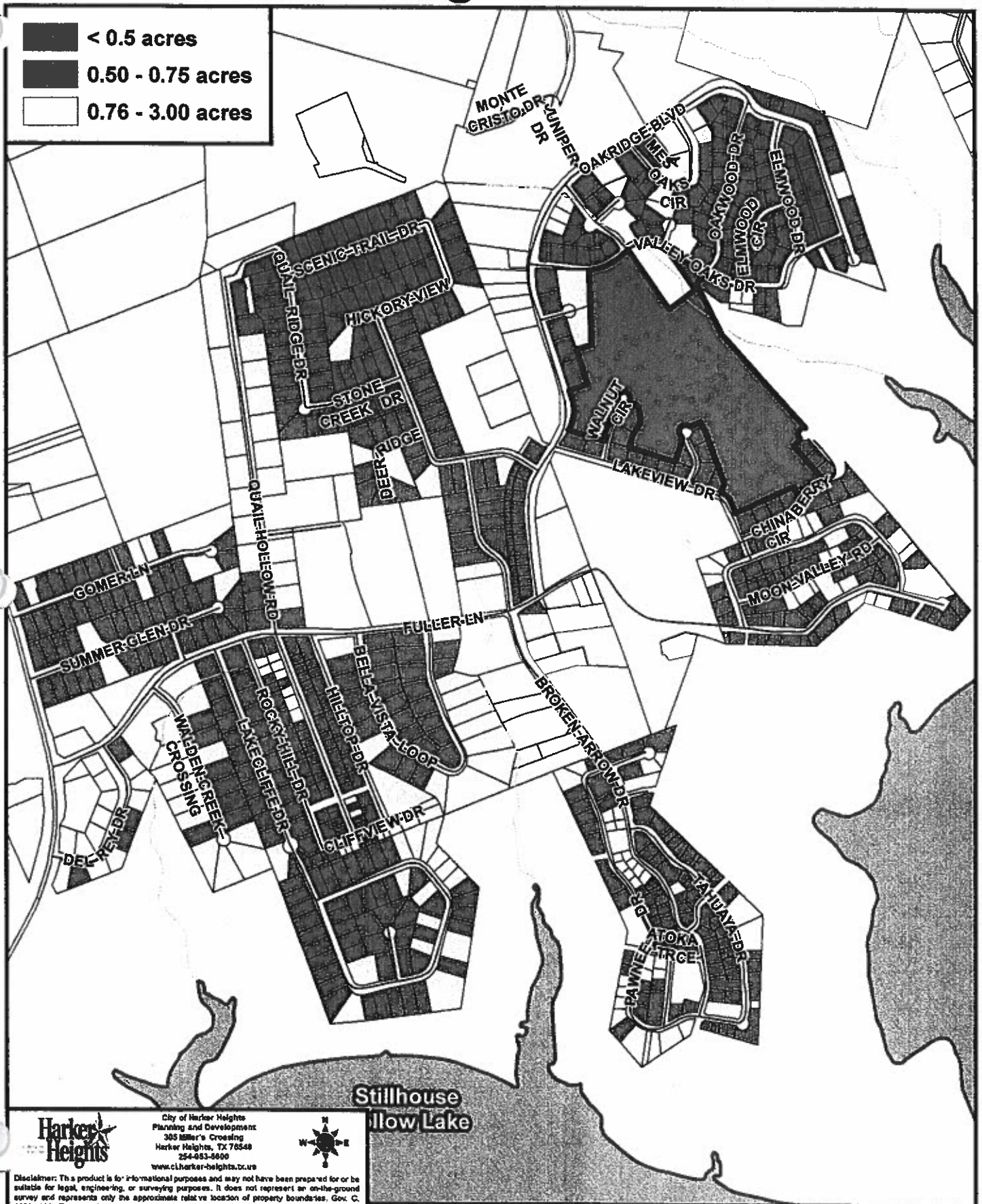
Zoning Map - R-1

1901 Valley Oaks Dr.



Map Date: 9/14/2016

Lot Acreage - Fuller Lane Area



Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-483-9600
www.ci.harker-heights.tx.us

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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for its use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

1:12,000



Staff Comments

Concept Plan

Oakridge Terrace

07/27/16

Planning and Development

1. Comments have been addressed.

Public Works, Mark Hyde

1. Please revise the water layout per the changes on page 3.
2. Public Works is verifying the water distribution system can support an additional 59 residential lots.

Consulting Engineer, Otto Wiederhold

1. My concern is how drainage will be handled in general. Only one site is shown for detention and it has very little of the proper area of the development draining to it! A much larger area will be draining to existing lots.
2. Recommend an evaluation for area of lots for on-site SS.

Bell County Health, Michael Jahns

1. The Health District has observed utilities exiting on the golf course which now are proposed to be part of residential lots.
2. This department also believes that some of the existing lots that are adjacent to the golf course have septic systems that were installed across their lot lines onto the golf course. These issues need to be explored and discussed to prevent individual issues in the future.
3. The golf course has areas where seeps were observed. Drainage easements may be necessary to insure the property can properly be drained in an effective manner.

Fire Marshall, Brad Alley

1. Approved subject to comments. Please relocate hydrants as illustrated below.

Building Official, Steve Philen

1. No Comments.

ONCOR, Greg Wade

Century Link, Janice Strickland

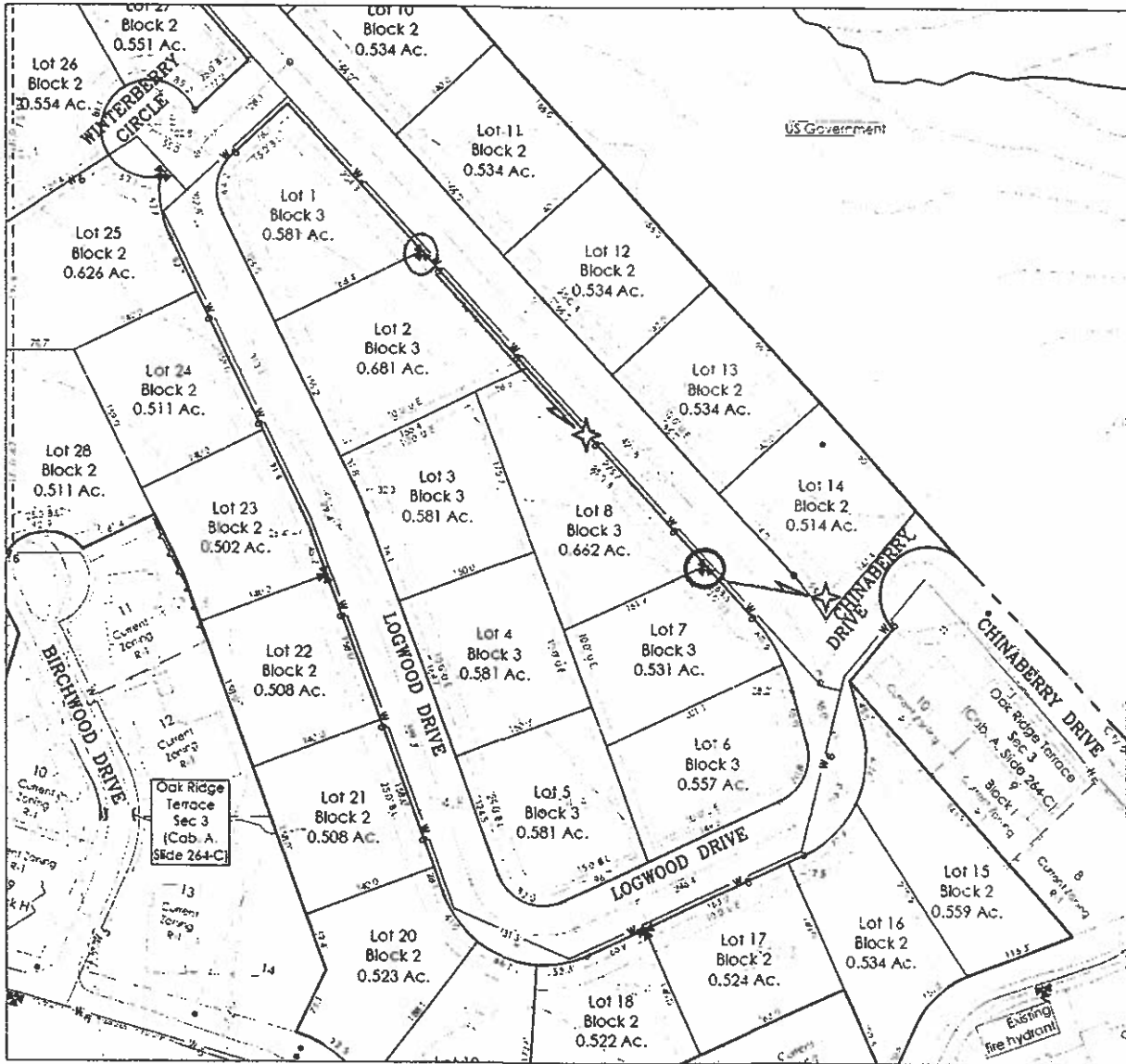
- 1. No Comments.

Time Warner Cable – Johnny Tindle

- None.

TxDOT, Billy Tweedle

- None.



(f) The concept plan shall be drawn on 24" x 36" sheets and/or on a plat document size format so as to be consistent with the preliminary/final plat document. When more than one sheet is necessary to illustrate the entire area, an index sheet showing the entire subdivision, at a scale sufficient to identify the drawings that follow, shall be attached to the concept plan document.

(g) The City Manager or his designated appointee will have the authority to review and approve any substantial amendments to a prior concept plan.

(h) An approved concept plan shall expire if there is more than a 24-month period of time between its approval and the submittal of a preliminary plat.

(3) Submission of a preliminary plat and preliminary engineering drawings by the applicant for review and approval by the Planning and Zoning Commission and City Council.

(4) Submission of final engineering drawings and construction of infrastructure by the applicant for approval by the Director of Planning and Development and the Director of Public Works.

(5) Submission of a final plat by the applicant for review and approval by the Director of Planning and Development along with a letter of credit or performance bond for any infrastructure item that is not complete. The Planning and Development Director may not disapprove the plat but shall refer any plat to the Planning and Zoning Commission if the applicant refuses to implement the Director's recommendations.

(6) Submission of Mylars, field notes, dedication, and as built drawings signed by a Texas Professional Engineer (when required). In addition, if the applicant is other than a natural person acting on his own behalf, submit a resolution, unanimous consent, or other such instrument in recordable form authorizing specific persons to act on behalf of the applicant in requesting final plat approval.

(7) Filing of final plat.

(B) Applications for minor plats, replats, amending plats, preliminary plats and final plats shall be submitted to the Planning and Development Department. Applications shall contain the following.

(1) *Application.* Completed application form.

(2) *Fee.* Application fee as established by the City Council and stated in the city's fee schedule.

(3) *Copies.*

(a) Preliminary plats shall require ten paper copies of the plat, and seven sets of preliminary engineering drawings with necessary calculations. After plat comments are approved by the City Council, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required. Corrected copies should be submitted before construction begins on the subdivision.

(b) Final plats shall require ten paper copies of the plat and seven sets of final engineering drawings with necessary calculations. After plat comments are approved by the Planning and Zoning Commission, and the City Council if necessary, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required.

(c) A digital copy of the final plat must be submitted. Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy of the final plat. Engineering drawings are excepted from this requirement. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision

name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible.

(4) *Time line.* Submittal of plats and engineering drawings, not meeting the standards for being a minor plat, shall be made 28 days prior to the scheduled Planning and Zoning Commission meeting as preliminary plats and preliminary engineering drawings. Preliminary plats and preliminary engineering drawings shall be presented to the Council within 30 days of action being taken by the Planning and Zoning Commission. Final plats and final engineering drawings shall be reviewed by the Director of Planning and Development. Final plats and final engineering drawings shall be reviewed by the Planning and Zoning Commission and the Council only if the Director of Planning and Development finds that there is substantial deviation, as defined in § 154.21(B), from the preliminary plat or preliminary engineering drawings. If the Director of Planning and Development rules that a final plat and/or final engineering drawings substantially deviate from the approved preliminary plat and/or preliminary engineering drawings, then the Planning and Zoning Commission shall have 30 days from the date of application of the plat to make a ruling and the City Council shall have 30 days from the date of the Planning and Zoning Commission's ruling to take action on the final plat.

(5) *Post approval of final plat.* The developer shall provide the city with two original reproducible Mylars and two paper copies of the plat with the required original signatures, dedications and specific notations.

(6) *As built drawing submittal requirements.* The developer shall provide the city with a digital copy and a single set of paper drawings of the constructed infrastructure. These drawings shall meet the requirements as set in § 154.25, "As Built Drawings". Digital as built files should be submitted in PDF, DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy drawing/document. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible. Failure to do so could result in revocation or denial of construction permits and/or certificate of occupancy.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2012-21, passed 10-9-12; Am. Ord. 2014-25, passed 10-28-14)

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That OAKRIDGE DEVELOPMENT CORPORATION, a Texas corporation, being the sole and only owner of all lots and blocks in OAKRIDGE TERRACE, SECTION THREE (3), Bell County, Texas, does 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 it until January 1, 1990, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then land owners of the lots in said addition has been recorded agreeing to change said covenants in whole or in part:

1. No lot shall be used except for residential purposes. No building shall be altered, placed, erected or permitted to remain on any lot other than one detached single-family dwelling, not to exceed two and one-half stories in height.
2. No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design with existing structures, and to location with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to the street than the minimum building set back line unless similarly approved. Approval shall be as provided in paragraphs (9) and (10).
3. No dwelling shall be permitted on any lot in Block G, H, and I unless the ground floor area of the main structure exclusive of open porches and garages, if a single story dwelling, be at least 2,000 square feet. If more than a single story dwelling, the ground floor area shall be at least 1,500 square feet with a total of at least 2,000 square feet in all floors of the structure.
4. No building shall be located on any lot nearer to the front lot line or nearer to the side street line than the minimum building set back lines shown on the recorded plat. In any event no building shall be located on any lot nearer than twenty-five (25) feet to the front line or nearer than fifteen (15) feet to any side street line, and no building shall be located nearer than ten (10) feet to any interior line, except that no side yard shall be required for a garage or other permitted accessory building located more than fifty (50) feet from the minimum building setback line. For the purposes of this covenant, eaves, steps, and open porches shall not be considered as a part of a building, provided, however, that this shall not be construed to permit any portion of a building on any lot to encroach upon another lot.
5. No dwelling shall be erected or placed on any lot having a width of less than fifty-five (55) feet at the minimum setback building line nor shall any dwelling be erected or placed on any lot having an area of less than 6,500 square feet.

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JUN 21 2016



Phyllis Coston
CO. CLERK, BELL CO., TX

6. Alleys and easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat. No buildings or growths shall be constructed or placed upon, over or across the easement strips as shown on the attached map. Said easements are hereby set apart for and reserved to the mutual use and accomodation of public utilities desiring to use same. All or any public utilities shall have the right to remove and keep removed all or parts of any buildings, fences, shrubs, trees, or other improvements or growths which may in any way endanger or interfere with the construction, maintenance or efficiency of its respective system on those easement strips, and all public utilities shall at all times have the full right of ingress and egress to and from and upon said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining, adding to or removing all or part of its respective system, without the necessity of at any time procuring the permission of anyone. However, not more than one (1) row of above ground poles may be placed on any one easement strip, such one row of poles to serve for both telephone and electric lines.

7. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

8. No structure of a temporary character, house-trailer, basement, tent, shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence, either temporarily or permanently, and no house trailer shall be kept or allowed on any lot at any time and no completed or partially completed structure of any type shall be moved on to any lot and used as a residence, either temporarily or permanently.

9. The architectural control committee is composed of Harry S. Jenkins, Jr., Ella Jenkins, and Allan Hamilton. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining members of the committee shall have full authority to designate a successor. Neither the members of the committee nor its designated successors or representatives shall be entitled to any compensation for services performed pursuant to this covenant. At any time the then record owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership of the committee or to withdraw from the committee or restore to it any of its power and duties.

10. The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representatives fail to approve or disapprove within thirty (30) days after the plans and specifications have been submitted to it, or in any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

11. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than five (5) square feet advertising the property for sale or rent or signs used by a builder or developer to advertise the property during the constructing or sales period.

12. No animals, livestock, poultry, or stock of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept, provided they are not kept, bred or maintained on any lot for any commercial purposes.

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

14. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations of between two (2) and six (6) feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points twenty-five (25) feet from the intersection of the street lines, or in the case of a rounded corner from the intersection of the street property lines extended. The same sight lines limitations shall apply to any lot within ten (10) feet from the intersection of a street property line with the edge of driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such lines.

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JUN 21 2016



Shelley Costan
CO. CLERK

15. Enforcement shall be legal proceedings at law or in equity against any person or persons violating or attempting to violate any covenant, either to restrain violation or to recover damages.

16. Violation or failure to comply with the foregoing restrictions, covenants and conditions shall in no way affect the validity of any mortgage, loan or bona fide lien, which may in good faith then be existing upon the above mentioned property or any lot therein.

17. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

EXECUTED this 29th day of April, 1972.

OAKRIDGE DEVELOPMENT CORPORATION

By Harry S. Jenkins, Jr.
Harry S. Jenkins, Jr., President

ATTEST:
Ella Jenkins
Ella Jenkins, Secretary

PIAT BOOK 2
Page 153

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109



Shelley Costen
CO. CLERK, BELL CO., TX

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That we, LUIS M. MORTON, JR. and MARI MORTON, being the owners of the following described property:

Being an easement out of and a part of a tract of land conveyed to Luis M. Morton, Jr. et ux, by Monte R. Fuller, et al, as described in a deed recorded in Vol. 1001, Page 916, Deed Records of Bell County, Texas;

BEGINNING at the northeast corner of the above described tract, said corner being the most northwest corner of the Oakridge Terrace Section #3 Subdivision to Bell County, Texas;

THENCE along the west line of the said subdivision, being the center-line of Lakeview Drive, S. 73° 39' 29" E., 1323.36 feet to a point;

THENCE S. 20° 13' 49" E., 31.12 feet to a point;

THENCE N. 73° 39' 29" W., 1349.91 feet to a point in the south margin of Oakridge Boulevard;

THENCE N. 34° 06' 20" E., 26.25 feet with the south margin of Oakridge Boulevard to the place of beginning, containing 0.767 acres of land;

have caused the above portion of the land to be surveyed and we do declare that this road as above described by metes and bounds is hereby dedicated to the general public, and these lands are hereby dedicated to the general public forever, to be so used as a public road.

EXECUTED this 2nd day of May, 1972.

Witness my hand and seal of office this 2nd day of May, 1972, at the beginning of

the said curve to the right of the

the end of the said curve.


Luis M. Morton, Jr.

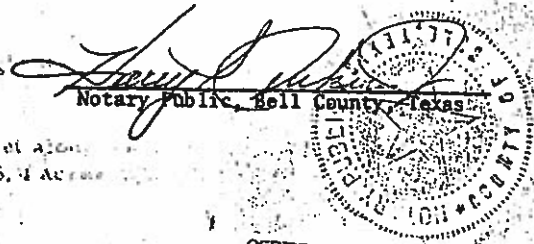

Mari Morton

SUBSCRIBED AND SWORN to before me by the said LUIS M. MORTON, JR. and MARI MORTON, on this 2nd day of May, 1972, to certify which witness my hand and seal of office.

Witness my hand and seal of office this 2nd day of May, 1972, at the beginning of

the said curve to the right of the

the end of the said curve.


Notary Public, Bell County, Texas

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JUN 21 2016

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, the undersigned authority, in and for said County, Texas, on this day personally appeared Harry W. Jenkins, Jr., president of OAKRIDGE DEVELOPMENT CORPORATION, a Texas corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, as the act and deed of said corporation, in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 29th day of April, 1972.

Arthur L. Fowler
Notary Public, Bell County, Texas



STATE OF TEXAS
COUNTY OF BELL

IN THE COMMISSIONERS' COURT
OF BELL COUNTY, TEXAS

ORDER

The attached and foregoing dedication of OAKRIDGE TERRACE, SECTION NO. 3, subdivision in Bell County, Texas, was presented to the Commissioners' Court in Bell County, Texas, and having been examined and considered by the said Court, the said dedication and the plat of said subdivision attached to and made a part of said dedication is hereby approved save and except the roads thereon which were not accepted as county roads, and subject to this exception, plat was ordered filed in the deed and plat records of Bell County, Texas.

SIGNED AND ENTERED this 29th day of April, 1972.

H. Harris

County Judge, Bell County, Texas

See Plat Book 2

Page 453 for Plat.

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11/11/21 2016



Amelley Costen
CO. CLERK, BELL CO., TX

FIELD NOTES for a tract of land in Bell County, Texas for Harry S. Jenkins out of and a part of the C. F. W. Bailey Survey, Abstract No. 1021, and the land herein described is a part of that certain tract described as 65.4 acres in a deed from Tom Simmons to Harry S. Jenkins said deed being of record in Vol. 936, Page 444, Deed Records of Bell County, Texas.

BEGINNING at a point in the south line of Valley Oaks Drive an iron pipe therein for the most northerly northeast corner of this.

THENCE S 32° 16' 10" W. , 114.93 feet to an iron pipe.

THENCE S. 31° 29' 45" E. , 371.31 feet to an iron pipe.

THENCE S. 42° 25' 24" E. , 411.29 feet to an iron pipe.

THENCE S. 42° 17' 24" E. , 1649.86 feet to an iron pipe for the most easterly southeast corner of this.

THENCE S. 69° 14' 58" W. , 628.51 feet to an iron pipe in the south line of Maplewood Drive.

THENCE S 69° 41' 47" W. , 423.38 feet along the south margin of Maplewood Drive to an iron pipe for the most southerly corner of this.

THENCE N. 20° 13' 49" W , 379.65 feet to an iron pipe for an ell corner of this, said iron pipe being in the centerline of Lakeview Drive.

THENCE N. 73° 39' 29" W. , 1323.36 feet along the centerline of Lakeview Drive to an iron pipe for the most southerly southwest corner of this, said iron pipe being in the east margin of Oakridge Boulevard.

THENCE N. 34° 06' 20" E. , 132.90 feet along the east margin of Oakridge Boulevard to the beginning of a curve to the left.

THENCE with the said curve R= 301.71 feet and L= 274.76 feet to the end of the said curve.

THENCE N. 18° 05' 18" W. , 727.78 feet along the east margin of Oakridge Boulevard to an iron pipe and the the beginning of a curve to the right.

THENCE along the said curve to the right R= 902.61 feet and L=287.81 feet to the end of the said curve and the beginning of a curve to the right.

THENCE along the said curve to the right R= 12.38 feet and L= 20.95 feet to a point for the end of the said curve, said point being in the south margin of Valley Oaks Drive.

THENCE S 82° 55' 13" E. , 303.35 feet along the south margin of Valley Oaks Drive to an iron pipe and the beginning of a curve to the left.

THENCE with the said curve to the left R= 453.38 feet and L= 414.56 feet to the end of the said curve and the beginning of a curve to the right.

THENCE with the said curve to the right R= 245.818 feet and L= 333.46 feet to the end of the said curve.

THENCE S. 57° 35' 11" E. , 345.17 feet along the south line of Valley Oaks Drive to the place of beginning, containing 65.4 acres of land.

(certificate attached)

CARRELL WILLIAMS, REGISTERED PUBLIC SURVEYOR NO. 149

GALE E. MITCHELL, REGISTERED PUBLIC SURVEYOR NO. 1802

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JUN 21 2016



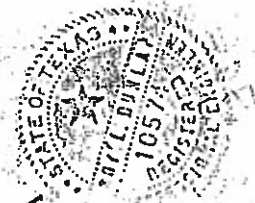
Amelia Coston
CO. CLERK, BELL CO., TX

STATE OF TEXAS 0
COUNTY OF BELL 0

KNOW ALL MEN BY THESE PRESENTS,
that I, Roy L. Dunlap, Registered Professional
Engineer, do hereby certify that I did cause to
be surveyed on the ground the above described

tract and to the best of my knowledge and belief the said description is true and
correct.

IN WITNESS THEREOF, my hand and seal, this the 18th day of April, A. D.
1972.



Roy L. Dunlap
Registered Professional Engineer

Plat Book 2
Page 153

FILED FOR RECORD THIS THE 9 DAY OF MAY, 1972 AT 930 A M.

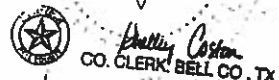
MRS. RUBY MCKEE, COUNTY CLERK
BELL COUNTY, TEXAS

BY: _____ DEPUTY

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413



Heather Able Deputy Clerk

June 28, 2016

To Whom It May Concern:

We are disgusted that the old Oakridge golf course is to be divided into 50 home sites. To squeeze that many homes into such a small acreage is terrible. All this is telling us is that the city is more concerned about potential property revenue than addressing issues and concerns that already exist in this area. This area has been annexed for years but absolutely no improvements have been made to bring it up to city code.

The water system is antiquated, falling apart, and already taxed to its limits. Water pressure is always an issue in the Oakridge subdivision. With the addition of Quail Ridge and now this new housing site the water pressure and overload on the entire system makes it even more deplorable.

There is no viable sewer system. What type will the new homes have? Septic systems with leach fields are illegal and Aerator systems don't work properly, plus they are so smelly.

Rubbish collection has declined due to the size of the area it already services. I am sure with all the new home sites already going into the area plus the addition of the one in Oakridge, we will certainly see changes. Will service and costs remain the same? We have already seen illegal dumping in the area. With the addition of so many homes, this will only get worse.

Harker Heights has always been a desirable area to live and work, especially for families. Our schools, commuting areas, public parks, and low crime are natural attractions. We are quickly losing this quality with such staggering growth. We have already seen a huge climb in traffic congestion, crowding in classroom size and activities, unsafe travel areas for public foot traffic (especially children), police and fire department extended response time (and very limited coverage), plus over-populated parks and play areas. Why wasn't the Oakridge golf course purchase by the city and turned into a public park with hiking trails, or a substation area for police and fire? The only law enforcement out in the subdivision is an occasional daily drive-thru. An emergency call to police requires a 10 to 15 minute response time.

The addition of 50 homes will overburden the area with traffic congestion, speeders, unsafe walking/hiking/riding, and potential crime. What will happen to the wildlife in the area? It is already over-populated and compressed. We are seeing more traffic accidents due to the compression, traffic, and increased speeding (which goes uncontrolled). We live in a 25 mph speed limit area and it is observed by very little vehicular traffic. The addition of low speed bumps or traffic rumble strips might be helpful. Because there is such minimal police coverage, speed limits are continually violated. It is dangerous to both wildlife, children, and human foot traffic. The entire

Oakridge area is devoid of natural trails and/or sidewalks. This is disgraceful and very poor planning.

Traffic flow on Oakridge Boulevard is overburdened, excessive, and congested at present. What will be the flow pattern of 50 homes from the Oakridge golf site? Hopefully, it would have at least 3 exits. Even more, would be better.

This is a small, isolated, and relatively quiet community of predominantly custom built homes with high property values. We would like to see it remain that way.

Respectfully,

Michael, Linda and Jessica (Gegris) Rowell
3602 Oakridge Blvd
Harker Hights, TX 76548
(254) 698-4897

Zachary Hendrick

From: Joseph Molis
Sent: Monday, August 01, 2016 2:14 PM
To: Zachary Hendrick; Leonard Mantey; Courtney Peres
Subject: FW: Proposed subdivision adjacent to Oakridge subdivision

Please add to the file...

Joseph C Molis, GISP
Director of Planning and Development
City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
254-953-5600
Fax: 254-953-5666

Vision: Providing public services that empower people to focus on what matters most – their goals, hopes, and dreams.

From: David Mitchell
Sent: Monday, August 01, 2016 1:10 PM
To: Joseph Molis
Subject: Fwd: Proposed subdivision adjacent to Oakridge subdivision

FYI

David R. Mitchell
City Manager

City of Harker Heights
305 Millers Crossing
Harker Heights, TX 76548

Ph: 254-953-5600

dmitchell@ci.harker-heights.tx.us

Vision: Providing public services that empower people to focus on what matters most - their goals, hopes and dreams.

Sent from my mobile device.

Begin forwarded message:

From: Bj Rivera <bjrvr3@gmail.com>
Date: August 1, 2016 at 1:08:36 PM CDT
To: <dmitchell@ci.harker-heights.tx.us>
Subject: Proposed subdivision adjacent to Oakridge subdivision

August 1, 2016

Harker Heights City Council

ATTN: David Mitchell, City Manager

Dear Sir:

I am writing a letter of concern for the Oakridge Subdivision in Harker Heights and the proposed housing development in that proximity. When I visit with friends who live on Chinaberry Circle, I am very cautious for the deer population in the area. This is their habitat, and I believe it should be left alone, in the current pristine condition for their survival. To allow for yet another housing development, could negatively impact the current residents, both human and animal. I appeal to your knowledge and experience in the Forest Industry, for my concerns.

It is my understanding that there are already issues of drainage in this area; residents have issues with adequate drainage with the current housing areas, and the location-very near to Stillhouse Lake raises even more concerns. I understand that the neighboring subdivisions currently have unoccupied residences which, if a study were completed, could possible bring to light the inadequate drainage and aeration currently required for the existing residences, if they were at capacity.

I am witness to the effects of more housing developments in areas of inadequate drainage. I live two blocks from one of the five hills in Copperas Cove, off Little Street. After developments were built on the higher ground, on the hill, those of us in the lower areas experienced numerous problems with our drainage. Along the streets perpendicular to Little Street, the series of nine streets all show areas on the roadway of sewer line replacement (at the owner's expense), due to the increased impact of the houses and buildings built above us on higher terrain.

I am a retired Army Topographic Analyst, having served twenty-one and a half years, with experience in analyzing terrain and producing flood prediction analysis. I believe there should be a study completed for this area, prior to any further housing expansions, with emphasis on water availability, current residents' concerns, future drainage impact, proximity of Stillhouse Lake, and the deer population. I understand this could be done with your Planning and Development Department, under the GIS (Geographic Information Systems) Coordinator.

For any questions regarding my concerns, you may reach me at (254) 547-6115. Thank you for your consideration.

Sincerely,

(signed)

Brenda J. Rivera

1SG, USA (Ret.)

Zachary Hendrick

From: Leonard Mantey
Sent: Wednesday, June 29, 2016 11:15 AM
To: Joseph Molis; Courtney Peres
Cc: Calvin Fleming; Eric Moree
Subject: FW: Oakridge Golf Course Development

FYI - ANOTHER LETTER.

From: lightburns@aol.com [mailto:lightburns@aol.com]
Sent: Wednesday, June 29, 2016 11:13 AM
To: Leonard Mantey
Subject: Oakridge Golf Course Development

Dear Mr. Mantey,

When we spoke you told me that the old golf course is zoned residential and new houses could be constructed there.

I have some concerns that I would like to have addressed:

1) When it rains the area located at the southwest corner of the golf course drains directly through the middle of my back yard, around my house to the front yard and eventually drains through the drainage culvert under Chinaberry Circle. When the water pipe breaks on Birchwood Circle, which happens every year or so, it also drains into my yard. With new homes requiring septic systems I do not want this draining through my yard!

2) It seems that in Harker Heights new homes are allowed without the thought of increased traffic. I would like this addressed before building is allowed--especially the congestion that this will create at Fuller Lane and Stillhouse Lake Road.

3) Has any one contacted KISD concerning the possible influx on students at Skipsha Elementary, Union Grove Middle School, and Harker Heights High School?

4) Although it is never a consideration of elected officials--there is a lot of wildlife in this area (fox, owls, hawks, squirrels, jack rabbits, deer, etc.). When Tuscan Meadows was built there were many animals killed due to increase traffic. I would like to know who is going to come out and remove the dead animals. Will this be Harker Heights Animal Control?

5) There is a neighborhood covenant for Oakridge Terrace that was executed on April, 29, 1972. It was signed by Judge Harris, a then county judge on this date. It sets forth the requirement for building in our subdivision. To the best of my and my neighbors knowledge, this covenant is still in force and should be followed. It was filed for record on May 9, 1972 at the Bell County Courthouse with an automatic renewal for successive 10 year periods.

Respectfully submitted,

Joyce Burns
Homeowner
2100 Chinaberry Circle
Oakridge Terrace
Harker Heights, TX
254-698-6892



PLANNING AND ZONING COMMISSION MEMORANDUM

AGENDA ITEM VII-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: OCTOBER 26, 2016

DISCUSS AND CONSIDER A REQUEST BY WBW LAND INVESTMENTS LP, FOR PRELIMINARY PLAT APPROVAL FOR TUSCANY MEADOWS II DESCRIBED AS 144.18 ACRES OF LAND IN BELL COUNTY, TEXAS, OUT OF THE H.R. MORRELL SURVEY, ABSTRACT NO. 579, LUCY O'DELL SURVEY, ABSTRACT NO. 644, AND THE J.T.W.J. HALLMARK SURVEY, ABSTRACT NO. 413, AND ALSO BEING A PORTION OF THE TRACT DESCRIBED AS 490.1 ACRES IN A DEED TO JAMES DENNIS MAGILL DATED MAY 23, 1972 AND RECORDED IN VOLUME 1177, PAGE 145 OF THE BELL COUNTY DEED RECORDS AND LAYING EAST OF F.M. 3481, AND FURTHER DESCRIBED AS PROPERTY ID#433992 AND PROPERTY ID#67413.

EXPLANATION:

The applicant is requesting preliminary plat approval for 144.18 acres of land east of FM 3481 and along the western side of Cedar Knob Road. The property is directly opposite the Tuscan Meadows I subdivision and its nearby significant land uses include Harker Heights High School, Wal-Mart neighborhood store, Stillhouse Flats apartment complex, and a Catholic Church. The property is currently zoned PD-R (Planned Development-Residential District) and must adhere to the conditions of the zoning district as well as the regulations of the Development Overlay District 1 – The Knight's Way Corridor if approved. An updated PD-R rezoning request will be heard at a later date and will include additional conditions such as the inclusion of an amenities center, internal trails, landscaped signs at both subdivision entrances on Prospector Trail, and decorative street lighting.

The preliminary plat consists of ten (10) blocks with 460 residential lots. The development of the lots will be constructed in three (3) phases. The development will access City water and wastewater utilities and will be required to extend utilities to accommodate development. The subdivision will be developed in phases to allow for the proper development of drainage features within the FEMA flood hazard areas.

RECOMMENDATIONS:

The proposed preliminary plat has been revised to address all staff comments. Staff believes the Preliminary Plat as presented with its PD-R zoning conditions will address all developmental issues relating to safety, health, connectivity, environmental preservation and aesthetics. Staff therefore recommends approval of a preliminary plat

for approximately 144.18 acres of land in Bell County, Texas, out of the H.R. Morrell Survey, Abstract No. 579, Lucy O'Dell Survey, Abstract No. 644, and the J.T.W.J. Hallmark Survey, Abstract No. 413, and also being a portion of the tract described as 490.1 acres in a deed to James Dennis Magill dated May 23, 1972 and recorded in Volume 1177, Page 145 of the Bell County Deed Records and laying east of F.M. 3481, and further described as Property ID#433992 and Property ID#67413, subject to the above conditions, for the following reasons:

- The plat is consistent with zoning requirements as prescribed in the PD-R submitted for approval.
- The proposed provision and configuration of roads, water, wastewater, drainage and utility easements, and rights-of-way are adequate to serve the lots provided.

ACTION BY PLANNING AND ZONING COMMISSION

1. Motion to approve/disapprove a preliminary plat for approximately 144.18 acres of land in Bell County, Texas, out of the H.R. Morrell Survey, Abstract No. 579, Lucy O'Dell Survey, Abstract No. 644, and the J.T.W.J. Hallmark Survey, Abstract No. 413, and also being a portion of the tract described as 490.1 acres in a deed to James Dennis Magill dated May 23, 1972 and recorded in Volume 1177, Page 145 of the Bell County Deed Records and laying east of F.M. 3481, and further described as Property ID#433992 and Property ID#67413, subject to the above conditions and based on staff recommendation and findings..
2. Any other action desired.

ATTACHMENTS:

1. Staff Comments
2. Application
3. Location Map
4. Image of the Plat
5. PD-R Zoning Ordinance with Conditions

Tuscany Meadows II Revised

Preliminary Plat

Comments Sent: October 14, 2016

Planning & Development

1. Please input a space for the year within the City Council signature block. "Approved this _____ day of _____, 20__ by the City Council of the City of Harker Heights, Texas."
2. Please add a signature block for the Director of Planning and Development. "Approved this _____ day of _____, 20__, by the Director of Planning and Development of the City of Harker Heights, Texas." (*For Final Plat Approval)
- 3.

Public Works, Mark Hyde

1. On Sheet 3, a typical cross section of a grass lined, 10' wide swale is referenced. Is this the typical swale for private drainage between lots? The minimum public drainage easement width required is 15'.
2. On Sheet 2, the 20' water line easement volume and page reference dated 1972 is incorrect. The water line and easement are less than ten years old. Provide the correct recordation information.
3. On Sheet 2, the lot line for lot's 26 and 27 is directly over the center of the 20' easement and probably over the water line. The depth of the water line will need to be verified and a note included on the plat for privacy fence construction with a maximum depth allowed for the fence posts-or- don't allow a fence to be constructed in the easement. Provide the same fence post maximum depth for lot's 60, 97 and 98-or- don't allow fences to be constructed in the easement.
4. On Sheet 2, what is the intended use for lots 54-57 with the drainage swale bisecting the center of the lots? The City requests maintenance access to the swale through lot 57.
5. Provide a 60' wide maintenance access easement for City maintenance equipment on the stub out on the north side of the plat abutting Aycock Drive.
6. On Sheet 9, delete the reference to two single water services being placed in the same trench. One (1 ¼ inch) diameter water service line will serve two water meters.
7. On Sheet 10, direct the flush assembly towards the 15' PUE. Construct the sanitary sewer end of line 3' from the edge of the easement to allow for the 9' water-sewer separation. Would like to eventually connect the water line to the commercial property to eliminate the flush assembly. If possible, increase the 15' PUE to a 20' PUE.
8. On Sheet 14, extend the culverts crossing Prospector Trail in two locations

to keep the maximum mow strip separation between the sidewalk and the street. Provide a note on Tract C that a driveway approach will be constructed and matched with the existing sidewalks on each side. If the driveway is not constructed, the developer will connect the sidewalks within two years after the date of approval of the final plat.

9. On Sheet 20, provide maintenance access on both sides of Prospector Trail for accessing the Tract B drainage swale. The access approach off of Prospector Trail must support heavy equipment including 15-yard dump trucks, track excavators and track loaders.

Section 158.07 (2) of the Drainage Criteria Manual: (2) Drainage channels and detention ponds that are to be maintained by the public (city) shall be contained within drainage easements. Adequate room for access shall be provided for drainage channels and detention ponds. Ramps no steeper than five feet horizontal to one foot vertical shall be provided at appropriate locations to allow access to drainage channels and detention ponds. The minimum bottom width for any channel with vegetative side slopes shall be four feet.

- Provide the same type of maintenance access to Tract A off of Cedar Knob Road and Tract D off of Torino Street.
- Provide a 20' wide drainage and access easement through the lot at Vesuvius Court or a 20' wide drainage and access easement through the lot at Lavigne Court. (Privacy fences would be constructed on each side of the 20' wide access and drainage easement).

10. Armor earthen swales at bends and where storm water discharges are perpendicular and in close proximity to the swale side slope.

Consulting Engineer, Otto Wiederhold

1. Really need to see the drainage design and study to have confidence in the preliminary design.
2. Swales along back lot lines will be difficult to access for City crews.
3. Developer's engineer needs to be innovative with any unlined (earthen) channels to make sure scour does not become an issue.

Fire Marshall, Brad Alley

Building Official, Steve Philen

ONCOR, Greg Wade

Century Link, Janice Strickland

Time Warner Cable, Johnny Tindle



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

APPLICATION FOR SUBDIVISION PRELIMINARY PLAT APPROVAL

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

PLAT NAME: Tuscany Meadows Phase II

NUMBER OF LOTS: 466 NUMBER OF ACRES 144.18

EXISTING LAND USE: Vacant Land

PROPERTY OWNER: WBW Land Investments LP

ADDRESS: 3000 Illinois Ave Ste.100 Killeen, TX, 76543
PHONE: (254) 953-5353

DEVELOPER: WBW Development Group, LLC-Series 009

ADDRESS: 3000 Illinois Ave. Ste.100, Killeen, TX, 76543
PHONE: (254) 953-5353

SURVEYOR/ENG: Yalgo, LLC (Luther Frohish, RPLS)

ADDRESS: 3000 Illinois Ave. Ste.100 Killeen, TX, 76543
PHONE: (254) 953-5353

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

NAME (PRINT) _____ SIGNATURE _____

ADDRESS _____

NAME (PRINT) _____ SIGNATURE _____

ADDRESS _____

TO BE USED FOR CORPORATION/PARTNERSHIP

Bruce Whitvis, President WBW Land Investments LP
NAME (PRINT) _____ CORP/PARTNERSHIP _____

3000 Illinois Ave. Ste. 100 Killeen, TX, 76543
ADDRESS _____

BY: [Signature] (254) 953-5353
AUTHORIZED AGENT TELEPHONE NO.

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

SWORN TO AND SUBSCRIBED BEFORE ME THIS 5th DAY OF November, 2015.

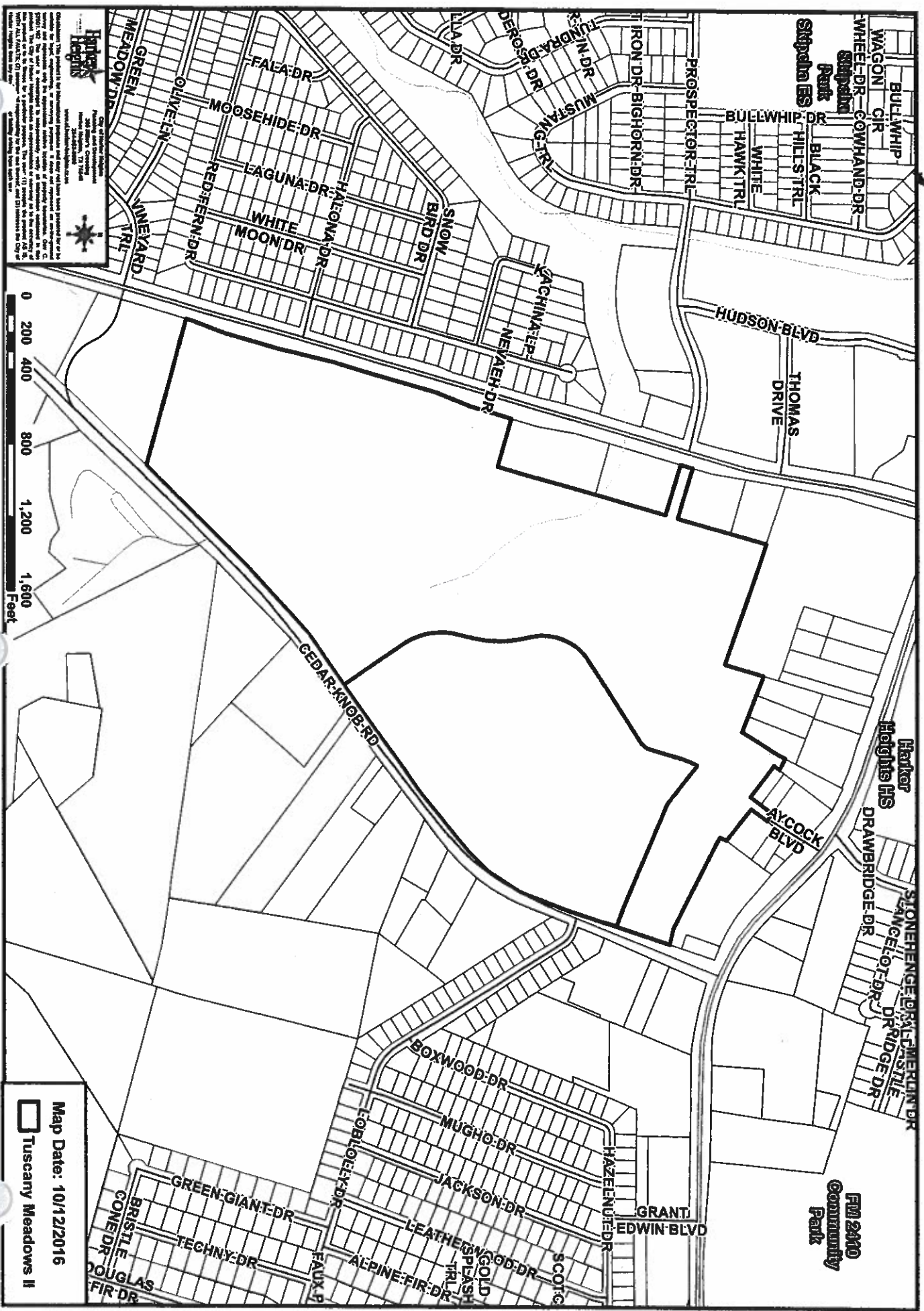
[Signature] MY COMMISSION EXPIRES: May 14 2017
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Revised 08/17/09

Tuscany Meadows II

Location



Harker Heights
 Planning and Development
 2000 County Center
 Harker Heights, TX 76033
 www.harkerheights.com



This map is a preliminary site plan for the proposed development. It is not intended to be used for any other purpose. The City of Harker Heights reserves the right to modify or cancel this map at any time without notice. The City of Harker Heights is not responsible for any errors or omissions on this map. The City of Harker Heights is not responsible for any damages or liabilities arising from the use of this map. The City of Harker Heights is not responsible for any damages or liabilities arising from the use of this map. The City of Harker Heights is not responsible for any damages or liabilities arising from the use of this map.

KNOW ALL MEN BY THESE PRESENTS, that W.P. Development Group, LLC, a limited liability company organized under the laws of the State of Texas, has caused to be prepared and recorded this Preliminary Plat for the purpose of subdividing the land described in the plat hereunto annexed and for the purpose of dedicating to the public the streets and easements therein shown. The plat hereunto annexed is a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas, and the same is hereby certified to be a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas. The plat hereunto annexed is a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas, and the same is hereby certified to be a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas.

W.P. Development Group, LLC, a limited liability company organized under the laws of the State of Texas, has caused to be prepared and recorded this Preliminary Plat for the purpose of subdividing the land described in the plat hereunto annexed and for the purpose of dedicating to the public the streets and easements therein shown. The plat hereunto annexed is a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas, and the same is hereby certified to be a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas.

The instrument and subdivision plat on which this Preliminary Plat is based were prepared by the undersigned, a duly licensed Surveyor in the State of Texas, and the same are hereby certified to be a true and correct copy of the original instrument and subdivision plat as the same appear on the records of the County Clerk of Bell County, Texas.

Approved this _____ day of _____, 20____, by the Planning and Zoning Commission of the City of Harker Heights, Texas.

 Mayor

 Attest: City Secretary

 Chairman, Planning and Zoning Commission

 Secretary, Planning and Zoning Commission

Approved this _____ day of _____, 20____, by the City Council of the City of Harker Heights, Texas.

 Mayor

 Attest: City Secretary

 Mayor

 Attest: City Secretary

 Mayor

 Attest: City Secretary

 Mayor

 Attest: City Secretary

 Mayor

 Attest: City Secretary

 Mayor

STATE OF TEXAS
 County of _____
 I, _____, County Clerk, do hereby certify that the foregoing is a true and correct copy of the original plat as the same appears on the records of the County Clerk of Bell County, Texas.

 County Clerk

 Attest: City Secretary

 Mayor

 Attest: City Secretary

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 Attest: City Secretary

 Mayor

BFE SFE TABLE

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37	38	39	40
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 Mayor

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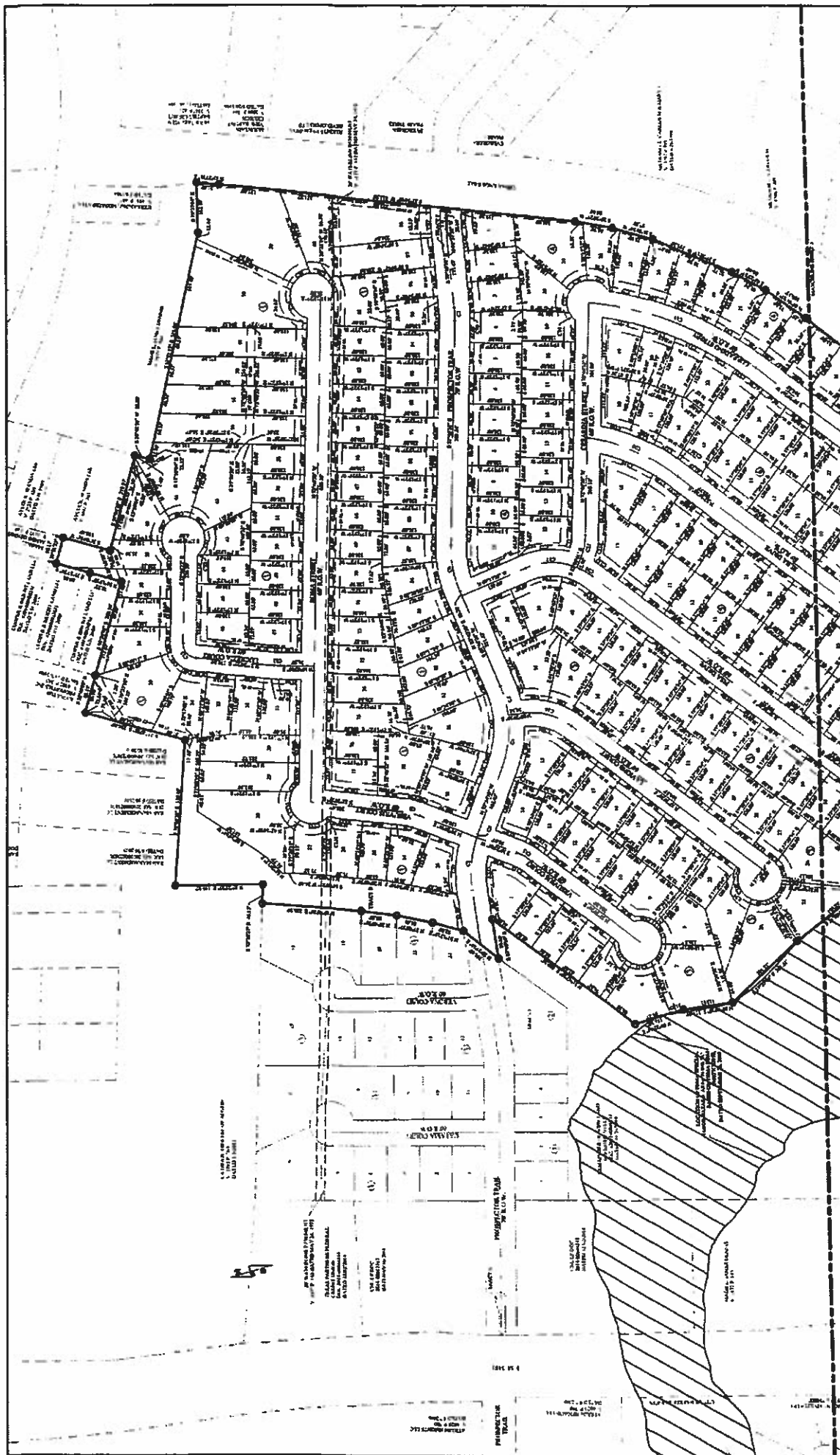
 Mayor

 Attest: City Secretary

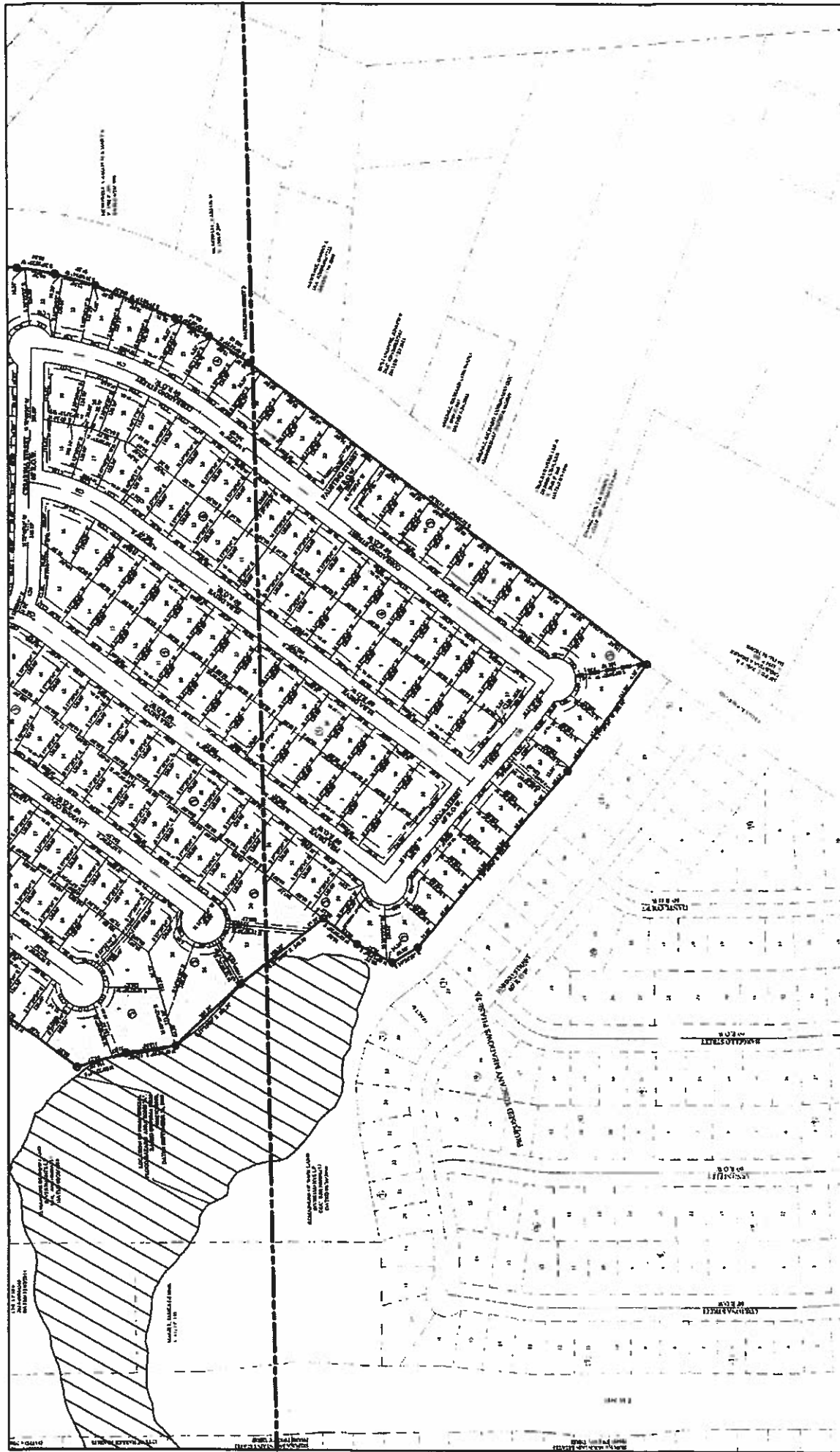
 Mayor

 Attest: City Secretary

 Mayor



Yalco, LLC 10000 YALCO DRIVE, SUITE 100 FORT WORTH, TEXAS 76135 (817) 335-1234 www.yalco.com		PRELIMINARY PLAT FOR TUSCANY MEADOWS PHASE 2B CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS	SHEET 2 OF 3
WALCO, LLC 10000 YALCO DRIVE, SUITE 100 FORT WORTH, TEXAS 76135 (817) 335-1234 www.walco.com		OWNER WYLLI, JAMES 10000 YALCO DRIVE, SUITE 100 FORT WORTH, TEXAS 76135 (817) 335-1234	DATE 11/15/2011
ENGINEER JAMES W. WYLLI, P.E. 10000 YALCO DRIVE, SUITE 100 FORT WORTH, TEXAS 76135 (817) 335-1234		LEGAL DESCRIPTION S09N1 PART OF THE V.A. CROSS SURVEY, ABSTRACT #104, E.M. SPRETT SURVEY, ABSTRACT #1117, AND P. WILLIAMSON SURVEY, ABSTRACT #189 BELL COUNTY, TEXAS	SCALE 1" = 40'
RECORDING INFORMATION COUNTY CLERK, BELL COUNTY, TEXAS 10000 YALCO DRIVE, SUITE 100 FORT WORTH, TEXAS 76135 (817) 335-1234		REMARKS THIS PLAT IS A PRELIMINARY PLAT FOR THE DEVELOPMENT OF THE TUSCANY MEADOWS PHASE 2B COMMUNITY. THE PLAT IS SUBJECT TO ALL APPLICABLE REGULATIONS AND ORDINANCES OF THE CITY OF HARKER HEIGHTS, TEXAS.	DATE 11/15/2011



Valpro, LLC 3000 South Loop West, Suite 200 Houston, Texas 77058 TEL: 281.415.1111 FAX: 281.415.1112 www.valpro.com		SHEET 3 OF 3
PRELIMINARY PLAT FOR TUSCANY MEADOWS PHASE 2B CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS		
PREPARED BY: Valpro, LLC 3000 South Loop West, Suite 200 Houston, Texas 77058 TEL: 281.415.1111 FAX: 281.415.1112 www.valpro.com		
ENGINEER: W. A. Cross Surveying, Inc. 11111 North Loop West, Suite 100 Houston, Texas 77058 TEL: 281.415.1111 FAX: 281.415.1112 www.wacross.com		
LEGAL DESCRIPTION: PART OF THE "A, CROSS SURVEY, ABSTRACT NO. 24, SPROTT SURVEY, ABSTRACT #112, AND F. WILLIAMSON SURVEY, ABSTRACT #189 BELL COUNTY, TEXAS		
MUNICIPALITY: CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS		
SCALE: 1" = 40'		
PROJECT APPROVALS: LOCAL GOVERNMENT: [] STATE: [] FEDERAL: []		
DATE: []		
DRAWN BY: []		
CHECKED BY: []		
APPROVED BY: []		

AN ORDINANCE GRANTING PD-R ZONING ON 144.18 ACRES OF LAND IN BELL COUNTY, TEXAS, OUT OF THE H.R. MORRELL SURVEY, ABSTRACT NO. 579, LUCY O'DELL SURVEY, ABSTRACT NO. 644, AND THE J.T.W.J. HALLMARK SURVEY, ABSTRACT NO. 413, AND ALSO BEING A PORTION OF THE TRACT DESCRIBED AS 490.1 ACRES IN A DEED TO JAMES DENNIS MAGILL DATED MAY 23, 1972 AND RECORDED IN VOLUME 1177, PAGE 145 OF THE BELL COUNTY DEED RECORDS AND LAYING EAST OF F.M. 3481, AND FURTHER DESCRIBED AS PROPERTY ID#433992 AND PROPERTY ID#67413.

WHEREAS, the City Council ("*Council*") of the City of Harker Heights ("*City*") finds that after due notice and public hearings as required by law, and after consideration of the recommendation of the Planning and Zoning Commission, it is necessary and desirable to amend the Code of Harker Heights ("*Code*") as hereinafter provided: and

WHEREAS, the meeting at which this Ordinance was passed was open to the public, and notice of the time, place and purpose of said meeting was given as required by law, all in strict accordance with the requirements of the Texas Open Meetings Act:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS:

SECTION 1: The Council officially finds and declares that the facts and recitations set forth in the preamble to this Ordinance are true and correct.

SECTION 2: The property delineated in attached Exhibit A (Survey), and identified in attached Exhibit B (Field Notes), previously zoned R-1 (One-Family Dwelling District), be rezoned to PD-R (Planned Development- Residential District), subject to conditions described in the attached Exhibit C (Tuscany Meadows II PD-R Conditions).

SECTION 3: Table VII, Table of Special Ordinances, of the Code is hereby supplemented by adding the following entry:

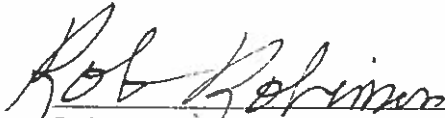
<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2015-19	09/08/15	Granting PD-R (Planned Development - Residential District) on 144.18 acres of land in Bell County, Texas, out of the H.R. Morrell Survey, Abstract No. 579, Lucy O'dell Survey, Abstract No. 644, and the J.T.W.J. Hallmark Survey, Abstract No. 413, and also being a portion of the tract described as 490.1 acres in a deed to James Dennis Magill dated May 23, 1972 and recorded in Volume 1177,

Page 145 of the Bell County deed records and laying East of F.M. 3481, and further described as Property Id#433992 and Property Id#67413.

SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 5: This Ordinance shall be effective from and after its passage, and the City Clerk shall publish the caption or title of hereof within ten days as required by law.

PASSED AND APPROVED on September 8, 2015.


Rob Robinson, Mayor

ATTEST:


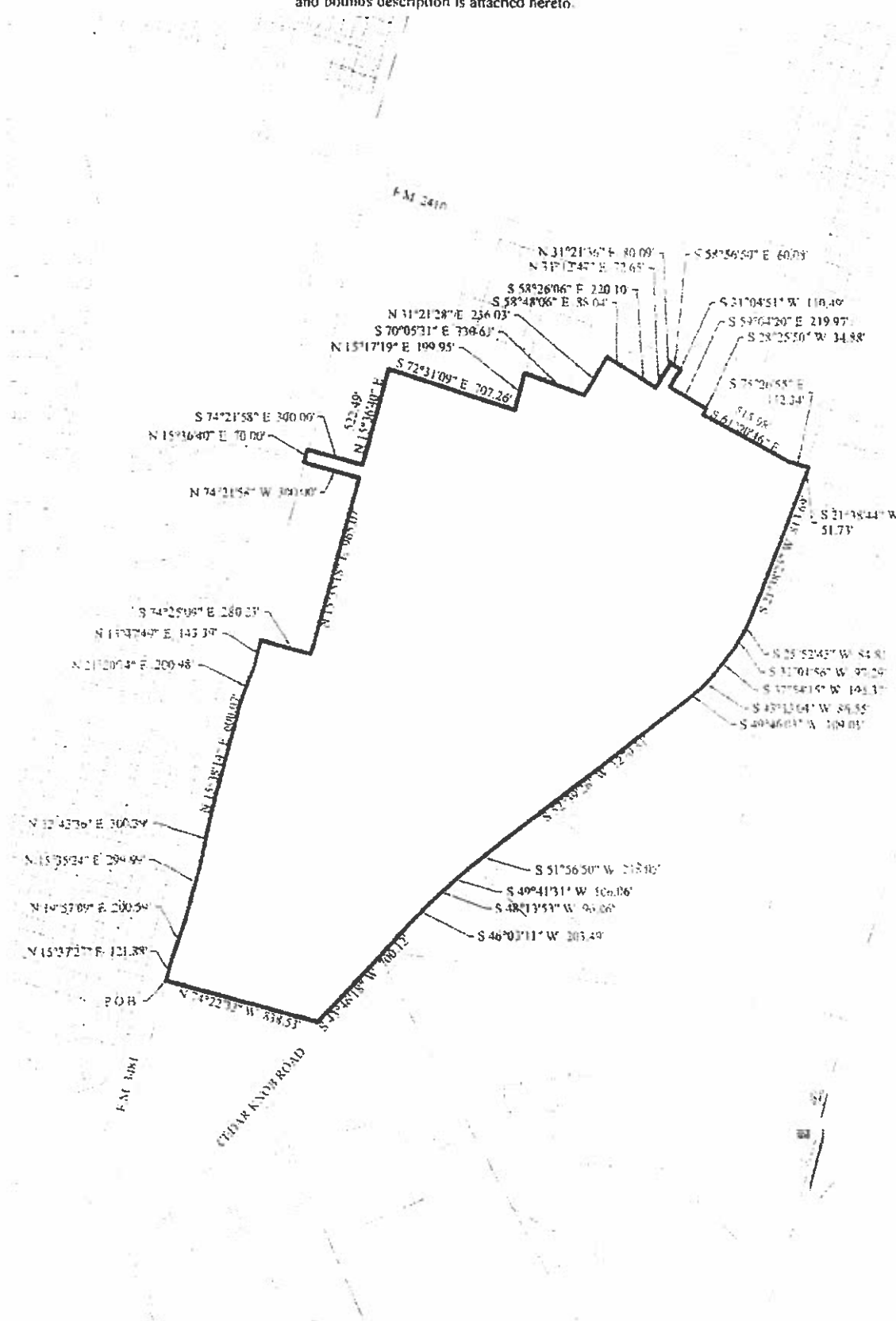

Patricia Brunson, City Secretary

Exhibit "A"

SKETCH illustrating the location of the easement. It is not intended as an actual survey made on the ground. a metes and bounds description is attached hereto.



GRAPHIC SCALE



FIELD NOTES
144.18 ACRES
TUSCANY MEADOWS II SUBDIVISION
BELL COUNTY, TEXAS

BEING 144.18 acres of land in Bell County, Texas, out of the H. R. Morrell Survey, Abstract No. 579, Lucy O'Dell Survey, Abstract No. 644, and the J.T.W.J. Hallmark Survey, Abstract No. 413, and also being a portion of the tract described as 490.1 acres in a deed to James Dennis Magill dated May 23, 1972 and recorded in Volume 1177, Page 145 of the Bell County Deed Records and laying east of F.M. 3481, and further described by metes and bounds as follows:

BEGINNING at a ½ inch iron rod with cap set in the east line of F.M. 3481 and in the west line of said Magill tract for the southwest corner of this tract;

THENCE with the west line of said Magill tract and the east line of F.M. 3481 the following thirteen (13) courses:

1. N 15° 37' 27" E, 121.88 feet to a TXDOT Type II concrete monument found;
2. N 19° 57' 09" E, 200.59 feet to a TXDOT Type II concrete monument found;
3. N 15° 35' 24" E, 299.99 feet to a TXDOT Type II concrete monument found;
4. N 12° 43' 36" E, 300.39 feet to a TXDOT Type II concrete monument found;
5. N 15° 38' 14" E, 600.07 feet to a TXDOT Type II concrete monument found;
6. N 21° 20' 14" E, 200.98 feet to a TXDOT Type II concrete monument found;
7. N 15° 47' 49" E, 143.39 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
8. S 74° 25' 09" E, 280.23 feet across and upon said Magill tract to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found for an inside corner of this tract;
9. N 15° 35' 18" E, 965.07 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
10. N 74° 21' 58" W, 300.00 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found, rejoining the east line of F.M. 3481;
11. N 15° 36' 40" E, 70.00 feet with the east line of said F.M. 3481 to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
12. S 74° 21' 58" E, 300.00 feet across and upon said Magill tract to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found for an inside corner of this tract;
13. N 15° 36' 40" E, 522.49 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" set in the south line of that tract described as 14.601 acres in a Dedication of the St. Paul's Catholic Church Addition Re-plot to the City of Harker Heights dated November 18, 2008 and recorded as Document No. 200800047739 of said deed records, from which a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" set in the east line of F.M. 3481 and the west line of said Magill tract for the southwest corner of said Dedication tract bears N 72° 30' 53" W, 318.54 feet;

THENCE along the north line of this tract the following fourteen (14) courses:

1. S 72° 31' 09" E, 707.26 feet to a ½ inch iron rod with blue cap inscribed "B Harmon RPLS 4482" found for the southeast corner of said Dedication tract;
2. N 15° 17' 19" E, 199.96 feet with the east line of said Dedication tract to a ½ iron rod with a yellow plastic cap found for the southwest corner of that tract described as Tract#1 in a General Warranty Deed to RAB Management, L.C. executed June 30, 2010 and recorded as Document No. 201000023870 of said deed records;
3. S 70° 05' 31" E, 330.61 feet to a 3/8 inch iron rod found for the southeast corner of that tract described as Tract#3 of said RAB Management, L.C. deed;
4. N 31° 21' 28" E, 236.03 feet with the east line of said Tract#3 to a ½ inch iron rod found for the southwest corner of that tract described in a Warranty Deed to Angleton Properties, Inc. dated October 29, 1999 and recorded in Volume 4102, Page 245 of said deed records;

EXHIBIT B

5. S 58° 48' 06" E, 88.04 feet to a 3/8 inch iron rod found for the southeast corner of said Angleton Properties, Inc. tract and being the southwest corner of that tract described in a Warranty Deed to Cooper & Bright Plumbing Co. dated April 10, 2002 and recorded in Volume 5389, Page 305 of said deed records;
6. S 58° 26' 06" E, 220.10 feet to a 3/8 inch iron rod with yellow plastic cap found for the southeast corner of said Cooper & Bright Plumbing Co. tract;
7. N 31° 12' 47" E, 72.65 feet with the east line of said Cooper & Bright Plumbing Co. tract to a 2 inch pipe found for the southeast corner of that tract described in a Warranty Deed to Cooper & Bright Plumbing Co. dated December 3, 1999 and recorded in Volume 4131, Page 245, said deed records;
8. N 31° 21' 36" E, 80.10 feet with the east line of said Cooper & Bright Plumbing Co. tract (4131/245) to a ½ inch iron rod found in a 1 inch pipe for the southwest corner of Aycock Blvd;
9. S 58° 56' 50" E, 60.08 feet with south line of said Aycock Blvd. to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found in the east line of that tract described in a deed to Matland L. Aycock Construction, Inc. dated June 8, 1978 and recorded in Volume 1547, Page 563 of said deed records, for the southeast corner of said Aycock Blvd.
10. S 31° 04' 51" W, 110.49 feet to a cotton spindle found for the southwest corner of said Matland L. Aycock Construction, Inc. tract;
11. S 59° 04' 20" E, 219.97 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
12. S 28° 25' 50" W, 34.88 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
13. S 61° 20' 46" E, 515.98 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
14. S 75° 26' 55" E, 112.34 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found in the west margin of Cedar Knob Road for the northeast corner of the herein described tract;

THENCE with the west margin of Cedar Knob Road, and the east line of the herein described tract the following fifteen (15) courses:

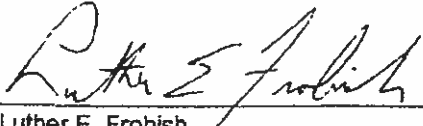
1. S 21° 38' 44" W, 51.73 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
2. S 21° 38' 16" W, 264.43 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
3. S 21° 38' 29" W, 549.26 feet to a 60D Nail found at the base of a fence corner post;
4. S 25° 52' 45" W, 84.81 feet to a 60D Nail found at the base of a fence corner post;
5. S 31° 01' 56" W, 97.29 feet to a 60D Nail found at the base of a fence corner post;
6. S 37° 54' 15" W, 195.37 feet to a 60D Nail found at the base of a fence corner post;
7. S 43° 33' 04" W, 86.55 feet to a 60D Nail found at the base of a fence corner post;
8. S 49° 46' 03" W, 109.01 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
9. S 52° 39' 37" W, 957.07 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
10. S 52° 38' 54" W, 313.44 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
11. S 51° 56' 50" W, 218.05 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
12. S 49° 41' 31" W, 106.06 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
13. S 48° 13' 53" W, 96.06 feet to a ½ inch iron rod with yellow plastic cap inscribed "CS, LTD" found;
14. S 46° 03' 11" W, 203.49 feet to a 60D Nail found at the base of a fence corner post;
15. S 43° 46' 18" W, 700.12 feet to a ½ inch iron rod with cap set for the southeast corner of the herein described tract;

THENCE N 74° 22' 33" W, 838.53 feet across and upon said Magill tract to the **POINT OF BEGINNING** containing **144.18** acres of land, more or less.

NOTE:

The bearings recited hereon are grid bearings based on The Texas State Plane Coordinate System, NAD83 (2011) datum, Texas Central Zone No. 4203, as derived from GPS observations.

All iron rods set are ½ inch in diameter with a yellow cap inscribed "YALGO RPLS 6200".



Luther E. Frobish
Registered Professional Land Surveyor
State of Texas No. 6200

7/1/2015



"EXHIBIT C"- TUSCANY MEADOWS II CONDITIONS

The PD-R will maintain all requirements of the R-1 zoning district and Development Overlay

District 1 – Knight's Way Corridor with the following exceptions and additions:

- Each lot shall have an average width of not less than 65 feet, a minimum lot frontage of not less than 45 feet, and minimum lot area of not less than 7,800 square feet.
- The subdivision will have an average overall lot area of 8,400 square feet per lot.
- An HOA-maintained masonry perimeter fence along FM 3481/Stillhouse Lake Road.
- An HOA-maintained wooden perimeter fence with masonry columns along Cedar Knob Road.
- Any subdivision signs are the responsibility of the HOA for maintenance and landscaping.
- 1" caliper larger trees than what is currently required by R-1 (3" instead of 2").
- All first-floor sides of homes that face arterial and collector streets will be masonry, unless there is privacy fence between the house and the street.
- All second-floor sides of homes that face arterial and collector streets will be masonry.
- As used herein, the term "masonry" does not include cinderblock or other split-face material.

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513



70 2015 00035374

Instrument Number: 2015-00035374

Recorded On: September 11, 2015

As
Recordings

Parties: CITY OF HARKER HEIGHTS

To EX PARTE

Billable Pages: 7

Number of Pages: 8

Comment:

(Parties listed above are for Clerks reference only)

**** Examined and Charged as Follows: ****

Recordings	35.00
Total Recording:	35.00

***** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT *****

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY
because of color or race is invalid and unenforceable under federal law

File Information:

Document Number: 2015-00035374

Receipt Number: 247725

Recorded Date/Time: September 11, 2015 03:31:56P

User / Station: H Ables - Cash Station 1

Record and Return To:

CITY OF HARKER HEIGHTS

305 MILLERS CROSSING

HARKER HEIGHTS TX 76548



I hereby certify that this instrument was filed on the date and time stamped herein and was duly recorded in the Real Property
Records in Bell County, Texas

Shelley Coston
Bell County Clerk