



**Minutes of the Harker Heights Planning & Zoning Commission Meeting  
August 31, 2022**

**Present:**

**Commission**

Larry Robison	Chairman
Robert Robinson III	Vice Chairman
Michael Stegmeyer	Secretary
Joshua McCann	Commissioner
Natalie Austin	Commissioner
Jerry Bess	Commissioner
Bary Heidtbrink	Commissioner
Rodney Shine	Commissioner
Elizabeth McDaniel	Alternate Commissioner

**Staff**

Kristina Ramirez	Planning and Development Director
Yvonne K. Spell	City Planner
Daniel Phillips	GIS Analyst/ Planner
Johnny Caraway	Deputy Fire Marshal
Raelin Fiscus	Planning & Development Administrative Assistant

**Absent:**

Stephen Watford	Commissioner
Brad Alley	Fire Marshal
Michael Beard	Building Official

**Meeting Agenda:**

**Agenda Item I:** A quorum was established, the regular meeting for the Planning and Zoning Commission was called to order at 6:50 P.M.

It is noted Alternate Commissioner Elizabeth McDaniel was brought up as a regular voting member during this meeting as Commissioner Stephen Watford was not present at the meeting.

**Agenda Item II:** The next agenda item was approval of the agenda from the regular Planning and Zoning Meeting for August 31, 2022. Commissioner Heidtbrink made a motion to approve the agenda, and Secretary Stegmeyer seconded the motion. **The motion was approved (9-0).**

**Agenda Item III:** The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on July 27, 2022. Commissioner Bess made a motion to approve the meeting minutes, and Secretary Stegmeyer seconded the motion. **The motion was approved (9-0).**

**Agenda Item IV:** Mrs. Spell provided a summary of the City Council results from meetings and workshops between July 28, 2022 and August 30, 2022.

**Agenda Item V:** Recognition of Affidavits for Conflict of Interest.

Agenda Item VI: Public Comments:

None

Agenda Item X: Public Hearing:

**1. Discuss and consider an ordinance to amend City of Harker Heights Code of Ordinances §154.01 DEFINITIONS**

Mrs. Spell explained the proposed changes to the City of Harker Heights Code of Ordinances §154.01 DEFINITIONS.

Commissioner Heidtbrink made a motion to recommend approval of recommending an ordinance to amend City of Harker Heights Code of Ordinances §154.01 DEFINITIONS. Secretary Stegmeyer seconded the motion. **The motion to recommend approval passed (9-0).**

**2. Z22-20 Conduct a public hearing to discuss and consider an ordinance for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808 S. Ann Blvd., Harker Heights, Bell County, Texas, 76548**

Mrs. Spell explained the applicants request for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck.

Altaf Prasla and Ray Ali of 808 S. Ann Blvd, Harker Heights, Texas, 76548, were present to represent this case.

Secretary Stegmeyer made a motion to recommend approval with conditions of an ordinance for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808 S. Ann Blvd., Harker Heights, Bell County, Texas, 76548. Commissioner Heidtbrink seconded the motion. **The motion to recommend approval passed (9-0).** The conditions are as follows:

1. Modifications to this conditional use permit will require a Planning and Zoning Commission recommendation and City Council approval via a public hearing.
2. Food vendors and customers shall have access to restroom facilities on site via an active agreement with the property owner and business located in brick and mortar structure on site.
3. Hours of operation shall coincide with the business located in brick and mortar structure on site that provides access to the restroom facilities.
4. The signage, accessories and mobile food unit shall be placed on the site such that they do not interfere with the fire lane, garbage services, or required parking spaces for the site.
5. This Conditional Use Permit (CUP) automatically renews for successive two (2) year periods unless an objection is raised based on either:
  - a. A history of poor code compliance; or
  - b. A revision to the Comprehensive Plan that renders the CUP incompatible

**3. Z22-19 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as A0288BC V L Evans, Unit 11-Brad Mor Apts Acres 2.8, generally located North of Northside Dr. and East of Jamie Rd., Harker Heights, Bell County, Texas, 76548**

Mrs. Spell explained the applicants request for a change in zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District).

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas, 76543, and Joseph Theriot of Republic Engineering, 6308 Pat Cole Drive, Temple, Texas, 76502, were present to represent this case.

Commissioner McCann made a motion to recommend approval of an ordinance to change the zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as A0288BC V L Evans, Unit 11-Brad Mor Apts Acres 2.8, generally located North of Northside Dr. and East of Jamie Rd., Harker Heights, Bell County, Texas, 76548. Secretary Stegmeyer seconded the motion. **The motion to recommend approval passed (9-0).**

**4. Z22-21 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on properties described as Kern Terrace 3<sup>rd</sup> Ext., Block 004, Lots 0005-0008, generally located at 208-214 Northside Drive, Harker Heights, Bell County, Texas, 76548**

Mrs. Spell explained the applicants request for a change in zoning designation R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District)

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas 76543 was present to represent this case.

Commissioner McCann made a motion to recommend approval of an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on properties described as Kern Terrace 3<sup>rd</sup> Ext., Block 004, Lots 0005-0008, generally located at 208-214 Northside Drive, Harker Heights, Bell County, Texas, 76548. Commissioner Heidtbrink seconded the motion. **The motion to recommend approval passed (9-0).**

**5. Z22-22 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as Kern Terrace 3<sup>rd</sup> Ext., Block 004, Lot 0009, generally located at 216 Northside Drive, Harker Heights, Bell County, Texas, 76548**

Mrs. Spell explained the applicants request for a change in zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District).

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas 76543 was present to represent this case.

Commissioner Heidtbrink made a motion to recommend approval of an ordinance to change the zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as Kern Terrace 3<sup>rd</sup> Ext., Block 004, Lot 0009, generally located at 216 Northside Drive, Harker Heights, Bell County, Texas, 76548. Commissioner Austin seconded the motion. **The motion to recommend approval passed (9-0).**

**Agenda Item XI: New Business:**

- 1. P22-22 Discuss and consider a request for a Preliminary Plat referred to as Meadow White Addition, on property described as being a 1.021 acre tract of land in Bell County, Texas, being part of the John T. Tumlinson Survey, Abstract No. 831, the land herein being part of Lot 2, Block 5, Meadow Acres, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 143-C, Plat Records of Bell County, Texas (P.R.B.C.T.), and being that all certain tract of land conveyed in a General Warrant Deed to BFF Construction, LLC, a Texas limited liability company, being described of record under Instrument No. 2022035043, Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.)**

Mrs. Spell explained the applicant's request for a Preliminary Plat referred to as Meadow White Addition.

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

Commissioner Heidtbrink made a motion to recommend approval of a Preliminary Plat referred to as Meadow White Addition, on property described as being a 1.021 acre tract of land in Bell County, Texas, being part of the John T. Tumlinson Survey, Abstract No. 831, the land herein being part of Lot 2, Block 5, Meadow Acres, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 143-C, Plat Records of Bell County, Texas (P.R.B.C.T.), and being that all certain tract of land conveyed in a General Warrant Deed to BFF Construction, LLC, a Texas limited liability company, being described of record under Instrument No. 2022035043, Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.) with conditions. Commissioner McCann seconded the motion. **The motion to recommend approval passed (8-1).** Commissioner Bess voted to recommend denial of the motion. 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.
  2. Approval of Waiver from design standards for City of Harker Heights Code of Ordinances Sections: §154.21(C)(1)(h), §154.21(C)(2)(d), §154.37(A)(3), and §154.37(C)(1)
- 2. P22-23 Discuss and consider a request for a Final Plat referred to as Indian Land Addition, on property described as being a 1.312 acre tract of land in Bell County, Texas, being part of the E. Dawson Survey, Abstract No. 258 and the H.B. Littlefield Survey, Abstract No. 511, being all of Lots 11-14, Block 23, Comanche Land Second Land, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 184-A, Plat Records of Bell County, Texas (P.R.B.C.T.),**

**and being part of that certain tract of land conveyed in a Deed Reserving Life Estate to The Mary Jayrene Horn Revocable Living Trust Dated June 20, 2005, being described of record in Volume 5762, Page 289, Official Public Records of Real Property, Bell County, Texas**

Mrs. Spell explained the applicant's request for a Final Plat review for Indian Land Addition.

Ace Reneau of Mitchell & Associates offices located at 102 N College Street, Harker Heights, Texas 76548 was present to represent this case.

Secretary Stegmeyer made a motion to recommend approval of a Final Plat referred to as Indian Land Addition, on property described as being a 1.312 acre tract of land in Bell County, Texas, being part of the E. Dawson Survey, Abstract No. 258 and the H.B. Littlefield Survey, Abstract No. 511, being all of Lots 11-14, Block 23, Comanche Land Second Land, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 184-A, Plat Records of Bell County, Texas (P.R.B.C.T.), and being part of that certain tract of land conveyed in a Deed Reserving Life Estate to The Mary Jayrene Horn Revocable Living Trust Dated June 20, 2005, being described of record in Volume 5762, Page 289, Official Public Records of Real Property, Bell County, Texas, with conditions. Vice Chair Robinson seconded the motion. **The motion to recommend approval passed (9-0).** 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.
3. **P22-24 Discuss and consider a request for a Final Plat referred to as Heights City Center, on property described as 3.496 Acres, situated in the Martin Smith Survey, Abstract 750, Bell County, Texas, embracing all of Lot 1, Block 4, Park Addition, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet C, Slide 178-B, Plat Records of Bell County, Texas and all of Lot 3, Block 1, Union State Bank Addition, Phase Two, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 67-C, of said plat records.**

Mrs. Spell explained the applicant's request for a Final Plat referred to as Heights City Center.

Planning and Development Staff were present to represent this case.

Commissioner McCann made a motion to recommend approval of a Final Plat referred to as Heights City Center, on property described as 3.496 Acres, situated in the Martin Smith Survey, Abstract 750, Bell County, Texas, embracing all of Lot 1, Block 4, Park Addition, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet C, Slide 178-B, Plat Records of Bell County, Texas and all of Lot 3, Block 1, Union State Bank Addition, Phase Two, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 67-C, of said plat records, with conditions. Commissioner Shine seconded the motion. **The motion to recommend approval passed (9-0).** 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 VII: Reports from commissioners

Agenda Item VIII: Staff comments

Agenda Item IX: Adjournment of P&Z Meeting. Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 8:00 P.M.

Larry Robison, Chairman

DATE:

9-28-22

Michael Stegmeyer, Secretary

DATE:

09-28-22