



**Harker Heights
Planning and Zoning
Commission
Workshop & Meeting**

**Wednesday,
January 8, 2020
5:30 P.M.**



**PLANNING & ZONING COMMISSION
WORKSHOP AND MEETING AGENDA
HARKER HEIGHTS CITY HALL
WEDNESDAY, JANUARY 8, 2020 – 5:30 P.M.**

Notice is hereby given that, beginning at 5:30 P.M. on Wednesday, January 8, 2020, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will hold a Workshop; then beginning at 6:30 P.M. on Wednesday, January 8, 2020 the P&Z will hold their Meeting. Both Workshop and Meeting will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following Agenda:

WORKSHOP AGENDA

- I.*** Convene Workshop at 5:30 P.M.
- II.*** Swear in members and alternates of the Planning and Zoning Commission and Building and Standards Commission (as needed).
- III.*** Elect Planning and Zoning Commission and Building and Standards Commission Officers: Chairman, Vice Chairman, and Secretary.
- IV.*** Presentations by Staff;
 1. Introductory: Becoming a Zoning Commissioner for the City of Harker Heights.
 2. Geographic Information Systems (GIS) Overview.
 3. Code Enforcement Overview.
 4. Building Code and Building and Standards Commission Overview.
 5. Fire Code Overview
- V.*** Adjournment of Workshop.

MEETING AGENDA

- I.*** **CALL TO ORDER** – Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.
- II.*** **INVOCATION**
- III.*** **PLEDGE OF ALLEGIANCE:**

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

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

IV. CONSENT AGENDA

1. Approval of Minutes from the Regular Planning and Zoning Meeting held on October 30, 2019.

V. Report on City Council results from November 12, 2019 meeting.

VI. Recognition of Affidavits for Conflict of Interest.

VII. Report on Development Activity.

VIII. PUBLIC COMMENTS:

1. At this time, comments will be taken from the audience on non-agenda related topics, for a length of time not to exceed three minutes per person. To address the Planning and Zoning Commission, please submit a Citizen's Comment Form to the Planning & Development Administrative Assistant prior to the start of the meeting. *No action may be taken by the Planning and Zoning Commission during Public Comments.*

IX. PUBLIC HEARINGS:

1. **Z20-01** Conduct a public hearing to discuss and consider recommending an amendment to ordinance 2015-24 for an existing Conditional Use Permit (CUP) to allow for an expansion of the main structure serving as the business Tap Tap Art School on property described as A0838BC R.W. Tom, 2-7, Acres 1.378, generally located at 103 Mountain Lion Road, Harker Heights, Bell County, Texas.
2. **Z20-02** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Nine (9), Block 52, Comanche Land Subdivision, an unrecorded subdivision, out of Abstract 115 of the I.T. Bean Survey, generally located near the intersection of Aztec Trace and Yuma Trail, Harker Heights, Bell County, Texas.
3. **Z20-03** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-MU (Mixed Residential) on property described as Kern Acres Second Extension and Revision, Block Three (3), Lot Twelve (12), generally located at 106 W. Kathey Road, Harker Heights, Bell County, Texas.

X. REPORTS FROM COMMISSIONERS

XI. STAFF COMMENTS

XII. ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building, which is readily accessible to the public at all times, by **10:00 A.M. on Friday, January 3, 2020.**

Tiffany Dake

Tiffany Dake
Planning and Development Administrative Assistant



Minutes of the Regular Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
October 30, 2019

Present:

Larry Robison	Chairman
Robert Robinson III	Vice Chair
Adam Parker	Secretary
Darrel Charlton	Commissioner
Noel Webster	Commissioner
Stephen Watford	Commissioner
Jan Anderson	Commissioner
Rodney Shine	Alternate Commissioner
Dustin Hallmark	Alternate Commissioner

Absent:

Kay Carey	Commissioner
Joshua McCann	Commissioner
Nuala Taylor	Alternate Commissioner
Ken Cox	Alternate Commissioner

Staff:

Joseph Molis	Director of Planning & Development
Courtney Peres	Senior Planner
Dan Phillips	GIS Analyst/Planner
Mike Beard	Building Official
Gabby Palma	Code Enforcement Officer
Brad Alley	Fire Marshal
Randy Ray	Deputy Fire Marshal
Mark Hyde	Director of Public Works
Kristina Ramirez	Asst. Director of Public Works
Tiffany Dake	Planning & Development Administrative Assistant

A quorum was established, and the meeting was called to order at 6:31 P.M.

The first item on the agenda was the approval of minutes from the September 25, 2019 regular P & Z meeting. Commissioner Anderson made the motion to approve the minutes and Commissioner Parker seconded the motion. The motion passed unanimously (7-0).

Next was the report on City Council actions regarding recommendations resulting from the September 25, 2019 Planning & Zoning meeting.

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

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

The next item was citizens to be heard. There was no one present to speak.

Next under New Business, Mr. Joseph Molis presented **P19-17** Discuss and consider a request by Open Air Resort Harker Heights Real Estate Holdings, LLC for Preliminary Plat approval for the proposed Open Air Addition, on property described as 31.366 acre tract of land situated in the Vincent L. Evans Survey, Abstract No. 288, Bell County, Texas, and being a part or portion of that certain 51.161 acre tract of land described in a warranty deed with Vendor's Lien dated January 16, 2019 from George C. Moss, Individually and as Independent Executor of the estate of Adelheid K. Moss, deceased and as Trustee of the Catherina D. Misner Trust to Roy Reynolds Estates, LLC, a Texas limited liability company being of record in Document No. 2019-00002238, Official Public Records of Bell County, Texas, generally located at 101 N. Roy Reynolds Drive, Harker Heights, Bell County, Texas.

Mr. Molis explained to the Commissioners that there will be an eight (8) inch water line where there is currently a four (4) inch water line. Commissioner Robinson did ask if fire hydrants are tested annually both private and city hydrants. Mr. Brad Alley, Fire Marshal, did confirm that they are tested annually. Commission Webster asked if they would be repaving the roads and widening the internal roads. Mr. Molis said no they will not be widening the internal roads. Commissioner Webster asked if they will see a final plat? Mr. Molis stated no since it is an administrative plat and they are not dedicating roads. Commissioner Webster wanted to know the number of RV spots, Mr. Molis said that was a question Mr. Canfield could answer.

Mr. Joel Canfield with Open Air Resorts, of 705 Vanguard Street, Lakeway, TX 78734 was present to update the Commissioners with the progress of where things are currently. Mr. Canfield said they would be closing on the property in two (2) weeks and two (2) days. The engineers were doing the final survey for the platting process. Mr. Canfield did answer the question about the number of RV sites. They will be scaling down from the initial one hundred and fifty (150) sites to about one hundred and thirty-nine (139) sites. Chairman Robison asked what the plan was for moving out the other trailers. Mr. Canfield said they are currently moving some out now and they have been getting bids. They would like the process to go as follows: move them out and/or out of the way, clean up and do this as quickly as possible around ninety (90) days. Mr. Canfield did also state that they would like to break ground in the early spring and open in early fall 2020. Commissioner Webster asked if they have concrete pads and Mr. Canfield said they were not salvageable so there would be a combo of two things one section will be two (2) parking spaces made of asphalt and the second section will be chip seal or crushed granite so that there would be no need for parking on the street. Commissioner Webster asked if there would-be pass-through sites, Mr. Canfield also said there will be twenty-seven (27) pull through spaces. Commissioner Webster asked if there would be propane refills on site and Mr. Canfield said yes.

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

A motion was made by Commissioner Parker to approve the preliminary plat with conditions. The first condition being that the survey be complete by the City Council meeting and the second condition being that the City Council will determine if the applicant has satisfied Condition 1 which would result in full approval by the P&Z. Commissioner Webster seconded the motion. The motion passed unanimously (7-0).

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 7:03 P.M.

Larry Robison, Chairman

DATE:

Adam Parker, Secretary

DATE:



PLANNING AND ZONING COMMISSION MEMORANDUM

Z20-01

AGENDA ITEM IX-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: JANUARY 8, 2020

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN AMENDMENT TO ORDINANCE 2015-24 FOR AN EXISTING CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN EXPANSION OF THE MAIN STRUCTURE SERVING AS THE BUSINESS TAP TAP ART SCHOOL ON PROPERTY DESCRIBED AS A0838BC R.W. TOM, 2-7, ACRES 1.378, GENERALLY LOCATED AT 103 MOUNTAIN LION ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

BACKGROUND:

On December 8, 2015, the City Council passed Ordinance 2015-24 which granted a Conditional Use Permit (CUP) to allow a private art school, Tap Tap Art School, in a single family residence located at 103 Mountain Lion Road. The CUP is subject to the following conditions:

1. The property can only operate as a Single Family Residential Home (R-1 One Family Dwelling) OR a Private Art School.
2. The property must maintain the overall external character and appearance of a Single Family Home.
3. Site plan approval is required prior to the issuance of any development permits.
4. Sign Standards:
 - a. One free-standing sign shall be permitted and shall be consistent with an approved Master Signage Plan.
 - b. The sign shall not exceed thirty (30) square feet in area and may not be more than six feet (6') in height.
 - c. Electronic and Monopole signs are prohibited.
 - d. All signage shall comply with the visibility sight triangle requirement.
 - e. No signage is permitted in the right of way.
5. A six (6) or eight (8) foot perimeter fence is required for adequate screening per Section 155.050 of the City of Harker Heights Code of Ordinances.
6. All employee parking must be located in the back.
7. The development must meet parking requirements of 1 space per 350 square feet of gross floor area.

8. All commercial vehicle parking must be screened from surrounding land uses in accordance to Section 155.050 of the City of Harker Heights Code of Ordinances.
9. The development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances.

EXPLANATION:

The applicant has met with Staff regarding their desire to expand the current building to meet the needs of the art school in terms of classroom expansion and increased storage capacity. Their current design would call for adding an additional 2,620 square feet to the existing first floor of the building, expanding the existing front by 41 square feet, and adding an 88 square-foot rear porch. The proposed addition to the building would not violate the conditions of the original CUP provided that the applicant increases the number of parking spaces to maintain the parking requirements as stated in condition 7 of the existing CUP.

However, per the Code of Ordinances, an existing CUP would become void if “[the] building or premises is substantially enlarged, extended, reconstructed or altered” (Harker Heights Code of Ordinances, §155.201(E) (1) (e)). Therefore, the applicant is seeking to amend the original CUP to allow for an expansion of the building square footage to accommodate the requested addition to the existing building.

PROPOSED CONDITIONS:

Staff has worked with the applicant to create the following amendment to the original conditions for the CUP:

10. The facility shall be allowed to increase its internal area by 2,700 square feet, provided the use remains as a single-family residence or a private art school. The character of the residence shall be maintained with any remodeling or additions to the facility, and shall be approved by the Director of Planning and Development.

Existing Use:

The property located at 103 Mountain Lion Drive is currently in use as a private art school. Surrounding properties are single-family residences, and to the immediate south, across Mountain Lion Drive, is Purser Family Park and the Armed Services YMCA facility. As the use of the existing building and the proposed addition shall remain a private art school, staff believes the continued use of the site will likely not have any significant impact on surrounding land uses.

Zoning:

Current zoning for the property is R-1 (One Family Dwelling District) with a Conditional Use Permit (CUP), and surrounded by R-1 (One Family Dwelling District) residentially zoned properties. In the vicinity is property zoned PD-B (Planned Development-Business), which consists of the ASYMCA building and its off-site parking facility. The proposed CUP amendment, if approved, will not alter the existing use and zoning of the property, and will not likely have any adverse impacts on the surrounding properties.

Future Land Use:

Per the Future Land Use Map within the 2007 Comprehensive Plan, the property is designated as Single-Family Residential, as are the surrounding properties to the North, West, and East. Properties to the South are designated as Single-Family Residential and Commercial. The

existing use maintains the character, appearance and zoning of a Residential/Commercial property and is similar to area uses as shown in the 2007 Comprehensive Plan.

Flood Damage Prevention:

No part of this property lies within flood hazard areas.

Notices:

Staff sent out thirty-seven (37) notices to property owners within the 400 foot notification area. Zero (0) responses were received in favor of the request and zero (0) responses were received in opposition of the request.

RECOMMENDATION:

Staff recommends approval of an amendment to ordinance 2015-24 for an existing Conditional Use Permit (CUP) to allow for an expansion of the main structure serving as the business Tap Tap Art School on property described as A0838BC R.W. Tom, 2-7, Acres 1.378, generally located at 103 Mountain Lion Road, Harker Heights, Bell County, Texas, with the aforementioned conditions, and based upon the Staff's findings that:

1. The proposed use conforms with applicable regulations and standards established by the City's Building and Development Code and the existing Conditional Use Permit (CUP);
2. The proposed use will be consistent with the objectives and purposes of the existing CUP and the goals, objectives, and policies set forth in the City of Harker Heights Code of Ordinances;
3. The proposed use is suitable to the premises or structure(s) in which it will be conducted;
4. The proposed use will not be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity;
5. The proposed use will not materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs;
6. The proposed use is suitable to the premises or structure(s) in which it will be conducted.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

1. Motion to recommend/not recommend an amendment to ordinance 2015-24 for an existing Conditional Use Permit (CUP) to allow for an expansion of the main structure serving as the business Tap Tap Art School on property described as A0838BC R.W. Tom, 2-7, Acres 1.378, generally located at 103 Mountain Lion Road, Harker Heights, Bell County, Texas., based upon Staff's recommendations and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

- | | |
|-----------------------|---------------------------|
| 1. Application | 7. Existing Land Use Map |
| 2. Letter of Intent | 8. Zoning Map |
| 3. Site Plan | 9. Future Land Use Map |
| 4. Ordinance 2015-24 | 10. Notification Area Map |
| 5. Amended Conditions | 11. Citizen Responses |
| 6. Location Map | |



Conditional Use Permit Application

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

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:
1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. Site Plan
4. Letter of Intent

Property Owner(s) Name: Amelia Rabroker Date: 12-11-2019

Address: 103 Mountain Lion Rd.

City/State/Zip: Harker Heights, TX 76548

Phone: 254-721-8419 E-mail: arabroker@yahoo.com

Legal Description of Property:

Location of Property (Address if available): _____

Lot: _____ Block: _____ Subdivision: _____

Acres: 1.38 Property ID: 90579 Survey: A0838BC

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Current Zoning Classification: R1 with a CUP Future Land Use Designation: Single Family

Applicant's Representative (if applicable):

Applicant's Representative: _____

Phone: _____ E-Mail: _____

ATTACH A SITE PLAN: Provide a plan drawn to scale to illustrate the boundaries of the area, location of all existing and proposed structure(s), gross floor area and location of building entrances and exits.

ATTACH A LETTER OF INTENT: Provide a detailed description of the proposed use including but not limited to: the changes to the site, structure(s), landscaping, parking and land use in reference to the Harker Heights Code of Ordinances Section 155.201 Conditional Use Permit.

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or _____ will represent the owner.

Amelia Rabroker
Printed Name of Property Owner

Signature of Property Owner

Printed Name of Representative _____

Signature of Representative _____

Date Submitted: 12/10/2019
Received By: [Signature]

STAFF ONLY - DO NOT FILL OUT BELOW
 Pre-Application Meeting
Revised: 06/28/18

Receipt #: _____
Case #: Z20-1 CUP

Received

Nov 11 2019

Planning & Development

12-10-2019

To whom it may concern,

I am writing this letter to state my intent for a proposed amendment to my current Conditional Use Permit. I would like to add an additional 2620 square feet to the existing house located at 103 Mountain Lion Rd. The expansion of the building will match the current structure to ensure that we maintain the residential appearance as stated in our current CUP.

The purposes for the requested amendment are as follows: to enhance our current fine arts programming, the ability to offer art enriched field trips to Killeen ISD schools, and to allow for storage of art equipment and ongoing art projects.

Currently we are experiencing limitations in both functionality and class offerings due to the size constraints of our building. We would like to provide more art experiences and classes for children and adults; and to develop more comprehensive programming in pottery, sculpture, and computer arts. Other areas of need for the additional space are to create a waiting area for parents and to provide project development spaces for our staff. While we are hoping to increase enrollment to keep up with demand and financial growth, the primary need for the space is to enhance the quality of experience for our clientele and to give our teachers an adequate workspace to enhance their teaching capabilities. We will be able to manage any influx of clientele by strategic scheduling-based on both programming and clientele needs, as well as, providing additional parking and a two-way entrance to our parking lot. While using our rooms more effectively we can offer classes during different times and days of the week.

Throughout the years we have been given the opportunity to enrich the students of Killeen ISD through art-based fieldtrips. There are not many educational fieldtrips available in our area and there is very limited exposure to the arts. Typically, schools will bus a grade level at a time, and we cannot facilitate that many students at once. To accommodate them we currently must coordinate with the schools to divide the grade level into smaller groups and rotate between us and the park. This has become increasingly difficult due to possible inclement weather the day of their fieldtrip. These fieldtrips take place between the weekday hours of 9:00 am and 2:00 pm. The students arrive on buses or walk for nearby schools. We provide a unique and educational opportunity for the students of Killeen ISD and we would like to better serve them with the additional space.

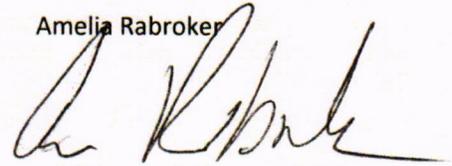
Our last area of need for the additional space is for our art equipment, supplies, and projects that our students are working on. With the pottery classes we need space for potters' wheels, kilns, pugmill, and slab roller. We need a classroom that can accommodate several computers for our growing animation and computer arts program. Our consumable supplies also take up a large amount of space. Adequate storage would help us tremendously.

Our intended purposes for the amendment to our CUP as articulated above will allow us to provide the best we can in the arts for our community. Programs geared towards the arts both in job creation and services are extremely valuable for any community. Tap Tap has provided jobs for our local economy but is getting harder to keep staff members employed due to the small number of students we can service for classes which is directly a result of limited square footage. We did not foresee the impact we would

have on the community when we initially opened the school nor did we anticipate the need for various types of art forms. Many of our families and participants have expressed how the art programming we offer has not only provided educational opportunities but fulfilled therapeutic needs and given a sense of belonging to our military families. Part of the comforting at-home experience that our clients enjoy is the convenient location and the ambience of the property. We have worked very hard to make sure we uphold the integrity of the neighborhood and we always adhere to anything that is asked of us because we are grateful to be here. We do not want to move to get the space we need because this truly is a special place. We humbly ask to make this amendment so that we can continue to be an asset to our community.

Sincerely,

Amelia Rabroker

A handwritten signature in black ink, appearing to read 'Amelia Rabroker', written in a cursive style.

President of Tap Tap Art School

NO. 1	NO. 2	NO. 3	NO. 4	NO. 5	NO. 6	NO. 7	NO. 8	NO. 9	NO. 10
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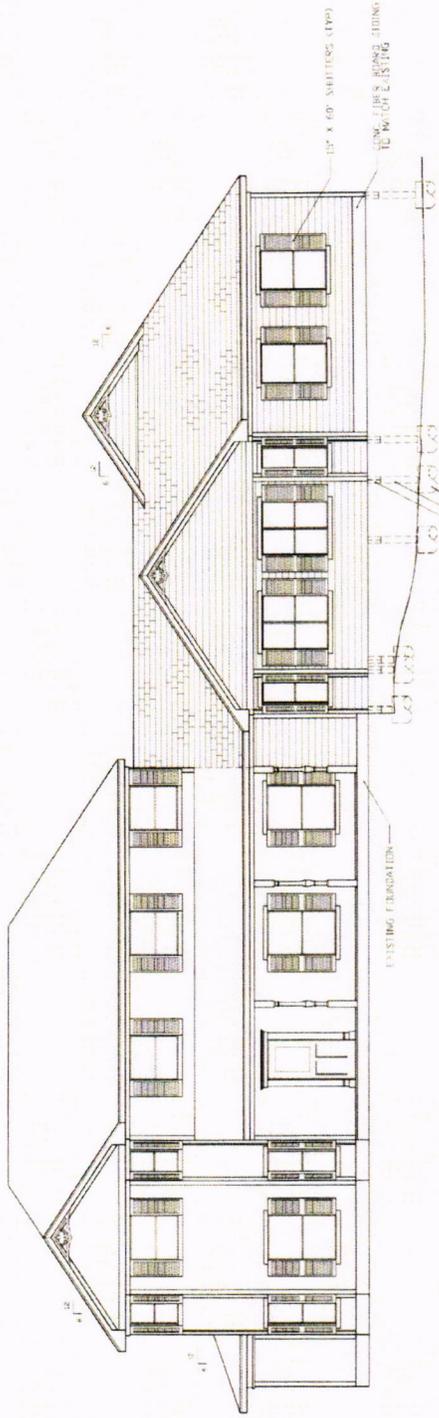
3030 10th Street, N.E. Atlanta, GA 30304
 (404) 525-8800
 www.cdw.com

PROJECT	SITE NO.	STUD. NO.	DATE
			11/20/02
			11/20/02
			11/20/02

DATE	BY	CHKD.	APP'D.

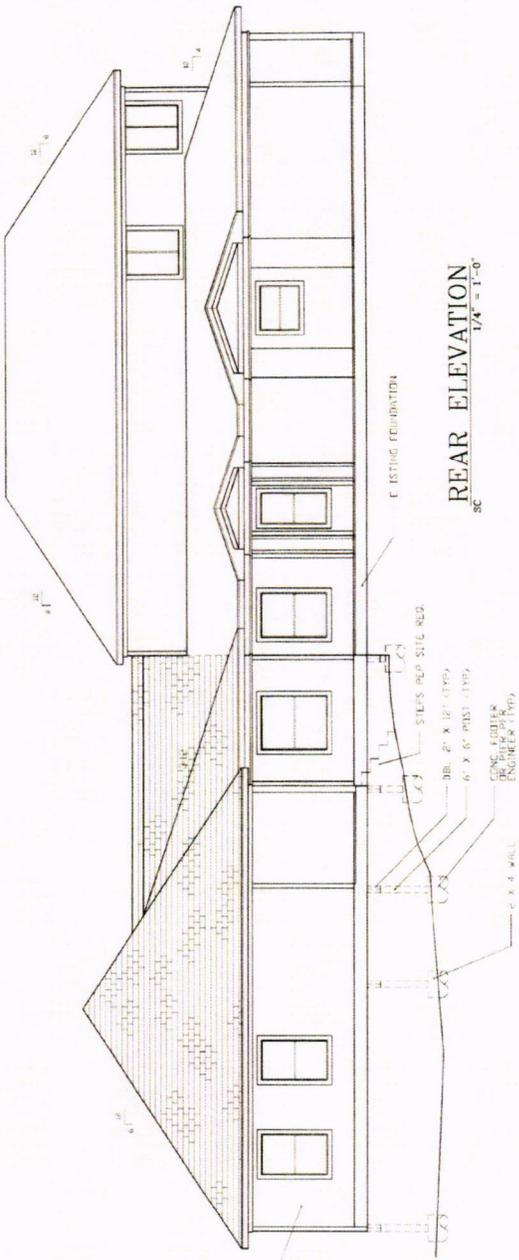
SHEET NO. **2**

THIS DOCUMENT IS THE PROPERTY OF CDW GROUP, INC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF CDW GROUP, INC.



FRONT ELEVATION
 SC
 1/4" = 1'-0"

NOTE: PLATE HEIGHTS CALCULATED USING 1 1/2" DEEP FLUSH BEAMS AND 1 1/2" PLUMB BECKING.



REAR ELEVATION
 SC
 1/4" = 1'-0"

AN ORDINANCE GRANTING CONDITIONAL USE PERMIT (CUP), TO ALLOW A PRIVATE ART SCHOOL IN A SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED AT 103 MOUNTAIN LION ROAD, DESCRIBED AS PROPERTY ID#90579, AO838BC R W TOM, 2-7, ACRES 1.378, HARKER HEIGHTS, BELL COUNTY TEXAS.

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 hereinafter-described property zoned R-1 (One-Family Dwelling District) is granted a Conditional Use Permit (CUP), to allow a private art school in a Single Family residence

1.378 acres property located 103 Mountain Lion Road, described as Property ID #90579, AO838BC R W Tom, 2-7, Acres 1.378, Harker Heights, Bell County, Texas.

This permit is subject to the following conditions:

1. The property can only operate as a Single Family Residential Home (R-1 One Family Dwelling) OR a Private Art School.
2. The property must maintain the overall external character and appearance of a Single Family Home.
3. Site plan approval is required prior to the issuance of any development permits.
4. Sign Standards:
 - a. One free-standing sign shall be permitted and shall be consistent with an approved Master Signage Plan.
 - b. The sign shall not exceed thirty (30) square feet in area and may not be more than six feet (6') in height.
 - c. Electronic and Monopole signs are prohibited.
 - d. All signage shall comply with the visibility sight triangle requirement.

- e. No signage is permitted in the right of way.
- 5. A six (6) or eight (8) foot perimeter fence is required for adequate screening per Section 155.050 of the City of Harker Heights Code of Ordinances.
- 6. All employee parking must be located in the back.
- 7. The development must meet parking requirements of 1 space per 350 square feet of gross floor area.
- 8. All commercial vehicle parking must be screened from surrounding land uses in accordance to Section 155.050 of the City of Harker Heights Code of Ordinances.
- 9. The development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances.

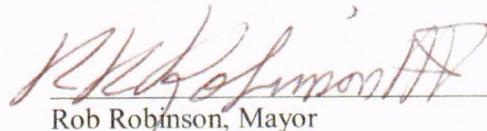
SECTION 3: Table VII, Table of Special Ordinance, Code of Harker Heights is hereby supplemented by adding the following entry:

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2015-24	12/08/15	Granting a CUP (Conditional Use Permit), to allow a private art school in a Single Family residence located at 103 Mountain Lion Road, described as Property ID #90579, AO838BC R W Tom, 2-7, Acres 1.378, Harker Heights, Bell County, Texas.

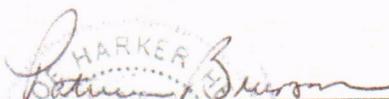
SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

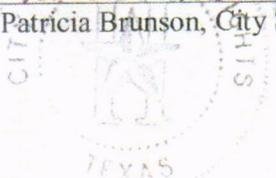
SECTION 5: This Ordinance shall be effective from and after its passage, and the City Clerk shall publish the caption or title of hereof within ten days as required by law.

PASSED AND APPROVED on December 8, 2015.


 Rob Robinson, Mayor

ATTEST:


 Patricia Brunson, City Secretary

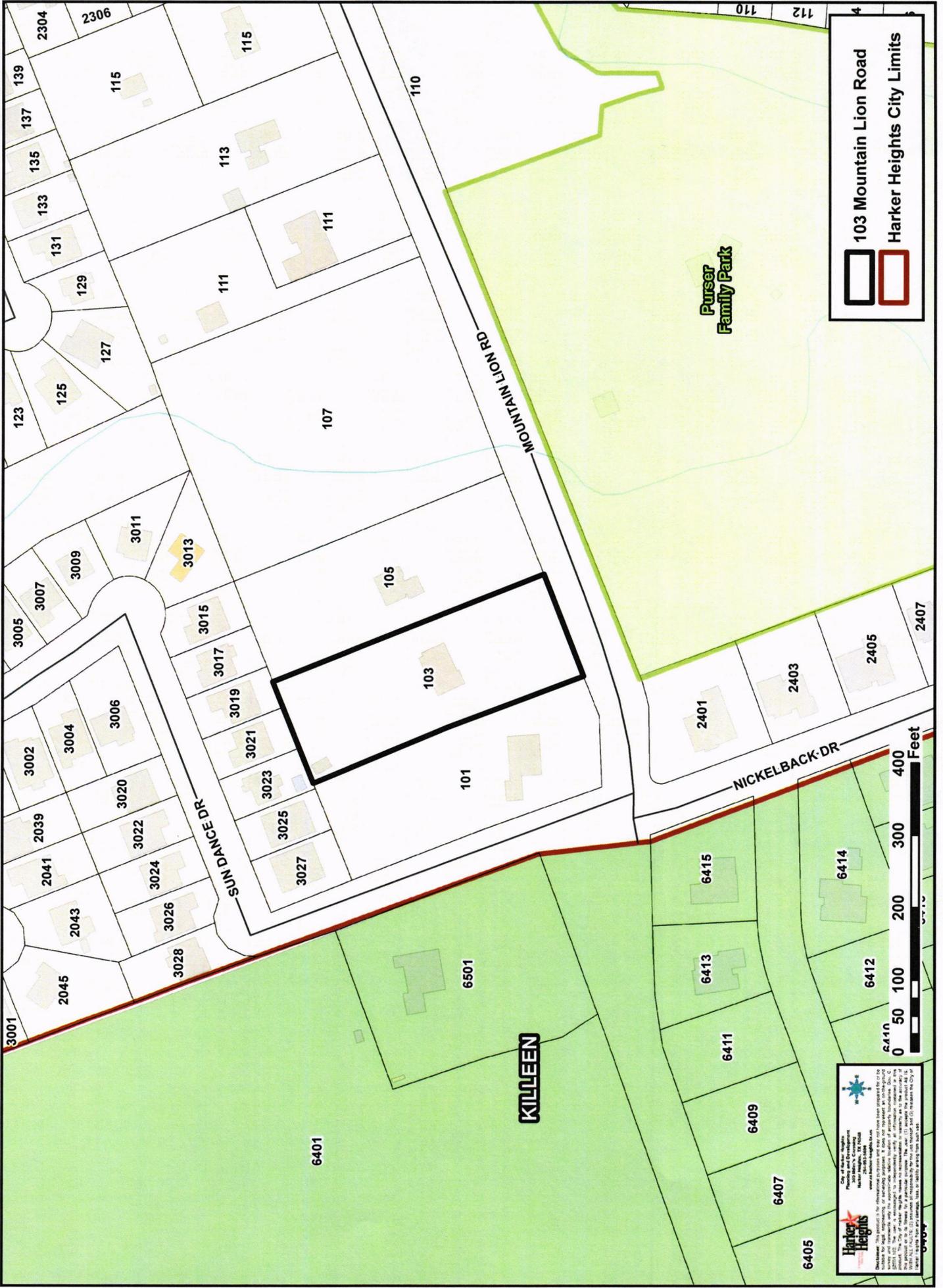


Z20-01
103 Mountain Lion Rd. – Tap Tap Art School
Amended CUP Conditions

1. The property can only operate as a Single Family Residential Home (R-1 One Family Dwelling) OR Private Art School with a Conditional Use Permit.
2. The property must maintain the overall external character and appearance of a Single Family Home.
3. Site plan approval is required prior to the issuance of any development permits
4. Sign (out of public right of way) Standards
 - a. One free-standing sign shall be permitted and shall be consistent with an approved Master Signage Plan.
 - b. The sign shall not exceed thirty (30) square feet in area and may not be more than six (6') feet in height.
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9. The development shall adhere to all other commercial requirements as directed from the City of Harker Heights Code of Ordinances.
10. The facility shall be allowed to increase its internal area by 2,700 square feet, provided the use remains as a single-family residence or a private art school. The character of the residence shall be maintained with any remodeling or additions to the facility, and shall be approved by the Planning Director.

Z20-01

Location



Harter Heights
 City of Harter Heights
 Planning and Development
 103 Mountain Lion Road
 Harter Heights, TX 77033
 www.harterheights.com

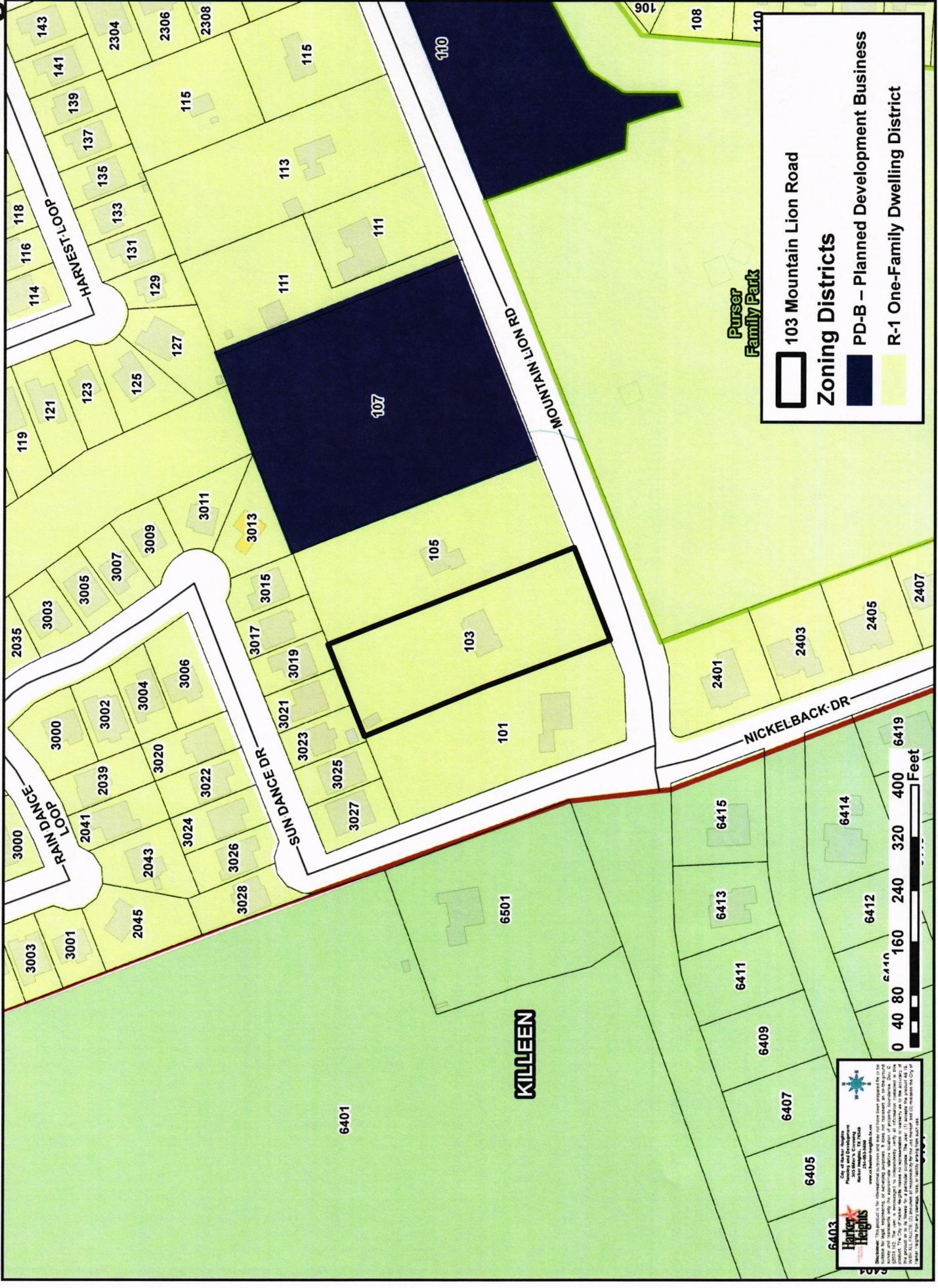
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103 Mountain Lion Road

Harter Heights City Limits

Z20-01

Zoning



103 Mountain Lion Road

Zoning Districts

- PD-B – Planned Development Business
- R-1 One-Family Dwelling District

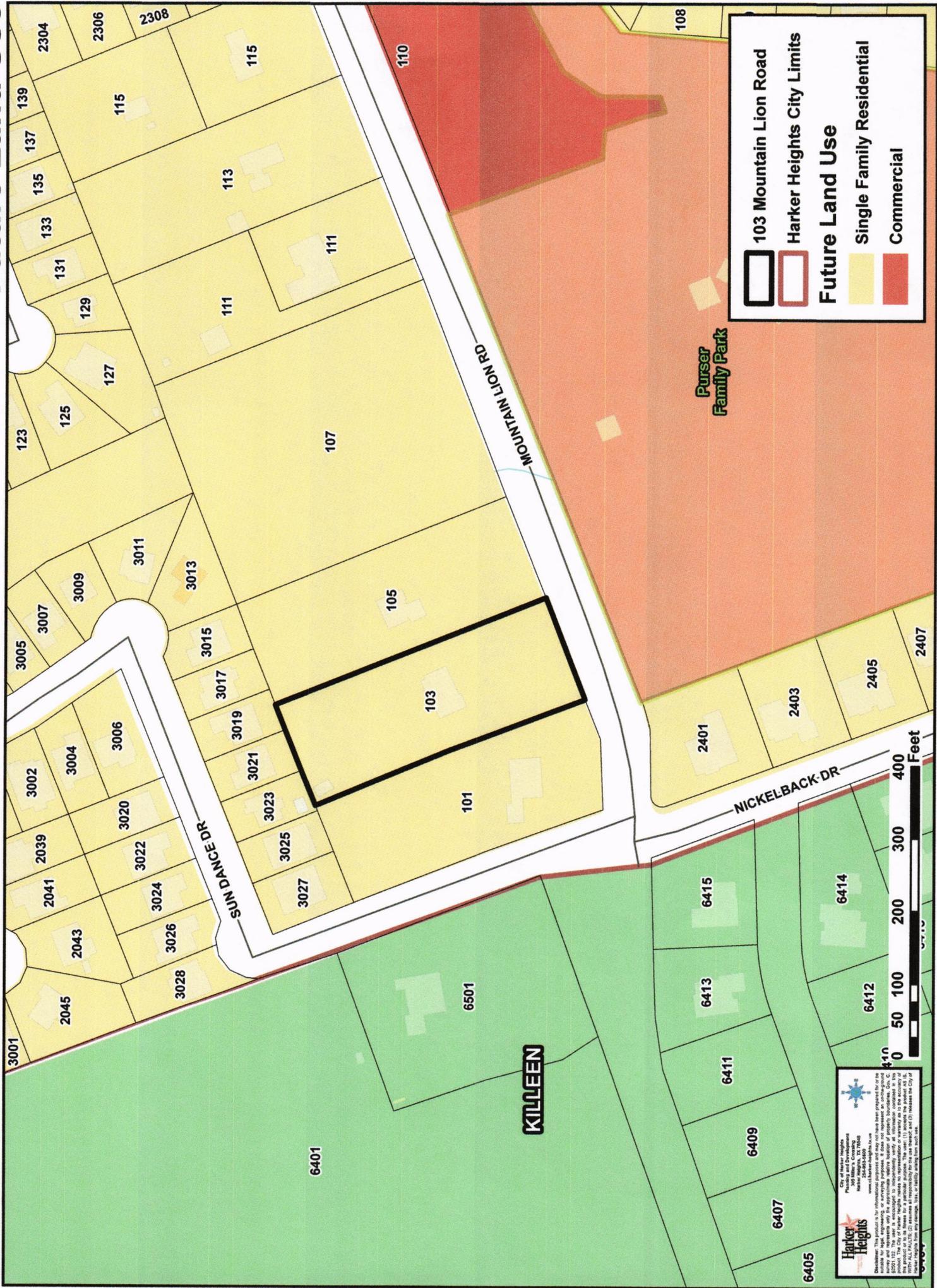


6403

Harrier Heights

City of Harrier Heights
 Planning and Development
 300 Main St, Suite 100
 Harrier Heights, NC 27834-3408
 Phone: 757-338-3408
 Fax: 757-338-3408

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103 Mountain Lion Road

Harker Heights City Limits

Future Land Use

- Single Family Residential
- Commercial

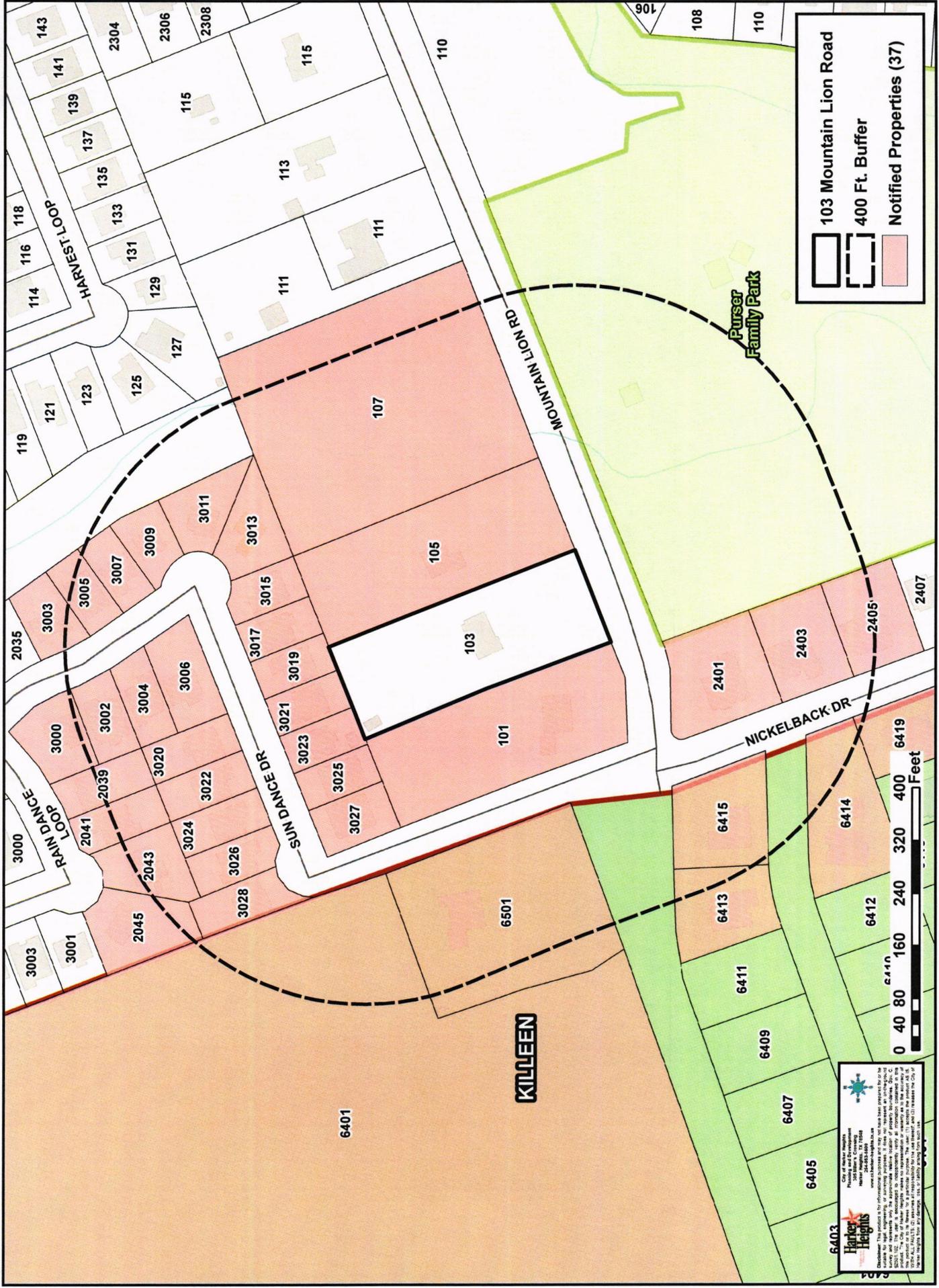
Harker Heights

City of Harker Heights
 Planning & Community Development
 202 West 11th Street
 Harker Heights, TX 76788
 www.harkerheights.com

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Z20-01

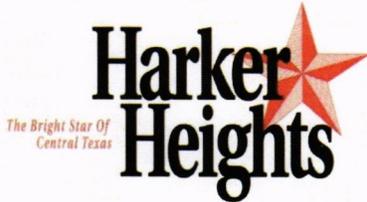
Notification



103 Mountain Lion Road
 400 Ft. Buffer
 Notified Properties (37)

City of Killeen
 Planning & Development
 1000 Main Street
 Killeen, TX 76789
 254-853-3000

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PLANNING AND ZONING COMMISSION MEMORANDUM

Z20-02

AGENDA ITEM IX-2

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: JANUARY 8, 2020

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LOT NINE (9), BLOCK 52, COMANCHE LAND SUBDIVISION, AN UNRECORDED SUBDIVISION, OUT OF ABSTRACT 115 OF THE I.T. BEAN SURVEY, GENERALLY LOCATED NEAR THE INTERSECTION OF AZTEC TRACE AND YUMA TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-2 (Two Family Dwelling District). This request is to enable the construction of a two-family (duplex) residence on the lot. The property is approximately 16,774 square feet and the minimum lot square footage for R-2 zoning designation is 8,400 square feet.

BACKGROUND:

Summary of Surrounding Properties

Location	Zoning	Existing Land Use	Future Land Use
North	R-1	Manufactured Home	Medium Density Residential
South	R-2	Duplex	Medium Density Residential
East	R-2	Duplex	Medium Density Residential
West	R-1	Single Family Residence	Medium Density Residential

Existing Use:

The subject property is currently vacant. Surrounding land uses consist of a mixture of Single-Family Residences, Manufactured Homes, and Duplexes. Staff believes the proposed duplex zoning will be of greater value for the land. There are existing duplexes in the neighborhood and as such the proposed use will likely be compatible with the neighborhood.

Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). Surrounding zonings include R-1 (One-Family Dwelling District) to the north and west, and R-2 (Two

Family Dwelling District) to the south and east of the subject property. Taking into consideration the existing uses in the neighborhood, the proposed rezoning from R-1 to R-2 district will not likely have any adverse effects on the surrounding zoning districts.

Future Land Use:

Per the City's Future Land Use Map, the subject property and surrounding properties are located in an area designated as Medium Density Residential (MDR). The proposed rezoning from R-1 to R-2 will allow for the construction of duplexes which are considered a medium density residential use. Therefore, the proposed rezoning and intended use would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out forty-seven (47) notices to property owners within the 400-foot notification area. There were zero (0) responses received in favor of the request, and one (1) response received in opposition of the request.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Twenty-Two (22), Block Three (3), Kern Acres, First Extension and Revision, according to a map or plat of record in Cabinet A, Slide 223-D, Plat Records of Bell County, Texas, generally located at 504 S. Juanita Drive, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning is compatible with existing uses in the area.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Nine (9), Block 52, Comanche Land Subdivision, an unrecorded subdivision, out of Abstract 115 of the I.T. Bean Survey, generally located near the intersection of Aztec Trace and Yuma Trail, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

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



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

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

Property Owner(s) Name: UBET Investment, LLC **Date:** 11/22/2019

Address: 1518 Aztec Trace

City/State/Zip: Killeen, TX 796548

Phone: 254-289-9006 **E-mail:** lackmeyerhomes@hotmail.com

Legal Description of Property:

Location of Property (Address if available): 1518 Aztec Trace

Lot: 9 Block: 52 Subdivision: Com Land Unded

Acres: 0.344 Property ID: 2877 Survey: _____

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Duplex

Current Zoning Classification: One Family Dwelling District **Proposed Zoning:** ~~RMU~~ R-2 Jm2

Current Land Use: Single family lot **Proposed Land Use:** Duplex lot

Applicant's Representative (if applicable):

Applicant's Representative: Jeff Lackmeyer

Phone: 254-716-6135 **E-Mail:** lackmeyerhomes@hotmail.com

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or _____ will represent the owner.

Jeff Lackmeyer

Printed Name of Property Owner

[Signature]
Signature of Property Owner

Jeff Lackmeyer

Printed Name of Representative

[Signature]
Signature of Representative

Date Submitted: 12/11/19

STAFF ONLY - DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01527970

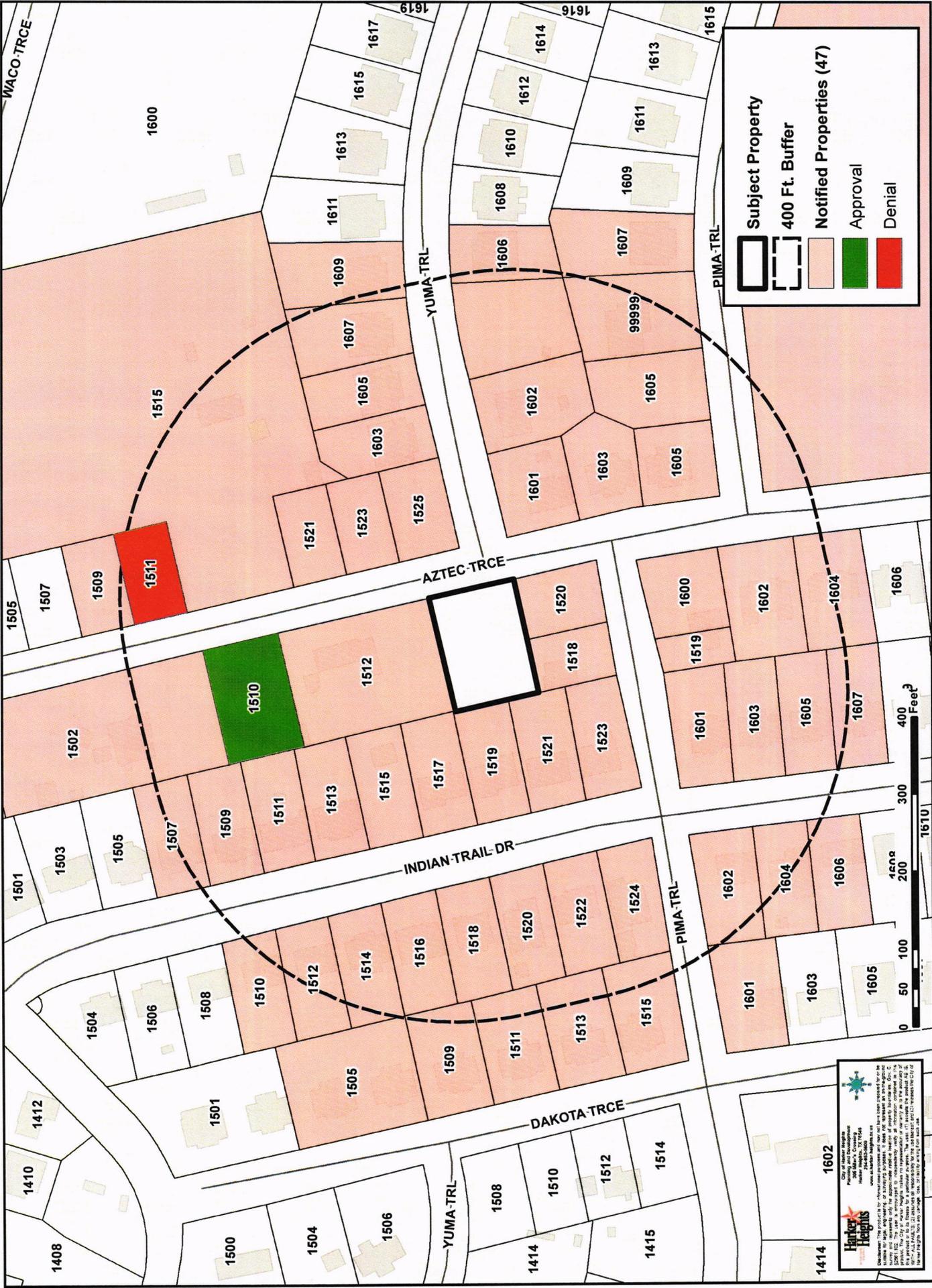
Received By: [Signature]

Revised: 2/28/18

Case #: Z20-2

Z20-02

Existing Land Use



Hardy Heights
 City of Maricopa
 3000 Maricopa Community Center
 Maricopa, AZ 85138
 Phone: 520-835-5000

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TO: **City of Harker Heights**
Planning & Development Department
1511 INDIAN TRAIL

FROM: HARKER HEIGHTS, TX. 76548

MATTHEW MOSE R
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Nine (9), Block 52, Comanche Land Subdivision, an unrecorded subdivision, out of Abstract 115 of the I.T. Bean Survey, generally located near the intersection of Aztec Trace and Yuma Trail, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

MATTHEW MOSE R
Printed Name

Matthew Moser
Signature

1-2-2020
Date

Received

JAN 02 2020

Planning & Development

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

FROM: 1510 INDIAN TRAIL

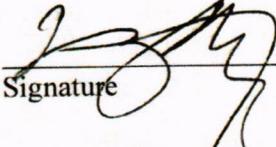
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Nine (9), Block 52, Comanche Land Subdivision, an unrecorded subdivision, out of Abstract 115 of the I.T. Bean Survey, generally located near the intersection of Aztec Trace and Yuma Trail, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

WADE UTLEY
Printed Name

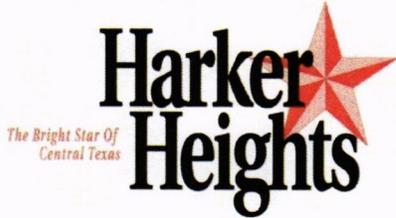

Signature

2 Jan 19
Date

Received

JAN 02 2020

Planning & Development



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z20-03

AGENDA ITEM IX-03

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: JANUARY 8, 2020

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R-MU (MIXED RESIDENTIAL) ON PROPERTY DESCRIBED AS KERN ACRES SECOND EXTENSION AND REVISION, BLOCK THREE (3), LOT TWELVE (12), GENERALLY LOCATED AT 106 W. KATHEY ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-MU (Mixed Residential). The applicant wishes to rezone the vacant lot to a zone more accommodating to various types of residences. Within R-MU the applicant can choose to have a single-family house (R-1), a manufactured home (R-1(M)), or a duplex (R-2). The property is approximately 9,129 square feet and the minimum lot square footage for all applicable zoning classes is 8,400 square feet. The applicant is also the owner of neighboring properties to the west located at 108 and 110 W. Kathey Road.

BACKGROUND:

Summary of Surrounding Properties

Location	Zoning	Existing Land Use	Future Land Use
North	B-4	Vacant	Commercial
South	R-1	Single Family Residence	Single Family Residential
East	B-4	Vacant	Medium Density Residential
West	R-1	Single Family Residence	Medium Density Residential

Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). Adjacent and surrounding zoning includes B-4 (Secondary and Highway Business District) and R-1 (One-Family Dwelling District). The proposed rezoning from R-1 to R-MU would not likely have any adverse effects on the surrounding zoning districts.

Existing Use:

The property is currently vacant and surrounding properties include Commercial and Vacant uses to the north, Single-Family to the west and south, and an Office building and its associated parking lot immediately to the east (104 W. Kathey Rd. & 100 S. Ann Blvd.).

Future Land Use:

The subject property is currently located in an area designated as Medium Density Residential. In accordance with the Comprehensive Plan medium density residential should be located where possible as a buffer between commercial and single family residential uses, and the proposed rezoning of this property from R-1 (One-Family Dwelling District) to R-MU (Mixed Residential) would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out thirty-three (33) notices to property owners within the 400-foot notification area. Zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request.

RECOMMENDATION:

Staff provides no recommendation for the request to change zoning designation from R-1 (One-Family Dwelling District) to R-MU (Mixed Residential), on the property located on Jamie Road, described as 0.794 acres out of the part of the V.L. Evans Survey, abstract #288, Bell County, Texas.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend/not recommend an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-MU (Mixed Residential) on property described as Kern Acres Second Extension and Revision, Block Three (3), Lot Twelve (12), generally located at 106 W. Kathey Road, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Location Map
3. Existing Land Use Map
4. Zoning Map
5. Future Land Use Map
6. Notification Area Map
7. Citizen Response



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

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

Property Owner(s) Name: Philip Franzoni **Date:** Dec 11 2019
Address: 102C W Veterans Memorial Blvd
City/State/Zip: Harker Heights TX 76548
Phone: 254-220-5501 **E-mail:** DFranzoni96@icloud.com

Legal Description of Property:

Location of Property (Address if available): 106 West Kathey
Lot: 0012 **Block:** 003 **Subdivision:** Kenn 2nd ext
Acres: 140' X 70' **Property ID:** 11455 **Survey:** _____

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Putting 40x27 2011 Manufacture Palm Harbor Home on Property. With
having opposition to board.
Current Zoning Classification: R-1 **Proposed Zoning:** R-MU
Current Land Use: Single family **Proposed Land Use:** _____

Applicant's Representative (if applicable):

Applicant's Representative: _____
Phone: _____ **E-Mail:** _____

I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.

I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or _____ will represent the owner.

Philip Franzoni
 Printed Name of Property Owner

Philip Franzoni
 Signature of Property Owner

Printed Name of Representative

Signature of Representative

Date Submitted: 12/11/19
Received By: [Signature]

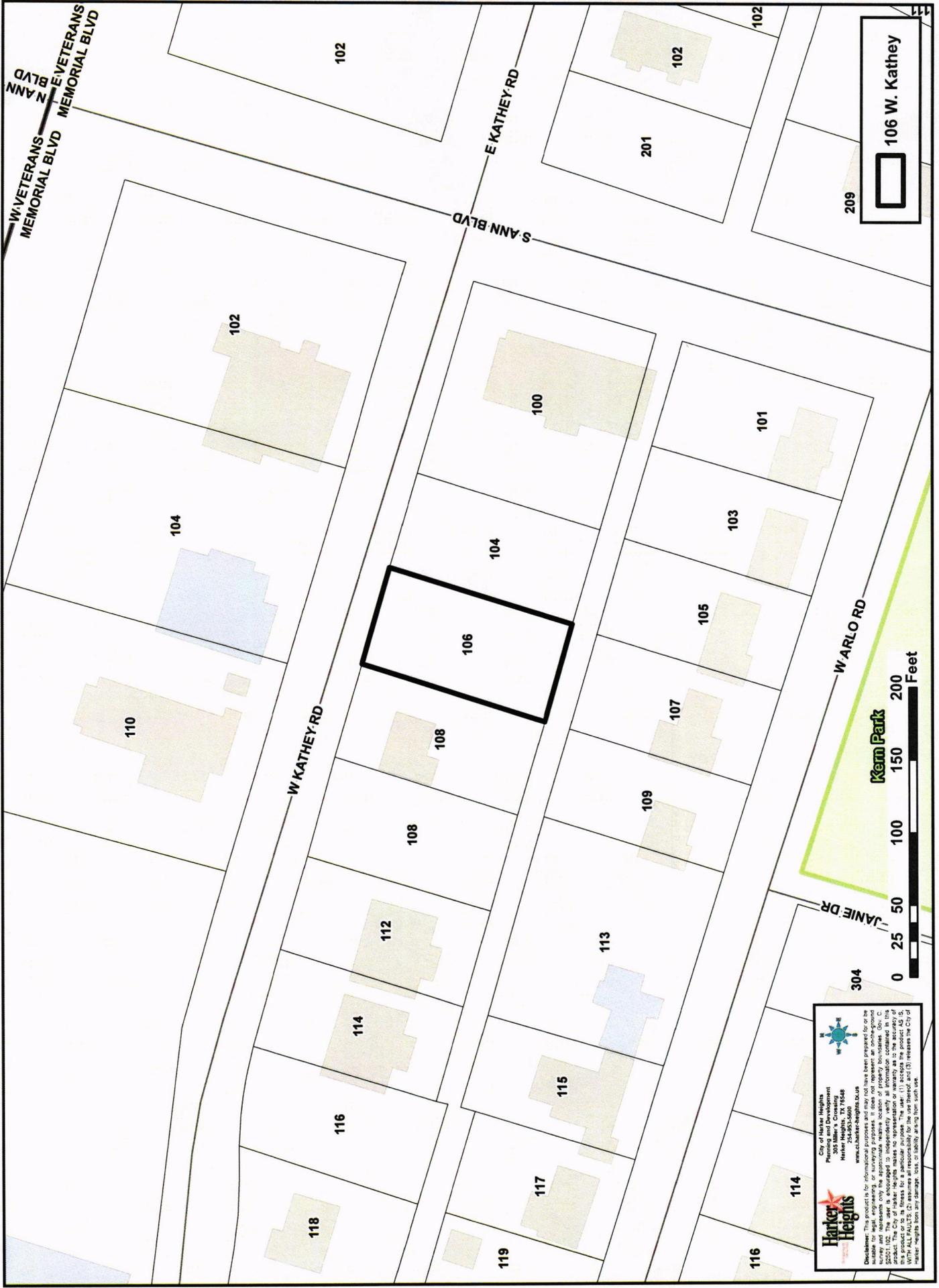
STAFF ONLY - DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01527980
Case #: Z20-03

Z20-03

Location



City of Harker Heights
 305 Main St, Crossing
 Harker Heights, TX 76648
www.ci.harker-heights.tx.us

Harker Heights

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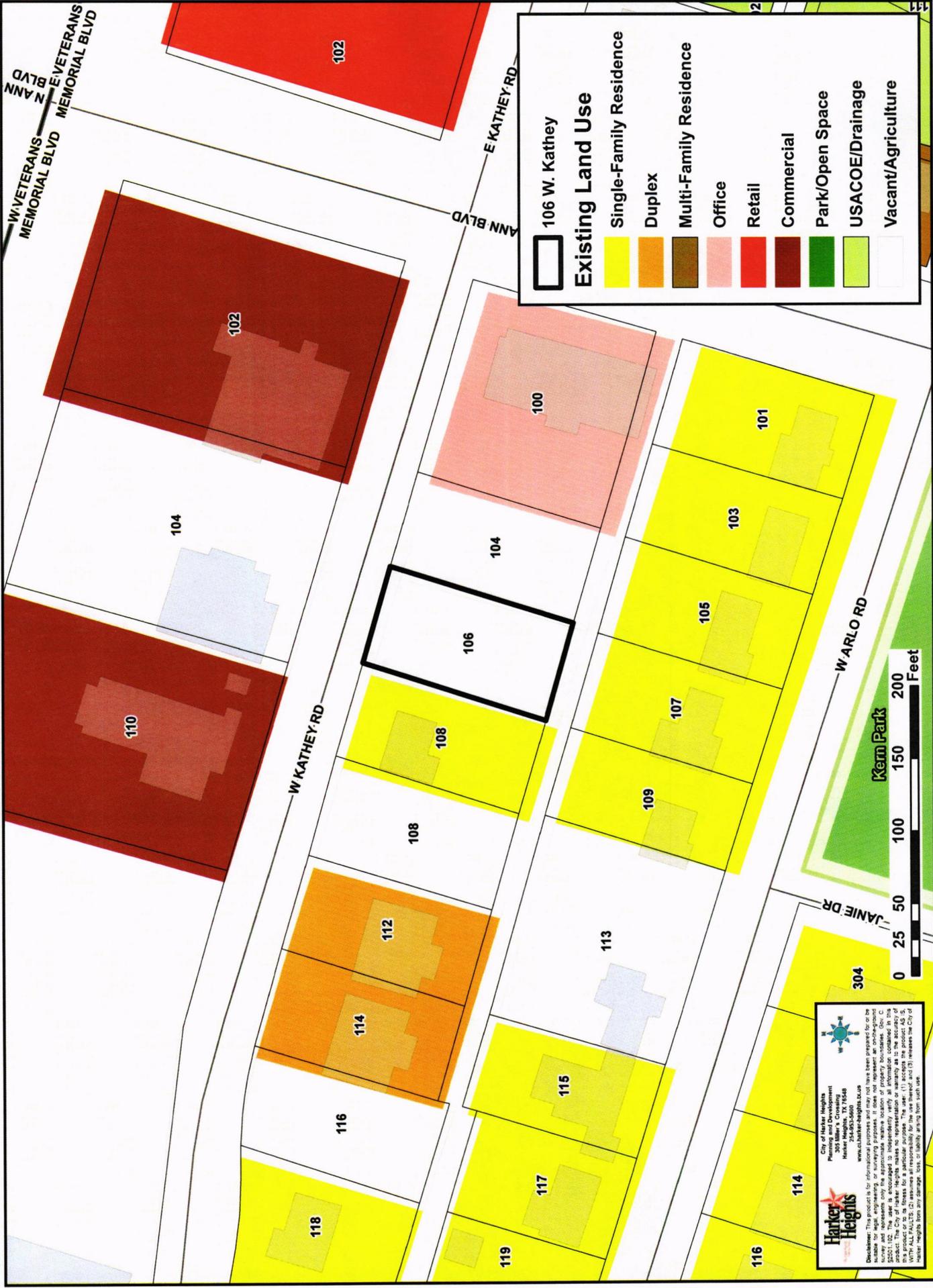
Kem Park

0 25 50 100 150 200 Feet

106 W. Kathey

Z20-03

Existing Land Use



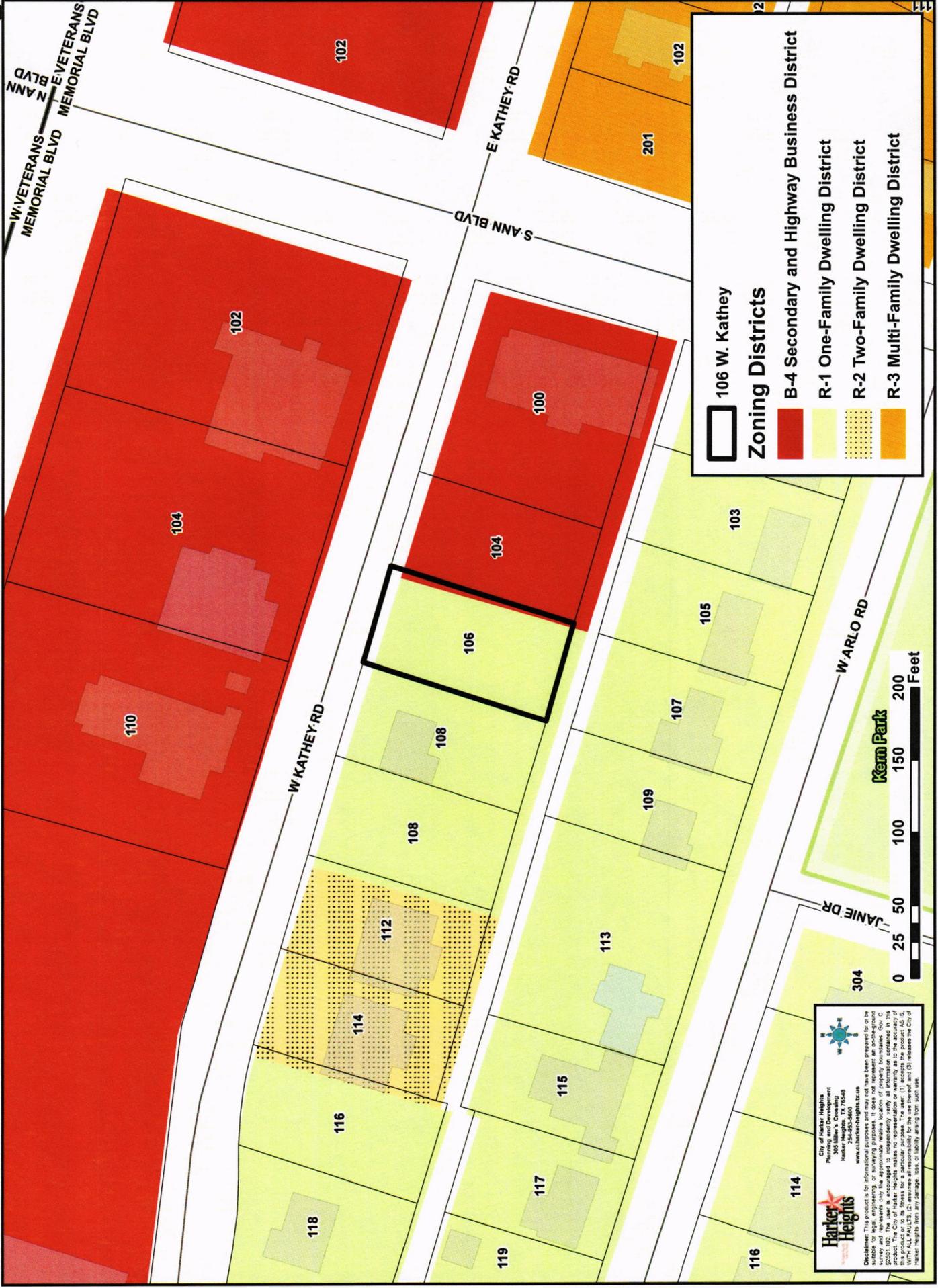
106 W. Kathey

Existing Land Use

- Single-Family Residence
- Duplex
- Multi-Family Residence
- Office
- Retail
- Commercial
- Park/Open Space
- USACOE/Drainage
- Vacant/Agriculture

Harker Heights
 City of Harker Heights
 Planning and Development
 Harker Heights, TX 76248
 254-985-5680
 www.harkerheights.com

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106 W. Kathey

Zoning Districts

- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District

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City of Harker Heights
 Planning Department
 305 Main Street, Suite 100
 Harker Heights, TX 76788
 www.ci.harkerheights.tx.us

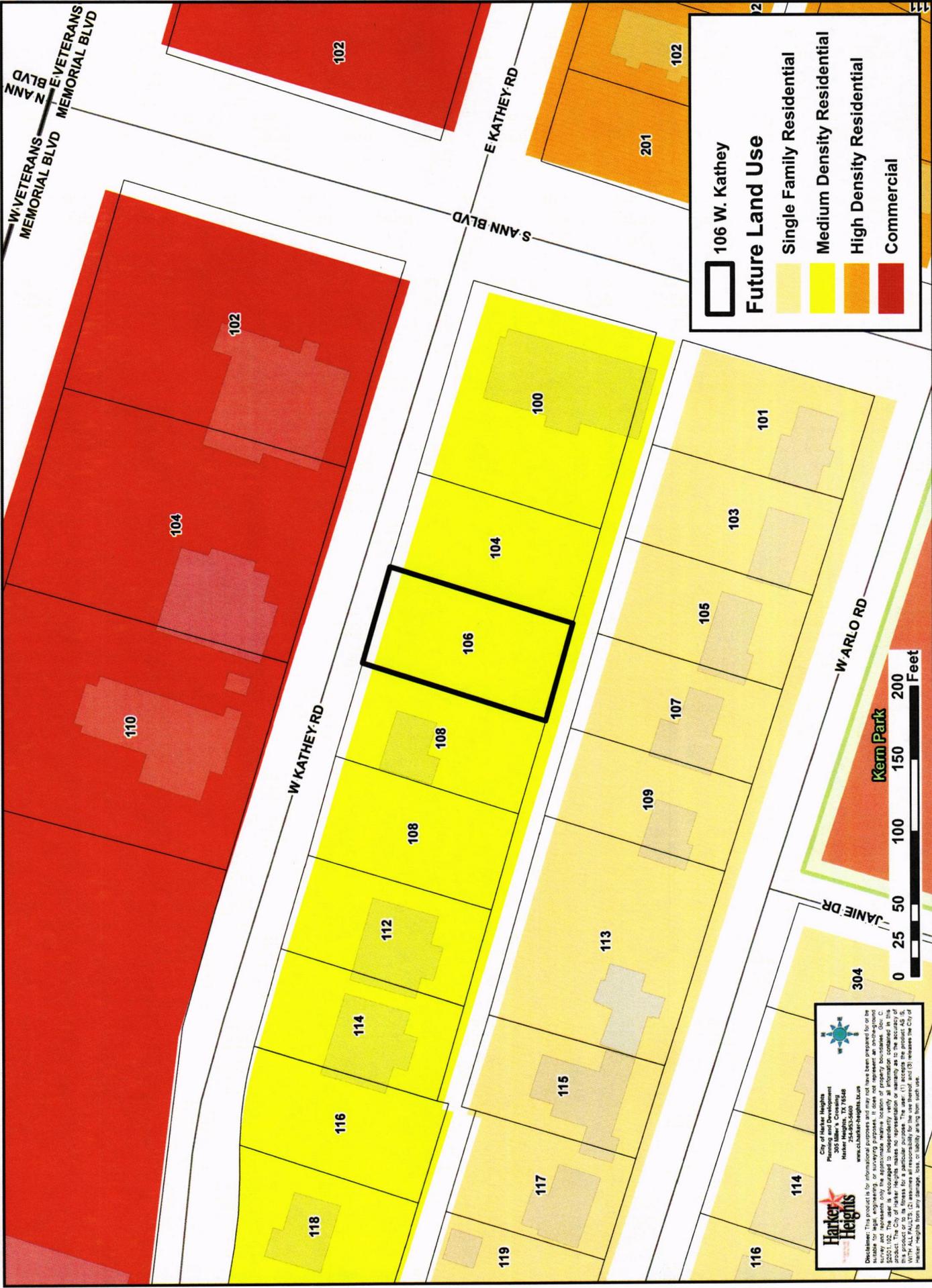
Harker Heights

Kern Park

0 25 50 100 150 200 Feet

Z20-03

Future Land Use



106 W. Kathey

Future Land Use

- Single Family Residential
- Medium Density Residential
- High Density Residential
- Commercial

Harker Heights

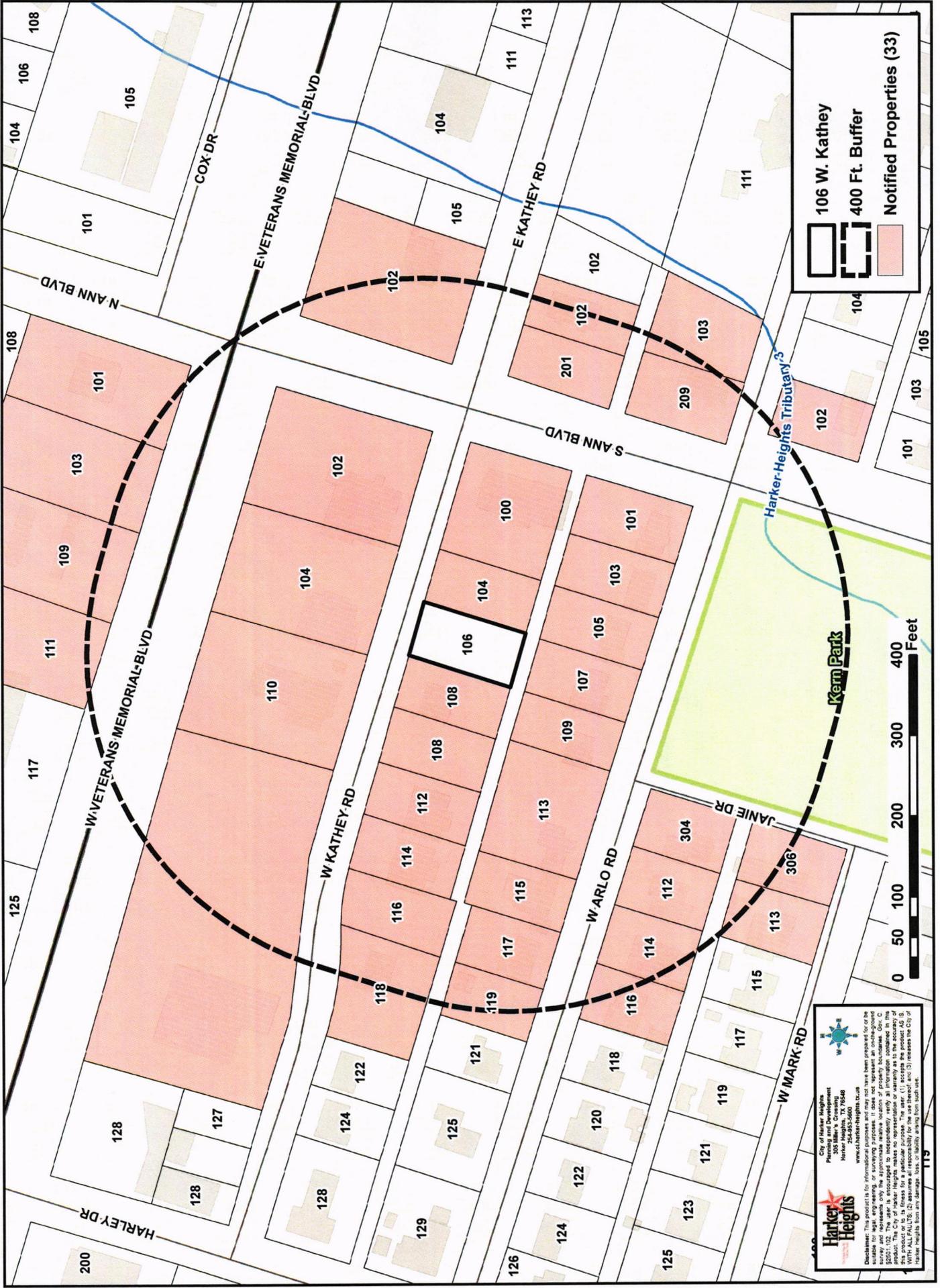
City of Harker Heights
Planning and Development
Harker Heights, TX 76748
www.ci.harkerheights.tx.us

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Z20-03

Notification



106 W. Kathey
400 Ft. Buffer
Notified Properties (33)

Harker Heights
City of Harker Heights
Planning and Development
Harker Heights, TX 76788
254-893-5600
www.ci.harkerheights.tx.us

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