



**Minutes of the Harker Heights Planning & Zoning Commission Meeting
October 27, 2021**

Present:

Commission

Larry Robison	Chairman
Robert Robinson III	Vice Chairman
Noel Webster	Commissioner
Stephen Watford	Commissioner
Rodney Shine	Commissioner
Kay Carey	Commissioner

Michael Stegmeyer	Alternate Commissioner
Bary Heidtbrink	Alternate Commissioner
Natalie Austin	Alternate Commissioner

Staff

Kristina Ramirez	Planning and Development Director
Yvonne K. Spell	City Planner
Michael Beard	Building Official
Dan Phillips	GIS Analyst/ Planner
Wilson Everett	Planning and Development Administrative Assistant
Brad Alley	Fire Marshal

Absent:

Adam Parker	Secretary
Nuala Taylor	Commissioner
Joshua McCann	Commissioner

Meeting Agenda:

Agenda Item I: A quorum was established, and the regular meeting for the Planning and Zoning Commission was called to order at 5:31 P.M.

Agenda Item II: Invocation

Agenda Item III: Pledge of Allegiance

Agenda Item IV: The next agenda item was approval of the agenda from the regular Planning and Zoning Meeting for October 27, 2021. Commissioner Carey made a motion to approve the agenda and to remove New Business Items 2. P21-28, 5. P21-31, and 6. P21-32. Commissioner Watford seconded the motion. **The motion was approved (6-0).**

Agenda Item V: The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on September 29, 2021. Commissioner Webster made a motion to approve the meeting minutes. Commissioner Shine seconded the motion. **The motion was approved (5-0).** It was noted Vice Chairman Robinson abstained from voting on the motion.

Agenda Item VI: Mrs. Spell provided a summary of the City Council results from the October 12, 2021 meeting.

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

Agenda Item VIII: Public Comments: There was no one present who wished to address the Planning and Zoning Commission during this meeting.

Agenda Item IX: Public Hearing:

1.Z21-25 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.

Mrs. Spell explained the applicant's request to change the current zoning of R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property. She noted that the 2021 Future Land Use Map identifies this area is designated for Residential Estate; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Assumptions.

Brady Allison, 1121 Spring Terrace Lp., Temple, Texas 76502 was present to represent the case.

Barry Stark, 10801 Highview Drive, Harker Heights, Texas 76548 was present to speak in favor of the request.

Commissioner Shine made a motion to approve an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas, with the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 1,500 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

Commissioner Watford seconded the motion. **The motion was approved (6-0).**

2.Z21-26 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract

0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas.

Mrs. Spell explained the applicant's request to change the current zoning of R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District). She noted that the request will enable the applicant to construct the following: garage (33' X 42' 1,386 square feet), wood shop (18' X 33', 594 square feet), and a carport (20' X 33', 660 square feet) with a total combined square footage of 2,640. As outlined within the R1-R zoning district, the following requirements must be met: §155.021 (3) (a) (1-3)

1. The number of accessory buildings shall not exceed one per acre;
2. Accessory buildings shall be no greater than 5,000 square feet in size;
3. The maximum aggregate square footage of all accessory buildings shall not exceed 1,000 square feet per acre and not to exceed a total of 10,000 square feet on any one tract

She explained that the 2021 Future Land Use Map identifies this area is designated for Residential Estate; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

John Hennessy, 5140 Lakeside Drive, Harker Heights, Texas 76548 was present to represent the request.

Commissioner Webster made a motion to approve an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas. Commissioner Carey seconded the motion. **The motion was approved (6-0).**

3.Z21-27 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicants request to change the current zoning of R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an accessory dwelling unit. She noted that the 2021 Future Land Use Map identifies this area is designated for Residential Estate; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Julian Benitezpenuelas, 1411 Gomer Lane, Harker Heights, Texas 76548 was present to represent the case.

Vice Chairman Robinson made a motion to approve an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas. Commissioner Watford seconded the motion. **The motion was approved (6-0).**

4.Z21-28 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request to change the current zoning of R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing). She noted that the 2021 Future Land Use Map identifies this area is designated for Medium Density Residential; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Assumptions.

Randall Holmes, 226 E Valley Road, Harker Heights, Texas 76548 and real estate agent Terry Lynn, office located at 1320 N. Penelope, Belton, Texas 76513 were present to represent the case.

Vice Chairman Robinson made a motion to approve an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas. Commissioner Carey seconded the motion. **The motion did not receive an appropriate amount of votes to be approved (2-4).** Chairman Robison, Commissioner Webster, Commissioner Shine, and Commissioner Watford disapproved the motion.

5.Z21-29 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request to change the current zoning of B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay. She noted the 2021 Future Land Use Map identifies this area is designated for both Community Center and Regional Commercial Centers; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Felicia Fogle, 308 Brookway, Killeen, Texas 76542 was present to represent the case.

Commissioner Webster made a motion to approve an ordinance to change zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion was approved (5-1).** Vice Chairman Robinson disapproved the motion.

6.Z21-29-F Conduct a public hearing to discuss and consider recommending an ordinance to amend the Comprehensive Plan's future land use map to change the 'Community Center' and 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request to change the current zoning of B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay. The Land Use Plan shows this parcel to be located within the Community Center and Regional Center designations. To keep the requested B-4 zoning compatible with the land use plan, the land use designation will need to be amended to Regional Center. She explained the 2021 Future Land Use Map identifies this area is designated for both Community Center and Regional Centers. The zoning designations included in Community Center land use include: B-1 (Office District), B-2 (Neighborhood Business District), B-3 (Local Business District), and PD-B (Planned Development Business). The zoning designations included in Regional Center land use include: B-4 (Secondary and Highway Business District), B-5 (General Business District), PD-B (Planned Development Business), and PD-M (Planned Development Mixed Use).

Commissioner Shine made a motion to approve an ordinance to amend the Comprehensive Plan's future land use map to change the 'Community Center' and 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. Commissioner Webster seconded the motion. **The motion was approved (6-0).**

Agenda Item X: New Business:

1.CP21-06 Discuss and consider a request for a Concept Plan referred to as Cedar Trails on property described as Uriah Hunt Survey, Abstract No. 401, Property ID #75765, generally located at 13436 E. Knight's Way (FM 2410), Harker Heights, Bell County Texas, and locally known as 13436 FM 2410, Belton, Bell County, Texas.

Mrs. Spell explained the applicant's request for a for a concept plan referred to as Cedar Trails. The property consists of approximately 24.383 acres with a proposed total of seventy (70) residential lots and three (3) tracts. Prior to the September 29th Planning & Zoning meeting, the applicant requested a one-time 30-day extension as allowed by law. The applicant submitted revisions on October 1, 2021 and October 19, 2021. She noted on October 20, 2021, staff returned the final comments to the applicant and that staff was recommending approval of the Concept Plan for the subdivision referred to as Cedar Trails.

Lina Chtay with Belton Engineering, office located at 106 W. East Street, Belton, Texas, 76513 was present to represent the request.

Commissioner Shine made a motion to approve a Concept Plan referred to as Cedar Trails on property described as Uriah Hunt Survey, Abstract No. 401, Property ID #75765, generally located at 13436 E. Knight's Way (FM 2410), Harker Heights, Bell County Texas, and locally known as 13436 FM 2410, Belton, Bell County, Texas. Commissioner Watford seconded the motion. **The motion was approved (6-0).**

2. P21-28 Discuss and consider a request for a Final Plat referred to as Pat Kern Subdivision, Replat No. 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Moothing K, LTD., recorded in instrument No. 2013-00048060, Deed Records of Bell County, Texas, generally located at 201 Indian Trail, Harker Heights, Bell County, Texas.

This case was withdrawn in writing.

3. P21-29 Discuss and consider a request for a Preliminary Plat referred to as Stillhouse Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request for a preliminary plat for approximately 1.50 acres of vacant land located on Stillhouse Lake Road. The proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4). The applicant indicated that the proposed use for this parcel is a Convenience Store/Gas Station. The proposed subdivision is located within the Knight's Way Overlay District, and any development within this subdivision will be required to comply with standards set forth in the Overlay District.

Lina Chtay with Belton Engineering, office located at 106 W. East Street, Belton, Texas, 76513 was present to represent the request.

Commissioner Carey made a motion to approve a Preliminary Plat referred to as Stillhouse Lake Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas.

Commissioner Shine seconded the motion. **The motion was approved (5-1).** Commissioner Webster disapproved the motion.

4. P21-30 Discuss and consider a request for a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request for a preliminary plat for approximately 1.73 acres of vacant land located on at the intersection of Chaparral Road and Stillhouse Lake Road. The proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4). She noted the applicant indicated that the proposed use for this parcel is a Convenience Store/Gas Station. The 2021 Land Use Plan indicates this parcel to be designated as a Community Center land use, which is appropriate for the intended use. As of October 19, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to. Staff recommended denial of the Preliminary Plat referred to as Chaparral Road Addition, due to the applicants request for a variance from the sidewalk requirement.

Lina Chtay with Belton Engineering, office located at 106 N East Street, Belton, Texas 76513 was present to represent the request.

Commissioner Webster made a motion to deny a request for a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas. Commissioner Carey seconded the motion. **The motion for denial was approved (6-0).** Denial was based on the fact the Preliminary Plat referred to as Chaparral Road Addition did not fully comply with the City of Harker Heights subdivision ordinance.

5. P21-31 Discuss and consider a request for a Minor Plat referred to as Family Dollar Addition, 1st Amendment on property described as being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, generally located at 660 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas.

This case was withdrawn in writing.

6. P21-32 Discuss and consider a request for a Minor Plat referred to as Withers Addition on property described as 11.134 acres situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, being all of that called 11.134 acres of land conveyed to Michael

Withers in Document No. 2021052995, Official Public Record of Real Property, Bell County, Texas, and generally located at the intersection of Mesquite Branch Road and Oakridge Boulevard, Harker Heights, Bell County, Texas.

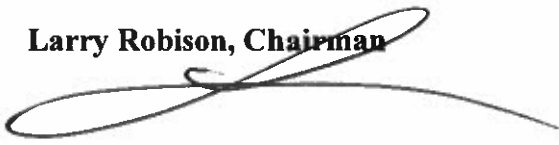
This case was administratively approved.

Agenda Item XI: Reports from commissioners

Agenda Item XII: Staff comments

Agenda Item XIII: Adjournment of P&Z Meeting. **Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 7:43 P.M.**

Larry Robison, Chairman



DATE:

12-8-21

Adam Parker, Secretary



DATE:

12-8-21