



APRIL 12, 2022

5:00 P.M.

CITY COUNCIL

MEETING AGENDA





NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that, beginning at 5:00 p.m. on Tuesday, April 12, 2022, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a meeting in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. INVOCATION:

II. 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.

III. ROLL CALL:

IV. CONSENT ITEMS:

1. Discuss and consider approving the minutes of the meetings held on March 22, 2022, and April 5, 2022, and take the appropriate action.

[City Council - 22 Mar 2022 - Minutes](#)

[Special Meeting - 05 Apr 2022 - Minutes](#)

V. PRESENTATIONS BY CITIZENS:

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and address for the record and limit your comments to three minutes.

VI. PUBLIC HEARINGS:

1. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight's Way), Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

2. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change land use designation from 'Medium Density Residential' to 'Community Center' on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. FM

2410 (E. Knight's Way), Harker Heights, Bell County, Texas, and take the appropriate action.
(Planning and Development Director)

[Staff Report - Pdf](#)

3. Conduct a public hearing to discuss and consider approving a change in zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas, and take the appropriate action.

[Staff Report - Pdf](#)

4. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described as being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

5. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as A0115BC I T BEAN, BLK 49 Comanche Land, Undedicated, Acres 6.58, generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

6. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as Cedarbrook Ridge Phase II, Lot Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

7. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change land use designation from Low Density Residential to Community Center on property described as Cedarbrook Ridge Phase II, Lot Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

VII. **REGULAR BUSINESS:**

1. Discuss and consider approval of a Minor Plat referred to as Dunyasha Place on property described as 5.806 Acres, situated in the W.H. Russell Survey, Abstract 1019, Bell County, Texas, embracing all of Lot 1, Block 1, Withers Way, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #20, Plat Records of Bell County, Texas, and embracing all of a called 3.30 acre tract conveyed to Michael Withers and Dunyasha Withers in Document No. 2016-00036332, Official Public Records of Real Property, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

2. Discuss and consider approval of a Final Plat referred to as Casas Addition on property described as a 0.18 Acres tract of land out of the I.T. Bean Survey, Abstract No. 115, Bell County, Texas, and being the same tract of land conveyed to Daria Casas De Mendez and Jose Casas-Rodriguez as recorded in instrument No. 2019-00039451, Official Public Records of Real Property, Bell County, Texas, and take the appropriate action. (Planning and Development Director)
[Staff Report - Pdf](#)
3. Discuss and consider approving a concept plan referred to as McLaughlin Way, on property described as bring a 4.80 acre tract of land being Lot 1, Block 1 of McLaughlin Way as recorded in Cabinet C, Slide 348-B, Plat Records of Bell County, Texas, and being a tract of land conveyed to Thomas and Stacie Guice as recorded in Instrument No.2021058830, Deed Records of Bell County, Texas, and take the appropriate action. (Planning and Development Director)
[Staff Report - Pdf](#)
4. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding the bank depository services contract to BancorpSouth Bank, a division of Cadence Bank; Authorizing the City Manager to sign the contract on behalf of the City, and take the appropriate action. (Finance Director)
[Staff Report - Pdf](#)
5. Receive and discuss the City Manager's Report. (City Manager)

VIII. ITEMS FROM COUNCIL AND ANNOUNCEMENTS:

1. Councilmember closing statements.
2. Updates and announcements from the Mayor.

IX. ADJOURNMENT:

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on 8th of April 2022, by 4:00 p.m. and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Julie Helsham
City Secretary

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at 254-953-5600, or FAX 254-953-5614, or email jhelsham@harkerheights.gov for further information.

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

Note: On occasion the City Council may consider agenda items out of order.

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, March 22, 2022, at 5:00 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Mayor Spencer H Smith
Mayor Pro Tem Jennifer McCann
Councilmember Michael Blomquist
Councilmember Jackeline Soriano Fountain
Councilmember Lynda Nash
Councilmember Sam Halabi
City Manager David Mitchell
City Secretary Julie Helsham

EXCUSED: None

INVOCATION AND PLEDGE OF ALLEGIANCE:

The invocation was given by Councilmember Fountain. The Pledge of Allegiance to the U.S. Flag and to the Texas State Flag was led by Councilmember Blomquist.

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the meeting held on March 8, 2022.

Councilmember Fountain made a motion to approve the minutes of the meeting held on March 8, 2022. Councilmember Blomquist seconded the motion. Carried unanimously.

PUBLIC HEARINGS:

1. Council conducted a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, amending §150.02(J) of the Harker Heights Code of Ordinances; adopting and amending the 2021 International Fire Code. Paul Sims, Fire Chief, made the presentation.

Councilmember Blomquist made a motion to approve an amendment to § 150.02(J) of the Harker Heights Code of Ordinances to adopt and amend the 2021 International Fire Code, based upon staff's recommendation and findings. Councilmember Halabi seconded the motion. Carried unanimously.

REGULAR BUSINESS:

1. Council discussed and considered approving the Fiscal Year 2020 – 2021 Annual Comprehensive Financial Report. Ayesha Lealiiee, Finance Director, and Chris Pruitt, Audit Partner, Patillo, Brown & Hill, L.L.P., made the presentation.

Councilmember Fountain made a motion to approve the Fiscal Year 2020 – 2021 Annual Comprehensive Financial Report. Councilmember Nash seconded the motion. Carried unanimously.

2. Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

RECESS INTO EXECUTIVE SESSION:

1. At 5:29 p.m. the Mayor announced a closed meeting for the following purposes:
 - (A). Pursuant to Government Code §551.087, to deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have locate, stay, or expand in or near the territory of the City, and with which the City Council is conducting economic development negotiations.

RECONVENE INTO OPEN MEETING:

1. Mayor Smith reconvened the Regular Meeting at 6:06 p.m.

Council discussed and considered approving an Economic Development 380 Agreement with Yellow Lilly, Inc. David Mitchell, City Manager, made the presentation.

Mayor Pro Tem McCann made a motion to approve an Economic Development Incentive Agreement with Yellow Lilly, Inc. to provide certain economic development incentives pursuant to its authority under Chapter 380 of the Texas Local Government Code, and authorize the City Manager to sign the agreement on behalf of the City. Councilmember Nash seconded the motion. Carried unanimously.

ITEMS FROM COUNCIL AND ANNOUNCEMENTS:

1. Councilmember closing statements.

Jackeline Soriano Fountain stated that she attended the following events:

- March 15th - City Council and City Staff tour of Commanche Gap Park and Bell County Museum.
- March 17th – Community Salute Luncheon recognizing Recruiters and new Recruits for Armed Forces.
- March 18th – AUSA Golf Scramble.
- March 19th – Harker Heights I Love My Parks Day event at Carl Levin Park.
- March 19 – Harker Heights Battle of the Courts: Granny Basketball Benefit Game.

Michael Blomquist stated that he attended the following events:

- March 10th – Harker Heights Chamber of Commerce After Hours Mixer, hosted by Eagle Express and VFW Post 3842.
- March 11th – Vive Les Arts Play – SpongeBob Square Pants the Musical.
- March 12th – Harker Heights Activities Center Outdoor & Science Expo.
- March 15th - City Council and City Staff tour of Commanche Gap Park and Bell County Museum.
- March 16th – Met with Bell County Judge David Blackburn as the Chairman for the Bell County Public Health District Board.
- March 19th - Harker Heights I Love My Parks Day event at Carl Levin Park.
- March 19th – Harker Heights Pet Adoption Center Fostering and Bottle Feeding Kitten Class.
- March 21st – Bell County Public Health District Meeting.

Michael Blomquist reminded everyone that it is only 46 days and a wake up until the Harker Heights Farmers' Market opens on May 7th.

2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- March 9th – ClearSky Health Rehabilitation Hospital ground breaking ceremony.
- March 10th – Meeting with Chairperson, Harker Heights Arts Commission.
- March 14th – Meeting with Harker Heights City Staff.
- March 15th – Bell County Courthouse presentation by Texas Representative Hugh Shine, District 55.
- March 15th – Harker Heights City Council and City Staff visit to the Bell County Museum. Tour led by Director Coleman Hampton.
- March 15th – First pitch at Harker Heights Boys Varsity Baseball game.
- March 16th – Chairman, Killeen Temple Metropolitan Planning Organization, Transportation Policy Planning Board in Belton.
- March 16th – Harker Heights Chamber of Commerce Board of Directors Meeting.
- March 16th – Telephone meeting with local Star Scout completing Citizenship in the Community merit badge.
- March 18th – Tex 21 I-H 14 Coalition Zoom meeting.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 6:18 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Minutes of the City of Harker Heights Special Council Meeting that was called to order on Tuesday, April 5, 2022, at 3:00 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Mayor Spencer H Smith
Mayor Pro Tem Jennifer McCann
Councilmember Michael Blomquist
Councilmember Jackeline Soriano Fountain
Councilmember Lynda Nash
Councilmember Sam Halabi

City Manager David Mitchell
City Secretary Julie Helsham

EXCUSED: None

MAYORAL PROCLAMATIONS AND PRESENTATIONS:

1. Mayor Smith presented a Proclamation to Shiloh Wester, Pet Adoption Center Manager, declaring the week of April 10th - 16th, 2022, as "Animal Control Officer Appreciation Week."

REGULAR BUSINESS:

1. Council discussed and considered approving a request for alcohol services by Carolyn Brown for the 'Culture on the Square' event by Ronnie Russell and the Innovation Black Chamber of Commerce at Carl Levin Park on Saturday, April 16, 2022. Jerry Bark, Assistant City Manager, made the presentation.

Mayor Pro Tem McCann made a motion to approve a request for alcohol services by Carolyn Brown for the 'Culture on the Square' event by Ronnie Russell and the Innovation Black Chamber of Commerce at Carl Levin Park on Saturday, April 16, 2022. Councilmember Halabi seconded the motion. Carried unanimously.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 3:16 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO B-3 (LOCAL BUSINESS DISTRICT) ON PROPERTY DESCRIBED AS FAWN VALLEY, LOT ONE (1), BLOCK SIX (6), GENERALLY LOCATED AT 1702 E. FM 2410 (E. KNIGHT'S WAY), HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to B-3 (Local Business District) on property addressed as 1702 E. FM 2410 (E. Knight's Way). The property consists of approximately three (3) acres of land that is bounded on all sides by roadways.

Parcel History

Staff has researched the history on this parcel utilizing aerial imagery. Based on historical images, the parcel appears to have had cleared utility easements and internal vehicle paths without a designated driveway entrance onto the parcel. Between 2002 and 2022 the vegetation on the parcel has grown from approximately 50% land coverage to approximately 75% land coverage.

On September 2, 2020, the applicant requested to rezone this parcel from R-1 (Single Family Residential) to B-3 (Local Business District). The case was heard by the Planning and Zoning Commission on September 30, 2020 and was recommended for approval (6-0) with the following condition: An eight (8') foot masonry wall must be constructed along Marble Trail at the time of development. This additional screening requirement was authorized by Section 150.38 of the City's Code of Ordinances. The case was then heard by City Council on October 13, 2020 and was denied with a vote of (3-1). Per Section 155.211 of the City's Code of Ordinances, when a zoning request has been disapproved by the City Council, the same request shall not be resubmitted for a period of 180 days after disapproval by the City Council.

A second request for a change in zoning designation from R-1 (Single Family Residential) to B-3 (Local Business District) was applied for on June 30, 2021 but was requested to be withdrawn by the applicant on July 26, 2021, prior to being heard by the Planning & Zoning Commission or City Council. Per Section 155.211 of the City's Code of Ordinances, upon the City Council's disapproval of a second identical request, the same request shall not be resubmitted for a period of 12 months from the date of the last disapproval. Since the second application was withdrawn, the 12-month period is not applicable. Additionally, if the legal title of record is transferred to a new owner, the new owner may file a zoning change request.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below:

	Existing Land Use	Land Use Plan	Zoning
North	Regional Center Low Density Residential Government/Public Space	Regional Center Community Center	R-1 One Family Dwelling District B-4 Secondary and Highway Business District
South	Low Density Residential	Regional Center Medium Density Residential Low Density Residential	R-1 One Family Dwelling District
East	Low Density Residential	Regional Center	R-1 One Family Dwelling District
West	Regional Center Low Density Residential	Community Center	R-1 One Family Dwelling District B-4 Secondary and Highway Business District

Per the current Land Use Plan, the applicant’s property is located in a transitional area for uses and is designated for ‘Community Center’, ‘Medium Density Residential’ and ‘Regional Center’ land use. That same plan identifies most properties between I-14 and Comanche Gap Road that have frontage along E. Knight’s Way (E. FM 2410) as being designated for ‘Regional Center’ and ‘Community Center’ land uses.

Thoroughfare Plan

The abutting E. Knight’s Way (E. FM 2410) is identified as a principal arterial roadway in the Mobility 2030 Thoroughfare Plan. This classification of roadway has a 120 foot right of way and a build-out design roadway width of 80 feet or greater. The parcel is surrounded on three sides by residential roads. Residential roadways have a build-out design of a 60 foot right of way and a roadway width of 36 feet or greater. However, the existing residential roadways were originally annexed into the City in 1987 with the existing rural approximate 20-foot pavement section. Note that the Comanche Hills Utility District area was repealed later in 1987 due to legal objections and then re-annexed in December 1988 in the same condition. The City does not have a requirement for a Traffic Impact Analysis (TIA) to be provided at the time of re-zoning. However, a TIA may be required by TXDOT at the time of development for a parcel requesting driveway access onto a TXDOT roadway.

Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas. However, the 1975 Fawn Valley subdivision was annexed into the City with a rural drainage system (culverts, bar ditches, natural creek). The drainage design standards at the time allowed for overland flow through the roadway with minimal design standards.

District 1 Overlay

The subject property is located within the Knight’s Way Overlay Development District. The Overlay District is a zoning tool that is used to guide the future growth and character along FM 2410 in a manner consistent with the 2007 Comprehensive Plan and the City’s vision. The Overlay District enhances the following commercial standards: site plan, building design, parking, roadway access, landscaping, screening, compatibility buffers, architectural features,

signage, lighting, and noise. Any proposed commercial development would be required to conform to the required design standards of the Overlay District in addition to the standards located in the City's development ordinances.

Pharr vs. Tippett Considerations

- 1.The proposed use and rezoning are compatible with portions of the current Comprehensive Plan and Land Use Plan. The requested B-3 zoning is compatible with the approximate 19.6% of the property that is identified as Community Commercial and Regional Commercial. However, the requested B-3 zoning is not compatible with the approximate 80.4% of the parcel designated as Medium Density Residential.
- 2.The proposed use and rezoning may have an adverse impact on uses and zoning districts to the south of this parcel but will have no adverse impact on the adjacent commercial properties along FM 2410. However, the requirements in the District 1 Overlay are meant to lessen the impact of a commercial development against residentially zoned parcels.
- 3.The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood. However, the proposed change in zoning designation would be compatible with other properties abutting E. Knight's Way/E. FM 2410.
- 4.The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

NOTICES:

Staff sent out forty-one (41) notices to property owners within a 400-foot notification area as required by the City's code of ordinances. This exceeds the 200-foot notification buffer as required in Texas Local Government Code Section 211.007. As of April 6, 2022, six (6) submissions were received in favor of the request, and thirty-four (34) submissions were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Three (3) of the responses in favor of the request and ten (10) of the responses in opposition are located within the regulatory 200-foot notification buffer as determined by utilizing the City's GIS software. This results in approximately 26.7% of the regulatory buffer area in opposition and approximately 52.6% of the property owners within the 200-foot buffer area in opposition. However, three (3) of the responses in opposition within the 200-foot buffer area were not able to be verified that they were made by the landowner of record as required by Texas Local Government Code. If those three parcels are not able to be verified, then there is approximately 20.79% of the regulatory buffer area in opposition.

RECOMMENDATION:

Alternatives Considered

Staff considered four (4) alternatives for this case.

- 1.Recommend approval of the zoning request as requested.
- 2.Recommend approval of the zoning request with conditions based on Section 150.38 of the City's Code of Ordinances and the Development District No. 1 - The Knight's Way Corridor - Design Goals, Guidelines, and Standards Manual.
- 3.Recommend disapproval of the zoning request based on Pharr & Tippett standards.
- 4.Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

Staff recommended approval to the Planning and Zoning Commission of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. FM 2410 (E. Knight's Way), Harker Heights, Bell County, Texas and that said recommendation was based on the following:

- 1.The proposed use and rezoning are compatible with portions of the current Comprehensive Plan and Land Use Plan.
- 2.The District 1 Overlay standards will lessen the impact of a commercial development against the residentially zoned parcels to the south.
- 3.The proposed use and rezoning are compatible with existing uses and zoning with other properties abutting E. Knight's Way/E. FM 2410.
- 4.The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (6-2) to recommend approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) for this parcel based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots or land within the 200-foot buffer requires a super majority vote for approval. As a result, this item will require a super majority vote by the City Council.

1. Motion to **approve/disapprove with explanation** an ordinance to change from R-1 (One Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. FM 2410 (E. Knight's Way), Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application; Land Use Designations; Location Map; Existing Land Use Map; Zoning Map; Land Use Plan Map; Notification Area Map; Public Responses; Proposed Ordinance](#)



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: Rayham LLC - Series 114 Date: 3-2-22

Address: PO Box 2008

City/State/Zip: Harker Heights, TX 76548

Phone: 254-466-6566 E-mail: raymondhamden@yahoo.com

Legal Description of Property:

Location of Property (Address if available): 1702 E FM 2410

Lot: 1 Block: 10 Subdivision: Fawn Valley

Acres: 2.95 (3%) Property ID: 71411 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: Commercial

Current Zoning Classification: R-1 Proposed Zoning: B-3

Current Land Use: vacant Proposed Land Use: community center

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.

Rayham LLC - Series 114
Printed Name of Property Owner

[Signature]
Signature of Property Owner

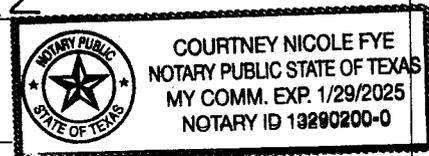
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 2nd DAY OF March, 2022

Courtney Nicole Fye
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 3/2/22

STAFF ONLY -- DO NOT FILL OUT BELOW

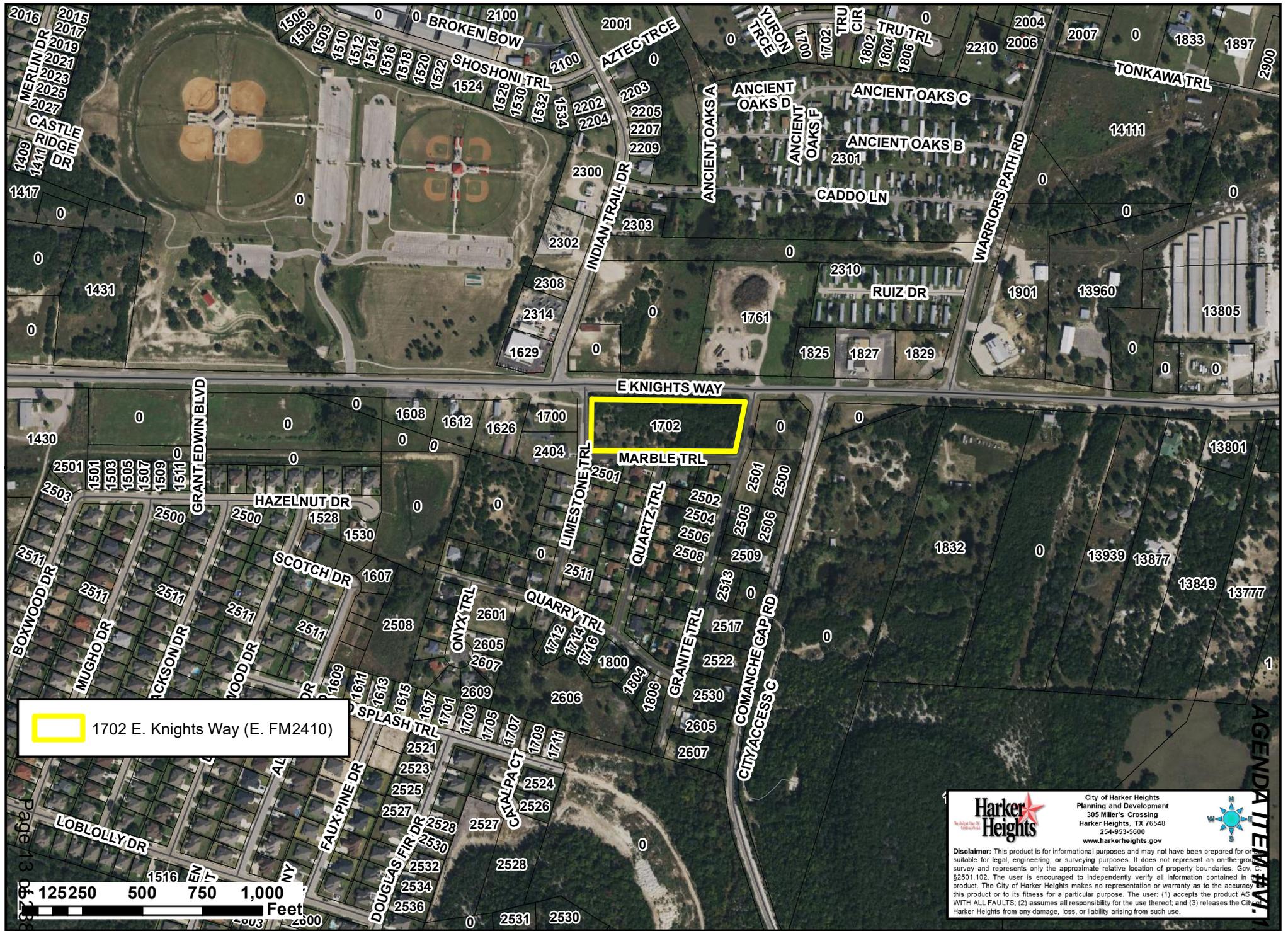
Received By: C. Fye

Pre-Application Meeting

Receipt #: _____

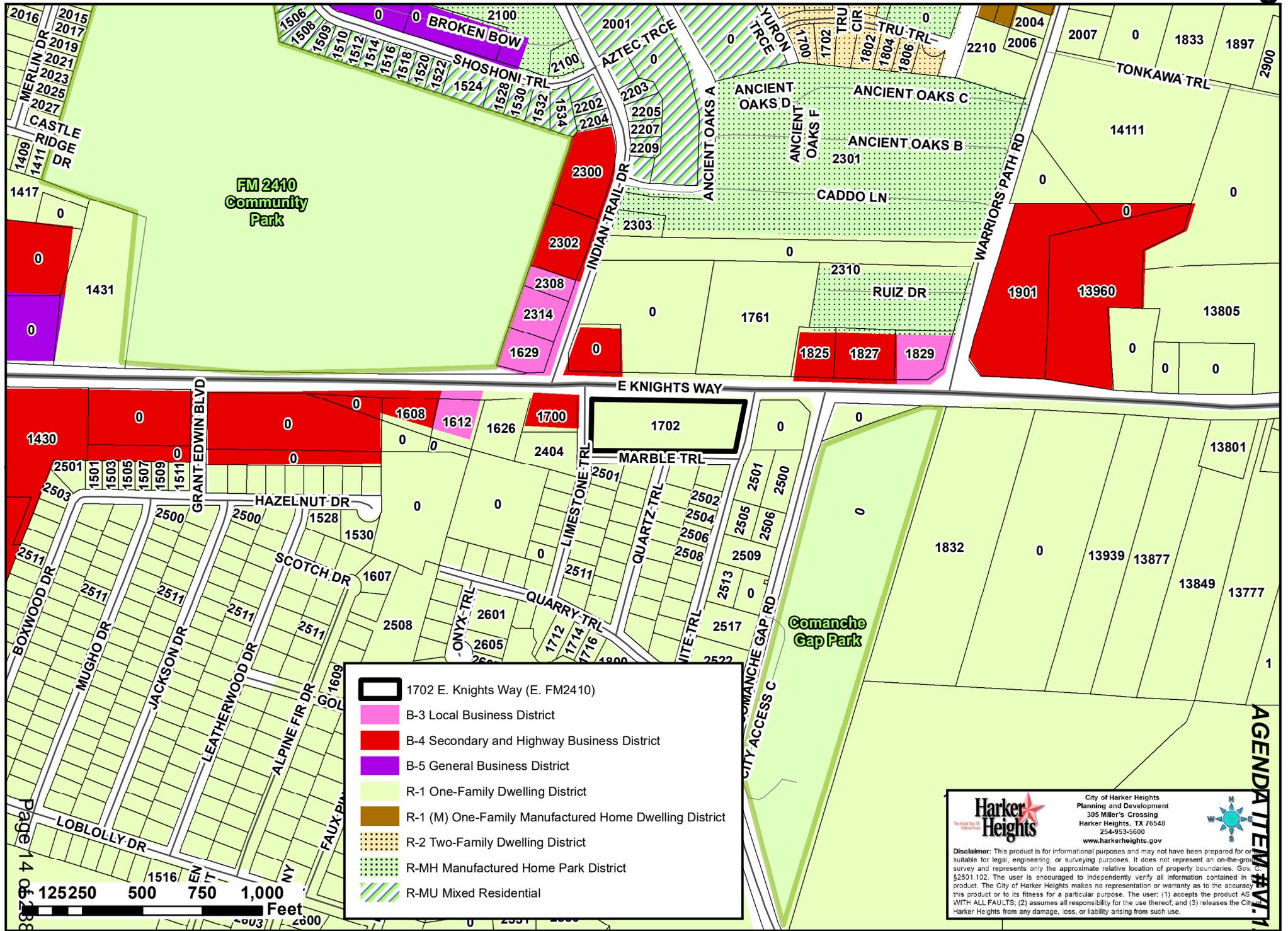
Revised: 5/2020

Case #: _____



Harker Heights
 City of Harker Heights
 Planning and Development
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 254-953-5600
 www.harkerheights.gov

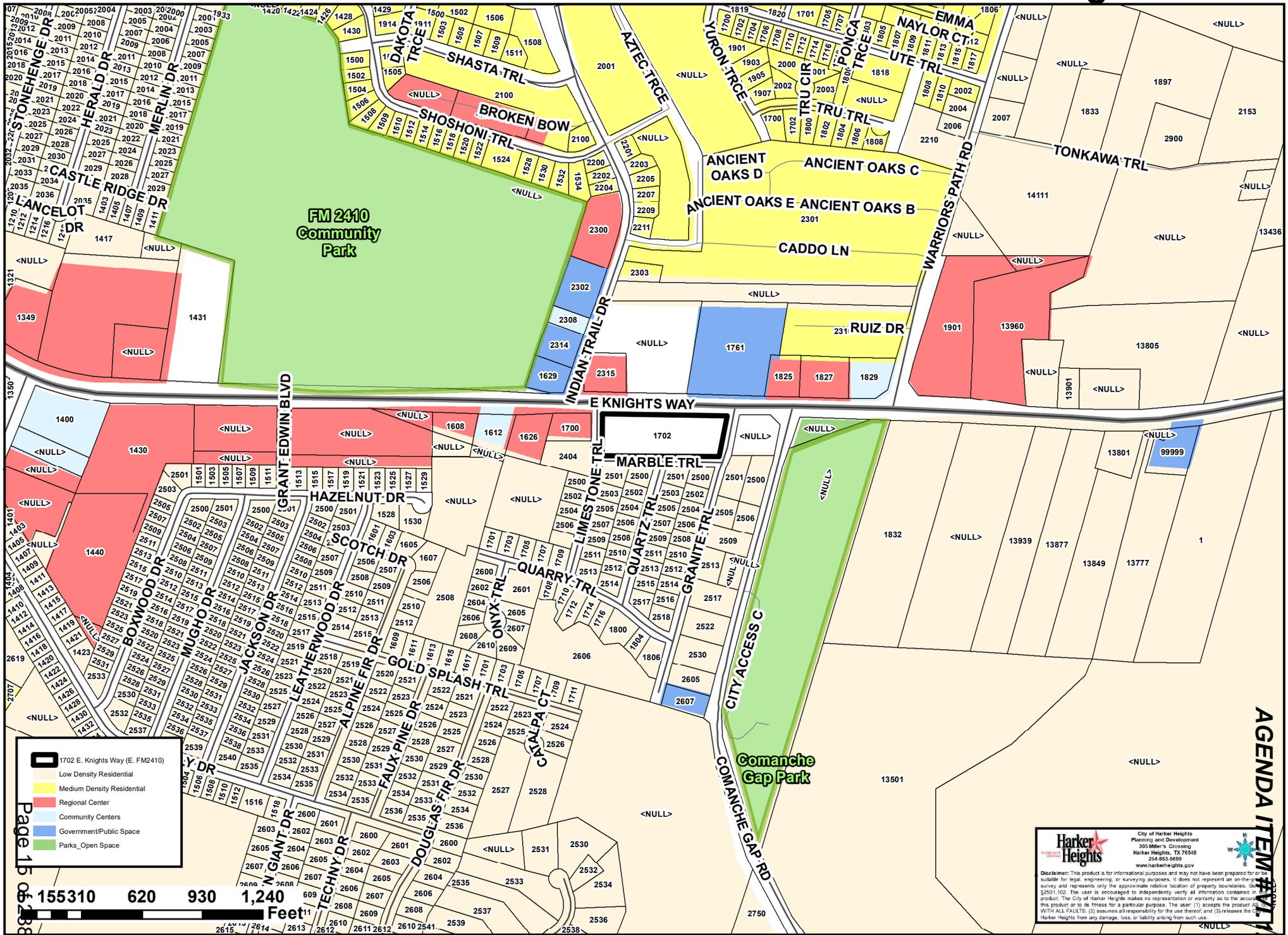
Disclaimer: This product is for informational purposes and may not have been prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. §2531.102. The user is 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 the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



	1702 E. Knights Way (E. FM2410)
	B-3 Local Business District
	B-4 Secondary and Highway Business District
	B-5 General Business District
	R-1 One-Family Dwelling District
	R-1 (M) One-Family Manufactured Home Dwelling District
	R-2 Two-Family Dwelling District
	R-MH Manufactured Home Park District
	R-MU Mixed Residential

Harker Heights
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 254-953-5600
 www.harkerheights.gov

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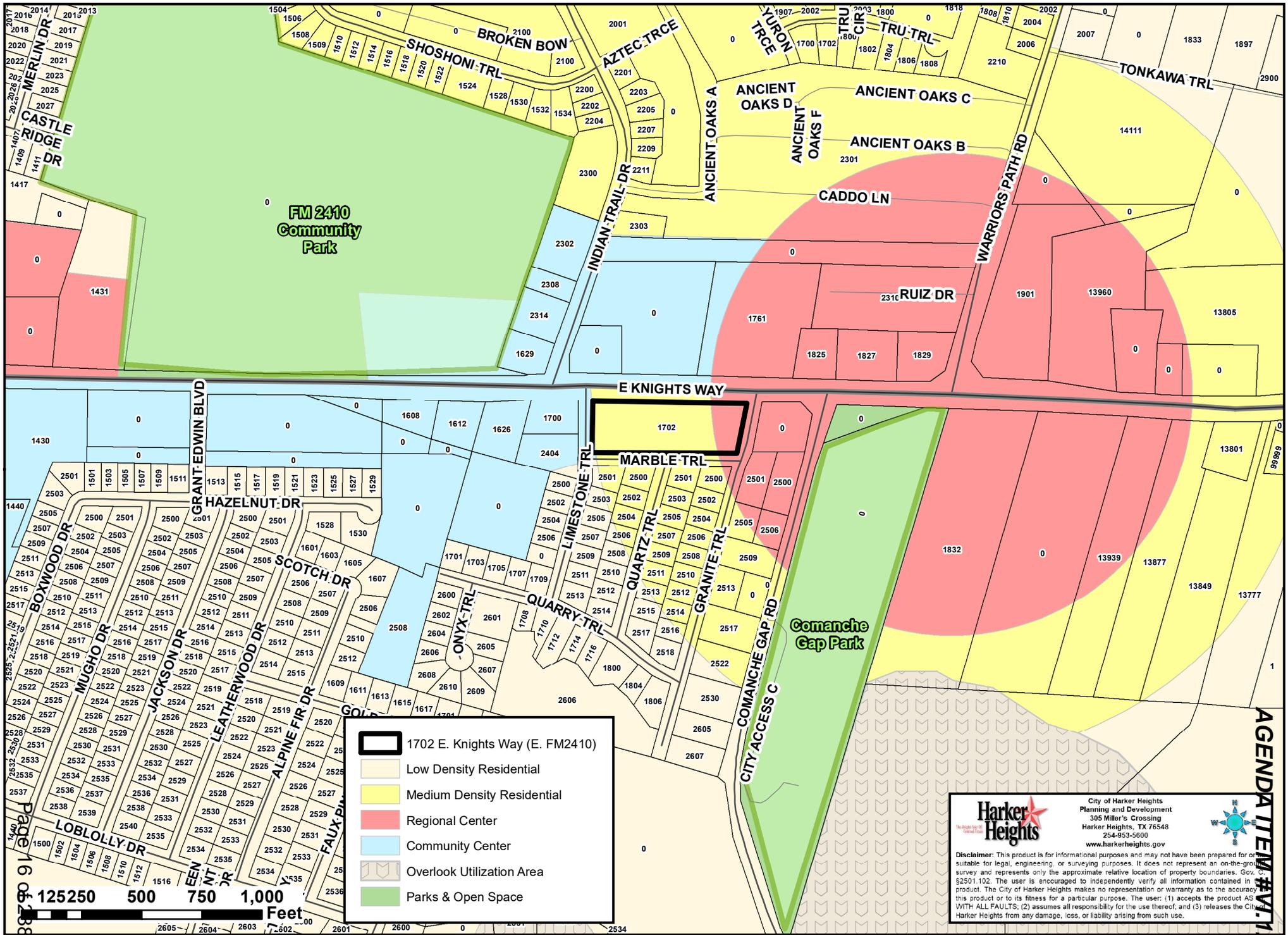
Page 15 of 238

Harker Heights

City of Harker Heights
 Planning and Development
 385 Miller's Crossing
 Harker Heights, TX 76548
 254-983-6600
 www.harkerheights.gov

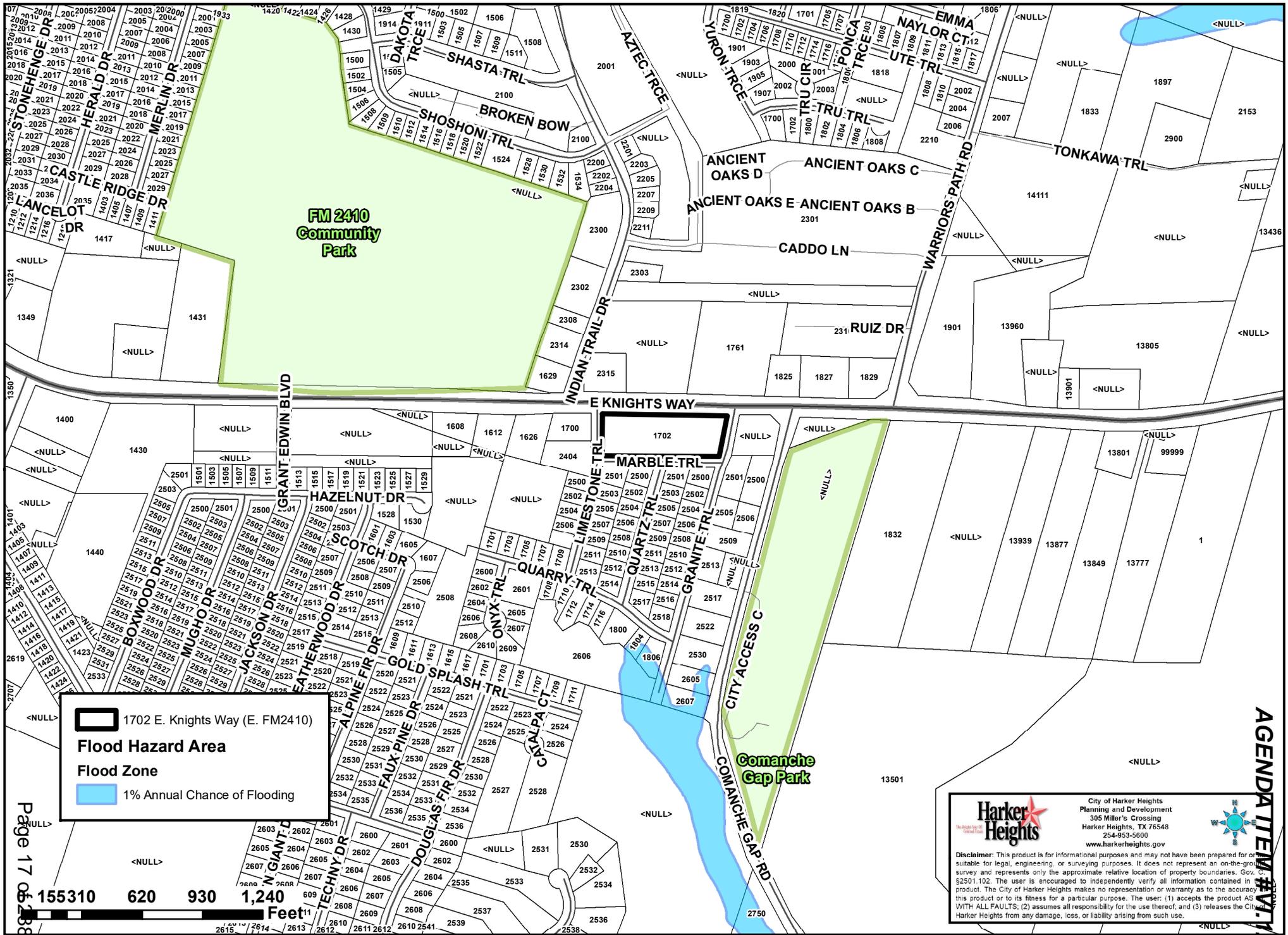
AGENDA ITEM #17

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. Go to 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 the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



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

Disclaimer: This product is for informational purposes and may not have been prepared for or 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. §2531.102. 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 WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

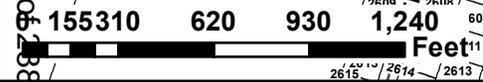


1702 E. Knights Way (E. FM2410)

Flood Hazard Area

Flood Zone

1% Annual Chance of Flooding

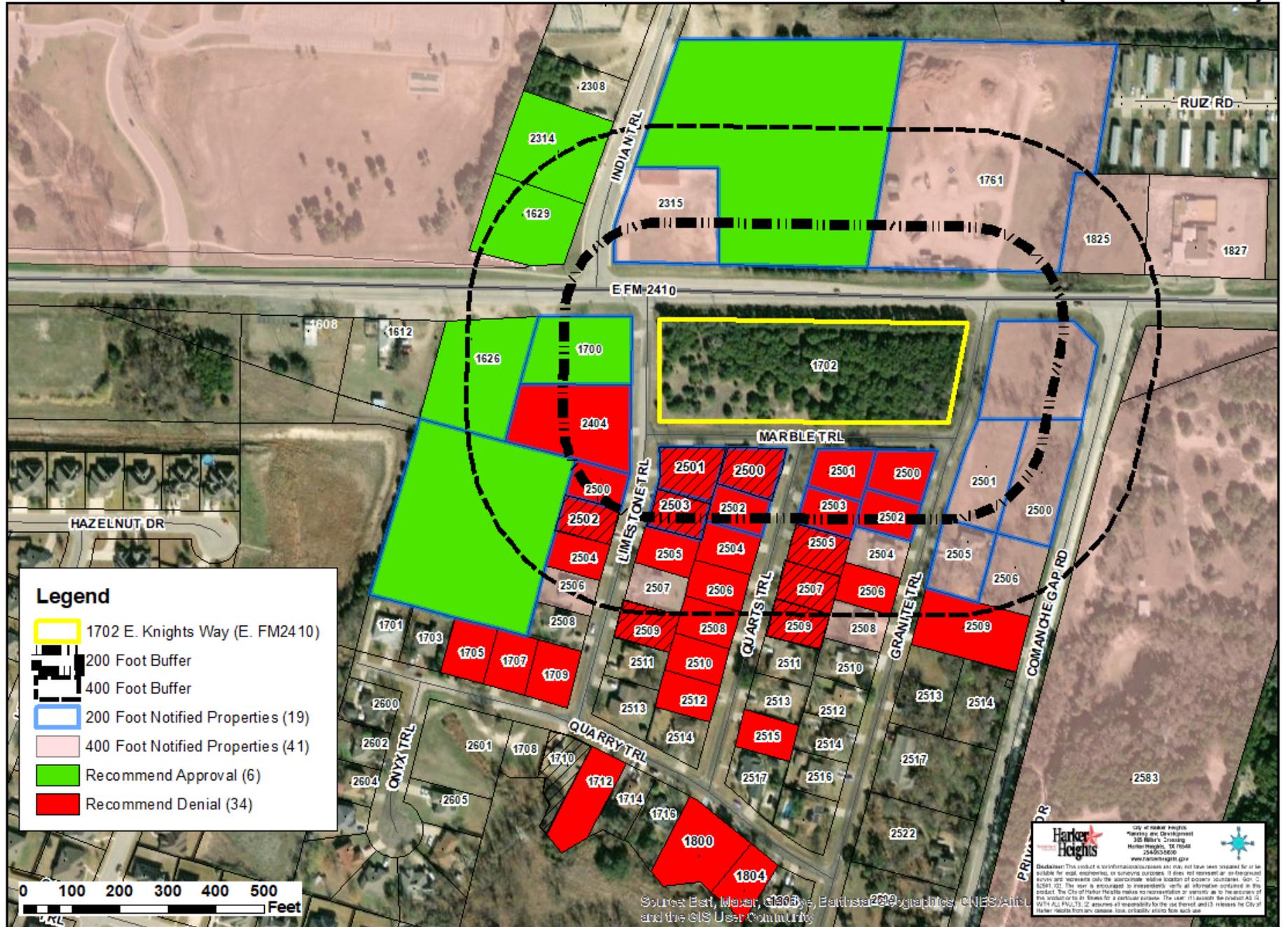


Harker Heights

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

Disclaimer: This product is for informational purposes and may not have been prepared for or 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. §2531.102. 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 the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

AGENDA ITEM #17



Legend

- 1702 E. Knights Way (E. FM2410)
- 200 Foot Buffer
- 400 Foot Buffer
- 200 Foot Notified Properties (19)
- 400 Foot Notified Properties (41)
- Recommend Approval (6)
- Recommend Denial (34)



Harker Heights
 City of Harker Heights
 Planning and Development
 302 Millers Crossing
 Harker Heights, TX 76048
 254-635-5600
 www.harkerheights.gov

Disclaimer: This product is informational only and may not have been created for or be suitable for use, engineering, or surveying purposes. It does not represent an engineering survey and increases only the approximate relative location of objects contained. GPR, LIDAR, etc. This user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty, as to the accuracy of this product or its use for a particular purpose. The user shall assume the entire risk of any loss or damage from any cause, including, but not limited to, the use of this product. © 2022 City of Harker Heights. All rights reserved.

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

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCGORRY, CHARLES LEO III REVOCABLE TRUST & TAI
THI MCGORRY REVOCABLE

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

Physical Address	Property ID
1626 FM 2410	5314

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

Received

MAR 23 2022

Planning & Development

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

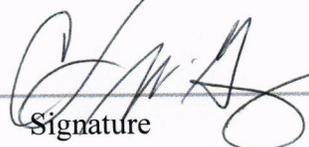
Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Charles McGorry



3-23-22

Printed Name

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RAYHAM LLC - SERIES 115

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

Physical Address	Property ID
FM 2410	71411

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

R. Hamden

Printed Name

[Signature]
Signature

3-21-22

Date

Received

MAR 21 2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 23 2022

FROM: MCGORRY, TAI THI REVOCABLE TRUST

Planning & Development

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

Physical Address	Property ID
FM 2410	69431

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

TAI Mc Gorry Revoc. Trust
[Signature]
3/23/22

Printed Name
 Signature
Date

Kristina Ramirez

From: David Mitchell
Sent: Monday, March 21, 2022 4:35 PM
To: Spencer Smith; Tonia
Cc: Jerry Bark; Kristina Ramirez
Subject: RE: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

Dear Ms. Storminger:

The City does indeed know of the comments of many in the neighborhood behind 1702 E. Knights Way. Please know that the property owner has a right to request a rezoning of this property at this time. Per State law, we must receive the request, send out notices within 200 feet (Harker Heights expands this to 400 feet), and hold two public hearings on the request (one at Planning and Zoning and then one at City Council). Planning and Zoning is a recommending body to the Council and the Council has the ultimate approval authority. While the City knows of past comments on this zoning request, those comments cannot be used to deny an applicant the right to be heard on a request. We appreciate you resharing your concerns from the prior rezoning request.

Sincerely,

David Mitchell
City Manager

David Mitchell
City Manager

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548
T: 254-953-5600 | F: 254-953-5612 | dmitchell@harkerheights.gov



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

From: Spencer Smith <shsmith@harkerheights.gov>
Sent: Monday, March 21, 2022 4:16 PM
To: Tonia <tlcstorm2@yahoo.com>
Cc: David Mitchell <dmitchell@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

Thank you for your correspondence.

I have included the City Manager and the Assistant City Manager in this response.

Respectfully,
Spencer H. Smith
Mayor
City of Harker Heights

From: Tonia <tlcstorm2@yahoo.com>
Sent: Saturday, March 19, 2022 4:10 PM
To: Spencer Smith <shsmith@harkerheights.gov>; Jennifer McCann <jmccann@harkerheights.gov>;
Jackeline Soriano Fountain <jfountain@harkerheights.gov>; Sam Halabi <shalabi@harkerheights.gov>
Subject: Re: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

To whom it make concern,

Please see forwarded email from July of last year. I feel like the city of Harker heights should already know how the residents of Fawn Valley feel about turning this area into more businesses, we do not want it.

Best Regards,

Tonia Storminger
Resident Fawn
1710 Quarry Trl
254-702-7427

Sent from my iPhone

On Jul 18, 2021, at 11:44 AM, Tonia <tlcstorm2@yahoo.com> wrote:

Sent from my iPhone

Begin forwarded message:

From: Tonia <tlcstorm2@yahoo.com>
Date: July 18, 2021 at 11:37:31 AM CDT
To: mblomquist@harkerheights.gov
Cc: lnash@harkerheights.gov, shalabie@harkerheights.gov
Subject: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

To whom it may concern,

My name is Tonia Storminger, I am a resident located off of FM 2410 in a small community of 50 or so homes. I love this neighborhood because it is small and it's safe. Our children are able to ride bikes and play outside without traffic and people speeding through to get to a McDonald's or a gas station. That's why when It was brought to my attention that there has been a request to rezone the small wooded lot at the front the the neighborhood to commercial I felt I need to reach out to those who could make a difference. Mind you this was a request was fought against 9 months ago and apparently needs to be fought against today.

My question is at what point did we stop valuing the family neighborhood and start valuing the dollar? Because that's how it's feels. Business owners, politicians, city appointed officials have forgotten what it means to build and maintain a safe neighborhood. That's what we are fighting for. A safe place to raise our children.

Have any of you driven down 2410 during school hours? Morning and evening when people are getting off work? How about coming out of the baseball fields after your child has finished a game? It's crazy, people doing 60-70 mph. Passing buses, driving down the turn lanes to pass other cars, heck even driving down the shoulder to pass people. Don't even get me started on the traffic in the summer time coming and going from Dana Peak. How about the times that I have stop and talk to people who have parked in front of my house or on my grass because they're going to some planned event at the Caribbean restaurant.

The point of this email is that there's enough development on 2410. Let's get back to neighborhood values and think about those that are going to be impacted by it and not how much tax revenue the city could potentially make.

Thank you,
Tonia Storminger
254-702-7427

Feel free to contact me. Attached is the property that they are considering.



Sent from my iPhone

Wilson Everett

From: Samantha Cantu <readingred13@gmail.com>
Sent: Tuesday, March 22, 2022 1:16 PM
To: Kristina Ramirez; Yvonne Spell; Daniel Phillips; Wilson Everett; Spencer Smith; Jennifer McCann; Michael Blomquist; Jackeline Soriano Fountain; Lynda Nash; Sam Halabi
Subject: Fawn Valley Re-Zoning
Attachments: 0719211853.jpg; 0719211853c.jpg; 0719211853d.jpg

Good Morning,

Please accept this email as my official notice of **rejection** of the rezoning on lot 1 block 6 of the Fawn Valley Subdivision. I reside at 2513 Quartz Trl in Harker Heights. Additionally, my neighbor Chuncha Vanmeter at 2515 Quartz Trl also **rejects** this proposal, however she does not send emails so I am sending this on her behalf. Please acknowledge receipt of this email for denial on behalf of both of us.

Additionally please see my reasons for the denial listed below:

- The drainage in the area is awful. On my street alone we all constantly have flooding and pooling in our yards. The water has difficulty floating across the land towards the lake where it is supposed to drain towards. Everything from the subdivision winds up on Quarry Trail, and into the houses and garages of those that live on the south side of that road. There is one gentleman in particular who the water will sit in his garage and flood from the "creek" in the backyard into his house.
- The property in question has been proposed to be used for a strip mall. There are SO many strip malls in the area that are not in use. They are standing empty, and the city allowing another to be developed is insane at this point. Example: behind the dollar general, those have been vacant since I moved here 4 years ago. Also, the storefront next to the Dunkin Donuts, that has been vacant for over a year now.
- The amount of traffic that will come in and out of the neighborhood with the addition of any business to the front property is something that our crumbling roads cannot handle. Our roads are asphalt that has not been touched up since the neighborhood was built in the 80s. They vary in width from 20'-24' roughly. They cannot handle large trucks/tractors pulling in and out to deliver items to whatever business may make its home in front of us.
- The amount of turn arounds with people who are trying to get into the business will add to the pressure on the roads, and can become dangerous intersections for the people who walk, run, and live in this subdivision.
- Getting out/in our neighborhood during rush hour will become a verifiable nightmare. It is already difficult to turn in and out as it is, and I understand the road is being widened to help alleviate the traffic for the school and the new subdivisions. Adding a business in front of us will make it extremely difficult for the residents to go to work/come home.
- People trying to cross the street to get to the church, the park, or the bar will have a more difficult time with the increased traffic as well. Especially since there is no walkway. Several children in our neighborhood walk to the high school as well and it will add another layer of danger for those kids trying to get to school.

Before the city approves the rezoning and inevitable development if the zoning is approved, I believe they should request the applicant to provide a TIA of the neighborhood traffic in relation to the new road, a Topo Survey & Drainage Plan of the entire neighborhood in relation the drainage issues we have brought up numerous times. Additionally a new FEMA study should be performed based on the massive amounts of water our neighborhood now transports by Dana Peak Park Rd. Please see the images attached.

I would also like to request a detailed site plan of what the developer/applicant wants to put on the lot along with all the safety measures they plan to implement to protect the residences and people around them. At the last meeting it was

AGENDA ITEM #VI.1.

brought up that the applicant provides a 8' wall to help block light and sound around the development, I would also propose they must keep 50% of the trees as an additional buffer. Otherwise there will be NO buffer between a B3 zoned Business and residents who have been here 40 years. Also, as a friendly reminder the applicant, at our last meeting said that he would cut down the trees in that area to prove a point to the residents that could, and that he didn't want to put up houses because more veterans would move in and not pay the city the full taxes. Which on a personal note is a hateful and ugly remark as there are **MANY** of us who are veterans or are family of them in that neighborhood.

We appreciate the city deliberating on this subject and allowing us the opportunity to speak and represent our opinions on this application for rezoning. Again, myself and everyone in my home, along with my neighbor Chuncha are against this rezoning and would like to make sure our numbers are counted as against this. Thank you. Please feel free to call or email me at: 804-616-7638.

Sincerely,
Samantha Cantu





AGENDA ITEM #V1.1



Yvonne Spell

From: James & Shannon Wood <jswood071611@gmail.com>
Sent: Sunday, March 20, 2022 3:30 PM
To: Yvonne Spell
Subject: Denial for zone

> To: City of Harker Heights planning and development department

>

> From: Shannon & James Wood

> 2517 Quartz Trail

> Harker Heights, TX

> 76548

>

> To whom it may concern:

>

> This letter is recommended in the denial of the request for re-zoning on property described as Fawn Valley, block six, Lot one, generally located at 1702 E. 9th Way, FM 2410 Harker Heights, Bell County, Texas.

>

> As a homeowner in this area we are against this being re-zoned due to:

>

> -Traffic noise

> -Traffic safety for our young children in regards to more unnecessary traffic coming through the neighborhood. There are many families in this neighborhood with young children that utilize the street for play as there are no sidewalks.

> -Flooding happens at this area and floods the area homes because the storm drain cannot handle it and would become worse if the lot was cleared.

> - Roads have not been updated and more traffic would make them worse.

> - The risk for crime to take place in the neighborhood as more people going to a commercial lot will show there are homes behind it.

> - The bus stop is in front of our house and would not like to see more traffic coming through while kids walk to the stop as there once again are no sidewalks.

> -This neighborhood has been here since the 80's, we choose this area because of the privacy of the lot and the safety for our children. They always say location, location, location. We want the respect of our choices for our family's and the safe decisions we make for our kids. Please think of when you bought your first homes and the choices you made for the safety of your own families.

>

> Thank you for your time,

>

> Respectfully,

>

> James & Shannon Wood

> 719-250-2271

James & Shannon Wood

Sent from my iPhone

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Receiver

MAR 23 2022

FROM: RASMUSSEN, ROBIN & TERRI DILLARD

Planning & Development

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

Physical Address	Property ID
1700 FM 2410	331605

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

No way!! Residential Only

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Residential only

Robin Batt

Robin Batt

3/22/2022

Printed Name

Signature

Date

(Rasmussen)

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

FROM: BATT, ROBIN

Planning & Development

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

Physical Address	Property ID
2404 LIMESTONE TRL	331604

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

no changes to zone

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

no changes to zone

Robin Batt

Robin Batt

3/22/2022

Printed Name

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: CAWTHORNE, TAMMY J

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

Physical Address	Property ID
2500 GRANITE TRL	125687

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Tammy Cawthorne
Printed Name

Tammy Cawthorne
Signature

March 21, 2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

FROM: MCKELLIPS, JENNIFER

Planning & Development

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

Physical Address	Property ID
2500 LIMESTONE TRL	70866

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

As a home owner w/in 200 ft of this property, I adamantly deny this request. This is a neighborhood w/out sidewalks and the increased traffic and noise would be a huge safety concern for me as a parent. Additionally, I am

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

worried about the noise a business would bring to the area. There are many strip malls + business areas in Harker Heights that sit empty. Why would building another one be beneficial? Again, I deny this request for reasons above... and my money!!

Jennifer McKellips
Printed Name

JMCKellips
Signature

3-22-2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM:

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

Physical Address	Property ID
2501 Quartz Trail	107502

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

My house is directly across from the property in question. My driveway faces the property. Having businesses that close to my home would create unwanted noise and light that would affect the quality of life for my family. The additional traffic would also create an unsafe environment for my children, and could pose additional crime rate very close to my family and property.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Our community is quiet and peaceful. The potential for anything other than residential property poses a threat to our entire community's quality of life.

Sheldon Fleurant/Natoska Fleurant
Printed Name


Signature

3/20/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 22 2022

FROM: TORRES, KARLA SULEYA

Planning & Development

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

Physical Address	Property ID
2503 QUARTZ TRL	132188

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

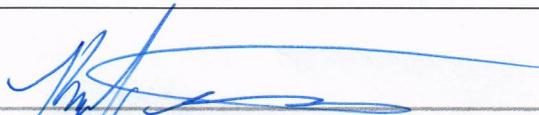
I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Karla S. Torres

Printed Name



Signature

3-20-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LEALIEE, AYESHA ~~METVIR PETE~~

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

Physical Address	Property ID
2504 LIMESTONE TRL	65985

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

A commercial business does not belong in this location. This should not be approved merely because a location further up the street went from residential to commercial. That location, although planned for residences behind it had none, and had an existing building. It also cannot be compared to Skipoha which was already zoned commercial and has a 5 lane roadway with lights. The location is a 2 lane roadway which has no room to be widened.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

(CONTINUED ON REVERSE)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Same as above and continued on reverse

Ayesha Lealíee
Printed Name

Ayesha Lealíee
Signature

3/22/2022
Date

LEALIEE, AYESHA M ETVIR PETE
2504 LIMESTONE TRL
HARKER HTS, TX 76548-8911

It has no traffic control other than stop signs which 25% of people do not follow because they get tired of waiting to be able to go. There is no 'real' plan brought forth by the owner other than to commercialize the property he's owned for a lot less time than most of us have owned our HOMES. I capitalize HOMES because this is where we chose to live our lives in our peaceful part of Harker Heights. The addition of any commercial building to the entrance will bring unwanted traffic - into our neighborhoods, causing additional slowing down of traffic and the possibility of additional accidents. It will also bring more trash, more drainage issues, and more noise. There's still plenty of property already zoned commercial to focus building; there's not a need to push commercial out where the mom + pop options and residential homes are doing just fine.

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

Received

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

MAR 23 2022

FROM: *Dugger, Debra A.*

Planning & Development

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

Physical Address	Property ID
<i>2505 Limestone Tr.</i>	<i>108136</i>

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I purchased my home in 2001 & one of the reasons I bought this property was due to the fact that this area was a single family dwelling district. I understand he wants to put a business in this area but he should have bought property that was already zoned a business district. My home already holds water in the front of my house when it rains I can only imagine what it will be like after pavement was put on that

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

The same reason as above & with that property being the entrance to our neighborhood I would like the same type of house like what we have. There are no manufactured homes in our neighborhood so it makes no sense at all why this is even being considered. I did not purchase this property to have it changed to a business district. If he wanted a business he should have bought property already zoned a business district.

Debra Dugger
Printed Name

Debra A. Dugger
Signature

3/27/22
Date

Comments for property to be zoned
A business district.

AGENDA ITEM #VI.1.

→ property, what my yard would look like there. I also did not buy my property to have to look at the back of a business & dumpsters. I know a fence was mentioned last time, but there would be gaps along the fence line for the garbage trucks to collect the trash, so yes we would be able to see back there. This would also bring strangers into our neighborhood along with traffic & after that comes burglaries & theft. I bought this property because this area was not a business district zone. Please help to keep our neighborhood safe & leave it as a single family dwelling. (There are not too many neighborhoods like the one we have).

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: HARRIS, DORIS

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

Physical Address	Property ID
2506 QUARTZ TRL	106576

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I have safety concerns - children walking to the bus stop or to school, day care at the corners of 2410 & Limestone, increased traffic on our already narrow roads. The trees also offers protection from road noise & reduces visibility of the neighborhood from the road.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

See comments above. In reviewing the Zoning Districts per Land use page, I see manufactured housing listed. This will have a detrimental value on our brick homes.

Doris Harris
Printed Name

Doris Harris
Signature

3-16-2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 22 2022

FROM:

Planning & Development

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

Physical Address	Property ID
2507 QUARTZ TRAIL	17483

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Impact on nearby residential homes will be extremely negative. Considering the available undeveloped business districts in the area, this zoning change is unneeded at this time.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Anthony H. Brink
Printed Name


Signature

3/21/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: NISIC, SABINA

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

Physical Address	Property ID
2508 QUARTZ TRL	74704

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I DO NOT AGREE WITH THIS REQUEST. THE SPACE AVAILABLE SHOULD NOT BE USED AS A BUSINESS DISTRICT. THIS WILL BRING MORE NOISE, TRAFFIC, AND TRASH INTO THIS AREA.

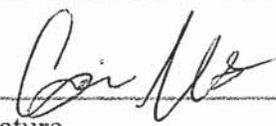
Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

THIS LAND DESIGNATION SHOULD REMAIN AS IS AND NOT CHANGED FOR ANY OTHER USE.

SABINA NISIC
Printed Name


Signature

3/17/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2509 Limestone Trl	Harker Heights

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Christopher Beck
Printed Name


Signature

20 March 22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DILLON, JOSEPH ETUX PATRICIA

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

Physical Address	Property ID
2509 QUARTZ TRL	31188

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

As with the previous two applications, the answer is NO! As per Chapter 158 of Harker Heights Code, our neighborhood drainage systems cannot accommodate changing the topography of the land without updating our entire neighborhood's drainage systems.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST *in a FEMA Flood Zone A.*

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Surface water runoff from impervious surfaces would flood our homes and properties. Additionally, noise, light and pollution are concerns, as well as safety.

Kristine Dillon

Printed Name

Kristine Dillon

Signature

3/20/22

Date

SENT: MARCH 11, 2022
 DUE BACK: MARCH 23, 2022, 5:00 P.M.
 RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
 Planning & Development Department

FROM: Miguel M. Flores

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

Physical Address	Property ID
2512 QUAIL TRL HARKER HEIGHTS TX 76548	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Miguel M. Flores
 Printed Name

Miguel M. Flores
 Signature

3-19-2022
 Date

Z22-03 & Z22-03-F Harker Heights Planning & Development 3/8/2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2915 Quartz Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

ChunCha Van Meter
Printed Name

ChunCha Van Meter
Signature

3/20/22
Date

Robert Hendrick

415 Presa Drive
SALADO, T.X. 76571
~~Harker Heights~~

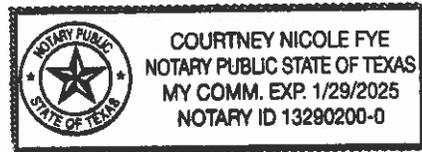
I own the property at
2314 Androm Trail ; (First Church Harker Heights)
1700 E.F.M 2410. (DL02)

I would like to vote yes for the
re-zoning of case # 222-03 ; 222-03F

Robert Hendrick

4-6-2022

Courtney Nicole Fye



Received

APR 06 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: Carolyn James

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

Physical Address	Property ID
1705 Quarry Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 29 2022

Planning & Development

Carolyn James
Printed Name

Carolyn James
Signature

3/27/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: SUSAN RATLIFF-THOMAS

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

Physical Address	Property ID
1707 QUARRY TRL	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

DRAINAGE IS PROBLEM IN OUR SUBDIVISION. TRAFFIC IS AWFUL ALREADY TO TRY TO GET ONTO 2410. MAIN THING IS OUR SUBDIVISION IS A QUIET FAMILY FRIENDLY HOUSES.

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

DRAINAGE IS A BIG PROBLEM. TRAFFIC IS BUSY ALREADY ON 2410. MAIN THING IS OUR COMMUNITY IS A FAMILY FRIENDLY SUBDIVISION SO DON'T NEED MORE TRAFFIC

SUSAN RATLIFF-THOMAS

3-26-22

Printed Name

Signature

Date

Received

MAR 28 2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: Christina Deasy
Unsub Wagoner

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

Physical Address	Property ID
1709 Quarry Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Too much traffic in the area already. 5 streets turning onto 2410 in a short stretch of road with no traffic lights.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Received

MAR 29 2022

Planning & Development

Christina Deasy
Printed Name

Christina Deasy
Signature

3/28/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: 1712 Quarry Trail

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

Physical Address	Property ID
1712 Quarry Trail	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE ATTACHED

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE ATTACHED

Received

MAR 29 2022

Planning & Development

Lpraz Jacoboski'
Printed Name

Lpraz Jacoboski'
Signature

3-28-22
Date

~~REDACTED~~
MARCH-28-2022
DENY THE REQUEST R1 to B3 1702 E. FM 2410.

I own my home at 1712 Quarry Trail I do not want to see the R1 to B3 approved

I know these small streets can not take the extra traffic there is always kids playing in the streets having fun it is obviously going to have people think there is a way out .

Our neighborhood is great do to there is NO through streets

The Drainage on Quarry Trail is horrible and no doubt by adding all that concrete up hill from me would FLOOD my house.

One more thing when I leave on Limestone to 2410 it is nearly impossible to get out I can't imagine how bad it would be with business there.

PLEASE DENY this request Thanks Larry Jakubowski

Received

MAR 29 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: 1800 QUARRY TRAIL

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

Physical Address	Property ID
1800 Quarry	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

SEE ATTACHMENTS

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Received

MAR 29 2022

Planning & Development

LEON CHARPIENTIA

Printed Name

Signature

3-2022

Date

This is in reference to the zoning request R1 to B3 at 1702 East Knights Way.

My name is Leon Charpentier, a 50-year resident of Harker Heights and a 28-year employee of the city of Harker Heights.

REZONING

I live at 1800 Quarry Trail where I have lived for the last 25 years. My house is at the very end of Quartz Trail. The proposed zoning ends in my driveway on Quarry Trail. My first issue is drainage flooding. This area has been designated as a floodway many years ago. When we get at least 3 inches in an hour, water rushes down Quartz Trail into my driveway I must close my opened garage door to stop my house from flooding. The addition of several acres of pavement cannot be handled by this subdivision. I have nearly 40 years' experience at Harker Heights city Council meetings during several hundred zoning changes sometimes over zoning changes caused by flooding where the city was sued. Please don't make this another one. There is not enough room in that small plot of land to put a detention pond.

The second issue is the proposed widening of FM 2410 with a 25-foot setback on the highway and a 25-foot setback on Marble Trail. This will reduce the size of this lot tremendously. There is no doubt that FM 2410 will be widened in the next few years with the opening of the middle school on Warriors Path and in a few years the plan to build an Elementary school. This will put an increased strain on traffic. I believe that the city of Harker Heights and Tex Dot should go together to purchase that property to stop the possibility of condemning that property in the future for widening FM 2410.

The third thing is the statement I've heard hundreds of times at city Council meetings from citizens of this neighborhood stating, "that is why I moved in this neighborhood because there is no through traffic and it's very quiet". The proposal to put a strip mall on that property would ruin the effect of this great neighborhood. One thing else about this neighborhood is that I was a part of the administration when this area was annexed. The water and sewer lines are not up to Harker Heights standards. Also, the roads in this subdivision are not anywhere near the standard that Harker Heights requires today. It cannot handle all the extra traffic that this zoning proposal would cause. We already see extra traffic due to people thinking there is lake access down these roads. At one time there were signs saying NO LAKE ACCESS at the beginning of Limestone Trail. Over the years these have disappeared. (These signs have since been posted in September 2021. Thank you sign department for helping with this.)

The fourth item would be the extra load that it would put on the Lift Station in our neighborhood. It was enlarged to accommodate the Greenacres subdivision which is now full.

For these reasons and many more I am very much opposed to this zoning change. Please Vote for DENIAL of this request for rezoning.

Thank you,
Leon Charpentier



Received

MAR 29 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: MANUEL A. GRANADO

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

Physical Address	Property ID
1804 QUARRY TRAIL	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Heavy traffic - drainage

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Same as above

Received

MAR 29 2022

Planning & Development

MANUEL A. GRANADO

Manuel A. Granado

29 MAR 2021

Printed Name

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: Giselle Mena & Roy Rivera

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

Physical Address	Property ID
2500 QUARTZ TRL HARKER HEIGHTS TX 76548	41509

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Re-zoning this area from R1 to B3 will impact the quality and safety of our home neighborhood. Our streets are not designed to handle the traffic increase that a B3 zoning would bring. This is a neighborhood without sidewalks, and changing the zoning in an area that is not prepared for that can create a safety issue for everyone that walks around. Please consider issues like noise pollution and drain issues.

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Received

MAR 28 2022

Planning & Development

Giselle Mena

Printed Name

Roy Rivera

Signature

03-23-2022

Date

03-23-2022

To: City of Harker Heights Planning & Development
Department
From: Giselle Mena & Roy Rivera
Address: 2500 Quartz TRL, Harker Heights, TX 76548
Property ID: 41509

Our home is one of the first houses in Quartz TRL, located within a few steps of the property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E Knight's Way/E. FM 2410, Harker Heights, TX.

Rezoning this area from R1 to B3 will impact the quality and safety of our home and neighborhood. Our streets are not designed to handle the traffic increase that a B3 zoning could bring. This is a neighborhood without sidewalks, full of kids and elderly that enjoy walking outside on our street and changing the zoning in an area that is not prepared for that can create a safety issue for everyone that walks around.

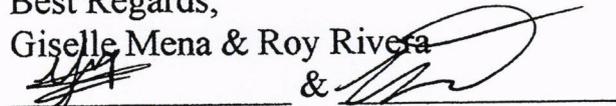
Due to our proximity with this lot, we are also concerned about the noise level that a commercial development could bring to our home and peaceful area if this lot is changed to B3.

Also, it is important to consider that our street doesn't have an updated drain system. We can currently see how the erosion has caused part of the corner of the street to sink into our property. It is our understanding that having those trees in front, on the Lot 0001, can help by absorbing water and prevent the erosion to develop further.

We want to be clear that we are not opposed to the growth of Harker Heights. We are not asking for anything unreasonable. We would not mind a residential development in the lot as long as proper measures are taken to ensure the well-being of the entire community.

Best Regards,

Giselle Mena & Roy Rivera



Date: 03-23-2022

Received

MAR 28 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2502 GRANT E. TK	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 28 2022

Comments:

Planning & Development

Jeff Pace

Printed Name

Jeff Pace
Signature

3-25-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2502 Pine Stone Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 28 2022

Comments:

Planning & Development

Chris Piques

Printed Name

Signature

3-27-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2503 Limestone TR4	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 28 2022

Comments:

Planning & Development

Beverly Brooke Bridges

Printed Name Signature Date

3/27/22

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

FROM:

MAR 28 2022

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

Physical Address	Property ID
2505 Quartz Trail Harker Heights TX 76548	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I do not feel as though this would be good for the neighborhood especially for the children.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I do not feel as though this would be good for the neighborhood especially for the children.

Mathew Shaw  24 Mar 2022
 Printed Name Signature Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: FERGUSON, LEE A JR

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

Physical Address	Property ID
2506 GRANITE TRL	116363

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 29 2022

Planning & Development

Lee Ferguson

Printed Name

Lee Ferguson

Signature

3-28-2022

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2509 Granite Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 28 2022

Planning & Development

CASSIE LYNCE

Printed Name

Cassie Lynce

Signature

3/25/22

Date

LORETTA SHATTO

2502 Quartz Trail
Harker Heights, Texas 76548
254-393-5933
Lshatto@killeenglass.com

Kristina Ramirez
Director
City of Harker Heights, Planning and Development
305 Millers Crossing
Harker Heights, Texas 76548

Dear Ms. Ramirez:

In evaluating the most recent map presented during the planning and zoning meeting, several residents felt that the map did not fully count all homes within 200 feet of the applicant's property.

As per Texas Statute Chapter 211.007(c) "Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed."

The Texas Statute goes on to read "(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

- (1) the area of the lots or land covered by the proposed change; or
 - (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.
- (e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.
- (f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied."

The Harker Heights Planning Department has not included all properties within the 200' area.

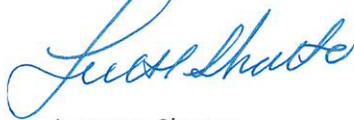
We measured 200' from the applicant's property using an engineer's scale tape measure and found 3 homes that are not currently being noted as within the area defined by

Texas Law. Those properties are 2505 Quartz Trail, 2502 Limestone Trail and 2505 Limestone Trail.

All three of these properties have opposed this application and therefore, we request that the Planning Department's map be updated for said properties to be properly reflected in time when the Council's packet is prepared and for the meeting on April 12th. Alternatively, if the city is unwilling to do so, then this application must be tabled until a proper measurement is completed to ensure that Harker Heights is in compliance with Texas laws.

Please provide response as soon as possible.

Sincerely,



Loretta Shatto

ORDINANCE NO. _____

AN ORDINANCE GRANTING B-3 (LOCAL BUSINESS DISTRICT) ON PROPERTY DESCRIBED AS FAWN VALLEY, LOT ONE (1), BLOCK SIX (6), GENERALLY LOCATED AT 1702 E. FM 2410 (E. KNIGHT’S WAY), 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; and

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, as previously zoned R-1 (One Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight’s Way), Harker Heights, Bell County, Texas.

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>
2022-	4/12/2022	Granting B-3 (Local Business District) on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight’s Way), 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 by the City Council of the City of Harker Heights on March 8, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE LAND USE DESIGNATION FROM 'MEDIUM DENSITY RESIDENTIAL' TO 'COMMUNITY CENTER' ON PROPERTY DESCRIBED AS FAWN VALLEY, BLOCK 006, LOT 0001, GENERALLY LOCATED AT 1702 E. FM 2410 (E. KNIGHT'S WAY), HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current land use designation of 'Medium Density Residential' to 'Community Center' on property addressed as 1702 E. FM 2410 (E. Knight's Way). The property consists of approximately three (3) acres of land. The subject property is located within the Knight's Way Overlay Development District.

Surrounding Land Uses

Adjacent land uses include:

	Land Use Plan
North	Regional Center Community Center
South	Regional Center Medium Density Residential Low Density Residential
East	Regional Center
West	Community Center

Per the current Land Use Plan, the applicant's property is located in a transitional area for uses and is designated for 'Community Center', 'Medium Density Residential' and 'Regional Center' land use. That same plan identifies most properties between I-14 and Comanche Gap Road that have frontage along E. Knight's Way (E. FM 2410) as being designated for 'Regional Center' and 'Community Center' land uses. Staff believes the proposed change in land use would be consistent with the remaining parcels abutting E. Knight's Way/E. FM 2410 corridor if designated for 'Community Center' land use.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500-year flood hazard areas. However, the 1975 Fawn Valley subdivision was annexed into the City with a rural drainage system (culverts, bar ditches, natural creek). The drainage design standards at the time allowed for overland flow through the roadway with minimal design standards.

Notices:

Staff sent out forty-one (41) notices to property owners within a 400-foot notification area as required by the City's code of ordinances. This exceeds the 200-foot notification buffer as required in Texas Local Government Code Section 211.007. As of April 6, 2022, six (6) submissions were received in favor of the request, and thirty-one (31) submissions were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Three (3) of the responses in favor of the request and ten (10) of the responses in opposition are located within the regulatory 200-foot notification buffer as determined by utilizing the City's GIS software. This results in approximately 26.7% of the regulatory buffer area in opposition and approximately 52.6% of the property owners within the 200-foot buffer area in opposition. However, three (3) of the responses in opposition within the 200-foot buffer area were not able to be verified that they were made by the landowner of record as required by Texas Local Government Code. If those three parcels are not able to be verified, then there is approximately 20.79% of the regulatory buffer area in opposition.

RECOMMENDATION:

Since the B-3 zoning case for this parcel was recommended for approval by the Planning & Zoning Commission, staff recommended approval to the Planning & Zoning Commission of this request based on the following:

1. This action would amend the current Comprehensive Plan and Land Use Plan such that the proposed use would be compatible with the new B-3 zoning.
2. The proposed use is compatible with new B-3 zoning in the vicinity.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (6-2) to recommend approval of an ordinance to change the land use designation from 'Medium Density Residential' to 'Community Center' for this parcel based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots or land within the 200-foot buffer requires a super majority vote for approval. As a result, this item will require a super majority vote by the City Council.

1. Motion to **approve/disapprove with explanation** an ordinance to change land use designation from 'Medium Density Residential' to 'Community Center' on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. FM 2410 (E. Knight's Way), Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application; Land Use Designations; Location Map; Existing Land Use Map; Zoning Map; Land Use Plan Map; Notification Area Map; Public Responses; Proposed Ordinance](#)



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: Rayham LLC - Series 114 Date: 3-2-22

Address: PO Box 2008

City/State/Zip: Harker Heights, TX 76548

Phone: 254-466-6566 E-mail: raymondhamden@yahoo.com

Legal Description of Property:

Location of Property (Address if available): 1702 E FM 2410

Lot: 1 Block: 10 Subdivision: Fawn Valley

Acres: 2.95 (3%) Property ID: 71411 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: Commercial

Current Zoning Classification: R-1 Proposed Zoning: B-3

Current Land Use: vacant Proposed Land Use: community center

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.

Rayham LLC - Series 114
Printed Name of Property Owner

[Signature]
Signature of Property Owner

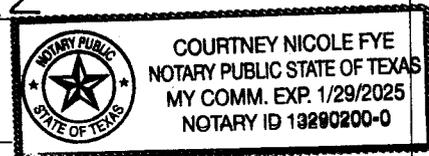
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 2nd DAY OF March, 2022

Courtney Nicole Fye
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 3/2/22

STAFF ONLY -- DO NOT FILL OUT BELOW

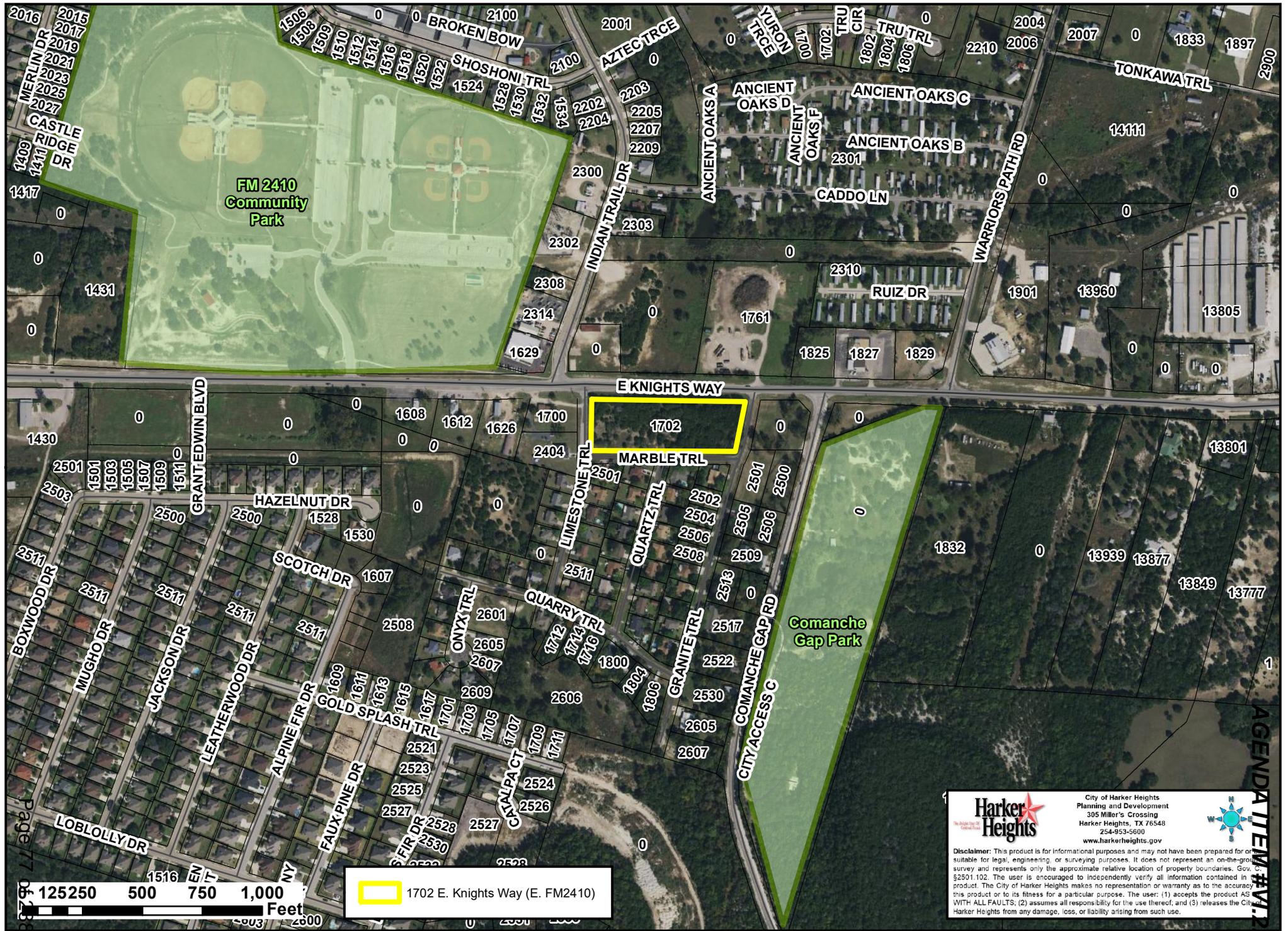
Received By: C. Fye

Pre-Application Meeting

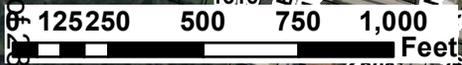
Revised: 5/2020

Receipt #: _____

Case #: _____

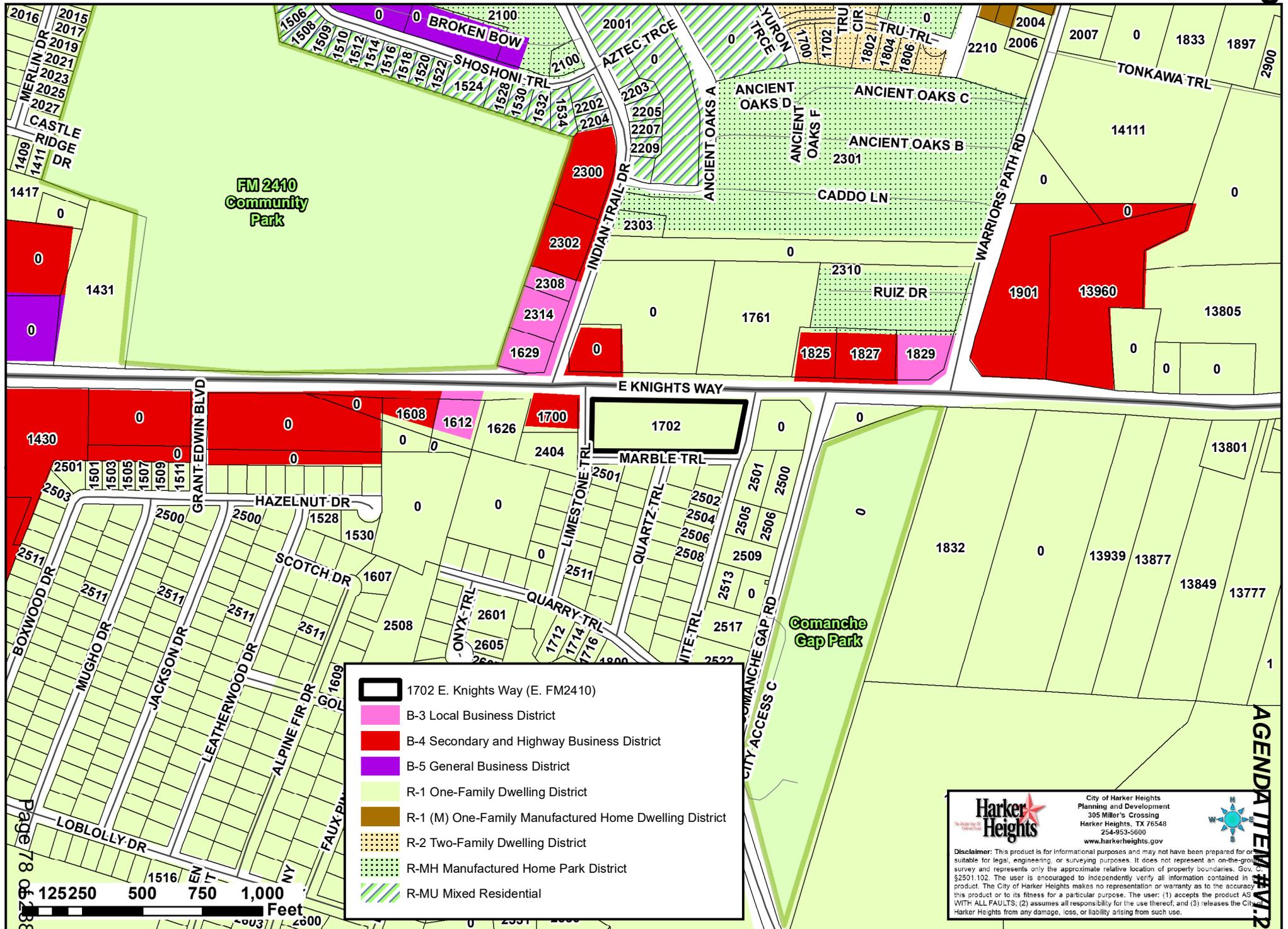


 1702 E. Knights Way (E. FM2410)

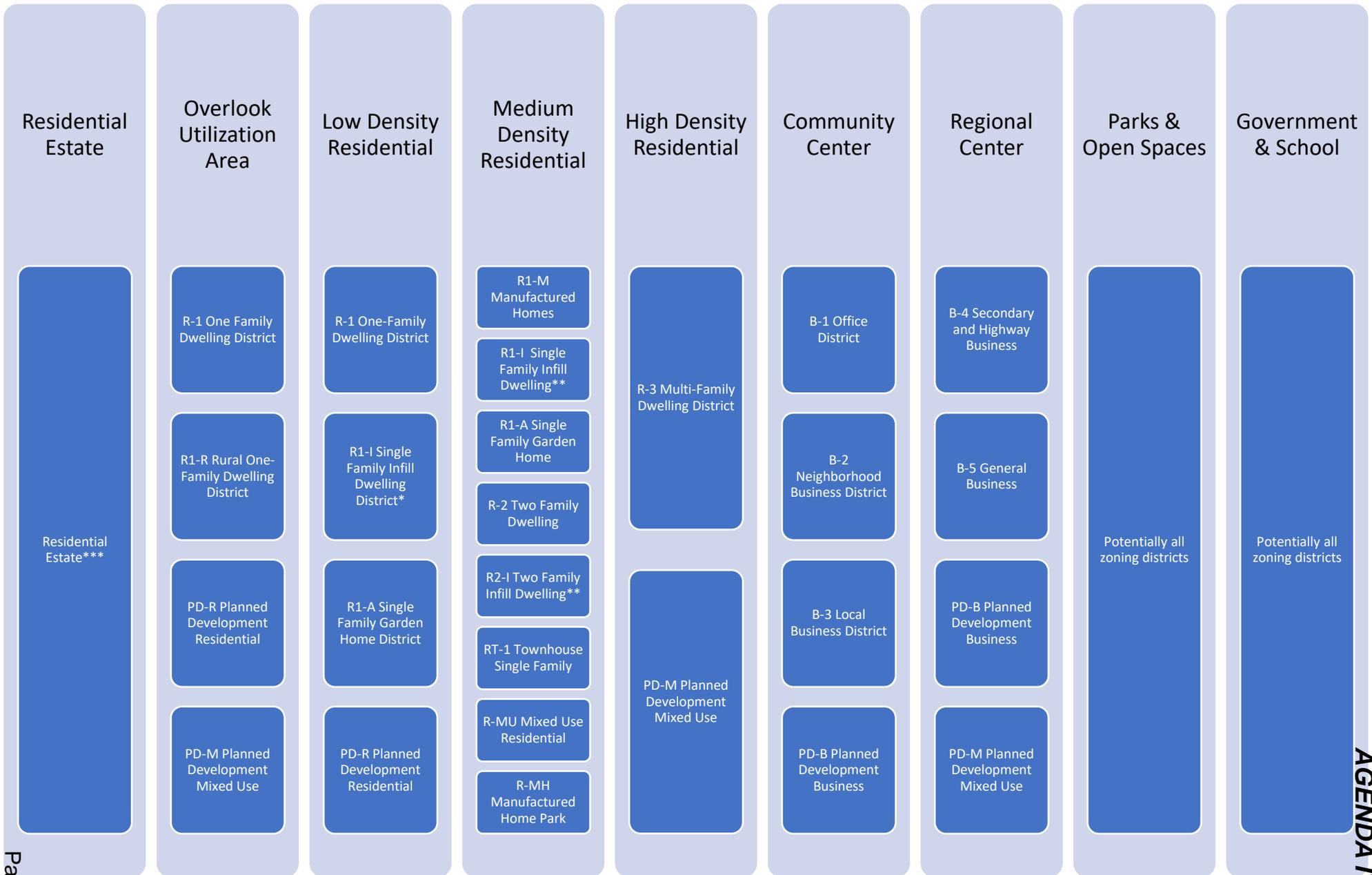


Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5600
 www.harkerheights.gov

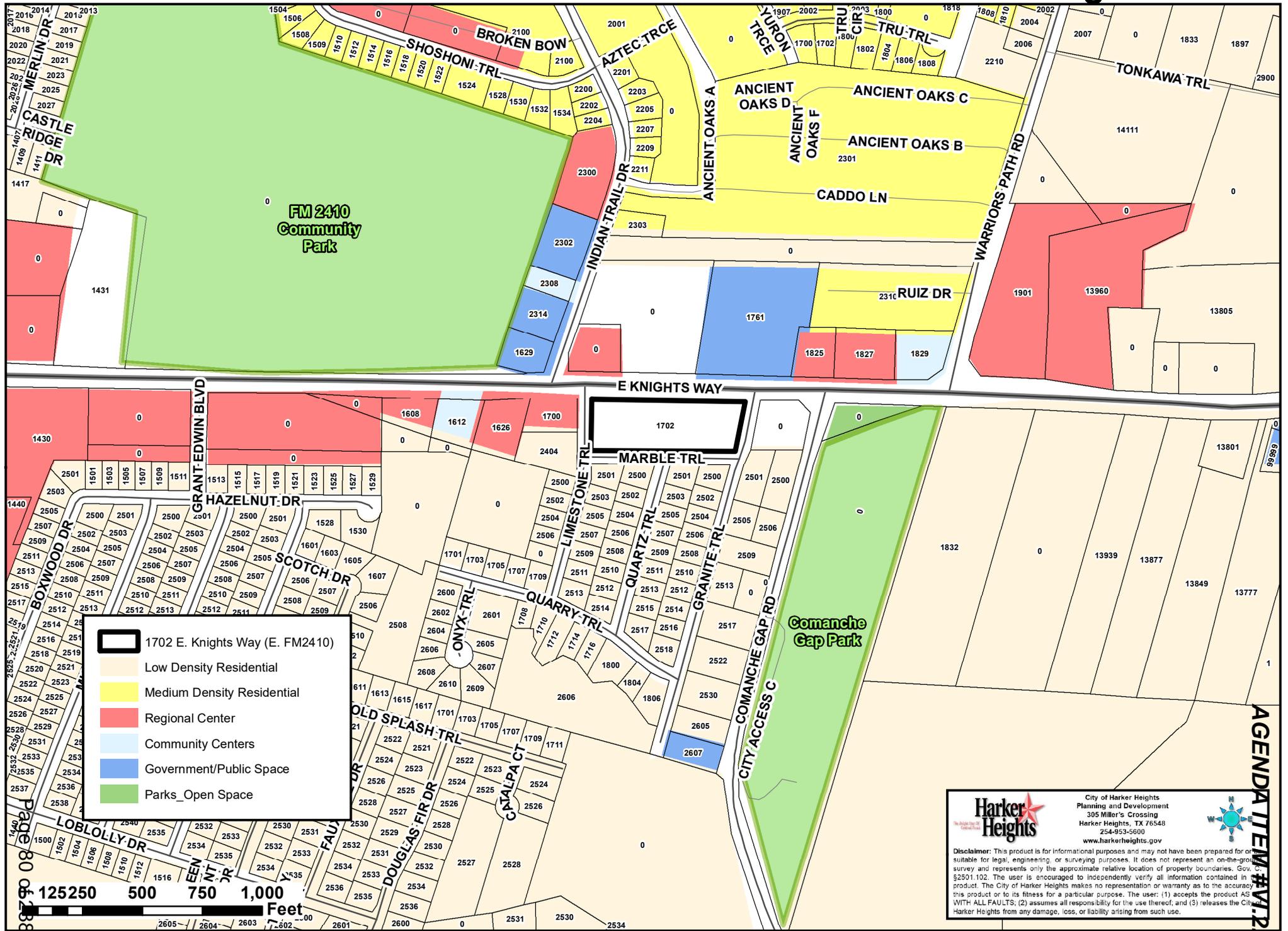
Disclaimer: This product is for informational purposes and may not have been prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. §2531.102. The user is 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 the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



Zoning Districts Per Land Use*

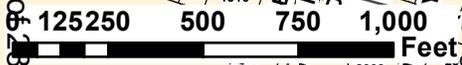


Adoption of Land Use Plan included definitions for each type of land use. This represents the Zoning Districts that correspond to those definitions.
 *Zoning Districts are only allowed in areas as shown on maps/exhibits included with respective adopted ordinances
 **Currently R-1 larger than 0.5 acres and R1-R Zoning Districts are being utilized for Residential Estates proposed Zoning District.



	1702 E. Knights Way (E. FM2410)
	Low Density Residential
	Medium Density Residential
	Regional Center
	Community Centers
	Government/Public Space
	Parks_Open Space

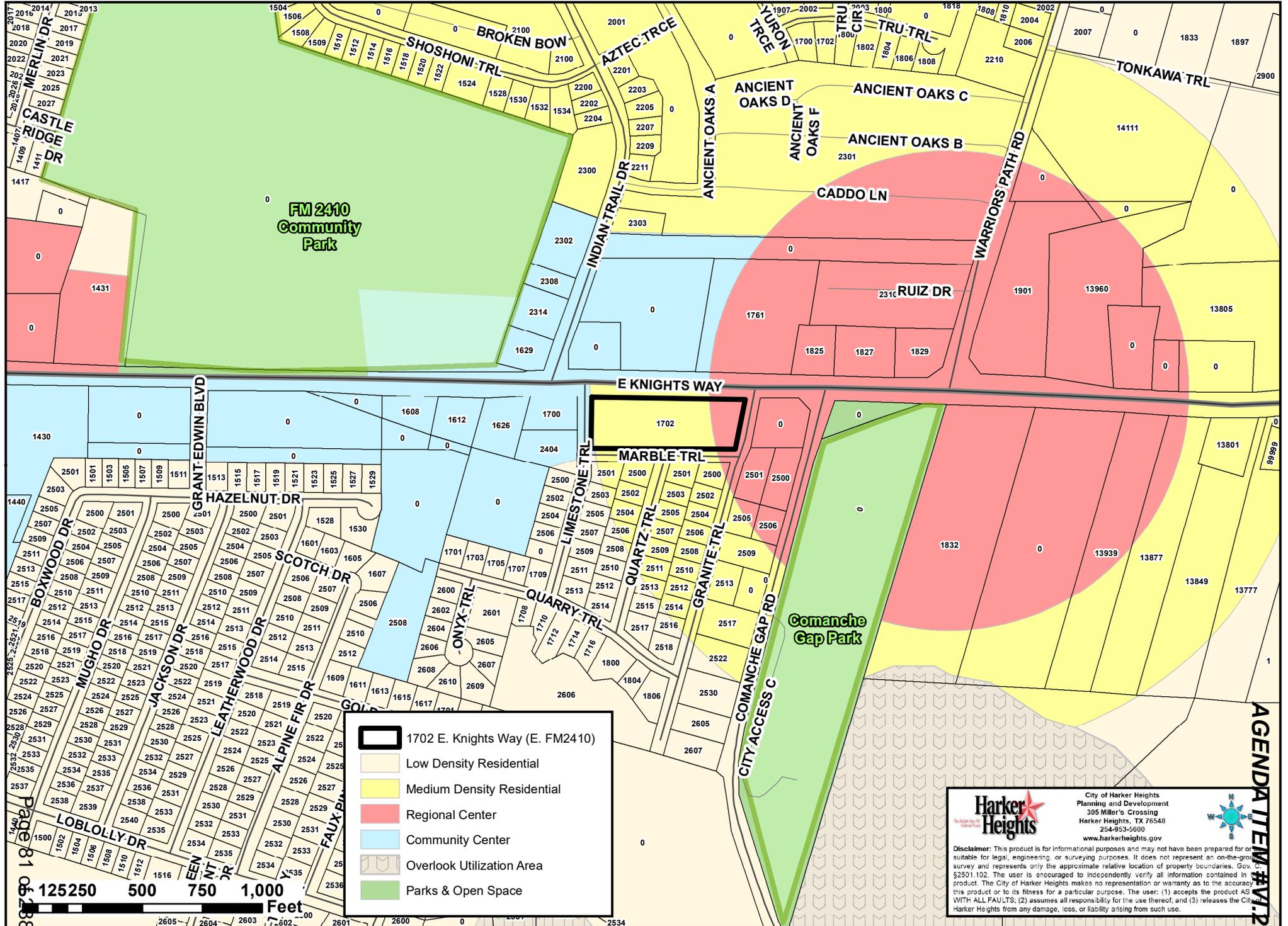
Page 80 of 138



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

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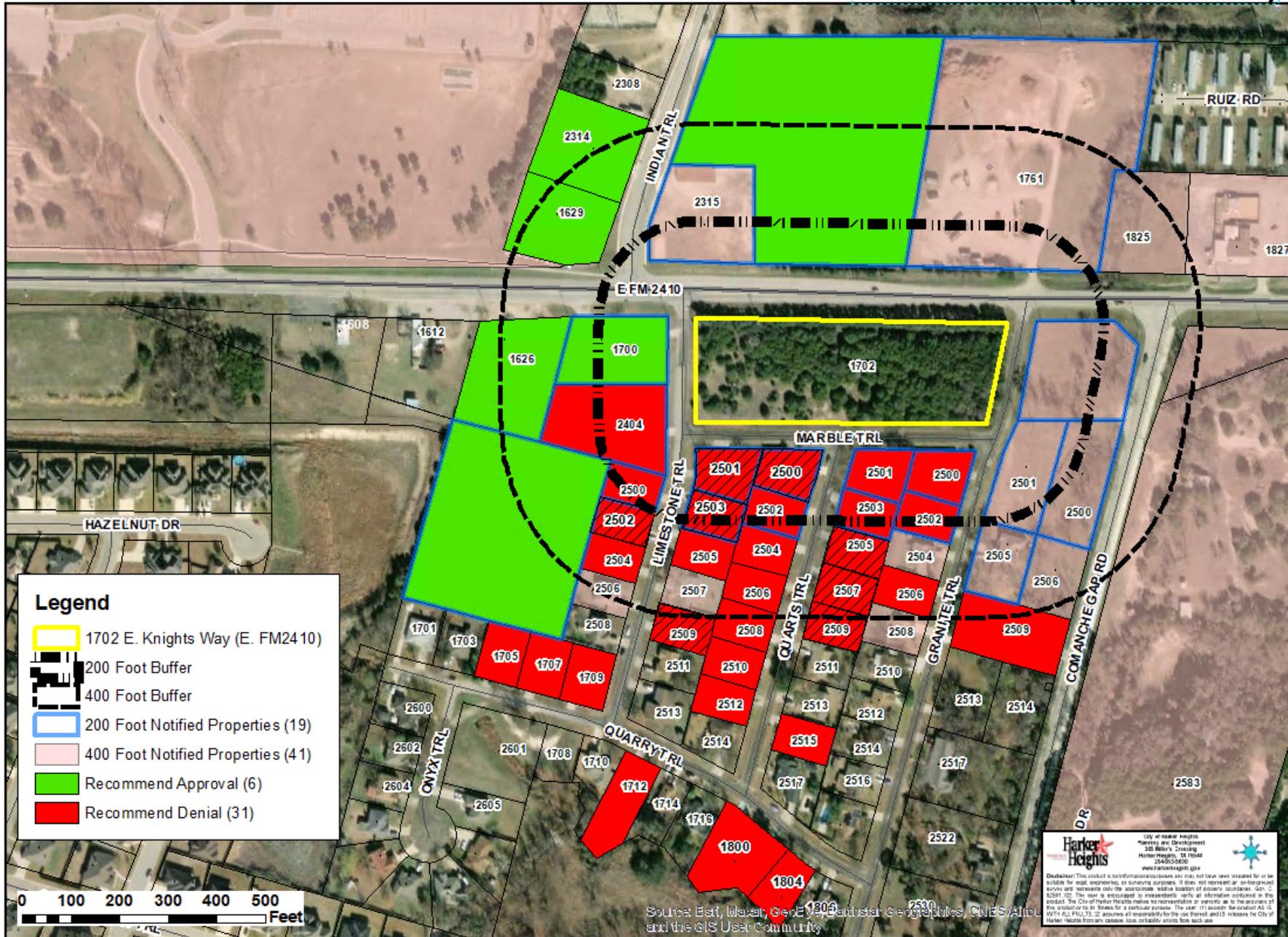
AGENDA ITEM #12



-  1702 E. Knights Way (E. FM2410)
-  Low Density Residential
-  Medium Density Residential
-  Regional Center
-  Community Center
-  Overlook Utilization Area
-  Parks & Open Space

Harker Heights
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SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCGORRY, CHARLES LEO III REVOCABLE TRUST & TAI
THI MCGORRY REVOCABLE

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

Physical Address	Property ID
1626 FM 2410	5314

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

Received

MAR 23 2022

Planning & Development

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Charles McGorry

3-23-22

Printed Name
 Signature
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RAYHAM LLC - SERIES 115

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

Physical Address	Property ID
FM 2410	71411

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

R. Hamden

Printed Name

[Signature]
Signature

3-21-22

Date

Received

MAR 21 2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 23 2022

FROM: MCGORRY, TAI THI REVOCABLE TRUST

Planning & Development

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

Physical Address	Property ID
FM 2410	69431

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

TAI Mc Gorry Revoc. Trust
[Signature]
3/23/22

Printed Name
 Signature
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

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TO: City of Harker Heights
Planning & Development Department

Receiver

MAR 23 2022

FROM: RASMUSSEN, ROBIN & TERRI DILLARD

Planning & Development

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

Physical Address	Property ID
1700 FM 2410	331605

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

No way!! Residential Only

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Residential only

Robin Batt

Robin Batt

3/22/2022

Printed Name

(Rasmussen)

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

FROM: BATT, ROBIN

Planning & Development

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

Physical Address	Property ID
2404 LIMESTONE TRL	331604

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

no changes to zone

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

no changes to zone

Robin Batt

Robin Batt

3/22/2022

Printed Name

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: CAWTHORNE, TAMMY J

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

Physical Address	Property ID
2500 GRANITE TRL	125687

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Tammy Cawthorne
Printed Name

Tammy Cawthorne
Signature

March 21, 2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

FROM: MCKELLIPS, JENNIFER

Planning & Development

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

Physical Address	Property ID
2500 LIMESTONE TRL	70866

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

As a home owner w/in 200 ft of this property, I adamantly deny this request. This is a neighborhood w/out sidewalks and the increased traffic and noise would be a huge safety concern for me as a parent. Additionally, I am

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

worried about the noise a business would bring to the area. There are many strip malls + business areas in Harker Heights that sit empty. Why would building another one be beneficial? Again, I deny this request for reasons above... and my money!!

Jennifer McKellips

Printed Name

JM Kelly

Signature

3-22-2022

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

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

FROM:

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

Physical Address	Property ID
2501 Quartz Trail	107502

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

My house is directly across from the property in question. My driveway faces the property. Having businesses that close to my home would create unwanted noise and light that would affect the quality of life for my family. The additional traffic would also create an unsafe environment for my children, and could pose additional crime rate very close to my family and property.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Our community is quiet and peaceful. The potential for anything other than residential property poses a threat to our entire community's quality of life.

Sheldon Fleurant/Natoska Fleurant  3/20/22
 Printed Name Signature Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

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

Received

MAR 22 2022

FROM: TORRES, KARLA SULEYA

Planning & Development

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

Physical Address	Property ID
2503 QUARTZ TRL	132188

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Karla S. Torres

Printed Name

Signature

3-20-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LEALIEE, AYESHA ~~METVIR PETE~~

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

Physical Address	Property ID
2504 LIMESTONE TRL	65985

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

A commercial business does not belong in this location. This should not be approved merely because a location further up the street went from residential to commercial. That location, although planned for residences behind it had none, and had an existing building. It also cannot be compared to Skipoha which was already zoned commercial and has a 5 lane roadway with lights. The location is a 2 lane roadway which has no room to be widened.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

(CONTINUED ON REVERSE)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Same as above and continued on reverse

Ayesha Lealíee

Printed Name

Ayesha Lealíee

Signature

3/22/2022

Date

LEALIEE, AYESHA M ETVIR PETE
2504 LIMESTONE TRL
HARKER HTS, TX 76548-8911

It has no traffic control other than stop signs which 25% of people do not follow because they get tired of waiting to be able to go. There is no 'real' plan brought forth by the owner other than to commercialize the property he's owned for a lot less time than most of us have owned our HOMES. I capitalize HOMES because this is where we chose to live our lives in our peaceful part of Harker Heights. The addition of any commercial building to the entrance will bring unwanted traffic - into our neighborhoods, causing additional slowing down of traffic and the possibility of additional accidents. It will also bring more trash, more drainage issues, and more noise. There's still plenty of property already zoned commercial to focus building; there's not a need to push commercial out where the mom + pop options and residential homes are doing just fine.

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

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Received

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

MAR 23 2022

FROM: *Dugger, Debra A.*

Planning & Development

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

Physical Address	Property ID
<i>2505 Limestone Tr.</i>	<i>108136</i>

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I purchased my home in 2001 & one of the reasons I bought this property was due to the fact that this area was a single family dwelling district. I understand he wants to put a business in this area but he should have bought property that was already zoned a business district. My home already holds water in the front of my house when it rains I can only imagine what it will be like after pavement was put on that

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

The same reason as above & with that property being the entrance to our neighborhood I would like the same type of house like what we have. There are no manufactured homes in our neighborhood so it makes no sense at all why this is even being considered. I did not purchase this property to have it changed to a business district. If he wanted a business he should have bought property already zoned a business district.

Debra Dugger
Printed Name

Debra A. Dugger
Signature

3/27/22
Date

Comments for property to be zoned
A business district.

AGENDA ITEM #VI.2.

→ property, what my yard would look like there. I also did not buy my property to have to look at the back of a business & dumpsters. I know a fence was mentioned last time, but there would be gaps along the fence line for the garbage trucks to collect the trash, so yes we would be able to see back there. This would also bring strangers into our neighborhood along with traffic & after that comes burglaries & theft. I bought this property because this area was not a business district zone. Please help to keep our neighborhood safe & leave it as a single family dwelling. (There are not too many neighborhoods like the one we have).

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

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

FROM: HARRIS, DORIS

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

Physical Address	Property ID
2506 QUARTZ TRL	106576

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I have safety concerns - children walking to the bus stop or to school, day care at the corners of 2410 & Limestone, increased traffic on our already narrow roads. The trees also offers protection from road noise & reduces visibility of the neighborhood from the road.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

See comments above. In reviewing the Zoning Districts per Land use page, I see manufactured housing listed. This will have a detrimental value on our brick homes.

Doris Harris
Printed Name

Doris Harris
Signature

3-16-2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 22 2022

FROM:

Planning & Development

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

Physical Address	Property ID
2507 QUARTZ TRAIL	17483

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Impact on nearby residential homes will be extremely negative. Considering the available undeveloped business districts in the area, this zoning change is unneeded at this time.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Anthony H. Brink
Printed Name


Signature

3/21/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: NISIC, SABINA

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

Physical Address	Property ID
2508 QUARTZ TRL	74704

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I DO NOT AGREE WITH THIS REQUEST. THE SPACE AVAILABLE SHOULD NOT BE USED AS A BUSINESS DISTRICT. THIS WILL BRING MORE NOISE, TRAFFIC, AND TRASH INTO THIS AREA.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

THIS LAND DESIGNATION SHOULD REMAIN AS IS AND NOT CHANGED FOR ANY OTHER USE.

SABINA NISIC
Printed Name


Signature

3/17/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2509 Limestone Trl	Harker Heights

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Christopher Beck
Printed Name


Signature

20 March 22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: DILLON, JOSEPH ETUX PATRICIA

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

Physical Address	Property ID
2509 QUARTZ TRL	31188

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

As with the previous two applications, the answer is NO! As per Chapter 158 of Harker Heights Code, our neighborhood drainage systems cannot accommodate changing the topography of the land without updating our entire neighborhood's drainage systems.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Surface water runoff from impervious surfaces would flood our homes and properties. Additionally, noise, light and pollution are concerns, as well as safety.

Kristine Dillon
Printed Name

Kristine Dillon
Signature

3/20/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

FROM:

Planning & Development

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

Physical Address	Property ID
2510 Quartz Trail	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Due to the likelihood of increased traffic that would come with a business zone, I do not believe it would be in the best interest of the adjacent residential community in terms of safety, especially of recreating children and the preservation of the overall well-being and value of this neighborhood.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

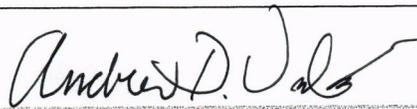
I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

(see comments above)

Andrew Valentine
Printed Name


Signature

3/22/2022
Date

SENT: MARCH 11, 2022
 DUE BACK: MARCH 23, 2022, 5:00 P.M.
 RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
 Planning & Development Department

FROM: Miguel M. Flores

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

Physical Address	Property ID
2512 QUAIL TAIL HARKER HEIGHTS, TX 76548	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Miguel M. Flores
 Printed Name

Miguel M. Flores
 Signature

3-19-2022
 Date

Z22-03 & Z22-03-F Harker Heights Planning & Development 3/8/2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2915 Quartz Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

ChunCha Van Meter
Printed Name

ChunCha Van Meter
Signature

3/20/22
Date

Robert Hendrick

415 Presa Drive
SALADO, T.X. 76571
~~Harker Heights~~

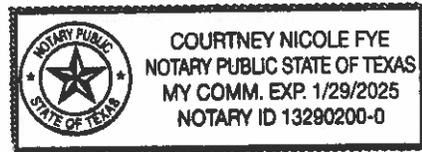
I own the property at
2314 Androm Trail ; (First Church Harker Heights)
1700 E.F.M 2410. (DL02)

I would like to vote yes for the
re-zoning of case # 222-03 ; 222-03F

Robert Hendrick

4-6-2022

Courtney Nicole Fye



Received

APR 06 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: *Carolyn James*

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

Physical Address	Property ID
<i>1705 Quarry Trl</i>	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 29 2022

Planning & Development

Carolyn James
Printed Name

Carolyn James
Signature

3/27/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: SUSAN RATLIFF-THOMAS

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

Physical Address	Property ID
1707 QUARRY TRL	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: DRAINAGE IS PROBLEM IN OUR SUBDIVISION. TRAFFIC IS AWFUL ALREADY TO TRY TO GET ONTO 2410. MAIN THING IS OUR SUBDIVISION IS A QUIET FAMILY FRIENDLY HOUSES.

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: DRAINAGE IS A BIG PROBLEM. TRAFFIC IS BUSY ALREADY ON 2410. MAIN THING IS OUR COMMUNITY IS A FAMILY FRIENDLY SUBDIVISION SO DON'T NEED MORE TRAFFIC

SUSAN RATLIFF-THOMAS

3-26-22

Printed Name Signature Date

Received

MAR 28 2022

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: Christina Deasy
Unsub Wagoner

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

Physical Address	Property ID
1709 Quarry Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Too much traffic in the area already. 5 streets turning onto 2410 in a short stretch of road with no traffic lights.

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Received

MAR 29 2022

Planning & Development

Christina Deasy
Printed Name

Christina Deasy
Signature

3/28/22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: 1712 Quarry Trail

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

Physical Address	Property ID
1712 Quarry Trail	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE ATTACHED

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

SEE ATTACHED

Received

MAR 29 2022

Planning & Development

Lpray Jacoboski'
Printed Name

Lpray Jacoboski'
Signature

3-28-22
Date

[REDACTED]
MARCH-28-2022
DENY THE REQUEST R1 to B3 1702 E. FM 2410.

I own my home at 1712 Quarry Trail I do not want to see the R1 to B3 approved

I know these small streets can not take the extra traffic there is always kids playing in the streets having fun it is obviously going to have people think there is a way out .

Our neighborhood is great do to there is NO through streets

The Drainage on Quarry Trail is horrible and no doubt by adding all that concrete up hill from me would FLOOD my house.

One more thing when I leave on Limestone to 2410 it is nearly impossible to get out I can't imagine how bad it would be with business there.

PLEASE DENY this request Thanks Larry Jakubowski

Received

MAR 29 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: 1800 QUARRY TRAIL

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

Physical Address	Property ID
1800 Quarry	

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

SEE ATTACHMENTS

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Received

MAR 29 2022

Comments:

Planning & Development

LEON CHARPIENTIEA

Printed Name

Signature

3-2022

Date

This is in reference to the zoning request R1 to B3 at 1702 East Knights Way.

My name is Leon Charpentier, a 50-year resident of Harker Heights and a 28-year employee of the city of Harker Heights.

REZONING

I live at 1800 Quarry Trail where I have lived for the last 25 years. My house is at the very end of Quartz Trail. The proposed zoning ends in my driveway on Quarry Trail. My first issue is drainage flooding. This area has been designated as a floodway many years ago. When we get at least 3 inches in an hour, water rushes down Quartz Trail into my driveway I must close my opened garage door to stop my house from flooding. The addition of several acres of pavement cannot be handled by this subdivision. I have nearly 40 years' experience at Harker Heights city Council meetings during several hundred zoning changes sometimes over zoning changes caused by flooding where the city was sued. Please don't make this another one. There is not enough room in that small plot of land to put a detention pond.

The second issue is the proposed widening of FM 2410 with a 25-foot setback on the highway and a 25-foot setback on Marble Trail. This will reduce the size of this lot tremendously. There is no doubt that FM 2410 will be widened in the next few years with the opening of the middle school on Warriors Path and in a few years the plan to build an Elementary school. This will put an increased strain on traffic. I believe that the city of Harker Heights and Tex Dot should go together to purchase that property to stop the possibility of condemning that property in the future for widening FM 2410.

The third thing is the statement I've heard hundreds of times at city Council meetings from citizens of this neighborhood stating, "that is why I moved in this neighborhood because there is no through traffic and it's very quiet". The proposal to put a strip mall on that property would ruin the effect of this great neighborhood. One thing else about this neighborhood is that I was a part of the administration when this area was annexed. The water and sewer lines are not up to Harker Heights standards. Also, the roads in this subdivision are not anywhere near the standard that Harker Heights requires today. It cannot handle all the extra traffic that this zoning proposal would cause. We already see extra traffic due to people thinking there is lake access down these roads. At one time there were signs saying NO LAKE ACCESS at the beginning of Limestone Trail. Over the years these have disappeared. (These signs have since been posted in September 2021. Thank you sign department for helping with this.)

The fourth item would be the extra load that it would put on the Lift Station in our neighborhood. It was enlarged to accommodate the Greenacres subdivision which is now full.

For these reasons and many more I am very much opposed to this zoning change. Please Vote for DENIAL of this request for rezoning.

Thank you,
Leon Charpentier



Received

MAR 29 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: Giselle Mena & Roy Rivera

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

Physical Address	Property ID
2500 QUARTZ TRL HARKER HEIGHTS TX 76548	41509

Z22-03 RE: application has been made to consider a request to change zoning designation from R-1 (One-Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Re-zoning this area from R1 to B3 will impact the quality and safety of our home and neighborhood. Our streets are not designed to handle the traffic increase that a B3 zoning would bring. This is a neighborhood without sidewalks, and changing the zoning in an area that is not prepared for that can create a safety issue for everyone that walks around. Please consider issues like noise pollution and drain issues.

Z22-03-F RE: application has been made to consider a request to change land use designation from Medium Density Residential to Community Center on property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Received

MAR 28 2022

Planning & Development

Giselle Mena

Printed Name

Roy Rivera

Signature

03-23-2022

Date

03-23-2022

To: City of Harker Heights Planning & Development
Department
From: Giselle Mena & Roy Rivera
Address: 2500 Quartz TRL, Harker Heights, TX 76548
Property ID: 41509

Our home is one of the first houses in Quartz TRL, located within a few steps of the property described as Fawn Valley, Block 006, Lot 0001, generally located at 1702 E Knight's Way/E. FM 2410, Harker Heights, TX.

Rezoning this area from R1 to B3 will impact the quality and safety of our home and neighborhood. Our streets are not designed to handle the traffic increase that a B3 zoning could bring. This is a neighborhood without sidewalks, full of kids and elderly that enjoy walking outside on our street and changing the zoning in an area that is not prepared for that can create a safety issue for everyone that walks around.

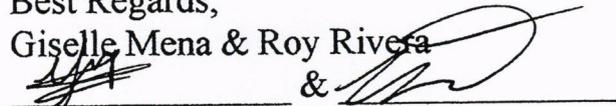
Due to our proximity with this lot, we are also concerned about the noise level that a commercial development could bring to our home and peaceful area if this lot is changed to B3.

Also, it is important to consider that our street doesn't have an updated drain system. We can currently see how the erosion has caused part of the corner of the street to sink into our property. It is our understanding that having those trees in front, on the Lot 0001, can help by absorbing water and prevent the erosion to develop further.

We want to be clear that we are not opposed to the growth of Harker Heights. We are not asking for anything unreasonable. We would not mind a residential development in the lot as long as proper measures are taken to ensure the well-being of the entire community.

Best Regards,

Giselle Mena & Roy Rivera



Date: 03-23-2022

Received

MAR 28 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2502 GRANT E. TK	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 28 2022

Comments:

Planning & Development

Jeff Pace

Printed Name

Jeff Pace
Signature

3-25-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM:

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

Physical Address	Property ID
2502 Pine Stone Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 28 2022

Comments:

Planning & Development

Chris Piques

Printed Name

Signature

3-27-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2503 Limestone TR4	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received
MAR 28 2022

Comments:

Planning & Development

Beverly Brooke Bridges

Printed Name

Signature

Date

3/27/22

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

FROM:

MAR 28 2022

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

Physical Address	Property ID
2505 Quartz Trail Harker Heights TX 76548	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I do not feel as though this would be good for the neighborhood especially for the children.

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

I do not feel as though this would be good for the neighborhood especially for the children.

Mathew Shaw  24 Mar 2022
 Printed Name Signature Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: FERGUSON, LEE A JR

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

Physical Address	Property ID
2506 GRANITE TRL	116363

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential to Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 29 2022

Planning & Development

Lee Ferguson

Printed Name

Lee Ferguson

Signature

3-28-2022

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM:

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

Physical Address	Property ID
2509 Granite Trl	

Z22-03 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **B-3 (Local Business District)** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-03-F RE: application has been made to consider a request to change land use designation from **Medium Density Residential** to **Community Center** on property described as *Fawn Valley, Block 006, Lot 0001, generally located at 1702 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

MAR 28 2022

Planning & Development

CASSIE LYNCE

Printed Name

Cassie Lynce

Signature

3/25/22

Date

LORETTA SHATTO

2502 Quartz Trail
Harker Heights, Texas 76548
254-393-5933
Lshatto@killeenglass.com

Kristina Ramirez
Director
City of Harker Heights, Planning and Development
305 Millers Crossing
Harker Heights, Texas 76548

Dear Ms. Ramirez:

In evaluating the most recent map presented during the planning and zoning meeting, several residents felt that the map did not fully count all homes within 200 feet of the applicant's property.

As per Texas Statute Chapter 211.007(c) "Before the 10th day before the hearing date, written notice of each public hearing before the zoning commission on proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within 200 feet of the property on which the change in classification is proposed."

The Texas Statute goes on to read "(d) If a proposed change to a regulation or boundary is protested in accordance with this subsection, the proposed change must receive, in order to take effect, the affirmative vote of at least three-fourths of all members of the governing body. The protest must be written and signed by the owners of at least 20 percent of either:

- (1) the area of the lots or land covered by the proposed change; or
 - (2) the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area.
- (e) In computing the percentage of land area under Subsection (d), the area of streets and alleys shall be included.
- (f) The governing body by ordinance may provide that the affirmative vote of at least three-fourths of all its members is required to overrule a recommendation of the municipality's zoning commission that a proposed change to a regulation or boundary be denied."

The Harker Heights Planning Department has not included all properties within the 200' area.

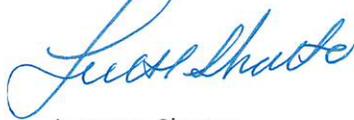
We measured 200' from the applicant's property using an engineer's scale tape measure and found 3 homes that are not currently being noted as within the area defined by

Texas Law. Those properties are 2505 Quartz Trail, 2502 Limestone Trail and 2505 Limestone Trail.

All three of these properties have opposed this application and therefore, we request that the Planning Department's map be updated for said properties to be properly reflected in time when the Council's packet is prepared and for the meeting on April 12th. Alternatively, if the city is unwilling to do so, then this application must be tabled until a proper measurement is completed to ensure that Harker Heights is in compliance with Texas laws.

Please provide response as soon as possible.

Sincerely,



Loretta Shatto

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS AMENDING THE LAND USE PLAN BY CHANGING THE LAND USE DESIGNATION FROM ‘MEDIUM DENSITY RESIDENTIAL’ TO ‘COMMUNITY CENTER’ ON PROPERTY DESCRIBED AS FAWN VALLEY, LOT ONE (1), BLOCK SIX (6), GENERALLY LOCATED AT 1702 E. FM 2410 (E. KNIGHT’S WAY), 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; and

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, as previously designated 'Medium Density Residential' use, is hereby changed to a 'Community Center' use on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight’s Way), Harker Heights, Bell County, Texas.

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>
2022-	4/12/2022	Amending the Land Use Plan by changing the land use designation from ‘Medium Density Residential’ use to a 'Community Center' use on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight’s Way), 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING A CHANGE IN ZONING DESIGNATION FROM R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) TO R-1 (ONE FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A PORTION OF A1049BC W H RUSSELL, 2, ACRES 3.3, GENERALLY LOCATED AT 3202 COMANCHE GAP ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a change from the current zoning of R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) on a portion of a property generally located at 3202 Comanche Gap Road, Harker Heights, Texas. The applicant is requesting to rezone 1 acre out of the 3.3 acres. The applicant indicated that the purpose for the rezoning is to construct a single home on the 1 acre he is selling.

The property owner has also submitted a minor plat for this property verifying that the proposed zoning will only be for that area included in the proposed plat. During the pre-development meeting with Staff for the plat case, the property owner was made aware that R1-R zoning requires each lot to be 2 acres or larger. Staff then advised the applicant that the 1 acre lot would need to have the zoning designation changed from R1-R (Rural One-Family Residential Dwelling District) to R-1 (One-Family Dwelling District) in order to proceed with his development.

Parcel History

This parcel is currently un-platted and lies adjacent to 3200 Comanche Gap. Both properties are owned by the same property owner.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Low Density Residential	Residential Estate	R1-R (Rural One-Family Dwelling District)
South	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)
East	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)
West	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)

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

Thoroughfare Plan

Comanche Gap Road is identified as a collector road in the Mobility 2030 Thoroughfare Plan. This classification of roadway has a 70 foot right of way. These are streets generally located within subdivisions or between subdivisions to collect traffic from minor (residential) streets and to channel this traffic to the major collectors. Residential lots may front on minor collector streets.

Flood Damage Prevention

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

Pharr vs. Tippet Considerations

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

NOTICES:

Staff sent out eighteen (18) notices to property owners within the 400-foot notification area. As of April 5, 2022, four (4) response were received in favor of the request, and six (6) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Four (4) of the responses in favor of the request and four (4) of the responses in opposition are located within the regulatory 200-foot notification buffer. This results in approximately 22% of the regulatory area in opposition and approximately 33.33% of the property owners within the 200-foot buffer area in opposition.

RECOMMENDATION:

Alternatives Considered

Staff considered two (2) alternatives for this case.

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

Staff Recommendation

Staff recommends approval of an ordinance to change zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Texas for the 1 acre parcel illustrated in Exhibit 1 – Site Plan, and based on the following:

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.

3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) for this parcel as shown in the attached Exhibit 1 - Site Plan, and based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots within the 200-foot buffer requires a super majority vote for approval. As a result, this item will require a super majority vote by the City Council.

1. Motion to **approve/disapprove with explanation** an ordinance to change zoning designation from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Texas, as shown in the attached Exhibit 1- Site Plan, and based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Z22-06_02-Attachments](#)



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: Michael A. Withers Date: 16 Feb 2021

Address: 3200 Comanche Gap Rd.

City/State/Zip: Harker Heights, TX 76548

Phone: 254-535-5703 E-mail: Michaelawithers@yahoo.com

Legal Description of Property:

Location of Property (Address if available): ~~3200 Comanche Gap Rd~~ ~~3202 Comanche Gap Rd~~ 3202 Comanche Gap Rd Harker Heights TX 76548

Lot: _____ Block: _____ Subdivision: _____

Acres: _____ Property ID: _____ Survey: _____

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

Proposed Use: _____

Current Zoning Classification: R1R Proposed Zoning: R1

Current Land Use: _____ 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.

Michael A. Withers
Printed Name of Property Owner

[Signature]
Signature of Property Owner

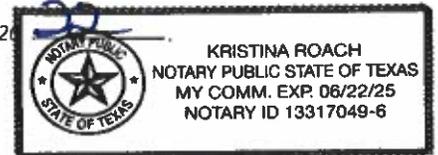
Anthony Rodriguez
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 16th DAY OF February, 2021

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 06/22/2025



Date Submitted: _____

STAFF ONLY -- DO NOT FILL OUT BELOW

Received By: [Signature]

Pre-Application Meeting

Receipt #: no fee needed April

Revised: 5/2020

Case #: _____

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right:

- (1) Site-built, single-family dwellings and industrialized housing.
- (2) Church or other place of worship.
- (3) Municipal buildings, non-profit libraries or museums, police and fire stations, public utilities (without outside storage yards or electric substations), public parks, playgrounds, municipal golf courses, public recreation facilities, and community buildings.
- (4) Customary home occupations as defined in §155.003.
- (5) *Accessory structure.*

(a) One small accessory building (not exceeding 144 square feet) per residence customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Structure must be built upon a moveable foundation;
- 2. Structure cannot exceed 12 feet in height;
- 3. Structure must set behind the rear facade of the main residence building and must be setback five feet from the rear property line and six feet from the side property line; and
- 4. Materials, building design, and construction must comply with the requirements of Ch. 150.

(b) Large accessory buildings customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Building materials and facade must be consistent with the main residence building materials and facade;
- 2. Large accessory building must be behind the front facade of the main residence;
- 3. The height of the large accessory building cannot exceed that of the main residence building;
- 4. Number, size, setbacks and height requirements based on the size of the lot as follows:

Lot Size	Number of Large Accessory Structures Allowed	Maximum Aggregate Size of All Accessory Structures	Setbacks	Maximum Height
< 10,000 square feet	1	250 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> 10,000 square feet < .5 acre	1	500 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> .5 acre < 1 acre	2	1,000 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet
> 1 acre	4	1,500 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet

- (6) Private garage.
- (7) Home based child care.
- (8) Real estate sales office, or temporary living quarters to provide security during the development of residential subdivisions, but not to exceed two years.
- (9) Low impact telecommunication towers.
- (10) Public schools.

(B) *Conditional uses.* The following require conditional use permits:

- (1) Private schools having a curriculum equal to a public elementary, high school, or institution of higher learning (except home schooling).

(2) Neighborhood association facilities.

(3) Farms, nurseries, truck gardens and greenhouses, provided no sales offices are maintained and no livestock are kept within 250 feet of a residence of any person other than the farm owner.

(4) Accessory dwelling for a relative or servant (not for rent).

(5) Accessory structure as provided by § 155.040.

(C) *Height regulations.* No building shall exceed two and one-half stories or 35 feet in height.

(D) *Front yard, side yard, and rear yard.* As per Table 21-A.

(E) *Intensity of use.* Every lot or tract of land shall have an area of not less than 8,400 square feet and an average overall width of not less than 70 feet and a minimum lot frontage of not less than 45 feet. Except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this chapter and shall not have changed since the date, such parcel of land may be used for a single family dwelling.

(F) *Additional use, height, and area regulation.* Additional use, height, and area regulations and exceptions are found in § 155.040.

(G) *R-1(M) zoning designation.* R-1(M) is a one family residential lot that also allows manufactured homes. All manufactured housing structures installed after December 31, 1999, must be installed on a permanent foundation, as that term is defined in § 152.01.

(1) In order to be approved, the manufactured home must be found to have design compatibility with other dwellings in the neighborhood.

(2) The following standards apply to any placement of a manufactured home on a lot after December 31, 1999:

(a) Roofing shall be similar in color, material and appearance to the roofing material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the neighborhood.

Materials shall include asphalt composition, shingle, tile, crushed rock, standing seam metal or similar materials (except all other metal). Roof pitch shall be a minimum of 3/12.

(b) Exterior siding shall be similar in color, material, and appearance to the exterior siding material commonly used on residential dwellings within the community or comparable to predominant materials used on dwellings within the neighborhood. Exterior siding shall be of brick, wood, stucco, plaster, concrete or other material which is finished in a non-glossy and non-reflective manner.

(c) If a garage/carport is constructed, it must be similar in appearance to others in the neighborhood and constructed of like materials as that of the primary home.

(d) Two all-weather surface off street parking spaces meeting the requirements of §155.061 shall be provided.

(3) Every manufactured home shall be placed so that the entrance or front of the home faces or parallels the principal street frontage, except:

(a) In cases where the lot is one acre or greater and the home is located more than 50 feet from the street; or

(b) Where the lot width is 60 feet or less.

(4) All entrances to a manufactured home shall be provided with permanent steps, porch or similar suitable entry.

(5) The lot must meet all applicable requirements of Chapter 154, and shall comply with the area regulations in (D) of this section. Variance in setbacks may be given in inches not to exceed one foot at the Building Official's discretion.

(H) *Signs* As per Chapter 151.

(I) *Parking.* As per §§ 155.061 through 155.068.

(J) *Storage.* Open storage is prohibited except for materials for the residents' use, such as firewood, gardening materials, and similar materials.

(K) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(L) *Industrialized housing.*

(1) Industrialized housing shall be considered real property and must:

(a) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

(b) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(c) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings;

(d) Be securely fixed to a permanent foundation; and

(e) Have all local permits and licenses that are applicable to site-built housing.

For purposes of this division, **VALUE** means the taxable **VALUE** of the industrialized housing and lot after installation of the housing.

(2) Any owner or authorized agent who intends to construct, erect, install or move any industrialized housing into the city shall first make application to the Building Official and obtain the required permits. In addition to any other information otherwise required for such permits, the application shall:

(a) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling, as determined by the most recent certified tax appraisal roll for the county;

(b) Describe the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located;

(c) Describe the permanent foundation and method of attachment proposed for the industrialized housing; and

(d) State the anticipated taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(3) A person commits an offense if the person:

(a) Constructs, erects, installs or moves any industrialized housing in the city without first obtaining a permit as required by this section; or

(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2002-28, passed 11-12-02; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-32, passed 10-12-10; Am. Ord. 2011-08, passed 4-19-11)

§ 155.021 R1-R RURAL ONE-FAMILY DWELLING DISTRICT.**(A) Permitted uses.**

- (1) Any use permitted by right in the R-1 District.
- (2) Non-commercial/small scale agricultural related uses to include:

(a) 1. Farm animals kept and/or maintained for family food production, education, or recreation but excluding retail sales or commercial production.

2. All farm animals kept and/or maintained for family food production, education or recreation shall be subject to all regulations stated in Chapter 90 of this code.

(b) The raising of and harvesting of tree crops, row crops, or field crops for family food production but excluding retail sales or commercial production.

(c) The growing of horticultural and floricultural specialties such as flowers, shrubs, or trees intended for ornamental or landscaping purposes but excluding retail sales or commercial production.

(3) Accessory buildings.

(a) Accessory building or buildings whose use is incidental to the above uses (not involving the conduct of a business or to be used as a dwelling unit), when located on the same lot, other than private garage for one or more cars. Accessory buildings that fall under this category shall include such buildings as private stables, barns, farm equipment storage buildings and other buildings incidental to small agricultural production and storage are permitted provided they meet the following standards:

1. The maximum 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;
4. Materials, building design and construction must comply with the requirements of Chapter 150 of this code.

(b) Accessory buildings with metal exteriors shall be allowed in an R1-R District provided they meet the following standards:

1. The accessory building shall meet all the requirements of division (A)(3)(a) above;
2. Metal exteriors must be constructed using permanently painted 26 gauge or higher steel.

(B) Conditional uses.

- (1) Any conditional use permitted in the R-1 District.

(2) Commercial or large scale agriculture provided that the density of the lot or tract of land is ten acres or greater and that all farm animals kept and/or maintained shall be subject to all regulations stated in Chapter 90 of this code.

(C) Height regulations. Same as in R-1 District.**(D) Area regulations.** As per Table 21-A.

(1) *Front yard.* There shall be a front yard along the front property line of the lot. The minimum depth of such front yard shall be 40 feet.

(2) *Side yard.* There shall be a side yard on each side of a building of not less than ten feet. A side yard adjacent to a street shall not be less than 25 feet.

(3) *Rear yard.* The depth of a rear yard shall be a minimum of 25 feet.

(E) Intensity of use.

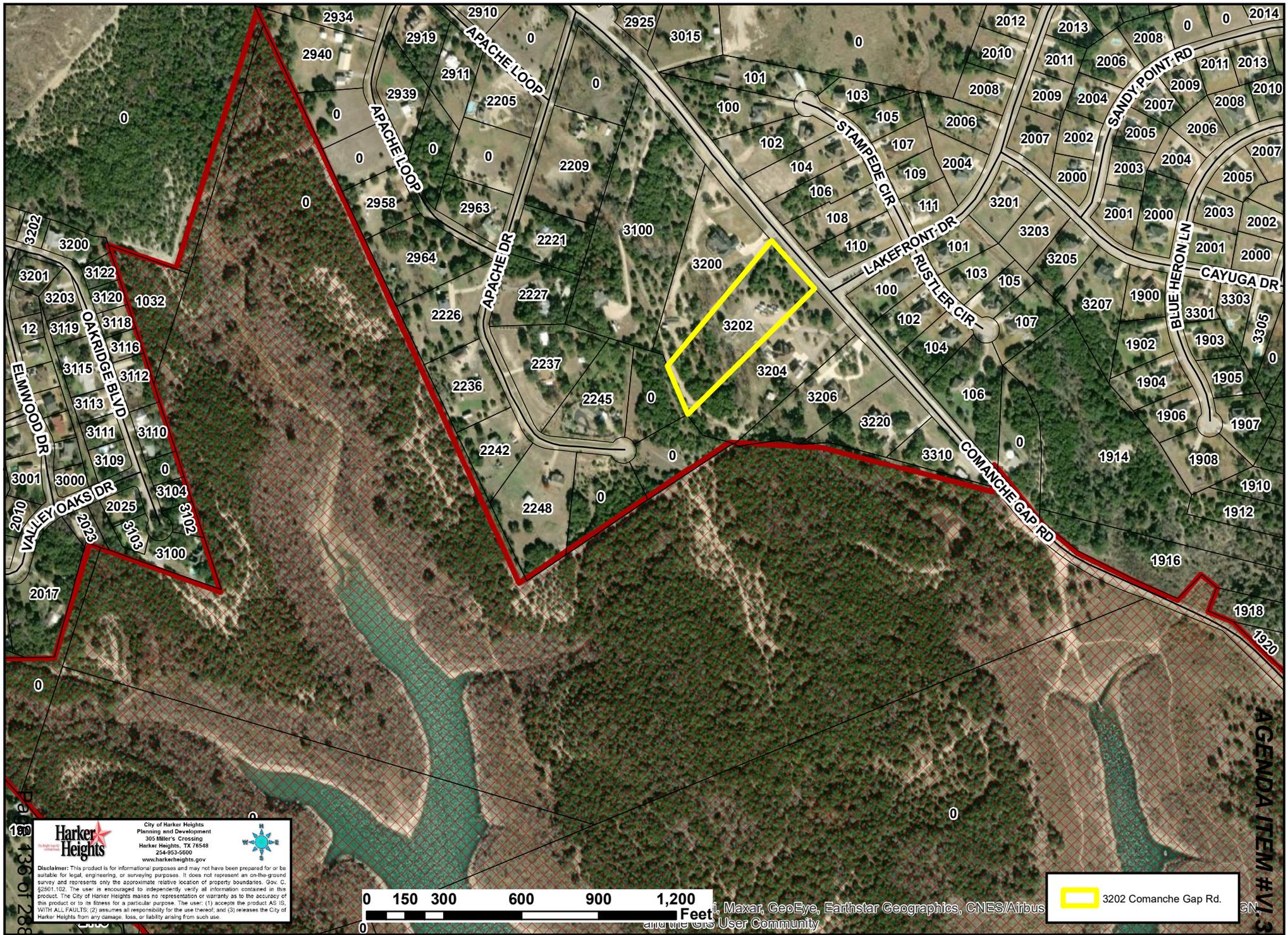
- (1) Every lot or tract of land shall have an area of not less than two acres. The lot width shall be a minimum of 100 feet.

(2) If a long narrow strip of land is utilized for lot access to a public right-of-way it shall have a minimum width of 60 feet and shall not be included when calculating the overall density of the lot.

(F) Signs. As per Chapter 151.

(G) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-26, passed 9-14-10)



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City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-953-5600
www.harkerheights.gov

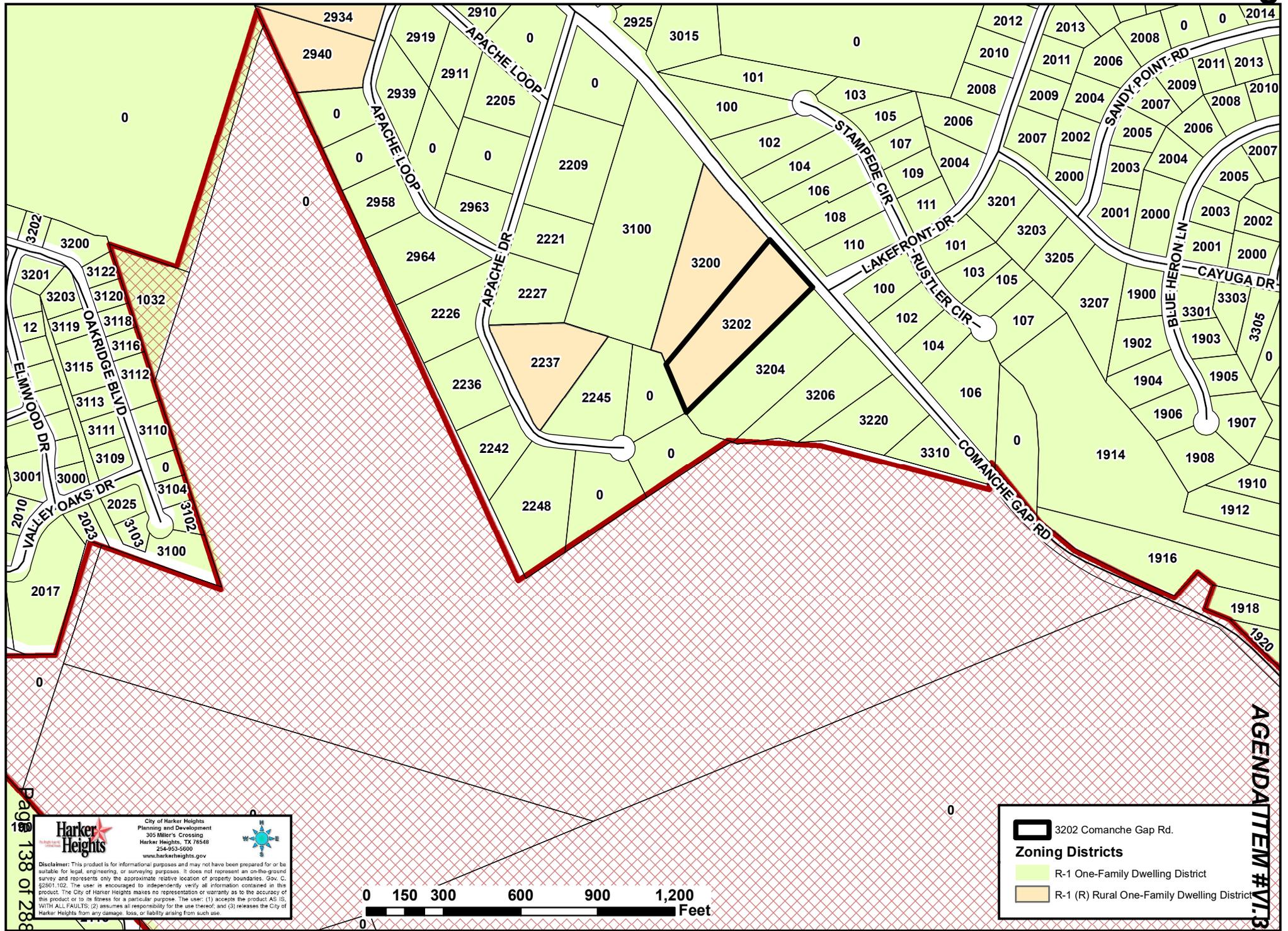
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3202 Comanche Gap Rd.

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

AGENDA ITEM #13



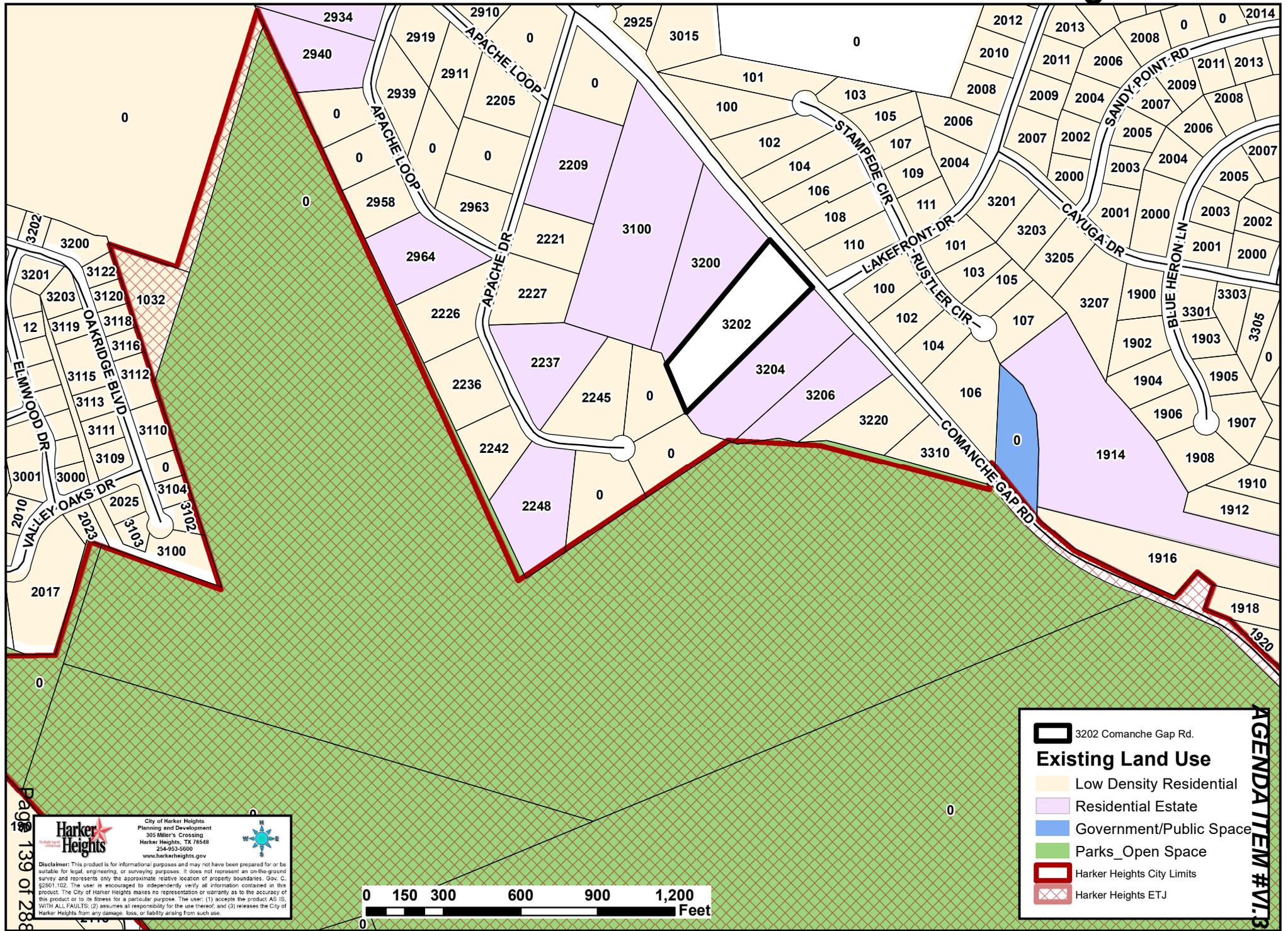
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Zoning Districts

- 3202 Comanche Gap Rd.
- R-1 One-Family Dwelling District
- R-1 (R) Rural One-Family Dwelling District



3202 Comanche Gap Rd.

Existing Land Use

- Low Density Residential
- Residential Estate
- Government/Public Space
- Parks_Open Space
- Harker Heights City Limits
- Harker Heights ETJ

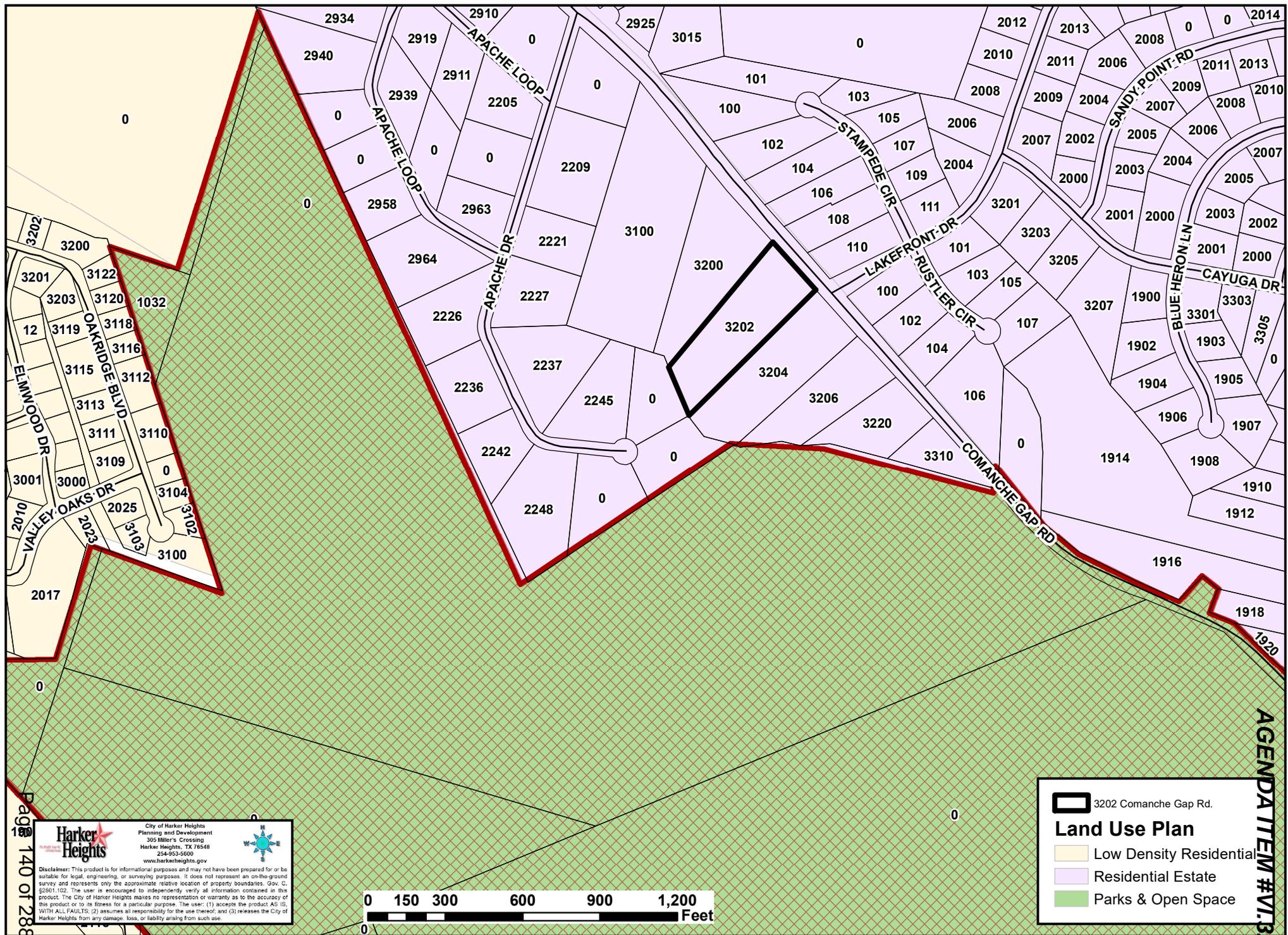
AGENDA ITEM #V1.3

Harker Heights

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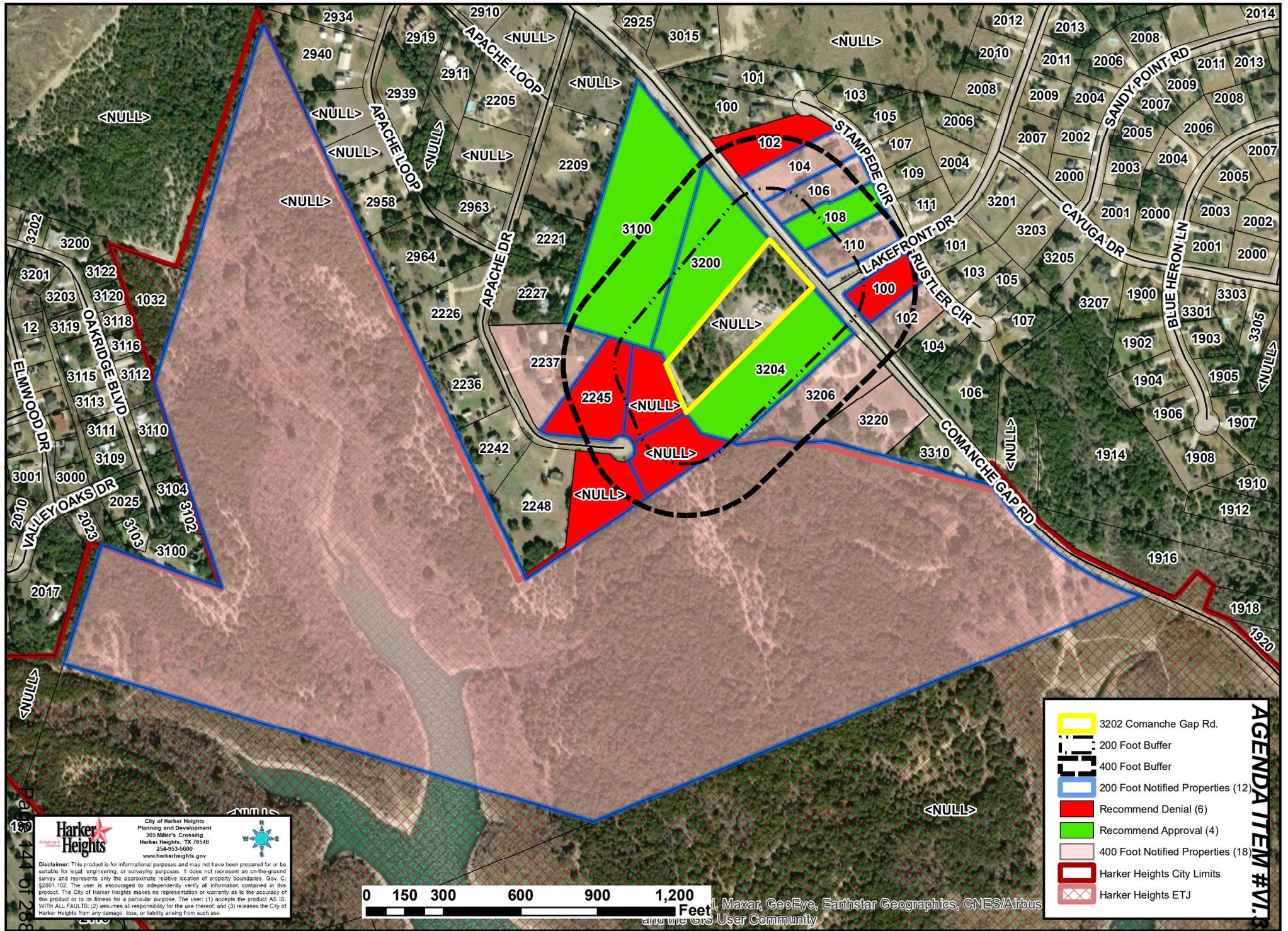
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3202 Comanche Gap Rd.

Land Use Plan

- Low Density Residential
- Residential Estate
- Parks & Open Space



AGENDA ITEM #11

- 3202 Comanche Gap Rd.
- 200 Foot Buffer
- 400 Foot Buffer
- 200 Foot Notified Properties (12)
- Recommend Denial (6)
- Recommend Approval (4)
- 400 Foot Notified Properties (18)
- Harker Heights City Limits
- Harker Heights ETJ

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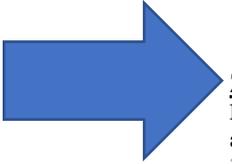
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Map data by Maxar, GeoEye, Earthstar Geographics, CNES/Airbus and the GIS User Community

CLARIFICATION ON CASE NUMBER FOR PUBLIC RESPONSES.

The case number included on this notification was mistakenly shown as Z22-05 and should have been Z22-06. Responses received are included, and staff has made sure they were posted to the correct case.



Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: HAMMOND, FRANK A ETUX ELFI K H

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

Physical Address	Property ID
3100 COMANCHE GAP RD	45511

Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District)** to **R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

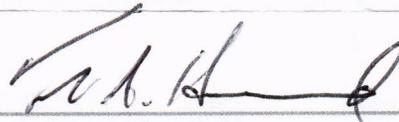
- I RECOMMEND APPROVAL OF THE REQUEST
- I RECOMMEND DENIAL OF THE REQUEST

Comments:

I have no objections to this request.

Frank A. Hammond

Printed Name



Signature

3/17/22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WITHERS, MICHAEL ANTHONY & DUNYASHA TRIS

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

Physical Address	Property ID
3200 COMANCHE GAP RD	467874

Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District)** to **R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Michael A. Withers
Printed Name

[Handwritten Signature]
Signature

16 March 2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: HELEMS, ROBERT E & JULIA R

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

Physical Address	Property ID
100 RUSTLER CIR	352088

Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District)** to **R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Julia R. Helems

Printed Name

Julia R. Helems

Signature

3/19/2022

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: GARCIA, RAUL ETUX CASSIE

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

Physical Address	Property ID
APACHE DR	116763

Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District)** to **R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Raul G. Garcia Raul G. Garcia 3-22-22
 Printed Name Signature Date

Received

MAR 23 2022

Planning & Development

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BAERGA, ADRIANA & RAYMOND GONZALEZ

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

Physical Address	Property ID
102 STAMPEDE CIR	352066

Z22-05 RE: application has been made to consider a request to change zoning designation from **R1-R (Rural One-Family Dwelling District)** to **R-1 (One-Family Dwelling District)** on one acre as illustrated in Exhibit 1 on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Adriana Baerga
Printed Name

[Signature]
Signature

3/20/2022
Date

Received

MAR 28 2022

Planning & Development

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-1 (ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A PORTION OF A1049BC W H RUSSELL, 2, ACRES 3.3, PROPERTY ID #424038 GENERALLY LOCATED AT 3202 COMANCHE GAP ROAD, HARKER HEIGHTS, 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; and

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, as previously zoned R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, Texas, as shown in the attached Exhibit 1 - Site Plan.

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>
2022-	4/12/2022	Granting R-1 (One-Family Dwelling District) on property described as a portion of A1049BC W H Russell, 2, Acres 3.3, Property ID #424038 generally located at 3202 Comanche Gap Road, Harker Heights, 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) ON PROPERTY DESCRIBED AS BEING ALL THAT CERTAIN 51.13 ACRE TRACT OF LAND SITUATED IN THE URIAH HUNT SURVEY, ABSTRACT NO. 401, AND BEING ALL OF THE CALLED 6.271 ACRE TRACT OF LAND RECORDED IN VOLUME 2840, PAGE 342, ALL OF THE CALLED 2 ACRE TRACT OF LAND RECORDED IN VOLUME 3867, PAGE 611, ALL OF THE CALLED 33.867 ACRE TRACT OF LAND RECORDED IN VOLUME 4132, PAGE 628, ALL OF THE CALLED 1 ACRE TRACT OF LAND RECORDED IN VOLUME 5885, PAGE 918, ALL OF THE CALLED 2.0 ACRE TRACT OF LAND RECORDED IN INSTRUMENT NO. 202000014838, ALL OF THE DEED RECORDS OF BELL COUNTY, TEXAS AND ALL BELONGING TO JORDANNA D. PACKWOOD, AND ALL OF THE CALLED 5.989 ACRE TRACT OF LAND DESCRIBED IN DEEDS TO JORDANNA PACKWOOD 2011 TRUST, RECORDED IN INSTRUMENT NO. 201900047413, DEED RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 1833 TONKAWA TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) on property generally located at 1833 Tonkawa Trail. The applicant met with city staff after applying for a permit to construct a new residence. During the meeting it was discovered there are several existing accessory structures on the property, detailed below:

Property ID	Accessory Category	Existing Structure Type	Existing Structure Area (Sq. Ft.)	Cumulative Area of Existing Accessory Buildings (Sq. Ft.)
22586	N/A	Residence	1,892	
25586	Large	Garage	616	
25586	Large	Pool	~1,500	
25586	Large	Cov/Can/Awing (Storage)	594	594
81612	N/A	Residence	2,040	
81612	Large	Garage 1	480	
81612	Large	Garage 2	484	
81612	Large	Storage	1,600	2,194
81612	Large	Storage	192	2,386
81612	Large	Cov/Can/Awing (Storage)	1,200	3,586
81612	Large	Cov/Can/Awing (Storage)	5,200	8,786

The applicant has expressed their intent to construct an additional garage/shop to store multiple vehicles, equipment, etc. The existing shop consists of approximately 5,200 square feet, and currently houses tractors, trailers, tractor implements, and a backhoe. The applicant has also applied for a building permit to construct a new residence on Property ID #90539, consisting of 2 acres. She intends to demolish her existing house within one (1) year of the new residence being completed. This request is two-fold, as the applicant will need a Conditional Use Permit (CUP) to temporarily allow for multiple dwelling structures, and accessory structures in excess of what is allowed by R-1 (One-Family Dwelling District) or R1-R (Rural One-Family Dwelling District) zoning districts.

Parcel History

The applicant, or their family, have owned some of the parcels for approximately 20 years. This area was annexed into the city limits in February 2009 (Ordinance #2009-19), under the R-1 (One-Family Dwelling District) zoning designation. The table below contains the property history summary.

Property ID	Parcel Size	Improvements	Year obtained by applicant
232942	43.138	None	2000
113479	1.0	None	2005
39366	5.989	None	2019
25586	2.0	Residence, Garage, Pool, Storage	1998
81612	6.271	Residence, Garages, Storage	1992
90539	2.0	None	2020

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Low Density Residential	Low Density Residential	R1-R (Rural One-Family Dwelling District)
South	Low Density Residential	Low Density Residential Medium Density Residential	R-1 (One-Family Dwelling District)
East	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
West	Low Density Residential Medium Density Residential High Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District) R1-M (One-Family Manufacture Home Dwelling District) R-2 (Two-Family Dwelling District) R-3 (Multi-Family Dwelling District)

The 2021 Land Use Plan identifies this area as designated for Low Density Residential use; therefore, the proposed rezoning is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan & Land Use Plan.

Thoroughfare Plan

Warrior's Path Road is identified as a minor arterial road in the Mobility 2030 Thoroughfare Plan. This classification of roadway is between 60-80 feet wide. These are high-speed and high-volume roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function. Tonkawa Trail is a private access easement.

Flood Damage Prevention

A portion of this property lies within the 100-year floodway, but none is within the 500-year flood hazard area. If a structure is built or placed upon this property, the Finished Floor Elevation (FFE) would have to be a minimum of 2' (2-feet) above the Base Flood Elevation (BFE), and the applicant would be required to provide an Elevation Certificate from a Texas Design Professional.

Pharr vs. Tippett Considerations

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

NOTICES:

Based on the most recently approved tax roll available, staff sent out twenty-eight (28) notices to property owners within the 400-foot notification area. As of April 4, 2022, two (2) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Alternatives Considered

Staff considered two (2) alternatives for this case.

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

Staff Recommendation

Staff recommended approval to the Planning and Zoning Commission of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) for the property in this case with the following conditions:

1. The approximate 5,200 square foot existing accessory structure, located on parcel 81615, is permitted to remain.
2. The maximum number of accessory buildings shall be allowed to exceed one per acre on parcels 25586, 81612, and 90539 provided that the aggregate number of all existing accessory buildings plus residence structures as shown in Exhibit 1 for those parcels is not exceeded.
3. The maximum aggregate square footage of accessory buildings shall be allowed to exceed 1,000 square feet per acre on parcels 25586, 81612, and 90539 provided that

the cumulative square footage for those three parcels does not exceed 13,000 square feet.

4. The maximum aggregate square footage of accessory buildings shall be allowed to exceed 10,000 square feet on parcels 25586, 81612, and 90539 provided that the cumulative square footage for those three parcels does not exceed 13,000 square feet.
5. Multiple residences to be allowed on the property for a temporary period as requested by the owner in Exhibit 2. The two existing residences shown in Exhibit 1 shall be demolished and removed from the property no later than 30 months from the date of approval.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) for this parcel with the five conditions presented and based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve/disapprove with explanation** an ordinance to change from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described as being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, Harker Heights, Bell County, Texas with the five (5) conditions presented and based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Applications; Ordinances; Exhibit 1-Survey; Exhibit 2-Intent; New Residence Documents; Location Map; Zoning Map; Existing Land Use Map; Land Use Map; Notification Area Map; Public Responses; Proposed Ordinance](#)



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: JORDANNA DACKWOOD LARSON Date: MARCH 2, 2022
 Address: 2900 TONKAWA TRAIL (SEE ATTACHED SURVEY)
 City/State/Zip: HARKER HEIGHTS, TX 76548
 Phone: (254) 289-2272 E-mail: jordanna.dackwood@hotmail.com

Legal Description of Property:

Location of Property (Address if available): 2900 TONKAWA TRAIL HARKER HEIGHTS, TX 76548
 Lot: _____ Block: _____ Subdivision: _____
 Acres: _____ Property ID: _____ Survey: U-HUNT (SEE ATTACHED)

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: _____
 Current Zoning Classification: R-1 Proposed Zoning: R-1-R
 Current Land Use: RESIDENTIAL Proposed Land Use: RESIDENTIAL RURAL

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.

JORDANNA DACKWOOD LARSON
 Printed Name of Property Owner

Jordanna Dackwood Larson
 Signature of Property Owner

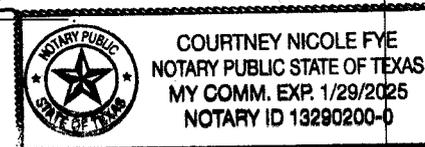
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 2nd DAY OF March, 2022

Courtney Nicole Fye
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 3/2/22

STAFF ONLY -- DO NOT FILL OUT BELOW

Receipt #: 01799973

Received By: C. Fye

Pre-Application Meeting

Case #: _____

Revised: 5/2020

[Handwritten signature]



Conditional Use Permit Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. Site Plan
4. Letter of Intent
5. Please thoroughly read Section 155.201 - Conditional Use Permits (see attached)

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

Property Owner(s) Name: JORDANNA PACKWOOD LARSON Date: MARCH 2, 2022

Address: 2900 TONKAWA TRAIL (SEE ATTACHED SURVEY)

City/State/Zip: HARKER HEIGHTS, TX 76548

Phone: (254) 289-2272 E-mail: jordannapackwood@hotmail.com

Legal Description of Property:

Location of Property (Address if available): 2900 TONKAWA TRAIL HARKER HEIGHTS, TX 76548

Lot: _____ Block: _____ Subdivision: _____

Acres: _____ Property ID: _____ Survey: H HUNT (SEE SURVEY)

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

Current Zoning Classification: R-1

Future Land Use Designation: R-1-R

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.

JORDANNA PACKWOOD LARSON
 Printed Name of Property Owner

Jordanna Packwood Larson
 Signature of Property Owner

Printed Name of Representative

Signature of Representative

Date Submitted: 3.2.22
 Received By: C. Fye

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01800077

Case #: _____

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right:

- (1) Site-built, single-family dwellings and industrialized housing.
- (2) Church or other place of worship.
- (3) Municipal buildings, non-profit libraries or museums, police and fire stations, public utilities (without outside storage yards or electric substations), public parks, playgrounds, municipal golf courses, public recreation facilities, and community buildings.
- (4) Customary home occupations as defined in §155.003.
- (5) *Accessory structure.*

(a) One small accessory building (not exceeding 144 square feet) per residence customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Structure must be built upon a moveable foundation;
- 2. Structure cannot exceed 12 feet in height;
- 3. Structure must set behind the rear facade of the main residence building and must be setback five feet from the rear property line and six feet from the side property line; and
- 4. Materials, building design, and construction must comply with the requirements of Ch. 150.

(b) Large accessory buildings customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Building materials and facade must be consistent with the main residence building materials and facade;
- 2. Large accessory building must be behind the front facade of the main residence;
- 3. The height of the large accessory building cannot exceed that of the main residence building;
- 4. Number, size, setbacks and height requirements based on the size of the lot as follows:

Lot Size	Number of Large Accessory Structures Allowed	Maximum Aggregate Size of All Accessory Structures	Setbacks	Maximum Height
< 10,000 square feet	1	250 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> 10,000 square feet < .5 acre	1	500 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> .5 acre < 1 acre	2	1,000 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet
> 1 acre	4	1,500 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet

- (6) Private garage.
- (7) Home based child care.
- (8) Real estate sales office, or temporary living quarters to provide security during the development of residential subdivisions, but not to exceed two years.
- (9) Low impact telecommunication towers.
- (10) Public schools.

(B) *Conditional uses.* The following require conditional use permits:

- (1) Private schools having a curriculum equal to a public elementary, high school, or institution of higher learning (except home schooling).

(2) Neighborhood association facilities.

(3) Farms, nurseries, truck gardens and greenhouses, provided no sales offices are maintained and no livestock are kept within 250 feet of a residence of any person other than the farm owner.

(4) Accessory dwelling for a relative or servant (not for rent).

(5) Accessory structure as provided by § 155.040.

(C) *Height regulations.* No building shall exceed two and one-half stories or 35 feet in height.

(D) *Front yard, side yard, and rear yard.* As per Table 21-A.

(E) *Intensity of use.* Every lot or tract of land shall have an area of not less than 8,400 square feet and an average overall width of not less than 70 feet and a minimum lot frontage of not less than 45 feet. Except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this chapter and shall not have changed since the date, such parcel of land may be used for a single family dwelling.

(F) *Additional use, height, and area regulation.* Additional use, height, and area regulations and exceptions are found in § 155.040.

(G) *R-1(M) zoning designation.* R-1(M) is a one family residential lot that also allows manufactured homes. All manufactured housing structures installed after December 31, 1999, must be installed on a permanent foundation, as that term is defined in § 152.01.

(1) In order to be approved, the manufactured home must be found to have design compatibility with other dwellings in the neighborhood.

(2) The following standards apply to any placement of a manufactured home on a lot after December 31, 1999:

(a) Roofing shall be similar in color, material and appearance to the roofing material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the neighborhood.

Materials shall include asphalt composition, shingle, tile, crushed rock, standing seam metal or similar materials (except all other metal). Roof pitch shall be a minimum of 3/12.

(b) Exterior siding shall be similar in color, material, and appearance to the exterior siding material commonly used on residential dwellings within the community or comparable to predominant materials used on dwellings within the neighborhood. Exterior siding shall be of brick, wood, stucco, plaster, concrete or other material which is finished in a non-glossy and non-reflective manner.

(c) If a garage/carport is constructed, it must be similar in appearance to others in the neighborhood and constructed of like materials as that of the primary home.

(d) Two all-weather surface off street parking spaces meeting the requirements of §155.061 shall be provided.

(3) Every manufactured home shall be placed so that the entrance or front of the home faces or parallels the principal street frontage, except:

(a) In cases where the lot is one acre or greater and the home is located more than 50 feet from the street; or

(b) Where the lot width is 60 feet or less.

(4) All entrances to a manufactured home shall be provided with permanent steps, porch or similar suitable entry.

(5) The lot must meet all applicable requirements of Chapter 154, and shall comply with the area regulations in (D) of this section. Variance in setbacks may be given in inches not to exceed one foot at the Building Official's discretion.

(H) *Signs* As per Chapter 151.

(I) *Parking.* As per §§ 155.061 through 155.068.

(J) *Storage.* Open storage is prohibited except for materials for the residents' use, such as firewood, gardening materials, and similar materials.

(K) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(L) *Industrialized housing.*

(1) Industrialized housing shall be considered real property and must:

(a) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

(b) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(c) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings;

(d) Be securely fixed to a permanent foundation; and

(e) Have all local permits and licenses that are applicable to site-built housing.

For purposes of this division, **VALUE** means the taxable **VALUE** of the industrialized housing and lot after installation of the housing.

(2) Any owner or authorized agent who intends to construct, erect, install or move any industrialized housing into the city shall first make application to the Building Official and obtain the required permits. In addition to any other information otherwise required for such permits, the application shall:

(a) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling, as determined by the most recent certified tax appraisal roll for the county;

(b) Describe the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located;

(c) Describe the permanent foundation and method of attachment proposed for the industrialized housing; and

(d) State the anticipated taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(3) A person commits an offense if the person:

(a) Constructs, erects, installs or moves any industrialized housing in the city without first obtaining a permit as required by this section; or

(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2002-28, passed 11-12-02; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-32, passed 10-12-10; Am. Ord. 2011-08, passed 4-19-11)

§ 155.021 R1-R RURAL ONE-FAMILY DWELLING DISTRICT.

(A) Permitted uses.

- (1) Any use permitted by right in the R-1 District.
- (2) Non-commercial/small scale agricultural related uses to include:

- (a) 1. Farm animals kept and/or maintained for family food production, education, or recreation but excluding retail sales or commercial production.
- 2. All farm animals kept and/or maintained for family food production, education or recreation shall be subject to all regulations stated in Chapter 90 of this code.
- (b) The raising of and harvesting of tree crops, row crops, or field crops for family food production but excluding retail sales or commercial production.
- (c) The growing of horticultural and floricultural specialties such as flowers, shrubs, or trees intended for ornamental or landscaping purposes but excluding retail sales or commercial production.

(3) Accessory buildings.

(a) Accessory building or buildings whose use is incidental to the above uses (not involving the conduct of a business or to be used as a dwelling unit), when located on the same lot, other than private garage for one or more cars. Accessory buildings that fall under this category shall include such buildings as private stables, barns, farm equipment storage buildings and other buildings incidental to small agricultural production and storage are permitted provided they meet the following standards:

- 1. The maximum 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;
- 4. Materials, building design and construction must comply with the requirements of Chapter 150 of this code.

(b) Accessory buildings with metal exteriors shall be allowed in an R1-R District provided they meet the following standards:

- 1. The accessory building shall meet all the requirements of division (A)(3)(a) above;
- 2. Metal exteriors must be constructed using permanently painted 26 gauge or higher steel.

(B) Conditional uses.

- (1) Any conditional use permitted in the R-1 District.
- (2) Commercial or large scale agriculture provided that the density of the lot or tract of land is ten acres or greater and that all farm animals kept and/or maintained shall be subject to all regulations stated in Chapter 90 of this code.

(C) Height regulations. Same as in R-1 District.

(D) Area regulations. As per Table 21-A.

- (1) *Front yard.* There shall be a front yard along the front property line of the lot. The minimum depth of such front yard shall be 40 feet.
- (2) *Side yard.* There shall be a side yard on each side of a building of not less than ten feet. A side yard adjacent to a street shall not be less than 25 feet.
- (3) *Rear yard.* The depth of a rear yard shall be a minimum of 25 feet.

(E) Intensity of use.

- (1) Every lot or tract of land shall have an area of not less than two acres. The lot width shall be a minimum of 100 feet.
- (2) If a long narrow strip of land is utilized for lot access to a public right-of-way it shall have a minimum width of 60 feet and shall not be included when calculating the overall density of the lot.

(F) Signs. As per Chapter 151.

(G) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-26, passed 9-14-10)

§ 155.201 CONDITIONAL USE PERMITS.

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

(B) *Planning and Zoning Commission consideration.*

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

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

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

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

- (a) The proposed use does not conform with applicable regulations and standards established by this chapter;
- (b) The proposed use will be inconsistent with the objectives and purposes of the zoning district in which the development is located, or the goals, objectives and policies set forth in the city's current Comprehensive Zoning Plan;
- (c) The proposed use will be incompatible with existing or permitted uses on abutting sites because of use, building height, bulk and scale, setbacks and open spaces, coverage, landscaping and screening, drainage, or access and circulation features;
- (d) The proposed use is not suitable to the premises or structure(s) in which it will be conducted;
- (e) The proposed use potentially creates greater unfavorable effects or impacts on existing or permitted uses on abutting sites than those which might reasonably result from the use of the site for a use permitted by right;
- (f) The proposed use will be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity in a manner specified by the Commission;
- (g) The proposed use fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, or similar hazards or impacts;
- (h) The proposed use will materially and adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area under existing zoning regulations;
- (i) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs; or
- (j) The proposed use fails to provide adequate and convenient off-street parking and loading facilities.

(C) *City Council consideration.*

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

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

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers,

fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

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

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

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

(E) *Term.*

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

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

(b) The permit expires by its own terms;

(c) The property is rezoned;

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

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

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

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

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

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

Jordanna Packwood Larson
1833 Tonkawa Trail
Harker Heights, Texas 76548
254-289-2272

City of Harker Heights
Planning & Development
305 Millers Crossing
Harker Heights, Texas 76548
254-953-5647

March 1, 2022

Dear Planning and Development Members,

My name is Jordanna Packwood Larson. My address is 1833 Tonkawa Trail Harker Heights, Texas 76548. I am writing this Letter of Intent for the consideration of a Conditional Use Permit for my upcoming construction of my new house, the demolition of my existing house, as well as the construction of an unattached garage/shop.

YEAR 1

The **upcoming construction of the new house** will be located at the address currently known as **2900 Tonkawa Trail**. Attached to this application are copies of the front and back elevation, floor plan, electrical plan, foundation plan, spray foam installation, and a sketch of the plat for the house. I currently plan to start construction as soon as I receive the permit from the City of Harker Heights. We estimate the building of the house should take **no longer than one year** from start to finish as long as materials are available in a timely manner.

YEAR 2

The **demolition of the existing house** currently known as **1833 Tonkawa Trail** will begin as soon as we move into the new house. We plan on taking apart and selling what we can and then demo what is left. We ask that we are **given one year** to complete this task.

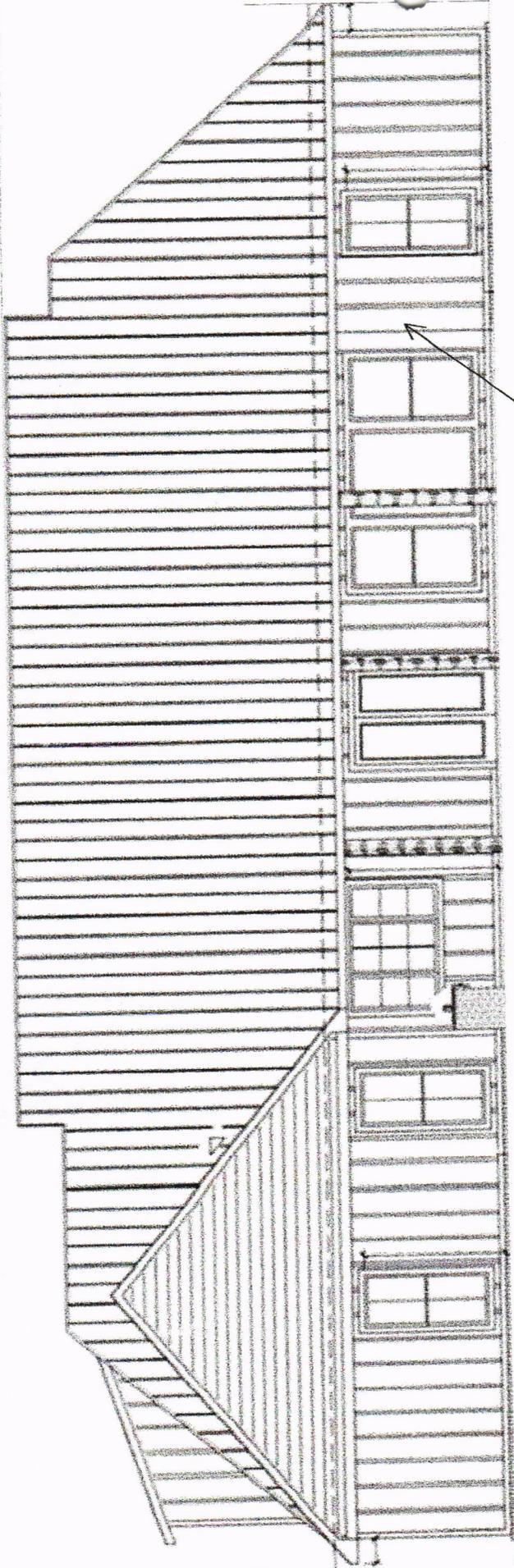
In the same year we are **tearing down 1833 Tonkawa Trail**, we plan on **rebuilding a brand new garage/shop** located at **1897 Tonkawa Trail**. Currently, I have a shop and a residence located on the property. The shop is approximately 5,200 square feet, according to BellCAD. This structure has been here for about 27 years. I ask that I receive a variance for this building. It serves a purpose as a place to keep our tractors, backhoe, trailers, and other tractor implements. **In place of the residence that is here, we are going to demo this and build a brand new**

garage/shop. It will serve the purpose of a place to keep our vehicles and other items that need to be housed. I do not have plans in the works, yet. We are trying to get the new house built then decide on how to best do the garage/shop.

However, I will follow the Code of Ordinances set by the City of Harker Heights. I understand that the “accessory buildings” cannot exceed a total of 10,000 square feet per tract of land. Although, I have a combined total of 60 acres here, I will be sure to keep the total square feet in mind when planning the new garage/shop. I have attached a copy of a current survey for you to view, if needed.

In closing, I appreciate the Planning and Zoning Committee, the Staff with Planning and Development, and the City Council taking their time in consideration of my Conditional Use Permit to build a brand new “forever home” and to streamline what I have here. If there are any questions, please feel free to contact me.

Jordanna Packwood Larson

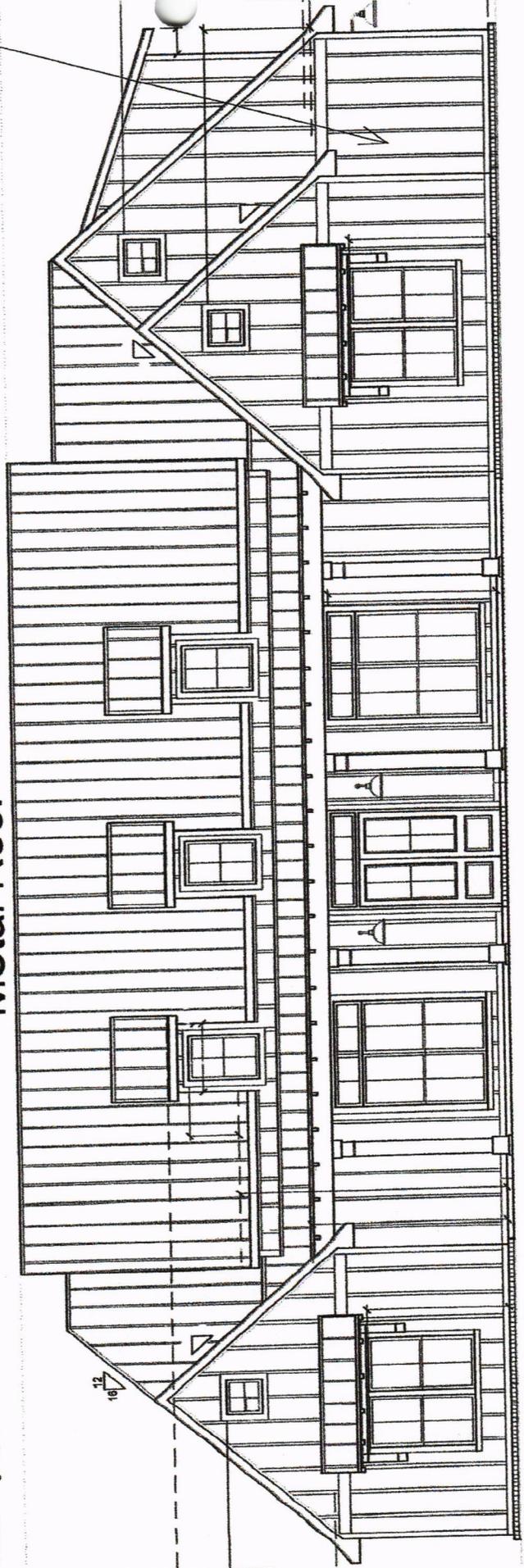


Rear Elevation

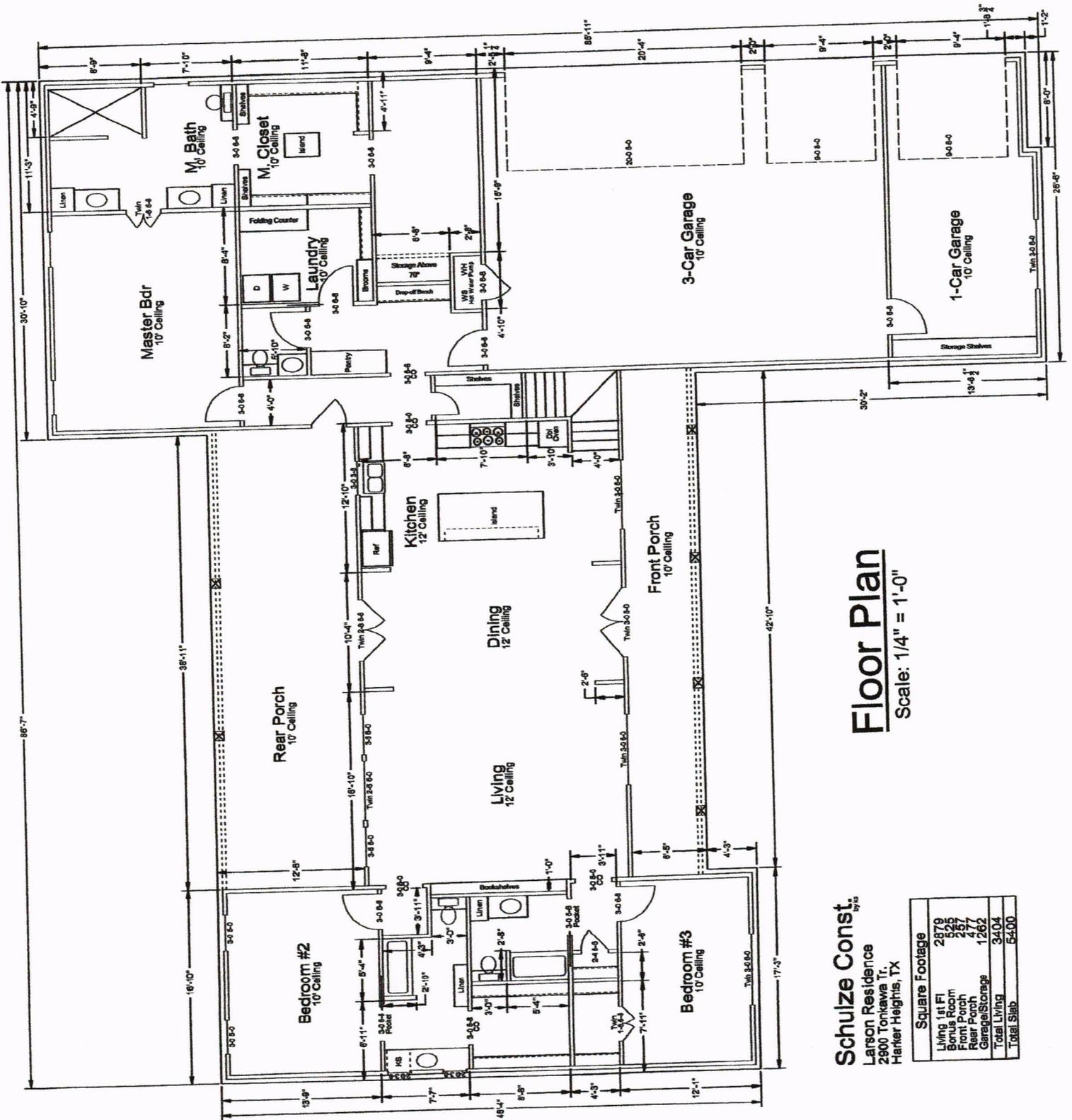
Brick Walls
All Around

Schulze Const.
Larson Residence
2900 Tonkawa Tr.
Harker Heights, TX

Metal Roof



Front Elevation

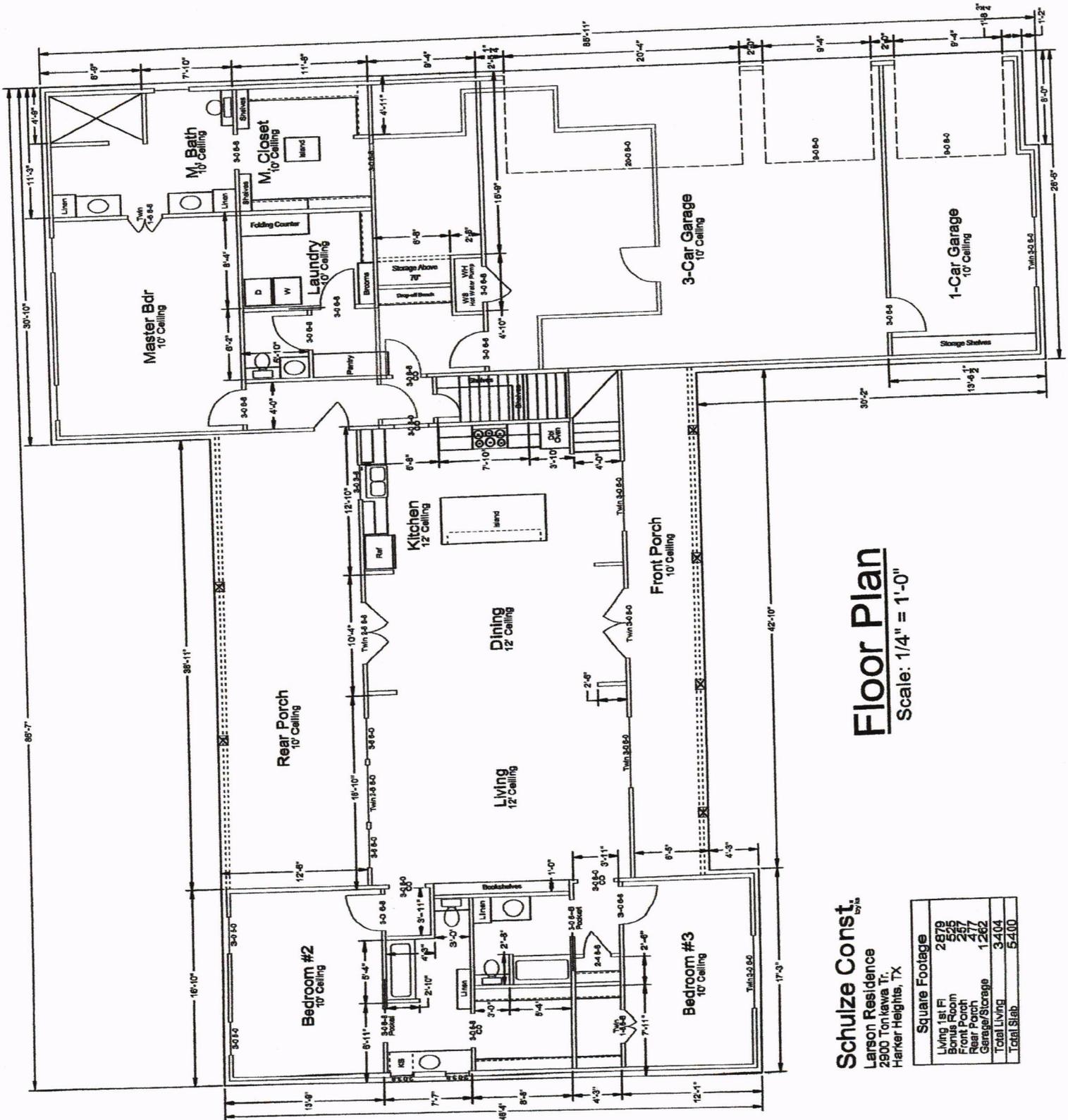


Floor Plan

Scale: 1/4" = 1'-0"

Schulze Const.
 Larson Residence
 2900 Tonkaya Tr.
 Harter Heights, TX

Square Footage	
Living 1st Fl	2879
Bar	525
Bedroom	259
Front Porch	477
Rear Porch	477
Garage/Storage	1262
Total Living	3404
Total Slab	5400

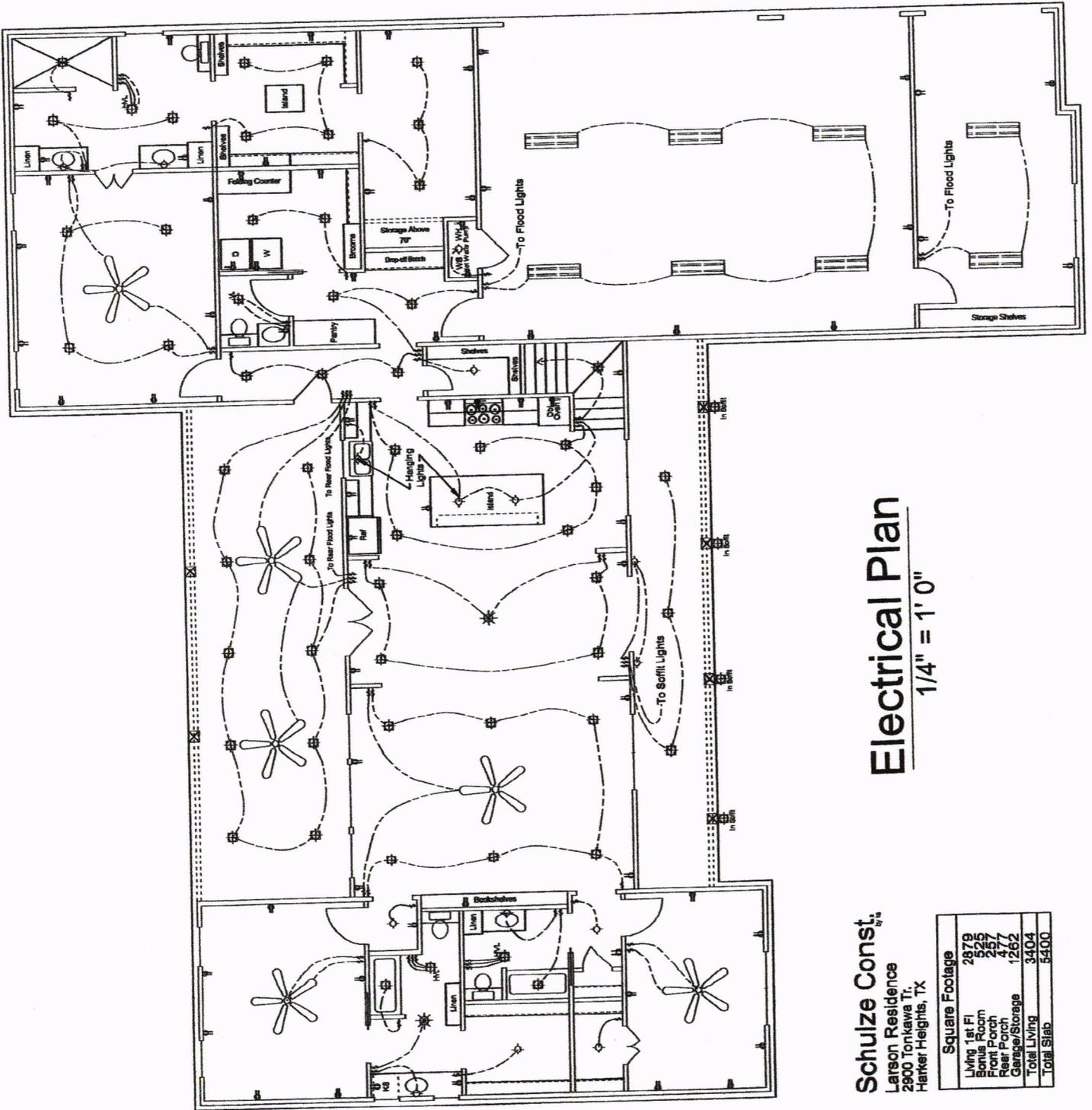


Floor Plan

Scale: 1/4" = 1'-0"

Schulze Const.
 Larson Residence
 2900 Tonkawa Tr.
 Harker Heights, TX

Square Footage	
Living 1st Fl	2879
Bonus Room	525
Front Porch	257
Rear Porch	477
Garage/Storage	1,262
Total Living	3,404
Total Slab	5,400

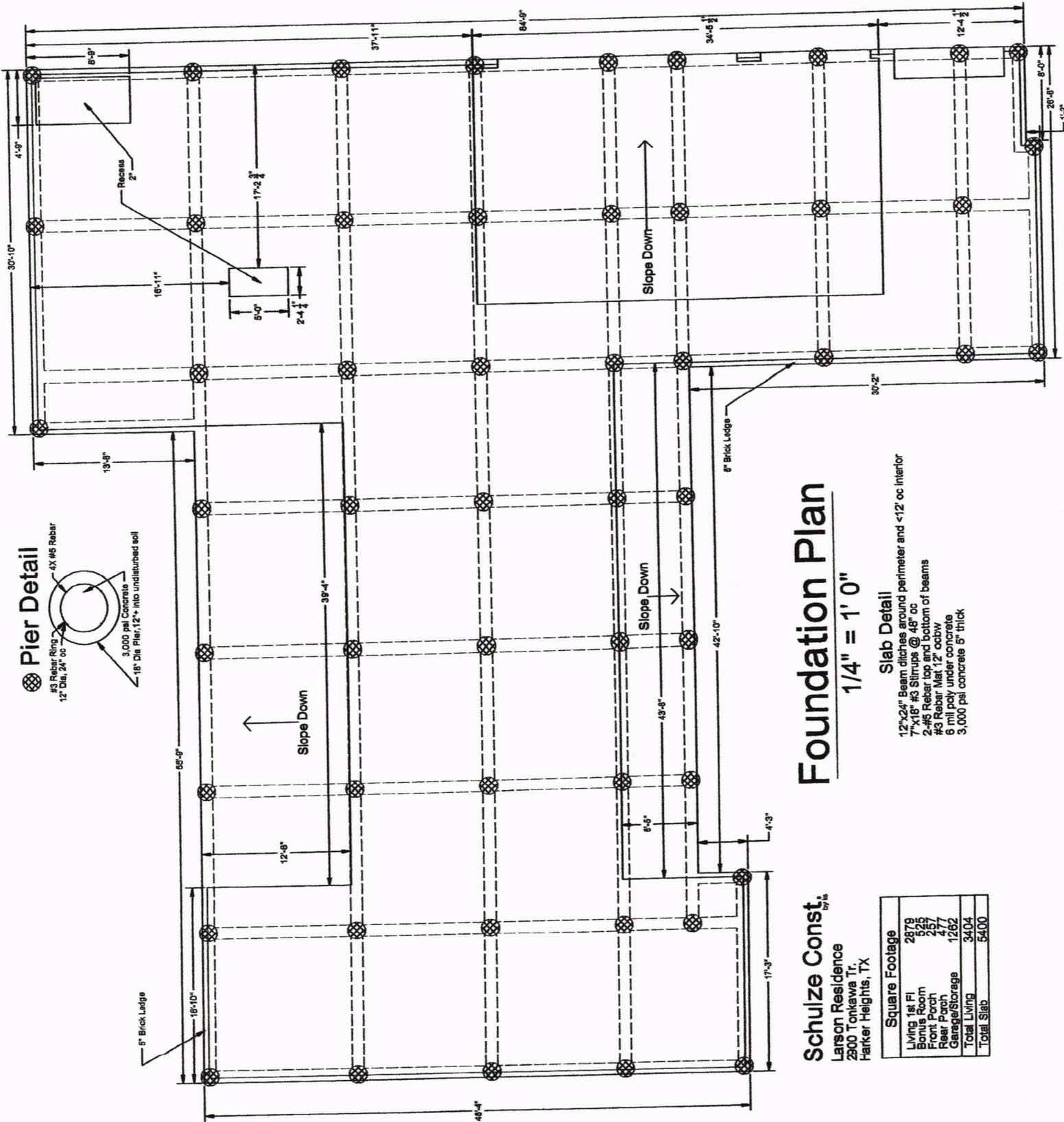


Electrical Plan

1/4" = 1' 0"

Schulze Const.
 Larson Residence
 2900 Tonkawa Tr.
 Harker Heights, TX

Square Footage	
Living 1st Fl.	2879
Bonus Room	529
Front Porch	297
Rear Porch	277
Garage/Storage	1262
Total Living	3404
Total Slab	5400



Foundation Plan

1/4" = 1' 0"

Slab Detail
 12'x24" Beam ditches around perimeter and <12' oc interior
 7'x16" #3 Stirrups @ 48" oc
 2-#6 Rebar top and bottom of beams
 #3 Rebar Mat 12" oc bw
 6 mil poly under concrete
 3,000 psi concrete 5" thick

Schulze Const.
 Larson Residence
 2900 Tonkawa Tr.
 Hecker Heights, TX

Square Footage	
Living 1st Fl	2879
Bonus Room	526
Front Porch	257
Rear Porch	477
Garage/Storage	1262
Total Living	3404
Total Slab	5400



Spray Foam Insulation Worksheet

This form shall be completed and submitted with the simulated performance alternative program (ResCheck, ComCheck) for new construction. ICC-ES must be submitted with this form for all submittals. This product must be installed per manufacturer installation instructions. City of Harker Heights is currently under the 2015 IECC.

Permit Information:

Job Address: 2900 Tonkawa Trail
 Property Owner: Paul + Jordanna Larson
 Contractor: Schulze Construction
 Contractor Address: 7491 FM 2410 Betterton Contractor Phone: 254-289-2379

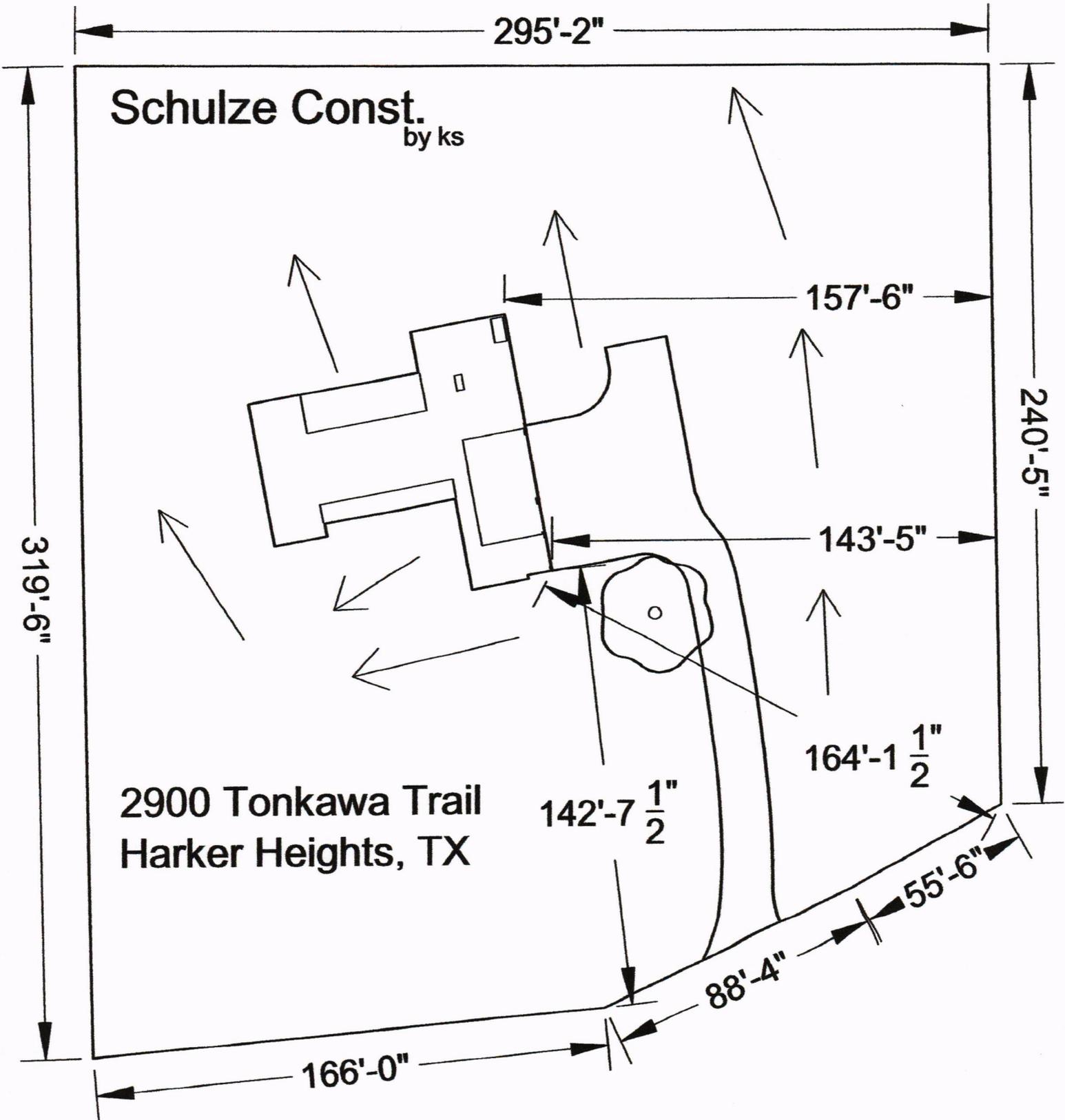
Insulation Information

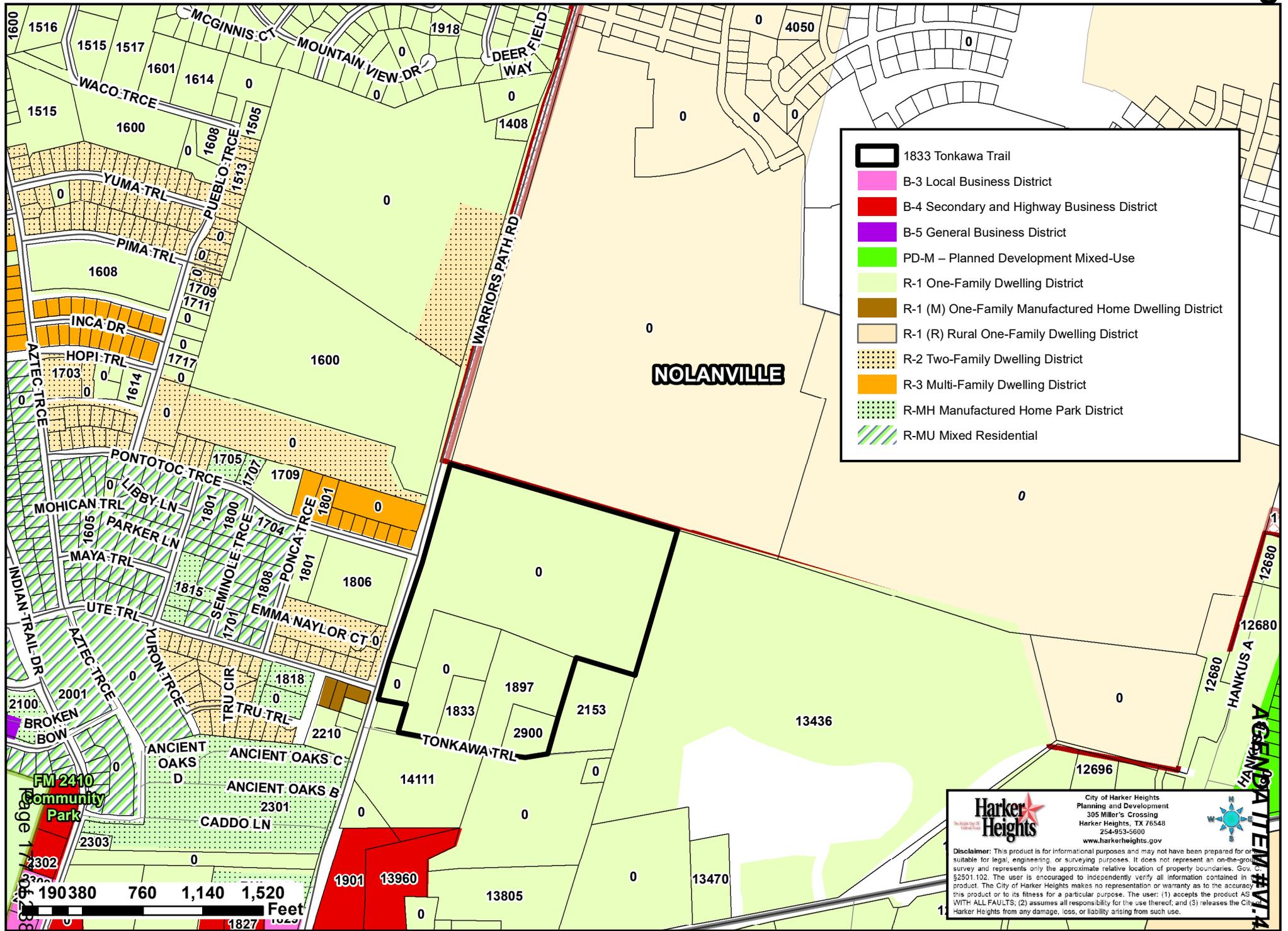
Product Name: ACCUFOAM OC
 Product Type: Open Cell: Close Cell: _____ R-Value Per Inch: 3.7
 Product Manufacturer: _____
 ICC-ES Evaluation Report Number: _____

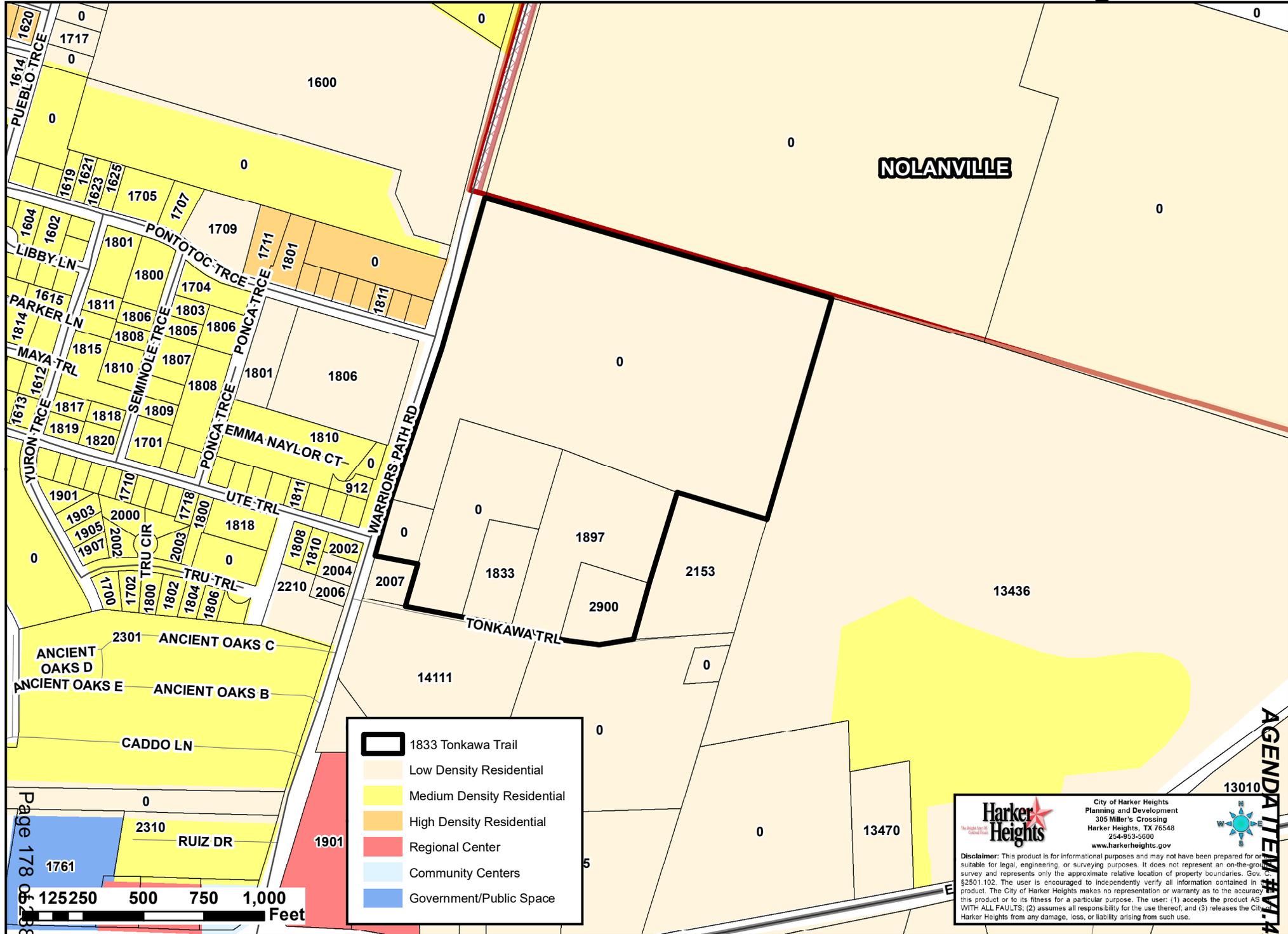
Location(s) Installed:	Thickness:	Installed R-Value:
<input checked="" type="checkbox"/> Attic/ Roof	<u>6</u>	<u>21</u>
<input type="checkbox"/> Vaulted Ceiling	_____	_____
<input checked="" type="checkbox"/> Wall Cavity/ Rim Joist	<u>3.5</u>	<u>13</u>
<input type="checkbox"/> Floor	_____	_____
<input type="checkbox"/> Basement Wall	_____	_____
<input type="checkbox"/> Crawl Space Wall	_____	_____
<input type="checkbox"/> Slab Underside	_____	_____

This product must be installed per manufacturer installation instructions.

Installer's Signature: Chris Mantz Date: 12-27-2021



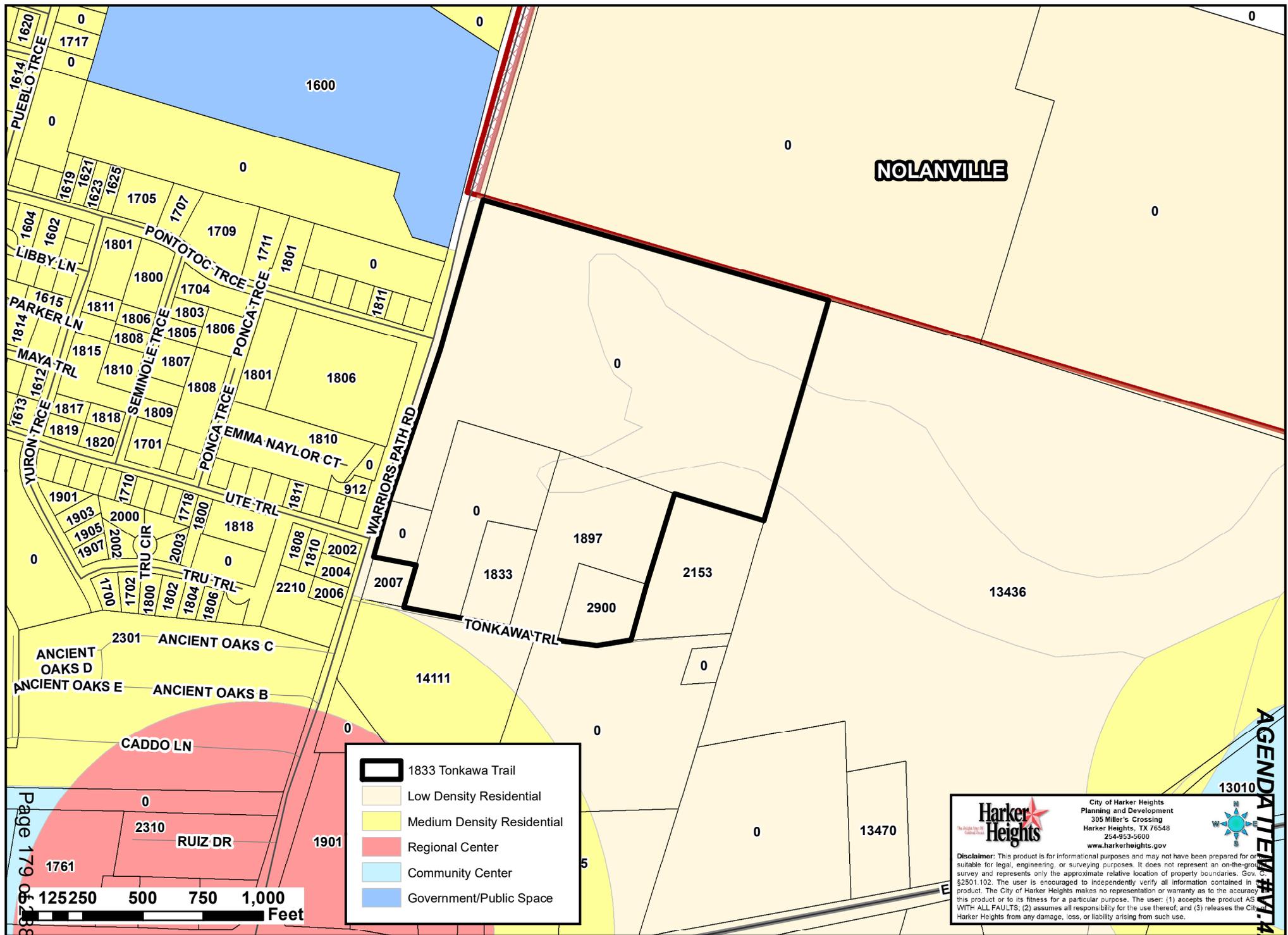




	1833 Tonkawa Trail
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Regional Center
	Community Centers
	Government/Public Space

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

Disclaimer: This product is for informational purposes and may not have been prepared for or 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. §2531.102. 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 the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



NOLANVILLE

-  1833 Tonkawa Trail
-  Low Density Residential
-  Medium Density Residential
-  Regional Center
-  Community Center
-  Government/Public Space

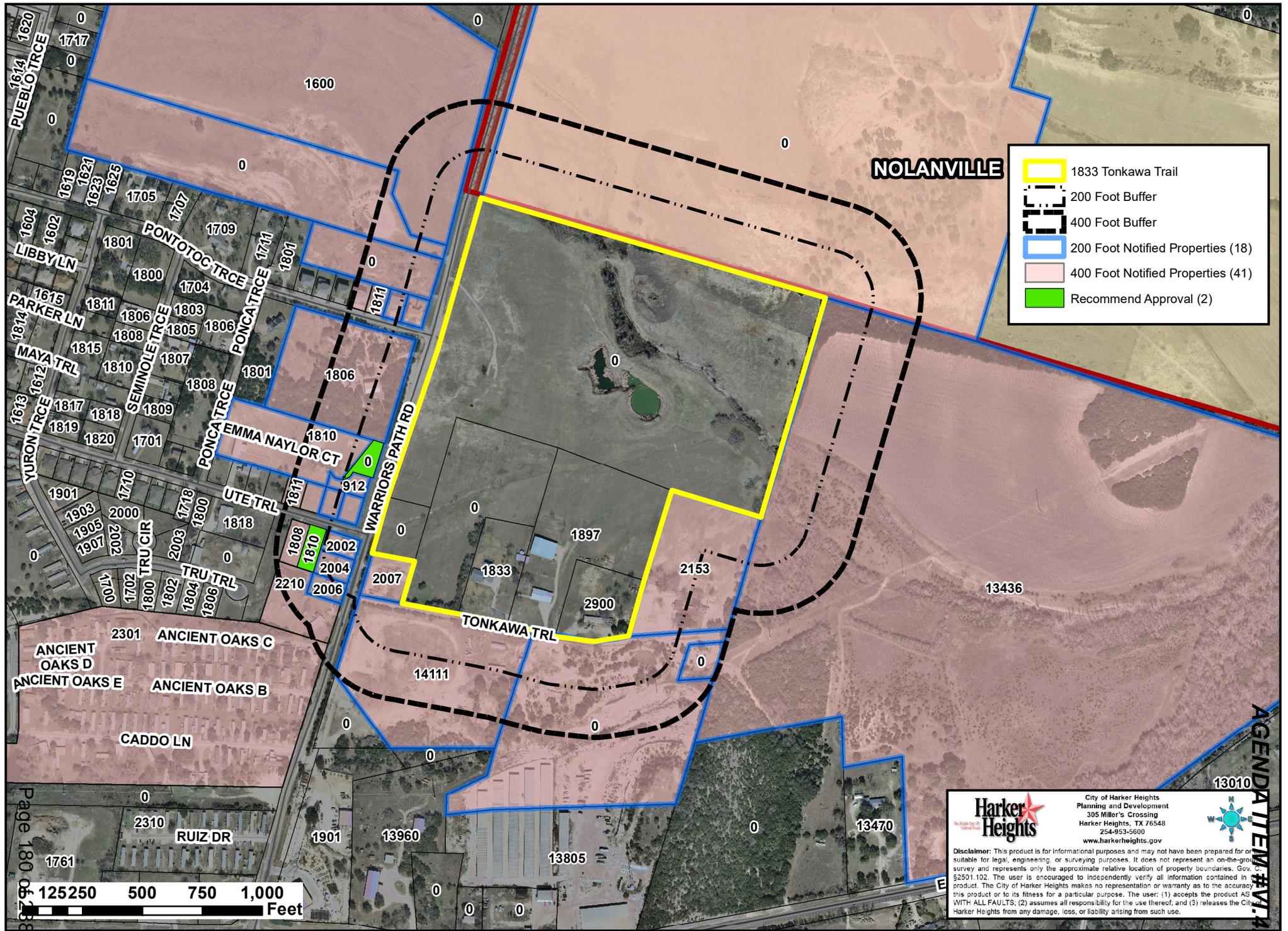
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125 250 500 750 1,000 Feet

AGENDA ITEM #14



1833 Tonkawa Trail

200 Foot Buffer

400 Foot Buffer

200 Foot Notified Properties (18)

400 Foot Notified Properties (41)

Recommend Approval (2)

Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
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125250 500 750 1,000 Feet

AGENDA ITEM #14

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 23 2022

FROM: GOMER, JEROME KENNETH ETUX RACHEL R **Planning & Development**

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

Physical Address	Property ID
1810 UTE TRL	4555

Z22-04 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) to temporarily allow for multiple dwelling units** on property described as *being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, Harker Heights, Bell County, Texas (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jerome Gomer

Printed Name

[Handwritten Signature]

Signature

3-23-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 23 2022

FROM: GOMER, JEROME KENNETH ETUX RACHEL R

Planning & Development

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

Physical Address	Property ID
	468016

Z22-04 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) to temporarily allow for multiple dwelling units** on property described as *being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, Harker Heights, Bell County, Texas (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jerome Gomer

Printed Name

[Signature]

Signature

3-23-22

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) ON PROPERTY DESCRIBED AS BEING ALL THAT CERTAIN 51.13 ACRE TRACT OF LAND SITUATED IN THE URIAH HUNT SURVEY, ABSTRACT NO. 401, AND BEING ALL OF THE CALLED 6.271 ACRE TRACT OF LAND RECORDED IN VOLUME 2840, PAGE 342, ALL OF THE CALLED 2 ACRE TRACT OF LAND RECORDED IN VOLUME 3867, PAGE 611, ALL OF THE CALLED 33.867 ACRE TRACT OF LAND RECORDED IN VOLUME 4132, PAGE 628, ALL OF THE CALLED 1 ACRE TRACT OF LAND RECORDED IN VOLUME 5885, PAGE 918, ALL OF THE CALLED 2.0 ACRE TRACT OF LAND RECORDED IN INSTRUMENT NO. 202000014838, ALL OF THE DEED RECORDS OF BELL COUNTY, TEXAS AND ALL BELONGING TO JORDANNA D. PACKWOOD, AND ALL OF THE CALLED 5.989 ACRE TRACT OF LAND DESCRIBED IN DEEDS TO JORDANNA PACKWOOD 2011 TRUST, RECORDED IN INSTRUMENT NO. 201900047413, DEED RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 1833 TONKAWA TRAIL, 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; and

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, as previously zoned R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described as being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed

Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, Harker Heights, Bell County, Texas with the following five conditions:

1. The approximate 5,200 square foot existing accessory structure, located on parcel 81615, is permitted to remain.
2. The maximum number of accessory buildings shall be allowed to exceed one per acre on parcels 25586, 81612, and 90539 provided that the aggregate number of all existing accessory buildings plus residence structures as shown in Exhibit 1 for those parcels is not exceeded.
3. The maximum aggregate square footage of accessory buildings shall be allowed to exceed 1,000 square feet per acre on parcels 25586, 81612, and 90539 provided that the cumulative square footage for those three parcels does not exceed 13,000 square feet.
4. The maximum aggregate square footage of accessory buildings shall be allowed to exceed 10,000 square feet on parcels 25586, 81612, and 90539 provided that the cumulative square footage for those three parcels does not exceed 13,000 square feet.
5. Multiple residences to be allowed on the property for a temporary period as requested by the owner in Exhibit 2. The two existing residences shown in Exhibit 1 shall be demolished and removed from the property no later than 30 months from the date of approval.

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>
2022-	4/12/2022	Granting R1-R (Rural One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described as being all that certain 51.13 acre tract of land situated in the Uriah Hunt Survey, Abstract No. 401, and being all of the called 6.271 acre tract of land recorded in Volume 2840, Page 342, all of the called 2 acre tract of land recorded in Volume 3867, Page 611, all of the called 33.867 acre tract of land recorded in Volume 4132, Page 628, all of the called 1 acre tract of land recorded in Volume 5885, Page 918, all of the called 2.0 acre tract of land recorded in Instrument No. 202000014838, all of the Deed Records of Bell County, Texas and all belonging to Jordanna D. Packwood, and all of the called 5.989 acre tract of land described in deeds to Jordanna Packwood 2011 Trust, recorded in Instrument No. 201900047413, Deed Records of Bell County, Texas, generally located at 1833 Tonkawa Trail, 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58, GENERALLY LOCATED AT 1608 PIMA TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 1608 Pima Trail. The parcel is un-platted and approximately 6.58 acres in size. The applicant’s representative has met with city staff regarding the procedure to plat this parcel pending approval of the request to change zoning.

Parcel History

The parcel was annexed into the city limits in 1988. Bell County Appraisal Records show there was a mobile home on the property at the time of the 2021 tax appraisal. There is an unexcepted street right of way that parallels the southern boundary of this parcel; separating it from the adjacent residential homes.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Medium Density Residential	Medium Density Residential	R-2 (Two-Family Dwelling District)
South	High Density Residential	Medium Density Residential	R-3 (Multi-Family Dwelling District)
East	Low Density Residential Medium Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District) R-2 (Two-Family Dwelling District)
West	Low Density Residential High Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District) R-3 (Multi-Family Dwelling District)

The current Land Use Plan identifies this area is designated for Medium Density Residential use; therefore, the proposed rezoning will not likely have an adverse impact to the neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan & Land Use Plan.

Thoroughfare Plan

The Mobility 2030 Thoroughfare Plan identifies Aztec Trace as a collector road. This classification of roadway has a 70 foot right of way. These are streets generally located within subdivisions or between subdivisions to collect traffic from minor (residential) streets and to channel this traffic to the major collectors. Residential lots may front on these streets.

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

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

NOTICES:

Staff sent out ninety-seven (97) notices to property owners within the 400-foot notification area. As of April 4, 2022, eleven (11) responses were received in favor of the request, and four (4) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Alternatives Considered

Staff considered three (3) alternatives for this case.

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

Staff Recommendation

Staff recommended approval to the Planning and Zoning Commission of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) for this parcel based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve/disapprove with explanation** an Ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application; Land Use Designations; Location Map; Existing Land Use Map; Zoning Map; Land Use Plan Map; Notification Area Map; Public Responses; Proposed Ordinance](#)

Rezoning Request Application



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

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:
1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

Property Owner(s) Name: Matthew Cooper **Date:** 3/2/22
Address: 124 Wind Ridge
City/State/Zip: Harker Heights, TX 76548
Phone: _____ **E-mail:** _____

Legal Description of Property:

Location of Property (Address if available): 1608 Pima Trail
Lot: _____ Block: 49 Subdivision: Comanche Land
Acres: 6.6/7.7 Property ID: 12520 Survey: I T Bean

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

Proposed Use: Residential Development
Current Zoning Classification: R-1 **Proposed Zoning:** R-2
Current Land Use: Mobile Home **Proposed Land Use:** Duplex Residential

Applicant's Representative (if applicable):

Applicant's Representative: Mitchell & Associates, Inc.
Phone: 254.634.5541 **E-Mail:** areneau@mitchellinc.net

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

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

Matthew Cooper
Printed Name of Property Owner

Matthew Cooper
Signature of Property Owner

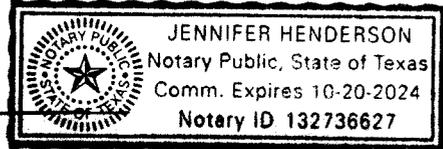
Ace Reneau, P.E.
Printed Name of Representative

Ace Reneau
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 2nd DAY OF March, 20 22

Jennifer Henderson
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 10-20-2024



Date Submitted: _____
Received By: _____

STAFF ONLY -- DO NOT FILL OUT BELOW
 Pre-Application Meeting

Receipt #: _____
Case #: _____

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

(1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.

(2) Two-family or duplex dwelling.

(3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

(B) *Conditional uses.* Neighborhood association facilities.

(C) *Height regulations.* No building shall exceed two and one-half stories or 35 feet in height.

(D) *Area regulations.* Lots in the Wildewood Subdivision, and duplex lots platted prior to November 8, 2006, shall have six-foot-minimum side setbacks, except when siding on a street such setback shall be a minimum of 15 feet. All other duplex lots shall have a minimum of ten-foot-wide side building setbacks, except when siding on a street such setback shall be a minimum of 15 feet.

(E) *Intensity of use.*

(1) A lot on which there is erected a single-family dwelling shall conform to the same intensity of use requirements as those in the R-1 (Single-Family Dwelling District) as noted in § 155.020(E).

(2) The minimum lot area shall be 7,800 square feet for lots in the Wildewood Subdivision and duplex lots platted prior to November 8, 2006. All other duplex lots shall contain a minimum lot area of 8,400 square feet, and an average width of not less than 70 feet.

(F) *Parking regulations.* As per §§ 155.061 through 155.068.

(G) *Additional use, height, and area regulations.* Additional use, height, and area regulations and exceptions are found in § 155.040.

(H) *Signs.* Same as in R-1 district.

(I) *Storage.* Open storage is prohibited, except for materials for the residents' use such as firewood, gardening materials, and similar materials.

(J) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(K) *Architectural design.* R-2 buildings shall be designed to avoid repetitions of buildings or roof lines, and the same elevation may not be used within any five lot groupings. Primary entrances shall face the public street. Windows shall be provided with trim or recessed, rather than flush with exterior wall treatment.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2012-01, passed 2-14-12; Am. Ord. 2012-04, passed 3-27-12; Am. Ord. 2016-24, passed 10-11-16)

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right:

- (1) Site-built, single-family dwellings and industrialized housing.
- (2) Church or other place of worship.
- (3) Municipal buildings, non-profit libraries or museums, police and fire stations, public utilities (without outside storage yards or electric substations), public parks, playgrounds, municipal golf courses, public recreation facilities, and community buildings.
- (4) Customary home occupations as defined in §155.003.
- (5) *Accessory structure.*

(a) One small accessory building (not exceeding 144 square feet) per residence customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Structure must be built upon a moveable foundation;
- 2. Structure cannot exceed 12 feet in height;
- 3. Structure must set behind the rear facade of the main residence building and must be setback five feet from the rear property line and six feet from the side property line; and
- 4. Materials, building design, and construction must comply with the requirements of Ch. 150.

(b) Large accessory buildings customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Building materials and facade must be consistent with the main residence building materials and facade;
- 2. Large accessory building must be behind the front facade of the main residence;
- 3. The height of the large accessory building cannot exceed that of the main residence building;
- 4. Number, size, setbacks and height requirements based on the size of the lot as follows:

Lot Size	Number of Large Accessory Structures Allowed	Maximum Aggregate Size of All Accessory Structures	Setbacks	Maximum Height
< 10,000 square feet	1	250 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> 10,000 square feet < .5 acre	1	500 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> .5 acre < 1 acre	2	1,000 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet
> 1 acre	4	1,500 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet

- (6) Private garage.
- (7) Home based child care.
- (8) Real estate sales office, or temporary living quarters to provide security during the development of residential subdivisions, but not to exceed two years.
- (9) Low impact telecommunication towers.
- (10) Public schools.

(B) *Conditional uses.* The following require conditional use permits:

- (1) Private schools having a curriculum equal to a public elementary, high school, or institution of higher learning (except home schooling).

(2) Neighborhood association facilities.

(3) Farms, nurseries, truck gardens and greenhouses, provided no sales offices are maintained and no livestock are kept within 250 feet of a residence of any person other than the farm owner.

(4) Accessory dwelling for a relative or servant (not for rent).

(5) Accessory structure as provided by § 155.040.

(C) *Height regulations.* No building shall exceed two and one-half stories or 35 feet in height.

(D) *Front yard, side yard, and rear yard.* As per Table 21-A.

(E) *Intensity of use.* Every lot or tract of land shall have an area of not less than 8,400 square feet and an average overall width of not less than 70 feet and a minimum lot frontage of not less than 45 feet. Except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this chapter and shall not have changed since the date, such parcel of land may be used for a single family dwelling.

(F) *Additional use, height, and area regulation.* Additional use, height, and area regulations and exceptions are found in § 155.040.

(G) *R-1(M) zoning designation.* R-1(M) is a one family residential lot that also allows manufactured homes. All manufactured housing structures installed after December 31, 1999, must be installed on a permanent foundation, as that term is defined in § 152.01.

(1) In order to be approved, the manufactured home must be found to have design compatibility with other dwellings in the neighborhood.

(2) The following standards apply to any placement of a manufactured home on a lot after December 31, 1999:

(a) Roofing shall be similar in color, material and appearance to the roofing material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the neighborhood.

Materials shall include asphalt composition, shingle, tile, crushed rock, standing seam metal or similar materials (except all other metal). Roof pitch shall be a minimum of 3/12.

(b) Exterior siding shall be similar in color, material, and appearance to the exterior siding material commonly used on residential dwellings within the community or comparable to predominant materials used on dwellings within the neighborhood. Exterior siding shall be of brick, wood, stucco, plaster, concrete or other material which is finished in a non-glossy and non-reflective manner.

(c) If a garage/carport is constructed, it must be similar in appearance to others in the neighborhood and constructed of like materials as that of the primary home.

(d) Two all-weather surface off street parking spaces meeting the requirements of §155.061 shall be provided.

(3) Every manufactured home shall be placed so that the entrance or front of the home faces or parallels the principal street frontage, except:

(a) In cases where the lot is one acre or greater and the home is located more than 50 feet from the street; or

(b) Where the lot width is 60 feet or less.

(4) All entrances to a manufactured home shall be provided with permanent steps, porch or similar suitable entry.

(5) The lot must meet all applicable requirements of Chapter 154, and shall comply with the area regulations in (D) of this section. Variance in setbacks may be given in inches not to exceed one foot at the Building Official's discretion.

(H) *Signs* As per Chapter 151.

(I) *Parking.* As per §§ 155.061 through 155.068.

(J) *Storage.* Open storage is prohibited except for materials for the residents' use, such as firewood, gardening materials, and similar materials.

(K) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(L) *Industrialized housing.*

(1) Industrialized housing shall be considered real property and must:

(a) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

(b) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(c) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings;

(d) Be securely fixed to a permanent foundation; and

(e) Have all local permits and licenses that are applicable to site-built housing.

For purposes of this division, **VALUE** means the taxable **VALUE** of the industrialized housing and lot after installation of the housing.

(2) Any owner or authorized agent who intends to construct, erect, install or move any industrialized housing into the city shall first make application to the Building Official and obtain the required permits. In addition to any other information otherwise required for such permits, the application shall:

(a) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling, as determined by the most recent certified tax appraisal roll for the county;

(b) Describe the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located;

(c) Describe the permanent foundation and method of attachment proposed for the industrialized housing; and

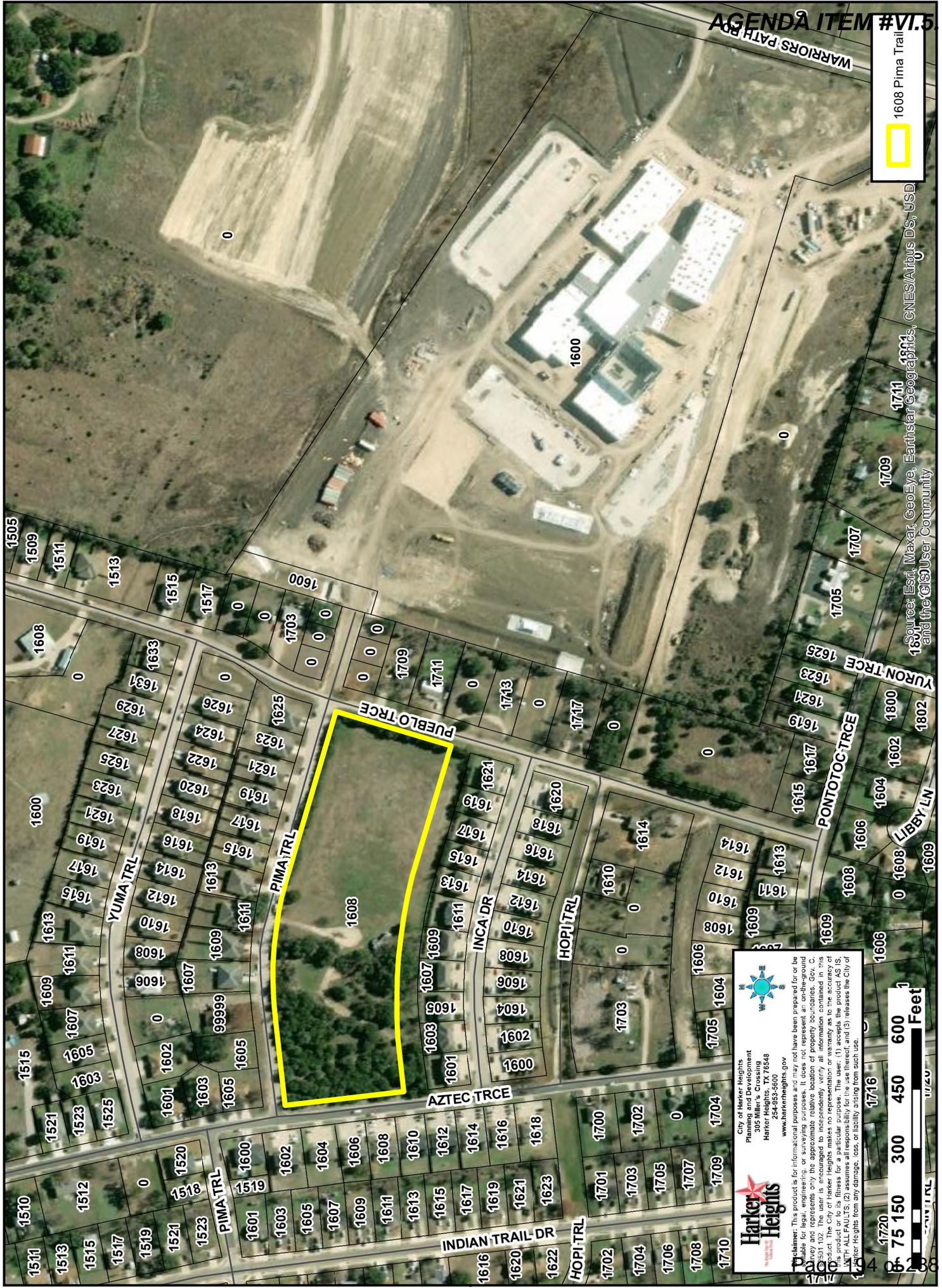
(d) State the anticipated taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(3) A person commits an offense if the person:

(a) Constructs, erects, installs or moves any industrialized housing in the city without first obtaining a permit as required by this section; or

(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2002-28, passed 11-12-02; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-32, passed 10-12-10; Am. Ord. 2011-08, passed 4-19-11)



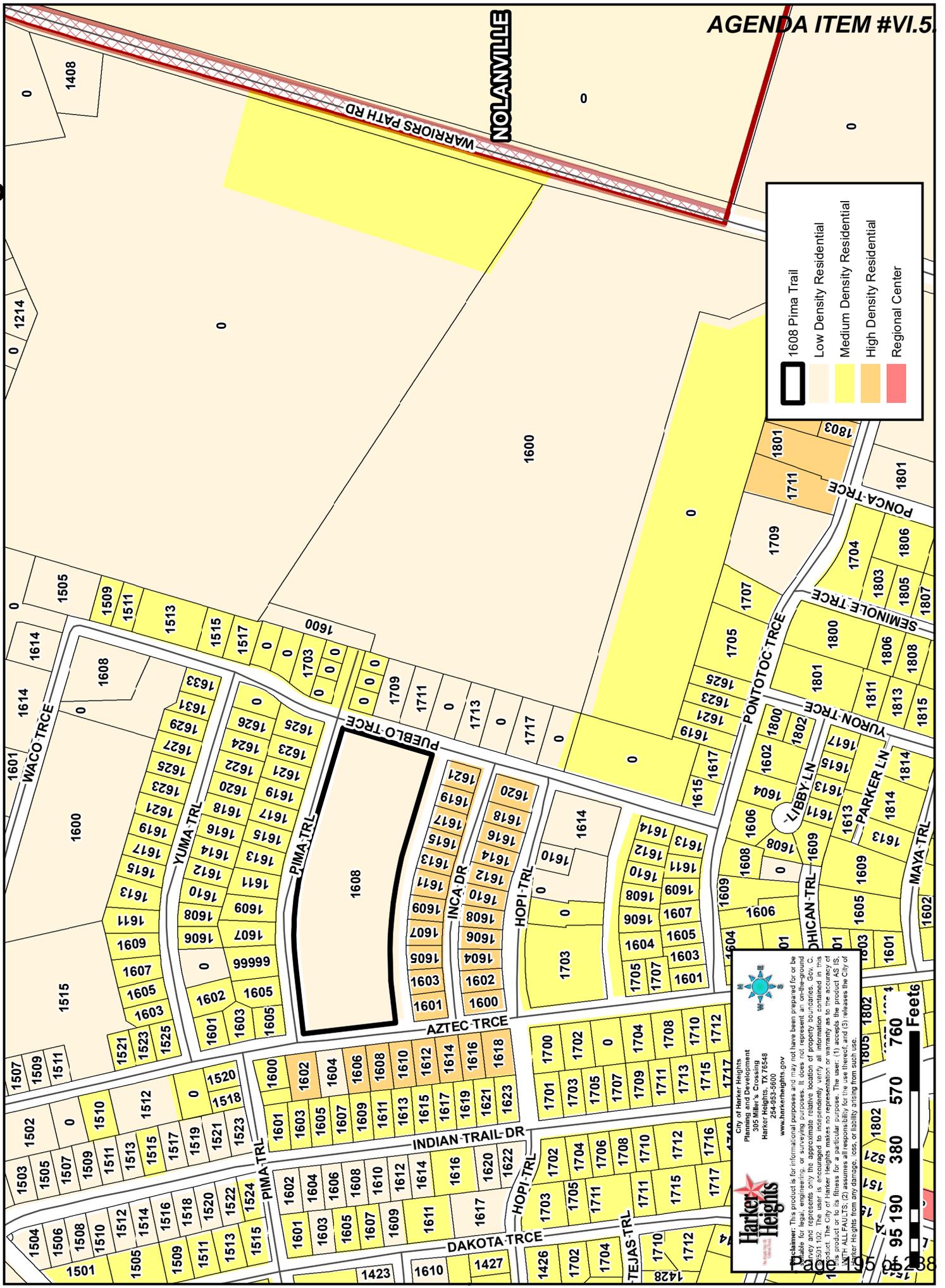
Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5600
 www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be made for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and is not to be used for any purpose other than the intended purpose for which it was prepared. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of this product or to its fitness for a particular purpose. The user: (1) accepts the product "AS IS," (2) assumes all responsibility for the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



AGENDA ITEM #VI.5
 1608 Pima Trail

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, and the GISUser Community



1608 Pima Trail

Low Density Residential

Medium Density Residential

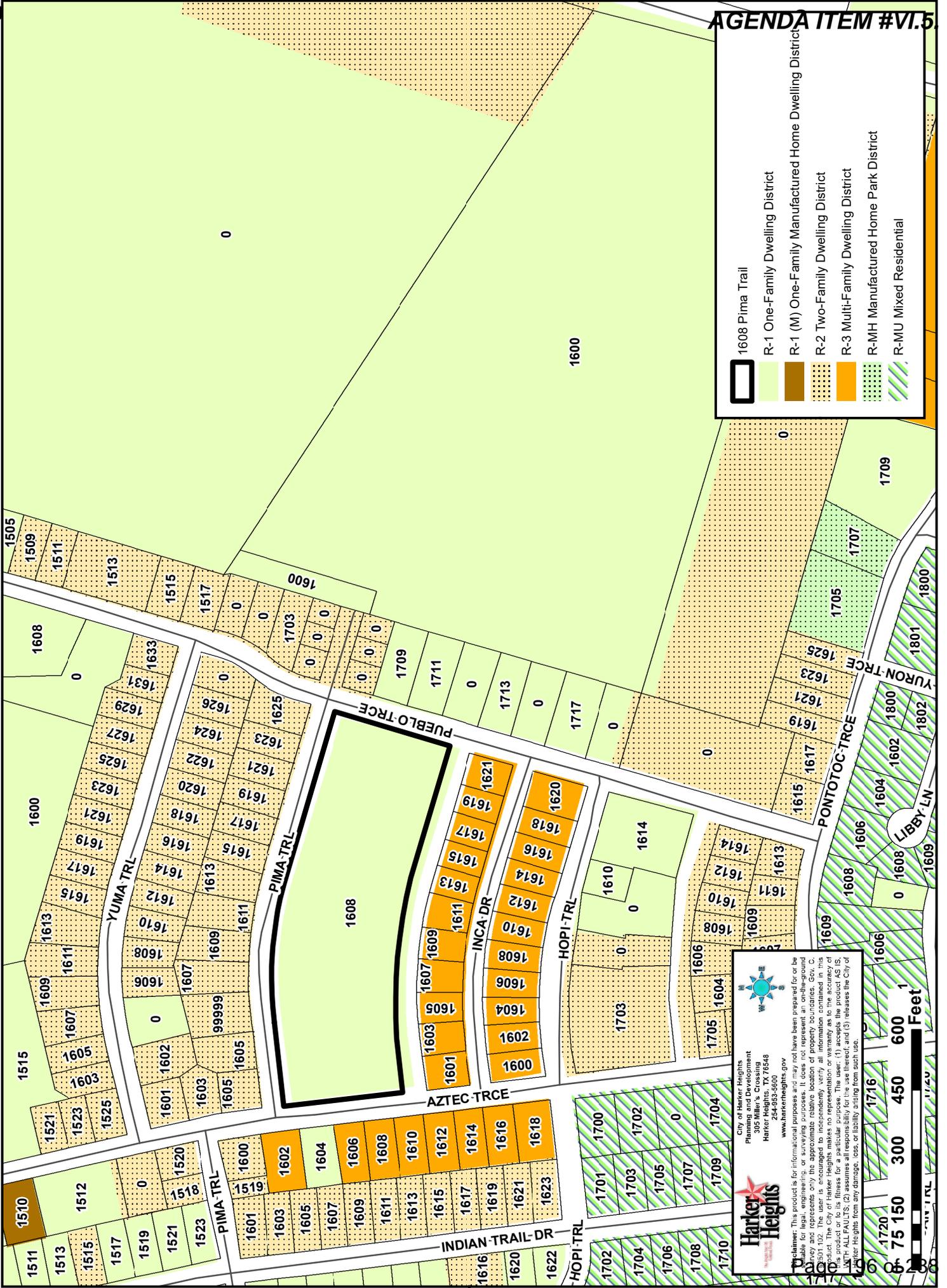
High Density Residential

Regional Center

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

Disclaimer: This product is for informational purposes and may not have been prepared for or be made for legal, engineering, or surveying purposes. It does not represent an on-the-ground condition and should not be used for any purpose other than the intended purpose. The user accepts the accuracy of 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," (2) WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

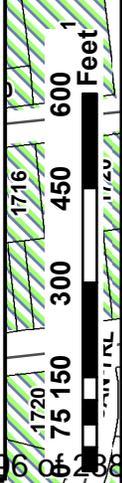
0 95 190 380 570 760 Feet

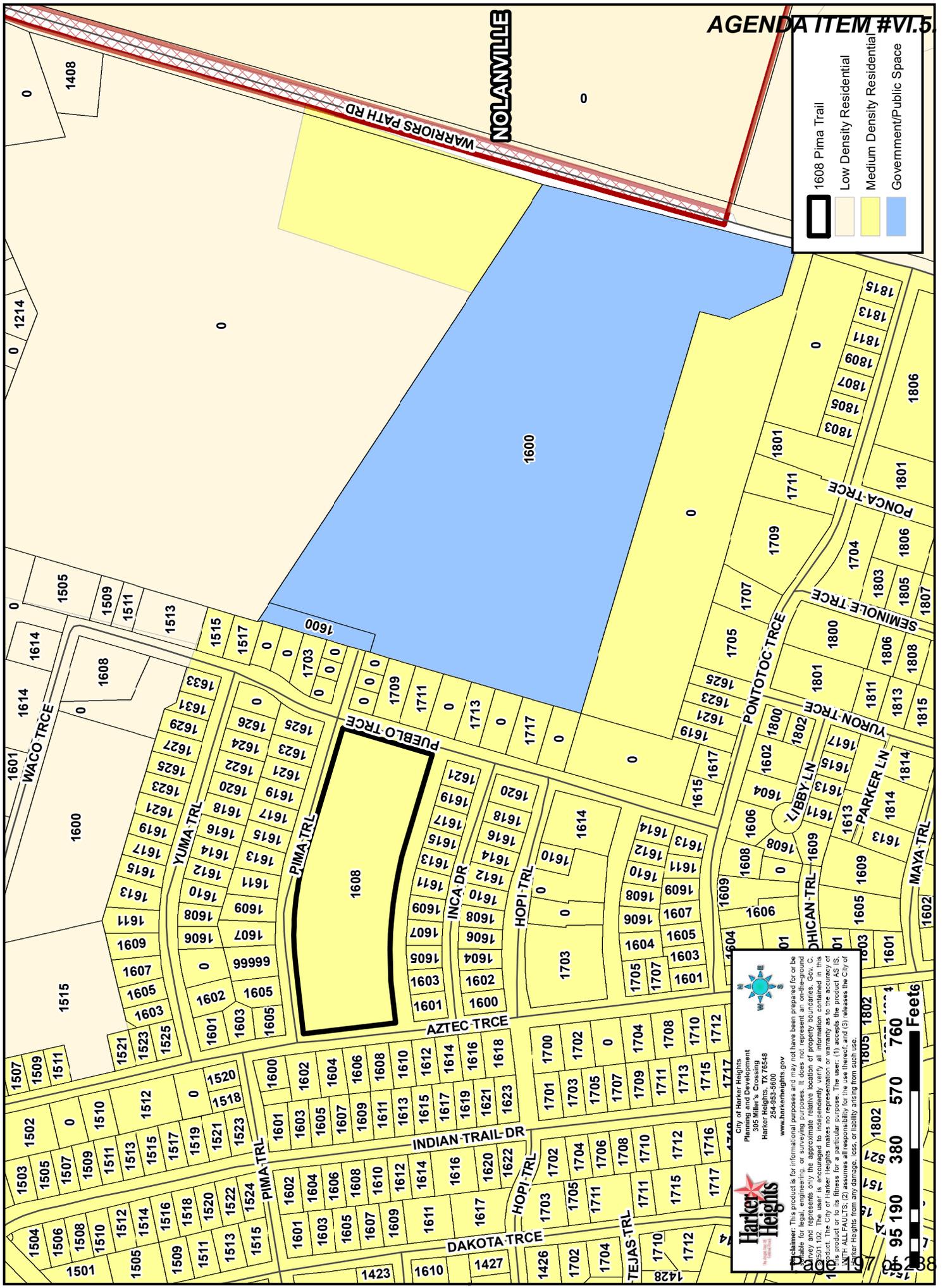


- 1608 Pima Trail
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District
- R-MU Mixed Residential

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

Disclaimer: This product is for informational purposes and may not have been prepared for or be made for legal, engineering, or surveying purposes. It does not represent an on-the-ground representation of the applicable zoning code. The City of Harker Heights makes no representation or warranty as to the accuracy of 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," (2) assumes all responsibility for the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

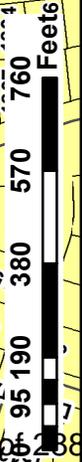


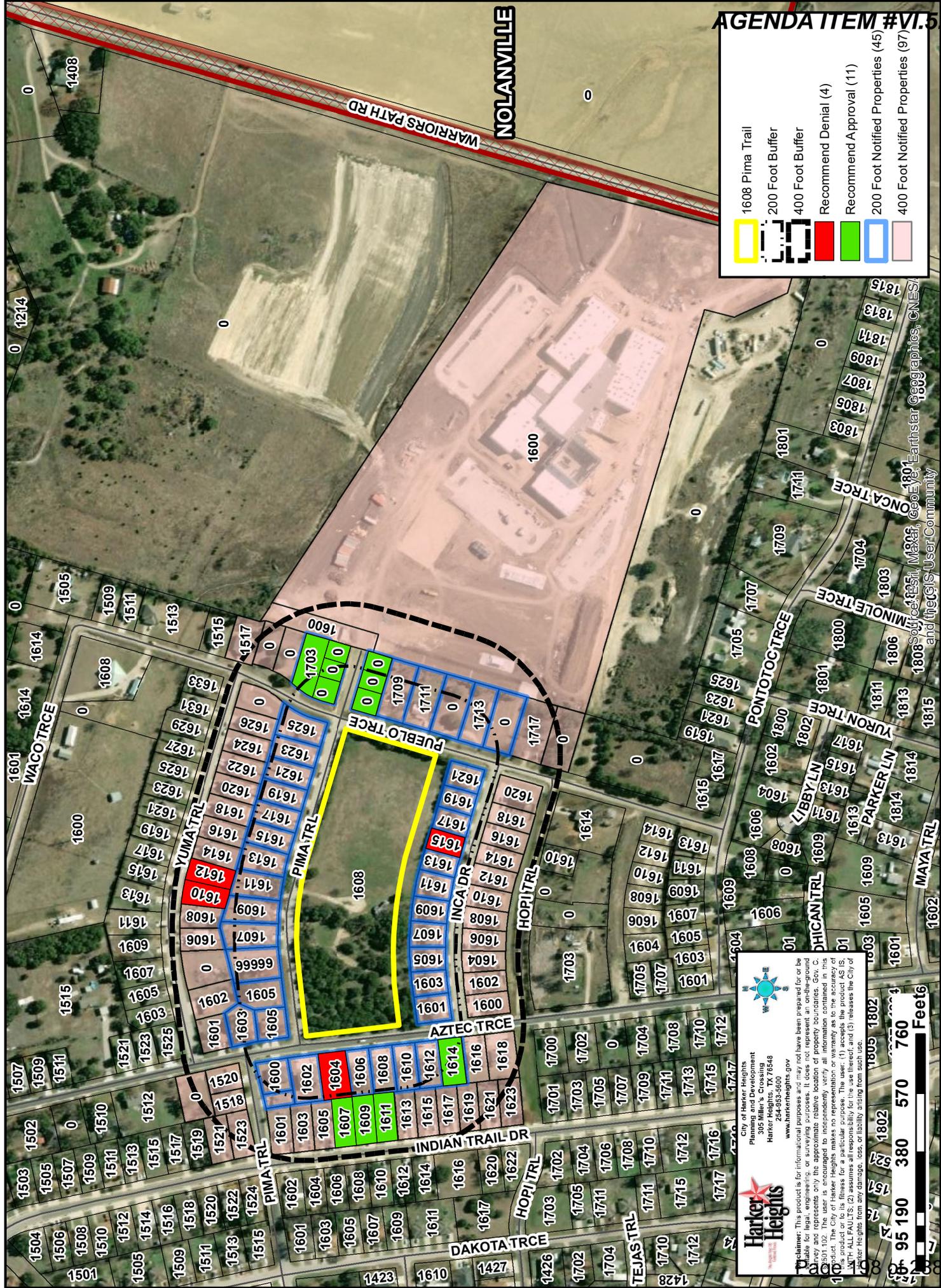


1608 Pima Trail
 Low Density Residential
 Medium Density Residential
 Government/Public Space

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

Disclaimer: This product is for informational purposes and may not have been prepared for or be made for legal, engineering, or surveying purposes. It does not represent an on-the-ground condition and is not intended to be used for any purpose other than the specific purpose for which it was prepared. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product "AS IS," (2) assumes all responsibility for the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.





AGENDA ITEM #VI.5

	1608 Pima Trail
	200 Foot Buffer
	400 Foot Buffer
	Recommend Denial (4)
	Recommend Approval (11)
	200 Foot Notified Properties (45)
	400 Foot Notified Properties (97)

95 190 380 570 760 Feet

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

Disclaimer: This product is for informational purposes and may not have been prepared for or be made for legal, engineering, or surveying purposes. It does not represent an on-the-ground representation of the applicable law or regulations. It is not intended to be used as a basis for any legal action or liability. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product "AS IS," (2) assumes all responsibility for the use thereof, and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

Planning & Development

FROM: GOMER, JEROME K

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

Physical Address	Property ID
1607 INDIAN TRAIL	41630

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jerome Gomer

Printed Name

J. Gomer

Signature

3-23-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

Received

MAR 23 2022

Planning & Development

FROM: GOMER, JEROME K

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

Physical Address	Property ID
1609 INDIAN TRAIL	41632

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jerome Gomer

Printed Name

Jerome Gomer

Signature

3-23-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

Received

MAR 23 2022

FROM: GOMER, JEROME K

Planning & Development

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

Physical Address	Property ID
1611 INDIAN TRAIL	41633

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jerome Gomer

Printed Name

[Handwritten Signature]

Signature

3-23-22

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

TO: City of Harker Heights
Planning & Development Department

FROM: SCHORP, NONA N & KHZ HOLDINGS LP

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

Physical Address	Property ID
1614 AZTEC TRCE	231752

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC IT BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

NONA SCHORP, individually
 Printed Name *and as Manager of*
KHZ Holdings LP

[Signature]
 Signature

3-17-22
 Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: CURRY, PATRICK & KIMBERLY

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

Physical Address	Property ID
1703 PUEBLO TRACE	496260

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

Received

MAR 24 2022

Planning & Development

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

Comments:

Kim Curry
Printed Name

[Signature]
Signature

18 MAR 22
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LACKMEYER CONSTRUCTION LLC

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

Physical Address	Property ID
	496266

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Jeff Lackmeyer
 Printed Name


 Signature

3-17-22
 Date

NT: MARCH 11, 2022
LJE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LACKMEYER CONSTRUCTION LLC

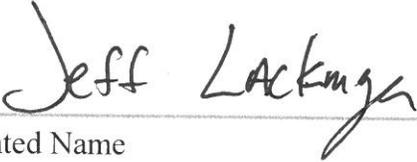
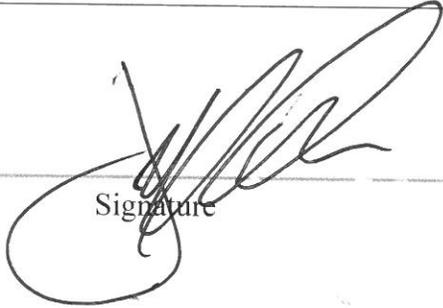
Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
	496262

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:



3-17-22

Printed Name Signature Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LACKMEYER CONSTRUCTION LLC

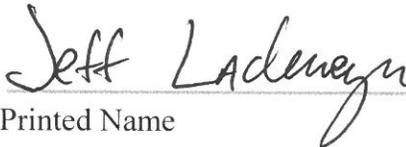
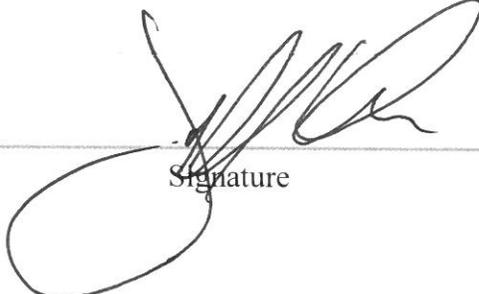
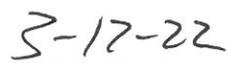
Address(es)/Property ID(s) that could be impacted by this request:

Physical Address	Property ID
	496263

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Printed Name _____ Signature _____ Date _____

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RICKARD, SAMUEL T

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

Physical Address	Property ID
1604 AZTEC TRCE	333674

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District)** on property described as *A0115BC IT BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Changing the zoning designation from R-1 to R-2 would increase the traffic into and out of the neighborhood making it a much less desirable place to live and decrease property values. I recommend the denial of this request.

SAMUEL RICKARD



3/21/2022

Printed Name

Signature

Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LEWIS, CLEOPHUS

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

Physical Address	Property ID
1610 YUMA TRL	383906

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

CLEOPHUS C. LEWIS
Printed Name

Cleophus C. Lewis
Signature

3/21/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LEWIS, CLEOPHUS

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

Physical Address	Property ID
1612 YUMA TRL	383907

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

©LEOPHUS C. LEWIS
Printed Name

Cleophus C. Lewis
Signature

3/21/2022
Date

SENT: MARCH 11, 2022
DUE BACK: MARCH 23, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MARCH 23, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: HAINJE, THOMAS J

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

Physical Address	Property ID
1615 INCA DR	331525

Z22-05 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas* (see attached notification map).

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

Received

MAR 24 2022

Planning & Development

Comments:

Thomas J. Hainje
Printed Name


Signature

3/19/22
Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 GENERALLY LOCATED AT 1608 PIMA TRAIL, 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; and

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, as previously zoned R-1 (One-Family Dwelling district) to R-2 (Two-Family Dwelling District) on property described as A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, Harker Heights, Bell County, Texas.

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>
2022-	4/12/2022	R-2 (Two-Family Dwelling District) on property described as A0115BC I T BEAN, BLK 49 COMANCHE LAND, UNDEDICATED, ACRES 6.58 generally located at 1608 Pima Trail, 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM PD-R (PLANNED DEVELOPMENT RESIDENTIAL DISTRICT) WITH AN UNDERLYING R-1 (ONE-FAMILY DWELLING DISTRICT) TO B-2 (NEIGHBORHOOD RETAIL DISTRICT) ON PROPERTY DESCRIBED AS CEDARBROOK RIDGE PHASE II, LOT TRACT H, PROPERTY ID 505020, GENERALLY LOCATED SOUTH OF 1340 E. KNIGHT'S WAY/E. FM 2410, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current zoning of PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property generally located south of 1340 E. Knight's Way/E. FM 2410.

Parcel History

The property was platted as Tract H in the Cedarbrook Ridge Phase II Final Plat in 2021. Tract H contains a variable width drainage easement along the western and southern property lines, a 20-foot city exclusive easement along the southern property line and is connected to Roma Street with a 15-foot access easement. The 15-foot access easement meets the requirements for maintenance to the drainage access.

The correspondence from the final plat case identifies that Tract H was intended to be given to Mr. Aycock. However, no additional clarification regarding use was not provided.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Community Center Industrial	Community Center	B-2 (Neighborhood Retail Business District) M-1 (Light Manufacturing District)
South	Low Density Residential	Low Density Residential	PD-R Planned Development Residential
East	Low Density Residential	Low Density Residential	PD-R Planned Development Residential
West	Low Density Residential	Low Density Residential	PD-R Planned Development Residential

The 2021 Land Use Plan identifies this area as designated for Low Density Residential use; therefore, the proposed rezoning is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan & Land Use Plan. This parcel is also in the Overlay District. As a result, the requirements (parking, screening, landscape, buffers, light, etc.) in the Overlay District Manual will apply to development on this parcel.

Flood Damage Prevention

No portion of this property lies within the 100 year or 500-year flood hazard areas. However, there is a variable width drainage easement and a drainage channel that run through the southern and eastern sides of the parcel.

Pharr vs. Tippett Considerations

1. The proposed rezoning is not compatible with the current Comprehensive Plan and Land Use Plan. However, the parcel is adjacent to existing commercial districts and access through those districts would be able to support commercial development.
2. The proposed use and rezoning may have an adverse impact on uses and zoning districts to the south of this parcel but will have no adverse impact on the adjacent commercial properties along FM 2410. The requirements in the District 1 Overlay are meant to lessen the impact of a commercial development against residentially zoned parcels.
3. The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood. However, the proposed change in zoning designation would be compatible with other properties abutting E. Knight's Way/E. FM 2410.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

NOTICES:

Staff sent out sixty-one (61) notices to property owners within the 400-foot notification area. As of April 4, 2022, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Alternatives Considered

Staff considered three (3) alternatives for this case.

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

Staff Recommendation

Staff recommended approval to the Planning and Zoning Commission of an ordinance to change zoning designation from PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) based on the following:

1. The proposed use and rezoning are compatible with portions of the current Comprehensive Plan and Land Use Plan.
2. The District 1 Overlay standards will lessen the impact of a commercial development against the residentially zoned parcels to the south.
3. The proposed use and rezoning are compatible with existing uses and zoning with other properties abutting E. Knight's Way/E. FM 2410.

4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) for this parcel based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve/disapprove with explanation** an ordinance to change from PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as Cedarbrook Ridge Phase II, Lot Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application; Land Use Designations; Location Map; Existing Land Use Map; Zoning Map; Land Use Plan Map; Notification Area Map; Public Responses \(None received as of 4/4/2022\); Proposed Ordinance](#)



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

- 1. Pre-Application Meeting Scheduled
- 2. Payment of \$200.00 to the City of Harker Heights
- 3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

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

Property Owner(s) Name: AYCOCK CONSTRUCTION, Inc. Date: 3.10.2022

Address: P.O. Box 2407

City/State/Zip: Harker Heights Tx 76548

Phone: 254.698.2551 E-mail: Aycock2551@yahoo.com

Legal Description of Property:

Location of Property (Address if available): Roma St, Harker Heights, Tx 76548

Lot: H Block: _____ Subdivision: Cedarbrook Ridge Ph. II.

Acres: _____ Property ID: 505020 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: _____

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

Current Land Use: Low Density Residential Proposed Land Use: Community Center

Applicant's Representative (if applicable):

Applicant's Representative: Michael Aycock

Phone: 254.698.2551 E-Mail: mike@aycockconstruction.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 Michael Aycock will represent the owner.

Aycock Construction, Inc.
Printed Name of Property Owner

[Signature]
Signature of Property Owner

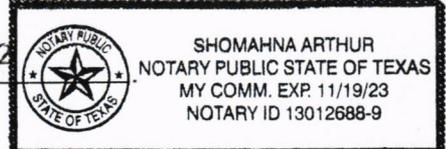
Michael Aycock
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 10th DAY OF March, 2022

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: _____



Date Submitted: 3/10/2022

STAFF ONLY -- DO NOT FILL OUT BELOW

Received By: [Signature]

Pre-Application Meeting

Receipt #: See case 222-02

Revised: 10/2021

Case #: 222-07

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

(A) *Permitted uses.* The following uses are permitted by right:

- (1) Site-built, single-family dwellings and industrialized housing.
- (2) Church or other place of worship.
- (3) Municipal buildings, non-profit libraries or museums, police and fire stations, public utilities (without outside storage yards or electric substations), public parks, playgrounds, municipal golf courses, public recreation facilities, and community buildings.
- (4) Customary home occupations as defined in §155.003.
- (5) *Accessory structure.*

(a) One small accessory building (not exceeding 144 square feet) per residence customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Structure must be built upon a moveable foundation;
- 2. Structure cannot exceed 12 feet in height;
- 3. Structure must set behind the rear facade of the main residence building and must be setback five feet from the rear property line and six feet from the side property line; and
- 4. Materials, building design, and construction must comply with the requirements of Ch. 150.

(b) Large accessory buildings customarily incident to the above uses (not involving the conduct of a business) subject to the following requirements:

- 1. Building materials and facade must be consistent with the main residence building materials and facade;
- 2. Large accessory building must be behind the front facade of the main residence;
- 3. The height of the large accessory building cannot exceed that of the main residence building;
- 4. Number, size, setbacks and height requirements based on the size of the lot as follows:

Lot Size	Number of Large Accessory Structures Allowed	Maximum Aggregate Size of All Accessory Structures	Setbacks	Maximum Height
< 10,000 square feet	1	250 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> 10,000 square feet < .5 acre	1	500 square feet	Front: 25 feet Side: 6 feet Rear: 10 feet	15 feet
> .5 acre < 1 acre	2	1,000 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet
> 1 acre	4	1,500 square feet	Front: 25 feet Side: 6 feet Rear: 20 feet	24 feet

- (6) Private garage.
- (7) Home based child care.
- (8) Real estate sales office, or temporary living quarters to provide security during the development of residential subdivisions, but not to exceed two years.
- (9) Low impact telecommunication towers.
- (10) Public schools.

(B) *Conditional uses.* The following require conditional use permits:

- (1) Private schools having a curriculum equal to a public elementary, high school, or institution of higher learning (except home schooling).

(2) Neighborhood association facilities.

(3) Farms, nurseries, truck gardens and greenhouses, provided no sales offices are maintained and no livestock are kept within 250 feet of a residence of any person other than the farm owner.

(4) Accessory dwelling for a relative or servant (not for rent).

(5) Accessory structure as provided by § 155.040.

(C) *Height regulations.* No building shall exceed two and one-half stories or 35 feet in height.

(D) *Front yard, side yard, and rear yard.* As per Table 21-A.

(E) *Intensity of use.* Every lot or tract of land shall have an area of not less than 8,400 square feet and an average overall width of not less than 70 feet and a minimum lot frontage of not less than 45 feet. Except that if a lot or tract should have less area or width than is herein required and its boundary lines along their entire length should touch lands under other ownership on the effective date of this chapter and shall not have changed since the date, such parcel of land may be used for a single family dwelling.

(F) *Additional use, height, and area regulation.* Additional use, height, and area regulations and exceptions are found in § 155.040.

(G) *R-1(M) zoning designation.* R-1(M) is a one family residential lot that also allows manufactured homes. All manufactured housing structures installed after December 31, 1999, must be installed on a permanent foundation, as that term is defined in § 152.01.

(1) In order to be approved, the manufactured home must be found to have design compatibility with other dwellings in the neighborhood.

(2) The following standards apply to any placement of a manufactured home on a lot after December 31, 1999:

(a) Roofing shall be similar in color, material and appearance to the roofing material commonly used on residential dwellings within the community or comparable to the predominant materials used on dwellings within the neighborhood.

Materials shall include asphalt composition, shingle, tile, crushed rock, standing seam metal or similar materials (except all other metal). Roof pitch shall be a minimum of 3/12.

(b) Exterior siding shall be similar in color, material, and appearance to the exterior siding material commonly used on residential dwellings within the community or comparable to predominant materials used on dwellings within the neighborhood. Exterior siding shall be of brick, wood, stucco, plaster, concrete or other material which is finished in a non-glossy and non-reflective manner.

(c) If a garage/carport is constructed, it must be similar in appearance to others in the neighborhood and constructed of like materials as that of the primary home.

(d) Two all-weather surface off street parking spaces meeting the requirements of §155.061 shall be provided.

(3) Every manufactured home shall be placed so that the entrance or front of the home faces or parallels the principal street frontage, except:

(a) In cases where the lot is one acre or greater and the home is located more than 50 feet from the street; or

(b) Where the lot width is 60 feet or less.

(4) All entrances to a manufactured home shall be provided with permanent steps, porch or similar suitable entry.

(5) The lot must meet all applicable requirements of Chapter 154, and shall comply with the area regulations in (D) of this section. Variance in setbacks may be given in inches not to exceed one foot at the Building Official's discretion.

(H) *Signs* As per Chapter 151.

(I) *Parking.* As per §§ 155.061 through 155.068.

(J) *Storage.* Open storage is prohibited except for materials for the residents' use, such as firewood, gardening materials, and similar materials.

(K) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other city-approved groundcover, to control dust, erosion and sediment upon final inspections. In addition, a minimum of two six-foot-tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs, are required in the front yard.

(L) *Industrialized housing.*

(1) Industrialized housing shall be considered real property and must:

(a) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located, as determined by the most recent certified tax appraisal roll for the county;

(b) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located;

(c) Comply with city aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings;

(d) Be securely fixed to a permanent foundation; and

(e) Have all local permits and licenses that are applicable to site-built housing.

For purposes of this division, **VALUE** means the taxable **VALUE** of the industrialized housing and lot after installation of the housing.

(2) Any owner or authorized agent who intends to construct, erect, install or move any industrialized housing into the city shall first make application to the Building Official and obtain the required permits. In addition to any other information otherwise required for such permits, the application shall:

(a) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling, as determined by the most recent certified tax appraisal roll for the county;

(b) Describe the exterior siding, roofing, roof pitch, foundation fascia, and fenestration for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located;

(c) Describe the permanent foundation and method of attachment proposed for the industrialized housing; and

(d) State the anticipated taxable value of the industrialized housing and the lot after installation of the industrialized housing.

(3) A person commits an offense if the person:

(a) Constructs, erects, installs or moves any industrialized housing in the city without first obtaining a permit as required by this section; or

(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2002-28, passed 11-12-02; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2010-32, passed 10-12-10; Am. Ord. 2011-08, passed 4-19-11)

§ 155.029 B-2 NEIGHBORHOOD RETAIL DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B-1 District that is permitted by right.
- (2) Household appliance sales.
- (3) Bakery shop (retail sales only).
- (4) Cleaning or laundry (pickup station).
- (5) Cleaning or laundry (self service) using fully automatic equipment, as follows:
 - (a) Washer, capacity of not more than 40 pounds.
 - (b) Dryers or extractor, capacity of not more than 60 pounds.
 - (c) Dry-cleaning machines.
- (6) Custom personal service shops, such as health studio, answering service, typing service, tailor, employment agency, FM piped music service, letter or mailing service, secretarial service, or pharmacy.
- (7) Drugstore or pharmacy.
- (8) Florist (retail): Retail sales of flowers and small plants. No flower or plant raising or outside display or storage.
- (9) Home for the aged or nursing home.
- (10) All child care facilities except commercial boarding homes.
- (11) Real estate office.
- (12) Restaurant or café (no drive-in service).
- (13) Retail store, (other than listed): Offering all types of personal consumer goods for retail sales.
- (14) Studio for photography, interior decoration, fine arts instruction, or sales of art objects.
- (15) Low impact telecommunication tower.

(B) *Conditional uses.*

- (1) Any use permitted in a more restricted district that is permitted by a conditional use permit.
- (2) Electric utility substation.
- (3) Grocery store (drive-in).
- (4) Ice retail distributing station, no manufacture, and capacity not to exceed five tons storage.

(C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.

(D) *Area regulations.* As per Table 21-A.

(E) *Intensity of use.* There are no minimum lot area or lot width requirements.

(F) *Parking regulations.* As per §§ 155.061 through 155.068.

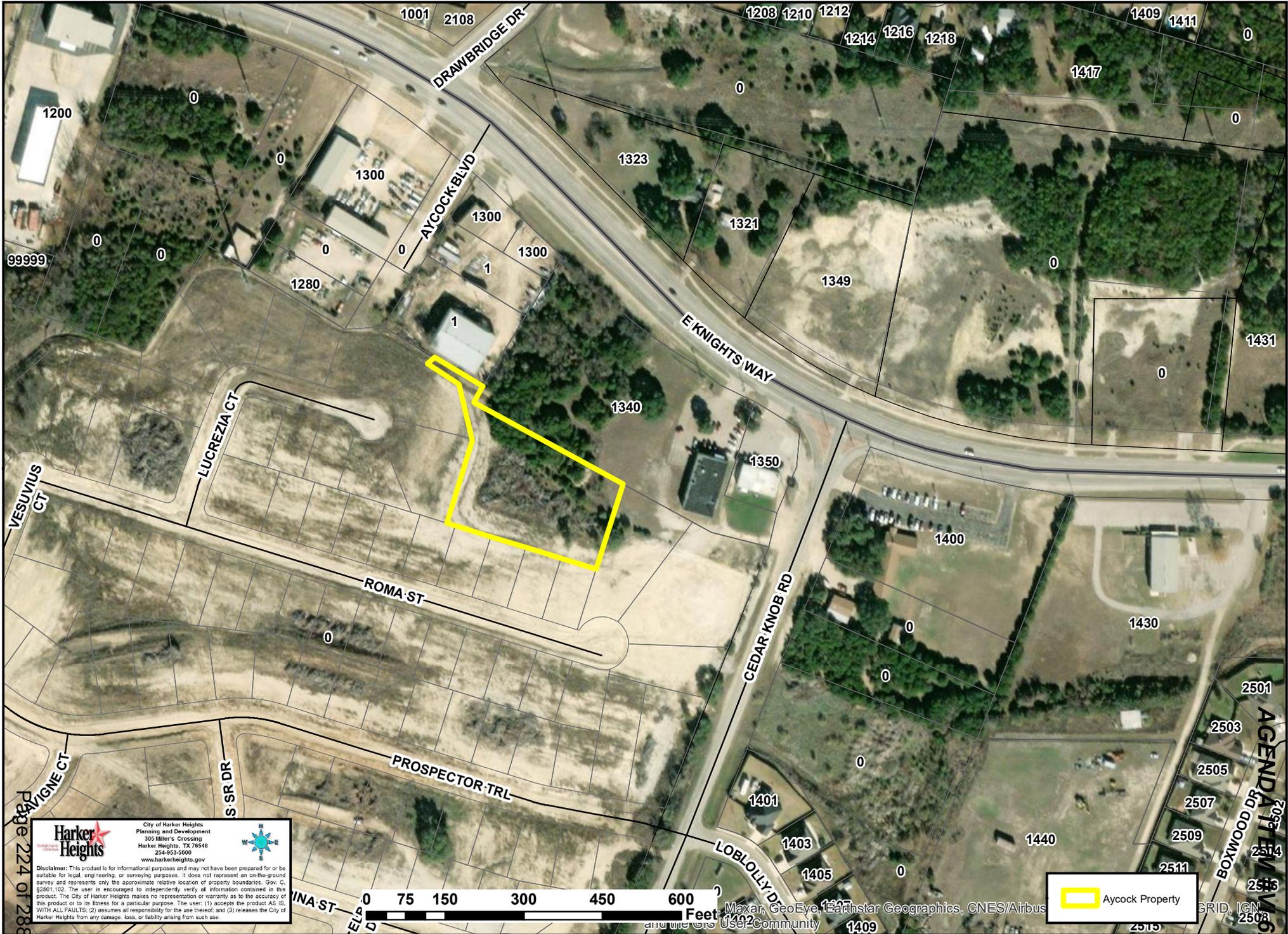
(G) *Signage.* As per Chapter 151.

(H) *Screening requirements.* As per § 155.050.

(I) *Building facade.* As per § 155.040.

(J) *Landscaping requirements.* As per § 155.051.

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



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 City of Harker Heights
 Planning and Development
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 Harker Heights, TX 78548
 254-953-5600
 www.harkerheights.gov

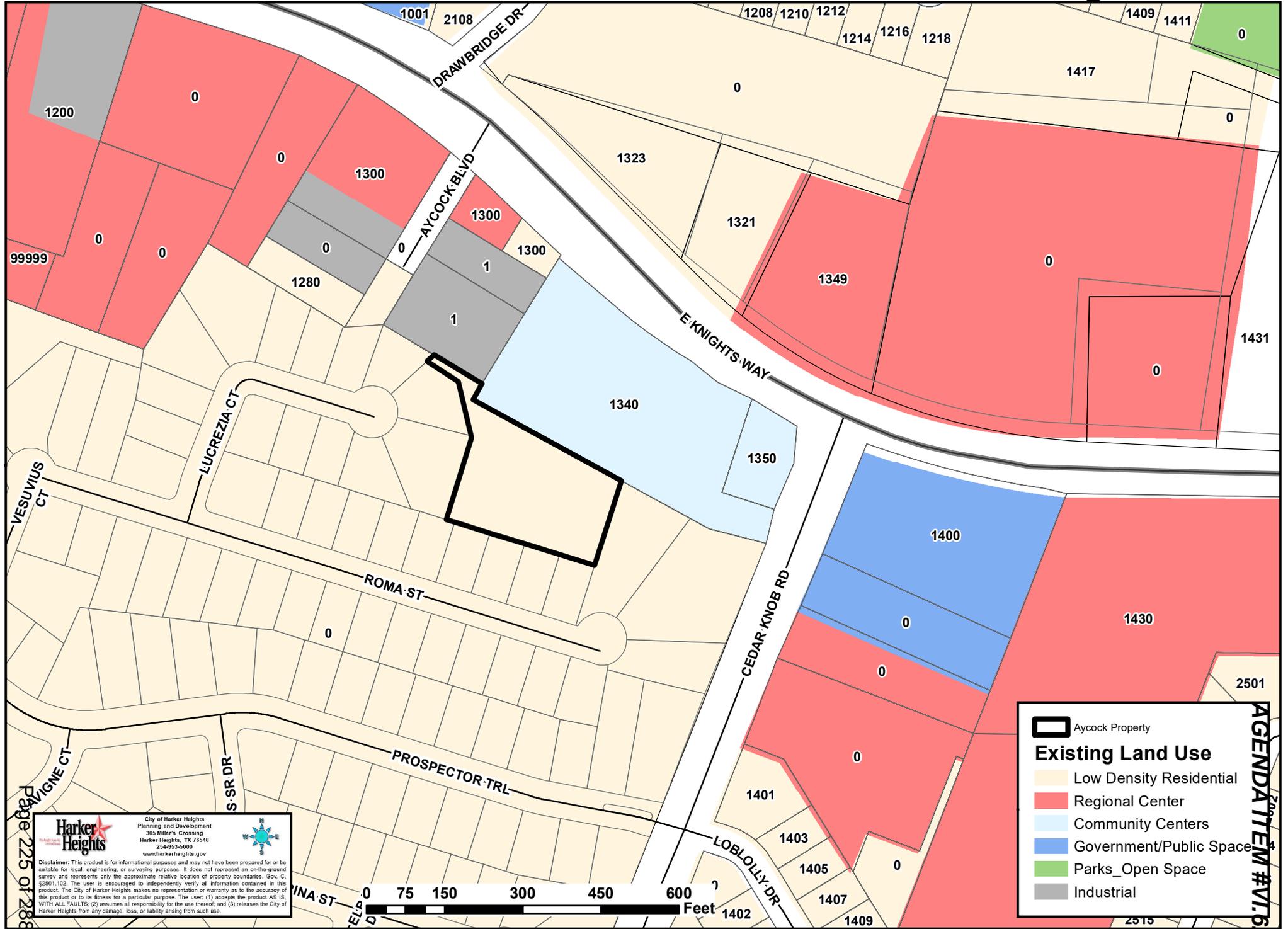
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Maxar, GeoEye, Earthstar Geographics, CNES/Airbus and the GIS User Community

 Aycock Property

AGENDA ITEM #16
 BOXWOOD DR
 2501
 2503
 2505
 2507
 2509
 2511
 2513
 2515
 2517
 2519



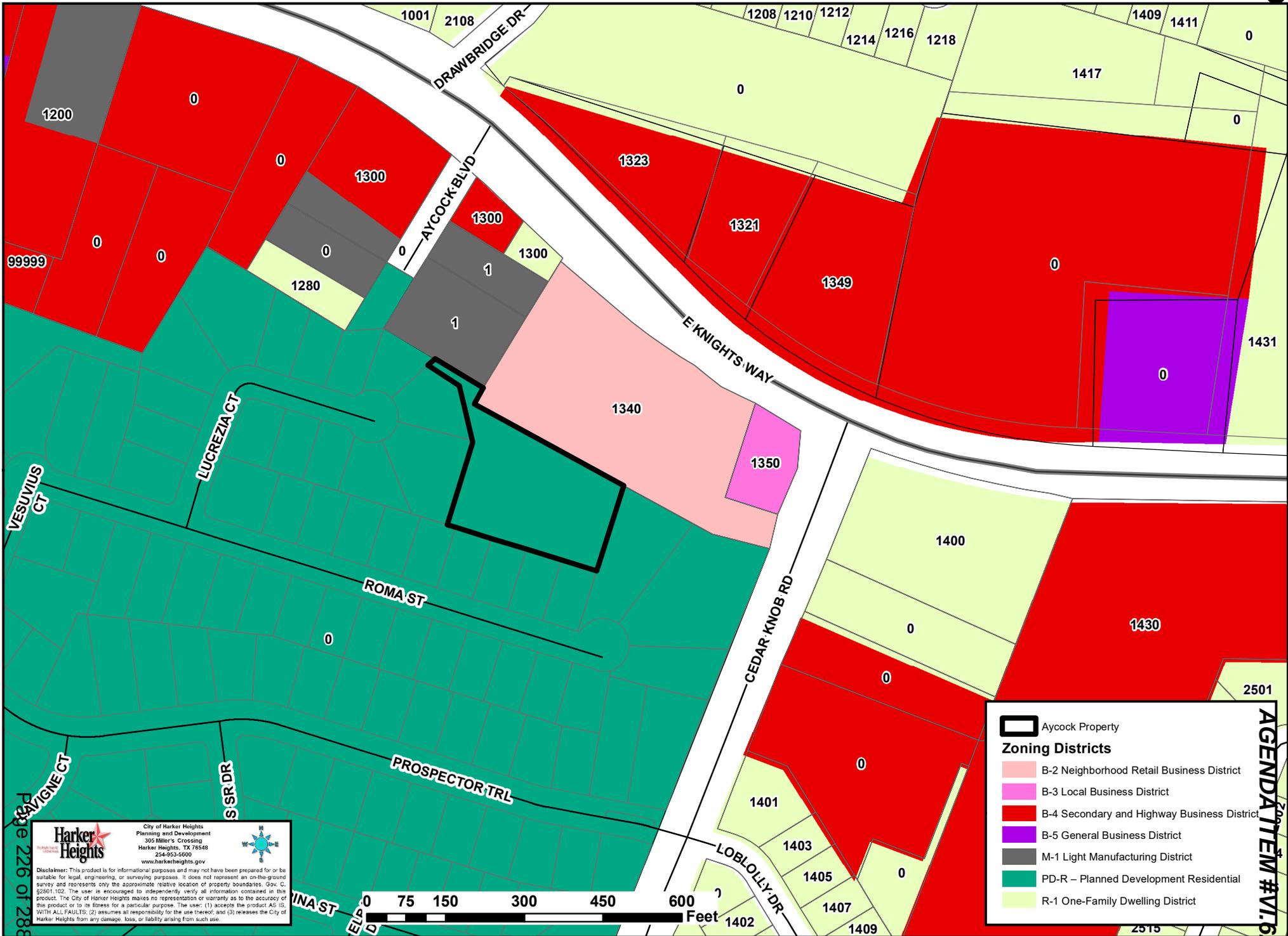
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- Aycock Property
- Existing Land Use**
- Low Density Residential
- Regional Center
- Community Centers
- Government/Public Space
- Parks_Open Space
- Industrial

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Legend

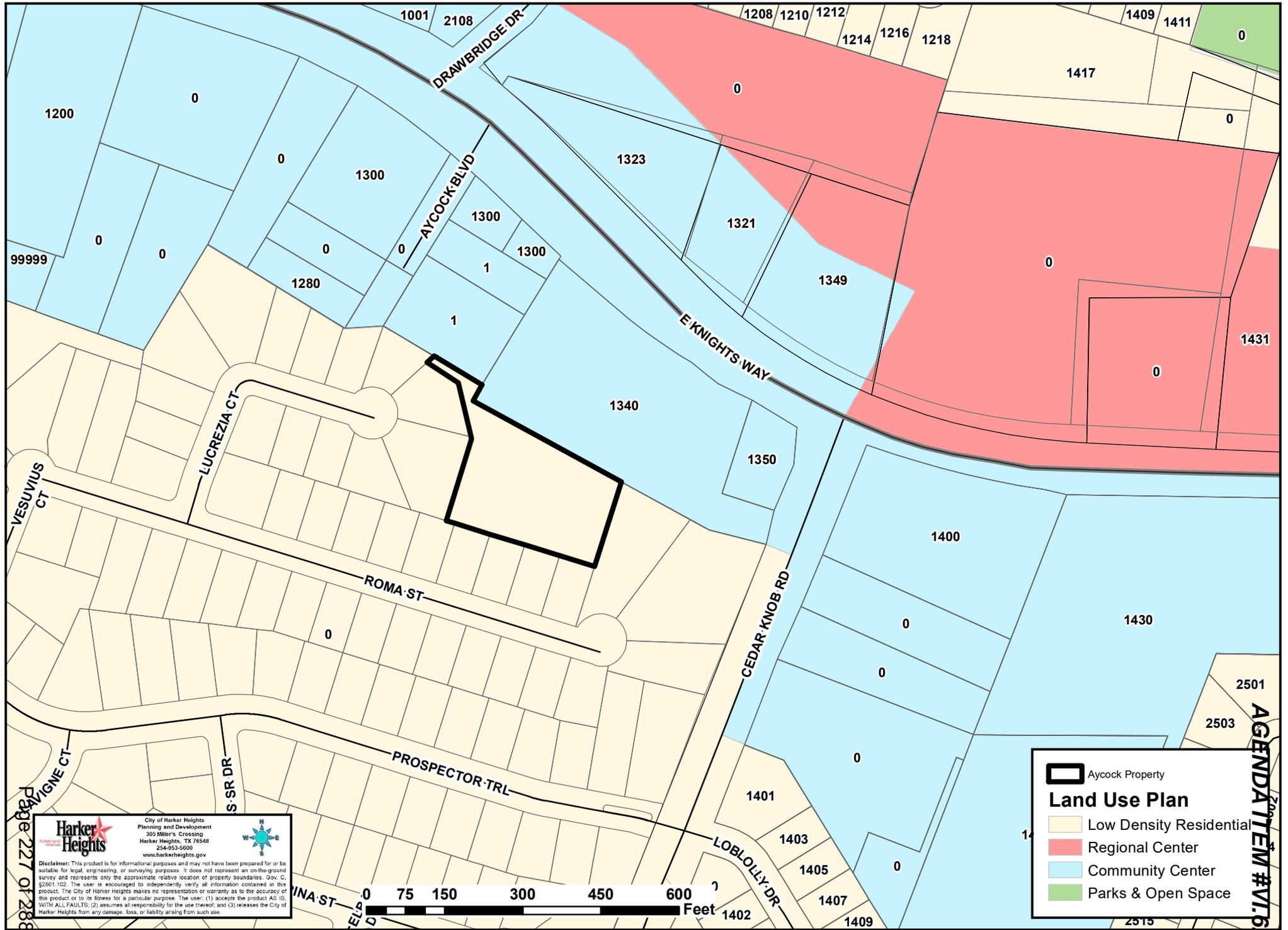
- Aycock Property
- Zoning Districts**
- B-2 Neighborhood Retail Business District
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- B-5 General Business District
- M-1 Light Manufacturing District
- PD-R – Planned Development Residential
- R-1 One-Family Dwelling District

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AGENDA ITEM #V.1.6



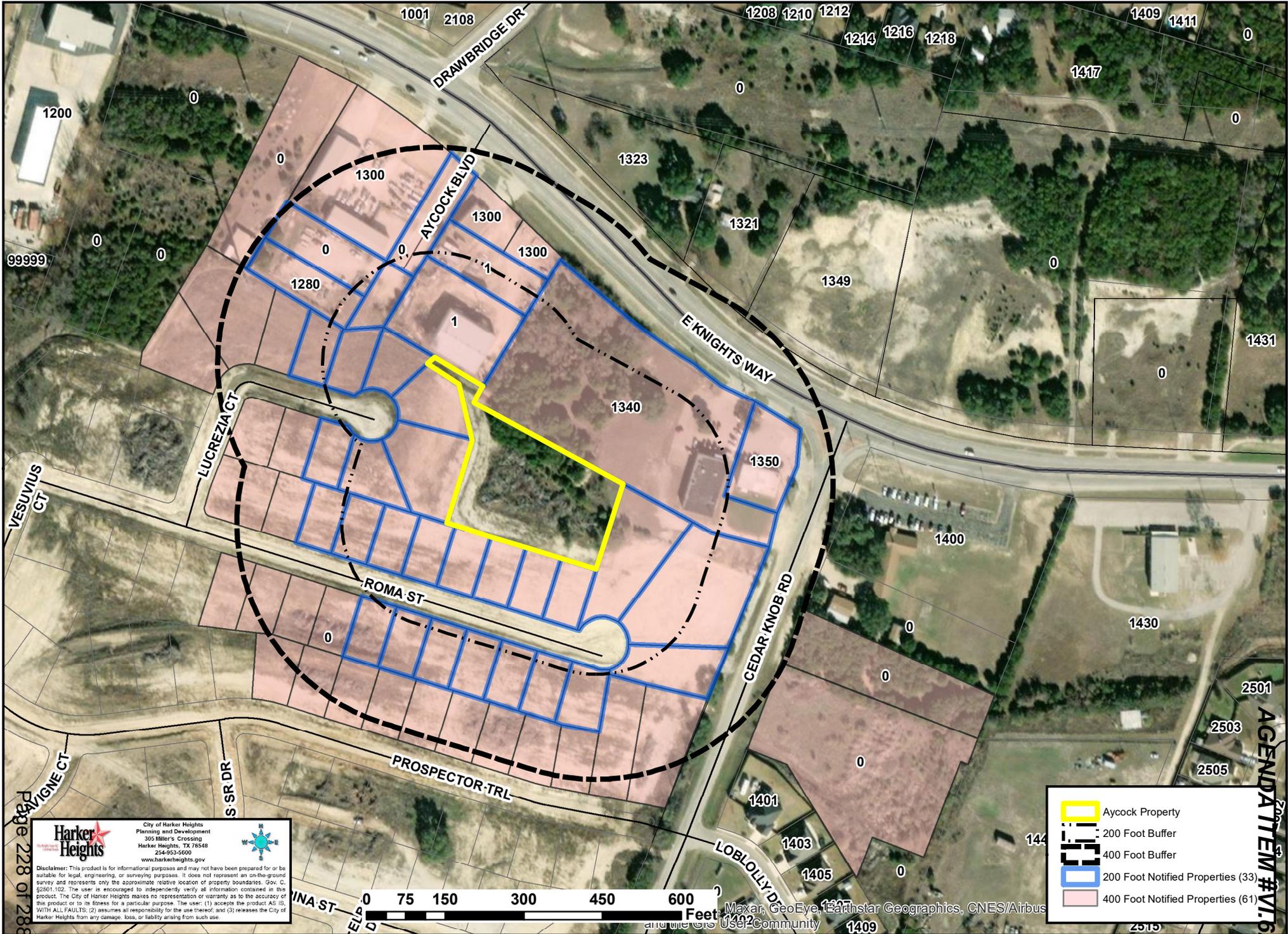
Legend

- Aycock Property
- Land Use Plan**
- Low Density Residential
- Regional Center
- Community Center
- Parks & Open Space



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	Aycock Property
	200 Foot Buffer
	400 Foot Buffer
	200 Foot Notified Properties (33)
	400 Foot Notified Properties (61)

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING B-2 (NEIGHBORHOOD RETAIL DISTRICT) ON PROPERTY DESCRIBED AS CEDARBROOK RIDGE PHASE II, TRACT H, PROPERTY ID 505020, GENERALLY LOCATED SOUTH OF 1340 E. KNIGHT’S WAY/E. FM 2410, 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; and

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, as previously zoned PD-R (Planned Development Residential District) with an underlying R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight’s Way/E. FM 2410, Harker Heights, Bell County, Texas.

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>
2022-	4/12/2022	Granting B-2 (Neighborhood Retail District) on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight’s Way/E. FM 2410, 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO COMMUNITY CENTER ON PROPERTY DESCRIBED AS CEDARBROOK RIDGE PHASE II, LOT TRACT H, PROPERTY ID 505020, GENERALLY LOCATED SOUTH OF 1340 E. KNIGHT’S WAY/E. FM 2410, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant is requesting a change from the current land use designation of ‘Low Density Residential’ to ‘Community Center’ on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight’s Way/E. FM 2410, Harker Heights, Bell County, Texas. The property was platted as Tract H in the Cedarbrook Ridge Phase II Final Plat. Tract H contains a variable width drainage easement along the western and southern property lines, a 20-foot city exclusive easement along the southern property line, and is connected to Roma Street with a 15-foot access easement.

Surrounding Land Uses

Adjacent land uses include:

	Land Use Plan
North	Community Center
South	Low Density Residential
East	Low Density Residential
West	Low Density Residential

The 2021 Land Use Plan identifies this parcel for ‘Low Density Residential’ use. Staff believes the proposed change in land use will not adversely impact the adjacent residential properties due to the natural buffer created by the easements along the southern property line and the rear yard buffer and screening requirements of the Overlay District.

Flood Damage Prevention:

No portion of this property lies within the 100 year or 500-year flood hazard areas. However, the tract does have a variable width drainage easement along the southern and western property lines.

Notices:

Staff sent out sixty-one (61) notices to property owners within the 400-foot notification area. As of April 4, 2022, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Since the B-2 zoning case for this parcel was recommended for approval by the Planning & Zoning Commission, staff recommended approval to the Planning & Zoning Commission of this request based on the following:

1. This action would amend the current Comprehensive Plan and Land Use Plan such that the proposed use would be compatible with the new B-2 zoning.
2. The proposed use is compatible with new B-2 zoning in the vicinity.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the land use designation from 'Low Density Residential' to 'Community Center' for this parcel based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve/disapprove with explanation** an ordinance to change land use designation from 'Low Density Residential' to 'Community Center' on property described as Cedarbrook Ridge Phase II, Lot Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application; Land Use Designations; Location Map; Existing Land Use Map; Zoning Map; Land Use Plan Map; Notification Area Map; Public Responses; Proposed Ordinance](#)



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

- 1. Pre-Application Meeting Scheduled
- 2. Payment of \$200.00 to the City of Harker Heights
- 3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

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

Property Owner(s) Name: AYCOCK CONSTRUCTION, Inc. Date: 3.10.2022

Address: P.O. Box 2407

City/State/Zip: Harker Heights Tx 76548

Phone: 254.698.2551 E-mail: Aycock2551@yahoo.com

Legal Description of Property:

Location of Property (Address if available): Roma St, Harker Heights, Tx 76548

Lot: H Block: _____ Subdivision: Cedarbrook Ridge Ph. II.

Acres: _____ Property ID: 505020 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: _____

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

Current Land Use: Low Density Residential Proposed Land Use: Community Center

Applicant's Representative (if applicable):

Applicant's Representative: Michael Aycock

Phone: 254.698.2551 E-Mail: mike@aycockconstruction.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 Michael Aycock will represent the owner.

Aycock Construction, Inc.
Printed Name of Property Owner

[Signature]
Signature of Property Owner

Michael Aycock
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 10th DAY OF March, 2022

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 3/10/2022

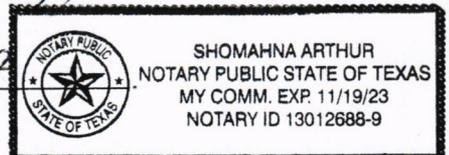
Pre-Application Meeting

Receipt #: See case 222-02

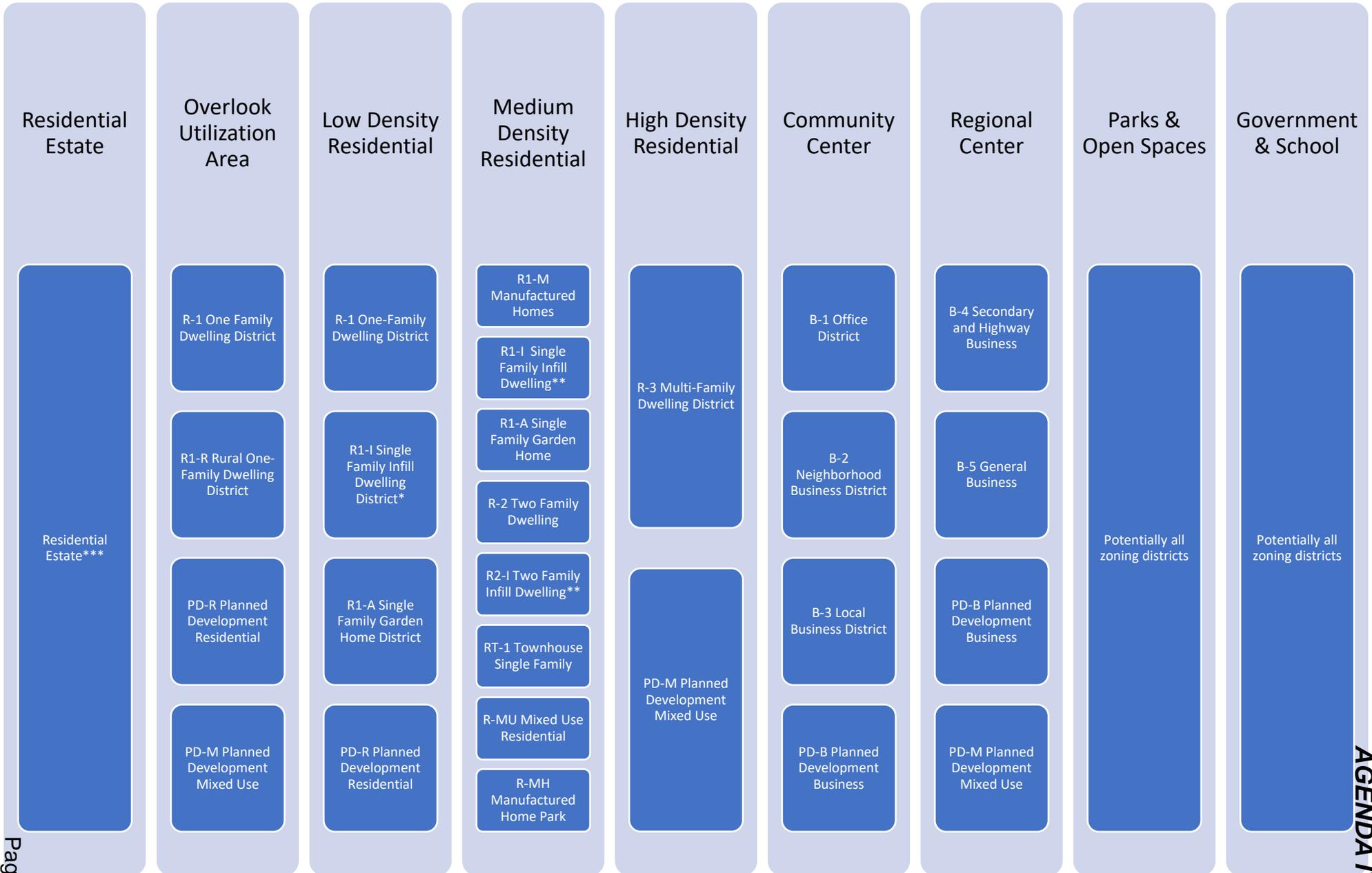
Received By: [Signature]

Revised: 10/2021

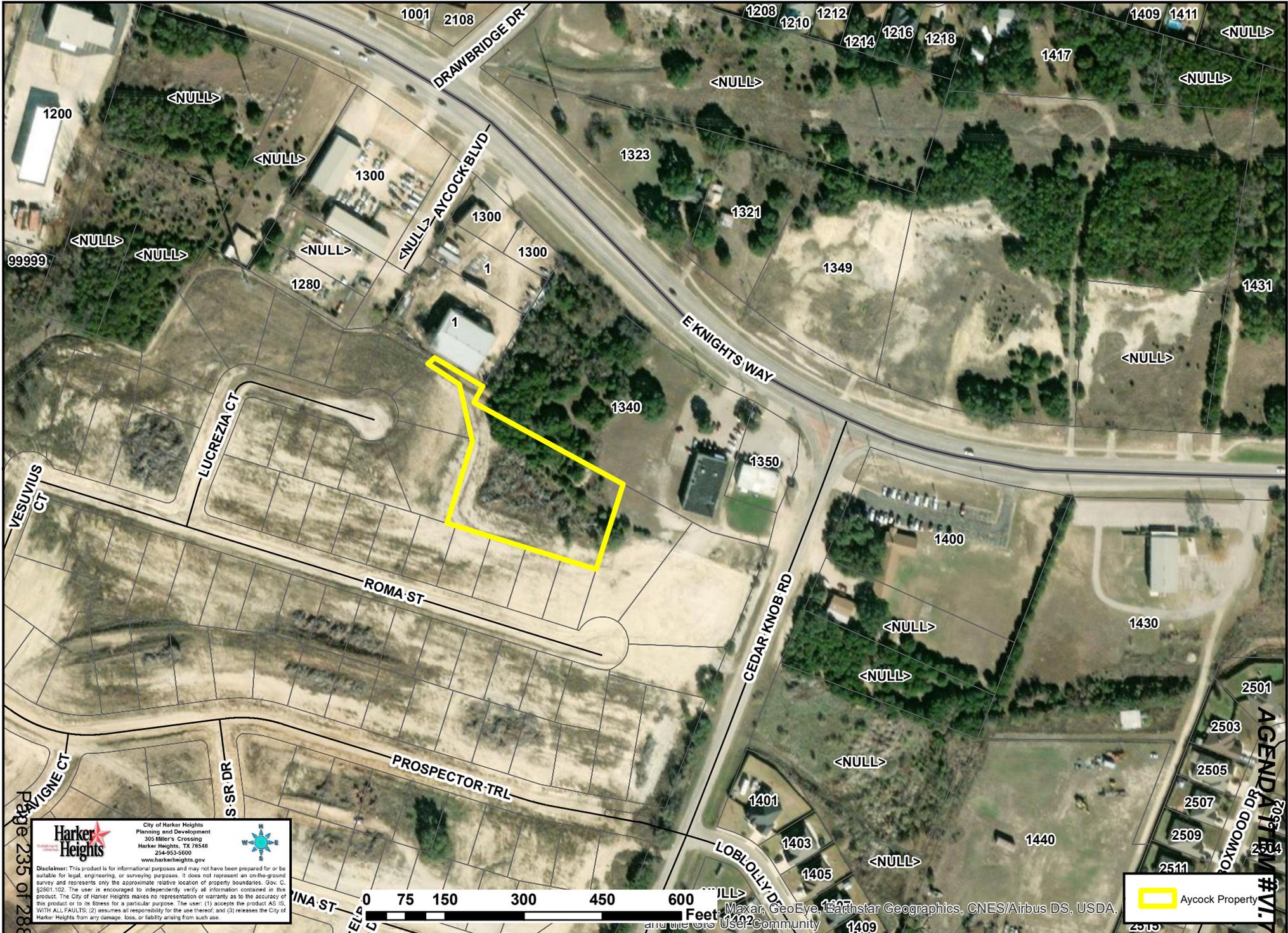
Case #: 222-07



Zoning Districts Per Land Use*



Adoption of Land Use Plan included definitions for each type of land use. This represents the Zoning Districts that correspond to those definitions.
 *Zoning Districts are only allowed in areas as shown on maps/exhibits included with respective adopted ordinances
 **Currently R-1 larger than 0.5 acres and R1-R Zoning Districts are being utilized for Residential Estates proposed Zoning District.



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 300 Miller's Crossing
 Harker Heights, TX 78548
 254-953-5600
 www.harkerheights.gov

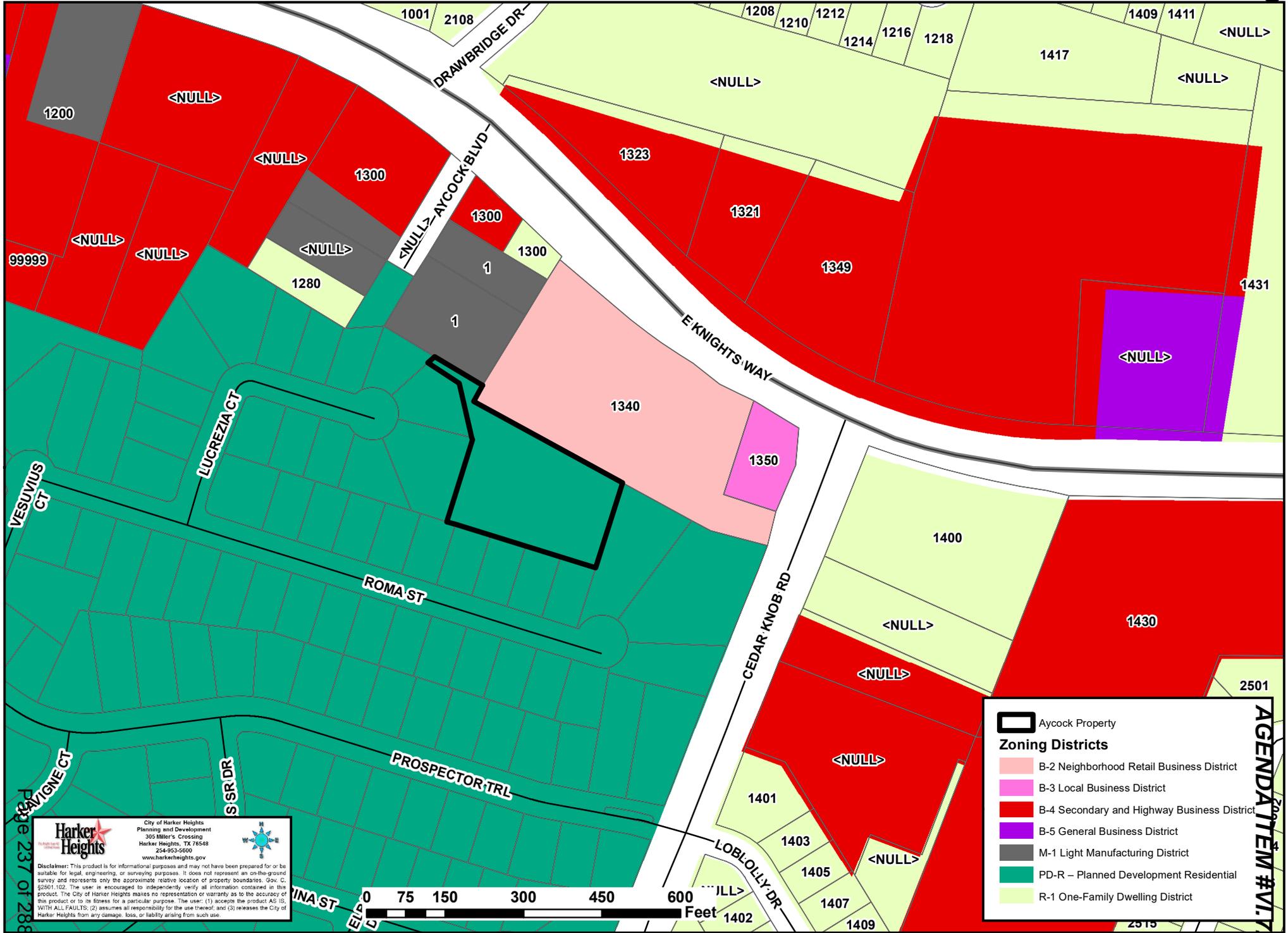
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2001.102. The user 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 the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



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

Aycock Property

AGENDA ITEM #17



Legend

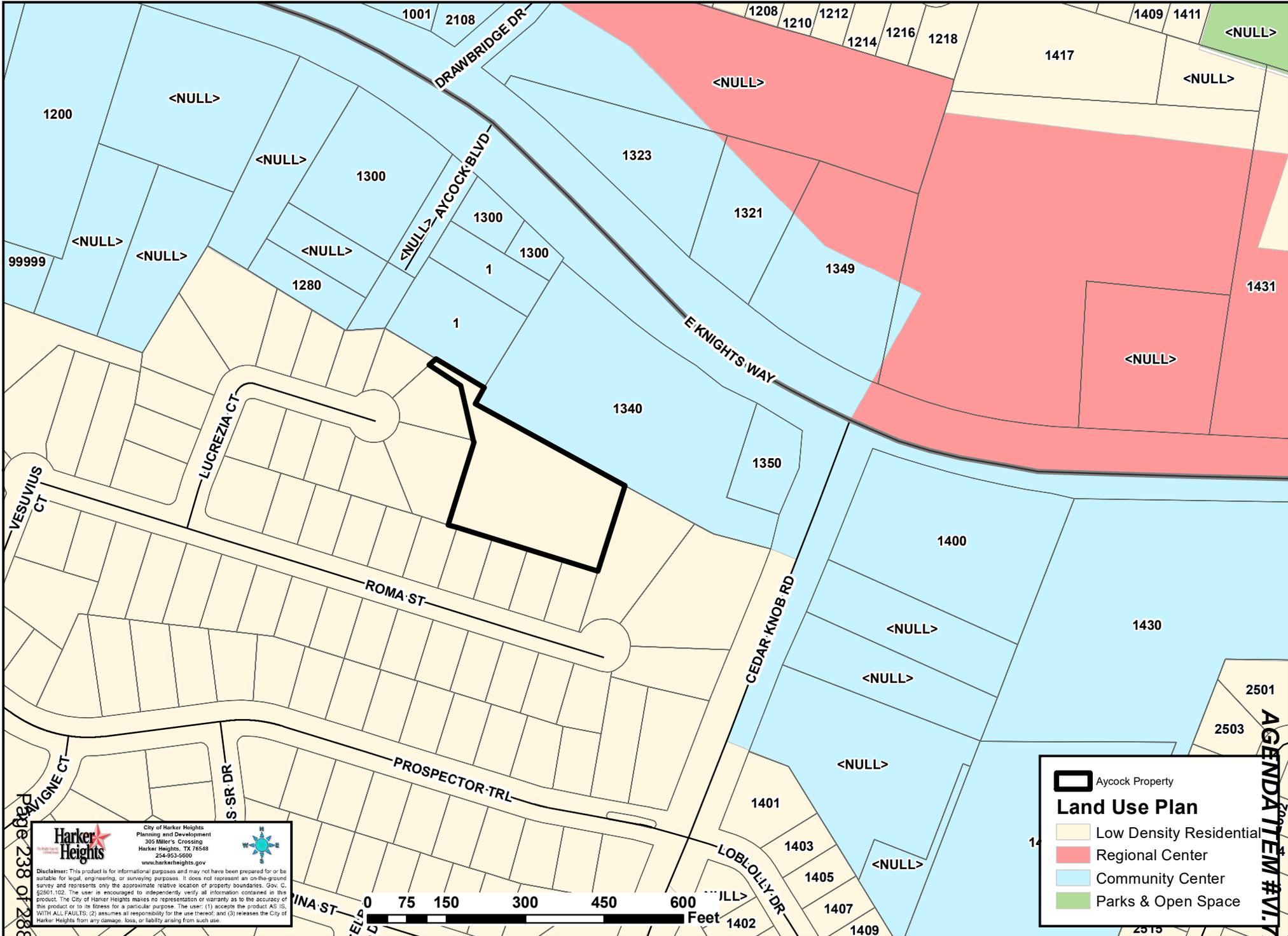
- Aycock Property
- Zoning Districts**
- B-2 Neighborhood Retail Business District
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- B-5 General Business District
- M-1 Light Manufacturing District
- PD-R – Planned Development Residential
- R-1 One-Family Dwelling District

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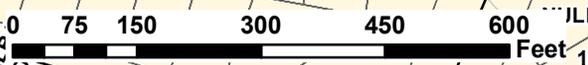
AGENDA ITEM #17

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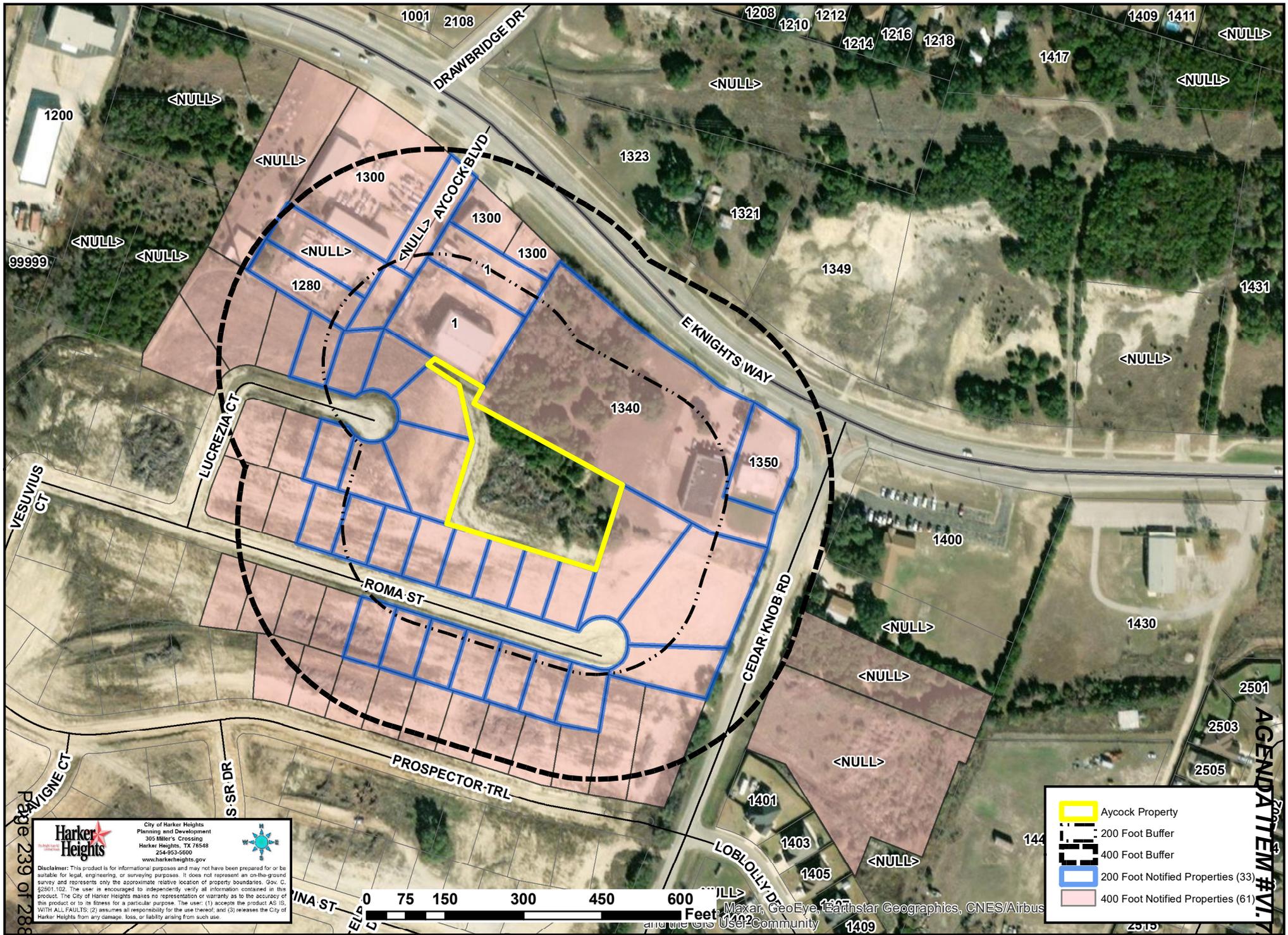
Legend

- Aycock Property
- Land Use Plan**
- Low Density Residential
- Regional Center
- Community Center
- Parks & Open Space



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 300 Miller's Crossing
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Maxar, GeoEye, Earthstar Geographics, CNES/Airbus and the GIS User Community

	Aycock Property
	200 Foot Buffer
	400 Foot Buffer
	200 Foot Notified Properties (33)
	400 Foot Notified Properties (61)

AGENDATTEN #17

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS AMENDING THE LAND USE PLAN BY CHANGING THE LAND USE DESIGNATION FROM 'LOW DENSITY RESIDENTIAL' USE TO 'COMMUNITY CENTER' USE ON PROPERTY DESCRIBED AS CEDARBROOK RIDGE PHASE II, TRACT H, PROPERTY ID 505020, GENERALLY LOCATED SOUTH OF 1340 E. KNIGHT'S WAY/E. FM 2410, 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; and

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, as previously designated 'Low Density Residential' use, is hereby changed to a 'Community Center' use on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas.

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>
2022-	4/12/2022	Amending the Land Use Plan by changing the land use designation from 'Low Density Residential' use to a 'Community Center' use on property described as Cedarbrook Ridge Phase II, Tract H, Property ID 505020, generally located south of 1340 E. Knight's Way/E. FM 2410, 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 by the City Council of the City of Harker Heights on April 12, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

DISCUSS AND CONSIDER APPROVAL OF A MINOR PLAT REFERRED TO AS DUNYASHA PLACE ON PROPERTY DESCRIBED AS 5.806 ACRES, SITUATED IN THE W.H. RUSSELL SURVEY, ABSTRACT 1019, BELL COUNTY, TEXAS, EMBRACING ALL OF LOT 1, BLOCK 1, WITHERS WAY, AN ADDITION WITHIN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN PLAT YEAR 2016, PLAT #20, PLAT RECORDS OF BELL COUNTY, TEXAS, AND EMBRACING ALL OF A CALLED 3.30 ACRE TRACT CONVEYED TO MICHAEL WITHERS AND DUNYASHA WITHERS IN DOCUMENT NO. 2016-00036332, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant submitted an application for minor plat approval for approximately 5.806 acres of residential and vacant land located on Comanche Gap Road. The proposed development will consist of 2 (two) lots, one of which is currently zoned R1-R (Rural One-Family Dwelling District), and the other is pending zoning approval from R1-R (Rural One-Family Dwelling District) to R-1 (One-Family Dwelling District). The 2021 Land Use Plan identifies this parcel for Residential Estate land use, which is appropriate for the intended R-1 use.

As of March 15, 2022, staff had reviewed the submitted minor plat plans and made comments to address safety, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

RECOMMENDATION:

On March 15, 2022, staff returned comments to the applicant. On March 22, 2022, the applicant submitted revisions based on the March 15, 2022 comments. The submitted minor plat does not meet the R1-R zoning requirements. However, comments on the revisions have been fully met for R-1 zoning. Since the Planning and Zoning Commission recommended approval of R-1 zoning for a portion of the plat area, staff recommended approval to the Planning and Zoning Commission for the Minor Plat for the subdivision referred to as Dunyasha Place.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Minor Plat for the subdivision referred to as Dunyasha Place based on staff's recommendations and findings.

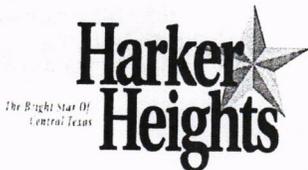
ACTION BY THE COUNCIL:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for a **Minor Plat** referred to as Dunyasha Place on property described as 5.806 acres, situated in the W.H. Russell Survey, Abstract 1019, Bell County, Texas, embracing all of Lot 1, Block 1, Withers Way, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat #20, Plat Records of Bell County, Texas, and embracing all of a called 3.30 acre tract conveyed to Michael Withers and Dunyasha Withers in Document No. 2016-00036332, Official Public Records of Real Property, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

[Application; Field Notes; Dedication; Existing Conditions; Dunyasha Place Minor Plat; Location Map; Staff Comments.](#)



Minor/Amending Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

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

1. Pre-Application Meeting with Staff to ensure applicability
2. Payment of \$150.00 +\$3.00 per acre
3. Signed & Original Field Notes and Dedication

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

Plat Name: Dunyasha Place Date Submitted: 02/16/2022

Number of Lots: 2 Acreage: _____ Existing Land Use: Residential

Site Address or General Location: Comanche Gap Road Bellcad ID 424038

Reason for Amendment:

Property Owner: Michael A. Withers

Address: 3200 Comanche Gap Rd, Harker Heights, TX 76548

Phone: 254-535-5703 E-mail: MichaelaWithers@yahoo.com

Developer: Michael Withers

Address: 3200 Comanches Gap Rd, Harker Heights, TX

Phone: 254-535-5703 E-mail: MichaelaWithers@yahoo.com

Engineer/Surveyor: All county surveying, Inc.

Address: 4330 S. 5th street, Temple Tx

Phone: 254-778-2272 E-mail: Anna@allcountysurveying.com

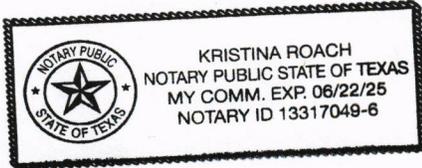
I HEREBY UNDERSTAND AND ACKNOWLEDGE:

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

OWNER SIGNATURE: [Signature]

Notary Public: SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 10th DAY OF July, 2022

[Signature] MY COMMISSION EXPIRES: 6/29/2025
 NOTARY PUBLIC IN AND FOR
 THE STATE OF TEXAS



Anthony Rodriguez will be representing me, Michael A. Withers for plat referred to as Danyasha Place.

22 March 2022

The information contain in this checklist can also be found in Chapter 154: Title XV-Land Usage of the City of Harker Heights Harker Heights Code of Ordinances under Subdivision Regulations

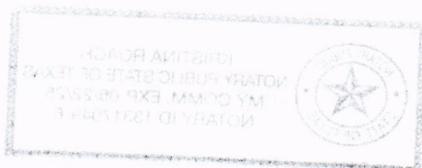
All plat submittals must include the items specified in order to be accepted by the City of Harker Heights. Partial and incomplete submittals will not be accepted.

MINOR PLAT (ADMINISTRATIVE PLAT) OR AMENDING PLAT
(ITEMS REQUIRED WHEN SUBMITTING PLATS FOR APPROVAL)

- Completed Application for Administrative or Minor Plat
- Payment for Administrative Plat (\$150.00 plus \$3.00 per Acre)
- Nine (9) Copies for Reviewing Parties
- Formal Dedication Page-Needs to be the **Original Notarized Copy**
- Metes and Bounds (Field Notes)-Needs to be **Original Copy** sealed by Surveyor
- Minor or Amending Plats should include the following Signature Blocks:
 - DIRECTOR OF PLANNING AND DEVELOPMENT
 - CITY SECRETARY
 - Surveyor's with Certificate (Seal)
 - Bell County Tax Appraisal District with the accompany File for Record Signature Block
 - Bell County Environmental Health Department (if applicable)
 - Lien Holder (if applicable)

Application on Reverse Side

*Anthony Rodriguez
 3/22/22*



FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

January 14, 2022

Surveyor's Field Notes for:

5.806 ACRE, situated in the **W.H. RUSSELL SURVEY, ABSTRACT 1049**, Bell County, Texas, embracing all of Lot 1, Block 1, Withers Way, an addition within the City of Harker Height, Bell County, Texas, according to the plat of record in Plat Year 2016, Plat # 20, Plat Records of Bell County, Texas, and embracing all of a called 3.30 acre tract conveyed to Michael Withers and Dunyasha Withers in Document No. 2016-00036332, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a railroad spike found on the western line of Comanche Gap Road, being the easterly corner of said 3.30 acre tract, same being the northerly corner of Lot 1, Block 1, Mathes Estates an addition in the City of Harker Heights, Bell County, Texas, according to the plat of record in Plat Yr., 2016, #73, Plat Records of Bell County, Texas, for the easterly corner of the herein described tract, which bears $N 41^{\circ}16'46'' W - 240.09'$, from a 1/2" iron rod found at the northeast corner of said Lot 1;

THENCE, in a southwesterly direction, with the north line of said Lot 1, $S 45^{\circ}56'01'' W - 691.92'$, to a 1/2" iron rod with cap stamped "RPLS 2475" found on the east line of Lot 8, Block 1, Comanche Gap Estates, an addition in Bell County, Texas, according to the plat of record in Cabinet A, Slide 192-D, of said plat records, being the southerly corner of said 3.30 acre tract, same being the westerly corner of said Lot 1, for the southeast corner of the herein described tract, which bears $N 20^{\circ}54'09'' W - 13.26'$, from a 1-1/2" metal pipe found at the northeast corner of said Lot 8;

THENCE, in a northwesterly direction, with the east line of said Lot 8, the following courses and distances follow:

1. $N 22^{\circ}19'12'' W$, passing a railroad spike found at the westerly corner of said 3.30 acre tract, same being the southerly corner of Lot 1, Block 1, Withers Way an addition in the City of Harker Heights, Bell County, Texas, according to the plat of record in Plat Yr., 2016, #20, of said plat records, at a distance of 204.70', and continuing for a total distance of 251.41', to a 1-1/2" metal pipe found at an interior corner of said Lot 1, Block 1, Withers Way, and
2. $N 72^{\circ}30'20'' W - 42.69'$, to a 3/8" iron rod found at the southwest corner of said Lot 1, same being the southeast corner of a called 7.00 acre tract conveyed to Frank A. Hammond and wife, Elfi K. H. Hammond in Volume 2418, Page 116, Deed Records of Bell County, Texas, for the southwest corner of the herein described tract;

THENCE, northeasterly direction, with the west line of said Lot 1, Block 1, Withers Way, $N 25^{\circ}03'37'' E - 689.20'$, to a 3/8" iron rod with cap stamped "M&A" found on the western line of said Comanche Gap Road, being the northeast corner of said 7.00 acre tract, same being the northwest corner of said Lot 1, for the northwest corner of the herein described tract;

THENCE, in a southeasterly direction, with the western line of said Comanche Gap Road, $S 41^{\circ}17'51'' E - 517.22'$, to the **POINT OF BEGINNING** and containing 5.806 Acres of Land.

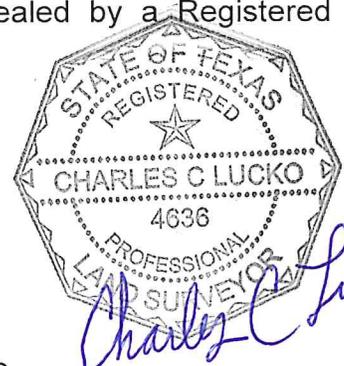
Horizontal Control based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations. Scale Factor=1.0001470909, scaled about CP-100 (N:10,350,872.64 E:3,144,175.55).

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed December 23, 2021

ALL COUNTY SURVEYING, INC.
1-800-749-PLAT
TX. Firm Lic. No. 10023600

server/projects/pro210000/212000/212097/212097.1P.doc



Charles C. Lucko
 Registered Professional Land Surveyor
 Registration No. 4636

**DEDICATION OF
DUNYASHA PLACE
within the City of Harker Heights,
Bell County, Texas.**

STATE OF TEXAS)
COUNTY OF BELL)

That **Michael Withers**, owner of that certain tract of land containing 5.806 acre described in Field Notes prepared by Charles C. Lucko, RPLS No. 4636, dated January 14, 2022 which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, do hereby name and designate said 5.806 acre tract as **DUNYASHA PLACE**, a subdivision in the City of Harker Heights, Bell County, Texas, and do hereby adopt the attached map and plat thereof and do hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

Grantor, does hereby give, grant and convey to the **CITY OF HARKER HEIGHTS, TEXAS**, its assignees and franchisees furnishing public utilities in said subdivision, the easements as shown on said plat for drainage and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

To have and to hold said easements unto said Grantee, and the undersigned hereby binds itself, its heirs, administrators, executors, successors and assigns, to warrant and forever defend all and singular said premises unto the said Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS THE EXECUTION HEREOF, on this ____ day of _____, 20____.

Michael Withers

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF **BELL**)

BEFORE ME, the undersigned authority, on this day personally appeared **Michael Withers**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____,
20____.

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:
All County Surveying, Inc.
4330 South 5th Street
Temple, Texas 76502

DUNYASHA PLACE

P22-05 Minor Plat – Dunyasha Place

Plat Distributed to HH Staff: March 7, 2022

Comments Returned to All County Surveying: March 15, 2022

Planning & Development

1. Applicant is advised that the Lot 1 is currently zoned R-1R. The plat as submitted only meets the requirements for R-1 zoning. Therefore, the plat can only be approved if the concurrent R-1 zoning case is approved by City Council.

Public Works, Mark Hyde

No comments.

City Engineer, Otto Wiederhold

No comments.

Fire Marshal, Brad Alley

No comments.

Building Official, Mike Beard

Comments have not been received from reviewing entity and may be forthcoming.

ONCOR, Steven Huggins

Comments have not been received from reviewing entity and may be forthcoming.

Century Link, Chris McGuire

Comments have not been received from reviewing entity and may be forthcoming.

Time Warner Cable/Spectrum, Shaun Whitehead

Comments have not been received from reviewing entity and may be forthcoming.

ATMOS Rusty Fischer

No comments.

Clearwater UWCD

Clearwater UWCD (CUWCD) has completed a desktop geodatabase investigation and records review for groundwater wells per your request. The Bell CAD properties reviewed were PIDs #467874 (3.391 acres), and 424038 (3.3 acres), based on the proposed subdivision known as the Dunyasha Place Subdivision.

Item 1: Database review and site visit (19 Jan 22) determined no wells exist on the proposed subdivision known as the Dunyasha Place Subdivision.

Item 2: Once the subdivision replat is approved and subdivided as requested, future drilling of a non-exempt permitted well will be possible for beneficial use on Lot 2 of the subdivision known as the Dunyasha Place Subdivision. *Non-exempt permitted wells* on tracts less than 10 acres and greater than or equal to 2 acres is possible under district rules if the purpose of the well meets the definition of beneficial use. Lot 1 would not be eligible for a groundwater production well, as it will be smaller than 2 acres.

Item 3: The proposed subdivision lies in the City of Harker Height's CCN #13709, thus public water supply to the proposed subdivision is solely the responsibility of the City of Harker Heights.

Item 4: CUWCD is the regulatory authority for groundwater wells in Bell County and hereby certifies that this proposed subdivision has been evaluated for on-site groundwater production wells. In its current condition, the proposed subdivision meets our expectations described by District Policy and affirmed by District Staff, and *thus requires no signature block.*

Bell County Public Health

Comments have not been received from reviewing entity and may be forthcoming.



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

DISCUSS AND CONSIDER APPROVAL OF A FINAL PLAT REFERRED TO AS CASAS ADDITION ON PROPERTY DESCRIBED AS A 0.18 ACRES TRACT OF LAND OUT OF THE I.T. BEAN SURVEY, ABSTRACT NO. 115, BELL COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND CONVEYED TO DARIA CASAS DE MENDEZ AND JOSE CASAS-RODRIGUEZ AS RECORDED IN INSTRUMENT NO. 2019-00039451, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant submitted an application for minor plat approval for approximately 0.18 acres of residential land located at the southeast corner of Pontotoc Trace and Aztec Trace. The proposed development will consist of one lot, that is currently zoned R-MU (Mixed Use Residential District). The 2021 Land Use Plan identifies this parcel for Medium Density Residential land use, which is appropriate for the intended use.

As of March 15, 2022, staff had reviewed the submitted minor plat plans and made comments to address safety, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to. Additional utility easements were deemed to be required for the plat area. In addition, the area being platted is portions of remainder parcels from two separate parcels. Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission and the City Council.

RECOMMENDATION:

On March 15, 2022, staff returned comments to the applicant. On March 21, 2022, the applicant submitted revisions based on the March 15, 2022 comments. As of March 24, 2022, comments on revisions have been met with the exception of a minor wording change. Staff therefore recommended approval to the Planning and Zoning Commission of the Final Plat for the subdivision referred to as Casas Addition with the following condition:

1. Revise the dedication language on the face of the plat and the signatory blocks per the City's Code of Ordinances and as directed by City staff.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Final Plat for the subdivision referred to as Casas Addition with the condition as presented by staff and based on staff's recommendations and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for a Final Plat referred to as Casas Addition on property described as a 0.18 acres tract of land out of the I.T. Bean Survey, Abstract No. 115, Bell County, Texas, and being the same tract of land conveyed to Daria Casas De Mendez and Jose Casas-Rodriguez as recorded in Instrument No. 2019-00039451, Official Public Records of Real Property, Bell County, Texas with the condition as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

[Application; Field Notes; Dedication; Casas Addition Minor Plat; Location Map; Staff Comments](#)



Minor/Amending Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, 1600 Pontotoc, Harker Heights, TX 76548

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

Property Information:

Plat Name: Casas Addition **Date Submitted:** _____

Existing Lot Count: 1 **Proposed Lot Count:** 1 **Acreage:** 0.18

Site Address or General Location: 1600 Pontotoc, Harker Heights, TX, 76548

Reason for Amendment/Description of Subdivision: _____

Zoning Classification: R-MU **Existing Land Use:** vacant

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: Jose Casas Rodriguez & Daria Casas de Mendez

Address: 1712 Aztec Trace Apt. A, Harker Heights, TX, 76548

Phone: 254-368-9886 **E-mail:** casillajr1212@icloud.com

Developer: _____

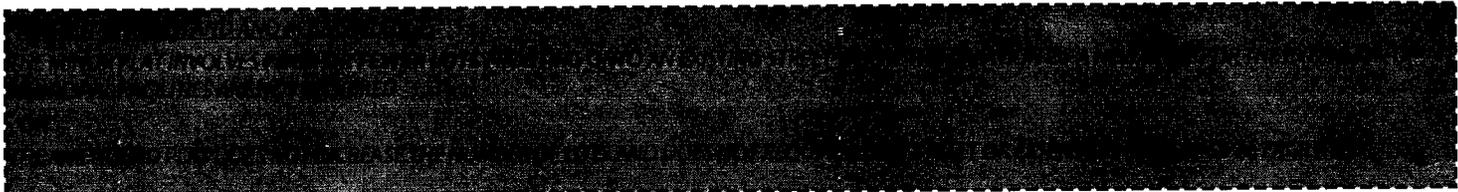
Address: _____

Phone: _____ **E-mail:** _____

Engineer/Surveyor: Killeen Engineering & Surveying Ltd.

Address: 2901 E. Stan Schlueter Lp, Killeen, TX, 76542

Phone: 254-526-3981 **E-mail:** mlee@kesltd.com



Jose Casas Rodriguez/Daria Casas de Mendez

José Luis Casas Rodriguez / Daria Casas de Mendez

PRINTED NAME OF OWNER:

OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 22 DAY OF February, 2022

Cynthia A. Murphy MY COMMISSION EXPIRES: 8-20-2023
NOTARY PUBLIC SIGNATURE

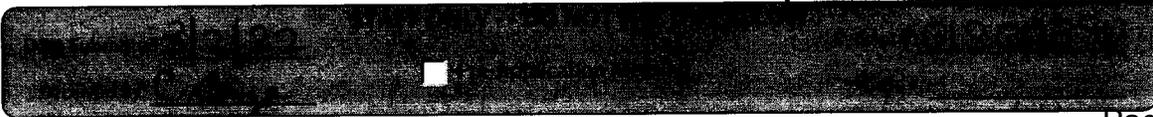
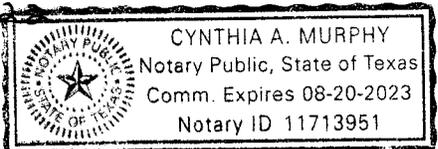


Exhibit A

Being a 0.18 acre tract of land out of the I. T. Bean Survey, Abstract No. 115, Bell County, Texas, and being the same tract of land conveyed to Daria Casas De Mendez and Jose Casas-Rodriguez as recorded in Instrument No. 2019-00039451, Official Public Records of Real Property of Bell County, Texas; said 0.18 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found at the intersection of the South margin of Pontotoc Trace and the East margin of Aztec Trace, said rod being the Northwest corner of said Casas tract for the Northwest corner of the herein described tract;

THENCE, N 83° 01' 37" E, 62.40 feet (N 85° 22' 00" E, 64.42 feet- deed) with the South margin of Pontotoc Trace, the North line of said Casas tract and the North line of the herein described tract to a 1/2" iron rod found with Killeen Eng. cap, said rod being the Northwest corner of a tract of land conveyed to James C. Hofacker, Sr. as recorded in Volume 3308, Page 74, said county records, and being the Northeast corner of said Casas tract for the Northeast corner of the herein described tract;

THENCE, S 07° 01' 31" E, 128.42 feet (S 04° 40' 20" E, 130.42 feet – deed) with the West line of said Hofacker tract, the East line of said Casas tract and the East line of the herein described tract to a 1/2" iron rod found with Killeen Eng. cap in the North line of a tract of land conveyed to William H. Russell as recorded in Volume 3133, Page 639, said county records, said rod being the Southwest corner of said Hofacker tract and the Southeast corner of said Casas tract for the Southeast corner of the herein described tract;

THENCE, S 83° 15' 00" W, 62.40 feet (S 85° 22' 00" W, 64.42 feet- deed) with the North line of said Russell tract, the South line of said Casas tract and the South line of the herein described tract to a 1/2" iron rod found with Killeen Eng. cap in the East margin of Aztec Trace, said rod being the Northwest corner of said Russell tract and the Southwest corner of said Casas tract for the Southwest corner of the herein described tract;

THENCE, N 7° 01' 32" W, 128.17 feet (N 04° 40' 20" W, 130.42 feet – deed) with the East margin of Aztec Trace, the West line of said Casas tract and the West line of the herein described tract to the **POINT OF BEGINNING**, containing 0.18 acres of land, more or less.

The Bearings for the above description are based on the Texas Coordinate System, Central Zone, NAD 83 per Leica SmartNet GPS observations.

I, Michelle E. Lee, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground of the property described herein.

Michelle E. Lee
 Michelle E. Lee, RPLS 2-14-2022
 No. 5772, Texas



KILLEEN ENGINEERING & SURVEYING, LTD.
 2901 E. STAN SCHLUETER LOOP
 KILLEEN, TEXAS 76542
 (254) 526-3981/ FAX (254) 526-4351
 TBPE Registration No. F-4200, TBPLS Registration No. 10194541

DEDICATION

STATE OF TEXAS §
CITY OF HARKER HEIGHTS §
COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

That DARIA CASAS DE MENDEZ AND JOSE CASAS-RODRIGUEZ, being the sole owners of that 0.18 acre tract of land described in Exhibit A attached hereto, and incorporated herein for all purposes, do hereby subdivide the herein described property into lots and blocks according to the plat thereof, to be known as CASAS ADDITION to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights Director of Planning and Development. DARIA CASAS DE MENDEZ AND JOSE CASAS-RODRIGUEZ do hereby adopt the said plat of CASAS ADDITION as an addition to the City of Harker Heights for the purpose of selling lots and blocks of land with reference thereto, for the development of said land by its owner, and for all other purposes. DARIA CASAS DE MENDEZ AND JOSE CASAS-RODRIGUEZ do hereby dedicate to the City of Harker Heights all streets, avenues, roads, alleys, and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings; the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas.

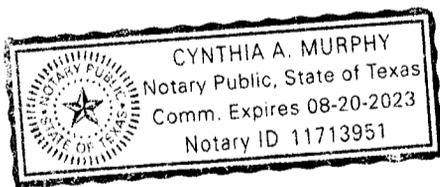
The utility easements shown on the said plat are dedicated to the City of Harker Heights for the installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed and maintained.

WITNESS the execution hereof on this 22 day of February, 2022 A.D.

Jose Luis Casas Rodriguez
Jose Casas-Rodriguez

State of Texas §
County of Bell §

This instrument was acknowledged before me on this 22 day of February, 2022 A.D. by Jose Casas-Rodriguez.



Cynthia A. Murphy
Notary Public State of Texas
My Commission Expires 8-20-2023

WITNESS the execution hereof on this 24 day of February, 2022 A.D.

Daria Casas de Mendez
Daria Casas de Mendez

State of Texas §
County of Morris §

This instrument was acknowledged before me on this 24 day of February, 2022 A.D. by Daria Casas De Mendez.



Aimee Howell
Notary Public State of Texas
My Commission Expires 6-2-25



CASAS ADDITION

HARKER HEIGHTS, BELL COUNTY, TEXAS



VICINITY MAP
N.T.S.

CONTENTS

- 0.00 COVER SHEET
- 1.00 FINAL PLAT
- 2.00 UTILITY & AS-BUILT
- 3.00 EXISTING/PROPOSED DRAINAGE LAYOUT

Cover Sheet

CASAS ADDITION

HARKER HEIGHTS, BELL COUNTY, TEXAS

**KILLEN ENGINEERING
& SURVEYING, LTD**

2901 E. Stan Schlueter Loop
Killeen, Texas 76542

OFFICE: (254) 526-3981 FAX: (254) 526-4351

TXPE REGISTRATION NO. F-4200
TBPLS REGISTRATION NO. 10194541

Project No.:	2022-004
Acres:	0.18
No. of Lots:	1
Scale:	
Date:	03/16/2022
Design By:	GMH
Sheet No.:	0.00

CASAS ADDITION
HARKER HEIGHTS, BELL COUNTY, TEXAS

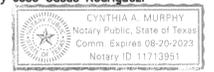
Final Plat



KNOW ALL MEN BY THESE PRESENTS, that Daria Casas de Mendez and Jose Casas-Rodriguez, being the sole owners of that 0.18 acre tract shown hereon, which is more fully described in the dedication of CASAS ADDITION, do hereby subdivide the herein property into lots and blocks according to the plat thereof, to be known as CASAS ADDITION to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights Director of Planning and Development. Daria Casas de Mendez and Jose Casas-Rodriguez do hereby dedicate to the City of Harker Heights all streets, avenues, roads, alleys, and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings; the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas. The utility easements shown on the said plat are dedicated to the City of Harker Heights for the installation and maintenance of any and all public utilities, which the City may elect to install or maintain or permit to be installed and maintained.

Jose Luis Casas Rodriguez
 Jose Casas Rodriguez

STATE OF TEXAS
 COUNTY OF BELL
 This instrument was acknowledged before me on the 22 day of February, 2022
 by Jose Casas Rodriguez.



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

Daria Casas de Mendez
 Daria Casas de Mendez

STATE OF TEXAS
 COUNTY OF Morris
 This instrument was acknowledged before me on the 24 day of February, 2022
 by Daria Casas de Mendez.

Aimee Howell
 Aimee Howell
 Notary Public, State of Texas

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

 Director of Planning and Development

 Attest: City Secretary

FILED FOR RECORD this ___ day of _____, 20___ A.D.

Dedication Instrument in Instrument No. _____, Official Records of Bell County, Texas.

KNOW ALL MEN BY THESE PRESENTS:

That I, Michelle E. Lee, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the perimeter corner monuments shown hereon were properly placed or found under my personal supervision, in accordance with the Subdivision Regulations of the City of Harker Heights, Texas. This subdivision, CASAS ADDITION, is located within the City Limits of Harker Heights, Texas.



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

TAX CERTIFICATE

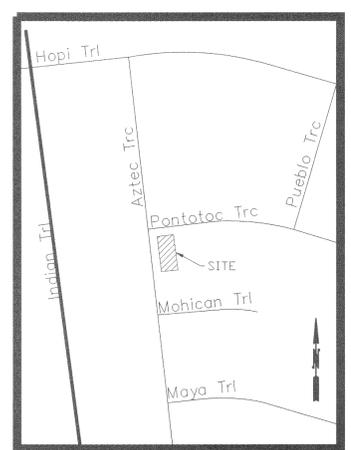
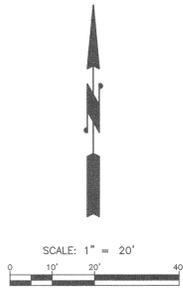
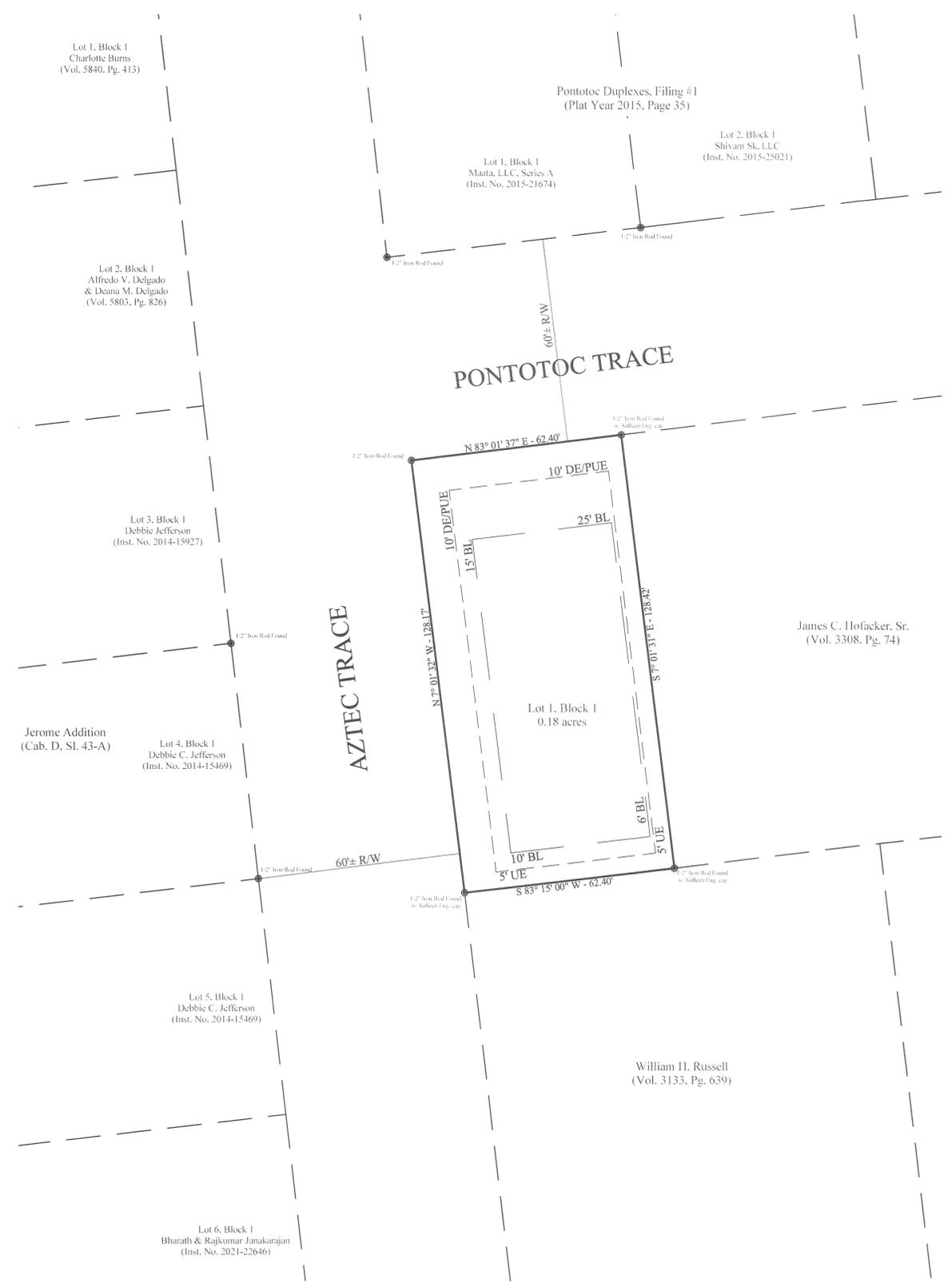
The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this ___ day of _____, 20___ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

By: _____

William H. Russell
 (Vol. 3133, Pg. 639)



VICINITY MAP
 N.T.S.

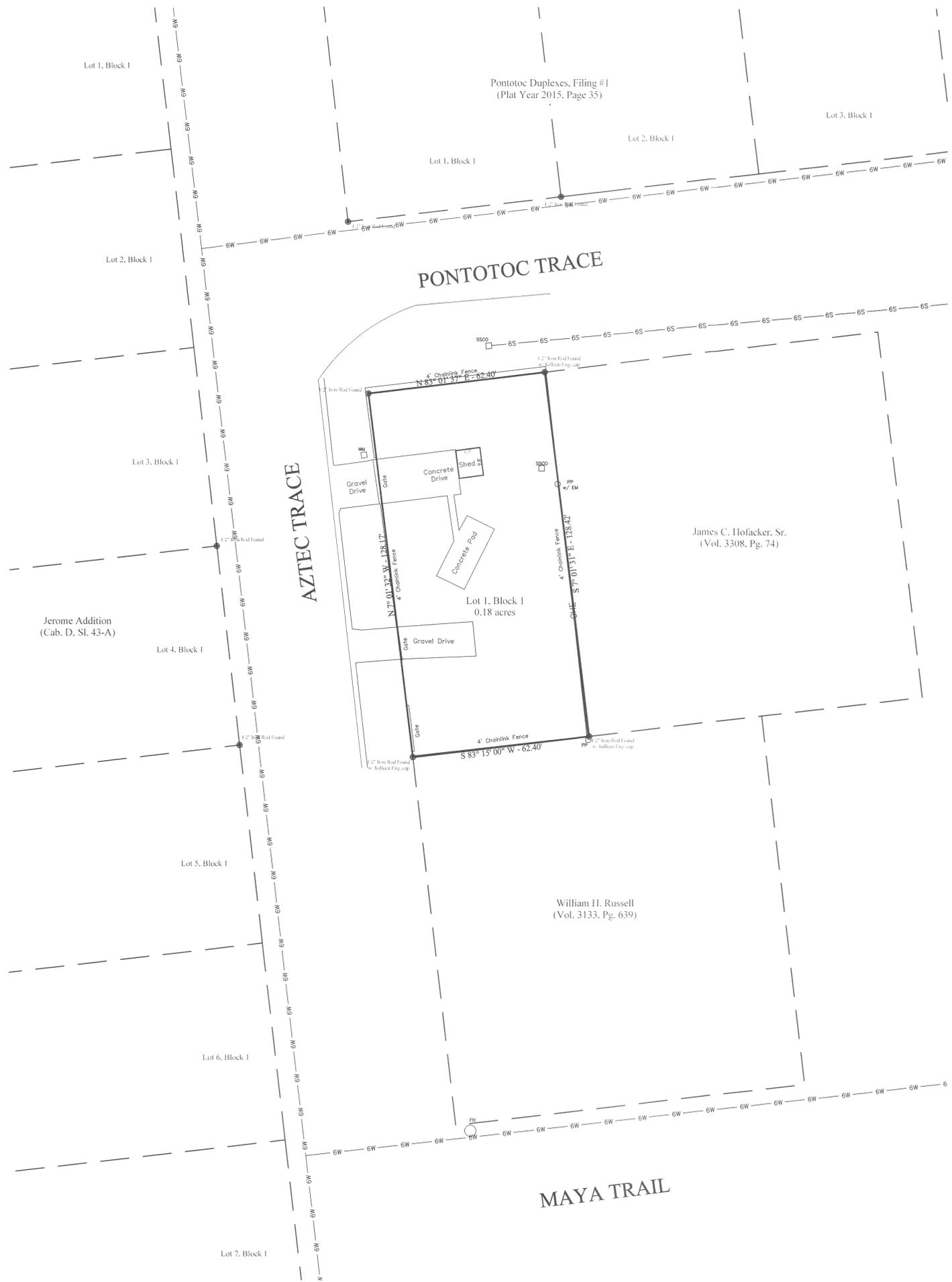
- NOTE:
- BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE X - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS DEFINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 48027C0295E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS. THE SURVEYOR MAKES NO ASSURANCE AS TO THE ACCURACY OF THE DELINEATIONS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP. THIS STATEMENT IS NOT AN OPINION THAT THE PROPERTY WILL OR WILL NOT FLOOD.
 - BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, CENTRAL ZONE (NAD 83) PER LEICA SMARTNET GPS OBSERVATIONS.
 - TEMPORARY BENCHMARK: 1/2" IRON ROD FOUND IN THE INTERSECTION OF AZTEC TRACE AND PONTOTOC TRACE LOCATED AT N: 10359675.42, E: 3140830.49. ELEV=806.24' (NAD83)

Project No.:	2022-004
Acres:	0.18
No. of Lots:	1
Scale:	1" = 20'
Date:	03/16/2022
Design By:	GMH
Sheet No.:	1.00



LEGEND	
EM	ELECTRIC METER
FH	FIRE HYDRANT
IRF	IRON ROD FOUND
OHE	OVERHEAD ELECTRIC
PP	POWER POLE
SSCO	SANITARY SEWER CLEANOUT
— 6W —	APPROX. LOCATION EXISTING 6" WATER LINE
— 6S —	APPROX. LOCATION EXISTING 6" SANITARY SEWER LINE

NOTE:
THIS LOT IS SERVED BY EXISTING WATER AND SEWER SERVICES



Utility & As-Built

CASAS ADDITION

HARKER HEIGHTS, BELL COUNTY, TEXAS

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



2/23/22
Anca Neagu

Project No.:	2022-004
Acres:	0.18
No. of Lots:	1
Scale:	1" = 20'
Date:	03/16/2022
Design By:	GMH
Sheet No.:	2.00

EXISTING/PROPOSED DRAINAGE LAYOUT
CASAS ADDITION
 HARKER HEIGHTS, BELL COUNTY, TEXAS

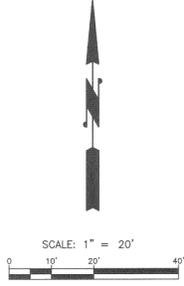
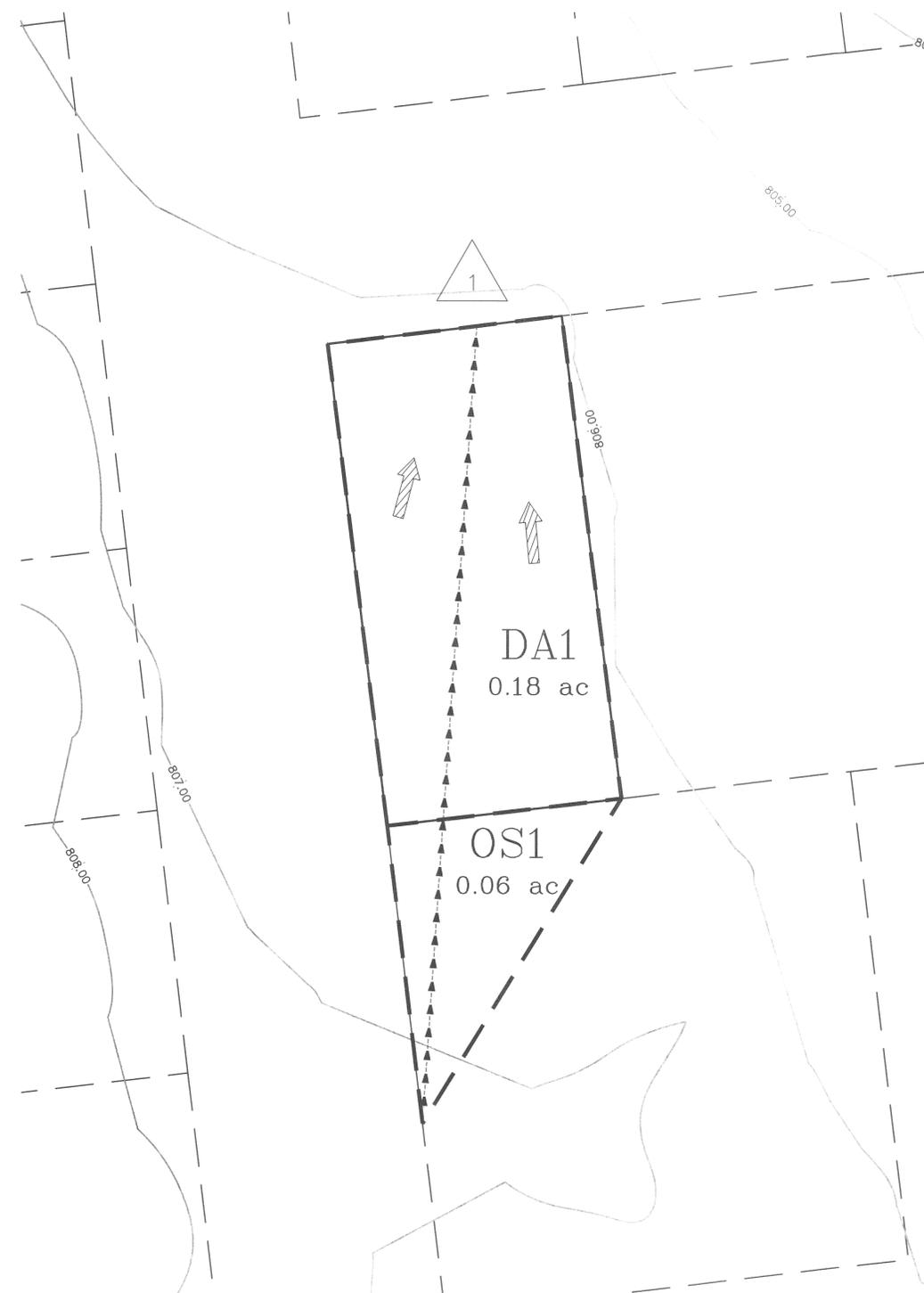


Project No.:	2022-004
Acres:	0.18
No. of Lots:	1
Scale:	1" = 20'
Date:	03/16/2022
Design By:	GMH
Sheet No.:	3.00

Time of Concentration, Existing/Proposed Conditions (TR-55 Method)

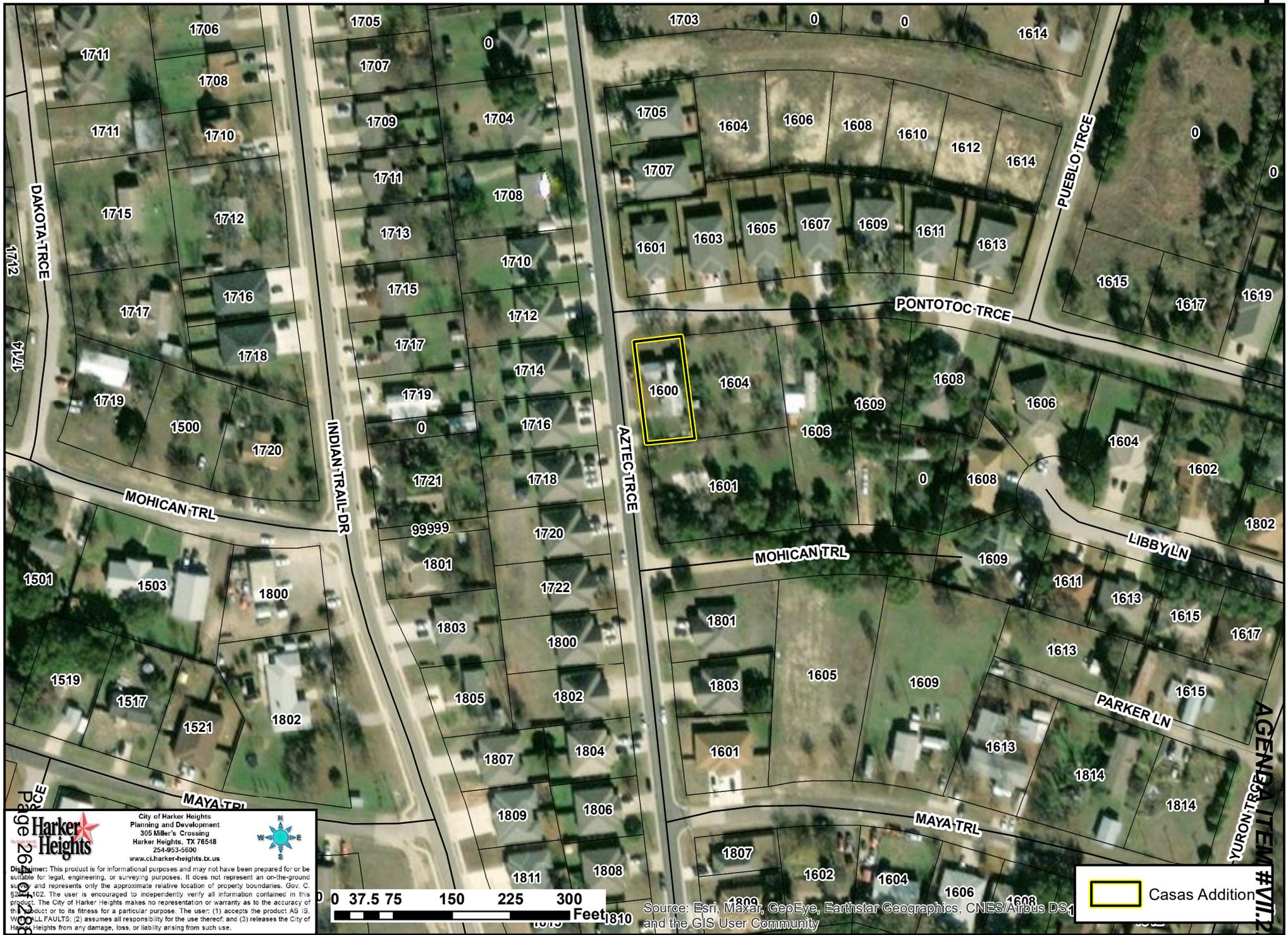
Drainage Area Data	Sheet Flow t_t					Shallow Concentrated Flow t_t					Computed t_c (min)
	n	Length, L_s (ft)	P2, 2-yr, 24 hr rain (in)	Slope, S (ft/ft)	t_t (min)	n	Length (ft)	Slope, S (ft/ft)	Velocity, V (fps)	t_t (min)	
DA1	0.20	50.0	3.85	0.005	11.2	16.13	156	0.005	1.14	2.3	13.5

DP	Contributing DA's	Contributing Flows (cfs)	AREA (acres)	T_c (min)	C_{25}	Q_{25} (in./hr.)	Q_{25} (cfs)	C_{100}	Q_{100} (in./hr.)	Q_{100} (cfs)
DP1	DA1+OS1		0.24	13.5	0.85	7.34	1.14	0.75	10.28	1.8



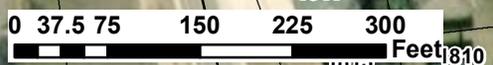
LEGEND	
—	DA DRAINAGE AREA
—	PROPERTY BOUNDARY
- - -	ADJACENT PROPERTY BOUNDARY
- - -	DRAINAGE AREA BOUNDARY
- - - - -	TC FLOW PATH
→	FLOW DIRECTION ARROW

- NOTES:
- EXISTING DRAINAGE CALCULATIONS REMAIN UNCHANGED UNDER PROPOSED CONDITIONS.
 - NO LOT IN THIS SUBDIVISION IS ENCRONCHED BY ANY SPECIAL FLOOD HAZARD AREAS AS INUNDATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY BOUNDARY MAP, (FLOOD INSURANCE RATE MAP), MAP NO. 48027C0295E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS.



Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-6600
 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. §224.102. 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," (2) RELEASES ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS1 and the GIS User Community

Casas Addition

CASAS ADDITION

P22-08 Minor Plat – Casas Addition

Plat Distributed to HH Staff: March 7, 2022

Comments Returned to Killeen Engineering and Surveying: March 15, 2022

Revised set of plans distributed to HH Staff: March 22, 2022

Comments Returned to Killeen Engineering and Surveying: March 25, 2022

Planning & Development

1. Face of plat should include adjacent property owner information for adjacent property within 100 feet and property lines per §154.20 (d). *3/24/22 Met.*
2. Address of 11712 Aztec Trace in dedication statement on face of plat is incorrect, should be 1712 Aztec Trace. *3/24/22 Met.*
3. Cover sheet required for plans containing three or more sheets, per §154.22 (B) (1) (a) A cover sheet is required for all plats involving three or more sheets. All plan sheet numbers shall be placed on the cover along with the corresponding plan sheet titles. Cover sheet shall include all plan sheet numbers and plan sheet titles shown in the engineering drawings as well. A vicinity map should always be included on the cover sheet to show the project location. *3/24/22 Met.*
4. Dedication statement on face of plat and on separate dedication instrument do not have matching language. Please revise documents so same language is shown on both. *3/24/22 Not Met. Applicant shall meet with staff to resolve the discrepancy and nonstandard language.*
5. The area of the lot will allow for only one type of zoning district to be utilized on this tract, §155.021R1-I Single Family Infill Dwelling. Please reference the COHH codes for regulation specific to this zoning district.

Public Works, Mark Hyde

1. Provide a 10' wide public utility and drainage easement along Aztec Trace and Pontotoc Trace. The existing easement is labeled as 10' utility easement. *3/24/22 Met.*

City Engineer, Otto Wiederhold

Comments have not been received from reviewing entity and may be forthcoming.

Fire Marshal, Brad Alley

No comments.

Building Official, Mike Beard

Comments have not been received from reviewing entity and may be forthcoming.

ONCOR, Steven Huggins

Comments have not been received from reviewing entity and may be forthcoming.

Century Link, Chris McGuire

Comments have not been received from reviewing entity and may be forthcoming.

Time Warner Cable/Spectrum, Shaun Whitehead

Comments have not been received from reviewing entity and may be forthcoming.

ATMOS, Rusty Fischer

No comments.

Clearwater UWCD, Dirk Aaron

Clearwater UWCD (CUWCD) has completed a desktop geodatabase investigation and records review for groundwater wells per your request. The Bell CAD property reviewed was PIDs #107888 (.188 acres), based on the proposed subdivision known as the Casas Addition.

Item 1: Database review and site visit (08 Mar 22) determined no wells exist on the proposed subdivision known as the Casas Addition.

Item 2: Once the subdivision replat is approved and subdivided as requested, future drilling of a groundwater production well will not be possible, as the tract will be smaller than 2 acres.

Item 3: The proposed subdivision lies in the City of Harker Heights' CCN #13079, thus public water supply to the proposed subdivision is solely the responsibility of the City of Harker Heights.

Item 4: CUWCD is the regulatory authority for groundwater wells in Bell County and hereby certifies that this proposed subdivision has been evaluated for on-site groundwater production wells. In its current condition, the proposed subdivision meets our expectations described by District Policy and affirmed by District Staff, and thus requires no signature block.



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

DISCUSS AND CONSIDER APPROVING A CONCEPT PLAN REFERRED TO AS MCLAUGHLIN WAY, ON PROPERTY DESCRIBED AS BRING A 4.80 ACRE TRACT OF LAND BEING LOT 1, BLOCK 1 OF MCLAUGHLIN WAY AS RECORDED IN CABINET C, SLIDE 348-B, PLAT RECORDS OF BELL COUNTY, TEXAS, AND BEING A TRACT OF LAND CONVEYED TO THOMAS AND STACIE GUICE AS RECORDED IN INSTRUMENT NO.2021058830, DEED RECORDS OF BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

On March 2, 2022, the applicant submitted an application for minor plat approval for McLaughlin Way Replat, generally located west of 1601 Waco Trace. The property consists of approximately 4.80 acres, which the applicant intends to subdivide into four (4) lots.

Upon review of the minor plat, issuance of the first round of staff comments on March 15th, and subsequent meetings with the applicant and their representative, staff recommended a change of the application type to a Concept Plan. The March 21, 2022 resubmittal included the required elements for a Concept Plan. As of March 24, 2022 staff had reviewed the submitted concept plan 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.

RECOMMENDATION:

On March 25, 2022, staff returned the final comments to the applicant. Staff recommended approval to the Planning and Zoning Commission of the Concept Plan for the subdivision referred to as McLaughlin Way with the following conditions:

1. Revise the dedication language on the face of the plat per the City's Code of Ordinances and as directed by City staff.
2. Revise the Utility Plan to include the proposed sewer connections as per staff's comments.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on March 30, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Final Plat for the subdivision referred to as McLaughlin Way with the two conditions as presented by staff and based on staff's recommendations and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for a Concept Plan referred to as McLaughlin Way, on property described as being a 4.80 acre tract of land being Lot 1, Block 1 of McLaughlin Way as recorded in Cabinet C, Slide 348-B, Plat Records of Bell County, Texas and being a tract of land conveyed to Thomas and Stacie Guice as recorded in Instrument No. 2021058830, Deed Records of Bell County, Texas with the two conditions as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

[Application; Ordinances; Concept Plan; Dedication; Field Notes; Utility Plans; Location Map; Staff Comments with Responses](#)



Minor/Amending Plat Application

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

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED ***
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, 305 Millers Crossing, Harker Heights, TX 76548.
1. Pre-Application Meeting
2. Plat Application
3. Plat Fee
4. Plat Map

Property Information:

Plat Name: McLaughlin Way Replat **Date Submitted:** _____

Existing Lot Count: 2 **Proposed Lot Count:** 4 **Acreage:** 4.80

Site Address or General Location: 1517 Waco Trace

Reason for Amendment/ Description of Subdivision: _____

Zoning Classification: R-1 **Existing Land Use:** Vacant

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: Thomas Guice & Stacie Guice

Address: 1601 Waco Trace, Harker Heights, TX, 76548

Phone: 360-649-2790 **E-mail:** guice72olds@yahoo.com

Developer: same as above

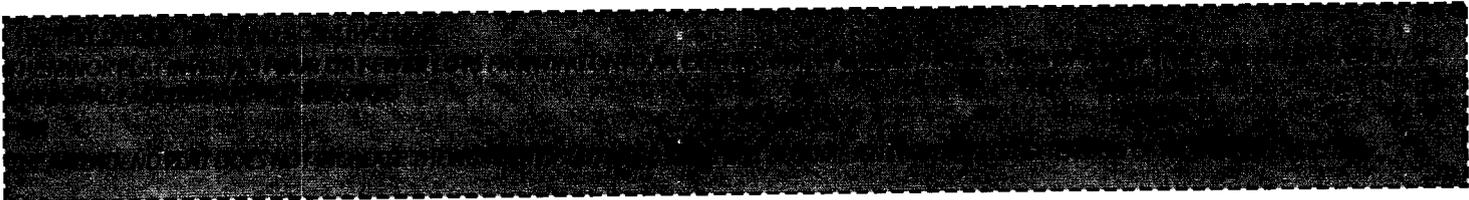
Address: _____

Phone: _____ **E-mail:** _____

Engineer/Surveyor: Killeen Engineering & Surveying, Ltd.

Address: 2901 E. Stan Schlueter Loop, Killeen, TX, 76542

Phone: 254-526-3981 **E-mail:** mlee@kesltd.com



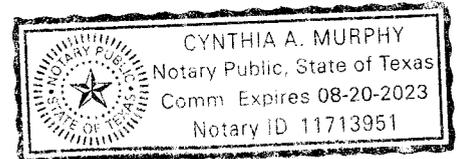
Thomas Guice / Stacie Guice

PRINTED NAME OF OWNER:

[Signature]
OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 1 DAY OF March, 2022

Cynthia A. Murphy MY COMMISSION EXPIRES: 8-20-2023
NOTARY PUBLIC SIGNATURE



§ 154.20 GENERAL RESIDENTIAL AND COMMERCIAL.

(A) The owner of a lot, tract, site or parcel must obtain final plat approval for any subdivision or development activity to which this chapter applies. The plat approval process generally consists of the following procedures:

(1) One or more pre-application meetings with city staff for review and discussion of the applicant's basic concept plan. The pre-application meeting is the initial step in the development process intended to introduce basic project components and area information. The pre-application meeting provides the opportunity for review, analysis, and discussion of basic project intent, design, components and compatibility.

(2) Submission of an application and a concept plan by the applicant for initial review by city staff, with final review and approval required by the Planning and Zoning Commission and the City Council.

(a) Concept plan. The purpose of the concept plan is to demonstrate compatibility of the proposed development with this chapter and other applicable city ordinances, and the coordination of improvements within and among individually platted parcels, sections, or phases of a development, and the surrounding properties prior to the consideration of a preliminary plat. The concept plan is an opportunity to detect and correct design challenges before the developer prepares detailed engineering documents, but does not constitute the submittal of a plat.

(b) Any residential development involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of any municipal facilities does not require the submittal of a concept plan.

(c) In lieu of a concept plan, the City Manager may permit submittal of a site plan at the time of building permit application.

(d) The concept plan shall contain or have attached thereto the following:

1. Name of the developer, record owner, and authorized agents, proposed name of the development.
2. A layout of the entire tract, including internal lots, and its relationship to adjacent property, existing development and recorded plats, showing the existing property lines of the land being subdivided, north indicator, and scale.
3. Topographic contours available from the U.S. Geological Survey.
4. Significant drainage features and structures including any regulatory one-hundred-year floodplains, the location of existing watercourses, dry creek beds, wells, sinkholes and other similar features.
5. Specific information related to land use for the proposed development and adjoining property for a distance of 300 feet.
6. Building placement and building envelopes.
7. Parking layout.
8. General landscaping and buffer areas.
9. Location of all existing and proposed water and sewer lines.
10. All existing and/or proposed public utility easements and private easements.
11. Location of all existing and proposed stormwater drainage easements or onsite detention plan.
12. Location of all existing and proposed streets, sidewalks, alleys, and access points.
13. Vehicular circulation/ connectivity plan.
14. Location of all existing and proposed fire/emergency vehicle access lanes.
15. Location of all existing and proposed fire hydrants.

(e) A concept plan shall be submitted to the Planning and Development Department prior to the submittal of a preliminary plat unless the Director of Planning and Development authorizes concurrent filing.

(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)

§ 154.26 SPECIAL PLATS OR PROCEDURES.**(A) Amending plats.**

(1) *General.* A plat may be considered an amending plat solely for the purposes established in Tex. Loc. Gov't. Code, § 212.016.

(2) *Form and content.* The amending plat should depict both the current and the proposed configuration of all altered lots. The current configuration should be located on the left side of the plat and shall depict all information as required for a preliminary plat as provided in this chapter. The proposed configuration should be located on the right side of the plat and shall depict all information as required for a final plat as provided in this chapter.

(3) *Processing.* The Planning and Development Director, or the Planning and Zoning Commission and the City Council (if forwarded by the Director of Planning and Development) may approve and issue an amended plat, which may be recorded with the County Clerk and controls over the preceding plat without vacation of the plat, if the amended plat is signed by the applicant(s) and is solely for one or more of the following purposes as established by Tex. Loc. Gov't. Code, § 212.016:

- (a) To correct an error in a course or distance shown on the preceding plat;
- (b) To add a course or distance that was omitted on the preceding plat;
- (c) To correct an error in the description of the real property shown on the preceding plat;
- (d) To indicate monuments set forth after death, disability or retirement from practice of the Engineer or surveyor responsible for setting monuments;
- (e) To show the proper location or character of any monument which has been changed in location or character or which originally was shown incorrectly as to location or character on the preceding plat;
- (f) To correct any other type of scrivener's, clerical error or omission previously approved by the Planning and Zoning Commission and/or City Council, including lot numbers, acreage, street names and identification of adjacent recorded plats;
- (g) To correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment and neither lot is abolished; provided, that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;
- (h) To relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;
- (i) To relocate one or more lot lines between one or more adjacent lots where the owner(s) of all such lots join in the application for the plat amendment; provided, that such amendment does not attempt to remove recorded covenants or restrictions and does not increase the number of lots;
- (j) To make necessary changes to the preceding plat to create six or fewer lots in the plat if the changes do not affect applicable zoning and other regulations of the city, and the changes do not attempt to amend or remove any covenants or restrictions and the area covered by the changes is located in an area that the Planning and Zoning Commission and/or the City Council has approved, after a public hearing, as a residential improvement area; and
- (k) To replat one or more lots fronting on an existing street if the owners of all those lots join in the application for the amendment. The amendment does not attempt to remove recorded covenants or restrictions or increase the number of lots; and, the amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

(B) Minor plats.

(1) *General.* A plat of a subdivision involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of any city infrastructure.

(2) *Processing.* Minor plats shall be approved by the Planning and Development Director if they meet all of the requirements. The Director may elect to forward the plat to the Planning and Zoning Commission for approval.

(3) *Form and content.* Minor plats will be required in general conformance with final plat procedures except in regards to the signature block. The Planning and Zoning and City Council certification blocks as described under final plat requirements should not be utilized on minor plats (all other certification blocks should be utilized). Minor plats should utilize the following certification block in the place of the Planning and Zoning and City Council certification blocks:

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

Director of Planning and Development

Attest: City Secretary

(C) *Replat.*

(1) *General.* A replat is a revision of a previously platted subdivision that involves vacating the prior subdivision and re-subdivides the property that usually changes the number of lots in accordance with the Tex. Loc. Gov't. Code, Ch. 212. A replat shall follow the same procedures as are required for an original plat and shall comply with Tex. Loc. Gov't. Code, Ch. 212 of the Local Government Code, including requirements for public hearings and notifications. Replats may be approved administratively if they qualify under the following:

(a) Minor plats or replats involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of municipal facilities; or

(b) A replat under Tex. Loc. Gov't. Code, § 212.0145 that does not require the creation of any new street or the extension of municipal facilities.

(2) *Form and content.* The replat shall depict both the current and the proposed configuration of all altered lots. The current configuration should be located on the left side of the plat and shall depict all information as required for preliminary plats as presented in § 154.21. The proposed configuration should be located on the right side of the plat and shall depict all the information as required for final plats as presented in Section § 154.22.

(D) *Vacating a plat.* (Refer to Tex. Loc. Gov't. Code, § 212.013). Vacating a plat should follow the same procedure as prescribed for the original plat.

(Ord. 2010-08, passed 3-9-10)

KILLEN ENGINEERING & SURVEYING, LTD



2901 E. Ston Schlueter Loop
Killeen, Texas 76542
OFFICE: (254) 526-3981 FAX: (254) 526-4351

TPRS REGISTRATION NO. F-4200
TPRS REGISTRATION NO. 10194541

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

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

CONCEPT PLAN

KNOW ALL MEN BY THESE PRESENTS, that Thomas Guice and Stacie Guice, being the sole owners of that 4.80 acre tract shown hereon, which is more fully described in the dedication instrument being recorded in Public Records of Bell County, Texas, as Block 1, MCLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115, do hereby subdivide the herein described property into lots and blocks according to the plat thereof, to be known as MCLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, MCLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights, Texas, on this 16th day of March, 2022, and the City of Harker Heights, Texas, do hereby adopt the said plat of MCLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, MCLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 as an addition to the City of Harker Heights for the purpose of selling lots and blocks and for the development of said land by its owner, and the City of Harker Heights, Texas, do hereby certify that the said plat, together with the sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings, the same to be used as public thoroughfares and public utilities when and as shown on the said plat and dedicated to the City of Harker Heights for the installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed and maintained.

This instrument was acknowledged before me on the 16 day of March, 2022, by Thomas Guice and Stacie Guice.

Thomas Guice

Stacie Guice

STATE OF TEXAS
COUNTY OF BELL

Rhodesia Ann Mullien
(Inst. No. 2018-6540)



APPROVED this 16 day of March, 2022, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development

Attest: City Secretary

FILED FOR RECORD this 16 day of March, 2022 A.D.

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

KNOW ALL MEN BY THESE PRESENTS:

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

Michelle E. Lee
Michelle E. Lee, RPLS (TX 5772)

TAX CERTIFICATE

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

Dated this 16 day of March, 2022 A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

By: _____

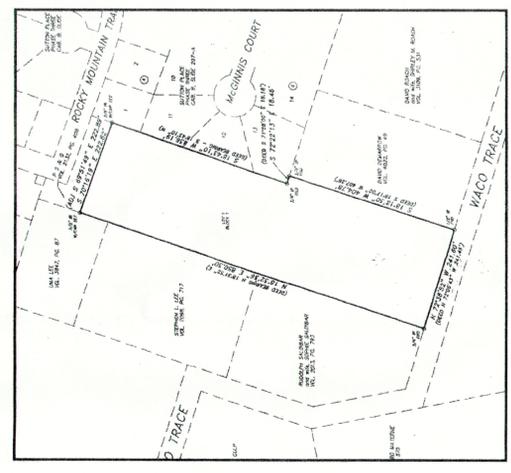
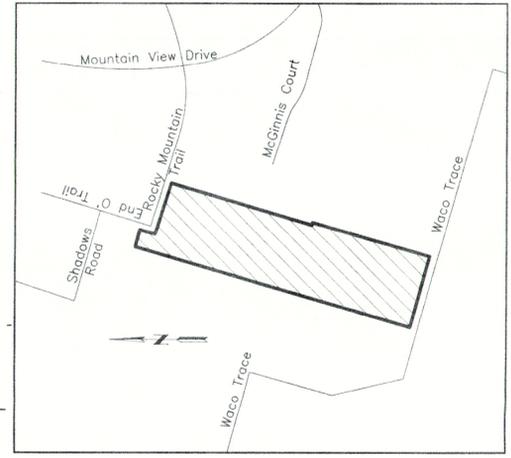
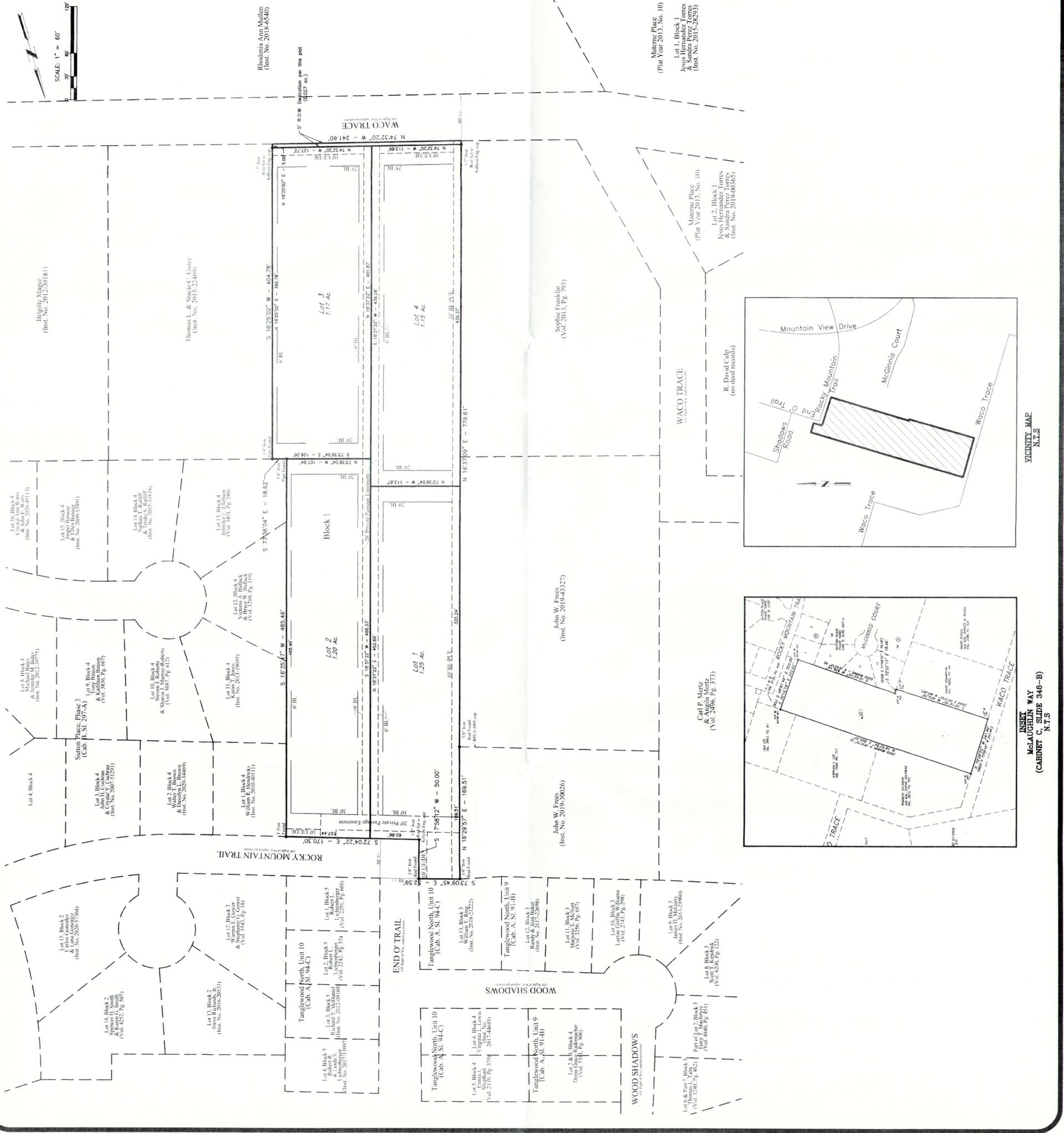
I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMENDED FOR APPROVAL.

SIGNATURE: _____ DATE: _____

TITLE: _____ BELL COUNTY PUBLIC HEALTH DISTRICT

NOTE:

1. NO LOT IN THIS SUBDIVISION IS ENCOMPASSED BY ANY SPECIAL FLOOD HAZARD AREAS AS INDICATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY DURING THE 2006 FLOOD INSURANCE RATE MAPS, MAP NO. 48027C0285E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS.



VICINITY MAP
N.T.S.

INSET
MCLAUGHLIN WAY
(CABINET C, SLIDE 346-B)
N.T.S.

DEDICATION

STATE OF TEXAS §
CITY OF HARKER HEIGHTS §
COUNTY OF BELL §

KNOW ALL MEN BY THESE PRESENTS:

That THOMAS GUICE AND STACIE GUICE, being the sole owners of that 4.80 acre tract of land described in Exhibit A attached hereto, and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks according to the plat thereof, to be known as MCLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, MCLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights Director of Planning and Development. THOMAS GUICE AND STACIE GUICE do hereby adopt the said plat of MCLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, MCLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 as an addition to the City of Harker Heights for the purpose of selling lots and blocks of land with reference thereto, for the development of said land by its owner, and for all other purposes. THOMAS GUICE AND STACIE GUICE do hereby dedicate to the City of Harker Heights all streets, avenues, roads, alleys, and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings; the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas.

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

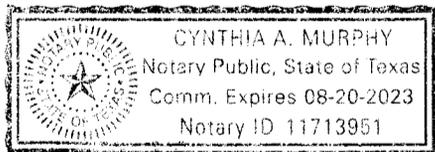
WITNESS the execution hereof on this 1 day of March, 2022 A.D.

[Signature of Thomas Guice]
Thomas Guice

[Signature of Stacie Guice]
Stacie Guice

State of Texas §
County of Bell §

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



[Signature of Cynthia A. Murphy]
Notary Public State of Texas
My Commission Expires 8.20.2023

Exhibit A

Being a 4.80 acre tract of land being Lot 1, Block 1 of McLaughlin Way as recorded in Cabinet C, Slide 348-B, Plat Records of Bell County, Texas and being a tract of land conveyed to Thomas and Stacie Guice as recorded in Instrument No. 2021058830, Deed Records of Bell County, Texas; said 4.80 acre tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod found in the West margin of End O' Trail, said rod being the Southeast corner of Lot 13, Block 3, Tanglewood North, Unit 10 as recorded in Cabinet A, Slide 94-C, said plat records, and a corner in the North line of said Guice tract (2021-58830) for a corner in the North line of the herein described tract;

THENCE, S 17° 58' 12" W, 50.00 feet with the West margin of End O' Trail, the North line of said Guice tract (2021-58830) and the North line of the herein described tract to a 1/2" iron rod set with Killeen Eng. cap, said rod being a corner in the South margin of Rocky Mountain Trail, and a corner in the North line of said Guice tract (2021-58830) for a corner in the North line of the herein described tract;

THENCE, S 72° 04' 22" E, 170.30 feet with the South margin of Rocky Mountain Trail, the North line of said Guice tract (2021-58830), and the North line of the herein described tract to a T-Post found, said post being a point in the South margin of Rocky Mountain Trail, the Northwest corner of Lot 1, Block 4, Sutton Place, Phase 3 as recorded in Cabinet A, Slide 297-A, and the Northeast corner of said Guice tract (2021-58830) for the Northeast corner of the herein described tract;

THENCE, S 16° 35' 47" W, 485.46 feet with the West line of Sutton Place, Phase 3, the East line of said Guice tract (2021-58830), the East line of McLaughlin Way and the East line of the herein described tract to a 3/4" iron pipe found, said pipe being the Southwest corner of Sutton Place, Phase 3 and a point in the East line of McLaughlin Way for a point in the East line of the herein described tract;

THENCE, S 73° 36' 04" E, 18.62 feet with the South line of Sutton Place Phase 3, the East line of McLaughlin Way, and the East line of the herein described tract to a 3/4" iron pipe found, said pipe being a point in the South line of Sutton Place, Phase 3, the Northwest corner of a tract of land conveyed to Thomas Guice and Stacie Guice as recorded in Instrument No. 2015-00022469, said county records, and a corner in the East line of McLaughlin Way for a corner in the East line of the herein described tract;

THENCE, S 16° 25' 02" W, 404.78 feet with the West line of said Guice tract (2015-22469), the East line of McLaughlin Way and the East line of the herein described tract to a point in the North margin of Waco Trace, being the Southwest corner of said Guice tract (2015-22469) and the Southeast corner of McLaughlin Way for the Southeast corner of the herein described tract;

THENCE, N 74° 32' 20" W, 241.60 feet with the North margin of Waco Trace, the South line of McLaughlin Way and the South line of the herein described tract to a point, being the Southeast corner of a tract of land conveyed to Sophie Franklin as recorded in Volume 2013, Page 793, said county records, and being the Southwest corner of McLaughlin Way for the Southwest corner of the herein described tract;

THENCE, N 16° 37' 09" E, 779.61 feet with the East line of said Franklin tract, the East line of a tract of land conveyed to John W. Frees as recorded in Instrument No. 2019-00043327, Page 276 of 288 line of McLaughlin Way and the West line of the herein described tract to a 3/8" iron rod found

Northwest corner of said Guice tract (2021-58830) and the Northwest corner of the herein described tract;

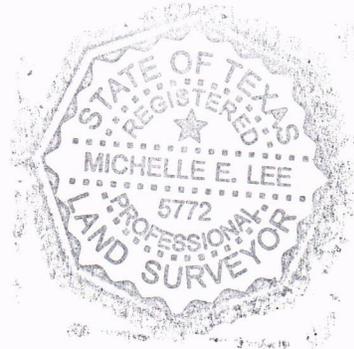
THENCE, S 73° 09' 45" E, 52.59 feet with the South line of Lot 13, the North line of said Guice tract (2021-58830) and the North line of the herein described tract to the **POINT OF BEGINNING**, containing 4.80 acres of land, more or less.

The Bearings for the above description are based on the Texas Coordinate System, Central Zone, NAD 83 per Leica SmartNet GPS observations.

I, Michelle E. Lee, Registered Professional Land Surveyor, do hereby certify that the above description was prepared from a survey made on the ground of the property described herein.

Michelle E. Lee

Michelle E. Lee, RPLS *3-21-2022*
No. 5772, Texas



KILLEEN ENGINEERING & SURVEYING, LTD.
2901 E. STAN SCHLUETER LOOP
KILLEEN, TEXAS 76542
(254) 526-3981/ FAX (254) 526-4351
TBPE Registration No. F-4200, TBPLS Registration No. 10194541

KILLEN ENGINEERING & SURVEYING, LTD
 2901 E. Stan Schlueter Loop
 Killen, Texas 75542
 OFFICE: (254) 526-3981 FAX: (254) 526-4351
 TBPE REGISTRATION NO. F-4200
 TBPLS REGISTRATION NO. 10194541



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



Project No.:	2022-003
Acres:	4.80
No. of Lots:	4
Scale:	1"=50'
Date:	01/20/2022
Design By:	GMH
Sheet No.:	2 of 1

UTILITY SHEET



Thomas L. & Stacie C. Guice
 (Inst. No. 2015-22469)

Sophie Franklin
 (Vol. 2013, Pg. 793)

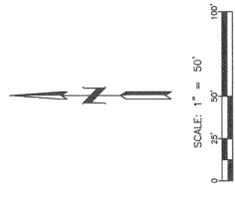
John W. Frees
 (Inst. No. 2019-43327)

John W. Frees
 (Inst. No. 2019-30026)

- NOTE:**
- NO LOT IN THIS SUBDIVISION IS ENCOMPASSED BY ANY SPECIAL FLOOD HAZARD AREAS AS INDICATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY BOUNDARY MAP (FLOOD INSURANCE RATE MAP), MAP NO. 4802700285C, EFFECTIVE DATE SEPTEMBER 28, 2008 FOR BELL COUNTY, TEXAS.
 - ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS OF BELL COUNTY, TEXAS, LATEST EDITION, INCLUDING ALL AMENDMENTS ADOPTED THERETO PRIOR TO THE DATE OF APPROVAL OF THESE PLANS, UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL COMPLY WITH ALL CURRENT O.S.H.A. REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
 - CONTRACTOR SHALL COMPLY WITH ALL T.C.E.Q. RULES FOR UTILITY LOCATIONS IN PARAGRAPH 317.13 OF DESIGN CRITERIA FOR SEWERAGE SYSTEMS.
 - ALL WATER MAINS TO BE C 800 PVC PIPE UNLESS OTHERWISE NOTED.
 - ALL MATERIALS USED IN WATER SYSTEM TO BE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.

LEGEND

CABLE	CABLE PEDESTAL
FH	FIRE HYDRANT
IRF	IRON ROD FOUND
OHE	OVERHEAD ELECTRIC
PP	POWER POLE
SSMH	SANITARY SEWER MANHOLE
---	APPROX. LOCATION EXISTING 6" WATER LINE
---	APPROX. LOCATION EXISTING 6" SANITARY SEWER LINE



Block 2

Block 2

Tangledwood North, Unit 10
 (Cab. A, SI. 94-C)

Block 5

END O' TRAIL

WOOD SHADOWS

Lot 13, Block 3

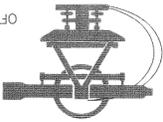
John W. Frees
 (Inst. No. 2019-30026)

John W. Frees
 (Inst. No. 2019-43327)

Sophie Franklin
 (Vol. 2013, Pg. 793)

Thomas L. & Stacie C. Guice
 (Inst. No. 2015-22469)

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



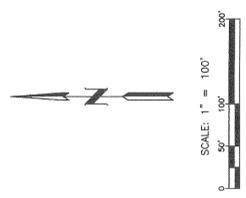
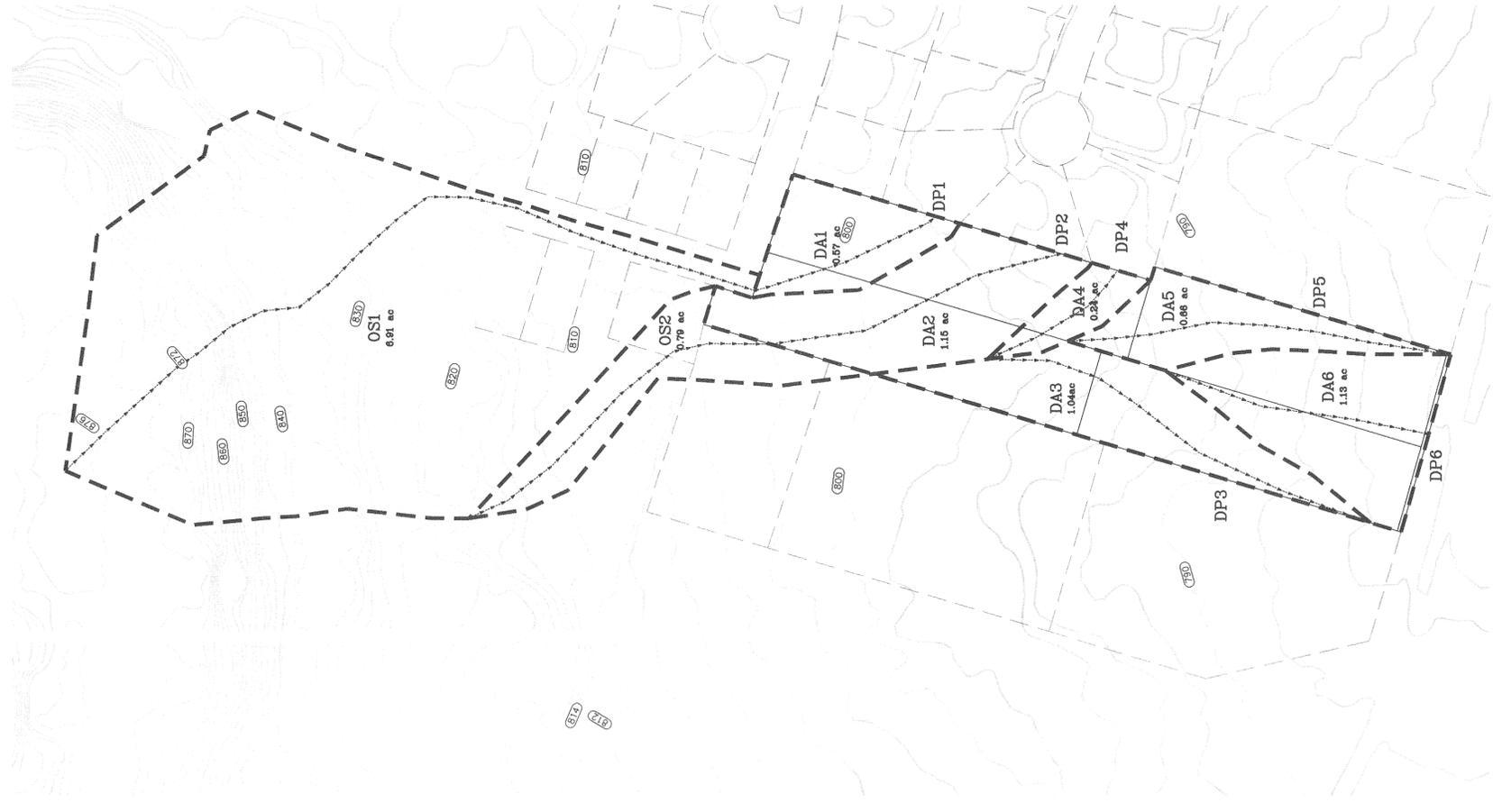
MCLAUGHLIN WAY REPLAT
 BEING A REPLAT OF LOT 1, BLOCK 1, MCLAUGHLIN WAY
 AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115
 HARKER HEIGHTS, BELL COUNTY, TEXAS



Anneal deagan
3/11/22

Project No.:	2022-003
Acres:	4.80
No. of Lots:	4
Scale:	1" = 100'
Date:	01/20/2022
Design By:	GMH
Sheet No.:	1 of 1

DRAINAGE LAYOUT



LEGEND

DA	DRAINAGE AREA
DP	DRAINAGE POINT
OS	OFFSITE DRAINAGE AREA
---	PROPERTY BOUNDARY
---	ADJACENT PROPERTY BOUNDARY
---	DRAINAGE AREA BOUNDARY
---	TO FLOW PATH
---	FLOW DIRECTION ARROW

NOTE:

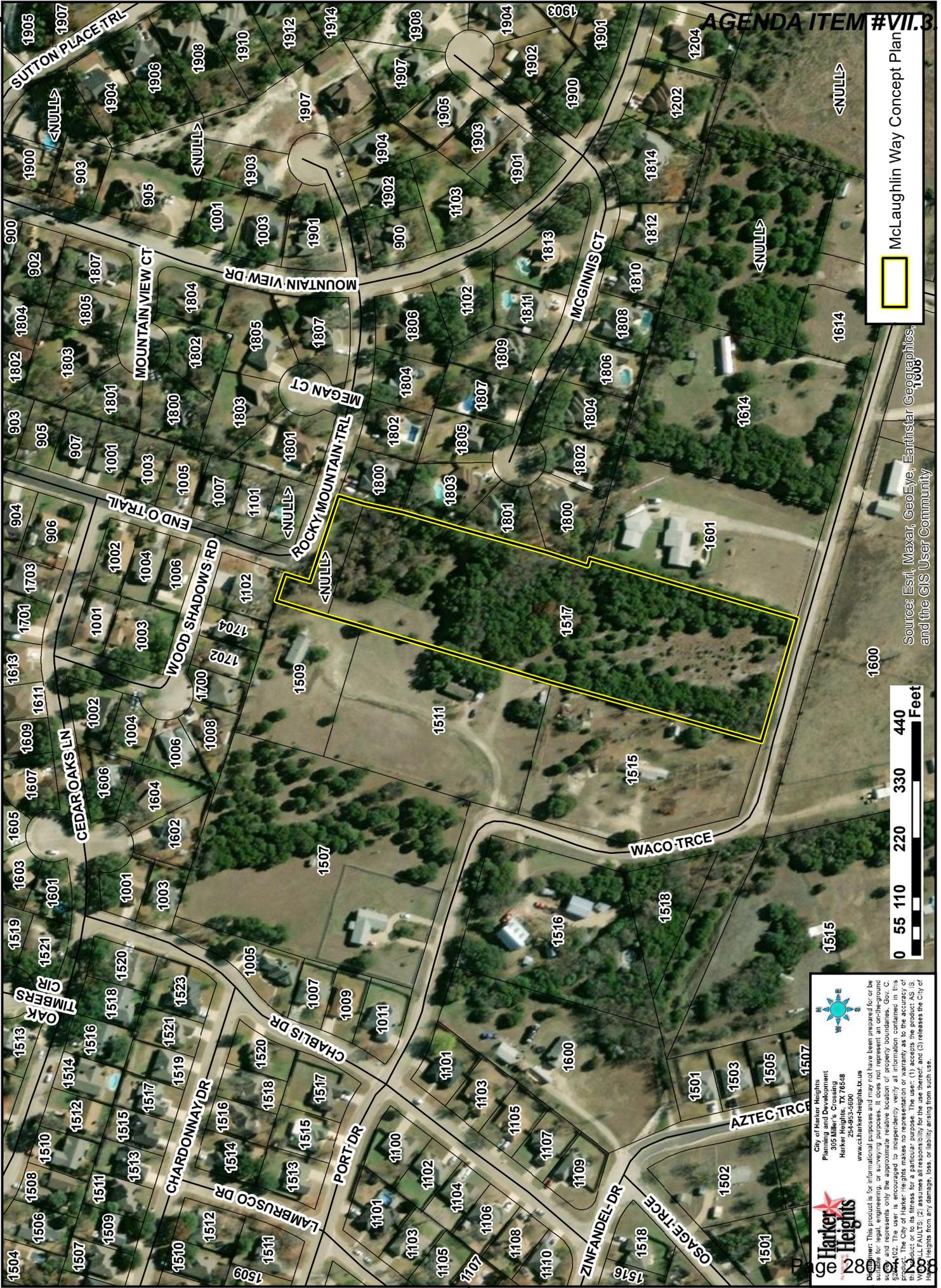
- EXISTING DRAINAGE PATTERNS ARE MAINTAINED UNDER DEVELOPED CONDITIONS.
- NO LOT IN THIS SUBDIVISION IS ENCROACHED BY ANY SPECIAL FLOOD HAZARD AREAS AS INUNDATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY BOUNDARY MAP. (FLOOD INSURANCE RATE MAP), MAP NO. 4802700325E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS.

Time of Concentration, Existing/Proposed Conditions (TR-55 Method)

Drainage Point	Sheet Flow t_c			Shallow Concentrated Flow t_c			Computed		
	n	Length, L_s (ft)	Slope, S ft/ft	Length (ft)	Slope, S ft/ft	Velocity, V (fps)	t_c (min)	t_c (min)	t_c (min)
DP1	0.40	50.0	0.010	1254	0.040	3.23	6.5	21.3	
DP2	0.40	50.0	0.015	825	0.015	1.98	7.0	19.6	
DP3	0.40	50.0	0.015	504	0.015	1.98	4.3	16.9	
DP4	0.40	50.0	0.015	160	0.015	1.98	1.3	14.0	
DP5	0.40	50.0	0.015	457	0.015	1.98	3.9	16.5	
DP6	0.40	50.0	0.015	12.6	0.015	1.98	0.0	12.6	

Existing/Proposed Conditions Drainage Calculations

DP	Contributing DA's	AREA (acres)	T_c (min.)	C_{ep}	I_{ep} (in/hr.)	Q_{ep} (cfs)	C_{wp}	I_{wp} (in/hr.)	Q_{wp} (cfs)
DP1	DA1+OS1	7.48	21.3	0.65	5.88	28.59	0.75	8.14	45.7
DP2	DA2+OS2	1.84	19.6	0.65	6.14	7.75	0.75	8.53	12.4
DP3	DA3	1.04	16.9	0.65	6.81	4.47	0.75	9.21	7.2
DP4	DA4	0.24	14.0	0.65	7.23	1.13	0.75	10.10	1.8
DP5	DA5	5.61	16.5	0.65	6.89	24.40	0.75	9.33	39.2
DP6	DA6	2.17	12.6	0.65	7.57	10.67	0.75	10.58	17.2



McLaughlin Way Concept Plan



Source: Esri, Maxar, GeoEye, Earthstar Geographics, and the GIS User Community



City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76588
www.ci.harkerheights.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. 5204.02. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the information provided. WOODLAND PARTS (2) assumes all responsibility for the use thereof and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.




MCLAUGHLIN WAY ~~REPLAT~~

~~P22-07 Minor Plat – McLaughlin Way Replat~~
~~CP22-01 Concept Plan – McLaughlin Way~~

Plat Distributed to HH Staff: March 7, 2022

Comments Returned to Killeen Engineering and Surveying: March 15, 2022

Revised set of plans distributed to HH Staff: March 22, 2022

Comments Returned to Killeen Engineering and Surveying: March 25, 2022

Planning & Development

1. Per the meeting held on 3/10/22, applicant shall clarify the intent to change this application to a Concept Plan submission instead of a Minor Plat submission. **3/24/22 Met.**
2. Property owner mentioned adding an ingress/egress easement for property owned by John Frees that is land locked, no access to public ROW. Advised to file access easement as separate document, and reference filing number on the plat dedication page at the time a final plat is submitted. **3/24/22 Met.**
3. Applicant shall provide a singular driveway for both Lots based on City & AASHTO standards. Applicant shall annotate and illustrate an access easement through Lot 2 to provide access for Lot 1 to Rocky Mountain Trail. **3/24/22 Met.**
4. Face of plat should include adjacent property owner information for adjacent property within 300 feet and property lines per §154.20 (d). **3/24/22 Met.**
5. Dedication statement on face of plat and on separate dedication instrument do not have matching language. Please revise documents so same language is shown on both. **3/24/22 Not Met. Applicant shall meet with staff to resolve the discrepancy and nonstandard language.**
6. Field notes provided are a copy, not the original documents. Provide original field notes. **3/24/22 Met.**
7. Only if processing as a Minor Plat – Applicant shall provide for a drainage easement connecting End-O-Trail to Waco Trace if changes are proposed to the historic low point/stormwater conveyance area. **3/24/22 No Longer Applicable.**
8. Only if processing as a Minor Plat – Cover sheet required for plans containing three or more sheets, per §154.22 (B) (1) (a) A cover sheet is required for all plats involving three or more sheets. All plan sheet numbers shall be placed on the cover along with the corresponding plan sheet titles. Cover sheet shall include all plan sheet numbers and plan sheet titles shown in the engineering drawings as well. A vicinity map should always be included on the cover sheet to show the project location. **3/24/22 No Longer Applicable.**

Public Works, Mark Hyde

1. Proposed Lots 1 and 2 are within 300 feet of the City's sanitary sewer system. The two lots will be required to have sanitary sewer service. **3/24/22 Not Met. Applicant shall provide a conceptual plan for sewer service.**

2. If the addition of public fire hydrant(s) are required by the Fire Marshal, preliminary platting will be required. **3/24/22 Met.**
3. Provide a 10' wide utility and drainage easement along Rocky Mountain Trail, End-O-Trail and Waco Trace. **3/24/22 Met.**

City Engineer, Otto Wiederhold

Comments have not been received from reviewing entity and may be forthcoming.

Fire Marshal, Brad Alley No comments.

Building Official, Mike Beard

Comments have not been received from reviewing entity and may be forthcoming.

ONCOR, Steven Huggins

Comments have not been received from reviewing entity and may be forthcoming.

Century Link, Chris McGuire

Comments have not been received from reviewing entity and may be forthcoming.

Time Warner Cable/Spectrum, Shaun Whitehead

Comments have not been received from reviewing entity and may be forthcoming.

ATMOS No comments.

Clearwater UWCD

Clearwater UWCD (CUWCD) has completed a desktop geodatabase investigation and records review for groundwater wells per your request. The Bell CAD properties reviewed were PIDs #333106 (4.46 acres), and #81515 (.317 acres). based on the proposed subdivision known as the McLaughlin Way Replat.

Item 1: Database review and site visit (08 Mar 22) determined no wells exist on the proposed subdivision known as the McLaughlin Way Replat.

Item 2: Once the subdivision replat is approved and subdivided as requested, future drilling of a groundwater production wells will not be possible, as all lots will be smaller than 2 acres.

Item 3: The proposed subdivision lies in the City of Harker Heights' CCN #13079, thus public water supply to the proposed subdivision is solely the responsibility of the City of Harker Heights.

Item 4: CUWCD is the regulatory authority for groundwater wells in Bell County and hereby certifies that this proposed subdivision has been evaluated for on-site groundwater production wells. In its current condition, the proposed subdivision meets our expectations described by District Policy and affirmed by District Staff, and thus requires no signature block.

Bell County Public Health

Comments have not been received from reviewing entity and may be forthcoming.



City Council Memorandum

FROM: The Office of the City Manager

DATE: April 12, 2022

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDED THE BANK DEPOSITORY SERVICES CONTRACT TO BANCORPSOUTH BANK, A DIVISION OF CADENCE BANK; AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY, AND TAKE THE APPROPRIATE ACTION. (FINANCE DIRECTOR)

EXPLANATION:

On November 13, 2018, Council approved the depository services contract with BancorpSouth Bank for a term of two years with three one-year extension options. Staff has rehired Valley View Consulting, LLC to assist with a new bank depository services request for applications. Advertisements for the request for applications were published in the Killeen Daily Herald on January 9, and January 16, 2022. Nine area financial institutions were sent applications directly. Applications were received from the following banking institutions:

FINANCIAL INSTITUTION	CLOSEST BRANCH
BancorpSouth Bank, a division a Cadence Bank	Killeen
First National Bank Texas	Harker Heights

Sealed applications were opened on February 16, 2022, at 2:00 p.m. and sent to Valley View Consulting, LLC to conduct an analysis. Their findings are attached.

Based on the evaluation criteria and financial analysis conducted by Valley View Consulting, LLC, BancorpSouth Bank has been found to be the best value to the City.

ACTION BY THE COUNCIL:

1. Motion to APPROVE/DISAPPROVE a Resolution awarding the bank depository services contract to BancorpSouth Bank, a division of Cadence Bank, and authorizing the City Manager to sign the contract on behalf of the City.
2. Any other action desired.

ATTACHMENTS:

- [Proposed Resolution](#)
- [Letter from Valley View Consulting, LLC](#)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDED THE BANK DEPOSITORY SERVICES CONTRACT TO BANCORPSOUTH BANK, A DIVISION OF CADENCE BANK, AND AUTHORIZING THE CITY MANAGER TO SIGN THE CONTRACT ON BEHALF OF THE CITY.

WHEREAS, the City advertised for request for applications for bank depository services on January 9, and January 16, 2022, in the Killeen Daily Herald; and

WHEREAS, applications were sent to nine (9) area financial institutions; and

WHEREAS, the City opened the sealed applications on February 16, 2022, at 2:00 p.m.; and

WHEREAS, the City received two (2) applications for bank depository services; and

WHEREAS, the best value application received was from BancorpSouth Bank, a division of Cadence Bank; and

WHEREAS, prior to the end of the two-year contract, staff will report back to the City Manager regarding the option to extend.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

To award the bank depository services contract to BancorpSouth Bank, a division of Cadence Bank, for a two year contract period commencing on July 1, 2022, with three additional one-year extension options.

To authorize the City Manager to sign a contract with BancorpSouth Bank, a division of Cadence Bank, on behalf of the City.

PRESENTED AND PASSED on this 12th day of April, 2022, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Harker Heights, Texas.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



March 21, 2022

Ms. Ayesha Lealiiee
Finance Director
City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548

Dear Ms. Lealiiee:

We sincerely appreciated and welcomed the opportunity to assist the City of Harker Heights (the "City") with this Primary Depository Services Request for Applications (the "RFA") project.

The objective of this engagement was to select a primary depository for a new two-year initial contract which, when approved, will commence on July 1, 2022 and terminate on June 30, 2024. At the option of the City, the contract may be extended for three (3) additional one-year periods under the same terms and conditions.

Procedure

The project began with the establishment of a calendar of events to ensure that the required project steps were performed in a timely and sequential manner.

The process for selecting a Primary Depository is governed by the State of Texas Local Government Codes: Chapter 105 Municipal Depository Act; Chapter 176 Conflict of Interest Act; Chapter 2256 Public Funds Investment Act; and Chapter 2257 Public Funds Collateral Act.

In addition to complying with these State statutory requirements, it was necessary to understand and comply with the City's financial and purchasing policies and Investment Policy.

The RFA project was conducted as follows:

1. Analyzed historical bank service usage and balance records.
2. Reviewed the minimum banking services and potential additional services.
3. Developed a list of eligible financial institutions within the City's municipal boundaries and the expanded solicitation area to include the Zip Codes of 76513, 76541, 76542, 76543 and or 76548 as approved by the City Council:
 - a. BancorpSouth Bank, a division of Cadence Bank (incumbent)
 - b. Bank of America, N.A.



- c. Extraco Banks, N.A.
 - d. First National Bank Texas
 - e. First Texas Bank
 - f. JPMorgan Chase Bank, N.A.
 - g. PNC Bank, N.A.
 - h. SouthStar Bank, SSB
 - i. VeraBank, N.A.
4. Contacted the financial institutions to confirm distribution information, describe the process, and identify the designated recipient.
 5. Drafted the RFA for City review and approval.
 6. Posted the notice and advertised the RFA.
 7. Distributed RFAs to the identified and receptive financial institutions.
 8. Held a non-mandatory pre-application conference, attended by the following banks:
 - a. BancorpSouth Bank, a division of Cadence Bank (incumbent)
 - b. First National Bank Texas
 - c. JPMorgan Chase Bank, N.A.
 - d. PNC Bank, N.A.
 - e. VeraBank, N.A.
 9. By the closing deadline, applications were received from:
 - a. BancorpSouth Bank, a division of Cadence Bank (incumbent), and
 - b. First National Bank Texas

The evaluation of the applications was based on, but not limited to, the following criteria, in no particular order of priority:

1. Ability of applicant to perform and provide the required and requested services;
2. References provided and quality of services;
3. Cost of services;
4. Transition cost, retention and transition offers, and incentives;
5. Interest rates on interest bearing accounts and deposits;
6. Earnings credit rate on compensating balances;
7. Previous service relationship with the City;
8. Convenience of location(s);
9. Completeness of application and agreement to points outlined in the RFA; and
10. Financial strength and stability of the institution.

Application Analysis

The application analysis began with an overall review of each financial institution's general financial strength and ability to provide the services necessary to meet the City's current and future service needs. Both applicants exhibited acceptable financial strength and the ability to provide the services the City requested.



Each financial institution’s fee schedule was analyzed based on the City’s banking service needs and estimated activity levels.

Services Comparison

There are several categories of services the City uses, or would like to add, that BancorpSouth offers, but First National Bank Texas does not. BancorpSouth will also supply Deposit Bags and Endorsement Stamps and Deposit slips at no cost, but First National Bank Texas declined to offer these free of charge.

Financial Comparison

The summary below is for both the two (2) year initial contract term, and the full five (5) year term allowing for the three (3) possible one-year extensions at the option of the City.

	BancorpSouth, a division of Cadence Bank (Incumbent)	First National Bank Texas
FEE ANALYSIS OF DEPOSITORY SERVICES		
Projected Bank Balance	2,500,000	2,500,000
Proposed Fees - Banking Services		
Current Monthly Services Fee Estimate	(1,595)	(2,678)
Fees for Two Year Term	(38,285)	(64,274)
Fees for Five Year Term	(95,713)	(160,684)
Earnings Credit		
Earnings Credit Rate	0.25%	0.15%
Rate Basis	0.25% Bank Managed Floor of 0.25%	Bank Managed No Floor
Net Fees for Two Year Term	(27,035)	(56,774)
Net Fees for Five Year Term	(67,588)	(141,934)

Conclusion

Based on the analysis of services offered and the cost of services, City staff determined that the terms offered by BancorpSouth were the most advantageous to the City. We concur with the staff recommendation that the Council award the Primary Depository Services contract to BancorpSouth and authorize the City Manager to execute the agreements necessary to renew the depository relationship.



Please contact Tom Ross, E. K. Hufstedler, Dick Long or me to discuss any questions or additional information needs.

Thank you for this opportunity to provide the City of Harker Heights with our depository consulting services.

Sincerely,

A handwritten signature in blue ink that reads "Tim Pinon".

Tim Pinon
Valley View Consulting, L.L.C.