

*The Bright Star Of
Central Texas*

Harker Heights

MAY 10, 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, May 10, 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. MAYORAL PROCLAMATIONS AND PRESENTATIONS:

1. Present the Library with the 2022 Achievement of Library Excellence Award from the Texas Municipal Library Directors Association. (TMLDA)
2. Proclamation declaring the month of May 2022, as "Water Safety Month".
[Proclamation](#)
3. Proclamation declaring the month of May 2022, as "Building Safety Month".
[Proclamation](#)
4. Proclamation declaring the week of May 15 - 21, 2022, as "National Public Works Week".
[Proclamation](#)
5. Proclamation declaring the week of May 15 - 21, 2022, as "National Police Week".
[Proclamation](#)
6. Proclamation declaring the week of May 15 - 21, 2022, as "Emergency Services Week".
[Proclamation](#)

V. **CONSENT ITEMS:**

1. Discuss and consider approving the minutes of the meeting held on April 26, 2022, and take the appropriate action.

[Minutes](#)

VI. **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.

VII. **PUBLIC HEARINGS:**

1. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas to amend §150.02(j) of the Harker Heights Code of Ordinances, adopting and amending the 2021 International Fire Code, and take the appropriate action. (Fire Chief)

[Staff Report - Pdf](#)

2. 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(M) (Manufactured one-family dwelling district) to R-2 (Two-family dwelling district) on property described as Valley View third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Road., 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 an Ordinance of the City of Harker Heights, Texas, granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Skipcha Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' x 9.21' x 3.25')), generally located at 518 Chinook Circle, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[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 R-2 (Two-family dwelling district) on property described as A0115BC IT Bean, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Unit 2, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

VIII. REGULAR BUSINESS:

1. Discuss and consider approving a Final Plat referred to as the Ridge Phase Three, Eighth Amendment, on property described as a 1.05 acre tract of land situated in the W.C. Biles Survey, A-1364, and the A. Gee Survey, A-1028, both of Bell County, Texas, being all of Lots 53 and 54, Block 10, the Ridge Phase Three, recorded in Cabinet D, Slides 201-D, 202-A, and 202-B, plat records of Bell County, Texas, and being described in a deed to Arvind Karthikeyan and wife, Divya Ganesh, recorded in instrument no. 2022017268, deed records of Bell County, Texas, and take the appropriate action. (Planning and Development Director)
[Staff Report - Pdf](#)
2. Discuss and consider approving a Final Plat referred to as Corona De Vida, on property described as a 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract no. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a warranty deed to Corona De Vida, a nonprofit corporation, being described of record in document no. 2020021660, official public records of real property, Bell County, Texas, (O.P.R.R.P.B.C.T.), and take the appropriate action. (Planning and Development Director)
[Staff Report - Pdf](#)
3. Discuss and consider approving a Final Plat referred to as Fuller Heights Addition, on property described as a 6.494 acre tract of land in Bell County, Texas, being part of the J.W. Renick Survey, Abstract no. 704 and part of the R.Y. Renick Survey, Abstract no. 722, the land herein being all of a called 6.497 acre tract of land conveyed in a general warranty deed to John Reider and Danya Reider, described in Exhibit "A" of record in instrument no. 2021062073, official public records of real property, Bell County, Texas (O.P.R.R.P.B.C.T.), and take the appropriate action. (Planning and Development Director)
[Staff Report - Pdf](#)
4. Receive and discuss the Fiscal Year 2021-2022 Second Quarter Unaudited Financial Report. (Finance Director)
[Staff Report - Pdf](#)
5. Receive and discuss the City Manager's Report. (City Manager)

IX. ITEMS FROM COUNCIL AND ANNOUNCEMENTS:

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

X. 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 6th of May, 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.



City of Harker Heights

Proclamation

Whereas, Aquatic-related activities such as swimming relate to good physical and mental health and enhance the quality of life for all people; and

Whereas, Education regarding the topic of water safety plays an essential role in preventing drownings and recreation water-related injuries; and

Whereas, the City of Harker Heights has represented the National Water Safety Month Coalition with safe swimming facilities, aquatic programs, aquatic safety education and related activities providing healthy places to recreate, learn, and grow, and build self-esteem, confidence and a sense of self-worth, which contribute to the quality of life in our community; and

Whereas, it is important to recognize the ongoing efforts and commitments to educate the public on pool and spa safety issues and initiatives by the pool, spa, waterpark, recreation, and parks industries; and

Whereas, the City of Harker Heights understands the vital importance of communicating Water Safety rules and programs to families and individuals of all ages, whether owners of private pools, users of public swimming facilities, or visitors to recreation water use sites; and

Now Therefore, I, Spencer H. Smith, Mayor of the City of Harker Heights, Texas, do hereby proclaim, the month of May 2022 to be

“National Water Safety Month”

In the City of Harker Heights and urge all citizens to support and promote this observance.

In Witness Whereof, I have set my hand and affixed the Seal of the City of Harker Heights this 10th day of May, 2022.

Spencer H. Smith, Mayor
City of Harker Heights



City of Harker Heights Proclamation

Whereas, the City of Harker Heights is committed to recognizing that our growth and strength depends on the safety and essential role our homes, buildings, and infrastructure play, both in everyday life and when disasters strike, and

Whereas, our confidence in the resilience of these buildings are through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, and plumbers, and

Whereas, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state, territorial, tribal, and federal official, and

Whereas, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our community's largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, and affordable buildings that are essential to our prosperity, and

Whereas, “Safety for All: Building Codes in Action,” the theme for Building Safety Month 2022, encourages us all to raise awareness about planning for safe and sustainable construction, and

Whereas, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience, and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, I, Spencer H Smith, Mayor of the City of Harker Heights, Texas, do hereby proclaim the month of May 2022 as

“Building Safety Month”

in Harker Heights, Texas and urge all residents and civic organizations to acquaint themselves with the work involved in providing our City's Building and Code Enforcement services and to recognize the contributions which these professionals make every day to our health, safety, and quality of life.

IN WITNESS WHEREOF, I have set my hand and have affixed the Seal of the City of Harker Heights, Texas, this 10th day of May 2022.

Spencer H. Smith, Mayor
City of Harker Heights



Proclamation

National Public Works Week

May 15–21, 2022

“Ready and Resilient”

WHEREAS, public works professionals focus on infrastructure, facilities, emergency management, and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the people of the City of Harker Heights; and,

WHEREAS, these items could not be provided without the dedicated efforts of public works professionals, who are federally mandated first responders, and the engineers, managers, and employees at all levels of government; and,

WHEREAS, it is in the public interest for the citizens and civic leaders of Harker Heights to gain knowledge and maintain ongoing interest and understanding of the importance of public works first responders and public works programs in their respective communities; and,

WHEREAS, 2022 marks the 62nd annual National Public Works Week sponsored by the American Public Works Association,

Now, therefore, I Spencer H. Smith, Mayor of the City of Harker Heights, Texas, do hereby designate the week May 15–21, 2022, as National Public Works Week; I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

IN WITNESS WHEREOF, I have set my hand and have affixed the Seal of the City of Harker Heights, Texas, this 10th Day of May 2022.

Spencer H. Smith, Mayor
City of Harker Heights



Proclamation

Whereas, the United States Congress has designated May 15th as “Police Memorial Day”, to honor our law enforcement officers who have lost their lives in the line of duty; and

Whereas, our law enforcement officers are guardians of life and property, defenders of the individual right to be free, warriors in the war against crime, dedicated to the preservation of life, liberty and the pursuit of happiness; and

Whereas, the City of Harker Heights honors the valor, service and dedication of all law enforcement officers, living and deceased; and

Whereas, the City of Harker Heights has lost two of its own officers in the line of duty, namely Carl I. Levin and Andrew Rameas.

Now Therefore, I, Spencer H. Smith, Mayor of the City of Harker Heights, Texas, do hereby proclaim May 15 - 21, 2022, to be

“National Police Week”

and urge our citizens to pause to remember and honor the memory of our lost officers and to emulate their dedication to duty and honor in our own lives.

In Witness Whereof, I have signed this proclamation and have affixed the seal of the City of Harker Heights, this 10th day of May 2022.

*Spencer H. Smith, Mayor
City of Harker Heights*

**City of Harker Heights
2022 Emergency Medical Services Week
Mayoral Proclamation**

WHEREAS, emergency medical services (EMS) is a vital public service; and

WHEREAS, the members of the City of Harker Heights EMS teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the EMS system as a whole consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of EMS teams, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of the City of Harker Heights EMS by designating Emergency Medical Services Week with the EMS Strong theme, **Rising to the Challenge**.

NOW, THEREFORE, I Spencer H. Smith, Mayor of the City of Harker Heights, Texas, do hereby proclaim the week of May 15th – 21st, 2022, to be

“Emergency Services Week”

and I encourage the community to observe this week with appropriate programs, ceremonies and activities and to extend a hand of thanks and appreciation to those that serve in this capacity for the City of Harker Heights.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Harker Heights, to be affixed this 10th day of May 2022.

Spencer H. Smith, Mayor
City of Harker Heights

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, April 26, 2022, at 5:00 p.m. 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 Jeff Achee, Parks and Recreation Director and Nichole Broemer, Recreation Center & Senior Programs Manager, declaring the month of May 2022, as "Older Americans Month".

CONSENT ITEMS:

1. Council discussed and considered approving the minutes of the meetings held on April 12, 2022, and April 19, 2022.

Councilmember Fountain made a motion to approve the minutes of the meetings held on April 12, 2022, and April 19, 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 §150.33 of the Harker Heights Code of Ordinances to clarify visibility triangle requirements, and provide for the processing of alternate fence designs. Kristina Ramirez, Planning and Development Director, made the presentation.

Councilmember Fountain made a motion to approve an Ordinance to amend § 150.33 of the Harker Heights Code of Ordinances to clarify visibility triangle requirements, and provide for the processing of alternate fence designs, based upon staff's recommendation and findings. Councilmember Nash seconded the motion. Carried unanimously.

REGULAR BUSINESS:

1. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, declaring certain engineering firms to be pre-qualified to provide certain professional services to the City, subject to specified conditions. Mark Hyde, Public Works Director, made the presentation.

Mayor Pro Tem McCann made a motion to approve a Resolution declaring the Engineering Firms listed on Schedule A to be pre-qualified to provide professional services for water, wastewater, transportation, and drainage projects for the City of Harker Heights subject to specified conditions, based upon staff's recommendation and findings. Councilmember Blomquist seconded the motion. Carried unanimously.

2. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for a concession agreement to Mama's Soul Concessions LLC, for one year, with the City having two successive one-year options to renew for a maximum combined term of three years, and authorizing the city manager to enter such contract on behalf of the City. Jeff Achee, Parks and Recreation Director, made the presentation.

Councilmember Nash made a motion to approve adopting a resolution awarding a contract for a concession agreement to Mama's Soul for one year, with the City having two successive one-year options to renew for a maximum combined term of three years, and authorizing the City Manager to enter into such contract on behalf of the City. Councilmember Halabi seconded the motion. Carried unanimously.

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

ITEMS FROM COUNCIL AND ANNOUNCEMENTS:

1. Councilmember closing statements.

Councilmember Fountain stated that she attended the following events:

- April 17th – Easter Sunrise Service
- April 19th – Spectrum Ribbon Cutting Ceremony
- April 22nd - Killeen Branch NAACP 47th Freedom Fund Banquet
- April 23rd – Harker Heights Police Department Pop-up Clinic
- April 23rd - National Mounted Warfare Foundation's Homecoming for Heroes Gala
- April 26th – III Corps & Fort Hood 24th Annual Consolidated Graduation Recognition Ceremony
- Early College High School Award Ceremony
- Killeen Health Clinic Event

Councilmember Blomquist stated that he attended the following events:

- April 16th – Vintage Church Huge Eggstravaganza at Harker Heights Community Park
- April 16th – Express Emergency Room Easter Egg Hunt with Pony rides
- April 16th – Innovation Black Chamber of Commerce, Culture on the Square event at Carl Levin Park
- April 19th – Harker Heights Chamber of Commerce Ribbon Cutting for Spectrum Business
- April 20th – Harker Heights Volunteer Awards Ceremony in Carl Levin Park
- April 22nd – Memorial Ceremony honoring the late Sue Hendrick at Carl Levin Park
- April 22nd – West Point Founders Day Event
- April 23rd - National Mounted Warfare Foundation’s Homecoming for Heroes Gala

2. Updates and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- April 14th – Texas A & M Central Texas meet and greet with U. S. Congressman August Pflueger.
- April 14th – Greater Killeen Chamber of Commerce Policy Planning Committee Luncheon at Texas A & M Central Texas.
- April 14th – Central Texas Sustainable Committees Partnership Ceremony at Carl Levin Park.
- April 17th – Easter Sunrise Service sponsored by Harker Heights Kiwanis Club and Harker Heights First United Methodist Church.
- April 19th – Harker Heights City Council Meeting and Workshop.
- April 20th – Chairman, Killeen Temple Metropolitan Planning Organization, Transportation Policy Planning Board.
- April 20th – Harker Heights Volunteer Appreciation Ceremony at Carl Levin Park.
- April 21st – Harker Heights City Hall Meeting with incoming Councilmember.
- April 21st – Harker Heights Chamber of Commerce presentation by Chip Adams, Texas Music Office, regarding “Music Friendly Communities”.
- April 23rd – Fort Hood Area Lemonade Day Judge at Stonetree Golf Course in Killeen.
- April 23rd – Homecoming For Heroes Celebration at the National Mounted Warrior Museum.
- April 25th – Harker Heights Chamber of Commerce Forum with Texas Representative Hugh Shine.

ADJOURNMENT:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 5:38 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: May 10, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS TO AMEND §150.02(J) OF THE HARKER HEIGHTS CODE OF ORDINANCES, ADOPTING AND AMENDING THE 2021 INTERNATIONAL FIRE CODE, AND TAKE THE APPROPRIATE ACTION. (FIRE CHIEF)

EXPLANATION:

The City Council previously adopted on March, 22, 2022, the 2021 International Fire Code as promulgated by the International Code Council (ICC). Upon further review, a minor clerical error was noted and thus needed to be changed and reapproved. The current Ordinance incorrectly references the "2015" International Fire Code. The proposed Ordinance will correct the clerical error by changing "2015" to read as the "2021" International Fire Code.

RECOMMENDATION:

Staff recommends approval of the amendment to § 150.02(J) of the Harker Heights Code of Ordinances to the previously adopted 2021 International Fire Code as amended.

ACTION BY THE COUNCIL:

1. Motion to Approve/Disapprove an Ordinance to amend § 150.02(J) of the Harker Heights Code of Ordinances to amend the 2021 International Fire Code, based upon staff's recommendation and findings.
2. Any other action desired.

ATTACHMENTS:

[2021IFC 02-ProposedOrdinance](#)
[2021 IFC Amendments Exhibit A](#)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 150.02(J) OF THE HARKER HEIGHTS CODE OF ORDINANCES, AND AMENDING THE 2021 INTERNATIONAL FIRE CODE.

WHEREAS, the City of Harker Heights (“*City*”) has previously adopted various fire codes, including the 2021 International Fire Code; and

WHEREAS, the City Council (“*Council*”) finds that to provide for the most current life safety codes as standards for compliance, and to promote the public health, safety and welfare, it is necessary and desirable to amend the Code of Harker Heights (“*Code*”) as hereinafter provided; and

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

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

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

SECTION 2: Section 150.02(J) of the City of Harker Heights’ Code of Ordinances is hereby amended to read as shown in Exhibit “A”.

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4: All of the regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any city official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of official duties, shall not thereby become personally liable, and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 5: The change in the law made by this Ordinance applies only to an offense committed on or after the effective date of this Ordinance. For purposes of this section, an offense is committed on or after the effective date of this Ordinance if every element of the offense occurs on or after that date.

SECTION 6: An offense committed before the effective date of this Ordinance is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 7: This Ordinance shall be effective from and after May 10, 2022, and the City Secretary shall publish the caption or title of hereof within ten days of approval as required by law.

PASSED AND APPROVED by the City Council of the City of Harker Heights on May 10, 2022.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

The following codes are hereby adopted by reference as though they were fully copied herein, with deletions, alterations, and additions as indicated:

(J) *The International Fire Code, 2015-2021 Edition* as promulgated by the International Code Council Inc., and all subsequently published annual revisions issued, except for the following, which shall amend, and change said code only to the extent referenced:

(1) **Section 101.1 “Title.”** Amend to read: “These regulations shall be known as the Fire Code of The City of Harker Heights, hereinafter referred to as this ‘code’.”

(2) **Section 102.1; “Construction and Design provisions.”** Amend #3 to read: “Existing structures, facilities and conditions when required in Chapter 11 or in other sections of this code.”

(3) **Section 103.1 “Creation of Agency.”** Amend to read: “The Harker Heights Fire Department Fire Prevention Division is hereby created and the Fire Chief or his designee shall be known as the *fire code official*. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.”

(4) **Section 103.2 “Appointment.”** Amend to read: “The *fire code official* shall be the Fire Chief or his designee.”

(5) **Section 104.1 “General”**. Amend to read: “The *fire code official* or any peace officer licensed the city of Harker Heights is hereby authorized to enforce the provisions of this code. The *fire code official* shall have the authority to render interpretations of this code and to adopt policies, procedures, rules, and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules, and regulations shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code.”

(6) **Section 104.3.2 “Photographic Documentation.”** Amend by adding: “Members of the Fire Department making such examinations or inspections shall have the right, with proper credentials, and be authorized to take a reasonable number of photographs or videotapes for evidence and for records for use by the Fire Department to document violations, study hazards and scientific control for fire safety.”

(7) **Section 105.3.1 “Expiration.”** Amend by adding an exception to read: “Exception: Construction permits attached to, or in association with, the master commercial permit shall not be subject to the provisions of Section 105.3.1 and shall follow the expiration period of the master commercial permit if applicable.”

(8) **Section 105.3.3 Occupancy Prohibited before Approval.** Amend to read: “The building or structure shall not be occupied prior to the fire code official issuing a permit when required and conducting associated inspections indicating the applicable provisions of this code have been met.”

(9) **Section 105.5 “Required operational permits.”** Amend to read: “The *fire code official* is authorized to issue operational permits for the operations set forth in Sections 105.5.1 through 105.5.53.”

(10) **Section 105.5.53 “Food Booths.”** Add section to read: “An operational permit is required for the operation of a food booth. For permit to operate a food booth, see Section 322.”

(11) **Section 105.6 “Required construction permits.”** Amend to read: “The fire code official is authorized to issue construction permits for work set forth in Sections 105.6.1 through 105.6.25.”

(12) **105.6.25 Electronic access control systems.** Add section to read as follows: “Construction permits

are required to install or modify an electronic access control system, as specified in Chapter 10. A separate construction permit is required for to install or modify a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.”

(13) 107.3 Permit valuations. Delete this section in its entirety.

(14) Section 109.6 “Overcrowding.” Amend to read: “Overcrowding or admittance of any person beyond the *approved* capacity of a building or a portion thereof shall not be allowed. The *fire code official*, an officer of the fire department or any peace officer licensed by the City of Harker Heights on finding any overcrowding conditions or obstructions in *aisles*, passageways or other *means of egress*, or on finding any condition that constitutes a life safety hazard, shall be authorized to cause the event to be stopped until such conditions or obstruction is corrected.

(15) Section 109.6.1 “Removal of Occupants”. Add section to read: “The *fire code official*, an officer of the fire department or any peace officer licensed by the City of Harker Heights s is authorized to require the removal of occupants at a location when actual occupancy exceeds the permitted or posted occupant load. A person commits an offense if they refuse to obey an order to vacate.”

(16) Section 111.1 “Board of appeals established”. Delete Sections 111.1, 111.2, 111.3 & 111.4 Amend Section 111.1 to read:” Appeals shall be handled as set forth in Section 113 of the adopted international Building Code.”

(17) Section 112.4 “Violation penalties.” Amend to read: “Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the *approved construction documents*, or directive of the *fire code official*, or of a permit or certificate under provisions of this code, shall be guilty of a Misdemeanor and upon conviction shall be punished as provided in Section 10.99 of the Code of Harker Heights. Each day that a violation continues after notice has been served shall be deemed a separate offense.”

(18) SECTION 202, GENERAL DEFINITIONS Amend section by including and or changing the following definitions:

“ALL WEATHER DRIVING SURFACE - A driving surface that is capable of supporting the imposed loads of fire apparatus and consisting of material that is impervious to damage from wet conditions and does not produce dust during dry weather conditions. Accepted materials shall consist of concrete or asphalt correctly applied.

AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following: Dialysis centers, Sedation dentistry, Surgery centers, Colonic centers, Psychiatric centers, or Procedures involving sedation.

AS DEVELOPED - The change of use of a parcel of land from a vacant, unimproved tract to one which is prepared for occupancy by buildings or structures, or which becomes occupied by buildings, structures.

ATRIUM. An opening connecting three or more stories... *{remaining text unchanged}*

DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

FIRE MARSHAL shall mean the designated authority charged with the administration, interpretation, and

enforcement of this code, responsible for the investigations of fires and inspection of facilities.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or *standby personnel* when required by the *fire code official*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, *deflagration*, or *detonation*, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.3G fireworks or 1.4G fireworks. ...
{Remainder of text unchanged} ...

FOSTER CARE FACILITIES. Shall mean an independent residential occupancy that is the primary residence of the caregiver and licensed by the state to provide twenty four (24) hour care for five or fewer children (including those related to the caregiver) up to the age of eighteen (18) years.

HIGH-PILED COMBUSTIBLE STORAGE: *add a second paragraph to read as follows:*

Any building classified as a group S Occupancy or Speculative Building exceeding 6,000 sq. ft. that has a clear height in excess of 14 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage. When a specific product cannot be identified (speculative warehouse), a fire protection system and life safety features shall be installed as for Class IV commodities, to the maximum pile height.

HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16764 mm) above the lowest level of fire department vehicle access.

MOBILE FOOD PREPARATION VEHICLES. shall mean a mobile food operation using any heat producing equipment for the purpose of preparing and serving food for consumption to the public, from a unit which is wheeled, or otherwise designed to be readily transported from place to place, whether towed or self-propelled, and which is not designed to be permanently connected to domestic water, sanitary sewer systems, or electricity.

MOBILE HOME PARK - For purposes of enforcement of these code provisions, a mobile home park shall be considered as commercial property.

MODIFICATION OF A FIRE PROTECTION SYSTEM To change, alter or upgrade a system from its original design, coverage, and method of actions. This may include but is not limited to the following:

- Changing piping or coverage of a system
- Replacing one single board or FA control unit with a newer model
- Conversion from a horn system to a voice alarm system
- Replacing POTS lines with Cellular Dialers

The following are not considered a modification:

- Replacing painted or corroded heads with same type and temp rating or replacing gauges
- Firmware updates
- Software updates
- Replacing boards of the same model utilizing the same or newer firmware

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification, and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

ROUTE THAT A FIRE HOSE WOULD BE LAID - The routing of fire hose from either a public or approved on-site fire hydrant to the fire apparatus along the length of the public roadway and/or approved private fire lanes.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel approved by the Fire Chief. When utilized, the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction.

(19) Section 307.1.1 Prohibited Open Burning. Amend to read: Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: {No change.}

(20) Section 307.2 Permit Required. Amend to read: “A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, or open burning. Application for such approval shall only be presented by and permits issued to the owner of the land upon which the fire is to be kindled.

Examples of state or local law, or regulations referenced elsewhere in this section may include but not be limited to the following:

1. Texas Commission on Environmental Quality (TCEQ) guidelines and/or restrictions.
2. State, County, or Local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.”

(21) Section 307.3 Extinguishment Authority. “Amend to read: When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation.”

(22) Section 307.4 Location. Amend to read: “The location for open burning shall not be less than 300 feet (91 440 mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 feet (91 440 mm) of any structure.”

Exceptions: {No change.}

(23) Section 307.4.1 Bonfires. Delete entire section.

(24) 307.4.2 Recreational fires. Amend to read: “Allowed without a permit in approved containers at one- and two-family dwellings, subject to the regulations contained herein. Recreational fires shall not be conducted within 15 feet (3048mm) of a structure or combustible material. Conditions that could cause a fire to spread within 15 feet (3048mm) of a structure shall be eliminated prior to ignition. Fires shall be limited to a maximum of three feet in diameter and two feet in height, must be contained in a non-combustible chimney, outdoor fireplace, fire pit, or other method approved by the Fire Code Official. All openings in the container or fire pit must be covered with wire mesh or other screening materials that will

prevent the passage of sparks or embers. No such fire or container used for open burning may be used on any porch, deck, balcony, or other portion of a building. Within any room, space, or under any building overhang.”

(25) Section 307.4.4 Permanent Outdoor Firepit. Add section: “Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Residential Code or International Building Code.”

(26) 307.4.5 Trench Burns. Add section: Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

(27) Section 307.5 Attendance. Amend to read: “*Open burning, trench burns, recreational fires, and use of portable outdoor fireplaces shall be constantly attended until the... {Remainder of section unchanged}*”

(28) Section 308.1.4 Open-flame Cooking Devices. Amend to read: Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings where LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 pounds (5 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
2. Where buildings, balconies and decks are protected by an approved *automatic sprinkler system*, and LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers). All LP-gas containers shall be stored outside, as per Chapter 61.
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2-1/2 pounds [nominal 1-pound (0.454 kg) LP-gas capacity].

(29) Section 308.1.6.2, Exception #3; Amend to read as follows:

3. Torches or flame-producing devices in accordance with Section 308.1.3.

(30) Section 308.1.6.3 Sky Lanterns. Amend to read: “A person shall not release or cause to be released an unmanned free-floating device containing an open flame or other heat source, such as but not limited to a *sky lantern*.”

(31) Section 311.5 Placards. Amend to read: “The *fire code official* is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 114 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

(32) Section 319.11 Add section: “Flammable / Combustible gas containers shall be located and secured on the exterior of the mobile food unit, open to atmosphere or if containers are kept in compartment, said compartment must be separate from the interior food preparation area. Access must be from the exterior of the unit and compartment floor and exterior door must be vented to the atmosphere”.

(33) Section 319.12 Signage. Add section: “All mobile units with combustible / flammable gas shall post a “NO SMOKING” sign next to or directly above the bottle and visible to the public. Such sign shall be posted with a minimum of four-inch red lettering on white background.”

(34) Section 319.13 “Generators” Add section: Units using electrical power for cooling or heating must provide a shutoff or means of disconnect located outside the confines of the unit, which is readily accessible and marked with a sign consisting of three-inch red letters on a white background, which states

“ELECTRICAL SHUTOFF.” This shutoff must be placed where it can be readily seen and reached without endangering the person(s) attempting to shut off the power source in the event of a fire or short circuit.

(35) Section 319.14 Baffles. Add section: “All deep-fat fryers shall have a steel baffle between the fryer and surface flames of an adjacent appliance or shall maintain a 16-inch separation distance. The baffle, if installed, shall be eight inches in height.”

(36) SECTION 320 – “FOOD BOOTHS.” Add Sections to read:

- (a) “Section 320.1 “Permits.”** For permit to operate a food booth, see Section 105.5.53. It shall be unlawful to operate a food booth without a permit.
- (b) Section 320.2 “Fire Protection.”** One 2A –10 BC fire extinguisher shall be required for all food booths. Booths containing deep fat fryers shall also have a class K portable fire extinguisher for up to four fryers having a maximum cooking medium capacity of 80 pounds each. For every additional group of four fryers having a maximum cooking capacity of 80 pounds each, an additional class K extinguisher will be required. For individual fryers exceeding 6 square feet in surface area, class K extinguishers will be installed in accordance with manufacturers’ recommendations. All fire extinguishers shall have a current (within a year) inspection sticker from a licensed extinguisher company or provide proof (such as a store receipt) that the extinguisher was purchased sometime within the last 12 months.
- (c) Section 320.3 “Location.”** Food booths utilized for cooking shall have a minimum of 10 feet clearance on two sides. Booths shall not be placed in fire lanes unless otherwise approved by the fire code official. Booths shall not be placed within 10 feet of amusement rides or devices.
- (d) Section 320.4 “Cooking equipment location.”** Barbeque pits shall not be located within 10 feet of combustible materials. Barbeque pits shall not be located under the food booth canopy.
- (e) Section 320.5 “Acceptable Cooking Sources”.** The following are the only approved cooking sources for food booths:
 - 1. Wood or charcoal
 - 2. Propane
 - 3. Natural Gas
 - 4. Electricity
- (f) Section 320.6 “Generators.”** Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Generators shall be isolated from contact with the public. Storage of gasoline is not allowed in or near generators or food booths.
- (g) Section 320.7 “Decorations.”** All decorative material shall be at least six feet away from any open flame, cooking element, or heat source or be flame resistant.
- (h) Section 320.8 “Escape route.”** All concession stands shall have a minimum of a 36-inch aisle for emergency escape.
- (i) Section 320.9” Propane.”** All equipment used in conjunction with propane tanks must be UL Listed for the purposes in which they will be used. Tanks shall be secured to prevent falling. Tanks shall only be white or aluminum in color. Only one spare tank will be allowed in a food booth. Emptied propane tanks are to be removed from the site immediately after use. Regulators shall be attached to the tanks as close as possible. Leaks can be detected using a soap and water solution. Tank shutoff valves and/or additional shutoff valves shall be accessible and away from the cooking appliance(s). Propane tanks shall not be within five feet of an ignition source. Propane tanks shall not be located within 10 feet of a building door or window.
- (j) Section 320.10 “Area.”** A food booth shall consist of an area 10 feet by 10 feet. Extended food booths that exceed 10 feet by 10 feet space and used for cooking will be charged additional fees. These fees will be charged in one hundred square foot increments and any portion thereof.”

(37) Section 401.9 “False Alarms and Nuisance Alarms.” Add section to read: “False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.”

(38) Section 403.4 Group E Occupancies. *Amend to read:* An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom. Group E occupancies shall also comply with Sections 403.4.1 through 403.4.3.

(39) Section 404.2.2 Fire safety plans. *Add Number 4.10. to read as follows:*

“4.10. Fire extinguishing system controls.”

(40) Section 501.4 Timing of Installation. Amend to read: “When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure., such protection shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles in accordance with Section 505.2.”

(41) Section 503.2.1 Dimensions. Amend to read: “Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4267 mm).

Exception: Vertical clearance may be reduced; provided such reduction does not impair access by fire apparatus and *approved* signs are installed and maintained indicating the established vertical clearance when approved.”

(42) Section 503.2.3 Surface. Amend to read: Fire apparatus access roads shall be designed and maintained to support imposed loads of at least 85,000 Lbs. for fire apparatus and shall be surfaced to provide all-weather driving capabilities. Drivable grass surfaces, or other alternative drivable surfaces, are permitted when approved by the Fire Marshal or his designee and in accordance with all the following conditions:

1. Sealed documents indicating compliance with the provisions of 503.2.3 shall be submitted by a registered design professional for review.
2. The drivable grass surface, or alternative drivable surface, shall not be used as the primary access to the site.
3. The surface shall be capable of supporting the imposed load of fire apparatus weighing at least 85,000 pounds.
4. Red traffic reflectors shall be provided on each side of the surface every 20 feet to clearly mark its boundaries. Vegetation on and surrounding the surface shall be maintained such that said reflectors are ~~always visible~~ visible at all times.
5. Sod is not permitted to be placed over the drivable base.
6. Concrete curbing, or other approved edging, shall be installed along both sides of the portion to be used as such for enhanced lateral stability.
7. If sand or other free-flowing fill is used as a main structural component for the surface, concrete curbing or other approved edging shall be installed along both sides of the surface for material containment.
8. The surface shall ~~always~~ be maintained in proper working order at all times when utilized as a required fire lane. Should the surface become damaged or fall into disrepair, the Fire Marshal or his designee shall be authorized to require the repair and re-certification of said surface.”

(43) Section 503.2.5 “Dead Ends.” Amend to read: “Required fire apparatus access when not connected at both ends to a public roadway, shall be provided with an approved area for the turning around of fire apparatus. A ~~turn-turn~~ around as approved by the Fire Marshal or as permitted by Appendix D are acceptable. Cul-de-sac as noted in Appendix D shall have a minimum radius of fifty (50) feet.”

(44) Section 503.3 Marking. Amend to read: “Striping, signs, or other markings, when approved by the fire code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING TOW AWAY ZONE” shall appear in four inch (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

(2) Signs – Signs shall read “NO PARKING FIRE LANE” or “FIRE LANE NO PARKING” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.”

(45) Section 503.4 Obstruction of Fire Apparatus Access Roads. Amend to read: “Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 and 503.2.2 and any area marked as a fire lane as described in Section 503.3 shall be maintained at all times.

(46) Section 503.6.1 “Direction of Swing.” Add new section to read: “Security gates installed across a Fire Apparatus Access Road shall swing in the direction of travel or open horizontally to avoid backing up of Fire Apparatus and to allow for an expedited response.”

(47) Section 503.7 “Abandonment of Fire Apparatus Access Roads” Add new section to read: “No owner or person in charge of any premises served by an existing required fire apparatus access road shall abandon or close any such fire apparatus access road without first complying with the following procedure:

1. A request to the Fire Code Official shall be made in writing by the owner, stating the reasons for abandonment of the fire apparatus access road.
2. The Fire Code Official shall determine if said property is no longer subject to the requirements of this Code. The Fire Code Official shall either approve or deny the request for abandonment and notify the owner in writing within 10 working days of receiving the request.
3. No fire apparatus access road may be abandoned until the Fire Code Official has approved the abandonment in writing.”

(48) Section 505.1 Address Identification. Amend to read: New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than 6 inches (152.4 mm) high with a minimum stroke width of 1/2 inch (12.7 mm). Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other approved means shall be used to identify the structure. Numerals or addresses shall be

posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background on border. Address identification shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 4 inches (101.6 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.

(49) Section 507.3 “Fire flow.” Amend to read: “Fire Flow requirements for buildings or portions of buildings and facilities shall be as per Appendix B of the International Fire Code or *approved* method as determined by the Fire Marshal.”

(50) 507.5 Fire hydrant systems. Amend to read: “Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.10”

(51) Section 507.5.1 Where required. Amend to read: “All Public and/or private fire hydrants and mains are required to be installed as follows:

1. All non-residentially zoned property or use: As the property is developed, fire hydrants shall be located at a maximum spacing of three hundred (300) feet, as measured along the length of the roadway or as determined by the Fire Code Official. No part of the structure shall be further than five hundred (500) feet from the fire hydrant, as measured by the route that a fire hose would be laid.

2. All residentially zoned property or use, except one- and two-family dwellings: As the property is developed, fire hydrants shall be located at a maximum spacing of six hundred (600) feet, as measured along the length of the roadway or as determined by the Fire Code Official. No part of the structure shall be further than five hundred (500) feet from the fire hydrant, as measured by the route that a fire hose would be laid.”

(52) Section 507.5.1.2 “Accessibility.” Add section to read: “No fire flow credit is allowed for hydrants which are located or so obstructed as to make their use impractical, such as, but not limited to, hydrants across railroad tracks, across limited access highway, expressways, primary thoroughfares, minor or principal arterials, across creeks or streams, or walls.”

(53) Section 507.5.4 Obstruction. Amend to read: Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

(54) Section 507.5.7 “Design Criteria for Water Mains.” Add sections to read: “The minimum diameter for public water mains shall be six inches in single-family residential areas and eight inches in all other areas. Larger mains may be required to accommodate fire flow requirements.

(a) Section 507.5.7.1. Flow Rate. All fire hydrants must be capable of and maintain a minimum flow rate, as measured by Fire Department gauges, of 1,000 gpm in single-family residential areas; 1,250 gpm in commercially zoned areas; and 1,500 gpm in all other areas.

(b) Section 507.5.7.2. Where the fire service mains are used to supply required fire hydrants, the mains shall be sized to flow the required fire flow as determined by Section 507.3.

(c) Section 507.5.7.3. Where the fire service mains are used to supply required fire hydrants plus fire sprinkler and/or fire standpipe systems, the mains shall be sized to flow the larger of the fire hydrant flow demand as determined by Section 507.3, the fire sprinkler demand or the fire standpipe demand as determined by as determined by Chapter 9.

(d) Section 507.5.7.4. When sizing the fire service main, the distribution of the fire flow among the

required fire hydrants (as determined by 507.5.7.2 or 507.5.7.3 above) shall be no less than 1,000 gpm at the hydraulically remote fire hydrant, with the remaining fire flow equally distributed among the remaining required fire hydrants, unless otherwise determined by the Fire Marshal.

- (e) **Section 507.5.7.5** Private fire mains shall be hydraulically calculated.
- (f) **Section 507.5.7.6.** Water pressure in private fire mains shall not be less than thirty-five pounds per square inch (35 psi) with no hydrants in use. When hydrants are in use supplying the required fire flow, water pressure in the main at the fire hydrant discharge level shall be not less than 25 pounds per square inch (25 psi) residual.
- (g) **Section 507.5.7.7.** The minimum required number of fire hydrants for the fire flow determined by Section 507.3 shall be specified in Appendix C, Table C 102.1.
- (h) **Section 507.5.7.8.** Except for specific requirements of this code, all hydrants and mains required for private protection shall be designed, constructed, and operated in conformance with the City of Harker Heights criteria, specifications and regulations for public fire hydrants and mains on public streets and NFPA 24.
- (i) **Section 507.5.7.9.** Fire hydrants located on un-looped six inch (6") water mains of more than eighteen hundred feet (1,800'), or on looped six inch (6") water mains of more than three thousand five hundred feet (3,500'), shall not be considered as meeting the requirements of this code."

(55) Section 507.5.8 "Fire Hydrant Installation Criteria." Add section to read: "Fire hydrants shall be installed per the following criteria:

- 1. All required fire hydrants shall be Mueller Super Centurion or American -Darling three-way break-away-type, painted reflective yellow, no less than five and one-quarter inches (5-1/4") in size, and shall conform to the provisions of the latest AWWA specifications.
- 2. Fire hydrants shall be right ~~tum~~-turn only.
- 3. The steamer (pumper) connection shall have a nominal inside diameter of 4 inches and shall have two other hose connections with a nominal inside diameter of 2.5 inches in addition to the steamer (pumper) connection.
- 4. Fire hydrants shall be a minimum of two feet (2') and a maximum of six (6') feet from the gutter face of the curb which forms a public way or Fire Lane. Fire hydrants located on private property and/or in parking lots adjacent to a Fire Lane or public way shall meet the same requirement for distance and be located on a curbed island and/or protected from damage in accordance with Section 312.
- 5. Gate valves shall be placed on all fire hydrant leads.
- 6. Required fire hydrants shall be installed so the break-away point will be no less than three inches (3") and no greater than five inches (5") from finished grade.
- 7. All required fire hydrants shall be installed with the steamer connection facing the fire apparatus access road, street, or fire lane, as applicable.
- 8. All required fire hydrants shall be approved by the Fire Code Official and installed by the contractor in accordance with City Standards prior to the delivery of combustible materials to the construction site.
- 9. There shall be no parking within fifteen feet (15') of either side of a fire hydrant, along the curb line or within three feet (3') of the backside of any fire hydrant. Fire hydrants shall not be blocked to the front."

(56) Section 507.5.9 "Maintenance." Add sections to read: "All fire hydrants shall be inspected and flushed annually. All such inspections and flushing shall be the responsibility of the Harker Heights Fire Department."

- (a) **Section 507.5.9.1** Any maintenance or repairs required to keep private on-site fire hydrants in proper working order shall be the responsibility of the owner of same, subject to the discretion of the Fire Department's annual inspection and flushing.
- (b) **Section 507.5.9.2** All required private on-site fire hydrants shall be accessible to the Fire Department at all times."

(57) Section 507.5.10 "Required Extension." Add section to read: "The Fire Code Official may require that an individual extend a six-inch (6") or larger water main and install an on-premises fire hydrant

conforming to these regulations, in cases where it is determined that a structure will be situated such that it cannot comply with the maximum distance requirements of subsection 507.5.7 of this code.”

(58) Section 605.4 Fuel oil storage systems. Amend to read: “Fuel oil storage systems shall be installed and maintained in accordance with this code. Tanks and fuel-oil piping systems shall be installed in accordance with Chapter 13 of the *International Mechanical Code* and Chapter 57.”

- (a) Section 605.4.1 Fuel oil storage in outside, above-ground tanks.** Amend to read: Where connected to a fuel-oil piping system, the maximum amount of fuel oil storage allowed outside above ground without additional protection shall be 660 gallons (2498 L). The storage of fuel oil above ground in quantities exceeding 660 gallons (2498 L) shall comply with NFPA 31 and Chapter 57.
- (b) Section 605.4.1.1 Approval.** Amend to read: Outdoor fuel oil storage tanks shall be in accordance with UL 142 or UL 2085, and listed as double wall/secondary containment tanks.
- (c) Section 605.4.2 Fuel oil storage inside buildings.** Amend to read: Fuel oil storage inside buildings shall comply with Sections 605.4.2.2 through 605.4.2.8 and Chapter 57.
- (d) Section 605.4.2.1 Approval.** Indoor fuel oil storage tanks shall be in accordance with UL 80, UL 142, or UL 2085.
- (e) Section 605.4.2.2 Quantity limits.** Amend to read: One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:
 - 1. 660 gallons (2498 L) in unsprinklered buildings, where stored in a tank complying with UL 80, UL 142 or UL 2085, and also listed as a double-wall/secondary containment tank for Class II liquids.
 - 2. 1,320 gallons (4996 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in a tank complying with UL 142 or UL 2085. The tank shall be listed as a secondary containment tank, and the secondary containment shall be monitored visually or automatically.
 - 3. 3,000 gallons (11 356 L) in buildings equipped with an *automatic sprinkler* system in accordance with Section 903.3.1.1, where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7. The tank shall be listed as a secondary containment tank, as required by UL 2085, and the secondary containment shall be monitored visually or automatically.

(59) Section 609.1 “General.” Amend to read: “Commercial kitchen exhaust hoods shall comply with the requirements of the *International Mechanical Code* and NFPA 96.”

(60) Section 807.5.2.2 Artwork in Corridors. Amend to read: Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(61) Section 807.5.2.3 Artwork in Classrooms. Amend to read: Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached.

Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(62) Section 807.5.5.2 Artwork in Corridors. Amend to read: Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative

material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

(63) Section 807.5.5.3 Artwork in Classrooms. *Amend to read:* Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

(64) Section 901.6.1.1 Standpipe Testing. Add section to read: Building owners/managers must maintain and test standpipe systems and FDCs as per NFPA 25 requirements and tagged in accordance with the Texas Administrative Code.

(65) Section 901.6.4 False Alarms and Nuisance Alarms. Add section to read: False alarms and nuisance alarms shall not be given, signaled, or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

(66) 903.2.1.3 “Group A-3.” Amend to read: “An automatic sprinkler system shall be provided for fire areas containing Group A-3 occupancies and intervening floors of the building where one of the following conditions exists:

1. The fire area exceeds 12,000 square feet (1115 m²).
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. Any pool hall, billiard parlor or dance hall type occupancies that serves alcohol shall comply with the fire sprinkler requirements for Group A-2 Occupancies in section 903.2.1.2.”

(67) Section 903.2.11 Specific buildings areas and hazards. Amend to read: “In all occupancies other than group U an automatic sprinkler system shall be installed for building design or hazards in locations set forth in Sections 903.2.11.1 through 903.2.11.9.”

(68) Section 903.2.11.3 Buildings 35 feet or more in height. Amend to read: An automatic sprinkler system shall be installed throughout buildings that have one or more stories other than penthouses in compliance with Section 1511 of the *International Building Code*, located 35 feet (10,668 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exception:

1. One- and two-family dwellings

(69) Section 903.2.11.7 High-Piled Combustible Storage. Add section to read: For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.

(70) Section 903.2.11.8 Spray Booths and Rooms. Add section to read: New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system

(71) Section 903.2.11.9 “High volume low speed fans in new and existing buildings.” Add section to read: “The use of High-Volume Low Speed (HVLS) or High-Volume Low Velocity (HVLV) fans in fire sprinkled areas of new and existing buildings shall only be permitted as follows:

1. HVLS fans are permitted in rack storage and palletized storage arrangements up to twenty (20) feet in height in buildings with thirty (30) feet or less ceiling clearance, when Early Suppression Fast Response (ESFR) sprinklers are used to protect the storage array.

2. HVLS fans are permitted in light-hazard and ordinary-hazard occupancies as defined in NFPA 13, *Standard for the Installation of Sprinkler Systems*.

3. HVLS fans are not permitted in sprinkled areas with palletized storage greater than twelve feet (12') in height protected by control mode sprinklers.

4. In all cases, HVLS fans are required to be designed and installed to shut down automatically on any fire alarm signal. This includes automatic shut down upon sprinkler system water flow alarm or any manual or automatic fire alarm detection device provided in the space.

5. In all cases, the clearance between the HVLS fans and the ceiling sprinklers and the top of storage shall be in compliance with the obstruction and clearance rules of NFPA 13.

Exception: When a technical opinion and report is provided in accordance with Section 104.8.2, the Fire Marshal or his designee shall analyze the opinion and report and may approve the use of HVLS or HVLV fans in additional areas when it is determined that the effectiveness of the fire sprinkler system is not compromised.”

(72) Section 903.2.4.2 Group F-1 distilled spirits. Amend to read: An automatic sprinkler system shall be provided throughout a Group F-1 fire area used for the manufacture of distilled spirits involving more than 120 gallons of distilled spirits (>16% alcohol) in the fire area at any one time.

(73) Section 903.2.8.1 “Group R-3.” Amend to read: “An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies.”

Exceptions:

1. One- and two-family dwellings.
2. FOSTER CARE FAMILY HOME as defined in Section 202 General Definitions.

(74) Section 903.2.8.5 “Group R-2.” Add section to read: “An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies.”

Exceptions:

1. Construction of one (1) apartment building containing up to four (4) units on a single lot, constructed with a two (2) hour fire separation (with no penetrations) from slab to the underside of the roof between dwelling units, shall not be required to install a fire sprinkler system.

(75) Section 903.2.9.3 Group S-1 distilled spirits or wine. Amend to read: An automatic sprinkler system shall be provided throughout a Group S-1 fire area used for the bulk storage of distilled spirits or wine involving more than 120 gallons of distilled spirits or wine (>16% alcohol) in the fire area at any one time.

(76) Section 903.3.1.1.1 Exempt Locations. Delete #4

(77) Section 903.3.1.2 NFPA 13R sprinkler systems. Amend to read: Automatic sprinkler systems in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four stories or less above grade plane.
2. The floor level of the highest story is 35 feet (10668 mm) or less above the lowest level of fire department vehicle access.
3. The floor level of the lowest story is 35 feet (10668 mm) or less below the lowest level of fire department vehicle access.

{remainder of text unchanged.}

(78) Section 903.3.1.2.2 Corridors and balconies Amend to read: Sprinkler protection shall be provided in all corridors and for all balconies. *{Delete the rest of this section.}*

(79) Section 903.3.1.3 NFPA 13D sprinkler systems. Amend to read: *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; Group R-3; Group R-4, Condition 1; and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law.

(80) Section 904.14 Domestic cooking facilities. Amend to read: Cooktops and ranges installed in the following occupancies shall be protected in accordance with Section 904.14.1

1. *{text unchanged}*
2. *{text unchanged}*
3. *{text unchanged}*
4. In Groups B, E F, H, I-4, M and S where domestic cooking facilities are installed in accordance with the International Building Code.

(81) Section 906.1 Where required. Amend section by deleting *Exception 3. text unchanged*}

(82) Section 907.2.1 Group A. Amend to read: A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies having an occupant load of 300 or more persons, or where the occupant load is more than 100 persons above or below the *lowest level of exit discharge*. Group A occupancies not separated from one another in accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for the purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: *{No change.}*

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.

(83) Section 907.2.3 Group E. Amend to read: A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E occupancies. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100' open space, all buildings, whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

{No change to remainder of text.}

(84) Section 907.2.10 Group S. Amend to read: A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group S public- and self-storage occupancies for interior corridors and interior common areas. Visible notification appliances are not required within storage units.

Exception: *{No change to remainder of text.}*

(85) Section 907.2.13 High-rise buildings; Change exception #3 to read as follows:

3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.

(86) Section 907.6.3 Initiating device identification. Amend by deleting all four exceptions. The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm and supervisory status, as appropriate.

(87) Section 907.6.6 Monitoring Amend by adding a sentence at end of paragraph to read as follows: Fire alarm systems required by this chapter or by the *International Building Code* shall be monitored by an approved supervising station in accordance with NFPA 72. See 907.6.3 for the required information transmitted to the supervising station.

(88) Section 912.2.1 Visible location. Amend to read: Fire department connections shall be remote and freestanding from the building facing *approved* fire apparatus access roads, fully visible and recognizable from the street, fire apparatus access road or nearest point of fire department vehicle access or as otherwise *approved by the fire code official*.

(89) Section 912.2.3 Hydrant Distance. Add section to read: An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

(90) Section 1032.2 Reliability. Amend to Read: Required *exit accesses, exits and exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency An *exit or exit passageway* shall not be used for any purpose that interferes with a means of egress.

(91) Section 1103.5 Sprinkler Systems *Amend to read:* An automatic sprinkler system shall be provided in existing buildings in accordance with Section 1105.5.1 through 1103.5.7

(92) Section 1103.5.1 Group A-2 Amend to read: Where alcoholic beverages are consumed in a Group A-2 occupancy having an occupant load of 300 or more, the *fire area* containing the Group A-2 occupancy shall be equipped with an *automatic sprinkler system* in accordance with Section 903.3.1.1. Fire sprinkler system installation shall be completed within 24 months from date of notification by the fire code official.

(93) Section 1103.5.3 Group I-2 Condition 2. Amend to read: In addition to the requirements of Section 1103.5.2 existing buildings of Group I-2 Condition 2 occupancy shall be equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1. The *automatic sprinkler system* shall be installed as established by the adopting ordinance 31 January 2023.

(94) Section 1103.5.6 Spray Booths and Rooms. Add section to read: Existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Section 2404.

(95) Section 1103.5.7 Existing R-1, 2, 3, and 4 Occupancies: Add section to read: In R-1, 2, 3, and 4 occupancies where a fire has occurred and displaces more than one occupant, the affected building shall be fire-sprinkled prior to re-occupancy of the unit/building.

(96) Section 1103.7 Fire alarm systems. Amend to read: An approved fire alarm system shall be installed in existing buildings and structures in accordance with Sections 1103.7.1 through 1103.7.7 and provide occupant notification in accordance with Section 907.5 unless other requirements are provided by other sections of this code. *{No change to remainder of text.}*

(97) Section 1103.7.7 Fire Alarm System Design Standards. Add section to read: Where an existing fire alarm system is upgraded or replaced, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or

expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application.

(98) Section 1103.7.7.1 Communication requirements. Add section to read: Refer to Section 907.6.6 for applicable requirements.

(99) Section 1203.1 General. Amend to read: Emergency power systems and standby power systems required by this code or the International Building Code shall comply with Sections 1203.1.1 through 1203.1.10.

(100) Section 1203.1.10 Critical Operations Power Systems (COPS). *Add section to read:* For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.

(101) Section 2401.2 Nonapplicability. *Delete this section in its entirety.*

(102) Section 3103.3.1 Special amusement area. *Delete this section in its entirety.*

(103) Table 3206.2; *add footnote j to row titled 'High Hazard' and 'Greater than 300,000' to read as follows:*

j. High hazard high-piled storage areas shall not exceed 500,000 square feet. A 2-hour fire wall constructed in accordance with Section 706 of the *International Building Code* shall be used to divide high-piled storage exceeding 500,000 square feet in area.

(104) Section 3311.1 Required access. *Amend to read:* Approved vehicle access for firefighting and emergency response shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 feet (15 240 mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, access shall be approved prior to the time which construction has progressed beyond completion of the foundation of any structure. Whenever the connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign.

(105) Section 5601.1.3 Fireworks. Amend as to read: The possession, manufacture, storage, sale, handling, and use of fireworks are prohibited.

Exceptions:

1. Only when approved for fireworks displays, the storage and handling of fireworks as allowed in Section 5604 and 5608.
2. The use of fireworks for approved fireworks displays as allowed in Section 5608... *{Delete remainder of text.}*

(106) Section 5704.2.9.6.1 Locations where above ground tanks are prohibited. *Amend to read:* Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited without prior written approval from the fire code official.

(107) Section 5704.2.11.4 Leak Prevention. *Amend to read:* Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 and 5704.2.11.4.2 An *approved* method of secondary containment shall be provided for underground tank and piping systems.

(108) Section 5806.2 Limitations. Amend to read: Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited without prior approval from the fire code official.

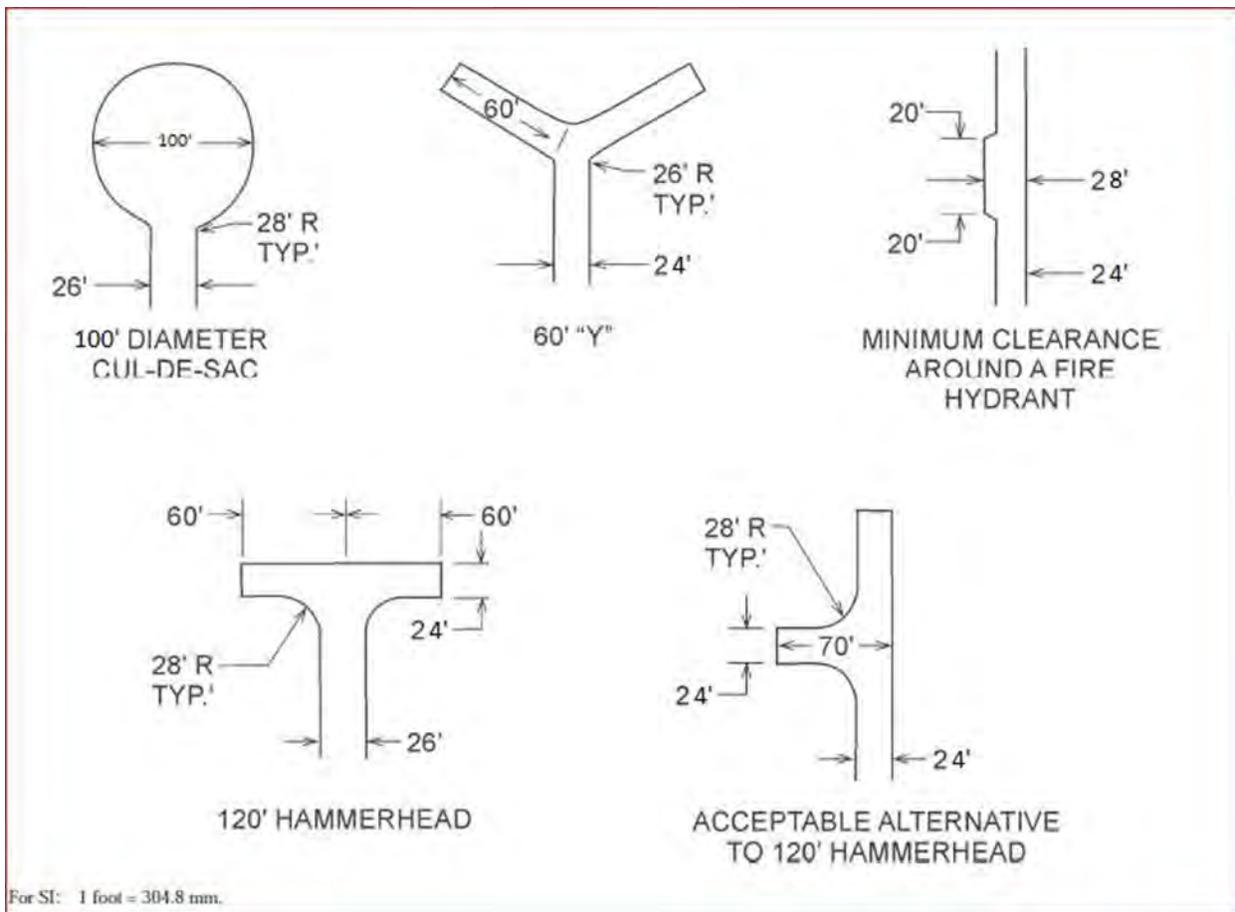
(109) Section 6104.2 Maximum capacity within established limits. Amend to read: Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7579 L) without prior written approval from the fire code official.

(110) Appendices A, J, K, and M are not adopted.

(111) Appendices B, C, D, E, F, G, H, I and L are hereby adopted.

(112) D102.1 Access and loading. Amend to read: Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with an asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to 85,000 pounds (38 556 kg).

(113) Appendix D. "FIRE APPARATUS ACCESS ROADS." Amend accompanying figure D103.1 to show:



(114) "D103.4 Dead ends. Amend to read: Dead-end fire apparatus access roads shall be provided with width and turnaround provisions in accordance with Table D103.4 and 503.2.5.

(115) TABLE D103.4 Amend accompanying table D103.4 to show:

REQUIREMENT FOR DEAD-END FIRE APPARATUS ACCESS *Amend to show:*

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0 - 150	24	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
151 - 500	24	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
501 - 750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot diameter cul-de-sac in accordance with Figure D103.1
Over 750	Special Approval Required	

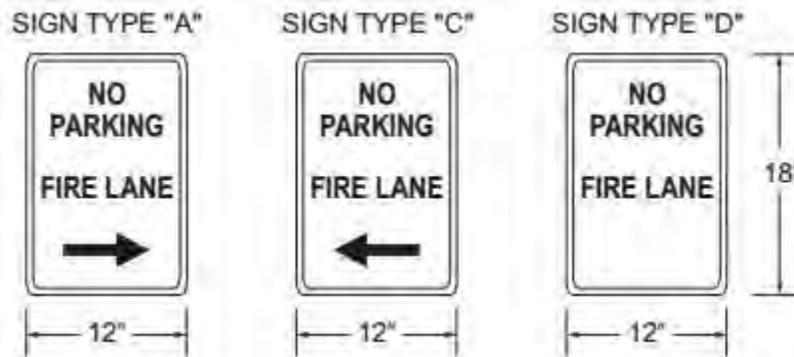
For SI: 1 foot = 304.8 mm

(116) D103.5 Fire apparatus access road gates. *Amend to read:* ~~Change item 1 to read:~~ Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. Where a single gate is provided, the gate width shall be not less than 24 feet (7315.2 mm). Where a fire apparatus road consists of a divided roadway, the gate width shall be not less than 12 feet (3658 mm). *{No change to remainder of text.}*

(117) D103.6 Marking. *Amend to read:* Striping, signs, or other markings, when approved by the *fire code official*, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

- (1) **Striping** – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6") in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING TOW AWAY ZONE" shall appear in four inch (4") white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
- (2) **Signs** – Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12" wide and 18" high (See Figure D103.6). Signs shall have red letters on a white reflective background, using not less than 2" lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty feet (50') apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.



**FIGURE D103.6
FIRE LANE SIGNS**

(118) D103.6.1 Roads 20 to 26 feet in width. Delete Section:

(119) D103.6.2 Roads more than 26 feet in width. Amend to read: *Fire lane* signs as specified in Section D103.6 shall be posted on one side of fire apparatus access roads 26 feet wide (7925 mm) or more and less than 32 feet wide (9754 mm).

(120) D104.3 Remoteness. Amend to read: Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(121) D105.3 Proximity to building. Amend to read: Unless otherwise approved by the fire code official, one or more of the required access routes meeting this condition shall be located not less than 15 feet (4572 mm) and not greater than 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be *approved* by the *fire code official*.

(122) D106.3 Remoteness. Amend to read: Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.

(123) D107.2 Remoteness. Amend to read: Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, or as *approved* by the *fire code official*.



City Council Memorandum

FROM: The Office of the City Manager

DATE: May 10, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING OF AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM R-1(M) (MANUFACTURED ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS VALLEY VIEW THIRD EXT, BLOCK 011, LOT 13, PT 12, (E 25' OF 12), GENERALLY LOCATED AT 224 E. TURNBO ROAD., 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(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 224 E. Turnbo Rd.

Parcel History

This parcel is located within the original area of the city incorporation (1960); the subdivision was approved and platted in 1962. The mobile home that was on site was removed sometime prior to February 2015, and the property has remained vacant since.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Parks & Open Space	Parks & Open Space	R-1 (One-Family Dwelling District)
South	Medium Density Residential	Medium Density Residential	R-1-I (Single-Family Infill Dwelling District) R-2 (Two-Family Dwelling District)
East	Medium Density Residential	Medium Density Residential	R-1(M) (One-Family Manufactured Home Dwelling District)
West	High Density Residential	Medium Density Residential	R-3 (Multi-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Medium Density Residential. 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.

Flood Damage Prevention

The property is located within the flood plain. The Finished Floor Elevation (FFE) of any residence built upon this lot would have to be a minimum of 2 (two) feet above the Base Flood Elevation (BFE) per COHH Drainage Criteria Manual (Section 1.2.10 Lot Grading, C- Finished floor elevations shall be shown for all lots adjacent to or encroaching upon the FEMA designated 100-yr flood plain. Finished floor elevations shall be a minimum of two (2) FT above the ultimate base flood elevations.).

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 forty-two (42) notices to property owners within the 400-foot notification area. As of May 3, 2022, three (3) 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 recommends approval of an ordinance to change zoning designation from R-1(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 224 E. Turnbo Rd. 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 April 27, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from R-1(M) (Manufactured 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(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., 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: LEE PATRICK JR **Date:** 28 MARCH 2022

Address: 5019 BIRMINGHAM CIR

City/State/Zip: KILLEEN TEXAS 76542

Phone: 254-999-1329 **E-mail:** KYONG LEE PATRICK AT @-MAIL.COM

Legal Description of Property:

Location of Property (Address if available): 224 EAST TURNBRO RD HARKER HTS TX 76548

Lot: 12-13 **Block:** 11 **Subdivision:** VALLEY VIEW ADDITION HH

Acres: _____ **Property ID:** 91121 **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: R1M **Proposed Zoning:** R-2

Current Land Use: VACANT **Proposed Land Use:** DUPLEX

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.

LEE PATRICK JR
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

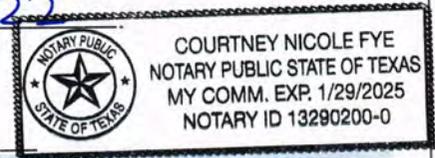
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 28th DAY OF March, 2022

Courtney Nicole Jye
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



STAFF ONLY - DO NOT FILL OUT BELOW
Date Submitted: 3/28/2022 **Receipt #:** 01809317

Received By: [Signature] **Case #:** _____
 Revised: 10/2021

§ 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)

§ 155.023 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.

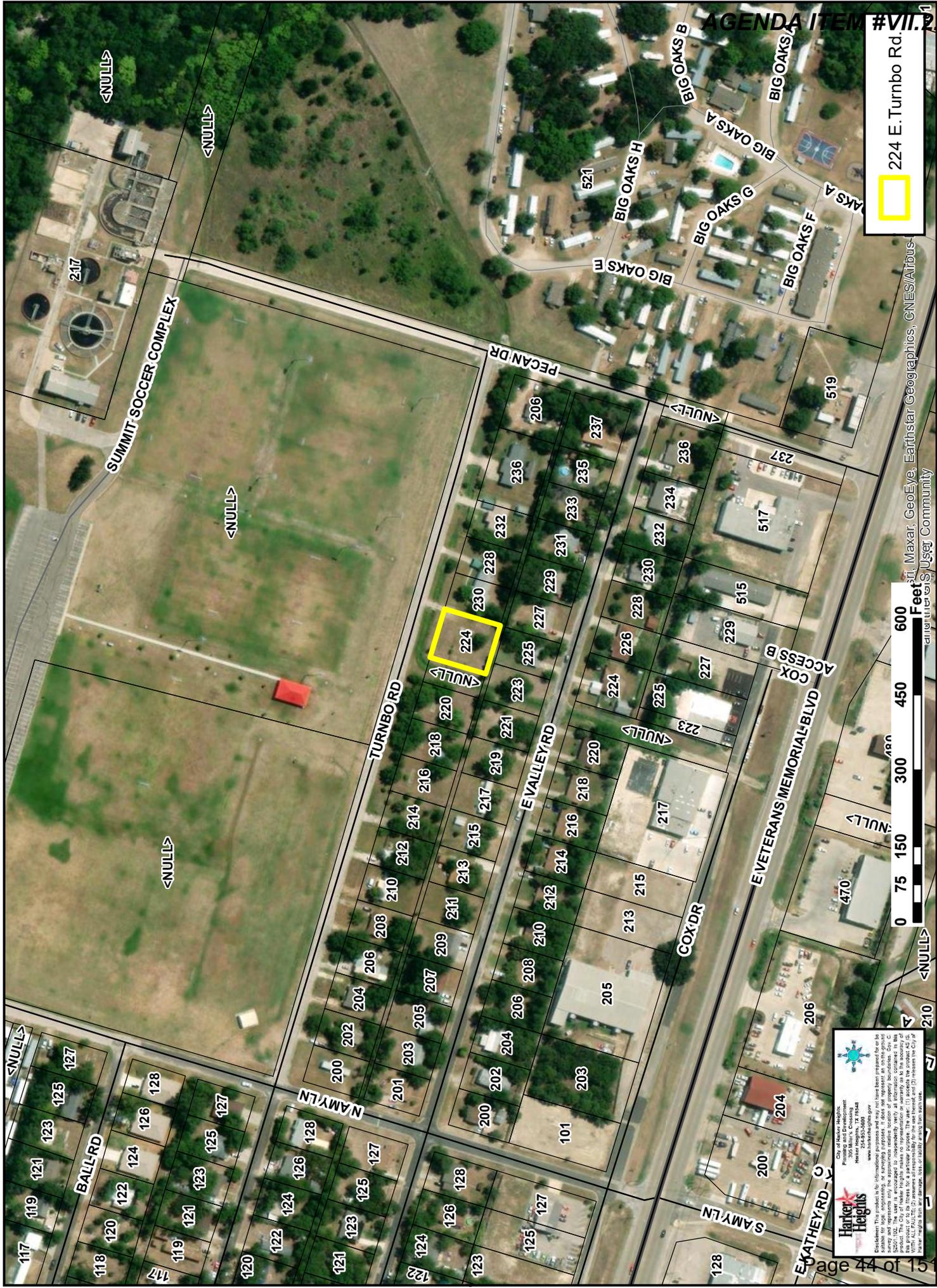
(H) *Signs.* Same as in R-1 district.

(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.

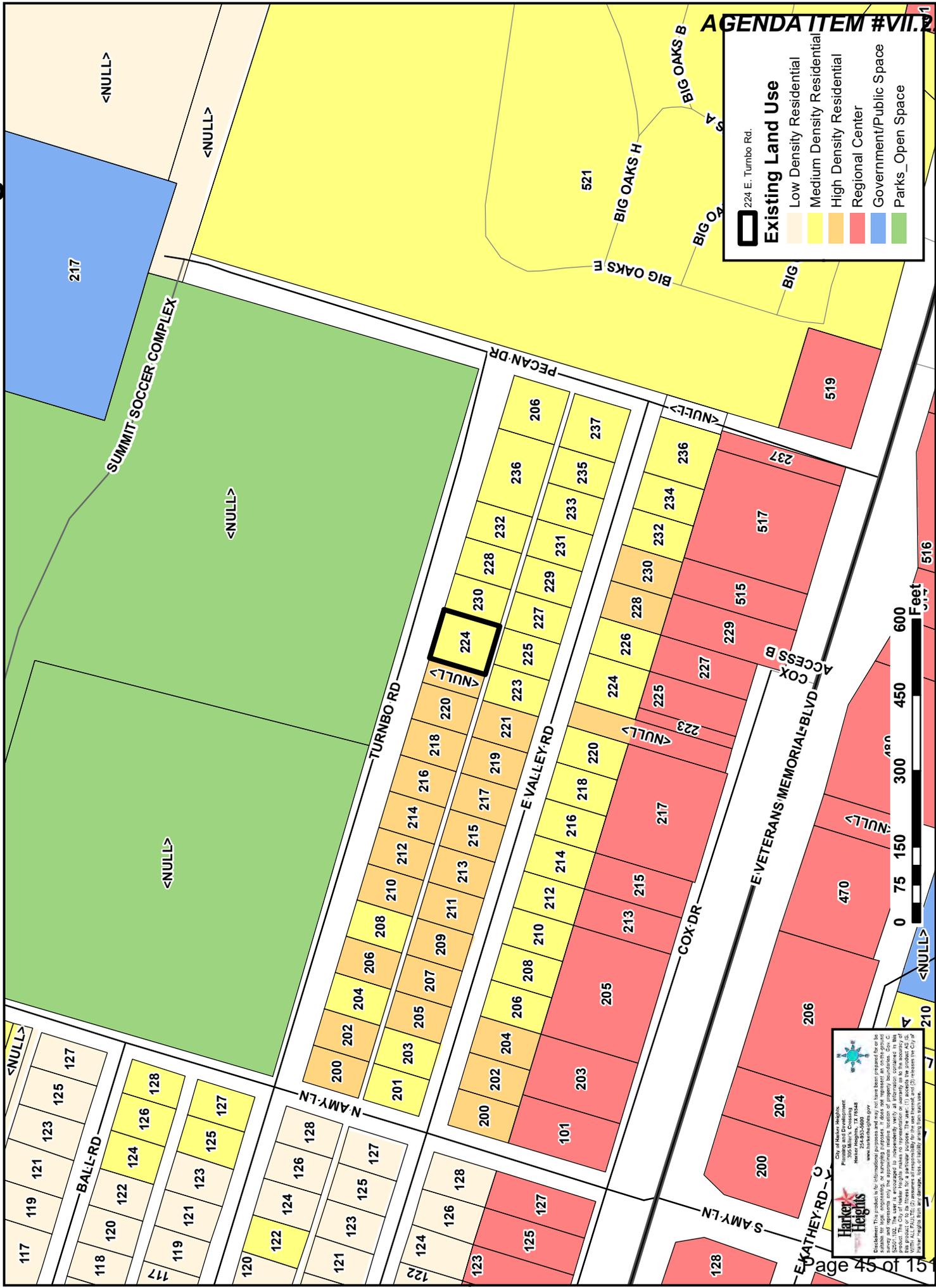
(K) *Architectural design.* R-2 buildings shall be designed to avoid repetitions of buildings or roof lines, and the same elevation may not be used within any five lot groupings. Primary entrances shall face the public street. Windows shall be provided with trim or recessed, rather than flush with exterior 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)



City of Harker Heights
 Planning and Development
 Harker Heights, TX 75044
www.harkerheights.gov

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224 E. Turnbo Rd.

Existing Land Use

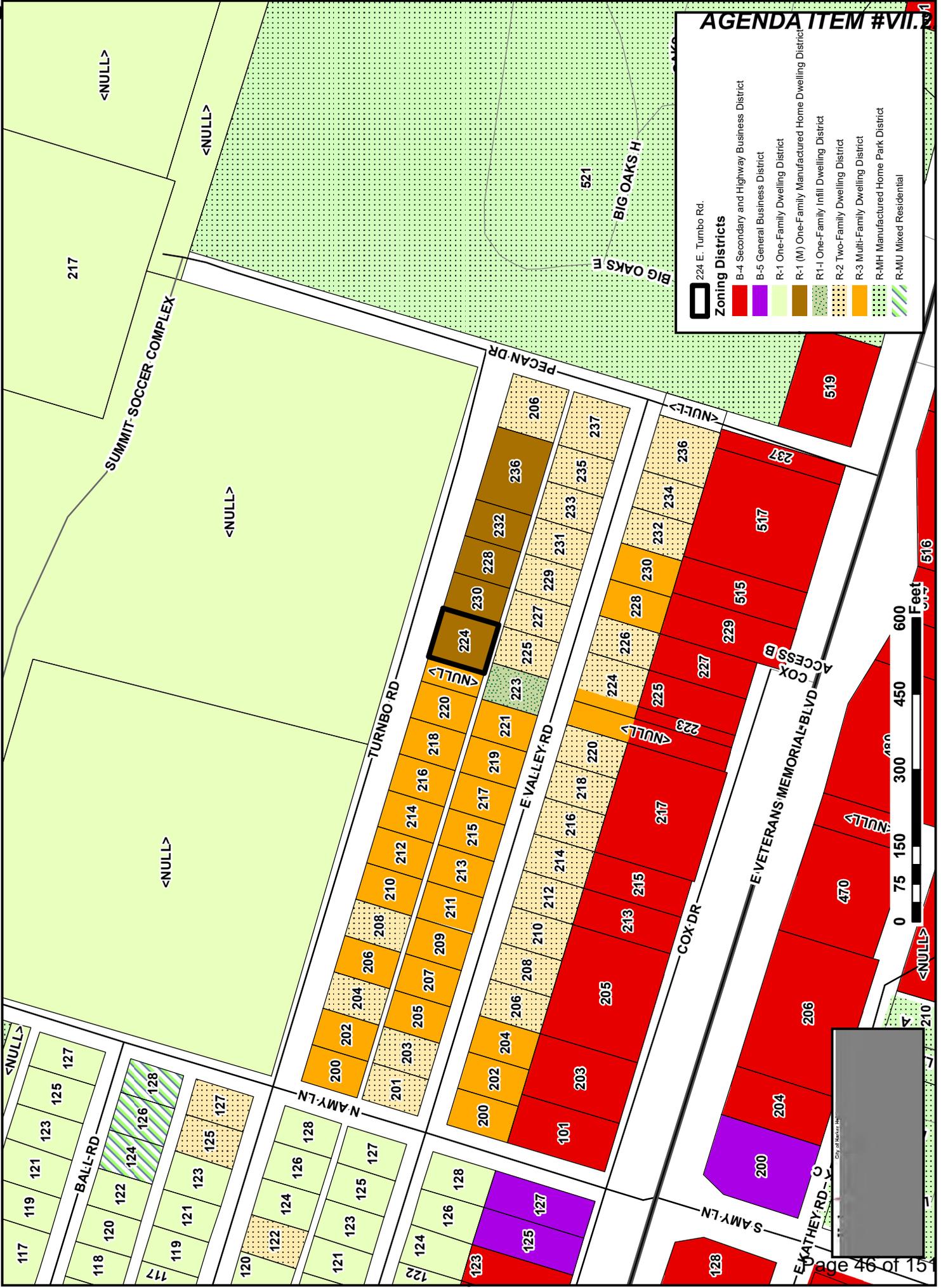
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Government/Public Space
- Parks_Open Space

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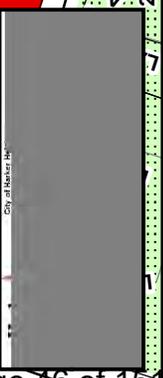
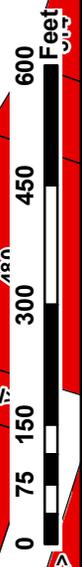
600 Feet

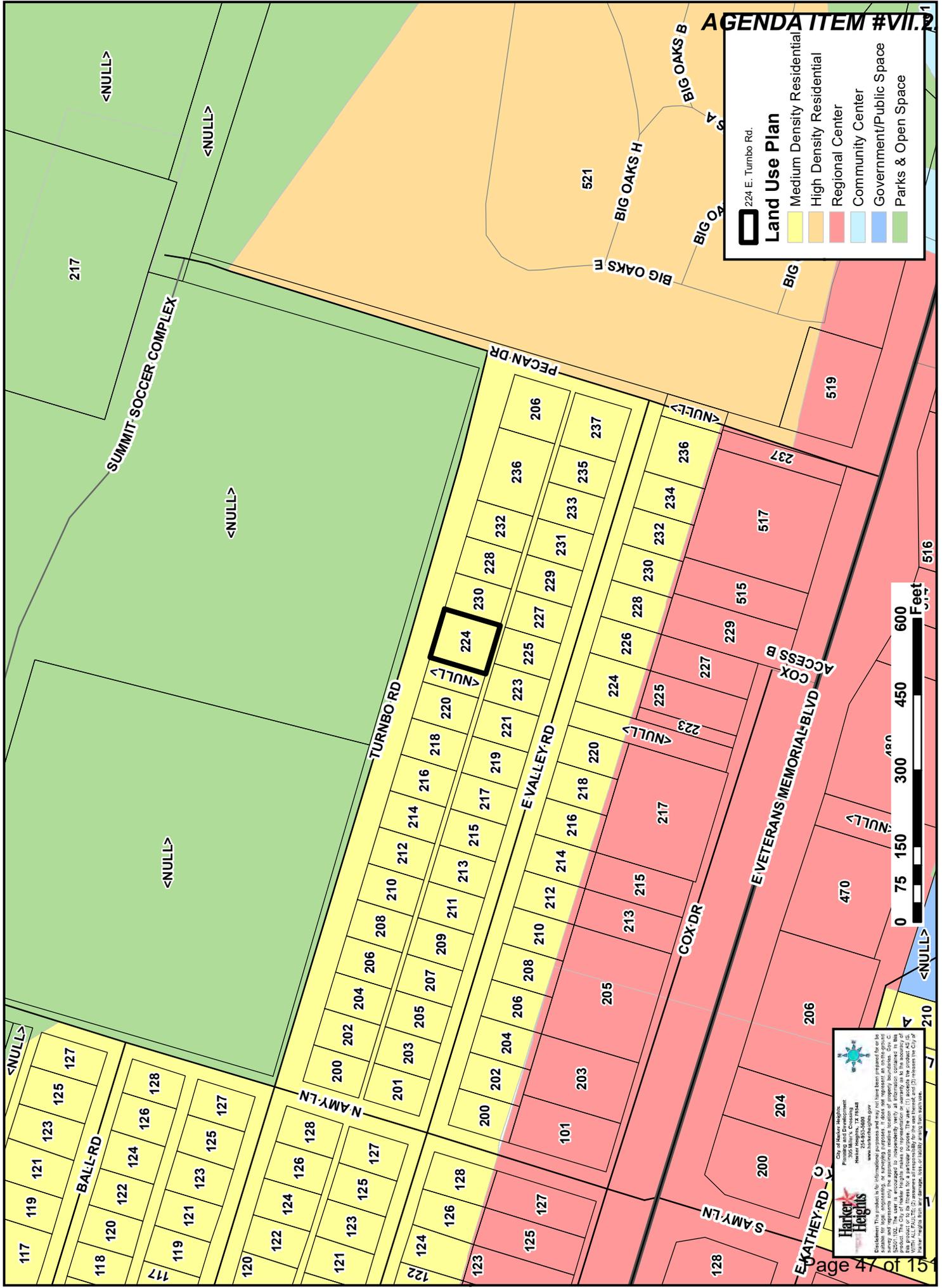
0 75 150 300 450 600 Feet



Zoning Districts

- 224 E. Turnbo Rd.
- 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
- R1-1 One-Family Infill Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District
- R-MU Mixed Residential





224 E. Turnbo Rd.

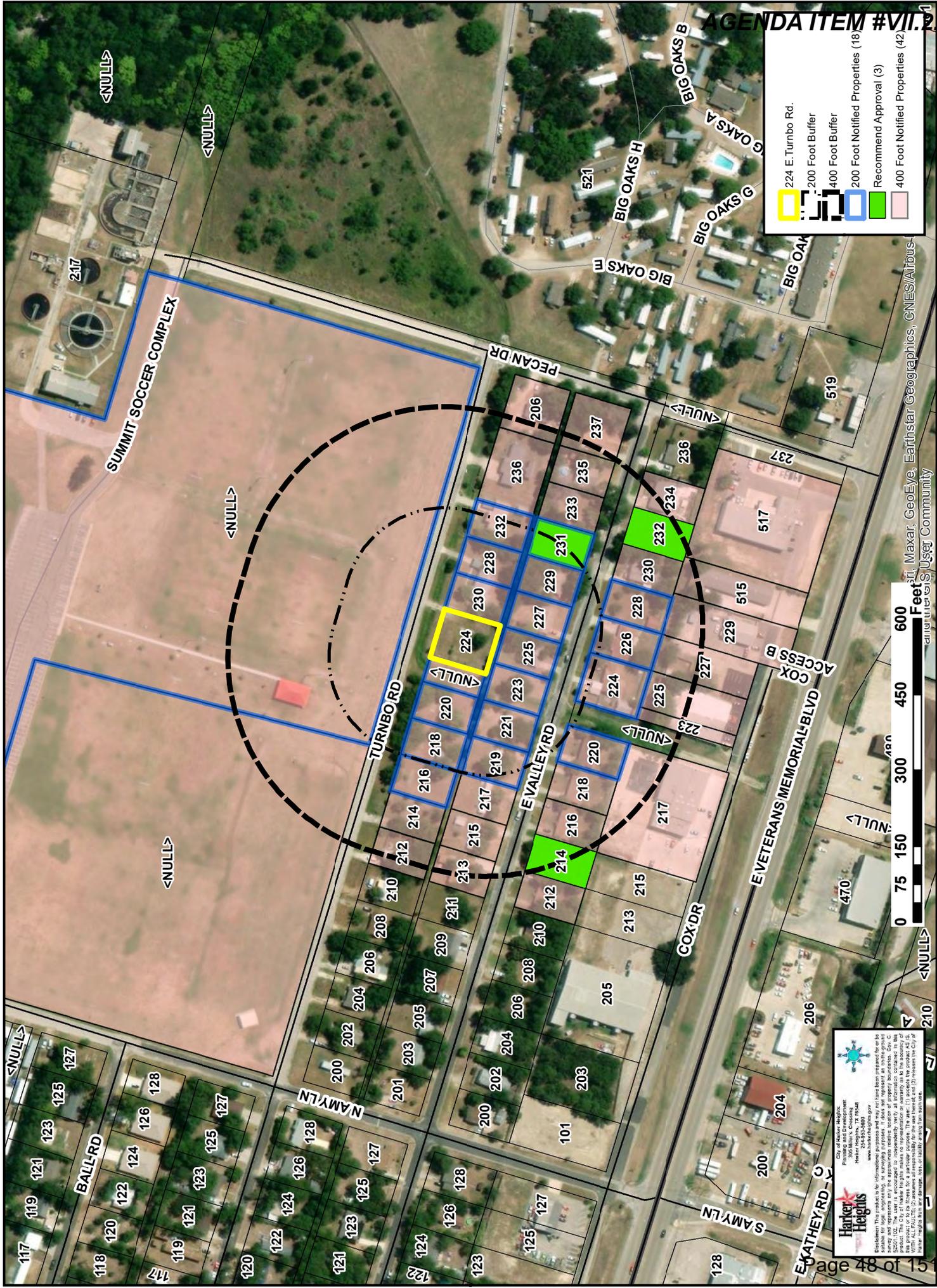
Land Use Plan

- Medium Density Residential
- High Density Residential
- Regional Center
- Community Center
- Government/Public Space
- Parks & Open Space

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AGENDA ITEM #VII.2

- 224 E. Turnbo Rd.
- 200 Foot Buffer
- 400 Foot Buffer
- 200 Foot Notified Properties (18)
- Recommend Approval (3)
- 400 Foot Notified Properties (42)

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Map provided by Maxar, GeoEye, Earthstar Geographics, CNES/Airbus, DigitalGlobe, GeoEye, IGN, Aerogis, AeroVista, and USDA/NAIP.

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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

APR 18 2022

FROM: POLICICHIO, JOSEPH

Planning & Development

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

Physical Address	Property ID
214 E VALLEY RD	31217

Z22-08 RE: application has been made to consider a request to change zoning designation from **R-1(M) (Manufactured One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

JOSEPH Policchio
Printed Name

Joseph Policchio
Signature

4-12-22
Date

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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

APR 18 2022

Planning & Development

FROM: DIAZ-RUIZ, MARIA T

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

Physical Address	Property ID
231 E VALLEY RD	55590

Z22-08 RE: application has been made to consider a request to change zoning designation from **R-1(M) (Manufactured One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Maria T. Diaz-Ruiz Maria T. Diaz Ruiz

4/12/22

Printed Name

Signature

Date

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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

APR 18 2022

FROM: DIAZ-RUIZ, MARIA T

Planning & Development

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

Physical Address	Property ID
232 E VALLEY RD	98304

Z22-08 RE: application has been made to consider a request to change zoning designation from **R-1(M) (Manufactured One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25' of 12), generally located at 224 E. Turnbo Rd., Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Mariatt Diaz-Ruiz

Mari T. Diaz Ruiz

4/12/22

Printed Name

Signature

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS VALLEY VIEW THIRD EXT, BLOCK 011, LOT 13, PT 12, (E 25’ OF 12), GENERALLY LOCATED AT 224 E. TURNBO RD, 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 R-1(M) (Manufactured One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25’ of 12), generally located at 224 E. Turnbo Rd., Harker Heights, 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-	5/10/2022	Granting R-2 (Two-Family Dwelling District) on property described as Valley View Third Ext, Block 011, Lot 13, PT 12, (E 25’ of 12), generally located at 224 E. Turnbo Rd., 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 May 10, 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: May 10, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING OF AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS SKIPCHA ESTATES, PHASE SIX, SECTION ONE, BLOCK 007, LOT PT 43, (TRI OF 43 (8.50' X 9.21' X 3.25')), GENERALLY LOCATED AT 518 CHINOOK CIRCLE, 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-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an Accessory Dwelling Unit (ADU) on property generally located at 518 Chinook Circle. The applicant indicated that the intent is to allow a family member to reside in the ADU.

Parcel History

This parcel was annexed into city limits in 1986, and the subdivision was approved and platted in 1993. The primary residential structure was constructed in 1995 and consists of approximately 1962 square feet. The parcel of land is .6 acres in size according to Bell County Appraisal District records.

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	R-1 (One-Family Dwelling District)
South	Low Density Residential	Low 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	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Low Density Residential. 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.

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 sixty-four (64) notices to property owners within the 400-foot notification area. As of May 3, 2022, one (1) response was 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 recommends approval of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional use Permit (CUP) for the property in this case with the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have a maximum gross foundation footprint of 600 square feet.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on April 27, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to grant a Conditional Use Permit (CUP) to allow for an Accessory Dwelling Unit (ADU) for this parcel with the four conditions presented and based on staff's recommendation and findings.

ACTION BY THE COUNCIL:

1. Motion to **approve with conditions/disapprove with explanation** an ordinance granting a Conditional Use Permit (CUP) to allow for an Accessory Dwelling Unit (ADU) on property described as Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, Harker Heights, Bell County, Texas, with the four conditions as presented and based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application, Ordinances, Letter of Intent/Site Plan, Location Map, Existing Land Use Map, Zoning Map, Land Use Plan Map, Notification Area Map, Public Responses, Proposed Ordinance](#)



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: MICHELE ALVAREZ-CHILDS Date: MARCH 28 2022

Address: 518 CHINOOK CIRCLE

City/State/Zip: HARKER HEIGHTS TX 76548

Phone: 254.449.2448 E-mail: shellbelltexas@gmail.com

Legal Description of Property:

Location of Property (Address if available): 518 CHINOOK CIRCLE HARKER HEIGHTS TX 76548

Lot: 0042 Block: 007 Subdivision: SKIPCHA MOUNTAIN ESTATES PH 06 SECT. 01

Acres: .0488 Property ID: 16096 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: _____ Future Land Use Designation: _____

Applicant's Representative (if applicable):

Applicant's Representative: STEVEN GILL - GILL CONSTRUCTION SOLUTIONS LLC

Phone: 254.681.5228 E-Mail: Stevengill@gillconstructionservices.org

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 STEVEN GILL - GILL CONSTRUCTION SOLUTIONS will represent the owner.

MICHELE ALVAREZ-CHILDS
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

Stevengill
 Printed Name of Representative

[Signature]
 Signature of Representative

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 3/30/2022

Pre-Application Meeting

Receipt #: 01810010

Received By: [Signature] met as mike & yvonne @ front center

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)



Steven Gill

stevengill@gillconstructionsolutionsllc.com

O:254.369.5978

C:254.681.5228

Date: March 30,2022

City of Harker Heights Planning and Development

305 Millers Crossing

Harker Heights, TX 76548

254.953.5647

Conditional use Permit Application Letter of Intent

Re: 518 Chinook Circle Harker Heights, Tx 76548

To whom it may concern,

This is a letter of intent regarding the property at 518 Chinook Circle Harker Heights, owned by Michele Alvarez-Childs. My name is Steven Gill, owner/operator of Gill Construction Solutions LLC. Michele has asked our company to be her representative in this matter. We propose building an auxiliary structure in the rear portion of the property directly behind the home. The build would be a <550 square foot structure, including a bedroom, bathroom, kitchenette, and sitting area. The purpose would be to provide a place for Michele's mother, Ella, to reside. Michele and her family have decided that they would prefer that Ella live as close as possible during this time~~ew~~ of life.



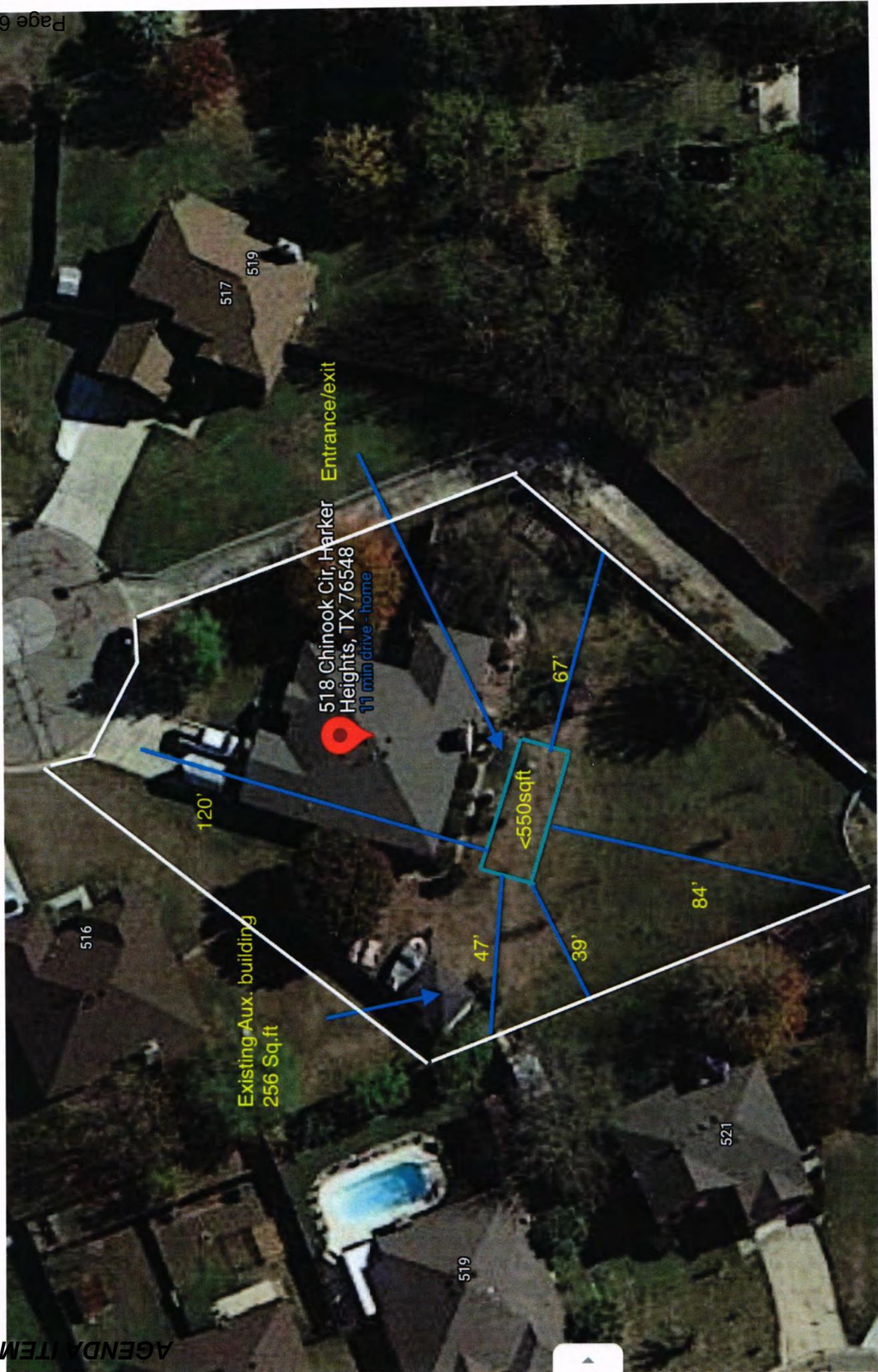
In reference to the Harker Heights Code of Ordinances Section 155.201 Conditional Use Permit

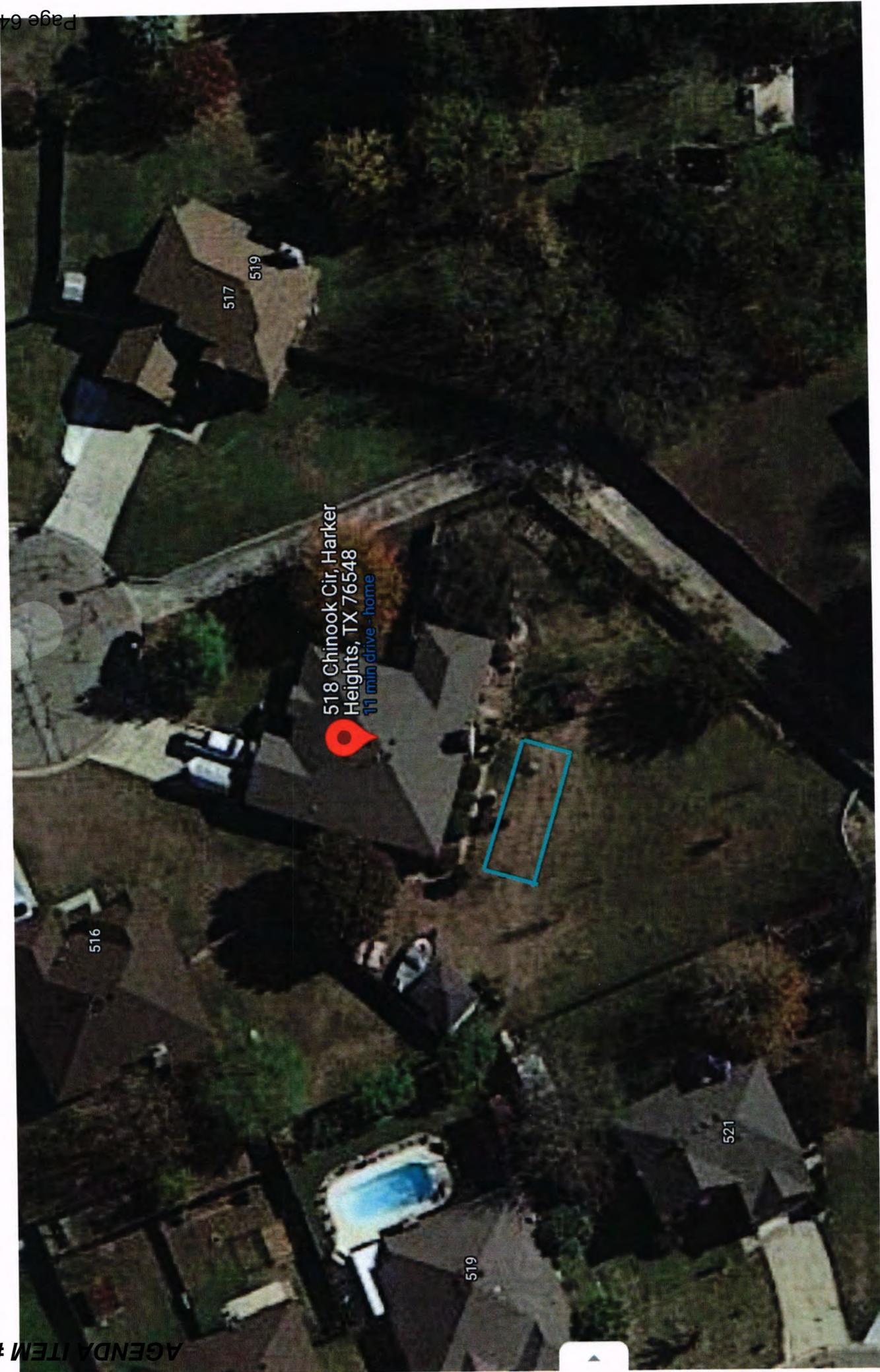
- The existing home, landscaping, parking, and land use will remain as-is.
- The lot size is between one half and one full acre.
- There is currently one existing auxiliary structure which size is 256 square feet.
- The aggregate size of the existing structure and proposed will be <1,000 square feet.
- All setbacks are within the allowable dimensions.
- The proposed would be a single story with a pitch equal to or less than 6 inches of rise per foot of run, equaling less than 24' and lower than the height of the main residence.
- Building materials and facade would be built consistent with the main residence building materials and facade.
- The proposed building would be built behind the front facade of the main residence.
- The proposed building would be for the use of family and friends only. There are no plans for rental/lease or business use.

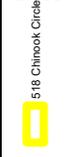
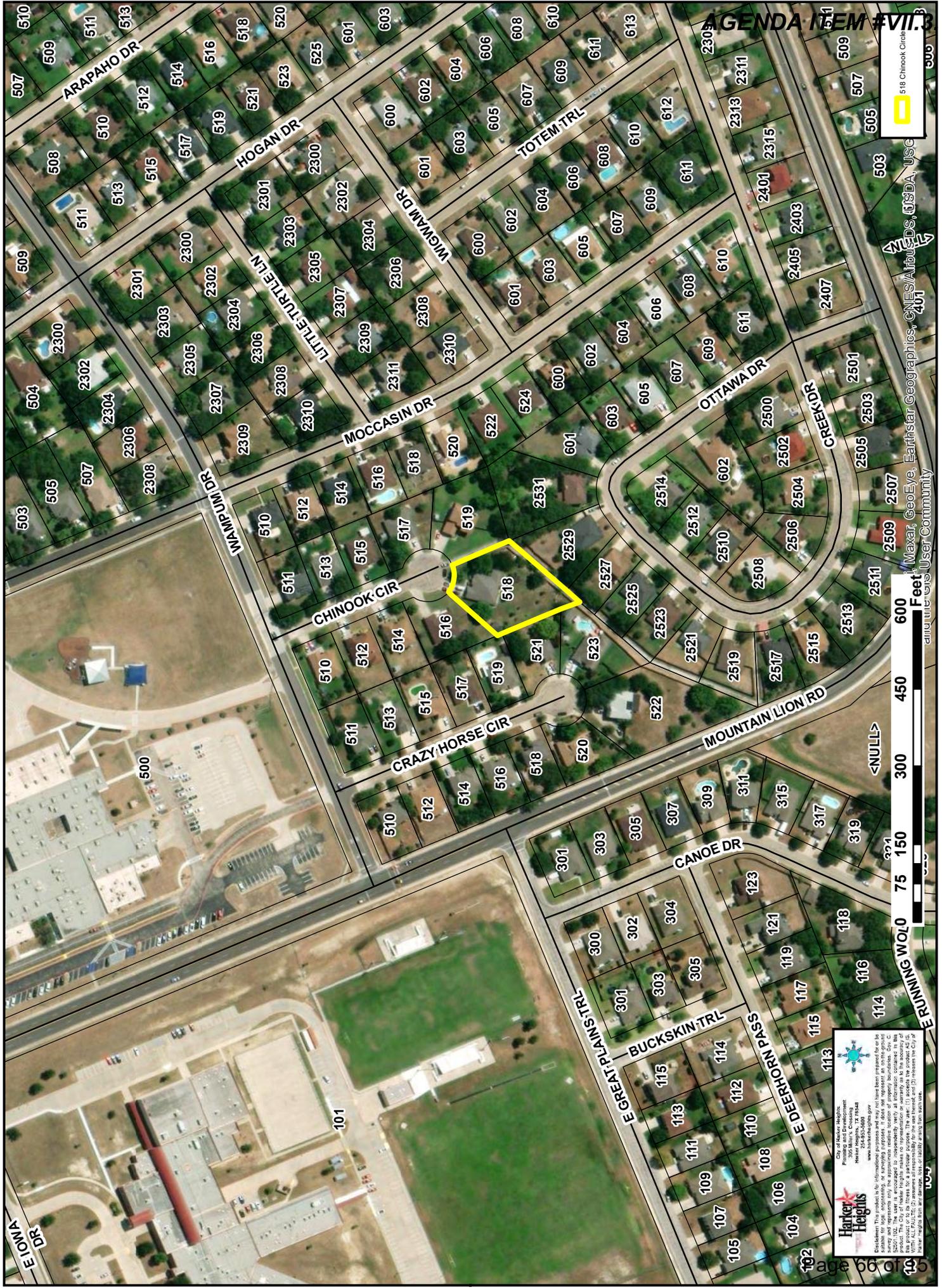
It has been our pleasure to provide the details of this proposed build. We look forward to the possibility of building a space for the family. Please let me know if you require any additional information or changes to the proposal. Thank you for your time and consideration in this matter

Michele Alvarez-Childs (property owner)

Steven Gill (representative)







AMERICAN
ARCADES, USCA, USC

Earlstar Geographics, CNES/Airbus, USDA, USGS

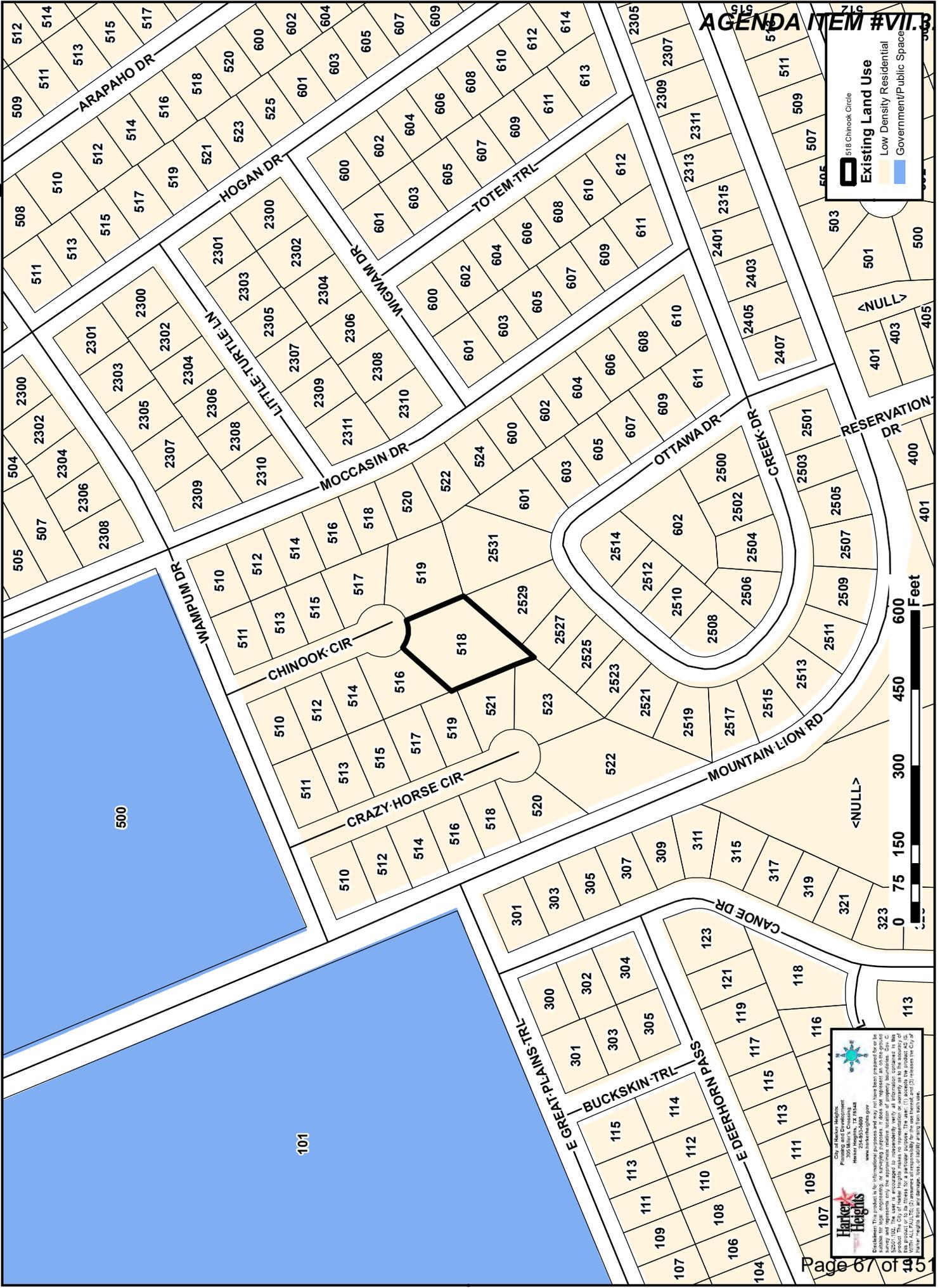
GeoEye, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS

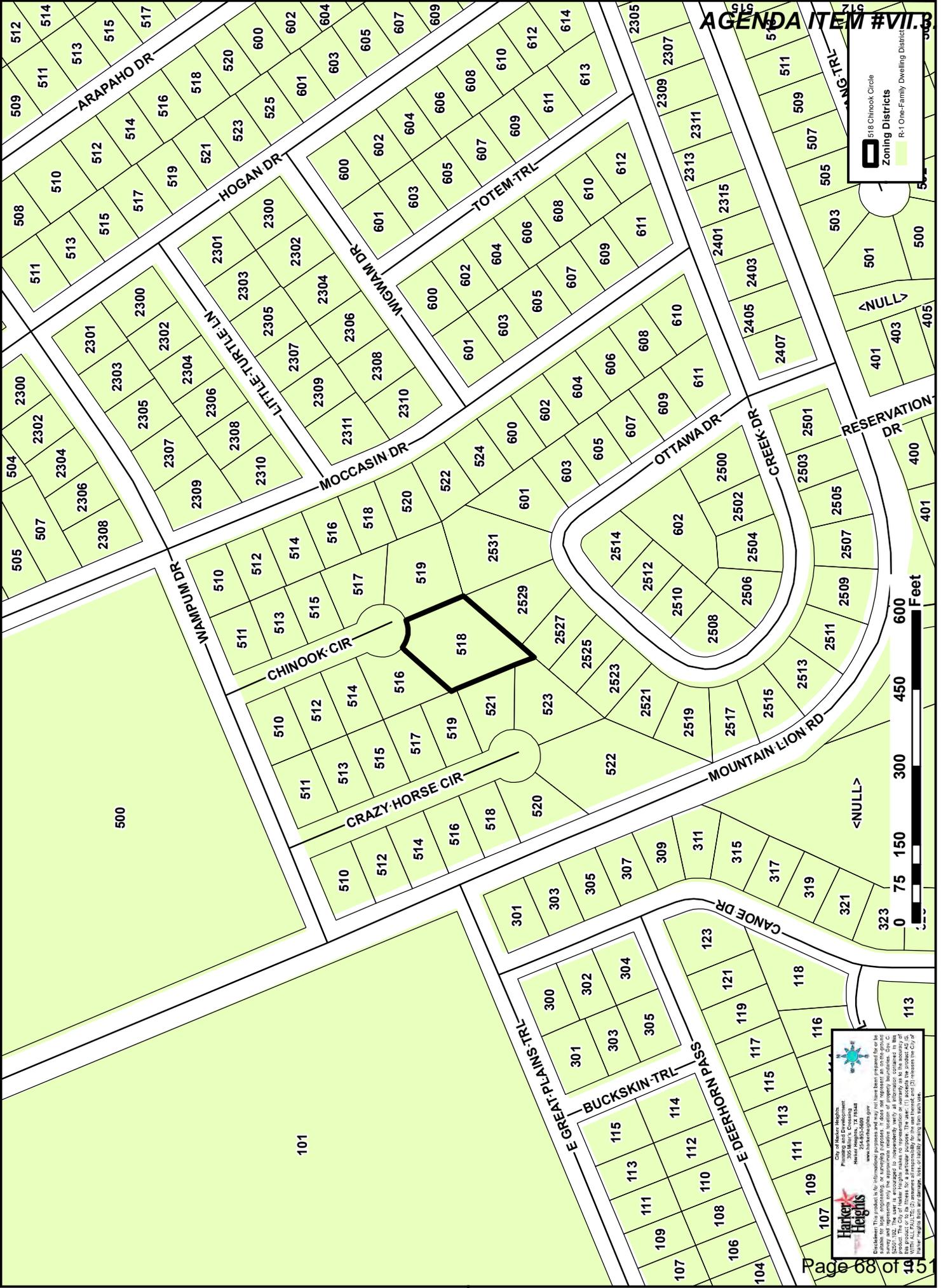
Maxar, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS

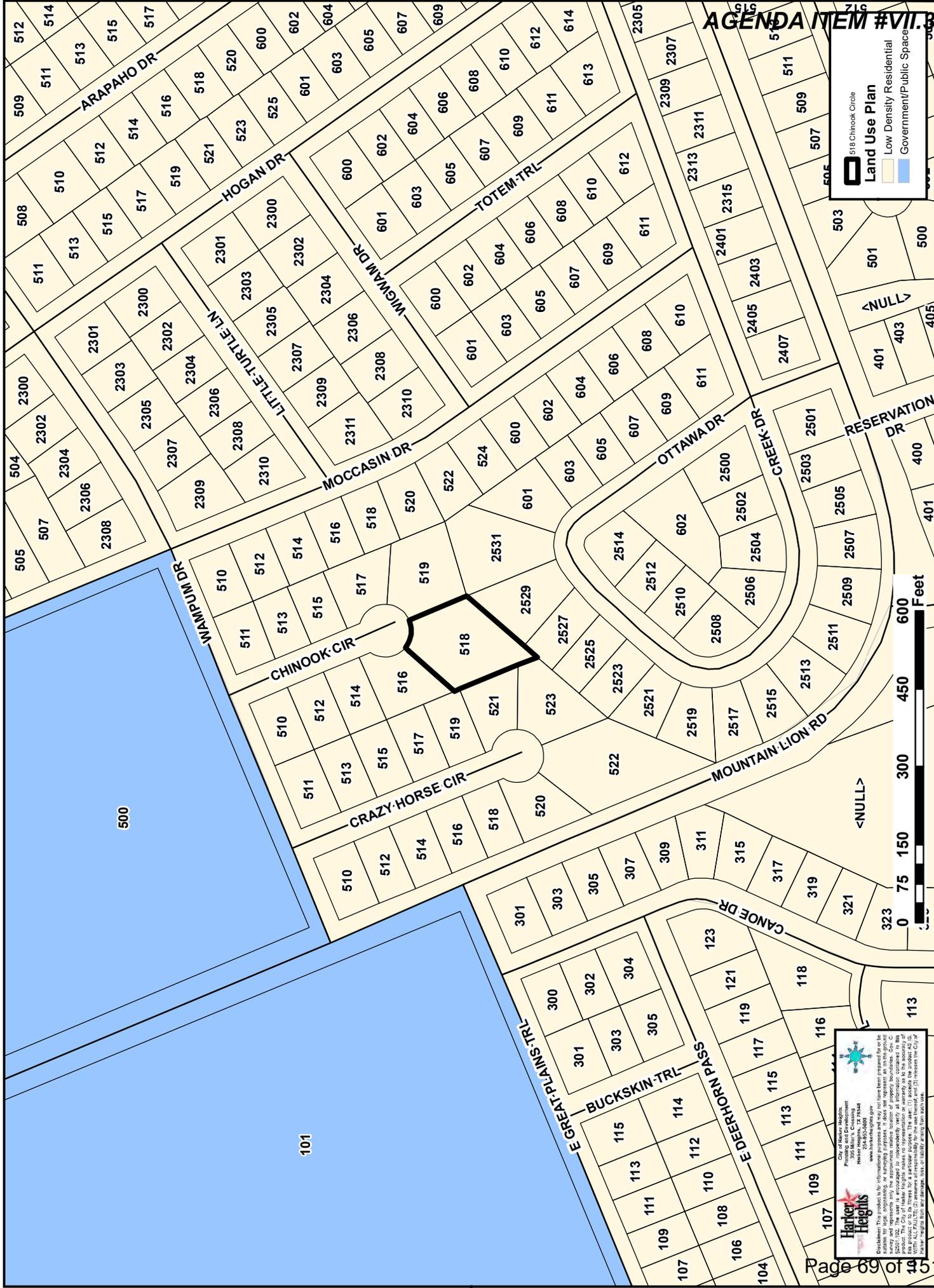
GeoEye, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS

City of Harker Heights
Planning and Development
Harker Heights, TX 76788
www.harkerheights.gov

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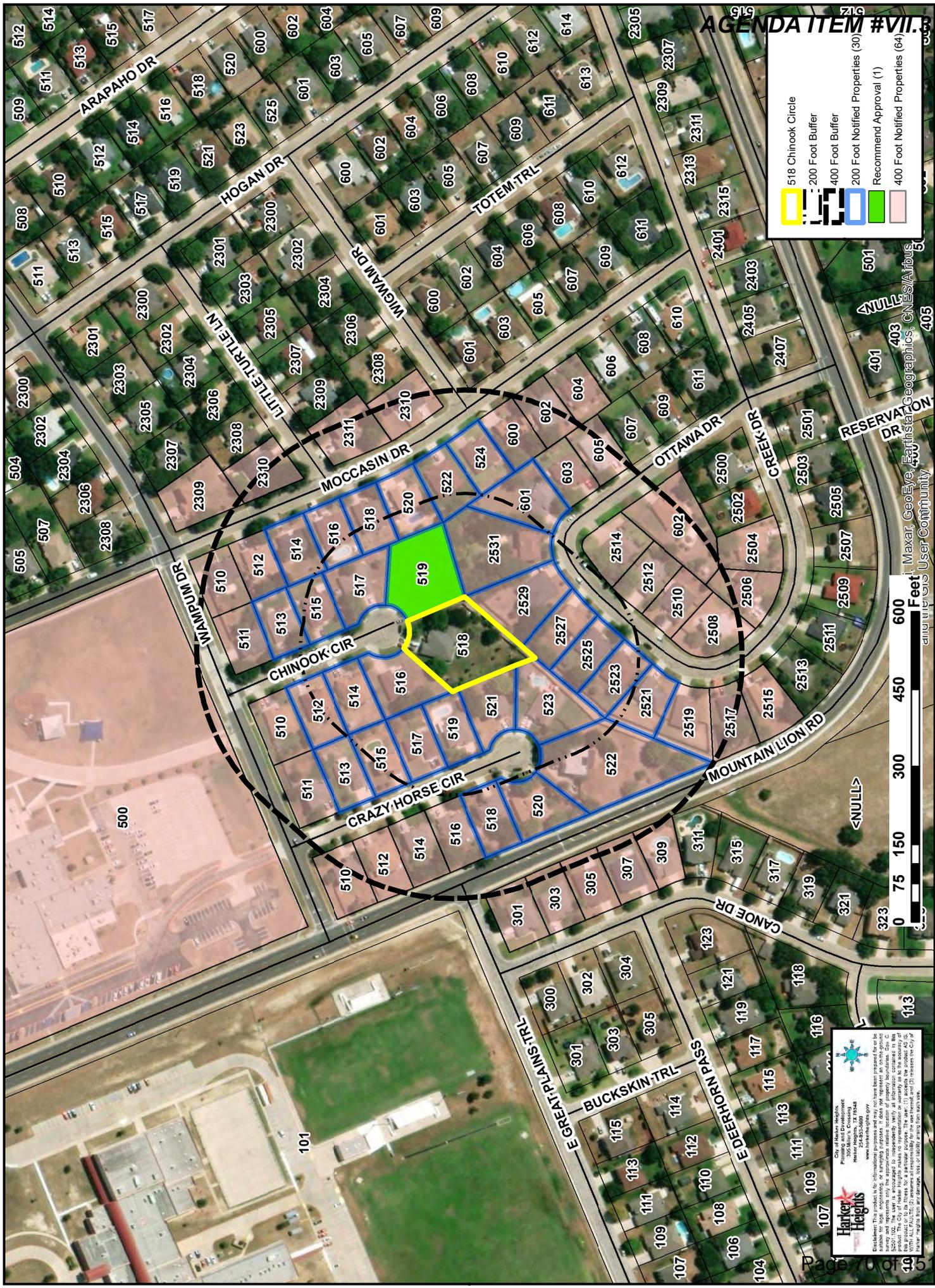






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SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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: DUNNELLS, NILES A JR & LAURA A

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

Physical Address	Property ID
519 CHINOOK CIR	16095

Z22-09 RE: application has been made to consider a request for a **Conditional Use Permit (CUP)** to allow for an accessory dwelling unit on property described as *Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Niles A. Dunells Jr
Printed Name

[Handwritten Signature]
Signature

4/18/22
Date

Received
APR 18 2022
Planning & Development

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-1 (ONE-FAMILY DWELLING DISTRICT) WITH A CUP (CONDITIONAL USE PERMIT) ON PROPERTY DESCRIBED AS SKIPCHA MOUNTAIN ESTATES, PHASE SIX, SECTION ONE, BLOCK 007, LOT 0042, AND SKIPCHA MOUNTAIN ESTATES, PHASE SIX, SECTION ONE, BLOCK 007, LOT PT 43, (TRI OF 43 (8.50' X 9.21' X 3.25')), GENERALLY LOCATED AT 518 CHINOOK CIRCLE, 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 R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) on property described as Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, Harker Heights, Texas, with the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have a maximum gross foundation footprint of 600 square feet.

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-	5/10/2022	Granting R-1 zoning with a CUP (Conditional Use Permit) on property described as Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot 0042, and Skipcha Mountain Estates, Phase Six, Section One, Block 007, Lot PT 43, (TRI of 43 (8.50' X 9.21' X 3.25')), generally located at 518 Chinook Circle, 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 May 10, 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: May 10, 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 IT BEAN, S 5' OF 5 & N 85' OF 6, BLK 48, PUEBLO TRACE, COMM LAND, ACRES 0.4, GENERALLY LOCATED AT 1711 PUEBLO TRACE, UNIT 2, 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 1711 Pueblo Trace, Unit 2.

Parcel History

This parcel was annexed in 1987, the annexation was repealed the same year, and re-annexed in 1988; the plat for this area was never accepted or filed with the county, thus the property is currently un-platted.

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	Medium Density Residential	R-1 (One-Family Dwelling District)
South	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
East	Government/Public Space	Government/Public Space	R-1 (One-Family Dwelling District) R-2 (Two-Family Dwelling District)
West	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District) R-3 (Multi-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated as Medium Density Residential. 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.

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:

Based on the most recently approved tax roll available, staff sent out thirty-three (33) notices to property owners within the 400-foot notification area. As of May 3, 2022, seven (7) 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 recommends approval of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 1711 Pueblo Trace, Unit 2, 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 April 27, 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 IT Bean, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Unit 2, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

[Application, Ordinances, Location Map, Existing Land Use Plan 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: Lackmeyer Construction, LLC Date: 3-21-2022

Address: 1201 S. W S Young Dr Ste F

City/State/Zip: Killeen, TX 76543

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

Legal Description of Property:

Location of Property (Address if available): 1711 Pueblo Trc Unit 2 Harker Heights

Lot: _____ Block: 48 Subdivision: Pueblo Trc Comm Land

Acres: .423 Property ID: 47705 Survey: _____

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

Proposed Use: Duplex

Current Zoning Classification: R-1 Proposed Zoning: R-2

Current Land Use: Empty lot Proposed Land Use: Duplex

Applicant's Representative (if applicable):

Applicant's Representative: Jeff Lackmeyer

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

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

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

Jeff Lackmeyer
Printed Name of Property Owner

[Signature]
Signature of Property Owner

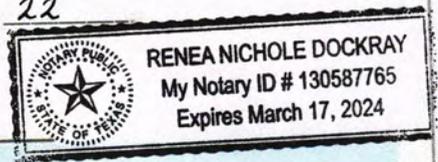
Jeff Lackmeyer
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 21 DAY OF March, 2022

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: March 17, 2024



Date Submitted: _____

Pre-Application Meeting

Receipt #: _____

Received By: _____

Revised: 10/2021

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)

§ 155.023 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.

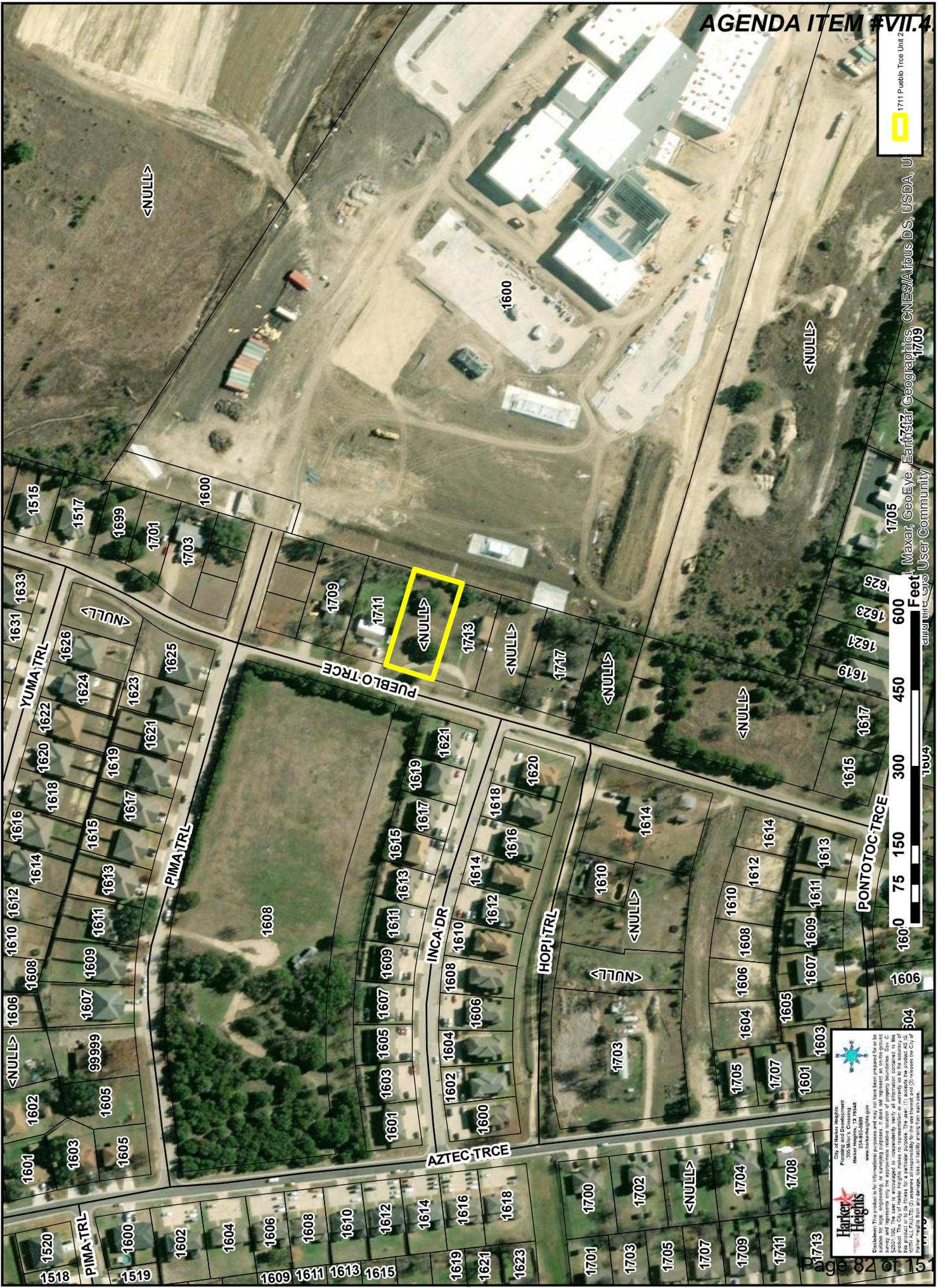
(H) *Signs.* Same as in R-1 district.

(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)

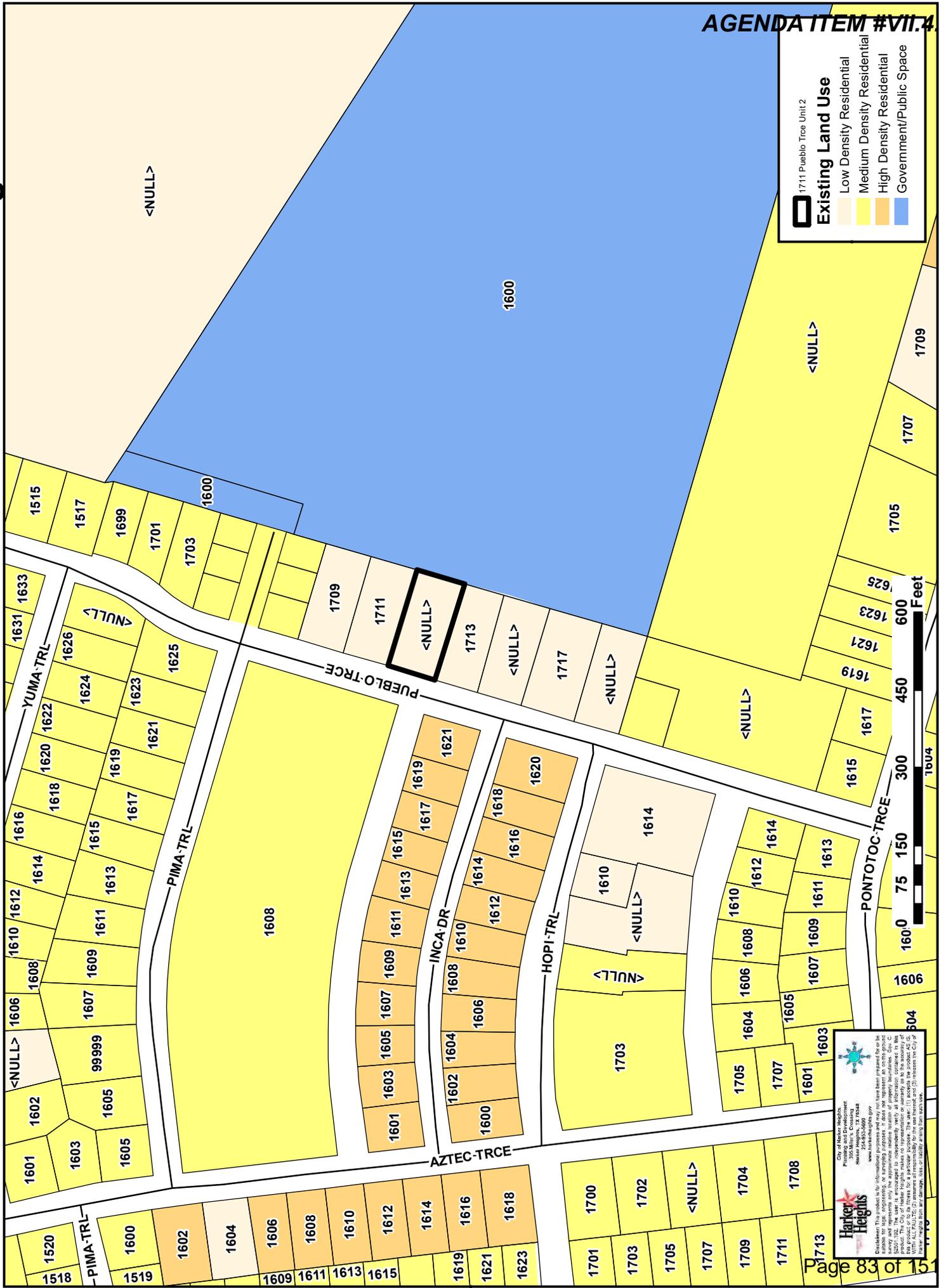


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1711 Pueblo Trce Unit 2

Existing Land Use

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Government/Public Space

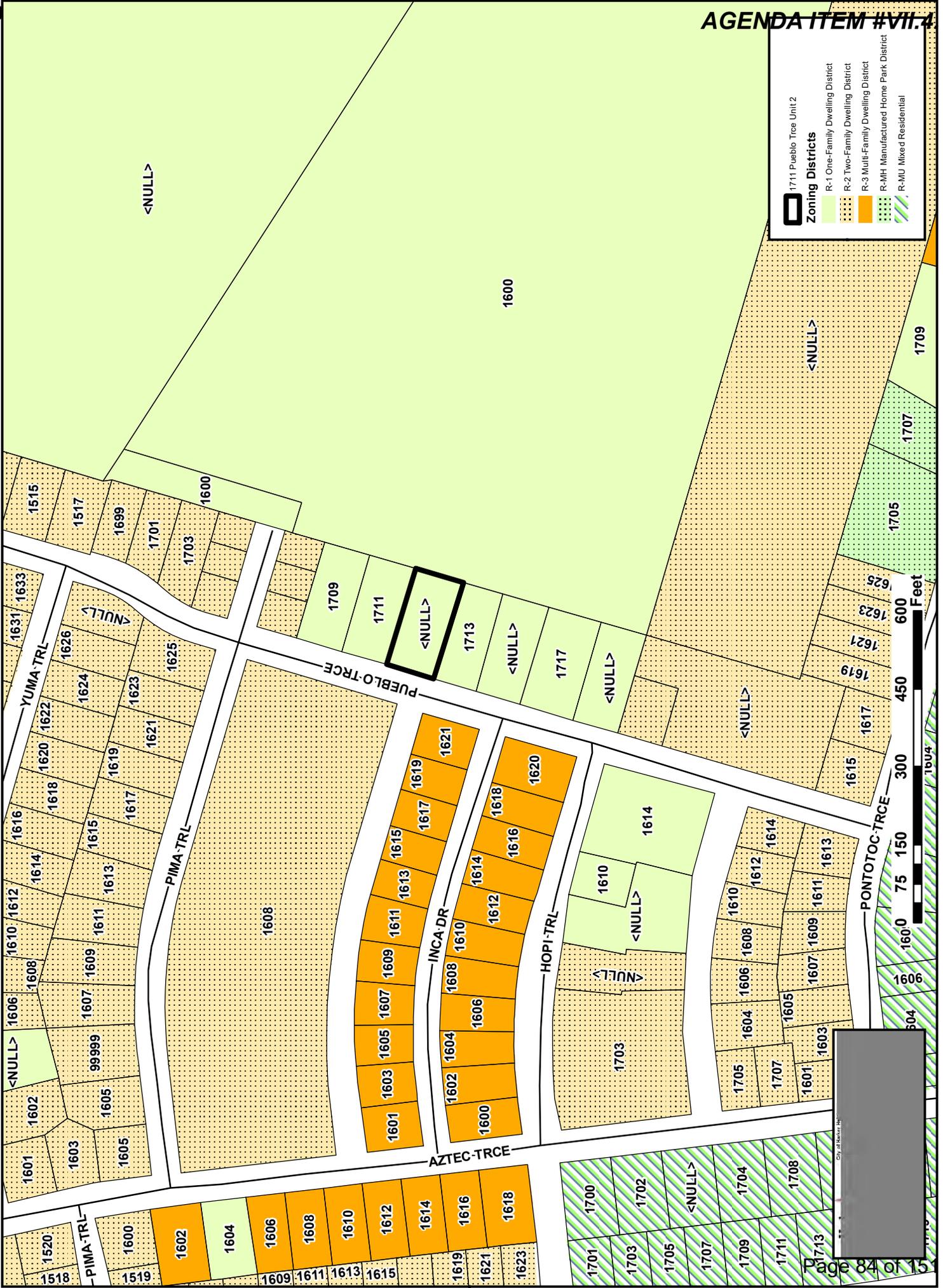
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Zoning Districts

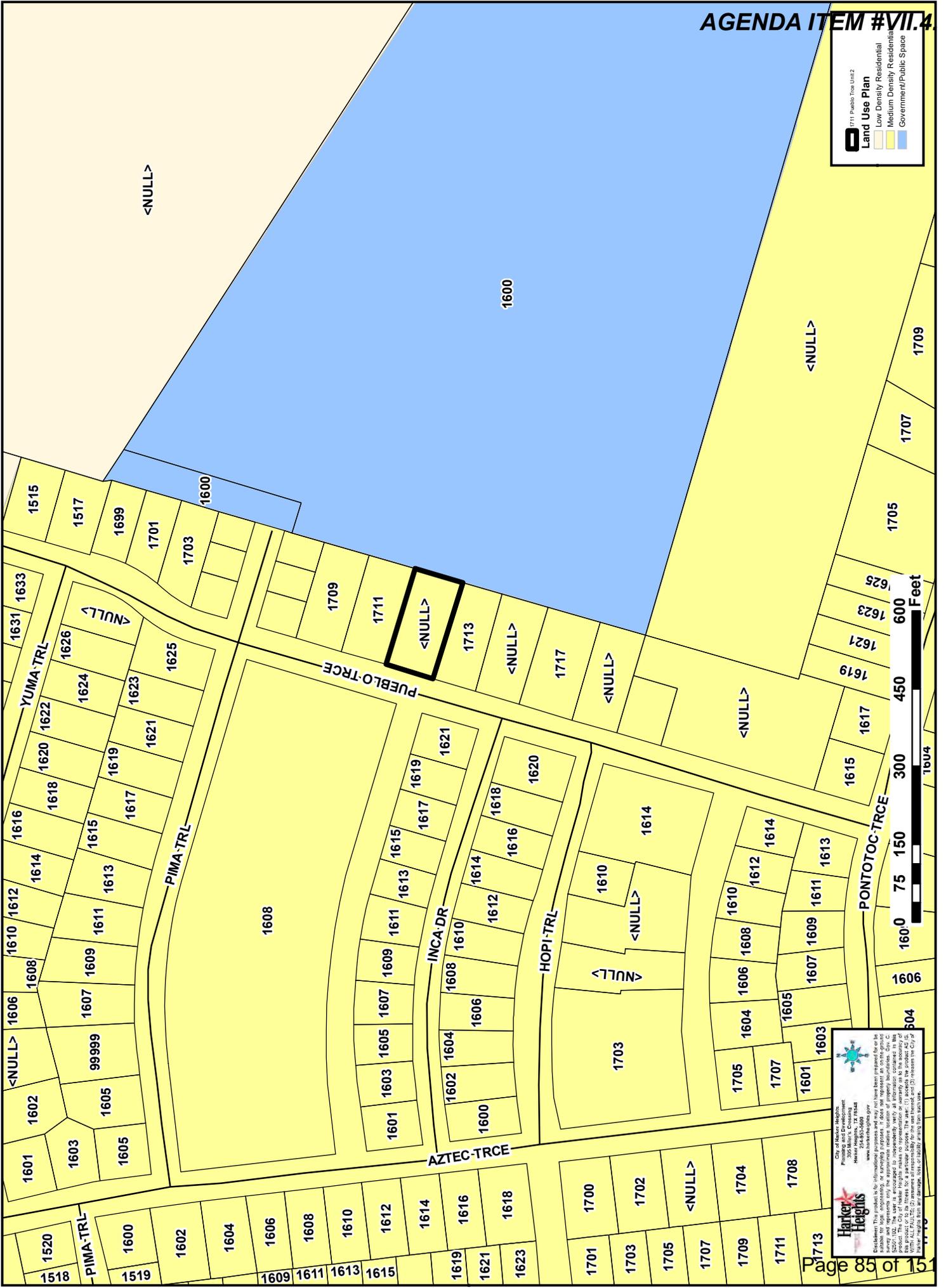
- R-1 One-Family Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District
- R-MU Mixed Residential



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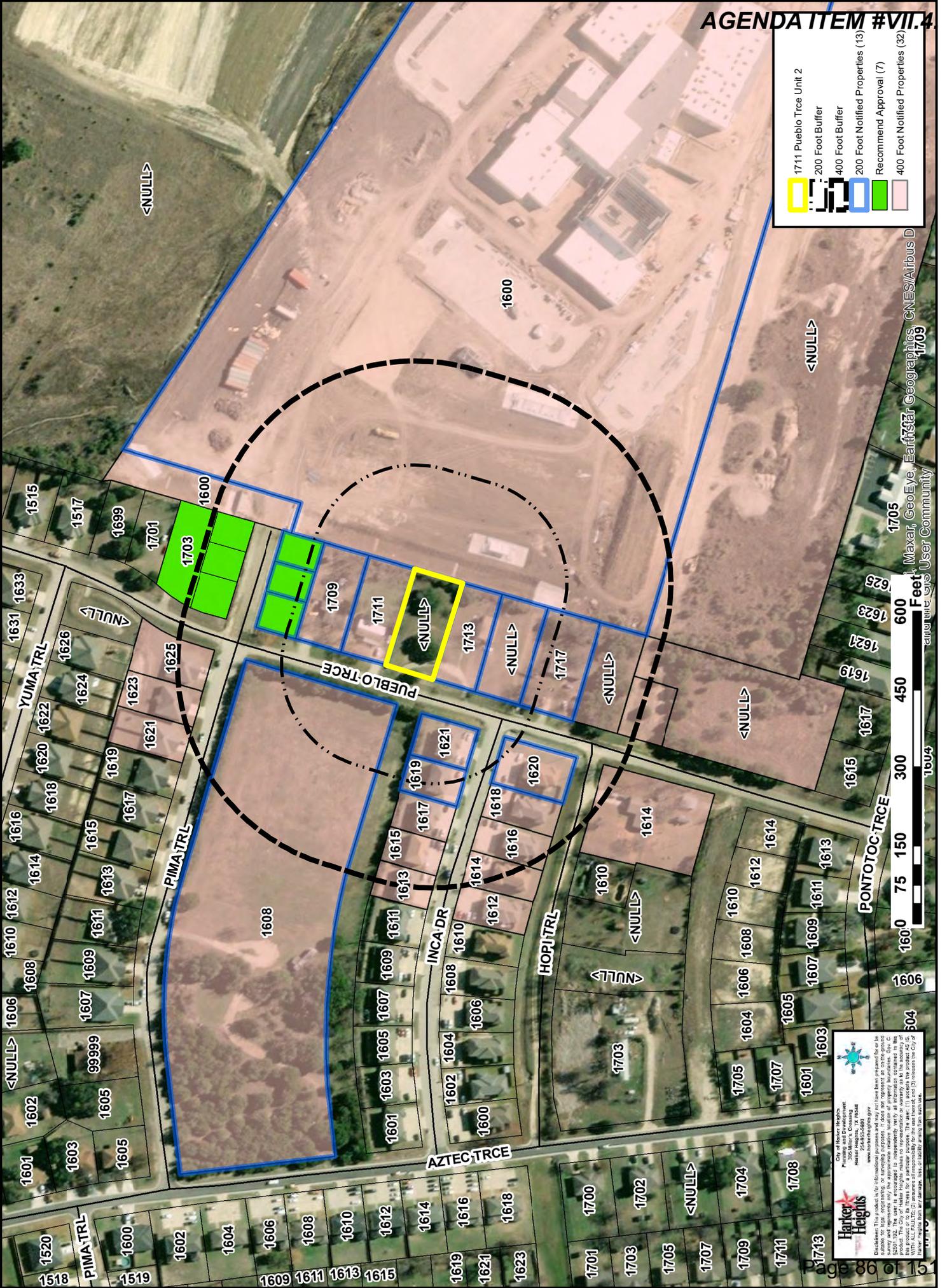
Land Use Plan

- Low Density Residential
- Medium Density Residential
- Government/Public Space



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	1711 Pueblo Tree Unit 2
	200 Foot Buffer
	400 Foot Buffer
	200 Foot Notified Properties (13)
	Recommend Approval (7)
	400 Foot Notified Properties (32)

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SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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

APR 18 2022

FROM: CURRY, PATRICK & KIMBERLY

Planning & Development

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

Physical Address	Property ID
1703 PUEBLO TRACE	496260

Z22-10 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, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace Unit 2, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Patrick Curry
Printed Name

Patrick Curry
Signature

13 Apr 22
Date

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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
PIMA TRAIL	496261

Z22-10 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, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace Unit 2, 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

[Handwritten Signature]
Signature

4-11-22
Date

Receiver

APR 12 2022

Planning & Development

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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
PIMA TRAIL	496262

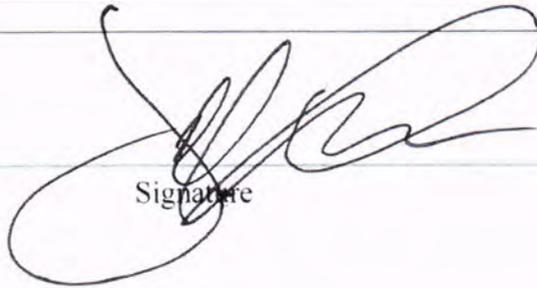
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I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jeff Lackmeyer
Printed Name



Signature

4-11-22
Date

Received
APR 11 2022
Planning & Development

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

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**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
PIMA TRAIL	496263

Z22-10 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, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace Unit 2, 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

[Handwritten Signature]
Signature

4-11-22
Date

Received

APR 11 2022

Planning & Development

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

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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
PIMA TRAIL	496264

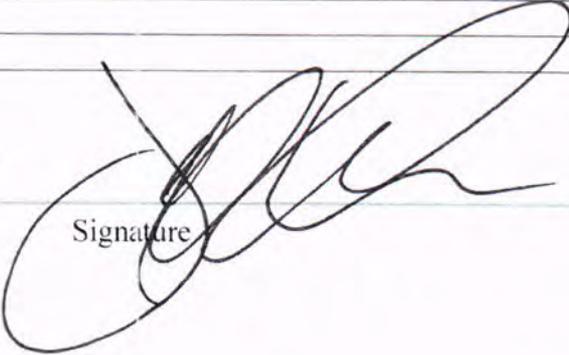
Z22-10 RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *A0115BC IT Bean, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace Unit 2, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Jeff LaCameyer
Printed Name


Signature

4-11-22
Date

Received
APR 11 2022
Planning & Development

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

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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
PIMA TRAIL	496265

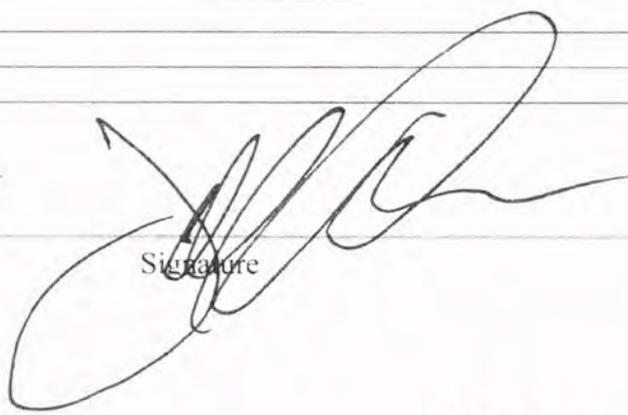
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- I RECOMMEND APPROVAL OF THE REQUEST**
- I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Jeff Lackmeyer

Printed Name



Signature

4-11-22

Date

Received
APR 12 2022
Planning & Development

SENT: APRIL 8, 2022
DUE BACK: APRIL 20, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON APRIL 20, 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
PIMA TRAIL	496266

Z22-10 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, S 5' of 5 & N 85' of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace Unit 2, 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

[Handwritten Signature]
Signature

4-11-22
Date

Received
APR 11 2022
Planning & Development

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A0115BC IT BEAN, S 5’ OF 5 & N 85’ OF 6, BLK 48, PUEBLO TRACE, COMM LAND, ACRES 0.4, GENERALLY LOCATED AT 1711 PUEBLO TRACE, UNIT 2, 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 IT Bean, S 5’ of 5 & N 85’ of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Unit 2, Harker Heights, 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-	5/10/2022	Granting R-2 (Two-Family Dwelling District) on property described as A0115BC IT Bean, S 5’ of 5 & N 85’ of 6, Blk 48, Pueblo Trace, Comm Land, Acres 0.4, generally located at 1711 Pueblo Trace, Unit 2, 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 May 10, 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: May 10, 2022

DISCUSS AND CONSIDER APPROVING A FINAL PLAT REFERRED TO AS THE RIDGE PHASE THREE, EIGHTH AMENDMENT, ON PROPERTY DESCRIBED AS A 1.05 ACRE TRACT OF LAND SITUATED IN THE W.C. BILES SURVEY, A-1364, AND THE A. GEE SURVEY, A-1028, BOTH OF BELL COUNTY, TEXAS, BEING ALL OF LOTS 53 AND 54, BLOCK 10, THE RIDGE PHASE THREE, RECORDED IN CABINET D, SLIDES 201-D, 202-A, AND 202-B, PLAT RECORDS OF BELL COUNTY, TEXAS, AND BEING DESCRIBED IN A DEED TO ARVIND KARTHIKEYAN AND WIFE, DIVYA GANESH, RECORDED IN INSTRUMENT NO. 2022017268, DEED RECORDS OF BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant submitted an application for amending plat approval for approximately 1.05 acres of residential land on Shoreline Drive. The plat would consist of joining two existing lots out of the plat referred to as The Ridge Phase Three, Block 10, Lots 53 and 54. The 2021 Land Use Plan identifies this parcel for Residential Estate land use.

As of April 14, 2022, staff had reviewed the submitted final 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. The lot configuration on the face of the plat indicates the abandonment of the existing utility and drainage easement. Based on staff's review of the plat case and Local Government Code Section 212.016 (9) (B), this submission does not meet the requirements of an Amending 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 April 14, 2022, staff returned comments to the applicant. On April 20, 2022, the applicant submitted revisions based on the April 14, 2022 comments. As of April 21, 2022, comments on revisions have been met. Due to the abandonment of the utility/drainage easement between lots 53 and 54, this plat will be considered a Final Plat. The applicant has been notified, and staff recommends approval of the Final Plat for the subdivision referred to as The Ridge Phase 3, Eighth Amendment with the following condition:

1. Plat type be identified as "Final Plat" on all required documents prior to filing with Bell County Public Records.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on April 27, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Final Plat for the subdivision referred to as The Ridge Phase Three, Eighth Amendment 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 The Ridge Phase Three, Eighth Amendment, on property described as a 1.05 acre tract of land situated in the W.C. Biles Survey, A-1364, and the A. Gee Survey, A-1028, both of Bell County, Texas, being all of Lots 53 and 54, Block 10, The Ridge Phase Three, recorded in Cabinet D, Slides 201-D, 202-A, and 202-B, Plat Records of Bell County, Texas, and being described in a deed to Arvind Karthikeyan and Wife, Divya Ganesh, recorded in Instrument No. 2022017268, Deed Records of Bell County, Texas, with the condition as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

[Applications, Field Notes, Dedication, The Ridge Phase 3, 8th Amendment Final Plat, Location Map, Staff Comments with Responses](#)

Final 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, Texas along with the following:

1. Payment of \$150.00
2. Signed Original Field Notes and Dedication Pages
3. Paper Plan Submissions: Ten (10) Copies of Plat and Seven (7) sets of Final Engineering Plans
4. Electronic Submissions: Plat and Engineering Plans submitted to tdake@harkerheights.gov in PDF format.
5. Completed Final Plat Checklist

Property Information:

Plat Name: The Ridge Phase Three, Eighth Amendment Date Submitted: _____

Number of Lots: 1 Number of Units/Suites: _____ Acreage: 1.05

Site Address or General Location: 3511 & 3513 Shoreline Drive

Residential Commercial Both On Site Detention Proposed with Subdivision: Yes No Other

Date of Preliminary Plat Approval by P&Z: _____

Owner Information & Authorization:

Property Owner: Arvind Karthikeyan & Wife, Divya Ganesh

Address: 916 Copper Ridge Loop, Temple, Texas 76502

Phone: (860) 416-5536 E-Mail: arvind.dino2@gmail.com

Developer: N/A

Address: _____

Phone: _____ E-Mail: _____

Engineer: Quintero Engineering, LLC

Address: 1501 W. Stan Schlueter Lp., Killeen, Texas

Phone: (254) 394-0034 E-Mail: gmeza@quinteroeng.com

Surveyor: Quintero Engineering, LLC

Address: 1501 W. Stan Schlueter Lp., Killeen, Texas

Phone: (254) 394-0034 E-Mail: gmeza@quinteroeng.com

For more information reference Section 154.22 Final Plat of the Harker Heights Code of Ordinances

I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The final plat must be prepared in accordance with the City's subdivision rules and regulations and shall conform substantially to preliminary plat layout as approved. The subdivider will be required to install at his/her own expense all water lines, streets, sewer lines, drainage facilities, and structures within the subdivision accords to Section 154.36 of the Harker Heights Code of Ordinances.

All required improvements must be completed unless a Bond or Letter of Credit has been posted and attached in sufficient amount to assure completion.

A maintenance bond/surety instruments has been furnished to assure the quality of materials and workmanship and maintenance of all required improvements including the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the even the subdivider defaults.

The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years.

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

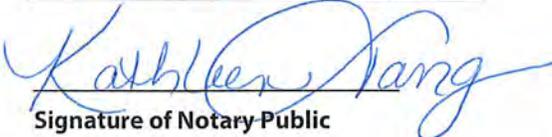
Arvind Karthikeyan
Printed Name of Owner

Gorge J. Meza for Quintero Engineering, LLC
Printed Name of Authorized Agent (Corporation/Partnership)

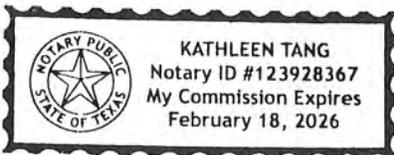

Signature of Owner


Signature of Authorized Agent (Corporation/Partnership)

SWORN AND SUBSCRIBED BEFORE ME THIS 29 DAY OF March, 2022.


Signature of Notary Public

My Commission Expires: 2-18-2026



STAFF ONLY -- DO NOT FILL OUT

Date Submitted: _____ Received By: _____ Case #: _____ Receipt #: _____

Rev. 5/20



QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

415 E. AVENUE D, KILLEEN TEXAS (254) 493-9962

T.B.P.E. FIRM REGISTRATION NO.: 14709

T.B.P.L.S. FIRM REGISTRATION NO.: 10194110

FIELD NOTES 1.05 ACRE BELL COUNTY, TEXAS

BEING all that certain 1.05 acre tract of land situated in the W.C. Biles Survey, A-1364, and the A. Gee Survey, A-1028, both of Bell County, Texas, being all of Lots 53 and 54, Block 10, The Ridge Phase Three, recorded in Cabinet D, Slides 201-D, 202-A, and 202-B, Plat Records of Bell County, Texas, and being described in a deed to Arvind Karthikeyan and Wife, Divya Ganesh, recorded in Instrument No. 2022017268, Deed Records of Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set in the West line of Shoreline Drive, at the Northeast corner of the Lot 55, of the said Block 10, for the Southeast corner of the herein described tract, from which a 1/2" iron rod found at the Southwest corner of Lot 22, of the said Block 10, and at the Northwest corner Lot 23, of the said Block 10, bears N 77° 27' 29" E, 60.17 feet, for reference;

THENCE, S 68° 43' 14" W, 161.19 feet (Plat S 68° 00' 32" W, 161.10 feet), along the common line between the said Lots 54 and 55, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the common West corner between the said Lots 54 and 55, being in the East line of Lot 43, Block 5, The Ridge, Phase Two, Section 1, recorded in Cabinet D, Slide 74-C, Plat Records of Bell County, Texas, for the Southwest corner of the herein described tract;

THENCE, N 14° 51' 42" W (Plat N 14° 40' 08" W), passing at 0.82 feet a 1/2" iron rod with cap stamped "RCS" found, for the Northeast corner of the said Lot 43, continuing in all a total distance of 171.33 feet, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the Northeast corner of Lot 42, of the said Block 5, The Ride, Phase Two, Section 1, for a corner in the West line of the said Lot 53 and of the herein described tract;

THENCE, N 33° 15' 53" W, 132.66 feet (Plat N 33° 07' 34" W, 132.69 feet), along the East line of Lot 41, of the said Block 5, The Ridge, Phase Two, Section 1, and the West line of the said Lot 53, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, in the East line of the said Lot 41, at the Southwest corner of Lot 52, The Ridge Phase Three, for the Northwest corner of the herein described tract, from which a 1/2" iron rod with a cap stamped "MA" found at the Northeast corner of the said Lot 41, bears N 33° 15' 53" W, 38.53 feet, for reference;

THENCE, N 68° 46' 39" E, 152.62 feet (Plat N 69° 00' 32" E, 152.62 feet), along the common line between the said Lots 52 and 53, The Ridge Phase Three, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, in a curve to the Right in the West line of Shoreline Drive, at the Southeast corner of the said Lot 52, for the Northeast corner of the herein described tract;

THENCE, 301.57 feet along the said curve to the Right, having a Radius of 970.00 feet, and a Chord Bearing and Distance of S 24° 31' 04" E, 300.36 feet, to the **POINT OF BEGINNING** and containing 1.05 acre of land, more or less.

The bearings for this description are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Texas Smart Net GPS observations, as surveyed on the ground February 15, 2022 by Quintero Engineering, LLC.

03/30/2022

Seth H. Barton, R.P.L.S.
Registered Professional Land Surveyor
No. 6878, Texas



D E D I C A T I O N

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That Arvind Karthikeyan and wife, Divya Ganesh, whose address is 916 Copper Ridge Loop, Temple, Texas, being the sole owner(s) of the 1.05 acre tract of land in The City of Harker Heights, Bell County, Texas, Situated in the W.C. Biles Survey, Abstract No. 1364, and the A. Gee Survey, Abstract No. 1028, both of Bell County, Texas, and the land herein described being all of Lots 53 and 54, Block 10, The Ridge Phase Three, an addition to the City of Harker Heights, Texas, Recorded in Cabinet D, Slide 201-d, 202-a, and 202-b, Plat Records OF Bell County, Texas, and being described in a deed to Arvind Karthikeyan and wife, Divya Ganesh, Recorded in Instrument NO. 2022017268, Deed Records OF Bell County, Texas, Which is more fully described in the dedication of The Ridge Phase Three, Eighth Amendment, as an addition to The City of Harker Heights, Bell County, Texas.

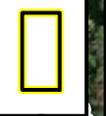
W I T N E S S the execution hereof, on this _____ day of _____, 2022.

Arvind Karthikeyan
Owner

Divya Ganesh
Owner

Before me, the undersigned authority, on this day personally appeared **Arvin Karthikeyan and Wife, Divya Ganesh**, known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that **he** executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: _____



The Ridge Ph. 3 8th Amendment

Source: Esri, Maxar, GeoEye, Earthstar Geographics,
 Bing, DigitalGlobe, GeoEye, Earthstar Geographics,
 CNES/Airbus DS, USDA, AeroGRID, IGN, the GIS User Community



City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76588
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. 5726.002. 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. **WARRANTY DISCLAIMER:** (1) assumes all responsibility for the use thereof and (2) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

THE RIDGE PHASE 3, 8TH AMENDMENT

P22-10 Minor Plat – The Ridge Phase 3, 8th Amendment

Plat Distributed to HH Staff: March 31, 2022

Comments Sent to Engineer: April 14, 2022

Comment Responses in “RED”

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Property description does not match between the face of the plat and the separate dedication instrument. Please use description found on face of plat.

Response - Dedication has been revised, please see revised dedication.

2. The dedication block on the plat should be specific for each plat. There are numerous dedications to the City of Harker Heights that are not applicable for this plat. Also, final construction drawings are not recorded with Bell County. Final construction drawings should not be listed in the dedication instrument.

Response – Updated plat and dedication, please see revised plat.

3. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.

Response – The CAD file has been added to the cd as part of this submittal.

Public Works, Mark Hyde

- No comments

City Engineer, Otto Wiederhold

- No comments

Fire Marshal, Brad Alley

- No Comment

Building Official, Mike Beard

- No comments received and may be forthcoming.

ONCOR, Steven Huggins

- No comments received and may be forthcoming.

Century Link/ Lumen, Chris McGuire

- No comments received and may be forthcoming.

Spectrum, Shaun Whitehead

- No comments received and may be forthcoming.

ATMOS, Rusty Fischer

- No comments received and may be forthcoming.



City Council Memorandum

FROM: The Office of the City Manager

DATE: May 10, 2022

DISCUSS AND CONSIDER APPROVING A FINAL PLAT REFERRED TO AS CORONA DE VIDA, ON PROPERTY DESCRIBED AS A 9.997 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE URIAH HUNT SURVEY, ABSTRACT NO. 401, THE LAND HEREIN BEING ALL OF A CALLED 9.99 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED TO CORONA DE VIDA, A NONPROFIT CORPORATION, BEING DESCRIBED OF RECORD IN DOCUMENT NO. 2020021660, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS, (O.P.R.R.P.B.C.T.), AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant submitted an application for final plat approval for approximately 9.99 acres of land east of Comanche Gap Rd. and south of E. Knight's Way/E. FM 2410. The preliminary plat for this case was recommended for approval by the Planning & Zoning Commission on June 30, 2021, and was approved by City Council on July 6, 2021. The 2021 Land Use Plan identifies this parcel for Regional Center, Medium Density Residential and Overlook Utilization Area land use.

As of April 14, 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 April 14, 2022, staff returned comments to the applicant. As of April 21, 2022, revisions based on staff comments have not been received. Staff therefore recommends approval with conditions of the Final Plat for the subdivision referred to as Corona De Vida with the following conditions:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on April 27, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Final Plat for the subdivision referred to as Corona De Vida 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 Corona De Vida, on property described as a 9.997 acre tract of land in Bell County, Texas , being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to CORONA DE VIDA, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas, (O.P.R.R.P.B.C.T.), with the condition as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

[Applications, Field Notes, Dedication, Corona De Vida-Final Plat, Location Map, Staff Comments with Responses](#)



Final 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. Payment of \$150.00
2. Signed Original Field Notes and Dedication Pages
3. Paper Plan Submissions: Ten (10) Copies of Plat and Seven (7) sets of Final Engineering Plans
4. Electronic Submissions: Plat and Engineering Plans submitted to tdake@harkerheights.gov in PDF format.
5. Completed Final Plat Checklist

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: Corona De Vida Addition Date Submitted: Mar 30, 2022

Number of Lots: 1 Number of Units/Suites: 1 Acreage: 9.997

Site Address or General Location: 14025 FM 2410, Harker Heights, TX 76548

Residential Commercial Both On Site Detention Proposed with Subdivision: Yes No Other

Date of Preliminary Plat Approval by P&Z: N/A

Owner Information & Authorization:

Property Owner: Corona De Vida, a Texas nonprofit corporation

Address: 311 Wrought Iron Drive, Harker Heights, TX 76548

Phone: 254-410-4197 E-Mail: raestevez23@yahoo.com

Developer: Same as Above

Address: _____

Phone: _____ E-Mail: _____

Engineer: Mitchell & Associates, Inc

Address: 102 N. College/P.O. Box 1088 Killeen, TX 76541

Phone: 254-634-5541 E-Mail: areneau@mitchellinc.net

Surveyor: Mitchell & Associates, Inc.

Address: 102 N. College/P.O. Box 1088 Killeen, TX 76540

Phone: 254-634-5541 E-Mail: jkriegel@mitchellinc.net

For more information reference Section 154.22 Final Plat of the Harker Heights Code of Ordinances

I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The final plat must be prepared in accordance with the City's subdivision rules and regulations and shall conform substantially to preliminary plat layout as approved. The subdivider will be required to install at his/her own expense all water lines, streets, sewer lines, drainage facilities, and structures within the subdivision accords to Section 154.36 of the Harker Heights Code of Ordinances.

All required improvements must be completed unless a Bond or Letter of Credit has been posted and attached in sufficient amount to assure completion.

A maintenance bond/surety instruments has been furnished to assure the quality of materials and workmanship and maintenance of all required improvements including the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the even the subdivider defaults.

The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years.

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

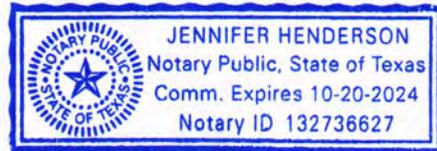
Rafael Estevez (For Corona De Vida)
Printed Name of Owner

Ace Reneau, Mitchell & Associates, Inc.
Printed Name of Authorized Agent (Corporation/Partnership)

[Handwritten Signature]
Signature of Owner

[Handwritten Signature]
Signature of Authorized Agent (Corporation/Partnership)

SWORN AND SUBSCRIBED BEFORE ME THIS 30th DAY OF March, 2022.



[Handwritten Signature]
Signature of Notary Public

My Commission Expires: 10-20-2024

STAFF ONLY -- DO NOT FILL OUT

Date Submitted: 3/30/22 Received By: RF Case #: 200-11 Receipt #: 01810220

Rev. 5/20

CORONA DE VIDA ADDITION
9.997 ACRES

FIELD NOTES for a 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to CORONA DE VIDA, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 9.997 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the south right-of-way line of F.M. 2410, being the northwest corner of a called 5.154 acre tract of land conveyed to Jose A. Rodriguez and Rosa C. Rodriguez, being of record in Volume 5993, Page 327, O.P.R.R.P.B.C.T., and being the northeast corner of said 9.99 acre tract, for the northeast corner of this tract;

THENCE S. 16° 08' 38" W., 1198.37 feet, departing the south right-of-way line of said F.M. 2410, with the west line of said 5.154 acre tract, and the east line of said 10 acre tract, to a 1/2" iron rod found on the north line of a called 119.51 acre tract of land conveyed to Margarita F. Morton Marital Trust, being of record in Volume 4904, Page 556, O.P.R.R.P.B.C.T., also being the southwest corner of said 5.154 acre tract, and the southeast corner of said 9.99 acre tract, for the southeast corner of this tract;

THENCE with the north line of said 119.51 acre tract and the south line of said 9.99 acre tract; the following two (2) calls:

1. N. 86° 59' 58" W., 191.32 feet, to a 3/8" iron rod found for an angle corner of this tract;
2. N. 86° 55' 54" W., 181.43 feet, to a 5/8" iron rod found at the southeast corner of a called 10.0 acre tract of land conveyed to Martin F. Morgan and Frannie Charice Morgan, being of record in Instrument No. 2016-00033759, O.P.R.R.P.B.C.T., and the southwest corner of said 9.99 acre tract, for the southwest corner of this tract;

THENCE N. 16° 06' 50" E., 1198.57 feet, with the east line of said 10.0 acre tract and the west line of said 9.99 acre tract, to a 1/2" iron rod found on the south right-of-way line of said F.M. 2410, also being the northeast corner of said 10.0 acre tract, and the northwest corner of said 9.99 acre tract, for the northwest corner of this tract;

THENCE continuing along the south right-of-way line of said F.M. 2410 and with the north line of said 9.99 acre tract; the following two (2) calls:

1. S. 86° 50' 03" E., 181.51 feet, to a 1/2" iron rod found for an angle corner of this tract;
2. THENCE S. 86° 59' 35" E., 191.82 feet, to the POINT OF BEGINNING containing a 9.997 acre tract of land.

The bearings and coordinates recited in the above description are based on the Texas Coordinate System, North Central Zone, NAD 83 (CORS 96), as determined by Leica Texas SmartNet GPS observations.

See accompanying drawing.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, that I, Mike W. Kriegel, Registered Professional Land Surveyor, do hereby certify that I did cause to be surveyed on the ground the above described tract and that this description is true and correct to the best of my knowledge and belief.

IN WITNESS THEREOF, my hand and seal this the 1st day of June, 2021.

Mike W. Kriegel
Mike W. Kriegel
Registered Professional
Land Surveyor, No. 4330



DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That CORONA DE VIDA, a Texas nonprofit corporation, being the sole owner of that certain 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein described being all of a called 9.99 acre tract of land conveyed to CORONA DE VIDA, a Texas nonprofit corporation, being of record in Document #2020021660, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as CORONA DE VIDA ADDITION, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas, and CORONA DE VIDA, a Texas nonprofit corporation, does hereby adopt said CORONA DE VIDA ADDITION as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all streets, avenues, roads, drives, 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 and drainage easements shown on said plat are dedicated to the City of Harker Heights for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this 29th day of October, 2021.

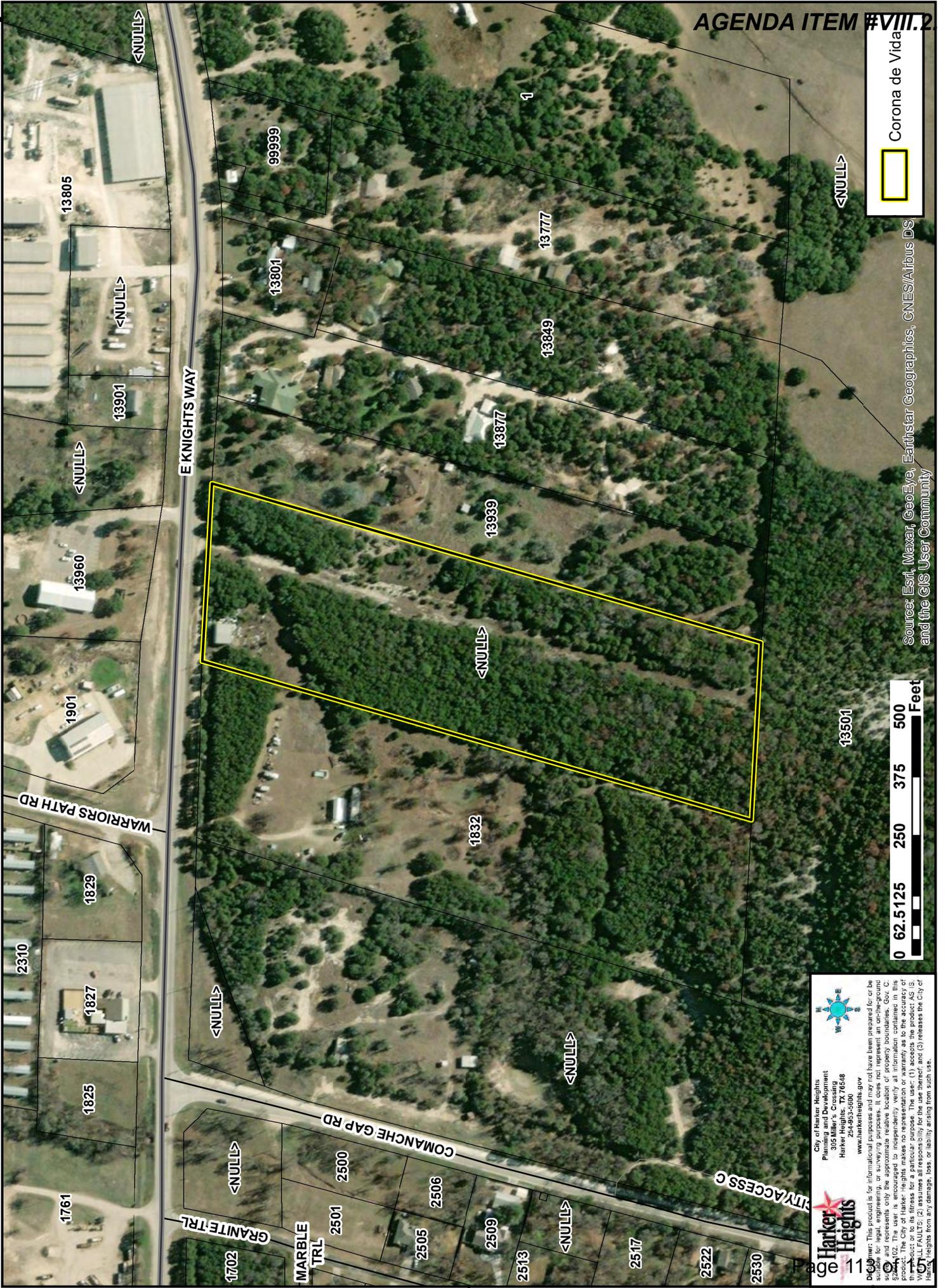
For: CORONA DE VIDA, a Texas nonprofit corporation

Rafael A. Estevez (President)

Before me, the undersigned authority, on this day personally appeared Rafael A. Estevez known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that he executed the foregoing instrument as the owner of the property described hereon.



Jennifer Henderson
NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: 10-20-2024



Corona de Vida

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

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76788
 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. 5726.002. 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. THE CITY OF HARKER HEIGHTS DISCLAIMS ALL LIABILITY FOR THE USE HEREOF AND (3) RELEASES THE CITY OF HARKER HEIGHTS FROM ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM SUCH USE.

CORONA DE VIDA ADDITION

P22-11 Final Plat – Corona de Vida Addition

Plat Distributed to HH Staff: March 31, 2022

Comments Sent to Engineer: April 14, 2022

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Oncor requested existing P.U.E. be increased from 10' to 15' during the preliminary plat. Please update easement accordingly.
2. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
3. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat.
4. Applicant shall provide “As-Built” construction plans and a maintenance bond for all public infrastructure that was constructed and accepted by the City for this subdivision (fire hydrant).
5. Applicant shall provide a utility plan (water & drainage) for the subdivision.
6. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
7. Applicant is advised that the Knight’s Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.

Public Works, Mark Hyde

1. Show existing utilities.
2. The infrastructure to be dedicated to the City of Harker Heights should be specific to this plat.

City Engineer, Otto Wiederhold

1. Existing 16-inch City of Harker Heights waterline within FM 2410 R.O.W. not shown
2. Existing Central Texas Water Supply Transmission line and existing easement not shown along north property line.

Fire Marshal, Brad Alley

- No Comments

Building Official, Mike Beard

- No comments received and may be forthcoming.

ONCOR, Steven Huggins

- No comments received and may be forthcoming.

Century Link/ Lumen, Chris McGuire

- No comments received and may be forthcoming.

Spectrum, Shaun Whitehead

- No comments received and may be forthcoming.

ATMOS, Rusty Fischer

- No comments received and may be forthcoming.

Bell County Public Health

- No comments received and may be forthcoming.

TxDOT, Richard Rangel & Stephen Kasberg

1. Requests a 1' non-access easement except where the driveway will be located
2. Applicant will need to contact TxDOT for driveway access permits.



City Council Memorandum

FROM: The Office of the City Manager

DATE: May 10, 2022

DISCUSS AND CONSIDER APPROVING A FINAL PLAT REFERRED TO AS FULLER HEIGHTS ADDITION, ON PROPERTY DESCRIBED AS A 6.494 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE J.W. RENICK SURVEY, ABSTRACT NO. 704 AND PART OF THE R.Y. RENICK SURVEY, ABSTRACT NO. 722, THE LAND HEREIN BEING ALL OF A CALLED 6.497 ACRE TRACT OF LAND CONVEYED IN A GENERAL WARRANTY DEED TO JOHN REIDER AND DANYA REIDER, DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2021062073, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.R.P.B.C.T.), AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)

EXPLANATION:

The applicant submitted an application for administrative plat approval for approximately 6.494 acres of land Fuller Lane and west of Broken Arrow Drive. This platting action will divide the existing single parcel into two separate parcels. The 2021 Land Use Plan identifies this parcel for Residential Estate land use.

As of April 14, 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 Right of Way (ROW) dedication was deemed to be required for the plat area. Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of an Administrative Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission.

RECOMMENDATION:

On April 14, 2022, staff returned comments to the applicant. Revisions based on staff comments were received on April 27, 2022, but have yet to be reviewed by staff. Staff comments on this plat refer to correcting wording on the face of plat and separate dedication instrument; staff therefore recommends approval with conditions of the Final Plat for the subdivision referred to as Fuller Heights Addition with the following conditions:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.

ACTION BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on April 27, 2022, the Planning and Zoning Commission voted (8-0) to recommend approval of a Final Plat for the subdivision referred to as Fuller Heights 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 Fuller Heights Addition, on property described as a 6.494 acre tract of land in Bell County, Texas, being part of the J.W. Renick Survey, Abstract No. 704 and part of the R.Y. Renick Survey, Abstract No. 722, the land herein being all of a called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya Reider, described in Exhibit "A" of record in Instrument No. 2021062073, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), 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, Fuller Heights Addition-Final Plat, Location Map, Staff Comments with Responses](#)



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

Property Information:

Plat Name: Fuller Heights Addition Date Submitted: Mar 30, 2022

Existing Lot Count: 1 Proposed Lot Count: 2 Acreage: 6.494

Site Address or General Location: 1918 Fuller Lane, Harker Heights, TX 76548

Reason for Amendment/
Description of Subdivision:

Zoning Classification: R-1 Existing Land Use: Residential

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: John Reider and Danya Reider

Address: 2017 Caribou Trail, Harker Heights, Texas 76548

Phone: 254-466-4996 E-mail: johnreider@johnreider.com

Developer: John Reider and Danya Reider

Address: 2017 Caribou Trail, Harker Heights, Texas 76548

Phone: 254-466-4996 E-mail: johnreider@johnreider.com

Engineer/Surveyor: Mitchell & Associates, Inc.

Address: 102 N. College/P.O. Box 1088 Killeen, TX 76540

Phone: 254-634-5541 E-mail: jkriegel@mitchellinc.net; areneau@mitchellinc.net

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.

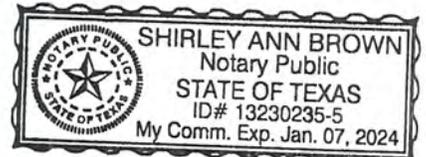
John Reider and Danya Reider

PRINTED NAME OF OWNER:

OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 29 DAY OF March, 2022

Shirley Ann Brown MY COMMISSION EXPIRES: 1-7-2024
NOTARY PUBLIC SIGNATURE



STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: _____

Receipt #: _____

Received By: _____

Pre-Application Meeting

Case #: _____

FULLER HEIGHTS ADDITION
6.494 ACRES

FIELD NOTES for a 6.494 acre tract of land in Bell County, Texas, being part of the J.W. Renick Survey, Abstract No. 704 and part of the R.Y. Renick Survey, Abstract No. 722, the land herein being all of a called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya Reider, described in Exhibit "A" of record in Instrument No. 2021062073, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 6.494 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the north right-of-way line of Fuller Lane, also being the southeast corner of a called 9.339 acre tract of land conveyed to Don J. Daniels, and wife Doris M. Daniels of record in Instrument No. 2009-00045677, O.P.R.R.P.B.C.T., and the southwest corner of said 6.497 acre tract, for the southwest corner of this tract;

THENCE N. 13° 53' 38" W., 940.17 feet, departing the north right-of-way line of said Fuller Lane, with the east line of said 9.339 acre tract, and the west line of said 6.497 acre tract, to a 1/2" iron rod found on the south line of Lot 29, Block 1, Quail Estates Phase 2, being an addition to the City of Harker Heights, Texas, being of record in Cabinet D, Slide 184-D, Plat Records of Bell County, Texas (P.R.B.C.T.), also being the northeast corner of said 9.339 acre tract, and the northwest corner of said 6.497 acre tract, for the northwest corner of this tract;

THENCE N. 82° 03' 29" E., 342.35 feet, with the south line of said Lot 29 and the north line of said 6.497 acre tract, to a 3/8" iron rod with cap stamped "MAK" found on the on the south line of Lot 29, Block 1, said Quail Estates Phase 2, same being the northwest corner of Lot 37A, Block 1, Quail Estates Phase 2, Second Amendment, an addition to the City of Harker Heights, Texas, being of record in Plat Year 2013, Number 27, P.R.B.C.T., and the northeast corner of said 6.497 acre tract, for the northeast corner of this tract;

THENCE S. 08° 58' 42" E., 937.62 feet, with the west line of said Lot 37A and the east line of said 6.497 acre tract, to a 3/8" iron rod with cap stamped "MAK" found on the north right-of-way line of said Fuller Lane, same being at the southwest corner of Drainage Tract "A", said Quail Estates Phase 2, and the southeast corner of said 6.497 acre tract, for the southeast corner of this tract;

THENCE continuing along the north right-of-way line of said Fuller Lane and with the south line of said 6.497 acre tract, the following two (2) calls:

1. S. 82° 16' 09" W., 174.72 feet, to a 1/2" iron rod found for an angle corner of this tract;
2. S. 83° 11' 23" W., 87.12 feet, to the POINT OF BEGINNING containing a 6.494 acre tract of land.

The bearings for the above description are grid bearings based on the Texas Coordinate System, Central Zone (NAD 83), as determined by Leica Texas SmartNet GPS observations.

See accompanying drawing.

STATE OF TEXAS	KNOW ALL MEN BY THESE PRESENTS, that I, Mike W. Kriegel,
	Registered Professional Land Surveyor, do hereby certify that
	the above described tract was surveyed on the ground and that
COUNTY OF BELL	this description is true and correct to the best of my knowledge
	and belief.

IN WITNESS THEREOF, my hand and seal this the 30th day of March, 2022.

Mike W. Kriegel
 Mike W. Kriegel
 Registered Professional
 Land Surveyor, No. 4330



DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That that John Reider and Danya Reider, being the sole owners of that certain 6.494 Acre tract of land in the City of Harker Heights, Texas, being all of called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya, being described in Exhibit "A" of record in Instrument No. 2021062073, Official Public Records of Real Property Records, Bell County, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as FULLER HEIGHTS ADDITION, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and John Reider and Danya Reider, does hereby adopt said FULLER HEIGHTS ADDITION as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all streets, avenues, roads, drives, 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, Texas.

The utility and drainage easements shown on said plat are dedicated to the City of Harker Heights for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

W I T N E S S the execution hereof, on this _____ day of _____, 20____.

For: John Reider

For: Danya Reider

John Reider (Owner)

Danya Reider (Owner)

Before me, the undersigned authority, on this day personally appeared John Reider and Danya Reider known to me to be the persons whom names are subscribed to the foregoing instrument. It has been acknowledged to me that he executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS

My Commission Expires: _____

No.	DATE	REVISIONS
1	4/1/2022	RDH SIGNATURE BLOCK
2	4/26/2022	QTY OF HH COMMENTS

FINAL PLAT

FULLER HEIGHTS ADDITION
 HARKER HEIGHTS, BELL COUNTY, TEXAS

BEING 6.497 ACRE TRACT OF LAND CONVEYED IN A GENERAL WARRANTY DEED TO JOHN REIDER AND DANYA, BEING DESCRIBED IN EXHIBIT "A" OF RECORD INSTRUMENT NO. 2021062073, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY RECORDS, BELL COUNTY, TEXAS

PROPERTY OWNER:
JOHN & DANYA REIDER
 HARKER HEIGHTS, TX 76548

SURVEYOR/ENGINEER:
MITCHELL & ASSOCIATES, INC.
 P.O. BOX 1088
 KILLEEN, TX 76540

DWG No. 22-02-D-5
 DATE: MARCH 2022
 SCALE: AS SHOWN
 AREA: 6.494 AC.

DRAMA BY: FRB
 1999/25
 2 LOTS
 1 BLOCK

TEKSA BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 2241
 I. B. L. S. FIRM REGISTRATION NO. 100204-00

MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING
 102 N. COLLEGE
 KILLEEN, TEXAS 76541
 PHONE: (254) 634-5541
 FAX: (254) 634-2141

FULLER HEIGHTS ADDITION

KNOW ALL MEN BY THESE PRESENTS, that **John Reider and Danya Reider**, whose address is **2017 Caribou Trail, Harker Heights, TX 76546**, being the sole owners of that certain **6.494 Acre tract of land in the City of Harker Heights, Texas, being all of called 6.497 acre tract of land conveyed in a General Warranty Deed to John Reider and Danya, being described in Exhibit "A" of record in Instrument No. 2021062073, Official Public Records of Real Property Records, Bell County, Texas, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FULLER HEIGHTS ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **John Reider and Danya Reider**, do hereby adopt said **FULLER HEIGHTS ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all right of way, as shown on said plat, to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Texas.**

The utility and drainage easements shown on said plat are dedicated to the **City of Harker Heights** for installation and maintenance of any and all public utilities, which the **city** may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this _____ day of _____, 20____

For: John Reider

John Reider (Owner)

Danya Reider (Owner)

NOTARY PUBLIC STATE OF TEXAS
 My Commission Expires: _____

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

Chairperson, Planning and Zoning Commission _____

Secretary, Planning and Zoning Commission _____

APPROVED this the _____ day of _____, 20____ by the City Council of the City of Harker Heights, Bell County, Texas.

Mayor, City of Harker Heights _____

City Secretary _____

APPROVED this the _____ day of _____, 20____ by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development _____

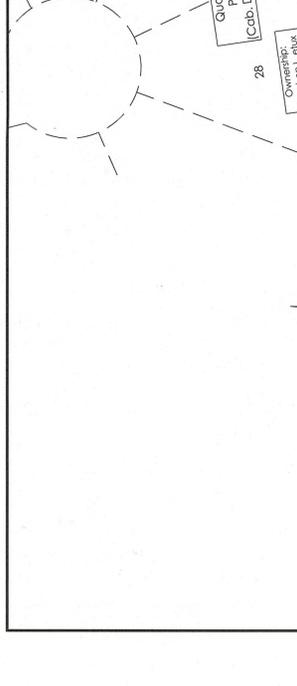
That I, **Mike W. Krieger**, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Subdivision and Property Development Regulations of the **City of Harker Heights, Texas**, and this subdivision is within the **City Limits** of Harker Heights, Texas.

AFFIDAVIT:
 The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this the _____ day of _____, 20____ A. D.

By: _____
 Bell County Tax Appraisal District

FILED FOR RECORD this _____ day of _____, 20____
 Plat Records of Bell County, Texas, and Dedication Instrument # _____
 Official Records of Real Property, Bell County, Texas



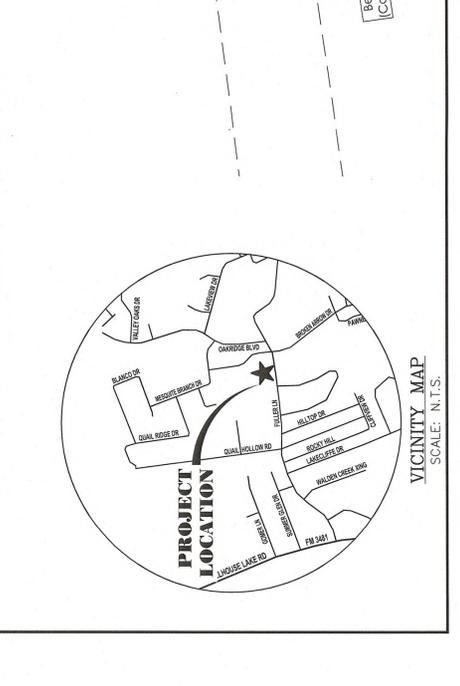
NOTES:

- All bearings are based upon the Texas Coordinate System, NAD 83 (CORR 94), Texas Central Zone as determined by Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
- All interior lot corners marked with 1/2" ir & cap stamped "M&A" set after construction completed.
- This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map (Flood Insurance Rate Map), Map No. 4802C0295E, effective date September 26, 2008 for Bell County, Texas.
- This subdivision will be served by on-site sewerage facilities (OSSF). The Bell County Health Department must approve any on-site sewerage facilities installation prior to construction.
- Right of Way (R.O.W.) dedication to the City of Harker Heights is 987 sq. ft. (0.023 Ac.).

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 recommending for approval.

Signature: _____ Date: _____

Title: _____
 Bell County Public Health District



FULLER HEIGHTS ADDITION

P22-13 Final Plat – Fuller Heights Addition

Plat Distributed to HH Staff: March 31, 2022

Comments Sent to Engineer: April 14, 2022

Response: April 26, 2022

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
Title block has been updated.
2. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat and for Bell County Public Health.
Signature blocks have been updated.
3. Fuller Lane is identified as a collector on the City's Thoroughfare Plan. As such a 70 foot right-of-way (ROW) is required. Applicant shall provide half of the required 8 feet of ROW needed to meet the 70 foot requirement. This ROW dedication will require this plat to be processed as a Final Plat.
Right of way dedication has been shown on the plat. Annotation has been updated.
4. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
Digital copy of plat is being provided.

Public Works, Mark Hyde

1. Provide a 15' Public Utility & Drainage Easement along Fuller Lane.
A 15" easement has been provided.
2. For the plat to remain as an administrative plat, the public utility easement shown with the passage easement must be a private utility easement. The passage easement must also be private.
Easement has been updated.
3. It appears more than one acre of lot clearing is underway. An erosion and sedimentation control permit is required along with a stormwater pollution prevention plan. Lot clearing/land disturbing activity must cease until the permit has been approved by the City of Harker Heights.
Client advised.
4. The dedication block on the plat should be specific for each plat. There are numerous dedications to the City of Harker Heights that are not applicable for this plat. Also, final

construction drawings are not recorded with Bell County. Final construction drawings should not be listed in the dedication instrument.

Dedication has been updated.

City Engineer, Otto Wiederhold

- No comments

Fire Marshal, Brad Alley

- No Comments

Building Official, Mike Beard

- No Comments

ONCOR, Steven Huggins

- No comments received and may be forthcoming.

Century Link/ Lumen, Chris McGuire

- No comments received and may be forthcoming.

Spectrum, Shaun Whitehead

- No comments received and may be forthcoming.

Atmos, Rusty Fischer

- No comments received and may be forthcoming.

Clearwater, Dirk Aaron

- No comments received and may be forthcoming.

Bartlett Electric

- Bartlett Electric Cooperative has no additional comments and the PUE appears to be assigned has discussed with my Line Design Tech. and the property owner in the field.

Noted.

Bell County Public Health

- Bell County will not review until signature block added.

Bell County evaluation letter is being provided.



City Council Memorandum

FROM: The Office of the City Manager

DATE: May 10, 2022

RECEIVE AND DISCUSS THE FISCAL YEAR 2021-2022 SECOND QUARTER UNAUDITED FINANCIAL REPORT.

EXPLANATION:

The Finance Director will provide an overview of the attached unaudited financial report.

RECOMMENDATION:

None.

ACTION BY THE COUNCIL:

None.

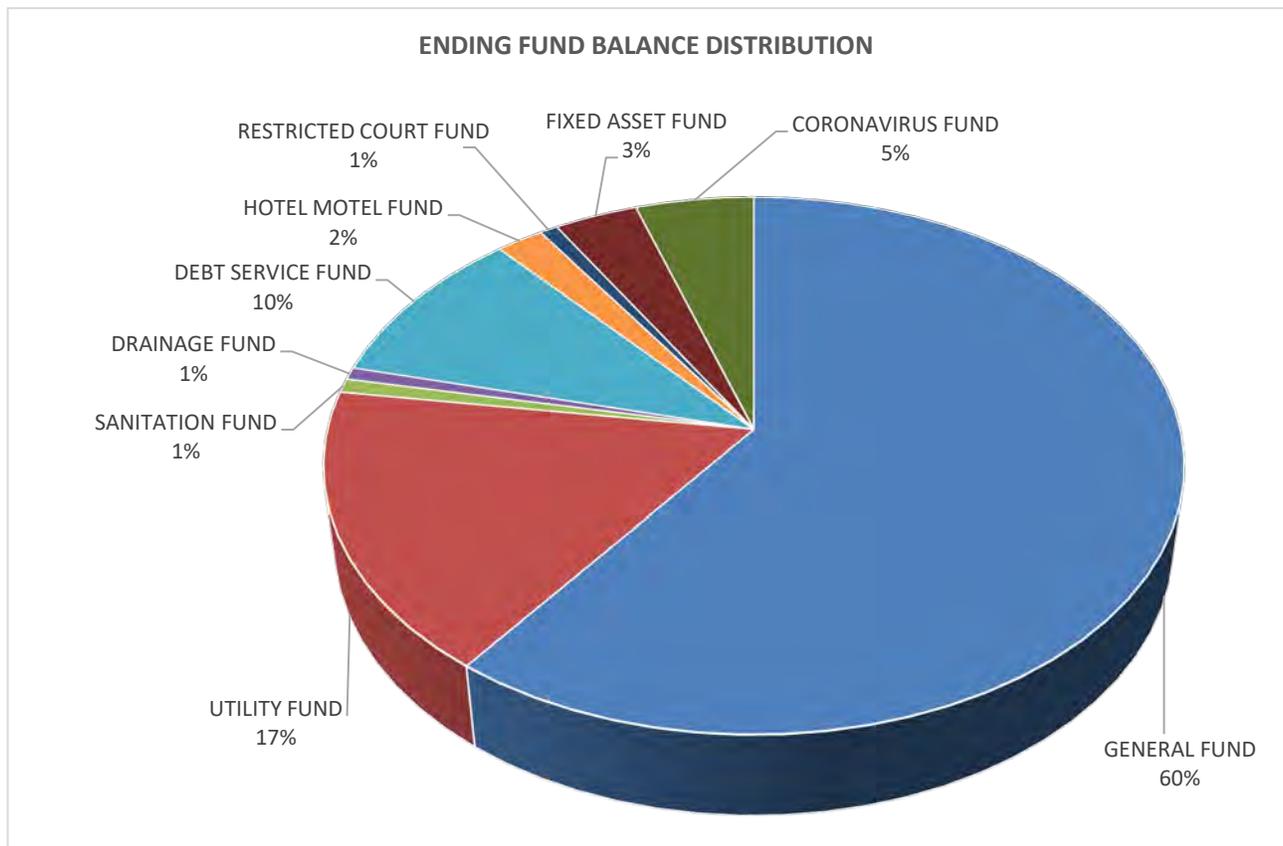
ATTACHMENTS:

[Unaudited Financial Report-March 31, 2022](#)

Attached is the unaudited financial report for the second quarter of fiscal year 2022 for your review.

The table below provides a summary of the activity from October 2021 to March 2022 and the ending fund balance for each fund in the report. The Capital Projects Fund is reported separately along with the Public Works Director's update on CIP project statuses.

FUND	PAGE #	BEGINNING FUND	EXPENDITURES/		ENDING FUND
		BALANCE	REVENUES	EXPENSES	BALANCE
GENERAL FUND	2	14,070,771	16,111,883	15,687,530	14,495,124
UTILITY FUND	9	3,787,193	5,045,676	4,734,431	4,098,438
SANITATION FUND	13	182,372	1,275,298	1,256,315	201,355
DRAINAGE FUND	16	50,348	438,939	312,963	176,324
DEBT SERVICE FUND	19	34,177	2,808,089	505,486	2,336,780
HOTEL MOTEL FUND	20	450,811	49,008	11,250	488,569
RESTRICTED COURT FUND	21	201,339	67,065	85,000	183,404
FIXED ASSET FUND	22	583,374	844,815	569,417	858,772
CORONAVIRUS FUND	24	0	1,971,033	755,293	1,215,740
		19,360,385	28,611,806	23,917,685	24,054,506



GENERAL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	FIRST QUARTER ACTIVITY		FIRST QUARTER FY 2020-21	FIRST QUARTER FY 2019-20
BEGINNING FUND BALANCE	17,373,044	14,070,771		8,870,527	9,877,791
REVENUES					
Property Taxes					
700 Tax Receipts	10,994,600	10,322,185	93.88%	9,870,056	9,277,898
Subtotal Property Taxes	10,994,600	10,322,185	a 93.88%	9,870,056	9,277,898
Other Taxes and Special Assessments					
080 Cable Franchise Fees	320,000	162,851	50.89%	165,754	167,952
081 Electricity Franchise Fees	950,000	518,073	54.53%	530,684	544,856
082 Gas Franchise Fees	70,000	39,597	56.57%	34,525	32,376
083 Telephone Franchise Fees	9,000	4,441	49.34%	5,343	18,060
707 Mixed Drink Tax	95,000	57,648	b 60.68%	64,764	54,639
708 Bingo Tax	30,000	20,295	c 67.65%	18,090	23,788
709 Sales Tax	8,250,000	3,423,809	d 41.50%	4,494,514	3,815,176
Subtotal Other Taxes and Special Assessments	9,724,000	4,226,714	43.47%	5,313,674	4,656,847
Licenses and Permits					
022 Platting and Rezoning	30,000	13,225	44.08%	13,607	3,783
050 City Registration Fee	25,000	17,435	e 69.74%	19,825	28,093
051 Building Permits	175,000	188,515	f 107.72%	87,640	120,628
052 Contractor's Registration	15,000	11,925	79.50%	10,200	9,829
053 Fire Permits	8,000	4,526	56.58%	3,920	4,475
Subtotal Licenses and Permits	253,000	235,626	93.13%	135,192	166,808
Fines and Fees					
016 Court Fines	1,000,000	359,486	g 35.95%	465,882	475,897
Subtotal Transfers In	1,000,000	359,486		465,882	475,897

(a) The majority of property tax payments are received during the first and second quarter as Bell County Appraisal District offers a discount during this time. At the end of the second quarter, \$10,322,185 has been received of the Maintenance and Operations portion which is 93.88% of the \$10,994,600 budgeted.

(b) Mixed Drink Tax revenue is 60.68% of the \$95,000 budget with \$57,648 received through the second quarter. This is \$7,116 less than received in the 2021 fiscal year and \$3,009 more than received in the 2020 fiscal year.

(c) \$20,295 has been received in Bingo Tax revenue which is 67.65% of the \$30,000 budgeted. This is \$2,205 more and \$3,493 less than received in the 2021 and 2020 fiscal years respectively.

(d) Sales Tax revenue totals \$3,423,809 or 41.50% of the \$8,250,000 budgeted. Revenue is posted as of the report date rather than the payment date making current and prior year comparisons difficult. Revenue collected through the second quarters of Fiscal Year 2021 and Fiscal Year 2020 differ by \$679,338.

(e) Business registrations are at 69.74% of the \$25,000 budget as businesses register or renew registrations with the City. This is lower than the revenue collected through the second quarter of both the 2021 and 2020 fiscal years by \$2,390 and \$10,658 respectively.

(f) Building permits are up by \$100,875 and \$67,887 from the 2021 and 2020 fiscal years respectively as residential and commercial growth continues throughout the City.

(g) General court fine revenue is at \$359,486; \$106,396 less than the \$465,882 collected in court fines the prior year.

GENERAL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	FIRST		FIRST	FIRST
		QUARTER ACTIVITY		QUARTER	QUARTER
				FY 2020-21	FY 2019-20
Charges for Services					
036 Aquatic Programs	40,000	0	0.00%	0	50
037 Recreation Programs	30,000	4,874	16.25%	2,917	3,073
038 Youth Sports Activities	100,000	67,758	h 67.76%	42,715	73,179
039 Concession Stand	5,000	2,124	42.48%	222	5,190
040 Adult Activities	10,000	193	1.93%	1,173	701
041 Park Facility Rentals	30,000	23,999	i 80.00%	10,680	18,973
042 Activity Discounts	0	(880)	0.00%	0	0
058 False Alarm Fees	0	3,125	0.00%	1,384	1,125
100 Ambulance Collection Fees	(54,900)	0	0.00%	0	(28,088)
101 Ambulance Service	686,500	312,995	j 45.59%	252,113	318,329
112 Animal Services	95,000	61,160	k 64.38%	57,190	41,330
Total Charges for Services	941,600	475,348	50.48%	368,394	433,862
Intergovernmental Payments					
070 Grant Revenue	142,000	30,675	21.60%	10,191	44,854
102 Reimburse Bell County	5,000	5,533	110.66%	9,693	7,873
103 Central Texas Trauma Council	2,500	0	0.00%	0	0
Subtotal Intergovernmental Payments	149,500	36,208	24.22%	19,884	52,727
Investment Earnings					
020 Interest Income	75,000	13,819	l 18.43%	57,108	163,064
200 Gain on Investments	0	0	0.00%	0	49
201 Net Value of Investments	0	0	0.00%	0	0
Subtotal Investment Earnings	75,000	13,819	18.43%	57,108	163,113
Contributions and Donations					
400 Donations	0	6,634	0.00%	5,720	2,980
401 Donations - Police Department	0	4,013	0.00%	1,700	0
402 Donations - Healthy Homes	0	2,710	0.00%	1,625	1,000
403 Donations - Municipal Library	0	12,068	m 0.00%	10,025	0
404 Donations - Parks & Recreation	0	3,180	0.00%	2,250	1,000
405 Donations - National Night Out	0	0	0.00%	25	0
406 Donations - Pet Adoption Center	15,000	15,712	n 104.75%	9,049	9,515
407 Donations - Activity Center	0	0	0.00%	0	3,000
Total Charges for Services	15,000	44,317	295.45%	30,394	17,495

(h) Youth Sports Activities revenue is at \$67,758 which is \$25,043 more than the \$42,715 collected in the prior year.

(i) Facility Rentals are at 80.00% of the budgeted revenues with \$23,999 collected as rental reservations increase.

(j) Ambulance Service revenue totals \$312,995 and is \$60,882 more than the \$252,113 received in FY 2021.

(k) 64.38% or \$61,160 of the \$95,000 budgeted for Animal Services has been received by the Pet Adoption Center through the second quarter. This revenue includes adoption fees and reclaim fees.

(l) Interest income is down by \$43,289 from the \$57,108 received in FY 2021 and down by \$149,245 from the \$163,064 received in FY 2020 with \$13,819 received in the General Fund through the second quarter of FY 2022.

(m) The Library received a donation of \$10,000 during FY 2021 and a donation of \$12,000 during FY 2022. In FY 2021, Library Staff utilized the majority of the funds to construct a sidewalk at the Stewart C. Meyer Library.

(n) Pet Adoption Center donations total \$15,712 and exceed both prior year amounts by over \$6,000.

GENERAL FUND

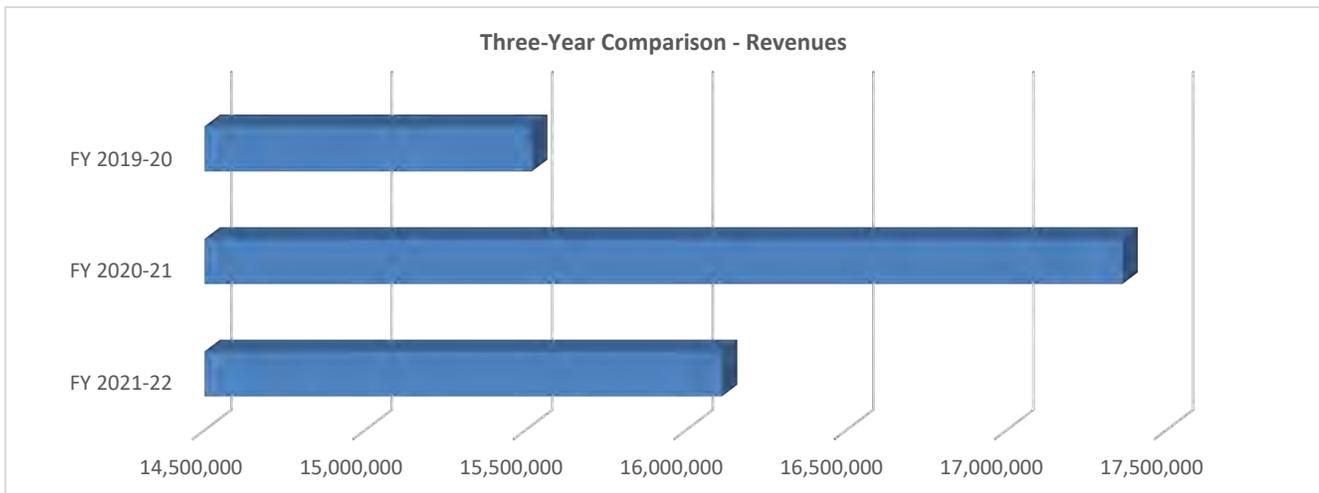
AGENDA ITEM #VIII.4.

	FY 2021 - 2022			PY COMPARISONS	
	ADOPTED BUDGET	FIRST	% of Budget	FIRST	FIRST
		QUARTER ACTIVITY		QUARTER	QUARTER
				FY 2020-21	FY 2019-20
Miscellaneous					
010 Credit Card Fees	(41,500)	0	0.00%	0	(20,356)
011 Technology Fee - MyPermitNow	10,000	5,491	54.91%	3,938	5,335
012 AdComp Kiosk Fees	0	0	0.00%	0	0
015 Cash Over (Short)	0	4	0.00%	0	(20)
021 Miscellaneous Income	20,000	10,085	50.43%	7,005	9,523
023 Taxable Income	10,000	5,850	58.50%	3,505	8,033
025 Misc Accounts Receivable Income	0	0	0.00%	0	0
030 Insurance Proceeds	0	21,284	0.00%	13,315	40,457
031 Settlement of Claim	0	0	0.00%	100	900
032 Gain on Sale of Asset	0	10	0.00%	0	0
055 Street Paving Assessment	0	0	0.00%	0	0
056 Public Nuisance Assessment	0	11,994	0.00%	10,569	7,961
113 Auction Abandoned Property	0	48,662	0.00%	304	3,380
116 State Seizure Fund	0	0	0.00%	0	0
600 Lease Agreement Proceeds	0	0	0.00%	405,000	0
Total Miscellaneous	(1,500)	103,380	-6892.00%	443,736	55,213
Transfers In					
802 Transfer from Utility Fund	250,000	0	0.00%	500,000	100,000
803 Transfer from Drainage Fund	0	0	0.00%	0	0
804 Transfer from Sanitation Fund	150,000	0	0.00%	75,000	75,000
812 Transfer from Restr Court Fund	85,000	85,000	100.00%	83,500	45,000
815 Transfer from Coronavirus Fund	240,200	209,800	87.34%	0	0
Subtotal Transfers In	725,200	294,800	40.65%	658,500	220,000
TOTAL REVENUES	23,876,400	16,111,883	67.48%	17,362,820	15,519,860

(o) City auctions were held in November 2021 (\$12,179), January 2022 (\$12,285), February 2022 (\$18,912), and March 2022 (\$5,286).

(p) Transfers in from other funds are scheduled to be completed in the third and fourth quarters.

(q) Revenues total \$16,111,883 at the end of the second quarter or 67.48% of the \$23,876,400 budgeted.



GENERAL FUND

AGENDA ITEM #VIII.4.

EXPENDITURES	FY 2021 - 2022			PY COMPARISONS	
	ADOPTED BUDGET	FIRST	% of Budget	FIRST	FIRST
		QUARTER		QUARTER	QUARTER
		ACTIVITY		FY 2020-21	FY 2019-20
Personnel Service					
001 Salaries	12,796,100	6,207,214	48.51%	5,921,187	5,849,708
002 Overtime	520,500	294,429	r 56.57%	248,927	284,592
003 Workers Compensation	144,400	133,173	s 92.23%	148,942	139,168
004 Health Insurance	1,342,100	607,615	45.27%	402,364	535,768
005 Social Security Expense	1,018,600	481,852	47.31%	460,920	451,154
006 Retirement Expense	1,965,900	954,341	48.54%	914,477	902,784
Subtotal Personnel Service	17,787,600	8,678,624	t 48.79%	8,096,817	8,163,174
Supplies					
010 Office	101,400	43,357	42.76%	33,731	56,522
011 Vehicle	249,300	140,473	u 56.35%	103,123	120,668
012 General	141,600	71,777	50.69%	75,101	84,197
013 Equipment	93,100	22,712	24.40%	23,793	39,645
014 Uniforms	105,500	41,912	39.73%	25,509	49,923
015 Recreational	6,500	780	12.00%	2,196	2,979
016 Chemical	12,200	4,484	36.75%	4,063	3,478
017 Clinical	60,000	29,900	v 49.83%	19,342	16,394
028 Animal Care	30,000	17,490	w 58.30%	13,898	20,444
029 Medical	60,000	34,205	x 57.01%	29,165	28,044
Subtotal Supplies	859,600	407,090	47.36%	329,921	422,294
Repair and Maintenance					
020 Vehicle	125,000	104,207	y 83.37%	64,917	110,506
021 Building	112,800	46,788	41.48%	51,617	59,059
022 Equipment	393,800	240,311	z 61.02%	248,904	223,085
023 Ground	166,000	53,881	32.46%	69,407	65,230
Subtotal Repair and Maintenance	797,600	445,187	55.82%	434,845	457,880

(r) Overtime in the General Fund was budgeted at \$520,500 of which 56.57% has been spent through the second quarter. \$267,770 of the \$294,429 spent in FY 2022 was for Public Safety overtime.

(s) Worker's Compensation coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(t) Personnel Service expenses total \$8,678,624 or 48.79% of the \$17,787,600 budgeted. This is \$581,807 more than the \$8,096,817 spent in the 2021 fiscal year and \$515,450 more than spent in the 2020 fiscal year.

(u) Of the \$140,473 of the vehicle supply expenses through the second quarter, \$105,368 are for fuel expenses.

(v) The Clinical line item is for Pet Adoption Center's purchase of clinic supplies. Purchases total \$29,900 or 49.83% of the \$60,000 budgeted.

(w) Animal Care supplies are for the Pet Adoption Center's purchase of supplies for the use at the PAC. Purchases for this line item total \$17,490 or 58.30% of the \$30,000 budgeted.

(x) The Medical line item is for the purchase of medical supplies by the Fire Department. Total purchases are at \$34,205 through the second quarter which is \$5,040 more than the 2021 fiscal year and \$6,161 more than the 2020 fiscal year.

(y) Vehicle repairs increased by \$62,254 from the first quarter report. Major repairs during the second quarter include: engine replacement (PD-142, \$7,452), accident repair (PD-147, \$3,245), light bar replacement (PD-166, \$1,176), backup camera repair/replacement (PD-142, \$2,056), accident repair (PD-137, \$2,231), steering wheel repair (FD-308, \$1,610), miscellaneous repairs (FD-203, \$10,097), exhaust sensor (FD-306, \$1,847), front brake replacement (FD-101, \$3,406), accident repair (ST-03, \$1,940), air conditioner repair (PK-06, \$1,200), and an accident repair (PK-03, \$15,241).

(z) 61.02% of the \$393,800 budget in Equipment Maintenance has been spent as of the second quarter. Major expenses include Tyler Technologies - \$25,412, CRIMES - \$53,000, and Microsoft Licensing - \$81,538.

GENERAL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS		
	ADOPTED BUDGET	FIRST		FIRST	FIRST	
		QUARTER ACTIVITY		QUARTER	QUARTER	
				FY 2020-21	FY 2019-20	
Contractual Services						
030 Property/Liability Insurance	197,500	189,569	aa	95.98%	179,039	175,056
046 Equipment Rental	23,800	11,528		48.44%	6,397	7,119
047 Contract Labor	535,500	313,584	bb	58.56%	220,213	267,971
051 Credit Card Service Fees	6,800	20,889	cc	307.19%	18,895	3,028
081 Bank Fees	15,000	3,961		26.41%	2,349	205
083 Audit Fees	27,000	24,500	dd	90.74%	9,500	29,200
083 Tax Appraisal District Fees	110,500	53,555		48.47%	51,474	51,891
086 Nuisance Abatement Fees	50,000	2,241		4.48%	124,084	3,213
087 State Tax Payments	397,500	132,739	ee	33.39%	184,045	178,371
090 Legal Fees	107,000	50,889		47.56%	53,324	46,475
091 Advertising	32,500	3,532		10.87%	4,099	9,116
092 Professional Fees	225,200	123,079	ff	54.65%	157,105	137,900
095 Required Public Notices	18,700	9,509		50.85%	12,935	3,117
096 Prosecutor Fees	58,000	10,963		18.90%	8,137	0
100 Ambulance Collection Fees	0	31,130		0.00%	23,887	0
102 Medical Director Contract	20,000	20,000		100.00%	20,000	24,000
407 Rent Expense	0	285		0.00%	105	0
Subtotal Contractual Services	1,825,000	1,001,953		54.90%	1,075,588	936,662
Recreational Services						
059 Adaptive Sports	10,000	0		0.00%	0	1,318
060 Tree City USA	10,000	2,500		25.00%	8,745	2,981
061 Living Legacy	4,500	1,215		27.00%	416	901
065 Trophies and Awards	15,000	2,304		15.36%	2,871	4,543
066 Uniforms and Equipments	45,000	17,090		37.98%	8,750	12,868
067 Events and Programs	68,900	39,006	gg	56.61%	34,297	31,839
069 Adult Sports	2,500	435		17.40%	1,267	0
Subtotal Recreational Services	155,900	62,550		40.12%	56,346	54,450
Utilities						
040 Utilities	491,500	237,218		48.26%	237,486	232,608
045 Telephone	97,000	42,886		44.21%	46,328	40,937
Subtotal Utilites	588,500	280,104		47.60%	283,814	273,545

(aa) Property and Liability coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(bb) Parks and Recreation has had to contract out for officials and umpires this fiscal year which was not budgeted for. Through the second quarter, this service has cost \$7,539 out of the \$313,584 in total expenses.

(cc) Credit Card Service Fees exceed the budgeted amount by \$14,089 because fees from all of the City's merchant service providers are now posted here. In the original budget amount, only CivicRec charges were budgeted in the General Fund.

(dd) Audit Fees are charged as services are provided, typically October through February.

(ee) State Tax Payments are in direct correlation with the Court Fines revenue. As Court Fine revenue grows, so will the amount the City pays the State Comptroller's Office.

(ff) Although Professional Fees is at 54.65% of the \$225,200 budgeted, with \$123,079 spent through the second quarter, it is \$34,026 and \$14,821 less than the 2021 and 2020 fiscal years respectively.

(gg) \$39,006 has been spent on Events and Programs held by the City. This is 56.61% of the budgeted amount of \$68,900 and more than spent in the last two fiscal years.

GENERAL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	FIRST		FIRST	FIRST
		QUARTER ACTIVITY		QUARTER	QUARTER
				FY 2020-21	FY 2019-20
Miscellaneous					
035 Unemployment Payments	0	0	0.00%	955	2,003
036 Election Expense	16,000	65 hh	0.41%	13,209	645
037 Lobbying / Legislative Expenses	0	0	0.00%	0	0
041 Dues and Subscriptions	49,500	29,267	59.13%	29,074	26,870
042 Travel and Training	148,900	69,774	46.86%	34,118	68,119
043 Impound Expense	500	290	58.00%	0	318
104 Fire Prevention	6,000	4,565	76.08%	1,100	988
105 Safety Training	900	0	0.00%	0	460
400 Public Awareness	5,000	1,458	29.16%	2,655	2,229
404 Youth Task Force	10,500	0	0.00%	0	0
405 Economic Development	22,500	10,000	44.44%	10,000	11,335
Subtotal Miscellaneous	259,800	115,419	44.43%	91,111	112,967
Outside Agency Funding					
401 Transportation (The HOP)	0	0	0.00%	0	0
402 Heart of Texas Defense Alliance	17,000	17,000	100.00%	17,000	17,000
403 Chamber of Commerce - Harker Heights	50,000	25,000 ii	50.00%	25,000	20,000
403 Chamber of Commerce - Killeen	0	0	0.00%	0	6,250
408 Boys and Girls Club	30,000	0	0.00%	30,000	30,000
409 Greater Killeen Community Clinic	15,000	15,000 jj	100.00%	12,000	9,500
Subtotal Outside Agency Funding	112,000	57,000	50.89%	84,000	82,750
Grant Expenses					
070 Grant Expense	136,500	72,338 kk	52.99%	51,628	61,596
075 LEOSE Expenses	4,600	4,524 ll	98.35%	415	3,153
076 COVID 19 Expenses	0	0	0.00%	350,443	582
077 Sheltering Expenses	0	0	0.00%	1,161	0
Subtotal Grant Expenses	141,100	76,862	54.47%	403,647	65,331
Reserves and Reimbursements					
007 Reserve for Personnel	0	0	0.00%	(5,250)	4,497
254 Reimb Seton Medical Center	0	0	0.00%	0	579,131
Subtotal Reserves and Reimbursements	0	0	0.00%	(5,250)	583,628
Lease and Rental Payments					
600 Pitney Bowes Lease	3,500	1,747	49.91%	1,747	1,747
615 Xerox Rental	15,600	8,075	51.76%	7,877	4,478
Subtotal Lease and Rental Payments	19,100	9,822	51.42%	9,624	6,225

- (hh) With no City election being held in May 2022, there are minimum expenses in the Election Expense line item.
- (ii) The Harker Heights Chamber of Commerce invoices the City quarterly for its awarded Outside Agency Funding.
- (jj) The Boys and Girls Club has not invoiced the City for its awarded amount of \$30,000 as of the second quarter end.
- (kk) General Fund Grants awarded to the City are reimbursement grants and must be paid for prior to the City seeking reimbursement. Some grants that have been awarded to the City, such as the Bulletproof Vest Grant, are not 100% reimbursable. Due to the time lapse and the amount reimbursable, the amount seen in 070 - Grant Expense will not match the amount under 070 - Grant Revenues.
- (ll) Law Enforcement Officer Standards and Education (LEOSE) money is received by the Police and Fire Department by the State Comptroller's Office for certain training expenses. As of March 31, 2022, the Police Department has used \$3,700 and the Fire Department has used \$824.

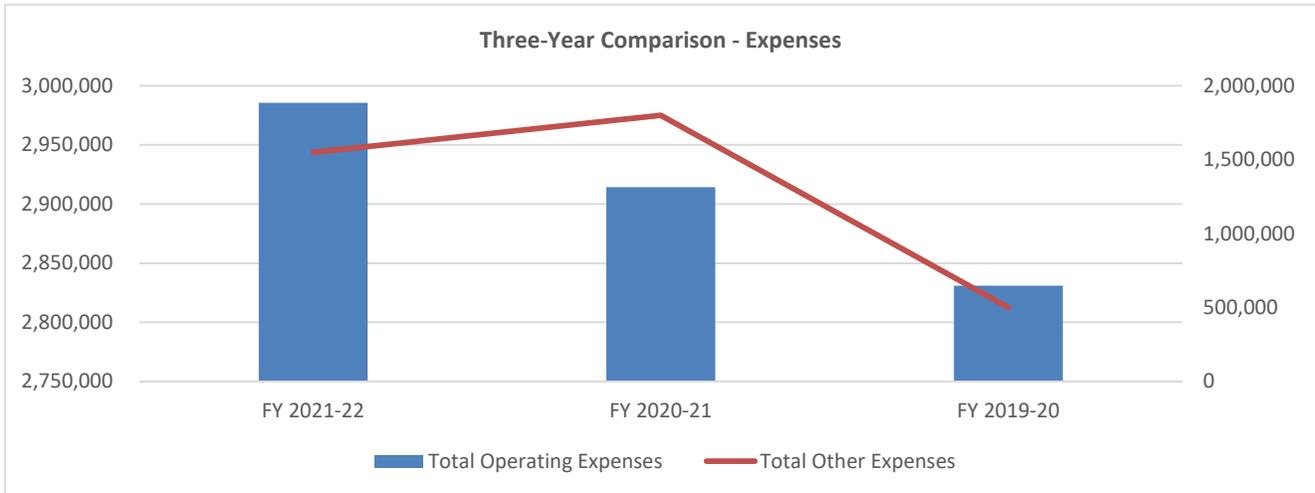
GENERAL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	FIRST		FIRST	FIRST
		QUARTER ACTIVITY		QUARTER	QUARTER
				FY 2020-21	FY 2019-20
Transfers Out					
800 Transfer to Fixed Assets (General Fund)	500,000	500,000	100.00%	0	0
800 Transfer to Fixed Assets (Cable PEG)	98,600	0 mm	0.00%	0	0
805 Transfer to Capital Projects	2,500,000	2,500,000	100.00%	500,000	0
806 Transfer to Debt Service	0	0	0.00%	0	0
815 Transfer to Coronavirus Fund	5,150,700	1,552,919	30.15%	0	0
Subtotal Transfers Out	8,249,300	4,552,919	55.19%	500,000	0
TOTAL EXPENSES	30,795,500	15,687,530	50.94%	11,360,463	11,158,906
INCREASE/DECREASE	(6,919,100)	424,353		6,002,357	4,360,954
ENDING FUND BALANCE	10,453,944	14,495,124 nn		14,872,884	14,238,745

(mm) The budgeted transfer from Cable PEG should be completed in the third quarter with the completion of the Council Chambers Audiovisual Project.

(jj) At the end of the second quarter, the ending fund balance for the General Fund is \$14,495,124.



UTILITY FUND

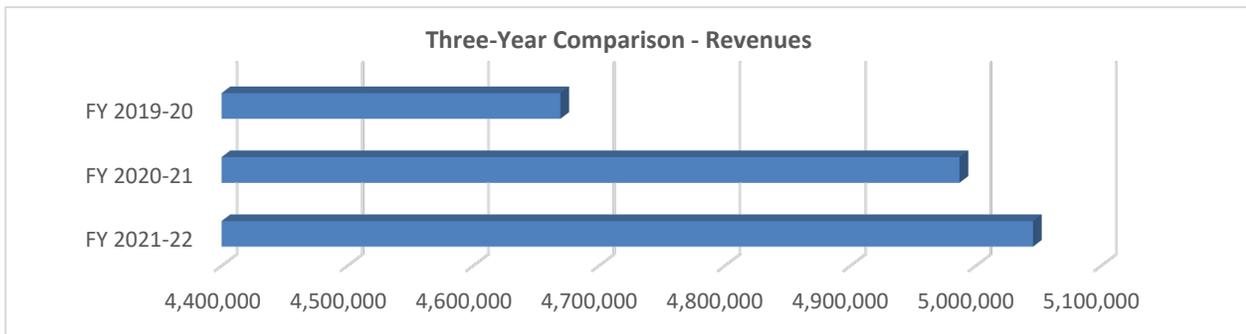
AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
BEGINNING FUND BALANCE	2,879,652	3,787,193		2,492,656	248,678
REVENUES					
Sales					
001 Water Income	6,100,000	2,818,082	46.20%	2,827,877	2,662,009
002 Sewer Income	4,136,100	1,995,991	48.26%	1,991,195	1,863,606
007 Water Tap Fees	10,000	2,117	21.17%	8,012	12,107
008 Sewer Tap Fees	10,000	4,750	47.50%	3,494	10,939
009 Connect Fees	80,000	55,825 ^a	69.78%	13,475	50,600
Subtotal Sales	10,336,100	4,876,765	47.18%	4,844,053	4,599,261
Services					
005 Transfers, Turn On, Turn Off	15,000	8,634	57.56%	5,095	9,726
006 Penalty Fees	90,000	45,690	50.77%	52,455	47,535
010 Credit Card Fees	(110,000)	0	0.00%	0	(45,047)
011 Online Payment Fees	110,000	58,442 ^b	53.13%	41,500	38,044
Subtotal Services	105,000	112,766	107.40%	99,050	50,258
Miscellaneous					
015 Cash Over (Short)	0	36	0.00%	11	(30)
020 Interest Income	17,500	2,616	14.95%	15,777	17,195
021 Miscellaneous Income	4,000	2,430	60.75%	12,134	2,712
022 Other Income	0	9,112	0.00%	0	0
030 Insurance Proceeds	0	20,351	0.00%	8,531	0
070 Grant Revenue	0	0	0.00%	0	0
400 Donation / Contribution	0	0	0.00%	7,553	0
Subtotal Miscellaneous	21,500	34,545	160.67%	44,006	19,877
Transfers In					
815 Transfer from Coronavirus Fund	0	21,600	0.00%	0	0
Subtotal Transfers In	0	21,600		0	0
TOTAL REVENUES	10,462,600	5,045,676 ^c	48.23%	4,987,109	4,669,396

(a) Growth continues to pick back up in Harker Heights as connect fees exceeds the prior year's second quarter by \$42,350 with \$55,825 collected in revenues.

(b) Online payment fees, the \$2 fee charged by our third party processor for online payments and debit/credit card automatic bill pay, totals \$58,442 through the second quarter or 53.13% of the \$110,000 budgeted. This fee is remitted back to the third party every quarter.

(c) Utility Fund revenues total \$5,045,676 or 48.23% of the \$10,462,600 budgeted at the end of the second quarter.



UTILITY FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
EXPENSES					
Personnel Service					
001 Salaries	1,077,900	448,277 ^d	41.59%	486,480	520,734
002 Overtime	86,000	42,790	49.76%	42,090	39,752
003 Workers Compensation	16,600	15,321 ^e	92.30%	17,070	16,190
004 Health Insurance	161,500	57,863	35.83%	41,802	55,657
005 Social Security Expense	89,100	36,519	40.99%	40,070	42,557
006 Retirement Expense	172,500	73,116	42.39%	78,988	84,112
008 OPEB Expense	3,000	0	0.00%	0	0
Subtotal Personnel Service	1,606,600	673,886	41.94%	706,500	759,002
Supplies					
010 Office	33,500	15,577	46.50%	19,315	17,259
011 Vehicle	48,000	26,407 ^f	55.01%	17,278	25,653
012 General	13,000	5,655	43.50%	6,416	11,877
013 Equipment	4,000	1,417	35.43%	3,386	4,470
017 Belt Press	35,000	9,129	26.08%	19,430	13,167
018 Lab	10,000	5,622 ^g	56.22%	3,207	5,386
Subtotal Supplies	143,500	63,807	44.46%	69,032	77,812
Repair and Maintenance					
020 Vehicle	45,000	21,537	47.86%	26,733	37,876
021 Building	2,000	387	19.35%	867	1,104
022 Equipment	159,700	88,750 ^h	55.57%	75,651	70,400
023 Ground	1,500	0	0.00%	407	452
024 Repair and Maintenance	185,000	48,163 ⁱ	26.03%	93,779	77,034
025 New Service Meters	75,000	14,781	19.71%	17,264	29,480
026 UV Lights	30,000	25,482 ^j	84.94%	0	0
027 Odor Control Chemicals	35,000	16,945	48.41%	13,106	19,028
Subtotal Repair and Maintenance	533,200	216,045	40.52%	227,807	235,374

(d) Employee vacancies in the Water Operations and Wastewater departments have resulted in a decrease of expenses through the second quarter in FY 2022 of \$38,203 and \$72,457 when compared to FY 2021 and FY 2020 respectively.

(e) Worker's Compensation coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(f) \$25,658 of the \$26,407 spent from the Utility Fund's vehicle supply line item is for fuel. The other \$749 has been for miscellaneous supplies. Through the second quarter, 55.01% of the \$48,000 budgeted has been spent which is \$9,129 more than last fiscal year.

(g) The Wastewater Department has spent \$3,660 on E Coli Testing Supplies which is more than half of the \$5,622 total spent on lab supplies through the second quarter of the 2022 fiscal year.

(h) The majority of equipment maintenance expenses were for Utility Billing software maintenance to include - Tyler Technologies Software (\$57,891), Alexander's Handheld Meter Readers (\$6,446), Paymentus IVR System (\$14,337), RemitPlus E-Check Processor (\$750), and Kiosk Support (\$6,214).

(i) Repair and Maintenance expenses are lower in comparison with the prior two fiscal years. FY 2022 has \$48,136 spent on various repairs city-wide which is \$45,616 less than FY 2021 and \$28,871 less than FY 2020.

(j) A UV Light Maintenance Agreement was purchased (\$6,910) and repairs were made to the UV System (\$18,572) during the first two quarters of FY 2022.

UTILITY FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Water Purchases					
200 Water Purchases	3,052,800	1,397,225	k 45.77%	1,340,202	1,277,976
Total Water Purchases	3,052,800	1,397,225		1,340,202	1,277,976
Contractual Services					
030 Property/Liability Insurance	28,400	28,351	l 99.83%	26,475	25,906
046 Equipment Rental	61,000	45,662	m 74.86%	29,560	44,511
047 Contract Labor	295,800	126,006	42.60%	135,506	120,654
051 Credit Card Service Fees	0	52,605	0.00%	51,832	0
083 Audit Fees	25,000	24,500	98.00%	7,500	27,200
085 State Fees	47,400	47,486	100.18%	47,436	46,203
092 Professional Fees	51,400	81,445	n 158.45%	17,900	18,418
095 Required Public Notices	1,000	2,038	o 203.80%	864	618
Subtotal Contractual Services	510,000	408,093	80.02%	317,073	283,510
Services					
014 Uniforms	19,000	8,525	44.87%	8,754	11,670
035 Unemployment Payments	0	0	0.00%	305	0
041 Dues and Subscriptions	2,700	2,211	p 81.89%	2,020	2,139
042 Travel and Training	15,000	6,658	44.39%	6,971	6,510
Subtotal Services	36,700	17,394	47.40%	18,050	20,319
Utilities					
040 Utilities	365,000	180,894	49.56%	169,187	155,627
045 Telephone	9,300	2,885	31.02%	5,126	5,999
Subtotal Utilites	374,300	183,779	49.10%	174,313	161,626
Bond Expense					
Issuance Cost	0	0	0.00%	0	0
Principal Payments	1,643,200	0	0.00%	0	0
301 Interest Expense	355,600	177,861	50.02%	161,621	240,675
Amortization of Advanced Refunding	41,900	20,964	50.03%	23,974	28,339
Subtotal Bond Expense	2,040,700	198,825	q 9.74%	185,595	269,014

(k) The Water Purchases line item consists of payments made to Water Control and Improvement District (WCID) No #1 and Brazos River Authority (BRA). Payments made through the second quarter of the 2022 fiscal year total \$1,397,225 which is \$57,023 and \$119,249 more than the 2021 and 2020 fiscal years respectively.

(l) Property and Liability coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(m) Bypass pump rentals are necessary while a pump is removed for repair at the City's lift stations due to the Texas Commission for Environmental Quality (TCEQ) requirement for a back up pump.

(n) Professional fees increased due to the necessity to amend the Emergency Preparedness Plan (per the American Water Infrastructure Act of 2018) and to comply with the Lead and Copper Rule. Both are unfunded mandates.

(o) Required Public Notices is used for those advertisements that are required by law for the City to publish such as advertisements for bids. With the City back on track with its capital projects, as well as the cost of public notices increasing, this line item is overbudget by \$1,038.

(p) Departmental dues are typically paid in the beginning of the fiscal year.

(q) Debt payments are made in February and August each year.

UTILITY FUND

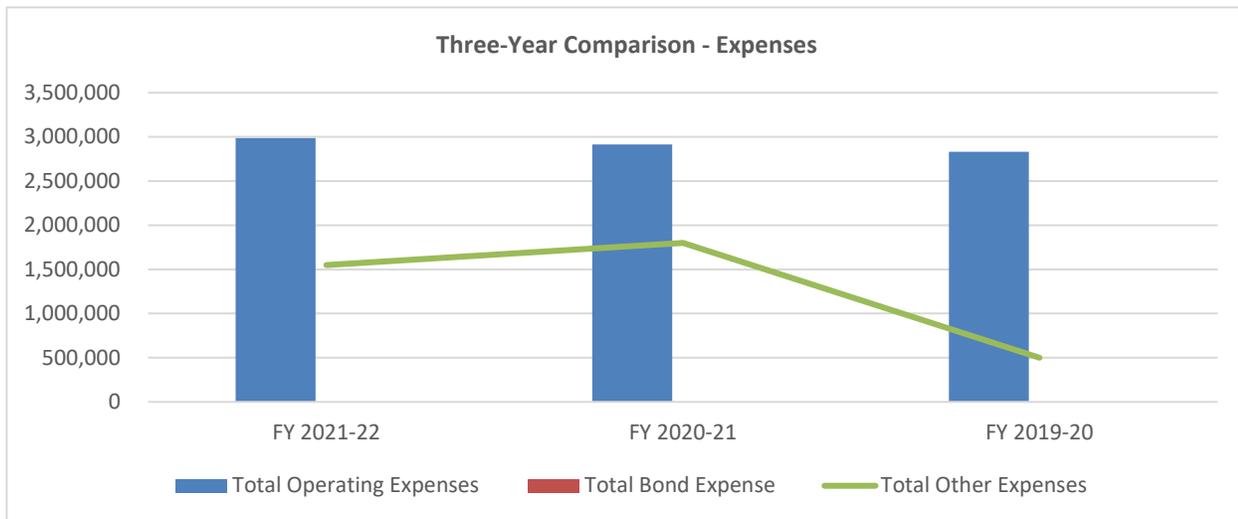
AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Miscellaneous					
080 Bad Debt Expense	65,000	25,377	r 39.04%	61,283	15,329
Subtotal Miscellaneous	65,000	25,377		61,283	15,329
Transfers Out					
800 Transfer to Fixed Assets	0	0	0.00%	500,000	100,000
801 Transfer to General Fund	250,000	0	0.00%	500,000	100,000
805 Transfer to Capital Projects	1,550,000	1,550,000	100.00%	800,000	300,000
Subtotal Transfers Out	1,800,000	1,550,000	s 86.11%	1,800,000	500,000
TOTAL EXPENSES	10,162,800	4,734,431	46.59%	4,899,855	3,599,962
INCREASE/DECREASE	299,800	311,245		87,254	1,069,434
ENDING FUND BALANCE	3,179,452	4,098,438	t	2,579,910	1,318,112

(r) Bad debt collections in FY 2021 are \$35,906 more than the \$25,377 posted in FY 2022 due to the increased postings made after putting collections on hold due to the pandemic.

(s) The budgeted transfer to the General Fund is scheduled to be completed in the third quarter.

(t) At the end of the second quarter, the ending fund balance for the Utility Fund is \$4,098,438.

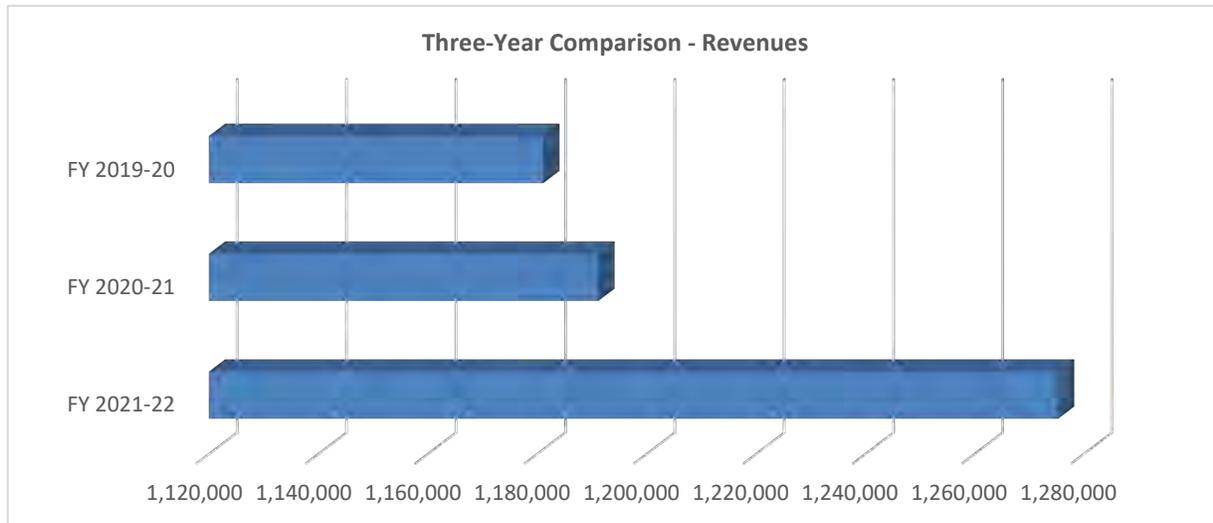


SANITATION FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022			PY COMPARISONS	
	ADOPTED BUDGET	SECOND	% of Budget	SECOND	SECOND
		QUARTER ACTIVITY		QUARTER FY 2020-21	QUARTER FY 2019-20
BEGINNING FUND BALANCE	197,079	182,372		89,890	78,380
REVENUES					
004 Garbage Income	2,252,200	1,129,171	50.14%	1,104,554	1,069,060
013 Drop Site Fee	135,100	53,120	39.32%	0	0
020 Interest Income	700	133	19.00%	612	1,708
021 Miscellaneous Income	1,000	485	48.50%	654	555
070 Grant Revenue	0	0	0.00%	0	0
084 Franchise Fees	179,600	91,189	50.77%	85,354	109,783
815 Transfer from Coronavirus Fund	0	1,200	0.00%	0	0
TOTAL REVENUES	2,568,600	1,275,298	a 49.65%	1,191,174	1,181,106

(a) Sanitation revenues through the second quarter total \$1,275,298 or 49.65% of the \$2,568,600 budgeted. Garbage income, the main source of revenues in this fund, is a flat monthly fee charged to all residential and small commercial properties. Waste Management handles the billing for all other properties.



EXPENSES

Personnel Service					
001 Salaries	36,500	19,821	54.30%	18,408	14,874
002 Overtime	3,500	2,233	b 63.80%	1,553	2,380
003 Workers Compensation	600	589	c 98.17%	1,004	934
004 Health Insurance	6,700	3,519	52.52%	2,251	3,263
005 Social Security Expense	3,100	1,668	53.81%	1,507	1,521
006 Retirement Expense	5,900	3,282	55.63%	2,982	3,185
008 OPEB Expense	100	0	0.00%	0	0
Subtotal Personnel Service	56,400	31,112	55.16%	27,705	26,157

(b) Any Public Works personnel who works overtime at the Drop Site is paid overtime out of the Sanitation Fund. This line item is currently at 63.80% of the budget with \$2,233 of the \$3,500 budgeted spent at the end of the second quarter.

(c) Worker's Compensation coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

SANITATION FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Supplies					
012 General	500	1,289	d 257.80%	241	420
013 Equipment	500	0	0.00%	0	0
Subtotal Supplies	1,000	1,289	128.90%	241	420
Repair and Maintenance					
022 Equipment	3,000	577	e 19.23%	968	2,857
Subtotal Repair and Maintenance	3,000	577	19.23%	968	2,857
Contractual Services					
030 Property/Liability Insurance	900	845	f 93.89%	1,197	1,168
046 Equipment Rental	1,100	660	g 60.00%	555	517
048 Roll Off Dumpster	250,000	181,479	h 72.59%	127,357	103,465
049 Brush Grinding	30,000	13,000	i 43.33%	9,900	9,900
050 Garbage Contract	1,769,500	871,820	49.27%	861,179	813,559
091 Advertising	500	933	j 186.60%	400	542
Subtotal Contractual Services	2,052,000	1,068,737	52.08%	1,000,588	929,151
Services					
014 Uniforms	900	655	k 72.78%	635	571
041 Dues and Subscriptions	0	0	0.00%	0	75
042 Travel and Training	500	0	0.00%	0	(75)
Subtotal Services	1,400	655	46.79%	635	571
Utilities					
040 Utilities	200	88	44.00%	79	92
045 Telephone	800	463	57.88%	383	387
Subtotal Utilites	1,000	551	55.10%	462	479
Miscellaneous					
080 Bad Debt Expense	10,000	3,394	l 33.94%	13,569	1,267
Subtotal Miscellaneous	10,000	3,394		13,569	1,267

(d) New signs were purchased for the Drop Site during the second quarter (\$1,028).

(e) In FY 2020, new tires were purchased for SAN-46 which is why expenses are \$2,280 less now at \$577 than they were then with \$2,857 in expenses.

(f) Property and Liability coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(g) The cost of renting the portable restrooms went up slightly during the second quarter. Adjustments will be made during budget planning to ensure this increase is included in future projections.

(h) The Roll Off Dumpster line item pays Waste Management for dumpster haul offs from the Drop Site and another company for tire disposals. Expenses for haul offs totaled \$176,159 through the second quarter and \$5,320 for tire removal. The total expense of \$181,479 is a 42.50% increase over FY 2021's expense of \$127,357 and a 75.40% increase over FY 2020's expense of \$103,465 during the same time period.

(i) Brush grinding expenses total \$13,000 which is \$3,100 more than both of the prior fiscal years.

(j) Advertising expense of \$933 was for a water bill insert providing Waste Management's 2022 Holiday Schedule.

(k) Although the uniform budget is at 72.78% of the \$900 budget, this is inline with the prior year purchases as winter clothing and boot purchases occur in the first quarter.

(l) Bad debt collections in FY 2021 are \$10,175 more than the \$3,394 posted in FY 2022 due to the increased postings made after putting collections on hold due to the pandemic.

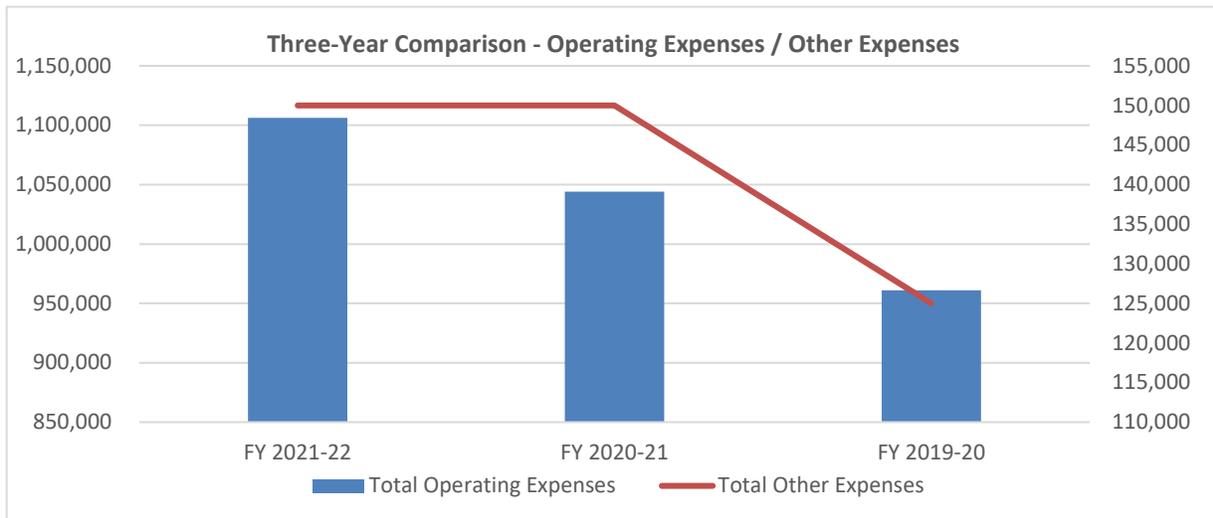
SANITATION FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Transfers Out					
800 Transfer to Fixed Assets	150,000	150,000	100.00%	75,000	50,000
801 Transfer to General Fund	150,000	0	0.00%	75,000	75,000
Subtotal Transfers Out	300,000	150,000	j 50.00%	150,000	125,000
TOTAL EXPENSES	2,424,800	1,256,315	51.81%	1,194,168	1,085,902
INCREASE/DECREASE	143,800	18,983		(2,994)	95,204
ENDING FUND BALANCE	340,879	201,355	k	86,896	173,584

(j) Budgeted transfers to the General Fund will begin during the third quarter and will be completed by the end of the fiscal year.

(i) At the end of the second quarter, the ending fund balance for the Sanitation Fund is \$201,355.

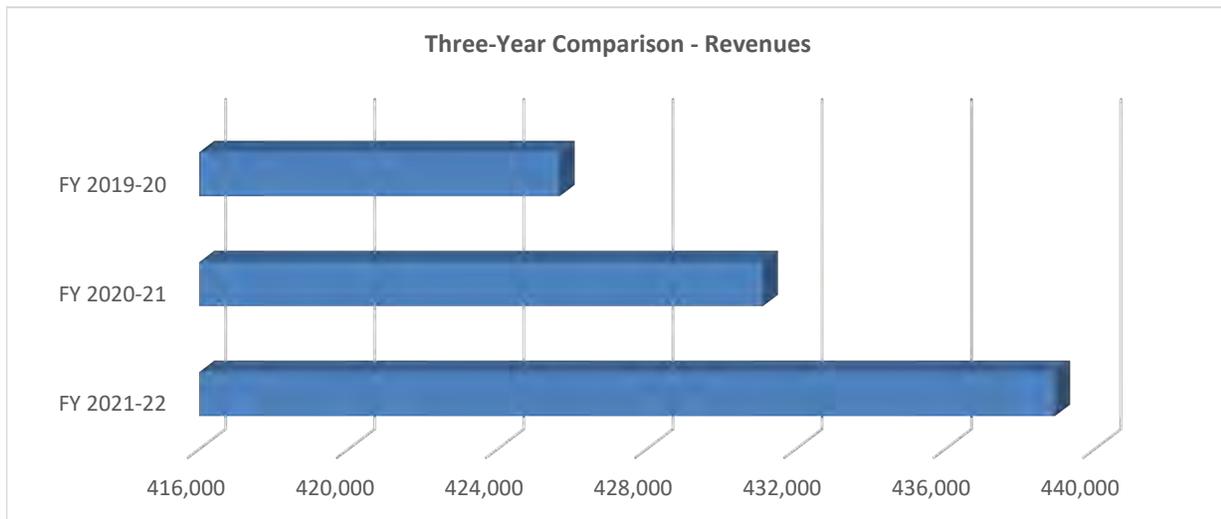


DRAINAGE FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
BEGINNING FUND BALANCE	48,471	50,348		22,471	17,547
REVENUES					
003 Drainage Fee	869,700	436,143	50.15%	429,962	422,741
020 Interest Income	600	79	13.17%	530	1,162
021 Miscellaneous Income	0	0	0.00%	627	0
030 Insurance Proceeds	0	917	0.00%	0	1,763
070 Grant Revenue	0	0	0.00%	0	0
815 Transfer from Coronavirus Fund	0	1,800	0.00%	0	0
TOTAL REVENUES	870,300	438,939 ^a	50.44%	431,119	425,666

(a) Drainage revenues through the second quarter total \$438,939 or 50.44% of the \$870,300 budgeted. Drainage fees, the main source of revenues in this fund, is a flat monthly fee charged to all residential and commercial properties based on size.



EXPENSES

Personnel Service					
001 Salaries	95,600	32,969	34.49%	44,011	38,319
002 Overtime	1,000	1,083	^b 108.30%	1,017	754
003 Workers Compensation	1,600	1,473	^c 92.06%	1,674	1,557
004 Health Insurance	10,700	2,120	19.81%	3,083	2,941
005 Social Security Expense	7,400	2,479	33.50%	3,329	2,898
006 Retirement Expense	14,300	5,067	35.43%	6,727	5,856
008 OPEB Expense	500	0	0.00%	0	0
Subtotal Personnel Service	131,100	45,191	34.47%	59,841	52,325

(b) A Light Equipment Operator vacancy in this department is the reason for the overage in the overtime budget with \$1,083 expensed at mid-year. Overall, the personnel service line items are at 34.47% of the \$131,100 budgeted with a total of \$45,191 in expenses.

(c) Worker's Compensation coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

DRAINAGE FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Supplies					
011 Vehicle	4,000	1,847	46.18%	1,561	1,577
012 General	500	19	3.80%	279	93
013 Equipment	5,000	190	3.80%	126	0
Subtotal Supplies	9,500	2,056	21.64%	1,966	1,670
Repair and Maintenance					
020 Vehicle	3,000	773	25.77%	2,262	1,149
022 Equipment	5,000	2,057	41.14%	3,507	1,703
023 Ground	20,000	614	3.07%	1,018	3,572
Subtotal Repair and Maintenance	28,000	3,444	12.30%	6,787	6,424
Contractual Services					
030 Property/Liability Insurance	2,200	2,098 ^d	95.36%	2,042	1,968
046 Equipment Rental	500	0	0.00%	0	66
047 Contract Labor	4,000	560	14.00%	1,735	375
092 Professional Fees	400	200	50.00%	200	200
095 Required Public Notices	2,000	0	0.00%	1,044	0
Subtotal Contractual Services	9,100	2,858	31.41%	5,021	2,609
Services					
014 Uniforms	2,500	420	16.80%	1,088	1,373
041 Dues and Subscriptions	300	285 ^e	95.00%	280	200
042 Travel and Training	600	0	0.00%	65	152
Subtotal Services	3,400	705	20.74%	1,433	1,725
Bond Expense					
Issuance Cost	0	0	0.00%	0	0
Principal Payments	270,700	0	0.00%	0	0
301 Interest Expense	117,900	58,900	49.96%	62,947	66,484
Amortization of Advanced Refunding	(4,100)	(2,036)	49.66%	(2,462)	(2,865)
Subtotal Bond Expense	384,500	56,864 ^f	14.79%	60,485	63,619
Miscellaneous					
080 Bad Debt Expense	6,000	1,845 ^g	30.75%	4,611	1,292
Subtotal Miscellaneous	6,000	1,845		4,611	1,292

(d) Property and Liability coverage is paid for during the first quarter of the fiscal year to Texas Municipal League Intergovernmental Risk Pool.

(e) Departmental dues are typically paid in the beginning of the fiscal year.

(f) Debt payments are made in February and August each year.

(g) Bad debt collections in FY 2021 are \$2,766 more than the \$1,845 posted in FY 2022 due to the increased posting made after putting collections on hold due to the pandemic.

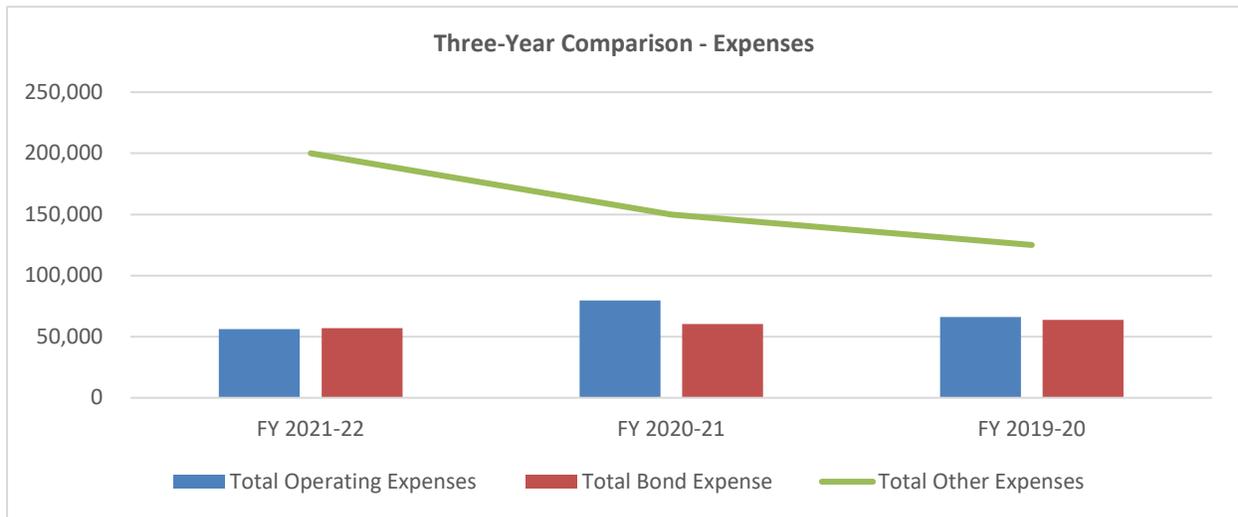
DRAINAGE FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Transfers Out					
800 Transfer to Fixed Assets	100,000	100,000	100.00%	75,000	75,000
805 Transfer to Capital Projects	150,000	100,000	66.67%	75,000	50,000
Subtotal Transfers Out	250,000	200,000	80.00%	150,000	125,000
TOTAL EXPENSES	821,600	312,963	38.09%	290,144	254,664
INCREASE/DECREASE	48,700	125,976		140,975	171,002
ENDING FUND BALANCE	97,171	176,324		163,446	188,549

(h) Budgeted transfers from the Drainage Fund are scheduled to be completed in the third quarter.

(i) At the end of the second quarter, the ending fund balance in the Drainage Fund is \$176,324.

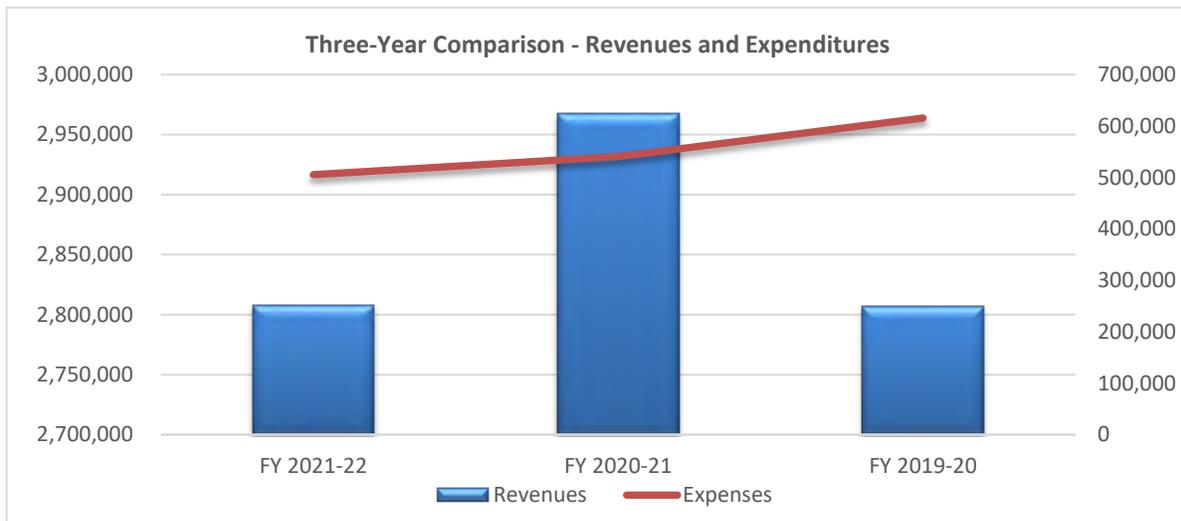


DEBT SERVICE FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
BEGINNING FUND BALANCE	66,817	34,177		50,917	24,383
REVENUES					
020 Interest Income	1,000	859	85.90%	740	6,582
021 Miscellaneous Income	0	0	0.00%	529	0
301 Refunding Bonds Issued	0	0	0.00%	0	0
302 Debt Proceeds	0	0	0.00%	0	0
700 Ad Valorem Tax	3,160,900	2,807,230	a 88.81%	2,966,422	2,800,107
801 Transfer from General Fund	0	0	0.00%	0	0
802 Transfer from Utility Fund	0	0	0.00%	0	0
TOTAL REVENUES	3,161,900	2,808,089	88.81%	2,967,691	2,806,689
EXPENDITURES					
084 BCAD Fees	33,000	15,397	46.66%	16,281	15,561
301 Debt Service - Interest	848,700	425,089	50.09%	459,419	540,003
303 Debt Service - Principal	2,311,100	65,000	2.81%	65,000	60,000
304 Refunding Bond Escrow Agent	0	0	0.00%	0	0
305 Refunded Bond Escrow	0	0	0.00%	0	0
320 Bond Issuance Cost	0	0	0.00%	0	0
TOTAL EXPENDITURES	3,192,800	505,486	b 15.83%	540,700	615,564
INCREASE/DECREASE	(30,900)	2,302,603		2,426,991	2,191,125
ENDING FUND BALANCE	35,917	2,336,780	c	2,477,908	2,215,508

- (a) Property tax receipts are received from the Bell County Appraisal District. Payments received through the second quarter of FY 2022 of \$2,807,230 are \$159,192 less than those received during the 2021 fiscal year.
- (b) Bell County Appraisal fees are paid on a quarterly basis and is allocated between the General and Debt Service Funds. Debt payments are made in February and August each year.
- (c) At the end of the second quarter, the ending fund balance in the Debt Service Fund is \$2,336,780.

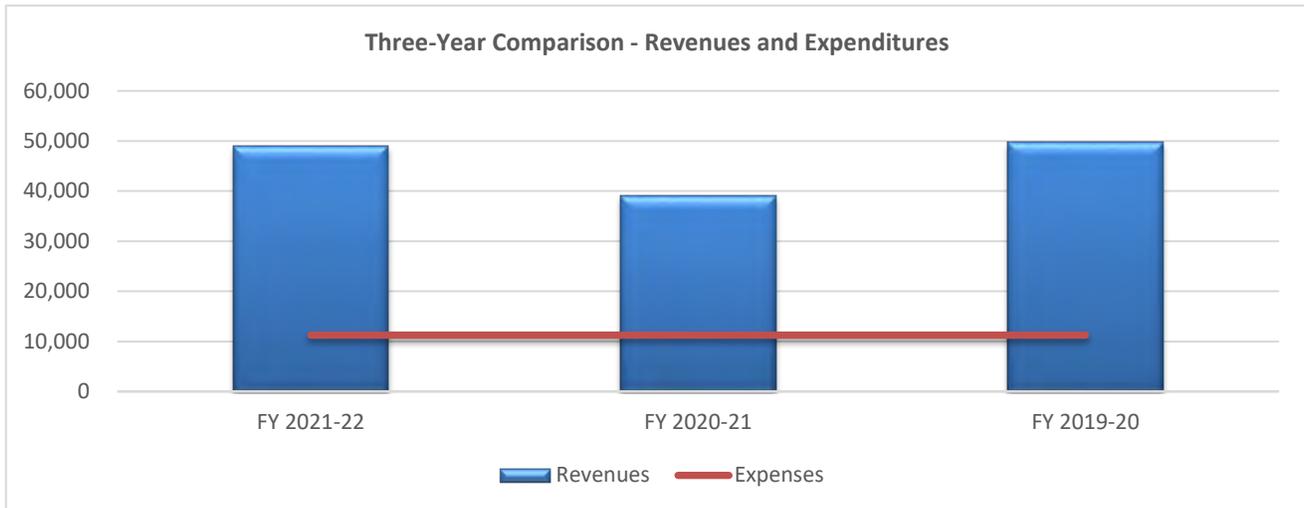


HOTEL MOTEL FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
BEGINNING FUND BALANCE	434,295	450,811		361,295	276,380
REVENUES					
020 Interest Income	400	532	133.00%	357	2,179
706 Hotel/Motel Tax	105,000	43,300 ^a	41.24%	33,605	43,326
710 HOT Distr. from Bell County	4,500	5,176	115.02%	5,120	4,237
TOTAL REVENUES	109,900	49,008	44.59%	39,082	49,742
EXPENDITURES					
091 Advertising					
Chamber Events	5,000	2,500	50.00%	2,500	2,500
Food & Wine Festival	7,500	3,750	50.00%	3,750	3,750
Subtotal 091 Advertising	12,500	6,250	50.00%	6,250	6,250
094 Tournaments / Sporting Events					
Tournaments - Chamber Hosted	7,500	3,750	50.00%	3,750	3,750
Tournaments - City Hosted	5,000	0	0.00%	0	0
Subtotal 094 Tournaments / Sporting Events	12,500	3,750	30.00%	3,750	3,750
095 Promotion of the Arts					
Food & Wine Festival	2,500	1,250	50.00%	1,250	1,250
Subtotal 095 Promotion of the Arts	2,500	1,250		1,250	1,250
TOTAL EXPENDITURES	27,500	11,250 ^b	40.91%	11,250	11,250
INCREASE/DECREASE	82,400	37,758		27,832	38,492
ENDING FUND BALANCE	516,695	488,569 ^c		389,127	314,872

- (a) Hotel/Motel Tax revenues collected by the City are higher than last year's revenues by \$9,695 and lower than FY 2020 by \$26. Super 8 recently reopened and construction continues on the new hotel.
- (b) Payments to the Harker Heights Chamber of Commerce are made quarterly and have remained the same from the Hotel/Motel Fund for the last three years.
- (c) At the end of the second quarter, the ending fund balance in the Hotel/Motel Fund is \$488,569.



RESTRICTED COURT FUND

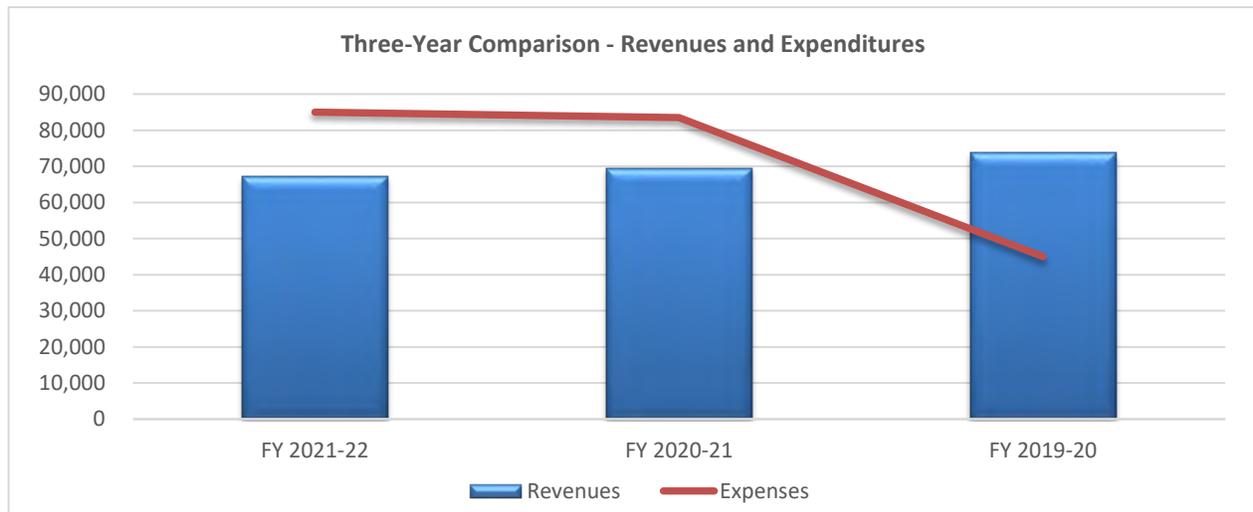
AGENDA ITEM #VIII.4.

	FY 2021 - 2022			PY COMPARISONS	
	ADOPTED BUDGET	FIRST	% of Budget	FIRST	FIRST
		QUARTER ACTIVITY		QUARTER FY 2020-21	QUARTER FY 2019-20
BEGINNING FUND BALANCE	194,761	201,339		171,461	188,821
REVENUES					
020 Interest Income	400	93	23.25%	343	1,570
114 Child Safety Fund	37,000	38,610	a 104.35%	35,013	36,470
253 Time Payment Reimb Fund	12,000	7,079	58.99%	5,910	1,918
254 Municipal Jury Fund	300	124	41.33%	169	47
255 Building Security Fines	19,000	6,950	36.58%	9,274	8,466
256 Admin of Justice Fines	1,000	326	32.60%	383	1,299
257 Court Technology Fines	18,000	6,101	33.89%	8,058	10,058
258 Local Truancy Diversion Fund	20,000	7,572	37.86%	10,166	13,777
259 Teen Court Program	300	210	70.00%	200	180
TOTAL REVENUES	108,000	67,065	62.10%	69,516	73,785
EXPENDITURES					
616 School Safety Expenses	0	0	0.00%	0	0
801 Transfers to General Fund					
Child Safety Fund	35,000	35,000	100.00%	35,000	17,500
Building Security Fund	1,000	1,000	100.00%	1,000	5,000
Admin of Justice Fund	4,000	4,000	100.00%	2,500	0
Court Technology Fund	15,000	15,000	100.00%	15,000	7,500
Local Truancy Diversion Fund	30,000	30,000	100.00%	30,000	15,000
Subtotal 801 Transfers to General Fund	85,000	85,000	b 100.00%	83,500	45,000
TOTAL EXPENDITURES	85,000	85,000	100.00%	83,500	45,000
INCREASE/DECREASE	23,000	(17,935)		(13,984)	28,785
ENDING FUND BALANCE	217,761	183,404	c	157,477	217,606

(a) Revenues total \$67,065 for the second quarter or 62.10% of the \$108,000 budgeted. This is \$2,451 less than received in the 2021 fiscal year and \$6,720 less than in the 2020 fiscal year.

(b) Transfers to the General Fund for the 2022 fiscal year are complete.

(c) At the end of the second quarter, the ending funding balance for Restricted Court Fund is \$183,404.

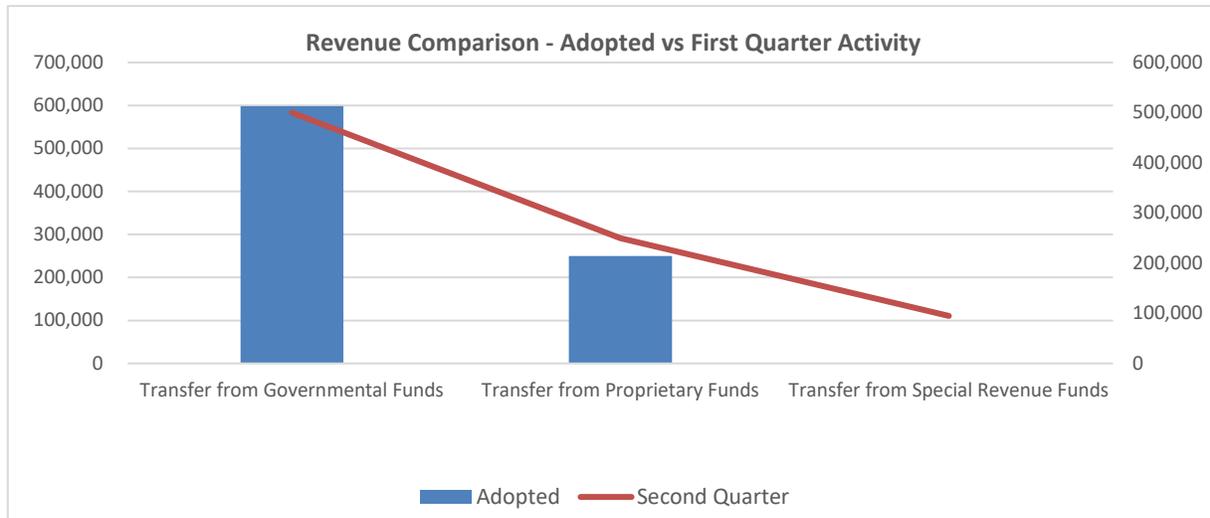


FIXED ASSET FUND

AGENDA ITEM #VIII.4.

	FY 2021 - 2022			PY COMPARISONS	
	ADOPTED BUDGET	SECOND	% of Budget	SECOND	SECOND
		QUARTER		QUARTER	QUARTER
		ACTIVITY		FY 2020-21	FY 2019-20
BEGINNING FUND BALANCE	326,001	583,374		263,901	625,089
REVENUES					
801 Transfer from General Fund	500,000	500,000	100.00%	0	0
Transfer from Cable PEG Fees	98,600	0	0.00%	0	0
802 Transfer from Utility Fund	0	0	0.00%	500,000	100,000
803 Transfer from Drainage Fund	100,000	100,000	100.00%	75,000	75,000
804 Transfer from Sanitation Fund	150,000	150,000	100.00%	75,000	50,000
812 Transfer from Restr Court Fund	0	0	0.00%	0	0
815 Transfer from Coronavirus Fund	0	94,815	0.00%	0	0
TOTAL REVENUES	848,600	844,815	a 99.55%	650,000	225,000

(a) Budgeted transfers in support of purchases are complete with the exception for the \$98,600 transfer from the Cable PEG Account for the Council Chambers Audiovisual Project. This project is projected to be completed in the third quarter.



EXPENDITURES

Fixed Assets:

Administration	8,500	18,000	b	211.76%	0	0
Finance	10,000	9,750		97.50%	0	0
Pet Adoption Center	10,200	6,030		59.12%	0	16,287
Police	39,900	22,157		55.53%	8,946	14,621
Fire Department	13,300	244,456	c	1838.02%	38,110	22,942
Information Technology	98,600	17,317		17.56%	0	0
Library	98,300	51,790		52.69%	42,277	52,987

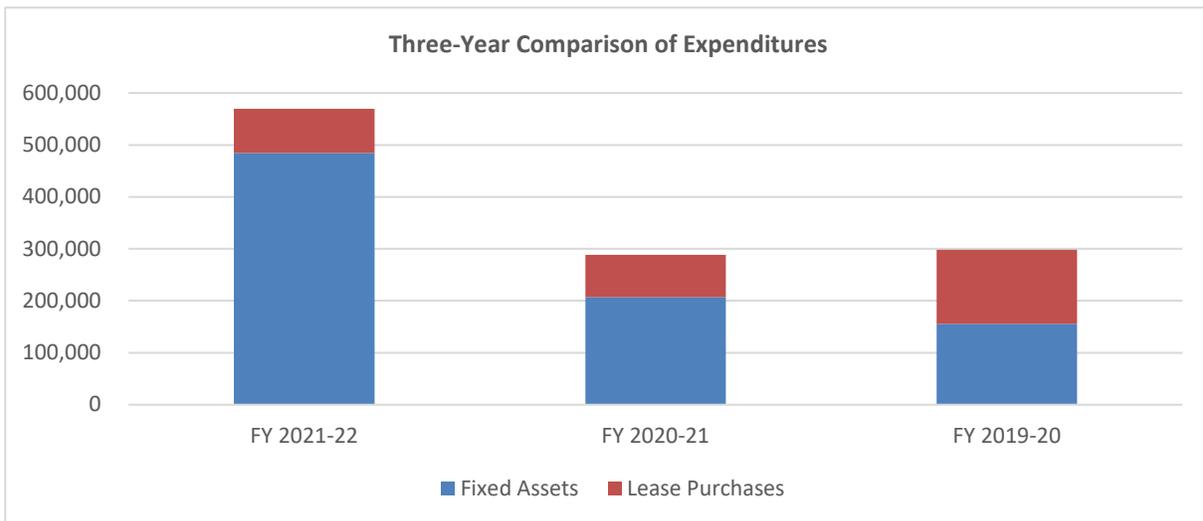
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(b) The \$9,500 overage for Administration is due to the purchase of agenda software being overbudget and the repainting/restriping of the City Hall parking lot at a cost of \$6,300.

(c) The Fire Department's overage of \$231,156 is primarily due to the pumper refurbishment which began in FY 2021 but was not completed until the first quarter of FY 2022.

EXPENDITURES, continued	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	SECOND QUARTER ACTIVITY		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Fixed Assets, continued:					
Activity Center	0	0	0.00%	0	3,175
Parks and Recreation	93,400	23,814	25.50%	25,366	0
Streets	8,200	8,858 ^d	108.02%	0	0
Maintenance	12,200	0	0.00%	0	968
Water Administration	13,000	12,851	98.85%	0	0
Water Operations	11,900	69,605 ^e	584.92%	0	0
Wastewater	424,100	0	0.00%	10,455	44,780
Subtotal Fixed Assets	841,600	484,628	57.58%	125,154	155,760
Lease Purchases:					
COBAN Payment	101,900	0	0.00%	0	0
Dell Computers & Equipment	84,800	84,789	99.99%	81,672	42,336
Fire Truck	0	0	0.00%	0	100,339
Subtotal Lease Purchases	186,700	84,789	45.41%	81,672	142,675
TOTAL EXPENDITURES	1,028,300	569,417 ^f	55.37%	206,826	298,435
INCREASE/DECREASE	(179,700)	275,398		443,174	(73,435)
ENDING FUND BALANCE	146,301	858,772 ^g		707,075	551,654

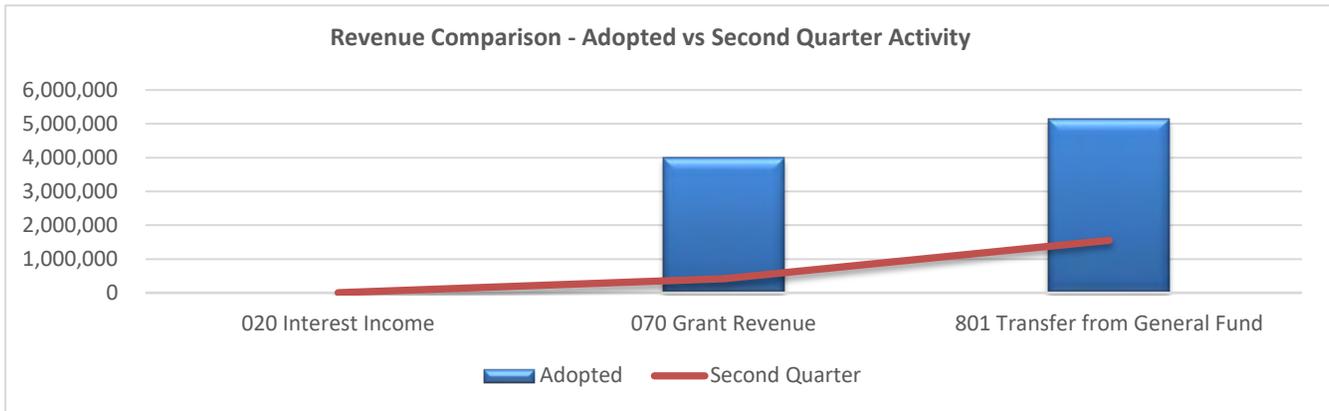
- (d) The SCAG mower ordered by the Street Department came in at \$658 more than budgeted for FY 2022.
- (e) Water Operations had a vehicle budgeted in FY 2021 that did not come in until the first quarter of FY 2022 which is the primary reason for the overage of \$57,705 for their fixed assets.
- (f) \$569,417 in fixed asset purchases have been paid and received by the City or 55.37% of the budgeted amount of \$1,028,300. Staff has ordered all of the budgeted items with the exception of Library's acoustic sound panels. The COBAN Lease Payment is scheduled for the fourth quarter.
- (c) At the end of the second quarter, the ending fund balance for the Fixed Asset Fund is \$858,772.



	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	THRU SECOND QUARTER		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
BEGINNING FUND BALANCE	0	0		0	0
REVENUES					
020 Interest Income	2,000	3,970	198.50%	0	0
070 Grant Revenue	4,000,000	414,144 ^a	10.35%	0	0
801 Transfer from General Fund	5,150,700	1,552,919 ^b	30.15%	0	0
TOTAL REVENUES	9,152,700	1,971,033	21.53%	0	0

(a) Coronavirus State and Local Recovery Funds (CSLRF) are posted to grant revenue as the funds are used for the purpose it was received (i.e. purposes as prescribed under the American Rescue Plan Act). The remaining funds received in August 2021 will be on the City's general ledger as unearned revenue until moved to grant revenue.

(b) The Transfer of Coronavirus Relief Funds (\$1,510,908) and CSLRF Funds (\$42,011) from the General Fund was made to create the Coronavirus Fund. These funds were already recognized as grant revenue in the 2021 fiscal year.



EXPENDITURES

Fixed Assets:

Coronavirus Relief Fund

Police Department - Equipment	42,200	42,260	100.14%	0	0
Police Department - Vehicle	252,400	45,797	18.14%	0	0
Fire Department - Equipment	159,700	129,617	81.16%	0	0
Fire Department - Vehicle	269,500	0	0.00%	0	0
Information Technology - Camera Project	0	28,661	0.00%	0	0
Street Department - Equipment	256,400	0	0.00%	0	0
Street Department - Vehicle	59,700	0	0.00%	0	0
Water Operations - Vehicle	100,000	0	0.00%	0	0
Wastewater - Equipment	157,300	0	0.00%	0	0
Subtotal Coronavirus Relief Fund	1,297,200	246,335 ^c	18.99%	0	0
Coronavirus State and Local Recovery Fund					
Wastewater	611,100	17,928	2.93%	0	0
Wastewater - Camera Project	0	14,111	0.00%	0	0
Subtotal CSLRF	611,100	32,039 ^d	5.24%	0	0
Total Fixed Assets	1,908,300	278,374	14.59%	0	0

(c) CRF Fixed assets have all been ordered as of the end of April 2022 with the exception of the Fire Department's boat motor. The camera project, which began in FY 2021, extended into FY 2022 due to product delays.

(d) CSLRF fixed assets have all been ordered as of the end of April 2022. The turbo air blowers and generator replacement projects, budgeted at \$536,000 combined, were larger than expected and moved to capital projects at an estimated budget of \$1,580,000. The Wastewater portion of the camera project fits into the criteria for the CSLRF funds.

	FY 2021 - 2022		% of Budget	PY COMPARISONS	
	ADOPTED BUDGET	THRU SECOND QUARTER		SECOND QUARTER FY 2020-21	SECOND QUARTER FY 2019-20
Capital Improvement Projects:					
Coronavirus State and Local Recovery Fund					
Water Projects					
036 Beeline Drive Waterline Repl	440,000	0	0.00%	0	0
510 Cedar Knob Waterline Upgrade	406,500	0	0.00%	0	0
Subtotal Water Projects	846,500	0	0.00%	0	0
Wastewater Projects					
401 VFW Lift Station Upgrade	50,000	0	0.00%	0	0
406 WWTP Blowers and Generator Repl	0	0	0.00%	0	0
519 Rummel Road Lift Station Upgrade	991,000	67,354	6.80%	0	0
521 Second Belt Press Filter	923,500	80,350	8.70%	0	0
Subtotal Wastewater Projects	1,964,500	147,704	7.52%	0	0
Drainage Projects					
602 Fuller Ln / Tye Valley Cross Drainage	65,000	0	0.00%	0	0
603 Drainage Channel - Preswick/Lantana	253,600	0	0.00%	0	0
604 Thoroughbred Phase 1	625,400	0	0.00%	0	0
Subtotal Drainage Projects	944,000	0	0.00%	0	0
Total Capital Improvement Projects	3,755,000	147,704	3.93%	0	0
Transfers Out					
CRF to Fixed Asset Fund	0	53,398	0.00%	0	0
CSLRF to Fixed Asset Fund	0	41,417	0.00%	0	0
CSLRF to General Fund	240,200	209,800	87.34%	0	0
CSLRF to Utility Fund	0	21,600	0.00%	0	0
CSLRF to Drainage Fund	0	1,800	0.00%	0	0
CSLRF to Sanitation Fund	0	1,200	0.00%	0	0
Subtotal Transfers Out	240,200	329,215	137.06%	0	0
TOTAL EXPENDITURES	5,903,500	755,293	12.79%	0	0
INCREASE/DECREASE	3,249,200	1,215,740		0	0
ENDING FUND BALANCE	3,249,200	1,215,740		0	0

(e) Capital improvement project expenditures total \$147,704 through the second quarter of FY 2022 or 3.93% of the \$3,755,000 budgeted.

(f) Total expenditures are \$755,293 through the second quarter of FY 2022 or 12.79% of the \$5,903,500 budgeted. CSLRF funds must be obligated by FY 2024 and expensed by FY 2026.

(g) At the end of the second quarter, the ending fund balance for the Coronavirus Fund is \$1,215,740.

