



Harker Heights
Planning and Zoning
Commission Workshop &
Meeting

Wednesday,
September 30, 2020
6:00 P.M.



**PLANNING & ZONING COMMISSION WORKSHOP & MEETING
THE CITY OF HARKER HEIGHTS
WEDNESDAY, SEPTEMBER 30, 2020 – 6:00 P.M.
VIA TELECONFERENCE**

Notice is hereby given that beginning at beginning at 6:00 P.M. on Wednesday, September 30, 2020, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will hold a Workshop; then beginning 6:30 P.M. on Wednesday, September 30, 2020, the Planning and Zoning Commission (P&Z) will conduct a telephonic meeting in order to contain the spread of COVID-19 in accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020. The subjects to be discussed are listed in the following agenda:

WORKSHOP AGENDA

- I. CALL TO ORDER** – Convene a Workshop of the Planning and Zoning Commission.
- II. WORKSHOP:**
 1. Receive and discuss a presentation regarding the adoption of an ordinance of the City of Harker Heights, Texas amending Section 33.81 of the Code of Ordinances relating to the Building and Standards Commission members appointment, term, alternates, vacancy, and removal, and amending Section 155.231 of the Code of Ordinances relating to the Planning and Zoning Commission terms of members, filling vacancies, and removal.
 2. Receive and discuss a presentation regarding the City of Harker Heights 2007 Comprehensive Plan, 2007 Future Land Use Map, and an update to the Future Land Use Map.
- III. ADJOURNMENT**

MEETING AGENDA

- I. CALL TO ORDER** – Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.
- II. CONSENT AGENDA:**
 1. Approval of Minutes from the Regular Planning and Zoning Meeting held on August 26, 2020.
- III.** Report on City Council results from September 08, 2020 meeting.
- IV.** Recognition of Affidavits for Conflict of Interest.

V. PUBLIC COMMENTS:

1. At this time, comments will be taken from the audience on non-agenda related topics, for a length of time not to exceed three minutes per person. To address the Planning and Zoning Commission, please clearly state your name and address for the Planning & Development Administrative Assistant prior to making a comment. *No action may be taken by the Planning and Zoning Commission during Public Comments.*

VI. PUBLIC HEARINGS:

1. **Z20-22** Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

VII. NEW BUSINESS:

1. **P20-14** Discuss and consider a request by Jerome Gomer for Preliminary Plat approval for the proposed plat, Sapiah Plains Phase Three, on property described as 1.376 acres of land, being part of H. B. Littlefield Survey, Abstract No. 511, and the land herein described being the remainder of a called 3.379 acre tract conveyed to Jerome Gomer, generally located at 1808 Ponca Trace, Harker Heights, Bell County, Texas.
2. **CP20-03** Discuss and consider a request by Remco Properties, LLC for Concept Plan approval on property described as 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas.

VIII. REPORTS FROM COMMISSIONERS

IX. STAFF COMMENTS

X. ADJOURNMENT

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Planning and Zoning Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building, and the City of Harker Heights website which is readily accessible to the public at all times, by **10:00 A.M. on Friday, September 25, 2020.**

Tiffany Dake

Tiffany Dake, Planning and Development Administrative Assistant

The public may participate remotely in this meeting by dialing-in using:

United States (Toll Free): 1 877 309 2073

United States: +1 (571) 317-3129

Access Code: 274-392-485

The public will be permitted to offer public comments telephonically as provided by the agenda. Written questions or comments may be submitted two hours before the meeting to the Planning and Development Department. When submitting your written questions or comments, you must include your Name and Address. Agenda packet and recording of the telephonic meeting will be posted on the City of Harker Heights website at www.ci.harker-heights.tx.us.

Agenda Item VI Public Hearings:

1. **Z20-17** Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from B-3 (Local Business District) to B-4 (Secondary and Highway Business District), on property described as 1.26 Acres of land more or less out of the D. Houston Survey, Abstract No. 393, generally located at 126 E. Beeline Lane, Harker Heights, Bell County, Texas.

Ms. Peres explained the applicant's request to change the zoning designation of their property from B-3 to B-4 to use the back part of their property for boat and RV storage.

Chairman Robison asked if they will be required to have concrete or asphalt and Ms. Peres said yes it will need to be an approved surface. Chairman Robison wanted to know if they will be keeping the store and Ms. Peres said yes. Commissioner Webster said this is a good idea and there is enough space.

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

The applicant was not present to represent the request.

A motion was made by Commissioner Watford to recommend approval of an ordinance to change the zoning designation from B-3 (Local Business District) to B-4 (Secondary and Highway Business District), on property described as 1.26 Acres of land more or less out of the D. Houston Survey, Abstract No. 393, generally located at 126 E. Beeline Lane, Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion unanimously passed (6-0).**

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2. **Z20-18** Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District), on property described as Kern Terrace, Block Two (2), Lot Five (5), generally located at 308 Randy Blvd., Harker Heights, Bell County, Texas.

Ms. Peres explained the applicant's request to change the zoning designation of their property from R-1 to R-2. The applicant would like to build duplexes.

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

The applicant was not present to represent the request.

A motion was made by Commissioner McCann 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), on property described as Kern Terrace, Block Two (2), Lot Five (5), generally located at 308 Randy Blvd., Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion passed unanimously (6-0).**

3. **Z20-19** Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One Family Dwelling District), on property described as Lot Eighty-Seven A (87A) of Lakeside Hills Section Three Replat, generally located 11539 Orlan Drive, Harker Heights, Bell County, Texas.

Ms. Peres presented the applicant's request to change the zoning designation from R-1 to R1-R. The applicant would like to replace existing out buildings and have a larger building.

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

The applicant, Mr. Dustin Mann, of 10539 Orlan Drive, Harker Heights, TX 76548 was present to speak about his request. Mr. Mann would like to consolidate several outbuildings and build a shop with covered parking to house items that are currently out in the elements like his tractor. Chairman Robison asked Mr. Mann how long he had been living in the home; Mr. Mann stated five (5) years.

A motion was made by Vice Chair Robinson to recommend approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One Family Dwelling District), on property described as Lot Eighty-Seven A (87A) of Lakeside Hills Section Three Replat, generally located 11539 Orlan Drive, Harker Heights, Bell County, Texas. Commissioner Watford seconded the motion. **The motion unanimously passed (6-0).**

4. **Z20-20** Conduct a public hearing to discuss and consider recommending an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R1-I (One Family Infill Dwelling District), on property described as Kern Acres Second Extension and Revision, Block Eleven (11), Lot One (1), generally located at 605 S. Harley Dr., Harker Heights, Bell County, Texas.

Ms. Peres presented the applicant's request to change the zoning designation from R-1 to R1-I. The applicant would like to have his property rezoned in order to replat his property into two (2) separate lots and then build a single-family home on each lot.

Vice Chair Robinson asked about the two (2) houses on one lot and Ms. Peres elaborated on that, stating the intent of the applicant is to submit a minor plat which will then subdivide the property into two (2) R1-I lots. Commissioner Shine asked if there were

any other infill lots in the neighborhood. Ms. Peres said she did not believe there were any infill lots in this immediate area. However, within the whole city there may be a total of twelve (12) to fifteen (15) infill lots. Chairman Robison stated that there are infill lots on the south side of Valley and one on Juanita and asked what the lot size was of the subject property. Ms. Peres stated that the subject property is approximately 8,945 square feet in size. Commissioner Shine asked if the R1-I designation was designed for someone to take an existing lot and break it in two lots or was it designed to take a lot that might have been the spoils or leftover from other smaller properties. Mr. Shine continued to ask if that was what the designation was for or was it for someone to divide an R-1 (single family) lot and now call it R1-I (single family infill). Ms. Peres stated that it could be used for both designations. Chairman Robison felt like this lot should stay zoned for a single-family. Vice Chair Robinson clarified that the R1-I (single family infill) designation was used for lots that did not meet the square footage requirement for a normal R-1(single family) lot and it was designed to upgrade and put housing in to an area where there were manufactured home or vacant lots. Vice Chair Robinson stated that this was the first time he had heard of splitting one (1) lot into two (2) for an R1-I (single family infill) zoning designation.

The applicant, Bernard Mathews, P.O. Box 1495, Pflugerville, TX 78961 was present to speak about his request. Mr. Mathews stated they had owned this property since the early 90's and it has been a single-family home that was an investment property. Mr. Mathews stated that their plan was to make optimal use of the subject property and after working with Mitchell and Associates they determined they could split the property into two (2) 30 x 40 lots. The configuration would be one (1) home located towards Ruby and one would be on Harley. Chairman Robison asked if they had considered just building one (1) single family home. Mr. Mathews said they did not desire to build just one (1) home because they are looking towards the optimal use of the property. Commissioner Shine asked what happened to the original house. Mr. Mathews stated it had been vacant for a while it ultimately started degrading and the roof failed so they chose to demolish it. Chairman Robison asked when it was last occupied, and Mr. Mathews said their last tenant was in 2008. Chairman Robison asked when the house was demolished, and Mr. Mathews said it was demolished late 2019 or early 2020. Chairman Robison was not sure the subject property could be considered an infill lot. Commissioner Webster stated that he was concerned about safety at the intersection at Harley and West Ruby.

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

Alternate Commissioner Stegmeyer stated that his concerns about the lot and it being smaller than what was shown. Chairman Robison explained that the outline on the map is not necessarily correct and we do have confirmation on the lot size being 8,945 square feet. Chairman Robison stated that using the infill designation for him was to be used for when a lot had no other choice.

A motion was made by Vice Chair Robinson to recommend approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R1-I (One Family Infill Dwelling District), on property described as Kern Acres Second Extension

and Revision, Block Eleven (11), Lot One (1), generally located at 605 S. Harley Drive, Harker Heights, Bell County, Texas. Chairman McCann seconded the motion. **The motion failed (2-4). Vice Chairman Robinson and Commissioner Watford voting for the motion and Chairman Robison, Commissioner Webster, Commissioner Shine, and Commissioner McCann voting against the motion.**

Chairman Robison then adjourned the teleconference meeting of the Planning and Zoning Commission at 7:22 P.M.

Larry Robison, Chairman

DATE:

Adam Parker, Secretary

DATE:



PLANNING AND ZONING COMMISSION MEMORANDUM

Z20-22

AGENDA ITEM VI

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 30, 2020

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO B-3 (LOCAL BUSINESS DISTRICT), ON PROPERTY DESCRIBED AS FAWN VALLEY BLOCK SIX (6), LOT ONE (1), GENERALLY LOCATED AT 1702 E. KNIGHTS WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to B-3 (Local Business District) on property addressed as 1702 E. Knights Way, consisting of approximately three (3) acres of land to allow the applicant to develop the property as a commercial endeavor at a later date. The subject property is located within the Knights Way Overlay Development District which acts to enforce specific design standards intended to improve the appearance and quality of development in the area, as well as mitigate potential conflicts with neighboring residential properties. Any proposed commercial development would have to conform to the required design standards of the Overlay District.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|------------------------------------|--------------------------------------|---|
| North | Vacant/City's Drop Site | Commercial | R-1 (One Family Dwelling District) |
| South | Single Family Residence | Single Family Residential | R-1 |
| East | Vacant | Single Family Residential | R-1 |
| West | Commercial/Single Family Residence | Commercial/Single Family Residential | R-1/B-4 (Secondary & Highway Business District) |

Per the 2007 Comprehensive Plan, the applicant's property is in an area designated as Single Family. The 2007 Future Land Use map has identified the majority properties that front both sides of E. Knights Way (E. FM 2410) as Commercial with exception of the subject property and the property to the immediate east. Staff has determined that the subject property should have the ability to develop as a residential or commercial use due to its abutment of E. Knights Way, which is identified as a Principal Arterial in the Mobility 2030 Thoroughfare Plan. The proposed commercial zoning would likely be of greater value for the land than the current single-family designation, again, due to its abutment of Knights Way. There are existing commercially zoned or used properties in proximity to the subject property, and as such, the proposed use would likely be compatible with the surrounding uses. Staff therefore believes the proposed rezoning with its

intended use will not likely have any adverse impacts on the area and would be consistent with the intent of the 2007 City of Harker Heights Comprehensive Plan and the Mobility 2030 Thoroughfare Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out thirty-three (33) notices to property owners within the 400-foot notification area. There were zero (0) responses received in favor of the request, fourteen (14) responses received in opposition of the request within the 400-foot notification area and fifteen (15) responses received in opposition of the request outside of the 400-foot notification area. A total of 29 notices were received in opposition of the request (reference notification map).

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), Generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas., based on the following:

1. The proposed use and rezoning are compatible with existing uses in the area.
2. The proposed use and rezoning represent a “highest and best use” of property likely to remain undevelopable under its current zoning and location.
3. The proposed use is consistent with historic and recommended development along Principal Arterial roads as designated in the Mobility 2030 Thoroughfare Plan.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), Generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

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



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

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

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

Property Owner(s) Name: RAYHAM LLC Date: 9-2-2020

Address: 1702 E Fm 2410

City/State/Zip: Harker Heights, TX 76548

Phone: [REDACTED] E-mail: [REDACTED]

Legal Description of Property:

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

Lot: 6 Block: 1 Subdivision: Fawn Valley

Acres: 2.992 Property ID: 71407 Survey: W/A

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: B-3 (commercial)

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

Current Land Use: Vacant Proposed Land Use: future Retail

Applicant's Representative (if applicable):

Applicant's Representative: Self

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.

R. Hamden
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

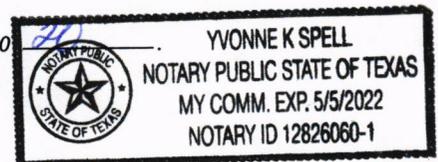
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 2 DAY OF September, 2020

[Signature]
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 5/5/2022



Date Submitted: 9/2/2020

STAFF ONLY -- DO NOT FILL OUT BELOW

Received By: 9/2/2020

Pre-Application Meeting

Revised: 5/2020

Receipt #: 01612157

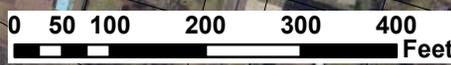
Case #: 220-22



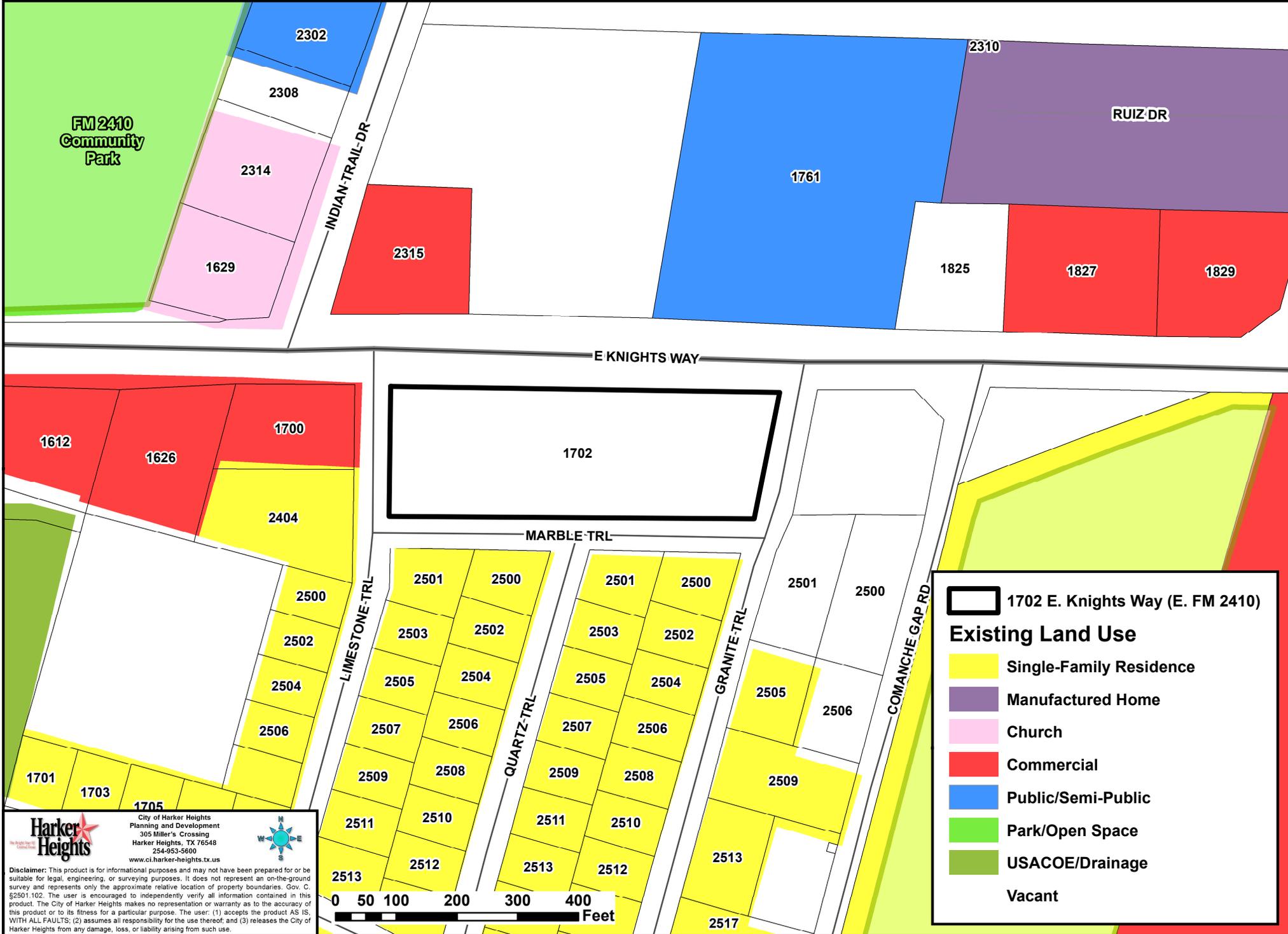
Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.ci.harker-heights.tx.us



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



 1702 E. Knights Way (E. FM 2410)



1702 E. Knights Way (E. FM 2410)

Existing Land Use

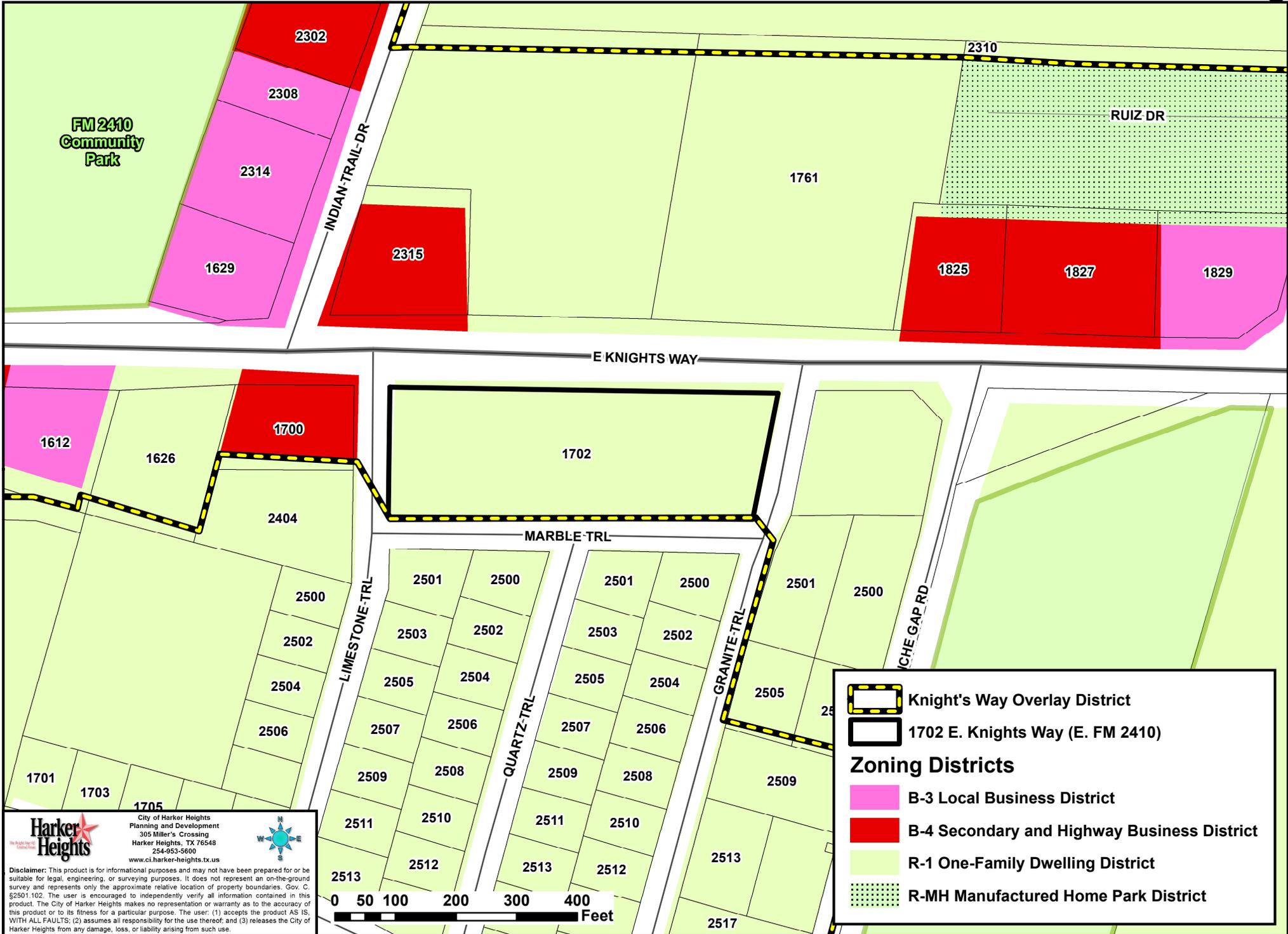
- Single-Family Residence
- Manufactured Home
- Church
- Commercial
- Public/Semi-Public
- Park/Open Space
- USACOE/Drainage
- Vacant

Harker Heights

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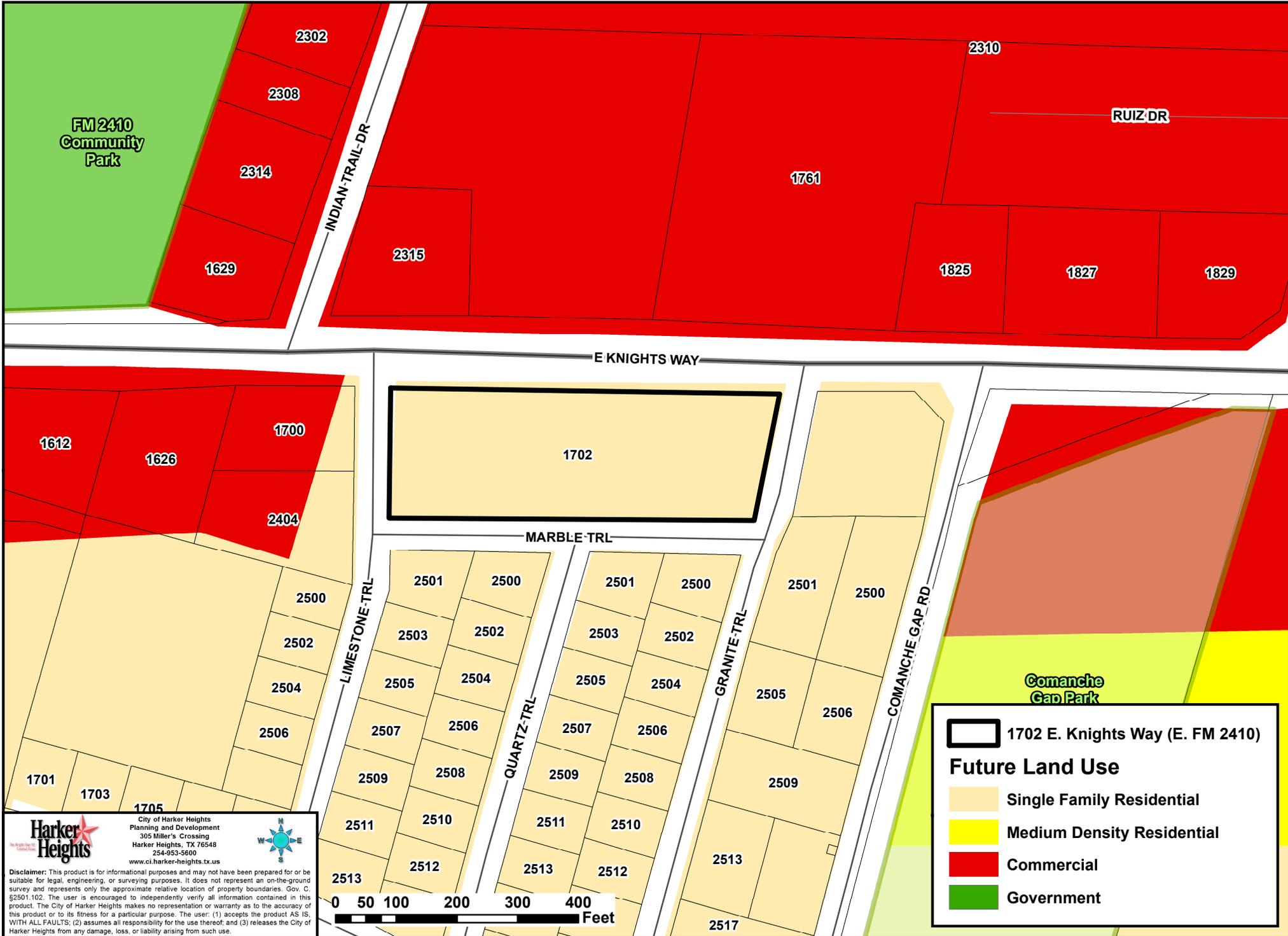
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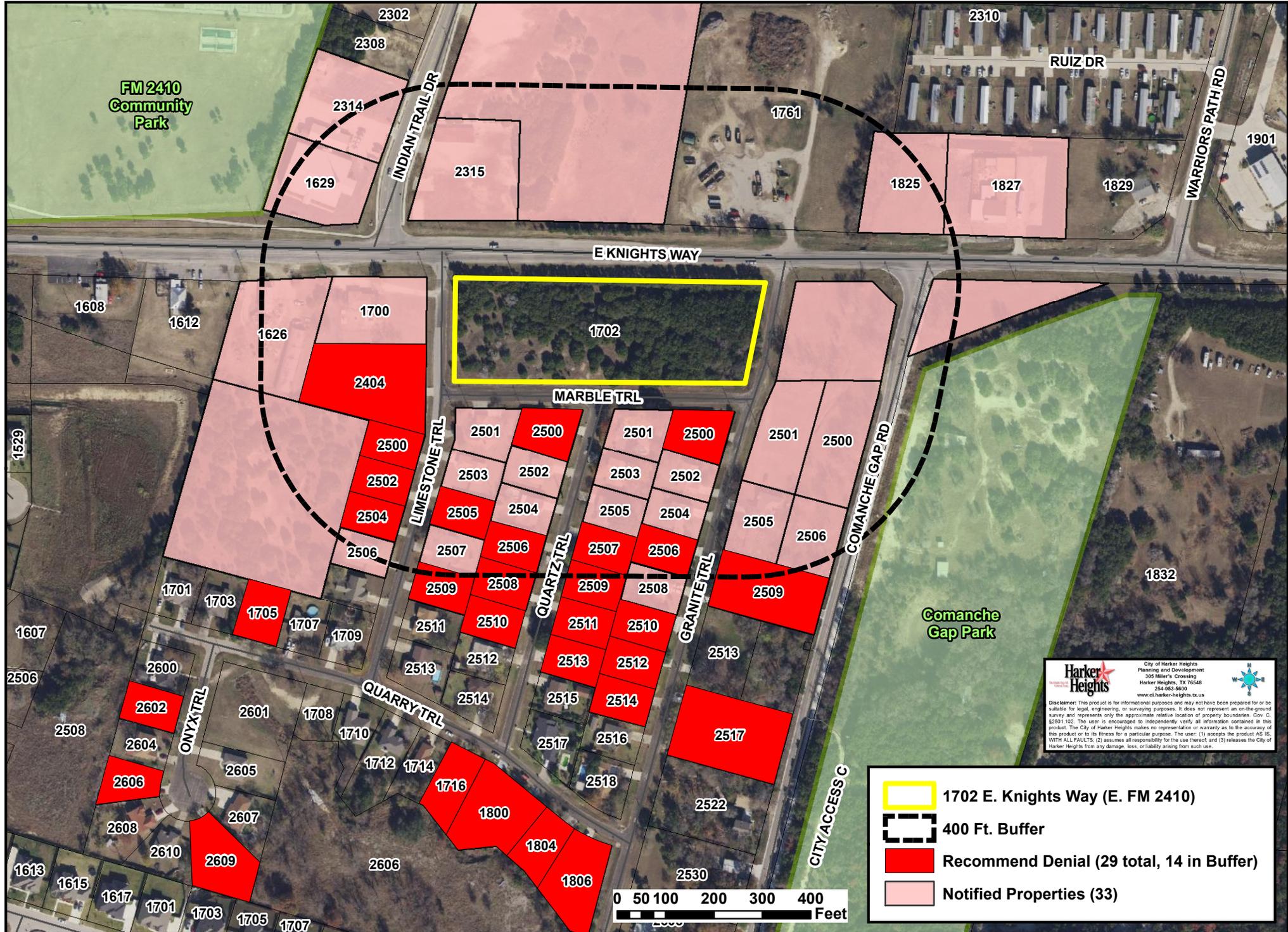




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TO: **City of Harker Heights
Planning & Development Department**

FROM: Robin Batt
2404 Limestone Trl
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Absolutely NOT
I built this home in a residential
neighborhood.

Robin Batt
Printed Name

Robin Batt
Signature

9-24-2020
Date

Received

SEP 24 2020

Planning & Development

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

FROM: 2509 limestone trl
Harker Heights TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Those trees provide privacy & keeps our
community quiet & safe. we do not want
those trees cut down.

Christopher R. Beck
Printed Name

[Signature]
Signature

Sept 24, 2020
Date

Receiver

SEP 24 2020

Planning & Development

Courtney Peres

From: Tony Brink <y3n3o3t@yahoo.com>
Sent: Wednesday, September 23, 2020 4:15 PM
To: Courtney Peres
Subject: Rezone Request

Courtney,

Good afternoon, I am contacting you in regards to the current pending application for the rezoning of Fawn Valley, Block Six, Lot One (1702 E. Knights Way) I currently reside at 2507 Quartz Trail, within 400 feet of the rezoning request. I am not the property owner, I have been renting this property for nearly 9 years. That said, I am a citizen of Harker Heights, I vote in Harker Heights and am vested in this community. I nearly purchased 2501 Quartz Trail on two separate occasions, but decided against it because 1702 E. Knights Way is directly adjacent to this property, and rezoning of this lot (attempted at least one other time since I have lived here) would severely affect the appeal of the property. I imagined a car wash 30 feet from the front door, with music blaring as people detailed their cars. Quite unappealing, I think most would agree.

Please consider this my official objection to the rezoning. There are many undeveloped business-zoned lots along Knights Way and during the pandemic development has slowed even more. I see no purpose nor benefit to rezoning this property at this time. Rezoning this lot to business would negatively affect everyone in this area as it would increase traffic and noise pollution.

Thank you for your consideration,

Anthony Brink

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

FROM: 2602 Onyx trail
NH TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

We don't need a shopping center right
there when there are plenty still not full.

Nola Brown
Printed Name

[Signature]
Signature

9/24/20
Date

Courtney Peres

From: Samantha Cantu <readingred13@gmail.com>
Sent: Tuesday, September 22, 2020 6:04 PM
To: Courtney Peres
Subject: Fwd: Parcel #71407 Rezoning

Ms. Perez,

To follow up with our discussion this morning, I wanted to give you a list of reasons as to why I believe that creating a commercial property in front of our neighborhood at the above-mentioned parcel ID, is a very bad idea. Please see the below:

- We have very basic, almost poor drainage within the neighborhood as it is. The trees in front of our neighborhood catch a lot of the water that rolls down hill into our neighborhood, and keeps our yards from flooding. If we remove those trees not only will it mess up our drainage flow, causing us to invest money into fixing our yards, fixing the ensuing flooding problems. It could damage foundations, concrete, etc.
- The local wildlife have made a home within that copse of trees. We have several families of deer and a plethora of small wildlife that live there.
- The privacy that those trees a lot our neighborhood, keep people from wandering into the neighborhood, helps to keep crime low. It maintains a family-friendly atmosphere. We have children who walk around up there all the time playing in the street, it's a very family-oriented neighborhood. If it becomes developed into commercial property, then I'm afraid that the kids won't have anywhere to play with the ensuing traffic.
- Turning out of the neighborhood is a bit difficult in the mornings as it is. We already have several commercial properties right around the neighborhood, that cause traffic, as well as just 825 traffic. If we add another commercial property, it will cause a severe clog at each end of the neighborhood.

Lastly, as I mentioned this morning, my husband and I purchased that property a little over two years ago, because of the trees and how quiet the neighborhood was. We fell in love with our house and with the neighborhood because of the privacy it allows us, everything is conveniently located around us but nothing is that close to us. If it becomes commercial and the land gets developed, we will be moving. We chose to stay and live in Harker Heights because of how much we loved our house and the neighborhood. We really don't want to see it developed. There are also so many of our neighbors have been there since the beginning of the neighborhood in 1986, and they don't want to move. But if it becomes commercial there's going to be so much more noise the whole dynamic of the neighborhood will change, and they don't want to stay there and live there anymore.

I hope that you all seriously consider our neighborhoods request to oppose any development, and the commercial rezoning for that area. Please don't hesitate to reach out to me at my contact information below at anytime. Thank you!

Kind Regards,
Samantha Cantu
804 - 616 - 7638

----- Forwarded message -----

From: **Samantha Cantu** <readingred13@gmail.com>

Date: Tue, Sep 22, 2020, 8:29 AM

Subject: Parcel #71407 Rezoning

To: <CPeres@harkerheights.gov>

Good Morning,

I am a resident in Fawn Valley Subdivision, off Quartz Trail. I was informed last night about a rezoning request for commercial property in the front of the subdivision along FM 2410.

I am **STRONGLY** against this, as well as my neighbors. We do not want to have the area developed or rezoned. We would like to speak with someone about this.

There are numerous reasons as to why we are opposed to this, and I would be happy to discuss this with you, or submit a formal request via email or phone call.

Please contact me at your earliest convenience via email or phone at 804-616-7638 to discuss our options please. Thank you!

Kind Regards,
Samantha Cantu

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

FROM: *2500 Granite Trail*
Harker Heights, Tx. 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: *This will impact my family if this is approved.*

Tammy Cawthorne
Printed Name

Tammy Cawthorne
Signature

September 21, 2020
Date

Received
SEP 21 2020
Planning & Development

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

FROM: LEON CHARPENTIER
1800 QUARRY TRAIL
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District) to B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

PLEASE SEE
ATTACHED

LEON CHARPENTIER
Printed Name

[Signature]
Signature

9-23-2020
Date

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

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

REZONING

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

The next my second issue is the proposed widening of FM 2410 with a 25 foot setback on the highway and a 25 foot on Marble trail will narrow up that lot tremendously. There is no doubt that FM 2410 will be widened the next few years recently with the opening of the middle school on Warriors path and in a few years the plan to build an Elementary school nearly across from the middle school the traffic will be great the widening of 2410 will hamper any build this person wants to make. I believe that the city of Harker Heights and Tex.Dot should go together to purchase that property stop the possibility of condemning that property in the future for widening FM 2410.

The third thing is that an I have heard this statement hundreds of times at city Council meetings(that is why I moved in this neighborhood because there is no through traffic and it's very quiet) and the proposal to put a strip mall on that property would ruin the effect of this great neighborhood. One thing else about this neighborhood I was a part of the administration when this area was

annexed the waterlines in the sewer lines are not up to Harker Heights standards also the roads in this subdivision are not anywhere near the standard that Harker Heights requires today it will not take all the extra traffic that this zoning proposal would cause. We already see extra traffic due to people thinking there is lake access down these roads at one time there were signs saying NO LAKE ACCESS at the beginning of Limestone Trail over the years it has disappeared.

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

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

Thank you. Leon Charpentier

TO: City of Harker Heights
Planning & Development Department

FROM: Kristine Dillon
2509 Quartz Trl.
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

See Attached

Kristine Dillon
Printed Name

Kristine Dillon
Signature

9/22/20
Date

Traffic Concerns- This area already has major traffic concerns created by Indian Trail Road, the Recycling Center, Comanche Gap Road/Dana Peak Park and the new Nolan Middle School. 2410 cannot handle any more impacts that new businesses would create. In the 50 mph zone, there have already been numerous accidents when cars are stopped to turn left (if heading west bound on 2410) onto Comanche Gap Road and Fawn Valley. There is no middle turn lane. There is additional school bus traffic with the new middle school. At several times during the day, attempting to turn out of Fawn Valley is dangerous. The City of Harker Heights will be turning Dana Peak Park into a city park. This will increase traffic even more in our area.

Drainage- Our neighborhood is downhill from most of the City. The rain water drains towards our homes. Being that we do not have storm sewers, we rely on drainage that runs through our front yards and under our driveway aprons with metal drainage tubes. Our yards get saturated in heavy rains. The yards on Granite Trail already flood during heavy rains. We have been awoken by Harker Heights Police Department regarding flooding concerns in the middle of the night as our address on Quartz has been confused with Granite. At this time, the land which the applicant wishes to rezone is higher than the streets. Should the applicant change the grading of the land and replace the natural landscape with concrete, our yards will flood.

Neighborhood Roads- Limestone, Marble, Quarry, Quartz and Granite are older streets. We do not have sidewalks. The edges of the road which meets the grass are beginning to wear, sink, chip and wash away. Being that the land may be used for businesses that utilize trucks tractor trailers and other commercial vehicles for deliveries, our streets will further deteriorate from larger commercial vehicles/trucks attempting to turn into proposed commercial buildings. Additionally, due to the streets being narrow trucks and other commercial vehicles will have a difficult time maneuvering their way into our neighborhood should they need to access the rear of any structure that may be built there in the future.

Quiet Enjoyment- Many of us enjoy the low traffic and to be able to exercise, walk our dogs and spend time with our children and families by walking around our neighborhood. Our children currently are able to ride bikes and play sports in the streets due to the limited amount of traffic. We who live here are aware that children play outside, and therefore, we drive with caution. We do not want to see our children injured. In connection with school aged children, we have one bus stop in the neighborhood. It is on Quarry and Quartz. Children need to walk from all over our neighborhood to this bus stop. Should this area be zoned for business use, additional traffic and unknown people in and around the area puts our children at risk.

Noise, Light, Safety and Pests- Homes in the direct vicinity of whatever is built on this lot will be in close proximity to any structures constructed on this property. Any accessory lighting will be in close proximity to homes and will illuminate through their windows making life uncomfortable for residents. We also fear the noise that may be generated from any businesses

which may be constructed. As it is now, we listen to the sounds from the heavy machinery at the recycling center. We also deal with noise from Sean's Pub and The Shack Caribbean Restaurant on 2410. These venues host outdoor music festivals at various times during the year and it literally sounds as if it is our backyard. We would appreciate to not have to listen to anymore noise created by new businesses.

As to safety, our neighborhood is rarely affected by crime. We take pride in our neighborhood and look after one another. We worry about how businesses would affect our safety.

As to pests, if food establishments are built on that lot, our neighborhood would be exposed to rats, mice, raccoons, etc. This represents a health hazard to us the homeowners.

Empty Storefronts- Currently Harker Heights has many empty storefronts along 2410. Do we need more structures to sit empty while the owner is waiting for tenants?

In conclusion, many of us have lived in this neighborhood for years. Most of us are permanent residents of Harker Heights. Several of my neighbors are original homeowners from when our homes were constructed in the 1980's. We enjoy living here. We want to stay here. We do not want our lives and safety ruined because a developer has determined that he thinks this land should be business.

I ask that the Harker Heights Planning and Zoning Board along with the City Council deny this application to rezone.

Thank you for your time.

Courtney Peres

From: Pat Dillon <pat.dillon1220@gmail.com>
Sent: Wednesday, September 23, 2020 11:39 PM
To: Courtney Peres
Subject: Rezoning

Ms. Peres,

I own the property at 2509 Quartz Trail and received a notice to change zoning on property on Marble Trail from R1 to B3. Fawn Valley is a very quiet, family-oriented neighborhood established over thirty years ago, and I believe this change would affect this development detrimentally.

If a business such as a restaurant is built on the property, increased traffic, noise and light pollution, truck traffic, and possible pest problems would impact the neighborhood.

Therefore, I oppose changing the zoning from R1 to B3.

Patricia Dillon

TO: City of Harker Heights
Planning & Development Department

FROM: 2505 Limestone Tr,
Harker Heights, TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

I have lived here 16 years, moved in this area because of the privacy & safety for my children. Rezoning that property would bring people through our neighborhood we do not know. Everybody in this neighborhood watch out for each other. We walk our children & our pets thru the neighborhood as well as the children ride their bikes thru the neighborhood. Please do not rezone that property to B-3 business district for the safety of our families & our children.

Debra A Dugger
Printed Name

Debra A. Dugger
Signature

9/24/20
Date

Received

SEP 24 2020

Planning & Development

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

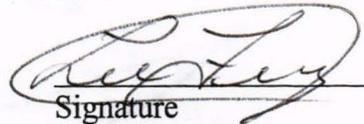
FROM: 2506 Granite Trl
Harker Heights, TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District) to B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Lee A Ferguson Jr
Printed Name


Signature

18 Sept 2020
Date

Received
SEP 23 2020
Planning & Development



From: [Barbara Newman](#)
To: [Tiffany Dake](#)
Cc: [Brad: bellaangel808](#)
Subject: City of Harker Heights Planning & Development Department - Rezoning Fawn Valley, Block Six Lot One 1702 E. Knights Way (E. FM 2410) Harker Heights, Bell County, TX
Date: Thursday, September 24, 2020 2:42:09 PM

RE: An application has been made to consider a rezoning from R-1 (one Family Dwelling District) to B-3 (Local Business District), on property described as **Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas**

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I have lived in Fawn Valley on Granite Trail for 8 years. I love this neighborhood. This neighborhood caught my attention in particular because it's not a "normal" crowded, packed, busy neighborhood as most are. It is also somewhat "secluded" and small enough that we all still possess the "be good to your neighbor" way of life that was frequently practiced and an honored tradition of our parents and theirs before them. I now have 3 small children and it was important to me when I found our home that we live somewhere safe for them and live in a place they could be proud of, where people take care of their homes, their yards, wave when you pass and you just feel good about living here.

This neighborhood has no sidewalks (which we actually like). But, it does cause our children to have to ride bikes, walk or jog in the street. Right now, there is minimal traffic on our street, so they are relatively safe. Of course, we never allow them in the street without us being right there with them and we've taught them bike safety, etc. It is however, the only place they really have to play. Neighbors also jog, walk their dogs, etc. on the street.

: Rezoning subject lot would put more traffic on this street in particular since it's the main one next to the proposed rezoning lot, with people turning around, trying to find out where they are or leaving the store and just going down or street to see what's there. This added traffic is going to make our street unsafe for our children to play.

Already now, whatever extra traffic is on our street is because there are a lot of people that turn on this street thinking it's the street access to the lake. They invariably turn here instead of going one street further onto Comanche Gap to get to Dana Peak Park.

Currently, when we are driving east on 2410, or turn right to our street, which is directly across from the transfer station, there have been several times that we've almost been rear-ended because traffic moves so fast on 2410, people don't want to slow down to give you time to turn. There is no turn lane on 2410 in this rezoning area, so those people going east or west, have to stop and wait for us to turn into the transfer station or onto our street. It is also almost impossible some mornings or in the afternoon when work/school traffic is out to be able to turn left or right onto or from 2410 because of the amount of traffic on 2410. We have also endured extra traffic now with the opening of the new Nolan Middle school. It's almost impossible to get in or out of our neighborhood now.

; Rezoning subject lot will only make traffic worse, back up traffic for anyone turning onto or from 2410, making it even more unsafe for those of us that live here just trying to

get to work/school or home. A commercial business right there is going to be right in the actual vicinity of the transfer station traffic, traffic from our street exiting or entering onto or from 2410, traffic from the new Nolan Middle School and traffic going to or coming from Dana Peak Park or the residential area on Comanche Gap. You will have people coming/leaving the transfer station, coming/leaving Granite trail, coming/leaving the rezoned commercial business and the people coming/leaving Comanche Gap and now the added Nolan Middle School traffic on top of a new business in that same cluster of traffic.

During the spring/summer months, when Sean's Pub is/was open, we have to endure the extra noise from the bands that play there, the many motorcycle engine noises as they leave during the night hours. It gets loud and the additional traffic from that business already creates unsafe crossing onto or from 2410.

: Rezoning subject lot and adding additional traffic to this commercial establishment is only going to add to the noise and traffic and people leaving and coming in all directions as mentioned in the above paragraph.

Street drainage on this road can be hazardous depending on how much rain we have. Since I've lived here, there have been 2 occasions that I had to get sandbags from the City of Harker Heights due to flooding in my yard and major damage due to flooding to the house across the street (2509 Granite Trail). Water was running through their entire yard and into their house like a river and caused several thousands of dollars of damage to their home.

: Rezoning subject lot will result in removing the current dirt and trees that slow down some of that excess drainage now and help absorb some of that water. A commercial business will have concrete parking lot and removing that protective ground will make our neighborhood more susceptible to severe flooding.

There are plenty of empty lots up and down 2410 that are not in such a congested area or this close to a quiet, residential, safe neighborhood that I'm sure can be rezoned without affecting any of the residents.

**Brad Garrison
Resident/Owner
2510 Granite Trail
Harker Heights, TX 76548
September 24, 2020, 2:42 PM**

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

FROM: MANUEL & KIM GRANADO
1804 QUARRY TRAIL
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District) to B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

MW I RECOMMEND DENIAL OF THE REQUEST

Comments:

We are concerned about the increase in traffic through our neighborhood. There is no through traffic now. It is a relatively safe area for children.

Also, we are concerned about possible flooding due to improper drainage.

We moved into this area 11 years ago because it is a safe and quiet neighborhood.

We hope to keep it that way.

MANUEL A. GRANADO
Printed Name

Manuel Granado
Signature

24 SEP 2020
Date

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

FROM: Doris Harris
2506 Quartz Trail
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

I'm very concerned about develop-
ment of this property. This serves currently
to protect the neighborhood from excess
road noise as well as reducing visibility
of the neighborhood from FM 2410. Depend-
ing on what is put there, I believe
there is a potential of bringing in crime
as well as unwanted traffic.
Thank you.

Doris Harris
Printed Name

Doris Harris
Signature

9-23-2020
Date

Received
SEP 23 2020
Planning & Development

TO: City of Harker Heights
Planning & Development Department

FROM: Carolyn James
1705 QUARRY TRAIL
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

The back of my property is a wooded area very close to my property would be effected. Having commercial business is going to have a negative effect on my properties value and bring too many people to our quite neighborhood, bringing more people also.

Carolyn James
Printed Name

[Signature]
Signature

9/23/2020
Date

Received

SEP 24 2020

Planning & Development

Received

SEP 24 2020

Planning & Development

TO: City of Harker Heights
Planning & Development Department

FROM: Ayesha Lealiiee
2504 Limestone Trail
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

FM 2410 / Knights Way is only two lanes in this area and during rush hour times it can be difficult for us to exit onto FM2410 / Knights Way as well as contend with those trying to do the same from Indian Trail. Also, how would parking be handled? Slowing down to turn on to Limestone Trail is already worrisome because those rushing to go further down FM2410 / Knights Way. Adding additional traffic to turn into the current streets or into a parking lot would make traffic conditions worse. Then there's parking and where overflow parking would go. There is no curb and gutter here so street or grass (our yards) parking would be likely. I do not want strangers parking and possibly blocking my path or parking for my family or friends. Parking in the street is also not a

(continued below)

Ayesha Lealiiee
Printed Name

Ayesha Lealiiee
Signature

9/23/2020
Date

good idea here because the streets barely allow for two cars to pass each other. Lastly, there are no sidewalks in the neighborhood nor on this side of FM2410 / Knights Way. There are children who walk to the high school, residents who walk to the Community Park and residents who walk the neighborhood itself. Again, the added traffic that a commercial business would bring would no longer make this safe.

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

FROM: DARRYL LYNCE
2509 GRANITE TRAIL, HARKER HGT'S, TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

TO REZONE THIS LOCATION WOULD INCREASE
FOOT TRAFFIC INTO OUR NEIGHBORHOOD WITH
CURIOSITY OF "WHAT IS BACK HERE?"

ALSO, REZONING TO BUSINESS WILL INFRINGE ON
THE PRIVACY OF CURRENT HOME OWNERS.

I BELIEVE THAT A BUSINESS WILL DECREASE
THE VALUE OF THE MY (OUR) HOMES.

DARRYL LYNCE
Printed Name

Darryl Lynce
Signature

9/23/2020
Date

Received

SEP 23 2020

Planning & Development

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

FROM: 2500 Limestone Trl
Harker Heights TX 760548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: This is a very well
established neighborhood.
The trees block out the noise
of 2410. I absolutely recommend
denial of this request.

Jennifer McKellips
Printed Name

J McKellips
Signature

9-24-2020
Date

TO: City of Harker Heights
Planning & Development Department

FROM: 2508 QUARTZ TRAIL

HARKER HEIGHTS, TEXAS 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I RECOMMEND DENIAL OF THIS REQUEST. MY MAIN CONCERN IS THE AMOUNT OF TRAFFIC ON AN ALREADY CONGESTED AREA. THIS WILL INCREASE THE HAZARD OF CAR ACCIDENTS. OUR ROADS WILL BECOME MORE DAMAGED WITH THE USE OF DELIVERY TRUCKS TO THESE BUSINESSES. THIS IS A VERY QUIET AREA AND REZONING INTO A BUSINESS DISTRICT WILL TAKE THAT AWAY. MANY RESIDENTS HERE GO FOR WALKS AND WALK THEIR DOGS, INCREASED TRAFFIC COULD CAUSE POTENTIAL RISK OF DANGER TO RESIDENTS. I DO NOT AGREE WITH THIS REQUEST.

SABINA NISIC
Printed Name

Sabi Nisic
Signature

22-09-20
Date

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

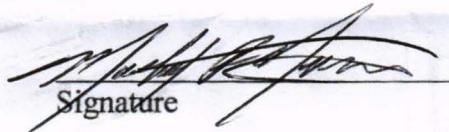
FROM: Michael F. Nitti
2517 Granite Trail, Harker Heights, 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Michael F Nitti
Printed Name


Signature

9/22/20
Date

Received
SEP 24 2020
Planning & Development

TO: City of Harker Heights
Planning & Development Department

FROM: LAWRENCE & LOIS O'KEEFE
1716 QUARRY TRAIL HHTS 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

I DO NOT CONSIDER THIS ACTION GOOD FOR RESIDENTS LIVING ADJACENT TO THE PROPOSED ZONE AREA. REASON BEING THE TRAFFIC ON 2410 IS ALREADY CONGESTED WHICH HAS HIGH TRAFFIC FROM 7:00 AM TO 9:30 AND THE FROM 3:15 TO 5:00 PM WHICH DUE IN PART TO THE SCHOOL (HIGH SCHOOL) PICKUP AND DROP OFF OF STUDENTS AND SECONDLY THE ROADS GOING BY THE PROPOSED LOCATION ARE NOT IN GOOD ENOUGH TO HANDLE THE INCREASED TRAFFIC

LAWRENCE O'Keefe
Printed Name

[Signature]
Signature

9-23-2020
Date

Received
SEP 24 2020
Planning & Development

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

FROM: Stephanie Perry
2100 Onyx Trail Harker Heights
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

I have lived in this neighborhood for over 20 yrs.
My children grew up in the neighborhood.
There are other children growing up and we
need to keep this a residential neighborhood
that is safe for our children.

Stephanie Perry
Printed Name

[Signature]
Signature

9.24.2020
Date

Received
SEP 24 2020
Planning & Development

Courtney Peres

From: Jesse Reed <jesse_ray2@yahoo.com>
Sent: Thursday, September 24, 2020 5:24 PM
To: Courtney Peres
Subject: Response to Harker Heights Re-Zoning Request

TO: City of Harker Heights
Planning & Development Department

FROM: Jesse R. Reed
2502 Limestone Trail
Harker Heights, TX 76548

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

I recommend approval of the request

I RECOMMEND DENIAL OF THE REQUEST

Comments: As a homeowner in proximity of the proposed re-zoning, I recommend denial of the request. Turning the current vacant lot into a business district will increase traffic, possibly increase crime rate (due to presence of commodities, not due to nature of the business or clientele), and decrease the property value of the existing houses within this area.

Jesse R. Reed
24 September 2020

Courtney Peres

From: riveraroy@gmail.com
Sent: Thursday, September 24, 2020 1:06 AM
To: Courtney Peres
Subject: Rezoning denial of request

We are writing to oppose the request that may impact the quality of life of our community and safety of our neighborhood for the following reasons:

- The trees on the lot contribute to protect the health of our community, creating a barrier in between the level of dust generated from the recycling center and the location of the houses.
- For many of us, working from home or doing home schooling is a right and a necessity. If a commercial project is developed, all the noise that comes with that and the traffic will affect the life quality in great manner.
- Our residential street is not meant to handle any type of heavy traffic that a commercial development could generate.
- We live right behind this lot. We know clearly that this can affect us directly, more than others but we are asking as a whole, to help us prevent this development and not affect our community.

Giselle Mena
512-956-3652
gisi7@yahoo.com

Roy Rivera
939-241-6364
riveraroy@gmail.com

2500 Quartz Tr
Harker Heights, TX
76548

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

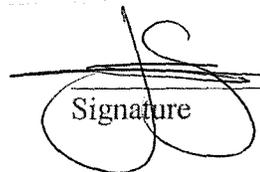
FROM: Jonathan Schaefer
2609 Onyx Trail 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).

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

Comments:

Jonathan Schaefer
Printed Name


Signature

9-24-20
Date

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

FROM: 2506 Quartz Trail

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

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Removal of the trees on the property described above will lead to an increase in noise, more visibility from unwanted traffic which can lead to crime, and faster deterioration of our neighborhood roads. We will lose our Peaceful Neighborhood. Please leave the Property Alone! Also I would like to have an extension to this process. Signage was not placed in a reasonably visible location for residents affected by this decision. I did not know of this issue until yesterday afternoon. This is not a reasonable amount of time.

Mickey Simons
Printed Name

Mickey Simons
Signature

9-23-2020
Date

Received

SEP 24 2020

Planning & Development

TO: City of Harker Heights
Planning & Development Department

FROM: 2512 Granite Trail
Harker Heights, TX 76548
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

This is a nice quiet neighborhood and
we would all prefer to keep it that way.

Quintin Twigg
Printed Name

[Signature]
Signature

9/22/20
Date

Received

SEP 24 2020

Planning & Development

Andrew & Amy Valentine
2510 Quartz Trail
Harker Heights, TX 76548

City of Harker Heights
Planning and Development Department
Harker Heights, TX 76548

CPeres@harkerheights.gov

RE: Neighboring Rezoning (Fawn Valley)

September 23, 2020

Dear Planning and Development Department:

We are homeowners and happy residents in the Fawn Valley area of Harker Heights and have recently been informed of the rezoning request for the property described as Fawn Valley, Block 6, Lot 1, generally located at 1702 E Knights Way, Harker Heights, Bell County, Texas. We would like to **RECOMMEND THE DENIAL FOR THIS APPROVAL** for the reasons stated in this letter.

Our first concern is the inability for the streets in our neighborhood to accommodate overflow traffic that would result from the presence of adjacent businesses. Fawn Valley is a small residential community and the streets are designed for this sole purpose. They barely fit two-way traffic, and the design of the roads creates two intersections that already pose safety issues and do not include traffic signals. Additional traffic from businesses would make these intersections unsafe, and overcrowd our already very small streets. Our neighborhood traffic has already increased with the opening of the new middle school on Warrior's Path and if an adjacent business zone was created this would exacerbate the emerging problem and would threaten the safety of the folks living in this child-friendly neighborhood. Having four children of our own, we would like to keep our neighborhood safe.

A second but related concern for our community is the fact that it has no street lights and no sidewalks. Changing the current R-1 zoning to B-3 zoning would create unsafe activity in our neighborhood as we lack adequate space to walk dogs, walk with children, ride bikes and participate in safe and enjoyable residential activities. Criminal activity in a dark neighborhood without street lighting is also a serious concern for this neighborhood. Removing the trees would allow easy access and awareness for additional criminal activity. These factors combined with the presence of a B-3 zone would make criminal threats far more likely and threaten the safety of an attractive family-friendly neighborhood that should remain as such.

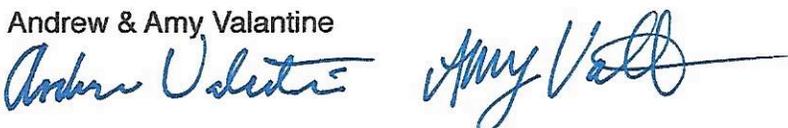
Third, is the problem of drainage coming from a business area into the neighborhood. If the area described was changed to concrete, there would be drainage issues that would spill over into our neighborhood. Adequate and satisfactory drainage is already a problem because of our proximity to the lake. Installing more concrete for retail fronts will only worsen this problem for those of us living here who already deal with this issue when it rains.

We are convinced that with the many opportunities already available in Harker Heights for business, this parcel of land is NOT a good fit for B-3 zoning. Please consider this well-established community and its well-being in this zoning decision. Also, consider the financial impact it would have to the city in the long term as things like traffic lights, sidewalks, better drainage, and better equipped streets would ultimately be an expense to the City of Harker Heights.

Thank you for your consideration and service to our home city, Harker Heights.

With best regards,

Andrew & Amy Valentine



I, Chuncha Vanameter, a resident in Fawn Valley, do strongly oppose the commercial rezoning of Block 6, Lot 1 within my neighborhood. I have been a resident here for 20+ years and do not want to develop the property. We moved here for the privacy, and the atmosphere in the neighborhood. I love living here, this is the home I settled with my husband, and this is the last home he lived with me in. I don't want to move away from my last home. Please consider this plea in your decision.

Thank You
Chuncha Vanameter

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

FROM: Ann Vandergriff
1806 Quarry Trl J
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from **R-1 (One Family Dwelling District)** to **B-3 (Local Business District)**, on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

Traffic is already very congested at the entrances of our neighborhood. With the new school it will only get worse. Not to mention the extra drive through traffic we will begin to see within the neighborhood decreasing the safety of our children.

Ann Vandergriff
Printed Name

(Ann Vandergriff)
Signature

9/24/20
Date

Received
SEP 24 2020
Planning & Development

received

SENT: SEPTEMBER 16, 2020
DUE BACK: SEPTEMBER 24, 2020

SEP 23 2020

Planning & Development

TO: City of Harker Heights
Planning & Development Department

FROM: Stan & Rebecca Weirich
2514 Granite Trail
(Address of Your Property that Could Be Impacted by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Our subdivision is hidden behind this plot of land and allows our community to remain private - we have very little crime and traffic through our community which allows our children to play freely in the streets, front yards. By bringing in commercial businesses, you remove the safety and sanctity of our neighborhood. You will introduce the opportunity for crime and increase traffic, all which is adverse to this small community.

Stan Weirich
Printed Name

Stanley Weirich
Signature

September 23, 2020
Date

Rebecca Weirich
September 23, 2020

Rebecca Weirich



PLANNING AND ZONING COMMISSION MEMORANDUM

P20-14

AGENDA ITEM VII-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: SEPTEMBER 30, 2020

DISCUSS AND CONSIDER A REQUEST FOR PRELIMINARY PLAT APPROVAL ON PROPERTY DESCRIBED AS A 1.376 ACRES OF LAND, BEING PART OF H.B. LITTLEFIELD SURVEY, ABSTRACT NO. 55, MORE OR LESS, DESCRIBED IN A RECORD DOCUMENT NUMBER 2019-58768 IN THE REAL PROPERTY RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 1808 PONCA TRACE, HARKER HEIGHTS, TEXAS.

PROJECT DESCRIPTION:

The applicant, Jerome Gomer, and their representative, Mitchell and Associates, Inc., have submitted an application for preliminary plat approval for approximately 1.376 acres of vacant land along Ponca Trace. This is the third and final phase outlined in the Sapiah Plains development. The Sapiah Plains Phase Three Concept Plan (attached) was approved by Planning and Zoning Commission (P&Z) on September 25, 2019 and by City Council on October 22, 2019. The property is zoned R-MU (Mixed Residential) and the applicant has proposed six (6) duplex lots - a total of 12 dwelling units.

Staff has reviewed the submitted preliminary plat and engineering plans and have made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

RECOMMENDATION

The comments provided by Staff have been addressed and the submitted preliminary plat meets the standards and ordinances of the City of Harker Heights, and Staff therefore recommends approval of the Preliminary Plat for Sapiah Plains Phase Three on property described as approximately 1.376 acres of land, being part of H.B. Littlefield Survey, Abstract No. 55, more or less, described in a record document number 2019-58768 in the Real Property Records of Bell County, Texas, generally located at 1808 Ponca Trace, Harker Heights, Bell County, Texas.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval for a request for preliminary plat approval for Sapiah Plains Phase Three on property described as approximately 1.376 acres of land, being part of H.B. Littlefield Survey, Abstract No. 55, more or less, described in a record document number 2019-58768 in the Real Property

Records of Bell County, Texas, generally located at 1808 Ponca Trace, Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Preliminary Plat
3. Concept Plan (Approved: October 22, 2019)
4. Location Map
5. Staff Comments with Responses (September 18, 2020)



Preliminary 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 returned to the Planning 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 \$500.00 + \$25/per lot
3. Signed Original Field Notes and Dedication Pages
4. Paper Plan Submissions: Ten (10) Copies of the Plat and Seven (7) Copies of Preliminary Engineering Drawings
5. Electronic Submission of all documents for review delivered to Planning Administrative Assistant

Property Information:

Plat Name: Sapiah Plains Phase Three **Date Submitted:** Sep 2, 2020
Existing Lot Count: 1 **Proposed Lot Count:** 6 **Proposed Units:** 6 **Acreage:** 1.376
Existing Land Use: Vacant/Agriculture **Proposed Land Use:** Duplex
Site Address or General Location: 1808 Ponca Trace, Harker Heights, TX 76548
Public Infrastructure Proposed with Subdivision: Water Wastewater Streets (including Private) Stormwater

Owner Information & Authorization:

Property Owner: Jerome Gomer
Address: 1524 Indian Trail, Harker Heights, TX 76548
Phone: [REDACTED] E-Mail: [REDACTED]
Developer: Same as Above
Address: _____
Phone: _____ E-Mail: _____
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

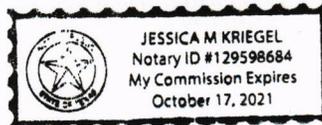
CHECK ONE OF THE FOLLOWING:

- I will represent the application myself.
- I hereby designate Mitchell + Associates (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application.

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

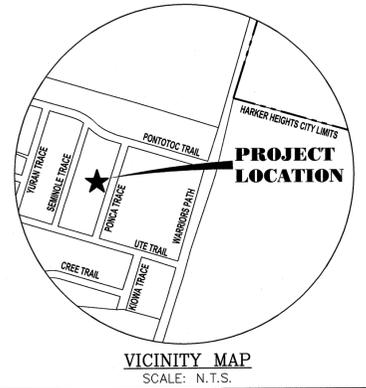
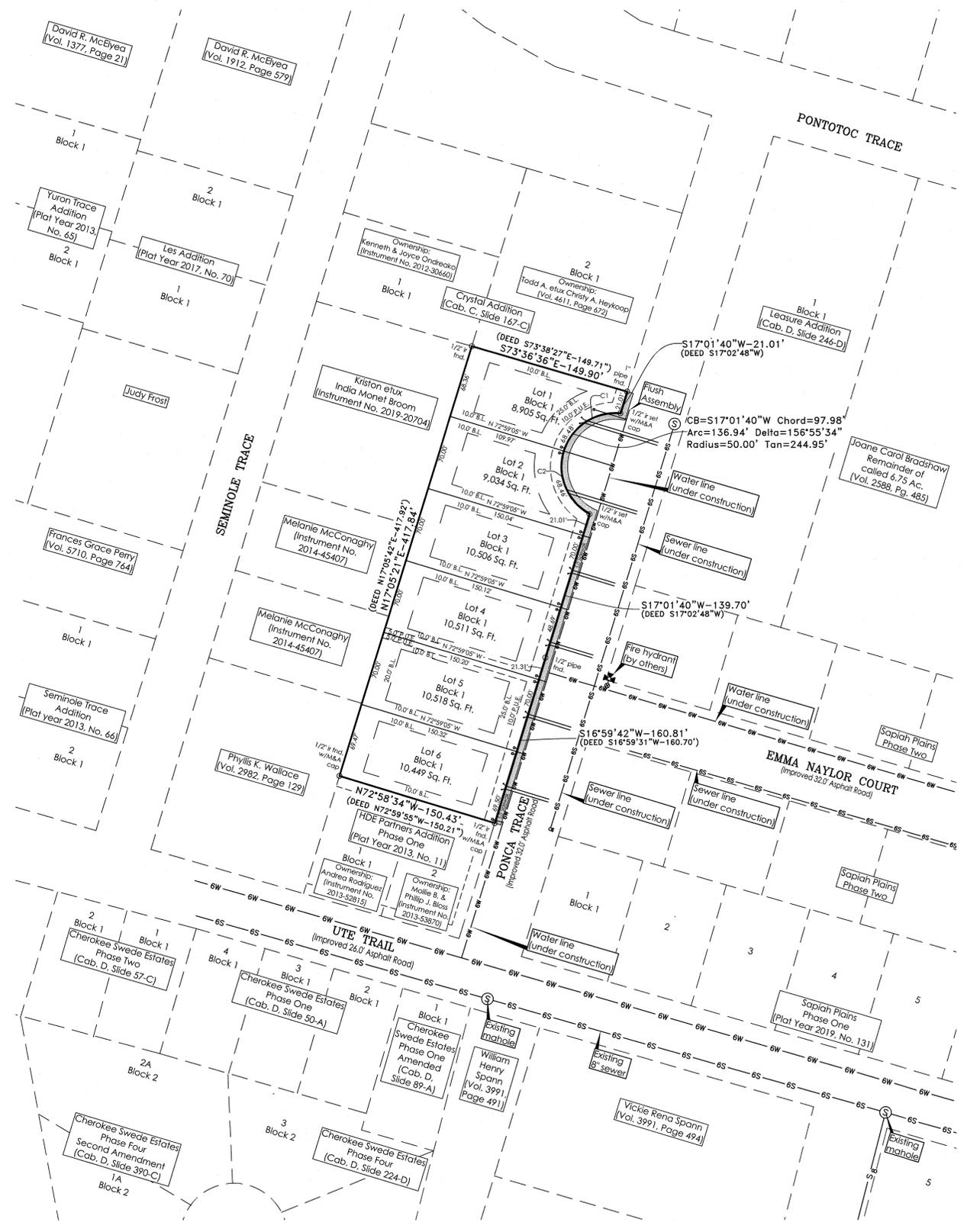
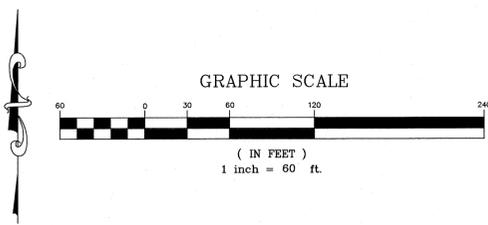
OWNER SIGNATURE: [Signature]
SWORN AND SUBSCRIBED BEFORE ME THIS 2nd DAY OF September, 2020.

[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: 10/17/21



P20-14

STAFF ONLY -- DO NOT FILL OUT
Date Submitted: 9/2/20 Received By: [Signature] Receipt #: 01612187



| CURVE TABLE | | | | | |
|-------------|--------------|--------|--------|--------|------------|
| CURVE | BEARING | CHORD | LENGTH | RADIUS | TANGENT |
| C1 | S56°15'11\"W | 63.25' | 68.48' | 50.00' | 78°28'32\" |
| C2 | S22°12'36\"E | 63.24' | 68.46' | 50.00' | 78°27'02\" |

NOTES:

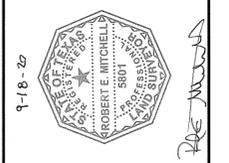
- All bearings are based upon the Texas Coordinate System, NAD 83 (CORS 96), Texas Central Zone as determined by Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
- All interior lot corners marked with 1/2" ir & cap stamped "M&A" set after construction 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. 48027C295E, effective date September 26, 2008 for Bell County, Texas.
- Zoning: R-MU (Mixed Residential); R-2 (Two Family Dwelling)

| No. | DATE | REMARKS | BY |
|-----|----------|-------------------------------|-----|
| 1 | 9/2/2020 | PRELIMINARY: PER CITY REQUEST | FRB |

**SAPIAH PLAINS
PHASE THREE
HARKER HEIGHTS, BELL COUNTY, TEXAS**

PRELIMINARY PLAT

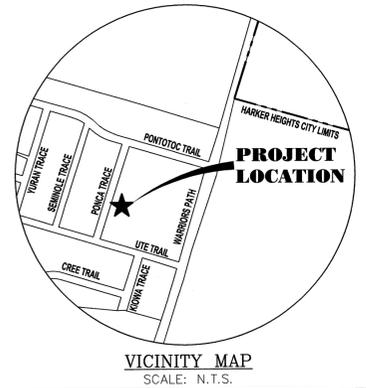
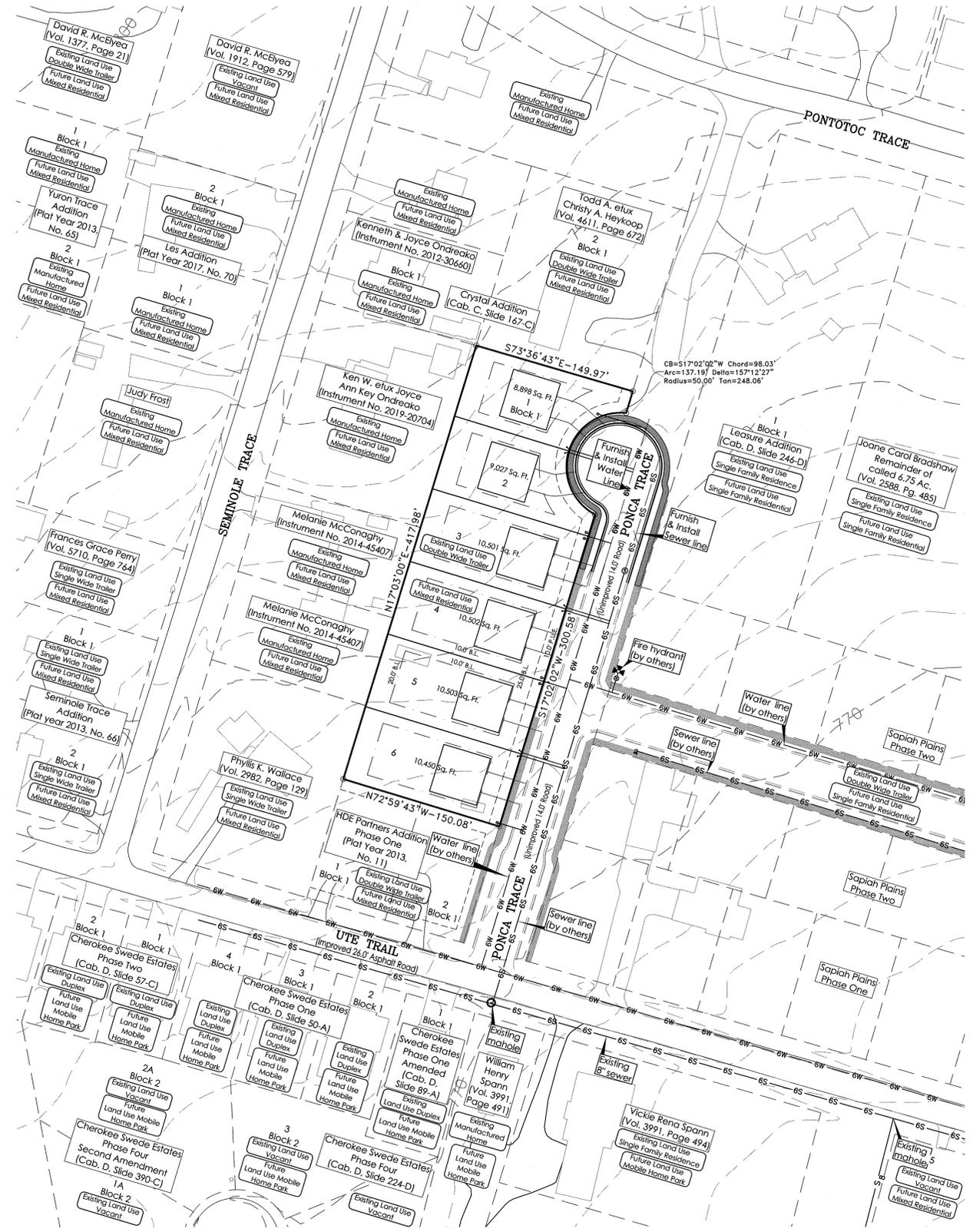
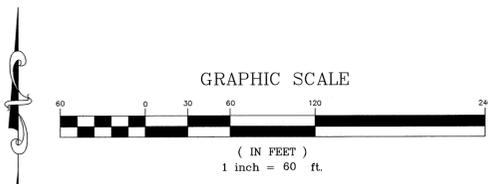
SHEET TITLE:



MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS' FIRM REGISTRATION NO. 3241
P. E. L. S. FIRM REGISTRATION NO. 102824-00

DATE: SEPTEMBER 2020 AS SHOWN
DRAWN BY: FRB
DWG No.: 19-079-D-S

SCALE: 1" = 60'
AREA: 1.376 Ac.
6 LOTS
1 BLOCK



NOTES:
 Existing Land Use: Vacant
 Zoning: R-MU Mixed Use Residential
 Proposed Land Use: R-2 Duplex Residential (6 Lots)

PROPERTY OWNER:
 CP Summit Group, L.P.
 P.O. Box 2392
 Harker Heights, TX 76548

SURVEYOR/ENGINEER:
 Mitchell & Associates, Inc.
 P.O. Box 1088
 Killeen, TX 76540

| | | |
|---------|---------------------|-----|
| DATE | REVISIONS | BY |
| 9/16/19 | CITY OF HH COMMENTS | FJB |
| | REMARKS | |
| | REVISIONS | |

**SAPIAH PLAINS
 PHASE THREE
 HARKER HEIGHTS, BELL COUNTY, TEXAS**

CONCEPT PLAN

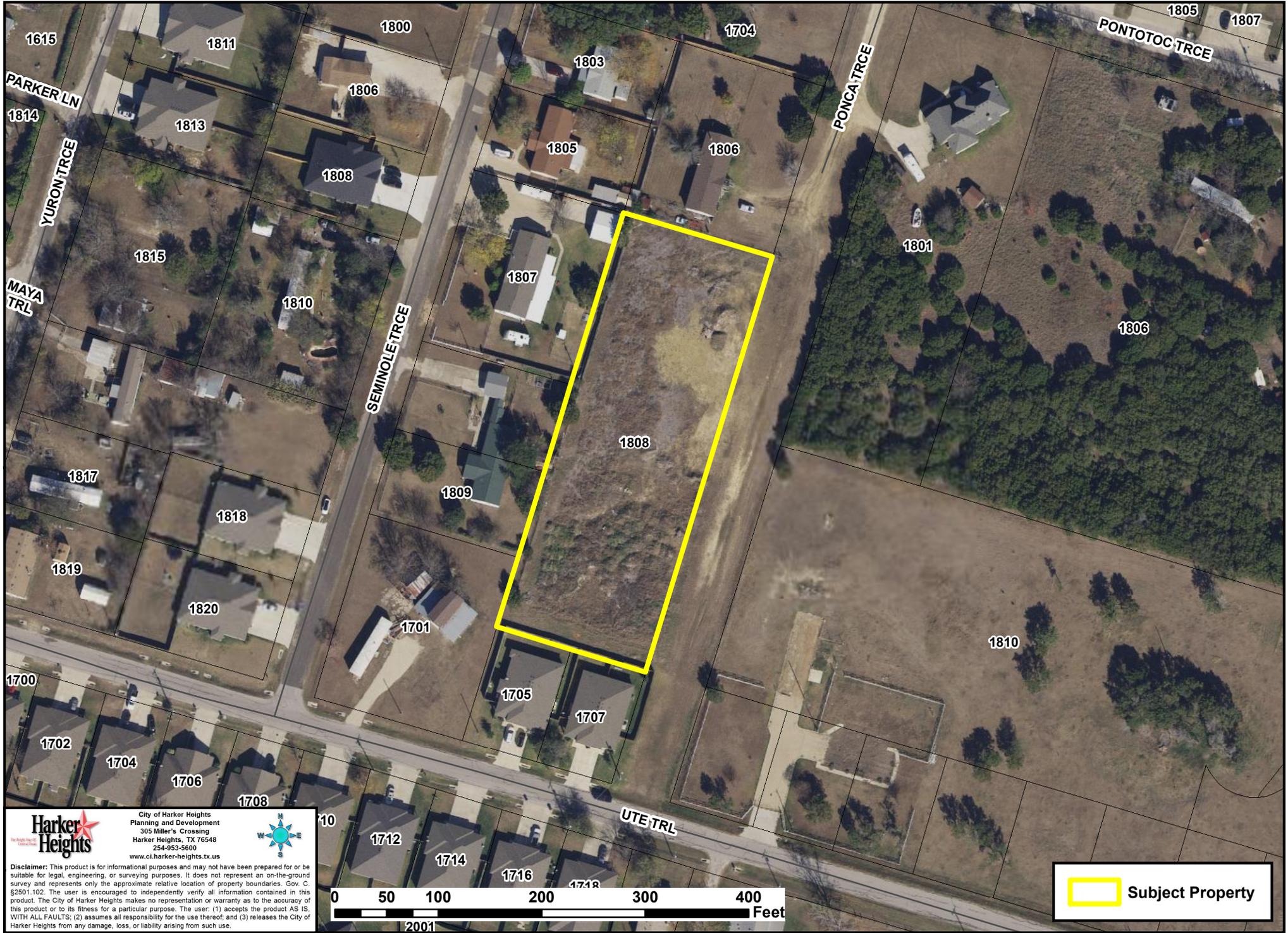
SHEET TITLE: 9-18-19



MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING
 102 N. COLLEGE
 KILLEEN, TEXAS 76541
 PHONE: (254) 634-5541
 FAX: (254) 634-2141
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
 F. E. L. S. FIRM REGISTRATION NO. 102004-00

DWG No.: 19-079-D-S
 DATE: AUGUST 2019
 DRAWN BY: FJB
 SCALE: AS SHOWN
 AREA: 1.4 Ac.
 6 LOTS
 1 BLOCK





Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.ci.harker-heights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

 Subject Property



SAPIAH PLAINS PHASE THREE

P20-14 Preliminary Plat – Sapiah Plains Phase Three

Plat Distributed to HH Staff: September 02, 2020
Comments Returned to Michelle & Associates: September 15, 2020
Response: September 18, 2020

Planning & Development

1. JM - Please verify cul-de-sac radius; a “P” shaped cul-de-sac must have an equivalent turn area as a 100’ diameter standard cul-de-sac.
The cul-de-sac has been designed in accordance with § 154.37(D)7. Providing a 100 foot right-of-way diameter.
2. JM - Please add the size and material for the proposed streets, both Ponca Trace and Emma Naylor Court.
Size and material of Ponca Trace & Emma Naylor Court have been provided.
3. JM - Please show the proposed sidewalks.
Proposed sidewalks have been provided.
4. Please revise plat note #4 to “Zoning: R-MU (Mixed Residential); Duplex (R-2).”
Note #4 has been revised.
5. Shift “Project Location” star to the western side of Ponca Trace to more accurately depict the site location.
Project location star has been updated.

Public Works

1. The applicant shall amend the illustrated water line along Ponca Trace to include a flush assembly at the north end of the main. Location of the flush assembly shall be such that it is located outside of the paved roadway surface.
Location of the proposed flush assembly has been provided.
2. Since this is a stand-alone application, the applicant shall provide a copy of the drainage analysis.
The subdivision plans for Sapiah Plains, Ph 2 accounted for the anticipated development of Ph 3 and are included for review.
3. The applicant illustrates an existing manhole and sewer line just east of Lot 6, Block 1 that runs south to Ute Trail. According to City records there is a cleanout at the illustrated manhole location and there is no line running south. Applicant shall amend sheet P1 accordingly.
The sewer line has been updated.
4. The applicant has identified the water and sewer lines within both this subdivision and Sapiah Plains Phase 2 as existing. Said lines are currently under construction and have not been accepted by the City to date. Applicant shall amend the annotation accordingly.
Water & sewer line annotations have been updated.

Consulting Engineer, Otto Wiederhold

Fire Marshal, Brad Alley

1. Please ensure the Cul-de-sac meets city size requirements

The cul-de-sac has been designed in accordance with § 154.37(D)7. Providing a 100 foot right-of-way diameter.

Building Official, Mike Beard

- No comments

ONCOR, Donna McGinnis

Century Link, Chris McGuire

Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Burton Jones



PLANNING AND ZONING COMMISSION MEMORANDUM

CP20-03

AGENDA ITEM VII-2

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT
DATE: SEPTEMBER 30, 2020

DISCUSS AND CONSIDER A REQUEST BY REMCO PROPERTIES, LLC FOR CONCEPT PLAN APPROVAL ON PROPERTY DESCRIBED AS 6.917 ACRES OF LAND, MORE OR LESS, PART OF THE CULLENDAR KEELE SURVEY, ABSTRACT NO. 991, AND THE J. THOMLINSON SURVEY, ABSTRACT NO. 813, GENERALLY LOCATED WITHIN THE 700 BLOCK OF S. AMY LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant, Remco Properties, LLC, has submitted an application for concept plan approval for approximately 6.917 acres of land currently zoned R-2 (Two Family Dwelling District). The concept plan called Amy Lane Addition outlines a single-phase development to consist of twenty-one (21) duplex lots; a total of forty-two (42) units. The plan proposes a five (5') foot sidewalk on either side of the proposed public street to serve all residents within the development, and connect to the existing sidewalk on Amy Lane.

Per Harker Heights Code Section *154.37 Streets (3) Entrances to Subdivision*; new subdivisions must have at least two access streets, and other regulations for new subdivisions include the following:

- Entrances shall be 42 feet wide with a 70-foot-right-of-way for a minimum distance of 100 feet from the intersection.
- A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:
 - Traffic circulation and emergency vehicle access;
 - Traffic and pedestrian safety with due consideration given to school bus routes; and
 - Topography and visibility distances.

The Concept Plan, Amy Lane Addition, has proposed one (1) access point for vehicular ingress/egress to the subdivision. Therefore, the applicant has requested a waiver to vary from section 154.37 (A) (3) by requesting that the City allow a single access for the proposed development:

The applicant has increased the subdivision entrance by doubling from 100' to 200' of entrance and increasing the back of curb to back of curb from 42' to 48' within the 200' entrance (off Amy Lane). The applicant stated that the land boundary is constrained by adjacent development so that one access to a dedicated right-of-way is all that will comply with the City of Harker Heights access requirements. In addition, the applicant has obtained access to a neighboring property to the north to facilitate a second egress of the property for the purposes of emergency access easement to the adjoining property.

Staff has reviewed the submitted concept plan, and have made comments to easement locations, street lighting, entrances to the subdivision, connectivity, 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:

The comments provided by Staff have been addressed and the submitted concept plan meets the standards and ordinances of the City of Harker Heights if a waiver for the entrance is granted. Staff recommends approval of the request by Remco Properties, LLC for Concept Plan approval on property described as 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas, under the condition that a waiver is granted to allow the single access and second emergency access as depicted.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to approve/disapprove a request by Remco Properties, LLC for Concept Plan approval on property described as a 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas.
2. Any other action desired.

ATTACHMENTS:

1. Application
2. Waiver Request by Applicant
3. Concept Plan
4. Staff Comments (comments addressed 9/18/2020 & 09/25/20)
5. Location Map
6. Concept Plan Location Map
7. Harker Heights Code Section 154.37 - Streets



Concept Plan Application

Requirements - MUST BE COMPLETED OF 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 \$50.00 to the City of Harker Heights

The Concept Plan is the initial project layout that provides an opportunity to review and evaluate the impact of a proposed development on the character of the surrounding area in which it is proposed to be located. The process takes into consideration the general form of the land before and after development, as well as the spatial relationship of the proposed structures, open space, landscape areas, parking, and general access and circulation patterns as they relate to the proposed development and the surrounding areas.

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

Property Information:

Subdivision Name: Amy Lane Addition **Date Submitted:** 09/02/2020

Site Address or General Location: S. Amy Lane, Harker Heights, Texas 76548

Zoning: R-2 **Acreage:** 6.917 **Proposed # of Lots:** 21

Owner Information/Authorization:

Property Owner: Remco Properties, LLC

Address: 973 George Wilson Road, Belton, TX 76513

Phone: [REDACTED] E-Mail: [REDACTED]

Developer: Same as Above

Address: _____

Phone: _____ E-Mail: _____

Engineer/Surveyor: Mitchell & Associates, Inc.

Address: 102 N. College/P.O. Box 1088

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

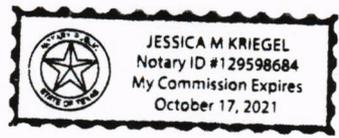
CHECK ONE OF THE FOLLOWING:

- I will represent the application myself.
- I hereby designate _____ (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application.

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

OWNER SIGNATURE: [Signature]

SWORN AND SUBSCRIBED BEFORE ME THIS 31st DAY OF August, 2020.



[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES: 10/17/21

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 9/2/20 Receipt #: 01612156

Received By: CFers Pre-Application Meeting Case #: CP20-03

Mitchell & Associates, Inc.

Engineering & Surveying

September 2nd, 2020

Joseph Molis
Director of Planning & Development
City of Harker Heights
305 Miller's Crossing
Harker Heights, TX 76548

RE: Amy Lane Addition – Subdivision Ordinance Variance Request - Street Entrances - Section 154.37 (A) (3)

Mr. Molis,

Thank you for hosting the pre-development meeting on Thursday, August 27, 2020. On behalf of our client, Remco Properties, LLC, we are submitting the concept plan for Amy Lane Addition with a request for a variance to section 154.37(A) (3) of the subdivision ordinance which states, "New subdivisions must have at least two access streets". We are requesting the City allow a single access for this proposed development. The Amy Lane Addition development plan is in compliance with the currently adopted Fire Code. The Fire Code defines health and safety requirements for the City of Harker Heights. Additionally, the land boundary is constrained by adjacent development so that one access to a dedicated right of way is all that will comply with the City of Harker Heights access requirements. We respectfully request that the "new subdivision may have one point of ingress/egress", with consideration of the below listed items:

154.37 (A) (3) (a) Traffic circulation and emergency vehicle access.

Traffic circulation and emergency vehicular access will be enhanced to a higher level over the City standard by increasing the length of the entrance right of way width by two times the requirement. The right of way entrance length will be increased from 100 feet to 200 feet. Also the pavement width of entrance will be increased over the City standard of 42 feet to 48 feet within the 200 feet entrance area. This will provide ample area for emergency vehicle and school bus access.

154.37 (A) (3) (b) Traffic and pedestrian safety with due consideration given to school bus routes.

School bus routing and pedestrian safety is increased due to the additional width of the entrance. Also, sidewalks will be constructed on both sides of the roadway within the development.

Mitchell & Associates, Inc.

Engineering & Surveying

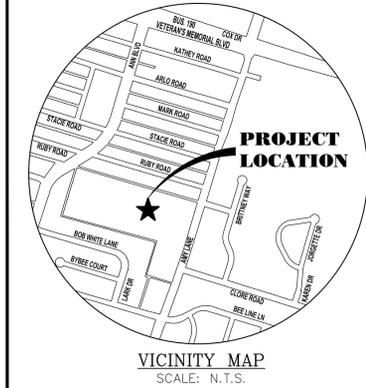
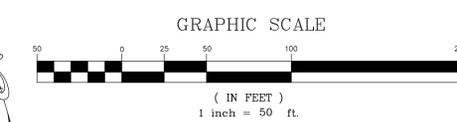
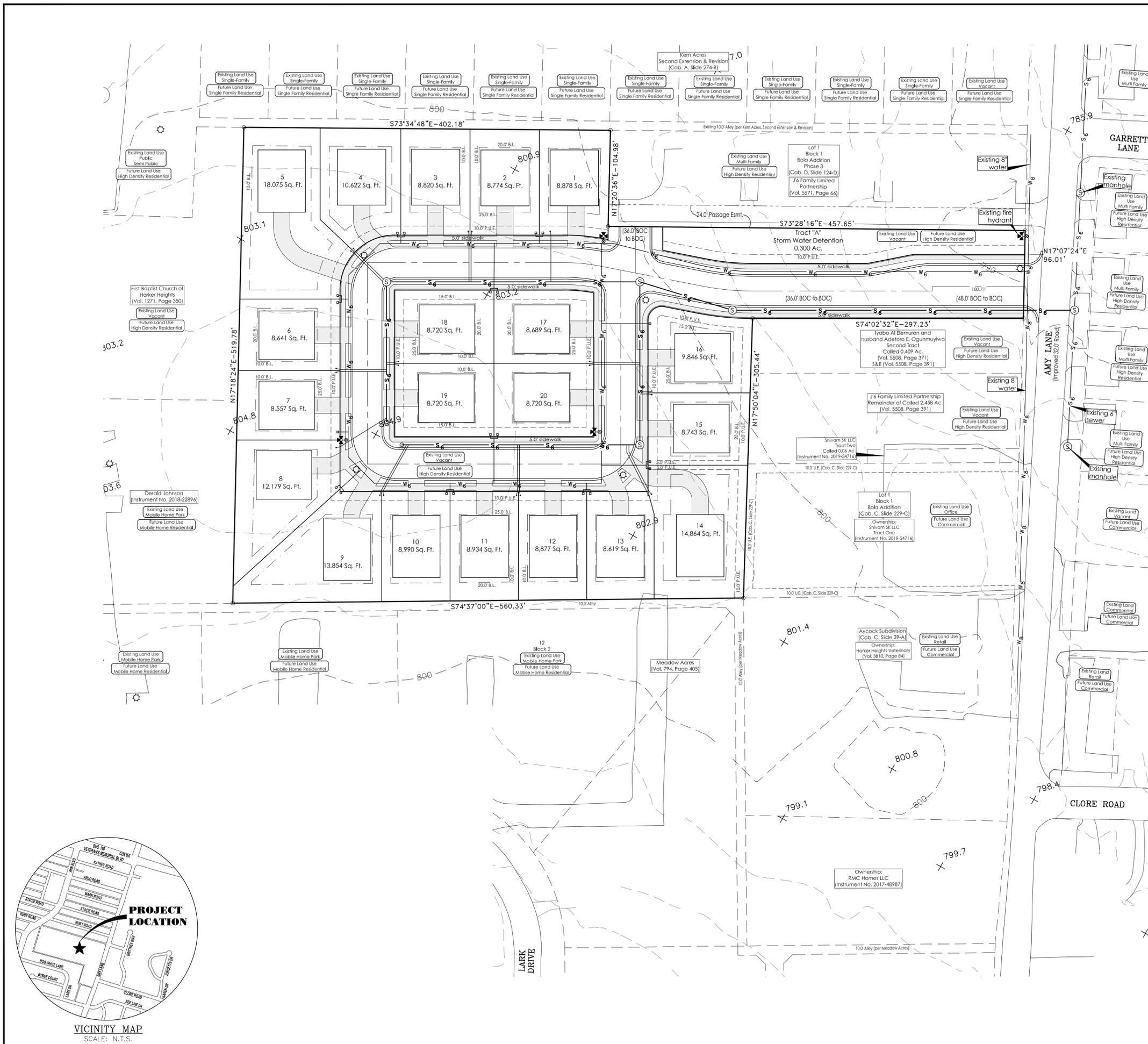
154.37 (A) (3) (c) Topography and visibility distances.

Topography & visibility distance are not a design constraint due to natural topography which is excellent for residential land development.

Respectfully submitted,



Robert E. Mitchell, P.E., P.L.S.
President
Mitchell & Associates, Inc.



PROPERTY OWNER:
 REMCO Properties LLC
 973 George Wilson Road
 Belton, TX 76513

SURVEYOR/ENGINEER:
 Mitchell & Associates, Inc.
 P.O. Box 1088
 Killeen, TX 76540

- NOTES:**
- Existing Land Use: Vacant
Proposed Land Use: Zoning: R-2
Two Family Residential Dwelling District (20 Lots)
 - Topography shown is based upon City of Harker Heights Aerial Topography (2012).
 - Sidewalks to be installed along lot frontages at the time of construction.
 - Topography & visibility distance are not a design complication due to natural topography which is excellent for residential land development.
 - An executed agreement with the adjacent landowner for connection and use of the fire lane will be provided at the time the subdivision is platted.

| NO. | DATE | REVISIONS |
|-----|-----------|--|
| 2 | 9/24/2020 | CITY OF HARKER HEIGHTS COMMENTS (PREL) |
| 1 | 9/19/2020 | CITY OF HARKER HEIGHTS COMMENTS (PREL) |
| No. | DATE | REMARKS |

AMY LANE ADDITION
HARKER HEIGHTS, BELL COUNTY, TEXAS
CONCEPT PLAN

MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING
 KILLEEN, TEXAS 76541
 PHONE: (254) 634-5541
 FAX: (254) 634-2141
 TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
 P. E. S. FIRM REGISTRATION NO. 10204-06

| DWG No. | DRAWN BY: | DATE: | SCALE: | REF.: | NO. LOTS: | AREA: |
|------------|-----------|-------------|------------|-------|-----------|-----------|
| 20-042-D-5 | FRB | AUGUST 2020 | A.S. SHOWN | ** | 20 LOTS | 6,917 Ac. |

AMY LANE ADDITION

CP20-03 Amy Lane Addition

Plat Distributed to HH Staff: September 02, 2020

Comments Returned to Mitchell & Associates: September 15, 2020

Response Comments: September 18, 2020

Planning & Development

1. JM - Please consider increasing the off-street parking availability to reduce parking along the internal streets.
Current plan allows for four cars per lot to have off street parking. Additional off street parking may be available.
2. JM - Please consider obtaining an access easement from an adjacent property, even if it is to remain gated except for emergency use.
This Concept plan is submitted with an emergency access easement on the adjoining property to the north.
3. Please revise Future Land Use to call out "High Density Residential"
Future Land Use has been revised.
4. Please revise Plan Note #1 to replace Proposed Land Use with: "Zoning: R-2 (Two Family Dwelling District).
Plan Note #1 has been revised.

Public Works

- KR - I have no comments for this concept plan review. However, I defer the one point of access to Mark for consideration/comment.
Noted.
- **MH - The proposed Concept Plan has one entrance to the subdivision. The Harker Heights subdivision regulations require two entrances for new subdivisions. A single entrance to a new subdivision is allowed with no more than 30 single family dwelling units or no more than 15 duplex dwelling units.**
- (3) *Entrances to subdivisions.* In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family

structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety, or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:

- (a) Traffic circulation and emergency vehicle access;
- (b) Traffic and pedestrian safety with due consideration given to school bus routes; and
- (c) Topography and visibility distances.

This Concept plan is submitted with an emergency access easement on the adjoining property to the north.

Consulting Engineer, Otto Wiederhold

Fire Marshal, Brad Alley

- No Comment

Building Official, Mike Beard

- No comments

ONCOR, Donna McGinnis

- Oncor has facilities in the area to serve this new addition. Looking at Google Maps, and the size of the “houses” shown on your concept plan, I would assume these are going to be quadplex or something on that order.

The zoning in place for this property is R-2 (Two Family Residential Dwelling District). Two Family Dwellings will be constructed.

Century Link, Chris McGuire

- Need to have a utility easement that extends out to AMY Ln. The lots have 10’ in front of each lot but now way to get to the easement.

A public utility easement has been added to the back of lots 14-17 connecting with the existing easements as shown on the plat for Bola Addition. If all of the surface area of Tract A is not needed for Storm Water Detention a utility easement may be placed within Tract A.

Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Burton Jones

AMY LANE ADDITION

CP20-03 Amy Lane Addition

Plat Distributed to HH Staff: September 21, 2020
Comments Returned to Mitchell & Associates: September 23, 2020
Comments Response: September 25, 2020

Planning & Development

- Please show streetlights, and space them for better coverage within this subdivision.
[Street lights have been shown.](#)

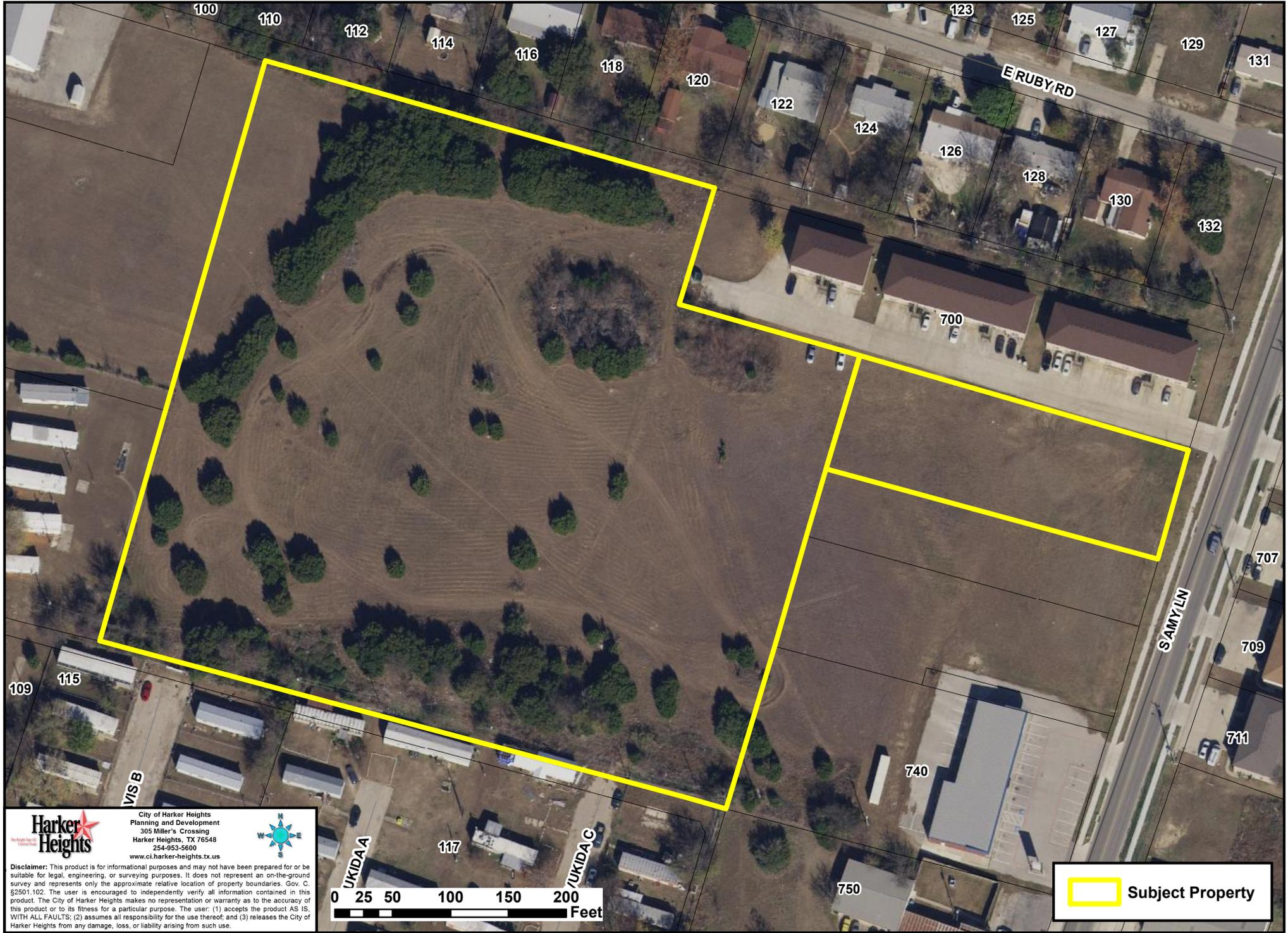
Public Works

- Applicant is advised that an executed agreement with the adjacent landowner for connection and use of the fire lane will be required at the time the subdivision is platted. The applicant's request for a variance for the number of street connections will be considered during the plat application process and with receipt of the agreement requested above. Applicant shall add a note to the concept plan accordingly that addresses this item.
[A note has been added to the plat regarding agreement with adjacent landowner.](#)
- New Advisory Comment – Based on the applicant's revised street design, the applicant shall be aware that the proposed manhole near Lot 16, Block 1 shall not be within the proposed sidewalk surface.
[Noted.](#)

ONCOR, Donna McGinnis

Century Link, Chris McGuire

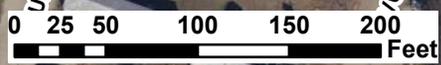
- Need utility easement along tract A to get into the development.
[A utility easement has been added along Tract A.](#)



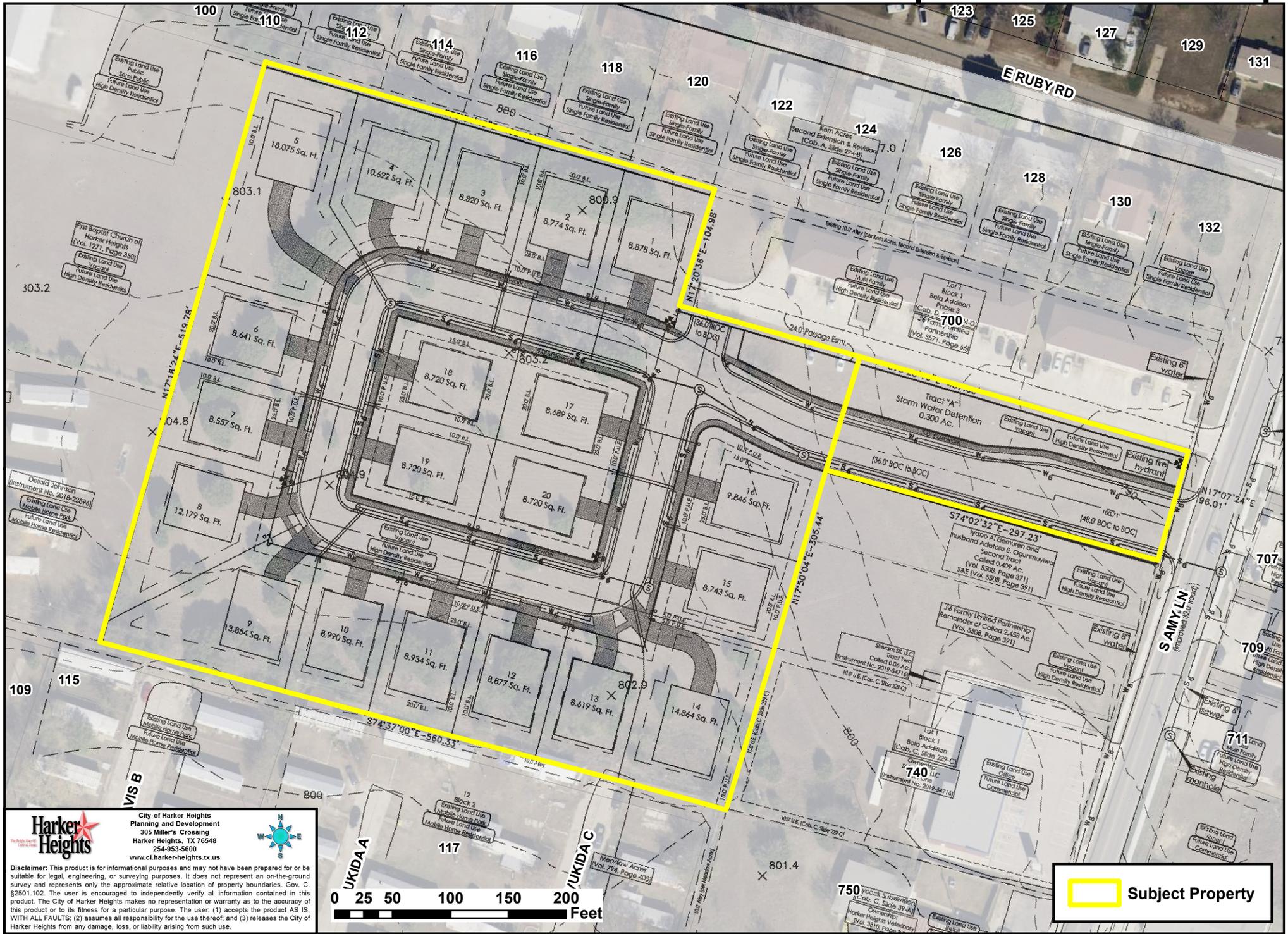
Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
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 Subject Property

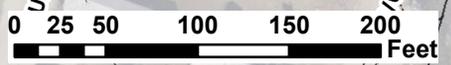




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Subject Property

§ 154.37 STREETS.

(A) *Street layout.*

(1) *Thoroughfare plan.* Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as collectors.

(2) *Consistency with existing streets.* The arrangement, character, extent, width, grade and location of each proposed street shall be consistent with streets in the immediate area. However, new streets must meet the minimum current standards. Consideration shall be made for topographical conditions, public safety, convenience and the proposed use of land to be served by such streets.

(3) *Entrances to subdivisions.* In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:

- (a) Traffic circulation and emergency vehicle access;
- (b) Traffic and pedestrian safety with due consideration given to school bus routes; and
- (c) Topography and visibility distances.

(4) *Residential streets.* Internal local streets shall be laid out so as to discourage then-use by through traffic when possible.

(5) *Secondary access streets.* Where a subdivision has frontage on an arterial street, the city may require a secondary access street to facilitate the sharing of curb cuts and/or to separate access to lots from through traffic.

(6) *Projection of streets.* Where adjoining areas are not subdivided, the developer shall design and construct abutting short stub-outs or temporary turnarounds for the projection of streets at proper block intervals into such unsubdivided areas.

(7) *Inadequate or substandard streets.* Inadequate or substandard existing streets and other infrastructure shall be upgraded to city standards by the developer, including dedication of an additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate an additional right-of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(B) *Street design standards.*

(1) *Street design.* Street design shall be in accordance with the city's standards and specifications.

(2) *Curbs and gutters.* The developer shall install curbs and gutters on all new streets except as provided in §154.45, unless required in special situations determined by the city.

(3) *Curb cuts.* Restrictions to location, design, size and/or number of curb cuts are as required in the Zoning Code.

(4) *Pavement standards.* Streets shall be paved in accordance with city standards. The city may require increased right-of-way or pavement widths if traffic impacts of the proposed development or conditions in the area merit such changes.

(C) *Street classification.* All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows.

(1) *Residential streets.* Residential streets shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots. They carry low traffic volumes. Where entrances to subdivisions are not part of a collector street, they shall be 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection.

(2) *Minor collectors.* Minor collectors shall be 42 feet wide, with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from minor (residential) streets and to channel this traffic to the major collectors. Residential lots may front on these streets.

(3) *Major collectors.* Major collectors shall be 48 feet wide with a minimum of 80 feet of right-of-way. These streets are generally located along borders of neighborhoods and within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may front (i.e., no driveways shall be allowed) unless there is no other reasonable and safe access to the lot.

(4) *Arterials.* Arterials shall be between 60 and 80 feet wide, depending on the needs and the design as determined by the city. The right-of-way shall be between 90 and 120 feet, depending on the design requirements as determined by the city. These are high volume streets with five or more lanes. These are limited access roads on which no residential lots may

front.

(D) *Miscellaneous street requirements.*

(1) *Property abutting arterials.* Where a subdivision abuts or contains an existing or proposed arterial, the Planning and Zoning Commission may require access streets, reverse frontage with a screening buffer containing a non-access easement along the rear property line, deep lots with rear service alleys or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(2) *Property abutting railroads.* Where a subdivision abuts or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require a street approximately parallel to and on the side of such right-of-way.

(3) *Reserve strips.* Reserve strips controlling access to streets shall be prohibited except where their control is dedicated to the city, under conditions approved by the Planning and Zoning Commission.

(4) *Street jogs.* Street jogs with centerline off-sets of less than 125 feet shall be avoided.

(5) *Street intersections.* Streets shall be laid out so as to intersect at right angles, or as nearly as possible to 90 degrees. Six foot concrete valley gutters are required at street intersections where cross drainage will occur.

(6) *Non-cul-de-sac designed dead-end streets.* Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage concerns and street integrity. Temporary turnarounds are required if they exceed 150 feet in length.

(7) *Cul-des-sac design.* For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum radius of 38 feet back of curb to back of curb with a 50 foot right-of-way required.

(8) *Street names.* No street names shall be used which will duplicate or be confused with names of existing streets. Street extensions shall use the existing street names. Street names shall be subject to the approval of the Planning and Zoning Commission.

(9) *Street signs.* The city, at the developer's expense, shall install all street signs. The developer shall be charged for the cost of materials only.

(E) *Alleys.*

(1) Alleys shall generally be parallel to the street.

(2) Alley intersections and sharp changes in alignment shall be avoided. Where two alleys intersect, or where an alley turns, additional width may be required to allow for the turning of vehicles or guying of utility poles.

(3) Easements may be required on either side of the alley or alleys for utility placement.

(4) The width of an alley shall not be less than 20 feet.

(5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the terminus, as determined by the Planning and Zoning Commission.

(6) Alleys shall paved in the same manner as streets.

(F) *Construction standards.*

(1) *Design.* Pavement section design shall be accomplished by a professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of "Standard Specifications for Public Works Construction".

(2) *Street surfaces.* All street wearing surfaces shall consist of concrete or hot mixed asphaltic concrete (HMAC) laid over a base course of crushed stone which has been designed, and compacted in accordance with city standards and requirements.

(3) *Curb and gutter.* All curb and gutter, integral curbs, valley gutters, driveway approaches, drainage structures and the like shall be constructed of Class "A" (3,600 PSI) Portland Cement Concrete per city standards.

(Ord. 2010-08, passed 3-9-10)