



**Harker Heights
Planning and Zoning
Commission Meeting**

**Wednesday,
October 27, 2021
5:30 P.M.**



**PLANNING & ZONING COMMISSION MEETING
HARKER HEIGHTS CITY HALL
WEDNESDAY, OCTOBER 27, 2021 – 5:30 P.M.**

Notice is hereby given that beginning at 5:30 P.M. on Wednesday, October 27, 2021, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will conduct a regular meeting. The Meeting will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following Agenda:

MEETING AGENDA

I. CALL TO ORDER - Convene Regular Meeting of the Planning and Zoning Commission and establish a quorum.

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

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

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

IV. APPROVAL OF AGENDA

1. Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for October 27, 2021.

V. CONSENT AGENDA

1. Consider approval of Minutes from the Regular Planning and Zoning Meeting held on September 29, 2021.

VI. Report on City Council results from the October 12, 2021 meeting.

VII. Recognition of Affidavits for Conflict of Interest.

VIII. PUBLIC COMMENTS

1. At this time, comments will be taken from the audience on non-agenda related topics, for a length of time not to exceed three minutes per person. To address the Planning and Zoning Commission, please 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.*

IX. PUBLIC HEARING

1. **Z21-25** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.
2. **Z21-26** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas.
3. **Z21-27** Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas.
4. **Z21-28** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas.
5. **Z21-29** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.
6. **Z21-29-F** Conduct a public hearing to discuss and consider recommending an ordinance to amend the Comprehensive Plan's future land use map to change the 'Community Center' and 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.

X. NEW BUSINESS

1. **CP21-06** Discuss and consider a request for a Concept Plan referred to as Cedar Trails on property described as Uriah Hunt Survey, Abstract No. 401, Property ID #75765, generally located at 13436 E. Knight's Way (FM 2410), Harker Heights, Bell County Texas, and locally known as 13436 FM 2410, Belton, Bell County, Texas.
2. **P21-28** Discuss and consider a request for a Final Plat referred to as Pat Kern Subdivision, Replat No. 1, on property described as being all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County,

Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in instrument No. 2013-00048060, Deed Records of Bell County, Texas, generally located at 201 Indian Trail, Harker Heights, Bell County, Texas.

3. **P21-29** Discuss and consider a request for a Preliminary Plat referred to as Stillhouse Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas.
4. **P21-30** Discuss and consider a request for a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.
5. **P21-31** Discuss and consider a request for a Minor Plat referred to as Family Dollar Addition, 1st Amendment on property described as being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, generally located at 660 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas.
6. **P21-32** Discuss and consider a request for a Minor Plat referred to as Withers Addition on property described as 11.134 acres situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, being all of that called 11.134 acres of land conveyed to Michael Withers in Document No. 2021052995, Official Public Record of Real Property, Bell County, Texas, and generally located at the intersection of Mesquite Branch Road and Oakridge Boulevard, Harker Heights, Bell County, Texas.

XI. REPORTS FROM COMMISSIONERS

XII. STAFF COMMENTS

XIII. ADJOURNMENT OF P&Z MEETING

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, 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, October 22, 2021**. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Wilson Everett

Wilson Everett, Planning & Development Administrative Assistant

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



**Minutes of the Harker Heights Planning & Zoning Commission Meeting
September 29, 2021**

Present:

Commission

Larry Robison	Chairman
Adam Parker	Secretary
Noel Webster	Commissioner
Joshua McCann	Commissioner
Stephen Watford	Commissioner
Rodney Shine	Commissioner
Kay Carey	Commissioner

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

Staff

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

Absent:

Robert Robinson III	Vice Chairman
Nuala Taylor	Commissioner

Meeting Agenda:

Agenda Item I: A quorum was established, and the regular meeting for the Planning and Zoning Commission was called to order at 5:30 P.M.

Agenda Item II: The next agenda item was approval of the Agenda for the regular Planning and Zoning Meeting for September 29, 2021. Commissioner Webster made a motion to approve the Agenda. Commissioner Shine seconded the motion. **The motion was approved (7-0).**

Agenda Item III: The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on August 25, 2021. Commissioner Shine made a motion to approve the meeting minutes. Commissioner Carey seconded the motion. **The motion was approved (5-0).** It was noted Secretary Parker and Commissioner Watford abstained from voting on the motion.

Agenda Item IV: Mrs. Spell provided a summary of the City Council results from the September 14, 2021 meeting.

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

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

Agenda Item VII: **Public Hearing:**

1. Z21-24 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-3 (Local Business District) to B-4 (Secondary and Highway Business District) on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808, 810 & 812 S. Ann Blvd., Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request for the zoning change from the current zoning of B-3 (Local Business District) to B-4 (Secondary and Highway Business District). She noted that Staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Jessica Tolbert, 509 S 58th Street, Killeen, Texas 76543 was present to represent the case.

Secretary Parker made a motion to deny an ordinance to change zoning designation from B-3 (Local Business District) to B-4 (Secondary and Highway Business District) on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808, 810 & 812 S. Ann Blvd., Harker Heights, Bell County, Texas. Commissioner McCann seconded the motion. **The motion for denial was approved (6-1).** Commissioner Webster disapproved the motion.

Agenda Item VIII: **New Business:**

1. P21-26 Discuss and consider a request for a preliminary plat referred to as Stillhouse Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request for a preliminary plat for approximately 1.50 acres of vacant land located on Stillhouse Lake Road. She noted that the proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4) and that the 2007 Future Land Use Map shows the future use of this property to be Commercial. She explained the applicant indicated that the proposed use for this parcel is as a Convenience Store/Gas Station.

There was no one present to represent the request.

Commissioner Shine made a motion to withdraw a request for a preliminary plat referred to as Stillhouse Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas. Commissioner Webster seconded the motion. **The motion to withdraw the plat was approved (7-0).**

2. P21-27 Discuss and consider a request for a preliminary plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.

Mrs. Spell explained the applicant's request for a preliminary plat approval for approximately 1.73 acres of vacant land located on at the intersection of Chaparral Road and Stillhouse Lake Road. She noted the proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4) and that the 2007 Future Land Use Map shows the future use of this property to be Single Family Residential. She explained the applicant indicated that the proposed use for this parcel is a Convenience Store/Gas Station.

There was no one present to represent the request.

Secretary Parker made a motion to withdraw a request for a preliminary plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas. Commissioner Watford seconded the motion. **The motion to withdraw the plat was approved (7-0).**

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 6:36 P.M.

Larry Robison, Chairman

DATE:

Adam Parker, Secretary

DATE:



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-25

AGENDA ITEM IX-1

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (N PT OF 63), ACRES 0.608, PROPERTY ID #489292, GENERALLY LOCATED AT 11511 HIGHVIEW DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND LOCALLY KNOWN AS 11511 HIGHVIEW DRIVE, BELTON, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.

According to the building permit application, the main living structure will consist of 5,182 square feet and the proposed accessory dwelling unit will consist of 1,383 square feet, with an area of 846 square feet being dedicated to living space.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District
South	Vacant Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District
East	Single Family Residence	Residential Estate	R-1 One-Family Dwelling District
West	Vacant Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District

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

Flood Damage Prevention:

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

Notices:

Staff sent out twelve (12) notices to property owners within the 400-foot notification area. As of October 20, 2021, six (6) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas, subject to the following conditions:

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

The above recommendation is based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

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 R-1 (One-Family Dwelling District) with a Conditional use Permit (CUP) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas, based on staff’s recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

- | | |
|---------------------|-------------------------------|
| 1. Application | 4. Site Plan & Building Plans |
| 2. Letter of Intent | 5. Ordinance |
| 3. Survey | 6. Location Map |

7. Zoning Map
8. Existing Land Use Map
9. Future Land Use Map
10. Notification Area Map
11. Public Responses



Conditional Use Permit Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. Site Plan
4. Letter of Intent
5. Please thoroughly read Section 155.201 - Conditional Use Permits (see attached)

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

Property Owner(s) Name: Bradley and Lori Walker **Date:** Sep 29, 2021

Address: [REDACTED]

City/State/Zip: [REDACTED]

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

Legal Description of Property:

Location of Property (Address if available): 11511 Highview Drive, Belton, TX 76513

Lot: Lot Tract PT 63 Block: Subdivision: Lakeside Hills Section Two

Acres: 0.608 Property ID: 489292 Survey:

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

Current Zoning Classification: R-1, One Family Dwelling District **Future Land Use Designation:** R-1 w/ CUP
SFR, Single Family Residential

Applicant's Representative (if applicable):

Applicant's Representative: Brady Allison, Drews Hunt Builders

Phone: 512-535-8863 **E-Mail:** brady@drewshuntbuilders.com

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

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

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

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

BRADLEY K. WALKER
Printed Name of Property Owner

BRADY ALLISON
Signature of Property Owner

Bradley K. Walker
Printed Name of Representative

[Signature]
Signature of Representative

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 9/29/2021 Pre-Application Meeting Receipt #: 0174450

Received By: [Signature] Case #: _____



Drews Hunt Builders
1023 Canyon Creek Drive, Suite 100
Temple, TX 76502
Tel: 512-535-8863
Email: brady@drewshuntbuilders.com

Letter Of Intent

Wednesday, September 29, 2021

**RE: Conditional Use Permit Application
11511 Highview Drive
Belton, TX 76513**

To Whom It May Concern:

Drews Hunt Builders is planning to construct a new residence for Mr. Bradley and Lori Walker located at 11511 Highview Drive, Belton, TX 76513. Included in these plans is a detached "Mother-In-Law" suite designed to accommodate Lori's disabled sister. Lori's sister will be living with them in the detached MIL suite on the property fulltime. This information is being provided along with a Conditional Use Permit Application and a full set of construction drawings for the detached living quarters mentioned above.

Please contact me with any further questions.

Sincerely,

Drews Hunt Builders

A handwritten signature in blue ink, appearing to read 'Brady Allison', is written over the printed name.

Brady Allison
Project Manager



QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

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

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

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

AL=195.72', R=727.89',
CB=S81°22'27"E,
CD=195.14' Δ=15°24'23"

HIGHVIEW
DRIVE

WATER
METER

WIRE FENCE

UTILITY POLE

SCALE: 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/ CAP
STAMPED "QUINTERO 10194110"

UNLESS OTHERWISE NOTED

Note:

Survey prepared without the benefit of title commitment, no further search for easements or restrictions has been made by this company. Easements that are aware of by this company have been shown.

This Survey is for the exclusive use of the current parties (buyer/seller for this transaction) and solely valid to convey title and may not be used or reproduced after the date of conveyance without the consent of the Surveyor.

Bearings and distances shown hereon are based upon Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Smart Net GPS observation.

SURVEYOR'S SKETCH of a survey made on the ground on **August 20, 2019**, of that certain tract of land located on Highview Drive, **Belton, Texas**, and being called **Lot Sixty Three (63), Lakeside Hills Section Two, Bell County, Texas**, according to the Plat of Record in **Cabinet A, Slide 43-C**, Plat Records of **Bell County, Texas**. There are no shortages of areas, visible encroachments, protrusions, or overlapping of improvements, except as shown or noted hereon. Only the information shown on the recorded plat was considered for this survey. **THIS SURVEY DOES NOT IMPLY ALL EASEMENTS AND SETBACK LINES HAVE BEEN RESEARCHED.** A review of all title records may find additional information.

(PLAT N 20° 31' 26" E - 1250.17')
N 20° 47' 27" E - 1250.64'

LOT 63

LOT 64

S 20° 16' 03" W - 1235.44'
(PLAT S 20° 18' 33" W - 1235.44')

LOT 62

N 84° 47' 58" W - 209.76'
(PLAT N 84° 46' W - 210.00')

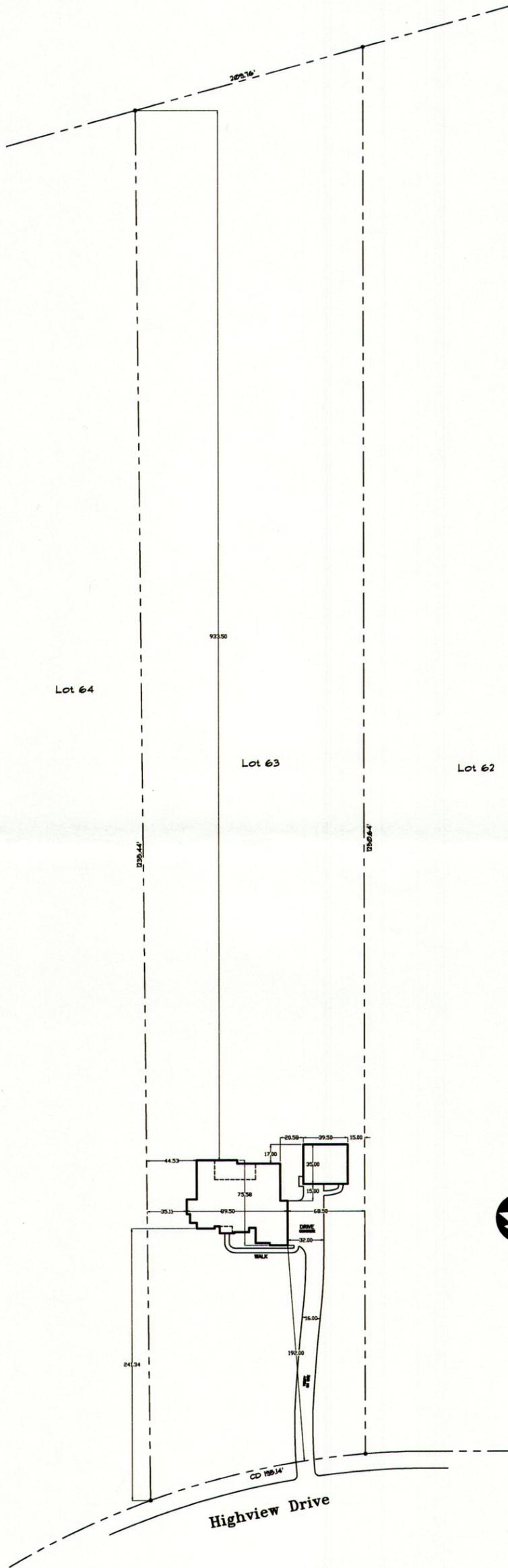
LOT 66
LAKESIDE HILLS
SECTION THREE
CABINET A, SLIDE 43-D

CALLED 1.00 ACRE
CLYDE CLAREN HOWARD, JR.
VOLUME 3086, PAGE 556

Bradley W. Sargent 08/23/2019

Bradley W. Sargent, R.P.L.S.
Registered Professional Land Surveyor
R.P.L.S. No. 5827, Texas





VERIFY LOCATION OF HOUSE, DRIVEWAY, WALKS AND TREES BY GENERAL CONTRACTOR WITH OWNER ON SITE.

SITE LAYOUT

SCALE: 1" = 50'-0"

R.D. Chaplin and Associates, Architect and Planner, Inc. (hereinafter "Designer") is not an architectural or engineering firm and is not qualified or licensed to design structural framing and foundation plans. Designer does not warrant (expressly or implied) the resulting structure and is not responsible for any structural design problems, safety or damage resulting from the design plan. This design plan should be reviewed by a local architect or engineer to verify that all applicable building codes and structural requirements are met. This is not a survey. Designer has not reviewed any topographical data, including a survey, for compliance with deed restrictions and subdivision requirements and for zoning and zoning code compliance. All measurements are to the dry or as-shown. All measurements shall be verified by the builder on job site.

Copyright 2019 R.D. Chaplin & Associates

SECRET
1
OF 7

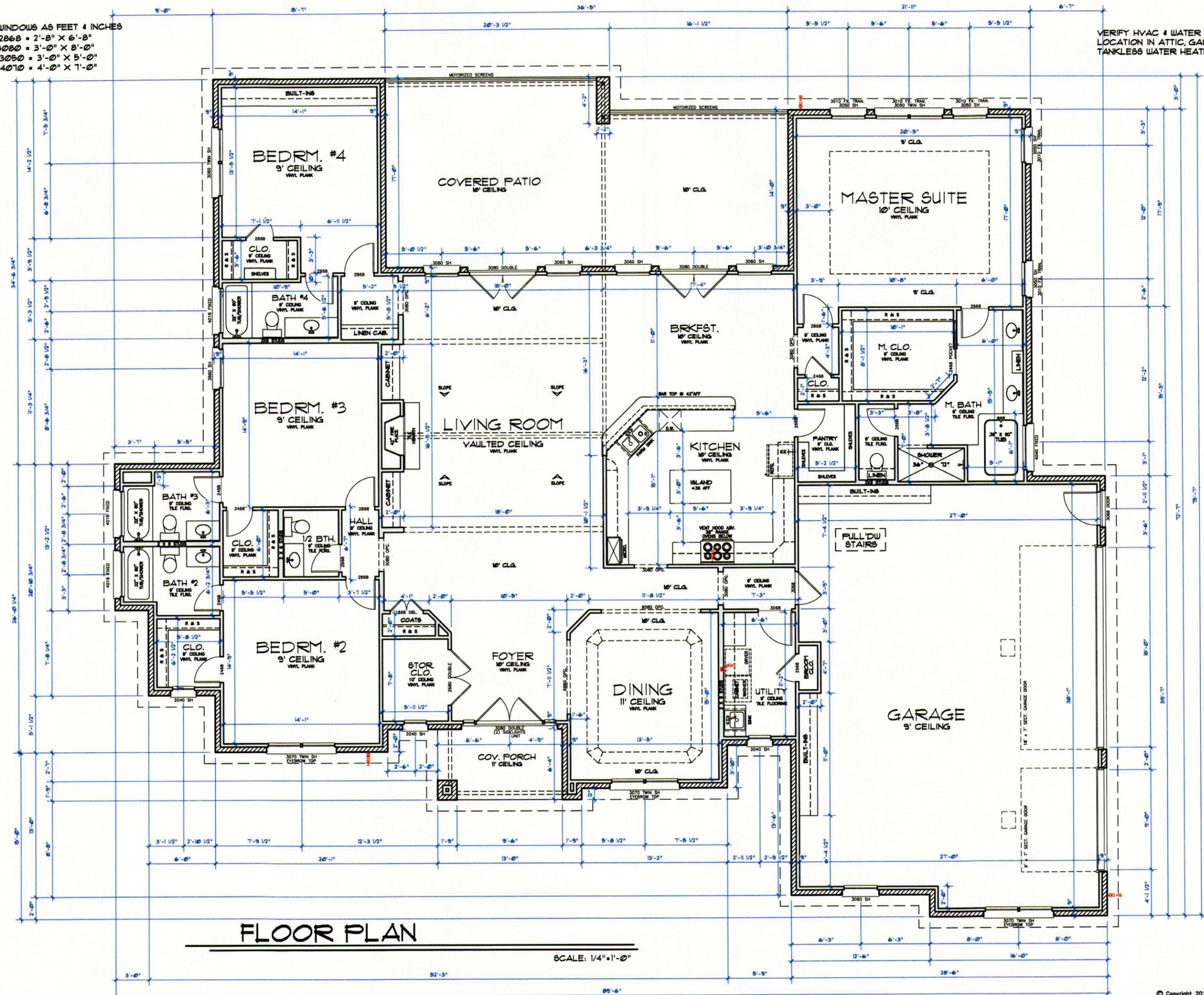
New Residence for
Mr. & Mrs. Walker
Date: 03/25/21

R.D. Chaplin
and Associates
1814 W. Ave. L - TEMPLE, Texas, 76504
Office: - (254)-773-3025 Mobile: - (254)-718-6416
Email: rdchomeplans@gmail.com

DREWS HUNT BUILDERS
Drews Hunt Builders, LLC.
1023 Canyon Creek Dr. Suite #100
Temple, TX 76502
Office: 254.773.1067
Fax: 254.773.9538
www.drewshuntbuilders.com

READ DOOR & WINDOWS AS FEET & INCHES
 DOOR - 2868 = 2'-8" X 6'-8"
 DOOR - 3080 = 3'-0" X 8'-0"
 WINDOW - 3050 = 3'-0" X 5'-0"
 WINDOW - 4070 = 4'-0" X 7'-0"

VERIFY HVAC & WATER HEATER
 LOCATION IN ATTIC, GAS OR ELECTRIC
 TANKLESS WATER HEATER



FLOOR PLAN

SCALE: 1/4" = 1'-0"

FILE #: 19214-M.DWC

© Copyright 2019 R.D. Chaplin & Associates

LIVING:	3,478 SQFT
GARAGE:	1,060 SQFT
PORCHES:	644 SQFT
TOTAL:	5,182 SQFT

Drawn by: R. Walker, LLC
 1033 Camino Creek Dr. Suite #100
 Temple, TX 76782
 Office: 748.773.1004
 Fax: 748.773.9538
www.dreamshomebuilders.com

**DREAMS
 & HUNT
 BUILDERS**

**R.D. Chaplin
 and Associates**
 1814 W. Ave. L - TEMPLE, Texas, 76504
 Office: - (254)-773-3025 Mobile: - (254)-718-6418
 Email: rachomeplans@gmail.com

New Residence for
Mr. & Mrs. Walker
 Date: 03/25/21

SHEET
2
 OF 7

VERIFY HVAC & WATER HEATER LOCATION IN ATTIC, GAS OR ELECTRIC TANKLESS WATER HEATER

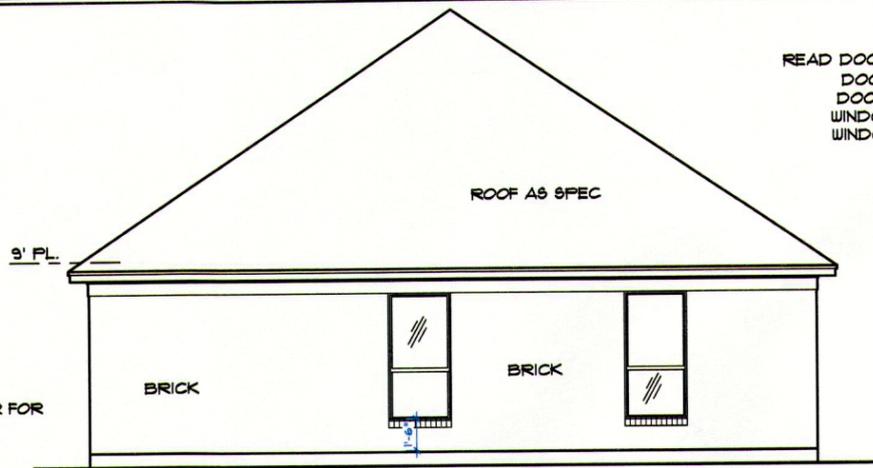
ALL ELECTRICAL TO BE VERIFY WITH OWNER AND CHANGED OR ADDED TO AS REQUIRED.

VERIFY DIMMERS SWITCHES WITH OWNERS

VERIFY ELECTRIC FOR YARD LIGHTS AND LANDSCAPE LIGHTING

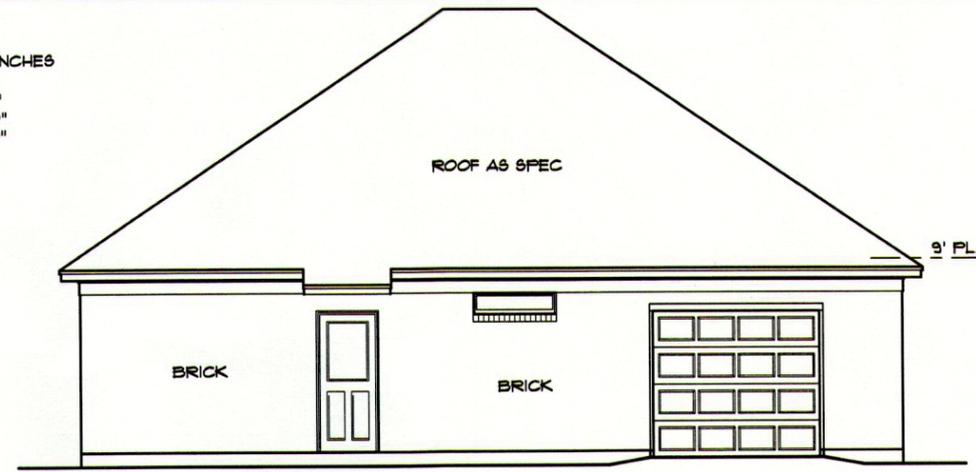
VERIFY ELECTRICAL LAYOUT WITH OWNER FOR ACTUAL PLACEMENT OF OUTLETS

READ DOOR & WINDOWS AS FEET & INCHES
 DOOR - 2868 = 2'-8" X 6'-8"
 DOOR - 3080 = 3'-0" X 8'-0"
 WINDOW - 3050 = 3'-0" X 5'-0"
 WINDOW - 4070 = 4'-0" X 7'-0"



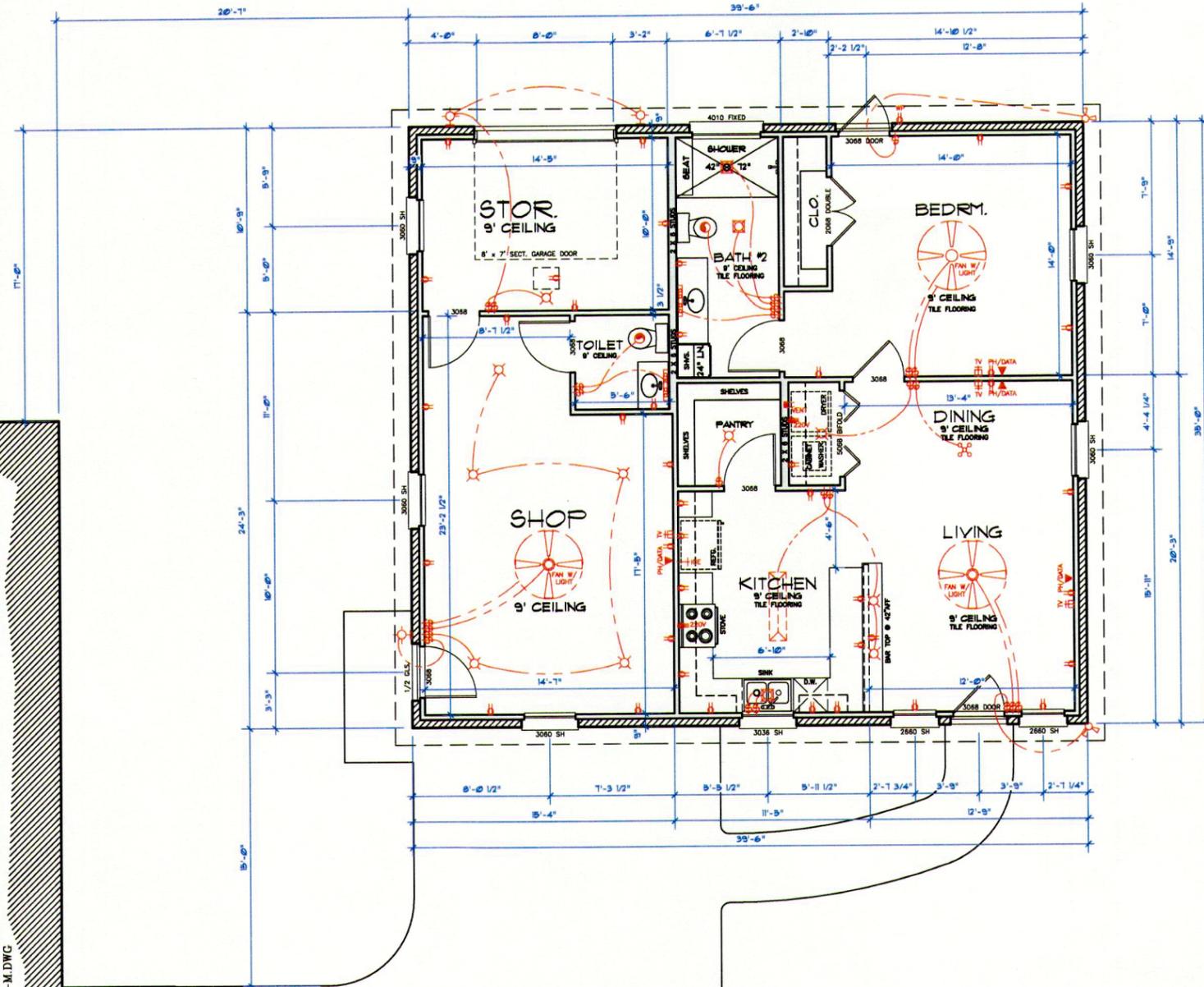
RIGHT ELEVATION

SCALE: 1/4"=1'-0"



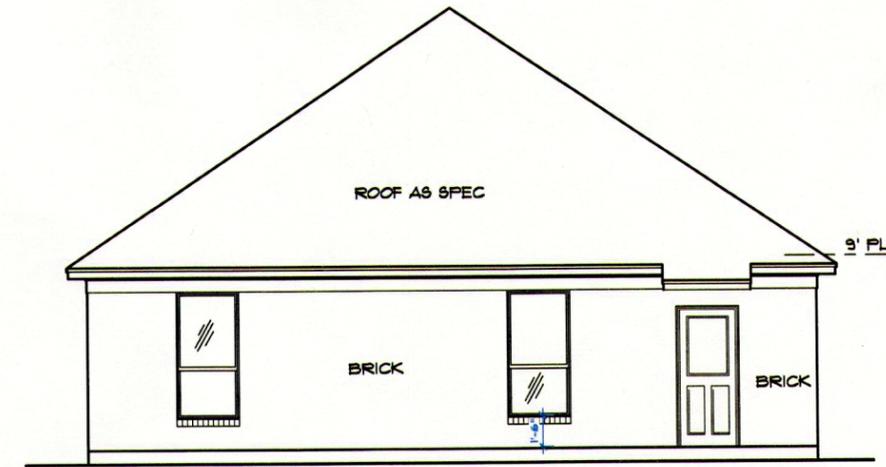
REAR ELEVATION

SCALE: 1/4"=1'-0"



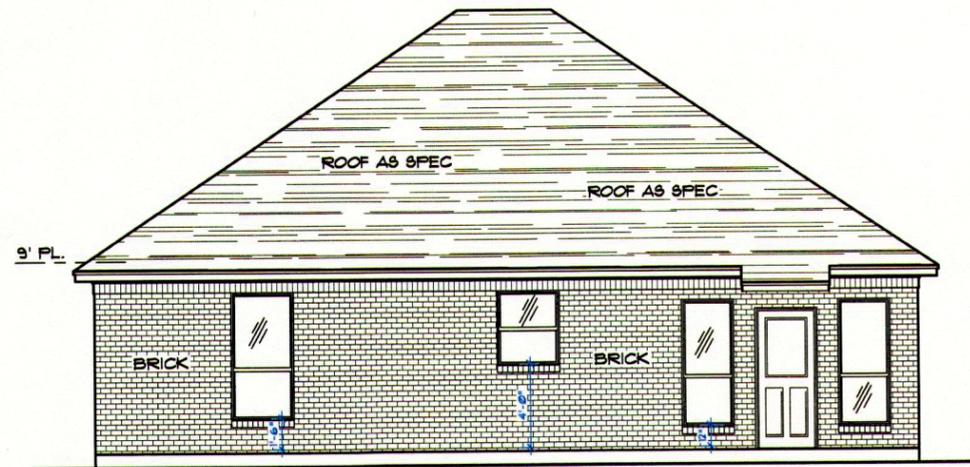
FLOOR PLAN

SCALE: 1/4"=1'-0"



LEFT ELEVATION

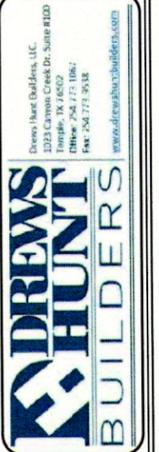
SCALE: 1/4"=1'-0"



RIGHT ELEVATION

SCALE: 1/4"=1'-0"

LIVING:	846 SQFT
SHOP:	372 SQFT
STORAGE:	165 SQFT
TOTAL:	1,383 SQFT



R.D. Chaplin and Associates
 1614 W. Ave. L - TEMPLE, Texas, 76504
 Office: - (254)-773-3025 Mobile: - (254)-718-6416
 Email: rdchomeplans@gmail.com

New Residence for
Mr. & Mrs. Walker
 Date: 03/25/21

SHEET
7

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.201 CONDITIONAL USE PERMITS.

(A) *Purpose.* The purpose of the conditional use permit process is to identify those land uses which may be appropriate within a zoning district but, due to either their location, function or operation could have a harmful impact on adjacent properties or the surrounding area, and to provide a procedure whereby such uses may be permitted by further restricting or conditioning them so as to mitigate or eliminate such potential adverse impacts. The conditional use permit remains with land, regardless of ownership, until termination thereof.

(B) *Planning and Zoning Commission consideration.*

(1) *Application.* Only the property owner may apply for conditional use permits. The application for a conditional use permit shall be submitted on a form approved by the Planning and Development Director and shall be accompanied by a site plan in a form acceptable to the Planning and Development Director. The application shall be filed with the Planning and Zoning Commission, together with the application fee and all required attachments, not less than 30 days prior to the meeting at which the applicant wishes to have his or her request considered.

(2) *Notice and hearing.* For purposes of giving notice and conducting a public hearing, the Planning and Zoning Commission shall treat the application as a rezoning request.

(3) *Report by Planning and Zoning Commission.* Following proper application, notice to affected landowners and public hearing, the Planning and Zoning Commission shall make a report to the City Council which shall recommend approval or denial of the application for a conditional use permit, and which shall further specify such restrictions or conditions of approval as the Planning and Zoning Commission may deem appropriate.

(4) *Criteria for approval.* The Planning and Zoning Commission may recommend approval of a conditional use permit by majority vote, but should recommend disapproval of application if it finds one or more of the following to be true:

- (a) The proposed use does not conform with applicable regulations and standards established by this chapter;
- (b) The proposed use will be inconsistent with the objectives and purposes of the zoning district in which the development is located, or the goals, objectives and policies set forth in the city's current Comprehensive Zoning Plan;
- (c) The proposed use will be incompatible with existing or permitted uses on abutting sites because of use, building height, bulk and scale, setbacks and open spaces, coverage, landscaping and screening, drainage, or access and circulation features;
- (d) The proposed use is not suitable to the premises or structure(s) in which it will be conducted;
- (e) The proposed use potentially creates greater unfavorable effects or impacts on existing or permitted uses on abutting sites than those which might reasonably result from the use of the site for a use permitted by right;
- (f) The proposed use will be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity in a manner specified by the Commission;
- (g) The proposed use fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, or similar hazards or impacts;
- (h) The proposed use will materially and adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area under existing zoning regulations;
- (i) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs; or
- (j) The proposed use fails to provide adequate and convenient off-street parking and loading facilities.

(C) *City Council consideration.*

(1) *Generally.* The City Council shall consider the application at the first regular meeting scheduled after it has received the final report of the Planning and Zoning Commission. The Council may vote to approve the application, vote to deny the application, table matter for future consideration, or refer the application back to the Planning and Zoning Commission for further study and a new recommendation. In the event that an application for a conditional use permit is not approved by the City Council within 180 days after the date it was first considered by the Planning and Zoning Commission, such application shall be deemed to have been denied on the 180th day after such first day of consideration.

(2) *Vote required.* The application may be approved by a majority vote of the Council, provided that the Council may not approve an application for a conditional use permit except by three-fourths approval vote if a written protest against such permit has been filed with the Building Official and such protest has been duly signed and acknowledged by the owners of at least 20% of the area of the lots or land immediately adjoining the area covered by the requested permit and extending 200 feet from that area.

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers,

fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

(4) *Ordinance required.* If the application is duly approved by the City Council, an ordinance authorizing its issuance shall be promptly thereafter executed by the Mayor. The ordinance shall set forth the conditions of approval, and may provide that any person or legal entity found guilty of violating such ordinance may be fined an amount not exceeding \$2,000 for each day during which a violation is committed.

(5) *Submission of application following disapproval.* If an application for a conditional use permit has been disapproved by the City Council, whether such disapproval results from formal Council action or the failure to approve the application within the specified time, the same or substantially identical application shall not be filed with the Planning and Zoning Commission for a period of at least 180 days after the date of such disapproval. Upon disapproval of any subsequent identical or substantially identical application, the same or substantially identical application shall not be filed for a period of 12 months from the date of the last disapproval. However, the provisions of this division shall not operate to prohibit the filing of an application after legal title of record has been transferred to a new owner.

(D) *Record of permits.* The Planning and Development Director shall maintain a record of all conditional use permits granted by the city.

(E) *Term.*

(1) A conditional use permit shall continue in full force and effect until the earliest occurrence of any of the following events of termination, at which time it shall immediately become void and shall have no further effect:

(a) The building or premises is not put to the permitted use for a period of one year or more from the effective date of the ordinance authorizing issuance of the permit;

(b) The permit expires by its own terms;

(c) The property is rezoned;

(d) Another conditional use permit is approved for the site;

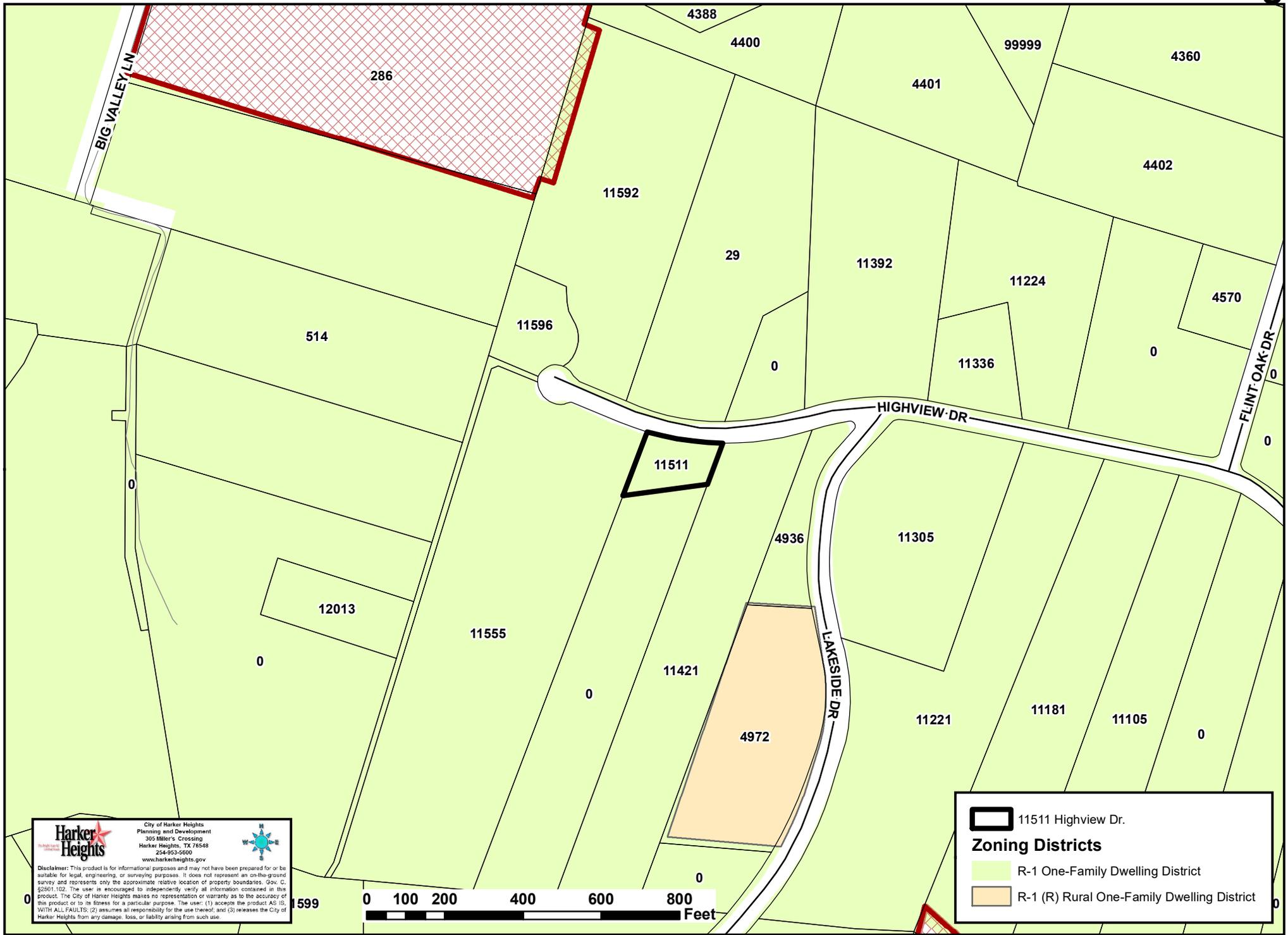
(e) The building or premises is substantially enlarged, extended, reconstructed or altered;

(f) The use of the building or premises is materially expanded, increased or otherwise altered; or

(g) The violation of any one or more of the conditions of approval.

(2) For purposes of this section the City Manager shall have the authority, subject to review by the Zoning Board of Adjustment, to determine whether an event of termination has occurred. Whenever the City Manager shall make a formal determination as to whether an event of termination has occurred, he shall promptly make and forward to the Planning and Zoning Commission and Zoning Board of Adjustment a written report describing the facts surrounding such determination and the reasons for such determination.

(Ord. 2001-36, passed 11-13-01)



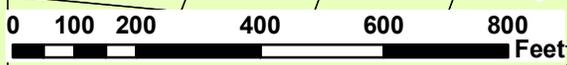
Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-953-5600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C, §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

 11511 Highview Dr.

Zoning Districts

-  R-1 One-Family Dwelling District
-  R-1 (R) Rural One-Family Dwelling District



SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DONAHUE, MICHAEL N

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

Physical Address	Property ID
N/A	#29862

RE: application to consider a request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit (ADU) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas and locally known as 11511 Highview Drive, Belton, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I HOPE THEY WILL INTRODUCE THEMSELVES AND
CONSIDER A POSITIVE RESPONSE TO MY
ADDITION OF A GARAGE / STUDIO SPACE IN 2 YEARS.

MICHAEL DONAHUE
Printed Name

Michael Donahue
Signature

October 7, 2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: ELLIS, FRED E ETUX TAMMY L

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

Physical Address	Property ID
29 HIGHVIEW DR	#33072

RE: application to consider a request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit (ADU) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas and locally known as 11511 Highview Drive, Belton, Texas (see attached notification map).

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

Comments:

Tammy Ellis
Fred Ellis
Printed Name

Tammy Ellis
Fred Ellis
Signature

10-9-21
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: THOMAS, THOMAS N ETUX KYUNG A

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

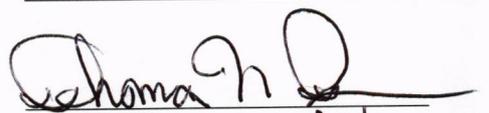
Physical Address	Property ID
11421 HIGHVIEW DR	#117724

RE: application to consider a request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit (ADU) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas and locally known as 11511 Highview Drive, Belton, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:


Printed Name
Thomas N. Thomas
Oct 18, 2021
Date


Signature

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MUENTER, WILLIAM T

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

Physical Address	Property ID
11305 HIGHVIEW DR	#123046

RE: application to consider a request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit (ADU) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas and locally known as 11511 Highview Drive, Belton, Texas (see attached notification map).

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

Comments:

William T. Muentzer
Printed Name

William T. Muentzer
Signature

10-6-2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: ECHEANDIA, JUAN J VARONA

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

Physical Address	Property ID
11592 HIGHVIEW DR	#132344

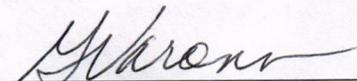
RE: application to consider a request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit (ADU) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas and locally known as 11511 Highview Drive, Belton, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Grace Varona
Printed Name


Signature

10/7/2021
Date



PLANNING AND ZONING COMMISSION MEMORANDUM

Z21-26

AGENDA ITEM IX-2

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 0066, ACRES 7.72, PROPERTY ID #52206, GENERALLY LOCATED AT 5140 LAKESIDE DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS AND LOCALLY KNOWN AS 5140 LAKESIDE DRIVE, BELTON, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas, and locally known as 5140 Lakeside Drive, Belton, Texas. According to the Bell County Tax Records, the property consists of approximately 7.72 acres and has an existing residential structure consisting of 3,754 square feet. The request will enable the applicant to construct the following:

- Garage (33' X 42' 1,386 square feet)
- Wood shop (18' X 33', 594 square feet)
- Carport (20' X 33', 660 square feet)
- Total combined square feet: 2,640

As outlined within the R1-R zoning district, the following requirements must be met:

§155.021 (3) (a) (1-3)

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

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)
South	Vacant Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)
East	Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)
West	Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)

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

Flood Damage Prevention:

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

Notices:

Staff sent out fifteen (15) notices to property owners within the 400-foot notification area. As of October 20, 2021, three (3) responses were received in favor of the request, and one (1) response was received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends 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 Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas, and locally known as 5140 Lakeside Drive, Belton, Texas, based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

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 R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas, and locally known as 5140 Lakeside Drive, Belton, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Site Plans
3. Building location
4. Ordinance
5. Location Map
6. Zoning Map
7. Existing Land Use Map
8. Future Land Use Map
9. Notification Area Map
10. Public 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

*If proposed zoning designation is not in compliance with land use, an application to change land use will also be required.

City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5600
 Email:
 planning@harkerheights.gov

Property Owner(s) Name: Pam and John Hennessy **Date:** September 29, 2021

Address: [REDACTED]

City/State/Zip: [REDACTED]

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

Legal Description of Property:

Location of Property (Address if available): 5140 Lakeside Dr., Belton, Texas 76513
 Lot: Tract 66 Block: _____ Subdivision: Lakeside Hills, Section 3
 Acres: 7.72 Property ID: _____ Survey: _____

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

Proposed Use: Rural Residential
Current Zoning Classification: R1 **Proposed Zoning:** R1-R
Current Land Use: Single Family Residential **Proposed Land Use:** Rural Residential

Applicant's Representative (if applicable):

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

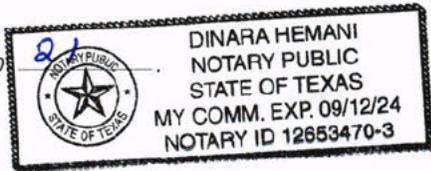
I, being the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of the application in accordance with the provisions of the City of Harker Heights Ordinances, and hereby certify that the information provided is true and correct to the best of my knowledge and belief.
 I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or will represent the owner.

Pamela Hennessy John Hennessy [Signature]
 Printed Name of Property Owner Signature of Property Owner

Printed Name of Representative Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 22nd DAY OF September, 2021

Dinara Hemani
 SIGNATURE OF NOTARY PUBLIC MY COMMISSION EXPIRES: 09/12/2024



STAFF ONLY -- DO NOT FILL OUT BELOW
 Date Submitted: 9/29/21 Pre-Application Meeting Receipt #: 01744399
 Received By: Wesley Everett Case #: _____
 Revised: 9/2021

Surveyor's Sketch showing TRACT 66, LAKESIDE HILLS, SECTION THREE, a subdivision in Bell County, Texas, according to the plat of record in Cabinet A, Slide 43-D, Plat Records of Bell County, Texas.

#59 LAKESIDE DRIVE
Cabinet A, Slide 43-D

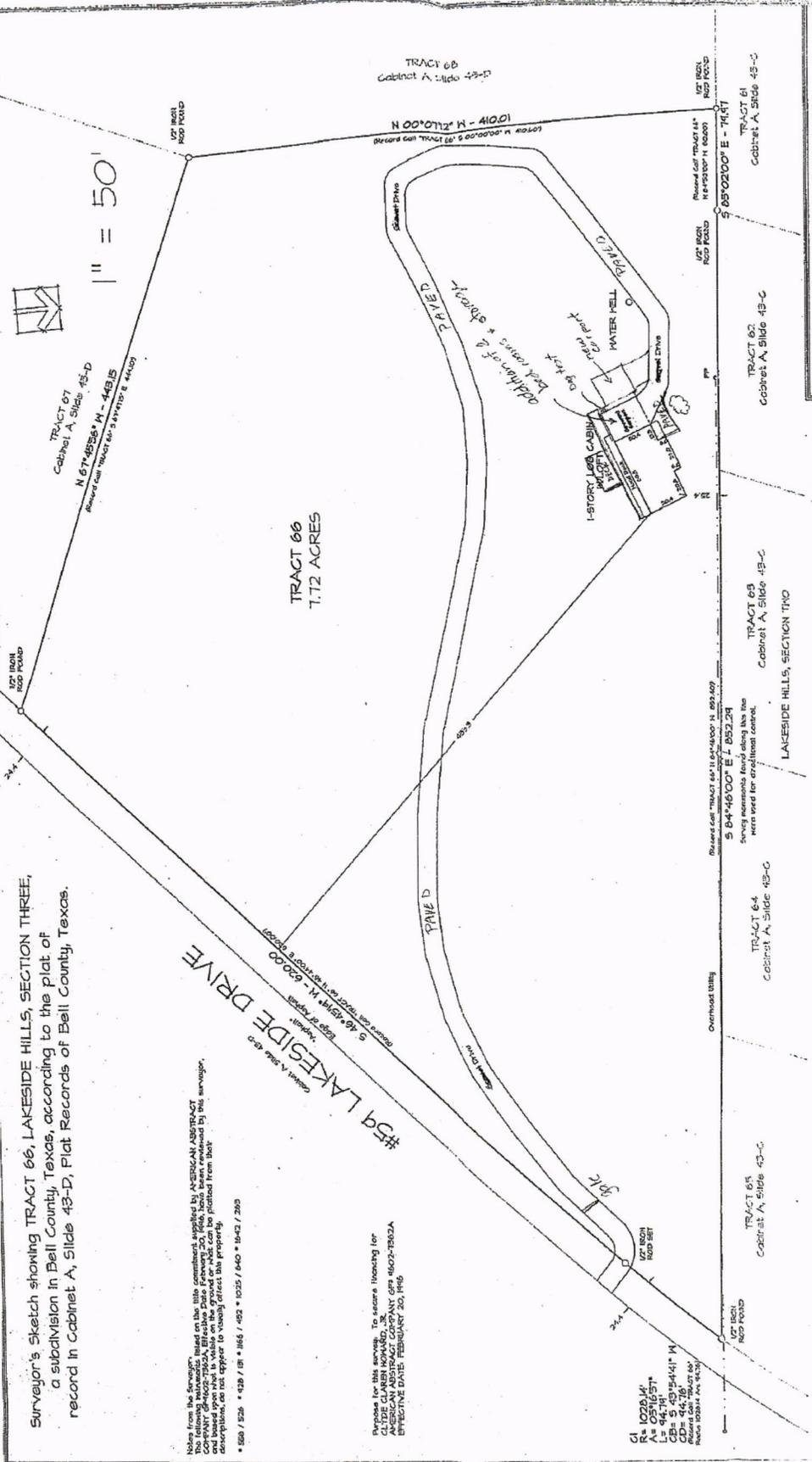
Notes from the Surveyor:
The following measurements listed on this plat were obtained by the Surveyor's observation of the ground and based upon the best of his knowledge and belief that the same are true and correct. The Surveyor is not responsible for any errors or omissions in this plat or for any consequences that may result therefrom.

* 520 / 526 * 428 / 18 * 1166 / 492 * 1025 / 640 * 1042 / 293

Purpose for this survey: To secure financing for the construction of a subdivision in Bell County, Texas, according to the plat of record in Cabinet A, Slide 43-D, Plat Records of Bell County, Texas.

ALLIGAN SURVEYING COMPANY, INC.
EFFECTIVE DATE: FEBRUARY 20, 1916

CI
R= 1020.14'
L= 52.6571'
A= 64.76'
CB= 5.42154/41' M
CD= 44.76'
E= 1020.14' x 1020.14'

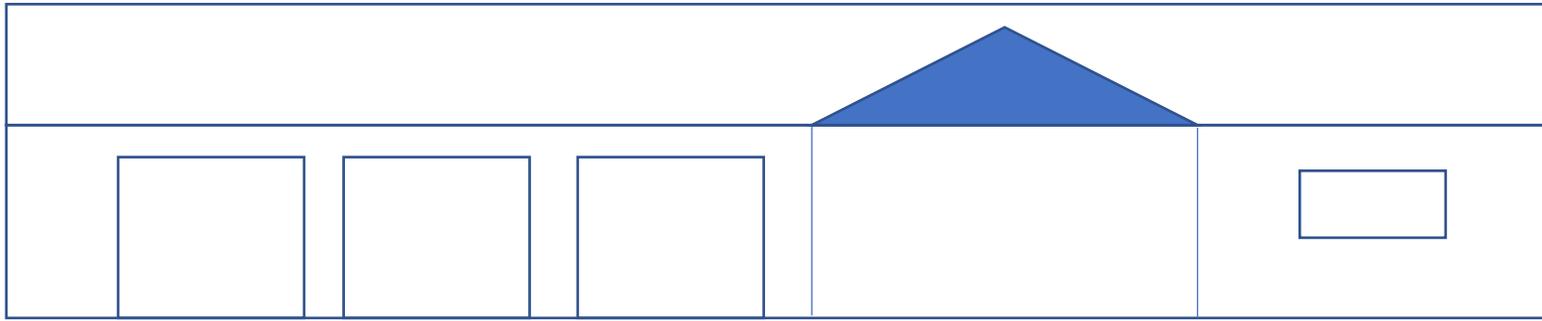
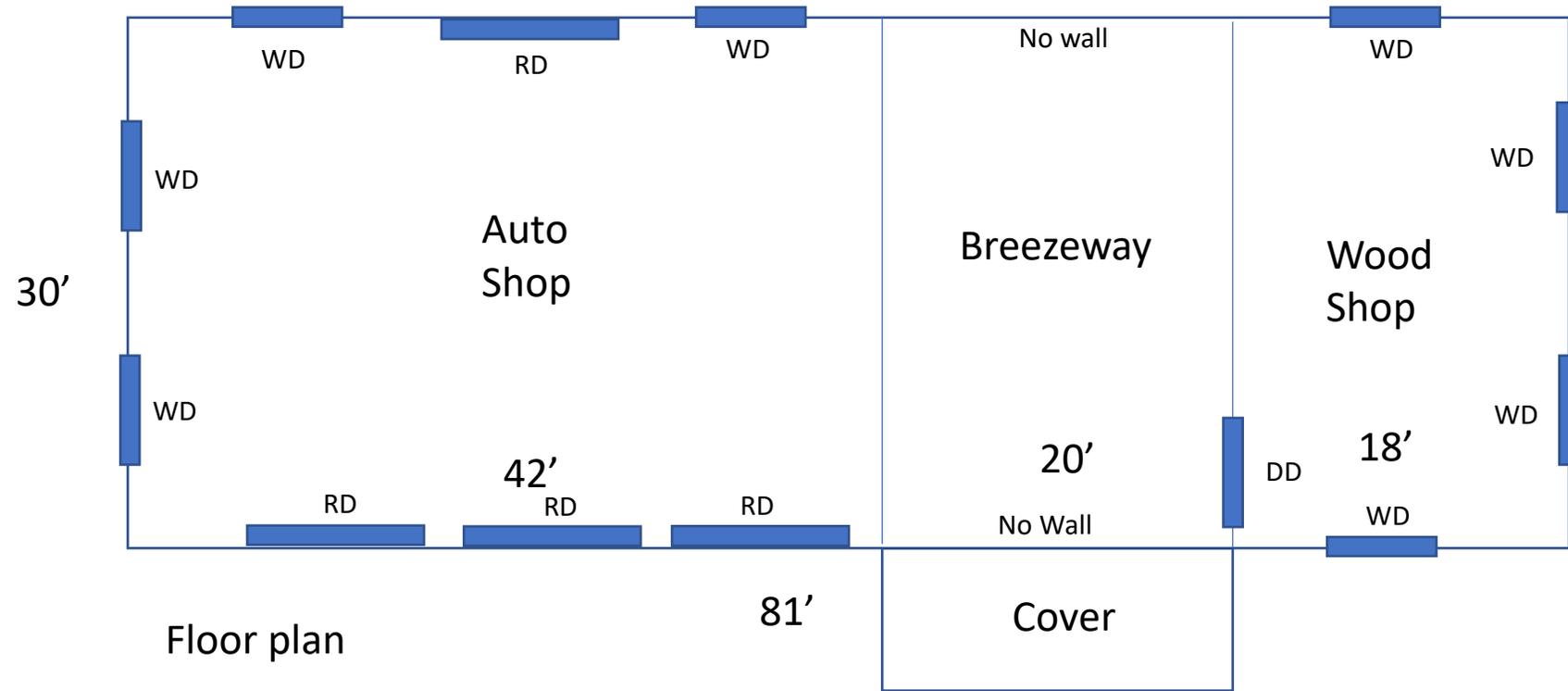


BOUNDARY SURVEY
Surveyor's Sketch showing TRACT 66, LAKESIDE HILLS, SECTION THREE, a subdivision in Bell County, Texas, according to the plat of record in Cabinet A, Slide 43-D, Plat Records of Bell County, Texas.



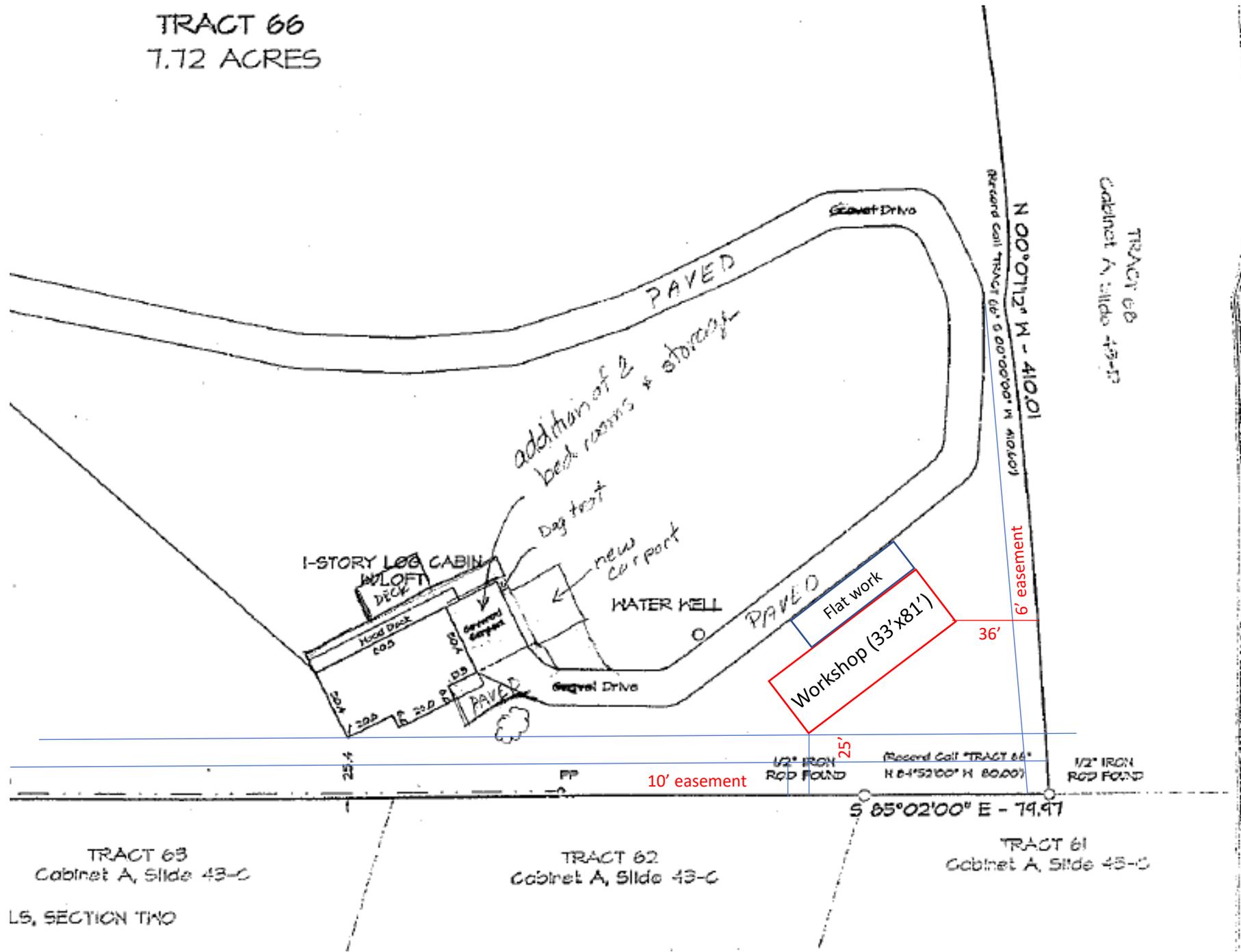
This sketch represents a survey made on the ground. During the performance of this survey persons working under my supervision observed conditions within and along the boundaries and to the best of my knowledge they are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. Based upon what can be seen on aerial graphics shown on Federal Aerial Photographs Maps (FAPM), Commission Expires 12/31/2016, this above shown property within the "Special Flood Hazard Area", and appears to be situated in Zone "C". This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

ALL COUNTY SURVEYING
1000 WEST CHINA, F.M. 629 TRACT 53
637-2322



Front view

TRACT 66
7.72 ACRES

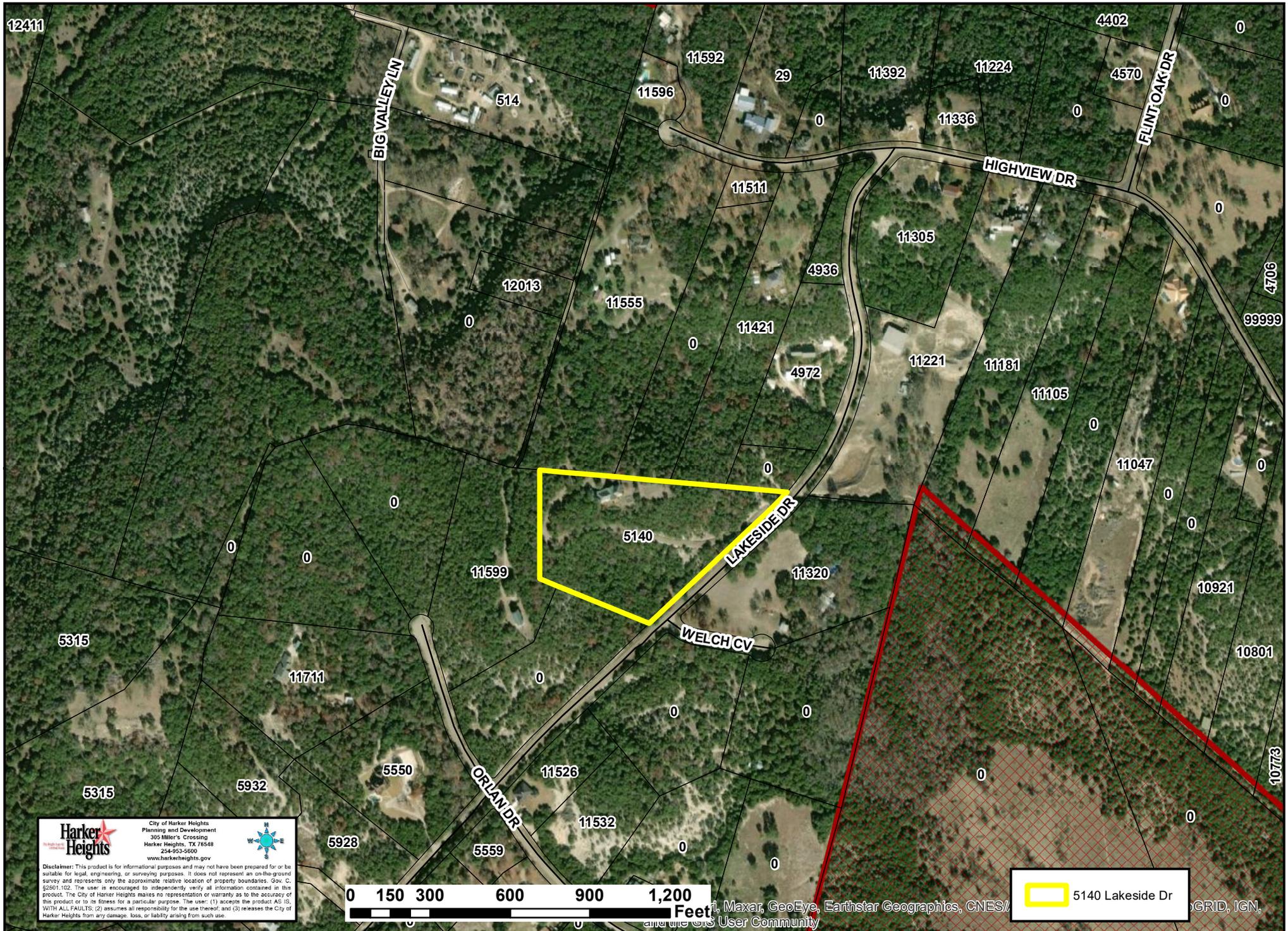


TRACT 63
Cabinet A, Slide 43-C
LS, SECTION TWO

TRACT 62
Cabinet A, Slide 43-C

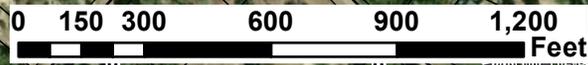
TRACT 61
Cabinet A, Slide 45-C

TRACT 66
Cabinet A, Slide 45-F

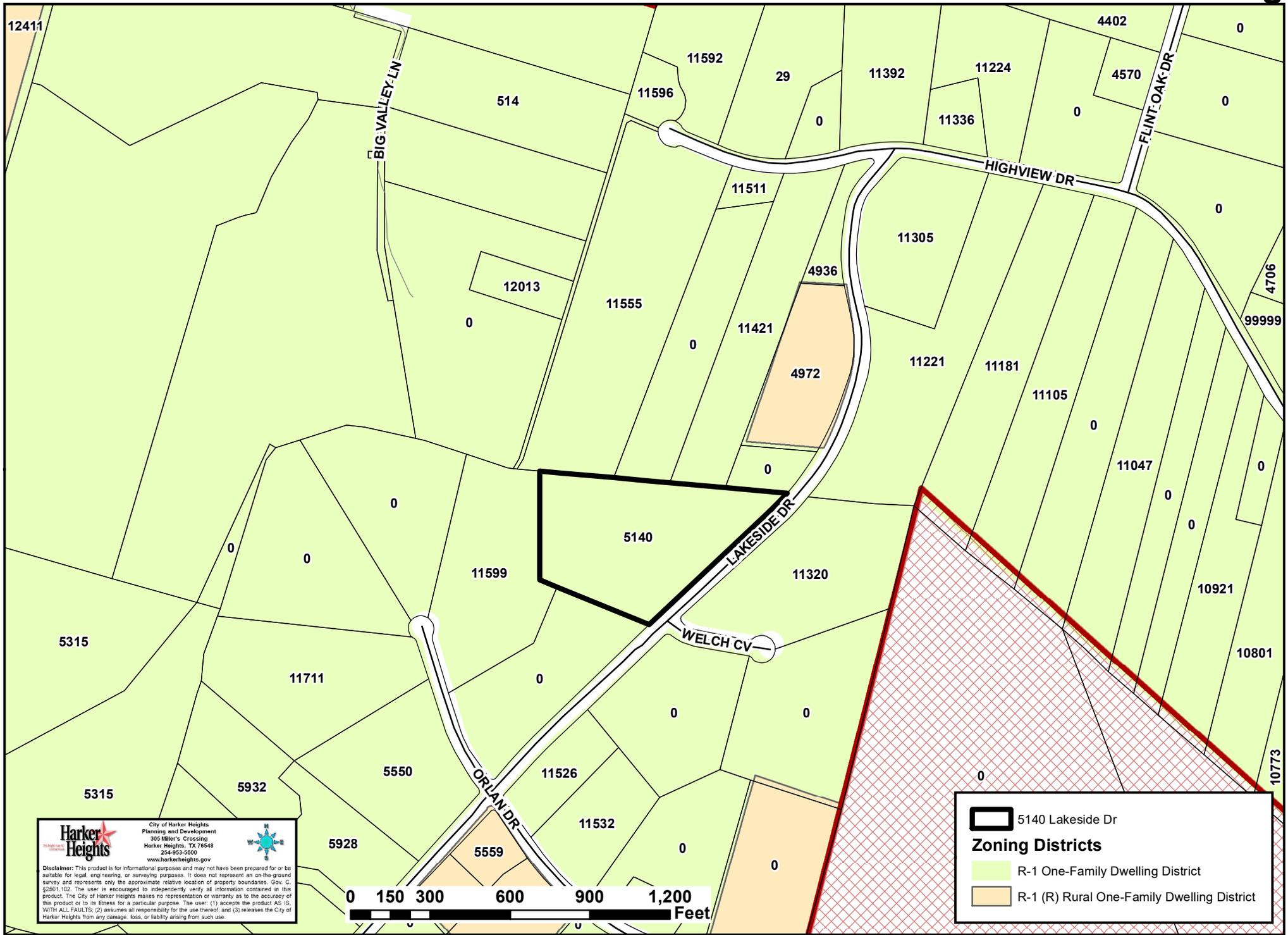


Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-963-3600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C, §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

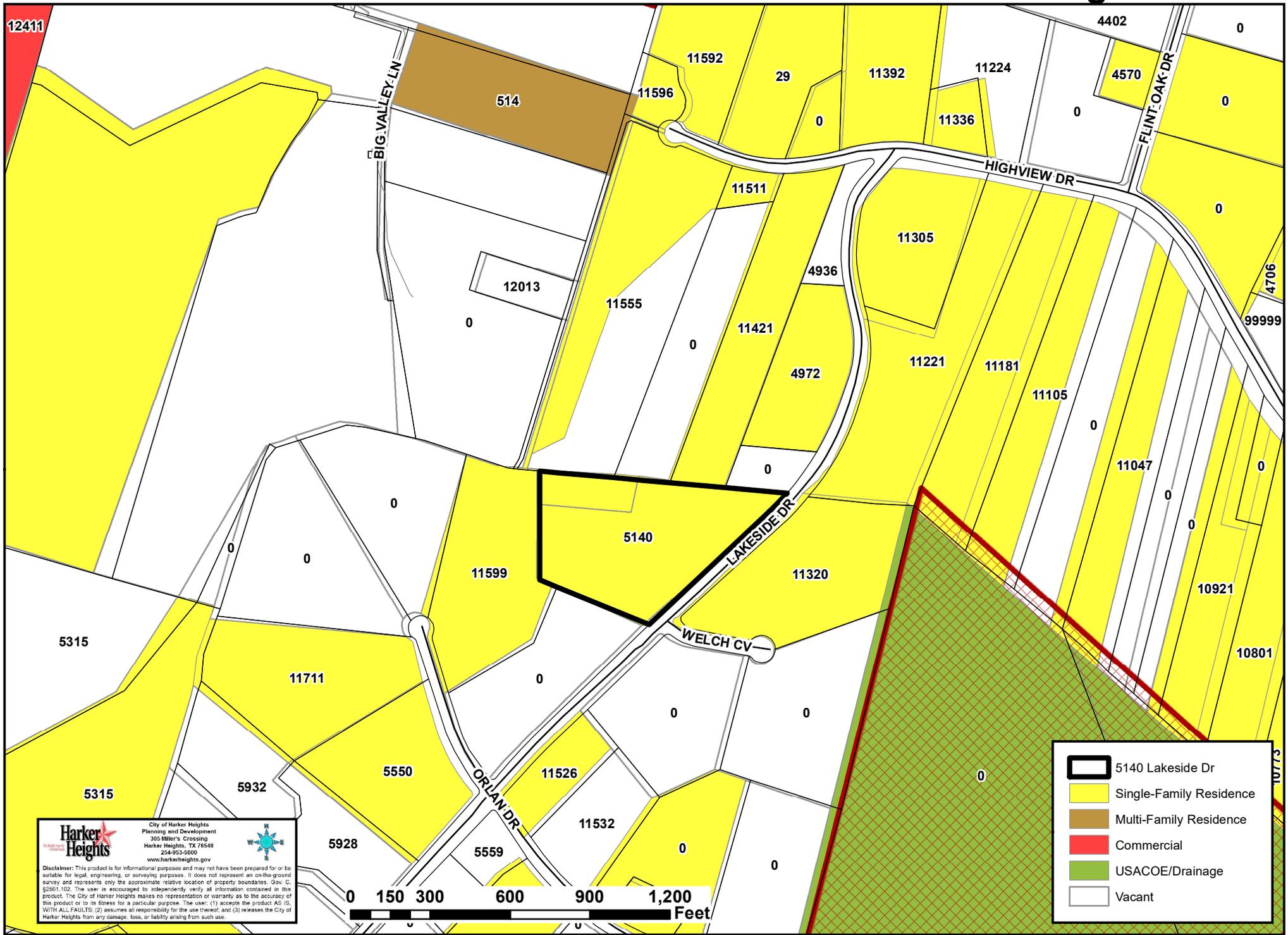


5140 Lakeside Dr



Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-963-3600
www.harkerheights.gov





	5140 Lakeside Dr
	Single-Family Residence
	Multi-Family Residence
	Commercial
	USACOE/Drainage
	Vacant

Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-963-3600
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SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DONAHUE, MICHAEL N

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

Physical Address	Property ID
11599 HIGHVIEW DR, N/A	#29861, 29862

RE: application to consider a change in zoning designation from **R-1 (One Family Dwelling District)** to **R1-R (Rural One-Family Dwelling District)** on property described as *Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas, (see attached notification map).*

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

Comments:

I HOPE THEY WILL INTRODUCE THEMSELVES AND
CONSIDER A POSITIVE RESPONSE TO MY
ADDITION OF A GARAGE / STUDIO SPACE IN 2 YEARS.

MICHAEL DONAHUE
Printed Name

Michael Donahue
Signature

October 7, 2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: THOMAS, THOMAS N ETUX KYUNG A

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

Physical Address	Property ID
11421 HIGHVIEW DR	#117724

RE: application to consider a change in zoning designation from **R-1 (One Family Dwelling District)** to **R1-R (Rural One-Family Dwelling District)** on property described as *Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas*, (see attached notification map).

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

Comments:

Kyung Ae Thomas
Printed Name


Signature

Oct 18, 2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BURTON, JOHN ETUX VIRGINIA

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

Physical Address	Property ID
11526 ORLAN DR	#471603

RE: application to consider a change in zoning designation from **R-1 (One Family Dwelling District)** to **R1-R (Rural One-Family Dwelling District)** on property described as *Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Deny Deny Deny

Virginia Burton
Printed Name


Signature

Oct 2, 2021
Date



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-27

AGENDA ITEM IX-3

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS ARROWHEAD ESTATES PHASE 3, BLOCK 001, LOT 006A, ACRES .5, PROPERTY ID #396612, GENERALLY LOCATED AT 1411 GOMER LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property consists of a single-family residence with approximately 2,286 square feet of living space, on .5 acres of land. According to the building plans submitted for the accessory dwelling unit, the structure will be 25' X 30', with a total size of 750 square feet.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)
South	Vacant Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)
East	Vacant	Residential Estate	R-1 (One-Family Dwelling District)
West	Single-Family Residence	Residential Estate	R-1 (One-Family Dwelling District)

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

Flood Damage Prevention:

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

Notices:

Staff sent out twenty-eight (28) notices to property owners within the 400-foot notification area. As of October 20, 2021, four (4) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas subject to the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 850 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

The above recommendation is based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

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 R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Letter of Intent
3. Site Plans
4. Ordinance
5. Location Map
6. Zoning Map
7. Existing Land Use Map
8. Future Land Use Map
9. Notification Area Map
10. Public Responses



Conditional Use Permit Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
3. Site Plan
4. Letter of Intent

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

Property Owner(s) Name: JULIAN HELENITA BENITEZ PENUELAS Date: 27 SEP 21

Address: 1411 GOMER LANE

City/State/Zip: HARKER HEIGHTS, TX 76548

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

Legal Description of Property:

Location of Property (Address if available): 1411 GOMER LN, HARKER HEIGHTS, TX 76548

Lot: 006A Block: 001 Subdivision: ARROWHEAD PHASE 3

Acres: .5 Property ID: 396612 Survey: _____

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

Current Zoning Classification: R-1 Future Land Use Designation: R-1 WITH COP

Applicant's Representative (if applicable):

Applicant's Representative: _____

Phone: _____ E-Mail: _____

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

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

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

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

JULIAN BENITEZ PENUELAS
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

Printed Name of Representative _____

Signature of Representative _____

Date Submitted: 9/29/21

STAFF ONLY - DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 0174449

Received By: WEVERETT

Case #: _____

Julian A. Benitezpenuelas
Elenita Benitezpenuelas
1411 Gomer Lane
Harker Heights, Texas 76548

28 September 2021

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

We hereby submit this letter to inform the City of Harker Heights of our intention to build an additional dwelling unit (ADU) on our residential property, dimensions 30' X 25' (750 square feet) to serve as living quarters for our elderly parents and to better facilitate for them. This residential dwelling unit will enable for them to function independently. Please see plan drawn to scale submitted with this packet.

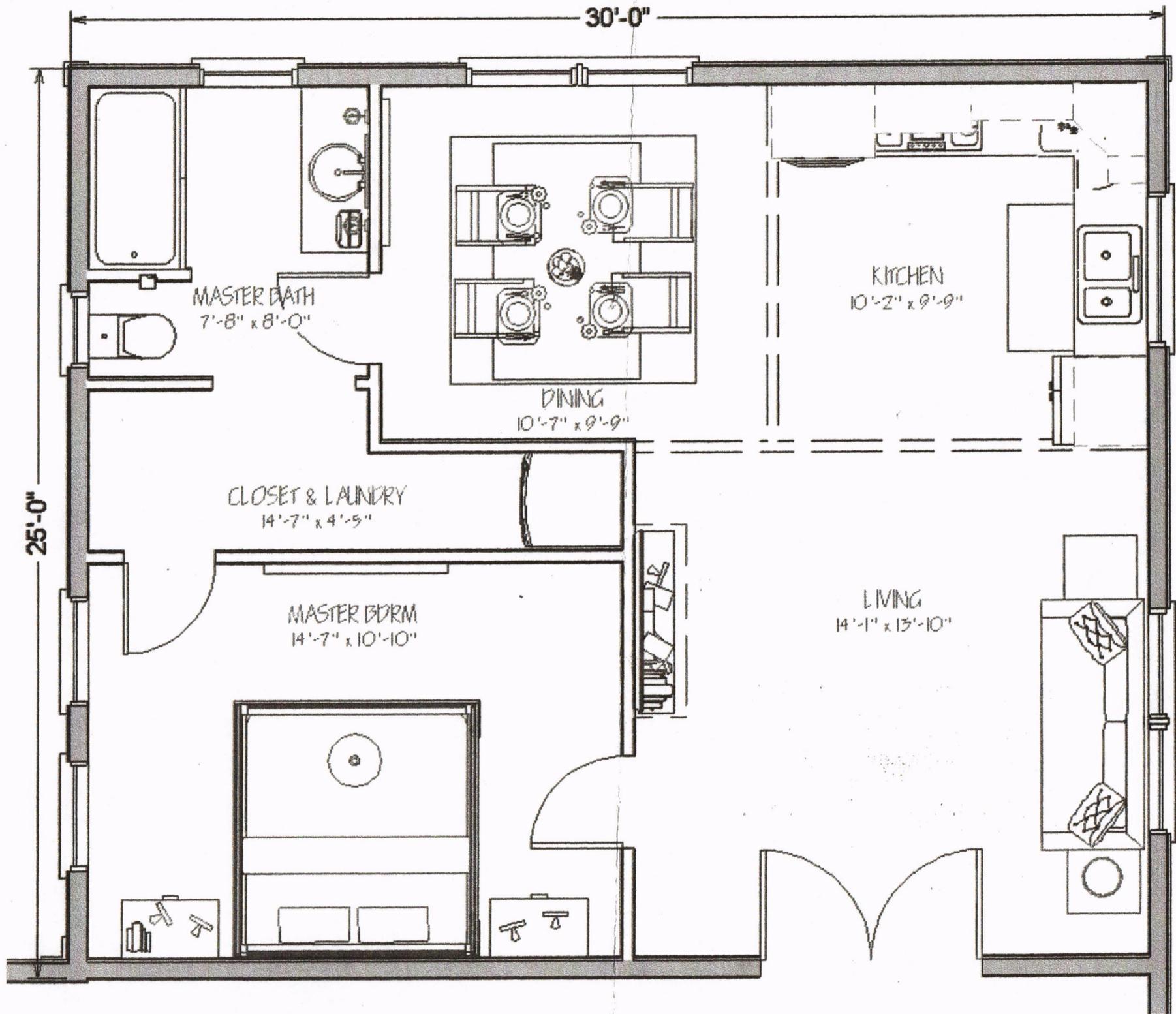
If there are any questions, please contact us at (706) 593-8153 or email us at jesmer2000@yahoo.com.



Julian Benitezpenuelas



Elenita Benitezpenuelas



acres Lot 6 Block 1 Arrowhead Estates



- A. HOUSE AND PROPE LOCATED AT 1411 G (FROM PLAT), THE M (PROFILE, THE RECC AEROBIC SPRAY T THAN EASEMENTS SPRAYHEADS SO A VEGETATED WITH C GROWTH THROUGH FLOODPLAIN OR FL
- B. SOIL PROFILE CHA
- C. FLOW CALCULATK (REDUCTION FOR I
- D. APPLICATION ARE SPRINKLER APPLIC AREA THAT WILL B ONCE.
- E. PRETREATMENT I UNIT WILL BE UTIL TREATING 500 GA
- F. PUMP CHAMBER, AERATOR ALARM, VISUAL INDICATO PUMP. INSTALLEI SAMPLING PORT CORRECT SYSTE PUMP SHALL BE / NORWECO INCLU ALL PIPING, VALV PURPLE AS REQU
- G. DISPOSAL TO FIE DEGREE TRAJEC SPRAYHEADS SF SYSTEM OUTFLC PRESSURE CON' TO ACHIEVE TH
- H. SERVICE AGREE MINIMUM REQU CONTRACT WILL COLLECTION AS FILED WITH THE
- I. TIMER: A TIMEI RULES DICTATE CONTROL DEVIK MANUFACTURE CONTAINS THE OTHER COMPO OPERATIONS. PERFORMS A S

5/11/07
2-B

BELL COUNTY PUBLIC HEALTH DISTRICT

Temple and Killeen

Permit No. **T 7528**
Receipt No. 32913

PERMIT TO INSTALL A SEPTIC TANK SYSTEM

Location Arrowhead Ed St. Address 1411 Gomer Lane Zip 76548 Flood Plain No. 4

Legal Description Survey _____ Abstract No. _____ Vol. _____ Page _____ Blk 1 Lot 6 Sec _____

Issued By: [Signature] Date Issued: 4-26-07 This Permit Expires: 4-26-08

Owner Victoria Lewis Address 3219 Quail Hollow Rd Phone 698-7513

Installer H2O Address PO Box 161 Troy Phone 534-1547

Signature [Signature] Amount Paid \$450 CY# 8014

Treatment Standard _____ Size Required _____ Size Installed _____

Aerobic Norweco Size Required 9600 Serial # 9001753W

Disposal: Type SI Area Required 4740 Area Installed 4740

M/C _____ Affidavit _____

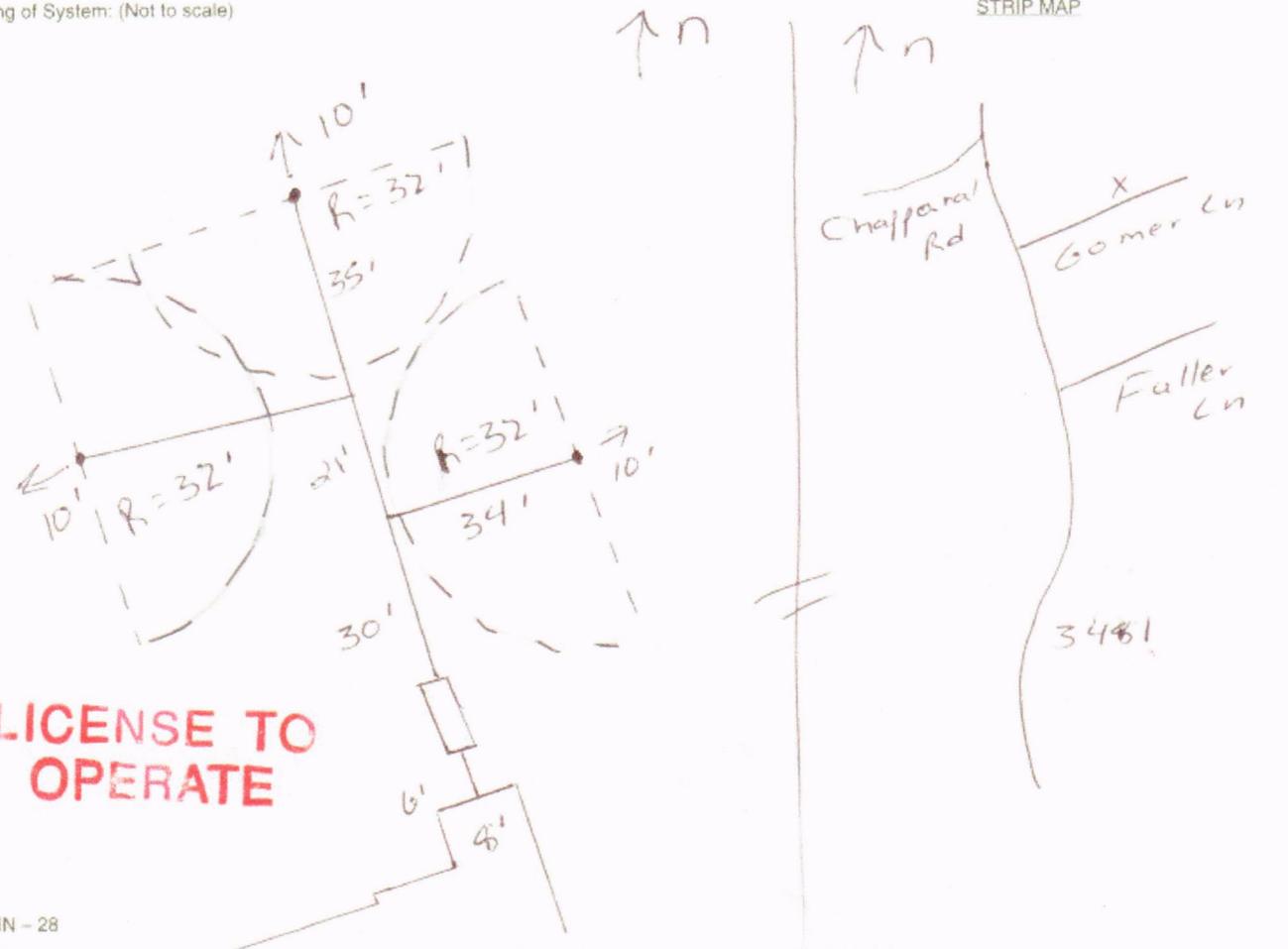
No. of Bedrooms 4 GPD 300 Soil Type _____

License No. 19409 X _____

Remarks: OK to COVER TANK only 4/27/07 m/c, n/t port, purple pipe, column, all detritus in met

Date 5/15/07 Inspector Juba Butler #22962

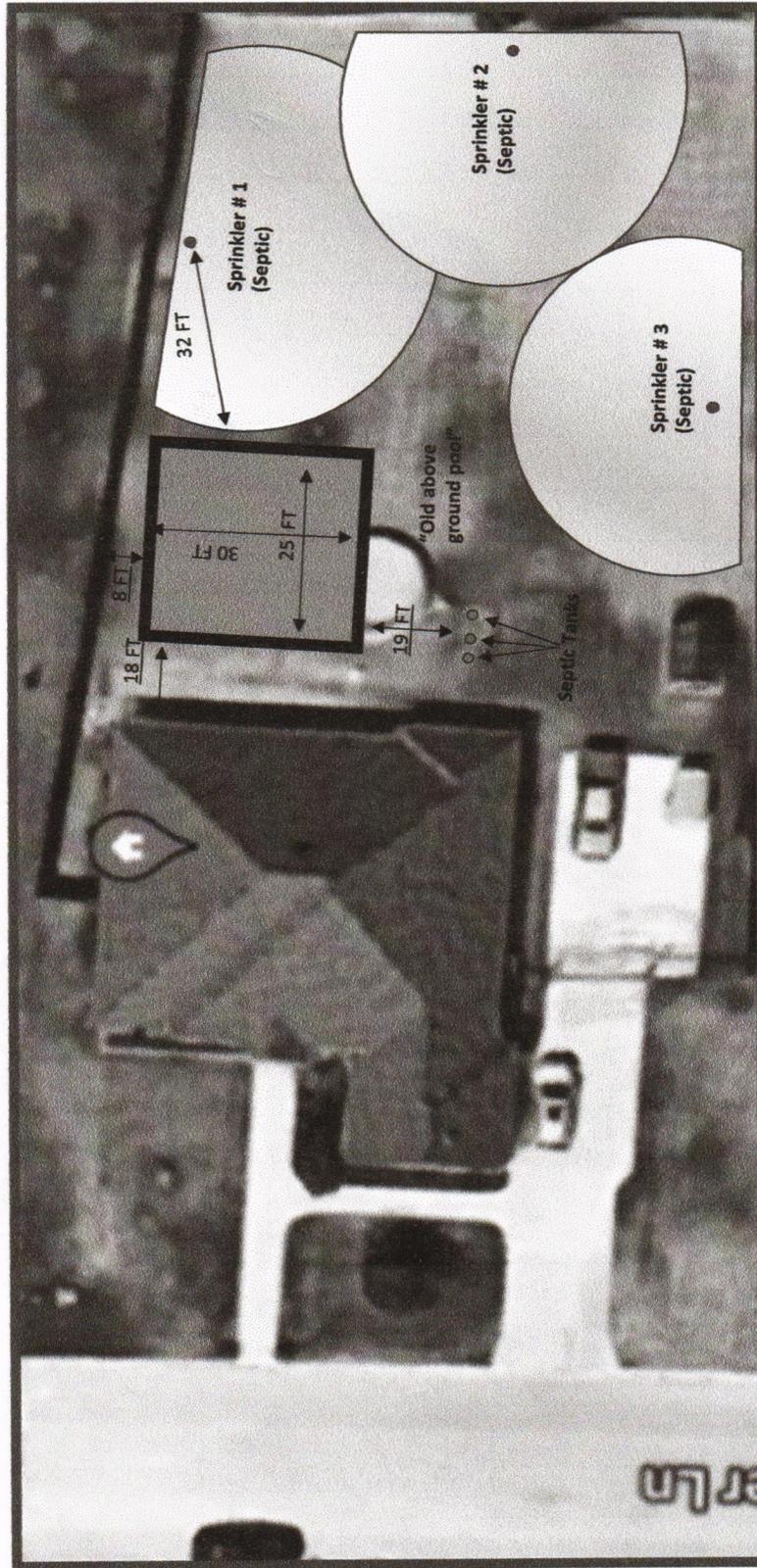
Drawing of System: (Not to scale) STRIP MAP



1411 Gomer Lane, Harker Heights, TX

Property ID: 396612

ARROWHEAD ESTATES PHASE 3, BLOCK 001, LOT 006A, ACRES .5



Mitchell & Associates, Inc.

Engineering & Surveying

February 25, 2013

TO WHOM IT MAY CONCERN:

I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that only the easements listed in Title Commitment GF No. A1302065 were considered for the purpose herein. This certification does not cover easements, or claims of easements, the existence of which may arise by unrecorded grant or by use.

THOSE WHICH DO NOT AFFECT:

Bartlett Electric Cooperative
Volume 3336, Page 666
Volume 3336, Page 668
Volume 3336, Page 670

LEGAL DESCRIPTION OF TRACT AND RECORDING INFORMATION:

Lot 6A, Block 1, Arrowhead Estates Phase 3 Being an Amended Plat of Lots 5 & 6, Block 1, Arrowhead Estates, Herker Heights, Bell County, Texas. Recorded in Cabinet D, Slide 179-D, Plat Records of Bell County, Texas.


Rex D. Haas
Registered Professional
Land Surveyor No. 4378



1411 Gomer Lane
American/Benitez
RDH/TLR

102 North College Street, Killeen, Texas 76501
(254) 634-5541 Voice
(254) 634-2141 Fax

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.201 CONDITIONAL USE PERMITS.

(A) *Purpose.* The purpose of the conditional use permit process is to identify those land uses which may be appropriate within a zoning district but, due to either their location, function or operation could have a harmful impact on adjacent properties or the surrounding area, and to provide a procedure whereby such uses may be permitted by further restricting or conditioning them so as to mitigate or eliminate such potential adverse impacts. The conditional use permit remains with land, regardless of ownership, until termination thereof.

(B) *Planning and Zoning Commission consideration.*

(1) *Application.* Only the property owner may apply for conditional use permits. The application for a conditional use permit shall be submitted on a form approved by the Planning and Development Director and shall be accompanied by a site plan in a form acceptable to the Planning and Development Director. The application shall be filed with the Planning and Zoning Commission, together with the application fee and all required attachments, not less than 30 days prior to the meeting at which the applicant wishes to have his or her request considered.

(2) *Notice and hearing.* For purposes of giving notice and conducting a public hearing, the Planning and Zoning Commission shall treat the application as a rezoning request.

(3) *Report by Planning and Zoning Commission.* Following proper application, notice to affected landowners and public hearing, the Planning and Zoning Commission shall make a report to the City Council which shall recommend approval or denial of the application for a conditional use permit, and which shall further specify such restrictions or conditions of approval as the Planning and Zoning Commission may deem appropriate.

(4) *Criteria for approval.* The Planning and Zoning Commission may recommend approval of a conditional use permit by majority vote, but should recommend disapproval of application if it finds one or more of the following to be true:

- (a) The proposed use does not conform with applicable regulations and standards established by this chapter;
- (b) The proposed use will be inconsistent with the objectives and purposes of the zoning district in which the development is located, or the goals, objectives and policies set forth in the city's current Comprehensive Zoning Plan;
- (c) The proposed use will be incompatible with existing or permitted uses on abutting sites because of use, building height, bulk and scale, setbacks and open spaces, coverage, landscaping and screening, drainage, or access and circulation features;
- (d) The proposed use is not suitable to the premises or structure(s) in which it will be conducted;
- (e) The proposed use potentially creates greater unfavorable effects or impacts on existing or permitted uses on abutting sites than those which might reasonably result from the use of the site for a use permitted by right;
- (f) The proposed use will be detrimental to the public health, safety or welfare, or will materially injure property or improvements in the vicinity in a manner specified by the Commission;
- (g) The proposed use fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, or similar hazards or impacts;
- (h) The proposed use will materially and adversely affect the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area under existing zoning regulations;
- (i) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs; or
- (j) The proposed use fails to provide adequate and convenient off-street parking and loading facilities.

(C) *City Council consideration.*

(1) *Generally.* The City Council shall consider the application at the first regular meeting scheduled after it has received the final report of the Planning and Zoning Commission. The Council may vote to approve the application, vote to deny the application, table matter for future consideration, or refer the application back to the Planning and Zoning Commission for further study and a new recommendation. In the event that an application for a conditional use permit is not approved by the City Council within 180 days after the date it was first considered by the Planning and Zoning Commission, such application shall be deemed to have been denied on the 180th day after such first day of consideration.

(2) *Vote required.* The application may be approved by a majority vote of the Council, provided that the Council may not approve an application for a conditional use permit except by three-fourths approval vote if a written protest against such permit has been filed with the Building Official and such protest has been duly signed and acknowledged by the owners of at least 20% of the area of the lots or land immediately adjoining the area covered by the requested permit and extending 200 feet from that area.

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers,

fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

(4) *Ordinance required.* If the application is duly approved by the City Council, an ordinance authorizing its issuance shall be promptly thereafter executed by the Mayor. The ordinance shall set forth the conditions of approval, and may provide that any person or legal entity found guilty of violating such ordinance may be fined an amount not exceeding \$2,000 for each day during which a violation is committed.

(5) *Submission of application following disapproval.* If an application for a conditional use permit has been disapproved by the City Council, whether such disapproval results from formal Council action or the failure to approve the application within the specified time, the same or substantially identical application shall not be filed with the Planning and Zoning Commission for a period of at least 180 days after the date of such disapproval. Upon disapproval of any subsequent identical or substantially identical application, the same or substantially identical application shall not be filed for a period of 12 months from the date of the last disapproval. However, the provisions of this division shall not operate to prohibit the filing of an application after legal title of record has been transferred to a new owner.

(D) *Record of permits.* The Planning and Development Director shall maintain a record of all conditional use permits granted by the city.

(E) *Term.*

(1) A conditional use permit shall continue in full force and effect until the earliest occurrence of any of the following events of termination, at which time it shall immediately become void and shall have no further effect:

(a) The building or premises is not put to the permitted use for a period of one year or more from the effective date of the ordinance authorizing issuance of the permit;

(b) The permit expires by its own terms;

(c) The property is rezoned;

(d) Another conditional use permit is approved for the site;

(e) The building or premises is substantially enlarged, extended, reconstructed or altered;

(f) The use of the building or premises is materially expanded, increased or otherwise altered; or

(g) The violation of any one or more of the conditions of approval.

(2) For purposes of this section the City Manager shall have the authority, subject to review by the Zoning Board of Adjustment, to determine whether an event of termination has occurred. Whenever the City Manager shall make a formal determination as to whether an event of termination has occurred, he shall promptly make and forward to the Planning and Zoning Commission and Zoning Board of Adjustment a written report describing the facts surrounding such determination and the reasons for such determination.

(Ord. 2001-36, passed 11-13-01)

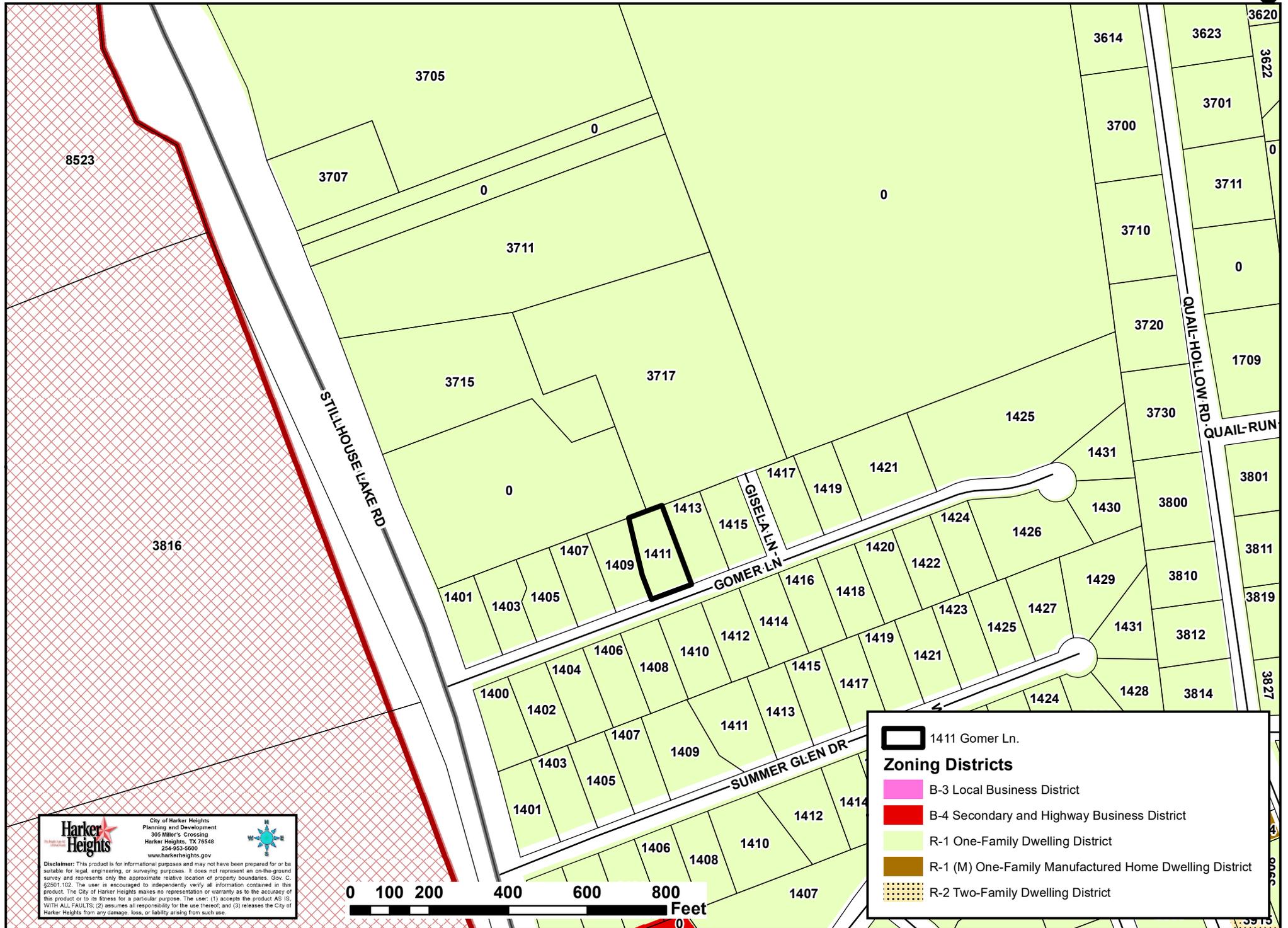


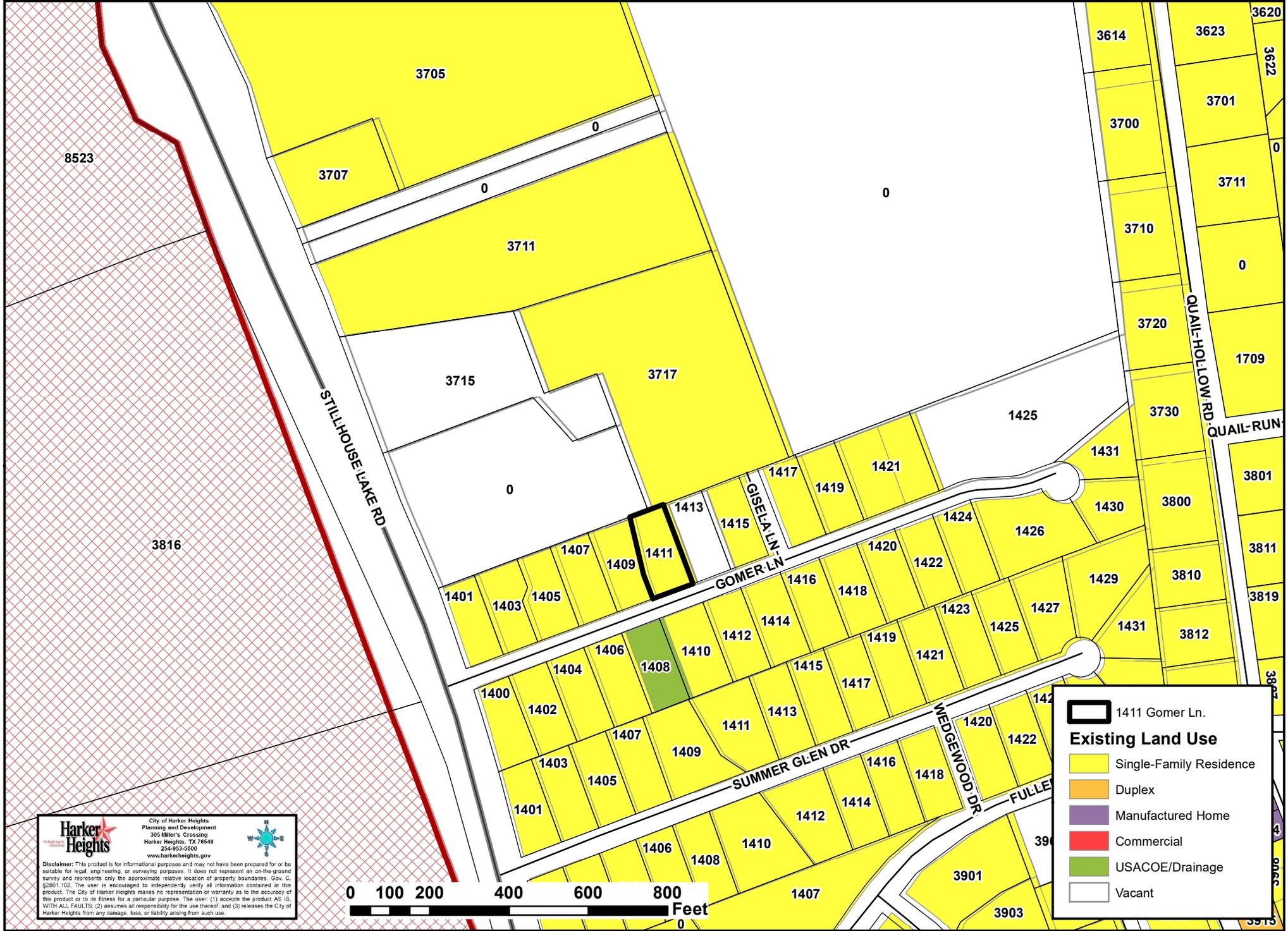
Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-953-3600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52001.102. The user is encouraged to independently verify all information contained in the 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.



1411 Gomer Ln.





Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-963-5600
www.harkerheights.gov

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 1411 Gomer Ln.

Existing Land Use

-  Single-Family Residence
-  Duplex
-  Manufactured Home
-  Commercial
-  USACOE/Drainage
-  Vacant

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DENISON, GENEVIEVE A ETVIR MICHAEL A

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

Physical Address	Property ID
1407 SUMMER GLEN DR	#318084

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Genevieve A. DENISON
Printed Name


Signature

11 Oct 2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WEST, MARJORIE C

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

Physical Address	Property ID
1407 GOMER LN	#383329

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I do not feel that this will adversely effect property value and I support it.

Marjorie Cyd West
Printed Name

M Cyd West
Signature

10/18/2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: KEELS, SAMUEL E ETUX RENATE T

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

Physical Address	Property ID
1412 GOMER LN	#383349

RE: application to consider a request for a **Conditional Use Permit (CUP)** **to allow for an accessory dwelling unit** on property described as *Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Renate Keels
Printed Name

Renate Keels
Signature

10-9-2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SMALLEY, CALVIN & MONA

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

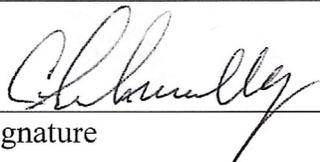
Physical Address	Property ID
1405 GOMER LN	#396609

RE: application to consider a request for a **Conditional Use Permit (CUP)** **to allow for an accessory dwelling unit** on property described as *Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

SMALLEY, Calvin L
Printed Name


Signature

06 Oct 2021
Date



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-28

AGENDA ITEM IX-4

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-3 (MULTI-FAMILY DWELLING DISTRICT) TO R-1 (M) (ONE FAMILY DWELLING DISTRICT WITH MANUFACTURED HOUSING) ON PROPERTY DESCRIBED AS VALLEY VIEW THIRD EXT, BLOCK 010, LOT 0015, PROPERTY ID #127376, GENERALLY LOCATED AT 228 E. VALLEY ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property consists of approximately 9,375 square feet of vacant land.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Single-Family Residence	Medium Density Residential	R-2 (Two-Family Dwelling District)
South	Commercial	Regional Commercial Centers	B-4 (Secondary and Highway Business District)
East	Manufactured Home	Medium Density Residential	R-3 (Multi-Family Dwelling District)
West	Single-Family Residence	Medium Density Residential	R-2 (Two-Family Dwelling District)

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

Flood Damage Prevention:

A majority of this property lies within the 100-year floodway, but none is within the 500-year flood hazard area. If a structure is built or placed upon this property, the Finished Floor Elevation (FFE) would have to be a minimum of 2' (2-feet) above the Base Flood Elevation (BFE), and the applicant would be required to provide an Elevation Certificate from a Texas Design Professional.

Notices:

Staff sent out forty-two (42) notices to property owners within the 400-foot notification area. As of October 20, 2021, one (1) response was received in favor of the request, and three (3) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Ordinance
3. Location Map
4. Zoning Map
5. Existing Land Use Map
6. Future Land Use Map
7. Flood Map
8. Notification Area Map
9. Public Responses

Harker Heights

Rezoning Request Application

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

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

*If proposed zoning designation is not in compliance with land use, an application to change land use will also be required.

City of Harker Heights
Planning & Development
19101 Shiloh Crossing
Harker Heights, TX 76748
Phone: 254/951-7500
Email: planning@harkerheights.gov

Property Owner(s) Name: **Boh White** Date: **9/28/21**
 Address: **228 East Valley (Corner) of 76548**
 City/State/Zip: **Harker Heights TX 76548**
 Phone: [Redacted] E-mail: [Redacted]

Full Description of Property:
 Location of Property (Address if available): **228 East Valley** Subdivision: **Valley View Third Extension**
 Lot: **15** Block: **10** Property ID: **1217376** Survey: [Redacted]

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

Proposed Use: **Mobile Home Residential**
 Current Zoning Classification: **R-3 Multi Family** Proposed Zoning: **R-1-M**
 Current Land User: **VACANT** Proposed Land Use: **Mobile Home Residential**

Applicant's Representative: **Randal Holmes** [Redacted] [Redacted]

I, the undersigned applicant of the property herein described, hereby make application for approval of plans submitted and made a part of this application in accordance with the provisions of the City of Harker Heights Ordinance, and hereby certify that the information provided is true and accurate 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 I will represent the owner.

Fran White
 Representative of the Property Owner
Randal Holmes
 Proposed Representative
90 Terrylyn - Texas Star Realty
 DAY OF **September** 28
 SIGN AND SUBSCRIBE BEFORE ME ON THIS

Amber Caldwell
 MAYOR OF HARKER HEIGHTS
 Date Submitted: **10/1/21**
 Received By: **[Signature]**

STAMP ONLY - DO NOT FILL OUT BELOW
 Pre-application Meeting Requested



§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

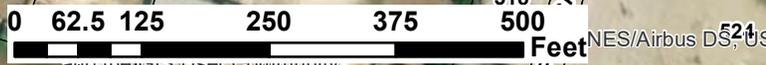
(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

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

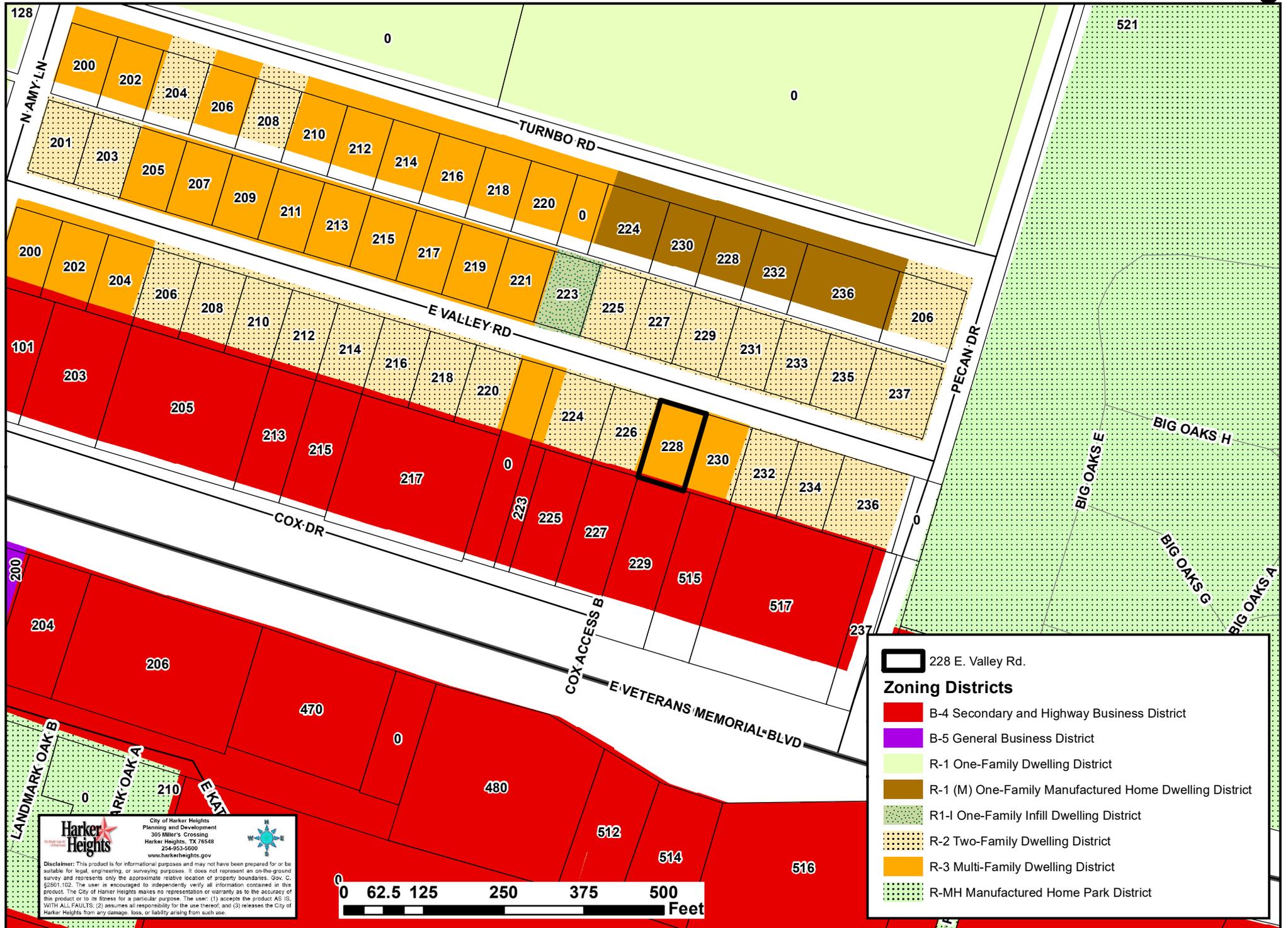


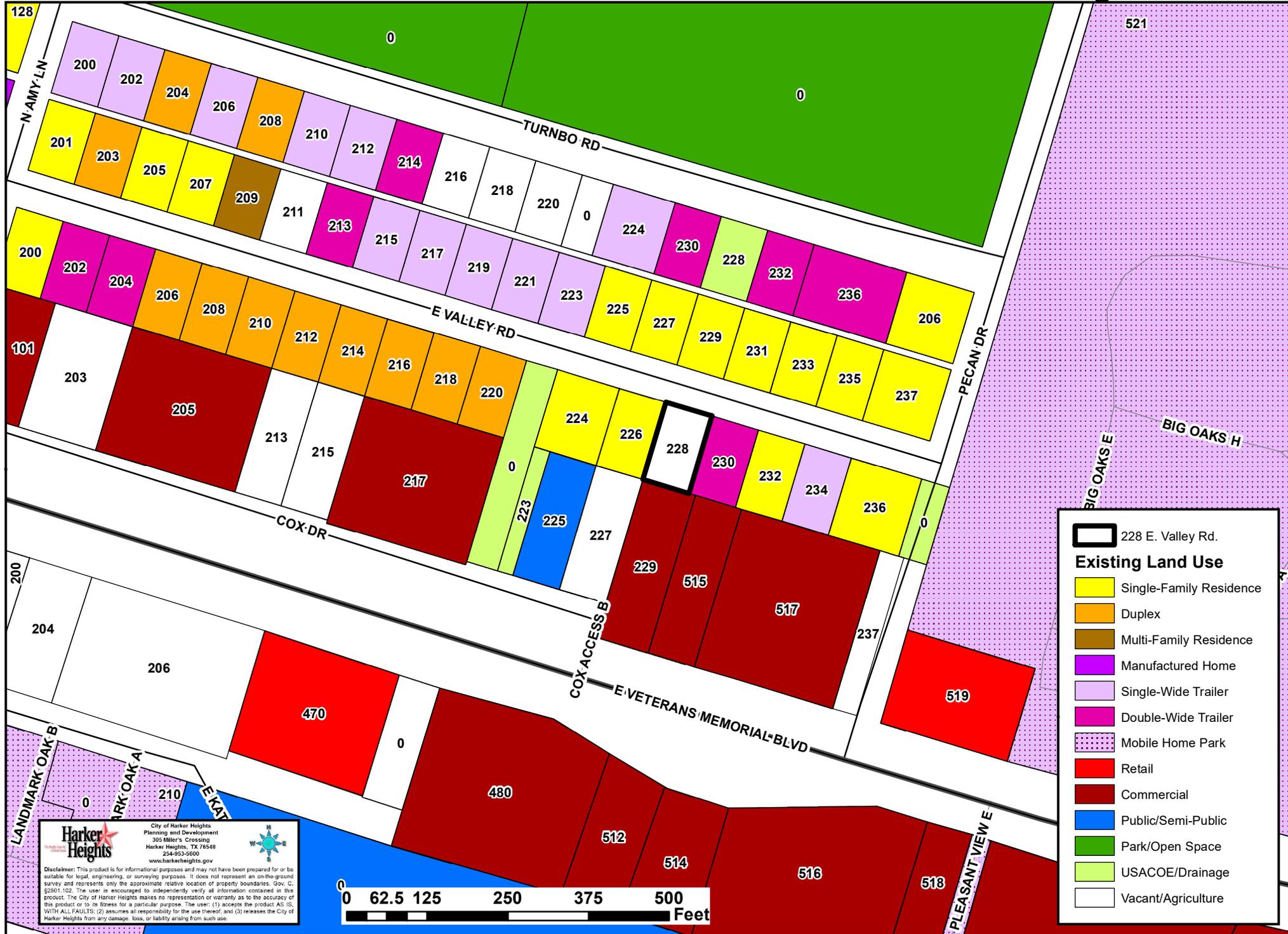
Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-953-5600
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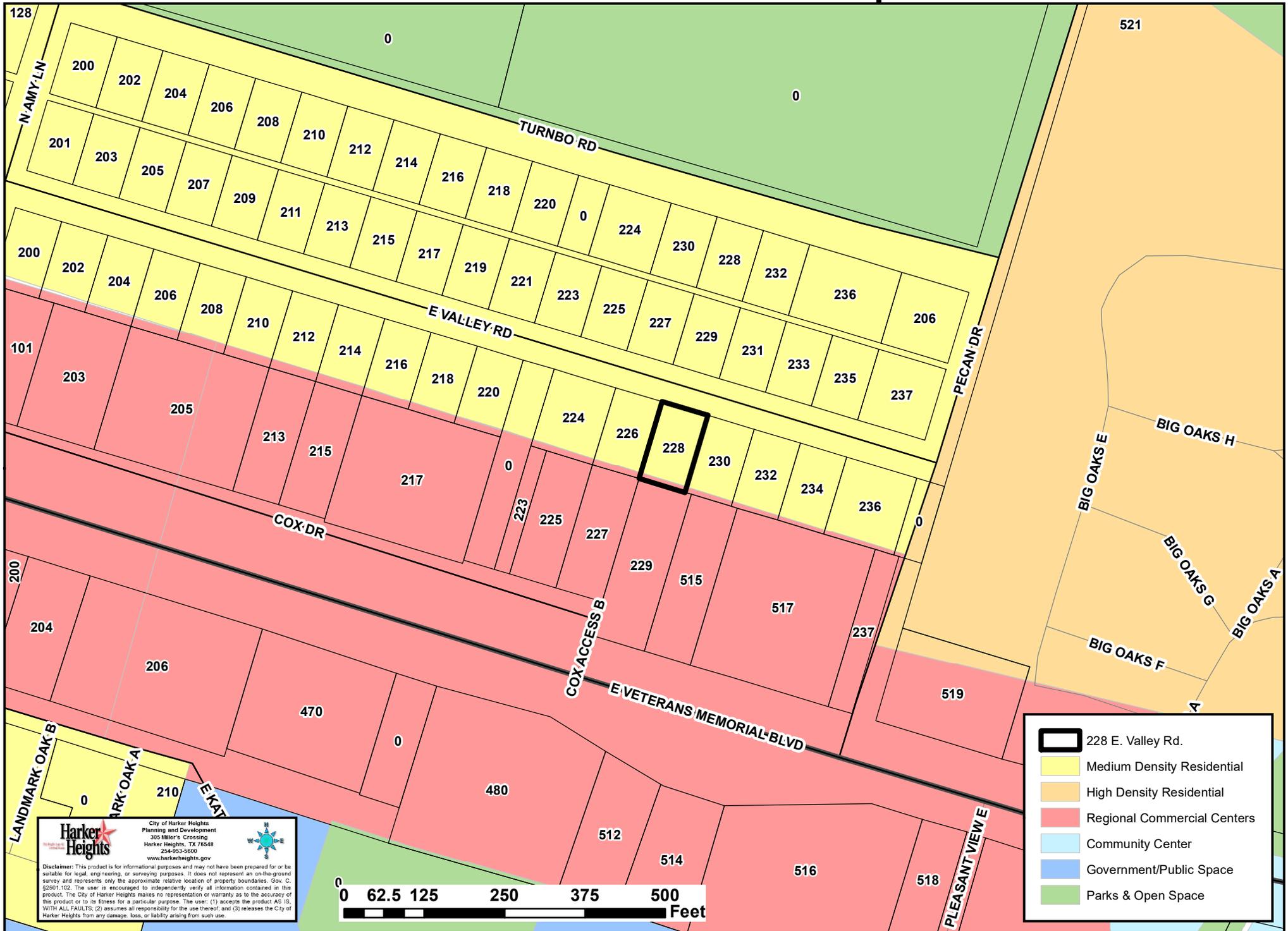
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228 E. Valley Rd.







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

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 228 E. Valley Rd.

 Medium Density Residential

 High Density Residential

 Regional Commercial Centers

 Community Center

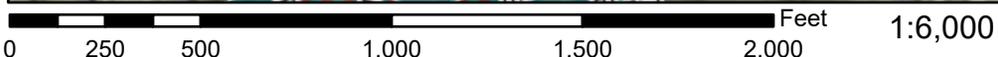
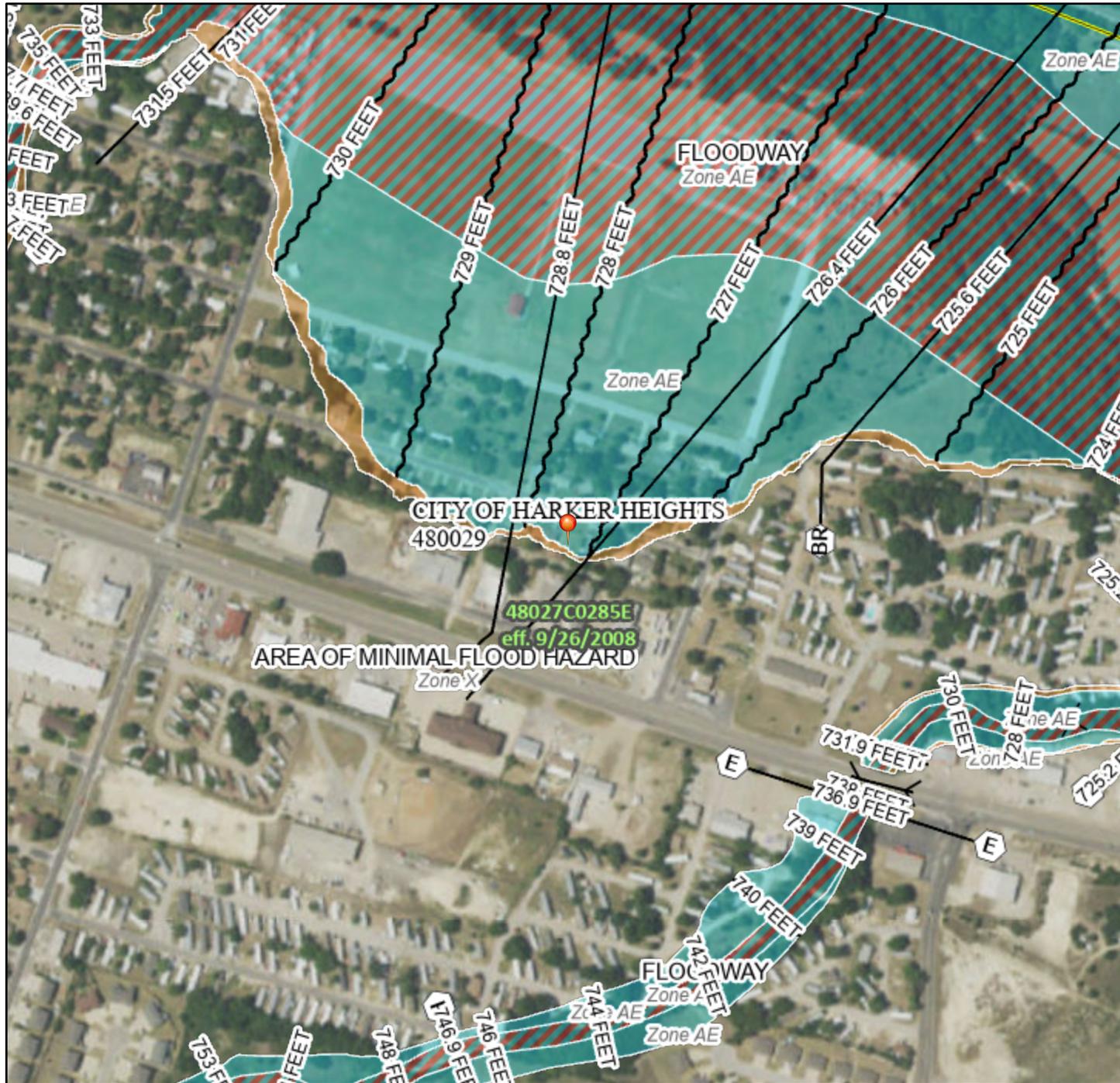
 Government/Public Space

 Parks & Open Space

National Flood Hazard Layer FIRMMette



97°39'45"W 31°5'35"N



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

97°39'8"W 31°5'4"N

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
MAP PANELS		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		8 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped

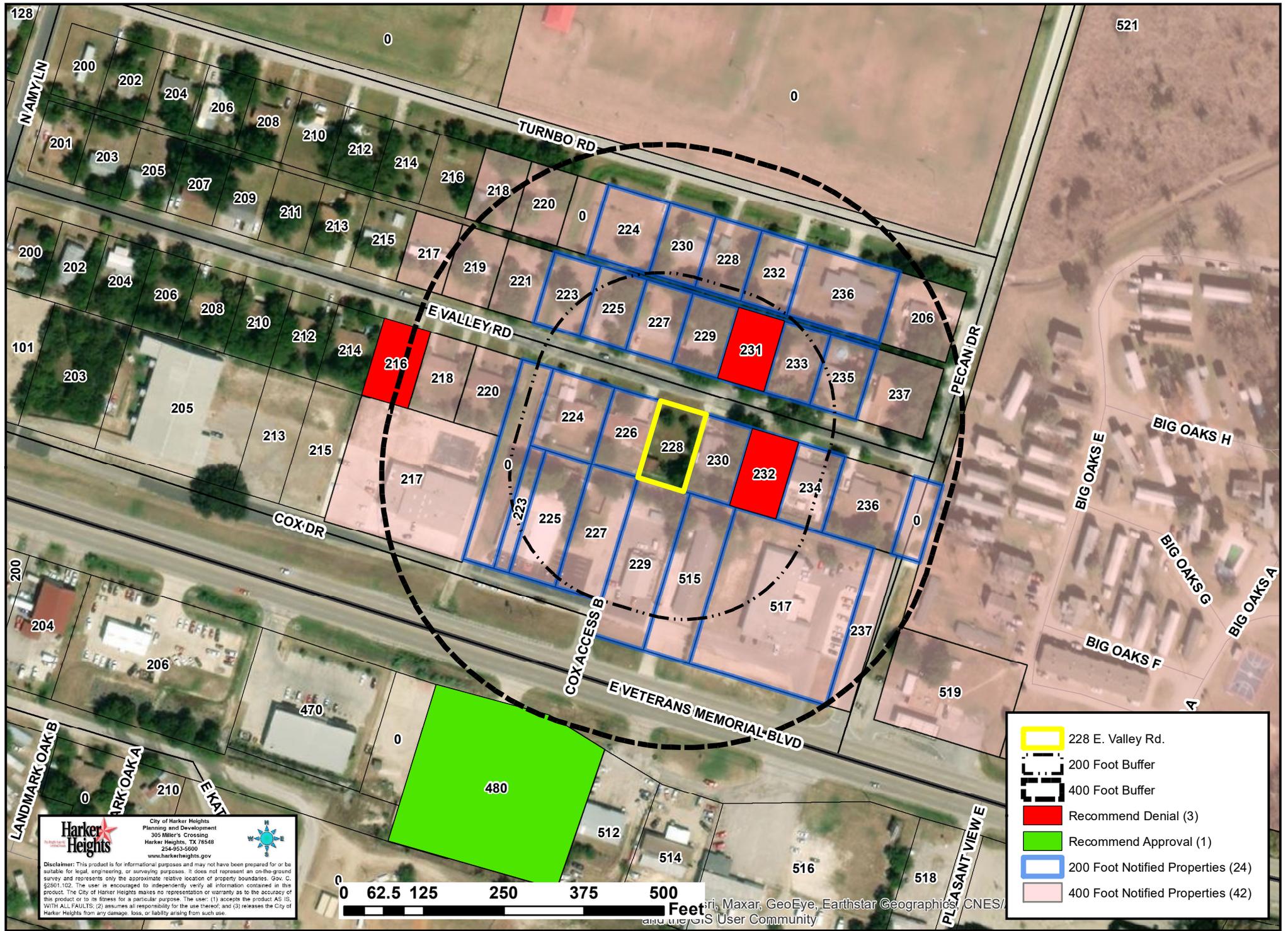


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/18/2021 at 11:40 AM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DIAZ-RUIZ, MARIA T

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

Physical Address	Property ID
231 E VALLEY RD, 232 E VALLEY RD	#55590, 98304

RE: application to consider a request for zoning designation change from **R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing)** on property described as *Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

R1 zoning is ok, but R1 (M) with manufacture housing is spot zoning which is not right or legal in some cities

Maria T. Diaz-Ruiz
Printed Name

Maria T. Diaz-Ruiz
Signature

Oct 6, 2021
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: TL&T PROPERTIES LLC

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

Physical Address	Property ID
216 E VALLEY RD	#61930

RE: application to consider a request for zoning designation change from **R-3 (Multi-Family Dwelling District)** to **R-1 (M) (One Family Dwelling District with manufactured housing)** on property described as *Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas* (see attached notification map).

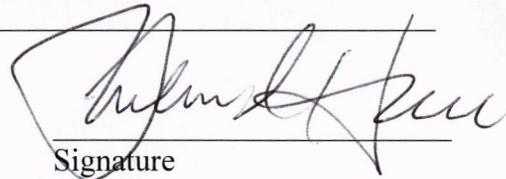
I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

my property taxes increased over 100% for 2020 & 2021. Adding manufactured homes to the block does not increase property values.

The/ma Hill
Printed Name


Signature

10/19/21
Date

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MEHTA, VEJAY ETUX VINO

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

Physical Address	Property ID
480 E VETERANS MEMORIAL BLVD	#396194

RE: application to consider a request for zoning designation change from **R-3 (Multi-Family Dwelling District)** to **R-1 (M) (One Family Dwelling District with manufactured housing)** on property described as *Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

Vijay Mehta
Printed Name


Signature

10/7/21
Date



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-29

AGENDA ITEM IX-5

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) TO B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) WITH T DISTRICT OVERLAY ON PROPERTY DESCRIBED AS KERN ACRES 2ND EXTENSION & REVISION, BLOCK 001, LOTS 5-6, 15-16, PROPERTY ID #63808, GENERALLY LOCATED AT 110 W. VETERANS MEMORIAL BOULEVARD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property consists of approximately .6492 acres, with an existing 3,540 square foot building, and 840 square foot enclosed porch.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant Commercial	Community Center Regional Commercial Centers	B-4 (Secondary and Highway Business District)
South	Duplex Vacant Single-Family Residence	Community Center	R-1 (One-Family Dwelling District) R-2 (Two-Family Dwelling District)
East	Commercial	Community Center	B-4 (Secondary and Highway Business District)
West	Vacant	Community Center Regional Commercial Centers	B-4 (Secondary and Highway Business District)

The 2021 Future Land Use Map identifies this area is designated for both Community Center and Regional Commercial Centers; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out forty-one (41) notices to property owners within the 400-foot notification area. As of October 20, 2021, two (2) responses were received in favor of the request, and two (2) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Ordinance
3. Location Map
4. Zoning Map
5. Existing Land Use Map
6. Future Land Use Map
7. Notification Area Map
8. Public 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: Donald Myers **Date:** Sept 29, 21
Address: 40 W. Vets. MEM. BLVD
City/State/Zip: Harker Heights
Phone: _____ **E-mail:** _____

Legal Description of Property:

Location of Property (Address if available): 110 W. Vets MEM. BLVD / Restaurant
Lot: 5-6 **Block:** 7 **Subdivision:** Kern Acres
Acres: .069 **Property ID:** 63808 **Survey:** _____

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

Proposed Use: Restaurant w/ Alcohol sales
Current Zoning Classification: B-4 **Proposed Zoning:** B-4 w/ overlay
Current Land Use: _____ **Proposed Land Use:** RESTAURANT

Applicant's Representative (if applicable):

Applicant's Representative: Felecia Fogle
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.

Donald Myers
Printed Name of Property Owner

Donald Myers
Signature of Property Owner

Donald Myers Felecia Fogle
Printed Name of Representative

Felecia Fogle
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 29 DAY OF September, 2021.

William Everett
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/2025

Date Submitted: 9/29/21
Received By: WEverett

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01744510
Case #: _____

§ 155.031 B-4 SECONDARY AND HIGHWAY BUSINESS DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B-3 Local Business District that is permitted by right.
- (2) Automobile parking lots.
- (3) Bakery (wholesale).
- (4) Dance hall and skating rink.
- (5) Frozen food locker plant.
- (6) Garage, public.
- (7) Drive-in theater.
- (8) Bowling alley.
- (9) Tourist court or motel.
- (10) Antique shop.
- (11) Secondhand goods store: (No outside display, repair or storage.)
- (12) Automobile and marine sales and re-pair, provided that:
 - (a) All service must take place in the interior (service bays) of the building. No tents may be used for repair or service, except during times of urgent public necessity as declared by the Mayor or the Planning and Development Director and posted as such at the main entrance to the City Hall.
 - (b) Oil storage facilities and refuse containers shall be screened from the view of travelers along public streets;
 - (c) There shall be no vehicle storage longer than 30 days, or auto sales including vehicles belonging to the owner (except for sales lots);
 - (d) There shall be no dismantling or wrecking on premises;
 - (e) The use shall be operated in accordance with all applicable regulations including licensing from all government agencies that have jurisdiction; and
 - (f) Gasoline storage tanks must be underground.
- (13) Building material or lumber sales (no outside storage without screening).
- (14) Cleaning, pressing and dyeing.
 - (a) No direct exterior exhaust from cleaning plant permitted.
 - (b) Dust must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.
- (15) Florist, garden shop, greenhouse, or nursery (retail).
- (16) Ball park, stadium, athletic field (private).
- (17) Philanthropic institutions (not else-where listed).
- (18) Cabinet, upholstery, woodworking shop.
- (19) Plumbing, electrical, air conditioning service shop (no outside storage without screening).
- (20) Trade or business school.
- (21) Any retail business not included in the Local Business District, provided that such use is not noxious or offensive by reason of vibrations, smoke, light, odor, dust, gas or noise.
- (23) Package liquor store (in wet areas only and subject to TABC regulations). The property, if located outside the commercial zone of Business Hwy 190, must:
 - (a) Be part of a commercial development containing a minimum of 12,000 square feet of leaseable retail floor space (for example, a shopping center or mall); and
 - (b) Be located a minimum of 300 feet, measured from the front door to the establishment, from any R zoned property by the most commonly traveled public roadway.
- (24) Brewpub or winery (in wet areas only and subject to TABC regulations). The property, if located outside the commercial zone of Business Hwy 190 or I-14, must be located a minimum of 300 feet from any R zoned property, measured from the front door of the establishment by the most commonly traveled public roadway. All manufacture, blending, fermentation, processing, and packaging of alcoholic beverages must take place wholly inside a building.

- (B) *Conditional uses.* Any use permitted in a more restricted district that is permitted by a conditional use permit.
 - (C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.
 - (D) *Area regulations.* The same as provided for B-2 District.
 - (E) *Intensity of use.* There are no minimum lot area or lot width requirements.
 - (F) *Parking regulations.* As per §§ 155.061 through 155.068.
 - (G) *Signage.* As per Chapter 151.
 - (H) *Screening requirements.* As per § 155.050.
 - (I) *Building facade.* As per § 155.040.
 - (J) *Landscaping requirements.* As per § 155.051.
- (Ord. 2001-36, passed 11-13-01; Am. Ord. 2019-14, passed 5-28-19)

§ 155.035 T DISTRICT.

(A) *Definition.* The T District shall be for the sale of alcoholic beverages to include beer and wine for on premises consumption. The following requirement shall apply to the T zoning: T zoning shall be for the sale of alcoholic beverages to include beer and wine for on-premises consumption or for any use permitted in the B zoning of that property. Any premises zoned T shall comply with the Texas Alcoholic Beverage Code and the rules and regulations promulgated by the Texas Alcoholic Beverage Commission, all of which are adopted hereby and made a part hereof as if fully set out herein.

(B) *Use regulations.* A building or premises in this zoning district shall be used for the purpose as in division (A) above and the following:

(1) *General regulations.* All areas zoned T shall be described by metes and bounds and shall be restricted to indoor areas, unless in the application a request is made for outdoor area zoning. Outdoor areas zoned T shall:

(a) Be enclosed by a fence or wall six feet in height.

(b) Be lighted when in use. Lighting shall be sufficient to illuminate the area in use but shall not be less than 100 watts of light for every 500 square feet.

(c) Have all required fire extinguisher equipment in accordance with the city's adopted Fire Code.

(2) *Location.* No request for T zoning may be submitted under this chapter unless the property is located in a B-4 or B-5 zoned district.

(3) *Height regulations.* To any legal height not prohibited by other laws, codes, or ordinances.

(4) *Yard regulations.*

(a) *Front yard.* There shall be a front yard having a minimum depth of 25 feet. No storage or similar use shall be allowed in required front yard; automobile parking will be permitted in such yards in accordance with off street parking requirements.

(b) *Side yard.* No side yards are required except that on a corner lot, the side yard on a street shall be 25 feet. A lot abutting an R District shall have a side yard of not less than 25 feet.

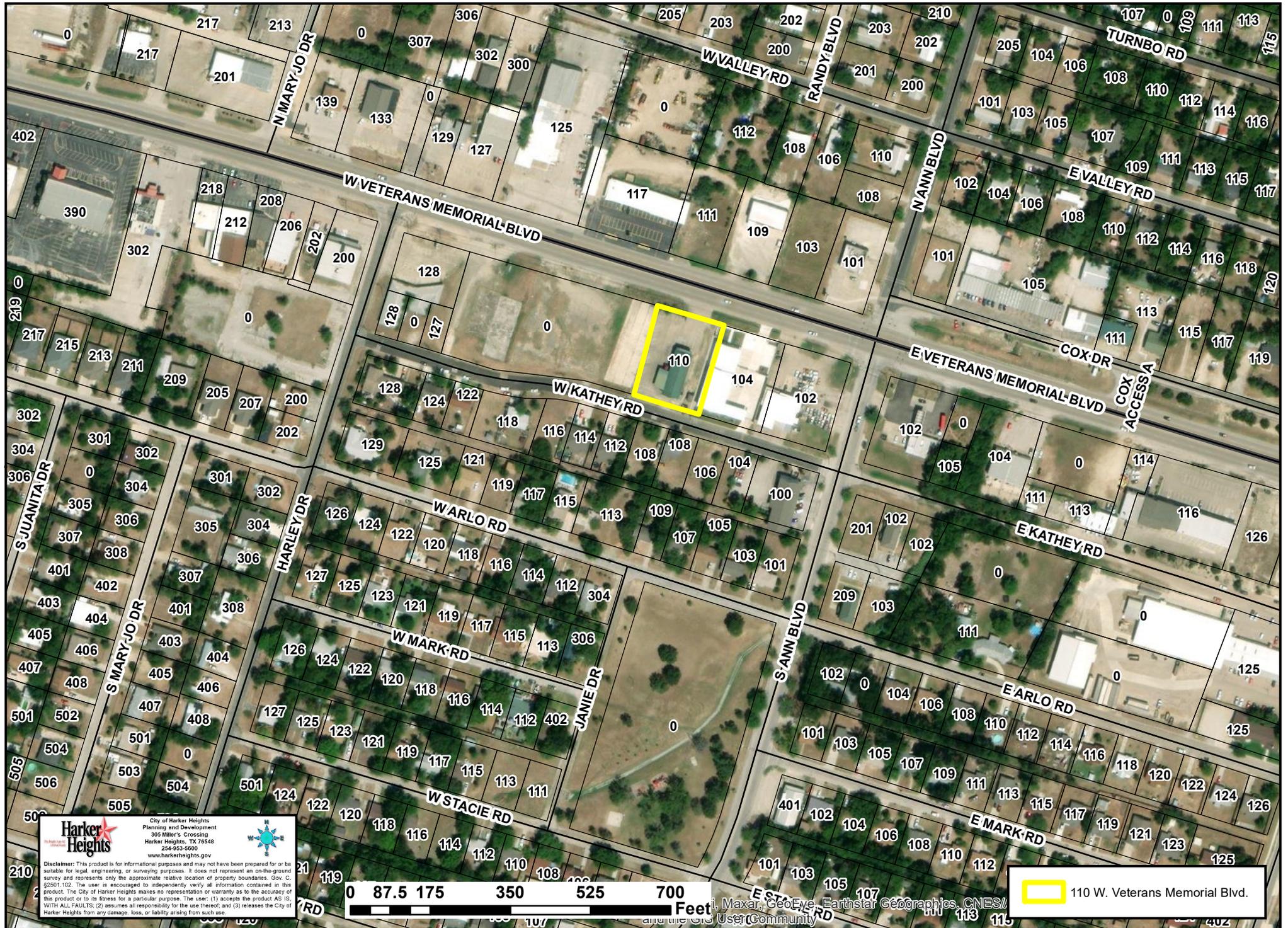
(c) *Rear yard.* A rear yard is not required except when it abuts upon an R District in which case there shall be a rear yard of not less than 25 feet.

(5) *Intensity of use.* There are no minimum lot areas or lot width requirements, except that all parking regulations as prescribed herein shall be followed

(6) *Parking regulations.* As per §§ 155.061 through 155.068.

(7) *Signs.* As per Chapter 151.

(Ord. 2001-36, passed 11-13-01)



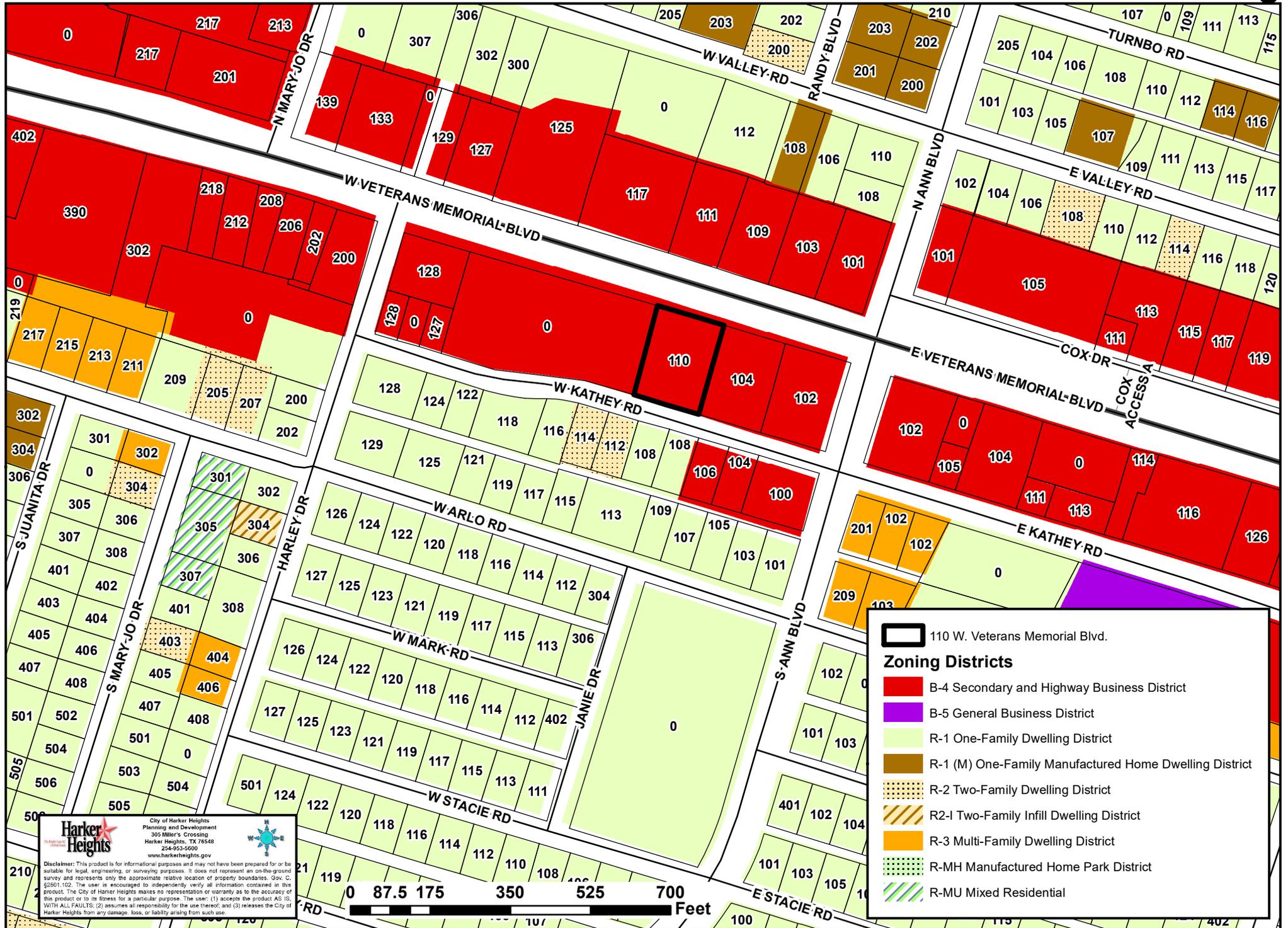
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City of Harler Heights
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 110 W. Veterans Memorial Blvd.

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



110 W. Veterans Memorial Blvd.

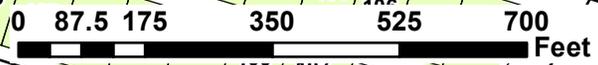
Zoning Districts

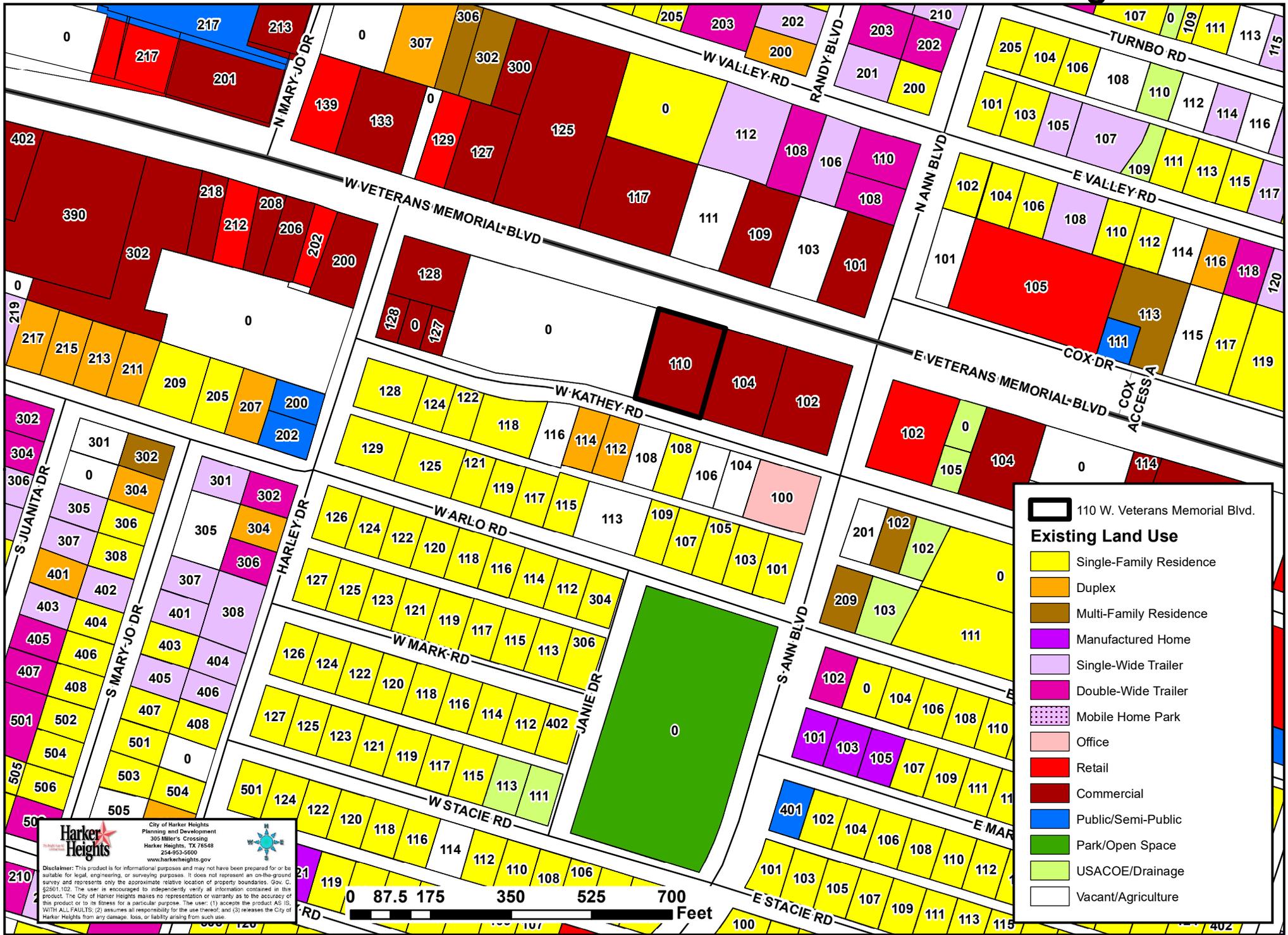
- B-4 Secondary and Highway Business District
- B-5 General Business District
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District
- R2-1 Two-Family Infill Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District
- R-MU Mixed Residential

Harker Heights

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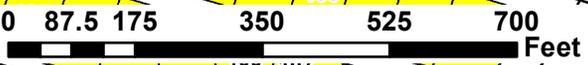
 110 W. Veterans Memorial Blvd.

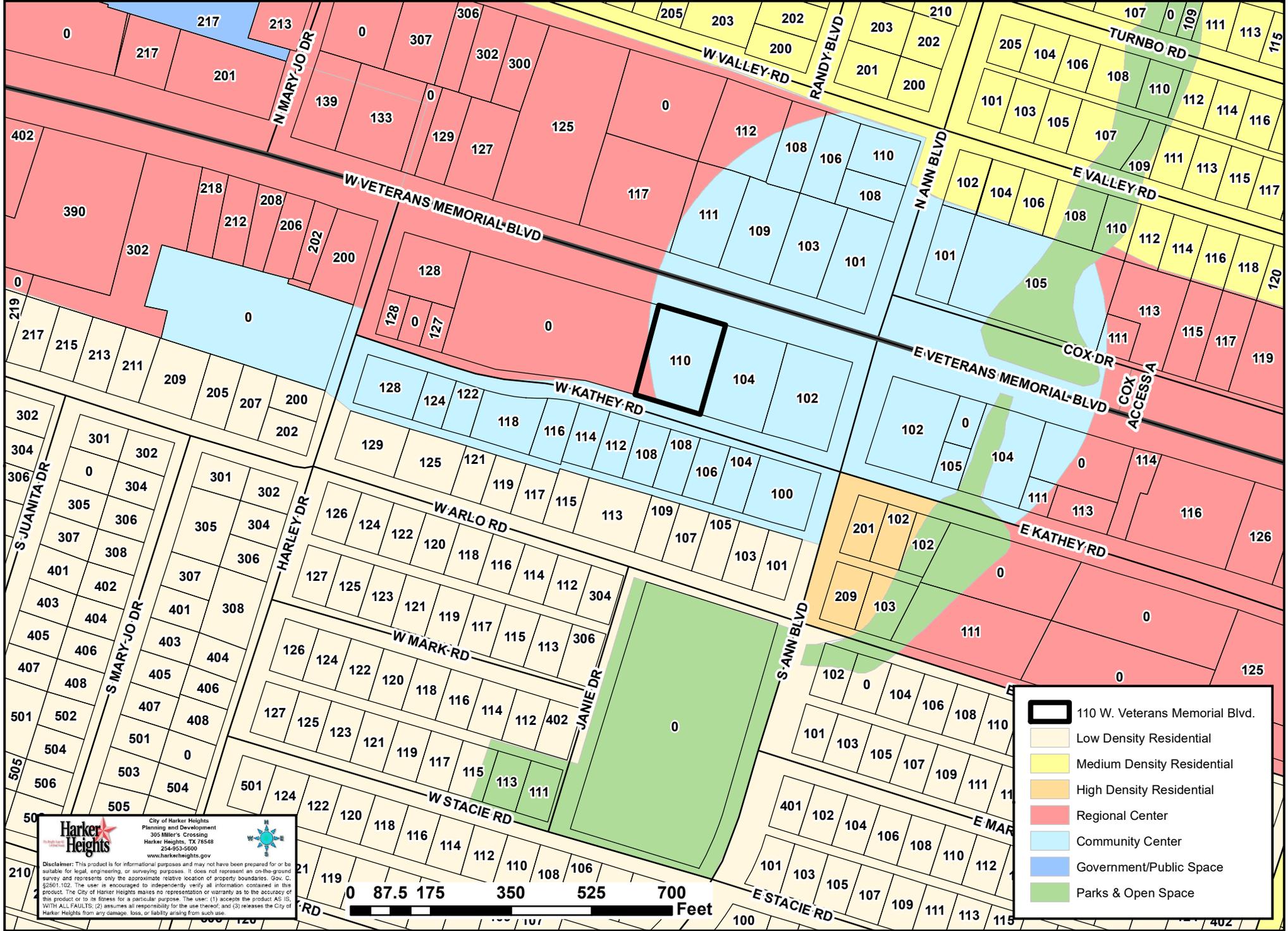
Existing Land Use

-  Single-Family Residence
-  Duplex
-  Multi-Family Residence
-  Manufactured Home
-  Single-Wide Trailer
-  Double-Wide Trailer
-  Mobile Home Park
-  Office
-  Retail
-  Commercial
-  Public/Semi-Public
-  Park/Open Space
-  USACOE/Drainage
-  Vacant/Agriculture

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 254-953-5600
 www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 2001-102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

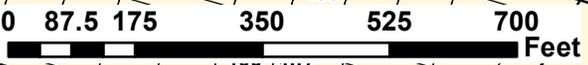




Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-953-3600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 2001-102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

- 110 W. Veterans Memorial Blvd.
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Community Center
- Government/Public Space
- Parks & Open Space



SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WDT PROPERTIES LTD

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

Physical Address	Property ID
104 W KATHEY RD, 100 S ANN BLVD	#19869, 129416

RE: application to consider a request for zoning designation change **B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay** on property described as *Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

High volume of noise from a
taavern could be disraptive to our
professional services business.

We are also concerned because
a major tenant in our building
provides professional services to
youth to inclade minor children.

WDT Properties, Ltd
by Diane Thompson
Printed Name

Diane Thompson
Signature

10-19-21

SENT: OCTOBER 1, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PLOEGER, ERNESTINE D

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

Physical Address	Property ID
119 W ARLO RD, 121 W ARLO RD	#94085, 94084

RE: application to consider a request for zoning designation change **B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay** on property described as *Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas* (see attached notification map).

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

Comments:

It would help if we knew what was going in to this space

Printed Name

Signature



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-29-F

AGENDA ITEM IX-6

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: OCTOBER 27, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO AMEND THE COMPREHENSIVE PLAN'S FUTURE LAND USE MAP TO CHANGE THE 'COMMUNITY CENTER' AND 'REGIONAL CENTER' DESIGNATIONS TO A 'REGIONAL CENTER' DESIGNATION ON PROPERTY DESCRIBED AS KERN ACRES 2ND EXTENSION & REVISION, BLOCK 001, LOTS 5-6, 15-16, PROPERTY ID #63808, GENERALLY LOCATED AT 110 W. VETERANS MEMORIAL BOULEVARD, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a change from the current zoning of B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property consists of approximately .6492 acres, with an existing 3,540 square foot building, and 840 square foot enclosed porch. The Land Use Plan shows this parcel to be located within the Community Center and Regional Center designations. To keep the requested B-4 zoning compatible with the land use plan, the land use designation will need to be amended to Regional Center.

Surrounding Future Land Uses

Adjacent future land uses include:

	Future Land Plan
North	Community Center Regional Centers
South	Community Center
East	Community Center
West	Community Center Regional Centers

The 2021 Future Land Use Map identifies this area is designated for both Community Center and Regional Centers. The zoning designations included in Community Center land use include: B-1 (Office District), B-2 (Neighborhood Business District), B-3 (Local Business District), and PD-B (Planned Development Business). The zoning designations included in Regional Center land use include: B-4 (Secondary and Highway Business District), B-5 (General Business District), PD-B (Planned Development Business), and PD-M (Planned Development Mixed Use).

Flood Damage Prevention:

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

Notices:

Staff sent out forty-one (41) notices to property owners within the 400-foot notification area. As of October 20, 2021, two (2) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning is compatible with the current Comprehensive Plan and FLUM.
2. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
3. The proposed use and rezoning is compatible with existing uses in the neighborhood.
4. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Proposed Land Uses (Community Center, Regional Center)
3. Location Map
4. Future Land Use Map
5. Notification Area Map
6. Public 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: Donald Myers **Date:** Sept 29, 21
Address: 40 W. Vets. MEM. BLVD
City/State/Zip: Harker Heights
Phone: _____ **E-mail:** _____

Legal Description of Property:

Location of Property (Address if available): 110 W. Vets MEM. BLVD / Restaurant
Lot: 5-6 **Block:** 7 **Subdivision:** Kern Acres
Acres: .069 **Property ID:** 63808 **Survey:** _____

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

Proposed Use: Restaurant w/ Alcohol sales
Current Zoning Classification: B4 **Proposed Zoning:** B-4 w/ overlay
Current Land Use: _____ **Proposed Land Use:** RESTAURANT

Applicant's Representative (if applicable):

Applicant's Representative: Felecia Fogle
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.

Donald Myers Printed Name of Property Owner Donald Myers Signature of Property Owner

Donald Myers Felecia Fogle Printed Name of Representative Felecia Fogle Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 29 DAY OF September, 2021.

Willnerett SIGNATURE OF NOTARY PUBLIC MY COMMISSION EXPIRES: 2/22/2025

STAFF ONLY -- DO NOT FILL OUT BELOW
 Date Submitted: 9/29/21 Pre-Application Meeting **Receipt #:** 01744510
 Received By: Wernerett **Case #:** _____
 Revised: 5/2020

PROPOSED LAND USES

Community Centers

- Community Center developments provide local retail, professional office, and service-oriented businesses. Due to their nature, retail uses are typically dependent upon higher traffic volumes and have traditionally been located along major arterial roadways or locations with the highest visibility. Community Centers are intended to directly serve the local community and meet individual neighborhood needs. These areas should be strategically located near residential developments and connectivity and integration with residential neighborhoods should be encouraged.

Appropriate Zoning District

- **B-1** Office District
- **B-2** Neighborhood Business District
- **B-3** Local Business District
- **PD-B** Planned Development Business



PROPOSED LAND USES

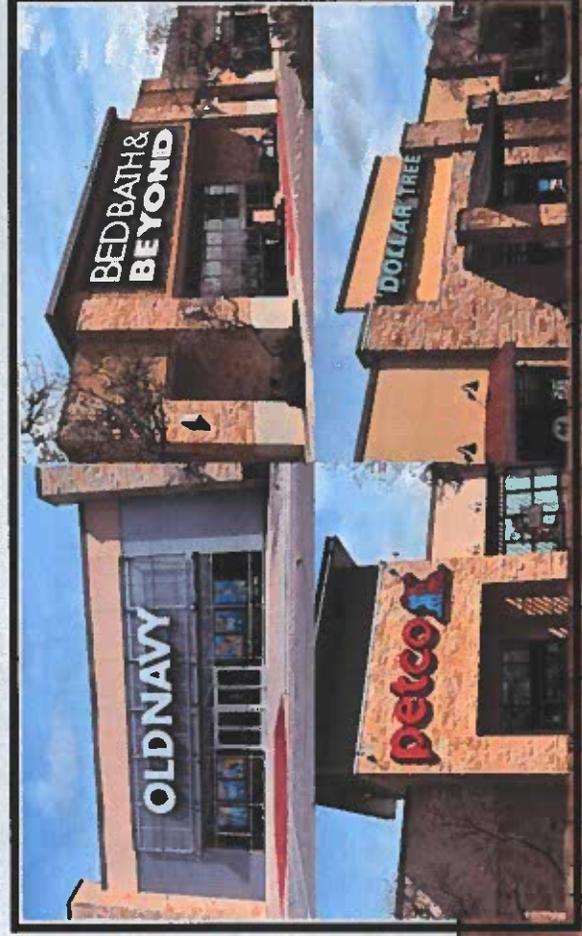
Regional Centers

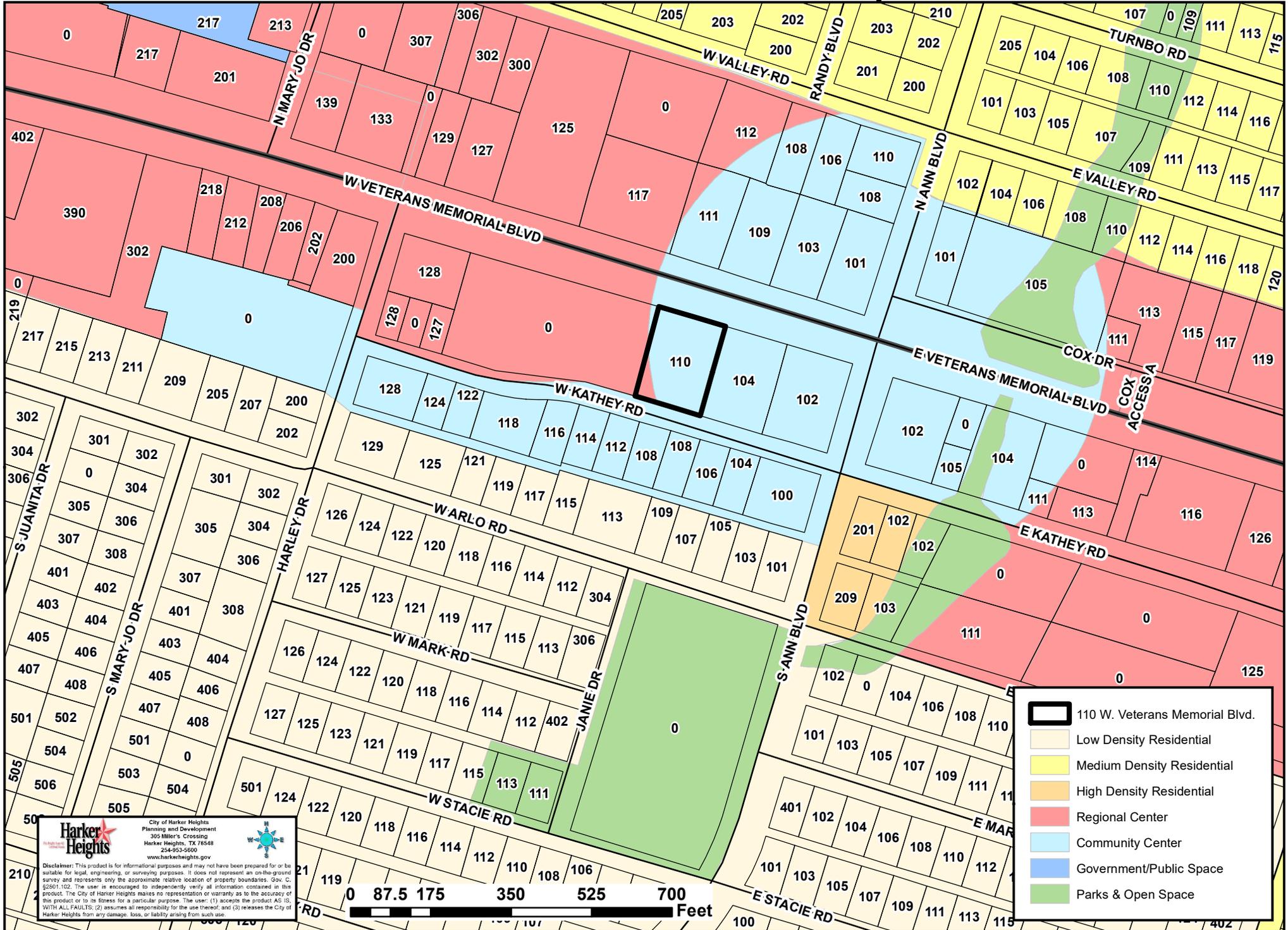
- Regional Centers may be configured as major shopping centers, standalone big box retailers, hotels, or large-scale mixed-use developments as well as supporting flex office space.

The developments in this category are typically larger in scale, more intense, and are also high generators of traffic.

Appropriate Zoning District

- **B-4** Secondary and Highway Business
- **B-5** General Business
- **PD-B** Planned Development
- **PD-M** Planned Development Mixed Use

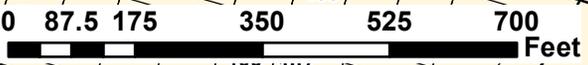


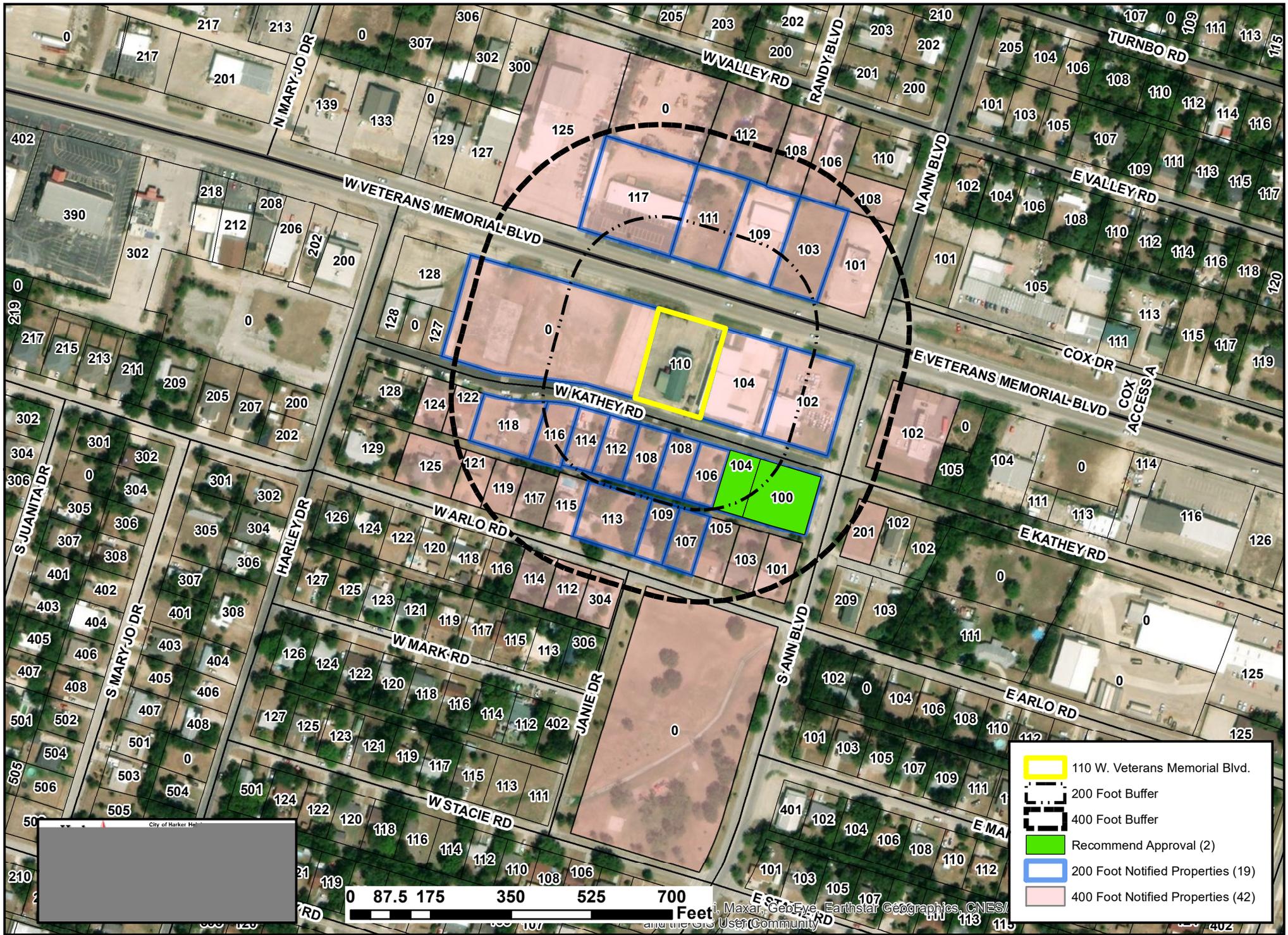


	110 W. Veterans Memorial Blvd.
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Regional Center
	Community Center
	Government/Public Space
	Parks & Open Space

Harker Heights
 City of Harker Heights
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SENT: OCTOBER 8, 2021
DUE BACK: OCTOBER 19, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON OCTOBER 19, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WDT PROPERTIES LTD

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

Physical Address	Property ID
104 W KATHEY RD, 100 S ANN BLVD	#19869, 129416

RE: application to amend the Comprehensive Plan's future land use map to change the 'Community Center' and 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

WDT Properties, Ltd
Diane Thompson
Printed Name

Diane Thompson
Signature

10-19-21
Date



PLANNING AND ZONING COMMISSION MEMORANDUM

CP21-06

AGENDA ITEM X-01

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A CONCEPT PLAN REFERRED TO AS CEDAR TRAILS ON PROPERTY DESCRIBED AS URIAH HUNT SURVEY, ABSTRACT NO. 401, PROPERTY ID #75765, GENERALLY LOCATED AT 13436 E. KNIGHT'S WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY TEXAS, AND LOCALLY KNOWN AS 13436 FM 2410, BELTON, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

On September 1, 2021, the applicant submitted an application for concept plan approval for Cedar Trails, generally located at 13436 E. Knight's Way (E. FM 2410) and locally known as 13436 FM 2410, Belton, Bell County, Texas. The property consists of approximately 24.383 acres with a proposed total of seventy (70) residential lots and three (3) tracts. Prior to the September 29th Planning & Zoning meeting, the applicant requested a one-time 30-day extension as allowed by law. The applicant submitted revisions on October 1, 2021 and October 19, 2021.

As of October 20, 2021 staff had reviewed the submitted concept plan and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 20, 2021, staff returned the final comments to the applicant. Staff recommends approval of the Concept Plan for the subdivision referred to as Cedar Trails.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for minor plat referred to as Withers Addition on property described as 11.134 acres situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, being all of that called 11.134 acres of land conveyed to Michael Withers in Document No. 2021052995, Official Public Record of Real Property, Bell County, Texas, and generally located at the intersection of Mesquite Branch Road and Oakridge Boulevard, Harker Heights, Bell County, Texas.
2. Any other action desired.

ATTACHMENTS:

1. Application
2. Extension request
3. Concept Plan
4. Utility Plan
5. Location Map
6. Staff Comments with Responses (Comments sent 9/6/21, 10/14/2021, and 10/20/21, Responses received 10/01/21 and 10/19/21)



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.

Property Information:

Subdivision Name: Cedar Trails Date Submitted: Sep 1, 2021

Site Address or General Location: 13436 East Knights Way, Harker Heights, Bell County, Texas

Zoning: R-1A - One-Family Dwelling District Acreage: 24.383 Proposed # of Lots: 70

Owner Information/Authorization:

Property Owner: CBBHH Holdings, LLC

Address: [REDACTED]

Phone: _____ E-Mail: _____

Developer: CBBHH Holdings, LLC

Address: [REDACTED]

Phone: _____ E-Mail: _____

Engineer/Surveyor: Belton Engineering, Inc

Address: 106 N. East Street, Belton, Texas, 76513

Phone: 254-731-5600 E-Mail: lchtay@beltonengineers.com

CHECK ONE OF THE FOLLOWING:

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

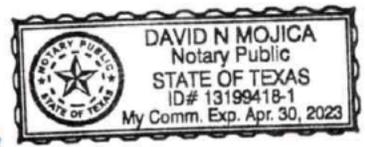
The property owner and/or their authorized representative must be present at all Planning and Zoning Commission Meetings and City Council Meetings at which their plan or plat is on the agenda for discussion or action. Failure of the developer or their authorized representative to appear during a meeting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

OWNER SIGNATURE: [Signature]

SWORN AND SUBSCRIBED BEFORE ME THIS 31st DAY OF August, 20 21.

[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: 04-30-2023



STAFF ONLY -- DO NOT FILL OUT BELOW		
Date Submitted: _____	<input type="checkbox"/> Pre-Application Meeting	Receipt #: _____
Received By: _____		Case #: _____

From: [Lina Chtay](#)
To: [Yvonne Spell](#)
Cc: [Wilson Everett](#)
Subject: Re: RE: Comments CP21-06 Cedar Trails
Date: Thursday, September 16, 2021 5:19:16 PM
Attachments: [image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Yvonne,

Yes please. That is correct.

When can we resubmit our revised plans with responses?

Thank you
Lina Chtay, P.E., CFM
Principal Engineer

Belton Engineering Inc.

108 N. East Street
Belton, Texas, 76513
Office: 254-731-5800
Cell: 254-289-7273
www.beltonengineers.com

On Thu, Sep 16, 2021 at 5:00 PM Yvonne Spell <yspell@harkerheights.gov> wrote:

Lina,

Just to clarify, you are asking for a 30 day extension from the Planning & Zoning Commission meeting on 9/29/2021 for consideration on the Cedar Trails Concept Plan, and would like to have it heard at the October

27, 2021 Planning & Zoning meeting? Can you please confirm via email?

Thank you,



Yvonne K. Spell, MPA

City Planner

City of Harker Heights | 305 Miller's Crossing | Harker Heights, TX 76548

T: 254-953-5643 | yspell@harkerheights.gov

From: Lina Chtay <lchtay@beltonengineers.com>
Sent: Thursday, September 16, 2021 3:16 PM
To: Yvonne Spell <yspell@harkerheights.gov>
Subject: Re: RE: Comments CP21-06 Cedar Trails

Yvonne, I want to request a 30 days extension on the Cedar Trails concept plan please.

Thank you
Lina Chtay, P.E., CFM
Principal Engineer

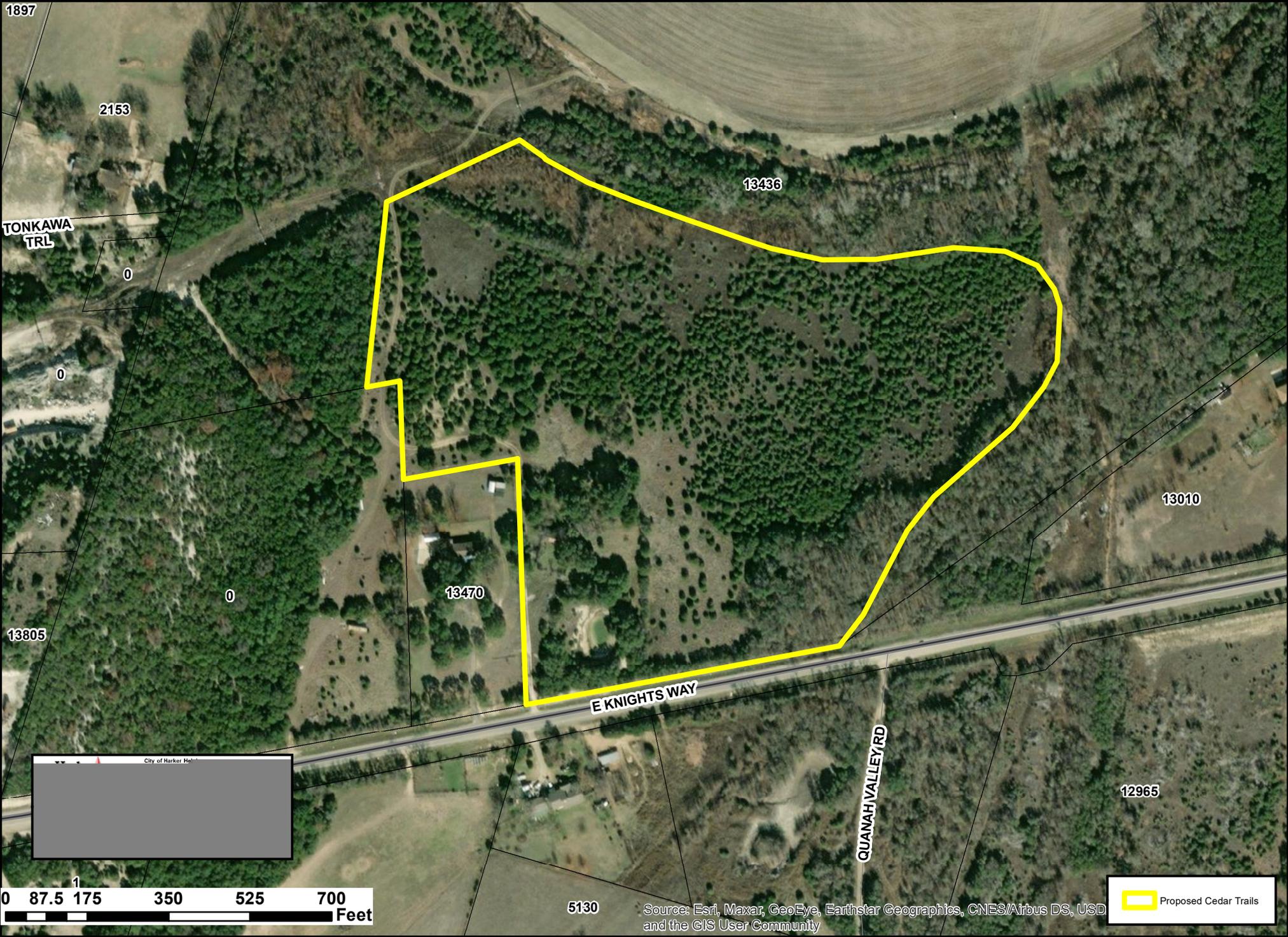
Belton Engineering Inc.
106 N. East Street
Belton, Texas, 76513
Office: 254-731-5800
Cell: 254-289-7273
www.beltonengineers.com

On Thu, Sep 16, 2021 at 11:03 AM Yvonne Spell <yspell@harkerheights.gov> wrote:

Lina,

The definition of General Plan under HB 3167 corresponds to the City of Harker Heights definition of Concept Plan, and therefore the shot clock rule applies. Per Local Government Code 212.009, you may request a 30 day extension before the Concept Plan will go before the Planning & Zoning Commission. You will need to request a 30 day extension from the September 29, 2021 Planning & Zoning Meeting, to have the Concept Plan come back before the Commission at the October 27, 2021 meeting. If you wish to request the extension, please do so by email.

Thank you,



WATER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
4. ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2- FEET BEHIND THE BACK OF CURB.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
7. ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
8. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

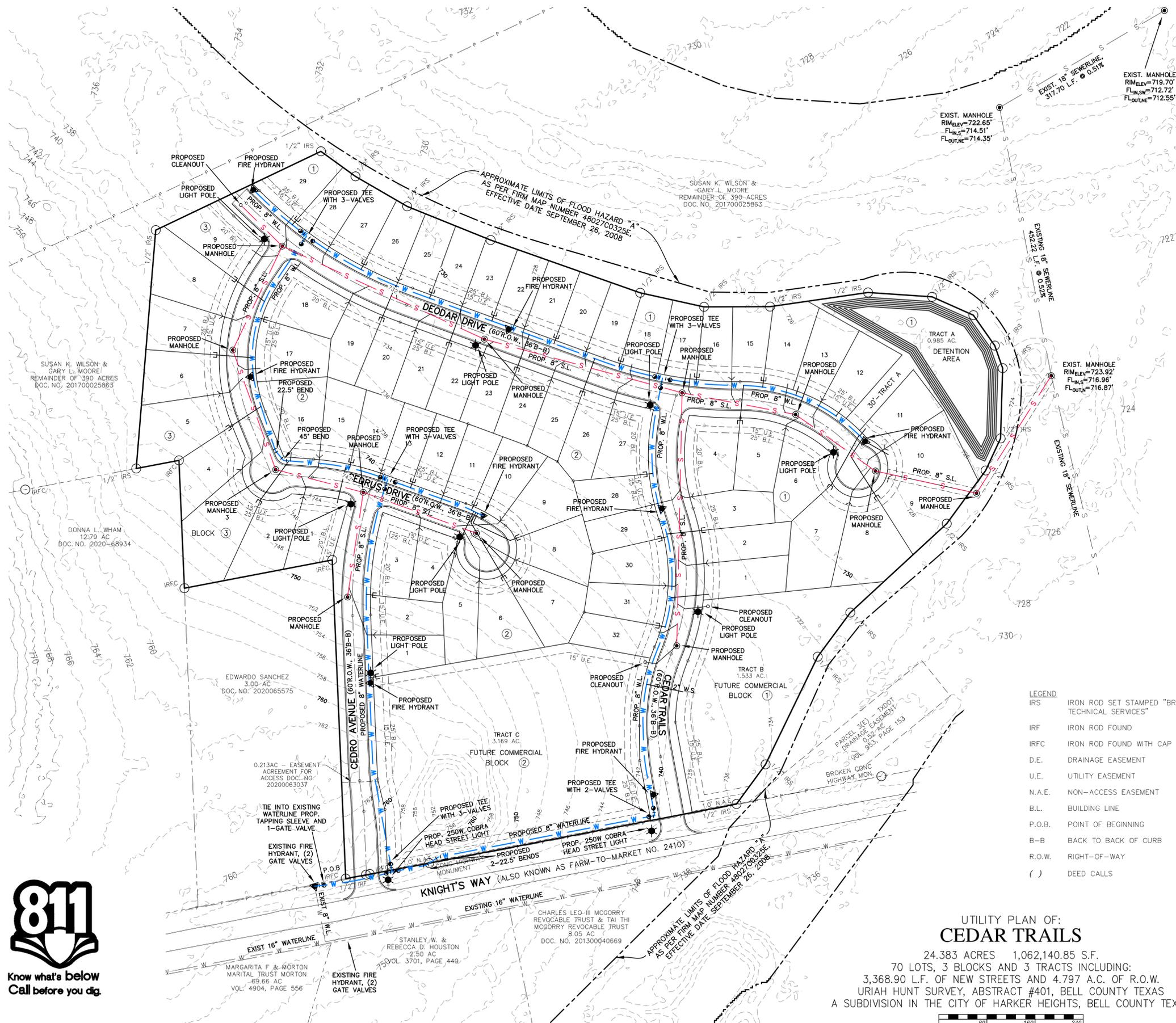
SANITARY SEWER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
4. ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
5. DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

STANDARD NOTES:

1. THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USACE.
2. TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM TNRS DATA HUB HYPISOGRAPHIC DATA AND AN ONSITE GROUND SURVEY.
4. THE ENGINEER OF RECORD MUST BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES IN THE PLANS EXIST.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.



LEGEND

IRS	IRON ROD SET STAMPED "BRYAN TECHNICAL SERVICES"
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND WITH CAP
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
N.A.E.	NON-ACCESS EASEMENT
B.L.	BUILDING LINE
P.O.B.	POINT OF BEGINNING
B-B	BACK TO BACK OF CURB
R.O.W.	RIGHT-OF-WAY
()	DEED CALLS

**UTILITY PLAN OF:
CEDAR TRAILS**

24.383 ACRES 1,062,140.85 S.F.
70 LOTS, 3 BLOCKS AND 3 TRACTS INCLUDING:
3,368.90 L.F. OF NEW STREETS AND 4,797 A.C. OF R.O.W.
URIAH HUNT SURVEY, ABSTRACT #401, BELL COUNTY TEXAS
A SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY TEXAS



REVISIONS

10/1-S.L. LAYOUT
EXIST. W.L. LOCATION
10/15-W.L. LAYOUT



FIRM # F-13392

BELTON ENGINEERING INC.

106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)289-7273
BELTONENGINEERS.COM

*Engineering
Design/Build
Planning*

UTILITY PLAN OF:
CEDAR TRAILS
13436 E. KNIGHTS WAY
HARKER HEIGHTS, BELL COUNTY, TEXAS
CBBH HOLDINGS, LLC
3513 SW HK DODGEN LOOP STE 201
TEMPLE, TEXAS, 76502



10/15/21

SCALE: 1"=80'

DRAWN.: RR

ELEC. DRAWING FILE

C:\20044-UP.DWG

DATE: 10/15/21

JOB NO.: 20044

02 OF 04

C2.0

CEDAR TRAILS

C21-06 Concept Plan – Cedar Trails

Plat Distributed to HH Staff: October 6, 2021

Comments Returned to Belton Engineering: October 14, 2021

Resubmission Comments Returned to Belton Engineering: October 20, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Plat Dedication Page: Applicant shall amend Note 6 such that it reflects that as of the date of submission (9/1/21) the area in the concept plan contains only R-1 zoning. The City Council will hear the rezoning request on 09/14/21 to both R1-A and R-1 (Tracts B & C) zoned parcels. If approved, then the applicant can then amend Note 6 to reflect both zoning designations. **10/13/21 Met.**
2. Plat Dedication Page: Per §154.37(D)(8), due to the same or similar names in the 911 district and/or the City, the applicant shall change the names of the proposed Atlas Drive and Juniper Street. **10/13/21 Met.**
3. Plat Dedication Page: Per §154.01 The Tract A flag lot shall be revised to meet the minimum 30-foot wide strip at the public ROW line. As illustrated only a 15-foot access strip is provided. **10/13/21 Met.**
4. Plat Dedication Page: Applicant shall provide an additional note to clarify that the illustrated setbacks are based on the zoning ordinances at the time of platting and are provided for concept plan submission compliance purposes only. **10/13/21 Partially Met. Based on the response to item 8.a. the applicant is wanting to designate more restrictive setbacks than those required in the current zoning. The note shall be amended accordingly prior to the meeting with the P&Z. 10/20/21 Met.**
5. Plat Dedication Page: Applicant shall provide a copy of the called 0.213 AC easement agreement for access Doc. No. 20200063037. **10/13/21 Met.**
6. Plat Dedication Page: Per §154.20(d)6, applicant shall provide a typical for building placement and building envelopes. **10/13/21 Met.**
7. For R-1 Zoning
 - a. Per §155.020(E) applicant shall amend the lot configuration in order to meet the minimum 8,400 square feet per lot with an average overall width of 70' and minimum lot frontage of 45'. **10/13/21 Met.**
8. For R1-A Zoning of all lots except Tracts B&C

- a. Per §155.022(D)(1) applicant shall amend the front yard setback line from 25' to the required 20'. **10/13/21 Response Noted.**
 - b. Per §155.022(D)(2) applicant shall amend the setback lines on the corner lots to all be 20' along the ROW (i.e. Lots 1,9 Block 3; Lots 3,17,19,26 Block 2; and Lot 4 Block 1). **10/13/21 Met.**
 - c. Per §155.022(E)(2) applicant shall provide a second line table listing the front building line setback dimensions for all Lots with a front property line of less than 46 feet (i.e. Lots 6-10 Block 2 and Lots 7-11 Block 1). **10/13/21 Met.**
9. The following items can be addressed during review of the preliminary plat and are provided for the Applicant's advanced reference.
- a. Per §154.01, TXDOT approval for the two subdivision entrances, impacts to the drainage on FM 2410, and a 1 foot non-access easement along FM 2410 will be required prior to approval of a plat. Additionally, TXDOT may require a Traffic Impact Analysis of this development prior to approval of that above-mentioned items. **10/13/21 Response Noted.**
 - b. Plat Dedication Page: Applicant shall annotate the existing width of FM 2410 in the vicinity of this subdivision and provide the required right of way (ROW) to meet the 120' required ROW width for the major arterial FM 2410.
 - c. A wastewater stubout and manhole will be required at the west end of Deodar Drive. **10/13/21 Response Noted.**
 - d. The location of the proposed eastern wastewater connection shall not go under the proposed detention area. Said wastewater main will also require a minimum 15' utility easement. **10/13/21 Response Noted.**
 - e. Location of proposed manholes and wastewater lines will be evaluated at the preliminary plat review and may need to be extended or additional manholes added to the proposed layout. (ie. Cyprian Street manhole and line).

Public Works, Mark Hyde

- 1. The water line layout is not correct. There is not a 16-inch water line on the north side of FM 2410. An 8-inch water line was extended across FM 2410 terminating into the existing fire hydrant on the north side of FM 2410, see Bore No. 2 on the attached drawing. It may be more economical to extend the existing 8-inch water line across the property than making two road bores across FM 2410. **10/20/21 Met.**
- 2. Provide written TxDOT approval for the two street connections at FM 2410. **10/20/21 Met.**
- 3. Regarding sanitary sewer capacity for this development, the City of Harker Heights has conducted an engineering study on the remaining sanitary sewer capacity of the Evergreen-

Fawn Valley Lift Station, the Trimmier Lift Station and associated lift station force mains and receiving gravity sanitary sewer mains. The sanitary sewer system serving this proposed subdivision is currently at capacity. Engineering design for the sanitary sewer expansion project is almost completed.

See water plans on onedrive link attached to email.

- 1. Loop the water line on the Cedrus Drive cul-de-sac to the water line on Cedar Trails. Provide a 15' wide public utility easement. 10/21/21**
- 2. Extend the proposed 8-inch water line along FM 2410 to the eastern property line and provide a flush assembly. 10/21/21**

Consulting Engineer, Otto Wiederhold

1. Comments on drainage deferred until preliminary plans are submitted. Major concern will be detention design and outlet to exiting natural channel.

Fire Marshal, Brad Alley

1. No further comments. 10/13/2021

Building Official, Mike Beard

1. No Comments 10/13/21

ONCOR

1. Oncor would need a 15ft easement so we can serve the locations. 10/13/21. **10/20/21 Met.**

TXDOT

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-28

AGENDA ITEM X-02

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT

DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A FINAL PLAT REFERRED TO AS PAT KERN SUBDIVISION, REPLAT NO. 1, ON PROPERTY DESCRIBED AS BEING ALL OF THAT CERTAIN 2.29 ACRE TRACT OF LAND SITUATED IN THE W.E. HALL SURVEY, ABSTRACT NO. 1086, BELL COUNTY, TEXAS, BEING ALL OF THE CALLED LOT 1, BLOCK 1, PAT KERN SUBDIVISION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, RECORDED IN CABINET D, SLIDE 185-A, PLAT RECORDS OF BELL COUNTY, TEXAS, AND ALL OF THE CALLED 1.127 ACRE TRACT, DESCRIBED IN A DEED TO MOOCHING K, LTD., RECORDED IN INSTRUMENT NO. 2013-00048060, DEED RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 201 INDIAN TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant submitted an application for final plat approval for approximately 2.29 acres of vacant land located on the east side of Indian Trail, north of Justin Lane. The extension of Water Course Drive (The Enclave at Indian Trail preliminary plat approved at June 8, 2021 City Council meeting) through the existing Lot One Block 1 of Pat Kern Subdivision would make the lot smaller than desired to expect future development. The platting of the two lots together would make future development more likely.

As of October 8, 2021 staff had reviewed the submitted final plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 8, 2021, staff returned comments to the applicant. At the time of this memo, staff had not received any revisions. Due to the number and type of outstanding items that were not compliant with the City's Code of Ordinances, staff recommends denial of the Final Plat for the subdivision referred to as Pat Kern Subdivision, Replat No. 1 due to the fact that the original submission does not meet the requirements in the current code of ordinances.

ACTION BY THE PLANNING AND ZONING COMMISSION:

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

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field Notes
3. Dedication
4. Pat Kern Subdivision, Replat No. 1 – Final Plat
5. Pat Kern Subdivision, Replat No. 1 - Preliminary Engineering Documents
6. Location Map
7. Staff Comments (Comments sent October 8, 2021, revisions requested to be turned in by October 15, 2021, none had been received as of October 20, 2021)



QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

1501 W. STAN SCHLUETER LP, KILLEEN TEXAS (254) 493-9962

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

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

2.29 ACRES BELL COUNTY, TEXAS

BEING all of that certain 2.29 acre tract of land situated in the W.E. Hall Survey, Abstract No. 1086, Bell County, Texas, being all of the called Lot 1, Block 1, Pat Kern Subdivision, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acre tract, described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records of Bell County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8" iron rod with cap stamped "M&A" found in the East right-of-way line of Indian Trail (FM 3423) and at the Northwest corner of Lot 1, Block 1, Texas Tumblers Addition, an addition to the City of Harker Heights, recorded in Cabinet D, Slide 14-A, Plat Records of Bell County, Texas, for the Southwest corner of the herein described tract;

THENCE, along the East right-of-way line of Indian Trail and the West line of the herein described tract, the following three courses and distances:

1. N 12° 06' 02" E, 56.44 feet (Deed N 12° 02' 19" E, 56.45 feet), to a 3/8" iron rod found at the beginning of a curve to the left;
2. 207.90 feet along the arc of the said curve to the left having a Radius of 920.34 feet, and a Chord Bearing and Distance of N 05° 37' 04" E, 207.46 feet, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set;
3. N 00° 48' 38" W, 139.56 feet (Plat N 00° 48' 34" W, 139.56 feet), to a to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set in the East right-of-way line of Indian Trail, at the Southwest corner of a called 1.321 acre tract, described in a deed to BHE, LLP., recorded in Volume 5320, Page 444, Deed Records of Bell County, Texas, for the Northwest corner of the herein described tract;

THENCE, S 76° 41' 36" E, 234.75 feet (Plat S 76° 41' 47" E, 234.87 feet), departing the East right-of-way line of Indian Trail, along the South line of the said 1.321 acre tract to a 3/8" iron rod found at the Southeast corner of the said 1.321 acre tract and in the West line of a called 2.649 acre tract (Parcel 2), described in a deed to Tera Azul Developments, LLC, recorded in Instrument No. 2013-00048429, Deed Records of Bell County, Texas, for the Northeast corner of the herein described tract;

THENCE, along the common line between the herein described tract and the said Parcel 2 and Parcel 1, recorded in the same deed to Tera Azul Development, the following three courses and distances:

1. S 07° 16' 44" W, 234.94 feet (Plat S 07° 18' 36" W, 234.98 feet), to a 3/8" iron rod with a cap stamped "M&A" found;
2. S 75° 05' 01" E, 100.80 feet (Deed S 75° 01' 33" E, 100.86 feet), to a 3/8" iron rod found;
3. S 12° 16' 35" W, 155.26 feet (Deed S 12° 17' 44" W, 155.15 feet), to a 3/8" iron rod with a cap stamped "M&A" found at the Northeast corner of the said Lot 1, Texas Tumblers Addition for the Southeast corner of the herein described tract;

THENCE, N 77° 46' 31" W, 300.04 feet (Deed N 77° 51' 32" W, 300.06 feet), along the North line of the said Lot 1, Texas Tumblers Addition to the **POINT OF BEGINNING** containing 2.29 acres of land, more or less.

The bearings for this description are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Texas Smart Net GPS observations, as surveyed on the ground September 8, 2021, by Quintero Engineering, LLC.

09/29/2021

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



DEDICATION

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **Mooching K, LTD.** being the sole owner(s) of the land situated in the W. E. Hall Survey, Abstract No. 1086, Bell County, Texas, and being all of Lot 1, Block 1, Pat Kern Subdivision, recorded in Cabinet D, Slide 185-A, Plat Records of Bell County, Texas, and all of the called 1.127 acres described in a deed to Mooching K, LTD., recorded in Instrument No. 2013-00048060, Deed Records of Bell County, Texas, which is more fully described in the dedication of **Pat Kern Subdivision, Replat No. 1**, as an addition to the City of Harker Heights and, Bell County, Texas, and hereby dedicates to the City of Harker Heights, Bell County, Texas, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas.

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

W I T N E S S the execution hereof, on this _____ day of _____, 2021.

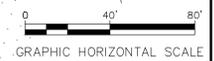
For: Mooching K, LTD.

By: _____
Pat Kern
Manager

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

NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: _____

REMAINDER OF:
"EXHIBIT B"
CALLED 6.00 ACRES
RENA CHANG HOOT
INST. NO. 200800048579



LEGEND

—	PROPERTY BOUNDARY	— 24S — 24S	24" SEWER LINE	⊞	ELECTRIC METER
- - -	LOT LINES	— 8W — 8W	8" WATER LINE	⊞	GAS METER
- - -	EASEMENT LINES	— 6W — 6W	6" WATER LINE	⊞	FIBER OPTIC RISER
- - -	ADJOINING TRACT PROPERTY LINES	— OHE — OHE	FENCE - CHAIN LINK	⊞	TELE-RISER
- - -	RIGHT-OF-WAY LINE (R.O.W.)	— OHE — OHE	OVERHEAD ELECTRIC	⊞	TELECOM-RISER
- - -	CENTER	— OHE — OHE	TOP & TOE LINES	⊞	GAS REGULATOR
—	ASPHALT LINE	⊞	EXISTING FIRE HYDRANT	⊞	UTILITY POLE
—	CONCRETE LINE	⊞	EXISTING WATER VALVE	⊞	GUY WIRE
— 6S — 6S	6" SEWER LINE	⊞	SEWER MANHOLE	⊞	BENCH MARK
— 4S — 4S	4" SEWER LINE	⊞	STORM DRAIN	⊞	IRON ROD FOUND
— 3S — 3S	3" SEWER LINE	⊞	SEWER CLEAN OUT	⊞	IRON PIPE FOUND

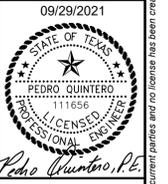
UTILITY NOTES:

- EXISTING UTILITIES SHOWN HEREIN HAVE BEEN LOCATED BY VISIBLE APPURTENANCES AND RECORD DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES REGARDLESS OF THERE DEPICTION HEREIN.

SURVEY NOTES:

- THE TOPOGRAPHIC SURVEY INFORMATION SHOWN HEREIN, IS BASED ON A SURVEY MADE ON THE GROUND ON JUNE 2021 BY QUINTERO ENGINEERING, LLC WITH THE FOLLOWING HORIZONTAL AND VERTICAL CONTROL INFORMATION:
 - BEARINGS SHOWN HEREIN ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, CENTRAL ZONE 4203, PER LEICA NET GPS OBSERVATION.
 - ELEVATIONS SHOWN HEREIN ARE BASED UPON THE NAVD 88 PER LEICANET GPS OBSERVATION.
- THE EXISTING UTILITIES SHOWN HEREIN HAVE BEEN HORIZONTALLY LOCATED BASED ON ABOVE GROUND VISIBLE APPURTENANCES. NO VERTICAL INVESTIGATIONS WERE PERFORMED WITH THIS SURVEY. THE USE OF OR RELIANCE UPON THE SURVEY INFORMATION PROVIDED DOES NOT RELIEVE THE CONTRACTOR FROM THEIR DUTY TO COMPLY WITH APPLICABLE UTILITY DAMAGE PREVENTION LAWS AND REGULATIONS, INCLUDED, BUT NO LIMITED TO, GIVING NOTIFICATION TO UTILITY OWNER'S "ONE-CALL" CENTERS BEFORE EXCAVATION.

NO.	DATE	REVISIONS	BY



ISSUED FOR REVIEW, COMMENT

PROJECT NO.: 025-21
DATE: SEPTEMBER 2021

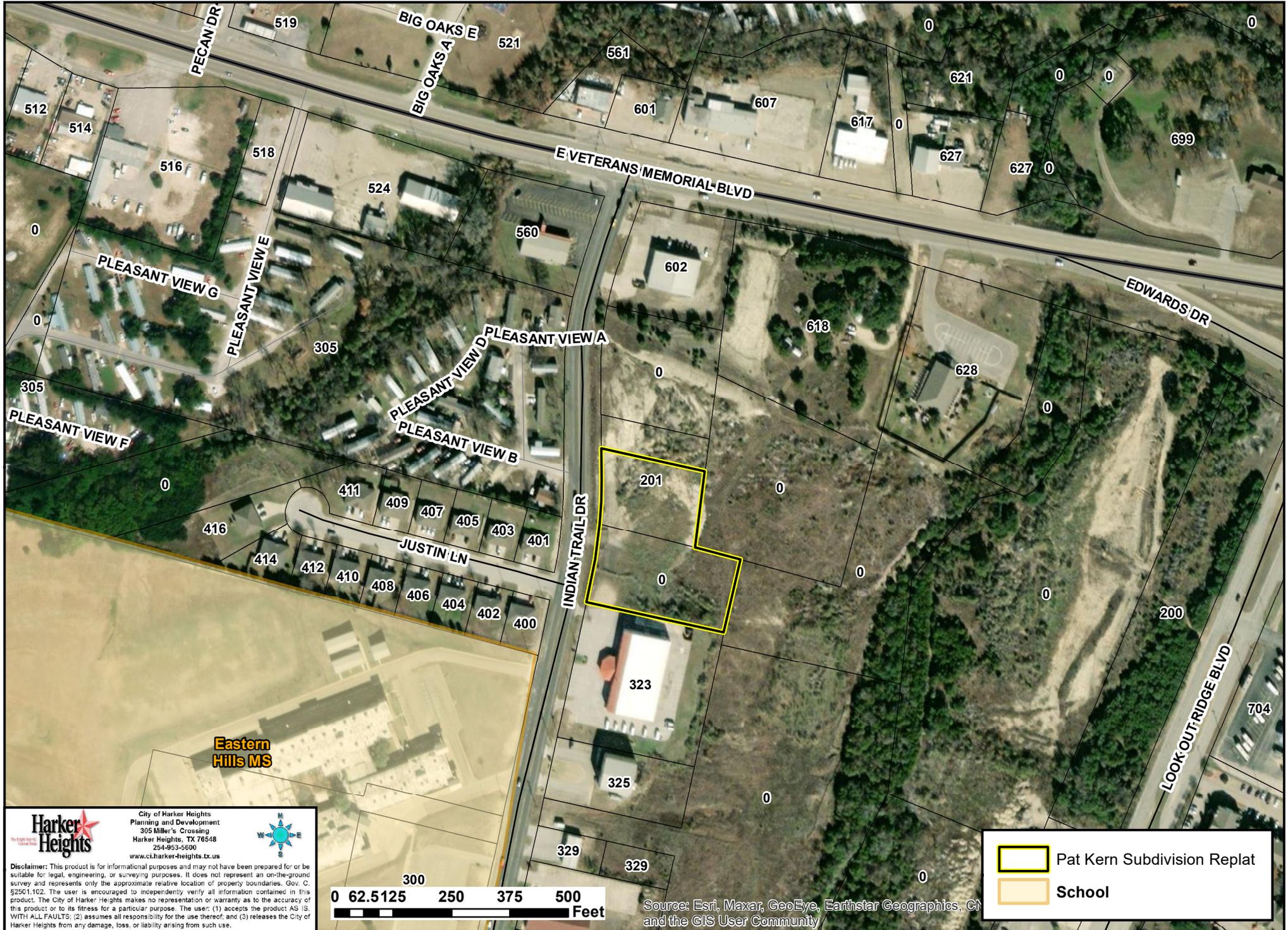


PAT KERN SUBDIVISION, REPLAT #1
201 INDIAN TRAIL DRIVE
HARKER HEIGHTS, BELL COUNTY, TEXAS

TOPOGRAPHIC & UTILITY LAYOUT

DRAWING NO.: TU-1

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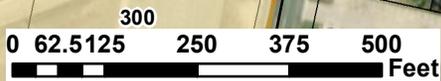
Eastern Hills MS



City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-6600
www.ci.harker-heights.tx.us



Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §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.



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CN and the GIS User Community

	Pat Kern Subdivision Replat
	School

PAT KERN SUBDIVISION, REPLAT NO. 1

P21-28 Final Plat – Pat Kern Subdivision, Replat No. 1

Plat Distributed to HH Staff: September 30, 2021
Comments Returned to Quintero Engineering, LLC: October 8, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Plat Dedication Page

- a. Water Course Drive was shown as being dedicated in the preliminary plat for The Enclave at Indian Trail subdivision. Applicant shall clarify ownership of the land area shown for the Water Course Drive ROW.
- b. Dedication of Public ROW or extension of public utilities (water, sewer, drainage, sidewalks) changes this from a replat to preliminary plat. Applicant shall amend the title and provide all required documents and signature blocks accordingly.
- c. Applicant shall amend the called 10' utility easement to a 15' utility easement along the Indian Trail frontage. This will match the existing 15' UE on the Texas Tumblers subdivision to the south of the proposed subdivision.
- d. Applicant shall provide ROW measurements for Indian Trail (90 ft ROW). If the required amount of ROW is not existing, then the Applicant shall provide half of the required remaining ROW.
- e. Plat Dedication Page: Applicant shall provide LLC paperwork and provide authorization for those who can sign for Mooching K, LTD
- f. Per 154.21(C)(1)(k), applicant shall update adjacent lots with present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet.
- g. Per 154.22 (B) (1) Drawing scale of not less than 1-inch equals 100 feet.

2. Utilities

- a. Applicant shall verify the called existing 8" water main crossing Indian Trail near the proposed water service location. City maps show a watermain dead ending near that called valve and an unconnected parallel line on the west side of Indian Trail.
- b. Applicant is advised that the offsite utility easement and sewer main at the proposed sewer service location have not yet been recorded and constructed. They are part of The Enclave at Indian Trail subdivision's proposed construction. Depending on timing of Development the Applicant may need to coordinate with that Developer or construct said offsite main.
- c. Applicant shall provide a sidewalk layout for the proposed plat.

3. The following items can be addressed during construction site plan review and are provided for the Applicant's advanced reference.
 - a. Applicant is advised that sheet flow approximation will be required inside of the proposed subdivision since there is not an existing point discharge location from this proposed subdivision onto the property to the east.
 - b. Applicant is advised that TXDOT approval of the driveway(s) along Indian Trail will be required prior to final plat and release of construction site plans. This may require a traffic impact analysis, a 1' non-access easement, and/or a 30' internal passage easement to the adjacent lots.
 - c. Applicant is advised that a driveway entrance onto Water Course Drive or Indian Trail will not be allowed in the AASHTO clear site triangle at the corner of Indian Trail and Water Course Drive.

Public Works, Mark Hyde

1. Label the plat as "Preliminary".
2. The 8-inch water line shown crossing Indian Trail at the south property line does not cross Indian Trail at this location. The valve shown at the south property line is an end of line flush valve for an existing 8-inch water line. Extend the 8-inch water line to the limits of the north property line terminating with a flush assembly. Install at least one fire hydrant per the Fire Marshal's required location(s).
3. The proposed 15' offsite utility easement for the sanitary sewer service line will be a private easement. Provide the easement dedication and field notes for the proposed sanitary sewer service line offsite private easement.

Consulting Engineer, Otto Wiederhold

1. No comments

Fire Marshal, Brad Alley

1. No comments

Building Official, Mike Beard

1. No comments

ONCOR

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

Century Link, Chris McGuire

1. No conflicts.

Time Warner Cable/Spectrum, Shaun Whitehead

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

ATMOS, Rusty Fischer

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

TXDOT

1. No comments



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-29

AGENDA ITEM X-03

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A PRELIMINARY PLAT REFERRED TO AS STILLHOUSE ROAD ADDITION ON PROPERTY DESCRIBED AS R.W. TOM SURVEY, ABSTRACT NO. 837, AND THE LUCY O'DELL SURVEY, ABSTRACT NO. 644, AND THE LAND HEREIN DESCRIBED BEING ALL OF THAT CERTAIN CALLED 1.50 ACRE TRACT OF LAND CONVEYED TO STAR STILLHOUSE PROPERTIES, LLC, A TEXAS LIMITED LIABILITY COMPANY, BY CORRECTION SPECIAL WARRANTY DEED WITH VENDOR'S LIEN RECORDED IN DOCUMENT 2021000947, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED ON THE EAST SIDE OF STILLHOUSE LAKE ROAD AND NORTH OF NEVAEH ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

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

As of October 14, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 14, 2021, staff returned comments to the applicant. On October 19, 2021, the applicant submitted revisions based on the October 14th comments. Comments on revisions have been substantially met, with remaining comments being related to the construction phase and TxDOT approval of the Final Plat, staff therefore recommends approval of the Preliminary Plat for the subdivision referred to as Stillhouse Lake Road Addition.

ACTION BY THE PLANNING AND ZONING COMMISSION:

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

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Stillhouse Lake Road Addition - Preliminary Plat
5. Stillhouse Lake Road Addition - Preliminary Engineering Documents
6. Location Map
7. Staff Comments with Responses (Comments sent 10/14/2021 and 10/20/21, Revisions received 10/19/2021)

EXHIBIT "A" – 1.499 ACRES

Being a tract of land in Bell County, Texas, lying and situated in the **R.W. TOM SURVEY, ABSTRACT NO. 837, and the LUCY O'DELL SURVEY, ABSTRACT NO. 644**, and the land herein described being the all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas (OPRBCT), and being more fully described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found with a cap "M&A" (North=10355584.546, East=3134885.461) at the common corner of said 1.50 acre Star Properties tract (southwest corner), and at the northwest corner of Cedarbrook Ridge Phase One Amended, an addition dedicated to the City of Harker Heights, Texas according to the plat number 107-C, recorded in Instrument 2018-26935, Plat Records of Bell County, Texas (PRBCT) and in the east right of way line of Stillhouse Lake Road (also known as Farm-to-Market Road No. 3481), a State of Texas maintained roadway;

THENCE NORTH 15°38'15" EAST, with the common line of said 1.50 acre Star Properties tract (west line) and Stillhouse Lake Road (east line), a distance of **233.05 feet** to a 5/8" iron rod found with a cap "ACS" in the east right of way line of Stillhouse Lake Road, at the common corner of said 1.50 acre Star Properties tract (northwest corner), and that certain remainder tract of a called 490.1 acre tract of land conveyed to James Dennis Magill by Deed recorded in Volume 1177, Page 145, Deed Records of Bell County, Texas (DRBCT) (southwest corner);

THENCE SOUTH 74°24'56" EAST, with the common line of said 1.50 acre Star Properties tract (north line) and said James Dennis remainder tract (south line), a distance of **280.15 feet** to a 5/8" iron rod found with a cap "ACS" at the common corner of said 1.50 acre Star Properties tract (northeast corner), and said James Dennis remainder tract (southeast corner), and in the west line of Cedarbrook Ridge Phase III, an addition dedicated to the City of Harker Heights, Texas according to the plat recorded in Instrument 2021-2921A, PRBCT;

THENCE SOUTH 15°35'19" WEST, with the common line of said 1.50 acre Star Properties tract (east line) and Cedarbrook Ridge Phase III (west line), at 230.87 feet passing a iron rod found lies 0.03 feet left (measured in a perpendicular fashion) from the common line, an overall distance of **233.05 feet** to a 1/2" iron rod found at the common corner of said 1.50 acre Star Properties tract (southeast corner), and Cedarbrook Ridge Phase III (an interior corner), and in the north line of Cedarbrook Ridge Phase I Amended;

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
01/21/21

THENCE, with the common line of said 1.50 acre Star Properties tract (south line) and Cedarbrook Ridge Phase I Amended (north line), **NORTH 74°24'52" WEST**, at 55.51 feet passing a 1/2" iron rod found lies 0.31 feet south (measured in a perpendicular fashion) and at 143.26 feet passing an iron found with a cap lies 0.28 feet south (measured in a perpendicular fashion) from the common line, **280.35 feet** to the **POINT OF BEGINNING** and containing **1.499 acres of land**. (65,311.355 S.F.)

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
01/21/2021

1.499 ACRES

I, Bruce L. Bryan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground under my supervision.

Bruce Lane Bryan
Registered Professional Land Surveyor #4249
TSPLS FIRM No. 10128500
www.bryantechnicalservices.com

Date

NOTE: Bearings shown hereon based on Texas State plane coordinate system (Central Zone 4203, NAD 83, 93 Adjustments. Distances are shown as grid values.
See attached surveyor's plat, which accompanies this set of field notes.

**DEDICATION INSTRUMENT for:
STILLHOUSE LAKE ROAD ADDITION
AN ADDITION TO THE CITY OF
HARKER HEIGHTS, BELL COUNTY, TEXAS**

STATE OF TEXAS §

COUNTY OF BELL §

WHEREAS, STAR STILLHOUSE PROPERTIES LLC, a Texas limited liability company, hereinafter referred to as Grantor, being the sole owner of that 1.499 acre tract of land described by metes and bounds in a survey prepared by Bryan Technical Services, Inc., Registered Professional Land Surveyor, dated the 11th day of January 2021, which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, does hereby name and designate said tract as **Stillhouse Lake Road Addition**, an addition to the City of Harker Heights, Bell County, Texas and does hereby adopt the attached map and plat thereof and does hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, the easements as shown on said plat for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, and to the general public, for public use and for public purposes the streets, avenues and roadways as shown on said plat.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across said lands to and from said easements to construct, reconstruct and maintain same.

TO HAVE AND TO HOLD the easements and right-of-ways, together with all and singular the rights and privileges thereto in any manner belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said City of Harker Heights, Texas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this the _____ day of _____, 2021

BY: _____
Mustaqali Momin
Star Stillhouse Properties, LLC
A Texas limited liability company

STATE OF TEXAS §

COUNTY OF BELL §

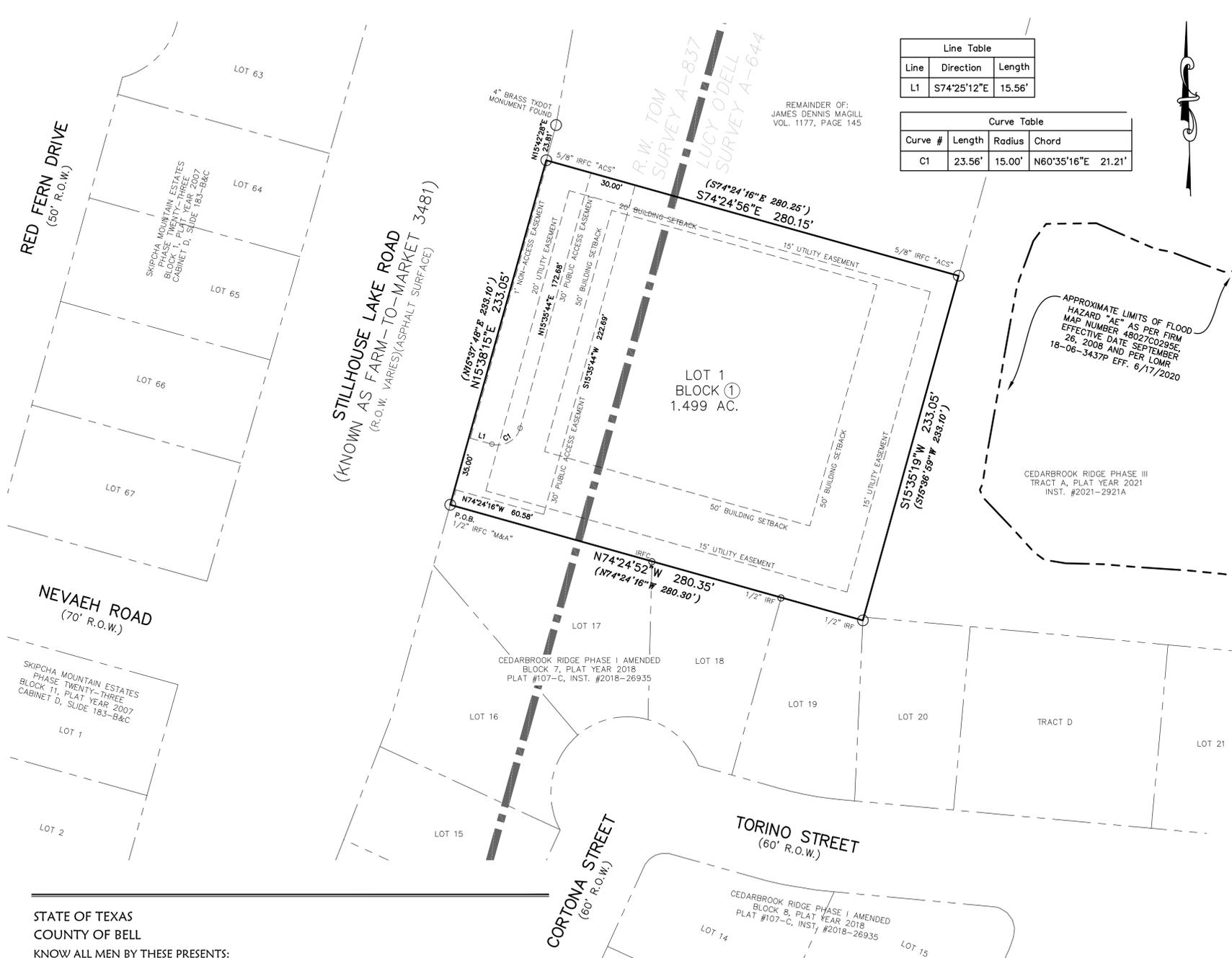
BEFORE ME, the undersigned authority, on this day personally appeared Mustaqali Momin of Star Stillhouse Properties, LLC, a Texas limited liability company, known to me to be the persons and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

Given under my hand and seal of office this the _____ day of _____, 2021

Notary Public in and for the State of Texas

APPROVED AS TO FORM:

City Attorney's Office



Line Table		
Line	Direction	Length
L1	S74°25'12"E	15.56'

Curve Table			
Curve #	Length	Radius	Chord
C1	23.56'	15.00'	N60°35'16"E 21.21'



STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, THAT STAR STILLHOUSE PROPERTIES, L.L.C, A TEXAS LIMITED LIABILITY COMPANY WHOSE ADDRESS IS 7930 THAXTON ROAD STE 100, AUSTIN, TEXAS 78747, BEING THE SOLE OWNER OF THAT 1.50 ACRE TRACT OF LAND SITUATED IN THE R.W. TOM SURVEY, ABSTRACT NO. 837, AND THE LUCY O'DELL SURVEY, ABSTRACT NO. 644, BELL COUNTY, TEXAS, WHICH IS MORE FULLY DESCRIBED IN THE DEDICATION OF STILLHOUSE LAKE ROAD ADDITION, AS SHOWN BY THE PLAT HEREOF, ATTACHED HERETO, AND MADE A PART HEREOF, AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DOES HEREBY ADOPT SAID STILLHOUSE LAKE ROAD ADDITION, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, AND HEREBY DEDICATES TO SAID CITY, ALL EASEMENTS SHOWN ON SAID PLAT, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS.

STAR STILLHOUSE PROPERTIES, LLC
A TEXAS LIMITED LIABILITY COMPANY

MUSTAQALI MOMIN, REGISTERED AGENT

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THIS UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. IT HAS BEEN ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HERON.

NOTARY PUBLIC, STATE OF TEXAS

DATE NOTARY COMMISSION EXPIRES

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS.

CHAIRPERSON, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS.

MAYOR

CITY SECRETARY

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED ON THE _____ DAY OF _____, 2021.

BELL COUNTY TAX APPRAISAL DISTRICT

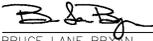
BY: _____

FILED FOR RECORD ON THE _____ DAY OF _____, 2021, IN YEAR _____, PLAT NO. _____, PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT NO. _____ OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

 OCTOBER 18, 2021
DATE

BRUCE LANE BRYAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4249
BRYAN TECHNICAL SERVICES, INC.
911 NORTH MAIN
TAYLOR, TX 76574

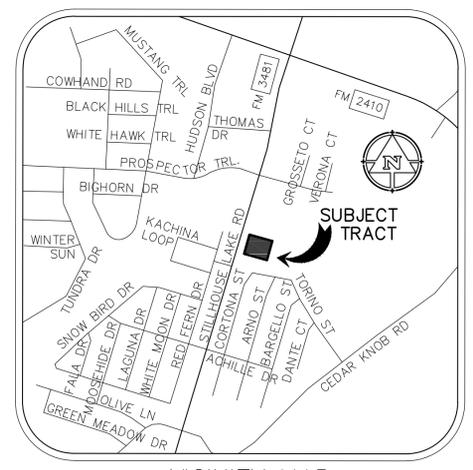


TRACT SURVEYED JANUARY 11, 2021
1.499 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED ALL DRAINAGE CALCULATIONS AND DESIGNED ALL DRAINS, STREETS/ROADS AND APPURTENANCES IN ACCORDANCE WITH THE BELL COUNTY SUBDIVISION REGULATIONS.


LINA CHTAY, P.E. NO. 107211



VICINITY MAP

PRELIMINARY PLAT OF:
STILLHOUSE LAKE ROAD ADDITION
1 LOT, 1 BLOCK 1.499 ACRES 65,311.355 SQUARE FEET
PART OF THE R.W. TOM SURVEY, ABSTRACT #837,
LUCY O'DELL SURVEY, ABSTRACT #644
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



- NOTES:
1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, 93 ADJUSTMENT.
 2. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F.I.R.M. PANEL NO. 48027C0295E, EFFECTIVE DATE SEPTEMBER 26, 2008, AND LOMR 18-06-3437P, EFFECTIVE DATE JUNE 17, 2020 IN ZONE "X" (UNSHADED).
 3. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HERON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.
 4. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES".
 5. THERE IS A METES AND BOUNDS DESCRIPTION WHICH ACCOMPANIES THIS SURVEY.
 6. CURRENT ZONING: B-4 SECONDARY AND HIGHWAY BUSINESS DISTRICT

LEGEND:

IRS	IRON ROD SET STAMPED "BRYAN TECHNICAL SERVICES"
IRF	IRON ROD FOUND
U.E.	UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY
()	DEED CALLS

BLOCK NO.	# OF LOTS
1	1

PRELIMINARY PLAT



DATE	REVISIONS
9/14/2021	U.E., ACCESS EASEMENTS ADDED
9/27/2021	1" NON-ACCESS EASEMENT ADDED

DRAWN BY: RR APPROVED BY: BLB
SCALE: 1" = 40' DATE: OCTOBER 18, 2021
PROJECT NO. 20051 DRAWING: 20051-FP SHEET 1 OF 1

WATER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
4. ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2- FEET BEHIND THE BACK OF CURB.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
7. ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
8. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

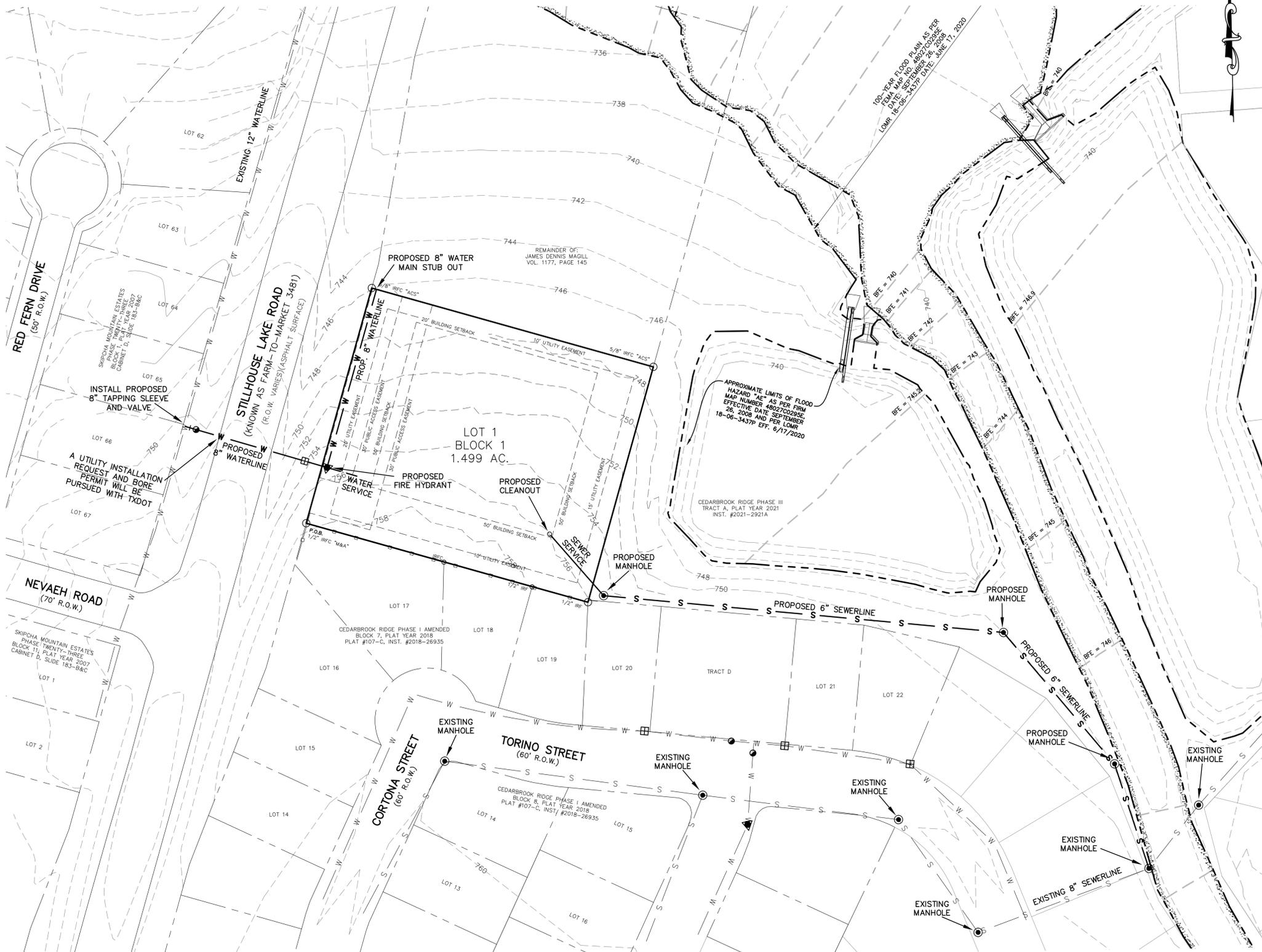
SANITARY SEWER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
4. ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
5. DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

STANDARD NOTES:

1. THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USACE.
2. TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM CITY STACKHOUSE TOPOGRAPHY MAPS AND ON-SITE SURVEY.
4. THE ENGINEER OF RECORD MUST BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES IN THE PLANS EXIST.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.



LEGEND:

- IRS IRON ROD SET STAMPED "BRYAN TECHNICAL SERVICES"
- IRF IRON ROD FOUND
- U.E. UTILITY EASEMENT
- R.O.W. RIGHT-OF-WAY
- () DEED CALLS



UTILITY PLAN OF:
STILLHOUSE LAKE ROAD ADDITION
 1 LOT, 1 BLOCK 1.499 ACRES 65,311.355 SQUARE FEET
 PART OF THE R.W. TOM SURVEY, ABSTRACT #837,
 LUCY O'DELL SURVEY, ABSTRACT #644
 AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



REVISIONS	
9/14-BORE NOTE	
6" SIDEWALK ADDED	
9/27-TAP. SLEEVE	
10/15-W.L. LAYOUT	



BELTON ENGINEERING INC.
 106 NO. EAST STREET
 BELTON, TEXAS 76513
 OFFICE (254)731-5600
 MOBILE (254)289-7273
 BELTONENGINEERS.COM

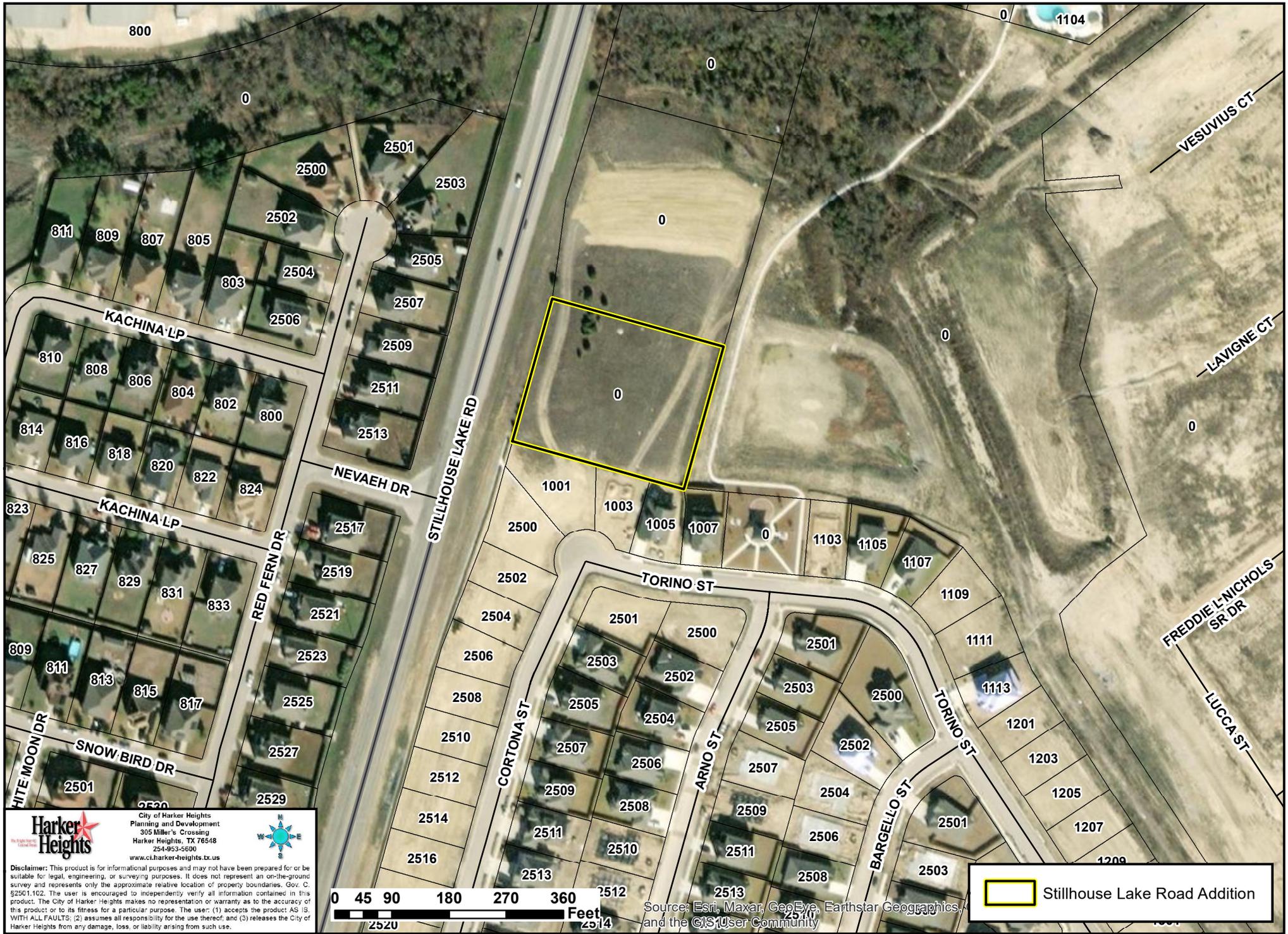
- Engineering
- Design/Build
- Planning

UTILITY PLAN OF:
STILLHOUSE LAKE ROAD ADDITION
 CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
STAR STILLHOUSE PROPERTIES, LLC
 7930 THAXTON ROAD STE. 100
 AUSTIN, TEXAS, 78747



10/18/21
 SCALE: 1"=50'
 DRAWN.: RR
 ELEC. DRAWING FILE
 C:\20051-UP.DWG
 DATE: 10/18/21
 JOB NO.: 20051
 2 OF 3

C2.0



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.

0 45 90 180 270 360 Feet

Stillhouse Lake Road Addition

Source: Esri, Maxar, GeoEye, Earthstar Geographics, and the GIS User Community

STILLHOUSE ROAD ADDITION

P21-29 Preliminary Plat – Stillhouse Road Addition

Plat Distributed to HH Staff: **October 6, 2021**

Comments Returned to Belton Engineering: **October 14, 2021**

Resubmittal Comments Returned to Belton Engineering: **October 20, 2021**

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant shall clarify the differences between the documents and within the Field Notes with respect to the acreage of the parcel begin platted (1.499 acres vs 1.50 acres). We acknowledge this is a small deviation but want to be sure that the correct public notice is given. **10/20/21 Met.**
2. The following items can be addressed during construction site plan review and are provided for the Applicant's advanced reference. **10/20/21 Response Noted.**
 - a. Per §154.21(C)(1)(j), applicant shall provide a draft of the offsite utility easement for the sewer line through the property to the east of this parcel. Applicant is advised that said easement must be executed and recorded prior to release of public utility construction plans for this parcel and prior to final plat.
 - b. Applicant is advised that TXDOT approval of the driveway(s) along FM 3481 will be required prior to final plat and release of construction site plans. This may require a traffic impact analysis.
 - c. Applicant is advised that the outfall for the proposed detention pond must be contained within and sheet flow reestablished within the property and with attention to the impact on the downstream sidewalk.
 - d. Applicant is advised that a fire hydrant, water main stub out to the north, and a bore under the entire ROW of FM 3481 will be required.
 - e. Applicant is advised that the final buildout of this lot was not taken into consideration with the referenced 2020 LOMR. Therefore, additional drainage calculations may be required.
 - f. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel.
 - i. Additional landscape requirements and sidewalks are required. (<https://harkerheights.gov/images/PDF/DevelopmentOverlayDistrict1Manual121013-LowRes.pdf>)
 - ii. Dumpster gate cannot open toward street frontage.

- iii. Additional parking requirements required in this district may impact the site layout.

Public Works, Mark Hyde

1. **No Comments 10/13/2021**

Consulting Engineer, Otto Wiederhold

1. Comments for drainage are reserved for submission of site development plan.
2. Sidewalk will be required across frontage along FM 3481. 10/11/2021. **10/20/21 Applicant's response is noted.**

Fire Marshal, Brad Alley

1. The proposed hydrant will need to be located closer to the entrance of the property. 10/13/21. **10/20/21 Met.**

Building Official, Mike Beard

1. No Comments 10/7/2021

ONCOR

1. Oncor would need a 15ft easement so we can serve the locations. **10/20/21 Met.**

Century Link, Chris McGuire

1. Approved, no comments. 10/7/2021

Time Warner Cable/Spectrum, Shaun Whitehead

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

ATMOS, Rusty Fischer

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

TXDOT

1. **Tx DOT is in discussions with the developer regarding driveway access, and shared access/driveway for the lot to the immediate north. 10/21/2021**



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-30

AGENDA ITEM X-04

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A PRELIMINARY PLAT REFERRED TO AS CHAPARRAL ROAD ADDITION ON PROPERTY DESCRIBED AS PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099 AND THE LAND HEREIN DESCRIBED BEING A PORTION OF THAT CERTAIN 3.79 ACRE TRACT CONVEYED TO RENA CHANG HOOT BY GIFT DEED RECORDED IN VOLUME 3475, PAGE 616, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT THE INTERSECTION OF CHAPARRAL ROAD AND F.M. 3481 (STILLHOUSE LAKE ROAD), HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for approximately 1.73 acres of vacant land located on at the intersection of Chaparral Road and Stillhouse Lake Road. The proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4). The applicant indicated that the proposed use for this parcel is a Convenience Store/Gas Station. The 2021 Land Use Plan indicates this parcel to be designated as a Community Center land use, which is appropriate for the intended use.

As of October 19, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 14, 2021, staff returned comments to the applicant. On October 18, 2021, the applicant submitted revisions based on the October 14th comments. Comments on revisions have been substantially met, with all but one of the remaining comments being related to administrative components. The applicant has requested a variance to allow for sidewalks to be excluded from this development. Therefore, staff recommends denial of the Preliminary Plat for the subdivision referred to as Chaparral Road Addition due to not meeting the sidewalk plan in the adopted Mobility 2030 plan.

ACTION BY THE PLANNING AND ZONING COMMISSION:

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

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Concept Plan
5. Chaparral Road Addition - Preliminary Plat
6. Chaparral Road Addition - Preliminary Engineering Documents
7. Sidewalk Variance Request
8. Location Map
9. Staff Comments with Responses (Comments sent 10/14/2021 & 10/20/21, Revisions received 10/18/2021)



Preliminary Plat Application

The Right to
Telling Truth

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: Chaparral Road Addition Date Submitted: 9/1/2021

Existing Lot Count: _____ Proposed Lot Count: 1 Proposed Units: _____ Acreage: 1.730

Existing Land Use: Vacant/Agriculture Proposed Land Use: Commercial

Site Address or General Location: Intersection of Chaparral Road and FM 3481

Public Infrastructure Proposed with Subdivision: Water Wastewater Streets (including Private) Stormwater

Owner Information & Authorization:

Property Owner: Star Stillhouse Properties, LLC

Address: _____

Phone: _____ E-Mail: _____

Developer: Star Stillhouse Properties, LLC

Address: _____

Phone: _____ E-Mail: _____

Engineer/Surveyor: Belton Engineering, Inc

Address: 106 N. East Street

Phone: 254-731-5600 E-Mail: lchtay@beltonengineers.com

CHECK ONE OF THE FOLLOWING:

- I will represent the application myself.
- I hereby designate Belton Engineering Inc. (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.

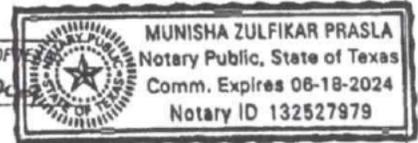
Qazi Abdul

Printed Name of Owner

Signature of Owner

SWORN AND SUBSCRIBED BEFORE ME ON THIS 1st DAY OF September 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES: June-15th-2022



STAFF ONLY -- DO NOT FILL OUT

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

1.730 ACRES

Being a tract of land in Bell County, Texas, lying and situated in the **PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099** and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas (OPRBCT) and being more particularly described by metes and bounds as follows:

BEGINNING at a TxDOT brass monument found (North=10,351,464.028, East=3,133,905.488) in the common line of said 3.79 acre R.C. Hoot tract (east line) and the west right-of-way line of F.M. No. 3481 (Stillhouse Lake Road) being the southeast corner of that certain 0.068 acre tract, Part 1, conveyed to the State of Texas (Bell County) by Deed recorded in Volume 3205, Page 711, OPRBCT, same being the northeast corner of subject tract;

THENCE, SOUTH 21°21'14" EAST with said common line, **134.08 feet** to a TxDOT brass monument found at the most northerly corner of that certain 0.266 acre tract, Part 2, conveyed to the State of Texas (Bell County) by Deed recorded in Volume 3205, Page 711, OPRBCT;

THENCE continuing with said common line the following three calls (3):

- 1) **SOUTH 12°47'17" EAST, 57.12 feet** to a TxDOT brass monument found;
- 2) **SOUTH 07°05'34" EAST, 118.61 feet** to a TxDOT brass monument found;
- 3) **SOUTH 18°19'42" EAST, 88.11 feet** to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set along the west line of said 0.266 acre, (Part 2) State of Texas tract from which a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set bears **SOUTH 18°19'42" EAST, 112.55 feet**;

THENCE, over and across said R.C. Hoot Tract, **WEST, 320.54 feet** to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set along the east right-of-way line of Chaparral Road, a public dedicated street to the City of Killeen, Texas from which a 14" cedar post bears **SOUTH 21°30'01" WEST, 317.04 feet**;

THENCE, with the common line of said R.C. Hoot tract (west line) and said east right-of-way line of Chaparral Road **NORTH 21°30'01" EAST, 396.74 feet** to a TxDOT brass monument found at the southwest corner of said 0.068 acre, (Part 1) State of Texas tract;

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
03/29/21

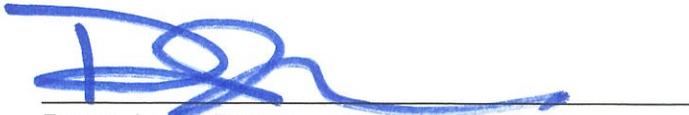
THENCE, departing said east right-of-way line, **NORTH 79°50'01" EAST, 72.45 feet** to the POINT OF BEGINNING and containing 1.730 acres of land (75,358.800 S.F.).

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
3/29/2021

1.730 ACRES TRACT

I, Bruce L. Bryan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground under my supervision.



Bruce Lane Bryan
Registered Professional Land Surveyor #4249
TSPLS FIRM No. 10128500
www.bryantechnicalservices.com

03-29-2021

Date

NOTE: Bearings shown hereon based on Texas State plane coordinate system (Central Zone 4203, NAD 83, 93 Adjustments. Distances are shown as grid values. See attached surveyor's plat, which accompanies this set of field notes.



**DEDICATION INSTRUMENT for:
CHAPARRAL ROAD ADDITION
AN ADDITION TO THE CITY OF
HARKER HEIGHTS, BELL COUNTY, TEXAS**

STATE OF TEXAS §

COUNTY OF BELL §

WHEREAS, STAR STILLHOUSE PROPERTIES LLC, a Texas limited liability company, hereinafter referred to as Grantor, being the sole owner of that 1.730 acre tract of land described by metes and bounds in a survey prepared by Bryan Technical Services, Inc., Registered Professional Land Surveyor, dated the 29th day of March 2021, which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, does hereby name and designate said tract as **Chapparral Road Addition**, an addition to the City of Harker Heights, Bell County, Texas and does hereby adopt the attached map and plat thereof and does hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, the easements as shown on said plat for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, and to the general public, for public use and for public purposes the streets, avenues and roadways as shown on said plat.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across said lands to and from said easements to construct, reconstruct and maintain same.

TO HAVE AND TO HOLD the easements and right-of-ways, together with all and singular the rights and privileges thereto in any manner belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said City of Harker Heights, Texas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this the _____ day of _____, 2021

BY: _____
Mustaqali Momin
Star Stillhouse Properties, LLC
A Texas limited liability company

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared Mustaqali Momin of Star Stillhouse Properties, LLC, a Texas limited liability company, known to me to be the persons and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

Given under my hand and seal of office this the _____ day of _____, 2021

Notary Public in and for the State of Texas

APPROVED AS TO FORM:

City Attorney's Office



Know what's below
Call before you dig.



FIRM # F-13392

**BELTON
ENGINEERING
INC.**

106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)289-7273
BELTONENGINEERS.COM

- Engineering
- Design/Build
- Planning

CONCEPT PLAN OF:
CHAPARRAL ROAD GAS STATION
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS

SCALE: 1"=30'

DRAWN.: RR

ELEC. DRAWING FILE

C:\20052-BASE.DWG

DATE: 09/15/21

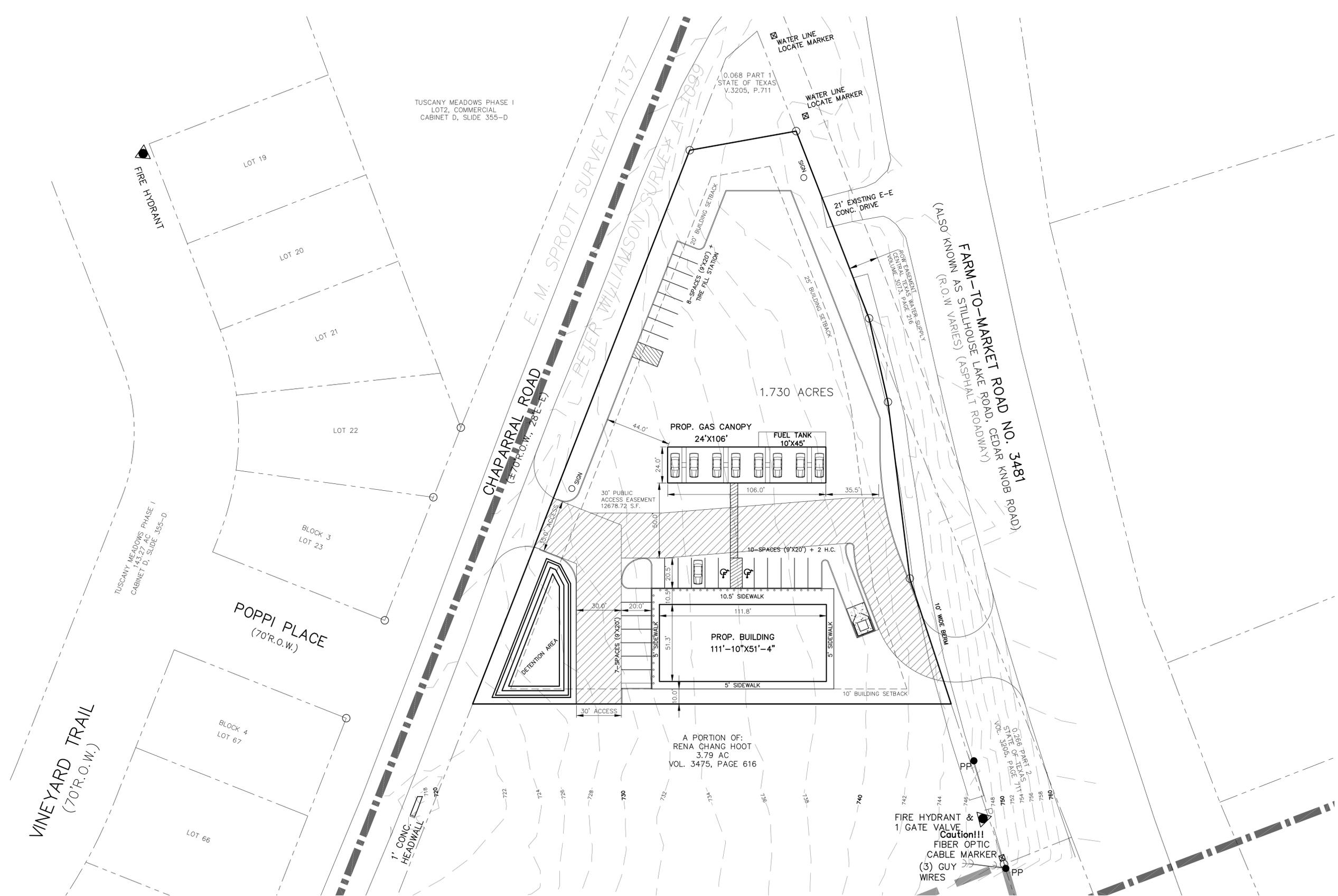
JOB NO.: 20052

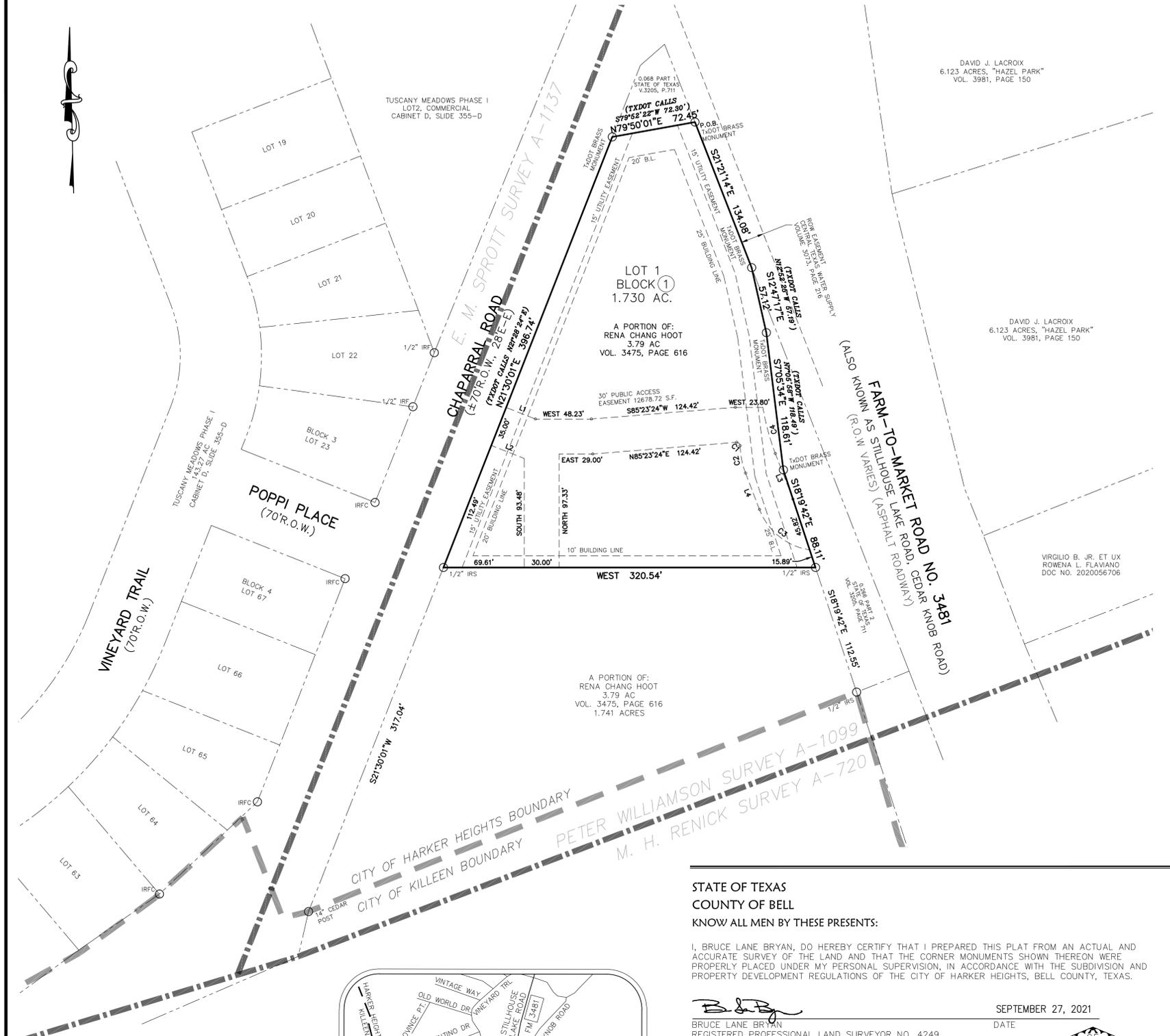
1 OF XX

C1.0

CONCEPT PLAN FOR:
CHAPARRAL ROAD GAS STATION

1.73 ACRES 75,358.8 S.F.
PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS





STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, THAT STAR STILLHOUSE PROPERTIES, L.L.C, A TEXAS LIMITED LIABILITY COMPANY WHOSE ADDRESS IS 7930 THAXTON ROAD STE 100, AUSTIN, TEXAS 78747, BEING THE SOLE OWNER OF A PORTION OF THAT CERTAIN 3.79 ACRE TRACT OF LAND (1.730 ACRES) SITUATED IN THE PETER WILLIAMSON, ABSTRACT NO. 1099, BELL COUNTY, TEXAS, WHICH IS MORE FULLY DESCRIBED IN THE DEDICATION OF CHAPARRAL ROAD ADDITION, AS SHOWN BY THE PLAT HEREOF, ATTACHED HERETO, AND MADE A PART HEREOF, AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DOES HEREBY ADOPT SAID CHAPARRAL ROAD ADDITION, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, AND HEREBY DEDICATES TO SAID CITY, ALL EASEMENTS SHOWN ON SAID PLAT, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS.

STAR STILLHOUSE PROPERTIES, LLC
A TEXAS LIMITED LIABILITY COMPANY

MUSTAQALI MOMIN, REGISTERED AGENT

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THIS UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT. IT HAS BEEN ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HERON.

NOTARY PUBLIC, STATE OF TEXAS DATE NOTARY COMMISSION EXPIRES

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS.

CHAIRPERSON, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS.

MAYOR

CITY SECRETARY

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED ON THE _____ DAY OF _____, 2021.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FILED FOR RECORD ON THE _____ DAY OF _____, 2021, IN YEAR _____, PLAT NO. _____

DEDICATION INSTRUMENT NO. _____ OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS.

- NOTES:
1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, 93 ADJUSTMENT.
 2. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F.I.R.M. PANEL NO. 48027C0295E, EFFECTIVE DATE SEPTEMBER 26, 2008, IN ZONE "X" (UNSHADED).
 3. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.
 4. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES".
 5. THERE IS A METES AND BOUNDS DESCRIPTION WHICH ACCOMPANIES THIS SURVEY.
 6. CURRENT ZONING: B-4 SECONDARY AND HIGHWAY BUSINESS DISTRICT

- LEGEND:
- IRS IRON ROD SET STAMPED "BRYAN TECHNICAL SERVICES"
 - IRF IRON ROD FOUND
 - U.E. UTILITY EASEMENT
 - R.O.W. RIGHT-OF-WAY
 - () DEED CALLS

BLOCK NO.	# OF LOTS
1	1

PRELIMINARY PLAT



DATE	REVISIONS
9/27/2021	OWNER'S SIGNATURE BLOCK
DRAWN BY: RR	
APPROVED BY: BLB	
SCALE: 1" = 50'	
DATE: SEPTEMBER 27, 2021	
PROJECT NO. 20052	
DRAWING: 20052-FP	
SHEET 1 OF 1	

CHAPARRAL ROAD ADDITION

1.730 ACRES 75,358.800 SQUARE FEET
PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

B. L. Bryan
BRUCE LANE BRYAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4249
BRYAN TECHNICAL SERVICES, INC.
911 NORTH MAIN
TAYLOR, TX 76574

SEPTEMBER 27, 2021
DATE



TRACT SURVEYED MARCH 11, 2021

1.730 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

STATE OF TEXAS
COUNTY OF BELL
KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED ALL DRAINAGE CALCULATIONS AND DESIGNED ALL DRAINS, STREETS/ROADS AND APPURTENANCES IN ACCORDANCE WITH THE BELL COUNTY SUBDIVISION REGULATIONS.

Lina Chtay
LINA CHTAY, P.E. NO. 107211

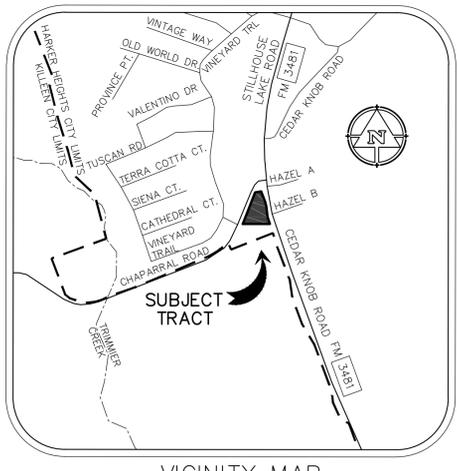


Line Table

Line	Direction	Length
L1	S68°29'59"E	27.00'
L2	S68°29'59"E	30.51'
L3	N21°10'55"W	41.96'
L4	S21°03'40"E	33.42'

Curve Table

Curve #	Length	Radius	Chord
C1	4.64'	3.00'	S45°41'05"E 4.19'
C2	24.06'	70.00'	S11°12'55"E 23.94'
C3	58.06'	55.03'	S51°18'01"E 55.41'
C4	41.13'	200.00'	N15°10'11"W 41.06'



VICINITY MAP

WATER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
4. ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2- FEET BEHIND THE BACK OF CURB.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
7. ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
8. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

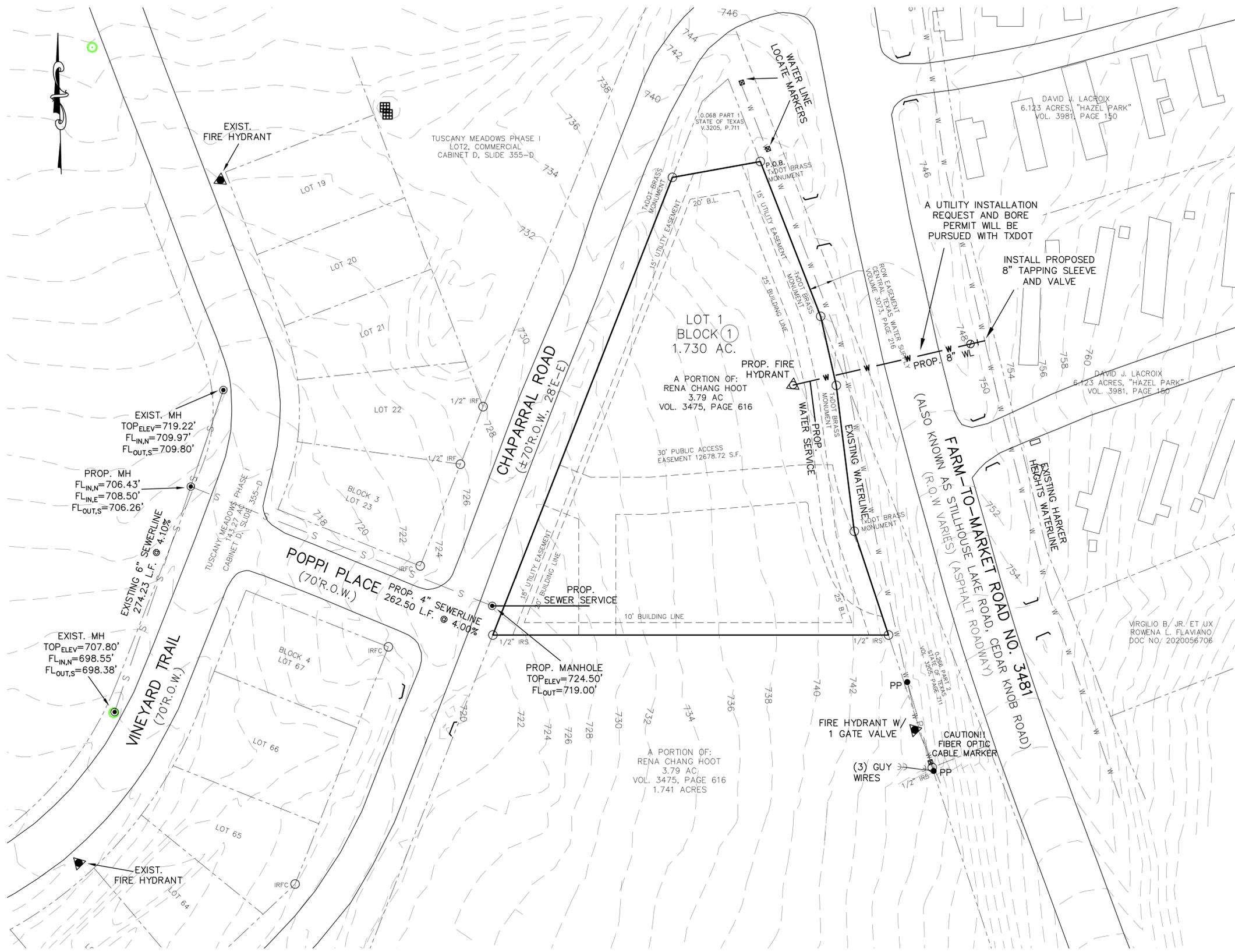
SANITARY SEWER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
4. ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
5. DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

STANDARD NOTES:

1. THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USACE.
2. TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM CITY STACKHOUSE TOPOGRAPHY MAPS AND ON-SITE SURVEY.
4. THE ENGINEER OF RECORD MUST BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES IN THE PLANS EXIST.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.



LEGEND:

IPF	IRON PIPE FOUND
IRF	IRON ROD FOUND
D.E.	DRAINAGE EASEMENT
U.E.	UTILITY EASEMENT
B.L.	BUILDING LINE
R.O.W.	RIGHT-OF-WAY
B.D.M.	BRASS DISK MONUMENT



**UTILITY PLAN OF:
CHAPARRAL ROAD ADDITION**

1.730 ACRES 75,358.800 SQUARE FEET
PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



REVISIONS

9/14-MH ADDED
WATER SERVICE
9/27-8" W.L. AND
F.H. ADDED



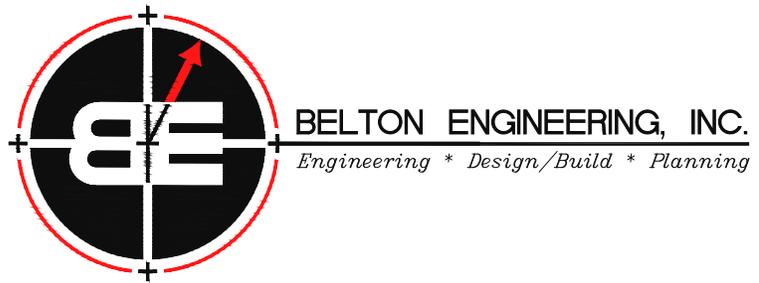
BELTON ENGINEERING INC.
106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)289-7273
BELTONENGINEERS.COM

*Engineering
Design/Build
Planning*

UTILITY PLAN OF:
CHAPARRAL ROAD ADDITION
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
STAR STILLHOUSE PROPERTIES, LLC
7930 THAXTON ROAD STE. 100
AUSTIN, TEXAS, 78747



SCALE: 1"=40'
DRAWN.: RR
ELEC. DRAWING FILE
C:\20052-UP.DWG
DATE: 09/27/21
JOB NO.: 20052
2 OF 3



September 15, 2021

Kristina Ramirez & Yvonne Spell & Mark Hyde
Planning and Development – City of Harker Heights
kramirez@harkerheights.gov

Applicant: Belton Engineering Inc.

Project: Chaparral Road Addition – P21-27 Preliminary Plat

Location: Intersection of Chaparral Road and FM 3481, Harker Heights, Texas, 76548

Subject: Variance Request

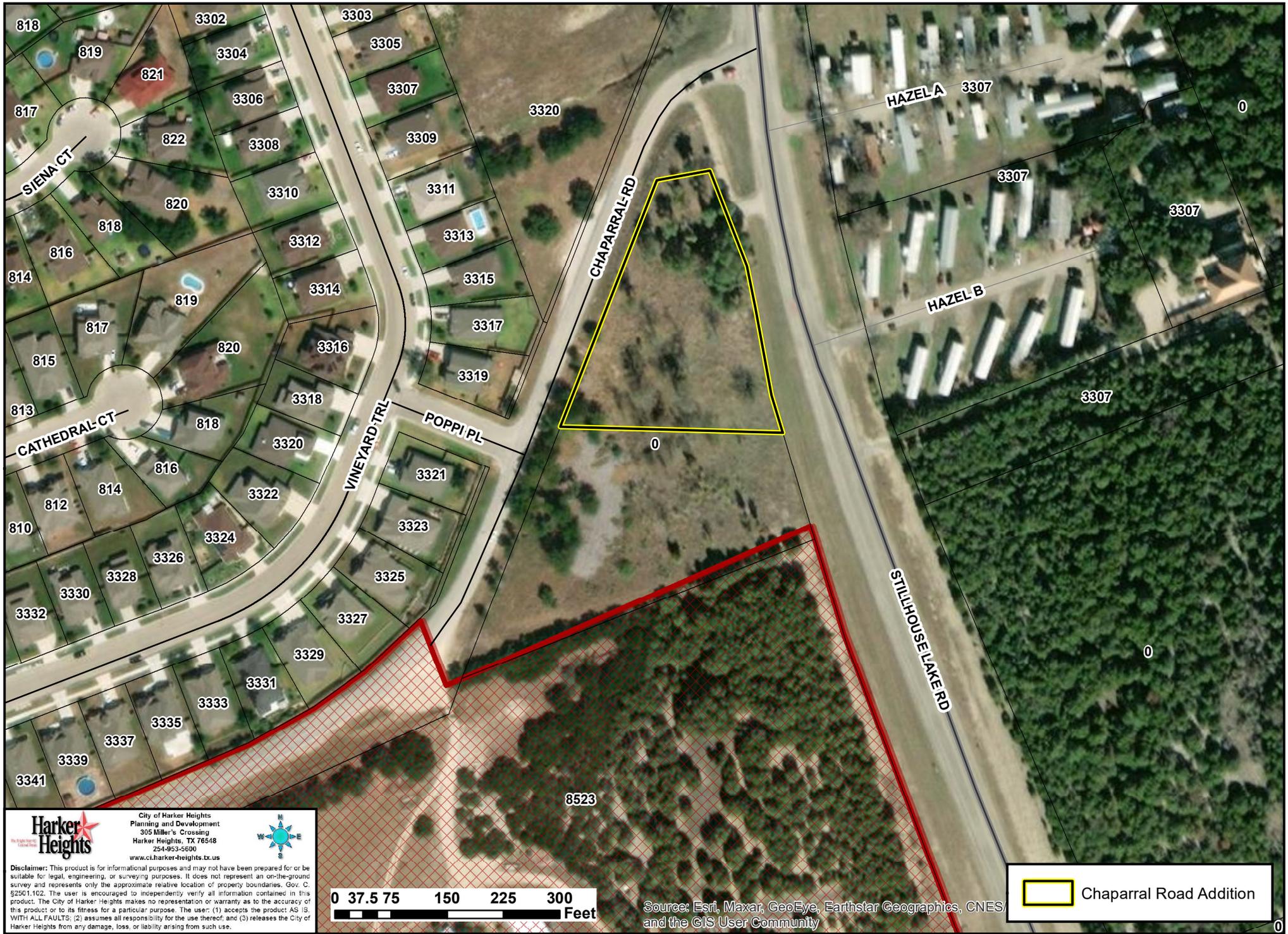
Applicant is requesting the following variance/exceptions(s) from the City of Harker Heights:

Planning & Development

- ❖ Comment #7: The City's Mobility 2030 plan shows a sidewalk network master plan on page 17. A Promenade sidewalk is required along the west side of FM 3481. We are requesting a variance for the sidewalk required along FM 3481. There are steep existing slopes that start from the edge of FM 3481 and end at the property line of this parcel. Additionally, there are no sidewalks existing along FM 3481 in this vicinity for connectivity.

Feel free to contact us at any time, in reference to this project, Office #254-731-5600, Mobile #254-289-7273.

Lina Chtay, P.E., CFM
Principal Engineer
As representative for Emmons Construction



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 the 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.



0 37.5 75 150 225 300 Feet

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

 Chaparral Road Addition

CHAPARRAL ROAD ADDITION

P21-30 Preliminary Plat – Chaparral Road Addition

Plat Distributed to HH Staff: October 6, 2021

Comments Returned to Belton Engineering: October 14, 2021

Resubmission Comments Returned to Belton Engineering: October 20, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant shall clarify the differences between the plat and the Field Notes with respect to the reference to “being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, OPRBCT”. We acknowledge this is a small deviation but want to be sure that the correct public notice is given. **10/20/21 Met.**
2. Per §154.21(C)(2)(d), applicant shall provide a sidewalk layout. Additionally, said sidewalk shall be in accordance with the City’s Mobility 2030 plan (6’-8’ wide for this area). **10/20/21 Not Met. Applicant’s request for a variance will be routed to P&Z and City Council accordingly.**
3. The following items can be addressed during construction site plan review and are provided for the Applicant’s advanced reference. **10/20/21 Applicant’s response is noted.**
 - a. Applicant is advised that TXDOT approval of the driveway(s) along FM 3481 will be required prior to final plat and release of construction site plans. This may require a traffic impact analysis.
 - b. Applicant is advised that the outfall for the proposed detention pond must be contained within and sheet flow reestablished within the property.
 - c. Applicant is advised that the drainage impact from removing the existing berm will be required.
 - d. Per §51.16 (D) (3), applicant is advised that the dumpster gates shown on concept plan cannot impede the fire lane.

Public Works, Mark Hyde

1. The minimum pipe diameter for sanitary sewer to be installed along a public ROW is 6-inches. The sanitary sewer service line shown must be a minimum of 6-inches in diameter. 10/13/2021 **10/20/21 Met.**

Consulting Engineer, Otto Wiederhold

1. Comments for drainage are reserved for when site development plan is submitted. 10/11/2021

Fire Marshal, Brad Alley

1. The hydrant indicated on the plans cannot be used for firefighting purposes according to the Central Texas Water Supply Corporation. A hydrant will be required near an entrance on a minimum 8 inch line. 10/13/2021 **No additional comments 10/19/2021.**

Building Official, Mike Beard

1. No comments. 10/7/2021

ONCOR

2. Oncor would need a 15ft easement so we can serve the locations. **No additional comments received as of 10/20/2021.**

Century Link, Chris McGuire

1. Approved, no comments. 10/7/2021

Time Warner Cable/Spectrum, Shaun Whitehead

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

ATMOS, Rusty Fischer

1. I am in agreement with the proposed plat.

TXDOT

1. TxDOT requests a 1' non-access easement along the frontage on FM 3481 except where the proposed driveway is located. **No Additional Comments 10/18/2021**



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-31

AGENDA ITEM X-05

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A MINOR PLAT REFERRED TO AS FAMILY DOLLAR ADDITION, 1ST AMENDMENT ON PROPERTY DESCRIBED AS BEING ALL OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION RECORDED IN CABINET D, SLIDE 311D OF THE PLAT RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 660 E. KNIGHT'S WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant submitted an application for minor plat approval for the Family Dollar Addition located at 660 E Knight's Way (E. FM 2410). The applicant indicated the reason for the amendment of the original plat is due to the existing building being built over a dedicated utility easement. The portion of the easement located within the footprint of the building will need to be abandoned.

As of October 19, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 8, 2021, staff returned comments to the applicant. As of October 19, 2021, the applicant had not submitted revisions based on the October 8th comments. Staff recommends denial of the minor plat for the subdivision referred to as Family Dollar Addition, 1st Amendment based on the fact that the original submission does not meet the requirements in the adopted city code of ordinances.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for minor plat referred to as Family Dollar Addition, 1st Amendment on property described as being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, generally located at 660 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Family Dollar Addition- Existing plat
4. Family Dollar Addition, 1st Amendment – showing location of easement abandonment
5. Location Map
6. Staff Comments with Responses (Comments sent 10/08/2021, No responses received as of 10/19/2021)



Minor/Amending Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

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

1. Pre-Application Meeting with Staff to ensure applicability
2. Payment of \$150.00 +\$3.00 per acre
3. Signed & Original Field Notes and Dedication

City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5647
 Fax: (254) 953-5666

Property Information:

Plat Name: Family Dollar Addition, 1st Amendment **Date Submitted:** 9/29/21

Existing Lot Count: 1 **Proposed Lot Count:** 1 **Acreage:** .994

Site Address or General Location: 660 E FM 2410 Rd, Harker Heights, TX 76548

Reason for Amendment/ Description of Subdivision: Updating for PUE conflict.

Zoning Classification: B-4 **Existing Land Use:** Commercial

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: CTV Texas, LLC

Address: 2873 East Plama Way, Cottonwood Heights, UT 84121

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

Developer: _____

Address: _____

Phone: _____ **E-mail:** _____

Engineer/Surveyor: Triad Surveying, Inc

Address: 528 County Road P.O. Box 1489, Rockdale, TX. 76567

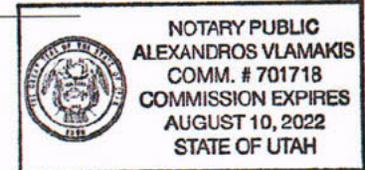
Phone: 5124463457 **E-mail:** brad@triadsurveying.com

I HEREBY UNDERSTAND AND ACKNOWLEDGE:
 THE MINOR PLAT INVOLVES **FOUR OR FEWER LOTS** FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED
OR
 THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

Cristy Terry
PRINTED NAME OF OWNER: _____ **OWNER SIGNATURE:** *Cristy Terry*

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 23rd DAY OF September, 20 21

[Signature] MY COMMISSION EXPIRES: 08/10/2022
NOTARY PUBLIC SIGNATURE



STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 9/29/21 **Received By:** *[Signature]* **Pre-Application Meeting:** **Receipt #:** 01744582 **Case #:** _____



In Re: 0.994 Acres
All of Lot 1, Block A
Family Dollar Addition
City of Harker Heights
Bell County, Texas

All that certain tract or parcel of land situated in the City of Harker Heights, Bell County, Texas, being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, being more particularly described by metes and bounds as follows to wit:

BEGINNING at a found ½” iron rod with red plastic cap marked “KILLEEN” on the southwest Right-of-Way line of F.M. Highway 2410 (Knights Way), at the east corner of a tract conveyed to the Shawnee McCue Limited Partnership in Volume 5769, Page 695, for the north corner of this tract;

THENCE along the said southwest Right-of-Way line of F.M. Highway 2410 for the following courses and distances:

S35°03'24"E - 70.82' to a set ½” iron rod with red plastic cap marked “TRIAD RPLS 5952” for an interior ell corner of this tract;

S40°29'11"E - 114.60' to a found ½” iron rod at the north corner of Lot 1, Block 1 of the Charvick Addition 2nd Replat recorded in Year 2019, Number 3 of the said Plat Records of Bell County, for the east corner of this tract;

THENCE S54°50'12"W - 241.46' along the northwest line of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat to a found ½” iron rod with a red cap (illegible) on the northeast line of Phase Four of the Skipcha Mountain Estates recorded in Cabinet B, Slide 232-A of the said Plat Records of Bell County, at the west corner of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat, for the south corner of this tract;

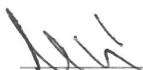
THENCE N35°08'12"W - 184.86' along the said northeast line of Phase Four of the Skipcha Mountain Estates to a found ½” iron rod with red plastic cap marked “KILLEEN” at the south corner of the said Shawnee McCue Limited Partnership tract, for the west corner of this tract;

THENCE N54°49'06"E - 230.87' along the southeast line of the said Shawnee McCue Limited Partnership tract to the **POINT OF BEGINNING** containing within these metes and bounds 0.994 Acres of land.

Bearings are based on the Texas State Plane Coordinate System of 1983, Texas Central Zone.

I, Bradley L. Lipscomb, Registered Professional Land Surveyor No. 5952 in the State of Texas, do hereby certify that this survey was performed on the ground under my supervision and that the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 28th day of April, 2021.


Bradley L. Lipscomb RPLS



Triad Surveying, Inc.
Firm Registration No. 10007900
P.O. Box 1489
Rockdale, TX 76567
(512) 446-3457

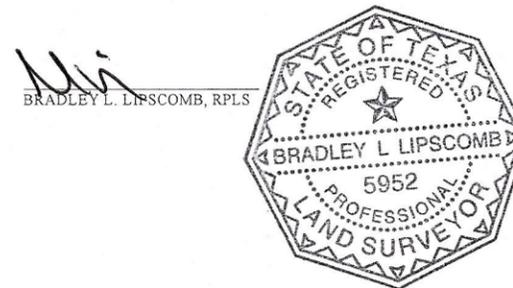
Project No. S21-125

W.F. HUNT SURVEY
 ABSTRACT NO. 458
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS

THE SHAWNEE MCCUE
 LIMITED PARTNERSHIP
 5769/695

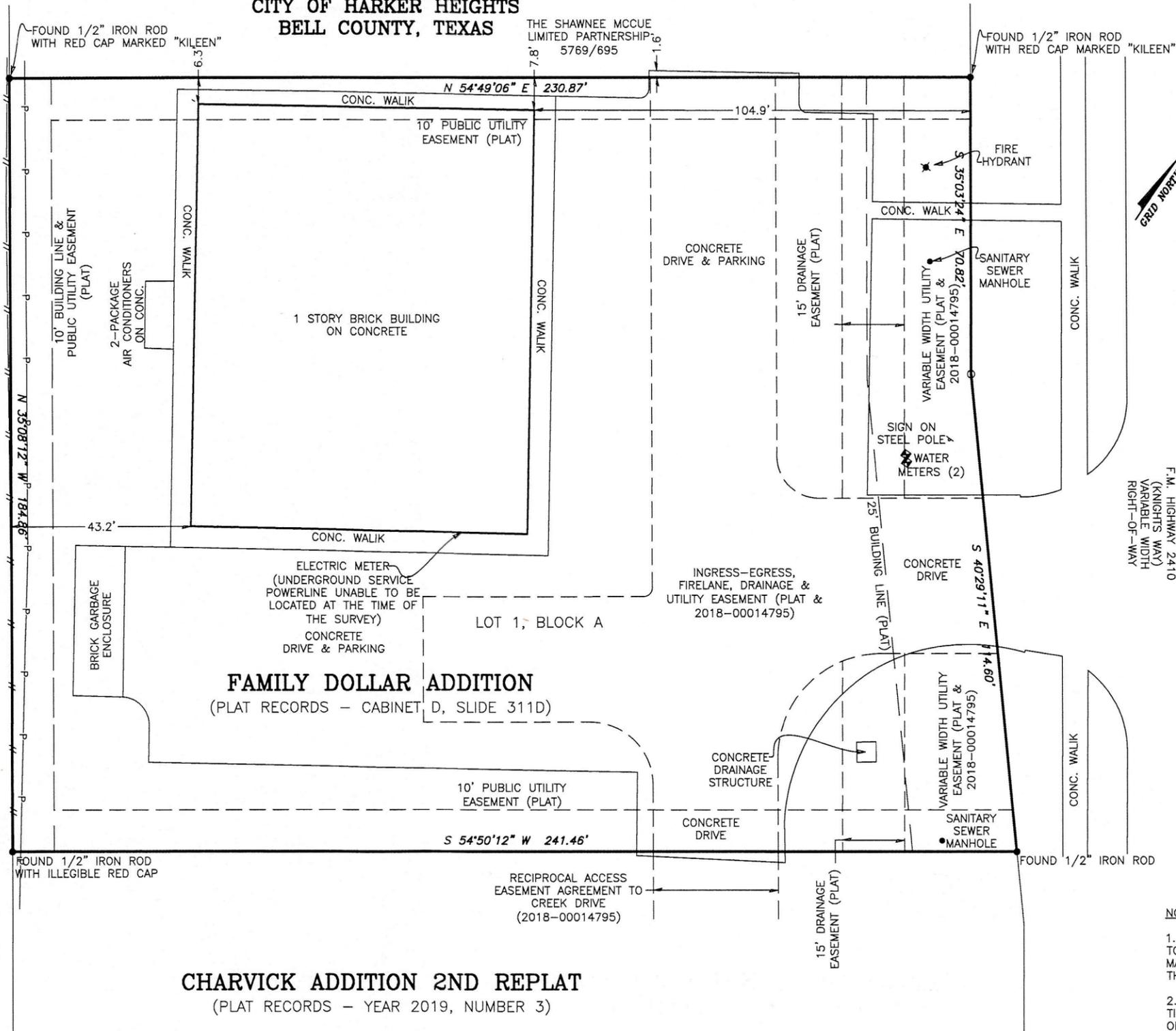
I, BRADLEY L. LIPSCOMB, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5952 IN THE STATE OF TEXAS, DO HEREBY CERTIFY TO THE TITLE AGENCY, UNDERWRITER, LENDER, MORTGAGE CO. AND/OR PURCHASER THAT THIS SURVEY WAS MADE ON THE GROUND; THIS PLAT HEREON AND THE FIELD NOTES WRITTEN HEREON TRULY AND CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY; THE SIZE, LOCATION AND TYPE OF BUILDINGS AND IMPROVEMENTS ARE AS SHOWN; THERE ARE NO APPARENT DISCREPANCIES, CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN; PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY AND IS ENTIRELY WITHIN ZONE "X" OF THE FLOOD HAZARD AREA ACCORDING TO FLOOD RATE MAP COMMUNITY NO. 48027C0295E, CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DATED SEPTEMBER 26, 2008; THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS' STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1A, CONDITION II SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 28TH DAY OF APRIL, 2021.



BRADLEY L. LIPSCOMB, RPLS

SKIPCHA MOUNTAIN ESTATES
PHASE FOUR
 (PLAT RECORDS - CABINET B, SLIDE 232-A)



LEGEND

- - IRON ROD FOUND (AS NOTED)
- P- - OVERHEAD POWERLINE
- // - WOODEN FENCE
- - 1/2" IRON ROD SET WITH RED CAP MARKED "TRIAD RPLS 5952"

NOTES:

1. THIS SURVEYOR HAS NOT ATTEMPTED TO LOCATE ANY EASEMENTS OR OTHER MATTERS BEYOND THOSE REFLECTED ON THE REFERENCED TITLE COMMITMENT.
2. ONLY THOSE UTILITIES VISIBLE AT THE TIME OF THE SURVEY HAVE BEEN LOCATED ON THE FACE OF THIS PLAT.

BEARINGS ARE BASED ON THE
 TEXAS STATE PLANE COORDINATE SYSTEM
 OF 1983, TEXAS CENTRAL ZONE



SCALE: 1" = 30 FEET

CHARVICK ADDITION 2ND REPLAT
 (PLAT RECORDS - YEAR 2019, NUMBER 3)

FAMILY DOLLAR ADDITION
 (PLAT RECORDS - CABINET D, SLIDE 311D)

LOT 1, BLOCK A

	G.F. # 202101147
SURVEYING, INC.	FIRM REGISTRATION NO. 10007900
528 COUNTY ROAD 325 P.O. BOX 1489 ROCKDALE, TX. 76567	
FACILITY PLAT	
LOT 1, BLOCK A FAMILY DOLLAR ADDITION CITY OF HARKER HEIGHTS BELL COUNTY, TEXAS	
Completion Date: 4/28/21	Drawn by: BL
Scale: 1"=30'	Surveyed by: LS
PROJECT NO. S21-125	Checked by: BL

**FAMILY DOLLAR ADDITION, 1ST AMENDMENT
BEING AN AMENDMENT OF LOT 1, BLOCK A
OF THE FAMILY DOLLAR ADDITION**

**W.F. HUNT SURVEY
ABSTRACT NO. 458
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS**

LOT 9
CURRENT OWNER - SANDRA L. MILLER

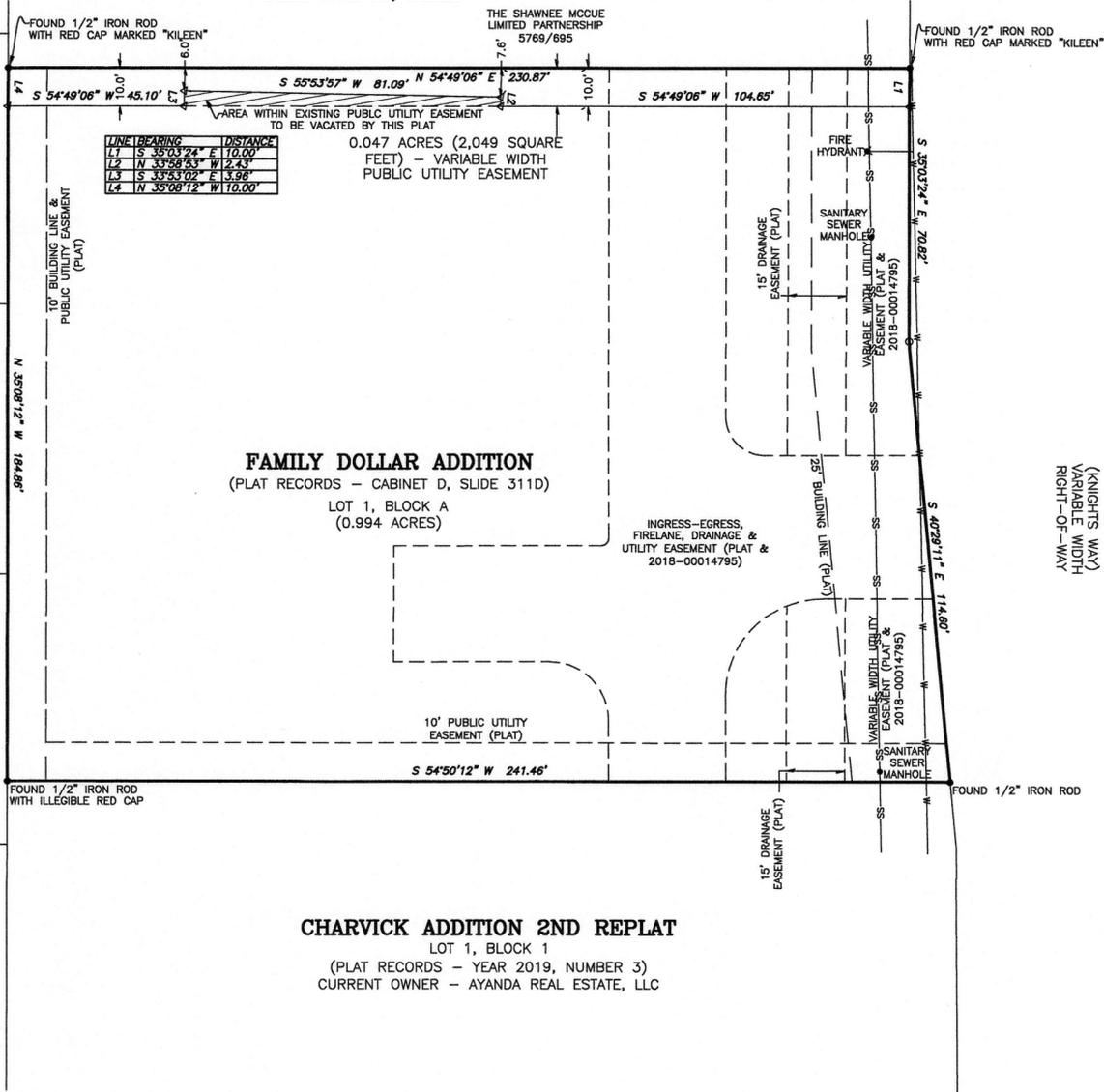
LOT 10
CURRENT OWNER - LEESA
A. McSHANE, ET VIR

LOT 11
CURRENT OWNER - JODI
L. MACHARDY

LOT 12
CURRENT OWNER - FRANCISCO
SAUCEDO, JR, ET UX

LOT 13
CURRENT OWNER - LARRY
LYNN LAWS, ET AL

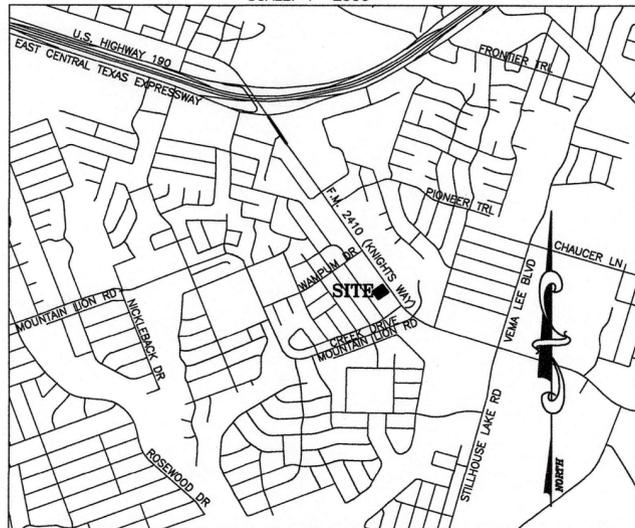
**SKIPCHA MOUNTAIN ESTATES
PHASE FOUR
(PLAT RECORDS - CABINET B, SLIDE 232-A)**



**FAMILY DOLLAR ADDITION
(PLAT RECORDS - CABINET D, SLIDE 311D)
LOT 1, BLOCK A
(0.994 ACRES)**

**CHARVICK ADDITION 2ND REPLAT
LOT 1, BLOCK 1
(PLAT RECORDS - YEAR 2019, NUMBER 3)
CURRENT OWNER - AYANDA REAL ESTATE, LLC**

VICINITY MAP
SCALE: 1"=2500'



KNOW ALL MEN BY THESE PRESENTS, THAT KSJ INTERESTS, LLC WHOSE ADDRESS IS 4000 SUNRISE, ROUND ROCK, TX 78665, BEING THE SOLE OWNER OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION, AS SHOWN BY THE PLAT HEREOF AND APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DOES HEREBY ADOPT THE FAMILY DOLLAR 1ST AMENDMENT, BEING AN AMENDMENT OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, AND HEREBY DEDICATE TO SAID CITY ALL STREETS, AVENUES, ROADS, DRIVES, ALLEYS SHOWN ON SAID PLAT, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS. THE UTILITY EASEMENTS SHOWN ON SAID PLAT ARE DEDICATED TO SAID CITY FOR THE INSTALLATION AND MAINTENANCE OF ANY AND ALL PUBLIC UTILITIES, WHICH THE CITY MAY INSTALL OR PERMIT TO BE INSTALLED OR MAINTAINED.

FOR: KSJ INTERESTS, LLC

BY: _____
SCOTT JOHNSON, MEMBER

STATE OF TEXAS
COUNTY OF BELL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____ BY
SCOTT JOHNSON, MEMBER OF KSJ INTERESTS, LLC.

NOTARY PUBLIC, STATE OF TEXAS

APPROVED THIS _____ DAY OF _____, 20____ BY THE DIRECTOR OF PLANNING AND
DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT

ATTEST: CITY SECRETARY

FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D.

YEAR _____, NUMBER _____ PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT IN INSTRUMENT NO. _____ OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, BRADLEY L. LIPSCOMB, A REGISTERED PROFESSIONAL LAND SURVEY, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE PERIMETER CORNER MONUMENTS SHOWN WERE PROPERLY PLACED OR FOUND UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF HARKER HEIGHTS, TEXAS. THIS SUBDIVISION, FAMILY DOLLAR FIRST AMENDMENT, BEING AN AMENDMENT OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION, IS LOCATED WITHIN THE CITY LIMITS OF HARKER HEIGHTS, TEXAS.

BRADLEY L. LIPSCOMB, RPLS 5952



TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL ENTITIES IN BELL COUNTY, TEXAS DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS _____ DAY OF _____, 20____ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

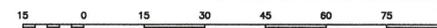
NOTES:

1. THE PURPOSE OF THIS PLAT IS TO MAKE REVISION TO THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) - HEREBY ABATED AND REPLACED BY THIS PLAT - ALONG THE NORTH LINE OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION TO ACCOMMODATE AN EXISTING STRUCTURE.
2. THE EXISTING LOT LINES HAVE NOT BEEN ALTERED BY THIS PLAT.

LEGEND

- - IRON ROD FOUND (AS NOTED)
- - 1/2" IRON ROD SET WITH RED CAP MARKED "TRIAD"
- W— UNDERGROUND WATERLINE
- SS— UNDERGROUND SEWERLINE

BEARINGS ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, TEXAS CENTRAL ZONE

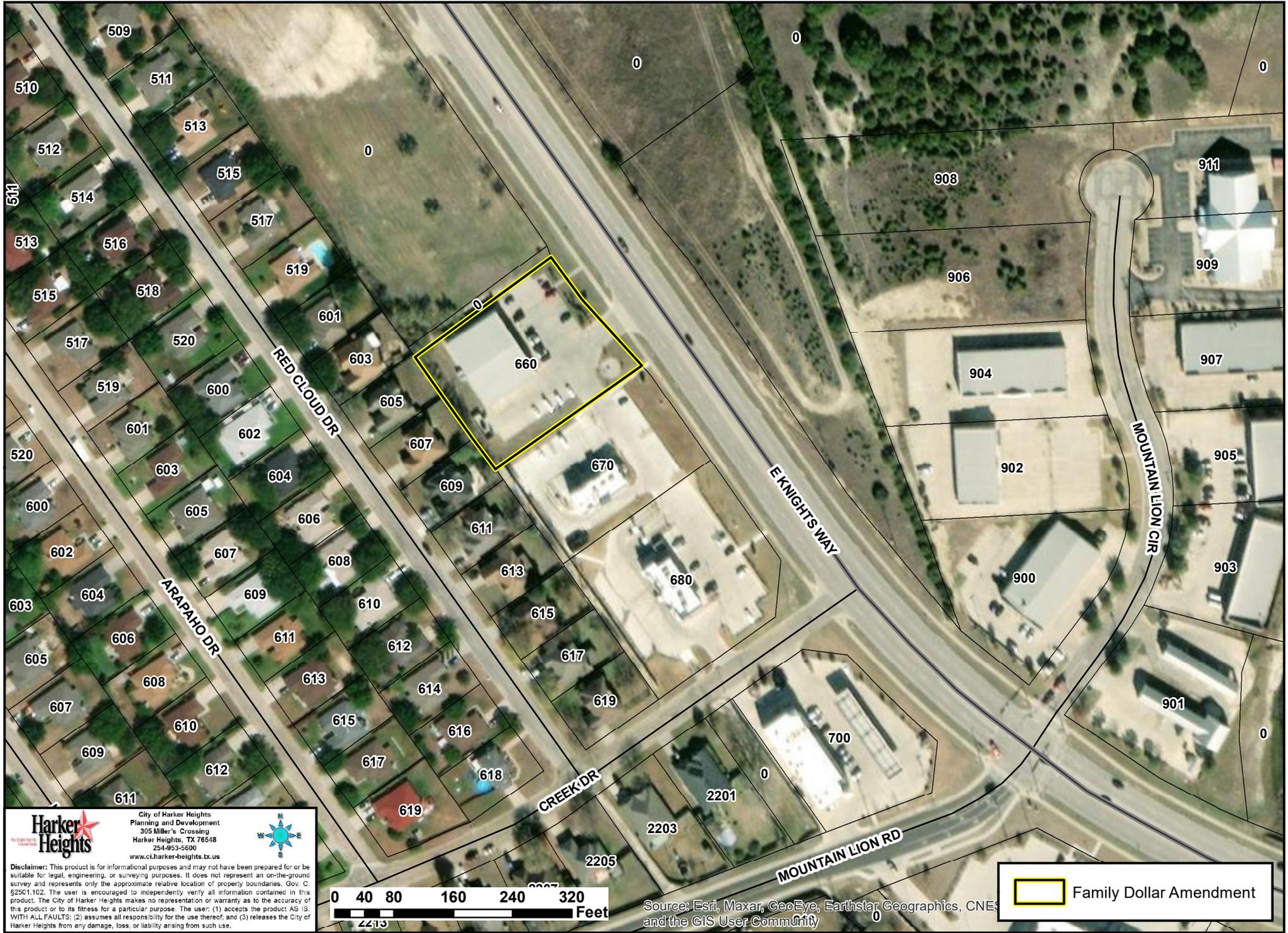


SCALE: 1" = 30 FEET

TRIS SURVEYING, INC. FIRM REGISTRATION NO. 10007900
528 COUNTY ROAD 325 P.O. BOX 1489 ROCKDALE, TX. 76567

**FAMILY DOLLAR ADDITION, 1ST AMENDMENT
BEING AN AMENDMENT OF LOT 1, BLOCK
A OF THE FAMILY DOLLAR ADDITION
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS**

Completion Date: 4/28/21 Drawn by: BL
Scale: 1"=30' Surveyed by: LS
PROJECT NO. S21-125 Checked by: BL



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.



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

 Family Dollar Amendment

FAMILY DOLLAR ADDITION 1ST AMENDMENT

P21-31 Preliminary Plat – Family Dollar Addition 1st Amendment

Plat Distributed to HH Staff: September 29, 2021
Comments Returned to Triad Surveying, Inc: October 8, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. The City has no public utilities in the public utility easement that is proposed to be abandoned.
2. Applicant is advised that the same amount of stormwater runoff from the subdivision to the west that was designed to pass through the public utility easement area to be abandoned will not change with this platting action. Applicant is still responsible for routing of said stormwater runoff through their parcel.
3. Per §154.26 Form and content. The amending plat should depict both the current and the proposed configuration of all altered lots. The current configuration should be located on the left side of the plat and shall depict all information as required for a preliminary plat as provided in this chapter. The proposed configuration should be located on the right side of the plat and shall depict all information as required for a final plat as provided in this chapter.
4. Per City of Harker Heights Code of Ordinances Section §154.22 (B) (1) Drawing scale of not less than 1-inch equals 100 feet.
5. Plat Dedication Page: Applicant shall provide LLC paperwork and provide authorization for those who can sign for KSJ Interests, LLC
6. Per City of Harker Heights Code of Ordinances Section §154.22 (B) (1) (q) (2) An original certificate of ownership and of dedication of all streets, alleys, easements and lands to public use forever, signed and acknowledged before a notary public by the owner of the land, shall appear on the face of the map, containing complete and accurate description of the property being platted and the streets dedicated
7. Per City of Harker Heights Code of Ordinances Section §154.22 (B) (3) *Resolution/dedication/field notes*. The applicant will furnish the city with a signed, original copy of the dedication, resolution and field notes, as applicable, at the same time the final plat and final engineering drawings are submitted for approval.
8. Please note, comments have not been received from all reviewing utility agencies. Comments may still be forthcoming from those who have not provided responses as of 10/8/2021.

Public Works, Mark Hyde

1. Obtain written approval from all franchise utility companies for the proposed partial utility easement abandonment.

Consulting Engineer, Otto Wiederhold

1. No comments

Fire Marshal, Brad Alley

1. No comments

Building Official, Mike Beard

1. No comments

ONCOR,

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

Century Link, Chris McGuire

1. No conflicts

Time Warner Cable/Spectrum, Shaun Whitehead

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

ATMOS, Rusty Fischer

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

TXDOT

1. TXDOT is requesting a 1' non-access easement placed across the remainder of the frontage with TxDOT ROW.



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-32

AGENDA ITEM X-06

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: October 27, 2021

DISCUSS AND CONSIDER A REQUEST FOR A MINOR PLAT REFERRED TO AS WITHERS ADDITION ON PROPERTY DESCRIBED AS 11.134 ACRES SITUATED IN THE J. W. RENICK SURVEY, ABSTRACT NO. 704, BELL COUNTY, TEXAS, BEING ALL OF THAT CALLED 11.134 ACRES OF LAND CONVEYED TO MICHAEL WITHERS IN DOCUMENT NO. 2021052995, OFFICIAL PUBLIC RECORD OF REAL PROPERTY, BELL COUNTY, TEXAS, AND GENERALLY LOCATED AT THE INTERSECTION OF MESQUITE BRANCH ROAD AND OAKRIDGE BOULEVARD, HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant submitted an application for minor plat approval for Withers Addition, located generally near the intersection of Oakridge Boulevard & Mesquite Branch Drive. The application indicated three individual lots will be platted together to create the minor plat known as Withers Addition.

As of October 19, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On October 8, 2021, staff returned comments to the applicant. Although there has been correspondence between the engineer and city staff, as of October 19, 2021, the applicant had not submitted revisions based on the October 8th comments. Staff recommends denial of the minor plat for the subdivision referred to as Withers Addition based on the fact that the original submission does not meet the requirements in the City's code of ordinances.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to approve, approve with conditions, or disapprove with explanation a request for minor plat referred to as Withers Addition on property described as 11.134 acres situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, being all of that called 11.134 acres of land conveyed to Michael Withers in Document No. 2021052995, Official Public Record of Real Property, Bell County, Texas, and generally located at the intersection of Mesquite Branch Road and Oakridge Boulevard, Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Existing conditions
5. Withers Addition – minor plat
6. Location Map
7. Staff Comments with Responses (Comments sent 10/08/2021, No response received as of 10/19/2021)



Minor/Amending Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

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

1. Pre-Application Meeting with Staff to ensure applicability
2. Payment of \$150.00 + \$3.00 per acre
3. Signed & Original Field Notes and Dedication

City of Harker Heights
 Planning & Development
 305 Millers Crossing
 Harker Heights, TX 76548
 Phone: (254) 953-5647
 Fax: (254) 953-5666

Property Information:

Plat Name: WITHERS ADDITION **Date Submitted:** SEPT. 29, 2021

Existing Lot Count: 1 **Proposed Lot Count:** 2 **Acreage:** 11.134

Site Address or General Location: NORTH AND EAST OF MESQUITE BRANCH DRIVE, WEST OF OAKRIDGE BOULEVARD

Reason for Amendment/ Description of Subdivision:

Zoning Classification: R-1 **Existing Land Use:** VACANT LAND WITH OUT BUILDINGS

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: MICHAEL WITHERS

Address: 3200 COMANCHE GAP ROAD, HARKER HEIGHTS, TEAS

Phone: [REDACTED] E-mail: _____

Developer: MICHAEL WITHERS

Address: 3200 COMANCHE GAP ROAD, HARKER HEIGHTS, TEXAS

Phone: [REDACTED] E-mail: _____

Engineer/Surveyor: ALL COUNTY SURVEYING, INC

Address: 4330 SOUTH 5TH STREET, TEMPLE, TEXAS

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

I HEREBY UNDERSTAND AND ACKNOWLEDGE:
 THE MINOR PLAT INVOLVES **FOUR OR FEWER LOTS** FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED
OR
 THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

Michael A. Withers

[Signature]

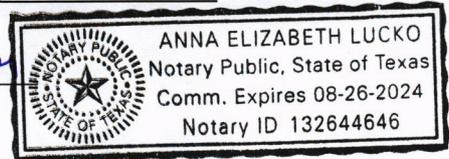
PRINTED NAME OF OWNER:

OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 28 DAY OF September, 2021

[Signature]
NOTARY PUBLIC SIGNATURE

MY COMMISSION EXPIRES: 8/26/24



STAFF ONLY - - DO NOT FILL OUT BELOW

Date Submitted: 9/29/2021 Receipt #: 01744460

Received By: [Signature] Pre-Application Meeting Case #: _____

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

September 27, 2021

Surveyor's Field Notes for:

11.134 ACRES situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, being all of that called 11.134 acres of land conveyed to Michael Withers in Document No. 2021052995, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 3/8" iron rod with "M&Assoc Killeen" cap found on the north line of Mesquite Branch Drive, being the most westerly, southwest corner of said 11.134 acre tract, same being the southeast corner of Lot 33, Block 2, Quail Estates, Phase 2, an addition in the City of Harker Heights, Bell County, Texas, of record in Cabinet D, Slide 194-D, Plat Records of Bell County Records, for the most westerly, southwest corner of this tract of land;

THENCE in a northerly direction, with the west line of said 11.134 acre tract (*Deed N. 21° 06' 31" W., 978.18 feet*), same being an east line of said Block 2 and with an east line of Block 3, Quail Estates, Phase 1, an addition in the City of Harker Heights, Bell County, Texas, of record in Cabinet D, Slide 204-D, of said Plat Records, **N. 21° 06' 31" W., 978.18 feet**, to a 3/8" iron rod with "M&Assoc Killeen" cap found on the east line of Lot 24, of said Block 3, being the northwest corner of said 11.134 acre tract, same being the southwest corner of Lot 22 of said Block 3, for the northwest corner of this tract of land;

THENCE in an easterly direction, with the north line of said 11.134 acre tract (*Deed N. 67° 17' 21" E., 602.50 feet*), same being a south line of said Block 3, **N. 67° 17' 21" E., 602.50 feet**, to a 3/8" iron rod with "M&Assoc Killeen" cap found on the west line of Lot 3, Block 1, Ryan Rogers Addition, an addition in the City of Harker Heights, Bell County, Texas, of record in Cabinet C, Slide 261-C, of said Plat Records, being the northeast corner of said 11.134 acre tract, same being the southeast corner of Lot 18, of said Block 3, for the northeast corner of this tract of land;

THENCE in a southerly direction, with the west line of said 11.134 acre tract, same being the west line of said Block 1, the west line of a called 0.693 acre tract of land conveyed to Wayne Harris and wife, Dianna J. Harris in Volume 2656, Page 1, of said Official Public Records and the west line of a called 5.09 acre tract of land conveyed to David A. Wood and wife, Linda C. Wood in Volume 3259, Page 415, of said Official Public Records, the following three (3) courses and distances:

- 1) **S. 21° 54' 05" E., 71.46 feet** (*Deed S. 21° 54' 05" E., 71.46 feet*), to a 3/8" iron rod found, being the southwest corner of Lot 3, of said Block 1, same being the northwest corner of said 0.693 acre tract, for a corner of this tract of land;

- 2) **S. 19° 47' 57" E., 150.14 feet** (*Deed S. 19° 47' 57" E., 150.14 feet*), to a ½" iron rod found, being the southwest corner of said 0.693 acre tract, same being the northwest corner of said 5.09 acre tract, for a corner of this tract of land;
- 3) **S. 21° 08' 28" E., 158.59 feet** (*Deed S. 21° 08' 28" E., 158.59 feet*), to a 3/8" iron rod with "M&Assoc Killeen" cap found, being an ell corner of said 11.134 acre tract, same being the northeast corner of Lot 2, Block 1, Salinas Addition, an addition in the City of Harker Heights, Bell County, Texas, of record in Cabinet C, Slide 256-C of said Plat Records, , for an ell corner of this tract of land;

THENCE in a westerly direction, with an interior line of said 11.134 acre tract (*Deed S. 67° 12' 51" W., 351.42 feet*), same being the north line of said Salinas Addition, **S. 67° 12' 51" W., 351.42 feet**, to a 3/8" iron rod with "M&Assoc Killeen" cap found, being an interior ell corner of said 11.134 acre tract, same being the northwest corner of said Salinas Addition, for an interior ell corner of this tract of land;

THENCE in a southerly direction, with an interior line of said 11.134 acre tract (*Deed S. 22° 50' 33" E., 505.91 feet*), same being the west line of said Salinas Addition and with the west line of Salinas Addition Replat No. One, an addition in the City of Harker Heights, Bell County, Texas, of record in Document No. 2020033475, of said Official Public Records, **S. 22° 50' 33" E., 505.91 feet**, to a 3/8" iron rod with "M&Assoc Killeen" cap found, being an interior ell corner of said 11.134 acre tract, same being the southwest corner of said Salinas Addition Replat No. One, for an interior ell corner of this tract of land;

THENCE in an easterly direction, with an interior line of said 11.134 acre tract (*Deed N. 67° 11' 19" E., 337.23 feet*), same being the south line of said Salinas Addition Replat No. One, **N. 67° 11' 19" E., 337.23 feet**, to a 3/8" iron rod with "M&Assoc Killeen" cap found on the west line of said 5.09 acre tract, being an ell corner of said 11.134 acre tract, for an ell corner of this tract of land;

THENCE in a southeasterly direction, with an east line of said 11.134 acre tract, same being the occupied west line of said 5.09 acre tract, the following two (2) courses and distances:

- 1) **S. 21° 09' 04" E., 241.51 feet** (*Deed S. 21° 09' 04" E., 241.51 feet*), to a ½" iron rod found, for a corner of this tract of land
- 2) **S. 75° 58' 24" E., 55.63 feet** (*Deed S. 75° 58' 24" E., 55.63 feet*), to a 1 ¼" metal pipe with 60d nail found on the west line of Oak Ridge Boulevard, being a corner of said 11.134 acre tract, for the most easterly, southeast corner of this tract of land;

THENCE in a southerly direction, with the southeast line of said of said 11.134 acre tract (*Deed S. 35° 39' 37" W., 187.45 feet*), same being the west line of Oak Ridge Boulevard, **S. 32° 39' 37" W., 187.45 feet**, to a calculated point, on or near a water meter, on the north line of Mesquite Branch Drive, same being a north line of Quail Estates, Phase 2, for the most southerly, southeast corner of this tract of land,

THENCE in a generally westerly direction, with the south line of said 11.134 acre tract, same being a north line of said Quail Estates, Phase 2, same being the north line of Mesquite Branch Drive, the following three (3) courses and distances;

- 1) **N. 57° 23' 53" W., 150.29 feet** (*Deed N. 57° 23' 53" W., 150.29 feet*), to a 3/8" iron rod with "M&Assoc Killeen" cap found at the beginning of a curve to the left, for a corner of this tract of land;
- 2) **187.56 feet** (*Deed arc=187.56 feet*), with said curve to the left, having a *radius of 258.13 feet, a delta angle of 41° 37' 53"* and a *chord which bears N. 78° 09' 16" W., 183.46 feet*, to a cut "X" found in concrete at the end of said curve to the left, for a corner of this tract of land;
- 3) **S. 81° 03' 23" W., 258.40 feet** (*Deed S. 81° 03' 23" W., 288.40 feet*), to the **POINT OF BEGINNING** and containing 11.134 Acres of Land.

Horizontal datum based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations. All distances are surface distances, and all bearings are grid bearings. Scale factor=1.0001481154, scaled about CP-100 (N:10,348,648.56 E:3,139,239.85).

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed August 13, 2020

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

Server/projects/pro210000/2106000/210638/210638P.doc



Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

**DEDICATION OF
WITHERS ADDITION
within the City of Harker Heights,
Bell County, Texas.**

STATE OF TEXAS)
COUNTY OF BELL)

That **Michael Withers**, being the sole owner of that certain tract of land containing 11.134 acre described in Field Notes prepared by Charles C. Lucko, RPLS No. 4636, dated September 27, 2021 which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, do hereby name and designate said 11.134 acre tract as **WITHERS ADDITION**, a subdivision in the City of Harker Heights, Bell County, Texas, and do hereby adopt the attached map and plat thereof and do hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

Michael Withers does hereby give, grant and convey to the **CITY OF HARKER HEIGHTS, TEXAS**, its assignees and franchisees furnishing public utilities in said subdivision, the easements as shown on said plat for drainage and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

To have and to hold said easements unto said Grantee, and the undersigned hereby binds itself, its heirs, administrators, executors, successors and assigns, to warrant and forever defend all and singular said premises unto the said Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS THE EXECUTION HEREOF, on this ____ day of _____, 2021.

Michael Withers

ACKNOWLEDGMENTS

STATE OF TEXAS)

COUNTY OF **BELL**)

BEFORE ME, the undersigned authority, on this day personally appeared **Michael Withers**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

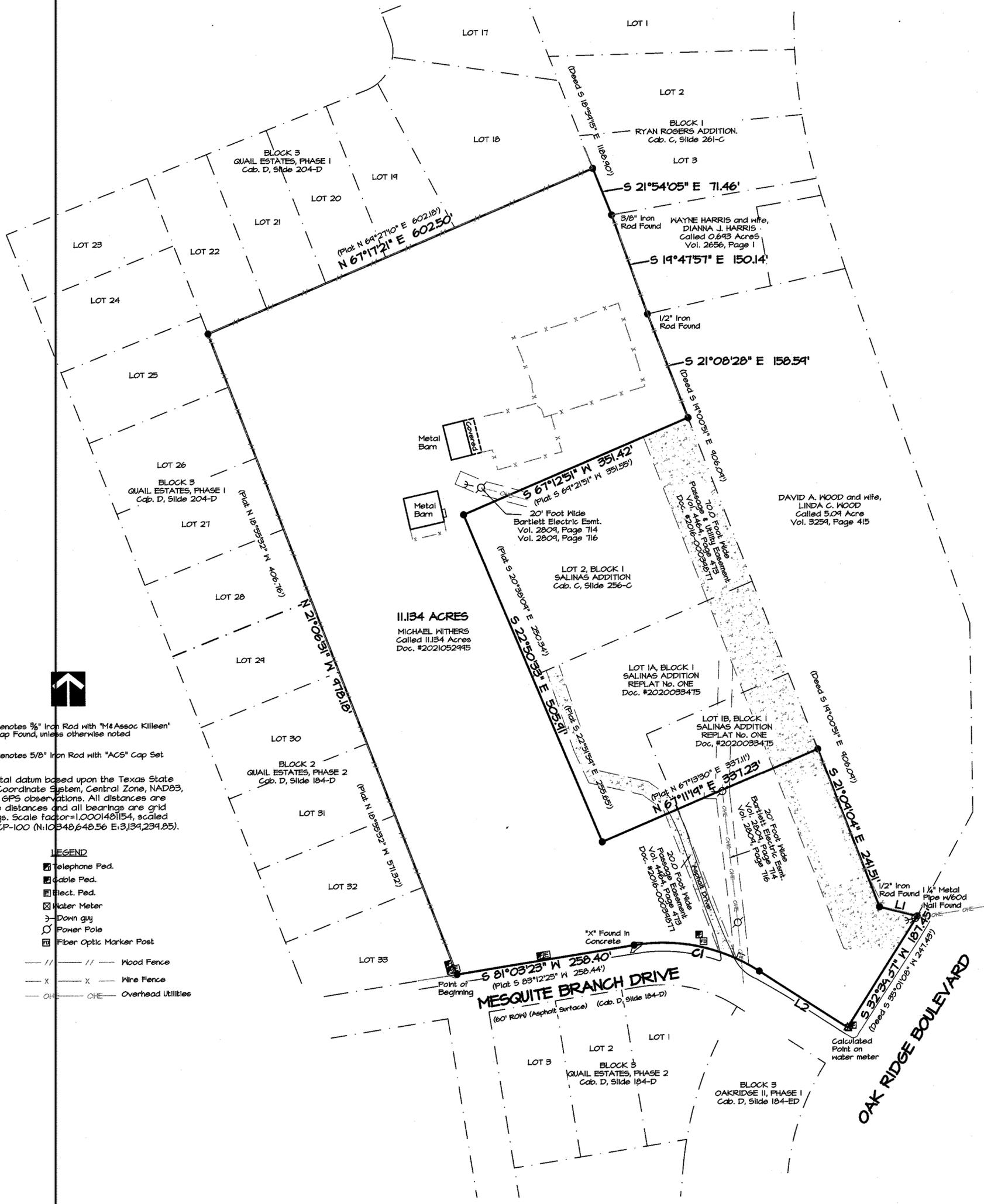
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

**AFTER RECORDING, RETURN TO:
All County Surveying, Inc.
4330 South 5th Street
Temple, Texas 76502**

**EXISTING CONDITIONS
FOR PROPOSED WITHERS ADDITION**

Survey showing 11.134 ACRES, situated in the
J. W. RENICK SURVEY, ABSTRACT No. 704,
Harker Heights, Bell County, Texas



11.134 ACRES
MICHAEL WITHERS
Called 11.134 Acres
Doc. #2021052445

- Denotes 3/8" Iron Rod with "M&A Assoc Killeen" Cap Found, unless otherwise noted
- Denotes 5/8" Iron Rod with "ACS" Cap Set

Horizontal datum based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations. All distances are surface distances and all bearings are grid bearings. Scale factor=1.0001481154, scaled about GP-100 (N:10348.64856 E:3139.23985).

LEGEND

- ☐ Telephone Ped.
- ☐ Cable Ped.
- ☐ Elect. Ped.
- ☐ Water Meter
- ☐ Down guy
- ☐ Power Pole
- ☐ Fiber Optic Marker Post
- Wood Fence
- X-X- Wire Fence
- OH- Overhead Utilities

This surveyor and All County Surveying, Inc. do not warrant any statement with reference to floodplain.

This sketch represents a survey made on the ground. During the performance of this survey persons working under my supervision observed conditions within and along the boundaries and to the best of my knowledge they are as shown. The location of visual structural improvements with respect to the boundary lines are as shown. This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

LINE	BEARING	DISTANCE	RECORD CALLS
L1	S 75°58'24" E	55.63'	S 73°45'05" E 55.14'
L2	N 57°23'53" W	150.24'	N 55°04'37" W 150.35'

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	RECORD CALLS
CI	258.13'	187.56'	41°37'53"	N 78°04'16" W	183.46'	A=187.57'

ALL COUNTY SURVEYING, INC.
Tx. Firm No. 0023600
4330 South 5th Street
Temple, Texas 76502
254-718-2212 Killeen 254-634-4636
www.allcountysurveying.com

Charles C Lucko

**EXISTING CONDITIONS
FOR PROPOSED WITHERS ADDITION**
Survey showing 11.134 ACRES, situated in the
J. W. RENICK SURVEY, ABSTRACT No. 704,
Harker Heights, Bell County, Texas

Plot Date: 04-28-2021
Survey completed: 08-13-2021
Scale: 1" = 100'
Job No.: 210630.1
Dwg No.: 210630.1
Drawn by: MDH
Surveyor: CCL #4636

FINAL PLAT OF WITHERS ADDITION

A SUBDIVISION IN HARKER HEIGHTS,
BELL COUNTY, TEXAS

BEING 11.134 ACRES, SITUATED IN THE
J. W. RENICK SURVEY, ABSTRACT NO. 704, BELL COUNTY, TEXAS.

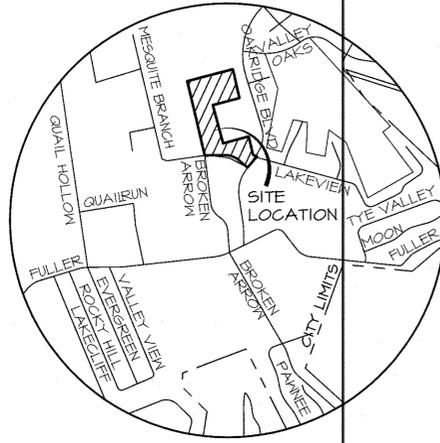
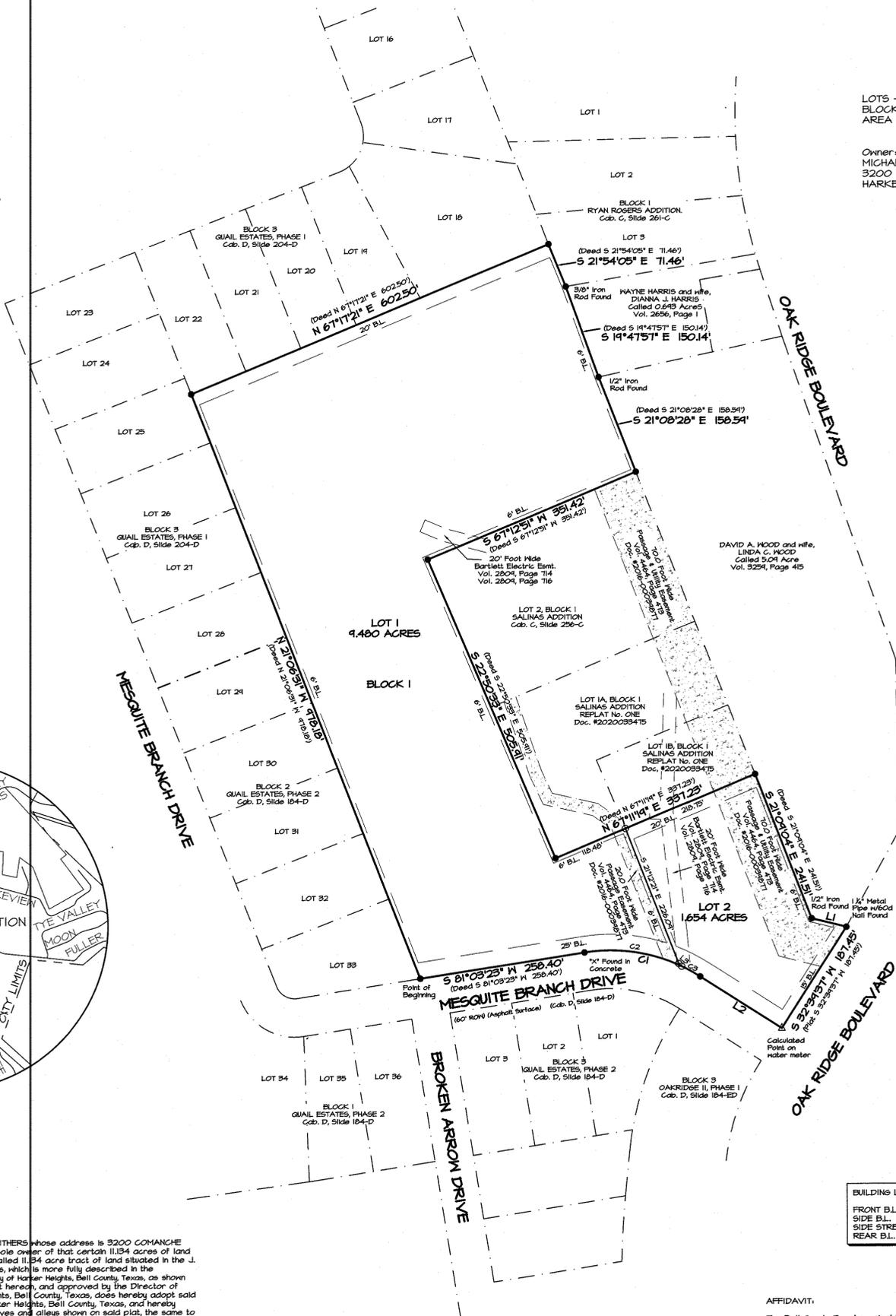

 ● Denotes 3/8" Iron Rod with "M Assoc Killen" Cap Found, unless otherwise noted
 ○ Denotes 5/8" Iron Rod with "ACS" Cap Set

 Horizontal datum based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations. All distances are surface distances and all bearings are grid bearings. Scale Factor = 1.000148184, scaled about CP-100 (N 10340648.56 E 3134239.85).



LOTS - 2
 BLOCKS - 1
 AREA - 11.134 ACRE

Owner:
 MICHAEL WITHERS
 3200 COMANCHE GAP ROAD
 HARKER HEIGHTS, TEXAS 76548



VICINITY MAP
-n.t.s.-

STATE OF TEXAS
 COUNTY OF BELL

 KNOW ALL MEN BY THESE PRESENTS that MICHAEL WITHERS whose address is 3200 COMANCHE GAP ROAD, Harker Heights, Texas 76548, being the sole owner of that certain 11.134 acres of land in Harker Heights, Bell County, Texas, being all of a called 11.134 acre tract of land situated in the J. W. Renick Survey, Abstract No. 704, Bell County, Texas, which is more fully described in the dedication of WITHERS ADDITION a subdivision in the City of Harker Heights, Bell County, Texas, as shown on the plat hereto attached hereto, and made a part hereof, and approved by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas, does hereby adopt said WITHERS ADDITION, as an addition to the City of Harker Heights, Bell County, Texas, and hereby dedicates to said city all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Harker Heights. The utility easements shown on the plat are dedicated to the city for the installation and maintenance of any and all public utilities, which the city may install or permit to be installed or maintained.

MICHAEL WITHERS

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED MICHAEL WITHERS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____ 2021.

NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS
COUNTY OF BELL

THAT I, CHARLES C. LUKKO, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF HARKER HEIGHTS, TEXAS.

Charles C. Lukko
CHARLES C. LUKKO, R.P.L.S.
REGISTRATION NO. 4636



LINE	BEARING	DISTANCE	RECORD CALLS
L1	S 75°50'24" E	56.63'	S 75°50'24" E 56.63'
L2	N 57°23'53" W	150.24'	N 57°23'53" W 150.24'
L3	S 48°23'19" E	6.20'	

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	RECORD CALLS
C1	258.13'	187.56'	41°18'53"	N 78°08'16" W	183.46'	A=187.56'
C2	258.13'	184.28'	34°22'20"	S 81°47'02" E	152.34'	R=258.13'
C3	258.13'	32.70'	1°15'54"	S 60°58'06" E	32.68'	R=258.13'

Based upon what can be scaled from the graphics shown on Federal Insurance Rate Map (FIRM), Community Panel No. 48027C0008E, dated September 26, 2009, a portion of the above shown property DOES NOT appear within the "Special Flood Hazard Area", and appears to be situated in Zone X. This flood statement does not imply that this tract will never flood, nor does it create any liability in such event on the part of this surveyor or company.

RECORDATION INFORMATION:
 FILED FOR RECORD THIS _____ DAY OF _____ 2021.
 IN DOCUMENT NO. _____ OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

BUILDING LINES (SETBACKS)

FRONT B.L.	25'
SIDE B.L.	6'
SIDE STREET B.L.	15'
REAR B.L.	20'

AFFIDAVIT:
 The Bell County Tax Appraisal District, the taxing authority for all taxing entities in Bell County, Texas, does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this _____ day of _____, 2021

By: Bell County Tax Appraisal District

BELL COUNTY PUBLIC HEALTH DISTRICT CERTIFICATE
 I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMEND FOR APPROVAL.

SIGNATURE: _____
BELL COUNTY PUBLIC HEALTH DISTRICT

APPROVED this _____ day of _____, 2021, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development

Attest: City Secretary

ACS
 ALL COUNTY SURVEYING, INC.
 Tx. Firm No. 10023600
 4330 South 5th Street
 Temple, Texas 76702
 254-718-2712 Killen 254-694-4636
 www.allcountysurveying.com

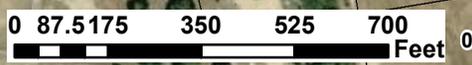
FINAL PLAT OF
WITHERS ADDITION
 A SUBDIVISION IN HARKER HEIGHTS,
 BELL COUNTY, TEXAS

Plot Date: 04-28-2021
 Survey completed: 08-13-2021
 Scale: 1" = 100'
 Job No.: 2106382
 Dwg No.: 210638P
 Drawn by: MDH
 Surveyor: CCL #4636
 Copyright 2021 All County Surveying, Inc.



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.



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

Withers Addition

WITHERS ADDITION

P21-32 Minor/Amending – Withers Addition

Plat Distributed to HH Staff: September 29, 2021
Comments Returned to All County Surveying: October 8, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Dedication Page:
 - a. Provide a copy of the called existing easements (20' Bartlett Electric – Volume 2809 Page 714 and 716; 70' Passage & UE – Volume 4464 Page 473, Document 2016-00039877; 20' Passage Easement – Volume 4464 Page 743, Document 2016-00039877)
 - b. Applicant shall annotate dimensions/bearings of existing easements such that they can be located in the field.
 - c. Applicant shall provide the existing Lot configuration for the area being platted (Parcel IDs 90340, 90336 and 103758).
 - d. The Bell County Tax Appraisal District does not show ownership for the Lots with Parcel ID numbers 90336 and 103758. Applicant shall provide ownership information for said parcels.
 - e. Applicant shall add a note clarifying that the intent is for all Lots within this subdivision to be serviced by septic systems and that said systems will require the approval of Bell County Public Health at the time of development.
 - f. Applicant shall provide buildable area calculations for the proposed Lot 2. Applicant is advised that the septic system and the home cannot be constructed in the existing easements on said parcel.
 - g. Applicant shall provide a connecting 15' utility easement beginning at the west property boundary of Lot 1 where the offsite UE on Lots 27 & 28, Block 3 of the Quail Estates Phase 1 subdivision then heading south along the western property line to the southern property boundary of Lot 1 along Mesquite Branch Drive.
 - h. Applicant shall provide ROW measurements for Mesquite Branch Drive (60 ft ROW) and Oakridge Boulevard (70 ft ROW). If the required amount of ROW is not existing, then the Applicant shall provide half of the required remaining ROW.
 - i. Applicant shall remove the spacing in "Oak Ridge Boulevard" to reflect the 911 spelling of "Oakridge Boulevard".
 - j. Applicant shall change type of plat from "Final Plat" to "Minor Plat"

2. Utilities:
 - a. Applicant shall clarify as to where proposed water services will be located.
3. The following items can be addressed during construction site plan review and are provided for the Applicant's advanced reference.
 - a. Applicant is advised that at the time of development a site level drainage analysis will be required.
 - b. Applicant is advised that this platting action leaves non-conforming accessory structures (barns) on Lot 1. In order for accessory structures to be constructed on a Lot and for future permits to be pulled for said Lot, a primary structure is required on R-1 zoned properties.
 - c. Applicant is advised that the existing barn does not have fire protection. Additionally, a public watermain and fire hydrant may be required on Lot 1 in order to meet fire protection requirements for any new structures on said Lot beyond the Fire Code distance requirements.
 - d. Applicant is advised that a second driveway entrance on Lot 2 will not be allowed in the AASHTO clear site triangle at the corner of Mesquite Branch Drive and Oakridge Boulevard.
 - e. Applicant is advised that a driveway entrance on Lot 1 will not be allowed at the southwest corner of said Lot due to the proximity to the intersection of Broken Arrow Drive and Mesquite Branch Drive.

Public Works, Mark Hyde

1. Provide a 10' wide public utility and drainage easement along Oakridge Blvd. and along Mesquite Branch Drive.

Consulting Engineer, Otto Wiederhold

1. No comments

Fire Marshal, Brad Alley

1. No comments

Building Official, Mike Beard

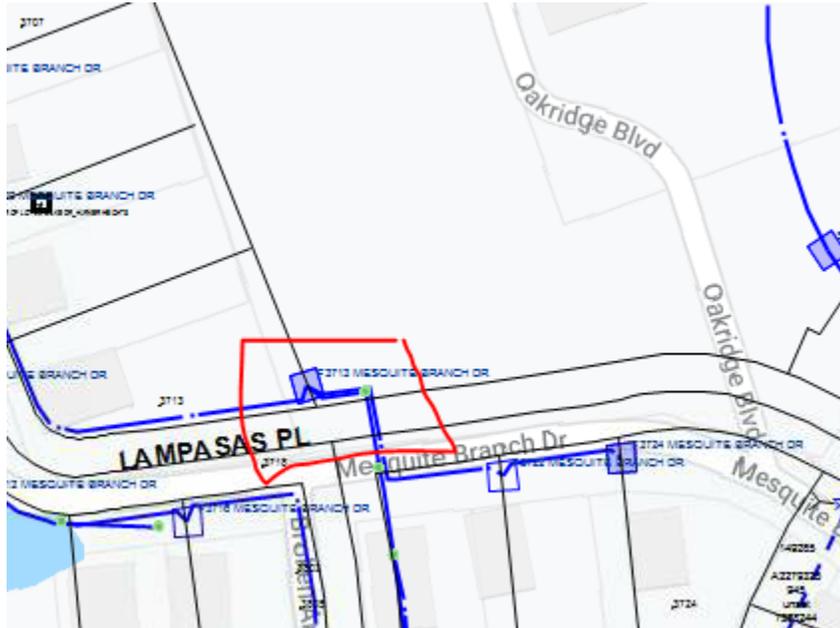
1. No comments

ONCOR, Alizabeth Gstattenbauer

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

Century Link, Chris McGuire

1. Existing utilities on southwest corner of property and will need the PUE to keep facilities in place.



Time Warner Cable/Spectrum, Shaun Whitehead

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

ATMOS, Rusty Fischer

1. The City has not received comments back from this reviewing entity and comments may be forthcoming.

TXDOT

1. No comments