



**Harker Heights
Planning and Zoning
Commission
Meeting & Workshop**

**Wednesday,
July 28, 2021**

5:30 P.M. Meeting

Workshop Immediately Following



**PLANNING & ZONING COMMISSION
MEETING & WORKSHOP
HARKER HEIGHTS CITY HALL
WEDNESDAY, JULY 28, 2021 – 5:30 P.M.**

Notice is hereby given that beginning at 5:30 P.M. on Wednesday, July 28, 2021, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will conduct a regular meeting and then beginning immediately after the regular meeting will hold a P&Z workshop. Both the Meeting and the Workshop 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. APPROVAL OF AGENDA:**
 1. Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for July 28, 2021.
- III. CONSENT AGENDA:**
 1. Consider approval of Minutes from the Regular Planning and Zoning Meeting held on June 30, 2021.
- IV.** Report on City Council results from the July 6, 2021 meeting.
- V.** Recognition of Affidavits for Conflict of Interest.
- VI. 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.*
- VII. PUBLIC HEARING:**
 1. **Z21-11** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District) on property described as Fawn Valley, Lot One (1), Block Six (6), generally located at 1702 E. FM 2410 (E. Knight's Way), Harker Heights, Bell County, Texas.

2. **Z21-12** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas.
3. **Z21-13** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas.
4. **Z21-14** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr., Harker Heights, Bell County, Texas.
5. **Z21-15** Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19), and Twenty (20), Block Seven (7), generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas.
6. **Z21-16** Conduct a public hearing to discuss and consider recommending an amendment to Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for a 1,850 square foot accessory dwelling unit to be occupied by a relative, on property described as Leisure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas.
7. **Z21-17** Pursuant to Section 155.084(E) of the Harker Heights Code of Ordinances, conduct a public hearing to discuss and consider recommending allowance of Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas.

VIII. NEW BUSINESS:

1. **P21-24** Discuss and consider a request for a Minor Plat approval for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), generally located at 3910 Hilltop Drive, Harker Heights, Bell County, Texas.

IX. REPORTS FROM COMMISSIONERS

X. STAFF COMMENTS

XI. ADJOURNMENT OF P&Z MEETING

MEETING WORKSHOP

- I.** Convene a Planning & Zoning Commission Workshop immediately following the P&Z meeting.
- II.** Presentations by Staff:
1. Receive & discuss updates to Section 2 of the Future Land Use Map.
 2. Receive & discuss updates to ETJ areas of the Future Land Use Map.
 3. Receive & discuss Future Land Use Map update process and summary of recommendations to date.
- III.** Adjournment of Workshop.

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, July 23, 2021**. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Wilson Everett

Wilson Everett, Planning & Development Administrative Assistant



**Minutes of the Harker Heights Planning & Zoning Commission Meeting
June 30, 2021**

Present:

Commission

| | |
|---------------------|---------------|
| Larry Robison | Chairman |
| Robert Robinson III | Vice Chairman |
| Adam Parker | Secretary |
| Noel Webster | Commissioner |
| Nuala Taylor | Commissioner |
| Rodney Shine | Commissioner |
| Joshua McCann | Commissioner |
| Stephen Watford | 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 |
| Wilson Everett | Planning and Development Administrative Assistant |
| Courtney Fye | Building Official Secretary |
| Randy Ray | Deputy Fire Marshal |

Absent:

| | |
|-------------------|------------------------|
| Christopher Albus | Alternate 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 June 30, 2021. Commissioner Carey made a motion to approve the Agenda. Commissioner Shine seconded the motion. **The motion was approved (9-0).**

Agenda Item III: The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on May 26, 2021. Vice Chairman Robinson made a motion to approve the meeting minutes. Commissioner Taylor seconded the motion. **The motion was approved (9-0).**

Agenda Item IV: Mrs. Ramirez provided a summary of the City Council results from the June 8, 2021 meeting.

Agenda Item V: Recognition of Affidavits for Conflict of Interest. There were no conflicts of interest submitted.

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

Agenda Item VII: Public Hearing:

None.

Agenda Item VIII: New Business:

1. P21-17 Discuss and consider a request for Preliminary Plat approval for the subdivision referred to as Stone Lake Trails, on property described as a certain tract of land located in the John Hughes Survey, A-379, located in Bell County, Texas; subject tract being all of the following:

1. A called “28.68 Acres” conveyed in a Warranty deed from Monica Martin, et al to Emmons General Investments, LTD dated 6-19-2018 and recorded in Document No. 2018-00025884 of the Official Public Records of Bell County (OPRBC)

2. A called “53.70 Acres” conveyed in an Assumption Special Warranty Deed from Unlimited Exchange II, Inc. to Emmons General Investments, LTD dated 2-28-2018 and recorded in Document No. 2018-00008312, OPRBC

3. A called “41.06 Acres” conveyed in a Warranty Deed from Ken Emery, et al to Emmons General Investments, LTD dated 8-13-2012 and recorded in Document No. 2012-00033701, OPRBC and

4. A called “11.326 Acres” conveyed in a Warranty Deed from Emmons Construction, LTD to Emmons General Investments, LTD dated 9-25-2013 and recorded in Document No. 2013-00042514, OPRBC

Generally located East of Warriors Path and South of Knight’s Way (FM 2410), Harker Heights, Bell County, Texas.

Mrs. Ramirez presented the applicants request for the preliminary plat. She explained the proposed development will consist of 117 residential lots and 4 tracts. She included that the parcel is currently located in the City’s ETJ and the 2007 Future Land Use Map (FLUM) does not include a recommendation for this parcel. However, the FLUM designates the area use immediately to the west of this development and inside the current city limits as Single Family Residential. She noted that the proposed subdivision is not located within the Knight’s Way Overlay District. Mrs. Ramirez explained that as of June 24, 2021, some of staff’s comments had not been adequately addressed. Due to the number and type of outstanding items that were not compliant with the City’s Code of Ordinances, staff recommended denial of the Preliminary Plat for the subdivision referred to as Stone Lake Trails.

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

Secretary Parker made a motion to approve a Preliminary Plat **with conditions that all of Staffs comments be addressed prior to the July 6, 2021 City Council Meeting** for the subdivision referred to as Stone Lake Trails, on property described as a certain tract of land located in the John Hughes Survey, A-379, located in Bell County, Texas; subject tract being all of the following:

1. A called "28.68 Acres" conveyed in a Warranty deed from Monica Martin, et al to Emmons General Investments, LTD dated 6-19-2018 and recorded in Document No. 2018-00025884 of the Official Public Records of Bell County (OPRBC)
2. A called "53.70 Acres" conveyed in an Assumption Special Warranty Deed from Unlimited Exchange II, Inc. to Emmons General Investments, LTD dated 2-28-2018 and recorded in Document No. 2018-00008312, OPRBC
3. A called "41.06 Acres" conveyed in a Warranty Deed from Ken Emery, et al to Emmons General Investments, LTD dated 8-13-2012 and recorded in Document No. 2012-00033701, OPRBC and
4. A called "11.326 Acres" conveyed in a Warranty Deed from Emmons Construction, LTD to Emmons General Investments, LTD dated 9-25-2013 and recorded in Document No. 2013-00042514, OPRBC

Generally located East of Warriors Path and South of Knight's Way (FM 2410), Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion was approved (7-2).** Vice Chairman Robinson and Commissioner Webster disapproved the motion.

2. P21-18 Discuss and consider a request for Final Plat approval for the subdivision referred to as Espresso Addition, on property described as a 2.736 acre tract of land being part of the W.F. Hunt Survey, Abstract No. 458, Bell County, Texas, being part of that tract conveyed to Schoolgirl, LLC, a Texas Limited Liability Company, as recorded in Instrument No. 2017-001963, Official Public Records of Bell County, Texas, generally located South of Wampum Drive, Harker Heights, Bell County, Texas.

Mrs. Ramirez presented the applicants request for the final plat. She explained the proposed development will consist of 3 commercial lots. She noted the development will be located within the Knight's Way Overlay District, and any future construction will be required to comply with standards set forth in the Overlay District. She explained that as of June 23, 2021, the applicant had adequately addressed staff's comments and currently met the standards and ordinances of the City of Harker Heights. Staff therefore recommended approval of the Final Plat for the subdivision referred to as Espresso Addition.

Stephanie Magnani with Killeen Engineering and Surveying, office located at 2901 E. Stan Schlueter Loop, Killeen, Texas 76542, was present to represent the case.

Commissioner Shine made a motion to approve the final plat for the subdivision referred to as Espresso Addition, on property described as a 2.736 acre tract of land being part of the W.F. Hunt Survey, Abstract No. 458, Bell County, Texas, being part of that tract conveyed to Schoolgirl, LLC, a Texas Limited Liability Company, as recorded in Instrument No. 2017-001963, Official Public Records of Bell County, Texas, generally located South of Wampum Drive, Harker Heights, Bell County, Texas. Commissioner Carey seconded the motion. **The motion was approved (9-0).**

3. P21-20 Discuss and consider a request for Preliminary Plat approval for the subdivision referred to as Corona De Vida Addition, on property described as a 9.997 acre tract of land in Bell County, Texas, being part of the UriaH Hunt Survey, Abstract No. 401, the land

herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to Corona De Vida, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas, generally located East of Comanche Gap Road, Harker Heights, Bell County, Texas.

Mrs. Ramirez presented the applicants request for the preliminary plat. She explained that the proposed development will consist of 1 lot that is currently zoned One Family Dwelling District (R-1) and the 2007 Future Land Use Map shows the future use of this property to be Commercial, Medium Density Residential, and Single Family Residential. She mentioned the applicant indicated that the proposed use for this parcel is as a Church. To include, 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. She noted that on June 16, 2021, staff met with the applicant's engineer to discuss the outstanding comments. On June 23, 2021, the applicant submitted revisions based on the June 10th comments and the June 16th meeting. At the time of the memo, staff had not had an opportunity to review the June 23rd revisions and due to the number of outstanding items, staff recommended approval with conditions of the Preliminary Plat for the subdivision referred to as Corona De Vida. Staff recommended the following conditions:

1. All outstanding comments be resolved prior to the July 6, 2021 City Council Meeting on this application.
2. City Council approval of the preliminary plat would serve as approval for the Planning & Zoning Commission, so long as Condition 1 is satisfied.

Ace Reneau with Mitchell and Associates, office located at 102 N. College Street, Killeen, Texas 76541, was present to represent the case.

Secretary Parker made a motion to approve the Preliminary Plat **with the mentioned conditions** for the subdivision referred to as Corona De Vida Addition, on property described as a 9.997 acre tract of land in Bell County, Texas, being part of the Uriah Hunt Survey, Abstract No. 401, the land herein being all of a called 9.99 acre tract of land conveyed in a Warranty Deed to Corona De Vida, a nonprofit corporation, being described of record in Document No. 2020021660, Official Public Records of Real Property, Bell County, Texas, generally located East of Comanche Gap Road, Harker Heights, Bell County, Texas. Commissioner McCann seconded the motion. **The motion was approved (9-0).**

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 6:44 P.M.

Larry Robison, Chairman

DATE:

Adam Parker, Secretary

DATE:



PLANNING AND ZONING COMMISSION MEMORANDUM

Z21-11

AGENDA ITEM VII-1

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

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

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to B-3 (Local Business District) on property addressed as 1702 E. FM 2410 (E. Knight’s Way). The property consists of approximately three (3) acres of land. The subject property is located within the Knight’s Way Overlay Development District. The Overlay District is a zoning tool that is used to guide the future growth and character along FM 2410 in a manner consistent with the 2007 Comprehensive Plan and the City’s vision. The Overlay District enhances such standards as building placement and design, construction materials, size and height, parking and access, landscaping and buffering, and signage. Any proposed commercial development would have to conform to the required design standards of the Overlay District and the City’s development ordinances.

Surrounding Land Uses

Adjacent land uses include:

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

Per the 2007 Comprehensive Plan, the applicant’s property is located in an area designated for Single Family Use. That same plan identifies most properties between I-14 and Commanche Gap Road that have frontage along E. Knight’s Way (E. FM 2410) for Commercial Use. The abutting E. Knight’s Way (E. FM 2410) is identified as a principal arterial roadway in the Mobility 2030 Thoroughfare Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out forty-four (44) notices to property owners within the 400-foot notification area. As of July 20, 2021, two (2) responses were received in favor of the request, and seven (7) responses were received in opposition of the request. One of the responses in favor of the request and two (2) of the responses in opposition are located within the regulatory 200-foot notification buffer. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

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

1. The proposed use and rezoning is not compatible with the current Comprehensive Plan and FLUM.

ACTION BY PLANNING AND ZONING COMMISSION:

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

ATTACHMENTS:

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



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

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

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

Property Owner(s) Name: Rayham LLC Series 114 **Date:** 6-30-2021

Address: PO Box 2008

City/State/Zip: Harker Heights, TX 76548

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

Legal Description of Property:

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

Lot: 1 **Block:** 6 **Subdivision:** Fawn Valley

Acres: 3.4 **Property ID:** 71407 **Survey:** _____

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

Proposed Use: _____

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

Current Land Use: _____ **Proposed Land Use:** _____

Applicant's Representative (if applicable):

Applicant's Representative: John Reider

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

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 John Reider will represent the owner.

Rayham LLC Series 114
 Printed Name of Property Owner

 Signature of Property Owner

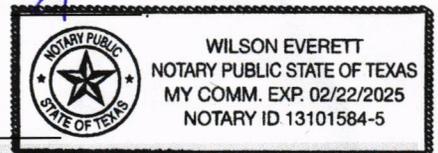
John Reider
 Printed Name of Representative

 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 30 DAY OF June, 2021

Wilson Everett
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/2025



Date Submitted: 6/30/21

STAFF ONLY -- DO NOT FILL OUT BELOW

Received By: Wilson Everett

Pre-Application Meeting

Receipt #: 01711022

Revised: 5/2020

Case # 221-11

§ 155.030 B-3 LOCAL BUSINESS DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B -2 District that is permitted by right.
 - (2) Bakery or confectionery: Engages in preparation, baking, cooking, and selling of products at retail on the premises, with six or less employees.
 - (3) Bank, savings and loan or other financial institutions.
 - (4) Cleaning, pressing and drying plants not employing more than six persons.
 - (5) Florist, garden shop, greenhouse or nursery office (retail): No growing of plants, shrubs or trees out of doors on premises; no outside display or storage unless behind the required front yard fine or the actual setback of the principal building, whichever is greater.
 - (6) General food products, retail sales, such as supermarkets, butcher shops, dairy stores, sea food sales, or health food sales.
 - (7) Cafeteria or catering service.
 - (8) Hospital, home o r center for the acute or chronically ill.
 - (9) Mortuary or funeral chapel.
 - (10) Job printing, provided total mechanical power used in operation of such printing plant shall not exceed five horsepower.
 - (11) Lodge halls and private clubs.
 - (12) Hotels.
 - (13) Restaurants or cafes with drive-in or pick-up service.
 - (14) Restaurants serving alcoholic beverages (in wet areas only) subject to TABC regulations and the following:
 - (a) A restaurant which desires to sell alcohol for on premises consumption, under 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 apart hereof as if fully set out herein.
 - (b) During any consecutive four-month period, a restaurant serving alcoholic beverages must produce at least 51% of its total revenues, exclusive of tips and gratuities, from the provision of food service. Documentation of this requirement may be by affidavit of a certified public accountant or by examination of the books by the city at the city's option. No more than two requests for such documentation shall be made of any restaurant serving alcohol during any calendar year by the city, unless good cause is shown as determined by the City Council in a hearing before the Council requested by the City Manager asking that a restaurant provide the city with the documentation request on more than two occasions during one calendar year. The restaurant must be given 14 days notice of such hearing.
 - (c) The failure of any such restaurant to allow its books to be inspected by the city or provide an affidavit of compliance from a certified public accountant within 14 days of a request being made by the city to verify that the provisions of this section are being complied with, as well as the failure to obey any other provision of the Code of the city or the laws of the state concerning the sale of beer, wine and/or alcoholic beverages, or the operation of a private club, shall result in the following:
 1. Notification in writing mailed to the owner/operator that a violation exists, and what such violation is.
 2. The notification shall give the owner/operator 15 days in which to correct the violation.
 3. If the violation is not corrected within 15 days, a fine of up to \$250 shall be assessed for each violation. Each day the violation shall exist shall be considered as a separate violation.
 - (15) Moving picture house or theater.
 - (16) Tennis or swim club.
 - (17) Auto laundry or car wash.
 - (18) Auto parts sales, new, at retail.
 - (19) Any retail business and typical accessory uses not included in the neighborhood retail district, provided that such use is not noxious or offensive by reason of vibration, smoke, odor, dust, gas, light or noise.
 - (20) Radio studios, repair and sales shops (only).
 - (21) Low impact telecommunication tower (as defined in Chapter 157).
 - (22) Filling station, service station, convenience store, subject to the following requirements:
 - (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.
 - (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.
 - (f) Gasoline storage tanks must be underground.
 - (23) Beer and wine sales for off premises consumption (in wet areas only) subject to TABC and city regulations.
- (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 prescribed 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.

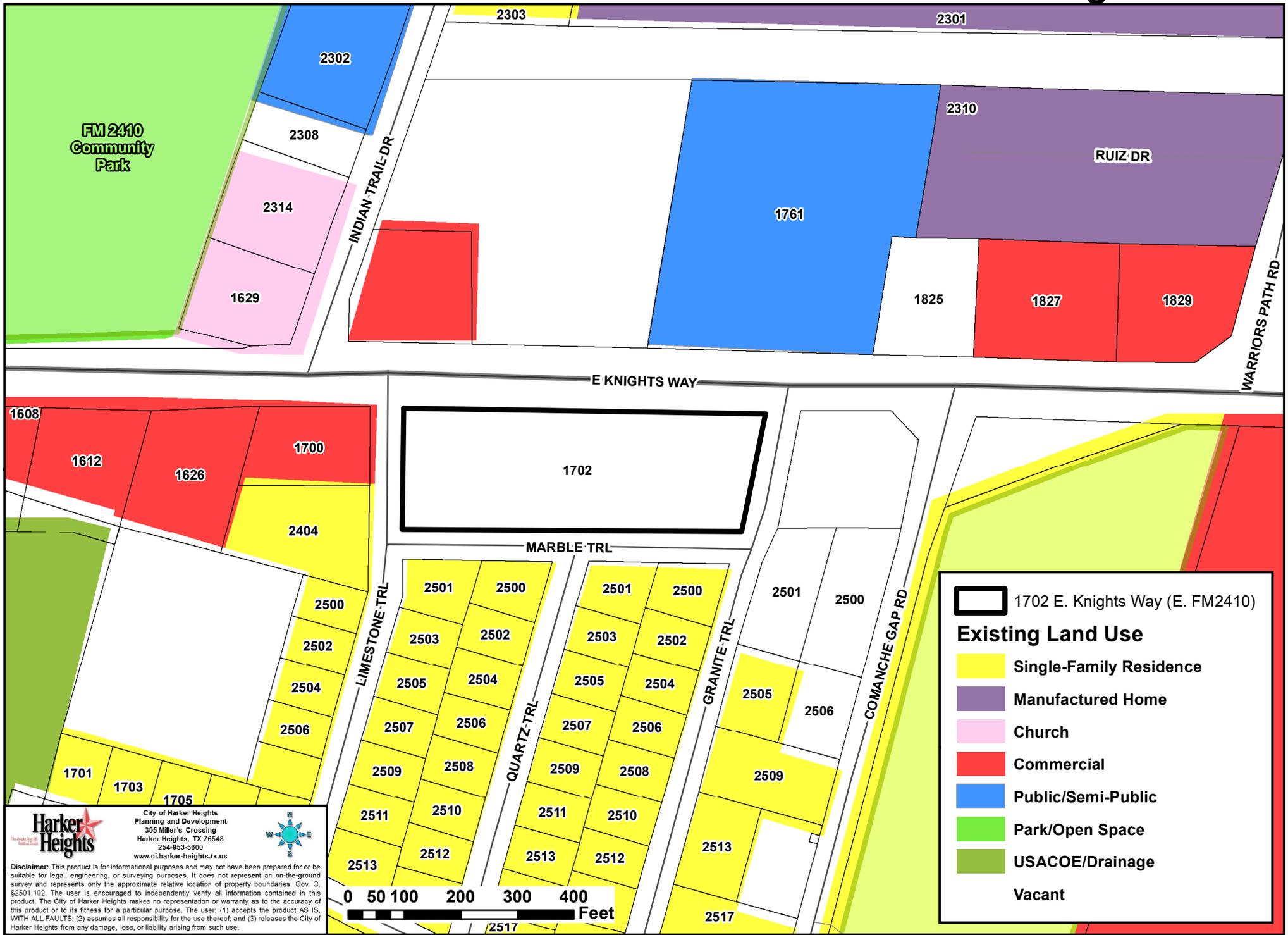


Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
www.ci.harker-heights.tx.us

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



 1702 E. Knights Way (E. FM2410)



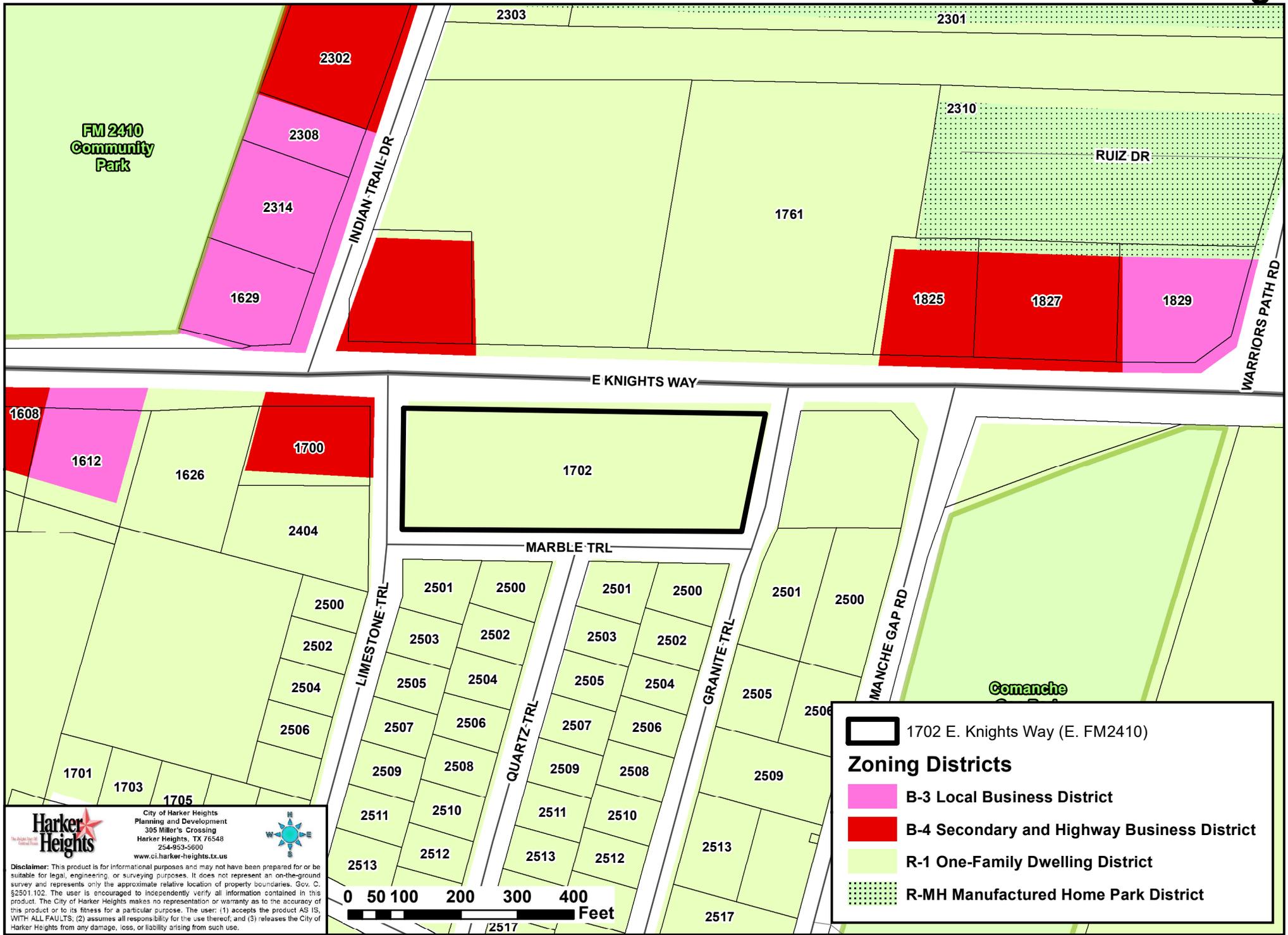
 1702 E. Knights Way (E. FM2410)

Existing Land Use

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

Harker Heights
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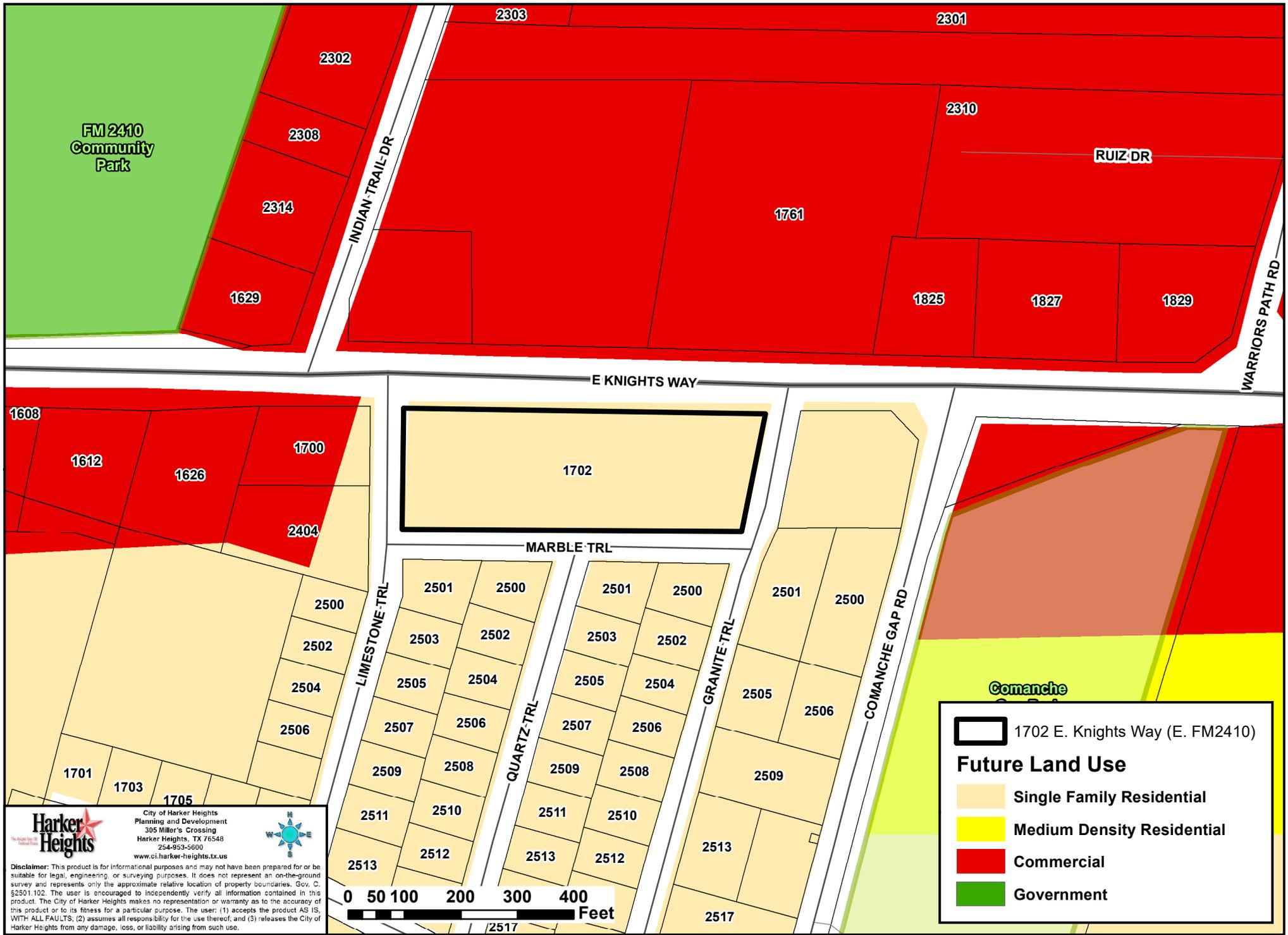
 1702 E. Knights Way (E. FM2410)

Zoning Districts

-  B-3 Local Business District
-  B-4 Secondary and Highway Business District
-  R-1 One-Family Dwelling District
-  R-MH Manufactured Home Park District

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 254-953-5600
 www.ci.harker-heights.tx.us

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



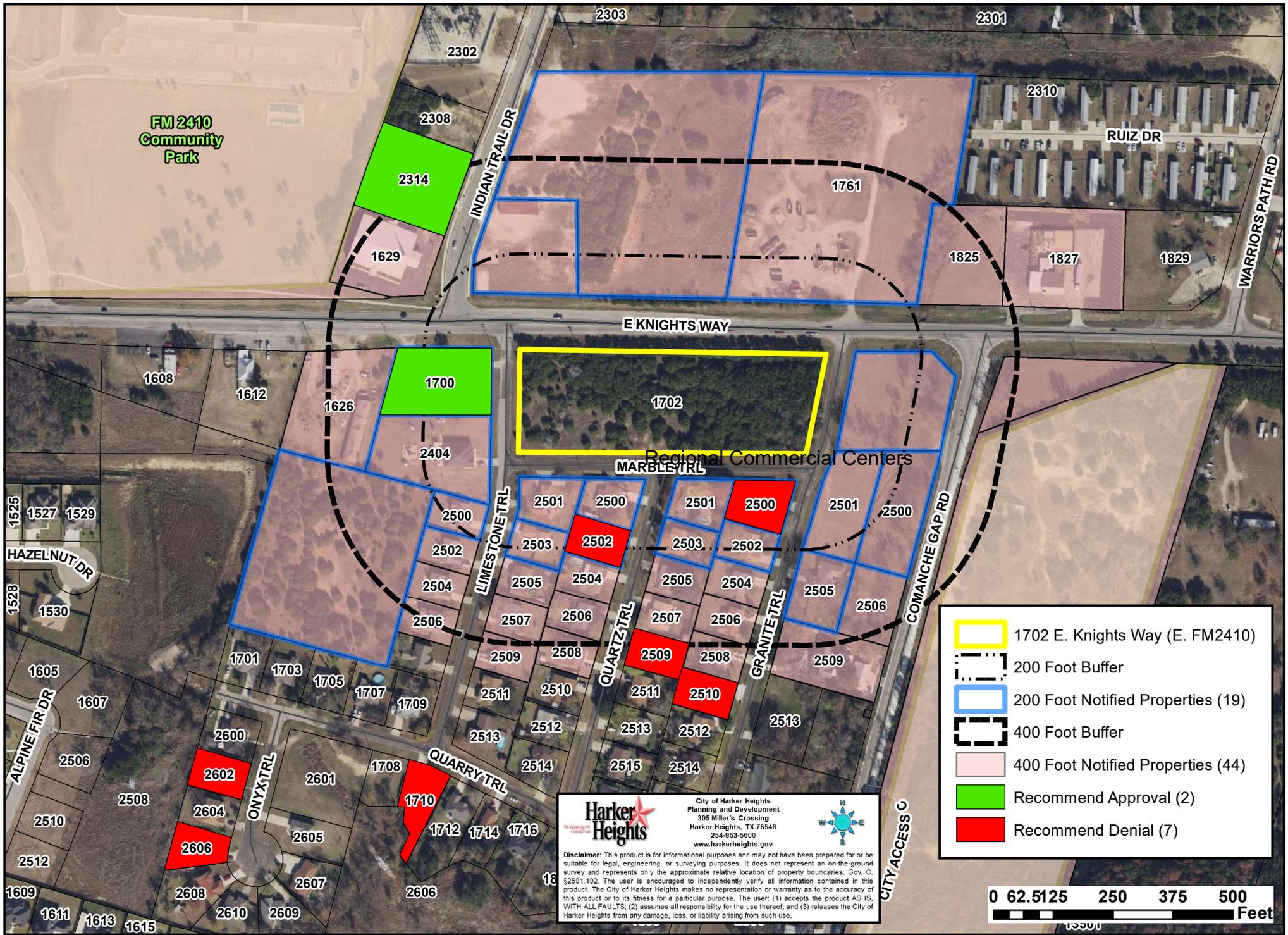
 1702 E. Knights Way (E. FM2410)

Future Land Use

-  Single Family Residential
-  Medium Density Residential
-  Commercial
-  Government

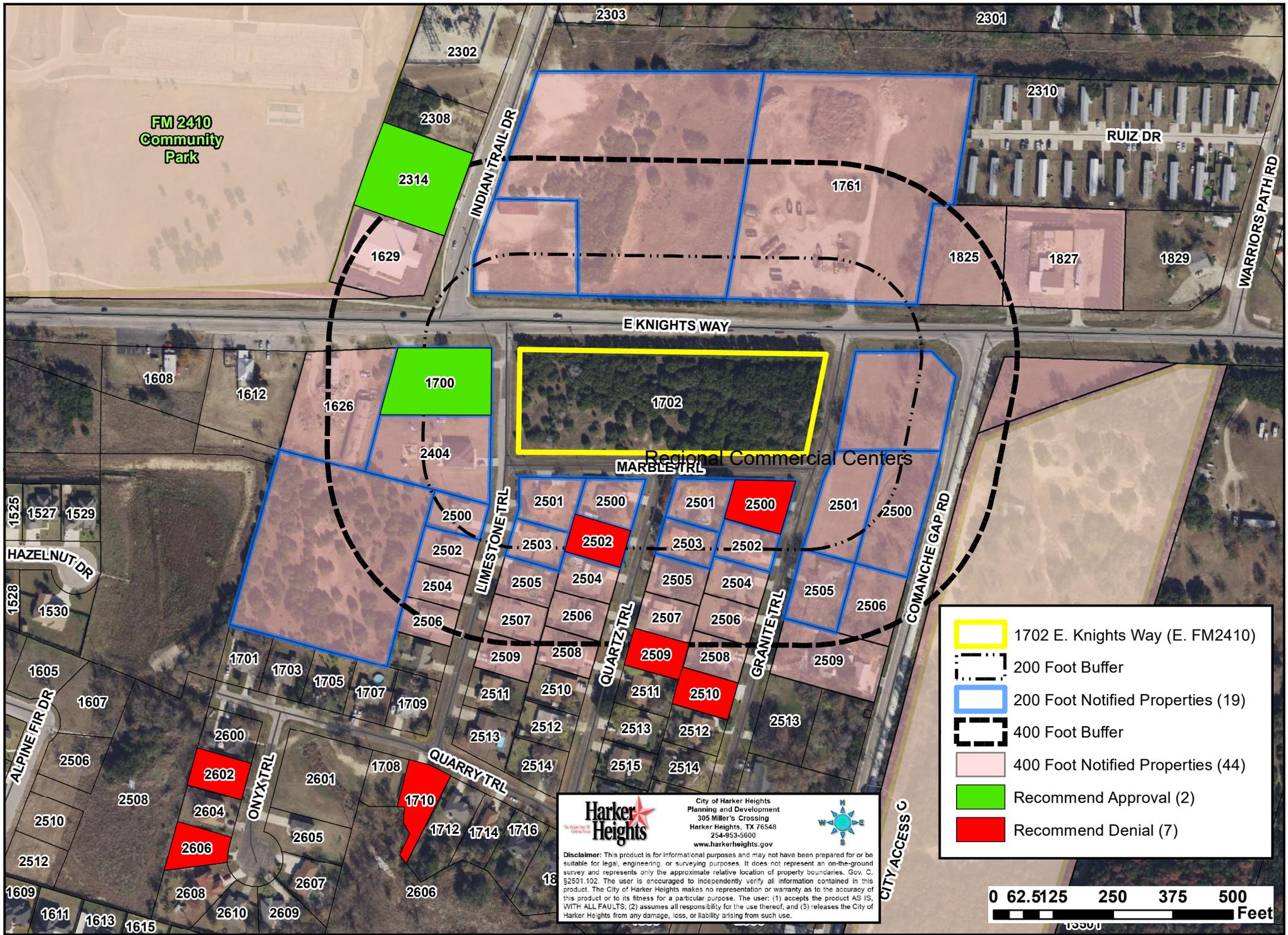
Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5600
 www.ci.harker-heights.tx.us

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.



FM 2410
Community
Park

Regional Commercial Centers



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

FROM: Robert + Heidiwick
1700 E FM 2410
(Address of Your Property that Could
Be **Impacted** by this Request)

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

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Robert Heidiwick
Printed Name

Robert Heidiwick
Signature

7-20-21
Date

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

FROM: Robert Hendrick
2314 Andina Trail
(Address of Your Property that Could
Be **Impacted** by this Request)

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

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Robert Hendrick
Printed Name

Robert Hendrick
Signature

7-20-21
Date

Kristina Ramirez

From: Kristina Ramirez
Sent: Monday, July 19, 2021 10:56 AM
To: Wilson Everett; Yvonne Spell
Subject: FW: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

Please add this to the zoning case file.

Kristina Ramirez
Planning & Development Director
City of Harker Heights | 305 Millers Crossing | Harker Heights, TX 76548
T: 254-953-5663 | **F:** 254-953-5666 | kramirez@harkerheights.gov



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

From: David Mitchell <dmitchell@harkerheights.gov>
Sent: Monday, July 19, 2021 10:39 AM
To: Kristina Ramirez <kramirez@harkerheights.gov>
Subject: FW: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

FYI

From: Spencer Smith <shsmith@harkerheights.gov>
Sent: Monday, July 19, 2021 9:56 AM
To: Tonia <tlcstorm2@yahoo.com>
Cc: David Mitchell <dmitchell@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

Good morning.
I have received and reviewed your correspondence.
I have added the City Manager and the Assistant City Manager to this reply.
Respectfully,
Spencer H. Smith
Mayor
City of Harker heights

From: Tonia <tlcstorm2@yahoo.com>
Sent: Sunday, July 18, 2021 11:44 AM
To: Spencer Smith <shsmith@harkerheights.gov>; Jennifer McCann <jmccann@harkerheights.gov>; Jackeline Soriano Fountain <jfountain@harkerheights.gov>; Sam Halabi <shalabi@harkerheights.gov>
Subject: Fwd: Rezoning R-1 family zoned dwelling 1702 E. Knights was (FM 2410)

Sent from my iPhone

Begin forwarded message:

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

To whom it may concern,

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

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

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

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

Thank you,
Tonia Storminger
254-702-7427

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



Sent from my iPhone

TO: City of Harker Heights
Planning & Development Department

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

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

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

Comments:

I say "No" for all the same
reasons we said no six months ago.

Tammy Cawthorne
Printed Name

Tammy Cawthorne
Signature

July 19, 2021
Date

TO: City of Harker Heights
Planning & Development Department

FROM: Loretta Shatto on behalf of John Shatto

2502 Quartz Trail Harker Heights TX 76548
(Address of Your Property that Could
Be **Impacted** by this Request)

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

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

We oppose this rezoning for the following reasons: 1. When we purchased our home in 1994, we were told only residential homes would be built in the area wanting to be rezoned. 2. Traffic will increase through neighborhood and there are children that play in the streets, ride their bicycles, and walking or running neighbors. 3. Noise will increase with whatever will be put in there and we enjoy the quietness of our neighborhood. 4. Lights - if businesses are put in there, lighting will increase in area which could shine into homes plus the pollution. 5. Smell - Depending on what is put in there, the smell will change in area due to restaurants, etc. 6. Trash - with any businesses, trash is a huge concern and we don't want it blowing in our yard or making our neighborhood trashy. This is our neighborhood and we care. We don't want this in our neighborhood, would you?

Loretta Shatto
Printed Name

[Signature] for
Signature John Shatto

7/19/21
Date

Wilson Everett

From: Kristina Ramirez
Sent: Sunday, July 18, 2021 11:34 PM
To: Yvonne Spell; Wilson Everett
Subject: Fwd: Raymond Hamden- Fawn Valley Rezoning Application

For the packet.

Get [Outlook for iOS](#)

From: Kristine Dillon <kdillon94@yahoo.com>
Sent: Sunday, July 18, 2021 10:42:43 AM
To: Kristina Ramirez <kramirez@harkerheights.gov>
Subject: Fwd: Raymond Hamden- Fawn Valley Rezoning Application

Ms. Ramirez,

I am forwarding an email which was sent to the mayor and council members regarding the above referenced application. I request that it be submitted for consideration by the planning commission hearing.

Additionally, I would like to request that better signage be posted. The current sign which is 3-4 feet from 2410 is not adequate. In addition to the sign not being able to be read, the grass on Mr. Hamden's property is too tall and covering it. I am requesting that signs be placed on Marble, Limestone and Granite trail.

Thank you

Kristine Dillon
2509 Quartz Trail

Sent from my iPhone

Begin forwarded message:

From: Kristine Dillon <kdillon94@yahoo.com>
Date: July 18, 2021 at 10:00:58 AM CDT
To: jmccann@harkerheights.gov, lnash@harkerheights.gov, Michael Blomquist <mblomquist@harkerheights.gov>, shalabi@harkerheights.gov, shsmith@harkerheights.gov, jfountain@harkerheights.gov
Subject: **Raymond Hamden- Fawn Valley Rezoning Application**

Mayor and Council members,

My name is Kristine Dillon. I reside at 2509 Quartz Trail in the Fawn Valley subdivision. Nine months ago, our neighborhood received notification that Raymond Hamden, the owner of Lot One, Block Six wanted to rezone the land from R-1 to B-3. This was a major change in use of the land. Needless to say, our neighborhood was quite upset. At the council meeting, you heard from many of my neighbors, including myself, as to why we were in disapproval of the rezoning.

Here we are nearly 9 months later, and we received another notice of Mr. Hamden making the same exact application. Needless to say, once again we are very much in disapproval of the application.

First and foremost, nothing that myself and my neighbors spoke about has changed. The properties on Granite Trail still have major flooding issues. The council heard directly from these homeowners at the last hearing. Changing the topography of the land from natural to concrete would make it more impervious for water run off and cause more issues with flooding. My front yard on Quartz floods during heavy rains as the ground cannot absorb the water fast enough as it runs towards the back of our neighborhood towards Quarry Trail.

Secondly, our aging streets and entrances are still the same width. The only change is that due to the last ice storm the edges of our streets have continued to crumble at an accelerated rate. We still have the same concerns about heavy traffic and trucks using our streets for access to the potential commercialization of this property.

Thirdly, we still have the same safety concerns. There are no sidewalks in our neighborhood. Elementary and Middle School age children from every street have to walk to one centralized bus stop at the intersection of Quarry and Quartz. We still worry about distracted drivers not living in our neighborhood endangering the safety of these children walking to and from the bus stop. I voiced my concerns of this issue at the last hearing as I worry that our children will no longer be able to safely play outside due to increased traffic and individuals who may prey on children. In addition many residents ride bikes, walk their dogs and just leisurely stroll through the neighborhood. Our safety of being able to do is in jeopardy. Sidewalks cannot be easily installed along the roadways as there is a drainage easement along the front of our properties. The already narrow streets would need to be even more narrowed or underground drainage systems/sewers would need to be installed.

Fourthly, 2410 is a extremely busy traffic corridor. We cannot safely turn into our neighborhood as it stands now without worrying about being rear ended by a driver who does not see us slowing down to make a right turn or stopping to turn left onto Limestone or Granite. Countless times, while stopped to make a left onto Granite, cars will pass me on the right by going off road onto the land owned by the city recycling center. Additionally, turning left onto 2410 from either road during rush hour is nearly impossible. A strip mall would make the traffic in this area even worse. The area from Indian Trail to Warriors Path is a huge safety concern without the addition of a commercial building on this lot.

In conclusion, the council advised Mr. Hamden to talk with residents about his plan. To date, he has not done so. This is blatantly a total disregard of the City Council's advice and voice. I know for myself, the only communication that I received was through his cousin who lives next door to me that he would retaliate by bulldozing the trees and wanted to know which law firm I work for. The latter makes me concerned for my personal safety, livelihood and well-being. Mr. Hamden's bully tactics is proof that he feels that he is superior to our needs and concerns. His responses to our voiced concerns at the last meeting were along the lines of "oh well" and that "he needs to support his family" and he showed no empathy towards us, our families and the investments we made in our homes.

We in Fawn Valley are ready to fight this application again. We stand firmly in our opposition. Thank you for your consideration.

Sincerely,

Kristine Dillon.

Sent from my iPhone

Kristina Ramirez

From: Kristina Ramirez
Sent: Tuesday, July 20, 2021 2:12 PM
To: Daniel Phillips; Wilson Everett
Subject: Fwd: Neighboring Rezone Request - Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

Another one to add to the map. thank you.

Get [Outlook for iOS](#)

From: David Mitchell <dmitchell@harkerheights.gov>
Sent: Tuesday, July 20, 2021 2:06:37 PM
To: Kristina Ramirez <kramirez@harkerheights.gov>
Subject: FW: Neighboring Rezone Request - Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

FYI

From: Spencer Smith <shsmith@harkerheights.gov>
Sent: Tuesday, July 20, 2021 1:53 PM
To: Barbara Newman <bellaangel808@gmail.com>
Cc: David Mitchell <dmitchell@harkerheights.gov>; Jerry Bark <jbark@harkerheights.gov>
Subject: Re: Neighboring Rezone Request - Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

Good afternoon.

I have received and reviewed your correspondence.

I have added the City Manager and the Assistant City Manager to this response.

Respectfully,

Spencer H. Smith

Mayor City of Harker Heights

From: Barbara Newman <bellaangel808@gmail.com>
Sent: Monday, July 19, 2021 3:28 PM
To: Spencer Smith <shsmith@harkerheights.gov>
Cc: Jackeline Soriano Fountain <jfountain@harkerheights.gov>; Jennifer McCann <jmccann@harkerheights.gov>; Lynda Nash <lnash@harkerheights.gov>; Michael Blomquist <mblomquist@harkerheights.gov>; Sam Halabi <shalabi@harkerheights.gov>; Brad <bgarrison0304@gmail.com>; bellaangel808 <bellaangel808@gmail.com>
Subject: Neighboring Rezone Request - Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

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

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I am wondering why there is another proposal on the table, when our neighborhood denied the last request in Sep 2020, which was slated for the lot across the street (east of this 2nd proposal). That proposal was disapproved.

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

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

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

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

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

; Rezoning subject lot will only make traffic worse, back up traffic for anyone turning onto or from 2410, making it even more unsafe for those of us that live here just trying to get to work/school or home. A commercial business right there is going to be right in the actual vicinity of the transfer station traffic, traffic from our street exiting or entering onto or from 2410, traffic from the new Nolan Middle School and traffic going to or coming from Dana Peak Park or the residential area on Comanche Gap. You will have people coming/leaving the transfer station, coming/leaving Granite trail, coming/leaving the rezoned commercial business and the people coming/leaving Comanche Gap and now the added Nolan Middle School traffic on top of a new business in that same cluster of traffic.

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

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

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

: Rezoning subject lot will result in removing the current dirt and trees that slow down some of that excess drainage now and help absorb some of that water. A commercial business will have concrete parking lot and removing that protective ground will make our neighborhood more susceptible to severe flooding. If you look at the attached, this picture was taken 19 Jul 21 after only a 15 minute rain. The picture wasn't taken for until 15 minutes after the rain storm because the direction of the rain prevented us to take a picture. However, you can see how full the water is even after the rain had stopped for 5 minutes. While it was raining the water was up to the street, which is normal at times for our area. If this area with the vegetation and

trees are removed and it's all concrete, our neighborhood will be susceptible to worse flooding. The trees and vegetation in that area currently, also help cut down some of the already street traffic noise which passes non stop on FM 2410.

There are plenty of empty lots up and down FM 2410 that are not in such a congested area or this close to a quiet, residential, safe neighborhood that I'm sure can be rezoned without affecting any of the residents. As a matter of fact, there is an empty lot at the corner of FM 2410 and Indian Trail. There are no homes, nothing there to disrupt. We ask that you leave our neighborhood and the safety of its residents alone and deny/disapprove this proposal!

**Brad Garrison
Resident/Owner
2510 Granite Trail
Harker Heights, TX 76548
July 19, 2021 3:25PM**

From: [Nola Brown](#)
To: [Yvonne Spell](#)
Subject: Rezoning Request
Date: Monday, July 19, 2021 11:30:29 AM

Hello,

I was given a rezoning request approval sheet. Can I just send it her through email, or dino have to drop it off? Thank you in advance for any information you can provide.

Nola Brown

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

FROM: 2602 Onyx Ter.
HH TX 76548

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

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

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

Comments:

Nola Brown
Printed Name

[Signature]
Signature

7/19/21
Date

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

FROM: 2600 Onyx Trail
Harker Heights TX 76548
(Address of Your Property that Could
Be **Impacted** by this Request)

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

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I am against bringing a business into
our family neighborhood. I feel it
would disrupt the quiet family
atmosphere by bringing unwanted
interruption into the neighborhood.

Stephanie Perry
Printed Name

[Signature]
Signature

7.19.2021
Date



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-12

AGENDA ITEM VII-2

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS MEADOW ACRES 1ST EXTENSION, BLOCK EIGHT (8), LOT EIGHTEEN (18), GENERALLY LOCATED AT 209 W. ROBIN 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-2 (Two Family Dwelling District) on property addressed as 209 W. Robin Lane. The property consists of approximately 9,821 square feet and the request will enable the applicant to construct a two-family dwelling house on the property.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--------------------------|----------------------------|------------------------------------|
| North | Manufactured Home | High Density Residential | R-3 Multi-Family Dwelling District |
| South | Manufactured Home | Medium Density Residential | R-1 One Family Dwelling District |
| East | Single Family Residence | High Density Residential | R-1 One Family Dwelling District |
| West | Manufactured Home | Single Family Residential | R-1 One Family Dwelling District |

Per the 2007 Comprehensive Plan the applicant’s property is located in an area designated as Medium Density Residential. A survey of the area identified surrounding properties to be single family residences and manufactured homes. The rezone request is consistent with the 2007 City of Harker Heights Comprehensive Plan. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impact on the surrounding area

Flood Damage Prevention:

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

Notices:

Staff sent out fifty-five (55) notices to property owners within the 400-foot notification area. As of July 20, 2021, zero (0) responses were received in favor of the request, and one (1) response was received in opposition of the request. The one (1) response in opposition is located within the regulatory 200-foot notification buffer. 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-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Block Eight (8), Lot Eighteen (18), generally located at 209 W. Robin Lane, 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-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Block Eight (8), Lot Eighteen (18), generally located at 209 W. Robin Lane, 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. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map
8. Responses Received



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: Cornerstone Contractors, Inc. **Date:** 6/30/2021

Address: PO Box 2434

City/State/Zip: Harker Heights, TX 76548

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

Legal Description of Property:

Location of Property (Address if available): 209 W Robin Lane

Lot: 18 Block: 8 Subdivision: Meadow Acres 1st Extension

Acres: 00.23 Property ID: 76860 Survey: N/A

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

Proposed Use: new construction duplex

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

Current Land Use: Medium Density Residential **Proposed Land Use:** DUPLEX

Applicant's Representative (if applicable):

Applicant's Representative: Raymond Hamden

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

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.

Tim Boose
Printed Name of Property Owner

[Signature]
Signature of Property Owner

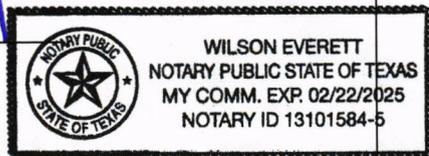
Raymond Hamden
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 30 DAY OF June, 2021

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/2025



Date Submitted: 6/30/21

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01711042

Received By: [Signature]

Revised: 5/2020

Case #: 221-12

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.
- (2) Two-family or duplex dwelling.
- (3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

(B) *Conditional uses.* Neighborhood association facilities.

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

(D) *Area regulations.* Lots in the Wildewood Subdivision, and duplex lots platted prior to November 8, 2006, shall have six-foot-minimum side setbacks, except when siding on a street such setback shall be a minimum of 15 feet. All other duplex lots shall have a minimum of ten-foot-wide side building setbacks, except when siding on a street such setback shall be a minimum of 15 feet.

(E) *Intensity of use.*

(1) A lot on which there is erected a single-family dwelling shall conform to the same intensity of use requirements as those in the R-1 (Single-Family Dwelling District) as noted in § 155.020(E).

(2) The minimum lot area shall be 7,800 square feet for lots in the Wildewood Subdivision and duplex lots platted prior to November 8, 2006. All other duplex lots shall contain a minimum lot area of 8,400 square feet, and an average width of not less than 70 feet.

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

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

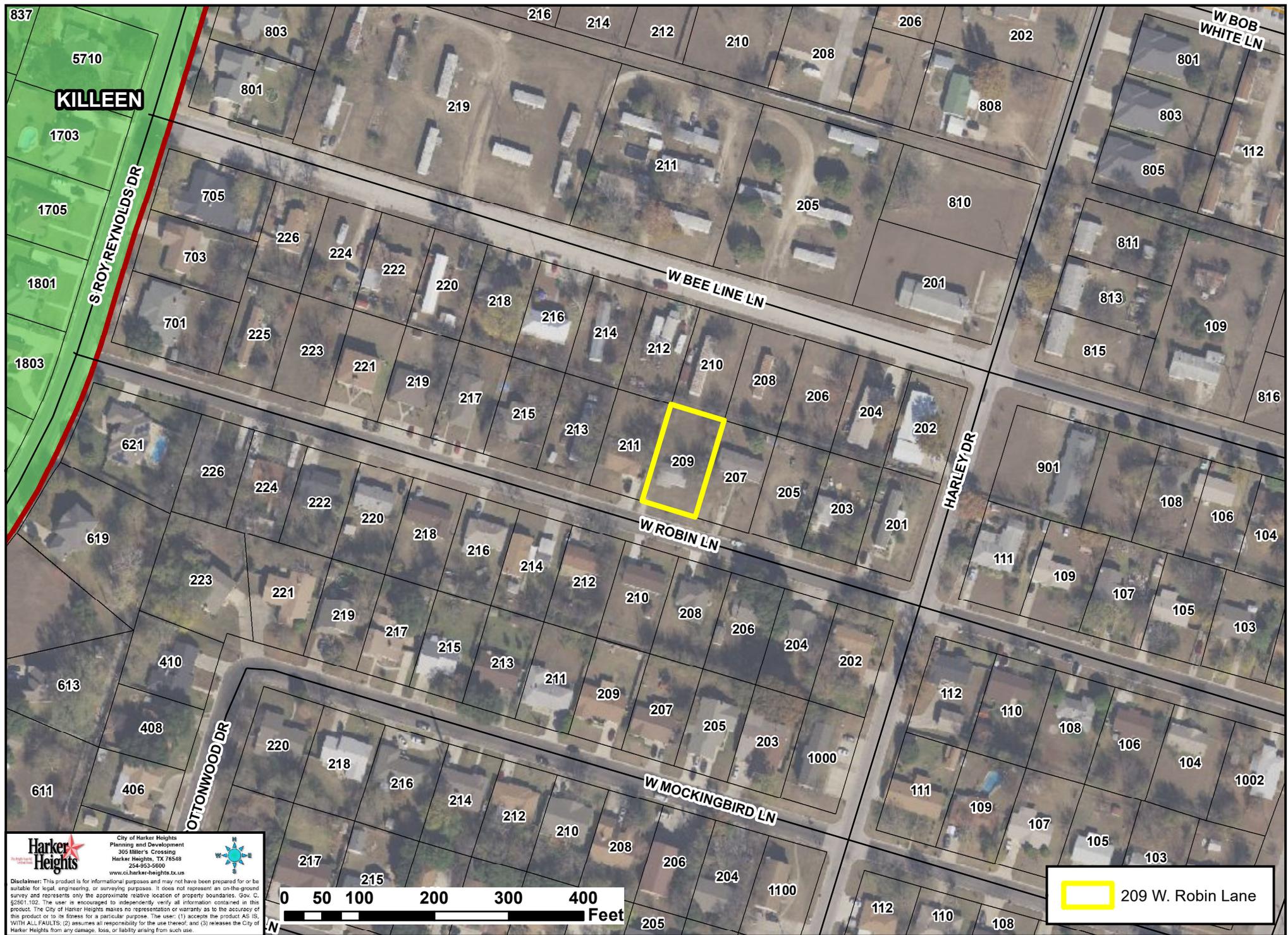
(H) *Signs.* Same as in R-1 district.

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

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

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

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2012-01, passed 2-14-12; Am. Ord. 2012-04, passed 3-27-12; Am. Ord. 2016-24, passed 10-11-16)



Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76748
254-953-5600
www.ci.harkerheights.tx.us

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

 209 W. Robin Lane





Harker Heights ES

KILLEEN

209 W Robin

Zoning Districts

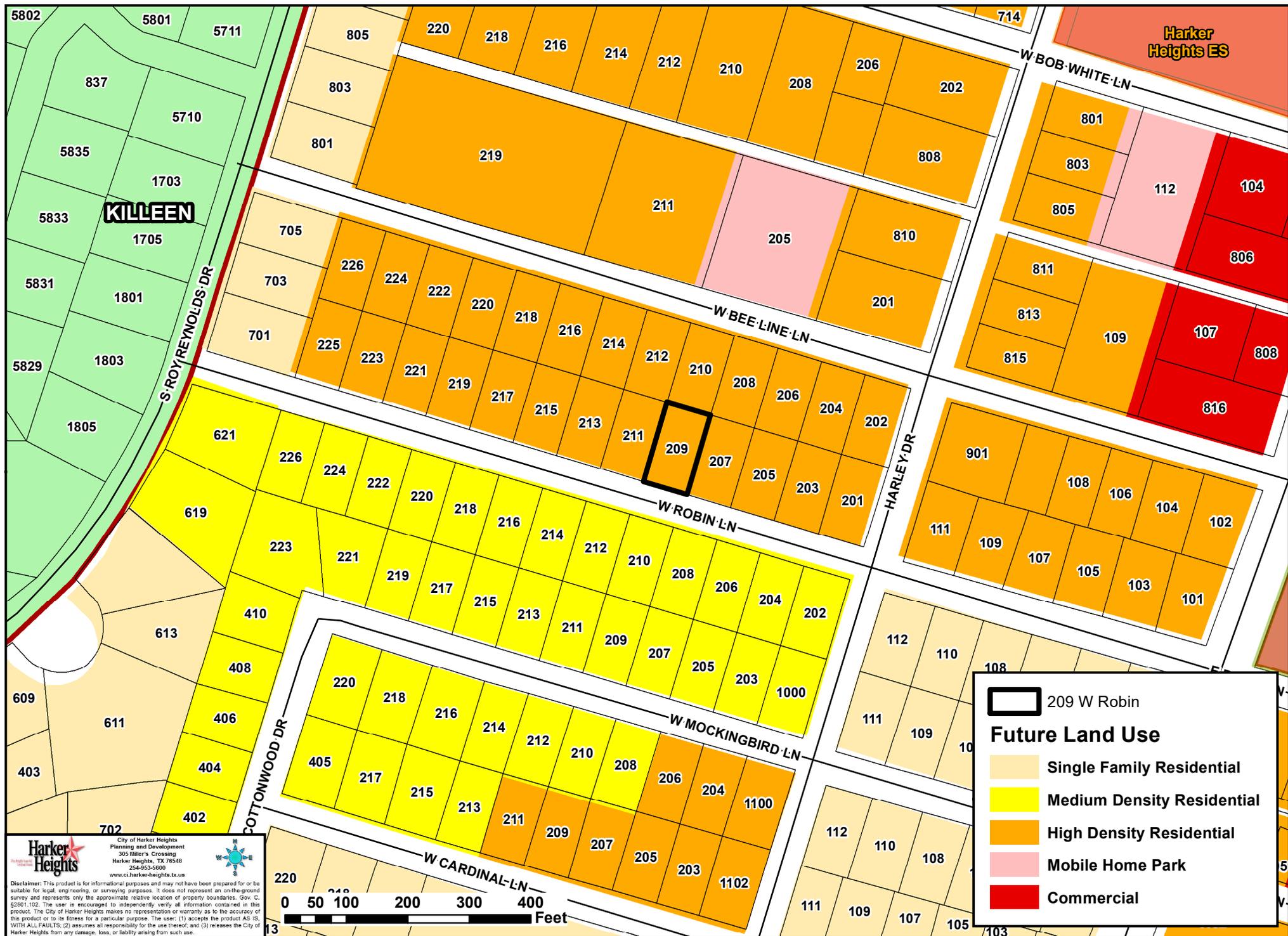
- B-1 Office District
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District

Harker Heights

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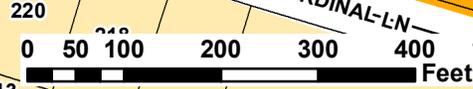
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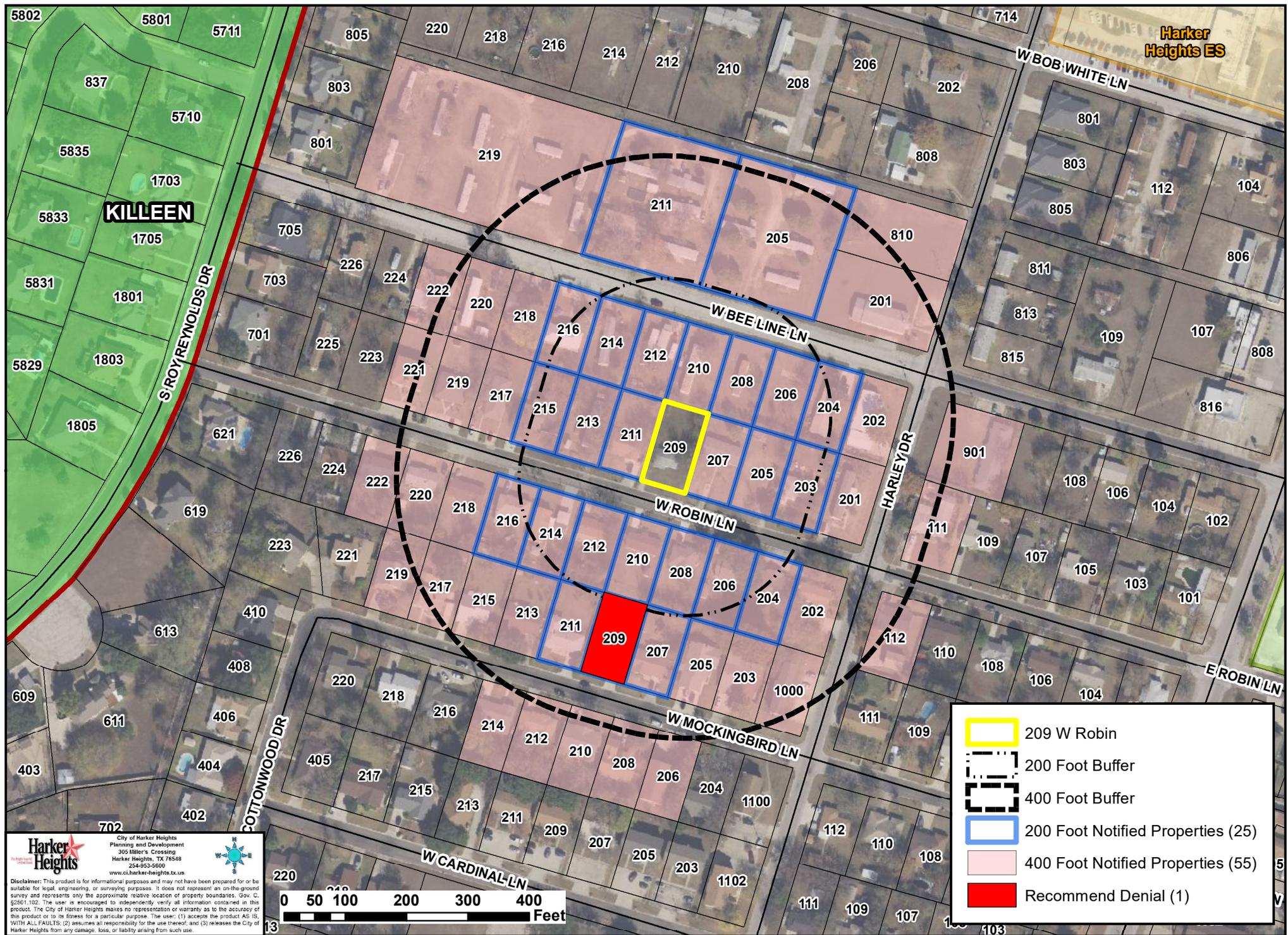
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TO: **City of Harker Heights
Planning & Development Department**

FROM: Percy and Toni Brown
209 West Mockingbird Lane H.H. Tx 76548
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Meadow Acres 1st Extension, Lot Eighteen (18), Block Eight (8), generally located at 209 W. Robin Lane, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

We are retirees, and have been living in R-1 (One Family Dwelling) for 28 years. There is no need to change from One Family Dwelling District to R-2 (two family Dwelling District) because who ever put in an application to consider rezoning most likely would benefit from it financially. My husband and I are senior citizens and have lived in this neighborhood longer than any other home owner on our street. We have good neighbors and going from R-1 to R2 would change the whole dynamic of our neighborhood.

Toni Brown
Printed Name

Toni Brown
Signature

07-20-21
Date



PLANNING AND ZONING COMMISSION MEMORANDUM

Z21-13

AGENDA ITEM VII-3

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR

DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT), R1-M (ONE FAMILY MANUFACTURED HOME DWELLING DISTRICT) AND B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) TO PD (PLANNED DEVELOPMENT) WITH R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS ALL LAND LOCATED WITHIN MOBILE MANOR ESTATES SECTION ONE (1), GENERALLY LOCATED NEAR THE INTERSECTION OF INDIAN OAKS DRIVE AND S. AMY LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1). The property consists of approximately 19.578 acres and the request will enable the applicant to construct two-family dwelling houses.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--|---|--|
| North | Multi-Family Residence Manufactured Home Single Family Residence Duplex Drainage | High Density Residential Commercial Mixed Residential | R-3 Multi-Family Dwelling District B-4 Secondary and Highway Business District R-MU Mixed Use Residential |
| South | Commercial/Retail | Commercial | B-4 Secondary and Highway Business District |
| East | Vacant Public/Semi-Public | Commercial | B-2 Neighborhood Retail Business District |
| West | Single Family Residence Duplex | Commercial Single Family Residential | R-1 One Family Dwelling District R-2 Two Family Dwelling District |

Per the 2007 Comprehensive Plan, the applicant’s property is located in an area designated as Commercial/Office/Retail and Manufactured Home Park. This area is designated as an acceptable replacement for aging manufactured housing or for new development. A survey of the area identified most of the properties to consist of multi-family housing, duplexes, single family residences, commercial/retail, and public/semi-public use. 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.

Flood Damage Prevention:

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

Notices:

Staff sent out ninety-three (93) notices to property owners within the 400-foot notification area. As of July 20, 2021, one (1) response was received in favor of the request, and eight (8) responses were received in opposition of the request. Eight (8) of the responses in opposition are located within the regulatory 200-foot notification buffer. 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), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1), generally located at Indian Oaks Drive and S. Amy Lane, Harker Heights, Bell County, Texas, in accordance to Section 155.036 of the Harker Heights Code of Ordinance and 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), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R-2 (Two Family Dwelling District) on property described as all land located within Mobile Manor Estates Section One (1), generally located at Indian Oaks Drive and S. Amy Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

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



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: Killeen Associates, LLC Date: 6/25/2021

Address: 16126 Sherman Way

City/State/Zip: Van Nuys CA 91406

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

Legal Description of Property:

Location of Property (Address if available): North east corner of Amyln & Talien Oaks Dr.

Lot: _____ Block: _____ Subdivision: Mobile Manor Estates

Acres: 15 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: Duplex

Current Zoning Classification: B-4 B-4, R-1, R-1M, ym Proposed Zoning: PD WI R-2I

Current Land Use: Mobile Home Park Proposed Land Use: Duplex subdivision

Applicant's Representative (if applicable):

Applicant's Representative: Arrowhead Developers LLC

Phone: [REDACTED] E-Mail: _____

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

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

Michael T. Novak, as Manager
 Printed Name of Property Owner

Michael T. Novak MANAGER
 Signature of Property Owner

Jacome Gomes
 Printed Name of Representative

Jacome Gomes
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS _____ DAY OF _____, 20_____.

See attached certificate

SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

STAFF ONLY - DO NOT FILL OUT BELOW

Date Submitted: 6/20/21

Pre-Application Meeting

Receipt #: 01711291

Received By: Wilson Green

Revised: 5/2020

Case #: 221-13

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

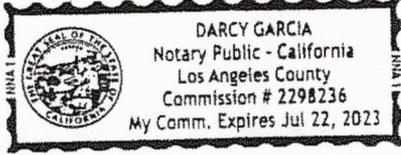
County of LOS ANGELES

On June 25, 2021, before me, Darcy Garcia, Notary Public, personally appeared Michael T. Novick, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Darcy Garcia*



(Seal)

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.
- (2) Two-family or duplex dwelling.
- (3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

(B) *Conditional uses.* Neighborhood association facilities.

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

(D) *Area regulations.* Lots in the Wildewood Subdivision, and duplex lots platted prior to November 8, 2006, shall have six-foot-minimum side setbacks, except when siding on a street such setback shall be a minimum of 15 feet. All other duplex lots shall have a minimum of ten-foot-wide side building setbacks, except when siding on a street such setback shall be a minimum of 15 feet.

(E) *Intensity of use.*

(1) A lot on which there is erected a single-family dwelling shall conform to the same intensity of use requirements as those in the R-1 (Single-Family Dwelling District) as noted in § 155.020(E).

(2) The minimum lot area shall be 7,800 square feet for lots in the Wildewood Subdivision and duplex lots platted prior to November 8, 2006. All other duplex lots shall contain a minimum lot area of 8,400 square feet, and an average width of not less than 70 feet.

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

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

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

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

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

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

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2012-01, passed 2-14-12; Am. Ord. 2012-04, passed 3-27-12; Am. Ord. 2016-24, passed 10-11-16)

§ 155.036 PD -PLANNED DEVELOPMENT DISTRICT.

(A) *Purpose and definition.* The Planned Development District accommodates planned associations of uses developed as integral land use units such as industrial districts, offices, commercial or service centers, shopping centers, residential developments of multiple or mixed housing including attached single-family dwellings or any appropriate combination of uses which may be planned, developed or operated as integral land use units either by a single owner or a combination of owners. A Planned Development District may be used to permit new or innovative concepts in land utilization not permitted by other zoning districts in this chapter. While greater flexibility is given to allow special conditions or restrictions which would not otherwise allow the development to occur, procedures are established herein to insure against misuse of increased flexibility.

(B) *Permitted uses.* Any use or combination of uses authorized by the Planning and Zoning Commission and City Council is permitted in a Planned Development District if the use is consistent with the following categories:

(1) *Planned Development - Residential (PD-R).* All uses permitted in the residential zoning districts are permitted in a PD-R development.

(2) *Planned Development - Business (PD-B).* All uses permitted in the B-I through B-5 zoning districts (except sexually-oriented businesses) are permitted in a PD-B development. Alcoholic beverages sale and service are allowed in the wet area only, subject to applicable regulations.

(3) *Planned Development - Industrial (PD-I).* All uses permitted in the M-I and M-2 zoning district are permitted in a PD-I development.

(4) *Planning Development - Mixed Use (PD-M).* All uses permitted in all zoning districts (except sexually-oriented businesses) are permitted in a PD-M development. Alcoholic beverages sales and service are allowed in the wet area only.

(C) *Minimum requirements.* All planned developments shall comply with the following standards:

(1) Unless otherwise specified in the approved development plan, the minimum requirements for each development shall be those stated in the subdivision and zoning requirements of the most restrictive zoning district in which designated uses are permitted.

(2) The minimum acreage for a planned development shall be five acres.

(3) Open space landscaped buffers and/or screening shall be required to separate land uses within the planned development from land uses adjacent to the planned development. No structure, parking lot, equipment pad, or other man-made construction not approved by the city shall be placed in an open space buffer. The size and location of these buffers shall be determined by the City Council, upon receiving the Planning and Zoning Commission's recommendations after review of the development plan for the proposed development. The minimum size of an open space buffer shall be 25 feet, measured from the exterior property line. Screening and/or landscaping may be required within the buffer, based on the location of existing development, the type of development, topography, or other criteria established by the City Council.

(4) Where structures within the planned development that exceed 35 feet in height are proposed to be erected on lots adjacent to R-1 and R-2 zoning districts, such structures shall be located one foot from the boundary of the open space buffer for each two feet of height over 35 feet.

(5) Planned developments designated as PD-B, PD-I, PD-M are prohibited on local and minor streets.

(6) An owners' association will be required if other satisfactory arrangements have not been made for providing, operating, and maintaining common facilities including streets, drives, service and parking areas, common open spaces, and common recreational areas at the time the development plan is submitted. If an owners' association is required, the articles for incorporation of an owners' association shall be reviewed by the city to assure compliance with the provisions this section.

(D) *Requests for PD approval.* Requests for a PD designation shall be processed as a rezoning request unless otherwise specified in this section. A development plan for the proposed planned development shall be filed with the Director of Planning and Development showing the location of the planned development and the relationship of the various land uses included in the development.

(1) The form and content of the site development plan shall consist of a site plan showing the proposed land uses, landscaping, parking, height of buildings, driveways, screening, setbacks, project phasing, and other items that may be required by the Planning and Development Director.

(2) Preliminary and final plats for the development shall be prepared in accordance with the provisions of Chapter 154, with any modifications to the development plan approved by the City Council and Planning and Zoning Commission.

(E) *Review of request.* Each proposed development shall be reviewed to determine the compatibility of the development with surrounding land uses. No planned development should be approved if it is found that the proposed development:

- (1) Adversely impacts existing or permitted uses on abutting sites that cannot be mitigated;
- (2) Adversely affects 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 considering existing zoning and land uses in the area;
- (3) Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts; or
- (4) Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or type of signs.

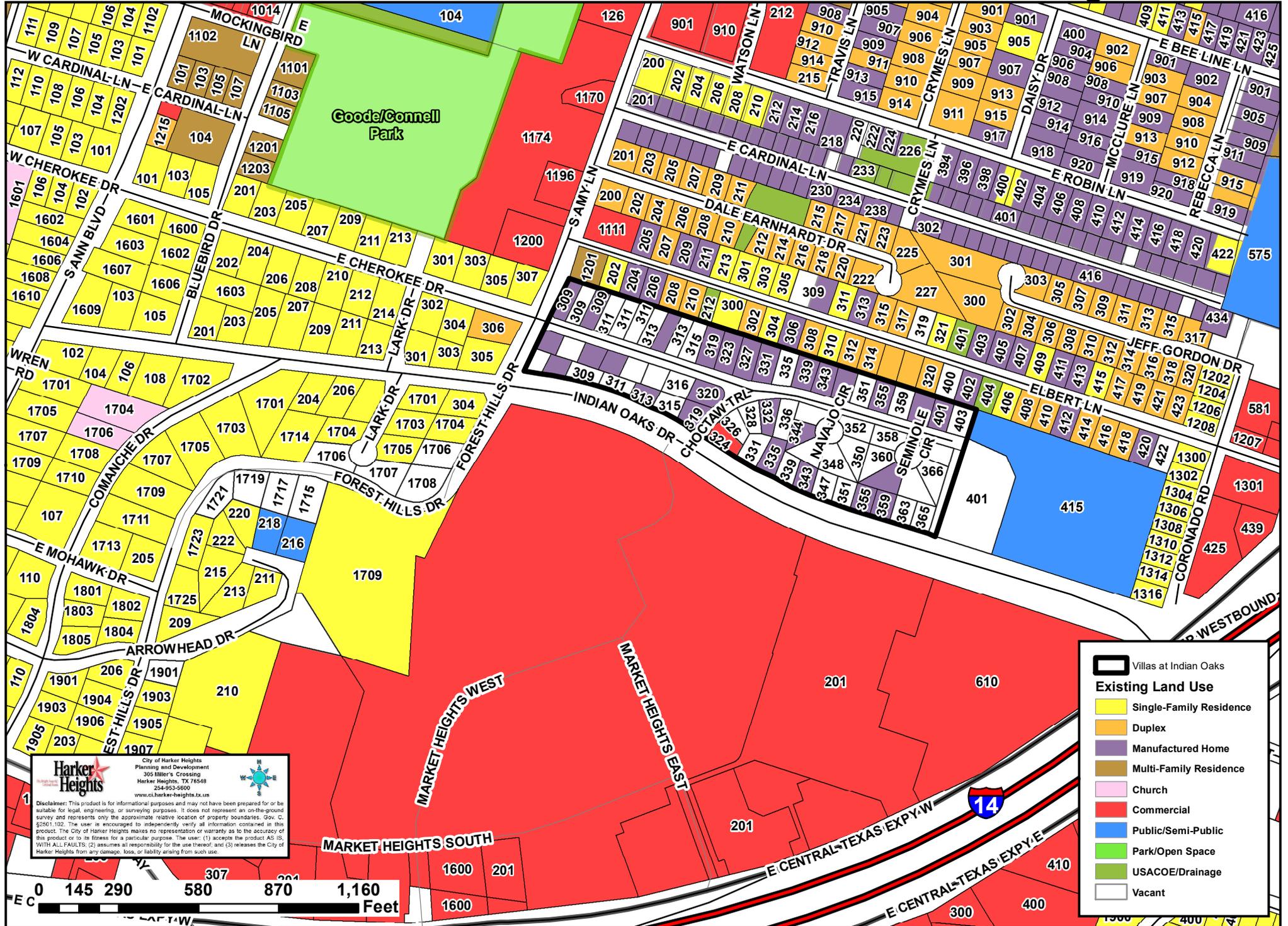
(F) *Administration.* All planned development districts approved in accordance with the provisions of this section shall be referenced on the zoning map, and a list of such planned development districts, together with the category of uses permitted therein, shall be maintained in the Table of Special Ordinances. An ordinance granting a PD District shall include a statement as to the purpose and intent of the planned development granted therein.

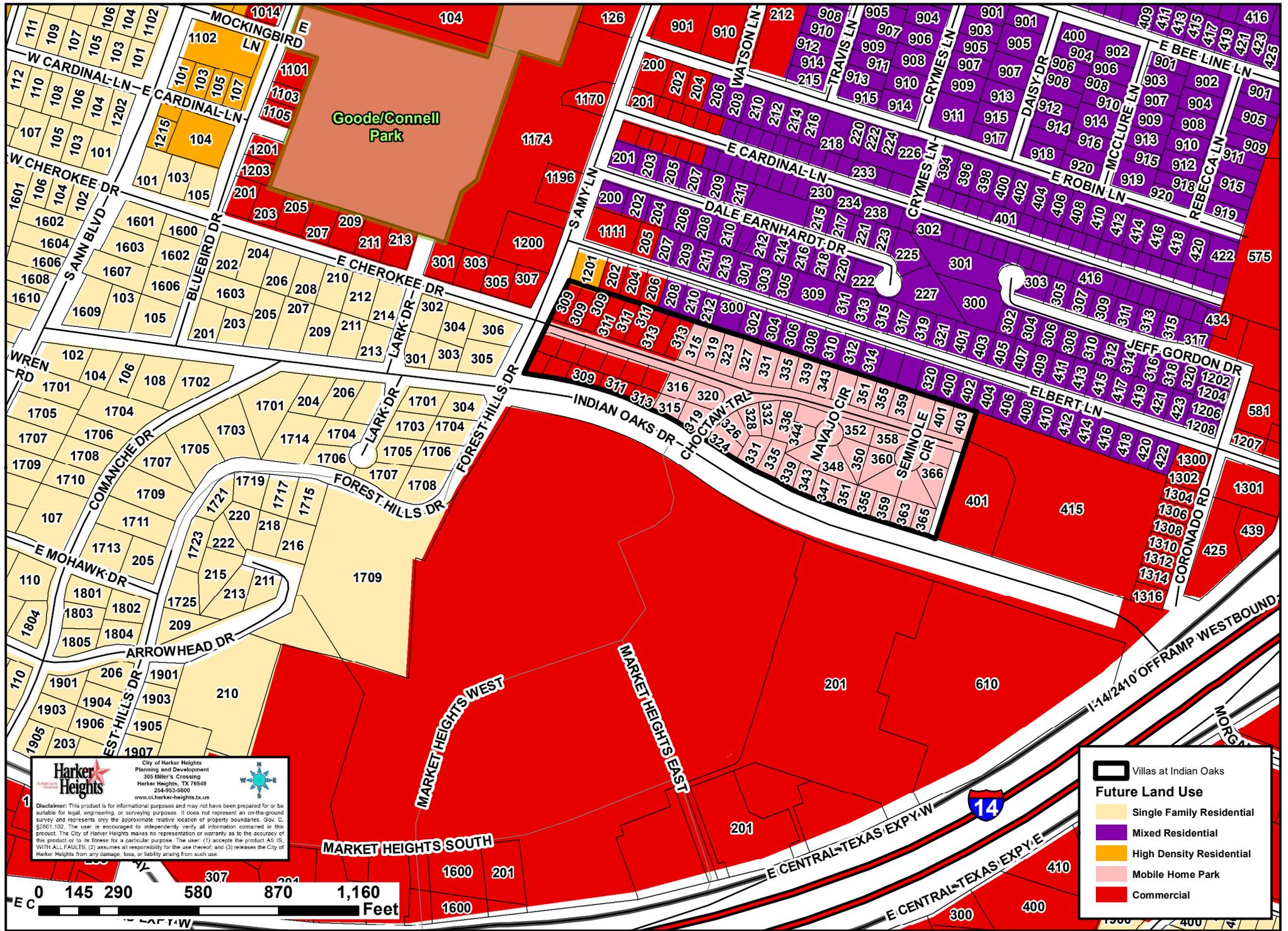
(G) *Developer's responsibilities following approval.*

(1) A PD designation shall be deemed nullified, and the property shall automatically revert to its previous zoning designation, if development does not commence within 12 months of the date of City Council approval.

(2) The granting of a PD designation shall not relieve the developer from responsibility for complying with all other applicable codes and ordinances of the city except to the extent expressly specified in the approved development plan.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2013-19, passed 8-13-13)





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City of Harker Heights
Planning and Development
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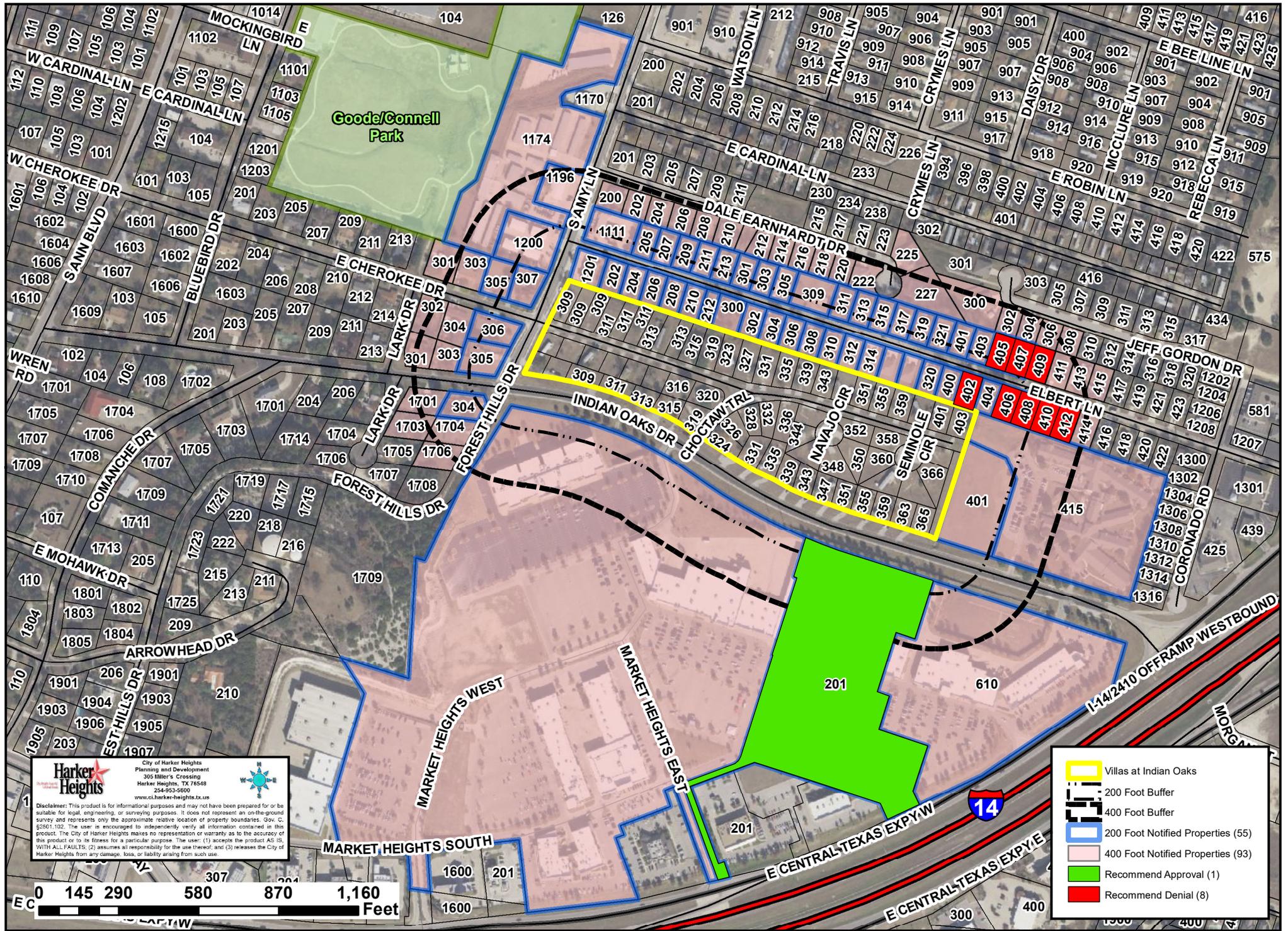
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Villas at Indian Oaks

Future Land Use

- Single Family Residential
- Mixed Residential
- High Density Residential
- Mobile Home Park
- Commercial



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

FROM: DRP Market Heights Property Owner LLC
201 E. CENTRAL TEXAS EXPRESSWAY

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

Harker Heights, Texas 76548

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

BRUCE A. SIFFORD
Printed Name

Bruce A. Sifford
Signature

7-20-21
Date

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

FROM: DAVID PHILLIPS
402 ELBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:
NO R.P. ZONING
TO MUCH FLEXIBILITY
R-2 OK.
#155.036

DAVID PHILLIPS
Printed Name

[Signature]
Signature

7-19-21
Date

698-3460

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

FROM: DAVID PAIKOFF
405 ELBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: NO P.D. ZONING. R-2 O.K.
TO MUCH FLEXIBILITY
IN P.D. ZONING.
155.036

DAVID PAIKOFF
Printed Name

[Signature]
Signature

7-19-21
Date

698-3460

TO: City of Harker Heights
Planning & Development Department

FROM: DAVID PHILLIPS
406 ROBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: P.D. UNACCEPTABLE, R-2 OK.
NO BUSINESS ZONING
TO MUCH FLEXIBILITY
IN P.D. ZONING!
255.036

DAVID PHILLIPS
Printed Name

[Signature]
Signature

7-19-21
Date

698-3460

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

FROM: DAVID PHILLIPS
407 ELBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

NO P.D. ZONING.
R-2 OK.
TO MUCH FLEXIBILITY IN
P.D. ZONING!
155.036

DAVID PHILLIPS
Printed Name


Signature

7-19-21
Date

698-3460

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

FROM: DAVID PHILLIPS
409 ELBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments:

NO P.D. ZONING
R-2 OK
NO BUSINESS IN ZONE
TO MUCH FLEXIBILITY
155,036 IN P.D. ZONING!

DAVID PHILLIPS
Printed Name

[Signature]
Signature

7-19-21
Date

698-3460

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

FROM: DAVID PHILLIPS
409 BLBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: NO PD, ZONING. R-2 OK.
TO MUCH FLEXIBILITY!
#155,036

DAVID PHILLIPS
Printed Name

[Signature]
Signature

7-19-21
Date

698-3460

TO: City of Harker Heights
Planning & Development Department

FROM: DAVID PHILLIPS
410 ELBERT
(Address of Your Property that Could Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: P.D. UNACCEPTABLE, NO
BUSINESS ZONING. R-2 OK,
TO MUCH FLEXIBILITY IN
P.D. ZONING
155-036

DAVID PHILLIPS 
Printed Name Signature

7-19-21
Date

698-3460

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

FROM: DAVID PAULUPS
412 BLBERT
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District), R1-M (One Family Manufactured Home Dwelling District) and B-4 (Secondary and Highway Business District) to PD (Planned Development) with R2 (Two Family Dwelling District) on property described as all land located with Mobile Manor Estates Section One (1), generally located near the intersection of Indian Oaks and S. Amy Lane, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: P.D. UNACCEPTABLE, NO
BUSINESS ZONING. R-2, OK.
TO MUCH FLEXIBILITY IN
P.D. ZONING!
#155,036

DAVID PAULUPS
Printed Name


Signature

7-19-21
Date

698-3460



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-14

AGENDA ITEM VII-4

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS COMANCHE LAND 1ST UNIT, LOT EIGHT (8), BLOCK SIX (6), GENERALLY LOCATED AT 1515 INDIAN TRAIL DR., 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-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr. The property consists of approximately 10,661 square feet and the request will enable the applicant to construct a two-family dwelling house on the property.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--------------------------|----------------------------|----------------------------------|
| North | Duplex | Medium Density Residential | R-1 One Family Dwelling District |
| South | Single Family Residence | Medium Density Residential | R-1 One Family Dwelling District |
| East | Manufactured Housing | Medium Density Residential | R-1 One Family Dwelling District |
| West | Single Family Residence | Medium Density Residential | R-1 One Family Dwelling District |

Per the 2007 Comprehensive Plan, the applicant’s property is located in an area designated as Medium Density Residential. This area is designated as an acceptable replacement for aging manufactured housing or for new development in areas zoned appropriately for such within the City. A survey of the area identified most of the properties to consist of duplexes, single family residences, and manufactured housing. 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.

Flood Damage Prevention:

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

Notices:

Staff sent out fifty-one (51) notices to property owners within the 400-foot notification area. As of July 20, 2021, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr., 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 R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lot Eight (8), Block Six (6), generally located at 1515 Indian Trail Dr., 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. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map



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: Richard A, Heidi FC Oates Date: June 25, 2021

Address: 1517 Indian Trail

City/State/Zip: Harker Heights, Tx 76548

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

Legal Description of Property:

Location of Property (Address if available): 1515 Indian Trail Harker Heights, Tx 76548

Lot: 8 Block: 6 Subdivision: Comanche Bend 1st unit

Acres: _____ Property ID: 80287 Survey: _____

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

Proposed Use: Duplex

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

Current Land Use: Vacant Lot Proposed Land Use: Duplex

Applicant's Representative (if applicable):

Applicant's Representative: Arrowhead Developers LLC

Phone: [REDACTED] 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 Jerome Gomer will represent the owner.

Richard A Oates
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

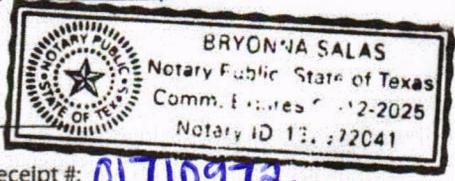
Jerome Gomer
 Printed Name of Representative

[Signature]
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 25th DAY OF June, 20 21

Bryonna Salas
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 03-12-2025



STAFF ONLY - DO NOT FILL OUT BELOW

Date Submitted: 6/30/21

Pre-Application Meeting

Receipt #: 01710972

Received By: WILSON GUNDA

Case #: 221-14

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.
- (2) Two-family or duplex dwelling.
- (3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

(B) *Conditional uses.* Neighborhood association facilities.

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

(D) *Area regulations.* Lots in the Wildewood Subdivision, and duplex lots platted prior to November 8, 2006, shall have six-foot-minimum side setbacks, except when siding on a street such setback shall be a minimum of 15 feet. All other duplex lots shall have a minimum of ten-foot-wide side building setbacks, except when siding on a street such setback shall be a minimum of 15 feet.

(E) *Intensity of use.*

(1) A lot on which there is erected a single-family dwelling shall conform to the same intensity of use requirements as those in the R-1 (Single-Family Dwelling District) as noted in § 155.020(E).

(2) The minimum lot area shall be 7,800 square feet for lots in the Wildewood Subdivision and duplex lots platted prior to November 8, 2006. All other duplex lots shall contain a minimum lot area of 8,400 square feet, and an average width of not less than 70 feet.

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

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

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

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

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

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

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2012-01, passed 2-14-12; Am. Ord. 2012-04, passed 3-27-12; Am. Ord. 2016-24, passed 10-11-16)

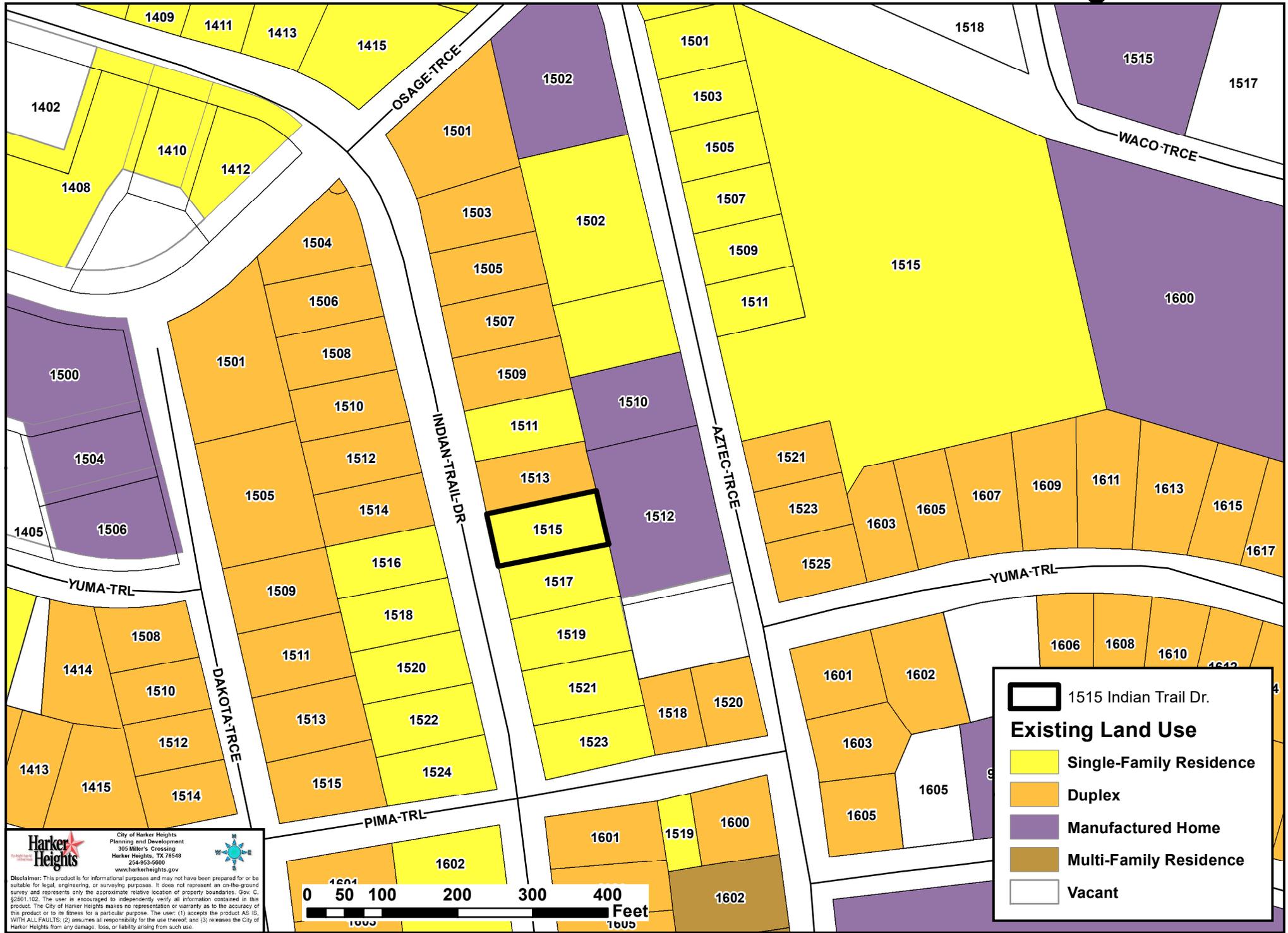


Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76748
254-953-5600
www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2601.102. 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.

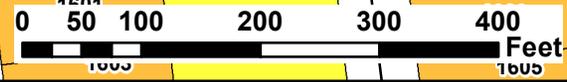


 1515 Indian Trail Dr.



Existing Land Use

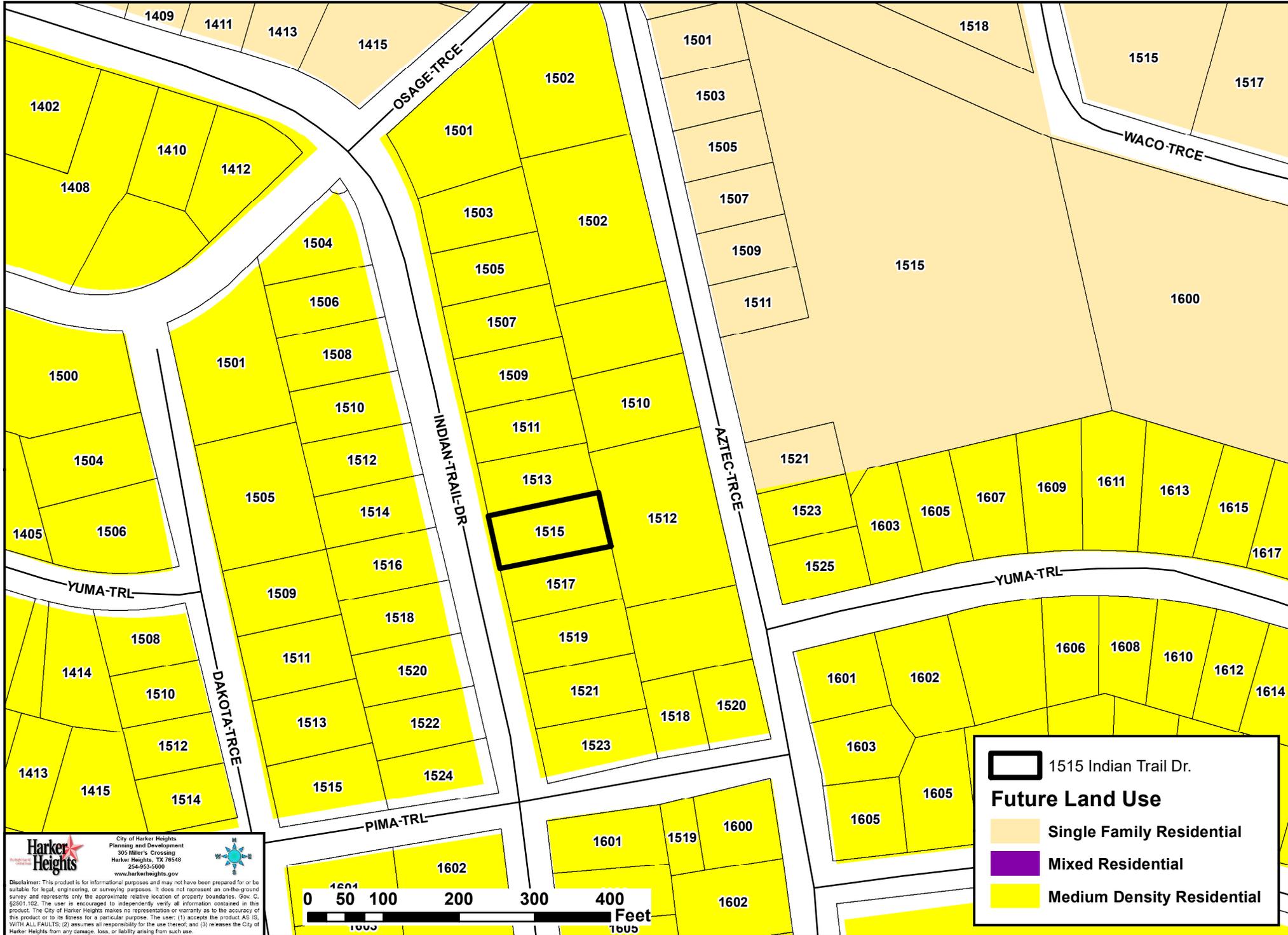
- Single-Family Residence
- Duplex
- Manufactured Home
- Multi-Family Residence
- Vacant



City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76748
 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. §2601.02. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of 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.





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254-953-5600
www.harkerheights.gov

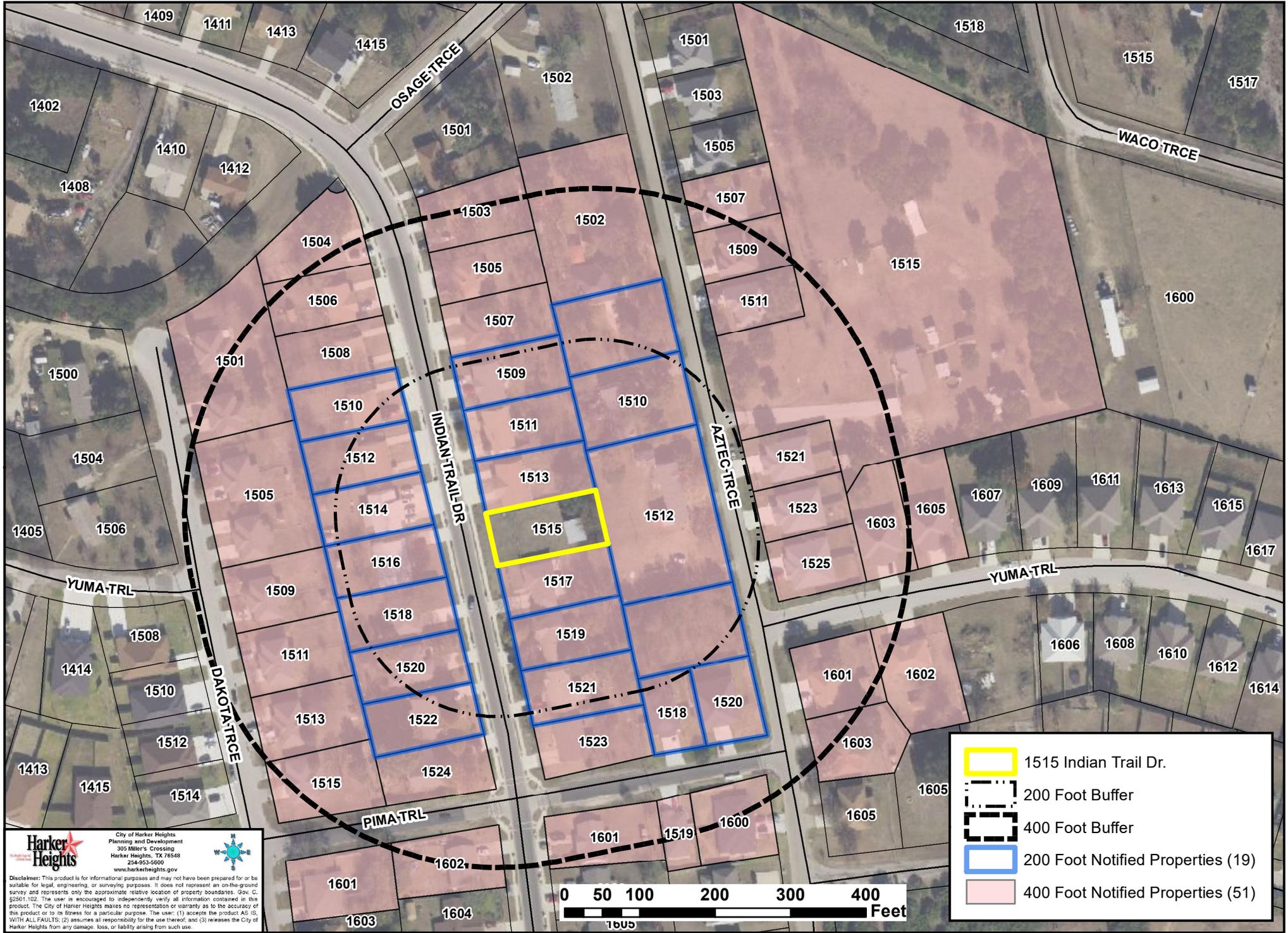
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 1515 Indian Trail Dr.

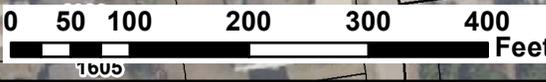
Future Land Use

-  Single Family Residential
-  Mixed Residential
-  Medium Density Residential





| | |
|---|-----------------------------------|
|  | 1515 Indian Trail Dr. |
|  | 200 Foot Buffer |
|  | 400 Foot Buffer |
|  | 200 Foot Notified Properties (19) |
|  | 400 Foot Notified Properties (51) |



Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76748
254-953-5600
www.harkerheights.gov

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**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-15

AGENDA ITEM VII-5

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN ORDINANCE TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS BLOCK SEVEN (7), LOTS EIGHTEEN (18), NINETEEN (19), AND 20 (TWENTY), COMANCHE LAND 1ST UNIT, GENERALLY LOCATED AT 1403 & 1405 NATCHEZ TRAIL, 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-2 (Two Family Dwelling District) on property addressed as 1403 & 1405 Natchez Trail. Each addressed parcel consists of approximately 16,000 square feet. The request will enable the applicant to construct a two-family dwelling house on each parcel.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--------------------------|---------------------------|--|
| North | Two Family Residence | Mixed Use Residential | R-2 Two Family Dwelling District R-3 Multi-Family Dwelling District |
| South | Two Family Residence | Mixed Use Residential | R-2 Two Family Dwelling District |
| East | Two Family Residence | Mixed Use Residential | R-2 Two Family Dwelling District |
| West | Single Family Residence | Single Family Residential | R-1 One Family Dwelling District |

Per the 2007 Comprehensive Plan the applicant’s property is located in an area designated as Medium Density Residential. A survey of the area identified surrounding properties to be single family residences and duplexes. The rezone request is consistent with the 2007 City of Harker Heights Comprehensive Plan. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impact on the surrounding area

Flood Damage Prevention:

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

Notices:

Staff sent out sixty-three (63) notices to property owners within the 400-foot notification area. As of July 20, 2021, two (2) responses were received in favor of the request, and one (1) responses were received in opposition of the request. Zero (0) of the responses in opposition are located within the regulatory 200-foot notification buffer. 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-2 (Two Family Dwelling District) on property described as Block Seven (7), Lots Eighteen (18), Nineteen (19), and Twenty (20), Comanche Land 1st Unit, generally located at 1403 & 1405 Natchez Trail, 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-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Block Seven (7), Lots Eighteen (18), Nineteen (19), and Twenty (20), Comanche Land 1st Unit, generally located at 1403 & 1405 Natchez Trail, 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. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map
8. Responses Received



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: Corina Schumacher Date: _____
Address: 1405 Natchez Trail
City/State/Zip: Harker Heights TX, 76548
Phone: _____ E-mail: _____

Legal Description of Property:

Location of Property (Address if available): _____
Lot: 20, 19, 18 Block: 7 Subdivision: Comanche Land 1st unit
Acres: _____ Property ID: _____ Survey: _____
For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Duplex
Current Zoning Classification: R-1 Proposed Zoning: 2-2
Current Land Use: Trailer / Vacant Lot Proposed Land Use: Duplex

Applicant's Representative (if applicable):

Applicant's Representative: Jecome Gomez
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.

Corina Schumacher
Printed Name of Property Owner

[Signature]
Signature of Property Owner

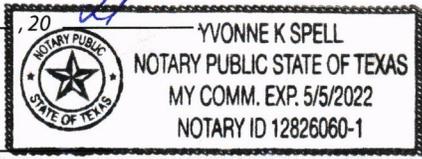
Jecome Gomez
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 11 DAY OF June

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 5/5/2022
STAFF ONLY -- DO NOT FILL OUT BELOW



Date Submitted: 6/30/2021

Received By: Wesley Everett

Pre-Application Meeting

Revised: 5/2020

Receipt #: 01711595

Case #: 221-15

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.
- (2) Two-family or duplex dwelling.
- (3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

(B) *Conditional uses.* Neighborhood association facilities.

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

(D) *Area regulations.* Lots in the Wildewood Subdivision, and duplex lots platted prior to November 8, 2006, shall have six-foot-minimum side setbacks, except when siding on a street such setback shall be a minimum of 15 feet. All other duplex lots shall have a minimum of ten-foot-wide side building setbacks, except when siding on a street such setback shall be a minimum of 15 feet.

(E) *Intensity of use.*

(1) A lot on which there is erected a single-family dwelling shall conform to the same intensity of use requirements as those in the R-1 (Single-Family Dwelling District) as noted in § 155.020(E).

(2) The minimum lot area shall be 7,800 square feet for lots in the Wildewood Subdivision and duplex lots platted prior to November 8, 2006. All other duplex lots shall contain a minimum lot area of 8,400 square feet, and an average width of not less than 70 feet.

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

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

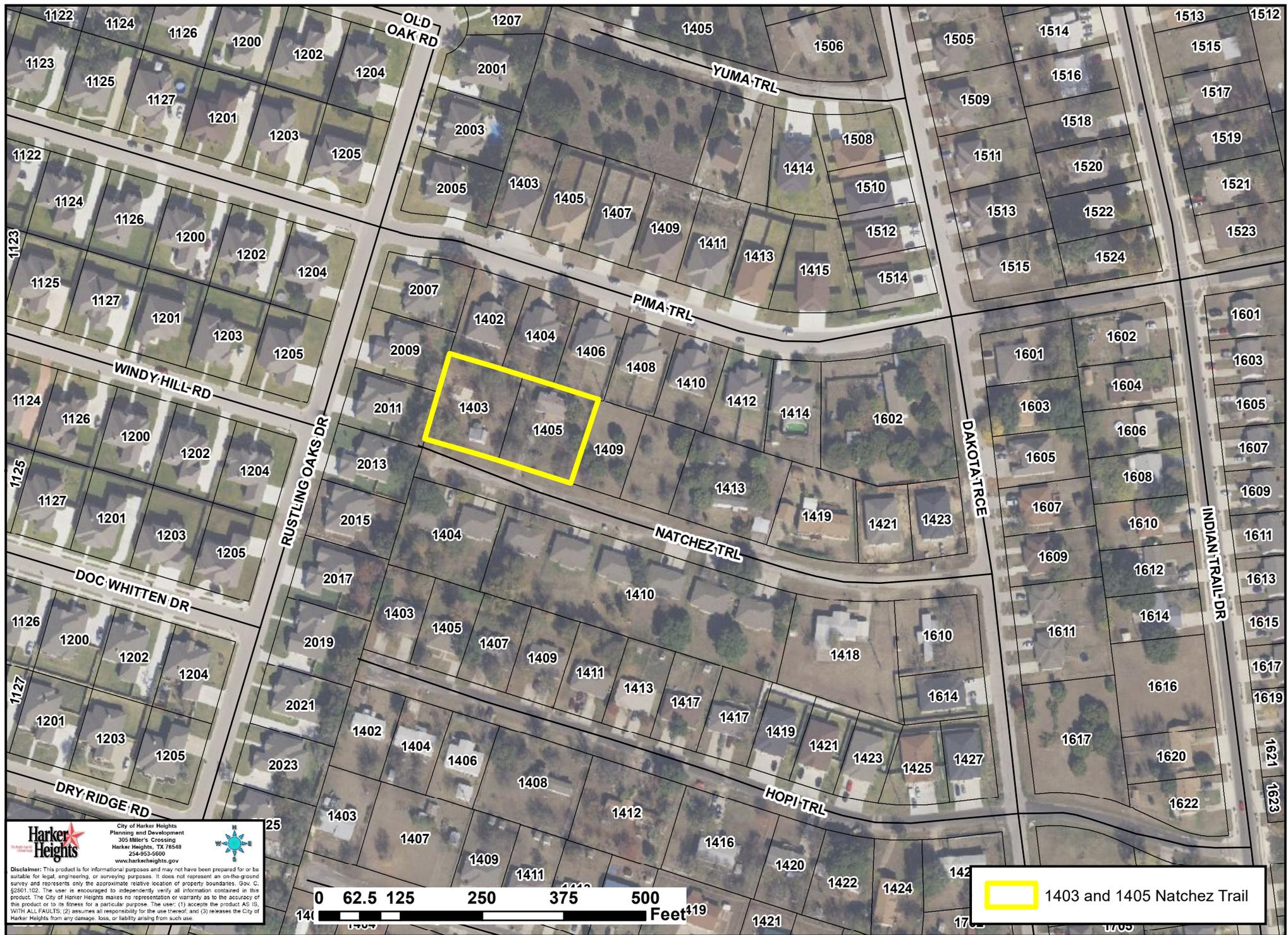
(H) *Signs.* Same as in R-1 district.

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

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

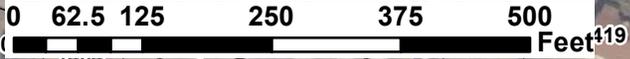
(K) *Architectural design.* R-2 buildings shall be designed to avoid repetitions of buildings or roof lines, and the same elevation may not be used within any five lot groupings. Primary entrances shall face the public street. Windows shall be provided with trim or recessed, rather than flush with exterior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

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06; Am. Ord. 2012-01, passed 2-14-12; Am. Ord. 2012-04, passed 3-27-12; Am. Ord. 2016-24, passed 10-11-16)

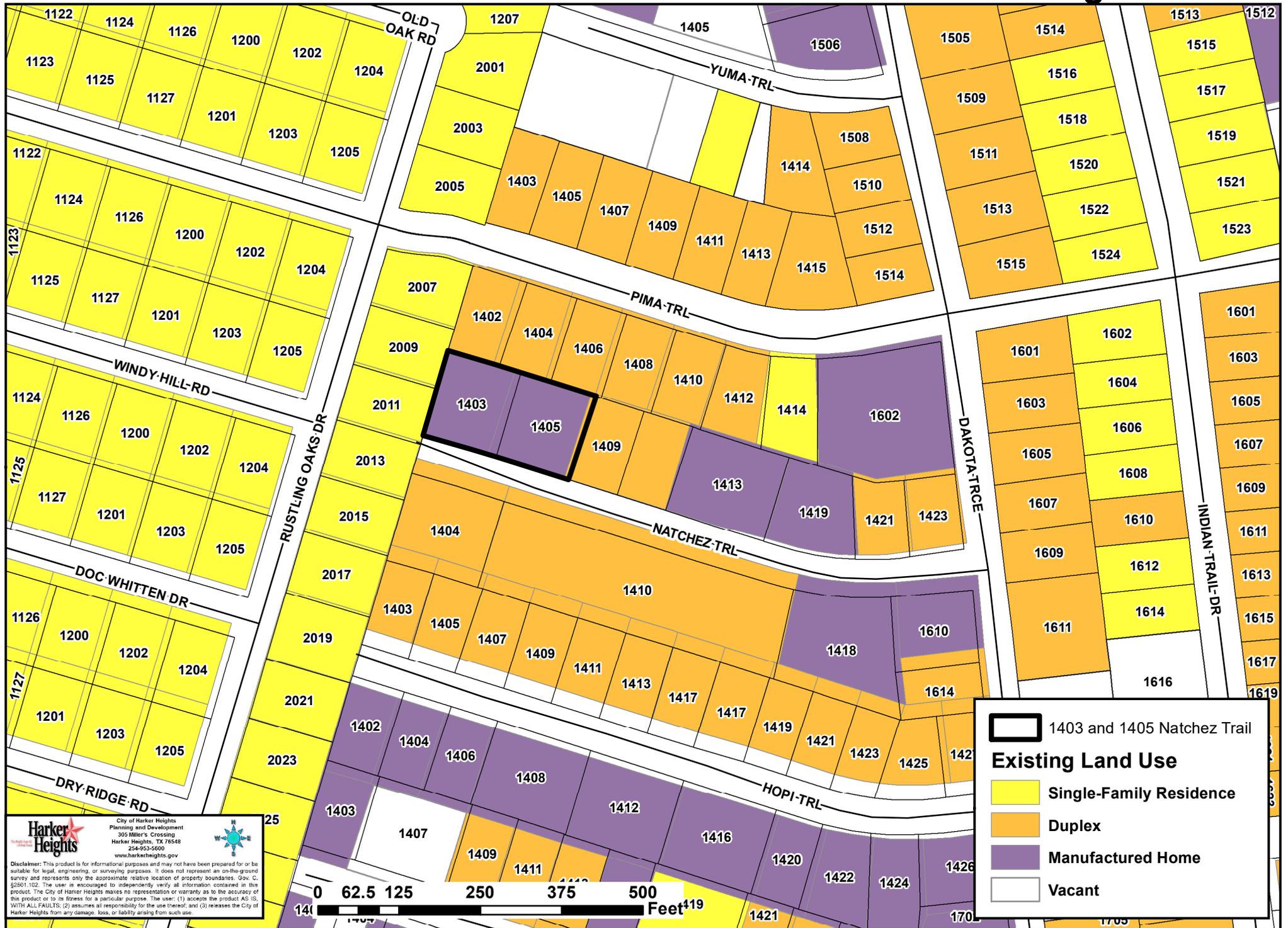


Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-2600
www.harkerheights.gov

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 1403 and 1405 Natchez Trail



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

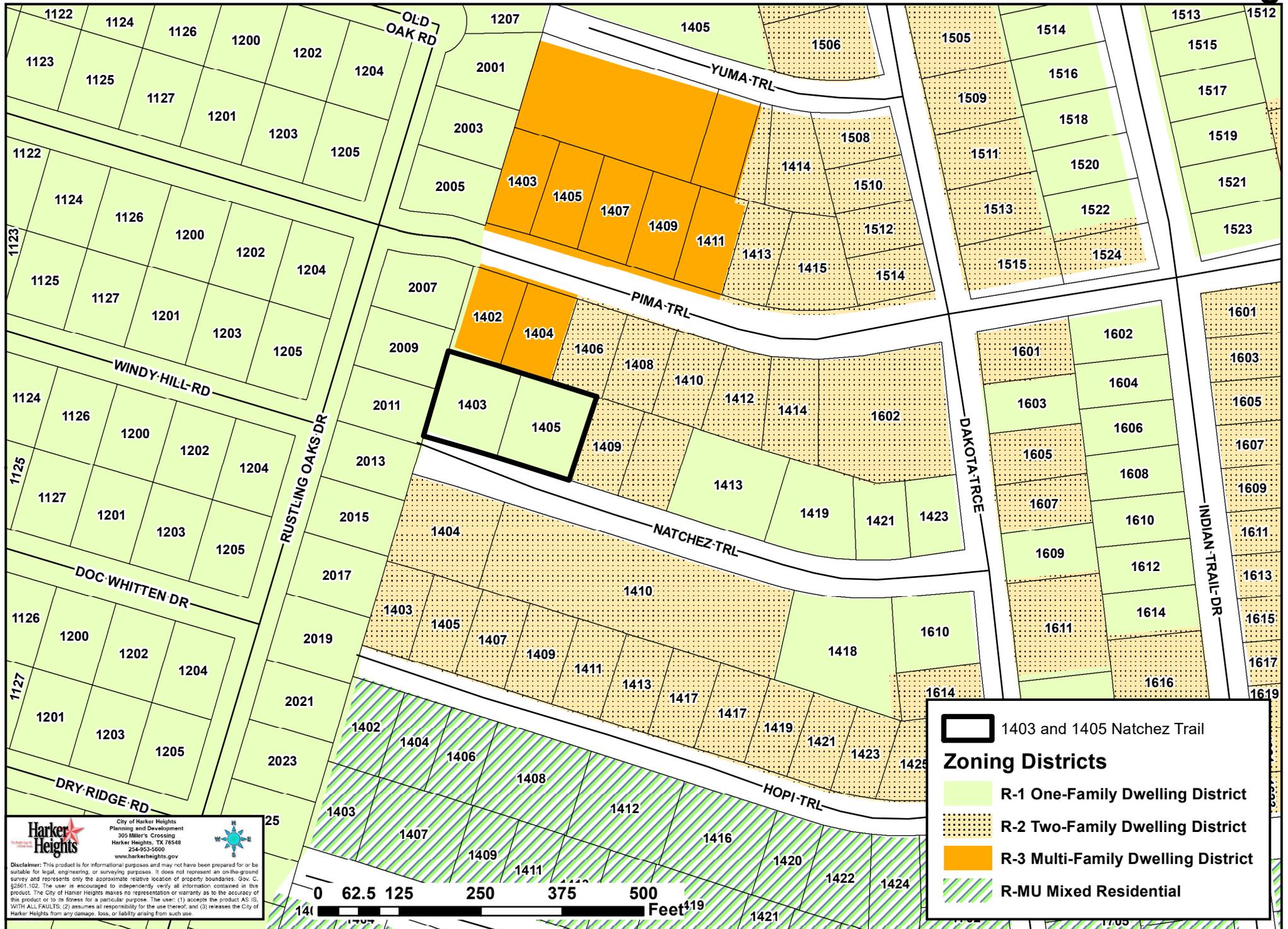
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Existing Land Use

- Single-Family Residence
- Duplex
- Manufactured Home
- Vacant

1403 and 1405 Natchez Trail





 1403 and 1405 Natchez Trail

Zoning Districts

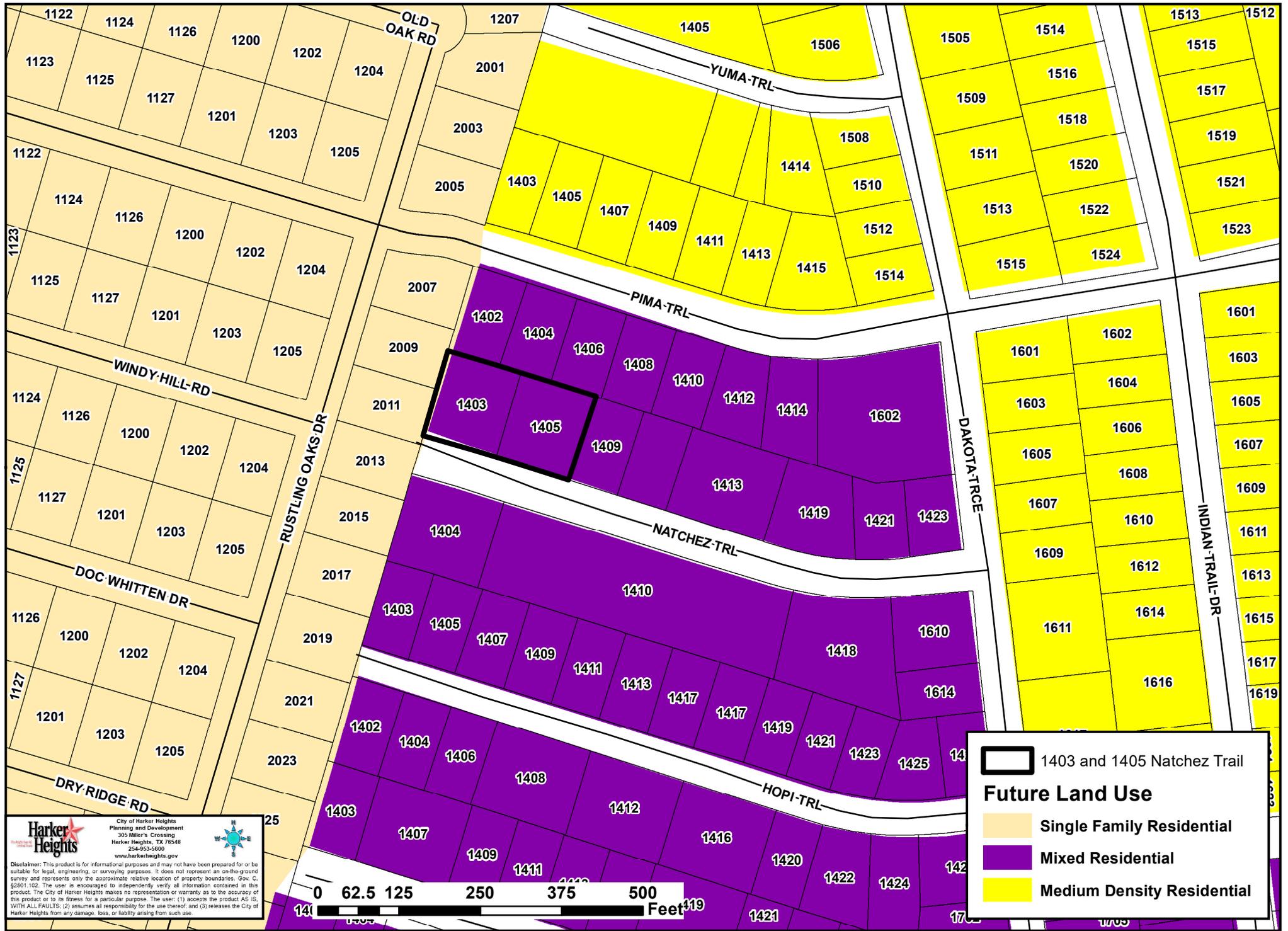
-  R-1 One-Family Dwelling District
-  R-2 Two-Family Dwelling District
-  R-3 Multi-Family Dwelling District
-  R-MU Mixed Residential


City of Harker Heights
Planning and Development
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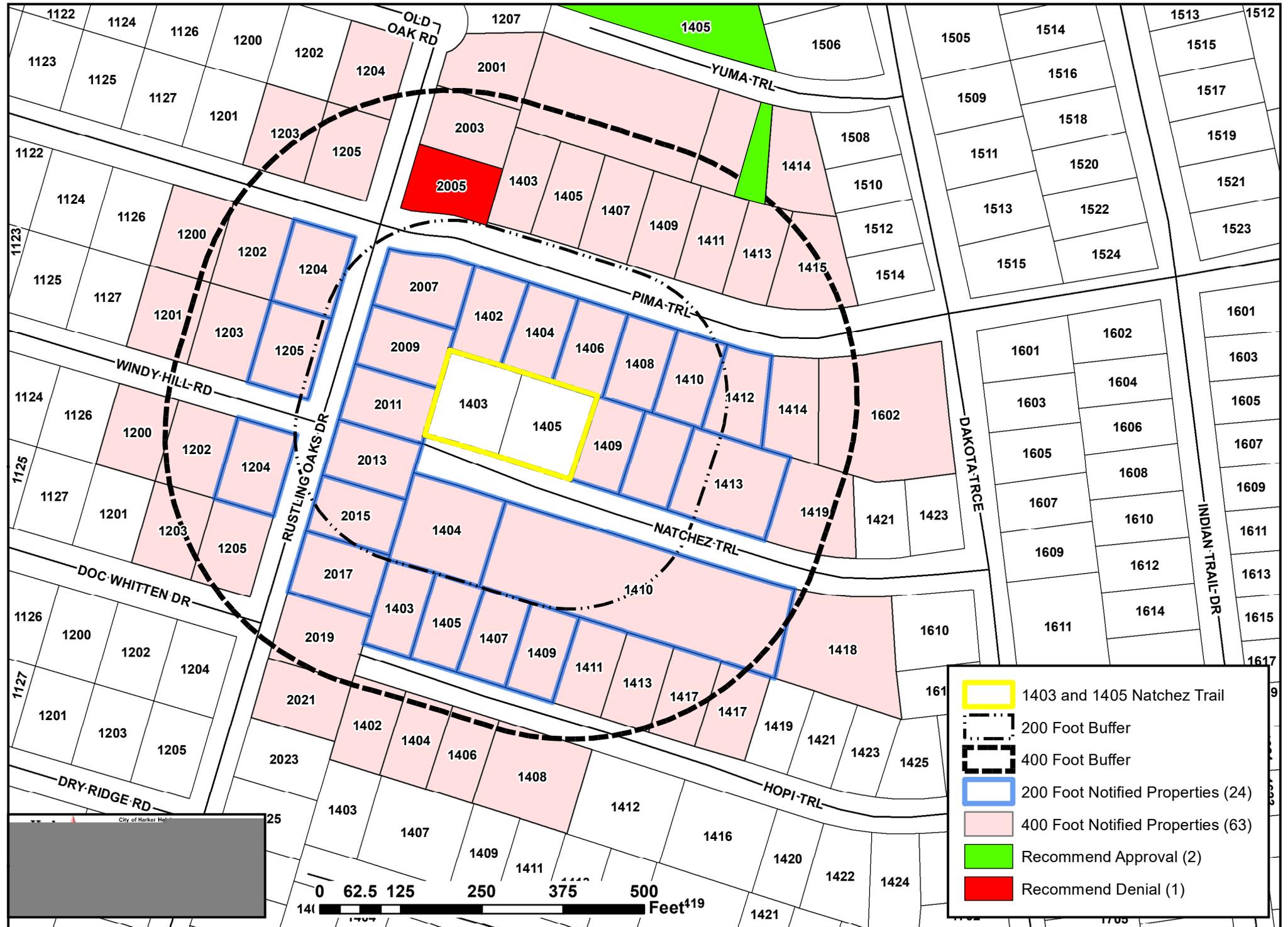
Harker Heights
City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 78548
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1403 and 1405 Natchez Trail

Future Land Use

- Single Family Residential
- Mixed Residential
- Medium Density Residential



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

FROM: DAVID SHULTZ
1405 YONNA
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19) and Twenty (20), Block 7, generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: R-2 O.K.

DAVID SHULTZ
Printed Name

[Signature]
Signature

7-19-21
Date

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

FROM: DAVID PHILLIPS
1412 YOMA
(Address of Your Property that Could
Be **Impacted** by this Request)

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19) and Twenty (20) Block 7, generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas (see attached notification map).

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

Comments: R.2 OK.

DAVID PHILLIPS
Printed Name


Signature

7-19-21
Date

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

FROM: ERIC P. WALTON
2005 Rustling Oaks Dr, H+H
(Address of Your Property that Could
Be **Impacted** by this Request) 76548

RE: An application has been made to consider a rezoning from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Comanche Land 1st Unit, Lots Eighteen (18), Nineteen (19) and Twenty (20), Block 7, generally located at 1403 Natchez Trail and 1405 Natchez Trail, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

If approved will ↓ Value of 591
Family Home, Will Also change the Fabric
of the Neighborhood in a bad way.

ERIC P. WALTON
Printed Name

Eric P. Walton
Signature

7/16/21
Date



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-16

AGENDA ITEM VII-6

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING AN AMENDMENT TO ORDINANCE 2018-29, GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR A 1,850 SQUARE FOOT ACCESSORY DWELLING UNIT TO BE OCCUPIED BY A RELATIVE, ON PROPERTY DESCRIBED AS LEASURE ADDITION, BLOCK ONE (1), LOT ONE (1), ACRES 1.432, GENERALLY LOCATED AT 1801 PONCA TRACE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

EXPLANATION:

The applicant previously received a Conditional Use Permit (Ordinance 2018-29) to allow for an 1,850 square foot accessory dwelling unit (ADU) for a relative (not for rent) at 1801 Ponca Trace. In the City’s Code of Ordinances, square footage for residential units is tied to the entire structure. During construction inspections, it was found that there were differences in square footages between the zoning case recommendations, the submitted permit items and what was actually constructed. Staff’s investigation into this case found the following discrepancies:

1. The current square footage of the ADU exceeds the 1,850 sq. ft. allowed in the existing Conditional Use Permit (CUP);
2. The driveway connection is different than presented in the original public hearings; and
4. The amount of the square footage for the constructed ADU (3,737 square feet) exceeds that of the primary residential structure (2,747 square feet).

Some of the discrepancies are believed to be due to the inconsistent references to area of the structure. The applicant is requesting that the previous CUP be amended to allow for the constructed a dwelling with a gross foundation footprint of 3,737 square feet.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--------------------------|---------------------------|------------------------------------|
| North | Single Family Residence | High Density Residential | R-3 Multi Family Dwelling District |
| South | Manufactured Housing | Single Family Residential | R-2 Two Family Dwelling District |
| East | Single Family Residence | Single Family Residential | R-1 One Family Dwelling District |
| West | Manufactured Housing | Mixed Residential | R-MU Mixed Use Residential |

Per the 2007 Comprehensive Plan, the applicant’s property is located in an area designated as Single Family Residential.

Flood Damage Prevention:

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

Notices:

Staff sent out thirty (30) notices to property owners within the 400-foot notification area. As of July 20, 2021, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approving an amendment to Ordinance 2018-29, granting an Conditional Use Permit (CUP) to allow for an accessory dwelling unit with a gross foundation footprint of 3,736 square foot to be occupied by a relative, on property described as Leasure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas, subject to the following conditions:

1. The accessory dwelling unit shall have a maximum gross foundation footprint of 3,737 square feet;
2. One ADU driveway connection to the section of Ponca Trace constructed in Sapiyah Plains Phase 3 shall be allowed; and
3. No interior cross fencing of the lot shall be allowed to extend from the eastern property line to the western property line or be placed such that there is an appearance of two independent lots.

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 amendment to Ordinance 2018-29, granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit with a gross foundation footprint of 3,736 square foot to be occupied by a relative, on property described as Leasure Addition, Block One (1), Lot One (1), Acres 1.432, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

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



Conditional Use Permit Application

City of Harker Heights
Planning & Development
305 Millers Crossing
Harker Heights, TX 76548
Phone: (254) 953-5647
Fax: (254) 953-5666

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)

Owner Information:

Property Owner(s) Name: Chrystal Leasure Date: 06/29/2021

Address: 1801 Ponca Trace City/State/Zip: Harker Heights

Phone: _____ E-mail: _____

Property Information:

Site Address or General Location: 1801 Ponca Trace

Lot: 1 Block: 1 Subdivision: Leasure Addition

Acres: 1.432 Property ID: 408903 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 CUP Future Land Use Designation: Single Family Residential

Applicant's Representative (if applicable):

Applicant's Representative: Mitchell & Associates, Inc.

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 MITCHELL & ASSOCIATES, INC. will represent the owner.

Chrystal Leasure
Printed Name of Property Owner

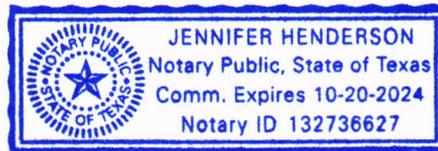
[Signature]
Signature of Property Owner

ACE RENEAU
Printed Name of Representative

[Signature]
Signature of Representative

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

[Signature]
Signature of Notary Public



| | | |
|-----------------------------------|--------------------------------------|-----------------------|
| Date Submitted: <u>6/29/21</u> | STAFF ONLY -- DO NOT FILL OUT | Receipt #: <u>N/A</u> |
| Received By: <u>Wison Everett</u> | | Case #: <u>221-16</u> |

Pre-Application Meeting

Mitchell & Associates, Inc.

Engineering & Surveying

June 30, 2021

Kristina Ramirez, PE CFM
Director of Planning and Development
Planning and Development
305 Millers Crossing
Harker Heights, TX 76548

Dear Mrs. Ramirez:

Chrystal Leasure has engaged us to obtain a revision to the existing Conditional Use Permit (CUP) for her property located at 1801 Ponca Trace. This request is made pursuant to the City of Harker Heights Code of Ordinances Section § 155.020 (B)(4) and § 155.201. The intent of the revision is to provide clarity and continuity between the constructed accessor dwelling unit (ADU) and the CUP. The ADU is to be inhabited by the property owner's mother. The proposed use appears to be compatible with the surrounding land uses.

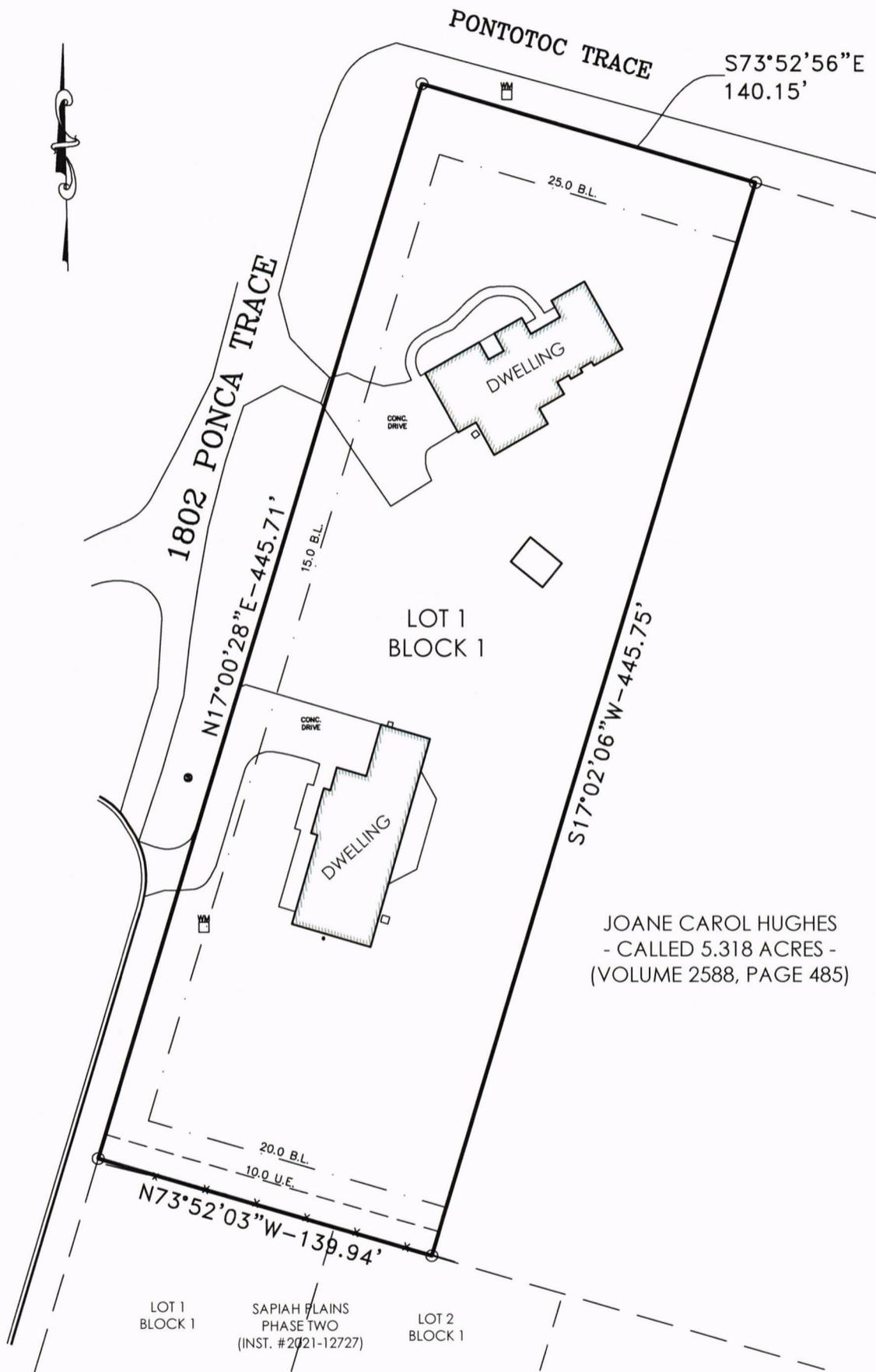
The existing residence has an approximate gross floor area of 3,008 square feet and contains 1,947 square feet of conditioned area. The constructed ADU has an approximate gross floor area of 3,737 square feet and contains 2,064 square feet of conditioned area.

Kind regards,

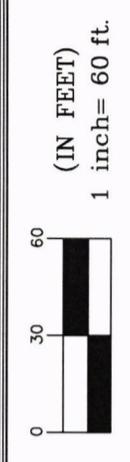

Ace Reneau

**LOT 1, BLOCK 1, LEASURE ADDITION
AN ADDITION TO THE CITY OF HARKER HEIGHTS, TEXAS
ACCORDING TO THE PLAT OR MAP OF RECORD IN
CABINET D, SLIDE 246-D, PLAT RECORDS OF BELL COUNTY, TEXAS**

PLOT PLAN



JOANE CAROL HUGHES
- CALLED 5.318 ACRES -
(VOLUME 2588, PAGE 485)



102 N. COLLEGE ST., KILLEEN, TEXAS (254) 634-5541
T. B. P. L. S. FIRM REGISTRATION NO. 10020400
411 S. WESTERN AVE. (P.O. BOX 349), LAMPASAS, TEXAS (512) 556-6885
T. B. P. L. S. FIRM REGISTRATION NO. 100204-00
600 AUSTIN AVE. STE. 29, WACO, TEXAS (254) 776-5151
T. B. P. L. S. FIRM REGISTRATION NO. 10194044

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING



ALL RIGHTS RESERVED
BY: MITCHELL & ASSOC., INC. 2021

SEAL

NOTE:

This Plot Plan does not represent a valid Land Boundary Survey, but portrays the siting of a residential home on a platted subdivision lot. Dimensions for the lot are taken from the recorded plat, and not field verified. The dwelling shown has been copied from plans provided by the Builder, and placed on the Plot Plan to verify that it will fit. Topographical conditions may exist that could present difficulties in the placement of the dwelling as shown. Easements and Building Setbacks shown are shown on the recorded plat for this subdivision. There has been no further search for easements outside of what has been shown on the recorded plat, and this Company has not reviewed or researched on Restrictive Covenants that might be of record.

REQUESTED BY: WHO ORDERED IT (TAX I.D. NO: 408903) (S: \Certs\1802 Ponca Trace.dwg\1802 Ponca Trace.dwg 6/30/2021 4:03 PM) FIELD CREW: WC/ZF (FIELD BOOK: 1983/73) DRAWN BY: FRED

ORDINANCE NO. 2018-29

AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW AN ACCESSORY DWELLING UNIT TO BE OCCUPIED BY A RELATIVE, ON PROPERTY DESCRIBED AS LEASURE ADDITION, BLOCK ONE (1), LOT ONE (1), ACRES 1.432, PROPERTY ID# 408903, GENERALLY LOCATED AT 1801 PONCA TRACE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

WHEREAS, the City Council ("**Council**") of the City of Harker Heights ("**City**") finds that after due notice and public hearings as required by law, and after consideration of the recommendation of the Planning and Zoning Commission, it is necessary and desirable to amend the Code of Harker Heights ("**Code**") as hereinafter provided; and

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

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

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

SECTION 2: The hereinafter-described property is granted a Conditional Use Permit (CUP), to allow an accessory dwelling unit on property described as:

Lot One (1), Block One (1), Leasure Addition to the City of Harker Heights, according to the plat of record in Cabinet D, Slide 246-D, Plat Records of Bell County, Texas

This permit is subject to the following conditions:

1. Net square footage of the accessory dwelling unit will consist of approximately 1,850 square feet.

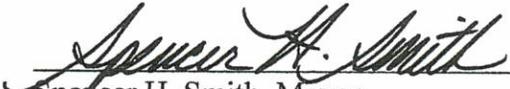
SECTION 3: Table VII, Table of Special Ordinance, Code of Harker Heights is hereby supplemented by adding the following entry:

| <u>Ord. No.</u> | <u>Date Passed</u> | <u>Description</u> |
|-----------------|--------------------|--|
| 2018-29 | 11/13/18 | Granting a CUP (Conditional Use Permit), to allow an accessory dwelling unit to be occupied by a relative, on property described as Leasure Addition, Block One (1), Lot One (1), Acres 1.432, Property ID# 408903, generally located at 1801 Ponca Trace, Harker Heights, Bell County, Texas. |

SECTION 4: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

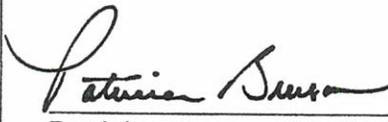
SECTION 5: This Ordinance shall be effective from and after its passage, and the City Clerk shall publish the caption or title of hereof within ten days as required by law.

PASSED AND APPROVED on November 13, 2018



Spencer H. Smith, Mayor

ATTEST:



Patricia Brunson, City Secretary

§ 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:

| <i>Lot Size</i> | <i>Number of Large Accessory Structures Allowed</i> | <i>Maximum Aggregate Size of All Accessory Structures</i> | <i>Setbacks</i> | <i>Maximum Height</i> |
|-----------------------------------|---|---|---|-----------------------|
| < 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;

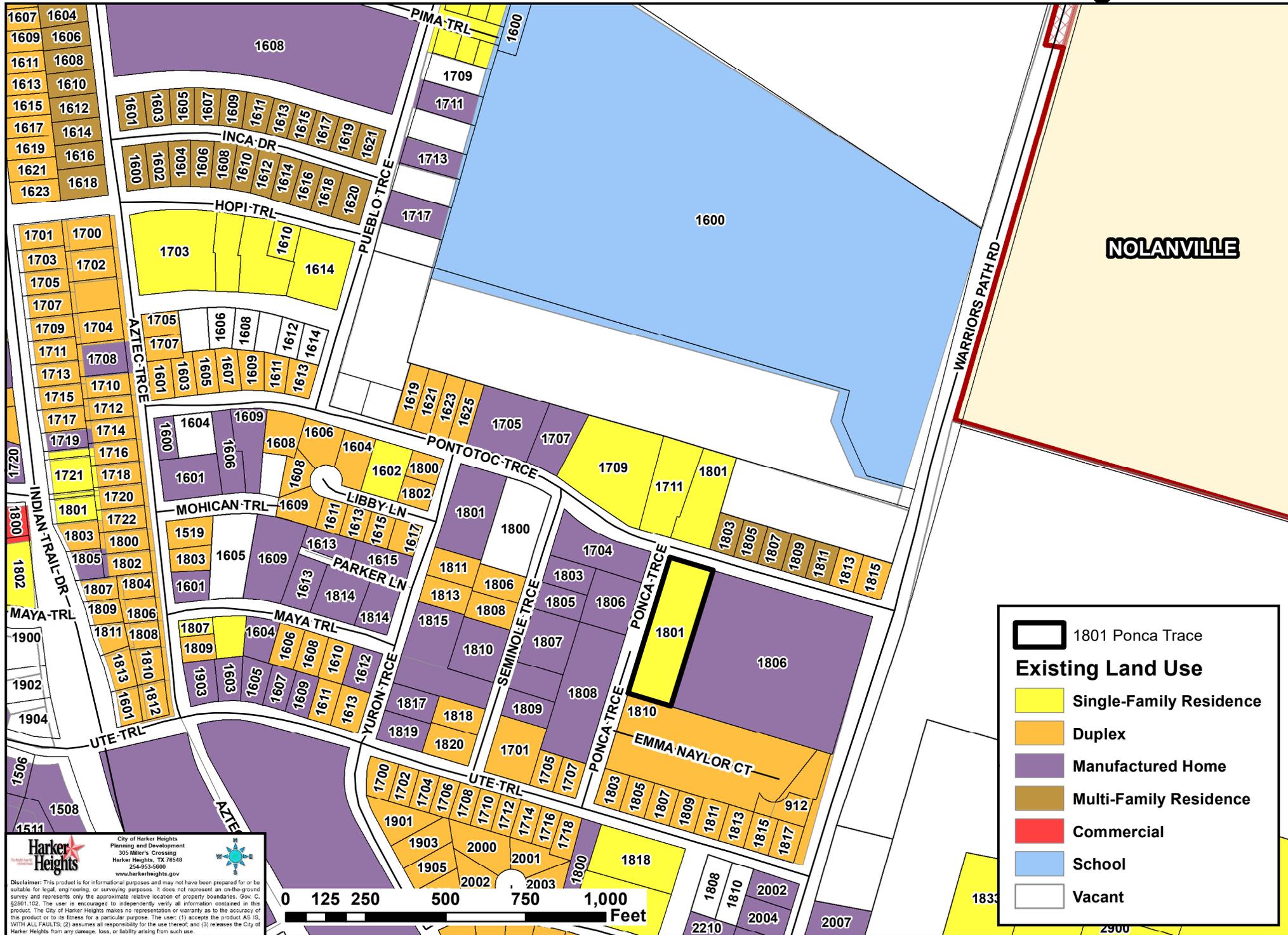
(e) The building or premises is substantially enlarged, extended, reconstructed or altered;

(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)

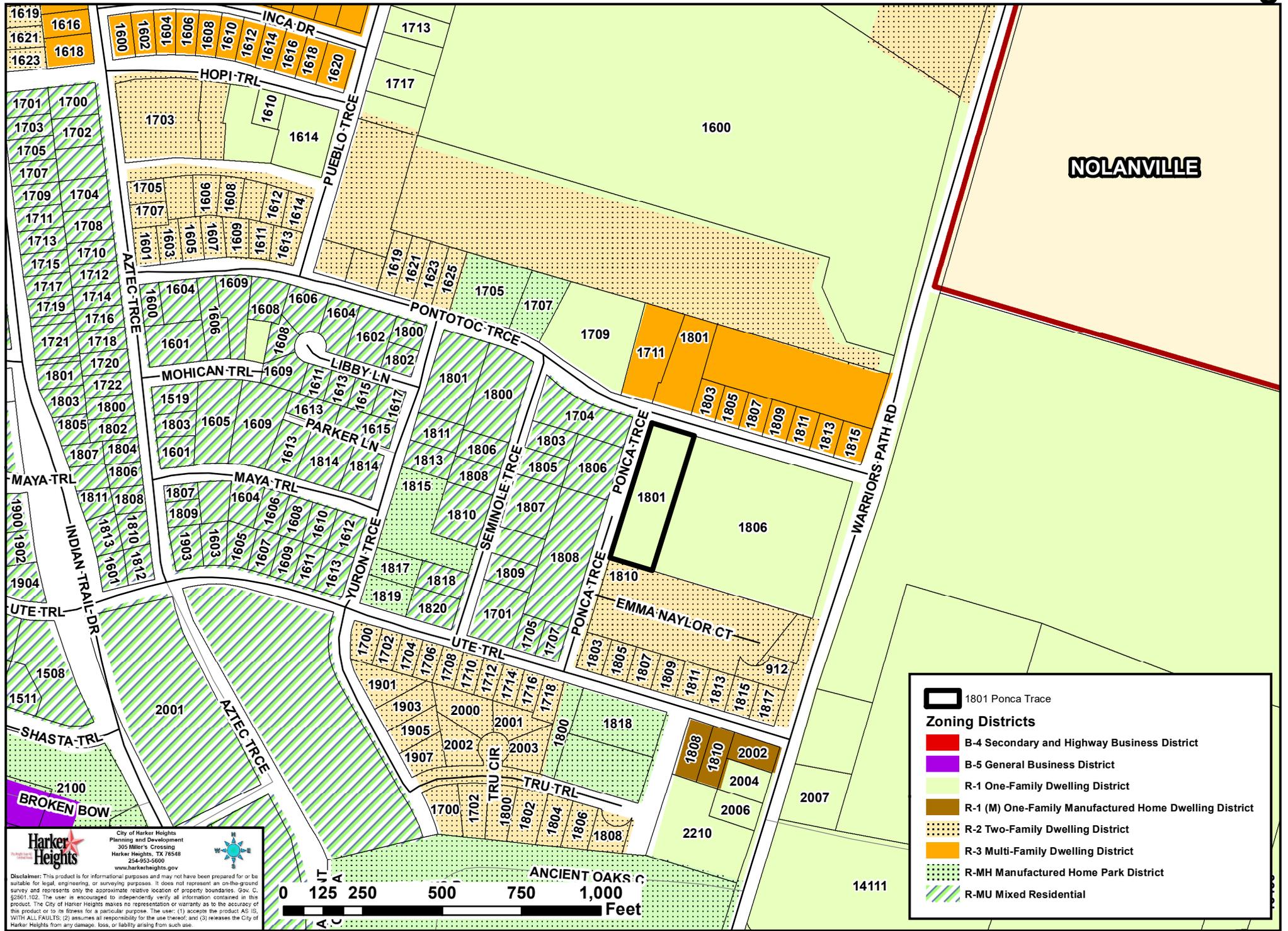


Existing Land Use

- 1801 Ponca Trace
- Single-Family Residence
- Duplex
- Manufactured Home
- Multi-Family Residence
- Commercial
- School
- Vacant

Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5800
 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. §2601.02. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



NOLANVILLE

1801 Ponca Trace

Zoning Districts

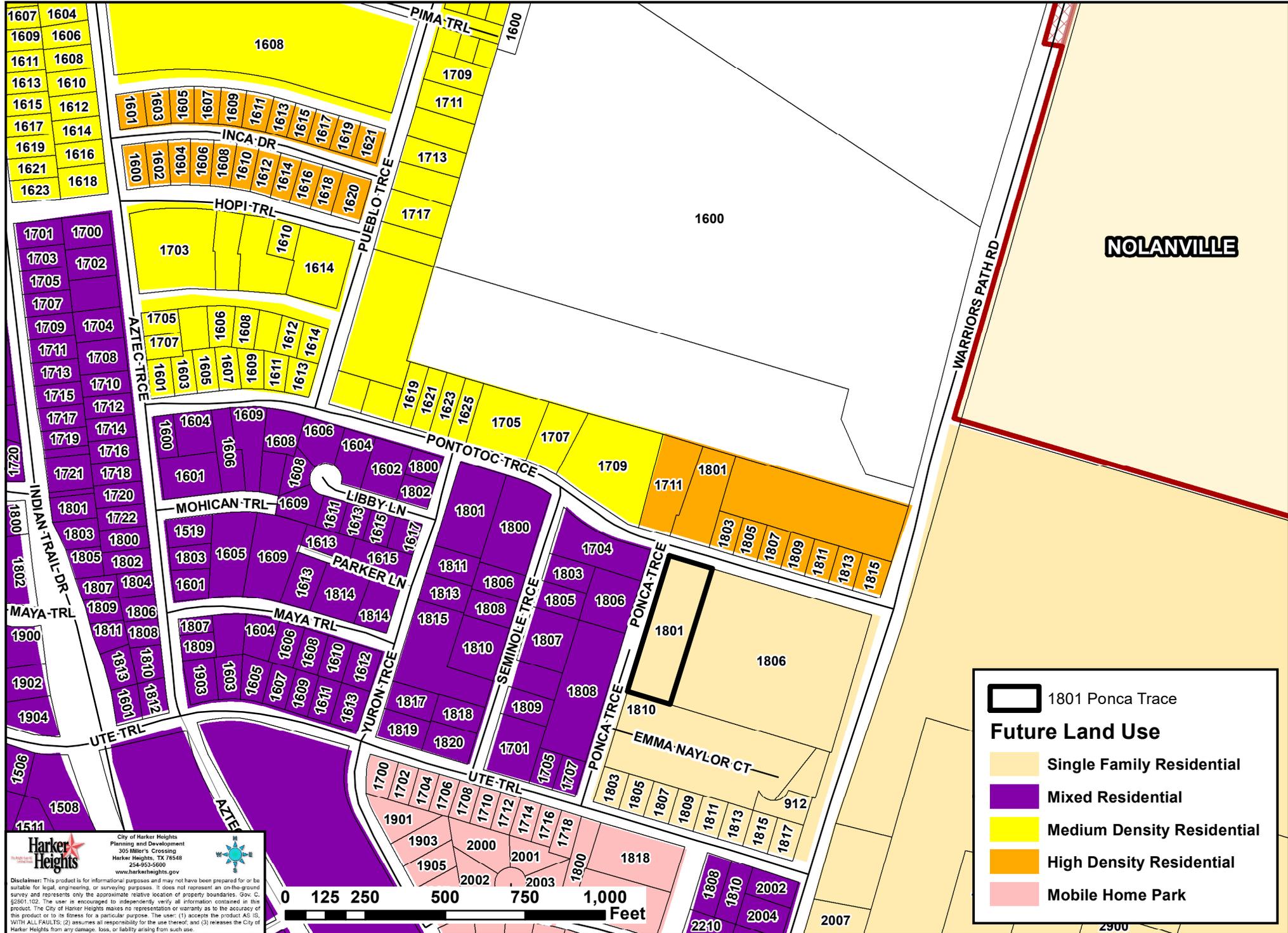
- B-4 Secondary and Highway Business District
- B-5 General Business District
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District
- R-MU Mixed Residential

Harker Heights

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1801 Ponca Trace

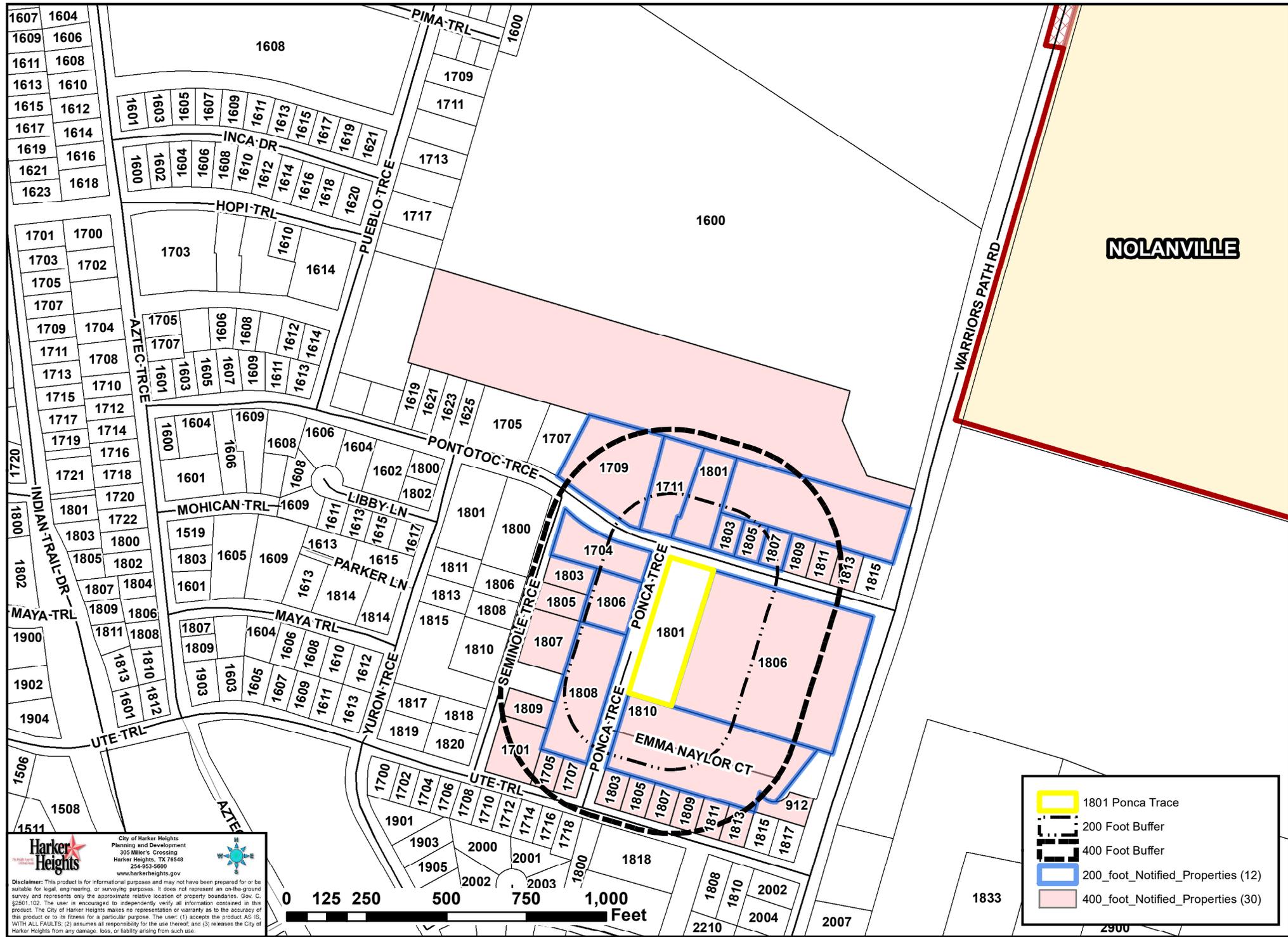
Future Land Use

- Single Family Residential
- Mixed Residential
- Medium Density Residential
- High Density Residential
- Mobile Home Park

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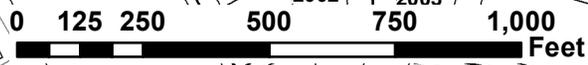
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0 125 250 500 750 1,000 Feet



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| | |
|--|-----------------------------------|
| | 1801 Ponca Trace |
| | 200 Foot Buffer |
| | 400 Foot Buffer |
| | 200_foot_Notified_Properties (12) |
| | 400_foot_Notified_Properties (30) |



**PLANNING AND ZONING
COMMISSION MEMORANDUM**

Z21-17

AGENDA ITEM VII-7

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: JULY 28, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING ALLOWANCE OF HARKER HEIGHTS CERAMIC COATINGS, LLC TO CONDUCT A CAR DETAILING BUSINESS AS A HOME OCCUPATION ON STONEWALL RIDGE, PHASE II, LOT FOUR (4), BLOCK THREE (3), GENERALLY LOCATED AT 1206 STONEWALL RIDGE, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant has applied for a Home Occupation license to conduct a car detailing business located at their residence. The applicant has indicated that said car detailing will be by appointment only, conducted inside his garage, and will not have any runoff into the public right-of-way. The applicant is requesting this allowance pursuant to Section 155.084(E) of the Harker Heights Code of Ordinances.

Surrounding Land Uses

Adjacent land uses include:

| | Existing Land Use | Future Land Use | Zoning |
|--------------|--------------------------|---------------------------|--|
| North | Single Family Residence | Commercial | PD-R Planned Development – Residential |
| South | Single Family Residence | Single Family Residential | R-1 One Family Dwelling |
| East | Single Family Residence | Commercial | PD-R Planned Development – Residential |
| West | Single Family Residence | Commercial | PD-R Planned Development – Residential |

Per the 2007 Comprehensive Plan the applicant’s property is located in an area designated as Commercial/Office/Retail. A survey of the area identified surrounding properties to currently be single family residences and duplexes. Staff believes the proposed Home Occupation will not likely have any adverse impact on the surrounding area.

Flood Damage Prevention:

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

Notices:

Staff sent out sixty-nine (69) notices to property owners within the 400-foot notification area. As of July 20, 2021, six (6) responses were received in favor of the request, and one (1) response was received in opposition of the request. One (1) of the responses in opposition is located within the

regulatory 200-foot notification buffer. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommends approval to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge, Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, 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 to allow Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge, Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, 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. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. Notification Area Map
8. Responses Received



BUSINESS REGISTRATION FORM

City of Harker Heights
Planning & Development
305 Millers Crossing
Harker Heights, TX 76548
Phone: (254) 953-5600

APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED

1. Copy of DBA (Doing-Business-As), LLC or Articles of Incorporation.
2. Payments: Home Based & Property Management - \$25.00
Mobile Business - \$35.00
Commercial - \$75.00
3. Fire Marshal Walk-Through - Call (254) 699-2688 to schedule.
4. Building Walk-Through - Call (254) 953-5648 to schedule.
5. Bell County Food Permit - Call (254) 771-2106

RENEWAL: NEW:

DATE: 18 Jun 21

NAME OF BUSINESS: Harker Heights Ceramic Coatings, LLC

PHONE # OF BUSINESS: [REDACTED]

LOCATION OF BUSINESS: 1206 Stonewall Ridge

MAILING ADDRESS (if different than location): Same

TYPE OF BUSINESS (detail description): Auto detailing (not painting, body work, or mechanical)

Texas Sales Tax ID #: 87-0849025

E-Mail (Primary Contact): [REDACTED]

Business Owner: Matthew Jones

Date of Birth: 30 Mar 81

Home Address: 1206 Stonewall Ridge

Phone #: [REDACTED]

Driver License #: [REDACTED]

Manager:

Date of Birth:

Home Address:

Phone #:

Driver License #:

Emergency Contact: Patricia Jones

Phone #: [REDACTED]

Address: 1206 Stonewall Ridge

Security Lighting on Premise? YES NO N/A

Alarm System? YES NO N/A If YES: Silent Audible Fire Intruder

Subscribe to Security Service? YES NO N/A

Security Service Company Name: Vivint

Phone #: 855-832-1550

Building Owner (if different from bus. owner)

Phone #:

BUSINESS REGISTRATION FORM

VEHICLE INFORMATION: PLEASE LIST INFORMATION ON OWNER AND EMPLOYEE(S) AS WELL AS VEHICLES THAT MAY BE ON THE BUSINESS PREMISE AT ODD HOURS.

| DRIVER | VEHICLE (MAKE, MODEL, AND YEAR) | LICENSE PLATE # |
|---------------|---------------------------------|-----------------|
| Matthew Jones | 2020 Ford F250 | NPH5065 |
| | | |
| | | |
| | | |

Hazardous Material on Premise? YES NO N/A

If YES, list items (attach separate sheet if needed): _____

Does Building Have Exterior Electrical Shut Off? YES NO If YES, on which side? North South East West

Is the building equipped with automatic Fire Sprinklers? YES NO

Are street address numbers installed on building? YES NO If YES, are they visible from the street? YES NO

Will this business require: Commercial Dumpster Commercial Hand Pick-Up

Date Business Opens Under New Owner: 18 Jun 21 No. of Employees: 1 Business Hours: 8-5pm

Type of Business (select one or provide "other" description) General Partnership, Limited Partnership, Corporation, Association, Individual:

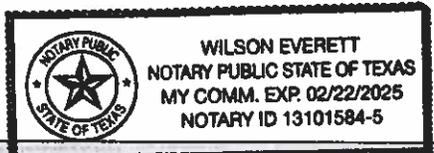
Corporation

WARNING: A person commits an offense, with intent to deceive and with knowledge of the statement's meaning, he/she makes a false statement under oath or swears to the truth of a false statement previously made and the statement is required or authorized by law to be made under oath.

Before me, the undersigned authority, this day personally appeared Matthew Allan Jones, known to me to be the person whose name is subscribed to the foregoing Business Registration Form, who being by me first duly sworn, upon oath says that he/she has read the said form in its entirety, together with any supporting documentations, that he/she has personal knowledge of all the information set forth therein, and that such information is true and correct.

Applicant's Signature

Wilson Everett
 Notary Public, State of Texas
 SWORN AND SUBSCRIBED BEFORE ME THIS 18
 DAY OF June, 2021.



STAFF ONLY -- DO NOT FILL OUT

Date Submitted: 6/18/2021 Received By: Wilson Everett Receipt #: 01707218

HOME OCCUPATION

This guideline is meant to provide the prospective home business operator with information that will assist him/her in complying with applicable City Ordinances while still maintaining a viable business operation. This guideline is not intended to be all-inclusive; therefore, if you have any questions that are not answered here, please contact the Planning and Development Director.

Normally, business operations are confined to established commercial areas and are prohibited in established residential areas. The reason for this is two-fold: First, commercial business operations tend to be highly visible due to advertising signs, increased traffic and vehicle parking, increased noise, and so forth. This detracts from the “quiet enjoyment” that people have a right to expect in a residential neighborhood. Secondly, any “mixing” of land use in a given area tends to severely affect the value of all the properties in a negative way. This is why zoning ordinances are enacted and enforced.

City governments realize, however, that some types of businesses are “low key” and do not tend to negatively impact their neighbors or the property values in the immediate area. These businesses tend to be small enough that location in a commercial area would be prohibitively expensive and would tend to stifle new business growth. Therefore, most cities have set aside a class of businesses that, due to their nature or size, may be operated in a residential area.

Home occupations are regulated by Chapter 155.084 of the City of Harker Heights Code of Ordinances.

§ 155.084 HOME OCCUPATIONS. (8/17/09)

(A) *Definition.* A **HOME OCCUPATION** is an incidental use of a dwelling unit (not an accessory structure) for gainful employment, involving the provision of limited goods and/or services.

(1) Persons conducting a home occupation are required to comply with, and are subject to, any other laws, rules and regulations affecting the occupation and the property.

(2) Home occupations are permitted incidental uses only so long as all the following conditions are observed:

(a) The Texas tax identification number must be provided with the application.

(b) A sign not larger than 324 square inches (e.g., 18 inches by 18 inches) affixed to the wall or door is permitted. The home occupation shall not involve the use of advertising signs or window displays on the premises or any other local advertising media which call attention to the fact that the home is being used for business purposes; except that, for such purposes, a telephone number, but no business address, may be published.

(c) In no way shall the outside appearance of the dwelling be altered from its residential character;

(d) Performance of the occupation activity shall not be visible from the street (curtains or blinds may be used to accomplish this purpose);

(e) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, except as provided in division (g), there shall be no more than two additional cars parked on the premises or adjacent to it for non-residents, including clients and employees. Parking shall not be permitted in the front or side yards, unless paved according to city standards;

(f) There shall be no outside storage (to include trailers) or display related to the home occupation;

(g) One commercial vehicle, not for advertising, having a capacity of one ton or less (excluding attached trailers), may be used or parked on appropriate pavement on the property in connection with the home occupation;

(h) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and

(i) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

(B) *Occupations included.* Home occupations may include, but are not necessarily limited to, the following:

(1) Office facility of an accountant, architect, attorney, engineer, consultant, insurance agent, real estate broker or member of similar professions;

(2) Author, artist or sculptor, photographer;

(3) Dressmaker, seamstress or tailor;

(4) Music/dance teacher or other type of instruction;

(5) Individual tutoring;

(6) Home crafts such as rug weaving, model making;

(7) Office facility of a salesman, sales representative, manufacturer's representative, or service provider, for sale of goods or services, whether such individual or individuals are self-employed or otherwise; and provided that no retail or wholesale transactions or provision of services are made on the premises;

(8) Repair shops for small electrical appliances (such as irons, portable fans and the like), typewriters, cameras and other similar small items; provided the item does not have an internal combustion engine;

(9) Food preparation establishments such as cake maker, provided there is compliance with all state health laws and no consumption of food items by customers on the premises;

(10) Personal grooming with one customer at a time, by appointment only.

(C) *Occupations not included.* Permitted home occupations shall not in any event be deemed to include:

(1) Animal hospitals or clinics, commercial stables or commercial kennels;

(2) Restaurants;

(3) Automobile, boat or trailer paint or repair shops (major or minor);

(4) Doctor, dentist, veterinarian, sex therapy, massage therapy or other medically related offices;

(5) On-premise retail sales, except garage sales as otherwise provided in this code;

(6) Mortuaries;

(7) Private clubs;

(8) Trailer rentals;

(9) Carpentry work;

(10) Photo developing using chemicals;

(11) Gift shops;

(12) Repair shops for any item with an internal combustion engine; and

(13) Those home occupation uses which, without regard to principal or accessory use conditions, would be classified as assembly, factory-industrial, hazardous, institutional or mercantile occupancies as defined by the 1988 Standard Building Code, as amended.

(D) *Application of provisions.* The provisions of this section shall apply to all home occupations, regardless of the date of inception, unless previously authorized in writing by the city.

(E) *Home occupations not listed in this section.*

(1) Persons wishing to operate home occupations which are not expressly permitted or prohibited by this section may make written request to the Planning and Development Director for a formal review of the proposed home occupation.

(2) The Planning and Development Director shall review the request to determine the appropriateness within the established general guidelines. If the Director makes a favorable determination, the request shall be forwarded to the Planning and Zoning Commission for hearing.

(3) The Planning and Zoning Commission shall, in accordance with applicable law, review all requests forwarded by the Director, and submit a final report and recommendation to the City Council.

(4) The City Council shall then, in accordance with applicable law, review and consider action on the request.

(5) Any person requesting a formal review to permit a particular use not otherwise permitted shall, at the time such request is submitted, pay a non-refundable fee established by the City Council.

(F) *License revocation.* Home occupations are subject to review by the city, should violations be reported or observed. Licenses shall be revoked for noncompliance.

(Ord. 2006-40, passed 10-24-06)

I hereby declare that I have read this information and do comply with the definition of a home occupation as defined by the City of Harker Heights, and acknowledge that violation of the Code of Ordinances or any misrepresentation of this application does constitute the invalidation of the business registration.

Signed



Date

18 Jun 21

Please generally describe the home occupation:

Auto detailing - no painting, no body work, no sanding, no mechanical repairs. No signs or storage. One customer at a time only by appointment and customer does not stay. All work done inside garage with door closed and battery-operated polisher that cannot be heard outside (already use it on my car). Most times customer vehicle will never be seen in neighborhood. Only 1-2 customers usually per week more as a hobby. Wash, seal, polish mainly.

HOME OCCUPATIONS

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(c) In no way shall the outside appearance of the dwelling be altered from its residential character;

(d) Performance of the occupation activity shall not be visible from the street (curtains or blinds may be used to accomplish this purpose);

(e) The use shall not increase vehicular or pedestrian traffic flow beyond what normally occurs in the applicable zoning district. Additionally, except as provided in division (g), there shall be no more than two additional cars parked on the premises or adjacent to it for non-residents, including clients and employees. Parking shall not be permitted in the front or side yards, unless paved according to city standards;

(f) There shall be no outside storage (to include trailers) or display related to the home occupation;

(g) One commercial vehicle, not for advertising, having a capacity of one ton or less (excluding attached trailers), may be used or parked on appropriate pavement on the property in connection with the home occupation;

(h) No mechanical or electrical equipment shall be employed other than the quality and quantity of machinery or equipment customarily found in a home associated with a hobby or avocation not conducted for gain or profit; and

(i) The home occupation use shall not generate noise, vibration, glare, fumes, odors, or electrical interference beyond what normally occurs in the applicable zoning district.

(B) *Occupations included.* Home occupations may include, but are not necessarily limited to, the following:

(1) Office facility of an accountant, architect, attorney, engineer, consultant, insurance agent, real estate broker or member of similar professions;

(2) Author, artist or sculptor, photographer;

(3) Dressmaker, seamstress or tailor;

(4) Music/dance teacher or other type of instruction;

(5) Individual tutoring;

(6) Home crafts such as rug weaving, model making;

(7) Office facility of a salesman, sales representative, manufacturer's representative, or service provider, for sale of goods or services, whether such individual or individuals are self-employed or otherwise; and provided that no retail or wholesale transactions or provision of services are made on the premises;

(8) Repair shops for small electrical appliances (such as irons, portable fans and the like), typewriters, cameras and other similar small items; provided the item does not have an internal combustion engine;

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(3) Automobile, boat or trailer paint or repair shops (major or minor);

(4) Doctor, dentist, veterinarian, sex therapy, massage therapy or other medically related offices;

(5) On-premise retail sales, except garage sales as otherwise provided in this code;

(6) Mortuaries;

(7) Private clubs;

(8) Trailer rentals;

(9) Carpentry work;

(10) Photo developing using chemicals;

(11) Gift shops;

(12) Repair shops for any item with an internal combustion engine; and

(13) Those home occupation uses which, without regard to principal or accessory use conditions, would be classified as assembly, factory-industrial, hazardous, institutional or mercantile occupancies as defined by the 1988 Standard Building Code, as amended.

(D) *Application of provisions.* The provisions of this section shall apply to all home occupations, regardless of the date of inception, unless previously authorized in writing by the city.

(E) *Home occupations not listed in this section.*

(1) Persons wishing to operate home occupations which are not expressly permitted or prohibited by this section may make written request to the Planning and Development Director for a formal review of the proposed home occupation.

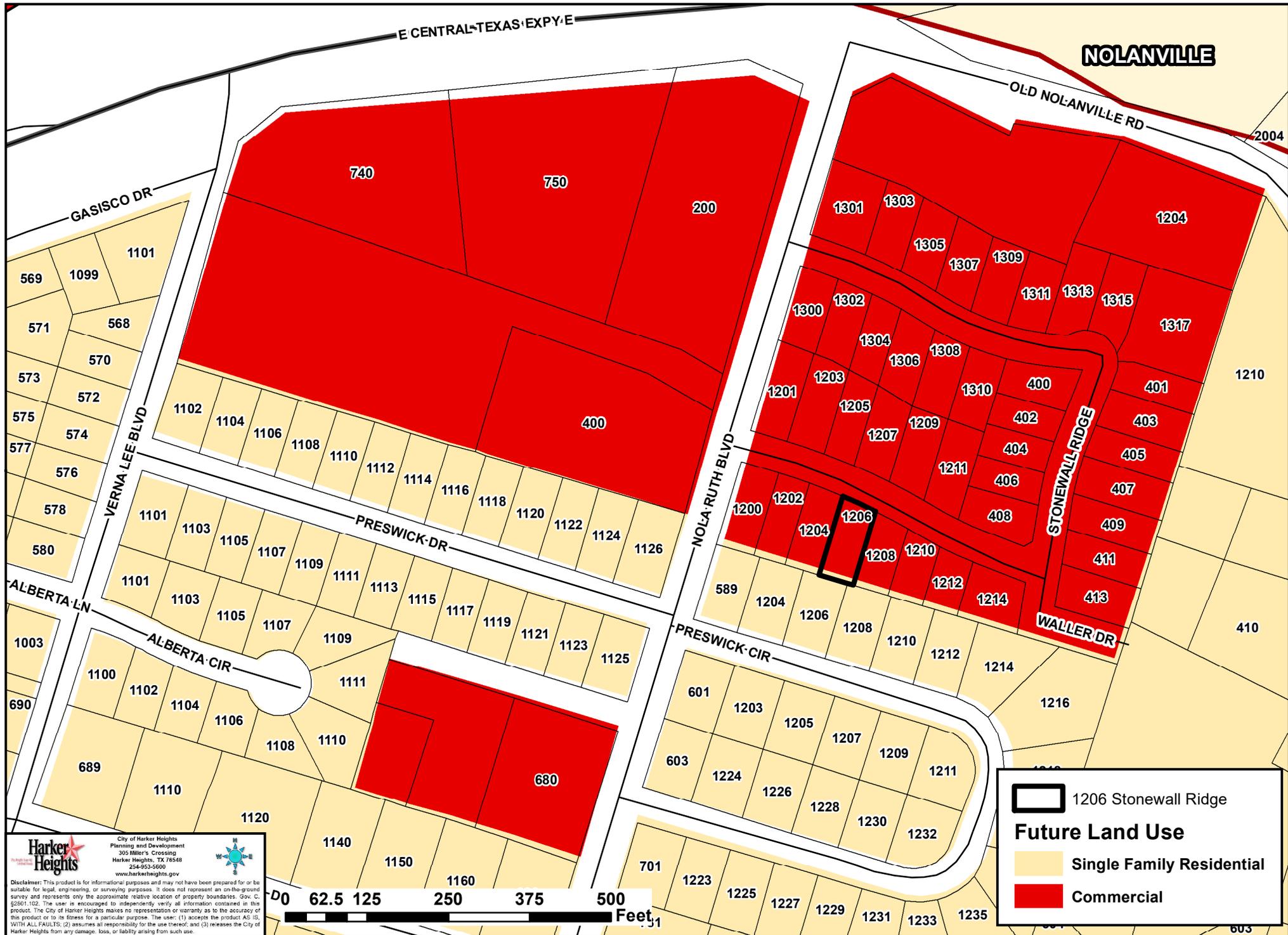
(2) The Planning and Development Director shall review the request to determine the appropriateness within the established general guidelines. If the Director makes a favorable determination, the request shall be forwarded to the Planning and Zoning Commission for hearing.

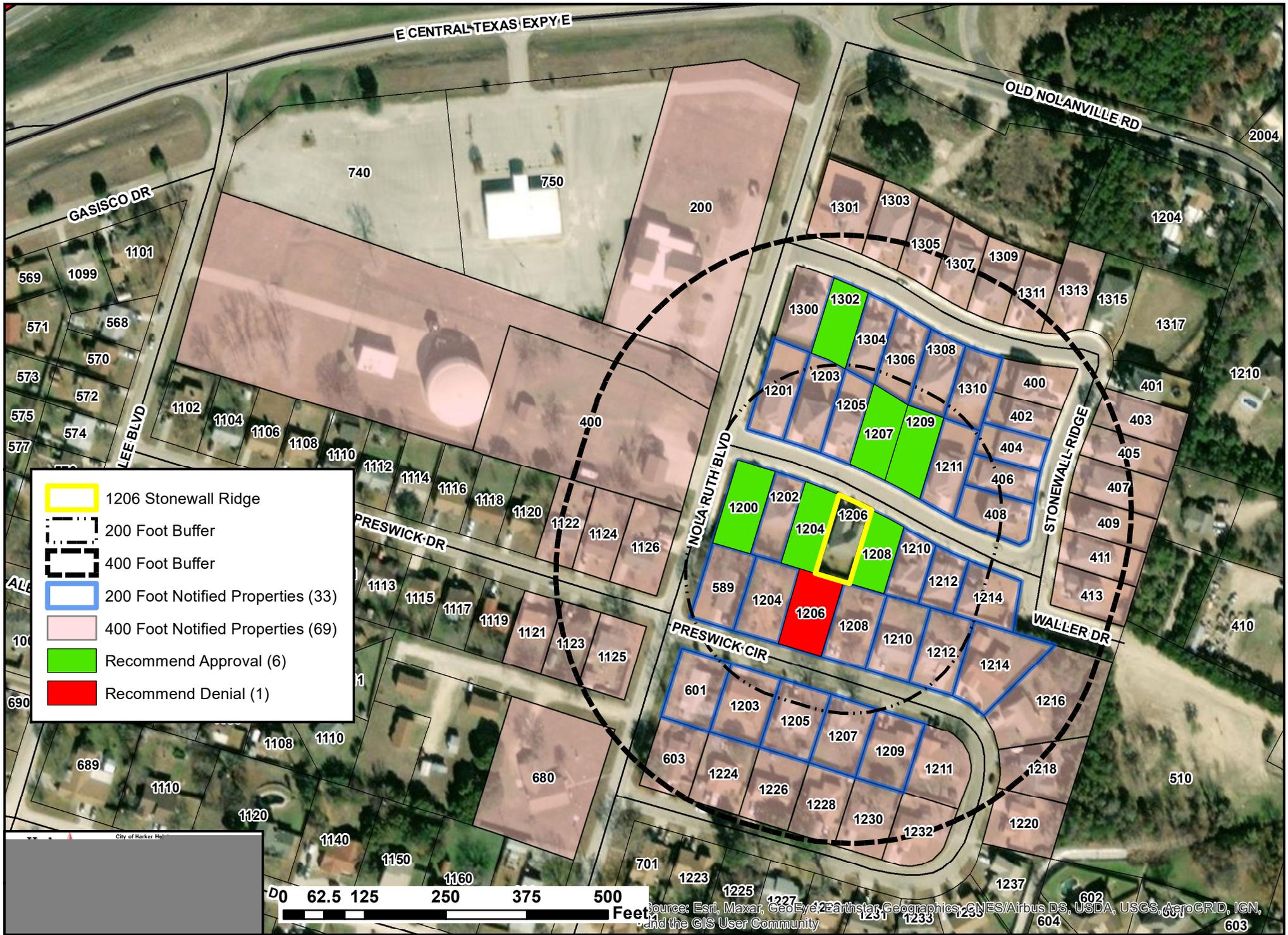
(3) The Planning and Zoning Commission shall, in accordance with applicable law, review all requests forwarded by the Director, and submit a final report and recommendation to the City Council.

(4) The City Council shall then, in accordance with applicable law, review and consider action on the request.

(5) Any person requesting a formal review to permit a particular use not otherwise permitted shall, at the time such request is submitted, pay a non-refundable fee established by the City Council.

(F) *License revocation.* Home occupations are subject to review by the city, should violations be reported or observed. Licenses shall be revoked for noncompliance. (Ord. 2006-40, passed 10-24-06)





AARON AND RACHEL GRIFFITH

1200 Stonewall Ridge, Harker Heights, TX 76548 | 561-386-4576 | wagraggriffs@gmail.com

June 27, 2021

To whom it may concern:

We are writing to express our full support of our neighbor, Matthew Jones, to operate his business from his home in our neighborhood. Matthew is a valued member of our community, and we trust that he will run an honest business while respecting his fellow residents of Stonewall Ridge. We hope you will approve his request so that he may continue on his endeavor to operate Harker Heights Ceramic Coatings.

Sincerely,

Aaron and Rachel Griffith

Handwritten signatures of Rachel Griffith and Aaron Griffith in blue ink. The signature of Rachel Griffith is on top, and the signature of Aaron Griffith is below it.

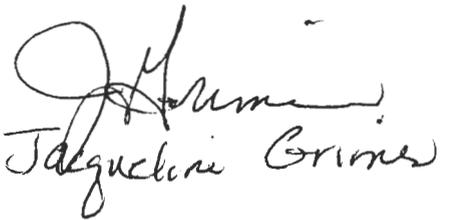
Sir or ma'am,

I live at 1204 Stonewall Ridge, and I am Matthew's next-door neighbor. Matthew and I worked together to ensure our shared fence line was protected and he seems to care about his house and his property.

We are a fairly close community, and have not had an issue with extra cars, noise, or anything else from his house.

When he had friends and family in for his wedding, even then there was not an excessive number of vehicles blocking the road or traffic.

I support his efforts to open his business from his garage and hope you will too.



Handwritten signature of Jacqueline Grimes. The signature is written in black ink and consists of a stylized first name 'Jacqueline' and the last name 'Grimes' written below it.

To whom it may concern,

My wife and I live across from Matthew at 1207 Stonewall Ridge.

Even in February, before they closed on their house, Matthew and Patricia spent time talking to the neighbors and joined our local Facebook group. Like me, Matthew is nearly retired from the Army after more than 20 years, and is looking to stay occupied in his free time.

He has detailed his own car and truck, and it was not noisy or troublesome. He has helped my daughter's friend fix her car as a friend, he spent several hours showing me how to wash/clean/seal my own cars, and he is actively involved in the community with fundraisers and other events.

He began improvements upon his house to ensure it was as nice as possible from the moment he moved in and is always speaking about how he will live here for the rest of his life.

I have no doubt that he would not jeopardize the quality of the neighborhood and his standing within the community for his business, and hope you will approve it, so he can do what he loves during retirement.

Troy & Jennifer Shoaf
1207 Stonewall Ridge
Harker Heights, TX 76548
253-486-3494

June 29, 2021



Thank you

Dear commission / council,

I live directly next to Matthew and Patricia Jones at 1208 Stonewall Ridge. Since moving in, in March, they have been an active part in the community. They have never disturbed anyone, and even apologize if they have to park in front of our house if someone like a contractor is at their house to install solar panels (or similar).

Matthew spoke to us about his business and not only are we sure that it would not interfere with the neighborhood, but we know that if there was ever an issue he would address it. The things he does he has done to his own vehicles, and you wouldn't even know it if he didn't show you specifically as the garage doors are closed and doesn't make a lot of noise.

We are a close community and help each other out. We would like to see Matthew succeed with his business and stay occupied during retirement

A handwritten signature in cursive script, reading "Ingrid Samblino". The signature is written in black ink on a white background.

City council,

I live across the street and catacorner to Matthew. Matthew posted on social media about his business and how he planned to minimize any disruption to the neighborhood. I have never had an issue with him or his wife, and do not see why his business would change anything. Please accept his request to have his business officially registered in Harker Heights.

Albert Christy  1209 Stonewall Rdg.

Billy & Domonique Edwards
1302 Stonewall Ridge
Harker Heights, TX 76548

To whom it may concern,

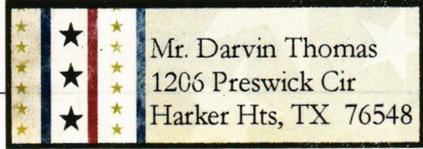
I reached out to Matthew after he posted in our Facebook group explaining what he was trying to do with his small home business. I travel through our neighborhood regularly and have never noticed any increased traffic or waste from his house. He explained that he would not cause issues within the neighborhood, and always seems to be trying to help improve the neighborhood in the Facebook group. He has never given anyone a reason to think differently.

I hope you will consider his request and allow him to operate in our area.

Thank you,
Billy Edwards
Domonique Edwards




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

FROM:  Mr. Darvin Thomas
1206 Preswick Cir
Harker Hts, TX 76548

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

RE: An application has been made to consider recommending allowance of Harker Heights Ceramic Coatings, LLC to conduct a car detailing business as a Home Occupation on Stonewall Ridge Phase II, Lot Four (4), Block Three (3), generally located at 1206 Stonewall Ridge, Harker Heights, Bell County, Texas (see attached notification map).

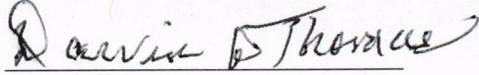
I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Looking at the enclosed map, it appears that the main road to get to the proposed business is Nola Ruth Blvd which is a heavy traveled road now and is in very poor condition so I cannot recommend that this business be approved.

DARVIN D. THOMAS
Printed Name


Signature

7-16-2021
Date



PLANNING AND ZONING COMMISSION MEMORANDUM

P21-24

AGENDA ITEM VIII-01

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING & DEVELOPMENT
DATE: July 28, 2021

DISCUSS AND CONSIDER A REQUEST FOR MINOR PLAT APPROVAL WITH CONDITIONS FOR THE SUBDIVISION REFERRED TO AS KROHN VALLEY ADDITION, ON PROPERTY DESCRIBED AS A 0.322 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099, THE LAND HEREIN DESCRIBED BEING ALL OF A CALLED 0.322 ACRE TRACT OF LAND CONVEYED TO ANGEL K. KROHN, BEING OF RECORD IN VOLUME 5172, PAGE 415, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.P.B.C.T.) GENERALLY LOCATED SOUTH OF FULLER LANE AND WEST OF HILLTOP DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT DESCRIPTION:

The applicant submitted an application for minor plat approval for approximately 0.322 acres of occupied land west of Hilltop Rd. The proposed development will consist of 1 lot that is currently zoned One Family Dwelling District (R-1). The 2007 Future Land Use Map shows the future use of this property to be Family Residential. The applicant indicated that the proposed use for this parcel is to install a new manufactured home.

As of July 20, 2021 staff had reviewed the submitted minor plat and made comments to address pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

The applicant intends to install a new larger manufactured home on this lot. There are restrictions on the size of house that may be installed due to the parcel being serviced by a septic system (On-Site Sewage Facility/OSSF).

Staff recommends approval of the minor plat with the following conditions:

1. All outstanding comments from Bell County Public Health shall be resolved prior to issuance of any building permits or placement of a manufactured home on this parcel.

In accordance with Texas Local Government Code Section 212.065 and the City of Harker Heights' Code of Ordinances §154.26(B)(2), due to the recommended approval with conditions staff is forwarding this plat to the Planning & Zoning Commission for approval.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for Minor Plat for the subdivision referred to as Krohn Valley Addition, on property described as a 0.322 acre tract of land in Bell County, Texas, being part of the Peter Williamson Survey, Abstract No. 1099, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.P.B.C.T.) generally located South of Fuller Lane and West of Hilltop Drive, Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Krohn Valley Addition - Minor Plat
3. Location Map
4. Staff Comments with Responses (Sent 07/09/2021; Received 07/15/2021)



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: KROHN VALLEY ADDITION Date Submitted: Jun 2, 2021

Existing Lot Count: 1 Proposed Lot Count: 1 Acreage: 0.322

Site Address or General Location: 3910 Hilltop Drive, Harker Heights, TX 76548

Reason for Amendment/
Description of Subdivision: CLIENT REQUESTED A 1 LOT SUBDIVISION

Zoning Classification: R1 Existing Land Use: Residential

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: Angel Kaye Krohn

Address: 3910 Hilltop Drive, Harker Heights, TX 76548

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

Developer: _____

Address: _____

Phone: _____ E-mail: _____

Engineer/Surveyor: Mitchell & Associates, Inc.

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

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

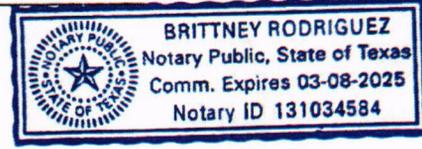
I HEREBY UNDERSTAND AND ACKNOWLEDGE
THE MINOR PLAT INVOLVES FOUR OR FEWER LOTS FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED
OR
THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

Angel Krohn
PRINTED NAME OF OWNER:

Angel Krohn
OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 2 DAY OF June, 2021

Brittney R MY COMMISSION EXPIRES: MARCH 8, 2025
NOTARY PUBLIC SIGNATURE



Date Submitted: 6/30/21 STAFF ONLY -- DO NOT FILL OUT BELOW
 Received By: W. W. [REDACTED] Pre-Application Meeting
 Receipt #: 01711419
 Case #: 21-24

KROHN VALLEY ADDITION

KNOW ALL MEN BY THESE PRESENTS, that **Angel K. Krohn**, whose address is **3910 Hilltop Drive, Harker Heights, Texas, 76548**, being the sole owner of that certain **0.322 acre tract of land in Bell County, Texas, the land herein described being all of a called 0.322 acre tract of land conveyed to Angel K. Krohn, being of record in Volume 5172, Page 415, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.)**, which is more fully described in the dedication of **KROHN VALLEY ADDITION** as shown by the plat hereof, attached hereto, and made a part hereon, and approved by the City of Harker Heights, Bell County, Texas, **Angel K. Krohn** does hereby adopt said **KROHN VALLEY 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 and drainage 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.

WITNESS the execution hereof, on this _____ day of _____, 2021.

Angel K. Krohn

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

NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: _____

APPROVED this 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

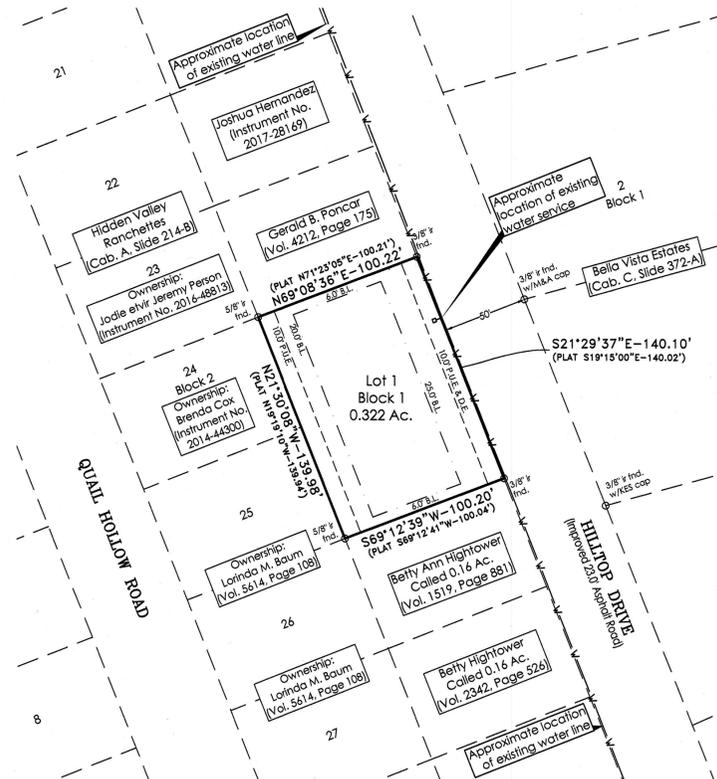
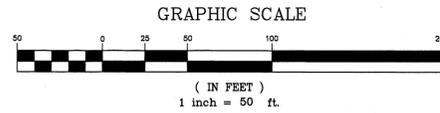
ATTEST: CITY SECRETARY

KNOW ALL MEN BY THESE PRESENTS:

That I, Mike W. Kriegel, 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.



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



PROPERTY OWNER:
Angel Kaye Krohn
3910 Hilltop Dr.
Harker Heights, TX 76548

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

- NOTES:**
- All bearings are based upon the Texas Coordinate System, NAD 83 (CORS 96), Texas Central Zone as determined by Leica Texas Smartnet GPS observations. All distances are surface distance. Combined scale factor=1.0001168.
 - This subdivision is located in zone X, areas determined to be outside the 0.2% annual chance floodplain, as indicated on the U.S. FEMA Agency Boundary Map, (Flood Insurance Rate Map), Map No. 48027C0325E, effective date September 26, 2008 for Bell County, Texas.
 - This subdivision will be served by on site sewerage facilities (OSSF). The Bell County Health Department must approve any on site sewerage facilities installation prior to construction.

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 Sewerage Facilities and is hereby recommend for approval.

Signature: _____ Date: _____

Title: _____ Bell County Public Health District

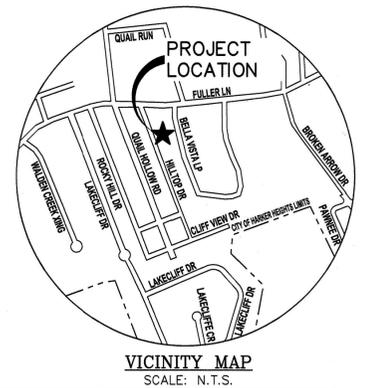
AFFIDAVIT:

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

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

By: _____
Bell County Tax Appraisal District

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



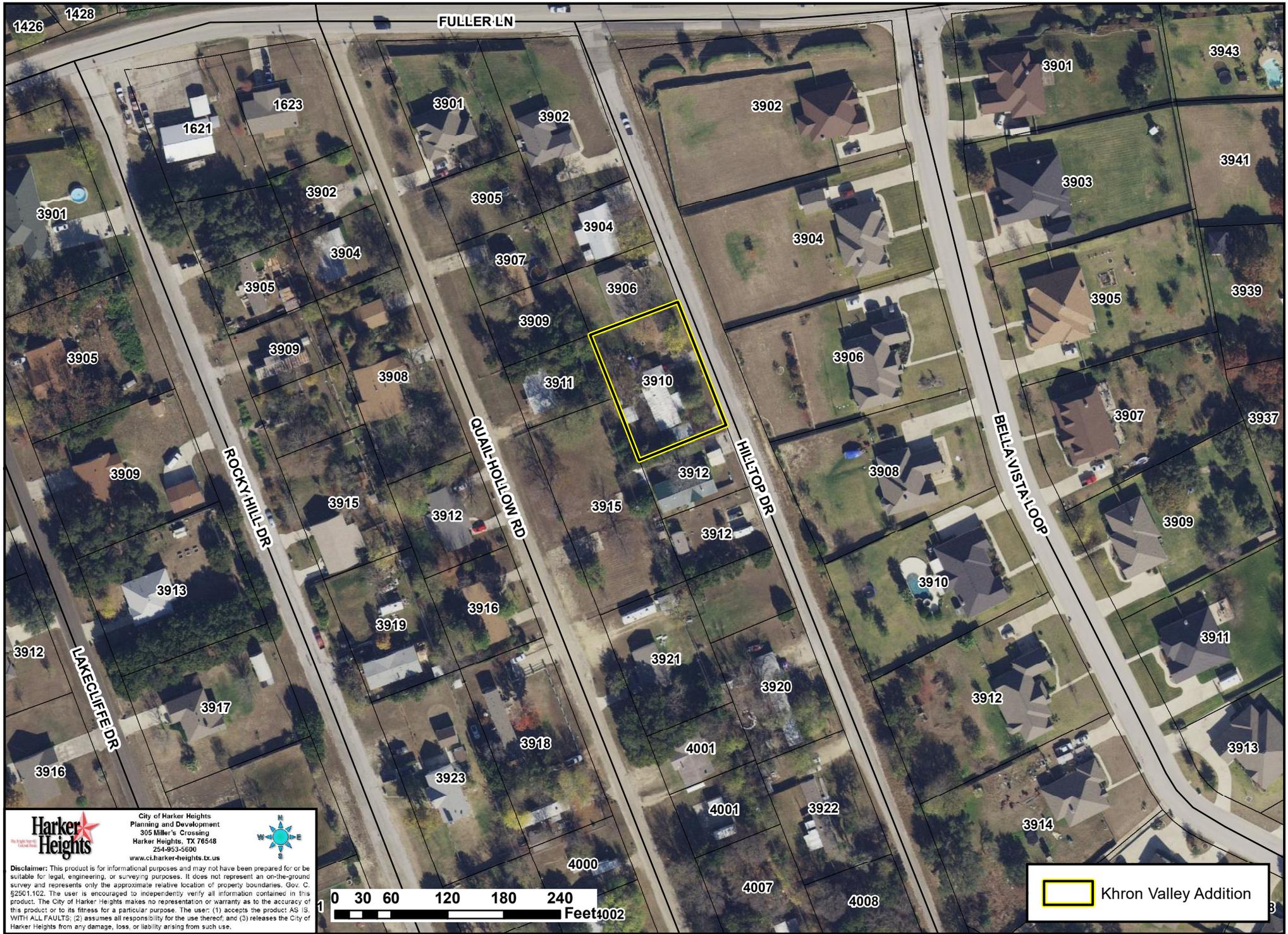
| No. | DATE | REMARKS | FRB | BY |
|-----|------|---------|-----|----|
| 1 | ** | | | |

KROHN VALLEY ADDITION
HARKER HEIGHTS, BELL COUNTY, TEXAS
MINOR PLAT

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241
P. E. L. S. FIRM REGISTRATION NO. 102094-00

DWG No.: 21-044-D-S
DATE: JUNE 2021
DRAWN BY: FRB
SCALE: AS SHOWN
DATE: JUNE 2021
SCALE: AS SHOWN
DATE: JUNE 2021
SCALE: AS SHOWN

1 LOT
1 BLOCK
0.322 AC.



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

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 Khron Valley Addition

KROHN VALLEY ADDITION

P21-24 Minor Plat – Krohn Valley Addition

Plat Distributed to HH Staff: July 2, 2021

Comments Returned to Mitchell & Associates: July 9, 2021

Response by Mitchell & Associates: July 15, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant shall clarify ownership or amend the owners note or the signature block such that all owners are identified and sign the dedication statement. Bell County Tax records show the owners as KROHN, ANGEL KAYE ETVIR TIMOTHY PATRICK.

The property deed (Vol. 5172, Pg. 415) lists Angel Krohn as the sole owner. The listed marriage certificate is dated prior to the subject deed.

2. Applicant shall amend the Surveyor's Certificate & Tax Certification block such that they match the required language in § 154.22 (B) (1) (q) of the City of Harker Heights' Code of Ordinance.

Revised per ordinance.

3. Applicant shall amend the plat dedication page such that the required 1/100 scale is provided.

Applicant can also provide insets at a different scale in order to be legible.

According to City of Harker Heights Code of Ordinances, 154.22 (B) (1) the scale requested must be 1 inch to 100 feet (1"=100') or larger. This plat is drawn at 1 inch to 50 feet (1"=50') meeting the scale requirement.

Public Works, Mark Hyde

1. The project location map is wrong. The lot is located between Hilltop Drive and Quail Hollow Road. The location map shows it between Hilltop Drive and Bella Vista Loop.

Revised.

Consulting Engineer, Otto Wiederhold

1. No Comments.

Fire Marshal, Brad Alley

1. City of Harker Heights Planning Department has not heard back from the fire department and comments may be forthcoming as of 07/09/2021.

Building Official, Mike Beard

1. No Comments.

ONCOR

1. Does not indicate any changes to Oncor easements/facilities.

Century Link, Chris McGuire

1. No Objections.

Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Burton Jones

1. Atmos no conflict with the proposed plat.

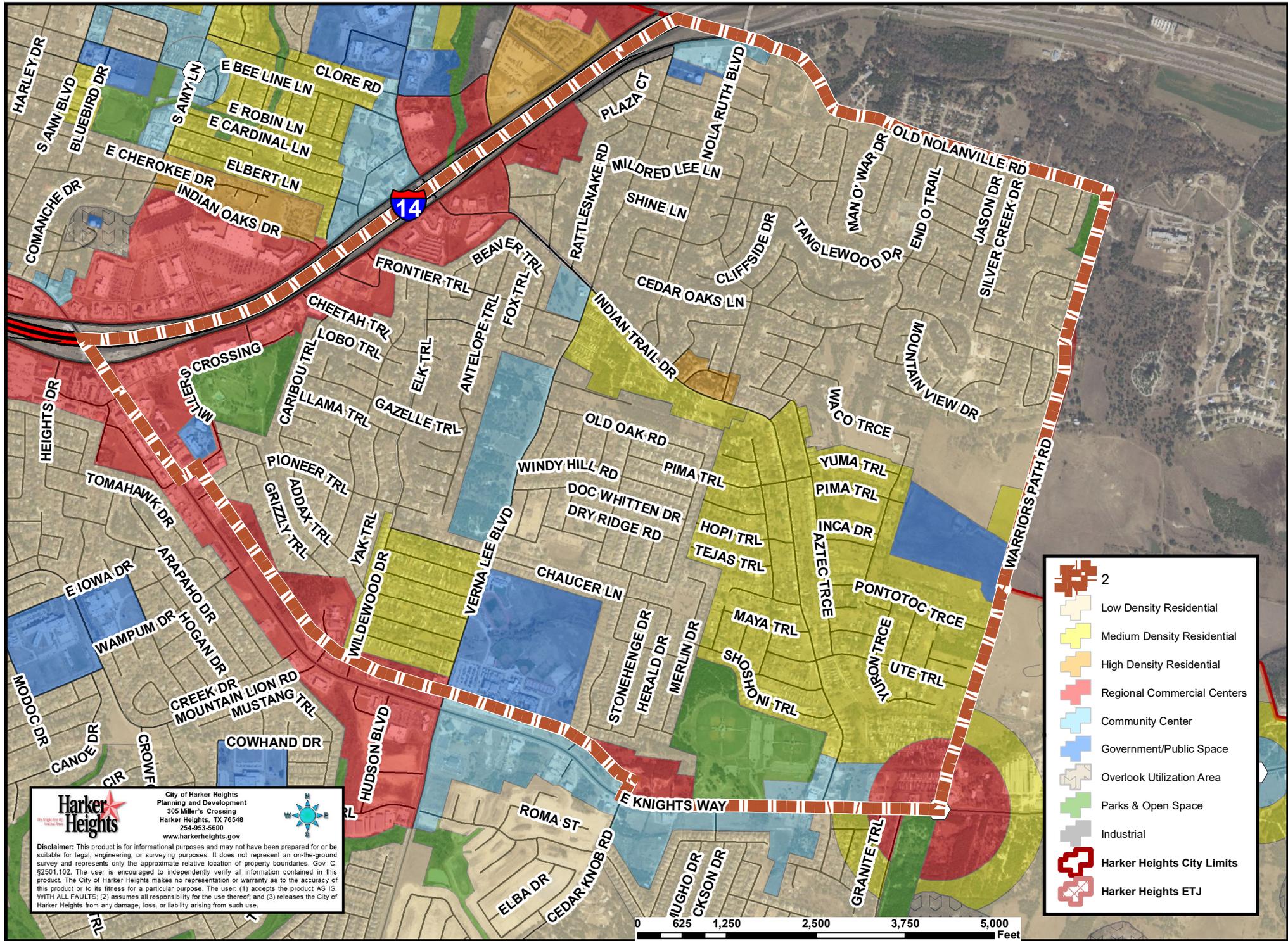
Bell County Public Health, Kent Stephens & Sarah Little

Upgrading the size of structure requires an upgraded septic system to support the increased Mobile Home size. A 3 bedroom septic system will not support a 5 bedroom home. The size of the tank and drainfield for the 3 bedroom structure does not meet the State Laws for sizing. When the Health District originally gave approval, it was not known that the size of the home was to be increased. With this new information, we cannot approve the subdivision without a new system proposed to fit on the property.

If more information is needed or if this department can be of any further service to you, please contact Kent Stephens, R.S. in our Temple office at (254) 778-7557.

[Noted. We have proved this comment to the client and their builder for further action.](#)

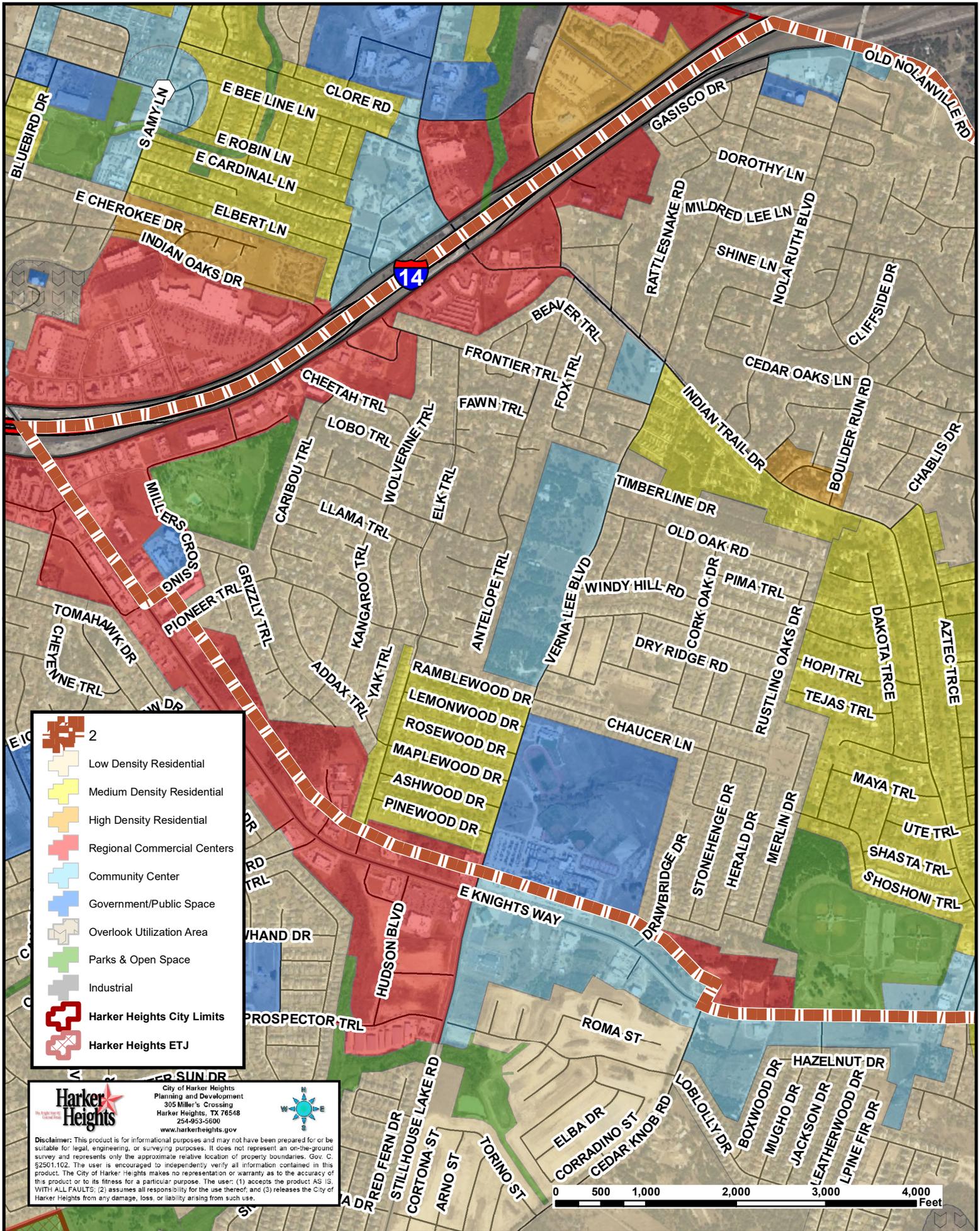
Future Land Use Map - Proposed Section 2



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

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Future Land Use Map - Proposed Section 2



Future Land Use Map - Proposed Section 2



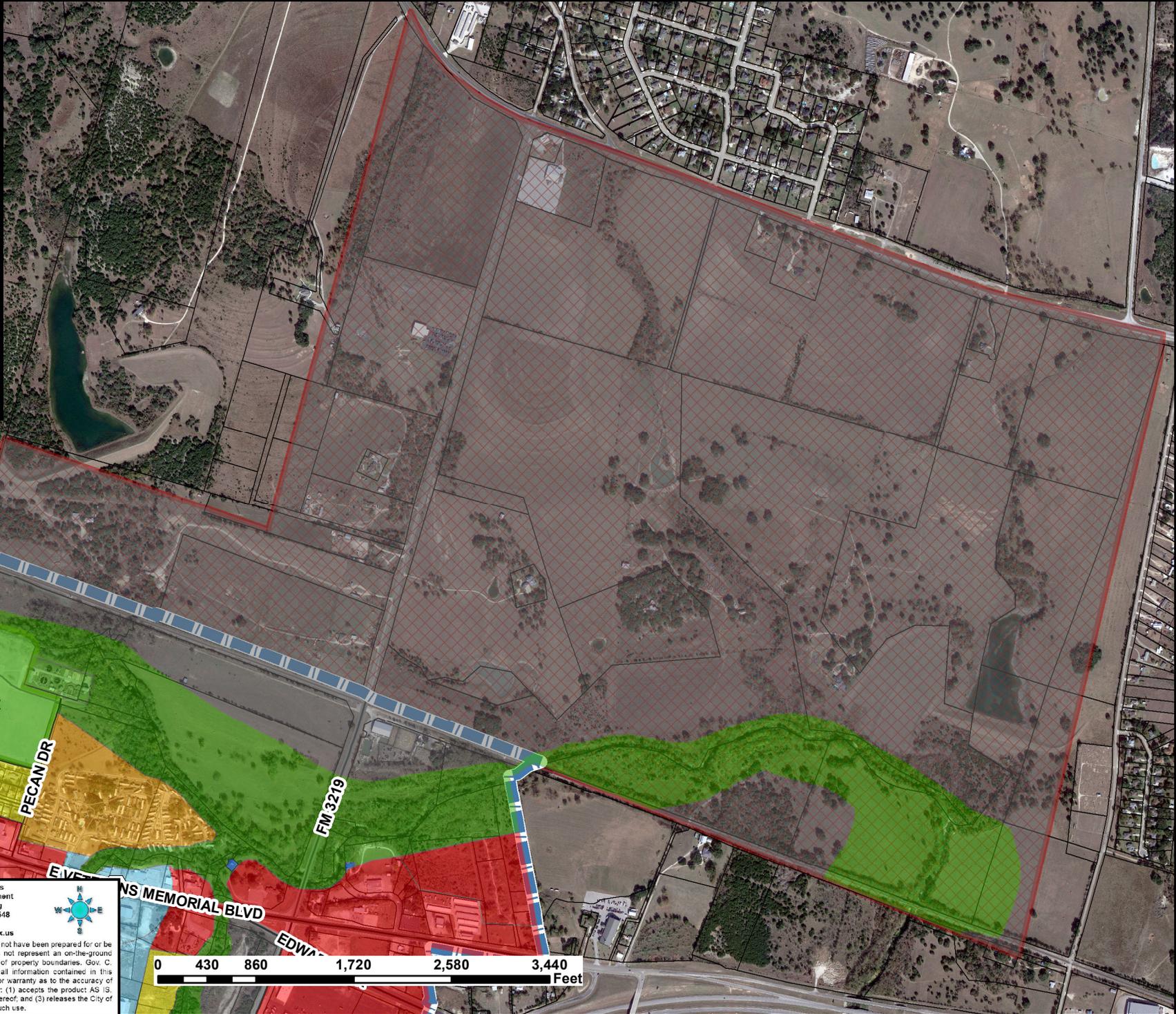
Future Land Use Map - Proposed ETJ Section 1

 Critical Intersection

 1

FLUM Updated Categories

-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Regional Commercial Centers
-  Community Center
-  Government/Public Space
-  Parks & Open Space
-  Industrial
-  Harker Heights City Limits
-  Harker Heights ETJ



Booker Greenspace

BALL RD

N AMY LN

TURNBO RD

E VALLEY RD

COX DR

E KATHEY RD

PECAN DR

Summit Soccer Complex

Harker Heights

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Future Land Use Map - Proposed ETJ Section 1

 Critical Intersection

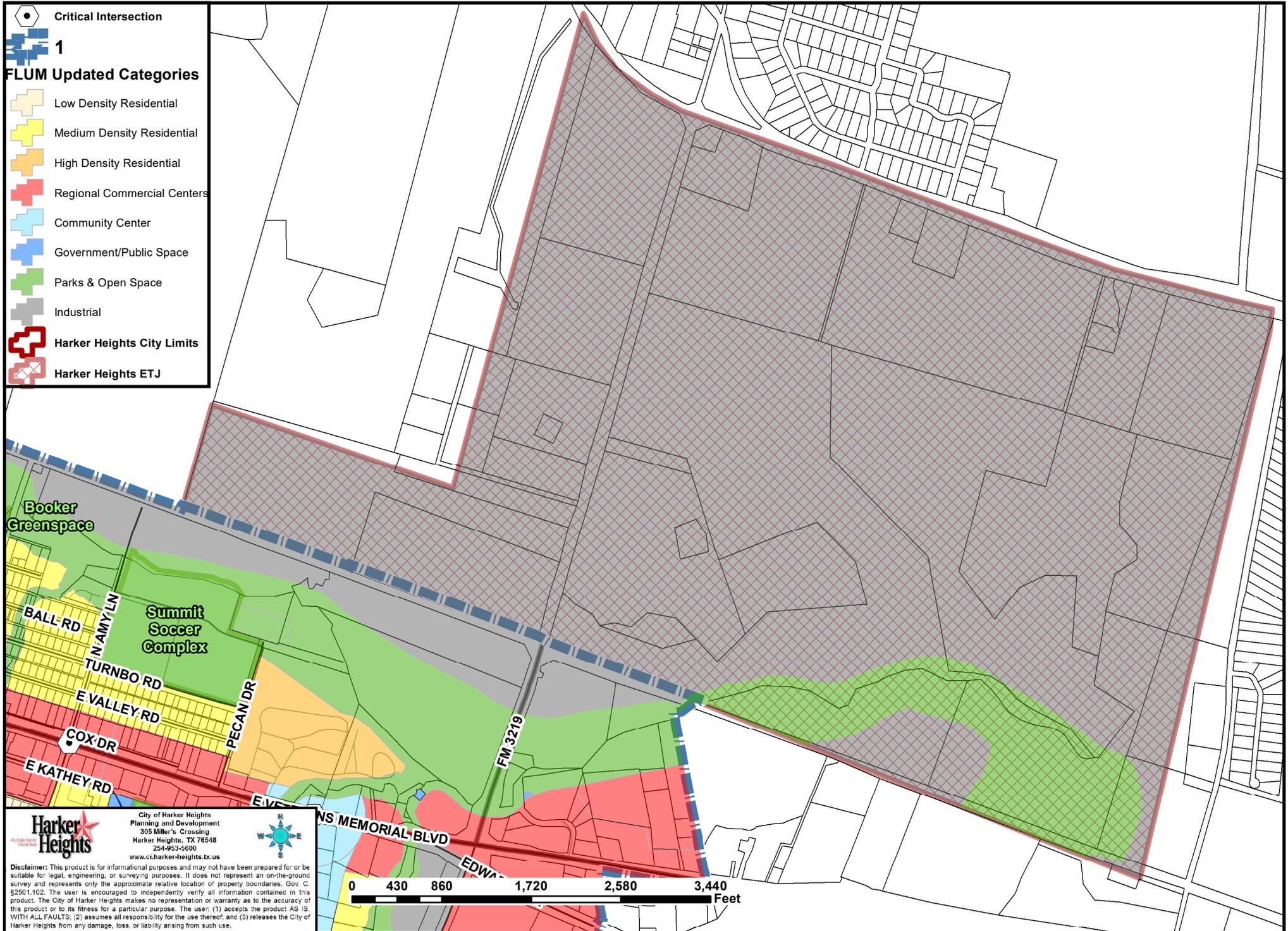
 1

FLUM Updated Categories

-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Regional Commercial Centers
-  Community Center
-  Government/Public Space
-  Parks & Open Space
-  Industrial

 Harker Heights City Limits

 Harker Heights ETJ



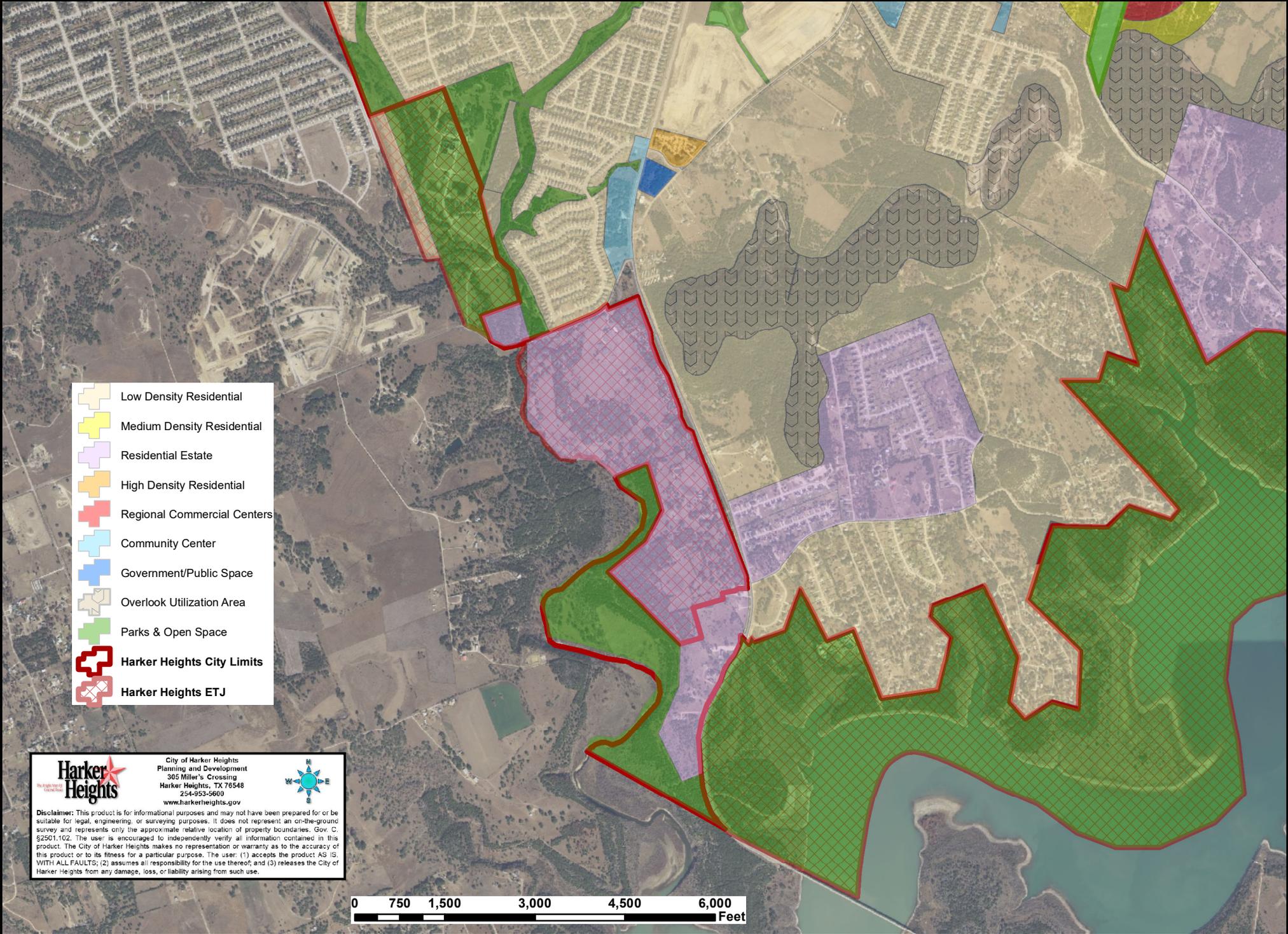
 **Harker Heights**

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Future Land Use Map - Western ETJ



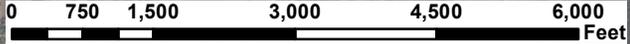
-  Low Density Residential
-  Medium Density Residential
-  Residential Estate
-  High Density Residential
-  Regional Commercial Centers
-  Community Center
-  Government/Public Space
-  Overlook Utilization Area
-  Parks & Open Space
-  Harker Heights City Limits
-  Harker Heights ETJ



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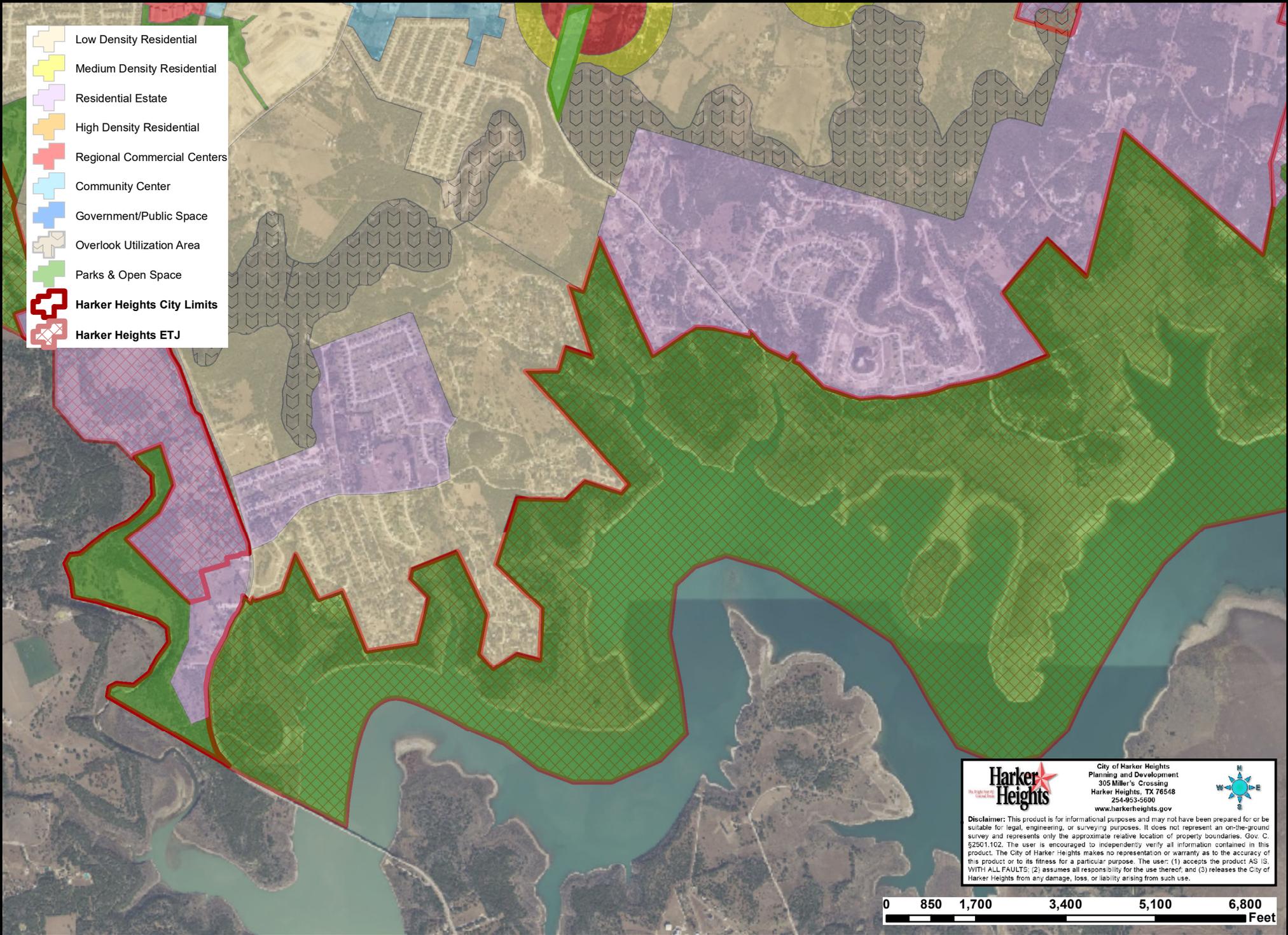


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Future Land Use Map - Southern ETJ

-  Low Density Residential
-  Medium Density Residential
-  Residential Estate
-  High Density Residential
-  Regional Commercial Centers
-  Community Center
-  Government/Public Space
-  Overlook Utilization Area
-  Parks & Open Space
-  Harker Heights City Limits
-  Harker Heights ETJ



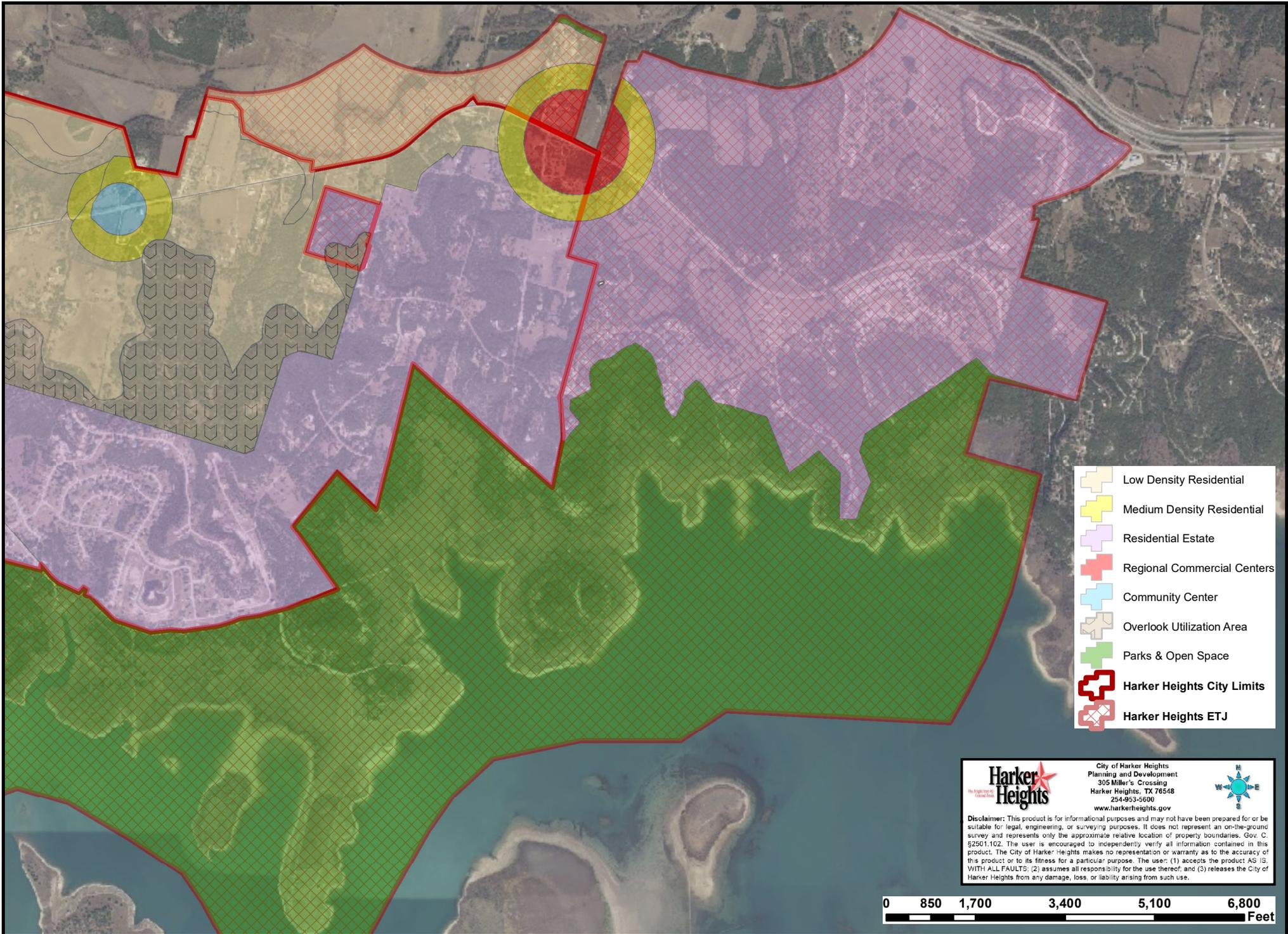

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Future Land Use Map - Eastern ETJ

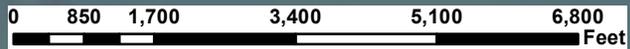


-  Low Density Residential
-  Medium Density Residential
-  Residential Estate
-  Regional Commercial Centers
-  Community Center
-  Overlook Utilization Area
-  Parks & Open Space
-  Harker Heights City Limits
-  Harker Heights ETJ

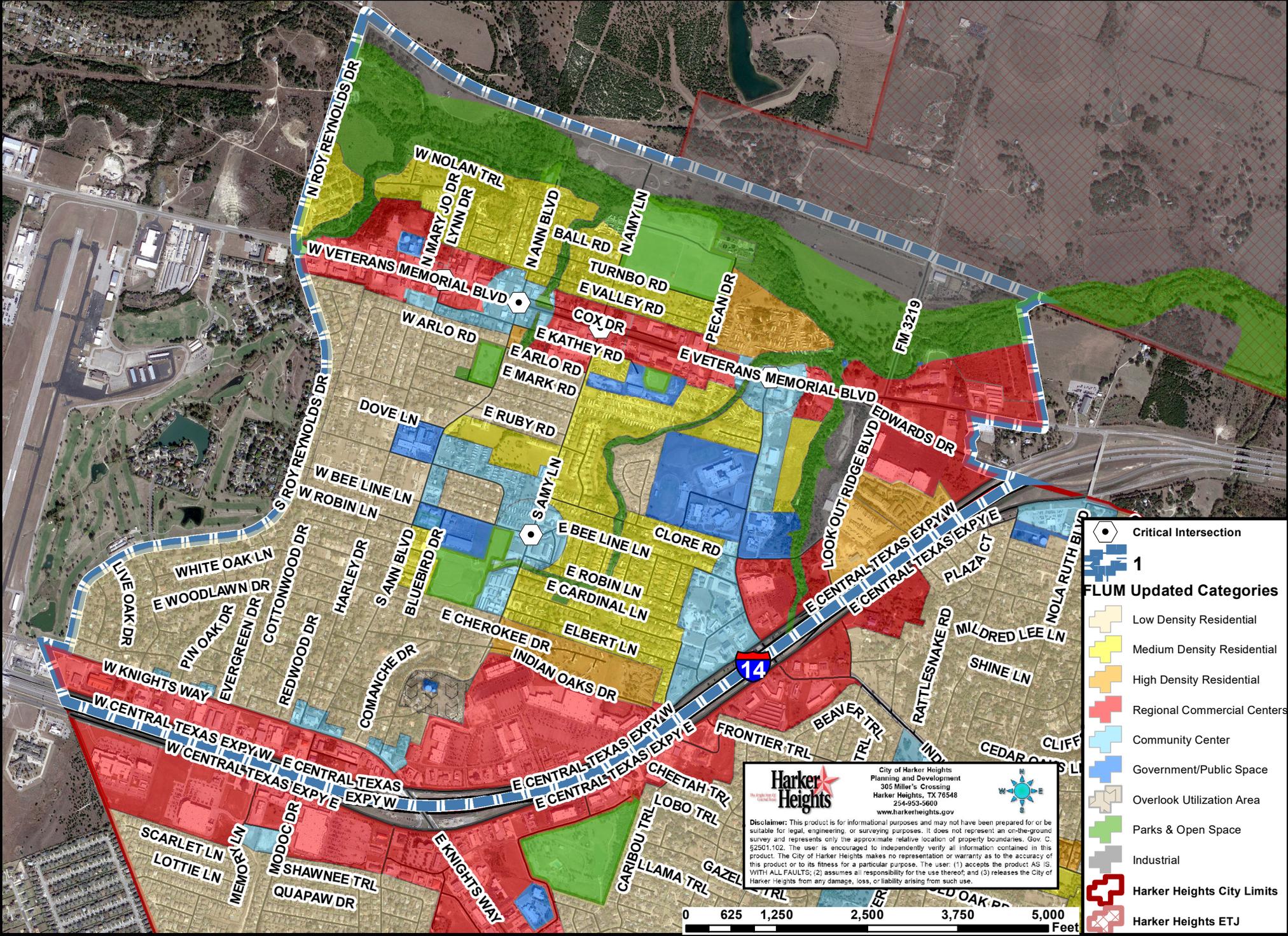

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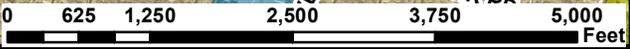
Future Land Use Map - Proposed Section 1



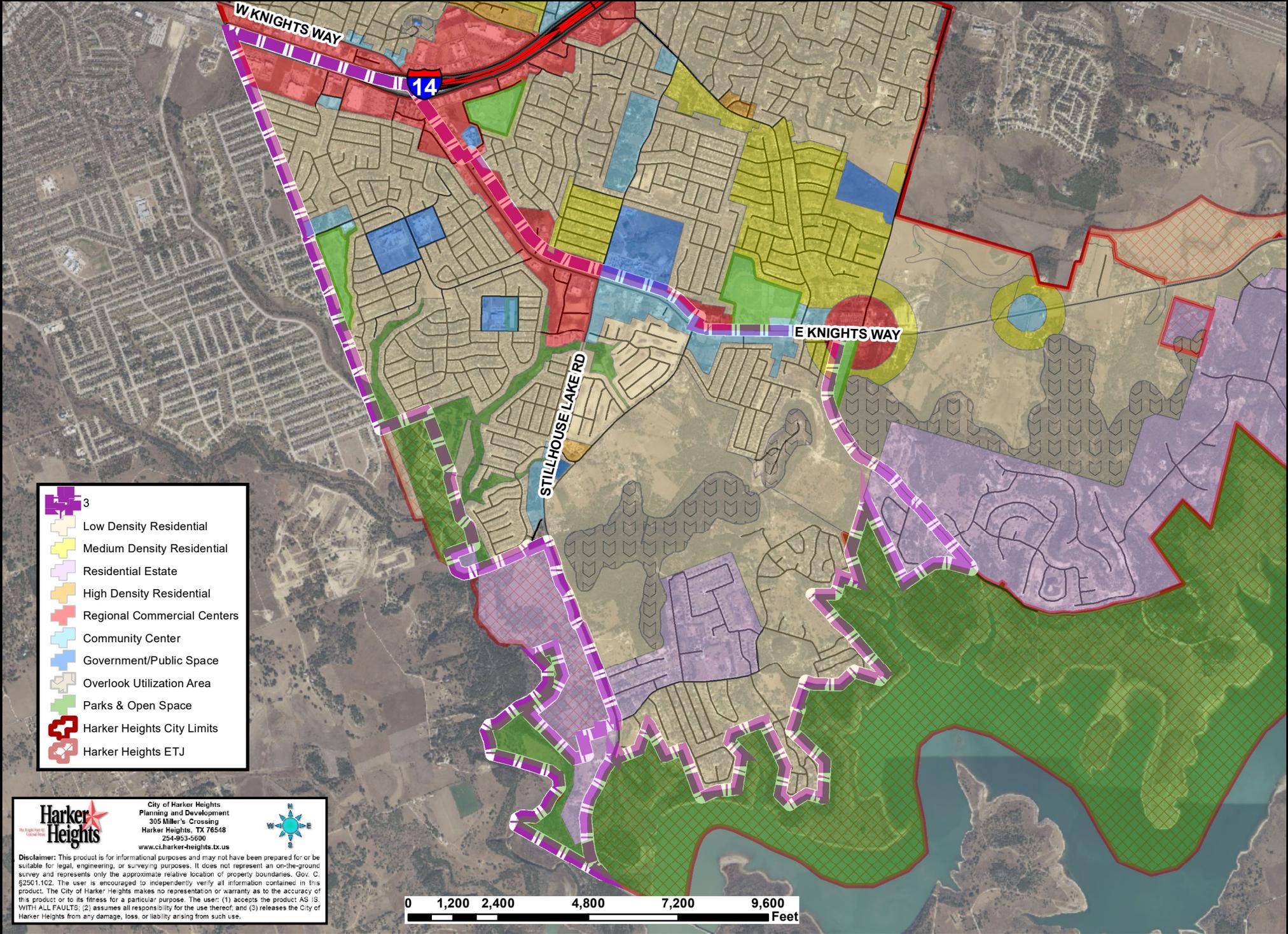
- Critical Intersection
- 1
- FLUM Updated Categories**
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Commercial Centers
- Community Center
- Government/Public Space
- Overlook Utilization Area
- Parks & Open Space
- Industrial
- Harker Heights City Limits
- Harker Heights ETJ

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Future Land Use Map - Proposed Section 3



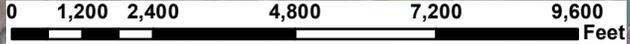
-  3
-  Low Density Residential
-  Medium Density Residential
-  Residential Estate
-  High Density Residential
-  Regional Commercial Centers
-  Community Center
-  Government/Public Space
-  Overlook Utilization Area
-  Parks & Open Space
-  Harker Heights City Limits
-  Harker Heights ETJ



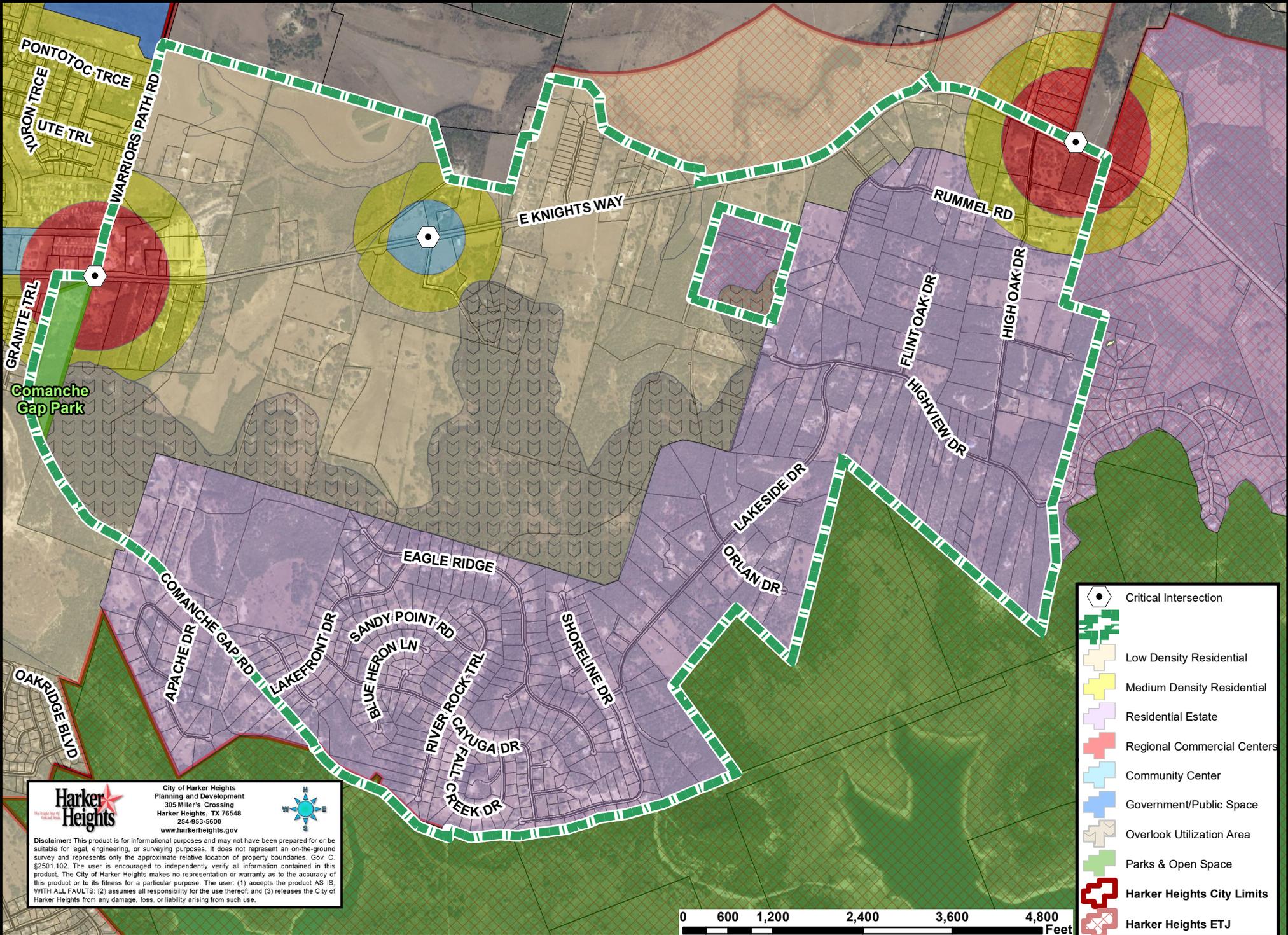
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Future Land Use Map - Proposed Section 4



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