



**Minutes of the Harker Heights Planning & Zoning Commission Meeting  
December 8, 2021**

**Present:**

**Commission**

Larry Robison	Chairman
Robert Robinson III	Vice Chairman
Noel Webster	Commissioner
Rodney Shine	Commissioner
Joshua McCann	Commissioner
Kay Carey	Commissioner

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

**Staff**

Kristina Ramirez	Planning and Development Director
Yvonne K. Spell	City Planner
Michael Beard	Building Official
Wilson Everett	Planning and Development Administrative Assistant
Brad Alley	Fire Marshal

**Absent:**

Adam Parker	Secretary
Nuala Taylor	Commissioner
Stephen Watford	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 6:40 P.M.

**Agenda Item II:** Invocation

**Agenda Item III:** Pledge of Allegiance

**Agenda Item IV:** The next agenda item was approval of the agenda from the regular Planning and Zoning Meeting for December 8, 2021. Commissioner McCann made a motion to approve the agenda and to remove New Public Hearing Items 1. Z21-30, 2. Z21-30-F, 3. Z21-31, and New Business Item 5. P21-37. Commissioner Carey seconded the motion. **The motion was approved (6-0).**

**Agenda Item V:** The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on October 27, 2021. Commissioner Shine made a motion to approve the meeting minutes. Commissioner Webster seconded the motion. **The motion was approved (6-0).**

Agenda Item VI: Mrs. Spell provided a summary of the City Council results from the November 9, 2021, 2021 meeting.

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

Agenda Item VIII: Public Comments: Raymond Hamden, PO Box 2008, Harker Heights, Texas 76548, was present to address the Planning and Zoning Commission.

**Agenda Item IX: Public Hearing:**

**1. Z21-30 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 A0401BC U Hunt, 1-8, Acres 10.0, Property ID #23915, generally located at 5130 Quanah Valley Road, Harker Heights, Texas, and locally known as 5130 Quanah Valley Road, Belton, Bell County, Texas.**

*This case was withdrawn in writing.*

**2. Z21-30-F Conduct a public hearing to discuss and consider recommending an ordinance to change land use designation from Low Density Residential to Medium Density Residential on property described as A0401BC U Hunt, 1-8, Acres 10.0, Property ID #23915, generally located at 5130 Quanah Valley Road, Harker Heights, Texas, and locally known as 5130 Quanah Valley Road, Belton, Bell County, Texas.**

*This case was withdrawn in writing.*

**3. Z21-31 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for a restaurant with drive-thru only services on property described as Market Heights Addition, Block 00A, Lot 0012, Acres 1.165, Property ID #403042, generally located at 201 E. Central Texas Expressway, Building 2000, Harker Heights, Texas.**

*This case was withdrawn in writing.*

**4. Z21-32 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants to change zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District). She noted that the 2021 Future Land Use Plan identifies this area is designated for Community Center. However, the adopted Concept Plan for The Enclave at Indian Trail subdivision (Ordinance No. 2021-09) annotates this parcel as duplex development. Staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood.

Christopher Doose, 616 Algerita Dr., Georgetown, Texas 78628 was present to represent the case.

Commissioner Carey made a motion to approve an ordinance to change zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas. Commissioner McCann seconded the motion. **The motion was approved (6-0).**

**5. Z21-32-F Conduct a public hearing to discuss and consider recommending an ordinance to change land use designation from Community Center use to Medium Density Residential use (PD-R with R-2 (Two-Family Dwelling District)) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicant's request to change from the current land use designation of Community Center to Medium Density Residential was to keep the zoning district change requested in case Z21-32 compatible with the land use plan. She explained that the 2021 Future Land Use Map identifies this area being designated as Community Center. The zoning designations included in Community Center land use include: B-1 (Office District), B-2 (Neighborhood Business District), B-3 (Local Business District and PD-B (Planned Development Business)). The zoning designations included in Medium Density Residential land use include: R-1 M (Manufactured Homes), R1-I (Single-Family Infill Dwelling District), R1-A (Single-Family Garden Home Residential District), R-2 (Two-Family Dwelling District), R2-I (Two-Family Infill Dwelling District), RT-1 (Townhouse Single-Family Dwelling District), R-MU (Mixed Residential), and R-MH (Manufactured Home Park District).

Staff represented the request.

Vice Chairman Robinson made a motion to approve an ordinance to change land use designation from Community Center use to Medium Density Residential use (PD-R with R-2 (Two-Family Dwelling District)) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion was approved (6-0).**

**6. Z21-33 Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants request to change the current zoning from R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District). She explained that the most recent use of this property was a church/place of worship; the 2021 Future Land Use Plan identifies this area being designated as Community Center; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

James Magill and Ernst Jacques of 1246 FM 3219 were present to represent the case.

Commissioner Webster made a motion to approve an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas. Commissioner McCann seconded the motion. **The motion was approved (6-0).**

**7. Z21-34 Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.**

Mrs. Spell explained the applicant's request for a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property. She noted that the 2021 Future Land Use Map identifies this area is designated for Residential Estate; staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Assumptions.

Staff represented the case.

Commissioner Shine made a motion to approve a revision to last months ordinance to include this property with the previous property granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas and allowing for a single accessory dwelling unit between the two parcels with the following conditions:

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

Commissioner Carey seconded the motion. **The motion was approved (6-0).**

**Agenda Item X: New Business:**

**1. P21-33 Discuss and consider a request for a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena**

**Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.**

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

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

Commissioner McCann made a motion to approve a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas. Commissioner Carey seconded the motion. **The motion was approved (4-2).** Vice Chairman Robinson and Commissioner Webster disapproved the motion.

**2. P21-34 Discuss and consider a request for a Preliminary Plat referred to as Cedar Trails on property described as lying and situated in the Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT).**

Mrs. Spell explained the applicants request for a preliminary plat approval for approximately 24.383 acres of vacant land located North of E. Knight's Way/FM 2410 and East of Warrior's Path Rd. The proposed development will consist of 70 lots that are currently zoned R1-A (Single-Family Garden Home Residential District). She noted that the concept plan for this preliminary plat was recommended for approval by the Planning & Zoning Commission on October 27, 2021 and was approved by City Council on November 9, 2021.

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

Commissioner Webster made a motion to approve a Preliminary Plat referred to as Cedar Trails on property described as lying and situated in the Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT). Vice Chairman Robinson seconded the motion. **The motion was approved (6-0).**

**3. P21-35 Discuss and consider a request for a Preliminary Plat referred to as Savannah Commercial Addition Replat 2 on property described as an 8.135 acre tract of land, being Lot 2R, Block 1, Lot 2R, 3R and 4R, Block 1 Savannah Commercial Addition, an addition to the City of Harker Heights, Bell County, Texas according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas.**

Mrs. Spell explained the applicants request for a preliminary plat for approximately 8.15 acres of vacant land located between 850 W. Central Texas Expressway (Seton Medical Center) and 600 W. Central Texas Expressway (Sam's Club). The proposed development will be a 40,000 square foot building that will contain a 30 bed, single-story physical rehabilitation center.

Wesley Johnston, 8821 Kingsley Road, Dallas, Texas 75231, was present to represent the request.

Commissioner Webster made a motion to approve a Preliminary Plat review for Savannah Commercial Addition Replat 2, on property described as an 8.135 acre tract of land, being Lot 2R, Block 1, Lot 2R, 3R AND 4R, Block 1 Savannah Commercial Addition, an addition to the City of Harker Heights, Bell County, Texas according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas with the following conditions:

1. Extend the 6-inch sanitary sewer line to the southern property boundary of the property to the north.
2. Amend annotations to correspond with staff comments.
3. Remaining comments to be adequately addressed per staff.
4. Applicant shall amend the language on the plat dedication page to conform to local standards.

Commissioner Shine seconded the motion. **The motion was approved (6-0).**

**4. P21-36 Discuss and consider a request for a Final Plat referred to as Savannah Commercial Addition Replat 2 Phase 1, on property described as a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas.**

Mrs. Spell explained the applicant's request for a final plat for approximately 4.3 acres of vacant land located between 850 W. Central Texas Expressway (Seton Medical Center) and 600 W. Central Texas Expressway (Sam's Club). The proposed development will be a 40,000 square foot building that will contain a 30 bed, single-story physical rehabilitation center. She explained

as of December 1, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

Wesley Johnston, 8821 Kingsley Road, Dallas, Texas 75231, was present to represent the request.

Vice Chairman Robinson made a motion to approve a request for a Final Plat referred to as Savannah Commercial Addition Replat 2 Phase 1, on property described as a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-000034660 of the Official Public Records of Bell County, Texas with the following conditions:

1. Prior to release of vertical construction permits, the 6-inch wastewater line to the north property line must be constructed and accepted by the City of Harker Heights or a performance bond or performance letter of credit in the amount of the improvements verified by the City Engineer can be submitted, in accordance with City codes.
2. Amend annotations to correspond with staff comments.
3. Remaining comments to be adequately addressed per staff.
4. Applicant shall amend the language on the plat dedication page to conform to local standards.

Commissioner Shine seconded the motion. **The motion was approved (6-0).**

**5. P21-37 Discuss and consider a request for a Minor Plat referred to as Broken Bow Addition, on property described as a 0.438-Acre tract of land in the City of Harker Heights, Texas, and being all of Lots 8 and 9, Block 6, Comanche Land First Unit as recorded in Cabinet A, Slide 183-D, Bell County Plat Records, and being the same land conveyed to Arrowhead Developers LLC by Deed as recorded in Instrument No. 2021048053, Real Property Records of Bell County.**

*This case was administratively approved.*

**6. P21-31 Discuss and consider a request for a Minor Plat referred to as Family Dollar Addition, 1st Amendment on property described as being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, generally located at 660 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas.**

Mrs. Spell explained the applicants request to abandon an existing easement on the property due to the building encroaching into the easement. She explained that staff had contacted appropriate utility companies to ensure no utilities were located within this easement. As of December 2, 2021 staff had reviewed the submitted plat and made comments to address safety, and other

pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

Jason Reece, 10814 Jollyville Road, Austin, Texas 78759, was present to represent the request.

Commissioner McCann made a motion to approve a Minor Plat referred to as Family Dollar Addition, 1st Amendment on property described as being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, generally located at 660 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas with the following conditions:

1. Amend annotations to correspond with staff comments.

Commissioner Carey seconded the motion. **The motion was approved (6-0).**

Agenda Item XI: Reports from commissioners

Agenda Item XII: Staff comments

Agenda Item XIII: Adjournment of P&Z Meeting. **Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 8:07 P.M.**

*for*

Larry Robison, Chairman

DATE:

*[Handwritten signature of Larry Robison]*

*1/26/2022*

Michael Stegmeyer, Secretary

DATE:

*[Handwritten signature of Michael Stegmeyer]*

*01-26-2022*