



**JUNE 14, 2022**

**5:00 P.M.**

**CITY COUNCIL**

**MEETING AGENDA**





**NOTICE OF MEETING OF THE CITY COUNCIL OF THE CITY  
OF HARKER HEIGHTS, TEXAS**

Notice is hereby given that, beginning at 5:00 p.m. on Tuesday, June 14, 2022, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a meeting in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

**MEETING AGENDA**

**I. INVOCATION:**

**II. PLEDGE OF ALLEGIANCE:**

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

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

**III. ROLL CALL:**

**IV. MAYORAL PROCLAMATIONS AND PRESENTATIONS:**

1. Proclamation in Recognition of Lemonade Day – Entrepreneur of the Year.

[Proclamation](#)

**V. CONSENT ITEMS:**

1. Discuss and consider approving the minutes of the meeting held on May 24, 2022, and take the appropriate action.

[Minutes](#)

**VI. PRESENTATIONS BY CITIZENS:**

Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and address for the record and limit your comments to three minutes.

## VII. PUBLIC HEARINGS:

1. Conduct a Public Hearing to discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the execution and delivery of an Addendum No. 7 to Amended and Restated Water Supply contract; Authorizing the Mayor and the City Manager to sign on behalf of the City, and take the appropriate action. (Public Works Director)  
[Staff Report - Pdf](#)
2. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property described as McLaughlin Way, Block 001, Lot 0001, acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, and take the appropriate action. (Planning and Development Director)  
[Staff Report - Pdf](#)
3. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for a Pet Grooming Business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, pt 15, (W 1/2 of 15), acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)  
[Staff Report - Pdf](#)
4. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot Pt 2, (E 1/2 Of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot Pt 2 (W 1/2 Of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)  
[Staff Report - Pdf](#)
5. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)  
[Staff Report - Pdf](#)

## VIII. REGULAR BUSINESS:

1. Discuss and consider approving a Final Plat referred to as Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of Record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), and take the appropriate action. (Planning and Development Director)  
[Staff Report - Pdf](#)

2. Discuss and consider approving a Final Plat referred to as Filmtech Addition, on property described as a 1.454 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 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.Com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

3. Discuss and consider approving a Final Plat referred to as Comanche Land, Third Unit, on property described being all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 8, Block 37, Comanche Land Third Unit, and Un-Recorded Subdivision In the City of Harker Heights, Bell County, Texas, said lots being described in a Deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said lots being further described as "Tract I" Called 0.346 acre tract and "Tract III" Called 0.42 acre tract in a Deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas, and take the appropriate action. (Planning and Development Director)

[Staff Report - Pdf](#)

4. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, suspending the June 17, 2022, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; Approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; Finding that the meeting at which this Resolution is passed is open to the public as required by law; Requiring notice of this Resolution to be sent to the Company and legal counsel for the Steering Committee and take the appropriate action. (Finance Director)

[Staff Report - Pdf](#)

5. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a Contract for the Annual Supply of Water Meters in the amount of \$144,717.60 to Core & Main and take the appropriate action. (Public Works Director)

[Staff Report - Pdf](#)

6. Receive and discuss the City Manager's Report. (City Manager)

#### **IX. ITEMS FROM COUNCIL AND ANNOUNCEMENTS:**

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

X. **ADJOURNMENT:**

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on 10th of June, 2022, by 4:00 p.m. and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Julie Helsham  
City Secretary

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

*Pursuant to Chapter 551 of the Government Code the City Council reserves the right to go into Closed Meeting on any item listed above if deemed necessary.*

*Note: On occasion the City Council may consider agenda items out of order.*



***Proclamation***

**Whereas**, Lemonade Day is a community-wide educational event providing children with the opportunity to learn and apply entrepreneurial thinking and create a foundation for success in the global economy; and

**Whereas**, Lemonade Day exists to infuse today’s youth with the spirit of enterprise, teaching the basic business and entrepreneurial skills necessary to become successful, contributing members of the community; and

**Whereas**, Michael Thompson accepted the challenge to start, own, and operate his first Lemonade Day Stand “GamerAde” and was named the 2022 Lemonade Day Fort Hood Area Entrepreneur of the Year; and

**Whereas**, Michael learned goal-setting, developing a business plan, establishing a budget, seeking investors, providing customer service and giving back to the community; and

**Whereas**, Michael earned a total revenue of \$297.97 from Lemonade Day and donated a portion of the profit he made to the Texas Humane Heroes nonprofit organization.

**Now Therefore**, I, Spencer H. Smith, Mayor of the City of Harker Heights, Texas, declare Michael Thompson to be a

***"Bright Star of Central Texas"***

**In Testimony Whereof**, I have signed this Proclamation and have affixed the Seal of the City of Harker Heights this 14<sup>th</sup> Day of June, 2022.

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Spencer H. Smith, Mayor  
Harker Heights, Texas

Minutes of the City of Harker Heights Council Meeting that was called to order on Tuesday, May 24, 2022, at 5:00 p.m., in the Harker Heights Activities Center, Room A, 400 Indian Trail, Harker Heights, Texas, with the following members present:

**ROLL CALL:** Mayor Spencer H Smith  
Mayor Pro Tem Jennifer McCann  
Councilmember Michael Blomquist  
Councilmember Lynda Nash  
Councilmember Sam Halabi  
  
City Manager David Mitchell  
City Secretary Julie Helsham

**EXCUSED:** Councilmember Tony Canterino

**CONSENT ITEMS:**

1. Council discussed and considered approving the minutes of the special meeting and regular meeting held on May 10, 2022.

Councilmember Blomquist made a motion to approve the minutes of the special meeting and regular meeting held on May 10, 2022. Councilmember Halabi seconded the motion. Carried unanimously.

**PRESENTATIONS BY CITIZENS:**

Patrick Abrams, 813 Mustang Trail, Harker Heights, Texas, 76548, gave a presentation.

**REGULAR BUSINESS:**

1. Council received and discussed the Fiscal Year 2021-2022 Second Quarter Investment Report. Ayesha Lealiiee, Finance Director, made the presentation. No action taken.
2. Council discussed and considered approving an Ordinance of the City of Harker Heights, Texas, amending Title VII Transportation Code, Chapters 70, 71, 72, 74, and 75. Phil Gadd, Police Chief, and Commander Randy Stefek, made the presentation.

Councilmember Blomquist made a motion to approve an Ordinance of the City of Harker Heights, Texas, amending Title VII Transportation Code of the Harker Heights Code. Councilmember Nash seconded the motion. Carried unanimously.

3. Council discussed and considered approving an amendment to the Economic Development Incentive Agreement with Gambit Social House, Inc. (“gambit”) modifying the construction completion date to October 31, 2022, for the administration of one or more programs for making grants or loans of public money to promote economic development and stimulate business and commercial activities within the City; and authorize the City Manager to sign the agreement on behalf of the city. Jerry Bark, Assistant City Manager, made the presentation.

Mayor Pro Tem McCann made a motion to approve amending the economic development incentive agreement with Gambit Social House, Inc., modifying the construction completion date to October 31, 2022, for the administration of one or more programs for making grants or loans of public money to promote economic development and stimulate business and commercial activities within the City; and authorize the City Manager to sign the agreement on behalf of the City. Councilmember Halabi seconded the motion. Carried unanimously.

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

**ITEMS FROM COUNCIL AND ANNOUNCEMENTS:**

1. Councilmember closing statements.

Councilmember Blomquist stated that he attended the following events:

- May 12th – Harker Heights After Hours Chamber Business Social hosted by Smile Doctors.
- May 14th – Harker Heights Farmer’s Market at City Hall.
- May 19th – Harker Heights Chamber Lunch Mob at Bella Sera Restaurant.
- May 21st – Harker Heights Farmer’s Market at City Hall.
- May 24th – Killeen Independent School District Board of Trustee Meeting for a swearing-in ceremony.

Councilmember Blomquist encouraged all citizens to come and check out the Harker Heights Farmer’s Market on Saturday starting at 9:00 a.m. Blomquist stated that the Memorial Walk is also scheduled on Saturday, at 9:00 a.m. so everyone can still walk over to the Harker Heights Farmer’s Market.

Mayor Pro Tem McCann stated she was able to make it to the Harker Heights Farmer’s Market after waiting in the parking lot of the very busy Baseball Fields for about 30 minutes. McCann stated the Farmer’s Market had a great turn out.

Councilmember Halabi stated that he also attended the Harker Heights Farmer’s Market. Halabi stated from May 21<sup>st</sup> to the 23<sup>rd</sup> he had the honor of visiting the National Training Center in Fort Irwin, California. Halabi stated it was an amazing experience to see what our soldiers go through and hard they train.

Councilmember Nash stated that on May 21st the Harker Heights Community Resource Center held its every 3rd Saturday Food Distribution off of Veteran’s Memorial and if you want to



volunteer, to come on out. Nash stated that she attended the Hoop Fest at Shoemaker High School that our Harker Heights Police Department participated in and “Rocked it”. Nash also stated she attended a Business Mixer.

2. Update and announcements from the Mayor.

Mayor Smith stated that he attended the following events:

- May 12th – Central Texas Council of Governments Executive Board Meeting in Belton.
- May 12th – Harker Heights City Hall Meeting with City Staff.
- May 13th – III Corps Reception and Ribbon-cutting Ceremony at the People First Center at Fort Hood.
- May 17th – Harker Heights City Council Workshop at the Harker Heights Activity Center.
- May 19th – Harker Heights Cares Committee Meeting at the Harker Heights Activity Center.
- May 19th – Harker Heights Chamber of Commerce Lunch Mob at Bella Sera Restaurant.
- May 19th – Killeen Education Foundation Starmaker’s Awards Ceremony and Banquet at the Killeen Conference and Convention Center for five KISD High Schools.
- May 21st – Harker Heights Farmer’s Market.

**ADJOURNMENT:**

There being no further business the City of Harker Heights City Council Meeting was adjourned at 5:43 p.m.

**CITY OF HARKER HEIGHTS, TEXAS:**

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Spencer H. Smith, Mayor

**ATTEST:**

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Julie Helsham, City Secretary



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM NO. 7 TO AMENDED AND RESTATED WATER SUPPLY CONTRACT, AUTHORIZING THE MAYOR AND THE CITY MANAGER TO SIGN ON BEHALF OF THE CITY, AND TAKE THE APPROPRIATE ACTION. (PUBLIC WORKS DIRECTOR)**

**EXPLANATION:**

The 87th Texas Legislature (2021) passed Senate Bill 3, which amended various sections of the Texas Code, including Texas Water Code Chapter 13 to include additional provisions for emergency preparedness. Affected water utilities, including Bell County Water Control & Improvement District No. 1 (WCID No. 1), are required to develop/update and implement an emergency preparedness plan that demonstrates the utility's ability to provide emergency operations during an extended power outage at a minimum water pressure of 20 psi.

The consultant for the WCID No. 1 has determined that standby generators are the best option for providing backup power to the Lake Belton Water Treatment Plant during an extended power outage.

Excluding Fort Hood's contribution, the project total in the amount of \$11,330,000, would be funded through Water System Revenue Bonds, Series 2022A. The maximum aggregate principal amount for the City of Harker Heights is \$2,065,000. The debt service percentage breakdown for each of the water plant customers are as follows:

**Allocation of Debt Service on the Bonds:**

<u>Customer</u>	<u>Debt Service Percentage</u> <a href="#">(1)</a>
City of Killeen	43.2432%
City of Copperas Cove	18.2432
City of Harker Heights	18.2432
City of Belton	13.5135
Bell County Water Control and Improvement District No. 3	2.7027
439 Water Supply Corporation	4.0541
	100.0000%

[\(1\) Reflects, in each case, an allocation of debt service on the Bonds to the Customers calculated in accordance with Paragraph 9\(A\)\(4\)\(a\)\(1\) of the Water Supply Contract.](#)

**RECOMMENDATION:**

The Public Works Director recommends approving a resolution authorizing the execution and delivery of an Addendum No. 7 to amended and restated water supply contract.

**ACTION BY THE COUNCIL:**

1. Motion to approve/disapprove a Resolution authorizing the execution and delivery of an Addendum No. 7 to amended and restated water supply contract, and authorize the Mayor and City Manager to sign on behalf of the City.
2. Any other action desired.

**ATTACHMENTS:**

[Proposed Resolution](#)

[General Certificate of City of Harker Heights Series 2022A](#)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM NO. 7 TO AMENDED AND RESTATED WATER SUPPLY CONTRACT**

**WHEREAS**, the City of Harker Heights, Texas (the “City”), has previously entered into that certain Amended and Restated Water Supply Contract, made and entered into as of April 1, 2004, as amended by a First Amendment to Amended and Restated Water Supply Contract, made and entered into as of January 29, 2014, (as amended, the “Water Supply Contract”), each by and between the City and Bell County Water Control and Improvement District No. 1 (the “District”); and

**WHEREAS**, in connection with the issuance of the District’s Water System Revenue Bonds, Series 2022A (the “Bonds”), the City Council of the City considers it to be necessary and desirable to enter into an Addendum No. 7 to the Water Supply Contract (“Addendum No. 7”);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City that:

- (1) Addendum No. 7, in substantially the form set forth in **Exhibit A**, between the District and the City, is hereby approved, with such changes as the Mayor or City Manager of the City may approve, with such approval to be evidenced conclusively by the execution thereof;
- (2) the Mayor and City Manager are each hereby separately authorized to execute and deliver, and the City Secretary is authorized to attest to, Addendum No. 7 and the Mayor, City Manager and City Secretary are each authorized to take such further actions and execute such further instruments as may be necessary to implement the provisions and intent of this Resolution and to facilitate the issuance and delivery of the Bonds by the District;
- (3) the meeting at which this Resolution is being adopted is open to the public as required by law and public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act; and
- (4) this Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED THIS 14<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
Spencer H. Smith, Mayor  
City of Harker Heights

ATTEST:

\_\_\_\_\_  
Julie Helsham, City Secretary  
City of Harker Heights

**Addendum No. 7**  
**(City of Harker Heights)**

This Addendum No. 7 (this “Addendum”) relates to that certain Amended and Restated Water Supply Contract, made and entered into as of April 1, 2004, as amended by that certain First Amendment to Amended and Restated Water Supply Contract, made and entered into as of January 29, 2014 (collectively, the “Water Supply Contract”), each by and between the Bell County Water Control and Improvement District No. 1 and the City of Harker Heights, Texas (the “Purchaser”), and is an addendum to the Water Supply Contract for all purposes, including, particularly, for the purposes of Paragraph 9 and Paragraph 12 of the Water Supply Contract.

**Bond Name:** Bell County Water Control and Improvement District No. 1 Water System Revenue Bonds, Series 2022A (the “Bonds”).

**Aggregate Principal Amount of Bonds:** Not to exceed \$11,330,000 (the “Maximum Aggregate Principal Amount”).

**Purpose:** Construction of modifications to the Lake Belton Water Plant.

**Allocation of Debt Service on the Bonds:**

<b><u>Customer</u></b>	<b><u>Debt Service Percentage<sup>(1)</sup></u></b>
City of Killeen	43.2432%
City of Copperas Cove	18.2432
City of Harker Heights	18.2432
City of Belton	13.5135
Bell County Water Control and Improvement District No. 3	2.7027
439 Water Supply Corporation	4.0541
	100.0000%

Based on the Maximum Aggregate Principal Amount and the Debt Service Percentages set forth above, the principal amount of the Bonds to be allocated to and charged to the Purchaser is \$2,065,000 (the “Purchaser’s Allocated Principal Amount”), which has been rounded to conform to the authorized denominations of the Bonds. The Purchaser’s Allocated Principal Amount is preliminary and subject to market conditions at the time of pricing the Bonds. The debt service requirements relating to such principal amount shall be charged to the Purchaser as fixed charges in accordance with Paragraph 9 of the Water Supply Contract and shall be charged substantially in accordance with the schedule set forth in **Exhibit A** to this Addendum. The amounts shown in such schedule do not include any amounts that may be included in fixed charges for deposit into the debt service reserve fund for the Bonds to cover any future deficiencies in the reserve fund or for payment of debt service on any other bonds of the District.

<sup>(1)</sup> Reflects, in each case, an allocation of debt service on the Bonds to the Customers calculated in accordance with Paragraph 9(A)(4)(a)(1) of the Water Supply Contract.

Further, the Purchaser recognizes that the District will bill and collect fixed charges allocable to the Purchaser through its monthly billing process.

The final pricing of the Bonds will affect the Purchaser's Allocated Principal Amount set forth herein and the debt service schedule set forth in Exhibit A hereto. Following the final pricing of the Bonds, the District will provide an amended Exhibit A to the Purchaser reflecting the final Purchaser's Allocated Principal Amount and the debt service requirements relating thereto, and this Addendum shall be deemed to be amended to incorporate and conform to the amended Exhibit A.

If upon the completion of all projects to be constructed with the proceeds of the Bonds there remain unexpended Bond proceeds, the District may, in accordance with the order authorizing the issuance of the Bonds, use such unexpended Bond proceeds to pay, redeem or defease outstanding Bonds, or to construct additional facilities or for other purposes permitted under the order authorizing the Bonds. Any such redemption or defeasance will affect the debt service schedule set forth in Exhibit A. The District shall provide written notice to the Purchaser of any such redemption or defeasance, together with an amended Exhibit A. Upon the giving of such notice, this Addendum shall be deemed to be amended to incorporate and conform to the amended Exhibit A.

[EXECUTION PAGE FOLLOWS]

EXECUTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2022, in Bell County, Texas.

BELL COUNTY WATER CONTROL AND  
IMPROVEMENT DISTRICT NO. 1

By: \_\_\_\_\_  
President, Board of Directors

ATTEST:

\_\_\_\_\_  
Secretary

CITY OF HARKER HEIGHTS, TEXAS  
(Purchaser)

\_\_\_\_\_  
\_\_\_\_\_  
[Name and Title]

ATTEST:

\_\_\_\_\_  
Secretary

Exhibit A

**Bell County WC&ID #1**

\$2,065,000 Waterworks System Revenue Bonds, Series 2022

For Purposes of Illustration Only

(Harker Heights Portion)

**Debt Service Schedule**

Date	Principal	Coupon	Interest	Total P+I
09/30/2022	-	-	-	-
09/30/2023	-	-	79,760.63	79,760.63
09/30/2024	70,000.00	4.500%	92,925.00	162,925.00
09/30/2025	75,000.00	4.500%	89,775.00	164,775.00
09/30/2026	80,000.00	4.500%	86,400.00	166,400.00
09/30/2027	80,000.00	4.500%	82,800.00	162,800.00
09/30/2028	85,000.00	4.500%	79,200.00	164,200.00
09/30/2029	90,000.00	4.500%	75,375.00	165,375.00
09/30/2030	95,000.00	4.500%	71,325.00	166,325.00
09/30/2031	95,000.00	4.500%	67,050.00	162,050.00
09/30/2032	100,000.00	4.500%	62,775.00	162,775.00
09/30/2033	105,000.00	4.500%	58,275.00	163,275.00
09/30/2034	110,000.00	4.500%	53,550.00	163,550.00
09/30/2035	115,000.00	4.500%	48,600.00	163,600.00
09/30/2036	120,000.00	4.500%	43,425.00	163,425.00
09/30/2037	125,000.00	4.500%	38,025.00	163,025.00
09/30/2038	130,000.00	4.500%	32,400.00	162,400.00
09/30/2039	140,000.00	4.500%	26,550.00	166,550.00
09/30/2040	145,000.00	4.500%	20,250.00	165,250.00
09/30/2041	150,000.00	4.500%	13,725.00	163,725.00
09/30/2042	155,000.00	4.500%	6,975.00	161,975.00
<b>Total</b>	<b>\$2,065,000.00</b>	<b>-</b>	<b>\$1,129,160.63</b>	<b>\$3,194,160.63</b>

**Yield Statistics**

Bond Year Dollars	\$25,092.46
Average Life	12.151 Years
Average Coupon	4.5000000%
Net Interest Cost (NIC)	4.5731000%
True Interest Cost (TIC)	4.5969901%
Bond Yield for Arbitrage Purposes	4.5576330%
All Inclusive Cost (AIC)	4.9411322%

**IRS Form 8038**

Net Interest Cost	4.5000000%
Weighted Average Maturity	12.151 Years



**GENERAL CERTIFICATE OF THE CITY OF HARKER HEIGHTS, TEXAS**

We, the undersigned Mayor, City Manager and City Secretary, respectively, of the City of Harker Heights, Texas (the “City”), hereby certify the following information in connection with the issuance and delivery of the Bell County Water Control and Improvement District No. 1 Water System Revenue Bonds, Series 2022A (the “Bonds”) being issued by the Bell County Water Control and Improvement District No. 1 (the “District”).

(1) The City and the District previously entered into a certain water supply contract entitled “Amended and Restated Water Supply Contract,” made and entered into as of April 1, 2004, as amended by a First Amendment to Amended and Restated Water Supply Contract, made and entered into as of January 29, 2014 (as amended, the “Water Supply Contract”), and the Water Supply Contract is currently in effect and has not been rescinded, modified or repealed.

(2) The duly qualified and acting members and officers of the City Council and certain other officers of the City are as follows:

- |                   |                |
|-------------------|----------------|
| Spencer H. Smith  | Mayor          |
| Jennifer McCann   | Mayor Pro Tem  |
| Michael Blomquist | Councilmember  |
| Tony Canterino    | Councilmember  |
| Lynda Nash        | Councilmember  |
| Sam Halabi        | Councilmember  |
| David Mitchell    | City Manager   |
| Julie Helsham     | City Secretary |

(3) Attached hereto as Exhibit A is a true and correct copy of a resolution (the “Resolution”) adopted by the City Council of the City, authorizing the execution and delivery of an Addendum No. 7 to the Water Supply Contract (“Addendum No. 7”), between the City and the District, in substantially the form attached to the Resolution. The Resolution was duly adopted at a regular meeting of the City Council of the City held at the regular meeting place thereof, on June 14, 2022, and all members of the City Council identified in paragraph (2) above were present at such meeting, thus constituting a quorum. The Resolution was duly introduced for consideration of the City Council and was approved by the unanimous vote of those present. Each member of the City Council was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Resolution would be introduced and considered for passage at said meeting. Said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended.

(4) All official action required for the execution, delivery and performance by the City of the Water Supply Contract and Addendum No. 7 have been effectively taken by the City and the City was duly authorized to enter into the Water Supply Contract and Addendum No. 7.

- (5) On the date of this Certificate we are, and at the time of execution of Addendum No. 7 on behalf of the City we were, the duly elected or appointed officials of the City holding the respective offices set forth next to our names below, and were duly authorized to execute Addendum No. 7 on behalf of the City.
- (6) No litigation is pending or, to our knowledge, threatened which would (i) affect the authority of the undersigned as officers of the City or their title to their respective offices, (ii) contest the authority for or the authorization, legality or validity of the Water Supply Contract or Addendum No. 7, or (iii) affect the source of payment for the Water Supply Contract.
- (7) The City is not in default under any of the provisions of the Water Supply Contract or Addendum No. 7.
- (8) Set forth in Exhibit B is a true and correct statement of the water and sewer rates currently in effect with respect to the City's water and sewer system (the "System").
- (9) Attached hereto as Exhibit C is a true and correct statement of the Condensed Statement of Operations, Debt Service Schedule and Projected Debt Service Coverage Ratio with respect to the System for the Fiscal Years stated therein (as more particularly described in footnote (1) of Exhibit C), and including a true and correct statement of the City's proportionate share of debt service with respect to the Bonds and Bonds Similarly Secured. There has not been any material adverse change in the financial condition of the City since the latest date as of which audited financial information is available.
- (10) None of the City's payment obligations under the Water Supply Contract are payable from an ad valorem tax.
- (11) The Attorney General of Texas is hereby authorized and directed to date this Certificate concurrently with the date of approval of the Bonds, and can rely on the absence of any litigation or contest pertaining to the Bonds or any other matters covered by this Certificate, and on the veracity and currency of this Certificate at the time of approval of the Bonds, unless otherwise notified.

[Execution page follows]

EXECUTED AND DELIVERED ON \_\_\_\_\_.

Signatures

Official Title

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Spencer H. Smith  
Mayor  
  
David Mitchell  
City Manager  
  
Julie Helsham  
City Secretary

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF BELL        §

Before me, on this day personally appeared Spencer H. Smith, known to me to be the Mayor whose true and genuine signature was subscribed to the foregoing instrument in my presence.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public  
State of Texas  
Dated: \_\_\_\_\_

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF BELL        §

Before me, on this day personally appeared David Mitchell, known to me to be the City Manager whose true and genuine signature was subscribed to the foregoing instrument in my presence.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public  
State of Texas  
Dated: \_\_\_\_\_

THE STATE OF TEXAS    §  
                                  §  
COUNTY OF BELL        §

Before me, on this day personally appeared Julie Helsham, known to me to be the City Secretary whose true and genuine signature was subscribed to the foregoing instrument in my presence.

(NOTARY SEAL)

\_\_\_\_\_  
Notary Public  
State of Texas  
Dated: \_\_\_\_\_

EXHIBIT A  
RESOLUTION  
(See attached)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS,  
TEXAS, AUTHORIZING THE EXECUTION AND DELIVERY OF AN ADDENDUM NO.  
7 TO AMENDED AND RESTATED WATER SUPPLY CONTRACT**

**WHEREAS**, the City of Harker Heights, Texas (the “City”), has previously entered into that certain Amended and Restated Water Supply Contract, made and entered into as of April 1, 2004, as amended by a First Amendment to Amended and Restated Water Supply Contract, made and entered into as of January 29, 2014, (as amended, the “Water Supply Contract”), each by and between the City and Bell County Water Control and Improvement District No. 1 (the “District”); and

**WHEREAS**, in connection with the issuance of the District’s Water System Revenue Bonds, Series 2022A (the “Bonds”), the City Council of the City considers it to be necessary and desirable to enter into an Addendum No. 7 to the Water Supply Contract (“Addendum No. 7”);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City that:

- (1) Addendum No. 7, in substantially the form set forth in Exhibit A, between the District and the City, is hereby approved, with such changes as the Mayor or City Manager of the City may approve, with such approval to be evidenced conclusively by the execution thereof;
- (2) the Mayor and City Manager are each hereby separately authorized to execute and deliver, and the City Secretary is authorized to attest to, Addendum No. 7 and the Mayor, City Manager and City Secretary are each authorized to take such further actions and execute such further instruments as may be necessary to implement the provisions and intent of this Resolution and to facilitate the issuance and delivery of the Bonds by the District;
- (3) the meeting at which this Resolution is being adopted is open to the public as required by law and public notice of the date, hour, place and subject of said meeting was given as required by the Texas Open Meetings Act; and
- (4) this Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED THIS 14<sup>th</sup> day of June, 2022.

\_\_\_\_\_  
Spencer H. Smith, Mayor  
City of Harker Heights

ATTEST:

\_\_\_\_\_  
Julie Helsham, City Secretary  
City of Harker Heights

EXHIBIT B

STATEMENT OF CURRENT WATER AND SEWER RATES

(See attached)

EXHIBIT C

CONDENSED STATEMENT OF OPERATIONS OF SYSTEM

DEBT SERVICE SCHEDULE AND PROJECTED DEBT SERVICE COVERAGE RATIO



**Exhibit C**

**Bell County WC&ID #1**

\$2,065,000 Waterworks System Revenue Bonds, Series 2022

For Purposes of Illustration Only

(Harker Heights Portion)

**Debt Service Schedule**

<b>Date</b>	<b>Principal</b>	<b>Coupon</b>	<b>Interest</b>	<b>Total P+I</b>
09/30/2022	-	-	-	-
09/30/2023	-	-	79,760.63	79,760.63
09/30/2024	70,000.00	4.500%	92,925.00	162,925.00
09/30/2025	75,000.00	4.500%	89,775.00	164,775.00
09/30/2026	80,000.00	4.500%	86,400.00	166,400.00
09/30/2027	80,000.00	4.500%	82,800.00	162,800.00
09/30/2028	85,000.00	4.500%	79,200.00	164,200.00
09/30/2029	90,000.00	4.500%	75,375.00	165,375.00
09/30/2030	95,000.00	4.500%	71,325.00	166,325.00
09/30/2031	95,000.00	4.500%	67,050.00	162,050.00
09/30/2032	100,000.00	4.500%	62,775.00	162,775.00
09/30/2033	105,000.00	4.500%	58,275.00	163,275.00
09/30/2034	110,000.00	4.500%	53,550.00	163,550.00
09/30/2035	115,000.00	4.500%	48,600.00	163,600.00
09/30/2036	120,000.00	4.500%	43,425.00	163,425.00
09/30/2037	125,000.00	4.500%	38,025.00	163,025.00
09/30/2038	130,000.00	4.500%	32,400.00	162,400.00
09/30/2039	140,000.00	4.500%	26,550.00	166,550.00
09/30/2040	145,000.00	4.500%	20,250.00	165,250.00
09/30/2041	150,000.00	4.500%	13,725.00	163,725.00
09/30/2042	155,000.00	4.500%	6,975.00	161,975.00
<b>Total</b>	<b>\$2,065,000.00</b>	<b>-</b>	<b>\$1,129,160.63</b>	<b>\$3,194,160.63</b>

**Yield Statistics**

Bond Year Dollars	\$25,092.46
Average Life	12.151 Years
Average Coupon	4.5000000%
Net Interest Cost (NIC)	4.5731000%
True Interest Cost (TIC)	4.5969901%
Bond Yield for Arbitrage Purposes	4.5576330%
All Inclusive Cost (AIC)	4.9411322%

**IRS Form 8038**

Net Interest Cost	4.5000000%
Weighted Average Maturity	12.151 Years



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (M) (ONE-FAMILY MANUFACTURED HOME DWELLING DISTRICT) ON A PORTION OF THE PROPERTY DESCRIBED AS MCLAUGHLIN WAY, BLOCK 001, LOT 0001, ACRES 4.46, GENERALLY LOCATED AT 1517 WACO TRACE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AS DISPLAYED IN EXHIBIT A, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace.

Parcel History

This parcel was annexed in 1987. The annexation was repealed the same year and then re-annexed in 1988. The approved plat for this parcel was filed with Bell County Real Property Records in 2003.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated for Low Density Residential use. The proposed rezoning as shown in Exhibit A and with its intended use will not likely have any adverse impact on the neighborhood along Waco Trace and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

Waco Trace is classified as a collector street in the Mobility 2030 Thoroughfare Plan. Per §154.01 of the City’s code of ordinances:

- Minor Collectors are defined as: “Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors. Residential lots may front on these streets. MINOR COLLECTORS shall be 42 feet wide, with a minimum of 70 feet of right-of-way.”
- Major Collectors are defined as: “Streets generally located along borders of neighborhoods and within commercial areas to collect and to channel this traffic to the arterial system. MAJOR COLLECTORS shall be 48 feet wide with a minimum of 80 feet of right-of-way. These are limited access roads on which no single-family or two-family residential lots may front (i.e., no driveways shall be allowed) unless there is no other reasonable and safe access to the lot.”

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

**NOTICES:**

Based on the most recently approved tax roll available, staff sent out fifty-nine (59) notices to property owners within the 400-foot notification area. As of June 7, 2022, four (4) responses were received in favor of the request, and fifty-six (56) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Five (5) of the responses in opposition are located on parcels located completely within the 200-foot notification area, and six (6) response in opposition are for parcels located partially within the 200-foot notification area.

Total area of land within the 200-foot notification area is: ~559,039.6 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: ~74,861.2 sq. Ft.

Percentage of land area recommending denial: 13.39%

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots within the 200-foot buffer requires a super majority vote for approval. Note that when 20% of the number of landowners within the 200 foot buffer have provided written and signed opposition, there is not a requirement of Texas Local Government Code nor the City’s Code of Ordinances for a super majority vote by the Planning & Zoning Commission.

**RECOMMENDATION:**

Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request.

Staff Recommendation

Staff recommended approval to the Planning & Zoning Commission of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A.

**ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of an ordinance to grant R-2 (Two-Family Dwelling District) for the property in this case, based on staff's recommendation and findings.

**ACTION BY THE COUNCIL:**

Since the recommendation of the property was not approved by the Planning & Zoning Commission, per §155.212(D) (2) of the City of Harker Heights Code of Ordinances, a zoning district change will require a three-fourths (super-majority) approval vote from the City Council.

(D) Vote Required

"If such proposed amendment, supplement, or change has not been approved by the Planning and Zoning Commission, the amendment, supplement or change shall not become effective except by a three-fourths approval vote by the City Council."

1. Motion to approve, approve with conditions, or disapprove with explanation an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property described as McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

[Z22-13 02-Attachments](#)

[Z22-13 03-PropOrdinance](#)

# Rezoning Request Application



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

**\*Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED\***  
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:  
1. Pre-Application Meeting Scheduled  
2. Payment of \$200.00 to the City of Harker Heights  
3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

Property Owner(s) Name: THOMAS GUICE Date: 04/27/22  
Address: 1601<sup>st</sup> 1517 WACO TRACE  
City/State/Zip: HARKER HEIGHTS, TX 76548  
Phone: (360) 649-2790 E-mail: GUICE72OLDS@YAHOO.COM

**Legal Description of Property:**

Location of Property (Address if available): 1517 WACO TRACE  
Lot: 1 Block: 1 Subdivision: MCLAUGHLIN WAY  
Acres: 2.3<sup>rd</sup> 4.6 Property ID: 333106 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: MOBILE HOME  
Current Zoning Classification: R1 Proposed Zoning: R1M  
Current Land Use: NONE Proposed Land Use: LOW DENSITY RESIDENTIAL

**Applicant's Representative (if applicable):**

Applicant's Representative: STACIE GUICE  
Phone: (254) 285-7499 E-Mail: SLEIGHX4@YAHOO.COM

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

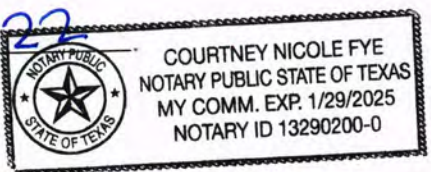
THOMAS GUICE  
Printed Name of Property Owner  
  
\_\_\_\_\_  
Printed Name of Representative

[Signature]  
Signature of Property Owner  
  
\_\_\_\_\_  
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27<sup>th</sup> DAY OF April, 2022

Courtney Nicole Fye  
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 4/27/22  
Received By: C. Fye

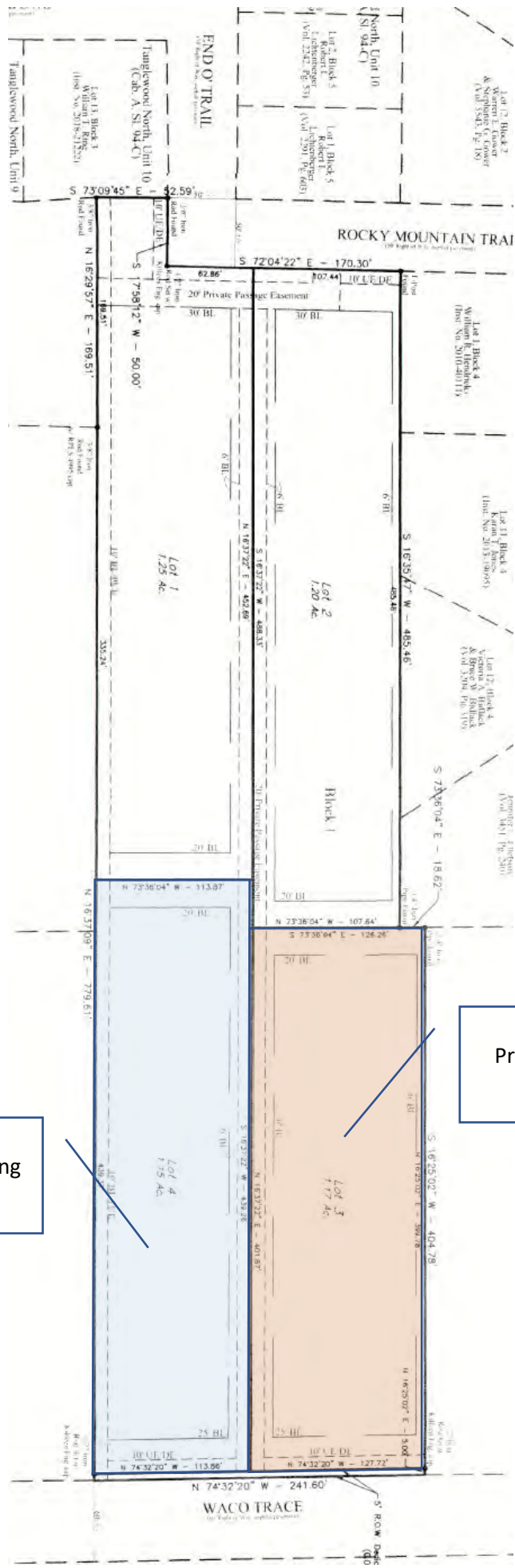
**STAFF ONLY -- DO NOT FILL OUT BELOW**

Pre-Application Meeting

Revised: 10/2021

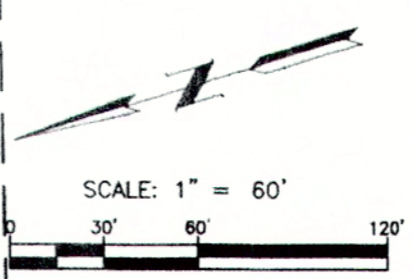
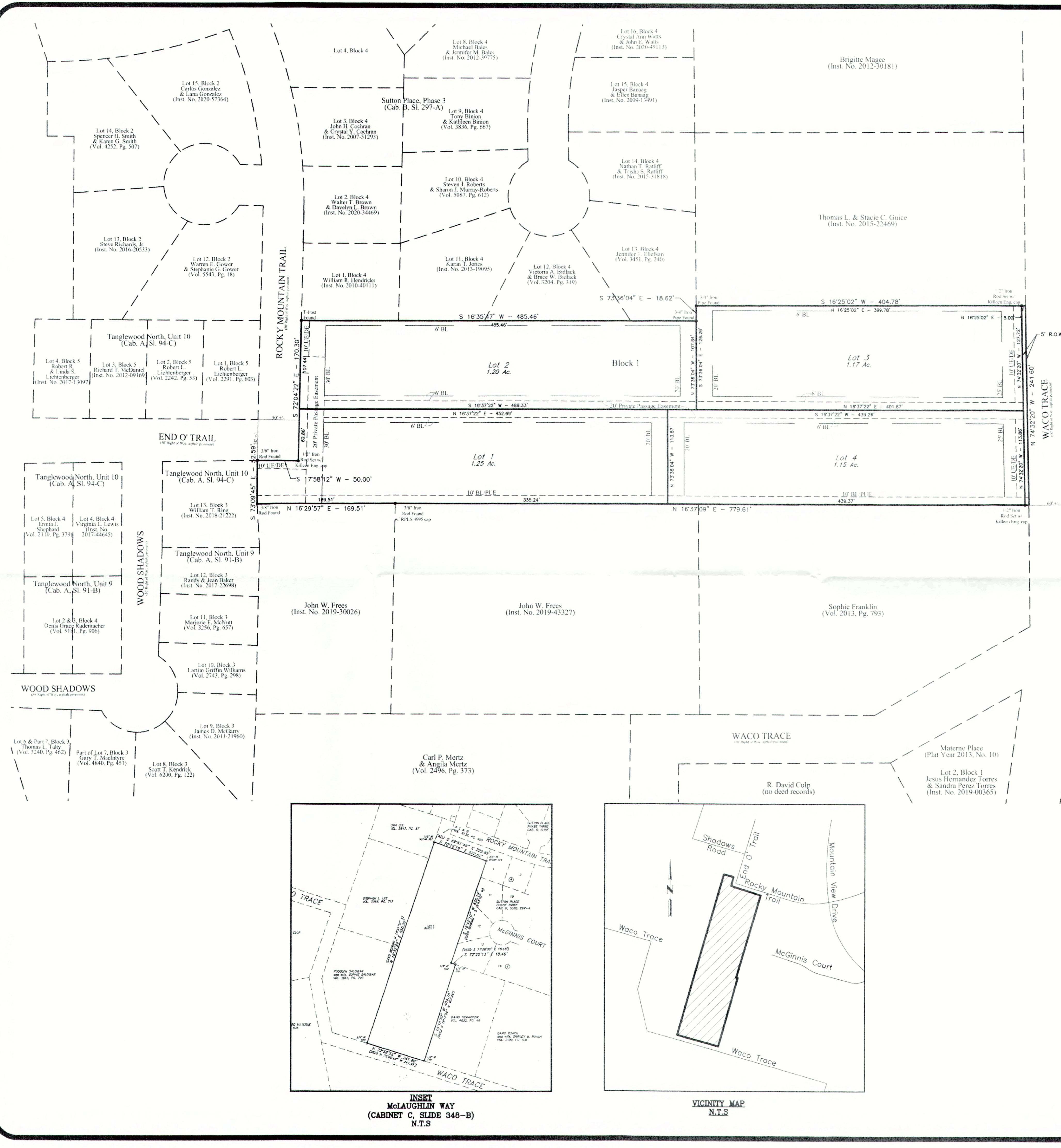
Receipt #: 01820589

Case #: \_\_\_\_\_



Proposed R-1(M) Zoning

Proposed R-1(M) Zoning

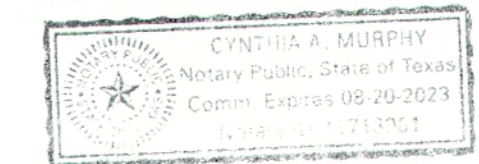


KNOW ALL MEN BY THESE PRESENTS, that Thomas Guice and Stacie Guice, being the sole owners of that 4.80 acre tract shown hereon, which is more fully described in the dedication of McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115, do hereby subdivide the herein described property into lots and blocks according to the plat thereof, to be known as McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 to the City of Harker Heights, Bell County, Texas, as approved by the City of Harker Heights Director of Planning and Development. Thomas Guice and Stacie Guice do hereby adopt the said plat of McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115 as an addition to the City of Harker Heights for the purpose of selling lots and blocks of land with reference thereto, for the development of said land by its owner, and for all other purposes. Thomas Guice and Stacie Guice do hereby dedicate to the City of Harker Heights all streets, avenues, roads, alleys, and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings; the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas. The utility easements shown on the said plat are dedicated to the City of Harker Heights for the installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed and maintained.

*Thomas Guice*  
Thomas Guice  
*Stacie Guice*  
Stacie Guice

STATE OF TEXAS  
COUNTY OF BELL

This instrument was acknowledged before me on the 1 day of March, 2022 by Thomas Guice and Stacie Guice.



*Cynthia A. Murphy*  
Cynthia A. Murphy  
Notary Public, State of Texas

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

Director of Planning and Development

Attest: City Secretary

FILED FOR RECORD this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ A.D.

Dedication instrument in Instrument No. \_\_\_\_\_, Official Records of Bell County, Texas.

KNOW ALL MEN BY THESE PRESENTS: That I, Michelle E. Lee, a Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the perimeter corner monuments shown hereon were properly placed or found under my personal supervision, in accordance with the Subdivision Regulations of the City of Harker Heights, Texas. This subdivision, McLAUGHLIN WAY REPLAT, BEING A REPLAT OF LOT 1, BLOCK 1 McLAUGHLIN WAY AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115, is located within the City Limits of Harker Heights, Texas.

*Michelle E. Lee* 3-21-2022  
Michelle E. Lee, RPLS (TX 5772)

TAX CERTIFICATE

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

By: \_\_\_\_\_

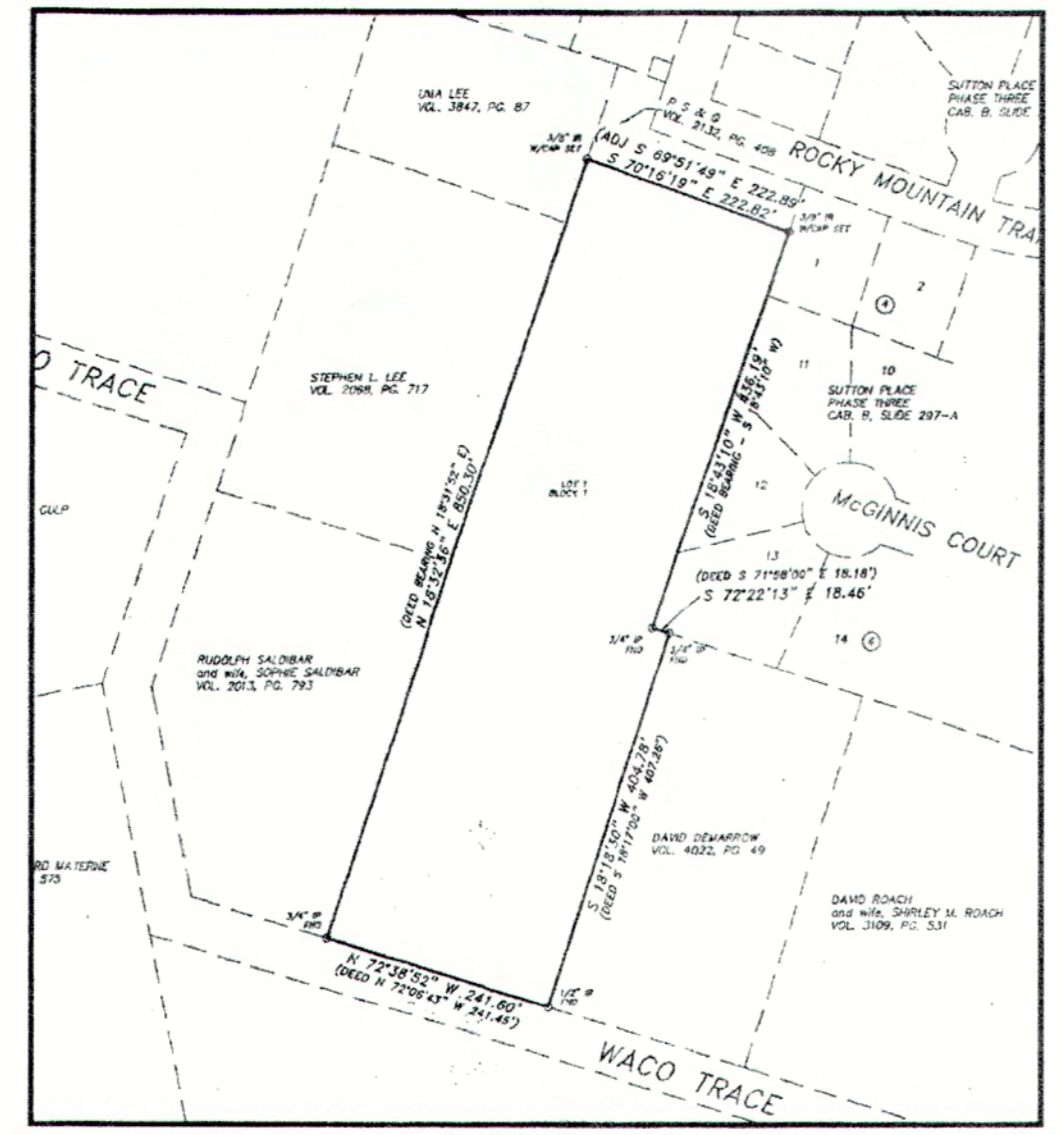
I, THE UNDERSIGNED, A REGISTERED SANITARIAN IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS SUBDIVISION HAS BEEN REVIEWED FOR COMPLIANCE WITH APPLICABLE STATE AND COUNTY REGULATIONS GOVERNING ON-SITE SEWAGE FACILITIES AND IS HEREBY RECOMMENDED FOR APPROVAL.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

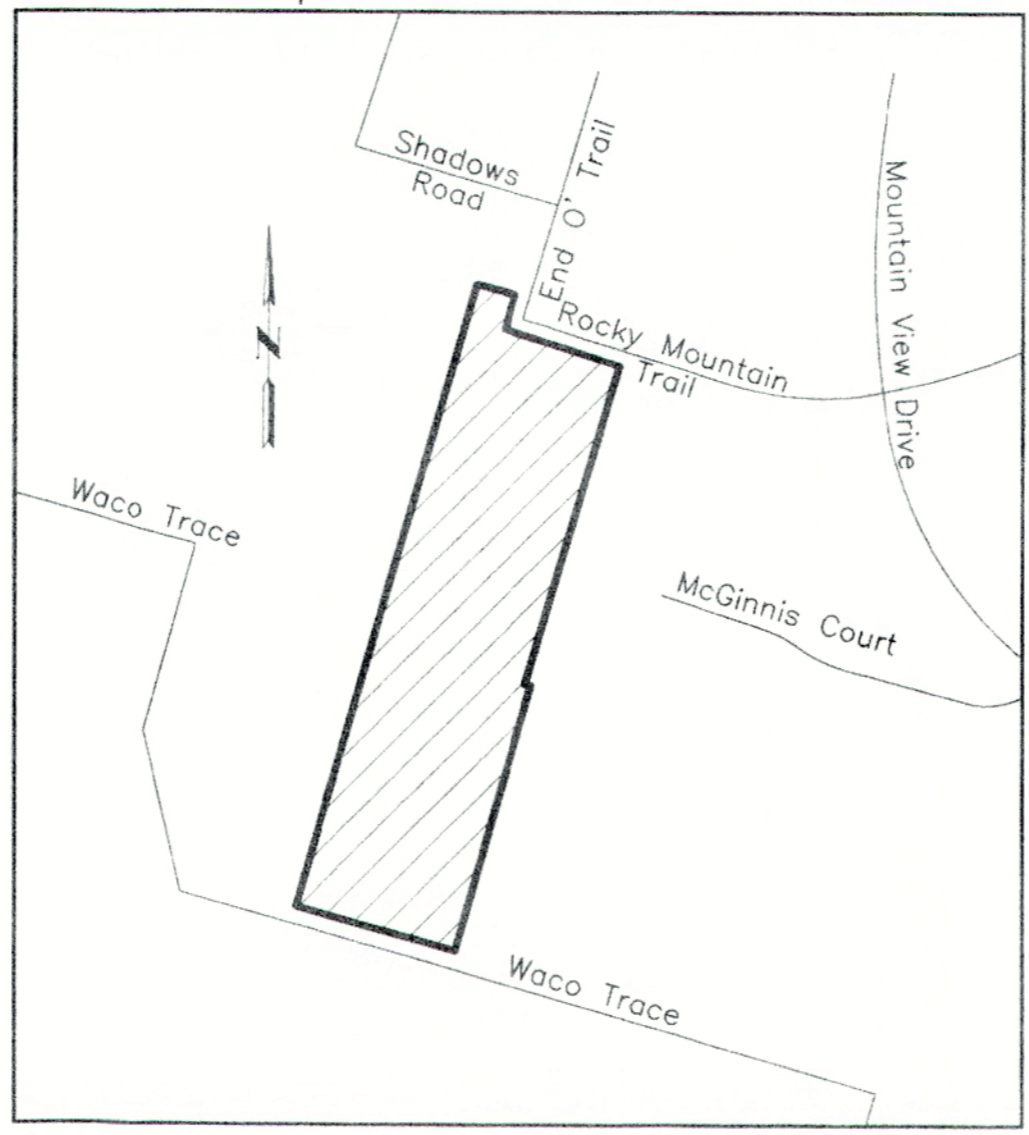
TITLE: \_\_\_\_\_ BELL COUNTY PUBLIC HEALTH DISTRICT

NOTE:

1. NO LOT IN THIS SUBDIVISION IS ENCLOSED BY ANY SPECIAL FLOOD HAZARD AREAS AS INUNDATED BY A 100 YEAR FLOOD OCCURRENCE AS IDENTIFIED BY THE U.S. FEMA AGENCY BOUNDARY MAP, (FLOOD INSURANCE RATE MAP), MAP NO. 48027C0285E, EFFECTIVE DATE SEPTEMBER 26, 2008 FOR BELL COUNTY, TEXAS.



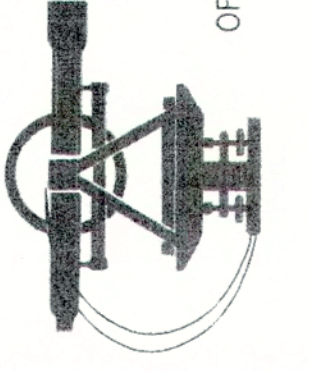
INSET  
McLAUGHLIN WAY  
CABINET C, SLIDE 348-B  
N.T.S.



VICINITY MAP  
N.T.S.

CONCEPT PLAN

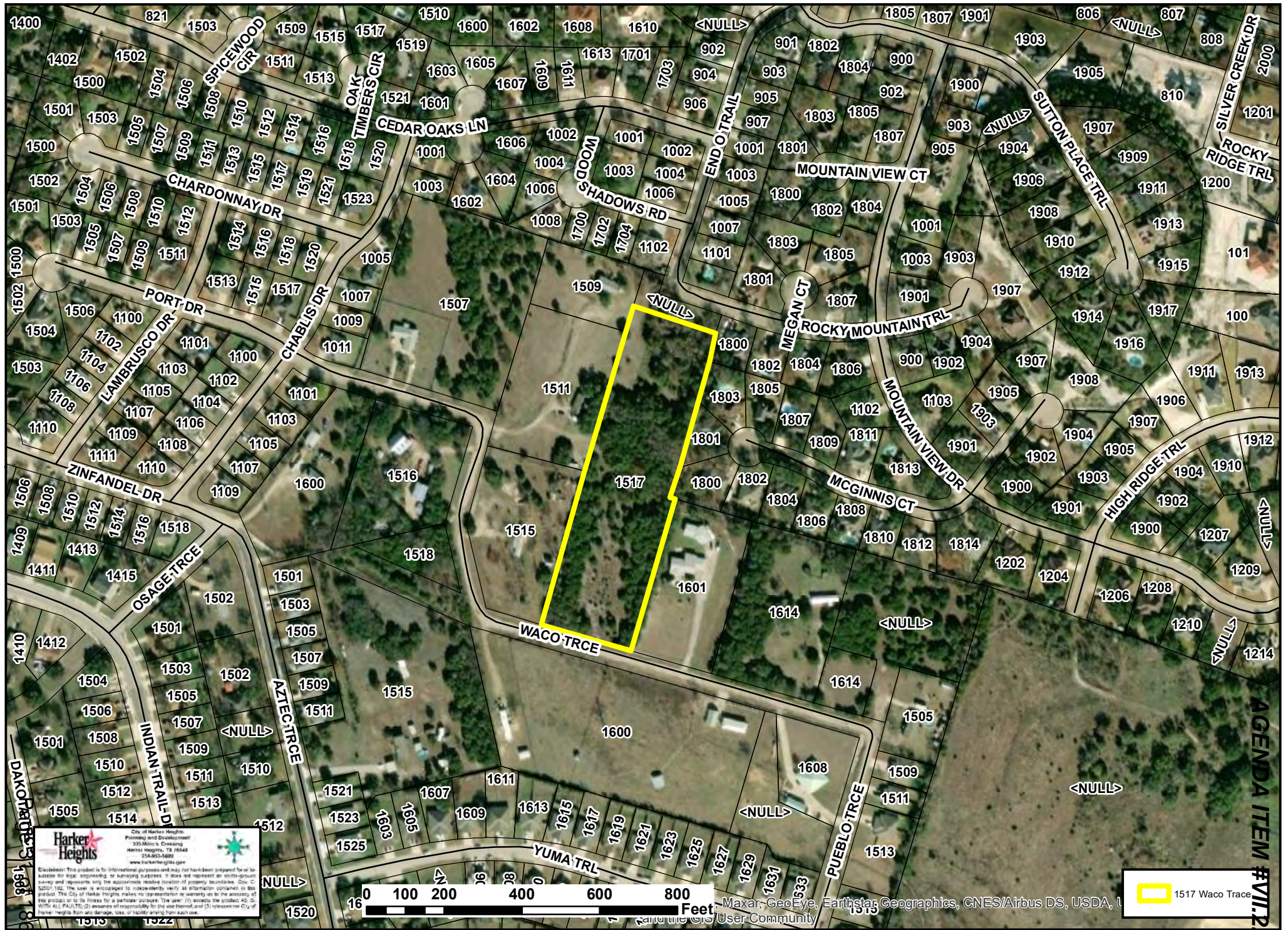
KILLEN ENGINEERING & SURVEYING, LTD



2901 E. Stan Schlueter Loop  
Killeen, Texas 76542  
OFFICE: (254) 526-3981 FAX: (254) 526-4351  
TBPE REGISTRATION NO. F-4200  
TBPLS REGISTRATION NO. 10194541

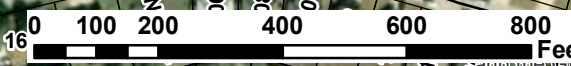
MCLAUGHLIN WAY REPLAT  
BEING A REPLAT OF LOT 1, BLOCK 1, McLAUGHLIN WAY  
AND 0.32 ACRES OF THE I. T. BEAN SURVEY, ABSTRACT NO. 115  
HARKER HEIGHTS, BELL COUNTY, TEXAS

Project No.:	2022-003
Acres:	4.80
No. of Lots:	4
Scale:	1" = 60'
Date:	03/16/2022
Design By:	GMH
Sheet No.:	1.00



City of Markle Heights  
 Planning and Development  
 300 Main St. Cowling  
 Markle Heights, TN 38548  
 254-933-3499  
 www.markleheights.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 location of property boundaries. City of Markle Heights 2021/10/22. The user is encouraged to independently verify all information contained on this product. The City of Markle Heights makes no representation or warranty as to the accuracy of the product or its fitness for a particular purpose. The user (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Markle Heights from all damage, loss, or liability arising from such use.

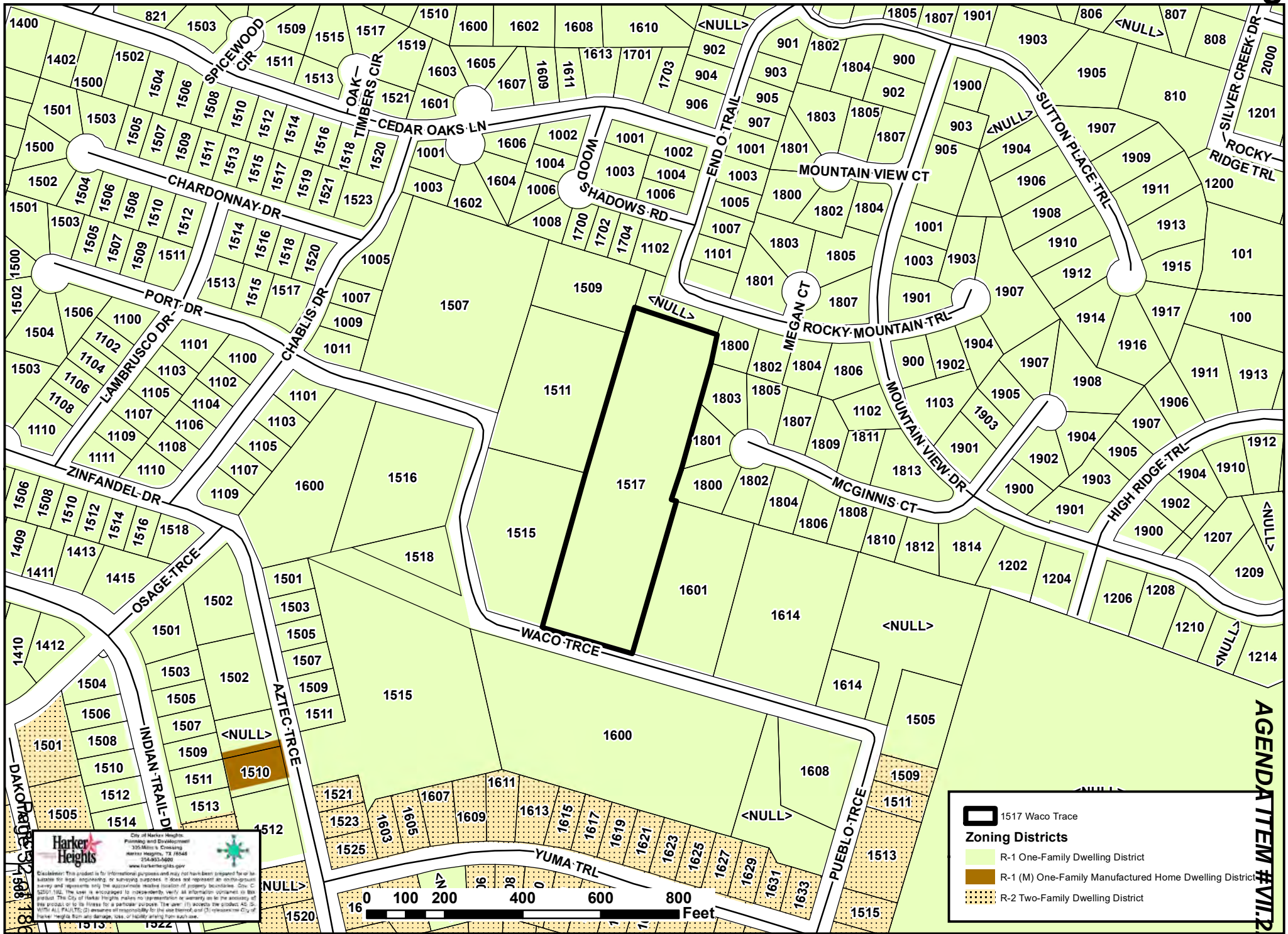


1517 Waco Trace

Maxar, GeoEye, Earthstar, Geographics, CNES/Airbus DS, USDA, User Community

AGENDA ITEM #VII.2





**1517 Waco Trace**

**Zoning Districts**

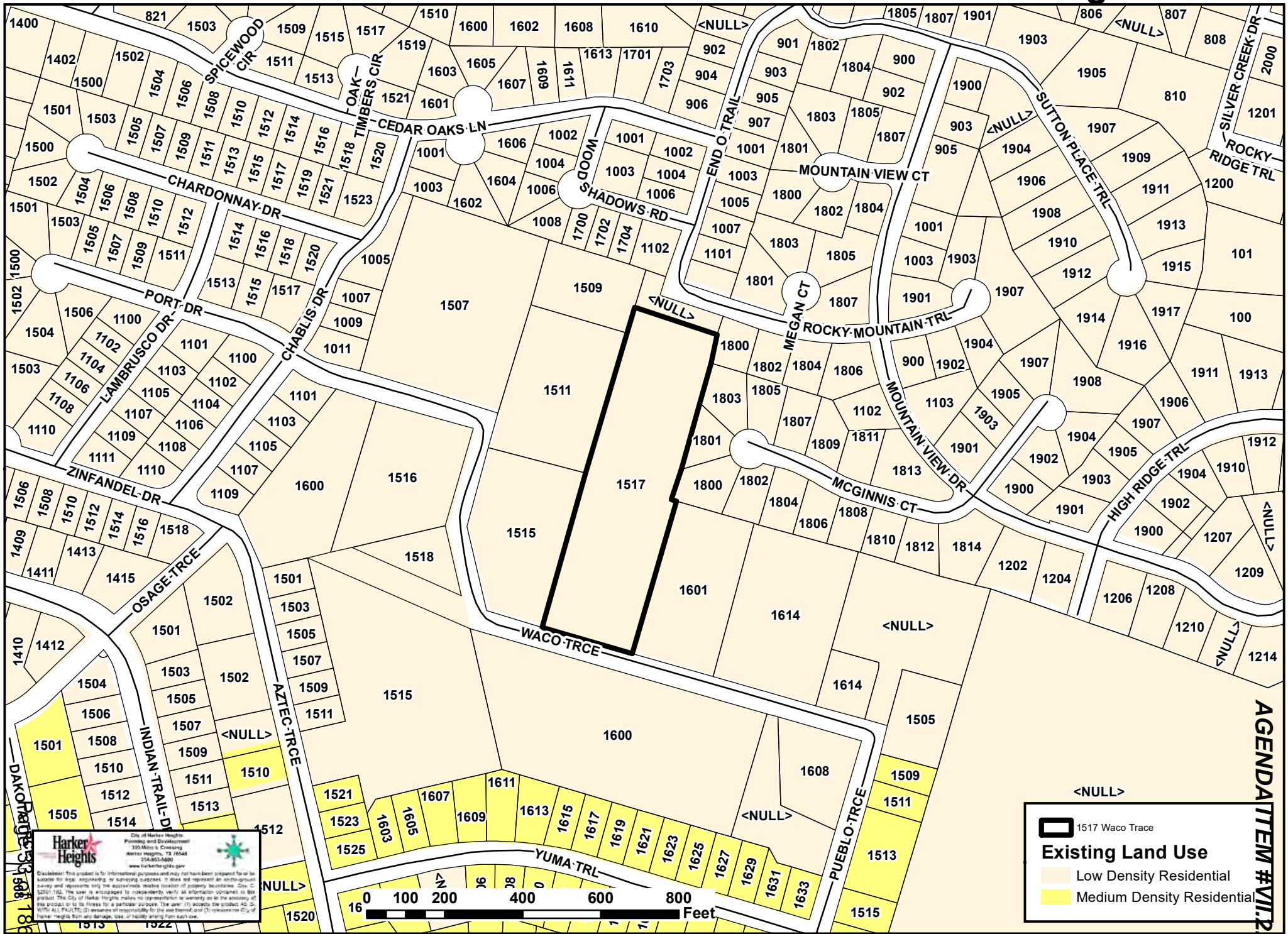
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District

**Harker Heights**

City of Harker Heights  
Planning and Development  
300 Miles Crossing  
Harker Heights, TX 78548  
(254) 933-3400  
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-site ground survey and represents only the approximate visible location of property boundaries. City of Harker Heights, TX 78548. The user is encouraged to independently verify all information contained on this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or to its fitness for a particular purpose. The user (1) accepts the product as is and (2) releases the City of Harker Heights from any and all liability arising from such use.

AGENDA ITEM #VII.2



**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 Mills Crossing  
 Harker Heights, TX 78548  
 (254) 933-3400  
 www.harkerheights.gov

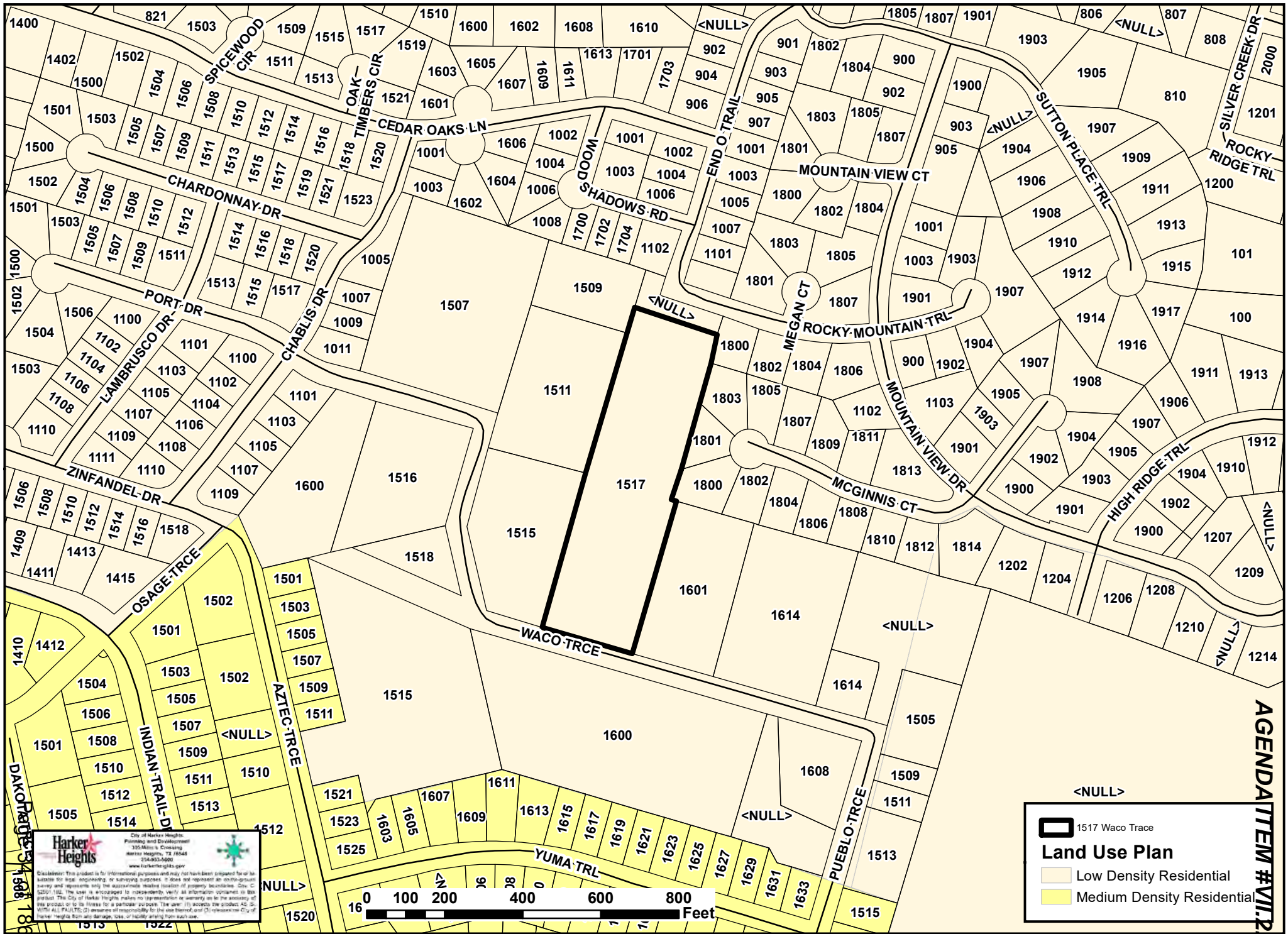
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. City of Harker Heights, TX is not responsible for any errors or omissions. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or 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.

<NULL>

1517 Waco Trace

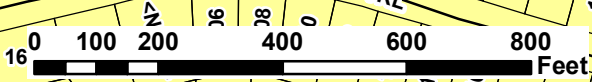
**Existing Land Use**

- Low Density Residential
- Medium Density Residential



**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 Mills Crossing  
 Harker Heights, TX 78548  
 (254) 933-3400  
 www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or to be used for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate location of property boundaries. Use of this product is encouraged to independently verify all information contained on this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or to its fitness for a particular purpose. The user of this product agrees to hold the City of Harker Heights harmless from any and all claims, damages, losses, or liability arising from such use.



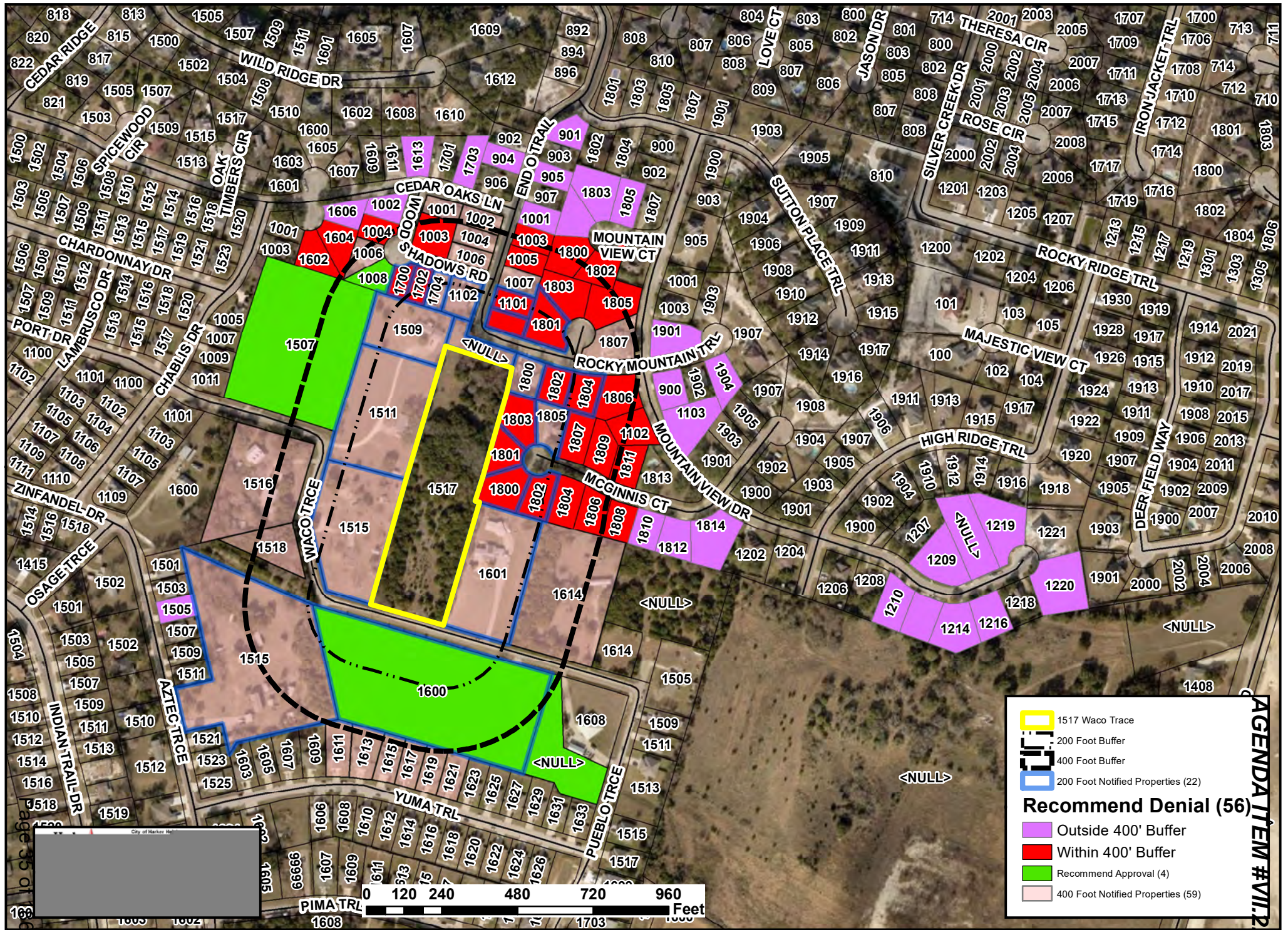
<NULL>

**1517 Waco Trace**

**Land Use Plan**

- Low Density Residential
- Medium Density Residential

AGENDA ITEM #VII.2



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RADEMACHER, DENISE GRACE

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

Physical Address	Property ID
1003 WOODSHADOWS	78169

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Denise Grace Rademacher *Denise G. Rademacher* 5/16/22  
 Printed Name Signature Date  
 Denise Grace DeYoung *Denise G DeYoung*

**Received**

MAY 17 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCGARRY, JAMES D

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

Physical Address	Property ID
1008 WOODSHADOWS	41444

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

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

Comments:

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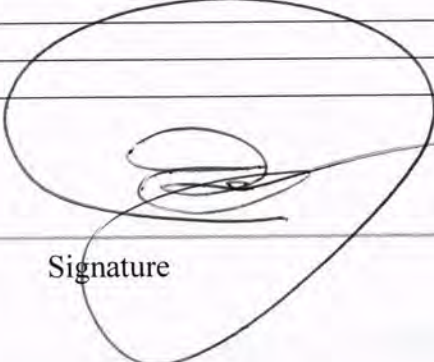


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James McGarry  
Printed Name



Signature

17 May 2022  
Date

**Receiver**  
MAY 17 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LICHTENBERGER, ROBERT L ETUX

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

Physical Address	Property ID
1101 END O TRAIL	64885

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

*I am afraid this will set a precedent and open the door for more inexpensive manufactured homes/trailer houses etc.*

*Robert L. Lichtenberger*

Printed Name

*Robert L Lichtenberger*

Signature

*5/18/22*

Date

**Received**

MAY 18 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: HODSON, EVAN S ETUX JOYCE A

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

Physical Address	Property ID
1102 MOUNTAINVIEW DR	81500

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

SEE ATTACHED

EVAN HODSON

Printed Name



Signature

5/16/22

Date

**Received**

MAY 16 2022

**Planning & Development**

HODSON, EVAN S ETUX JOYCE A  
1102 MOUNTAIN VIEW DR  
HARKER HTS, TX 76548-8035

X  
RES ATTACHED

EVAN HODSON

Received


11/20/05

Planning & Development

The proposed R-1(M) zoning allows mobile homes. For roughly 30 years, Harker Heights has striven to rid itself of the image of being a large mobile home park located next to Killeen. Thus the zoning was tightened and the new neighborhoods that came in were quite nice. Adding mobile homes again to Harker Heights is not a good idea.

This will be the classic "camel's nose under the tent" scenario. 1517 Waco Trace is a huge lot, looking to be roughly 800' by 300'. It looks to be the equivalent of around 14 to 16 of the lots along my stretch of Mountain View Dr. Once the zoning is changed to allow mobile homes, the subdividing will then commence. There is no telling how small the lots might be. These subdivided lots will need road access, so then comes a road down the middle of the lot, connecting from Waco Trace or End-O-Trail. Perhaps it will connect to both. And all of the problems with lower value housing, such as increased traffic and noise, and less attractive housing, will negatively affect the quality of life and property values along Mountain View Dr and McGinnis Ct., and possibly down End-O-Trail and Cedar Oaks as well.

This rezoning request should be denied.



Evan Hodson 5/16/22



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MERTZ, CARL P ETUX ANGILA

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

Physical Address	Property ID
1507 WACO TRACE	73103

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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CARL P MERTZ                      *Carl P Mertz*                      10 May 2022  
Printed Name    Signature    Date

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

**FROM: MULLEN, RHODENIA ANN**

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

Physical Address	Property ID
1600 WACO TRACE	67920

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, (see attached notification map).*

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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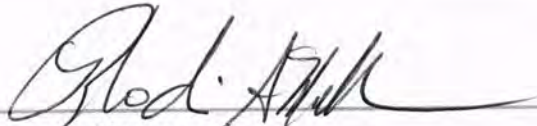


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Rhodenia Muller  
Printed Name

  
Signature

5-11-22  
Date

**Received**

MAY 16 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WILLIAMS, LARTIM GRIFFIN

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

Physical Address	Property ID
1700 WOODSHADOWS	43616

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

*I would prefer not to have manufactured homes in the vicinity of my property.*

*Lartim Williams*

Printed Name

*Lartim Williams*

Signature

*5-10-2022*

Date

**Received**

MAY 13 2022

**Planning & Development**

SENT: MAY 6, 2022  
 DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCNUTT, MARJORIE E

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

Physical Address	Property ID
1702 WOODSHADOWS	72183

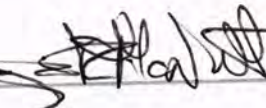
Z22-13 RE: application has been made to consider a change in zoning designation from R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property described as McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*At this time, Not sure what owners future plans are for the property*

MARJORIE E McNUTT  13 May 2022  
 Printed Name Signature Date

**Receiver**

MAY 13 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: ELLEFSON, JENNIFER E &

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

Physical Address	Property ID
1800 MCGINNIS CT	81507

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A. (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

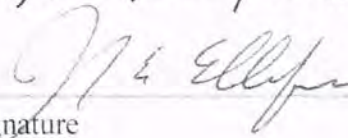
I RECOMMEND DENIAL OF THE REQUEST

Comments:

*It appears as though the purpose of the rezoning variance is based exclusively upon a desire to make more money out of the property and that granting it will be detrimental to the public welfare or injurious to other property in the adjacent neighborhood. The proposed variance will impair the public health, safety, comfort and general welfare of the adjacent neighborhood, impair property values, unduly increase traffic congestion, and generally create a neighborhood nuisance.*

*Jennifer E Ellefson*

Printed Name



Signature

*5/17/2022*

Date

**Received**

**MAY 18 2022**

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BIDLACK, VICTORIA A & BRUCE W

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

Physical Address	Property ID
1801 MCGINNIS CT	71108

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

PROPERTIES THIS SIZE SHOULD NOT BE  
DOWNGRADED. I THINK IT WOULD DEVALUE  
SURROUNDING PROPERTIES.

BRUCE BIDLACK  
Printed Name

*Bruce Bidlack*  
Signature

5/18/2022  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: GOWER, WARREN E ETUX STEPHANIE G

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

Physical Address	Property ID
1801 MEAGAN CT	81476

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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*GOWER, WARREN*

Printed Name

*W. E. Gower*

Signature

*16 MAY 22*

Date

**Received**  
MAY 17 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: JONES, KARAN T

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

Physical Address	Property ID
1803 MCGINNIS CT	81506

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*Our taxes on Me It will bring the value of not only my house down but the whole neighborhood! and yet our taxes continue to go up! Doesn't seem good or right!*

Karan T. Jones  
Printed Name

*Karan T. Jones*

Signature

*Karan T. Jones*

5-17-22  
Date

*5/17/22*

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BANAAG, JASPER & ELLEN

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

Physical Address	Property ID
1804 MCGINNIS CT	71109

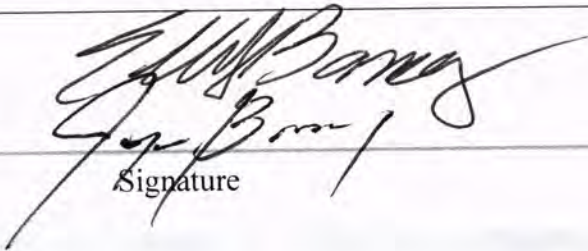
**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

<p>ELLEN BANAGAS Banaag, Jasper J. Printed Name</p>	<p> Signature</p>	<p>5/16/22 Date</p>
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**Received**  
MAY 17 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SMITH, SPENCER H ETUX KAREN G

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

Physical Address	Property ID
1805 MEAGAN CT	81478

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*This zoning change request is not compatible with the surrounding R-1 properties. It would negatively impact the current property owners investment. R-1M in this area is not in the best interests of the City of Harker Heights.*  
SPENCER H. SMITH      *Spencer H. Smith*      9 May 2022

*Karen G Smith*      *Karen G Smith*      9 May 2022  
Printed Name      Signature      Date

**Received**  
MAY 10 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: CONFIDENTIAL OWNER

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

Physical Address	Property ID
1806 ROCKY MOUNTAIN TRL	81499

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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Raphael Baumgaertel  
Printed Name

*Raphael Baumgaertel*  
Signature

5-10-22  
Date

**Received**

MAY 12 2022

Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BINION, TONY ETUX KATHLEEN

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

Physical Address	Property ID
1807 MCGINNIS CT	81504

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*This will decrease our property value.*

*Kathleen Binion*  
Printed Name

*Kathleen Binion*  
Signature

*5/12/22*  
Date

**Received**

MAY 17 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: INGRAM, JOAN C ETVIR RONALD G

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

Physical Address	Property ID
1808 MCGINNIS CT	81510

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

The close location of manufactured home dwellings will significantly decrease the resale value of homes in the area. This change request if approved would represent a breach of trust to be established. Homeowners

Joan C. Ingram  
Printed Name

*[Signature]*  
Signature

10 May 2022  
Date

Ronald G. Ingram

*[Signature]*

10 May 22

**Received**

MAY 11 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BALES, MICHAEL ETUX JENNIFER M

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

Physical Address	Property ID
1809 MCGINNIS CT	81503

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

We respectfully request that 1517 Waco Trace remain R-1 zoning designation. Thank you for your consideration.

Respectfully,  
Michael & Jennifer Bales

Michael D. Bales  
Printed Name

*M. Bales*  
Signature

10 May 22  
Date

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: STRANGE, RAYMOND A

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

Physical Address	Property ID
1811 MCGINNIS CT	81502

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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*Raymond STRANGE*  
Printed Name

*[Handwritten Signature]*  
Signature

*9 MAY 22*  
Date

**Received**  
MAY 16 2022  
Planning & Development

SENT: MAY 6, 2022  
 DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LICHTENBERGER, ROBERT L &

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

Physical Address	Property ID
END O TRAIL	64884

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*Do not like the idea of what this could do to property values of current homes.*

*Robert L. Lichtenberger*  
 Printed Name

*Robert L. Lichtenberger*  
 Signature

*5/18/22*  
 Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MULLEN, RHODENIA ANN

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

Physical Address	Property ID
WACO TRACE	479703

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

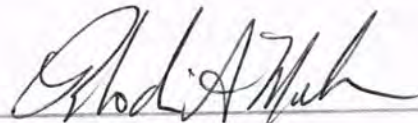
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Rhoderia Muller  
Printed Name

  
Signature

5-11-22  
Date

**Received**

MAY 16 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LEWIS, VIRGINIA L

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

Physical Address	Property ID
1006 END O TRAIL	110055

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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Virginia L. Lewis  
Printed Name

Virginia Lewis  
Signature

5/24/22  
Date



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RATLIFF, NATHAN T ETUX TRISHA S

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

Physical Address	Property ID
1802 MCGINNIS CT	81508

**Z22-13** RE: application has been made to consider a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R-1 (M) (One-Family Manufactured Home Dwelling District)** on a portion of the property described as *McLaughlin Way, Block 001, Lot 0001, Acres 4.46, generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas*, as displayed in Exhibit A, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*R1(M) is not compatible with other dwellings in the area. All houses in immediate vicinity are R1. The "grandfathered" mobile homes nearby are non-compliant and should not be used for comparison. Do not devalue the neighborhood. Keep at R1. The code 155.020(6)(1) makes it clear that this property should not be downgraded.*

*Trisha Ratliff*  
Printed Name

*Trisha Ratliff*  
Signature

*5-22-22*  
Date






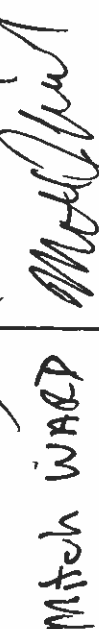


**Received**

MAY 25 2022

Planning & Development

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

<p>Petition summary and background</p> <p>1.Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands</p> <p>2.Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.</p> <p>3.Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.</p>	<p>Action petitioned for</p> <p>We, the undersigned, are concerned homeowners who wish to assert our reommendation to <b>deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)</b></p>
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Printed Name	Signature	Address	Comment	Date
JEREMY JENSEN		1003 END O TRL	I MOVED TO THIS LOCATION FOR THE DEADEND + NATURE.	5/23/22
Chil Borge		1001 End O Trail		7/23/22
Cecilia Coffino		904 End-O-Trail		5-23-22
Steve Coffino		904 End-O-Trail		5-23-22
Sandra Forsythe		905 End O Trail		5/23/22
Mitch WARD		901 End O TRAIL		5/23/22
Alvin Woods		1802 Mountain View Ct		5/23/22
Petra Woods		1802 Mountain View Ct		5/23/22



**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

<p>Petition summary and background</p>	<p>1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands                  2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.                  3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned homeowners who wish to assert our recommendation to <b>deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)</b></p>

Printed Name	Signature	Address	Comment	Date
Vengas, Joseph		1505 Altice Trce		23 May 2022
DUNGAT FEARNES		1602 Cedar Oak Ln	Rep R-1	23.5.22
Carol Hogan		1604 Cetr Oaks Ln		23.5.22
R. Lisa Jones		Harker Hts Tr 76598 1606 Cedar Oaks Harker Tr		23.5.22
Andrea Thane		1814 McGinnis Ct Harker Heights TX 76548		May 23, 2022
BRYANT Tolbert		1703 Cedar Oaks Ln Harker Heights TX 76548	Bad Idea	23 May 2022

Ashley Nally 1803 Mountain View  
Harker Heights TX  
76548

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

<p>Petition summary and background</p>	<p>1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands                  2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.                  3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned homeowners who wish to assert our recommendation to <b>deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)</b></p>


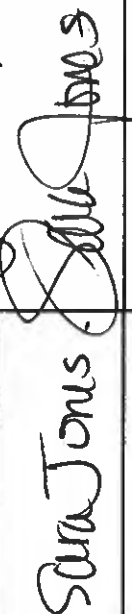
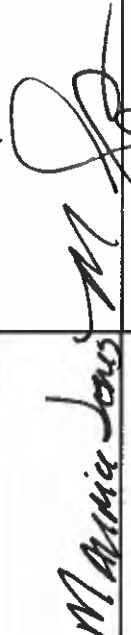
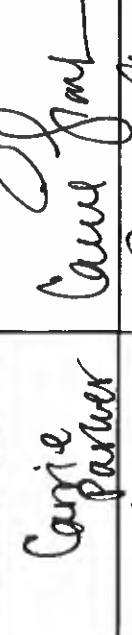
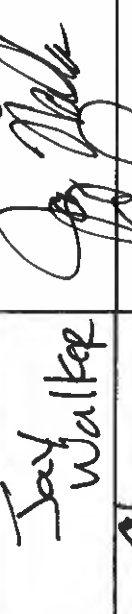

Printed Name	Signature	Address	Comment	Date
Jonathan & Jennifer Ellefson		1800 McGinnis CT Harler Heights TX	Re-zoning would greatly affect our property value	7/22/2022
Adeienne Poole		1809 McGinnis CT Harler Heights, TX		7/22/2022
Ron + Linda Deshotel		1103 Mountain View Dr Harler Heights, TX	We bought + built this home with assumption R1 would remain the same.	5/32/2022
Abel + Jennifer Trevino		1900 Rocky Mountain Harler Heights, TX 76548		22 May 22
Lori Edson Taylor		1901 Rocky Mtn Trl, Harler Heights	We are not in agreement to rezone please keep R1	5/22/22
Gene Beliver		1901 Rocky Mountain 76548	This would be a traffic nightmare!	5/22/22
Shella Fontaine		1801 Mountain View Court	Not good for property values	5/23/22

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

- Petition summary and background
1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands
  2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.
  3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.

Action petitioned for

We, the undersigned, are concerned homeowners who wish to assert our recommendation to *deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)*

Printed Name	Signature	Address	Comment	Date
Julie Martinez		1209 Mountain View	DO NOT REZONE TO R1(M) - IT WILL DEVALUE OUR NEIGHBORHOODS	5/22/2022
Sara Jones		1217 Mountain View	Don't zone	5/22/22
Maria Jones		1217 Mountain View	Do Not Rezone	5/22/22
Carrie Parker		1219 Mountain View	NO rezone	5/22/22
Joy Walker		1220 Mountain View	No Rezone	5/22/22
Clarence Payne		1214 NHA View DF	No Rezone	5/22/22

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

- Petition summary and background
1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands
  2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.
  3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.

Action petitioned for

We, the undersigned, are concerned homeowners who wish to assert our recommendation to **deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)**

Printed Name	Signature	Address	Comment	Date
Howard Liles		12 Hawthorn View Dr	No Re-Zone	22 may 22
Raphael Baumgard		1806 Rocky Mtn Trl	DO NOT REZONE	5/22/22
Sosher Wallace		1802 Rocky Mountain Trl	Do not rezone	5/23/22
Gary McIntyre		1004 Woodshadows Harker Heights	Do not rezone	5/23/22
THOMAS C. TAYLOR		1002 Woodshadows Harker Heights	DO NOT REZONE KEEP AT R1	5/23/22
APRIL OVERLAND		11113 CEDAR CREEK HENDERSON HEIGHTS	DO NOT REZONE	5/23/22






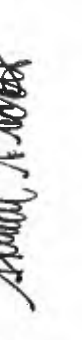

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

<p>Petition summary and background</p>	<p>1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands                  2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.                  3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.</p>
<p>Action petitioned for</p>	<p>We, the undersigned, are concerned homeowners who wish to assert our recommendation to deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)</p>

Printed Name	Signature	Address	Comment	Date
Crystal Watts	<i>Crystal Watts</i>	1804 McGinnis Ct Harker Heights, TX 76548	lower home value	5/21/22
John Watts	<i>John Watts</i>	1806 McGinnis Ct Harker Heights Texas 76548	lower home value and	5/24/22
Joan Ingram	<i>Joan Ingram</i>	1808 McGinnis Ct Harker Heights TX 76548	will ↓ home values + is a bleak investment. Enrichment not pursued for love	5/10/22
Sheryl Bush	<i>Sheryl Bush</i>	1812 McGinnis Ct Harker Hgts TX	lower home value - is not desired	5-21-2022
Joan E. Thane	<i>Joan E. Thane</i>	1814 Mc Ginnis Ct Harker Heights Texas 76548	Lower home values more traffic	5/21/2022
Richard Thane	<i>Richard Thane</i>	1814 Mc Ginnis Ct Harker Heights, TX	Lower home values	5/21/2022
Benita Bennett	<i>Benita Bennett</i>	1800 Moun Yainium TX	Lower home values	5-23-2022

**Petition to deny the request for rezoning 1517 Waco Trace from R1 to R1(M)**

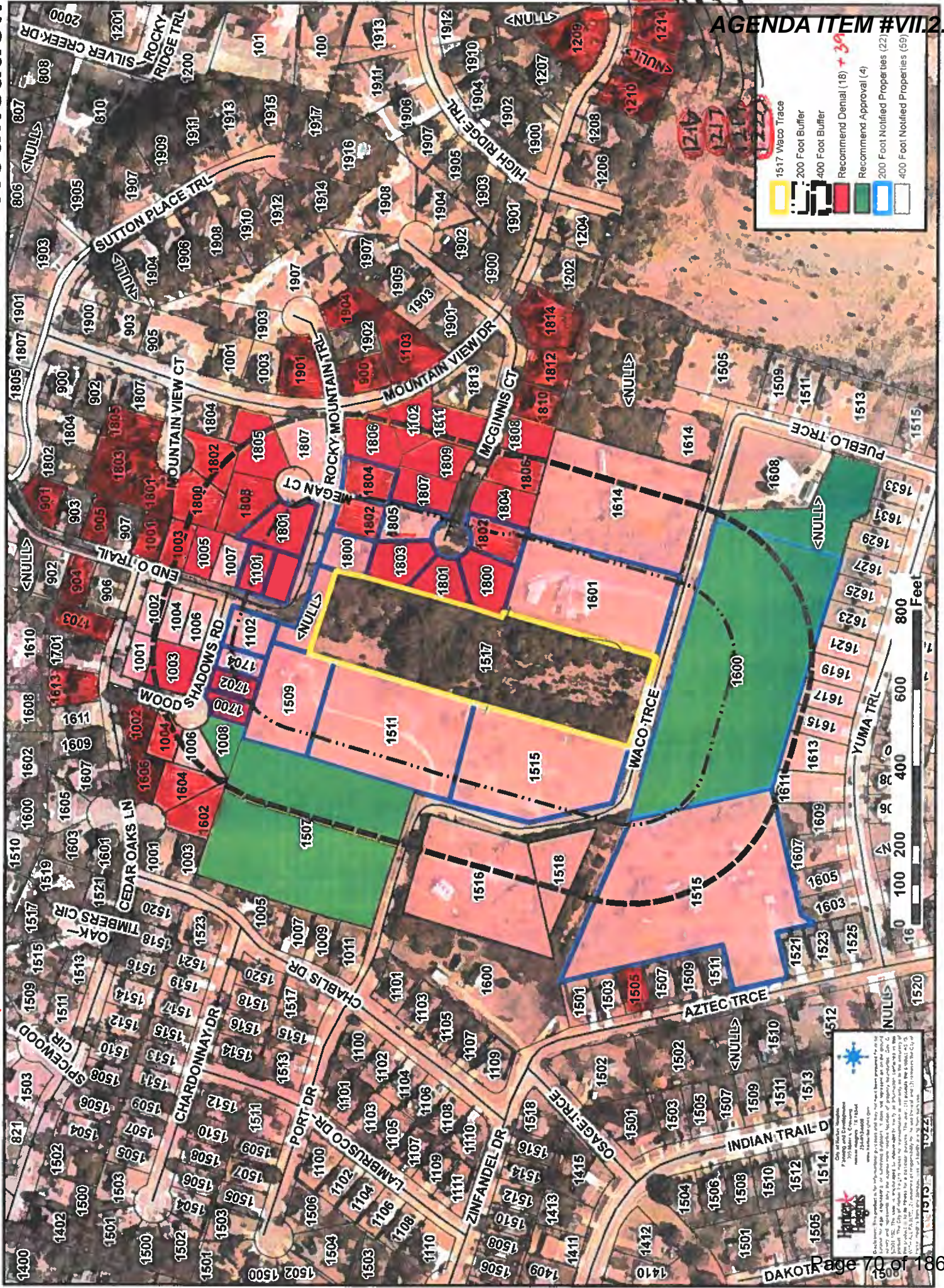
<p>Petition summary and background</p> <ol style="list-style-type: none"> <li>1. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be significantly incompatible with the zoning of the neighboring lands</li> <li>2. Changing the zoning of 1517 Waco Trace to R1(M) zoning would be undeniably decrease the home values in our neighborhood.</li> <li>3. Changing the zoning of 1517 Waco Trace to R1(M) zoning would set a precedent for future land development of lower quality housing in our immediate area.</li> </ol>	<p>We, the undersigned, are concerned homeowners who wish to assert our recommendation to <b>deny of the re-zoning request changing 1517 Waco Trace from R1 to R1(M)</b></p>
<p>Action petitioned for</p>	

Printed Name	Signature	Address	Comment	Date
Luther G'iner		1804 Rocky Mountain 1803 N. F. & S. HWY CT.		5/22/22
STEVE RICHARDS		1810 McGinnis CT.		5/22/22
BRADY BARTON		1810 McGinnis CT.		5/22/22
Caroline Barton		1810 McGinnis CT.		5/22/22
Steven Park		1212 Mountain View DR		5/22/22
Joe Alsop		1819 MOUNTAIN VIEW DR	Leave this a single family R-1 254-394-1199	5/22/22
Shawn Scott		1805 Mountain View Ct.	Leave this a single family lot.	5/23/22

# Notification

39 properties added to recommend denial. 39 + 18 = 57 total

Z22-13



**City of Houston**  
**Harris County**  
 Planning and Development  
 15000 North Loop West, Suite 1000  
 Houston, Texas 77040  
 www.houston.gov

This product is for informational purposes only. It does not constitute a final decision. Each parcel is subject to the applicable zoning code and other applicable laws and regulations. The information is provided for informational purposes only. The City of Houston is not responsible for any errors or omissions in this information. The City of Houston is not responsible for any actions taken based on this information. The City of Houston is not responsible for any actions taken based on this information.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-1 (M) (ONE-FAMILY MANUFACTURED HOME DWELLING DISTRICT) ON A PORTION OF THE PROPERTY DESCRIBED AS MCLAUGHLIN WAY, BLOCK 001, LOT 0001, ACRES 4.46, GENERALLY LOCATED AT 1517 WACO TRACE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AS DISPLAYED IN EXHIBIT A.**

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

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

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

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

**SECTION 2:** The hereinafter-described property, as previously zoned R-1 (One-Family Dwelling District) to R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A.

**SECTION 3:** Table VII, Table of Special Ordinances, of the Code is hereby supplemented by adding the following entry:

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2022-	6/14/2022	Granting R-1 (M) (One-Family Manufactured Home Dwelling District) on a portion of the property generally located at 1517 Waco Trace, Harker Heights, Bell County, Texas, as displayed in Exhibit A

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

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



**PASSED AND APPROVED** by the City Council of the City of Harker Heights on June 14, 2022.

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Spencer H. Smith, Mayor

ATTEST:

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Juliette Helsham, City Secretary



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR A PET GROOMING BUSINESS TO OPERATE AS A HOME OCCUPATION ON PROPERTY DESCRIBED AS HIGHLAND OAKS ESTATES SECTION 1, BLOCK 00F, LOT 14, PT 15, (W 1/2 OF 15), ACRES 0.441, GENERALLY LOCATED AT 100 E. WOODLAWN DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

**EXPLANATION:**

The applicant is requesting to operate a pet grooming business as a Home Occupation at property generally located at 100 E. Woodlawn Drive.

Parcel History

This area was platted in 1962 as part of the Highland Oaks Estates Section 1 Subdivision. The parcel was then annexed into the city limits in 1963. According to records on Bell County Appraisal District website, the residential structure was constructed in 1977 and consists of approximately 2,782 square feet. The size of the lot is approximately 0.441 acres.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	Existing Land Use	Land Use Plan	Zoning
North	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
South	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
East	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
West	Low Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated for Low Density Residential use. The proposed Conditional Use Permit with its intended use will likely have an adverse impact on the neighborhood and is not consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

Woodlawn Rd. is classified as a residential street in the Mobility 2030 Thoroughfare Plan. Per §154.01 of the City’s code of ordinances, Residential Streets are defined as: “Streets that

serve individual residential lots. They carry low traffic volumes at low speeds. RESIDENTIAL STREETS shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots”.

On May 23, 2022, the applicant provided additional business plan details. According to §155.084, as cited below, a Home Occupation shall not allow for the increase in vehicular or pedestrian traffic, noise, odor, or commercial equipment.

§ 155.084 HOME OCCUPATIONS.

(A) Definition. A HOME OCCUPATION is an incidental use of a dwelling unit (not 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:

...

(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;

...

(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.

Flood Damage Prevention

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

City Utilities

The City’s water and wastewater infrastructure in this neighborhood are designed for residential use and loadings. The nature of the proposed Home Occupation could result in the discharge of a commercial level of animal fur/hair into the sanitary sewer system, which is expressly prohibited per the referenced code below (§53.27).

§ 53.27 IMPAIRMENT OF FACILITIES.

- (A) No person may discharge into public sewers any substance that can be reasonably expected to cause:
- (1) Obstruction to the flow in sewers;

- (2) Interference with the operation of treatment processes of facilities; or
- (3) Excessive loading of treatment facilities.

...

- (F) No person may discharge into public sewers solid or viscous substances which may violate division (A) of this section if present in sufficient quantity or size, including, but not limited to:

...

- (9) Feathers;

...

- (17) Hair and fleshings;

...

- (21) Chemical residues;

...

Pharr vs. Tippett Considerations

1. The proposed commercial use and rezoning are not compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will likely have an adverse impact on surrounding properties.
3. The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning will likely pose an adverse impact to the public health, safety, or general welfare.

**NOTICES:**

Based on the most recently approved tax roll available, staff sent out forty-six (46) notices to property owners within the 400-foot notification area. As of June 7, 2022, two (2) responses were received in favor of the request, and nine (9) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

One (1) of the responses in opposition is located on a parcel located completely within the 200-foot notification area, and three (3) of the responses in opposition are for parcels located partially within the 200-foot notification area.

Total area of land within the 200-foot notification area is: ~234,242 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: ~33,830 sq. Ft.

Percentage of land area recommending denial: 14%

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots within the 200-foot buffer requires a super majority vote for approval. Note that when 20% of the number of landowners within the 200 foot buffer have provided written and signed opposition, there is not a requirement of Texas Local Government Code nor the City's Code of Ordinances for a super majority vote by the Planning & Zoning Commission.

**RECOMMENDATION:**

Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request.

Staff Recommendation

Staff recommended disapproval to the Planning & Zoning Commission of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional use Permit (CUP) to allow for a pet grooming business to operate as a Home Occupation for the property in this case.

**ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning and Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (6-1) to recommend disapproval of an ordinance to grant a Conditional Use Permit (CUP) to allow for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.

Additionally, the explanation provided by the Planning & Zoning Commission was that this case was recommended for denial based on the proposed zoning not being compatible with the existing uses in the neighborhood.

**ACTION BY THE COUNCIL:**

Since the recommendation of the property was not approved by the Planning & Zoning Commission, per §155.212(D) (2) of the City of Harker Heights Code of Ordinances, a zoning district change will require a three-fourths (super-majority) approval vote from the City Council.

*(D) Vote Required*

*"If such proposed amendment, supplement, or change has not been approved by the Planning and Zoning Commission, the amendment, supplement or change shall not become effective except by a three-fourths approval vote by the City Council."*

1. Motion to **approve, approve with conditions, or disapprove with explanation** an ordinance grant a Conditional Use Permit (CUP) to allow for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

[Z22-12 03-PropOrdinance](#)

[Z22-12 02-Attachments](#)

[Applicant Response 05232022](#)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING A CONDITIONAL USE PERMIT TO ALLOW FOR A PET GROOMING BUSINESS TO OPERATE AS A HOME OCCUPATION ON PROPERTY DESCRIBED AS HIGHLAND OAKS ESTATES SECTION 1, BLOCK 00F, LOT 14, PT 15, (W 1/2 OF 15), ACRES 0.441, GENERALLY LOCATED AT 100 E. WOODLAWN DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.**

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

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

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

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

**SECTION 2:** The hereinafter-described property, as previously zoned R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a CUP (Conditional Use Permit) for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas.

**SECTION 3:** Table VII, Table of Special Ordinances, of the Code is hereby supplemented by adding the following entry:

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2022-	6/14/2022	Granting R-1 zoning with a CUP (Conditional Use Permit) for a pet grooming business to operate as a Home Occupation on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, 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** by the City Council of the City of Harker Heights on June 14, 2022.

---

Spencer H. Smith, Mayor

ATTEST:

---

Juliette Helsham, City Secretary



# Conditional Use Permit Application

**\*Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED\***

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

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

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

Property Owner(s) Name: Sylvia Liani. Acevedo Date: 04-27-2022

Address: 100 E. Woodlawn Dr.

City/State/Zip: Harker Heights TX 76548

Phone: 787-689-7895 E-mail: Compinche21@yahoo.com

**Legal Description of Property:**

Location of Property (Address if available): 100 E. Woodlawn Dr. Harker Heights, TX. 76548

Lot: \_\_\_\_\_ Block: \_\_\_\_\_ Subdivision: \_\_\_\_\_

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.*

Current Zoning Classification: \_\_\_\_\_ Future Land Use Designation: \_\_\_\_\_

**Applicant's Representative (if applicable):**

Applicant's Representative: \_\_\_\_\_

Phone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

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

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

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

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

Sylvia L. Acevedo  
 Printed Name of Property Owner

[Signature]  
 Signature of Property Owner

Printed Name of Representative

Signature of Representative

**STAFF ONLY -- DO NOT FILL OUT BELOW**

Date Submitted: \_\_\_\_\_

Pre-Application Meeting

Receipt #: \_\_\_\_\_

Received By: \_\_\_\_\_

Case #: \_\_\_\_\_



City of Harker Heights;

I, Sylvia L. Acevedo, here present this letter to the city of Harker Heights to express my intention of opening a small home business of pet grooming. After carefully reading section 155.201, I noticed that such business is not listed on the paper as allowed or not allowed. If granted authorization to operate this pet grooming service, it will be one pet/client at a time with schedule appointment only at location 100 E Woodlawn Dr. Harker Heights Tx 76548. No heavy traffic will be made to avoid disturbing the peaceful environment of the neighborhood. No additional employee will be necessary and no big signs will be placed at the premises. My intent is to be able to start this (low-key) business while enjoying my passion of "beautifying" the furry love ones.

Sincerely,

Sylvia L. Acevedo

**§ 53.27 IMPAIRMENT OF FACILITIES.**

(A) No person may discharge into public sewers any substance that can be reasonably expected to cause:

- (1) Obstruction to the flow in sewers;
- (2) Interference with the operation of treatment processes of facilities; or
- (3) Excessive loading of treatment facilities.

(B) Discharges prohibited by division (A) of this section include, but are not limited to, materials which exert or cause concentrations of:

- (1) Inert suspended solids greater than 250 mg/l including but not limited to:
  - (a) Fuller's earth;
  - (b) Lime slurries; and
  - (c) Lime residues;
- (2) Dissolved solids greater than 1,000 mg/l including but not limited to:
  - (a) Sodium chloride; and
  - (b) Sodium sulfate;
- (3) Excessive discoloration including but not limited to:
  - (a) Dye wastes;
  - (b) Vegetable tanning solutions; or
- (4) BOD, COD, or chlorine demand in excess of normal plant capacity.

(C) No person may discharge into public sewers any substance that may be reasonably expected to:

- (1) Deposit grease or oil in the sewer lines in such a manner as to clog the sewers;
- (2) Overload skimming and grease handling equipment;
- (3) Pass to the receiving waters without being effectively treated by normal wastewater treatment processes due to the non-amenability of the substance to bacterial action; or
- (4) Deleteriously affect the treatment processes due to excessive quantities.

(D) No person may discharge any substance into public sewers which:

- (1) Is not amenable to treatment or reduction by the processes and facilities employed; or
- (2) Is amenable to treatment only to such a degree that the treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

(E) The approving authority shall regulate the flow and concentration of slugs when they may:

- (1) Impair the treatment process;
- (2) Cause damage to collection facilities;
- (3) Incur treatment costs exceeding those for normal wastewater; or
- (4) Render the effluent unfit for stream disposal or industrial use.

(F) No person may discharge into public sewers solid or viscous substances which may violate division (A) of this section if present in sufficient quantity or size, including, but not limited to:

- (1) Ashes;
- (2) Cinders;
- (3) Sand;
- (4) Mud;
- (5) Straw;
- (6) Shavings;
- (7) Metal;
- (8) Glass;

- (9) Rags;
- (10) Feathers;
- (11) Tar;
- (12) Plastics;
- (13) Wood;
- (14) Unground garbage;
- (15) Whole blood;
- (16) Paunch manure;
- (17) Hair and fleshings;
- (18) Entrails;
- (19) Paper products, either whole or ground by garbage grinders;
- (20) Slops;
- (21) Chemical residues;
- (22) Paint residues; or
- (23) Bulk solids.

(Ord. 2011-01, passed 1-25-11) Penalty, see §53.99

**HOME OCCUPATIONS**

**§ 155.084 HOME OCCUPATIONS.**

(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)

**§ 155.201 CONDITIONAL USE PERMITS.**

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

(B) *Planning and Zoning Commission consideration.*

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

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

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

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

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

generated by the proposed use and other uses reasonably anticipated in the area under existing zoning regulations;

(i) The proposed use will materially and adversely affect traffic control or adjacent properties by inappropriate location, lighting or types of signs; or

(j) The proposed use fails to provide adequate and convenient off-street parking and loading facilities.

(C) *City Council consideration.*

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

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

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers, fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

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

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

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

(E) *Term.*

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

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

(b) The permit expires by its own terms;

(c) The property is rezoned;

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

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

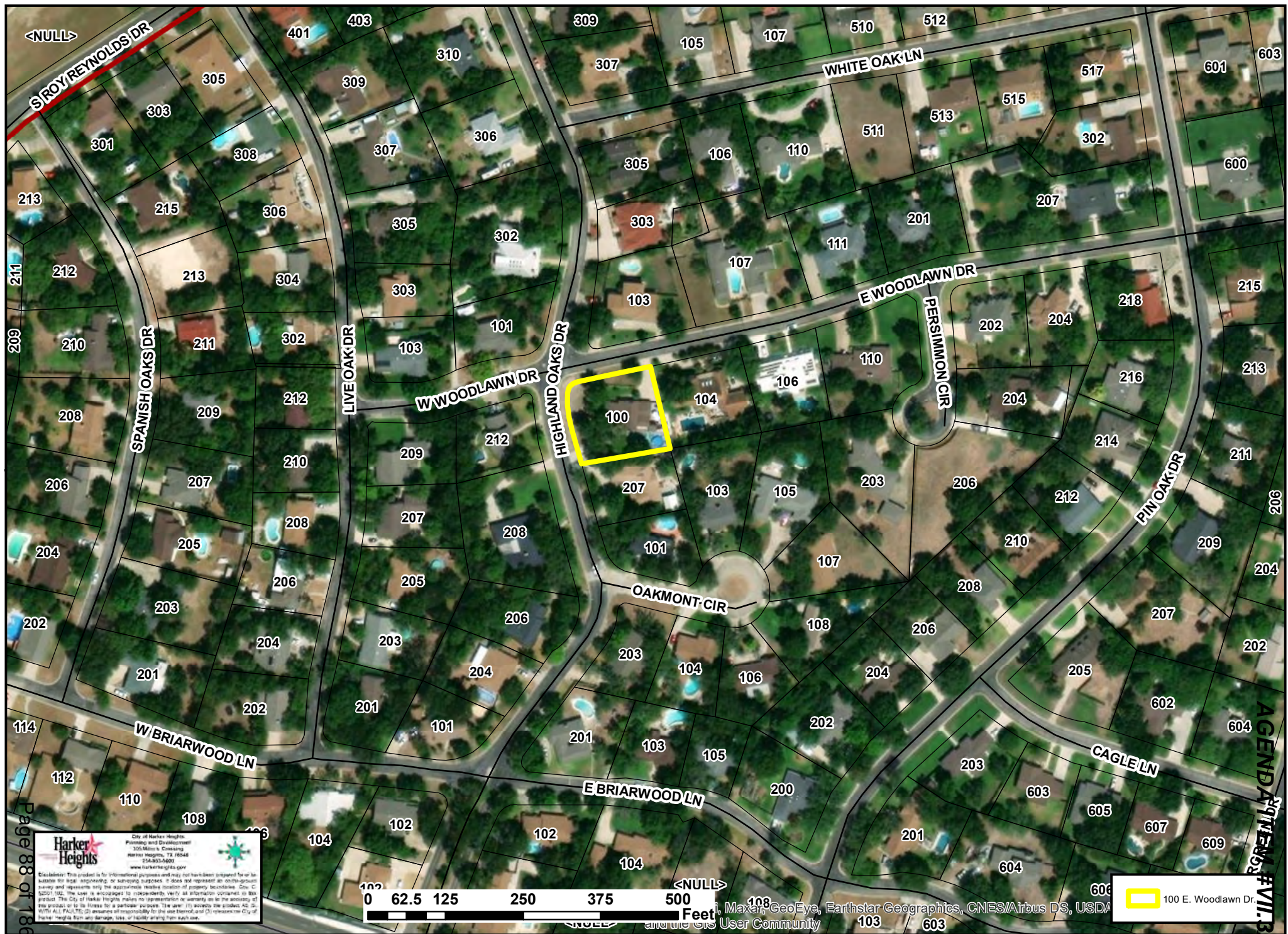
(f) The use of the building or premises is materially expanded, increased or otherwise altered;  
or

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

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

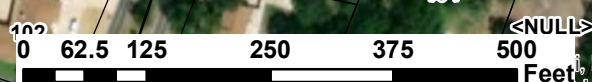
(Ord. 2001-36, passed 11-13-01)





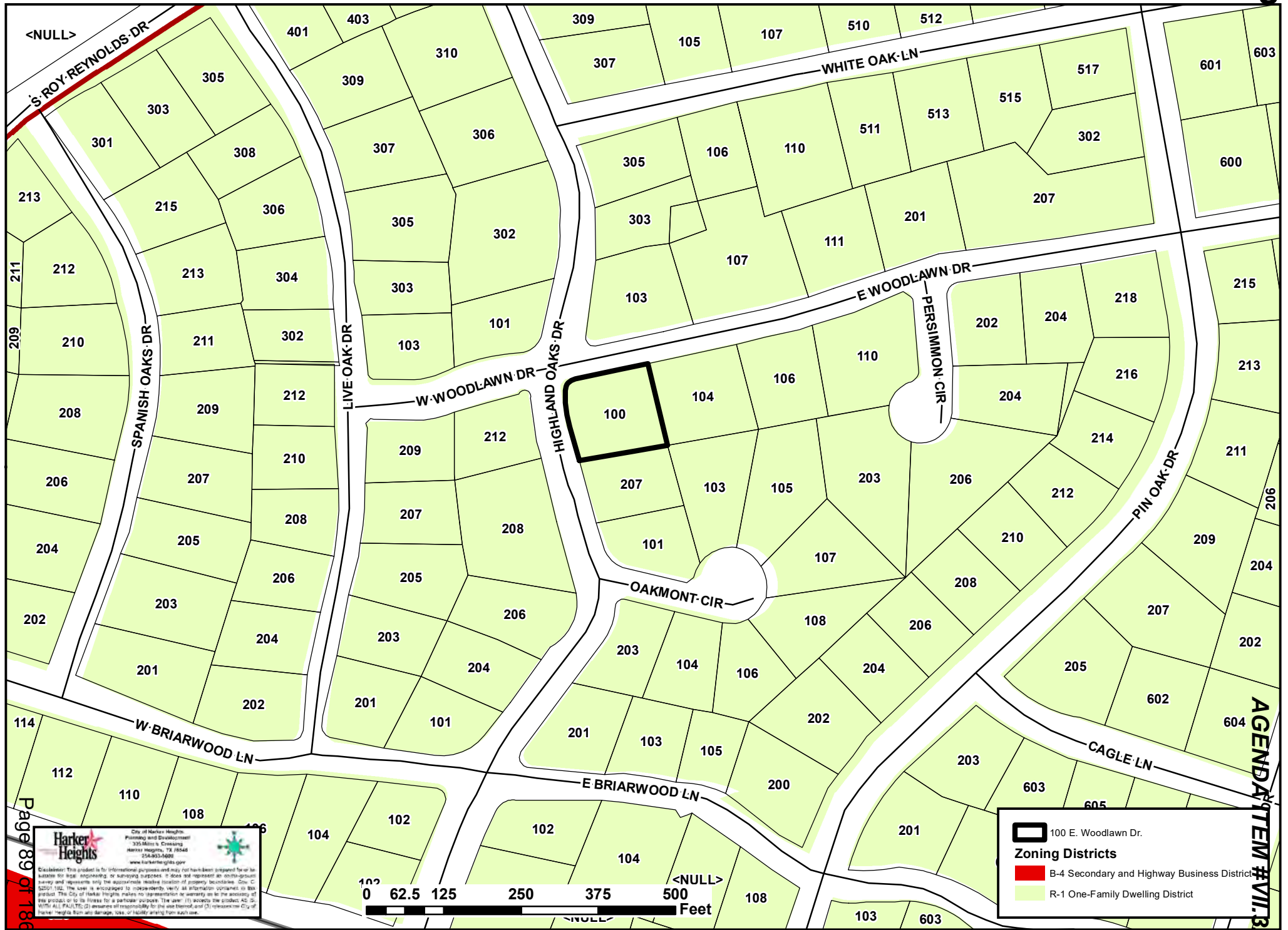
**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 Main St, Covington  
 Harker Heights, TX 78548  
 (254) 933-3400  
 www.harkerheights.gov

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Map data: Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA and the GIS User Community

100 E. Woodlawn Dr.



**100 E. Woodlawn Dr.**

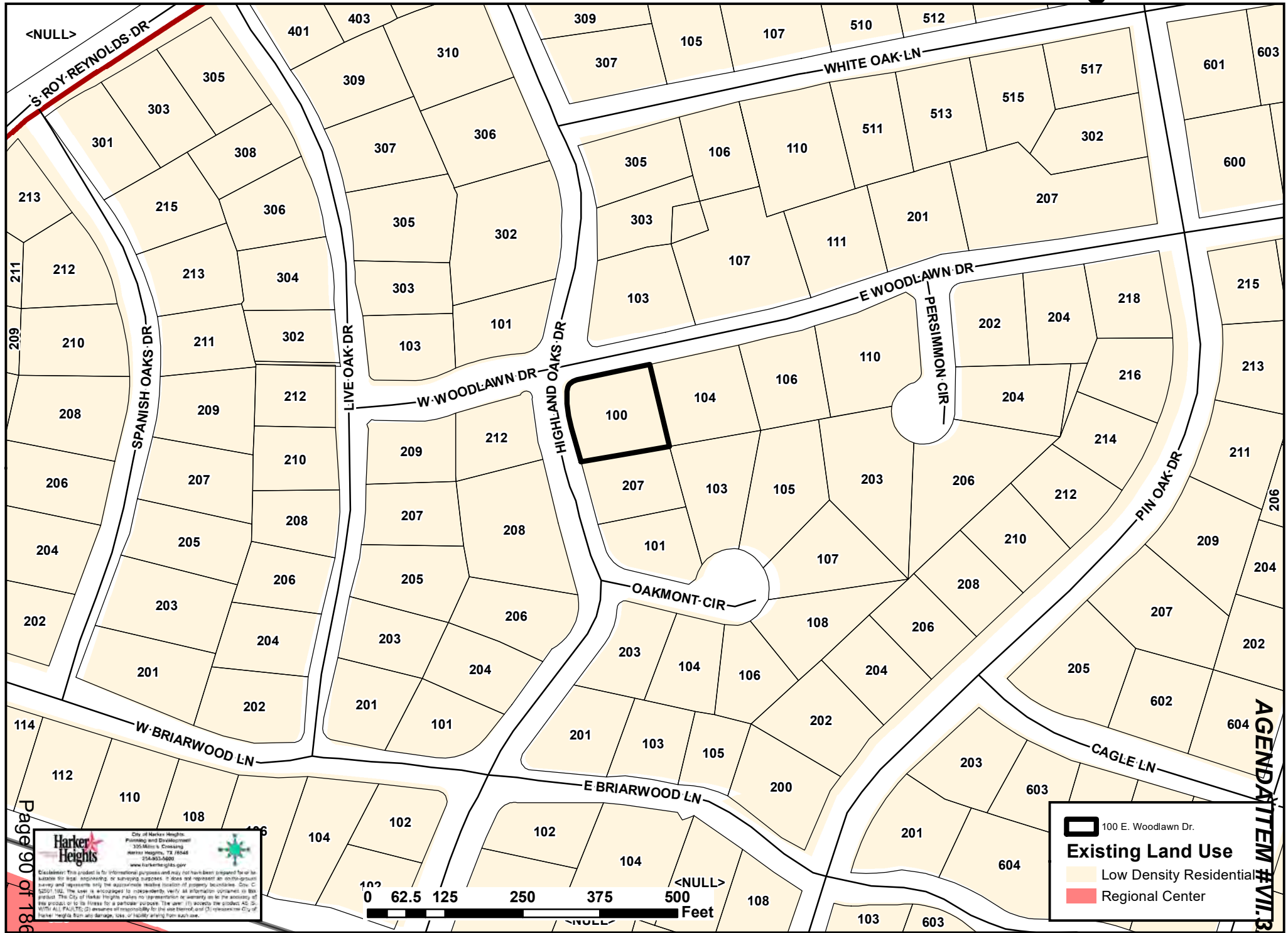
**Zoning Districts**

- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District

**Harker Heights**

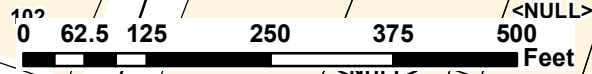
City of Harker Heights  
 Planning and Development  
 300 Main St. Crossing  
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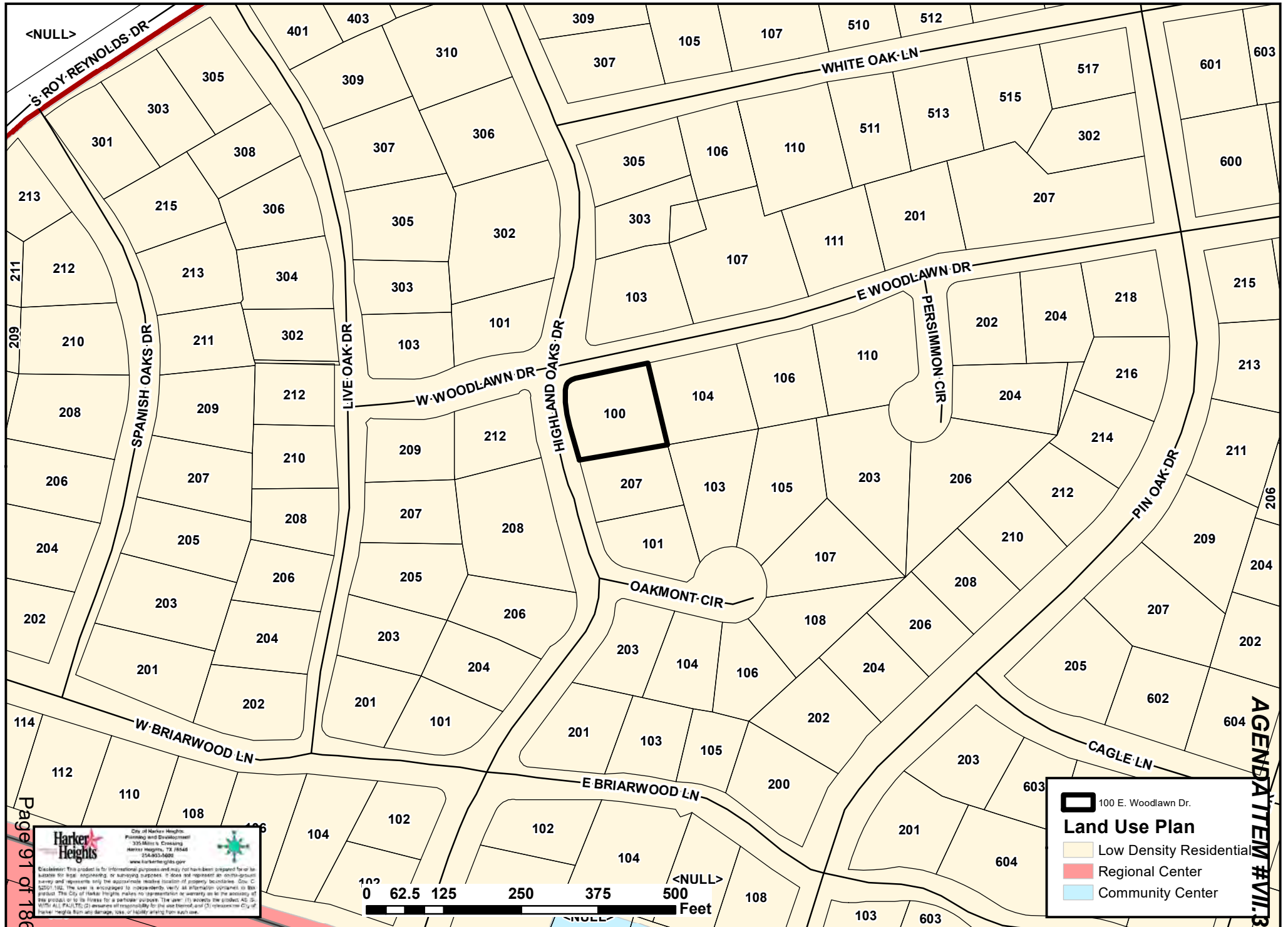


**Harker Heights**  
 City of Harker Heights  
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 Harker Heights, TX 78548  
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**100 E. Woodlawn Dr.**  
**Existing Land Use**  
 Low Density Residential  
 Regional Center



**100 E. Woodlawn Dr.**

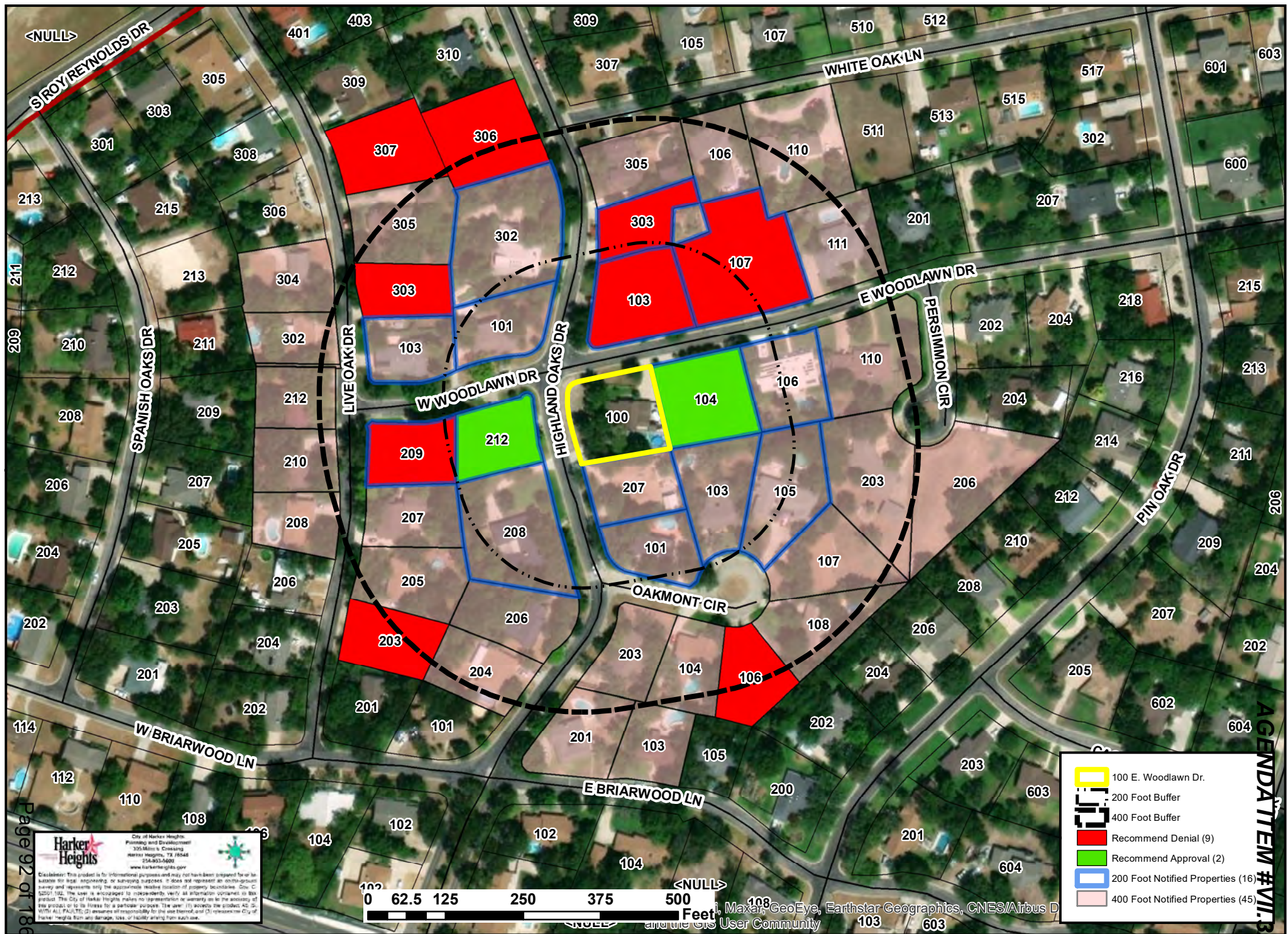
**Land Use Plan**

- Low Density Residential
- Regional Center
- Community Center

**Harker Heights**

City of Harker Heights  
 Planning and Development  
 300 Mills Crossing  
 Harker Heights, TX 78548  
 (254) 933-5400  
 www.harkerheights.gov

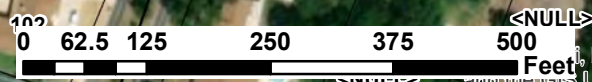
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. City of Harker Heights, TX is not responsible for any errors or omissions 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; (2) releases the City of Harker Heights from any and all damage, loss, or liability arising from such use.



	100 E. Woodlawn Dr.
	200 Foot Buffer
	400 Foot Buffer
	Recommend Denial (9)
	Recommend Approval (2)
	200 Foot Notified Properties (16)
	400 Foot Notified Properties (45)

City of Harker Heights  
 Planning and Development  
 300 Main St, Cowang  
 Harker Heights, TX 78548  
 (254) 933-3400  
 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. City of Harker Heights, TX, is not responsible for any errors or omissions in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or its fitness for a particular purpose. The user: (1) accepts the product AS-IS; (2) assumes all liability for the use thereof; and (3) releases the City of Harker Heights from any and all claims, damages, or liability arising from such use.



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: ACOSTA, MICHAEL A ETUX PATRICIA

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

Physical Address	Property ID
103 E WOODLAWN DR	62102

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*HAVE attached background information with  
Comments*

*Michael Acosta*

*Michael Acosta*

Printed Name

*Michael Acosta*

Signature

*5-13-2022*

Date

**Received**

MAY 16 2022

**Planning & Development**

Please review the attached copy of the Bell County Deed number 850. On July 30, 1962 Woodlawn Homes, Inc., represented by H. Roy Reynolds, President and attested by Roy J. Smith, Secretary, adopted restrictions, protective covenants and conditions for all Lots in Highland Oaks Estates Section One. Filed with Bell County Clerks office August 7, 1962.

First Restriction known as A.) "All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively..." Section J.) "No animal, livestock or poultry of any kind shall be raised, bred, or kept on any lot except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred, or maintained for any commercial purpose."

Dog grooming violates the Deed Restrictions due to the premises not being used exclusively for residential uses and dog grooming for a fee is maintaining a dog for commercial purposes.

*Mike Acott*  
103 E. Woodlawn Dr

whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Goode & Hanson Construction Company, Inc., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 17th day of July, A.D. 1962.

(seal)

Neil E. Clinkenbeard  
Notary Public, Bell County, Texas

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That WOODLAWN HOMES INC., a corporation duly organized and existing under the Laws of the State of Texas, being the sole owner of all Lots and Blocks in HIGHLAND OAKS ESTATES, Section One, as a map or plat of the same is of record in the Records of Bell County, Texas, do hereby adopt the following restrictions, protective covenants and conditions, which are to run with the land and shall be binding on all parties and all persons claiming under them until August 1, 1982, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten years, until by the vote of the majority of the then owners of the lots in this addition, it is agreed to change the same in whole or in part, to-wit:

(a) All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively; and there shall be no structures erected on any lot other than a one family dwelling not to exceed 2 1/2 stories in height and private garages, carports, and/or servants quarters.

(b) No dwelling or any part thereof shall be erected less than 25 ft. from the front lot line on any lot in Highland Oaks Estates, Section One; nor shall any building be erected less than 10 ft. from any side lot line, except on corner lots where the minimum building distance shall be 25 ft. from the exterior lot line.

(c) No lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for the lots in the addition as originally platted.

(d) All dwellings erected in Highland Oaks Estates, Section One, must be equal to or better than the minimum construction requirements on file at the office of Woodlawn Homes Inc., which requirements shall at all times be equal to or better than the minimum requirements of the City of Harker Heights, Texas, zoning ordinances. If at any time, there is any dispute or misunderstanding as to the terms or meanings of said requirements, or as to the conformity of any dwelling being built thereunder, then such matters or dispute or misunderstanding shall be submitted to a board composed of the Board of Directors of Woodlawn Homes Inc., or its successors, for determination, and the decision of said Board shall be final unless there be a question of compliance with the said City zoning ordinance, in which event the question shall be submitted to the Council of the City of Harker Heights for determination and decision.

All one story dwellings erected in Highland Oaks Estates, Section One, must have an area of not less than 1200 sq. ft.; and all two story dwellings must have a ground floor area of not less than 800 sq. ft. All areas shall be computed on perimeter measurements of



DEED 850

413

No trailer or trailerhouse, prefabricated house, basement, tent, shack, garage apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

(f) No dwelling, structures, or buildings of any type shall be moved into Highland Oaks Estates, Section One, for permanent use therein.

(g) All restrictive covenants and conditions herein shall apply to future remodeling of building and to rebuilding in case of destruction by fire or the elements.

(h) An easement is reserved over portions of various lots as shown on the plat for utility installation and maintenance and no electric, telephone or other service poles, guys or utility structures shall be permitted above ground on any lot, except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said addition.

(i) No sign of any kind shall be displayed to the public view on any lot except that one professional sign of not more than one square foot, or sign of not more than five square feet advertising the property for sale or rent, or signs attached by a builder to advertise the property during construction<sup>and</sup>/sales period.

(j) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

(k) No lot shall be used or maintained as a dumping ground and rubbish, trash, garbage or other waste shall not be kept except in sanitary containers, all incinerators or other equipment for the storage of or disposal of such material shall be kept clean and in a sanitary condition.

(l) No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Harker Heights, Texas, and approval of such systems as installed shall be obtained from such authority.

(m) No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within a triangle area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a lot property corner from the intersection of the said property lines extended.

The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the

which shall remain in full force and effect.

WITNESS Our hands, this the 30th day of July, A.D. 1962.

(seal) ATTEST:  
Roy J. Smith, Secretary

WOODLAWN HOMES INC.  
By: H. Roy Reynolds, President

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared H. Roy Reynolds, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WOODLAWN HOMES INC. a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 30th day of July A.D. 1962.

(seal)

Pat Pitts  
Notary Public, Bell County, Texas.

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas

THE STATE OF TEXAS, I  
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, on the 22nd day of June, A.D. 1962, Louis H. Newlin and Wife, Sharon K. Newlin did execute one certain note, described as follows:  
Being an FHA Deed of Trust Note in the original principal sum of \$8,500.00, and being payable at Killeen, Texas, to The First National Bank of Killeen, or order, in monthly installments of \$44.29 each, beginning August 1, 1962, and a like amount on the first day of each succeeding month thereafter until paid in full; with the final payment being due July 1, 1997, Said note bearing interest at the rate of five and one-fourth (5-1/4) per cent per annum, and containing the usual penalties and provisions common to like notes, and which said note is set out and described in a certain Deed of Trust executed by Louis H. Newlin and wife, Sharon K. Newlin to D.M. Norman, Trustee for The First National Bank of Killeen and recorded in, records of Deed of Trust of Bell County, Texas, and secured by the vendor's lien therein expressed, on the following described lot, or parcel of land, situated in the County of Bell, State of Texas, to-wit:  
Lot Twenty-five (25) in Block Eight (8) of the Hillendale Addition, Second Section, to the City of Killeen, Bell County, Texas, according to the map or plat of said addition appearing of record in the Plat Records of Bell County, Texas, and subject to the restrictive covenants and conditions contained in the dedication of said addition.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That The First National Bank of Killeen the payee and owner and holder of said note, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to it in hand paid by Federal National Mortgage Association the receipt of which is hereby acknowledged, have Sold, Transferred and Conveyed, and do hereby Sell, Transfer and Convey unto said Federal National Mortgage Association, of the County of Dallas, Texas, the said Note and said lien and all liens and titles held by it in and to said land.

To have and to hold the same unto the said Federal National Mortgage Association

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MORALES, FREDDIE M ETUX GRACE O

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

Physical Address	Property ID
104 E WOODLAWN DR	76191

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).

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

Comments:

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*Freddie + Grace Morales*  
Printed Name

*Freddie Morales*  
Signature

*5/10/2022*  
Date  
*05/10/2022*

**Received**  
MAY 18 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: LILES, MICHAEL

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

Physical Address	Property ID
106 OAKMONT CT	64977

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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MICHAEL LILES  
Printed Name

Michael Liles  
Signature

5-13-2022  
Date

**Received**  
**MAY 13 2022**  
**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PARKHILL, MARK W ETUX SUSAN D

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

Physical Address	Property ID
107 E WOODLAWN	382986

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I do not approve of a commercial business in a residential area*

*m*

*MARK PARKHILL*  
*Susan Parkhill*  
Printed Name

*Mark Parkhill*  
*Susan Parkhill*  
Signature

*5-13-22*  
Date

**Received**  
MAY 16 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BAHR, DERLAND G & CANDACE A

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

Physical Address	Property ID
203 LIVE OAK DR	74328

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I am concerned about additional traffic flow, etc, with the operation of a business at that location. My understanding is that the city would support rezoning of properties on and facing 2400, but this property is in the heart of a residential area.*

*Derland Bahr*                      *Derland A Bahr*                      *May 9, 2022*  
 Printed Name    Signature    Date

*P.S. I like the people. I just don't want a business there.*

**Received**  
MAY 12 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SMITH, MELVIN LYNN ETUX

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

Physical Address	Property ID
212 HIGHLAND OAKS DR	108005

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

*The folks at 100 E. Woodlawn are good neighbors. I have no problem with their request.*

*Rebecca G. Smith*  
Printed Name

*Rebecca H. Daniel*  
Signature

*5-15-2022*  
Date

**Received**

MAY 16 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MEYER, MARI M

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

Physical Address	Property ID
303 HIGHLAND OAKS DR	73453

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I can not ask strongly enough for the denial of the Request for a Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation on the property described as Highland Oaks Estates. Located at 100 E. Woodlawn Dr. Harker Heights, Texas. 76548 in Bell County, Texas.*

MARI M MEYER  
Printed Name

*Mari M. Meyer*  
Signature

May 15, 2022  
Date

**Received**

MAY 18 2022

**Planning & Development**



whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said Goode & Hanson Construction Company, Inc., a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 17th day of July, A.D. 1962.

(seal)

Neil E. Clinkenbeard  
Notary Public, Bell County, Texas

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

That WOODLAWN HOMES INC., a corporation duly organized and existing under the Laws of the State of Texas, being the sole owner of all Lots and Blocks in HIGHLAND OAKS ESTATES, Section One, as a map or plat of the same is of record in the Records of Bell County, Texas, do hereby adopt the following restrictions, protective covenants and conditions, which are to run with the land and shall be binding on all parties and all persons claiming under them until August 1, 1982, at which time said restrictions, protective covenants and conditions shall be automatically extended for successive periods of ten years, until by the vote of the majority of the then owners of the lots in this addition, it is agreed to change the same in whole or in part, to-wit:

(a) All lots in Highland Oaks Estates, Section One, are restricted to residential uses exclusively; and there shall be no structures erected on any lot other than a one family dwelling not to exceed 2 1/2 stories in height and private garages, carports, and/or servants quarters.

(b) No dwelling or any part thereof shall be erected less than 25 ft. from the front lot line on any lot in Highland Oaks Estates, Section One; nor shall any building be erected less than 10 ft. from any side lot line, except on corner lots where the minimum building distance shall be 25 ft. from the exterior lot line.

(c) No lot or lots shall be re-subdivided to provide a building space having an area less than the minimum area for the lots in the addition as originally platted.

(d) All dwellings erected in Highland Oaks Estates, Section One, must be equal to or better than the minimum construction requirements on file at the office of Woodlawn Homes Inc., which requirements shall at all times be equal to or better than the minimum requirements of the City of Harker Heights, Texas, zoning ordinances. If at any time, there is any dispute or misunderstanding as to the terms or meanings of said requirements, or as to the conformity of any dwelling being built thereunder, then such matters or dispute or misunderstanding shall be submitted to a board composed of the Board of Directors of Woodlawn Homes Inc., or its successors, for determination, and the decision of said Board shall be final unless there be a question of compliance with the said City zoning ordinance, in which event the question shall be submitted to the Council of the City of Harker Heights for determination and decision.

All one story dwellings erected in Highland Oaks Estates, Section One, must have an area of not less than 1200 sq. ft.; and all two story dwellings must have a ground floor area of not less than 800 sq. ft. All areas shall be computed on perimeter measurements of

DEED 850

413

No trailer or trailerhouse, prefabricated house, basement, tent, shack, garage apartment or servants quarters shall ever be used as a dwelling, temporary or permanent, in evasion of these restrictive covenants and conditions.

(f) No dwelling, structures, or buildings of any type shall be moved into Highland Oaks Estates, Section One, for permanent use therein.

(g) All restrictive covenants and conditions herein shall apply to future remodeling of building and to rebuilding in case of destruction by fire or the elements.

(h) An easement is reserved over portions of various lots as shown on the plat for utility installation and maintenance and no electric, telephone or other service poles, guys or utility structures shall be permitted above ground on any lot, except in said easements, and except that ornamental standards for street lighting may be installed anywhere in said addition.

(i) No sign of any kind shall be displayed to the public view on any lot except that one professional sign of not more than one square foot, or sign of not more than five square feet advertising the property for sale or rent, or signs attached by a builder to advertise the property during construction/sales period.

(j) No animal, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

(k) No lot shall be used or maintained as a dumping ground and rubbish, trash, garbage or other waste shall not be kept except in sanitary containers, all incinerators or other equipment for the storage of or disposal of such material shall be kept clean and in a sanitary condition.

(l) No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of the Sanitary Engineer of Harker Heights, Texas, and approval of such systems as installed shall be obtained from such authority.

(m) No fence, wall hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within a triangle area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a lot property corner from the intersection of the said property lines extended.

The same sight line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the

which shall remain in full force and effect.

WITNESS Our hands, this the 30th day of July, A.D. 1962.

(seal) ATTEST:  
Roy J. Smith, Secretary

WOODLAWN HOMES INC.  
By: H. Roy Reynolds, President

STATE OF TEXAS  
COUNTY OF BELL

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared H. Roy Reynolds, known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said WOODLAWN HOMES INC. a corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, This the 30th day of July A.D. 1962.

(seal) Pat Pitts  
Notary Public, Bell County, Texas.

Filed for record August 7, 1962, at 8:00 a.m.

Mrs. Ruby McKee, County Clerk, Bell County, Texas

THE STATE OF TEXAS, I  
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, on the 22nd day of June, A.D. 1962, Louis H. Newlin and Wife, Sharon K. Newlin did execute one certain note, described as follows:

Being an FHA Deed of Trust Note in the original principal sum of \$8,500.00, and being payable at Killeen, Texas, to The First National Bank of Killeen, or order, in monthly installments of \$44.29 each, beginning August 1, 1962, and a like amount on the first day of each succeeding month thereafter until paid in full; with the final payment being due July 1, 1997, Said note bearing interest at the rate of five and one-fourth (5-1/4) per cent per annum, and containing the usual penalties and provisions common to like notes,

and which said note is set out and described in a certain Deed of Trust executed by Louis H. Newlin and wife, Sharon K. Newlin to D.M. Norman, Trustee for The First National Bank of Killeen and recorded in, records of Deed of Trust of Bell County, Texas, and secured by the vendor's lien therein expressed, on the following described lot, or parcel of land, situated in the County of Bell, State of Texas, to-wit:

Lot Twenty-five (25) in Block Eight (8) of the Hillandale Addition, Second Section, to the City of Killeen, Bell County, Texas, according to the map or plat of said addition appearing of record in the Plat Records of Bell County, Texas, and subject to the restrictive covenants and conditions contained in the dedication of said addition.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, That The First National Bank of Killeen the payee and owner and holder of said note, for and in consideration of the sum of Ten Dollars and other good and valuable considerations to it in hand paid by Federal National Mortgage Association the receipt of which is hereby acknowledged, have Sold, Transferred and Conveyed, and do hereby Sell, Transfer and Convey unto said Federal National Mortgage Association, of the County of Dallas, Texas, the said Note and said lien and all liens and titles held by it in and to said land.

To have and to hold the same unto the said Federal National Mortgage Association

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DINWIDDIE-MALICKI, CATHERINE GAIL

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

Physical Address	Property ID
303 LIVE OAK DR	19180

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Catherine Dinwiddie Malicki  05-10-2022  
 Printed Name Signature Date

**Received**

MAY 12 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: BEEBE, BURDETTE W ETUX BARBARA A

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

Physical Address	Property ID
306 HIGHLAND OAKS DR	332899

Z22-12 RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*I think any business operating in Highland Oaks would lower our property value*

BW, Beebe  
Printed Name

BW Beebe  
Signature

5/9/22  
Date

**Received**

MAY 12 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

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

FROM: SWADER, WARREN

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

Physical Address	Property ID
307 LIVE OAK DR	67687

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

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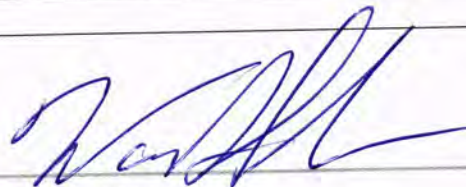
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Warren A Swader  5-17-22  
Printed Name Signature Date

**Received**

MAY 17 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WEST, JAMES C & DONNA M

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

Physical Address	Property ID
209 LIVE OAK DR	33333

**Z22-12** RE: application has been made to consider a request for a **Conditional Use Permit to allow for a pet grooming business to operate as a Home Occupation** on property described as *Highland Oaks Estates Section 1, Block 00F, Lot 14, PT 15, (W 1/2 of 15), Acres 0.441, generally located at 100 E. Woodlawn Drive, Harker Heights, Bell County, Texas,* (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

*Recommend Denial until "Peral Restrictious" for the property/Properties in Highland Oaks Estates is amended commensurate to City Zoning codes or with*

*James C. West*  
Printed Name

*[Handwritten Signature]*  
Signature

*May 17, 2022*  
Date

**Receiver**

MAY 20 2022

Planning & Development

**Yvonne Spell**

---

**From:** compinche21 <compinche21@yahoo.com>  
**Sent:** Monday, May 23, 2022 4:50 PM  
**To:** Yvonne Spell  
**Subject:** RE: Automatic reply: FW: Sylvia Acevedo pet grooming case

Hello Yvonne!

It was nice talking to you. Here is the information and pictures we talked about.

First picture is a vent to access to pipe of the drain in case of clogging.

Second, third and fourth pictures are the two grid drainage in the dog shower area. These are to trap any loose fur from the dog and prevent clogging the pipes.

Fifth picture is the label of the type of shampoo that will be use on these services. They are to be diluted in water and wony harm people, animal and are environment friendly.

Normally a maximum of 3 dogs will be service a day. These will be schedule one dog per appointment (9am, 1pm and 5pm). The length of the service will depend on how much will the dog collaborate with me. I seek to provide high quality service oppose to high production. I offer 10 minutes "know each other" time, bath, massage while bathtime, nail trim, ear cleaning, teeth cleaning, blow dry, style.

It is important to inform that all loose fur and clipping will be dispose on trash bag and on personal trash cans since is a small amount of fur.







Sent via the Samsung Galaxy Note20 Ultra 5G, an AT&T 5G smartphone

----- Original message -----

From: Yvonne Spell <yspell@harkerheights.gov>

Date: 5/20/22 4:43 PM (GMT-06:00)

To: compinche21 <compinche21@yahoo.com>  
Subject: Automatic reply: FW: Sylvia Acevedo pet grooming case

I will be out of the office on Friday, May 20, 2022. For any questions, please email [planning@harkerheights.gov](mailto:planning@harkerheights.gov) or call 254-953-5648.



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-3 (MULTI-FAMILY DWELLING DISTRICT) TO R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTIES DESCRIBED AS MEADOW ACRES, BLOCK 005, LOT PT 2, (E 1/2 OF 2), GENERALLY LOCATED AT 214 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND MEADOW ACRES, BLOCK 005, LOT PT 2 (W 1/2 OF 2), GENERALLY LOCATED AT 216 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties generally located at 214 & 216 W. Bob White Lane.

Parcel History

This parcel is located within the original area of the city incorporation (1960), as part of the Meadow Acres Subdivision.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	High Density Residential	Low Density Residential	R-1 (One-Family Dwelling District)

The 2021 Land Use Plan identifies this area being designated for Low Density Residential use. The proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

The 2021 Land Use Plan identifies this area being designated for Low Density Residential use. The proposed rezoning with its intended use will not likely have any adverse impact on the

neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

1. The proposed use and rezoning are not compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

**NOTICES:**

Based on the most recently approved tax roll available, staff sent out fifty-three (53) notices to property owners within the 400-foot notification area. As of June 7, 2022, one (1) response was received in favor of the request, and two (2) responses were received in opposition of the request. One response was received without a marked recommendation. Any additional responses received after the above date will be provided during the meeting.

**RECOMMENDATION:**

Alternatives Considered

Staff considered three (3) alternatives for this case.

1. Recommend approval of the applicant's zoning request as presented.
2. Recommend disapproval of the applicants zoning request.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

Staff recommended approval to the Planning & Zoning Commission of an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties generally located at 214 & 216 W. Bob White Lane.

**ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of an ordinance to grant R2-I (Two-Family Infill Dwelling District) on properties generally located at 214 & 216 W. Bob White Lane, based on staff's recommendation and findings.

**ACTION BY THE COUNCIL:**

1. Motion to approve, approve with conditions, or disapprove with explanation an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R2-I

**AGENDA ITEM #VII.4.**

(Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.

2. Any other action deemed necessary.

**ATTACHMENTS:**

[Z22-14 02-Attachments](#)

[Z22-14 03-PropOrdinance](#)

# Rezoning Request Application



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

[planning@harkerheights.gov](mailto:planning@harkerheights.gov)

**\*Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED\***  
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:  
1. Pre-Application Meeting Scheduled  
2. Payment of \$200.00 to the City of Harker Heights  
3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

Property Owner(s) Name: Pamela Flohr Date: 04/27/2022

Address: 216 W Bob White Lane

City/State/Zip: Harker Heights, TX 76548

Phone: (254) 289-7417 E-mail: \_\_\_\_\_

**Legal Description of Property:**

Location of Property (Address if available): 214 and 216 W Bob White Lane

Lot: W part of 2/E part of 2 Block: 5 Subdivision: Meadow Acres

Acres: +/-1 Property ID: 46161 & 11415 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: Residential

Current Zoning Classification: R3 Proposed Zoning: R2-I

Current Land Use: LOW DENSITY RESIDENTIAL Proposed Land Use: MEDIUM DENSITY RESIDENTIAL

**Applicant's Representative (if applicable):**

Applicant's Representative: Ace Reneau - Mitchell and Associates

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

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 ACE RENEAU MITCHELL & ASSOC. will represent the owner.

Pamela Flohr  
Printed Name of Property Owner

Pamela S Flohr  
Signature of Property Owner

Ace Reneau  
Printed Name of Representative

Ace Reneau  
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27th DAY OF April, 2022

Jennifer Henderson  
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 10-20-2024



**STAFF ONLY -- DO NOT FILL OUT BELOW**  
Date Submitted: \_\_\_\_\_  Pre-Application Meeting Receipt #: \_\_\_\_\_  
Received By: \_\_\_\_\_ Case #: \_\_\_\_\_  
Revised: 10/2021 Page 117 of 186

Notary Public - State of Texas

Notary Public  
State of Texas

My commission expires on 10-20-2024  
Notary Public - State of Texas  
JENNIFER HENDERSON  
Notary ID 132738827

Notary Public - State of Texas  
JENNIFER HENDERSON  
Notary ID 132738827

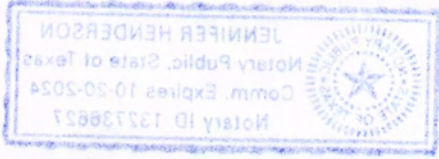
Notary Public - State of Texas  
JENNIFER HENDERSON  
Notary ID 132738827

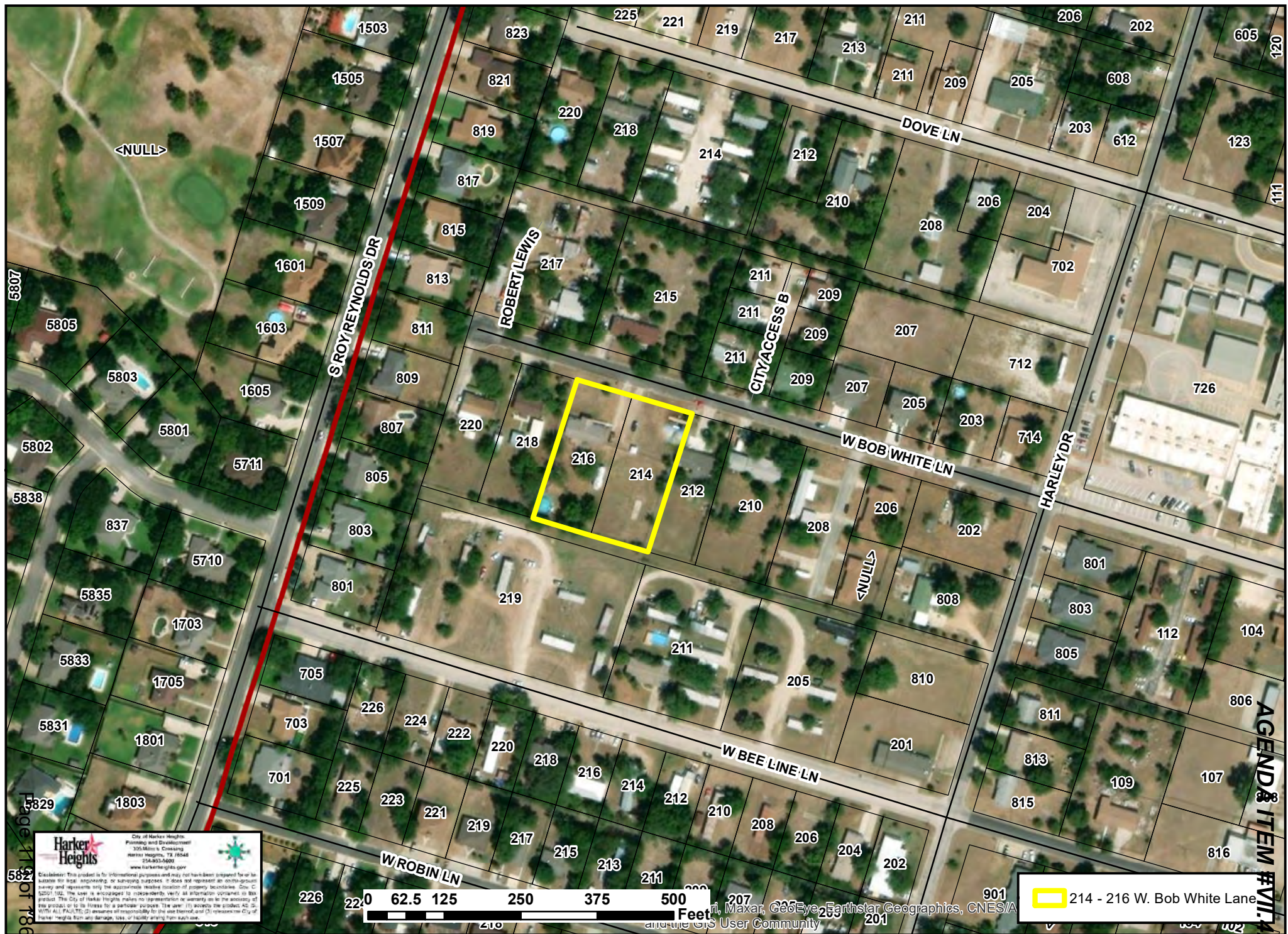
Notary Public - State of Texas  
JENNIFER HENDERSON  
Notary ID 132738827


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JENNIFER HENDERSON  
Notary ID 132738827

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JENNIFER HENDERSON  
Notary ID 132738827






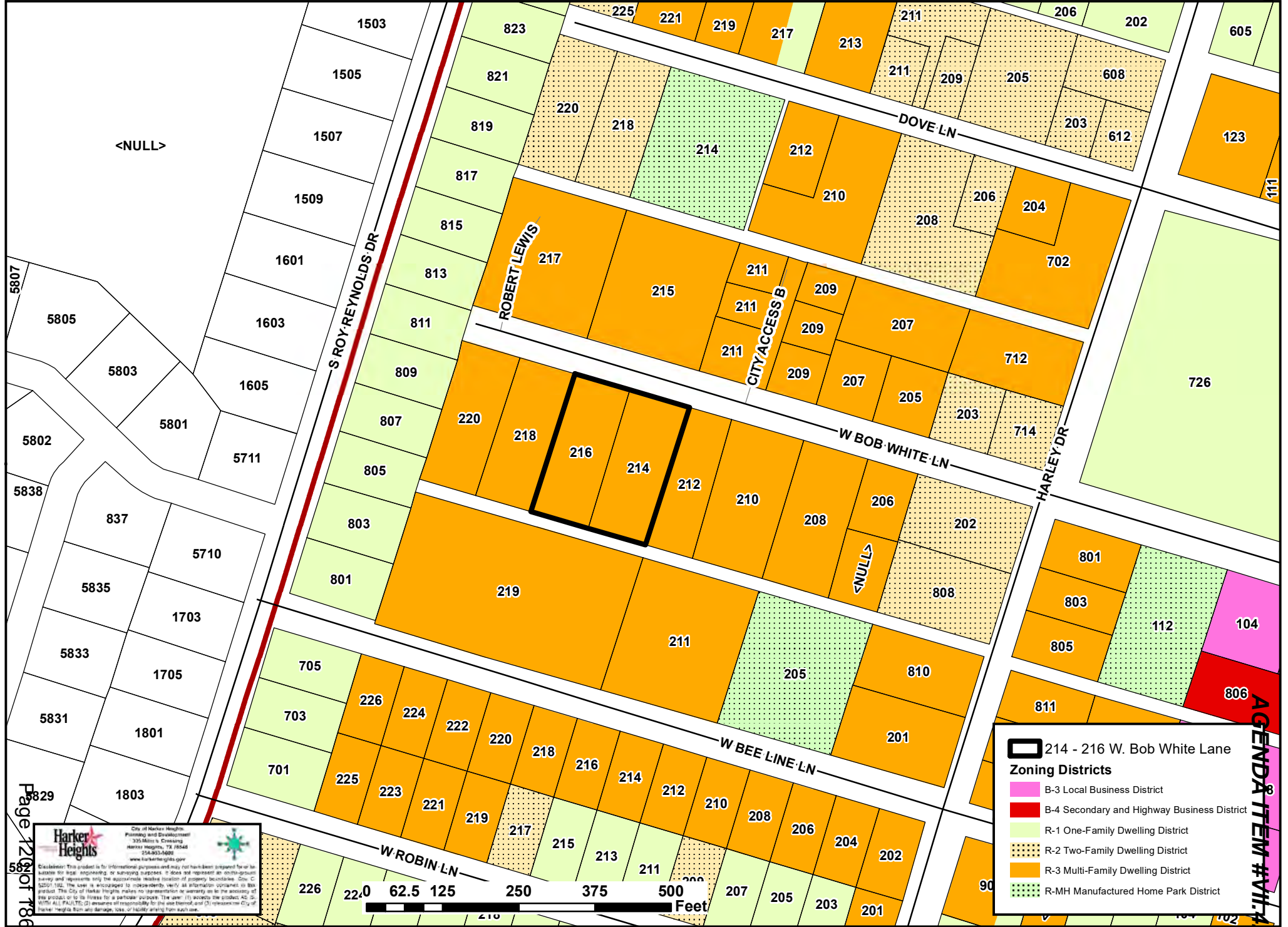

 City of Harker Heights  
 Planning and Development  
 300 Main St, Crossing  
 Harker Heights, TX 78548  
 (254) 933-4400  
 www.harkerheights.gov

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. City of Harker Heights, TX 78548. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or its fitness for a particular purpose. The user: (1) accepts the product "AS IS" WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.




 214 - 216 W. Bob White Lane





**214 - 216 W. Bob White Lane**

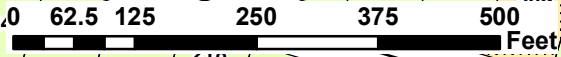
**Zoning Districts**

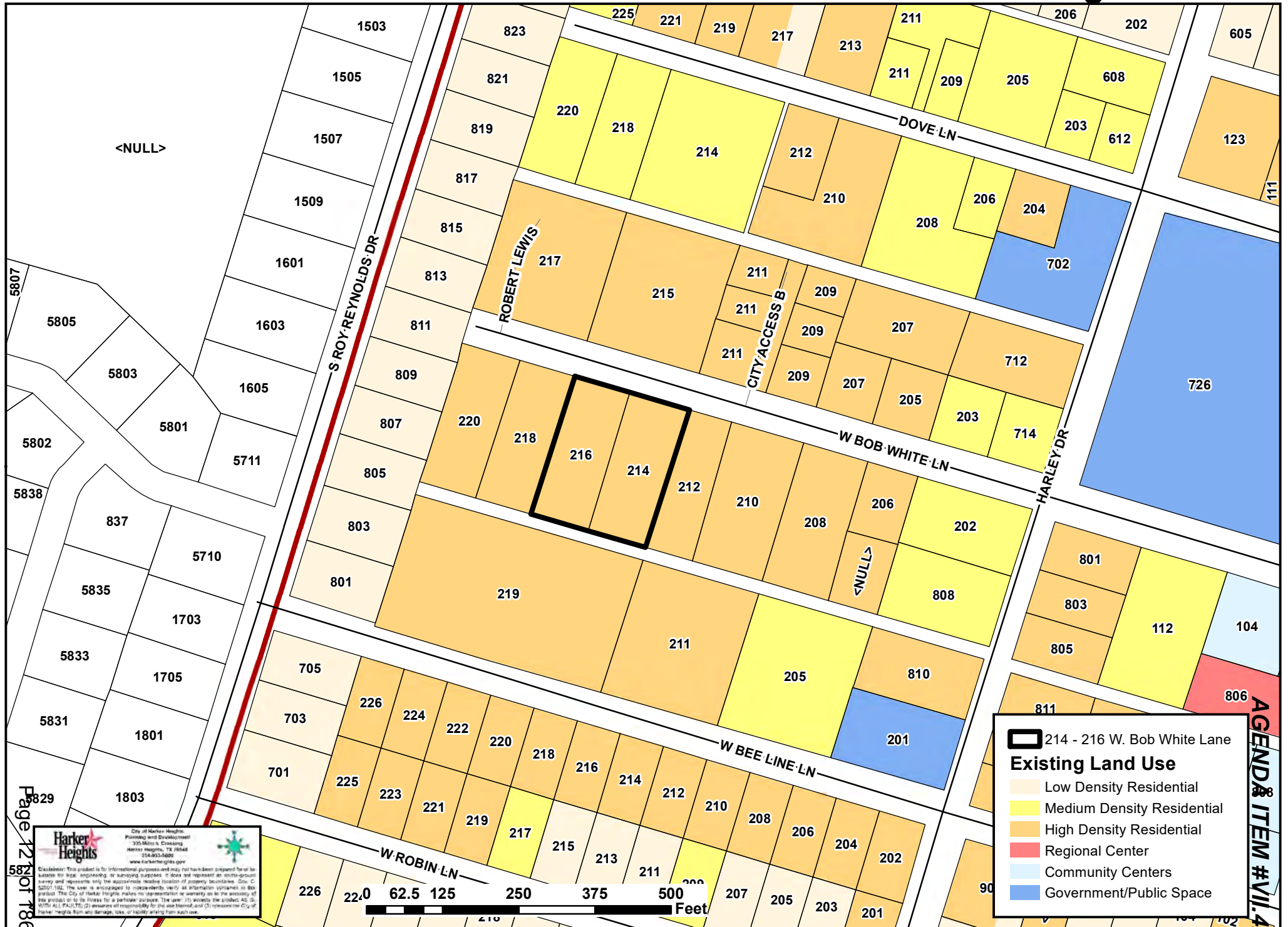
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District
- R-2 Two-Family Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District

**Harker Heights**

City of Harker Heights  
Planning and Development  
300 Main Crossing  
Harker Heights, TX 78548  
(254) 933-3400  
www.harkerheights.gov

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**214 - 216 W. Bob White Lane**

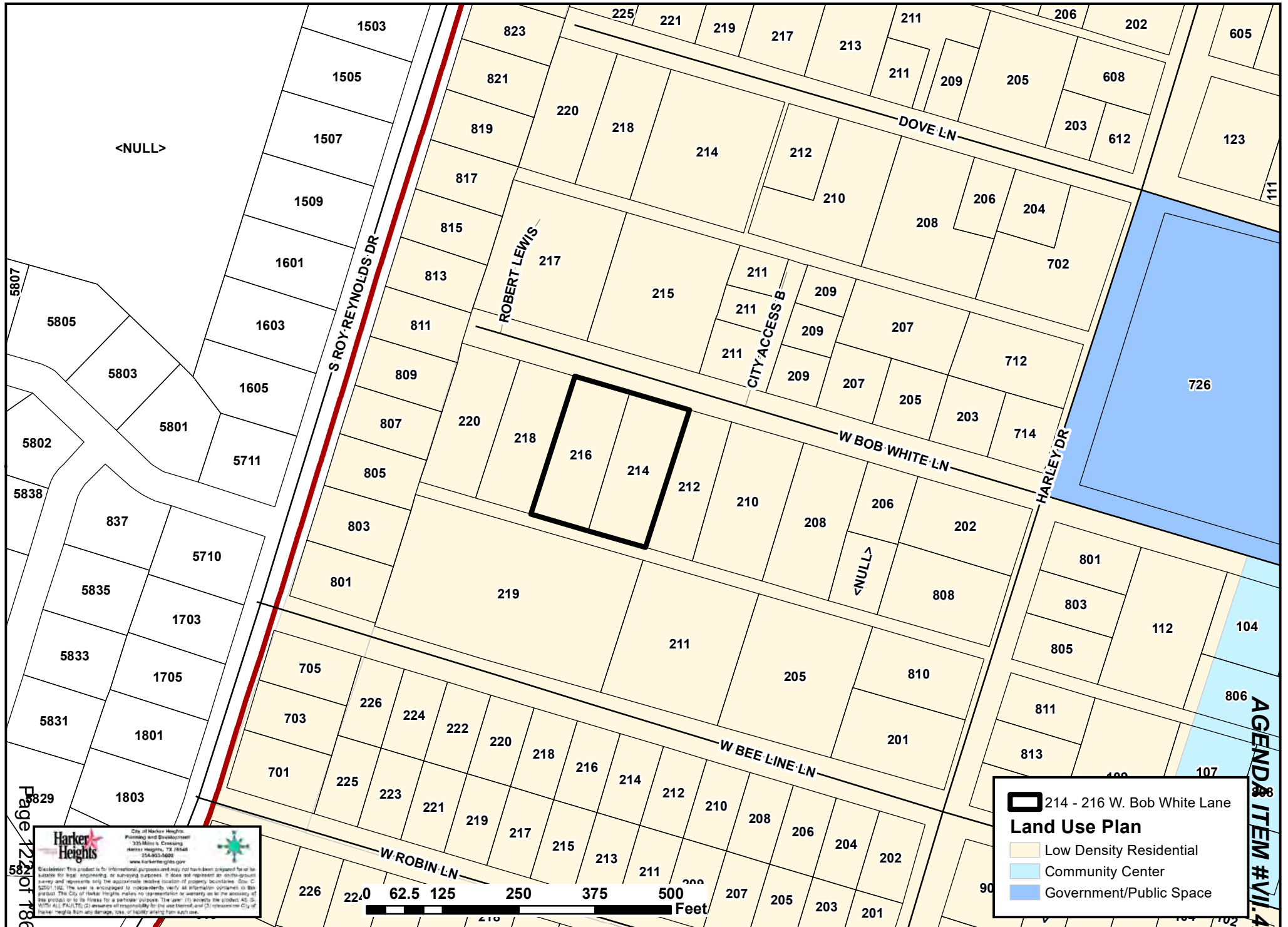
**Existing Land Use**

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

**Harker Heights**

City of Harker Heights  
 Planning and Development  
 300 Main St. Crossing  
 Harker Heights, TX 78548  
 (254) 933-3400  
 www.harkerheights.gov

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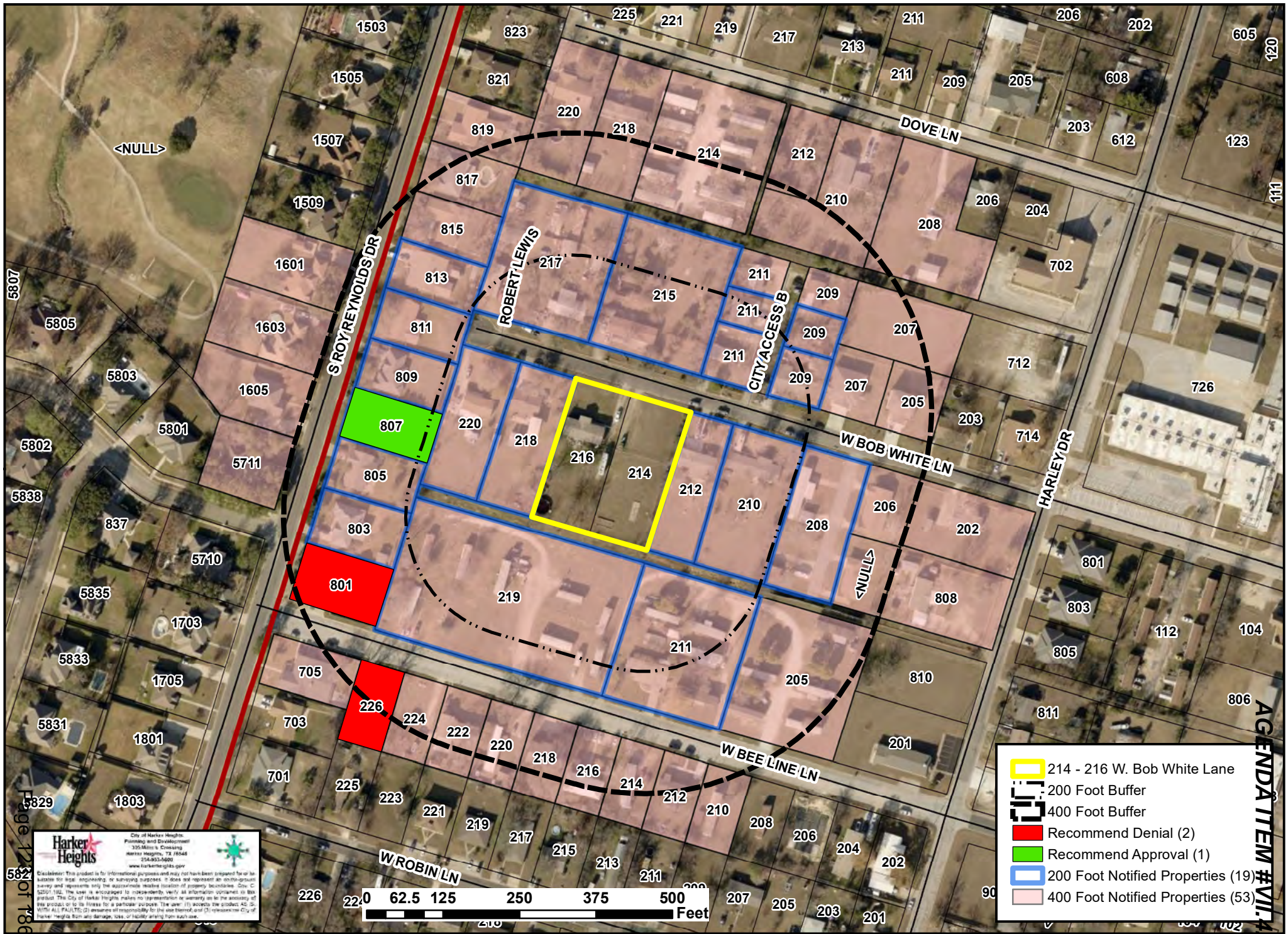
**214 - 216 W. Bob White Lane**

**Land Use Plan**

- Low Density Residential
- Community Center
- Government/Public Space

City of Harke Heights  
 Planning and Development  
 300 Main St. Crossing  
 Harke Heights, TN 38548  
 (561) 933-3400  
 www.harkeheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be used for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate nearest location of property boundaries. City of Harke Heights, TN, the user is encouraged to independently verify all information contained in this product. The City of Harke 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; (2) releases the City of Harke Heights from any and all liability arising from such use.



- 214 - 216 W. Bob White Lane
- 200 Foot Buffer
- 400 Foot Buffer
- Recommend Denial (2)
- Recommend Approval (1)
- 200 Foot Notified Properties (19)
- 400 Foot Notified Properties (53)

**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Main St. Crossing  
Harker Heights, TX 78548  
(254) 933-3400  
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or to update the legal, engineering, or surveying purposes. It does not represent an on-site physical survey and represents only the approximate relative location of property boundaries. Civil Code §201.102. The user is encouraged to independently verify all information contained on this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or to its fitness for a particular purpose. The user: (1) accepts the product AS-IS; (2) releases the City of Harker Heights from all liability; and (3) releases the City of Harker Heights from all damage, loss, or liability arising from such use.

AGENDA ITEM #VII.4

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

**FROM: SMITH, KENNETH B ETUX EARLYNE**

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

Physical Address	Property ID
226 W BEELINE LN	107882

**Z22-14** RE: application has been made to consider a change in zoning designation from **R-3 (Multi-Family Dwelling District)** to **R2-I (Two-Family Infill Dwelling District)** on properties described as *Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 E. Bob White Lane, Harker Heights, Bell County, Texas,* and *Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 E. Bob White Lane, Harker Heights, Bell County, Texas,* (see attached notification map).

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

Comments:

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*Earlyne Smith*

Printed Name

*Earlyne Smith*

Signature

*5/11/22*

Date

**Received**

MAY 16 2022

**Planning & Development**





SENT: MAY 10, 2022 (CORRECTED COPY)  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: CHUBBS, MATTHEW R JR ETUX

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

Physical Address	Property ID
<b>807 ROY REYNOLDS DR</b>	<b>20106</b>

**Z22-14** RE: application has been made to consider a change in zoning designation from **R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District)** on properties described as *Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 E. Bob White Lane, Harker Heights, Bell County, Texas,* and *Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 E. Bob White Lane, Harker Heights, Bell County, Texas,* (see attached notification map).

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

Comments:

*For important notices like this please allow enough time for owners who live opt 2 states to complete, without added phone calls for completing this task. Thank you.*

*Matthew R Jr. Chubbs* 5/18/2022

Printed Name

Signature

Date

**Receiver**

**MAY 27 2022**

**Planning & Development**



Dear City Planner,

I received your letter on May 17, 2012. I called the office in Parker Heights to let them know I wanted to vote for the approval of the request.

I was told to take a picture and email it to you. A day or two later, my e-mail stated that the "Delivery Status Notification (Failure) address not found. I address given to be by one of your clerk was, [Planning@barkerheights.gov](mailto:Planning@barkerheights.gov)

Please count my vote.  
Thank You,  
Mrs. Chubb 5/21/2012

807 Roy Reynolds Dr.  
O Parker Heights.  
Property ID # 20106

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTIES DESCRIBED AS MEADOW ACRES, BLOCK 005, LOT PT 2, (E 1/2 OF 2), GENERALLY LOCATED AT 214 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND MEADOW ACRES, BLOCK 005, LOT PT 2 (W 1/2 OF 2), GENERALLY LOCATED AT 216 W. BOB WHITE LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS.**

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

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

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

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

**SECTION 2:** The hereinafter-described property, as previously zoned R-3 (Multi-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, Harker Heights, Bell County, Texas.

**SECTION 3:** Table VII, Table of Special Ordinances, of the Code is hereby supplemented by adding the following entry:

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2022-	6/14/2022	Granting R2-I (Two-Family Infill Dwelling District) on properties described as Meadow Acres, Block 005, Lot PT 2, (E 1/2 of 2), generally located at 214 W. Bob White Lane, Harker Heights, Bell County, Texas, and Meadow Acres, Block 005, Lot PT 2 (W 1/2 of 2), generally located at 216 W. Bob White Lane, 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** by the City Council of the City of Harker Heights on June 14, 2022.

---

Spencer H. Smith, Mayor

ATTEST:

---

Juliette Helsham, City Secretary



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVAL OF AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS VALLEY VIEW, BLOCK 002, LOT 0009, GENERALLY LOCATED AT 117 E. VALLEY RD., HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

**EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property generally located at 117 E. Valley Road.

Parcel History

This parcel is located within the original area of the city incorporation (1960), as part of the Valley View subdivision. Per Bell County Appraisal District, the property is shown as vacant. Aerial images do indicate there was a structure on site until approximately January 2022; however, there has not been active water service at this address since November 2020.

**STAFF ANALYSIS:**

Surrounding Land Uses

Adjacent land uses include those identified in the table below.

	<b>Existing Land Use</b>	<b>Land Use Plan</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>South</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>East</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)
<b>West</b>	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)

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

Thoroughfare Plan

Valley Rd. is classified as a residential street in the Mobility 2030 Thoroughfare Plan. Per §154.01 of the City’s code of ordinances, Residential Streets are defined as: “Streets that

serve individual residential lots. They carry low traffic volumes at low speeds. RESIDENTIAL STREETS shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots”.

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.
2. The proposed use and rezoning will have no adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning do not pose an adverse impact to the public health, safety, or general welfare.

**NOTICES:**

Based on the most recently approved tax roll available, staff sent out sixty-one (61) notices to property owners within the 400-foot notification area. As of May 19, 2022, one (1) response was received in favor of the request, and four (4) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

Two of the responses in opposition are located on parcels located completely within the 200-foot notification area, and one response in opposition is for a parcel located partially within the 200-foot notification area.

Total area of land within the 200-foot notification area is: 214,426.15 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 24,565.38 sq. Ft.

Percentage of land area recommending denial: 11.45%

Per Texas Local Government Code Section 211.006, opposition that is written and signed by the owners of at least 20% of the area of the lots within the 200-foot buffer requires a super majority vote for approval. Note that when 20% of the number of landowners within the 200 foot buffer have provided written and signed opposition, there is not a requirement of Texas Local Government Code nor the City’s Code of Ordinances for a super majority vote by the Planning & Zoning Commission.

**RECOMMENDATION:**

Alternatives Considered

Staff considered two (2) alternatives for this case.

1. Recommend approval of the applicant’s zoning request as presented.
2. Recommend disapproval of the applicants zoning request.

Staff Recommendation

Staff recommended approval to the Planning & Zoning Commission of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) for the property in this case.

**ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of an ordinance to grant R-2 (Two-Family Dwelling District) for the property in this case, based on staff's recommendation and findings.

**ACTION BY THE COUNCIL:**

1. Motion to approve, approve with conditions, or disapprove with explanation an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

[Z22-11\\_03-PropOrdinance](#)

[Z22-11\\_02-Attachments](#)

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS GRANTING R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS VALLEY VIEW, BLOCK 002, LOT 0009, GENERALLY LOCATED AT 117 E. VALLEY RD., HARKER HEIGHTS, BELL COUNTY, TEXAS.**

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

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

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

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

**SECTION 2:** The hereinafter-described property, as previously zoned R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas.

**SECTION 3:** Table VII, Table of Special Ordinances, of the Code is hereby supplemented by adding the following entry:

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2022-	6/14/2022	Granting R-2 (Two-Family Dwelling District) on property described as Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., 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** by the City Council of the City of Harker Heights on June 14, 2022.



---

Spencer H. Smith, Mayor

ATTEST:

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Juliette Helsham, City Secretary



# Rezoning Request Application

**\*Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED\***

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

- 1. Pre-Application Meeting Scheduled
- 2. Payment of \$200.00 to the City of Harker Heights
- 3. If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee of \$100.00.

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

**Property Owner(s) Name:** Todd Gerjets **Date:** 4-27-2022

**Address:** 1414 Pima Trail

**City/State/Zip:** Harker Heights, TX 76548

**Phone:** 254-421-5201 **E-mail:** tool4evermore@gmail.com

**Legal Description of Property:**

Location of Property (Address if available): 117E. Valley

Lot: 9 Block: 2 Subdivision: Valley View addition

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:** duplexes

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

**Current Land Use:** Vacant **Proposed Land Use:** Medium density residential

**Applicant's Representative (if applicable):**

**Applicant's Representative:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **E-Mail:** \_\_\_\_\_

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

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

Todd Gerjets  
 Printed Name of Property Owner

Todd Gerjets  
 Signature of Property Owner

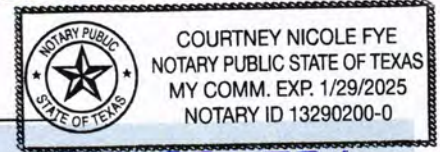
\_\_\_\_\_  
 Printed Name of Representative

\_\_\_\_\_  
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 27<sup>th</sup> DAY OF April, 2022

Courtynicole Fye  
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1/29/2025



Date Submitted: 4/27/22

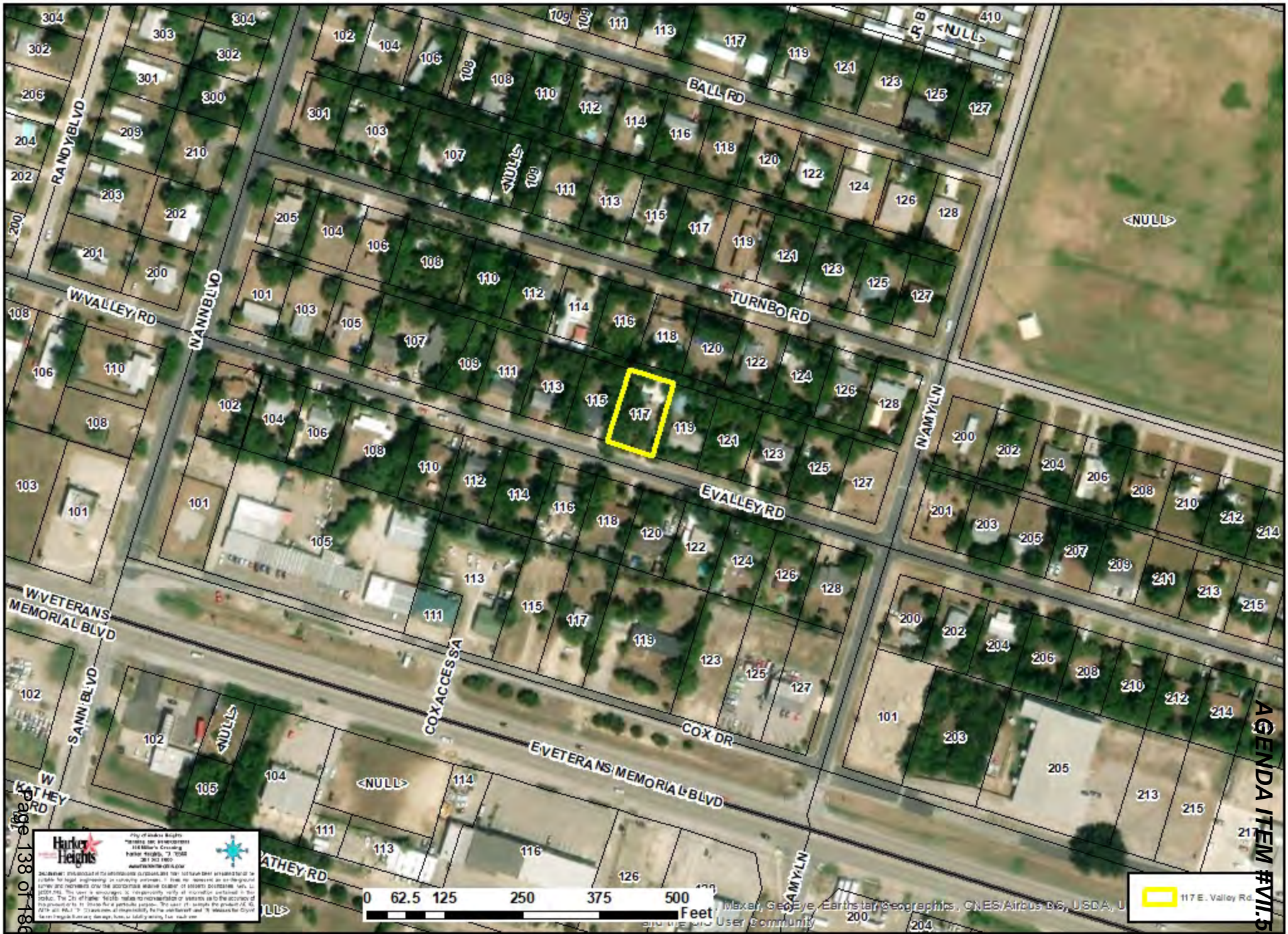
Pre-Application Meeting

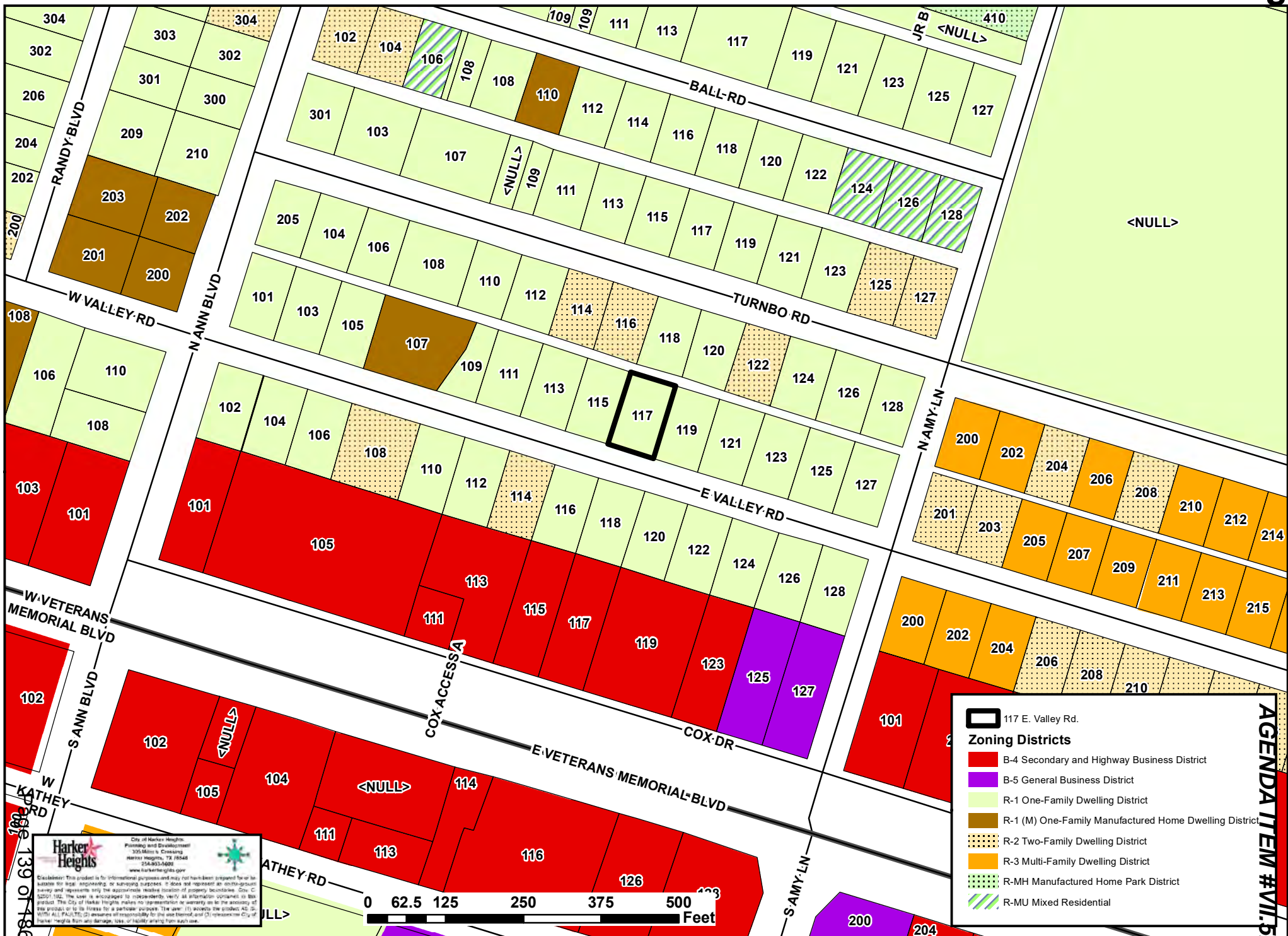
Receipt #: 01820554

Received By: C. Fye

Revised: 10/2021

Case #: \_\_\_\_\_





**117 E. Valley Rd.**

**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**  
City of Harker Heights  
Planning and Development  
300 Main St. Crossing  
Harker Heights, TX 78548  
254-933-5400  
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 official government survey and represents only the approximate location of property boundaries. City of Harker Heights, TX is not responsible for any errors or omissions in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or its fitness for a particular purpose. The user of this product shall be responsible for all claims, damages, losses, or liability arising from any use.



AGENDA ITEM #VII.5



117 E. Valley Rd.

**Existing Land Use**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Government/Public Space
- Parks\_Open Space

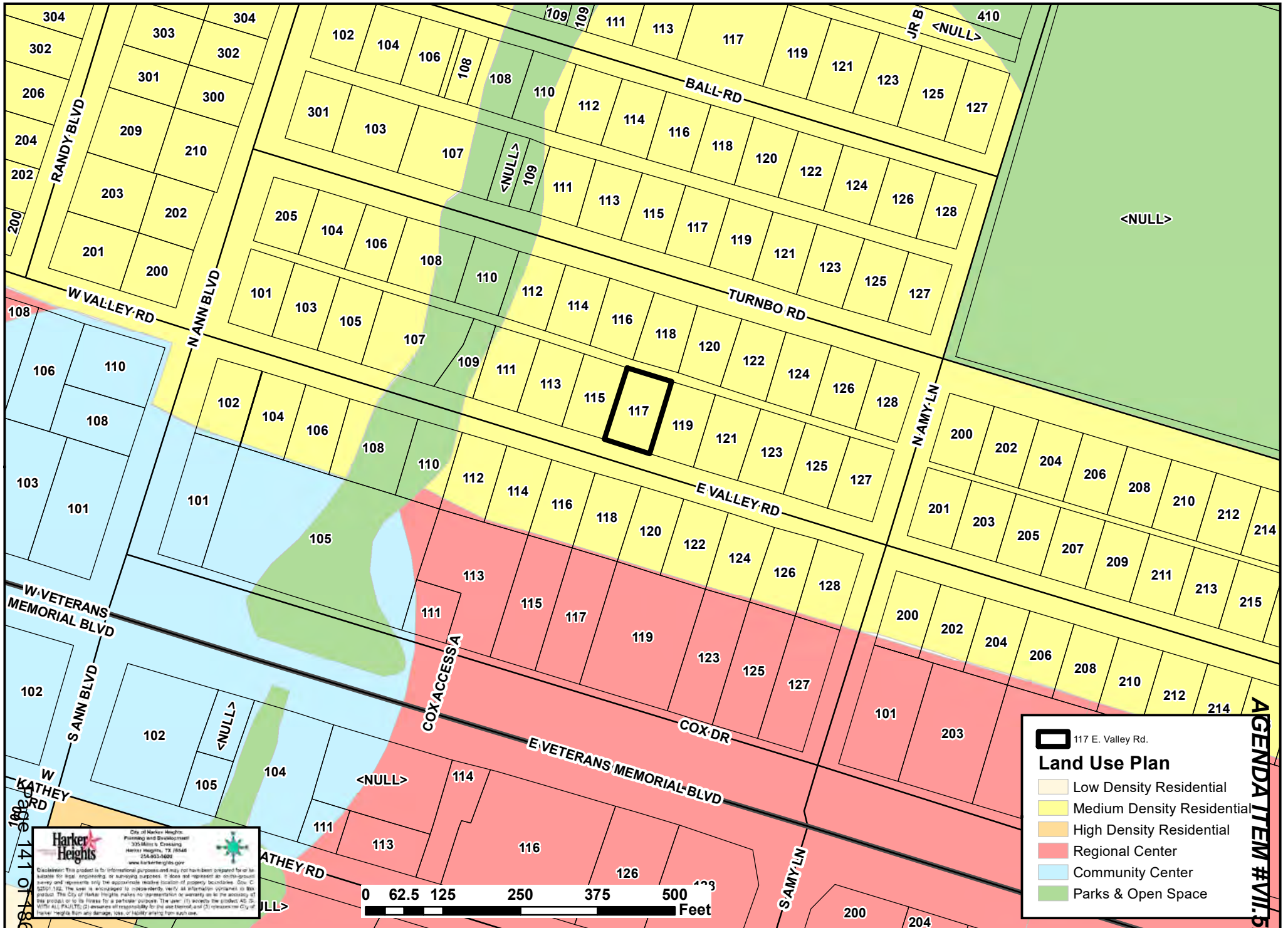
**Harker Heights**

City of Harker Heights  
Planning and Development  
300 Main St, Crossing  
Harker Heights, TX 78548  
(254) 933-3400  
www.harkerheights.gov

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AGENDA ITEM #VII.5



**117 E. Valley Rd.**

**Land Use Plan**

- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Community Center
- Parks & Open Space

**Harker Heights**

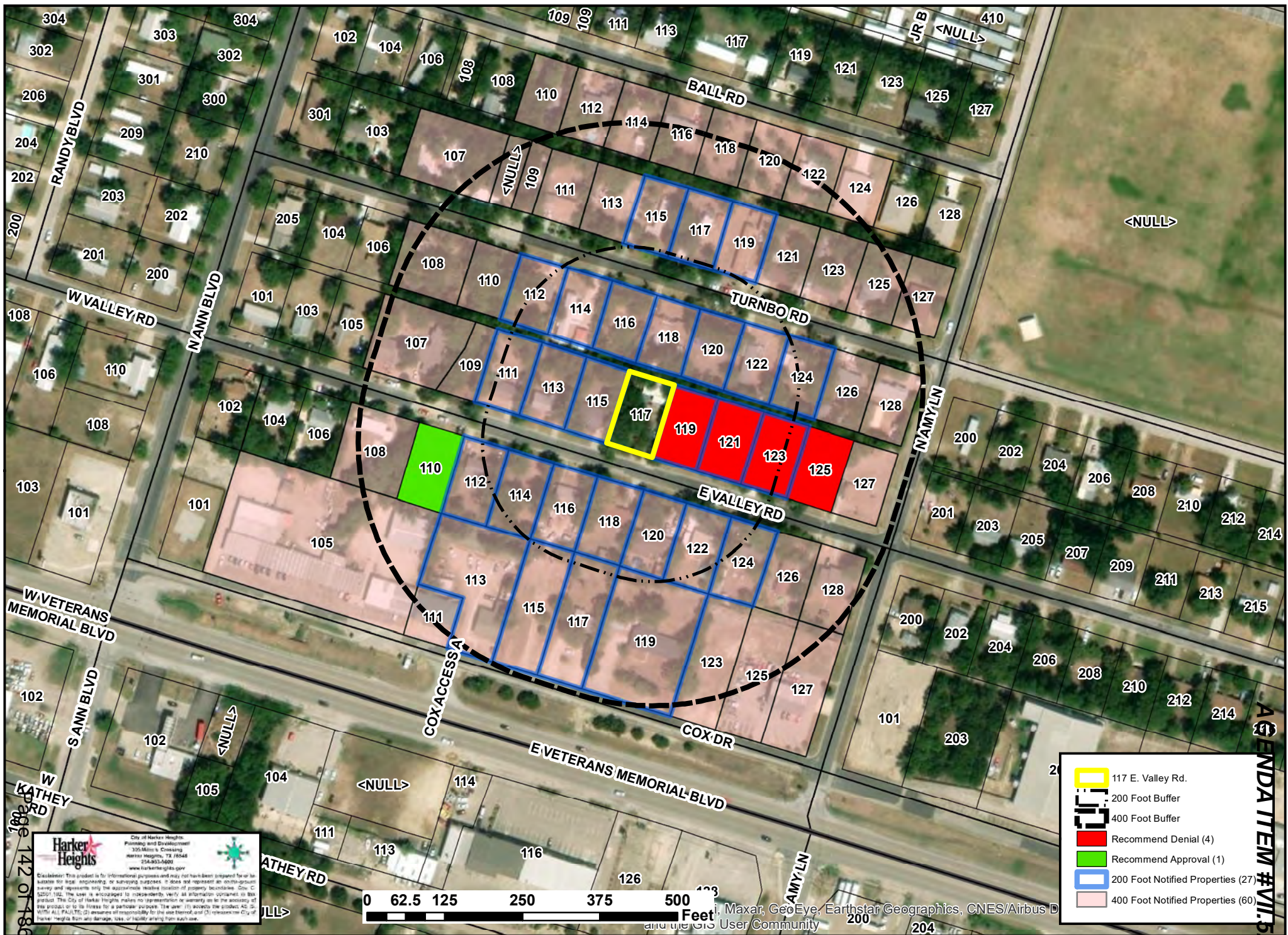
City of Harker Heights  
 Planning and Development  
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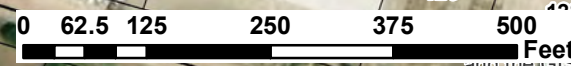
Page 147 of 186

AGENDA ITEM #VII.5



**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Main St. Conking  
Harker Heights, TX 78548  
(254) 933-3400  
www.harkerheights.gov

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- 117 E. Valley Rd.
- 200 Foot Buffer
- 400 Foot Buffer
- Recommend Denial (4)
- Recommend Approval (1)
- 200 Foot Notified Properties (27)
- 400 Foot Notified Properties (60)

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: NELSON, RICHARD A

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

Physical Address	Property ID
110 E VALLEY RD	26416

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

**I RECOMMEND APPROVAL OF THE REQUEST**

**I RECOMMEND DENIAL OF THE REQUEST**

Comments:

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*RICHARD NELSON*

*R. [Signature]*

*5/12/22*

Printed Name

Signature

Date

**Received**

MAY 13 2022

**Planning & Development**



SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PALO, BRUCE

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

Physical Address	Property ID
119 E VALLEY RD	14017

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Bruce C. Palo  
Printed Name

Bruce C. Palo  
Signature

17 MAY 22  
Date

**Receiver**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PALO, BRUCE

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

Physical Address	Property ID
121 E VALLEY RD	14018

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

HAVE PROBLEMS WITH FOUL MOUTHED, BOLSTEROUS CHILDREN  
IN NEW DUPLEX ON TURBO.

Bruce C. Palo  
Printed Name

Bruce C. Palo  
Signature

17 MAY '22  
Date

**Received**

MAY 18 2022

**Planning & Development**

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PALO, BRUCE

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

Physical Address	Property ID
123 E VALLEY RD	14019

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

HAUS PROBLEMS WITH FOUR MOUTHED, BOWTIE PANTS CHILDREN  
IN NEW DUPLEX ON TURNBO.

Bruce C. PALO  
Printed Name

Bruce C. Palo  
Signature

17 MAY '22  
Date

**Received**  
MAY 18 2022  
Planning & Development

SENT: MAY 6, 2022  
DUE BACK: MAY 18, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON MAY 18, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: PALO, BRUCE

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

Physical Address	Property ID
125 E VALLEY RD	14020

**Z22-11** RE: application has been made to consider a request to change zoning designation from **R-1 (One-Family Dwelling District)** to **R-2 (Two-Family Dwelling District)** on property described as *Valley View, Block 002, Lot 0009, generally located at 117 E. Valley Rd., Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

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Bruce C. Palo  
Printed Name

Bruce C. Palo  
Signature

17 MAY '22  
Date

**Received**

MAY 18 2022

**Planning & Development**



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**DISCUSS AND CONSIDER APPROVAL OF A FINAL PLAT REFERRED TO AS FIRESIDE HEIGHTS ADDITION, ON PROPERTY DESCRIBED AS A 0.799 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE ELIZABETH DAWSON SURVEY, ABSTRACT NO. 258, THE LAND HEREIN BEING PART OF LOT 1, BLOCK 1, FIRESIDE ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, TEXAS, BEING OF RECORD IN CABINET C, SLIDE 199-D, PLAT RECORDS OF BELL COUNTY, TEXAS (P.R.B.C.T.), AND BEING A CALLED 0.80 ACRE TRACT OF LAND CONVEYED IN A GENERAL WARRANTY DEED TO J & U PROPERTIES, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD INSTRUMENT NO. 2015-00008355, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.R.P.B.C.T.), AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

### **EXPLANATION:**

The applicant submitted an application for administrative plat approval for approximately 0.8 acres of land north of E. Knight's Way/E. FM 2410 and west of Warrior's Path Rd. The parcel was previously approved as a Minor Plat named Fireside Addition and filed for record in March 2000. The platting action from the current application would separate the original parcel approved into two (2) separate lots. The 2021 Land Use Plan identifies this parcel for Regional Center land use.

The initial application for this plat case was received on March 30, 2022, to be presented at the Planning & Zoning (P&Z) Meeting on April 27, 2022. The applicant withdrew the original plat application prior to the P&Z Meeting and re-applied on April 27, 2022. This plat is now is scheduled to be heard at the May 25, 2022 Planning & Zoning Meeting, and the June 14, 2022 City Council Meeting.

Additional Right of Way (ROW) dedication was deemed to be required for the plat area based on the City's adopted Thoroughfare Plan and required ROW widths as identified in §154.37(C). Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission and City Council.

As of May 19, 2022, staff had reviewed the submitted Final 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.

### **RECOMMENDATION:**

**Staff Recommendation**

On May 16, 2022, staff returned comments to the applicant. As of May 19, 2022, revisions based on staff comments had not been received. Staff therefore recommended approval to the Planning & Zoning Commission of the Final Plat for the subdivision referred to as Fireside Heights Addition with the following condition:

1. Delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.

**ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of a Final Plat for the subdivision referred to as Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the condition as presented by staff and based on staff's recommendations and findings.

**ACTION BY THE COUNCIL:**

1. Motion to approve, approve with conditions, or disapprove with explanation a request for a Final Plat referred to as Fireside Heights Addition, on property described as a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the condition as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

**ATTACHMENTS:**

[P22-15\\_02 Attachments](#)



# Minor/Amending Plat Application

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

**\* Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED\***  
This application must be completed and returned to the Planning and Development Department of the City of Harker Heights, Texas along with the following:  
**1. Pre-Application Meeting with Staff to ensure applicability**  
**2. Payment of \$150.00 +\$3.00 per acre**  
**3. Signed & Original Field Notes and Dedication**

**Property Information:**

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

Existing Lot Count: 1 Proposed Lot Count: 1 Acreage: 0.799

Site Address or General Location: 1825 E. F.M. 2410, Harker Heights, TX 76548

Reason for Amendment/  
Description of Subdivision:

Zoning Classification: B-4 Existing Land Use: Commercial

Located in Overlay District?:  Yes  No

**Owner Information/Authorization:**

Property Owner: J & U Properties, LLC

Address: 510 Omar Drive, Killeen, TX 76542

Phone: 254-458-6768 E-mail: mnasir510@hotmail.com

Developer: J & U Properties, LLC

Address: 510 Omar Drive, Killeen, TX 76542

Phone: 254-458-6768 E-mail: mnasir510@hotmail.com

Engineer/Surveyor: Mitchell & Associates, Inc.

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

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

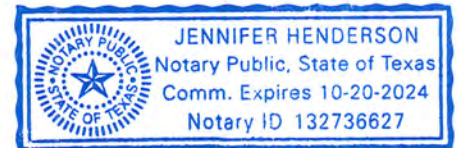
I HEREBY UNDERSTAND AND ACKNOWLEDGE:  
THE MINOR PLAT INVOLVES **FOUR OR FEWER LOTS** FRONTING ONTO AN EXISTING STREET WHERE THE CREATION OF A NEW STREET OR THE EXTENSION OF MUNICIPAL FACILITIES ARE NOT REQUIRED  
OR  
THE AMENDEND PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW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

Mohammad Nasir (For J & U Properties, LLC) *Mohammad Nasir*

PRINTED NAME OF OWNER: OWNER SIGNATURE:

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

*Jennifer Henderson* MY COMMISSION EXPIRES: 10-20-2024  
NOTARY PUBLIC SIGNATURE



**STAFF ONLY - - DO NOT FILL OUT BELOW**  
Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
Received By: \_\_\_\_\_  Pre-Application Meeting Case #: \_\_\_\_\_

FIRESIDE HEIGHTS ADDITION  
0.799 ACRE

FIELD NOTES for a 0.799 acre tract of land in Bell County, Texas, being part of the Elizabeth Dawson Survey, Abstract No. 258, the land herein being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record in Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 0.799 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found on the south line of a called 3.817 acre tract of land conveyed to Jutta Margareta and Matte Bushbaker, being described of record in Instrument No. 2012-0001602, same being at the northwest corner of a called 1.204 acre tract of land conveyed to Wieland Management Co. LLC, being described of record in Instrument No. 2016-00050845, both of the O.P.R.R.P.B.C.T., and the northeast corner of said 0.80 acre tract, for the northeast corner of this tract;

THENCE S. **02° 25' 07" W.**, **209.35 feet**, with the west line of said 1.204 acre tract and the east line of said 0.80 acre tract, to a 1/2" iron rod with cap stamped "M&A" set on the north right-of-way line of Farm-to-Market Road 2410, same being at the southwest corner of said 1.204 acre tract, and the southeast corner of said 0.80 acre tract, for the southeast corner of this tract;

THENCE N. **88° 52' 21" W.**, **178.05 feet**, continuing along the north right-of-way line of said F.M. 2410 and with the south line of said 0.80 acre tract, to a 1/2" iron rod with cap stamped "M&A" set at the southeast corner of Lot 2, Block 1, W.A. Matkin Subdivision, an addition to the City of Harker Heights, Texas, being of record in Cabinet B, Slide 188-D, P.R.B.C.T., and the southwest corner of said 0.80 acre tract, for the southwest corner of this tract;

THENCE N. **08° 59' 05" E.**, **211.80 feet**, departing the north right-of-way line of said F.M. 2410, with the east line of said Lot 2, and the west line of said 0.80 acre tract, to a 3/8" iron rod found at the northwest corner of said 0.80 acre tract, for the northwest corner of this tract;

THENCE S. **88° 44' 04" E.**, **153.81 feet**, continuing with the east line of Lot 2 and the north line of said 0.80 acre tract, to the **POINT OF BEGINNING** containing a 0.799 acre tract of land.


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

See accompanying drawing.

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

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



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



**DEDICATION**

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **J & U Properties, LLC**, being the sole owner of that certain 0.799 acre tract of land in the City of Harker Heights, Texas, being part of Lot 1, Block 1, Fireside Addition, an addition to the City of Harker Heights, Texas, being of record in Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.), and being all of a called 0.80 acre tract of land conveyed in a General Warranty Deed to J & U Properties, LLC, being described in Exhibit "A" of record in Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FIRESIDE HEIGHTS ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **J & U Properties, LLC**, does hereby adopt said **FIRESIDE HEIGHTS ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to **the City of Harker Heights**, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by **the City of Harker Heights**, Texas.

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

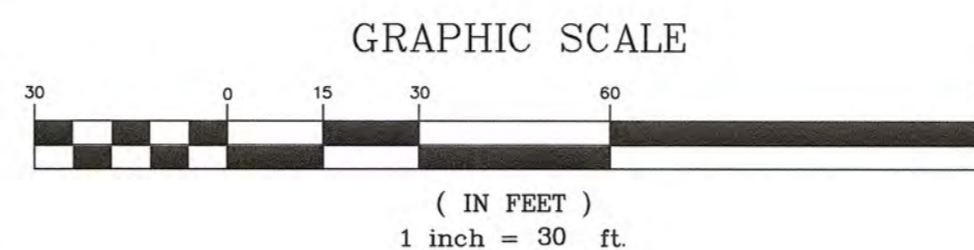
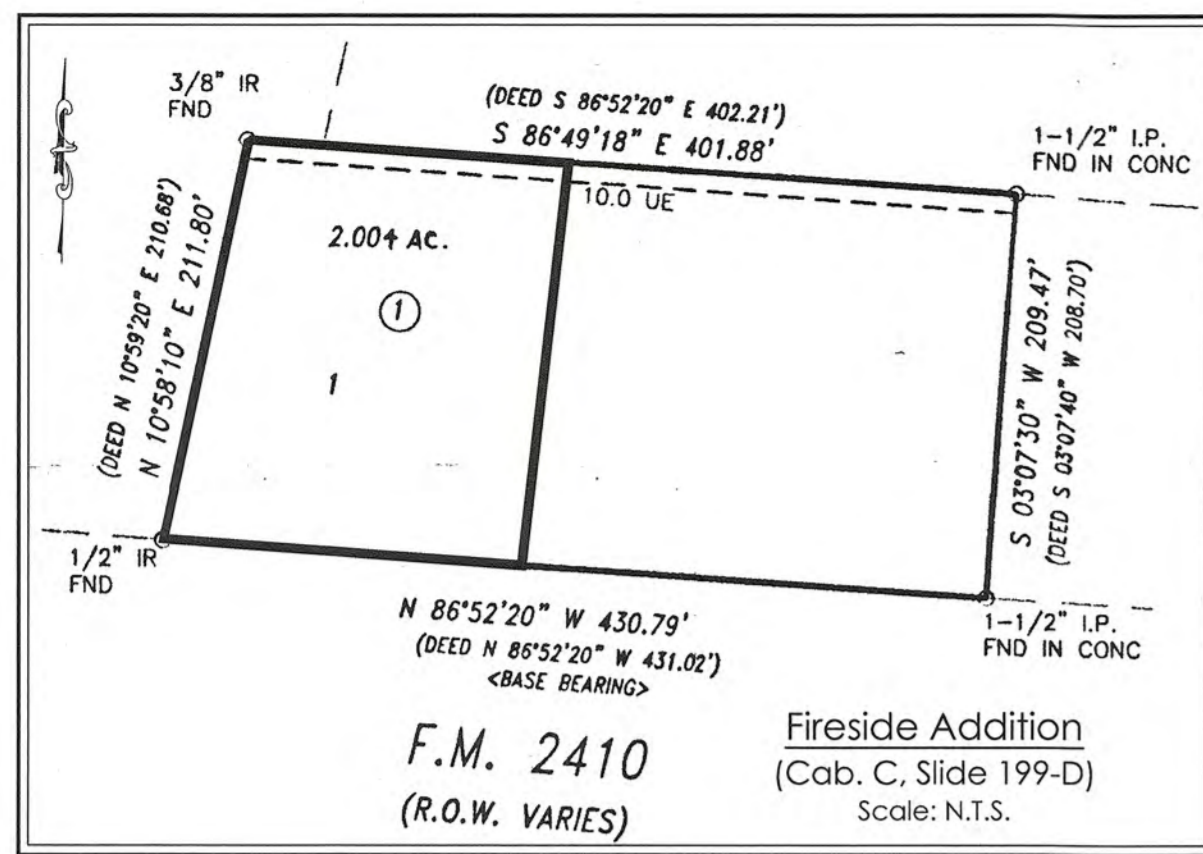
W I T N E S S the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

For: **J & U Properties, LLC**

\_\_\_\_\_  
**Mohammad Nasir**

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

\_\_\_\_\_  
NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_



**FIRESIDE HEIGHTS ADDITION**

KNOW ALL MEN BY THESE PRESENTS, that **J & U Properties, LLC**, whose address is **510 Omar Drive, Killeen, TX 76542**, being the sole owner of that certain **0.799 acre** tract of land in the **Bell County, Texas**, being part of **Lot 1, Block 1, Fireside Addition**, an addition to the City of Harker Heights, Texas, being of record in **Cabinet C, Slide 199-D, Plat Records of Bell County, Texas (P.R.B.C.T.)**, and being all of a called **0.80 acre** tract of land conveyed in a **General Warranty Deed to J & U Properties, LLC**, being described in **Exhibit "A"** of record in **Instrument No. 2015-00008355, Official Public Records of Real Property, Bell County, Texas**, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FIRESIDE HEIGHTS ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **J & U Properties, LLC**, does hereby adopt said **FIRESIDE HEIGHTS ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all right of way, as shown on said plat, to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Texas.

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

WITNESS the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**For: J & U Properties, LLC**

**Mohammad Nasir**

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

NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

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

Chairperson, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

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

Mayor, City of Harker Heights

City Secretary

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

Director of Planning and Development

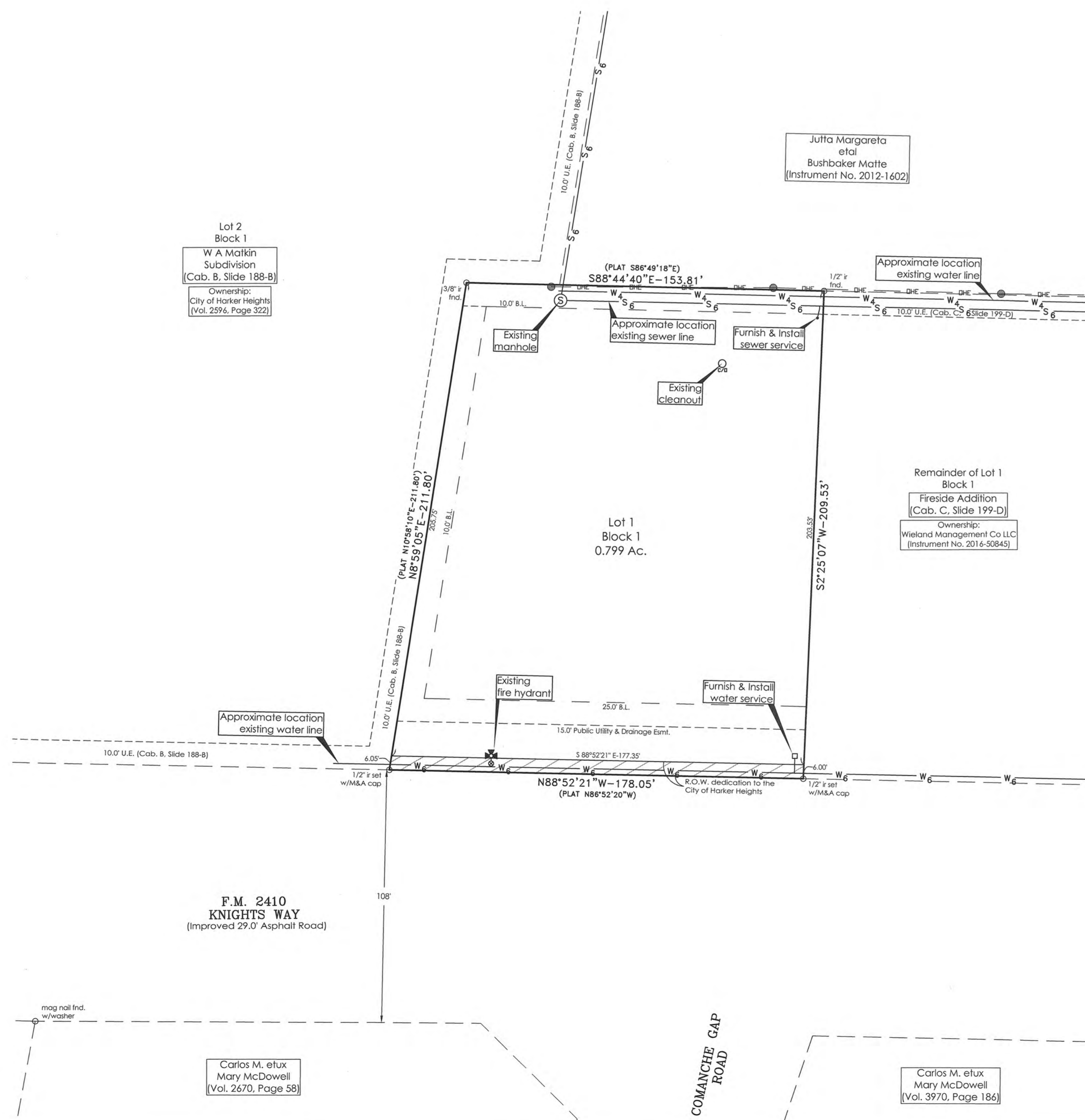
KNOW ALL MEN BY THESE PRESENTS,

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



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

- 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. 48027C0295E, effective date September 26, 2008 for Bell County, Texas.
  - The Knight's Way Overlay District requirements apply to development on this parcel. Sidewalks will be required upon site development.
  - Right of Way (R.O.W.) dedication to the City of Harker Heights is 1.066 sq. ft. (0.024 Ac.).



Lot 2  
Block 1  
W A Matkin  
Subdivision  
(Cab. B, Slide 188-B)  
Ownership:  
City of Harker Heights  
(Vol. 2596, Page 322)

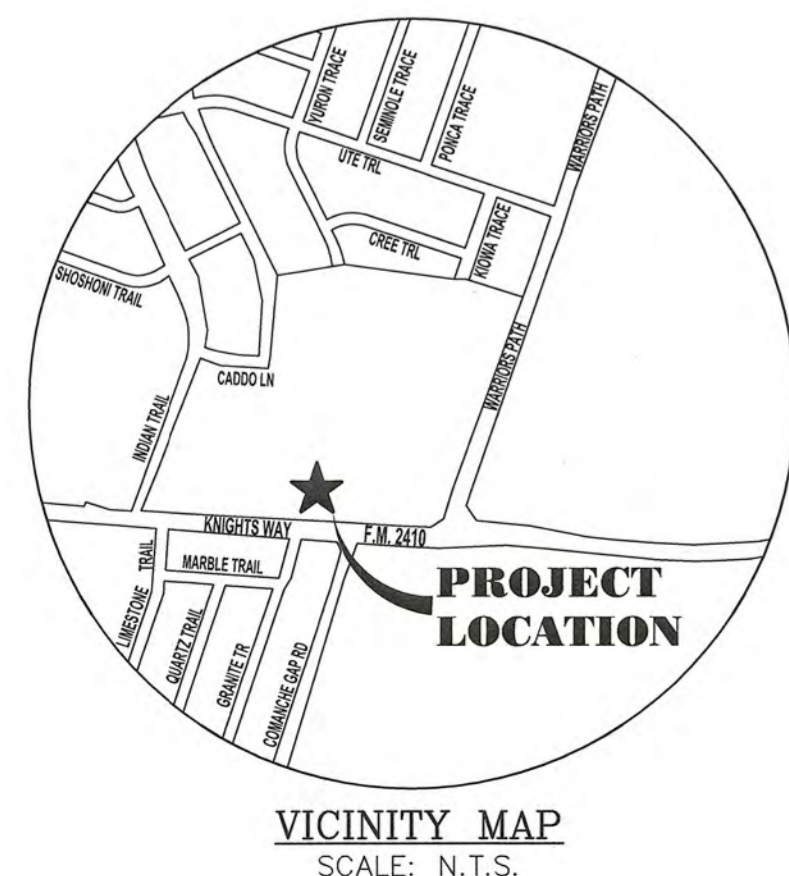
Jutta Margareta  
et al  
Bushbaker Matte  
(Instrument No. 2012-1602)

Remainder of Lot 1  
Block 1  
Fireside Addition  
(Cab. C, Slide 199-D)  
Ownership:  
Wieland Management Co LLC  
(Instrument No. 2016-50845)

F.M. 2410  
KNIGHTS WAY  
(Improved 29.0' Asphalt Road)

Carlos M. et ux  
Mary McDowell  
(Vol. 2670, Page 58)

Carlos M. et ux  
Mary McDowell  
(Vol. 3970, Page 186)



**AFFIDAVIT:**

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

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A. D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

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

No.	DATE	REMARKS	BY

**FIRESIDE HEIGHTS ADDITION**  
BEING A REPLAT OF PART OF LOT 1, BLOCK 1,  
FIRESIDE ADDITION  
**HARKER HEIGHTS, BELL COUNTY, TEXAS**

**FINAL PLAT**

SHEET TITLE: \_\_\_\_\_

PROPERTY OWNER:  
**J & U PROPERTIES LLC**  
510 OMAR DR.  
KILLEEN, TX 76542

SUBDIVISION ENGINEER:  
**MITCHELL & ASSOCIATES, INC.**  
P.O. BOX 1088  
KILLEEN, TX 76540

**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  
I. & P. L. S. FIRM REGISTRATION NO. 10620-00

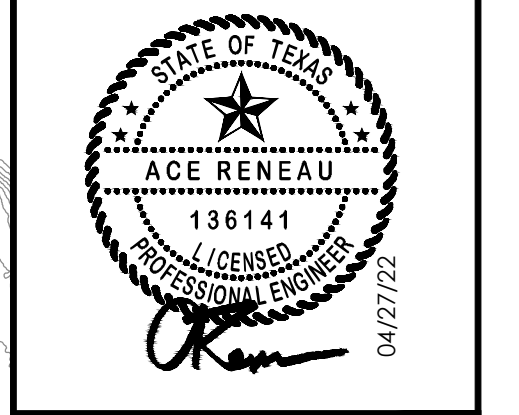
DWG No. 22-016-D-S  
DATE: MARCH 2022  
SCALE: AS SHOWN  
SCALE: 1" = 30'  
DATE: MARCH 2022  
SCALE: AS SHOWN  
SCALE: 1" = 30'  
AREA: 0.799 Ac.

No.	DATE	REMARKS	BY

**FIRESIDE HEIGHTS ADDITION**  
 BEING A REPLAT OF PART OF LOT 1, BLOCK 1,  
 FIRESIDE ADDITION  
**HARKER HEIGHTS, BELL COUNTY, TEXAS**

**DRAINAGE & TOPOGRAPHY LAYOUT**

SHEET TITLE:



PROPERTY OWNER:  
**J & J PROPERTIES LLC**  
 510 OMAR DR  
 KILLEEN, TX 76542

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

**MITCHELL & ASSOCIATES, INC.**  
 ENGINEERING & SURVEYING  
 102 N. COLLEGE  
 KILLEEN, TEXAS 76541  
 PHONE: (254) 834-9541  
 FAX: (254) 654-2141  
 T. B. S. TSM REGISTRATION NO. 10204-02

TEXAS BOARD OF PROFESSIONAL SURVEYORS REGISTRATION NO. 3474

DWG No. 22-016-D-S  
 DATE: MARCH 2022  
 DRAWN BY: AR  
 SCALE: 1" = 400'  
 AS SHOWN  
 DATE: MARCH 2022  
 DRAWN BY: AR  
 SCALE: 1" = 400'  
 AS SHOWN

**Time of Concentration and Runoff Coefficient**

**DRAINAGE AREA ID: X-DA A**  
**CONDITION: EXISTING**

**TIME OF CONCENTRATION SUMMARY**  
 Overland Sheet Flow (L<sub>1</sub>) (Eq. 2-5) 300 ft maximum length

Segment ID	1		
Manning's Roughness Coefficient, n (Table 2-3)	0.15		
Flow Length, L (ft)	200		
Land slope, S (%)	1.4		
Compute T <sub>1</sub> (min)	6.0	0.0	6.0

Shallow Concentrated Flow (T<sub>2</sub>) (Eq. 2-3)

Segment ID	2		
Manning's Roughness Coefficient, n (Table 2-3)	0.15		
Flow Length, L (ft)	900		
Land slope, S (%)	1.6		
Compute T <sub>2</sub> (min)	9.9	0.0	9.9

Open Channel or Storm Sewer Flow (T<sub>3</sub>)

Segment ID	3	4		
Cross Sectional Flow Area, a (ft <sup>2</sup> )	20.40	28.00		
Wetted Perimeter, P <sub>w</sub> (ft)	35.76	22.49		
Hydraulic Radius, R <sub>h</sub> =P <sub>w</sub> Compute R <sub>h</sub> (ft)	0.57	1.24	0.00	0.00
Channel Slope, S (%)	2.40	3.30		
Manning's Roughness Coefficient, n	0.016	0.050		
V = (1.49/n) R <sub>h</sub> <sup>2/3</sup> (ft/s)	9.92	5.22	0.00	0.00
Flow Length, L (ft)	1500.00	1252.00		
Compute T <sub>3</sub> (min)	2.7	4.0	0.0	0.0
T <sub>3</sub> = L / (60 V)				
Watershed or Subarea T <sub>3</sub> =T <sub>1</sub> +T <sub>2</sub> +T <sub>3</sub> (min)				23.0
*T <sub>3</sub> is rounded to nearest whole number				

**WEIGHTED RUNOFF COEFFICIENT**

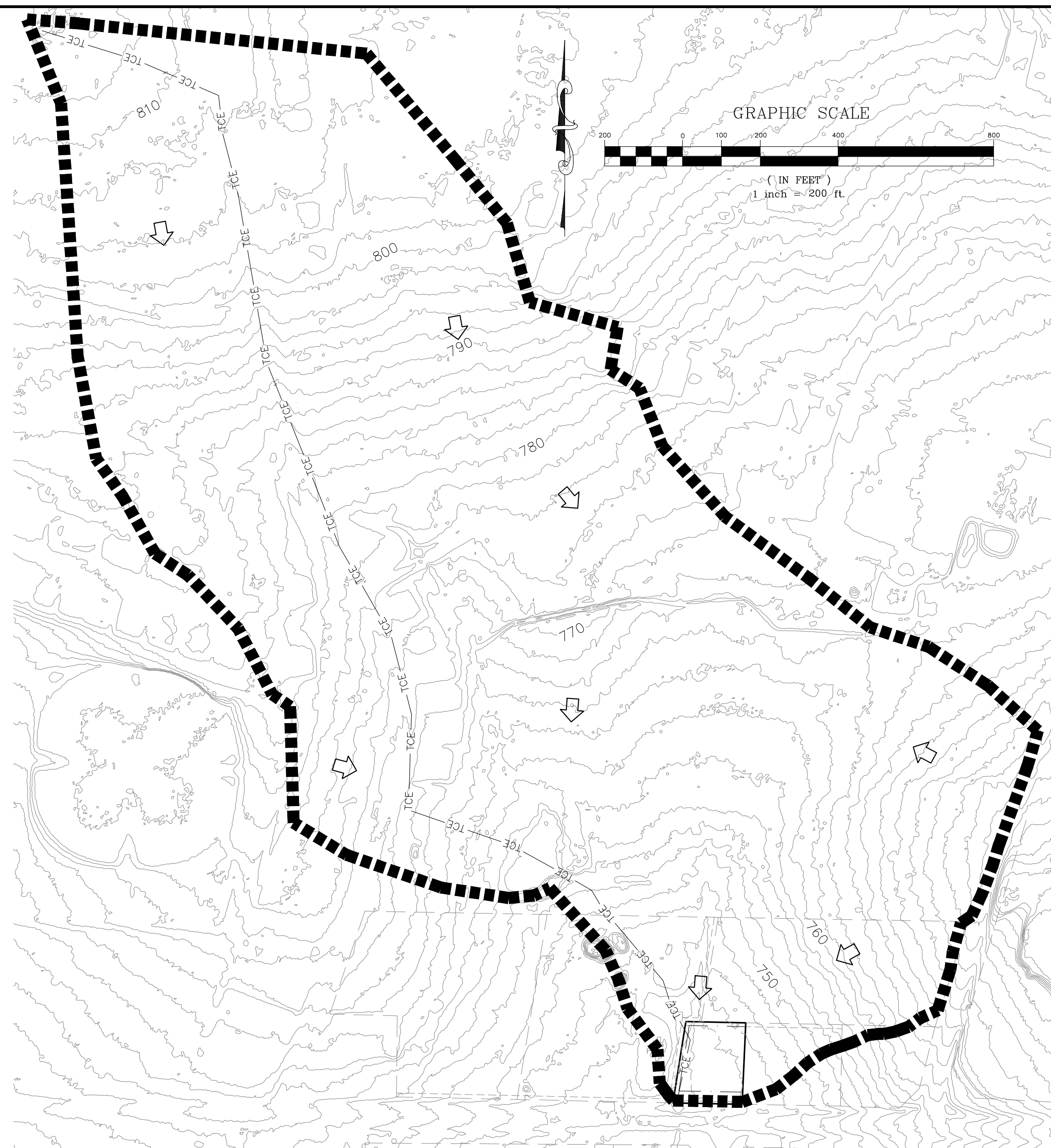
Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>1</sub> xArea	C <sub>2</sub> xArea	C <sub>30</sub> xArea
Asphaltic	0.73	0.88	0.95	21.5	15.70	18.49	20.43
Concrete	0.75	0.88	0.97	19.5	14.63	17.16	18.92
Grass - Fair - Flat, 0-2%	0.25	0.34	0.41	22.6	5.65	7.68	9.27
Grass - Good - Flat, 0-2%	0.21	0.29	0.35	17.8	3.70	5.10	6.34
<b>Total</b>				<b>81.2</b>	<b>39.67</b>	<b>48.44</b>	<b>54.94</b>
C (Weighted) = Total C <sub>1</sub> Area / Total Area					<b>0.49</b>	<b>0.60</b>	<b>0.68</b>

**RAINFALL INTENSITY**

County		
Bell		
Coefficient		
b	58	102
d	8	8
e	0.798	0.751

**PEAK DISCHARGE SUMMARY**

Frequency	2-Year	25-Year	100-Year
Time of Concentration, T <sub>c</sub> (min)	23.0		
C (Weighted)	0.49	0.60	0.68
Intensity, I (in/hr)	3.61	6.30	7.74
Rundoff, Q (cfs)	143.36	304.95	425.10



**DRAINAGE AREA ID: P-DA A**  
**CONDITION: PROPOSED**

**TIME OF CONCENTRATION SUMMARY**  
 Overland Sheet Flow (L<sub>1</sub>) (Eq. 2-5) 300 ft maximum length

Segment ID	1		
Manning's Roughness Coefficient, n (Table 2-3)	0.15		
Flow Length, L (ft)	200		
Land slope, S (%)	1.4		
Compute T <sub>1</sub> (min)	6.0	0.0	6.0

Shallow Concentrated Flow (T<sub>2</sub>) (Eq. 2-3)

Segment ID	2		
Manning's Roughness Coefficient, n (Table 2-3)	0.15		
Flow Length, L (ft)	900		
Land slope, S (%)	1.6		
Compute T <sub>2</sub> (min)	9.9	0.0	9.9

Open Channel or Storm Sewer Flow (T<sub>3</sub>)

Segment ID	3	4		
Cross Sectional Flow Area, a (ft <sup>2</sup> )	20.40	28.00		
Wetted Perimeter, P <sub>w</sub> (ft)	35.76	22.49		
Hydraulic Radius, R <sub>h</sub> =P <sub>w</sub> Compute R <sub>h</sub> (ft)	0.57	1.24	0.00	0.00
Channel Slope, S (%)	2.40	3.30		
Manning's Roughness Coefficient, n	0.016	0.050		
V = (1.49/n) R <sub>h</sub> <sup>2/3</sup> (ft/s)	9.92	5.22	0.00	0.00
Flow Length, L (ft)	1500.00	1252.00		
Compute T <sub>3</sub> (min)	2.7	4.0	0.0	0.0
T <sub>3</sub> = L / (60 V)				
Watershed or Subarea T <sub>3</sub> =T <sub>1</sub> +T <sub>2</sub> +T <sub>3</sub> (min)				23.0
*T <sub>3</sub> is rounded to nearest whole number				

**WEIGHTED RUNOFF COEFFICIENT**

Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>1</sub> xArea	C <sub>2</sub> xArea	C <sub>30</sub> xArea
Asphaltic	0.73	0.88	0.95	21.5	15.70	18.49	20.43
Concrete	0.75	0.88	0.97	20.2	15.11	17.73	19.55
Grass - Fair - Flat, 0-2%	0.25	0.34	0.41	22.6	5.65	7.68	9.27
Grass - Good - Flat, 0-2%	0.21	0.29	0.35	17.0	3.56	4.92	6.10
<b>Total</b>				<b>81.2</b>	<b>40.02</b>	<b>48.82</b>	<b>55.34</b>
C (Weighted) = Total C <sub>1</sub> Area / Total Area					<b>0.49</b>	<b>0.60</b>	<b>0.68</b>

**RAINFALL INTENSITY**

County		
Bell		
Coefficient		
b	58	102
d	8	8
e	0.798	0.751

**PEAK DISCHARGE SUMMARY**

Frequency	2-Year	25-Year	100-Year
Time of Concentration, T <sub>c</sub> (min)	23.0		
C (Weighted)	0.49	0.60	0.68
Intensity, I (in/hr)	3.61	6.30	7.74
Rundoff, Q (cfs)	144.65	307.37	426.17

- NOTES:**
- DRAINAGE CALCULATIONS FOR THIS PLAT ARE BASED UPON THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL, DATED MAY 9, 2007. ROUTING CALCULATIONS ARE BASED UPON THE RATIONAL METHOD WITH A MINIMUM TIME OF CONCENTRATION OF 10 MINUTES. OVERLAND FLOW AND OTHER HYDRAULIC CALCULATIONS ARE BASED UPON THE MANNING'S EQUATION.
  - THE DRAINAGE AREA MAPS AND CALCULATIONS PROVIDED HEREIN ARE PRELIMINARY IN NATURE, AND ARE INTENDED TO PROVIDE A CONCEPTUAL DESIGN ONLY. FINAL SITE DRAINAGE DESIGN MAY VARY FROM THE CONCEPTUAL DESIGN SHOWN HEREIN, BUT MUST BE BASED IN SOUND ENGINEERING PRINCIPLES IN ACCORDANCE WITH THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
  - UNDER DEVELOPED CONDITIONS ALL UPSTREAM FLOWS SHALL BE ACCEPTED ON SITE AS THEY CURRENTLY EXIST.
  - TOPOGRAPHICAL INFORMATION IS FOR DRAINAGE PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. TOPOGRAPHICAL INFORMATION SHOWN IS DERIVED FROM THE UNITED STATES GEOGRAPHICAL SURVEY(USGS), (BELL, BURNETT, MCLENNAN COUNTIES LIDAR, 2011) AS DOWNLOADED FROM THE TNIRIS DATAHUB WEB 2021-07-21.
  - IN NO INSTANCE SHALL A POINT DISCHARGE BE ALLOWED ONTO AN ADJACENT DOWNSTREAM PROPERTY, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION. THE USE OF LEVEL SPREADER(S) OR AN EQUIVALENT STRUCTURE SHALL BE USED TO PREVENT A POINT DISCHARGE.
  - UNDER PROPOSED CONDITIONS, THE SITE SHALL BE GRADED SUCH THAT ANY RUNOFF WILL SHEET FLOW ACROSS THE PROPERTY LINE ONTO THE ADJACENT DOWNSTREAM PROPERTY OWNER, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION.

**Storm Water Discharge Summary**

Storm Event	Drainage Basin	
	DA	A
<b>25 Year Storm Event</b>	Existing (cfs)	304.95
	Developed (cfs)	307.37
	Change (cfs)	2.42
<b>100 Year Storm Event</b>	Existing (cfs)	425.10
	Developed (cfs)	428.17
	Change (cfs)	3.07

THE FINAL DEVELOPED CONDITION IS UNKNOWN AT THIS TIME. BASED ON A CONCEPTUAL DEVELOPMENT, PER THE CURRENT ZONING, AN INCREASE IN STORM WATER PEAK FLOWS IS ANTICIPATED. A STORM WATER MITIGATION PLAN MUST BE SUBMITTED WITH ANY FUTURE DEVELOPMENT.

**Drainage Legend**

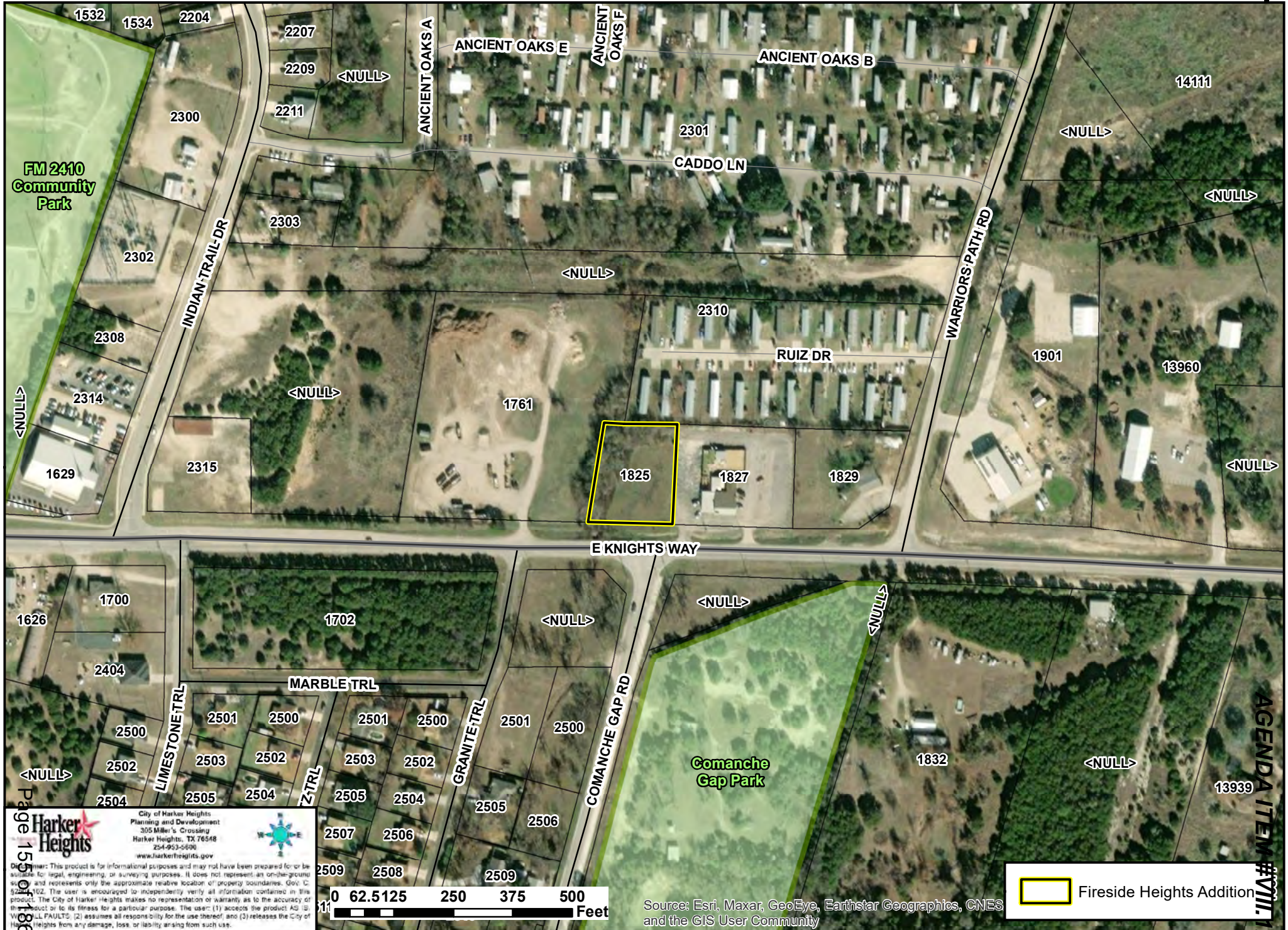
DRAINAGE AREA ABBREVIATION  
 WATERSHED LETTER

DA A ← WATERSHED I.D.  
 65.86 AC ← AREA (ACRES)

WATERSHED BOUNDARY LABEL

— TCE — Existing Time Of Concentration  
 - - - TCP - - - Proposed Time Of Concentration  
 - - - - Existing Watershed Boundary  
 - - - - Existing Sub-Basin Area  
 - - - - Proposed Watershed Boundary  
 - - - - Proposed Sub-Basin Area  
 - - - - Proposed Sub-Basin Area for Street and/or Channel Capacities

↷ Existing Drainage Arrow  
 ↷ Proposed Drainage Arrow



Page 15 of 86

**Harker Heights**

City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 76548  
 254-953-6000  
 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. § 224.002. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product AS IS, (2) RELEASES THE CITY OF HARKER HEIGHTS FROM ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM SUCH USE.

Fireside Heights Addition

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

AGENDA ITEM #111

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# FIRESIDE HEIGHTS ADDITION

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## P22-15 Final Plat – Fireside Heights Addition

Plat Distributed to HH Staff: April 29, 2022  
Comments Sent to Engineer: May 16, 2022

### **Planning & Development, Kristina Ramirez & Yvonne Spell**

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.

### **Public Works, Mark Hyde**

- No comments

### **City Engineer, Otto Wiederhold**

- No comments

### **Fire Marshal, Brad Alley**

- No Comments

### **Building Official, Mike Beard**

- No comments received and may be forthcoming.

### **ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

### **Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

### **Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

### **ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

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

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# FIRESIDE HEIGHTS ADDITION

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## P22-12 Final Plat – Fireside Heights Addition

**Plat Distributed to HH Staff: March 31, 2022**

**Comments Sent to Engineer: April 14, 2022**

### **Planning & Development, Kristina Ramirez & Yvonne Spell**

1. Applicant and/or the Applicant's representative shall schedule and attend the mandatory pre-development meeting with the City's development staff. Contact [planning@harkerheights.gov](mailto:planning@harkerheights.gov) to schedule the meeting.
2. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
3. Pending TXDOT's approval of the driveway location, a 30' passage/access easement across the front of the property may also be required.
4. Applicant shall illustrate and annotate the setbacks on the plat dedication page.
5. Applicant shall provide a storm water plan/drainage analysis.
6. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
7. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat.
8. FM 2410 is identified as an Arterial on the City's Thoroughfare Plan. As such a 120-foot right-of-way (ROW) is required. Applicant shall provide half of the required ROW needed to meet the 120-foot requirement. This ROW dedication will require this plat to be processed as a Final Plat.
9. Provide LLC paperwork and provide authorization for those who can sign for J&U Properties, LLC.
10. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
11. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.

### **Public Works, Mark Hyde**

1. Change the annotation of the existing 15' PUE along FM 2410 to 15' Public Utility & Drainage Easement.

2. The dedication block on the plat has numerous items listed including “drives” to be dedicated to the City of Harker Heights. All of the public infrastructure shown on the plat has already been dedicated to the City of Harker Heights.

**City Engineer, Otto Wiederhold**

- No comments

**Fire Marshal, Brad Alley**

- No Comments

**Building Official, Mike Beard**

- No comments received and may be forthcoming.

**ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

**Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

**Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

**ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

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





## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**DISCUSS AND CONSIDER APPROVAL OF A FINAL PLAT REFERRED TO AS FILMTECH ADDITION, ON PROPERTY DESCRIBED AS A 1.454 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 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDOR'S LIEN TO FILMTECH.COM, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS (O.P.R.R.P.B.C.T.), AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

### **EXPLANATION:**

The applicant submitted an application for minor plat approval for approximately 1.455 acres of residential land near the northeast corner of Warrior's Path Road and E. Knight's Way/E. FM 2410. The proposed development will consist of one lot that is currently zoned R-1 (One-Family Dwelling District). The 2021 Land Use Plan identifies this parcel for Regional Center land use.

The initial application for this plat case was received on March 30, 2022, to be presented at the Planning & Zoning (P&Z) Meeting on April 27, 2022. The applicant withdrew the original plat application prior to the P&Z Meeting and re-applied on April 27, 2022. This plat is now is scheduled to be heard at the May 25, 2022 Planning & Zoning Meeting, and the June 14, 2022 City Council Meeting.

Additional Right of Way (ROW) dedication was deemed to be required for the plat area based on the City's adopted Thoroughfare Plan and required ROW widths as identified in §154.37(C). Based on staff's review of the plat case and the City's Code of Ordinances, this submission does not meet the requirements of a Minor Plat submission. Therefore, the plat must be considered as a Final Plat and requires action by the Planning & Zoning Commission and City Council.

As of May 19, 2022, staff had reviewed the submitted Final 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.

### **RECOMMENDATION:**

#### **Staff Recommendation**

On May 16, 2022, staff returned comments to the applicant. As of May 19, 2022, revisions based on staff comments had not been received. Staff therefore recommended approval to the Planning & Zoning Commission of the Final Plat for the subdivision referred to as FilmTech Addition with the following conditions:

## **AGENDA ITEM #VIII.2.**

1. Delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining frontage of FM 2410.
2. Dedicate a 30' passage/access easement to property on east side of this platted area, to plan for future development. Access only need be dedicated at this point, applicant will not be required to install an improved surface for this easement at this time.

### **ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of a Final Plat for the subdivision referred to as FilmTech Addition, on property described as a 1.454 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 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the conditions as presented by staff and based on staff's recommendations and findings.

### **ACTION BY THE COUNCIL:**

1. Motion to approve, approve with conditions, or disapprove with explanation a request for a Final Plat referred to as FilmTech Addition, on property described as a 1.454 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 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.) with the conditions as presented by staff and based on staff's recommendations and findings.
2. Any other action desired.

### **ATTACHMENTS:**

[P22-14\\_02 Attachments](#)



# Minor/Amending Plat Application

AGENDA ITEM #VIII.2.

**\* 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  
 105 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: (254) 953-5647  
 Fax: (254) 953-5666

### Property Information:

Plat Name: FilmTech Addition Date Submitted: Mar 30, 2022

Existing Lot Count: 1 Proposed Lot Count: 1 Acreage: 1.454

Site Address or General Location: 13950 F.M. 2410, Harker Heights, TX 76548

Reason for Amendment/  
 Description of Subdivision:

Zoning Classification: R-1 Existing Land Use: Residential

Located in Overlay District?:  Yes  No

### Owner Information/Authorization:

Property Owner: Filmtech.com, LLC, a Texas limited liability company

Address: 425 North 8th Street, Killeen, TX 76541

Phone: 254-368-6099 E-mail: lane@filmtechusa.com

Developer: Filmtech.com, LLC, a Texas limited liability company

Address: 425 North 8th Street, Killeen, TX 76541

Phone: 254-368-6099 E-mail: lane@filmtechusa.com

Engineer/Surveyor: Mitchell & Associates, Inc.

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

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

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

Lane Heigunbotham (For Filmtech.com, LLC)

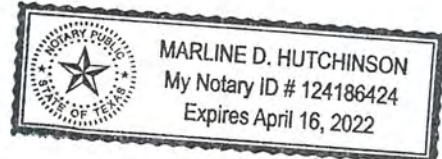
PRINTED NAME OF OWNER:

*Lane Heigunbotham*  
 OWNER SIGNATURE:

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 30 DAY OF March, 2022

*Marline D. Hutchinson*  
 NOTARY PUBLIC SIGNATURE

MY COMMISSION EXPIRES: 16 April 2022



### STAFF ONLY - - DO NOT FILL OUT BELOW

Date Submitted: \_\_\_\_\_ Receipt #: \_\_\_\_\_  
 Received By: \_\_\_\_\_  Pre-Application Meeting Case #: \_\_\_\_\_

FILMTECH ADDITION  
1.454 ACRES

FIELD NOTES for a 1.454 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 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), said 1.454 acre tract being more particularly described as follows:

BEGINNING at a 3/8" iron rod found on the north right-of-way line of F.M. 2410 (aka Knight's Way), same being at the southeast corner of Lot 1, Block1, Ortega Addition, an addition to the City of Harker Heights, Texas, being of record in Plat Year 2019, Plat No. 130, Plat Records of Bell County, Texas (P.R.B.C.T.), and the southwest corner of said 1.455 acre tract, for the southwest corner of this tract;

THENCE N. 04° 14' 40" W., 345.05 feet, departing the north right-of-way line of said F.M. 2410, with the east line of said Lot 1, and the west line of said 1.455 acre tract, to a 1/2" iron rod with cap stamped "M&A" set at the northwest corner of said 1.455 acre tract, for the northwest corner of this tract;

THENCE S. 88° 15' 57" E., 219.11 feet, continuing along the east line of said Lot 1 and with the north line of said 1.455 acre tract, to a (point) found on the west line of a called 8.148 acre tract of land conveyed to Sarah Elizabeth Sammons, being described of record in Instrument No. 2020-5060, O.P.R.R.P.B.C.T., and being at the northeast corner of said 1.455 acre tract, for the northeast corner of this tract;

THENCE S. 10° 08' 51" W., 141.13 feet, continuing along the east line of said 8.148 acre tract and with the east line of said 1.455 acre tract, to a (point) found at the northwest corner of a called 0.50 acre tract of land conveyed to Bonnie Maxine Daniels and Barbara Ann Daniels Mathis, being described of record in Instrument No. 2015-00031106, O.P.R.R.P.B.C.T., same being the southwest corner of said 8.148 acre tract, for an angle corner of this tract;

THENCE S. 02° 58' 45" W., 207.98 feet, with the west line of said 0.50 acre tract and continuing along the east line of said 1.455 acre tract, to a (point) found on the north right-of-way line of said F.M. 2410, also being the southwest corner of said 0.50 acre tract, and at the southeast corner of said 1.455 acre tract, for the southeast corner of this tract;

THENCE, along the north right-of-way line of said F.M. 2410 and with the south line of said 1.455 acre tract, the following two (2) calls:

1. N. 87° 03' 45" W., 147.40 feet, to a concrete highway monument found for an angle corner of this tract;
2. N. 81° 26' 26" W., 10.71 feet, to the POINT OF BEGINNING containing a 1.454 acre tract of land.

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

See accompanying drawing.

STATE OF TEXAS

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

COUNTY OF BELL

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



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

**DEDICATION**

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **FILMTECH.COM, LLC**, being the sole owner of that certain 1.454 acre tract of land in the City of Harker Heights, Texas, being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FILMTECH ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **FILMTECH.COM, LLC**, does hereby adopt said **FILMTECH ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to **the City of Harker Heights**, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by **the City of Harker Heights**, Texas.

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

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

For: **FILMTECH.COM, LLC**

\_\_\_\_\_  
**Lane Heginbotham**

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

\_\_\_\_\_  
NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

**FILMTECH ADDITION**

KNOW ALL MEN BY THESE PRESENTS, that **FILMTECH.COM, LLC**, whose address is **425 NORTH 8<sup>TH</sup> STREET, KILLEEN, TX 76541**, being the sole owner of that certain **1.454 acre tract of land in the City of Harker Heights, Texas, being all of a called 1.455 acre tract of land conveyed in a Warranty Deed with Vendor's Lien to Filmtech.com, LLC, being described in Exhibit "A" of record in Instrument No. 2020027121, Official Public Records of Real Property, Bell County, Texas**, shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FILMTECH ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the City of Harker Heights, Bell County, Texas, and **FILMTECH.COM, LLC** does hereby adopt said **FILMTECH ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference hereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all right of way, as shown on said plat, to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Texas.

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

WITNESS the execution hereof, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

For: **FILMTECH.COM, LLC**

**Lane Heginbotham**

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

NOTARY PUBLIC STATE OF TEXAS  
My Commission Expires: \_\_\_\_\_

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

Chairperson, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

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

Mayor, City of Harker Heights

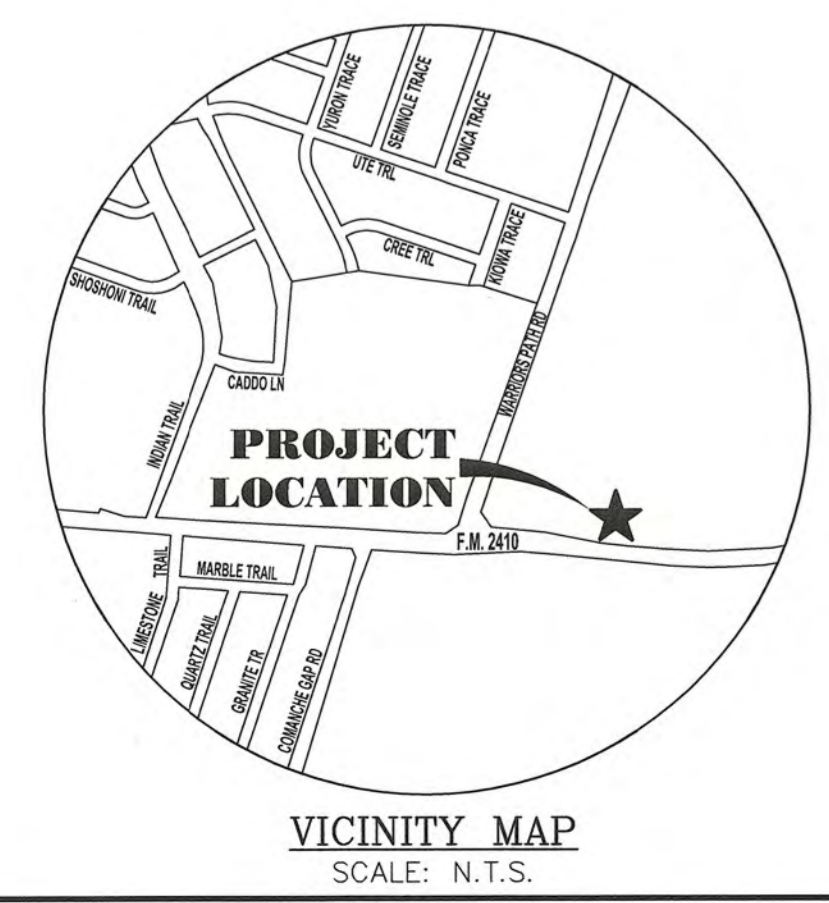
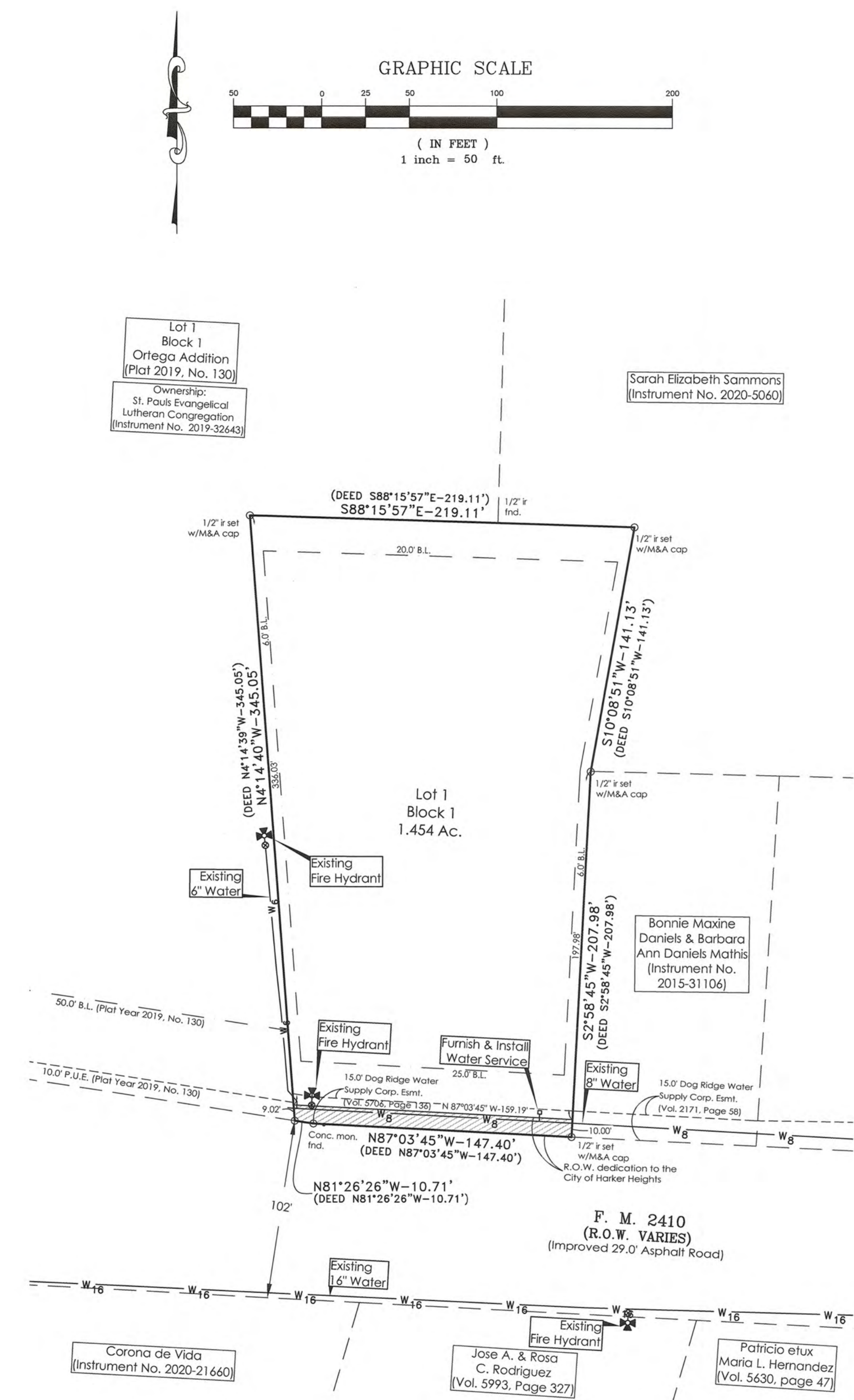
City Secretary

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

Director of Planning and Development

KNOW ALL MEN BY THESE PRESENTS,

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



I, the undersigned, a registered sanitarian in the State of Texas, hereby certify that this subdivision has been reviewed for compliance with applicable state and county regulations governing On-Site Sewage Facilities and is hereby recommend for approval.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Bell County Public Health District

- 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. 48027C0285E, effective date September 26, 2008 for Bell County, Texas.
  - The Knight's Way Overlay District requirements apply to development on this parcel. Sidewalks will be required upon site development.
  - Right of Way (R.O.W.) dedication to the City of Harker Heights is 1,580 sq. ft. (0.036 Ac.).

**AFFIDAVIT:**

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

Dated this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ A. D.

By: \_\_\_\_\_  
Bell County Tax Appraisal District

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

No.	DATE	REMARKS	BY
1	4/26/2022	CITY OF HH COMMENTS	FRB
			BY

**FILMTECH ADDITION**

BEING ALL OF A CALLED 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDOR'S LIEN TO FILMTECH.COM, LLC, BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS

**HARKER HEIGHTS, BELL COUNTY, TEXAS**

SHEET TITLE: **FINAL PLAT**

PROPERTY OWNER:  
**FILMTECH.COM, LLC**  
425 N. COLLEGE  
KILLEEN, TX 76541

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

**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  
T. B. F. S. FIRM REGISTRATION NO. 70204-00

DWG No. \_\_\_\_\_ DRAWN BY: \_\_\_\_\_  
DATE: \_\_\_\_\_ SCALE: \_\_\_\_\_ AS SHOWN

MAR 01 2022

AREA: 1.454 Ac.  
1 LOT  
1 BLOCK



Time of Concentration and Runoff Coefficient

**DRAINAGE AREA ID: X-DA A**  
**CONDITION: EXISTING**

**TIME OF CONCENTRATION SUMMARY**

Overland Sheet Flow (T <sub>1</sub> ) (Eq. 2-2) [300 ft maximum length]	
Segment ID	1
Manning's Roughness Coefficient, n (Table 2-3)	0.011
Flow Length, L	61
Land slope, S	3.9
T <sub>1</sub> = Ln / (42s <sup>0.5</sup> )	0.1
Compute T <sub>1</sub> (min)	0.1

Subsloped Concentrated Flow (T <sub>2</sub> ) (Eq. 2-3)	
Segment ID	2
Manning's Roughness Coefficient, n (Table 2-3)	0.15
Flow Length, L	483
Land slope, S	2.3
T <sub>2</sub> = Ln / (80s <sup>0.5</sup> )	7.6
Compute T <sub>2</sub> (min)	7.6

Open Channel or Storm Sewer Flow (T <sub>3</sub> )	
Segment ID	
Cross Sectional Flow Area, a	
Wetted Perimeter, P <sub>w</sub>	
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / 4	0.00
Channel Slope, S	0.00
Manning's Roughness Coefficient, n	0.00
V = (1.49) R <sup>2/3</sup> S <sup>1/2</sup>	0.00
Flow Length, L	0.00
T <sub>3</sub> = L / (60 V)	0.00
Compute T <sub>3</sub> (min)	0.00

Watershed or Subarea T<sub>c</sub> = T<sub>1</sub> + T<sub>2</sub> + T<sub>3</sub>  
T<sub>c</sub> is rounded to nearest whole number

**WEIGHTED RUNOFF COEFFICIENT**

Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>10</sub> Area	C <sub>20</sub> Area	C <sub>30</sub> Area
Concrete	0.75	0.88	0.97	0.97	0.50	0.59	0.65
Grass - Fair - Average, 2-7%	0.33	0.42	0.49	2.74	0.90	1.15	1.34
<b>Total</b>				<b>3.41</b>	<b>1.41</b>	<b>1.74</b>	<b>1.99</b>
<b>C (Weighted) = Total C<sub>10</sub>Area / Total Area</b>					<b>0.41</b>	<b>0.51</b>	<b>0.58</b>

**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
Bell		58	80	102
	b	8	8.5	8
	e	0.796	0.771	0.751

**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	ac	Time of Concentration, T <sub>c</sub> (min)	Frequency	2-Year	25-Year	100-Year
	3.41	10.0		0.41	0.51	0.58
			Intensity, I (in/hr)	5.98	9.49	11.64
			Runoff, Q (cfs)	7.85	16.52	23.19

**DRAINAGE AREA ID: P-DA A**  
**CONDITION: PROPOSED**

**TIME OF CONCENTRATION SUMMARY**

Overland Sheet Flow (T <sub>1</sub> ) (Eq. 2-2) [300 ft maximum length]	
Segment ID	1
Manning's Roughness Coefficient, n (Table 2-3)	0.011
Flow Length, L	61
Land slope, S	3.9
T <sub>1</sub> = Ln / (42s <sup>0.5</sup> )	0.1
Compute T <sub>1</sub> (min)	0.1

Subsloped Concentrated Flow (T <sub>2</sub> ) (Eq. 2-3)	
Segment ID	2
Manning's Roughness Coefficient, n (Table 2-3)	0.15
Flow Length, L	483
Land slope, S	2.3
T <sub>2</sub> = Ln / (80s <sup>0.5</sup> )	7.6
Compute T <sub>2</sub> (min)	7.6

Open Channel or Storm Sewer Flow (T <sub>3</sub> )	
Segment ID	
Cross Sectional Flow Area, a	
Wetted Perimeter, P <sub>w</sub>	
Hydraulic Radius, R <sub>h</sub> = P <sub>w</sub> / 4	0.00
Channel Slope, S	0.00
Manning's Roughness Coefficient, n	0.00
V = (1.49) R <sup>2/3</sup> S <sup>1/2</sup>	0.00
Flow Length, L	0.00
T <sub>3</sub> = L / (60 V)	0.00
Compute T <sub>3</sub> (min)	0.00

Watershed or Subarea T<sub>c</sub> = T<sub>1</sub> + T<sub>2</sub> + T<sub>3</sub>  
T<sub>c</sub> is rounded to nearest whole number

**WEIGHTED RUNOFF COEFFICIENT**

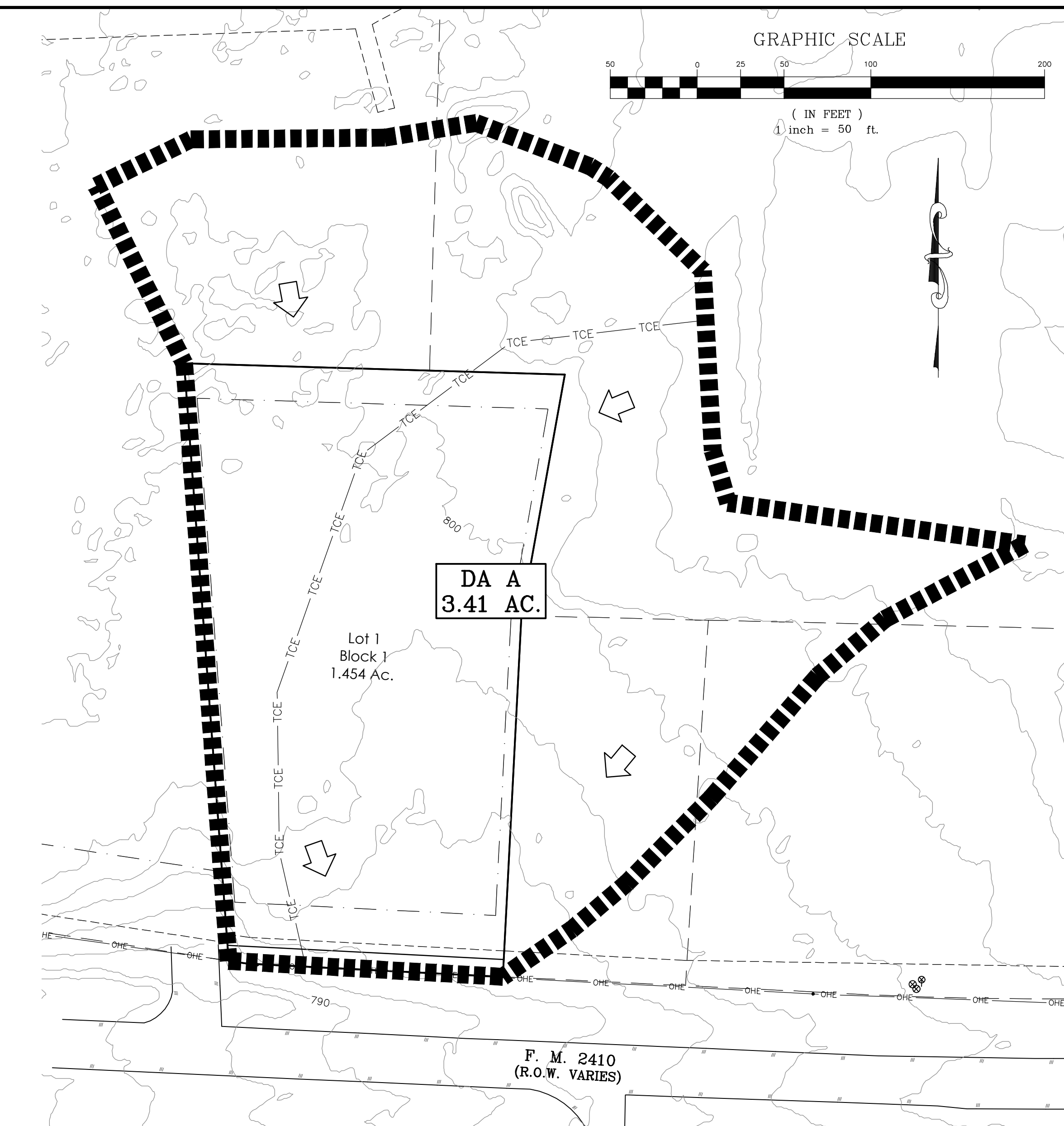
Land Use Type, Description, Land Slope	C <sub>1</sub>	C <sub>2</sub>	C <sub>30</sub>	Area (ac)	C <sub>10</sub> Area	C <sub>20</sub> Area	C <sub>30</sub> Area
Concrete	0.75	0.88	0.97	0.97	0.50	0.59	0.65
Grass - Fair - Average, 2-7%	0.33	0.42	0.49	2.29	0.52	0.90	1.12
Concrete	0.75	0.88	0.97	0.15	0.11	0.13	0.15
Grass - Good - Average, 2-7%	0.29	0.39	0.46	0.30	0.09	0.12	0.14
<b>Total</b>				<b>3.41</b>	<b>1.22</b>	<b>1.80</b>	<b>2.06</b>
<b>C (Weighted) = Total C<sub>10</sub>Area / Total Area</b>					<b>0.36</b>	<b>0.53</b>	<b>0.60</b>

**RAINFALL INTENSITY**

County	Frequency	2-Year	25-Year	100-Year
Bell		58	80	102
	b	8	8.5	8
	e	0.796	0.771	0.751

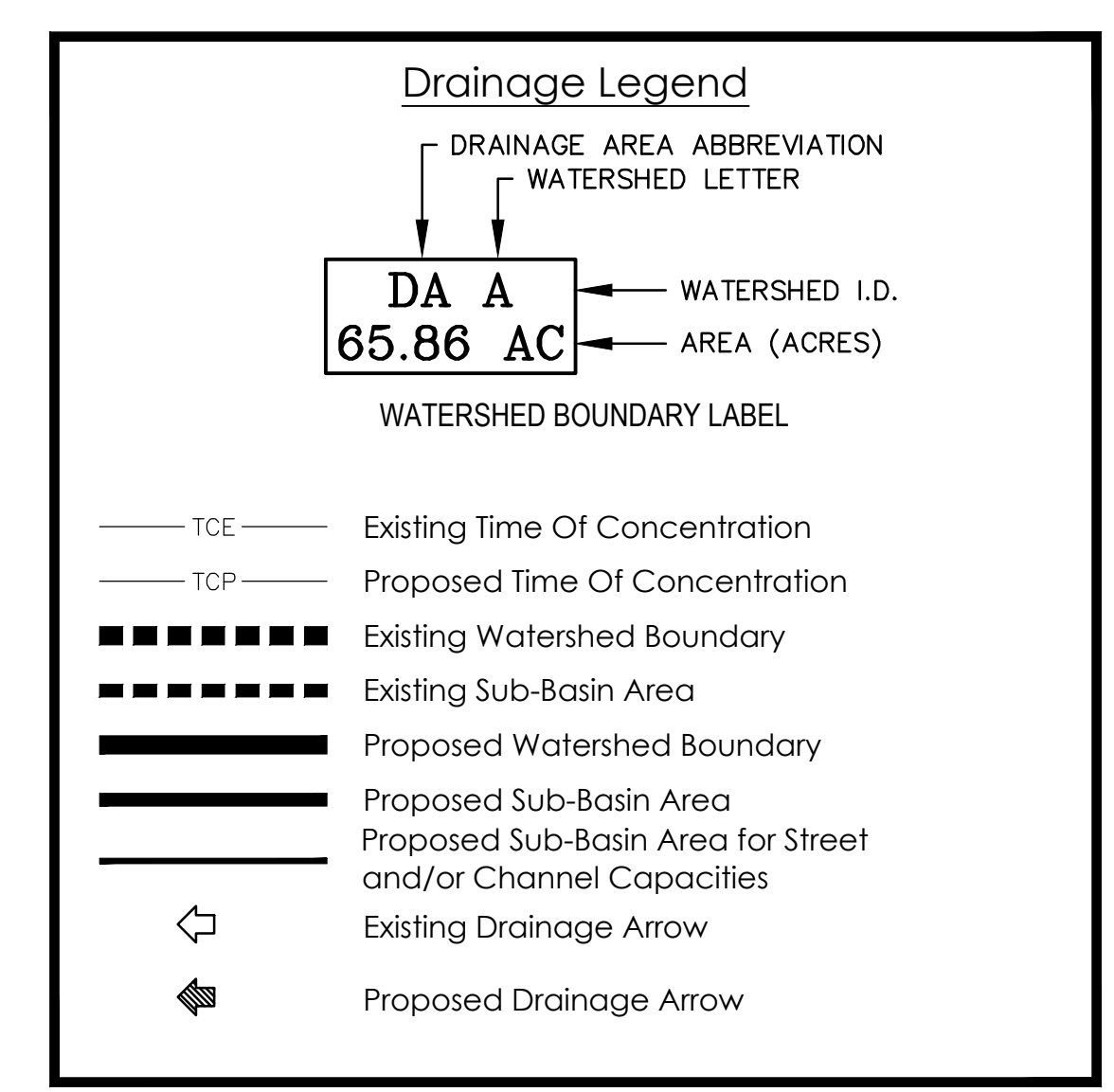
**PEAK DISCHARGE SUMMARY**

Drainage Area (Total)	ac	Time of Concentration, T <sub>c</sub> (min)	Frequency	2-Year	25-Year	100-Year
	3.41	10.0		0.36	0.53	0.60
			Intensity, I (in/hr)	5.98	9.49	11.64
			Runoff, Q (cfs)	6.82	17.09	23.92



**Storm Water Discharge Summary**

	Drainage Basin	
	DA A	
<b>25 Year Storm Event</b>		
Existing (cfs)	16.52	
Developed (cfs)	17.09	
Change (cfs)	0.57	
<b>100 Year Storm Event</b>		
Existing (cfs)	23.19	
Developed (cfs)	23.92	
Change (cfs)	0.73	



THE FINAL DEVELOPED CONDITION IS UNKNOWN AT THIS TIME. BASED ON A CONCEPTUAL DEVELOPMENT, BASED ON THE CURRENT ZONING, AN INCREASE IN STORM WATER PEAK FLOWS IS ANTICIPATED. A STORM WATER MITIGATION PLAN MUST BE SUBMITTED WITH ANY FUTURE DEVELOPMENT.

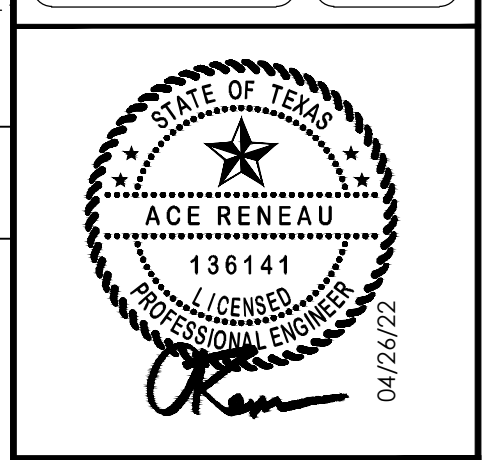
- NOTES:**
- DRAINAGE CALCULATIONS FOR THIS PLAT ARE BASED UPON THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL, DATED MAY 9, 2007. ROUTING CALCULATIONS ARE BASED UPON THE RATIONAL METHOD WITH A MINIMUM TIME OF CONCENTRATION OF 10 MINUTES. OVERLAND FLOW AND OTHER HYDRAULIC CALCULATIONS ARE BASED UPON THE MANNING'S EQUATION.
  - THE DRAINAGE AREA MAPS AND CALCULATIONS PROVIDED HEREIN ARE PRELIMINARY IN NATURE, AND ARE INTENDED TO PROVIDE A CONCEPTUAL DESIGN ONLY. FINAL SITE DRAINAGE DESIGN MAY VARY FROM THE CONCEPTUAL DESIGN SHOWN HEREIN, BUT MUST BE BASED IN SOUND ENGINEERING PRINCIPLES IN ACCORDANCE WITH THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
  - UNDER DEVELOPED CONDITIONS ALL UPSTREAM FLOWS SHALL BE ACCEPTED ON SITE AS THEY CURRENTLY EXIST.
  - TOPOGRAPHICAL INFORMATION IS FOR DRAINAGE PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION. TOPOGRAPHICAL INFORMATION SHOWN IS DERIVED FROM THE UNITED STATES GEOGRAPHICAL SURVEY (USGS), [BELL, BURNET, MCLENNAN COUNTIES LIDAR, 2011] AS DOWNLOADED FROM THE TNRS DATAHUB WEB 2021-07-21.
  - IN NO INSTANCE SHALL A POINT DISCHARGE BE ALLOWED ONTO AN ADJACENT DOWNSTREAM PROPERTY, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION, THE USE OF LEVEL SPREADER(S) OR AN EQUIVALENT STRUCTURE SHALL BE USED TO PREVENT A POINT DISCHARGE.
  - UNDER PROPOSED CONDITIONS, THE SITE SHALL BE GRADED SUCH THAT ANY RUNOFF WILL SHEET FLOW ACROSS THE PROPERTY LINE ONTO THE ADJACENT DOWNSTREAM PROPERTY OWNER, UNLESS APPROXIMATING A PREDEVELOPMENT CONDITION.

No.	DATE	CITY OF	REVISIONS
1	4/26/2022	HH COMMENTS	FRB
		REMARKS	BY

**FILMTECH ADDITION**  
BEING ALL OF A CALLED 1.455 ACRE TRACT OF LAND CONVEYED IN A WARRANTY DEED WITH VENDORS LIEN TO FILMTECH.COM, LLC. BEING DESCRIBED IN EXHIBIT "A" OF RECORD IN INSTRUMENT NO. 2020027121, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS  
HARKER HEIGHTS, BELL COUNTY, TEXAS

**DRAINAGE & TOPOGRAPHY LAYOUT**

SHEET TITLE

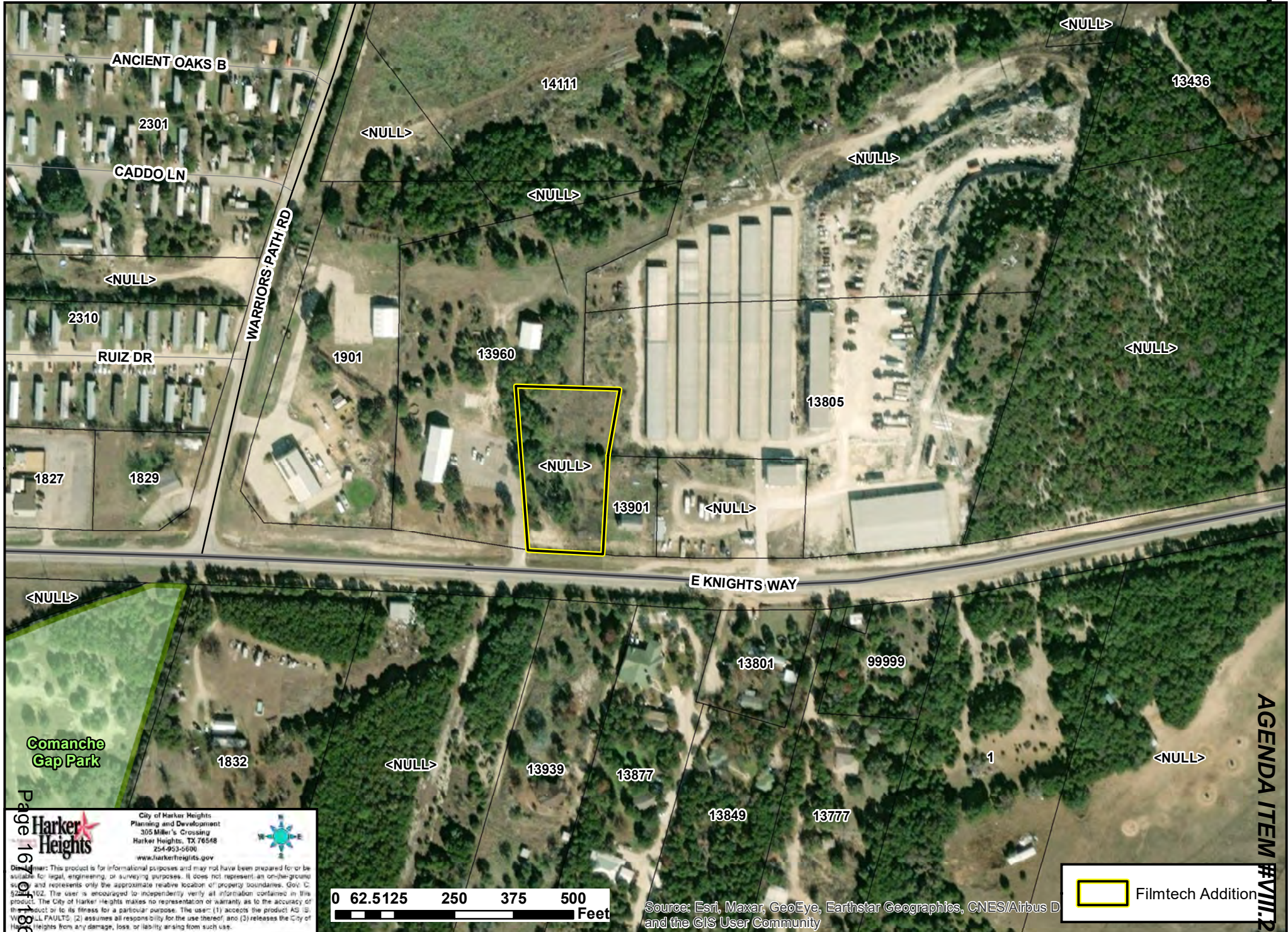



**PROPERTY OWNER:**  
FILMTECH.COM, LLC  
425 N. 8TH ST.  
KILLEEN, TX 76541

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

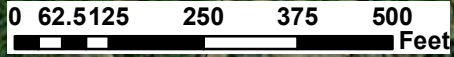
**MITCHELL & ASSOCIATES, INC.**  
ENGINEERING & SURVEYING  
102 N. COLLEGE  
KILLEEN, TEXAS 76541  
PHONE: (254) 634-5541  
FAX: (254) 634-2141  
TEXAS BOARD OF PROFESSIONAL ENGINEERS FIRM REGISTRATION NO. 3241  
T. E. L. S. FIRM REGISTRATION NO. 102004-00

DATE: MARCH 2022 AS SHOWN  
DRAWN BY: AR  
SCALE: 1" = 50' (AS SHOWN)  
DNG No.: 22-026-D-05  
LOT: 1  
BLOCK: 1  
AREA: 1.454 AC.





  
 City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 76548  
 254-953-6600  
 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. §22-1162. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



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

 Filmtech Addition



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# FILMTECH ADDITION

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## P22-14 Minor/Amending Plat – FilmTech Addition

**Plat Distributed to HH Staff: April 29, 2022**

**Comments Sent to Engineer: May 16, 2022**

### **Planning & Development**

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Dedicate a 30' passage/access easement to property on east side, to plan for future development. Access only need be dedicated at this point, applicant will not be required to install an improved surface for this easement at this time.
3. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development. (Per §154.04, F, 1, sidewalk development not required on large-lot residential subdivisions, where lots are one acre or larger in size.)
4. Applicant is advised that this parcel is currently zoned R-1, One Family Dwelling District. As such the plat was only reviewed according to those code requirements.

### **Public Works, Mark Hyde**

### **City Engineer, Otto Wiederhold**

### **Fire Marshal, Brad Alley**

### **Building Official, Mike Beard**

### **ONCOR, Steven Huggins**

1. Oncor to keep existing facilities and easements.

### **Century Link, Chris McGuire**

### **Time Warner Cable/Spectrum, Shaun Whitehead**

### **ATMOS, Rusty Fischer**

### **Clearwater UWCD, Dirk Aaron**

### **TxDOT, Richard Rangel & Stephen Kasberg**

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# FILMTECH ADDITION

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## P22-09 Final Plat – FilmTech Addition

Plat Distributed to HH Staff: March 31, 2022

Comments Sent to Engineer: April 14, 2022

### Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant must delineate the location of the proposed driveway and provide a 1' non-access easement along the remaining portion of FM 2410.
2. Pending TXDOT's approval of the driveway location, a 30' passage/access easement across the front of the property may also be required.
3. Applicant shall illustrate and annotate the setbacks on the plat dedication page.
4. Applicant shall provide a storm water plan/drainage analysis.
5. Per §154.21(C)(1)(b) the title block shall include the proposed subdivision name, phase, block and lot numbers, current legal description (or reference thereto), acreage, name and address of property owner, name and address of surveyor/engineer, date of survey, date of preparation and page content title. This title block shall be present on each page of the plat. Please amend the title block per Ordinance.
6. Applicant shall amend the plat dedication page to include all signature blocks required for a final plat and for Bell County Public Health.
7. FM 2410 is identified as an Arterial on the City's Thoroughfare Plan. As such a 120-foot right-of-way (ROW) is required. Applicant shall provide half of the required ROW needed to meet the 120-foot requirement. This ROW dedication will require this plat to be processed as a Final Plat.
8. Applicant shall provide a digital copy of the final plat per Section 154.20(B)(3)(c). Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format.
9. Applicant is advised that the Knight's Way Overlay District requirements apply to development on this parcel. Additionally, sidewalks will be required upon site development.
10. Applicant is advised that this parcel is currently zoned R-1, One Family Dwelling District. As such the plat was only reviewed according to those code requirements.

### Public Works, Mark Hyde

1. Sanitary sewer is not available at this location. Since the lot is more than 300' from the nearest sanitary sewer, an on-site sewer facility is acceptable.
2. The Bell County Health Department permits and inspects all septic systems within the City of Harker Heights.

### City Engineer, Otto Wiederhold

- No comments

**Fire Marshal, Brad Alley**

- No comments

**Building Official, Mike Beard**

- No comments received and may be forthcoming.

**ONCOR, Steven Huggins**

- No comments received and may be forthcoming.

**Century Link/ Lumen, Chris McGuire**

- No comments received and may be forthcoming.

**Spectrum, Shaun Whitehead**

- No comments received and may be forthcoming.

**ATMOS, Rusty Fischer**

- No comments received and may be forthcoming.

**TxDOT, Richard Rangel & Stephen Kasberg**

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



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**DISCUSS AND CONSIDER APPROVAL OF A FINAL PLAT REFERRED TO AS COMANCHE LAND, THIRD UNIT, ON PROPERTY DESCRIBED BEING ALL THAT CERTAIN 0.77 ACRE TRACT OF LAND SITUATED IN THE H.B. LITTLEFIELD SURVEY, A-511, BELL COUNTY, TEXAS, BEING ALL OF LOTS 1 AND 8, BLOCK 37, COMANCHE LAND THIRD UNIT, AND UN-RECORDED SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SAID LOTS BEING DESCRIBED IN A DEED TO MONICA KANKELFITZ, RECORDED IN VOLUME 3757, PAGE 245, DEED RECORDS OF BELL COUNTY, TEXAS, AND SAID LOTS BEING FURTHER DESCRIBED AS "TRACT I" CALLED 0.346 ACRE TRACT AND "TRACT III" CALLED 0.42 ACRE TRACT IN A DEED TO JAMES L. DAHM & WIFE, PAOLA DAHM, RECORDED IN VOLUME 1312, PAGE 582, DEED RECORDS OF BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION. (PLANNING AND DEVELOPMENT DIRECTOR)**

### **EXPLANATION:**

The applicant submitted an application for minor plat approval for approximately 0.77 acres of residential land South of Pontotoc Trace and situated between Yuron Trace and Ponca Trace. The proposed development will consist of two lots that are currently zoned R-MU (Mixed Residential). The 2021 Land Use Plan identifies this parcel for Medium Density Residential land use.

The application for this plat case was received on April 27, 2022, staff comments were sent to the Engineer on May 11, 2022. Additional Right of Way (ROW) dedication was deemed to be required for the plat area. Based on staff's review of the plat case and the City's Code of Ordinances, this submission did not meet the requirements of a Minor Plat submission at the time it was placed on the Planning & Zoning Commission's agenda. Therefore, the plat was considered as a Final Plat and now requires action by the City Council.

### **RECOMMENDATION:**

#### **Staff Recommendation**

On May 11, 2022, staff returned comments to the applicant. As of May 25, 2022, revisions based on staff comments were received. Staff therefore recommended approval to the Planning & Zoning Commission of the Final Plat for the subdivision referred to as Comanche Land Third Unit Amending.

### **ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:**

### **AGENDA ITEM #VIII.3.**

During the Planning & Zoning Commission meeting held on May 25, 2022, the Planning and Zoning Commission voted (7-0) to recommend approval of a Final Plat for the subdivision referred to as Comanche Land Third Unit Amending, on property described as all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as "Tract I" called 0.346 acre tract and "Tract III" called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas, based on staff's recommendations and findings.

#### **ACTION BY THE COUNCIL:**

1. Motion to approve, approve with conditions, or disapprove with explanation a request for a Final Plat referred to as Comanche Land Third Unit Amending, on property described as all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as "Tract I" called 0.346 acre tract and "Tract III" called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas., based on staff's recommendations and findings.
2. Any other action desired.

#### **ATTACHMENTS:**

[P22-16 02 Attachments](#)



# APPLICATION FOR MINOR OR AMENDING PLAT APPROVAL

Application Fee \$ 150.00 + \$ 3.00 per acre

PLAT NAME: COMANCHE LAND, THIRD UNIT AMENDED

NUMBER OF LOTS: 2 NUMBER OF ACRES 0.77

EXISTING LAND USE: \_\_\_\_\_

REASON FOR AMENDMENT: TO PLAT A 2 LOT SUBDIVISION, BEING THE SAME LOT 1 & LOT 18, OF COMANCHE LAND 3RD UNIT, AN UNRECORDED SUBDIVISION, IN THE CITY OF HARKER HEIGHTS.

PROPERTY OWNER: MONICA KANRELFITZ

ADDRESS: 1704 PONTOTOC TRACE, HARKER HEIGHTS  
PHONE: 254-251-8885

DEVELOPER: N/A

ADDRESS: \_\_\_\_\_  
PHONE: \_\_\_\_\_

SURVEYOR/ENG: QUINTERO ENGINEERING, LLC

ADDRESS: 1501 W. STAN SCHLUETER LP., KILLEEN  
PHONE: 254-399-0034

**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

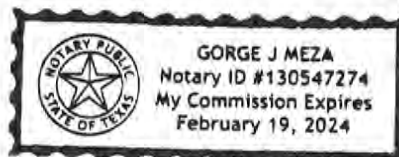
THE AMENDING PLAT DOES NOT INCREASE THE NUMBER OF LOTS AND DOES NOT REQUIRE A NEW STREET OR EXTENSION OF MUNICIPAL FACILITIES.

SIGNED: Monica Kanrelfitz  
OWNER

GORGE J. MEZA FOR QUINTERO ENGINEERING, LLC  
AUTHORIZED AGENT (CORPORATION/PARTNERSHIP)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 25TH DAY OF APRIL, 20 22

Gorge J. Meza MY COMMISSION EXPIRES: 2/19/24  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS





# QUINTERO ENGINEERING AGENDA ITEM #VIII.3

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

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

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

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

## FIELD NOTES 0.77 ACRE BELL COUNTY, TEXAS

**BEING** all that certain 0.77 acre tract of land situated in the H.B. Littlefield Survey, A-511, Bell County, Texas, being all of Lots 1 and 18, Block 37, Comanche Land Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, said lots being described in a deed to Monica Kankelfitz, recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, and said Lots being further described as "Tract I" called 0.346 acre tract and "Tract III" called 0.42 acre tract in a deed to James L. Dahm & Wife, Paola Dahm, recorded in Volume 1312, Page 582, Deed Records of Bell County, Texas, and being more particularly described as follows:

**BEGINNING** at a 3/4" iron pipe found at the intersection of the South line of Pontotoc Trace and the West line of Ponca Trace, for the Northeast corner of the herein described tract;

**THENCE**, S 16° 58' 50" W, 99.80 feet (Deed S 19° 08' 30" W, 100.00 feet), along the West line of Ponca Trace, to a 3/4" iron pipe found at the Northeast corner of Lot 2, Block 1, Crystal Addition, an addition to the City of Harker Heights, Bell County, Texas, recorded in Cabinet C, Slide 167-C, Plat Records of Bell County, Texas, for the Southeast corner of the herein described tract;

**THENCE**, N 73° 34' 37" W, 149.82 feet (Deed N 71° 41' 30" W, 150.00 feet), along the North line of the said Lot 2, to a 2" iron pipe found at the Northwest corner of the said Lot 2, being the Northeast corner of a called 0.297 acre tract of land described in a deed to Edwin B. Smelser and Candice Smelser, recorded in Volume 3778, Page 345, Deed Records of Bell County, Texas;

**THENCE**, N 74° 14' 37" W, 150.28 feet (Deed N 71° 41' 30" W, 150.00 feet), along the North line of the said 0.297 acre tract, to a 1/2" iron rod with cap stamped "QUINTERO 10194110" set, at the Northwest corner of the said 0.297 acre tract and in the East line of Seminole Trace, for the Southwest corner of the herein described tract;

**THENCE**, N 17° 07' 59" E, 152.50 feet (Deed N 19° 08' 30" E, 152.55 feet), along the East line of Seminole Trace, to a 3/8" iron rod found, at the intersection of the East line of Seminole Trace and the South line of Pontotoc Trace, for the Northeast corner of the herein described tract;

**THENCE**, S 43° 09' 10" E, 2.37 feet (Deed S 43° 09' 10" E, 2.37 feet), along the South line of Pontotoc Trace, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the beginning of a curve to the Left in South line of Pontotoc Trace;

**THENCE**, 210.33 feet along the arc of the said curve to the Left, having a Radius of 423.19 feet, and a Chord Bearing and Distance of S 59° 39' 00" E, 208.17 feet, to a 1/2" iron rod with a cap stamped "QUINTERO 10194110" set, at the end of the said curve to the Left in the South line of Pontotoc Trace;

**THENCE**, S 73° 47' 44" E, 95.00 feet (Deed S 71° 41' 30" E, 95.00 feet), along the South line of Pontotoc Trace, to the **POINT OF BEGINNING** and containing 0.77 acre of land, more or less.

The bearings for this description are based upon the Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Texas Smart Net GPS observations, as surveyed on the ground April 26, 2022 by Quintero Engineering, LLC.

04/26/2022

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



**D E D I C A T I O N**

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That Monica Kankelfitz, whose address is 1704 Pontotoc Trace, Harker Heights, Texas, being the sole owner(s) of the 0.77 acre tract of land in The City of Harker Heights, Bell County, Texas, Situated in the H.B. Littlefield Survey, Abstract No. 511, Bell County, Texas, and the land herein described being all of Lot 1 and 18, Block 37, Comanche Lnad Third Unit, an un-recorded subdivision in the City of Harker Heights, Bell County, Texas, and being described in a deed to Monica Kankelfitz, Recorded in Volume 3757, Page 245, Deed Records of Bell County, Texas, Same lots being further described in a deed to James L. Dahm & wife, Paola Dahm, recorded in Volume 1362, Page 582, Deed Records of Bell County, Texas, Which is more fully described in the dedication of Comanche Land, Third Unit – Amended, as an addition to The City of Harker Heights, Bell County, Texas.

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

\_\_\_\_\_  
**Monica Kankelfitz**  
Owner

Before me, the undersigned authority, on this day personally appeared **Monica Kankelfitz**, 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:

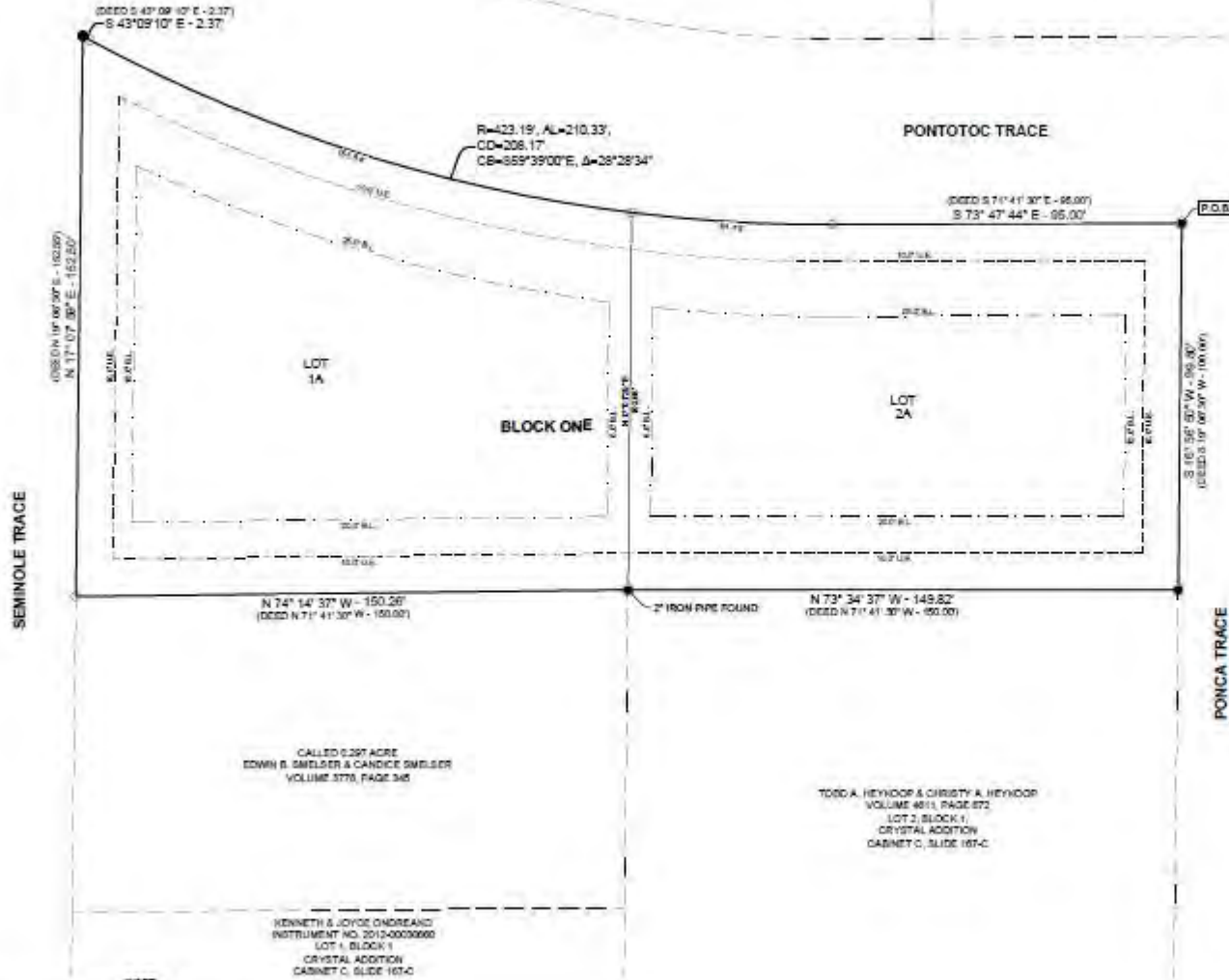
\_\_\_\_\_





CALLED 1.647 ACRE  
 JAMES MICHAEL LOMBARDO JR.  
 & LUCIA L. LOMBARDO  
 INSTRUMENT NO. 2014-0000771

JAMES L. JACOBS SR.  
 VOLUME 5875, PAGE 610  
 LOT 1, BLOCK 1  
 I.D.C. ADDITION  
 CABINET C, SLIDE 1470



KNOW ALL MEN BY THESE PRESENTS, THAT MONICA KANKELFITZ, WHOSE ADDRESS IS 1704 PONTOTOC TRACE, HARKER HEIGHTS, TEXAS, BEING THE SOLE OWNER(S) OF THE 0.77 ACRE TRACT OF LAND IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SITUATED IN THE H.B. LITTLEFIELD SURVEY, ABSTRACT NO. 511, BELL COUNTY, TEXAS, AND THE LAND HERIN DESCRIBED BEING ALL OF LOTS 1 AND 18, BLOCK 37, COMANCHE LAND THIRD UNIT, AN UNRECORDED SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, SAID LOTS DESCRIBED IN A DEED TO MONICA KANKELFITZ, RECORDED IN VOLUME 3757, PAGE 245, DEED RECORDS OF BELL COUNTY, TEXAS, AND SAID LOTS BEING FURTHER DESCRIBED AS "TRACT 1" CALLED 0.346 ACRE TRACT AND "TRACT 18" CALLED 0.42 ACRE TRACT IN A DEED TO JAMES L. DAVIS & WIFE, PAOLA DAVIS, RECORDED IN VOLUME 1362, PAGE 582, DEED RECORDS OF BELL COUNTY, TEXAS, WHICH IS MORE FULLY DESCRIBED IN THE DEDICATION OF COMANCHE LAND, THIRD UNIT - AMENDED, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

WITNES THE EXECUTION HEREOF, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

MONICA KANKELFITZ  
 OWNER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY, PERSONALLY APPEARED MONICA KANKELFITZ, KNOWN TO ME TO BE THE PERSON(S) 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: \_\_\_\_\_

**CITY APPROVAL**

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, A.D. BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT

ATTEST: CITY SECRETARY

**SURVEYORS CERTIFICATE**

I, SETH H. BARTON, DO HEREBY CERTIFY THAT AN ACTUAL AND ACCURATE SURVEY WAS MADE ON THE GROUND OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE FOUND OR PLACED, IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS.

*Seth H. Barton*

04/26/2022

SETH H. BARTON  
 R. P. L. S. NO. 8876  
 1501 W. STAN SCHLUETER LP,  
 KILLEEN, TX 76549



**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

**COUNTY CLERK INFORMATION**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, IN YEAR \_\_\_\_\_  
 PLAT # \_\_\_\_\_ PLAT RECORDS OF BELL COUNTY, TEXAS, AND DEDICATION INSTRUMENT # \_\_\_\_\_  
 OFFICIAL RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS.

By: \_\_\_\_\_

SURVEY:	H.B. LITTLEFIELD SURVEY, A-511	OWNER:	MONICA KANKELFITZ 1704 PONTOTOC TRACE HARKER HEIGHTS, TEXAS 76548
NUMBER OF BLOCKS:	1	SURVEYOR:	QUINTERO ENGINEERING, L.L.C. 1501 W. STAN SCHLUETER LP, KILLEEN, TEXAS 76549 (254) 493-8862
NUMBER OF LOTS:	2		
TOTAL ACRES:	0.77 AC		
DATE:	APRIL 2022		

**LEGEND**

- PROPERTY BOUNDARY
- - - BUILDING LINE
- - - BASEMENT LINES
- - - ADJOINING TRACT PROPERTY LINES
- 34" IRON PIPE FOUND
- 36" IRON ROD FOUND
- 10" IRON ROD W/ CAP STAMPED "QUINTERO 10164110" SET

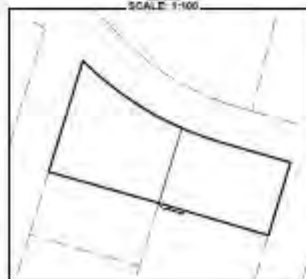
**NOTES**

1. THE BUILDING SETBACK LINES FOR THIS TRACT SHALL BE DETERMINED AS REQUIRED BY THE APPLICABLE ZONING SECTION OF THE CITY CODE OF ORDINANCES AS RELATED TO THE DEVELOPMENT OF THIS TRACT UNLESS SHOWN HEREOF.
2. THE BEARINGS AND DISTANCES SHOWN HERON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD 83, PER LEICA SMART NET GPS OBSERVATION.
3. ALL LOTS TO BE SERVICED BY THE CITY OF HARKER HEIGHTS WATER AND SEWER.
4. THIS PROPERTY LIES WITHIN FEMA "OTHER AREAS, ZONE X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 482702295E WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2006.

"FEMA "OTHER AREAS, ZONE X" ARE DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF THE 0.2% (500-YEAR) ANNUAL CHANCE FLOODPLAIN"



LOCATION MAP  
 SCALE: N.T.S.

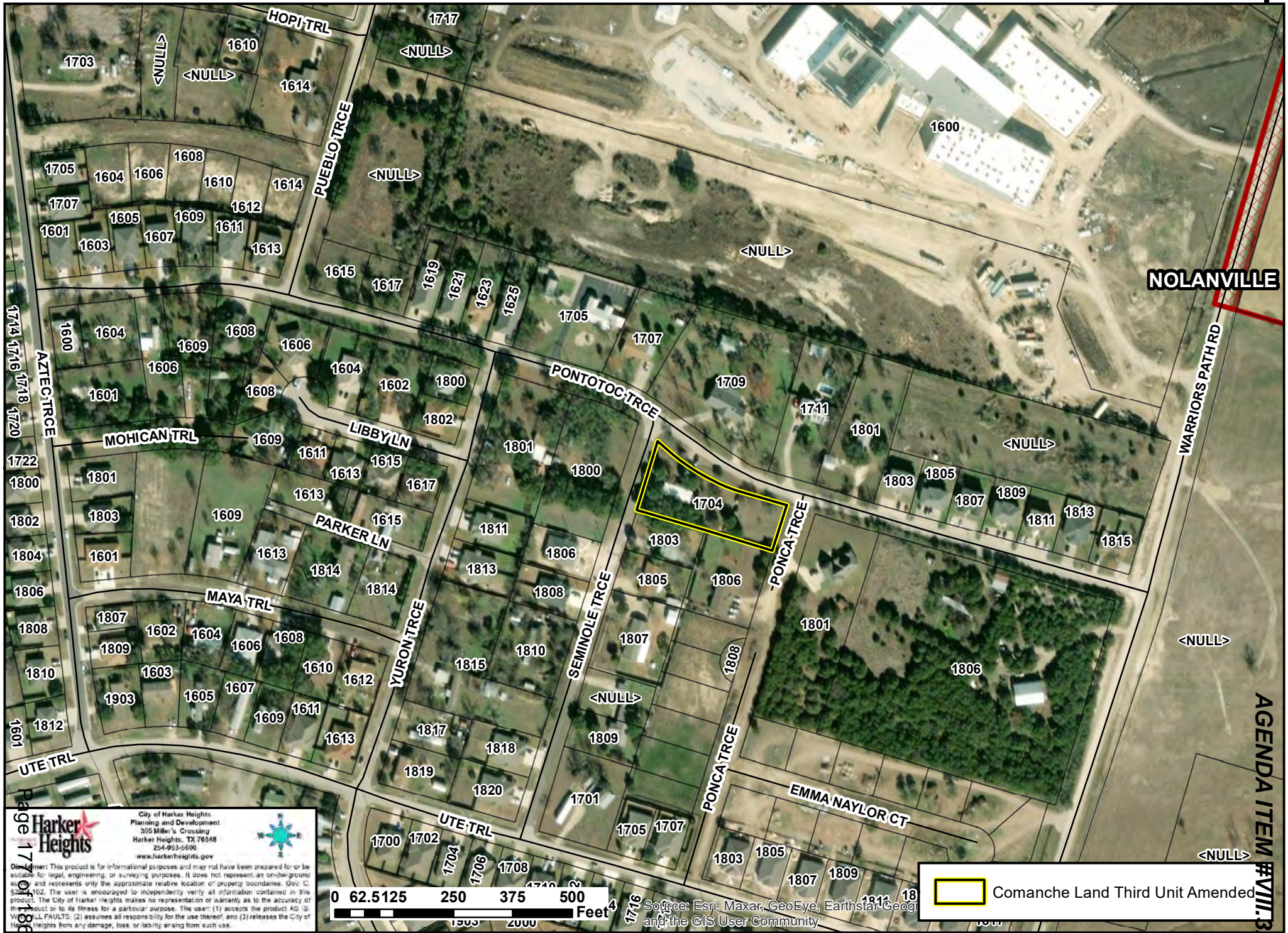


**FINAL PLAT FOR:**  
**COMANCHE LAND, THIRD UNIT - AMENDED**  
 CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS

**COMANCHE LAND, THIRD UNIT - AMENDED,**  
 IS AN AMENDING PLAT OF ALL OF LOT 1 AND LOT 18, BLOCK 37, COMANCHE LAND, THIRD UNIT, AN UNRECORDED SUBDIVISION, IN THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

PROJECT: 017-23  
 DRAWN: P1

AGENDA ITEM #VIII.3




**Harker Heights**

City of Harker Heights  
 Planning and Development  
 305 Miller's Crossing  
 Harker Heights, TX 76548  
 254-933-6090  
 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. § 224.162. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product "AS IS" WITHOUT WARRANTIES; (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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 Comanche Land Third Unit Amended

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

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# COMANCHE LAND THIRD UNIT AMENDING

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## P22-16 Amending Plat – Comanche Land Third Unit Amending

**Plat Distributed to HH Staff: April 29, 2022**  
**Comments Sent to Engineer: May 11, 2022**

### **Planning & Development**

1. Mobility 2030 indicates Pontotoc Trace is defined as a Collector. Collector street should have minimum of 70' ROW. Dedicate half of remaining right of way where ROW does not meet minimum required. This dedication action will require plat be designated as a Final Plat, please add all required signature blocks per §154.22 (B) (1) (q), and change plat type to "Final Plat" on all submitted documents.
2. Dedication statement on face of plat and separate dedication instrument do not state that easements will be dedicated to the City; please add verbiage indicating utility and/or drainage easements will be dedicated to the City of Harker Heights, in addition to ROW as mentioned in comment #1.
3. Correct spelling of "LAND" on separate dedication instrument (currently shows "Lnad", 4<sup>th</sup> line).
4. Please add location of sidewalk for Lot 2A (Sidewalks required for Collector Streets shall be 6', all other sidewalks shall be 5') See §154.40 for specs on sidewalk location, width, etc.

### **Public Works, Mark Hyde**

### **City Engineer, Otto Wiederhold**

### **Fire Marshal, Brad Alley**

### **Building Official, Mike Beard**

### **ONCOR, Steven Huggins**

- Oncor to keep existing facilities and easements.

### **Century Link, Chris McGuire**

Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Rusty Fischer

Clearwater UWCD, Dirk Aaron



## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, SUSPENDING THE JUNE 17, 2022, EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY'S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO BE SENT TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE AND TAKE THE APPROPRIATE ACTION. (FINANCE DIRECTOR)**

### **EXPLANATION:**

On Friday, May 13, 2022, Oncor Electric Delivery Company (Oncor) filed a Statement of Intent to Increase Rates with all cities in its service area that retain original jurisdiction. Oncor is seeking to increase system-wide transmission and distribution rates by about \$251 million or approximately 4.5% over present revenues. This is being done through a rate increase of about 11.2% in residential rates and 1.6% in street lighting rates. This equates to a residential customer using 1,300 kWh per month seeing a bill increase of about \$6.02 month.

The attached resolution suspends the June 17, 2022 effective date of Oncor's rate increase for the maximum period allowed by law to allow the City, in conjunction with the Steering Committee of Cities Served by Oncor, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine further strategy, including settlement, to pursue.

Although Oncor has increased its rates many times over the past few years, this is the first comprehensive base rate case since March 2017.

### **RECOMMENDATION:**

Staff recommends approving the Resolution.

### **ACTION BY THE COUNCIL:**

1. Motion to APPROVE/DISAPPROVE a Resolution of the City of Harker Heights, Texas, suspending the June 17, 2022, effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities Served by Oncor to hire legal and consulting services and to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this

**AGENDA ITEM #VIII.4.**

resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel for the Steering Committee.

2. Any other action desired.

**ATTACHMENTS:**

[RESOLUTION](#)

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS SUSPENDING THE JUNE 17, 2022 EFFECTIVE DATE OF ONCOR ELECTRIC DELIVERY COMPANY’S REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO BE SENT TO THE COMPANY AND LEGAL COUNSEL FOR THE STEERING COMMITTEE**

**WHEREAS**, on or about May 13, 2022, Oncor Electric Delivery Company (Oncor), pursuant to PURA §§ 33.001 and 36.001 filed with the City of Harker Heights, Texas a Statement of Intent to increase electric transmission and distribution rates in all municipalities exercising original jurisdiction within its service area effective June 17, 2022; and

**WHEREAS**, the City of Harker Heights, Texas is a member of the Steering Committee of Cities Served by Oncor (“Steering Committee”) and will cooperate with the 169 similarly situated city members and other city participants in conducting a review of the Company’s application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company prior to getting reasonable rates and direct any necessary litigation; and

**WHEREAS**, PURA § 36.108 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days after the date the rate change would otherwise be effective; and

**WHEREAS**, PURA § 33.023 provides that costs incurred by Cities in ratemaking proceedings are to be reimbursed by the regulated utility.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS:**

1. That the June 17, 2022 effective date of the rate request submitted by Oncor on or about May 13, 2022, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.
2. As indicated in the City’s resolution approving membership in the Steering Committee, the Executive Committee of Steering Committee is authorized to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations regarding reasonable rates, and to intervene and direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Public Utility Commission.

3. That the City's reasonable rate case expenses shall be reimbursed by Oncor.
4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.
5. A copy of this Resolution shall be sent to Oncor, Care of Howard V. Fisher, Oncor Electric Delivery Company LLC, 1616 Woodall Rodgers Freeway, Dallas, Texas 75202 and to Thomas Brocato, Counsel to the Steering Committee, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**PASSED AND APPROVED** this the 14<sup>th</sup> day of June 2022.

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Spencer H. Smith, Mayor

ATTEST:

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Julie Helsham, City Secretary





## City Council Memorandum

**FROM:** The Office of the City Manager

**DATE:** June 14, 2022

**DISCUSS AND CONSIDER APPROVING A RESOLUTION AWARDING A CONTRACT FOR THE ANNUAL SUPPLY OF WATER METERS IN THE AMOUNT OF \$144,717.60 TO CORE & MAIN AND TAKE THE APPROPRIATE ACTION. (PUBLIC WORKS DIRECTOR)**

**EXPLANATION:**

The bidding process began with the City advertising for bids for the annual supply of water meters on May 8th and May 15th, 2022. A total of four (4) bid packets were distributed. On May 31, 2022 at 2:00 p.m., three sealed bids for the purchase of water meters were opened. The following two bids met specifications:

Company	Location	Total Bid	Scrap Meter Allowance
Core & Main	Belton, TX	Direct Read \$144,717.60	Yes
Core & Main	Belton, TX	Radio Read 202,696.50	Yes

Zenner USA submitted a bid for positive displacement oscillating piston water meters. The bid specification was for positive displacement nutating disc water meters.

Because of supply availability, Core and Main included a bid for radio read water meters. The radio read meters could be delivered much sooner than the direct read water meters.

Core & Main's direct read water meters met the required warranty and regulatory specifications. The contract period is for one year from the date of award with renewal for two additional one-year options.

\$75,000 is budgeted in the FY 2021-22 Water Operating Budget for water meters.

**RECOMMENDATION:**

The Public Works Director recommends awarding the contract for the annual supply of water meters to Core & Main in the amount of \$144,717.60.

**ACTION BY THE COUNCIL:**

1. Motion to approve/disapprove a resolution awarding a contract for the annual supply of water meters to Core & Main in the amount of \$144,717.60.
2. Any other action desired.

**ATTACHMENTS:**

- [Bid Tabulation](#)
- [2022 Water Meter Bid Resolution](#)

Item		Qty		Unit		Addendum Acknowledged		Core & Main Belton, Texas		Core & Main Belton, Texas (alternate bid)		Zenner USA Addison, Texas		Total	
						Unit Price	Total	Unit Price	Total	Unit Price	Total	Unit Price	Total		
1	1400	EA				93.33	130,662.00	133.33	186,662.00	63.78	89,292.00				
2	30	EA				150.00	4,500.00	145.50	5,865.80	101.80	3,054.00				
3	10	EA				377.78	3,777.80	405.50	4,056.60	304.10	3,041.00				
4	10	EA				577.78	5,777.80	611.11	6,111.10	384.07	3,840.70				
						<b>Total Price:</b>		144,717.60		202,696.50		99,233.70			

SCRAP METER ALLOWANCE	Unit	Price	Unit	Price	Unit	Price	Unit	Price
5/8" X 3/4"	ea	2.00	ea	2.00	ea	3.00	ea	3.00
3/4" X 3/4"	ea	2.00	ea	2.00	ea	5.00	ea	5.00
1-inch	ea	3.00	ea	3.00	ea	7.00	ea	7.00
1.5 - inch	ea	5.00	ea	5.00	ea	9.00	ea	9.00
2 - inch	ea	5.00	ea	5.00	ea	11.00	ea	11.00
3 - inch and larger	ea	10.00	ea	10.00	ea	15.00	ea	15.00

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AWARDING A CONTRACT FOR THE ANNUAL SUPPLY OF WATER METERS IN THE AMOUNT OF \$144,717.60 TO CORE & MAIN.**

**WHEREAS**, the City has a need for water meters for new construction and the replacement of old water meters.

**WHEREAS**, the City advertised for bids for water meters on May 08, 2022 and May 15, 2022; and

**WHEREAS**, the City has funds budgeted in the FY2021-2022 budget; and

**WHEREAS**, the City sent bid packets to four (4) vendors; and

**WHEREAS**, the City opened the sealed bids at 2:00 p.m. on May 31, 2022; and

**WHEREAS**, the City received two (2) bids meeting specifications.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Harker Heights, Texas:

1. To award the contract for the annual supply of water meters in the amount of \$144,717.60 to Core & Main.
2. That the City Manager, David Mitchell, is hereby authorized and instructed to act in the name and behalf of the City of Harker Heights to execute and deliver such contract and to do and perform every other act as he may deem necessary and appropriate in his sole discretion to accomplish the purposes of this resolution.

**PASSED AND APPROVED** AT A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, THIS 14<sup>TH</sup> DAY OF JUNE, 2022 AT WHICH MEETING A QUORUM WAS PRESENT, HELD IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS GOVERNMENT CODE, CHAPTER 551.

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Spencer H. Smith, Mayor  
City of Harker Heights

ATTEST:

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Juliette Helsham, City Secretary  
City of Harker Heights