

*Minutes of the Teleconference Meeting  
of the Harker Heights Planning & Zoning Commission  
September 30, 2020*

Present:

Larry Robison	Chairman
Robert Robinson III	Vice Chair
Adam Parker	Secretary
Noel Webster	Commissioner
Rodney Shine	Commissioner
Stephen Watford	Commissioner
Mike Stegmeyer	Alternate Commissioner

Absent:

Joshua McCann	Commissioner
Kay Carey	Commissioner
Nuala Taylor	Alternate Commissioner
Chris Albus	Alternate Commissioner

Staff:

Joseph Molis	Director of Planning & Zoning
Courtney Peres	Senior Planner
Dan Phillips	GIS Analyst/Planner
Mark Hyde	Public Works Director
Kristina Ramirez	Assistant Public Works Director
Brad Alley	Fire Marshal
Tiffany Dake	Planning & Development Administrative Assistant

A quorum was established, and the teleconference meeting was called to order at 6:46 PM.

Agenda Item II: Approval of minutes from the August 26, 2020 regular Planning and Zoning Commission meeting. Commissioner Webster made the motion to approve the minutes and Secretary Parker seconded the motion. **The motion passed unanimously (6-0).**

Agenda Item III: Mr. Molis made a report from the September 8<sup>th</sup> City Council actions regarding recommendations resulting from the August 26, 2020 Planning & Zoning meeting.

Agenda Item IV: Mr. Molis addressed any affidavits for Conflict-of-Interest and stated that there were no conflicts of interest.

Agenda Item V: Public Comments. There was no one present who wished to speak.

Agenda Item VI Public Hearings:

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

Mr. Molis explained the applicant's request to change the zoning designation of their property from R-1 to B-3 for the purpose of potentially developing their property into a commercial development in the future.

The applicant, Mr. Raymond Hamden, P.O. Box 2008, Harker Heights, TX 76548 was present to speak on his rezone request. Vice Chairman Robinson asked Mr. Hamden why B-3 instead of B-1 or B-2? Mr. Hamden replied that B-3 offers a more diverse opportunity for businesses when they develop the property in the future. Vice Chairman Robinson asked Mr. Hamden to address the concerns made by citizens. Mr. Hamden began by addressing the concerns about child safety and he stated that the streets in that area do provide access to any commercial or retail service and only facilitate neighborhood traffic and there should not be an issue of anyone driving in an insane manner through the neighborhood. Mr. Hamden continued and addressed the concern about trees located on his property and stated that the trees will remain there for a while. Vice Chairman Robinson asked if the businesses would front E. Knights Way (E. FM 2410). Mr. Hamden said they would front E. Knights Way (E. FM 2410) and ideally the back of the building would be against Marble Trail. Chairman Robison asked if the Knights Way Overlay requirements would apply and Mr. Molis state that the Overlay would apply to Mr. Hamden's property. Secretary Parker asked if Mr. Hamden saw a need for there to be drive throughs on the ends of the development. Mr. Hamden said there was the potential for drive-thru services. Commissioner Webster stated that he was aware there were some comments about the existing trees being used to block the noise but stated that there was nothing currently stopping Mr. Hamden from clearing the trees if he chose to. Mr. Hamden concurred and stated that there was nothing prohibiting him from removing the trees but that he has no intention to get rid of the trees at this time.

Chairman Robison then opened the public hearing and asked if there was anyone present to speak in favor or against the agenda item. Ms. Kristine Dillion, of 2509 Quartz Trail, Harker Heights, TX spoke against the agenda item stating that the owner of the property does not maintain the property and that the homeowners of the neighborhood maintain his property. Ms. Dillion also stated that Marble Trail was not designed for commercial vehicles, and there are no sidewalks or curbing in the neighborhood as well. Ms. Dillion continued to explain that the lighting from the commercial business will disturb the neighborhood and the children will not be safe, and drainage is an issue. Mr. John Chateau, of 2502 Quartz Trail, Harker Heights, TX spoke against the agenda item. Mr. Chateau wanted to know what kind of buffer would be against the proposed commercial use and the neighborhood. Mr. Molis said there will be setbacks along the roads, ten (10) feet from the front and fifty (50) feet from the back of the property and there will be twenty (20) to twenty-five (25) feet buffers with easements and utilities. Chairman Robison asked if they would have to have screening and it was suggested to have an eight

(8) foot concrete wall. Mr. Leon Charpentier, of 1800 Quarry Trail, Harker Heights, TX 76548 is concerned about the drainage since there is a ton of water that flows behind the homes along Quarry into the creek. Mr. Charpentier was also concerned with the setbacks and that would put the back of the building on Marble Trail and all the loading trucks would be back there as well. Ms. Loretta Chateau, of 2502 Quartz Trail, Harker Heights, TX 76548 spoke against this agenda item. Ms. Chateau stated there are no sidewalks for the kids to walk on to go to school. Ms. Samantha Cantu, of 2513 Quartz Trail, Harker Heights, TX 76548 spoke against this agenda item. Ms. Cantu said they had invested in the home they purchased several years ago and that this development would not make it safe for the children and make it even harder to get out of the neighborhood. Ms. Cantu also stated that the drainage is terrible in their area. Ms. Ayesha Lealiiee, of 2504 Limestone, Harker Heights, TX 76548 spoke against the agenda item. Ms. Lealiiee stated there are no sidewalks in their area and she agreed with what the other neighbors were saying. Ms. Lealiiee explained that this commercial development would bring more traffic to the neighborhood and she would rather have residential homes. Ms. Amy Valentine, of 2510 Quartz Trail, Harker Heights, TX 76548 spoke against this agenda item. Ms. Valentine stated she agreed with what her neighbors had said and would rather see residential homes there. Mr. Andrew Valentine, of 2510 Quartz Trail, Harker Heights, TX 76548 spoke against the agenda items. Mr. Valentine moved to this area because it was quiet and secluded. He agreed with his neighbors concerns as well. Mr. Valentine feels this would change the quality of life for the neighborhood.

Chairman Robinson closed the public hearing. Mr. Hamden stated that he understood the concerns of the residents and did not want to hurt anyone. Mr. Hamden acknowledged their concerns for the drainage, side walks and speed limits and state that those should issues should have been addressed a long time ago. Commissioner Robison asked if he would consider putting up an eight (8) foot masonry wall on his property to separate the residential uses. Mr. Hamden stated that due to the setbacks he felt like it would be difficult to do something like that.

Chairman Robison asked Mr. Molis if sidewalks are required and Mr. Molis stated that sidewalks would be required all around the property. Commissioner Shine asked that if the property was developed the amount of runoff from the property could not be increased. Mr. Molis said that is correct, you can not increase natural flow of water from the site to offsite. Secretary Parker stated that the speed limit along E. Knights Way is controlled by TXDOT. Mr. Molis agreed and stated that TXDOT has done traffic speed studies in the area. Mr. Hyde, the Public Works Director, has contacted TXDOT and requested a speed study at Warriors Path. Mr. Molis state that TXDOT would be coming out in October to conduct that speed study.

A motion was made by Commissioner Robinson to recommend approval an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to B-3 (Local Business District), on property described as Fawn Valley, Block Six (6), Lot One (1), generally located at 1702 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas. Commissioner Webster seconded the motion. Before the motion was voted on Secretary Parker made a motion to amend the motion to include an eight (8) foot masonry wall on the subject property along Marble Trail. Commissioner Shine made a motion to

accept the amended motion. Secretary Parker seconded the motion. **The motion unanimously passed (6-0).**

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Agenda Item VII New Business:

2. **P20-14** Discuss and consider a request by Jerome Gomer for Preliminary Plat approval for the proposed plat, Sapiah Plains Phase Three, on property described as 1.376 acres of land, being part of H. B. Littlefield Survey, Abstract No. 511, and the land herein described being the remainder of a called 3.379 acre tract conveyed to Jerome Gomer, generally located at 1808 Ponca Trace, Harker Heights, Bell County, Texas.

Mr. Molis explained this was the third and final phase of the Sapiah Plains development.

Mr. Ace Reneau with Mitchell & Associates, of 102 College St., Killeen, TX 76541 was present to speak about this preliminary plat. Mr. Reneau stated this plat was a continuation of the initial subdivision. Mr. Reneau state that the roads are now under construction as part of phase two (2). Vice Chairman Robinson asked if the road (Ponca) will end in a cul-de-sac so as to not continue through the remainder of Ponca Trace. Mr. Reneau stated that that was correct and the only access would be from Pontotoc Trace and would not at this time continue through to the north.

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

A motion was made by Secretary Parker to recommend approval for the proposed plat, Sapiah Plains Phase Three, on property described as 1.376 acres of land, being part of H. B. Littlefield Survey, Abstract No. 511, and the land herein described being the remainder of a called 3.379 acre tract conveyed to Jerome Gomer, generally located at 1808 Ponca Trace, Harker Heights, Bell County, Texas. Commissioner Webster seconded the motion. **The motion unanimously passed (6-0).**

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1. **CP20-03** Discuss and consider a request by Remco Properties, LLC for Concept Plan approval on property described as 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas.

Mr. Molis explained the applicant has submitted a concept plan of their property to build twenty (20) duplex lots, containing forty (40) dwelling units.

Mr. Bob Mitchell with Mitchell & Associates, of 102 College St., Killeen, TX 76541 was present to speak on the concept plan. Mr. Mitchell stated the consideration was given to the highest and best use of this property and the duplexes would benefit the city to have this development and help the tax base. Mr. Mitchell state that they did add the second

access point like the city had requested in response to his request for a waiver. Chairman Robison asked how soon they would start this development and Mr. Mitchell stated that they would like to start right away. Vice Chairman Robinson stated that many people will park in the street and make this a congested area and continued in asking if there was any thought given to traffic congestion. Fire Marshal, Brad Alley, stated the main concern was about only having one entrance/exit to the development and state that is why there will be an emergency access that will be gated with a knox box. Mr. Mitchell stated there has been a lot of thought given to this project and they are trying to make the best use out of the property. Chairman Robison asked if they would be willing to reduce the number of units and possibly consider better flow with green space.

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

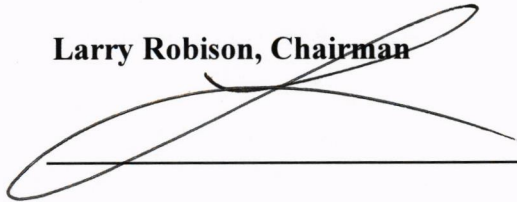
A motion was made by Commissioner Parker to recommend approval as presented with the addition of no parking at the entrance for Concept Plan on property described as 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas. Commissioner Shine seconded the motion. **The motion passed (5-1), with Chairman Robison, Commission Webster, Commissioner Shine, Secretary Parker, and Commissioner Watford voting for and Commissioner Robinson voting against the motion.**

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**Chairman Robison then adjourned the teleconference meeting of the Planning and Zoning Commission at 8:33 P.M.**

Larry Robison, Chairman

DATE:



10/28/2020

Adam Parker, Secretary

DATE:



10/28/20