

The background of the entire page is a map of Harker Heights. The map shows a network of streets, with some areas shaded in light gray and others with a cross-hatch pattern. The text is overlaid on this map.

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

**Wednesday,
September 28, 2022**



**PLANNING & ZONING COMMISSION
MEETING & WORKSHOP
HARKER HEIGHTS CITY HALL
WEDNESDAY, SEPTEMBER 28, 2022**

Notice is hereby given that beginning at 5:30 P.M., on Wednesday, September 28, 2022, and continuing from day to day thereafter if necessary, the Planning and Zoning Commission (P&Z) of the City of Harker Heights will conduct a regular meeting, to be followed by a workshop. The Meeting and Workshop will be held in the Kitty Young Council Chambers of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas, 76548. Public Hearing items discussed at this meeting will be heard within 30 days hereafter by the City Council of the City of Harker Heights. The subjects to be discussed are listed in the following Agenda:

MEETING AGENDA

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

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

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

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

IV. APPROVAL OF AGENDA

1. Consider approval of the agenda for the regular meeting of the Planning and Zoning Commission for September 28, 2022.

V. CONSENT AGENDA

1. Consider approval of Minutes from the Regular Planning and Zoning Meeting held on August 31, 2022.

VI. Report on planning & development related items from the City Council's meetings and workshops between September 1, 2022 and September 28, 2022.

VII. Recognition of Affidavits for Conflict of Interest.

VIII. PUBLIC COMMENTS

1. At this time, comments will be taken from the audience for a length of time not to exceed three minutes per person. To address the Planning and Zoning Commission, please clearly state your name and address for the Planning & Development Administrative Assistant prior to making a comment. ***No action may be taken by the Planning and Zoning Commission during Public Comments.***

IX. PUBLIC HEARING

1. Discuss and consider an ordinance of the City of Harker Heights, Texas amending §154.37 Streets, and §161.01 Section 1, Thoroughfare Plan of the Code of Ordinances and Mobility 2030 Thoroughfare Definitions; clarifying definitions; updating references and providing for an effective date of the amendment
2. Z22-23 Conduct a public hearing to discuss and consider an ordinance for a Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District) zoning on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knights Way/E. FM 2410, Harker Heights, Bell County, Texas
3. Z22-24 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from B-5 (General Business District) to R-1 (One-Family Dwelling District) on property described as Stillhouse Subdivision Replat (Blks 6-7, 11PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI) Acres 0.13, generally located North of 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas
4. Z22-25 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-2 (Two-Family Dwelling District) to R2-1 (Two-Family Infill Dwelling District) on property described as A0288BC VL Evans, Acres .78, Property ID #77900, generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, Harker Heights, Bell County, Texas
5. Z22-26 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas
6. Z22-26-F Conduct a public hearing to discuss and consider an ordinance to change land use designation from Low Density Residential to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas

X. NEW BUSINESS

1. P22-26 Discuss and consider a request for a Preliminary Plat referred to as Habitat for Humanity Addition on property described as a 2.797 acres of land, situated in the V.L. Evans Survey, Abstract 288, Bell County, Texas, being all of the called 2.80 acre tract conveyed to Fort Hood Area Habitat for Humanity, of record in Document Number 2020053778, Official Public Records of Real Property, Bell County, Texas.
2. P22-28 Discuss and consider a request for a Preliminary Plat referred to as Harker Heights Fuller Addition on property described as being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas and being part of that certain called 3.832 acre tract described in a deed from

Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-00000521 of the Official Public Records of Bell County, Texas.

XI. REPORTS FROM COMMISSIONERS

XII. STAFF COMMENTS

- 1. PIMA TRAIL ADDITION PRELIMINARY PLAT**
- 2. THE ENCLAVE AT INDIAN TRAIL FINAL PLAT**

XIII. ADJOURNMENT OF PLANNING & ZONING COMMISSION MEETING

MEETING WORKSHOP

- I. Convene Workshop immediately following the Planning and Zoning Commission (P&Z) Meeting**
- II. Presentations by Staff:**
 - 1. Receive and discuss a status update of roadway projects and KTMPO funding.**
 - 2. Receive and discuss a presentation on the Thoroughfare plan & maps.**

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, the above Notice of Meeting of the Planning and Zoning Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building and the City of Harker Heights website which is readily accessible to the public at all times, by **3:00 P.M. on Friday, September 23, 2022**. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Yvonne K. Spell

Yvonne K. Spell, City Planner

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 254-953-5605, or email planning@harkerheights.gov for further information.



**Minutes of the Harker Heights Planning & Zoning Commission Meeting
August 31, 2022**

Present:

Commission

Larry Robison	Chairman
Robert Robinson III	Vice Chairman
Michael Stegmeyer	Secretary
Joshua McCann	Commissioner
Natalie Austin	Commissioner
Jerry Bess	Commissioner
Bary Heidtbrink	Commissioner
Rodney Shine	Commissioner
Elizabeth McDaniel	Alternate Commissioner

Staff

Kristina Ramirez	Planning and Development Director
Yvonne K. Spell	City Planner
Daniel Phillips	GIS Analyst/ Planner
Johnny Caraway	Deputy Fire Marshal
Raelin Fiscus	Planning & Development Administrative Assistant

Absent:

Stephen Watford	Commissioner
Brad Alley	Fire Marshal
Michael Beard	Building Official

Meeting Agenda:

Agenda Item I: A quorum was established, the regular meeting for the Planning and Zoning Commission was called to order at 6:50 P.M.

It is noted Alternate Commissioner Elizabeth McDaniel was brought up as a regular voting member during this meeting as Commissioner Stephen Watford was not present at the meeting.

Agenda Item II: The next agenda item was approval of the agenda from the regular Planning and Zoning Meeting for August 31, 2022. Commissioner Heidtbrink made a motion to approve the agenda, and Secretary Stegmeyer seconded the motion. **The motion was approved (9-0).**

Agenda Item III: The next agenda item was approval of the meeting minutes from the regular Planning and Zoning Meeting held on July 27, 2022. Commissioner Bess made a motion to approve the meeting minutes, and Secretary Stegmeyer seconded the motion. **The motion was approved (9-0).**

Agenda Item IV: Mrs. Spell provided a summary of the City Council results from meetings and workshops between July 28, 2022 and August 30, 2022.

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

Agenda Item VI: Public Comments:

None

Agenda Item X: **Public Hearing:**

1. Discuss and consider an ordinance to amend City of Harker Heights Code of Ordinances §154.01 DEFINITIONS

Mrs. Spell explained the proposed changes to the City of Harker Heights Code of Ordinances §154.01 DEFINITIONS.

Commissioner Heidtbrink made a motion to recommend approval of recommending an ordinance to amend City of Harker Heights Code of Ordinances §154.01 DEFINITIONS. Secretary Stegmeyer seconded the motion. **The motion to recommend approval passed (9-0).**

2. Z22-20 Conduct a public hearing to discuss and consider an ordinance for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808 S. Ann Blvd., Harker Heights, Bell County, Texas, 76548

Mrs. Spell explained the applicants request for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck.

Altaf Prasla and Ray Ali of 808 S. Ann Blvd, Harker Heights, Texas, 76548, were present to represent this case.

Secretary Stegmeyer made a motion to recommend approval with conditions of an ordinance for a Conditional Use Permit (CUP) to allow for a mobile food vendor court for one mobile food truck on property described as Meadow Acres, Block 006, Lot PT 7, 8, (E 14.5' of N 130' of 7 & W 85.5 of N 130' of 8), generally located at 808 S. Ann Blvd., Harker Heights, Bell County, Texas, 76548. Commissioner Heidtbrink seconded the motion. **The motion to recommend approval passed (9-0).** The conditions are as follows:

1. Modifications to this conditional use permit will require a Planning and Zoning Commission recommendation and City Council approval via a public hearing.
2. Food vendors and customers shall have access to restroom facilities on site via an active agreement with the property owner and business located in brick and mortar structure on site.
3. Hours of operation shall coincide with the business located in brick and mortar structure on site that provides access to the restroom facilities.
4. The signage, accessories and mobile food unit shall be placed on the site such that they do not interfere with the fire lane, garbage services, or required parking spaces for the site.
5. This Conditional Use Permit (CUP) automatically renews for successive two (2) year periods unless an objection is raised based on either:

- a. A history of poor code compliance; or
- b. A revision to the Comprehensive Plan that renders the CUP incompatible

3. Z22-19 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as A0288BC V L Evans, Unit 11-Brad Mor Apts Acres 2.8, generally located North of Northside Dr. and East of Jamie Rd., Harker Heights, Bell County, Texas, 76548

Mrs. Spell explained the applicants request for a change in zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District).

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas, 76543, and Joseph Theriot of Republic Engineering, 6308 Pat Cole Drive, Temple, Texas, 76502, were present to represent this case.

Commissioner McCann made a motion to recommend approval of an ordinance to change the zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as A0288BC V L Evans, Unit 11-Brad Mor Apts Acres 2.8, generally located North of Northside Dr. and East of Jamie Rd., Harker Heights, Bell County, Texas, 76548. Secretary Stegmeyer seconded the motion. **The motion to recommend approval passed (9-0).**

4. Z22-21 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on properties described as Kern Terrace 3rd Ext., Block 004, Lots 0005-0008, generally located at 208-214 Northside Drive, Harker Heights, Bell County, Texas, 76548

Mrs. Spell explained the applicants request for a change in zoning designation R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District)

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas 76543 was present to represent this case.

Commissioner McCann made a motion to recommend approval of an ordinance to change zoning designation from R-3 (Multi-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on properties described as Kern Terrace 3rd Ext., Block 004, Lots 0005-0008, generally located at 208-214 Northside Drive, Harker Heights, Bell County, Texas, 76548. Commissioner Heidtbrink seconded the motion. **The motion to recommend approval passed (9-0).**

5. Z22-22 Conduct a public hearing to discuss and consider an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as Kern Terrace 3rd Ext., Block 004, Lot 0009, generally located at 216 Northside Drive, Harker Heights, Bell County, Texas, 76548

Mrs. Spell explained the applicants request for a change in zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District).

Ken Cates of Habitat for Humanity, offices located at 2601 Atkinson Ave, Killeen, Texas 76543 was present to represent this case.

Commissioner Heidtbrink made a motion to recommend approval of an ordinance to change the zoning designation R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) on property described as Kern Terrace 3rd Ext., Block 004, Lot 0009, generally located at 216 Northside Drive, Harker Heights, Bell County, Texas, 76548. Commissioner Austin seconded the motion. **The motion to recommend approval passed (9-0).**

Agenda Item XI: New Business:

- 1. P22-22 Discuss and consider a request for a Preliminary Plat referred to as Meadow White Addition, on property described as being a 1.021 acre tract of land in Bell County, Texas, being part of the John T. Tumlinson Survey, Abstract No. 831, the land herein being part of Lot 2, Block 5, Meadow Acres, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 143-C, Plat Records of Bell County, Texas (P.R.B.C.T.), and being that all certain tract of land conveyed in a General Warrant Deed to BFF Construction, LLC, a Texas limited liability company, being described of record under Instrument No. 2022035043, Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.)**

Mrs. Spell explained the applicant's request for a Preliminary Plat referred to as Meadow White Addition.

Ace Reneau of Mitchell & Associates offices located at 102 N. College Street, Killeen, Texas, 76541, was present to represent this case.

Commissioner Heidtbrink made a motion to recommend approval of a Preliminary Plat referred to as Meadow White Addition, on property described as being a 1.021 acre tract of land in Bell County, Texas, being part of the John T. Tumlinson Survey, Abstract No. 831, the land herein being part of Lot 2, Block 5, Meadow Acres, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 143-C, Plat Records of Bell County, Texas (P.R.B.C.T.), and being that all certain tract of land conveyed in a General Warrant Deed to BFF Construction, LLC, a Texas limited liability company, being described of record under Instrument No. 2022035043, Official Public Records of Real Property of Bell County, Texas (O.P.R.R.P.B.C.T.) with conditions. Commissioner McCann seconded the motion. **The motion to recommend approval passed (8-1).** Commissioner Bess voted to recommend denial of the motion. The conditions are as follows:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.
2. Approval of Waiver from design standards for City of Harker Heights Code of Ordinances Sections: §154.21(C)(1)(h), §154.21(C)(2)(d), §154.37(A)(3), and §154.37(C)(1)

2. **P22-23 Discuss and consider a request for a Final Plat referred to as Indian Land Addition, on property described as being a 1.312 acre tract of land in Bell County, Texas, being part of the E. Dawson Survey, Abstract No. 258 and the H.B. Littlefield Survey, Abstract No. 511, being all of Lots 11-14, Block 23, Comanche Land Second Land, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 184-A, Plat Records of Bell County, Texas (P.R.B.C.T.), and being part of that certain tract of land conveyed in a Deed Reserving Life Estate to The Mary Jayrene Horn Revocable Living Trust Dated June 20, 2005, being described of record in Volume 5762, Page 289, Official Public Records of Real Property, Bell County, Texas**

Mrs. Spell explained the applicant's request for a Final Plat review for Indian Land Addition.

Ace Reneau of Mitchell & Associates offices located at 102 N College Street, Harker Heights, Texas 76548 was present to represent this case.

Secretary Stegmeyer made a motion to recommend approval of a Final Plat referred to as Indian Land Addition, on property described as being a 1.312 acre tract of land in Bell County, Texas, being part of the E. Dawson Survey, Abstract No. 258 and the H.B. Littlefield Survey, Abstract No. 511, being all of Lots 11-14, Block 23, Comanche Land Second Land, an addition to the City of Harker Heights, Texas, being of record in Cabinet A, Slide 184-A, Plat Records of Bell County, Texas (P.R.B.C.T.), and being part of that certain tract of land conveyed in a Deed Reserving Life Estate to The Mary Jayrene Horn Revocable Living Trust Dated June 20, 2005, being described of record in Volume 5762, Page 289, Official Public Records of Real Property, Bell County, Texas, with conditions. Vice Chair Robinson seconded the motion. **The motion to recommend approval passed (9-0).** The conditions are as follows:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.
3. **P22-24 Discuss and consider a request for a Final Plat referred to as Heights City Center, on property described as 3.496 Acres, situated in the Martin Smith Survey, Abstract 750, Bell County, Texas, embracing all of Lot 1, Block 4, Park Addition, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet C, Slide 178-B, Plat Records of Bell County, Texas and all of Lot 3, Block 1, Union State Bank Addition, Phase Two, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 67-C, of said plat records.**

Mrs. Spell explained the applicant's request for a Final Plat referred to as Heights City Center.

Planning and Development Staff were present to represent this case.

Commissioner McCann made a motion to recommend approval of a Final Plat referred to as Heights City Center, on property described as 3.496 Acres, situated in the Martin Smith

Survey, Abstract 750, Bell County, Texas, embracing all of Lot 1, Block 4, Park Addition, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet C, Slide 178-B, Plat Records of Bell County, Texas and all of Lot 3, Block 1, Union State Bank Addition, Phase Two, an addition within the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 67-C, of said plat records, with conditions. Commissioner Shine seconded the motion. **The motion to recommend approval passed (9-0).** The conditions are as follows:

1. All outstanding comments have been addressed per staff recommendation prior to filing of plat with Bell County Public Records.

Agenda Item VII: Reports from commissioners

Agenda Item VIII: Staff comments

Agenda Item IX: Adjournment of P&Z Meeting. **Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 8:00 P.M.**

Larry Robison, Chairman

DATE:

Michael Stegmeyer, Secretary

DATE:



AGENDA ITEM IX-1
PLANNING AND ZONING COMMISSION
MEMORANDUM

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS AMENDING §154.37 STREETS, AND §161.01 SECTION 1, THOROUGHFARE PLAN OF THE CODE OF ORDINANCES AND MOBILITY 2030 THOROUGHFARE DEFINITIONS; CLARIFYING DEFINITIONS; UPDATING REFERENCES AND PROVIDING FOR AN EFFECTIVE DATE OF THE AMENDMENT AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The City is currently in the process of updating the Thoroughfare Plan, Mobility 2030, and the Comprehensive Plan. The Planning and Zoning Commission (P&Z) held workshops in beginning in January of 2022 to discuss and receive input on these topics. The P&Z decided to update the above mentioned plans over the next year in sections. The first section focused on is definitions for roadways and was approved by City Council on September 13, 2022.

The second section focuses on revisions to specific code sections in order to provide clarity between the code and requirements in the Thoroughfare Plan, Mobility 2030, and the Comprehensive Plan. The P&Z reviewed the City's existing code of ordinances and plans and also compared them to those within our region and municipalities of similar size. As proposed, the ordinance amendment will offer consistency between multiple city documents to ensure consistent standards are being used.

RECOMMENDATION:

Staff recommends approval of this request based on the following:

1. The proposed changes provide clarity and conformity with the current Comprehensive Plan, Thoroughfare Plan, Mobility 2030 and general industry standards & practices.
2. The proposed changes do not have an adverse impact on general land uses and zoning districts.
3. The proposed changes do not pose an adverse impact to the public health, safety, or general welfare.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to **Approve / Disapprove** an amendment to §154.37 Streets, and §161.01 Section 1, Thoroughfare Plan of the code of ordinances and Mobility 2030 Thoroughfare Definitions; clarifying definitions; updating references and providing for an effective date of the amendment, based upon staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Amending Ordinances
2. Current Ordinances

ORDINANCE NO. 2022-

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS AMENDING §154.37 STREETS, AND §161.01 SECTION 1, THOROUGHFARE PLAN OF THE CODE OF ORDINANCES AND MOBILITY 2030 THOROUGHFARE DEFINITIONS; CLARIFYING DEFINITIONS; UPDATING REFERENCES AND PROVIDING FOR AN EFFECTIVE DATE OF THE AMENDMENT.

WHEREAS, the City Council (“*Council*”) of the City of Harker Heights (“*City*”) finds that it is necessary and desirable to amend the Code of Harker Heights (“*Code*”) as hereinafter provided in order to provide for clarification of roadway classifications and design requirements; and

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

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

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

SECTION 2: SUBDIVISION REGULATIONS §154.01 Definitions, §154.37 Streets, and §161.01 Section 1, Thoroughfare Plan of the Code of Ordinances of the City of Harker Heights is hereby amended to read as follows:

§ 154.37 STREETS.

(A) Street layout

(1) Thoroughfare Plan. Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as minor or major collectors as determined by the Public Works Director.

...

(C) Street classification. All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows:

(1) Rural Roads. Rural roads shall have a roadway surface that is 36 feet in width (measured between the outside edges of ribbon curb), with a minimum 60 feet of right-of-way. Rural roads may have bar ditch(es). The Public Works Director may approve a right-of-way width of 50 feet if a 15-foot wide utility easement is provided for public water and sewer facilities. Ribbon Curbs may be allowed in limited cases with the approval of the Public Works Director when sheet flow off of the street is preferred to concentrated discharge.

- (2) Residential or Local streets. Residential streets shall have a roadway surface that is 36 feet in width (back-of-curb to back-of-curb), with a minimum 60 feet of right-of-way. Where entrances to subdivisions are not part of a collector street, they shall be a minimum of 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection. Residential streets shall have 5-foot to 6-foot wide Residential Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (3) Minor Collectors. Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from Residential streets and to channel this traffic to the major collectors or an Arterial. These are limited access roads on which residential lots may have driveway access. Minor Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (4) Major Collectors. Major Collectors shall have a roadway surface that is 48 feet in width (back-of-curb to back-of-curb), with a minimum of 80 feet of right-of-way. These streets are generally located along borders of subdivisions and within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may have driveway access. Major Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities on both sides of the roadway as indicated in the adopted Sidewalk Plan. Minor Arterials. Minor Arterials shall have a roadway surface between 60 and 80 feet in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 90 and 110 feet, depending on the design requirements as determined by the city or TXDOT. These are limited access roads on which no residential lots may have driveway access.
- (5) Minor Arterials shall have 6-foot to 10-foot wide Promenade Sidewalks and amenities on both sides of roadway as indicated in the adopted Sidewalk Plan. Major Arterials.
- (6) Major Arterials shall have a roadway surface between 60 and 80 feet in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 110 and 120 feet, depending on the design requirements as determined by the city and TXDOT. Major Arterials shall have 6-foot to 10-foot wide Connector or Promenade Sidewalks and amenities as indicated in the adopted Sidewalk Plan.

...

- (D) Miscellaneous street requirements.

...

- (6) Non-cul-de-sac designed dead-end streets. Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage

concerns and street integrity. Temporary turnarounds are required if the dead-end street exceeds 150 feet in length.

- (7) Cul-des-sac design. For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum required radius of 50 feet from the face of curb to the center of the cul-de-sac with a minimum 124-foot right-of-way. The right-of-way shall extend a minimum of 12 feet behind the back of curb. The placement section shall meet fire code requirements.

...

(F) Construction standards.

- (1) Design. Pavement section design shall be accomplished by a Texas registered professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of “Standard Specifications for Public Works Construction”.

...

§ 161.01 SECTION 1, THOROUGHFARE PLAN.

The Thoroughfare Plan last revised October 11, 2022, is hereby adopted by reference as though fully copied herein, and shall apply to all property under the jurisdiction of the city.

SECTION 3: All ordinances or parts of ordinances in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed.

SECTION 4: All regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this Ordinance, acting for the City in the discharge of official duties, shall not thereby become personally liable, and is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of said duties.

SECTION 5: The change in the law made by this Ordinance applies only to an offense committed on or after the effective date of this Ordinance. For purposes of this section, an offense is committed on or after the effective date of this Ordinance if every element of the offense occurs on or after that date.

SECTION 6: An offense committed before the effective date of this Ordinance is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 7: 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 of approval as required by law.

PASSED AND APPROVED by the City Council of the City of Harker Heights on **October 11, 2022.**

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

DRAFT

§ 154.37 STREETS.

(A) Street layout.

- (1) Thoroughfare Plan. Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as minor or major collectors as determined by the Public Works Director.
- (2) Consistency with existing streets. The arrangement, character, extent, width, grade and location of each proposed street shall be consistent with streets in the immediate area. However, new streets must meet the minimum current standards. Consideration shall be made for topographical conditions, public safety, convenience and the proposed use of land to be served by such streets.
- (3) Entrances to subdivisions. In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:
 - (a) Traffic circulation and emergency vehicle access;
 - (b) Traffic and pedestrian safety with due consideration given to school bus routes; and
 - (c) Topography and visibility distances.
- (4) Residential streets. Internal local streets shall be laid out so as to discourage then-use by through traffic when possible.
- (5) Secondary access streets. Where a subdivision has frontage on an arterial street, the city may require a secondary access street to facilitate the sharing of curb cuts and/or to separate access to lots from through traffic.
- (6) Projection of streets. Where adjoining areas are not subdivided, the developer shall design and construct abutting short stub-outs or temporary turnarounds for the projection of streets at proper block intervals into such unsubdivided areas.
- (7) Inadequate or substandard streets. Inadequate or substandard existing streets and other infrastructure shall be upgraded to city standards by the developer, including dedication of an additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate an additional right-

of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(B) Street design standards.

- (1) Street design. Street design shall be in accordance with the city's standards and specifications.
- (2) Curbs and gutters. The developer shall install curbs and gutters on all new streets except as provided in § 154.45, unless required in special situations determined by the city.
- (3) Curb cuts. Restrictions to location, design, size and/or number of curb cuts are as required in the Zoning Code.
- (4) Pavement standards. Streets shall be paved in accordance with city standards. The city may require increased right-of-way or pavement widths if traffic impacts of the proposed development or conditions in the area merit such changes.

(C) Street classification. All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows:

- (1) Rural Roads. Rural roads shall have a roadway surface that is 36 feet in width (measured between the outside edges of ribbon curb), with a minimum 60 feet of right-of-way. Rural roads may have bar ditch(es). The Public Works Director may approve a right-of-way width of 50 feet if a 15-foot wide utility easement is provided for public water and sewer facilities. Ribbon Curbs may be allowed in limited cases with the approval of the Public Works Director when sheet flow off of the street is preferred to concentrated discharge.
- (2) Residential or Local streets. Residential streets shall have a roadway surface that is 36 feet in width (back-of-curb to back-of-curb), with a minimum 60 feet of right-of-way. Where entrances to subdivisions are not part of a collector street, they shall be a minimum of 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection. Residential streets shall have 5-foot to 6-foot wide Residential Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (3) Minor Collectors. Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from Residential streets and to channel this traffic to the major collectors or an Arterial. These are limited access roads on which residential lots may have driveway access. Minor Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (4) Major Collectors. Major Collectors shall have a roadway surface that is 48 feet in width (back-of-curb to back-of-curb), with a minimum of 80 feet of right-of-way. These streets are generally located along borders of subdivisions and

within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may have driveway access. Major Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities on both sides of the roadway as indicated in the adopted Sidewalk Plan. Minor Arterials. Minor Arterials shall have a roadway surface between 60 and 80 feet in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 90 and 110 feet, depending on the design requirements as determined by the city or TXDOT. These are limited access roads on which no residential lots may have driveway access.

- (5) Minor Arterials shall have 6-foot to 10-foot wide Promenade Sidewalks and amenities on both sides of roadway as indicated in the adopted Sidewalk Plan. Major Arterials.
 - (6) Major Arterials shall have a roadway surface between 60 and 80 feet in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 110 and 120 feet, depending on the design requirements as determined by the city and TXDOT. Major Arterials shall have 6-foot to 10-foot wide Connector or Promenade Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (D) Miscellaneous street requirements.
- (1) Property abutting arterials. Where a subdivision abuts or contains an existing or proposed arterial, the Planning and Zoning Commission may require access streets, reverse frontage with a screening buffer containing a non-access easement along the rear property line, deep lots with rear service alleys or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
 - (2) Property abutting railroads. Where a subdivision abuts or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require a street approximately parallel to and on the side of such right-of-way.
 - (3) Reserve strips. Reserve strips controlling access to streets shall be prohibited except where their control is dedicated to the city, under conditions approved by the Planning and Zoning Commission.
 - (4) Street jogs. Street jogs with centerline off-sets of less than 125 feet shall be avoided.
 - (5) Street intersections. Streets shall be laid out so as to intersect at right angles, or as nearly as possible to 90 degrees. Six foot concrete valley gutters are required at street intersections where cross drainage will occur.
 - (6) Non-cul-de-sac designed dead-end streets. Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage

concerns and street integrity. Temporary turnarounds are required if the dead-end street exceeds 150 feet in length.

- (7) Cul-des-sac design. For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum required radius of 50 feet from the face of curb to the center of the cul-de-sac with a minimum 124-foot right-of-way. The right-of-way shall extend a minimum of 12 feet behind the back of curb. The placement section shall meet fire code requirements.
- (8) Street names. No street names shall be used which will duplicate or be confused with names of existing streets. Street extensions shall use the existing street names. Street names shall be subject to the approval of the Planning and Zoning Commission.
- (9) Street signs. The city, at the developer's expense, shall install all street signs. The developer shall be charged for the cost of materials only.

(E) Alleys.

- (1) Alleys shall generally be parallel to the street.
- (2) Alley intersections and sharp changes in alignment shall be avoided. Where two alleys intersect, or where an alley turns, additional width may be required to allow for the turning of vehicles or guying of utility poles.
- (3) Easements may be required on either side of the alley or alleys for utility placement.
- (4) The width of an alley shall not be less than 20 feet.
- (5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the terminus, as determined by the Planning and Zoning Commission.
- (6) Alleys shall paved in the same manner as streets.

(F) Construction standards.

- (1) Design. Pavement section design shall be accomplished by a Texas registered professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of "Standard Specifications for Public Works Construction".
- (2) Street surfaces. All street wearing surfaces shall consist of concrete or hot mixed asphaltic concrete (HMAC) laid over a base course of crushed stone which has been designed, and compacted in accordance with city standards and requirements.
- (3) Curb and gutter. All curb and gutter, integral curbs, valley gutters, driveway approaches, drainage structures and the like shall be constructed of Class "A" (3,600 PSI) Portland Cement Concrete per city standards.

§ 154.37 STREETS.

(A) Street layout.

- (1) Thoroughfare ~~P~~lan. Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as minor or major collectors as determined by the Public Works Director.
- (2) Consistency with existing streets. The arrangement, character, extent, width, grade and location of each proposed street shall be consistent with streets in the immediate area. However, new streets must meet the minimum current standards. Consideration shall be made for topographical conditions, public safety, convenience and the proposed use of land to be served by such streets.
- (3) Entrances to subdivisions. In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:
 - (a) Traffic circulation and emergency vehicle access;
 - (b) Traffic and pedestrian safety with due consideration given to school bus routes; and
 - (c) Topography and visibility distances.
- (4) Residential streets. Internal local streets shall be laid out so as to discourage then-use by through traffic when possible.
- (5) Secondary access streets. Where a subdivision has frontage on an arterial street, the city may require a secondary access street to facilitate the sharing of curb cuts and/or to separate access to lots from through traffic.
- (6) Projection of streets. Where adjoining areas are not subdivided, the developer shall design and construct abutting short stub-outs or temporary turnarounds for the projection of streets at proper block intervals into such unsubdivided areas.
- (7) Inadequate or substandard streets. Inadequate or substandard existing streets and other infrastructure shall be upgraded to city standards by the developer, including dedication of an additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate an additional right-

of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(B) Street design standards.

- (1) Street design. Street design shall be in accordance with the city's standards and specifications.
- (2) Curbs and gutters. The developer shall install curbs and gutters on all new streets except as provided in § 154.45, unless required in special situations determined by the city.
- (3) Curb cuts. Restrictions to location, design, size and/or number of curb cuts are as required in the Zoning Code.
- (4) Pavement standards. Streets shall be paved in accordance with city standards. The city may require increased right-of-way or pavement widths if traffic impacts of the proposed development or conditions in the area merit such changes.

(C) Street classification. All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows:-

- (1) Rural Roads. Rural roads shall have a roadway surface that is 36 feet in width (measured between the outside edges of ribbon curb), with a minimum 60 feet of right-of-way. Rural roads may have bar ditch(es). The Public Works Director may approve a right-of-way width of 50 feet if a 15-foot wide utility easement is provided for public water and sewer facilities. Ribbon Curbs may be allowed in limited cases with the approval of the Public Works Director when sheet flow off of the street is preferred to concentrated discharge.
- (2) ~~(1)~~ Residential or Local streets. Residential streets shall have a roadway surface that is 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. They carry low traffic volumes. Where entrances to subdivisions are not part of a collector street, they shall be a minimum of 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection. Residential streets shall have 5-foot to 6-foot wide Residential Sidewalks and amenities as indicated in the adopted Sidewalk Plan.
- (3) ~~(2)~~ Minor Collectors. Minor collectors shall have a roadway surface that is 42 feet wide in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from minor (Residential) streets and to channel this traffic to the major collectors or an Arterial. These are limited access roads on which residential lots may have driveway access. Residential lots may front on these streets. Minor Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities as indicated in the adopted Sidewalk Plan. Major collectors.

- (4) Major Collectors. ~~(3)~~ Major Collectors shall have a roadway surface that is ~~be~~ 48 feet wide in width (back-of-curb to back-of-curb), with a minimum of 80 feet of right-of-way. These streets are generally located along borders of neighborhood subdivisions and within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may ~~front (i.e., no driveways shall be allowed) unless there is no other reasonable and safe access to the lot~~ have driveway access. Major Collectors shall have 6-foot to 8-foot wide Connector Sidewalks and amenities on both sides of the roadway as indicated in the adopted Sidewalk Plan. Minor Arterials. Minor Arterials shall have a roadway surface ~~be~~ between 60 and 80 feet wide in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 90 and ~~120~~ 110 feet, depending on the design requirements as determined by the city or TXDOT. ~~These are high volume streets with five or more lanes.~~ These are limited access roads on which no residential lots may ~~front~~ have driveway access.
- (5) ~~(4)~~ Minor Arterials shall have 6-foot to 10-foot wide Promenade Sidewalks and amenities on both sides of roadway as indicated in the adopted Sidewalk Plan. Major Arterials.
- (6) Major Arterials shall have a roadway surface between 60 and 80 feet in width (back of curb to back of curb), depending on the needs and the design as determined by the city or TXDOT. The right-of-way shall be between 110 and 120 feet, depending on the design requirements as determined by the city and TXDOT. Major Arterials shall have 6-foot to 10-foot wide Connector or Promenade Sidewalks and amenities as indicated in the adopted Sidewalk Plan.

(D) Miscellaneous street requirements.

- (1) Property abutting arterials. Where a subdivision abuts or contains an existing or proposed arterial, the Planning and Zoning Commission may require access streets, reverse frontage with a screening buffer containing a non-access easement along the rear property line, deep lots with rear service alleys or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
- (2) Property abutting railroads. Where a subdivision abuts or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require a street approximately parallel to and on the side of such right-of-way.
- (3) Reserve strips. Reserve strips controlling access to streets shall be prohibited except where their control is dedicated to the city, under conditions approved by the Planning and Zoning Commission.
- (4) Street jogs. Street jogs with centerline off-sets of less than 125 feet shall be avoided.
- (5) Street intersections. Streets shall be laid out so as to intersect at right angles, or as nearly as possible to 90 degrees. Six foot concrete valley gutters are required at street intersections where cross drainage will occur.

- (6) Non-cul-de-sac designed dead-end streets. Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage concerns and street integrity. Temporary turnarounds are required if they-the dead-end street exceeds 150 feet in length.
 - (7) Cul-des-sac design. For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum required radius of ~~38-50~~ feet ~~back-off from the face of~~ curb to ~~back-of-curb~~ the center of the cul-de-sac with ~~a 50-foot~~ a minimum 124-foot right-of-way. The right-of-way shall extend a minimum of 12 feet behind the back of curb. The placement section shall meet fire code requirements.~~required.~~
 - (8) Street names. No street names shall be used which will duplicate or be confused with names of existing streets. Street extensions shall use the existing street names. Street names shall be subject to the approval of the Planning and Zoning Commission.
 - (9) Street signs. The city, at the developer's expense, shall install all street signs. The developer shall be charged for the cost of materials only.
- (E) Alleys.
- (1) Alleys shall generally be parallel to the street.
 - (2) Alley intersections and sharp changes in alignment shall be avoided. Where two alleys intersect, or where an alley turns, additional width may be required to allow for the turning of vehicles or guying of utility poles.
 - (3) Easements may be required on either side of the alley or alleys for utility placement.
 - (4) The width of an alley shall not be less than 20 feet.
 - (5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the terminus, as determined by the Planning and Zoning Commission.
 - (6) Alleys shall paved in the same manner as streets.
- (F) Construction standards.
- (1) Design. Pavement section design shall be accomplished by a Texas registered professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of "Standard Specifications for Public Works Construction".
 - (2) Street surfaces. All street wearing surfaces shall consist of concrete or hot mixed asphaltic concrete (HMAC) laid over a base course of crushed stone which has been designed, and compacted in accordance with city standards and requirements.

- (3) Curb and gutter. All curb and gutter, integral curbs, valley gutters, driveway approaches, drainage structures and the like shall be constructed of Class "A" (3,600 PSI) Portland Cement Concrete per city standards.

§ 161.01 SECTION 1, THOROUGHFARE PLAN.

The Thoroughfare Plan last revised October 11, 2022, is hereby adopted by reference as though fully copied herein, and shall apply to all property under the jurisdiction of the city.

§ 161.01 SECTION 1, THOROUGHFARE PLAN.

The Thoroughfare Plan last revised ~~May 20, 2014~~October 11, 2022, is hereby adopted by reference as though fully copied herein, and shall apply to all property under the jurisdiction of the city.

Definitions

Major Collector – Street designed to distribute traffic between more principal traffic routes and residential streets within the neighborhood. Collectors often support cycling and pedestrians in the absence of sidewalks and trails, and must balance the need to move automobile traffic with maintaining and enhancing neighborhood character and the public realm. Classification of a Minor Collectors will be per designation by the Director of Public Works.

Context Sensitive Design Manual – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach is a design guide published by ITE, FHWA, and CNU. It is adopted by TxDOT as a preferred design manual due to the focuses on meeting the needs of stakeholders and users; preservation of scenic, aesthetic, historic, and environmental resources; safety, efficiency, capacity, and maintenance; and integration of the values and objectives of compatibility, livability, sense of place, urban design, and environmental impacts into public investment.

Critical Intersection – The confluence of several travel modes into an area where public safety is the primary concern. Pedestrians, cyclists, transit users and automobiles must share this space and designs must accommodate safety enhancements for all users.

Design Speed – A selected speed used to determine the various geometric design features of the roadway and is used explicitly for determining minimum values for highway design such as horizontal curve radius and sight distance.

Green Book – A Policy on Geometric Design of Highways and Streets is a design guide published by AASHTO. The Green Book is the dominant reference publication for geometric design in the U.S. and its application involves selecting a "design speed." The Green Book recommends that topography, anticipated operating speed, adjacent land use, and functional classification be considered, and as high a design speed as practical be selected.

Minor Arterial – High speed and high volume roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.

Principal Arterial or Major Arterial – High speed and high volume, multiple lane roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.



City of Harker Heights, Texas

Mobility 2030

Definitions

Major Collector – Street designed to distribute traffic between more principal traffic routes and residential streets within the neighborhood. Collectors often support cycling and pedestrians in the absence of sidewalks and trails, and must balance the need to move automobile traffic with maintaining and enhancing neighborhood character and the public realm. **Classification of a Minor Collectors will be per designation by the Director of Public Works.**

Context Sensitive Design Manual – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach is a design guide published by ITE, FHWA, and CNU. It is adopted by TxDOT as a preferred design manual due to the focuses on meeting the needs of stakeholders and users; preservation of scenic, aesthetic, historic, and environmental resources; safety, efficiency, capacity, and maintenance; and integration of the values and objectives of compatibility, livability, sense of place, urban design, and environmental impacts into public investment.

Critical Intersection – The confluence of several travel modes into an area where public safety is the primary concern. Pedestrians, cyclists, transit users and automobiles must share this space and designs must accommodate safety enhancements for all users.

Design Speed – A selected speed used to determine the various geometric design features of the roadway and is used explicitly for determining minimum values for highway design such as horizontal curve radius and sight distance.

Green Book – A Policy on Geometric Design of Highways and Streets is a design guide published by AASHTO. The Green Book is the dominant reference publication for geometric design in the U.S. and its application involves selecting a "design speed." The Green Book recommends that topography, anticipated operating speed, adjacent land use, and functional classification be considered, and as high a design speed as practical be selected.

Minor Arterial – High speed and high volume roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.

Principal Arterial or Major Arterial – High speed and high volume, multiple lane roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.



City of Harker Heights, Texas

Mobility 2030

§ 154.37 STREETS.

(A) *Street layout.*

(1) *Thoroughfare plan.* Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as collectors.

(2) *Consistency with existing streets.* The arrangement, character, extent, width, grade and location of each proposed street shall be consistent with streets in the immediate area. However, new streets must meet the minimum current standards. Consideration shall be made for topographical conditions, public safety, convenience and the proposed use of land to be served by such streets.

(3) *Entrances to subdivisions.* In no case shall platted lots have their sole access through an adjacent jurisdiction. As a rule, new subdivisions must have at least two access streets. Entrances shall be 42 feet wide with a 70-foot right-of-way for a minimum distance of 100 feet from the intersection. A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:

- (a) Traffic circulation and emergency vehicle access;
- (b) Traffic and pedestrian safety with due consideration given to school bus routes; and
- (c) Topography and visibility distances.

(4) *Residential streets.* Internal local streets shall be laid out so as to discourage then-use by through traffic when possible.

(5) *Secondary access streets.* Where a subdivision has frontage on an arterial street, the city may require a secondary access street to facilitate the sharing of curb cuts and/or to separate access to lots from through traffic.

(6) *Projection of streets.* Where adjoining areas are not subdivided, the developer shall design and construct abutting short stub-outs or temporary turnarounds for the projection of streets at proper block intervals into such unsubdivided areas.

(7) *Inadequate or substandard streets.* Inadequate or substandard existing streets and other infrastructure shall be upgraded to city standards by the developer, including dedication of an additional right-of-way if necessary. If development is on one side of such a street, the developer shall dedicate an additional right-of-way if necessary, upgrade the street pavement and associated infrastructure on the side that is being platted. Sidewalks shall be constructed or upgraded (if needed) to city standards by the builder/owner prior to the issuance of a certificate of occupancy.

(B) *Street design standards.*

(1) *Street design.* Street design shall be in accordance with the city's standards and specifications.

(2) *Curbs and gutters.* The developer shall install curbs and gutters on all new streets except as provided in § 154.45, unless required in special situations determined by the city.

(3) *Curb cuts.* Restrictions to location, design, size and/or number of curb cuts are as required in the Zoning Code.

(4) *Pavement standards.* Streets shall be paved in accordance with city standards. The city may require increased right-of-way or pavement widths if traffic impacts of the proposed development or conditions in the area merit such changes.

(C) *Street classification.* All streets within the city shall be located and constructed as shown on the thoroughfare plan and, where not otherwise shown thereon, shall be designed as follows.

(1) *Residential streets.* 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. They carry low traffic volumes. Where entrances to subdivisions are not part of a collector street, they shall be 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection.

(2) *Minor collectors.* Minor collectors shall be 42 feet wide, with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from minor (residential) streets and to channel this traffic to the major collectors. Residential lots may front on these streets.

(3) *Major collectors.* Major collectors shall be 48 feet wide with a minimum of 80 feet of right-of-way. These streets are generally located along borders of neighborhoods and within commercial areas to collect traffic from residential areas and to channel this traffic to the arterial system. These are limited access roads on which no residential lots may front (i.e., no driveways shall be allowed) unless there is no other reasonable and safe access to the lot.

(4) *Arterials.* Arterials shall be between 60 and 80 feet wide, depending on the needs and the design as determined by the city. The right-of-way shall be between 90 and 120 feet, depending on the design requirements as determined by the city. These are high volume streets with five or more lanes. These are limited access roads on which no residential lots may front.

(D) *Miscellaneous street requirements.*

(1) *Property abutting arterials.* Where a subdivision abuts or contains an existing or proposed arterial, the Planning and Zoning Commission may require access streets, reverse frontage with a screening buffer containing a non-access easement along the rear property line, deep lots with rear service alleys or other such treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

(2) *Property abutting railroads.* Where a subdivision abuts or contains a railroad right-of-way or limited access highway right-of-way, the Planning and Zoning Commission may require a street approximately parallel to and on the side of such right-of-way.

(3) *Reserve strips.* Reserve strips controlling access to streets shall be prohibited except where their control is dedicated to the city, under conditions approved by the Planning and Zoning Commission.

(4) *Street jogs.* Street jogs with centerline off-sets of less than 125 feet shall be avoided.

(5) *Street intersections.* Streets shall be laid out so as to intersect at right angles, or as nearly as possible to 90 degrees. Six foot concrete valley gutters are required at street intersections where cross drainage will occur.

(6) *Non-cul-de-sac designed dead-end streets.* Dead-end streets shall be prohibited except for short stub-outs for future roadway extensions. Short stub-out streets may require special terminus treatments for drainage concerns and street integrity. Temporary turnarounds are required if they exceed 150 feet in length.

(7) *Cul-des-sac design.* For subdivisions with lots of less than one acre, cul-de-sac streets shall not exceed 800 feet in length (as measured from the right-of-way line of the intersecting roadway to the center of the turnaround). For single-family subdivisions with lots greater than one acre, the length may not exceed 1,200 feet. All cul-de-sacs shall be provided at the closed end with a turnaround having a minimum radius of 38 feet back of curb to back of curb with a 50 foot right-of-way required.

(8) *Street names.* No street names shall be used which will duplicate or be confused with names of existing streets. Street extensions shall use the existing street names. Street names shall be subject to the approval of the Planning and Zoning Commission.

(9) *Street signs.* The city, at the developer's expense, shall install all street signs. The developer shall be charged for the cost of materials only.

(E) *Alleys.*

(1) Alleys shall generally be parallel to the street.

(2) Alley intersections and sharp changes in alignment shall be avoided. Where two alleys intersect, or where an alley turns, additional width may be required to allow for the turning of vehicles or guying of utility poles.

(3) Easements may be required on either side of the alley or alleys for utility placement.

(4) The width of an alley shall not be less than 20 feet.

(5) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turn-around facilities at the terminus, as determined by the Planning and Zoning Commission.

(6) Alleys shall paved in the same manner as streets.

(F) *Construction standards.*

(1) *Design.* Pavement section design shall be accomplished by a professional engineer and shall be based upon a geo-technical analysis performed by a qualified geo-technical professional. All construction shall conform to Appendix A, Tables I through IV and the following adopted regulations where applicable: § 50.02, Chapter 50 of this Code of Ordinances, adoption of "Standard Specifications for Public Works Construction".

(2) *Street surfaces.* All street wearing surfaces shall consist of concrete or hot mixed asphaltic concrete (HMAC) laid over a base course of crushed stone which has been designed, and compacted in accordance with city standards and requirements.

(3) *Curb and gutter.* All curb and gutter, integral curbs, valley gutters, driveway approaches, drainage structures and the like shall be constructed of Class "A" (3,600 PSI) Portland Cement Concrete per city standards.

(Ord. 2010-08, passed 3-9-10)

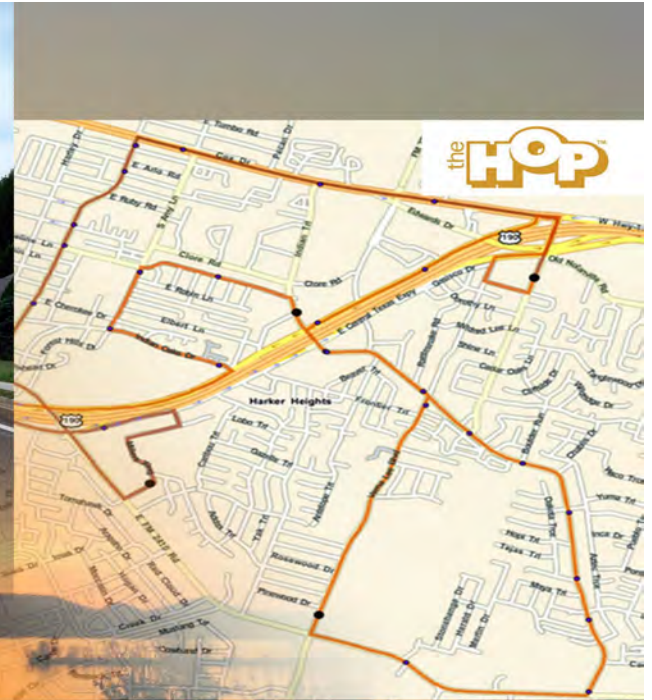
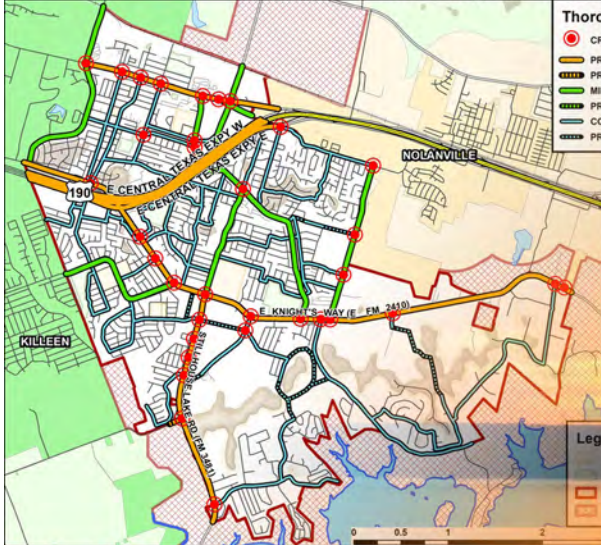
§ 161.01 SECTION 1, THOROUGHFARE PLAN.

The Thoroughfare Plan last revised May 20, 2014, is hereby adopted by reference as though fully copied herein, and shall apply to all property under the jurisdiction of the city.

(Ord. 2014-10, passed 5-27-14)

Map Date: 5/12/2014

City of Harker Heights Thoro



City of Harker Heights, Texas

Mobility 2030

Mayors Letter:

Date: May 28, 2014

To our citizens:

Our City strives to provide transportation opportunities that recognize the diverse nature of our population. Planning for a balanced and functional transportation system is a key element in our plans for growing a successful and sound community. **MOBILITY 2030** lays out the City's plans in relation to transportation.

MOBILITY 2030 is a critical update to the City's 2007 Comprehensive Plan that recognizes and embraces a true multi-modal systems approach to the transportation challenges of the future. This system provides a balanced network of roads, streets, sidewalks, trails, and transit opportunities that link our key residential, recreational, business and educational assets. Those operating motor vehicles, pedestrians, cyclists and persons with mobility challenges are all accommodated with transportation options that will meet their particular needs, challenges, and choices.

The definitions and standards contained within this document will guide decision making for years to come and they supersede and override any and all conflicting regulations. **MOBILITY 2030** will help ensure that the transportation needs of current and future generations of citizens are met.

Respectfully submitted,



Rob Robinson, Mayor
City of Harker Heights, Texas



City of Harker Heights, Texas

Mobility 2030

TABLE OF CONTENTS

I. Thoroughfare Plan	1
A. Definitions	2
B. Thoroughfare Plan Policy Statement and Use	4
C. Thoroughfare Plan Maps	5
1. City of Harker Heights Thoroughfare Plan	5
2. Interactions with Regional Thoroughfare Plans	6
3. City of Harker Heights Thoroughfare Plan - North	7
4. City of Harker Heights Thoroughfare Plan - Central	8
5. City of Harker Heights Thoroughfare Plan - West	9
6. City of Harker Heights Thoroughfare Plan - South	10
7. City of Harker Heights Thoroughfare Plan - East	11
II. Sidewalk Plan	12
A. Introduction	13
1. Existing Sidewalk Network Map	14
B. Definitions	15
C. New Sidewalk Installation and Classification	16
1. Table One - Sidewalk Classification Summary	16
2. Sidewalk Plan Map	17
D. Sidewalk Construction Details	18
III. Off-Street Hike and Bike Trail Network Plan	
IV. On-Street Striping Plan for Biking and Pedestrians	
V. Transit Planning	



City of Harker Heights, Texas

Mobility 2030

Section I

Thoroughfare Plan



City of Harker Heights, Texas

Mobility 2030

Definitions

Collector – Street designed to distribute traffic between more principal traffic routes and residential streets within the neighborhood. Collectors often support cycling and pedestrians in the absence of sidewalks and trails, and must balance the need to move automobile traffic with maintaining and enhancing neighborhood character and the public realm.

Context Sensitive Design Manual – Designing Walkable Urban Thoroughfares: A Context Sensitive Approach is a design guide published by ITE, FHWA, and CNU. It is adopted by TxDOT as a preferred design manual due to the focuses on meeting the needs of stakeholders and users; preservation of scenic, aesthetic, historic, and environmental resources; safety, efficiency, capacity, and maintenance; and integration of the values and objectives of compatibility, livability, sense of place, urban design, and environmental impacts into public investment.

Critical Intersection – The confluence of several travel modes into an area where public safety is the primary concern. Pedestrians, cyclists, transit users and automobiles must share this space and designs must accommodate safety enhancements for all users.

Design Speed – A selected speed used to determine the various geometric design features of the roadway and is used explicitly for determining minimum values for highway design such as horizontal curve radius and sight distance.

Green Book – A Policy on Geometric Design of Highways and Streets is a design guide published by AASHTO. The Green Book is the dominant reference publication for geometric design in the U.S. and its application involves selecting a "design speed." The Green Book recommends that topography, anticipated operating speed, adjacent land use, and functional classification be considered, and as high a design speed as practical be selected.

Minor Arterial – High speed and high volume roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.

Principal Arterial – High speed and high volume, multiple lane roads that move traffic between activity nodes. They are limited access roads with no single or two-family direct access. Movement and speed are the primary function.



Definitions (Continued)

Residential Street – A low speed, low volume street that supports neighborhood integrity by simultaneously providing for vehicular movement, social contacts, and civic activities within a neighborhood unit.

Road – A transportation facility designed to provide speed and efficiency of movement between places; any reduction in the speed and efficiency devalues that facility. Roads connect places: they get you from a-to-b. They have minimum distractions on the side, infrequent intersections, and are wide enough for course corrections at speed.

Street – Shared multimodal transportation spaces containing intersections with crosswalks; sidewalks which provide access to property, homes, and businesses; pedestrians and cyclists; and parking and transit. Streets facilitate mixed activities such as vehicles pulling over to park, vehicles entering and emerging from side-streets, pedestrians and cyclists moving along or crossing the streets, and buses stopping and starting. Maximum street speed should be 20 – 25 mph with lane widths of 10 feet.

Target Speed – A design principal where the geometrics are specifically applied so that a maximum speed is limited to an acceptable range that is dependent on the context.



Policy Statement

The Thoroughfare Plan is referenced in the Harker Heights Code of Ordinances throughout the street layout section of the Subdivision Code. The street layout section opens with §154.37(A)(1), which states:

(1) Thoroughfare plan. Proposed streets must be in conformance with the city thoroughfare plan. All arterial and collector street locations, alignments, right-of-way widths, pavement widths and cross-sections shall be in accordance with the adopted plans and standards. Streets that are not on the thoroughfare plan and are proposed to collect traffic from residential streets shall be designed and constructed as collectors.

This section gives the City the authority to require all proposed street layouts for future subdivisions to follow the Thoroughfare Plan. Further, this section requires proposed streets whose function appears to be a collector to be designed and constructed as a collector, meeting all requirements set forth in the Thoroughfare Plan.

Use of the Thoroughfare Plan

The Thoroughfare Plan establishes a long-range guide for the location and function of roads and streets. It recognizes the basic functions of roads, such as Arterials, as moving traffic quickly between activity centers. Movement, capacity, and speed are the driving influence in road design.

Streets, such as Collectors, function as conduits that gather or collect users from low speed, low volume areas and move them to other higher volume and higher speed facilities. Collectors must be designed within specific parameters so that safety and cost are the principal consideration.

Streets are also recognized as public investments that capture value from development, aesthetics, and social interaction. The inclusion of sidewalk and trail networks, lighting, landscape plantings, transit options, and other enhancements ensure that a full contingent of uses and users benefit from the street. Properly designed streets become activity areas that support human interaction, vehicular travelers, pedestrians, and cyclists.

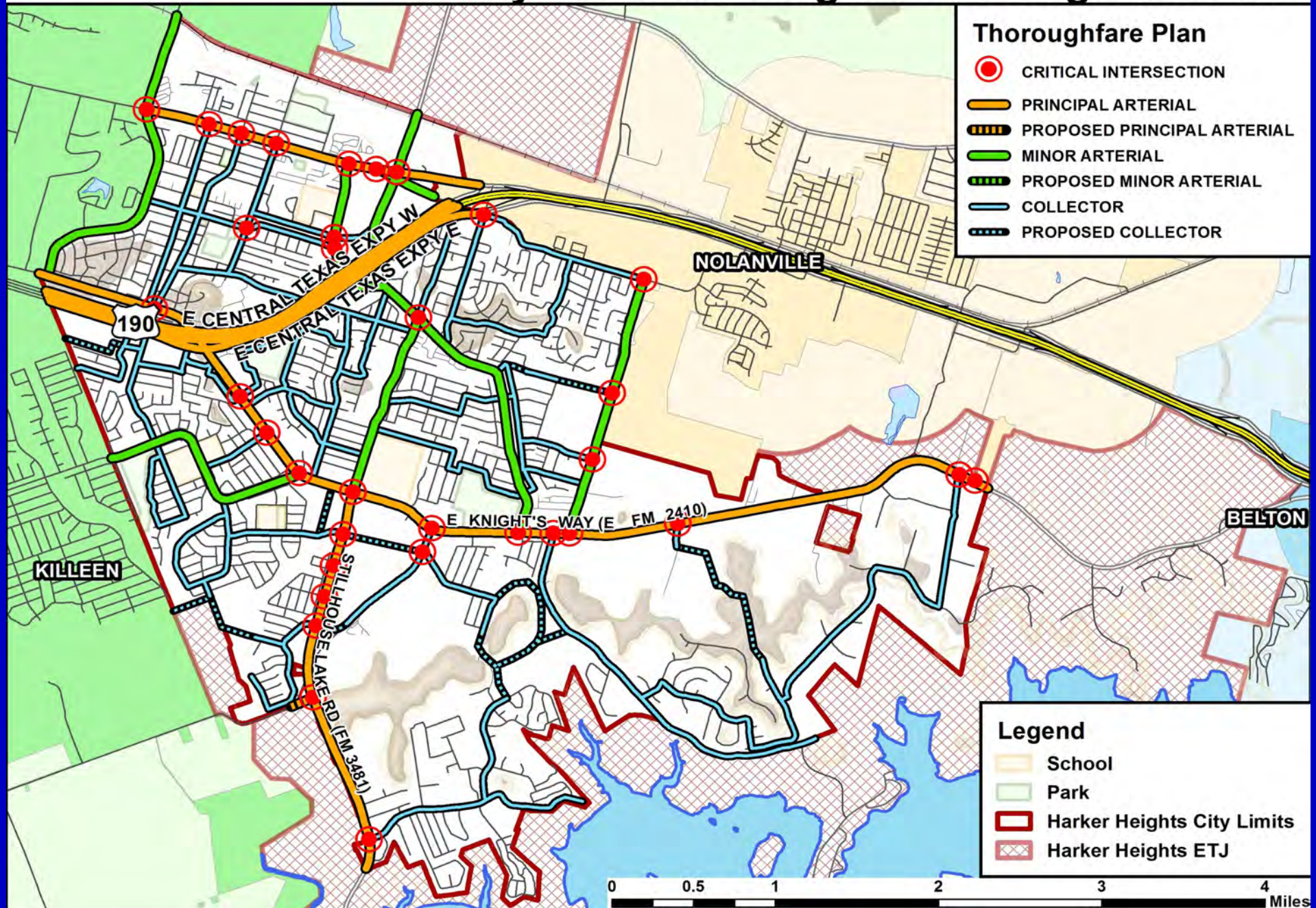
By recognizing basic functions and context sensitive design considerations, and by applying these ideals to new construction as well as to the rehabilitation of older streets and roads, these public facilities begin to serve a full range of users and modes of transportation.



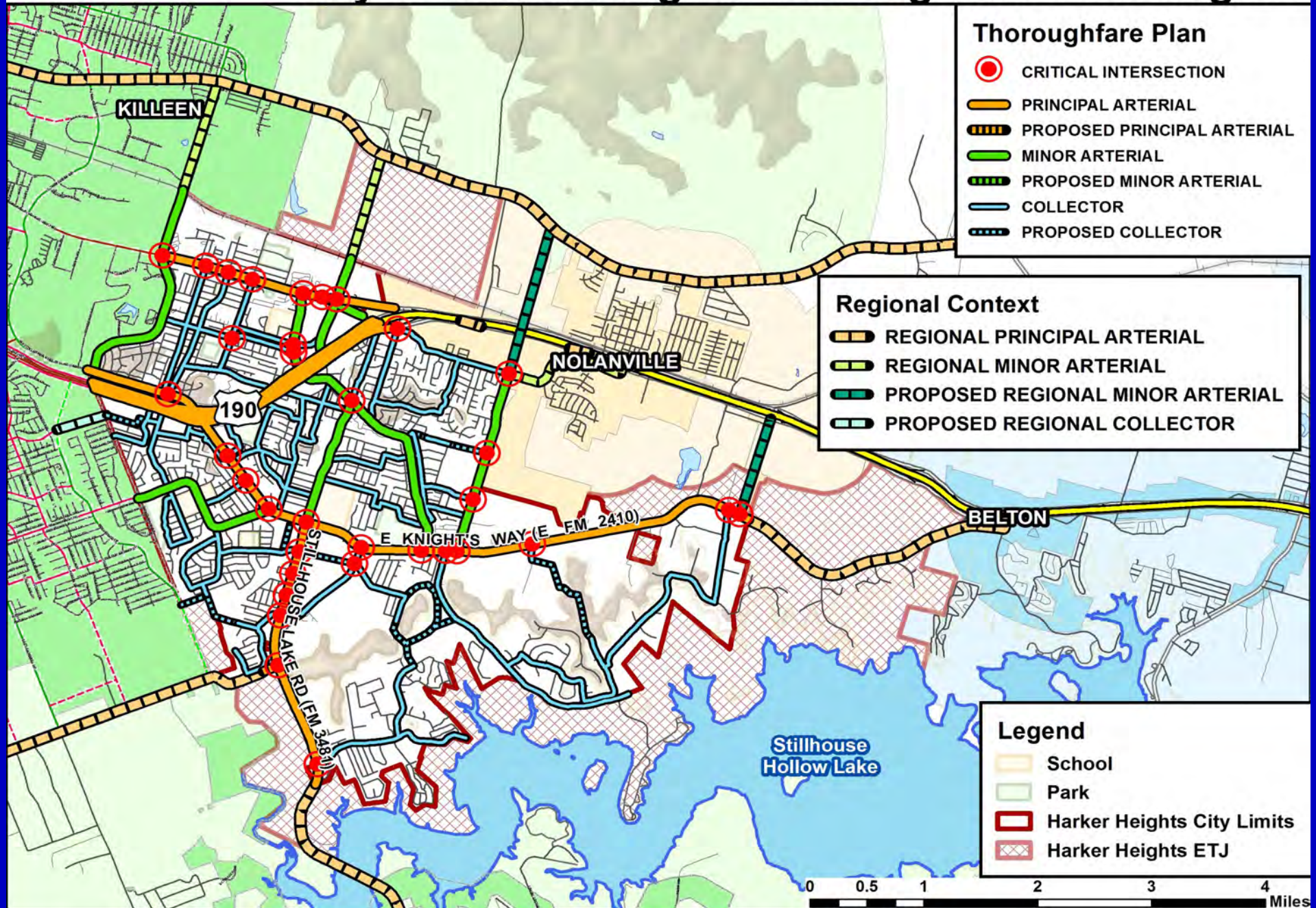
City of Harker Heights, Texas

Mobility 2030

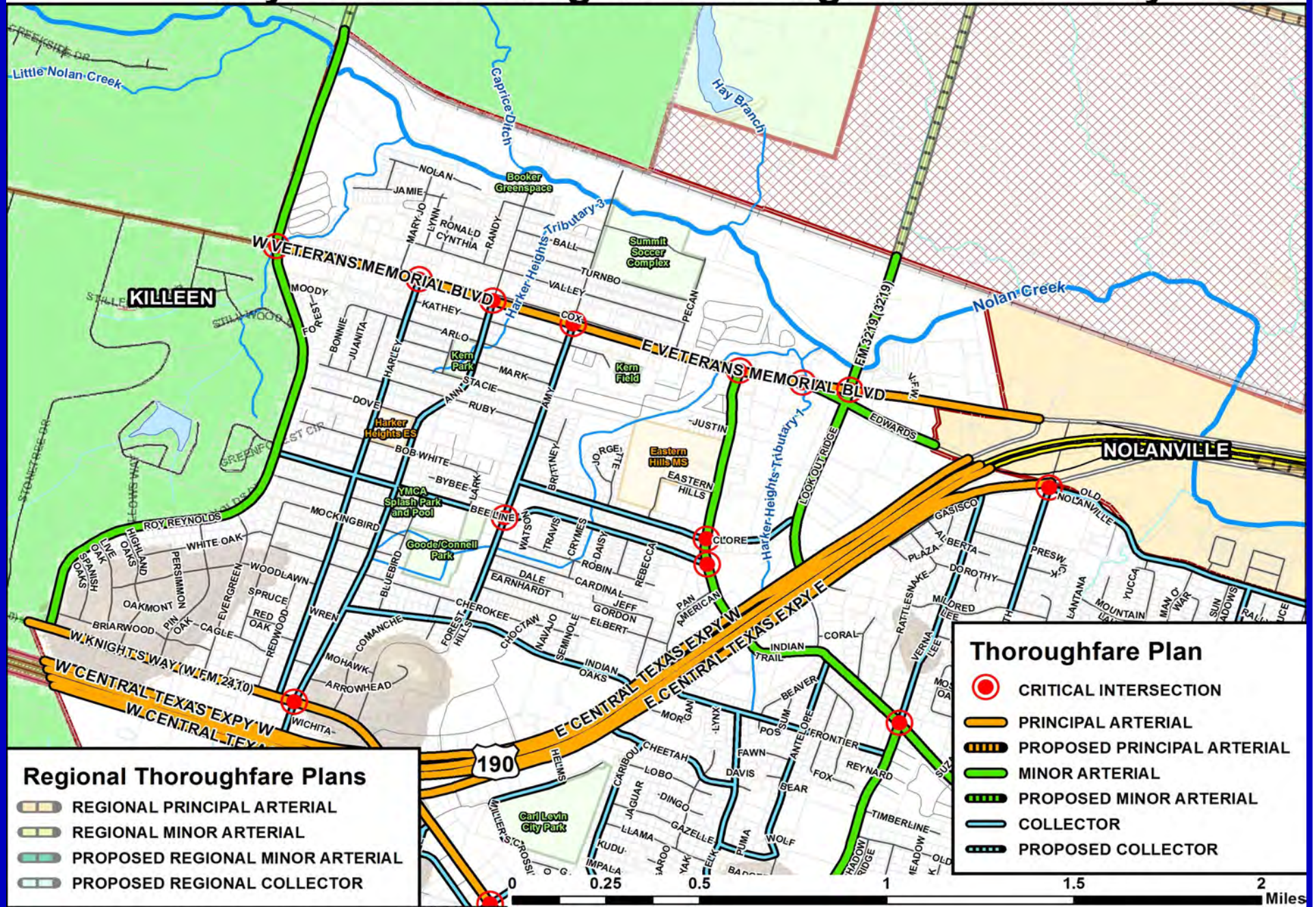
City of Harker Heights Thoroughfare Plan



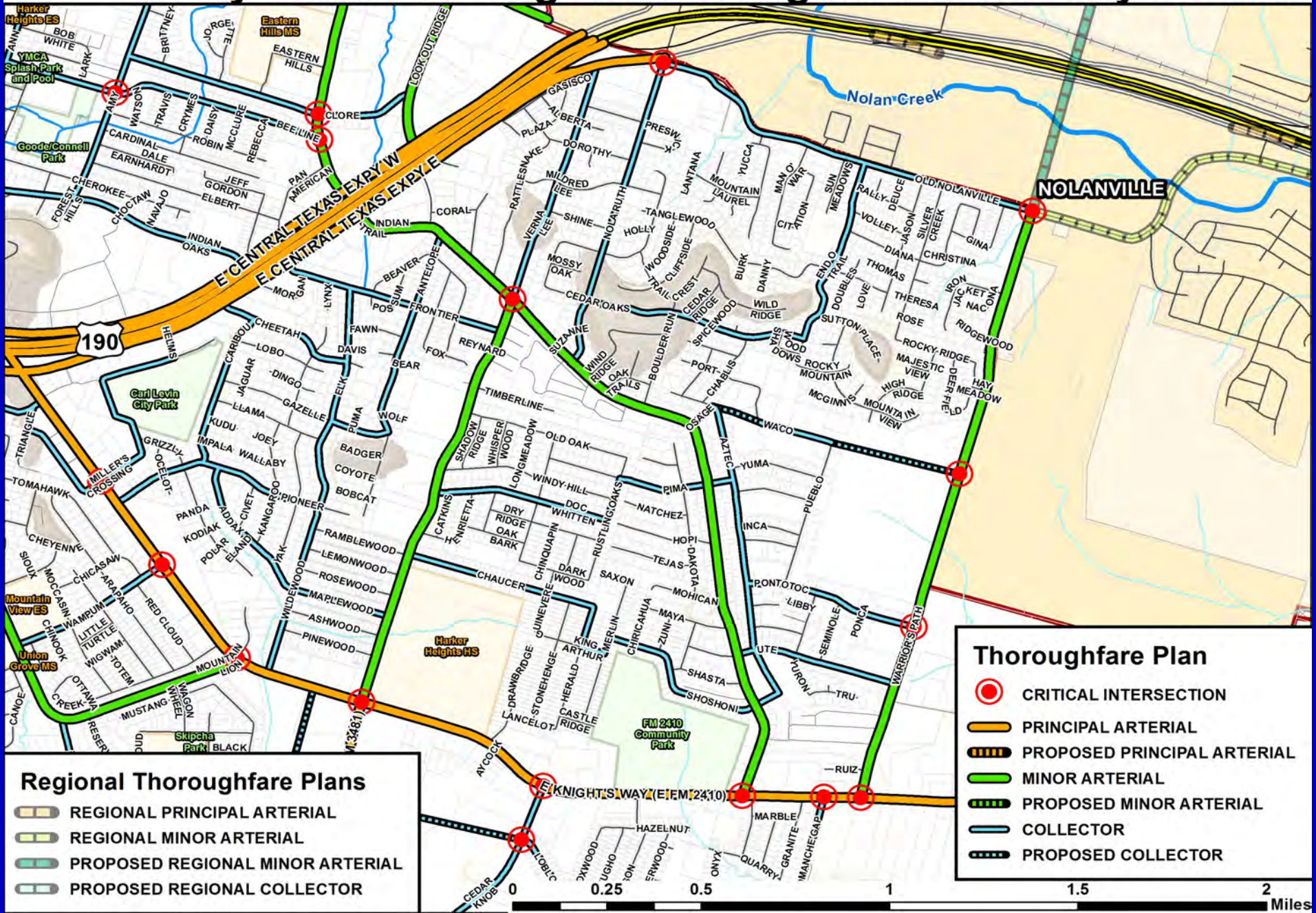
City of Harker Heights Thoroughfare Plan Region



City of Harker Heights Thoroughfare Plan - City North



City of Harker Heights Thoroughfare Plan - City Central



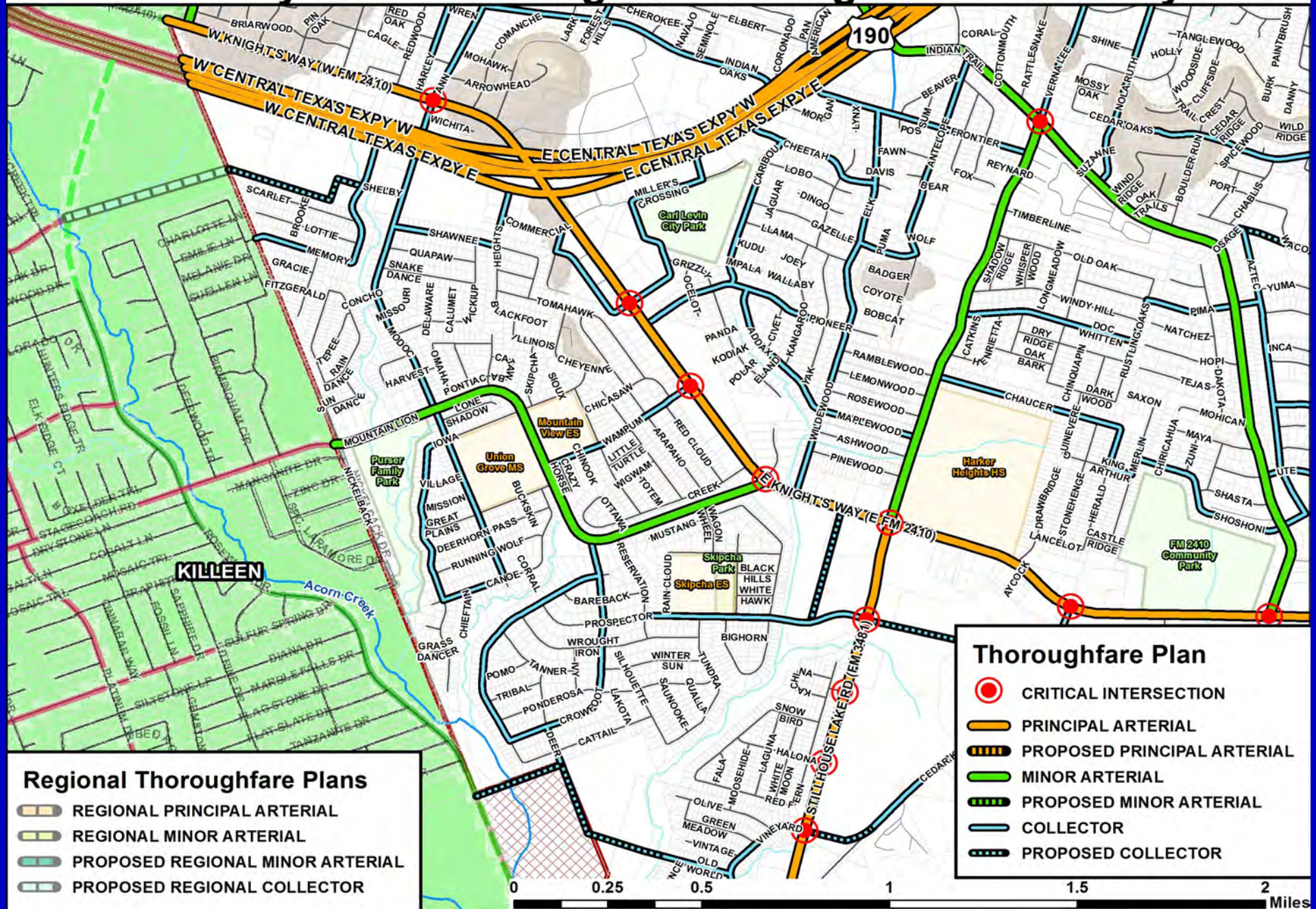
Regional Thoroughfare Plans

- REGIONAL PRINCIPAL ARTERIAL
- REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL COLLECTOR

Thoroughfare Plan

- CRITICAL INTERSECTION
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

City of Harker Heights Thoroughfare Plan - City West



Regional Thoroughfare Plans

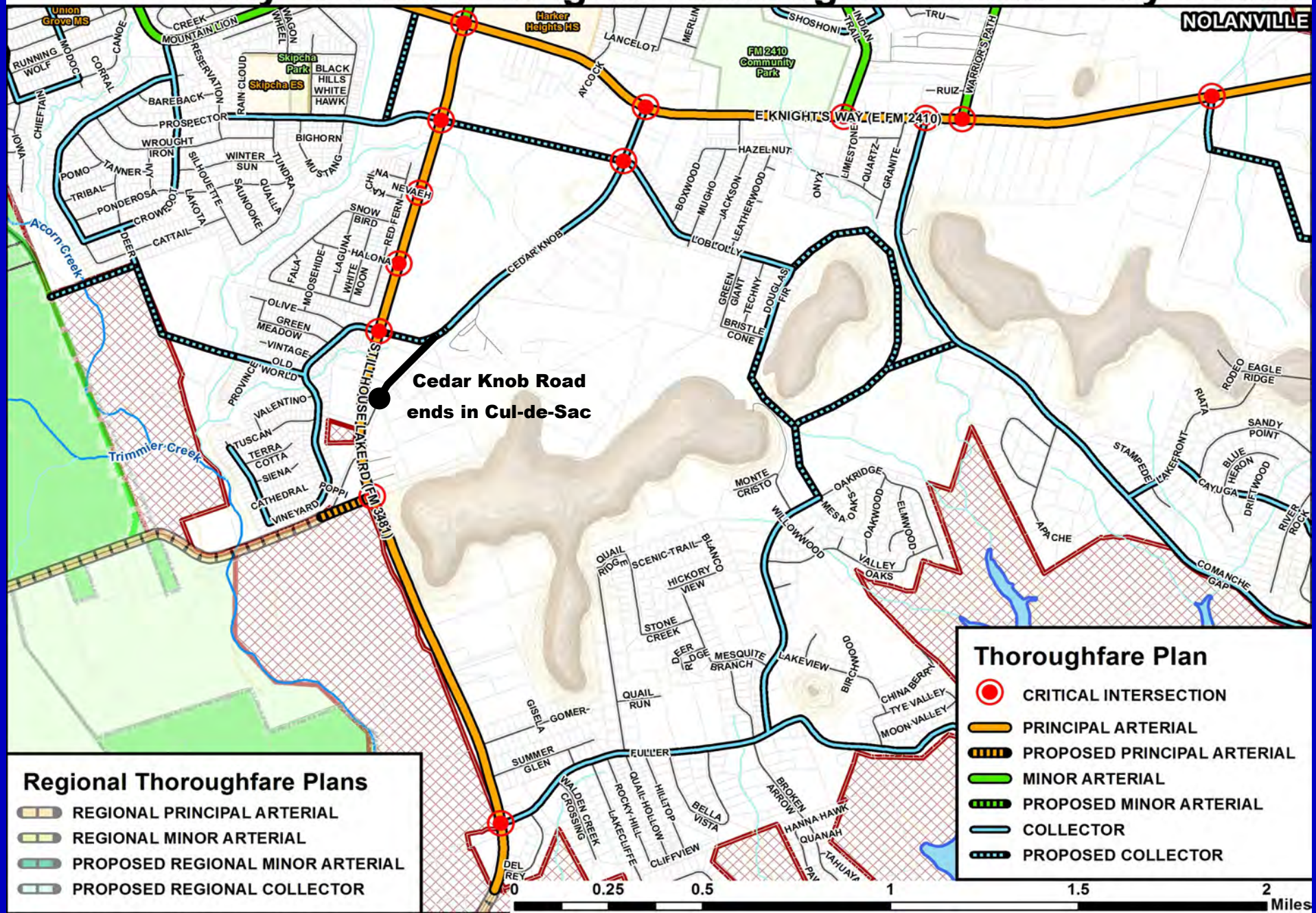
- REGIONAL PRINCIPAL ARTERIAL
- REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL COLLECTOR

Thoroughfare Plan

- CRITICAL INTERSECTION
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR

City of Harker Heights Thoroughfare Plan - City South

NOLANVILLE



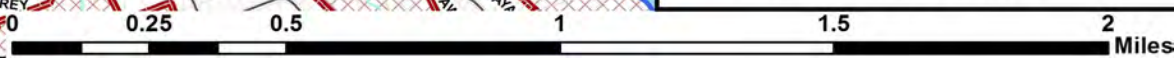
Cedar Knob Road ends in Cul-de-Sac

Regional Thoroughfare Plans

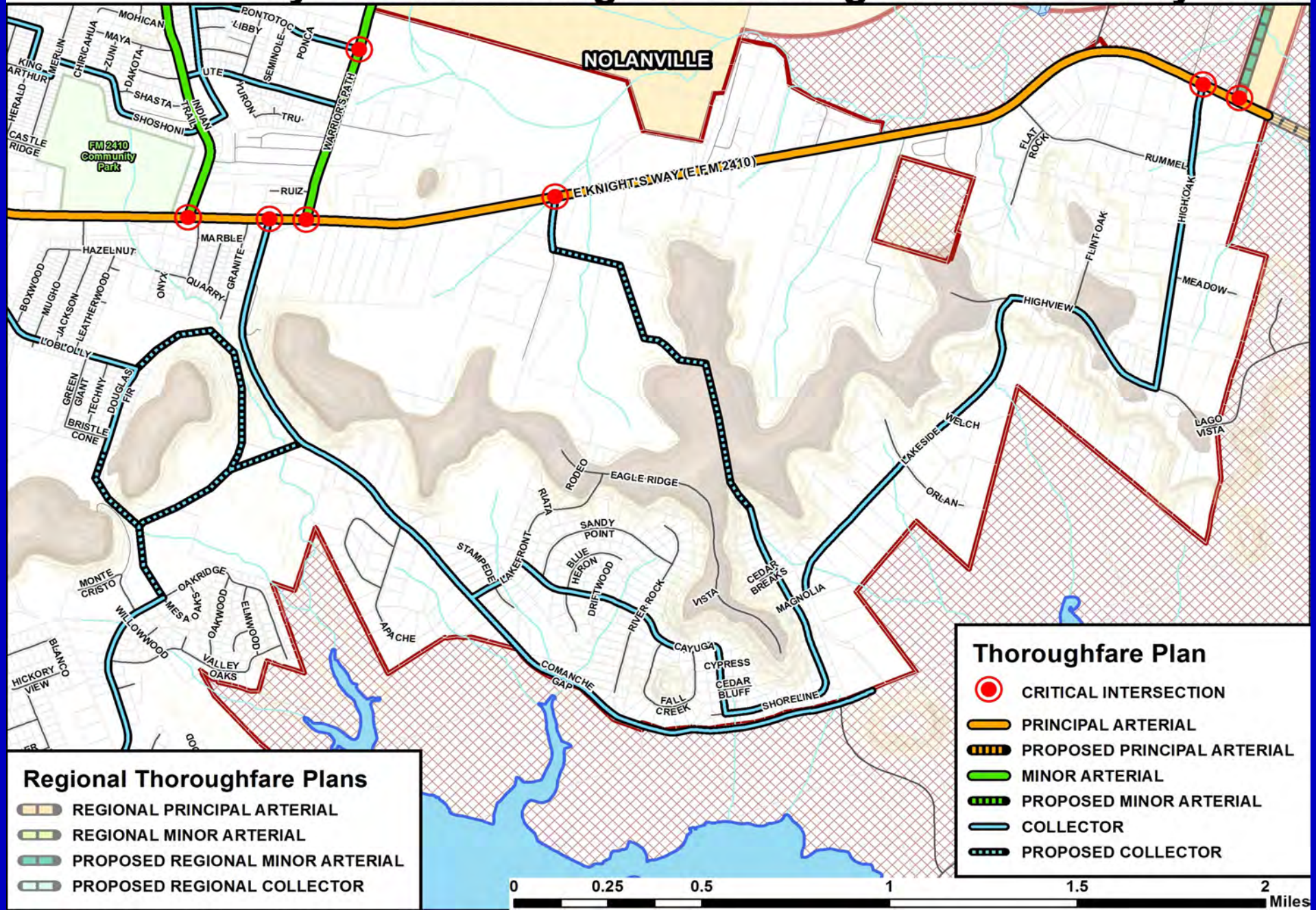
- REGIONAL PRINCIPAL ARTERIAL
- REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL COLLECTOR

Thoroughfare Plan

- CRITICAL INTERSECTION
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR



City of Harker Heights Thoroughfare Plan - City East



Regional Thoroughfare Plans

- REGIONAL PRINCIPAL ARTERIAL
- REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL MINOR ARTERIAL
- PROPOSED REGIONAL COLLECTOR

Thoroughfare Plan

- CRITICAL INTERSECTION
- PRINCIPAL ARTERIAL
- PROPOSED PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- PROPOSED MINOR ARTERIAL
- COLLECTOR
- PROPOSED COLLECTOR



Section II

Sidewalk Plan



City of Harker Heights, Texas

Mobility 2030

Introduction

Providing paths for pedestrians has always been fundamental to community building, and while the need for and function of sidewalks has changed, it has not disappeared. The basic purpose of sidewalks is to provide a safe location for people to walk separated from motorized or mechanized vehicles. Sidewalks are an elemental form of transit, connecting people to public transit, schools, work, shopping, services, and cultural or recreational facilities and activities. They provide a space for spontaneous social interaction. They are increasingly used as a recreation and health amenity in themselves for walkers and joggers. For families with young children, sidewalks provide a safe and dedicated space for youngsters to learn to ride a bike or rollerblade.

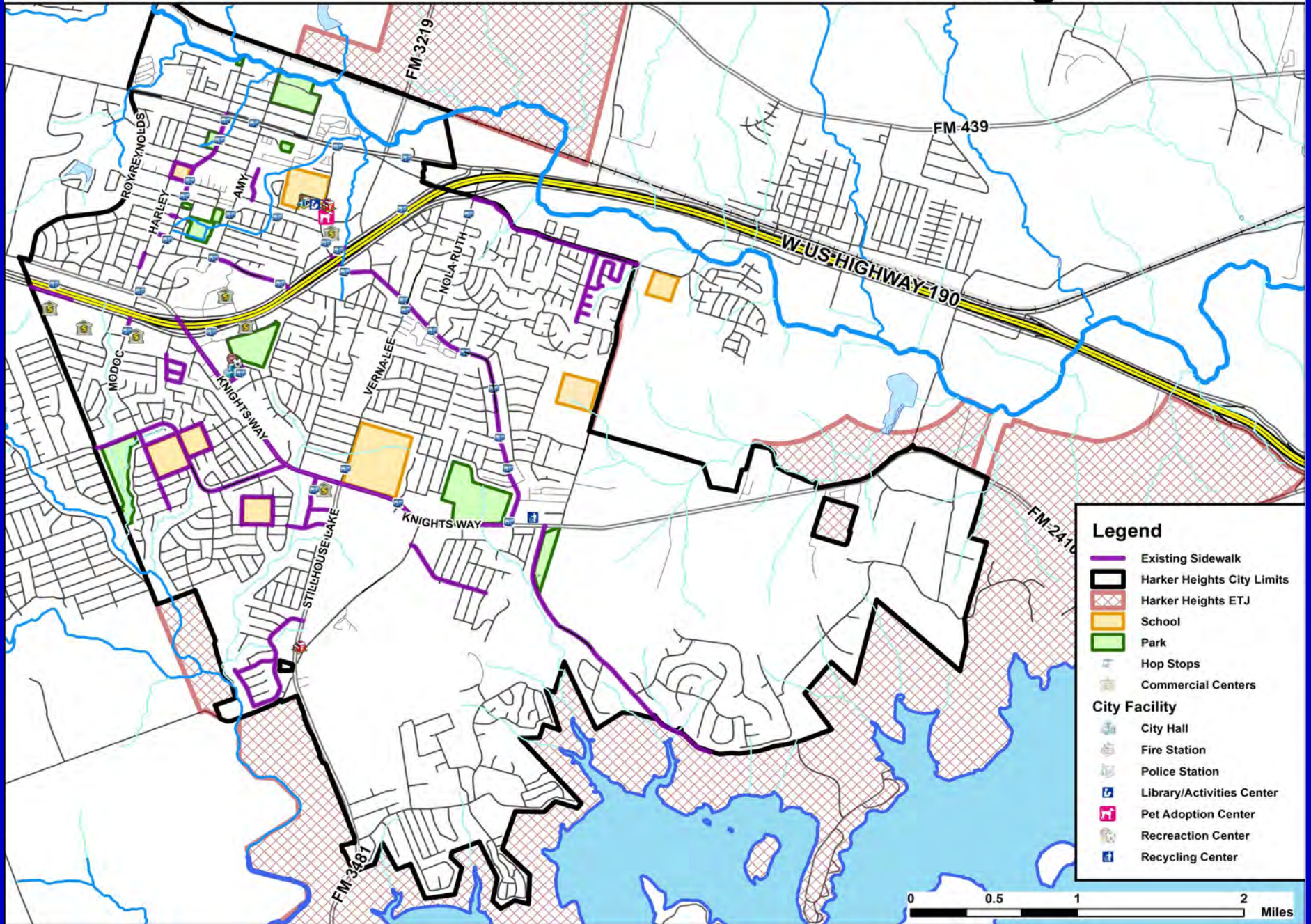
The City previously had limited sidewalk requirements which has led to fragmented sidewalk network as seen on the Existing Sidewalk Network Map. For all of these reasons the City of Harker Heights has recognized the need for sidewalks to be constructed by individuals or businesses developing land in the City. The overriding goal is to provide pedestrian connections within neighborhoods, connections between neighborhoods, and connections from homes to services, facilities, and amenities in the community. The Plan articulates policies for where new sidewalks should be installed, effectively and rationally deals with new installations in developed areas, and sets guidelines on materials and size for construction.



City of Harker Heights, Texas

Mobility 2030

Existing Sidewalks



Definitions

Promenade Sidewalk - The main function of Promenade Sidewalk is to provide inter-community accessibility connecting community centers or major facilities as well as critical intersections in the City. It is the primary location for high volumes of pedestrians congregating, making transfers to other modes or walking to a destination. They serve high density residential, retail, service, industrial, and mixed uses. Promenade Sidewalks will be 6 to 10 feet wide mixed use paths on both sides of the street featuring numerous amenities such as benches, community flags and banners, water fountains, mile markers, and pet waste stations. They are primarily located along principal arterial streets in the City.

Connector Sidewalk - Connector Sidewalks connect with the principal sidewalk system to accommodate trips of moderate length with a lower level of travel mobility and a higher level of land access. Connector Sidewalk collects residential paths and channels them to public nodes such as parks, schools, and other public facilities and commercial nodes such as hospitals and shopping centers. They are 6 to 8 feet wide mixed use paths on both sides of the street featuring limited amenities such as benches and mile markers. They are primarily located along minor arterial streets in the City.

Residential Sidewalk - Residential Sidewalks are commonly located along neighborhood borders and collect traffic from residential areas and channel people to the Connectors and Promenade. They are 5 to 6 feet wide pedestrian paths on one or both sides of the street. They are primarily located along collector streets and some minor arterial streets in the City.



New Sidewalk Installation and Classification

As a general policy, the Sidewalk Plan calls for concrete sidewalks along streets in the City of Harker Heights. The amount and location of sidewalks will vary depending on the type of street and its function. Table One describes the minimum standards and location for sidewalks. Sidewalk Classifications are shown on the City of Harker Heights Sidewalk Plan.

On all new designated streets, sidewalks will be constructed as required in Table One unless an alternative is deemed necessary by the Planning and Zoning Commission, with the recommendation of the Public Works Department (PWD).

On all existing designated streets sidewalks will be required as identified on the Sidewalk Location Map unless an alternative is deemed necessary by the Planning and Zoning Commission, with the recommendation of the Public Works Department (PWD).

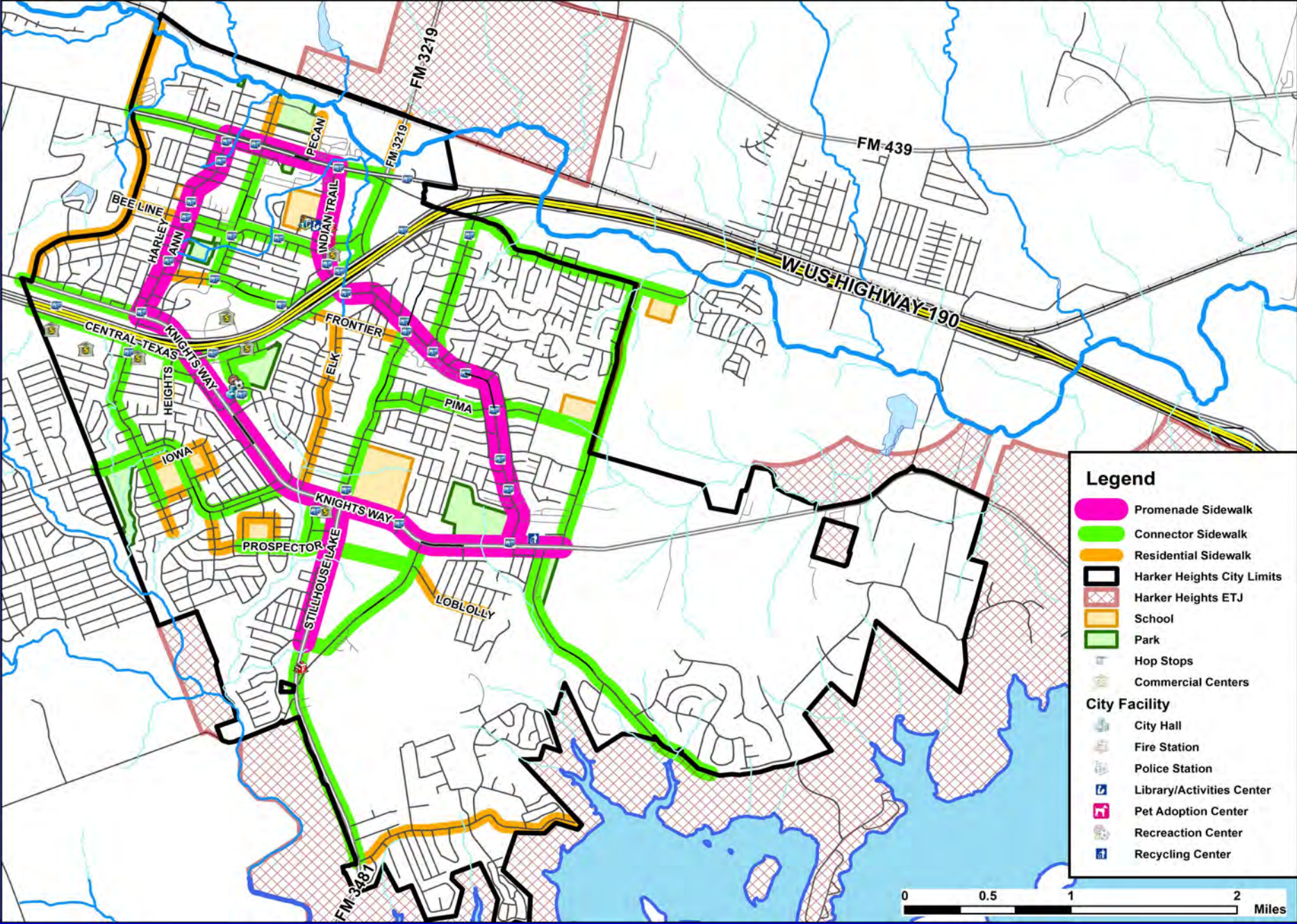
TABLE ONE - SIDEWALK CLASSIFICATION SUMMARY

Sidewalk Classification	Sidewalk Width (feet)	One Side	Two Sides	Amenities
Promenade Sidewalk	6 -10		X	Benches, Bicycle Racks, Mile Markers, Pet Waste Stations, Water Fountains
Connector Sidewalk	6 - 8	X	X	Benches, Mile markers, Bicycle Racks
Residential Sidewalk	5 - 6	X	X	



Sidewalk Network

Map Date: 10/26/2015



- Legend**
- Promenade Sidewalk
 - Connector Sidewalk
 - Residential Sidewalk
 - Harker Heights City Limits
 - Harker Heights ETJ
 - School
 - Park
 - Hop Stops
 - Commercial Centers
 - City Facility**
 - City Hall
 - Fire Station
 - Police Station
 - Library/Activities Center
 - Pet Adoption Center
 - Recreation Center
 - Recycling Center

Regardless of the general policy and standards recommended in this Plan and contained in Table One above, the location of sidewalks on existing streets shall be based on the Sidewalk Network Map which is a part of this Plan. In some cases the Plan may require that sidewalks be built on both sides of an existing street if it is deemed necessary for pedestrian safety given the proximity to schools, the housing density of the neighborhood, and other factors to be determined by City Staff.

Sidewalk Construction Details

(A) In developments in which the original application for approval is filed after the effective date hereof, the developer/property owner shall construct sidewalks on both sides of all streets, private access drives, passage easements and other circulation routes. Sidewalks shall be installed by the developer at the time of development, and owners of lots that remain undeveloped must construct sidewalks within two years after the date of approval of the final plat. Sidewalks must be constructed and accepted by the city prior to the issuance of a certificate of occupancy.

(B) Sidewalks shall be constructed one foot from the property line in the rights-of-way adjacent to their lots, whether on the front, side, or rear of the lots, with a minimum six foot buffer strip behind the back of the curb or edge of pavement. New sidewalks shall be properly connected with existing sidewalks and constructed according to city standards. Streets designated by the Thoroughfare Plan for use as a collector or larger shall require a minimum six foot wide sidewalk. All other sidewalks shall be a minimum of five feet in width.

(C) The appearance of a sidewalk (scoring pattern or special paving) shall be maintained across commercial driveways and alley access points, and crosswalks shall be marked at all legs of the intersection. Obstructions such as, but not limited to, fire hydrants, telephone poles, and street signs, shall not be located within a sidewalk, unless written approval of such is obtained from the Director of Public Works.



(E) An alternative sidewalk design may be approved in writing by the Director of Public Works where there are unusual and practical difficulties in carrying out the provisions set forth by this code, provided the alternate design will not adversely affect any adjoining property or the general public.

(F) Exemptions. Division (A) of this section shall not apply to:

- (1) Large-lot residential subdivisions, where lots are one acre or larger in size;
- (2) Cul-de-sacs with a throat length of one lot or fewer; or
- (3) Improvements to existing developments on streets not identified in the sidewalk network where the majority of the developed portions of the street do not have sidewalks present.



Section III

Off-Street Hike and Bike Trail Network Plan



City of Harker Heights, Texas

Mobility 2030

Section IV

On-Street Striping Plan for Biking and Pedestrians



City of Harker Heights, Texas

Mobility 2030

Section V

Transit Planning



City of Harker Heights, Texas

Mobility 2030



AGENDA ITEM IX-2
PLANNING AND ZONING COMMISSION
MEMORANDUM

Z22-23

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE TO ALLOW FOR A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR USES ASSOCIATED WITH A B-1 (OFFICE DISTRICT) ZONING ON PROPERTY DESCRIBED AS FOREST HILLS ADDITION, BLOCK 016, LOT 0004, GENERALLY LOCATED AT 203 E. KNIGHT’S WAY/E. FM 2410, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a consideration of a Conditional Use Permit (CUP) to allow for uses associated with B-1 (Office District) zoning on property generally located at 203 E. Knight’s Way/E. FM 2410.

Parcel History

This parcel is located within the original area of the city incorporation (1960) and was platted in 1962. Bell County Appraisal District information shows this parcel is approximately 15,000 square feet and the residential structure on site was built in 1969.

An application to request a change in zoning designation from R-1 (One-Family Dwelling District) to B-1 (Office District) was received on December 29, 2021. The Planning & Zoning Commission voted (7-1) to recommended disapproval of the request on January 26, 2022, and the City Council voted to disapprove (3-2) the request.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses and zoning districts 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	Regional Center	Regional Center	B-4 Secondary and Highway Business District
East	Low Density Residential	Community Center	R-1 One-Family Dwelling District
West	Low Density Residential	Low Density Residential	R-1 One-Family Dwelling District

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Community Center; the proposed Conditional Use Permit to allow uses associated with B-1 Office District zoning with its intended use will not likely have an adverse impact on the neighborhood and is consistent with the most recent updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

FM 2410/Knight’s Way is classified as a principal arterial. Per §154.01 of the City’s code of ordinances (adopted as of September 13, 2022, codification in process), principal arterials are defined as: MAJOR ARTERIAL. High volume streets with multiple lanes which facilitate travel between major destinations or

activity centers, as well as long-distance traffic that goes through or bypasses an area. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

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 likely not have an 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 will likely 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 forty (40) notices to property owners within the 400-foot notification area. As of September 22, 2022, two (2) responses were received in favor of the request, and one (1) response was received in opposition of the request.

Total area of land within the 200-foot notification area is: 222,783.96 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 4,374.602 sq. Ft.

Percentage of land area recommending denial: 1.96%

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.

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 based on Pharr & Tippett.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

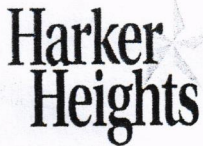
Staff recommends approval of an ordinance to allow for a Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District) zoning on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas with the enclosed proposed conditions.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to allow for a Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District) zoning on property described as Forest Hills Addition, Block 016, Lot 0004, generally located at 203 E. Knight's Way/E. FM 2410, Harker Heights, Bell County, Texas, with the conditions as presented.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Applicable Ordinances
3. Forrest Hills Addition Plat
4. Proposed Conditions
5. Location Map
6. Existing Land Use Map
7. Zoning Map
8. Land Use Plan Map
9. Notification Area Map
10. Responses Received



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: Dok Sun Barton Date: 8-31-2022

Address: 203 E Fm 2410 Rd

City/State/Zip: Harker Heights, Tx 76548

Phone: _____ E-mail: _____

Legal Description of Property:

Location of Property (Address if available): 203 E FM ~~2410~~ 2410 Harker Heights Tx 76548

Lot: 4 Block: 16 Subdivision: Forest Hills

Acres: 0.340 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: R-1 Future Land Use Designation: R-1 with a CUP

Applicant's Representative (if applicable):

Applicant's Representative: CHI UNG, YU

Phone: 254-213-8739 E-Mail: 512 N. Ft. Hood St, Killeen, Tx 76541

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.

Barton Doksun
 Printed Name of Property Owner

Dok Sun Barton
 Signature of Property Owner

CHI UNG YU
 Printed Name of Representative

Chi Ung Yu
 Signature of Representative

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 8/31/2022

Pre-Application Meeting

Receipt #: 01865596

Received By: [Signature]

Case #: _____

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.028 B-1 OFFICE DISTRICT.

(A) *Permitted uses.*

- (1) Office, general business.
- (2) Offices of practitioners of the recognized professions, as herein defined:
 - (a) *Professional building.* Any structure used solely for the housing of professional offices of recognized professions.
 - (b) *Recognized professions.* Members of a recognized profession include those persons and customary staff normally considered as professional and shall be deemed to include doctors, veterinarians, dentists, lawyers, architects, certified public accountants, registered engineers and surveyors, and professions providing personal services, and the like.
- (3) Uses customarily incidental to the primary use.
- (4) Coffee shop.
- (5) Barber shop; beauty shop; beauty parlor.
- (6) Public schools.
- (7) Public parks, municipal golf courses, public recreation facilities, and community buildings.
- (8) Municipal buildings, public libraries or museums, police and fire stations.
- (9) Construction field office and yard on the job site for the duration of construction only.
- (10) An on-premises residential use or living quarters associated with the business provided both uses are in compliance with appropriate building codes, and the proprietor or employee of the business is a resident of the living quarters.
- (11) Low impact telecom towers.
- (12) Churches or places of worship.

(B) *Conditional uses.*

- (1) Private schools.
- (2) Civic clubs.
- (3) Fitness centers.

(C) *Height regulations.* No building shall exceed three and one-half stories or 45 feet in height.

(D) *Area regulations.* Front yard, side yard, and rear yards as per Table 21-A.

(E) *Landscaping requirements.* As per § 155.051.

(F) *Intensity of use.* There are no minimum lot area or lot width requirements.

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

(H) *Additional use, height, and area regulation.*

(1) *Conditions for use.* Buildings may be used for one or more of the uses prescribed in division (A)(2) hereof only under the following conditions:

(a) The total area of a professional building devoted to any single incidental use shall not exceed 15% of the gross floor area of the building.

(b) The total area of a professional building devoted to incidental uses in the aggregate shall not exceed 25% of the gross floor area of the building.

(c) Public access to such incidental uses shall be from the interior of the building.

(2) *Parking.* No parking space shall occupy any part of the required front yard, except as provided in division (G) of this section.

(3) *Visibility of interior.* No building in this district shall be constructed or altered to produce a store front, show window or display window, and there shall be no merchandise visible from the exterior of the building.

(4) *Storage.* No outside storage shall be permitted in this district.

(5) *Signage.* As per Chapter 151.

(6) *Screening requirements.* As per § 155.050.

(7) *Building facade.* As per § 155.040.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2004-01, passed 1-13-04)

§ 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)



A
203B

DEDICATION
VOL PAGE
638 446

Forest Hills Addition

I, Barney Sisson, the owner and developer of the land shown in plat above hereby dedicate to the City of Hurst Heights, Bell County, Texas all Streets, Alley, Easements and ways for the use of the public.
JAN 8, 1962.
Barney Sisson

I, Charles Z. Miller, Surveyor with Surveyor in the State of Texas hereby certify that this Plat was drawn from an actual survey made on the ground.
26 July, 1961
Charles Z. Miller
Registered Public Surveyor
Seal No. 719

Passed and adopted on
this the 8th day of July, 1960.
P.R. COX Mayor

FOREST HILLS ADDITION
CITY OF HURST HEIGHTS
BELL COUNTY TEXAS
BARNEY SISSON
OWNER and DEVELOPER
Charles Z. Miller Surveyor
July, 1961

DEDICATION

VOL PAGE
638 446

Forrest



H.E. Norris Tract

I Barney Sisson, the owner and/or
developer of the land shown in
plot above hereby dedicate to
the City of Hurker Heights,
Bell County, Texas, all streets,
alleys, easements and ways for
the use of the public.

Jan. 8, 1962.
dsc

Barney Sisson
Barney Sisson

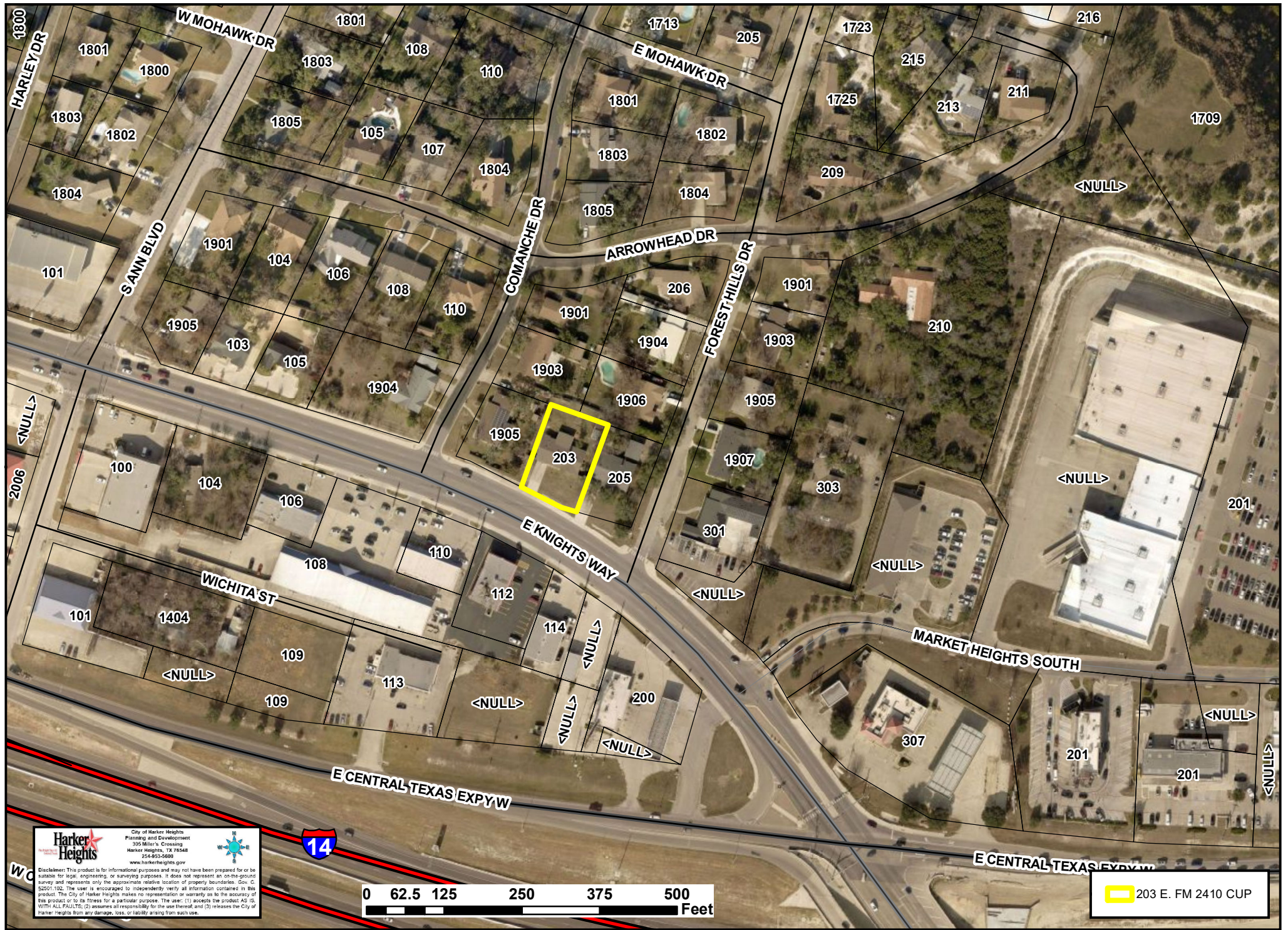
passed and adopted on
this the 8th day of Jan., 1962.


P. R. COX Mayor

Conditional Use Permit

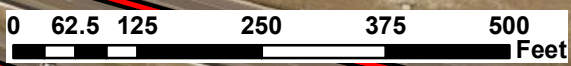
Proposed Conditions for 203 E. Knights Way (E. FM 2410)


1. The property may operate as a Barber Shop, Beauty Shop, or Beauty Parlor within the B-1 Office District of the Harker Heights Code of Ordinances.
2. A maximum of one (1) business may occupy the building.
3. A six (6') foot masonry fence shall be constructed along the rear property boundary. Fences along neighboring properties to either side of the site must be constructed of cedar or pressure treated materials, with support posts located eight feet on center, or other materials and designs as may be approved by the Director of Planning and Development. Additionally, all screening requirements must be completed prior to receiving a Certificate of Occupancy on the property.
4. The external architectural style and appearance of the structure shall maintain a residential character.
5. Parking in the rear yard shall be accessed by a driveway installed on the west side of the property and both driveway and parking area must consist of a permanent, all-weather surface. All patrons must park in the designated parking areas. Parking for patrons will not be allowed on the street or on landscaped areas.
6. Landscaping shall meet the requirements of the B-1 zoning district.
7. All exterior lighting shall be fully shielded and down-lit to prevent light trespass onto surrounding properties.
8. Signage shall consist of:
 1. One (1) wall sign, not to exceed twenty-four (24) square feet may be placed on the front façade wall parallel to the surface to which it is attached. Signage must be externally illuminated, shielded and down lit. In addition, one monument sign listed below may be permitted on site.
 - i. One (1) Monument sign out of the public right-of-way shall be permitted. The sign shall not exceed thirty (30) square feet in area and may not be more than six (6') feet in height. Signage must be externally illuminated, shielded, and down lit; OR
 - ii. If shared, one (1) Monument sign out of the public right-of-way shall be permitted. The sign shall not exceed sixty (60) square feet in area and may not be more than ten (10') feet in height. Signage must be externally illuminated, shielded, and down lit
9. No box or channel letter type signs are permitted.
10. No outside storage will be allowed.
11. The site will comply with all other regulations and requirements within the Harker Heights Code of Ordinances.

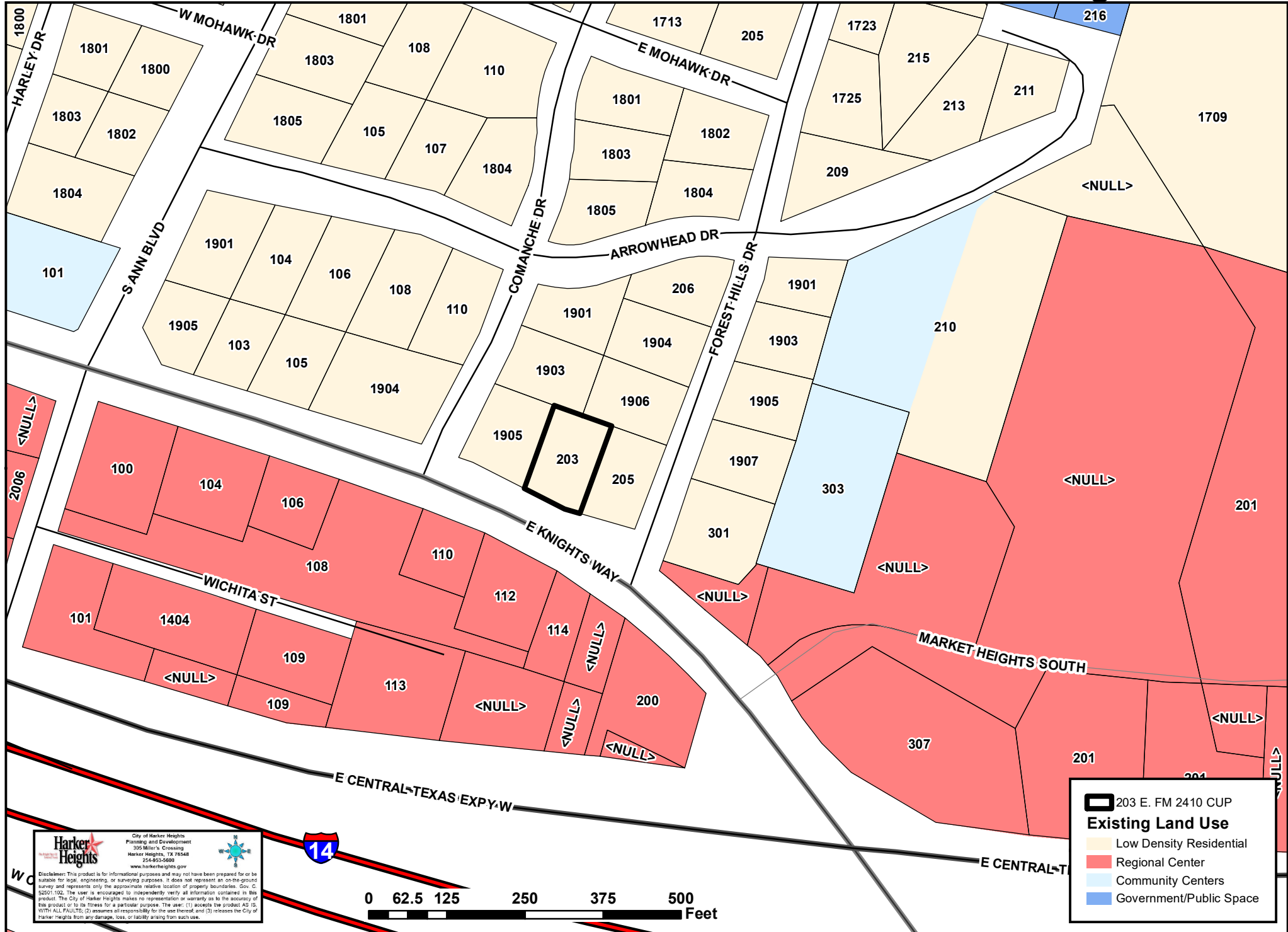




 City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5690
 www.harkerheights.gov

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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.







 203 E. FM 2410 CUP



 203 E. FM 2410 CUP


Existing Land Use

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

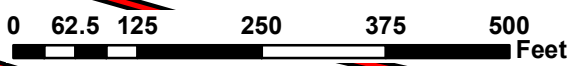
Harker Heights

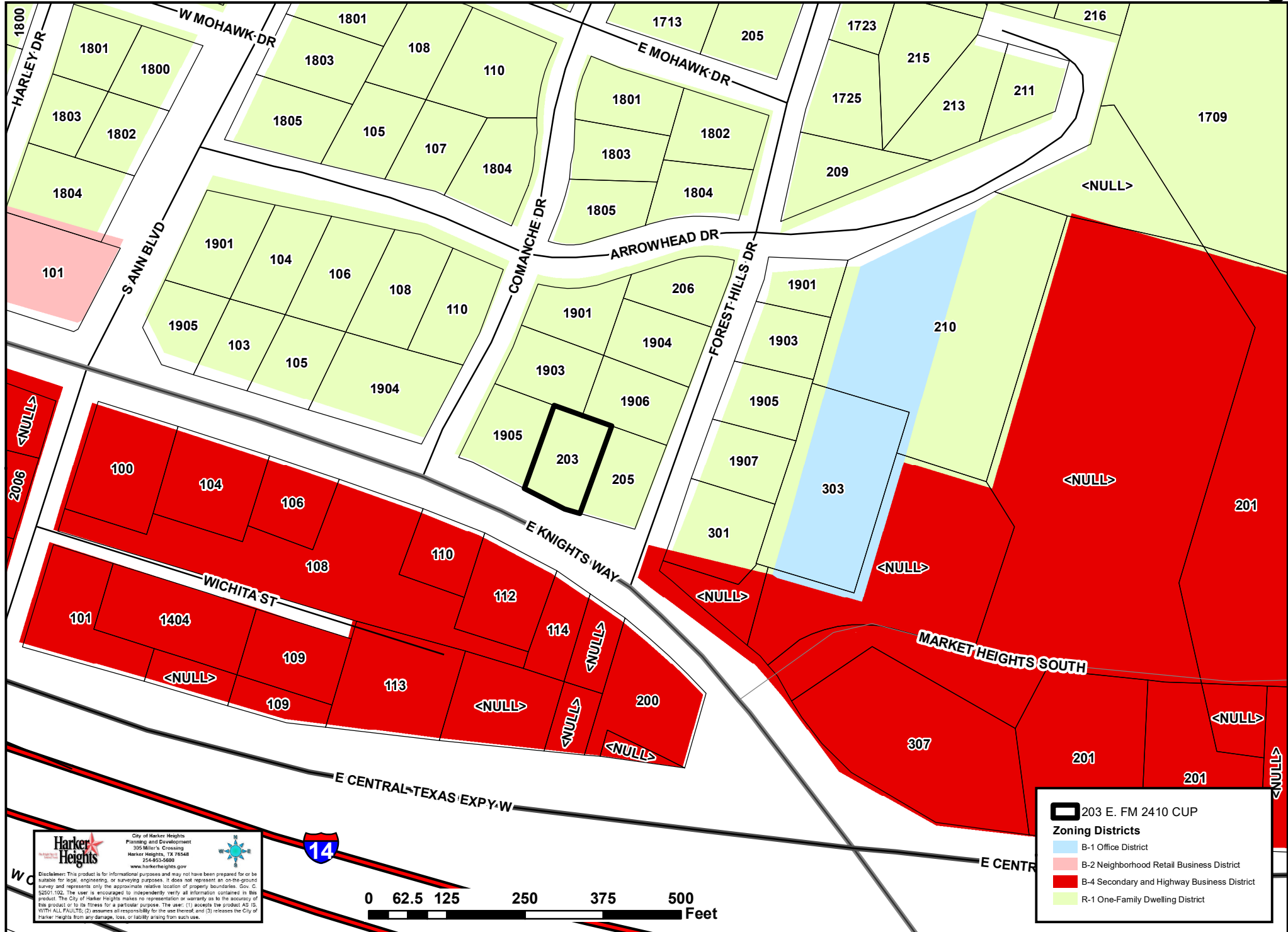
City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5690
 www.harkerheights.gov





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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILS; (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.





203 E. FM 2410 CUP

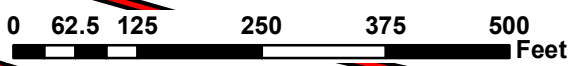
Zoning Districts

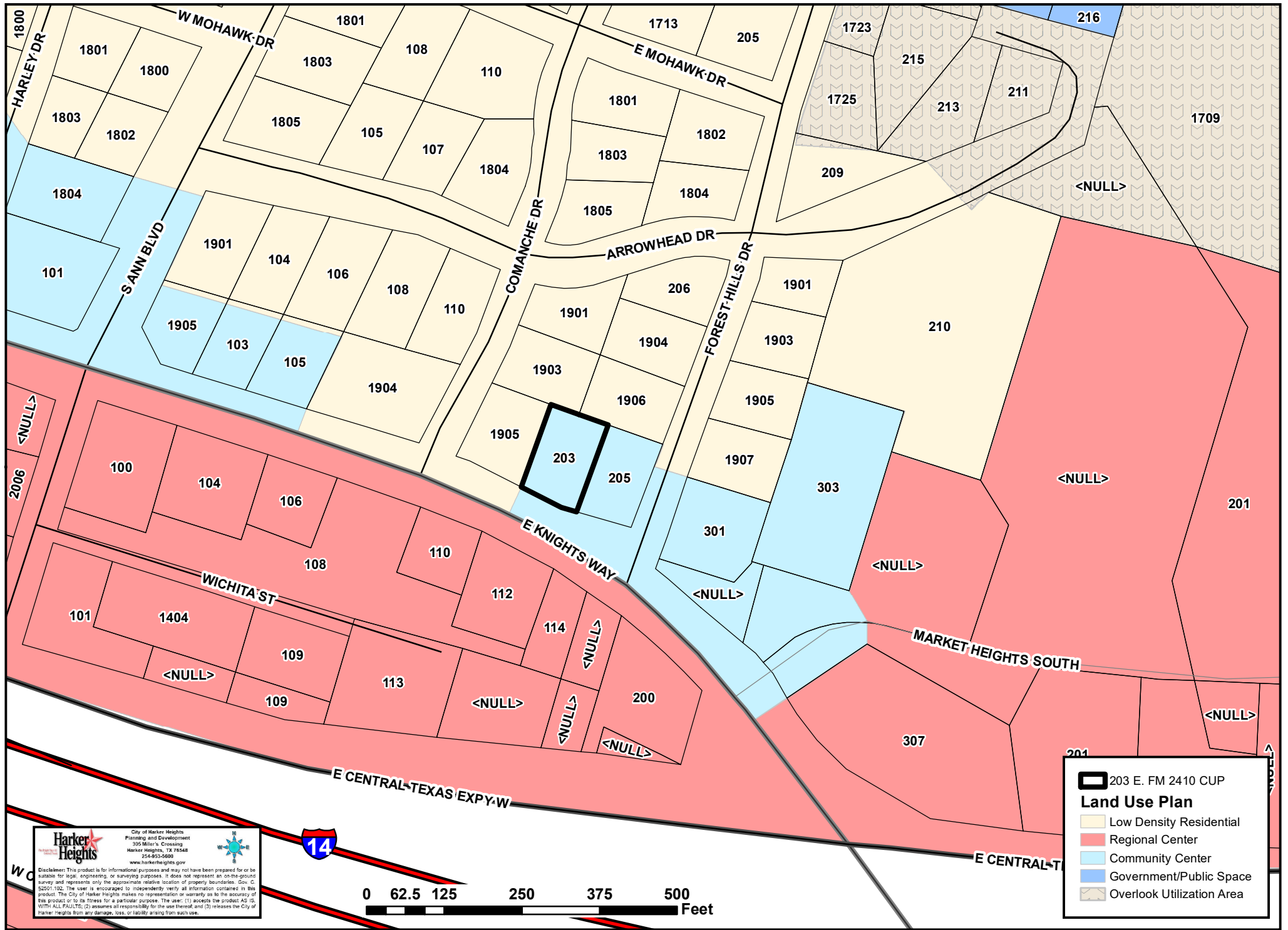
- B-1 Office District
- B-2 Neighborhood Retail Business District
- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District


Harker Heights

City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5690
 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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.





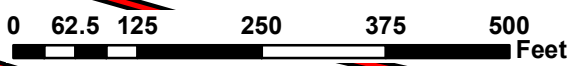
 203 E. FM 2410 CUP

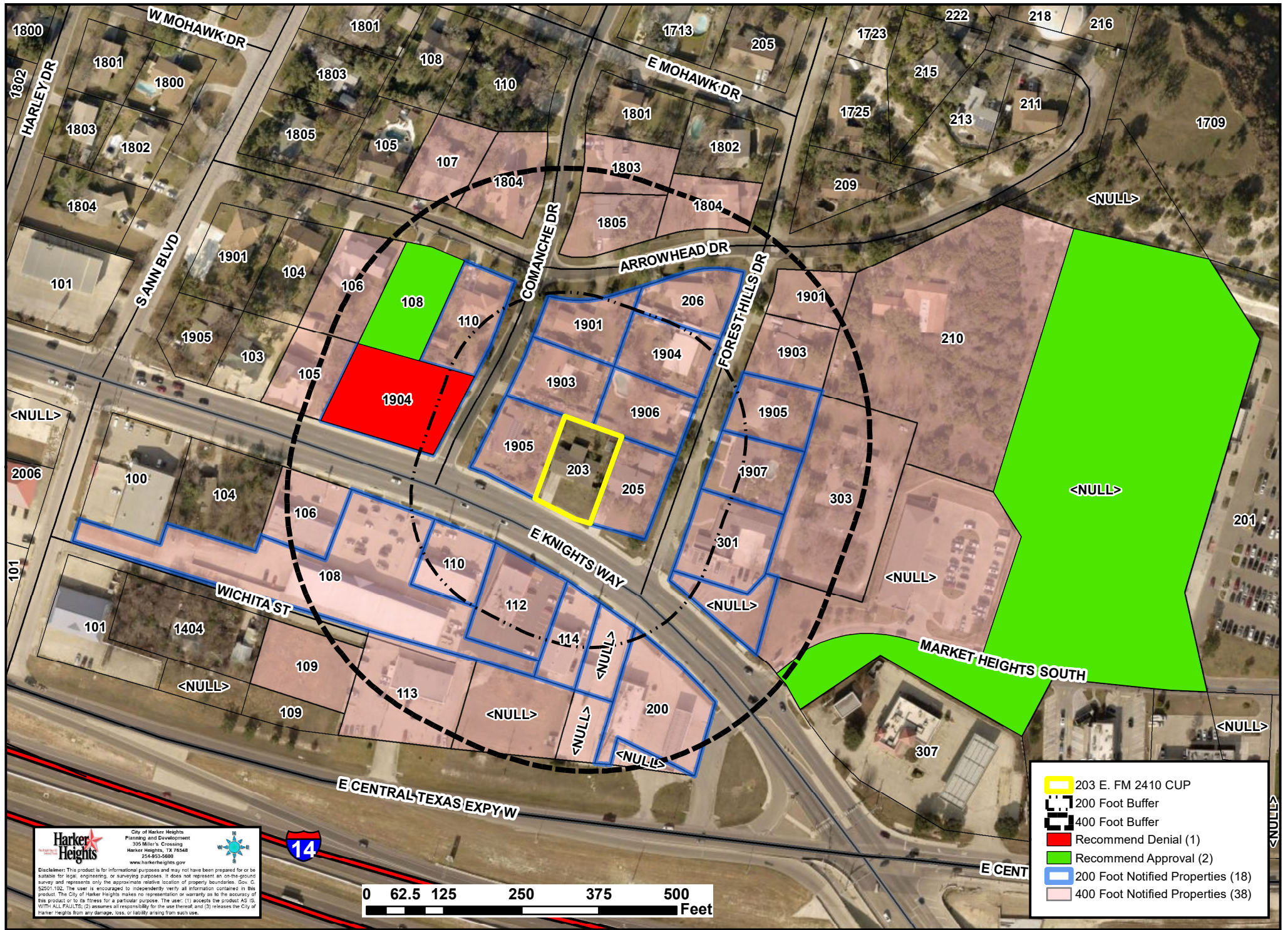
Land Use Plan

-  Low Density Residential
-  Regional Center
-  Community Center
-  Government/Public Space
-  Overlook Utilization Area

Harker Heights
 City of Harker Heights
 Planning and Development
 300 Miles Crossing
 Harker Heights, TX 78548
 254-853-5690
 www.harkerheights.gov

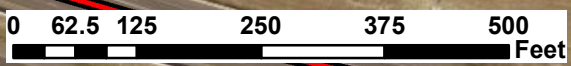
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.





Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5690
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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



- 203 E. FM 2410 CUP
- 200 Foot Buffer
- 400 Foot Buffer
- Recommend Denial (1)
- Recommend Approval (2)
- 200 Foot Notified Properties (18)
- 400 Foot Notified Properties (38)

SENT: SEPTEMBER 7 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: CORSI, ANDREW WAYNE ETUX GINA LAKAYE

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

Physical Address	Property ID
108 ARROWHEAD DR	3024

Z22-23 RE: An application has been made to consider an ordinance for a **Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District)** zoning on property described as *Forest Hills Addition, Block 016, Lot 0004*, (see attached notification map)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Gina Lakaye Corsi
Printed Name

Gina Lakaye Corsi
Signature

9-12-22
Date

Received

SEP 15 2022

Planning & Development

SENT: SEPTEMBER 7 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BEARDEN, DORIS J

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

Physical Address	Property ID
1904 COMANCHE DR	7361

Z22-23 RE: An application has been made to consider an ordinance for a **Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District)** zoning on property described as *Forest Hills Addition, Block 016, Lot 0004*, (see attached notification map)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

I PLAN TO STAY IN MY HOUSE UNTIL I DIE
I AM 92 AND IN EXCELLENT HEALTH

DORIS BEARDEN

Printed Name

Doris Bearden

Signature

Sept 10 - 22

Date

Received

SEP 13 2022

Planning & Development

SENT: SEPTEMBER 7 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: DRP MARKET HEIGHTS PROPERTY OWNER LLC

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

Physical Address	Property ID
E CENTRAL TEXAS EXPWY	403036

Z22-23 RE: An application has been made to consider an ordinance for a **Conditional Use Permit (CUP) to allow for uses associated with a B-1 (Office District)** zoning on property described as *Forest Hills Addition, Block 016, Lot 0004*, (see attached notification map)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Bruce A. Sifford

Printed Name

Bruce A. Sifford

Signature

9/14/22

Date

Received

SEP 20 2022

Planning & Development



AGENDA ITEM IX-3
PLANNING AND ZONING COMMISSION
MEMORANDUM

Z22-24

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM B-5 (GENERAL BUSINESS DISTRICT) TO R-1 (ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS STILLFOREST SUBDIVISION REPLAT (BLKS 6-7, 11 PT 8), BLOCK 011, LOT PT BLK, (SW 82.37' X 161.68' X 137.88' TRI), ACRES 0.13, GENERALLY LOCATED NORTH OF 1003 S. ROY REYNOLDS DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a change in zoning designation from B-5 (General Business District) to R-1 (One-Family Dwelling District) on property generally located north of 1003 S. Roy Reynolds. Staff was contacted by the property owner of both 1003 S. Roy Reynolds and the property located just north, regarding construction of a residence on these two parcels. The parcel addressed as 1003 S. Roy Reynolds is currently zoned appropriately as R-1 (One-Family Dwelling District); the property to the north is currently zoned as B-5 (General Business District) and would require a change in zoning designation to allow for the construction of a residence.

Parcel History

This property was platted as part of the Stillforest Subdivision Replat, recorded in 1974, and was annexed into city limits in June 1976.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses and zoning districts include those identified in the table below:

	Existing Land Use	Land Use Plan	Zoning
North	Regional Center	Regional Center	B-5 General Business District
South	Low Density Residential	Low Density Residential	R-1 One-Family Dwelling District
East	Low Density Residential Regional Center	Low Density Residential Regional Center	B-5 General Business District R-1 One-Family Dwelling District
West	Outside City Limits	Outside City Limits	Outside City Limits

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Low Density Residential; the proposed R1 zoning with its intended use will not likely have an 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

S. Roy Reynolds Drive is classified as a minor arterial per the most recently adopted Comprehensive Plan. Per §154.01 of the City’s code of ordinances (adopted as of September 13, 2022, codification in process), Minor Arterials are defined as: “High volume streets with multiple lanes which facilitate traffic into and between

Major Arterials. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

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 likely not have an 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 will likely 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 twenty-two (22) notices to property owners within the 400-foot notification area. As of September 22, 2022, one (1) response was received in favor of the request, and one (1) response was received in opposition of the request.

Total area of land within the 200-foot notification area is: 202,021.30 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 0 sq. Ft.

Percentage of land area recommending denial: 0%

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.

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 based on Pharr & Tippett.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

Staff recommends approval of an ordinance to change zoning designation from B-5 (General Business District) to R-1 (One-Family Dwelling District) on property generally located north of 1003 S. Roy Reynolds.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change zoning designation from B-5 (General Business District) to R-1 (One-Family Dwelling District) on property described as Stillforest Subdivision Replat (Blks 6-7, 11 PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI),

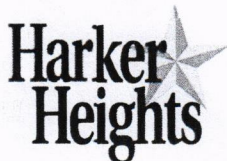
AGENDA ITEM IX-3

Acres 0.13, generally located north of 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas.

2. Any other action deemed necessary.

ATTACHMENTS:

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



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
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: PAUL + IRIS KEEN Date: 30 AUG 2022

Address: 2910 APACHE LOOP

City/State/Zip: HARKER HEIGHTS / TX / 76548

Phone: 254-423-4341 E-mail: txrosegirlusn@gmail.com

Legal Description of Property:

Location of Property (Address if available): 1003 S ROY REYNOLDS DR.

Lot: 1 Block: 11 Subdivision: STILL FOREST

Acres: 0.13 Property ID: 22717 Survey: COMPLETED 25 JAN 2021

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: BUILD SINGLE FAMILY HOME

Current Zoning Classification: B5 Proposed Zoning: R1

Current Land Use: VACANT Proposed Land Use: SINGLE FAMILY HOME

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.

IRIS KEEN
Printed Name of Property Owner

[Signature]
Signature of Property Owner

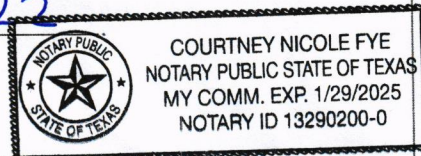
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 31st DAY OF August, 2022

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 01/29/2025



Date Submitted: 8/31/22

STAFF ONLY - DO NOT FILL OUT BELOW

Receipt #: 01865527

Received By: C. Fye

Pre-Application Meeting

Case #: 722-25

Revised: 10/2021

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.032 B-5 GENERAL BUSINESS DISTRICT.

(A) Permitted uses.

(1) Any use permitted in the B-4 District that is permitted by right.

(2) Storage in bulk, or warehouse for such material as household goods, clothing, drugs, glass, dry goods, furniture, hardware, groceries, millinery, and shop supplies.

(3) Wholesale sales room.

(4) Building material and lumber sales (outside storage permitted).

(5) Newspaper or job printing.

(6) Railroad or bus passenger terminal.

(7) Auto parts sales, used: No outside storage, display or dismantling.

(8) Any commercial use not included in any other district, provided such use is not noxious or offensive because of odors, dust, noise, fumes, or vibrations.

(9) Installation of vehicle electronics (no outside storage of vehicles without screening).

(10) Trailer rental or sales.

(B) Conditional uses.

(1) Any use permitted in a more restricted district that is permitted by a conditional use permit.

(2) Kennel (small pets).

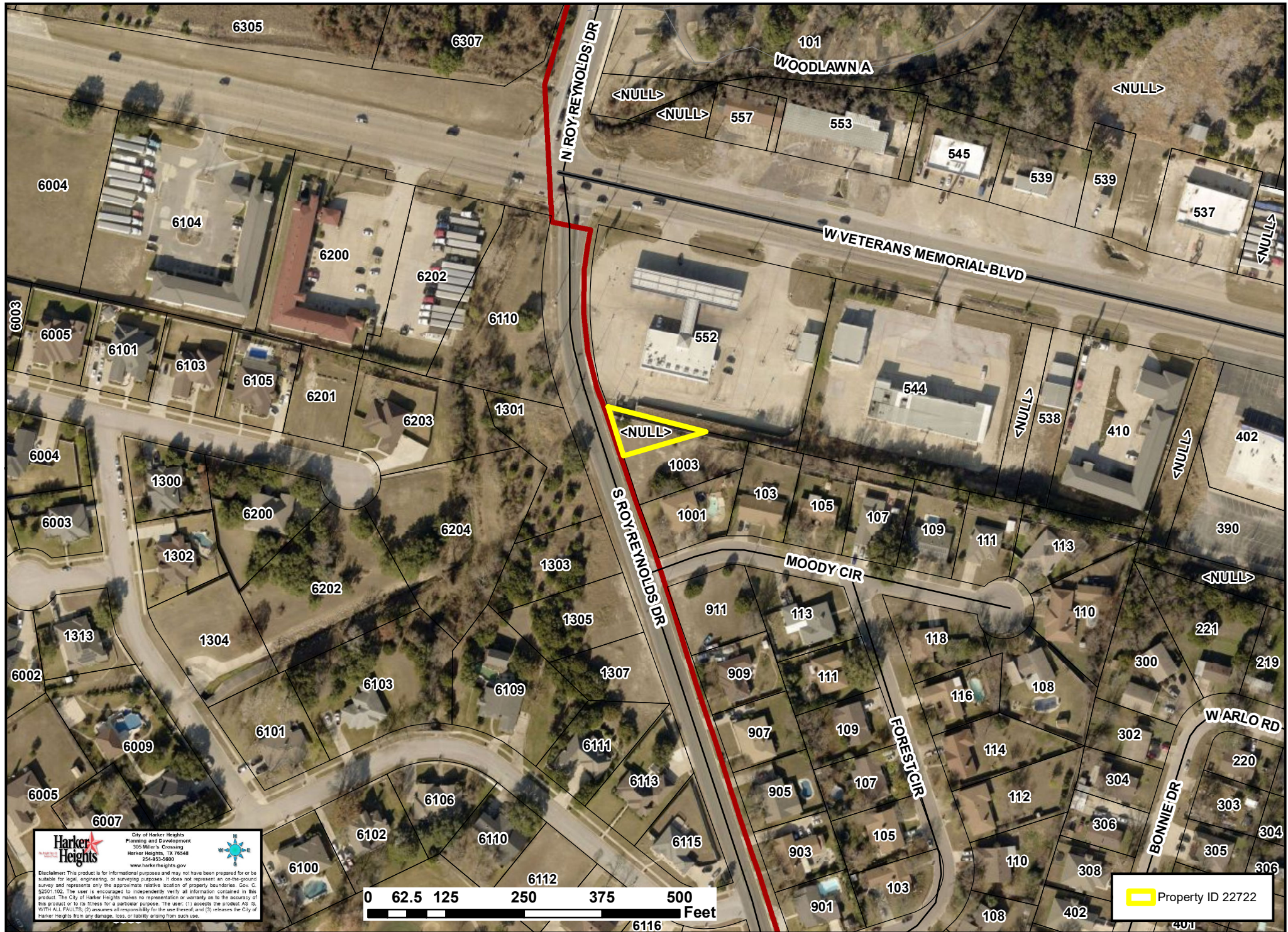
(3) Tire re-capping or retreading.

(4) Electroplating.

(5) High impact telecommunication tower (as defined in Chapter 157).

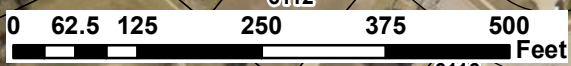
(C) *Height regulations.* No building hereafter erected or structurally altered shall exceed six stories or 75 feet in height.


- (D) *Area regulations.* As per Table 21-A.
 - (E) *Intensity of use.* There are no minimum lot area or lot width requirements.
 - (F) *Parking regulations.* As per §§ 155.061 through 155.068.
 - (G) *Signage.* As per Chapter 151.
 - (H) *Screening requirements.* As per § 155.050.
 - (I) *Building facade.* As per § 155.040.
 - (J) *Landscaping requirements.* As per § 155.051.
- (Ord. 2001-36, passed 11-13-01)

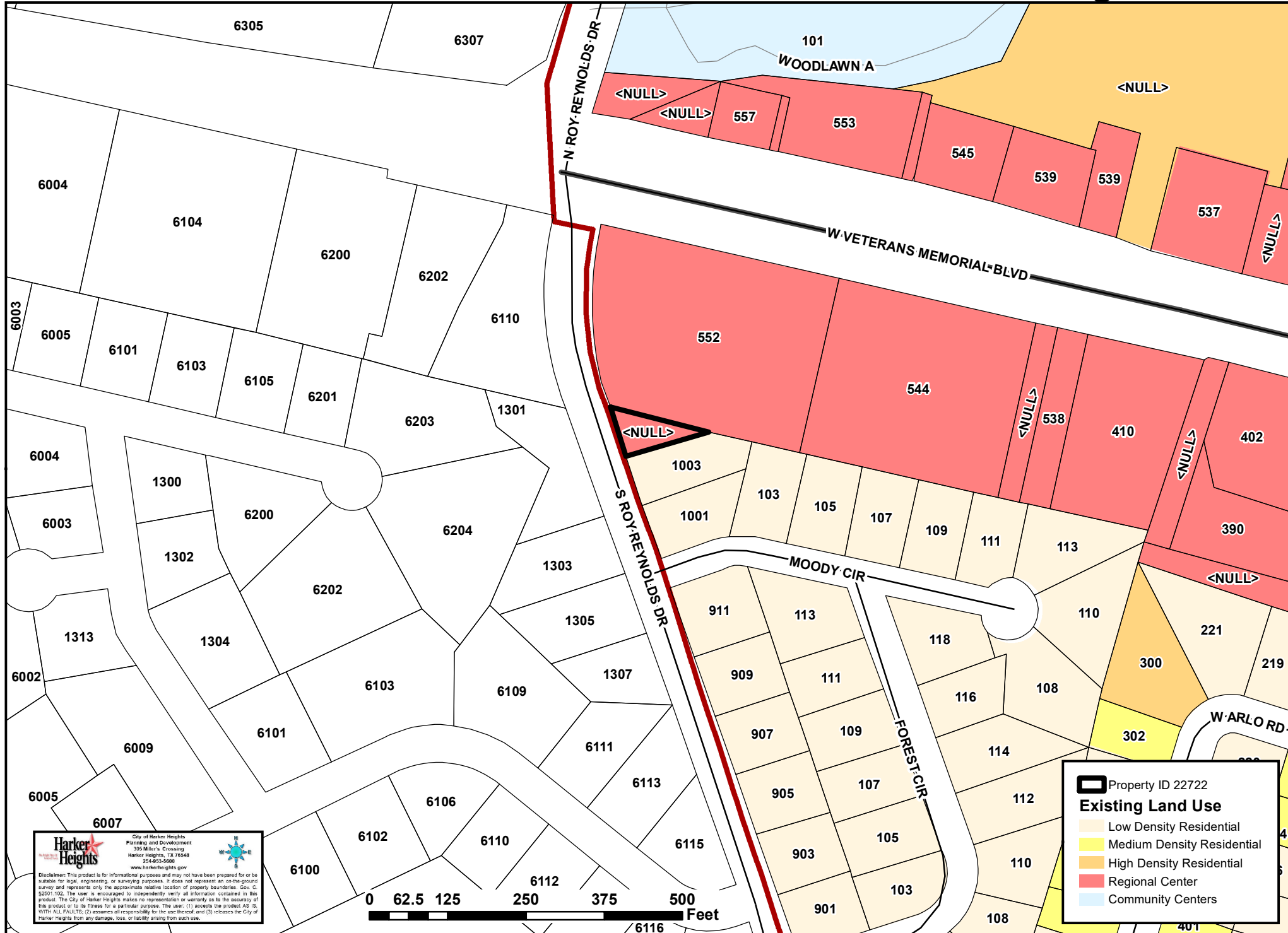


Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5699
www.harkerheights.gov

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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



 Property ID 22722



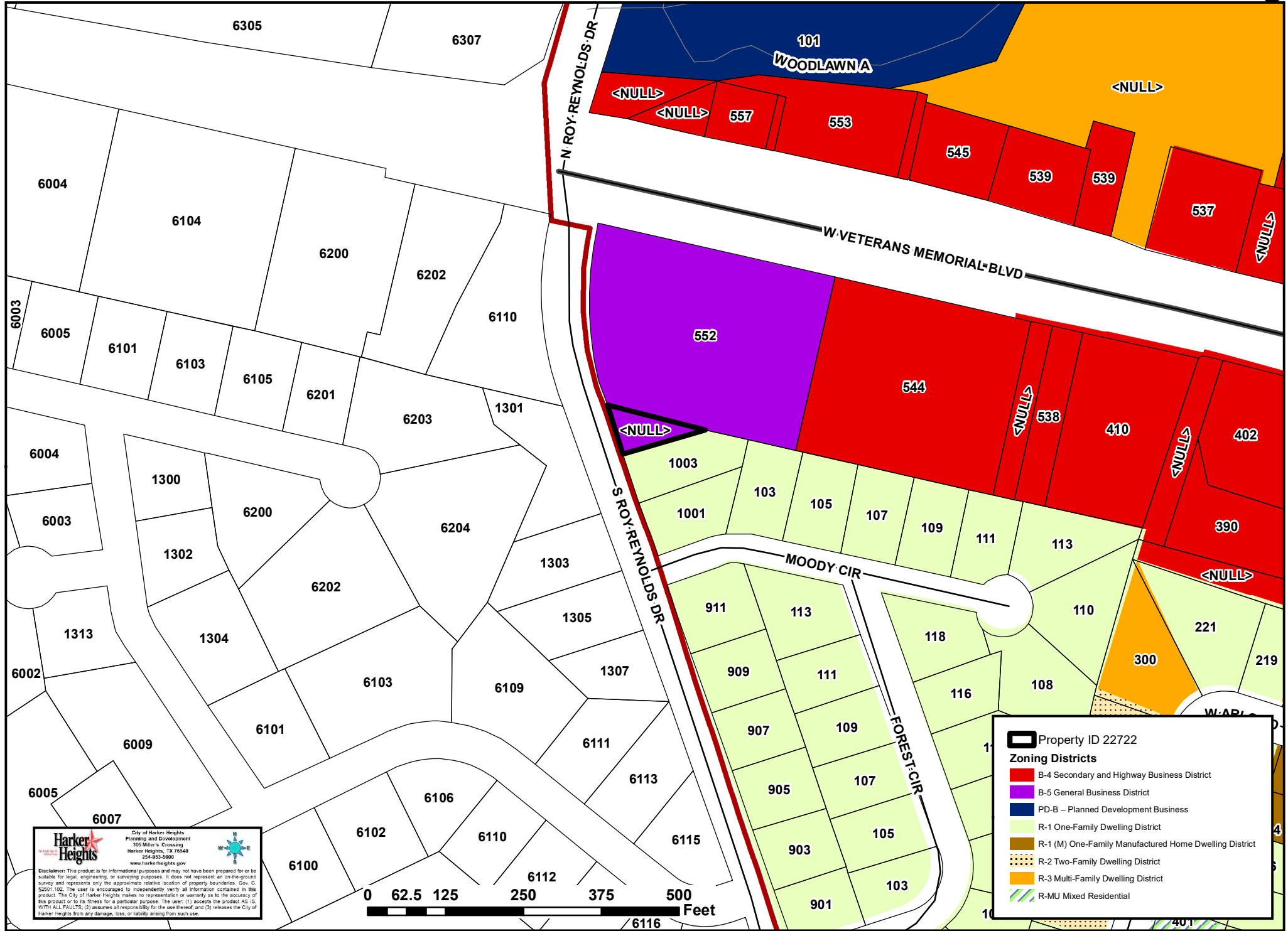
Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5690
www.harkerheights.gov

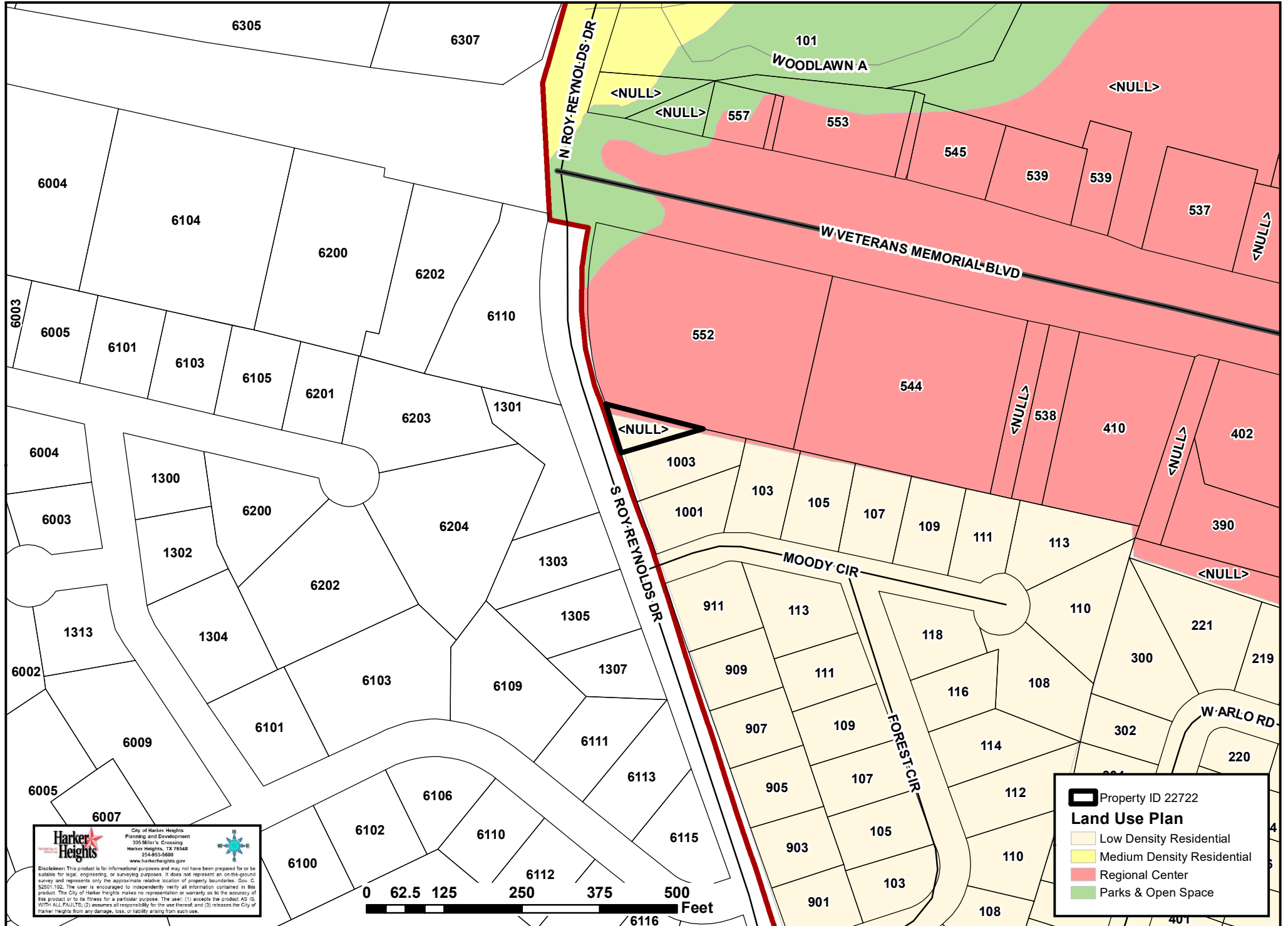
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.

Property ID 22722

Existing Land Use

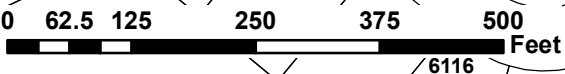
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Community Centers





Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5690
www.harkerheights.gov

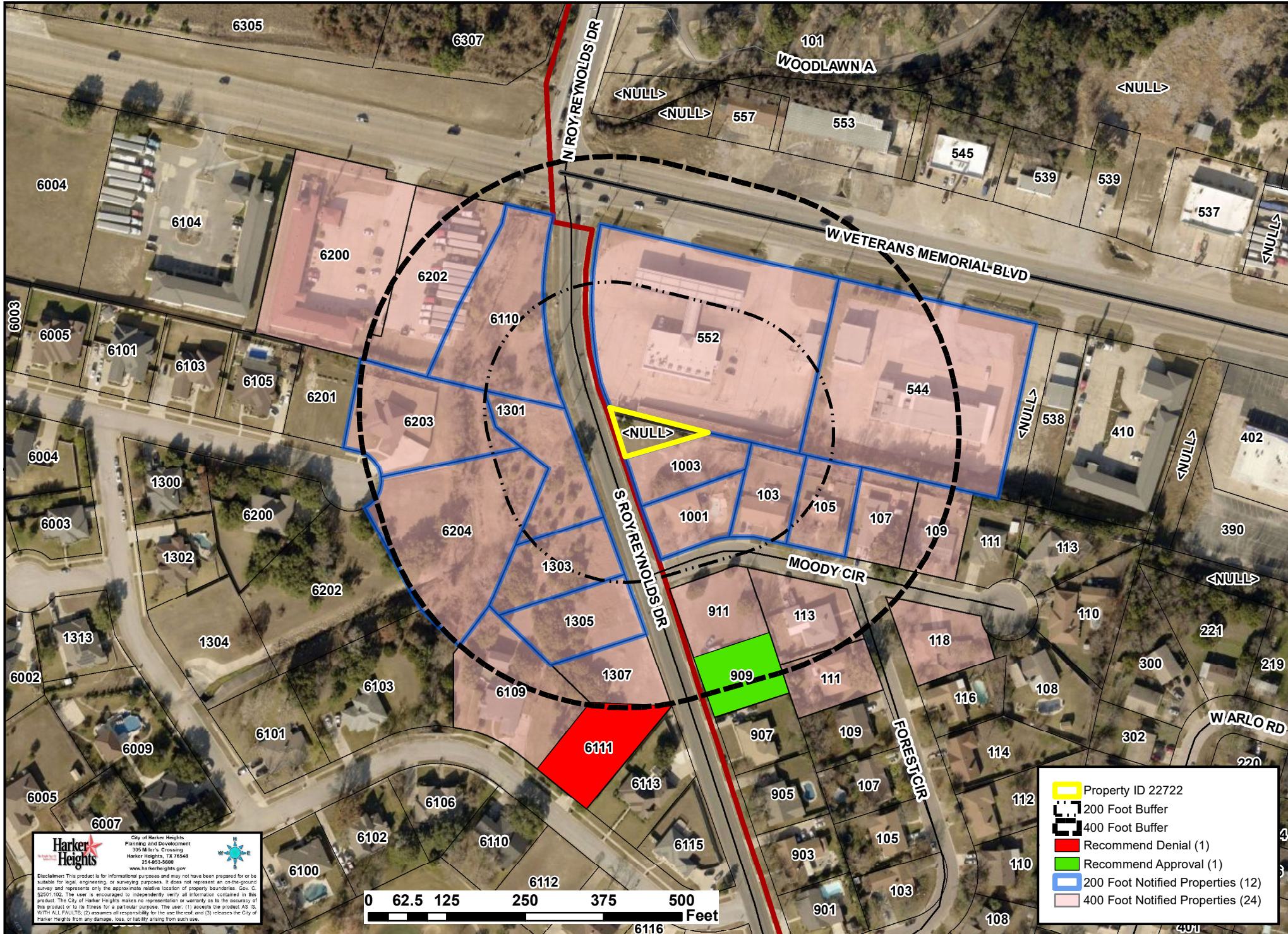
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



Property ID 22722

Land Use Plan

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



	Property ID 22722
	200 Foot Buffer
	400 Foot Buffer
	Recommend Denial (1)
	Recommend Approval (1)
	200 Foot Notified Properties (12)
	400 Foot Notified Properties (24)

City of Harker Heights

 Planning and Development

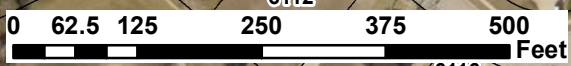
 300 Miles Crossing

 Harker Heights, TX 78548

 254-853-5690

 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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BROWN, KAREN L

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

Physical Address	Property ID
909 S ROY REYNOLDS DR	35017

Z22-24 RE: application has been made to request a change in zoning designation from **B-5 (General Business District)** to **R-1 (One-Family Dwelling District)** on property described as *Stillforest Subdivision Replat (Blks 6-7, 11 PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI), Acres 0.13*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

KAREN Brown
Printed Name

Karen Brown
Signature

Sept. 15, 2022
Date

Received
SEP 19 2022
Planning & Development

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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, ANDRES ETUX MARGRETE

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

Physical Address	Property ID
6111 STILLWOOD DR	22703

Z22-24 RE: application has been made to request a change in zoning designation from **B-5 (General Business District) to R-1 (One-Family Dwelling District)** on property described as *Stillforest Subdivision Replat (Blks 6-7, 11 PT 8), Block 011, Lot PT Blk, (SW 82.37' X 161.68' X 137.88' TRI), Acres 0.13*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Andres Morales
Printed Name

Andres Morales
Signature

Date

Received

SEP 14 2022

Planning & Development



AGENDA ITEM IX-4
PLANNING AND ZONING COMMISSION
MEMORANDUM

Z22-25

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-2 (TWO-FAMILY DWELLING DISTRICT) TO R2-1 (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A0288BC VL EVANS, ACRES .78, PROPERTY ID #77900, GENERALLY LOCATED NORTHWEST OF THE INTERSECTION OF N. MARY JO DRIVE AND W. VALLEY ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a change in zoning designation from R-2 (Two-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, property ID #77900.

Parcel History

This parcel is located within the original area of the city incorporation (1960) and is not platted. Bell County Appraisal District information shows this parcel is approximately .78 acres and is vacant. The property recently had a change in zoning from R1-M (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) that was recommended for approval by P&Z on June 29, 2022, and approved by City Council on July 19, 2022.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses and zoning districts include those identified in the table below:

	Existing Land Use	Land Use Plan	Zoning
North	Medium Density Residential	Medium Density Residential	R2-I Two-Family Infill Dwelling District
South	Regional Center	Regional Center	B-4 Secondary and Highway Business District
East	Medium Density Residential	Medium Density Residential	R2-I Two-Family Infill Dwelling District
West	Regional Center	Regional Center	B-4 Secondary and Highway Business District

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Medium Density Residential; the proposed R2-I zoning with its intended use will not likely have an adverse impact on the neighborhood and is consistent with the most recent updates to the City of Harker Heights Comprehensive Plan and Land Use Plan.

Thoroughfare Plan

N. Mary Jo Drive is classified as a residential street. Per §154.01 of the City’s code of ordinances (adopted as of September 13, 2022, codification in process), Residential Streets are defined as: “RESIDENTIAL OR LOCAL STREETS. Streets whose primary function is to serve individual residential lots. They carry low traffic volumes at low speeds.

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 likely not have an 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 will likely 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 forty-eight (48) notices to property owners within the 400-foot notification area. As of September 22, 2022, one (1) response was received in favor of the request, and zero (0) responses were received in opposition of the request.

Total area of land within the 200-foot notification area is: 297,138.179 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 0 sq. Ft.

Percentage of land area recommending denial: 0%

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.

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 based on Pharr & Tippett.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

Staff recommends approval of an ordinance to change zoning designation from R-2 (Two-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, property ID #77900.

ACTION BY PLANNING AND ZONING COMMISSION:

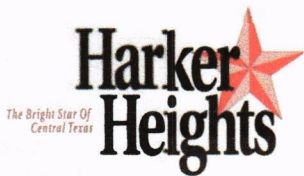
1. Motion to recommend approval/disapproval of an ordinance to change zoning designation from R-2 (Two-Family Dwelling District) to R2-1 (Two-Family Infill Dwelling District) on property described as

A0288BC VL Evans, Acres .78, Property ID #77900, generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, Harker Heights, Bell County, Texas.

2. Any other action deemed necessary.

ATTACHMENTS:

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



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
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: Andrea Thompson **Date:** 08/31/2022
Address: 204 Docia Lane
City/State/Zip: Killeen, Tx 76542
Phone: 254-291-3685 **E-mail:** homeskilleen@gmail.com

Legal Description of Property:

Location of Property (Address if available): Jamie Rd (N. Mary Jo)
 Lot: _____ Block: _____ Subdivision: A0288BC V L EVANS, ACRES .78
 Acres: _____ Property ID: 77900 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: R2 **Proposed Zoning:** R2I
Current Land Use: R2 **Proposed Land Use:** R2I

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.

[Signature]
 Printed Name of Property Owner

Andrea Thompson
 Signature of Property Owner

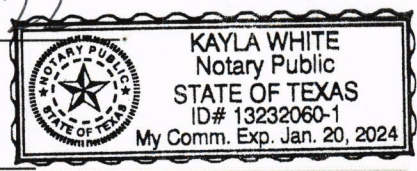
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 31st DAY OF August, 2022

[Signature]
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 1.24.



STAFF ONLY -- DO NOT FILL OUT BELOW
 Date Submitted: _____ Pre-Application Meeting **Receipt #:** _____
 Received By: _____ **Case #:** _____
 Revised: 10/2021

§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

(1) Any use permitted by right in the R-1 District, or (subject to the location requirements for such tracts) in the R1-I Districts.

(2) Two-family or duplex dwelling.

(3) Industrialized duplex dwelling, provided such dwelling complies with all regulations applicable to industrialized single-family housing.

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

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

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

(E) *Intensity of use.*

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

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

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

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

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

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

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

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

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

§ 155.0231 R2-I TWO-FAMILY INFILL DWELLING DISTRICT.

(A) *Purpose.* To establish and preserve areas of low-medium intensity land use primarily devoted to moderate density residential development.

(B) *Location requirements.* The R2-I (Two-Family Infill Dwelling District) shall be restricted to specific geographic locations as designated in the map attached to Ordinance 2017-28 as Exhibit "A" and incorporated by reference, an official copy of which map shall be filed in the office of the City Secretary. This copy shall be the official map and shall not be changed in any manner except as the Council may amend from time to time. In case of any question, such copy, together with any amending ordinances, shall be controlling. Additional copies of the map may be placed in the offices of the Planning and Development Director and the Public Works Director.

(C) *Permitted uses.* Any use permitted by right in the R-2 District, if it meets required standards.

(D) *Conditional uses.* Any conditional use permitted in the R-2 District, if it meets required standards.

(E) *Height regulations.* No building shall exceed three stories or 40 feet in height.

(F) *Design regulations.*

(1) *Materials and appearance.* Building facade must be of masonry or cementitious materials approved by the Building Official. Varying textures, colors, materials and architectural treatments are required on adjacent houses to avoid repetition and add visual interest to the area. R2-I buildings shall be designed to avoid repetitions of buildings or roof lines, and the same elevation may not be used within any five lot groupings. Windows must be configured to break the line of sight between adjacent residences and shall be provided with trim or recessed, rather than flush with exterior wall treatment.

(2) *Fences.* All fences shall provide a finished face to abutting streets.

(3) *Spacing.* If units are less than 12 feet apart, eaves between the units may not protrude beyond 16 inches from the wall.

(G) *Area regulations.*

(1) *Front yard.* There shall be a front yard having a depth of not less than 20 feet if there is a garage in the front, or ten feet in all other circumstances. Where lots have double frontage running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side yard.* The minimum side yard setback for any corner lot shall be ten feet. Other residences may be located such that one of the side yard will be zero; that is, the building may be constructed on the property line, provided that:

(a) A five foot wide maintenance easement, shown on an approved subdivision plat, shall be provided across the full depth of the adjacent lot abutting the wall on the property line; and

(b) There is a required minimum 12 foot separation between neighboring residences.

(3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet.

(H) *Intensity of use.*

(1) The minimum lot area shall be 6,000 square feet.

(2) The minimum width of the lot shall be not less than 30 feet at the front street building line.

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

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

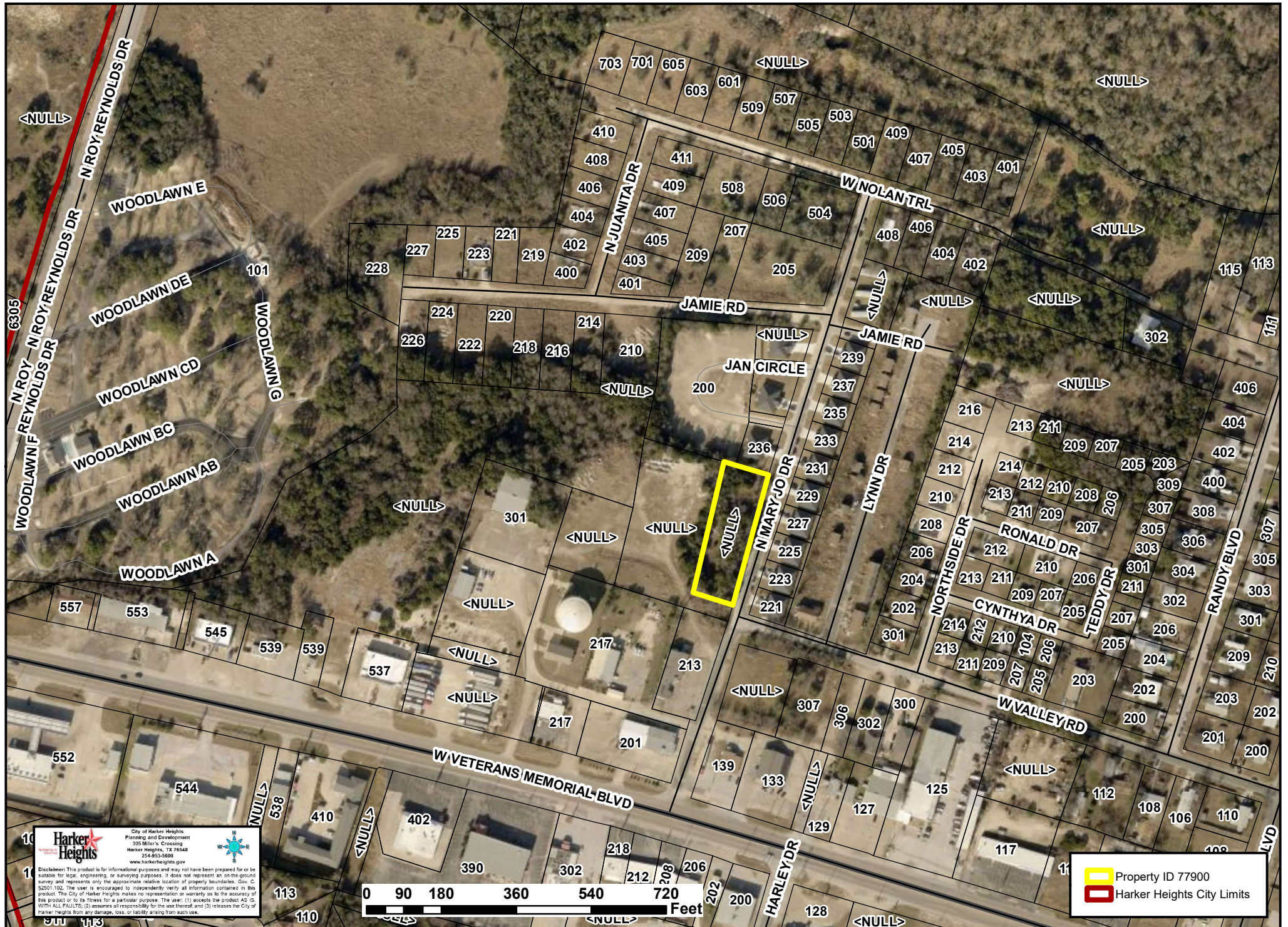
(K) *Landscaping.* All R2-I lots shall have vegetative groundcover of sufficient quality and quantity, or other city- approved groundcover, to control dust, erosion and sediment upon final inspection. In addition, a minimum of two six-foot tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs are required in the front yard.

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

(M) *Accessory structures.* Any accessory structure permitted in the R-2 District is allowed. Detached garages do not count against the number of accessory structures permitted, provided they are behind the rear facade of the main residence building, are set back ten feet from the rear property line, and comply with R2-I side yard setback requirements. Building materials and facade must be consistent with the main residence building materials and facade.



(N) *Zoning incentives.* The Director of Planning and Development is authorized to refund the city's standard fees for zoning, platting, and permitting, sewer taps (excluding material and street cut costs), and water taps (excluding material and street cut costs) hereafter paid in connection with lots zoned R2-I, provided that such zoning, platting or permitting is approved or approved with conditions, and such taps are satisfactorily installed after June 28, 2022 and not later than September 30, 2023.

(Ord. 2017-28, passed 10-10-17; Am. Ord. 2020-09, passed 4-14-20; Am. Ord. 2022-36, passed 6-28-22)

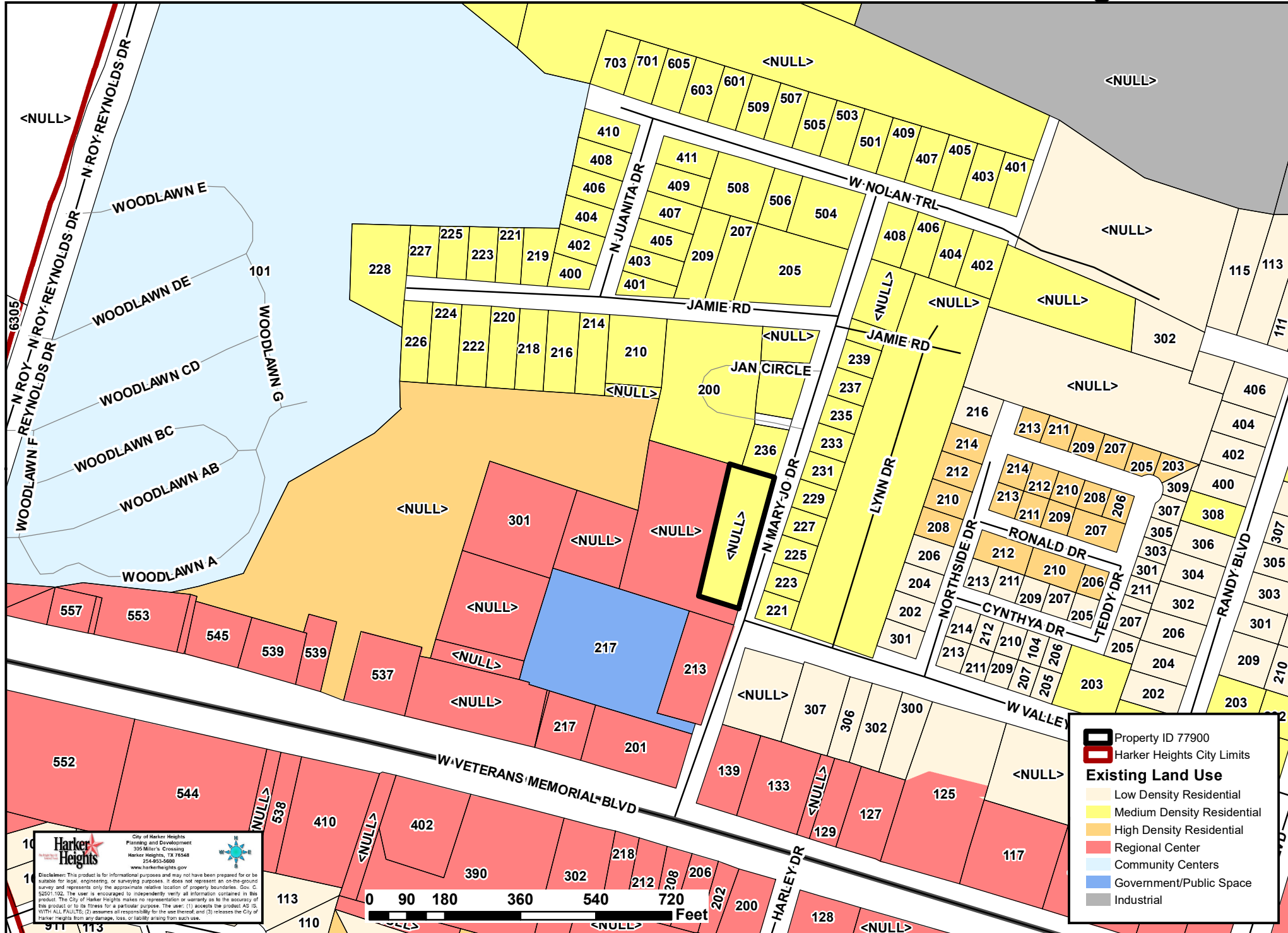



 City of Harker Heights
 Planning and Development
 300 Mila's Crossing
 Harker Heights, TX 78548
 254-853-5690
 www.harkerheights.gov

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. 52201.002. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.

 Property ID 77900
 Harker Heights City Limits

0 90 180 360 540 720 Feet



Property ID 77900

Harker Heights City Limits

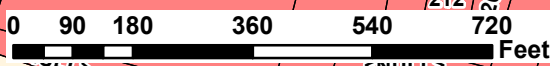
Existing Land Use

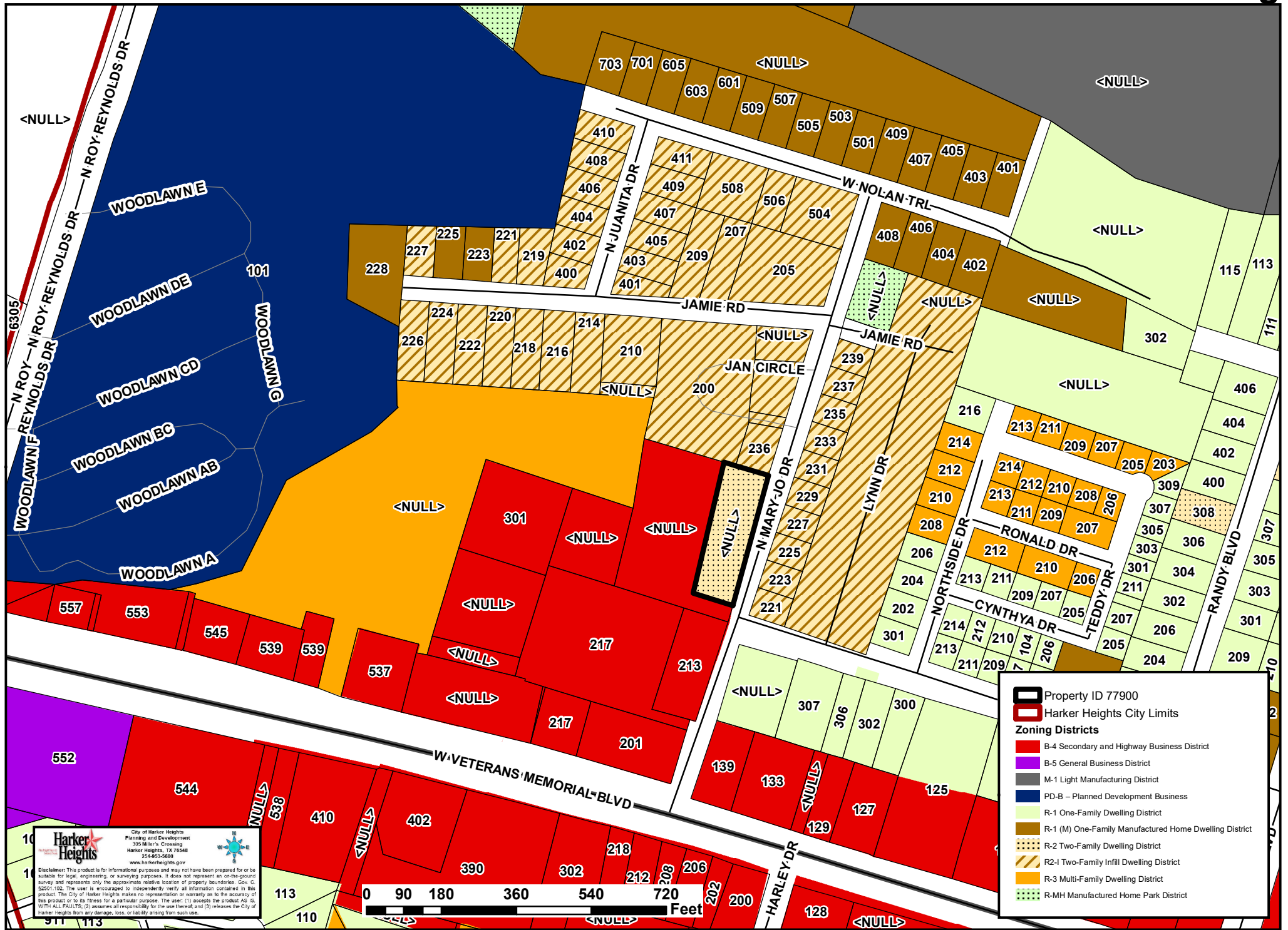
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Regional Center
- Community Centers
- Government/Public Space
- Industrial

Harker Heights

City of Harker Heights
 Planning and Development
 300 Miles's Crossing
 Harker Heights, TX 78548
 254-853-5690
 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. 52201.002. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



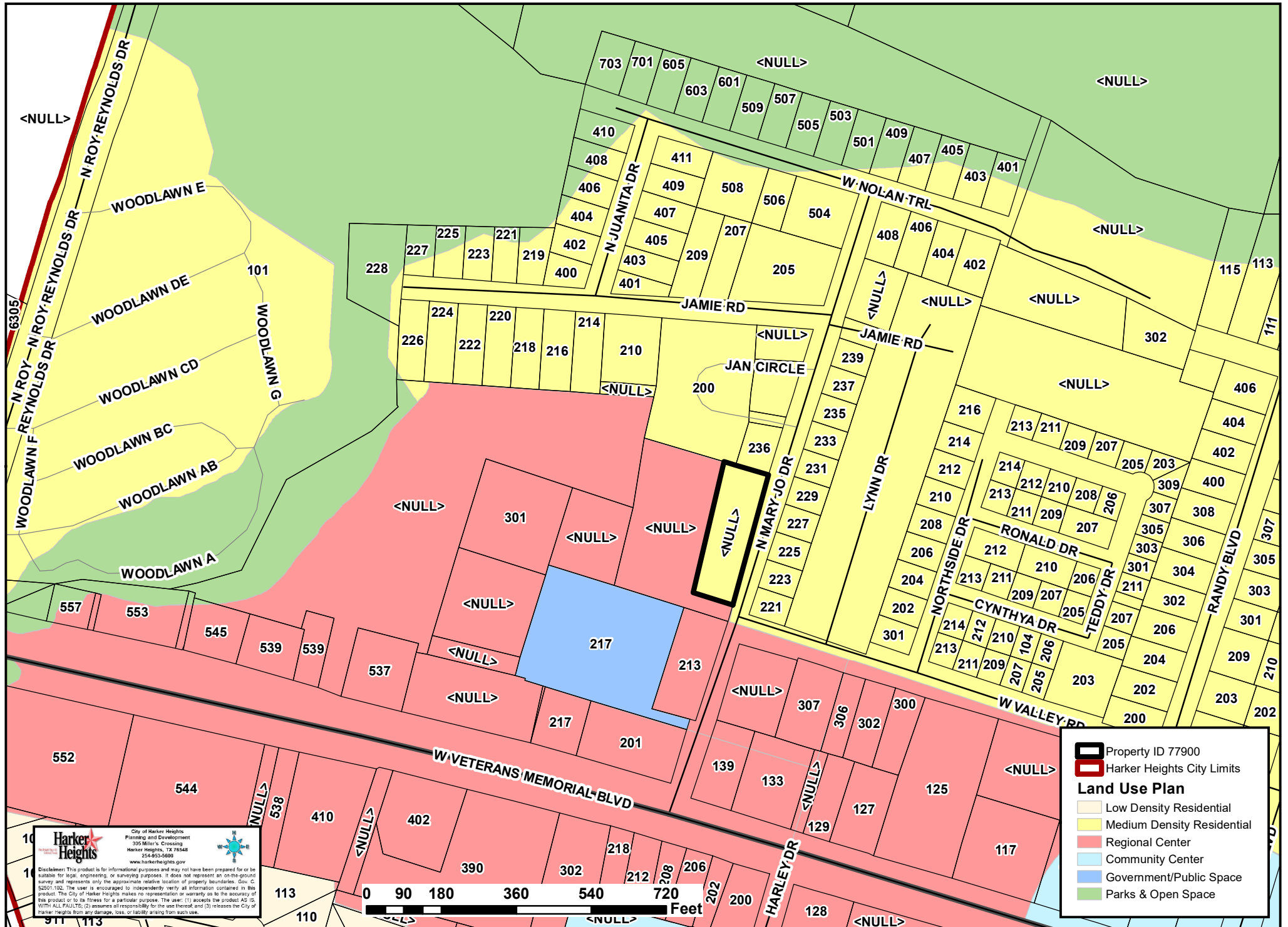


- Property ID 77900
- Harker Heights City Limits
- Zoning Districts**
- B-4 Secondary and Highway Business District
- B-5 General Business District
- M-1 Light Manufacturing District
- PD-B - Planned Development Business
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District
- R2-I Two-Family Infill Dwelling District
- R-3 Multi-Family Dwelling District
- R-MH Manufactured Home Park District

Harker Heights
 City of Harker Heights
 Planning and Development
 300 Miles Crossing
 Harker Heights, TX 78548
 254-853-5600
 www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.002. 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 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 any use.

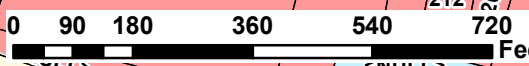


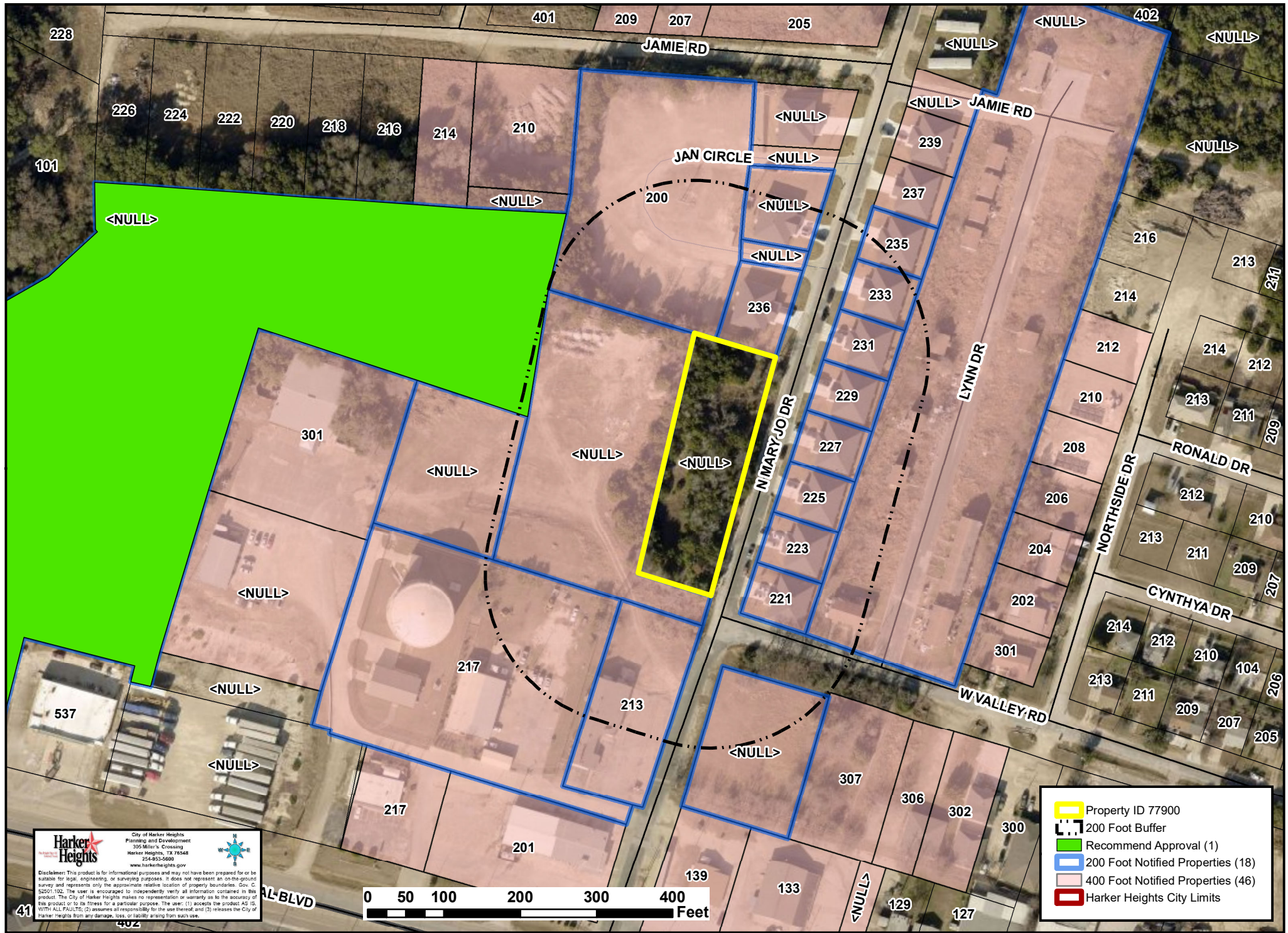


 Property ID 77900
 Harker Heights City Limits
Land Use Plan
 Low Density Residential
 Medium Density Residential
 Regional Center
 Community Center
 Government/Public Space
 Parks & Open Space


 City of Harker Heights
 Planning and Development
 300 Miles's Crossing
 Harker Heights, TX 78548
 254-853-5690
 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. 52201.002. 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 to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.





Harker Heights
City of Harker Heights
Planning and Development
300 Milam's Crossing
Harker Heights, TX 78548
254-853-5690
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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: FOUNTAIN, TERRY ETUX JACKELINE S

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

Physical Address	Property ID
W VETERANS MEMORIAL BLVD	169326

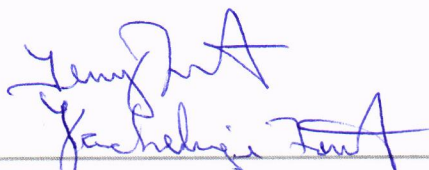
Z22-25 RE: An application has been made to consider a change in zoning designation from **R-2 (Two-Family Dwelling District)** to **R2-1 (Two-Family Infill Dwelling District)** on property described as *A0288BC VL Evans, Acres .78, Property ID #77900, generally located northwest of the intersection of N. Mary Jo Drive and W. Valley Road, Harker Heights, Bell County, Texas,* (see attached notification map)

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Terry Fountain
Jackeline S. Fountain



15 Sept 2022

15 Sept 2022

Printed Name

Signature

Date

Received

SEP 20 2022

Planning & Development



AGENDA ITEM IX-5
PLANNING AND ZONING COMMISSION
MEMORANDUM

Z22-26

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-I (SINGLE-FAMILY INFILL DWELLING DISTRICT) AND R-2I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTY DESCRIBED AS KERN ACRES 2ND EXTENSION & REVISION, BLOCK 012, LOT 0016, (TOD DEED), GENERALLY LOCATED AT 132 E. RUBY ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R2-1 (Two-Family Dwelling District) on property generally located at 132 E. Ruby Road.

Parcel History

This property is located within the original area of the city incorporation (1960) and was platted as part of the Kern Acres 2nd Extension and Revision plat.

An application was received in April 2019 to request a change in zoning designation from R-1 (One-Family Dwelling District) to R-3 (Multi-Family Dwelling District). The Planning & Zoning Commission voted unanimously (8-0) to recommend denial, and the applicant requested the case be withdrawn on May 1, 2019, prior to being considered by City Council.

An application to request a change in zoning designation from R-1 (One-Family Dwelling District) to R-3 (Multi-Family Dwelling District) was received on June 1, 2022 for the same parcel. The Planning & Zoning Commission voted unanimously to recommend disapproval of the request on June 29, 2022, and the City Council voted unanimously to disapprove the request on July 19, 2022.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses and zoning districts 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 Infill Dwelling District)
South	High Density Residential	Medium Density Residential	R-3 (Multi-Family Dwelling District)
East	High Density Residential	Medium Density Residential	R-3 (Multi-Family Dwelling District)
West	Low Density Residential	Low Density Residential	R-1 (One-Family Infill Dwelling District)

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Low Density Residential; the proposed R1-I zoning with its intended use will likely not have an adverse impact on the neighborhood and is consistent with the 2021 updates to the City of Harker Heights Comprehensive Plan and Land Use Plan; the

proposed R2-I zoning with its intended use will likely not 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

E. Ruby Road is classified as a residential street. Per §154.01 of the City’s code of ordinances (adopted as of September 13, 2022, codification in process), Residential Streets are defined as: “Streets whose primary function is to serve individual residential lots. They carry low traffic volumes at low speeds.”.

S. Amy Lane is classified as a collector street per the most recently adopted Comprehensive Plan. Per City of Harker Heights Code of Ordinances §154.01 (adopted as of September 13, 2022, codification in process):

- 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 or Arterials. Residential lots may front on these streets.

- 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. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

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 partially compatible with the current Comprehensive Plan and Land Use Plan. (The proposed R1-I zoning request is compatible, the proposed R2-I rezoning request is not compatible)
2. The proposed use and rezoning will likely not have an 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 will likely 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 September 22, 2022, two (2) responses were received in favor of the request, and five (5) responses were received in opposition of the request. Of the five responses in opposition:

- Five (5) responses are from property owners (none are located within the 200’ notification area, 5 are located within the 400’ notification area, and none are located outside of the 400’ notification area)

Total area of land within the 200-foot notification area is: 198,796.7 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 0 sq. Ft.

Percentage of land area recommending denial: 0.00%

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.

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 based on Pharr & Tippett.
3. Recommend the applicant proceed with a more restrictive zoning classification for this parcel.

Staff Recommendation

Staff recommends disapproval of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District) on property generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change zoning from R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District) on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Applicable Ordinances
3. Location Map
4. Existing Land Use Map
5. Zoning Map
6. Land Use Plan Map
7. Proposed Changes Map
8. Notification Area Map
9. Responses Received



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
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: Eddie Bass Date: 1 sept 22
 Address: 132 E Ruby 106 Concho Ct
 City/State/Zip: Harker Heights
 Phone: 254-681-1105 E-mail: Ebass3@Hot.RR.com

Legal Description of Property:

Location of Property (Address if available): _____
 Lot: 132 16 Block: 12 Subdivision: Kern Arce 2nd Ext
 Acres: _____ Property ID: 172 55 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: Single family and duplex
 Current Zoning Classification: R1 Proposed Zoning: R2 & R15
 Current Land Use: Vacant Proposed Land Use: Low density and Medium Density

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.

Eddie Bass
Printed Name of Property Owner

[Signature]
Signature of Property Owner

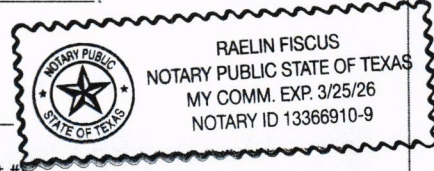
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 15th DAY OF September, 20 22

Rali J
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/25/2024



Date Submitted: _____

Pre-Application Meeting

Receipt #: _____

Received By: _____

Revised: 10/2021

Case #: _____

§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.0221 R1-I SINGLE-FAMILY INFILL DWELLING DISTRICT.

(A) *Location requirements.* The R1-I Single-Family Infill Dwelling District shall be restricted to specific geographic locations as designated in the map attached hereto as Exhibit "A" and incorporated by reference, an official copy of which map shall be filed in the office of the City Secretary. This copy shall be the official map and shall not be changed in any manner except as the Council may amend from time to time. In case of any question, such copy, together with any amending ordinances, shall be controlling. Additional copies of the map may be placed in the offices of the Planning and Development Director and the Public Works Director.

(B) *Permitted uses.* Any use permitted by right in the R-I District, if it meets required standards.

(C) *Conditional uses.* Any conditional use permitted in the R-I District, if it meets required standards.

(D) *Height regulations.* The main residence building may not exceed the lesser of three stories or 40 feet in height.

(E) *Design regulations.*

(1) *Materials and appearance.* Building facade must be of masonry or other cementitious materials approved by the Building Official. Varying textures, colors, materials and architectural treatments are required on adjacent houses to avoid repetition and add visual interests to the area. Windows must be configured to break the line of sight between adjacent residences.

(2) *Fences.* No masonry fences will be permitted between units that are less than 12 feet apart as measured from wall to wall. All front facing fences when located between units less than 12 feet apart must have a minimum three foot wide gate.

(3) *Spacing.* If units are less than 12 feet apart, eaves between the units may not protrude beyond 16 inches from the wall.

(F) *Area regulations.*

(1) *Front yard.* There shall be a front yard having a depth of not less than 20 feet if there is a garage in the front, or ten feet in all other circumstances. Where lots have double frontage running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side yard.* The minimum side yard setback for any corner lot shall be ten feet. Other residences may be located such that one of the side yards will be zero; that is, the building may be constructed on the property line, provided that:

(a) A five foot wide maintenance easement, shown on an approved subdivision plat, shall be provided across the full

depth of the adjacent lot abutting the wall on the property line; and

(b) There is required a minimum ten foot separation between neighboring residences.

(3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet.

(G) *Intensity of use.*

(1) *Lot area.* No building shall be constructed on any lot less than 3,500 square feet in area.

(2) *Lot width.* The minimum width of the lot shall be not less than 30 feet at the front street building line.

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

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

(J) *Landscaping.* All yards shall have vegetative groundcover of sufficient quality and quantity, or other groundcover approved by the Director of Planning and Development, to control dust, erosion and sediment upon final inspections. In addition, a minimum of one six-foot-tall tree, measuring three inches or more in caliper (diameter) when measured 12 inches from the base of the trunk and 16 three-gallon shrubs, are required in the front yard.

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

(L) *Accessory structures.* The following accessory structures are permitted:

(1) Any accessory structure permitted in the R-I District;

(2) Detached garages and carports do not count against the number of accessory structures permitted. Such structures must be behind the rear facade of the main residence building, must be set back ten feet from the rear property line, and must comply with R1-I side yard setback requirements. Building materials and facade must be consistent with the main residence building materials and facade.

(3) One garage apartment will be allowed on site provided that it is above a detached garage and served by a paved driveway. The apartment may be taller than the primary residence, but may not exceed the lesser of 35 feet or two and one half stories in height. The structure may not exceed a gross floor area of 850 total square feet, or 550 square feet on the second floor, if any.

(M) *Zoning incentives.* The Director of Planning and Development is authorized to refund the city's standard fees for zoning, platting, and permitting, sewer taps (excluding material and street cut costs), and water taps (excluding material and street cut costs) hereafter paid in connection with lots zoned R1-I, provided that such zoning, platting or permitting is approved or approved with conditions, and such taps are satisfactorily installed after June 28, 2022 and not later than September 30, 2023.

(Ord. 2016-24, passed 10-11-16; Am. Ord. 2017-27, passed 10-10-17; Am. Ord. 2022-35, passed 6-28-22)

§ 155.0231 R2-I TWO-FAMILY INFILL DWELLING DISTRICT.

(A) *Purpose.* To establish and preserve areas of low-medium intensity land use primarily devoted to moderate density residential development.

(B) *Location requirements.* The R2-I (Two-Family Infill Dwelling District) shall be restricted to specific geographic locations as designated in the map attached to Ordinance 2017-28 as Exhibit "A" and incorporated by reference, an official copy of which map shall be filed in the office of the City Secretary. This copy shall be the official map and shall not be changed in any manner except as the Council may amend from time to time. In case of any question, such copy, together with any amending ordinances, shall be controlling. Additional copies of the map may be placed in the offices of the Planning and Development Director and the Public Works Director.

(C) *Permitted uses.* Any use permitted by right in the R-2 District, if it meets required standards.

(D) *Conditional uses.* Any conditional use permitted in the R-2 District, if it meets required standards.

(E) *Height regulations.* No building shall exceed three stories or 40 feet in height.

(F) *Design regulations.*

(1) *Materials and appearance.* Building facade must be of masonry or cementitious materials approved by the Building Official. Varying textures, colors, materials and architectural treatments are required on adjacent houses to avoid repetition and add visual interest to the area. R2-I buildings shall be designed to avoid repetitions of buildings or roof lines, and the same elevation may not be used within any five lot groupings. Windows must be configured to break the line of sight between adjacent residences and shall be provided with trim or recessed, rather than flush with exterior wall treatment.

(2) *Fences.* All fences shall provide a finished face to abutting streets.

(3) *Spacing.* If units are less than 12 feet apart, eaves between the units may not protrude beyond 16 inches from the wall.

(G) *Area regulations.*

(1) *Front yard.* There shall be a front yard having a depth of not less than 20 feet if there is a garage in the front, or ten feet in all other circumstances. Where lots have double frontage running through from one street to another, the required front yard shall be provided on both streets.

(2) *Side yard.* The minimum side yard setback for any corner lot shall be ten feet. Other residences may be located such that one of the side yard will be zero; that is, the building may be constructed on the property line, provided that:

(a) A five foot wide maintenance easement, shown on an approved subdivision plat, shall be provided across the full depth of the adjacent lot abutting the wall on the property line; and

(b) There is a required minimum 12 foot separation between neighboring residences.

(3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet.

(H) *Intensity of use.*

(1) The minimum lot area shall be 6,000 square feet.

(2) The minimum width of the lot shall be not less than 30 feet at the front street building line.

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

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

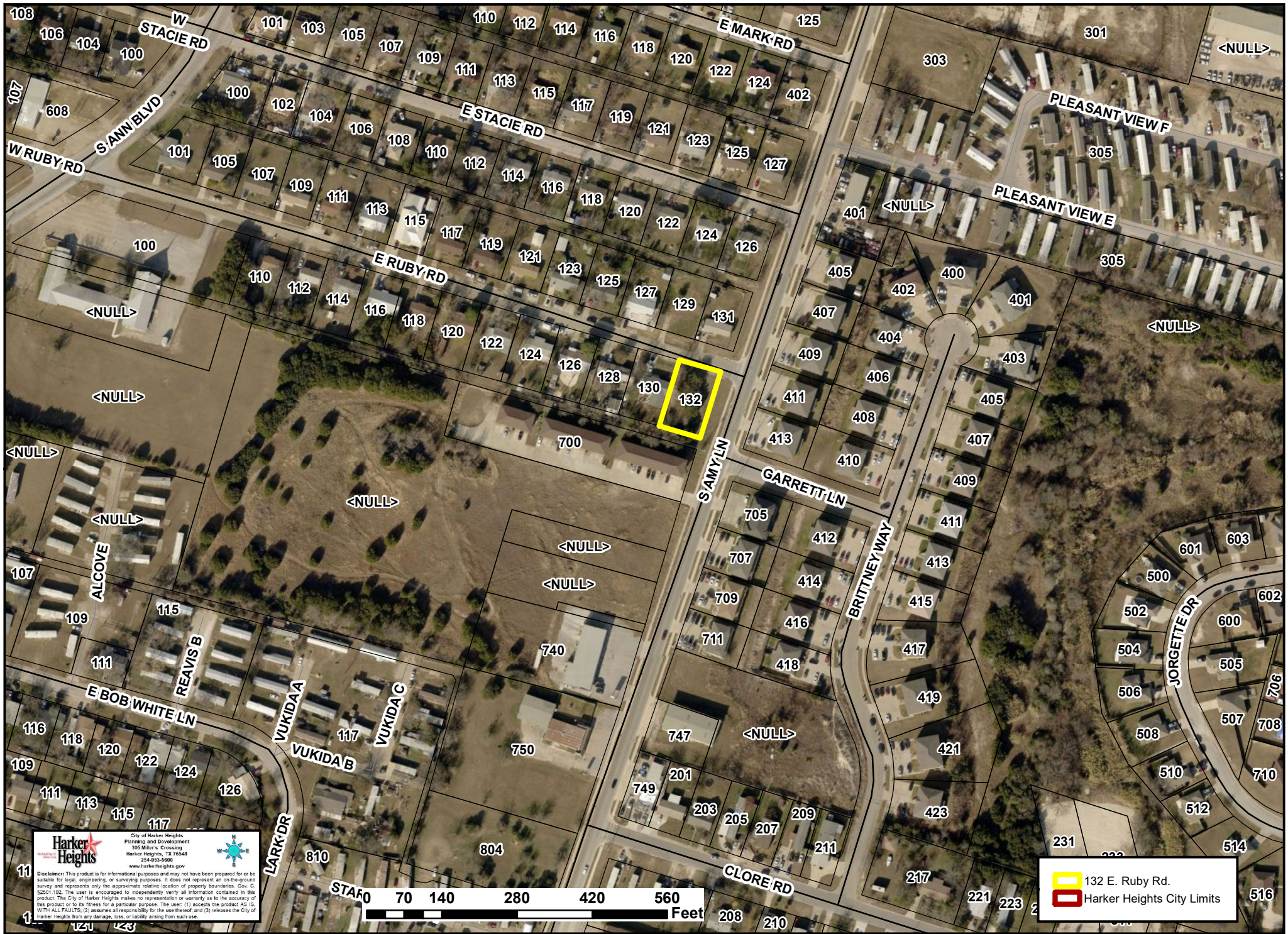
(K) *Landscaping.* All R2-I lots shall have vegetative groundcover of sufficient quality and quantity, or other city- approved groundcover, to control dust, erosion and sediment upon final inspection. In addition, a minimum of two six-foot tall trees, measuring two inches or more in caliper (diameter) when measured 12 inches from the base of the trunk, and eight three-gallon shrubs are required in the front yard.

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

(M) *Accessory structures.* Any accessory structure permitted in the R-2 District is allowed. Detached garages do not count against the number of accessory structures permitted, provided they are behind the rear facade of the main residence building, are set back ten feet from the rear property line, and comply with R2-I side yard setback requirements. Building materials and facade must be consistent with the main residence building materials and facade.

(N) *Zoning incentives.* The Director of Planning and Development is authorized to refund the city's standard fees for zoning, platting, and permitting, sewer taps (excluding material and street cut costs), and water taps (excluding material and street cut costs) hereafter paid in connection with lots zoned R2-I, provided that such zoning, platting or permitting is approved or approved with conditions, and such taps are satisfactorily installed after June 28, 2022 and not later than September 30, 2023.

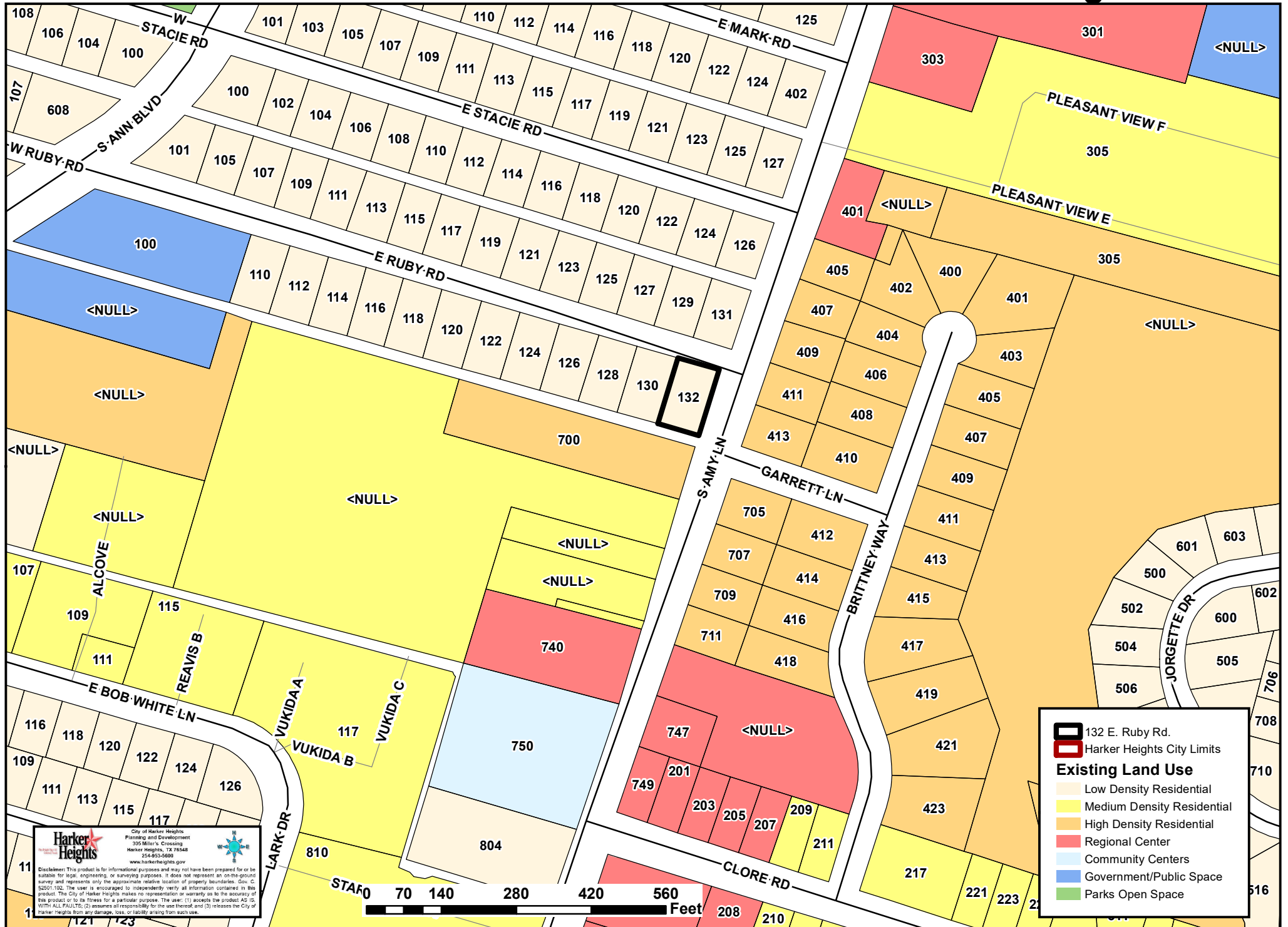
(Ord. 2017-28, passed 10-10-17; Am. Ord. 2020-09, passed 4-14-20; Am. Ord. 2022-36, passed 6-28-22)





Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5699
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. 52201.002. 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 the product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.








132 E. Ruby Rd.
Harker Heights City Limits



 132 E. Ruby Rd.

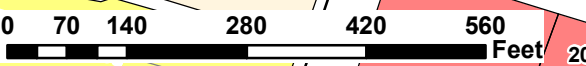
 Harker Heights City Limits

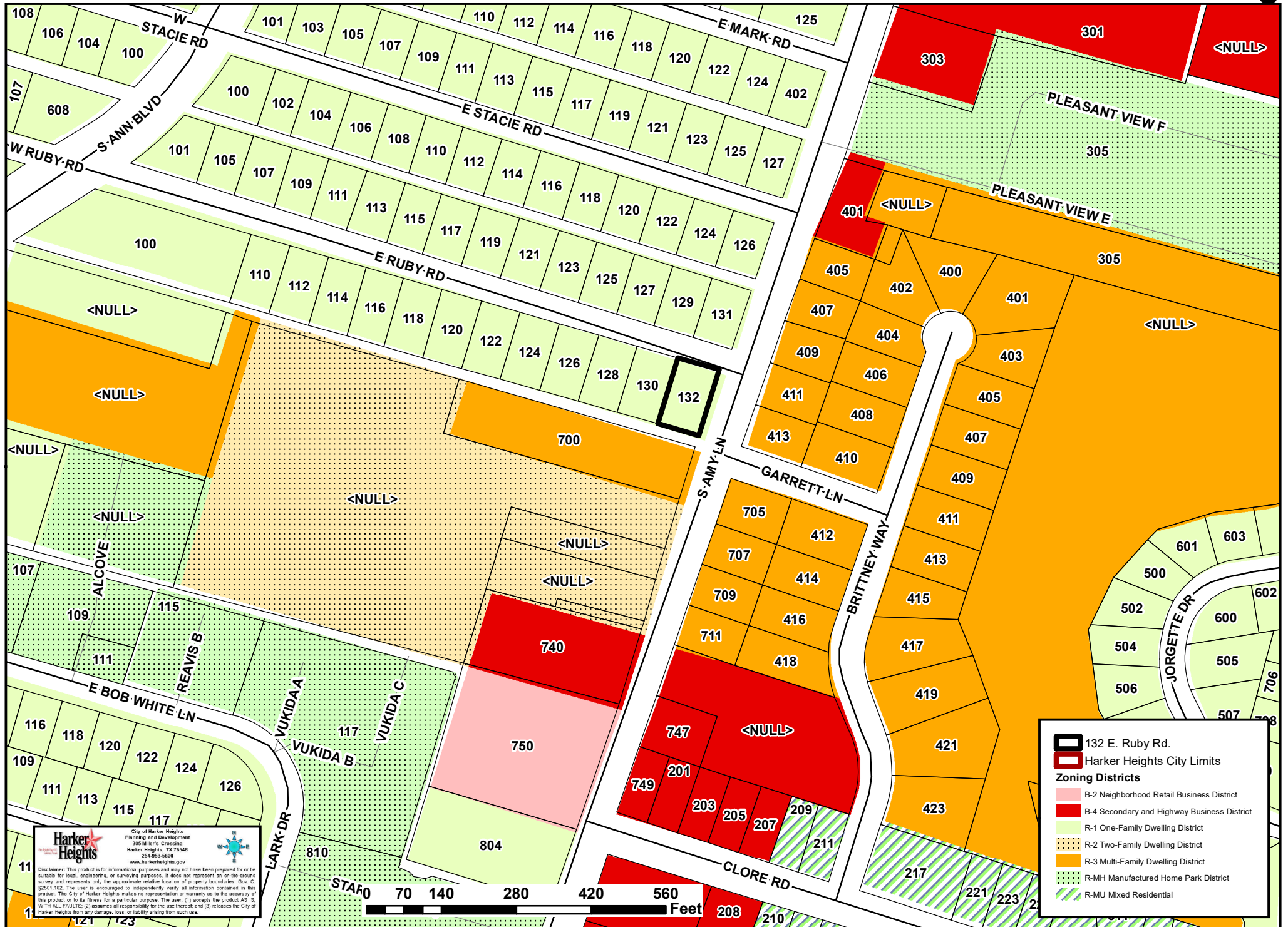
Existing Land Use

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

Harker Heights
 City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5690
 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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.





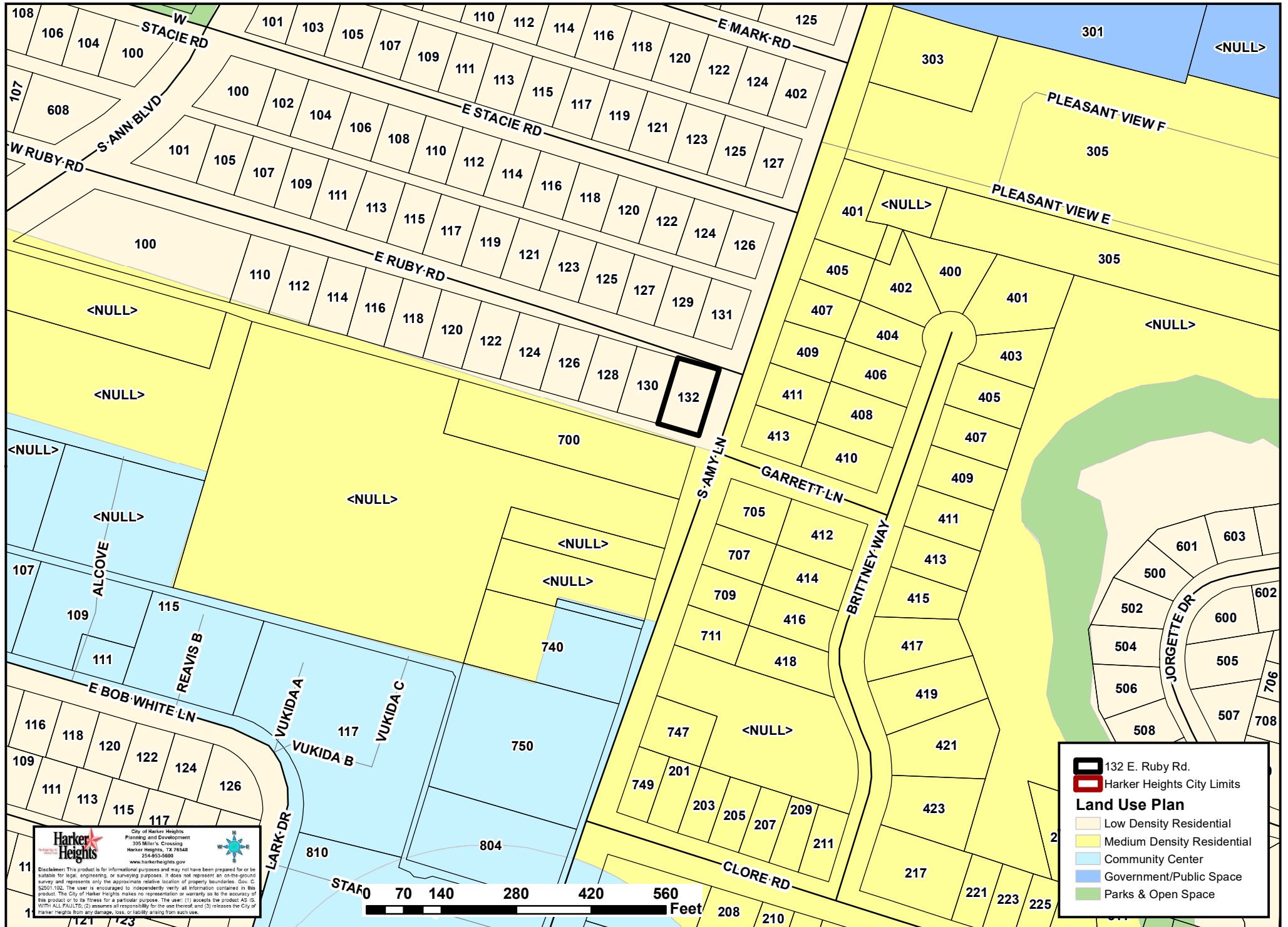
Harker Heights
 City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5699
 www.harkerheights.gov

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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



Legend

- 132 E. Ruby Rd.
- Harker Heights City Limits
- Zoning Districts**
- B-2 Neighborhood Retail 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
- R-MU Mixed Residential

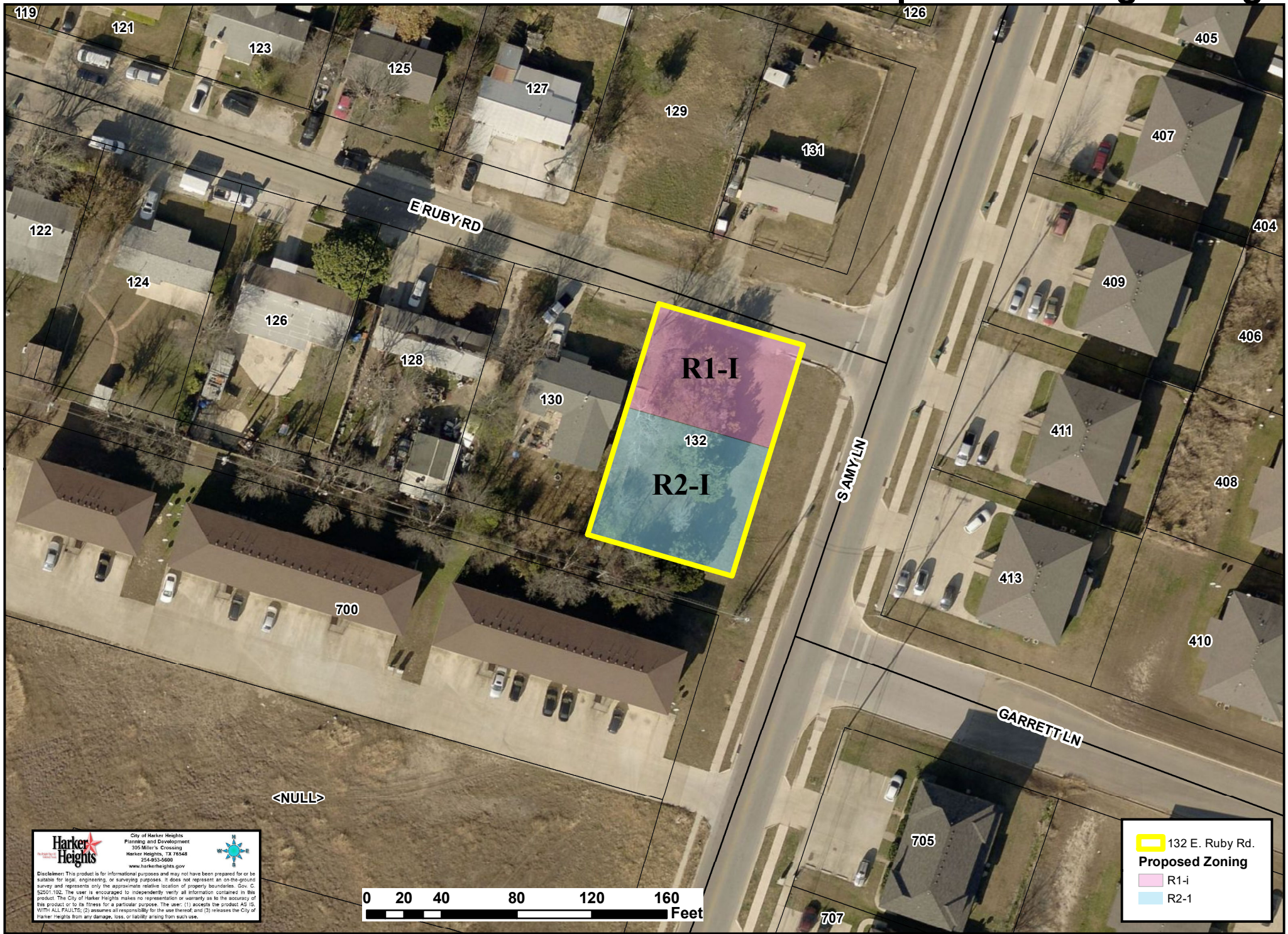


132 132 E. Ruby Rd.
 Harker Heights City Limits
Land Use Plan
 Low Density Residential
 Medium Density Residential
 Community Center
 Government/Public Space
 Parks & Open Space

Harker Heights
 City of Harker Heights
 Planning and Development
 300 Millie's Crossing
 Harker Heights, TX 78548
 254-853-5690
 www.harkerheights.gov

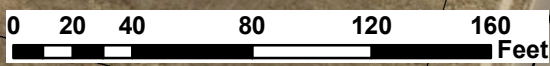
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.





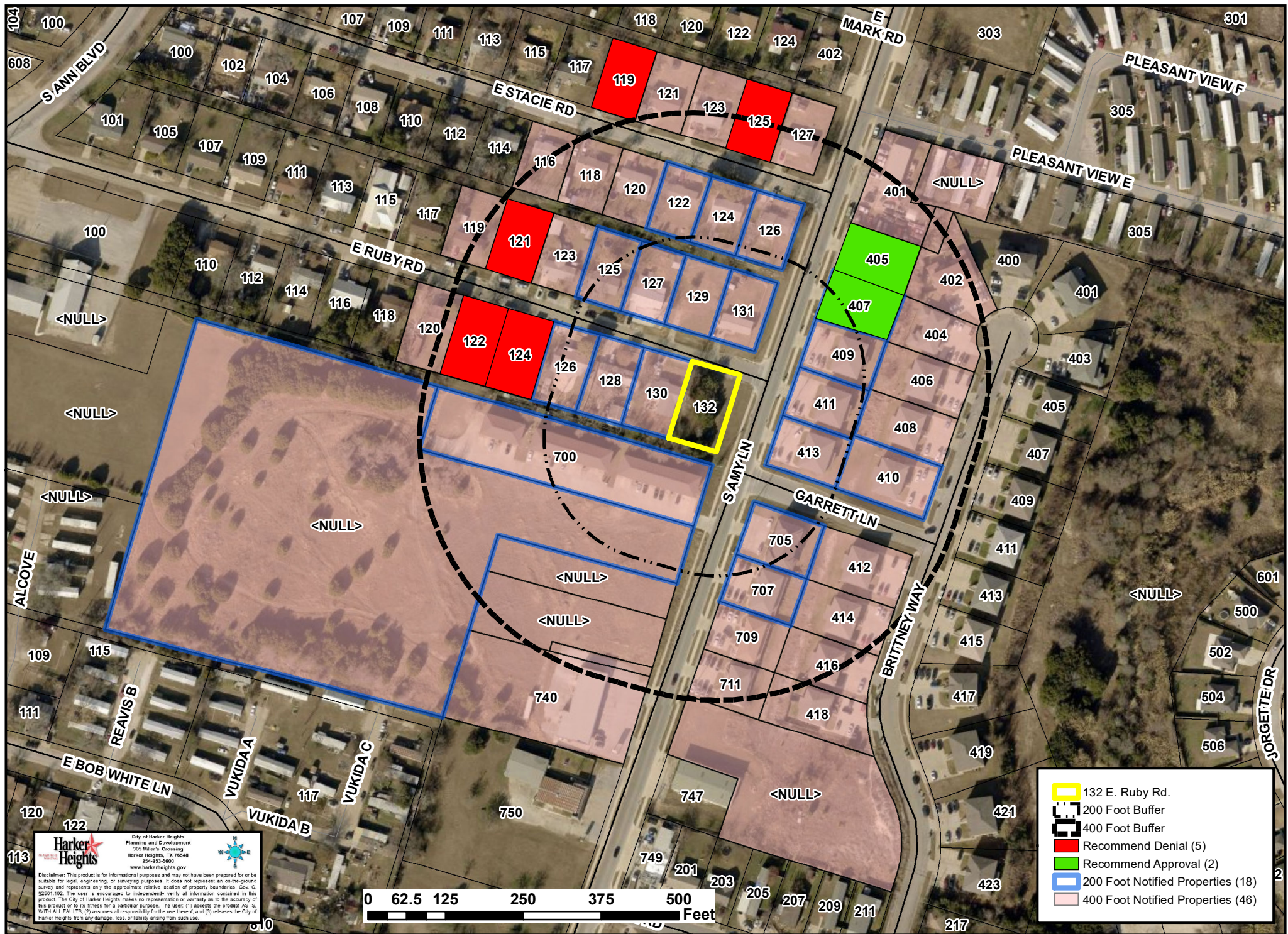
Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5699
www.harkerheights.gov

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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.



132 E. Ruby Rd.
Proposed Zoning

- R1-i
- R2-1



Harker Heights
City of Harker Heights
Planning and Development
300 Mila's Crossing
Harker Heights, TX 78548
254-853-5600
www.harkerheights.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: THOMASON, CAROLINE

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

Physical Address	Property ID
119 E STACIE RD	36781

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Received

SEP 15 2022

Comments:

Planning & Development

Caroline Thomason

Printed Name

Caroline Thomason

Signature

9/11/2022

Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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**

Received

SEP 19 2022

FROM: HART, CLEO J ETUX MELVINA L

Planning & Development

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

Physical Address	Property ID
121 E RUBY RD	46654

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: *Re-zoning the lot located at 132 E. Ruby Road Harker Heights, Bell County, Texas from R1 to R1-I and R-2I, is not in the best interest of our established neighborhood. It will cause added congestion by cramming family dwellings on an area not originally designated for them.*

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: *Same reasons.*

Melvina L. Hart

Melvina L. Hart

Sept. 19, 2022

Printed Name

Signature

Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: SWAIN, KATIE LEE & EVA SHANE AVANS

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

Physical Address	Property ID
122 E RUBY RD	4385

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

We are not interested in multi-family anything.

Katie Swain Printed Name Katie L. Swain Signature 09/12/2022 Date

²²²⁻²⁶
^{22-26-f} SWAIN, KATIE LEE & EVA SHANE AVANS
510 NORWOOD PL UNIT 7
ARLINGTON, TX 76013

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: ROBERSON, DONNA & MICHAEL PAUL METZGER

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

Physical Address	Property ID
124 E RUBY RD	46299

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

NO

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

WE ARE NOT INTERESTED IN MULTI FAMILY
AFTER WHAT YOU DID TO AMY

Donna Roberson
Printed Name

Donna A Roberson
Signature

9/12/22
Date

²²²⁻²⁶ ROBERSON, DONNA & MICHAEL PAUL METZGER
^{22-26-F}
510 NORWOOD PL UNIT 7
ARLINGTON, TX 76013

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

Received

SEP 19 2022

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

Planning & Development

FROM: GORDON-WELLS, STORMIE N

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

Physical Address	Property ID
125 E STACIE RD	40468

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

Our single family houses in this neighborhood should be kept on track, these proposed changes will change the entire dynamic of the neighborhood allowing it to change to a renters zone not a family type neighborhood. Already Amy St (See Attached)

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

SAME REASONS AS ABOVE

Printed Name

Signature

Date

continuation from comments section

has rows of four plots on one side, with the single road lay out in each direction, traffic doesn't flow as it should because of the constant vehicles having to pull in so many driveways, this should be a bigger problem if allowed on both sides of Amy St. Ruby Street sits on the corner of Amy where they want to change the zoning. If allowed this entire neighborhood area will also be affected with the construction part of the plan. Again there is only one lane per direction on Amy St.

Leave our current neighborhood in tact so it can continue to be a family neighborhood of home buyers. I personally live in that area I have personally witnessed the more renters the more problems for the rest of the neighborhood.

Please don't change our existing neighborhood!

Received

SEP 19 2022

Planning & Development

Respectfully
Stannis And Well

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BASS, DIERDE M & EDDIE J

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

Physical Address	Property ID
405 S AMY LN	350598

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

SEP 13 2022

Planning & Development

Eddie J. Bass

Printed Name

[Signature]

Signature

13 Sept 22

Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BASS, EDDIE J ETUX DIERDRE M

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

Physical Address	Property ID
407 AMY LN	350597

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

SEP 13 2022

Planning & Development

Eddie J. Bass _____ 13 sept 22
 Printed Name Signature Date



AGENDA ITEM IX-6
PLANNING AND ZONING COMMISSION
MEMORANDUM

Z22-26-F

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER AN ORDINANCE TO CHANGE LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON PROPERTY DESCRIBED AS KERN ACRES 2ND EXTENSION & REVISION, BLOCK 012, LOT 0016, (TOD DEED), GENERALLY LOCATED AT 132 E. RUBY ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS

EXPLANATION:

The applicant is requesting a change in land use designation from Low Density Residential to Medium Density Residential on a portion of the property generally located at 132 E. Ruby Road.

Parcel History

This property is located within the original area of the city incorporation (1960) and was platted as part of the Kern Acres 2nd Extension and Revision plat.

An application was received in April 2019 to request a change in zoning designation from R-1 (One-Family Dwelling District) to R-3 (Multi-Family Dwelling District). The Planning & Zoning Commission voted unanimously (8-0) to recommend denial, and the applicant requested the case be withdrawn on May 1, 2019, prior to being considered by City Council.

An application to request a change in zoning designation from R-1 (One-Family Dwelling District) to R-3 (Multi-Family Dwelling District) was received on June 1, 2022 for the same parcel. The Planning & Zoning Commission voted unanimously to recommend disapproval of the request on June 29, 2022, and the City Council voted unanimously to disapprove the request on July 19, 2022.

STAFF ANALYSIS:

Surrounding Land Uses

Adjacent land uses and zoning districts include those identified in the table below:

	Land Use Plan
North	Low Density Residential
South	Medium Density Residential
East	Medium Density Residential
West	Low Density Residential

The 2021 Land Use Plan and Comprehensive Plan identifies this area is designated as Low Density Residential; the proposed R-1-I and R2-I zoning with its intended use will likely not 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

E. Ruby Road is classified as a residential street. Per §154.01 of the City’s code of ordinances (adopted as of September 13, 2022, codification in process), Residential Streets are defined as: “Streets whose primary function is to serve individual residential lots. They carry low traffic volumes at low speeds.”.

S. Amy Lane is classified as a collector street per the most recently adopted Comprehensive Plan. Per City of Harker Heights Code of Ordinances §154.01 (adopted as of September 13, 2022, codification in process):

- 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 or Arterials. Residential lots may front on these streets.

- 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. These are limited access roads on which no driveway access for single-family or two-family residential lots may be allowed.

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 partially compatible with the current Comprehensive Plan and Land Use Plan. (The proposed R1-I zoning request is compatible, the proposed R2-I rezoning request is not compatible)
2. The proposed use and rezoning will likely not have an 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 will likely 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 September 22, 2022, two (2) responses were received in favor of the request, and five (5) responses were received in opposition of the request. Of the five responses in opposition:

- Five (5) responses are from property owners (none are located within the 200’ notification area, 5 are located within the 400’ notification area, and none are located outside of the 400’ notification area)

Total area of land within the 200-foot notification area is: 198,796.7 sq. ft.

Total area of land within the 200-foot notification area recommending denial is: 0 sq. Ft.

Percentage of land area recommending denial: 0.00%

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.

Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff Recommendation

If the R2-I zoning classification case for this parcel is recommended for disapproval by the Planning & Zoning Commission, then staff recommends disapproval of this request based on the following:

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

If the R2-I zoning classification case for this parcel is recommended for approval by the Planning & Zoning Commission, then staff recommends approval of an ordinance to change the Land Use Plan designation from Low Density Residential to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, based on the following:

1. This action would amend the current Comprehensive Plan and Land Use Plan such that the proposed use would be compatible with the new R2-I zoning.

ACTION BY PLANNING AND ZONING COMMISSION:

1. Motion to recommend approval/disapproval of an ordinance to change land use designation from Low Density Residential to Medium Density Residential on property described as Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Land Use Designations
3. Location Map
4. Existing Land Use Map
5. Zoning Map
6. Land Use Plan Map
7. Proposed Changes Map
8. Notification Area Map
9. Responses Received



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights
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: Eddie Bass Date: 1 sept 22
 Address: 132 E Ruby 106 Concho Ct
 City/State/Zip: Harker Heights
 Phone: 254-681-1105 E-mail: Ebass3@Hot.RR.com

Legal Description of Property:

Location of Property (Address if available): _____
 Lot: 132 16 Block: 12 Subdivision: Kern Arce 2nd Ext
 Acres: _____ Property ID: 172 55 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: Single family and duplex
 Current Zoning Classification: R1 Proposed Zoning: R2 & R15
 Current Land Use: Vacant Proposed Land Use: Low density and Medium Density

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.

Eddie Bass
Printed Name of Property Owner

[Signature]
Signature of Property Owner

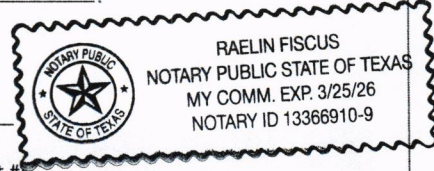
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 15th DAY OF September, 20 22

Rali J
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/25/2024



Date Submitted: _____

Pre-Application Meeting

Receipt #: _____

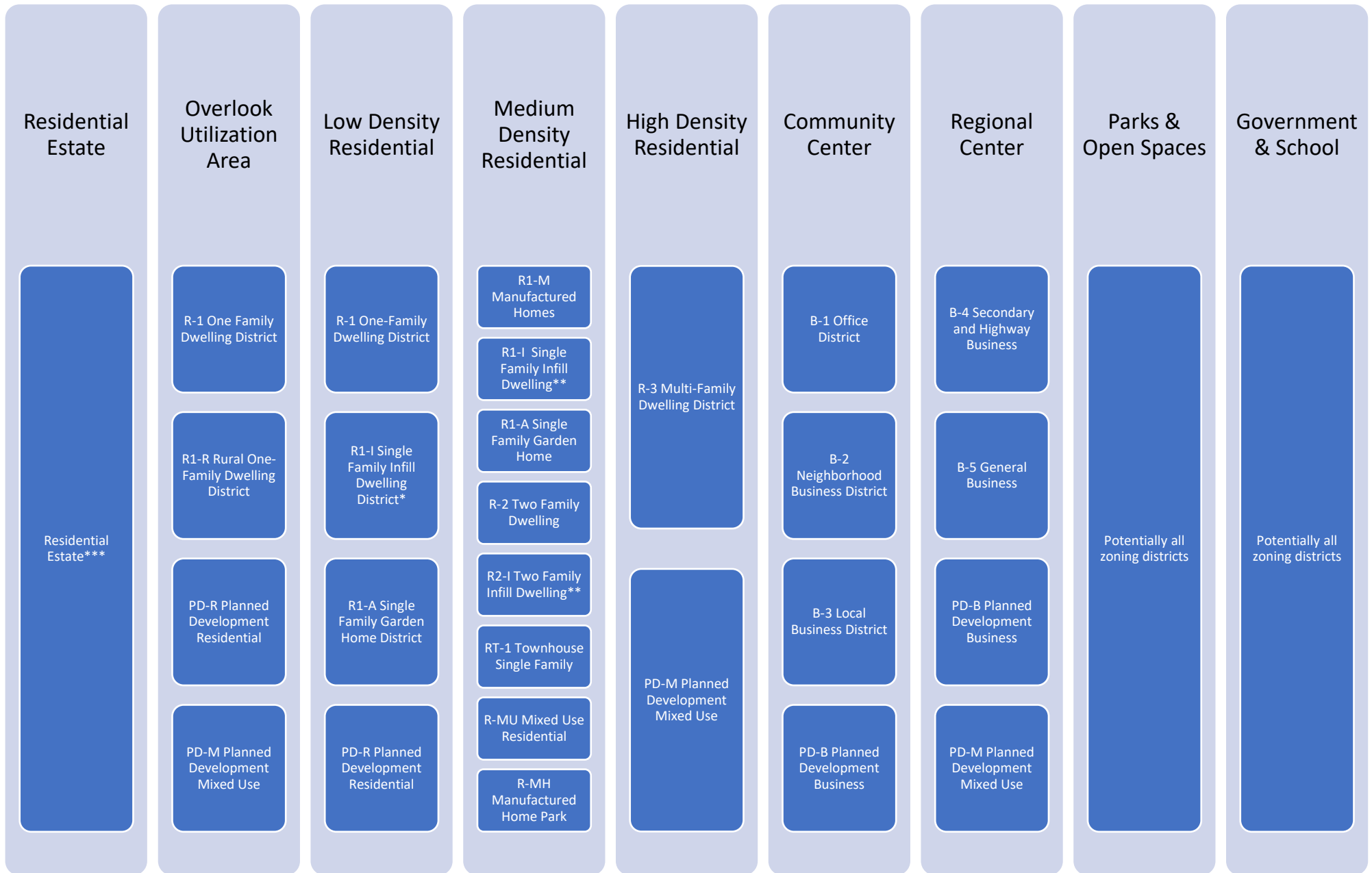
Received By: _____

Revised: 10/2021

Case #: _____

STAFF ONLY – DO NOT FILL OUT BELOW

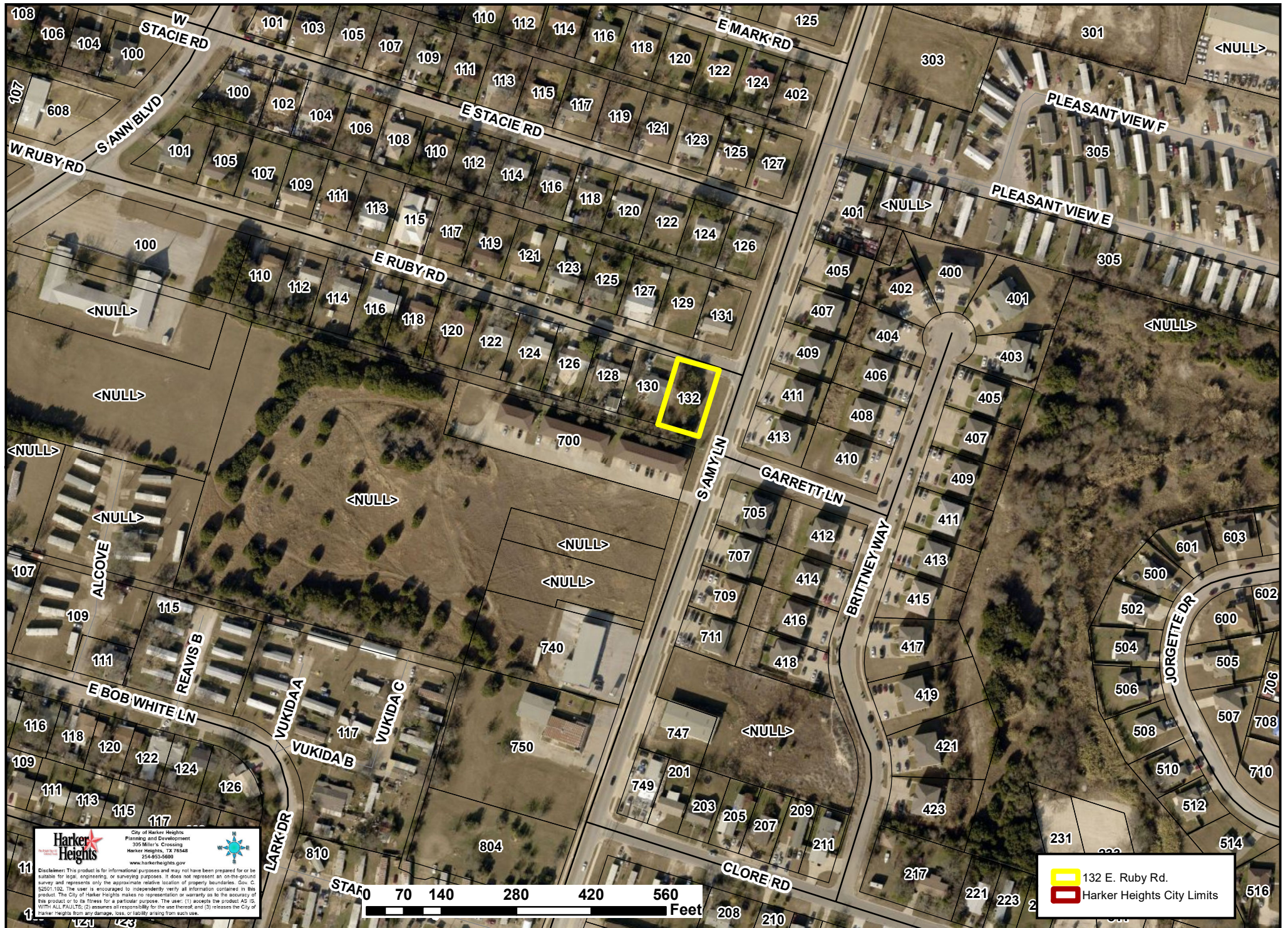
Zoning Districts Per Land Use*

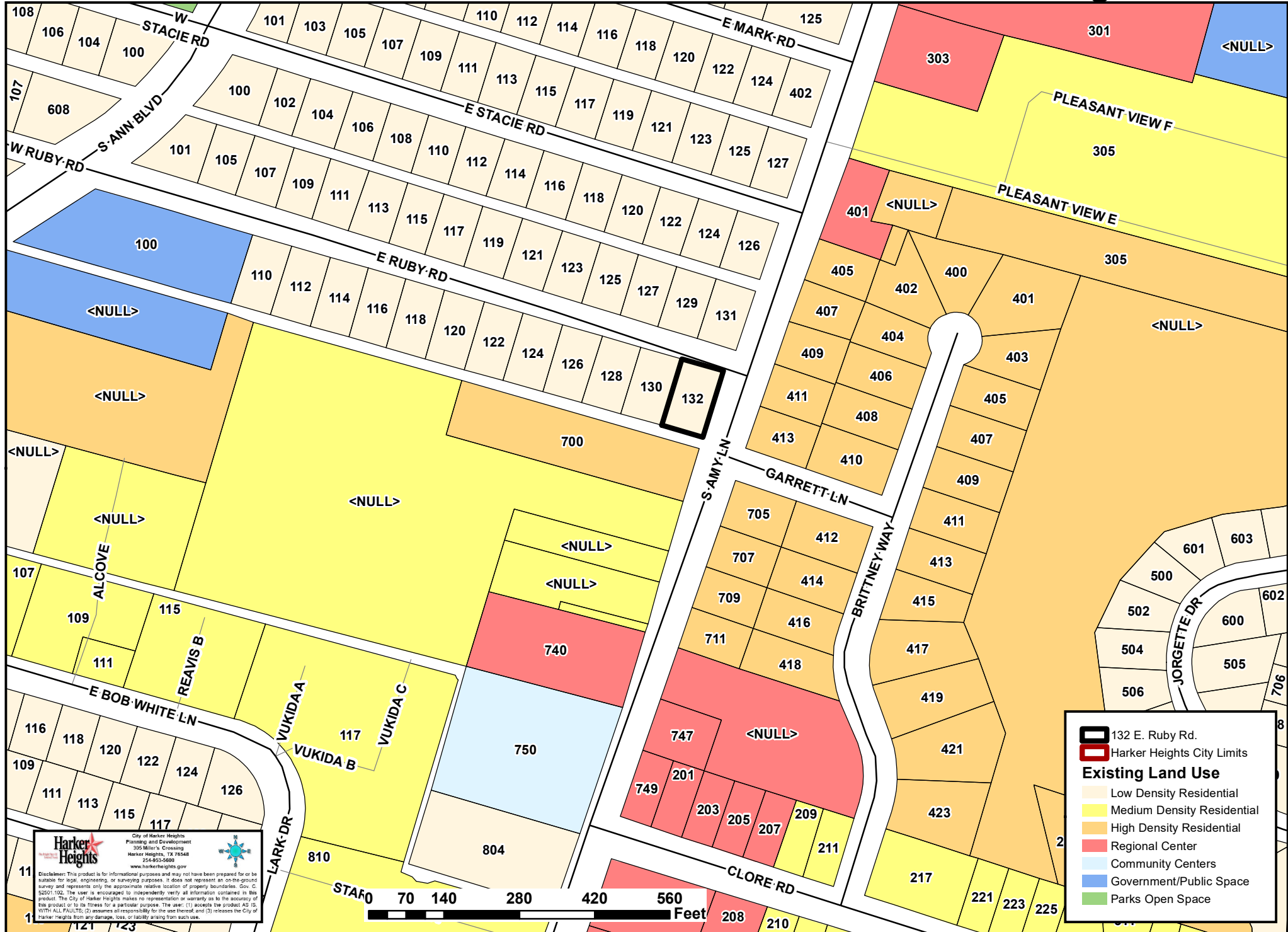


*Adoption of Land Use Plan included definitions for each type of land use. This represents the Zoning Districts that correspond to those definitions.

**Zoning Districts are only allowed in areas as shown on maps/exhibits included with respective adopted ordinances

***Currently R-1 larger than 0.5 acres and R1-R Zoning Districts are being utilized for Residential Estates proposed Zoning District.





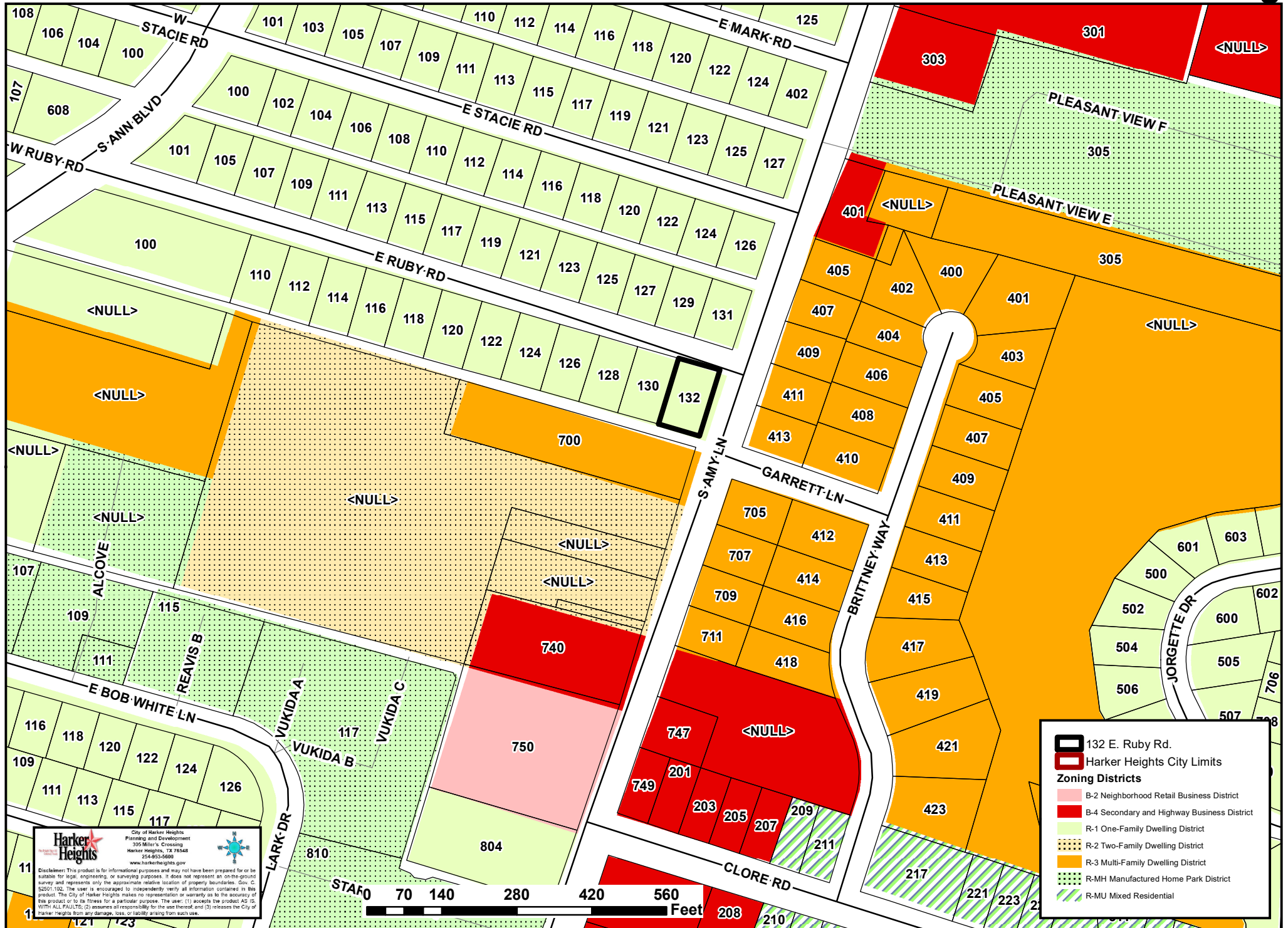
Harker Heights
 City of Harker Heights
 Planning and Development
 300 Miller's Crossing
 Harker Heights, TX 78548
 254-853-5600
 www.harkerheights.gov

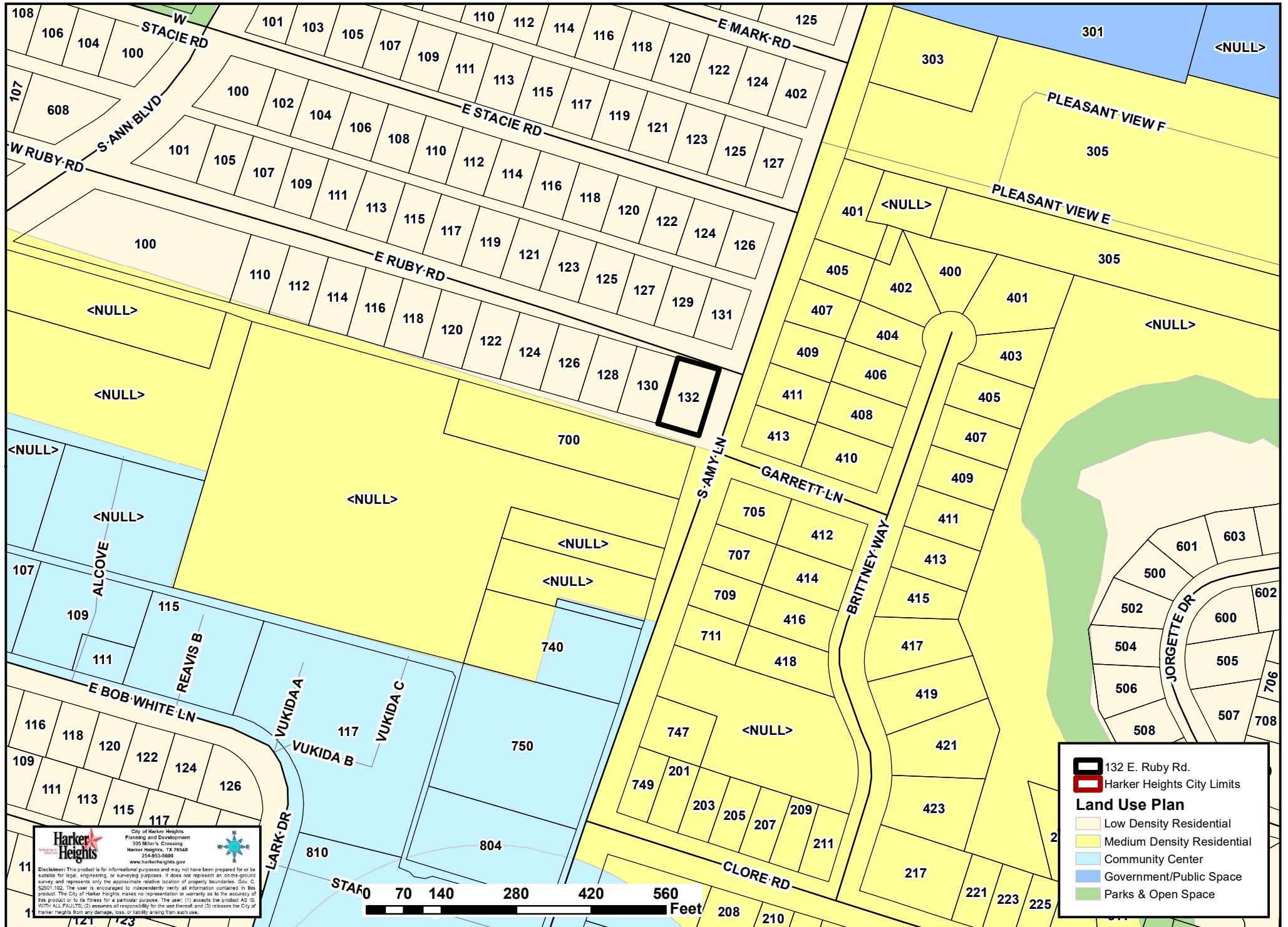
Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAILURES; (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.

132 E. Ruby Rd.
 Harker Heights City Limits

Existing Land Use

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



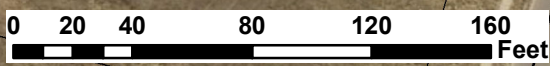




<NULL>

Harker Heights
City of Harker Heights
Planning and Development
300 Miller's Crossing
Harker Heights, TX 78548
254-853-5699
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. 52201.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



132 E. Ruby Rd.
Proposed Zoning

- R1-i
- R2-1

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: THOMASON, CAROLINE

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

Physical Address	Property ID
119 E STACIE RD	36781

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Received

SEP 15 2022

Comments:

Planning & Development

Caroline Thomason

Printed Name

Caroline Thomason

Signature

9/11/2022

Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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**

Received

SEP 19 2022

FROM: HART, CLEO J ETUX MELVINA L

Planning & Development

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

Physical Address	Property ID
121 E RUBY RD	46654

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: *Re-zoning the lot located at 132 E. Ruby Road Harker Heights, Bell County, Texas from R1 to R1-I and R-2I, is not in the best interest of our established neighborhood. It will cause added congestion by cramming family dwellings on an area not originally designated for them.*

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments: *Same reasons.*

Melvina L. Hart

Melvina L. Hart

Sept. 19, 2022

Printed Name

Signature

Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: SWAIN, KATIE LEE & EVA SHANE AVANS

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

Physical Address	Property ID
122 E RUBY RD	4385

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

We are not interested in multi-family anything.

Katie Swain Printed Name Katie L. Swain Signature 09/12/2022 Date

²²²⁻²⁶
^{22-26-f} SWAIN, KATIE LEE & EVA SHANE AVANS
510 NORWOOD PL UNIT 7
ARLINGTON, TX 76013

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: ROBERSON, DONNA & MICHAEL PAUL METZGER

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

Physical Address	Property ID
124 E RUBY RD	46299

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District)** to **R1-I (Single-Family Infill Dwelling District)** and **R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

NO

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

WE ARE NOT INTERESTED IN MULTI FAMILY
AFTER WHAT YOU DID TO AMY

Donna Roberson

Printed Name

Donna A Roberson

Signature

9/12/22

Date

²²²⁻²⁶ ROBERSON, DONNA & MICHAEL PAUL METZGER
^{22-26-F}
510 NORWOOD PL UNIT 7
ARLINGTON, TX 76013

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 2022 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

Received

SEP 19 2022

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

Planning & Development

FROM: GORDON-WELLS, STORMIE N

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

Physical Address	Property ID
125 E STACIE RD	40468

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

Our single family houses in this neighborhood should be kept on track, these proposed changes will change the entire dynamic of the neighborhood allowing it to change to a renters zone not a family type neighborhood. Already Amy St (See Attached)

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

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

Comments:

SAME REASONS AS ABOVE

Printed Name

Signature

Date

continuation from comments section

has rows of four plots on one side, with the single road lay out in each direction, traffic doesn't flow as it should because of the constant vehicles having to pull in so many driveways, this should be a bigger problem if allowed on both sides of Amy St. Ruby Street sits on the corner of Amy where they want to change the zoning. If allowed this entire neighborhood area will also be affected with the construction part of the plan. Again there is only one lane per direction on Amy St.

Leave our current neighborhood in tact so it can continue to be a family neighborhood of home buyers. I personally live in that area I have personally witnessed the more renters the more problems for the rest of the neighborhood.

Please don't change our existing neighborhood!

Received

SEP 19 2022

Planning & Development

Respectfully
Stannis And Well

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BASS, DIERDE M & EDDIE J

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

Physical Address	Property ID
405 S AMY LN	350598

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

SEP 13 2022

Planning & Development

Eddie J. Bass

Printed Name

[Signature]
Signature

13 Sept 22
Date

SENT: SEPTEMBER 7, 2022
DUE BACK: SEPTEMBER 21, 2022, 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON SEPTEMBER 21, 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: BASS, EDDIE J ETUX DIERDRE M

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

Physical Address	Property ID
407 AMY LN	350597

Z22-26 RE: application has been made to request a change in zoning designation from **R-1 (One-Family Dwelling District) to R1-I (Single-Family Infill Dwelling District) and R-2I (Two-Family Infill Dwelling District)** on property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Z22-26-F RE: application has been made to consider a request to change land use designation from **Low Density Residential to Medium Density Residential** on a portion of the property described as *Kern Acres 2nd Extension & Revision, Block 012, Lot 0016, (TOD Deed), generally located at 132 E. Ruby Road, Harker Heights, Bell County, Texas*, (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Received

SEP 13 2022

Planning & Development

Eddie J. Bass _____ 13 sept 22
 Printed Name Signature Date



AGENDA ITEM X-1
**PLANNING AND ZONING COMMISSION
MEMORANDUM**

P22-26

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

DISCUSS AND CONSIDER A REQUEST FOR A PRELIMINARY PLAT REFERRED TO AS HABITAT FOR HUMANITY NORTHSIDE ADDITION, ON PROPERTY DESCRIBED AS 2.797 ACRES OF LAND, SITUATED IN THE V.L. EVANS SURVEY, ABSTRACT 288, BELL COUNTY, TEXAS, BEING ALL OF THE CALLED 2.80 ACRE TRACT CONVEYED TO FORT HOOD AREA HABITAT FOR HUMANITY, OF RECORD IN DOCUMENT NUMBER 2020053778, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for 2.797 acres of land located at the northeast corner of Northside Drive and Jamie Drive. This plat would create 15 residential lots and one drainage tract to be dedicated to the city. The 2021 Land Use Plan designates this area for Medium Density Residential use.

The application for this case was received on August 31, 2022. Comments were compiled and submitted to the applicant on September 16, 2022. Revisions from the applicant were received on September 20, 2022, and responses to revisions were returned to the applicant on September 22, 2022. The comments for this case have been substantially met.

STAFF RECOMMENDATION & FINDINGS:

Topography for this area proved to be challenging and resulted in multiple changes to layout during the development process. The applicant has amended the lot layout to provide adequate lot sizes per the R1-I Zoning designation. Staff therefore recommends approval with conditions of the Preliminary Plat referred to as Habitat for Humanity Northside Addition, with the following conditions:

1. All outstanding comments will be addressed per staff recommendation prior to filing of plat with Bell County Public Records.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for a Preliminary Plat referred to as Habitat for Humanity Northside Addition, on property described as 2.797 acres of land, situated in the V.L. Evans Survey, Abstract 288, Bell County, Texas, being all of the called 2.80 acre tract conveyed to Fort Hood Area Habitat for Humanity, of record in Document Number 2020053778, Official Public Records of Real Property, Bell County, Texas, based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

1. Application
2. Location Map
3. Field notes
4. Dedication
5. Habitat for Humanity Northside Addition Plat & Plans
6. Staff Comments



Preliminary Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

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

1. Pre-Application Meeting with Staff to ensure applicability
2. Payment of \$500.00 + \$25/per lot
3. Signed Original Field Notes and Dedication Pages
4. Paper Plan Submissions: Ten (10) Copies of the Plat and Seven (7) Copies of Preliminary Engineering Drawings
5. Electronic Submission of all documents for review delivered to Planning Administrative Assistant

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

Property Information:

Plat Name: HABITAT FOR HUMANITY NORTHSIDE ADDITION Date Submitted: 08-31-22
 Existing Lot Count: 1 Proposed Lot Count: 15-1 TRACTS Proposed Units: 15 Acreage: 2.780
 Existing Land Use: Medium Density Residential Proposed Land Use: Medium Density Residential

Site Address or General Location: Tract of land at the intersection of Jamie Road and Northside Drive

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

Owner Information & Authorization:

Property Owner: Fort Hood Area Habitat for Humanity

Address: 2601 Atkinson Avenue

Phone: 254-392-2037 E-Mail: admin@fhahfh.org

Developer: same as above

Address: _____

Phone: _____ E-Mail: _____

Engineer/Surveyor: All County Surveying, INC

Address: 4330 South 5th Street

Phone: 254-778-2272 E-Mail: dale@allcountysurveying.com, ashley@allcountysurveying.com

CHECK ONE OF THE FOLLOWING:

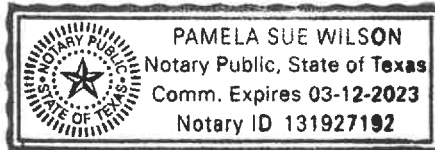
- I will represent the application myself.
- I hereby designate Chuck Lucko, RPLS 4636 (name of project representative) to act in the capacity as my agent for submittal, processing, representation, and/or presentation of this development application.

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

Kristin Smith, CEO FHAHFH

Printed Name of Owner

Signature of Owner



SWORN AND SUBSCRIBED BEFORE ME ON THIS 20th DAY OF September 2022.

Pamela Wilson
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: 03-12-2023

STAFF ONLY -- DO NOT FILL OUT

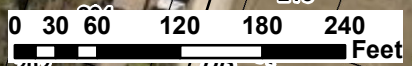
Date Submitted: _____ Received By: _____ Receipt #: _____



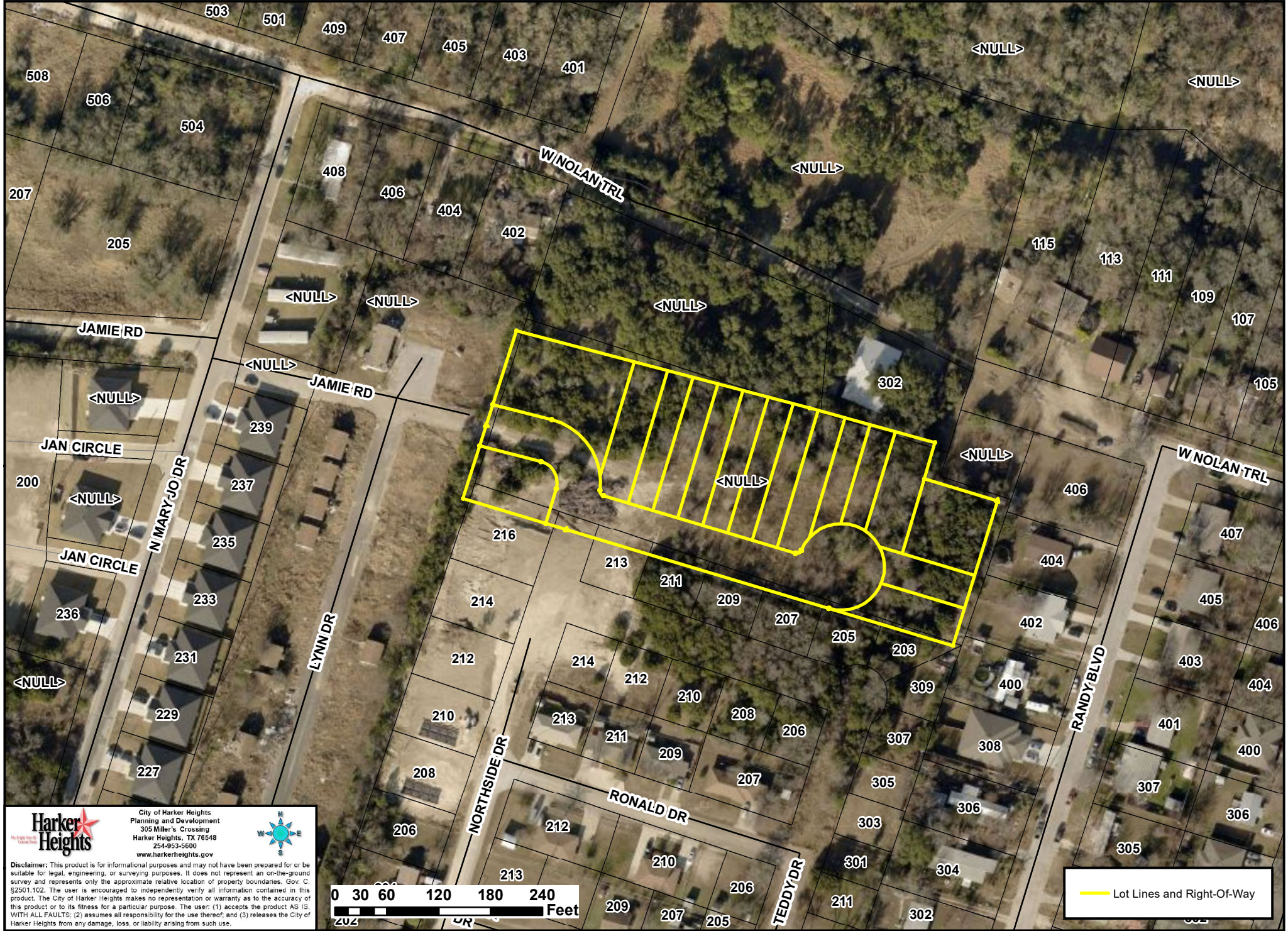
City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-6500
 www.harkerheights.gov



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. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

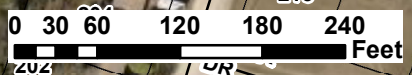


Habitat Northside Addition



Harker Heights
 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. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



Lot Lines and Right-Of-Way

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

September 19, 2022

Surveyor's Field Notes for:

2.780 ACRES OF LAND, situated in the V.L. EVANS SURVEY, ABSTRACT 288, BELL COUNTY, TEXAS, being all of the called 2.80 Acre tract conveyed to Fort Hood Area Habitat for Humanity, of record in Document Number 2020053778, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with "ACS" cap set on the west line of Lot 4, Block 2, of Kern Terrace, of record in Cabinet A, Slide 224-D, Plat Records of Bell County, Texas, being the northeast corner of Kern Terrace Extension #3, of record in Cabinet A, Slide 225-D, Plat Records of Bell County, Texas, same being the southeast corner of said 2.80 Acre tract, for the southeast corner of the herein described tract, from which a 1/2" iron rod found at the northwest corner of said Lot 4, Block 2, Kern Terrace bears S. $17^{\circ}00'54''$ W., 49.76 feet;

THENCE in a westerly direction with the north line of said Kern Terrace Extension #3, same being the south line of said 2.80 Acre tract, (Rec. N. $70^{\circ}36'$ W., 590.0 feet), **N. $73^{\circ}18'09''$ W., 587.19 feet**, to a 5/8" iron rod with "ACS" cap set on the east line of a called 4.216 Acre tract conveyed to Yellow Lilly, INC., of record in Document Number 2022008375, Official Public Records of Real Property, Bell County, Texas, being the northwest corner of said Kern Terrace Extension #3, same being the southwest corner of said 2.80 Acre tract, for the southwest corner of the herein described tract;

THENCE in a northerly direction with the east line of said 4.216 Acre tract, same being the west line of said 2.80 Acre tract, (Rec. N. 19° E., 195.0 feet), **N. $17^{\circ}15'09''$ E., 203.83 feet**, to a 5/8" iron rod with "ACS" cap set, being the southwest corner of a called 1.252 Acre tract conveyed to Felipe Rodriguez and wife, Cruz Rodriguez, of record in Volume 5171, Page 459, Official Public Records of Real Property, Bell County, Texas, same being the northwest corner of said 2.80 Acre tract, for the northwest corner of the herein described tract, from which a 3/8" iron rod found at the northeast corner of said 4.216 Acre tract bears N. $17^{\circ}15'09''$ E., 46.43 feet;

THENCE in an easterly direction with the south line of said 1.252 Acre tract, (Rec. S. $73^{\circ}28'09''$ E., 374.6 feet), same being the north line of said 2.80 Acre tract, (S. $73^{\circ}26'$ E., 497.6 feet), **S. $75^{\circ}12'38''$ E., 347.48 feet**, to a 3/8" iron rod found at the southeast corner of said 1.252 Acre tract, same being the southwest corner of a called 0.425 Acre tract conveyed to Joe G. Saunders, of record in Volume 3218, Page 591, Official Public Records of Real Property, Bell County, Texas, for a corner of the herein described tract, from which a 3/8" iron rod found at the common north corner of said 1.252 Acre tract and said 0.425 Acre tract bears N. $02^{\circ}37'10''$ E., 130.85 feet;

THENCE continuing in said easterly direction with the south line of said 0.425 Acre tract, (Rec. S. $73^{\circ}21'58''$ E., 150.00 feet), same being the north line of said 2.80 Acre

tract, (S. 73°26' E., 497.6 feet), **S. 74° 40' 59" E., 150.47 feet**, to a 1/2" metal pipe found on the west line of a called 0.017 Acre tract conveyed to Vicente V. Ramos, of record in Document Number 2017-00033653, Official Public Records of Real Property, Bell County, Texas, same being the most northerly northeast corner of said 2.80 Acre tract, for the most northerly northeast corner of the herein described tract;

THENCE in a southerly direction with the west line of said 0.017 Acre tract, same being an interior line of said 2.80 Acre tract, (Rec. S. 16°34' W., 49.9 feet), **S. 16° 16' 15" W., 43.87 feet**, to an 80d nail found at the southwest corner of said 0.017 Acre tract, same being an interior corner of said 2.80 Acre tract, for an interior corner of the herein described tract;

THENCE in an easterly direction with the south line of said 0.017 Acre tract, same being an interior line of said 2.80 Acre tract, (Rec. S. 70°36' E., 86.4 feet), **S. 73° 17' 58" E., 88.13 feet**, to a calculated point that falls in the center of a 20" Hackberry Tree at the common west corner of Lot 1, and Lot 2, Block 2, of said Kern Terrace, same being the southeast corner of said 0.017, same being the most easterly northeast corner of said 2.80 Acre tract, for the most easterly northeast corner of the herein described tract;

THENCE in a southerly direction with the west line of said Kern Terrace, same being the east line of said 2.80 Acre tract, (Rec. S. 19°24' W., 178.6 feet), **S. 17° 00' 54" W., 175.15 feet**, to the **POINT OF BEGINNING**, and containing 2.780 Acres of Land.

Horizontal Control based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations. Scale Factor=1.0001501134, scaled about TS-1 (N:10,371,008.400 E:3,131,122.44).

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed July 16, 2022

ALL COUNTY SURVEYING, INC.

1-800-749-PLAT

Tx. Firm Lic. No. 10023600

server/projects/pro210000/210500/210579/210579.3/210579.3P FN.doc



Roy Michael Smith

Roy Michael Smith
Registered Professional Land Surveyor
Registration No. 6748

**DEDICATION OF
HABITAT FOR HUMANITY NORTHSIDE ADDITION
A subdivision within the City of Harker Heights,
Bell County, Texas.**

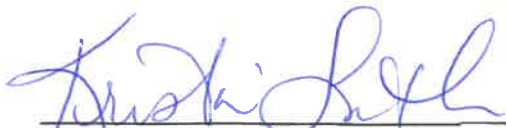
STATE OF TEXAS)
COUNTY OF BELL)

That **Fort Hood Area Habitat for Humanity**, being the sole owner of that certain tract of land containing 2.780 acres described in Field Notes prepared by Roy Michael Smith, RPLS No. 6748, dated September 19, 2022, which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, do hereby name and designate said 2.780 acre tract as **Habitat for Humanity Northside Addition**, a subdivision in the City of Harker Heights, Bell County, Texas, and do hereby adopt the attached map and plat thereof and do hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

Fort Hood Area Habitat for Humanity, does hereby give, grant and convey to the **CITY OF HARKER HEIGHTS, TEXAS**, its assignees and franchisees furnishing public utilities in said subdivision, the easements as shown on said plat for drainage and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

To have and to hold said easements unto said Grantee, and the undersigned hereby binds itself, its heirs, administrators, executors, successors and assigns, to warrant and forever defend all and singular said premises unto the said Grantee against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS THE EXECUTION HEREOF, on this 20 day of September, 2022.



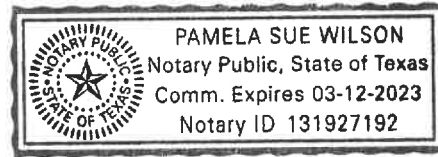
By: **Kristin Smith, CEO**
Fort Hood Area Habitat for Humanity

ACKNOWLEDGMENT

STATE OF TEXAS)
COUNTY OF **BELL**)

BEFORE ME, the undersigned authority, on this day personally appeared **Kristin Smith**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same as the CEO of Fort Hood Area Habitat for Humanity, for the purposes and consideration therein expressed.

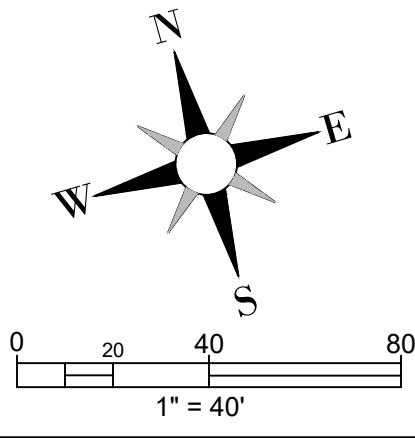
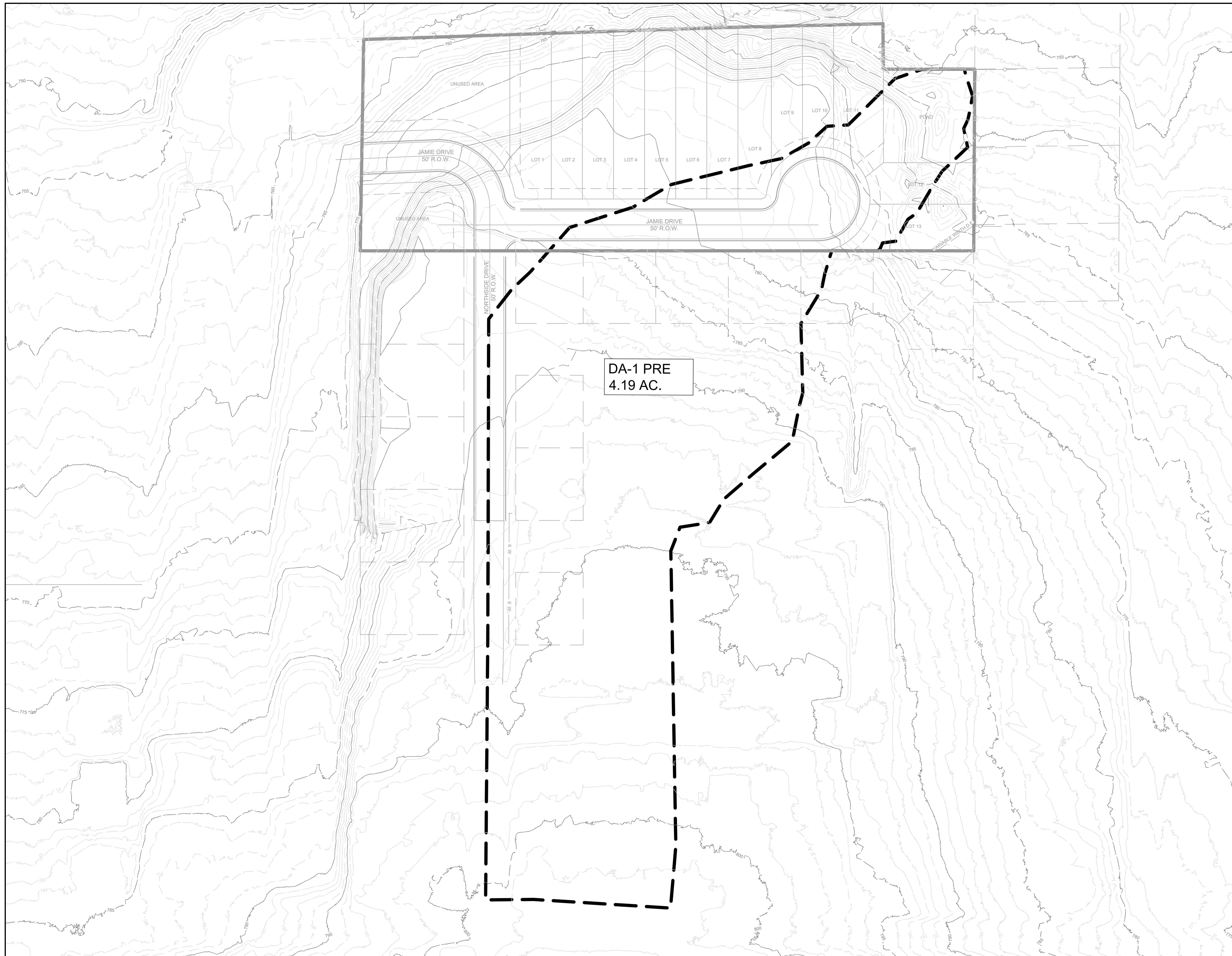
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 20th day of September, 2022.



Pamela Wilson

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:
All County Surveying, Inc.
4330 South 5th Street
Temple, Texas 76502



- NOTES:**
- SEE HABITAT ADDITION 2.0 DRAINAGE REPORT, DATED 9/14/2022, FOR DETAILED DRAINAGE ANALYSIS.
 - ALL UPSTREAM FLOWS SHALL BE ACCEPTED ONSITE AS THEY CURRENTLY EXIST AND SHALL NOT BE OBSTRUCTED, UNLESS OTHERWISE NOTED IN THIS PLAN SET.
 - ENERGY DISSIPATION SHALL BE PROVIDED AT EACH OUTFALL BY THE USE OF ROCK RIPRAP OR CONCRETE RIPRAP WITH FORMED CONCRETE DISSIPATORS.
 - ALL LOTS MUST HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURE.
 - THE DRAINAGE DESIGN PROVIDED HEREIN ILLUSTRATES OUR FINAL DESIGN INTENT FOR THE PROPOSED HYDROLOGIC AND HYDRAULIC METHODOLOGIES, PLANNING AND DESIGN ASSUMPTIONS USED TO ADDRESS THE APPLICABLE UNDERLYING DRAINAGE FACILITY PRINCIPLES AS SPECIFIED IN THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
 - THIS PROPERTY LIES WITHIN FEMA "ZONE X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 48027C0285E WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008.

!!! CAUTION !!!
 DEPTH AND LOCATION OF EXISTING UTILITIES ARE APPROXIMATE AND MUST BE FIELD VERIFIED BY CONTRACTOR BEFORE EXCAVATING IN THE AREA.

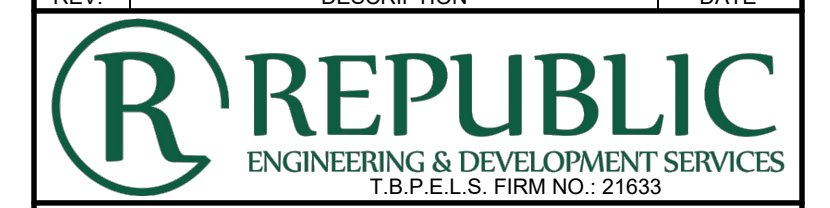


**Know what's below.
 Call before you dig.**

LEGEND

- DA-XX DRAINAGE AREA I.D.
- X.XX AC. DRAINAGE AREA ACERAGE
- DRAINAGE AREA BOUNDARY

REV	DESCRIPTION	DATE
1	ORIGINAL RELEASE	09/14/2022

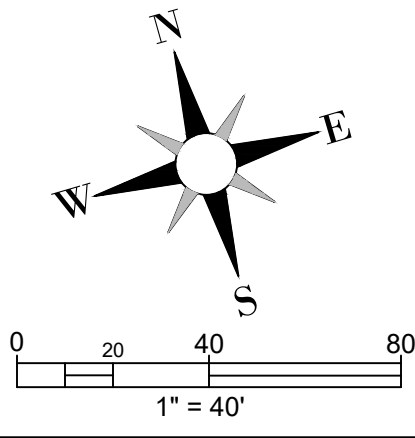
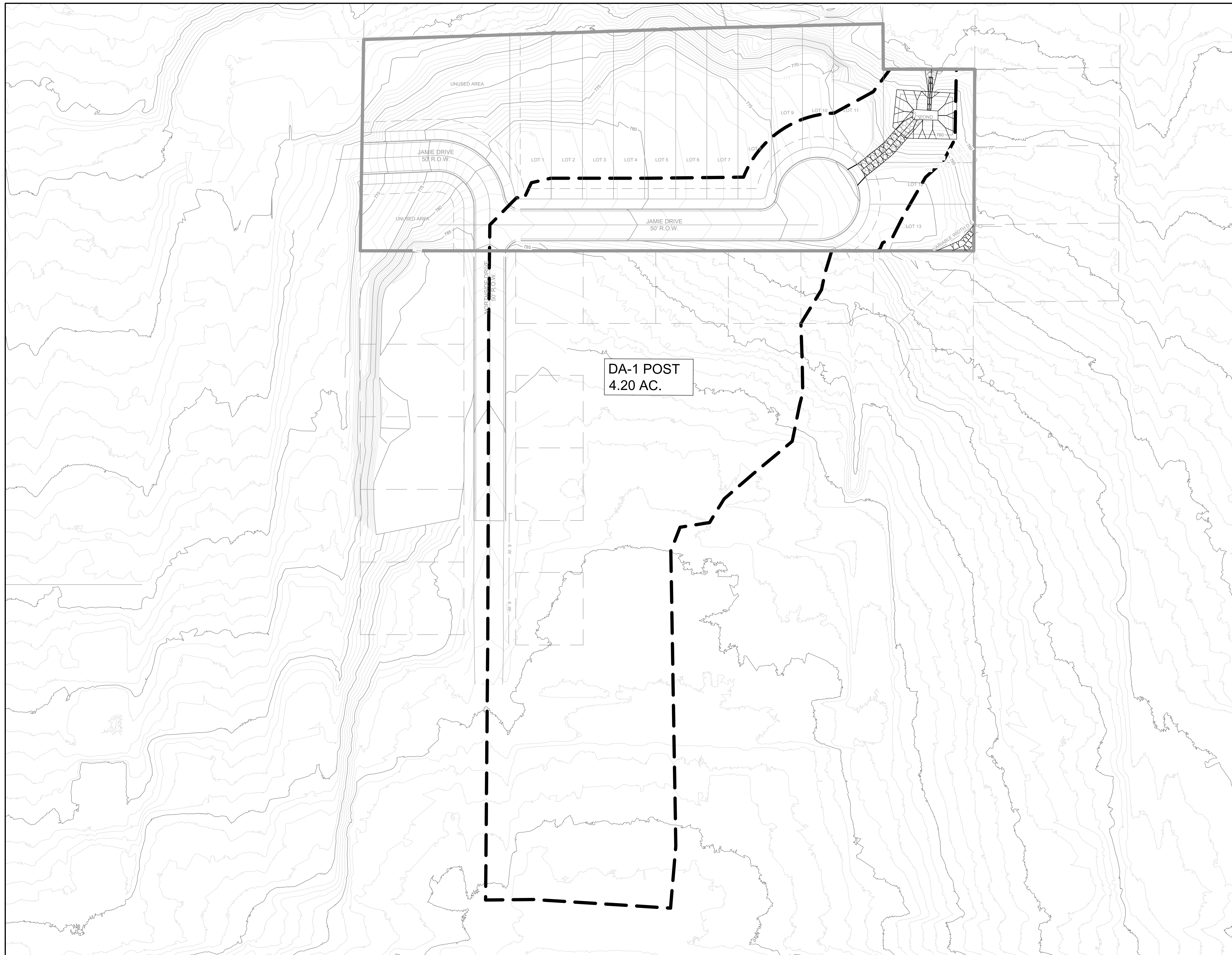


**HABITAT NORTHSIDE
 ADDITION**

PRE DRAINAGE

SIGNATURE	DATE

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 09/20/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.	PM	JAT
	DESIGN	JW
	DRAFTED	JW
	CHECKED	JAT
PROJECT #	22-48-001	
DRAWING #	2	



- NOTES:**
1. SEE HABITAT ADDITION 2.0 DRAINAGE REPORT, DATED 9/14/2022, FOR DETAILED DRAINAGE ANALYSIS.
 2. ALL UPSTREAM FLOWS SHALL BE ACCEPTED ONSITE AS THEY CURRENTLY EXIST AND SHALL NOT BE OBSTRUCTED, UNLESS OTHERWISE NOTED IN THIS PLAN SET.
 3. ENERGY DISSIPATION SHALL BE PROVIDED AT EACH OUTFALL BY THE USE OF ROCK RIPRAP OR CONCRETE RIPRAP WITH FORMED CONCRETE DISSIPATORS.
 4. ALL LOTS MUST HAVE POSITIVE DRAINAGE AWAY FROM STRUCTURE.
 5. THE DRAINAGE DESIGN PROVIDED HEREIN ILLUSTRATES OUR FINAL DESIGN INTENT FOR THE PROPOSED HYDROLOGIC AND HYDRAULIC METHODOLOGIES, PLANNING AND DESIGN ASSUMPTIONS USED TO ADDRESS THE APPLICABLE UNDERLYING DRAINAGE FACILITY PRINCIPLES AS SPECIFIED IN THE CITY OF HARKER HEIGHTS DRAINAGE CRITERIA MANUAL.
 6. THIS PROPERTY LIES WITHIN FEMA "ZONE X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, FEMA MAP 48027C0285E WHICH BEARS AN EFFECTIVE DATE OF SEPTEMBER 26, 2008.

!!! CAUTION !!!
 DEPTH AND LOCATION OF EXISTING UTILITIES ARE APPROXIMATE AND MUST BE FIELD VERIFIED BY CONTRACTOR BEFORE EXCAVATING IN THE AREA.



**Know what's below.
 Call before you dig.**

LEGEND

- DA-XX DRAINAGE AREA I.D.
- X.XX AC. DRAINAGE AREA ACERAGE
- DRAINAGE AREA BOUNDARY

REV	DESCRIPTION	DATE
1	ORIGINAL RELEASE	09/14/2022

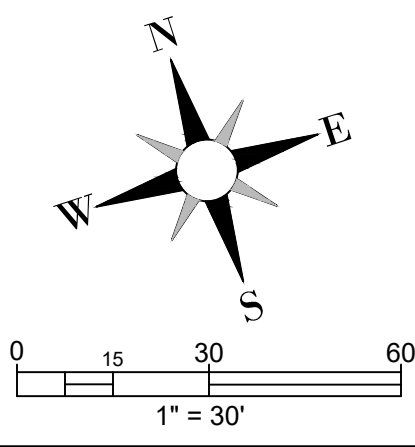


**HABITAT NORTHSIDE
 ADDITION**

POST DRAINAGE

SIGNATURE _____ DATE _____

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 09/20/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.	PM	JAT
	DESIGN	JW
	DRAFTED	JW
	CHECKED	JAT
PROJECT #	22-48-001	
DRAWING #	3	



SEWER NOTES:

1. ALL SANITARY SEWER PIPE SHALL BE ASTM D3024, SDR 26 PVC PIPE UNLESS NOTED OTHERWISE.
2. ALL CONSTRUCTION SHOWN HEREIN SHALL BE PER CITY OF HARKER HEIGHTS STANDARDS AND SPECIFICATIONS.
3. EXISTING UTILITIES SHOWN HEREIN HAVE BEEN LOCATED BY VISIBLE APPURTENANCES AND RECORD DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND PROTECTING ALL UTILITIES REGARDLESS OF THERE DEPICTION HEREIN.
4. WATER - SEWER CROSSING SHALL MEET THE MINIMUM CURRENT REQUIREMENTS PER TCEQ AND CITY CODE.
5. ALL EXISTING SEWER SERVICES MUST REMAIN OPERATIONAL UNTIL SEWER INFRASTRUCTURE IS APPROVED BY CITY OF HARKER HEIGHTS. ONCE APPROVED, THE SERVICE CAN THEN BE CONNECTED TO THE RE-ROUTED SERVICE LINE.
6. IF ANY OTHER SERVICE LINES ARE ENCOUNTERED DURING CONSTRUCTION, THE DESIGN ENGINEER SHOULD BE NOTIFIED IMMEDIATELY AND CARE SHOULD BE TAKEN THAT THE SERVICE REMAINS OPERATIONAL.

!!! CAUTION !!!
 DEPTH AND LOCATION OF EXISTING UTILITIES ARE APPROXIMATE AND MUST BE FIELD VERIFIED BY CONTRACTOR BEFORE EXCAVATING IN THE AREA.

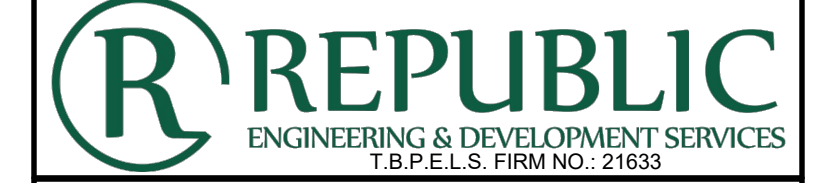


**Know what's below.
 Call before you dig.**

LEGEND:

— 6 SS —	PROPOSED SEWERLINE
⊙	PROPOSED MANHOLE
— ○ —	PROPOSED SEWER SERVICE
— 6 SS —	EXISTING SEWERLINE

1	ORIGINAL RELEASE	09/14/2022
REV	DESCRIPTION	DATE

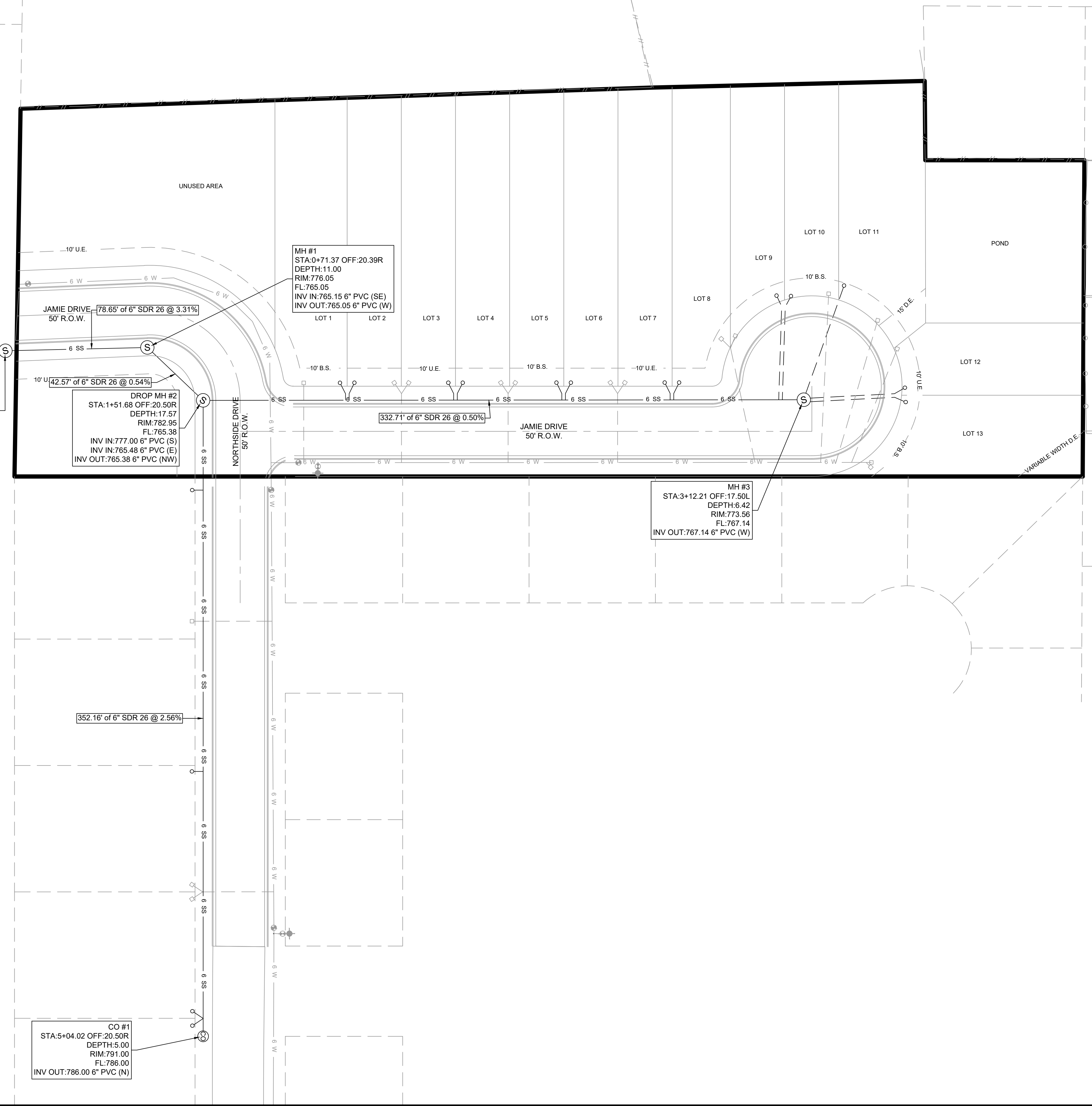


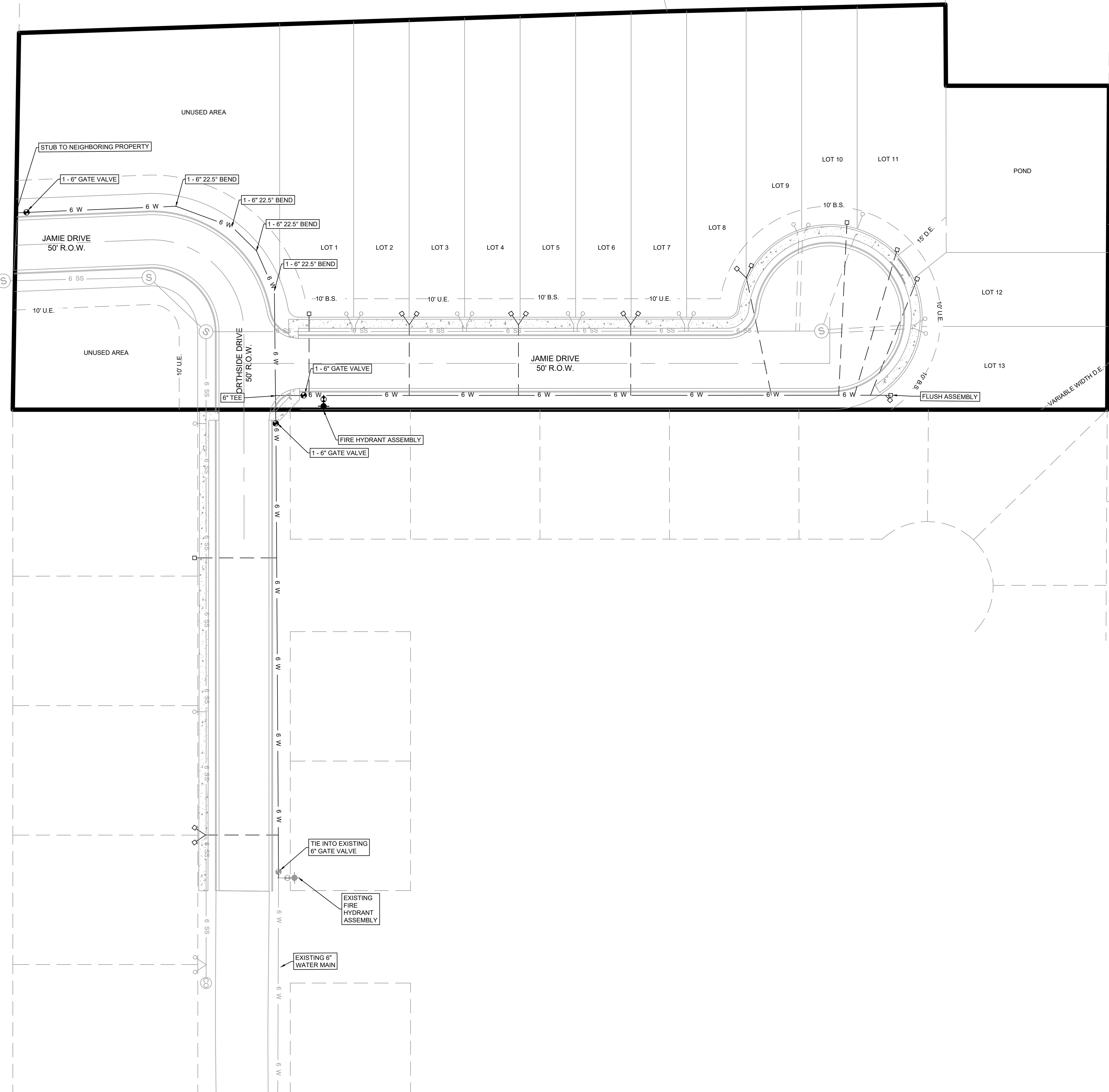
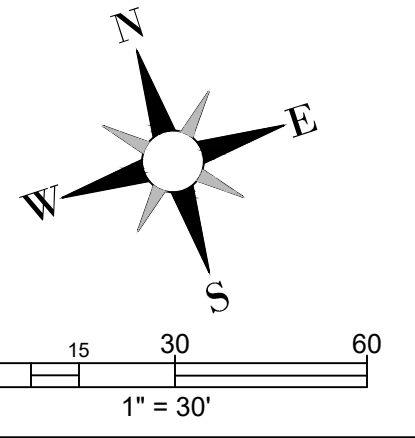
**HABITAT NORTHSIDE
 ADDITION**

SEWER LAYOUT

 SIGNATURE DATE

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 09/20/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.	PM	JAT
	DESIGN	JWW
	DRAFTED	LEH
	CHECKED	JAT
PROJECT #	22-048-001	
DRAWING #	4	





WATER NOTES:

1. ALL WATERLINES SHALL BE AWWA C900 PIPE UNLESS OTHERWISE NOTED.
2. ALL CONSTRUCTION SHOWN HEREIN SHALL BE PER CITY OF HARKER HEIGHTS STANDARDS AND SPECIFICATIONS.
3. EXISTING UTILITIES SHOWN HEREIN HAVE BEEN LOCATED BY VISIBLE APPURTENANCES AND RECORD DRAWINGS. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION AND PROTECTING ALL UTILITIES REGARDLESS OF THEIR DEPICTION HEREIN.
4. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PER CITY OF HARKER HEIGHTS STANDARD DETAIL. ALL VALVES FOR HYDRANTS ARE TO BE CONNECTED DIRECTLY TO TEE AND HYDRANT IS TO BE EXTENDED TO PROPERTY LINE.
5. ALL FIELD BENDS SHALL BE PER PIPE MANUFACTURER RECOMMENDATIONS.
6. WATER - SEWER CROSSING SHALL MEET THE MINIMUM CURRENT REQUIREMENTS PER TCEQ AND CITY CODE.
7. THE CONTRACTOR SHALL COORDINATE THE FINAL PLACEMENT OF PROPOSED VALVES AND OTHER APPURTENANCES WITH STREET, SIDEWALK AND UTILITY IMPROVEMENTS TO AVOID CONFLICTS.

!!! CAUTION !!!
 DEPTH AND LOCATION OF EXISTING UTILITIES ARE APPROXIMATE AND MUST BE FIELD VERIFIED BY CONTRACTOR BEFORE EXCAVATING IN THE AREA.



**Know what's below.
 Call before you dig.**

LEGEND:

- 6 W — PROPOSED WATERLINE
- ⊕ PROPOSED GATE VALVE
- ⊕ PROPOSED FIRE HYDRANT
- - - □ PROPOSED WATER SERVICE
- 6 W — EXISTING WATERLINE

REV	DESCRIPTION	DATE
1	ORIGINAL RELEASE	09/14/2022

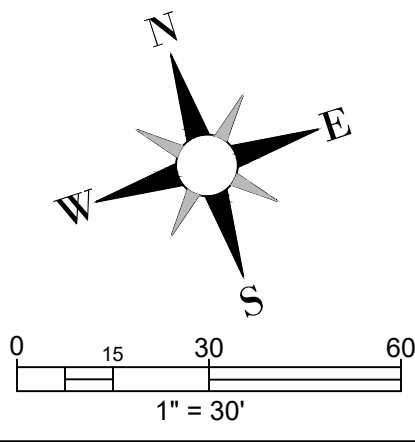


**HABITAT NORTHSIDE
 ADDITION**

WATER LAYOUT

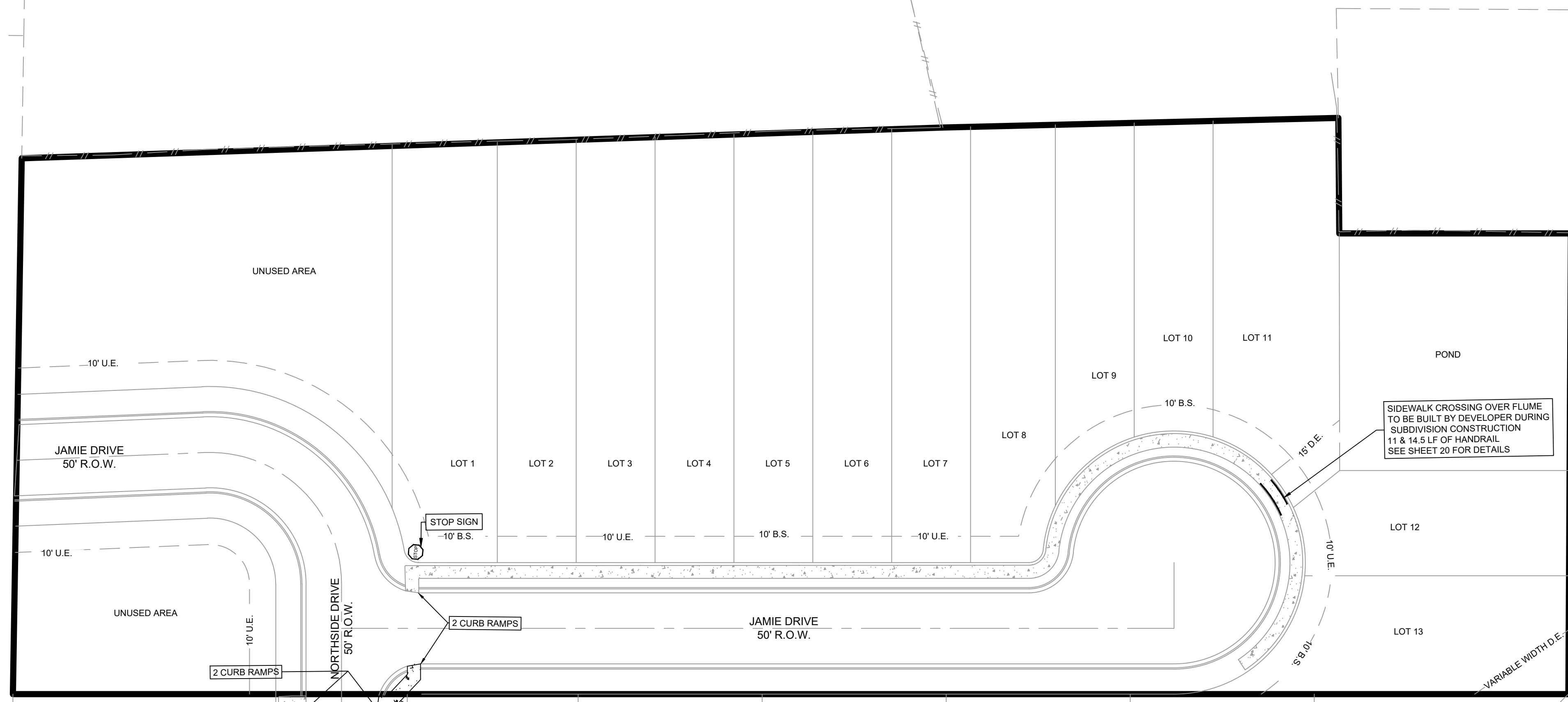
 SIGNATURE DATE

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 09/20/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.	DESIGN	JAT
	DRAFTED	JWW
	CHECKED	LEH
	PROJECT #	22-048-001
	DRAWING #	5



SIDEWALK NOTES:

1. SIDEWALKS WITHIN THE PROJECT BOUNDARY ARE TO BE 5' WIDE AND 1' FROM PROPERTY LINE.
2. SIDEWALKS AND CURB RAMPS WITHIN THE PROJECT BOUNDARY ARE TO BE BUILT BY HOMEBUILDER AT TIME OF HOUSE CONSTRUCTION UNLESS OTHERWISE NOTED ON THIS SHEET
3. ALL CURB RAMPS ARE STANDARD HARKER HEIGHTS WHEELCHAIR RAMPS UNLESS OTHERWISE NOTED ON THIS SHEET
4. DEVELOPER IS REQUIRED TO INSTALL ALL SIDEWALKS ACROSS ALL DRAINAGE EASEMENT/TRACT CROSSINGS DURING SUBDIVISION CONSTRUCTION.
5. SEE SHEET 16 FOR DETAILS.



!!! CAUTION !!!
 DEPTH AND LOCATION OF EXISTING UTILITIES ARE APPROXIMATE AND MUST BE FIELD VERIFIED BY CONTRACTOR BEFORE EXCAVATING IN THE AREA.



**Know what's below.
 Call before you dig.**

1	ORIGINAL RELEASE	09/14/2022
REV	DESCRIPTION	DATE



**HABITAT NORTHSIDE
 ADDITION
 SIGN & SIDEWALK
 LAYOUT**

 SIGNATURE DATE

THIS DOCUMENT IS RELEASED FOR THE PURPOSE OF REVIEW UNDER THE AUTHORITY OF JOSEPH THERIOT, P.E. 120299 ON 09/20/2022. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSES.	PM	JAT
	DESIGN	JWW
	DRAFTED	LEH
	CHECKED	JAT
	PROJECT #	22-048-001
	DRAWING #	6

HABITAT FOR HUMANITY, PHASE 2 - PRELIMINARY

P22-26 – Habitat for Humanity, Phase 2

Plat Distributed to Reviewers: 09/02/2022

Comments sent to Engineer: 09/16/2022

Revisions Received: 09/20/2022

Comments sent to Engineer: 09/22/2022

Planning & Development

- Per §155.0221(G)(2), the applicant shall provide the measurement at the setback line for Lot 11. The Lot width at the setback line is at least 30' per zoning requirements. **9/22/22 Met.**
- Per §155.0221(F)(2)(a), the applicant shall provide a 5' side yard maintenance easement for any lot that **has a neighboring lot constructed don a lot line. 9/22/22 Met.**
- Applicant shall provide a drainage easement to access the called Tract C. Said easement shall be at least 15 feet in width and connect Tract C to the Jaime Drive ROW per §154.21(C)(1)(j). **9/22/22 Met.**
- Applicant shall provide a utility easement for the existing public utility in the southeast corner of Lot 13 per §154.21(C)(1)(j). **9/22/22 Partially Met. Applicant labeled this easement as a DE. Applicant shall clarify that this easement is also for the existing power utility and other public utilities. Also, applicant shall label the easement as variable width.**
- Applicant shall provide a 10' rear lot utility easement on Lots 12 & 13, and on Tract B per §154.21(C)(1)(j). **9/22/22. Met. As renumbered this comment is for Lots 13 & 14, Block 1 and Lot 1 Block 2.**
- Applicant shall provide a 10' side yard utility easement along the western property boundary of Tract A and along the eastern property boundary of Tract C per §154.21(C)(1)(j). **9/22/22 Partially Met. Applicant shall provide a 10' UE along the eastern property boundary of Lot C.**
- Applicant shall change the call outs for Tracts A & B to Lot & Block format or identify the proposed future use per §154.21(C)(1) **9/22/22 Partially Met. Since the original proposed Tracts A & B were removed, Applicant shall amend the Tract C label to Tract A.**
- Per §154.35(D), the applicant shall add a note on the plat dedication page indicating that Lot 1 shall have driveway access on the straight portion of Jaime Drive. **9/22/22. Partially Met. Since the Lots were re-numbered this comment now applies to Lot 2, Block 1. Please amend Note 2 accordingly.**
- Per §154.35(D), the applicant shall add a note on the plat dedication page indicating that Tract B shall have driveway access along the L4 portion of the lot and that said parcel shall be addressed off of Northside Drive. **9/22/22. Partially Met. Since the Lots were re-numbered this comment now applies to Lot 1, Block 2. Please amend Note 3 accordingly.**
- Per §154.21(C)(1)(g), applicant shall illustrate and annotate existing utility **easements on** and adjacent to this development. **9/22/22 Met.**
- The plat dedication page shall be signed by the owner. **9/22/22 Partially Met. The separate instrument was signed but not the plat dedication page (face of the plat).**

- Applicant shall add the lot acreage to each Lot/Tract on the plat dedication page per §154.21(C)(1)(b). 9/22/22 Met.
- Applicant shall annotate ownership information for all adjacent property to this subdivision per §154.21(C)(1)(k). 9/22/22 Met.
- Applicant shall amend the summary on the plat dedication page to clarify the number of blocks, and tracts in the subdivision, and amend the retention phrase to specify who is retaining the tracts. 9/22/22 Met.

LOTS - THIRTEEN (13)
 TRACTS - TWO (2)
 BLOCKS - ONE (2)
 AREA - 2.797 ACRES

OWNER:
 FORT HOOD AREA HABITAT FOR HUMANITY

TRACT A AND TRACT B RETAINED FOR FUTURE USE.
 TRACT C WILL BE FOR DRAINAGE, AND DEDICATED TO THE CITY OF HARKER HEIGHTS

- Since this development is not located in the same city and is not immediately adjacent to phase one it cannot be named Phase 2. Applicant shall amend the name of this subdivision (i.e. Habitat For Humanity Northside Addition, Habitat For Humanity Place Addition or another of your choosing) . 9/22/22 Met.
- Applicant shall amend the dedication language on the face of the plat to meet Bell County and City of Harker Heights requirements. Below is an example from a recent plat. 9/22/22 Met.

KNOW ALL MEN BY THESE PRESENTS, THAT **TERRA AZUL DEVELOPMENTS, LLC**, BEING THE SOLE OWNERS OF THAT CERTAIN **16.55 ACRE TRACT OF LAND** SITUATED IN THE **W. E. HALL SURVEY, ABSTRACT NO. 1086**, AND THE **J. M. ROBERTS SURVEY, ABSTRACT NO. 723**, BOTH OF BELL COUNTY, TEXAS, AND BEING ALL OF THE CALLED **2.980 ACRE TRACT OF LAND** DESCRIBED IN A DEED TO **TERRA AZUL DEVELOPMENTS, LLC**, RECORDED IN INSTRUMENT NO. **201300048431**, DEED RECORDS OF BELL COUNTY, TEXAS, ALL OF THE CALLED **7.971 ACRE TRACT OF LAND** DESCRIBED IN A DEED TO **TERRA AZUL DEVELOPMENTS, LLC**, RECORDED IN INSTRUMENT NO. **201300048422**, DEED RECORDS OF BELL COUNTY, TEXAS, ALL OF THE "PARCEL 1" CALLED **3.003 ACRE TRACT OF LAND** DESCRIBED IN A DEED TO **TERRA AZUL DEVELOPMENTS, LLC**, RECORDED IN INSTRUMENT NO. **201300048429**, DEED RECORDS OF BELL COUNTY, TEXAS, AND ALL OF THE "PARCEL 2" CALLED **2.649 ACRE TRACT OF LAND** DESCRIBED IN A DEED TO **TERRA AZUL DEVELOPMENTS, LLC**, RECORDED IN INSTRUMENT NO. **201300048429**, DEED RECORDS OF BELL COUNTY, TEXAS, WHICH IS MORE FULLY DESCRIBED IN THE DEDICATION OF **THE ENCLAVE AT INDIAN TRAIL**, AS SHOWN BY THE PLAT HEREOF, ATTACHED HERETO, AND MADE A PART HEREOF, AND APPROVED BY THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS AND **THE ENCLAVE AT INDIAN TRAIL**, DOES HEREBY DEDICATE TO SAID CITY ALL STREETS, AVENUES, DRIVES, ALLEYS AND DRAINAGE TRACTS SHOWN ON SAID PLAT, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS.

THE DRAINAGE AND UTILITY EASEMENTS SHOWN ON SAID PLAT ARE DEDICATED TO SAID 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.

TRACT 1 AND TRACT 2 SHOWN ON SAID PLAT ARE BEING DEDICATED FEE SIMPLE TO THE CITY OF HARKER HEIGHTS.

WITNESS THE EXECUTION HEREOF, ON THIS _____ DAY OF _____, 202 ____.

FOR: TERRA AZUL DEVELOPMENTS, LLC

BY: _____
CHRISTOPHER DOOSE
 MEMBER

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY, PERSONALLY APPEARED **CHRISTOPHER DOOSE** 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 OWNERS OF THE PROPERTY DESCRIBED HEREOF.

NOTARY PUBLIC STATE OF TEXAS
 MY COMMISSION EXPIRES: _____

Public Works, Mark Hyde

- Applicant shall provide engineering plan sheets per the requirements in §154.21(C)(2) for water, wastewater, sidewalk, and drainage/stormwater. 9/22/22 Met. However, based on the submission staff has the following new comments:
 - Advisory Note: Applicant is advised that sewer service lines cannot directly connect to a manhole. This shall be amended in the construction plan set.

- **Advisory Note:** Applicant shall provide mitigating measures for flush assembly in the construction plan set.

City Engineer, Otto Wiederhold

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**

Deputy Fire Marshal, Johnny Caraway

- The Fire Department has completed the plat review for Habitat for Humanity Phase 2. There will need to be a Fire Hydrant added to the subdivision to meet code requirements. **9/22/22 Met.**

ONCOR, Steven Huggins

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**

Century Link, Chris McGuire

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**

Time Warner Cable/Spectrum, Shaun Whitehead

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**

ATMOS, Rusty Fischer

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**

Clearwater UWCD, Dirk Aaron

- No comments have been received to date and may be forthcoming. **9/22/22 still awaiting response.**



AGENDA ITEM X-2
PLANNING AND ZONING COMMISSION
MEMORANDUM

P22-28

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR
DATE: SEPTEMBER 28, 2022

DISCUSS AND CONSIDER A REQUEST FOR A PRELIMINARY PLAT REFERRED TO AS HARKER HEIGHTS FULLER ADDITION, ON PROPERTY DESCRIBED AS BEING PART OF THE PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099, BELL COUNTY, TEXAS AND BEING PART OF THAT CERTAIN CALLED 2.832 ACRE TRACT DESCRIBED IN A DEED FROM RALPH FRANK SCHLUETER AND GAIL SCHLUETER TO SCOTT VERNON AND J. MICHAEL MILLER ON APRIL 6, 2006, RECORDED IN DOCUMENT NO. 2007-00000521 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for 2.832 acres of land located southeast of the FM 3481/Stillhouse Lake Road and Summer Glen Drive intersection. This parcel was annexed in December 1988 and the zoning district is B-4 (Secondary and Highway Business District).

The application for this case was received on August 31, 2022. Comments were compiled and submitted to the applicant on September 16, 2022. Clarifications from the applicant were provided on September 21, 2022, and comments on clarifications were provided to the applicant on September 22, 2022.

STAFF RECOMMENDATION & FINDINGS:

Staff has had continued correspondence with the applicant, and therefore recommends approval of the Preliminary Plat referred to as Harker Heights Fuller Addition, with the following conditions:

1. All outstanding comments will be addressed per staff recommendation prior to filing of plat with Bell County Public Records.

ACTION BY THE PLANNING AND ZONING COMMISSION:

1. Motion to **approve, approve with conditions, or disapprove with explanation** a request for a Preliminary Plat referred to as Harker Heights Fuller Addition, on property described as being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas and being part of that certain called 2.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-00000521 of the Official Public Records of Bell County, Texas, based on staff's recommendations and findings.
2. Any other action desired.

ATTACHMENTS:

1. Application
2. Location Map
3. Field notes
4. Dedication
5. Harker Heights Fuller Addition Plat & Plans
6. Staff Comments



Preliminary Plat Application

*** Requirements - APPLICATION MUST BE FULLY COMPLETED OR WILL NOT BE ACCEPTED***

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

- 1. Pre-Application Meeting with Staff to ensure applicability**
- 2. Payment of \$500.00 + \$25/per lot**
- 3. Signed Original Field Notes and Dedication Pages**
- 4. Paper Plan Submissions: Ten (10) Copies of the Plat and Seven (7) Copies of Preliminary Engineering Drawings**
- 5. Electronic Submission of all documents for review delivered to Planning Administrative Assistant**

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

planning@harkerheights.gov

Property Information:

Plat Name: Harker Heights Fuller Addition **Date Submitted:** _____

Existing Lot Count: 0 **Proposed Lot Count:** 1 **Proposed Units:** _____ **Acreeage:** 2.832

Existing Land Use: B-4 Business District **Proposed Land Use:** B-4 Business District (No change)

Site Address or General Location: Stillhouse Lake Dr. Bell Country CAD ID: 103451

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

Owner Information & Authorization:

Property Owner: Vernon Scott and Michael Miller

Address: 716 Bobcat Circle, Harker Heights, TX 76548

Phone: (254) 289-2281 E-Mail: _____

Developer: GBT Realty Corporation - Jacob Carter

Address: 9010 Overlook Blvd, Brentwood TN 37027

Phone: (615) 505-3105 E-Mail: jcarter@gbtrealty.com

Engineer/Surveyor: John Cowan & Associates, Inc. - Philip Cornett

Address: 10147 CR 135, Flint, TX 75762

Phone: (903) 581-2238 E-Mail: pcornett@jcowaninc.com

CHECK ONE OF THE FOLLOWING:

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

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

Printed Name of Owner

Jacob Carter Digitally signed by Jacob Carter
 DN: cn=J. Carter, email=jcarter@gbtrealty.com, o=GBT Realty Corporation, C=United States
 Date: 2012.08.08 11:22:43 -0500

Signature of Owner

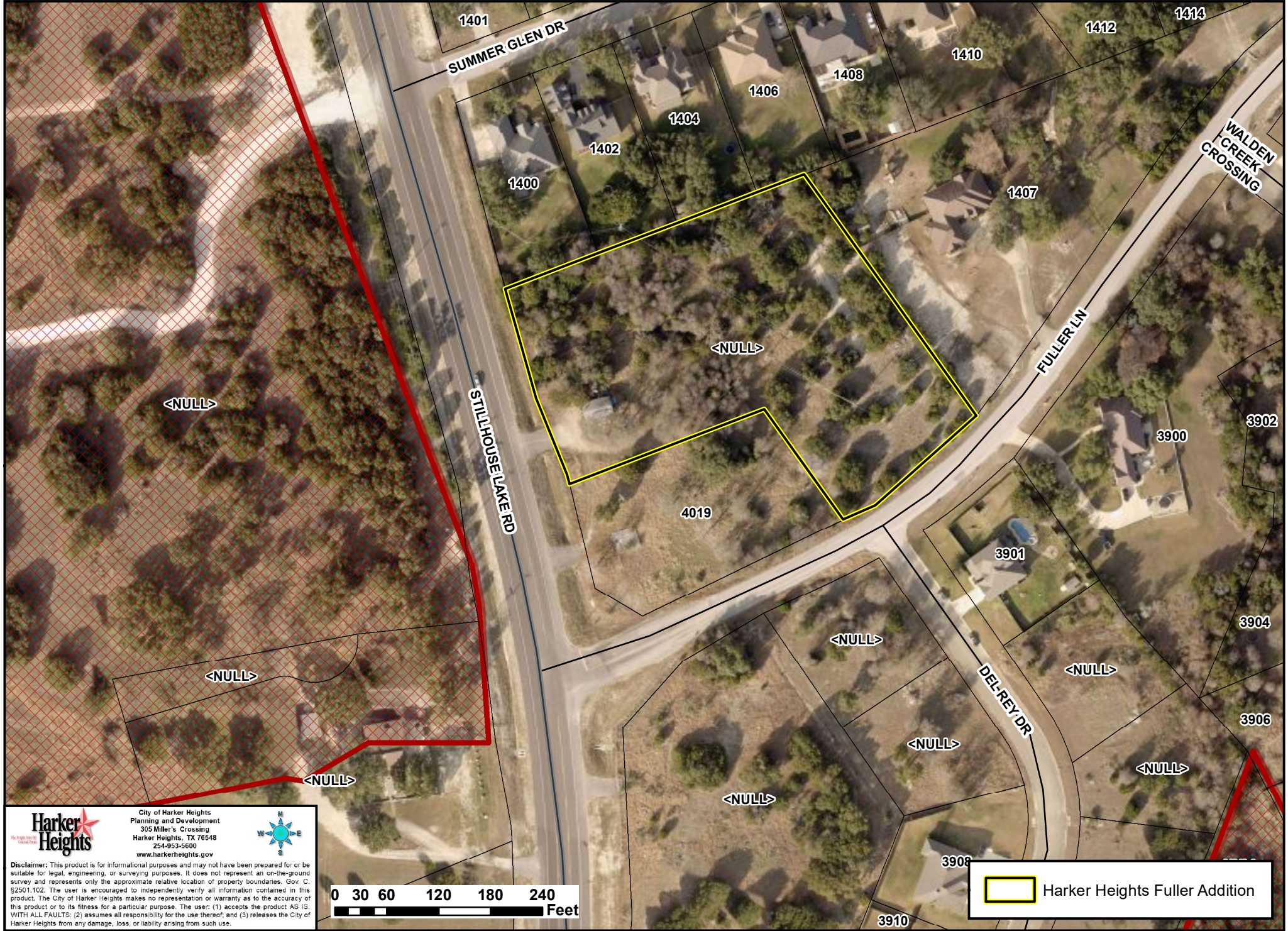
SWORN AND SUBSCRIBED BEFORE ME ON THIS _____ DAY OF _____, _____.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____

STAFF ONLY -- DO NOT FILL OUT

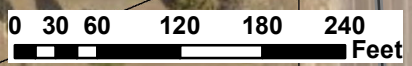
Date Submitted: _____ Received By: _____ Receipt #: _____




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



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



 Harker Heights Fuller Addition

JOHN COWAN & ASSOCIATES, INC.

REGISTERED PROFESSIONAL LAND SURVEYORS
SINCE 1946

FIRM REGISTRATION No:
10025500

10147 CR 135
FLINT, TEXAS 75762

903.581.2238
TXSURVEYS.COM

FIELD NOTES FOR GBT REALTY

Peter Williamson Survey, Abstract No. 1099
Bell County, Texas

All that certain lot, tract, or parcel of land, being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas, and being part of that certain called 3.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-00000521 of the Official Public Records of Bell County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a pipe fence corner post (found) for the Northwest corner of the above mentioned 3.832 acre tract, the Southwest corner of Lot 1, Block 2 of Summer Glen as shown by plat of same recorded in Volume 477, Page 186 of the Plat Records of Bell County, Texas, in the East right of way of Farm to Market Highway No. 3481 (Stillhouse Lake Road);

THENCE North 69 deg. 23 min. 09 sec. East with the South line of Block 2 of Summer Glen, the North line of the 3.832 acre tract, a distance of 370.20 ft. to a ½" iron rod (found) for the Northeast corner of same, the Northwest corner of Lot 1, Block 1 of Summer Glen, Phase Two as shown by plat of same recorded in Volume 5018, Page 144 of the Plat Records;

THENCE South 35 deg. 07 min. 46 sec. East with West line of Lot 1, the East line of the 3.832 acre tract, at 301.89 ft. pass a ½" iron rod (found) for reference, and continue a total distance of 342.83 ft. to a ½" iron rod (found) for the Southwest corner of Lot 1, the Southeast corner of the 3.832 acre tract, in the North right of way of Fuller Lane;

THENCE westerly with the North right of way of Fuller Lane, the South line of the 3.832 acre tract, South 48 deg. 42 min. 13 sec. West a distance of 156.55 ft. to a 5/8" iron rod (found) for corner and South 64 deg. 48 min. 53 sec. West a distance of 41.15 ft. to a 3/8" iron rod (found) for the Southeast corner of the Chomi Tambunga 1.000 acre tract described in Document No. 2011-00021748;

THENCE North 35 deg. 02 min. 09 sec. West with the East line of the 1.000 acre tract, a distance of 157.03 ft. to a ½" iron rod (set) for the Northeast corner of same;

THENCE South 69 deg. 21 min. 44 sec. West with the North line of the 1.000 acre tract, a distance of 241.41 ft. to a 3/8" iron rod (found) for the Northwest corner of same, in the West line of the 3.832 acre tract, the East line of Farm to Market Highway No. 3481;

THENCE northerly with the East line of Farm to Market Highway No. 3481, the West line of the 3.832 acre tract, as follows:

North 13 deg. 24 min. 42 sec. West a distance of 12.10 ft. to a concrete right of way monument (found) for corner,

North 21 deg. 31 min. 53 sec. West a distance of 95.27 ft. to a concrete right of way monument (found) for corner,

and North 15 deg. 26 min. 22 sec. West a distance of 131.76 ft. to the place of beginning, containing 2.832 acres of land.

Bearing oriented to Grid North of the Texas State Plane Coordinate System, NAD83, Central Zone 4203.

Plat accompanies field notes.

I, PHILIP W. CORNETT, Registered Professional Land Surveyor No. 5515, do hereby certify that the above field notes were prepared from an actual survey made on the ground under my direction and supervision.

GIVEN UNDER MY HAND AND SEAL, this the 29th day of August, 2022.



PHILIP W. CORNETT
Registered Professional Land Surveyor No. 5515
T22-118 2.832 acres



**DEDICATION INSTRUMENT FOR
HARKER HEIGHTS FULLER ADDITION
A SUBDIVISION IN THE
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS**

STATE OF TEXAS §

COUNTY OF BELL §

WHEREAS SCOTT VERNON and J. MICHAEL MILLER, hereinafter referred to as Grantor, is the sole owner of that certain tract of land containing 2.832 acres out of and a part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas and more particularly described by metes and bounds in the field notes prepared by John Cowan & Associates, Inc. attached hereto and incorporated herein for all purposes for a complete legal description.

NOW THEREFORE, KNOW ALL MEN BY THE PRESENTS:

That Grantor does hereby adopt the plat of the 2.832 acre tract (the "Property"), which plat designates Harker Heights Fuller Addition, a subdivision in the City of Harker Heights, Bell County, Texas and does hereby adopt the attached map and plat thereof and does hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication. Grantor does hereby dedicate, give, grant, and convey to the City of Harker Heights, Texas, together with its assigns and franchises furnishing public utilities to the subdivision, hereinafter collectively referred to as "Grantee", for public use forever, the utility and drainage easements as shown on the plat, upon, over, and through the said Property for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

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

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

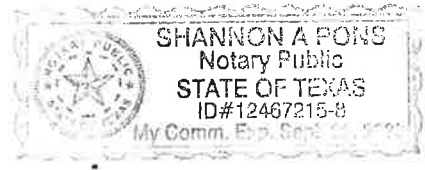
TO HAVE AND TO HOLD the said easements and right-of way, together with all and singular the rights and privileges thereto in any manner belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND**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

EXECUTED this the 22 day of Sept, 2022.


SCOTT VERNON

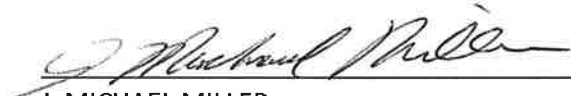
STATE OF TEXAS §
COUNTY OF Bell §

The instrument was acknowledged before me on the 22 day of Sept, 2022 by Scott Vernon.




Notary Public in and for the State of Texas

EXECUTED this the 22 day of Sept, 2022.


J. MICHAEL MILLER

STATE OF TEXAS §
COUNTY OF Bell §

The instrument was acknowledged before me on the 22 day of Sept, 2022 by J. Michael Miller.




Notary Public in and for the State of Texas

AFTER RECORDING, RETURN TO:
John Cowan & Associates, Inc.
10147 CR 135
Flint, Texas 75762

ALTA/NSPS LAND TITLE SURVEY FOR GBT REALTY SHOWING PART OF THE PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099 BELL COUNTY, TEXAS

ZONING

1. PROPERTY ZONED: B-4 - SECONDARY AND HIGHWAY BUSINESS DISTRICT, AND WITH IN THE CITY OF HARKER HEIGHTS, TX.

GENERAL NOTES

- LEGAL DESCRIPTION SHOWN HEREON.
- BEARINGS ARE ORIENTED TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE 4203, SURVEY FEET.
- SITE ELEVATION DATUM IS NAVD 88.
- CONTOUR INTERVAL = 1.0'
- SITE BENCHMARK 1
TOP OF MAG NAIL SET IN EDGE OF FM 3481 ASPHALT ROAD BEING S 66°46'24" E 88.37' FROM THE SOUTH EAST CORNER OF 1.000 ACRE TRACT ELEVATION = 702.68'
- SITE BENCHMARK 2
TOP OF MAG NAIL SET IN EDGE OF DEL REY ASPHALT ROAD BEING N 76°25'58" W 46.59' FROM THE NORTH WEST CORNER OF 1.000 ACRE TRACT ELEVATION = 724.44'

FLOOD NOTE

1. THE SUBJECT TRACT LIES IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 48027C0295E WITH A EFFECTIVE DATE OF SEPTEMBER 26, 2008, COUNTY OF BELL, TEXAS.

UTILITY NOTES

1. The contractor(s) shall be responsible for confirming the location (horizontal & vertical) of any buried cables, conduits, pipes, and structures (storm sewer, sanitary sewer and water). The contractor(s) shall be responsible for confirming the location (horizontal & vertical) of gas, television, telephone and other utility easements which impact the construction site. The contractor(s) shall notify the owner if any discrepancies are found between the actual conditions and the data contained in the construction plans. Any costs incurred as a result of not verifying the actual location (horizontal & vertical) of said cables, conduits, pipes and structures shall be borne by the contractor(s).

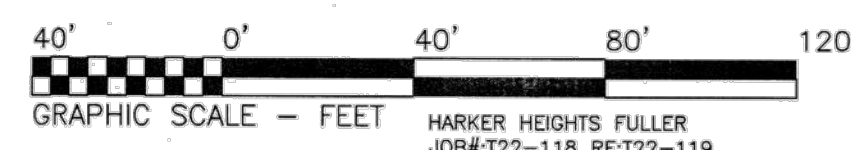
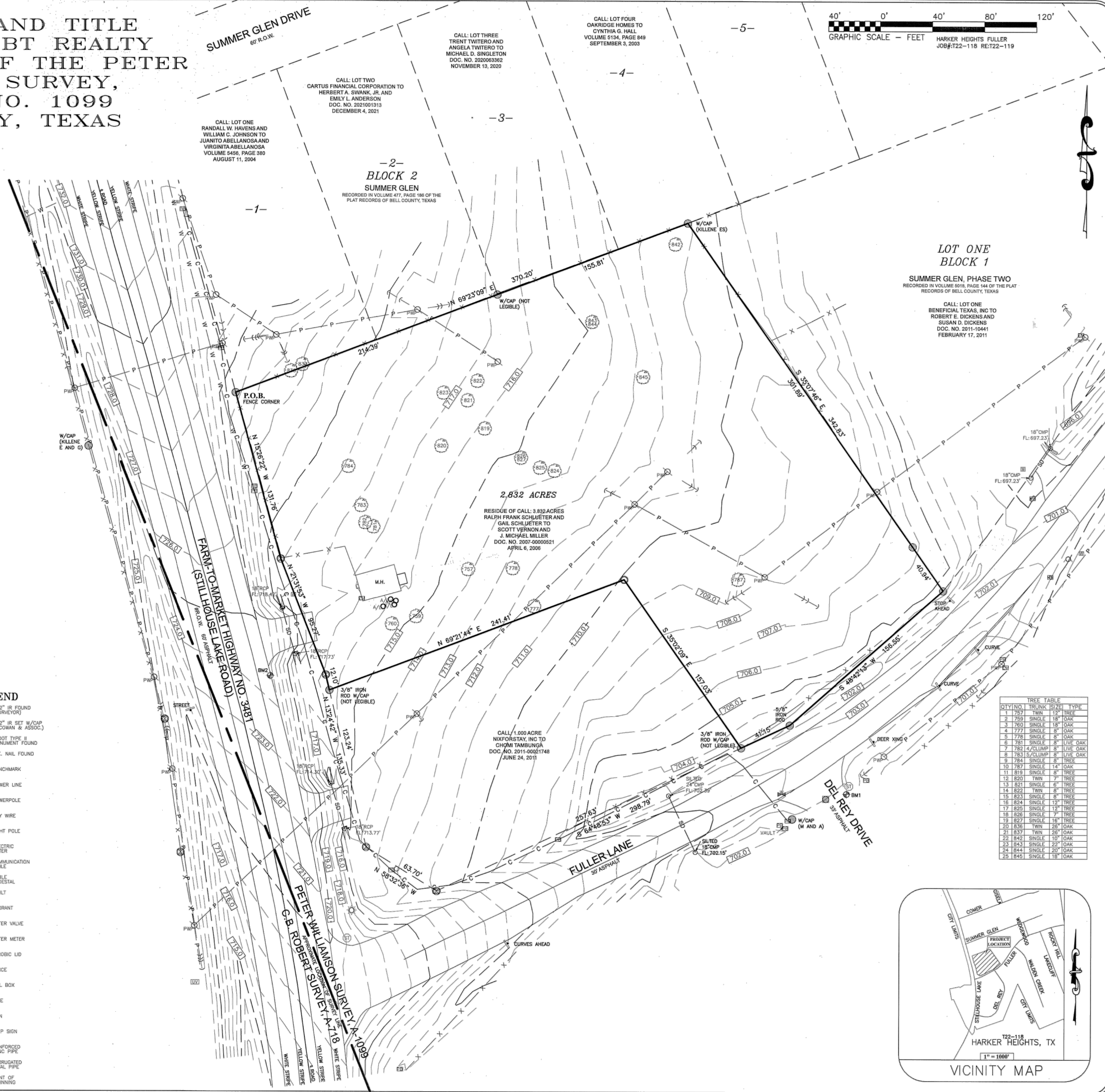
2. Adequate research to determine the location of intended boundary lines was made. In accordance with the Texas Board of Professional Land Surveyors, General Rules and Practices, Section 653.16 (c), research to support the delineation of easements, rights-of-way and restrictive covenants was not performed. The location of utilities shown hereon are from observed evidence of above ground appurtenances only. The surveyor was not provided with underground plans or surface ground markings to determine the location of any subterranean uses.

SCHEDULE B NOTES

FIDELITY NATIONAL COMMERCIAL SERVICES AS AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY
TITLE COMMITMENT NO. 2810014882

LEGEND

- 1/2" IR FOUND (SURVEYOR)
- 1/2" IR SET W/CAP (GUYWIRE & ASSOC.)
- ⊕ TYPED TYPE II MONUMENT FOUND
- ⊕ P.K. NAIL FOUND
- ⊕ BENCHMARK
- P — POWER LINE
- ⊕ POWERPOLE
- GUY WIRE
- ⊕ LIGHT POLE
- ⊕ ELECTRIC METER
- C — COMMUNICATION CABLE
- ⊕ CABLE, FIBER OPTICAL
- ⊕ VAULT
- ⊕ HYDRANT
- ⊕ WATER VALVE
- ⊕ WATER METER
- ⊕ A/O AEROBIC LID
- X — FENCE
- ⊕ MAIL BOX
- ⊕ NO. TREE
- ⊕ SIGN
- ⊕ STOP SIGN
- ⊕ RCP REINFORCED CONC PIPE
- ⊕ CMP CORRUGATED METAL PIPE
- ⊕ POB POINT OF BEGINNING



AS SURVEYED LEGAL DESCRIPTION

All that certain lot, tract, or parcel of land, being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas, and being part of that certain called 3.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-0000521 of the Official Public Records of Bell County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a pipe fence corner post (found) for the Northwest corner of the above mentioned 3.832 acre tract, the Southwest corner of Lot 1, Block 2 of Summer Glen as shown by plat of same recorded in Volume 477, Page 185 of the Plat Records of Bell County, Texas, in the East right of way of Farm to Market Highway No. 3481 (Stillhouse Lake Road);

THENCE North 69 deg. 23 min. 09 sec. East with the South line of Block 2 of Summer Glen, the North line of the 3.832 acre tract, a distance of 370.20 ft. to a 1/2" iron rod (found) for the Northeast corner of same, the Northwest corner of Lot 1, Block 1 of Summer Glen, Phase Two as shown by plat of same recorded in Volume 5018, Page 144 of the Plat Records;

THENCE South 35 deg. 07 min. 46 sec. East with West line of Lot 1, the East line of the 3.832 acre tract, at 301.89 ft. pass a 1/2" iron rod (found) for reference, and continue a total distance of 342.83 ft. to a 1/2" iron rod (found) for the Southwest corner of Lot 1, the Southeast corner of the 3.832 acre tract, in the North right of way of Fuller Lane;

THENCE westerly with the North right of way of Fuller Lane, the South line of the 3.832 acre tract, South 48 deg. 42 min. 13 sec. West a distance of 156.55 ft. to a 5/8" iron rod (found) for corner and South 64 deg. 48 min. 53 sec. West a distance of 41.15 ft. to a 3/8" iron rod (found) for the Southeast corner of the Chomi Tambunga 1.000 acre tract described in Document No. 2011-00021748;

THENCE North 35 deg. 02 min. 09 sec. West with the East line of the 1.000 acre tract, a distance of 157.03 ft. to a 1/2" iron rod (set) for the Northeast corner of same;

THENCE South 69 deg. 21 min. 44 sec. West with the North line of the 1.000 acre tract, a distance of 241.41 ft. to a 3/8" iron rod (found) for the Northwest corner of same, in the West line of the 3.832 acre tract, the East line of Farm to Market Highway No. 3481;

THENCE northerly with the East line of Farm to Market Highway No. 3481, the West line of the 3.832 acre tract, as follows:
North 13 deg. 24 min. 42 sec. West a distance of 12.10 ft. to a concrete right of way monument (found) for corner,
North 21 deg. 31 min. 53 sec. West a distance of 95.27 ft. to a concrete right of way monument (found) for corner,
and North 15 deg. 26 min. 22 sec. West a distance of 131.76 ft. to the place of beginning, containing 2.832 acres of land.

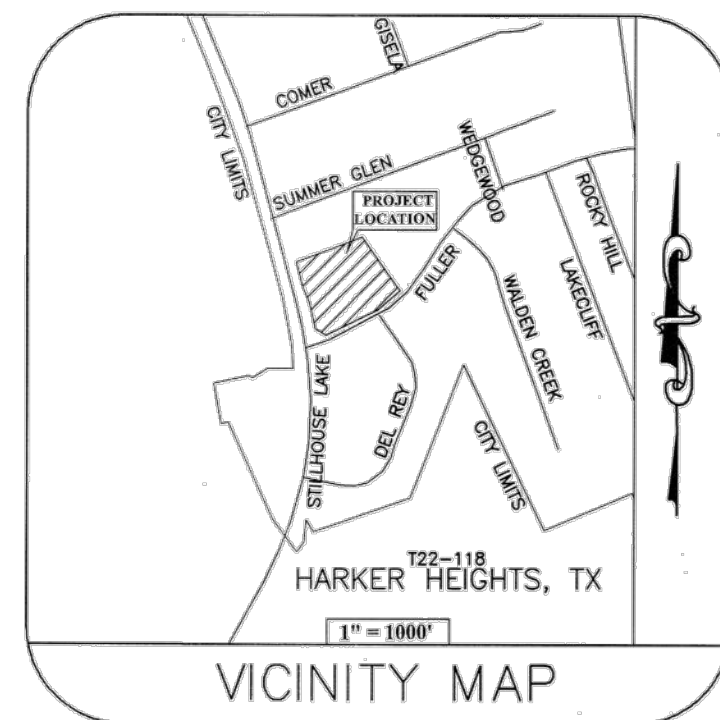
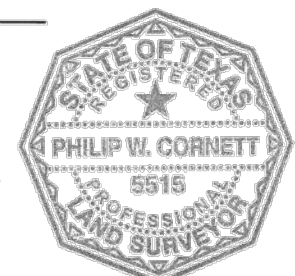
ALTA/NSPS LAND TITLE SURVEY

I, PHILIP W. CORNETT, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY CERTIFY TO FRANKLIN LAND ASSOCIATES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY, SCOTT VERNON, J. MICHAEL MILLER, AND FIDELITY NATIONAL COMMERCIAL SERVICES AS AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY AS OF THE DATE HEREOF THAT I HAVE MADE A CAREFUL SURVEY OF A TRACT OF LAND DESCRIBED AS FOLLOWS:

- THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES AND THE COURSES AND DISTANCES SHOWN THEREON ARE CORRECT, AND THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT AND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON.
- THE TITLE LINES AND THE LINES OF ACTUAL POSSESSION ARE THE SAME, EXCEPT AS SHOWN.
- THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN TITLE COMMITMENT NO. 2810014882 (THE COMMITMENT), WITH AN EFFECTIVE DATE OF JULY 11, 2022 AND AN ISSUED DATE OF JULY 21, 2022 THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT ARE APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
- THE SUBJECT TRACT LIES IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 48027C0295E WITH A EFFECTIVE DATE OF SEPTEMBER 26, 2008, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED.
- FARM-TO-MARKET HIGHWAY NO. 3481 (STILLHOUSE LAKE ROAD) AND FULLER LANE ARE PUBLIC DEDICATED RIGHTS-OF-WAY AND ARE IMMEDIATELY ADJACENT AND SERVE AS DIRECT ACCESS TO THE SUBJECT PROPERTY AND NO STRIPS, GORES OR GAPS ARE PRESENT.
- THE FIELD-MEASURED DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.
- THE LEGAL DESCRIPTION SHOWN ON THIS PLAN DESCRIBES THE SAME PROPERTY AS THAT IN THE COMMITMENT.
- THERE ARE NO GAPS, GORES, OR STRIPS IN THE PARCELS OR LOTS THAT CONSTITUTE THE SUBJECT PROPERTY.
- THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2021, AND INCLUDES ITEMS 1, 2, 3, 4, 5(B), 7(A), 7(B)(1), 8, 9, 11(A), 12, 14, 16, 17, 18, AND 19 OF TABLE A THEREOF, PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF TEXAS, THE MAXIMUM RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

PHILIP W. CORNETT
REGISTRATION NO. 5515 WITHIN THE STATE OF TEXAS
DATE OF SURVEY: JULY 14, 2022 "ON THE GROUND"
DATE OF LAST REVISION: JULY 29, 2022.

SURVEY PREPARED BY:
JOHN COWAN & ASSOCIATES, INC.
10147 CR 135
FLINT, TEXAS 75762
PHONE: 903-581-2238
WEBSITE: www.txsurveys.com
E-MAIL: pcornett@cowaninc.com
TEXAS REGISTRATION CERTIFICATION NO. 10025500



JOHN COWAN & ASSOCIATES, INC.
10147 CR 135 FLINT, TEXAS 75762
PHONE: 903-581-2238 WWW.TXSURVEYS.COM
FIRM REGISTRATION CERTIFICATION NO. 10025500

LAYOUT AND PAVING NOTES - DOLLAR GENERAL

- ALL EXISTING STRUCTURES, CONCRETE PADS/WALKS/DRIVES AND UTILITY SERVICES ON THE SITE SHALL BE REMOVED TO FULL DEPTH PRIOR TO CONSTRUCTION.
- THE CONTRACTOR SHALL CHECK EXISTING GRADES, DIMENSIONS, AND INVERTS IN THE FIELD AND REPORT ALL DISCREPANCIES TO THE ENGINEER PRIOR TO BEGINNING WORK.
- THE CONTRACTOR SHALL COMPLY WITH ALL LOCAL CODES, GIVE ALL NECESSARY NOTIFICATIONS, OBTAIN ALL PERMITS AND PAY ALL FEES PRIOR TO BEGINNING WORK.
- PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND NEW PAVEMENT. FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY.
- THE CONTRACTOR SHALL PROTECT ALL TREES DESIGNATED TO REMAIN. DO NOT OPERATE OR STORE HEAVY EQUIPMENT OR MATERIALS WITHIN THE DRIPLINES OF TREES OR OUTSIDE THE LIMIT OF DISTURBANCE.
- CONCRETE WALKS AND PADS SHALL HAVE A BROOM FINISH WITH NO EXPOSED AGGREGATE ON ANY FACE. ALL CONCRETE TO BE MINIMUM 3500 PSI COMPRESSIVE STRENGTH WITH 5% (+/-1%) AIR ENTRAINMENT. MIXTURES WITH WATER/CEMENT RATIOS AT 0.5 OR BELOW ARE RECOMMENDED. CURB RAMPS, SIDEWALK SLOPES, AND DRIVEWAY RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH ALL CURRENT LOCAL REQUIREMENTS. IF APPLICABLE, THE CONTRACTOR SHALL REQUEST INSPECTION OF SIDEWALK AND RAMP FORMS PRIOR TO PLACEMENT OF CONCRETE. NO FLY ASH PERMITTED.
- SIDEWALK EDGES ABUTTING SAME COLORED CONCRETE PAVEMENT SHALL BE PAINTED SAFETY YELLOW.
- CONCRETE PAVEMENT CONTRACTION JOINTS SHALL BE CONSTRUCTED TO A DEPTH OF AT LEAST 1/4 THE CONCRETE THICKNESS, AND SHALL DIVIDE CONCRETE ROUGHLY INTO SQUARES WITH MAXIMUM 10' SEGMENTS. JOINTS CAN BE SAWCUT, FORMED OR TOOLED.
- CONSTRUCTION OF REINFORCED CONCRETE PAVEMENT SHALL BE IN ACCORDANCE WITH ACI 330 STANDARD SPECIFICATIONS. CURING COMPOUND SHALL BE APPLIED TO ALL CONCRETE SURFACES IMMEDIATELY AFTER BROOM FINISH. CONTRACTOR SHALL REJECT CONCRETE IF IT CANNOT BE PLACED WITHIN 90 MINUTES OF BATCH TIME OR WITHIN 75 MINUTES DURING SUMMER HIGH TEMPERATURE CONDITIONS.
- ALL DAMAGE TO EXISTING ASPHALT PAVEMENT TO REMAIN RESULTING FROM NEW CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIALS AT CONTRACTOR'S EXPENSE.
- DIMENSIONS ARE TO THE FACE OF CURB, EXPOSED FACE OF WALL, EDGE OF CONCRETE OR TO THE FACE OF BUILDING, UNLESS OTHERWISE NOTED.
- SCREENED ITEMS INDICATE A PRE-CONSTRUCTION TOPOGRAPHIC SURVEY PROVIDED BY JOHN COWAN & ASSOCIATES, DATED 07/14/2022.
- MAINTAIN ONE SET OF MARKED-UP AS-BUILT DRAWINGS ON THE JOB SITE FOR DISTRIBUTION TO THE ENGINEER UPON COMPLETION.
- CONTRACTOR SHALL PROVIDE AS-BUILT SURVEY FOR COMPLETED SITE. CONSULT ENGINEER FOR SPECIFIC REQUIREMENTS.
- THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING POSTAL DELIVERY METHOD WITH THE LOCAL JURISDICTION. IF A PHYSICAL MAILBOX IS REQUIRED, THE GENERAL CONTRACTOR IS RESPONSIBLE FOR THE PURCHASE, LOCATION PLACEMENT, AND INSTALLATION.

GENERAL UTILITY NOTES - DOLLAR GENERAL

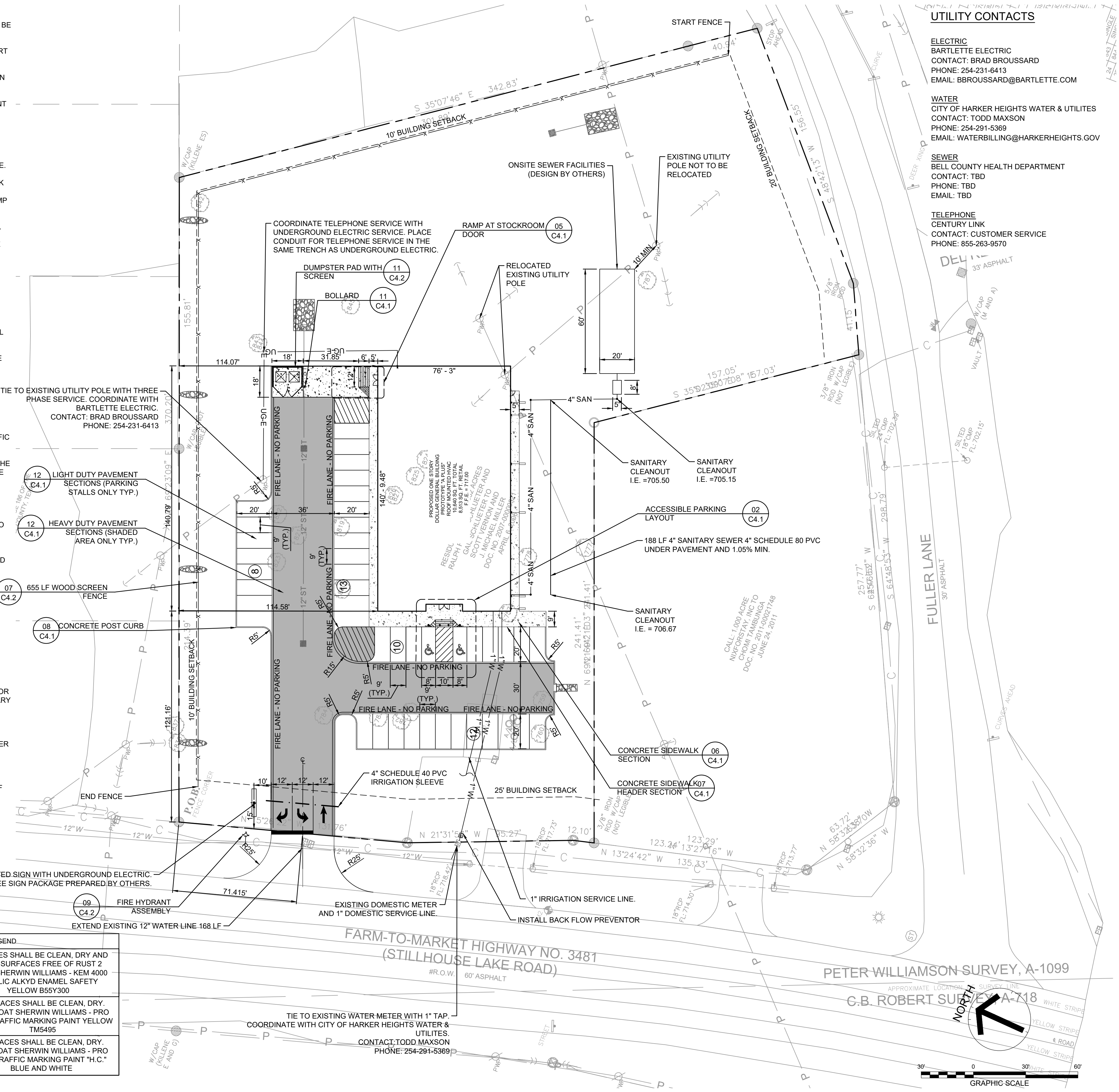
- CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES WITHIN 14 DAYS OF MOBILIZATION. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN. REPAIR DAMAGE ACCORDING TO LOCAL STANDARDS AND AT THE CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
- WATER AND SEWER CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH ALL LOCAL CODES AND SPECIFICATIONS.
- THE CONTRACTOR SHALL PAY ALL FEES AND OBTAIN ALL PERMITS.
- ALL EXISTING UNDERGROUND UTILITY LOCATIONS ARE APPROXIMATE AND ARE BASED ON BEST INFORMATION AVAILABLE. ADDITIONAL UTILITIES MAY BE PRESENT. SHOULD UNCHARTED UTILITIES BE ENCOUNTERED DURING EXCAVATION OPERATIONS, THE CONTRACTOR SHALL NOTIFY THE ENGINEER AS SOON AS POSSIBLE FOR INSTRUCTIONS.
- NOTIFY LOCAL UTILITY LOCATOR SERVICE (CALL 811) OF INTENDED EXCAVATION/UTILITY OPERATION
- MAINTAIN 10-FOOT HORIZONTAL AND 24-INCH VERTICAL SEPARATION BETWEEN SANITARY SEWER AND WATER SUPPLY LINES.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE SEQUENCING OF CONSTRUCTION FOR ALL UTILITY LINES SO THAT WATER LINES AND UNDERGROUND ELECTRIC DO NOT CONFLICT WITH SANITARY SEWERS OR STORM SEWERS.
- ADJUST ALL EXISTING CASTINGS TO MATCH PROPOSED FINISH GRADE.
- ALL SANITARY SEWER PIPE SHALL BE SCHEDULE 40 PVC UNDER GROUND COVER AND SCHEDULE 80 UNDER PAVEMENT COVER UNLESS NOTED OTHERWISE.
- WATER SERVICE PIPE SHALL BE SDR21 PVC. PRESSURE RATING 200 PSI.
- THE CONTRACTOR SHALL BEGIN APPLICATION FOR TELEPHONE SERVICE IMMEDIATELY UPON RECEIPT OF THE BUILDING PERMIT. COORDINATE WITH THE ARCHITECT AND CENTURY LINK ON COMPLETING THE SERVICE ORDER FORM, AND COPY THE DOLLAR GENERAL PROJECT MANAGER AND CONSTRUCTION COORDINATOR, AS WELL AS THE DEVELOPER.
- INSTALL ALL UTILITIES AND IRRIGATION SLEEVES PRIOR TO INSTALLATION OF PAVEMENT.
- CONTRACTOR IS RESPONSIBLE FOR ALL PUBLIC UTILITY CONNECTIONS (ELECTRIC, WATER, GAS, SEPTIC, SEWER) AS WELL AS PROVIDING ALL INFRASTRUCTURE REQUIRED BY UTILITY COMPANY.

SITE DATA TABLE

CURRENT ZONING: B-4
SETBACKS: FRONT = 25'
LEFT SIDE = 10'
RIGHT SIDE = 20'
REAR = 10'

1. SITE AREA:	123,344 S.F. = 2.832 ACRES
2. BUILDING AREA:	10,640 S.F. GROSS AREA 7,263 S.F. SALES AREA ONE-STORY, MAX HEIGHT = 20'-0"
3. PARKING REQUIRED:	43 SPACES (1 PER 250 SF GROSS) PARKING PROVIDED: 43 SPACES
4. EXISTING IMPERVIOUS AREA:	= 0.018 ACRES = .7%
EXISTING PERVIOUS AREA:	= 2.813 ACRES = 99.3%
5. PROPOSED IMPERVIOUS AREA:	= .815 ACRES = 28.8%
PROPOSED LANDSCAPE AREA:	= 2.017 ACRES = 71.2%

STRIPING LEGEND	
YELLOW CURBING AND BOLLARDS - PARKING LOT	SURFACES SHALL BE CLEAN, DRY AND METAL SURFACES FREE OF RUST 2 COATS SHERWIN WILLIAMS - KEM 4000 ACRYLIC ALKYD ENAMEL SAFETY YELLOW B55Y300
STRIPING - PARKING LOT	SURFACES SHALL BE CLEAN, DRY. TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT YELLOW TM5495
ADA/ACCESSIBLE STRIPING - PARKING LOT	SURFACES SHALL BE CLEAN, DRY. TOP COAT SHERWIN WILLIAMS - PRO MAR TRAFFIC MARKING PAINT "H.C." BLUE AND WHITE



GreshamSmith.com

222 Second Avenue South
Suite 1400
Nashville, TN 37201
615.770.8100

GRESHAM SMITH
TEXAS REGISTERED
ENGINEERING FIRM
F-3629



HARKER HEIGHTS DTP, LLC
9010 Overlook Boulevard
Brentwood, TN 37027
615-370-0670

STORE #24926
250' SOUTH OF SUMMER GLEN DRIVE ON
THE EAST SIDE OF STILLHOUSE LAKE
ROAD
HARKER HEIGHTS, TEXAS

NOT FOR
CONSTRUCTION

Revision		
No.	Date	Description

SITE LAYOUT AND UTILITY PLAN

C2.1
Gresham Smith Project Number
44117.94
08/XX/2022
This Line Is 3 Inches When Printed Full Size

GRADING AND DRAINAGE NOTES - DOLLAR GENERAL

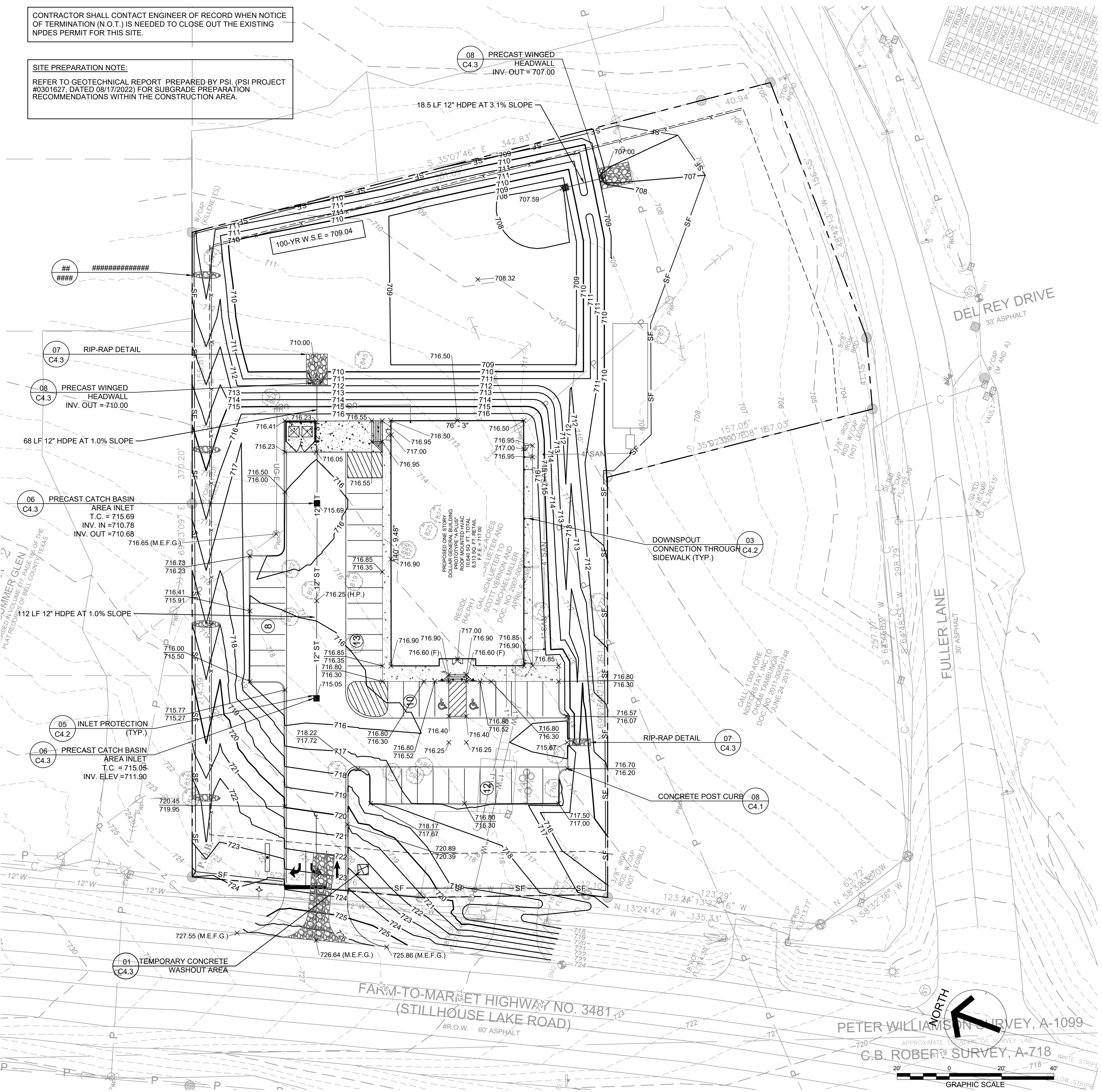
- 1. THE CONTRACTOR SHALL COMPLY WITH ALL LOCAL CODES, GIVE ALL NOTIFICATIONS, OBTAIN ALL PERMITS, AND PAY ALL FEES PRIOR TO BEGINNING GRADING AND DRAINAGE WORK.
2. IN THE EVENT OF ANY DISCREPANCIES FOUND IN THE DRAWINGS OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE ENGINEER BEFORE PROCEEDING WITH THE WORK.
3. CONTRACTOR SHALL VERIFY EXISTING ELEVATIONS AND INVERTS PRIOR TO BEGINNING WORK.
4. CONTRACTOR SHALL DISPOSE OF EXCESS MATERIAL OFF THE OWNER'S PROPERTY IN A LEGAL MANNER AT NO ADDITIONAL COST.
5. EARTHWORK FILL SHALL INCLUDE STRIPPING TOPSOIL AND PLACING ENGINEERED FILL IN MAXIMUM 8" COMPACTED LIFTS WITH DENSITY OF 95% OF STANDARD PROCTOR DENSITY (ASTM D698).
6. NOTIFY LOCAL UTILITY LOCATOR SERVICE (CALL 811) OF INTENDED EXCAVATION/UTILITY OPERATION.
7. CONSTRUCT TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES AS SHOWN ON THE DRAWINGS PRIOR TO BEGINNING GRADING OPERATIONS.
8. TOPSOIL SHALL BE STRIPPED FROM ALL CUT AND FILL AREAS, STOCKPILED AND REDISTRIBUTED OVER GRADED AREAS TO A MINIMUM DEPTH OF 6 INCHES. STOCKPILES SHALL BE FREE DRAINING, PROVIDE TEMPORARY SEEDING FOR STOCKPILES LEFT DORMANT LONGER THAN 14 DAYS; ALSO PROVIDE EROSION AND SEDIMENTATION CONTROLS AROUND STOCKPILES.
9. SATISFACTORY TOPSOIL IS DEFINED AS SOIL BEING FREE OF SUBSOIL, CLAY LUMPS, STONES, OTHER OBJECTS OVER 1 INCH IN DIAMETER, OR CONTAMINANTS.
10. AFTER STRIPPING TOPSOIL, PROOFROLL SUBGRADE WITH LOADED DUMP TRUCK WITH RUBBER TIRES AND A MINIMUM WEIGHT OF 20 TONS.
11. THE CONTRACTOR SHALL PROTECT ALL TREES DESIGNATED TO REMAIN. DO NOT OPERATE OR STORE HEAVY EQUIPMENT OR MATERIALS WITHIN THE DRILINES OF TREES OR OUTSIDE THE LIMIT OF DISTURBANCE.
12. TOP OF GRATE ELEVATIONS FOR CURB INLETS ARE GIVEN TO THE CENTER OF THE INLETS AT THE FACE OF CURB. THE GRATES SHALL SLOPE LONGITUDINALLY WITH THE PAVEMENT GRADE. ADJUST THE CASTING TO FALL ALONG THE CURB LINE.
13. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES, PROTECT UTILITIES TO REMAIN, AND REPAIR CONTRACTOR-CAUSED DAMAGE ACCORDING TO LOCAL STANDARDS AT CONTRACTOR'S EXPENSE.
14. SPOT ELEVATIONS AND CONTOURS REPRESENT PROPOSED FINISHED GRADE AND TOP OF FINISHED PAVEMENT.
15. FINISH GRADES TOLERANCES ARE 0.10 FOOT ABOVE OR BELOW DESIGN ELEVATIONS.
16. FINISHED GRADE AT EXTERIOR WALLS SHALL BE A MINIMUM OF 6" BELOW FINISHED FLOOR AT ALL NON PAVED AREAS.
17. CONTOUR LINES AND SPOT ELEVATIONS ARE THE RESULT OF A DETAILED ENGINEERING GRADING DESIGN AND REFLECT A PLANNED INTENT WITH REGARD TO DRAINAGE. SHOULD THE CONTRACTOR HAVE ANY QUESTION OF THIS INTENT OR ANY PROBLEMS WITH CONTINUITY OF GRADES, THE ENGINEER SHALL BE CONTACTED PRIOR TO BEGINNING WORK.
18. ALL BACK OF CURBS AND SIDEWALKS SHALL BE BACKFILLED FLUSH WITH TOPSOIL, SEEDDED AND MULCHED, UNLESS OTHERWISE NOTED.
19. SCREENED EXISTING CONDITIONS ITEMS INDICATE A PRE-CONSTRUCTION TOPOGRAPHIC SURVEY PROVIDED BY JOHN COWAN & ASSOCIATES, DATED 07/14/2022.
20. MAXIMUM SLOPES WITH IN ADA PARKING AND LOADING AREAS SHALL NOT EXCEED 2% IN ANY DIRECTION. ADA ACCESSIBLE PARKING SPACES/AISLES SHALL NOT EXCEED 2%.
21. ALL DOWNSPOUTS DISCHARGING ONTO NON PAVED AREAS SHALL HAVE A MINIMUM 5' LONG CORRUGATED PVC PIPE STRAPPED TO A MINIMUM 12"X24" CONCRETE SPLASH BLOCK.
22. ALL STORM DRAINAGE PIPE SHALL BE ADS N-12 ST IB OR APPROVED EQUAL, UNLESS NOTED OTHERWISE.
23. REFER TO GEOTECHNICAL REPORT PREPARED BY PSI, (PSI PROJECT #0301627, DATED 08/17/2022) FOR SUBGRADE PREPARATION RECOMMENDATIONS WITHIN THE CONSTRUCTION AREA.

EROSION AND SEDIMENT CONTROL NOTES - DOLLAR GENERAL

- 1. CONTRACTOR SHALL STRICTLY ADHERE TO THE EPSC PLAN AND/OR STORMWATER POLLUTION PREVENTION PLAN (SWPPP) PREPARED FOR THIS PROJECT. REFER TO THE STORMWATER POLLUTION PREVENTION PLAN FOR ADDITIONAL REQUIREMENTS.
2. CONSTRUCT TEMPORARY EROSION CONTROL AS SHOWN ON THE DRAWINGS PRIOR TO BEGINNING GRADING OPERATIONS.
3. ALL LOCATIONS OF TEMPORARY EROSION CONTROL DEVICES SHALL BE SUBJECT TO ADJUSTMENT AS DIRECTED BY THE ENGINEER.
4. ALL GRADED AREAS NOT RECEIVING STONE STABILIZATION SHALL RECEIVE TEMPORARY SEEDING WITHIN 14 DAYS OF REACHING FINAL SUBGRADE ELEVATION.
5. SILT BARRIERS SHALL BE CLEANED OF ACCUMULATED SEDIMENT WHEN APPROXIMATELY 50% FILLED.
6. REPLACE DAMAGED AND WORN OUT SILT BARRIERS AS DIRECTED BY THE ENGINEER.
7. WHEN THE TEMPORARY EROSION CONTROL DEVICES ARE NO LONGER REQUIRED FOR THE INTENDED PURPOSE (IN THE ENGINEER'S OPINION), THEY SHALL BE REMOVED.
8. ALL DRAINAGE STRUCTURES, PIPES WITHIN THE LIMITS OF CONSTRUCTION AND DETENTION PONDS SHALL HAVE SEDIMENT REMOVED PRIOR TO FINAL ACCEPTANCE.
9. SODDED AREAS SHALL HAVE NO BARE SPOTS.
10. GENERAL CONTRACTOR IS RESPONSIBLE TO WATER SEEDED AREAS AS NECESSARY TO GET VEGETATION ESTABLISHED.
11. SOD ALL DISTURBED AREAS NOT OTHERWISE PLANTED PER LANDSCAPE PLAN/TURF AND IRRIGATION PLAN, SHEET L2.1 OR EQUAL APPROVED BY THE ENGINEER.
12. PROVIDE EROSION CONTROL MATTING (NAG 150) OR APPROVED EQUAL TO ALL SLOPES 3:1 OR STEEPER. EROSION CONTROL MATTING SHALL BE PHOTO-DEGRADABLE OR BIO-DEGRADABLE UNLESS OTHERWISE SPECIFIED.
13. DEWATERING OF EXCAVATION AREA SHALL BE COMPLETED ONLY WITH SPECIFIED OR PRE-APPROVED PUMPING AND FILTERING EQUIPMENT.
14. CONTRACTOR SHALL CONTACT ENGINEER OF RECORD WHEN NOTICE OF TERMINATION (N.O.T.) IS NEEDED TO CLOSE OUT THE EXISTING NPDES PERMIT FOR THIS SITE.

CONTRACTOR SHALL CONTACT ENGINEER OF RECORD WHEN NOTICE OF TERMINATION (N.O.T.) IS NEEDED TO CLOSE OUT THE EXISTING NPDES PERMIT FOR THIS SITE.

SITE PREPARATION NOTE: REFER TO GEOTECHNICAL REPORT PREPARED BY PSI, (PSI PROJECT #0301627, DATED 08/17/2022) FOR SUBGRADE PREPARATION RECOMMENDATIONS WITHIN THE CONSTRUCTION AREA.



Tree Schedule Table with columns: QTY, NO., TREE, TRUNK, SINGLE, DOUBLE, etc. Lists various tree types and quantities.



GreshamSmith.com

222 Second Avenue South Suite 1400 Nashville, TN 37201 615.770.8100

GRESHAM SMITH TEXAS REGISTERED ENGINEERING FIRM F-3629



HARKER HEIGHTS DTP, LLC 9010 Overlook Boulevard Brentwood, TN 37027 615-370-0670

STORE #24926 250' SOUTH OF SUMMER GLEN DRIVE ON THE EAST SIDE OF STILLHOUSE LAKE ROAD HARKER HEIGHTS, TEXAS

NOT FOR CONSTRUCTION

Revision table with columns: No., Date, Description. Contains one revision entry.

GRADING, DRAINAGE AND EROSION CONTROL PLAN

C3.1

Gresham Smith Project Number 44117.94 08/XX/2022

This Line Is 3 Inches When Printed Full Size

\\gpc01\gpc01\mna_r\06-117294\10\Work\01\CAD\DWG\44117_94_C3_L_232-34.dwg - Scott Cole - 8/23/2022 10:02:14 AM

LEGAL DESCRIPTION:

All that certain lot, tract, or parcel of land, being part of the Peter Williamson Survey, Abstract No. 1099, Bell County, Texas, and being part of that certain called 3.832 acre tract described in a deed from Ralph Frank Schlueter and Gail Schlueter to Scott Vernon and J. Michael Miller on April 6, 2006, recorded in Document No. 2007-0000521 of the Official Public Records of Bell County, Texas, and being more completely described as follows, to-wit:

BEGINNING at a pipe fence corner post (found) for the Northwest corner of the above mentioned 3.832 acre tract, the Southwest corner of Lot 1, Block 2 of Summer Glen as shown by plat of same recorded in Volume 477, Page 186 of the Plat Records of Bell County, Texas, in the East right of way of Farm to Market Highway No. 3481 (Stillhouse Lake Road);

THENCE North 69 deg. 23 min. 09 sec. East with the South line of Block 2 of Summer Glen, the North line of the 3.832 acre tract, a distance of 370.20 ft. to a 1/2" iron rod (found) for the Northeast corner of same, the Northwest corner of Lot 1, Block 1 of Summer Glen, Phase Two as shown by plat of same recorded in Volume 5018, Page 144 of the Plat Records;

THENCE South 35 deg. 07 min. 46 sec. East with West line of Lot 1, the East line of the 3.832 acre tract, at 301.89 ft. pass a 1/2" iron rod (found) for reference, and continue a total distance of 342.83 ft. to a 1/2" iron rod (found) for the Southwest corner of Lot 1, the Southeast corner of the 3.832 acre tract, in the North right of way of Fuller Lane;

THENCE westerly with the North right of way of Fuller Lane, the South line of the 3.832 acre tract, South 48 deg. 42 min. 13 sec. West a distance of 156.55 ft. to a 5/8" iron rod (found) for corner and South 44 deg. 48 min. 53 sec. West a distance of 41.15 ft. to a 3/8" iron rod (found) for the Southeast corner of the Chomi Tambunga 1.000 acre tract described in Document No. 2011-00021748;

THENCE North 35 deg. 02 min. 09 sec. West with the East line of the 1.000 acre tract, a distance of 157.03 ft. to a 1/2" iron rod (set) for the Northeast corner of same;

THENCE South 69 deg. 21 min. 44 sec. West with the North line of the 1.000 acre tract, a distance of 241.41 ft. to a 3/8" iron rod (found) for the Northwest corner of same, in the West line of the 3.832 acre tract, the East line of Farm to Market Highway No. 3481;

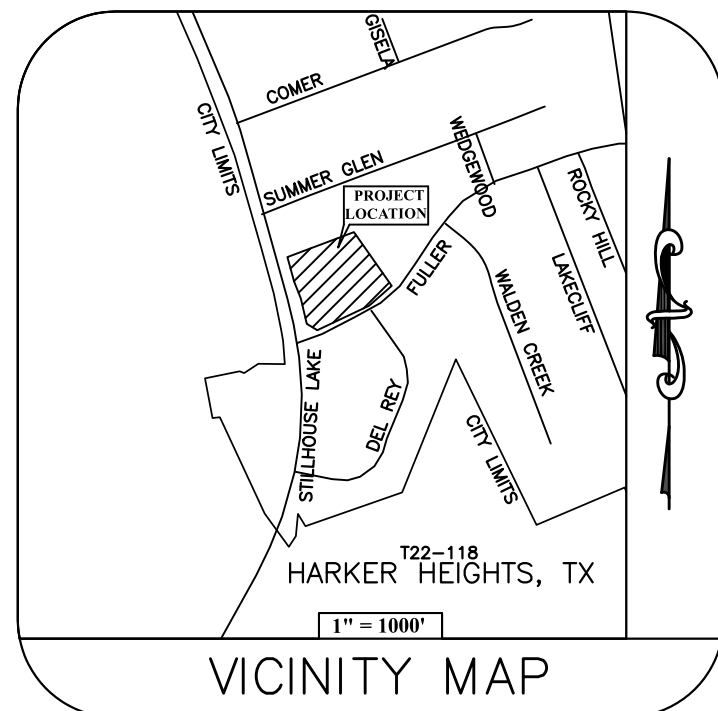
THENCE northerly with the East line of Farm to Market Highway No. 3481, the West line of the 3.832 acre tract, as follows:
North 13 deg. 24 min. 42 sec. West a distance of 12.10 ft. to a concrete right of way monument (found) for corner,
North 21 deg. 31 min. 53 sec. West a distance of 95.27 ft. to a concrete right of way monument (found) for corner,
and North 15 deg. 26 min. 22 sec. West a distance of 131.76 ft. to the place of beginning, containing 2.832 acres of land.

LEGEND

- 1/2" IR FOUND (SURVEYOR)
- 1/2" IR SET W/CAP (COWAN & ASSOC.)
- ⊗ TxDOT TYPE II MONUMENT FOUND
- P.K. NAIL FOUND

PLAT NOTES:

1. LEGAL DESCRIPTION SHOWN HEREON.
2. BEARINGS ARE ORIENTED TO GRID NORTH OF THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE 4203, SURVEY FEET.
3. SITE ELEVATION DATUM IS NAVD 88.
4. CONTOUR INTERVAL = 1.0'
5. PROPERTY ZONED: B-4 - SECONDARY AND HIGHWAY BUSINESS DISTRICT, AND WITH IN THE CITY OF HARKER HEIGHTS, TX.
6. PROPERTY ZONED: B-4 - SECONDARY AND HIGHWAY BUSINESS DISTRICT, AND WITH IN THE CITY OF HARKER HEIGHTS, TX.
7. THE SUBJECT TRACT LIES IN ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) ON FLOOD INSURANCE RATE MAP NO. 48027C0295E WITH A EFFECTIVE DATE OF SEPTEMBER 26, 2008
8. NOTICE: SELLING A PORTION OF THIS ADDITION BY METES AND BOUNDS IS A VIOLATION OF CITY ORDINANCES AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS.



JOHN COWAN & ASSOCIATES, INC.
10147 COUNTY ROAD 135, FLINT, TEXAS 75762
PH: (903) 581-2238 tsurveys.com
FIRM REGISTRATION CERTIFICATION NO. 10025500



STATE OF TEXAS
COUNTY OF SMITH

I, Scott Vernon and J. Michael Miller are the owners of the tract of land shown hereon and do accept this as its Plan for the subdivision into lots and blocks and do dedicate to the public forever the streets, alleys, and easements as shown.

By: _____
Scott Vernon

By: _____
J. Michael Miller

STATE OF TEXAS
COUNTY OF LA SALLE

Before me, the undersigned authority of this day personally appeared Scott Vernon, known to me to be the person whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, A.D. 2022

Notary Public of La Salle County, Texas

STATE OF TEXAS
COUNTY OF LA SALLE

Before me, the undersigned authority of this day personally appeared J. Michael Miller, known to me to be the person whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

Given under my hand and seal of office this ____ day of _____, A.D. 2022

Notary Public of La Salle County, Texas

KNOW ALL MEN BY THESE PRESENTS:

That I, Philip W. Cornett, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision and Property Development Regulations of the City of Harker Heights, Texas.

Philip W. Cornett
Registration No. 5515 Within the State of Texas

Approved this ____ day of _____, 2022, by the Planning and Zoning Commission of the City of Harker Heights, Texas.

Chairman, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

Approved this ____ day of _____, 2022, by the City Council of the City of Harker Heights, Texas.

Spencer H. Smith, Mayor

City Secretary

Approved this ____ day of _____, 2022, by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Kristina Ramirez, Director of Planning and Development

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 _____, A.D. 2022.

Bell County Tax Appraisal District

By: _____

FILED FOR RECORD this ____ day of _____, 2022 in Cabinet _____
Slide(s) _____ Plat Records of Bell County, Texas. Dedication instrument in Instrument # _____, Deed Records of Bell County, Texas.

PRELIMINARY
HARKER HEIGHTS FULLER ADDITION
BEING A SUBDIVISION ESTABLISHING LOT 1, IN BLOCK 1,
CONTAINING 3.832 ACRES, SHOWING PART OF THE PETER
WILLIAMSON SURVEY, ABSTRACT NO. 1099,
BELL COUNTY, TEXAS

ONE LOT, ONE BLOCK- 3.832 ACRES
PREPARATION DATE: AUGUST 22, 2022

APPLICANT / SURVEYOR:
JOHN COWAN & ASSOCIATES, INC.
Scott Vernon
10147 CR 135
FLINT, TX 75762
903-581-2238

RECORD TITLE OWNER:
535 Van Bibber Road,
Harker Heights, TX 76548
vernon.hookem@gmail.com

RECORD TITLE OWNER:
J. Michael Miller
716 Bobcat Circle,
Harker Heights, TX 76548
mikem@millerandcoinsurance.com

HARKER HEIGHTS FULLER LANE ADDITION - PRELIMINARY

P22-28 – Harker Heights Fuller Lane Addition

Plat Distributed to Reviewers: 09/02/2022

Comments sent to Engineer: 09/16/2022

Clarification From Engineer: 09/20/2022

Comments sent to Engineer: 09/22/2022

Planning & Development

1. Per §154.21(C)(1)(d), applicant shall provide dimensions for existing ROW and verify if the required Major Arterial ROW width along FM 3481 and the required Major Collector width along Fuller Lane is provided or if the applicant will need to dedicate additional ROW. **9/22/22 Not Met.**
2. Per §154.21(C)(1)(g & j), applicant shall illustrate and annotate existing and proposed utility easements on and adjacent to this development. Applicant shall also provide a 10' UE along the northern property line. **9/22/22 Not Met.**
3. The plat dedication page shall be signed by the owner. **9/22/22 Not Met.**
4. Applicant shall provide engineering plan sheets per the requirements in §154.21(C)(2) for water, sidewalk, and drainage/stormwater. **9/22/22 Met. Applicant is advised that a construction plan level and overlay district level review of the submitted plans was not conducted as part of this preliminary plat level of review.**

Public Works, Mark Hyde

1. Advisory Note: A fire hydrant may be required for the construction of a commercial building.
2. Advisory Note: Sanitary sewer is not available for this lot. The Bell County Health Department permits all on-site sewage facilities in the City.

City Engineer, Otto Wiederhold

- No comments have been received to date and may be forthcoming. **9/22/22 No response to date.**

Deputy Fire Marshal, Johnny Caraway

- No Comments

ONCOR, Steven Huggins

- No comments have been received to date and may be forthcoming. **9/22/22 No response to date.**

Century Link, Chris McGuire

- No comments have been received to date and may be forthcoming. **9/22/22 No response to date.**

Time Warner Cable/Spectrum, Shaun Whitehead

- No comments have been received to date and may be forthcoming. 9/22/22 No response to date.

ATMOS, Rusty Fischer

- No comments have been received to date and may be forthcoming. 9/22/22 No response to date.

Clearwater UWCD, Dirk Aaron

- No comments have been received to date and may be forthcoming. 9/22/22 No response to date.

Bell County Public Health

1. Applicant is advised to submit a design for OSSF to Bell County Public Health District for septic review.
2. Include the following certification block on face of the plat: 9/22/22 Not Met.

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

TXDOT, Richard Rangel

- No comments have been received to date and may be forthcoming.