



Minutes of the Regular Meeting of the Harker Heights
Planning & Zoning Commission held at the City Hall Building,
January 30, 2019

Present:

Larry Robison	Chairman
Robert Robinson III	Vice Chair
Adam Parker	Secretary
Stephen Watford	Commissioner
Kay Carey	Commissioner
Jan Anderson	Commissioner
Joshua McCann	Commissioner
Noel Webster	Commissioner
Darrel Charlton	Commissioner
Nuala Taylor	Alternate Commissioner
Rodney Shine	Alternate Commissioner

Absent:

Dustin Hallmark	Alternate Commissioner
Kendall Cox	Alternate-Commissioner

Staff:	Joseph Molis	Director of Planning & Development
	Tiffany Dake	Planning Admin. Assistant
	Yvonne Spell	Customer Relations Supervisor
	Dan Phillips	GIS Analyst/Planner
	Eric Moree	Code Enforcement
	Brad Alley	Fire Marshal

A quorum was established and the meeting was called to order at 6:45 P.M.

The first item on the agenda was the approval of the minutes from the December 5, 2018 meeting. Commissioner Webster made the motion to approve the meeting minutes and Commissioner Anderson seconded the motion. The motion passed (7-0) with two votes in abstention (Parker and Robinson).

The next item on the agenda was to recognize affidavits for Conflict-of-Interest. Mr. Molis stated that there were no conflicts of interest.

Next, Mr. Molis presented the update on development activity for the City. He stated the City issued two (2) commercial construction permits, eleven (11) single-family residential construction permits, and zero (0) duplex permits for the month of December.

Next was the report on City Council actions regarding recommendations resulting from the December 5, 2018 Planning and Zoning Commission meeting.

Next under Public Hearings, Mr. Molis presented **Z19-01**; Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as part of Lot Eight (8) and all of Lot Nine (9) and Lot Ten (10), Block Four (4), Hidden Valley Estates, an addition in Bell County, Texas, recorded in Cabinet A, Slide 212-A, Plat Records of Bell County, Texas, generally located at 2223 Fuller Lane, Harker Heights, Bell County, Texas.

Mr. Molis spoke on behalf of the applicant. The applicant was not able to attend the meeting due to a work engagement out of town. Mr. Molis stated the CUP would be for a 12 month period while the interior of the primary house was being remodeled. The applicant would stay in the camper while the interior was being remodeled. There is not bathroom in the dwelling unit so it is not classified as a Tiny House or RV. At a later date the owner was going to make a concrete foundation to put the camper on. The applicant does own the two adjacent lots as well. Due to this being a camper it can stay on her property.

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

Chairman Robison then closed the public hearing. During the discussion it was brought before the commission to table this item until the applicant can be present for more questions. Commissioner McCann made a motion to table this CUP until the next month's P&Z meeting where the applicant can attend. There was a second by Commissioner Parker. The motion passed (6-3), with Commissioners Robinson, Carey, and Charlton voting against.

Next under Public Hearings, Mr. Molis presented **Z19-02**; Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R1-M (One-Family Manufactured Home Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Lot Six-A (6A), Block Nine (9), Replat of Lots 5-8, Block 9, Wildewood Acres, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet B, Slide 83-A, Plat Records of Bell County, Texas and a 10' Strip Adjacent on North, generally located at 913 Ashwood Drive, Harker Heights, Bell County, Texas

Mr. Ace Reneau from Mitchell & Associates at 102 N. College Street was speaking for the agenda item and did state the rezone was for duplexes. Then Chairman Robison opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. "There was no one present to speak for or against the agenda item." Chairman Robison closed the Public Hearing. A motion to approve was made by Commissioner Parker and second motion was made by Commissioner Carey. The motion passed unanimously (9-0).

Next under Public Hearings, Mr. Molis presented Z19-04; Conduct a public hearing to discuss and consider recommending an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) to allow a large accessory structure on property described as approximately 72.452 acres of land out of the J.M. Cross Survey, Abstract No. 179, being out of that 74.37 acre tract of land conveyed to John Allan Hamilton as recorded in Volume 2291, Page 568, Deed Records of Bell County, Texas, generally located at 12411 E. FM 2410 (E. Knights Way) Harker Heights, Bell County, Texas.

Mr. Hardy Henderson of 12411 E. FM 2410 Harker Heights, TX, represented the applicant Dinna Hamilton (sister). Mr. Henderson explained the need for a 50' x 75' building on the property for a shop and to house the farm equipment. The workshop would be at the back of the house. Chairman Robison then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. Mr. Michael Duty of 11505 Quannah Valley spoke about his concerns with possible race cars being fixed in the workshop and amount of noise this might cause. Mr. Duty did state that no one resides at the property and there was the potential to sell the property. Mr. Hardy did state there would be one race car housed and worked on in the workshop, but did confirm the race car has already been on the property for eight years, when the car is worked on there are mufflers on the car for noise. There have been no previous noise complaint issues. Mr. Hardy again stated that this would also be used to house farm equipment/tractor.

Chairman Robison then closed the public hearing and a motion was made by Commissioner Parker and a second was made by Commissioner Robinson. The motion passed unanimously (9-0).

Next under Public Hearings, Mr. Molis presented **Z19-05**; Conduct a public hearing to discuss and consider recommending an ordinance granting a Conditional Use Permit (CUP) to allow a private school on property described as Lot One (1), Block One (1), Jaylinn Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the plat of record in Cabinet D, Slide 101-A, Plat Records of Bell County, Texas, and an adjacent 0.551 acre tract of land in Bell County, Texas, being part of the R.W. Tom Survey, Abstract No. 838, both tracts being generally located at 111 Mountain Lion Road, Harker Heights, Bell County, Texas.

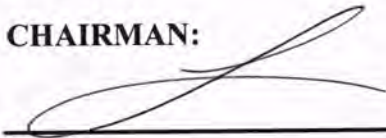
Ms. Elissa Andreas of 5703 Tumbled Stone Drive Killeen, Texas. spoke for herself as the applicant. Ms. Andreas spoke about wanting the CUP for this property to use as a school (Acton Academy). Elissa stated the operation hours for the school would be 8:00 a.m. – 4:30 p.m.. There would be about 25 students enrolled in the school at this time, with 36 students possible at a later date. There would be 2 teachers at the beginning with a 3rd part time teacher hired later. The ages would be 4 – 10 years of age. At a later date they will need another location for middle/high school students. A question by the Commission was raised about the number of bathrooms in the home and Ms. Andreas gave a total of 4 at this time and stated, “the house need some TLC and remodeling to add a few more bathrooms”. Chairman Robison asked if there was a need for fire

sprinklers and Fire Marshal Alley stated that would be looked at during the walk through. Chairman Robison then opened the public hearing and asked if there was anyone to speak in favor or against the agenda item. Mr. Mike Stegmeyer of 715 Black Hills Trail spoke of the traffic concerns he had with this school going in, possible reduction in property values and safety of the students. Mr. Jim Mobley of 115 Mountain Lion Road requested the city look at the house on the back of the property. Ms. Jeannie Harmon of 113 Mountain Lion Road stated she was very concerned about the traffic jam this might cause in the area with traffic already being a major issue. Ms. Harmon also stated she would like a privacy fence to be put around the property. Ms. Andreas did address the privacy fence and stated that a fence would go up on the property, the front half circle driveway would be used for drop of and pick up only and she wanted to keep the integrity of the house looking like a house. Ms. Andreas also stated should there be a need for additional parking she was working with the YMCA to use their parking lot.

Chairman Robison then closed the public hearing and a motion was made to deny the CUP by Commissioner Webster and a second was made by Commissioner Anderson. The denial motion passed (6-3), with Commissioners Robinson, Carey, and Charleton voting against the motion.

Chairman Robison then adjourned the meeting of the Planning and Zoning Commission at 8:15 P.M.

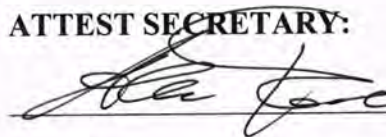
CHAIRMAN:



DATE:

2.27-19

ATTEST SECRETARY:



DATE:

2/27/19