

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

**Wednesday**

**5:30 P.M.**

**January 3, 2018**



**PLANNING & ZONING COMMISSION  
WORKSHOP AND MEETING AGENDA  
HARKER HEIGHTS CITY HALL  
WEDNESDAY, JANUARY 3, 2018 - 5:30 P.M.**

Notice is hereby given that, beginning at 5:30 P.M. on January 3, 2018, the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Workshop; then, beginning at 6:30 P.M. on January 3, 2018, and continuing from day to day thereafter is necessary the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Meeting in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

- I.** Convene Workshop at 5:30 P.M.
- II.** Swear in and do training for all members.
- III.** Adjournment of Workshop.
- IV.** Convene Regular Meeting and establish a quorum.
- V.** Approval of Minutes from the Regular Planning and Zoning Meeting held on November 29, 2017.
- VI.** Recognition of Affidavits for Conflict-of Interest.
- VII.** Report on Development Activity.
- VIII.** Report on City Council actions regarding recommendations resulting from the December 12, 2017 City Council Meeting.
- IX.** Public Hearing:
  - 1. Z17-19** Conduct a public hearing to discuss and consider a rezone request from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Acres 1<sup>st</sup> Extension and Revision, Block 005, Lot 0014, Property ID# 10560, generally located at 304 S. Harley Drive, Harker Heights, Bell County, Texas.
  - 2. Z17-20** Conduct a public hearing to discuss and consider a rezone request from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres Replat (Lts 3-4 Blk5), Block 005, Lot 003A, Property ID# 3256, generally located at 905 Rosewood Drive, Harker Heights, Bell County, Texas.
- X.** Old Business:
  - 1. Z17-16** Conduct a public hearing to discuss and consider a CUP (Conditional Use Permit) request to develop Single Family Garden Homes in a R-1 zoning district, on property described as Briarwood Estates Phase IV, Block 001, Pt

of 2,740 AC Tract, Acres 2.683, with Property ID# 334238, generally located east of Preswick Circle, Harker Heights, Bell County, Texas.

2. **P17-119** Discuss and consider a request by John Robert Whitson for Preliminary Plat approval for Pecan Meadows Subdivision described as A0179BC J M Cross, 3-3-1, Acres 1.504, With Property ID# 127920, A0179BC J M Cross, Acres 2.097, with Property ID# 198358, A0179BC J M Cross, 3-3, Acres 9.469, with Property ID# 38947, A0179BC J M Cross, 3-3-2, Acres 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

**XI. New Business**

1. **P17-120** Discuss and consider a request by Ampler Development, LLC. for Preliminary/Final Plat approval for Charvick Addition Replat described as Charvick Addition Lots 1R and 2, Block 2, being a replat of Charvick Addition Lot 1, Block 1, recorded in Volume 2013, Page 49, P.R.C.T., W.F. Hunt Survey, Abstract No. 458, property ID# 453651, generally located at 680 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

**XII. Citizens to be heard.**

**XIII. Staff Comments**

**XIV. Adjournment**

**Posted: December 29, 2017**

**Time: 10:00 A.M.**

*Ty Hendrick*

---

***Ty Hendrick***

***Planning & Development Administrative Assistant – City of Harker Heights***



**PLANNING & ZONING COMMISSION  
WORKSHOP AND MEETING AGENDA  
HARKER HEIGHTS CITY HALL  
WEDNESDAY, JANUARY 3, 2018 - 5:30 P.M.**

Notice is hereby given that, beginning at 5:30 P.M. on January 3, 2018, the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Workshop; then, beginning at 6:30 P.M. on January 3, 2018, and continuing from day to day thereafter is necessary the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will hold a Meeting in the Kitty Young Council Chambers of the Harker Heights City Hall at 305 Millers Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

- I.** Convene Workshop at 5:30 P.M.
- II.** Swear in and do training for all members.
- III.** Adjournment of Workshop.
- IV.** Convene Regular Meeting and establish a quorum.
- V.** Approval of Minutes from the Regular Planning and Zoning Meeting held on November 29, 2017.
- VI.** Recognition of Affidavits for Conflict-of Interest.
- VII.** Report on Development Activity.
- VIII.** Report on City Council actions regarding recommendations resulting from the December 12, 2017 City Council Meeting.
- IX.** Public Hearing:
  - 1. Z17-19** Conduct a public hearing to discuss and consider a rezone request from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Acres 1<sup>st</sup> Extension and Revision, Block 005, Lot 0014, Property ID# 10560, generally located at 304 S. Harley Drive, Harker Heights, Bell County, Texas.
  - 2. Z17-20** Conduct a public hearing to discuss and consider a rezone request from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres Replat (Lts 3-4 Blk5), Block 005, Lot 003A, Property ID# 3256, generally located at 905 Rosewood Drive, Harker Heights, Bell County, Texas.
- X.** Old Business:
  - 1. Z17-16** Conduct a public hearing to discuss and consider a CUP (Conditional Use Permit) request to develop Single Family Garden Homes in a R-1 zoning district, on property described as Briarwood Estates Phase IV, Block 001, Pt

of 2,740 AC Tract, Acres 2.683, with Property ID# 334238, generally located east of Preswick Circle, Harker Heights, Bell County, Texas.

2. **P17-119** Discuss and consider a request by John Robert Whitson for Preliminary Plat approval for Pecan Meadows Subdivision described as A0179BC J M Cross, 3-3-1, Acres 1.504, With Property ID# 127920, A0179BC J M Cross, Acres 2.097, with Property ID# 198358, A0179BC J M Cross, 3-3, Acres 9.469, with Property ID# 38947, A0179BC J M Cross, 3-3-2, Acres 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

**XI.** New Business

1. **P17-120** Discuss and consider a request by Ampler Development, LLC. for Preliminary/Final Plat approval for Charvick Addition Replat described as Charvick Addition Lots 1R and 2, Block 2, being a replat of Charvick Addition Lot 1, Block 1, recorded in Volume 2013, Page 49, P.R.C.T., W.F. Hunt Survey, Abstract No. 458, property ID# 453651, generally located at 680 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

**XII.** Citizens to be heard.

**XIII.** Staff Comments

**XIV.** Adjournment

**Posted: December 29, 2017**

**Time: 10:00 A.M.**

Ty Hendrick

***Ty Hendrick***

***Planning & Development Administrative Assistant – City of Harker Heights***

2. **Z17-20** Conduct a public hearing to discuss and consider a rezone request from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on property described as Wildewood Acres Replat (Lts 3-4 Blk5), Block 005, Lot 003A, Property ID# 3256, generally located at 905 Rosewood Drive, Harker Heights, Bell County, Texas.

- Mr. Leo Mantey for the City.
- Who is here representing this request?
- I now open the Public Hearing.
- Who is here to speak in reference to this agenda item?
- I now close this Public Hearing.
- Does the applicant have a rebuttal?
- Do I have a motion? (announce who motioned)
- A second? (announce who seconded motion)
- Any discussion?
- All in favor signify by raising their hands.
- All opposed same sign. (announce who opposed)
- The motion Passes Fails (*Circle Decision*)

Anderson  
Carey  
7 to 0

3. The first item under **Old Business** is:

1. **Z17-16** Conduct a public hearing to discuss and consider a CUP (Conditional Use Permit) request to develop Single Family Garden Homes in a R-1 zoning district, on property described as Briarwood Estates Phase IV, Block 001, Pt of 2,740 AC Tract, Acres 2.683, with Property ID# 334238, generally located east of Preswick Circle, Harker Heights, Bell County, Texas.

- Mr. Molis for the City.
- Who is here representing this request?
- I now open the Public Hearing.
- Who is here to speak in reference to this agenda item?
- I now close this Public Hearing.
- Does the applicant have a rebuttal?
- Do I have a motion? (announce who motioned)
- A second? (announce who seconded motion)
- Any discussion?
- All in favor signify by raising their hands.
- All opposed same sign. (announce who opposed)
- The motion Passes Fails (*Circle Decision*)

Ruiz  
Wickford  
8 to 0

4. The second item under **Old Business** is:

2. **P17-119** Discuss and consider a request by John Robert Whitson for Preliminary Plat approval for Pecan Meadows Subdivision described as A0179BC J M Cross, 3-3-1, Acres 1.504, With Property ID# 127920, A0179BC J M Cross, Acres 2.097, with Property ID# 198358, A0179BC J M Cross, 3-3, Acres 9.469, with Property ID# 38947, A0179BC J M Cross, 3-3-2, Acres 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas

- Mr. Molis for the City.
- Who is here representing this request?
- I now open the Public Hearing.
- Who is here to speak in reference to this agenda item?
- I now close this Public Hearing.
- Does the applicant have a rebuttal?
- Do I have a motion? (announce who motioned)
- A second? (announce who seconded motion)
- Any discussion?
- All in favor signify by raising their hands.
- All opposed same sign. (announce who opposed)
- The motion Passes/Fails (*Circle Decision*)


Anderson  
Carey  
8 to 0

5. The first item under **New Business** is:

3. **P17-120** Discuss and consider a request by Ampler Development, LLC. for Preliminary/Final Plat approval for Charvick Addition Replat described as Charvick Addition Lots 1R and 2, Block 2, being a replat of Charvick Addition Lot 1, Block 1, recorded in Volume 2013, Page 49, P.R.C.T., W.F. Hunt Survey, Abstract No. 458, property ID# 453651, generally located at 680 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas.

- Mr. Molis for the City.
- Who is here representing this request?
- I now open the Public Hearing.
- Who is here to speak in reference to this agenda item?
- I now close this Public Hearing.
- Does the applicant have a rebuttal?
- Do I have a motion? (announce who motioned)
- A second? (announce who seconded motion)
- Any discussion?
- All in favor signify by raising their hands.
- All opposed same sign. (announce who opposed)
- The motion Passes/Fails (*Circle Decision*)

Webster  
Ward  
8 to 0

- 
6. The next item is citizens to be heard. Are there any citizens who wish to speak?
  7. Are there any staff comments?
  8. Hearing nothing further, we are adjourning the regular meeting of the P&Z at 8:08 P.M.

**\*\*RETURN TO PLANNING ADMIN TY HENDRICK\*\***





**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**AGENDA ITEM #VI**

---

---

**FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT**  
**DATE: JANUARY 3, 2018**

**Recognize Affidavits for Conflict-of-Interest – Joseph Molis, Director of  
Planning & Development**



**PLANNING AND ZONING  
COMMISSION MEMORANDUM**

**AGENDA ITEM #VII**

---

---

**FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT**  
**DATE: JANUARY 3, 2018**

**Report on Development Activity – Courtney Peres.**



## PLANNING AND ZONING COMMISSION MEMORANDUM

### AGENDA ITEM #VIII

---

---

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: JANUARY 3, 2018

At the regular called meeting of the Planning and Zoning Commission held October 25, 2017, the Commission forwarded the items below to the City Council at their regular meeting on November 14, 2017.

Z17-15 Conduct a public hearing to discuss and consider a rezoning request from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District), on property described as COMANCHE GAP ESTATES, BLOCK 001, LOT 0006, ACRES 2.58, with Property ID# 811, generally located at 2237 Apache Drive, Harker Heights, Bell County, Texas.

**Planning and Zoning Commission – Approved (5-1)**  
**City Council – Approved – (5-0)**



## PLANNING AND ZONING COMMISSION MEMORANDUM Z17-19 AGENDA ITEM IX-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: JANUARY 3, 2018

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER A REZONING REQUEST FROM R-1 (ONE-FAMILY HOME DWELLING DISTRICT) TO R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTY DESCRIBED AS KERN ACRES 1ST EXTENSION & REVISION, BLOCK 005, LOT 0014, PROPERTY ID#10560, GENERALLY LOCATED AT 304 HARLEY DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

### EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) at 304 Harley Drive. Previously the lot was occupied by a manufactured home. A request to rezone the property from R-1 to R-MU came before the Planning and Zoning Commission on August 31, 2016 and was forwarded to the City Council on September 13, 2016. The request to rezone to R-MU was not granted by City Council and currently remains as R-1. At this time the applicant is looking to take advantage of the new zoning district, R2-I, to construct a duplex on the lot. The newly adopted R2-I zoning district (adopted October 10, 2017) allows lots located on the north side of town (see attachment 4) consisting of at least 6,000 square feet to accommodate duplex residences. This rezone, if approved, will be the first of its kind. The lot consists of 8,056 square feet and therefore does not meet the current R-2 (Two-Family Dwelling District) area requirements of 8,400 square feet but does make it a prime candidate for the R2-I district.

### Existing Use:

The property currently sits vacant. Neighboring properties include a vacant lot, double-wide and single-wide trailer homes as well as single family residences across the street. Staff believes that the variation in residential uses currently existing in the neighborhood would be complimentary to the proposed use. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impact on existing land uses in the neighborhood.

### Zoning:

Current zoning for the property is R-1 (One-Family Dwelling District). Adjacent and surrounding zoning includes R-1 (One-Family Dwelling District) to the north and south of the properties, R-MU (Mixed Use Residential) to the west and R-1 to the east of the property. According to the City's zoning map there are many lots zoned R-1 in the neighborhood, but after site investigation, it appears the majority of the lots have developments other than single family residences (trailer homes, manufactured homes, and duplexes), thereby making them existing non-conforming. Taking into consideration

the existing uses in the neighborhood, the proposed rezoning from R-1 to R2-I district will not likely have any adverse effects on the surrounding zoning districts.

**Future Land Use:**

The subject property is currently located in an area designated as Mixed Residential. Per the 2007 Comprehensive Plan the Mixed Residential land use calls for stick-built single family homes, manufactured housing, and duplexes. The proposed rezoning from R-1 to R2-I will allow for the construction of duplex development. The proposed rezoning and intended use would therefore be consistent with the 2007 City of Harker Heights Comprehensive Plan.

**Flood Damage Prevention:**

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

**Notices:**

Staff sent out fifty-one (51) notices to property owners within the 400 foot notification area. Zero (0) responses were received in favor of the request, and zero (0) responses was received in opposition of the request.

**RECOMMENDATION:**

Staff recommends approval of an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Acres 1<sup>st</sup> extension and revision, Block 005, Lot 0014, Bell County, Texas, Property ID# 10560, generally located at 304 Harley Drive, Harker Heights, Bell County, Texas based on the following;

1. The rezoning request is consistent with the Future Land Use Plan.
2. The proposed use would not likely have any adverse impact on adjoining uses.
3. The property is located in the north side of the city, which meets the location requirements of the R2-I zoning district, and will also conform to the designated lot size for the zoning district.

**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to approve/disapprove an ordinance to change zoning designation R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Acres 1<sup>st</sup> extension and revision, Block 005, Lot 0014, Bell County, Texas Property ID# 10560, generally located at 304 Harley Drive, Harker Heights, Bell County, Texas based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Location Map
3. Zoning Map
4. R2-I Designated Location Map
5. Existing Land Use Map
6. Future Land Use Map
7. Notification Area Map



Application Fee \$ 200.00  
**CITY OF HARKER HEIGHTS**  
**RE-ZONING REQUEST APPLICATION**

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

PROPERTY OWNER'S NAME: Michael & Nancy Schulte

ADDRESS: 2107 Cinet Trl

CITY/STATE/ZIP: H.H. 76548 PHONE: 254-535-1835

LOCATION OF PROPERTY: 304 S. Herley

**LEGAL DESCRIPTION OF PROPERTY:**

PARCEL #: 10560

LOT: 14 BLOCK: 5 SUBDIVISION: Korn Acres 1st Ext. & Rev

NUMBER OF ACRES: \_\_\_\_\_ SURVEY: \_\_\_\_\_

**For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and/or a complete legal field note description.**

PROPOSED USE: Duplex

CURRENT ZONING: R-1 PROPOSED ZONING: R2 I

CURRENT LAND USE: Vac PROPOSED LAND USE IN PLAN: \_\_\_\_\_

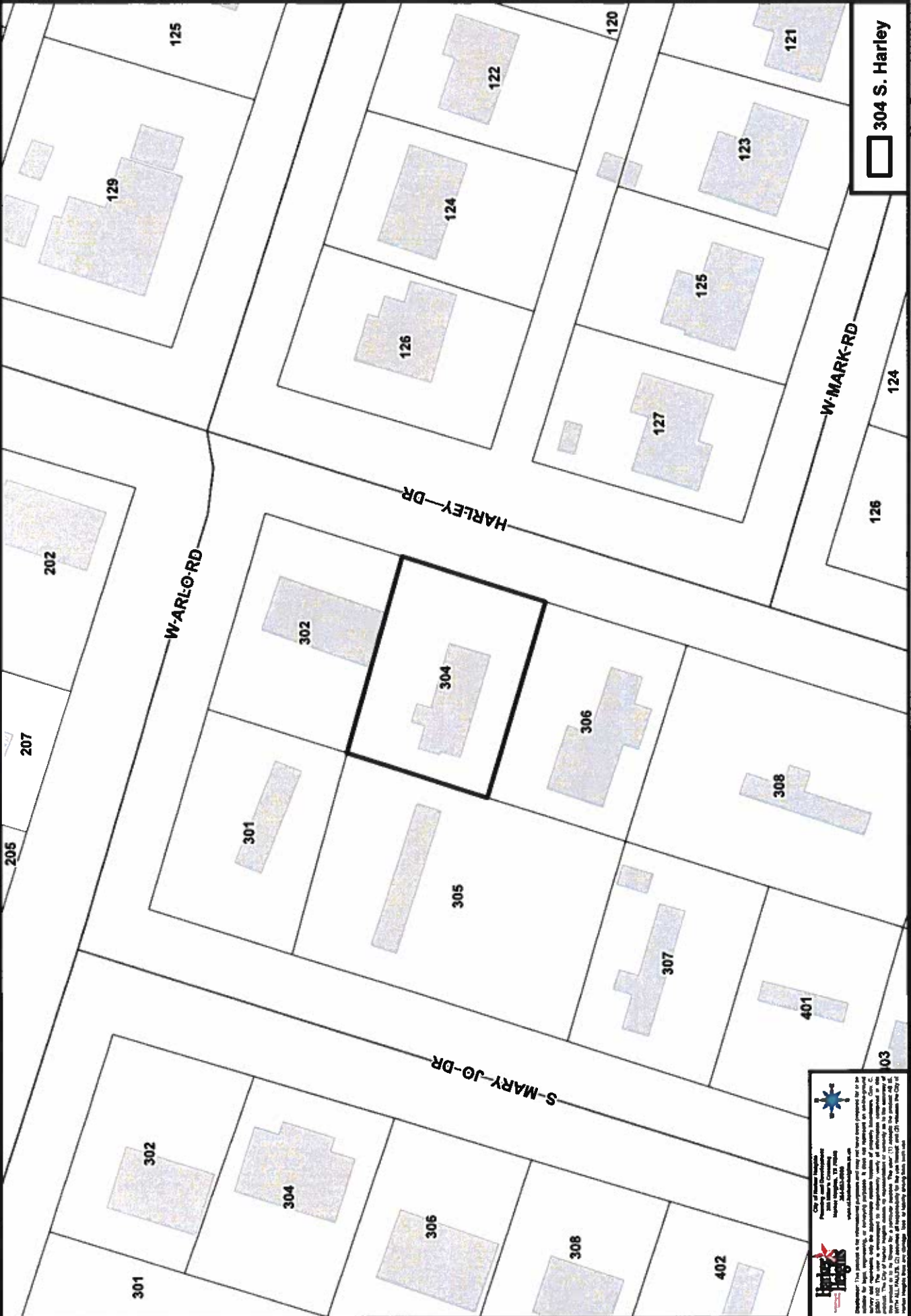
I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or N/A will represent the owner.

Michael Schulte  
 Printed Name of Property Owner

[Signature]  
 Signature of Property Owner

11-20-17  
 Date

# Location Map



**City of Flower Mound**  
Planning and Community Development  
10000 Highway 175, Suite 100  
Flower Mound, TX 75028  
www.ci.flowermound.tx.us

**Map Legend**

Shaded: This indicates the approximate location of the subject property for the proposed project. The shaded area is not intended to represent the exact location of the subject property. The City of Flower Mound is not responsible for the accuracy of the information provided on this map. The City of Flower Mound is not responsible for the accuracy of the information provided on this map. The City of Flower Mound is not responsible for the accuracy of the information provided on this map.



 304 S. Harley

Map Date: 12/7/2017

# Zoning Map



Map Date: 12/8/2017

**City of Harrisburg**  
 Planning and Community Development  
 Planning Department  
 100 North Second Street, 15th Floor  
 Harrisburg, PA 17102  
 www.harrisburgpa.gov

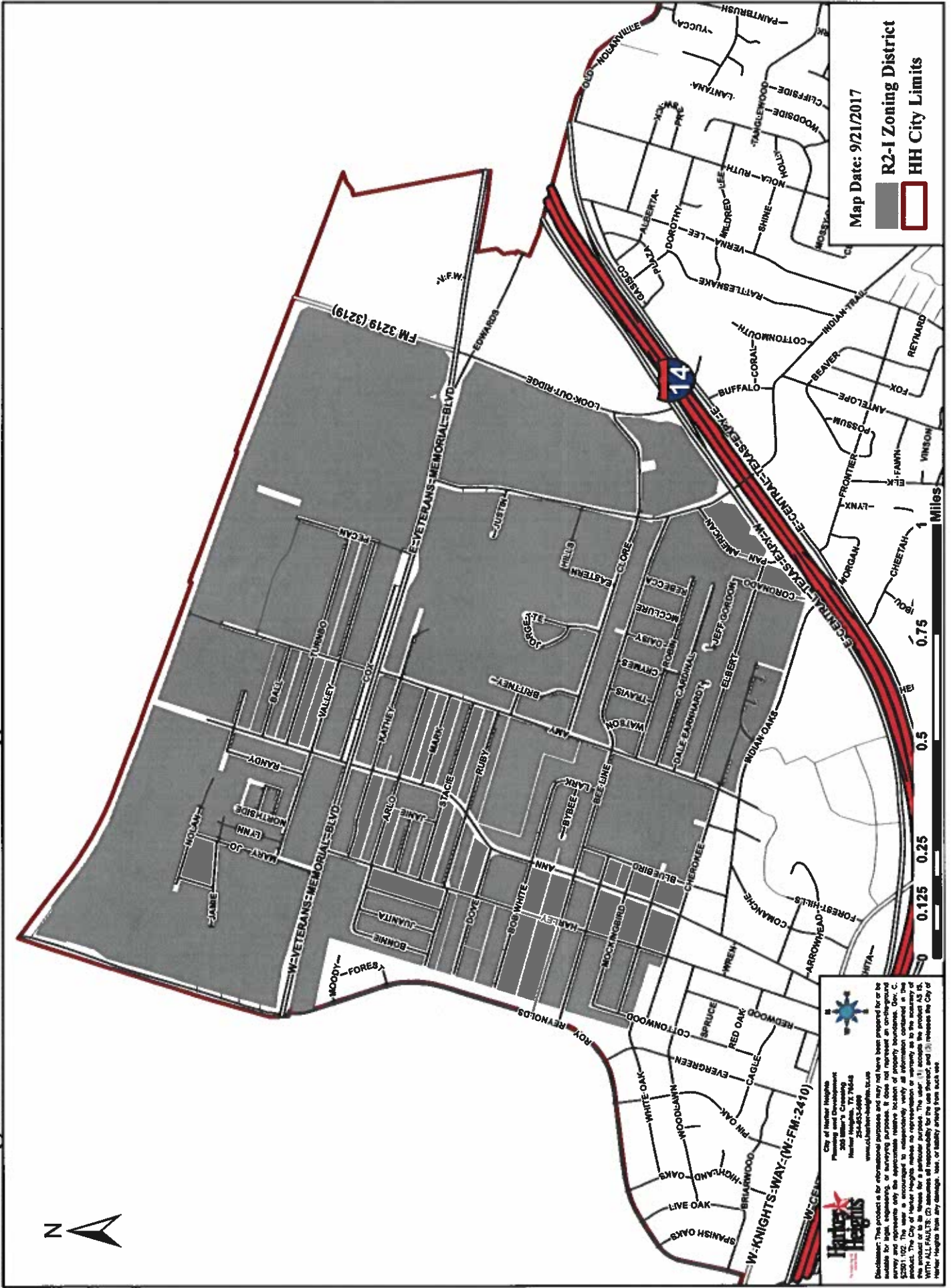
**Disclaimer:** This product is for informational purposes only and may have been prepared for or on behalf of the City of Harrisburg. It is not intended to be used as a legal document. The City of Harrisburg does not warrant the accuracy or completeness of the information contained herein. The City of Harrisburg is not responsible for any errors or omissions in this product. The user is responsible for verifying the accuracy of the information contained herein. The City of Harrisburg is not responsible for any damages, including consequential damages, arising from the use of this product. © Harrisburg Planning Department 2017.





# R2-1 Designated Locations for Rezoning

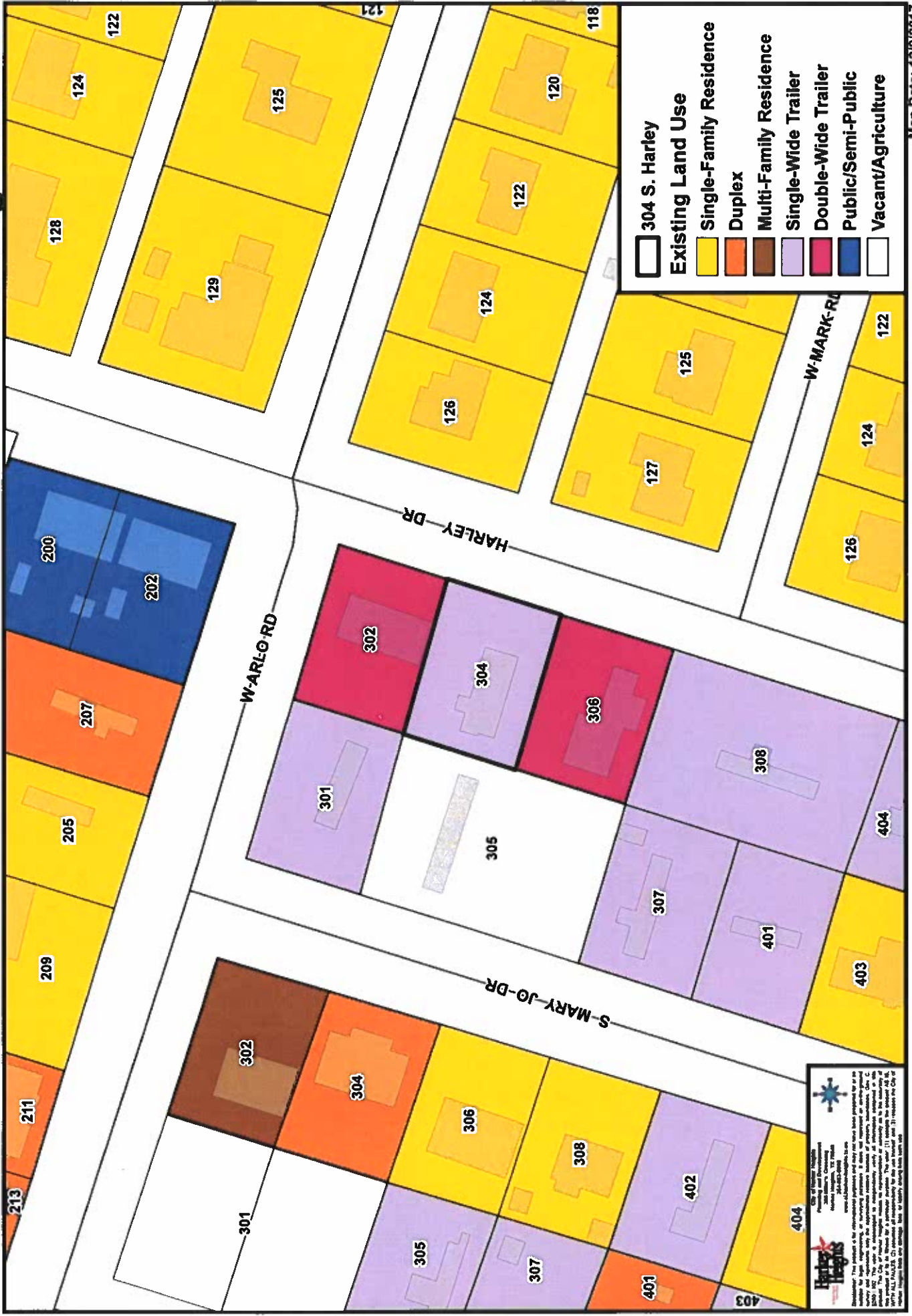
# Exhibit A



City of Harbor Heights  
 Planning and Development  
 200 Mary's Crossing  
 Harbor Heights, TX 75448  
 www.harborheights.com

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-ground survey and represents only the approximate relative location of property boundaries. City, County, and State are encouraged to independently verify all information contained in this product. Harbor Heights Planning and Development is not responsible for any errors or omissions in this product. WTHY ALL RIGHTS RESERVED. All information is provided for informational purposes only. Harbor Heights Planning and Development assumes no liability for any damage, loss, or liability arising from such use.

# Existing Land Use



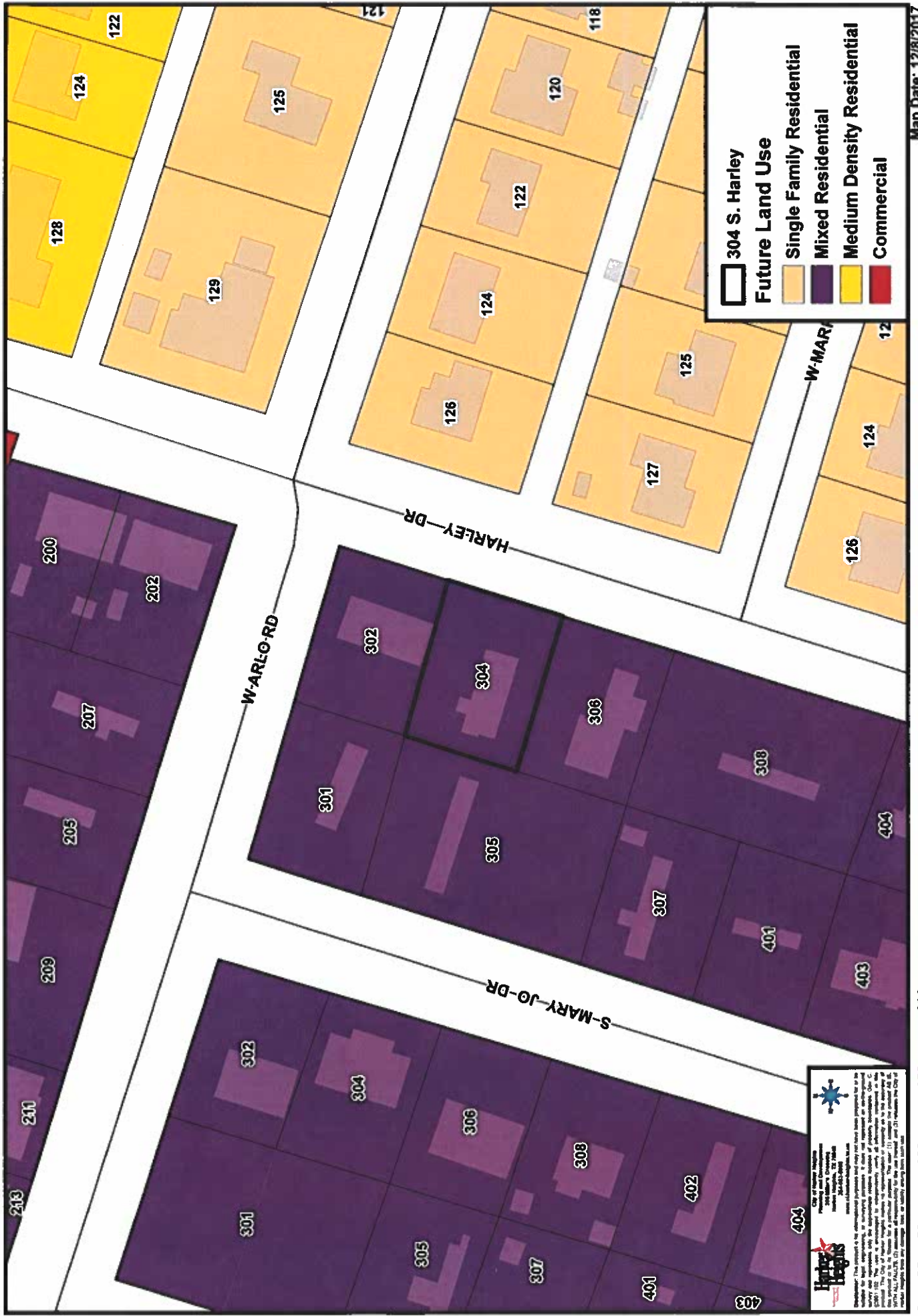
**City of Harley**  
 Planning and Development  
 304 S. Harley  
 Harley, TX 75841  
 www.harleytx.com

**Harley Regions**

Disclaimer: This product is for informational purposes and may not have been prepared for or used in connection with any specific project. It is not intended to be used as a substitute for professional engineering, architectural, or other services. The user shall be responsible for verifying the accuracy of the information presented in this map. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.



# Future Land Use



**304 S. Harley**

**Future Land Use**

- Single Family Residential
- Mixed Residential
- Medium Density Residential
- Commercial

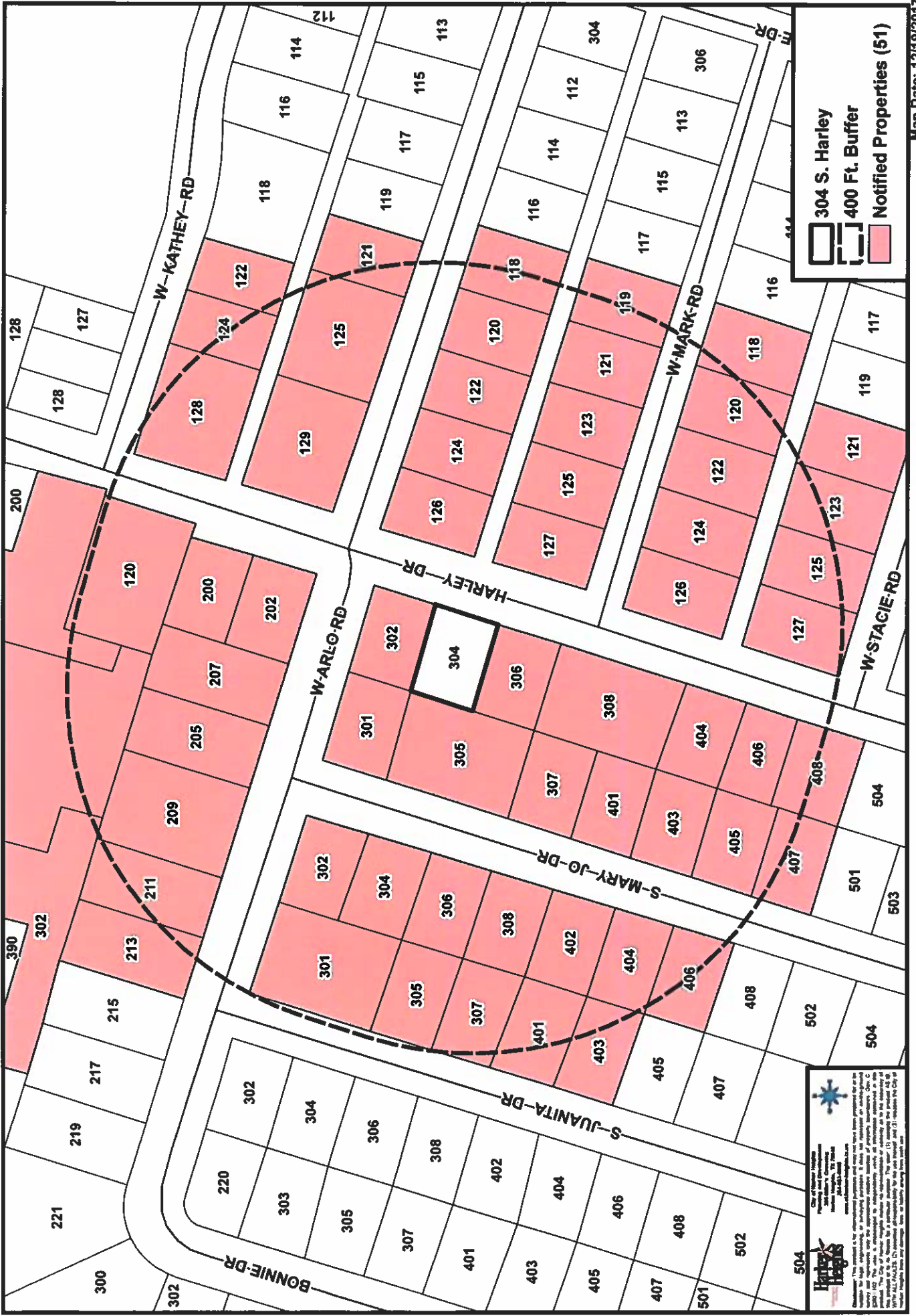
**Harley Heights**

City of Harley Heights  
Planning and Development  
10000 Harley Heights, TX 75042  
714.463.2400  
www.harleyheights.com

Disclaimer: This project is the conceptual plan and site plan for the proposed project. It is not intended to be used for legal purposes. It is subject to change without notice. The City of Harley Heights is not responsible for any errors or omissions in this plan. The City of Harley Heights is not responsible for any errors or omissions in this plan. The City of Harley Heights is not responsible for any errors or omissions in this plan.



# Notification



304 S. Harley  
 400 Ft. Buffer  
 Notified Properties (51)

**Harley Trails**  
 City of Harley  
 Planning and Development  
 210 S. Main Street, Box 100  
 Harley, MO 64643  
 (417) 465-4400  
 www.cityofharley.com

Ordinance 18770 is an informational provision and does not create any new obligations for the City of Harley. It is intended to inform the public of the City's participation in the Harley Trails project. The City of Harley is not responsible for any actions taken by the City of Harley or any other entity in connection with the Harley Trails project. The City of Harley is not responsible for any actions taken by the City of Harley or any other entity in connection with the Harley Trails project.





## PLANNING AND ZONING COMMISSION MEMORANDUM

### Z17-20 AGENDA ITEM IX-2

FROM: THE OFFICE OF THE PLANNING AND DEVELOPMENT DIRECTOR  
DATE: JANUARY 3, 2018

DISCUSS AND CONSIDER A REZONING REQUEST FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT), ON PROPERTY DESCRIBED AS WILDEWOOD ACRES REPLAT (LTS 3-4 BLK 5), BLOCK 005, LOT 003A, PROPERTY ID# 3256, GENERALLY LOCATED AT 905 ROSEWOOD DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

#### **EXPLANATION:**

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-2 (Two Family Dwelling District) on property located at 905 Rosewood Drive. This request is to enable the applicant to construct two-family residences (duplexes) on the lots.

#### **Existing Use:**

The property currently contains a single-wide manufactured home. Surrounding land uses include manufactured homes to the north, south and west, as well as two family residences (duplex) to the east of the property. Generally, the area is comprised of mixed residential uses of duplexes, manufactured homes, vacant land, and single family dwellings. There are existing duplexes in the area, and as such, the proposed use will likely be compatible with existing land uses in the neighborhood.

#### **Zoning:**

Current zoning for the property is R-1 (One-Family Dwelling District). Adjacent and surrounding zoning includes R-1 (Single Family Dwelling District) to the north and the west. To the east the property is zoned R-2 (Two-Family Dwelling District) and the property to the south is zoned R-1(M) (One-Family Manufactured Home Dwelling District). Due to the presence of existing duplexes in the general vicinity of the proposed rezoning, the proposed R-2 district will likely be compatible with the neighborhood, and will likely not have any adverse impacts on surrounding residential zoning districts.

#### **Future Land Use:**

Per the City's Future Land Use Map, the subject property is currently located in an area designated as Medium Density Residential (MDR). Surrounding properties are designated as Medium Density Residential (MDR). Per the 2007 Comprehensive Plan, the MDR is an acceptable replacement for aging manufactured housing or for new development in areas zoned appropriately for such within the City. The proposed use from R-1(M) (Manufactured Home) to R-2 (Duplex) will allow for the construction of duplexes which will be a new development and are considered a medium density residential use. Therefore the proposed rezoning and intended use would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

**Flood Damage Prevention:**

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

**Notices:**

Staff sent out thirty-eight (38) notices to property owners within the 400 foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

**RECOMMENDATION:**

Staff recommends approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on the property described as Wildewood Acres Replat (LTS 3-4 BLK 5), Block 005, Lot 003A, Property ID# 3256, generally located at 905 Rosewood Drive based on the following;

1. The rezoning request is consistent with the Future Land Use Plan.
2. The proposed use is compatible with the neighborhood and would not likely have any adverse impacts on adjoining uses.

**ACTION BY PLANNING AND ZONING COMMISSION:**

1. Motion to approve/disapprove an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-2 (Two-Family Dwelling District) on the property described as Wildewood Acres Replat (LTS 3-4 BLK 5), Block 005, Lot 003A, Property ID# 3256, generally located at 905 Rosewood Drive based on staff's recommendation and findings.
2. Any other action deemed necessary.

**ATTACHMENTS:**

1. Application
2. Location Map
3. Existing Land Use Map
4. Zoning Map
5. Future Land Use Map
6. Notification Area Map
7. Citizen Responses



Application Fee \$ 200.00

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

# CITY OF HARKER HEIGHTS RE-ZONING REQUEST APPLICATION

PROPERTY OWNER'S NAME: Sumner Willis

ADDRESS: 905 Reservoir Dr

CITY/STATE/ZIP: H.A TX 76548 PHONE: \_\_\_\_\_

LOCATION OF PROPERTY: Same

### LEGAL DESCRIPTION OF PROPERTY:

PARCEL #: 3256

LOT: 3A BLOCK: 5 SUBDIVISION: Wildewood acres Replat

NUMBER OF ACRES: .36 SURVEY: \_\_\_\_\_

**For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and/or a complete legal field note description.**

PROPOSED USE: R-2

CURRENT ZONING: R-1 PROPOSED ZONING: R-2

CURRENT LAND USE: MH PROPOSED LAND USE IN PLAN: \_\_\_\_\_

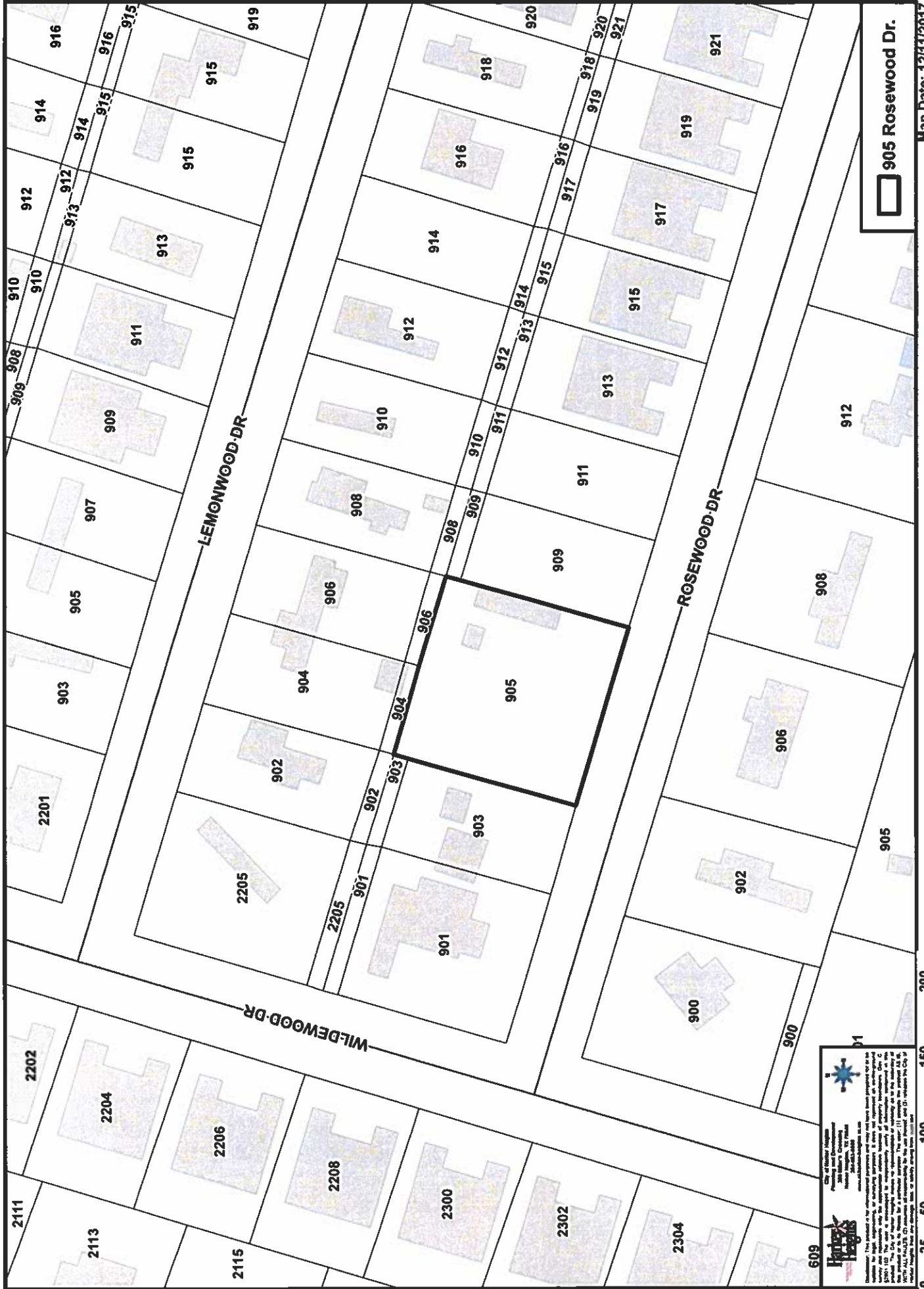
I, being the undersigned applicant, understand that failure to appear to represent a request shall be deemed a request to withdraw the proposal, or Raymond Hendrix will represent the owner.

Sumner S. Willis  
Printed Name of Property Owner

Sumner S. Willis  
Signature of Property Owner

11/20/2017  
Date

# Location



Map Date: 12/11/2017

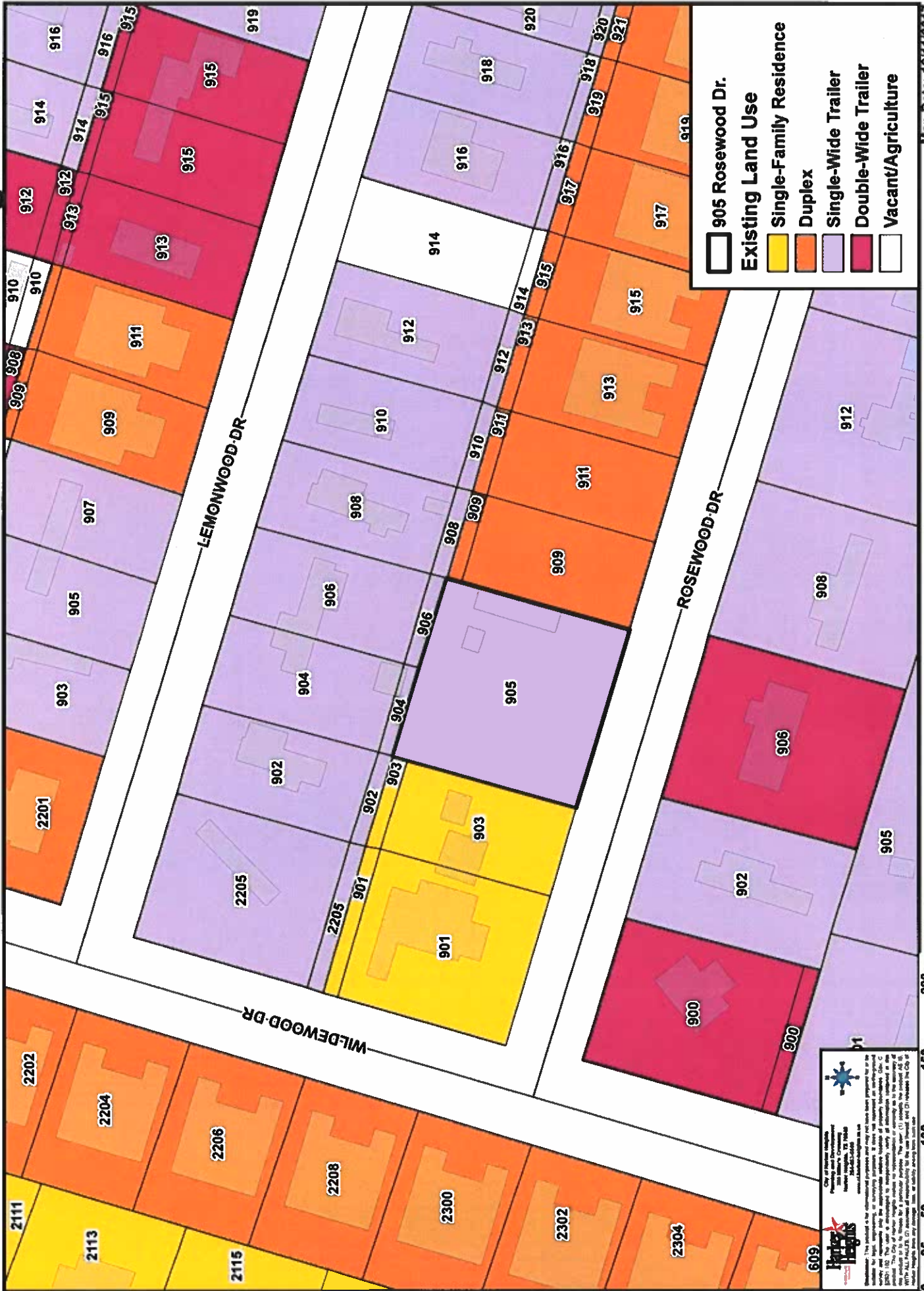
**City of Monterey**  
Planning Department  
300 Main Street  
Monterey, CA 93940  
408.255.3000  
www.ci.monterey.ca.us

**Handy Hedges**  
Aerial Photography & Mapping  
1000 Highway 101, Suite 100  
San Jose, CA 95128  
408.255.1111  
www.handyhedges.com

© 2017 Handy Hedges, Inc. All rights reserved. This map is a reproduction of an aerial photograph taken on 12/11/2017. The City of Monterey is not responsible for any errors or omissions in this map. The City of Monterey is not responsible for any damages resulting from the use of this map. The City of Monterey is not responsible for any liability arising from the use of this map.



# Existing Land Use



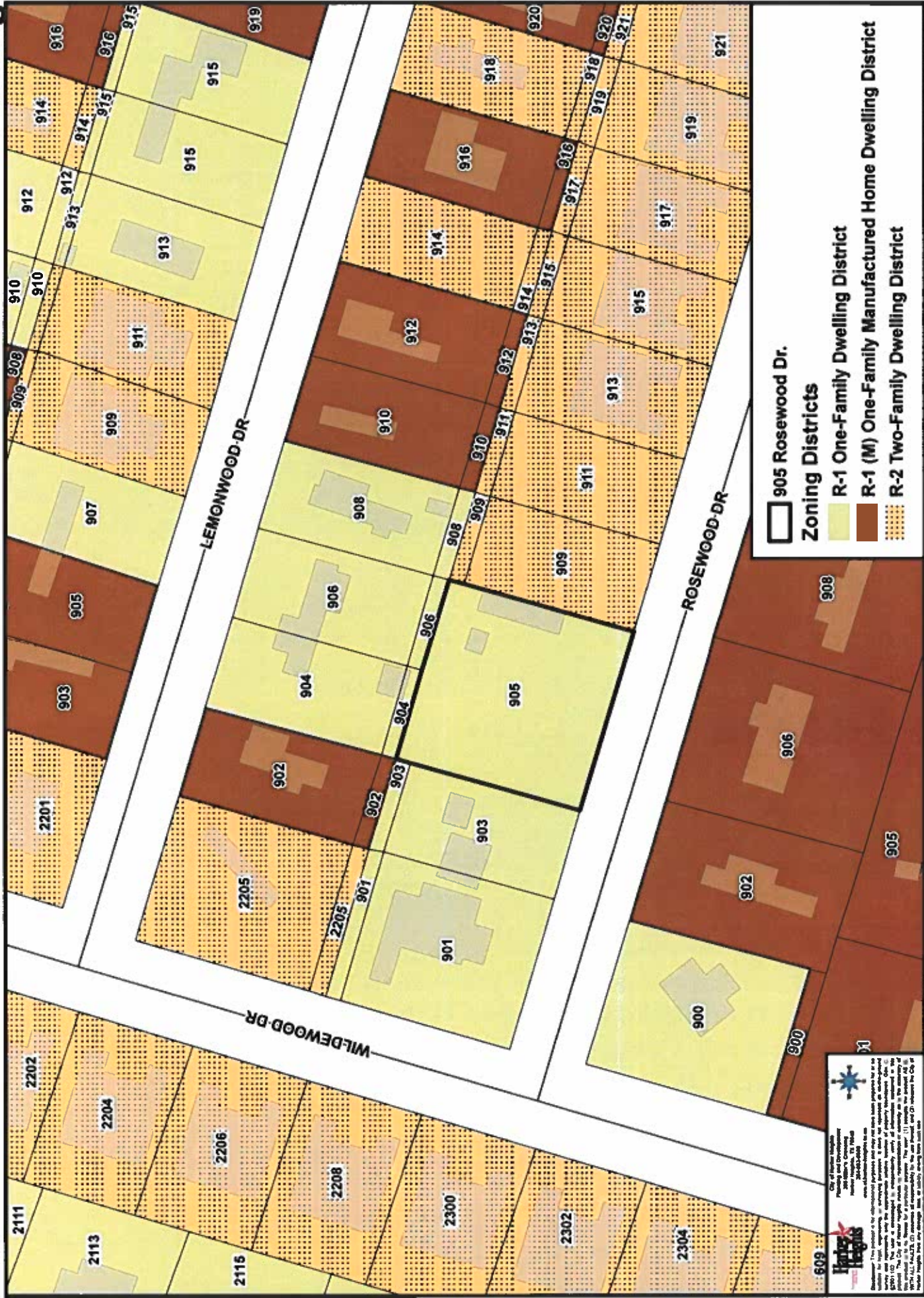
- 905 Rosewood Dr.
- Existing Land Use
- Single-Family Residence
- Duplex
- Single-Wide Trailer
- Double-Wide Trailer
- Vacant/Agriculture

**City of Parkersburg**  
 Planning & Development  
 1000 Main Street, Parkersburg, WV 26101  
 www.parkersburg.org

**Map Date:** 12/11/2017



# Zoning



- 905 Rosewood Dr.
- Zoning Districts**
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-2 Two-Family Dwelling District

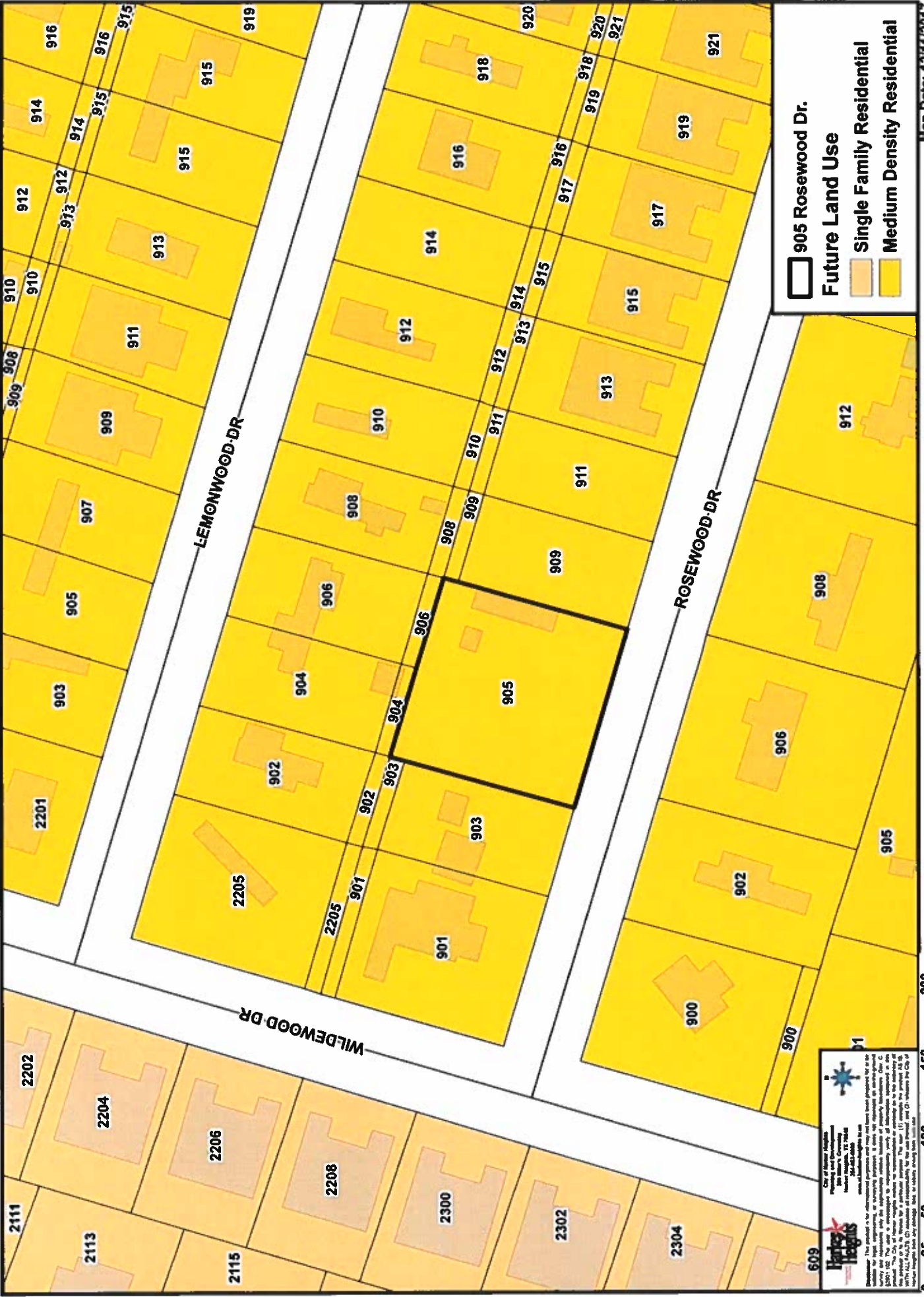
City of Haverhill  
 Planning & Zoning Department  
 200 North Main Street  
 Haverhill, MA 01830  
 www.cityofhaverhill.com

**Haverhill**  
**MA**

Map Date: 12/11/2017



# Future Land Use



- 905 Rosewood Dr.
- Single Family Residential
- Medium Density Residential

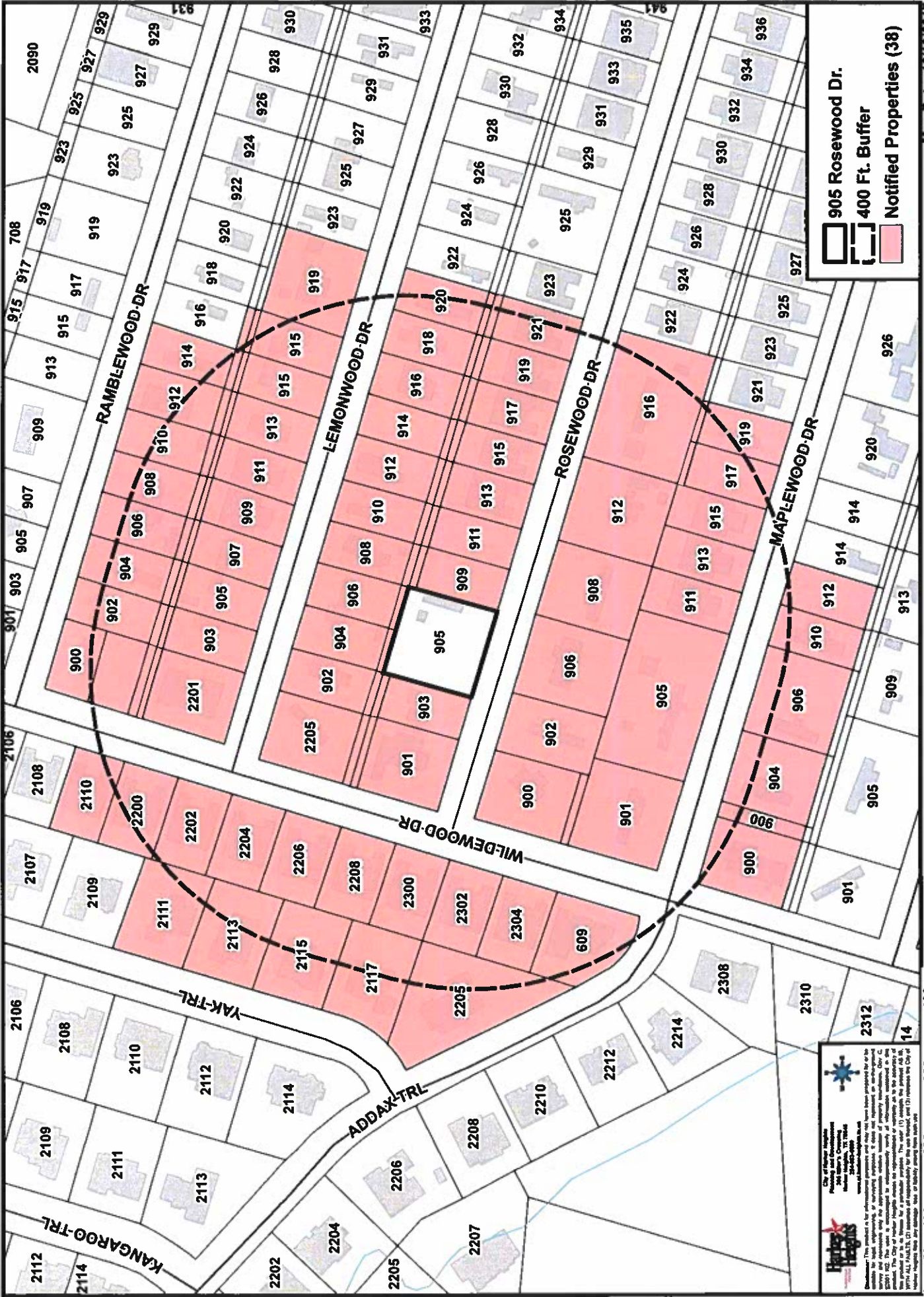
**City of Hayden Heights**  
 Planning Department  
 2000 Hayden Heights Blvd  
 Hayden Heights, OH 43032-2000  
 www.cityofhaydenheights.com

**Hayden Heights**

Map Date: 12/11/2017



# Notification



**City of Flower Mound**  
**Public Works Department**  
**10000 N. Stemmons Freeway, Suite 1000**  
**Flower Mound, TX 75022**  
**www.flowermound.com**

**Disclaimer:** This product is for informational purposes only and does not constitute an offer of insurance. It is not intended to be used as a basis for an insurance policy. The City of Flower Mound is not an insurance company and does not provide insurance. The City of Flower Mound is not responsible for any errors or omissions in this map. ALL RIGHTS RESERVED. © 2011 City of Flower Mound. All rights reserved. The City of Flower Mound is not responsible for any errors or omissions in this map.

0 50 100 200 300 400 Feet

**905 Rosewood Dr.**  
**400 Ft. Buffer**  
**Notified Properties (38)**



## PLANNING AND ZONING COMMISSION MEMORANDUM

### Z17-16 AGENDA ITEM #X-1

FROM: THE OFFICE OF THE DIRECTOR OF PLANNING AND DEVELOPMENT  
DATE: JANUARY 03, 2018

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER RECOMMENDING A CONDITIONAL USE PERMIT (CUP) FOR THE PURPOSE OF ALLOWING A GARDEN HOME COMMUNITY ON PROPERTY DESCRIBED AS BRIARWOOD ESTATES PHASE IV, BLOCK 001, PT OF 2.740AC TRACT, ACRES 2.683, PROPERTY ID# 334238, GENERALLY LOCATED TO THE EAST OF PRESWICK CIRCLE, HARKER HEIGHTS, BELL COUNTY, TEXAS.

#### **EXPLANATION:**

The applicant is requesting a conditional use permit to develop a garden home subdivision. Conditions for the property have been drafted by the applicant and staff, and will follow the R1-A Garden Home requirements with exceptions to lot setbacks and street design requirements. These exceptions to the R1-A requirements are designed to bring the proposed subdivision to similar standards as the neighboring property to the east, Stonewall Ridge. As this property is less than 5 acres and cannot use a Planned Development Zoning District, Staff has recommended a Conditional Use Permit (CUP) be considered.

#### **Existing Use:**

The subject property is currently designated as Vacant. Surrounding properties include single-family residences. This property will be used for the construction of single family homes and will meet all Building Codes and City development standards with the exceptions noted above. Therefore, staff believes the CUP will likely not have any adverse impact on existing land uses in the neighborhood.

#### **Zoning:**

Current zoning for this property is R-1 (One-Family Dwelling District) and adjacent and surrounding zoning districts include R-1 (One-Family Dwelling District) and PD-R (Planned Development Residential). Apart from the reduction in side building separation, the entire development will conform to the regulations of the R-1A zoning district with additional conditions. Staff believes this reduction in side building separation will likely not impact the zoning of the property and surrounding zoning districts.

#### **Future Land Use:**

The subject parcel is currently located in an area designated as Single Family Residential. The proposed conditional use permit in addition to the base zoning of R-1 will remain

consistent with the neighboring land uses in the area and would not likely have any adverse impact on surrounding future land uses.

**Flood Damage Prevention:**

Per the FEMA Flood Zone Map, the southwestern part of the property lies in the 100-year flood plain area. The developer will have to provide Base Flood Elevations as well as Finish Floor Elevations in order to bring construction out of the flood hazard area and meet FEMA standards.

**Notices:**

Staff sent out sixty-six (66) notices to property owners within the 400 foot notification area. There was one (1) response received in favor of the request, and one (1) response received in opposition of the request.

**PROPOSED CUP CONDITIONS:**

Staff has met with the applicant and has worked to recommend the following conditions:

1. The property shall be zoned R-1 and be allowed to be developed with the requirements of the R-1 or R1-A (Single-Family Garden Home Residential District) with certain amended requirements, as listed below.
2. Front Yard: There shall be a front yard having a depth of not less than 15 feet. Where lots have double frontage running through from one street to another, the required front yard shall be provided on both streets.
3. Side Yard: The minimum side yard setback for any corner lot shall be 10 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:
  - a. The minimum spacing between residences must be 10 feet, except that if the "R1-A" lot is adjacent to and shares a common boundary with a lot zoned "R-1," the required minimum spacing between structures shall not be less than 12 feet;
  - b. The wall located on the property line shall be constructed and maintained in accordance with all other applicable codes and ordinances; and
  - c. A five foot wide maintenance easement, shown on the approved subdivision plat, shall be provided across the full depth of the adjacent lot abutting the wall on the property line.
4. Rear Yard: There shall be a rear yard having a depth of not less than 15 feet.
5. Lot Width: The width of the lot shall not be less than 45 feet at its average width. On corner lots, with two street frontages, the minimum width shall be not less than 55 feet at its average.
6. Lot Depth: The average depth of the lot shall be not less than 65 feet, except that a corner lot having a minimum width of not less than 55 feet may have an average depth of less than 65 feet, provided that the minimum depth is not less than 60 feet.
7. Floor Area: Minimum livable floor area shall be 1,500 square feet.
8. Additional Requirements: All structures shall have brick veneer on all sides or approved equal. "Approved Equal" shall be determined by the City Manager or his designated appointee, and will take into account the character of the development, type of material, color, texture, and cohesiveness with the existing and adjacent garden home neighborhood.

9. Streets: ROW widths shall be no less than 50 feet, and street widths shall be no less than 30 feet. Street parking shall be limited to only one side of the street, and the developer shall install signs indicating as such.
10. Sidewalks: Per Code requirements, sidewalks shall be required on both sides of the street.

**RECOMMENDATION:**

Staff has critically evaluated this CUP request, taking into consideration past history and the impact of this development in the neighborhood and the city, and has made the following findings:

1. This CUP request will maintain all elements of the previously adopted PD ordinance to regulate the adjacent property, and Staff believes since all other developmental requirements are being adhered to, the CUP will likely not pose any significantly increased fire, hazard or safety risk if granted.
2. Also, other developments in the city have been granted a 10 feet side building separation in recent months. This recommendation to allowing the 10 feet side separation was concluded after rigorous review by staff from Planning and Development, Fire Department, and Public Works Department staff.
3. The proposed CUP with Staff's recommended conditions will harmonize the development with the adjacent development and allow for the proper utilization of this property as a highest and best use.

Staff therefore recommends the Planning and Zoning Commission recommend a Conditional Use Permit to allow a garden home subdivision on property described as Briarwood Estates Phase IV, Block 001, PT of 2.740 AC Tract, Acres 2.683, with Property ID# 334238, generally located to the east of Preswick Circle, Harker Heights, Bell County, Texas.

**ACTION BY PLANNING AND ZONING COMMISSION:**

Following a public hearing on November 29, 2017, the Planning and Zoning Commission voted (6-0) to **table** the request of a Conditional Use Permit to allow a garden home subdivision on property described as Briarwood Estates Phase IV, Block 001, PT of 2.740 AC Tract, Acres 2.683, with Property ID# 334238, generally located to the east of Preswick Circle, Harker Heights, Bell County, Texas to allow the applicants presence to answer question.

- 1.) Motion to recommend approval/disapproval of a Conditional Use Permit to allow a garden home subdivision on property described as Briarwood Estates Phase IV, Block 001, PT of 2.740 AC Tract, Acres 2.683, with Property ID# 334238, generally located to the east of Preswick Circle, Harker Heights, Bell County, Texas with the above conditions based on staff's recommendation and findings.
- 2.) Any other action desired.

**ATTACHMENTS:**

1. Application
2. Site Plan
3. Letter from Applicant

4. Location Map
5. Existing Land Use Map
6. Zoning Map
7. Future Land Use Map
8. FEMA Flood Map
9. Notification Area Map
10. Utility Map
11. Citizen Responses





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

# CONDITIONAL USE PERMIT APPLICATION

Fee \$ 200.00

PROPERTY OWNER(S) NAME: Jeff Lackmeyer

ADDRESS: 1201 SWS Young Drive Ste F

CITY/STATE/ZIP: Killeen, TX 76543 PHONE: 254-289-9006

LOCATION OF PROPERTY: Briarwood Est 2 and 4 Harker Heights, TX

**LEGAL DESCRIPTION OF PROPERTY:**

LOT: \_\_\_\_\_ BLOCK: 001 SUBDIVISION: Briarwood Estates Phase IV

NUMBER OF ACRES: 2.1683 SURVEY: \_\_\_\_\_

*For properties not in a recorded subdivision, submit a copy of a current survey or plat showing the properties proposed to be changed, and/or a complete legal field note description.*

PROPOSED USE: R-1 & R-1A

**ATTACH A LETTER** describing all processes and activities involved with the proposed uses.

**ATTACH A SITE PLAN** including the information described below. The plan must be drawn to scale.

Boundaries of the area covered by the site plan:

Location of each existing and proposed building and structures in the area covered, gross floor area and location of building entrances and exits.

I, being the undersigned applicant, understand that all of the conditions, dimensions, building sizes, and parking areas depicted on the site plan shall be adhered to as amended and approved by the City Council.

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 of Property Owner

10/4/2017  
Date

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

\_\_\_\_\_  
Date



## **Lackmeyer Construction and Homes**

1201 S W S Young Drive Suite F

Killeen, TX 76571

254-289-9006 – Office

254-716-6135 – Cell

November 17, 2017

City of Harker Heights  
305 Millers Crossing  
Harker Heights, Texas 76548

### **Letter of Intent:**

The purpose of this letter of intent is to have the property as a conditional use permit R1-A “single family garden homes” and R1 “single family homes”. This is property located in the Briarwood Estates Phase IV, Block 001, PT of 2.74 acres, acres 2.683. Lackmeyer Construction is planning on building four-bedroom, 2 bath homes with an attached two garage. Our front yards, side areas and back yards will follow the zoning ordinances allowed by the City of Harker Heights. We will be following all ordinances of 155.022 provided by of the city of Harker Heights which is listed below. Please see the adjustment we are asking for:

#### **155.022 R1-A SINGLE-FAMILY GARDEN HOME RESIDENTIAL DISTRICT.**

(A) *Permitted uses.* Any use permitted by right in the R-1 District, if it meets required standards.

(B) *Conditional uses.* Any conditional use permitted in the R-1 District, if it meets required standards.

(C) *Height regulations.* Same as in R-1 District.

(D) *Area regulations.*

(1) *Front yard.* There shall be a front yard having a depth of not less than 15 ~~20~~-feet. 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 10 ~~15~~ 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:

(a) The minimum spacing between residences must be 15 feet, except that if the "R1-A" lot is adjacent to and shares a common boundary with a lot zoned "R-1," the required minimum spacing between structures shall not be less than 15 feet;

(b) The wall located on the property line shall be constructed and maintained in accordance with all other applicable codes and ordinances; and

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

(3) *Rear yard.* There shall be a rear yard having a depth of not less than 15 20 feet.

(E) *Intensity of use.* All projects must contain a minimum of one and one-half acres of property. No subdivision may contain less than ten individual lots.

(1) *Lot area.* No building shall be constructed on any lot less than 4,0600 square feet of area.

(2) *Lot width.* The width of the lot shall not be less than 46 feet at ~~the front street building line, nor shall its average width, be less than 46 feet.~~ On corner lots, with two street frontages, the minimum width shall be not less than 55 feet at its average.

(3) *Lot depth.* The average depth of the lot shall be not less than 65 400 feet, except that a corner lot having a minimum width of not less than 55 feet may have an average depth of less than 65 400 feet, provided that the minimum depth is not less than 60 90 feet.

(F) *Parking regulations.* Same as in R-1 District.

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

(H) *Floor area.* Minimum livable floor area shall be 1,4500 square feet.

(I) *Additional requirements.* All structures shall have brick veneer on all sides or approved equal. "Approved Equal" shall be determined by the City Manager or his designated appointee, and will take into account the character of the development, type of material, color, texture and cohesiveness with the existing neighborhood.

(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.

(Ord. 2001-36, passed 11-13-01; Am. Ord. 2006-40, passed 10-24-06)

Attached you will see Exhibits to show you what the approximate lot lay out will be and examples of the homes will look like. We feel the growth will continue to thrive and will be able suitable for other area to have a conditional use permit R1-A and R-1. Please let Lackmeyer Construction or Jeff Lackmeyer if you have any further questions pertaining to the property. We feel this would be a great addition to Harker Heights.

Sincerely,



Jeff Lackmeyer  
Manager for Lackmeyer Construction

Exhibit A

Briarwood Estates





**TOWNHOUSES**  
2.0 - 4.275 Acres  
DENSITY: 15 Units/Acre Maximum

**GARDEN HOMES**  
6.0 - 8.275 Acres  
DENSITY: Per Zoning Conditions

FUTURE GREEN SPACE  
2.74 Acres

**NOLA RUTH DEVELOPMENT**  
CONCEPT SITE PLAN



R-1A Zoning

Exhibit C

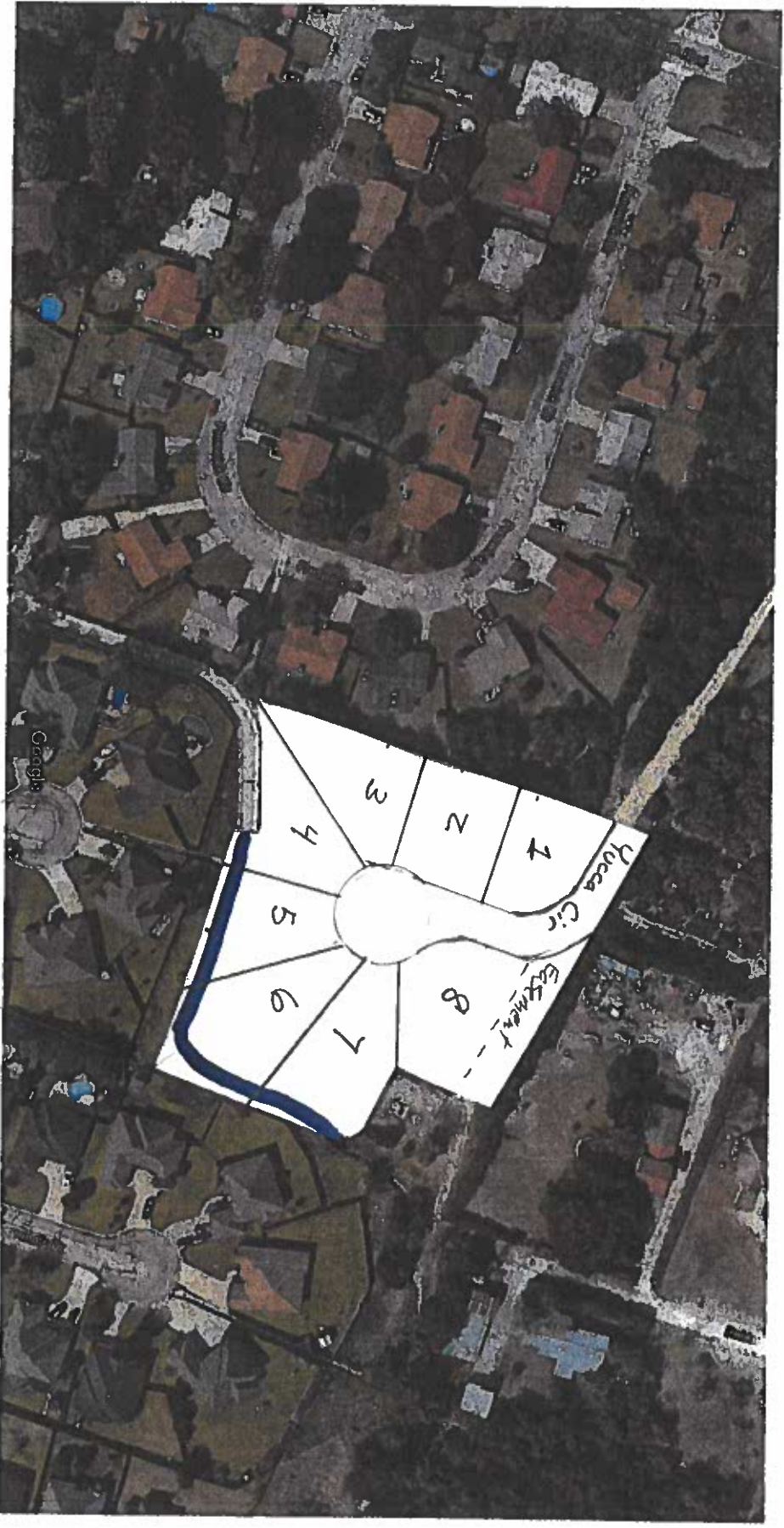
R-1 Development Briarwood Estates Concept Plan



Imagery ©2017 Google, Map data ©2017 Google, © 2017

Exhibit D

R-1A Development : Briarwood Estates Concept Plan



Imagery ©2017 Google, Map data ©2017 Google, © N.A.

Google

Exhibit E

R-1

Single Family



CTXMLS  
A MEMBER OF CTRMLS



Exhibit F

R-1

Single Family

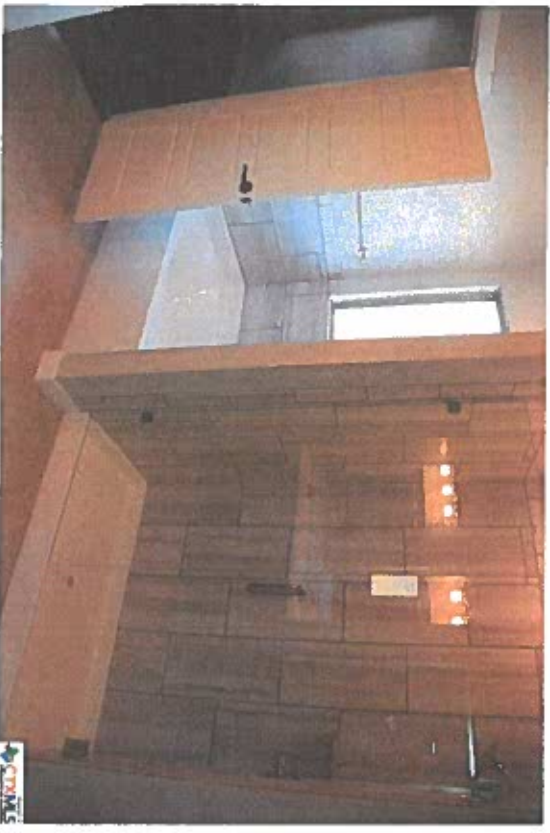
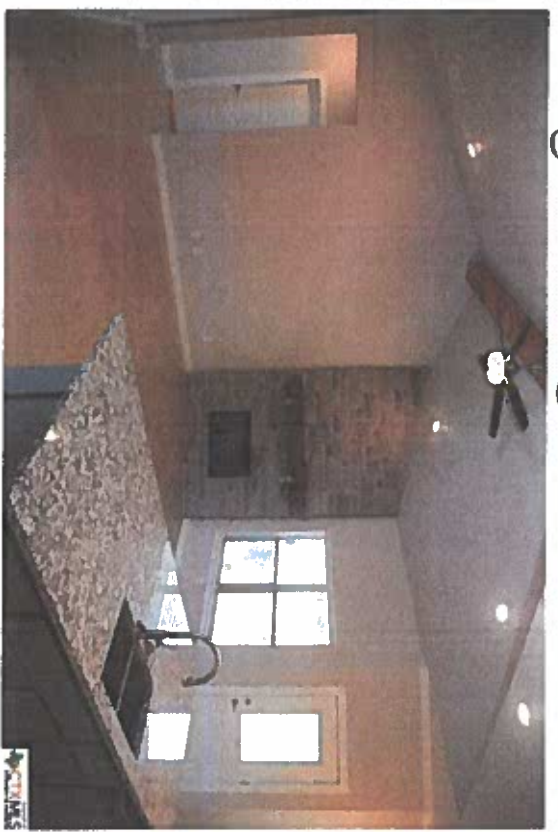
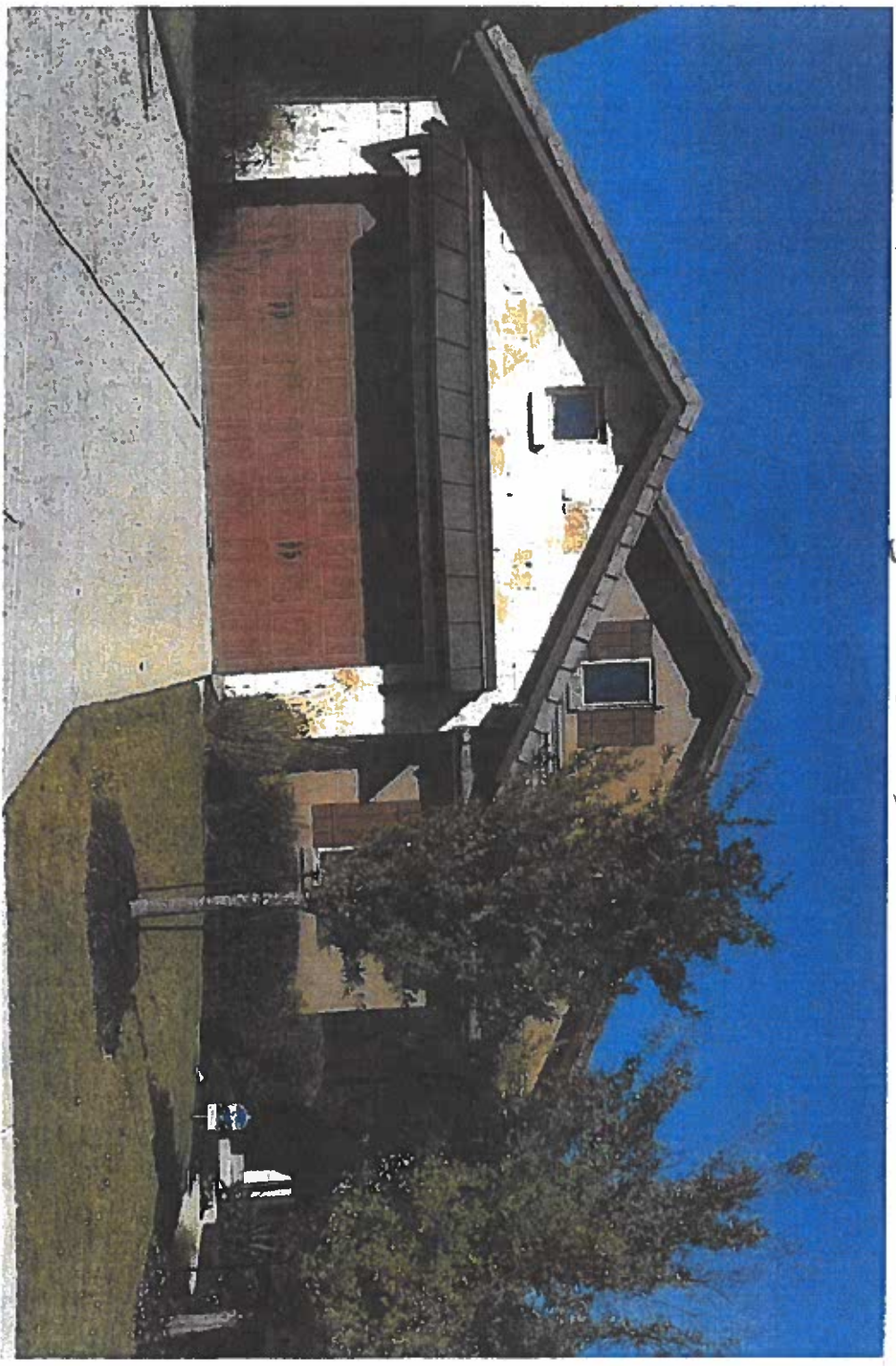


Exhibit G

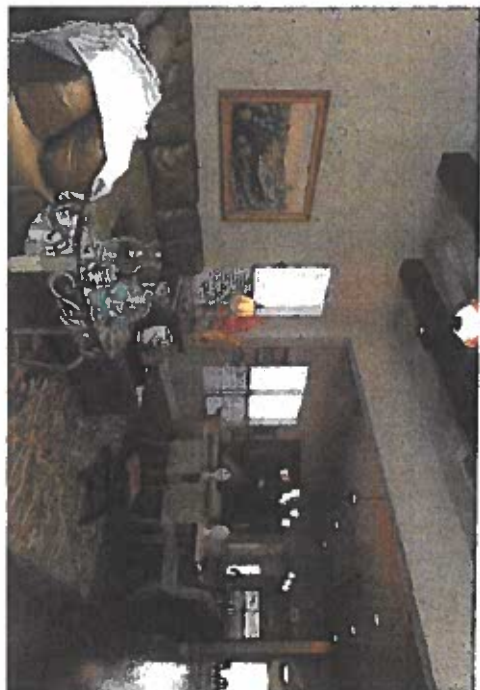
R-1A Single Family



R-1A Single Families

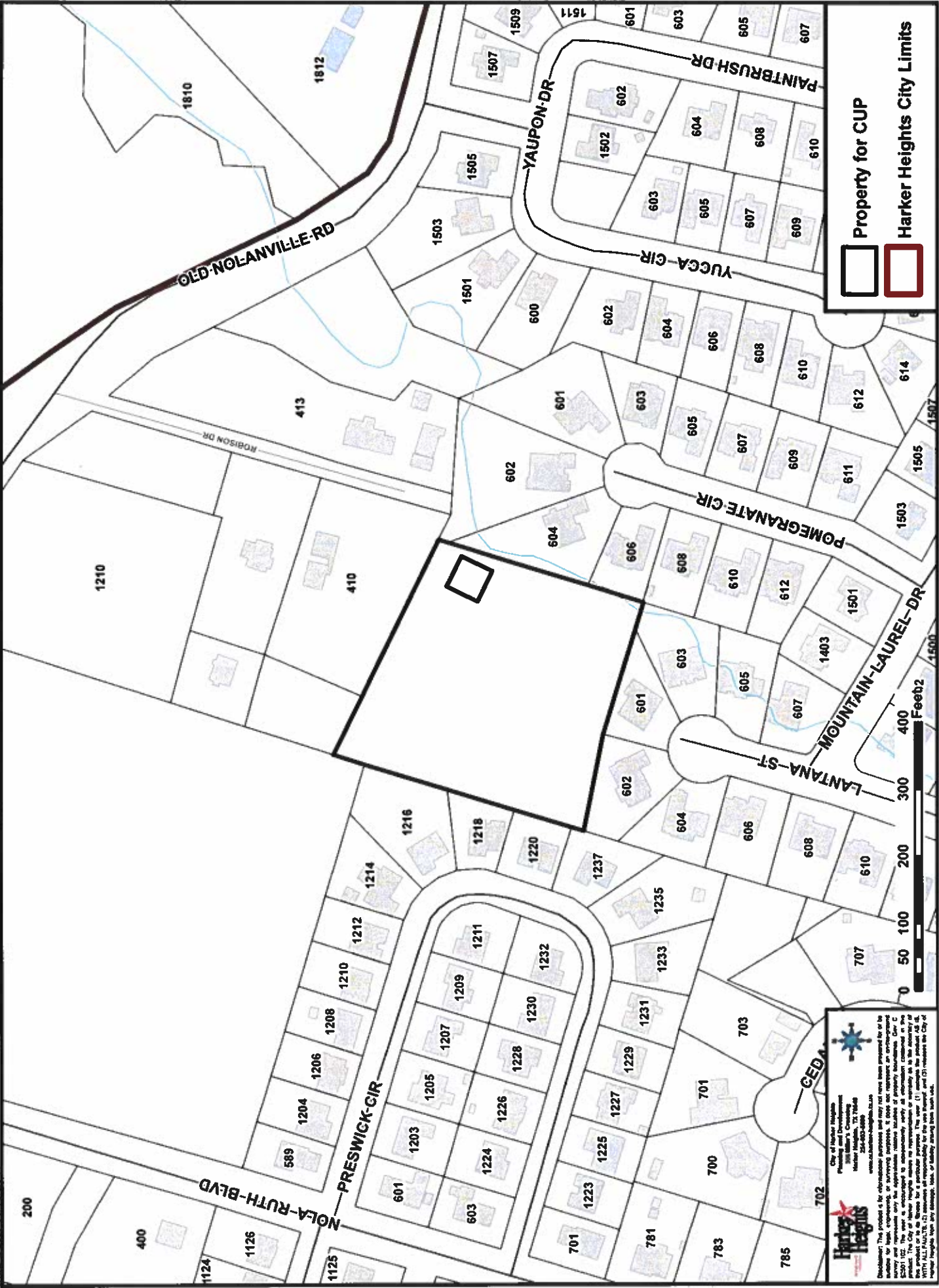


R-1A Single Family




# Location Map

Map Date: 11/13/2017



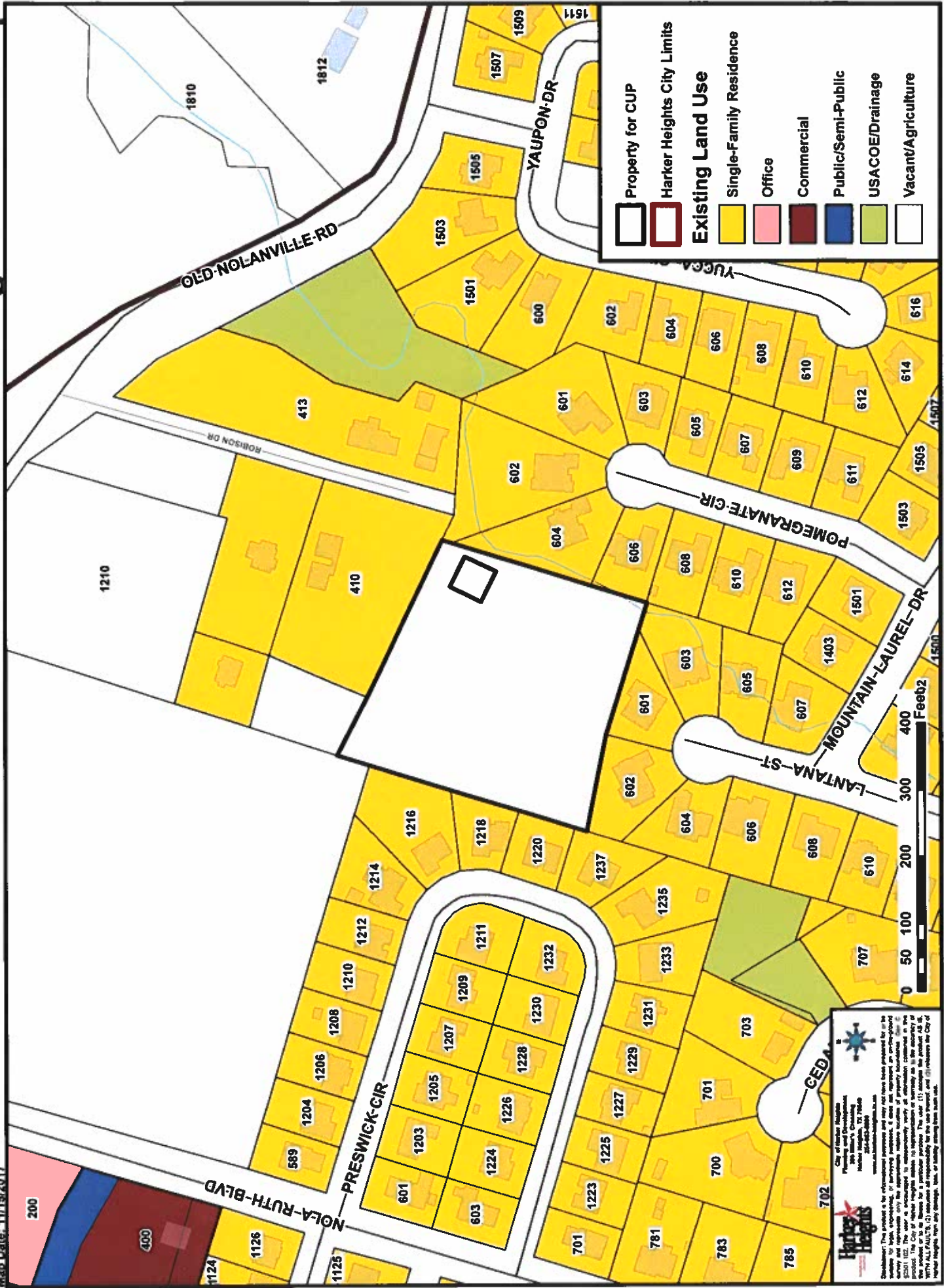
Property for CUP  
 Harker Heights City Limits

  
 City of Harker Heights  
 Planning Department  
 300 Miller's Crossing  
 Harker Heights, TX 77848  
 254-603-4888  
 www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not meet the requirements for or be suitable for legal, engineering, or surveying purposes. It does not represent an independent survey and represents only the approximate, relative location of property boundaries. Our City does not warrant the accuracy of the information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the product or its fitness for a particular purpose. The user ("I") assumes the product will be used for ALL PURPOSES. (1) I assume all responsibility for the use hereof, and (2) I release the City of Harker Heights, its employees, from all liability arising from the use hereof.

# Existing Land Use Map

Map Date: 11/15/2017

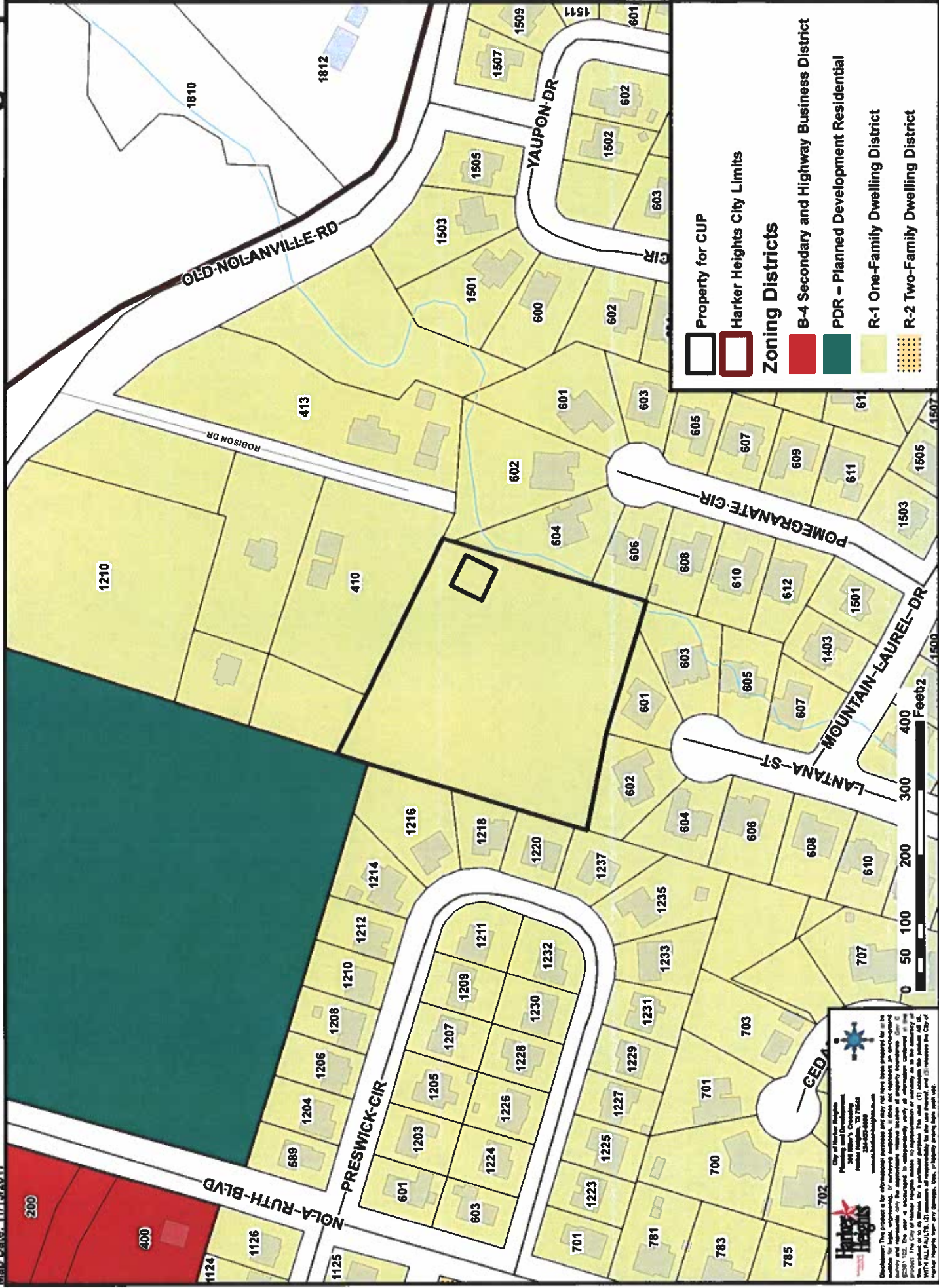


City of Harker Heights  
 Planning Department  
 200 Miller's Crossing  
 Columbus, Ohio 43215  
 www.harkerheights.com

**Disclaimer:** This product is for informational purposes and may not have been prepared by or for a licensed professional. It does not represent an engineering or architectural drawing. It is not intended to be used as such. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this product. The user shall accept the product as is, without any liability on the part of the City of Harker Heights, its employees, agents, contractors, or any other persons.

# Zoning Map

Map Date: 11/15/2017



**Property for CUP**  
 [White outline box]

**Harker Heights City Limits**  
 [Red outline box]

**Zoning Districts**

- B-4 Secondary and Highway Business District** [Red box]
- PDR - Planned Development Residential** [Green box]
- R-1 One-Family Dwelling District** [Yellow box]
- R-2 Two-Family Dwelling District** [Dotted box]

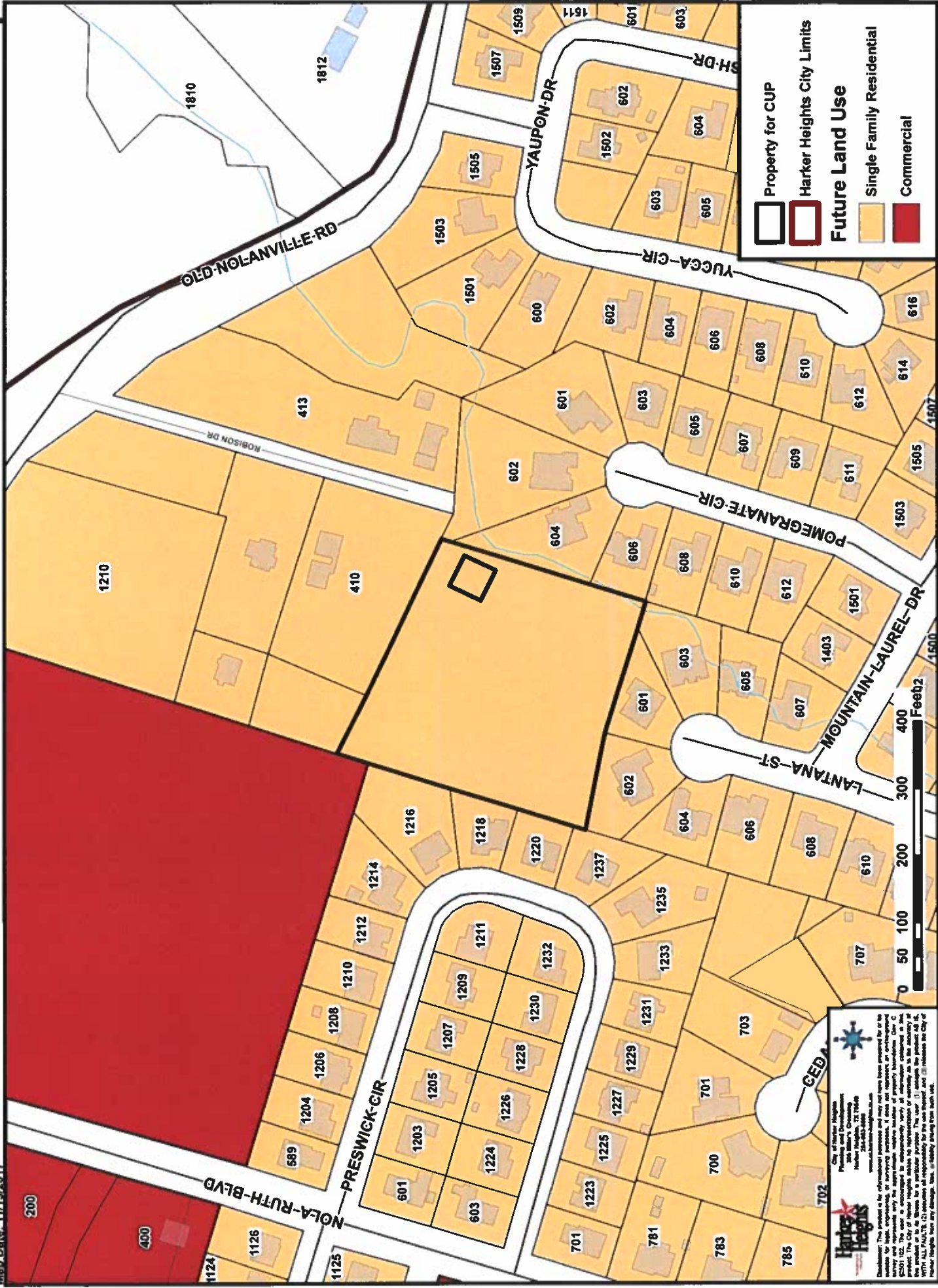
**Harker Heights**  
 City of Harker Heights  
 Planning and Development  
 300 West 7th Street  
 Harker Heights, TX 76788  
 www.harkerheights.org

**Disclaimer:** This product is for informational purposes and may not have been prepared by or for a professional engineer, architect, or surveyor. It does not represent an engineering, architectural, or surveying product. The user is responsible for obtaining all necessary permits and approvals. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information provided. The user is responsible for obtaining all necessary permits and approvals. The City of Harker Heights is not responsible for any errors or omissions in this product.



# Future Land Use Map

Map Date: 11/15/2017



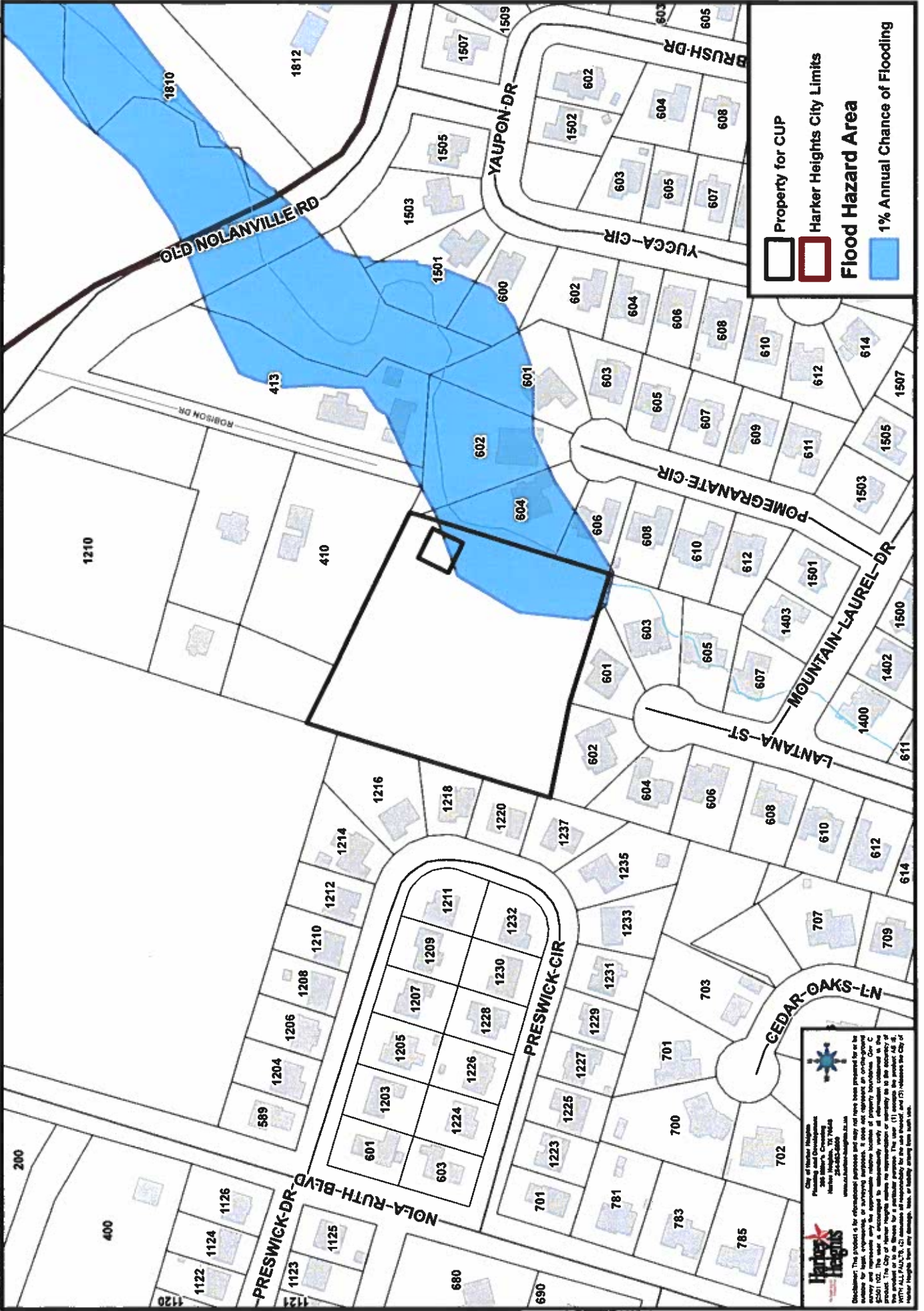

  
**City of Harker Heights**  
 Planning and Development  
 200 West 1st Street  
 Harker Heights, TX 76788  
 Phone: 254.785.7100  
 Fax: 254.785.7101  
 www.cityofharkerheights.com

**Disclaimer:** This project is for informational purposes only and does not constitute a contract or any other legal instrument. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this map. All information is subject to change without notice. The City of Harker Heights is not responsible for any damage, loss, or liability arising from the use of this map.




# FEMA Flood Map

Map Date: 11/16/2017



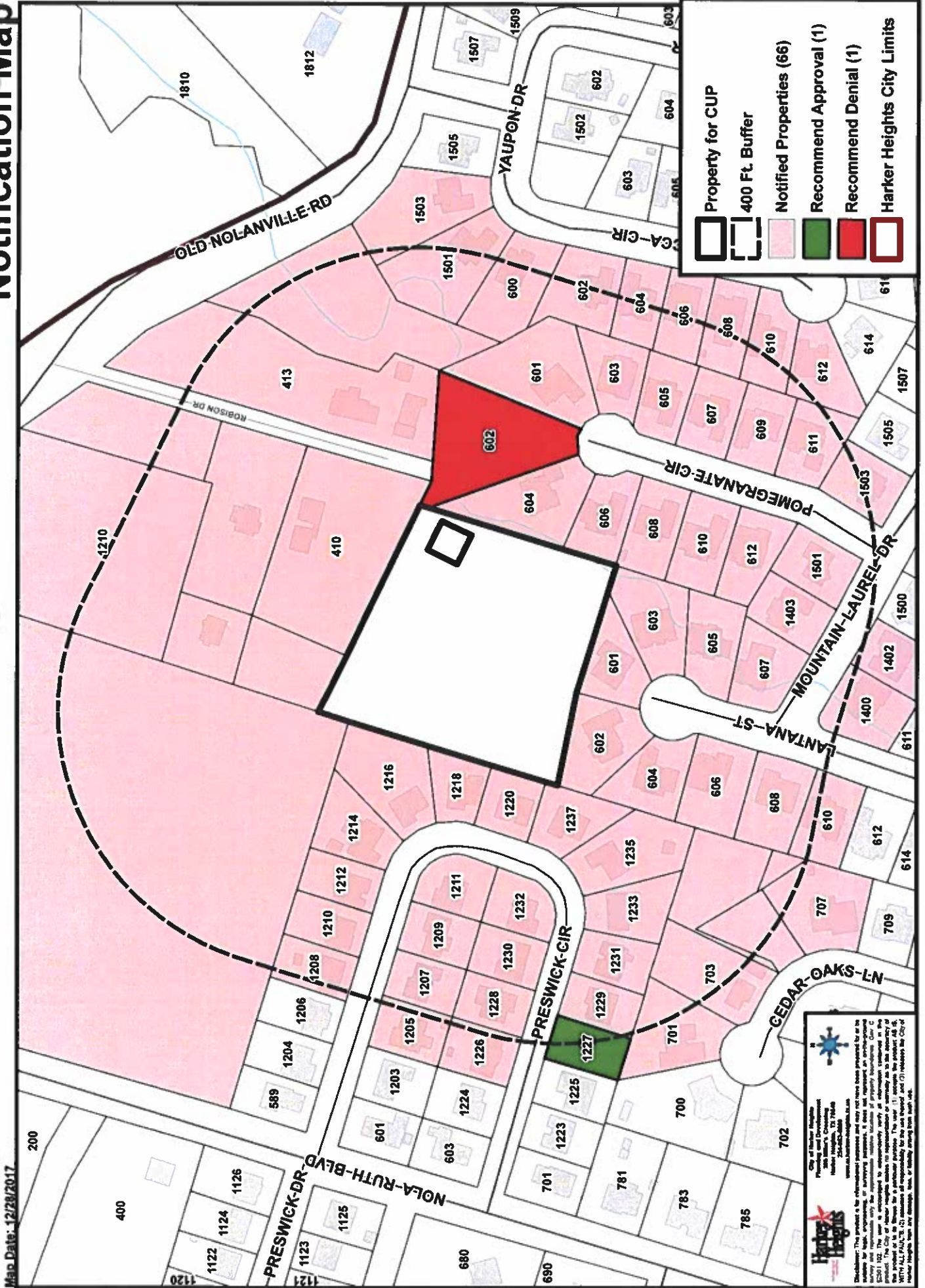
Property for CUP  
 Harker Heights City Limits  
 Flood Hazard Area  
 1% Annual Chance of Flooding


  
**Harker Heights**
  
 City of Harker Heights
   
 Planning Department
   
 200 W. Main Street, Suite 200
   
 Harker Heights, TX 76047
   
 (817) 392-2222
   
 www.harkerheights.com

Disclaimer: This product is for informational purposes and may not have been prepared for or be used for any other purpose. It does not represent an engineering survey and represents only the information available at the time of preparation. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map. The user (1) accepts the product as is, (2) releases the City of Harker Heights from any and all liability, claims, damages, costs, and expenses, including attorney's fees, and (3) releases the City of Harker Heights from any and all liability, claims, damages, costs, and expenses, including attorney's fees, and (4) releases the City of Harker Heights from any and all liability, claims, damages, costs, and expenses, including attorney's fees.



# Notification Map



**Harker Heights**

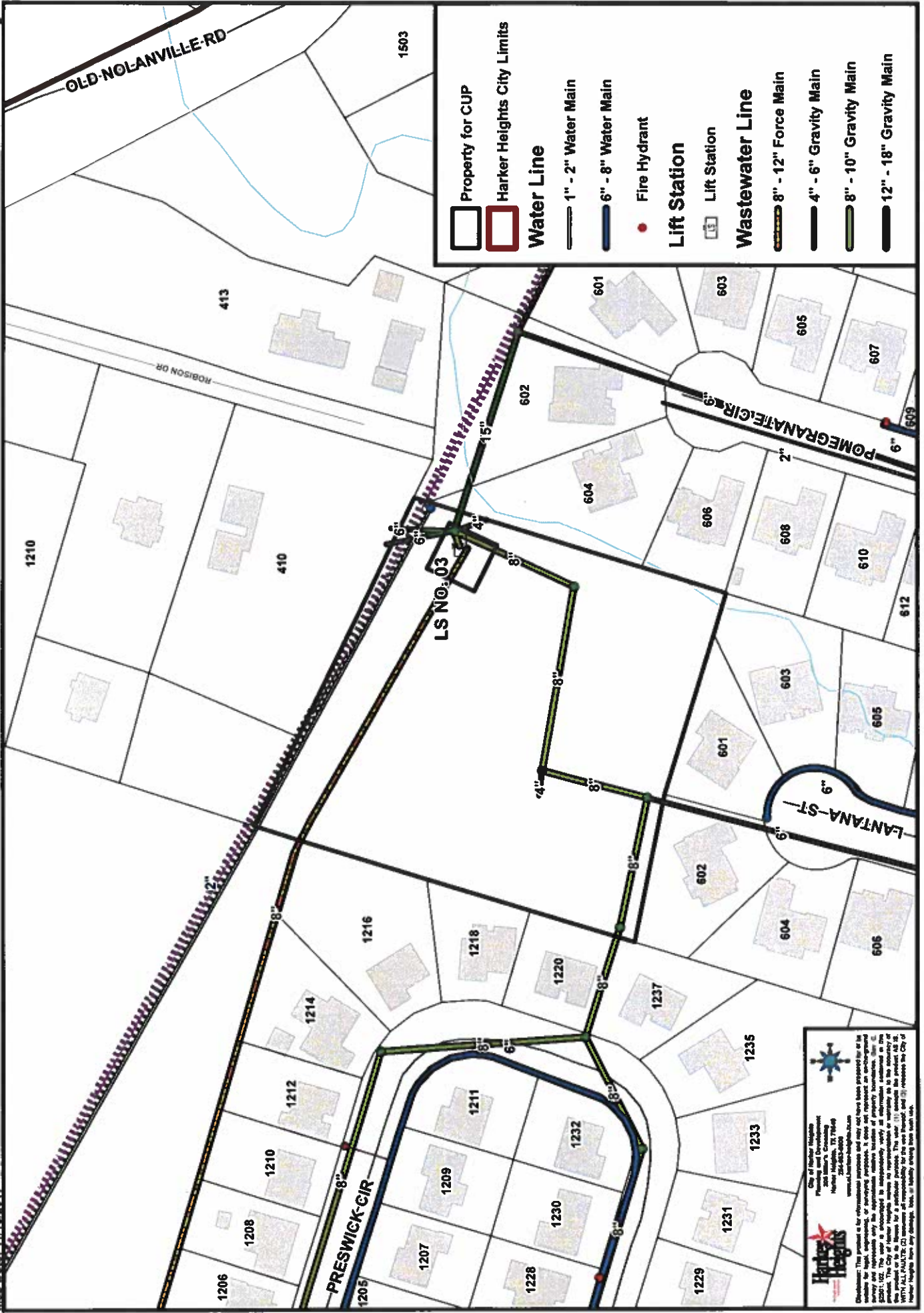
City of Harker Heights  
 Planning and Development  
 200 West Main Street  
 Harker Heights, TX 76788  
 www.harkerheights.tx.us

**Disclaimer:** This project is for informational purposes and may not have been prepared for or used for any other purpose. The City of Harker Heights is not responsible for the accuracy of the information presented in this map. The user is responsible for independently verifying all information contained in this map. The City of Harker Heights is not responsible for any errors or omissions in this map. All information is provided as is. The City of Harker Heights is not responsible for any errors or omissions in this map. All information is provided as is. The City of Harker Heights is not responsible for any errors or omissions in this map. All information is provided as is.



# Utilities Map

Map Date: 11/15/2017



	Property for CUP
	Harker Heights City Limits
<b>Water Line</b>	
	1" - 2" Water Main
	6" - 8" Water Main
	Fire Hydrant
<b>Lift Station</b>	
	Lift Station
<b>Wastewater Line</b>	
	8" - 12" Force Main
	4" - 6" Gravity Main
	8" - 10" Gravity Main
	12" - 18" Gravity Main

City of Harker Heights  
 Planning and Development  
 200 Main Street  
 Harker Heights, TX 76788  
 Phone: 254-832-2000  
 www.ci.harkerheights.tx.us

Disclaimer: This project is for informational purposes and may not have been prepared for or by a professional engineer or architect. It is not intended to be used for any legal or financial purposes. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this map. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this map. WTH HARKER HEIGHTS, CO. assumes all responsibility for the use thereof, and the user hereby releases the City of Harker Heights from any damage, loss, or liability arising from such use.



**Received**

SENT: DECEMBER 21, 2017  
RETURN NO LATER THAN DECEMBER 29, 2017

DEC 27 2018

**Planning & Development**

TO: **City of Harker Heights**

FROM: Ms. Aralia Stephens

602 Pomegranate Cir, Harker Heights, TX 76548

(Address of Your Property that Could  
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) for a Garden Home Subdivision on property described as Briarwood Estates Phase IV, Block 001, Pt of 2.740 AC Tract, Acres 2.683, with Property ID# 334238, generally located to the east of Preswick Circle, Harker Heights, Bell County, Texas (see attached location map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

No more subdivisions.

Ms. Aralia Stephens  
Printed Name

Aralia Stephens  
Signature

26 Dec. 2018  
Date

**Received**

DEC 20 2018

**Planning & Development**

SENT: DECEMBER 21, 2017  
RETURN NO LATER THAN DECEMBER 29, 2017

**Received**

DEC 27 2018

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

FROM: 1227 PRESWICK CIRCLE  
HARKER HEIGHTS, TX 76548

(Address of Your Property that Could  
Be **Impacted** by this Request)

RE: An application has been made to consider a Conditional Use Permit (CUP) for a Garden Home Subdivision on property described as Briarwood Estates Phase IV, Block 001, Pt of 2.740 AC Tract, Acres 2.683, with Property ID# 334238, generally located to the east of Preswick Circle, Harker Heights, Bell County, Texas (see attached location map).

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

Comments:

---

---

---

---

---

---

---

---

---

---

LEONARD B. VELIZ  
Printed Name

Leonard B. Veliz  
Signature

12-27-17  
Date



## PLANNING AND ZONING COMMISSION MEMORANDUM

### P17-119 AGENDA ITEM #X-2

FROM: THE DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: JANUARY 3, 2018

DISCUSS AND CONSIDER A REQUEST BY JOHN ROBERT WHITSON FOR PRELIMINARY PLAT APPROVAL FOR PECAN MEADOWS SUBDIVISION DESCRIBED AS A0179BC J M CROSS, 3-3-1, ACRES 1.504, WITH PROPERTY ID# 127920, A0179BC J M CROSS, ACRES 2.097, WITH PROPERTY ID# 198358, A0179BC J M CROSS, 3-3, ACRES 9.469, WITH PROPERTY ID# 38947, A0179BC J M CROSS, 3-3-2, ACRES 6.949 WITH PROPERTY ID# 127921, GENERALLY LOCATED AT 12590 E. KNIGHTS WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS.

#### EXPLANATION:

The applicant is requesting a preliminary plat approval of approximately 20 acres of land which is comprised of four lots in the City of Harker Heights, Bell County, Texas generally located at 12590 E. Knights Way. The property will be served by City sewer and water.

The proposed subdivision is made up of 32 lots; the two lots fronting E. Knights Way (E. FM 2410) are designated as commercial lots zoned B-3 (Local Business District), the lot at the northern border of the property (in the flood plain) is designated as green space, the lot to the immediate south of this green space is zoned R-3 (Multi-Family Dwelling District), and the remaining lots are zoned R-2 (Two-Family Dwelling District). The commercial properties will comply with the requirements of the Knights Way Development Overlay District, the duplexes will front internal drives and keep the primary road clear of curb cuts and driveways, and the multi-family building to the north will consist of a single apartment/townhome building consisting of 600-800 square foot units. The open green space at the northern end of the property has a pond that will be cleaned up to allow for an appealing water feature to be enjoyed by the residents of the subdivision. The main road in the subdivision has been designed to control speeding to make it safe for pedestrians and will not allow on-street parking (Pecan Meadow Drive as shown on the attached plat).

## **BACKGROUND:**

- On June 6, 2017 at a City Council Workshop, the applicant gave a presentation to the Council to seek guidance regarding this proposed development before presenting a rezoning application to the Planning and Zoning Commission and City Council.
- On August 8, 2017, the site was approved for a PD-M (Planned Development-Mixed Use) zoning to allow for the construction of duplexes, a single apartment/townhome building consisting of 600-800 square foot units and the lots fronting Knights Way for commercial development. The subdivision has been platted according to the conditions listed below:

The zoning for the property shall consist of R-2, R-3, and B-3 zoning districts which shall be located on the property according to the attached zoning map. Each lot will follow the requirements of its assigned zoning district, and all other City Codes and requirements, with the following exceptions:

1. Front and rear setbacks of residential lots shall be 10 feet.
2. All residential units shall be at least 3-sides masonry with a rear façade of masonry/cementations material combination. Gables may be a cementations material.
3. The Developer shall create an HOA, which will include but not be limited to the following duties:
  - a) Maintenance of all green spaces, including medians and drainage easements on site.
  - b) Maintenance of all subdivision entry signage, which shall meet the requirements of the District 1 Overlay Manual.
  - c) The HOA may not be terminated, nor may the foregoing duties be modified, without the prior written consent of the City.
4. Per City ordinance, a sidewalk along FM 2410 will be constructed at the time of the development of the commercial lots fronting FM 2410.
5. The masonry wall used to screen commercial property from residential property shall be required per the District 1 Overlay Manual, however, retaining walls, berms, or other earthworks may be used as part of the height requirements for the masonry screening walls.

## **RECOMMENDATIONS:**

The proposed preliminary plat has had a first review by staff. The applicant has received all staff comments and is expected to submit another revised plat addressing all staff comments. Staff is confident the applicant will make those changes within a reasonable period of time. Staff therefore recommends conditional approval of a preliminary plat for approximately 20 acres of land described as A0179BC J M CROSS, 3-3-1, ACRES 1.504, with Property ID# 127920, A0179BC J M CROSS, ACRES 2.097, with Property

ID# 198358, A0179BC J M CROSS, 3-3, ACRES 9.469, with Property ID# 38947, A0179BC J M CROSS, 3-3-2, ACRES 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410), provided all staff comments are addressed for the following reasons:

- The plat will be consistent with zoning requirements and conditions as prescribed in the approved PD-R approved on August 8, 2017
- The proposed provision and configuration of roads, water, wastewater, drainage and utility easements, and rights-of-way will be adequate to serve the lots provided.

#### **ACTION BY PLANNING AND ZONING COMMISSION**

Following a public hearing on November 29, 2017, the Planning and Zoning Commission voted (6-0) to **table** the motion to approve/disapprove a preliminary plat for approximately 20 acres of land described as A0179BC J M CROSS, 3-3-1, ACRES 1.504, with Property ID# 127920, A0179BC J M CROSS, ACRES 2.097, with Property ID# 198358, A0179BC J M CROSS, 3-3, ACRES 9.469, with Property ID# 38947, A0179BC J M CROSS, 3-3-2, ACRES 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410).

1. Motion to approve/disapprove a preliminary plat for approximately 20 acres of land described as A0179BC J M CROSS, 3-3-1, ACRES 1.504, with Property ID# 127920, A0179BC J M CROSS, ACRES 2.097, with Property ID# 198358, A0179BC J M CROSS, 3-3, ACRES 9.469, with Property ID# 38947, A0179BC J M CROSS, 3-3-2, ACRES 6.949 with Property ID# 127921, generally located at 12590 E. Knights Way (E. FM 2410).
2. Any other action desired.

#### **ATTACHMENTS:**

1. Staff Comments dated 11/15/17
2. Application
3. Location Map
4. Image of the Plat
5. Utility Map



# Staff Comments

PECAN MEADOWS (PRELIMINARY PLAT)

Comments Sent: November 15, 2017

## Planning & Development

### Plat

1. Islands in the ROW need to be extracted as separate tracts, separated from the ROW.
2. Please provide location of proposed sidewalks – code requires that they be placed along Pecan Meadow Drive (5'-6' wide) and FM 2410 (6'-10' wide).
3. Please provide road material for Pecan Meadow Dr.
4. Lots 15, 16, 17, 18 and 19 appear to have a portion of the Flood area breach their boundary. We will require a BFE table for the lots listed.
5. The 1' non-access easement needs to be removed within the 50' access easement in lot 15.
6. Within Lot 1 does the 29' easement suddenly cease halfway through the property?
7. Lots 1 & 28 will need to be revised to a 20' Paving Setback based off B-3 Zoning within the Overlay District.
  - a. Paving Setback will need to be extended to the sides neighboring residential zoning.
  - b. Western side of Lot 1, and the eastern side of Lot 28.
8. Keep in mind the Final Plat will require signature blocks for the Planning and Zoning Commission as well as City Council.

**A certificate of approval by the Planning and Zoning Commission, in the following format, shall be placed on the final plat.**

Approved this \_\_\_\_\_ day of \_\_\_\_, \_\_\_\_\_, by the Planning and Zoning Commission of the City of Harker Heights, Texas.

\_\_\_\_\_  
Chairperson, Planning and Zoning Commission

\_\_\_\_\_  
Secretary, Planning and Zoning Commission

**A certificate of approval by the City Council, in the following format shall be placed on the final plat:**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, by the City Council of the City of Harker Heights, Texas.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Secretary

9. Please provide a plat note identifying which lots will not have R-2 base zoning.
10. Please provide a plat note indicating this plat is in conformance with zoning ordinance 2017-20 adopted on 08/08/2017.

11. The area shown on the vicinity map appears to remove the bottom left portion of the property to be platted.
12. Within the Dedication statement of the Plat please review/revise "certain 1.16 acres of land..." we believe this needs to reflect the total acreage of 20.07.
13. It is staff's understanding that Lot 15 will be a multi-family dwelling and therefore will follow R-3 standards. R-3 side setbacks are required to be 10'.
14. Will there be a subdivision sign within the ROW near the entrance to the subdivision?

**Public Works, Mark Hyde**

**Streets:**

1. Provide station numbers along the street on all of the plan view drawings.
2. Provide the % grade of the curb and gutter around the end of the cul-de-sac.
3. Install ribbon curb around the tree planters in the street.
4. Install ribbon curb on the radii of Pecan Meadow Drive at the intersection of FM 2410.

**Storm Water Drainage:**

1. Provide storm water flow directional arrows on the post development plan view drawing.
2. Lot's 15, 16, 17, 18 and 19 are within the 100 year flood plain. Provide a listing table on the plat. List the lots in the table along with the base flood elevation and the finished floor elevation.
3. What will Tract "A" be used for?
4. Provide a rip rap detail for the cul-de-sac drainage flume outfall.
5. Provide a public drainage easement for the eastern drainage swale.

**Street Lights:**

1. Install a 250 watt cobra head street light at the intersection of FM 2410/Pecan Meadow Drive. Street lights along Pecan Meadow Drive will be 100 Watt lights.

**Water:**

1. Install permanent automatic flush boxes at the two flush locations. The City of Harker Heights will provide the two automatic flush boxes.
2. Install a 6-inch gate valve on Commercial Lot 1 between the 50' build line and the 10' paving setback. Install a 6-inch gate valve on Lot 8 between the proposed water meters and the access driveway.
3. Water line to be blue DR-18, Class 150 C-900 PVC.

**Sanitary Sewer:**

1. Manhole spacing exceeds 500 feet.
2. Number the public manholes and cleanouts on the plan view sheets.
3. On Sheet's 24 and 26, annotate the % grade on the sewer pipe.
4. Three existing manholes in the proposed east drainage channel will require bolted/gasketed ring and lids.

**Erosion Control Plan:**

1. Show the construction entrance. The construction entrance must be a minimum of 20'x50'. Depict the size of the large rock within the 20'x50' entrance.

**Consulting Engineer, Otto Wiederhold**

1. Drainage Design does not appear to be using City of Harker Heights "Drainage Criteria Manual". Numerous references to figures & tables not consistent with adopted drainage criteria manual.
2. Post drainage map does not have direction of flow indicated on the drawings to illustrate how lots will be graded.
3. Any lots located in the 100 year flood plain are required to have finished floor elevations above the base flood elevations.
4. North arrows not shown on all sheets. Street grades & SS line grades not show on all P&P sheets.
5. SS line & service is graded away from the existing 21" WW main (Sheet 24). Manhole spacing exceeds TCEQ requirements.
6. All drainage channels must be established with vegetation for scour prevention.
7. Flume outfall must have rock rip rap scour protection. Rock must design graded and have filter fabric beneath to prevent migration of sub grade.

**Fire Marshall, Brad Alley**

- 1.

**Building Official, Steve Philen**

**Utilities Superintendent, Joe Hines**

1. Sheet 04, the City should not pay for any testing item 1.)E.
2. All manholes in drainage will need to be adjusted and wrapped if exposed
3. Does water (storm) drain from street to the back of every lot?
4. Need more detail on proposed 8" water line
5. Does every building require 2" meter? With a bypass?
6. On sheet 23, what are all of the 6" sewer services for?



City of Harker Heights  
 Planning & Development  
 305 Millers Crossing  
 Harker Heights, TX 76548  
 Phone: 254-953-6400

**APPLICATION FOR SUBDIVISION PRELIMINARY PLAT APPROVAL**  
 Application Fee \$ 500.00 + \$ 25 / per lot

PLAT NAME:	PECAN MEADOW	
NUMBER OF LOTS:	28	NUMBER OF ACRES 20.019
EXISTING LAND USE:	AGRICULTURAL	
PROPERTY OWNER:	JOHN ROBERT WHITSON	BOBBY WHITSON
	AND WIFE, JUDY GAIL WHITSON 12590 FM 2410	AND WIFE, DEANNA WHITSON 12559 FM 2410
ADDRESS:	BELTON, TX 76513	BELTON, TX 76513
PHONE:		254-383-1320
DEVELOPER:	SAME AS ABOVE	
ADDRESS:	SAME AS ABOVE	
PHONE:	SAME AS ABOVE	
SURVEYOR/ENG:	ALL COUNTY SURVEYING	BANDAS ENGINEERING CO.
	1303 S. 21st ST.	415 COTTINGHAM DR.
ADDRESS:	TEMPLE, TX 76504	TEMPLE, TX 76504
PHONE:	254-778-2272	254-778-8728

Planning & Development

OCT 23 2017

Received

**THIS IS TO CERTIFY THAT I/WE, THE UNDERSIGNED, AM/ARE THE SOLE OWNER(S) OF THE PROPERTY COMBINED WITH THE ABOVE DESCRIBED PLAT**

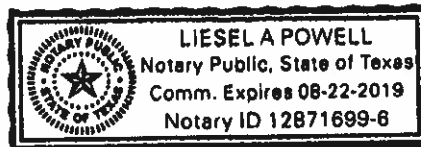
JOHN ROBERT WHITSON	
JUDY GAIL WHITSON	
NAME (PRINT) 12590 FM 2410	SIGNATURE
ADDRESS BELTON, TX 76513	
BOBBY WHITSON	
DEANNA WHITSON	
NAME (PRINT) 12559 FM 2410	SIGNATURE
ADDRESS BELTON, TX 76513	

**TO BE USED FOR CORPORATION/PARTNERSHIP**

N/A	N/A
NAME (PRINT)	CORP/PARTNERSHIP
N/A	
ADDRESS	
BY: N/A	N/A
AUTHORIZED AGENT	TELEPHONE NO.

*The developer 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 before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.*

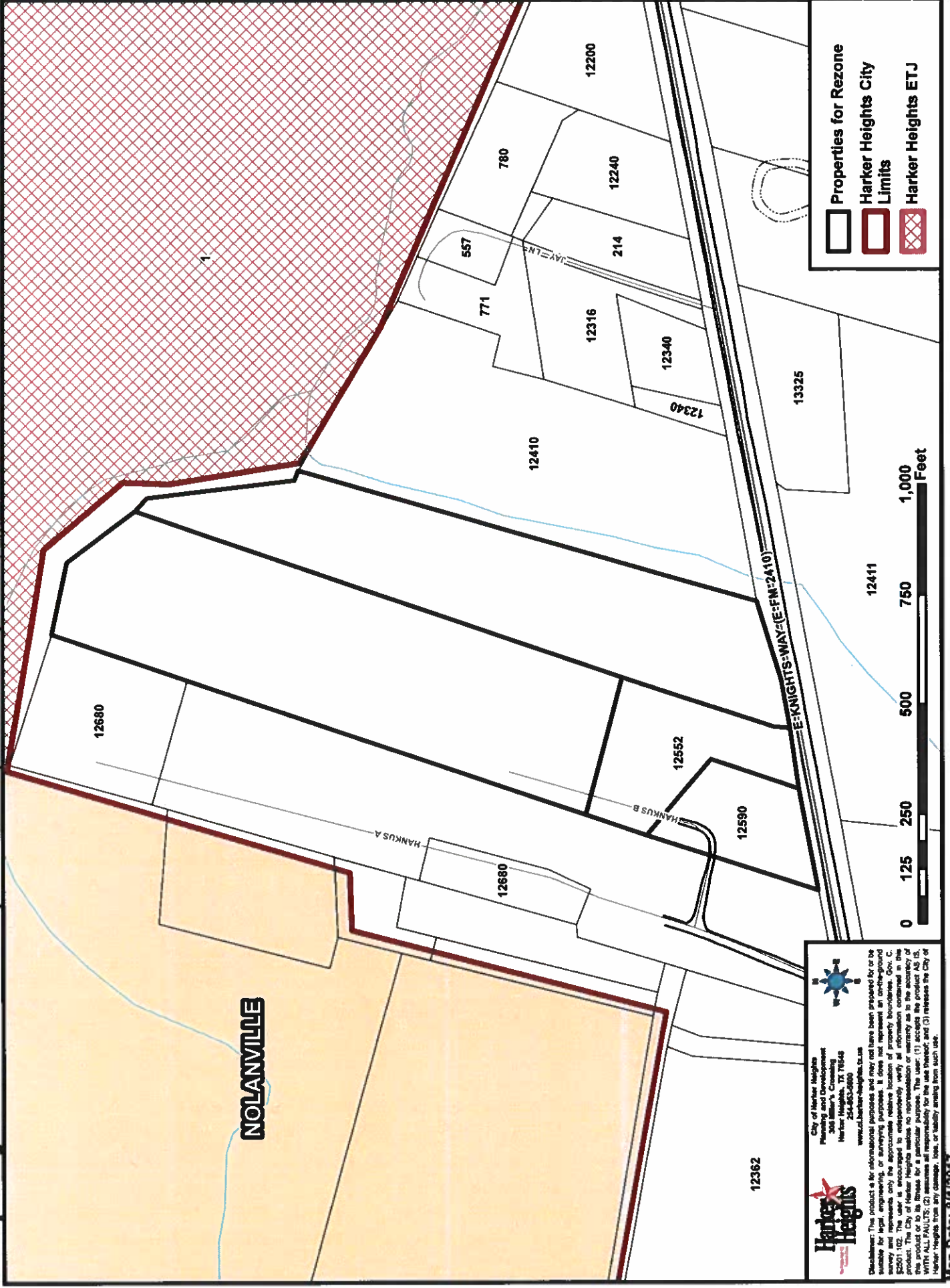
SWORN TO AND SUBSCRIBED BEFORE ME THIS 13<sup>th</sup> DAY OF October, 2017.  
Liesel A Powell TX MY COMMISSION EXPIRES: 8-22-19  
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Revised 08/17/09

Property ID#s: 127920, 198358, 127921, and 38947

Location



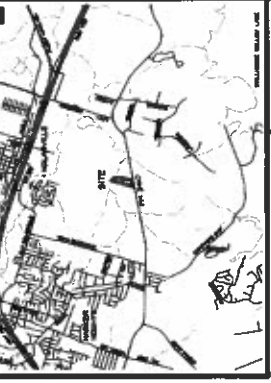
**Harker Heights**  
City of Harker Heights  
Planning and Development  
300 Millar's Crossing  
Harker Heights, TX 78648  
254-683-0800  
www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared by or for an engineer, architect, or other professional. The user is responsible for verifying the accuracy of the information and for obtaining any necessary permits. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

Map Date: 8/1/2017

# PECAN MEADOW SUBDIVISION

BEING 30.07 ACRES SITUATED IN THE 1/4 SECTION 30, TOWNSHIP 10S, RANGE 14E, BELL COUNTY, TEXAS.



PECAN MEADOW SUBDIVISION  
A SUBDIVISION IN HARKER HEIGHTS,  
BELL COUNTY, TEXAS

THE STATE OF TEXAS  
COUNTY OF BELL  
Surveyed and Recorded  
Map No. 1002222  
Order No. 1002222  
Book No. 1002222  
Page No. 1002222



LOTS 2-26  
BLOCKS 1-6  
AREA - 30.07 ACRES

OWNER:  
JOHN ROBERT HARKLER and JUDY  
ROBERT HARKLER and DEANNA  
LEWIS HARKLER  
2000 P.M. 2410  
Harker Heights, Texas 76033

APPROVED:  
The undersigned has examined the plat and the accompanying information and has approved the same for recording and for the purpose of creating the same as a public record.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
City Clerk

APPROVED:  
The undersigned has examined the plat and the accompanying information and has approved the same for recording and for the purpose of creating the same as a public record.

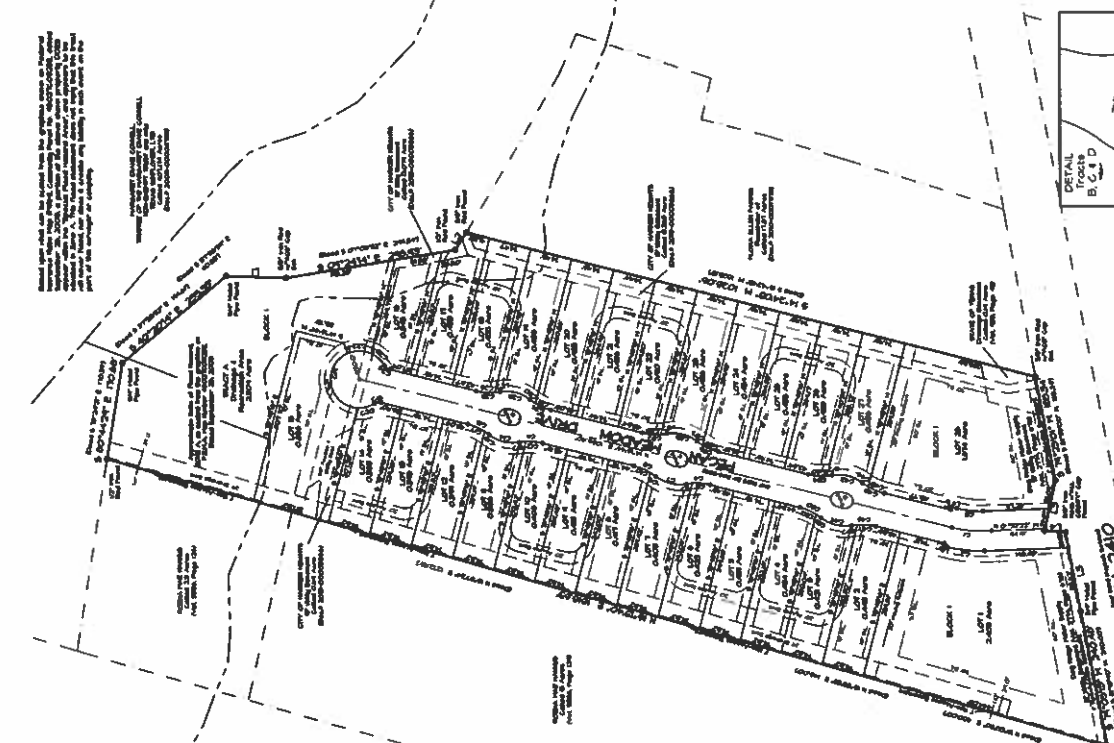
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
City Clerk

APPROVED:  
The undersigned has examined the plat and the accompanying information and has approved the same for recording and for the purpose of creating the same as a public record.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
City Clerk



STATE OF TEXAS  
COUNTY OF BELL

JOHN ROBERT HARKLER and JUDY ROBERT HARKLER and DEANNA LEWIS HARKLER, the undersigned, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Bell County, Texas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
County Clerk

STATE OF TEXAS  
COUNTY OF BELL

JOHN ROBERT HARKLER and JUDY ROBERT HARKLER and DEANNA LEWIS HARKLER, the undersigned, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Bell County, Texas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
County Clerk

STATE OF TEXAS  
COUNTY OF BELL

JOHN ROBERT HARKLER and JUDY ROBERT HARKLER and DEANNA LEWIS HARKLER, the undersigned, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Bell County, Texas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
County Clerk

STATE OF TEXAS  
COUNTY OF BELL

JOHN ROBERT HARKLER and JUDY ROBERT HARKLER and DEANNA LEWIS HARKLER, the undersigned, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Bell County, Texas.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
County Clerk

STATE OF TEXAS  
COUNTY OF BELL

JOHN ROBERT HARKLER and JUDY ROBERT HARKLER and DEANNA LEWIS HARKLER, the undersigned, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat as the same appears on file in the office of the County Clerk of Bell County, Texas.

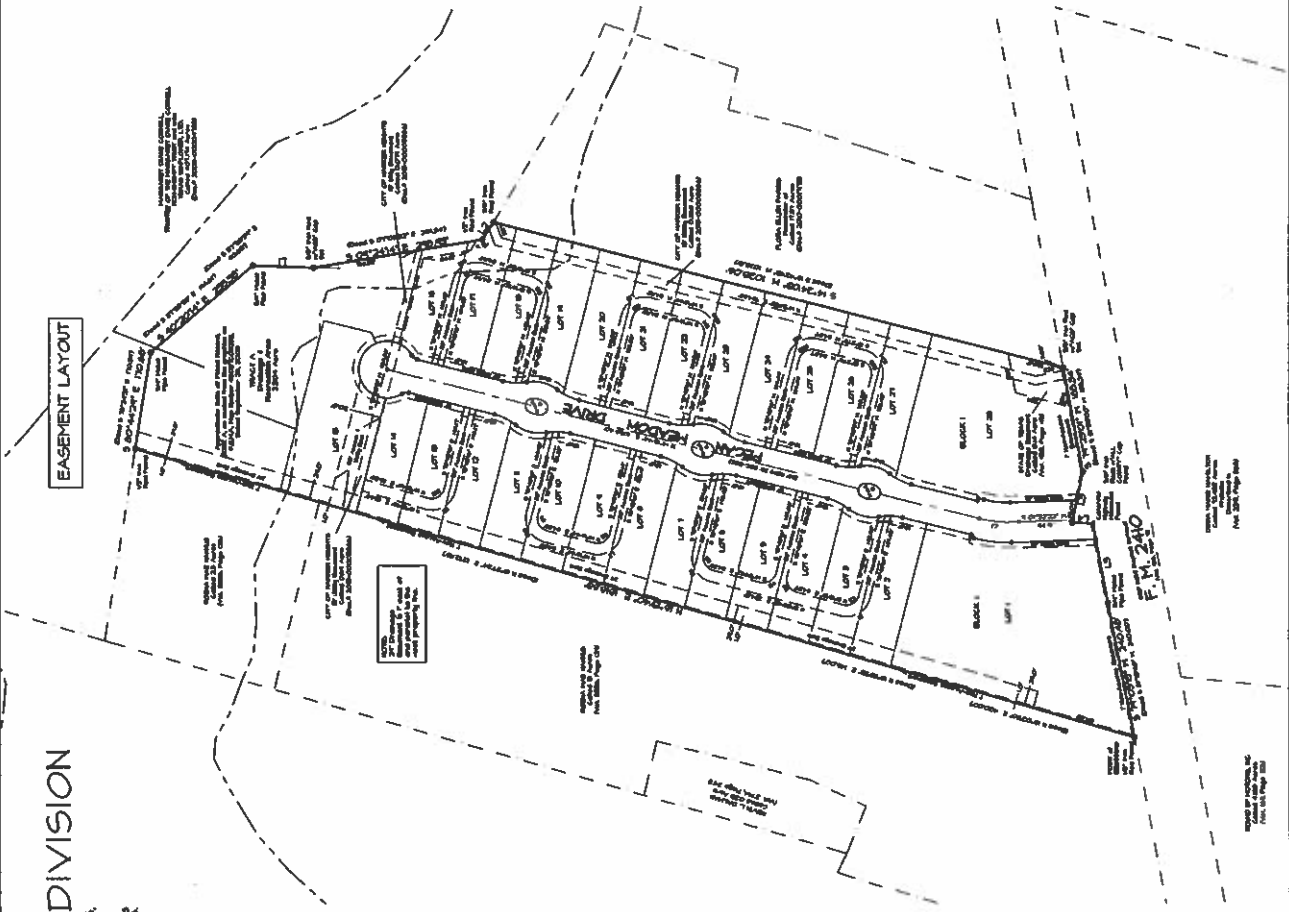
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017 A.D.

By: \_\_\_\_\_  
County Clerk

# PECAN MEADOW SUBDIVISION

Draft Preliminary Plat of  
 A SUBDIVISION IN HARKER HEIGHTS,  
 BELL COUNTY, TEXAS  
 BEING 20-01 ACRES SITUATED IN THE J.K. COOPER  
 SURVEY, APPROX. 16.74 ACRES, BELL COUNTY, TEXAS.

## EASEMENT LAYOUT



PLAT - SHEET 1

LOT	ACRES	AREA	PERCENTAGE	OWNER
1	0.3333	14,533	0.3333	...
2	0.3333	14,533	0.3333	...
3	0.3333	14,533	0.3333	...
4	0.3333	14,533	0.3333	...
5	0.3333	14,533	0.3333	...
6	0.3333	14,533	0.3333	...
7	0.3333	14,533	0.3333	...
8	0.3333	14,533	0.3333	...
9	0.3333	14,533	0.3333	...
10	0.3333	14,533	0.3333	...
11	0.3333	14,533	0.3333	...
12	0.3333	14,533	0.3333	...
13	0.3333	14,533	0.3333	...
14	0.3333	14,533	0.3333	...
15	0.3333	14,533	0.3333	...
16	0.3333	14,533	0.3333	...
17	0.3333	14,533	0.3333	...
18	0.3333	14,533	0.3333	...
19	0.3333	14,533	0.3333	...
20	0.3333	14,533	0.3333	...
21	0.3333	14,533	0.3333	...
22	0.3333	14,533	0.3333	...
23	0.3333	14,533	0.3333	...
24	0.3333	14,533	0.3333	...
25	0.3333	14,533	0.3333	...
26	0.3333	14,533	0.3333	...
27	0.3333	14,533	0.3333	...
28	0.3333	14,533	0.3333	...
29	0.3333	14,533	0.3333	...
30	0.3333	14,533	0.3333	...

EASEMENT - SHEET 2

LOT	ACRES	AREA	PERCENTAGE	OWNER
1	0.3333	14,533	0.3333	...
2	0.3333	14,533	0.3333	...
3	0.3333	14,533	0.3333	...
4	0.3333	14,533	0.3333	...
5	0.3333	14,533	0.3333	...
6	0.3333	14,533	0.3333	...
7	0.3333	14,533	0.3333	...
8	0.3333	14,533	0.3333	...
9	0.3333	14,533	0.3333	...
10	0.3333	14,533	0.3333	...
11	0.3333	14,533	0.3333	...
12	0.3333	14,533	0.3333	...
13	0.3333	14,533	0.3333	...
14	0.3333	14,533	0.3333	...
15	0.3333	14,533	0.3333	...
16	0.3333	14,533	0.3333	...
17	0.3333	14,533	0.3333	...
18	0.3333	14,533	0.3333	...
19	0.3333	14,533	0.3333	...
20	0.3333	14,533	0.3333	...
21	0.3333	14,533	0.3333	...
22	0.3333	14,533	0.3333	...
23	0.3333	14,533	0.3333	...
24	0.3333	14,533	0.3333	...
25	0.3333	14,533	0.3333	...
26	0.3333	14,533	0.3333	...
27	0.3333	14,533	0.3333	...
28	0.3333	14,533	0.3333	...
29	0.3333	14,533	0.3333	...
30	0.3333	14,533	0.3333	...

CREATED BY: J. K. COOPER  
 DATE: 11/15/2010  
 LOT: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30



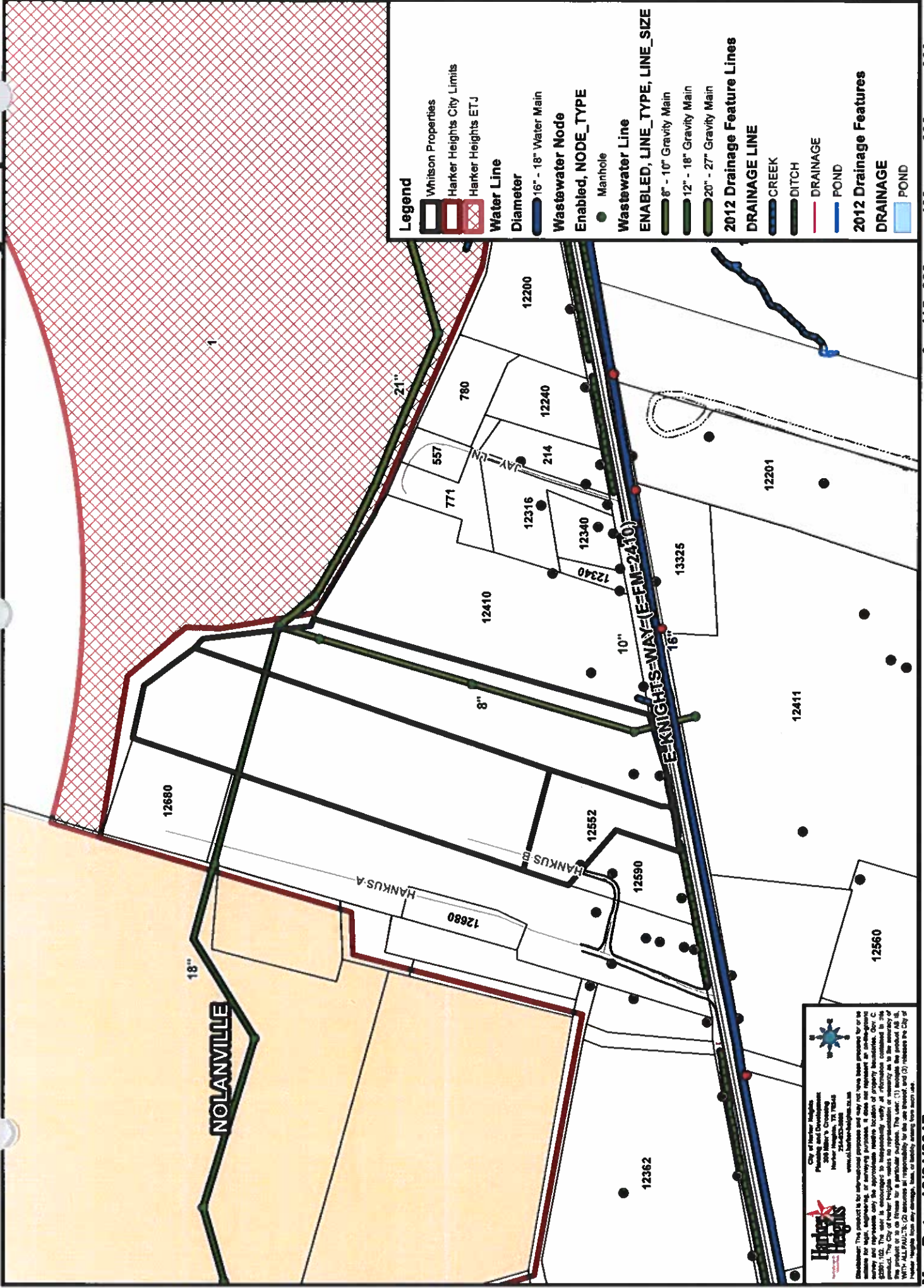
VICINITY MAP

# PECAN MEADOW SUBDIVISION

Draft Preliminary Plat of  
 A SUBDIVISION IN HARKER HEIGHTS,  
 BELL COUNTY, TEXAS

PLAT BOOK: 2010-2011  
 SUBJECT: ...  
 DATE: ...  
 DRAWN BY: ...  
 CHECKED BY: ...





City of Harker Heights  
Planning and Development  
300 Miller's Crossing  
Harker Heights, TX 76047  
www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or used in connection with any legal proceedings or other legal action. It does not constitute an independent engineering or architectural drawing and should not be used as such. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy or completeness of the information contained in this product or to its fitness for a particular purpose. The user: (1) accepts the product as is, (2) releases and holds harmless the City of Harker Heights for any and all claims, damages, losses, and expenses, including reasonable attorneys' fees, that may be incurred by the user.





## PLANNING AND ZONING COMMISSION MEMORANDUM

### **P17-120 AGENDA ITEM #XI-1**

---

---

FROM: THE DEPARTMENT OF PLANNING AND DEVELOPMENT

DATE: JANUARY 3, 2018

DISCUSS AND CONSIDER A REQUEST BY AMPLER DEVELOPMENT, LLC. FOR PRELIMINARY/FINAL PLAT APPROVAL FOR CHARVICK ADDITION REPLAT DESCRIBED AS CHARVICK ADDITION LOTS 1R AND 2, BLOCK 2, BEING A REPLAT OF CHARVICK ADDITION LOT 1, BLOCK 1, RECORDED IN VOLUME 2013, PAGE 49, P.R.C.T., W.F. HUNT SURVEY, ABSTRACT NO. 458, PROPERTY ID# 453651, GENERALLY LOCATED AT 680 E. KNIGHTS WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS.

**EXPLANATION:**

The applicant is requesting preliminary/final plat approval of approximately 1.543 acres of land which is comprised of two lots in the City of Harker Heights, Bell County, Texas generally located at 680 E. Knights Way. The site is being considered for a Burger King fast food restaurant.

The subject property is zoned appropriately as B-4, (Secondary and Highway Business District) and meets the needs of the proposed restaurant. The Charvick Addition replat site will access the City of Harker Heights water and wastewater utilities and will be required to modify utilities to accommodate development (See Attachment 5 - Utility Map). The property is located within the Development Overlay District 1 and will therefore be developed in accordance to the regulations and standards stipulated in the Development Overlay District 1 manual.

Preliminary engineering plans provided to staff have been reviewed to meet the requirements of the Comprehensive Plan and Zoning district, and the layout will be finalized during permitting to ensure applicable elements to the site are carried throughout the development of the property.

**RECOMMENDATIONS:**

The applicant has met all standards as outlined in the Harker Heights Code of Ordinances and has answered all staff comments on the Preliminary Plat. The plat also meets all the standards in the Development Overlay District 1 manual. Therefore, Staff recommends approval of the Preliminary Plat.

**ACTION BY PLANNING AND ZONING COMMISSION**

1. Motion to approve/disapprove a preliminary plat for approximately 1.543 of land described as Charvick Addition Lots 1R and 2 Block 1 being a replat of Charvick Addition Lot 1, Block 1 recorded in Volume 2013, Page 49, P.R.C.T, W. F. Hunt Survey, Abstract No.458 with Property ID# 453651, generally located at 680 E. Knights Way (E. FM 2410), Harker Heights, Bell County, Texas, generally located at 680 E. Knights Way (E. FM 2410).
2. Any other action desired.

**ATTACHMENTS:**

1. Staff Comments
2. Application
3. Location Map
4. Image of the Plat
5. Utility Map

# Burger King

---

## *Preliminary Plat & Engineering Drawings*

Comments Sent: December 19, 2017

### **Planning & Development**

1. The Plat is being addressed as a Preliminary Plat and will therefore require approval from the Planning and Zoning Commission as well as City Council. Please provide signature block for both bodies.
2. Within the Dedication statement please change the verbiage from "approved by the Planning and Development Department..." to "approved by the City Council".
3. Please extend the rear setback to 50 feet per Knight's Way Overlay – your 20' vegetated buffer can go within this area.
4. Please revise the side setback along Creek Drive to 20'
5. Please provide street material along FM 2410 and Creek Drive.
6. Eight (8') foot masonry wall abutting residential will need to be extended across Block 1, Lot 2 as well.

**The following are comments that staff noticed based on the configuration of the lot in conjunction with the Overlay that must be followed. Please note that these comments are not imperative to answer for plat approval but will need to be addressed when construction plans are submitted.**

7. Please note that the development does fall within the Knights Way Overlay District. Within this district the placement of the dumpster should be located in the rear area of the commercial site and must be screened by an eight (8) foot masonry enclosure with an approved gate – the approved gate will be orientated away from all street frontages.
8. Placement of a double row of parking along Knights Way (FM 2410) will require a four (4) foot masonry wall along with a three (3) foot evergreen hedge wall on the outside of the masonry wall separating parking from the ROW.

### **Public Works, Mark Hyde**

1. Provide an erosion and sedimentation control plan for the building site.
2. Open cutting Creek Drive for the installation of the sanitary sewer service line will be allowed. Excavated material from the trench will not be allowed as backfill in the street section. Within the street section, crushed limestone rock or flowable fill will be used from the top of the sanitary sewer embedment to the bottom of the asphalt. Compaction density must be 95% or greater. A manhole is preferred at the connection of the proposed 6-inch sanitary sewer service line to the mainline in Creek Drive for two way access/cleaning.
3. Closing Creek Drive at FM 2410 to traffic will be allowed for constructing the sanitary sewer service line subject to approval of a traffic control and detour plan.

**Utilities Superintendent, Joe Hines**

1. The plans show a Manhole for sewer on Creek. This has been located. The street will need to cut in order to be tapped.
2. 2) Water line can be tapped by city crews.
3. 3) Domestic water meters need to be on a separate water line from fire line. Irrigation and domestic water can be on a common line.
4. 4) All drainage needs to stay off Hwy 2410.

**Consulting Engineer, Otto Wiederhold**

1. Site development plan does not detail how drainage will impact Creek Dr. Grading plan has almost the entire site draining through the driveway directly onto Creek Dr.

**Fire Marshall, Brad Alley**

- No Comments.

**Building Official, Steve Philen**

**ONCOR, Greg Wade**

**Century Link, Chris McGuire**

- No Comments.

**Time Warner Cable, Johnny Tindle**



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

**APPLICATION FOR SUBDIVISION PRELIMINARY PLAT APPROVAL**  
 Application Fee \$ 500.00 + \$ 25 / per lot

**PLAT NAME:** CHARVICK ADDITION REPLAT

**NUMBER OF LOTS:** 2 **NUMBER OF ACRES:** 1.54

**EXISTING LAND USE:** VACANT

**PROPERTY OWNER:** Charvick Investments II, LTD  
**ADDRESS:** Po Box 1 Killeen, TX 76540  
**PHONE:** \_\_\_\_\_

**DEVELOPER:** AMPLER DEVELOPMENT, LLC  
**ADDRESS:** 12910 PIERCE STREET, SUITE 210, OMAHA, NE 68144  
**PHONE:** 512.468.7088

**SURVEYOR/ENG:** KIMLEY-HORN & ASSOCIATES, INC.  
**ADDRESS:** 601 NW LOOP 410, SUITE 350, SAN ANTONIO, TX 78216  
**PHONE:** 210.541.9166

**THIS IS TO CERTIFY THAT I/WE, THE UNDERSIGNED, AM/ARE THE SOLE OWNER(S) OF THE PROPERTY COMBINED WITH THE ABOVE DESCRIBED PLAT**

NAME (PRINT) \_\_\_\_\_ SIGNATURE \_\_\_\_\_

ADDRESS \_\_\_\_\_

NAME (PRINT) \_\_\_\_\_ SIGNATURE \_\_\_\_\_

ADDRESS \_\_\_\_\_

**TO BE USED FOR CORPORATION/PARTNERSHIP**

Vicky Johnson Charvick Investments II, LTD  
 NAME (PRINT) \_\_\_\_\_ CORP/PARTNERSHIP \_\_\_\_\_

Po Box 1 Killeen, TX 76540  
 ADDRESS \_\_\_\_\_

BY: Vicky Johnson 254-227-0601  
 AUTHORIZED AGENT TELEPHONE NO.

*The developer 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 before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.*

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22<sup>nd</sup> DAY OF November, 2017.

Sherry Goeke MY COMMISSION EXPIRES: 3-12-19  
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS





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

**APPLICATION FOR FINAL PLAT APPROVAL**  
**Application Fee \$ 150.00**

PLAT NAME: CHARVICK ADDITION REPLAT

NUMBER OF LOTS: 2 NUMBER OF ACRES 1.54

DATE OF PRELIMINARY APPROVAL: \_\_\_\_\_

PROPERTY OWNER: Charvick Investments II LTD  
PO Box 1 Killeen, TX 76540

ADDRESS: \_\_\_\_\_  
 PHONE: \_\_\_\_\_

DEVELOPER: AMPLER DEVELOPMENT, LLC

ADDRESS: 12910 PIERCE STREET, SUITE 210, OMAHA, NE 68144  
 PHONE: 512.468.7088

SURVEYOR/ENG: KIMLEY-HORN & ASSOCIATES, INC.

ADDRESS: 601 NW LOOP 410, SUITE 350, SAN ANTONIO, TX 78216  
 PHONE: 210.541.9166

I HEREBY UNDERSTAND AND ACKNOWLEDGE:

THE FINAL PLAT MUST BE PREPARED IN ACCORDANCE WITH THE CITY'S SUBDIVISION RULES AND REGULATIONS AND SHALL CONFORM SUBSTANTIALLY TO THE PRELIMINARY LAYOUT AS APPROVED. THE SUBDIVIDER WILL BE REQUIRED TO INSTALL AT HIS/HER OWN EXPENSE ALL WATER LINES, STREETS, SEWER LINES, STORM SEWER LINES, DRAINAGE FACILITIES AND STRUCTURES WITHIN THE SUBDIVISION ACCORDING TO SECTION 154.45 OF THE HARKER HEIGHTS CODE OF ORDINANCES.

ALL REQUIRED IMPROVEMENTS HAVE BEEN COMPLETED UNLESS A BOND OR LETTER OF CREDIT HAS BEEN POSTED AND ATTACHED IN SUFFICIENT AMOUNT TO ASSURE COMPLETION.

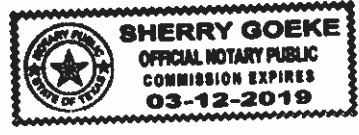
A MAINTENANCE BOND OR SURETY INSTRUMENT HAS BEEN FURNISHED TO ASSURE THE QUALITY OF MATERIALS AND WORKMANSHIP AND MAINTENANCE OF ALL REQUIRED IMPROVEMENTS INCLUDING THE CITY'S COSTS FOR COLLECTING THE GUARANTEED FUNDS AND ADMINISTERING THE CORRECTION AND/OR REPLACEMENT OF COVERED IMPROVEMENTS IN THE EVENT THE SUBDIVIDER DEFAULTS. (BONDS OR OTHER INSTRUMENTS MUST BE FOR 20% OF THE COST OF IMPROVEMENTS FOR ALL PUBLIC WORKS IMPROVEMENTS LESS STREETS AND SHALL RUN FOR A PERIOD OF ONE CALENDAR YEAR.) (BONDS AND OTHER INSTRUMENTS MUST BE FOR 40% OF THE COST OF IMPROVEMENTS FOR STREETS AND SHALL RUN FOR A PERIOD OF TWO CALENDAR YEARS.)

*The developer 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 before the Planning and Zoning Commission or City Council during a meeting on which the plan or plat is on the agenda for discussion or action may be deemed a withdrawal of the plat or plan.*

SIGNED: [Signature] OWNER      Vicky Johnson President Charvick  
 AUTHORIZED AGENT (CORPORATION/PARTNERSHIP)

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22<sup>nd</sup> DAY OF November, 2017.

[Signature] MY COMMISSION EXPIRES: 3-12-19  
 NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



Revised 8/17/09

# Location



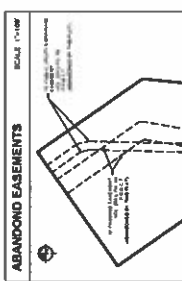
**Harker Heights**  
City of Harker Heights  
Planning and Zoning  
200 Main Street  
Harker Heights, TX 76781  
www.harkerheights.com

This map is for informational purposes only and does not constitute an official record. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map. All rights reserved. © 2017 Harker Heights, TX.

Map Date: 12/19/2017



**FLOOD HAZARD:**  
 Flood Hazard information is based on the Texas Department of Transportation's Flood Hazard Mapping Program. Flood Hazard information is provided for informational purposes only and does not constitute a warranty or representation of any kind. The City of Markers Heights, Texas, is not responsible for any errors or omissions in this information. For more information, please contact the City of Markers Heights, Texas, at (936) 335-1111.



**LEGEND**  
 Dashed line: Easement  
 Solid line: Property Boundary  
 Dotted line: Right-of-Way  
 Stippled area: Flood Hazard

LINE TABLE	LINE TABLE
NO. 1	NO. 1
NO. 2	NO. 2
NO. 3	NO. 3
NO. 4	NO. 4
NO. 5	NO. 5
NO. 6	NO. 6
NO. 7	NO. 7
NO. 8	NO. 8
NO. 9	NO. 9
NO. 10	NO. 10
NO. 11	NO. 11
NO. 12	NO. 12
NO. 13	NO. 13
NO. 14	NO. 14
NO. 15	NO. 15
NO. 16	NO. 16
NO. 17	NO. 17
NO. 18	NO. 18
NO. 19	NO. 19
NO. 20	NO. 20
NO. 21	NO. 21
NO. 22	NO. 22
NO. 23	NO. 23
NO. 24	NO. 24
NO. 25	NO. 25
NO. 26	NO. 26
NO. 27	NO. 27
NO. 28	NO. 28
NO. 29	NO. 29
NO. 30	NO. 30
NO. 31	NO. 31
NO. 32	NO. 32
NO. 33	NO. 33
NO. 34	NO. 34
NO. 35	NO. 35
NO. 36	NO. 36
NO. 37	NO. 37
NO. 38	NO. 38
NO. 39	NO. 39
NO. 40	NO. 40
NO. 41	NO. 41
NO. 42	NO. 42
NO. 43	NO. 43
NO. 44	NO. 44
NO. 45	NO. 45
NO. 46	NO. 46
NO. 47	NO. 47
NO. 48	NO. 48
NO. 49	NO. 49
NO. 50	NO. 50
NO. 51	NO. 51
NO. 52	NO. 52
NO. 53	NO. 53
NO. 54	NO. 54
NO. 55	NO. 55
NO. 56	NO. 56
NO. 57	NO. 57
NO. 58	NO. 58
NO. 59	NO. 59
NO. 60	NO. 60
NO. 61	NO. 61
NO. 62	NO. 62
NO. 63	NO. 63
NO. 64	NO. 64
NO. 65	NO. 65
NO. 66	NO. 66
NO. 67	NO. 67
NO. 68	NO. 68
NO. 69	NO. 69
NO. 70	NO. 70
NO. 71	NO. 71
NO. 72	NO. 72
NO. 73	NO. 73
NO. 74	NO. 74
NO. 75	NO. 75
NO. 76	NO. 76
NO. 77	NO. 77
NO. 78	NO. 78
NO. 79	NO. 79
NO. 80	NO. 80
NO. 81	NO. 81
NO. 82	NO. 82
NO. 83	NO. 83
NO. 84	NO. 84
NO. 85	NO. 85
NO. 86	NO. 86
NO. 87	NO. 87
NO. 88	NO. 88
NO. 89	NO. 89
NO. 90	NO. 90
NO. 91	NO. 91
NO. 92	NO. 92
NO. 93	NO. 93
NO. 94	NO. 94
NO. 95	NO. 95
NO. 96	NO. 96
NO. 97	NO. 97
NO. 98	NO. 98
NO. 99	NO. 99
NO. 100	NO. 100

**NOTICE:**  
 This document is a preliminary plat for the subdivision of Block 1, Lot 19, Block 1, Charvick Addition, Hunt County, Texas. The plat is subject to the approval of the Hunt County Commissioners. The plat is not to be used for any purpose other than the one intended. The City of Markers Heights, Texas, is not responsible for any errors or omissions in this information. For more information, please contact the City of Markers Heights, Texas, at (936) 335-1111.

**STATE OF TEXAS**  
**HUNT COUNTY**  
 COUNTY CLERK  
 APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the County Clerk of Hunt County, Texas.  
 \_\_\_\_\_  
 County Clerk

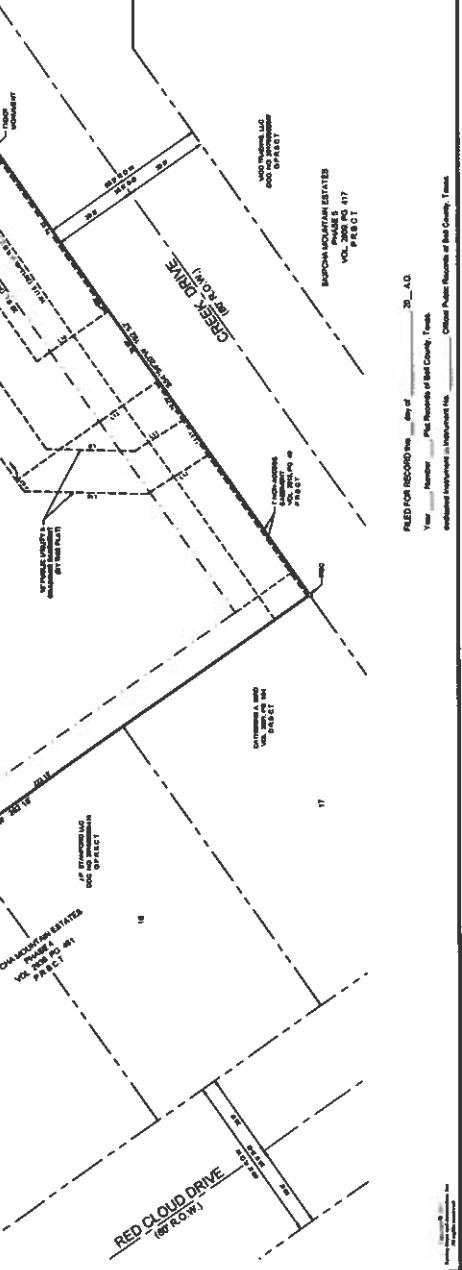
**KNOW ALL MEN BY THESE PRESENTS**, that \_\_\_\_\_, of the County of \_\_\_\_\_, State of Texas, do hereby certify that the above and foregoing plat is a true and correct copy of the original plat on file in the office of the County Clerk of Hunt County, Texas. The original plat is on file in the office of the County Clerk of Hunt County, Texas, and is subject to the approval of the Hunt County Commissioners. The original plat is not to be used for any purpose other than the one intended. The City of Markers Heights, Texas, is not responsible for any errors or omissions in this information. For more information, please contact the City of Markers Heights, Texas, at (936) 335-1111.

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the Director of Planning and Development of the City of Markers Heights, Texas.  
 \_\_\_\_\_  
 Director of Planning and Development

**PRELIMINARY**  
 THIS DOCUMENT SHALL NOT BE RECORDED OR USED FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED HEREIN.  
 \_\_\_\_\_  
 Surveyor

**REPLAT**  
**CHARVICK ADDITION**  
**LOTS 1R & 2, BLOCK 1**  
 1.543 ACRES  
 BEING ALL OF LOT 1, BLOCK 1, CHARVICK ADDITION  
 RECORDED IN VOL. 2013, PG. 48, P.R.B.C.T.  
 W.F. HUNT SURVEY, ABSTRACT NO. 458  
 CITY OF MARKERS HEIGHTS, BELL COUNTY, TEXAS

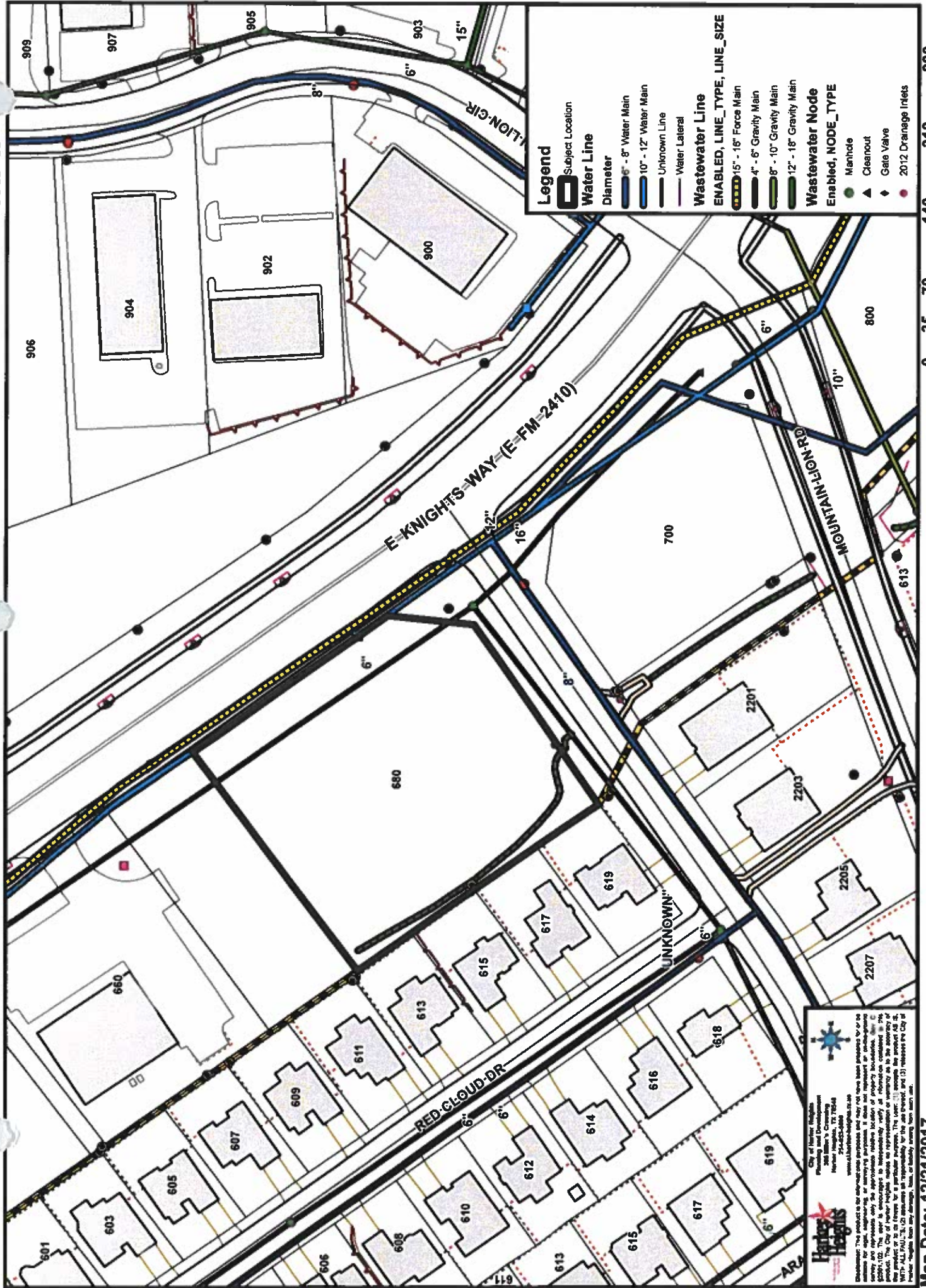
**Kimley»Horn**  
 601 W. Loop W., Suite 200  
 Fort Worth, Texas 76102  
 Phone: (817) 339-2200  
 Fax: (817) 339-2201  
 Website: www.kimleyhorn.com



FILED FOR RECORD this \_\_\_\_\_ day of \_\_\_\_\_, 2013, at \_\_\_\_\_, Texas.  
 \_\_\_\_\_  
 County Clerk of Hunt County, Texas



# UTILITY MAP



**Legend**

**Subject Location**

**Water Line**

Diameter

- 6" - 8" Water Main
- 10" - 12" Water Main
- Unknown Line
- Water Lateral

**Wastewater Line**

ENABLED, LINE\_TYPE, LINE\_SIZE

- 15" - 16" Force Main
- 4" - 6" Gravity Main
- 8" - 10" Gravity Main
- 12" - 18" Gravity Main

**Wastewater Node**

Enabled, NODE\_TYPE

- Manhole
- Cleanout
- Gate Valve
- 2012 Drainage Inlets

**City of Forter Heights**  
 Planning and Development  
 1000 North Main St., 75704  
 Forter Heights, TX 75704  
 214-253-2488  
 www.cityofforterheights.tx.us

**Disclaimer:** This product is for informational purposes and may not have been prepared by or for the City of Forter Heights. The City of Forter Heights is not responsible for the accuracy of the survey and represents only the approximate relative location of property boundaries. The City of Forter Heights is not responsible for the accuracy of the information contained in this product. The City of Forter Heights makes no representation or warranty as to the accuracy of the information contained in this product. WTP-ALL-POL-2-12 assumes all responsibility for the use thereof, and (3) released the City of Forter Heights from any damage, loss, or liability arising from such use.