



December 14, 2021

5:00 P.M.

CITY COUNCIL

MEETING AGENDA

The text "Merry Christmas" is displayed in a colorful, stylized font. "Merry" is in green, "Christmas" is in red and green, and "mas" is in red. A candy cane with a red and white striped pattern and a green holly leaf with red berries is positioned above the letter 'i' in "Christmas".



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

The City Of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548
Phone 254/953-5600
Fax 254/953-5614

Notice is hereby given that, beginning at 5:00 p.m. on Tuesday, December 14, 2021, and continuing from day to day thereafter if necessary, the City Council of the City of Harker Heights, Texas, will hold a meeting in the in the Kitty Young Council Chamber at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

Mayor

Spencer H. Smith

Mayor Protem

Jennifer McCann

City Council

Michael Blomquist
Jackeline Soriano Fountain
Lynda Nash
Sam Halabi

I. Invocation:

II. Pledge of Allegiance:

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

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

III. Roll Call:

IV. Mayoral Proclamations and Presentations:

V. Consent Items:

1. Discuss and consider approving the minutes of the meetings held on November 9, 2021, November 16, 2021, and December 7, 2021, and take the appropriate action.

VI. Presentations by Citizens:

1. Receive and discuss a presentation of the Bell County Child Safety Check from Shay Luedeke, Bell County Tax Assessor-Collector.
2. Receive and discuss a presentation of the Bell County Hotel Occupancy Check from Bell County Judge David Blackburn.
3. Citizens who desire to address the Council on any matter may do so during this item. Please understand that while the Council appreciates hearing your comments, State law (Texas Gov't Code §551.042) prohibits them from: (1) engaging in discussion other than providing a statement of specific factual information or reciting existing City policy, and (2) taking action other than directing Staff to place the matter on a future agenda. Please state your name and address for the record and limit your comments to three minutes.

VII. Public Hearing:

1. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change Zoning Designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas; and take the appropriate action. (Planning and Development Director)
2. Conduct a Public Hearing to discuss and consider approving an Ordinance of the city of Harker Heights, Texas, to amend the Land Use Plan by changing the Land Use Designation from Community Center Use to Medium Density Residential Use on property described as A1086BC W E Hall, acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas; and take the appropriate action. (Planning and Development Director)
3. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the Zoning Designation from R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas; and take the appropriate action. (Planning and Development Director)
4. Conduct a Public Hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, amending Ordinance 2021-52 to include property described as Lakeside Hills Section Two, Lot Tract Pt 63, (N Pt of 63), acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract Pt 63, (63, Less N Pt), acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas; applying the same conditions; and allowing for a Single Accessory Dwelling Unit between the two parcels; and take the appropriate action. (Planning and Development Director)
5. Conduct a Public Hearing to discuss and consider approving Amendments to §150.02 Of the Harker Heights Code of Ordinances, Adopting and Amending the 2021 General Technical Codes and take the appropriate action. (Planning and Development Director)

VIII. Regular Business:

1. Discuss and consider approval of a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by gift deed Recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the Intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas; and take the appropriate action. (Planning and Development Director)

2. Discuss and consider approval of a Preliminary Plat referred to as Cedar Trails on property described as lying and situated in the Uriah Hunt Survey, Abstract No. 401 And the land herein described being a portion of the Remainder Tract, of an overall Called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship Recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT), generally located north of E. Knight's Way (FM 2410), and east of Warriors Path Rd., Harker Heights, Bell County, Texas; and take the appropriate action. (Planning and Development Director)
3. Discuss and consider approval of a Preliminary Plat referred to as Savannah Commercial Addition Replat 2 on property described as an 8.135 acre tract of land, being Lot 2R, Block 1, Lot 2R, 3R And 4R, Block 1 Savannah Commercial Addition, an addition to the City of Harker Heights, Bell County, Texas according to the Plat Recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, Ltd, A Texas Limited Partnership, Recorded Under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas; and take the appropriate action. (Planning and Development Director)
4. Discuss and consider approval of a Final Plat referred to as Savannah Commercial Addition Replat 2 Phase 1, on property described as a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, Lot 2R, 3R And 4R, Block 1 Savannah Commerical Addition, an addition to the City of Harker Heights, Bell County, Texas, according to the Plat Recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, Ltd, A Texas Limited Partnership, Recorded Under Instrument Number 2008-000034660 of the Official Public Records of Bell County, Texas; and take the appropriate action. (Planning and Development Director)
5. Discuss and consider approval of an Amended Plat referred to as Family Dollar Addition, 1st Amendment, on property described as being all of Lot 1, Block A of the Family Dollar Addition Recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas; and take the appropriate action. (Planning and Development Director)
6. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the Chief of Police, City Manager, and Mayor to sign an Interagency Agreement to participate in the CENTURION Records Management System Consortium; and take the appropriate action. (Police Chief)
7. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City's participation in the Selective Traffic Enforcement Program Grant administered by the Texas Department of Transportation, for funding in the amount of \$11,996.10, for Officer Overtime Salaries to perform direct traffic enforcement in known traffic problem areas of the City and reduce the number of crashes in those areas; and take the appropriate action. (Police Chief)

8. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a Contract for the F.M. 2410 Utility Conflicts Project in the amount of \$48,653.00 to Mclean Construction, Inc., and take the appropriate action. (Public Works Director)
9. Receive and discuss The Fiscal Year 2020-2021 Fourth Quarter Unaudited Financial Report. (Finance Director)
10. Receive and discuss the City Manager's Report. (City Manager)

IX. Items from Council and Announcements:

1. Council member closing statements.
2. Updates and comments from the Mayor.

X. Adjournment:

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Harker Heights, Texas, a place readily accessible to the general public at all times, on the day of 10th December 2021, by 4:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Julie Helsham
City Secretary

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

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

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

Minutes of the City of Harker Heights Council Meeting held at 5:00 p.m. on Tuesday, November 9, 2021, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller’s Crossing, Harker Heights, Texas 76548:

Roll Call:	Spencer H. Smith	Mayor
	Jennifer McCann	Mayor Pro-tem
	Michael Blomquist	Councilmember Place 2
	Lynda Nash	Councilmember Place 4
	Sam Halabi	Councilmember Place 5
	David Mitchell	City Manager
	Julie Helsham	City Secretary

Absent: Jackeline Soriano Fountain Councilmember Place 3

Mayoral Proclamations and Presentations:

1. Mayor Smith presented Erica Rossmiller, Children’s Librarian , a Proclamation declaring November 15th–20th, 2021, as “Harker Heights Children’s Book Week”.

Consent Items:

1. Council discussed and considered approving the minutes of the meeting held on October 26, 2021.

Blomquist made the motion to approve the minutes of the meeting held on October 26, 2021, as written. Seconded by Nash. All in favor. Motion approved 4-0.

Presentations by Citizens:

1. Council received a presentation from Vantonio Fraley regarding a Teen Program partnership with the City of Harker Heights.
2. Receive a presentation from Brenda Hauser regarding areas with high grass and code enforcement. – *This item was withdrawn by Brenda Hauser.*
3. Mr. Dunn, 3410 Shoreline Drive, Harker Heights, Texas, gave a presentation regarding setting a meeting with the City Manager.

Public Hearing:

1. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Nash made the motion to approve, an Ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional use Permit (CUP) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas, based on staff’s recommendations and findings and subject to the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.

3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 1,500 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

Seconded by Halabi. All in favor. Motion approved 4-0.

2. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas and locally known as 5140 Lakeside Drive, Belton, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. John Hennessy, 5410 Lakeside Drive, Belton, Texas, applicant, was present to represent the request.

McCann made the motion to approve, an Ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 0066, Acres 7.72, Property ID #52206, generally located at 5140 Lakeside Drive, Harker Heights, Bell County, Texas, and locally known as 5140 Lakeside Drive, Belton, Texas, based on staff's recommendation and findings. Seconded by Blomquist. All in favor. Motion approved 4-0.

3. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Julian Benitez Penuelas, 1411 Gomer Lane, Harker Heights, Texas, applicant, was present to represent the request.

Halabi made the motion to approve, an Ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) on property described Arrowhead Estates Phase 3, Block 001, Lot 006A, Acres .5, Property ID #396612, generally located at 1411 Gomer Lane, Harker Heights, Bell County, Texas, based on staff's recommendation and findings and subject to the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 850 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

Seconded by McCann. All in favor. Motion approved 4-0.

4. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Larry Robison, 410 Robison Drive, Harker Heights, Texas, Planning and Zoning Commission Chairman, spoke on the item.

Blomquist made the motion to disapprove an Ordinance to change the zoning designation from R-3 (Multi-Family Dwelling District) to R-1 (M) (One Family Dwelling District with manufactured housing) on property described as Valley View Third Ext, Block 010, Lot 0015, Property ID #127376, generally located at 228 E. Valley Road, Harker Heights, Bell County, Texas, based on staff's recommendation and findings with explanation that the justification for denial being the adverse impact on adjoining uses and zoning districts and incompatibility with existing uses in the neighborhood. Seconded by Nash. All in favor. Motion to disapprove approved 4-0.

5. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Felecia Fogle, applicant, was present to represent the request.

McCann made the motion to approve, an Ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to B-4 (Secondary and Highway Business District) with T District overlay on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Halabi. All in favor. Motion approved 4-0.

6. Council conducted a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to amend the Comprehensive Plan's future land use map to change the 'Community Center' and 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation.

Blomquist made the motion to approve, an Ordinance to amend the Comprehensive Plan's Future Land Use Map to change the 'Community Center' And 'Regional Center' designations to a 'Regional Center' designation on property described as Kern Acres 2nd Extension & Revision, Block 001, Lots 5-6, 15-16, Property ID #63808, generally located at 110 W. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on staff's recommendation and findings. Seconded by Nash. All in favor. Motion approved 4-0.

7. Council conducted a Public Hearing to discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, Adoption of Land Use Assumptions and a Capital Improvements Plan relating to possible Adoption of Impact Fees for the 2022 Impact Fee Area. Kristina Ramirez, Planning and Development Director, made the presentation. Jessica Vassar, Freese and Nichols, was present to represent the request.

Halabi made the motion to approve a Resolution of the City Council of the City of Harker Heights, Texas, adoption of Land Use Assumptions and a Capital Improvements Plan relating to possible adoption of Impact Fees for the 2022 Wastewater Impact Fee area. Seconded by Nash. All in favor. Motion approved 4-0.

At 6:10 p.m. Mayor Smith called for a short break.

Mayor Smith reconvened the meeting at 6:24 p.m.

Regular Business:

1. Council discussed and considered approving a request for a Concept Plan referred to as Cedar Trails on property described as Uriah Hunt Survey, Abstract No. 401, Property ID #75765, generally located at 13436 E. Knight's Way (FM 2410), Harker Heights, Bell County Texas, and locally known as 13436 FM 2410, Belton, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Lina Chtay, 106 N. East Street, Belton, Texas, applicant representative, was present to represent the request.

Blomquist made the motion to approve, a request for a Concept Plan referred to as Cedar Trails on property described as Uriah Hunt Survey, Abstract No. 401, Property Id #75765, generally located at 13436 E. Knight's Way (E. FM 2410), Harker Heights, Bell County Texas, and locally known as 13436 FM 2410, Belton, Bell County, Texas. Seconded by McCann. All in favor. Motion approved 4-0.

- Council discussed and considered approving a request for a Preliminary Plat referred to as Stillhouse Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Lina Chtay, 106 N. East Street, Belton, Texas, applicant representative, was present to represent the request.

McCann made the motion to approve, a request for Preliminary Plat for the subdivision referred to as Stillhouse Lake Road Addition on property described as R.W. Tom survey, abstract No. 837, and the Lucy O'Dell Survey, Abstract No. 644, and the land herein described being all of that certain called 1.50 acre tract of land conveyed to Star Stillhouse Properties, LLC, a Texas Limited Liability Company, by Correction Special Warranty Deed with Vendor's Lien recorded in Document 2021000947, Official Public Records of Bell County, Texas, generally located on the east side of Stillhouse Lake Road and north of Nevaeh Road, Harker Heights, Bell County, Texas. Seconded by Halabi. All in favor. Motion approved 4-0.

- Council discussed and considered approving a request for a Preliminary Plat referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Lina Chtay, 106 N. East Street, Belton, Texas, applicant representative, was present to represent the request.

Blomquist made the motion to disapprove a request for Preliminary Plat for the subdivision referred to Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas, with explanation that the justification for denial is that the current request is not the same as what was presented to Planning and Zoning Commission. Seconded by McCann. All in favor. Motion to disapprove, approved 4-0.

- Council discussed and considered approving an amendment to the Economic Development Incentive Agreement with Gambit Social House, Inc. ("Gambit") modifying the construction completion date to June 1, 2022, for the administration of one or more programs for making grants or loans of public money to promote economic development and stimulate business and commercial activities within the city; and authorize the City Manager to sign the agreement on behalf of the City. David Mitchell, City Manager, made the presentation.

McCann made the motion to approve amending the economic development incentive agreement with Gambit Social House, Inc., modifying the construction completion date to June 1, 2022, for the administration of one or more programs for making grants or loans of public money to promote economic development and stimulate business and commercial activities within the City; and authorize the City Manager to sign the agreement on behalf of the City. Seconded by Nash. All in favor. Motion approved 4-0.

- Council discussed and considered appointing a Representative to the Bell County Health District Board. Jerry Bark, Assistant City Manager, made the presentation.

Halabi made the motion to approve the reappointment of Michael Blomquist, to the Bell County Health Board as the Representative for the City of Harker Heights. Seconded by Nash. All in favor. Motion approved 4-0.

- Council received and discussed the Fiscal Year 2020 – 2021 Fourth Quarter Investment Report. Ayesha Lealiiee, Finance Director, made the presentation. No action taken.
- Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

Items from Council and Announcements:

1. Council member closing statements.

Councilmember Blomquist stated that he attended the following events:

- October 30th – Harker Heights Farmer’s Market.
- Still working with the Bell County Health District and the Selection Board to find the new Director.
- Harker Heights Police Department Citizen Police Academy.

Mayor Pro-tem McCann stated that she attended the following events:

- October 27th – Filled in for the Mayor at the Fort Hood Community Services Council Meeting.
- October 17th – Harker Heights Chamber of Commerce Meeting.

2. Updates and comments from the Mayor.

Mayor Smith stated that he attended the following events:

- October 28th – III Corps Commanding General and Mayors Engagement Luncheon at Temple Economic Development Corporation.
- October 29th – III Corps and Fort Hood Phantom Honors Retiree Ceremony.
- October 30th – Harker Heights Farmer’s Market.
- October 30th – Haunted Heights at Carl Levin Park.
- November 2nd – Killeen Temple Metropolitan Planning Organization virtual meeting with Director Uryan Nelson and Vice Chairman Judge Roger Miller.
- November 2nd – Community Heroes Luncheon at Killeen Conference and Convention Center.
- November 2nd – Harker Heights City Council Workshop.
- November 4th – Harker Heights Cares Committee Meeting at the Harker Heights Activity Center.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:19 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Minutes of the City of Harker Heights Council Special Meeting held at 3:00 p.m. on Tuesday, November 16, 2021, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

Roll Call: Spencer H. Smith Mayor
Jennifer McCann Mayor Pro-tem
Michael Blomquist Councilmember Place 2
Jackeline Soriano Fountain Councilmember Place 3
Sam Halabi Councilmember Place 5 – *arrived at 3:07 p.m.*

David Mitchell City Manager
Julie Helsham City Secretary

Absent: Lynda Nash Councilmember Place 4

Regular Business:

1. Council discussed and considered approving a request for Alcohol Services from Lara Crum and Iron Gauntlet Brauhaus for an event at the Harker Heights Community Park on Friday, December 10, 2021. Jeff Achee, Parks and Recreation Director, made the presentation.

Blomquist made the motion to approve the request for alcohol services from Lara Crum and Iron Gauntlet Brauhaus for an event at Harker Heights Community Park on Friday, December 10, 2021. Seconded by McCann. All in favor. Motion approved 3-0.

Councilmember Halabi arrived at the meeting at 3:07 p.m.

2. Council discussed and considered approving a request for Alcohol Services for the Harker Heights Chamber of Commerce "Frosted Mug Run" scheduled for December 11, 2021, at the Harker Heights Community Park. Jeff Achee, Parks and Recreation Director, made the presentation. Gina Pence, Harker Heights Chamber of Commerce President & CEO, was present to represent the request.

Fountain made the motion to approve a request for alcohol services for the Harker Heights Chamber of Commerce Frosted Mug Run (Brew and Bacon Mug Run) at the Harker Heights Community Park for December 11, 2021. Seconded by McCann. All in favor. Motion approved 4-0.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 3:12 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Minutes of the City of Harker Heights Council Workshop held at 3:00 p.m. on Tuesday, December 7, 2021, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548:

Roll Call:	Spencer H. Smith	Mayor
	Jennifer McCann	Mayor Pro-tem
	Michael Blomquist	Councilmember Place 2
	Jackeline Soriano Fountain	Councilmember Place 3
	Lynda Nash	Councilmember Place 4
	Sam Halabi	Councilmember Place 5
	Jerry Bark	Assistant City Manager
	Julie Helsham	City Secretary
Absent:	David Mitchell	City Manager

Council held a moment of Silence for Harker Heights Firefighter/EMT Cole Hagen Simmons.

Presentations by Citizens:

1. Council received a presentation from Howard "Scot" Arey regarding school zones in the City of Harker Heights.
2. Council received a presentation from Joseph Baez, 2016 Sandy Point Rd., Harker Heights, Texas, regarding his four year old son.
3. Council received a presentation from Mr. Dunn, 3410 Shoreline Drive, Harker Heights, Texas, regarding setting a meeting with the City Council.

Discussion Items:

1. Council received and discussed a presentation by Phil Gadd, City of Harker Heights Chief of Police, and Shawn Reynolds, City of Temple Chief of Police, regarding the Central Texas Uniform Reporting Information Operating Network (Centurion) Interagency Agreement. Phil Gadd, Chief of Police, and Shawn Reynolds, City of Temple Police Chief, made the presentation. No action taken.
2. Council received and discussed a presentation on amendments to the Technical Codes in §150.02 of the Harker Heights Code of Ordinances. Jerry Bark, Assistant City Manager and Michael Beard, Building Official, made the presentation. No action taken.
3. Council received and discussed a presentation on Mobile Food Vendor Regulations. Jerry Bark, Assistant City Manager and Brad Alley, Fire Marshal, made the presentation. No action taken.

At 4:33 p.m. Mayor Smith called for a short break.

Mayor Smith reconvened the meeting at 4:38 p.m.

4. Council received and discussed an update on Capital Improvement Projects. Mark Hyde, Public Works Director, made the presentation. No action taken.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 5:08 p.m.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



CITY COUNCIL MEMORANDUM

Z21-32

AGENDA ITEM# VII-1

FROM: OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE ZONING DESIGNATION FROM B-3 (LOCAL BUSINESS DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A1086BC W E HALL, ACRES 3.517, PROPERTY ID #58974, GENERALLY LOCATED AT 600 ENCLAVE BLVD., HARKER HEIGHTS, BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a change from the current zoning of B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property in this case is approximately 0.26 acres of the larger 3.517 acre parcel that is currently vacant.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Commercial	Community Center	B-3 (Local Business District)
South	Vacant	Community Center	B-4 (Secondary and Highway Business District)
East	Vacant	Medium Density Residential	PD-R (Planned Development Residential)
West	Vacant	Government/Public Space	R-1 (One-Family Dwelling District)

The current Land Use Plan identifies this area is designated for ‘Community Center’ use. However, the adopted Concept Plan for The Enclave at Indian Trail subdivision (Ordinance No. 2021-09) identifies this parcel as duplex development. Staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood.

Flood Damage Prevention:

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

Notices:

Staff sent out eight (8) notices to property owners within the 400-foot notification area. As of December 8, 2021, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommended approval to the Planning and Zoning Commission of an ordinance to change the zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.
2. The proposed use and rezoning is compatible with existing uses in the neighborhood.
3. The proposed use and rezoning does not pose an adverse impact to the public health, safety, or general welfare.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of an ordinance to change the zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.

ACTION BY CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove** an ordinance to change the zoning designation from B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Proposed Ordinance
3. Ordinance 2021-09
4. Original Concept Plan
5. Ordinance- R2
6. Location Map
7. Zoning Map
8. Existing Land Use Map
9. Future Land Use Map
10. Notification Area Map
11. Public Responses (None received as of 12/8/2021)



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

*If proposed zoning designation is not in compliance with land use, an application to change land use will also be required.

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

Property Owner(s) Name: MOOCHING K, LTD Date: November 9, 2021

Address: PO Box 2281

City/State/Zip: Harker Heights TX 76548

Phone: [REDACTED] E-mail: [REDACTED]

Legal Description of Property:

Location of Property (Address if available): E. of Airport 208242 Sof

Lot: _____ Block: _____ Subdivision: _____

Acres: .26 uppl Property ID: 58974 Survey: A1086BC WE HALL, ACRES 3.517

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Duplex (Amend ORDINANCE NO. 2021-09)

Current Zoning Classification: B3 Proposed Zoning: R2

Current Land Use: Vacant Community Center (uppl) Proposed Land Use: POD (PO R w/ R2) uppl

Applicant's Representative (if applicable):

Applicant's Representative: Chris Doose, Flintrock Builders

Phone: 512-944-4820 E-Mail: chris@flintrockbuilders.com

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

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

Cody W. Sulaty CPA (Authorized Agent)
Printed Name of Property Owner

[Signature]
Signature of Property Owner

Chris Doose
Printed Name of Representative

[Signature]
Signature of Representative



SWORN AND SUBSCRIBED BEFORE ME ON THIS 9 DAY OF November, 20 21

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/3/24

Date Submitted: 11.10.21 **STAFF ONLY -- DO NOT FILL OUT BELOW** Receipt #: 01761271
 Received By: C. Jeye Pre-Application Meeting Case #: _____
 Revised: 9/2021

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A1086BC W E HALL, ACRES 3.517, PROPERTY ID #58974, GENERALLY LOCATED AT 600 ENCLAVE BLVD., HARKER HEIGHTS, BELL COUNTY, TEXAS.

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

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

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

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

SECTION 2: The hereinafter-described property, as previously zoned B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-	12/14/21	Granting R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.

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

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

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

ORDINANCE NO. 2021-09

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING PD-R ZONING ON PROPERTY DESCRIBED AS A1086BC W.E. HALL, ACRES 2.649, A0723BC J.M. ROBERTS, & A-1086 W.E. HALL, ACRES 3.003, A1086BC W.E. HALL, ACRES 7.917, AND CENTEX WASTE MANAGEMENT DEVELOPMENT PHASE TWO, BLOCK 001, LOT PT 4, (SW PT OF 4), ACRES 2.980, GENERALLY LOCATED EAST OF INDIAN TRAIL (FM 3423) DIRECTLY BEHIND HARKER HEIGHTS CENTRAL FIRE STATION, HARKER HEIGHTS, BELL COUNTY, TEXAS.

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

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

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

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

SECTION 2: The hereinafter-described property, as previously zoned of M-1 (Light Manufacturing) and R-2 Two Family Dwelling District), is hereby rezoned to PD-R (Planned Development Residential), and subject to the Conditions described in the attached Exhibit A (Z21-05 Conditions):

A1086BC W.E. Hall, Acres 2.649, A0723BC J.M. Roberts, & A-1086 W.E. Hall, Acres 3.003, A1086BC W.E. Hall, Acres 7.917, and Centex Waste Management Development Phase Two, Block 001, Lot Pt 4, (SW Pt of 4), Acres 2.980, generally located East of Indian Trail (FM 3423) directly behind Harker Heights Central Fire Station, Harker Heights, Bell County, Texas

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-09	03/09/21	Granting PD-R zoning on property described as A1086BC W.E. Hall, Acres 2.649, A0723BC J.M. Roberts, & A-1086 W.E. Hall, Acres 3.003, A1086BC W.E. Hall, Acres 7.917, and Centex Waste Management Development Phase Two, Block 001, Lot Pt 4, (SW Pt of 4), Acres 2.980, generally located East of Indian Trail (FM 3423) directly behind Harker Heights Central Fire Station, Harker Heights, Bell County, Texas

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

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

PASSED AND APPROVED on March 9, 2021.




CITY OF HARKER HEIGHTS, TEXAS:



Spencer H. Smith, Mayor

ATTEST:



Julie Helsham, City Secretary

Exhibit A

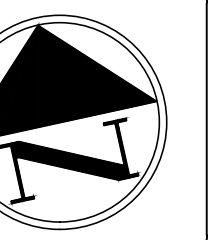
Z21-05 Conditions

1. A waiver is granted to allow a single access and secondary emergency access as depicted in the attached Concept Plan for The Enclave at Indian Trail subdivision.
2. The northern subdivision entrance shall be a minimum of 48 feet wide with a minimum 70-foot of right-of-way for a minimum distance of 200 feet from the intersection.
3. The southern subdivision entrance and internal streets shall be a minimum of 36 feet wide and shall be allowed to vary from a 60' ROW to a 56' ROW.
4. Any interior roadway not connected to a public street on both ends must have a turn around with a minimum radius of eighty (80) feet.
5. No units shall be constructed over existing utility mains or private service lines.
6. Maximize green spaces while minimizing the total amount of driveway coverage.
7. All front facing fences when located between units less than 12 feet apart must have a minimum 3-foot-wide gate.
8. If units are less than 12 feet apart, eaves between the units may not protrude beyond 16 inches from the wall.
9. Develop window configuration that break the line of sight between units.
10. Vary building placement to increase variation in facades and more articulated building edges.
11. Take advantage of existing topography and natural features (i.e., existing trees) to maintain appropriate grade levels consistent with surrounding structures and to enhance the aesthetics of the area.
12. The rear setback for all lots will be reduced from 20 feet to 10 feet.
13. The side yard setback on corner lots will be reduced from 15 feet to 10 feet.
14. The proposed Drainage Tracts A - E shall be dedicated to the City of Harker Heights for drainage and green space purposes.
15. The proposed Tract F shall be dedicated to the City of Harker Heights.
16. A structure constructed on Lot 1 may have the front doors not facing the roadway as long as the front doors are oriented to the east or west.
17. For Lots 4, 5, 6, 19, 20 and 21 the average lot width can be less than the 70 feet minimum if the front yard width at the right-of-way line is 50 foot or greater.
18. The planned development shall adhere to all other residential requirements as directed from the City of Harker Heights Code of Ordinances and all current and adopted Building Codes.

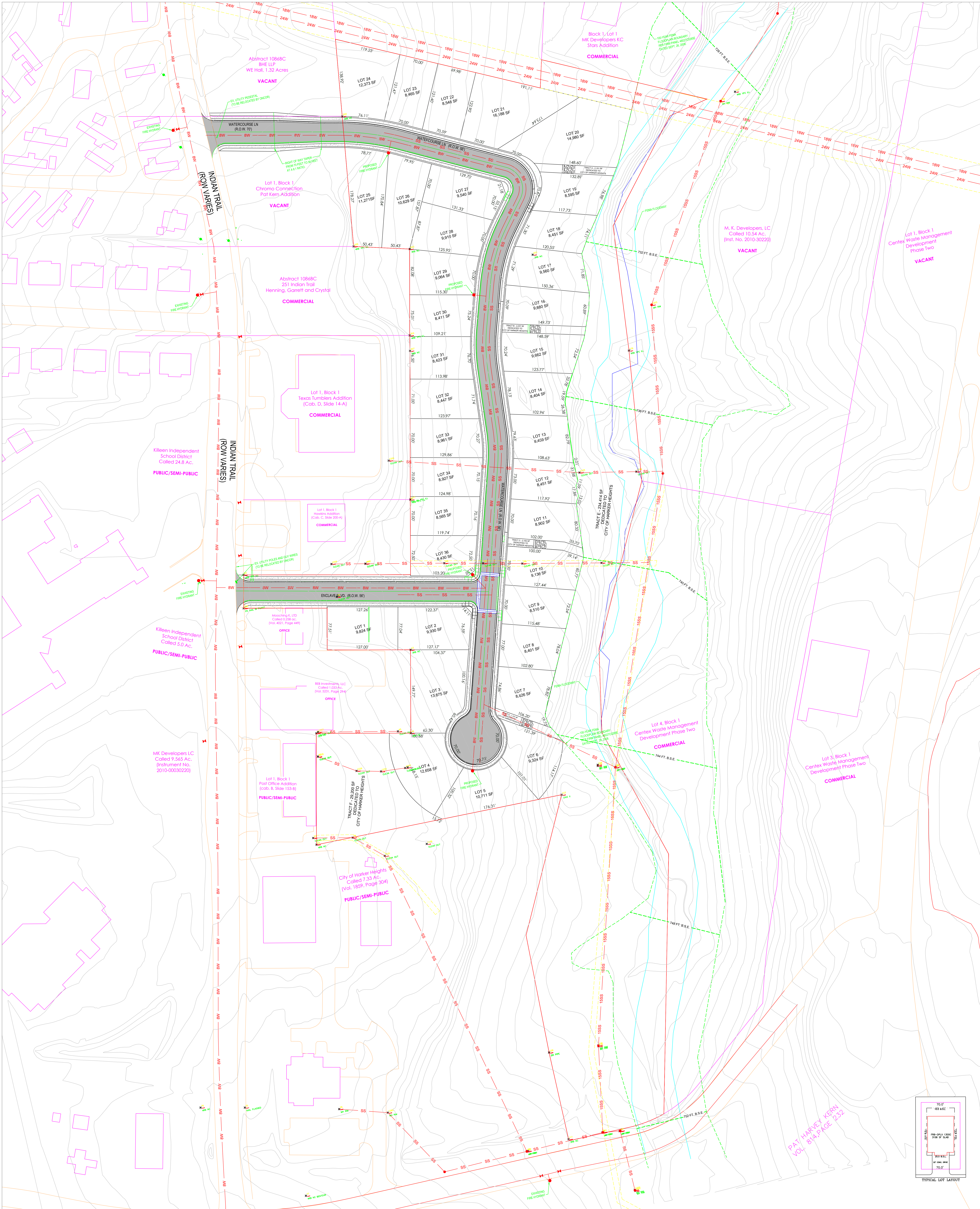
CONCEPT PLAN: THE ENCLAVE AT INDIAN TRAIL

Name: Flintrock Builders
 Record Owner: Terra Azul Developments, LLC
 Authorized Agent: Chris Doose
 Proposed Name: The Enclave at Indian Trail

SCALE: (IN FEET)
 1 inch = 50 ft.



NOTE:
 Fire Hydrants size & spacing in accordance with
 City of Harker Heights Code of Ordinances.



§ 155.023 R-2 TWO-FAMILY DWELLING DISTRICT.

(A) *Permitted uses.*

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

(2) Two-family or duplex dwelling.

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

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

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

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

(E) *Intensity of use.*

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

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

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

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

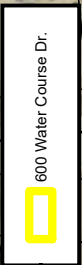
(H) *Signs.* Same as in R-1 district.

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

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

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

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



600 Water Course Dr.
 516
 510 512 700 Feet
 516
 510 512 700 Feet
 516
 510 512 700 Feet

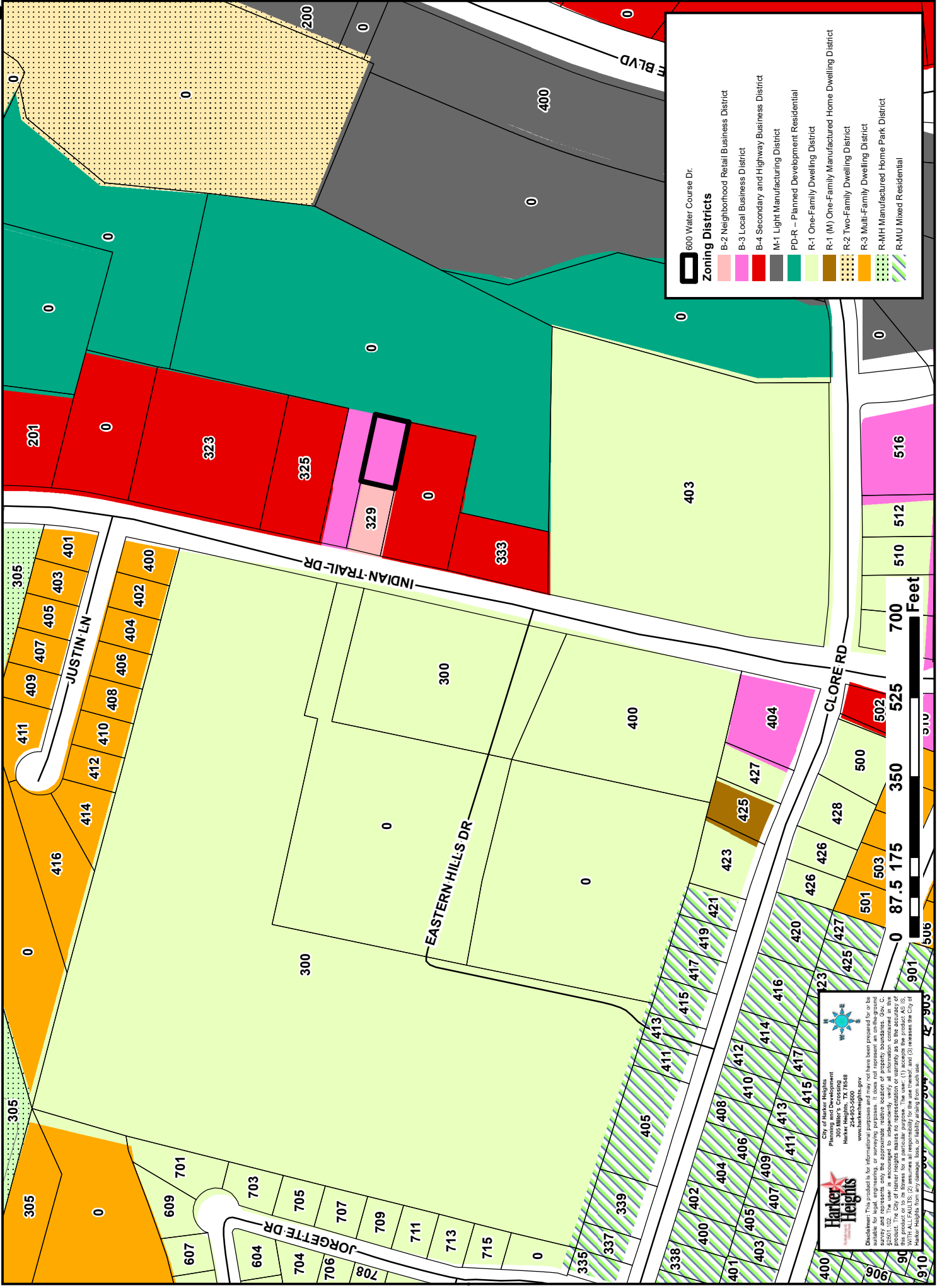
0 87.5 175 350 525 700 Feet

City of Harker Heights
 Planning and Development Department
 Harker Heights, TX 76148
 254-985-5600
 www.harkerheights.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-the-ground survey. The user assumes all responsibility for the accuracy of the information shown on this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or its fitness for a particular purpose. The user: (1) accepts the product as is; (2) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

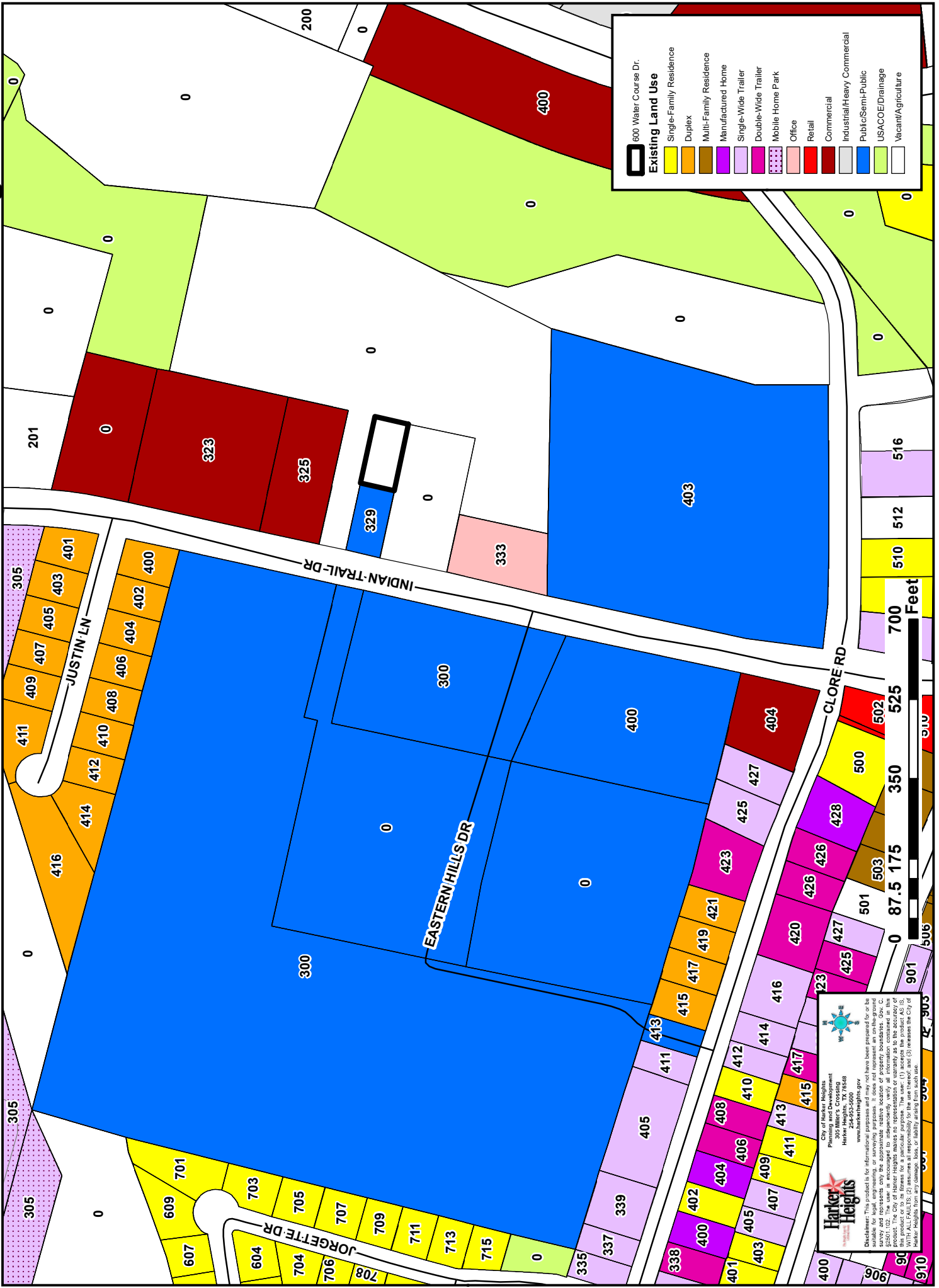
Zoning

Z21-32



Harker Heights
City of Harker Heights
Planning & Zoning Department
Harker Heights, TX 78568
254-985-5800
www.harkerheights.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-the-ground product. It represents only the approximate relative location of property boundaries. It is not intended to be used for any purpose other than general information. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product as is; (2) releases the City of Harker Heights from any damage, loss, or liability arising from such use; (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



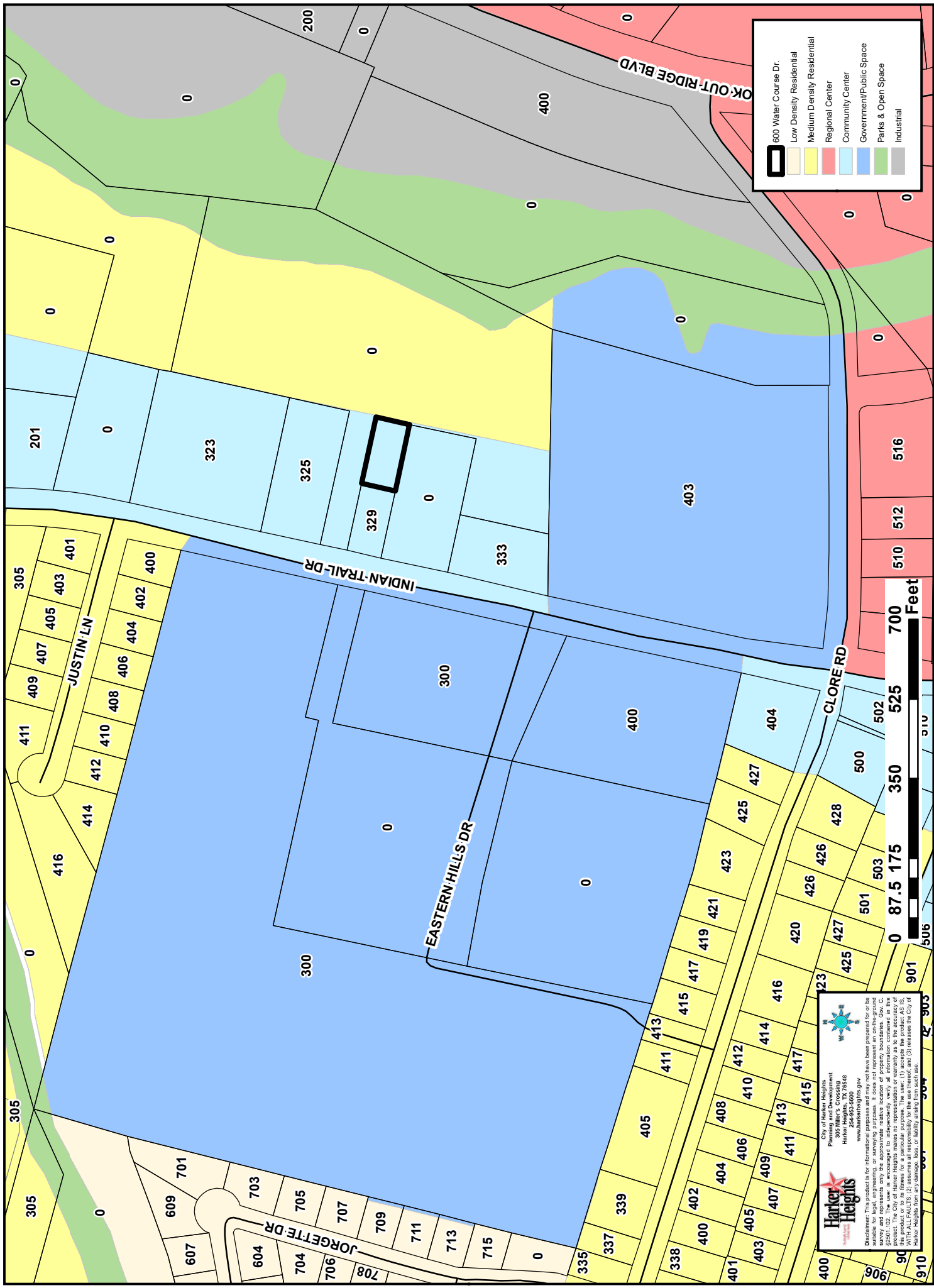
600 Water Course Dr.

Existing Land Use

- Single-Family Residence
- Duplex
- Multi-Family Residence
- Manufactured Home
- Single-Wide Trailer
- Double-Wide Trailer
- Mobile Home Park
- Office
- Retail
- Commercial
- Industrial/Heavy Commercial
- Public/Semi-Public
- USACOE/Drainage
- Vacant/Agriculture

City of Harker Heights
 Planning & Zoning Department
 305 Ballers Creekway
 Harker Heights, TX 78366
 28495-3600
 www.cityofharkerheights.com

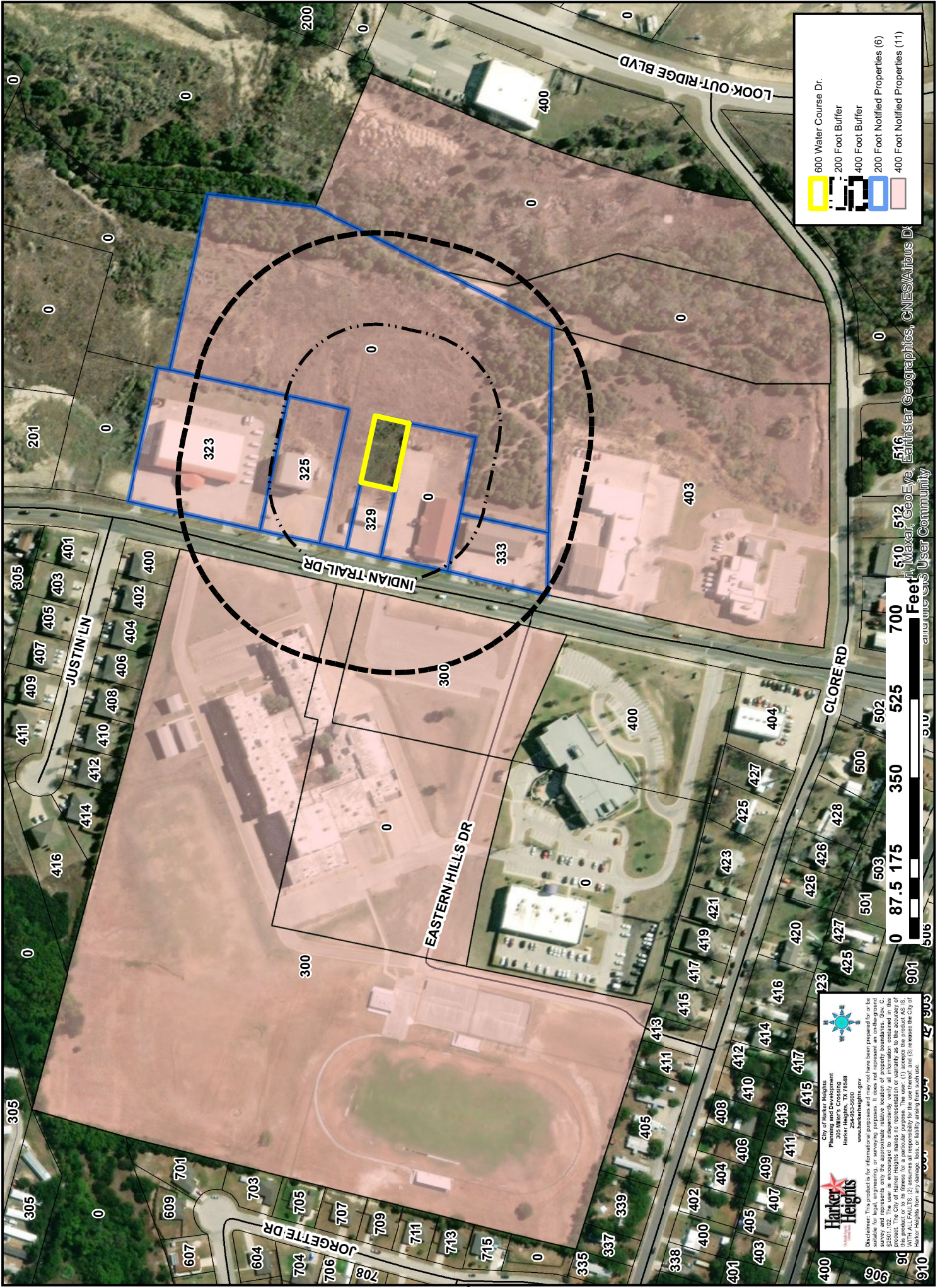
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	600 Water Course Dr.
	Low Density Residential
	Medium Density Residential
	Regional Center
	Community Center
	Government/Public Space
	Parks & Open Space
	Industrial

Harker Heights
 City of Harker Heights
 Planning & Zoning Department
 Harker Heights, TX 78566
 254-955-5600
 www.harkerheights.com

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600 Water Course Dr.
 200 Foot Buffer
 400 Foot Buffer
 200 Foot Notified Properties (6)
 400 Foot Notified Properties (11)



Harker Heights
 City of Harker Heights
 Planning & Zoning Department
 305 Ballers Creek
 Harker Heights, TX 78568
 254-985-5600
 www.harkerheights.com

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516
 510 512
 Maxar, GeoEye, Earthstar Geographics, CNES/Airbus D



CITY COUNCIL MEMORANDUM

Z21-32-F

AGENDA ITEM# VII-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO AMEND THE LAND USE PLAN BY CHANGING THE LAND USE DESIGNATION FROM COMMUNITY CENTER USE TO MEDIUM DENSITY RESIDENTIAL USE ON PROPERTY DESCRIBED AS A1086BC W E HALL, ACRES 3.517, PROPERTY ID #58974, GENERALLY LOCATED AT 600 ENCLAVE BLVD., HARKER HEIGHTS, BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant requested a change from the current zoning of B-3 (Local Business District) to R-2 (Two-Family Dwelling District) on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas. The current Land Use Plan shows this 0.26 acre parcel to be located within the Community Center land use designation. To keep the requested R-2 (Two-Family Dwelling District) zoning compatible with the Land Use Plan, the land use designation will need to be amended to Medium Density Residential.

Surrounding Future Land Uses

Adjacent future land uses include:

	Future Land Plan
North	Community Center
South	Community Center
East	Medium Density Residential
West	Government/Public Space

The zoning designations included in Community Center land use include: B-1 (Office District), B-2 (Neighborhood Business District), B-3 (Local Business District and PD-B (Planned Development Business)). The zoning designations included in Medium Density Residential land use include: R-1 M (Manufactured Homes), R1-I (Single-Family Infill Dwelling District), R1-A (Single-Family Garden Home Residential District), R-2 (Two-Family Dwelling District), R2-I (Two-Family Infill Dwelling District), RT-1 (Townhouse Single-Family Dwelling District), R-MU (Mixed Residential), and R-MH (Manufactured Home Park District).

Flood Damage Prevention:

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

Notices:

Staff sent out eight (8) notices to property owners within the 400-foot notification area. As of December 8, 2021, zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommended approval to the Planning & Zoning Commission of an ordinance to amend the Land Use Plan by changing the land use designation from Community Center use to Medium Density Residential use on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on the following:

1. This action would amend the current Comprehensive Plan and Land Use Plan such that the proposed use would be compatible with the new R-2 zoning.
2. The proposed Medium Density Residential land use is compatible with new R-2 zoning in the neighborhood.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of an ordinance to amend the Land Use Plan by changing the land use designation from Community Center use to Medium Density Residential use on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.

ACTION BY CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove** an ordinance to amend the Land Use Plan by changing the land use designation from Community Center use to Medium Density Residential use on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas, based on staff's recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Application
2. Proposed Ordinance
3. Location Map
4. Future Land Use Map
5. Proposed Land Uses
6. Notification Area Map
7. Public Responses (None received as of 12/8/2021)



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

*If proposed zoning designation is not in compliance with land use, an application to change land use will also be required.

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

Property Owner(s) Name: MOOCHING K, LTD Date: November 9, 2021

Address: PO Box 2281

City/State/Zip: Harker Heights TX 76548

Phone: [REDACTED] E-mail: [REDACTED]

Legal Description of Property:

Location of Property (Address if available): E. of Airport 208242 S of

Lot: _____ Block: _____ Subdivision: _____

Acres: .26 up all Property ID: 58974 Survey: A1086BC WE HALL, ACRES 3.517

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Proposed Use: Duplex (Amend ORDINANCE NO. 2021-09)

Current Zoning Classification: B3 Proposed Zoning: RZ

Current Land Use: Vacant Community Center (up all) Proposed Land Use: POD (PO R w/ RZ) up all

Applicant's Representative (if applicable):

Applicant's Representative: Chris Doose, Flintrock Builders

Phone: 512-944-4820 E-Mail: chris@flintrockbuilders.com

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

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

Cody W. Sulaty CPA (Authorized Agent)
Printed Name of Property Owner

[Signature]
Signature of Property Owner

Chris Doose
Printed Name of Representative

[Signature]
Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9 DAY OF November, 2021

[Signature]
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/3/24



Date Submitted: 11.10.21
Received By: C. Jeye

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

Receipt #: 01761271
Case #: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING THE LAND USE PLAN BY CHANGING THE LAND USE DESIGNATION FROM 'COMMUNITY CENTER' USE TO 'MEDIUM DENSITY RESIDENTIAL' USE ON PROPERTY DESCRIBED AS A1086BC W E HALL, ACRES 3.517, PROPERTY ID #58974, GENERALLY LOCATED AT 600 ENCLAVE BLVD., HARKER HEIGHTS, BELL COUNTY, TEXAS.

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

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

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

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

SECTION 2: The hereinafter-described property, as previously designated 'Community Center' use to a 'Medium Density Residential' use on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-	12/14/21	Amending the Land Use Plan by changing the land use designation from 'Community Center' use to a 'Medium Density Residential' use on property described as A1086BC W E Hall, Acres 3.517, Property ID #58974, generally located at 600 Enclave Blvd., Harker Heights, Bell County, Texas.

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

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

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.

CITY OF HARKER HEIGHTS, TEXAS:

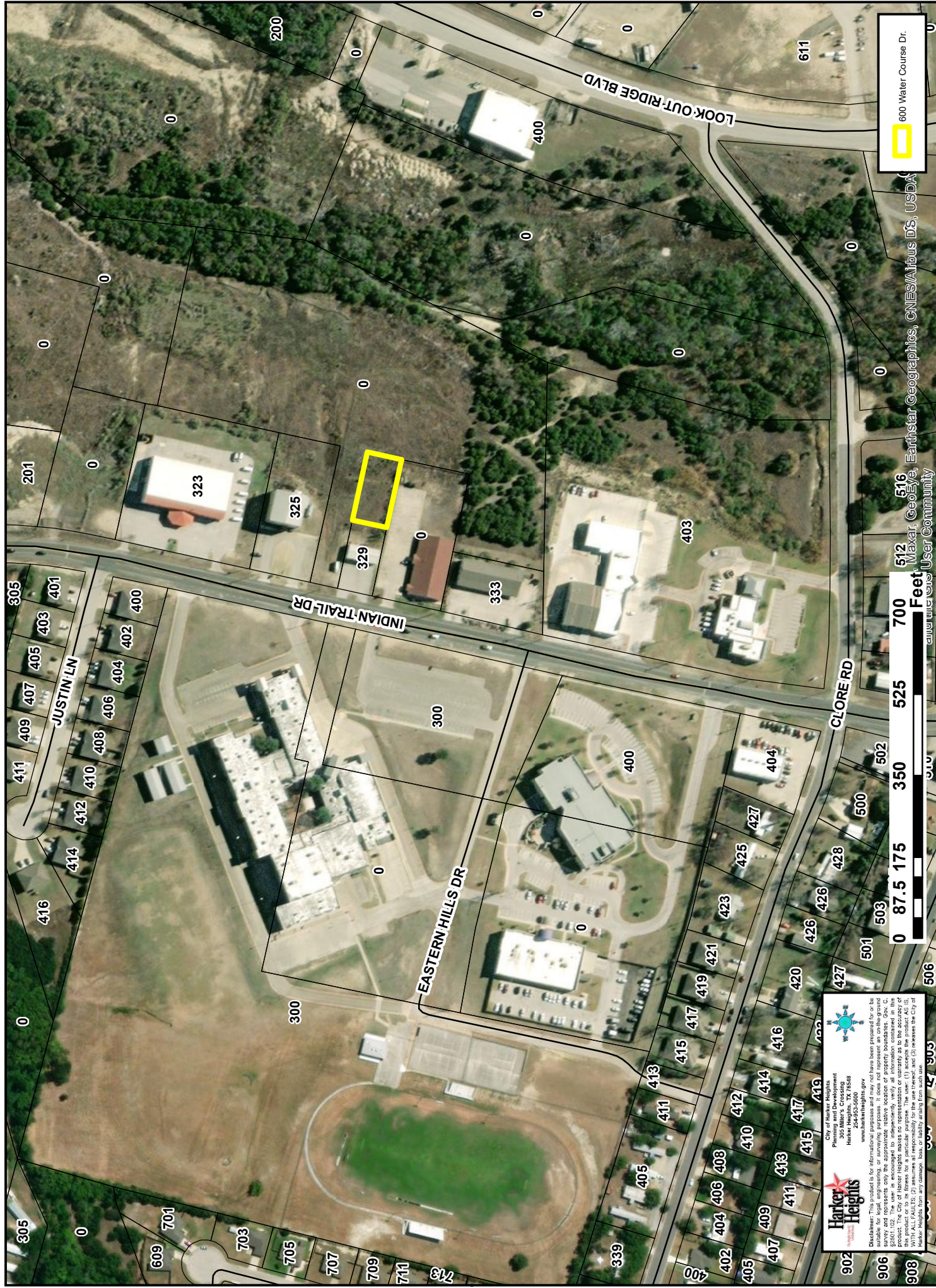
Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Z21-32-F

Location



600 Water Course Dr.

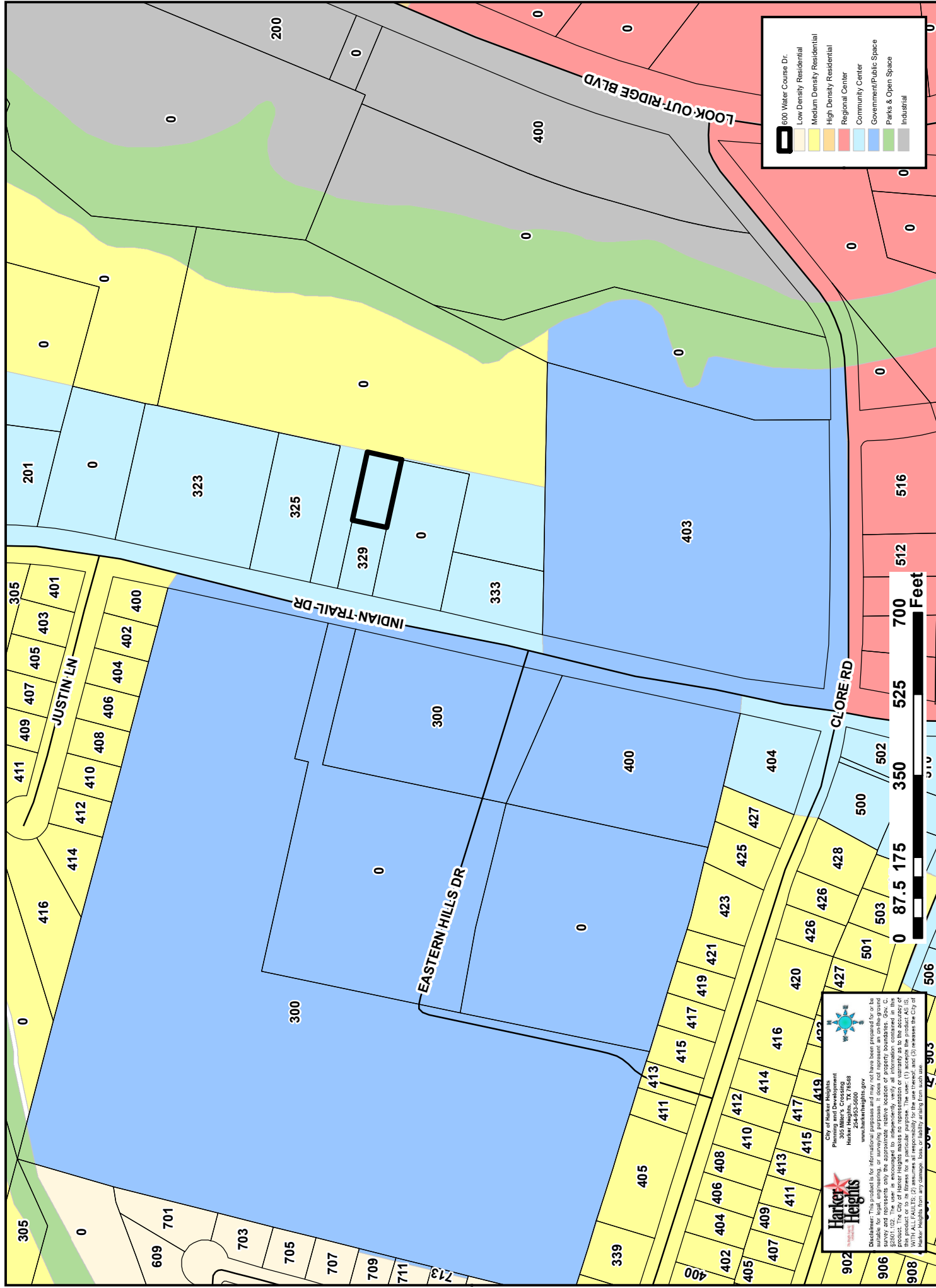
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Harker Heights
 City of Harker Heights
 Planning & Zoning Department
 305 Baller's Court
 Harker Heights, TX 78566
 254-985-5600
 www.harkerheights.com

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600 Water Course Dr.

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

Harker Heights
 Planning & Development
 305 Ballers Court
 Harker Heights, TX 78566
 254-955-5800
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PROPOSED LAND USES

Medium Density Residential

- Medium Density Residential designation provides for attached dwelling units (as well as detached) such as duplexes and townhomes and may include smaller lot single-family dwelling units. Neighborhoods should promote walkability and connectivity. Parks and open spaces may help to buffer or to create a centralized focal point for community space within these types of neighborhoods. Medium Density development may most appropriately be located within or near neighborhood commercial uses as a buffer between Low Density Residential.

Appropriate Zoning District

- **R1-M** Manufactured Homes
- **R1-I** Single Family Infill Dwelling*
- **R1-A** Single Family Garden Home
- **R-2** Two Family Dwelling
- **R2-I** Two Family Infill Dwelling*
- **RT-1** Townhouse Single Family Dwelling
- **R-MU** Mixed Use Residential
- **R-MH** Manufactured Home Park



PROPOSED LAND USES

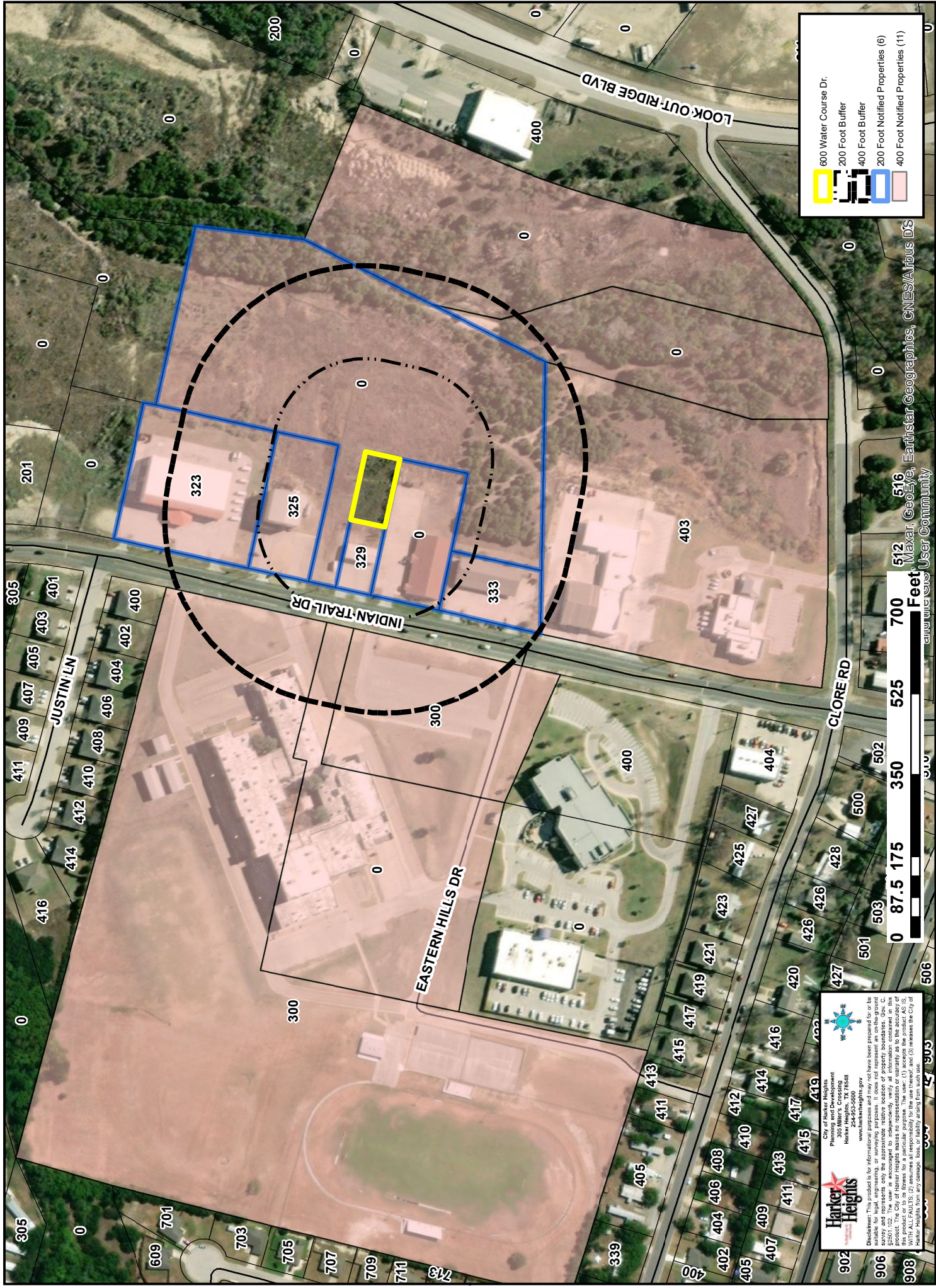
Community Centers

- Community Center developments provide local retail, professional office, and service-oriented businesses. Due to their nature, retail uses are typically dependent upon higher traffic volumes and have traditionally been located along major arterial roadways or locations with the highest visibility. Community Centers are intended to directly serve the local community and meet individual neighborhood needs. These areas should be strategically located near residential developments and connectivity and integration with residential neighborhoods should be encourage.

Appropriate Zoning District

- **B-1** Office District
- **B-2** Neighborhood Business District
- **B-3** Local Business District
- **PD-B** Planned Development Business





600 Water Course Dr.
200 Foot Buffer
400 Foot Buffer
200 Foot Notified Properties (6)
400 Foot Notified Properties (11)



City of Harker Heights
Planning & Zoning Department
Harker Heights, TX 78568
254-985-5600
www.cityofharkerheights.com

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512 Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, 516 User Community



CITY COUNCIL MEMORANDUM

Z21-33

AGENDA ITEM# VII-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, TO CHANGE THE ZONING DESIGNATION FROM R-1 (ONE FAMILY DWELLING DISTRICT) TO B-2 (NEIGHBORHOOD RETAIL DISTRICT) ON PROPERTY DESCRIBED AS A0413BC J T & W J HALLMARK, 8, ACRES 3.296, PROPERTY ID #433988, GENERALLY LOCATED AT 1340 E. KNIGHT’S WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas. According to the Bell County Tax Records, the property consists of approximately 3.3 acres, with an existing building constructed in 1962 that is approximately 6,600 square feet.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant Single-Family Residence	Community Center	B-4 (Secondary and Highway Business District)
South	Single-Family Residence	Low Density Residential	PD-R (Planned Development Residential)
East	Retail Public/Semi-Public	Community Center	R-1 (One-Family Dwelling District)
West	Commercial	Community Center	R-1 (One-Family Dwelling District) M-1 Light Manufacturing District

The most recent use of this property was a church/place of worship. The current Land Use Plan identifies this area being designated as ‘Community Center’ use. Staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the City of Harker Heights’ current Comprehensive Plan and Land Use Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out fifty-two (52) notices to property owners within the 400-foot notification area. As of December 8, 2021, six (6) responses were received in favor of the request, and one (1) response was received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommended approval to the Planning & Zoning Commission of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas, based on the following:

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

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas, based on staff’s recommendation and findings.

ACTION BY CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove** an ordinance to change the zoning designation from R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas, based on staff’s recommendation and findings.
2. Any other action deemed necessary.

ATTACHMENTS:

- | | |
|-------------------------|--------------------------|
| 1. Application | 6. Existing Land Use Map |
| 2. Proposed Ordinance | 7. Future Land Use Map |
| 3. B-2 Zoning Ordinance | 8. Notification Area Map |
| 4. Location Map | 9. Public Responses |
| 5. Zoning Map | |



Rezoning Request Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

1. Pre-Application Meeting Scheduled
2. Payment of \$200.00 to the City of Harker Heights

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

Property Owner(s) Name: JAMES D MAGILL **Date:** 11-10-21
Address: 1246 FM 3219
City/State/Zip: Harker Heights TX 76548
Phone: [REDACTED] **E-mail:** _____

Legal Description of Property:

Location of Property (Address if available): 1340 E Knights Way Harker Heights TX 76548
Lot: _____ **Block:** _____ **Subdivision:** _____
Acres: 3.296 **Property ID:** 433988 **Survey:** A0413BC JT 'WJ Hallmark
For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes. 3,296 acres

Proposed Use: Daycare
Current Zoning Classification: R1 **Proposed Zoning:** B2
Current Land Use: Residential **Proposed Land Use:** DAY care

Applicant's Representative (if applicable):

Applicant's Representative: Renter
Phone: _____ **E-Mail:** _____

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

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

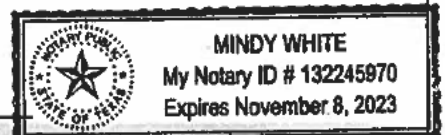
James Dennis Magill [Signature]
 Printed Name of Property Owner Signature of Property Owner

 Printed Name of Representative Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 10th DAY OF November, 2021

Mindy White
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: November 8, 2023



Date Submitted: 11.10.21

STAFF ONLY - DO NOT FILL OUT BELOW

Received By: C. Feje

Pre-Application Meeting

Receipt #: 01761329

Case #: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING B-2 (NEIGHBORHOOD RETAIL DISTRICT) ON PROPERTY DESCRIBED AS A0413BC J T & W J HALLMARK, 8, ACRES 3.296, PROPERTY ID #433988, GENERALLY LOCATED AT 1340 E. KNIGHT’S WAY (E. FM 2410), HARKER HEIGHTS, BELL COUNTY, TEXAS.

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

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

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

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

SECTION 2: The hereinafter-described property, as previously zoned R-1 (One-Family Dwelling District) to B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-	12/14/21	Granting B-2 (Neighborhood Retail District) on property described as A0413BC J T & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight’s Way (E. FM 2410), Harker Heights, Bell County, Texas.

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

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

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

§ 155.029 B-2 NEIGHBORHOOD RETAIL DISTRICT.

(A) *Permitted uses.*

- (1) Any use permitted in the B-1 District that is permitted by right.
- (2) Household appliance sales.
- (3) Bakery shop (retail sales only).
- (4) Cleaning or laundry (pickup station).
- (5) Cleaning or laundry (self service) using fully automatic equipment, as follows:
 - (a) Washer, capacity of not more than 40 pounds.
 - (b) Dryers or extractor, capacity of not more than 60 pounds.
 - (c) Dry-cleaning machines.
- (6) Custom personal service shops, such as health studio, answering service, typing service, tailor, employment agency, FM piped music service, letter or mailing service, secretarial service, or pharmacy.
- (7) Drugstore or pharmacy.
- (8) Florist (retail): Retail sales of flowers and small plants. No flower or plant raising or outside display or storage.
- (9) Home for the aged or nursing home.
- (10) All child care facilities except commercial boarding homes.
- (11) Real estate office.
- (12) Restaurant or café (no drive-in service).
- (13) Retail store, (other than listed): Offering all types of personal consumer goods for retail sales.
- (14) Studio for photography, interior decoration, fine arts instruction, or sales of art objects.
- (15) Low impact telecommunication tower.

(B) *Conditional uses.*

- (1) Any use permitted in a more restricted district that is permitted by a conditional use permit.
- (2) Electric utility substation.
- (3) Grocery store (drive-in).
- (4) Ice retail distributing station, no manufacture, and capacity not to exceed five tons storage.

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

(D) *Area regulations.* As per Table 21-A.

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

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

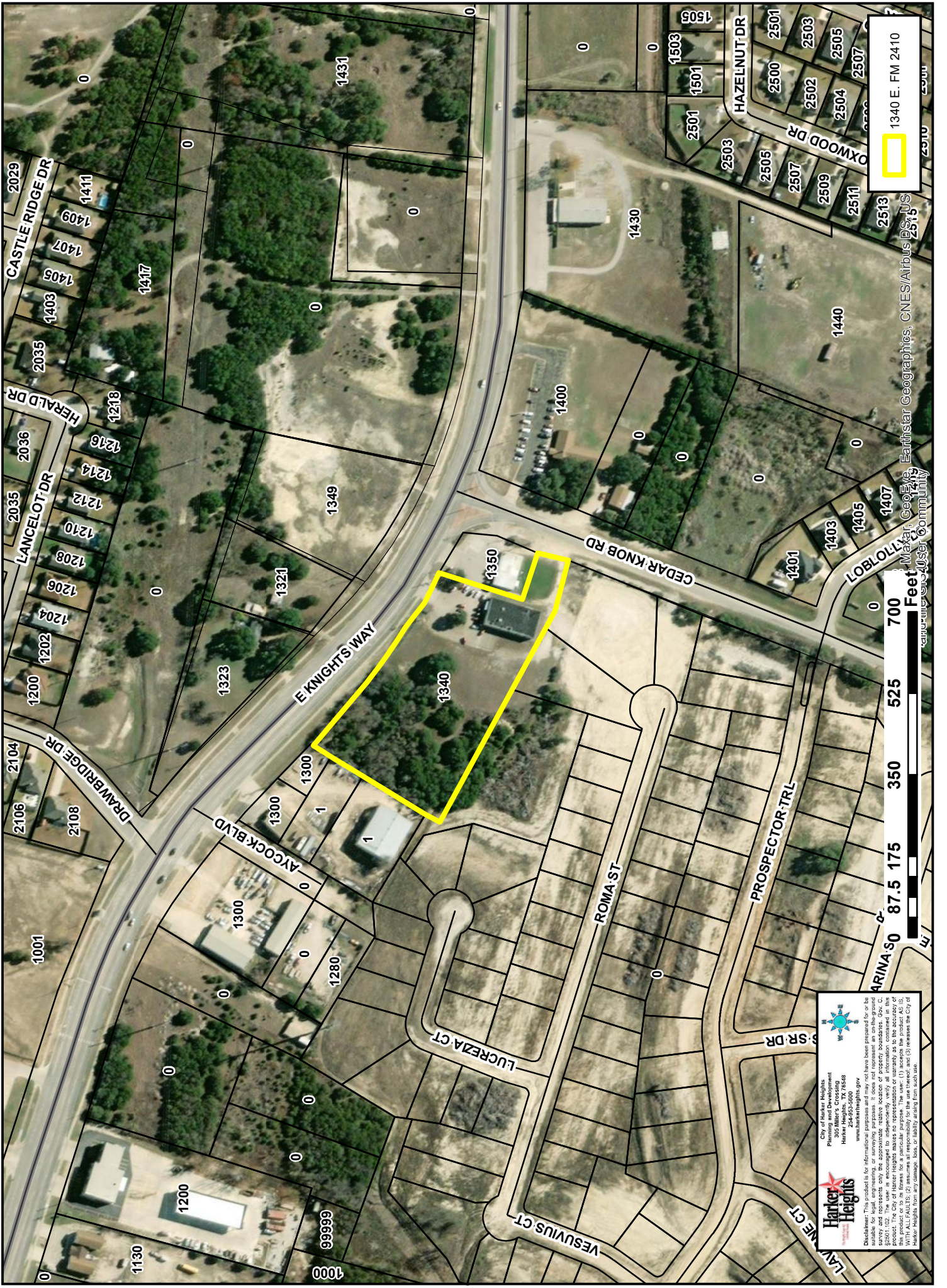
(G) *Signage.* As per Chapter 151.

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

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

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

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



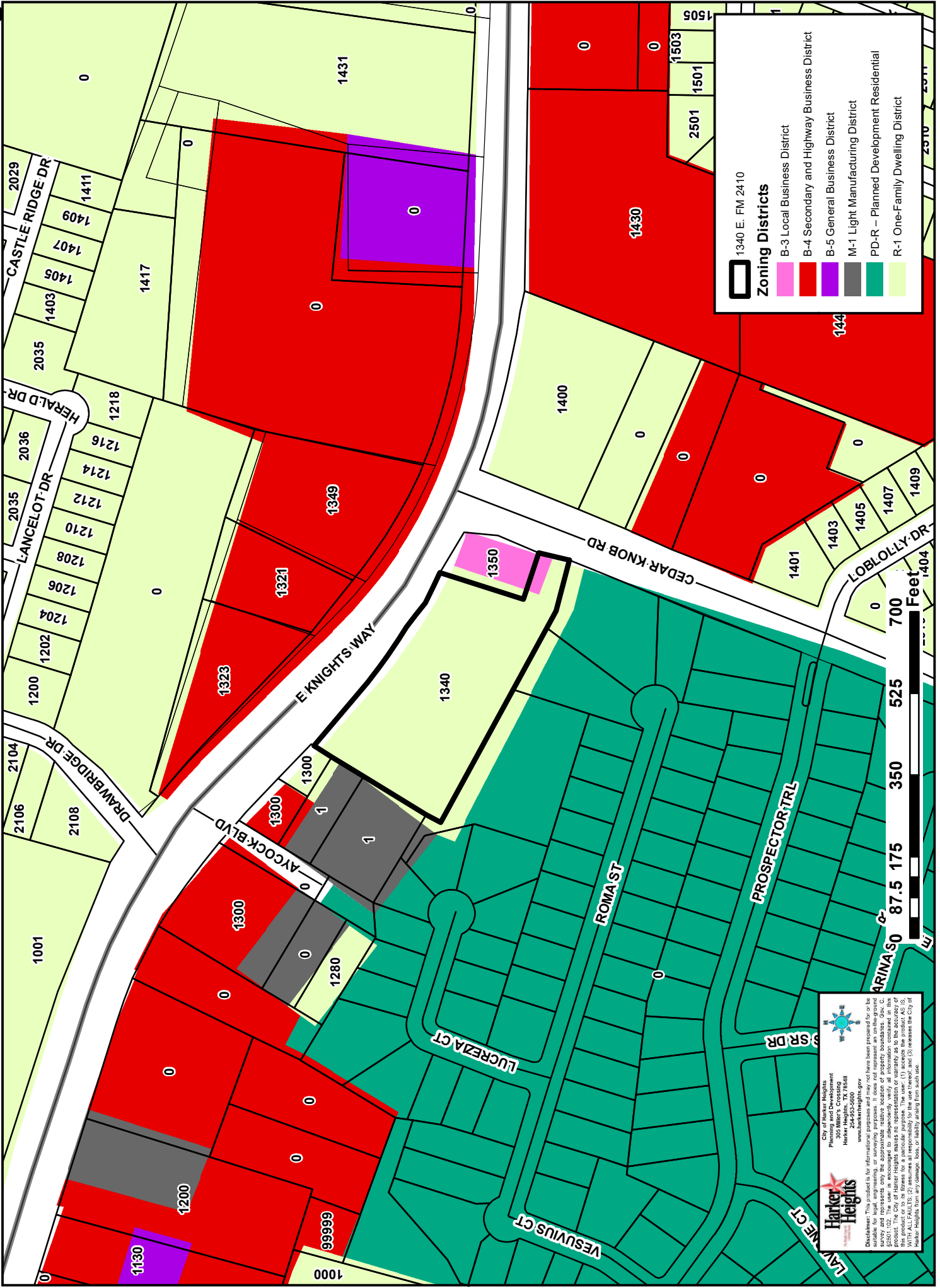
City of Harker Heights
 Planning and Development
 350 Baker's Crosspoint
 Harker Heights, TX 78346
 2848553600
 www.cityofharkeheights.com

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1340 E. FM 2410

Map User Community
 GeoEye
 Earthstar Geographics, CNES/Airbus DS, USDA
 Imagery



1340 E. FM 2410

Zoning Districts

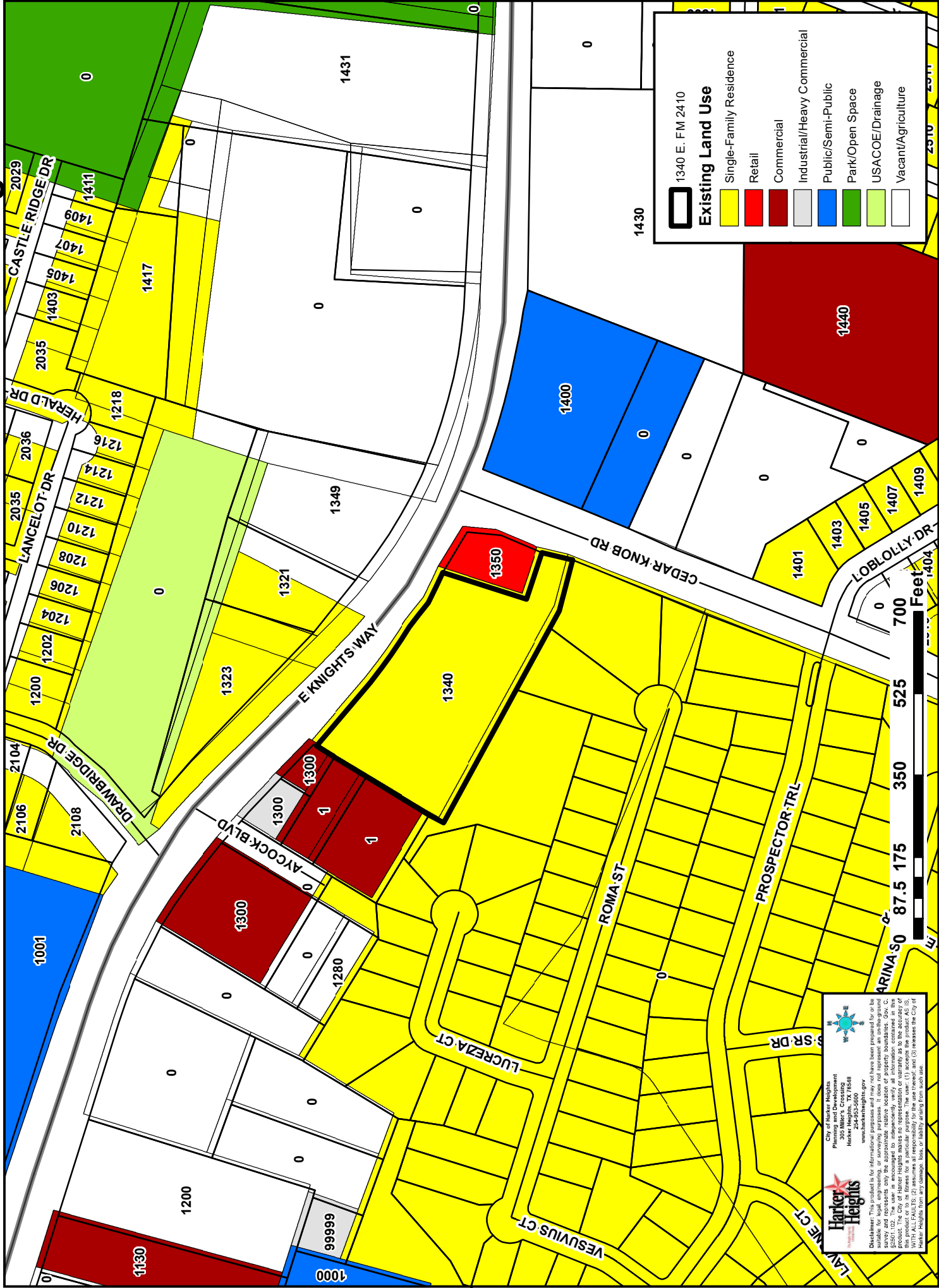
- B-3 Local Business District
- B-4 Secondary and Highway Business District
- B-5 General Business District
- M-1 Light Manufacturing District
- PD-R - Planned Development Residential
- R-1 One-Family Dwelling District



City of Harker Heights
 Planning & Zoning Department
 305 Bluffs Creekway
 Harker Heights, TX 78366
 2848553600
 www.cityofharkeheights.com

Harke Heights

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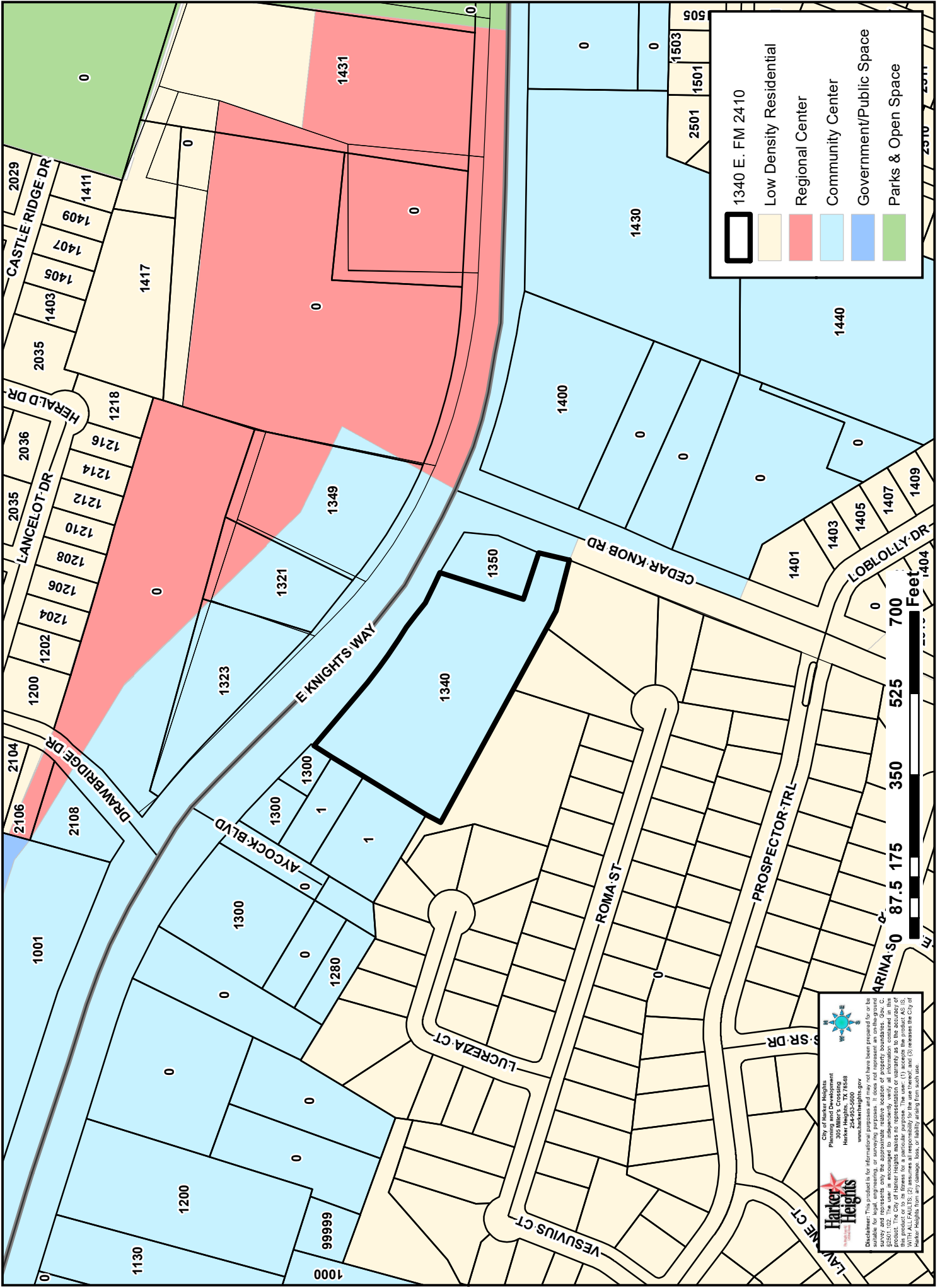
1340 E. FM 2410

Existing Land Use

- Single-Family Residence
- Retail
- Commercial
- Industrial/Heavy Commercial
- Public/Semi-Public
- Park/Open Space
- USACOE/Drainage
- Vacant/Agriculture

City of Harker Heights
 Planning & Zoning Department
 305 Ballers Creekway
 Harker Heights, TX 78768
 254-985-5600
 www.harkerheights.com

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1340 E. FM 2410

- Low Density Residential
- Regional Center
- Community Center
- Government/Public Space
- Parks & Open Space

Harker Heights
 Planning and Development
 305 Ballers Court
 Harker Heights, TX 78566
 254-985-5800
 www.harkerheights.gov

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SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: COOPER & BRIGHT LAND LLC

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

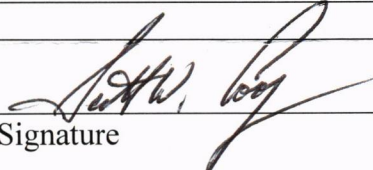
Physical Address	Property ID
1280 E FM 2410	348673

RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District)** to **B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & WJ Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

Scott W. Cooper
Printed Name


Signature

11-29-21
Date

Received
DEC 01 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: COOPER & BRIGHT LAND LLC

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

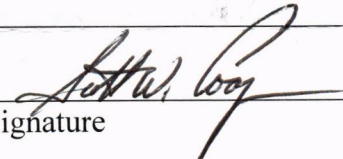
Physical Address	Property ID
1300 FM 2410	207008

RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District)** to **B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & WJ Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

Scott W. Cooper
Printed Name


Signature

11-29-21
Date

Received
DEC 01 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SHAYAN ENTERTAINMENT LLC

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

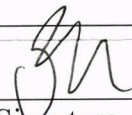
Physical Address	Property ID
1349 FM 2410	448490

RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District)** to **B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

Shan Hqn
Printed Name


Signature

11/24/21
Date

Received
NOV 30 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: COOPER & BRIGHT LAND LLC

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

Physical Address	Property ID
N/A	210971

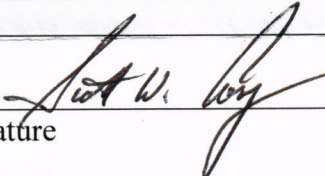
RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Scott W. Cooper
Printed Name


Signature

11-29-21
Date

Received
DEC 01 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

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

FROM: AYCOCK CONSTRUCTION INC

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

Physical Address	Property ID
N/A	505020

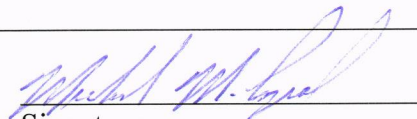
RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & WJ Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Michael M. Aycock
Printed Name


Signature

12/1/2021
Date

Received
DEC 01 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

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

FROM: SMUDGE PROPERTIES LLC SERIES 101

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

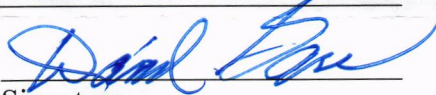
Physical Address	Property ID
1321 E FM 2410	118784

RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & W J Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

David Barr
Printed Name *President*


Signature

11-30-21
Date

Received
DEC 03 2021
Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SMUDGE PROPERTIES LLC SERIES 101

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

Physical Address	Property ID
1323 FM 2410	392979

RE: application to consider a request for zoning designation change from **R-1 (One Family Dwelling District) to B-2 (Neighborhood Retail District)** on property described as *A0413BC JT & WJ Hallmark, 8, Acres 3.296, Property ID #433988, generally located at 1340 E. Knight's Way (E. FM 2410), Harker Heights, Bell County, Texas, (see attached notification map).*

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

Comments:

David Barr
Printed Name *President*

David Barr
Signature

11-30-21
Date

Received

DEC 03 2021

Planning & Development



CITY COUNCIL MEMORANDUM

Z21-34

AGENDA ITEM# VII-4

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING ORDINANCE 2021-52 TO INCLUDE PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (N PT OF 63), ACRES 0.608, PROPERTY ID #489292, AND LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (63, LESS N PT), ACRES 4.982, PROPERTY ID #489291, GENERALLY LOCATED AT 11511 HIGHVIEW DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND LOCALLY KNOWN AS 11511 HIGHVIEW DRIVE, BELTON, TEXAS; APPLYING THE SAME CONDITIONS; AND ALLOWING FOR A SINGLE ACCESSORY DWELLING UNIT BETWEEN THE TWO PARCELS; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

This case is brought forth to correct a scrivener’s error from zoning case Z21-25 that was recommended for approval by the Planning & Zoning Commission at the October 27, 2021 meeting, and approved by City Council at the November 9, 2021 meeting. The applicant owns two adjacent lots where a house is being constructed. Only one lot was advertised as being considered for re-zoning in case Z21-25.

The applicant is requesting a change from the current zoning of R-1 (One Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.

According to the building permit application, the main living structure will consist of 5,182 square feet and the proposed accessory dwelling unit will consist of 1,383 square feet, with an area of 846 square feet being dedicated to living space.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District
South	Vacant; Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District
East	Single Family Residence	Residential Estate	R-1 One-Family Dwelling District
West	Vacant; Single-Family Residence	Residential Estate	R-1 One-Family Dwelling District

The 2021 Future Land Use Map identifies this area is designated for Residential Estate, Staff believes the proposed rezoning with its intended use will not likely have any adverse impact on the neighborhood and would be consistent with the City of Harker Heights' current Comprehensive Plan and Land Use Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out sixteen (16) notices to property owners within the 400-foot notification area. As of December 8, 2021, four (4) responses were received in favor of the request, and zero (0) responses were received in opposition of the request. Any additional responses received after the above date will be provided during the meeting.

RECOMMENDATION:

Staff recommended approval to the Planning & Zoning Commission of an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas, subject to the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 1,500 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

The above recommendation is based on the following:

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

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of an ordinance amending Ordinance 2021-52 to include property described as Lakeside Hills Section Two, Lot Tract Pt 63, (N Pt of 63), Acres 0.608, Property Id #489292, and Lakeside Hills Section Two, Lot Tract Pt 63, (63, less N Pt), Acres 4.982, Property Id #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas; applying the same conditions; and allowing for a single accessory dwelling unit between the two parcels; based on staff's recommendation and findings.

ACTION BY CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove** an ordinance amending Ordinance 2021-52 to include property described as Lakeside Hills Section Two, Lot Tract Pt 63, (N Pt of 63), Acres 0.608, Property Id #489292, and Lakeside Hills Section Two, Lot Tract Pt 63, (63, less N Pt), Acres 4.982, Property Id #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas; applying the same conditions; and allowing for a single accessory dwelling unit between the two parcels; based on staff's recommendation and findings.

2. Any other action deemed necessary.

ATTACHMENTS:

1. Proposed Ordinance
2. Ordinance #2021-52
3. Application
4. Letter of Intent
5. Site Plans & Building Plans
6. Ordinances
7. Location Map
8. Zoning Map
9. Existing Land Use Map
10. Future Land Use Map
11. Notification Area Map
12. Public Responses

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING ORDINANCE 2021-52 TO INCLUDE PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (N PT OF 63), ACRES 0.608, PROPERTY ID #489292, AND LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (63, LESS N PT), ACRES 4.982, PROPERTY ID #489291, GENERALLY LOCATED AT 11511 HIGHVIEW DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND LOCALLY KNOWN AS 11511 HIGHVIEW DRIVE, BELTON, TEXAS; APPLYING THE SAME CONDITIONS ; AND ALLOWING FOR A SINGLE ACCESSORY DWELLING UNIT BETWEEN THE TWO PARCELS.

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

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

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

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

SECTION 2: The hereinafter-described property, amending Ordinance 2021-52 to include property described as Lakeside Hills Section Two, Lot Tract Pt 63, (N Pt of 63), Acres 0.608, Property Id #489292, and Lakeside Hills Section Two, Lot Tract Pt 63, (63, less N Pt), Acres 4.982, Property Id #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas; applying the same conditions; and allowing for a single accessory dwelling unit between the two parcels.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-	12/14/21	Amending Ordinance 2021-52 to include property described as Lakeside Hills Section Two, Lot Tract Pt 63, (N Pt of 63), Acres 0.608, Property Id #489292, and Lakeside Hills Section Two, Lot Tract Pt 63, (63, less N Pt), Acres 4.982, Property

Id #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas; applying the same conditions; and allowing for a single accessory dwelling unit between the two parcels.

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

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

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

ORDINANCE NO. 2021-52

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT PT 63, (N PT OF 63), ACRES 0.608, PROPERTY ID #489292, GENERALLY LOCATED AT 11511 HIGHVIEW DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND LOCALLY KNOWN AS 11511 HIGHVIEW DRIVE, BELTON, TEXAS.

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

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

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

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

SECTION 2: The hereinafter-described property, as previously zoned R-1 (One Family Dwelling District) to R-1 (One Family Dwelling District) with a Conditional Use Permit (CUP) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas with the following conditions:

1. The accessory dwelling unit shall be used as a living space for a relative (not for rent).
2. The accessory dwelling unit will be located behind the front façade of the primary structure.
3. The accessory dwelling unit will gain access from the existing private driveway.
4. The accessory dwelling unit will have maximum gross foundation footprint of 1,500 square feet.
5. Approval of location of the accessory dwelling unit on the parcel must be received from Bell County Public Health prior to release of construction plans by the City.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
2021-52	11/09/21	Granting a Conditional Use Permit (CUP) on property described as Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas.

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

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

PASSED AND APPROVED by the City Council of the City of Harker Heights on November 9, 2021.

CITY OF HARKER HEIGHTS, TEXAS:



ATTEST:

Spencer H. Smith

 Spencer H. Smith, Mayor

Julie Helsham

 Julie Helsham, City Secretary



Conditional Use Permit Application

Requirements - MUST BE COMPLETE OR WILL NOT BE ACCEPTED

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

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

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

Property Owner(s) Name: Bradley and Lori Walker **Date:** Sep 29, 2021

Address: [REDACTED]

City/State/Zip: [REDACTED]

Phone: [REDACTED] **E-mail:** [REDACTED]

Legal Description of Property:

Location of Property (Address if available): 11511 Highview Drive, Belton, TX 76513

Lot: Lot Tract PT 63 Block: Subdivision: Lakeside Hills Section Two

Acres: 0.608 Property ID: 489292 Survey:

For properties not in a recorded subdivision please submit a copy of a current survey showing the property's proposed to be changed, and/or legal field notes.

Current Zoning Classification: R-1, One Family Dwelling District **Future Land Use Designation:** R-1 W/CUP
SFR, Single Family Residential

Applicant's Representative (if applicable):

Applicant's Representative: Brady Allison, Drews Hunt Builders

Phone: 512-535-8863 **E-Mail:** brady@drewshuntbuilders.com

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

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

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

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

BRADLEY K. WALKER
 Printed Name of Property Owner

BRADY ALLISON
 Signature of Property Owner

Bradley K. Walker
 Printed Name of Representative

[Signature]
 Signature of Representative

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 9/29/2021 Pre-Application Meeting Receipt #: 0174450

Received By: [Signature] Case #: _____



Drews Hunt Builders
1023 Canyon Creek Drive, Suite 100
Temple, TX 76502
Tel: 512-535-8863
Email: brady@drewshuntbuilders.com

Letter Of Intent

Wednesday, September 29, 2021

**RE: Conditional Use Permit Application
11511 Highview Drive
Belton, TX 76513**

To Whom It May Concern:

Drews Hunt Builders is planning to construct a new residence for Mr. Bradley and Lori Walker located at 11511 Highview Drive, Belton, TX 76513. Included in these plans is a detached "Mother-In-Law" suite designed to accommodate Lori's disabled sister. Lori's sister will be living with them in the detached MIL suite on the property fulltime. This information is being provided along with a Conditional Use Permit Application and a full set of construction drawings for the detached living quarters mentioned above.

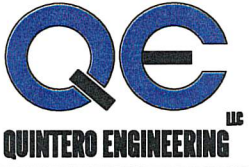
Please contact me with any further questions.

Sincerely,

Drews Hunt Builders

A handwritten signature in blue ink, appearing to read 'Brady Allison', is written over the printed name.

Brady Allison
Project Manager



QUINTERO ENGINEERING, LLC

CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT

415 E. AVENUE D, KILLEEN, TEXAS (254) 493-9962

T.B.P.E. FIRM REGISTRATION NO. 14709

T.B.P.L.S. REGISTRATION NO. 10194110

AL=195.72', R=727.89',
CB=S81°22'27"E,
CD=195.14' Δ=15°24'23"

**HIGHVIEW
DRIVE**

WATER
METER

WIRE FENCE

UTILITY POLE

SCALE: 1" = 100'

LEGEND

- 1/2" IRON ROD FOUND
- 1/2" IRON ROD SET W/ CAP
STAMPED "QUINTERO 10194110"

UNLESS OTHERWISE NOTED

Note:

Survey prepared without the benefit of title commitment, no further search for easements or restrictions has been made by this company. Easements that are aware of by this company have been shown.

This Survey is for the exclusive use of the current parties (buyer/seller for this transaction) and solely valid to convey title and may not be used or reproduced after the date of conveyance without the consent of the Surveyor.

Bearings and distances shown hereon are based upon Texas State Plane Coordinate System, Central Zone, NAD 83, per Leica Smart Net GPS observation.

SURVEYOR'S SKETCH of a survey made on the ground on **August 20, 2019**, of that certain tract of land located on Highview Drive, Belton, Texas, and being called **Lot Sixty Three (63), Lakeside Hills Section Two, Bell County, Texas**, according to the Plat of Record in **Cabinet A, Slide 43-C**, Plat Records of **Bell County, Texas**. There are no shortages of areas, visible encroachments, protrusions, or overlapping of improvements, except as shown or noted hereon. Only the information shown on the recorded plat was considered for this survey. **THIS SURVEY DOES NOT IMPLY ALL EASEMENTS AND SETBACK LINES HAVE BEEN RESEARCHED.** A review of all title records may find additional information.

(PLAT N 20° 31' 26" E - 1250.17')
N 20° 47' 27" E - 1250.64'

LOT 63

LOT 64

S 20° 16' 03" W - 1235.44'
(PLAT S 20° 18' 33" W - 1235.44')

LOT 62

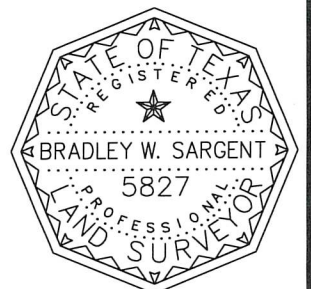
N 84° 47' 58" W - 209.76'
(PLAT N 84° 46' W - 210.00')

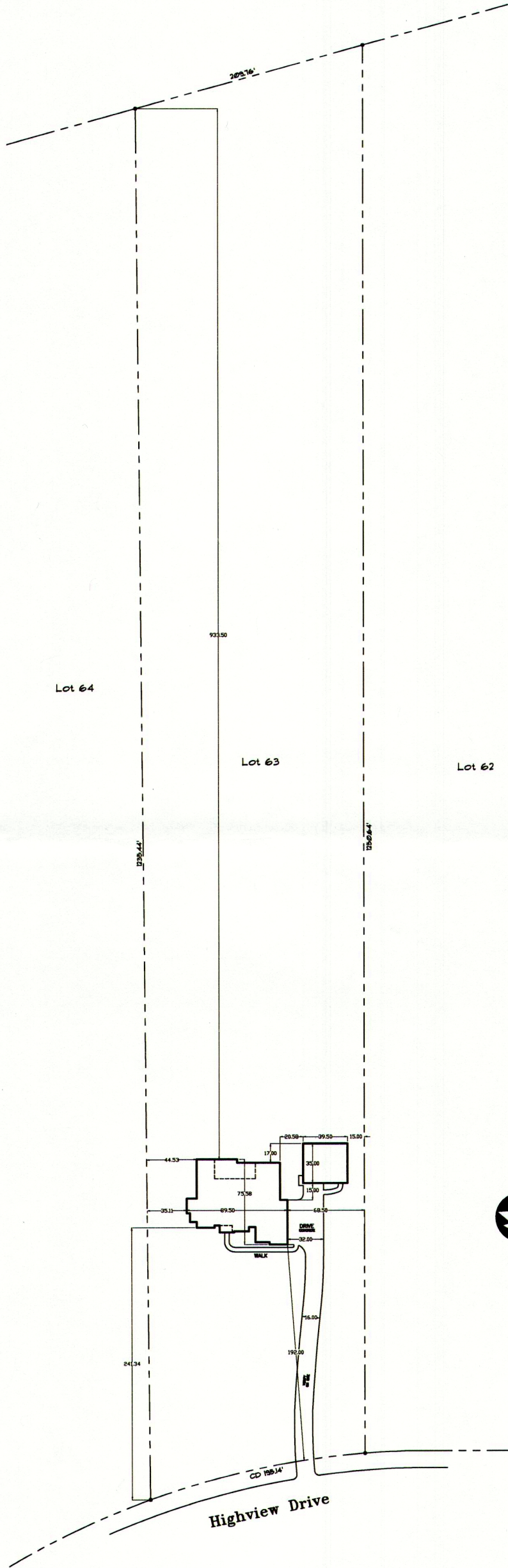
LOT 66
LAKESIDE HILLS
SECTION THREE
CABINET A, SLIDE 43-D

CALLLED 1.00 ACRE
CLYDE CLAREN HOWARD, JR.
VOLUME 3086, PAGE 556

Bradley W. Sargent 08/23/2019

Bradley W. Sargent, R.P.L.S.
Registered Professional Land Surveyor
R.P.L.S. No. 5827, Texas





VERIFY LOCATION OF HOUSE, DRIVEWAY, WALKS AND TREES BY GENERAL CONTRACTOR WITH OWNER ON SITE.

SITE LAYOUT

SCALE: 1" = 50'-0"

R.D. Chaplin and Associates, Architect and Planner, (Architect, Designer) is not an architectural or engineering /surveying firm and is not qualified or licensed to design structural framing and foundation plans. The design plan should be reviewed by a local architect or engineer to verify that the design plan meets all applicable building codes and structural requirements. This is not a survey. Designer has not reviewed any topographical data, including a survey, for compliance with deed restrictions and subdivision requirements and for zoning and zoning code compliance. All measurements shown on the drawing or site layout are based on the design plan. The designer shall be responsible for all measurements shown on the drawing or site layout. Only a qualified designer, architect, contractor or structural engineer should be notified of any variations from the dimensions and condition shown by the design or drawing. All measurements should be verified by the builder on job site.

Copyright 2019 R.D. Chaplin & Associates

SECRET
1
OF 7

New Residence for
Mr. & Mrs. Walker
Date: 03/25/21

R.D. Chaplin
and Associates
1814 W. Ave. L - TEMPLE, Texas, 76504
Office: - (254)-773-3025 Mobile: - (254)-718-6416
Email: rdchomeplans@gmail.com

DREWS HUNT BUILDERS
Drews Hunt Builders, LLC.
1023 Canyon Creek Dr. Suite #100
Temple, TX 76502
Office: 254.773.1067
Fax: 254.773.9538
www.drewshuntbuilders.com

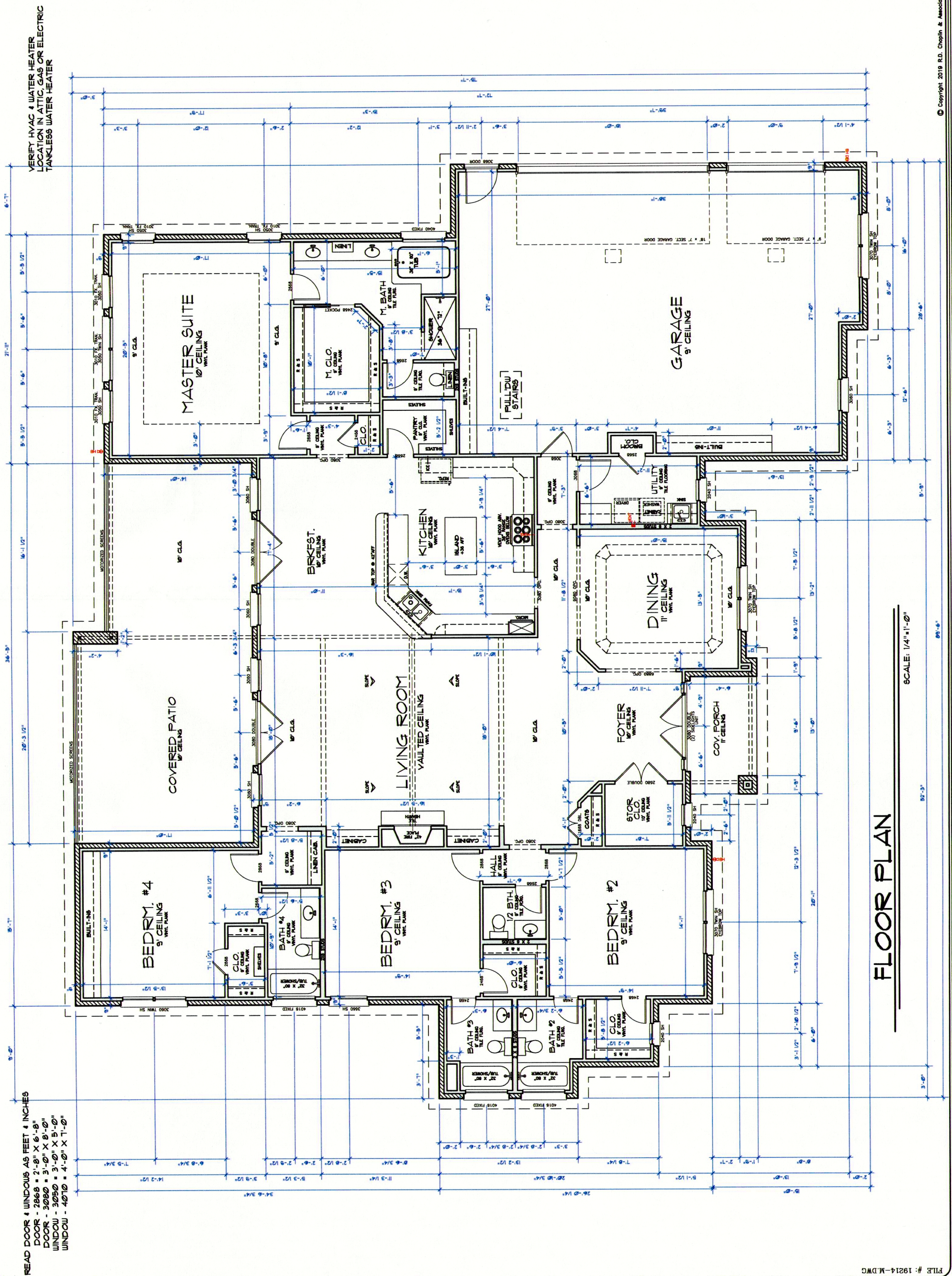
Mr. & Mrs. Walker
New Residence for

Date: 03/25/21

R.D. Chaplin
and Associates
1614 W. Ave. L - Temple, Texas, 76504
Office: - (254)-773-3025 Mobile: - (254)-718-6418
Email: rdchomeplans@gmail.com

DREWS HUNT BUILDERS
Drawn: Hunt Builders, LLC
1023 Canyon Creek Dr. Suite #100
Temple, TX 76702
Phone: 254.773.9538
www.drewhuntbuilders.com

LIVING:	3,478 SQFT
GARAGE:	1,060 SQFT
PORCHES:	644 SQFT
TOTAL:	5,182 SQFT



FLOOR PLAN

SCALE: 1/4"=1'-0"

READ DOOR & WINDOWS AS FEET & INCHES
DOOR - 2868 = 2'-8" X 6'-8"
DOOR - 3080 = 3'-0" X 8'-0"
WINDOW - 3050 = 3'-0" X 5'-0"
WINDOW - 4010 = 4'-0" X 1'-0"

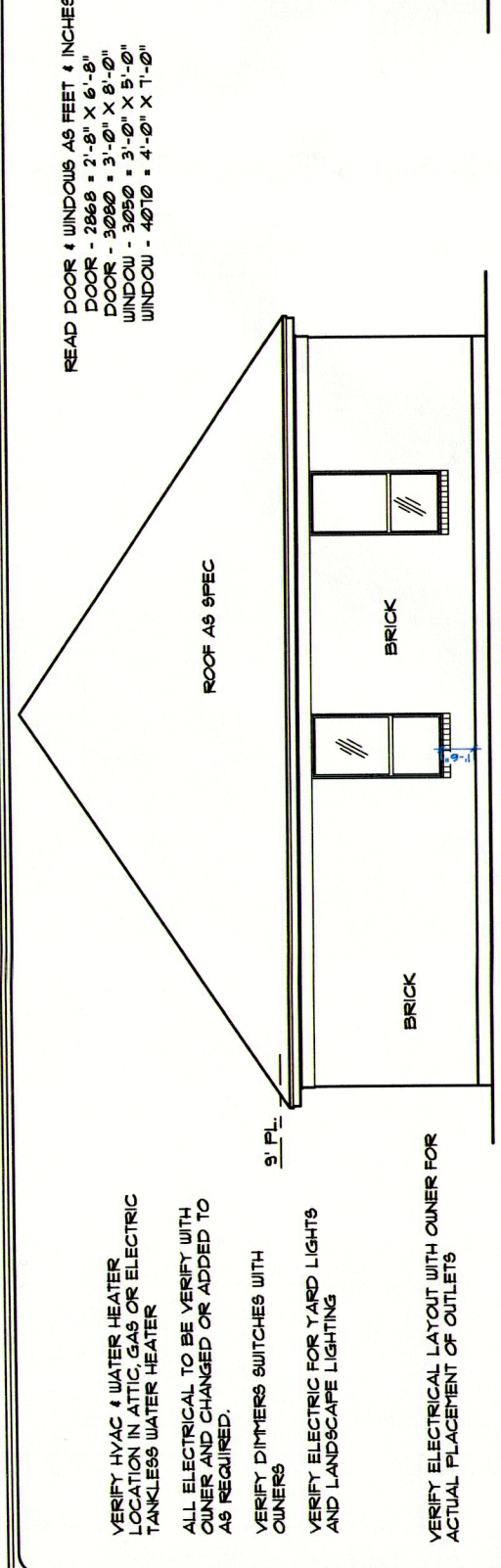
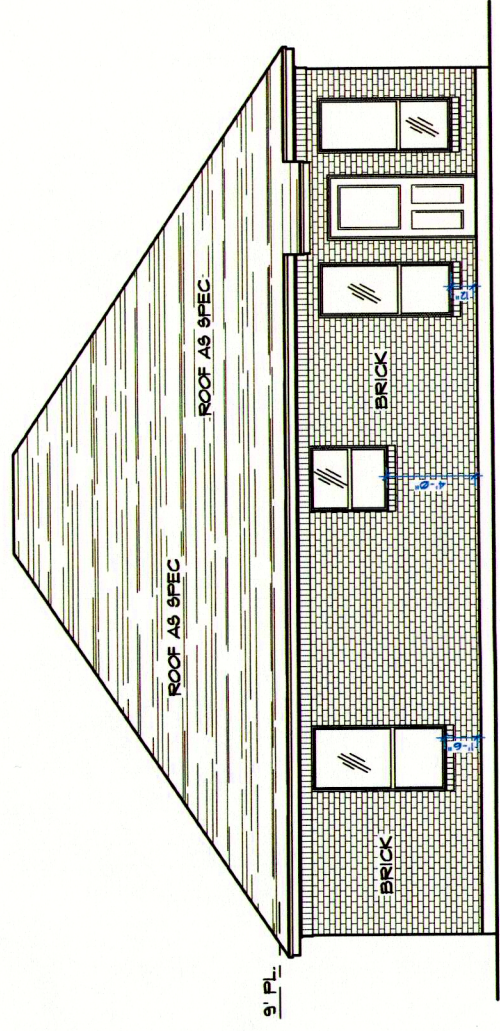
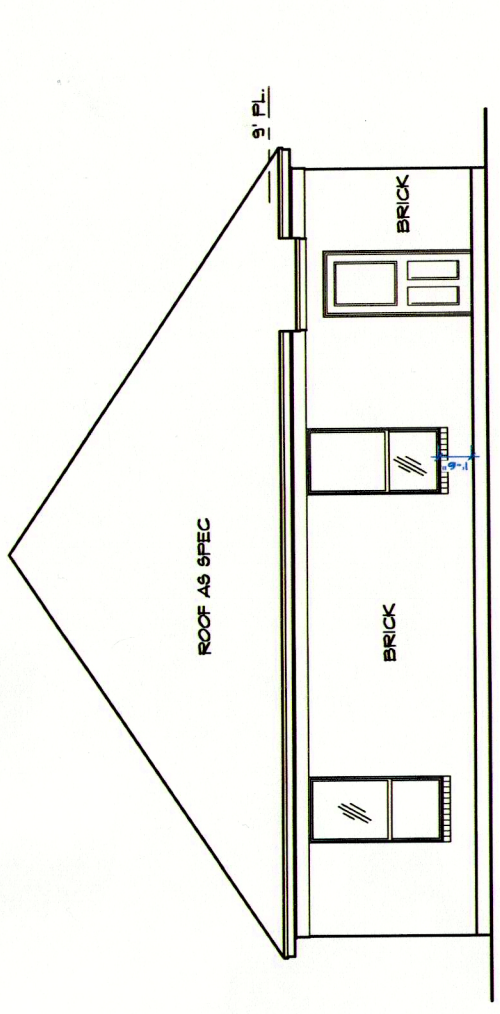
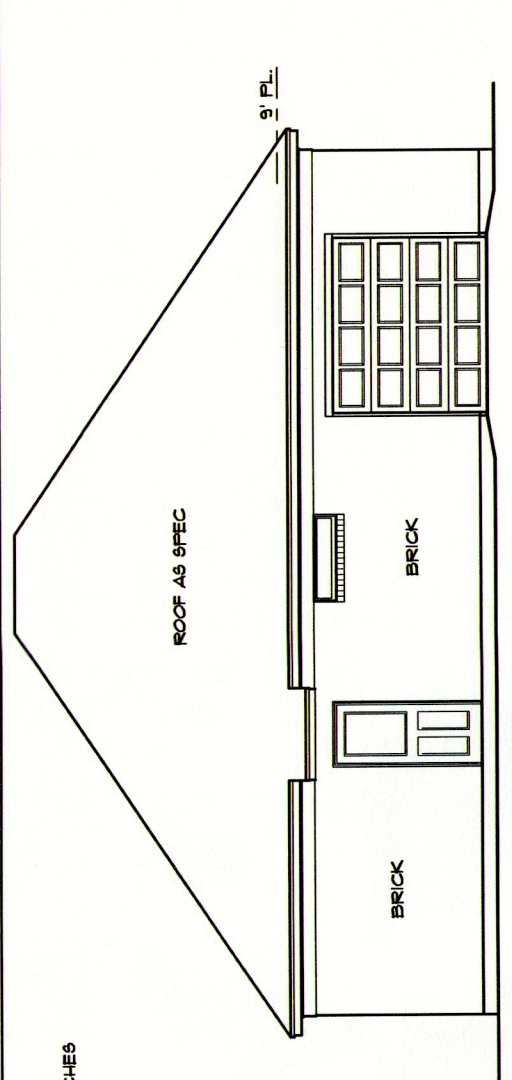
VERIFY HVAC & WATER HEATER
LOCATION IN ATTIC. GAS OR ELECTRIC
TANKLESS WATER HEATER

New Residence for
Mr. & Mrs. Walker
Date: 03/25/21

R.D. Chaplin
and Associates
1614 W. Ave. L - TEMPLE, Texas, 76504
Office: - (254)-773-3025
Mobile: - (254)-718-6416
Email: rdchomeplans@gmail.com

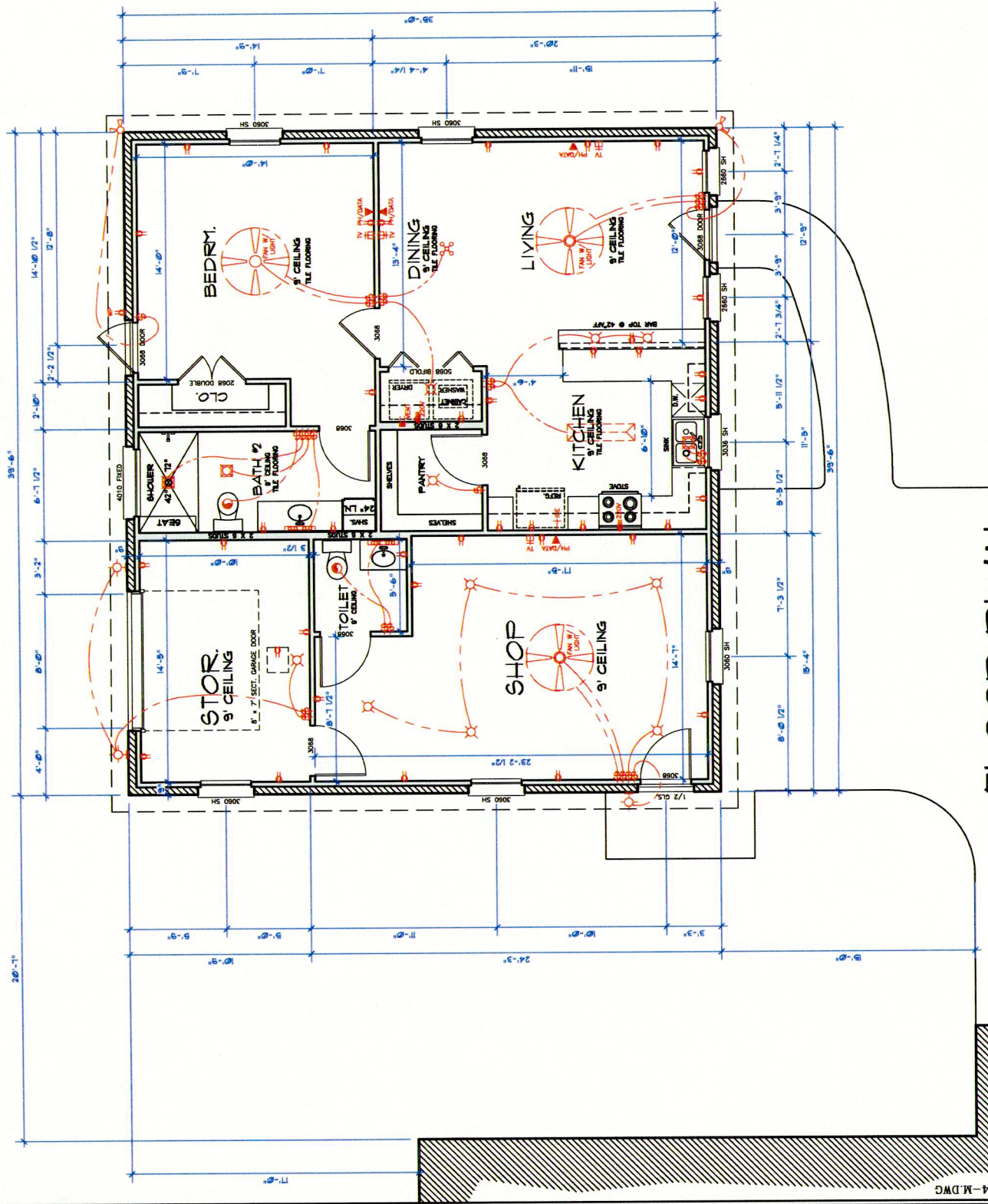
DREWS BUILDERS
1223 Canyon Creek Dr. Suite 8100
Temple, TX 76788
Phone: 254.773.9528
www.drewwalkers.com

LIVING:	846 SQ.FT.
SHOP:	372 SQ.FT.
STORAGE:	165 SQ.FT.
TOTAL:	1,383 SQ.FT.



READ DOOR & WINDOWS AS FEET & INCHES
DOOR - 2868 = 2'-8" X 6'-8"
DOOR - 3050 = 3'-0" X 8'-0"
WINDOW - 3050 = 3'-0" X 5'-0"
WINDOW - 4010 = 4'-0" X 1'-0"

VERIFY HVAC & WATER HEATER LOCATION IN ATTIC, GAS OR ELECTRIC TANKLESS WATER HEATER
ALL ELECTRICAL TO BE VERIFY WITH OWNER AND CHANGED OR ADDED TO AS REQUIRED.
VERIFY DIMMERS SWITCHES WITH OWNERS
VERIFY ELECTRIC FOR YARD LIGHTS AND LANDSCAPE LIGHTING
VERIFY ELECTRICAL LAYOUT WITH OWNER FOR ACTUAL PLACEMENT OF OUTLETS

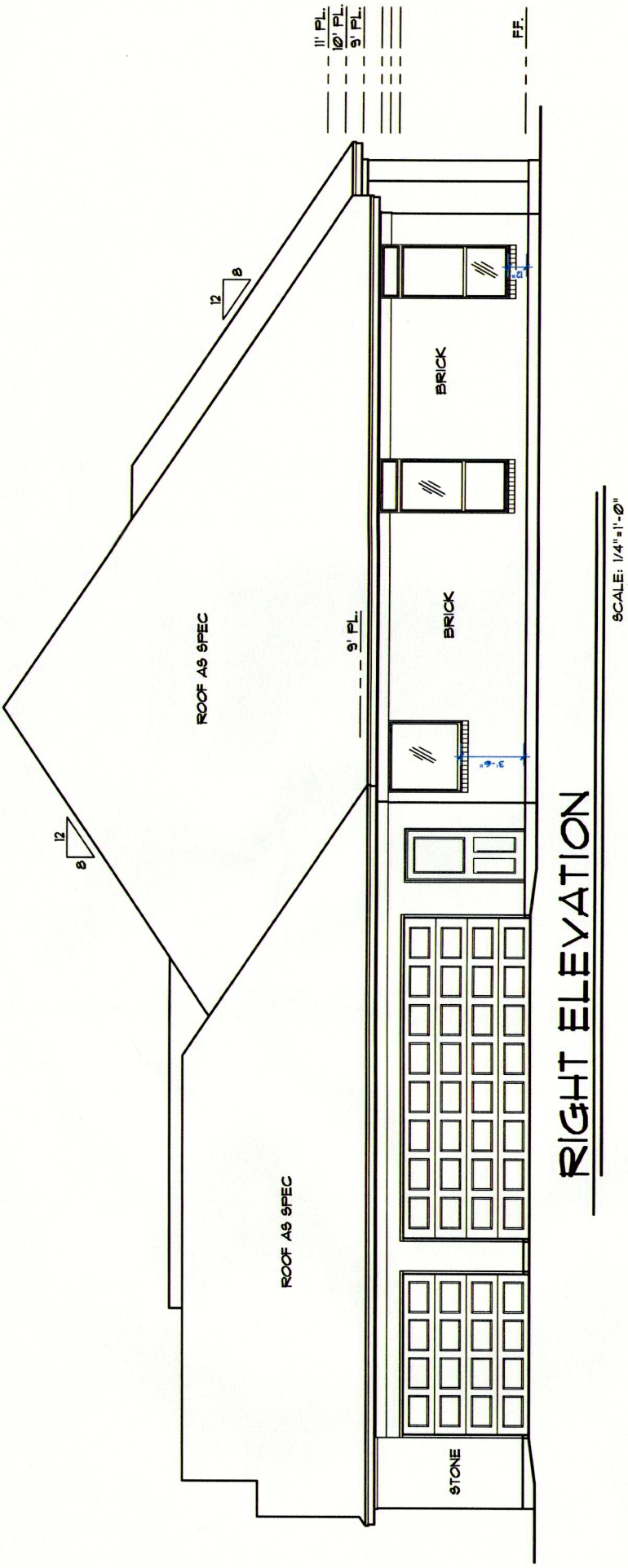


Office: - (254)-773-3025 Mobile: - (254)-718-0418
 1614 W. Ave. L - Temple, Texas, 76504
R.D. Chaplin
 and Associates
 Email: rdchomeplanners@gmail.com

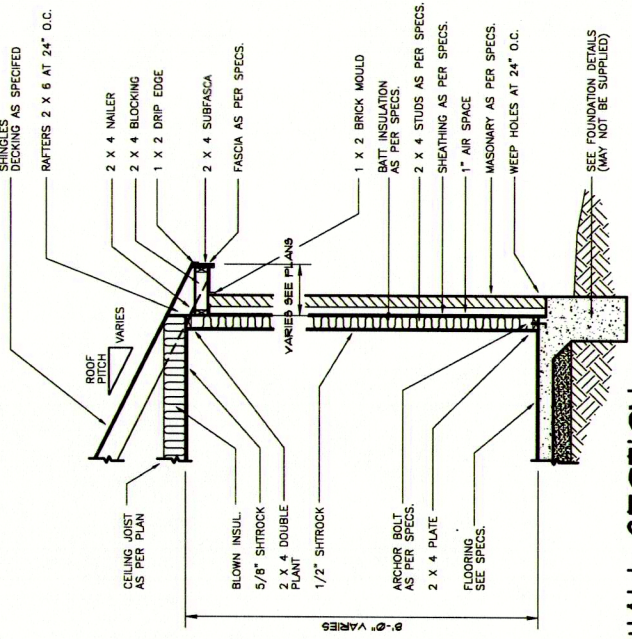
New Residence for
 Mr. & Mrs. Walker
 Date: 03/26/21

DREWS BUILDERS
 R. HUNT
 1323 Canyon Creek Dr. Suite B100
 Temple, TX 76504
 Phone: 254-777-9182
 Email: drewsb@drawsbldrs.com

SHEET
3
 017



- ARCHITECTURAL ABBREVIATIONS**
- | | |
|---|-----------------------------|
| ADP - above finish floor | N.I.C. - not in contact |
| ARCH - architectural | N.T.S. - not to scale |
| CAN - canopy | OP - opening |
| COL - column | PAN - panel |
| C.D. or CLOS - closet | PAI - pair |
| C.O. - closed opening | PK - pipe |
| CONV - conversion | PK - pressure treated |
| COND - concrete masonry unit (concrete block) | RA - railing |
| C.T. - cook top | REC - recessed |
| DA - damper | REF or REFRD - refrigerator |
| DWG - drawing | R.I.G. - rough |
| EXT - exterior | R.A.S. - rod and sleeve |
| FLR - floor | SH - shelf |
| F.P.L. - finished plaster | SI - stairs |
| FZB - freezer | SS - stainless steel |
| G.C.V. - galvanized | ST - steel |
| G.V.V. - gypsum wallboard | STR - stair |
| H.V. - horizontal | SUPR - support |
| H.D. - heavy duty | S.W. - switch |
| H.M. - hanger and groove | T.A.M. - trim |
| INSUL. - insulation | T.M. - trim |
| M.C. - medicine cabinet | W - window |
| N.C. - no contact | W.P. - waterproof |
| N.T.S. - not to scale | W.P. - waterproof |
| | W.P. - waterproof |



§ 155.020 R-1 ONE FAMILY DWELLING DISTRICT.

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

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

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

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

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

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

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

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

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

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

(2) Neighborhood association facilities.

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

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

(5) Accessory structure as provided by § 155.040.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Signs* As per Chapter 151.

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

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

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

(L) *Industrialized housing.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 155.201 CONDITIONAL USE PERMITS.

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

(B) *Planning and Zoning Commission consideration.*

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

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

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

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

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

(C) *City Council consideration.*

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

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

(3) *Conditions of approval.* Regardless of whether such conditions have been recommended by the Planning and Zoning Commission, the City Council may establish such conditions of approval as are reasonably necessary to insure compatibility with surrounding uses and to preserve the public health, safety and welfare. Such conditions may include, without limitation, a limited term or duration of the permit; requirements for special yards, lot sizes, open spaces, buffers,

fences, walls or screening; requirements for the installation and maintenance of landscaping or erosion control measures; requirements for street improvements, regulation of vehicular ingress or egress and traffic circulation regulation of signs; regulation of hours or other characteristics of operation; establishment of development schedules for performance or completion; and such other reasonable conditions as the City Council may deem necessary to preserve the health, safety, and welfare of the applicant and the public. In any event, no conditional use permit shall be granted unless and until the recipient thereof shall agree in writing to comply with such conditions of approval as may be imposed by the City Council.

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

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

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

(E) *Term.*

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

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

(b) The permit expires by its own terms;

(c) The property is rezoned;

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

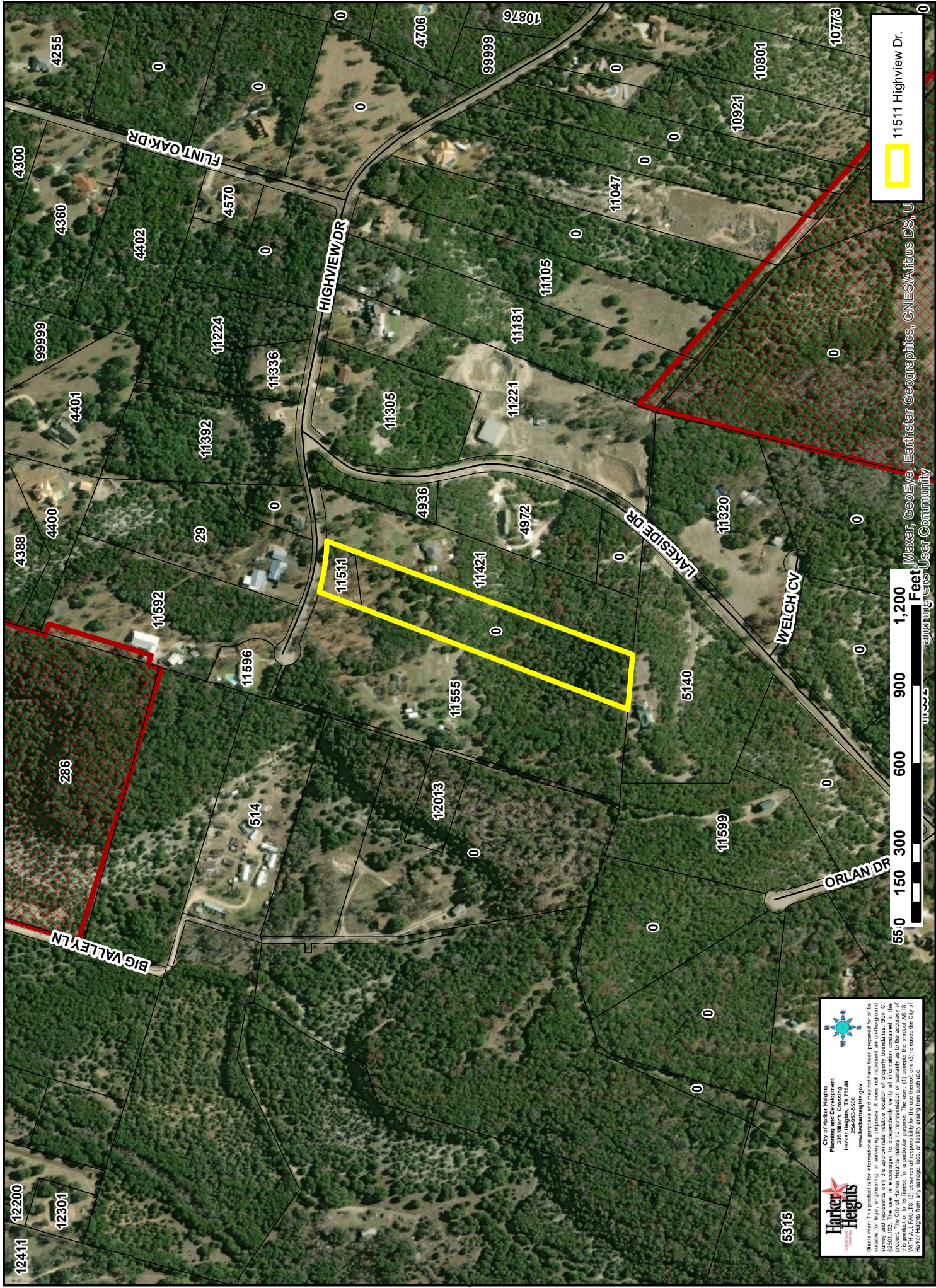
(e) The building or premises is substantially enlarged, extended, reconstructed or altered;

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

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

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

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



11511 Highview Dr.

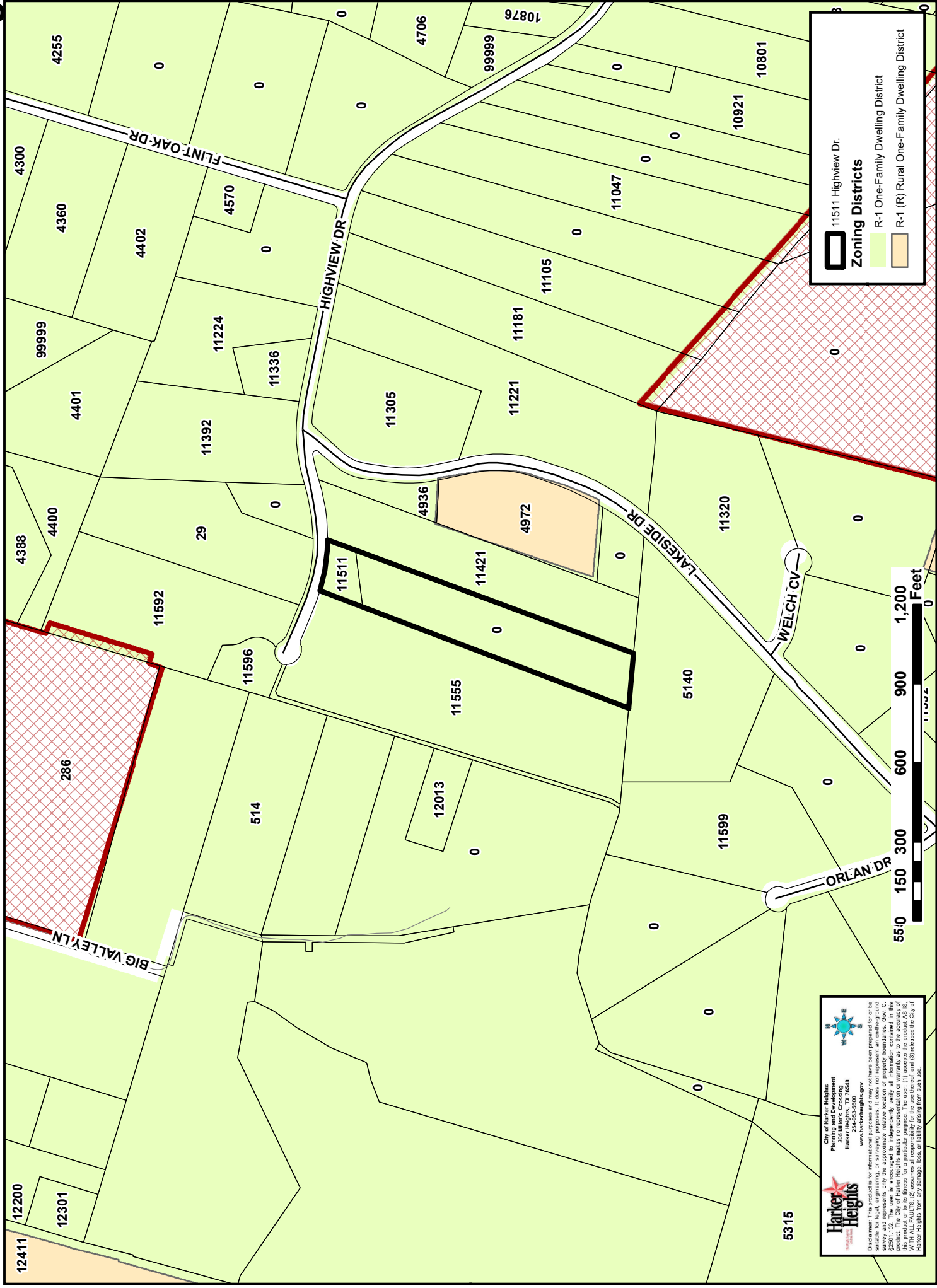


City of Harker Heights
 Planning & Development Department
 300 Rialto Crossing
 Harker Heights, TX 78648
 254-933-8006
 www.harkerheights.gov

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Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, U

and the User Community



11511 Highview Dr.

Zoning Districts

- R-1 One-Family Dwelling District
- R-1 (R) Rural One-Family Dwelling District



City of Harker Heights
 Planning and Development Department
 300 Rialto, Crockett
 Harker Heights, TX 78648
 254-953-5006
 www.harkeheights.gov

Harker Heights

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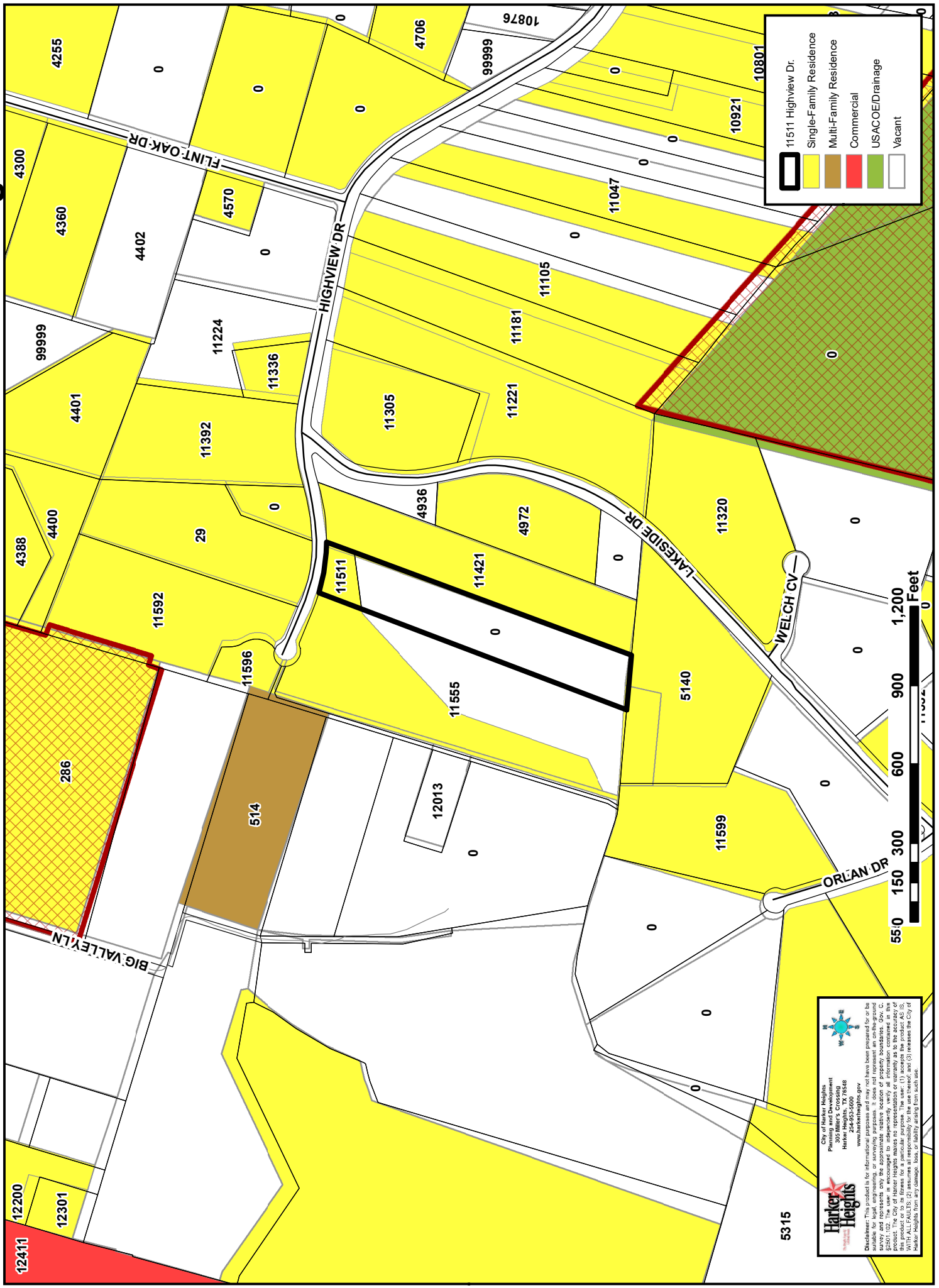
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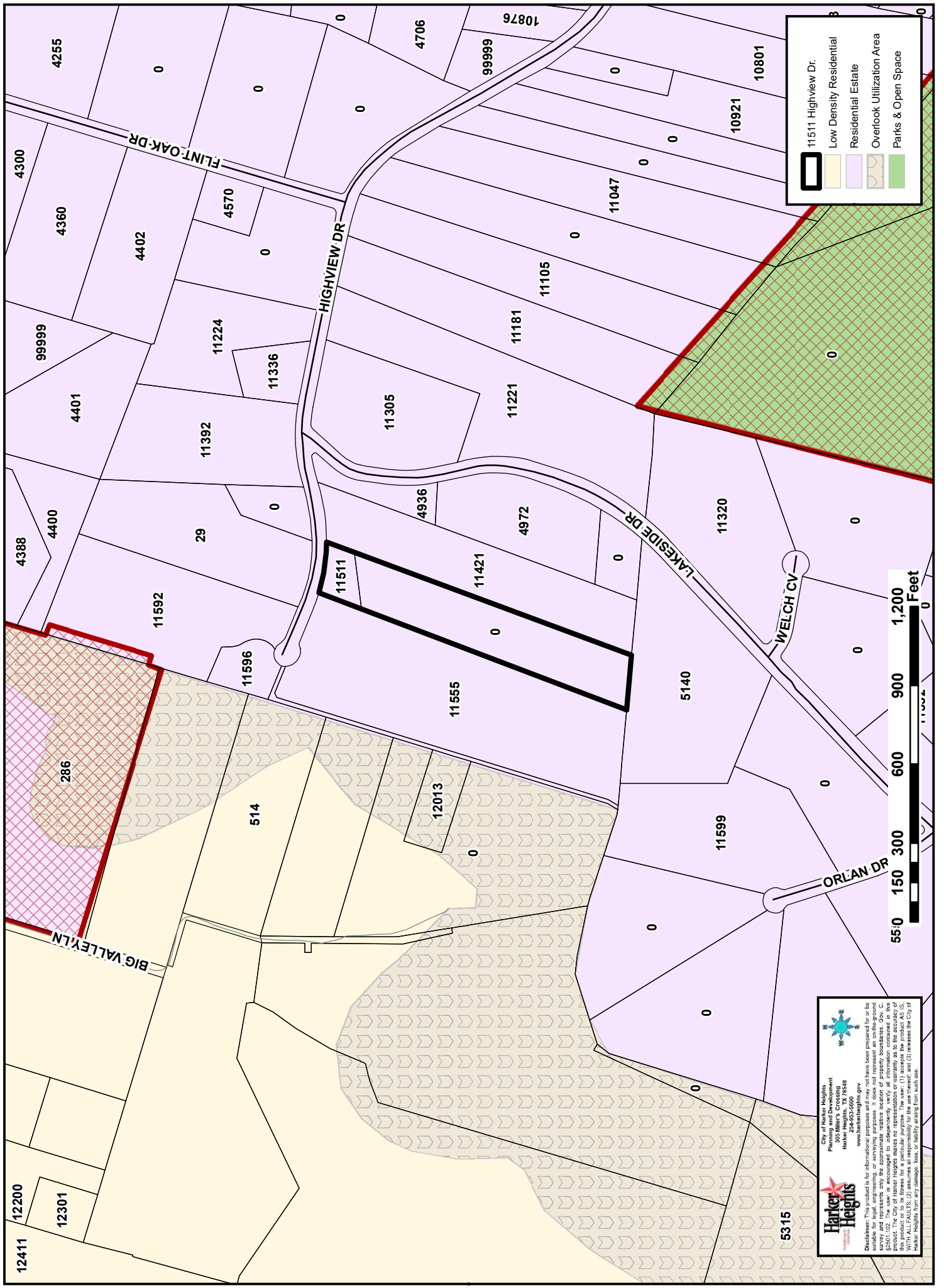
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City of Harker Heights
Planning and Development Department
300 Rains, Creedmont
Harker Heights, TX 78648
254-933-5000
www.harkerheights.gov

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11511 Highview Dr

Low Density Residential

Residential Estate

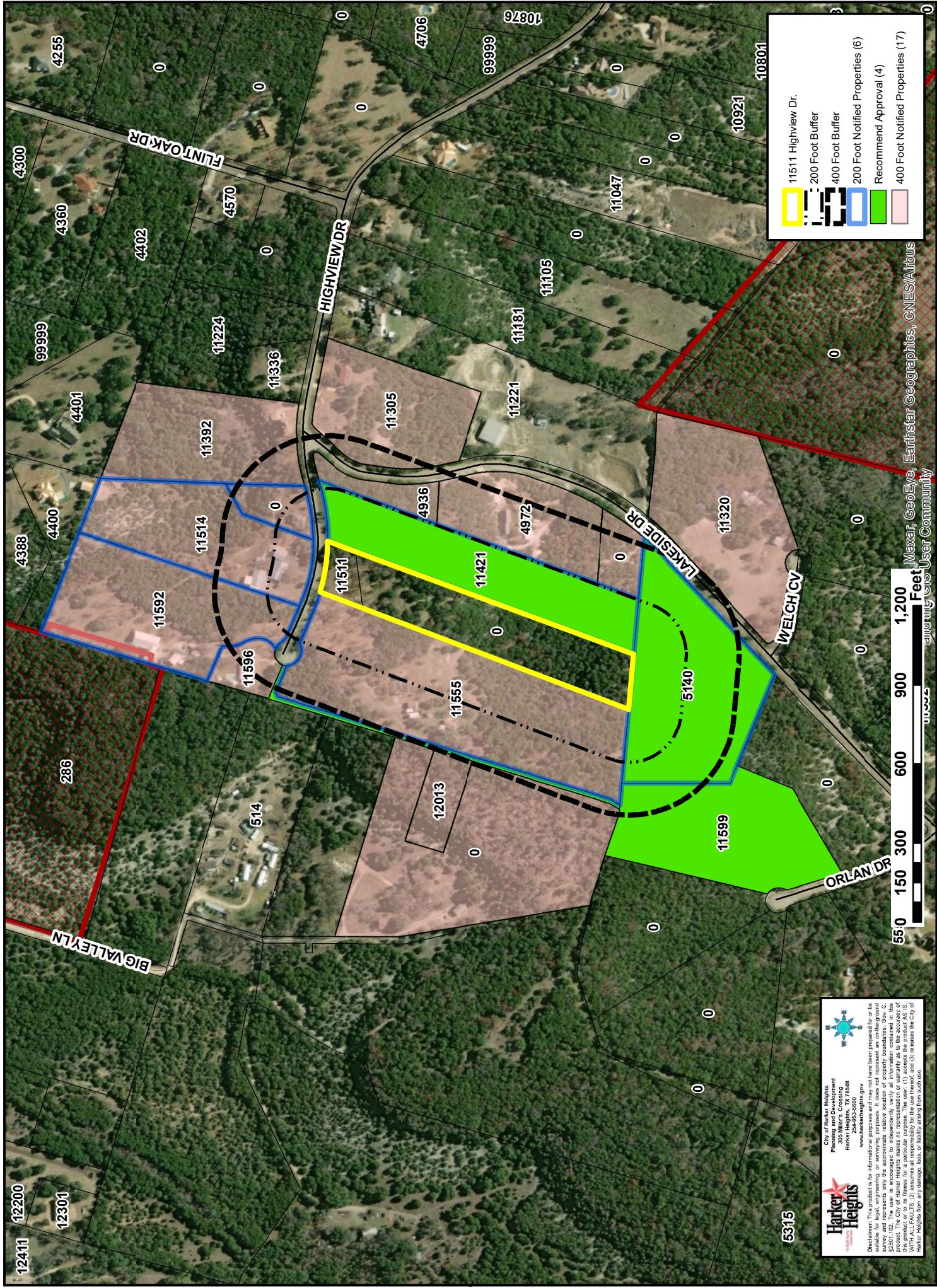
Overlook Utilization Area

Parks & Open Space

City of Harker Heights
 Planning and Development
 300 Rains Creek
 Harker Heights, TX 78648
 254-933-5000
 www.harkerheights.gov

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Legend

- 11511 Highway Dr. (Yellow outline)
- 200 Foot Buffer (Blue outline)
- 400 Foot Buffer (Blue outline)
- 200 Foot Notified Properties (6) (Green fill)
- Recommend Approval (4) (Pink fill)
- 400 Foot Notified Properties (17) (Pink fill)



City of Harker Heights
 Planning & Development Department
 300 Ralston, CrossStreet
 Harker Heights, TX 78648
 254-953-5000
 www.harkeheights.gov

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 and many other User Community

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: THOMAS, THOMAS N ETUX KYUNG A

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

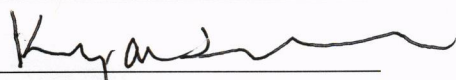
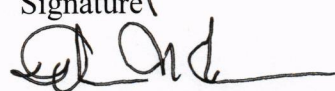
Physical Address	Property ID
11421 HIGHVIEW DR	117724

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas* (see attached notification map).

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

Comments:

Kyung Thomas
Thomas N. Thomas
Printed Name


Signature


Dec 1, 2021
Date

Received

DEC 01 2021

Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DONAHUE, MICHAEL N

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

Physical Address	Property ID
11599 HIGHVIEW DR	29861
N/A	29862

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas* (see attached notification map).

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

Comments:

MICHAEL DONAHUE
Printed Name

Michael Donahue
Signature

Nov. 24, 2021
Date

Received

NOV 29 2021

Planning & Development

SENT: NOVEMBER 18, 2021
DUE BACK: DECEMBER 1, 2021 5:00 P.M.

RESPONSES RECEIVED AFTER 5:00 P.M. ON DECEMBER 1, 2021 WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DONAHUE, MICHAEL N

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

Physical Address	Property ID
11599 HIGHVIEW DR	29861
N/A	29862

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas* (see attached notification map).

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

Comments:

MICHAEL DONAHUE
Printed Name

Michael Donahue
Signature

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

FROM: HENNESSY, JOHN ROBERT JR ETUX PAMELA JOY

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


Physical Address	Property ID
5140 LAKESIDE DR	52206

RE: application to consider a request for a **Conditional Use Permit (CUP) to allow for an accessory dwelling unit** on property described as *Lakeside Hills Section Two, Lot Tract PT 63, (N PT of 63), Acres 0.608, Property ID #489292, and Lakeside Hills Section Two, Lot Tract PT 63, (63, less N PT), Acres 4.982, Property ID #489291, generally located at 11511 Highview Drive, Harker Heights, Bell County, Texas, and locally known as 11511 Highview Drive, Belton, Texas* (see attached notification map).

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

Comments:

John Hennessy
Printed Name


Signature

11-29-2021
Date



COUNCIL MEMORANDUM

AGENDA ITEM #VII-5

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

CONDUCT A PUBLIC HEARING TO DISCUSS AND CONSIDER APPROVING AMENDMENTS TO §150.02 OF THE HARKER HEIGHTS CODE OF ORDINANCES, ADOPTING AND AMENDING THE 2021 GENERAL TECHNICAL CODES; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The City of Harker Heights is in the process of amending and adopting the 2021 International Technical Codes as promulgated by the International Code Council (ICC). This will enable the City to apply the most current building and development standards, and to maintain our Insurance Service Organization (ISO) rating for the Building Department.

The City's Building Official and Building Inspector have attended updated training to understand and properly enforce the new requirements. The Department of Planning and Development has met with local contractors and construction stakeholders on numerous occasions to provide guidance and clarification on how the City will implement and enforce the 2021 International Codes and local amendments to those codes. The 2021 Codes were also presented to City Council at the 12/07/21 City Council Workshop.

ANALYSIS

The majority of the changes between the adopted 2015 Codes and the 2021 Codes are to provide clarity or to increase the levels of safety for those who live and work in the City. There are some changes that will increase the initial installation costs. However, the overall life cycle costs will be reduced.

STAFF RECOMMENDATION:

Staff recommends approval of an amendment to § 150.02 of the Harker Heights Code of Ordinances to adopt the 2021 codes as amended.

ACTION BY CITY COUNCIL:

1. Motion to Approve/Disapprove an amendment to § 150.02 of the Harker Heights Code of Ordinances to adopt and amend the 2021 general technical codes, based upon staff's recommendation and findings.
2. Any other action desired.

ATTACHMENTS:

1. Draft Ordinance
2. Strike Through Version of the Existing Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, AMENDING SECTION 150.02 OF THE HARKER HEIGHTS CODE OF ORDINANCES, ADOPTING AND AMENDING THE 2021 GENERAL TECHNICAL CODES.

WHEREAS, the City of Harker Heights (“*City*”) has previously adopted various standard codes, including the 2015 National Technical Codes; and

WHEREAS, Section 1305.101 of the Texas Occupations Code requires the adoption of the National Technical Codes as published by the International Code Council and NFPA (“*Technical Codes*”) as the technical codes for the state; and

WHEREAS, Section 1305.201(c) of the Texas Occupations Code permits a municipality to adopt local amendments to the Technical Codes; and

WHEREAS, the City Council (“*Council*”) finds that to comply with applicable law, and to provide for greater uniformity in construction standards, and to promote the public health, safety and welfare, it is necessary and desirable to amend the Code of Harker Heights (“*Code*”) as hereinafter provided; and

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

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

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

SECTION 2: Section 150.02 of the City of Harker Heights’ Code of Ordinances is hereby amended to read as shown in Exhibit “A”.

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

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

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

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

SECTION 7: This Ordinance shall be effective from and after **January 1, 2022**, and the City Clerk shall publish the caption or title of hereof within ten days of approval as required by law.

PASSED AND APPROVED by the City Council of the City of Harker Heights on December 14, 2021.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

§ 150.02 ADOPTION OF VARIOUS STANDARD CODES.

The following codes are hereby adopted by reference as though they were fully copied herein, with deletions, alterations and additions as indicated:

(A) *The International Building Code, ~~2021~~ 2015 Edition*, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

(1) In Section 101.1 "Title." Insert "The City of Harker Heights."

(2) Section 105.1 "Required." Amend to read: "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure; or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing systems; the installation of which is regulated by this code, or to install accessory structures, or to cause any such work to be done, shall first make application to the Building Official for a permit, shall comply with applicable state and local rules and regulations concerning licensing and registration, and obtain the required permit."

(3) Section 105.2 "Work Exempt From Permit."

(a) Delete Items 1, 2, 3 and 6.

(b) Change Item 4 to read "2 feet."

(4) Section 109.4 "Work Commencing Before Permit Issuance." Revise to read: "Any person who commences any work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a penalty ~~to~~ of the greater of \$250 or 100% of the permit fee in addition to the required permit fees."

(5) Section 109.6 "Refunds" Remove and Insert "The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.
3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

~~(65)~~ Section 110.6.1 "Re-inspection." Add new section to read as follows: "Where any work or installation does not pass any inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid the city for each re-inspection."

(76) SECTION 113 “BOARD OF APPEALS.” Revise to read: “Building Standards Commission”, and replace in its entirety with the following:

(87) “Section 113.1 ‘General.’ The ZBA (Zoning Board of Adjustments) is designated to hear and decide appeals of orders, decisions or determinations made by the Building Official or Fire Code Official relative to the application and interpretation of the applicable code. The ZBA shall be appointed as codified by [Chapter 155](#) of the Code of Harker Heights. The Board shall render all decisions and findings in writing to the appellant, with a duplicate copy to the code official.”

(98) Section 113.2 “Limitations of Authority.” Amend to read: “An application for appeal shall be based on a claim that the true intent of this code or the rules adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of construction or protection is proposed. The Board shall have no authority to waive requirements of this code.”

(109) SECTION 202 “DEFINITIONS.” Add the following:

“ALL WEATHER DRIVING SURFACE - A driving surface that is capable of supporting the imposed loads of fire apparatus and consisting of material that is impervious to damage from wet conditions and does not produce dust during dry weather conditions. Accepted materials shall consist of concrete or asphalt correctly applied.

AS DEVELOPED - The change of use of a parcel of land from a vacant, unimproved tract to one which is prepared for occupancy by buildings or structures.

MOBILE FOOD VENDOR - A mobile food unit which is wheeled, or otherwise designed to be readily transported from place to place, whether towed or self-propelled, and which is not designed to be permanently connected to domestic water, sanitary systems, or electricity.

MOBILE HOME PARK - For purposes of enforcement of these code provisions, a mobile home park shall be considered as commercial property.

THE ROUTE THAT A FIRE HOSE WOULD BE LAID - The routing of fire hose from either a public or approved on-site fire hydrant to the fire apparatus along the length of the public roadway and/or approved private fire lanes.

TEMPORARY - Any length of time not to exceed ninety (90) days without conditional use approval.”

(110) Section 406.7.2 “Canopies.” Amend the height requirement to 14 feet, 0 inches (4,267.2 mm).

(124) Section ~~502.1~~ ~~504.2~~ “Address Identification.” Amend to read: “New and existing buildings shall be provided with approved address numbers or letters. One- and two-family dwellings must be a minimum of 4 inches (102 mm) high and a minimum of 0.5 inches (12.7 mm) wide; all other buildings must be 6 inches (152.4 mm) high and a minimum of 0.5 inches (12.7 mm) wide. They shall be installed on a contrasting background, be plainly visible from the street or road fronting the property. Where

access is by means of a private road and the building address cannot be seen from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. On all multi-family buildings above two-family dwellings shall be a placard mounted on the street side of the building, visible from the roadway, stating the person or company that manages the property and a 24-hour phone number. The placard minimum is 12 inches by 10 inches, with letters and numbers being 1 inch in height, and of contrasting colors to the placard and the structure.”

(13) Section 707.5 “Continuity” Change last sentence to read: “Joints, voids and intersections shall comply with sections 706.5, 706.5.1, 706.5.2, 707.8 and 707.9.”

(142) Section 903.1.2 “Special Construction Requirements.” Add new section to read as follows: “Other provisions of this code notwithstanding, automatic sprinkler systems complying with Chapter 9 of this code shall be installed in all buildings in excess of two stories, thirty-five (35) feet in height.

Exceptions: one and two family dwellings”

(153) In Section 903.2.8 “Group R.” Add exceptions:

“Exception: Construction of one (1) apartment building containing up to four (4) units on a single lot, constructed with a two (2) hour fire separation (with no penetrations) from slab to the underside of the roof between dwelling units, shall not be required to install a fire sprinkler system.

Exceptions: one and two family dwellings.”

(164) Section 1101.2 “Design.” Amend to read as follows: “Buildings and facilities shall be designed and constructed to be accessible in accordance with this chapter and the Texas Accessibility Standards (TAS) of the Architectural Barriers law, Government Code Chapter 469, as applicable.

Exceptions: Buildings regulated under state law and built in accordance with state-certified plans, including any variance or waivers granted by the state, shall be deemed to be in compliance with the requirements of this chapter.”

~~(15) Sections 1102 through 1110. Delete in their entirety.~~

(1746) Section 15124.23.1 “Roof RecCover.” Delete #2

(1847) Section 15124.34 “Roof Recovering.” Amend to read as follows: “No building hereafter constructed, altered, or re-roofed, shall have a second roof structure placed over an existing roof structure without the removal of the entire first roof.”

(1948) Section 1612.3 “Establishment of Flood Hazard Areas.” Insert “The City of Harker Heights” and “September 26, 2008,” respectively.

(2049) Section 1807.2 “Retaining Walls.” Amend to read: “Retaining walls two (2) feet and over must be permitted and engineered. Walls used to separate elevations between properties shall be placed on the property line or not closer than six (6) feet to the property line, allowing room to provide a drainage swale that will prevent runoff waters from inundating the adjacent properties. Retaining walls must be constructed of

a material that is classified as permanent, i.e., concrete or decorative concrete block; the use of heavy timber is not permitted within ten (10) feet of any property line. Retaining walls shall be designed in accordance with Sections 1808.2.1 through 1807.2.3. Retaining wall drawings and engineered plans must be site specific.”

(~~2120~~) Table 2308.7.1 (~~1~~)~~5~~ through Table 2308.7.2(6) of this code are amended by deleting in their entirety all columns that refer to 2 by 4s.

(~~2224~~) Appendices C, E, F, G, J, K and L are adopted.

(~~2322~~) Appendices A, B, D, H, I, M, N and OM are not adopted.

(B) *The International Plumbing Code, 2021~~15~~ Edition*, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

(1) Section 101.1 "Title." Insert "The City of Harker Heights, Texas."

~~(2) Section 103.1 "Code Compliance Agency" Insert "Building Department"~~

~~(2) Section 106.6.2 "Fee Schedule." Insert "As determined in the annual budget document."~~

~~(3) Section 106.6.3 "Fee Refunds." Insert "50%" on Items 2 and 3.~~

(34) Section 108~~7~~.4.3 "Re-inspection and Testing." Amend to read: "Where any work or an installation does not pass any initial inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection."

~~(4) Section 109.2 "Schedule of Permit Fees" Insert "As determined in the annual budget document."~~

~~(5) Section 109.5 "Refunds" remove and Insert "The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended.~~

~~The code official shall not authorize the refunding of any fee paid except upon written application filed by the original permittee not later than 180 days after the date of fee payment."~~

~~(6) Section 113.4 "Stop Work Order" Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas."~~

~~(7) Section 114 "Means of Appeals" Replace the text with the following: "See Section 113 of the International Building Code."~~

(85) Section 115~~08~~.4 "Violation Penalties." Amend to read: "Refer to Section 150.99 of the Code of Harker Heights, Texas."

~~(6) Section 108.5 "Stop Work Orders." Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served~~

~~with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas.”~~

~~—(7) SECTION 109 “MEANS OF APPEAL.” Replace the text with the following: “See Section 113 of the International Building Code.”~~

(98) Section 3054.4.1 “Sewer Depth.” Insert “twelve (12) inches (30.48 cm)” in both locations.

(10) Section 307.2.1 “Wall framing for walls containing plumbing” Add section to read “Any wall that contains plumbing shall be constructed of a minimum of two by six nominal stud (2X6).”

(119) Section 311.1 “Toilet Facilities for Workers General.” Add the following sentences: “Toilet facilities shall be placed not more than 300 feet (91.2 m) apart. Several builders may share the same facility, provided there is a letter on file signed by all parties.”

(120) Section 312.2 “Drainage and Vent Water Test.” Change to read: “A water test shall be applied to the drainage system, either in its entirety or in sections. If applied to the entire system, all openings in the piping shall be tightly closed, except the highest opening, and the system shall be filled with water to the point of overflow. If the system is tested in sections, each opening shall be tightly plugged, except the highest openings of the section under test, and each section shall be filled with water, but no section shall be tested with less than a 5-foot (1,524-mm) head of water. In testing successive sections, at least the upper 10 feet (3,048 mm) of the next preceding section shall be tested so that no joint or pipe in the building, except the uppermost 10 feet (3,048 mm) of the system, shall have been submitted to a test of less than a 5-foot (1,524-mm) head of water. This pressure shall be held for not less than 15 minutes. The system shall then be tight at all points.’

(134) Section 312.3 “Drainage and Vent Air Test.” Add exemption to read: “An air test for plastic pipe not exceeding 5 psi for a period not less than 15 minutes shall be allowed for soil testing in wet weather.”

(142) Section 312.10 “Inspection and testing of backflow prevention assemblies.” Add text to last sentence to read ~~Replace the text with the following:~~ “Inspection and testing shall comply ~~“... and~~ with Chapter 54 of the Code of Harker Heights.”

(153) Section 504.7.2 “Pan Drain Termination.” Delete last sentence ~~and add following sentence:~~ “An approved warning and water service shutoff device shall be required.”

(16) Section 504.7.3 Add new section to read “An approved warning and water service shutoff device shall be required where the pan drain termination is not take to the outside.”

(174) Section 603.2 “Separation of Water Service and Building Sewer.” Delete first sentence and change to read: “The building sewer shall be horizontally separated by not less than 5 feet (1,524 mm) of undisturbed or compacted earth. The required

separation distance shall not apply where a water service pipe crosses a sewer pipe, provided the water service is sleeved to a point not less than 5 feet (1,524 mm) horizontally from the sewer pipe centerline on both sides of such crossing. The sleeve shall be of pipe materials listed in Table 605.3, 702.2 or 702.3. The required separation shall not apply where the bottom of the water service pipe, located within 5 feet (1,524 mm) of the sewer, is not less than 12 inches (305 mm) above the highest point of the building sewer.”

(185) SECTION 603 “WATER SERVICE.” Add new subsection 603.3 entitled “Water Service Metering,” to read as follows: “Each building to which domestic water service is supplied shall be separately metered. Each tenant space of a multi-occupancy building shall have separate valves. Upon request for a meter set, the water service tap shall be identified and exposed by the owner or his agent. Adjacent grade at that time shall be as close to finished grade as possible. Should finished grade later prove to vary considerably from that which was anticipated upon the setting of the meter, it shall be the owner’s sole responsibility to alter the grade of the water service tap, the meter, meter vault and yard line to accommodate the grade change.”

(196) Section 608.154 “Location of Backflow Preventers.” Add: “No backflow devices are to be located below grade.”

(2047) Section 705.104.2 “Solvent Cementing.” Delete exceptions.

(21) Section 708.1.13 “Minimum Cleanouts Required” Add new section to read “ A minimum of one (1) clean-out conforming with section 708 and one (1) clean out located within 5’ inside the property line shall be required. Where a cleanout is in conflict with any easement, public or private, the placement of the cleanout shall be coordinated with the City Building Official.”

(2248) SECTION 712 “SUMPS AND EJECTORS.” Add new subsection 712.5, to read as follows: “All portions of any equipment associated with a sewer sump or ejector shall be installed out-of-doors, and not within any building intended for human habitation.”

(2349) Section 802.1.4 “Swimming Pools.” Amend as follows: “Wastewater from swimming pools, backwater from filters shall discharge to the nearest public roadway or approved drainage reserves by means of adequate piping.”

(2420) Section 903.1.1 “Roof Extensions.” Insert: “6 inches (15.24 cm).”

(254) Section 904.1 “Required Vent Extension.” Add the following sentence: “Every building in which plumbing is installed shall have at least one vent, the size of which is not less than 3 inches (76 mm).”

(262) Section 918.1 “Air Admittance Valves General.” Add subsection 918.1.1 to read: “The use of air admittance valves must have prior approval by the Building Official.”

(273) Section 1003.3.43 “Grease Trap and Grease Interceptor Not Required.” Add the following exception: “An interceptor may be required for an individual dwelling unit or private living quarters, if there is reasonable cause to believe that injurious or illegal

materials are being discharged to the public sewer in quantities reasonably calculated to cause damage to sewage treatment plants and/or processes. Nothing in subsection 1003.1.1 above shall be construed to relieve a multi-occupant facility, whether housing or otherwise, from installing a trap or interceptor, when it can be reasonably shown that the cumulative discharge of relatively small amounts of potentially injurious materials by individual tenants is sufficient to endanger the public sewer system. The responsibility for installation and maintenance of an interceptor in these circumstances is upon the owner or his agent.”

(284) Appendices B, C, D, and E are adopted.

(295) Appendix A and F is not adopted.

(C) The International Mechanical Code, 2021~~15~~ Edition, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

~~___~~(1) Section 101.1 "Title." Insert "The City of Harker Heights, Texas."

___(2) Section 108.2 "Re-inspection and Testing." Change to read as follows: "Where any work or installation does not pass any inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid the city for each re-inspection."

___(~~32~~) Section 109.26.5.2 "~~Fee-Schedule~~ of Permit Fees." Insert "As determined in the annual budget document."

(~~43~~) Section 109.66.5.3 "~~Fee-Refunds.~~" Insert "50%" ~~on Items 2 and 3.~~ Section 109.6 "Refunds" remove and Insert "The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.

3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

~~(4)~~ Section 107.3.3 "Re-inspection and Testing." Change to read as follows: "~~Where any work or installation does not pass any inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid the city for each re-inspection.~~"

___(5) Section 113.4 "Failure to Comply." Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas."

___(6) SECTION 114 "MEANS OF APPEAL." Replace the text with the following: "See Section 113 of the International Building Code."

___(~~75~~) Section 11508.4 "Violation Penalties." Amend to read: "Refer to Section 150.99 of the Code of Harker Heights, Texas."

~~(6) Section 108.5 “Stop Work Orders.” Revise the last sentence to read: “Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas.”~~

~~—(7) SECTION 109 “MEANS OF APPEAL.” Replace the text with the following: “See Section 113 of the International Building Code.”~~

~~___(88)~~ Section 304.3 “Elevation of Ignition Source.” Delete exception.

~~___(9) Section 307.2.1.1 “Condensate discharge” after first sentence change to read “Condensate drains shall not discharge into a plumbing fixture without prior approval from the Building Official”~~

~~___(109)~~ Section 504.5 “Dryer Exhaust Duct Power Ventilators.” Add to end of section: “The ventilator shall be accessible for inspection, service, repair, and replacement without removing any permanent construction or ducts not connected to the ventilator.”

~~___(110)~~ Appendix A is adopted.

~~___(124)~~ Appendix B ~~and C is are~~ not adopted.

(D) The International Fuel Gas Code, 2021~~15~~ Edition, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions issued, except for the following, which shall amend and change said code only to the extent referenced:

(1) Section 101.1 "Title." Insert "The City of Harker Heights."

(2) Section 10~~96~~.6.2 "~~Fee-Schedule~~ of Permit Fees." Insert at the end of the sentence "~~As determined~~ in the annual budget documents."

(3) Section 10~~96~~.6.3 "~~Fee Refunds.~~" ~~Insert "50%" on Items 2 and 3.~~ Replace the text with the following: "The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.
2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.
- 1.3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

(4) Section 11~~207~~.3.3 "Re-inspection and Testing." Amend to read: "Where any work or installation does not pass any inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection."

(5) Section 11~~508~~.4 "Violation Penalties." Amend to read: "Refer to Section 150.99 of the Code of Harker Heights, Texas."

(6) SECTION 113 "MEANS OF APPEAL." Replace the text with the following: "See Section 113 of the International Building Code."

~~(76)~~ Section 11~~6.408~~.5 "~~Failure to Comply~~~~Stop Work Orders.~~" Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas."

~~(7) SECTION 109 "MEANS OF APPEAL." Replace the text with the following: "See Section 113 of the International Building Code."~~

(8) Section 406.4.2 "Test Duration." Amend to read: "Test duration shall be not less than 15 minutes. For larger piping systems the code official may require a longer test duration, not to exceed 24 hours."

(9) Add Section 406.4.3 "Test Gauges. Gauges used for testing shall be as follows:

1. Tests requiring a pressure of 10 psi or less shall utilize a testing gauge having increments of 0.10 psi (0.69 kPa) or less.
2. Tests requiring a pressure higher than 10 psi (69 kPa) but less than or equal to 100 psi (690 kPa) shall use a testing gauge having increments of 1 psi (6.9 kPa) or less.

3. Tests requiring a pressure higher than 100 psi (690 kPa) shall use a testing gauge having increments of 2 psi (14 kPa) or less."

(10) Appendices A, B, C, and D are adopted.

(11) Appendices E is not adopted.

(E) *The International Energy Conservation Code, 2021-15 Edition*, as promulgated by the International Code Council Inc., and all subsequently published annual revisions issued, except for the following, which shall amend and change said code only to the extent referenced:

(1) Section C-101.1 "Title." Insert "The City of Harker Heights."

(2) . Section C104.5 Replace the text with the following: "The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.

1.3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

(32) Section C-1054.6 "Re-inspection and Testing." Amend to read: "Where any work or installation does not pass an inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection.

(4) Section C109.4 "Failure to Comply." Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas."

(53) SECTION ~~C110R-109~~ "BOARD OF APPEALS." Replace the text with the following: "See Section 113 of the International Building Code."

(6) Section R101.1 "Title." Insert "The City of Harker Heights."

(7) . Section R104.5 Replace the text with the following: "The code official shall authorize the refunding of fees as follows:

1. The full amount of any fee paid hereunder that was erroneously paid or collected.

2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.

3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."

(8) Section R105.6 "Re-inspection and Testing." Amend to read: "Where any work or installation does not pass an inspection, the necessary

corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection.

(9) Section R109.4 "Failure to Comply." Revise the last sentence to read: "Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable as provided in Section 150.99 of the Code of Harker Heights, Texas."

(10) SECTION R110 "BOARD OF APPEALS." Replace the text with the following: "See Section 113 of the International Building Code."

(F) *The International Residential Code for One and Two Family Dwellings, 2021~~15~~ Edition*, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

(1) Section R101.1 “Title.” Insert “The City of Harker Heights.”

(2) Section R105.1 “Required.” Amend to read: “Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the installation of which is regulated by this code, or to install accessory structures, or to cause any such work to ~~be~~ done, shall first make application to the Building Official for a permit. Any owner or authorized agent shall also comply with applicable state and local rules and regulations concerning licensing and registration, and obtain the required permit.”

(3) Section R105.2 “Work Exempt from Permit.” Remove exemptions 1, 2, 4, 5 and 10, and change number 3 to read: “Retaining walls that are not over 2 feet (609.6 mm) in height.”

(4) Section R109.4.1 “Re-inspection.” Add new section to read as follows: “Where any work or installation does not pass any inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be re-submitted to the Building Official for re-inspection. A fee shall be paid the city for each re-inspection.”

(5) SECTION R112 “BOARD OF APPEALS.” Replace the text with the following: “Refer to Section 113 of the International Building Code.”

(6) Section R113.4 “Violation Penalties.” Add the following sentence: “Refer to Section 150.99 of the Code of Harker Heights.”

(7) Table 301.2~~(4)~~. Insert the following criteria:

Snow load 5 pounds/foot

Wind 115 (3-sec gust)/75 fastest mile

Seismic Design Category B

Weathering Moderate

Frostline depth 4 inches

Termite Moderate to heavy

Decay Slight to moderate

Winter Design Temperature 26° F

Flood Hazards Local Code

(8) Section R306.5 "Toilet Facilities for Workers." Add to read as follows: "Toilet facilities shall be provided for construction workers, and such facilities shall be maintained in a sanitary condition. Construction worker toilet facilities of the non-sewer type shall conform to ANSI Z4.3. The path of travel to required facilities shall not exceed a distance of 300 feet (91.2 m)."

~~(9)~~ Section R313.2 "Automatic Fire Sprinkler Systems." Delete this section.

(10) Section 313.2.1 "Design and Installation." Amend to read: "Automatic residential fire sprinkler systems when installed shall be designed and installed in accordance with Section P2904 or NFPA 13D."

(11) Section R404.6 "Retaining Walls." Add new section to read as follows; "Retaining walls two (2) feet and over must be permitted and engineered. Walls used to separate elevations between properties shall be placed on the property line or not closer than six (6) feet to the property line, allowing room to provide a drainage swale that will prevent runoff waters from inundating the adjacent properties. Retaining walls must be constructed of a material that is classified as permanent, i.e., concrete or decorative concrete block; the use of heavy timber is not permitted within ten (10) feet of any property line. Retaining wall drawings and engineered plans must be site specific."

(12) Section R602.3.1 Stud size, height and spacing. Add the following exemption: "4. Where plumbing is present and passes through more than one framing member within a wall assembly, no less than two by six (2x6) framing shall be used. (Wet Walls)"

~~(132)~~ SECTION R801 "GENERAL." Add Section R801.4 "Roof Framing." to read as follows: "Roof framing materials, two inch (2") by four inch (4"), referred to in the span tables of this chapter, shall not be permitted in habitable structures except when used in engineered trusses."

~~(143)~~ Section 908.3.1 "Roof Re-cover." Delete this section.

~~(154)~~ Section 908.3.1.1. Delete this section.

~~(165)~~ Section 908.4 "Roof Re-covering." Delete this section.

~~(176)~~ Section 908.7 "Secondary Roofing." Add section to read as follows: "No building hereafter constructed, altered, or re-roofed, shall have a second roof structure placed over an existing roof structure without the removal of the entire first roof."

~~(187)~~ Section P2501.3 "Metering." Add new section: "Each dwelling building to which domestic water service is supplied shall be separately metered. Upon request for a meter set, the water service tap shall be identified and exposed by the owner or his agent. Adjacent grade at that time shall be as close to finished grade as possible. Should finished grade later prove to vary from that which was anticipated upon the setting of the meter, it shall be the owner's sole responsibility to alter the grade of the water service tap, the meter, meter vault and yard line to accommodate the grade change.:"

(198) Section P2501.4 “Sewer Connection.” Add new section: “Each dwelling building which contains plumbing fixtures designed to waste to the sanitary drainage system shall have a separate connection at the public sewer. Each household unit of a townhouse or two family dwelling shall have a separate connection to the public sewer, and shall not share any portion of the DWV system. A common collector line may receive the discharge from each household unit in the case of two family dwellings under common ownership and management.”

(20) Section 2603.1.1 Add new section to read “Wall framing for walls containing plumbing” Add section to read “Any wall that contains plumbing shall be constructed of a minimum of two by six nominal stud (2X6).”

(21) Section 2603.5.1 Add 12” at both locations.

(22) Section 2801.6.3 Add new section to say “An approved warning and water service shutoff device shall be required where the pan drain termination is not take to the outside.”

(22) Section 2902. After last sentence add the following: “No backflow devices shall be located below grade.”

(2319) Section P2902.4.3 “Hose Connection.” Add the following: “All hose bibs installed on the exterior of the building shall be protected with a back flow preventer that is an integral part of the hose bib.”

(24) Sections 3005.2 after last sentence add the following: “A minimum of one (1) clean-out conforming with section 3005.2.1 through 3005.2.11 and one (1) clean out located within 5’ inside the property line shall be required. Where a cleanout is in conflict with any easement, public or private, the placement of the cleanout shall be coordinated with the City Building Official.”

(25) Section 3005.4.2.1 Add new section to read as follows: “Building sewers shall not be less than 3 inches (7.62 cm) in diameter.”

-(260) Table 3005.4.2. Add footnote “c”. Amend to read as follows: “Building sewers shall not be less than 3 inches (7.62 cm) in diameter.”

(274) Section P3007.1.1 “Location of Sumps and Ejectors.” Add to read as follows: “All portions of any equipment associated with a sewer sump or ejector shall be installed out-of-doors, and not within any building intended for human habitation.”

(282) Section P3102.1 “Required Vent Extension.” Add the following: “Every building in which plumbing is installed shall have at least one stack, the size of which not less than 3 inches (7.62 cm). Such stack shall run undiminished in size, and as directly as possible from the building drain through to the open air or a vent header that extends to the open air. Where possible, the 3-inch (7.62-cm) vent should serve the water closet farthest from where the building sewer exits the building.”

(~~293~~) Section P3114.1 “General.” After last sentence Aadd the following: “Air admittance valves may only be installed with prior written authorization of the Building Official.”

(~~3024~~) Section E3601.6.2 “Service Disconnect Locations.” Amend to read: “The service disconnecting means shall be installed at a readily accessible location outside of the building, and as close to the meter base as possible. Each occupant shall have clear access to the service disconnecting means serving the dwelling unit in which they reside.”

(~~3125~~) Section AI101.1 of Appendix I “Private Sewage Disposal.” Amend to read: “All private sewage disposal systems shall conform to the requirements of the Texas Department of Health and the Texas Commission on Environmental Quality, as administered by the Bell County Health Department.”

(~~3226~~) Appendices AA, AB, AC, AD, AG, AH, AI, AJ, AK, AM, AN, AO, AP, AQ, and AV are adopted.

(~~3327~~) Appendices AE, AF, AL, AR, AS,~~and AT, AU and AV~~-are not adopted.

(G) *The International Property Maintenance Code, 2021-15 Edition*, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

(1) Section 101.1 "Title." Insert "The City of Harker Heights."

(2) Section 104.13.5 "Fees." Amend to read: "The fees for activities and services and/or permits required by this department shall be paid as required, in accordance with the schedule as established in the annual budget document."

(3) SECTION 107444 "MEANS OF APPEAL." Replace the text with the following: "See Section 113 of the International Building Code."

(4) SECTION 108 "Board of Appeals": Delete entire section.

(54) Section 302.4 "Weed." Insert: "12 inches (304.8 mm)."

(65) Section 302.8 "Motor Vehicles." Amend to read: "Except as provided in other regulations, no inoperative and not displaying a current registration and inspection certificate, motor vehicle shall be parked, kept or stored on any premises visible from any public property, and no vehicle shall at any time be in a state of disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth."

(76) Section 304.14 "Insect Screens." Amend to read: "Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or anywhere products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored, shall be supplied with approved tightly fitting screens of less than sixteen (16) mesh per inch (16 mesh per 25 mm), and every swinging door shall have a self-closing device in good working condition."

(87) Section 602.3 "Heat Supply." Amend to read: "Every owner and operator of any building who rents, leases, or sublets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 65° F (18° C) in all habitable rooms, bathrooms, and toilet rooms."

(98) Section 602.4 "Occupiable Work Spaces." Amend to read: "Indoor work spaces that may be occupied shall be supplied with heat to maintain a temperature of not less than 65° F (18° C) during the period that the space is occupied."

Exceptions: remain as written.

~~-(109) Appendix A is hereby adopted.~~

(11) Appendix B not adopted.

(H) *The International Existing Building Code, 2021~~15~~ Edition*, as promulgated by the International Code Council, Inc., and all subsequently published annual revisions, except for the following, which shall amend and change said code only to the extent referenced:

(1) **Section 101.1 “Title”** Insert “The City of Harker Heights”

(2) **Section 105.1.1 Annual Permit and 105.1.2 Annual Permit Records** “Delete in its entirety”

(3) **Section 105.2 Work Exempt from permit** “Delete Number 1”

(4) **Section 109.54.1 Add New Section “ Re-inspection”** to read: “Where any work or an installation does not pass any initial inspection, the necessary corrections shall be made to achieve compliance with this code. The work or installation shall then be re-submitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection.”

(5) **Section 112 “~~Means~~Board of Appeals”** Replace the text with the following: “Refer to Section 113 of the 2015 International Building Code”

(6) **Section 7056 .2.13 “Roof recover~~Recovering versus Replacement~~”** Delete ~~Item 1. all but the following: “New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck.”~~

~~(7) Section 705.2.1.1 “Exceptions” Delete entire section and add the following: “Roof Recovering: New roof coverings shall not be installed without first removing all existing layers of roof coverings down to the roof deck.”~~

(7) **705.36.4 “Roof recovering”** Delete Section

(l) *The International Swimming Pool and Spa Code, 2021-18 Edition*, as promulgated by the International Code Council Inc., and all subsequently published annual revisions issued, except for the following, which shall amend and change said code only to the extent referenced:

(1) Chapter 1, part 101.1 "Title." Insert "The City of Harker Heights."

~~(2) SECTION 103 "DEPARTMENT OF BUILDING SAFETY." Delete this section.~~

~~(32) 108.2 "Schedule of Permit fees" Amend to read: "The fees for work shall be as indicated in the city adopted fee schedule."~~

~~(3) Section 106.16 "Re-inspection and Testing." Amend to read: "Where any work or installation does not pass an inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection."~~

~~(4) Section 105.6.2 "Fee Schedule." Amend to read: "The fees for work shall be as indicated in the city adopted fee schedule."~~

~~(35) Section 108.65.6.3 "Fee Refund." 105.6.3 (2) add "50 percent." 105.6.3 (3) add "50 percent." Remove and Insert "The code official shall authorize the refunding of fees as follows:~~

- ~~1. The full amount of any fee paid hereunder that was erroneously paid or collected.~~
- ~~2. Not more than 50 percent of the permit fee paid where work has been done under a permit issued in accordance with this code.~~
- ~~3. Not more than 50 percent of the plan review fee paid where an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review effort has been expended."~~

~~(4) Section 110.16 "Re-inspection and Testing." Amend to read: "Where any work or installation does not pass an inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the code official for re-inspection. A fee shall be paid to the city for each re-inspection."~~

~~(65) SECTION 11108 "MEANS OF APPEALS." Replace the text with the following: "See Section 113 of the International Building Code."~~



CITY COUNCIL MEMORANDUM

P21-33

AGENDA ITEM# VIII-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVAL OF A PRELIMINARY PLAT REFERRED TO AS CHAPARRAL ROAD ADDITION ON PROPERTY DESCRIBED AS PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099 AND THE LAND HEREIN DESCRIBED BEING A PORTION OF THAT CERTAIN 3.79 ACRE TRACT CONVEYED TO RENA CHANG HOOT BY GIFT DEED RECORDED IN VOLUME 3475, PAGE 616, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT THE INTERSECTION OF CHAPARRAL ROAD AND F.M. 3481 (STILLHOUSE LAKE ROAD), HARKER HEIGHTS, BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for approximately 1.73 acres of vacant land located on at the intersection of Chaparral Road and Stillhouse Lake Road. The proposed development will consist of 1 (one) lot that is currently zoned Secondary and Highway Business District (B-4). The applicant indicated that the proposed use for this parcel is a Convenience Store/Gas Station. The current Land Use Plan designates this parcel to have a land use as a 'Community Center' use, which is appropriate for the intended zoning use.

As of December 1, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On November 22, 2021, staff returned comments to the applicant. On November 24, 2021, the applicant submitted revisions based on the November 22, 2021 comments. Comments on revisions have been substantially met, with remaining comments being related to the construction phase and TxDOT approval of the Final Plat. Staff therefore recommended approval to the Planning & Zoning Commission of the Preliminary Plat for the subdivision referred to as Chaparral Road Addition.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (4-2) to recommend approval of a Preliminary Plat for the subdivision referred to as Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove with explanation** a request for Preliminary Plat for the subdivision referred to Chaparral Road Addition on property described as Peter Williamson Survey, Abstract No. 1099 and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas, generally located at the intersection of Chaparral Road and F.M. 3481 (Stillhouse Lake Road), Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Concept Plan
5. Chaparral Road Addition - Preliminary Plat
6. Chaparral Road Addition - Preliminary Engineering Documents
7. Location Map
8. Staff Comments with Responses (Comments sent 11/22/2021, Revisions received 11/24/2021)



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

Preliminary Plat Application

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

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

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

Property Information:

Plat Name: Chaparral Road Addition Date Submitted: 9-30-2021
 Existing Lot Count: _____ Proposed Lot Count: 1 Proposed Units: _____ Acreage: 1.730
 Existing Land Use: Vacant/Agriculture Proposed Land Use: Commercial
 Site Address or General Location: Intersection of Chaparral Road and FM 3481
 Public Infrastructure Proposed with Subdivision: Water Wastewater Streets (Including Private) Stormwater

Owner Information & Authorization:

Property Owner: Star Stillhouse Properties, LLC
 Address: 7930 Thaxton Road, Austin, Texas, 78747
 Phone: _____ E-Mail: starmarttexas@gmail.com
 Developer: Star Stillhouse Properties, LLC
 Address: 7930 Thaxton Road, Austin, Texas, 78747
 Phone: _____ E-Mail: starmarttexas@gmail.com
 Engineer/Surveyor: Belton Engineering, Inc
 Address: 106 N. East Street
 Phone: 254-731-5600 E-Mail: lchtay@beltonengineers.com

CHECK ONE OF THE FOLLOWING:

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

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

Qazi Abdul

Printed Name of Owner

Signature of Owner

SWORN AND SUBSCRIBED BEFORE ME ON THIS 1st
 DAY OF September 2021

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
 MY COMMISSION EXPIRES: June-15th-2022



STAFF ONLY - DO NOT FILL OUT

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

1.730 ACRES

Being a tract of land in Bell County, Texas, lying and situated in the **PETER WILLIAMSON SURVEY, ABSTRACT NO. 1099** and the land herein described being a portion of that certain 3.79 acre tract conveyed to Rena Chang Hoot by Gift Deed recorded in Volume 3475, Page 616, Official Public Records of Bell County, Texas (OPRBCT) and being more particularly described by metes and bounds as follows:

BEGINNING at a TxDOT brass monument found (North=10,351,464.028, East=3,133,905.488) in the common line of said 3.79 acre R.C. Hoot tract (east line) and the west right-of-way line of F.M. No. 3481 (Stillhouse Lake Road) being the southeast corner of that certain 0.068 acre tract, Part 1, conveyed to the State of Texas (Bell County) by Deed recorded in Volume 3205, Page 711, OPRBCT, same being the northeast corner of subject tract;

THENCE, SOUTH 21°21'14" EAST with said common line, **134.08 feet** to a TxDOT brass monument found at the most northerly corner of that certain 0.266 acre tract, Part 2, conveyed to the State of Texas (Bell County) by Deed recorded in Volume 3205, Page 711, OPRBCT;

THENCE continuing with said common line the following three calls (3):

- 1) **SOUTH 12°47'17" EAST, 57.12 feet** to a TxDOT brass monument found;
- 2) **SOUTH 07°05'34" EAST, 118.61 feet** to a TxDOT brass monument found;
- 3) **SOUTH 18°19'42" EAST, 88.11 feet** to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set along the west line of said 0.266 acre, (Part 2) State of Texas tract from which a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set bears **SOUTH 18°19'42" EAST, 112.55 feet**;

THENCE, over and across said R.C. Hoot Tract, **WEST, 320.54 feet** to a 1/2" iron rod with cap stamped "BRYAN TECH SERVICES" set along the east right-of-way line of Chaparral Road, a public dedicated street to the City of Killeen, Texas from which a 14" cedar post bears **SOUTH 21°30'01" WEST, 317.04 feet**;

THENCE, with the common line of said R.C. Hoot tract (west line) and said east right-of-way line of Chaparral Road **NORTH 21°30'01" EAST, 396.74 feet** to a TxDOT brass monument found at the southwest corner of said 0.068 acre, (Part 1) State of Texas tract;

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
03/29/21

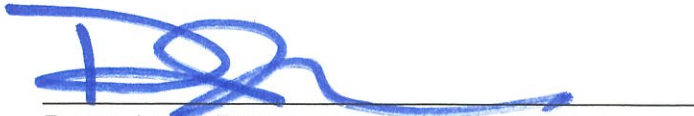
THENCE, departing said east right-of-way line, **NORTH 79°50'01" EAST, 72.45 feet** to the POINT OF BEGINNING and containing 1.730 acres of land (75,358.800 S.F.).

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
3/29/2021

1.730 ACRES TRACT

I, Bruce L. Bryan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground under my supervision.



Bruce Lane Bryan
Registered Professional Land Surveyor #4249
TSPLS FIRM No. 10128500
www.bryantechnicalservices.com

03-29-2021

Date

NOTE: Bearings shown hereon based on Texas State plane coordinate system (Central Zone 4203, NAD 83, 93 Adjustments. Distances are shown as grid values. See attached surveyor's plat, which accompanies this set of field notes.



**DEDICATION INSTRUMENT for:
CHAPARRAL ROAD ADDITION
AN ADDITION TO THE CITY OF
HARKER HEIGHTS, BELL COUNTY, TEXAS**

STATE OF TEXAS §

COUNTY OF BELL §

WHEREAS, STAR STILLHOUSE PROPERTIES LLC, a Texas limited liability company, hereinafter referred to as Grantor, being the sole owner of that 1.730 acre tract of land described by metes and bounds in a survey prepared by Bryan Technical Services, Inc., Registered Professional Land Surveyor, dated the 29th day of March 2021, which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, does hereby name and designate said tract as **Chapparral Road Addition**, an addition to the City of Harker Heights, Bell County, Texas and does hereby adopt the attached map and plat thereof and does hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, the easements as shown on said plat for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, and to the general public, for public use and for public purposes the streets, avenues and roadways as shown on said plat.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across said lands to and from said easements to construct, reconstruct and maintain same.

TO HAVE AND TO HOLD the easements and right-of-ways, together with all and singular the rights and privileges thereto in any manner belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said City of Harker Heights, Texas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this the _____ day of _____, 2021

BY: _____
Mustaqali Momin
Star Stillhouse Properties, LLC
A Texas limited liability company

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared Mustaqali Momin of Star Stillhouse Properties, LLC, a Texas limited liability company, known to me to be the persons and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

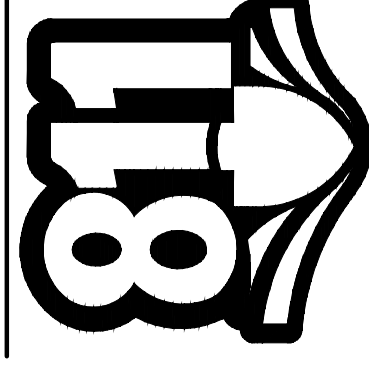
Given under my hand and seal of office this the _____ day of _____, 2021

Notary Public in and for the State of Texas

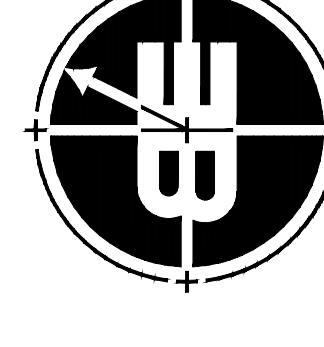
APPROVED AS TO FORM:

City Attorney's Office

REVISIONS



Know what's below
Call before you dig.



FIRM # F-13392

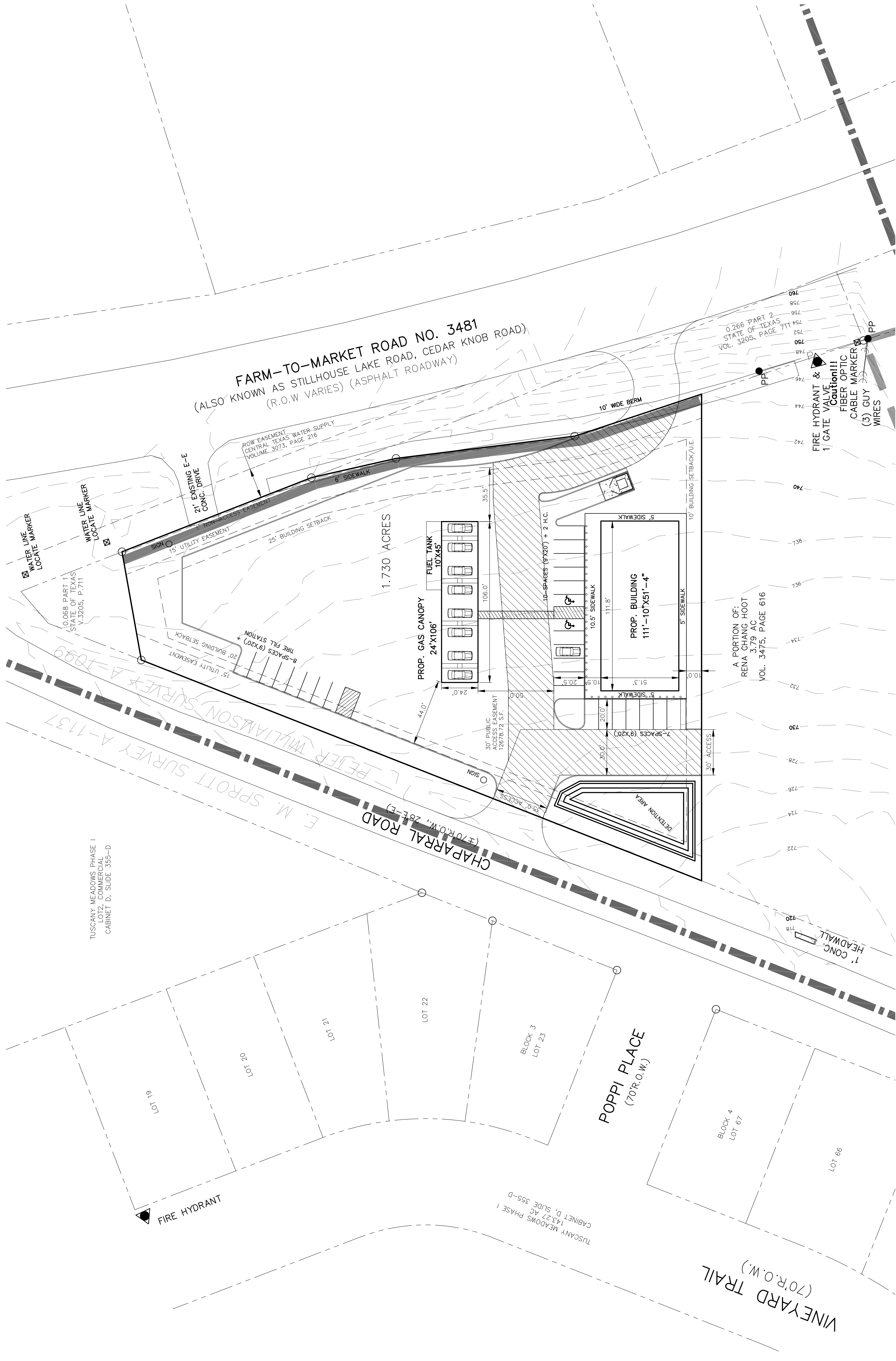
**BELTON
ENGINEERING
INC.**

106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)289-7273
BELTONEENGINEERS.COM

Engineering
Design/Build
Planning

CONCEPT PLAN OF:
CHAPARRAL ROAD GAS STATION
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS

SCALE: 1"=30'
DRAWN: RR
ELEC. DRAWING FILE:
C:\20052-BASE.DWG
DATE: 11/10/21
JOB NO.: 20052
1 OF XX
C1.0



FARM-TO-MARKET ROAD NO. 3481
(ALSO KNOWN AS STILLHOUSE LAKE ROAD, CEDAR KNOB ROAD)
(R.O.W VARIES) (ASPHALT ROADWAY)

0.266 PART 2
STATE OF TEXAS
VOL. 3205, PAGE 711

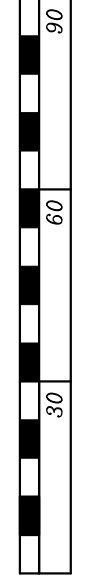
A PORTION OF:
RENA CHANG HOOT
3.79 AC
VOL. 3475, PAGE 616

PETER WILLIAMSON SURVEY A-1137
E. M. SPROTT SURVEY A-1137
PETER WILLIAMSON SURVEY A-1899

TUSCANY MEADOWS PHASE I
LOT 22, COMMERCIAL
CABINET D, SLIDE 355-D

TUSCANY MEADOWS PHASE I
143.27 AC
CABINET D, SLIDE 355-D

CONCEPT PLAN FOR:
CHAPARRAL ROAD GAS STATION
1.73 ACRES 75,358.8 S.F.
PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



NOTES:
 1. THE BEARINGS SHOWN HEREON ARE ORIENTED TO THE BEARING STATION AND ORIGINATE SYSTEM, CENTRAL ZONE, NAD 83, 93
 2. THE PROPERTY DEPICTED HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F.F.E.M. PANEL NO. 4802700295E, "FLOOD DATE, SEPTEMBER 26, 2008, IN ZONE "X" (UNSHADED).
 3. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.
 4. ALL SET IRON RODS HAVE ORANGE PLASTIC CAPS STAMPED "BRYAN TECH SERVICES".
 5. THERE IS A METES AND BOUNDS DESCRIPTION WHICH ACCOMPANIES THIS SURVEY.
 6. CURRENT ZONING: B-4 SECONDARY AND HIGHWAY BUSINESS DISTRICT

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS, THAT STAR STILLHOUSE PROPERTIES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY WHOSE ADDRESS IS 7930 THAXTON ROAD, STE. 100, AUSTIN, TEXAS 78747, BEING THE SOLE OWNER OF A PORTION OF WHAT IS KNOWN AS LOT 1, BLOCK 1, CHAPARRAL ROAD ADDITION, IN THE CITY OF HARKER HEIGHTS, COUNTY OF BELL, TEXAS, HAS MORE FULLY DESCRIBED IN THE DEED OF CHAPARRAL ROAD ADDITION, AS SHOWN BY THE PLAT HEREOF, ATTACHED HERETO, AND MADE A PART HEREON, AND APPROVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DOES HEREBY ADOPT SAID CHAPARRAL ROAD ADDITION, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, AND HEREBY DEDICATES TO SAID CITY, ALL EASEMENTS SHOWN ON SAID PLAT, THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS.

STAR STILLHOUSE PROPERTIES, LLC
 A TEXAS LIMITED LIABILITY COMPANY

MUSTAQAALI MOMIN, REGISTERED AGENT

STATE OF TEXAS
COUNTY OF BELL

BEFORE ME, THIS UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN _____ BY ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, IT HAS BEEN ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE FOREGOING INSTRUMENT AS THE OWNER OF THE PROPERTY DESCRIBED HEREON.

NOTARY PUBLIC, STATE OF TEXAS _____ DATE NOTARY COMMISSION EXPIRES _____

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS.

CHAIRPERSON, PLANNING AND ZONING COMMISSION _____

SECRETARY, PLANNING AND ZONING COMMISSION _____

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS.

MAYOR _____

CITY SECRETARY _____

STATE OF TEXAS
COUNTY OF BELL

APPROVED ON THE _____ DAY OF _____, 2021 BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR OF PLANNING AND DEVELOPMENT _____

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL TAXING ENTITIES IN BELL COUNTY, TEXAS, DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED ON THE _____ DAY OF _____, 2021.

BELL COUNTY TAX APPRAISAL DISTRICT

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DATED ON THE _____ DAY OF _____, 2021.

BELL COUNTY TAX APPRAISAL DISTRICT

LEGEND:

IRS IRON ROD SET, STAMPED "BRYAN TECHNICAL SERVICES"

IRF IRON ROD FOUND

U.E. UTILITY EASEMENT

N.A.E. NON-ACCESS EASEMENT

R.O.W. RIGHT-OF-WAY

() DEED CALLS

LEGEND:

IRS IRON ROD SET, STAMPED "BRYAN TECHNICAL SERVICES"

IRF IRON ROD FOUND

U.E. UTILITY EASEMENT

N.A.E. NON-ACCESS EASEMENT

R.O.W. RIGHT-OF-WAY

() DEED CALLS

BLOCK NO. # OF LOTS

1	1
---	---

BLOCK NO. # OF LOTS

1	1
---	---

PRELIMINARY PLAT

PRELIMINARY PLAT

BELTON ENGINEERING, INC.
 Engineering • Design/Build • Planning
 106 EAST STREET, BELTON, TEXAS 76513
 BELTON@BELTONENGINEERING.COM
 WWW.BELTONENGINEERING.COM

BELTON ENGINEERING, INC.
 Engineering • Design/Build • Planning
 106 EAST STREET, BELTON, TEXAS 76513
 BELTON@BELTONENGINEERING.COM
 WWW.BELTONENGINEERING.COM

DATE: 9/27/2021
 REVISIONS:
 OWNER'S SIGNATURE BLOCK

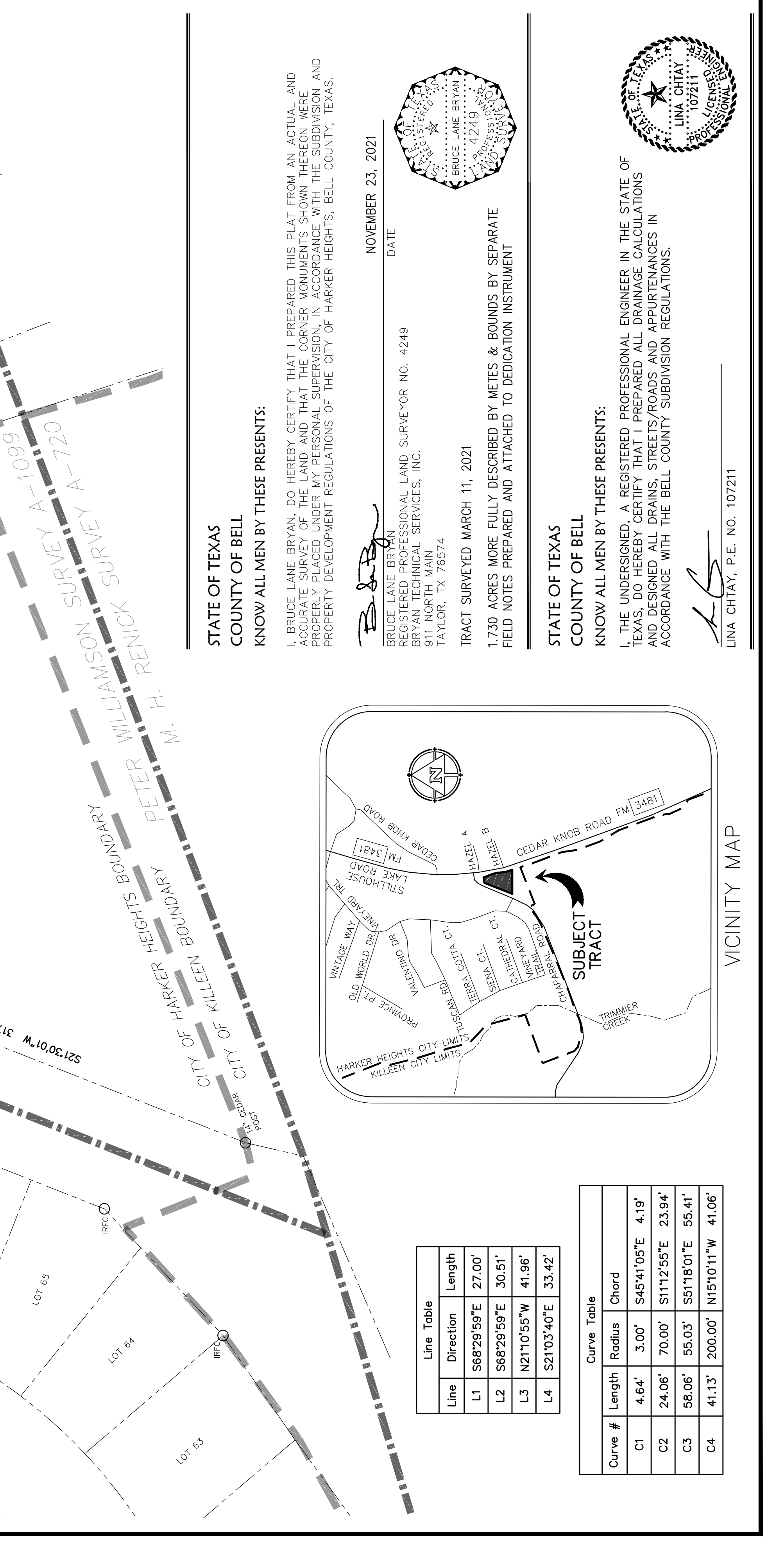
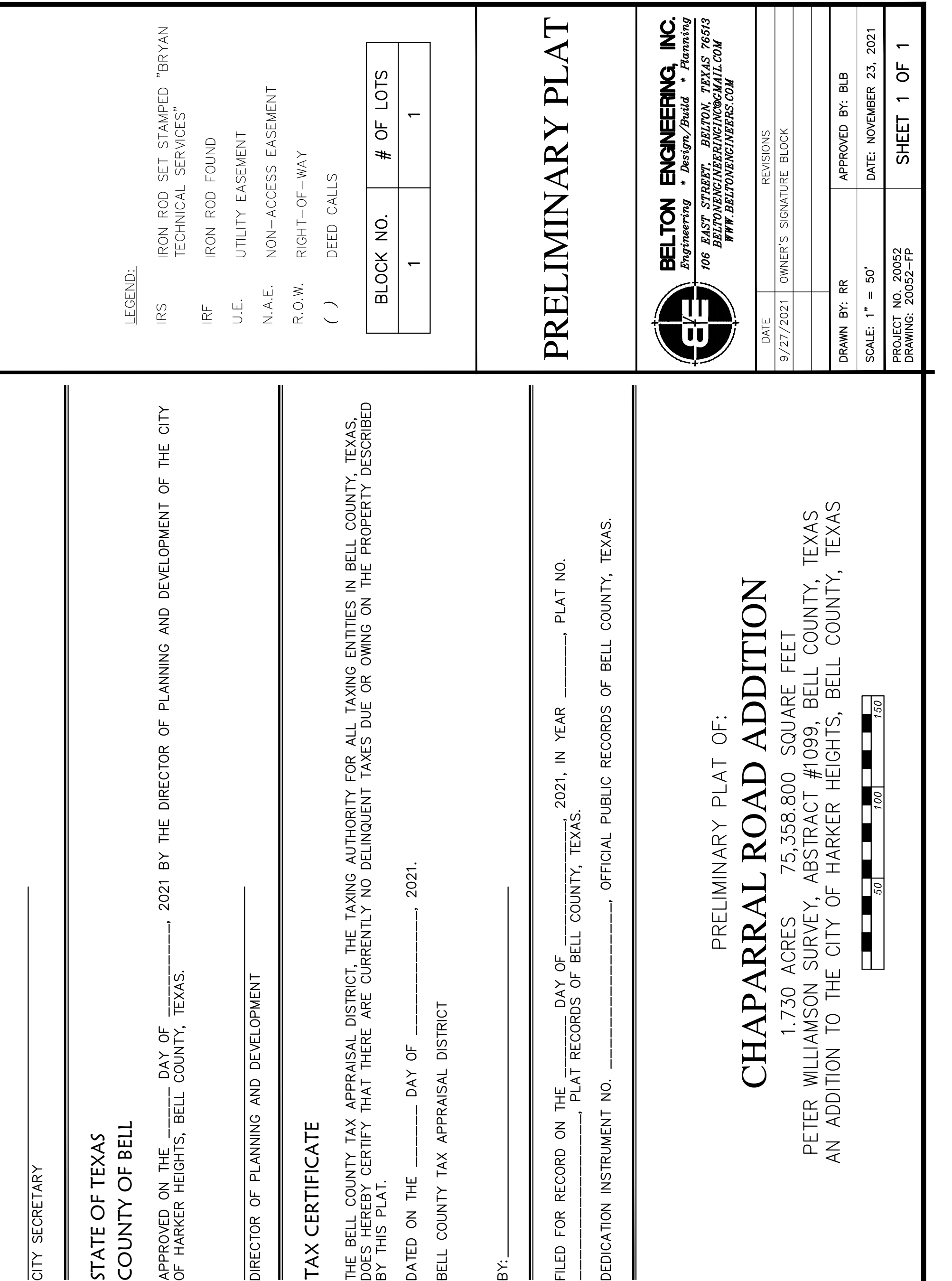
DATE: 9/27/2021
 REVISIONS:
 OWNER'S SIGNATURE BLOCK

DRAWN BY: RB
 APPROVED BY: BLB
 SCALE: 1" = 50'
 DATE: NOVEMBER 23, 2021
 PROJECT NO. 20052
 DRAWING: 20052-FP

DRAWN BY: RB
 APPROVED BY: BLB
 SCALE: 1" = 50'
 DATE: NOVEMBER 23, 2021
 PROJECT NO. 20052
 DRAWING: 20052-FP

SHEET 1 OF 1

SHEET 1 OF 1



Line Table

Line	Direction	Length
L1	S68°29'59"E	27.00'
L2	S68°29'59"E	30.51'
L3	N211°0'55"W	41.96'
L4	S21°03'40"E	33.42'

Curve Table

Curve #	Length	Radius	Chord
C1	4.64'	3.00'	S45°41'05"E 4.19'
C2	24.06'	70.00'	S111°2'55"E 23.94'
C3	56.06'	55.03'	S51°8'01"E 55.41'
C4	41.13'	200.00'	N151°0'11"W 41.06'

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

I, BRUCE LANE BRYAN, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND PROPERTY DEVELOPMENT REGULATIONS OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DATED ON THE _____ DAY OF _____, 2021.

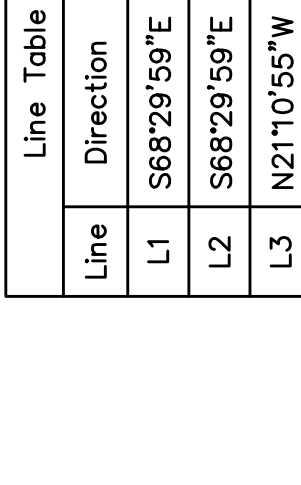
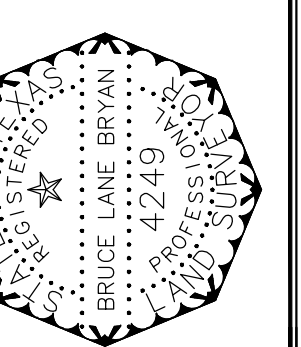
BELL COUNTY TAX APPRAISAL DISTRICT

STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED, A REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED ALL DRAINAGE CALCULATIONS AND DESIGNED ALL DRAINS, STREETS/ROADS AND APPURTENANCES IN ACCORDANCE WITH THE BELL COUNTY SUBDIVISION REGULATIONS.

LINA CHITAY, P.E. NO. 107211



BRUCE LANE BRYAN, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, LICENSE NO. 4249, 911 NORTH MAIN TAYLOR, TX 76574

TRACT SURVEYED MARCH 11, 2021

1.730 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

BRUCE LANE BRYAN, REGISTERED PROFESSIONAL ENGINEER IN THE STATE OF TEXAS, LICENSE NO. 4249, 911 NORTH MAIN TAYLOR, TX 76574

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1.730 ACRES MORE FULLY DESCRIBED BY METES & BOUNDS BY SEPARATE FIELD NOTES PREPARED AND ATTACHED TO DEDICATION INSTRUMENT

LINA CHITAY, P.E. NO. 107211

REVISIONS
 9/14-MH ADDED
 WATER SERVICE
 9/27-8" W.L. AND
 F.H. ADDED
 10/15-W.L. LAYOUT



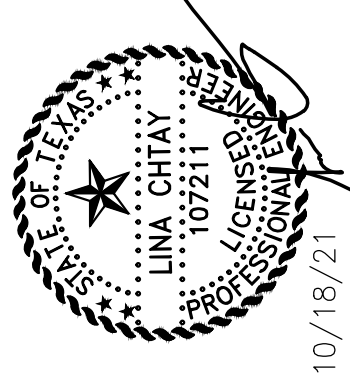
FIRM # F-13392

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 MOBILE (254)289-7273
 BELTONENGINEERS.COM

*Engineering
 Design/Build
 Planning*

UTILITY PLAN OF:
CHAPARRAL ROAD ADDITION
STAR STILLHOUSE PROPERTIES, LLC
 CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
 7930 THAXTON ROAD STE. 100
 AUSTIN, TEXAS, 78747



10/18/21

SCALE: 1"=40'

DRAWN: RR

ELEC. DRAWING FILE

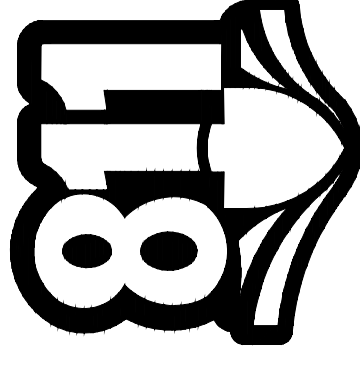
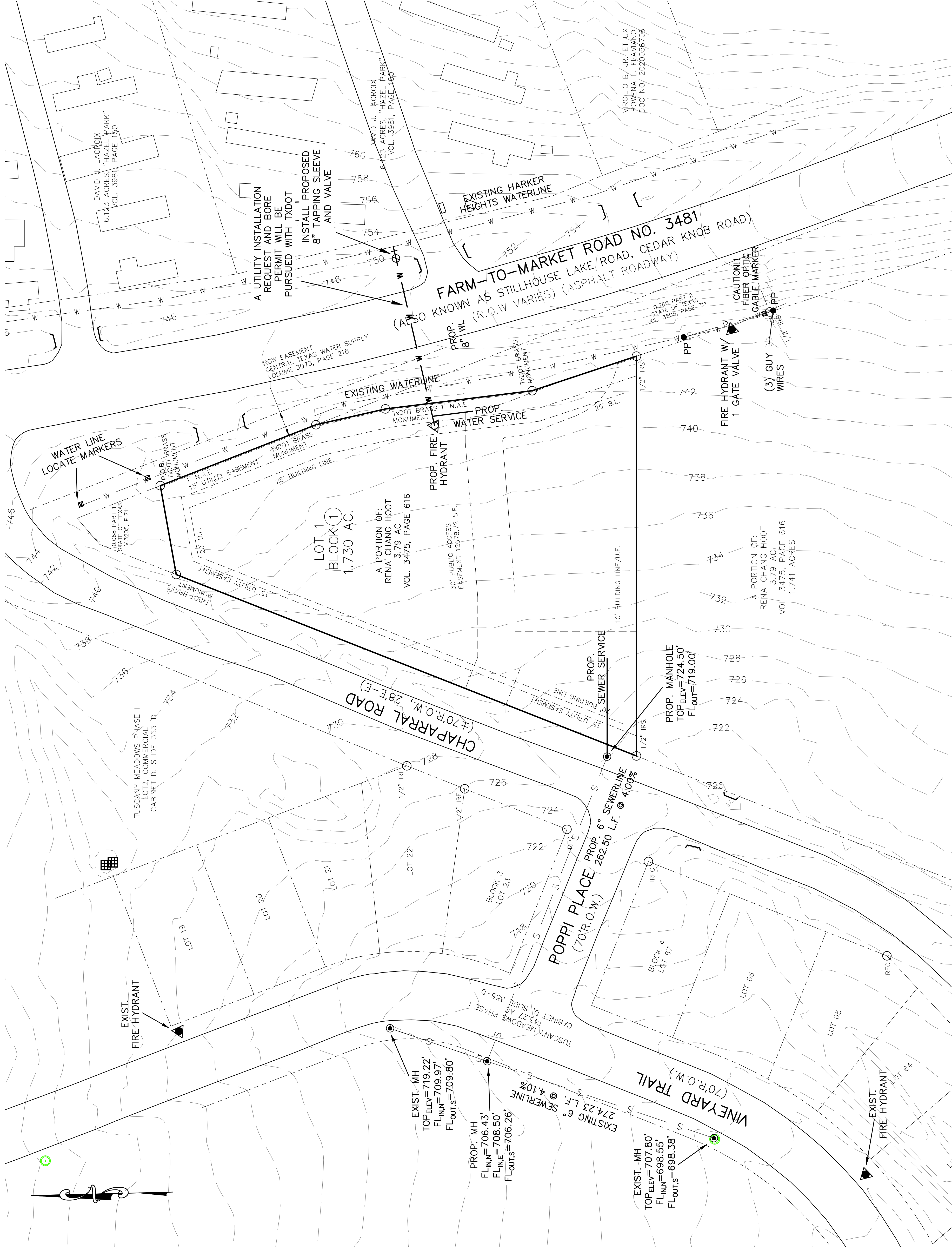
C:\20032-UP.DWG

DATE: 10/18/21

JOB NO.: 20052

2 OF 3

C2.0



Know what's below
 Call before you dig

UTILITY PLAN OF:

CHAPARRAL ROAD ADDITION

1.730 ACRES 75,358.800 SQUARE FEET
 PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
 AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS



WATER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
4. ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
5. CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2- FEET BEHIND THE BACK OF CURB.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
7. ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
8. FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

SANITARY SEWER LAYOUT STANDARD NOTES:

1. ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST EDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
2. CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
3. CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
4. ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
5. DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
6. UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

STANDARD NOTES:

1. THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USAGE.
2. TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
3. TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM CITY STACKHOUSE TOPOGRAPHY MAPS AND ON-SITE SURVEY.
4. THE ENGINEER OF RECORD MUST BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES IN THE PLANS EXIST.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.

Time of Concentration Calculations

Project in: **City of Harker Heights** Method from: **City of Harker Heights**

$t_c = t_1 + t_2$ (time of concentration)

$t_1 = L_n / (42s^{0.5})$ (initial sheet/overland flow time, up to the first 300')

(travel time, shallow ditch, channel, or storm sewer)

Values of N: 0.016 Concrete (rough or smoothed finish)

0.02 Asphalt

0.10 0-50% vegetated ground cover, remaining bare soil or rock

0.20 50-90% vegetated ground cover, remaining bare soil or rock

0.30 100% vegetated ground cover, medium-dense grasses (lawns, grassy fields etc.) medium brush or tree cover

0.60 100% vegetated ground cover with areas of heavy vegetation (parks, green-belts, riparian areas etc.) dense under-growth

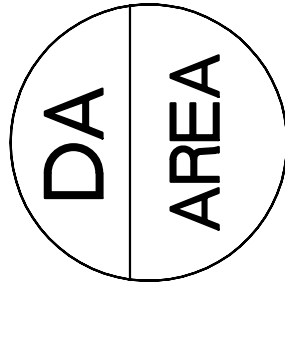
Time of Concentration, Existing/Proposed Conditions

Drainage Area Data	Initial/Overland Time t_1		Travel Time t_2		Computed		To used in Design	
	DA	N	Length, L_o (ft)	Slope, S (ft/ft)	t_1 (min)	t_2 (min)	t_c (min)	t_c (min)
DA1	0.20	60.00	0.200	0.064	0.064	4.09	4.7	10

C-COMPOSITE CALCULATIONS EXISTING

AREA	10 YEARS		25 YEARS		100 YEARS	
	C	C ₁₀	C	C ₂₅	C	C ₁₀₀
FAIR GRASS (ac.)	0.42	2.05	0.81	0.28	2.33	0.47
ASPHALTC (ac.)	0.42	2.05	0.81	0.28	2.33	0.47
TOTAL AREA (ac.)						
DA1	0.42	2.05	0.81	0.28	2.33	0.47
FAIR GRASS (ac.)	0.46	2.05	0.86	0.28	2.33	0.51
ASPHALTC (ac.)	0.46	2.05	0.86	0.28	2.33	0.51
TOTAL AREA (ac.)						
DA1	0.46	2.05	0.86	0.28	2.33	0.51
FAIR GRASS (ac.)	0.53	2.05	0.95	0.28	2.33	0.58
ASPHALTC (ac.)	0.53	2.05	0.95	0.28	2.33	0.58
TOTAL AREA (ac.)						
DA1	0.53	2.05	0.95	0.28	2.33	0.58

LEGEND



Drainage Calculations, Existing Conditions

DA	AREA (acres)	T _c (min)	C ₁₀	I ₁₀ (in./hr.)	Q ₁₀ (cfs)	C ₂₅	I ₂₅ (in./hr.)	Q ₂₅ (cfs)	C ₁₀₀	I ₁₀₀ (in./hr.)	Q ₁₀₀ (cfs)
DA1	2.33	10	0.47	7.00	7.60	0.51	8.46	9.98	0.58	10.68	14.41

C-COMPOSITE CALCULATIONS PROPOSED

AREA	10 YEARS		25 YEARS		100 YEARS	
	C	C ₁₀	C	C ₂₅	C	C ₁₀₀
FAIR GRASS (ac.)	0.42	0.32	0.35	0.47	0.81	0.28
GOOD GRASS (ac.)	0.42	0.32	0.35	0.47	0.81	0.28
CONCRETE/ROOF (ac.)	0.42	0.32	0.35	0.47	0.81	0.28
TOTAL AREA (ac.)						
DA1	0.42	0.32	0.35	0.47	0.81	0.28
FAIR GRASS (ac.)	0.46	0.32	0.39	0.47	0.86	0.28
GOOD GRASS (ac.)	0.46	0.32	0.39	0.47	0.86	0.28
CONCRETE/ROOF (ac.)	0.46	0.32	0.39	0.47	0.86	0.28
TOTAL AREA (ac.)						
DA1	0.46	0.32	0.39	0.47	0.86	0.28
FAIR GRASS (ac.)	0.53	0.32	0.46	0.47	0.95	0.28
GOOD GRASS (ac.)	0.53	0.32	0.46	0.47	0.95	0.28
CONCRETE/ROOF (ac.)	0.53	0.32	0.46	0.47	0.95	0.28
TOTAL AREA (ac.)						
DA1	0.53	0.32	0.46	0.47	0.95	0.28

*Values for concrete and good grass derived from the preliminary concept plan

Drainage Calculations, Proposed Conditions

DA	AREA (acres)	T _c (min)	C ₁₀	I ₁₀ (in./hr.)	Q ₁₀ (cfs)	C ₂₅	I ₂₅ (in./hr.)	Q ₂₅ (cfs)	C ₁₀₀	I ₁₀₀ (in./hr.)	Q ₁₀₀ (cfs)
DA1	2.33	10	0.67	7.00	10.97	0.72	8.46	14.16	0.80	10.68	19.96

DETENTION POND

STORM EVENT	Q _{PRE} (cfs)	Q _{POST} (cfs)	Q _{DISCHARGE} (cfs)	MAX. ELEV. (ft)	MAX STORAGE (cf)
10-YEAR EVENT	7.60	10.97	7.56	725.49	2,884
25-YEAR EVENT	9.98	14.16	10.03	725.80	3,615
100-YEAR EVENT	14.41	19.96	14.30	726.28	4,901

NOTE: ALL DRAINAGE CALCULATIONS REFLECT THE CURRENT ATLAS 14 REVISIONS FOR HYDROLOGY, RELATING TO RAINFALL STORM CONDITIONS.

REVISIONS
11/23-1 VALUES



FIRM # F-13392

BELTON ENGINEERING INC.

106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254) 731-5600
MOBILE (254) 289-7273
BELTONENGINEERS.COM

Engineering
Design/Build
Planning

PRE/POST DEVELOPMENT DRAINAGE PLAN OF:
CHAPARRAL ROAD ADDITION
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
STAR STILLHOUSE PROPERTIES, LLC
7930 THAKON ROAD STE. 100
AUSTIN, TEXAS, 78747



11/23/21

SCALE: 1" = 30'

DRAWN: RR

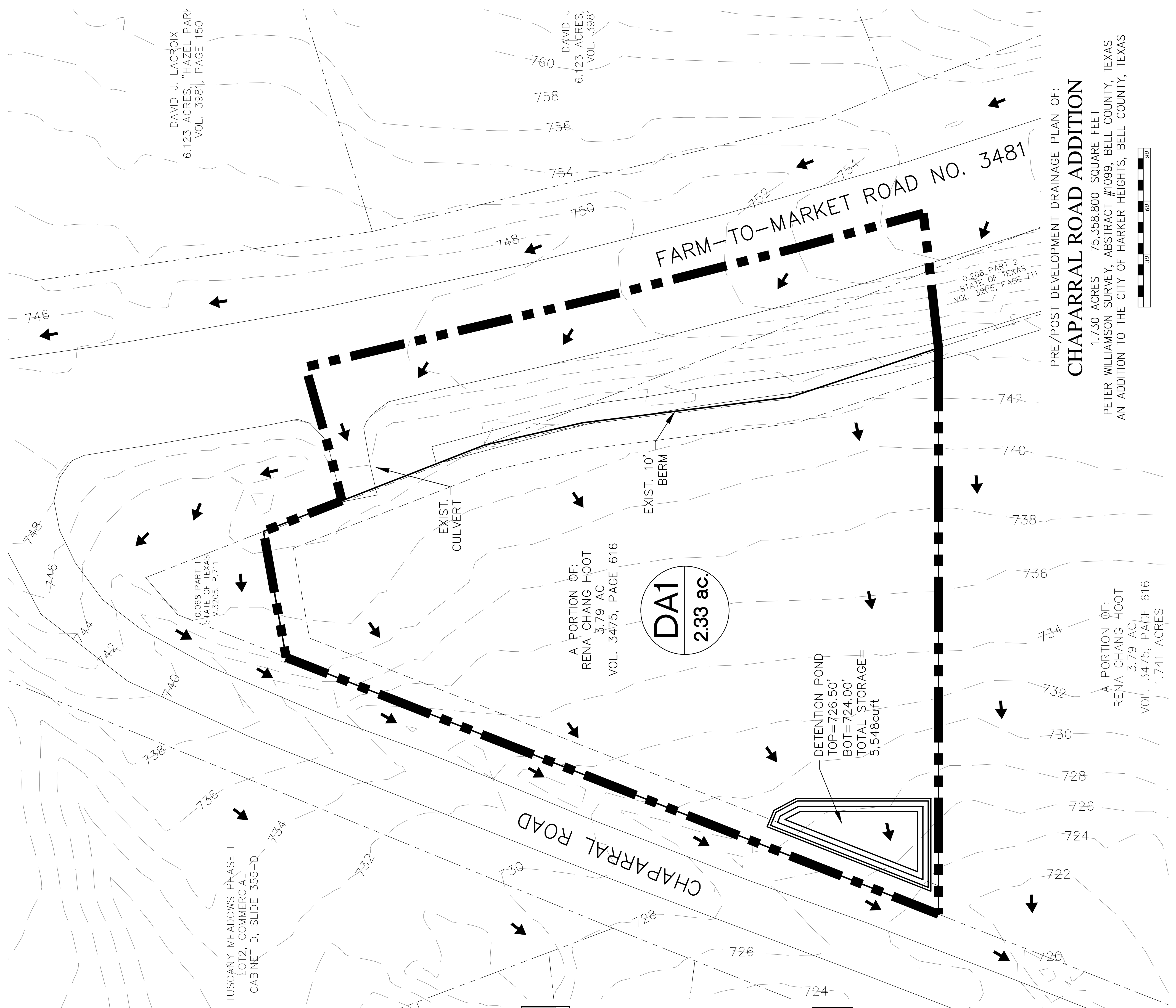
ELEC. DRAWING FILE
C:\20052-DR.DWG

DATE: 11/23/21

JOB NO.: 20052

3 OF 3

C3.0



PRE/POST DEVELOPMENT DRAINAGE PLAN OF:
CHAPARRAL ROAD ADDITION

1.730 ACRES 75,358.800 SQUARE FEET
PETER WILLIAMSON SURVEY, ABSTRACT #1099, BELL COUNTY, TEXAS
AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS

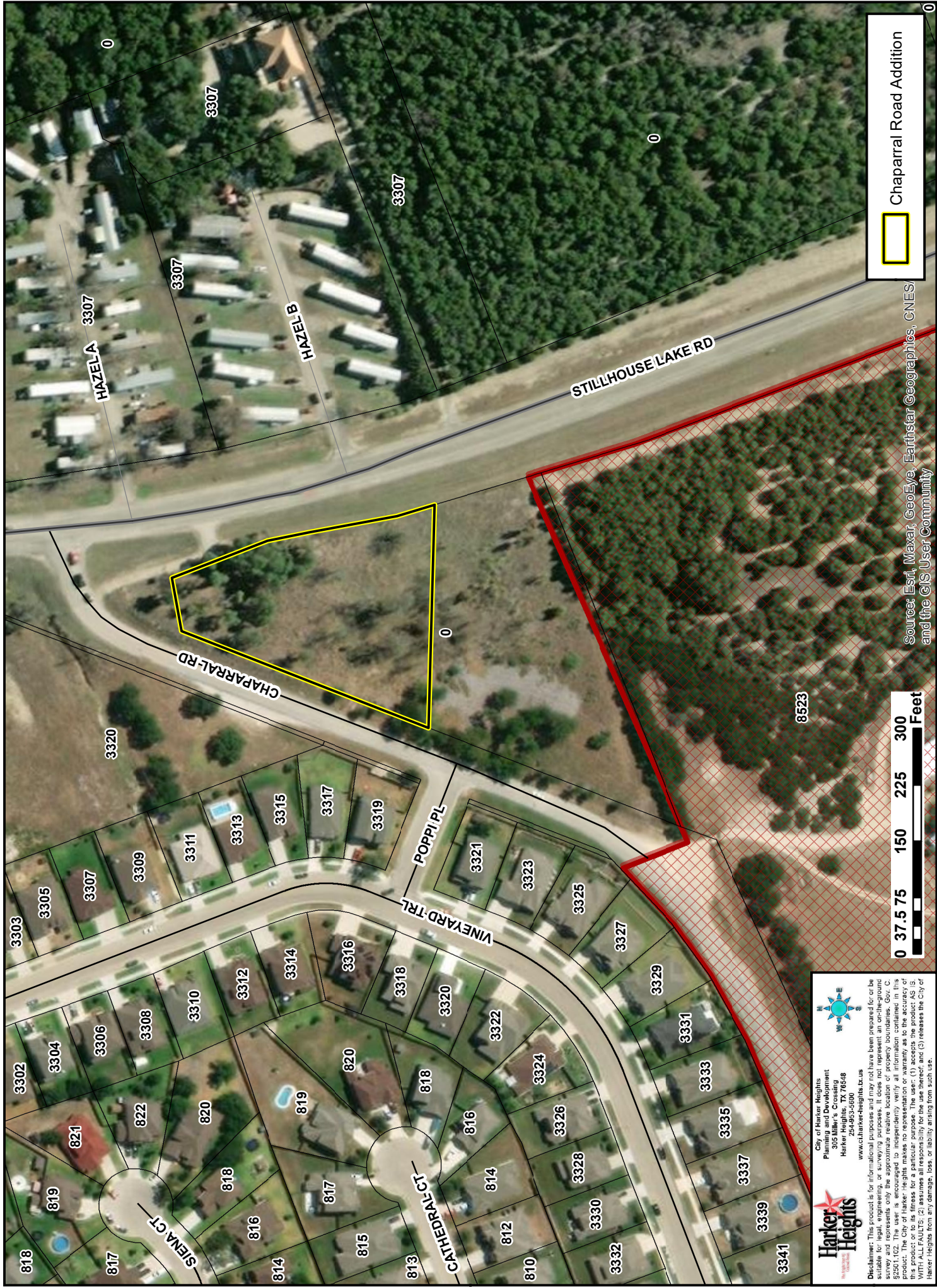
A PORTION OF:
RENA CHANG HOOT
3.79 AC
VOL. 3475, PAGE 616
1.741 ACRES

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A PORTION OF:
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3.79 AC
VOL. 3475, PAGE 616
1.741 ACRES



Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the information contained in this product. THE USER ASSUMES ALL RESPONSIBILITY FOR THE USE HEREOF AND (3) RELEASES THE CITY OF HARKER HEIGHTS FROM ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM SUCH USE.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES, and the GIS User Community

Chaparral Road Addition

CHAPARRAL ROAD ADDITION

P21-33 Preliminary Plat – Chaparral Road Addition

Plat Distributed to HH Staff: November 15, 2021
Comments Returned to Belton Engineering: November 22, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant shall clearly annotate that there is a 1' NAE along the entire frontage on FM 3481 except where the proposed driveway is located (ie. the called 15.89' segment has a 1' NAE on it.) **A leader with the label "1' NAE" added to final plat to called 15.89' segment.**
2. The following items can be addressed during construction site plan review and are provided for the Applicant's advanced reference.
 - a. Applicant is advised that TXDOT approval of the driveway(s) along FM 3481 will be required prior to final plat and release of construction site plans. This may require a traffic impact analysis. **TxDOT approval provided.**
 - b. Applicant is advised that the outfall for the proposed detention pond must be contained within and sheet flow be re-established within the property. **Noted.**
 - c. Applicant is advised that the drainage impact from removing the existing berm will be required. **Noted.**
 - d. Per §51.16 (D) (3), applicant is advised that the dumpster gates shown on concept plan cannot impede the fire lane. **Noted.**

Public Works, Mark Hyde: Approved, no comments.

City Engineer, Otto Wiederhold

1. Developer engineer must add note that all drainage calculation reflects the current atlas 14 revisions for hydrology, relating to rainfall storm conditions. **Noted regarding Atlas 14 added to the drainage plans. Drainage calculations revised due to revised intensity values.**

Fire Marshal, Brad Alley: Approved, no comments.

Building Official, Mike Beard: No comments.

ONCOR, Steven Huggins : No comments.

Bartlet, Garrett Prcin: Approved, no comments.

Century Link, Chris McGuire: Approved, no comments.

Time Warner Cable/Spectrum :

City has not heard back from this reviewing entity and comments may be forthcoming.

ATMOS

City has not heard back from this reviewing entity and comments may be forthcoming.

TXDOT

City has not heard back from this reviewing entity and comments may be forthcoming.

WCID #1

City has not heard back from this reviewing entity and comments may be forthcoming.

Utility Franchise Agreement, Kenny Robertsen: Approved, no comments.

Clearwater UWCD Noted.

1. Based on a desktop geodatabase and records review the Applicant is advised of the following:
 - a. Database review determined no wells exist on the proposed subdivision known as the Chaparral Road Addition.
 - b. Once the subdivision replat is approved and subdivided as requested, future drilling of groundwater production wells will not be possible, as all tracts and lots will be smaller than 2 acres.
 - c. The proposed subdivision lies in the City of Harker Heights' CCN #13079, thus public water supply to the proposed subdivision is solely the responsibility of the City of Harker Heights.
 - d. CUWCD is the regulatory authority for groundwater wells in Bell County and hereby certifies that this proposed subdivision has been evaluated for on-site groundwater production wells. In its current condition, the proposed subdivision meets our expectations described by District Policy and affirmed by District Staff, and *thus requires no signature block.*

Central Texas Water Supply

City has not heard back from reviewing entity and comments may be forthcoming.



CITY COUNCIL MEMORANDUM

P21-34

AGENDA ITEM# VIII-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVAL OF A PRELIMINARY PLAT REFERRED TO AS CEDAR TRAILS ON PROPERTY DESCRIBED AS LYING AND SITUATED IN THE URIAH HUNT SURVEY, ABSTRACT NO. 401 AND THE LAND HEREIN DESCRIBED BEING A PORTION OF THE REMAINDER TRACT, OF AN OVERALL CALLED 390 ACRE TRACT (COMPRISING OF WHAT WAS FORMERLY FOUR TRACTS OF LAND, OF 80 ACRES, 80 ACRES, 100 ACRES, AND 130 ACRES) CONVEYED TO SUSAN K. WILSON AND GARY L. MOORE BY AFFIDAVIT OF HEIRSHIP RECORDED IN DOCUMENT NO. 2017-00025863, OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS (OPRBCT), GENERALLY LOCATED NORTH OF E. KNIGHT'S WAY (FM 2410), AND EAST OF WARRIORS PATH RD., HARKER HEIGHTS, BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for approximately 24.383 acres of vacant land located North of E. Knight's Way/FM 2410 and East of Warrior's Path Rd. The proposed development will consist of 70 lots that are currently zoned R1-A (Single-Family Garden Home Residential District). The concept plan for this preliminary plat was recommended for approval by the Planning & Zoning Commission on October 27, 2021, and was approved by City Council on November 9, 2021.

As of December 1, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On November 22, 2021, staff returned comments to the applicant. On November 24, 2021, the applicant submitted revisions based on the November 22, 2021 comments. Comments on revisions have been substantially met, staff therefore recommended approval to the Planning and Zoning Commission of the Preliminary Plat for the subdivision referred to as Cedar Trails.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of a Preliminary Plat for the subdivision referred to as Cedar Trails on property described as lying and situated in the Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT), generally located North of E. Knight's Way (FM 2410), and East of Warriors Path Rd., Harker Heights, Bell County, Texas.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove with explanation** a request for a Preliminary Plat referred to as Cedar Trails on property described as lying and situated in the Uriah Hunt Survey, Abstract No. 401 and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT), generally located North of E. Knight's Way (FM 2410), and East of Warriors Path Rd., Harker Heights, Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Concept Plan
5. Preliminary Plat
6. Utility Layout
7. Preliminary Engineering Documents
8. Location Map
9. Staff Comments with Responses (Comments sent 11/22/2021, Revisions received 11/24/2021, Staff review of revisions 12/3/2021)



Preliminary Plat Application

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

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

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

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

Property Information:

Plat Name: Cedar Trails Date Submitted: Nov 10, 2021
 Existing Lot Count: _____ Proposed Lot Count: 70 Proposed Units: _____ Acreage: 24.383
 Existing Land Use: Vacant/Agriculture Proposed Land Use: Single-Family Residence

Site Address or General Location: 13436 E. Knights Way, Harker Heights, Texas

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

Owner Information & Authorization:

Property Owner: CBBHH Holdings, LLC

Address: 3513 SW HK Dodgen Loop, Suite 201, Temple, Texas 76502

Phone: _____ E-Mail: _____

Developer: CBBHH Holdings, LLC

Address: 3513 SW HK Dodgen Loop, Suite 201, Temple, Texas 76502

Phone: _____ E-Mail: _____

Engineer/Surveyor: Belton Engineering, Inc

Address: 106 N. East Street, Belton, Texas, 76513

Phone: 254-731-5600 E-Mail: lchtay@beltonengineers.com

CHECK ONE OF THE FOLLOWING:

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

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

Lina Chitay

Printed Name of Owner

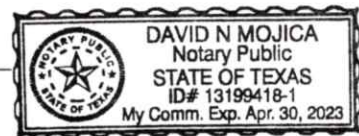
[Signature]

Signature of Owner

SWORN AND SUBSCRIBED BEFORE ME ON THIS tenth
DAY OF NOVEMBER, 20 21.

[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: _____



STAFF ONLY -- DO NOT FILL OUT

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

24.383 ACRES

Being a tract of land in Bell County, Texas, lying and situated in the **URIAH HUNT SURVEY, ABSTRACT NO. 401** and the land herein described being a portion of the remainder tract, of an overall called 390 acre tract (comprising of what was formerly four tracts of land, of 80 acres, 80 acres, 100 acres, and 130 acres) conveyed to Susan K. Wilson and Gary L. Moore by Affidavit of Heirship recorded in Document No. 2017-00025863, Official Public Records of Bell County, Texas (OPRBCT) and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod with cap found (North=10,356,810.59, East=3,145,122.15) at the common corner of said remainder Wilson and Moore tract (most southerly southwest corner) and that certain 3.00 acre tract, conveyed to Edwardo Sanchez by Warranty Deed with Vendor's Lien recorded in document No. 2020-065575 (OPRBCT) (southeast corner) and being along the north right-of-way line of North Farm-to Market Road No. 2410, (Knight's Way) a State of Texas maintained roadway;

THENCE departing said north right-of-way line of F.M. 2410, **NORTH 02°26'04" WEST**, with the common line of said Wilson and Moore tract (a west line) and said 3.00 acre Sanchez tract (east line), **528.02 feet** to an iron rod with cap found at the northeast corner of said Sanchez tract, being an interior angle of said Wilson and Moore tract;

THENCE SOUTH 79°12'14" WEST with the common line of said 3.00 acre Sanchez tract (north line) and said Wilson and Moore tract (a south line) **250.11 feet** to an iron rod with cap found at an all corner of said Wilson and Moore tract, at the northwest corner of said 3.00 acre Sanchez tract and being in the east line of that certain 12.79 acre tract conveyed to Donna L. Wham by Special Warranty Deed recorded in document No. 2020-68934 (OPRBCT);

THENCE NORTH 02°27'12" WEST with the common line of said 12.79 acre D.L. Wham tract (east line) and said Wilson and Moore tract (a west line), **211.81 feet** to an iron rod with cap found at an interior angle of said Wilson and Moore tract, being the northeast corner of said 12.79 acre D.L. Wham tract;

THENCE SOUTH 79°17'20" WEST with the common line of said Wilson and Moore tract (a south line) and said 12.79 acre D.L. Wham tract (north line), **72.26 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set, bearing **NORTH 79°17'20" EAST**, 550.97 feet from an iron rod with cap found at the northwest corner of said 12.79 acre D.L. Wham tract;

THENCE departing said common line, over and across said Wilson and Moore tract, the following twenty calls (20) calls:

- 1) **NORTH 04°40'54" EAST, 395.99 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 2) **NORTH 64°37'24" EAST, 304.05 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 3) **SOUTH 54°14'38" EAST, 70.79 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 4) **SOUTH 59°56'14" EAST, 99.22 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 5) **SOUTH 68°08'23" EAST, 149.51 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 6) **SOUTH 70°38'22" EAST, 263.48 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 7) **SOUTH 77°36'42" EAST, 108.76 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 8) **NORTH 89°46'05" EAST, 109.63 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 9) **NORTH 81°50'15" EAST, 164.63 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 10) **SOUTH 86°08'55" EAST, 106.77 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 11) **SOUTH 66°07'41" EAST, 75.02 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 12) **SOUTH 35°15'54" EAST, 61.72 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;

- 13) **SOUTH 19°16'54" EAST, 39.59 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 14) **SOUTH 01°43'11" WEST, 116.30 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 15) **SOUTH 24°53'18" WEST, 58.70 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 16) **SOUTH 36°22'30" WEST, 109.31 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 17) **SOUTH 47°27'34" WEST, 217.59 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 18) **SOUTH 36°34'14" WEST, 91.06 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 19) **SOUTH 25°54'42" WEST, 198.21 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set;
- 20) **SOUTH 36°19'34" WEST, 81.42 feet** to a ½" iron rod with cap stamped "BRYAN TECH SERVICES" set in the north right-of-way line of said F.M. Highway 2410, said iron rod bearing **SOUTH 79°10'17" WEST, 432.01 feet** from a broken concrete highway monument found at the southeast corner of said Wilson and Moore tract;

THENCE SOUTH 79°10'17" WEST with the common line of said Wilson and Moore tract (south line) and said north right-of-way line, **520.08 feet** to a concrete highway monument found;

THENCE SOUTH 79°32'46" WEST, continuing with said common line, passing at 100.59 feet an iron rod with cap found, lies 0.35 feet right (measured in a perpendicular direction) from subject line, passing at 106.89 feet an ½" iron rod with cap found, lies 0.13 feet right (measured in a perpendicular direction) from subject line, and continuing with subject line an additional 34.37 feet, for an overall distance of 141.26 feet to the **POINT OF BEGINNING** and containing 24.383 acres of land.

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
03/24/21

STATE OF TEXAS
COUNTY OF BELL

DATE OF SURVEY
3/24/2021

24.383 ACRES TRACT

I, Bruce L. Bryan, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that these field notes are a correct representation of a survey made on the ground under my supervision.



Bruce Lane Bryan
Registered Professional Land Surveyor #4249
TSPLS FIRM No. 10128500
www.bryantechnicalservices.com

03-24-2021

Date



NOTE: Bearings shown hereon based on Texas State plane coordinate system (Central Zone 4203, NAD 83, 93 Adjustments. Distances are shown as grid values.

See attached surveyor's plat, which accompanies this set of field notes.

**DEDICATION INSTRUMENT for:
CEDAR TRAILS
A SUBDIVISION IN THE CITY OF
HARKER HEIGHTS, BELL COUNTY, TEXAS**

STATE OF TEXAS §

COUNTY OF BELL §

WHEREAS, EMMONS GENERAL INVESTMENTS LTD, a limited company, hereinafter referred to as Grantor, being the sole owner of those tracts of land containing 24.383 acres described by metes and bounds in a survey prepared by Bryan Technical Services, Inc., Registered Professional Land Surveyor, dated the 24th day of March 2021, which Field Notes are attached hereto as Exhibit A and made a part hereof as fully as if written verbatim, does hereby name and designate said tracts as **Cedar Trails**, a subdivision in the City of Harker Heights, Bell County, Texas and does hereby adopt the attached map and plat thereof and does hereby agree that all future sales and conveyances of said property shall be by reference to said plat and dedication.

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, its assignees and franchisees furnishing public utilities in said subdivision, hereinafter collectively referred to as Grantee, the easements as shown on said plat for drainage purposes and for the installation, operation, maintenance, repair, use and replacement of all public utility lines, including electric power, water, sewer, gas and telephone, and reference is hereby made to such plat for the location of such easements.

Grantor does hereby give, grant and convey to the City of Harker Heights, Texas, and to the general public, for public use and for public purposes the streets, avenues and roadways as shown on said plat.

The Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment or use of the rights herein granted, included but not limited to, the free right of ingress or egress over and across said lands to and from said easements to construct, reconstruct and maintain same.

TO HAVE AND TO HOLD the easements and right-of-ways, together with all and singular the rights and privileges thereto in any manner belonging unto the said Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to **WARRANT AND FOREVER DEFEND** all and singular the said premises unto the said City of Harker Heights, Texas, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this the _____ day of _____, 2021

BY: _____
Lina Chtay, Registered Agent
CBBHH Holdings, LLC
A Texas limited liability company

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, on this day personally appeared Lina Chtay of CBBHH Holdings, LLC, a Texas limited liability company, known to me to be the persons and officer whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein stated.

Given under my hand and seal of office this the _____ day of _____, 2021

Notary Public in and for the State of Texas

APPROVED AS TO FORM:

City Attorney's Office

REVISIONS
10/1-S.L. LAYOUT
EXIST. W.L. LOCATION
10/15-W.L. LAYOUT
11/22-S.L. LAYOUT



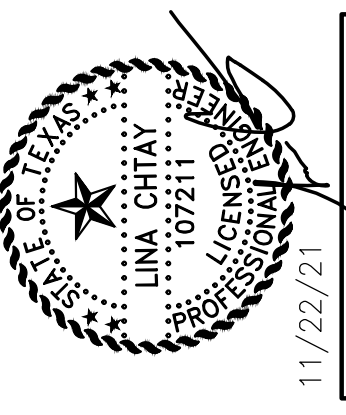
FIRM # F-13392

BELTON ENGINEERING INC.

106 NO. EAST STREET
 BELTON, TEXAS 76513
 OFFICE (254)731-5600
 MOBILE (254)289-7273
 BELTONENGINEERS.COM

*Engineering
 Design/Build
 Planning*

CEDAR TRAILS
 UTILITY PLAN OF:
 HARKER HEIGHTS, BELL COUNTY, TEXAS
 13436 E. KNIGHTS WAY
 CDBH HOLDINGS, LLC
 4513 SW H. DODGEN LOOP STE 201
 TEMPLE, TEXAS, 76602



11/22/21

SCALE: 1"=80'

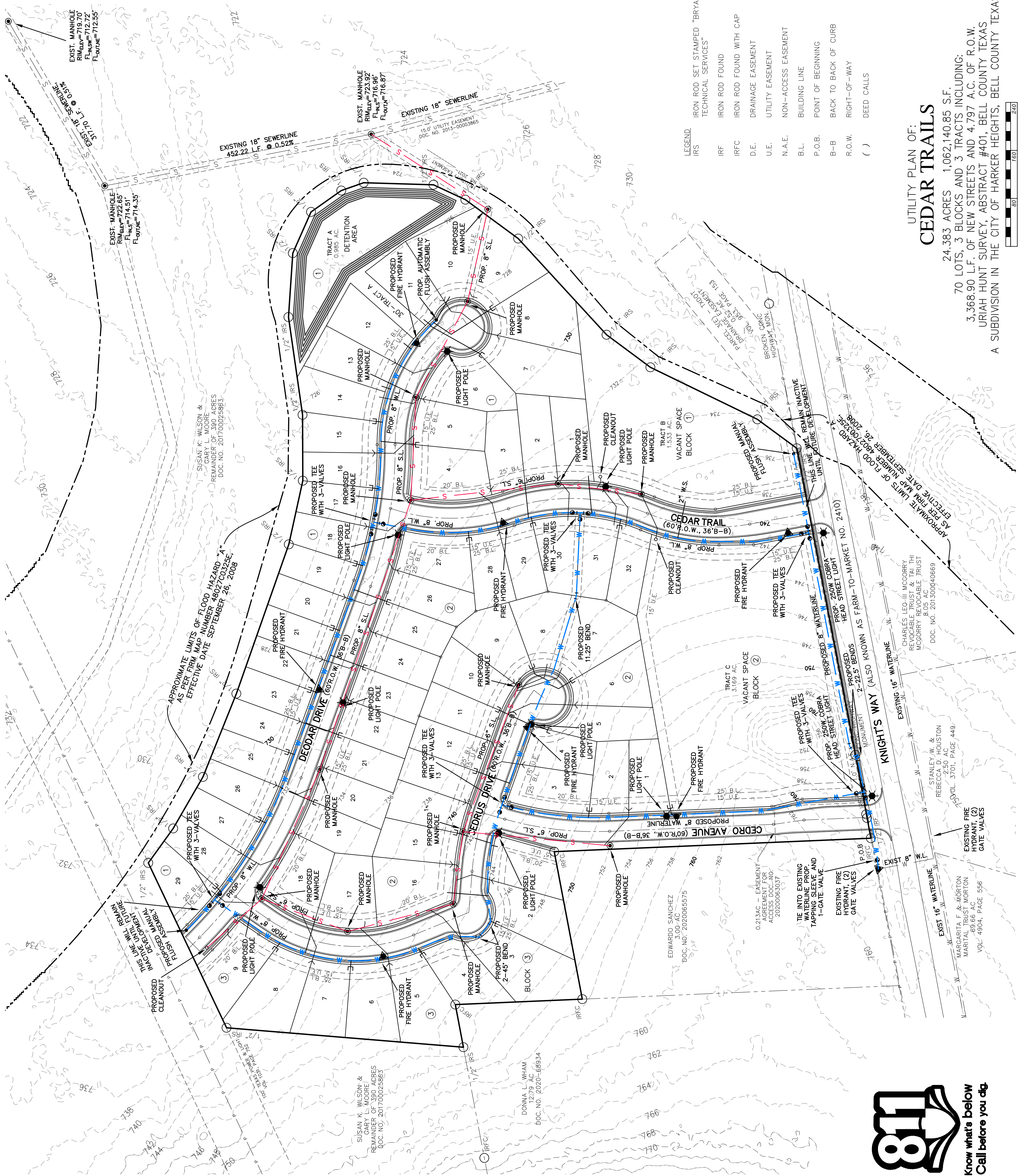
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DATE: 11/22/21

JOB NO.: 20044

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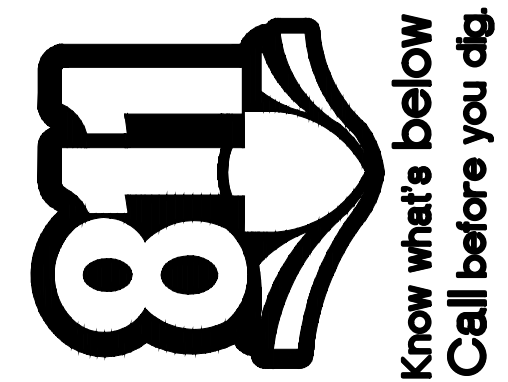


- WATER LAYOUT STANDARD NOTES:**
- ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
 - CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY DESIGN AND CONSTRUCTION IN ACCORDANCE WITH 30 TAC 290.
 - ALL WATER MAINS SHALL BE C-900 PVC PIPE UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL INSTALL SLEEVES FOR ALL WATER SERVICE LONG TAPS. SLEEVES SHALL BE 4-INCH DIAMETER PVC AND SHALL EXTEND TO A DISTANCE 2-FEET BEHIND THE BACK OF CURB.
 - UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.
 - ALL WATER MAINS SHALL HAVE A MINIMUM OF 42 INCHES OF COVER MATERIAL BELOW FINISH GRADE.
 - FIRE HYDRANT SYMBOLS ARE FOR REPRESENTATION ONLY. FIRE HYDRANT ORIENTATION SHALL BE PRESENTED ON A SEPARATE DETAIL.

- SANITARY SEWER LAYOUT STANDARD NOTES:**
- ALL WORK DETAILED ON THESE PLANS SHALL BE CONSTRUCTED TO THE SATISFACTION OF THE DIRECTOR OF PUBLIC WORKS IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (LATEST ADDITION), INCLUDING ALL AMENDMENTS ADOPTED THERETO BEFORE THE DATE OF APPROVAL OF THESE PLANS, AND IN ACCORDANCE WITH THE STANDARD DRAWINGS OF THE CITY OF HARKER HEIGHTS, UNLESS OTHERWISE NOTED.
 - CONTRACTOR SHALL COMPLY WITH ALL CURRENT OSHA REQUIREMENTS REGARDING TRENCH SAFETY AND SHORING.
 - CONTRACTOR SHALL COMPLY WITH ALL TCEQ RULES FOR UTILITY LINE LOCATIONS IN ACCORDANCE WITH 30 TAC 217.
 - ALL SANITARY SEWER MAINS SHALL BE SDR-26 PVC PIPE UNLESS OTHERWISE NOTED.
 - DOUBLE SEWER SERVICES SHALL CONSIST OF TWO SEPARATE 4-INCH DIAMETER PVC TAPS LOCATED IN THE SAME TRENCH.
 - UTILITIES HAVE BEEN LOCATED BY RECORD DRAWINGS AND VISIBLE APPURTENANCES. CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS BEFORE CONSTRUCTION BEGINS.

- STANDARD NOTES:**
- THE DEVELOPER, THROUGH HIS ENGINEER OR AUTHORIZED REPRESENTATIVE, SHALL ACQUIRE ALL REQUIRED NATIONWIDE PERMITS, SUCH AS CWA 401, 402 AND/OR 404 PERMITS, AS APPROPRIATE, FROM THE USEPA, TCEQ, AND/OR USACE.
 - TOPOGRAPHICAL INFORMATION IS PRESENTED FOR DRAINAGE ANALYSIS PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.
 - TOPOGRAPHICAL INFORMATION PRESENTED HEREIN IS DERIVED FROM TNRS DATA HUB HYPSOGRAPHIC DATA AND AN ONSITE GROUND SURVEY.
 - THE ENGINEER OF RECORD MUST BE NOTIFIED IMMEDIATELY IF ANY DISCREPANCIES IN THE PLANS EXIST.

UTILITY CONTRACTOR SHALL VERIFY LOCATION OF WATER AND SEWER SERVICES BEFORE TAPPING ANY LINES.



UTILITY PLAN OF:
CEDAR TRAILS
 24.383 ACRES 1,062,140.85 S.F.
 70 LOTS, 3 BLOCKS AND 3 TRACTS INCLUDING:
 3,368.90 L.F. OF NEW STREETS AND 4,797 A.C. OF R.O.W.
 URIAH HUNT SURVEY, ABSTRACT #401, BELL COUNTY TEXAS
 A SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY TEXAS

APPROXIMATE LIMITS OF FLOOD HAZARD AS PER FIRM MAP NUMBER 8602700325E, EFFECTIVE DATE SEPTEMBER 26, 2008

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Time of Concentration Calculations

Project in: **City of Harker Heights** Method from: **City of Harker Heights**

$t_c = t_1 + t_2$ (time of concentration)

$t_1 = Ln(42s^{0.5})$ (initial sheet/overland flow time, up to the first 300')

$t_2 = Ln(60s^{0.5})$ (travel time, shallow ditch, channel, or storm sewer)

Values of N: 0.016 Concrete (rough or smoothed finish)

0.02 Asphalt

0.10 0-50% vegetated ground cover, remaining bare soil or rock outcrops, minimum brush or tree cover

0.20 50-90% vegetated ground cover, remaining bare soil or rock outcrops, minimum-medium brush or tree cover

0.30 100% vegetated ground cover, medium-dense grasses (lawns, grassy fields etc.) medium brush or tree cover

0.60 100% vegetated ground cover with areas of heavy vegetation (parks, green-belts, riparian areas etc.) dense under-growth

Time of Concentration, Existing Conditions

Drainage Area Data	Initial/Overland Time t_1		Travel Time t_2		Computed t_c used in Design					
	DA	N	Length, L_s (ft)	Slope, S (ft/ft)	Length, L_t (ft)	Slope, S (ft/ft)	t_1 (min)	t_2 (min)	t_c (min)	
OS1+DA1	0.60	0.20	100.00	0.140	907.00	0.117	26.53	12.51	42.9	43
DA2	0.20	0.20	90.00	0.022	646.19	0.043	10.35	13.2	13.2	13

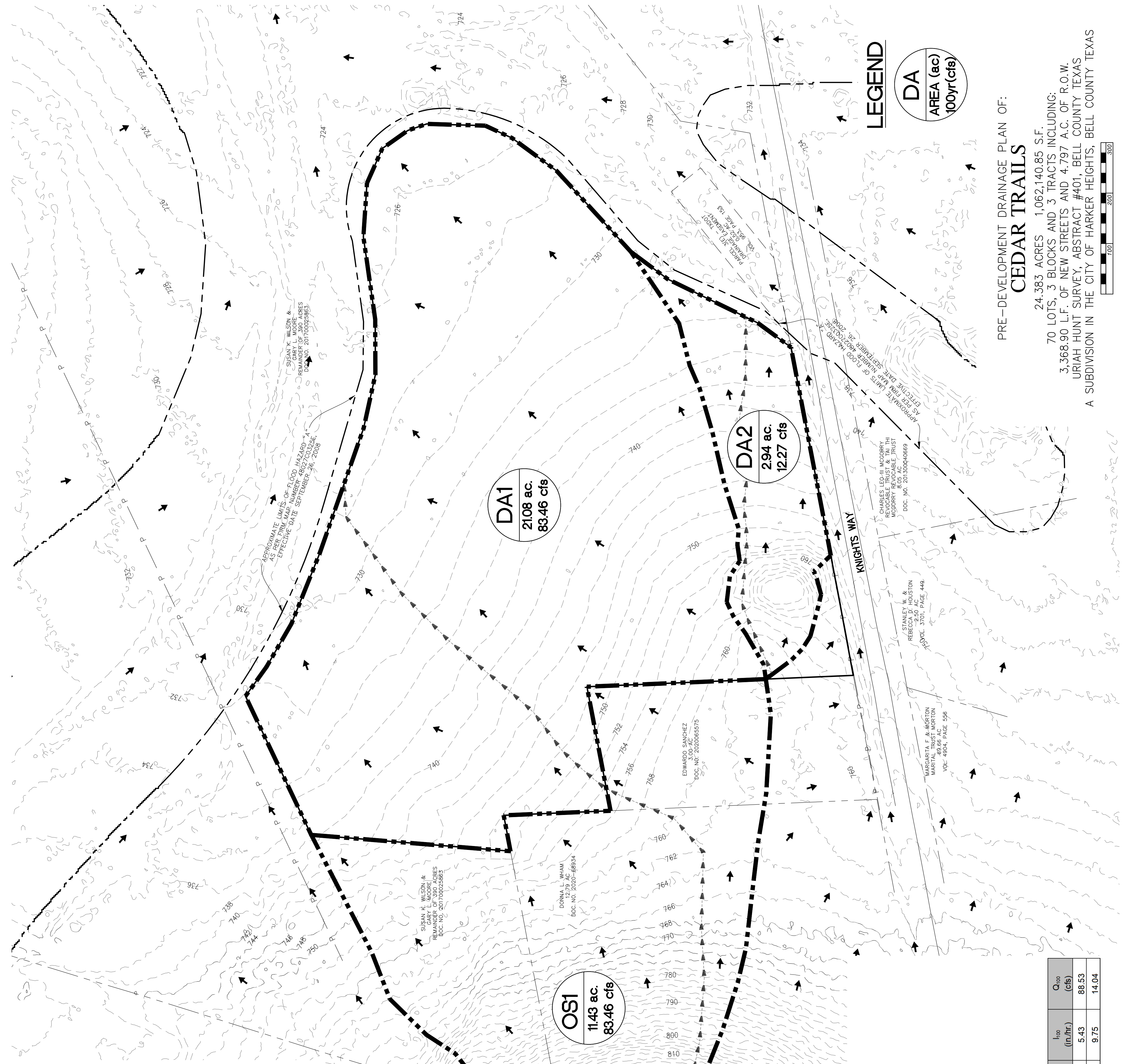
C-COMPOSITE CALCULATIONS EXISTING

AREA	10 YEARS				25 YEARS				100 YEARS						
	C	FAIR GRASS (ac.)	C	FOREST/ WOODLAND (ac.)	C	FOREST/ WOODLAND CONCRETE (ac.)	C	CONCRETE (ac.)	C	FOREST/ WOODLAND (ac.)	C	FOREST/ WOODLAND CONCRETE (ac.)	C	CONCRETE (ac.)	
OS1+DA1	0.38	24.05	0.41	8.22	0.63	0.24	0.39	32.51	0.43	3.40	43.15	0.43	58.44	0.50	88.53
DA2	0.42	24.05	0.45	8.22	0.88	0.24	0.43	32.51	0.43	6.34	7.08	0.42	9.47	0.49	14.04
OS1+DA1	0.49	24.05	0.52	8.22	0.97	0.24	0.60	32.51	0.60	9.75	14.04	0.60	21.49	0.60	34.57

Drainage Calculations, Existing Conditions

DA	AREA (acres)	T_c (min)	C_{10}	I_{10} (in/hr)	Q_{10} (cfs)	C_{25}	I_{25} (in/hr)	Q_{25} (cfs)	C_{100}	I_{100} (in/hr)	Q_{100} (cfs)
OS1+DA1	32.51	43	0.39	3.40	43.15	0.43	4.17	58.44	0.50	5.43	88.53
DA2	2.94	13	0.38	6.34	7.08	0.42	7.68	9.47	0.49	9.75	14.04

NOTE: ALL DRAINAGE CALCULATIONS REFLECT THE CURRENT ATLAS 14 REVISIONS FOR HYDROLOGY, RELATING TO RAINFALL STORM CONDITIONS



LEGEND

DA
AREA (ac)
100yr(cfs)

PRE-DEVELOPMENT DRAINAGE PLAN OF:
CEDAR TRAILS

24.383 ACRES 1,062,140.85 S.F.
70 LOTS, 3 BLOCKS AND 3 TRACTS INCLUDING:
3,368.90 L.F. OF NEW STREETS AND 4,797 A.C. OF R.O.W.
URIAH HUNT SURVEY, ABSTRACT #401, BELL COUNTY TEXAS
A SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY TEXAS



REVISIONS
11/22-DR_CALCS



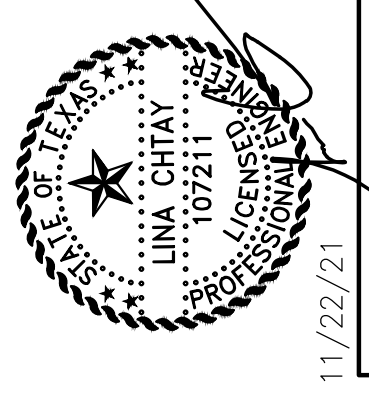
FIRM # F-13392

BELTON ENGINEERING INC.

106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
MOBILE (254)289-7273
BELTONENGINEERS.COM

*Engineering
Design/Build
Planning*

PRE-DEVELOPMENT DRAINAGE PLAN OF:
CEDAR TRAILS
13436 E. KNIGHTS WAY
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
CBRH HOLDINGS, LLC
3513 SW HK DODGEN LOOP STE 201
TEMPLE, TEXAS, 76502



11/22/21

SCALE: 1"=100'

DRAWN: RR

ELEC. DRAWING FILE

C:\20044-PRE.DWG

DATE: 11/22/21

JOB NO.: 20044

03 OF 04

C3.0

Time of Concentration Calculations

Project in: **City of Harker Heights** Method from: **City of Harker Heights**

$t_c = t_1 + t_2$ (time of concentration)

$t_1 = L_n / (4.2s^{0.5})$ (initial sheet/overland flow time, up to the first 300')

$t_2 = L_n / (60s^{0.5})$ (travel time, shallow ditch, channel, or storm sewer)

Values of N: 0.016 Concrete (rough or smoothed finish)

0.02 Asphalt

0.10 0-50% vegetated ground cover, remaining bare soil or rock

0.20 outcrops, minimum brush or tree cover

0.30 50-90% vegetated ground cover, remaining bare soil or rock

0.40 outcrops, minimum-medium brush or tree cover

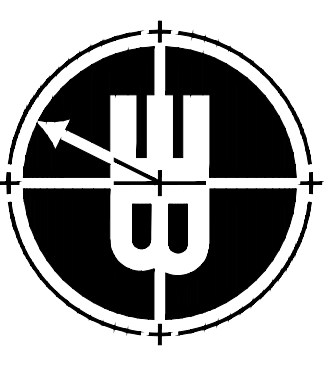
0.50 100% vegetated ground cover, medium-dense grasses (lawns, grassy fields etc.) medium brush or tree cover

0.60 100% vegetated ground cover with areas of heavy vegetation (parks, green-belts, riparian areas etc.) dense under-growth

Time of Concentration, Proposed Conditions

Area Data	Initial/Overland Time t_1			Travel Time t_2			Computed t_c used in Design		
	DA	N	Slope, S (ft/ft)	Length (ft)	Slope, S (ft/ft)	t_1 (min)	t_2 (min)	t_c (min)	t_c (min)
OS1+DA1	0.60	100.00	0.140	3.82	0.60	689.60	0.144	18.41	18.41
					0.30	556.92	0.023	18.23	44.6
					0.02	1402.70	0.013	4.13	44.6
DA2	0.30	40.00	0.050	1.28	0.30	191.63	0.021	6.63	7.9
									10

REVISIONS
11/22-DR-CALCS



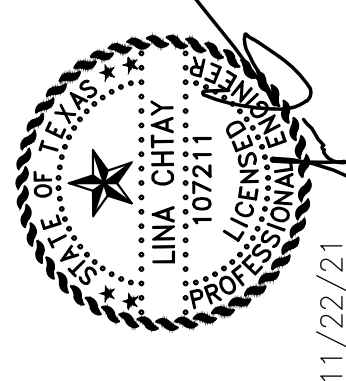
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106 NO. EAST STREET
BELTON, TEXAS 76513
OFFICE (254)731-5600
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Engineering/Build Planning

POST-DEVELOPMENT DRAINAGE PLAN OF:
CEDAR TRAILS
13436 E. KNIGHTS WAY
CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS
CBRH HOLDINGS, LLC
3513 SW HK DODGEN LOOP STE 201
TEMPLE, TEXAS, 76502



11/22/21

SCALE: 1"=100'

DRAWN: RR

ELEC. DRAWING FILE

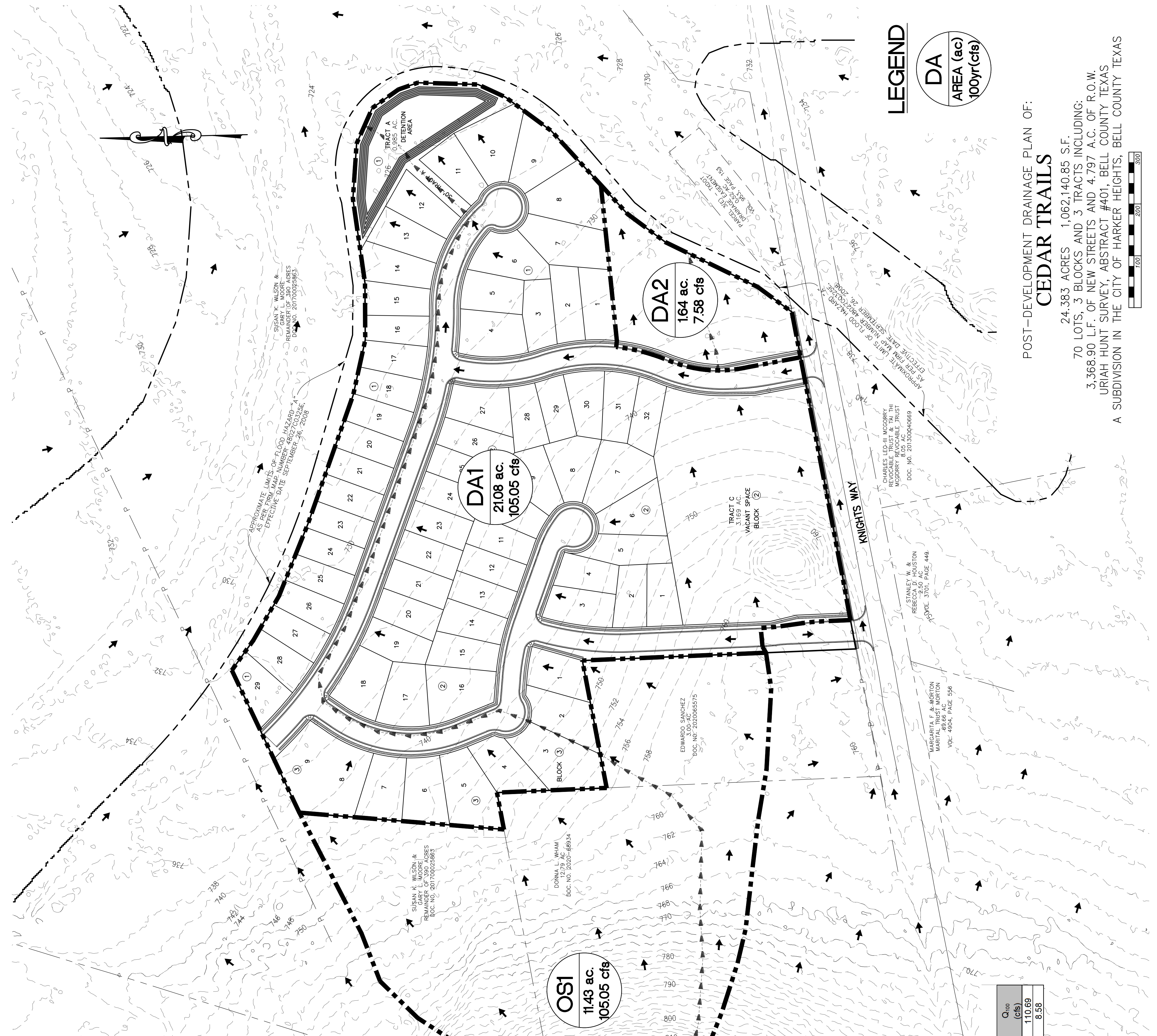
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DATE: 11/22/21

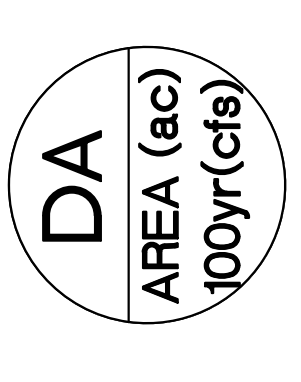
JOB NO.: 20044

04 OF 04

C3.1



LEGEND



POST-DEVELOPMENT DRAINAGE PLAN OF:
CEDAR TRAILS

24.383 ACRES 1,062,140.85 S.F.
70 LOTS, 3 BLOCKS AND 3 TRACTS INCLUDING:
3,368.90 L.F. OF NEW STREETS AND 4,797 A.C. OF R.O.W.
URIAH HUNT SURVEY, ABSTRACT #401, BELL COUNTY TEXAS
A SUBDIVISION IN THE CITY OF HARKER HEIGHTS, BELL COUNTY TEXAS



C-COMPOSITE CALCULATIONS PROPOSED

AREA	10 YEARS			25 YEARS			100 YEARS		
	C	I_p (in./hr.)	Q_{10} (cfs)	C	I_p (in./hr.)	Q_{25} (cfs)	C	I_p (in./hr.)	Q_{100} (cfs)
OS1+DA1	0.38	2.97	0.35	0.41	8.22	0.83	9.27	0.50	33.96
AREA	FAIR GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)
OS1+DA1	0.42	2.97	0.39	0.45	8.22	0.88	9.27	0.54	33.96
AREA	FAIR GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)
OS1+DA1	0.49	2.97	0.46	0.52	8.22	0.97	9.27	0.62	33.96
AREA	FAIR GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)	GOOD GRASS (ac.)

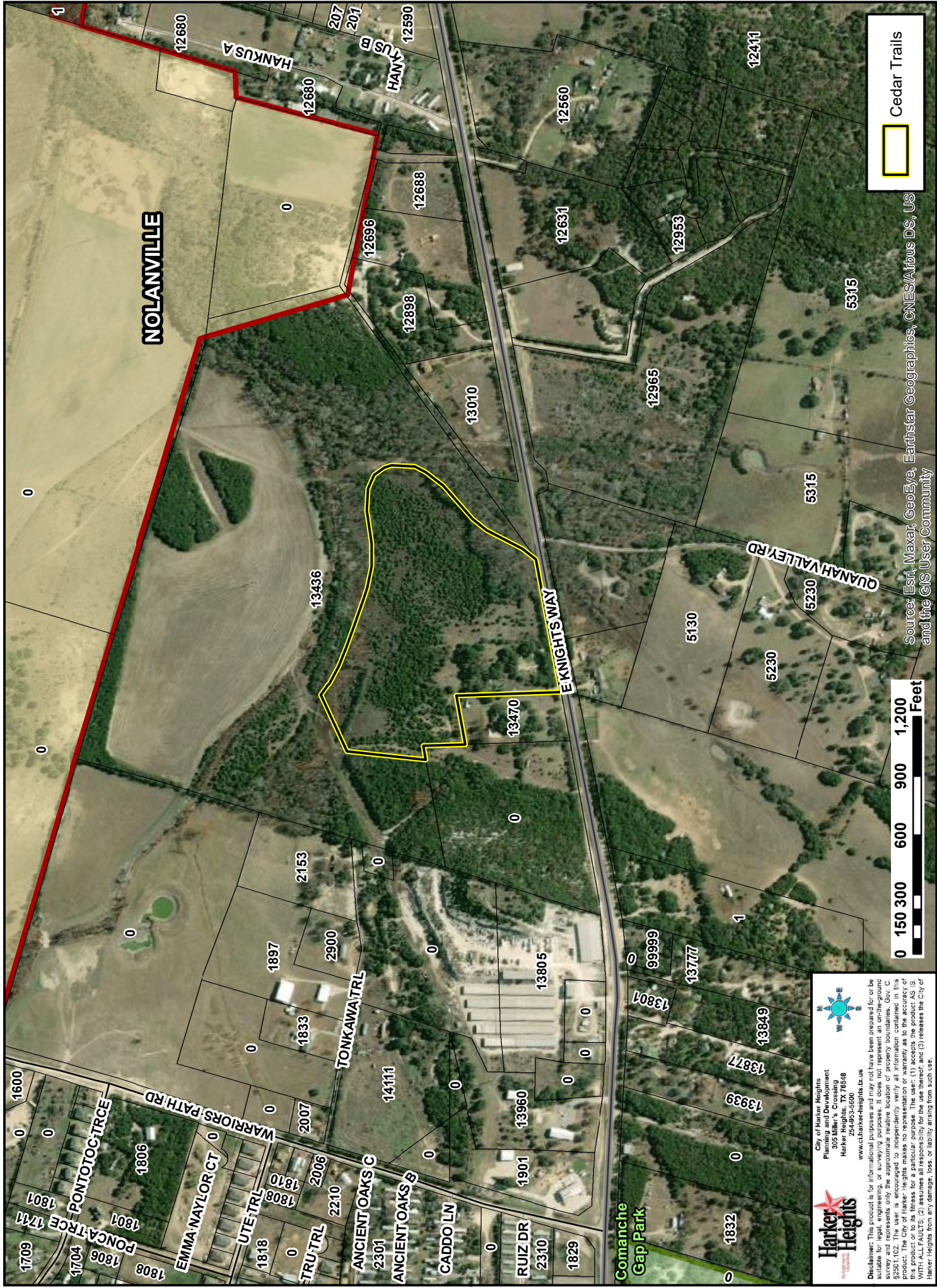
Drainage Calculations, Proposed Conditions

DA	AREA (ac)	T_c (min)	C_{10}	I_p (in./hr.)	Q_{10} (cfs)	C_{25}	I_p (in./hr.)	Q_{25} (cfs)	C_{100}	I_p (in./hr.)	Q_{100} (cfs)
OS1+DA1	33.96	45	0.50	3.30	55.83	0.54	4.06	74.49	0.62	5.29	110.69
DA2	1.64	10	0.38	7.01	4.36	0.42	8.46	5.82	0.49	10.69	8.68

DETENTION POND

STORM EVENT	Q_{PRE} (cfs)	Q_{POST} (cfs)	$Q_{DROPHARE}$ (cfs)	MAX. ELEV. (ft)	MAX STORAGE (cf)
10-YEAR EVENT	43.15	55.83	41.83	727.34	50,124
25-YEAR EVENT	58.44	74.49	56.82	727.88	63,087
100-YEAR EVENT	88.53	110.69	86.76	728.81	88,001

NOTE: ALL DRAINAGE CALCULATIONS REFLECT THE CURRENT ATLAS 14 REVISIONS FOR HYDROLOGY, RELATING TO RAINFALL STORM CONDITIONS



Hariker Heights
 City of Hariker Heights
 Planning and Development
 305 Miller's Crossing
 Hariker Heights, TX 76548
www.cityofharikerheights.texas.gov

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Hariker Heights makes no representation or warranty as to the accuracy of the information contained in this product. WITH ALL FAULTS: (2) assumes all responsibility for the use thereof and (3) releases the City of Hariker Heights from any damage, loss, or liability arising from such use.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, US and the GIS User Community

CEDAR TRAILS

P21-34 Preliminary Plat – Cedar Trails

Plat Distributed to HH Staff: **November 15, 2021**

Comments Returned to Belton Engineering: **November 22, 2021**

Revisions Received from Belton Engineering: **November 24, 2021**

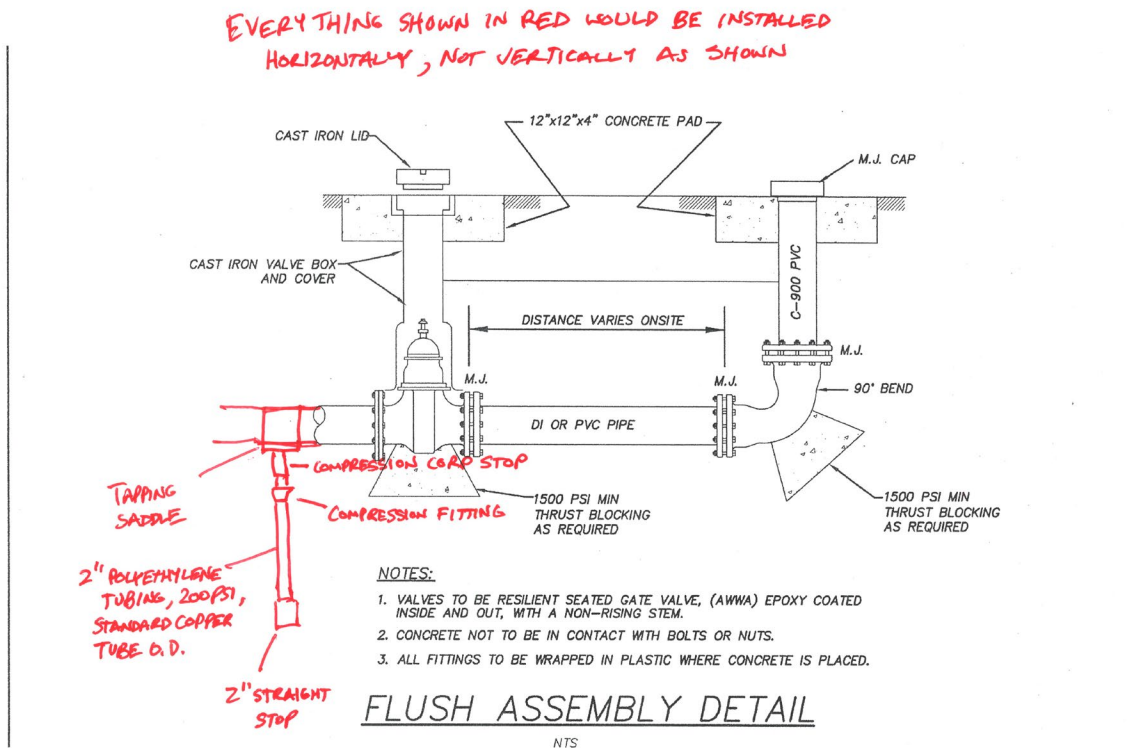
Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant shall annotate the existing width of FM 2410 in the vicinity of this subdivision and provide the required right of way (ROW) to meet the 120' required ROW width for the major arterial FM 2410. *Engineer has made note of this on response (12/3/2021 Y. Spell)*
2. Per §154.21(C)(2)(d), applicant shall provide a sidewalk layout. Additionally, said sidewalk shall be in accordance with the City's Mobility 2030 plan. *Sidewalk layout provided, additional comments may be forthcoming (12/3/2021 Y. Spell)*
3. Clearly annotate if there will be any phasing within the subdivision (i.e. commercial lots, portions of the residential area) or if all public infrastructure will be installed in one phase. *Engineer has addressed this comment via revisions (12/3/2021 Y. Spell)*
4. Applicant shall annotate and illustrate on the plat dedication page the proposed 15' utility easement located offsite beginning at Lot 9 Block 1 and running northeast to the existing sanitary sewer main. *Met (12/3/2021 Y. Spell)*
5. He submitted preliminary drainage analysis shows the detention pond outfall at the property line. Applicant is advised that a re-approximation of sheet flow must occur within the property boundary. Applicant is advised that at the time of construction and final plat submission offsite drainage easements may be required to convey the outfall to the flow line of the receiving water course if sheet flow cannot be re-approximated inside the property. **Noted. During construction phase, pond will be graded in a way that will reestablish sheet flow inside the subject property. Met (12/3/2021 Y. Spell)**
6. The applicant is advised that a copy of the Traffic Impact Analysis for this development, as required by TXDOT, must be submitted with the final plat application prior to approval. *Met (12/3/2021 Y. Spell)*
7. Regarding sanitary sewer capacity for this development, the City of Harker Heights has conducted an engineering study on the remaining sanitary sewer capacity of the Evergreen-Fawn Valley Lift Station, the Trimmier Lift Station and associated lift station force mains and receiving gravity sanitary sewer mains. The sanitary sewer system serving this proposed

subdivision is currently at capacity. Engineering design for the sanitary sewer expansion project is almost completed. *Engineer has made note of this comment (12/3/2021 Y. Spell)*

Public Works, Mark Hyde

1. Loop the water line on the Cedrus Drive cul-de-sac to the water line on Cedar Trails. Provide a 15' wide public utility easement. Eliminating a dead end water line which requires monthly flushing. *Met (12/3/2021 Y. Spell)*
2. Extend the proposed 8-inch water line along FM 2410 to the eastern property line and provide a 6-inch flush assembly with 2-inch automated flush assembly. (Please see the detail drawing) *Met (12/3/2021 Y. Spell)*



3. At Cedar Trails/FM 2410 replace the 90 degree 8-inch fitting with two 45 degree fittings. *Met (12/3/2021 Y. Spell)*
4. Provide the 2-inch automated flush assemblies five feet upstream of each fire hydrant located on a dead end water main. *Met (12/3/2021 Y. Spell)*

5. Move the sanitary sewer out of the streets. Water mains to be located behind the curb on one side of the street and sanitary sewer mains to be located behind the curb on the other side of the street. *Met (12/3/2021 Y. Spell)*
6. Use 6-inch diameter sanitary sewer pipe for Cedro Avenue, Cedrus Drive and Cedar Trails unless the minimum slope of 0.5% cannot be met. Leave Deodar Drive as 8-inch diameter sanitary sewer. *Met (12/3/2021 Y. Spell)*
7. Submit the executed 15' utility easement for the offsite sanitary sewer. *Met (12/3/2021 Y. Spell)*
8. **The offsite sanitary sewer 15' utility easement field notes and drawing were submitted. Provide the executed dedication instrument. 12/2/2021 (executed easement will need to be provided prior to approval of final plat)**

City Engineer, Otto Wiederhold

1. Developers engineer shall add a note to post development, predevelopment, and any detention design that atlas 14 was listed in developing drainage calculation and design.
2. **I have no further comments for Cedar Trails Preliminary Plat. I will comment when the final plat and plans are submitted to fully check the drainage calculations. 12/2/2021**

Fire Marshal, Brad Alley: Approved, no comments.

Building Official, Mike Beard: No comments.

ONCOR, Scott Baumbach

I reviewed the plat and concur with the 15' U.E. along the front of the lots as well as along the north side of Knight's Way. *Met (12/3/2021 Y. Spell)*

Century Link, Chris McGuire: Approved, no comments.

Time Warner Cable/Spectrum

The City has not heard back from reviewing entity and comments may be forthcoming.

ATMOS

The City has not heard back from reviewing entity and comments may be forthcoming.

TXDOT: No comments at this time.

WCID #1

The City has not heard back from reviewing entity and comments may be forthcoming.

Dog Ridge WSC, Robert Whitley: No comments, not within CCN of Dog Ridge WSC.

Unite Private Networks, Kenny Robertsen: Approved, no comments.

Clearwater UWCD

Clearwater UWCD (CUWCD) has completed a desktop geodatabase investigation and records review for groundwater wells per your request. The Bell CAD property reviewed was PID #75765 (99.17 acres), based on the proposed subdivision known as the Cedar Trails Subdivision.

Item 1: Database review determined one registered well exists on PID #75765. Multiple site visits were unable to locate the precise location of the well; the district has listed it as plugged with not legal documentation. This should present no obstacle to the development of the proposed subdivision known as the Cedar Trails Subdivision.

Item 2: Once the subdivision replat is approved and subdivided as requested, future drilling of a non-exempt permitted well will be possible for beneficial use on Tract C of the subdivision known as Cedar Trails Subdivision. Non-exempt permitted wells on tracts less than 10 acres and greater than or equal to 2 acres is possible under district rules if the purpose is of the well meets the definition of beneficial use. All other tracts will be ineligible for future wells, as they are all smaller than 2 acres. The remainder of PID #75765 being retained by the landowner (approximately 74 acres) remain eligible for an exempt domestic well.

Item 3: The proposed subdivision lies in the City of Harker Heights' CCN #13079, thus public water supply to the proposed subdivision is solely the responsibility of the City of Harker Heights.



CITY COUNCIL MEMORANDUM

P21-35

AGENDA ITEM# VIII-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVAL OF A PRELIMINARY PLAT REFERRED TO AS SAVANNAH COMMERCIAL ADDITION REPLAT 2 ON PROPERTY DESCRIBED AS AN 8.135 ACRE TRACT OF LAND, BEING LOT 2R, BLOCK 1, LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 381-B OF THE PLAT RECORDS OF BELL COUNTY, TEXAS; SAME BEING A PORTION OF THOSE TRACTS CONVEYED TO WB WHITIS INVESTMENTS, LTD, A TEXAS LIMITED PARTNERSHIP, RECORDED UNDER INSTRUMENT NUMBER 2008-00034660 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

The applicant submitted an application for preliminary plat approval for approximately 8.15 acres of vacant land located between 850 W. Central Texas Expressway (Seton Medical Center) and 600 W. Central Texas Expressway (Sam's Club). The proposed development on the southern lot will be a 40,000 square foot building that will contain a 30 bed, single-story physical rehabilitation center. Then proposed development on the northern lot is anticipated to be for retail/restaurant use.

As of December 1, 2021, staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On November 22, 2021, staff returned comments to the applicant. On November 30, 2021, the applicant submitted revisions based on the November 22, 2021 comments. Comments on revisions have been substantially met, with remaining comments being related to the construction phase, therefore staff recommended approval with conditions to the Planning & Zoning Commission for the Preliminary Plat for the subdivision referred to as Savannah Commercial Addition Replat 2, with the conditions being as follows:

1. Extend the 6-inch sanitary sewer line to the southern property boundary of the property to the north.
2. Amend annotations to correspond with staff comments.
3. Remaining comments to be adequately addressed per staff.
4. Applicant shall amend the language on the plat dedication page to conform to City standards.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval with conditions as presented by staff of a Preliminary Plat for the subdivision referred to as Savannah Commercial Addition Replat 2 on property described as an 8.135 acre tract of land, being Lot 2R, Block 1, Lot 2R, 3R and 4R, Block 1 Savannah Commercial Addition, an addition to the City of Harker Heights, Bell County, Texas according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove with explanation** a request for a Preliminary Plat referred to as Savannah Commercial Addition Replat 2 on property described as an 8.135 acre tract of land, being Lot 2R, Block 1, Lot 2R, 3R and 4R, Block 1 Savannah Commercial Addition, an addition to the City of Harker Heights, Bell County, Texas according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field Notes
3. Dedication Pages
4. Preliminary Engineering Documents
5. Location Map
6. Staff Comments with Responses (Comments sent 11/22/2021, Revisions received 11/16/21, 11/29/21 & 11/30/2021)



Final Plat Application

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

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

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

1. Payment of \$150.00
2. Signed Original Field Notes and Dedication Pages
3. Paper Plan Submissions: Ten (10) Copies of Plat and Seven (7) sets of Final Engineering Plans
4. Electronic Submissions: Plat and Engineering Plans submitted to tdake@harkerheights.gov in PDF format.
5. Completed Final Plat Checklist

Property Information:

Plat Name: REPLAT OF LOT 2R SAVANNAH COMMERCIAL ADDITION _____ **Date Submitted:** _____

Number of Lots: 2 _____ **Number of Units/Suites:** _____ **Acreage:** 8.135 _____

Site Address or General Location: Tract south of US Highway 190; East of Seton Medical; West of Sam's Club _____

Residential Commercial Both **On Site Detention Proposed with Subdivision:** Yes No Other

Date of Preliminary Plat Approval by P&Z: _____

Owner Information & Authorization:

Property Owner: WB Whitis Investments, LTD _____

Address: 109 W. 2nd Street, Suite 201, Georgetown, Texas 78626 _____

Phone: _____ **E-Mail:** _____

Developer: MedCore Partners, LLC _____

Address: 12377 Merit Dr. #500 _____

Phone: Dallas, Tx 75251 _____ **E-Mail:** wes@medcorepartners.com _____

Engineer: Cunningham-Allen _____

Address: 3103 Bee Cave Rd, Ste 202 Austin, Tx 78746 _____

Phone: 512-327-2946 _____ **E-Mail:** sfriend@cunningham-allen.com _____

Surveyor: JPH Land Surveying, Inc. _____

Address: 1416 E Palm Valley Blvd, Ste A4 | Round Rock, TX _____

Phone: 512-686-1474 _____ **E-Mail:** cole@jphls.com _____

For more information reference Section 154.22 Final Plat of the Harker Heights Code of Ordinances

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 preliminary plat layout as approved. The subdivider will be required to install at his/her own expense all water lines, streets, sewer lines, drainage facilities, and structures within the subdivision accords to Section 154.36 of the Harker Heights Code of Ordinances.

All required improvements must be completed unless a Bond or Letter of Credit has been posted and attached in sufficient amount to assure completion.

A maintenance bond/surety instruments has been furnished to assure the quality of materials and workmanship and maintenance of all required improvements including the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the even the subdivider defaults.

The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years.

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

WB Whitis Investments, Ltd.

By: WB Whitis Investments Management, LC

Printed Name of Owner

Printed Name of Authorized Agent (Corporation/Partnership)

Signature of Owner

Bruce Whitis, President

Signature of Authorized Agent (Corporation/Partnership)

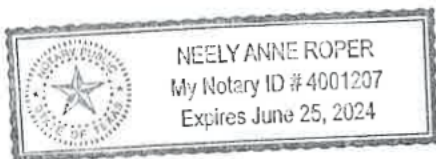
SWORN AND SUBSCRIBED BEFORE ME THIS 11th DAY OF

November, 2021.

[Handwritten Signature]

Signature of Notary Public

My Commission Expires: 06-25-2024



STAFF ONLY -- DO NOT FILL OUT

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

Rev. 5/20

JPH Land Surveying, Inc.

D.F.W. ★ Central Texas ★ West Texas ★ Houston



EXHIBIT “A”

LEGAL DESCRIPTION

(PAGE 1 OF 2)

FIELDNOTES for a 8.135 acre tract of land, being Lot 2R, Block 1, *LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas; said subject tract being more particularly described as follows:

BEGINNING at a 1/2-inch capped rebar stamped “KHA” found in the southwest right-of-way of line of W. Central Texas Expressway (a/k/a State Highway No. 190), a variable width right-of-way as shown in Cabinet D, Slide 381-B of said plat records at the common north corner of Lot 3R of said *LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION* and of said Lot 2R;

THENCE SOUTH 17° 54' 03” WEST along the common line of said Lot 3R and of said Lot 2R, a distance of 343.38 feet to a 1/2-inch capped rebar stamped “JPH Land Surveying” set at a common corner of said Lot 3R and of said Lot 2R;

THENCE NORTH 72° 05' 57” WEST, continuing with said common line, a distance of 146.37 feet to 5/8-inch rebar found at a common corner of said Lot 3R and of said Lot 2R;

THENCE SOUTH 17° 54' 03” WEST, continuing with said common line, a distance of 666.90 feet, to a 5/8-inch rebar with illegible cap found in the northeast line of Block 1, *SAVANNAH HEIGHTS*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 25-D of said plat records, at the common south corner of said Lot 3R and of said 2R;

THENCE NORTH 72° 05' 52” WEST, with the common line of said Block 1, *SAVANNAH HEIGHTS* and of said Lot 2R, a distance of 300.66 feet to a 3/8-inch rebar with illegible cap found at the common south corner of Lot 1, Block 1, *SAVANNAH COMMERCIAL ADDITION*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 96-D of said plat records and of said Lot 2R;

<u>Dallas-Fort Worth</u>	<u>Central Texas</u>	<u>West Texas</u>	<u>Houston</u>
785 Lonesome Dove Tr. Hurst, Texas 76054 (817) 431-4971 Firm #10019500	1516 E. Palm Valley Blvd., A4 Round Rock, Texas 78664 (512) 778-5688 Firm #10194073	426 Graham Street Tuscola, Texas 79562 (325) 672-7420 Firm #10193867	11511 Katy Fwy., 515 Houston, Texas 77079 (281) 812-2242 Firm # 10019500

WWW.JPHLANDSURVEYING.COM

(PAGE 2 OF 2)

THENCE NORTH 17° 52' 59" EAST, with the common line of said Lot 1 and of said Lot 2R, a distance of 1,011.12 feet to a 1/2-inch capped rebar stamped "S. A. T.X." found in the southwest right-of-way of line of said W. Central Texas Expressway at the common north corner of said Lot 1 and said Lot 2R;

THENCE SOUTH 71° 59' 26" EAST, a distance of 447.35 feet to the **POINT OF BEGINNING**, enclosing 8.135 acres (+/- 354,356 sq. ft.) of land.

Chris Henderson
Registered Professional
Land Surveyor No. 6831
cole@jphls.com
November 11, 2021



Dallas-Fort Worth

785 Lonesome Dove Tr.
Hurst, Texas 76054
(817) 431-4971
Firm #10019500

Central Texas

1516 E. Palm Valley Blvd., A4
Round Rock, Texas 78664
(512) 778-5688
Firm #10194073

West Texas

426 Graham Street
Tuscola, Texas 79562
(325) 672-7420
Firm #10193867

Houston

11511 Katy Fwy., 515
Houston, Texas 77079
(281) 812-2242
Firm # 10019500

WWW.JPHLANDSURVEYING.COM

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF BELL §

WHEREAS, WB Whitis Investments, LTD, a Texas limited partnership, is the owner of that certain tract being Lot 2R, Block 1, of REPLAT OF LOT 2R, BLOCK 1, SAVANNAH COMMERCIAL ADDITION, CABINET D, SLIDE 381-B, P.R.B.C.T. of Bell County, Texas, same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas; said subject tract being more particularly described as follows:

BEGINNING: at a 1/2-inch capped rebar stamped "KHA" found in the southwest right-of-way of line of W. Central Texas Expressway (a/k/a State Highway No. 190), a variable width right-of-way as shown in Cabinet D, Slide 381-B of said plat records at the common north corner of Lot 3R of said LOT 2R, 3R, AND 4R, BLOCK 1, SAVANNAH COMMERCIAL ADDITION and of said Lot 2R;

THENCE: SOUTH 17° 54' 03" WEST along the common line of said Lot 3R and of said Lot 2R, a distance of 343.38 feet to a 1/2-inch capped rebar stamped "JPH Land Surveying", set at a common corner of said Lot 3R and of said Lot 2R;

THENCE: NORTH 72° 05' 57" WEST, continuing with said common line, a distance of 146.37 feet to 5/8-inch rebar found at a common corner of said Lot 3R and of said Lot 2R;

THENCE: SOUTH 17° 54' 03" WEST, continuing with said common line, a distance of 666.90 feet, to a 5/8-inch rebar with illegible cap found in the northeast line of Block 1, SAVANNAH HEIGHTS, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 25-D of said plat records, at the common south corner of said Lot 3R and of said 2R;

THENCE: NORTH 17° 52' 39" WEST, with the common line of said Block 1, SAVANNAH HEIGHTS and of said Lot 2R, a distance of 300.06 feet to a 3/8-inch rebar with illegible cap found at the common south corner of Lot 1, Block 1, SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 96-D of said plat records and of said Lot 2R;

THENCE: NORTH 17° 52' 39" EAST, with the common line of said Lot 1 and of said Lot 2R, a distance of 1,011.12 feet to a 1/2-inch capped rebar stamped "S. A. TX.", found in the southwest right-of-way of line of said W. Central Texas Expressway at the common north corner of said Lot 1 and said Lot 2R;

THENCE: SOUTH 71° 59' 26" EAST, a distance of 447.35 feet to the POINT OF BEGINNING, enclosing 8.135 acres (+/- 354,356 sq. ft.) of land.

OWNER'S DEDICATION

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That WB Whitis Investments, Ltd, a Texas limited partnership, as the owner of that certain 8.135 acre tract of land, being a portion of that tract described in a Special Warranty Deed to WB Whitis Investments, Ltd, a Texas limited partnership, as recorded under Instrument Number 2008-00034660, of the Official Public Records of Bell County, Texas, does hereby adopt this plat, designating the herein property described as REPLAT OF LOT 2R, BLOCK 1, SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas and does hereby dedicate to the public any streets, easements, drives and alleys shown hereon, to the public's use forever and for the purposes indicated.

This plat was approved subject to all plating ordinances, rules, regulations and resolutions of the City of Harker Heights, Texas.

Witness my hand this _____ day of _____, 2021.

_____, Managing Partner Date

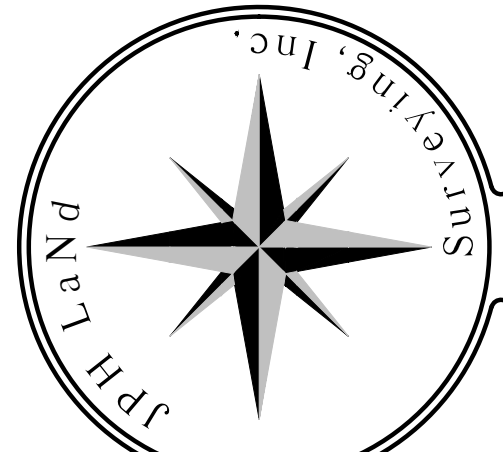
WB Whitis Investments, Ltd.

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF §

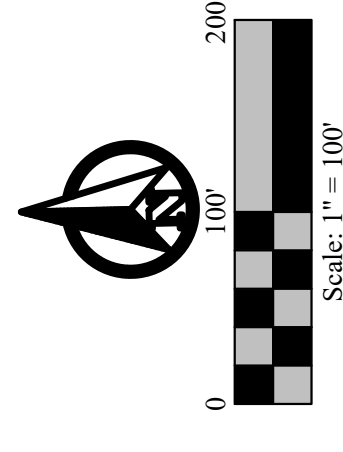
Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared _____, Manager, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

Notary Public in and for the State of Texas
My commission expires: _____



JPH Land Surveying, Inc. (see below)
2021.1156.001 600 W. Central Texas Expy., Harker Heights, Bell Co., TX-REPLAT.dwg
© 2021 JPH Land Surveying, Inc. - All Rights Reserved
1516 E. Palm Valley Blvd., Ste. A4, Round Rock, Texas 78664
Telephone (817) 431-4971 www.jphlandsurveying.com
TBPELS Firm #10019500 #10194073 #10193867
DFW-Houston | Central Texas | West Texas

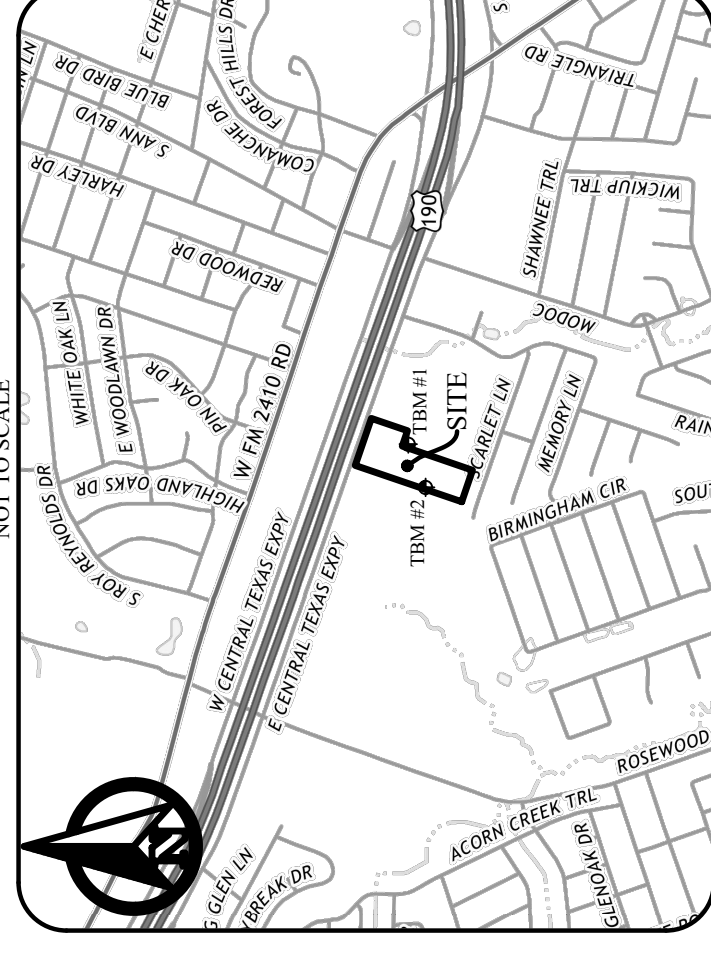


MONUMENTS / DATUMS / BEARING BASIS
Monuments are found if not marked MNS or CRS.
CRS = Control Point stamped "JPH Land Surveying, Inc." set
MNS = Metal nail stamped "JPH Land Surveying, Inc." set
TBM = Site benchmark (see vicinity map for general location)
Vertex or common point (not a monument)
Elevations, if shown, are NAVD88
Bearings are based on grid north (TXCS, 83,CZ)

LEGEND OF ABBREVIATIONS
USS/Ft. United States Survey Feet
TXCS, 83,CZ Texas Coordinate System of 1983, Central Zone
NAVD88 North American Vertical Datum of 1988
P.R.B.C.T. Plat Records of Bell County, Texas
O.P.R.B.C.T. Official Public Records of Bell County, Texas
D.R.B.C.T. Deed Records of Bell County, Texas
VOL/PGINST# Volume/Page Instrument Number
CAB./SL. Cabinet/Slide
POB/PC Point of Beginning/Point of Commencing
ESM/B/BL Building/Building Line
UE Utility Easement
BL Building Setback Line
A.K.A. Also Known As

PLAT NOTES:

- 1. This survey was performed with the benefit of a title commitment provided by First National Title Insurance Company, File # 21-652107-DB, effective October 18, 2021, and issued October 28, 2021.
- 2. This property lies within unshaded ZONE(S) X of the Flood Insurance Rate Map for Bell County, Texas and Incorporated Areas, map no. 48027C0285E, dated 2008/09/26.
- 3. The first site benchmark (TBM #1) is a mag nail with metal washer stamped "JPH BENCHMARK" set in a concrete curb, located approximately 393 feet southerly from the southwest right-of-way line of W. Central Texas Expressway, and approximately 39 feet southerly from the southeast line of the subject property herein described. Benchmark Elevation = 821.18' (NAVD88). See vicinity map for general location.
- 4. The second site benchmark (TBM #2) is a mag nail with metal washer stamped "JPH BENCHMARK" set in a concrete curb, located approximately 611 feet southerly from the southwest right-of-way line of W. Central Texas Expressway, and approximately 12 feet southerly from the northwest line of the subject property herein described. Benchmark Elevation = 827.75' (NAVD88). See vicinity map for general location.
- 5. The fieldwork was completed on November 4, 2021.



REPLAT
OF
LOT 2R, BLOCK 1
SAVANNAH COMMERCIAL ADDITION
CABINET D, SLIDE 381-B, P.R.B.C.T.

8.135 ACRES
SITUATED IN THE
DANIEL J. KEIGER SURVEY, ABSTRACT NO. 491
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS

NUMBER OF LOTS/BLOCKS: 2 Lots, 1 Block
PREPARATION DATE: NOVEMBER 11, 2021
SUBMITTAL DATE: _____, 2021

OWNER:
WB Whitis Investments, Ltd., a Texas limited partnership
3000 Hillcrest, Suite 100
Killeen, Texas 76543

SURVEYOR:
JPH Land Surveying, Inc.
1516 E Palm Valley Blvd, Ste A4
Round Rock, Texas 78664
Phone: (512) 778-5688

PLANNING AND ZONING COMMISSION APPROVAL

This plat has been submitted to and considered by the Planning and Zoning Commission of the City of Harker Heights, Texas.

Approved this _____ day of _____, 2021, A.D. by the Planning and Zoning Commission of the City of Harker Heights, Texas.

_____, Chairman, Planning and Zoning Commission

_____, Secretary, Planning and Zoning Commission

CITY COUNCIL APPROVAL

This plat has been submitted to and considered by the City Council of the City of Harker Heights, Texas. Approved this _____ day of _____, 2021, A.D. by the City Council of the City of Harker Heights, Texas.

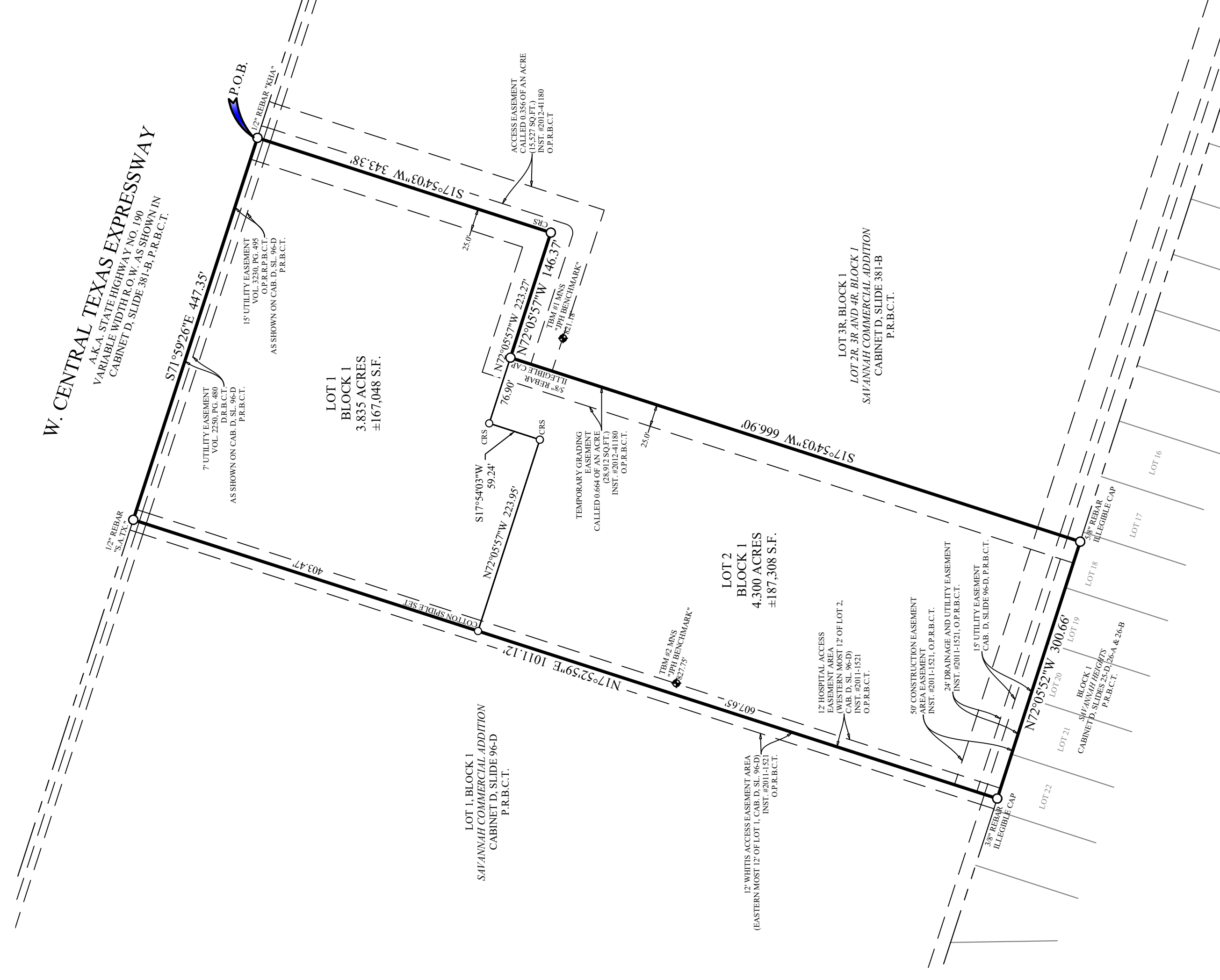
_____, Mayor, City of Harker Heights, Texas

_____, City Secretary, City of Harker Heights, Texas

COUNTY CLERK CERTIFICATE

Filed for record this _____ day of _____, 2021, in year _____, Plat # _____, Plat Records of Bell County, Texas, and dedication under Instrument Number _____, Official Public Records of Bell County, Texas.

_____, Shelley Coston, County Clerk
Bell County, Texas



AFFIDAVIT

The Tax Appraisal District of Bell County does hereby certify, there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.
Dated this _____ day of _____, 2021.

By: _____
Bell County Tax Appraisal District

PLANNING AND DEVELOPMENT APPROVAL

This plat has been submitted to and considered by the Director of Planning and Development of the City of Harker Heights, Texas.

Approved this _____ day of _____, 2021, A.D. by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

_____, Director of Planning and Development
City of Harker Heights, Texas

SURVEYOR'S CERTIFICATION

STATE OF TEXAS § KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON §

That I, Chris Henderson, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision and Property Development Regulations of the City of Harker Heights, Texas.

GIVEN UNDER MY HAND this _____ day of _____, 2021.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

-RELEASED FOR REVIEW ON NOVEMBER 11, 2021

Chris Henderson
Registered Professional Surveyor
No. 6831 State of Texas



Cunningham | Allen

November 16, 2021

Kristina Ramirez
Planning & Development Director
City of Harker Heights
305 Millers Crossing
Harker Heights, Tx 76548

Drainage Analysis
ClearSky Rehabilitation Facility
Preliminary and Final Plat Submittals
CAI No. 7520101

Ms. Ramirez,

The following information highlights the primary aspects of our drainage analysis for this project and is intended to meet the requirements for both plat application submittal packets mentioned above.

I) Introduction

This property is located between Sam's Club and Seton Hospital on the south side of W. Central Texas Expressway in Harker Heights, Tx. The preliminary plat includes Lot 1 (3.835 ac) and Lot 2 (4.300 ac). The final plat includes Lot 2 (4.300 ac) only.

II) Existing Conditions

Lot 2 consists primarily of Type D soils. Lot 1 consists of Type B and D soils. There are no trees on the site which is covered with grasses. The drainage flows to the east toward Sam's Club. The site is outside the 100 yr floodplain (FIRM 48027C0285E).

III) Proposed Conditions

Lot 1 (3.835 ac) is to be designed by others.

Lot 2 (4.300 ac) consists of a new building, parking, drives, water, wastewater, and storm drainage improvements.



Cunningham | Allen

IV) Stormwater Management

As discussed at the Pre-Development Meeting, there is a regional detention pond to the southeast of Sam's Club. The pond analysis (2004 by Jay Manning, PE) and Savannah Heights plans (2004 by W&B Development) were provided by the city. The DA maps, C factors, and additional information confirm that our site (both lots) along with Sam's and Seton were included in the design of this pond. Therefore, on site detention is not required for our project.

The Sam's drainage plan accounts for our fully developed site (both lots). The onsite storm pipe system will collect rainwater and convey it directly to the Sam's pipe system as illustrated in their plans.

Please let me know if you have questions or need additional information.

Sincerely,

CUNNINGHAM-ALLEN

Sean Friend, PE

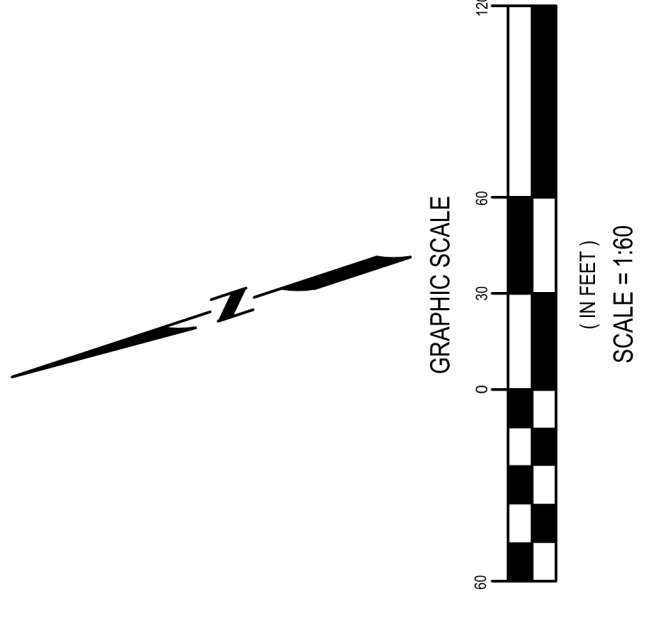


DATE	11/24/2021
REVISION	
NO.	
DESCRIPTION	



DISCLAIMER
 THIS IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION

CLARSKY REHABILITATION FACILITY
OF HARKER HEIGHTS
 LOT 1 SAVANNAH COMMERCIAL ADDITION, REPLAT 2
 HARKER HEIGHTS, BELL COUNTY, TEXAS 76548
 PRELIMINARY PLAT STORM PLAN



SCALE = 1/8" = 1'-0"

LEGEND

.....	PROPOSED ACCESSIBLE ROUTE
-----	PROPOSED CONCRETE SIDEWALK (AS SHOWN)
-----	PROPOSED CURB & GUTTER (UNLESS OTHERWISE NOTED PLANS FOR STOPPING MOTES)
-----	PROPOSED FIRE LINE (REFER TO PLAN FOR STOPPING MOTES)
-----	L.O.C. (LIMIT OF CONSTRUCTION)
-----	PROPERTY LINE (ADJACENT EXISTING EASEMENT)
-----	PROPOSED CONTOURS
-----	EXISTING CONTOURS

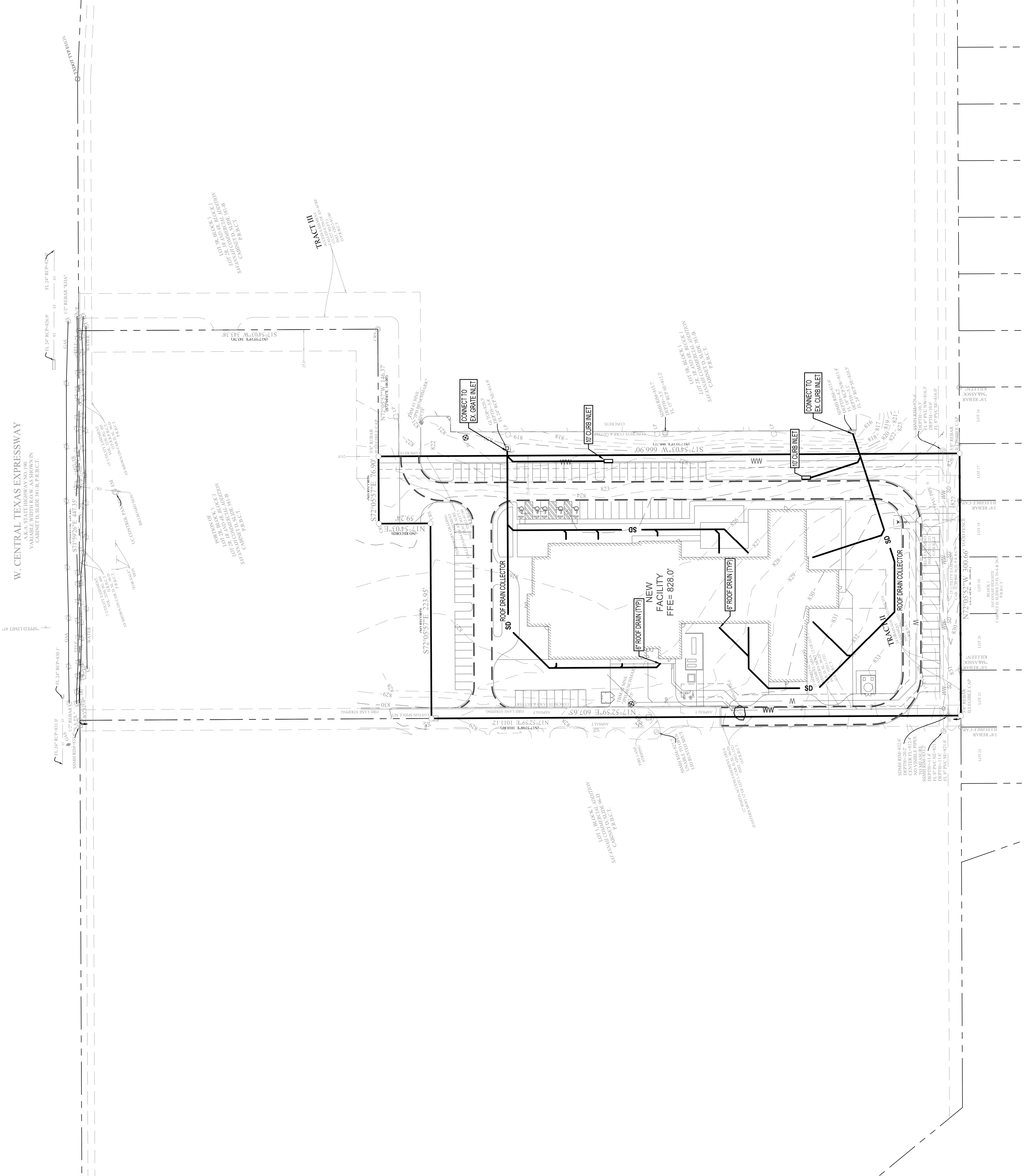
PROPOSED UTILITIES:		EXISTING UTILITIES:	
FW	FIRE HYDRANTS	FW	FIRE HYDRANTS
WV	WATER VALVE	WV	WATER VALVE
MS	MANHOLE (STORM)	MS	MANHOLE (STORM)
MI	MANHOLE (WW)	MI	MANHOLE (WW)
IN	INLET	IN	INLET
W	WATER	W	WATER
WW	WASTEWATER	WW	WASTEWATER
SS	STORM SEWER	SS	STORM SEWER

- NOTES:**
- SAVANNAH HEIGHTS RETENTION POND WAS DESIGNED TO INCLUDE FULL DEVELOPMENT OF THIS PROPERTY (2004 REPORT BY JAY MANNING, PE)
 - LOTS 1 & 2 STORM PIPES TO TIE TO EXISTING STORM INFRASTRUCTURE ON SAME SITE WHICH WAS DESIGNED TO ACCOMMODATE OUR FULLY DEVELOPED FLOWS.
 - THERE ARE NO PUBLIC STORM DRAIN IMPROVEMENTS.

PRELIMINARY PLAT EXHIBIT
NOT FOR CONSTRUCTION

!!! CAUTION !!!
 EXISTING OVERHEAD UTILITIES IN VICINITY CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN WORKING NEAR ELECTRICAL FACILITIES

!!! WARNING !!!
 THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED HEREON. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION AND DEPTH OF ALL EXISTING UTILITIES BY CALLING THE "ONE CALL" LOCATOR SERVICE AT (800) 344-8377 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.



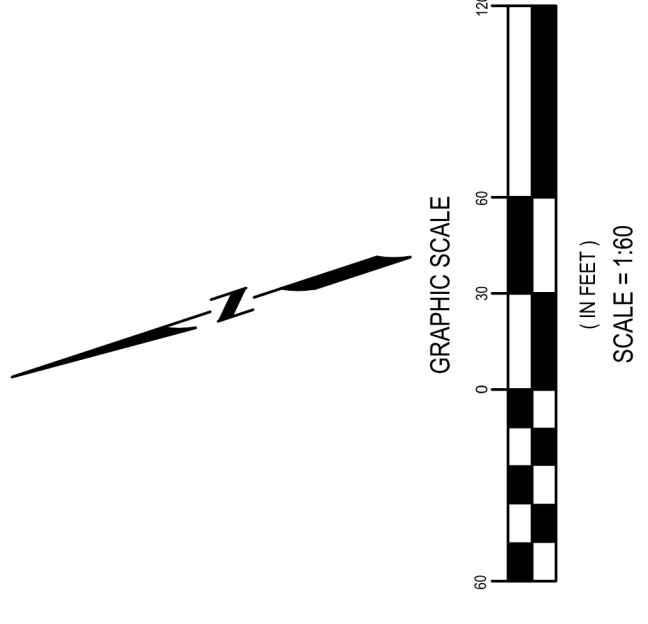
DATE:	11/24/2021
PROJECT NO.:	7520101
DRAWN BY:	PEB
ACT. SHEET NO.:	1 OF 2
PERMIT#:	



DISCLAIMER
 THIS IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION

CLARSKY REHABILITATION FACILITY
OF HARKER HEIGHTS
 LOT 1 - SAVANNAH COMMERCIAL ADDITION, REPLAT 2
 HARKER HEIGHTS, BELL COUNTY, TEXAS 76548
 PRELIMINARY PLAT UTILITY PLAN

DATE:	11/24/2021
PROJECT NO.:	7520101
DRAWN BY:	PEB
ACT. SHEET NO.:	1 OF 2
PERMIT#:	



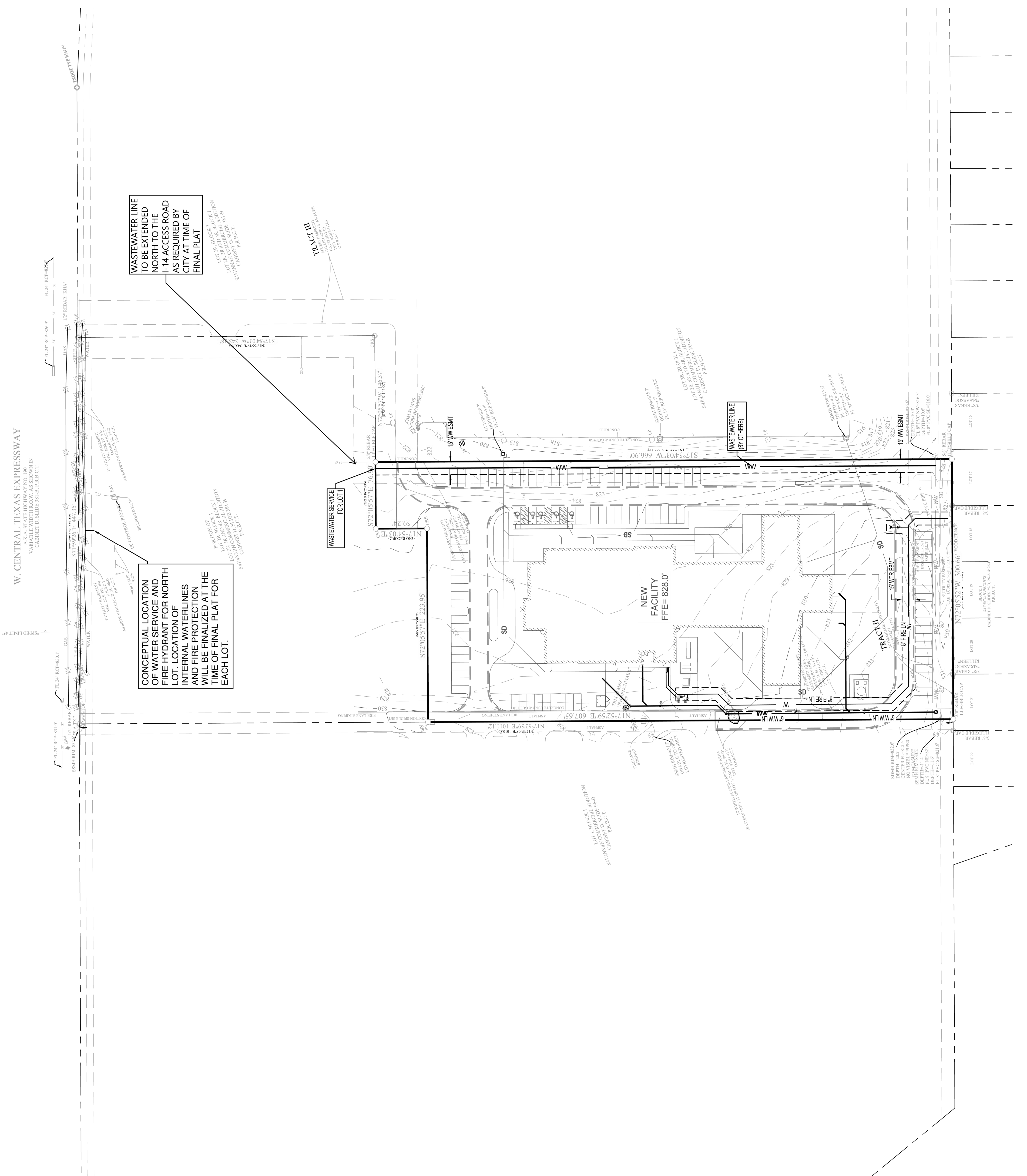
LEGEND	
	PROPOSED CONCRETE SIDEWALK (AS SHOWN)
	PROPOSED CURB & GUTTER (UNLESS OTHERWISE NOTED PLANS)
	PROPOSED FIRE LANE (REFERS TO PLAN FOR STOPPING NOTES)
	L.O.C. LINES OF CONSTRUCTION
	PROPERTY LINE (ADJACENT) EXISTING EASEMENT
	PROPOSED CONTOURS
	EXISTING CONTOURS
	FIRE HYDRANTS
	WATER VALVE
	MANHOLE (STORM)
	MANHOLE (WW)
	INLET
	WATER
	WASTEWATER
	STORM SEWER

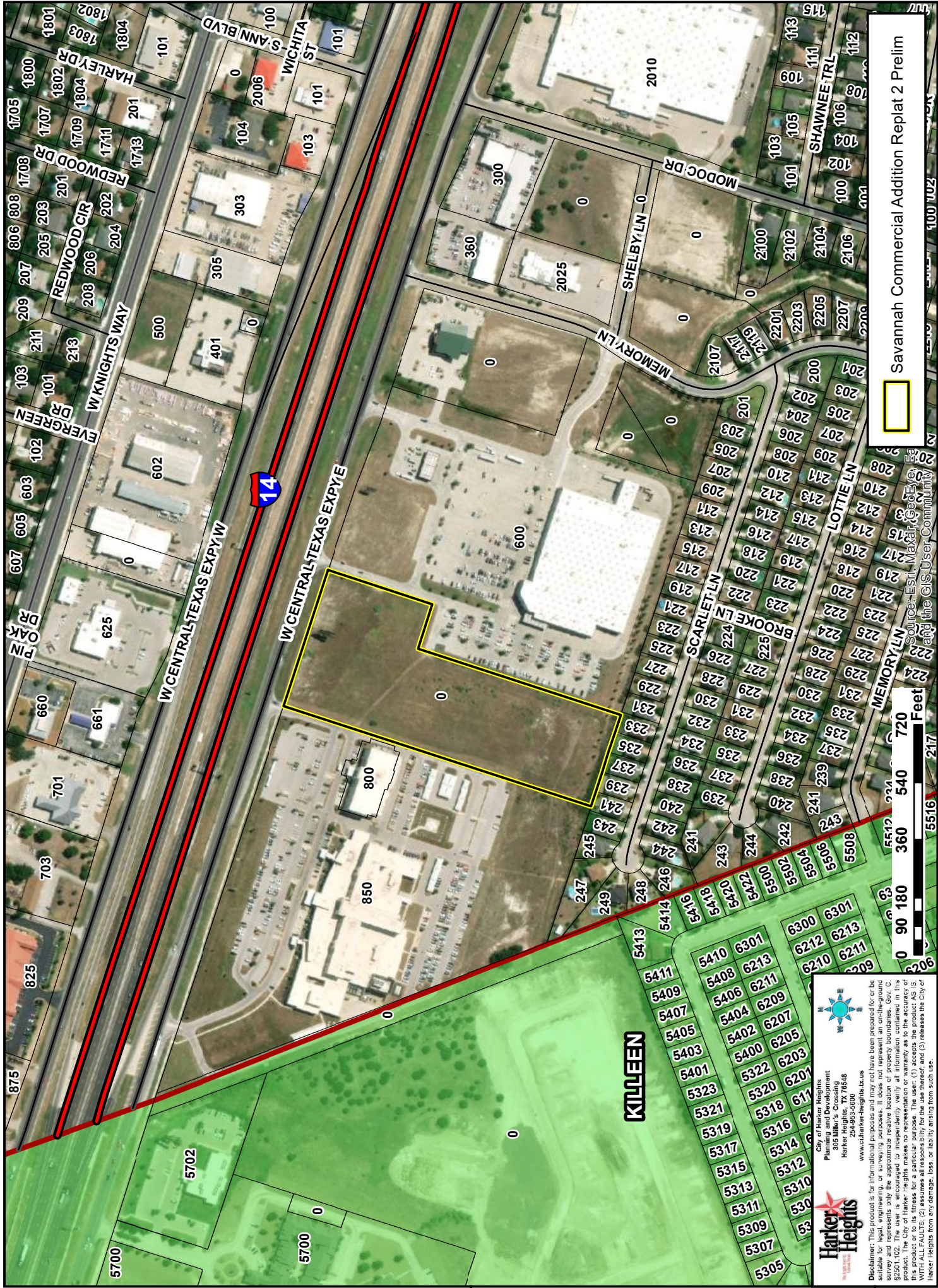
- NOTES:**
1. WASTEWATER CAPACITY ANALYSIS IS BEING COORDINATED WITH THE CITY
 2. PUBLIC IMPROVEMENTS INCLUDE WATER LINE (LOT 2), WATER CONNECTION (LOT 1), AND WASTEWATER LINE ALONG EAST PROPERTY LINE.

PRELIMINARY PLAT EXHIBIT
NOT FOR CONSTRUCTION

!!! CAUTION !!!
 EXISTING OVERHEAD UTILITIES IN VICINITY CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN WORKING NEAR ELECTRICAL FACILITIES

!!! WARNING !!!
 THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION AND DEPTH OF ALL EXISTING UTILITIES BY CALLING THE "ONE CALL" LOCATOR SERVICE AT (800) 344-8377 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.





Savannah Commercial Addition Replat 2 Prelim



Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76788
 www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the information shown on this map. THE USER ASSUMES ALL RESPONSIBILITY FOR THE USE HEREOF AND (3) RELEASES THE CITY OF HARKER HEIGHTS FROM ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM SUCH USE.

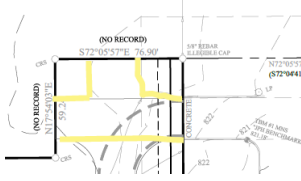
SAVANNAH COMMERCIAL ADDITION

P21-35 Preliminary Plat – Savannah Commercial Addition Replat 2

Plat Distributed to HH Staff: **November 15, 2021**
Comments Returned to JPH Land Surveying Inc: **November 22, 2021**
Revisions Received: **November 29, 2021**

Planning & Development, Kristina Ramirez & Yvonne Spell

1. **Applicant is advised that additional comments from all reviewers may be forthcoming after the submission of revisions. This is because some reviews began prior to this common plan of development being broken up into two projects.**
2. Per §154.21 (C) (1) (k) (k) Adjacent property information including present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet; (identify and label all neighboring property owners within 100') (Met, 12/3/2021 Y. Spell)
3. Rename plat to: Savannah Commercial Addition, Replat 2 (Met, 12/3/2021, Y. Spell)
4. Renumber the Lots such that Lot 1 is the southernmost Lot that will final platted first. (Met, 12/3/2021, Y. Spell)
5. Applicant shall clarify the proposed phasing of the Lots with respect to Final Platting.
6. The layout of the plat dedication page does not meet city requirements. The plat being amended needs to be one small inset, a general location map can be a second small inset and the proposed replat needs to at 1:100. (Met, 12/3/2021, Y. Spell)
7. Applicant shall annotate and illustrate on the plat dedication page the called 15' utility easement for the proposed wastewater line to be installed by others that will be required to service the northern remainder tract. (Met, 12/3/2021, Y. Spell)
8. Applicant shall annotate and illustrate a 15' drainage easement for a stormsewer main that will be required to service the northern remainder tract.
9. Applicant shall annotate and illustrate a proposed offsite drainage easements for the proposed connections to the existing stormwater inlets on Lot 3R of the Savannah Commercial Addition replat.
10. Staff recommends that the offsite access easement be extended through the northeast corner of Lot 1 Block 1. (Met, 12/3/2021, Y. Spell)



11. Provide a Sidewalk plan (layout) for the proposed northern Lot that is in line with the City's Mobility 2030 Plan (6' – 8' wide in this area).
12. Annotate and illustrate proposed/conceptual fire hydrants to service the northern lot and add a note that location of internal waterlines and fire protection will be finalized at the time of final plat for each lot.
- 13.

Public Works, Mark Hyde

Section 154.36(F)(8) requires utility extensions as follows: Extending requirements. All utilities shall be required to extend across the full width of the development lot (defined by plat or lot of record) in such an alignment that it can be extended to the next property. Properties already served by water and sewer shall not be required to install additional facilities unless the current lines are not of adequate capacity to serve the proposed development in which case the developer will be required to install adequate facilities. Once a utility meter is installed, movement required due to changes in grade/landscape will be the responsibility of the developer/builder.

1. Extend the 6-inch sanitary sewer line and the storm sewer line to the I-14 Access Road.

Consulting Engineer, Otto Wiederhold: Approved, no comments.

Fire Marshal, Brad Alley: Approved, no comments.

Building Official, Mike Beard: No comments.

ONCOR, Steven Huggins

1. Oncor will keep PUE and existing facilities.

Century Link, Chris McGuire

1. Will possibly need a 10' UE along the West side of the property. Unsure where utilities will enter the building.

Time Warner Cable/Spectrum

The City has not heard back from reviewing entity and comments may be forthcoming.

ATMOS

The City has not heard back from reviewing entity and comments may be forthcoming.

TXDOT: No comments at this time.

Utility Franchise Agreement, Kenny Robertsen: Approved, no comments.



CITY COUNCIL MEMORANDUM

P21-36

AGENDA ITEM# VIII-4

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVAL OF A FINAL PLAT REFERRED TO AS SAVANNAH COMMERCIAL ADDITION REPLAT 2 PHASE 1, ON PROPERTY DESCRIBED AS A 4.300 ACRE TRACT OF LAND, BEING A PORTION OF LOT 2R, BLOCK 1, LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT RECORDED IN CABINET D, SLIDE 381-B OF THE PLAT RECORDS OF BELL COUNTY, TEXAS; SAME BEING A PORTION OF THOSE TRACTS CONVEYED TO WB WHITIS INVESTMENTS, LTD, A TEXAS LIMITED PARTNERSHIP, RECORDED UNDER INSTRUMENT NUMBER 2008-000034660 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

The applicant submitted an application for final plat approval for approximately 4.3 acres of vacant land located between 850 W. Central Texas Expressway (Seton Medical Center) and 600 W. Central Texas Expressway (Sam's Club). The proposed development will be a 40,000 square foot building that will contain a 30 bed, single-story physical rehabilitation center.

As of December 1, 2021 staff had reviewed the submitted preliminary plat and engineering plans and made comments to address safety, drainage, water and wastewater utilities and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On November 22, 2021, staff returned comments to the applicant. On November 30, 2021, the applicant submitted revisions based on the November 22, 2021 comments. Comments on revisions have been substantially met, with remaining comments being related to the construction phase, therefore recommended approval with conditions to the Planning and Zoning Commission of the Final Plat for the subdivision referred to as Savannah Commercial Addition Replat 2 Phase 1, conditions being as follows:

1. Prior to release of vertical construction permits, the 6-inch wastewater line to the north property line must be constructed and accepted by the City of Harker Heights or a performance bond or performance letter of credit in the amount of the improvements verified by the City Engineer can be submitted, in accordance with City codes.
2. Amend annotations to correspond with staff comments.
3. Remaining comments to be adequately addressed per staff.
4. Applicant shall amend the language on the plat dedication page to conform to City standards.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval with conditions as presented by staff of a Final Plat for the subdivision referred to as Savannah Commercial Addition Replat 2 Phase 1 on property described as a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, LOT 2R, 3R and 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-000034660 of the Official Public Records of Bell County, Texas.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove with explanation** a request for a Final Plat referred to as Savannah Commercial Addition Replat 2 Phase 1, on property described as a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, LOT 2R, 3R and 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-000034660 of the Official Public Records of Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field Notes
3. Final Plat
4. Engineering Documents
5. Location Map
6. Staff Comments with Responses (Comments sent 11/22/2021, Revisions received 11/16/2021, 11/29/2021 & 11/30/2021)



Final Plat Application

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

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

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

1. Payment of \$150.00
2. Signed Original Field Notes and Dedication Pages
3. Paper Plan Submissions: Ten (10) Copies of Plat and Seven (7) sets of Final Engineering Plans
4. Electronic Submissions: Plat and Engineering Plans submitted to tdake@harkerheights.gov in PDF format.
5. Completed Final Plat Checklist

Property Information:

Plat Name: REPLAT OF LOT 2R SAVANNAH COMMERCIAL ADDITION _____ **Date Submitted:** _____

Number of Lots: 2 _____ **Number of Units/Suites:** _____ **Acreage:** 8.135 _____

Site Address or General Location: Tract south of US Highway 190; East of Seton Medical; West of Sam's Club _____

Residential Commercial Both **On Site Detention Proposed with Subdivision:** Yes No Other

Date of Preliminary Plat Approval by P&Z: _____

Owner Information & Authorization:

Property Owner: WB Whitis Investments, LTD _____

Address: 109 W. 2nd Street, Suite 201, Georgetown, Texas 78626 _____

Phone: _____ **E-Mail:** _____

Developer: MedCore Partners, LLC _____

Address: 12377 Merit Dr. #500 _____

Phone: Dallas, Tx 75251 _____ **E-Mail:** wes@medcorepartners.com _____

Engineer: Cunningham-Allen _____

Address: 3103 Bee Cave Rd, Ste 202 Austin, Tx 78746 _____

Phone: 512-327-2946 _____ **E-Mail:** sfriend@cunningham-allen.com _____

Surveyor: JPH Land Surveying, Inc. _____

Address: 1416 E Palm Valley Blvd, Ste A4 | Round Rock, TX _____

Phone: 512-686-1474 _____ **E-Mail:** cole@jphls.com _____

For more information reference Section 154.22 Final Plat of the Harker Heights Code of Ordinances

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 preliminary plat layout as approved. The subdivider will be required to install at his/her own expense all water lines, streets, sewer lines, drainage facilities, and structures within the subdivision accords to Section 154.36 of the Harker Heights Code of Ordinances.

All required improvements must be completed unless a Bond or Letter of Credit has been posted and attached in sufficient amount to assure completion.

A maintenance bond/surety instruments has been furnished to assure the quality of materials and workmanship and maintenance of all required improvements including the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the even the subdivider defaults.

The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years.

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

WB Whitis Investments, Ltd.

By: WB Whitis Investments Management, LC

Printed Name of Owner

Printed Name of Authorized Agent (Corporation/Partnership)

Signature of Owner

Bruce Whitis, President

Signature of Authorized Agent (Corporation/Partnership)

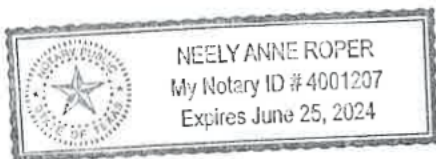
SWORN AND SUBSCRIBED BEFORE ME THIS 11th DAY OF

November, 2021.

[Handwritten Signature]

Signature of Notary Public

My Commission Expires: 06-25-2024



STAFF ONLY -- DO NOT FILL OUT

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

Rev. 5/20

JPH Land Surveying, Inc.

D.F.W. ★ Central Texas ★ West Texas ★ Houston



EXHIBIT “ ___ ”

LEGAL DESCRIPTION

(PAGE 1 OF 2)

FIELDNOTES for a 4.300 acre tract of land, being a portion of Lot 2R, Block 1, *LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas; same being a portion of those tracts conveyed to WB Whitis Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-000034660 of the Official Public Records of Bell County, Texas; the subject tract being more particularly described as follows:

COMMENCING at a 1/2-inch capped rebar stamped “KHA” found in the southwest right-of-way of line of W. Central Texas Expressway (a/k/a State Highway No. 190), a variable width right-of-way as shown in Cabinet D, Slide 381-B of said plat records at the common north corner of Lot 3R of said *LOT 2R, 3R AND 4R, BLOCK 1 SAVANNAH COMMERCIAL ADDITION* and of said Lot 2R; **THENCE** SOUTH 17° 54’ 03” WEST along the common line of said Lot 3R and of said Lot 2R, a distance of 343.38 feet to a 1/2-inch capped rebar stamped “JPH Land Surveying” set at a common corner of said Lot 3R and of said Lot 2R; **THENCE** NORTH 72° 05’ 57” WEST, continuing with said common line, a distance of 146.37 feet to 5/8-inch rebar found at a common corner of said Lot 3R and of said Lot 2R being the **POINT OF BEGINNING** of the herein described tract;

THENCE SOUTH 17° 54’ 03” WEST, continuing with said common line, a distance of 666.90 feet, to a 5/8-inch rebar with illegible cap found in the northeast line of Block 1, *SAVANNAH HEIGHTS*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 25-D of said plat records, at the common south corner of said Lot 3R and of said 2R;

THENCE NORTH 72° 05’ 52” WEST, with the common line of said Block 1, *SAVANNAH HEIGHTS* and of said Lot 2R, a distance of 300.66 feet to a 3/8-inch rebar with illegible cap found at the common south corner of Lot 1, Block 1, *SAVANNAH COMMERCIAL ADDITION*, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 96-D of said plat records and of said Lot 2R;

THENCE NORTH 17° 52’ 59” EAST, with the common line of said Lot 1 and of said Lot 2R, a distance of 607.65 feet, to a cotton spindle set at the northwest corner of the herein described tract;

(PAGE 2 OF 2)

THENCE into and across said Lot 2R the following courses and distances:

1. SOUTH 72° 05' 57" EAST, a distance of 223.95 feet, to a 1/2-inch capped rebar stamped "JPH Land Surveying" set;
2. NORTH 17° 54' 03" EAST, a distance of 59.24 feet, to a 1/2-inch capped rebar stamped "JPH Land Surveying" set;
3. SOUTH 72° 05' 57" EAST, a distance of 76.90 feet to the **POINT OF BEGINNING**, enclosing 4.300 acres (+/- 187,308 sq. ft.) of land.

Chris Henderson
Registered Professional
Land Surveyor No. 6831
chris@jphls.com
November 11, 2021



STATE OF TEXAS
COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS

WHEREAS, WB Whites Investments, LTD, a Texas limited partnership, is the owner of that certain tract being a portion of Lot 2R, Block 1, Lot 2R, 3R and 4R, Block 1, SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 381-B of the Plat Records of Bell County, Texas, same being a portion of those tracts conveyed to WB Whites Investments, LTD, a Texas limited partnership, recorded under Instrument Number 2008-00034660 of the Official Public Records of Bell County, Texas; the subject tract being more particularly described as follows:

COMMENCING at a 1/2-inch capped rebar stamped "KHA" found in the southwest right-of-way of line of W. Central Texas Expressway (a.k.a. State Highway No. 190), a variable width right-of-way as shown in Cabinet D, Slide 381-B of said plat records at the common north corner of Lot 3R of said LOT 2R, 3R, 4R, BLOCK 1, SAVANNAH COMMERCIAL ADDITION and of said Lot 2R, THENCE SOUTH 17° 54' 03" WEST along the common line of said Lot 3R and of said Lot 2R, a distance of 343.38 feet to a 1/2-inch capped rebar stamped "JPH" Land Surveying set at a common corner of said Lot 3R and of said Lot 2R; THENCE NORTH 17° 54' 03" WEST along the common line of said Lot 2R being the POINT OF BEGINNING of the herein described tract;

THENCE SOUTH 17° 54' 03" WEST, continuing with said common line, a distance of 666.90 feet, to a 5/8-inch rebar with a flexible cap found in the northeast line of Block 1, SAVANNAH HEIGHTS, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 25-D of said plat records, at the common south corner of said Lot 3R and of said 2R;

THENCE NORTH 72° 05' 57" WEST, with the common line of said Block 1, SAVANNAH HEIGHTS, and of said Lot 2R, a distance of 306.66 feet to a 3/8-inch rebar with a flexible cap found at the common south corner of Lot 1, Block 1, SAVANNAH COMMERCIAL ADDITION, an addition to the City of Harker Heights, Bell County, Texas, according to the plat recorded in Cabinet D, Slide 96-D of said plat records and of said Lot 2R;

THENCE NORTH 17° 52' 59" EAST, with the common line of said Lot 1 and of said Lot 2R, a distance of 607.65 feet, to a cotton spindle set at the northwest corner of the herein described tract;

THENCE into and across said Lot 2R the following courses and distances:

- 1. NORTH 72° 05' 57" EAST, a distance of 223.95 feet, to a 1/2-inch capped rebar stamped "JPH Land Surveying" set;
- 2. NORTH 17° 54' 03" WEST, a distance of 59.24 feet, to a 1/2-inch capped rebar stamped "JPH Land Surveying" set;
- 3. SOUTH 72° 05' 57" EAST, a distance of 76.90 feet to the POINT OF BEGINNING, enclosing 4.300 acres (+/- 187,308 sq. ft.) of land.

OWNER'S DEDICATION
NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That WB Whites Investments, Ltd., a Texas limited partnership, as the owner of that certain 8.135 acre tract of land, being a portion of that tract described in a Special Warranty Deed to WB Whites Investments, Ltd., a Texas limited partnership, as recorded under Instrument Number 2008-00034660, of the Official Public Records of Bell County, Texas, does hereby add this plat, designating the herein property described, as SAVANNAH COMMERCIAL ADDITION, REPLAT 2 PHASE 1, an addition in the City of Harker Heights, Bell County, Texas and does hereby dedicate to the public any streets, easements, drives and alleys shown hereon, to the public's use forever and for the purposes indicated.

This plat was approved subject to all platting ordinances, rules, regulations and resolutions of the City of Harker Heights, Texas.

Witness my hand this _____ day of _____, 2021.

WB Whites Investments, Ltd.
Managing Partner
Date

STATE OF TEXAS
COUNTY OF _____

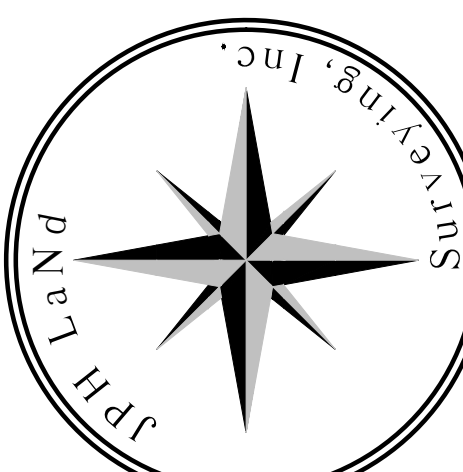
Before me, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared and acknowledged to me that he executed the same for the purpose and considerations therein expressed and in the capacity therein stated and as the act and deed therein stated.

Given under my hand and seal of office this _____ day of _____, 2021.

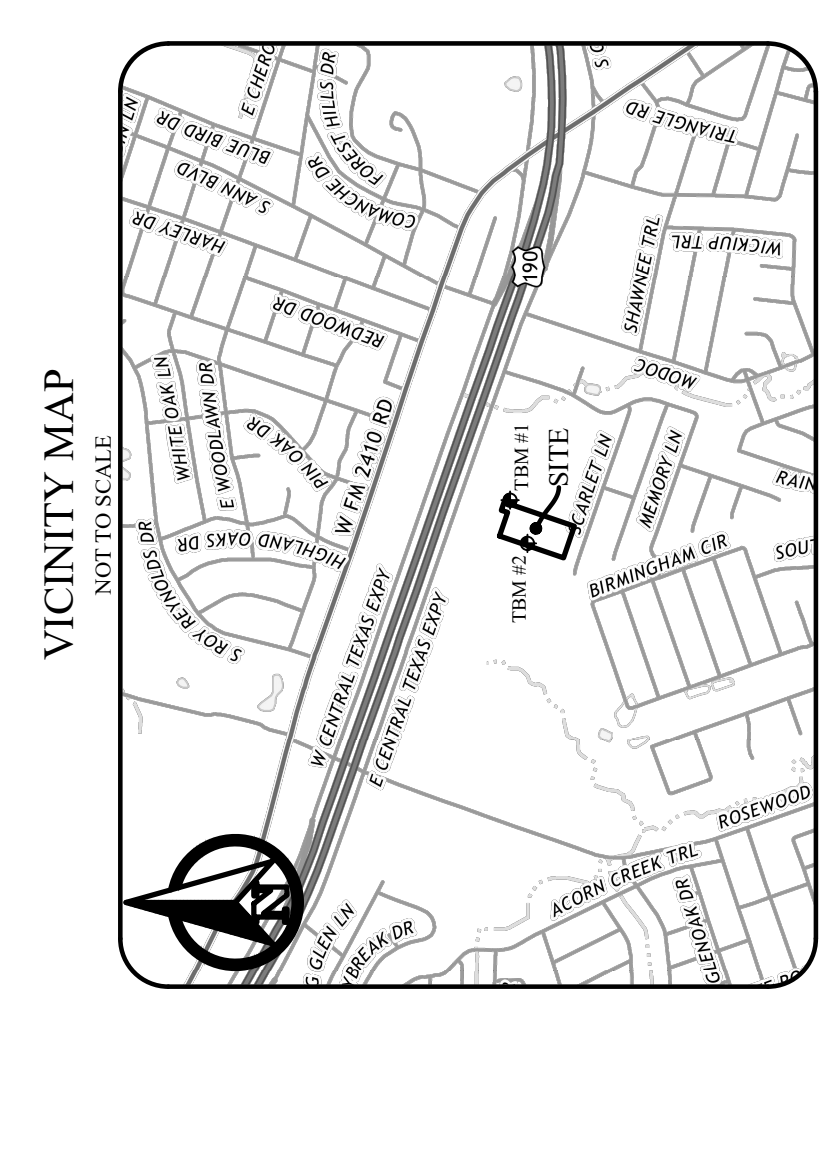
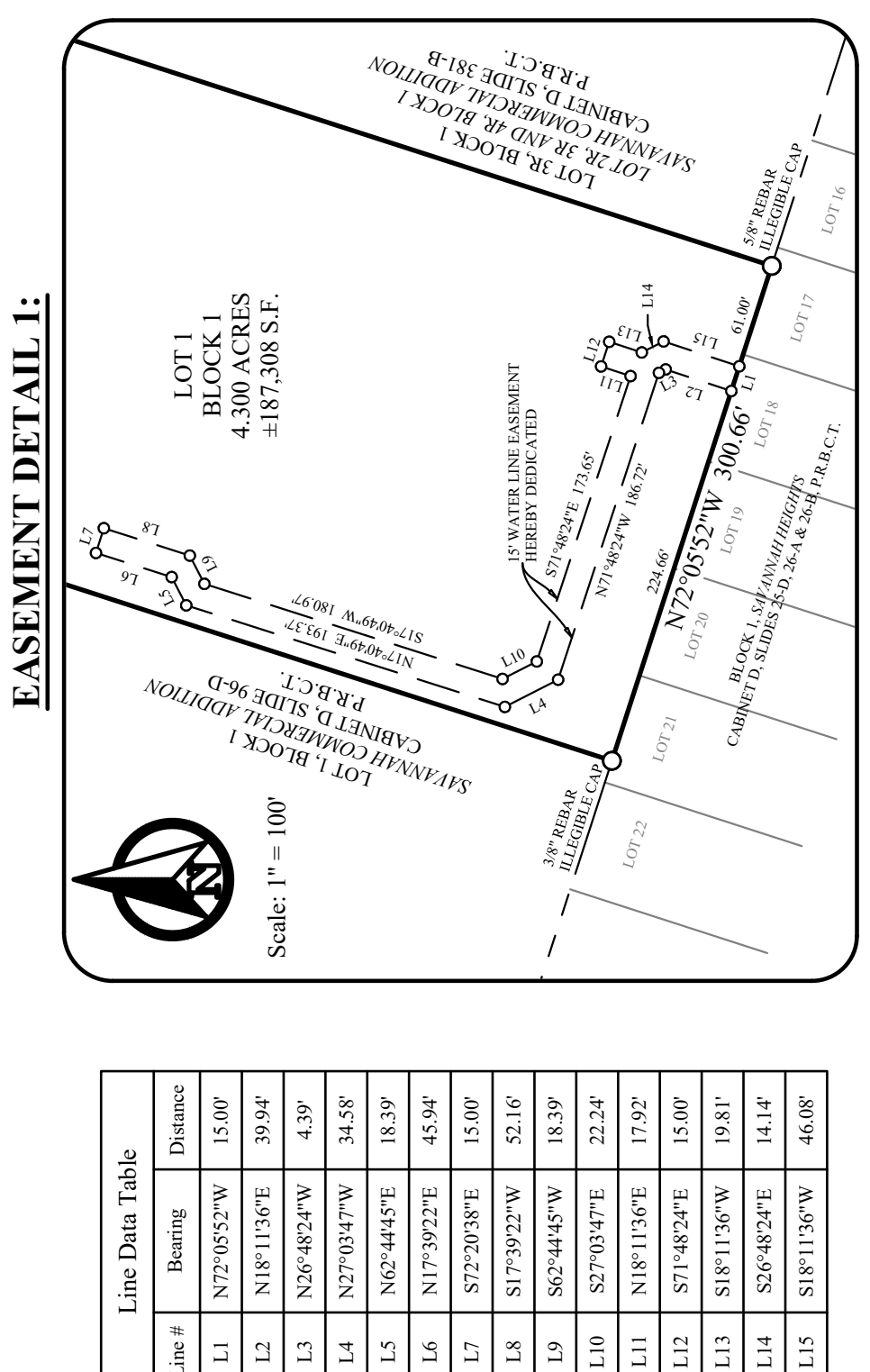
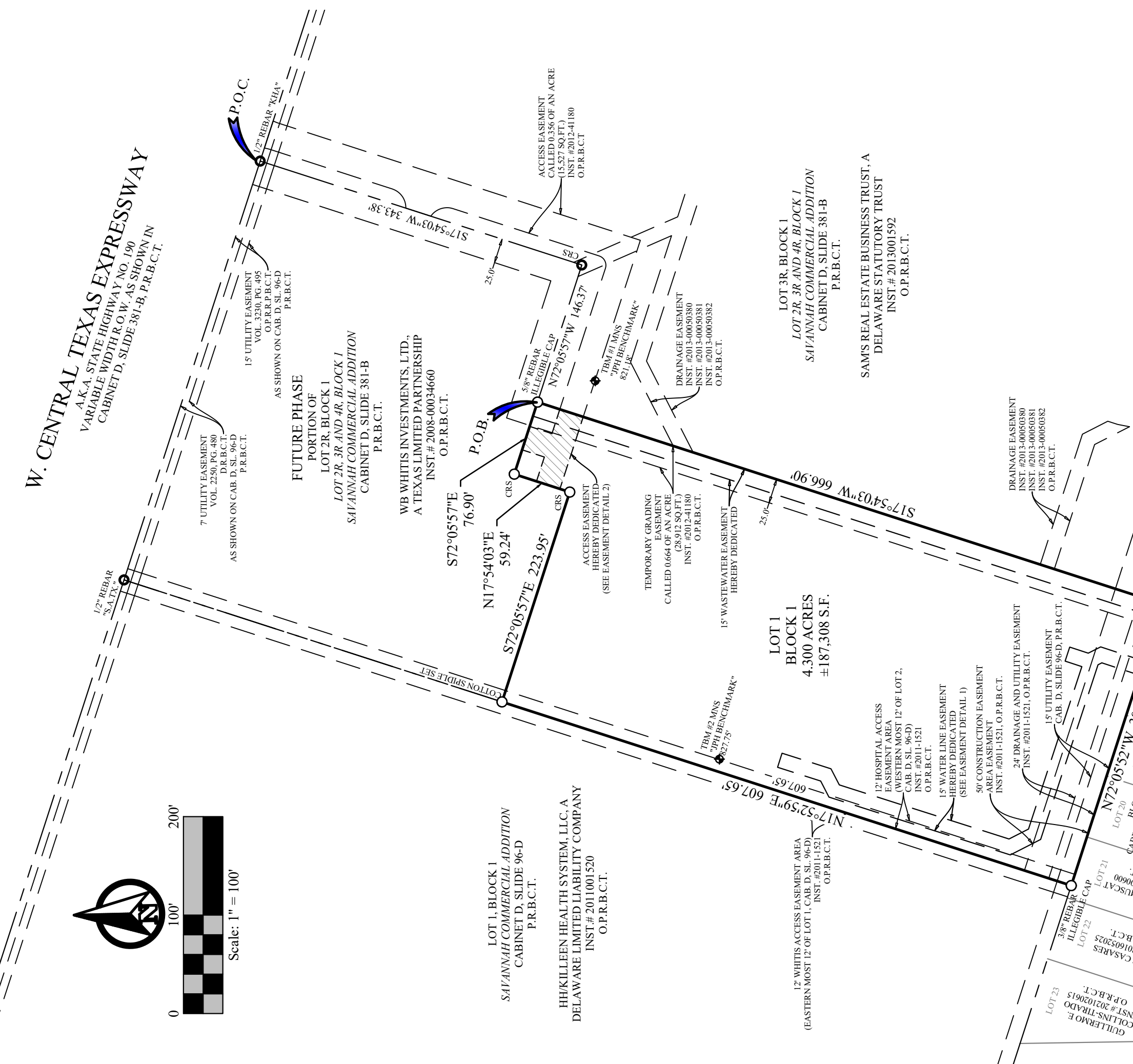
Notary Public in and for the State of Texas
My commission expires: _____

Line Data Table

Line #	Bearing	Distance
L16	N72°04'04"W	76.90
L17	N72°04'04"E	25.95
L18	S72°04'04"E	25.95
L19	N72°04'03"E	21.35
L20	S72°05'57"E	25.00
L21	S72°04'03"W	23.77
L22	S72°04'04"E	25.95
L23	S72°04'03"W	25.00
L24	S72°05'56"E	25.95
L25	N72°05'56"W	25.95



JPH Job Drawing No. (see below) Co., TX FINAL PLAT.dwg
2021.156.001 600 W. Central Texas Expressway, Harker Heights, Bell County, Texas
© 2021 JPH Land Surveying, Inc. All Rights Reserved.
1516 E. Palm Valley Blvd., Ste. A4, Round Rock, Texas 78664
Telephone (817) 431-4371 www.jphlandsurveying.com
TBPELS Firm #10019500 #0194073 #10193867
DFW-Houston | Central Texas | West Texas



SAVANNAH COMMERCIAL ADDITION, REPLAT 2 PHASE 1

4.300 ACRES
SITUATED IN THE
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS

DANIEL J. KEIGER SURVEY, ABSTRACT NO. 491
NUMBER OF LOTS/BLOCKS: 1 Lot, 1 Block
PREPARATION DATE: NOVEMBER 11, 2021
SUBMITTAL DATE: _____, 2021

OWNER:
WB Whites Investments, Ltd., a Texas limited partnership
3000 Illinois Avenue, Ste 100
Killeen, Texas 76543

SURVEYOR:
JPH Land Surveying, Inc.
1516 E. Palm Valley Blvd, Ste A4
Round Rock, Texas 78664
Phone: (512) 778-5688

PLANNING AND ZONING COMMISSION APPROVAL
This plat has been submitted to and considered by the Planning and Zoning Commission of the City of Harker Heights, Texas.

Approved this _____ day of _____, 2021, A.D. by the Planning and Zoning Commission of the City of Harker Heights, Texas.

Chairman, Planning and Zoning Commission
Secretary, Planning and Zoning Commission

CITY COUNCIL APPROVAL
This plat has been submitted to and considered by the City Council of the City of Harker Heights, Texas.

Approved this _____ day of _____, 2021, A.D. by the City Council of the City of Harker Heights, Texas.

Mayor, City of Harker Heights, Texas
City Secretary, City of Harker Heights, Texas

COUNTY CLERK CERTIFICATE
Filed for record this _____ day of _____, 2021, in year _____, Plat # _____, Records of Bell County, Texas, and dedication under Instrument Number _____, Official Public Records of Bell County, Texas.

Shelley Coston, County Clerk
Bell County, Texas

PLAT NOTES:

- 1. This survey was performed with the benefit of a title commitment provided by First National Title Insurance Company, File # 21-632107-DB, effective October 18, 2021, and issued October 28, 2021.
- 2. This property lies within unshaded ZONES(X) of the Flood Insurance Rate Map for Bell County, Texas and Incorporated Areas, map no. 48027C028SE, dated 2008/09/26.
- 3. The first site benchmark (TBM #1) is a mag nail with metal washer stamped "JPH BENCHMARK" set in a concrete curb located approximately 393 feet southwesterly from the southwest right-of-way line of W. Central Texas Expressway, and approximately 39 feet southwesterly from the southeast line of the subject property herein described. Benchmark Elevation = 821.18 (NAVD88). See vicinity map for general location.
- 4. The second site benchmark (TBM #2) is a mag nail with metal washer stamped "JPH BENCHMARK" set in a concrete curb, located approximately 631 feet southwesterly from the southwest right-of-way line of W. Central Texas Expressway, and approximately 12 feet southwesterly from the northwest line of the subject property herein described. Benchmark Elevation = 827.75 (NAVD88). See vicinity map for general location.
- 5. The fieldwork was completed on November 4, 2021.

APFIDAVIT
The Tax Appraisal District of Bell County does hereby certify there are currently no delinquent taxes due to the Tax Appraisal District of Bell County on the property described by this plat.

Dated this _____ day of _____, 2021.

By: _____
Bell County Tax Appraisal District

PLANNING AND DEVELOPMENT APPROVAL
This plat has been submitted to and considered by the Director of Planning and Development of the City of Harker Heights, Texas.

Approved this _____ day of _____, 2021, A.D. by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas.

Director of Planning and Development
City of Harker Heights, Texas

SURVEYOR'S CERTIFICATION
STATE OF TEXAS \$ KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF WILLIAMSON \$

That I, Chris Henderson, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision and Property Development Regulations of the City of Harker Heights, Texas.

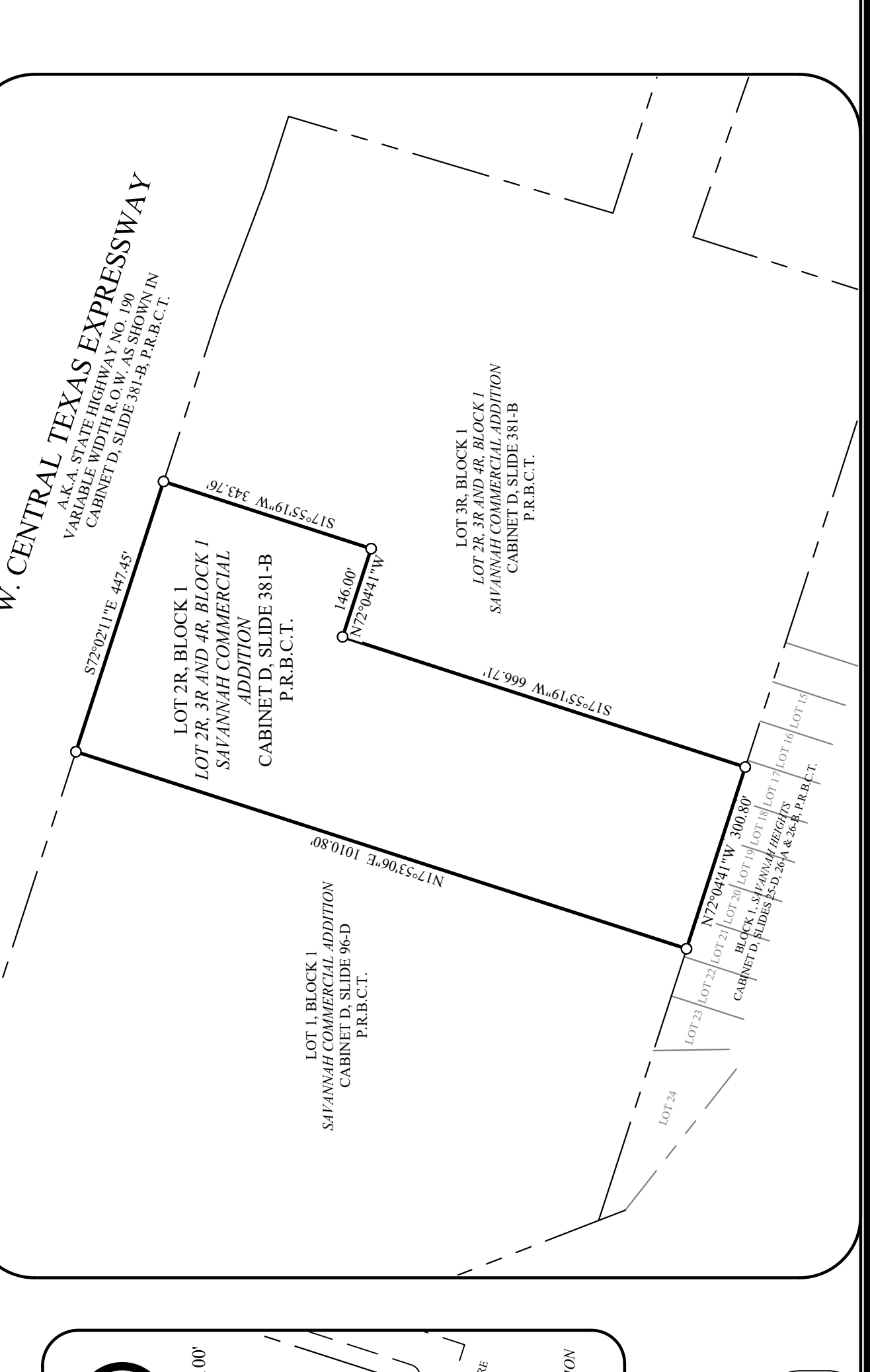
GIVEN UNDER MY HAND this _____ day of _____, 2021.

PRELIMINARY: THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT.

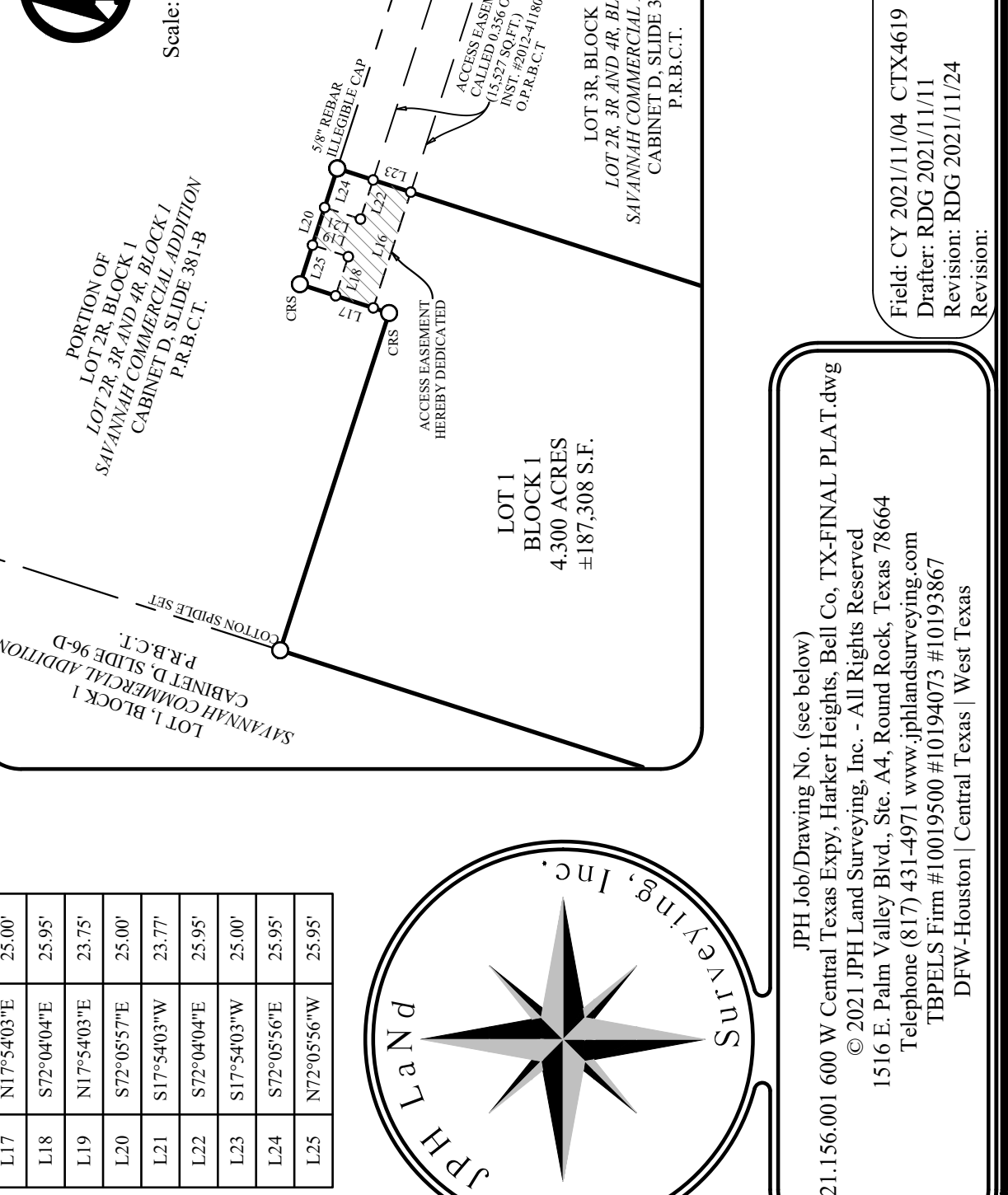
-RELEASED FOR REVIEW ON NOVEMBER 24, 2021

Chris Henderson
Registered Professional Surveyor
No. 6831 State of Texas

PLAT BEING AMENDED:



EASEMENT DETAIL 2:



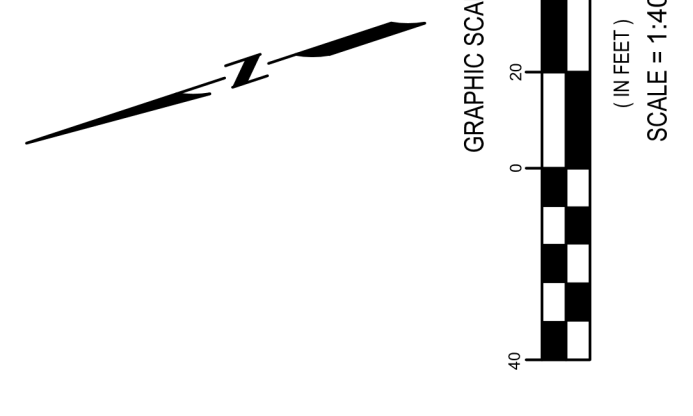
REVISION DESC.	DATE
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DISCLAIMER
 THIS IS NOT TO BE USED FOR BIDDING OR CONSTRUCTION

**CLARSKY REHABILITATION FACILITY
 OF HARKER HEIGHTS
 LOT 1 - SAVANNAH COMMERCIAL ADDITION, REPLAT 2
 HARKER HEIGHTS, BELL COUNTY, TEXAS 76548
 FINAL PLAT STORM PLAN**

DATE: PD
 PROJECT NO.: 7209101
 DRAWN BY: C
 PEB
 ACT. SHEET NO.: C19
2
 OF **2**
PERMIT#



LEGEND

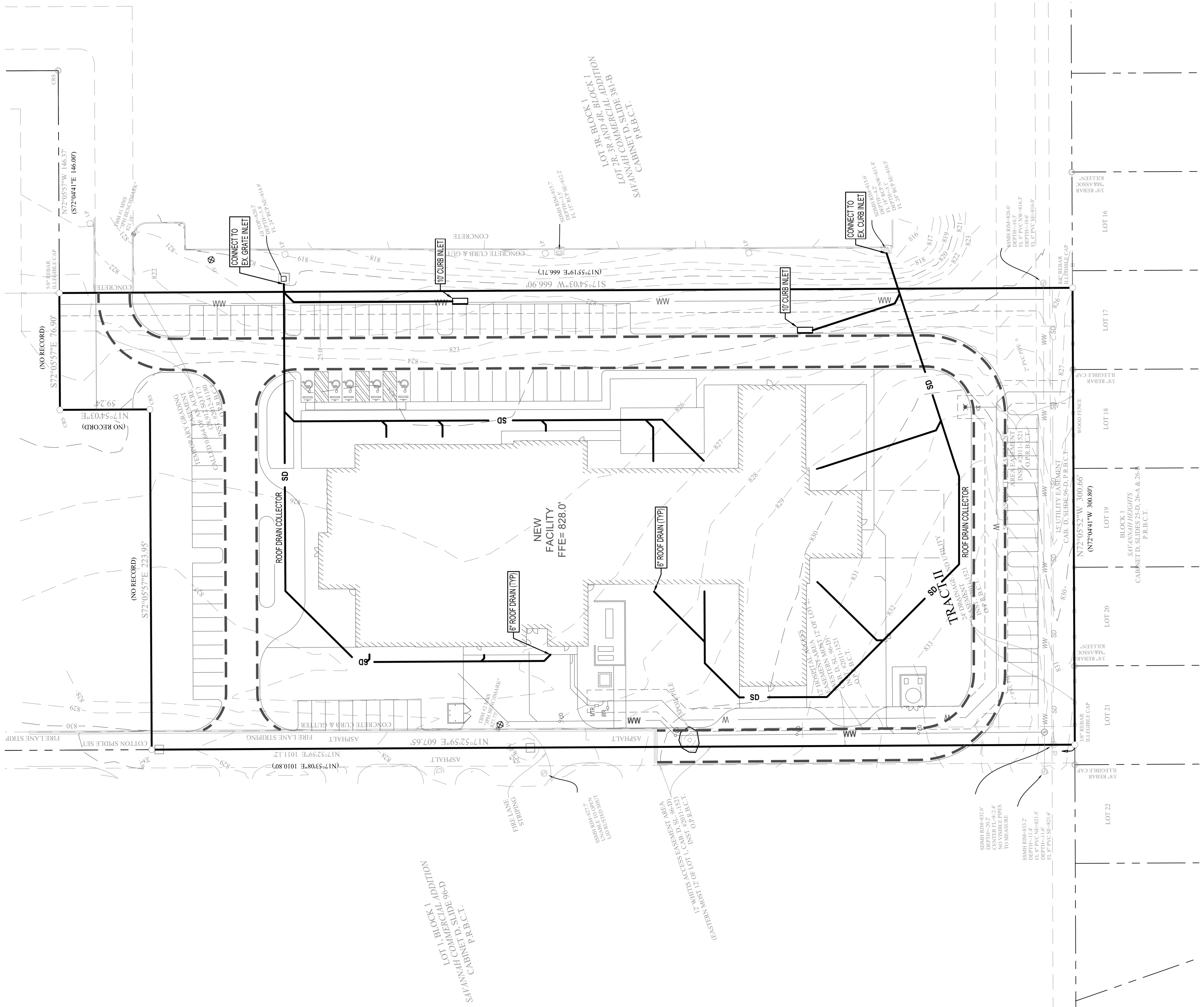
.....	PROPOSED ACCESSIBLE ROUTE
----	PROPOSED CONCRETE SIDEWALK (AS SHOWN)
----	SOWK-6
----	PROPOSED CURB & GUTTER (UNLESS OTHERWISE NOTED PLANS)
----	PROPOSED FIRE LANE (REFER TO PLAN FOR STOPPING NOTES)
----	L.O.C. (LINES OF CONSTRUCTION)
---	PROPOSED CONTOURS (IN FEET)
---	PROPERTY LINE (ADJACENT) EXISTING EASEMENT
---	PROPOSED CONTOURS
---	EXISTING CONTOURS
---	EXISTING UTILITIES
---	FIRE HYDRANTS
---	WATER VALVE
---	MANHOLE (STORM)
---	MANHOLE (WW)
---	INLET
---	INLET
---	WATER
---	WASTE WATER
---	STORM SEWER
---	STORM SEWER

- NOTES**
- SAVANNAH HEIGHTS DETENTION POND WAS DESIGNED TO INCLUDE FILL DEVELOPMENT OF THIS PROPERTY (2004 REPORT BY JAY MANNING, PE)
 - THERE ARE NO PUBLIC STORM DRAIN IMPROVEMENTS.

**FINAL PLAT EXHIBIT
 NOT FOR CONSTRUCTION**

!!! CAUTION !!!
 EXISTING OVERHEAD UTILITIES IN VICINITY CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN WORKING NEAR ELECTRIC FACILITIES

!!! WARNING !!!
 THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED FOR THIS PROJECT. THE USER SHALL BE RESPONSIBLE FOR LOCATION AND ADDING ALL EXISTING UTILITIES BY CALLING THE "ONE CALL" LOCATOR SERVICE AT (800) 344-8377 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.



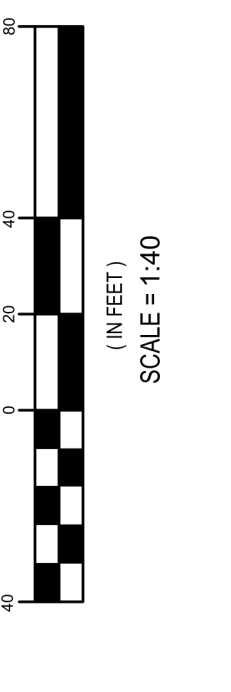
NO.	REVISION/DESC.	DATE
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DISCLAIMER
 THIS IS NOT TO BE USED
 FOR BIDDING OR
 CONSTRUCTION

CLARSKY REHABILITATION FACILITY
OF HARKER HEIGHTS
 LOT 1 - SAVANNAH COMMERCIAL ADDITION, RE-PLAT 2
 HARKER HEIGHTS, BELL COUNTY, TEXAS 76548
 FINAL PLAT UTILITY PLAN

DATE: PD	PROJECT NO.:	7200101
DRAWN BY:	PERMIT#	1 OF 2
CHECKED BY:	ACT. SHEET NO.:	C13



LEGEND

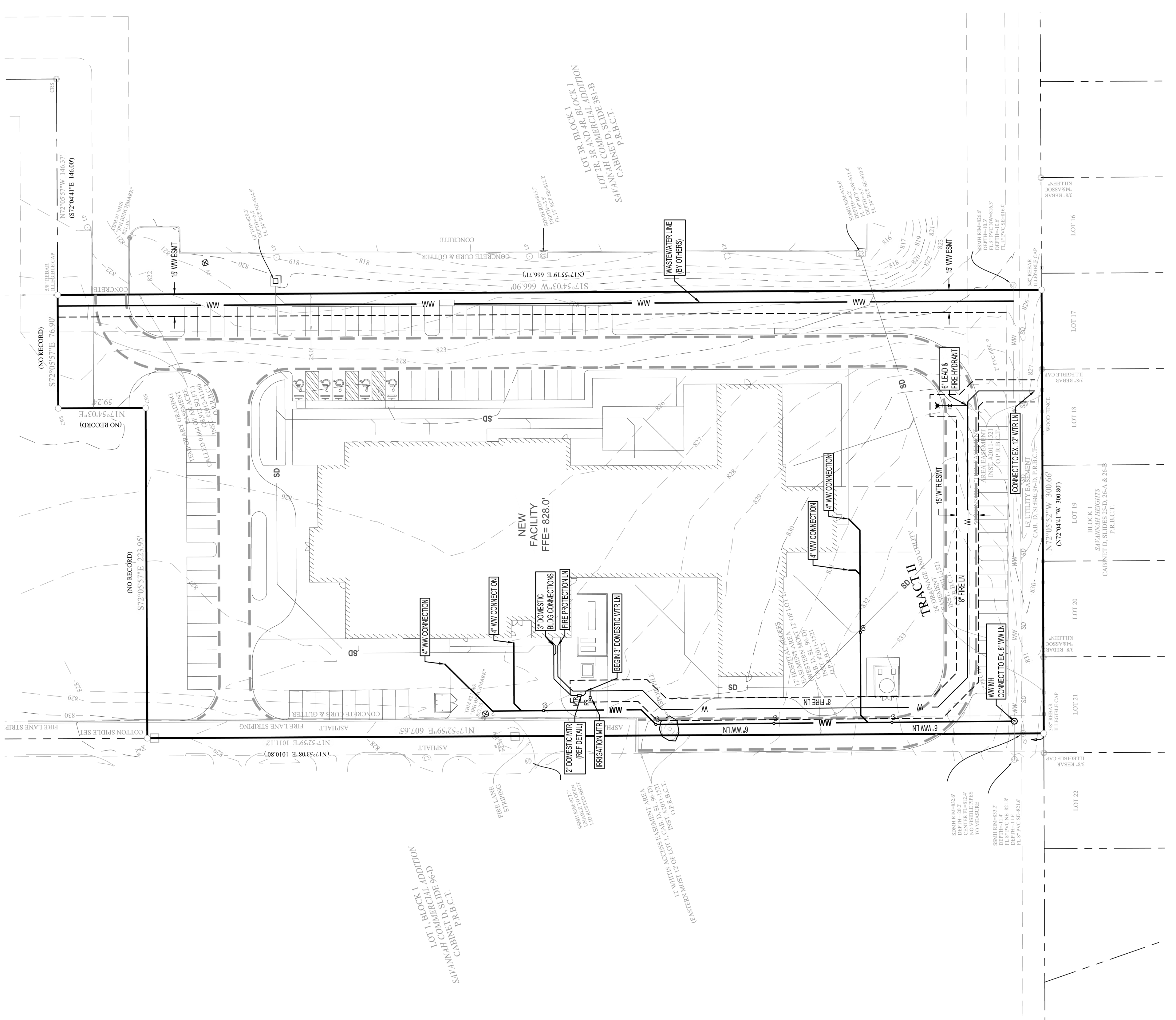
	PROPOSED CONCRETE SIDEWALK (AS SHOWN)
	PROPOSED CURB & GUTTER (UNLESS OTHERWISE NOTED PLANS FOR STOPPING NOTES)
	PROPOSED FIRE LANE (REFERS TO PLAN FOR STOPPING NOTES)
	L.O.C. LINES OF CONSTRUCTION
	PROPERTY LINE (ADJACENT) EXISTING EASEMENT
	PROPOSED CONTOURS
	EXISTING CONTOURS
PROPOSED UTILITIES	
	FIRE HYDRANTS
	WATER VALVE
	MANHOLE (STORM)
	MANHOLE (WW)
	INLET
	WATER
	WASTEWATER
	STORM SEWER
EXISTING UTILITIES	
	FIRE HYDRANTS
	WATER VALVE
	MANHOLE (STORM)
	MANHOLE (WW)
	INLET
	WATER
	WASTEWATER
	STORM SEWER

- NOTES:**
1. WASTEWATER CAPACITY ANALYSIS IS BEING COORDINATED WITH THE CITY.
 2. PUBLIC IMPROVEMENTS INCLUDE WATER LINE AND WASTEWATER LINE ALONG EAST PROPERTY LINE. INSTALLATION OF SAID PUBLIC IMPROVEMENTS IS BEING COORDINATED WITH THE CITY.

FINAL PLAT EXHIBIT NOT FOR CONSTRUCTION

!!! CAUTION !!!
 EXISTING OVERHEAD UTILITIES IN VICINITY CONTRACTOR SHALL EXERCISE EXTREME CAUTION WHEN WORKING NEAR ELECTRICAL FACILITIES

!!! WARNING !!!
 THE ENGINEER ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF ANY INFORMATION PROVIDED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATION AND VERIFYING ALL EXISTING UTILITIES BY CALLING THE "ONE CALL" LOCATOR SERVICE AT (800) 344-8377 AT LEAST 48 HOURS PRIOR TO CONSTRUCTION.

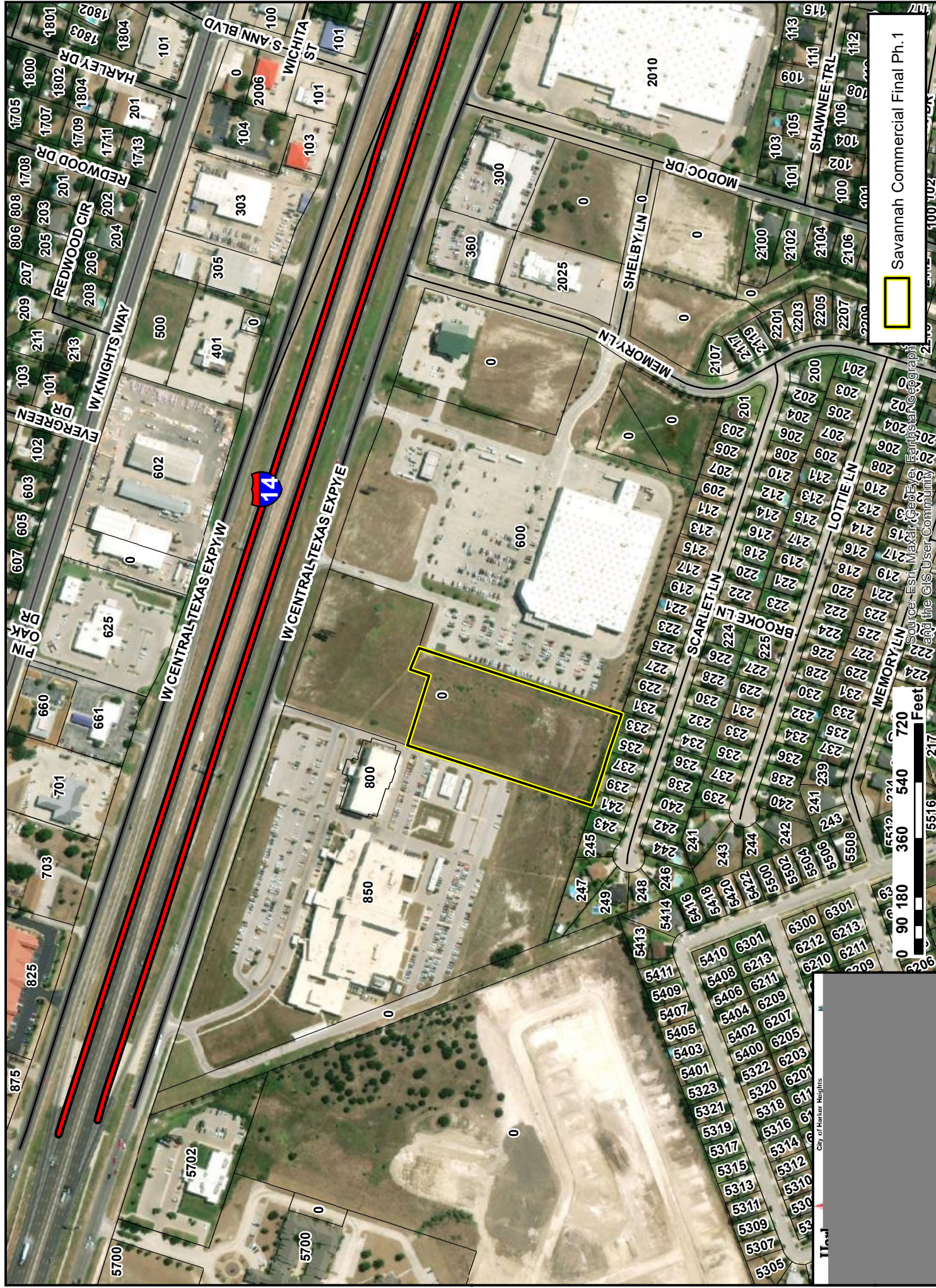


LOT 1, BLOCK 1 ADDITION
 SAVANNAH COMMERCIAL ADDITION
 CANNON P.B.C.T.

LOT 3R, 4R, 4R, BLOCK 1
 ADDITION
 SAVANNAH COMMERCIAL ADDITION
 CANNON P.B.C.T.

CONDUIT WALL SIZE: 4
 DEPTH: 30" ±
 NO VISIBLE PIPES TO BE EXHIBIT

SS001 R004-R017
 DEPTH: 30" ±
 NO VISIBLE PIPES TO BE EXHIBIT



Savannah Commercial Final Ph.1

0 90 180 360 540 720 Feet

City of Hanksville

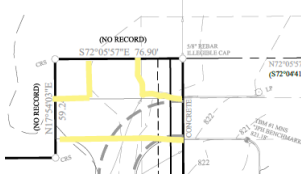
SAVANNAH COMMERCIAL ADDITION

P21-36 Final Plat – Savannah Commercial Addition Replat 2 Phase 1

Plat Distributed to HH Staff: **November 15, 2021**
Comments Returned to JPH Land Surveying Inc: **November 22, 2021**
Revisions Received: **November 29, 2021**

Planning & Development, Kristina Ramirez & Yvonne Spell

1. Applicant is advised that additional comments from all reviewers may be forthcoming after the submission of revisions. This is because some reviews began prior to this common plan of development being broken up into two projects. **To aid with clarity, comments that are slightly different for this review versus the Preliminary Plat review are bolded and underlined so the difference between the two cases become apparent.**
2. Per §154.21 (C) (1) (k) (k) Adjacent property information including present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet; (identify and label all neighboring property owners within 100')
3. Rename plat to: Savannah Commercial Addition, Replat 2 **Phase 1**
4. **Rename Lot 2 to Lot 1.**
5. The layout of the plat dedication page does not meet city requirements. The plat being amended needs to be one small inset, a general location map can be a second small inset and the proposed replat needs to at 1:100.
6. Applicant shall annotate and illustrate on the plat dedication page the called 15' utility easement for the proposed wastewater line to be installed by others that will be required to service the northern remainder tract.
7. Applicant shall annotate and illustrate a 15' drainage easement for a stormsewer main that will be required to service the northern remainder tract.
8. Applicant shall **provide** offsite drainage easements for the proposed connections to the existing stormwater inlets on Lot 3R of the Savannah Commercial Addition replat.
9. Staff recommends that the offsite access easement be extended through the northeast corner of Lot 1 Block 1.



10. On the Utility Sheet add to Nots #2: Installation of said public improvements is being coordinated with the City.

Public Works, Mark Hyde

Section 154.36(F)(8) requires utility extensions as follows: Extending requirements. All utilities shall be required to extend across the full width of the development lot (defined by plat or lot of record) in such an alignment that it can be extended to the next property. Properties already served by water and sewer shall not be required to install additional facilities unless the current lines are not of adequate capacity to serve the proposed development in which case the developer will be required to install adequate facilities. Once a utility meter is installed, movement required due to changes in grade/landscape will be the responsibility of the developer/builder.

Extend the storm sewer line to the north property line.

1. For final plat approval, the 6-inch wastewater line to the north property line must be constructed and accepted by the City of Harker Heights -or- a performance bond or performance letter of credit in the amount of the improvements verified by the City Engineer can be submitted.

The City of Harker Heights would enter into an oversizing agreement at a later date for the cost of upsizing the 6-inch diameter line to an 8-inch diameter line.

§ 154.23 GUARANTEE OF PERFORMANCE.

(A) General. In order to record an approved final plat in which public infrastructure improvements are required, the developer shall construct the improvements to the approval of the city or file a guarantee of performance in lieu of completing the infrastructure prior to recordation of the plat. All such construction shall be inspected while in progress by the Public Works Department and must be approved upon completion by the Public Works Director or his or her designee.

(B) Filing a guarantee. If the developer elects to file a guarantee of performance in lieu of completing construction prior to recording the plat, one of the following methods of posting security shall be used, while the city does reserve the right to select which of the following guarantees of performance is utilized.

(1) Unconditional letter of credit from a local bank, local federally insured Savings and Loan Association or other financial institution in a form acceptable to the city and signed by a principal officer of the institution, agreeing to pay to the city, on demand, a stipulated sum of money to apply

to the estimated costs of completion of all required improvements, cost of completion of the required improvements being verified by the City Engineer.

The letter of credit shall be dated to expire not less than one year from the recordation of the final plat. If the required infrastructure is not complete within six months of acceptance of the letter of credit, the city shall use the funds to construct the improvements.

(2) Performance bond submitted with the city by a surety company holding a license to do business in the State of Texas, in a form acceptable to the city, in an amount equal to the estimated costs of completion of required improvements verified by the City Engineer. It shall be dated to expire not less than one year from the recordation of the final plat. If the required infrastructure is not complete within six months of acceptance of the letter of credit, the city shall use the funds to construct the improvements.

(C) Guarantee of performance. For the guarantee of performance, as described in this section, the Engineer whose stamp and signature are found on the final plat and final engineering drawings shall prepare a detailed estimate of outstanding infrastructure items to include the cost of each item, the cost of installation of each item and the total cumulative cost of all outstanding infrastructure items. This detailed estimate should be stamped and signed by the Engineer. The city's Engineer shall review this detailed estimate to ensure that all items are accounted for and are valued at costs that are reasonable given the market at the time of which the project occurs. The city may request that the developer make modifications to the detailed estimate to reflect comments from the city's Engineer. Once approved by the city's Engineer, the city will accept the guarantee of performance, as described in this section, for the total cumulative cost as shown on the detailed estimate, and the final plat shall be filed with the county.

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

City Engineer, Otto Wiederhold: Approved, no comments.

Fire Marshal, Brad Alley: Approved, no comments.

Building Official, Mike Beard: No comments.

ONCOR, Steven Huggins

1. Oncor will keep PUE and existing facilities.

Century Link, Chris McGuire

1. Will possibly need a 10' UE along the West side of the property. Unsure where utilities will enter the building.

Time Warner Cable/Spectrum

The City has not heard back from reviewing entity and comments may be forthcoming.

ATMOS

The City has not heard back from reviewing entity and comments may be forthcoming.

TXDOT: No comments at this time.

Utility Franchise Agreement, Kenny Robertsen: Approved, no comments.



CITY COUNCIL MEMORANDUM

P21-31

AGENDA ITEM# VIII-5

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVAL OF AN AMENDED PLAT REFERRED TO AS FAMILY DOLLAR ADDITION, 1ST AMENDMENT, ON PROPERTY DESCRIBED AS BEING ALL OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION RECORDED IN CABINET D, SLIDE 311D OF THE PLAT RECORDS OF BELL COUNTY, TEXAS; AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

The applicant submitted an application to abandon a portion of an existing 10 foot utility easement on the property due to the existing building encroaching an average of 3 feet into the easement. Staff made contact with appropriate utility companies to ensure no existing utilities were located within this easement. The contacted utilities all indicated that they also had no intent of extending utilities within the area to be abandoned.

As of December 2, 2021 staff had reviewed the submitted plat and made comments to address safety, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

STAFF RECOMMENDATION:

On November 22, 2021, staff returned comments to the applicant. On November 24, 2021, the applicant submitted revisions based on the November 29, 2021 comments. Comments on revisions have been substantially met, therefore staff recommended approval with conditions to the Planning and Zoning Commission of the Amending Plat referred to as Family Dollar Addition, 1st Amendment, subject to the following conditions:

1. Amend annotations to correspond with staff comments.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

During the Planning & Zoning Commission meeting held on December 8, 2021, the Planning and Zoning Commission voted (6-0) to recommend approval of an Amending Plat referred to as Family Dollar Addition, 1st Amendment, on property described as being all of Lot 1, Block A of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas.

ACTION BY THE CITY COUNCIL:

1. Motion to **approve/approve with conditions/disapprove with explanation** a request for an Amending Plat referred to as Family Dollar Addition, 1st Amendment, on property described as being all of Lot 1, Block A of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas.

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Field notes
3. Dedication
4. Amending Plat
5. Location Map
6. Staff Comments with Responses (Comments sent 11/22/2021, Revisions received 11/29/2021)



Minor/Amending Plat Application

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

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

Property Information:

Plat Name: Family Dollar Addition, 1st Amendment Date Submitted: 9/29/21

Existing Lot Count: 1 Proposed Lot Count: 1 Acreage: .994

Site Address or General Location: 660 E FM 2410 Rd, Harker Heights, TX 76548

Reason for Amendment/
Description of Subdivision: Updating for PUE conflict.

Zoning Classification: B-4 Existing Land Use: Commercial

Located in Overlay District?: Yes No

Owner Information/Authorization:

Property Owner: CTV Texas, LLC

Address: 2873 East Plama Way, Cottonwood Heights, UT 84121

Phone: [REDACTED] E-mail: [REDACTED]

Developer: _____

Address: _____

Phone: _____ E-mail: _____

Engineer/Surveyor: Triad Surveying, Inc - Kimley-Horn & associates

Address: 528 County Road P.O. Box 1489, Rockdale, TX. 76567

Phone: 5124463457 512 720 5303 E-mail: brad@triadsurveying.com heather.pearl@kimley-horn.com

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

Cristy Terry
PRINTED NAME OF OWNER: _____ OWNER SIGNATURE: Cristy Terry

SWORN TO AND SUBSCRIBED BEFORE ME ON THIS 23rd DAY OF September 20 21

[Signature] MY COMMISSION EXPIRES: 08/10/2022
NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC
ALEXANDROS VLAMAKIS
COMM. # 701718
COMMISSION EXPIRES
AUGUST 10, 2022
STATE OF UTAH

STAFF ONLY - DO NOT FILL OUT BELOW
Date Submitted: _____ Receipt #: _____
Received by: _____ Pre-Application Meeting Case #: _____



In Re: 0.994 Acres
All of Lot 1, Block A
Family Dollar Addition
City of Harker Heights
Bell County, Texas

All that certain tract or parcel of land situated in the City of Harker Heights, Bell County, Texas, being all of Lot 1, Block a of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, being more particularly described by metes and bounds as follows to wit:

BEGINNING at a found ½" iron rod with red plastic cap marked "KILLEEN" on the southwest Right-of-Way line of F.M. Highway 2410 (Knights Way), at the east corner of a tract conveyed to the Shawnee McCue Limited Partnership in Volume 5769, Page 695, for the north corner of this tract;

THENCE along the said southwest Right-of-Way line of F.M. Highway 2410 for the following courses and distances:

S35°03'24"E - 70.82' to a set ½" iron rod with red plastic cap marked "TRIAD RPLS 5952" for an interior ell corner of this tract;

S40°29'11"E - 114.60' to a found ½" iron rod at the north corner of Lot 1, Block 1 of the Charvick Addition 2nd Replat recorded in Year 2019, Number 3 of the said Plat Records of Bell County, for the east corner of this tract;

THENCE S54°50'12"W - 241.46' along the northwest line of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat to a found ½" iron rod with a red cap (illegible) on the northeast line of Phase Four of the Skipcha Mountain Estates recorded in Cabinet B, Slide 232-A of the said Plat Records of Bell County, at the west corner of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat, for the south corner of this tract;

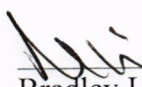
THENCE N35°08'12"W - 184.86' along the said northeast line of Phase Four of the Skipcha Mountain Estates to a found ½" iron rod with red plastic cap marked "KILLEEN" at the south corner of the said Shawnee McCue Limited Partnership tract, for the west corner of this tract;

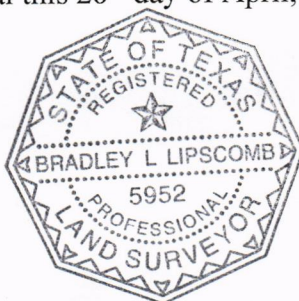
THENCE N54°49'06"E - 230.87' along the southeast line of the said Shawnee McCue Limited Partnership tract to the **POINT OF BEGINNING** containing within these metes and bounds 0.994 Acres of land.

Bearings are based on the Texas State Plane Coordinate System of 1983, Texas Central Zone.

I, Bradley L. Lipscomb, Registered Professional Land Surveyor No. 5952 in the State of Texas, do hereby certify that this survey was performed on the ground under my supervision and that the field notes hereon are true and correct to the best of my knowledge.

Given under my hand and seal this 28th day of April, 2021.


Bradley L. Lipscomb RPLS



Triad Surveying, Inc.
Firm Registration No. 10007900
P.O. Box 1489
Rockdale, TX 76567
(512) 446-3457

Project No. S21-125

DEDICATION

STATE OF TEXAS §

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BELL §

That **CTV Texas, LLC**, being the sole owner of that certain 0.994 acre tract of land in Bell County, Texas, the land herein described being all of a called 0.994 acre tract of land conveyed to **CTV Texas, LLC**, being of record in Volume 12037, Page 684, Official Public Records of Real Property, Bell County, Texas (O.P.R.R.P.B.C.T.), shown and attached hereto and incorporated herein for all purposes, does hereby subdivide the herein described property into lots and blocks, according to the plat hereof, to be known as **FAMILY DOLLAR ADDITION**, to the City of Harker Heights, Bell County, Texas, as shown by the plat hereof, attached hereto, and made apart hereof, and approved by the Director of Planning and Development of the City of Harker Heights, Bell County, Texas, and **CTV Texas, LLC**, does hereby adopt said **FAMILY DOLLAR ADDITION** as an addition to the City of Harker Heights, Bell County, Texas, and for the purpose of selling lots and blocks of land with reference thereto and for the property development of said land by its owners and for all other purposes; and do hereby dedicate to the City of Harker Heights, all streets, avenues, roads, drives, alleys and associated potable water, sanitary sewer, and storm sewer systems as shown on said plat, and final construction drawings the same to be used as public thoroughfares and public utilities when and as authorized by the City of Harker Heights, Bell County, Texas.

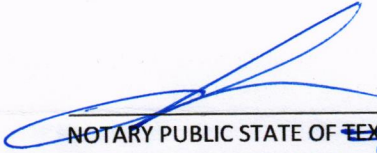
The utility and drainage easements shown on said plat are dedicated to the City of Harker Heights for installation and maintenance of any and all public utilities, which the city may elect to install and maintain or permit to be installed or maintained.

WITNESS the execution hereof, on this 12th day of October, 2021.

Cristy Terry

Cristy Terry, CTV Texas, LLC Authorized Signer

Before me, the undersigned authority, on this day personally appeared Cristy Terry known to me to be the persons whose name is subscribed to the foregoing instrument. It has been acknowledged to me that she executed the foregoing instrument as the owner of the property described hereon.


NOTARY PUBLIC STATE OF ~~TEXAS~~ Utah
My Commission Expires: 10/28/2023



**FAMILY DOLLAR ADDITION, 1ST AMENDMENT
BEING AN AMENDMENT OF LOT 1, BLOCK A
OF THE FAMILY DOLLAR ADDITION**

KNOW ALL MEN BY THESE PRESENTS, THAT CTV TEXAS, LLC WHOSE ADDRESS IS 2873 EAST PLAMA WAY, COTTONWOOD HEIGHTS, UT 84121, BEING THE SOLE OWNER OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION, AS SHOWN BY THE PLAT HEREOF AND APPROVED BY THE DIRECTOR OF PLANNING AND DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, DOES HEREBY ADOPT THE FAMILY DOLLAR FIRST AMENDMENT, BEING AN AMENDMENT OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION, AS AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, AND HEREBY DEDICATE TO SAID CITY ALL STREETS, AVENUES, ROADS, DRIVES, ALLEYS AND EASEMENTS SHOWN ON SAID PLAT. THE SAME TO BE USED AS PUBLIC THOROUGHFARES AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES WHEN AND AS AUTHORIZED BY THE CITY OF HARKER HEIGHTS. THE UTILITY EASEMENTS SHOWN ON SAID PLAT ARE DEDICATED TO SAID CITY FOR THE INSTALLATION AND MAINTENANCE OF ANY AND ALL PUBLIC UTILITIES, WHICH THE CITY MAY INSTALL OR PERMIT TO BE INSTALLED OR MAINTAINED.

FOR: CTV TEXAS, LLC

BY: CRISTY TERRY, MEMBER



VICINITY MAP
SCALE: 1" = 1500'

STATE OF TEXAS
COUNTY OF BELL
THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THE _____ DAY OF _____, 20____ BY
CRISTY TERRY, MEMBER OF CTV TEXAS, LLC.

NOTARY PUBLIC, STATE OF TEXAS

APPROVED THIS _____ DAY OF _____, 20____ BY THE DIRECTOR OF PLANNING AND
DEVELOPMENT OF THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

DIRECTOR, PLANNING AND DEVELOPMENT

APPROVED THIS _____ DAY OF _____, 20____ BY THE PLANNING AND ZONING COMMISSION OF
THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS.

CHAIRPERSON, PLANNING AND ZONING COMMISSION

SECRETARY, PLANNING AND ZONING COMMISSION

APPROVED THIS _____ DAY OF _____, 20____ BY THE CITY COUNCIL OF THE CITY OF HARKER
HEIGHTS, BELL COUNTY, TEXAS.

MAYOR

CITY SECRETARY

KNOW ALL MEN BY THESE PRESENTS:

THAT I, BRADLEY L. LIPSCOMB, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED OR FOUND UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF HARKER HEIGHTS, TEXAS.



BRADLEY L. LIPSCOMB, RPLS 5952

TAX CERTIFICATE

THE BELL COUNTY TAX APPRAISAL DISTRICT, THE TAXING AUTHORITY FOR ALL ENTITIES IN BELL COUNTY, TEXAS DOES HEREBY CERTIFY THAT THERE ARE CURRENTLY NO DELINQUENT TAXES DUE OR OWING ON THE PROPERTY DESCRIBED BY THIS PLAT.

DATED THIS _____ DAY OF _____, 20____ A.D.

BELL COUNTY TAX APPRAISAL DISTRICT

BY: _____

FILED FOR RECORD THIS _____ DAY OF _____, 20____ A.D.

IN CABINET _____ SLIDE(S) _____ PLAT RECORDS OF BELL COUNTY, TEXAS.

DEDICATION INSTRUMENT IN INSTRUMENT NO. _____ OFFICIAL RECORDS OF BELL COUNTY, TEXAS.

OWNER/DEVELOPER:
CTV TEXAS, LLC
2873 EAST PLAMA WAY
COTTONWOOD HEIGHTS, UT 84121

SURVEYOR:
TRIAD SURVEYING, INC.
PO BOX 1489
ROCKDALE, TX 76567

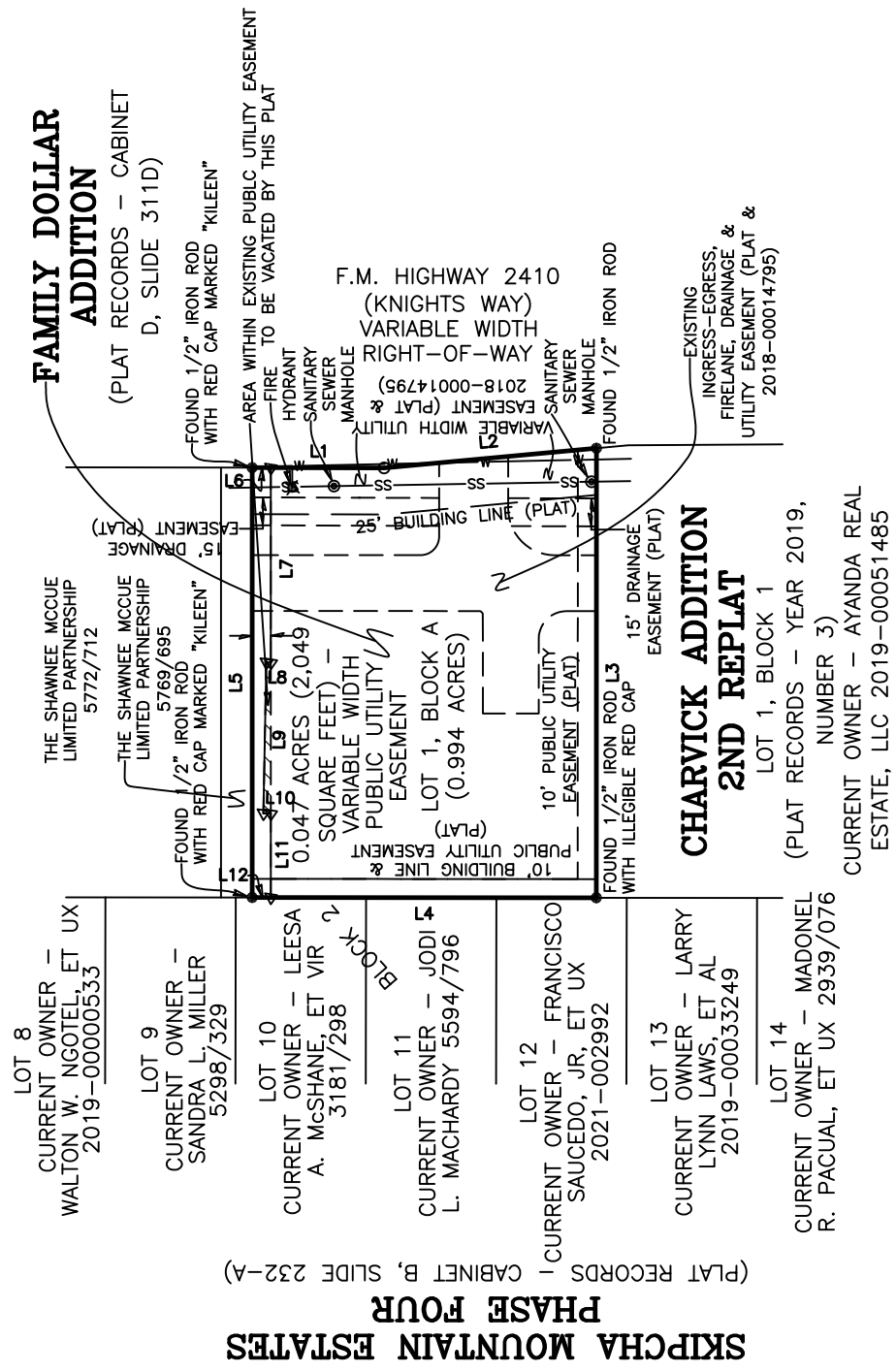
ENGINEER:
KIMLEY-HORN
10814 JOLLYVILLE ROAD
AVALON IV, SUITE 200
AUSTIN, TX 78759

	SHEET 1 OF 2	
	FIRM REGISTRATION NO. 100079000	
528 COUNTY ROAD 325 P.O. BOX 1489 ROCKDALE, TX. 76567		
FAMILY DOLLAR ADDITION, 1ST AMENDMENT BEING AN AMENDMENT OF LOT 1, BLOCK A (0.994 ACRES) OF THE FAMILY DOLLAR ADDITION CITY OF HARKER HEIGHTS BELL COUNTY, TEXAS		
Completion Date: 4/28/21	Drawn by: BL	
Scale: N/A	Surveyed by: LS	
PROJECT NO. S21-125	Checked by: BL	

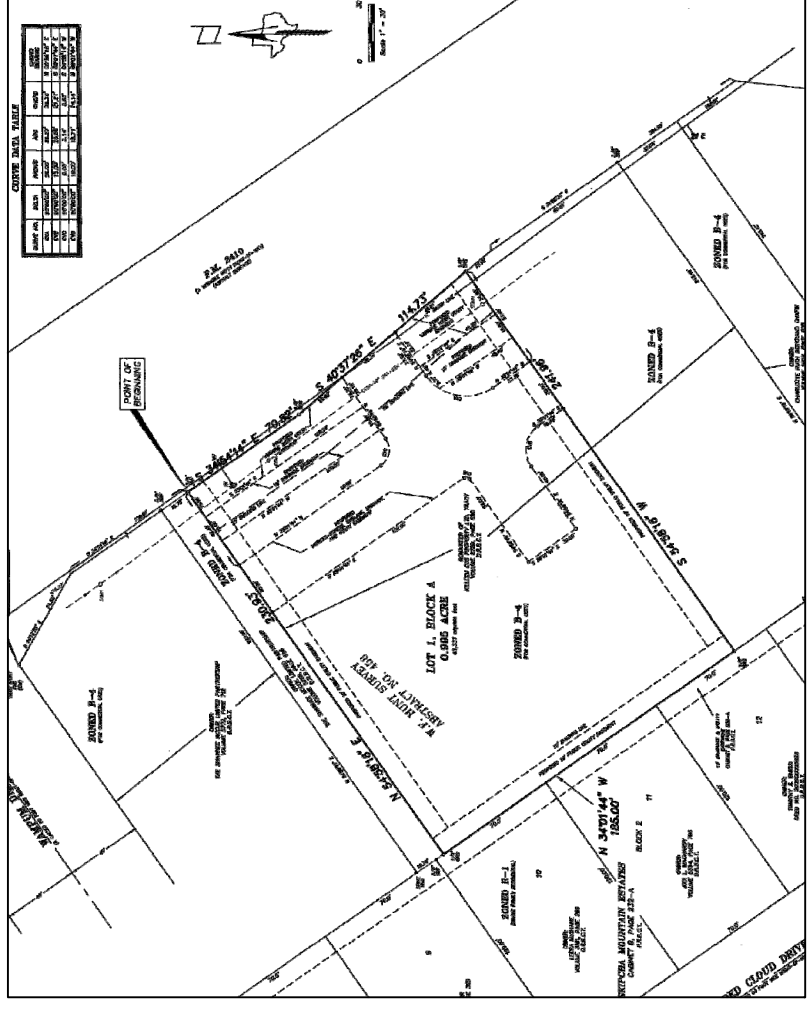
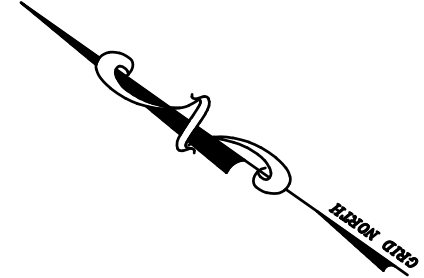
**FAMILY DOLLAR ADDITION, 1ST AMENDMENT
BEING AN AMENDMENT OF LOT 1, BLOCK A
OF THE FAMILY DOLLAR ADDITION**

**W.F. HUNT SURVEY
ABSTRACT NO. 458
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS**

LINE	BEARING	DISTANCE
L1	S 35°03'24" E	70.82'
L2	S 47°28'17" E	114.60'
L3	S 47°28'17" E	114.60'
L4	N 35°08'12" W	184.88'
L5	N 54°48'06" E	230.87'
L6	S 35°03'24" E	10.00'
L7	S 35°03'24" E	10.00'
L8	N 33°58'53" W	2.43'
L9	S 55°53'57" W	81.09'
L10	S 35°53'02" E	3.96'
L11	S 35°53'02" E	3.96'
L12	N 35°08'12" W	10.00'



"INSET 1"
PLAT SUBMITTED AS
AMENDING PLAT



"INSET 2"
PLAT SUBMITTED AS
INITIAL FINAL PLAT

NOTES:

1. THE PURPOSE OF THIS PLAT IS TO MAKE REVISION TO THE EXISTING 10' WIDE PUBLIC UTILITY EASEMENT (P.U.E.) - HEREBY ABATED AND REPLACED BY THIS PLAT - ALONG THE NORTH LINE OF LOT 1, BLOCK A OF THE FAMILY DOLLAR ADDITION TO ACCOMMODATE AN EXISTING STRUCTURE.
2. THE EXISTING LOT LINES HAVE NOT BEEN ALTERED BY THIS PLAT.

METES AND BOUNDS DESCRIPTION:

All that certain tract or parcel of land situated in the City of Harker Heights, Bell County, Texas, being all of Lot 1, Block A of the Family Dollar Addition recorded in Cabinet D, Slide 311D of the Plat Records of Bell County, Texas, being more particularly described by metes and bounds as follows to wit:

BEGINNING at a found 1/2" iron rod with red plastic cap marked "KILLEEN" on the southwest Right-of-Way line of F.M. Highway 2410 (Knights Way), at the east corner of a tract conveyed to the Shawnee McCue Limited Partnership in Volume 5767, Page 095, for the north corner of this tract;

THENCE along the said southwest Right-of-Way line of F.M. Highway 2410 for the following courses and distances:

S35°03'24"E - 70.82' to a set 1/2" iron rod with red plastic cap marked "TRIAD RPL S 5952" for an interior ell corner of this tract;
S40°29'11"E - 114.60' to a found 1/2" iron rod at the north corner of Lot 1, Block 1 of the Charvick Addition 2nd Replat recorded in Year 2019, Number 3 of the said Plat Records of Bell County, for the east corner of this tract;

THENCE S54°50'12"W - 241.46' along the northwest line of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat to a found 1/2" iron rod with a red cap (illegible) on the northeast line of Phase Four of the Skipcha Mountain Estates recorded in Cabinet B, Slide 232-A of the said Plat Records of Bell County, at the west corner of the said Lot 1, Block 1 of the Charvick Addition 2nd Replat, for the south corner of this tract;

THENCE N35°08'12"W - 184.86' along the said northeast line of Phase Four of the Skipcha Mountain Estates to a found 1/2" iron rod with red plastic cap marked "KILLEEN" at the south corner of the said Shawnee McCue Limited Partnership tract, for the west corner of this tract;

THENCE N54°49'06"E - 230.87' along the southeast line of the said Shawnee McCue Limited Partnership tract to the **POINT OF BEGINNING** containing within these metes and bounds 0.994 Acres of land.

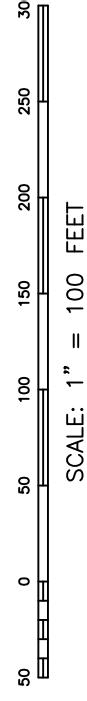
OWNER/DEVELOPER:
CTV TEXAS, LLC
2873 EAST PLAMA WAY
COTTONWOOD HEIGHTS, UT 84121
SURVEYOR:

ENGINEER:
TRIAD SURVEYING, INC.
PO BOX 1489
ROCKDALE, TX 76567

KIMLEY-HORN
10814 JOLLYVILLE ROAD
AVALLON IV, SUITE 200
AUSTIN, TX 78759

- LEGEND**
- - IRON ROD FOUND (AS NOTED)
 - - IRON ROD SET WITH RED CAP MARKED "TRAD RPL S 5952"
 - W— - UNDERGROUND WATERLINE
 - SS— - UNDERGROUND SEWERLINE

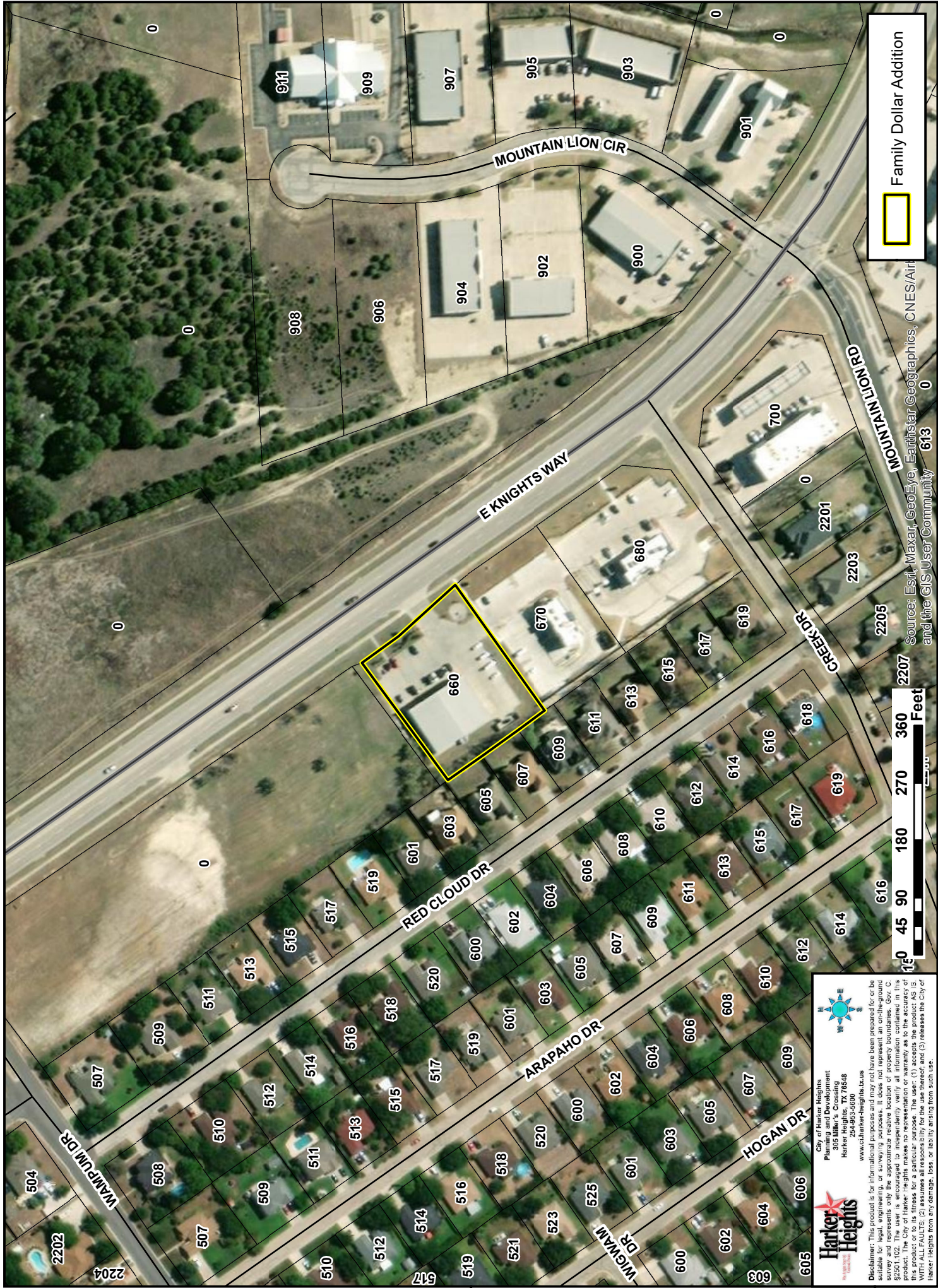
BEARINGS ARE BASED ON THE SYSTEM
TEXAS STATE PLANE COORDINATE SYSTEM
OF 1983, TEXAS CENTRAL ZONE



TRIAD SURVEYING, INC.
SHEET 2 OF 2
FIRM REGISTRATION NO. 10007900
528 COUNTY ROAD 325 P.O. BOX 1489 ROCKDALE, TX. 76567

**FAMILY DOLLAR ADDITION, 1ST AMENDMENT
BEING AN AMENDMENT OF LOT 1, BLOCK A
(0.994 ACRES) OF THE FAMILY DOLLAR ADDITION
CITY OF HARKER HEIGHTS
BELL COUNTY, TEXAS**

Completion Date: 4/28/21 | Drawn by: BL
Scale: 1" = 100' | Surveyed by: LS
PROJECT NO. S21-125 | Checked by: BL




Family Dollar Addition




Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Air

and the GIS-User Community 613 0

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76788
www.ci.harkerheights.tx.us

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2001.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of the information provided. WITH ALL FAULTS: (1) assumes all responsibility for the use hereof and (2) releases the City of Harker Heights from any damage, loss, or liability arising from such use.



FAMILY DOLLAR ADDITION 1ST AMENDMENT

P21-31 Minor Plat – Family Dollar Addition 1st Amendment

Plat Distributed to HH Staff: November 15, 2021

Comments Returned to Kimley Horn and Associates: November 22, 2021

Received revisions from Kimley Horn and Associates: November 29, 2021

Planning & Development, Kristina Ramirez & Yvonne Spell

1. The applicant shall provide clarifying labels to re-dedicate the called “Ingress-Egress, Fire Lane, Drainage & Utility Easement” such that it is clear that it is accepted and not “Proposed” as shown on the referenced Plat & Document # 2018-00014795.
2. The layout of the plat dedication pages do not meet city requirements. The plat being vacated needs to be one small inset, a general location map can be a second small inset and the proposed replat needs to be at 1:100. We have marked up the dedication page replacing the inset that is not needed with the original plat. This mark up is in line with what is required but it doesn't need to be the same size. It is optional to include the field notes on the plat dedication page. If you can get all the plat dedication information on one page that would be ideal.
3. Applicant shall address why the dedication statement and the dedication language on the face of the plat are different and make changes in order to convey the same language.
4. Applicant is advised that they may want to reach out directly to the utility companies that have not responded or are not making a recommendation for approval of this amending plat.
5. Per §154.21 (C) (1) (k) (k) Adjacent property information including present ownership, legal descriptions (recorded volume and page) and property lines within 100 feet; (identify and label all neighboring property owners within 100')

Public Works, Mark Hyde

1. Obtain written approval from all franchise utility companies for the proposed partial utility easement abandonment.
2. Atmos and Spectrum utility companies have not provided written approval to date.
12/1/2021

City Engineer, Otto Wiederhold: Approved, no comments.

Fire Marshal, Brad Alley: Approved, no comments.

Building Official, Mike Beard: Approved, no comments.

ONCOR, Steven Huggins

Oncor will keep PUE and existing facilities. I am in agreement with the abandonment of the PUE.
11/29/2021

Century Link

Lumen (CenturyLink) agrees with amending the easement in question due to the building encroachment. 11/23/2021

Time Warner Cable/Spectrum

Spectrum is in agreement and does not have a problem with abandoning the easement in question. (12/3/2021)

ATMOS

We do not have any projects in the works for this area. We have gas in the nearby but not along FM 2410 at this location. (Rusty Fischer, 12/3/2021)

TXDOT

1. TxDOT is requesting a 1' non access easement across the property in front of FM 2410.

Unite Private Network, Kenny Robertsen: Approved, no comments.



CITY COUNCIL MEMORANDUM

AGENDA ITEM # VIII-6

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE CHIEF OF POLICE, CITY MANAGER, AND MAYOR TO SIGN AN INTERAGENCY AGREEMENT TO PARTICIPATE IN THE CENTURION RECORDS MANAGEMENT SYSTEM CONSORTIUM; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The **CENTURION Consortium** is dedicated to providing all members with a records management system (RMS), associated services, and records data that can be shared with partner agencies in an effort to more efficiently obtain, assess, and utilize criminal information. The consortium will also facilitate the sharing of responsibilities and expenses related to design, creation, hosting, maintenance, and management of this RMS. This Interagency Policy Agreement will be utilized to set forth guidelines that the Consortium will adopt to assist with the functionality of the **CENTURION RMS** to include current members, future members, and potential future *Inter-NICHE* members.

This Agreement is entered into pursuant to Texas Government Code 791, the Texas Interlocal Cooperation Act, for furtherance of governmental functions and services, more specifically to further the efficacy of providing police protection and detention services, protecting the public health and welfare, providing records center services and administrative services, and further providing other governmental functions in which the contracting parties are mutually interested. Each Party to this Agreement represents that its participation in this contract has been authorized by the its governing body as required by Sec. 791.011(d)(1), Texas Government Code, and agrees and represents that all payments required to be made in furtherance of the governmental services provided under this Agreement will be paid from current revenues available to the paying Party, as required by Sec. 791.011(d)(3), Texas Government Code.

BACKGROUND:

For many years, law enforcement agencies have operated off disparate or smaller shared system designs for their records management systems. Multiple systems create a lag in investigations and intelligence sharing from one agency to another. Multiple systems can also put a strain on call-takers, dispatchers, records, and communications staffing. Having multiple systems also does not provide the level of customer service that can be achieved by working in a collaborative or consortium process. The City of Temple seeks to collaborate, establish and be the Host Agency of the Central Texas Uniform Reporting Information Network or CENTURION as a shared records management system with partner law enforcement agencies in the Bell County region. CENTURION would enhance information and intelligence sharing between partner agencies, which would provide a higher level of customer service to our communities, improve officer safety, improve case clearance rates and allow the integration of available technology.

Member agencies would purchase user licenses, pay annual maintenance and host fees to the City of Temple for their respective staff. The City of Temple would manage the system and be the contracting agent with NicheRMS the records management system vendor.

This system will allow the City of Harker Heights Police Department's goals to facilitate information and intelligence sharing among CENTURION member agencies and contributes to a high-performing organization by leveraging technology to increase accuracy and efficiency.

ACTION BY CITY COUNCIL:

1. Motion to Approve/Disapprove a Resolution authorizing the Chief of Police, City Manager, and Mayor to sign an Interagency Agreement to participate in the Centurion Records Management System Consortium.
2. Any other action desired.

ATTACHMENTS:

1. Resolution
2. CENTURION Interagency Agreement

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE CHIEF OF POLICE, CITY MANAGER, AND MAYOR TO SIGN AN INTERAGENCY AGREEMENT WITH CITY, COUNTY, AND EDUCATIONAL INSTITUTIONS IN THE BELL COUNTY REGION; AUTHORIZING PARTICIPATION IN THE INTERAGENCY POLICY AGREEMENT FOR THE CENTURION RECORDS MANAGEMENT SYSTEM CONSORTIUM.

WHEREAS, this Interagency Policy Agreement will be utilized to set forth guidelines that the Consortium will adopt to assist with the functionality of the CENTURION RMS to include current members, future members, and potential future Inter-NICHE members; and

WHEREAS, the CENTURION Consortium is dedicated to providing all members with a records management system (RMS), associated services, and records data that can be shared with partner agencies in an effort to more efficiently obtain, assess, and utilize criminal information; and

WHEREAS, this Agreement is entered into pursuant to Texas Government Code 791, the Texas Interlocal Cooperation Act, for furtherance of governmental functions and services, more specifically to further the efficacy of providing police protection and detention services, protecting the public health and welfare, providing records center services and administrative services, and further providing other governmental functions in which the contracting parties are mutually interested; and

WHEREAS, this Agreement represents that its participation in this contract has been authorized by the its governing body as required by Sec. 791.011(d)(1), Texas Government Code, and agrees and represents that all payments required to be made in furtherance of the governmental services provided under this Agreement will be paid from current revenues available to the paying Party, as required by Sec. 791.011(d)(3), Texas Government Code; and

WHEREAS, the City Council finds it is in the public interest that the City participate in the CENTURION Consortium according to the terms and conditions thereof, and by means hereof the Council expresses its support for such participation; and

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

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

1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Harker Heights, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

2. The City Council authorizes the Chief of Police, City Manager, and Mayor to sign an Interagency Agreement with City, County, and Educational Institutions in the Bell County Region and authorizes the City's participation in the interagency policy agreement for the CENTURION records management system Consortium.
3. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED on December 14, 2021, by the Harker Heights City Council.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Interagency Policy Agreement

CENTURION

Central Texas Uniform Reporting
Information Operating Network

-NicheRMS365-

Table of Contents
CENTURION Consortium

- 1.0 Interagency Participation
- 2.0 Scope
- 3.0 Definitions
- 4.0 Centurion Roles
- 5.0 Host Agency Requirements
- 6.0 Centurion Agency Requirements
- 7.0 Centurion Governance
- 8.0 Centurion Operations
- 9.0 Centurion Financial Section
- Signature Agreement

Bell County PARTICIPANTS

Bell County Sheriff Office

Sheriff Eddy Lange
104 S. Main St.
Belton, TX 76513

Bell County Constable Precinct 1

Pat A. Duffield
1201 Huey Road
Belton, TX 76513

Bell County Constable Precinct 2

Rolly Correa
601 N. Main Street
Salado, TX 76571

Bell County Constable Precinct 3

Devin Rosenthal
205 E. Central Avenue
Temple, TX 76501

Bell County Constable Precinct 4

Martha Dominguez
301 Priest Drive
Killeen, TX 76541

Belton Police Department

Chief Gene Ellis
711 East 2nd Ave
Belton, TX 76513

Copperas Cove Police Department

Chief Eddie Wilson
302 East Avenue E
Copperas Cove, TX 76522

Harker Heights Police Department

Chief Phil Gadd
402 Indian Trail
Harker Heights, TX 76548

Killeen Police Department

Chief Charles Kimble
3304 Community Blvd
Killeen, TX 76542

Killeen ISD

Police Department

Chief Ralph Disher
4100 Zephyr Rd.
Killeen, TX 76543

Nolanville Police Department

Chief Michael Hatton
101 N. 5th St
Nolanville, TX 76559

Morgans Point Resort

Police Department

Chief Charles Cline
6 Lake Forest Drive
Morgan's Point Resort, TX 76513

Salado Police Department

Chief Pat Boone
300 N. Church St.
Salado, TX 76571

Temple Police Department

Chief Shawn Reynolds
209 East Ave A
Temple, TX 76501

Texas A&M University

Central Texas

Police Department

Chief

1001 Leadership Pl
Killeen, TX 76549

Troy Police Department

Chief Suzanne Martin

111 Cypress Street

Troy, TX 76579

1.0 INTERAGENCY PARTICIPATION

This Agreement is entered into pursuant to Texas Government Code 791, the Texas Interlocal Cooperation Act, for furtherance of governmental functions and services, more specifically to further the efficacy of providing police protection and detention services, protecting the public health and welfare, providing records center services and administrative services, and further providing other governmental functions in which the contracting parties are mutually interested. Each Party to this Agreement represents that its participation in this contract has been authorized by the its governing body as required by Sec. 791.011(d)(1), Texas Government Code, and agrees and represents that all payments required to be made in furtherance of the governmental services provided under this Agreement will be paid from current revenues available to the paying Party, as required by Sec. 791.011(d)(3), Texas Government Code.

2.0 CENTURION SCOPE

The **CENTURION Consortium** is dedicated to providing all members with a records management system (RMS), associated services, and records data that can be shared with partner agencies in an effort to more efficiently obtain, assess, and utilize criminal information. The consortium will also facilitate the sharing of responsibilities and expenses related to design, creation, hosting, maintenance, and management of this RMS. This Interagency Policy Agreement will be utilized to set forth guidelines that the Consortium will adopt to assist with the functionality of the **CENTURION RMS** to include current members, future members, and potential future *Inter-NICHE* members.

The **City of Temple Police Department** will host the CENTURION Consortium. It is expected that all members will provide integral assistance as needed to assist with the functionality of the RMS throughout the consortium.

3.0 DEFINITIONS

Agency Executives – Agency representative at the executive level.

Agency CENTURION RMS Administrator - The representative from each agency responsible for the day-to-day configuration and maintenance for that agency's CENTURION RMS Domain, end-user hardware and software, and their connection to the CENTURION RMS. This role will have oversight of that agency's RMS needs and represent the agency within the Consortium.

CENTURION AGENCY - Consortium agency member that is not the host. The agency will have its own Centurion RMS domain as defined by NICHE.

CENTURION – Central Texas Uniform Reporting Information Operating Network

CENTURION Consortium – Central Texas Uniform Reporting Information Operating Network. Official group name for the consortium.

Consortium Equipment - Hardware and other equipment utilized solely for the purpose of maintaining the CENTURION RMS including but not limited to sharing, security, accessibility, use, and dissemination of criminal records and information.

CENTURION Executive Council – Reviews and approves RMS upgrades, fee changes, significant NUG recommendations, and any change to this Agreement. Voting members of the Council include: one member from each active member Police Department, political jurisdiction, or institute of higher education, the Host Agency Executive, and the Host Agency Chief Information Officer.

Consortium Software - Any computer program licensed to the **City of Temple** by NICHE Technology.

Domain – Represents a logical layer of the CENTURION RMS that is specific to an Agency.

Financial & Inventory Representative -City of Temple Police Department fiscal agent that assists the CENTURION Program Manager with information pertaining to potential/future technology purchases related to the RMS.

Host Agency – City of Temple Police Department

Host Agency Executives – Chief of Temple Police Department and City of Temple Chief Information Officer. Both are voting members of the CENTURION Executive Council.

Inactive Member of the Consortium - A CENTURION Agency that has withdrawn or given notice to withdraw from the Consortium. This agency will no longer have voting rights or participate in the CENTURION groups, but will continue to pay the associated fees until such time as they are no longer using the CENTURION RMS. An Inactive Member can only become an active member with the approval of the Host Agency Executives.

Inter-NICHE – NICHE RMS to NICHE RMS integration

NICHE Project Manager - NICHE’s assigned project manager that will assist the CENTURION Consortium for the life of the Consortium Software.

Tier 1 – Consortium member agencies

Tier 2 - District & County Attorney’s Office users

Appendix A – CENTURION RMS Agency Cost Model Worksheet.

Appendix B – CENTURION Service Level Agreement. This document combines both NICHE software support service levels with the **City of Temple** service levels into a single document to support the *CENTURION Consortium*.

Appendix C – NICHE developed and/or approved interfaces.

4.0 CENTURION ROLES

Agency Executives

Agency Executives include: the Agency Chief and/or designee; Sheriff and/or designee; Constable and/or designee; County Attorney and/or designee; and District Attorney and/or designee for so long as their respective agency remains an active member of the Consortium.

The Agency Executives will function as a review group for significant recommendations from the CENTURION Niche User Group (NUG) which have a potential significant impact within their agency. The Agency Executives should correspond with their agency representative within the CENTURION NUG to keep their agency informed of potential recommendations and/or changes proposed by the CENTURION NUG.

It is the expectation that the Agency Executives will express their approval or objections to potential recommended change(s) to the CENTURION RMS. Agency Executives will be provided the opportunity for input regarding significant Centurion RMS issues.

Agency CENTURION RMS Administrators

Each agency's CENTURION RMS Administrator and/or designees will attend NICHE technology training as provided by the Host Agency. Agency CENTURION RMS Administrators will receive training as it relates to the technological aspects of the NICHE product. It is the expectation of the Consortium that the Agency CENTURION RMS Administrators will then train their respective agency's IT staff related to NICHE technology. If additional technology training is necessary, the Host Agency can provide technology training as resources are available.

Agency Records Custodian Representative

Each agency's Records Custodian Representative and/or designee that is the agency's official custodian of Criminal Justice Records will attend the NICHE user training provided by the Host Agency to receive training as it relates to the records user aspects of the NICHE product. It is the expectation of the Consortium that this individual will then train their respective agency's civilian and sworn staff related to their NICHE records user group.

Change Advisory Board – (CAB)

The Host Agency will manage a Change Advisory Board ("CAB") with one representative from each CENTURION Agency. This representative may or may not be part of the CENTURION NUG. The purpose of the CAB is to approve formally requested changes recommended in the CENTURION RMS production environment.

Host Agency Chief of Police

The Temple Chief of Police acts as chairperson of the CENTURION Executive Council and will provide Executive direction of the CENTURION Consortium as it relates to any Police Department operations, terms, workflow, Police Department personnel assignments, and evaluation of all recommendations from the Host Agency CIO.

Host Agency Chief Information Officer (CIO)

The City of Temple Information Technology CIO is part of the CENTURION Executive Council to provide executive technology direction. In addition, this position oversees all technology operations, and technology staffing of the CENTURION Consortium and will assess the recommendations of the CENTURION NUG. The Temple IT CIO will advise the Temple Chief of Police of any recommendation(s) and will provide direction as to the impact of the recommendation(s) as it relates to the CENTURION RMS.

Host Agency RMS Administrator

A civilian or sworn staff member that specifically represents their respective agency's Records and/or Property Division. The Temple PD RMS Administrator will assess all technical/other recommendations of the CENTURION NUG as it relates to the recommendations' effect on agency personnel and will assist the CENTURION Program Manager in leading and facilitating all NUG meetings. The Temple PD RMS Administrator will provide an assessment to the Temple Chief of Police as to the potential impact of the CENTURION NUG recommendation as it relates to NICHE RMS users.

CENTURION RMS Solution Specialist

This individual will be provided by the Host Agency and will be a technologist that will be a Subject Matter Expert (SME) in the NICHE RMS software and Consortium hardware. The CENTURION RMS Solution Specialist will be dedicated to providing technology services and system expertise related to the CENTURION RMS. They will work directly with the CENTURION Program Manager and all Host Agency technology resources.

The Centurion RMS Solution Specialist will be accountable for the overall CENTURION RMS configuration, maintenance, security, interfaces, and support. In addition, they will ensure continuous operations of the CENTURION RMS. The CENTURION RMS Solution Specialist will develop protocols that will ensure that a standardized consistent workflow will take place to facilitate the ease of the CENTURION RMS by all Consortium members.

Host Agency CENTURION Program Manager

The CENTURION Program Manager will be an IT Project Manager that is appointed by the City of Temple's CIO. The Program Manager, along with the Host Agency RMS Administrator, will manage all aspects of the CENTURION Consortium including leading and facilitation of the CENTURION NUG. The CENTURION Program Manager will provide a line of communication between all CENTURION Consortium members and is responsible for collaborating and cooperating with all members to ensure the efficient and effective operation of the CENTURION Consortium. The CENTURION Program Manager will also be one of the representatives for the CENTURION Consortium in the North American NUG as well as the International NUGs. The CENTURION Program Manager will report to the Temple CIO and coordinate with the CENTURION RMS Solutions Specialist. For the purpose of reviewing and evaluating the functionality of the CENTURION RMS, the CENTURION Program Manager

will schedule regular meeting dates and times that are mutually agreed upon with CENTURION Consortium members.

The CENTURION Program Manager will coordinate training for all members in accordance with NICHE functionality and security procedures. The CENTURION Program Manager may create any advisory or support groups required to better assist the functionality of the CENTURION RMS.

Host Agency Records Custodian Representative

The Host Agency Records Custodian Representative and/or designee is the Host Agency's official custodian of Criminal Justice Records. This individual will attend NICHE user training for the records user aspects of the NICHE product. It is the expectation of the Consortium that this individual will then train each agency's civilian staff regarding their respective NICHE records user group.

Financial & Inventory Representative

The Financial & Inventory Representative will assist the CENTURION Program Manager to provide information pertaining to potential/future technology purchases related to the CENTURION RMS. This individual will keep a record of all current inventories associated with the CENTURION RMS to include warranties, specifications, assets, licenses, and descriptive purpose. This individual will maintain equipment replacement schedules including those related to hardware, software, and any other items necessary for the operation of the CENTURION Consortium. This representative will be responsible for the payment of all reasonable and necessary CENTURION RMS billing approved by the CENTURION Consortium, to include vendor payment related to the CENTURION Consortium.

The Financial & Inventory Representative will provide an annual expenditure report to the CENTURION Executive Council on or before March 1st of each year. The financial report will include all revenues and expenses/costs associated with the operation of the CENTURION Consortium. In addition, they will provide accounting documents each month to the CENTURION Program Manager which will include at minimum a list of expenditures, assets, and invoices paid. All unused funds will be rolled over to maintain fiscal responsibility within the CENTURION Consortium.

CENTURION NUG Agency Representatives

Each CENTURION Agency will have at most two representatives, *i.e.*, Agency Records Custodian Representative and/or Agency CENTURION RMS Administrators, within the CENTURION NUG. The CENTURION NUG will include the following representatives from the Host Agency: CENTURION Program Manager, CENTURION RMS Solution Specialist, Financial & Inventory Representative, and Host Agency RMS Administrator.

This working group will meet on dates and times that are set forth by the CENTURION Program Manager. It is the expectation that each agency representative keeps their agency's executive staff

current on subject matter addressed by the CENTURION NUG. In addition, minutes of the meetings will be distributed to the CENTURION Executive Council.

All CENTURION Consortium members can attend at their own expense the annual NICHE NUG or annual United States NICHE NUG.

CENTURION Executive Council

The CENTURION Executive Council includes the following voting members: Police Chiefs from Belton, Copperas Cove, Harker Heights, Killeen, Killeen ISD, Nolanville, Morgan’s Point, Salado, Temple, Texas A&M University – Central Texas, and Troy; one Executive representing Bell county Member Agencies, and the Host Agency Chief Information Officer.

Tier 2 Executive members may serve as non-voting members of the Executive Council.

The Executive Council reviews and approves all annual RMS upgrades and associated Hosting Fee adjustments, any CENTURION NUG recommendations that will have a potential significant impact on the CENTURION RMS, and amendments to this Agreement.

(See the CENTURION Governance Section)

5.0 HOST AGENCY REQUIREMENTS

Staffing

Host Agency Executives will designate the CENTURION Host Agency team members, including but not limited to, CENTURION RMS Solution Specialist, CENTURION Program Manager, CENTURION Host RMS Administrator, and Financial/Inventory Representative. Any members of the CENTURION Consortium who are RMS Subject Matter Experts (SME’s) may assist with the development, build, implementation and/or testing of the CENTURION RMS.

Training

The Host Agency will facilitate one-time initial “train the trainer” sessions, conducted by NICHE, available for all agencies within the consortium to attend at no cost. Individual agencies will determine which staff should be represented at this training. These selected representatives that attend this train-the-trainer session will be responsible for training their respective agencies. Any additional training from NICHE will be at the expense of the CENTURION Agency, unless provided by the Host Agency.

Training materials will be provided to member agencies with authorization to copy and distribute materials to members agency’s staff.

Technology Services

Understanding that some agencies within the Consortium have limited technology services, the Host Agency or another CENTURION Agency may assist at no charge beyond the included CENTURION Operational Support as defined in this agreement.

NICHE allows the sharing of all the interfaces developed and/or approved by NICHE. A list of those interfaces will be made available to all member agencies (*See Appendix D*). These interfaces allow CENTURION Agencies to connect directly to the CENTURION RMS, however they will still require testing and approval by the Host Agency. (*See CENTURION Operational Section*).

Any CENTURION Agency “infrastructure needs” that require the purchase of additional hardware, non-NICHE developed software, or non-NICHE developed interfaces, will be the financial responsibility of the requesting CENTURION Agency. Members of the CENTURION Consortium may assist with the installation and/or testing of these products as long as they are utilized for the CENTURION RMS.

Security & CJIS Compliance

The Host Agency will ensure that the CENTURION RMS environment and all connected devices are CJIS compliant. (*See CENTURION Operations Section for additional items related to Security.*)

Hardware/Infrastructure

The Host Agency will provide all infrastructure in the data centers consisting of CENTURION Software and CENTURION Hardware. This does not include any data connections for specific CENTURION Agencies to connect to the CENTURION RMS environment. The Host Agency will implement “best practices” to sustain performance related to the NICHE environment which will include limiting large data uploads to the database.

No video attachments are allowed in the Centurion RMS. All videos will be linked to their current body worn camera and in-car video management systems (Axon, WatchGuard, Coban, etc.). Photos may be attached but must be limited to no larger than 5 MB in size and no more than 600X600 resolution.

6.0 CENTURION AGENCY REQUIREMENTS

Each participating agency within the CENTURION *Consortium* will utilize a domain structure that is built into the CENTURION RMS solution. Each CENTURION Agency will need to ensure that their infrastructure meets the minimum standards set forth by the Host Agency.

Hardware/Infrastructure

CENTURION Agencies are responsible for maintaining all the recommended hardware and infrastructure related to any devices operating the CENTURION RMS. In addition, all CENTURION Agencies are responsible for the installation, monitoring, and maintenance of their connections to the CENTURION RMS, *i.e.*, VPN, Internet, fiber, and/or Cellular. The Host Agency may review your hardware to ensure it meets minimum specifications. Both the connectivity and hardware can have an impact on overall CENTURION Agency performance when operating the CENTURION RMS.

Security & CJIS Compliance

The CENTURION Agency will ensure that all their connected devices and environments to the CENTURION RMS environment are CJIS compliant. See CENTURION OPERATIONS Section for additional items related to security. The Host Agency may request the CENTURION AGENCY provide record of its CJIS compliance.

Representation

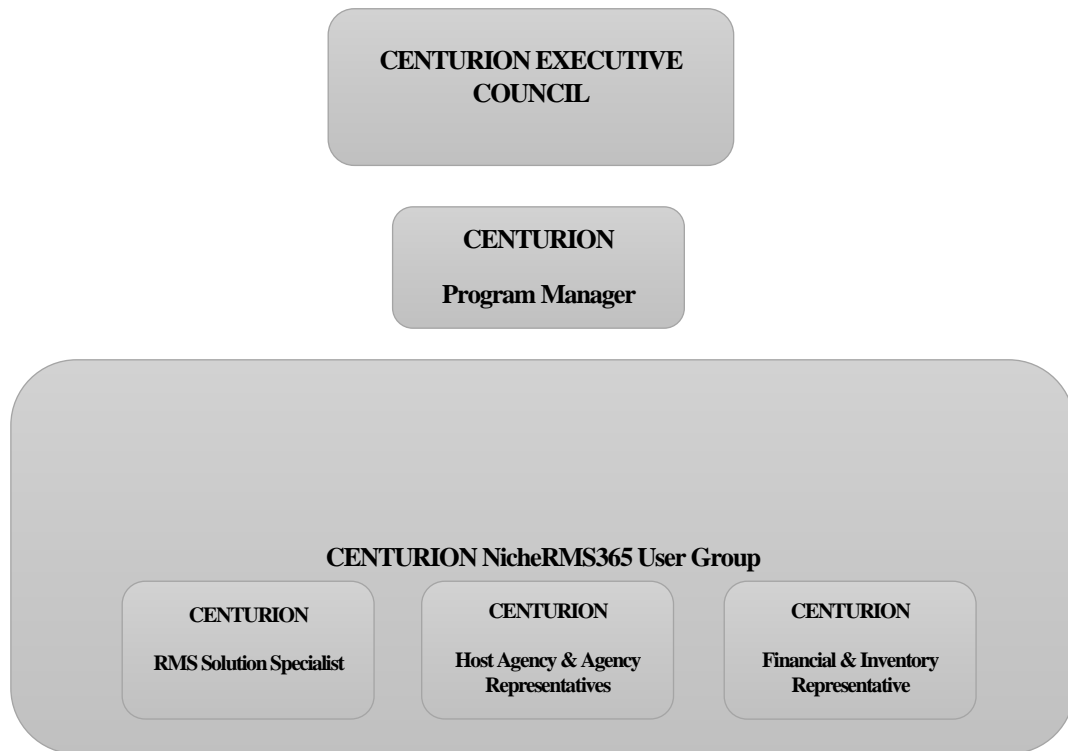
All CENTURION Agencies are responsible for assigning representatives to ensure proper representation for their agency and for their jurisdiction's best interest. Representatives should include individuals appropriate to meet the roles and responsibilities established within this document. (*See CENTURION Roles Section*)

Representatives from each CENTURION AGENCY are critical to the success of the CENTURION Consortium, therefore, active participation is required. If a CENTURION agency is not represented at the majority of the meetings held in any given 12-month period, the agency will be notified of this deficiency by the Host Agency and may become an "Inactive" member.

7.0 CENTURION GOVERNANCE

The CENTURION Governance structure provides the structure within which the CENTURION Consortium agrees to govern and operate, in accordance with terms and conditions set forth in this interagency agreement and with the intent to provide oversight to the CENTURION RMS solution and associated services. The focus of the CENTURION governance structure is to ensure the integrity of the CENTURION RMS program. The CENTURION governance will provide guidance to the following areas: CENTURION RMS Roles, CENTURION RMS Financials, CENTURION RMS Operations, CENTURION RMS Membership, and enforcement of this Agreement.

CENTURION GOVERNANCE STRUCTURE



Principal Meeting Location

The principal meeting location for the CENTURION Executive Council and NUG will be the Temple Police Headquarters, 209 East Avenue A, Temple, Texas, on designated dates and times that the CENTURION Consortium agrees upon. Alternative meeting locations may be identified in advance as needed.

CENTURION NICHE User Group (CENTURION NUG)

To maintain a foundation for the CENTURION Consortium, a user group will be established that will be utilized to further the goals of the Consortium as well as establishing a forum to address the needs and recommendations of the CENTURION Consortium.

The CENTURION NUG will include the following roles: CENTURION Program Manager, CENTURION RMS Solution Specialist, Financial and Inventory Representative, and Host Agency and Agency Representatives. Additional resources from either the Host Agency or CENTURION Agency may participate as needed based upon the agenda items. If an Agency does not have the IT structure in place to customize their CENTURION RMS Domain, a request will be made through the CENTURION NUG for approval and implementation by the Host Agency, if approved.

The primary function of the CENTURION NUG will be to assess the development and maintenance of the CENTURION RMS as it relates to technology and user (officer/civilian staff) issues/recommendations to enhance the future needs and sustainability of the CENTURION RMS. The CENTURION NUG will conduct regularly scheduled NUG meetings.

Attendance of at least 51% of the CENTURION NUG membership is required to have a Quorum. All CENTURION NUG recommendations must meet majority approval of the members present prior to moving forward.

Minutes of all NUG meetings will be taken and maintained by the CENTURION Program Manager or designee. All recommendations, votes, and meeting minutes will be made available to all CENTURION Consortium members. All approved recommendations that have potential significant impact on the CENTURION RMS will be escalated to the CENTURION Executive Council for review and approval.

Amendments to Interagency Policy Agreement

This Agreement may be amended only by a unanimous vote of the CENTURION Executive Council. Any proposed amendment shall be formally directed to the Executive Council. The Executive Council shall then review the proposed amendment, hold a vote and, if the vote is unanimously in favor of the proposed amendment, will forward the proposed amendment with its own recommendation to the governing body of each Member Agency. The proposed amendment must be approved by the governing body of each Member Agency to be effective.

Agreement Termination

CENTURION Agencies in Tier 1 are required to pay an annual Maintenance Fee which is twenty percent (20%) of the total initial Software License Fee of \$1340.05 per sworn user, or \$268.01 annually per sworn user. In the event a Tier 1 Agency terminates their membership or becomes an Inactive Member before the end of the year, the agency will forfeit any unused portion of the annual Maintenance Fee paid for that year. (*See Centurion Financial Section*)

The Host Agency will provide “best effort” in data extraction related to the terminated CENTURION Agency’s domain based upon a reasonable timeframe and available staff resources.

Executive Voting and Quorum

A CENTURION Executive Council will be established with each Tier 1 Executive member entitled to one (1) vote except that no single political jurisdiction or institute of higher education shall have more than one voting member, with the exception that the Host Agency’s CIO will also be a voting member of the Executive Council. Tier 2 Executive members may serve as non-voting members of the Executive Council.

The attendance of at least 51% of CENTURION Executive Council voting members is required to have a Quorum. All matters that are urgent in which a Quorum cannot be established will be handled by the Host Agency and brought to the CENTURION Executive Council at their next meeting with a Quorum. In the voting procedure, the majority vote of voting members present will carry.

The Host and Member Agencies are bound to the financial obligations expressly contained in this Agreement.

The CENTURION Executive Council does not vote on all customizations that are Agency specific unless it is determined that it could potentially impact the CENTURION RMS operations or integrity. If so, it will be escalated to the CENTURION NUG and/or CENTURION Executive Council to be addressed.

8.0 CENTURION OPERATIONS

All CENTURION Consortium members will utilize a shared environment containing CJIS Records with the Host Agency providing the infrastructure and day-to-day operations of the environment. The CENTURION RMS information may be shared/disseminated amongst all CENTURION Consortium members. All CENTURION RMS records will be maintained, vetted, and secured by the Host Agency. Individual agencies within the CENTURION Consortium will retain ownership of their own records and have access to shared records.

Incident Management

All Host Agency issues will be recorded via the Host Agency IT ticketing system. CENTURION Agency specific issues will only be recorded if they are escalated to the Host Agency. Any issues discovered by a CENTURION Agency will be directed to that Agency’s CENTURION RMS Administrator to be resolved. If the issue cannot be resolved, a ticket will be submitted to the Host Agency for investigation and resolution. The Host Agency will follow all current procedures for critical tickets including communications utilizing the Problem Incident Report (PIR) guidelines. (*See Appendix C: Service Level Agreement (SLA) for timing related to issues submitted.*)

Service Level Agreement (SLA)

The Host Agency will utilize their currently established SLA and NICHE's contracted SLA. The Host Agency's SLA is subject to change and any relevant updates that occur will be provided to all CENTURION Consortium members reflecting those changes. *(See Appendix C)* The Host Agency may monitor all connections to the CENTURION RMS environment to ensure operational performance and aid in troubleshooting in the event of an incident.

Data Exchange/Sharing

All CENTURION Consortium members agree to exchange data within the CENTURION RMS and understand that sharing this data does not constitute ownership, but is shared, in an effort to provide associated services for their agency.

Data Interfaces & Maintenance

CENTURION Agencies are responsible for providing the Host Agency verification of testing, accuracy, and schedules associated with implementation. The Host Agency will validate all data interfaces and schedule implementation based upon availability of resources. The Host Agency will monitor all data feeds for erroneous data and may reject or disconnect any data feeds that are not meeting the quality of standard for the Host Agency. CENTURION Agencies are required to perform regular maintenance, including all testing for upgrades and patches to ensure accuracy of data imports. Any suspicious data feeds/integrations may be terminated without notice to ensure the integrity of the CENTURION RMS for the Consortium.

It is the expectation that CENTURION Agencies will provide a good faith effort to deliver customized programming assistance to those agencies lacking IT structure. All customized programming integrations with the CENTURION RMS will be required to be tested by the Host Agency and/or documentation provided to sufficiently meet the Host Agency IT and Change Advisory Board (CAB) approval prior to implementation.

Data Backup and Recovery

The Host Agency will provide regular database backup of the CENTURION RMS based upon their current guidelines. The Host Agency will backup Centurion RMS (NICHE) database and application servers online for six months and will be replicated to the Host Agency's backup storage area network at the City of Temple's EOC facility. The Host Agency will also perform active monthly and yearly full backups; monthly where Veeam backup & Replication saves these backups to the long-term backup repository at the City of Temple's EOC. These backups will be used for major disasters requiring full recovery, and not for individual records or partial recovery. The Host Agency does not have the resources to provide individual agency data feeds or replicated data specific to any Centurion Agency. Doing so would be at the Host Agency's discretion.

High Availability and Disaster Recovery

The Host Agency will provide an environment with high availability for the CENTURION RMS infrastructure. In addition, two secondary sites will be established and maintained as a fail over in the event the primary site is unavailable for an unacceptable period of time as determined by the Host Agency. The two secondary sites will be located at the City of Killeen and Bell County Information Technology Data Centers.

The Host Agency will be using the Veeam Orchestrator solution. The solution ensures IT service continuity and minimizes service disruption through automated failover and failback multi-site disaster recovery plans for planned migrations, disaster avoidance, and disaster recovery. This will automate the fail-over to either the City of Killen or Bell County Information Technology Data Centers. The Host Agency will be responsible for failing over unless there is a catastrophic outage, at which time, the Host Agency may call member agencies IT on-call personnel. The Disaster Recovery site is not expected to have the same level of performance as the primary site.

Scheduled CENTURION RMS Maintenance

The Host Agency will provide up to one upgrade per year, at their discretion and approval from the CENTURION Executive Council and Change Advisory Board (CAB). The Host Agency will apply patches during the scheduled maintenance window as approved by the CAB with advance notification to all Agencies. The CENTURION RMS standard maintenance window is the **first Sunday of the month from 2 a.m. to 5 a.m.** The Host Agency may extend or change the maintenance window by presenting this change to the CAB. Both upgrades and patches may require client software to be upgraded. It will be the responsibility of each Agency to complete these Agency client specific upgrades. The Host Agency will make NO CENTURION RMS CHANGES without approval of the CAB. All environmental changes will be reviewed by the Host Agency to determine if they need to engage the CENTURION CAB. All CENTURION Agencies are responsible for conducting testing of their CENTURION RMS domain prior to the changes approved by the CAB.

CENTURION RMS User Access Maintenance

Each CENTURION AGENCY is responsible for maintaining their terminated and new hire users utilizing their CENTURION RMS domain administrator account access. The Host Agency will conduct an annual audit of all CENTURION RMS user accounts to ensure both financial licensing and user access is up to date. (*See CENTURION Financial Section for additional information.*)

CENTURION RMS Agency Specific Configuration

Each CENTURION Agency will have one CENTURION RMS domain administrator account to manage their CENTURION RMS agency domain. The CENTURION RMS agency specific domain administrator can make configuration changes to their CENTURION RMS to meet their agency specific needs. The Host Agency provided a list of agency specific customization vs Host Agency customizations. (*See Appendix A*) In the event a customization is not available, a recommendation can be made to the CENTURION NUG for review.

CENTURION RMS Infrastructure Security

The Host Agency will manage all infrastructure security related to the CENTURION RMS infrastructure. CENTURION Agency staff will only have access to the CENTURION RMS solution, no further access will be granted. The Host Agency will notify all *CENTURION* Executives of issues that require escalation. In the event of a CENTURION Agency security issue, the Agency identifying the issue must notify the Host Agency within four (4) hours to determine what action, if any, is necessary to ensure the security of the CENTURION RMS environment. This action may include temporarily disconnecting the CENTURION Agency with the security issue until it is resolved. The Host Agency will determine if a notification is necessary for the all CENTURION Agencies.

Change Advisory Board – (CAB)

The Host Agency will manage a Change Advisory Board (“CAB”) with one representative from each CENTURION Agency. This representative may or may not be part of the CENTURION NUG. The purpose of the CAB is to approve formally requested changes recommended in the CENTURION RMS production environment. Each CAB representative will receive one vote and must be present to vote, so that they can ask/answer questions related to the change request. All requests and approvals will be recorded, as well as each vote. The change request records will be made available to the entire CENTURION Consortium membership for review. In addition, all changes must be submitted at least 24 hours in advance of the CAB meeting and must include at a minimum a brief description of the change, business impact, and rollback plan. Any approved changes will follow the Host Agency’s procedures for communication with the completion of a Service Outage Request (SOR) notification.

Records Custodian- Public Information Act

Each Agency’s Records Custodian Representative will adhere to all CENTURION RMS standards as indicated within CJIS criteria as well as the Texas Public Information Act.

The data contained in the CENTURION RMS is of a highly sensitive nature, protected by laws, regulations, and policies from many forms of disclosure, and owned by each contributing CENTURION Agency. Access to and use of the CENTURION RMS and the data therein carries with it a significant burden of responsibility for each user and CENTURION Agency.

Data contributed to the CENTURION RMS is exposed to and viewable by the CENTURION Agencies unless the owner takes the necessary steps to hide the data through the setting of access control lists. CENTURION Agencies understand that their data is intended to be shared and that the sharing of data is fundamental to the purposes of a Consortium Records Management System and is the basis for the system’s power as a tool to make our communities safer and more secure.

Since CENTURION RMS involves the shared storage of data and the shared access to data of CENTURION Agencies, it is agreed that the data remains the property of the CENTURION Agency that created or granted access to the data. CENTURION Agencies further

acknowledge and agree that the data available through the shared service shall be used solely for valid law enforcement purposes, and shall not be disclosed, sold, assigned, leased, or otherwise provided to third parties.

Each CENTURION Agency is responsible for responding to Public Information Act requests under **Chapter 552, Texas Government Code**, relating to data owned by its own CENTURION Agency which is contained in the CENTURION RMS. If a request is made to a CENTURION Agency for access to or release of data owned by another CENTURION Agency, the CENTURION Agency receiving the request shall direct the requestor to the correct CENTURION Agency.

Additional Services

Additional services can be arranged as needed by any *CENTURION* Agency with any other member. These arrangements are not part of this Agreement, however, all terms and conditions of this Agreement remain in effect and enforced.

9.0 CENTURION FINANCIAL SECTION

All agencies participating within the CENTURION Consortium will agree to fulfill all financial obligations related to the administration and operation of the CENTURION RMS. (See Appendix B) Maintenance costs will be allocated to each agency as a percentage of sworn users for that agency. An administration hosting fee will be assessed at a fixed rate per user to assist with IT operating costs for the Host Agency. All fees (annual maintenance and host fees) will be made payable to the City of Temple no later than **December 1st** of each year. Any CENTURION Agency that fails to pay for their maintenance and/or hosting fee may be deemed an “Inactive” CENTURION Agency until such time as payments are received.

There will be an annual “true up” of each CENTURION Agency’s user numbers by the Host Agency between July-September of each year. CENTURION Agencies will be required to provide accurate sworn and civilian employee numbers at that time for the following year. Those adjusted user numbers will be applied for the invoicing in the following year, unless there is a significant agency user count change during the year that increases the Host Agency’s costs. If this occurs, that CENTURION Agency may be required to pay those additional maintenance and hosting fee costs at the time of that change.

Initial Software Usage Fee (License Fee)

This Initial Software Usage (License) Fee applies to Tier 1 agencies only. The initial License Fee is \$1340.05 per sworn user. Member agencies will remit payment to the Host Agency based on the contractual milestone or timeline agreement outlined in the contract between the City of Temple and NicheRMS.

Addition or Removal of Sworn Users

Should an agency add or remove sworn users from their RMS “roster”, the Agency’s reestablished number of sworn users will be eligible for an adjusted percentage of costs allocated to the maintenance fee. If an Agency terminates their membership with the CENTURION Consortium, any and all financial commitments up to the time of their termination will be non-refundable, as the scheduled financial responsibility of that Agency has already been distributed for vendor payment, which is a crucial factor for the successful operation of the CENTURION Consortium.

All additional sworn users added by an agency will require the agency to pay for a full cost license, hosting fee, and will increase their annual maintenance fee accordingly.

Addition or Removal of Civilian User

Should an agency add or remove civilian users from their CENTURION RMS “roster”, the agency’s reestablished number of civilian users will be eligible for an adjusted (reduction or increase) cost related to the Host Agency hosting fee after the annual “true up”. If an Agency terminates their membership with the CENTURION Consortium, any and all financial commitments up to the time of their termination will be non-refundable.

Annual Software Maintenance Fee

This fee applies to Tier 1 agencies at a rate of 20% of the license fee (\$1340.05) or \$268.01 per sworn officer annually based upon the allocated number of sworn officer licenses. Any licenses purchased above the original allocated number will increase the annual software maintenance fee at a rate of 20% of the license fee (\$1,340.05) or \$268.01 per sworn officer.

5-Year Lock: The Annual Software Maintenance Fee will be locked for five years at a rate of 20% of the license fee. The 5-year lock will commence at the point at which maintenance fees are due, following completion of the implementation and warranty or “go live” phases and will continue for five (5) consecutive years thereafter.

Rate Increases: At the conclusion of the 5-year lock period, the CENTURION Consortium is aware that the rate may increase due to inflation. CENTURION Software Maintenance Fee adjustments will be based on an evaluation of the rate of inflation as reflected by the Consumer Price Index.

Notice: The Host Agency will provide written notice of a rate increase to member agencies no later than February 1st of the year in which the increase will take effect on or after October 1 of the same year.

Annual Hosting Fee

The Hosting Fee is assessed to assist in offsetting the technology infrastructure and support costs for the Host Agency. This fee applies to Tier 1 agencies at a rate of \$85 per user (sworn & non-sworn) in the CENTURION NICHE Solution. Increases to this fee will be limited to no more than 5%

annually for the first 2 years. The fee will be reviewed every two (2) years. Interim reviews may be triggered by unusual events, such as the exit of a large agency from the Centurion Consortium.

The annual Hosting Fee includes computer, storage, and disaster recovery. All additional users added by an agency will require the agency to pay the additional Hosting Fee for the added user.

Optional Fees

Fees for data conversion, integration, or training beyond what is already mentioned in this Agreement are not included in any of the costs. Each agency is responsible for addressing fees for these additional services, if necessary. Optional fees depending on the agency's preference may include the following:

Optional NICHE Provided Training Fees	\$1,800 per day <i>(plus T&E)</i>
Optional NICHE Provided Data Conversions	\$1,800 per day <i>(plus T&E)</i>
Optional NEW NICHE Built Custom Interfaces	\$1,800 per day

NOTE: All existing NICHE interfaces are at no cost

Annual Fee Reporting & Adjustments

The Host Agency will provide an annual report to the CENTURION Executive Council on the CENTURION RMS fees paid and expenses incurred by the HOST AGENCY related to the CENTURION RMS. During the annual review, should the CENTURION RMS Hosting Fees not align with services provided, or should unforeseen expenses arise that are required to sustain the CENTURION RMS, a recommendation from the Host Agency will be reviewed by the CENTURION Executive Council. All CENTURION Hosting Fee recommended adjustments will be reviewed by the CENTURION Executive Council for approval by the CENTURION Host Agency and Member Agency Executives.

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

Bell County

David Blackburn
Bell County Judge

Eddy Lange
Bell County Sheriff

Pat A. Duffield
Constable Precinct 1

Rolly Correa
Constable Precinct 2

Devin Rosenthal
Constable Precinct 3

Martha Dominguez
Constable Precinct 4

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Belton
Police Department**

Wayne Carpenter
Mayor

Sam A. Listi
City Manager

Gene Ellis
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Copperas Cove
Police Department**

Bradi Diaz
Mayor

Ryan Haverlah
City Manager

Eddie Wilson
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Harker Heights
Police Department**

Spencer H. Smith
Mayor

David Mitchell
City Manager

Phil Gadd
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

Killeen Police Department

Jose L. Segarra
Mayor

Kent Cagle
City Manager

Charles Kimble
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**Killeen Independent School District
Police Department**

Joann Purser
Board President

John M. Craft
Superintendent

Ralph Disher
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Nolanville
Police Department**

Andy Williams
Mayor

Kara Escajeda
City Manager

Michael Hatton
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**Morgans Point Resort
Police Department**

Dennis Green
Mayor

Dalton Rice
City Manager

Charles Cline
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

Salado Police Department

Michael Coggin
Mayor

Don Ferguson
Village Administrator

Pat Boone
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Temple
Police Department**

Tim Davis
Mayor

Brynn Myers
City Manager

Shawn Reynolds
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**Texas A&M University Central Texas
Police Department**

Marc A. Nigliazzo
President

Andrew Flores
Chief of Police

Signature Agreement

Your signature confirms your agreement, as a CENTURION Consortium member, and that your agency agrees to the terms documented within this Interagency Policy Agreement on **September 30, 2021**.

**City of Troy
Police Department**

]

Michael Morgan
Mayor

Gary O. Smith
City Manager

Suzanne Martin
Chief of Police

**Agency License, Hosting, and
Maintenance Cost Estimates**

CENTURION

**Central Texas Uniform Reporting
Information Network**

-NICHE365-

Appendix A

Note: Actual costs must be verified with the Centurion Host Agency Executives. Some costs may potentially be adjusted, depending upon the Agency’s go-live date. This estimate includes license fees, hosting fees, and annual maintenance fees, only. Other fees may apply.

Step	Calculation	Result
1	Identify the number of Sworn Officers (SO)	SO =
2	Identify the number of Civilian System Users (CU)	CU =
3	Sum up the Total Users (TU): $TU = SO + CU$	TU =
4	Calculate the License Fee (LF): $LF = SO \times \$1400$	LF =
5	Calculate annual Hosting Fee (HF): $HF = TU \times \$84$	HF =
6	Calculate Annual Maintenance (AM): $AM = LF \times (20\%)$	AM =
7	Calculate First Year Costs (FYC): $FYC = LF + HF$	FYC =
8	Calculate annual Costs for Future Years (CFY): $CFY = AM + HF$	CFY =

Example: 10 Sworn Officers and 20 Civilian Users

1. $SO = 10$
2. $CU = 20$
3. $TU = 30$
4. $LF = 10 \times \$1340.05 = \$ 13,400.05$
5. $HF = 30 \times \$84 = \$ 2,520$
6. $AM = \$13,400.05 \times .20 = \$ 2,680.01$
7. $FYC = \$13,400.05 + 2,680.01 = \$ 16,080.15$
8. $CFY = \$ 2,680.01 + \$ 2,520 = \$ 5,200.01$

Service Level Agreement (SLA)

Host: City of Temple

CENTURION

**Central Texas Uniform Reporting
Information Network**

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Appendix B

1. SERVICE LEVELS

- a. The City of Temple will supply the following services to the extent required by this agreement:
- Technical Assistance
 - Database analysis and diagnostics
 - Software maintenance support
 - Updates and revisions
- b. Support Organization
- The City of Temple will provide a single 24-hour support telephone number for logging all requests for support from the customer, together with e-mail helpdesk address strictly for NICHE support issues.
 - The City of Temple will ensure that the support telephone number is monitored on a 24/7 basis including all public holidays, either by on-duty staff or via an automated paging system.
 - The City of Temple will allocate each call a unique helpdesk reference number, which will be made available to the customer and against which all information relevant to the call can be accessed.
 - The City of Temple will provide technical advice and support as necessary to resolve the customers difficulties and queries in support of the issue. If the City of Temple cannot determine the issue we will contact NICHE support The customer will ensure that only authorized CUSTOMER personnel contact the City of Temple.
- c. Service Level Definitions
- The following definitions of terms are used in setting priority according to the severity of the problem.

Priority	Category	Possible Problem Types
1	High	The system is not operational or one or more core business functions are not operational.
2	Medium	The system is operational but in degraded mode. This includes serious, persistent, system-wide performance problems, intermittent operation, or serious malfunction in core business functions.
3	Low	The system is operational and users can use the system. This includes intermittent performance problems, intermittent malfunctions of some system functions, problems with a limited number of client installations, <i>etc.</i>
4	Nuisance	No significant operational impact. This includes malfunctions in low importance, infrequently used system functions, layout or spelling problems, <i>etc.</i>

- d. Assigning of calls to categories will be the responsibility of the customer. Clearing of a call will require the customer agreement. Any call can be re-categorized by the CUSTOMER, in discussion with the City of Temple, at any time.
- e. Initial response is the first communication (typically by telephone or e-mail) from the City of Temple in reply to a reported issue indicating its current status and action being taken.
- f. Closure of a call means that the resolution to a reported issue has been delivered or the issue has been abandoned by mutual agreement.
- g. Reporting Issues
 - High or medium priority issues shall be reported in a telephone call to the City of Temple Help Desk at 254-298-5209.
 - Low or nuisance priority issues shall be reported by e-mail to the following address rmshelp@templetx.gov.
 - Low or nuisance priority issues will not receive an immediate response outside City of Temple business hours of 8:00 am to 5:00 pm Monday to Friday central standard time (CST).
- h. Service levels from the time the call is logged during business hours:

Priority	Initial Response	Initial resolution
Priority 1 – High	15 minutes	1 hour unless a trouble ticket with NICHE is needed. NICHE initial resolution time is 6 hours.
Priority 2 – Medium	30 minutes	2 hours unless a trouble ticket with NICHE is needed. NICHE initial resolution time is 8 hours.
Priority 3 – Low	Next business day	8 hours
Priority 4 – Nuisance	Next business day	24 hours

The customer acknowledges that there are some problems, particularly ones of an intermittent nature that do not fit into the service level scheme detailed here. These calls may remain open for long periods (several weeks) of time. The City of Temple will work with NICHE and agrees to diagnose and fix these problems on a best effort basis.

- i. Service levels from the time the call is logged outside of normal business hours:

Priority	Initial Response	Initial resolution
Priority 1 – High	30 minutes	1 hour unless a trouble ticket with NICHE is needed. NICHE initial resolution time is 6 hours.
Priority 2 – Medium	60 minutes	2 hours unless a trouble ticket with NICHE is needed. NICHE initial resolution time is 8 hours.
Priority 3 – Low	Next business day	8 hours
Priority 4 – Nuisance	Next business day	24 hours

2. SYSTEM AVAILABILITY

- a. System availability is defined as the fraction of the time that the major business-critical functions of the system are available to users, averaged over a calendar month. As scheduled downtime required to install new versions of the Software, or Patches to the operating system, database server, or other third-party software is not nearly as disruptive to users as unplanned downtime, system availability as defined here explicitly excludes scheduled downtime.
- b. For example, if, in a 30-day month (720 hours), the system had 2 hours of scheduled downtime and 3 hours of unscheduled downtime, the availability would be calculated as:
- $A = (720 - 2 - 3) / (720 - 2) = 99.58\%$
- c. We will be targeting system availability at 99.9%.

3. SOFTWARE CHANGES

- a. In the event of a software issue being identified within the Software that must be fixed by a software change, through NICHE, the process of delivering a solution will be as follows:
- If a software change is being required in order to achieve Resolution as part of the NICHE’s support service, this will be provided in the form of a Patch as soon as possible in order to meet the defined service levels.
 - In all other circumstances, NICHE and the customer will jointly assess the priority for providing the software change to the City of Temple based on aspects such as the nature and scope of the issue, the urgency for a solution, the time and resources required to provide the solution and the timing of the next scheduled software

Release. NICHE and the City of Temple may agree that either an emergency Patch or an additional Release is required to fix the problem.

- Unless otherwise agreed by the SERVICE PROVIDER and the CUSTOMER, fixes will be included in a future (normally the next) Release.

4. SOFTWARE MAINTENANCE

- a. There will be two types of software change provided by NICHE:
 - A Patch: a software update issued to resolve an issue. This will be provided to the City of Temple within the specified service response time.
 - A Release: A scheduled software maintenance Release.
- b. All Patches and Releases will be implemented only with the prior agreement of the City of Temple and its customers. The City of Temple reserves the right to decide when to implement a Patch or a Release.
- c. A Release: a scheduled software maintenance Release.
- d. Prior to implementation, NICHE is to provide the City of Temple with a description of any issues that will be fixed or enhanced as well as any adverse effects of, on the implementation of, each Patch/Release.
- e. NICHE will perform comprehensive Factory Testing on all Releases prior to issuing them to the City of Temple and provide the City of Temple with sufficient assistance, support and advice to enable the City of Temple to implement Patches and Releases in an efficient and cost-effective manner and with minimum disruption.
- f. When the City of Temple implements a new Release, then such a Release shall thereby become the current Release.
- g. NICHE will virus check all software Patches or Releases using an up-to-date, comprehensive virus checking facility, prior to dispatch of the software to the CUSTOMER or remote installation of the software.

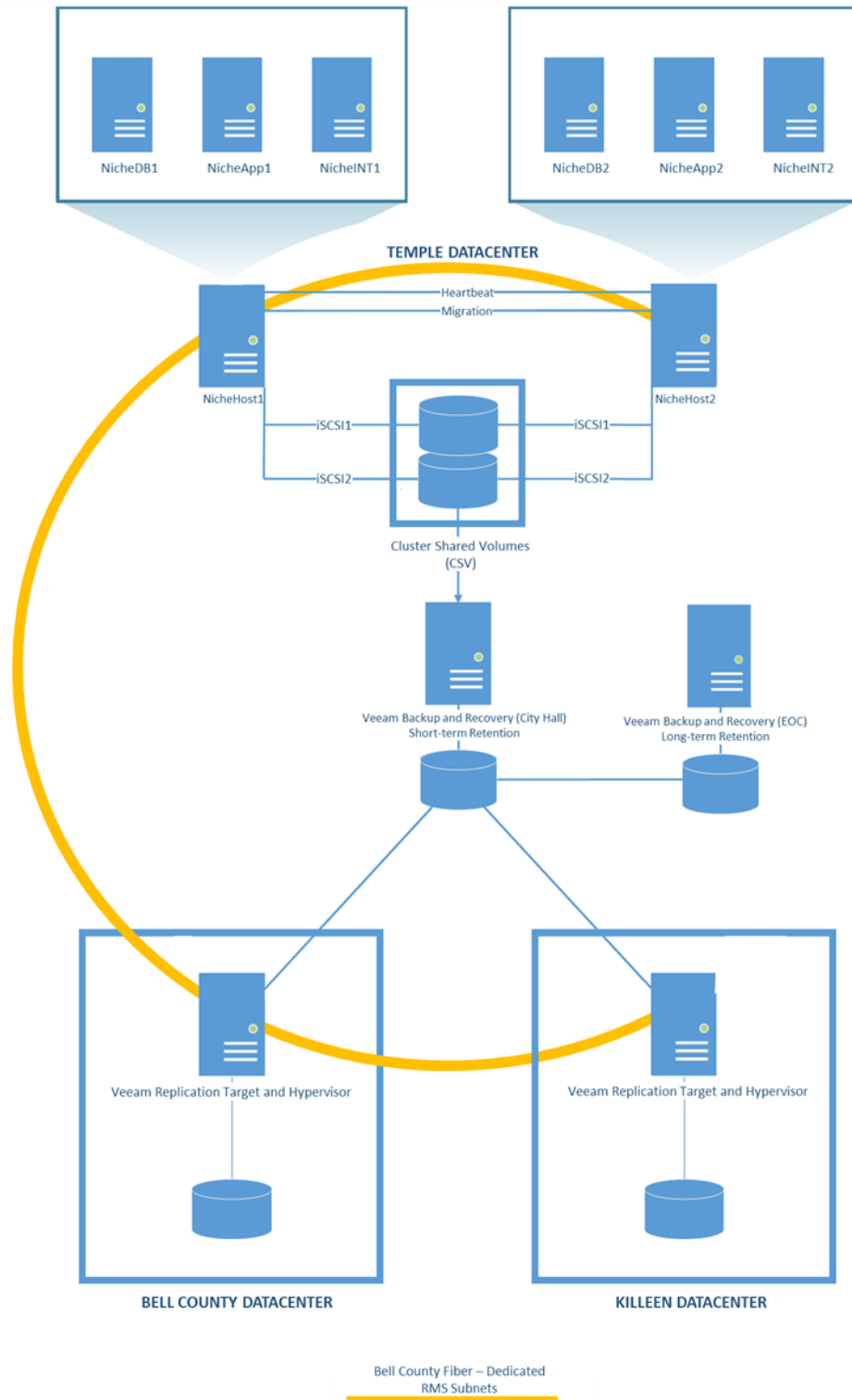
5. APPLICATION SOFTWARE RELEASES

- a. NICHE will notify the City of Temple of any improved or updated versions of the Software, which NICHE will from time to time make. Together with this notification, NICHE will provide the City of Temple and CENTURION Agencies with an explanation of the nature, adverse effects, any cost implications, if any, and an implementation plan of such a Release. Such explanation will be sufficient to enable the City of Temple and CENTURION Agencies to judge whether the new Release will be appropriate to the City of Temple and CENTURION Agencies requirements.
- b. NICHE will continue to provide bug fix support for at least the current and one agreed previous Release of the Software.

6. FAIL-OVER & DISASTER RECOVERY SOLUTION

- a. The City's Fail-Over design includes a primary high-availability server at the City of Temple and backup servers at Bell County and City of Killeen data centers. This design will replicate data every five minutes from the primary server to the two backup servers.
- b. The City will be using the Veeam Orchestrator solution. The solution ensures IT service continuity and minimize service disruption through automated failover and failback of multi-site disaster recovery plans for planned migrations, disaster avoidance and disaster recovery. This will automate the fail-over to either City of Killeen or Bell County servers. The City of Temple will be responsible for failing over unless there is a catastrophic outage at which time, we may have to call the agencies IT on-call personnel.
- c. The City of Temple will backup Niche database and application servers online for six months and will be replicated to our backup storage area network at the City of Temple's EOC facility. The City of Temple will perform active monthly and yearly full backup's using Veeam backup & replication where it will be sent to the City of Temple EOC facility.
- d. The Fail-Over solution will follow the following design:

Proposed Niche Fail-Over Server Design



INTERFACES

Developed and/or Approved by NICHE

CENTURION

**Central Texas Uniform Reporting
Information Network**

-NICHE365-

Appendix C

NICHE365 has developed and/or approve the use of Interfaces to the following:

- Motorola
- Intergraph CAD
- Easystreet Draw
- IAPro
- MorphTrack
- MorphTrust
- Crossmatch
- Midas
- Tyler Justware
- Coplink
- Coplogic
- Watchguard
- BuyCrash
- FileOnQ
- Crime Reports
- Appriss
- FATPOT
- TraCS
- TEG CAD
- Laserfiche
- Omnixx
- Interact
- Tritech
- Livescan

**Payment Profile
Example for Niche License**

Agency	Sworn	Professional Staff	Total Users	License Cost	Milestone 1	Milestone 2	Milestone 3	Milestone 4	Milestone 5
					(10%)	(10%)	(25%)	(50%)	(5%)
Temple PD (TFD= 7)	165	30	195	\$ 221,108.25	\$ 22,110.83	\$ 22,110.83	\$ 55,277.06	\$ 110,554.13	\$ 11,055.41
Killeen PD	262	40	302	\$ 351,093.10	\$ 35,109.31	\$ 35,109.31	\$ 87,773.28	\$ 175,546.55	\$ 17,554.66
Belton PD	38	13	51	\$ 50,921.90	\$ 5,092.19	\$ 5,092.19	\$ 12,730.48	\$ 25,460.95	\$ 2,546.10
Harker Heights PD (HHFD=2)	57	15	72	\$ 76,382.85	\$ 7,638.29	\$ 7,638.29	\$ 19,095.71	\$ 38,191.43	\$ 3,819.14
Bell County (Sheriff Office/BCCC/ ConstablesSO)	145	98	243	\$ 194,307.25	\$ 19,430.73	\$ 19,430.73	\$ 48,576.81	\$ 97,153.63	\$ 9,715.36
Copperas Cove PD	54	18	72	\$ 72,362.70	\$ 7,236.27	\$ 7,236.27	\$ 18,090.68	\$ 36,181.35	\$ 3,618.14
Troy PD	8	1	9	\$ 10,720.40	\$ 1,072.04	\$ 1,072.04	\$ 2,680.10	\$ 5,360.20	\$ 536.02
Morgans Point PD	11	0	11	\$ 14,740.55	\$ 1,474.06	\$ 1,474.06	\$ 3,685.14	\$ 7,370.28	\$ 737.03
Salado PD	6	0	6	\$ 8,040.30	\$ 804.03	\$ 804.03	\$ 2,010.08	\$ 4,020.15	\$ 402.02
Nolanville PD	12	1	13	\$ 16,080.60	\$ 1,608.06	\$ 1,608.06	\$ 4,020.15	\$ 8,040.30	\$ 804.03
Killeen ISD PD	27	1	28	\$ 36,181.35	\$ 3,618.14	\$ 3,618.14	\$ 9,045.34	\$ 18,090.68	\$ 1,809.07
Central Texas A&M PD	10	5	15	\$ 13,400.50	\$ 1,340.05	\$ 1,340.05	\$ 3,350.13	\$ 6,700.25	\$ 670.03

Milestones

- (Milestones are part of the Contract Negotiations Process between the Host Agency and NicheRMS)
- 1 (10%)= Delivery of unconfigured NicheRMS software along with system and project documentation at project commencement.
 - 2 (10%)= Completion of OC project team training by Niche.
 - 3 (25%)= Delivery of configured software for acceptance testing by OC.
 - 4 (50%)= Cutover; go-live of the software in OC.



CITY COUNCIL MEMORANDUM

AGENDA ITEM #VIII-7

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT ADMINISTERED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR FUNDING \$11,996.10, TOWARD OFFICER OVERTIME SALARIES TO PERFORM DIRECT TRAFFIC ENFORCEMENT IN KNOWN TRAFFIC PROBLEM AREAS OF THE CITY AND REDUCE THE NUMBER OF CRASHES IN THOSE AREAS; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The Harker Heights Police Department will apply for a federal/state funded grant through Texas Department of Transportation (Selective Traffic Enforcement Program, STEP) to fund the salaries of qualified officers to perform extra hours of traffic enforcement in pre-determined areas of Harker Heights that have statistically shown to have a higher number of crashes that led to incapacitating injuries or death. This funding would allow for approximately 250 extra hours of traffic enforcement in these crash areas to help drive down the number of crashes in the future.

This grant funds all approved agencies across the State of Texas with the following goals:

- To increase effective enforcement and adjudication of traffic-safety related laws to reduce crashes.
- To reduce the number of alcohol impaired and driving under the influence of alcohol and other drug-related crashes.
- To increase occupant-restraint use in all passenger vehicles and trucks.
- To reduce the number of speed-related crashes.
- To reduce intersection-related crashes
- To reduce distracted driving crashes

This funding coupled with a strategic plan for enforcement periods and zones would allow Officers to focus additional directed enforcement efforts in identified traffic problem areas inside the City of Harker Heights through-out the 12-month grant period. The funding is 100% towards officers' salaries for the enforcement actions.

The funding amount requested and allowed to the City of Harker Heights through the grant is \$11,996.10. The grant does require a 20% match from the City of Harker Heights, and can be completed by use of Fringe benefits the city already has established. Currently, the Fringe rate used for this grant proposal is 27% which excludes Holiday, Vacation, and Sick time fringe benefits. The City would only commit 25% of the 27% Fringe rate towards the match requirement which reduces the liability to the City should the Fringe rate fluctuate through-out the budget year.

RECOMMENDATION:

Staff recommends approval.

ACTION BY CITY COUNCIL:

1. Motion to Approve/Disapprove a Resolution authorizing the City's participation in the Selective Traffic Enforcement Program Grant program administered by The Texas Department of Transportation for funding \$11,996.10, toward officer overtime salaries to conduct direct traffic enforcement in known traffic problem areas of the City and reduce the number of crashes in those areas.
2. Any other action desired.

ATTACHMENTS:

1. Resolution.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AUTHORIZING THE CITY'S PARTICIPATION IN THE GRANT PROGRAM PROVIDED BY THE TEXAS DEPARTMENT OF TRANSPORTATION SELECTIVE TRAFFIC ENFORCEMENT PROGRAM GRANT, FOR FUNDING \$11,996.10 TOWARD THE SALARIES OF OFFICERS TO CONDUCT DIRECT TRAFFIC ENFORCEMENT IN IDENTIFIED TRAFFIC PROBLEM AREAS.

WHEREAS, the Harker Heights Police Department has prepared a Department application for the Texas Department of Transportation Selective Traffic Enforcement Program grant, for funding the salaries of Officers to conduct direct traffic enforcement in identified traffic problem areas; and

WHEREAS, the City Council finds and determines: the requested funding will provide additional hours directed at specific traffic enforcement measures to help reduce the number of significant crashes in identified problem crash areas; and

WHEREAS, our officers are capable of conducting routine enforcement in these identified areas, but other calls for service and demands in the city limit the time and effectiveness. This funding would allow officer(s) to conduct dedicated time and enforcement to that area in order to maximize the effectiveness of the increased enforcement. The additional funding to increase the number of dedicated hours in these identified areas would assist in the reduction of crashes and execute the goals within the grant program; and

WHEREAS, the Grant would provide a total of \$11,996.10, with a 20% match requirement for an in-kind match (\$2999.03) which is completed by use of the Fringe benefit package already established with the city; and

WHEREAS, the City Council finds it is in the public interest that the City participate in the Grant according to the terms and conditions thereof, and by means hereof the Council expresses its support for such participation; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

1. The facts and recitations set forth above are hereby found and declared to be true and correct.
2. The submission of the application for the Grant is hereby approved.

3. The City Manager, David Mitchell, is hereby designated as the City's authorized official. He is authorized and empowered to act in the name and on behalf of the City to apply for, accept, reject, alter, or terminate the City's participation in the Grant, and to execute and deliver such agreements (and any changes therein and additions thereto as he shall determine to be necessary or advisable, such determination to be conclusively evidenced by the execution and delivery thereof), and any related consents, notices, certificates, acknowledgments, and other instruments, and to act as the representative of the City in any lawful way to perform or cause to be performed such other and further acts as may be reasonably necessary and appropriate to accomplish the purposes of these resolutions.
4. All actions taken or performed prior to the date hereof by the City Manager in respect to the matters referred to and approved in this Resolution be and hereby are ratified and confirmed in all respects.
5. The City Council agrees that in the event of loss or misuse of Grant funds, such funds will be returned to the issuing administrator, department or agency in full.
6. Any person, corporation, partnership, limited partnership, association, joint venture or other business entity may presume upon the validity of the acts of any person authorized herein to act, without further recourse to the governing documents, minutes or other proceedings of the City, and without joinder of any other officer or employee of the City.

PASSED AND APPROVED on December 14, 2021, by the Harker Heights City Council.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



CITY COUNCIL MEMORANDUM

AGENDA ITEM #VIII-8

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE F.M. 2410 UTILITY CONFLICTS PROJECT IN THE AMOUNT OF \$48,653.00 TO MCLEAN CONSTRUCTION, INC., AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The bidding process began with the City advertising for bids for the FM 2410 Utility Conflicts Project on November 7, 2021, and November 14, 2021. A total of 7 bid packets were distributed to contractors and plan rooms. Six were construction contractors, and one was a plan room. On December 7th at 2:00 p.m. the sealed bids for the FM 2410 Utility Conflicts Project were opened. The following bids were received, and met specifications:

No.	Bidder	Bid
1	McLean Construction, Inc.	\$48,653.00
2	K&R Flanigan Construction, LLC	\$122,950.00

The Texas Department of Transportation (TxDOT), will be making drainage improvements along FM 2410 from FM 3481 (Stillhouse Lake Road) to Simmons Road in Belton. The let date for the project will be July 2022.

The City of Harker Heights has an existing 10-inch diameter sanitary sewer force main within the TxDOT Right of Way that is in conflict with a proposed drainage culvert extension. The City of Harker Heights will lower approximately 110 linear feet of the force main to clear the proposed box culvert. The project is located on the north side of FM 2410 between Rummel Road and Quanah Valley Road.

In 2011, McLean Construction successfully completed the 24-inch diameter water line project connecting the Maintenance Yard Pump Station to the Arrowhead 1.5-million gallon elevated storage tank.

The City has funds budgeted from the 2021 Capital Improvement Operating Budget.

RECOMMENDATION:

Public Works recommends approving a resolution awarding a contract for the FM 2410 Utility Conflicts Project in the amount of \$48,653.00 to McLean Construction, Inc.

ACTION BY CITY COUNCIL:

1. Motion to Approve/Disapprove a Resolution awarding a contract for the FM 2410 Utility Conflicts Project in the amount of \$48,653.00 to McLean Construction, Inc.
2. Any other action desired.

ATTACHMENTS:

1. Resolution
2. Recommendation of award from Kasberg, Patrick & Associates.
3. Bid Tabulation
4. Plan Holders List

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE FM 2410 UTILITY CONFLICTS PROJECT IN THE AMOUNT OF \$48,653.00 TO MCLEAN CONSTRUCTION, INC.

WHEREAS, the City advertised for bids for the FM 2410 Utility Conflicts Project on November 7, 2021, and November 14, 2021; and

WHEREAS, the City has funding budgeted from the 2021 Capital Improvement Operating Budget; and

WHEREAS, the City notified six construction contractors, and one plan room; and

WHEREAS, the City received two bids meeting specifications; and

WHEREAS, the City opened the sealed bids at 2:00 p.m. on December 7, 2021, and found the lowest responsible bidder to be McLean Construction, Inc.; and

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

1. The facts and recitations set forth above are hereby found and declared to be true and correct.
2. The contract ("**Agreement**") for the FM 2410 Utility Conflicts Project is awarded to McLean Construction, Inc. in the amount of \$48,653.00.
3. The City Manager, David Mitchell, is hereby authorized and empowered to act in the name and on behalf of the City to execute and deliver the Agreement (and any changes therein and additions thereto as he shall determine to be necessary or advisable, such determination to be conclusively evidenced by the execution and delivery thereof), together with any related consents, notices, certificates, acknowledgments, and other instruments, and to act as the representative of the City in any lawful way to perform or cause to be performed such other and further acts as may be reasonably necessary and appropriate to effectuate the said Agreement, and to accomplish the purposes of these resolutions.
4. All actions taken or performed prior to the date hereof by any person herein authorized to act in respect to the matters referred to and approved in this Resolution be and hereby are ratified and confirmed in all respects.

5. Any person, corporation, partnership, limited partnership, association, joint venture or other business entity may presume upon the validity of the acts of any person authorized herein to act, without further recourse to the governing documents, minutes or other proceedings of the City, and without joinder of any other officer or employee of the City.

PASSED AND APPROVED on December 14, 2021, by the Harker Heights City Council.

CITY OF HARKER HEIGHTS, TEXAS:

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



KASBERG, PATRICK & ASSOCIATES, LP
CONSULTING ENGINEERS
Texas Firm F-510

Temple
19 North Main Street
Temple, Texas 76501
(254) 773-3731

RICK N. KASBERG, P.E.
R. DAVID PATRICK, P.E., CFM
THOMAS D. VALLE, P.E.
GINGER R. TOLBERT, P.E.
ALVIN R. "TRAE" SUTTON, III, P.E., CFM
JOHN A. SIMCIK, P.E., CFM

Georgetown
800 South Austin Avenue
Georgetown, Texas 78626
(512) 819-9478

December 7, 2021

Mr. Mark Hyde
Director of Public Works
City Hall
305 Millers Crossing
Harker Heights, Texas 76548

Re: City of Harker Heights
FM 2410 Utility Conflicts
Harker Heights, Texas

Dear Mr. Hyde:

On December 7, 2021, the City of Harker Heights received bids from two (2) contractors for construction of the FM 2410 Utility Conflicts Project. Attached is a Bid Tabulation for your reference. There were a total of seven (7) plan holders for this project, six (6) contractors and one (1) plan room.

This project is located on the north side of FM 2410 between Rummel Road and Quanah Valley Road. The existing 10-inch diameter force main owned and maintained by the City of Harker Heights was found to be in vertical conflict with a proposed culvert extension associated with TxDOT's design for improving FM 2410 and will require lowering approximately 110-linear feet of the force main to eliminate the conflict. Because the force main lies in TxDOT right-of-way, the City is obligated to eliminate the conflict prior to TxDOT beginning construction of its improvements in Fall 2022.

The low bidder on the project was McLean Construction, Inc. from Killeen, Texas with a bid of \$48,653.00. A copy of the Bid Tabulation for the project is attached to this letter.

Our final opinion of probable construction costs was \$50,000.00 based on average bid prices received recently on comparable projects.

Mr. Mark Hyde
December 7, 2021
Page Two

We recommend that the bid be awarded to **McLean Construction, Inc.** in the amount of **\$48,653.00**. We have previously worked with McLean Construction, Inc. on multiple utility projects in Central Texas and have found them to be a reputable contractor and capable of successfully completing the work associated with this project.

If you have any questions, please call.

Sincerely,

A handwritten signature in blue ink, appearing to read "John A. Simcik". The signature is fluid and cursive, with a large initial "J" and "S".

John A. Simcik, P.E., C.F.M.

xc: 2021-127-40

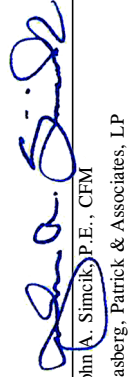
BID TABULATION
CITY OF HARKER HEIGHTS
FM 2410 UTILITY CONFLICTS, Bid # 21-560-542-01
December 7, 2021; 2:00 PM

BIDDER INFORMATION				
McLean Construction, Inc. 4101 Trimmier Killeen, Texas 76542		K & R Flanigan Construction, LLC 5114 Lampasas Lane Belton, Texas 76513		
Bid No.	Estimated Quantity	Unit	Bid Data Description	Extended Amount
FM 2410 Utility Conflicts				
A-1	100%	LS	Mobilization, Bonds & Insurance, not-to-exceed 5% of the Base Bid Amount	\$ 2,185.00 \$ 2,185.00
A-2	100%	LS	Furnish Traffic Control Plan Sealed by an Engineer Licensed in the State of Texas	2,051.00 3,063.00
A-3	100%	LS	Implement Traffic Control Plan	1,569.00 14,330.00
A-4	100%	LS	Submit Trench Safety Plan Prepared & Sealed by a PE, in Conformance with State Law & OSHA	935.00 1,838.00
A-5	110	LF	Implement & Follow Trench Safety Plan (Pipe)	1,100.00 6,490.00
A-6	100%	LS	Implement & Administer Stormwater Pollution Prevention Plan, Including Submission to & Receiving Permits from TCEQ	1,026.00 306.00
A-7	100%	LS	Provide DVD of Right-of-Way Pre-Construction and Post Construction Site Conditions for the Total Project	825.00 123.00
A-8	30	LF	For Furnishing, Installing, Maintaining and Removing Rock Berm	50.00 71.60
A-9	110	LF	Furnish & Install 10" PVC SDR 21 Force Main, Including Bedding & Backfill	13,233.00 37,103.00
A-10	4	EA	Furnish & Install 10" AWWA C-110 or C-153 45" Bends, Including Thrust Blocking	2,421.00 13,744.00
A-11	2	EA	Connection to Existing 10" Force Main	3,010.00 16,128.00
A-12	90	LF	Remove & Dispose of Existing Force Main Pipe	38.00 61.70
A-13	270	SY	Revegetation of Areas Disturbed by Construction	4.00 1,080.00
A-14	100%	LS	Pressure Testing for Force Main	3,805.00 12,615.00
A-15	100%	LS	Provide Project Record Drawings (As-Builts)	220.00 61.00
				\$ 48,653.00
FM 2410 Utility Conflicts				\$ 122,950.00

BIDDER INFORMATION	
McLean Construction, Inc. 4101 Trimmier Killeen, Texas 76542	K & R Flanigan Construction, LLC 5114 Lampasas Lane Belton, Texas 76513
\$ 48,653.00	\$ 122,950.00

Did Bidder Acknowledge Addenda 1?	YES	YES
Did Bidder provide Bid Security?	YES	YES
Did Bidder provide required documents?	YES	YES

I hereby certify that this is a correct & true tabulation of all bids received


 John A. Simcik, P.E., CFM
 Kasberg, Patrick & Associates, LP



12/17/2021

Date

City of Harker Heights
 FM 2410 Utility Conflicts, Bid #21-560-542-01
 List of Plan Holders

Bid Date: December 7, 2021; 2:00 pm

1	TTG Utilities	Dawna James	djames@ttgutilities.com	
2	Smith Contracting Co Inc	Hardin Camp	hardincamp@gmail.com	
3	Smith Contracting Co Inc	Hunter Smith	huntersmith@sccitx.com	
3	Flanigan Construction	Bruce Flanigan	bwflanigan@gmail.com	
4	McLean Construction LC	Mario Villalpando	mariov@mcleanlc.com	
5	Bell Contractors Inc	Jonathan Perez	jperez@bellcontractors.com	
6	B-Corp Utilities Inc	Terri Springer	tspringer@bcorpinc.com	
7	AMTEK	Kaylan Wardlaw	amtek.austin@amtekusa.com	



CITY COUNCIL MEMORANDUM

AGENDA ITEM # VIII-9

FROM: THE OFFICE OF THE CITY MANAGER

DATE: DECEMBER 14, 2021

RECEIVE AND DISCUSS THE FY 2020-2021 FOURTH QUARTER UNAUDITED FINANCIAL REPORT.

BACKGROUND:

Attached is the unaudited financial report for the fourth quarter of fiscal year 2021. Items on the report that are highlighted in yellow are paid or received on a one-time, annual basis. The following is a summary of the information you will find attached:

		As of September 30, 2021		
	Page(s)	Revenues	Expenses	Fund Balance
General Fund	1-6	\$ 26,571,218	\$ 21,673,699	\$ 17,231,163
Utility Fund	7-10	10,598,812	9,264,583	3,507,981
Sanitation Fund	11-12	2,415,631	2,323,149	239,961
Drainage Fund	13-14	868,240	839,363	84,848
Debt Service Fund	15	3,177,256	3,193,995	34,178
Hotel/Motel Fund	16	112,016	22,500	450,811
Restricted Courts Fund	17	113,378	83,500	201,339
				<u>\$ 21,750,281</u>

RECOMMENDATION:

None.

ACTION BY COUNCIL:

None.

ATTACHMENTS:

1. Unaudited Financial Report – September 30, 2021.

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		9,859,615	12,333,644	125.09%			
REVENUES							
Taxes							
Tax Receipts	9,539,509	10,143,100	10,058,246	99.16%	a	518,737	5.44%
Total Taxes	9,539,509	10,143,100	10,058,246	99.16%		518,737	5.44%
Other Taxes and Special Assessments							
Cable Franchise Fees	332,041	335,000	320,301	95.61%		(11,740)	-3.54%
Electricity Franchise Fees	950,984	953,000	966,465	101.41%		15,481	1.63%
Gas Franchise Fees	71,707	70,000	92,132	131.62%	b	20,425	28.48%
Telephone Franchise Fees	22,842	10,000	9,852	98.52%	c	(12,990)	-56.87%
Mixed Drink Tax	92,891	70,000	119,256	170.37%	d	26,365	28.38%
Bingo Tax	38,543	20,000	34,914	174.57%	e	(3,629)	-9.42%
Sales Tax	7,733,153	6,927,400	11,193,921	161.59%	f	3,460,768	44.75%
Total Other Taxes and Special Assessments	9,242,161	8,385,400	12,736,841	151.89%		3,494,680	37.81%
Licenses and Permits							
Platting and Rezoning	14,587	30,000	27,399	91.33%	g	12,812	87.83%
City Registration Fee	36,172	35,000	28,455	81.30%		(7,717)	-21.33%
Building Permits	230,762	250,000	247,923	99.17%		17,161	7.44%
Contractor's Registration	15,229	15,000	22,770	151.80%	h	7,541	49.52%
Fire Permit Revenue	8,830	10,000	9,510	95.10%		680	7.70%
Total Licenses and Permits	305,580	340,000	336,057	98.84%		30,477	9.97%
Fines and Fees							
Court Fines	1,034,793	1,000,000	1,006,852	100.69%	i	(27,941)	-2.70%
Total Fines and Fees	1,034,793	1,000,000	1,006,852	100.69%		(27,941)	-2.70%

- a) Property tax payments total \$10,058,246 at fiscal year end for maintenance and operations (M&O) purposes. This is 99.16% of the \$10,143,100 budgeted and \$518,737 more than received last fiscal year.
- b) Gas franchise payments total \$92,132 at the end of the fiscal year and are 131.62% of the \$70,000 budgeted.
- c) Telephone franchise fees decreased by \$12,990 from the prior year with \$9,852 received during the 2021 fiscal year. This is due to the new legislation allowing companies who pay both cable and telephone franchise fees to pay only one.
- d) \$119,256 has been received in mixed drink tax revenue as of the end of the fiscal year. Revenue for this line item has been received on a monthly versus quarterly basis since February 2021.
- e) Bingo tax revenue has surpassed its budgeted amount by \$14,914 with \$34,914 received. This is 174.57% of the \$20,000 budgeted.
- f) After discussions with our new auditors, Patillo, Brown and Hill (PBH), it was agreed by Staff that beginning with FY 2021, sales tax revenue will be posted by the report month versus the receipt month. For example, payments for reports dated August and September 2021 (FY 2021) are received in October and November 2021 (FY 2022). These payments have been posted back to the 2021 fiscal year showing a total of \$11,193,921 in revenue or \$3,460,768 more than last fiscal year because this is the initial fiscal year of implementation. The 2022 fiscal year will show a large decrease in comparison to FY 2021 and will be more comparable to FY 2020.
- g) Platting and rezoning revenue has increased by \$12,812 over the prior year's amount of \$14,587 with \$27,399 received in revenue. This is a good sign of business getting back to normal.
- h) Contractor's registration is also up over the prior year by \$7,541 with \$22,770 received in revenue.
- i) Court Fine revenue is down from the prior year by \$27,941 however it did exceed the budgeted amount with \$1,006,852 collected.

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Charges for Services							
Aquatic Activities	50	40,000	18,751	46.88%	j	18,701	37402.00%
Recreation Programs	4,267	15,000	6,861	45.74%	j	2,594	60.79%
Youth Sports Activities	52,399	100,000	77,478	77.48%	j	25,079	47.86%
Concession Stand	5,190	5,000	2,148	42.96%	k	(3,042)	-58.61%
Adult Activities	1,512	10,000	6,232	62.32%	j	4,720	312.17%
Park Facility Rentals	23,330	30,000	29,142	97.14%	j	5,812	24.91%
False Alarm Fees	2,906	0	4,034	0.00%		1,128	38.82%
Ambulance Collection Fees	(54,270)	(58,000)	0	0.00%	l	(54,270)	-100.00%
Ambulance Service	700,322	715,000	716,403	100.20%		16,081	2.30%
Animal Services	74,806	75,000	125,433	167.24%	m	50,627	67.68%
Total Charges for Services	810,512	932,000	986,482	105.85%		175,970	21.71%
Intergovernmental							
Grant Revenue	1,532,062	137,800	600,100	435.49%	n	(931,962)	-60.83%
Reimburse Bell County	8,401	5,000	9,693	193.86%		1,292	15.38%
Central TX Trauma Council	2,376	2,000	3,518	175.90%		1,142	48.06%
Total Intergovernmental	1,542,839	144,800	613,311	423.56%		(929,528)	-60.25%
Investment Earnings							
Interest Income	284,316	250,000	78,152	31.26%		(206,164)	-72.51%
Gain on Investments	49	0	0	0.00%		(49)	-100.00%
Net Value of Investments	49	0	(33)	0.00%		(82)	-167.35%
Total Investment Earnings	284,414	250,000	78,119	31.25%	o	(206,295)	-72.53%
Contributions and Donations							
Contributions	0	0	0	0.00%		0	0.00%
Donations	2,980	0	5,920	0.00%		2,940	98.66%
Donations - Police	260	0	2,051	0.00%		1,791	688.85%
Donations - Healathy Homes	1,000	0	1,625	0.00%		625	62.50%
Donations - Library	900	0	10,065	0.00%		9,165	1018.33%
Donations - Parks & Rec	1,805	0	5,000	0.00%		3,195	177.01%
Donations - National Night Out	0	0	25	0.00%		25	0.00%
Donations - Pet Adoption Center	13,658	15,000	14,506	96.71%		848	6.21%
Donations - Activity Center	3,000	0	0	0.00%		(3,000)	-100.00%
Total Contributions and Donations	23,603	15,000	39,192	261.28%	p	15,589	66.05%

j) \$138,464 has been received in Parks & Recreation revenues which is \$56,906 more than last fiscal year's total of \$81,558. The highest increases were seen in aquatic activities (\$18,701) and youth sports activities (\$25,079).

k) Concession stand revenue is down by \$3,042 from the prior year due to tournament rentals being down.

l) Ambulance collection fees is another line item Staff discussed with PBH and came to a mutual agreement that these fees should be placed in expenditures versus offset to revenues (see item "pp).

m) Animal Services fees total \$125,433 or 167.24% of the \$75,000 budgeted and \$50,627 more than the \$74,806 collected in revenue in the prior fiscal year. This line item is for adoption fees, reclaim fees, and other fees charged by the Pet Adoption Center.

n) Grant Revenue received and earned during the 2021 fiscal year totals \$600,100. The City did receive \$4,016,734 in Coronavirus State and Local Relief Funds as part of the American Rescue Plan Act however, under generally accepted accounting principles (GAAP), it will not be posted as revenue until "used" under the purpose(s) for which it was received. As of September 30, 2021, the City had used \$41,417 of the CSLRF Funds which is included in the \$600,100 total.

o) \$78,119 or 31.25% of the \$250,000 budgeted is the total investment earnings for the 2021 fiscal year. Interest income decreased from the prior year's amount by \$206,164 as interest rates remained low throughout the fiscal year.

p) \$39,192 was received in contributions and donations which is \$15,589 more than received in the 2020 fiscal year. The Library's donations enabled them to install the Stewart C. Meyer Memorial Sidewalk this year.

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Miscellaneous							
Credit Card Fees	(39,795)	(35,000)	0	0.00%	q	(39,795)	-100.00%
Technology Fee - MyPermitNow	10,836	10,000	10,761	107.61%		(75)	-0.69%
Cash Over (Short)	(20)	0	0	0.00%		20	-100.00%
Miscellaneous Income	16,860	20,000	16,443	82.22%		(417)	-2.47%
Taxable Income	13,062	16,000	8,596	53.73%		(4,466)	-34.19%
Miscellaneous A/R Income	0	0	0	0.00%		0	0.00%
Insurance Proceeds	40,457	0	56,597	0.00%	r	16,140	39.89%
Settlement of Claim	1,820	0	300	0.00%		(1,520)	-83.52%
Gain on Sale of Assets	0	0	16,000	0.00%	s	16,000	0.00%
Street Paving Payments	0	0	0	0.00%		0	0.00%
Public Nuisance Assmt Pmt	17,751	0	18,617	0.00%		866	4.88%
Auction Abandoned Property	3,380	0	304	0.00%		(3,076)	-91.01%
Lease Agreement Proceeds	0	0	405,000	0.00%	t	405,000	0.00%
Total Miscellaneous	64,351	11,000	532,618	4841.98%		468,267	727.68%
Transfers In							
Transfer from Water	500,000	500,000	0	0.00%	u	(500,000)	-100.00%
Transfer from Drainage	0	0	0	0.00%		0	0.00%
Transfer from Sanitation	150,000	200,000	100,000	50.00%	u	(50,000)	-33.33%
Transfer from Restricted Court	100,000	83,500	83,500	100.00%		(16,500)	-16.50%
Total Transfers In	750,000	783,500	183,500	23.42%		(566,500)	-75.53%
TOTAL REVENUES	23,597,762	22,004,800	26,571,218	120.75%	v	2,973,456	12.60%

q) Credit card fees has been moved to the expense category by mutual agreement of our new auditors, Patillo, Brown and Hill and Finance Department Staff. (See Item "gg" below.)

r) Insurance Proceeds for the 2021 fiscal year total \$56,597 which includes payment for Winter Storm Uri damages (\$24,301), a Parks involved incident (\$15,605), three Police involved incidents (\$12,340), and a Fire incident (\$4,351).

s) \$16,000 was received in the return of the two Harley Davidson motorcycles.

t) A city-wide purchase of computers, servers and other equipment was during the fiscal year. The lease agreement, in the amount of \$405,000, was awarded to First National Bank Texas and the first payment was also made during FY 2021.

u) The Transfers from the Utility and Sanitation Funds were cancelled by Staff to ensure that the two funds had enough money to sustain their own growing expenses. The General Fund was not in need of the transfers.

v) Revenues total \$26,571,218 or 120.75% of the \$22,004,800 budgeted. This is also \$2,973,456 more than the prior fiscal year's amount of \$23,597,762 which is primarily due to the change in posting of sales tax revenue.

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
EXPENDITURES							
Personnel Services							
Salaries	11,629,540	12,329,400	11,890,020	96.44%		260,480	2.24%
Overtime	456,350	526,900	523,454	99.35%		67,104	14.70%
Workers Compensation	131,094	143,900	148,942	103.50%		17,848	13.61%
Health Insurance	1,062,131	1,068,900	963,220	90.11%		(98,911)	-9.31%
Social Security	887,066	983,600	922,896	93.83%		35,830	4.04%
Retirement	1,766,925	1,896,000	1,824,531	96.23%		57,606	3.26%
Total Personnel Services	15,933,106	16,948,700	16,273,063	96.01%		339,957	2.13%

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Supplies							
Office	86,245	98,400	68,140	69.25%	w	(18,105)	-20.99%
Vehicle	225,076	236,500	240,712	101.78%		15,636	6.95%
General	122,336	124,600	124,652	100.04%		2,316	1.89%
Equipment	74,607	69,800	46,547	66.69%	x	(28,060)	-37.61%
Uniforms	87,213	107,300	84,560	78.81%		(2,653)	-3.04%
Recreational (Parks & Rec / Activity Ctr)	4,125	6,000	4,087	68.12%		(38)	-0.92%
Chemical (Parks & Recreation)	7,462	12,200	11,632	95.34%	y	4,170	55.88%
Clinical (Pet Adoption Center)	36,518	20,000	49,407	247.04%	z	12,889	35.29%
Animal Care (Pet Adoption Center)	31,140	60,000	33,578	55.96%		2,438	7.83%
Medical (Fire Operations)	55,297	60,000	59,473	99.12%		4,176	7.55%
Total Supplies	730,019	794,800	722,788	90.94%		(7,231)	-0.99%
Maintenance							
Vehicle	174,794	139,000	156,290	112.44%	aa	(18,504)	-10.59%
Building	102,097	101,300	121,988	120.42%	bb	19,891	19.48%
Equipment	292,029	335,700	334,164	99.54%	cc	42,135	14.43%
Ground	130,184	165,900	152,592	91.98%		22,408	17.21%
Total Maintenance	699,104	741,900	765,034	103.12%		65,930	9.43%
Insurance							
Property and Liability	180,206	194,000	192,496	99.22%		12,290	6.82%
Total Insurance	180,206	194,000	192,496	99.22%		12,290	6.82%
Services							
Unemployment Expense	7,951	0	1,435	0.00%	dd	(6,516)	-81.95%
Election Expense	645	30,000	31,102	103.67%	ee	30,457	4722.02%
Lobbying Expense	0	0	322	0.00%		322	0.00%
Utilities	449,628	497,000	627,012	126.16%	ff	177,384	39.45%
Dues and Subscriptions	41,846	57,400	46,752	81.45%		4,906	11.72%

(Services continues on next page)

w) \$68,140 was spent in office supplies during the 2021 fiscal year which was 69.25% of the \$98,400 budgeted and \$18,105 less than the \$86,245 spent during the 2020 fiscal year.

x) Equipment supply expenses decreased by \$28,060 with \$46,547 spent during FY 2021. This was 66.69% of the \$69,800 budgeted.

y) Supplies for the City Pool are paid out of the chemical supplies line item. Expenses were \$11,632, an increase of \$4,170 over the prior fiscal year due to the reopening of the pool after the pandemic.

z) The clinical supply line item budget of \$20,000 was exceeded by \$29,407 with a total of \$49,407 in expenditures during the 2021 fiscal year. This line item is used to buy necessary supplies for the Pet Adoption Center's clinic.

aa) Vehicle maintenance expenditures total \$156,290 and includes replacement of cam shafts and lifters on PD-143 (\$5,188); radar installation on PD-166 (\$2,847); torque converter on PD-138 (\$2,720); brake repair on FD-203 (\$4,248); repairs to thermostat, gaskets, crankcase, etc on FD-203 (\$7,605); heater core and fan on FD-308 (\$2,356); Quint 2 electrical issues (\$2,389); transmission replacement on ST-15 (\$5,919); repairs to ST-09 (\$3,167); repairs to ST-13 (\$3,117); turbo replacement on PK-03 (\$3,949); and a cooler and injector replacement on PK-04 (\$4,726).

bb) Building maintenance expenses increased by \$19,891 over the prior fiscal year with a total of \$121,988 in expenditures at fiscal year end.

cc) Equipment maintenance is under the \$335,700 budgeted with \$334,164 in expenditures and over the \$292,029 spent in the 2020 fiscal year by \$42,135. This is due to the yearly increase by Tyler Technologies and additional technology added by the Information Technology Department. Charges here also includes tires for ST-57 (\$2,643), rebuild/recondition stabilizer cylinder on ST-76 (\$2,306), replacement of mower deck on PK-123 (\$2,542) and brake caliper replacement on PK-102 (\$1,052).

dd) Unemployment expense is \$6,516 less than the prior year with \$1,435 in charges to the General Fund after the 50% credits were taken that were allowed by the American Rescue Plan Act.

ee) With two elections being held during the fiscal year, election expenses totaled \$31,102 or 103.67% of the \$30,000 budgeted.

ff) Ancillary Service Charges owed to Gexa Energy due to Winter Storm Uri were paid in full (versus by a payment plan) in the 2021 fiscal year. This is the primary reason the utility line item is over its \$497,000 budget by \$130,012 with \$627,012 in expenditures for the fiscal year.

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Services, continued							
Travel and Training	81,385	139,700	94,936	67.96%		13,551	16.65%
Impound Expense	318	500	105	21.00%		(213)	-66.98%
Telephone	87,309	91,600	89,546	97.76%		2,237	2.56%
Equipment Rental	15,704	30,000	10,187	33.96%		(5,517)	-35.13%
Contract Labor	504,392	455,100	430,881	94.68%		(73,511)	-14.57%
Credit Card Service Fees	3,657	6,800	46,102	677.97%	gg	42,445	1160.65%
Adaptive Sports	6,318	10,000	1,848	18.48%		(4,470)	-70.75%
Tree City USA	3,366	10,000	9,553	95.53%		6,187	183.81%
Living Legacy	2,332	4,500	2,898	64.40%		566	24.27%
Trophies and Awards	4,698	15,000	10,546	70.31%		5,848	124.48%
Uniforms and Equipment (Rec)	30,076	45,000	40,075	89.06%		9,999	33.25%
Programs (Parks & Rec / Activity Ctr)	37,325	63,800	66,212	103.78%	hh	28,887	77.39%
Team Travel	0	0	0	0.00%		0	0.00%
Adult Sports	762	2,000	1,850	92.50%	ii	1,088	142.78%
Grant Expense	16,182	147,500	164,239	111.35%	jj	148,057	914.95%
LEOSE Training	7,777	7,000	1,015	14.50%		(6,762)	-86.95%
COVID-19 Expenses	27,627	5,000	318,116	6362.32%	kk	290,489	1051.47%
Sheltering Expenses (Winter Storm Uri)	0	0	1,161	0.00%	ll	1,161	0.00%
Bank Fees	514	800	2,349	293.63%	mm	1,835	357.00%
Audit Fees	29,200	30,000	29,200	97.33%		0	0.00%
Tax Appraisal Contract	105,504	108,000	102,558	94.96%		(2,946)	-2.79%
Nuisance Abatements	6,100	245,000	126,675	51.70%	nn	120,575	1976.64%
State Tax Payments	411,294	335,000	400,414	119.53%	oo	(10,880)	-2.65%
Ambulance Collection Fees	0	0	51,763	0.00%	pp	51,763	0.00%
Medical Director Contract	24,000	20,000	20,000	100.00%		(4,000)	-16.67%
Fire Prevention	988	6,000	2,488	41.47%		1,500	151.82%
Safety Training	710	900	1,313	145.89%		603	84.93%
Public Awareness	3,375	5,000	3,854	77.08%		479	14.19%
Total Services	1,910,983	2,368,600	2,736,507	115.53%		825,524	43.20%

gg) Credit Card Service Fees total \$46,102 for fiscal year 2021. In the 2020 fiscal year, they were \$39,795 (item "q") or \$6,307 less. Service Fees will now be shown as an expense rather than as an offset to revenue taken in from online payments. Credit card fees paid from the General Fund are for in-house, CivicRec, and MyPermitsNow payments.

hh) The Parks and Recreation and Activities Center Departments began reopening many of their programs during the 2021 fiscal year. For this reason, there is a \$28,887 increase in program expenditures when comparing FY 2021 expenditures (\$66,212) to FY 2020 (\$37,325).

ii) Adult Sports also picked back up during the 2021 fiscal year with an increase of \$1,088 in expenditures over the prior year. A total of \$1,850 was spent or 92.50% of the \$2,000 budgeted.

jj) Grant expenses total \$164,239 exceeding the \$147,500 budgeted by \$16,739.

kk) At the end of the 2021 fiscal year, COVID-19 expenses total \$318,116. In total, the City spent \$345,743 on COVID-19 expenses.

ll) Sheltering expenses during Winter Storm Uri totaled \$1,161 and is included in the City's reimbursement request being processed through

mm) Bank fees total \$2,349 at fiscal year end an increase of \$1,835 from the prior year's amount of \$514.

nn) Nuisance Abatement expenditures total \$126,675 and includes approximately \$100,800 in expenditures related to Lynn Drive.

oo) \$400,414 in State Tax Payments were made during the 2021 fiscal year which is \$10,880 less than the \$411,294 paid in FY 2020. This line item corresponds with the amount of court fine revenue received from specific tickets.

pp) Just like the credit card service charges, the ambulance collection fees paid to our third party billing/collection agency has also been moved from a "revenue offset" line item, to a expenditure category. Fees paid by the City during FY 2021 total \$51,763 versus the \$54,270 (item "l") paid last fiscal year which is a decrease of \$2,507.

UNAUDITED FINANCIAL REPORT - GENERAL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Miscellaneous							
Legal Fees	81,595	72,000	94,560	131.33%	qq	12,965	15.89%
Advertising	12,214	28,200	13,136	46.58%		922	7.55%
Required Public Notices	10,419	14,900	24,893	167.07%	rr	14,474	138.92%
Professional Fees	202,384	237,700	191,413	80.53%		(10,971)	-5.42%
Prosecutor Fees	0	58,000	16,323	28.14%		16,323	0.00%
Rent Expense	0	0	615	0.00%		615	0.00%
Transportation (HOP)	0	0	0	0.00%		0	0.00%
Heart of TX Defense Alliance	17,000	17,000	17,000	100.00%		0	0.00%
Harker Heights Chamber of Commerce	52,500	50,000	50,000	100.00%		(2,500)	-4.76%
Killeen Chamber of Commerce	9,375	0	0	0.00%		(9,375)	-100.00%
Youth Task Force	0	10,500	0	0.00%		0	0.00%
Economic Development	22,585	22,500	20,000	88.89%		(2,585)	-11.45%
Boys & Girls Club Contribution	30,000	30,000	30,000	100.00%		0	0.00%
Greater Killeen Community Clinic	9,500	12,000	12,000	100.00%		2,500	26.32%
Pitney Bowes Lease	3,493	3,500	3,493	99.80%		0	0.00%
Xerox Rental	8,955	15,600	15,628	100.18%		6,673	74.52%
Total Miscellaneous	460,020	571,900	489,061	85.52%		29,041	6.31%
Reserves and Transfers							
Reserve for Personnel	8,715	0	(5,250)	0.00%		(13,965)	-160.24%
Reimbursement: Seton Medical	579,131	0	0	0.00%		(579,131)	-100.00%
Transfer to Fixed Assets	0	0	0	0.00%		0	0.00%
Transfer to Capital Projects	0	500,000	500,000	100.00%		500,000	0.00%
Transfer to Debt Service	150,000	0	0	0.00%		(150,000)	-100.00%
Total Reserves and Transfers	737,846	500,000	494,750	98.95%		(243,096)	-32.95%
TOTAL EXPENDITURES	20,651,284	22,119,900	21,673,699	97.98%	ss	1,022,415	4.95%
INCREASE/DECREASE	2,946,478	(115,100)	4,897,519				
ENDING FUND BALANCE		9,744,515	17,231,163				

qq) \$94,560 was paid in legal fees or 131.33% of the \$72,000 budgeted. This is also \$12,965 more than the \$81,595 spent last fiscal year.

rr) Required Public Notices, which are those notices which are required by law for the City to publish, total \$24,893 or \$9,993 more than the \$14,900 budgeted.

ss) Total expenditures for the 2021 fiscal year are \$21,673,699 or 97.98% of the \$22,119,900 budgeted. This is also \$1,022,415 more than the \$20,651,284 that was spent during the 2020 fiscal year.

UNAUDITED FINANCIAL REPORT - UTILITY FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		3,257,117	2,173,752	66.74%			
REVENUES							
Sales							
Water Income	6,408,369	6,254,600	6,149,379	98.32%	a	(258,990)	-4.04%
Sewer Income	3,973,864	3,871,900	4,047,355	104.53%	b	73,491	1.85%
Water Meter Tap Fees	23,036	10,000	16,997	169.97%	c	(6,039)	-26.22%
Sewer Tap Fees	13,267	10,000	6,036	60.36%	c	(7,231)	-54.50%
Connect Fees	74,525	80,000	70,400	88.00%	c	(4,125)	-5.54%
Total Sales	10,493,061	10,226,500	10,290,167	100.62%		(202,894)	-1.93%
Miscellaneous							
Transfers, Turn On and Off	14,107	15,000	12,397	82.65%		(1,710)	-12.12%
Penalties	98,910	90,000	88,215	98.02%	d	(10,695)	-10.81%
Credit Card Fees	(91,663)	(80,000)	0	0.00%	e	(91,663)	-100.00%
Online Payment Fees	78,674	75,000	98,246	130.99%	f	19,572	24.88%
Cash Over (Short)	(41)	0	19	0.00%		60	-146.34%
Interest Income	34,387	30,000	17,805	59.35%		(16,582)	-48.22%
Miscellaneous Income	4,628	4,000	14,174	354.35%	g	9,546	206.27%
Other Income	70	0	0	0.00%		(70)	-100.00%
Insurance Proceeds	8,474	0	42,377	0.00%	h	33,903	400.08%
Net Value of Investments	(2)	0	(1)	0.00%		1	-50.00%
Total Miscellaneous	147,544	134,000	273,232	203.90%		125,688	85.19%
Other Revenues							
Grant Revenue	0	0	27,860	0.00%	i	27,860	0.00%
Contributions/Donations	0	0	7,553	0.00%	j	7,553	0.00%
Total Other Revenues	0	0	35,413	0.00%		35,413	0.00%
TOTAL REVENUES	10,640,605	10,360,500	10,598,812	102.30%	k	(41,793)	-0.39%

a) Water Income posted for the 2021 fiscal year totals \$6,149,379 which is \$258,990 less than the prior year's fiscal year. Multiple rain events could be the cause for the decrease.

b) Sewer Income shows a \$73,491 increase over the prior year with a total of \$4,047,355 posted at fiscal year end. Although sewer caps at 10,000 gallons for residents, it does not for commercial accounts which historically utilizes more water.

c) Water Meter Tap, Sewer Tap, and Connect Fees are all down from the prior year at a combined total loss of \$17,395. A larger subdivisions was paid for during the 2020 fiscal year than during the 2021 fiscal year resulting in a smaller amount of fees being

d) Penalty, or late fees, are down by \$10,695 from last fiscal year's total of \$98,910 with a total of \$88,215 in charges. Last year, many customers allowed for their bills to accumulate due to the pandemic and because the City was not doing turnoffs. The Water Department was however still charging penalty/late fees for past due amounts.

e) Credit card fees has been moved to the expense category by mutual agreement of our new auditors, Patillo, Brown and Hill and Finance Department Staff. (See Item "y" below.)

f) Online payment fees consist of the \$2 fee charged to customers who utilize the online payment portal, Municipal Online Payments, for one-time payments or for credit/debit card draft. This revenue in turn is used to pay Tyler Technologies for the maintenance and use of the online portal. Total fees received for this purpose total \$98,246 which is \$19,572 more than last fiscal year.

g) \$14,174 has been collected in miscellaneous income with \$10,354 of that for sewer rehabilitation work.

h) Insurance Proceeds for the 2021 fiscal year total \$42,377 which includes payment for WA-53 which was totaled during Winter Storm Uri (\$14,438), WW-65 which was damaged during a theft (\$24,549) and (WA-52) which was damaged at an intersection (\$400).

i) Grant revenue of \$27,860 is for reimbursement of expenses due to Winter Storm Uri.

j) A portion of land was donated to the City during the 2021 fiscal year.

k) Total revenues for fiscal year 2021 are \$10,598,812 which is \$41,793 less than the \$10,640,605 received during fiscal year 2020.

UNAUDITED FINANCIAL REPORT - UTILITY FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
EXPENSES							
Personnel Services							
Salaries	1,069,258	1,120,700	929,038	82.90%	l	(140,220)	-13.11%
Overtime	50,656	86,000	88,828	103.29%	m	38,172	75.36%
Workers Compensation	15,250	16,500	17,070	103.45%		1,820	11.93%
Health Insurance	113,241	117,500	100,736	85.73%		(12,505)	-11.04%
Social Security	83,122	92,300	77,845	84.34%		(5,277)	-6.35%
Retirement	175,958	180,400	112,768	62.51%		(63,190)	-35.91%
OPEB Expense	3,607	3,000	4,829	160.97%		1,222	33.88%
Total Personnel Services	1,511,092	1,616,400	1,331,114	82.35%		(179,978)	-11.91%
Supplies							
Office	26,012	33,500	28,585	85.33%		2,573	9.89%
Vehicle	39,478	46,000	41,848	90.97%		2,370	6.00%
General	14,420	15,100	8,739	57.87%	n	(5,681)	-39.40%
Equipment	4,700	4,000	4,352	108.80%		(348)	-7.40%
Belt Press	21,546	20,000	35,761	178.81%	o	14,215	65.98%
Lab	9,672	11,000	6,588	59.89%		(3,084)	-31.89%
Total Supplies	115,828	129,600	125,873	97.12%		10,045	8.67%
Maintenance							
Vehicle	98,620	45,000	93,102	206.89%	p	(5,518)	-5.60%
Building	6,409	2,000	1,307	65.35%	q	(5,102)	-79.61%
Equipment	135,919	134,600	151,800	112.78%	r	15,881	11.68%
Ground	623	2,000	2,157	107.85%	s	1,534	246.23%
Repair and Maintenance	184,730	160,000	188,807	118.00%	t	4,077	2.21%
New Service Meters	61,463	100,000	41,618	41.62%	u	(19,845)	-32.29%
UV Lights	28,463	35,000	33,832	96.66%		5,369	18.86%
Odor Control Chemical	29,887	40,000	29,200	73.00%		(687)	-2.30%
Total Maintenance	546,114	518,600	541,823	104.48%		(4,291)	-0.79%

l) Salaries are down by \$140,220 when comparing fiscal year 2021 (\$929,038) to fiscal year 2020 (\$1,069,258) due to vacancies.

m) Overtime expenses of \$88,828 exceed the 2020 fiscal year amount of \$50,656 by \$38,172 also due to vacancies.

n) Last year's general supply expenses included a tablet and software for a new employee (\$4,909) which accounts for the majority of the \$5,681 difference between the 2021 and 2020 fiscal year.

o) \$35,761 was spent on belt press supplies during the 2021 fiscal year which was almost double the \$20,000 budgeted. The major purchase in this category is for polymer.

p) Vehicle maintenance expenses exceed the budgeted amount of \$45,000 by \$48,102 with \$93,102 spent between October 2020 and September 2021. Major expenses include Winter Storm Uri repair of WA-53 (\$18,357), fuel pump repair to WA-58 (\$6,059), transmission repair to WA-54 (\$3,372), various vactor truck repairs (\$28,262), and leak repair to WW-01 (\$3,448).

q) Building maintenance expenses decreased by \$5,102 from the \$6,409 spent in the 2020 fiscal year when compared to the \$1,307 spent in FY 2021. The major expense in the prior year was the addition of an a/c unit to the Wastewater Treatment Plant (\$3,871).

r) \$151,800 was spent on equipment maintenance; \$143,600 of that amount was spent on technology used in Water Administration to aid in billing and collections. This includes maintenance fees for various equipment to include the REMIT software, registers and

s) Ground maintenance is at 107.85% of its \$2,000 budget with \$2,157 in expenses at fiscal year end. Purchases of wood, tie-downs, and other supplies were necessary during the year.

t) Repair and Maintenance expenses increased by \$4,077 over the last fiscal year with \$188,807 spent during the 2021 fiscal year. Some of the major expenses included an emergency water repair at the high school (\$11,550), sewer rehab on Live Oak (\$10,354), bar screen rake chains (\$10,189), and a pump repair at Fawn Valley Lift Station (\$10,548).

u) With vacancies in Water Operations, installation of new service meters saw a decrease of \$19,845 at the end of the fiscal year. This is \$19,845 less than the \$61,463 in value installed last fiscal year and \$58,382 below budget.

UNAUDITED FINANCIAL REPORT - UTILITY FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Insurance						
Property and Liability	26,631	27,700	27,022	97.55%	391	1.47%
Total Insurance	26,631	27,700	27,022	97.55%	391	1.47%
Services						
Uniforms	16,909	19,000	15,111	79.53%	(1,798)	-10.63%
Unemployment Expense	247	0	(799)	0.00%	(1,046)	-423.48%
Utilities	328,204	320,000	483,394	151.06%	155,190	47.28%
Dues and Subscriptions	2,064	3,400	2,701	79.44%	637	30.86%
Travel and Training	9,570	18,000	10,581	58.78%	1,011	10.56%
Telephone	11,806	10,700	7,639	71.39%	(4,167)	-35.30%
Equipment Rental	69,513	51,800	50,261	97.03%	(19,252)	-27.70%
Contract Labor	262,129	278,800	310,392	111.33%	48,263	18.41%
Credit Card Service Fees	0	0	100,149	0.00%	100,149	0.00%
State Fees	46,203	46,200	47,541	102.90%	1,338	2.90%
Total Services	746,645	747,900	1,026,970	137.31%	280,325	37.54%
Bond Expense						
Principal Payments	1,484,243	1,597,700	1,597,665	100.00%	113,422	7.64%
Interest Expense	518,760	396,600	424,497	107.03%	(94,263)	-18.17%
Issuance Cost	23,602	0	0	0.00%	(23,602)	-100.00%
Issuance Premium	(80,586)	0	(70,424)	0.00%	10,162	-12.61%
Total Bond Expense	1,946,019	1,994,300	1,951,738	97.87%	5,719	0.29%
Intergovernmental Payments						
Water Purchases	3,008,972	2,805,900	3,030,374	108.00%	21,402	0.71%
Transfer to General Fund	500,000	500,000	0	0.00%	(500,000)	-100.00%
Total Intergovernmental Payments	3,508,972	3,305,900	3,030,374	91.67%	(478,598)	-13.64%

v) The American Rescue Plan Act provided for a 50% credit for certain charges resulting in a \$799 credit to the unemployment expense line item in the Utility Fund.

w) Ancillary Service Charges owed to Gexa Energy due to Winter Storm Uri were paid in full (versus by a payment plan) in the 2021 fiscal year. This is the primary reason the utility line item is over its \$320,000 budget by \$163,394 with \$483,394 in expenses for the fiscal year.

x) Contract Labor expenses of \$310,392 exceed the prior year's expenses by \$48,263 and the budget of \$278,800 by \$31,592. Vendors paid from this line item include S&M Vacuum, Odessa Pumps and T. Morales.

y) Credit Card Service Fees total \$100,149 for fiscal year 2021. In the 2020 fiscal year, they totaled \$91,663 (item "e") or \$8,486 less. Service Fees will now be shown as an expense rather than as an offset to revenue taken in. Fees paid from the Utility Fund are for the Municipal Online Payments system, Integrated Voice Response (IVR) system, in-house payments, and the kiosk.

z) Bell County Water Control and Improvement District (WCID) #1 and the Brazos River Authority (BRA) are paid from the Water Purchases line item. This line item is at 108% of its \$2,805,900 budget with \$3,030,374 paid out to these entities. This is \$21,402 more than what was paid last year and includes the debt payment reimbursements owed to WCID #1.

aa) The Transfer to General Fund was cancelled by Staff to ensure that the Utility Fund had enough funds to sustain expenses that came about as repair and maintenance costs grew.

UNAUDITED FINANCIAL REPORT - UTILITY FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Miscellaneous							
Bad Debt	82,446	65,000	33,231	51.12%	bb	(49,215)	-59.69%
Audit Fees	27,200	27,400	27,200	99.27%		0	0.00%
Advertising	0	0	0	0.00%		0	0.00%
Required Public Notices	618	4,000	1,795	44.88%	cc	1,177	190.45%
Professional Fees	34,718	35,000	69,495	198.56%	dd	34,777	100.17%
Amortization Adv Refunding	56,679	47,900	47,948	100.10%		(8,731)	-15.40%
Total Miscellaneous	201,661	179,300	179,669	100.21%		(21,992)	-10.91%
Reserves and Transfers							
Transfer to Fixed Assets	0	500,000	0	0.00%	ee	0	0.00%
Transfer to Debt Service	0	0	0	0.00%		0	0.00%
Transfer to Capital Projects	100,000	1,100,000	1,050,000	95.45%	ff	950,000	950.00%
Total Reserves and Transfers	100,000	1,600,000	1,050,000	65.63%		950,000	0.00%
TOTAL EXPENSES	8,702,962	10,119,700	9,264,583	91.55%	gg	561,621	6.45%
INCREASE/DECREASE	1,937,643	240,800	1,334,229				
ENDING FUND BALANCE		3,497,917	3,507,981				

bb) \$33,231 has been posted in bad debt as of fiscal year end minus the unaudited amount for allowance for doubtful accounts. This is \$49,215 less than last fiscal year's audited amount.

cc) Required Public Notices for the advertisement of bids totaled \$1,795 which was \$1,177 more than last fiscal year's total.

dd) Professional Fees totaled \$69,495 or 198.56% of the \$35,000 budgeted. The Risk and Resilience Study (\$34,595), implemented to comply with the American Water Infrastructure Act of 2018, is the reason for this increase.

ee) The Transfer to the Fixed Asset Fund was cancelled by Staff to ensure that the Utility Fund had enough funds to sustain expenses that came about as repair and maintenance costs grew.

ff) The Transfer to Capital Projects from Utility Connect Fees was decreased from \$100,000 to \$50,000 as it appeared to Staff that revenues would not sustain the full transfer amount.

gg) Expenses total \$9,264,583 or 91.55% of the \$10,119,700 budgeted. This is \$561,621 more than the \$8,702,962 spent last fiscal

UNAUDITED FINANCIAL REPORT - SANITATION FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		229,316	147,479	64.31%		
REVENUES						
Garbage Income	2,171,584	2,208,000	2,237,808	101.35%	66,224	3.05%
Interest Income	2,619	2,000	715	35.75%	(1,904)	-72.70%
Miscellaneous Income	1,048	1,000	1,202	120.20%	154	14.69%
Garbage Franchise Fees	196,922	169,200	175,544	103.75%	(21,378)	-10.86%
Grant Revenue	0	0	362	0.00%	362	0.00%
TOTAL REVENUES	2,372,173	2,380,200	2,415,631	101.49%	43,458	1.83%

a) Sanitation revenues total \$2,415,631 for fiscal year 2021 which is \$43,458 more than the prior year's total of \$2,372,173. The grant revenue of \$362 is for reimbursement of expenses incurred during Winter Storm Uri.

	FY 2019-20 Oct - Jun Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Jun Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
EXPENSES						
Personnel Services						
Salaries	32,943	44,100	38,269	86.78%	5,326	16.17%
Overtime	2,696	6,000	4,347	72.45%	1,651	61.24%
Workers Compensation	880	1,000	1,004	100.40%	124	14.09%
Health Insurance	6,334	5,200	5,650	108.65%	(684)	-10.80%
Social Security	2,890	3,800	3,112	81.89%	222	7.68%
Retirement	5,197	7,500	5,237	69.83%	40	0.77%
OPEB Expense	211	100	235	235.00%	24	11.37%
Total Personnel Services	51,151	67,700	57,854	85.46%	6,703	13.10%
Supplies						
General	629	200	359	179.50%	(270)	-42.93%
Equipment	0	500	0	0.00%	0	0.00%
Total Supplies	629	700	359	51.29%	(270)	-42.93%
Maintenance						
Equipment	7,504	3,000	4,731	157.70%	(2,773)	-36.95%
Ground	0	0	0	0.00%	0	0.00%
Total Maintenance	7,504	3,000	4,731	157.70%	(2,773)	-36.95%
Insurance						
Property and Liability	1,182	1,300	1,465	112.69%	283	23.94%
Total Insurance	1,182	1,300	1,465	112.69%	283	23.94%

b) \$359 in general supply expenses was spent primarily for water at the Recycling Drop Center during the fiscal year. This budget was increased for the 2022 fiscal year to ensure overages would not continue.

c) Equipment maintenance expenses at fiscal year end total \$4,731 which is \$2,773 less than the prior year. The greatest expense to this line item was the purchase of 2 tires for SAN-46 at \$1,300.

UNAUDITED FINANCIAL REPORT - SANITATION FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget		Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Services							
Uniforms	923	900	977	108.56%		54	5.85%
Utilities	168	300	213	71.00%		45	26.79%
Dues & Subscriptions	75	0	0	0.00%		(75)	-100.00%
Travel and Training	(75)	500	0	0.00%		75	-100.00%
Telephone	858	800	800	100.00%		(58)	-6.76%
Equipment Rental	1,165	1,100	1,202	109.27%		37	3.18%
Roll Off Dumpster	246,124	205,000	305,365	148.96%	d	59,241	24.07%
Garbage Contract	1,697,881	1,730,400	1,718,347	99.30%	e	20,466	1.21%
Total Services	1,947,119	1,939,000	2,026,904	104.53%		79,785	4.10%
Miscellaneous							
Brush Grinding	29,700	25,000	24,900	99.60%		(4,800)	-16.16%
Mulch Hauling	0	0	0	0.00%		0	0.00%
Bad Debt	15,249	10,000	6,536	65.36%	f	(8,713)	-57.14%
Advertising	542	800	400	50.00%		(142)	-26.20%
Professional Fees	0	5,500	0	0.00%		0	0.00%
Total Miscellaneous	45,491	41,300	31,836	77.08%		(13,655)	-30.02%
Reserves and Transfers							
Transfer to Fixed Assets	100,000	100,000	100,000	100.00%		0	0.00%
Transfer to General Fund	150,000	225,000	100,000	44.44%	g	(50,000)	-33.33%
Total Reserves and Transfers	250,000	325,000	200,000	61.54%		(50,000)	-20.00%
TOTAL EXPENSES	2,303,076	2,378,000	2,323,149	97.69%	h	20,073	0.87%
INCREASE/DECREASE	69,097	2,200	92,482				
ENDING FUND BALANCE		231,516	239,961				

d) The Roll Off Dumpster line item is at 148.96% of its \$205,000 budget with \$305,365 spent at fiscal year end. This is \$59,241 more than the \$246,124 spent during the 2020 fiscal year.

e) The Garbage Contract line item increased by \$20,466 from the prior year for a total of \$1,718,347 in expenses. The City acts as a third party for sanitation services and this increase is likely due to the growth in the City, the ability for citizens to obtain additional toters at \$5 each, as well as the City managing commercial hand pickup accounts.

f) \$6,536 has been posted in bad debt as of fiscal year end minus the unaudited amount for allowance for doubtful accounts. This is \$8,713 less than last fiscal year's audited amount.

g) Staff adjusted the budgeted transfer to the General Fund from \$225,000 to \$100,000 in order to ensure that funds were available to pay payroll and accounts payable expenses.

h) Total expenses at fiscal year end total \$2,323,149 which is 97.69% of the \$2,378,000 budgeted.

UNAUDITED FINANCIAL REPORT - DRAINAGE FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		57,547	55,971	97.26%		
REVENUES						
Drainage Fees	851,897	864,000	865,760	100.20%	13,863	1.63%
Interest Income	2,255	2,000	641	32.05%	(1,614)	-71.57%
Miscellaneous Income	0	0	778	0.00%	778	0.00%
Insurance Proceeds	2,044	0	0	0.00%	(2,044)	-100.00%
Grant Revenue	0	0	1,061	0.00%	1,061	0.00%
TOTAL REVENUES	856,196	866,000	868,240	100.26%	12,044	1.41%

a) Drainage revenues for fiscal year 2021 total \$868,240 which is \$12,044 more than the \$856,196 posted for 2020 fiscal year which included \$2,044 in insurance proceeds. The \$1,061 in grant revenue is reimbursement for expenses from Winter Storm Uri.

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
EXPENSES						
Personnel Services						
Salaries	84,040	88,600	78,340	88.42%	(5,700)	-6.78%
Overtime	986	1,000	1,984	198.40%	998	101.22%
Workers Compensation	1,466	1,600	1,672	104.50%	206	14.05%
Health Insurance	8,119	8,300	6,413	77.27%	(1,706)	-21.01%
Social Security	6,339	6,900	5,943	86.13%	(396)	-6.25%
Retirement	19,790	13,400	5,318	39.69%	(14,472)	-73.13%
OPEB Expense	391	500	615	123.00%	224	57.29%
Total Personnel Services	121,131	120,300	100,285	83.36%	(20,846)	-17.21%
Supplies						
Vehicle	2,617	4,000	2,988	74.70%	371	14.18%
General	588	500	328	65.60%	(260)	-44.22%
Equipment	1,136	5,000	3,677	73.54%	2,541	223.68%
Total Supplies	4,341	9,500	6,993	73.61%	2,652	61.09%
Maintenance						
Vehicle	8,530	3,000	3,035	101.17%	(5,495)	-64.42%
Equipment	5,844	4,000	7,509	187.73%	1,665	28.49%
Ground	5,327	30,000	1,705	5.68%	(3,622)	-67.99%
Total Maintenance	19,701	37,000	12,249	33.11%	(7,452)	-37.83%

b) Overtime is at 198.40% of its budget with \$1,984 in expenses due to employees working during Winter Storm Uri.

c) Vehicle maintenance expenses are lower by \$5,495 when compared to last year. 2021 fiscal year expenses of \$3,035 include a cracked radiator on DR-03 (\$1,176).

d) \$7,509 in equipment maintenance has been spent which includes the repairs to an A/C compressor (\$2,614), muffler (\$1,212), and tank on DR-04 (\$1,168).

UNAUDITED FINANCIAL REPORT - DRAINAGE FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
Insurance						
Property and Liability	2,022	2,200	2,120	96.36%	98	4.85%
Total Insurance	2,022	2,200	2,120	96.36%	98	4.85%
Services						
Uniforms	2,018	2,500	1,567	62.68%	(451)	-22.35%
Unemployment Expense	0	0	0	0.00%	0	0.00%
Dues and Subscriptions	275	300	280	93.33%	5	1.82%
Travel and Training	527	1,000	65	6.50%	(462)	-87.67%
Equipment Rental	67	500	0	0.00%	(67)	-100.00%
Contract Labor	3,100	4,000	2,700	67.50%	(400)	-12.90%
Total Services	5,987	8,300	4,612	55.57%	(1,375)	-22.97%
Bond Expense						
Principal Payments	206,010	238,100	238,114	100.01%	32,104	15.58%
Interest Expense	131,901	125,900	124,883	99.19%	(7,018)	-5.32%
Issuance Premium	(5,730)	(4,900)	(4,924)	100.49%	806	-14.07%
Total Bond Expense	332,181	359,100	358,073	99.71%	25,892	7.79%
Miscellaneous						
Bad Debt	5,944	6,000	3,587	59.78%	(2,357)	-39.65%
Professional Fees	400	400	400	100.00%	0	0.00%
Required Public Notices	0	0	1,044	0.00%	1,044	0.00%
Total Miscellaneous	6,344	6,400	5,031	78.61%	(1,313)	-20.70%
Reserves and Transfers						
Transfer to Fixed Assets	225,000	200,000	200,000	100.00%	(25,000)	-11.11%
Transfer to General Fund	0	0	0	0.00%	0	0.00%
Transfer to Capital Projects	100,000	150,000	150,000	100.00%	50,000	50.00%
Total Reserves and Transfers	325,000	350,000	350,000	100.00%	25,000	7.69%
TOTAL EXPENSES	816,707	892,800	839,363	94.01%	22,656	2.77%
INCREASE/DECREASE	39,489	(26,800)	28,877			
ENDING FUND BALANCE		30,747	84,848			

e) \$3,587 has been posted in bad debt as of fiscal year end minus the unaudited amount for the allowance for doubtful accounts. This is \$2,357 less than last fiscal year's audited amount.

f) Expenses total \$839,363 or 94.01% of the \$892,800 budgeted for FY 2021. This is \$22,656 more than the 2020 fiscal year.

UNAUDITED FINANCIAL REPORT - DEBT SERVICE FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		36,983	50,917	137.68%		
REVENUES						
Interest Income	8,138	7,000	934	13.34%	(7,204)	-88.52%
Ad Valorem Tax	2,825,296	3,208,400	3,159,269	98.47%	333,973	11.82%
Fines & Penalties	19,122	0	16,524	0.00%	(2,598)	-13.59%
Proceeds from Sale of Ref Bonds	4,075,000	0	0	0.00%	(4,075,000)	-100.00%
Miscellaneous Income	3,012	0	529	0.00%	(2,483)	-82.44%
Transfer from General Fund	150,000	0	0	0.00%	(150,000)	-100.00%
TOTAL REVENUES	7,080,568	3,215,400	3,177,256	98.81%	(3,903,312)	-55.13%
EXPENDITURES						
BCAD Fees	31,639	32,500	32,440	99.82%	801	2.53%
Bond Issuance Cost	48,331	0	0	0.00%	(48,331)	-100.00%
Debt Service - Principal	1,869,748	2,244,200	2,244,221	100.00%	374,473	20.03%
Debt Service - Interest	1,014,073	917,300	917,334	100.00%	(96,739)	-9.54%
Payment to Ref Bond Escrow Agent	75,243	0	0	0.00%	(75,243)	-100.00%
Payment of Refunded Bond	4,015,000	0	0	0.00%	(4,015,000)	-100.00%
TOTAL EXPENDITURES	7,054,034	3,194,000	3,193,995	100.00%	(3,860,039)	-54.72%
INCREASE/DECREASE	26,534	21,400	(16,739)			
ENDING FUND BALANCE		58,383	34,178			

a) Revenues total \$3,177,256 of which \$3,175,793 is property taxes collected for the purpose of repaying debt (interest and sinking or I&S). Total revenues are 98.81% of the \$3,215,400 budgeted and \$3,903,312 less than last fiscal year due to the proceeds received for the refunding of the 2011 Combination Tax & Revenue Certificates of Obligation.

b) Expenditures for the 2021 fiscal year total \$3,193,995 which is \$3,860,039 less than last fiscal year. This is due to the issuance of the 2020 General Refunding Bond which refinanced the Series 2011 Combination Tax & Revenue Certificates of Obligation.

UNAUDITED FINANCIAL REPORT - HOTEL MOTEL FUND

	FY 2019-20 Oct - Sep Activity	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		345,880	361,295	104.46%		
REVENUES						
Interest Income	2,860	2,500	582	23.28%	(2,278)	-79.65%
Net Value of Investments	41	0	(45)	0.00%	(86)	-209.76%
Hotel/Motel Tax	100,277	85,000	106,359	125.13%	6,082	6.07%
HOT Distr. from Bell County	4,237	4,000	5,120	128.00%	883	20.84%
TOTAL REVENUES	107,415	91,500	112,016	122.42%	4,601	4.28%
EXPENDITURES						
Chamber Events	5,000	5,000	5,000	100.00%	0	0.00%
Food & Wine Festival	7,500	7,500	7,500	100.00%	0	0.00%
Total Advertising	12,500	12,500	12,500	100.00%	0	0.00%
Food & Wine Festival	2,500	2,500	2,500	100.00%	0	0.00%
Total Promotion of the Arts	2,500	2,500	2,500	100.00%	0	0.00%
Tournaments - Chamber Hosted	7,500	7,500	7,500	100.00%	0	0.00%
Tournaments - City Hosted	0	5,000	0	0.00%	0	0.00%
Total Tournaments / Sporting Events	7,500	12,500	7,500	60.00%	0	0.00%
TOTAL EXPENDITURES	22,500	27,500	22,500	81.82%	0	0.00%
INCREASE/DECREASE	84,915	64,000	89,516			
ENDING FUND BALANCE		409,880	450,811			

a) Revenues total \$112,016 or 122.42% of the \$91,500 budgeted. This amount is \$4,601 more than last fiscal year's total of \$107,415 with the temporary closure of one of the local hotels.

b) Total expenditures are \$22,500; the same as spent during last fiscal year.

UNAUDITED FINANCIAL REPORT - RESTRICTED COURTS FUND

	FY 2019-20 Oct - Sep Activitiy	FY 2020-21 Adopted Budget	FY 2020-21 Oct - Sep Activity	Percent of Budget	Increase (Decrease) From Prior Year	Percent of Increase (Decrease)
BEGINNING FUND BALANCE		187,721	171,461	91.34%		
REVENUES						
Interest Income	2,185	1,800	396	22.00%	(1,789)	-81.88%
Child Safety Fund	37,723	37,000	37,669	101.81%	(54)	-0.14%
Time Payment Reimb Fund	6,800	7,000	13,616	194.51%	6,816	100.24%
Municipal Jury Fund	253	500	374	74.80%	121	47.83%
Building Security Fines	18,977	24,000	20,378	84.91%	1,401	7.38%
Admin of Justice Fines	1,903	2,000	794	39.70%	(1,109)	-58.28%
Court Technology Fines	18,841	25,000	17,648	70.59%	(1,193)	-6.33%
Local Truancy Diversion Fund	24,878	32,000	22,143	69.20%	(2,735)	-10.99%
Teen Court Program	360	300	360	120.00%	0	0.00%
TOTAL REVENUES	111,920	129,600	113,378	87.48%	1,458	1.30%
EXPENDITURES						
Child Safety Fund	35,000	35,000	35,000	100.00%	0	0.00%
Building Security Fund	20,000	1,000	1,000	100.00%	(19,000)	-95.00%
Admin of Justice Fund	0	2,500	2,500	100.00%	2,500	0.00%
Court Technology Fund	15,000	15,000	15,000	100.00%	0	0.00%
Local Truancy Diversion Fund	30,000	30,000	30,000	100.00%	0	0.00%
Total Transfers to General Fund	100,000	83,500	83,500	100.00%	(16,500)	0.00%
School Safety Expenses	29,280	0	0	0.00%	(29,280)	0.00%
TOTAL EXPENDITURES	129,280	83,500	83,500	100.00%	(45,780)	0.00%
INCREASE/DECREASE	(17,360)	46,100	29,878			
ENDING FUND BALANCE		233,821	201,339			

a) Total fine revenue collected during the fiscal year totals \$113,378. Fines in the categories of child safety, administration of justice, court technology, and local truancy diversion have declined when compared to the last fiscal year.

b) Budgeted transfers to the General Fund were completed as scheduled.