

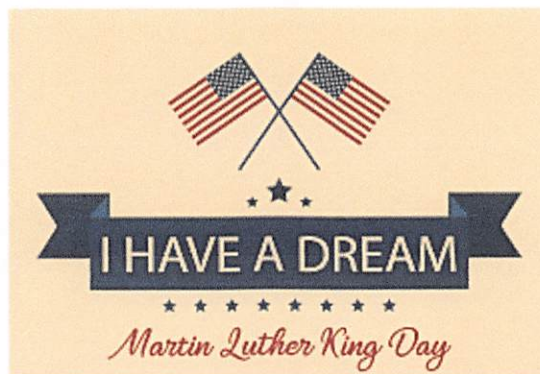


January 12, 2021

5:00 P.M.

CITY COUNCIL

MEETING AGENDA





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

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, January 12, 2021, and continuing from day to day thereafter if necessary the City Council of the City of Harker Heights, Texas, will conduct a telephonic meeting to contain the spread of COVID-19 in accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020. The subjects to be discussed are listed in the following agenda:

Mayor
Spencer H. Smith

Mayor Protem
Michael Blomquist

City Council
Jennifer McCann
Jackeline Soriano Fountain
John Reider
Jody Nicholas

MEETING AGENDA

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:

1. Proclamation declaring January 12, 2021 to be "Mayors' Monarch Pledge Day".
2. Presentations and Recognitions:
 - (a) Certificate of Appreciation presentation for the Election Official in the December 19, 2020, Municipal Runoff Election.
 - (b) Recognize departing Councilmember John Reider.

V. Installation of Officers:

1. Swear in Lynda Nash as Councilmember, Place 4. Three Year Term 2020-2023.
2. Discuss and Elect a Mayor Pro-Tem.

VI. Consent Items:

1. Discuss and consider approving the minutes of the meetings held on December 8, 2020, and December 29, 2020, and take the appropriate action.

VII. Presentations by Citizens:

1. Receive and discuss a presentation from Shay Luedeke, Bell County Tax Assessor-Collector, regarding the Child Safety Fund.

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.

VIII. Public Hearings:

1. Conduct a public hearing to discuss and consider approving an Ordinance of the City of Harker Heights, Texas, to change the zoning designation from M-1 (Light Manufacturing District) to R-1 (One Family Dwelling District) on property described as a part of the Francis Hughes Survey, Abstract No. 396, 2.02 Acres, generally located at 1911 East Veterans Memorial Boulevard, 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 change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Seven (7), Block One (1), Valley View Addition, an Addition to the City of Harker Heights, Bell County, Texas, according to the Plat of Record in Cabinet A, Slide 161-B, Plat Records of Bell County, Texas, generally located at 114 East Valley Road, 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 B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District) on property described as Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 South Roy Reynolds Drive, 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, granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)

IX. Old Business:

X. New Business:

1. Discuss and consider a request for a concept plan approval of the Village at Nolan Heights on property described as a 47.626 Acre tract of land in Bell County, Texas, being part of the H.B. Littlefield Survey, Abstract No. 511, the land herein described being part of a called 113.5 Acre tract of land conveyed to Robert Don Sutton, Trustee, generally located North of K.I.S.D. Middle School No.14 along Warriors Path, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)
2. Discuss and consider approving a request by Remco Properties, LLC, for a Concept Plan Amendment of Amy Lane Addition Concept Plan, on property described as 6.917 Acres of land, more or less, part of the Cullendar Deelee Survey, Abstract No. 991, and the J.Thomlinson Survey, Abstract No. 813, generally located within the 700 Block of South Amy Lane, Harker Heights, Bell County, Texas, and take the appropriate action. (Planning and Development Director)
3. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, awarding a contract for the Wastewater Treatment Plant Main Lift Station Stairway Safety Improvements Project in the amount of \$64,000.00 to Primespec Construction, LLC; Authorize the City Manager to sign and act on behalf of the City, and take the appropriate action. (Public Works Director)
4. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City's Participation in the No Place Like Home Challenge; Authorizing the City Manager to sign and act on behalf of the City; and take the appropriate action. (IT Director)
5. Discuss and consider approving the Adoption of a Resolution of the City Council of the City of Harker Heights, Texas, awarding financing in the amount of \$405,000 for the purchase of computers and making certain findings thereto; authorize the City Manager to sign and act on behalf of the City, and take the appropriate action. (Finance Director)
6. Discuss and consider approving a Resolution of the City Council of the City of Harker Heights, Texas, adopting the City of Harker Heights 2021-2022 Legislative Platform For the 87th Legislative Session, and take the appropriate action. (Assistant City Manager)

XI. Reports of Advisory Boards & Commissions:

XII. Items from Council:

XIII. Staff Reports:

1. Receive and discuss the City Manager's Report. (City Manager)

XIV. Announcements:

XV. Adjourment:

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 8th day of January 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

The public may participate remotely in this meeting by dialing-in using the toll-free number:

1 877 309 2073 and use Access Code: Access Code: 854-906-749

To join the meeting from your computer, tablet, or smartphone, use the following meeting link:

<https://global.gotomeeting.com/join/854906749>

The public will be permitted to offer public comments telephonically as provided by the agenda. Written questions or comments may be submitted two hours before the meeting to the City Secretary's Office. When submitting your written questions or comments, you must include your Name and Address. This agenda is also available on the City of Harker Heights website at www.harkerheights.gov

"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."



City of Harker Heights Proclamation

Whereas, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

Whereas, 20 years ago, more than one billion Eastern monarch butterflies migrated to Mexico, but in the winter of 2014, only 60 million made the trip, and the numbers continue to decline; and

Whereas, cities, towns and counties have a critical role to play to help save the monarch butterfly, and the City of Harker Heights has played a leadership role by launching Native Pocket Prairies, the Monarch Butterfly Geocaching program, and other relevant programs related to monarch butterflies; and

Whereas, every citizen of Harker Heights can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, play and worship; and

Whereas, on behalf of the people of Harker Heights who have already joined me in creating healthy habitat for these magnificent butterflies, I am honored to lead the way by signing the National Wildlife Federation's Mayors' Monarch Pledge; and I encourage other city officials across our great nation to take a stand with me so that the monarch butterfly will once again flourish across the continent.

Now Therefore, I, Spencer H. Smith, Mayor of the City of Harker Heights do hereby proclaim, January 12, 2021 to be

"Mayors' Monarch Pledge Day"

In the City of Harker Heights and urge all citizens celebrate the Mayors' Monarch Pledge by creating native plant habitats to promote the health and well-being on the monarch butterfly population in our region.

In Witness Whereof, I have set my hand and affixed the Seal of the City of Harker Height, Texas, this 12th day of January 2021.

Spencer H. Smith, Mayor
City of Harker Heights

Minutes of the of the City Council meeting held at 5:00 p.m. on Tuesday, December 8, 2020, by a telephonic meeting to contain the spread of COVID-19 in accordance with Governor Abbott's declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020:

Roll Call:	Spencer H. Smith	Mayor
	Michael Blomquist	Mayor Pro-tem
	Jennifer McCann	Councilmember Place 1
	Jackeline Soriano Fountain	Councilmember Place 3
	John Reider	Councilmember Place 4
	Jody Nicholas	Councilmember Place 5
	David Mitchell	City Manager
	Julie Helsham	City Secretary

Consent Items:

1. Council discussed and considered approving the minutes of the meetings held on November 10, 2020, November 17, 2020, November 23, 2020, and December 1, 2020. Reider made the motion to approve as written. Seconded by McCann. All in favor. Motion approved 5-0.

Presentations by Citizens:

Mr. Steve Woods, 1415 Indian Trail, Harker Heights, Texas, made a presentation regarding the City's Carport Policy.

Mr. Ronald Thomas, 220 W. Beeline Lane, Harker Heights, Texas made a presentation regarding his request for the City to change Section 95.4 "Noise Ordinance" of the City of Harker Heights Code of Ordinances.

Mr. Jeffrey K. Harris, 1102 Windy Hill, Harker Heights, Texas, inquired about the decibel levels allowed in the Noise Ordinance.

Ms. Lynda Nash, 3006 Sundance Drive, Harker Heights, Texas, made a presentation regarding a Community Clean-up on December 12th at 901 South Ann Boulevard. Ms. Nash thanked Public Works Director Mark Hyde for suppling the trash bags and for his help in getting the north side of town cleaned up.

Public Hearings:

1. Council conducted 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-4 (Secondary and Highway Business District) on property described as Kern Acres Second Extension and Revision, Block Three (3), Lot Twelve (12), generally located at 106 W. Kathey Road, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Tim Kropp, applicant, was present to represent the request. Blomquist made the motion to approve. Seconded by Fountain. All in favor. Motion approved 5-0.
2. 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-3 (Multi Family dwelling district) to R-1(M) (One family manufactured home dwelling district) on property described as Comanche Land first unit, block four (4), lot four (4), generally located at 1408 Yuma Trail, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Michelle Simpson, applicant was present via telecommunication to represent the request. Reider made the motion to disapprove. Seconded by Fountain. All in favor. Motion to disapprove passed 5-0.

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 R-2 (Two Family Dwelling District) on property described as 6.51 Acres out of a 47.626 Acre Tract of land in Bell County, Texas, Being Part of the H.B. Littlefield Survey, Abstract No. 511, the land herein described being Part of a Called 113.5 Acre Tract of land conveyed to Robert Don Sutton, Trustee, generally located north of Killeen ISD Middle School No. 14 along Warriors Path, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Dustin King, applicant, was present to represent the request. Reider made the motion to approve. Seconded by McCann. McCann, Fountain, Reider and Nicholas in favor. Blomquist against. Motion passed by a super majority vote of 4-1.

New Business:

1. Council discussed and considered approving a request for the Concept Plan of Abooha Toklo Addition Section Two on property described as 10.395 acres out of the H.B. Littlefield Survey, Abstract 511, generally located within the 1700 Block of Warriors Path, and property described as the Marley Addition Amended, Block One (1), Lot Eight (8), 2.257 Acres, generally located within the 1700 Block of Warriors Path, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. Nicholas made the motion to approve. Seconded by Blomquist. All in favor. Motion approved 5-0.
2. Council discussed and considered approving a request for Preliminary Plat Approval for Abooha Toklo Addition Phase Two on property described as approximately 1.807 Acres of land, being all of Lot Three, Block One, Abooha Toklo Addition Phase One, generally located near the intersection of Pontotoc and Pueblo Trace, Harker Heights, Bell County, Texas. Kristina Ramirez, Planning and Development Director, made the presentation. McCann made the motion to approve a request for preliminary plat approval for the proposed plat, Abooha Toklo Addition Phase Two, on property described as 1.807 acres of land being all of Lot Three (3), Block One (1), Abooha Toklo Addition Phase One, of record in Plat No. 2020-38421, generally located near the intersection of Pueblo Trace and Pontotoc Trace, Harker Heights, Bell County, Texas. Seconded by Nicholas. All in favor. Motion approved 5-0.
3. Council discussed and considered approving a Resolution of the City Council of the City of Harker Heights, Texas, authorizing the City's participation in the Traffic Enforcement Program Grant administered by the Texas Department of Transportation for funding the salaries of Officers to conduct extra traffic enforcement and education in areas of the City that are experiencing higher vehicle collisions. Phil Gadd, Police Chief, made the presentation. Reider made the motion to approve a Resolution authorizing the City's participation in the Selective Traffic Enforcement Program Grant program administered by The Texas Department of Transportation for funding \$11,998.79 towards officer overtime salaries to increase enforcement and education in known traffic problem areas, and reduce the number of crashes in those areas. Seconded by Blomquist. All in favor. Motion approved 5-0.
4. Council discussed and considered approving a Resolution of the City of Harker Heights, Texas, updating the Names of Authorized Signers for all Financial Transactions Conducted by the City. Ayesha Lealiiiee, Finance Director, made the presentation. McCann made the motion to approve. Seconded by Nicholas. All in favor. Motion approved 5-0.
5. Council discussed and considered approving the City of Harker Heights Coronavirus Relief Fund (CRF) Water Payment Assistance Grant Program. Ayesha Lealiiiee, Finance Director, made the presentation. Nicholas made the motion to approve. Seconded by Fountain. All in favor. Motion approved 5-0.

6. Council discussed and considered approving a request from Robin Fisher for a facility rental at the Community Park Pavilion for an event in excess of ten (10) people on Friday, December 18, 2020. Jeff Achee, Parks and Recreation Director, made the presentation. McCann made the motion to approve. Seconded by Blomquist. All in favor. Motion approved 5-0.

Reports of Advisory Boards & Commissions:

Mayor Pro-tem Blomquist stated he will be attending the Bell County Health Board Meeting on Monday, December 14th and that the COVID-19 vaccine distributions are imminent.

Items from Council:

Mayor Pro-tem Blomquist stated that the Harker Heights Virtual Tree Lighting Ceremony on December 3rd was a great production and a huge success.

Councilmember McCann suggested to Workshop the City's Future Land Use Map with the new Planning and Development Director Kristina Ramirez around the beginning of the new year.

Staff Reports:

1. Council received and discussed the City Manager's Report. David Mitchell, City Manager, made the presentation. No action taken.

Closed Meeting:

1. At 7:10 p.m. the Mayor announced a closed meeting for the following purposes:
 - (A) Pursuant to 551.071 of the Texas Government Code to discuss with Attorneys regarding Pending Litigation and Other Matters as Allowed.
2. At 7:39 p.m. the Mayor reconvened the open meeting to take the appropriate action on matters discussed in the closed meeting. No action taken.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 7:40 p.m.

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

Minutes of the of the City Council of the City of Harker Heights, Texas, Special Meeting held at 3:00 p.m. on Tuesday, December 29, 2020, by a telephonic meeting to contain the spread of COVID-19 in accordance with Governor Abbott’s declaration of the COVID-19 public health threat and action to temporarily suspend certain provisions of the Texas Open Meetings Act issued on March 16, 2020:

Roll Call:	Spencer H. Smith	Mayor
	Michael Blomquist	Mayor Pro-tem
	Jennifer McCann	Councilmember Place 1
	Jackeline Soriano Fountain	Councilmember Place 3
	John Reider	Councilmember Place 4
	Jody Nicholas	Councilmember Place 5
	David Mitchell	City Manager
	Julie Helsham	City Secretary

New Business:

1. Council Canvassed Election Returns for the December 19, 2020, Municipal Runoff Election for the City of Harker Heights, Texas.

Councilmember McCann canvassed the Election returns. The results are as follows:

TOTAL VOTERS – 1,603

COUNCILMEMBER, PLACE 4 CANDIDATES	TOTAL VOTES
Terry Delano	771 / 48.1%
Lynda Nash	832 / 51.9%

Lynda Nash was declared the winner for the Councilmember, Place 4 race for a three-year term (2020-2023).

McCann made the motion to approve. Seconded by Blomquist. All in favor. Motion approved 5-0.

Adjournment:

There being no further business the City of Harker Heights City Council Meeting was adjourned at 3:06 p.m.

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



**CITY COUNCIL
MEMORANDUM**

Z21-01

AGENDA ITEM VIII-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 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 M-1 (LIGHT MANUFACTURING DISTRICT) TO R-1 (ONE FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS A PART OF THE FRANCIS HUGHES SURVEY, ABSTRACT NO. 396, 2.02 ACRES, GENERALLY LOCATED AT 1911 EAST VETERANS MEMORIAL BOULEVARD, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a change from the current zoning of M-1 (Light Manufacturing District) to R-1 (One Family Dwelling District) on property addressed as 1911 E. Veterans Memorial Blvd. The property consist of approximately two (2) acres and the request, if granted, will enable the applicant to construct a single family house on the property.

The subject property was previously taken to the Building and Standards Commission in 2015 and was determined that a site built structure on the property was unsafe, substandard, dangerous, and in violation of the minimum standards set forth in §160.04. The case was ordered by the Commission to be demolish or removed from the property. On July 2, 2015 a demolition permit was pulled in order to remove the structure and all debris including foundation and sidewalks. All work was adequately completed and the lot has remained vacant to date.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant	Manufacturing/Industrial	M-1 (Light Manufacturing)
South	City of Nolanville (Residential/Commercial)	City of Nolanville	City of Nolanville
East	City of Nolanville (Vacant)	City of Nolanville	City of Nolanville
West	Vacant	Mobile Home Park	R-MH (Manufactured Home Park)

Per the 2007 Comprehensive Plan the applicant’s property is located in an area designated as Manufacturing/Industrial. This designation was intended to develop within close proximity to the northern portions of the City in order to create the following:

- Ample area for future expansions of the existing facilities,

- Convenient access to transportation facilities, highways, railroads, and
- Locations that are separate from but within an easy commuting distance of residential areas.

A survey of the area identified most of the surrounding properties to be primarily vacant tracts of land with several commercial businesses west along E. Veterans Memorial Boulevard. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impact on the surrounding area. The rezone request would not be consistent with the 2007 City of Harker Heights Comprehensive Plan. However, the presence of the FEMA flood area inundating a majority of the property and properties to the north have impeded development that is consistent with Light Manufacturing/Industrial uses. The area is also not immediately serviced by City wastewater lines and would therefore require to be serviced by an on-site septic system.

Flood Damage Prevention:

Part of the subject property is identified as AE Flood Zone defined as areas subject to inundation by the 1-percent-annual-chance of flooding (see attached FEMA Flood Map).

Notices:

Staff sent out eleven (11) notices to property owners within the 400-foot notification area. Zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

Following a public hearing held on January 6, 2021, the Planning and Zoning Commission voted (8-0) to recommend denial of the request to change zoning designation from M-1 (Light Manufacturing District) to R-1 (One Family Dwelling District) on property described as a part of the Francis Hughes Survey, Abstract No. 396, 2.02 acres, generally located at 1911 E. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.

RECOMMENDATION:

Staff recommended denial to the Planning & Zoning Commission of an ordinance to change the zoning designation from M-1 (Light Manufacturing District) to R-1 (One Family Dwelling District) on property described as a part of the Francis Hughes Survey, Abstract No. 396, 2.02 acres, generally located at 1911 E. Veterans Memorial Boulevard, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use does not meet the goals, objectives and policies set forth in the 2007 City of Harker Heights Comprehensive Plan as Manufacturing and Industrial land use designations.
2. The proposed use could create adverse effects on surrounding Commercial and Manufacturing/Industrial designated properties, and would likely not be harmonious within the proposed area.
3. The proposed use a single family residential could potentially fail to protect persons and property from flood or water damage due to its close proximity to the studied FEMA flood hazard area.

4. **Because the Planning & Zoning Commission recommended denial of the zoning change request for the property, per §155.212(D) (2) of the City of Harker Heights Code of Ordinances, a three-fourths (super-majority) approval vote from the City Council to approve the requested zoning change.**

- **§155.212(D) Vote Require**

...

2. If such proposed amendment, supplement, or change has not been approved by the Planning and Zoning Commission, the amendment, supplement or change shall not become effective except by a three-fourths approval vote by the City Council.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove an Ordinance to change the zoning designation from M-1 (Light Manufacturing District) to R-1 (One Family Dwelling District) on property described as a part of the Francis Hughes Survey, Abstract No. 396, 2.02 acres, generally located at 1911 East Veterans Memorial Boulevard, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Ordinance
2. Application
3. Location Map
4. Existing Land Use Map
5. Zoning Map
6. Future Land Use Map
7. FEMA Flood Map
8. Notification Area Map

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING R-1 ZONING ON PROPERTY DESCRIBED AS A PART OF THE FRANCIS HUGHES SURVEY, ABSTRACT NO. 396, 2.02 ACRES, GENERALLY LOCATED AT 1911 EAST VETERANS MEMORIAL BOULEVARD, 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 M-1 (Light Manufacturing District) is rezoned to R-1 (One Family Dwelling District):

a part of the Francis Hughes Survey, Abstract No. 396, 2.02 acres, generally located at 1911 E. Veterans Memorial Boulevard, 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>
	01/12/21	Granting R-1 zoning on property described as a part of the Francis Hughes Survey, Abstract No. 396, 2.02 Acres, generally located at 1911 E. Veterans Memorial Boulevard, 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 January 12, 2021.

CITY OF HARKER HEIGHTS, TEXAS

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



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: Travis Wade Mills Date: 12-2-20

Address: 123 Jordan Loop

City/State/Zip: Nolanville, TX 76559

Phone: [Redacted] E-mail: [Redacted]

Legal Description of Property:

Location of Property (Address if available): 1911 E. Veterans Memorial Blvd

Lot: _____ Block: _____ Subdivision: _____

Acres: 2.02 Property ID: 74988 Survey: Ab 396 BC FHUGHS

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

Proposed Use: Single Family Home

Current Zoning Classification: Commercial M1^{WE} Proposed Zoning: R-1

Current Land Use: Vacant Proposed Land Use: Single Family Home

Applicant's Representative (if applicable):

Applicant's Representative: _____

Phone: _____ E-Mail: _____

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

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

Travis W. Mills
 Printed Name of Property Owner

[Signature]
 Signature of Property Owner

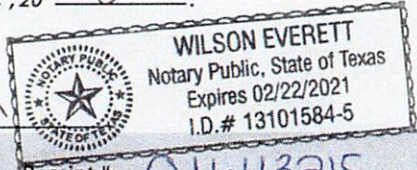
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9 DAY OF December, 2020

Wilson Everett
 SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/2021



Date Submitted: 12/19/2020

STAFF ONLY -- DO NOT FILL OUT BELOW

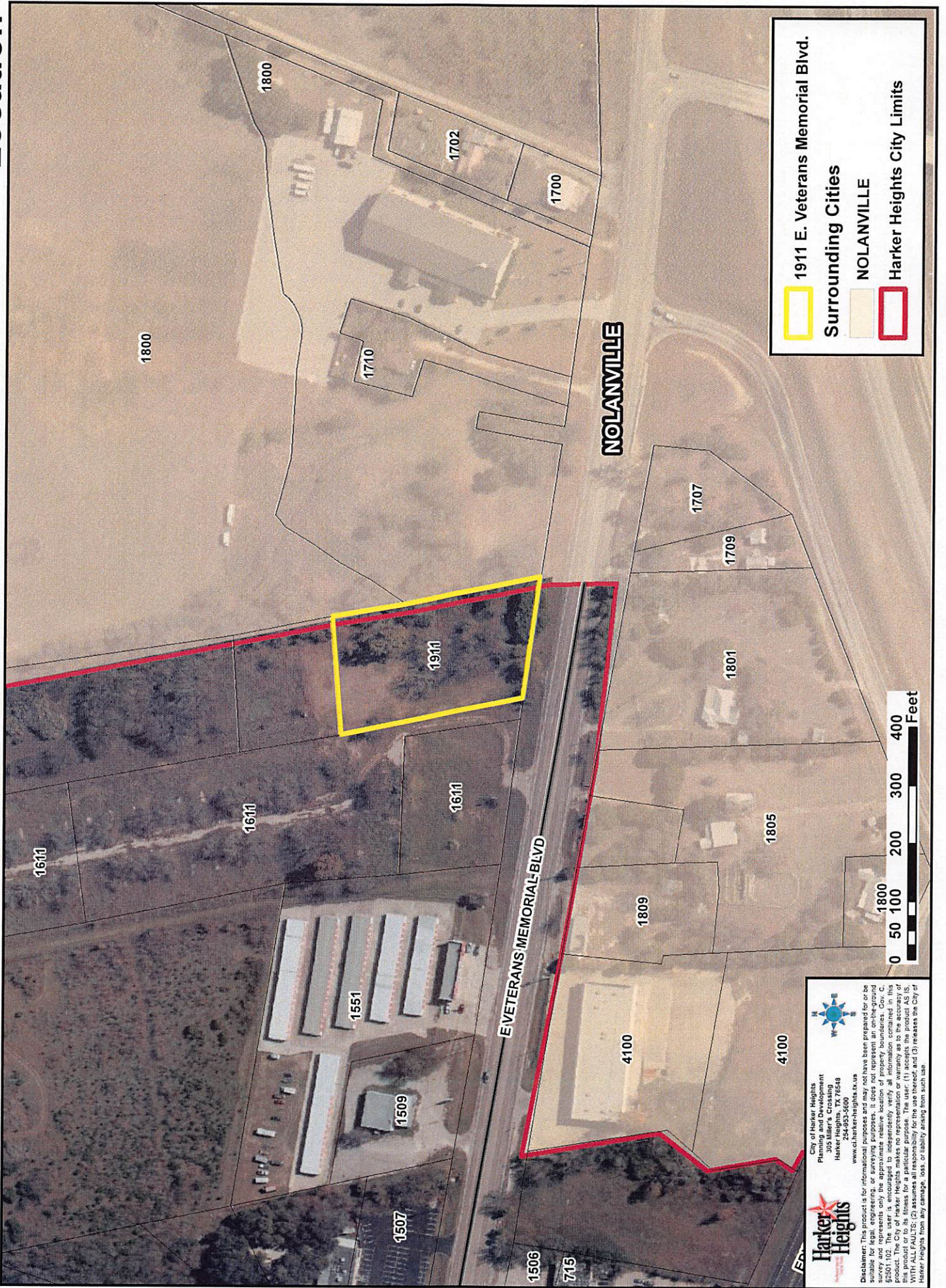
Pre-Application Meeting

Receipt #: 01643215

Received By: Wilson Everett

Revised: 5/2020

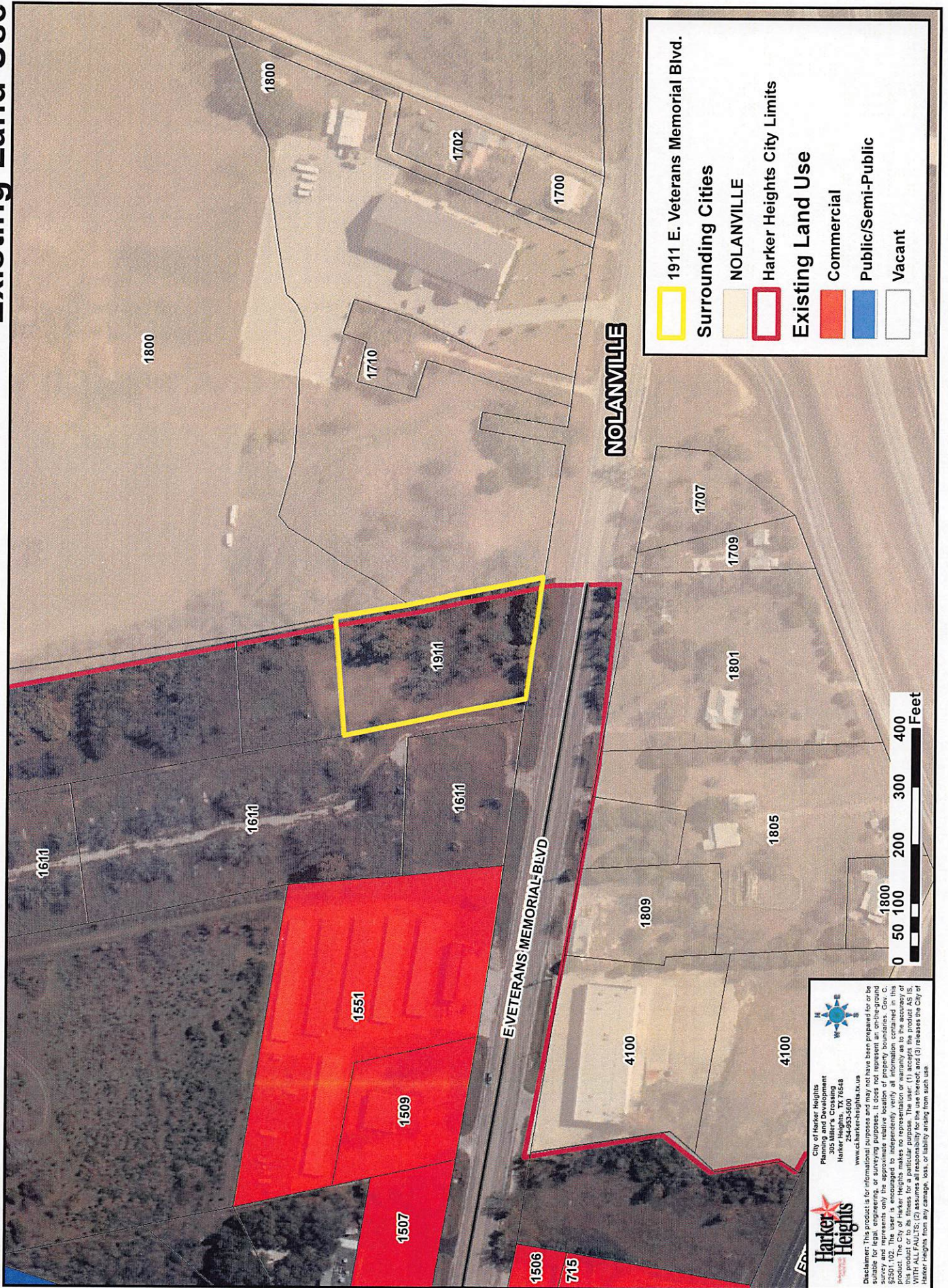
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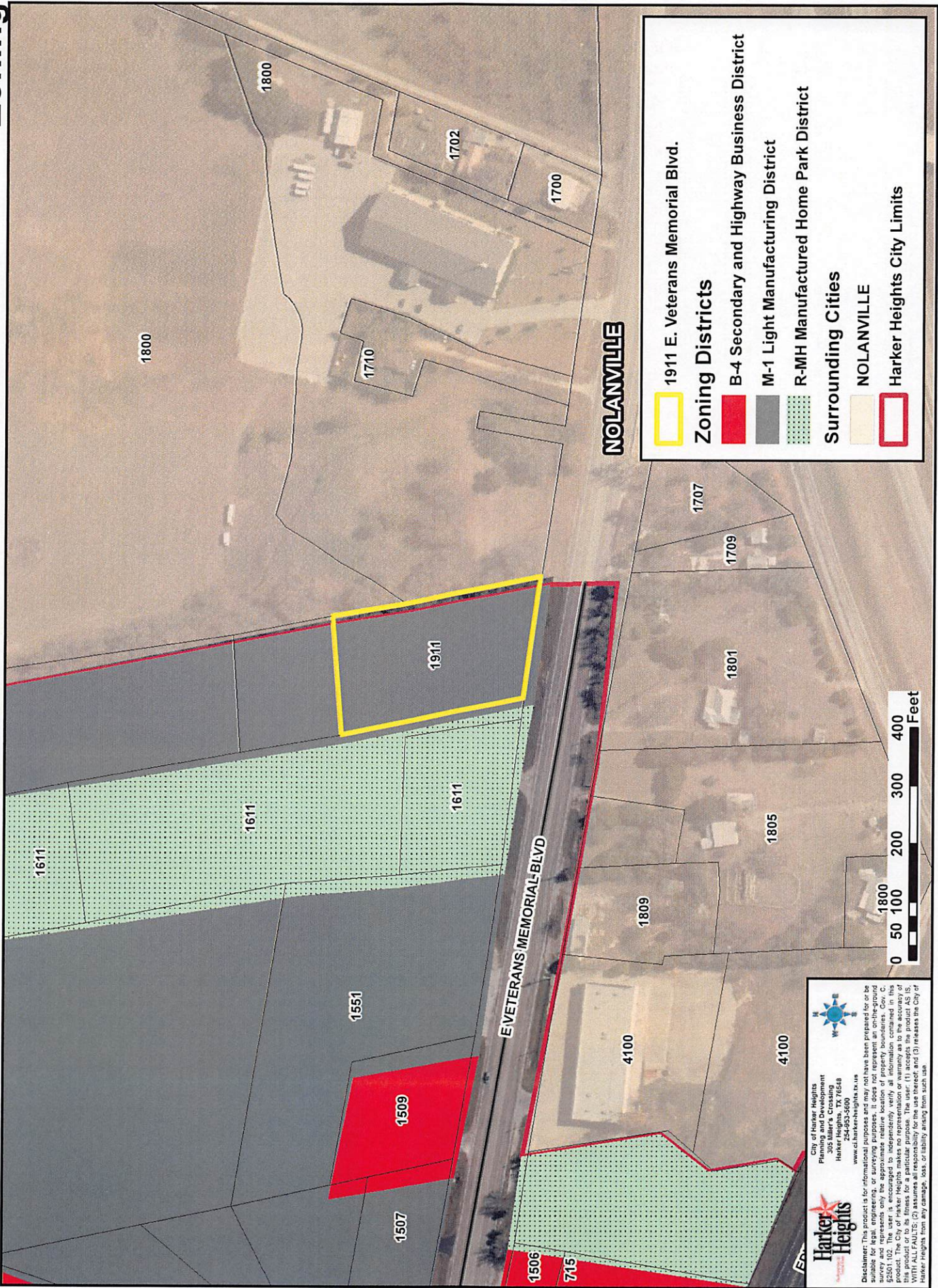


Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
www.ci.harkerheights.tx.us

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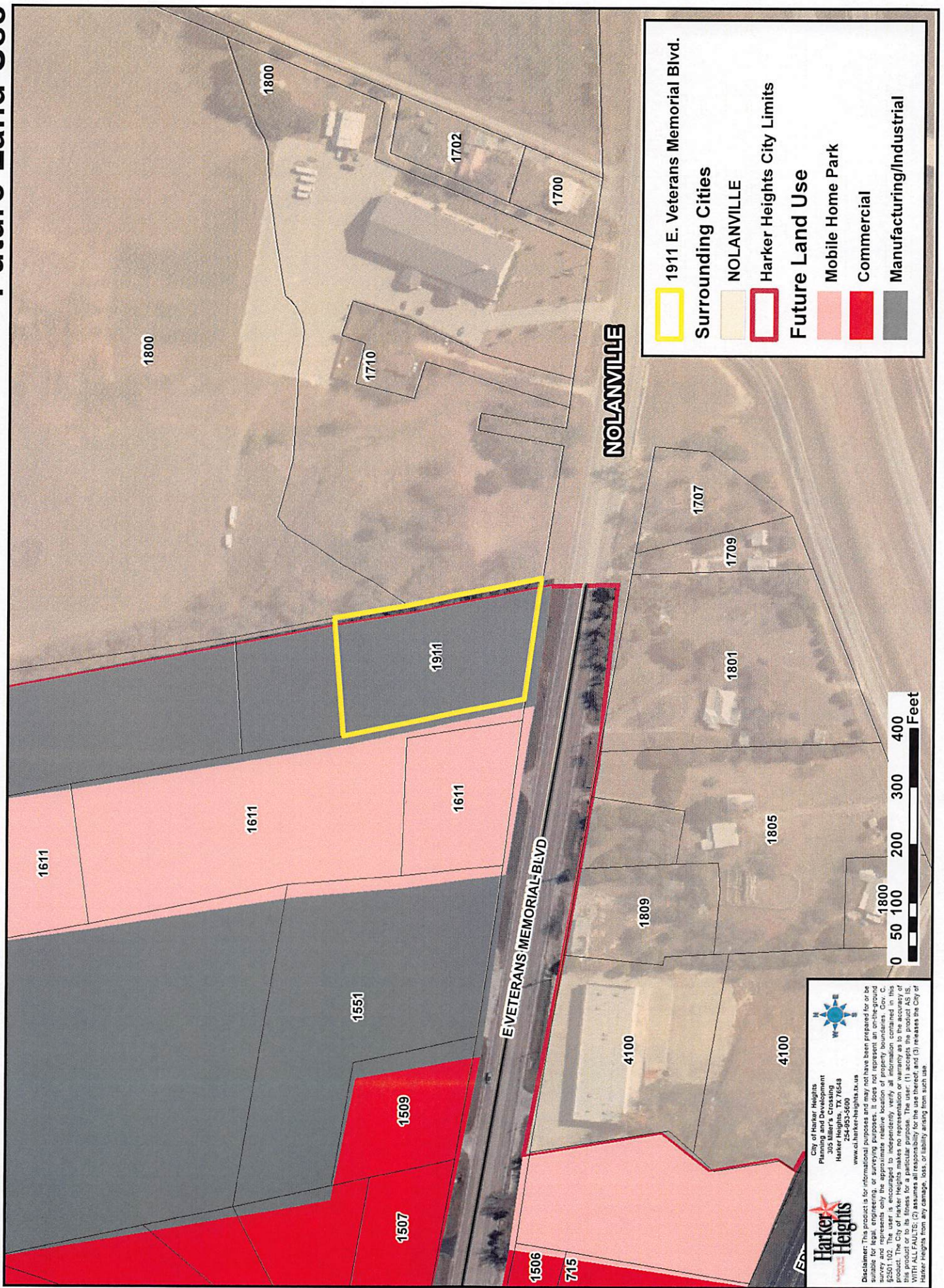






Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76648
 254-853-5800
 www.ci.harkerheights.tx.us

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1911 E. Veterans Memorial Blvd.

Surrounding Cities

- NOLANVILLE

Harker Heights City Limits

Future Land Use

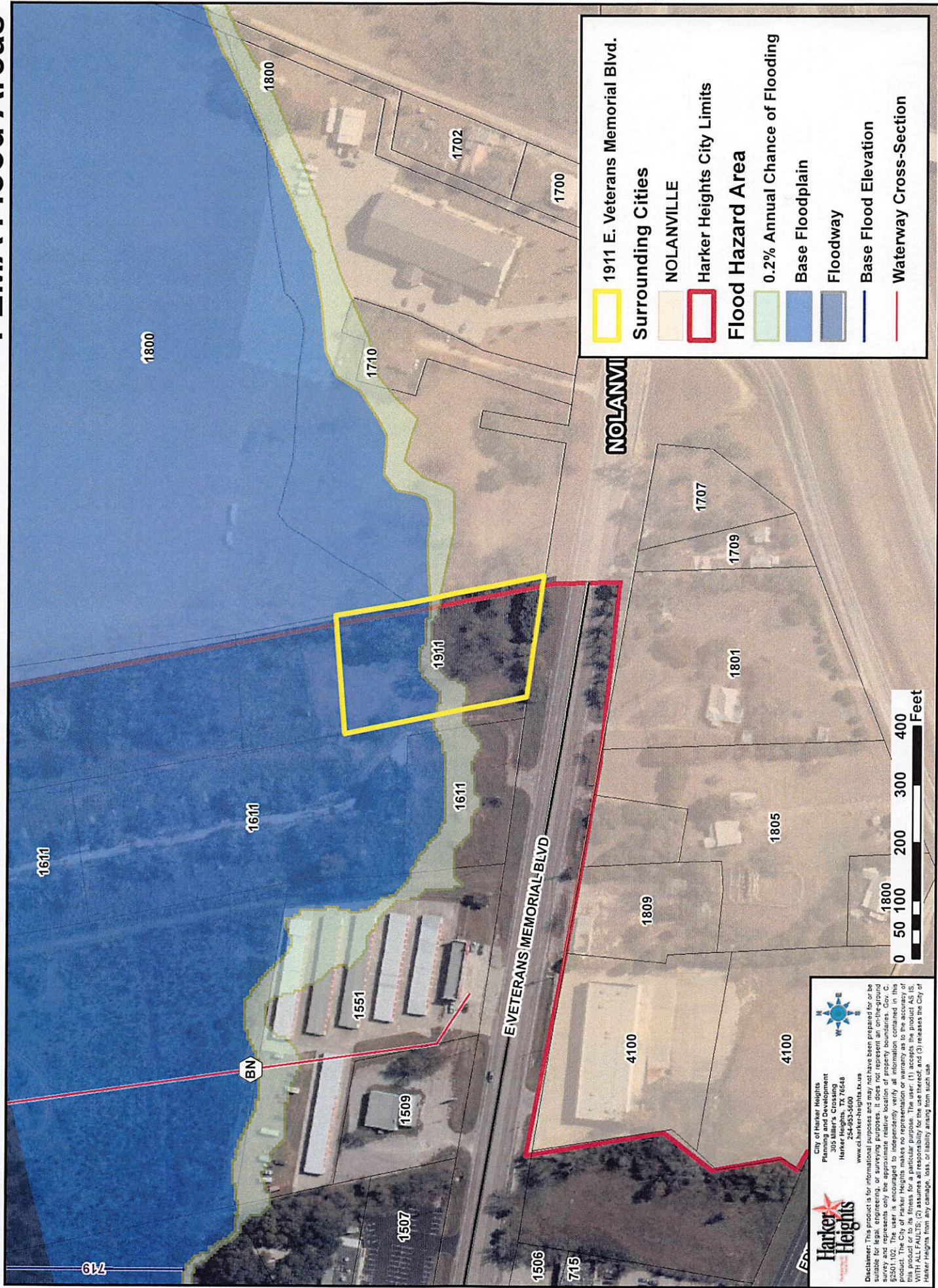
- Mobile Home Park
- Commercial
- Manufacturing/Industrial

Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76648
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1911 E. Veterans Memorial Blvd.

Surrounding Cities

- NOLANVILLE
- Harker Heights City Limits

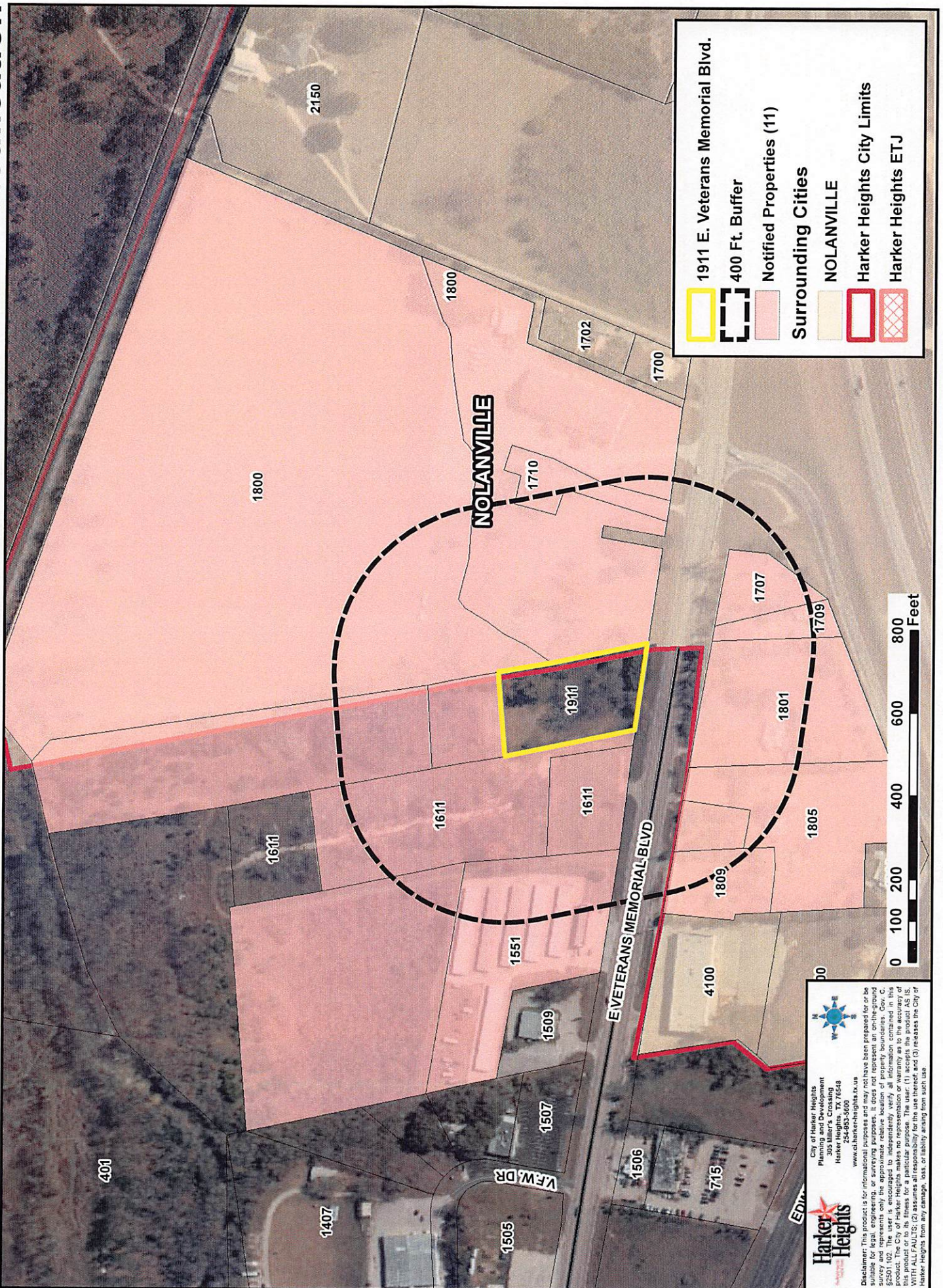
Flood Hazard Area

- 0.2% Annual Chance of Flooding
- Base Floodplain
- Floodway
- Base Flood Elevation
- Waterway Cross-Section

Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
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Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-3600
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**CITY COUNCIL
MEMORANDUM**

Z21-02

AGENDA ITEM VIII-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 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 R-2 (TWO FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LOT SEVEN (7), BLOCK ONE (1), VALLEY VIEW ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET A, SLIDE 161-B, PLAT RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 114 EAST VALLEY ROAD, 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 R-2 (Two Family Dwelling District) on property addressed as 114 E. Valley Road. The property consists of approximately 9,362 square feet, and the request will enable the applicant to construct one (1) duplex on the property as the existing lot meets the intensity of use requirements of the R-2 zoning district (8,400 square feet).

On August 31, 2011, the subject property was taken to the Building and Standards Commission and was determined that a structure on the property was unsafe, substandard, dangerous, and in violation of the minimum standards set forth in §160.04. The case was ordered by the Commission to be demolish or removed from the property. After inaction from the property owner/lienholder the City of Harker Heights took action to demolish the structure and charged all expenses incurred by the City to the owner.

The current property owner has requested forgiveness for all or part of City liens in the amount of \$16,602.75. On November 10, 2020, the City Council of the City of Harker Heights heard this request and acted to reduce part of the City’s liens from \$16,602.75 to \$9,179.00. This action was passed unanimously by Council with a vote of 5-0.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Single Family Residence	Mixed Residential	R-1 (One Family Dwelling District)
South	Multi-Family Residence	Commercial	B-4 (Secondary & Highway Business District)

East	Duplex	Mixed Residential	R-1
West	Single Family Residence	Mixed Residential	R-1

Per the 2007 Comprehensive Plan, the applicant’s property is located in an area designated as Mixed Residential. This designation includes stick-built single-family homes, manufactured housing, and duplexes, and a survey of the area identified most of the properties to consist of these residential forms. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impacts on the neighborhood and would be consistent with the 2007 City of Harker Heights Comprehensive Plan.

Flood Damage Prevention:

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

Notices:

Staff sent out thirty-nine (39) notices to property owners within the 400-foot notification area. There were zero (0) responses received in favor of the request, and zero (0) responses received in opposition of the request.

ACTION TAKEN BY PLANNING AND ZONING COMMISSION:

Following a public hearing held on January 6, 2021, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Seven (7), Block One (1), Valley View Addition, an addition to the City of Harker Heights, Bell County, according to the plat of record in Cabinet A, Slide 161-B, Plat Records of Bell County, generally located at 114 E. Valley Road, Harker Heights, Bell County, Texas.

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 R-2 (Two Family Dwelling District) on property described as Lot Seven (7), Block One (1), Valley View Addition, an addition to the City of Harker Heights, Bell County, according to the plat of record in Cabinet A, Slide 161-B, Plat Records of Bell County, generally located at 114 E. Valley Road, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning are in accordance with the City’s adopted Future Land Use Map.
2. The proposed use and rezoning are compatible with existing uses in the neighborhood.
3. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove an Ordinance to change the zoning designation from R-1 (One Family Dwelling District) to R-2 (Two Family Dwelling District) on property described as Lot Seven (7), Block One (1), Valley View Addition, an addition to the City of Harker Heights, Bell County, according to the plat of record in Cabinet A, Slide 161-B, Plat Records of Bell County, generally located at 114 East Valley Road, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING R-2 ZONING ON PROPERTY DESCRIBED AS LOT SEVEN (7), BLOCK ONE (1), VALLEY VIEW ADDITION, AN ADDITION TO THE CITY OF HARKER HEIGHTS, BELL COUNTY, TEXAS, ACCORDING TO THE PLAT OF RECORD IN CABINET A, SLIDE 161-B, PLAT RECORDS OF BELL COUNTY, TEXAS, GENERALLY LOCATED AT 114 EAST VALLEY ROAD, 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) is rezoned to R-2 (Two Family Dwelling District):

Lot Seven (7), Block One (1), Valley View Addition, an addition to the City of Harker Heights, Bell County, according to the plat of record in Cabinet A, Slide 161-B, Plat Records of Bell County, generally located at 114 East Valley Road, 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>
	01/12/21	Granting R-2 zoning on property described as Lot Seven (7), Block One (1), Valley View Addition, an addition to the City of Harker Heights, Bell County, according to the plat of record in Cabinet A, Slide 161-B, Plat Records of Bell County, generally located at 114 East Valley Road, 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 January 12, 2021.

CITY OF HARKER HEIGHTS, TEXAS

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary

drop off

Dec 9

Jan 6 P&Z mtg



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: Raymond Hamden Date: 11-18-2020

Address: PO Box 2008

City/State/Zip: Harker Heights TX 76548

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

Legal Description of Property:

Location of Property (Address if available): 114 E Valley Rd

Lot: 7 Block: 1 Subdivision: Valley View

Acres: 0.215 Property ID: 33892 Survey: _____

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

Proposed Use: R-2

Current Zoning Classification: R-1 Proposed Zoning: R-2

Current Land Use: Recreat Proposed Land Use: R-2

Applicant's Representative (if applicable):

Applicant's Representative: _____

Phone: _____ E-Mail: _____

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

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

Raymond Hamden
Printed Name of Property Owner

[Signature]
Signature of Property Owner

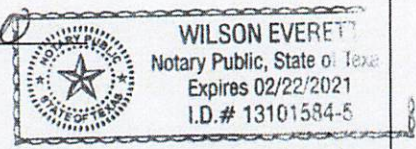
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9 DAY OF December, 2020

Wilson Everett
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 2/22/2021



Date Submitted: December 9, 2020

Received By: Wilson Everett

STAFF ONLY -- DO NOT FILL OUT BELOW

Pre-Application Meeting

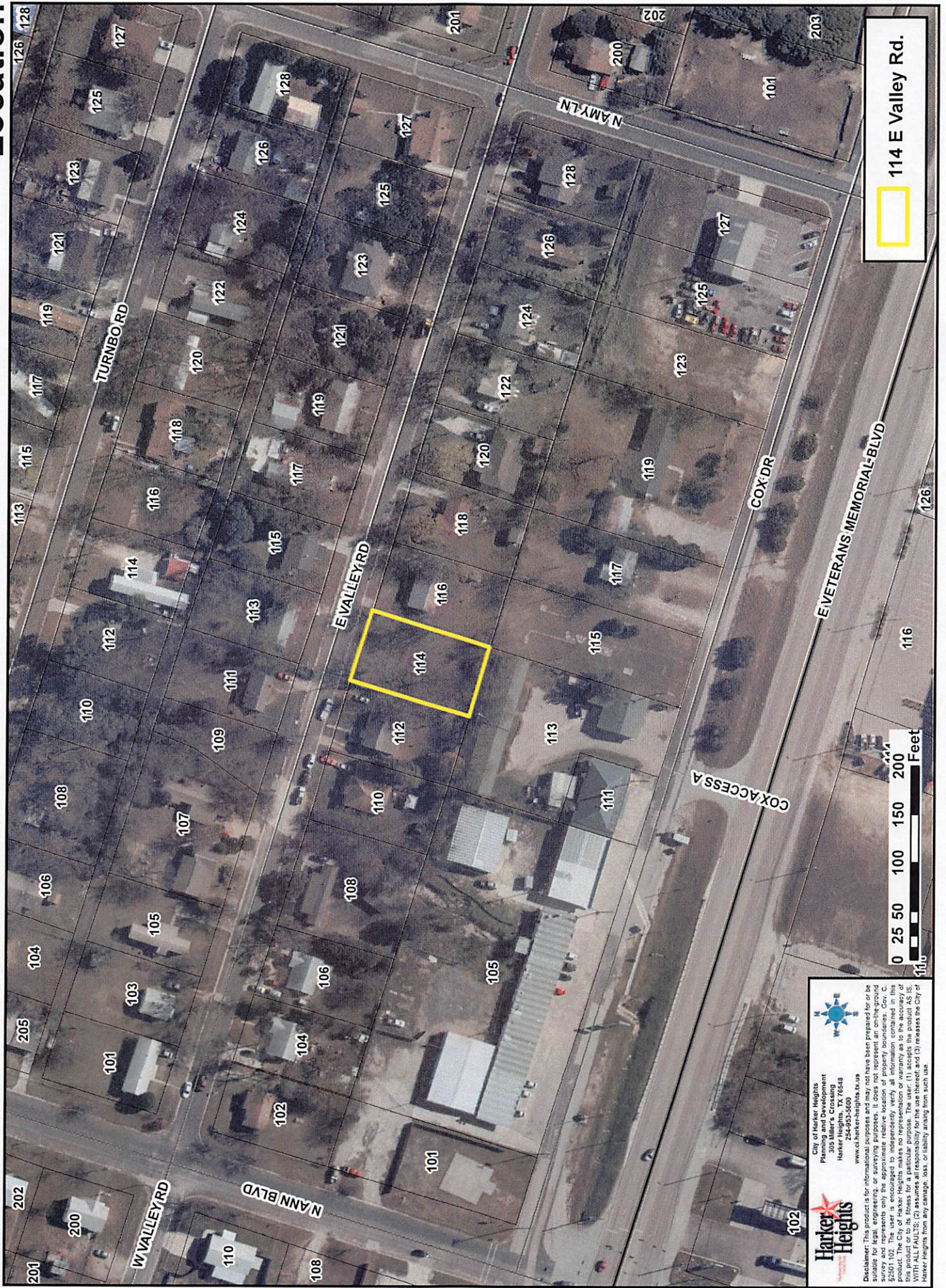
Revised: 5/2020

Receipt #: 01643186

Case #: P21-02

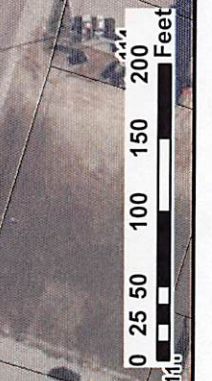
Z20-02

Location

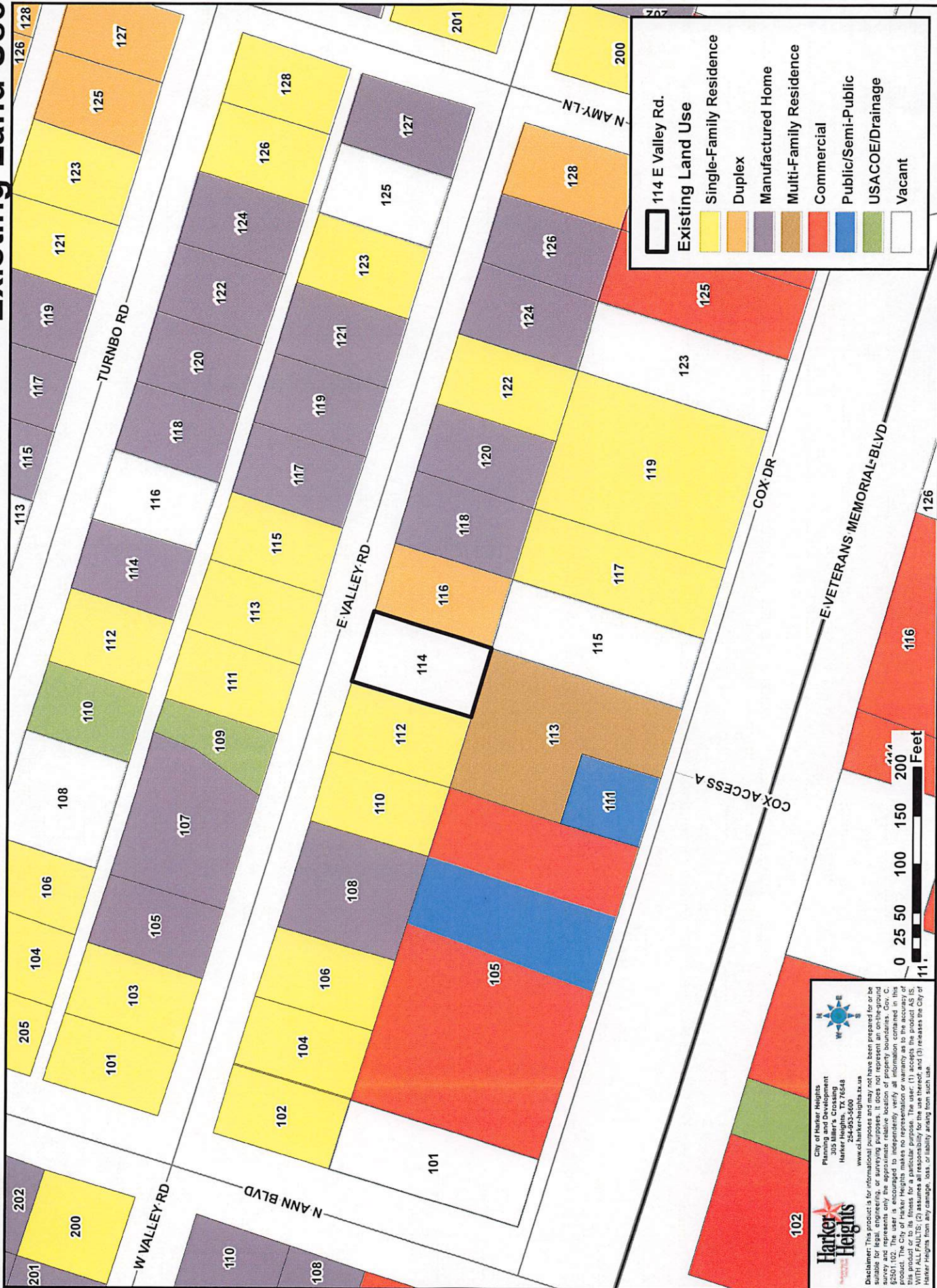


Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
www.ci.harkerheights.tx.us

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114 E Valley Rd.



114 E Valley Rd.

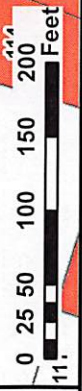
Existing Land Use

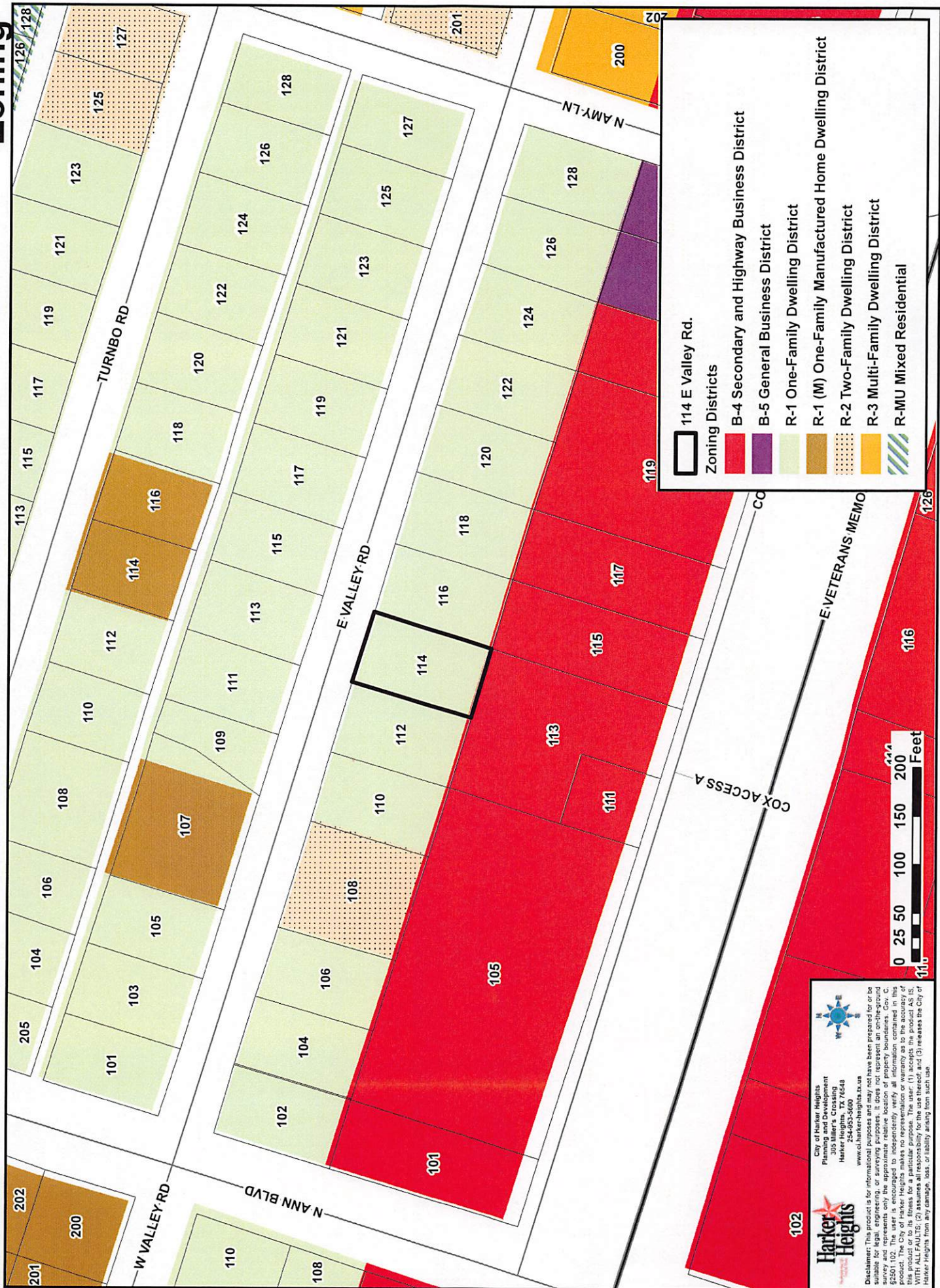
- Single-Family Residence
- Duplex
- Manufactured Home
- Multi-Family Residence
- Commercial
- Public/Semi-Public
- USA COE/Drainage
- Vacant

Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
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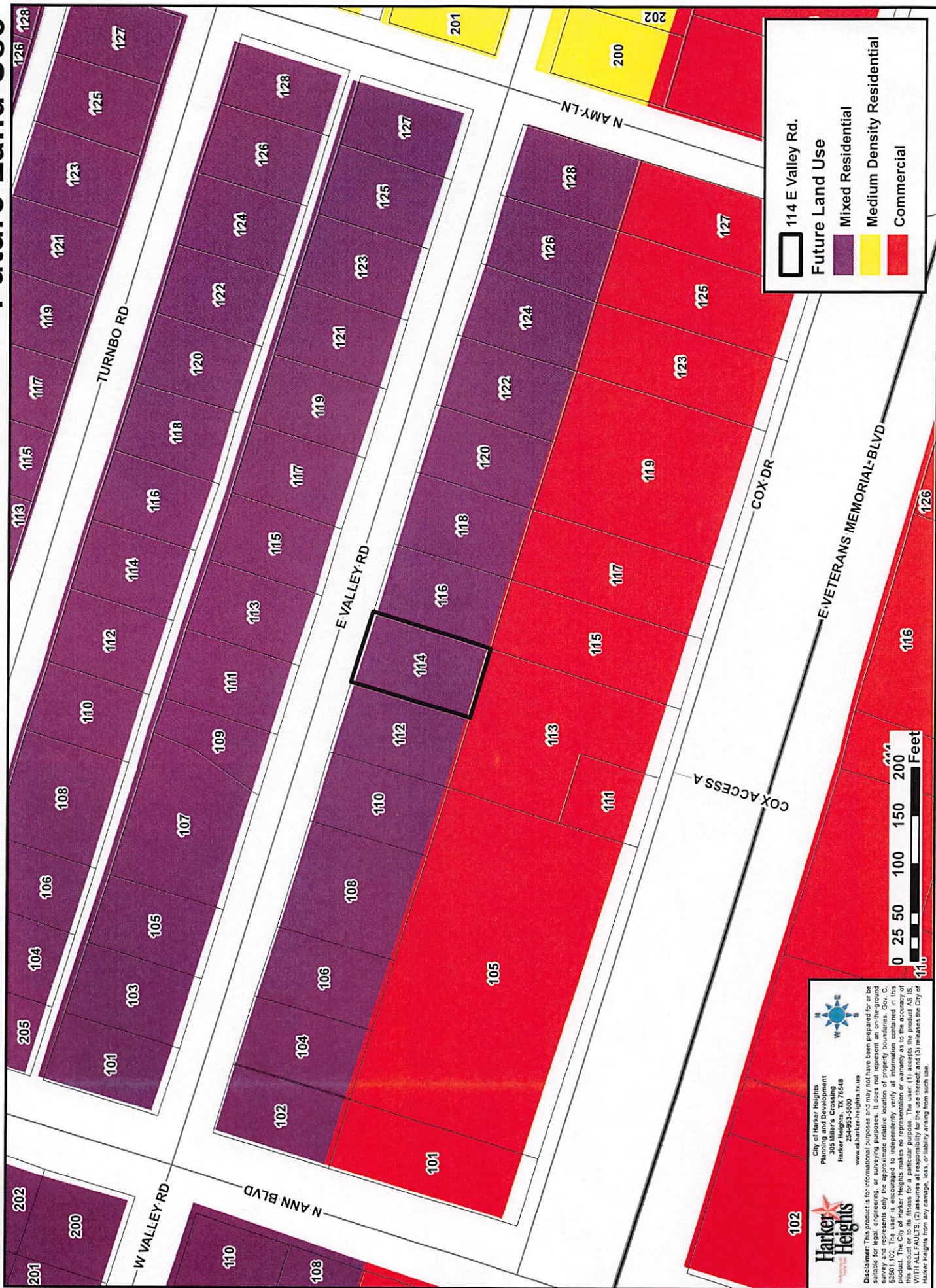




City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 817.952.3000
 www.ci.harkerheights.tx.us

Harker Heights

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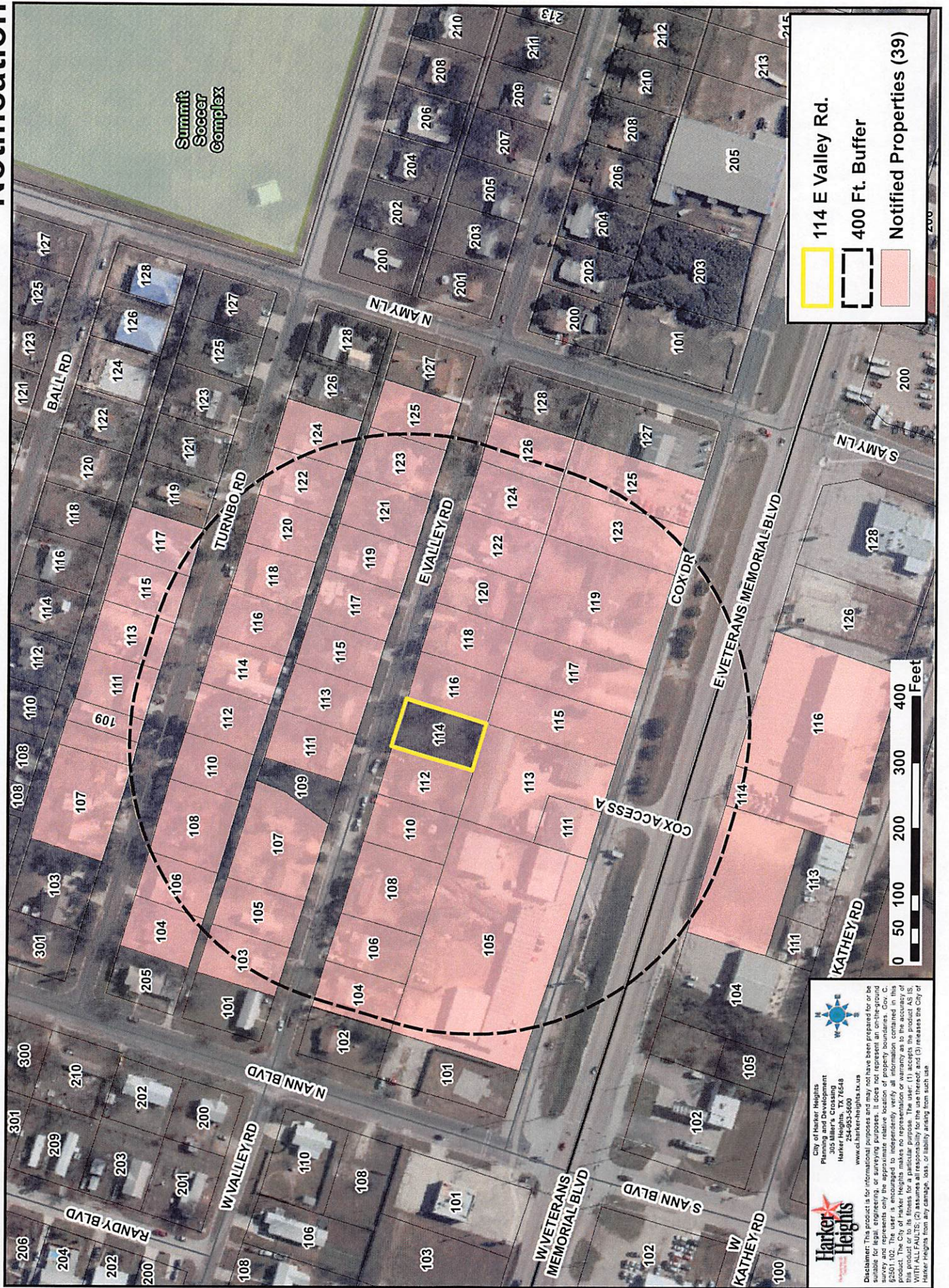
114 E Valley Rd.

Future Land Use

- Mixed Residential
- Medium Density Residential
- Commercial

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
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**CITY COUNCIL
MEMORANDUM**

Z21-03

AGENDA ITEM VIII-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 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 B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) TO R-1 (ONE FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS BLOCK SEVEN (7), LOT ONE (1), STILLFOREST ADDITION REPLAT, GENERALLY LOCATED AT 1003 SOUTH ROY REYNOLDS DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a change from the current zoning of B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District) on property addressed as 1003 S. Roy Reynolds Drive. The property consist of approximately 9,048 square feet and the request will enable the applicant to construct a single-family house on the property.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Commercial	Commercial	B-5 (General Business District)
South	Single Family Residence	Single Family Residential	R-1 (One Family Dwelling District)
East	Single Family Residence	Single Family Residential	R-1
West	City of Killeen (Single Family)	City of Killeen	City of Killeen

Per the 2007 Comprehensive Plan the applicant’s property is located in an area designated as Single Family Residential. A survey of the area identified most of the surrounding properties to be primarily single-family residences with several commercial businesses west along W. Veterans Memorial Boulevard. The rezone request is consistent with the 2007 City of Harker Heights Comprehensive Plan. Staff therefore believes the proposed rezoning with its intended use will not likely have any adverse impact on the surrounding area.

Flood Damage Prevention:

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

Notices:

Staff sent out twenty-three (23) notices to property owners within the 400-foot notification area. Zero (0) responses were received in favor of the request, and zero (0) responses were received in opposition of the request.

ACTION TAKEN BY PLANNING AND ZONING COMMISSION:

Following a public hearing held on January 6, 2021, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District) on property described as Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas.

RECOMMENDATION:

Staff recommended approval to the Planning & Zoning Commission of an ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District) on property described as Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 S. Roy Reynolds Drive, Harker Heights, Bell County, Texas, based on the following:

1. The proposed use and rezoning are in accordance with the City's adopted Future Land Use Map.
2. The proposed use and rezoning are compatible with existing uses in the neighborhood.
3. The proposed use and rezoning would not likely have any adverse impact on adjoining uses and zoning districts.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove an Ordinance to change the zoning designation from B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District) on property described as Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 South Roy Reynolds Drive, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING R-1 (ONE FAMILY DWELLING DISTRICT) ZONING PROPERTY DESCRIBED AS BLOCK SEVEN (7), LOT ONE (1), STILLFOREST ADDITION REPLAT, GENERALLY LOCATED AT 1003 SOUTH ROY REYNOLDS DRIVE, 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 described previously zoned from B-4 (Secondary and Highway Business District) to R-1 (One Family Dwelling District):

Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 South Roy Reynolds Drive, 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>
	01/12/21	Granting R-1 (One Family Dwelling District) on property described as Block Seven (7), Lot One (1), Stillforest Addition Replat, generally located at 1003 South Roy Reynolds Drive, 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 January 12, 2021.

CITY OF HARKER HEIGHTS, TEXAS

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



Rezoning Request Application

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

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

Property Owner(s) Name: EGS Consulting, Ltd Date: 12-8-20
 Address: 4708-A Passion Flower Loop
 City/State/Zip: Killeen, Tx 76549
 Phone: [Redacted] E-mail: [Redacted]

Legal Description of Property:

Location of Property (Address if available): 1003 S. Ray Reynolds Dr. Harker Heights, TX
 Lot: 1 Block: 7 Subdivision: Stillforest
 Acres: 0.2077 Property ID: 22717 Survey: _____

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

Proposed Use: Single family home
 Current Zoning Classification: B5 B-4WS Proposed Zoning: R-1
 Current Land Use: vacant Proposed Land Use: single family

Applicant's Representative (if applicable):

Applicant's Representative: Richard Raymond
 Phone: [Redacted] E-Mail: [Redacted]

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.

Richard Raymond
Sue van Zanten
 Printed Name of Property Owner

Sue van Zanten
 Signature of Property Owner

Richard Raymond
 Printed Name of Representative

[Signature]
 Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9th DAY OF December, 2020

Wilson Everett
 SIGNATURE OF NOTARY PUBLIC

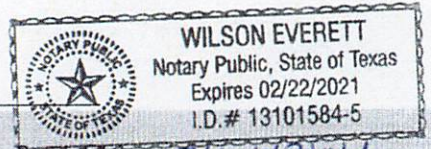
MY COMMISSION EXPIRES: 2/22/2021

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: 12/9/2020
 Received By: Wilson Everett

Pre-Application Meeting

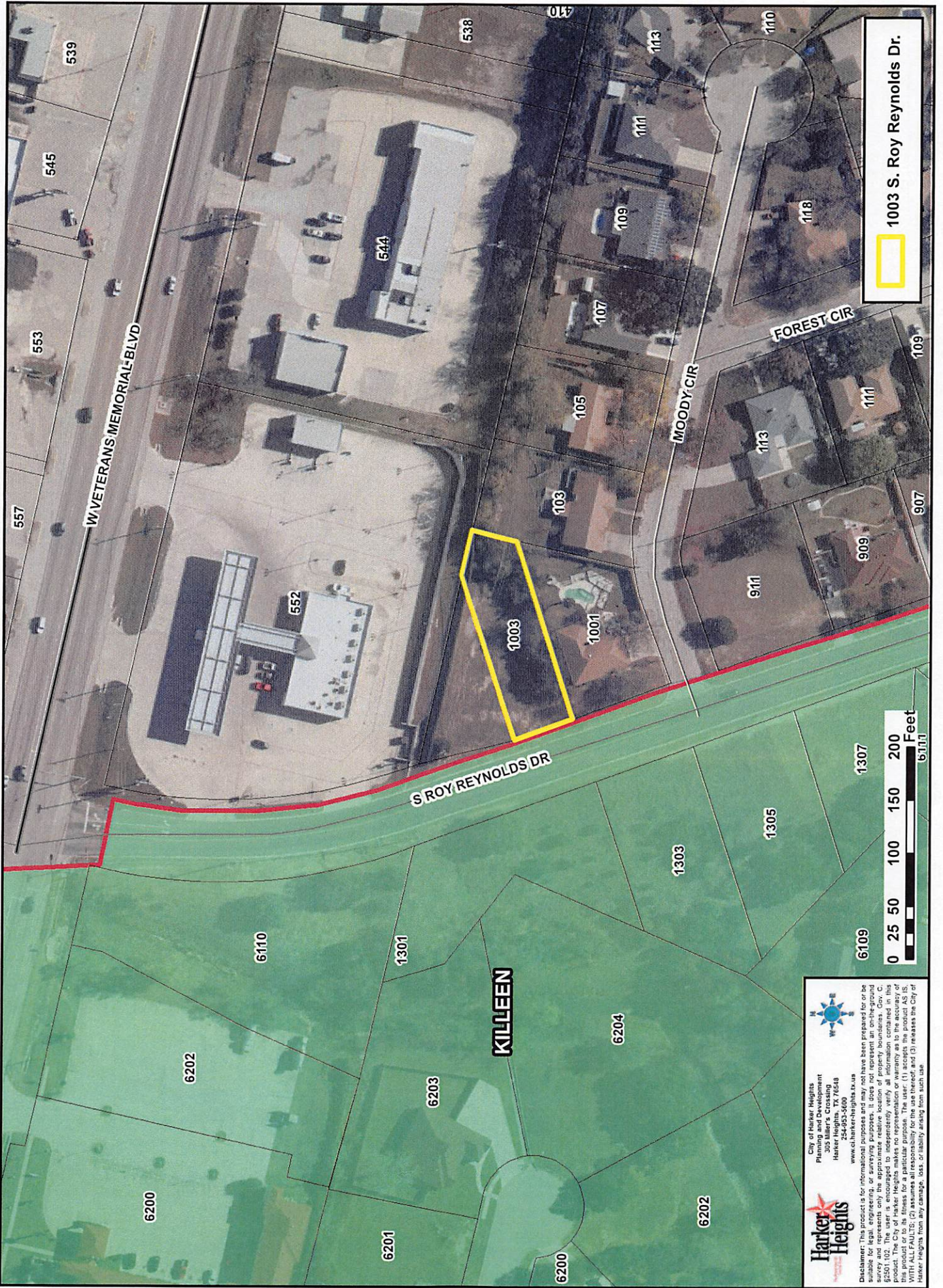
Revised: 5/2020



Receipt #: 01643104
 Case #: 221-03

Z21-03

Location



1003 S. Roy Reynolds Dr.

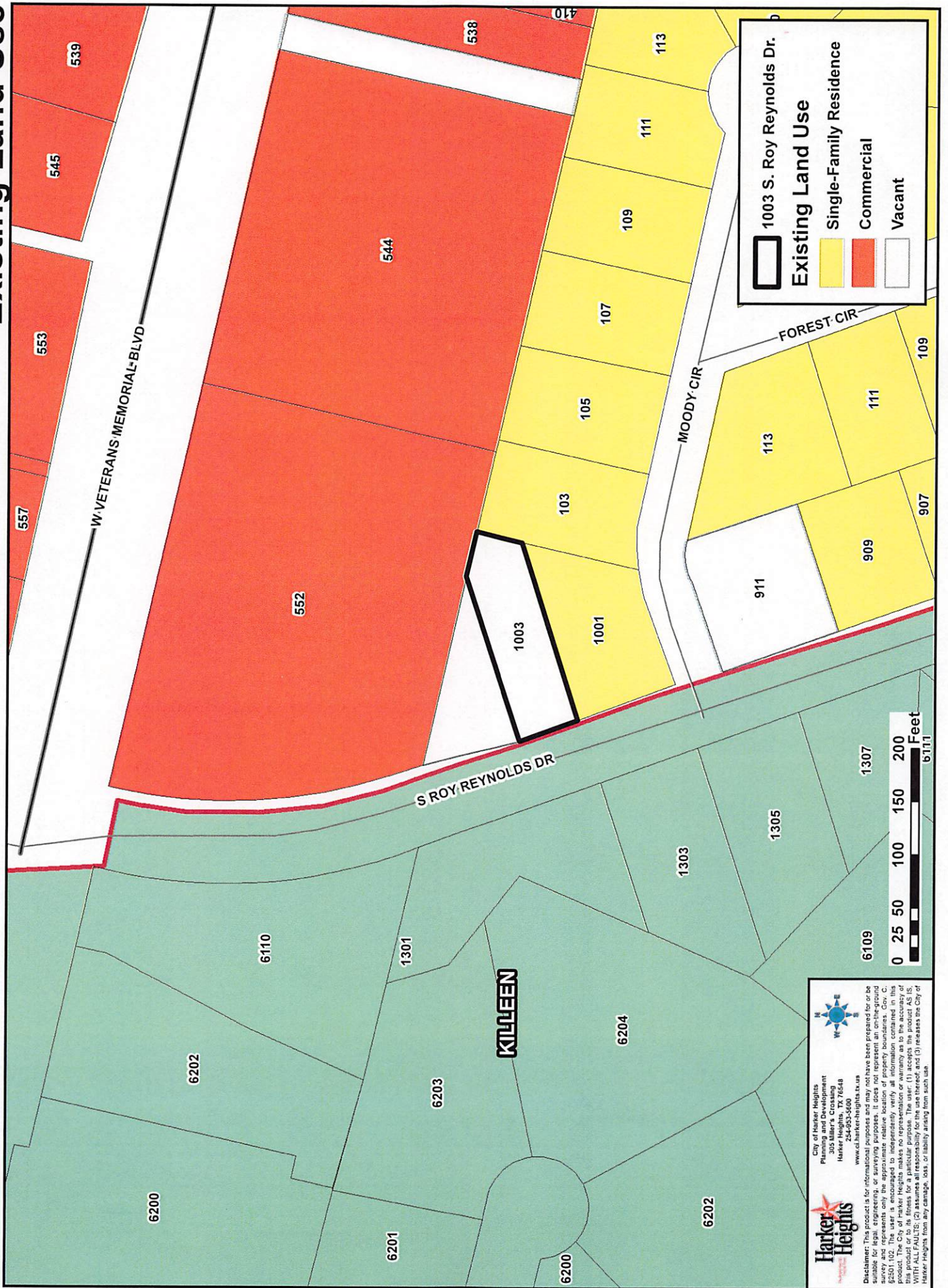


Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76648
 www.ci.harkerheights.tx.us

254-953-3600

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. 6501.02. The user is encouraged to independently verify all information contained in this product or to be licensed for public use. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to be licensed for public use. THE CITY OF HARKER HEIGHTS, TEXAS, ASSUMES ALL RESPONSIBILITY FOR THE USE THEREOF AND (3) RELEASES THE CITY OF HARKER HEIGHTS FROM ANY DAMAGE, LOSS, OR LIABILITY ARISING FROM SUCH USE.



1003 S. Roy Reynolds Dr.

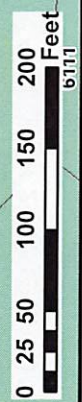
Existing Land Use

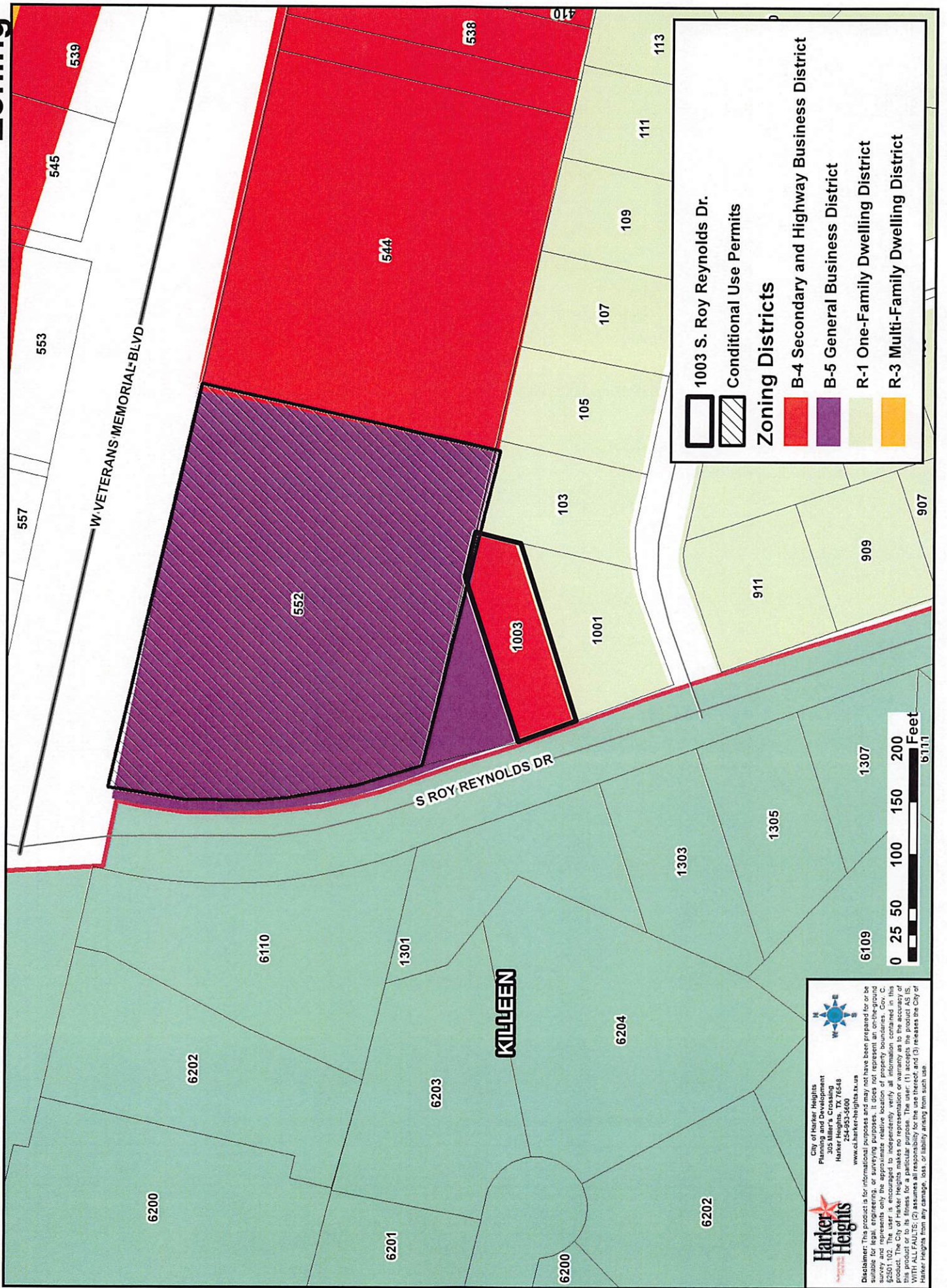
- Single-Family Residence
- Commercial
- Vacant

Harker Heights

City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 www.ci.harkerheights.tx.us

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1003 S. Roy Reynolds Dr.

Conditional Use Permits

Zoning Districts

B-4 Secondary and Highway Business District

B-5 General Business District

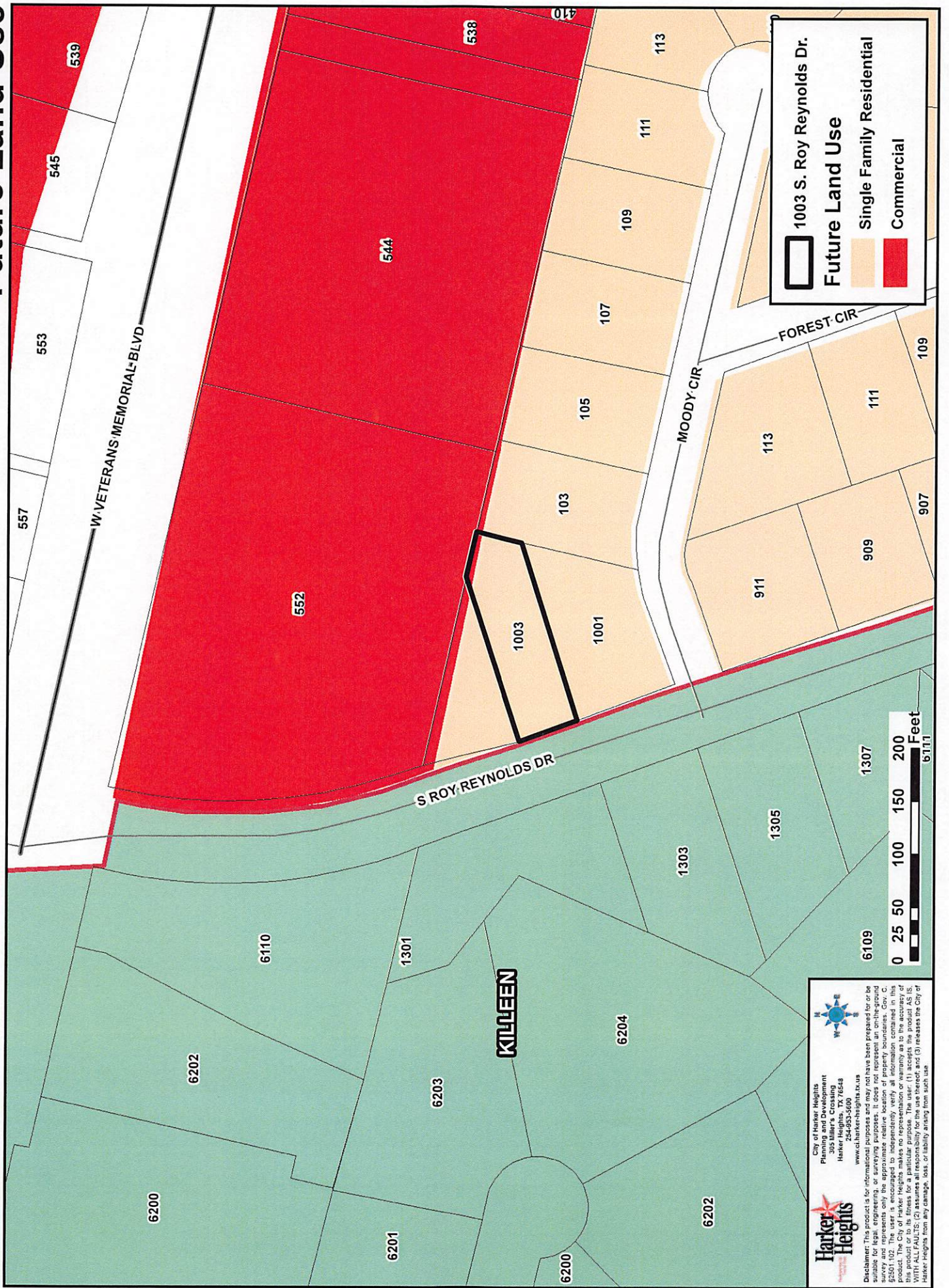
R-1 One-Family Dwelling District





R-3 Multi-Family Dwelling District

Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76648
 www.ci.harkerheights.tx.us

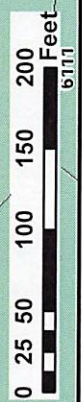
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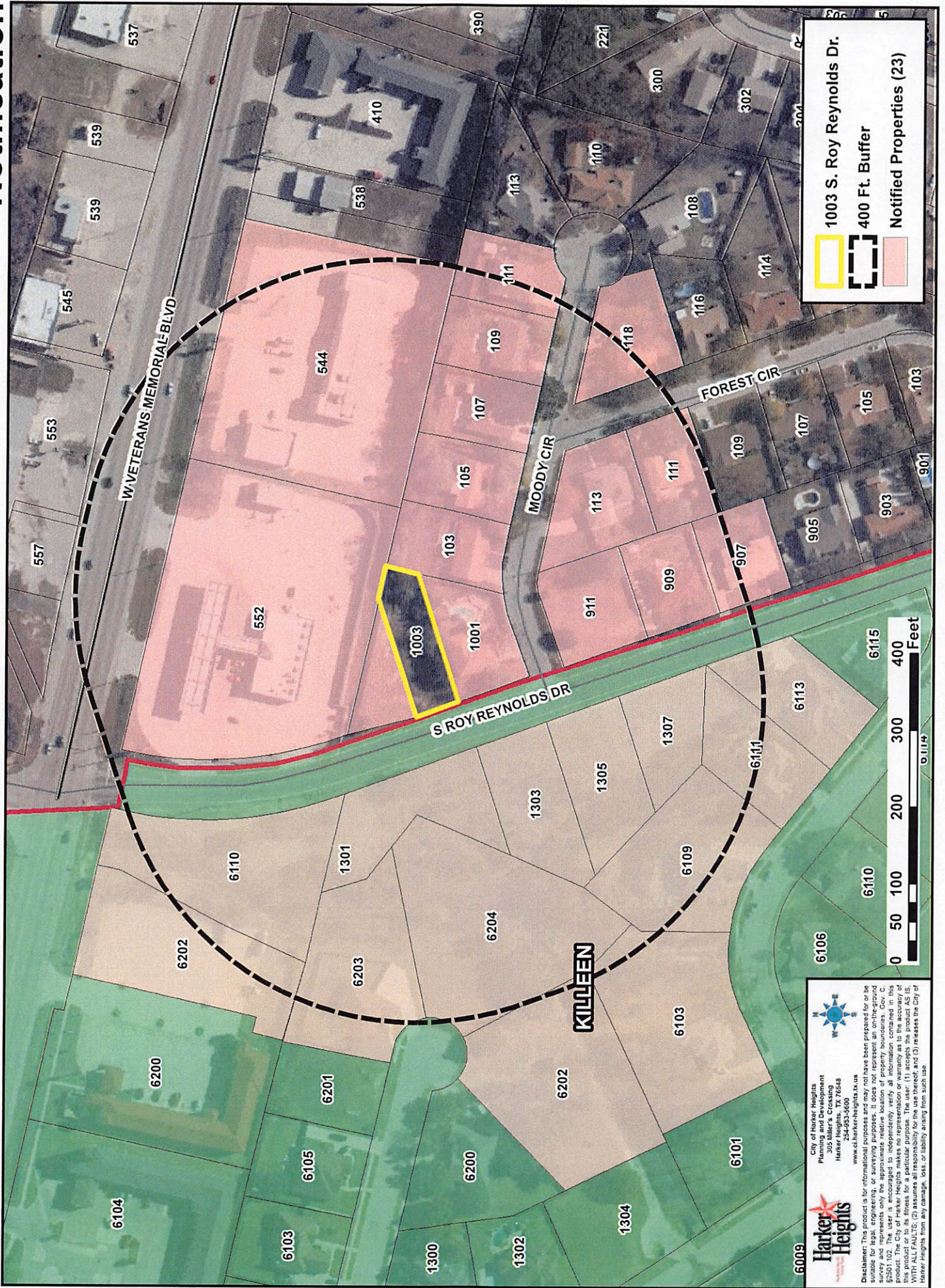





 1003 S. Roy Reynolds Dr.
 Future Land Use
 Single Family Residential
 Commercial


 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76848
www.ci.harkerheights.tx.us
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1003 S. Roy Reynolds Dr.
 400 Ft. Buffer
 Notified Properties (23)


 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5600
 www.ci.harkerheights.tx.us

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CITY COUNCIL MEMORANDUM

Z21-04

AGENDA ITEM VIII-4

FROM: THE OFFICE OF CITY MANAGER

DATE: JANUARY 12, 2021

CONDUCT 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 EVERGREEN SUBDIVISION PHASE FOUR, BLOCK ONE (1), LOT ELEVEN (11), GENERALLY LOCATED AT 2536 JUBILATION DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The applicant is requesting a Conditional Use Permit (CUP) to allow an accessory dwelling unit (ADU) to be utilized as a pool house and outfitted to permit a habitable space for guests. Per the Harker Heights Code of Ordinance Section 155.020(B) (4), an accessory dwelling unit for a relative (not for rent) is permitted via a Conditional Use Permit. The applicant’s property consist of approximately 0.8 acres and would therefore be permitted two (2) large accessory structure with a maximum aggregate size of all accessory structure not to exceed 1,000 square feet (per §155.020 (A) (5) (b) (4)). The applicant has proposed an accessory dwelling unit comprised of 488 square feet of living space and 300 square feet of outdoor patio space.

Surrounding Land Uses

Adjacent land uses include:

	Existing Land Use	Future Land Use	Zoning
North	Vacant	Single Family Residential	R-1 (One Family Dwelling District)
South	Vacant	Single Family Residential	R-1
East	Vacant	Single Family Residential	R-1
West	Single Family Residential	Single Family Residential	R-1

The applicant is currently in the process of constructing a single family home on the property. The addition of an accessory dwelling unit would not violate the intent or ideals of Single Family Residential (SFR) use if it meets all development regulations and would be considered consistent with the 2007 City of Harker Heights Comprehensive Plan. This CUP, if granted, would not interfere with the property’s primary use as a single-family home. The proposed change would not alter or have any significant impact on the square footage of the primary house, setbacks, or any other development regulations. The proposed use would therefore not likely have any adverse impact on adjoining land uses in 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. There were zero (0) responses received in favor of the request, and one (1) response received in opposition of the request.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

Following a public hearing held on January 6, 2021, the Planning and Zoning Commission voted (8-0) to recommend approval of an ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas.

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 Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas, based on the following in accordance to Section 155.201 of the Harker Heights Code of Ordinance:

1. The proposed use conforms with applicable regulations and standards established by the City's Building and Development Code;
2. The proposed use will be consistent 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 2007 City of Harker Heights Comprehensive Plan;
3. The proposed use will be compatible with existing or permitted uses on abutting sites because of use, building height, setbacks, square footage, landscaping, and access to the site;
4. The proposed use is suitable to the premises or structure(s) in which it will be conducted; and
5. The proposed use will not be detrimental to the public health, safety, or welfare, nor will materially injure property or improvements in the vicinity.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove an Ordinance granting a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas.
2. Any other action deemed necessary.

ATTACHMENTS:

1. Ordinance
2. Application
3. Letter of Intent
4. Site Plan
5. R-1 Zoning District Code
6. Location Map
7. Zoning Map
8. Existing Land Use Map
9. Future Land Use Map
10. Notification Area Map
11. Citizen Responses (1)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF HARKER HEIGHTS, TEXAS, GRANTING A CONDITIONAL USE PERMIT (CUP) TO ALLOW AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS EVERGREEN SUBDIVISION PHASE FOUR, BLOCK ONE (1), LOT ELEVEN (11), GENERALLY LOCATED AT 2536 JUBILATION DRIVE, 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 zoned R-1 (One Family Dwelling District) is granted a Conditional Use Permit (CUP), to allow an accessory dwelling unit, on property described as:

Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas.

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

<u>Ord. No.</u>	<u>Date Passed</u>	<u>Description</u>
	01/12/2021	Granting a Conditional Use Permit (CUP) to allow an accessory dwelling unit on property described as Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, 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 CUP is subject to all other applicable laws and rules, including without limitation §155.020(A) (5) (a) and (b) of the Code of Harker Heights.

SECTION 6: 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 January 12, 2021.

CITY OF HARKER HEIGHTS, TEXAS

Spencer H. Smith, Mayor

ATTEST:

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
 Fax: (254) 953-5666

Owner Information:

Property Owner(s) Name: Lynne and Steven Boehm Date: 12/09/2020

Address: 3908 Deer Ridge City/State/Zip: Harker Heights, TX 76548

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

Property Information:

Site Address or General Location: 2536 Jubilation Drive, Harker Heights TX 76548

Lot: 11 Block: 1 Subdivision: Evergreen

Acres: .8732 Property ID: 465830 Survey: Evergreen, Phase IV

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-2 WE Future Land Use Designation: R-2 WE

Applicant's Representative (if applicable):

Applicant's Representative: _____

Phone: _____ E-Mail: _____

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.

Lynne R. Boehm
Printed Name of Property Owner

Lynne R. Boehm
Signature of Property Owner

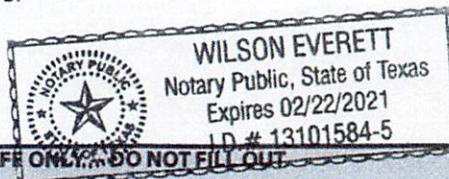
Printed Name of Representative _____

Signature of Representative _____

SWORN AND SUBSCRIBED BEFORE ME ON THIS 9 DAY OF

December, 2020

Wilson Everett
Signature of Notary Public



STAFF ONLY - DO NOT FILL OUT

Date Submitted: 12/19/2020

Received By: Wilson Everett

Pre-Application Meeting

Receipt #: 1643073

Case #: _____

**Lynne and Steven Boehm
3908 Deer Ridge
Harker Heights, TX 76548
(254)368-0742/(254)368-4399
lboehm60@hotmail.com**

December 9, 2020

**Planning and Zoning Office
City of Harker Heights
305 Millers Crossing
Harker Heights, TX 76548**

RE: Letter of Intent for Accessory Dwelling Unit

To Whom it May Concern,

This letter of intent is to request Conditional Use for an Accessory Dwelling Unit (ADU) at the property located at 2536 Jubilation Drive in Harker Heights, TX, Lot 11, Block 1, Evergreen Subdivision Phase IV. Lot size is .8732 acres. This site will consist of a two-story main house, pool and a detached ADU. The ADU is 488 sq ft that consists of a living area, kitchenette, full bathroom and one bedroom. Attached covered patio is 300 sq ft. Exterior will be constructed of stone veneer and stucco with a composition shingle roof that will match the materials used on the main house. This structure is part of the primary residence and will not have separate parking or utilities. The ADU will primarily serve as a pool house and man cave. When needed, the ADU will serve as a space for overnight personal guests.

I have enclosed the following:

- 1. Completed Conditional Use Permit Application**
- 2. Check in the amount of \$200 for the application fee made payable to the City of Harker Heights.**
- 3. One copy of all plans/drawings for the proposed project.**

Please call with any further questions.

Sincerely,



Enclosures

BOEHM RESIDENCE (POOL HOUSE)



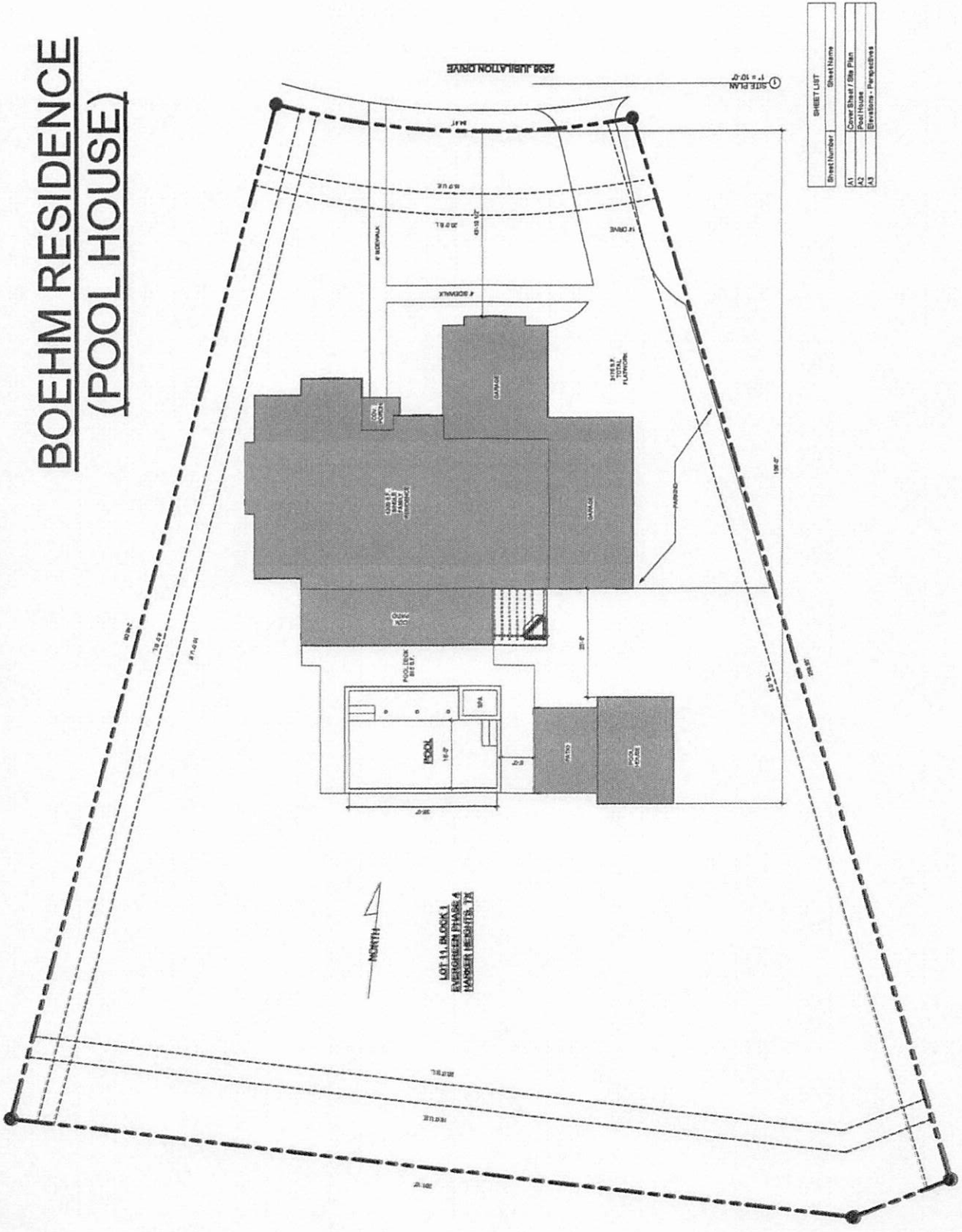
PAULIN DESIGN
510 Blanco Village Blvd
Austin, TX 78745
254.415.8018
paulindesign@aohs.com

Division: Pool Overhead
DPD
 Design: Pauline Overhead
 254.295.0022
 paulin@boehmbohm.com

**BOEHM RESIDENCE
(POOL HOUSE)**
2536 JUBILATION DRIVE HARKER HEIGHTS, TX
TX20-037

DATE: 10/01/2020
DRAWN BY: [Name]

Cover Sheet / Site Plan
A1



SHEET LIST	
Sheet Number	Sheet Name
A1	Cover Sheet / Site Plan
A2	Foundation
A3	Electrical - Perspectives



PAULIN DESIGN
 510 Blanca Woods Blvd.
 Suite 110
 Dallas, TX 75242
 paulindesign@att.net

Dwgs. Pool Details
 PPD
 Paulin Design
 244.293.5032
 paulindesign@att.net

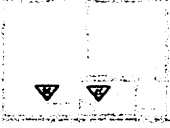
BOEHM RESIDENCE (POOL HOUSE)

TX20-037

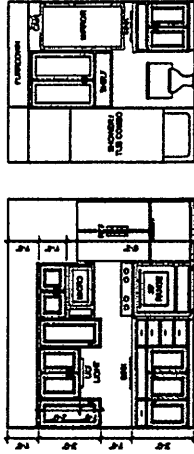
DATE: 08/02/20
 DRAWN BY: [Name]
 PROJECT: [Name]

DATE: 08/02/20
 DRAWN BY: [Name]

Pool House
A2

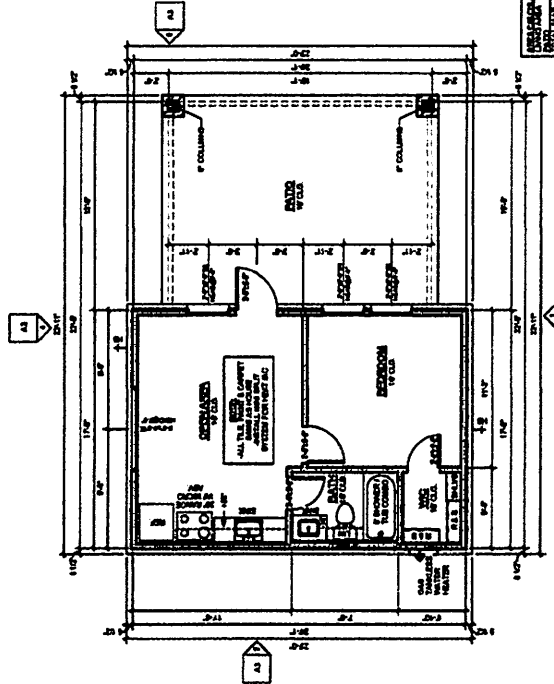


1. MAIN FLOOR PLAN POOL HOUSE



2. POOL DECK

3. INTERIOR ELEVATIONS POOL HOUSE



4. SECOND FLOOR PLAN POOL HOUSE

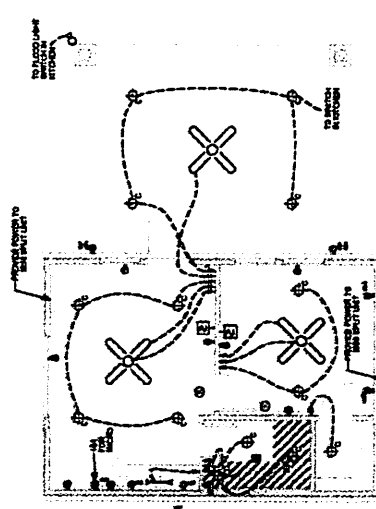
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LEGEND

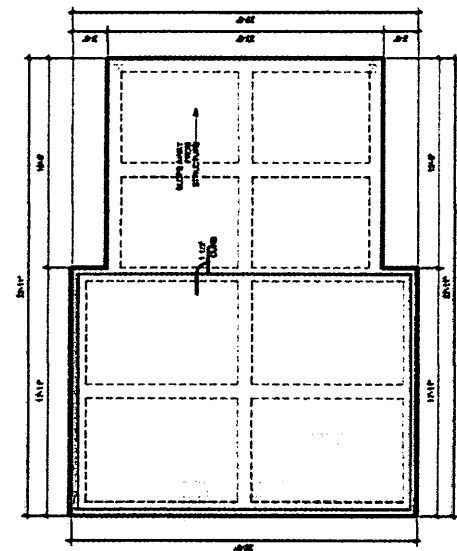
- 16 VOLT DOWN RECEPTACLE
- 18 VOLT DOWN LIGHT COLUMN
- 18 VOLT DOWN MULTIPROOF RECEPTACLE
- 18 VOLT DOWN MULTIPROOF RECEPTACLE
- 18 VOLT DOWN RECEPTACLE ONLY NOT DEGRADED FLOOR INTERLAYER
- 18 VOLT DOWN RECEPTACLE TO DEGRADED FLOOR INTERLAYER
- 20 VOLT RECEPTACLE
- 20 VOLT RECEPTACLE TO DEGRADED FLOOR INTERLAYER
- 20 VOLT RECEPTACLE
- COAXIAL RECEPTACLE
- TELEPHONE CABLE
- TRIPLE POLE SWITCH
- TRIPLE POLE SWITCH
- FOUR-POLAR SWITCH
- DIAPHRAGM SWITCH
- SMOKE DETECTOR
- CAN LIGHT (ECC)
- CAN LIGHT (ECC) WATER PROOF
- WALL MOUNTED LIGHT FIXTURE / RECESS
- FLOOR MOUNTED LIGHT FIXTURE
- RECESSED LIGHT FIXTURE
- CHANGES (FLOOR LIGHT)
- EXHAUST FAN (ECC)
- HEAT
- CURTAIN FAN
- WATER DOWNSET LIGHT

NOTE:

THIS PLAN SHOWS THE LOCATION OF ALL DOWNSET LIGHTS AND RECEPTACLES TO BE INSTALLED IN THE POOL HOUSE. THE LOCATION OF ALL DOWNSET LIGHTS AND RECEPTACLES IS TO BE DETERMINED BY THE POOL CONTRACTOR. THE POOL CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL DOWNSET LIGHTS AND RECEPTACLES. THE POOL CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL DOWNSET LIGHTS AND RECEPTACLES. THE POOL CONTRACTOR SHALL BE RESPONSIBLE FOR THE LOCATION OF ALL DOWNSET LIGHTS AND RECEPTACLES.



5. ELECTRICAL LAYOUT POOL HOUSE



6. ELECTRICAL LAYOUT POOL HOUSE



PAULIN DESIGN
 510 Bella Vista Drive
 Spring, TX 77621
 281-415-8913
 paulindesign@paulin.com

Dustin Paul Design
 281-288-8065
 paulin@paulindesign.com

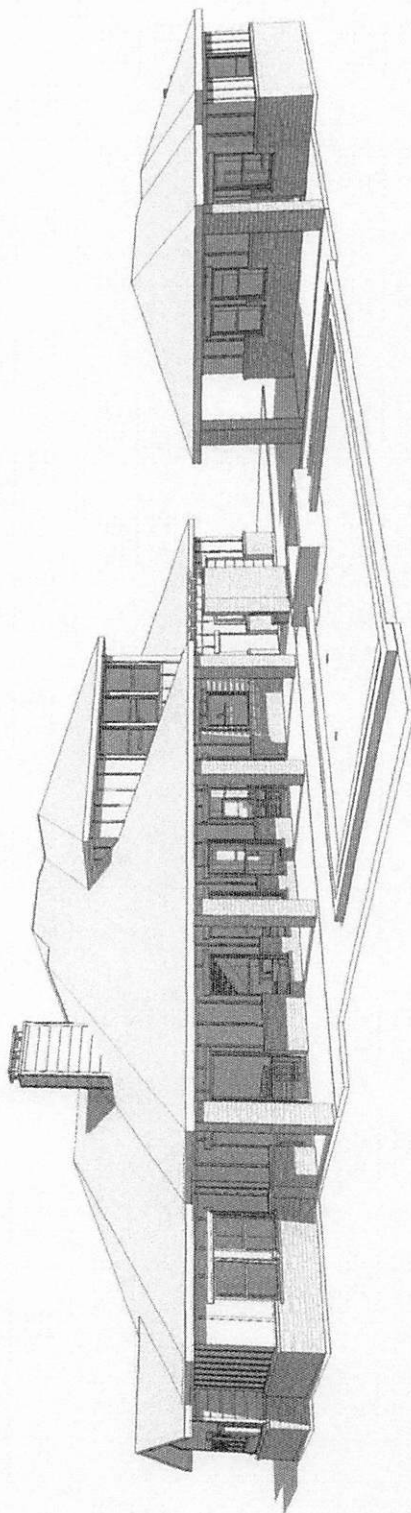
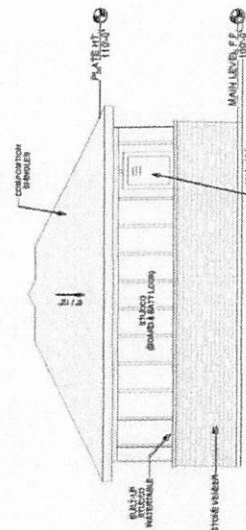
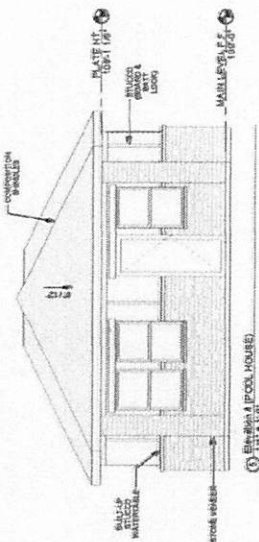
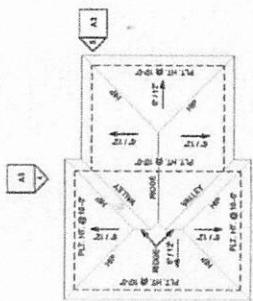
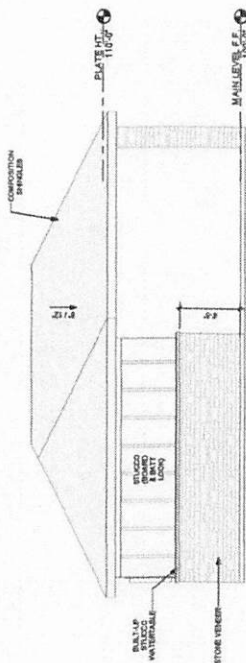
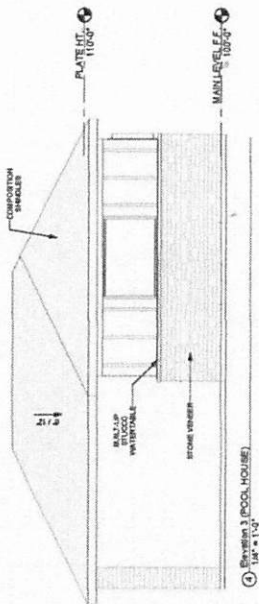
**BOEHM RESIDENCE
 (POOL HOUSE)**

TX20-037

DATE: 10-20-2020
 DRAWN BY: [Signature]

Elevations -
 Perspectives

A3



§ 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:

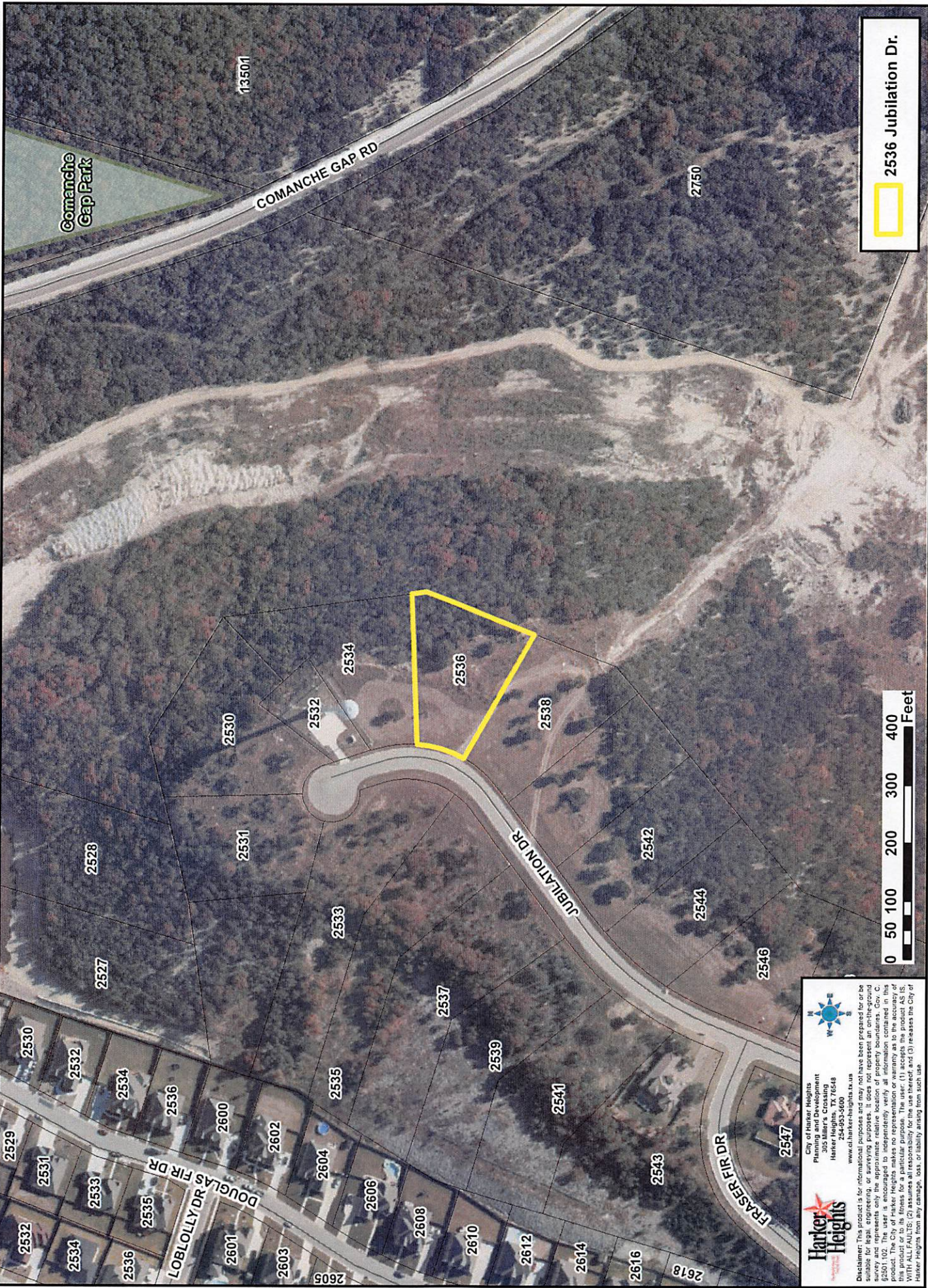
- (a) Identify each single-family dwelling located within 500 feet of the lot on which the industrialized housing is to be located, and show the taxable value for each such dwelling, as determined by the most recent certified tax appraisal roll for the county;
- (b) Describe the exterior siding, roofing,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

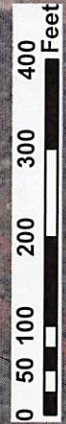
(b) Constructs, erects, installs or moves any industrialized housing into the city unless such industrialized housing complies with this section.

(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)

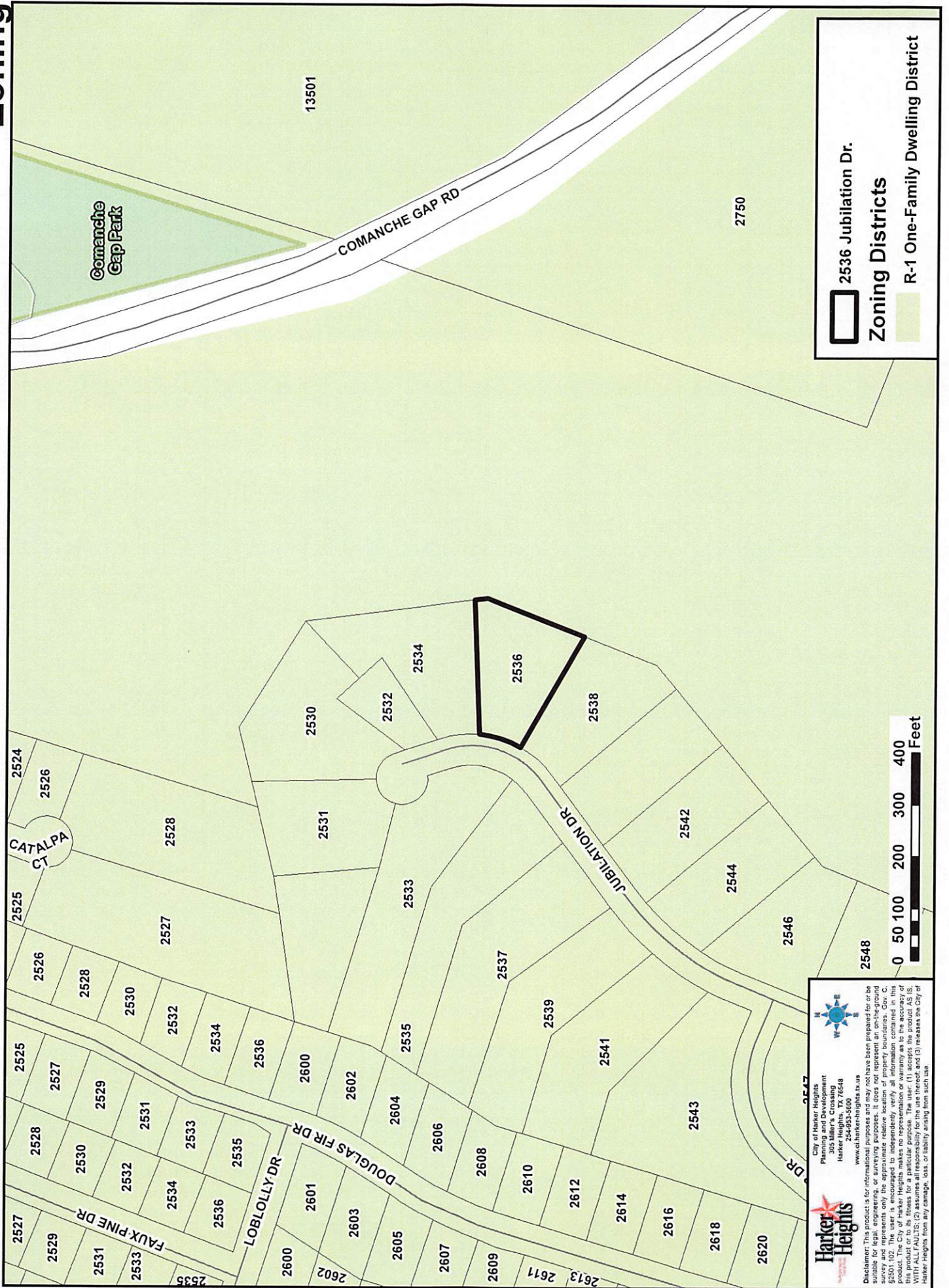


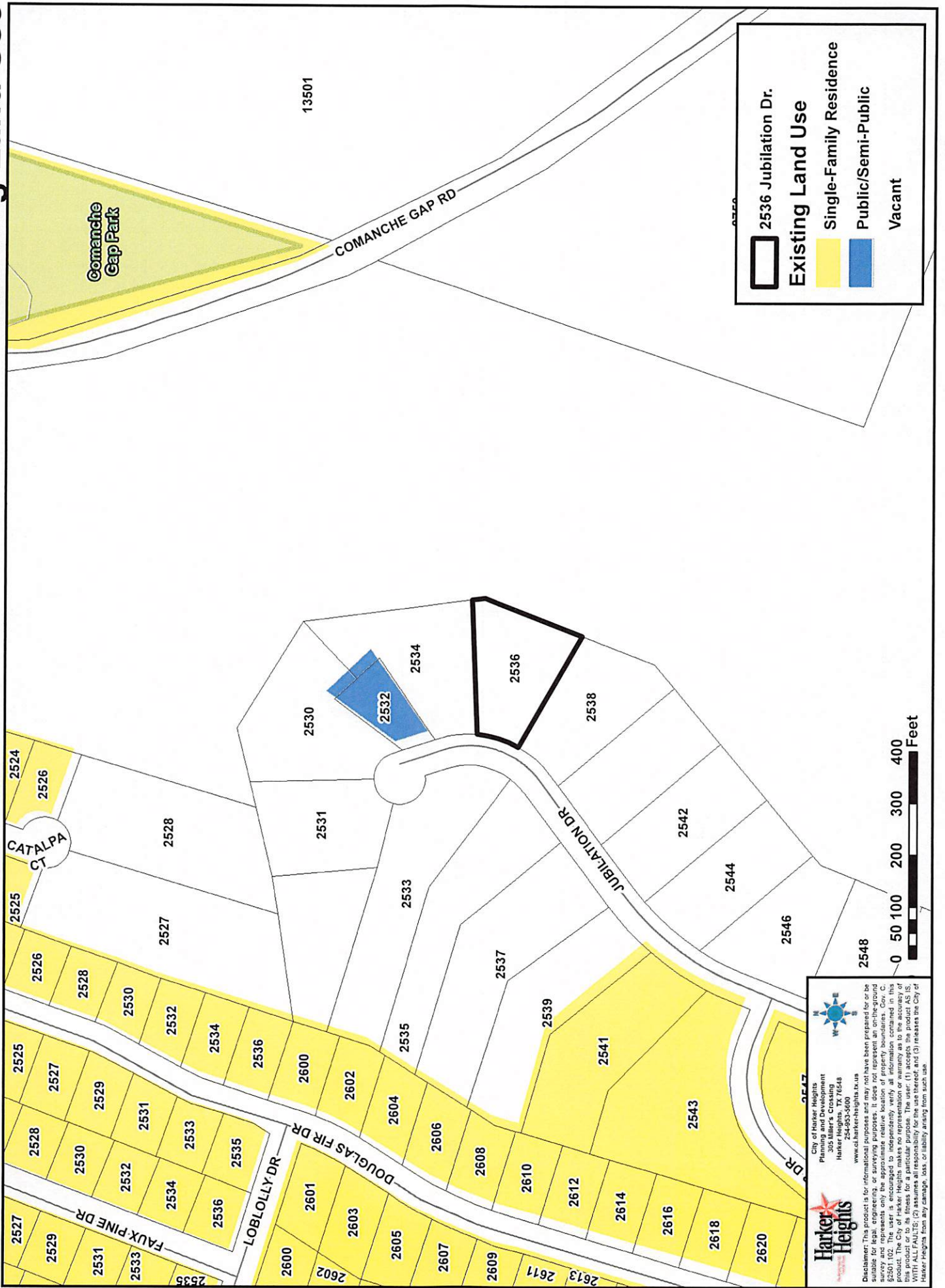
Harker Heights
 City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 254-953-5600
 www.ci.harkerheights.tx.us

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2536 Jubilation Dr.





2536 Jubilation Dr.

Existing Land Use

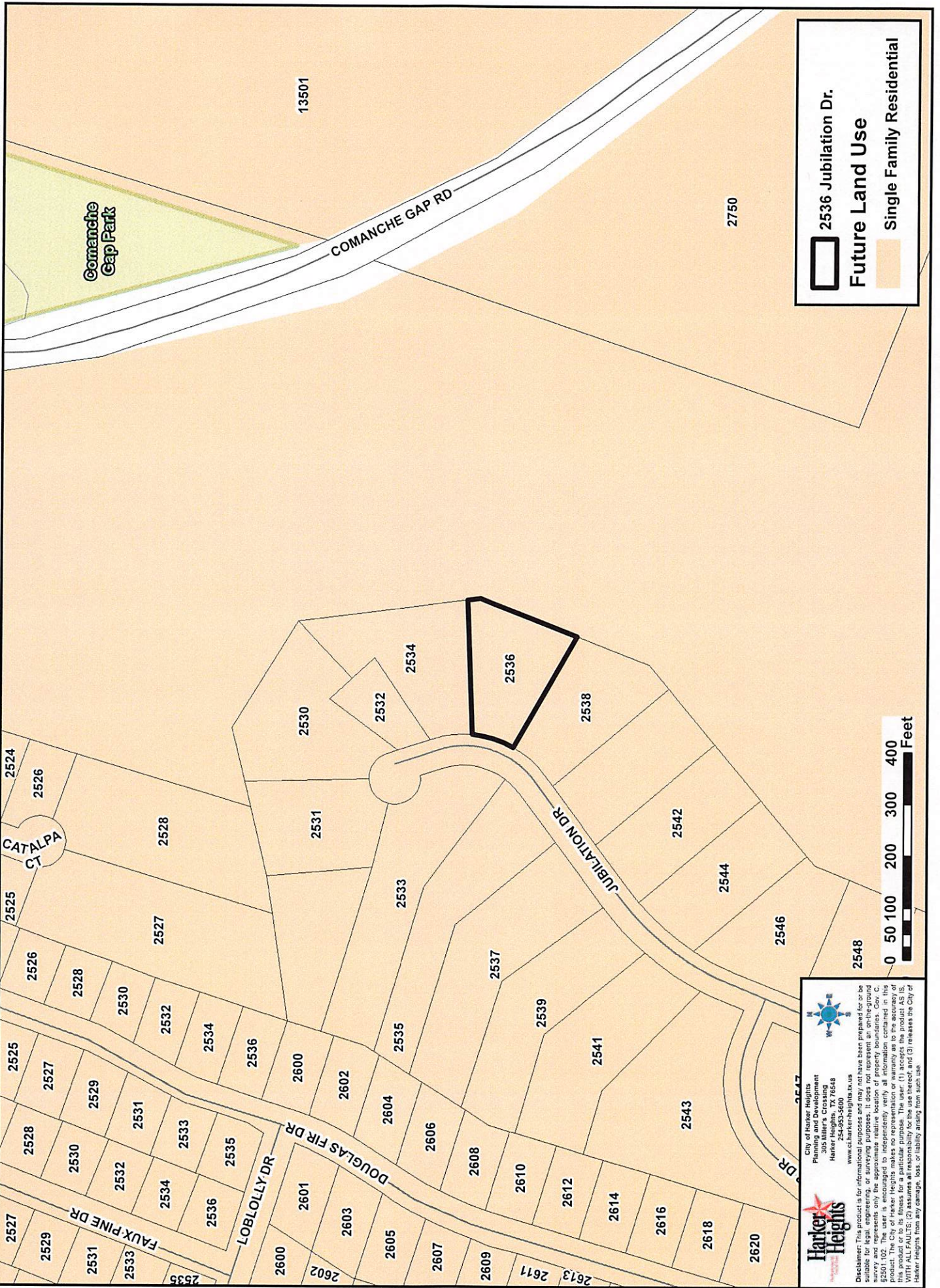
- Single-Family Residence
- Public/Semi-Public
- Vacant

0 50 100 200 300 400 Feet

Hariker Heights

City of Hariker Heights
 305 Miller's Crossing
 Hariker Heights, TX 76548
 254-953-5600
 www.ci.harikerheights.tx.us

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Harker Heights

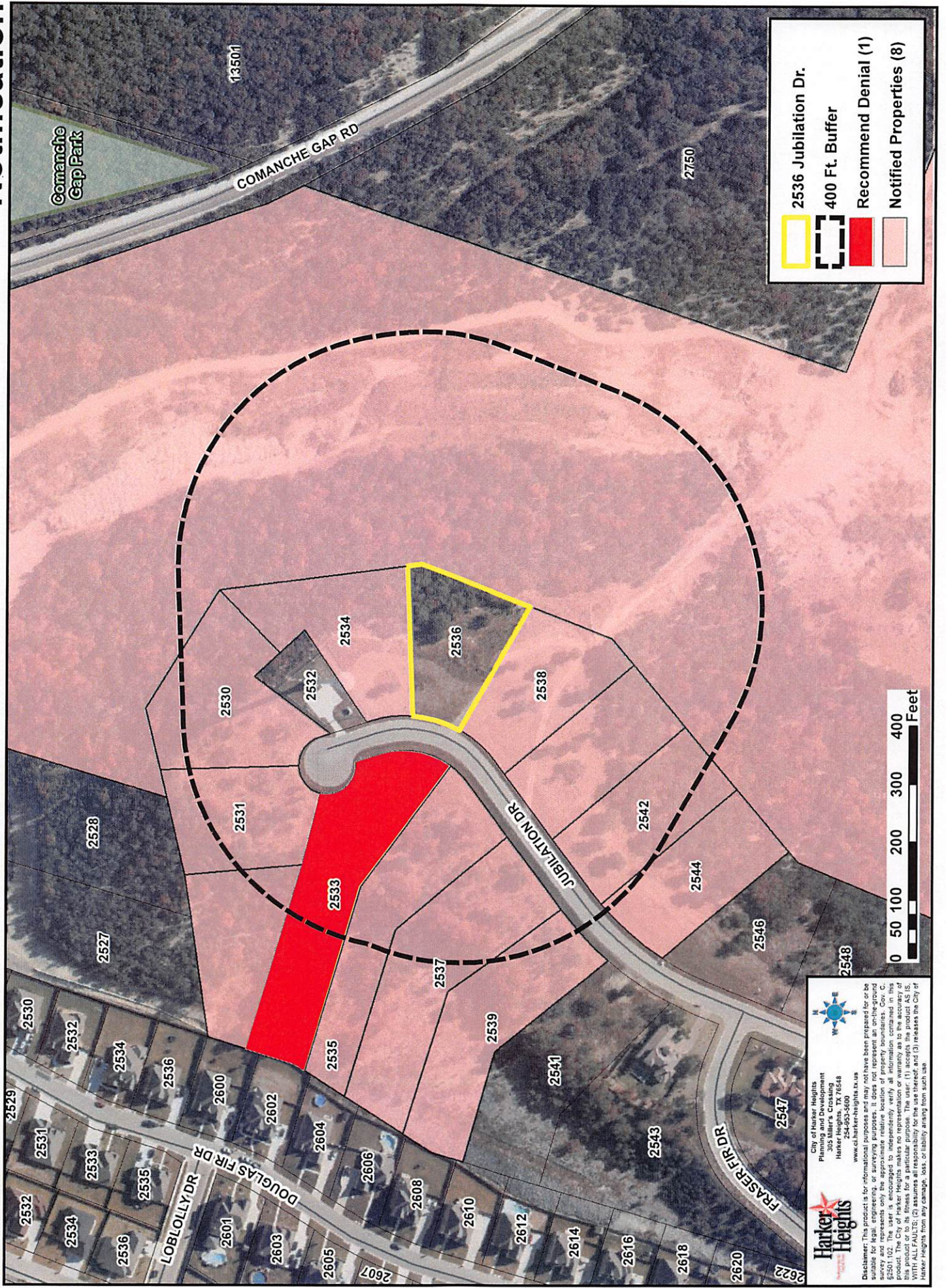
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2536 Jubilation Dr.

Future Land Use

Single Family Residential





Received

DEC 30 2020

TO: City of Harker Heights
Planning & Development Department

Andie M. Takacs

Planning & Development

FROM: 2522 Alpine Fr Dr

HH, TX 76548

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

RE: An application has been made to consider a Conditional Use Permit (CUP) to allow for an accessory dwelling unit on property described as Evergreen Subdivision Phase Four, Block One (1), Lot Eleven (11), generally located at 2536 Jubilation Drive, Harker Heights, Bell County, Texas (see attached notification map).

I RECOMMEND APPROVAL OF THE REQUEST

I RECOMMEND DENIAL OF THE REQUEST

Comments:

Concerned about future impact
and our property value in the neighborhood
being right across.

ANDIE M. TAKACS

Printed Name

Ana S. Takacs



Signature

30 Dec 2020

Date



CITY COUNCIL MEMORANDUM

CP20-04

AGENDA ITEM X-1

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 2021

DISCUSS AND CONSIDER A REQUEST FOR A CONCEPT PLAN APPROVAL OF THE VILLAGE AT NOLAN HEIGHTS ON PROPERTY DESCRIBED AS A 47.626 ACRE TRACT OF LAND IN BELL COUNTY, TEXAS, BEING PART OF THE H.B. LITTLEFIELD SURVEY, ABSTRACT NO. 511, THE LAND HEREIN DESCRIBED BEING PART OF A CALLED 113.5 ACRE TRACT OF LAND CONVEYED TO ROBERT DON SUTTON, TRUSTEE, GENERALLY LOCATED NORTH OF K.I.S.D. MIDDLE SCHOOL NO.14 ALONG WARRIORS PATH, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

On December 2, 2020, the applicant chose to table their item for Concept Plan approval due to the Planning and Zoning Commission's vote to recommend disapproval of case Z20-29. The applicant ran their development cases concurrently and without approval of rezoning the concept plan could not be approved as it was presented. On December 8, 2020, the City Council heard the applicant's case for rezoning and made a determination to approve the request with the appropriate super-majority vote. The applicant has returned in order to continue their development process and request approval of the Concept Plan referred to as The Village at Nolan Heights.

The applicant has resubmitted an application for Concept Plan approval for approximately 47.626 acres of land. The Concept Plan referred to as The Village at Nolan Heights outlines a single-phase development to consist of 132 single family (R-1) lots and 20 (R-2) duplex lots bringing the lot total to 152 lots. The subdivision will have three (3) points of ingress/egress, two along Warriors Path and the third connection via High Ridge Trail. The applicant has shown connectivity to city water and wastewater as well as internal subdivision sidewalks.

Staff has reviewed the submitted concept plan, and have made comments in regards to drainage, wastewater capacity, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

Following a hearing held on January 6, 2021, the Planning and Zoning Commission voted (8-0) to approve the request for Concept Plan of The Village at Nolan Heights on property described as a 47.626 acre tract of land in Bell County, Texas, being part of the H.B. Littlefield Survey, Abstract No. 511, the land herein described being part of a called 113.5 acre tract of land conveyed to Robert Don Sutton, Trustee, generally located north K.I.S.D. Middle School No. 14 along Warriors Path, Harker Heights, Bell County, Texas.

STAFF RECOMMENDATION:

Staff recommended approval to the Planning & Zoning Commission of the request for Concept Plan of The Village at Nolan Heights on property described as a 47.626 acre tract of land in Bell County, Texas, being part of the H.B. Littlefield Survey, Abstract No. 511, the land herein described being part of a called 113.5 acre tract of land conveyed to Robert Don Sutton, Trustee, generally located north KISD Middle School No. 14 along Warriors Path, Harker Heights, Bell County, Texas, based on the following:

1. All required elements of the Concept Plan as stated in §154.20 (A) (2) (d) (1-15) have been met.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove a request for Concept Plan of The Village at Nolan Heights on property described as a 47.626 acre tract of land in Bell County, Texas, being part of the H.B. Littlefield Survey, Abstract No. 511, the land herein described being part of a called 113.5 acre tract of land conveyed to Robert Don Sutton, Trustee, generally located north of KISD Middle School No. 14 along Warriors Path, Harker Heights, Bell County, Texas.
2. Any other action desired.

ATTACHMENTS:

1. Application (Submitted 12/10/20)
2. Concept Plan
3. Staff Comments (comments addressed 11/19/20)
4. Location Map
5. Code Section §154.20 Concept Plan Requirements



Concept Plan Application

Requirements - MUST BE 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 Scheduled
2. Payment of \$50.00 to the City of Harker Heights

The Concept Plan is the initial project layout that provides an opportunity to review and evaluate the impact of a proposed development on the character of the surrounding area in which it is proposed to be located. The process takes into consideration the general form of the land before and after development, as well as the spatial relationship of the proposed structures, open space, landscape areas, parking, and general access and circulation patterns as they relate to the proposed development and the surrounding areas.

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

Property Information:

Subdivision Name: The Village at Nolan Heights

Date Submitted: 12/10/2020

Site Address or General Location: West of Warriors Path, Approximately 0.80 miles South of Old Nolanville Rd.

Zoning: R-1

Acreeage: 47.626

Proposed # of Lots: 152

Owner Information/Authorization:

Property Owner: Dustin King

Address: 1629 S. Fort Hood St., Killeen, Texas 76542

Phone: [REDACTED]

E-Mail: [REDACTED]

Developer: Dustin King

Address: 1629 S. Fort Hood St., Killeen, Texas 76542

Phone: [REDACTED]

E-Mail: [REDACTED]

Engineer/Surveyor: Joseph Theriot, P.E.

Address: P.O. Box 3123, Harker Heights, Texas 76548

Phone: [REDACTED]

E-Mail: [REDACTED]

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.

OWNER SIGNATURE: _____

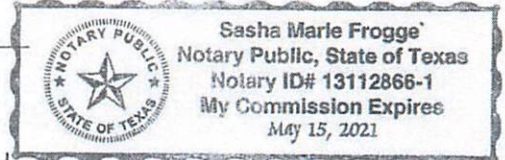
[Handwritten Signature]

SWORN AND SUBSCRIBED BEFORE ME THIS 10th DAY OF December, 2020.

[Handwritten Signature]

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: 05/15/2021



Date Submitted: _____

STAFF ONLY -- DO NOT FILL OUT BELOW

Receipt #: _____

Received By: _____

RECEIVED

By Courtney at 10:55 am, Dec 10, 2020



✉ info@RepublicEDS.com

📍 P.O. Box 3123
Harker Heights, TX 76548

☎ 979.234.0396

November 19, 2020

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

Attn: Harker Heights City Staff

Harker Heights City Staff,

Below is the response to comments for The Village at Nolan Heights Concept Plan, received on November 18, 2020. Response to comment is in **bold**.

Planning & Development

1. Please provide square footage of lots.
Square footage has been added for all lots.
2. Provide building envelopes on all lots.
Building envelope has been added for all lots.
3. Identify 5' sidewalks within Concept Plan.
Sidewalks have been added to the Concept Plan and the sidewalk note (8) was updated to read "SIDEWALKS SHALL BE 5' IN WIDTH, 1' FROM THE PROPERTY LINE ON ALL LOTS ADJACENT TO A STREET ROW.
4. Identify which lots will be R-1 and which will be R-2.
Note 3 of the Concept Plan denotes which lots are to be R-1 and R-2. Note reads "PROPOSED LAND USE WILL BE SINGLE-FAMILY (R-1) FOR ALL LOTS WITH THE EXCEPTION OF LOTS 49-60, BLOCK 1 AND LOTS 1-8, BLOCK 6 WHICH WILL BE TWO-FAMILY RESIDENTS (R-2)."
5. Please annotate the setbacks and easements shown
In order to not clutter the drawing, a typical single-family and two-family lot detail was added to the concept plan to show setback and easement widths. On lots that have non-typical setbacks or easements, annotations were added. A note (15) was added to explain, the note reads "ALL EASEMENTS AND BUILD LINES WILL FOLLOW THE TYPICAL LOT DETAIL UNLESS OTHERWISE NOTED."

Public Works

1. Annotate the total acreage of the subdivision and the total number of lots.
Notes (2, 4 and 5) were added to the Concept Plan to satisfy this comment.
2. Residential streets are required to be 36' wide measured from the back of curb with a 60' wide Right-of-Way.
The street note (10) has been updated in accordance with this comment.
3. Show the street connection to High Ridge Drive.
Approximate existing High Ridge Drive centerlines and back-of-curb lines have been added to the Concept Plan along with a note denoting the connection point.
4. Show the significant drainage features and watercourses adjacent to the subdivision.
There are only two significant drainage features that impact the development: the existing drainage way along the southern border and its culvert under Warriors Path. These drainage features are now called out on the Concept Plan.
5. Show adjoining properties to the subdivision for 300 feet.
The Concept plan scale was increased to 1"=100' to show all adjoining properties within 300'. Neighboring property information was added to all properties within 300'.
6. Depict the lots to be designated as single-family use and R2 multi-family use.
Note 3 of the Concept Plan denotes which lots are to be R-1 and R-2. Note reads "PROPOSED LAND USE WILL BE SINGLE-FAMILY (R-1) FOR ALL LOTS WITH THE EXCEPTION OF LOTS 49-60, BLOCK 1 AND LOTS 1-8, BLOCK 6 WHICH WILL BE TWO-FAMILY RESIDENTS (R-2)."
7. Label the use for Tract "A" and Tract "B".
Notes (16 and 17) have been added to explain use of tracts.
8. Regarding sanitary sewer capacity for this development, as indicated in the pre-development meeting on Monday, October 5, 2020, the City of Harker Heights is conducting 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. If sanitary sewer system capacity upgrades are required, the developer will be required to pay for the sanitary sewer expansion costs required to serve their subdivision.
The developer understands that there are downstream sewer concerns. The Developer plans to meet with the City of Harker Heights to discuss this issue once the study is complete.

9. Regarding the construction of the 8' wide sidewalk along Warriors Path, work with the Planning & Development Department about escrowing the funds for the City to construct the sidewalk at a future date

The Developer understands the City's concerns about pedestrian access along Warriors Path and plans on meeting with them about this issue during the preliminary platting stage of the development.

Consulting Engineer, Otto Wiederhold

1. In addition to public work's comments, a thorough drainage study is required as well. The City's FEMA drainage master plan identifies the drainage way along the south property line as having a significant amount of runoff flow and will need to be designed to accommodate building of residences such that they are not impacted by significant rainfall events.

The developer understands the need for a full drainage study and plans on submitting one with construction plans.

Fire Marshal, Brad Alley

1. Existing and proposed hydrants not indicated

Existing and proposed hydrant callouts have been added to the Concept Plan.

Building Official Mike Beard

No Comments Received

ONCOR, Donna McGinnis

No Comments Received

Century Link, Chris McGuire

1. CTL has an existing cable that runs along the north side of this proposed SD. We would need to make sure there is an easement placed and not removed for the existing cable

A 10' utility easement has been added along the norther boundary of the development.

Time Warner Cable/Spectrum, Shaun Whitehead

No Comments Received

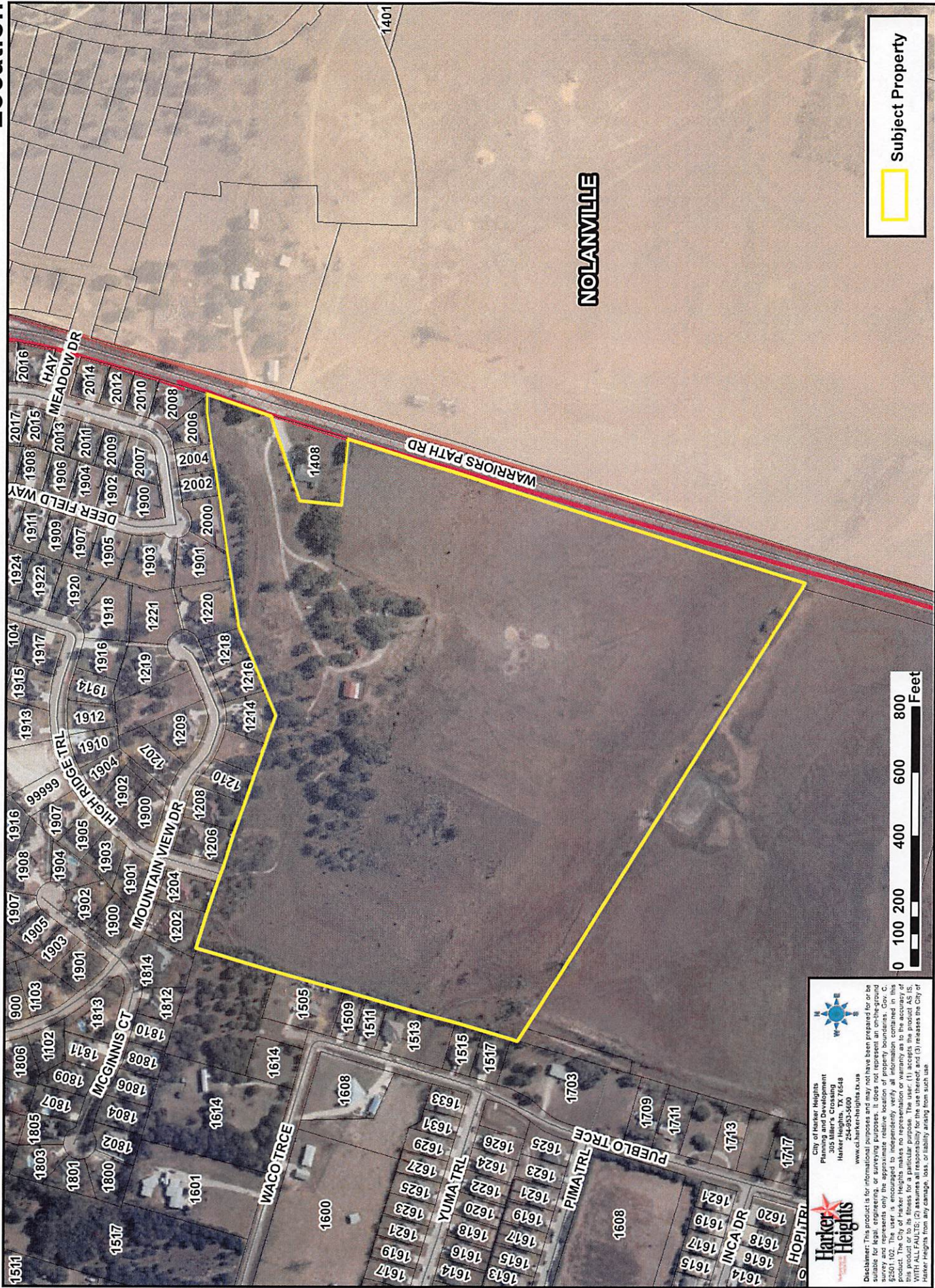
ATMOS, Burton Jones

No Comments Received

Sincerely,



Joseph Theriot, P.E.



City of Harker Heights
 Planning and Development
 305 Miller's Crossing
 Harker Heights, TX 76548
 www.ci.harkehtx.us
 254-953-5600

Harker Heights

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Subject Property

NOLANVILLE

WARRIORS PATH RD

WACO TRCE

YUMA TRL

PIMA TRL

PUEBLO TRCE

INCA DR

HOPITRL

MOUNTAIN VIEW DR

HIGH RIDGE TRL

DEER FIELD WAY

HAY MEADOW DR

§ 154.20 GENERAL RESIDENTIAL AND COMMERCIAL.

(A) The owner of a lot, tract, site or parcel must obtain final plat approval for any subdivision or development activity to which this chapter applies. The plat approval process generally consists of the following procedures:

(1) One or more pre-application meetings with city staff for review and discussion of the applicant's basic concept plan. The pre-application meeting is the initial step in the development process intended to introduce basic project components and area information. The pre-application meeting provides the opportunity for review, analysis, and discussion of basic project intent, design, components and compatibility.

(2) Submission of an application and a concept plan by the applicant for initial review by city staff, with final review and approval required by the Planning and Zoning Commission and the City Council.

(a) Concept plan. The purpose of the concept plan is to demonstrate compatibility of the proposed development with this chapter and other applicable city ordinances, and the coordination of improvements within and among individually platted parcels, sections, or phases of a development, and the surrounding properties prior to the consideration of a preliminary plat. The concept plan is an opportunity to detect and correct design challenges before the developer prepares detailed engineering documents, but does not constitute the submittal of a plat.

(b) Any residential development involving four or fewer lots fronting on an existing street and not requiring the creation of any new street or the extension of any municipal facilities does not require the submittal of a concept plan.

(c) In lieu of a concept plan, the City Manager may permit submittal of a site plan at the time of building permit application.

(d) The concept plan shall contain or have attached thereto the following:

1. Name of the developer, record owner, and authorized agents, proposed name of the development.
2. A layout of the entire tract, including internal lots, and its relationship to adjacent property, existing development and recorded plats, showing the existing property lines of the land being subdivided, north indicator, and scale.
3. Topographic contours available from the U.S. Geological Survey.
4. Significant drainage features and structures including any regulatory one-hundred-year floodplains, the location of existing watercourses, dry creek beds, wells, sinkholes and other similar features.
5. Specific information related to land use for the proposed development and adjoining property for a distance of 300 feet.
6. Building placement and building envelopes.
7. Parking layout.
8. General landscaping and buffer areas.
9. Location of all existing and proposed water and sewer lines.
10. All existing and/or proposed public utility easements and private easements.
11. Location of all existing and proposed stormwater drainage easements or onsite detention plan.
12. Location of all existing and proposed streets, sidewalks, alleys, and access points.
13. Vehicular circulation/ connectivity plan.
14. Location of all existing and proposed fire/emergency vehicle access lanes.
15. Location of all existing and proposed fire hydrants.

(e) A concept plan shall be submitted to the Planning and Development Department prior to the submittal of a preliminary plat unless the Director of Planning and Development authorizes concurrent filing.

(f) The concept plan shall be drawn on 24" x 36" sheets and/or on a plat document size format so as to be consistent with the preliminary/final plat document. When more than one sheet is necessary to illustrate the entire area, an index sheet showing the entire subdivision, at a scale sufficient to identify the drawings that follow, shall be attached to the concept plan document.

(g) The City Manager or his designated appointee will have the authority to review and approve any substantial amendments to a prior concept plan.

(h) An approved concept plan shall expire if there is more than a 24-month period of time between its approval and the submittal of a preliminary plat.

(3) Submission of a preliminary plat and preliminary engineering drawings by the applicant for review and approval by the Planning and Zoning Commission and City Council.

(4) Submission of final engineering drawings and construction of infrastructure by the applicant for approval by the

Director of Planning and Development and the Director of Public Works.

(5) Submission of a final plat by the applicant for review and approval by the Director of Planning and Development along with a letter of credit or performance bond for any infrastructure item that is not complete. The Planning and Development Director may not disapprove the plat but shall refer any plat to the Planning and Zoning Commission if the applicant refuses to implement the Director's recommendations.

(6) Submission of Mylars, field notes, dedication, and as built drawings signed by a Texas Professional Engineer (when required). In addition, if the applicant is other than a natural person acting on his own behalf, submit a resolution, unanimous consent, or other such instrument in recordable form authorizing specific persons to act on behalf of the applicant in requesting final plat approval.

(7) Filing of final plat.

(B) Applications for minor plats, replats, amending plats, preliminary plats and final plats shall be submitted to the Planning and Development Department. Applications shall contain the following.

(1) *Application.* Completed application form.

(2) *Fee.* Application fee as established by the City Council and stated in the city's fee schedule.

(3) *Copies.*

(a) Preliminary plats shall require ten paper copies of the plat, and seven sets of preliminary engineering drawings with necessary calculations. After plat comments are approved by the City Council, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required. Corrected copies should be submitted before construction begins on the subdivision.

(b) Final plats shall require ten paper copies of the plat and seven sets of final engineering drawings with necessary calculations. After plat comments are approved by the Planning and Zoning Commission, and the City Council if necessary, the developer shall submit three corrected copies of the plat and/or engineering drawings if changes to the plat and/or engineering drawings are required.

(c) A digital copy of the final plat must be submitted. Digital final plat files should be submitted in DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy of the final plat. Engineering drawings are excepted from this requirement. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible.

(4) *Time line.* Submittal of plats and engineering drawings, not meeting the standards for being a minor plat, shall be made 28 days prior to the scheduled Planning and Zoning Commission meeting as preliminary plats and preliminary engineering drawings. Preliminary plats and preliminary engineering drawings shall be presented to the Council within 30 days of action being taken by the Planning and Zoning Commission. Final plats and final engineering drawings shall be reviewed by the Director of Planning and Development. Final plats and final engineering drawings shall be reviewed by the Planning and Zoning Commission and the Council only if the Director of Planning and Development finds that there is substantial deviation, as defined in § 154.21(B), from the preliminary plat or preliminary engineering drawings. If the Director of Planning and Development rules that a final plat and/or final engineering drawings substantially deviate from the approved preliminary plat and/or preliminary engineering drawings, then the Planning and Zoning Commission shall have 30 days from the date of application of the plat to make a ruling and the City Council shall have 30 days from the date of the Planning and Zoning Commission's ruling to take action on the final plat.

(5) *Post approval of final plat.* The developer shall provide the city with two original reproducible Mylars and two paper copies of the plat with the required original signatures, dedications and specific notations.

(6) *As built drawing submittal requirements.* The developer shall provide the city with a digital copy and a single set of paper drawings of the constructed infrastructure. These drawings shall meet the requirements as set in § 154.25, "As Built Drawings". Digital as built files should be submitted in PDF, DXF, DWG or GIS shapefile/feature class/coverage format. This digital format shall be an exact replica of any required and/or included data represented on the submitted hard copy drawing/document. This data must be provided on standard transfer media or by electronic transfer (three and one-half inch floppy disk or CD-ROM, DVD, e-mail attachment or any other media as approved by the city Planning Department). The submitted transfer media shall be labeled with the project name (subdivision name) and filing date. State Plane 83 Texas South Central Zone 4204 coordinate system should be the base of all submissions whenever possible. Failure to do so could result in revocation or denial of construction permits and/or certificate of occupancy.

(Ord. 2010-08, passed 3-9-10; Am. Ord. 2012-21, passed 10-9-12; Am. Ord. 2014-25, passed 10-28-14)



CITY COUNCIL MEMORANDUM

CP21-01

AGENDA ITEM X-2

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 2021

DISCUSS AND CONSIDER APPROVING A REQUEST BY REMCO PROPERTIES, LLC FOR CONCEPT PLAN AMENDMENT OF AMY LANE ADDITION CONCEPT PLAN, ON PROPERTY DESCRIBED AS 6.917 ACRES OF LAND, MORE OR LESS, PART OF THE CULLENDAR KEELE SURVEY, ABSTRACT NO. 991, AND THE J.THOMLINSON SURVEY, ABSTRACT NO. 813, GENERALLY LOCATED WITHIN THE 700 BLOCK OF SOUTH AMY LANE, HARKER HEIGHTS, BELL COUNTY, TEXAS, AND TAKE THE APPROPRIATE ACTION.

PROJECT DESCRIPTION:

On October 13, 2020, the City Council of the City of Harker Heights acted to approve the Amy Lane Addition Concept Plan based on the Planning and Zoning Commission's recommendation for approval. At that time Council approved the concept plan with a waiver to allow a single access and secondary emergency access through adjacent property. However, after the applicant's discussion with the adjoining property owner evolved the applicant proposed a new plan and layout to accommodate the proposed duplex subdivision.

The amended concept plan illustrates a proposal for a commercial development along Amy Lane immediately adjacent to the main entrance of the proposed subdivision. The applicant has requested that in the event that a single access is not granted, they have developed the amended concept plan which contains a secondary access drive that will dissect the proposed commercial development and act as the secondary ingress/egress to the subdivision. Both ingress and egress of the subdivision will gain access from Amy Lane.

The applicant, Remco Properties, LLC, has submitted an application for concept plan approval for approximately 6.917 acres of land currently zoned R-2 (Two Family Dwelling District). The concept plan called Amy Lane Addition outlines a single-phase development to consist of twenty-one (21) duplex lots; a total of forty-two (42) units. The plan proposes a five (5') foot sidewalk on either side of the proposed public street to serve all residents within the development, and connect to the existing sidewalk on Amy Lane.

Per Harker Heights Code Section *154.37 Streets (3) Entrances to Subdivision*; new subdivisions must have at least two access streets, and other regulations for new subdivisions include the following:

- Entrances shall be 42 feet wide with a 70-foot-right-of-way for a minimum distance of 100 feet from the intersection.
- A developer may request the approval of one access street if the access street has no connecting streets, terminates in a permanent cul-de-sac or provides access to not more than a total of 30 single-family dwelling lots or an equivalent housing unit density

comprised of duplex or multi-family structures. In addition to the single point of access situation presented by streets that end in permanent cul-de-sac, a single point of access may be dictated by property configuration, safety or access management restrictions. In determining if a new subdivision may have one point of ingress/egress, consideration shall be given to:

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

The Concept Plan, Amy Lane Addition, has proposed one (1) access point for vehicular ingress/egress to the subdivision. Therefore, the applicant has requested a waiver to vary from section 154.37 (A) (3) by requesting that the City allow a single access for the proposed development:

The applicant has increased the subdivision entrance by doubling from 100' to 200' of entrance and increasing the back of curb to back of curb from 42' to 48' within the 200' entrance (off Amy Lane). The applicant stated that the land boundary is constrained by adjacent development so that one access to a dedicated right-of-way is all that will comply with the City of Harker Heights access requirements.

Staff has reviewed the submitted concept plan, and have made comments to zoning changes required for the commercial endeavor proposed, lot and block designations for both residential and commercial tracts, secondary ingress/egress timeline development, and other pertinent requirements to ensure that all developmental regulations stipulated in the City of Harker Heights Code of Ordinances will be adhered to.

ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION:

Following a hearing held on January 6, 2021, the Planning and Zoning Commission voted (7-1) to approve the request with a waiver as presented by Remco Properties, LLC for Concept Plan amendment of Amy Lane Addition Concept Plan, on property described as a 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of S. Amy Lane, Harker Heights, Bell County, Texas.

Condition 1: A waiver is granted to allow a single access and secondary emergency access as depicted (see attachment 3 – Concept Plan).

RECOMMENDATION:

The comments provided by Staff have been addressed and the submitted concept plan meets the standards and ordinances of the City of Harker Heights if a waiver for the entrance is granted.

Staff recommended approval to the Planning & Zoning Commission of the request by Remco Properties, LLC Concept Plan amendment of Amy Lane Addition Concept Plan, on property described as a 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J. Thomlinson Survey, Abstract No. 813, generally located within the 700 block of

S. Amy Lane, Harker Heights, Bell County, Texas, under the condition that a waiver is granted to allow the single access and second emergency access as depicted.

ACTION BY THE CITY COUNCIL:

1. Motion to Approve/Disapprove a request by Remco Properties, LLC for Concept Plan amendment of Amy Lane Addition Concept Plan, on property described as a 6.917 acres of land, more or less, part of the Cullendar Keele Survey, Abstract No. 991, and the J.Thomlinson Survey, Abstract No. 813, generally located within the 700 block of South Amy Lane, Harker Heights, Bell County, Texas.
 - a. Condition 1: A waiver is granted to allow a single access and secondary emergency access as depicted (see attachment 3 – Concept Plan).

2. Any other action desired.

ATTACHMENTS:

1. Application
2. Waiver Request by Applicant
3. Concept Plan
4. Staff Comments
5. Location Map
6. Harker Heights Code Section 154.37 – Streets
7. Harker Heights Code Section 154.60 - Waivers



Concept Plan Application

Requirements - MUST BE 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 Scheduled
2. Payment of \$50.00 to the City of Harker Heights

The Concept Plan is the initial project layout that provides an opportunity to review and evaluate the impact of a proposed development on the character of the surrounding area in which it is proposed to be located. The process takes into consideration the general form of the land before and after development, as well as the spatial relationship of the proposed structures, open space, landscape areas, parking, and general access and circulation patterns as they relate to the proposed development and the surrounding areas.

Property Information:

Subdivision Name: Amy Lane Addition Date Submitted: 12/08/2020

Site Address or General Location: S. Amy Lane, Harker Heights, Texas 76548

Zoning: R-2 (both tracts) Acreage: 7.944 Proposed # of Lots: 22

Owner Information/Authorization:

Property Owner: Remco Properties, LLC & J'6 Family Limited Partnership

Address: 973 George Wilson Road, Belton, TX 76513 (Remco) & 4301 Elf Trail, Belton, TX 76513 (J'6 Family Limited Partnership)

Phone: [REDACTED] E-Mail: [REDACTED]

Developer: Same as Above

Address: _____

Phone: _____ E-Mail: _____

Engineer/Surveyor: Mitchell & Associates, Inc.

Address: 102 N. College Street/ P.O. Box 1088

Phone: [REDACTED] E-Mail: [REDACTED]

CHECK ONE OF THE FOLLOWING:

- I will represent the application myself.
- I hereby designate Mitchell & Associates (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.

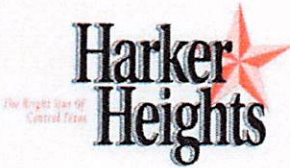
OWNER SIGNATURE: [Signature], REMCO

SWORN AND SUBSCRIBED BEFORE ME THIS 7th DAY OF December, 2020.



[Signature]
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES: 10-20-2024

Date Submitted: <u>12/9/20</u>	STAFF ONLY -- DO NOT FILL OUT BELOW	Receipt #: _____
Received By: <u>[Signature]</u>		<input type="checkbox"/> Pre-Application Meeting



Concept Plan Application

Requirements - MUST BE 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 Scheduled
2. Payment of \$50.00 to the City of Harker Heights

The Concept Plan is the initial project layout that provides an opportunity to review and evaluate the impact of a proposed development on the character of the surrounding area in which it is proposed to be located. The process takes into consideration the general form of the land before and after development, as well as the spatial relationship of the proposed structures, open space, landscape areas, parking, and general access and circulation patterns as they relate to the proposed development and the surrounding areas.

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

Property Information:

Subdivision Name: Amy Lane Addition Date Submitted: 12/08/2020

Site Address or General Location: S. Amy Lane, Harker Heights, Texas 76548

Zoning: R-2 (both tracts) Acreage: 7.944 Proposed # of Lots: 22

Owner Information/Authorization:

Property Owner: _____

Address: _____

Phone: _____ E-Mail: _____

Developer: _____

Address: _____

Phone: _____ E-Mail: _____

Engineer/Surveyor: _____

Address: _____

Phone: _____ E-Mail: _____

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.

OWNER SIGNATURE: _____

SWORN AND SUBSCRIBED BEFORE ME THIS 7th DAY OF December, 20 20.

Jennifer Henderson
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES: 10/20/2024



Date Submitted: _____

STAFF ONLY -- DO NOT FILL OUT BELOW

Receipt #: _____

Received By: _____

Pre-Application Meeting

Case #: _____

Mitchell & Associates, Inc.

Engineering & Surveying

December 9, 2020

Kristina Ramirez, P.E.
Director of Planning and Development
City of Harker Heights
305 Miller's Crossing
Harker Heights, TX 76548

RE: Amy Lane Addition – Subdivision Ordinance Variance Request - Street Entrances - Section 154.37 (A) (3)

Mrs. Ramirez,

On October 13, 2020 the Harker Heights City Council approved the Concept Plan Amy Lane Addition. This approval was contingent upon a secondary entrance. As discussions with the adjoining property owner for the secondary entrance evolved, a new plan and layout was developed. This new concept plan is submitted to the City of Harker Heights on December 9, 2020.

The new plan for the two-family development does contain more than fifteen lots. Therefore, please let this letter serve as a variance request to Section 154.37 (A) (3). In the event a single access is not granted, we have developed this concept plan that contains a secondary access drive. I am respectfully requesting consideration and approval for this concept plan with a secondary access drive if a single access point is opposed.

On behalf of our client, Remco Properties, LLC, we are submitting the concept plan for Amy Lane Addition with a request for a variance to section 154.37(A) (3) of the subdivision ordinance which states, "New subdivisions must have at least two access streets". We are requesting the City allow a single access for this proposed development. The Amy Lane Addition development plan is in compliance with the currently adopted Fire Code. The Fire Code defines health and safety requirements for the City of Harker Heights. Additionally, the land boundary is constrained by adjacent development so that one access to a dedicated right of way is all that will comply with the City of Harker Heights access requirements. We respectfully request that the "new subdivision may have one point of ingress/egress", with consideration of the below listed items:

Mitchell & Associates, Inc.

Engineering & Surveying

154.37 (A) (3) (a) Traffic circulation and emergency vehicle access.

Traffic circulation and emergency vehicular access will be enhanced with an additional access drive. This additional drive will be integrated into Office / Medical development on Amy Lane. The Office / Medical development will be a separate Lot and Block on the Final Plat. This route for the additional access drive, when compared to the previously approved concept plan, increases the distance between the access points along Amy Lane. The distance between access points increases the functionality of the secondary access.

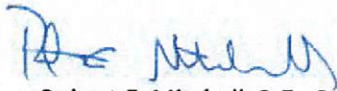
154.37 (A) (3) (b) Traffic and pedestrian safety with due consideration given to school bus routes.

School bus routing and pedestrian safety is increased with the addition of the secondary access through the Office / Medical development.

154.37 (A) (3) (c) Topography and visibility distances.

Topography & visibility distance are not a design constraint due to natural topography which is excellent for residential land development.

Respectfully submitted,



Robert E. Mitchell, P.E., P.L.S.
President
Mitchell & Associates, Inc.

MITCHELL & ASSOCIATES, INC.
 ENGINEERING & SURVEYING
 102 N. COLLETT
 KILGORE, TEXAS 75041
 PHONE: (214) 634-5541
 FAX: (214) 634-2141
 E & S L & R REGISTERED PROFESSIONAL ENGINEERS AND SURVEYORS

DATE	SCALE	NO.
12/10/03	AS SHOWN	23
PROJECT NO.	DATE	SCALE
10-010-1	12/10/03	7/30 A

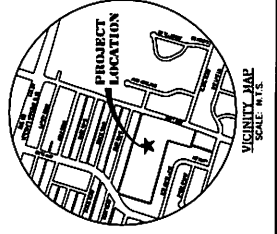
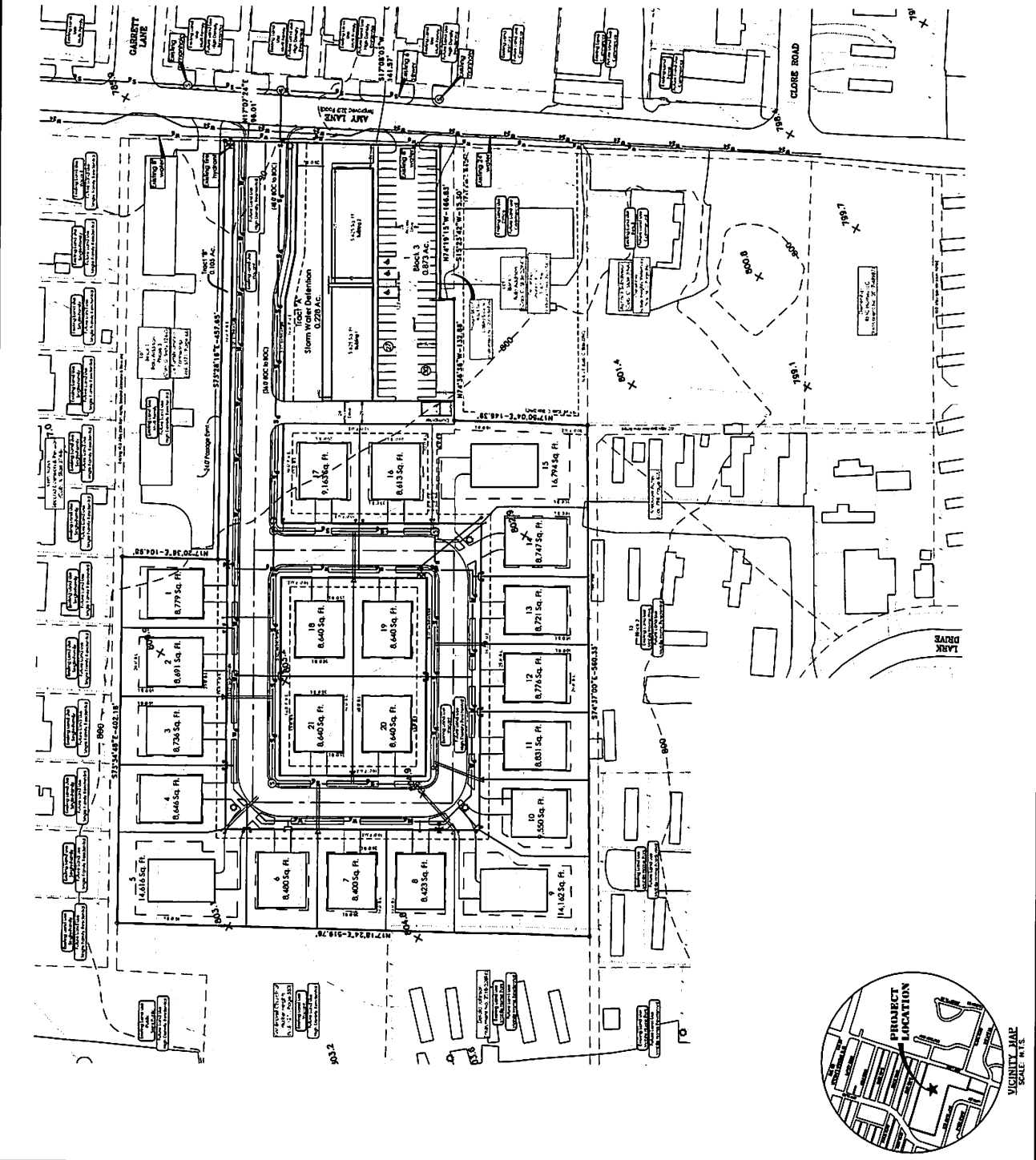
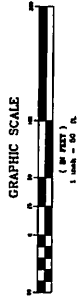
AMY LANE ADDITION
HARKER HEIGHTS, BELL COUNTY, TEXAS
CONCEPT PLAN

DATE: 12/10/03
 DRAWN BY: J. W. WILSON
 CHECKED BY: J. W. WILSON
 PROJECT NO.: 10-010-1

- NOTES:**
1. Existing Lot 16, vacant. Proposed lots for Residential and Office District. Zoning R-2. Two Family Residential Dwelling District (21 Lot). Office District (1 Lot).
 2. Topography shown is based upon City of Harker Heights. Actual topography (2012).
 3. Stakeouts to be installed along lot boundaries at the time of construction.
 4. Topography & visibility distance are not a design representation due to actual topography, which is excellent for residential land development.
 5. An executed agreement with the adjacent landowner for the proposed subdivision has been provided for the site. The subdivision is plotted.

PROPERTY OWNER:
 REMCO Properties LLC
 973 George Wilson Road
 Bellton, TX 76513
 P.O. Box 1088
 Bellton, TX 76513

SURVEYOR/ENGINEER:
 Mitchell & Associates, Inc.
 P.O. Box 1088
 Bellton, TX 76513



AMY LANE ADDITION CONCEPT PLAN

CP21-01 – Amy Lane Addition – Revised Concept Plan Submittal

Plat Distributed to HH Staff: December 10, 2020

Response: January 5, 2021

Response: January 6, 2021

Planning & Development

1. Rezoning for the commercial part of the plan will be required. The property that is proposed as commercial is currently zoned as R-2 (Two Family Dwelling District). Furthermore Future Land Use call for that area desired to be High Density Residential. With Commercial neighboring the site it is likely that this could be considered a favorable alternative fronting S. Amy Lane. B-1 would be a safe consideration for commercial within this area/thoroughfare.
[Noted.](#)
2. In regards to your request for variance – in the event that this concept is approved by Council I would request that the development of the alternative ingress/egress be constructed at the time development of the residential section is underway.
[Noted.](#)
3. KR - Applicant is advised that the front portion of the development where commercial structures are illustrated is currently zoned R-2. Therefore a request for formal zoning change to the indicated B-1 zoning will be required prior to the preliminary plat and development.
[Noted.](#)
4. KR - Applicant shall provide a lot and block designation for the parcel with the two proposed commercial buildings.
[The Lot and Block designation for the parcel with the two proposed commercial building has been made bolder and increased in size.](#)
5. KR - Applicant shall annotate all proposed block numbers and lots within each block shall begin with the number 1.
[The proposed lot with the two commercial buildings has been designated as Lot 1, Block 3.](#)

Public Works

- No Comments.

Consulting Engineer, Otto Wiederhold

1. Does not show existing 24" water line.
The existing 24" water line has been shown.

Fire Marshal, Brad Alley

- No Comments.

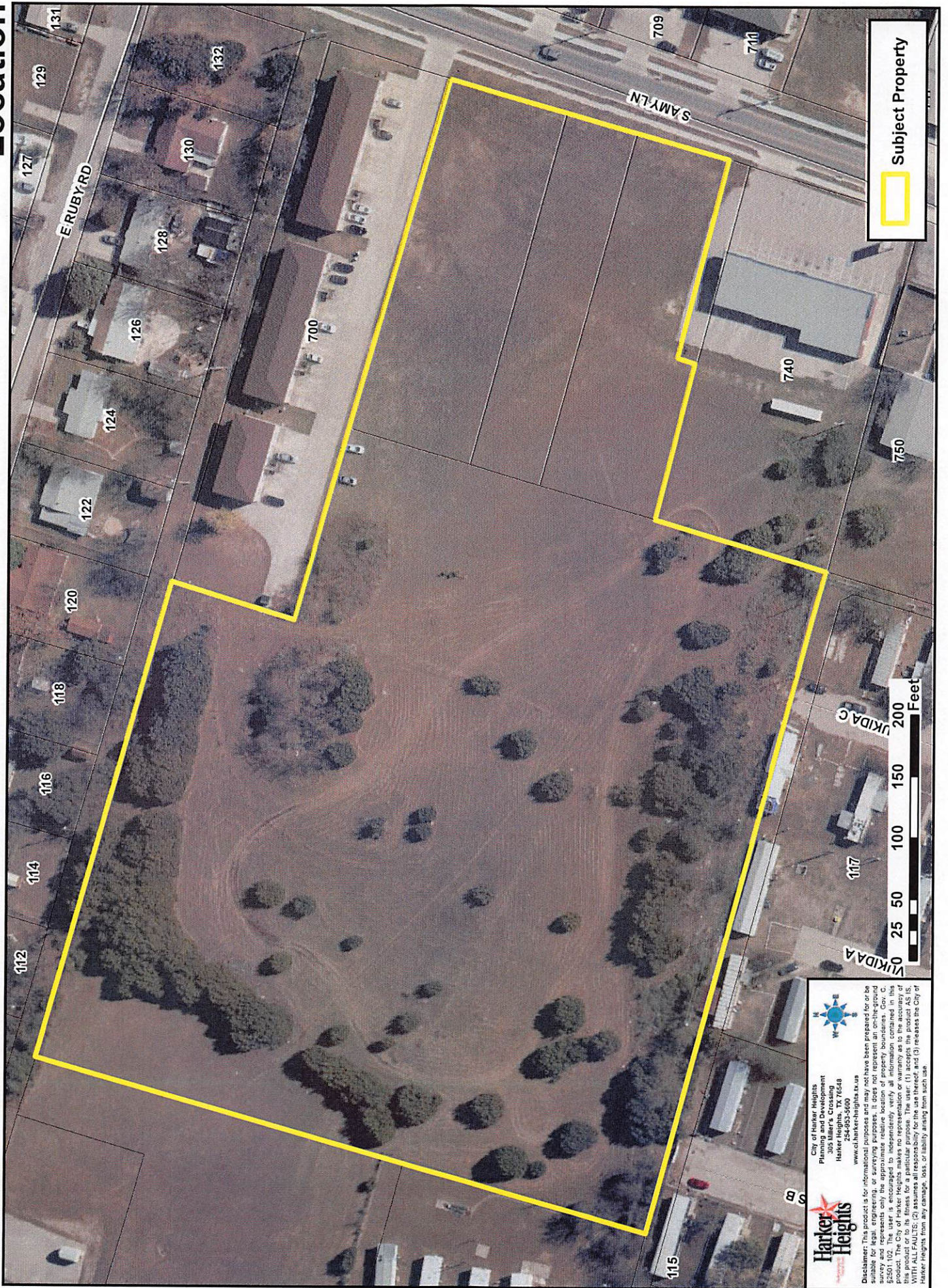
Building Official, Mike Beard


ONCOR, Derex Spencer

Century Link, Chris McGuire


Time Warner Cable/Spectrum, Shaun Whitehead

ATMOS, Burton Jones





 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. T. Canales, Mayor of Harker Heights, is not responsible for any errors or omissions in this product. The City of Harker Heights is not responsible for any errors or omissions in this product or for its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.


 Subject Property

§ 154.37 STREETS.

(A) Street layout.

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

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

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

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

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

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

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

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

(B) Street design standards.

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

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

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

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

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

(1) *Residential streets.* Residential streets shall be 36 feet in width back-of-curb to back-of-curb with a minimum 60 feet of right-of-way. These are streets that serve individual residential lots. They carry low traffic volumes. Where entrances to subdivisions are not part of a collector street, they shall be 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection.

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

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

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

front.

(D) *Miscellaneous street requirements.*

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

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

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

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

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

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

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

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

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

(E) *Alleys.*

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

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

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

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

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

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

(F) *Construction standards.*

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

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

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

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

§ 154.60 WAIVERS.

(A) The Planning and Zoning Commission and the City Council may authorize waivers from design standards. In granting a waiver, the city shall prescribe only conditions that it deems necessary or desirable in the public interest.

(B) In making the findings required under § 154.61, the Planning and Zoning Commission and the City Council shall take into account the nature of the proposed use of the land involved, existing uses of land in the vicinity, the number of persons who will reside or work in the proposed subdivision and the probable effect of such waiver upon traffic conditions and upon the public health, safety, convenience and welfare in the vicinity.

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



CITY COUNCIL MEMORANDUM

AGENDA ITEM # X-3

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING A CONTRACT FOR THE WASTEWATER TREATMENT PLANT MAIN LIFT STATION STAIRWAY SAFETY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$64,000.00 TO PRIMESPEC CONSTRUCTION, LLC; AUTHORIZE THE CITY MANAGER TO SIGN AND ACT ON BEHALF OF THE CITY, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The bidding process began with the City advertising for bids for the Wastewater Treatment Plant Main Lift Station Stairway Safety Improvements Project on November 1, 2020 and November 8, 2020. A total of thirty-eight bid packets were distributed. Plan holders included sixteen construction companies, eleven supply companies, seven plan rooms, one engineering firm and three procurement companies. PrimeSpec Construction and Matous Construction received electronic plans directly from the project engineer and are not on the attached Civcast plan holder list. On December 3, 2020, at 2:00 p.m. the sealed bids for the project were opened. The following bids were received and met specifications:

Bidder	Bid
PrimeSpec Construction, LLC	\$64,000.00
Hoover Construction Co, Inc.	\$66,500.00
Legion Development, LLC	\$70,100.00

The project includes the following:

- Removal of the existing stairway at pump level.
- Installation of the new stairway.
- Hinged floor grating and electric cable hoist.
- Associated electrical wiring/ conduit, safety chains and hooks.

Funds are budgeted in the FY2020-21 Capital Improvement Operating Fund for the project. Primespec Construction recently completed the Rummel Lift Station and Trimmier Lift Station Iron Chloride Odor Control Projects.

RECOMMENDATION:

The Public Works Director recommends approving a resolution awarding a contract for the Wastewater Treatment Plant Main Lift Station Stairway Safety Improvements Project in the amount of \$64,000.00 to PrimeSpec Construction, LLC.

ACTION BY CITY COUNCIL:

1. Motion to Approve/Disapprove a Resolution awarding a contract for the Wastewater Treatment Plant Main Lift Station Stairway Safety Improvements Project in the amount of \$64,000.00 to PrimeSpec Construction, LLC, and authorize the City Manager to sign and act on behalf of the City.
2. Any other action desired.

ATTACHMENTS:

1. Resolution
2. Letter of recommendation from Thonhoff Consulting Engineers, Inc.
3. Bid Tabulation
4. Plan Holder List
5. Location Map

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDED A CONTRACT FOR THE WASTEWATER TREATMENT PLANT MAIN LIFT STATION STAIRWAY SAFETY IMPROVEMENTS PROJECT IN THE AMOUNT OF \$64,000.00 TO PRIMESPEC CONSTRUCTION, LLC.

WHEREAS, the City advertised for bids on November 1, 2020 and November 8, 2020; and

WHEREAS, the City has funds budgeted in the FY 2020-21 Capital Improvement Funds; and

WHEREAS, the City notified sixteen construction companies, eleven supply companies, seven plan rooms, one engineering firm and three procurement companies; and

WHEREAS, the City received three bids meeting specifications; and

WHEREAS, the City opened the sealed bids at 2:00 p.m. on December 3, 2020 and found the lowest responsible bidder to be PrimeSpec Construction, LLC; 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 Wastewater Treatment Plant Main Lift Station Stairway Safety Improvements Project is awarded to PrimeSpec Construction, LLC in the amount of \$64,000.00.
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 January 12, 2021, by the Harker Heights City Council.

CITY OF HARKER HEIGHTS, TEXAS

Spencer H. Smith, Mayor
City of Harker Heights

ATTEST:

Julie Helsham, City Secretary
City of Harker Heights



THONHOFF CONSULTING ENGINEERS, INC.
MUNICIPAL • ENVIRONMENTAL • WATER & WASTEWATER

January 4, 2021

Mr. Mark Hyde
Director of Public Works
City of Harker Heights
305 Miller's Crossing
Harker Heights, Texas 76548

Re: City of Harker Heights
WWTP Main Lift Station Stairway Safety Improvements
Bid # 20-560-520-01
RECOMMENDATION OF AWARD

Dear Mr. Hyde:

Thonhoff Consulting Engineers, Inc. has tabulated the bids for the above-referenced project and the apparent low bidder is PrimeSpec Construction, LLC of Liberty Hill, Texas.

We know this Contractor to be responsible and qualified; therefore, it is the Recommendation of the Engineer to award this project to PrimeSpec Construction, LLC for the Total Bid Amount of \$64,000.

We have attached the bid tabulation for your review.

If you have any questions or need additional information, please contact me at 512-328-6736.

Sincerely,
THONHOFF CONSULTING ENGINEERS, INC.

Robert H. Thonhoff, Jr., P.E.
President

Attachment

20018.1.301

12/14/2020

<p style="text-align: center;">TABULATION OF BIDS CITY OF HARKER HEIGHTS, TEXAS WWTP Main Lift Station Stairway Safety Improvements Bid # 20-560-520-01 TCE Job No.: 20018.1.301 Bid Date: December 3, 2020</p>					
ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT
1	Stairway Safety Improvements for Motor and Pump Levels including but not limited to removal of existing stairway at Pump Level, installation of stringers, platforms, stair treads, handrails, brackets, hinged grating, electric cable hoist, required electrical wiring /conduit, safety chains and hooks and all required connectors, complete in place.	1	Lump Sum	\$64,000.00	\$64,000.00
				UNIT PRICE	TOTAL AMOUNT
				\$66,500.00	\$66,500.00
<p style="text-align: center;">Hoover Construction Co., Inc. P.O. Box 457 Burnet, TX 78611 Ph: 512.756.6041 Roger Sanders</p>					
				UNIT PRICE	TOTAL AMOUNT
				\$70,100.00	\$70,100.00
<p style="text-align: center;">Legion Development, LLC 2522 Shell Road, Suite A Georgetown, TX 78628 Ph: 512.688.5125 Ed Albrecht</p>					
				UNIT PRICE	TOTAL AMOUNT
				\$70,100.00	\$70,100.00
TOTAL BID AMOUNT					
					\$64,000.00
					\$66,500.00
					\$70,100.00

Harker Heights Stairway Safety Improvements - Planholders

McDonald Municipal & Industrial

Wayne Berkenmeier
General Contractor
P: 713-921-1368
F: 713-921-5109
wayneb@mcdonaldinc.com

Bernoulli Inc

Leonhard Euler
General Contractor
P: 2818675309
jbh77064hou@gmail.com

Hoover Construction Co., Inc.

Brenda Williams
General Contractor
P: 512-756-6041
F: 512-756-7411
Brendawilliams@yahoo.com

Alltech Engineering Corp

Jeremy Bixby
General Contractor
P: 952-217-8449; F: 817-226 4601
jbixby@alltechengineering.com

Stolz Mechanical Contractors, LLC

Jeff Stolz
General Contractor
P: 9792778335
jeffstolz@smc-tx.com

Fate Fabrications LLC

Quenton Collins
General Contractor
P: 9795516494
F: Fate Fabrications LLC
QuinnCollins@fatefabricationsllc.com

Maguire Iron, Inc

Megan Koster
General Contractor
P: 605-334-9749; F: 605-334-9752
kosterm@maguireiron.com

Legion Development LLC

Jonathan Jones
General Contractor
P: 5128108829
jonathan@legionh2o.com

Legion Development, LLC

Emily Morales
General Contractor
P: (512) 688-5125
emily@legionh2o.com

United Rentals Fluid Solutions - Bypass

Engineering & Consulting and Pump
Equipment Rental
Tyler Bradford
SubContractor
P: 214-686-3944; F: 817-468-8004
sbradford@ur.com

T MORALES COMPANY

GILBERT D. Cabeldue
SubContractor
P: 254-793-4344
F: 254-793-3044
gcabeldue@moralescompany.com

Aims Companies

Sabryna Abdella
SubContractor
P: 281-485-8816
sabdella@aimscompanies.com

K4E

Matthew Ray
SubContractor
P: 281-450-1936
mray@k4ellc.com

CutCo Concrete

Joey Loranc
SubContractor
P: 5128017031
Joey@ctctexas.biz

Benningfield Steel Fabrication, LLC

Tim Thomas
Supplier
P: 832-831-3691; F: 832-831-3692
tim@benningfieldsteel.com

Global Pump Solutions

Dalton Samek
Supplier
P: 9727570054
dalton@gpspumps.com

Harker Heights Stairway Safety Improvements - Planholders

Smith Pump Company
Jeff McHattie
Supplier
P: 5123101480
F: 5123101480
jeffm@smithpump.com

Knape Associates
Renee Evans
Supplier
P: 713-467-2777; F: 713-467-1217
Renee@knapeassociates.com

The Valve Agency Inc
Heather Wray
Supplier
P: 281-883-4331; F: 972-200-1442
sales@thevalveagency.com

Interested **WBEHUBSBEMBEWOSBDBE**

Macaulay Controls
Cheryl Diegelman
Supplier
P: 281-282-0100; F: 281-282-0077
cdiegelman@macaulaycontrols.com

Pierce Pump Company
Jason McNatt
Supplier
P: 469-515-9890
jmcnatt@piercepumpco.com

Process Solutions Controls
Oz Guerra
Supplier
P: 832-334-1995
oz.guerra@psctexas.com

precision pump systems
conner roe
Supplier
P: 8303604691
croe@precisionpumpsystems.com

Seguin Fabricators, Misc Metals Fabricator
Jennifer Warren
Supplier
P: 830-379-5890
F: 830-379-0685
jennifer@seguinfab.com

A&S Engineers Inc.
Andrew Johnson
Engineer
P: 7133015528
acj@as-engineers.com

The Barry Group, LLC
Kimberly Sims
Manufacturer
P: 972-312-8448
F: 972-312-8408
ksims@barrygroupllc.com

Contractors Register, Inc.
Maria Deg
Other
P: 800-431-2584
govbidops@thebluebook.com

North America Procurement Council Inc., PBC
Eric Johnson
Other
P: 302-450-1923
F: 302-450-1925
sourcemanagement@napc.me

Construction Bid Source
Sherri Schweickert
Other
P: 8887869450; F: 8887869450
sherri@constructionbidsource.com

AMTEK Austin
Kaylan Wardlaw
Plan Room
P: 5123230508
amtek.austin@amtekusa.com

AGC Plan Room
Elaine Hobbs
Plan Room
P: 254-772-5400; F: 254-772-5451
plans@centexagc.org

Virtual Builders Exchange
John Miller
Plan Room
P: 210-564-6900
F: 210-564-6902
jmiller@virtualbx.com

Harker Heights Stairway Safety Improvements - Planholders

Dodge Data & Analytics

Dodge Bidding

Plan Room

P: 817-375-2953

F: 800-768-5594

dodge.bidding@construction.com

Construction Journal

Pamela Exton

Plan Room

P: 8007855165

F: 8005817204

bids@constructionjournal.com

Prime Vendor Inc.

Bid Clerk Bid Clerk

Plan Room

P: 800-746-9554

F: 800-746-8307

govtbids@prime-vendor.com

ConstructConnect

Michael Stubbs

Plan Room

P: 800-364-2059

F: 866-570-8187

content@constructconnect.com

Harker Heights
Wastewater
Treatment Plant





CITY COUNCIL MEMORANDUM

AGENDA ITEM # X-4

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 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 NO PLACE LIKE HOME CHALLENGE; AUTHORIZING THE CITY MANAGER TO SIGN AND ACT ON BEHALF OF THE CITY; AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

The Harker Heights Pet Adoption Center is considering participating in the "No Place Like Home Challenge" which is a grant opportunity that is being administered through a participation by Maddie's Fund and Michelson Found Animals Foundation. Both organizations are foundations that provide grants to municipal and 501c3 shelters for various programs that increase community lifesaving efforts.

This specific grant is geared towards increasing a shelter's Return to Home (Return to Owner) percentages. It is setup as a challenge and the challenge is broken down into several phases. This includes the:

1. Registration Period (January 11, 2021 – January 15, 2021)
2. Prep Period (February 1, 2021 – February 28, 2021)
3. Challenge Period (Pilot Test) (March 1, 2021 – March 31, 2021)
4. Reporting Period (April 15, 2021)
5. After Action Report for Award Winners (Between Early to mid-July 2021)

The requirements to participate in the grant are:

1. Be a U.S.-based government animal shelter or a 501c3 shelter that is focused on dogs and/or cats.
2. Be an active participant in Shelter Animal Count.
3. Be current on all grant reporting for any prior Maddie Fund grants.
4. Register for the challenge through the Maddie's Fund Grants Portal.

The information currently available doesn't stipulate the amount of grant money that will be awarded outside of participating and being active during the challenge, nor does it specify how the grant money shall be used if awarded. Provided there are no restrictions on the use of the grant money, the Pet Adoption Center will use any money received from this challenge to further expand the programs and enhance the procedures developed during this challenge. Through participating in this program, it is the Center's goal to minimize the amount of time a pet stays in the Center before being returned home. This will have an overarching effect of decreasing the amount of

resources spent by the shelter to include staff time in maintaining the animal while the pet waits to be recovered by their owner and it will reduce the overall stress on the animal.

RECOMMENDATION:

City staff recommends approving this resolution.

ACTION BY COUNCIL:

1. Motion to Approve/Disapprove a Resolution of the City Council of the City of Harker Heights, Texas authorizing the City's participation in the No Place Like Home Challenge; and authorizing the City Manager to sign and act on behalf of the City.
2. Any other actions desired by the Council.

ATTACHMENTS:

1. Information Regarding Maddie's Fund and the No Place Like Home Challenge
2. Sample Application
3. Sample Report
4. Resolution

No Place Like Home Challenge



Reuniting pets with their families!

There's no place like home for a lost pet, especially the home that's missing them!

Looking for a way to keep more pets in their home and out of the shelter and a chance at \$150,000 in grant prizes? Join us for the first ever Return to Home (traditionally known as "Return to Owner") challenge that's all about reuniting pets with their families ASAP! Because they already have a family that loves them, they just need a little help finding their way back home. That's where YOU come in. (No wizardry necessary!)

The goal of the Challenge is to make Return to Home (RTH) part of your culture. We know it doesn't happen overnight but small steps lead to BIG results. Results like cost savings, feel good reunions and more. It just takes a little brains, heart and courage to try something new. It

could be anything and everything from updating your website to encouraging all animals in the community to have identification to modifying regulations around Return to Home. Are you up for the challenge?

Of course, we're here to help you along the way. (Think of us as your Good Witch.) We'll have [resources](#), helpful tips and weekly huddles during the prep period to help set you up for success. You'll hear from communities across the country about how they're decreasing costs and returning pets home before they even make it to the shelter, all while enhancing the relationship with their community. And we'll share ideas to help you make your community part of the solution.

All that's left is to grab your ruby kicks, click your heels together and magically get pets back to where they belong!

Registration is open Monday, January 11, 2021 through Friday, January 15, 2021

This grant application will be available in the Maddie's Fund [Grants Portal](#) when the application cycle opens on January 11, 2021. But you can get a head start by creating or updating your account in our [grants portal](#) today! *If this is your first time visiting our grants portal, you'll want to click on "New User?" on the login screen and follow the prompts. You can also review the [resources](#) ahead of time. If you have any questions about this Challenge, contact our Grants Team at (925) 310-5450 or grants@maddiesfund.org. Please note, our call and email volume is very high during application cycles, and our response may be up to 48 hours.*

Challenge Details:

The Challenge is open to organizations who want to start or expand their Return to Home program for dogs and cats. Return to Home programs that will be considered are those that actively reunite the animal with their owner in the field or before adoption, transfer or other outcomes. As part of registering for this Challenge, organizations will be asked to submit their Return to Home rates for the 2019 and 2020 calendar years. (Organizations will also share their Return to Home rate during the Challenge Period of March 1 – March 31, 2021 as part of their Participation Report.)

Important Dates:

- Registration Period: Monday, January 11, 2021 – Friday, January 15, 2021 (Apply through our [grants portal](#) until 5pm PST on January 15, 2021.)
- Prep Period: February 1 – 28, 2021. This is your chance to prepare for your new Return to Home practices (update policies/procedures, train staff, etc.)
- Challenge Period: March 1 – 31, 2021. During this time, you will pilot your new Return to Home practices.
- Participation Reports Due: Thursday, April 15, 2021 ([find a sample of that report here](#)).
- Final Report (via Zoom Huddle) for Award Winners: Early- to mid-July 2021 ([find sample questions here](#)).

To be considered to PARTICIPATE in this Challenge, your organization must:

- **Be a U.S.-based government animal shelter or 501c3 shelter or rescue organization focused on dogs and/or cats.**
- **Be an active participant in Shelter Animals Count. (If you are awarded a grant prize from this Challenge, you agree to join the Maddie's Fund Coalition in Shelter Animals Count.)**
- **Be current on all grant reporting for any prior Maddie's Fund grants.**
- **Register for the Challenge by submitting a complete application through the Maddie's Fund Grants Portal. You will be notified by our team by January 29, 2021 if you meet the eligibility requirements to participate in the Challenge.**

To be considered for an AWARD from this Challenge, your organization must:

- **Meet the requirements above.**
- **Submit the Participation Report (due April 15, 2021 by 5pm PST). Find a sample of this report here. Please note, this sample is provided for reference only and questions are subject to change.**

Additionally, if you are selected as an award winner from this Challenge, there's a final report via Zoom to be scheduled for early July 2021. Find a sample of this report here. Please note, this sample is provided for reference only and questions are subject to change.

As an added incentive, The Association for Animal Welfare Advancement will award up to 15 individual annual memberships and 50 organizations will be chosen to win a FREE registration for The Association's next virtual conference!

Resources

Browse our growing [list of Return to Home resources](#) from Challenge partners, organized by the Return to Home practice they fall into!

Huddles [coming soon]

Save the Huddle dates now! We'll be hosting 8 huddles throughout the month of February, on every Tuesday (10am PST) and Thursday (1pm PST). Each will cover one area or "practice" of Return to Home. You can [view a list of all practices](#). Each huddle will likely have two presenters, with a total of 20 minutes of presentation time and 20 minutes for questions. Gina Knepp of Michelson Found Animals Foundation will moderate. More details to come in January 2021.

[Join the No Place Like Home Challenge group on Maddie's® Pet Forum](#)

Here you will connect with other challenge participants and share your success stories, tips and brainstorm. The end goal is to make Return to Home part of your culture and return as many pets home as possible, so let's help each other out! [Join now!](#)

Get social!

Follow and use #NPLHC and #GetLostPetsHome with your posts so we can see and share your amazing work!





THE HUMANE SOCIETY
OF THE UNITED STATES



Michelson
Found Animals



NATIONAL ANIMAL
CARE & CONTROL ASSOCIATION



No Place Like Home Challenge – Registration Application - Sample

Please note, this is a sample application to help you prepare your answers. This sample is provided for reference only, and questions are subject to change.

Registration Questions

Maddie's Fund welcomes you to register for our No Place Like Home Challenge! This challenge is for organizations who want to start or expand their Return to Home program for dogs and cats. You can try a new Return to Home practice or expand on something you're already doing, and have a chance at \$150,000 in grants being awarded.

To be considered to participate in the No Place Like Home Challenge ("Challenge"), your organization must:

- be a U.S.-based government animal shelter or 501(c)(3) shelter or rescue organization.
- be an active participant in [Shelter Animals Count](#). (If you are awarded a grant prize from this Challenge, you agree to join the Maddie's Fund Coalition in Shelter Animals Count.)
- be current on all grant reporting for any prior Maddie's Fund grants.
- register for the Challenge by submitting a complete application through the [Maddie's Fund Grants Portal](#). You will be notified by our team by Friday, January 29, 2021, if you meet the eligibility requirements to participate in the Challenge.

Registration Dates: Monday, January 11, 2021 – Friday, January 15, 2021 (Apply through our [grants portal](#) until 5:00pm Pacific Time on January 15, 2021.)

Organization Prep Period: February 1 - 28, 2021. This is your chance to prepare for your new RTH practices (update policies/procedures, train staff, etc.)

Challenge Period: March 1 – 31, 2021. During this time, you will pilot your new RTH practices.

Participation Report Due Date: Thursday, April 15, 2021 by 5:00pm Pacific Time (find a sample of that report [here](#))

Final Report (Zoom Huddle) Date: Early- to mid-July 2021 (find the sample questions [here](#))

Once you submit your registration application, you will immediately receive an automated email from Maddie's Fund confirming your application has been submitted. If you do not receive this email, please contact the Maddie's Fund Grants Team at 925.310.5450 or grants@maddiesfund.org as your application may not have been submitted. Applications that are not submitted and left as "In Progress" will not be reviewed and will be deleted 10 days after the close of the registration period.

If you have any questions as you're completing this application, please contact Maddie's Fund at 925.310.5450 or grants@maddiesfund.org. We generally experience a very high call/email volume during application cycles, and our response time may be up to 48 hours.

1. Please provide your Return to Home rates for the 2019 and 2020 calendar year. To find your rate, use the formula **number of animals returned to owner divided by number of stray animals in**.
 - a. 2019 Return to Home rate:
 - b. 2020 Return to Home rate:
 - c. Do your Return to Home rates above include underage kittens/puppies? *Yes/No*
 - d. Do your Return to Home rates above include TNR/SNR/RTF cats? *Yes/No*

2. Which of the following practices are currently used in your Return to Home program? Select all that apply. [Here is a list of broad Return to Home practices](#), including more specific programs and action items within each practice.
 - a. All animals in the community have identification
 - b. Return to Home policies and lost/found techniques are marketed to the community
 - c. Organization embraces a culture of Return to Home
 - d. Organization works with community to help facilitate Return to Home
 - e. Technology is used to help reunite pets and owners
 - f. Regulations and laws encourage Return to Home
 - g. Animals are returned in the field rather than at the shelter
 - h. Other (please describe below)
 - i. If Other, please explain:
3. Please briefly describe your Return to Home program. (If you do not currently have a Return to Home program, please let us know here.) *1,500 character limit*
4. Which of the following practices are you planning to implement or expand during the Challenge Period? Check all that apply.
 - a. All animals in the community have identification
 - b. Return to Home policies and lost/found techniques are marketed to the community
 - c. Organization embraces a culture of Return to Home
 - d. Organization works with community to help facilitate Return to Home
 - e. Technology is used to help reunite pets and owners
 - f. Regulations and laws encourage Return to Home
 - g. Animals are returned in the field rather than at the shelter
 - h. Other (please describe below)
 - i. If Other, please explain:
5. Please briefly provide specifics for what practice(s) you will implement or expand during the Challenge Period. *1,500 character limit*
6. Do you foresee any barriers/challenges to implementing or expanding these practices? *Yes/No*
 - a. If yes, how do you plan to overcome them? *1,000 character limit*

Organization Information:

Please review your organization's information and make any necessary changes. While posting your annual animal statistics and lifesaving percentage on your website and participating in Million Cat Challenge are not required for this application, the fields will need to be completed.

Please note, our Organization Type options have recently changed. If you've filled that field out previously, be sure to check it to make sure it's still correct.

- Organization Name:
- Legal Name:
- AKA:
- EIN:
- Phone:
- Street Address/City/State/ZIP Code:
- U.S. County:
- Website:

- Please provide the web link to where you are publicly sharing your annual animal statistics on your website (on the same page as your lifesaving percentage):
- Please provide the web link to where you are publicly sharing your lifesaving percentage and how you calculated it on your website (on the same page as your annual animal statistics):
- If applicable, my organization is an active participant in Shelter Animals Count. If this grant is approved, we agree to join the Maddie's Fund Coalition in Shelter Animals Count: *Yes/No*
 - If no, please explain:
- If applicable, my organization is an active participant in Million Cat Challenge: *Yes/No*
 - If no, please explain:
- Annual Cat Intake:
- Annual Dog Intake:
- Organization Type:
 - Government Animal Services
 - Private Shelter/Rescue Organization with Gov Contract
 - Private Shelter – No Gov Contract
 - Rescue Organization – No Gov Contract
 - Other Organization

Staff Information:

Please provide the following information for the applicant.

- Salutation:
- Name:
- Suffix:
- Email:
- Title:
- Phone:

In addition to the applicant, please provide the above information for the following contacts:

- **Head of Organization (required):** this may be your Executive Director, CEO, etc.; the person who will sign the confirmation letter if this grant is awarded. This contact will need to be given portal access to be able to view and/or edit the application.
- **Payment Contact (required):** the person responsible for receiving the check or ACH email notifications if this grant is approved. This person will not need to be given portal access unless they want it. If the grant is approved for \$5,000 or less, a check will be mailed to the Payment Contact's address. If the grant is approved for more than \$5,000, the Payment Contact will receive emails from Bill.com (1) asking for your organization's account information and (2) notification of payment confirmation.
- **Collaborators (optional):** anyone in your organization collaborating on this project with you, aside from the Head of Organization and Payment Contact. This person will need to be granted portal access to be able to view and/or edit the application.

Submission Agreement:

My organization is current on all grant reporting requirements for any previous Maddie's Fund grants or has never received a grant from Maddie's Fund.

Yes/No/Not applicable, we have never received a grant from Maddie's Fund

If no, please explain: (500 character limit)

Please read the following information about this application and opportunity:

You'll be notified by Friday, January 29, 2021, if you are accepted into the No Place Like Home Challenge. If you do not receive an email from us by the end of the day on Friday, January 29, 2021, please contact us right away on Monday, February 1, 2021 at 925.310.5450 or grants@maddiesfund.org. Please note, we generally experience a very high call/email volume during application cycles, and our response time may be up to 48 hours.

If you are accepted into the Challenge, and **to be considered for an award** from this Challenge, your organization must submit a Participation Report to Maddie's Fund at the end of the Challenge period (March 1 – 31, 2021). This report will be due Thursday April 15, 2021 by 5:00pm Pacific Time. A sample of the report can be found [here](#).

Additionally, if you are selected as an award winner from this Challenge, there will be a follow-up grantee report, held via Zoom Huddle in early- to mid-July 2021. Sample questions can be found [here](#).

When you submit your registration application, you will immediately receive an automated email from Maddie's Fund confirming your application has been submitted. If you do not receive this email, please contact Maddie's Fund at 925.310.5450 or grants@maddiesfund.org as your application may not have been submitted. Applications that are not submitted and left as "In Progress" will not be reviewed and will be deleted 10 business days after the close of the registration period.

By selecting "Yes" below, I agree to the above statements. I certify that I have answered all of the questions on every tab of this application (Registration Information, Organization Information, Submitted By and Staff Information). All the information is complete and correct to the best of my knowledge. I am aware that incomplete applications will not be reviewed by Maddie's Fund.

Yes/No

Please note, this is a sample application for reference only, and questions are subject to change. If you have any questions about this application or the No Place Like Home Challenge, please contact the Maddie's Fund Grants Team at 925.310.5450 or grants@maddiesfund.org. We experience a very high call and email volume during application cycles, so our response time may be as long as 48 hours.

No Place Like Home Challenge – Participation Report - Sample

Please note, this is a sample report for reference only, and questions are subject to change. Your report must be submitted through the [Maddie's Fund Grants Portal](#) to be reviewed and considered for an award.

Thank you for participating in our No Place Like Home Challenge. We're looking forward to hearing about your experience.

This Participation Report must be filled out completely to be considered for an award from the Challenge. This report is due to Maddie's Fund by 5:00pm Pacific Time on Thursday, April 15, 2021, submitted through the [Maddie's Fund Grants Portal](#).

Additionally, if you are selected as an award winner from this Challenge, there will be a final report, via Zoom Huddle, in early- to mid-July 2021. You can find sample questions [here](#).

If you have any questions as you're completing this Participation Report, please contact us at 925.310.5450 or grants@maddiesfund.org.

The questions below marked with a red asterisk (*) are required.

Return to Home Data:

1. * How many dogs were returned home during the Challenge Period? Include each instance, not unique animals (for example, if the same dog was found as a stray and returned home twice during the Challenge Period, count that twice).
 - a. * Does this include dogs returned in the field? Yes/No
 - b. * Regardless of whether you answered Yes or No for question 1a, if you're able to separate the number of dogs returned in the field from the total number of dogs returned home, please give us that number. If you're unable to separate that number from the total, please leave this field blank.
2. * How many cats were returned home during the Challenge Period? Include each instance, not unique animals (for example, if the same cat was found as a stray and returned home twice during the Challenge Period, count that twice).
 - a. * Does this include cats returned in the field? Yes/No
 - b. Regardless of whether you answered Yes or No for question 1a, if you're able to separate the number of cats returned in the field from the total number of cats returned home, please give us that number. If you're unable to separate that number from the total, please leave this field blank.
3. * Please enter your Return to Home rate during the Challenge Period. Please use the following formula to calculate your rate: **number of animals Returned to Home divided by number of stray animals in.**
 - a. Dogs:
 - b. Cats:
 - c. Total:
4. * Do your Return to Home rates include underage kittens/puppies? Yes/No
 - a. If yes, how many?
 - i. Puppies:
 - ii. Kittens:

5. Do your Return to Home rates above include TNR/SNR/RTF cats? *Yes/No*
 - a. If yes, how many?
6. * Please upload a list of animals returned home during the Challenge period of March 1 – 31, 2021. (This list should include animal name/ID#/description, species, intake date, return date and Return to Home method (optional).) Feel free to use your shelter software to produce this report, or you can download and use [this template](#) .

Narrative Questions:

7. * Which of the following practices did you implement or expand during the Challenge Period? Check all that apply. Please refer to our [list of Return to Home Practices](#).
 - a. All animals in the community have identification
 - b. Return to Home policies and lost/found techniques are marketed to the community
 - c. Organization embraces a culture of Return to Home
 - d. Organization works with community to help facilitate Return to Home
 - e. Technology is used to help reunite pets and owners
 - f. Regulations and laws encourage Return to Home
 - g. Animals are returned in the field rather than at the shelter
 - h. Other (please describe below)
 - i. If Other, please explain: *500 character limit*
8. * Please describe what practice(s) you implemented or expanded and how your Return to Home program was impacted. *2,000 character limit*
9. * What surprised you the most from participating in this Challenge? *1,000 character limit*
10. * What challenges did you face? *1,500 character limit*
11. * Do you plan to continue with these new or expanded practices? *Yes/No*
12. Please share a brief favorite story from this Challenge period. You'll have the option to share photos below, but if you have a link to a video, you can include it here. *2,500 character limit*
13. If you have a photo to accompany your story from above, or any additional items about this grant that you'd like to share with us, you can upload them here.

Thank you for completing this report. The questions marked with red asterisks (*) are required.

Completion and submission of this report to Maddie's Fund by 5:00pm Pacific Time on Thursday, April 15, 2021, at, is required for your organization to be considered for an award from the No Place Like Home Challenge. Once you submit this, you'll receive an automated email from us confirming your report was submitted. If you do not receive this email, please contact the Maddie's Fund Grants Team immediately at 925.310.5450 or grants@maddiesfund.org as your report may not have been submitted. Any report that remains in the "Scheduled" status isn't submitted and won't be reviewed.

This sample report is provided for reference only, and questions are subject to change. Your report must be submitted through the [Maddie's Fund Grants Portal](#) to be reviewed and considered for an award.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF HARKER HEIGHTS, TEXAS AUTHORIZING THE CITY'S PARTICIPATION IN THE NO PLACE LIKE HOME CHALLENGE GRANT.

WHEREAS, the Harker Heights Pet Adoption Center wishes to participate in the No Place Like Home Challenge Grant; and

WHEREAS, the grant is awarded as an incentive for municipal and non-profit shelters to start or improve upon their Return to Home programs; and

WHEREAS, improving the City's Return to Home program will be a benefit area pets by quickly reuniting them with their owners; and

WHEREAS, improving the City's Return to Home program will benefit the Pet Adoption Center by reducing the amount of supplies and manpower needed to care for lost pets while the Center searches for the owner; 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. Participation in the No Place Like Home Challenge Grant is hereby approved.
3. The City Manager, David Mitchell, is hereby 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 this Grant opportunity, and to execute and deliver such agreements (and any changes therein and additions thereto as he shall determine to be necessary or advisable, such determinations to be conclusively evidenced by the execution and delivery thereof), and any related consents, notices, certificates, acknowledgements, 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 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 January 12, 2021, by the Harker Heights City Council.

Spencer H. Smith, Mayor
City of Harker Heights

ATTEST:

Julie Helsham, City Secretary
City of Harker Heights



CITY COUNCIL MEMORANDUM

AGENDA ITEM # X-5

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 2021

DISCUSS AND CONSIDER APPROVING THE ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, AWARDING FINANCING IN THE AMOUNT OF \$405,000 FOR THE PURCHASE OF COMPUTERS AND MAKING CERTAIN FINDINGS THERETO; AUTHORIZE THE CITY MANAGER TO SIGN AND ACT ON BEHALF OF THE CITY, AND TAKE THE APPROPRIATE ACTION.

BACKGROUND:

Staff is financing the purchase of (85) personal computers, (35) tablets, (30) Police personal computers, (20) laptops, (10) Point of Sale computers, (8) rugged laptops, (4) GIS personal computers, (2) GIS tablets, (2) servers, (2) switches, (1) storage enclosure, and additional computer accessories for a total cost of \$404,841.27.

This purchase was approved as part of the Fixed Asset budget under the Information Technology Department as a \$90,000 lease payment. The Finance Department requested bids for financing an amount not to exceed \$405,000.00 over a five-year term and received the following responses on the closing date of December 1, 2020:

Financial Institution Name	Interest Rate	Additional Fees	Total Cost	Year 1 Principal & Interest
First National Bank Texas, Killeen, TX	1.170%	\$3,500.00	\$423,900.13	\$86,923.13
VeraBank, Harker Heights, TX	2.000%	0.00	429,620.75	85,924.15
BancorpSouth Bank, Harker Heights, TX	2.230%	0.00	432,779.65	86,555.93
Dell Financial Services, Round Rock, TX	3.950%	0.00	437,350.00	87,470.00
American Capital Financial Services, Lisle, IL	2.243%	0.00	423,163.05	84,632.61
TCF National Bank, Minnetonka, MN	3.900%	0.00	436,566.70	87,313.34

RECOMMENDATION:

Staff recommends approving the resolution and awarding financing to First National Bank Texas.

ACTION BY COUNCIL:

1. Motion to Approve/Disapprove a Resolution of the City Council of the City of Harker Heights, Texas, awarding financing in the amount of \$405,000 for the purchase of computers and making certain findings thereto, and Authorize the City Manager to sign and act on behalf of the City.
2. Any other action desired.

ATTACHMENTS:

1. Resolution.

RESOLUTION

STATE OF TEXAS §
COUNTY OF BELL §

We, the undersigned officers of the City Council of the City of Harker Heights, Texas, hereby certify as follows:

1. That the City Council of the City of Harker Heights, Texas (the "City"), convened in regular session on the 12th day of January, 2021, at the regular meeting place thereof, within the City Hall, and the roll was called of the duly constituted officers and members of the City Council, to wit:

Spencer H. Smith	Mayor
Michael Blomquist	Mayor Pro Tem
Jennifer McCann	Councilmember
Jackeline Soriano Fountain	Councilmember
Lynda Nash	Councilmember
Jody Nicholas	Councilmember

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS
AWARDING FINANCING IN THE AMOUNT OF \$405,000 FOR THE PURCHASE OF
COMPUTERS AND MAKING CERTAIN FINDINGS RELATED THERETO**

was duly introduced for the consideration of the City Council and read in full. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of the Resolution, prevailed and carried by the following vote:

AYES: _____

NOES: _____

2. A true, full and correct copy of the aforesaid Resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Resolution has been duly recorded in the official minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the official minutes of said meeting pertaining to the adoption of the Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that the Resolution would be introduced and considered for adoption at said meeting, that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551 of the *Texas Government Code*, as amended.

SIGNED as of the 12th day of January, 2021.

Julie Helsham, City Secretary

Spencer H. Smith, Mayor

(SEAL)

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS,
AWARDING FINANCING IN THE AMOUNT OF \$405,000 FOR COMPUTERS AND
MAKING CERTAIN FINDINGS RELATED THERETO**

WHEREAS, the City of Harker Heights, Texas (the “City”) desires to purchase computer; and

WHEREAS, the City has taken bids with regard to the related financing and First National Bank Texas (the “Bank”) has submitted the lowest and best bid; and

WHEREAS, it is the desire of the City to award the financing in accordance with the evaluation of such bids;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas:

1. That the above recitals are true and correct.
2. That the financing for purchase of the computer system be awarded to First National Bank Texas in the amount of \$405,000 and at an interest rate of 1.170% per annum.
3. That the City Manager be and is hereby authorized to execute such documents as is necessary to carry out the intents and purposes of this Resolution so the financing may be concluded.
4. That it is officially found and determined that this meeting was open to the public as required by law and that notice of the time, place and subject matter of this meeting has been posted in the manner required by law.

PASSED AND APPROVED on this 12th day of January, 2021 by a vote of _____ ayes and _____ nays.

CITY OF HARKER HEIGHTS, TEXAS

By: _____
Spencer H. Smith, Mayor

ATTEST:

By: _____
Julie Helsham, City Secretary



CITY COUNCIL MEMORANDUM

AGENDA ITEM # X-6

FROM: THE OFFICE OF THE CITY MANAGER

DATE: JANUARY 12, 2021

DISCUSS AND CONSIDER APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, ADOPTING THE CITY OF HARKER HEIGHTS 2021-2022 LEGISLATIVE PLATFORM FOR THE 87TH LEGISLATIVE SESSION, AND TAKE THE APPROPRIATE ACTION.

EXPLANATION:

Staff has developed a list of legislative priorities for the City Council to consider adopting for the upcoming 87th legislative session. These platform items will serve as a guide for representing the City's interests at the state level.

During the 86th legislative session, more than 7,500 bills or significant resolutions were introduced; more than 2,000 of them would have affected Texas cities in some substantial way. In the end, over 1,400 bills or resolutions passed and were signed into law. Approximately 300 of them impacted cities in some way.

The number of city related bills continues to rise each session. A quarter of the legislature's work last session was directed at cities and much of that work aims to limit municipal authority.

In general, the proposed platform supports legislation that maintains or enhances municipal authority to govern local services, revenue and economic development policies. This platform also addresses our opposition to unfunded mandates.

During the development of these items, staff took into consideration the principles and guidelines of the Texas Municipal League (TML).

RECOMMENDATION:

Staff recommends approving a resolution adopting the City of Harker Heights 2021-2022 legislative platform for the 87th legislative session.

ACTION BY COUNCIL:

1. Motion to Approve/Disapprove a Resolution adopting the City of Harker Heights 2021-2022 legislative platform for the 87th legislative session.
2. Any action desired by Council.

ATTACHMENTS:

1. Resolution
2. 2021-2022 City of Harker Heights Legislative Platform

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARKER HEIGHTS, TEXAS, PRESENTING THE CITY'S LEGISLATIVE AGENDA FOR THE STATE OF TEXAS EIGHTY-SEVENTH LEGISLATIVE SESSION.

WHEREAS, the State of Texas eighty-seventh legislative session begins January 12, 2021; and

WHEREAS, the Legislature for the State of Texas meets every other year; and

WHEREAS, the City Council finds that it is in the public interest to provide clear and united legislative direction so that critical functions of the City are not impaired or encumbered by proposed legislation; and

WHEREAS, the City Council desires to be a partner with the State of Texas to make Texas even greater and in advancing the grand story that is Texas;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harker Heights, Texas, to:

Approve a resolution of the City of Harker Heights 2021-2022 legislative platform for the 87th legislative session.

PASSED AND APPROVED by the City Council of the City of Harker Heights on January 12, 2020.

Spencer H. Smith, Mayor

ATTEST:

Julie Helsham, City Secretary



LEGISLATIVE AGENDA – 87th Session

- The City of Harker Heights supports legislation that would provide local relief for disproportionate impacts of state exemptions and programs.
- The City of Harker Heights supports legislation that would provide benefit to military communities.
- The City of Harker Heights supports legislation that would provide transportation funding for local projects.
- The City of Harker Heights supports local control and opposes legislation that would remove or limit local control or preempt local authority.
- The City of Harker Heights opposes legislation that would impose unfunded mandates.
- The City of Harker Heights opposes legislation that would erode zoning authority.

Final 1/12/2021