NOTICE OF MEETING OF THE
PLANNING & ZONING COMMISSION OF THE CITY OF HARKER HEIGHTS, TEXAS

Notice is hereby given that, beginning at 5:30 p.m. on Wednesday, June 24, 2026, and continuing from day to day thereafter, if necessary, the Planning and Zoning Commission (P&Z) of the City of Harker Heights, Texas, will conduct a regular meeting in the Kitty Young Council Chamber of the Harker Heights City Hall located at 305 Miller's Crossing, Harker Heights, Texas 76548. The subjects to be discussed are listed in the following agenda:

MEETING AGENDA

I. **CALL TO ORDER:**

II. **INVOCATION:**

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

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

IV. **ROLL CALL:**

V. **PUBLIC COMMENTS:**
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Planning and Zoning Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Planning and Zoning Commission during Public Comments.***

VI. **APPROVAL OF AGENDA:**

1. Discuss and consider approval of the agenda for the regular meeting of the Planning & Zoning Commission for June 24, 2026.

VII. **CONSENT AGENDA:**

1. Discuss and consider approval of the minutes from the Planning & Zoning Commission regular meeting held on April 29, 2026.
Planning & Zoning Commission: Meeting - 29 Apr 2026 - Minutes - Pdf

VIII. **RECOGNITION OF AFFIDAVITS FOR CONFLICT OF INTEREST:**

IX. **PUBLIC HEARINGS:**

1. Z26-10 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO OPERATE A HOME OCCUPATION FOR A MEDICAL RELATED THERAPY OFFICE BUSINESS ON PROPERTY DESCRIBED AS COUNTRY TRAILS ADDITION 14TH PHASE, BLOCK 035, LOT 0001, UNDIVIDED INTEREST 50.0000000000%, GENERALLY KNOWN AS 2003 ELK TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

Z26-10 Staff Report - Pdf

2. Z26-11 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTY DESCRIBED AS KERN VALLEY 1ST EXT, BLOCK 00A, LOT 0035, & W 1/2 OF FLENGE DR, SN1 VK1117; TITLE # 83159949, GENERALLY KNOWN AS 428 CLORE ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

Z26-11 Staff Report - Pdf

3. Z26-12 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 70, ACRES 6.884, GENERALLY LOCATED AT THE NORTHWESTERN PORTION OF THE NORTHERN CUL DE SAC ON ORLAN DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 71, ACRES 6.64, GENERALLY KNOWN AS 11711 ORLAN DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 72, ACRES 5.34, GENERALLY KNOWN AS 5550 LAKESIDE DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS SCENIC HILLS ADDITION, BLOCK 001, LOT 073A, ACRES 3.065, GENERALLY KNOWN AS 5928 LAKESIDE DRIVE, BELTON, BELL COUNTY TEXAS, AND PROPERTY DESCRIBED AS SCENIC HILLS ADDITION, BLOCK 001, LOT 073B, ACRES 4.104, GENERALLY KNOWN AS 5932 LAKESIDE DRIVE, BELTON, BELL COUNTY, TEXAS (ALL PROPERTIES LOCATED WITHIN THE CITY OF HARKER HEIGHTS). (PLANNING ADMINISTRATOR)

Z26-12 Staff Report - Pdf

4. Z26-13 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT 99, ACRES 6.36, GENERALLY KNOWN AS 11105 HIGHVIEW DRIVE, BELTON, BELL COUNTY, TEXAS (LOCATED WITHIN THE CITY OF HARKER HEIGHTS). (PLANNING ADMINISTRATOR)

Z26-13 Staff Report - Pdf

X. **NEW BUSINESS:**

1. P26-07 DISCUSS AND CONSIDER APPROVING A FINAL PLAT REFERRED TO AS EVERGEEN PHASE VI FINAL PLAT, ON PROPERTY DESCRIBED AS BEING 113.88 ACRES, SITUATED IN THE JAMES WILLIAMSON SURVEY, ABSTRACT NO. 1003, THE M. D. O'DELL SURVEY, ABSTRACT NO. 994, THE E. DAWSON SURVEY, ABSTRACT NO. 258 AND THE T. L. O'DELL SURVEY, ABSTRACT NO. 1043, BELL COUNTY, TEXAS, BEING A PORTION OF A CALLED 277.369 ACRE TRACT OF LAND CONVEYED TO HEIGHTS EVERGREEN DEVELOPERS, LTD. IN VOLUME 5940, PAGE 885, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

P26-07 Staff Report - Pdf

XI. **REPORTS FROM COMMISSIONERS:**

XII. **STAFF COMMENTS:**

1. April 2026 Economic Development Report

April_2026_EDR

2. May 2026 Economic Development Report

May_2026_EDR

3. City Council Action Summary

City Council 04282026 - 06162026

XIII. **ADJOURNMENT:**

I, the undersigned authority, do hereby certify that pursuant to the Texas Open Meetings Act, the above Notice of Meeting of the Planning and Zoning Commission of the City of Harker Heights, Texas, was posted at the Harker Heights Municipal Building, and the City of Harker Heights website which is readily accessible to the public at all times, by 5:00 P.M. on _____ _____, _____. Please contact the Planning and Development Department at (254) 953-5648 for further information.

Stephanie Hall, Planning Administrator
City of Harker Heights

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. ***Note: On occasion the Planning and Zoning Commission may consider agenda items out of order.***

Minutes of the City of Harker Heights Planning & Zoning Commission Meeting that was called to order on Wednesday, April 29, 2026, at 5:30 PM, in the Kitty Young Council Chamber at the Harker Heights City Hall at 305 Miller's Crossing, Harker Heights, Texas 76548, with the following members present:

ROLL CALL: Chairman Rodney Shine
Commissioner Elizabeth McDaniel
Commissioner Sharan Dockery
Vice Chairman Bary Heidtbrink
Commissioner Natalie Austin
Secretary Geri Schwartzman
Commissioner Joshua McCann
Commissioner Trisha Ratliff
Commissioner Frank Stewart
Alternate Commissioner Angelina Seyler
Alternate Commissioner Claudette Morgan-Scott
Planning Administrator Stephanie Hall
Planning Coordinator Richelle Otero

EXCUSED: Alternate Commissioner Greg Dow

CALL TO ORDER:

1. Chairman Rodney Shine called to order the regular meeting for the Planning and Zoning Commission for April 29, 2026.

PUBLIC COMMENTS:
At this time, comments will be taken from the audience on any matter, for a length of time not to exceed three (3) minutes per person. To address the Planning and Zoning Commission, please clearly state your name and address prior to making a comment. ***No action may be taken by the Planning and Zoning Commission during Public Comments.***

APPROVAL OF AGENDA:

1. Discuss and consider approval of the agenda for the regular meeting of the Planning & Zoning Commission for April 29, 2026.

Vice-Chairman Bary Heidtbrink made a motion to approve the agenda for the regular meeting of the Planning & Zoning Commission meeting for April 29, 2026. Secretary Geri Schwartzman seconded the motion. Carried unanimously.

RECOGNITION OF AFFIDAVITS FOR CONFLICT OF INTEREST:
None received.

CONSENT AGENDA:

1. Discuss and consider approval of the minutes from the Planning & Zoning Commission regular meeting held on February 25, 2026.

Commissioner Natalie Austin made a motion to approve the consent agenda Commissioner Elizabeth McDaniel seconded the motion. Carried unanimously.

PUBLIC HEARINGS:

1. Z26-06 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-2 (TWO-FAMILY DWELLING DISTRICT) ON PROPERTIES DESCRIBED AS WILDEWOOD ACRES, BLOCK 001, LOT 18, 19, &20' STRIP ADJ ON N, GENERALLY KNOWN AS 935 AND 937 RAMBLEWOOD DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

   Dustin Hallmark, Nolanville, TX

Commissioner Joshua McCann made a motion to recommend approval of Case Z26-06 as read in the caption by the Planning & Zoning Chairman, based on staff's recommendations and findings. Secretary Geri Schwartzman seconded the motion. Carried unanimously.

2. Z26-04 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ACCESSORY DWELLING UNIT ON PROPERTY DESCRIBED AS SKIPCHA MOUNTAIN ESTATES PHASE TWENTY THREE, BLOCK 001, LOT 0034, GENERALLY KNOWN AS 805 SNOW BIRD DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

Secretary Geri Schwartzman made a motion
to recommend approval of Case Z26-04 as read in the caption by the Planning & Zoning Chairman, with the amended conditions as listed in Exhibit A, based on the discussed recommendations and findings.
Commissioner Elizabeth McDaniel seconded the motion. Carried 8-1 (opposed: Commissioner Trisha Ratliff).

3. Z26-03 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO B-2 (NEIGHBORHOOD RETAIL DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO ALLOW FOR AN ON-SITE ICE RETAIL DISTRIBUTING STATION ON PROPERTY DESCRIBED AS A0258BC E DAWSON, ACRES 0.659, GENERALLY LOCATED AT THE SOUTHEAST CORNER OF E. KNIGHTS WAY AND

COMANCHE GAP ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS (PROPERTY ID #1355). (PLANNING ADMINISTRATOR)

Ace Reneau, Mitchell & AssociatesScott Arey, Centex Solar

Secretary Geri Schwartzman made a motion to recommend disapproval with explanation of Case Z26-03 as read in the caption by the Planning & Zoning Chairman, based on the discussed recommendations and findings, with the following explanation:
b. the proposed use and rezoning will pose an adverse impact to the public health, safety, or general welfare. Commissioner Trisha Ratliff seconded the motion. Carried 8-1 (opposed: Chairman Rodney Shine).

4. Z26-07F CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO REGIONAL CENTER ON PROPERTY DESCRIBED AS RACEWAY ADDITION 2, BLOCK 001, LOT 0001, GENERALLY LOCATED AT THE NORTHWESTERN CORNER OF JEFF GORDON DRIVE AND CORONADO ROAD, AND ALSO GENERALLY KNOWN AS 319 JEFF GORDON DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS (PROPERTY ID #371062). (PLANNING ADMINISTRATOR)

Terry Delano, Harker Heights, TX

Commissioner Joshua McCann made a motion to recommend approval of Case Z26-07F as read in the caption by the Planning & Zoning Chairman, based on staff's recommendations and findings Secretary Geri Schwartzman seconded the motion. Carried unanimously.

5. Z26-07 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM B-3 (LOCAL BUSINESS DISTRICT) TO B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) ON PROPERTY DESCRIBED AS RACEWAY ADDITION 2, BLOCK 001, LOT 0001, GENERALLY LOCATED AT THE NORTHWESTERN CORNER OF JEFF GORDON DRIVE AND CORONADO ROAD, AND ALSO GENERALLY KNOWN AS 319 JEFF GORDON DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS (PROPERTY ID #371062). (PLANNING ADMINISTRATOR)

Terry Delano, Harker Heights, TX

Commissioner Trisha Ratliff made a motion
to recommend approval of Case Z26-07 as read in the caption by the Planning & Zoning Chairman, based on staff's recommendations and findings. Commissioner Elizabeth McDaniel seconded the motion. Carried unanimously.

6. Z26-05F CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE LAND USE DESIGNATION FROM COMMUNITY CENTER TO REGIONAL CENTER ON PROPERTY DESCRIBED AS RACEWAY ADDITION 2, BLOCK 001, LOT 0002, GENERALLY LOCATED BETWEEN PAN AMERICAN DRIVE AND THE NORTHERN CORNER OF JEFF GORDON DRIVE AND CORONADO ROAD, AND ALSO GENERALLY KNOWN AS 577 PAN AMERICAN DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS (PROPERTY ID #371063). (PLANNING ADMINISTRATOR)

Terry Delano, Harker Heights, TX

Commissioner Frank Stewart made a motion
to recommend approval of Case Z26-05F as read in the caption by the Planning & Zoning Chairman, based on staff's recommendations and findings. Commissioner Elizabeth McDaniel seconded the motion. Carried unanimously.

7. Z26-05 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR ORDINANCE TO CHANGE ZONING DESIGNATION FROM B-3 (LOCAL BUSINESS DISTRICT) TO B-4 (SECONDARY AND HIGHWAY BUSINESS DISTRICT) ON PROPERTY DESCRIBED AS RACEWAY ADDITION 2, BLOCK 001, LOT 0002, GENERALLY LOCATED BETWEEN PAN AMERICAN DRIVE AND THE NORTHERN CORNER OF JEFF GORDON DRIVE AND CORONADO ROAD, AND ALSO GENERALLY KNOWN AS 577 PAN AMERICAN DRIVE, HARKER HEIGHTS, BELL COUNTY, TEXAS (PROPERTY ID #371063). (PLANNING ADMINISTRATOR)

Terry Delano, Harker Heights, TX

Commissioner Joshua McCann made a motion to recommend approval of Case Z26-05 as read in the caption by the Planning & Zoning Chairman, based on staff's recommendations and findings. Commissioner Natalie Austin seconded the motion. Carried unanimously.

NEW BUSINESS:

1. P26-04 DISCUSS AND CONSIDER APPROVING A REPLAT REFERRED TO AS 2410 LIVE OAK ADDITION REPLAT, ON PROPERTY DESCRIBED AS BEING 3.715 ACRES OF LAND, LOCATED IN THE W.F. HUNT SURVEY, ABSTRACT NUMBER 458, BELL COUNTY, TEXAS, AND BEING ALL OF THE CALLED 3.715 ACRE TRACT DESCRIBED TO WH HAR 9AC, LLC IN DOCUMENT NUMBER 2024028444 OF THE OFFICIAL PUBLIC RECORDS OF BELL COUNTY, TEXAS, AND BEING ALL OF LOT 2M, BLOCK 1 OF THE AMENDING PLAT OF LOT 2C, BLOCK 1, 2410 LIVE OAK ADDITION, A PLAT THEREOF RECORDED UNDER DOCUMENT

NUMBER 2025044917, OF THE BELL COUNTY PLAT RECORDS, TEXAS. (PLANNING ADMINISTRATOR)

Nathan Fuller, Str8grade Engineering

Vice-Chairman Bary Heidtbrink made a motion to recommend approval with condition of a request for a Replat referred to as 2410 Live Oak Addition Replat, as read in the caption by the Planning & Zoning Chairman, based on the discussed recommendations and findings, with the following condition(s):

a. All outstanding comments shall be addressed as directed by staff prior to consideration of the Replat by City Council. Commissioner Joshua McCann seconded the motion. Carried unanimously.

REPORTS FROM COMMISSIONERS:

STAFF COMMENTS:

1. February 2026 Economic Development Report
2. March 2026 Economic Development Report
3. City Council Action Summary

ADJOURNMENT:

1. Chairman Shine adjourned the meeting at 7:42 pm.

_____
Rodney Shine, Chairman

_____
Geri Scwartzman, Secretary

Memorandum

FROM: The Office of the Planning and Development Director **DATE: June 24, 2026**

Z26-10 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R-1 (ONE-FAMILY DWELLING DISTRICT) WITH A CONDITIONAL USE PERMIT (CUP) TO OPERATE A HOME OCCUPATION FOR A MEDICAL RELATED THERAPY OFFICE BUSINESS ON PROPERTY DESCRIBED AS COUNTRY TRAILS ADDITION 14TH PHASE, BLOCK 035, LOT 0001, UNDIVIDED INTEREST 50.0000000000%, GENERALLY KNOWN AS 2003 ELK TRAIL, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

EXPLANATION:

REFERENCES:

Zoning Case #Z26-10
MGO Project #2026-116
The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R-1 with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

LOT HISTORY:

This lot was platted as part of the Country Trails Addition 14th Phase in 1999. Bell County Tax Appraisal District records indicate this lot consists of approximately 0.35 acres (15,246 square feet). Aerial images show there to be a single-family residential structure located on the property.

STAFF ANALYSIS:

The current Land Use Plan and Comprehensive Plan identify this lot as Low Density Residential use (allowed zoning districts: R-1, R1-I, R1-I, R1-A, PD-R). The proposed zoning change is consistent with the adopted Comprehensive Plan and Land Use Plan.

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

	Existing Land Use	Land Use Plan	Zoning District
North	Low Density Residential	Low Density Residential	R-1 One-Family Dwelling District
South	Low Density Residential	Low Density Residential	R-1 One-Family Dwelling District
East	Low Density	Low Density Residential	R-1 One-Family Dwelling

	Residential		District
West	Low Density Residential	Low Density Residential	R-1 One-Family Dwelling District

Thoroughfare Plan

Elk Trail is classified as a Minor Collector in the City's adopted Thoroughfare Plan and Mobility 2030 Plan. Per §154.01 of the City's code of ordinances, Minor Collectors are defined as: "Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors or arterials. Residential lots may front these streets". Per §154.37(C), " Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to the major collectors or an arterial. These are limited access roads on which residential lots may have driveway access. Minor collectors shall have six-foot to eight-foot wide connector sidewalks and amenities as indicated in the adopted sidewalk plan".

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

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

NOTICES:

Notice of this case was published in the Killeen Daily Herald on Sunday, May 31, 2026. Based on the most recently approved tax roll available, staff sent out forty-seven (47) notices to property owners within the 400-foot notification area, including the notice sent to Killeen Independent School District as required by Local Government Code Section 211.007 (c-1). As of June 17, 2026, one (1) response was received in favor of the request, and five (5) responses were received in opposition of the request.

Within the 200-foot notification area:

- Total area of land is ~ 156,670.36 sq. ft.
- Total area of land recommending denial is ~ 14,886.76 sq. ft.
- Percentage of land area recommending denial is ~ 9.50%

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

Per Texas Local Government Code Section 211.0061, for non-comprehensive zoning changes, property owners may file a written protest if they represent: (1) at least 20% of the subject property, (2) at least 20% of property within 200 feet, or (3) at least 60% of property within 200 feet when the request increases residential development (with limited/non-expanding commercial uses).

If a valid protest is filed, approval of the zoning change requires a three-fourths vote of the governing body for 20% protests, or a simple majority vote for qualifying 60% residential protests.

RECOMMENDATION:

Alternatives Considered

Staff considered two (2) alternatives for this case:

1. Recommend approval of the applicant's request as presented, with the conditions as listed in Exhibit A.
2. Recommend disapproval of the applicants zoning request based on Pharr v. Tippett considerations.

Staff Recommendation

Staff recommends approval to the Planning & Zoning Commission of Case Z26-10, to change zoning designation from R-1 (One-Family Dwelling) to R-1 (One-Family Dwelling) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas, with the conditions as presented in Exhibit A.

ACTION BY THE PLANNING & ZONING COMMISSION:

1. Motion to recommend **approval** of Case Z26-10 as read in the caption by the Planning & Zoning Chairman, **with the conditions as listed in Exhibit A**, based on **staff's** recommendations and findings.
2. Motion to recommend **disapproval** with explanation of Case Z26-10 as read in the caption by the Planning & Zoning Chairman, based on the **discussed** recommendations and findings, with the following explanation **(select applicable explanation(s))**:
    a. **The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.**
    b. **The proposed use and rezoning will not have an adverse impact on surrounding properties.**
    c. **The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.**
    d. **The proposed use and rezoning will not pose an adverse impact to the public health, safety, or general welfare.**
3. Any other action deemed necessary.

ATTACHMENTS:

Z26-10_Application & Proposal Letter
Z26-10_Country Trails Adn P14
Z26-10_Location
Z26-10_Existing_Land_Use
Z26-10_Land_Use_Plan
Z26-10_Zoning
Z26-10 Notification Reponse
Z26-10_Public Responses
Z26-10_Exhibit A - Z26-10_2003_Elk_Proposed_Conditions

Conditional Use Permit Application

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

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 to the City of Harker Heights, refer to most recently approved fee schedule for applicable fees.**
3. **Site Plan**
4. **Letter of Intent**
5. **Please thoroughly read Section 155.201 - Conditional Use Permits (see attached)**
6. **If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee per the most recently approved fee schedule.**

Owner Information:

Property Owner(s) Name: Tynesha Marie Coleman & Billy Matthew Upton **Date:** 21 MAY 2026 (fill at notary)

Address: 2003 Elk Trl **City/State/Zip:** Harker Heights, TX 76548

Phone: (254) 290-1849 **E-mail:** cm3tyheart@gmail.com

Property Information:

Site Address or General Location: 2003 Elk Trl, Harker Heights, TX 76548

Lot: 0001 Block: 035 Subdivision: Country Trails Addition 14th Phase

Acres: 0.34 Property ID: 0288413521 (Geo ID) Survey: (see Subdivision)

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

Current Zoning Classification: R-1 (Confirm with Planning) **Future Land Use Designation:** Low Density Residential (confirm with Planning)

Applicant's Representative (if applicable):

Applicant's Representative: N/A — Owners representing themselves

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, herby 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 N/A will represent the owner.

N/A — Owners representing themselves

Tynesha Marie Coleman & Billy Matthew Upton
Printed Name of Property Owner

(both owners sign — see note below)
Signature of Property Owner

N/A
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 21st *DAY OF* May 20 26.

Pre-filled from verified Bell County records (Geo ID 0288413521). Property held in joint ownership by Tynesha Marie Coleman and Billy Matthew Upton per Bell County records (Deed of Trust #2024021252, recorded 2024 — both owners must sign in front of notary. Date and notary section to be completed in person.

Signature of Notary Public

JONATHAN M WILEY
Notary ID #133580944
My Commission Expires
February 9, 2030

STAFF ONLY -- DO NOT FILL OUT

Date Submitted: Receipt #:

Received By: ☐ Pre-Application Meeting Case #:

Rev. 12/22

SITE PLAN SUPPLEMENTAL STATEMENT

Conditional Use Permit Application

City of Harker Heights, Texas · Section 155.201

Property Address:

2003 Elk Trail, Harker Heights, TX 76548

Legal Description:

Lot 1, Block 35, Country Trails Addition 14th Phase, an addition to the City of Harker Heights, Bell County, Texas, according to the map or plat thereof recorded in Cabinet C, Slide 182-A, of the Plat Records of Bell County, Texas.

Survey Reference:

Topographic and TSPS Standard Land Survey, Drawing No. 10048-25, Job No. B-10048-25, prepared by Josue B. Miranda Ortiz, Registered Professional Land Surveyor, dated March 21, 2025.

Applicant:

Tynesha M. Coleman · Founder, Shifted—From Chaos to Me, LLC

STATEMENT OF COACHING OFFICE LOCATION AND PROPOSED USE

The coaching office for Shifted—From Chaos to Me, LLC is located entirely within the interior of the existing single-story wood frame residential structure shown on Drawing No. 10048-25. No exterior modifications to the structure, lot, landscaping, or site are proposed or planned in connection with this Conditional Use Permit application.

The following conditions apply to the proposed use:

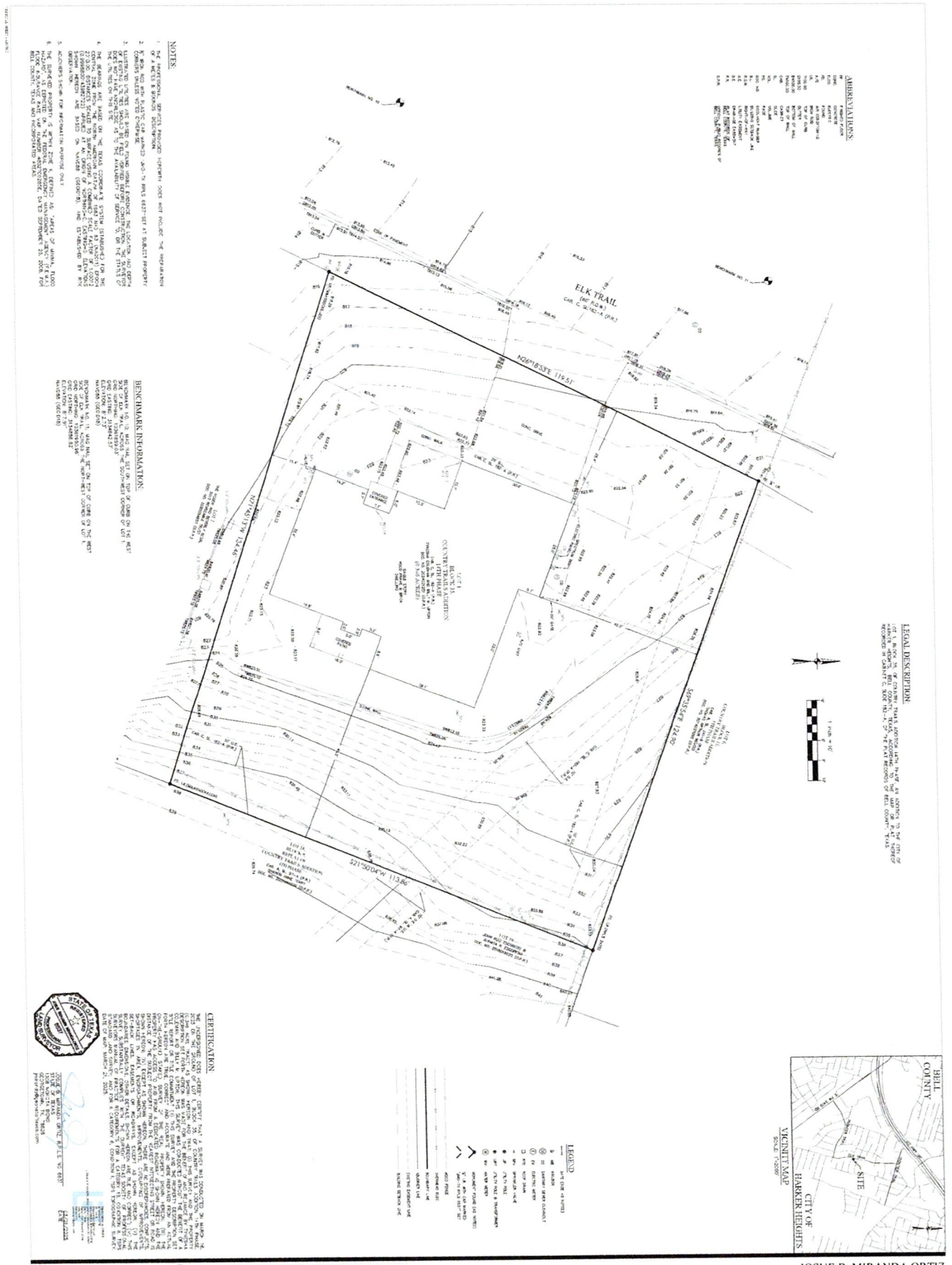
- Interior use only. The dedicated coaching workspace occupies a single interior room of the existing residence. No structural alterations, additions, or improvements are required or planned.
- No exterior changes. The residential appearance of the structure and lot will be maintained without alteration. No commercial signage, additional lighting, fencing, paving, or accessory structures will be added.
- No site modifications. The driveway, landscaping, and all site features shown on Drawing No. 10048-25 will remain unchanged.
- Appointment-only access. Occasional in-person client visits are by appointment only and are expected to be fewer than two per week. No walk-in traffic is expected.
- Virtual-primary delivery. The majority of coaching sessions are conducted via video conference and telephone, generating no additional site activity.

APPLICANT CERTIFICATION

I, the undersigned, certify that the statements contained in this Site Plan Supplemental Statement are true and correct to the best of my knowledge and belief, and that the proposed use described herein is consistent with the site plan submitted as Drawing No. 10048-25.

Date: 21 MAY 2026

Tynesha M. Coleman
Property Owner & Applicant
Founder — Shifted-From Chaos to Me, LLC · TX SOS File No. 806582150
2003 Elk Trail, Harker Heights, TX 76548
(254) 563-8109 · cm3tyheart@gmail.com



JOSUE B. MIRANDA ORTIZ
REGISTERED PROFESSIONAL LAND SURVEYOR
1308 DOKOTA BEND
GEORGETOWN, TX. 78626

JOB NO: 100425
REQUESTED BY: BILLY UPTON

Client/Project
TYNESHA COLEMAN & BILLY M. UPTON

2003 ELK TRAIL
HARKER HEIGHTS, TX 76548

Title
TOPOGRAPHIC AND
TSPS STANDARD LAND SURVEY

Revision

Issued

Permitted

Drawing No. 100425

Sheet 1 of 1

LETTER OF INTENT

Conditional Use Permit Application · City of Harker Heights, Texas

In Reference to Section 155.201 of the Harker Heights Code of Ordinances

Date: May 19, 2026

To: City of Harker Heights, Planning and Development Department

Attn: Michael Beard, MCP, CFM, CBO, TSBPE #I-3074, Director of Planning / Building Official

305 Miller's Crossing, Harker Heights, TX 76548

Re: Conditional Use Permit Application — Shifted-From Chaos to Me, LLC

Reference: Original Home Occupation Permit No. 2026-106

PURPOSE OF APPLICATION

I, Tynesha M. Coleman, respectfully submit this Letter of Intent in support of my application for a Conditional Use Permit pursuant to Section 155.201 of the Harker Heights Code of Ordinances. I am the property owner of the residence located in Harker Heights, Texas, and I am applying to operate Shifted-From Chaos to Me, LLC — a veteran-owned professional life coaching business — from my home as the principal place of business.

The business is duly registered with the Texas Secretary of State (File Number 806582150, effective April 24, 2026) and holds an active Employer Identification Number with the Internal Revenue Service. This Letter of Intent describes the proposed use in detail and addresses each criterion set forth in Section 155.201 of the Code.

DESCRIPTION OF PROPOSED USE

Nature of Business

Shifted-From Chaos to Me, LLC is a professional life coaching practice serving transitioning military personnel, veterans with service-connected disabilities, and military spouses. Services are delivered through a proprietary eight-step coaching framework that helps clients navigate the psychological, professional, and personal challenges of leaving military service and rebuilding civilian life.

Method of Service Delivery

The vast majority of coaching sessions are conducted virtually via video conference and telephone. Occasional in-person sessions, when requested by a client, are scheduled in advance and conducted by appointment only — never as walk-ins or unscheduled visits. All in-person activity occurs in a single dedicated home office within the existing residence.

Hours of Operation

Standard business hours will be Monday through Friday, 9:00 AM to 7:00 PM, with limited evening hours available by appointment. No business activity will occur outside of reasonable residential hours.

Number of Clients and Anticipated Foot Traffic

During the first year of operation, the business projects three to four founding clients with services delivered primarily online. In-person appointments are expected to be fewer than two per week. There will be no group sessions, classes, workshops, or events conducted at the residence.

Employees

The sole operator of the business is the property owner, Tynesha M. Coleman. There are no employees, no contract workers reporting to the residence, and no service vendors making regular visits beyond standard household delivery services.

CHANGES TO THE SITE, STRUCTURE, LANDSCAPING, PARKING & LAND USE

The following addresses the specific elements required to be discussed under the application instructions:

Changes to the Site

NONE. No exterior changes will be made to the property. No additional driveways, walkways, fences, structures, or site features will be installed.

Changes to the Structure

NONE. No physical modifications, additions, or improvements will be made to the existing residence. The home office is entirely within the existing interior space.

Changes to Landscaping

NONE. The existing landscaping will be maintained as residential. No commercial landscaping, signage, lighting, or display elements will be added.

Changes to Parking

NONE. No additional parking will be created. Occasional client visits will use the existing driveway. No on-street parking impact is anticipated.

Changes to Land Use

MINIMAL AND COMPATIBLE. The land remains in residential use. The dedicated home office occupies a small portion of the existing interior space and does not change the property's residential character in any externally visible manner.

Signage

NONE. No business signage of any kind will be displayed on the property, in windows, or on any vehicle parked at the residence.

RESPONSE TO SECTION 155.201 EVALUATION CRITERIA

Section 155.201 directs the Planning and Zoning Commission to recommend disapproval if any of five conditions are found. This application demonstrates that none of those conditions apply:

(a) Conformance with Applicable Regulations and Standards

The proposed use fully conforms with the regulations and standards established by Chapter 155 of the Code. It is a low-impact home occupation that meets the City's standards for conditional approval in residential zones, conducted entirely within the existing single-family residence with no exterior modifications, no employees, no inventory, and no commercial signage.

(b) Consistency with Zoning District Objectives

The proposed use is fully consistent with the objectives and purposes of a residential zoning district. The character of the neighborhood is preserved entirely because the business operates without any externally observable indicators — no signage, no increase in traffic, no noise, and no exterior changes. The use is consistent with the goals and policies of the City's Comprehensive Zoning Plan, which permits home occupations under appropriate conditions.

(c) Compatibility with Existing or Permitted Uses on Abutting Sites

The proposed use is fully compatible with the existing residential uses on abutting sites. There are no impacts related to building height, bulk, scale, setbacks, open spaces, lot coverage, landscaping, screening, drainage, or access and circulation. The business is, by design, indistinguishable from any other residential use to neighboring property owners.

(d) Suitability to the Premises and Structure

The proposed use is highly suitable for the existing single-family residence. Life coaching practice requires only a quiet, professional space for conducting conversations — a function the existing home office easily accommodates without modification. No structural alterations are necessary.

(e) Effects or Impacts on Existing or Permitted Uses

The proposed use has no adverse effects on existing or permitted uses in the surrounding neighborhood. There is no increase in traffic, noise, parking demand, light pollution, environmental impact, fire risk, or public safety concern. The use generates fewer external impacts than many activities already lawfully occurring in residential neighborhoods, such as routine home repair, lawn maintenance, or family gatherings.

APPLICANT'S COMMITMENT

I, Tynesha M. Coleman, agree in writing to comply with any reasonable conditions of approval that may be imposed by the City Council under Section 155.201(C)(3), including but not limited to:

- Limitations on hours of operation
- Restrictions on signage (which I do not intend to display in any event)
- Limits on the number or frequency of in-person client visits
- Compliance with all applicable City, County, State, and Federal laws and regulations
- Maintenance of the residential character of the property
- Periodic review or renewal of the Conditional Use Permit if required

I understand that approval of this Conditional Use Permit is conditional upon my continued compliance with the conditions of approval and that violations may result in revocation of the permit pursuant to Section 155.201.

REQUEST FOR APPROVAL

I respectfully request that the Planning and Development Department accept this application for processing, and that the Planning and Zoning Commission at its June 24, 2026 meeting recommend approval of this Conditional Use Permit, with final approval to be granted by the City Council at its July 14, 2026 hearing.

Thank you for your time and your thoughtful consideration of this application. I am available for a pre-application meeting at your convenience and am happy to provide any additional information requested.

Respectfully submitted,

_____ Date: _____

Tynesha M. Coleman

Property Owner & Applicant

Founder — Shifted-From Chaos to Me, LLC

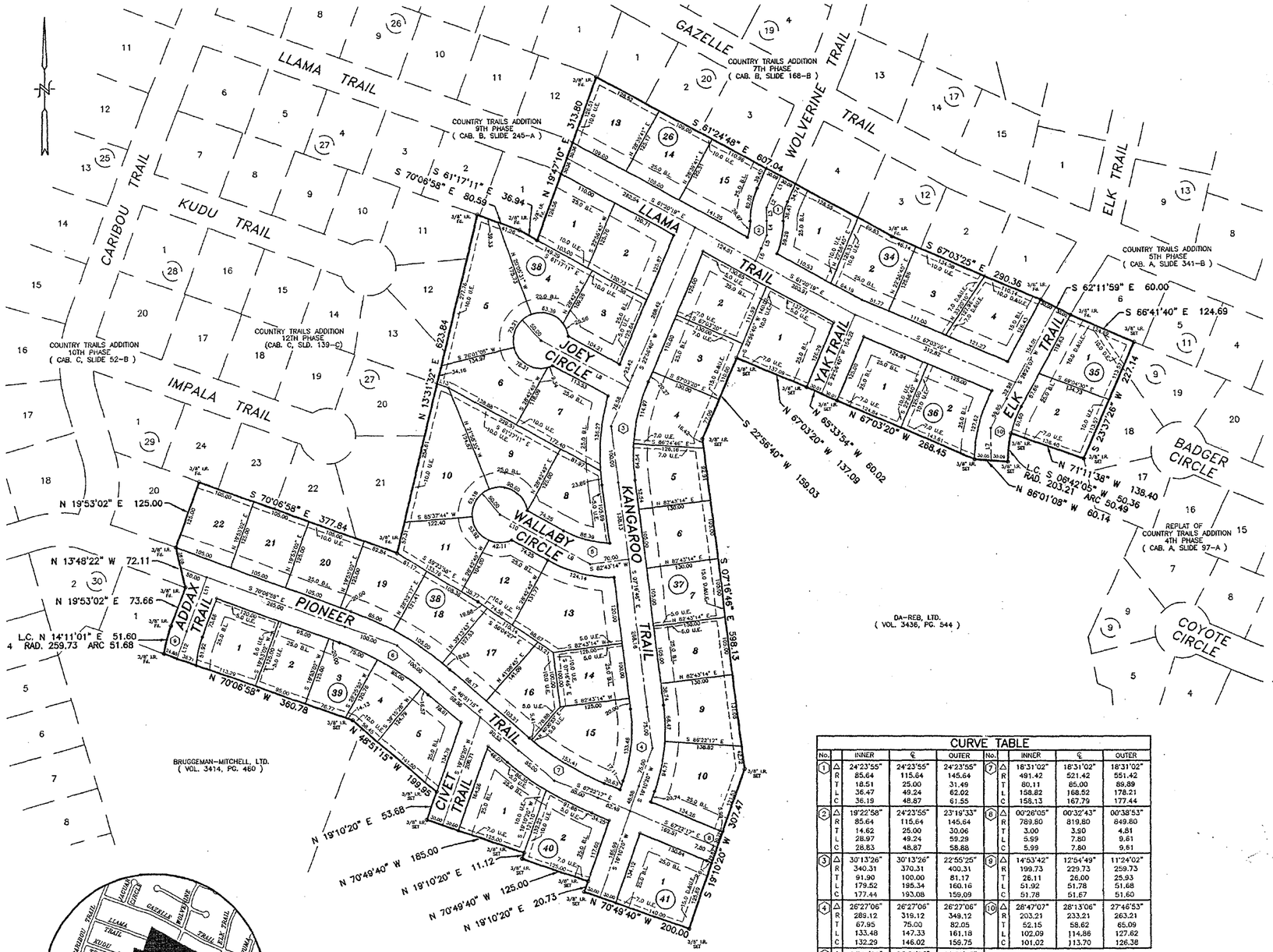
U.S. Army Veteran · 100% Service-Connected Disability · Honorable Discharge

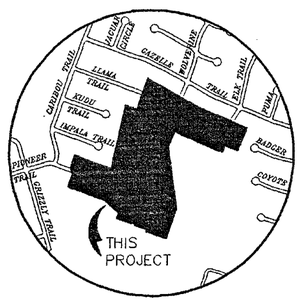
(254) 888-5694 · tynesha@fromchaostome.com

Harker Heights, TX 76548 · Texas SOS File No. 806582150

ATTACHMENTS

- Conditional Use Permit Application (completed)
- Site Plan (drawn to scale)
- Statement of Compatibility
- Texas Secretary of State Certificate of Filing — File No. 806582150
- Department of Veterans Affairs Benefits Verification Letter
- 30-Page Business Plan — Shifted-From Chaos to Me, LLC
- Disability Statement (in support of VR&E and home-based vocational rehabilitation)





VICINITY MAP
NOT TO SCALE

LINE TABLE

No.	DIRECTION	LENGTH
L1	S 24°08'52" W	37.07
L2	S 24°08'52" W	25.00
L3	S 00°15'04" E	25.00
L4	S 00°15'04" E	25.00
L5	S 24°08'52" W	25.00
L6	S 24°08'52" W	25.00
L7	S 00°25'00" E	57.54
L8	N 61°17'11" W	177.40
L9	N 61°17'11" W	70.00
L10	N 61°17'11" W	114.25
L11	S 19°53'02" W	103.66
L12	S 19°53'02" W	51.34
L13	S 70°06'58" E	22.11

CURVE TABLE

No.		INNER	℄	OUTER
1	Δ	24°23'55"	24°23'55"	24°23'55"
	R	85.64	115.64	145.64
	T	18.51	25.00	31.49
	L	36.47	49.24	62.02
	C	36.19	48.87	61.55
2	Δ	19°22'58"	24°23'55"	23°19'33"
	R	85.64	115.64	145.64
	T	14.62	25.00	30.06
	L	28.97	49.24	59.29
	C	28.83	48.87	58.88
3	Δ	30°13'26"	30°13'26"	22°55'25"
	R	340.31	370.31	400.31
	T	91.90	100.00	81.17
	L	179.52	195.34	160.16
	C	177.44	193.08	159.09
4	Δ	26°27'06"	26°27'06"	26°27'06"
	R	289.12	319.12	349.12
	T	67.95	75.00	82.05
	L	133.48	147.33	161.18
	C	132.29	146.02	159.75
5	Δ	26°41'06"	35°59'35"	28°58'25"
	R	185.48	215.48	245.48
	T	43.99	70.00	63.43
	L	86.39	135.37	124.14
	C	85.61	133.15	122.82
6	Δ	21°15'43"	21°15'43"	21°15'43"
	R	502.75	532.75	562.75
	T	94.37	100.00	105.63
	L	186.57	197.70	208.83
	C	185.50	196.57	207.64
7	Δ	18°31'02"	18°31'02"	18°31'02"
	R	491.42	521.42	551.42
	T	80.11	85.00	89.89
	L	158.82	168.52	178.21
	C	158.13	167.79	177.44
8	Δ	00°26'05"	00°32'43"	00°38'53"
	R	789.80	819.80	849.80
	T	3.00	3.90	4.81
	L	5.99	7.80	9.61
	C	5.99	7.80	9.61
9	Δ	14°53'42"	12°54'49"	11°24'02"
	R	199.73	229.73	259.73
	T	26.11	26.00	25.93
	L	51.92	51.78	51.68
	C	51.78	51.67	51.60
10	Δ	28°47'07"	28°13'06"	27°46'53"
	R	203.21	233.21	263.21
	T	52.15	58.62	65.09
	L	102.09	114.86	127.62
	C	101.02	113.70	126.36

TAX CERTIFICATE

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this 24 Day of Sept. A.D. 1999

BELL COUNTY TAX APPRAISAL DISTRICT
By: Penny Lewis

KNOW ALL MEN BY THESE PRESENTS, that BRUGGEMAN – MITCHELL, MANAGEMENT, L. C. GENERAL PARTNER OF BRUGGEMAN – MITCHELL, LTD., a Texas Limited Partnership, whose address is 2000 VERNA LEE, HARKER HEIGHTS, TEXAS 76548, being the sole owner of that certain 24.128 acres tract of land in Bell County, Texas, part of the Martha Smith Survey and Abstract No. 750, which is more fully described in the dedication of **COUNTRY TRAILS ADDITION, 14TH PHASE,** Harker Heights, Bell County, Texas as shown by the plat hereof, attached hereto, and made a part hereon, and approved by the City Council of the City of Harker Heights, Bell County, Texas, and BRUGGEMAN – MITCHELL, MANAGEMENT, L. C.GENERAL PARTNER OF BRUGGEMAN – MITCHELL, LTD., a Texas Partnership, does hereby adopt said **COUNTRY TRAILS ADDITION, 14th PHASE,** Harker Heights, Bell County, Texas, as an addition to the City of Harker Heights, Bell County, Texas, and hereby dedicates to said city all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Harker Heights. The utility easements shown on said plat are dedicated to said city for the installation and maintenance of any and all public utilities, which the city may install or permit to be installed or maintained.

Gale E. Mitchell, Secretary

STATE OF TEXAS
COUNTY OF BELL

This instrument was acknowledged before me on the 2nd day of August, 19 99, by Gale E Mitchell.

KIMBERLY ANN BEERS
NOTARY PUBLIC STATE OF TEXAS
Commission Expires: MARCH 06, 2003

Kimberly Ann Beers
NOTARY PUBLIC STATE OF TEXAS

APPROVED this the 25th day of AUGUST, 19 99 by the Planning and Zoning Commission of the City of Harker Heights, Bell County, Texas.

CHAIRMAN, PLANNING COMMISSION

SECRETARY, PLANNING COMMISSION

APPROVED this the 14th day of SEPTEMBER, 19 99 by the City Council of the City of Harker Heights, Bell County, and Texas.

MAYOR, CITY OF HARKER HEIGHTS

ATTEST: CITY SECRETARY

FILED FOR RECORD this 28th day of Sept, 1999 A.D., in Cabinet C, Slide 182-A, Plat Records of Bell County, Texas.

KNOW ALL MEN BY THESE PRESENTS,

That I, Gale E. Mitchell, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the subdivision regulations of the City of Harker Heights, Texas, and this subdivision is within the City Limits of Harker Heights, Texas.

STATE OF TEXAS
REGISTERED
GALE E. MITCHELL
1602
PROFESSIONAL
LAND SURVEYOR

Gale E. Mitchell
Registered Professional
Land Surveyor, No. 1602

No.	DATE	REMARKS	BY
		REVISIONS	

FINAL PLAT

COUNTRY TRAILS ADDITION
14TH PHASE
HARKER HEIGHTS, BELL COUNTY, TEXAS

M & A
MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N.COLLEGE ST., KILLEEN, TEXAS (254) 634-5541

DWG No.	DRN BY:	FENLR:	SCALE:	DATE:	51 LOTS	ACRES
12684-D	GWM	****	1" = 100'	07/06/99	9 BLOCKS	24.128

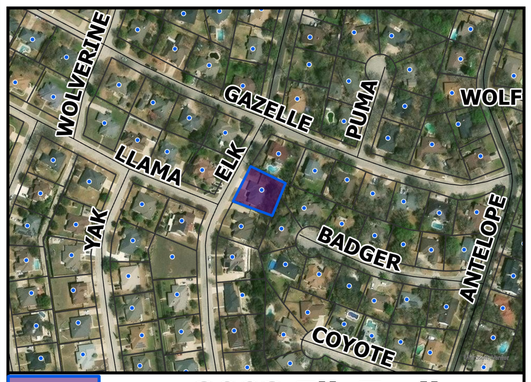
12684-D

Dedication Vol. 4085 Page 4

9/1999 16:37:14 CountryTrails14.dwg GWM

AGENDA ITEM #IX. 1.

Z26-10 Location



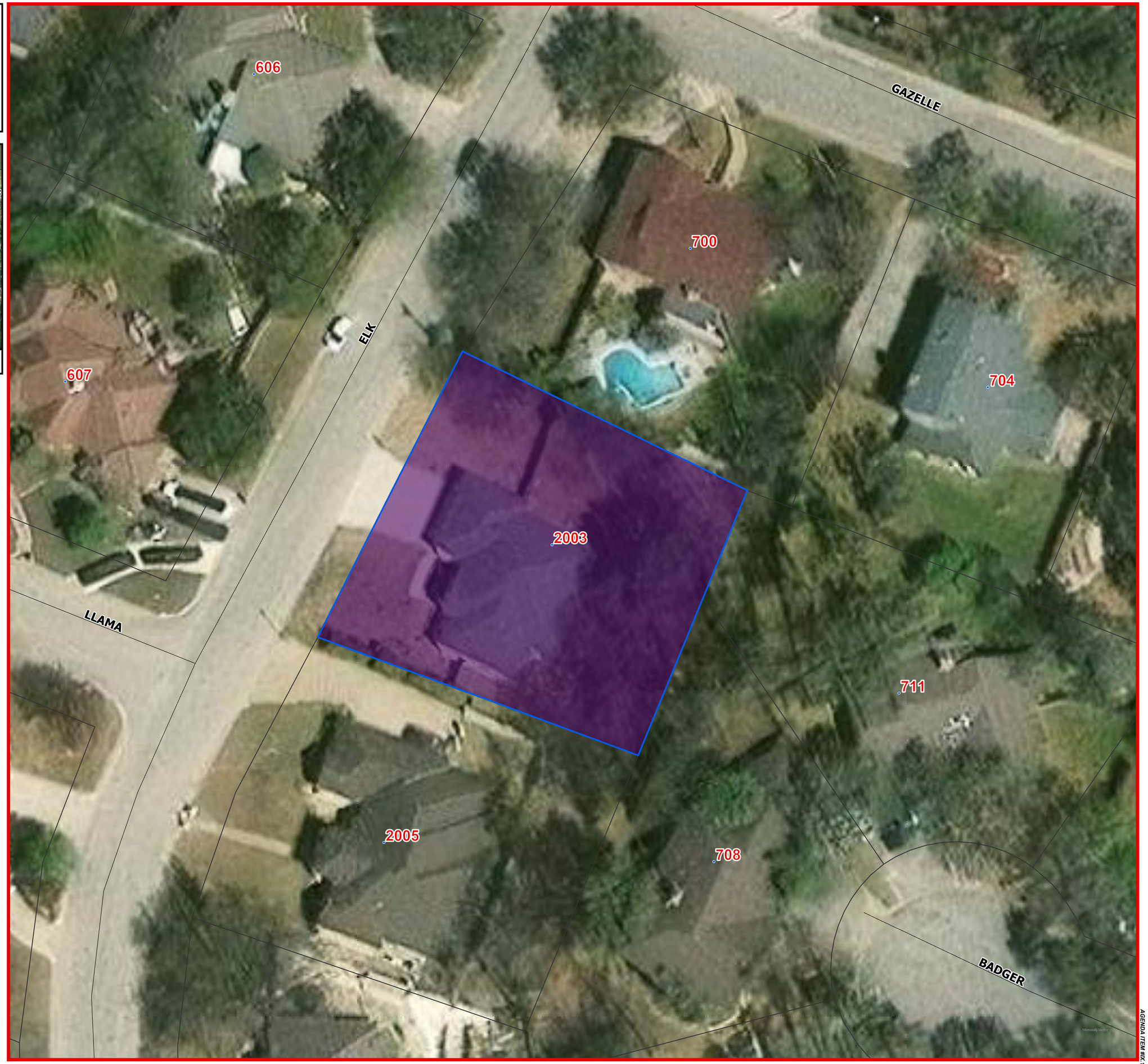
2003 Elk Trail

200 Feet

100

50

0



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

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

Z26-10 Existing Land Use

2003 Elk Trail

Existing Land Use

Low Density Residential



500 Feet
250
125
0

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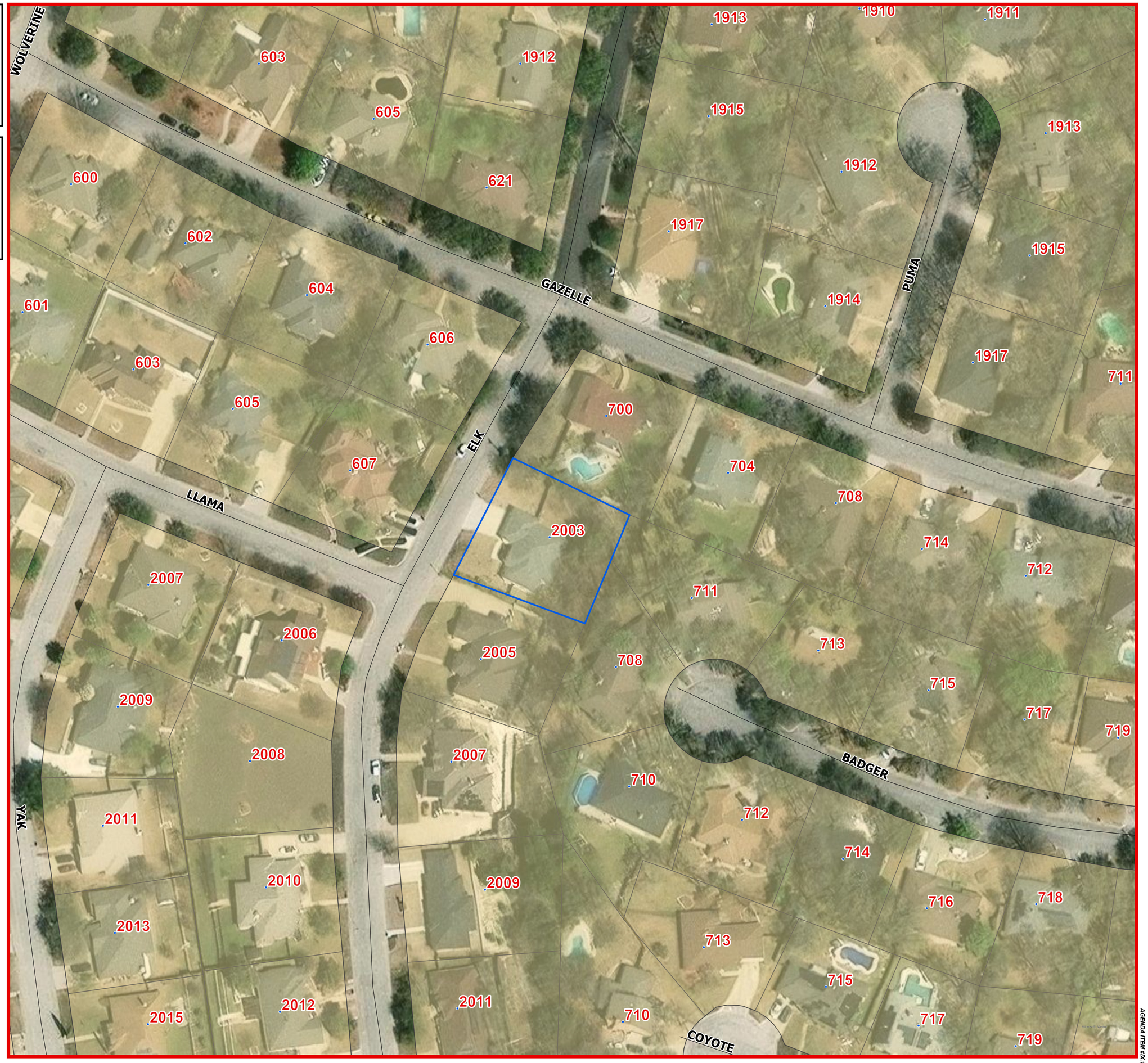
Z26-10 Land Use Plan

2003 Elk Trail

Land Use Plan

Low Density Residential



500 Feet

250

125

0

Harker Heights

The Bright Star of Central Texas

City of Harker Heights
Planning and Development
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Z26-10 Zoning

2003 Elk Trail

Zoning Districts

R-1 One-Family Dwelling District



520 Feet
260
130
0

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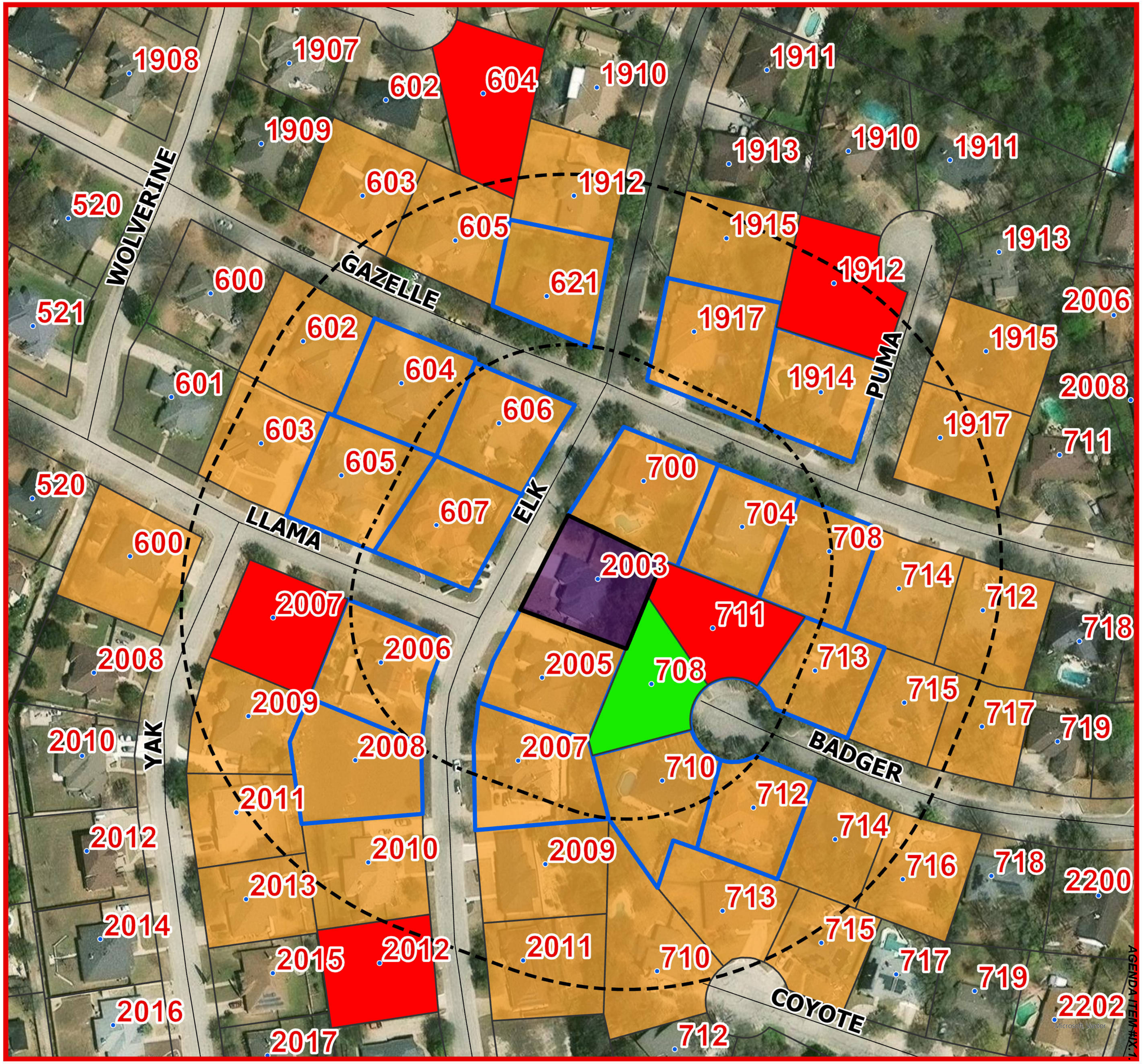
Z26-10 Notification Response

- 2003 Elk Trail
- 200ft Buffer
- 400ft Buffer
- Notified Properties 200ft (19)
- Notified Properties 400ft (28)
- Recommend Approval (1)
- Recommend Denial (5)

0 125 250 500 Feet



Harker Heights

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Page 6 of 6

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: RUIZ, DAVID A ETUX KATHY S

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

Physical Address	Property ID
604 DINGO CIR	101518

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☑ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
This is a Residential neighborhood. I do not want a commercial enterprise in our neighborhood.

David Austin Ruiz | David Austin Ruiz | 06-10-2026
Printed Name | Signature | Date

6/10/26

Gerard Masters-Ellis MD
605 DIEGO CIRCLE HH 76598

I oppose the Regents proposal 726-10
Therefore Recommend denial of the request

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: TERRY, SHARON ANNE

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

Physical Address	Property ID
708 BADGER CIR	36838

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☒ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

SHARON TERRY — Sharon Terry — 6-8-26

Printed Name — Signature — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: ESCOBEDO, JOHN RUIZ ETUX JUANITA R

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

Physical Address	Property ID
711 BADGER CIR	54482

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☑ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
I Appreciate the willingness to develope A business, however this AREA is not designed to be A business destination. The ENTREPRENEUR should be Looking for A commercial SPACE to RENT, buy OR build their own At A commercial LOCATION. The neighborhood does not HAVE SIDEWALKS, cannot Accommodate A — PARKING AREA And would be An Additional EYESORE to the AREA AS the PROPERTY ACROSS the STREET is to them. The City does not SEEM to be EAGER to police the PROPERTY ACROSS the STREET from this location And would PROBABLY not be VERY EAGER to HANDLE ANY SITUATIONS At the REQUESTED LOCATION either.

Printed Name | Signature | Date

John Escobedo — 5 June 2026

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: SISSON, JAMES R ETUX PHYLLIS P

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

Physical Address	Property ID
1912 ELK TRL	106801

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☒ **I RECOMMEND DENIAL OF THE REQUEST**

Comments: Do not need business on residential areas!!

James and Phyllis Sisson — James R Sisson Phyllis D Sisson — June 15, 2026

Printed Name — Signature — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: OSWALT, KEITH

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

Physical Address	Property ID
1912 PUMA CIR	81184

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☒ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Keith Oswalt — 6-8-26

Printed Name | Signature | Date

SENT: JUNE 1, 2026
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RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WALLACE, THOMAS R

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

Physical Address	Property ID
2007 YAK TRL	209593

Z26-10 RE: An application has been made to consider a request for an ordinance to change zoning designation from from R-1 (One-Family Dwelling District) to R-1 (One-Family Dwelling District) with a Conditional Use Permit (CUP) to operate a home occupation for a medical related therapy office business on property described as Country Trails Addition 14th Phase Block 035, Lot 0001, Undivided Interest 50.0000000000%, generally known as 2003 Elk Trail, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☒ **I RECOMMEND DENIAL OF THE REQUEST**

Comments: This is a residential neighborhood. City already fails to enforce parking & Grommins Lane

Thomas R Wallace — 11 Jun 2026

Printed Name — Signature — Date

Conditional Use Permit

Proposed Conditions for 2003 Elk Trail

1. This Conditional Use Permit (CUP) is applicable only to home occupation for a medical related therapy office business.
2. This Conditional Use Permit (CUP) is applicable only to the current property owner, Tynesha M. Coleman, and the associated business, Shifted – From Chaos to Me, LLC
3. An approved business registration must be obtained from the City of Harker Heights prior to any business operations on the property.
4. The business may only operate during the hours of 9 a.m. to 7 p.m. Monday through Friday. No in-person business activity will occur outside of the operating hours.
5. The on-site sale of products or merchandise to the general public is prohibited.
6. Customer parking on the street is prohibited.
7. No employees, with the exception of the property/business owner, are permitted to work on the premises.
8. All off-street parking must be on an improved surface.
9. Signage on the property is prohibited.
10. Except as modified by these conditions, the Home Occupation must comply with all applicable requirements of the Harker Heights Code of Ordinances, including without limitation §155.084.

Memorandum

FROM: The Office of the Planning and Development Director **DATE: June 24, 2026**

Z26-11 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R2-I (TWO-FAMILY INFILL DWELLING DISTRICT) ON PROPERTY DESCRIBED AS KERN VALLEY 1ST EXT, BLOCK 00A, LOT 0035, & W 1/2 OF FLENGE DR, SN1 VK1117; TITLE # 83159949, GENERALLY KNOWN AS 428 CLORE ROAD, HARKER HEIGHTS, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

EXPLANATION:

REFERENCES:
Zoning Case #Z26-11
MGO Project #2026-118

The applicant is requesting a change from the current zoning designation of R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property generally known as 428 Clore Road, Harker Heights, Bell County, Texas.
This lot was platted as part of the Kern Valley First Extension in 1964. Bell County Property Tax Appraisal Records indicate there is currently a 1,440 square foot mobile home built in 1965 on the property. This lot consists of approximately 0.38 acres (16,553 square feet).

STAFF ANALYSIS:
The current Land Use Plan and Comprehensive Plan identify this lot as Medium Density Residential (allowed zoning districts R1-M, R1-I, R1-A, R-2, R2-I, RT-1, R-MU, R-MH). This proposed zoning change is consistent with the adopted Comprehensive Plan and Land Use Plan.

This lot is within R1-I Designated area for Rezoning that was updated in May 2023.

Surrounding Land Uses
The existing land use for this lot is identified as Low Density Residential. Adjacent land uses and zoning districts include those identified in the table below:

	Existing Land Use	Land Use Plan	Zoning District
North	Low/Medium Density Residential	Medium Density Residential	R-1 (One-Family Manufactured Home Dwelling District)/R-1(M) (One-Family Manufactured Home Dwelling District)
South	High Density	Medium Density	R-3 (Multi-Family Dwelling

	Residential	Residential	District
East	Low Density Residential	Community Center	R-1 (One-Family Dwelling District)
West	Low Density Residential	Medium Density Residential	R-1 (One-Family Dwelling District)

Thoroughfare Plan

Clore Road is classified as a Minor Collector in the City's adopted Thoroughfare Plan and Mobility 2030 Plan. Per §154.01 of the City's code of ordinances, Minor Collectors are defined as: "Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors or arterials. Residential lots may front these streets". Per §154.37(C), " Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to the major collectors or an arterial. These are limited access roads on which residential lots may have driveway access. Minor collectors shall have six-foot to eight-foot wide connector sidewalks and amenities as indicated in the adopted sidewalk plan".

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

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

NOTICES:

Notice of this case was published in the Killeen Daily Herald on Sunday, May 31, 2026.

Based on the most recently approved tax roll available, staff sent out thirty-nine (39) notices to property owners within the 400-foot notification area, including the notice sent to Killeen Independent School District as required by Local Government Code Section 211.007 (c-1). As of June 17, 2026, seven (7) responses were received in favor of the request, and three (3) responses were received in opposition of the request,

Within the 200-foot notification area:

- Total area of land is ~ 201,183.51 sq. ft.
- Total area of land recommending denial is ~ 20,494.22 sq. ft.
- Percentage of land area recommending denial is ~ 10.55%

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

Per Texas Local Government Code Section 211.0061, for non-comprehensive zoning changes, property owners may file a written protest if they represent: (1) at least 20% of the subject property, (2) at least 20% of property within 200 feet, or (3) at least 60% of property

within 200 feet when the request increases residential development (with limited/non-expanding commercial uses).

If a valid protest is filed, approval of the zoning change requires a three-fourths vote of the governing body for 20% protests, or a simple majority vote for qualifying 60% residential protests.

RECOMMENDATION:

Alternatives Considered
Staff considered two (2) alternatives for this case:

1. Recommend approval of the applicant's request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr v. Tippett considerations.

Staff Recommendation
Staff recommends approval to the Planning & Zoning Commission of Case Z26-11, to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

ACTION BY THE PLANNING & ZONING COMMISSION:

1. Motion to recommend **approval** of Case Z26-11 as read in the caption by the Planning & Zoning Chairman, based on **staff's** recommendations and findings.
2. Motion to recommend **disapproval with explanation** of Case Z26-11 as read in the caption by the Planning & Zoning Chairman, based on the **discussed** recommendations and findings, with the following explanation:
    a. **The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood.**
3. Any other action deemed necessary.

ATTACHMENTS:

Z26-11_Application
Z26-11_Kern Valley 1E
Z26-11_Location
Z26-11_Existing_Land_Use
Z26-11_Land_Use_Plan
Z26-11_Zoning
Z26-11 Notification Response
Z26-11_Public Responses

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 to the City of Harker Heights, refer to the most recently approved fee schedule**
3. **If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee - refer to most recently approved fee schedule**

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

Property Owner(s) Name: Jerome Gomer **Date:** 5/26/2026

Address: 1524 Indian Trail

City/State/Zip: Harker Heights, TX 76548

Phone: _____ **E-mail:** jkg3builders@gmail.com

Legal Description of Property:

Location of Property (Address if available): 428 Clore Rd.

Lot: 35 Block: A Subdivision: Kern Valley Extension One

Acres: 0.3 Property ID: 46799 Survey: W. E. Hall

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: Residential

Current Zoning Classification: R-1 **Proposed Zoning:** R2-I

Current Land Use: Med. Density Residential **Proposed Land Use:** Med. Density Residential

Applicant's Representative (if applicable):

Applicant's Representative: MItchell & Associates, Inc.

Phone: (254) 634-5541 **E-Mail:** areneau@mitchellinc.net

I, being the undersigned applicant of the property herein described, herby 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 Mitchell & Associates, Inc. will represent the owner.

Jerome Gomer
Printed Name of Property Owner

Signature of Property Owner

Ace Reneau
Printed Name of Representative

Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 26 *DAY OF* May *, 20* 26.

Raychel Colon
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/31/2030

RAYCHEL COLON
Notary Public, State of Texas
Comm. Expires 03-31-2030
Notary ID 133680195

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: _____

☐ Pre-Application Meeting

Receipt #: _____

Received By: _____

Revised: 12/2022

Case #: _____

STATE OF TEXAS ()
COUNTY OF BELL ()

KNOW ALL MEN BY THESE PRESENTS: That I, PAT KERN, owner of that certain parcel of land ,out of the S.H.Osborn Survey, the W.E.Hall Survey and the J.M.Roberts Survey in Bell County, Texas,do hereby subdivide 16.15 acres,to be known as Kern Valley, Extension One,and do hereby dedicate,to the public ,use of the streets and easements shown hereon.

Witness my hand,this the 12 th. day of May A.D.,1964.

PAT H.KERN

STATE OF TEXAS ()
COUNTY OF BELL ()

Before me,the undersigned authority,on this day personally appeared PAT KERN,known to be the person whose name is subscribed to the foregoing instrument,and acknowlegded to me that he executed the same for the purposes and considerations therein expressed.

Given under my hand and seal of office this 12 th.day of May A.D.,1964.

Notary Public in and for
Bell County,Texas

ACCEPTED AND AUTHORIZED FOR RECORD BY
THE CITY OF HARKER HEIGHTS,TEXAS
This the 12 th. day of May A.D.,1964.

Mayor

FILED FOR RECORD

At _____ o'clock _____ M,this the _____ day of _____ A.D.,1964.

By_____
Deputy

County Clerk
Bell County,Texas

STATE OF TEXAS ()
COUNTY OF BELL ()

I,_____,Clerk of the County Court witnin and for the County and State aforesaid do hereby certify tnat the foregoing instrument of writing with its certificate of authentication was filed for record in my office on the _____ day of _____ A.D., 19___,at _____ o'clock___M.,and duly recorded onthe _____ day of _____ A.D.,19___,at _____ o'clock____M.in the plat records of said County and State, in Plat Book _____,Page_____.

Witness my hand and seal of the County Court of said County the date last written above.

By_____
Deputy

County Clerk
Bell County,Texas

KERN VALLEY

Extension One

Surveyed
BRYANT-CURINGTON INC.

By _____ 5/12/64
Registered Public Surveyor # 1307 Date

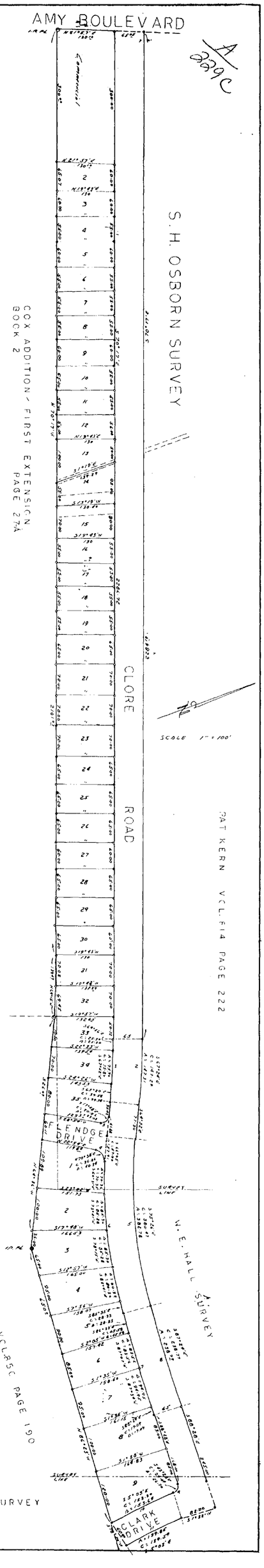
CURVE DATA

	1	2	3	4	5	6
I	5° 45'	5° 45'	93° 24'	83° 28'	21° 49'	21° 49'
R	1402.82'	1467.82'	16.13'	97.69'	1005.27'	1070.27'
T	70.45'	73.71'	15.00'	24.70'	193.74'	206.26'
A	140.78'	147.31'	23.03'	40.96'	382.76'	407.53'
LC	140.72'	147.26'	20.56'	36.80'	380.41'	405.07'

	7	8	9	10	11
I	2° 07'	2° 07'	90°00'	13° 10'	13° 10'
R	6,928.69'	6,663.69'	17.00'	668.57'	668.57'
T	120.61'	119.41'	17.00'	77.15'	70.23'
A	241.19'	238.19'	26.70'	153.64'	139.65'
LC	241.17'	238.17'	24.04	153.36'	139.54'

PAT KERN
DEVELOPER

SCALE 1"=100'
DATE 12 MAY 64
APPROVED BY
DRAWN BY
CHECKED
DRAWING NUMBER
64-5-F

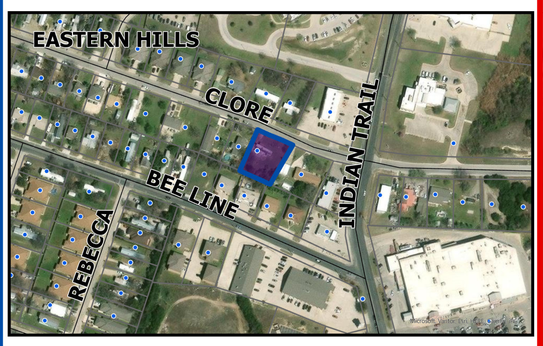


A 339C

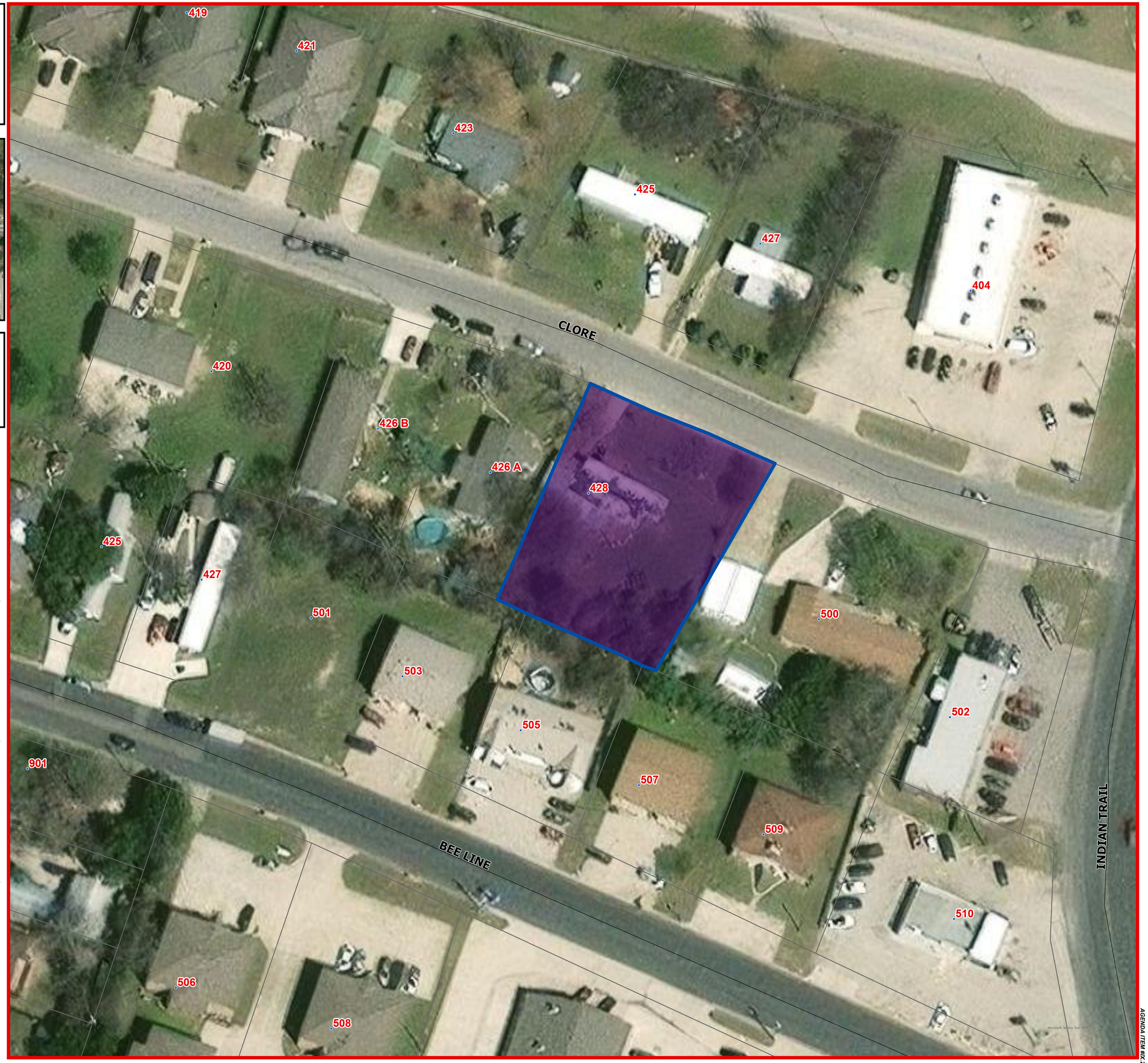
Dedication in Vol. 1150, Page 546

AGENDA ITEM #IX.2.

Z26-11 Location



428 Clore Road



Harker Heights

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

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Gov. C. §2501.102. The user is encouraged to independently verify all information contained in this product. The City of Harker Heights makes no representation or warranty as to the accuracy of this product or to its fitness for a particular purpose. The user: (1) accepts the product AS IS, WITH ALL FAULTS; (2) assumes all responsibility for the use thereof; and (3) releases the City of Harker Heights from any damage, loss, or liability arising from such use.

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Z26-11 Existing Land Use

428 Clore Road

Existing Land Use

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



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Z26-11 Land Use Plan

428 Clore Road

Land Use Plan

Medium Density Residential

Regional Commercial Centers

Community Center

Government/Public Space



280 Feet
140
70
0

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Z26-11 Zoning

- 428 Clore Road

Zoning Districts

- B-3 Local Business District
- B-4 Secondary and Highway Business District
- R-1 One-Family Dwelling District
- R-1 (M) One-Family Manufactured Home Dwelling District
- R-3 Multi-Family Dwelling District
- R-MU Mixed Use Residential



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Z26-11 Notification Response

- 428 Clore Road
- 200ft Buffer
- 400ft Buffer
- Notified Properties 200ft (22)
- Notified Properties 400ft (17)
- Recommend Approval (7)
- Recommend Denial (3)

1,000 Feet
500
250
0

EASTERN HILLS
CLORE
BEE LINE
INDIAN TRAIL
MCCLURE
REBECCA
ROBIN
CARDINAL
PAN AMERICAN
CENTRAL TEXAS

Harker Heights
The Bright Star of Central Texas

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
254-953-5600
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Created by Taylor

Microsoft, Vantor, Esri, HERE, Garmin, FSC

AGENDA ITEM #IX.2.

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

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

FROM: WELLS LAUNDRY INC

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

Physical Address	Property ID
404 INDIAN TRAIL	58836

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☒ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Printed Name KENNY WELLS Signature Kenny Wells Date 6-8-26

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: TALAMANTEZ, ELIAS ETUX OLGA L

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

Physical Address	Property ID
416 CLORE RD	127585

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☑ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
The proposed development would create adverse impacts. Traffic congestion and possibly affect noise levels. In my opinion proposed changes would negatively impact the character, or property values of adjecent areas.

Elias Talamantez — Elias Talamantez — 6-12-26
Printed Name — Signature — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

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

FROM: TALAMANTEZ, ELIAS L ETUX OLGA L

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

Physical Address	Property ID
420 CLORE RD	126358

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☑ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
The proposed development would create adverse impacts. Traffic congestion and possibly affect noise levels. In my opinion proposed changes would negatively impact the character, or property values of adjacent areas.

Elias Talamantez — 6-12-26
Printed Name — Signature — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

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

FROM: YZNAGA, CECILIO ESTATE ETUX JANET

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

Physical Address	Property ID
423 CLORE RD	131929

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☒ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
I Recomend it, so something 21st nicer can be put up for families to live in that is decit. The only concern I have is the type of people- good or bad character

Janet Yznaga — Janet Yznaga — 4 June 2026
Printed Name — Signature — Date

RECEIVED
JUN 08 2026
PLANNING & DEVELOPMENT

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: TALAMANTEZ, ELIAS ETUX OLGA L

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

Physical Address	Property ID
425 CLORE RD	46797

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☐ **I RECOMMEND APPROVAL OF THE REQUEST**

☑ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:
The proposed development would create adverse impacts. Traffic congestion and possibly noise levels. In my opinion the proposed changes would negatively impact the character, or property values of adjacent areas.

ELIAS TALAMANTEZ — 6-12-26
Printed Name — Signature — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WETZEL, ALAN ETUX DORIS

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

Physical Address	Property ID
425 E BEELINE LN	126898

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Printed Name: ALAN WETZEL Signature: [signature] Date: 6-8-26

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: WETZEL, ALAN ETUX DORIS

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

Physical Address	Property ID
427 E BEELINE LN	126899

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Printed Name: ALAN WETZEL Signature: [signature] Date: 6-8-26

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCDOWELL, CARLOS M & ESTATE TAX EXEMPTION TRUST

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

Physical Address	Property ID
501 E BEELINE LN	70815

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Colin McDowell — Printed Name

Colin McDowell — Signature

6/12/26 — Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: 502 INDIAN TRAIL LC

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

Physical Address	Property ID
502 INDIAN TRAIL	207405

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☒ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

JEFF ORLANDO — 6/4/26

Printed Name — Signature — Date

RECEIVED
JUN 08 2026
PLANNING & DEVELOPMENT

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MCDOWELL, CARLOS M & ESTATE TAX EXEMPTION TRUST

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

Physical Address	Property ID
505 E BEELINE LN	70816

Z26-11 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R2-I (Two-Family Infill Dwelling District) on property described as Kern Valley 1st Ext, Block 00A, Lot 0035, & W 1/2 of Flenge Dr, SN1 VK1117; Title # 83159949, generally known as 428 Clore Road, Harker Heights, Bell County, Texas.

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Colin McDowell — Printed Name

Colin McDowell — Signature

6/12/26 — Date

Memorandum

FROM: The Office of the Planning and Development Director **DATE:** June 24, 2026

Z26-12 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 70, ACRES 6.884, GENERALLY LOCATED AT THE NORTHWESTERN PORTION OF THE NORTHERN CUL DE SAC ON ORLAN DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 71, ACRES 6.64, GENERALLY KNOWN AS 11711 ORLAN DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION THREE, LOT TRACT 72, ACRES 5.34, GENERALLY KNOWN AS 5550 LAKESIDE DRIVE, BELTON, BELL COUNTY, TEXAS, PROPERTY DESCRIBED AS SCENIC HILLS ADDITION, BLOCK 001, LOT 073A, ACRES 3.065, GENERALLY KNOWN AS 5928 LAKESIDE DRIVE, BELTON, BELL COUNTY TEXAS, AND PROPERTY DESCRIBED AS SCENIC HILLS ADDITION, BLOCK 001, LOT 073B, ACRES 4.104, GENERALLY KNOWN AS 5932 LAKESIDE DRIVE, BELTON, BELL COUNTY, TEXAS (ALL PROPERTIES LOCATED WITHIN THE CITY OF HARKER HEIGHTS). (PLANNING ADMINISTRATOR)

EXPLANATION:

REFERENCES:

Zoning Case #Z26-12
MGO Project #2026-120

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District on five properties generally located at the southwestern corner of Lakeside Drive and Orlan Drive, Harker Heights, Bell County, Texas.

LOT HISTORY:

Property ID 96906

- Vacant
- Plat: Lakeside Hills Section 3 (1979)

Property ID 183515 (11711 Orlan Drive)

- Residential Structure (2,046 square feet) build in 1997
- Plat: Lakeside Hills Section 3 (1979)

Property ID 129449 (5550 Lakeside Drive)

- Property owners main residence
- Residential Structure (3,379 square feet) built in 2003
- Plat: Lakeside Hills Section 3 (1979)

Property ID 431569 (5928 Lakeside Drive)

- Vacant
- Scenic Hills Addition Replat (2010)

Property ID 431571 (5932 Lakeside Drive)

- Vacant
- Scenic Hills Addition Replat (2010)

STAFF ANALYSIS:

The 2021 Land Use Plan and Comprehensive Plan identify these lots as Residential Estate (allowed zoning districts: R-1 larger than 0.5 acres, R1-R). The proposed rezoning is consistent with the adopted Comprehensive Plan and Land Use Plan.

Surrounding Land Uses

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

	Existing Land Use	Land Use Plan	Zoning District
North	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)
South	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)
East	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)/R1-R (Rural One-Family Dwelling District)
West	Low Density Residential	Residential Estate	R-1 (One-Family Dwelling District)

Thoroughfare Plan

Lakeside Drive is classified as a Minor Collector in the City's adopted Thoroughfare Plan and Mobility 2030 Plan. Per §154.01 of the City's code of ordinances, Minor Collectors are defined as: "Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors or arterials. Residential lots may front these streets". Per §154.37(C), " Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to the major collectors or an arterial. These are limited access roads on which residential lots may have driveway access. Minor collectors shall have six-foot to eight-foot wide connector sidewalks and amenities as indicated in the adopted sidewalk plan".

Orlan Drive is classified as a residential street in the Mobility 2030 Plan. Per §154.01 of City's code of ordinances, Residential Streets are defined as: "Streets whose primary function is to serve individual residential lots. They carry low traffic volumes at low speeds". Per §154.37(C), "Residential streets shall have a roadway surface that is 36 feet in width (back-of-curb to back-of-curb), with a minimum 60 feet of right-of-way. Where entrances to subdivisions are not part of a collector street, they shall be a minimum of 42 feet wide with 70 feet of right-of-way for a distance of 100 feet from the intersection. Residential streets shall have five-foot to six-foot wide residential sidewalks and amenities as indicated in the adopted sidewalk plan.

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

1. The proposed use and rezoning are compatible with the current Comprehensive Plan and Land Use Plan.

2. The proposed use and rezoning will not have an adverse impact on surrounding properties.
3. The proposed use and rezoning are compatible with existing uses and zoning in the neighborhood.
4. The proposed use and rezoning will not pose an adverse impact to the public health, safety, or general welfare.

NOTICES:

Notice of this case was published in the Killeen Daily Herald on Sunday, May 31, 2026.

Based on the most recently approved tax roll available, staff sent out sixteen (16) notices to property owners within the 400-foot notification area, including the notice sent to Killeen Independent School District as required by Local Government Code Section 211.007 (c-1). As of June 17, 2026, two (2) responses were received in favor of the request, and zero (0) responses were received in opposition of the request.

Within the 200-foot notification area:
• Total area of land is ~ 755,542.24 sq. ft.
• Total area of land recommending denial is ~ 0 sq. ft.
• Percentage of land area recommending denial is ~ 0%

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

Per Texas Local Government Code Section 211.0061, for non-comprehensive zoning changes, property owners may file a written protest if they represent: (1) at least 20% of the subject property, (2) at least 20% of property within 200 feet, or (3) at least 60% of property within 200 feet when the request increases residential development (with limited/non-expanding commercial uses).

If a valid protest is filed, approval of the zoning change requires a three-fourths vote of the governing body for 20% protests, or a simple majority vote for qualifying 60% residential protests.

RECOMMENDATION:

Alternatives Considered

Staff considered two (2) alternatives for this case:

1. Recommend approval of the applicant's request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr v. Tippett considerations.

Staff Recommendation

Staff recommends approval to the Planning & Zoning Commission of Case Z26-12, to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on five properties generally located at the southwestern corner of Lakeside Drive and Orlan Drive, Harker Heights, Bell County, Texas.

ACTION BY THE PLANNING & ZONING COMMISSION:

1. Motion to recommend **approval** of case Z26-12 as read in the caption by the Planning & Zoning Chairman, based on **staff's** recommendations and findings.

2. Motion to recommend **disapproval with explanation** of Case Z26-12 as read in the caption by the Planning & Zoning Chairman, based on the **discussed** recommendations and findings, with the following explanation:
    a. **The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood.**
3. Any other action deemed necessary.

ATTACHMENTS:

Z26-12_Application
Z26-12_Scenic Hills Adn Replat
Z26-12_Lakeside Hills S3 A
Z26-12_Location
Z26-12_Existing_Land_Use
Z26-12_Land_Use_Plan
Z26-12_Zoning
Z26-12 Notification Response
Z26-12_Public Responses

Also on back of form

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 to the City of Harker Heights, refer to the most recently approved fee schedule**
3. **If zoning change will require amendment to the Land Use Plan (aka FLUM), there will be an additional fee - refer to most recently approved fee schedule**

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

Property Owner(s) Name: Jay and AnnMarie McKenna **Date:** 5/13/2026

Address: 5550 Lakeside Dr.

City/State/Zip: Belton, TX 76513

Phone: 240-994-0780 **E-mail:** ajmck01@gmail.com

Legal Description of Property:

Location of Property (Address if available): 5550 Lakeside Dr. Belton TX 76513

Lot: Tract 72 Block: Subdivision: Lakeside Hills

Acres: 5.34 Property ID: 129449 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:

Current Zoning Classification: R-1 **Proposed Zoning:** R1-R

Current Land Use: **Proposed Land Use:**

Applicant's Representative (if applicable):

Applicant's Representative: AnnMarie McKenna

Phone: 240-994-0780 **E-Mail:** ajmck01@gmail.com

I, being the undersigned applicant of the property herein described, herby 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.

Printed Name of Property Owner — Signature of Property Owner

Printed Name of Representative — Signature of Representative

SWORN AND SUBSCRIBED BEFORE ME ON THIS 26th *DAY OF* May *, 20* 26

Kristina Roach
SIGNATURE OF NOTARY PUBLIC

MY COMMISSION EXPIRES: 6/22/2028

KRISTINA ROACH
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 6/22/29
NOTARY ID 133170496

STAFF ONLY -- DO NOT FILL OUT BELOW

Date Submitted: Receipt #:

☐ Pre-Application Meeting

Received By: Case #:

Revised: 12/2022

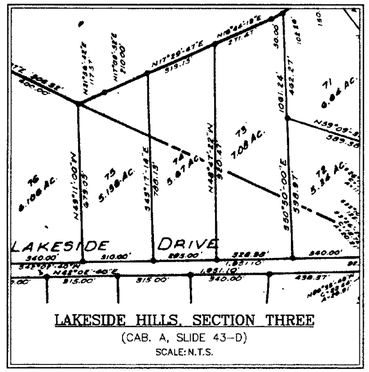
(2) 11711 Orlan Dr. , LOT Tract 71
Belton, Tx 76513
Property ID 183515
Acres 6.64

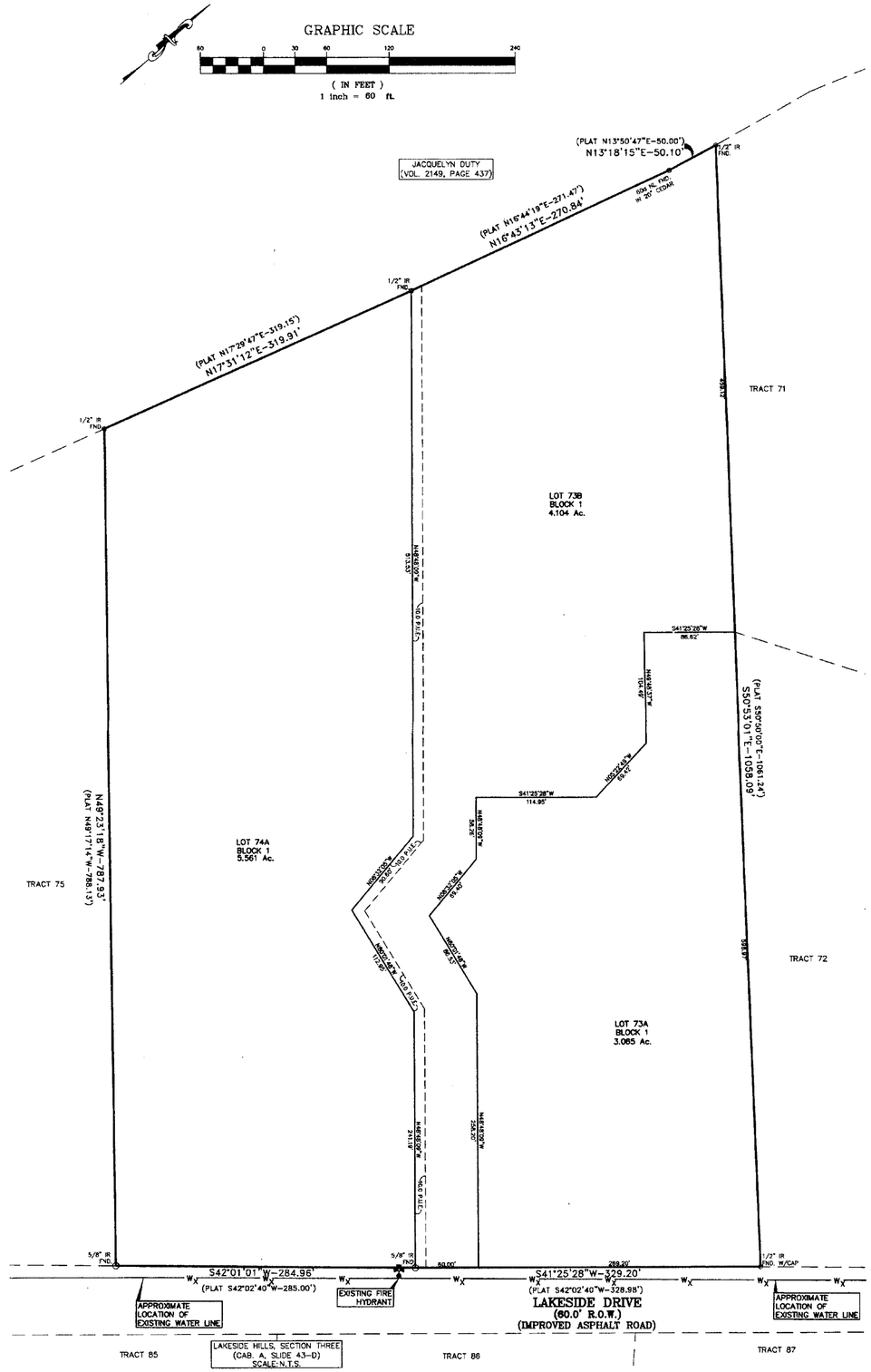
(3) 5828 Lakeside Dr. Belton, 76513
Property ID - 431569
Acres 3.06

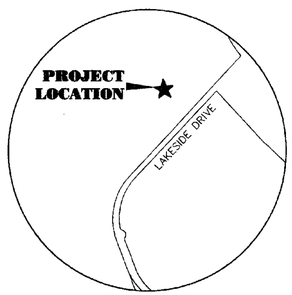
(4) 5932 Lakeside Dr. Belton TX 76513
property ID 431571 Block 001, LOT 073B
Acres 4.10

(5) Orlan Dr. Belton 76513
LOT Track 70 Property ID 96906
Acres 6.88

D
2970







VICINITY MAP
SCALE: N.T.S.

SCENIC HILLS ADDITION BEING A REPLAT OF ALL OF TRACT 73 & TRACT 74, LAKESIDE HILLS, SECTION THREE

KNOW ALL MEN BY THESE PRESENTS, that **Richard & Christine House**, whose address is 5926 Lakeside Dr., Belton, texas 76513, being sole owner of that certain 12.730 acre tract of land in Bell County, Texas, and the land herein described being all of Tract 73 and Tract 74, Lakeside Hills, Section Three, a subdivision in Bell County, Texas, of record in Cabinet A, Slide 43-D, Plat Records of Bell County, Texas, which is more fully described in the dedication of **SCENIC HILLS ADDITION BEING A REPLAT OF ALL OF TRACT 73 & TRACT 74, LAKESIDE HILLS, SECTION THREE** as shown by the plat hereof, attached hereto, and made a part hereof, and approved by Planning and Development of the City of Harker Heights, Bell County, Texas, and **Richard & Christine House** do hereby adopt said **SCENIC HILLS ADDITION BEING A REPLAT OF ALL OF TRACT 73 & TRACT 74, LAKESIDE HILLS, SECTION THREE** as an addition to the City of Harker Heights, Bell County, Texas, and hereby dedicates to said city all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Harker Heights. The utility easements shown on said plat are dedicated to said city for the installation and maintenance of any and all public utilities, which the city may install or permit to be installed or maintained.

WITNESS the execution hereof, on this 10th day of June, 2010.

Richard House

Before me, the undersigned authority, on this day personally appeared Richard House known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that he executed the foregoing instrument as the owner of the property described hereon.

NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: 08/04/2011

SHEILA R. MIKULEC
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/04/2011

Christine House

Before me, the undersigned authority, on this day personally appeared Christine House known to me to be the person whose name is subscribed to the foregoing instrument. It has been acknowledged to me that she executed the foregoing instrument as the owner of the property described hereon.

SHEILA R. MIKULEC
NOTARY PUBLIC
STATE OF TEXAS
MY COMM. EXP. 08/04/2011

NOTARY PUBLIC STATE OF TEXAS
My Commission Expires: 08/04/2011

APPROVED this the 26th day of May, 2010 by the Planning and Zoning Commission of the City of Harker Heights, Bell County, Texas.

Chairperson, Planning and Zoning Commission

Secretary, Planning and Zoning Commission

KNOW ALL MEN BY THESE PRESENTS,

That I, Rex D. Haas, Registered Professional Land Surveyor, do hereby certify that I did prepare this plat from an actual and accurate survey of the land, that the corner monuments shown hereon were properly placed under my personal supervision in accordance with the Subdivision and Property Development Regulations of the City of Harker Heights, Texas, and this subdivision is within the City Limits of Harker Heights, Texas.

Rex D. Haas
Registered Professional
Land Surveyor, No. 4378

4-30-10
DATE

STATE OF TEXAS
REGISTERED
REX D HAAS
4378
PROFESSIONAL
LAND SURVEYOR

NOTES:
1. ALL BEARINGS ARE BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE AS PER GPS OBSERVATIONS.

2. ALL INTERIOR LOT CORNERS MARKED WITH 1/2" IR & CAP STAMPED "M & A, KILLEEN" SET AFTER CONSTRUCTION COMPLETED.

3. SEWER SERVICE FOR ALL THREE TRACTS (TRACT 74, TRACT 73A AND TRACT 73 B) SHOWN ON THIS REPLAT WILL BE PROVIDED BY ON SITE SEWER FACILITIES (OSSF).

PROPERTY OWNER:
RICHARD & CHRISTINE HOUSE
5926 LAKESIDE DRIVE
BELTON, TX 76513

SURVEYOR/ENGINEER:
MITCHELL & ASSOCIATES, INC.
P.O. BOX 1088, KILLEEN, TEXAS 76540

The Bell County Tax Appraisal District, the taxing authority for all entities in Bell County, Texas does hereby certify that there are currently no delinquent taxes due or owing on the property described by this plat.

Dated this 18th day of June A.D. 2010

BELL COUNTY TAX APPRAISAL DISTRICT
BY:

FILED FOR RECORD this 28th day of June, 2010, in Cabinet D, Slide 347 D, Plat Records of Bell County, Texas. Dedication Instrument in Instrument # 22622, Deed Records of Bell County, Texas.

2010-22622

No.	DATE	REMARKS	BY
2	6/15/2010	10' P.U.E. PER COMMENTS ON 6/2/10	FRB
1	5/19/2010	CITY OF HARKER HEIGHTS COMMENTS	FRB

SCENIC HILLS ADDITION
BEING A REPLAT OF ALL OF TRACT 73 & TRACT 74, LAKESIDE HILLS, SECTION THREE
HARKER HEIGHTS, BELL COUNTY, TEXAS

SHEET TITLE: *ADMINISTRATIVE PLAT*

MITCHELL & ASSOCIATES, INC.
ENGINEERING & SURVEYING
102 N. COLLEGE
KILLEEN, TEXAS 76541
PHONE: (254) 634-5541
FAX: (254) 634-2141
TEXAS BOARD OF PROFESSIONAL ENGINEERS' FIRM REGISTRATION NO. 1241
T.B.P.L.S. FIRM REGISTRATION NO. 100064-00

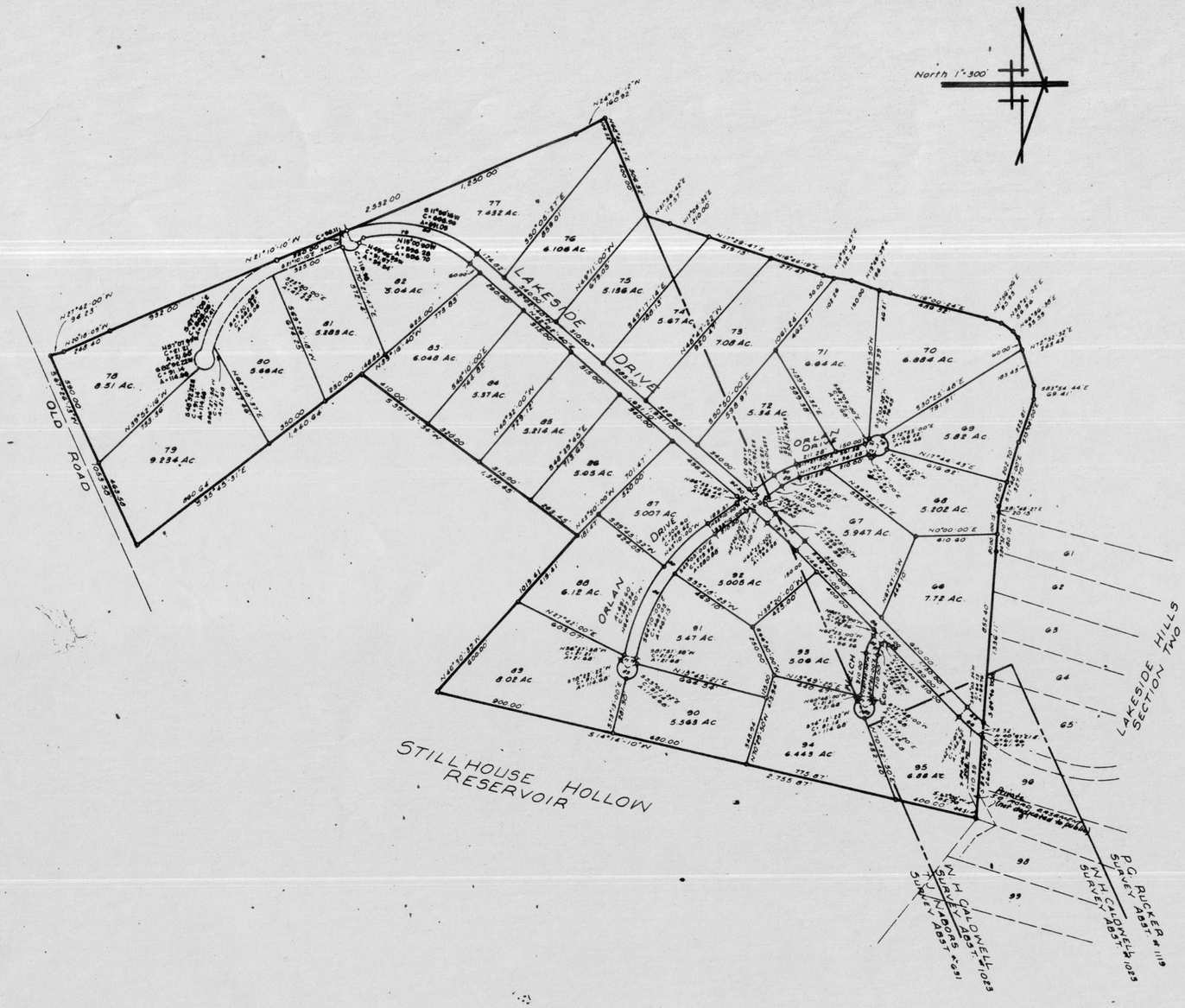
DWG No.	DRAWN BY:	DATE:	SCALE:	REF.:	3 LOTS	AREA:
10-90-D	MDH/FRB	APRIL 2010	1"=60'	09-430-B	1 BLOCK	12.730 Ac.

K:\Survey\Scenic Hills Addition (5-90-D.dwg, PLAT, 6/15/2010 8:19:39 AM, cadd

SHEET P1 OF P1

AGENDA ITEM #IX.3.

A 43-D



LAKESIDE HILLS SECTION THREE

Drown By: Henry C
No. Lots: 30
Job No. 77-32-F

Dedication Vol. 1603 Page 661

DEDICATION
LAKESIDE HILLS, SECTION THREE

THE STATE OF TEXAS:
KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BELL:

That Emmar Corporation, a Texas Corporation, Owner of a tract of 45.5035 acres shown on the plat accompanying this dedication, the same being part of the lands conveyed to Emmar Corporation by deed recorded in Vol. 1460, Page 567, Deed Records of Bell County, Texas, does hereby adopt the said map or plat as its subdivision under the name of "LAKESIDE HILLS, SECTION THREE, and does hereby grant to the Public the roadway easements indicated on said plat together with and including rights of ingress and egress and, in addition, an easement 10' in width for utilities along the side, rear and front lines of each tract shown on the appended plat and along the equivalent lines of any tract which may hereafter be created out of any of the tracts shown on the plat.

EXECUTED this the 12th day of April, 1979, A.D.

EMMAR CORPORATION

BY: Kenneth McCalla, Jr.
Kenneth McCalla, Jr., President

THE STATE OF TEXAS:
COUNTY OF WILLIAMSON:

BEFORE ME, the undersigned authority, on this day personally appeared Kenneth McCalla, Jr., President of Emmar Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged that the executed the same as the act of said corporation and for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12th day of April, 1979, A.D.

Carol Joyce Jonathan
Notary Public in and for Williamson County, Texas

THE STATE OF TEXAS:
COUNTY OF BELL:

That we, KENNETH MCCALLA, JR. AND LENA B. REHLER, lienholders on the herein designated land known as "LAKESIDE HILLS, SECTION TWO", Bell County, Texas, as evidenced by Deed of Trust for the benefit of KENNETH MCCALLA, JR., et al, recorded in Vol. 139, Page 669, Deed of Trust Records, Bell County, Texas, doe hereby ratify, confirm and adopt this plat as our subdivision, and do hereby dedicate to the public use, all streets and easements shown thereon.

WITNESS OUT HANDS this the 12th day of April, 1979, A.D.

Kenneth McCalla, Jr.

Lena B. Rehler

THE STATE OF TEXAS:
COUNTY OF WILLIAMSON:

BEFORE ME, the undersigned authority, on this day personally appeared KENNETH MCCALLA, JR. and Lena B Rehler known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 12th day of April, 1979, A.D.

Carol Joyce Jonathan
Notary Public in and for Williamson County, Texas

THE STATE OF TEXAS:
COUNTY OF WILLIAMSON:

KNOW ALL MEN BY THESE PRESENTS:

That I, Clifton Bellamy, do hereby certify that I prepared all drainage calculations and designed all drains and appurtenances in accordance with the Bell County Subdivision Regulations.

Clifton Bellamy
CLIFTON N. BELLAMY 7643 REGISTERED PROFESSIONAL ENGINEER

THE STATE OF TEXAS:
COUNTY OF BELL:

KNOW ALL MEN BY THESE PRESENTS:

I hereby certify this plat was approved this the 7th day of May, 1979, A.D., by the Bell County Commissioners Court, and my be filed for record in the Deed Records of Bell County the County Clerk.

John Ford
County Judge

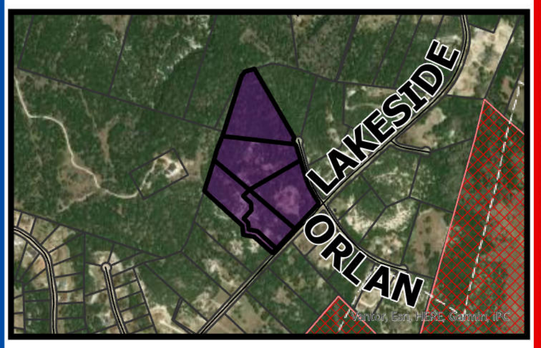
Witness my hand this the 7th day of May, 1979, A.D

Nadine Sutton
Notary Public

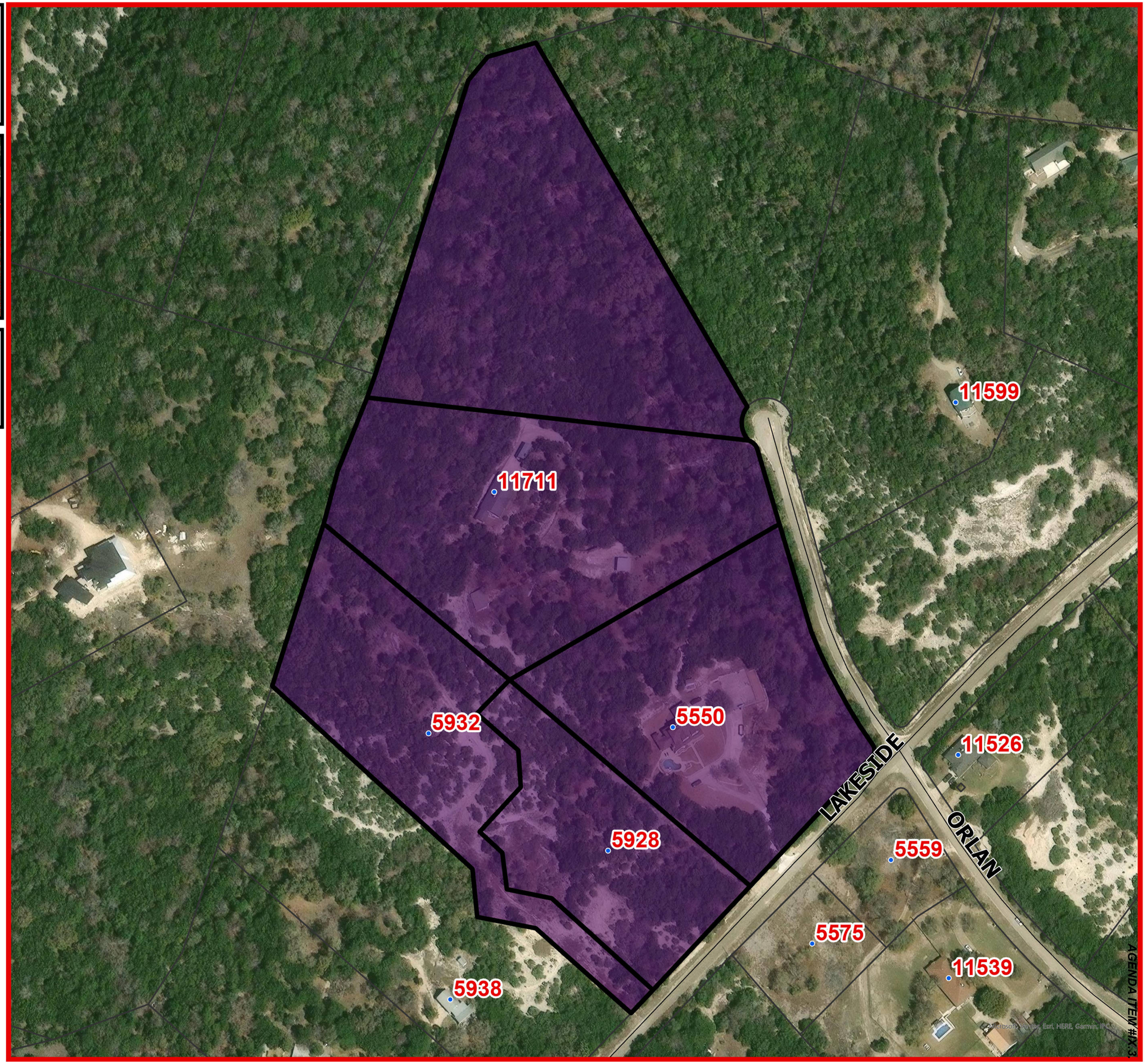
"I, H. W. Curington, am authorized under the laws of the State of Texas to parctice the profession of Engineering (or Surveying) and hereby certify that this plat complies with Chapter 41-27 of the Austin City Code: is true and correct; and was prepared from an actual survey of the property under my supervision and on the ground."

H. W. Curington, Registered Professional Engineer

Z26-12 Location



5550 Lakeside Drive



Harker Heights

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

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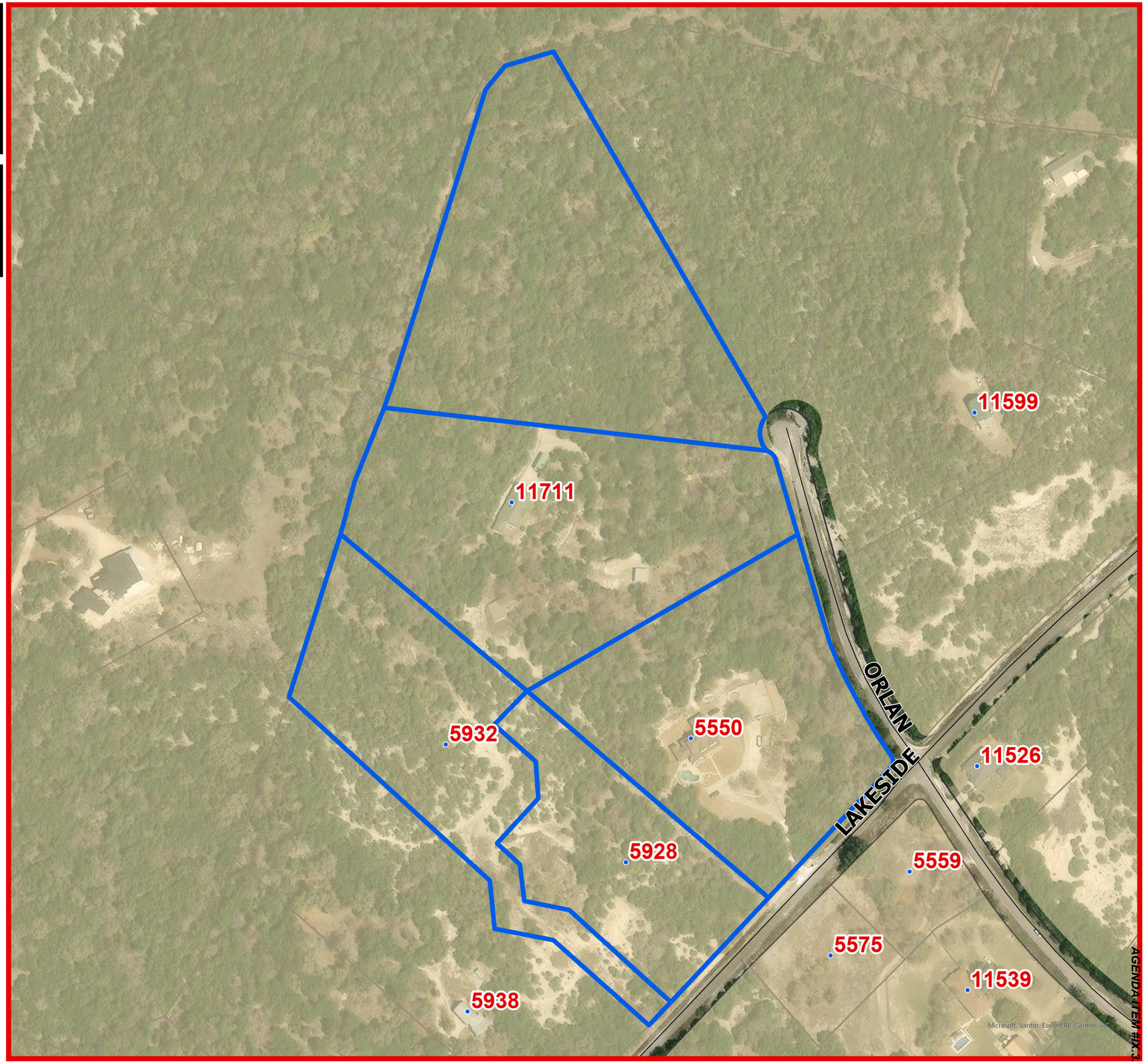
Last Updated: 1/22/2026

Z26-12 Existing Land Use

5550 Lakeside Drive

Existing Land Use

Low Density Residential



500 Feet

0 125 250

Harker Heights

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305 Miller's Crossing
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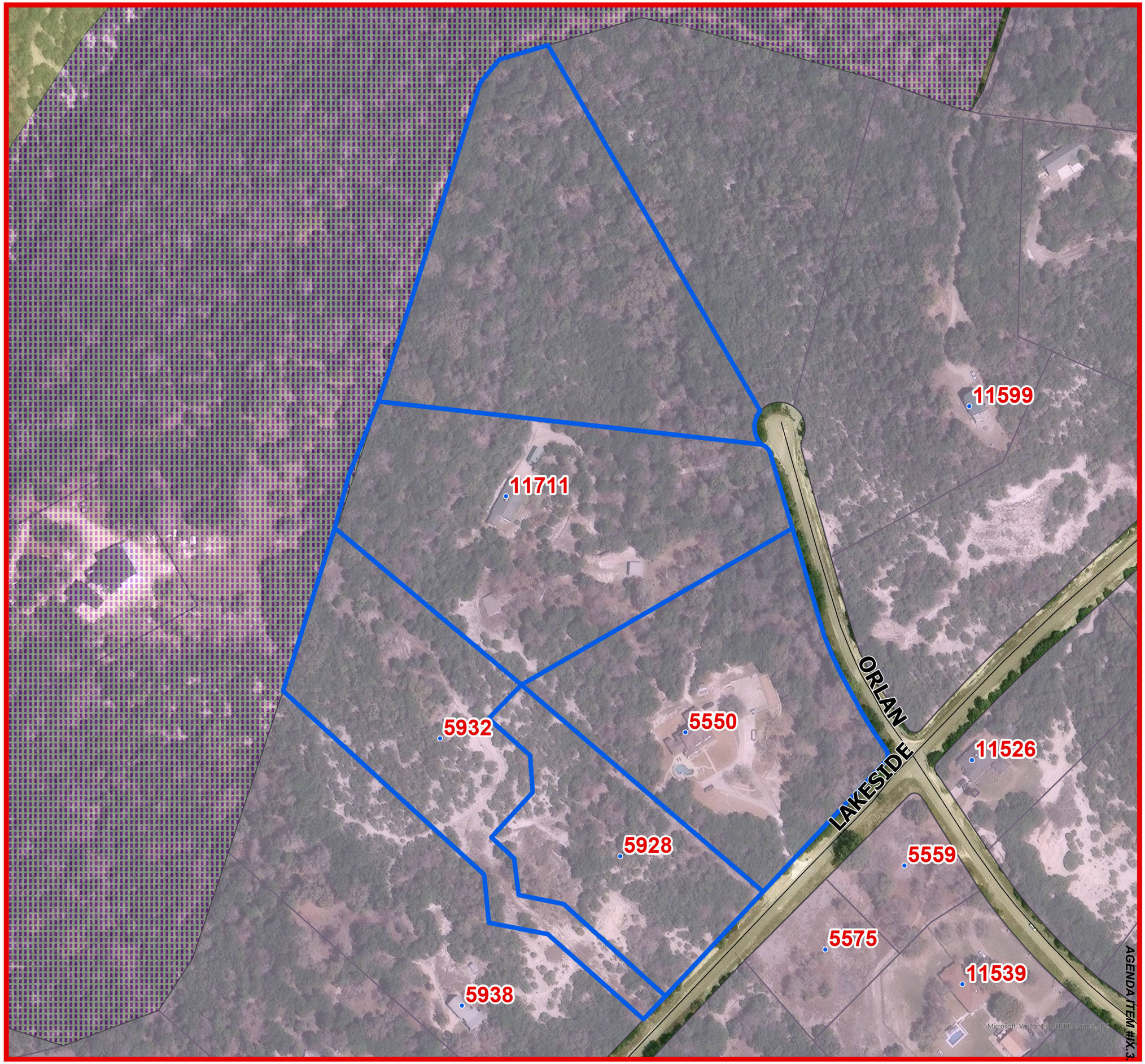
Z26-12 Land Use Plan

5550 Lakeside Drive

Land Use Plan

- **Low Density Residential**
- **Residential Estate**
- **Overlook Utilization Area**



0 125 250 500 Feet

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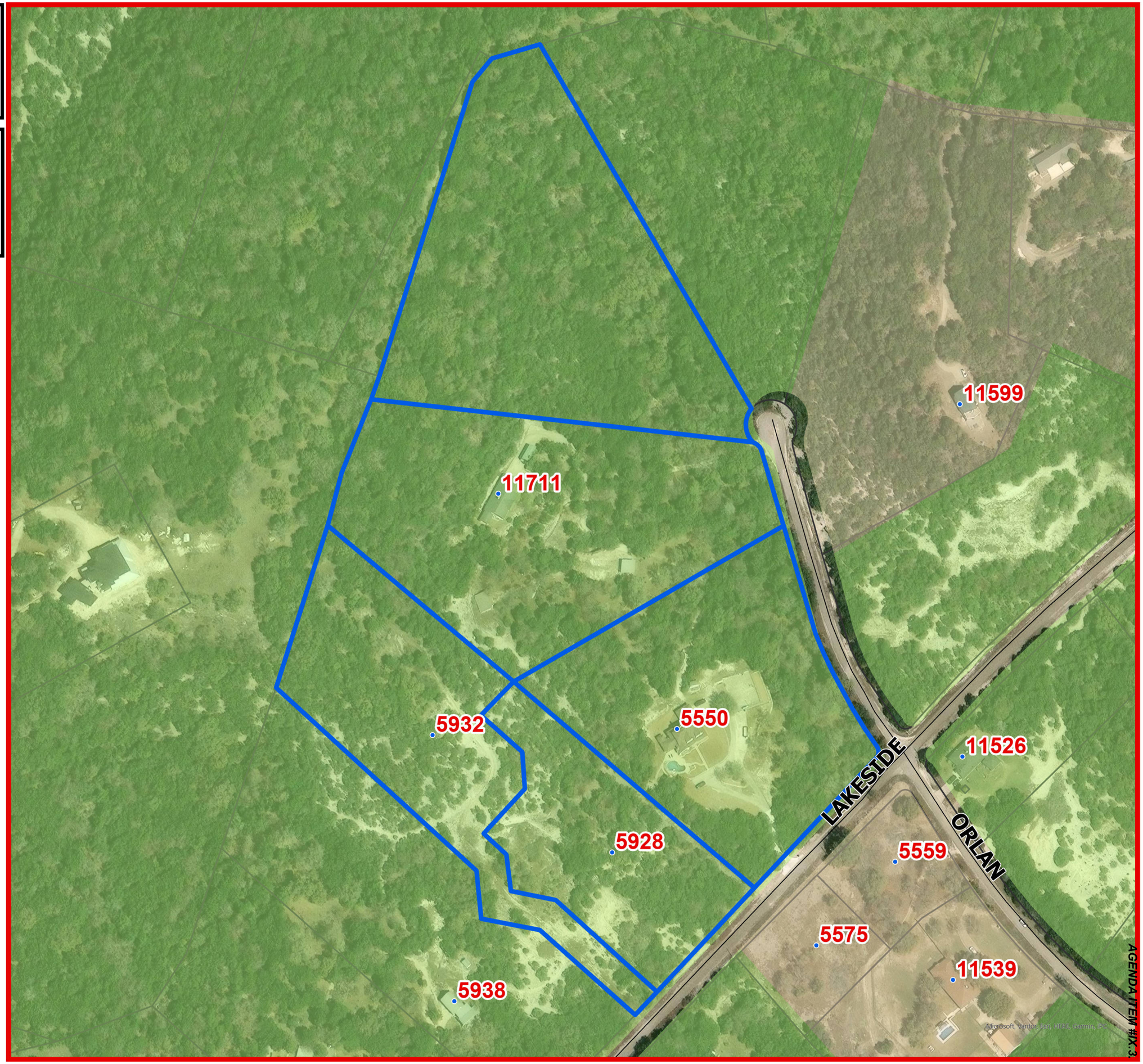
Z26-12 Zoning

5550 Lakeside Drive

Zoning Districts

R-1 One-Family Dwelling District

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



0 125 250 500 Feet

Harker Heights

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Z26-10 Notification Response

- 5550 Lakeside Drive
- 200ft Buffer
- 400ft Buffer
- Notified Properties 200ft (11)
- Notified Properties 400ft (5)
- Recommend Approval (2)
- ETJ

0 500 1,000 2,000 Feet

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Map Created: 8/7/2025

Maxar, Microsoft, Vantor, Esri, HERE, Garmin, IPC

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: MANN, MICHELLE C ETVIR DUSTIN G

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

Physical Address	Property ID
11539 ORLAN DR	123048

Z26-12 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 70, Acres 6.884, generally located at the northwestern portion of the northern cul de sac on Orlan Drive, Belton, Bell County, Texas, property described as Lakeside Hills Section Three, Lot Tract 71, Acres 6.64, generally known as 11711 Orlan Drive, Belton, Bell County, Texas, property described as Lakeside Hills Section Three, Lot Tract 72, Acres 5.34, generally known as 5550 Lakeside Drive, Belton, Bell County, Texas, property described as Scenic Hills Addition, Block 001, Lot 073A, Acres 3.065, generally known as 5928 Lakeside Drive, Belton, Bell County Texas, and property described as Scenic Hills Addition, Block 001, Lot 073B, Acres 4.104, generally known as 5932 Lakeside Drive, Belton, Bell County, Texas (all properties located within the City of Harker Heights).

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

I Dustin Mann — 6-4-26

Printed Name | Signature | Date

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: DONAHUE, MICHAEL N

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

Physical Address	Property ID
11599 HIGHVIEW DR	29861

Z26-12 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Three, Lot Tract 70, Acres 6.884, generally located at the northwestern portion of the northern cul de sac on Orlan Drive, Belton, Bell County, Texas, property described as Lakeside Hills Section Three, Lot Tract 71, Acres 6.64, generally known as 11711 Orlan Drive, Belton, Bell County, Texas, property described as Lakeside Hills Section Three, Lot Tract 72, Acres 5.34, generally known as 5550 Lakeside Drive, Belton, Bell County, Texas, property described as Scenic Hills Addition, Block 001, Lot 073A, Acres 3.065, generally known as 5928 Lakeside Drive, Belton, Bell County Texas, and property described as Scenic Hills Addition, Block 001, Lot 073B, Acres 4.104, generally known as 5932 Lakeside Drive, Belton, Bell County, Texas (all properties located within the City of Harker Heights).

☒ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

MICHAEL DONAHUE — Printed Name

Michael Donahue — Signature

Jun 3, 2026 — Date

RECEIVED
JUN 08 2026
PLANNING & DEVELOPMENT

Memorandum

FROM: The Office of the Planning and Development Director **DATE: June 24, 2026**

Z26-13 CONDUCT A PUBLIC HEARING TO DISCUSS AND TAKE POSSIBLE ACTION REGARDING A REQUEST FOR AN ORDINANCE TO CHANGE ZONING DESIGNATION FROM R-1 (ONE-FAMILY DWELLING DISTRICT) TO R1-R (RURAL ONE-FAMILY DWELLING DISTRICT) ON PROPERTY DESCRIBED AS LAKESIDE HILLS SECTION TWO, LOT TRACT 99, ACRES 6.36, GENERALLY KNOWN AS 11105 HIGHVIEW DRIVE, BELTON, BELL COUNTY, TEXAS (LOCATED WITHIN THE CITY OF HARKER HEIGHTS). (PLANNING ADMINISTRATOR)

EXPLANATION:

REFERENCES:
Zoning Case #Z26-13
MGO Project #2025-112

The applicant is requesting a change from the current zoning of R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District on property generally located at 11105 Highview Drive, Harker Heights, Bell County, Texas.

LOT HISTORY:
This lot was platted as part of Lakeside Hills Section II in 1978. Bell County Tax Appraisal District records indicate there is currently a 3,695 square foot residential structure built in 1983 and a 660 square foot detached garage built in 2007, on the property. This lot consists of approximately 6.44 acres (280,526 square feet).

STAFF ANALYSIS:
The 2021 Land Use Plan and Comprehensive Plan identify this lot as Residential Estate (allowed zoning districts: R-1 larger than 0.5 acres, R1-R). The proposed rezoning is consistent with the adopted Comprehensive Plan and Land Use Plan.
Surrounding Land Uses
The existing land use for this lot is identified as Low Density Residential. Adjacent land uses and zoning districts include those identified in the table below:

	Existing Land Use	Land Use Plan	Zoning District
North	Low Density Residential	Residential Estate	R-1 One-Family Dwelling District
South	Parks/Open Space	Parks/Open Space	ETJ
East	Low Density Residential	Residential Estate	R-1 One-Family Dwelling District

West	Low Density Residential	Residential Estate	R-1 One-Family Dwelling District

Thoroughfare Plan

Higview Drive is classified as a Minor Collector in the City's adopted Thoroughfare Plan and Mobility 2030 Plan. Per §154.01 of the City's code of ordinances, Minor Collectors are defined as: "Streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to major collectors or arterials. Residential lots may front these streets". Per §154.37(C), " Minor collectors shall have a roadway surface that is 42 feet in width (back-of-curb to back-of-curb), with a minimum of 70 feet of right-of-way. These are streets generally located within subdivisions or between subdivisions to collect traffic from residential streets and to channel this traffic to the major collectors or an arterial. These are limited access roads on which residential lots may have driveway access. Minor collectors shall have six-foot to eight-foot wide connector sidewalks and amenities as indicated in the adopted sidewalk plan".

Flood Damage Prevention

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

Pharr vs. Tippett Considerations

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

NOTICES:

Notice of this case was published in the Killeen Daily Herald on Sunday, May 31, 2026.

Based on the most recently approved tax roll available, staff sent out fifteen (15) notices to property owners within the 400-foot notification area, including the notice sent to Killeen Independent School District as required by Local Government Code Section 211.007 (c-1). As of June 17, 2026, one (1) response was received in favor of the request, and zero (0) responses were received in opposition of the request.

Within the 200-foot notification area:

- Total area of land is ~ 712,287.57 sq. ft.
- Total area of land recommending denial is ~ 0 sq. ft.
- Percentage of land area recommending denial is ~ 0%

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

Per Texas Local Government Code Section 211.0061, for non-comprehensive zoning changes, property owners may file a written protest if they represent: (1) at least 20% of the subject property, (2) at least 20% of property within 200 feet, or (3) at least 60% of property within 200 feet when the request increases residential development (with limited/non-expanding commercial uses).

If a valid protest is filed, approval of the zoning change requires a three-fourths vote of the governing body for 20% protests, or a simple majority vote for qualifying 60% residential protests.

RECOMMENDATION:

Alternatives Considered

Staff considered two (2) alternatives for this case:

1. Recommend approval of the applicant's request as presented.
2. Recommend disapproval of the applicants zoning request based on Pharr v. Tippett considerations.

Staff Recommendation

Staff recommends approval to the Planning & Zoning Commission of Case Z26-12, to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property generally located at 11105 Highview Drive, Harker Heights, Bell County, Texas.

ACTION BY THE PLANNING & ZONING COMMISSION:

1. Motion to recommend **approval** of Case Z26-13 as read in the caption by the Planning & Zoning Chairman, based on **staff's** recommendations and findings.
2. Motion to recommend **disapproval with explanation** of Case Z26-13 as read in the caption by the Planning & Zoning Chairman, based on the **discussed** recommendation and findings with the following explanation:
    a. **The proposed use and rezoning are not compatible with existing uses and zoning in the neighborhood.**
3. Any other action deemed necessary.

ATTACHMENTS:

Z26-13_Application & Proposes Site Plan
Z26-13_Lakeside Hills S2
Z26-13_Location
Z26-13_Existing_Land_Use
Z26-13_Land_Use_Plan
Z26-13_Zoning
Z26-13 Notification Response
Z26-13_Public Responses

Date and Time Commented	Comment Type	Action Type	Commented By
5/27/2026 10:25:00 AM	Public	Municipality	Richelle Otero

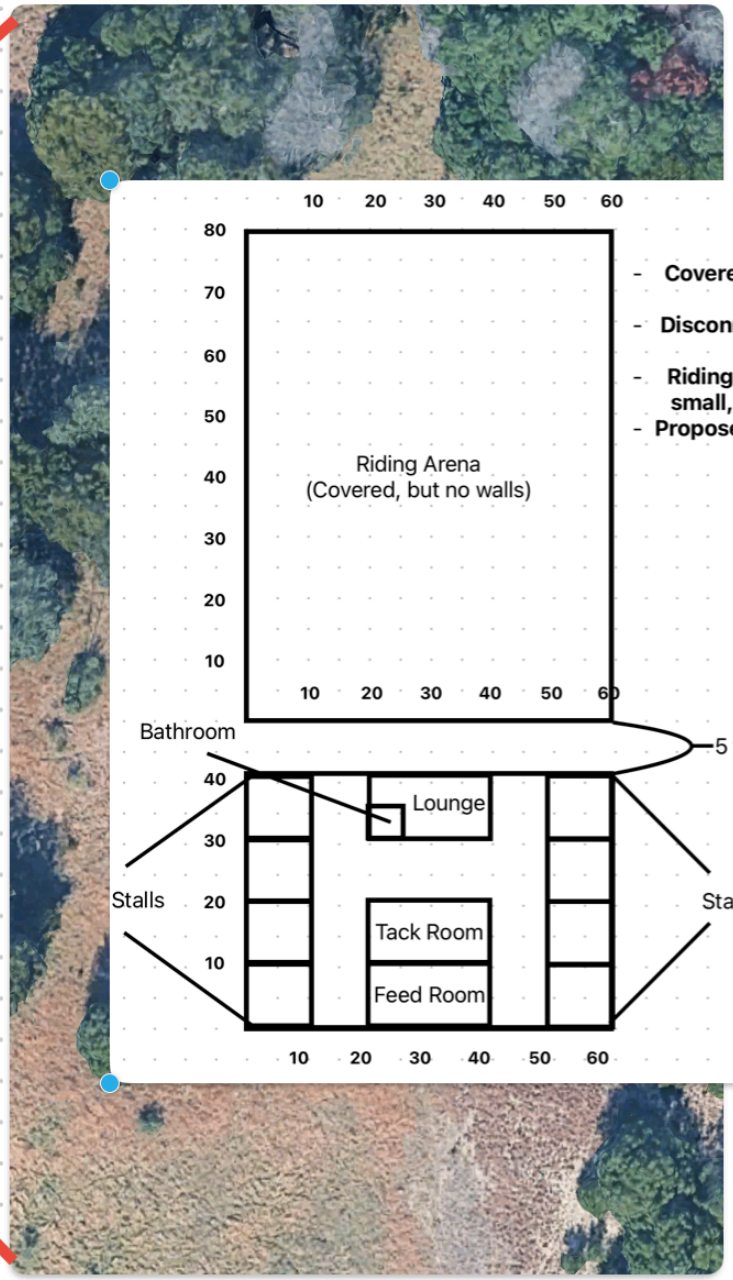
Email sent to: Derek Vess Subject: Project 2026-112 - Payment Invoice Harker Heights has emailed a copy of Payment Invoice

5/27/2026 10:19:00 AM	Private	Municipality	Richelle Otero

Customer Portal Application Note:
Lot:: (not set)
Block:: (not set)
Subdivision:: Lakeside Hills
Acres:: 6.4
Property ID:: (not set)
Survey:: (not set)
Proposed Use:: Equine
Current Zoning Classification:: R1
Proposed Zoning:: R1R
Current Land Use: : Residential
Proposed Land Use:: Residential Rural Equine
Applicant's Representative:: (not set)
Phone Number:: 7378884113
E-Mail:: derek_w_vess@yahoo.com
Acknowledgement::
Signature / Date:: Derek Vess / 06 May 2026
My Commission Expires:: (not set)



11105 Highview Drive,
Belton, TX 76513



Project Details:

- **Covered riding arena with no walls (4,800 square foot, 60' x 80')**
- **Disconnected enclosed barn with lounge and bathroom (2,400 square foot, 60' x 40')**
- **Riding arena and barn are not attached, there will be a small, uncovered walkway leading to arena from barn**
- **Proposed septic location pending permitting with county**

Proposed Septic Site

A/43-C

A/43-C

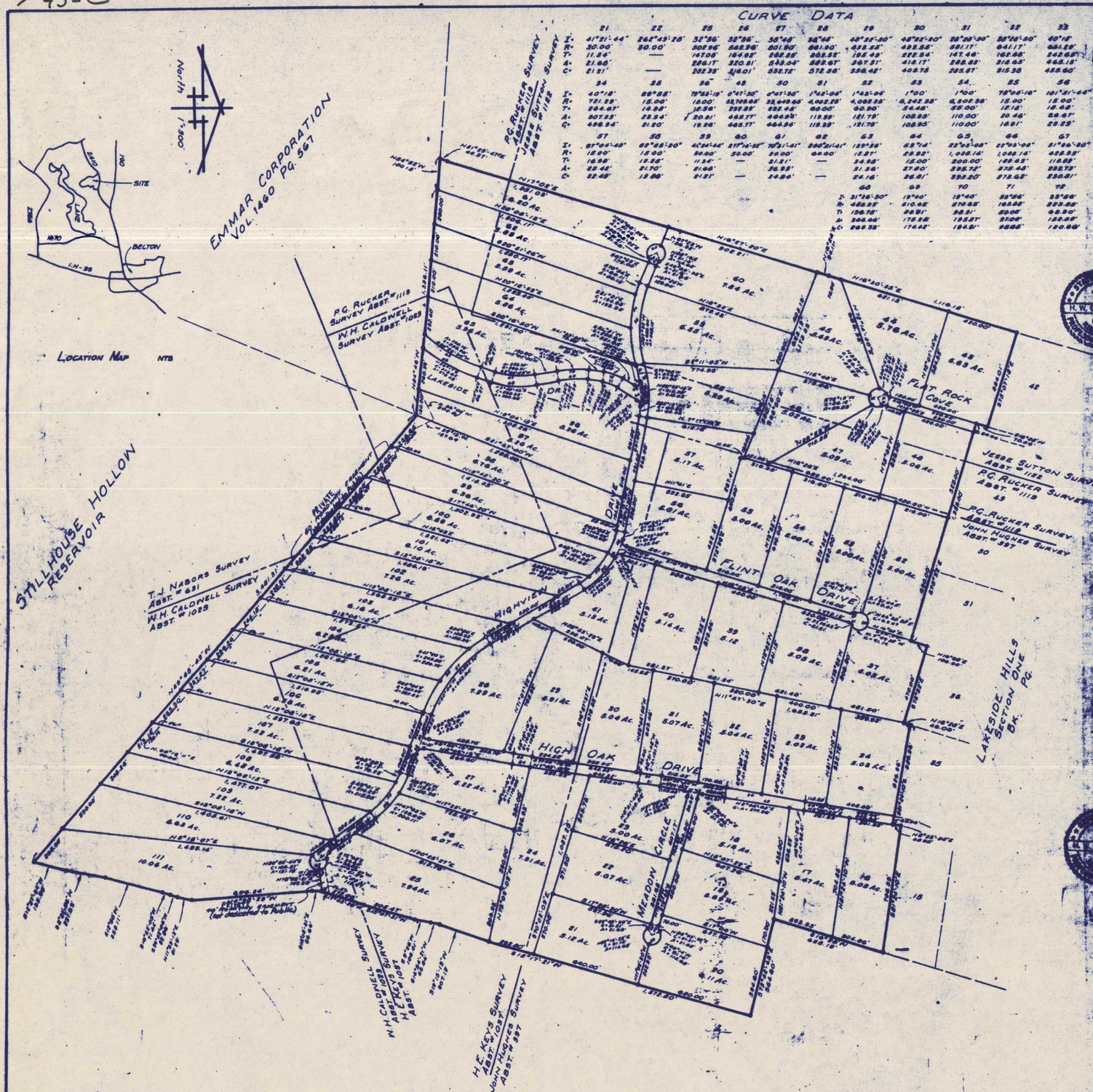
CURVE DATA

	21	22	23	24	25	26	27	28	29	30	31	32	33
I:	41°21'44"	242°43'28"	32°26'	32°26'	38°48'	38°48'	48°22'30"	48°22'30"	28°28'00"	28°28'00"	88°46'20"	40°18'	
R:	50.00'	50.00'	562.96'	562.96'	462.80'	462.80'	472.22'	472.22'	582.17'	582.17'	641.17'	641.17'	641.69'
T:	11.54'	—	147.06'	164.98'	168.88'	168.88'	195.49'	195.49'	147.46'	147.46'	167.98'	167.98'	542.65'
A:	21.60'		286.17'	320.81'	313.04'	313.04'	387.81'	387.81'	418.17'	418.17'	288.89'	316.65'	466.18'
C:	21.21'	—	282.39'	316.01'	298.78'	298.78'	376.48'	376.48'	406.75'	406.75'	285.87'	313.36'	456.60'

	34	35	36	49	50	51	52	53	54	55	56
I:	40°18'	89°55'	79°58'18"	0°47'30"	0°47'30"	1°48'06"	1°48'06"	1°00'	1°00'	78°08'18"	101°31'48"
R:	721.39'	15.00'	18.00'	33,109.66'	33,049.66'	4,068.25'	4,068.25'	6,242.28'	6,242.28'	15.00'	15.00'
T:	264.63'	14.06'	15.54'	286.28'	286.28'	64.00'	64.00'	54.48'	54.48'	12.18'	18.48'
A:	507.33'	23.54'	20.91'	468.77'	468.77'	119.99'	121.79'	108.95'	110.00'	20.46'	29.67'
C:	496.54'	21.20'	19.56'	468.77'	468.64'	119.99'	121.79'	108.95'	110.00'	18.91'	28.29'

	57	58	59	60	61	62	63	64	65	66	67
I:	97°04'40"	82°56'20"	41°24'44"	97°16'26"	97°21'41"	360°21'41"	139°25'	52°14'	22°05'00"	22°05'00"	81°26'20"
R:	15.00'	15.00'	50.00'	50.00'	50.00'	60.00'	12.27'	29.93'	1,058.14'	1,058.14'	458.93'
T:	15.58'	12.58'	11.34'	—	51.21'	—	34.58'	15.00'	206.00'	185.65'	118.82'
A:	25.46'	21.70'	21.68'	28.37'	28.83'	377.36'	31.24'	27.40'	408.72'	326.44'	226.73'
C:	22.49'	19.06'	21.21'	—	24.84'	—	24.16'	26.01'	393.20'	273.62'	220.01'

	68	69	70	71	72
D	31°56'30"	19°40'	32°56'	32°56'	33°56'
R:	488.93'	510.08'	570.65'	1628.28'	223.68'
T:	156.78'	88.31'	98.51'	48.06'	68.30'
A:	298.66'	175.15'	193.27'	97.06'	132.49'
C:	294.78'	174.25'	190.61'	96.85'	130.00'



LAKESIDE HILLS SECTION TWO

Dedication Vol. 1603 Page 661

DEDICATION
LAKESIDE HILLS, SECTION TWO

THE STATE OF TEXAS I
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:

That Emmar Corporation, a Texas Corporation, Owner of a tract of 87.86 acres shown on the plat accompanying this dedication, the same being part of the lands conveyed to Emmar Corporation by deed recorded in Vol. 1460, Page 567, Deed Records of Bell County, Texas, does hereby adopt the said map or plat as its subdivision under the name of "LAKESIDE HILLS, SECTION TWO", and does hereby grant to the Public the roadway easements indicated on said plat together with and including rights of ingress and egress and, in addition, an easement 10' in width for utilities along the side, rear and front lines of each tract shown on the appended plat and along the equivalent lines of any tract which may hereafter be created out of any of the tracts shown on the plat.

EXECUTED this the 3rd day of April, 1978.

EMMAR CORPORATION

BY: Kenneth McCalla, Jr.
Kenneth McCalla, Jr., President

THE STATE OF TEXAS I
COUNTY OF WILLIAMSON I

BEFORE ME, the undersigned authority, on this day personally appeared KENNETH McCALLA, JR., President of Emmar Corporation, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged that he executed the same as the act of said corporation and for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 3rd day of April, 1978.

H.W. CURINGTON 6575 REGISTERED PROFESSIONAL ENGINEER

Notary Public in and for Williamson County, Texas

THE STATE OF TEXAS I
COUNTY OF BELL I

That we, KENNETH McCALLA JR., and LENA B. REHLER, lienholders on the herein designated land known as "LAKESIDE HILLS, SECTION TWO", Bell County, Texas, as evidenced by Deed of Trust for the benefit of KENNETH McCALLA JR., et al, recorded in Vol. 139, Page 669, Deed of Trust Records, Bell County, Texas, do hereby ratify, confirm and adopt this plat as our subdivision, and do hereby dedicate to the public use, all streets and easements shown thereon.

WITNESS OUR HANDS this the 3rd day of April, 1978.

Kenneth McCalla, Jr.

Lena B. Rehler
Lena B. Rehler

THE STATE OF TEXAS I
COUNTY OF WILLIAMSON I

BEFORE ME, the undersigned authority, on this day personally appeared KENNETH McCALLA, JR., known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 3rd day of April, 1978.

Notary Public in and for Williamson County, Texas

THE STATE OF TEXAS I
COUNTY OF WILLIAMSON I

BEFORE ME, the undersigned authority, on this day personally appeared LENA B. REHLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 3rd day of April, 1978.

Carol Jean Terrathan
Notary Public in and for Williamson county, Texas

THE STATE OF TEXAS I
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:

That I, H.W. Curington, do hereby certify that I prepared this plat from a actual and accurate survey of the land and that the corner monuments shown thereon were properly placed, under my personal supervision, in accordance with the Bell County Subdivision Regulations.

H.W. Curington
Registered Professional Engineer

H.W. CURINGTON 6575 REGISTERED PROFESSIONAL ENGINEER

THE STATE OF TEXAS I
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:

That I, Clifton Bellamy, do hereby certify that I prepared all drainage calculations and deisgned all drains and appurtenances in accordance with the Bell County Subdivision Regulations.

Clifton Bellamy 3/29/78
Clifton Bellamy

CLIFTON BELLAMY 3881 STATE OF TEXAS REGISTERED ENGINEER

THE STATE OF TEXAS I
COUNTY OF BELL I

KNOW ALL MEN BY THESE PRESENTS:

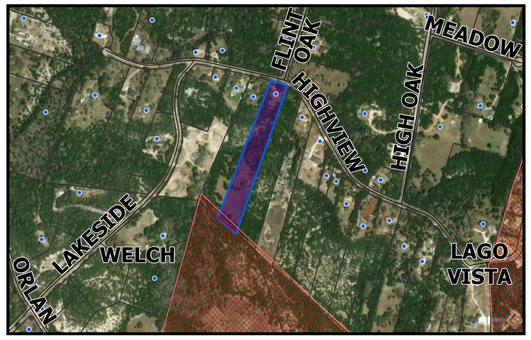
I hereby certify this plat was approved this the 7th day of May, 1978, A.D., by the Bell County Commissioners Court, and may be filed for record in the Deed Records of Bell County by the County Clerk.

County Judge

Witness my hand this the 7th day of May, 1978, A.D.

Vada Sutton
Notary Public

Z26-13 Location



ETJ

11105 Highview Drive



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

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Z26-13 Existing Land Use

11105 Highview Drive

ETJ

Existing Land Use

Low Density Residential

Parks & Open Space



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Z26-13 Land Use Plan

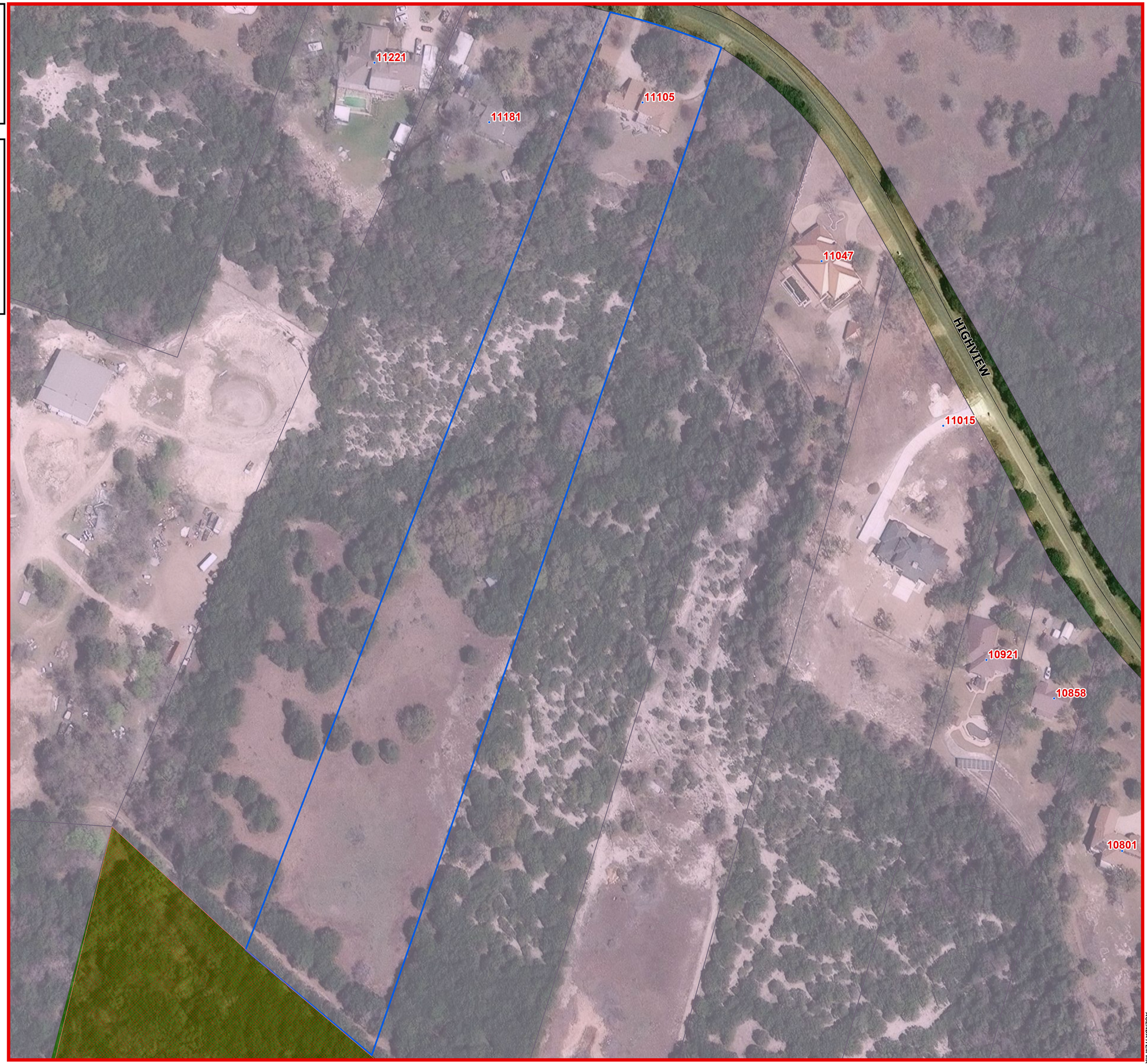
11105 Highview Drive

Land Use Plan

Residential Estate

Parks & Open Space

HH ETJ Authoritative



500 Feet
250
125
0

Harker Heights
The Bright Star of Central Texas

City of Harker Heights
Planning and Development
305 Miller's Crossing
Harker Heights, TX 76548
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Z26-13 Zoning

11105 Highview Drive

ETJ

Zoning Districts

R-1 One-Family Dwelling District



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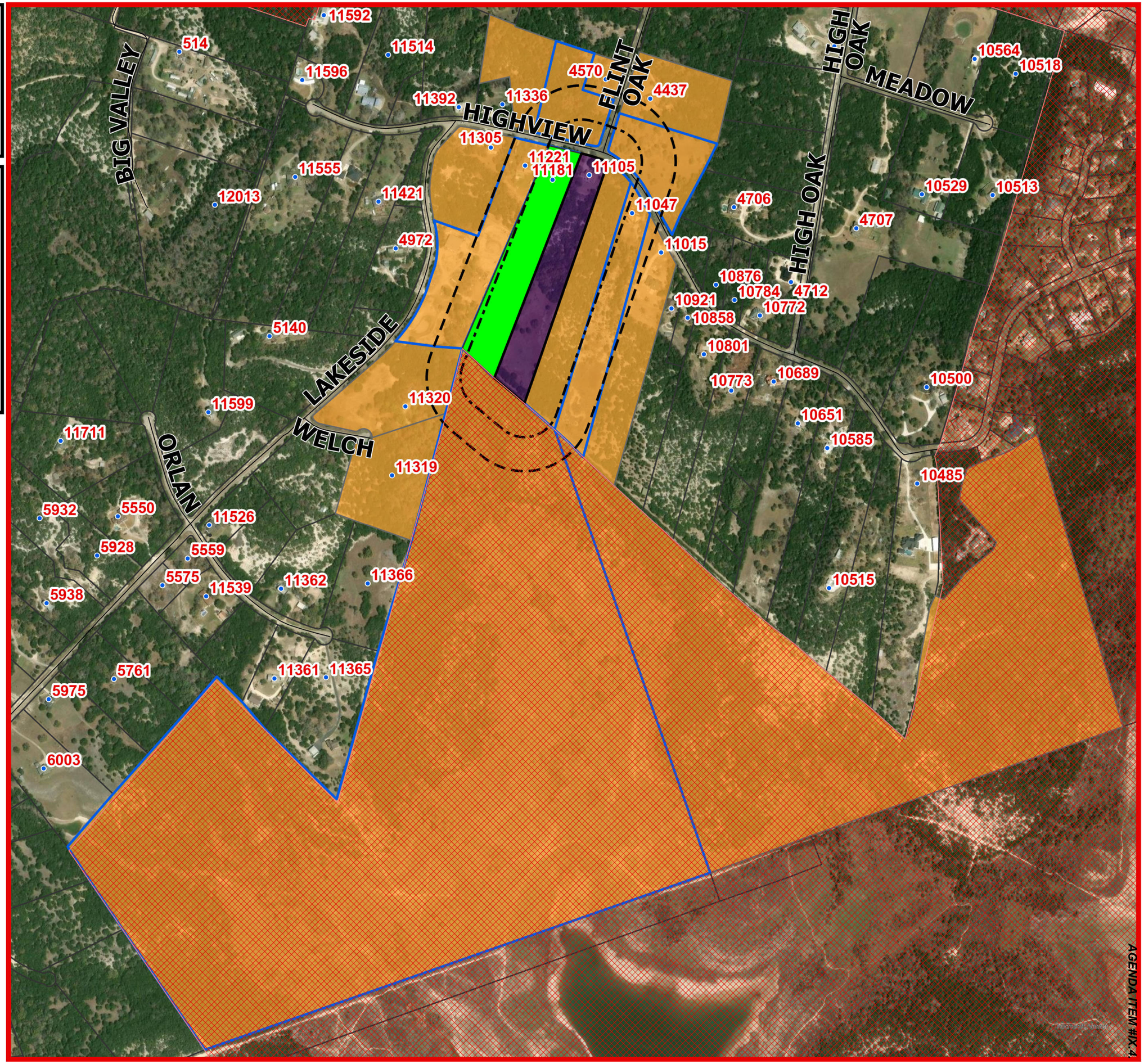
Z26-13 Notification Response

- 11105 Highview Drive
- Buffer 200ft
- Buffer 400ft
- Recommend Approval (1)
- Notified Properties 200ft (7)
- Notified Properties 400ft (8)
- ETJ

3,000 Feet
1,500
750
0



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Prepared: 10/2/2025

AGENDA ITEM #IX.4.

SENT: JUNE 1, 2026
DUE BACK: JUNE 16, 2026, 6:00 P.M.

RESPONSES RECEIVED AFTER 6:00 P.M. ON JUNE 16, 2026, WILL BE PROVIDED TO PLANNING & ZONING COMMISSIONERS AND CITY COUNCIL MEMBERS AT THE TIME OF THEIR RESPECTIVE PUBLIC MEETINGS

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

FROM: HASTY, ALBERT B

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

Physical Address	Property ID
11181 HIGHVIEW DR	46826

Z26-08 RE: An application has been made to consider a request for an ordinance to change zoning designation from R-1 (One-Family Dwelling District) to R1-R (Rural One-Family Dwelling District) on property described as Lakeside Hills Section Two, Lot Tract 99, Acres 6.36, generally known as 11105 Highview Drive, Belton, Bell County, Texas (located within the City of Harker Heights).

☑ **I RECOMMEND APPROVAL OF THE REQUEST**

☐ **I RECOMMEND DENIAL OF THE REQUEST**

Comments:

Albert B. Hasty Jr — Albert B Hasty Jr — June 6, 2026
Printed Name — Signature — Date

Memorandum

FROM: The Office of the Planning and Development Director **DATE: June 24, 2026**

P26-07 DISCUSS AND CONSIDER APPROVING A FINAL PLAT REFERRED TO AS EVERGEEN PHASE VI FINAL PLAT, ON PROPERTY DESCRIBED AS BEING 113.88 ACRES, SITUATED IN THE JAMES WILLIAMSON SURVEY, ABSTRACT NO. 1003, THE M. D. O'DELL SURVEY, ABSTRACT NO. 994, THE E. DAWSON SURVEY, ABSTRACT NO. 258 AND THE T. L. O'DELL SURVEY, ABSTRACT NO. 1043, BELL COUNTY, TEXAS, BEING A PORTION OF A CALLED 277.369 ACRE TRACT OF LAND CONVEYED TO HEIGHTS EVERGREEN DEVELOPERS, LTD. IN VOLUME 5940, PAGE 885, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BELL COUNTY, TEXAS. (PLANNING ADMINISTRATOR)

EXPLANATION:

REFERENCES:

The applicant submitted an application for Final Plat referred to as Evergreen Subdivision Phase VI for a 113.88 acre tract of land located southeast of Jubilation Drive. The purpose of this Final Plat is to create 126 residential lots.

The proposed subdivision is consistent with the existing zoning of R-1 (One-Family Dwelling District).

The Preliminary Plat related to this submittal was approved by the Planning & Zoning Commission and City Council in 2022.

The applicant submitted a Final Plat application on January 30, 2025, and withdrew that application on February 18, 2025 prior to consideration by the Planning & Zoning Commission. The applicant submitted another Final Plat application on March 31, 2026, and withdrew that application on April 22, 2026 prior to consideration by the Planning & Zoning Commission.

The current Final Plat application was submitted on May 26, 2026. Staff reviewed the submitted plat documents and provided comments addressing safety and compliance with applicable development regulations in the City of Harker Heights Code of Ordinances. Initial comments were provided to the applicant on June 1, 2026.

An updated submittal was received from the applicant on June 15, 2026. Staff compiled comments and provided them back to the applicant on June 17, 2026. Any additional submittals and corresponding comments will be provided to the Planning and Zoning Commission at the time of the meeting.

As of June 17, 2026, comments remain outstanding. See the attachment titled:

“P26-07_CombinedComments_Evergreen Subdivision Ph 6 (MGO 2026-77) – 6-17-26”

Particular attention during the review of final plats is given to the arrangement, location, and width of streets and access easements; their relationship to the topography; utility infrastructure including water, wastewater, and drainage; the coordination with future development of adjacent properties; and compliance with applicable city ordinances, policies, and plans.

RECOMMENDATION:

Staff recommends approval of this Final Plat with the following conditions:

1. All outstanding comments shall be addressed as directed by staff prior to the recordation of the Final Plat.

ACTION BY THE PLANNING & ZONING COMMISSION:

1. Motion to recommend **approval** of a request for a Final Plat referred to as Evergreen Subdivision Phase VI Final Plat, as read in the caption by the Planning & Zoning Chairman, based onthe **discussed** recommendations and findings.
2. Motion to recommend **approval with condition** of a request for a Final Plat referred to as Evergreen Phase VI Final Plat, as read in the caption by the Planning & Zoning Chairman, based on **staff's** recommendation and findings, **with the following conditions:**
    a. All outstanding comments shall be addressed as directed by staff prior to recordation of the Final Plat.
3. Motion to recommend **disapproval with explanation** of a request for a Final Plat referred to as Evergreen Phase VI Final Plat, as read in the caption by the Planning & Zoning Chairman, based on the **discussed** recommendations and findings**with the following explanation: Applicant has not met the requirements of §154: SUBDIVISIONS**
4. Any other action desired.

ATTACHMENTS:

P26-07_Application
Z26-07_Field Notes
Z26-07_Access Easement
Z26-07_Drainage Easement
2026-115-20260610_Evergreen Subdivision Phase VI_FINAL PLAT (P26-07; MGO 2026-77)
P26-07_CombinedComments_Evergreen Subdivision Ph 6 (MGO 2026-77) - 6-17-26

Harker Heights
Final Plat Application

Address of Proposed Work: East end of Gold Splash Trl

City: Harker Heights State: TX Zip: 76548

Contact Information

Applicant's Contact Information

Title: _____ First Name: William Last Name: Hickman Suffix: _____

Business Name: Heights Evergreen Developers LTD

Mailing Address: C/O Bluffview Real Estate P.O. Box 1183

City: Killeen State: TX Zip: 76540

Email Address: bluffviewrealestate@gmail.com

Cell Phone: _____ Work Phone: 254-699-3497 Home Phone: _____

Property Owner's Contact Information

Title: _____ First Name: William Last Name: Hickman Suffix: _____

Business Name: Heights Evergreen Developers LTD

Mailing Address: C/O Bluffview Real Estate P.O. Box 1183

City: Killeen State: TX Zip: 76540

Email Address: bluffviewrealestate@gmail.com

Cell Phone: _____ Work Phone: 254-699-3497 Home Phone: _____

Developer's Contact Information

Title: _____ First Name: William Last Name: Hickman Suffix: _____

Business Name: Heights Evergreen Developers LTD

Mailing Address: C/O Bluffview Real Estate P.O. Box 1183

City: Killeen State: TX Zip: 76540

Email Address: bluffviewrealestate@gmail.com

Cell Phone: _____ Work Phone: 254-699-3497 Home Phone: _____

Engineer/Surveyor's Contact Information

Title: _____ First Name: Garrett Last Name: Nordyke Suffix: _____

Business Name: TCG Engineering

Mailing Address: 16 E Ave A, Suite 212

City: Temple State: TX Zip: 76501

Email Address: garrett.nordyke@thecivilgroup.com

Cell Phone: 254-228-9767 Work Phone: _____ Home Phone: _____

Application Questionnaire (* denotes required question)

Final Plat Application

Plat Name: Evergreen Subdivision Phase VI

Number of Lots: 126

Number of Units/Suites: 0

Acreage: 113.88

Plat Type: (Select One)

[ ] Both
[ ] Commercial
[X] Residential

On Site Detention Proposed with Subdivision: (Select One)

[X] No
[ ] Other
[ ] Yes

Date of Preliminary Plat Approval by P&Z: 8/9/2022 City Council Approval

I HEREBY UNDERSTAND AND ACKNOWLEDGE:

The final plat must be prepared in accordance with the City's subdivision rules and regulations and shall conform substantially to preliminary plat layout as approved. The subdivider will be required to install at his/her own expense all water lines, streets, sewer lines, drainage facilities, and structures within the subdivision accords to Section 154.36 of the Harker Heights Code of Ordinances. All required improvements must be completed unless a Bond or Letter of Credit has been posted and attached in sufficient amount to assure completion. A maintenance bond/surety instruments has been furnished to assure the quality of materials and workmanship and maintenance of all required improvements including the City's cost for collecting the guaranteed funds and administering the correction and/or replacement of covered improvements in the even the subdivider defaults. The maintenance bond or other surety instrument shall be satisfactory to the city as to form, sufficiency and manner of execution. For water and sewer related improvements, the bond or other instrument shall be in an amount equal to 20% of the cost of improvements verified by the city Engineer and shall run for a period of one calendar year. Bonds or other instruments for streets and drainage facilities shall be in an amount equal to 40% of the improvements verified by the city Engineer and shall run for a period of two calendar years.

Signature / Date:

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

3-27-26

My Commission Expires: _____

Documents Requested (* denotes required document)

The Jurisdiction requests that the following documents are attached to your application:

Any Additional Supporting Documents

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

July 24, 2024

Surveyor's Field Notes for:

113.88 ACRES, situated in the **James Williamson Survey, Abstract No. 1003**, the **M. D. O'dell Survey, Abstract No. 994**, the **E. Dawson Survey, Abstract No. 258** and the **T. L. O'dell Survey, Abstract No. 1043**, Bell County, Texas, being a portion of a called 277.369 acre tract of land conveyed to Heights Evergreen Developers, LTD. in Volume 5940, Page 885, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a ½" iron rod with "Quintero" cap found on the west line of Lot 1, Block 1, Indey Place, an addition in Harker Heights, Bell County, Texas, of record in Cabinet C., Slide 399-C, Plat Records of Bell County, Texas, being the most easterly, northeast corner of said 277.369 acre tract, same being the most southerly, southeast corner of a called 16.85 acre tract of land conveyed to Ava Lynne Brock in Document No. 2020014105, of said Official Public Records, for the most easterly, northeast corner of this tract of land;

THENCE in a southerly direction, with the east line of said 277.369 acre tract *(Deed S. 18° 21' 24" W., 89.98 feet)*, same being the west line of said Lot 1, **S. 16° 22' 07" W., 90.15 feet**, to a fence post found, being a corner of said 277.369 acre tract, same being the southwest corner of said Lot 1 and being the northwest corner of Lot 21, Block 1 Comanche Gap Estates, an addition in Bell County, Texas, of record in Cabinet A, Slide 192-D, of said Plat Records, for a corner of this tract of land;

THENCE continuing in a southerly direction, with the east line of said 277.369 acre tract, same being the west line of said Block 1, Comanche Gap Estates, the following six (6) courses and distances:

1) **S. 11° 55' 54" W., 105.91 feet** *(Deed S. 13° 54' 02" W., 106.60 feet)*, to an 8" Oak tree found, for a corner of this tract of land;
2) **S. 16° 49' 24" W., 147.65 feet** *(Deed S. 18° 50' 07" W., 150.53 feet)*, to a 1 ¼" metal pipe found, being a corner of said 277.369 acre tract, same being the southwest corner of said Lot 21, for a corner of this tract of land;
3) **S. 08° 44' 23" W., 84.05 feet** *(Deed S. 10° 56' 11" W., 84.14 feet)*, to a 3/8" iron rod found, for a corner of this tract of land;
4) **S. 18° 42' 58" W., 98.91 feet** *(Deed S. 20° 34' 20" W., 98.89 feet)*, to a 3/8" iron rod found, for a corner of this tract of land;
5) **S. 35° 54' 02" W., 52.87 feet** *(Deed S. 38° 04' 51" W., 53.89 feet)*, to an 18' Oak, for a corner of this tract of land;
6) **S. 14° 42' 23" W., 40.71 feet** *(Deed W. 15° 59' 17" W., 39.88 feet)*, to a Corp of Engineer's monument stamped "U.S. GOV PROP COR 3-13" found, being a corner of said 277.369 acre tract, same being the southwest corner of Lot 20, Block 1, of said Comanche Gap Estates and being a corner of a tract of land owned by the U. S. Government (Stillhouse Hollow Reservoir), for a corner of this tract of land;

THENCE continuing in a southerly direction, with the east line of said 277.369 acre tract, same being the west line of said U. S. Government tract., the following two (2) courses and distances:

1) **S. 16° 04' 22" W., 847.44 feet** *(Deed S. 18° 05' 52" W., 848.00 feet)*, to a ¾" metal pipe found, for a corner of this tract of land;
2) **S. 16° 24' 53" W., 217.08 feet** *(Deed S. 18° 09' 53" W., 216.40 feet)*, to a Corp of Engineer's monument stamped "U.S. GOV PROP COR 3-14" found, being the southeast corner of said 277.369 acre tract, same being an ell corner of said U. S. Government tract, for the southeast corner of this tract of land;

THENCE in a westerly direction, with a south line of said 277.369 acre tract *(Deed N. 72° 12' 45" W., 275.88 feet)*, same being a north line of said Government tract, **N. 74° 14' 38" W., 275.72 feet**, to a ½" iron rod found, being a corner of said 277.369 acre tract, same being the most northerly, northeast corner of Block 1, Jake's Place, an addition in Harker Heights, Bell County, Texas, of record in Cabinet C, Slide 314-B, Plat Records of Bell County, Texas, for a corner of this tract of land;

THENCE continuing in a westerly, direction, with the south line of said 277.369 acre tract, same being the north line of said Jake's Place, the following four (4) courses and distances:

1) **N. 84° 10' 54" W., 48.72 feet** *(Deed N. 82° 31' 58" W., 48.59 feet)*, to a 60d nail found, for a corner of this tract of land;
2) **N. 68° 29' 30" W., 71.14 feet** *(Deed N. 65° 41' 21" W., 72.22 feet)*, to a chainlink fence post, for a corner of this tract of land;
3) **N. 67° 11' 11" W., 66.58 feet** *(Deed N. 66° 02' 06" W., 65.51 feet)*, to a 60d nail found, for a corner of this tract of land;
4) **N. 72° 30' 35" W., 41.62 feet** *(Deed N. 70° 47' 06" W., 41.57 feet)*, to a 3/8" iron rod found, being a corner of said 277.369 acre tract, same being the northwest corner of said Jake's Place and being the northeast corner of a called 0.275 acre tract of land conveyed to Thomas Ross Chapman and Debra Lyn Chapman in Document No. 2022033112, of said Official Public Records, for a corner of this tract of land;

THENCE continuing in a westerly direction, with the south line of said 277.369 acre tract, the following eight (8) courses and distances:

1) **N. 73° 10' 40" W., 99.68 feet** *(Deed N. 71° 21' 00" W., 99.72 feet)*, with the north line of said 0.275 acre tract, to a 5" round concrete monument found, being a corner of said 277.369 acre tract, same being the northwest corner of said 0.275 acre tract and being the northeast corner of another called 0.275 acre tract of land conveyed to Marilee E. Schwertner in Document No. 2011-00022852, of said Official Public Records, for a corner of this tract of land;
2) **N. 72° 46' 36" W., 100.42 feet** *(Deed N. 70° 36' 39" W., 100.43 feet)*, with the north line of said Schwerner tract, to a 5" round concrete monument found, being a corner of said 277.369 acre tract, same being the northwest corner of said Schwertner tract and being the northeast corner of a called 0.415 acre tract of land conveyed to Scott W. Clark and Mary J. Clark in Volume 3000, Page 670, of said Official Public Records, for a corner of this tract of land;
3) **N 73° 01' 21" W., 175.95 feet** *(Deed N. 71° 02' 24" W., 175.88 feet)*, with the north line of said 0.415 acre tract, N. 73° 05' 36" W., 175.88 feet), to a ½" iron rod found, being a corner of said 277.369 acre tract, same being a corner of said 0.415 acre tract, for a corner of this tract of land;
4) **N. 30° 56' 40" W., 15.81 feet** *(Deed N. 28° 09' 59" W., 15.87 feet)*, with the north line of said 0.415 acre tract, to a ½" iron rod found, being a corner of said 277.369 acre tract, same being a corner of said 0.415 acre tract, for a corner of this tract of land;

5) **S. 84° 42' 07" W., 26.45 feet** *(Deed S. 86° 11' 32" W., 26.81 feet)*, with the north line of said 0.415 acre tract, to a fence post, being a corner of said 277.369 acre tract, same being a corner of said 0.415 acre tract, for a corner of this tract of land;
6) **N. 75° 00' 12" W., 111.52 feet** *(Deed N. 72° 52' 58" W., 111.27 feet)*, with the north line of said 0.415 acre tract, to a 3/4" metal pipe found on the north line of Oakridge Boulevard, being a corner of said 277.369 acre tract, same being the northwest corner of said 0.415 acre tract, for a corner of this tract of land;
7) **N. 73° 48' 32" W., 16.41 feet** *(Deed N. 73° 38' 21" W., 17.43 feet)*, with the north line of Oakridge Boulevard, to a 5/8" iron rod with cap stamped "ACS" set, being a corner of said 277.369 acre tract, same being the most easterly, northeast corner of a tract of land conveyed to Leeann Boore and Mark A. Boore in Document No. 2018-00037473, of said Official Public Record, for a corner of this tract of land;
8) **N. 73° 27' 47" W., 455.34 feet** *(Deed N. 71° 26' 04" W., 454.49 feet)*, with a north line of said Boore tract, to a ½" iron rod found, being the most southerly, southwest corner of said 277.369 acre tract, same being an ell corner of said Boore tract, for the most southerly, southwest corner of this tract of land:

THENCE in a northerly direction, with an interior line of said 277.369 acre tract *(Deed N. 18° 09' 37" E., 615.89 feet)*, same being an east line of said Boore tract, **N. 16° 10' 50" E., 615.58 feet**, to a ½" iron rod found, being an ell corner of said 277.369 acre tract, being the most northerly corner of said Boore tract and being the northeast corner of a called 9.212 acre tract of land conveyed to Mark Alan Boore and Leeann Northrup Boore in Document No. 2021061659, of said Official Public Record, for an ell corner of this tract of land;

THENCE in a westerly direction, with a southerly line of said 277.369 acre trat, same being the north line of said 9.212 acre tract, the following five (5) courses and distances:
1) **N. 75° 12' 28" W., 632.79 feet** *(Deed N. 73° 13' 28" W., 632.68 feet)*, to a ½" iron rod found, for a corner of this tract of land:
2) **S. 67° 08' 05" W., 129.37 feet** *(Deed S. 69° 09' 55" W., 129.32 feet)*, to a ½" iron rod found, for a corner of this tract of land;
3) **N. 74° 23' 57" W., 266.30 feet** *(Deed N. 72° 26' 13" W., 266.25 feet)*, to a 60d nail found, for a corner of this tract of land;
4) **N. 63° 53' 20" W., 156.48 feet** *(Deed N. 61° 53' 18" W., 156.52 feet)*, to a 60d nail found, for a corner of this tract of land;
5) **N. 52° 02' 37" W., 91.08 feet** *(Deed N. 50° 24' 34" W., 90.71 feet)*, to a Mag nail found, being an ell corner of said 277.369 acre tract, same being ell corner of said 9.212 acre tract, for an ell corner of this tract of land;

THENCE in a southerly direction, with an interior line of said 277.369 acre tract *(Deed S. 40° 15' 15" W., 126.82 feet)*, same being a westerly line of said 9.212 acre tract, **S. 37° 58' 48" W., 127.28 feet**, to a ½" iron rod with "Quick Inc" cap found, being an ell corner of said 277.369 acre tract and an ell corner of said 8.212 acre tract, for an ell corner of this tract of land;

THENCE in a generally westerly direction, with the southwest lines of said 277.369 acre tract, same being a north line of said 9.212 acre tract, the following three (3) courses and distances;
1) **N. 50° 31' 54" W., 92.35 feet** *(Deed (N. 48° 35' 06" W., 91.64 feet)*, to a 3/8" iron rod found, for a corner of this tract of land;
2) **S. 52° 57' 16" W., 10.44 feet** *(Deed S. 59° 28' 19" W., 10.80 feet)*, to a 3/8" iron rod found, for a corner of this tract of land;

3) **N. 40° 12' 11" W., 96.97 feet** *(Deed N. 38° 21' 35" W., 96.58 feet)*, to a ½" iron rod with "Quick Inc" cap found on the east line of a tract of land conveyed to LPJL, LTD in Volume 4002, Page 241, of said Official Public Records, being the most westerly, southwest corner of said 277.369 acre tract, same being the most westerly, northwest corner of said 9.212 acre tract, for the most westerly, southwest corner of this tract of land;

THENCE in a northerly direction, with a west line of said 277.369 acre tract *(Deed N. 02° 36' 11" E., 701.78 feet)*, same being the east line of said LPJL, LTD tract, **N. 00° 40' 54" E., 701.74 feet**, to a ½" iron rod found on the south line of Lot 1, Block 1, Evergreen Phase Two, Section Three, an addition in Harker Heights, Bell County, Texas, of record in Cabinet D, Slide 392-B&C, Plat Records of Bell County, Texas, being an angle corner of said 277.369 acre tract, same being the most northerly, northeast corner of said LPJL, LTD tract, doe an angle corner of this tract of land;

THENCE in a generally easterly direction, with the south line of said Evergreen Phase Two, Section, Three, the following three (3) courses and distances:

1) **S. 73° 26' 28" E., 46.90 feet** *(Plat S. 73° 33' 56" E., 121.43 feet)*, to a ½" iron rod with "M&ASSOC" cap found on the west line of Douglas Fir Drive, being the southwest corner of said Lot 1, Block 1, for a corner of this tract of land;
2) **S, 17° 34' 05" W., 30.21 feet** *(Plat S. 17° 01' 36" W., 30.74 feet)*, with the west line of Douglas Fir Drive, to a 5/8" iron rod with "ACS" cap set, for a corner of this tract of land;
3) **S. 72° 56' 05" E., 62.90 feet** *(Plat S. 72° 58' 24" E., 62.90 feet)*, with the south lien of Douglas Fir Drive, to a 5/8" iron rod with "ACS" cap set at the beginning of a curve to the left, for a corner of this tract of land;

THENCE in an easterly direction, with said curve to the left, continuing with the south line of Douglas Fir Drive (Plat Arc=7.10 feet) and with the south line of Frasier Fir Drive, same being a south line of Evergreen Subdivision, Phase IV, an addition in Harker Heights, Bell County, Texas, of record in Year 2015, Plat No. 89, of said Plat Records (Plat Arc=209.56 feet), **216.66 feet**, having a *radius of 213.19 feet*, a *delta angle of 58° 13' 41"* and a *chord which bears N. 77° 56' 39" E., 207.45 feet*, to a 5/8" iron rod with "ACS" cap set, being a corner of Lot 26, Block 1, of said Evergreen Subdivision, Phase IV, for an angle corner of this tract of land;

THENCE with the boundary of said Evergreen Subdivision, Phase IV, the following nine (9) courses and distances:

1) **S. 00° 43' 25" W., 598.54 feet** *(Plat S. 00° 39' 48" W., 598.74 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
2) **S. 39° 13' 09" E., 123.76 feet** *(Plat S. 39° 15' 11" E., 123.76 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
3) **N. 84° 31' 48" E., 317.49 feet** *(Plat N. 84° 29' 46" E., 317.49 feet)*, to a cotton spindle found, for a corner of this tract of land;
4) **N. 22° 39' 07" E., 880.99 feet** *(Plat N. 22° 37' 18" E., 881.20 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
5) **N. 50° 12' 26" E., 503.85 feet** *(Plat N. 50° 11' 06" E., 503.59 feet)*. to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
6) **N. 21° 34' 16" E., 350.58 feet** *(Plat N. 21° 32' 30" E., 351.05 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
7) **N. 07° 05' 30" W., 356.30 feet** *(Plat N. 07° 06' 05" W., 356.21 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;

8) **N. 58° 04' 22" W., 240.51 feet** *(Plat N. 58° 04' 47" W., 240.81 feet)*, to a 5/8" iron rod with "ACS" cap found, for a corner of this tract of land;
9) **S. 76° 43' 40" W., 159.75 feet** *(Plat S. 76° 40' 17" W., 294.12 feet)*, to a cotton spindle found, being the southeast corner of Lot 12, Block 4, Evergreen Subdivision, Phase V, of record in Year 2015, Plat No. 89, of said Plat Records, for an angle corner of this tract of land;

THENCE in a northerly direction, with an east line of said Evergreen Subdivision, Phase V *(Plat N. 16° 15' 27" E., 617.48 feet)*, **N. 16° 17' 26" E., 617.00 feet**, to a 5/8" iron rod with "ACS" cap set on the north line of Gold Splash Trail, being an angle corner of said Evergreen Subdivision, Phase V, for an angle corner of this tract of land;

THENCE in a westerly direction, with the north line of Gold Splash Trail, same being an interior line of said Evergreen Subdivision, Phase V *(Plat S. 73° 44' 33" E., 20.43 feet)*, **N. 73° 43' 07" W., 20.43 feet**, to a 5/8" iron rod with "ACS" cap found, being the southeast corner of Lot 21, Block 3, of said Evergreen Subdivision, Phase V, for an ell corner of this tract of land;

THENCE in a northerly direction, with the east line of said Lot 21 *(Plat N. 16° 15' 27" E., 130.55 feet)*, **N. 16° 16' 57" E., 130.41 feet**, to a 5/8" iron rod with "ACS" cap found on a north line of said 277.369 acre tract, same being the south line of Lot 20, Block 1, Replat of Blocks 1 and 2 Fawn Valley, an addition in Harker Heights, Bell County, Texas, of record in Cabinet B, Slide 1-A, of said Plat Records, being the northeast corner of Said Lot 21, for the most northerly, northwest corner of this tract of land;

THENCE in an easterly direction, with a north line of said 277.369 acre tract *(Deed S. 71° 46' 30" E., 1344.48 feet)*, same being the south line of said lot 20, the south line of Granite Trail and with the south line of Lot 1, Block 5, Fawn Valley, an addition in Harker Heights, Bell County, Texas, of record in Cabinet A, Slide 35-B, Plat Records of Bell County, Texas, **S. 73° 49' 31" E., 633.63 feet**, to a 1/2" iron rod with "M&Assoc Killeen" cap found on the west line of Comanche Gap Road, being an angle corner of said 277.369 acre tract, same being the southeast corner of said Lot 1, Block 5, for an angle corner of this tract of land;

THENCE in a generally southerly direction, with a northeast line of said 277.369 acre tract, same being the occupied west line of Comanche Gap Road, the following three (3) courses and distances:

1) **S. 50° 10' 04" E., 37.40 feet** (Deed S. 48° 29' 59" E., 39.08 feet), to an 80d nail found in a 24" Cedar tree, being a corner of said 277.369 acre tract, for a corner of this tract of this tract of land;
2) **232.42 feet** (Deed 230.56 feet), with a curve to the left, having a radius of 616.95 feet, a delta angle of 21° 35' 06" and a chord which bears S. 09° 25' 43" E., 231.05 feet, to a 1/2" iron rod with "M&Assoc Killeen" found at the end of said curve to the left, for a corner of this tract of land;
3) **S. 19° 57' 45" E., 554.78 feet** *(Deed S. 17° 57' 42" E., 555.28 feet)*, to a 1/2" iron rod with "QUINTERO" cap found, being an angle corner of said 277.369 acre tract, same being the northwest corner of a called 16.85 acre tract of land conveyed to Ava Lynne Brock in Document No. 2020014105, of said Official Public Records, for an angle corner of this tract of land;

THENCE in a southerly direction, with an interior east line of said 277.369 acre tract *(Deed S. 20° 37' 18" W., 994.65 feet)*, same being the west line of said 16.85 acre tract, **S. 18° 39' 15"**

W., 994.65 feet, to a 5/8" iron rod with "ACS" cap set, being an ell corner of said 277.369 acre tract, same being the southwest corner of said 16.85 acre tract, for an ell corner of this tract of land;

THENCE in an easterly direction, with a north line of said 277.369 acre tract *(Deed S. 66° 42' 16" WE., 1367.69 feet)*, same being the south line of said 16.85 acre tract, **S. 68° 40' 21" E., 1367.38 feet**, to the **POINT OF BEGINNING** and containing 113.88 Acres of Land.

Horizontal datum based upon the Texas State Plane Coordinate System, Central Zone, NAD83, as per GPS observations.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

Surveyed July 11, 2024

ALL COUNTY SURVEYING, INC.
1-800-749-PLAT
Tx. Firm Lic. No. 10023600
Server/projects/pro240000/240800/240318/240318P.doc



Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER AND/OR YOUR DRIVER'S LICENSE NUMBER.

PERMANENT UTILITY AND ACCESS EASEMENT
WITH TEMPORARY CONSTRUCTION EASEMENT

STATE OF TEXAS §

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF BELL §

THAT, HEIGHTS EVERGREEN DEVELOPERS, LTD., a Texas Limited Company, ("**Grantor,**" whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) CASH and other good and valuable consideration to Grantor paid by the City of Harker Heights, Bell County, Texas, its successors and assigns (collectively, the "**Grantee**"), whose physical address is 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548, the receipt and sufficiency of which is hereby acknowledged, has DEDICATED, GRANTED and CONVEYED, and by these presents does dedicate, grant and convey unto the **CITY OF HARKER HEIGHTS**, of 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548, hereinafter sometimes referred to as Grantee, an easement ("***Utility Easement***") area fifteen (15) feet wide containing 0.099-acres of land for the placement, construction, operation, enlargement, inspection, maintenance, replacement, upgrade, rebuilding, relocation, abandonment in place, repair and removal of water infrastructure, sewer infrastructure, stormwater infrastructure, and their associated facilities, equipment and appurtenances, and for making connections therewith, in, upon, along, through, under, and across the following described property, to-wit:

> All that certain tract, piece, or parcel of land, lying and being situated in the County of Bell, State of Texas, described in **EXHIBIT "A"** attached hereto and made a part hereof for all purposes, to which reference is here made for a more particular description of said property.

TO HAVE AND TO HOLD such Utility Easement to the Grantee, and its successors and assigns, TOGETHER WITH the right and privilege of Grantee's employees, agents and contractors at any and all times to enter Grantor's adjoining properties, or any part thereof, for the purpose of pedestrian and vehicular ingress and egress ("***Access Easement***") in order to

accomplish the purposes for which the Utility Easement is granted, but only to the extent that such access is not reasonably available by use of existing rights-of-way, streets, roads, driveways, and parking areas. Grantor shall not make changes in grade, elevation or contour of the servient estate or impound water within any easement granted herein without prior written consent of Grantee.

Grantee additionally has the right for a period of 18 (eighteen) consecutive calendar months from the commencement of construction to use the surface of the property designated on "Exhibit A" as a "***Temporary Construction Easement***" to construct and install all necessary, structures, facilities, and whatever else the Grantee may need in the Utility Easement. However, Grantee must promptly restore such surface to substantially the condition in which the same was found before such work was undertaken. Notwithstanding any contrary provision herein, Grantee shall have the right and privilege to remove any encroachments upon any easement granted herein, including the right to cut and trim trees or shrubbery that may encroach upon any easement described herein, provided that Grantee shall dispose of all cuttings and trimmings by loading and hauling same away from the property.

Grantor herein reserves the right of ingress and egress across the Easement Area to the Grantor's Property.

Grantor binds itself and its heirs, personal representatives, executors, administrators, successors and assigns to warrant and forever defend all and singular the easements and rights conveyed in this instrument to Grantee and Grantee's successors and assigns, against every person lawfully claiming or to claim all or any part of the interest conveyed herein. Each signatory party agrees to execute and deliver any additional documents and instruments and to perform any additional acts necessary or appropriate to fully give effect to the terms, provisions, and conditions of this instrument.

The easements granted herein shall be in gross, but shall nevertheless pass to Grantee's successors and assigns. The easements, rights, and privileges granted by this conveyance are perpetual, irrevocable, and exclusive, and Grantor reserves and retains the right to convey similar rights and easements to such other persons as Grantor may deem proper, provided that such conveyance does not unreasonably interfere with the easements granted herein.

All improvements constructed within an easement granted herein shall be and remain the property of Grantee unless Grantee elects in writing to abandon such improvements.

This instrument may be enforced by restraining orders and injunctions (temporary or permanent) prohibiting interference and commanding compliance. Restraining orders and injunctions will be obtainable on proof of the existence of interference or threatened interference, without the necessity of proof of inadequacy of legal remedies or irreparable harm, and will be obtainable only by the parties to or those benefited by this instrument; provided, however, that the act of obtaining an injunction or restraining order will not be deemed to be an election of remedies or a waiver of any other rights or remedies available at law or in equity.

This Permanent Utility and Access Easement and all of its terms, conditions and provisions contained herein constitute the complete and final agreement between the Parties. Any and all revisions, amendments, and/or exceptions to the terms, conditions, and provisions contained in this Permanent Utility and Access Easement shall be in written recordable form and executed by both Parties, or their respective successors, assigns, or legal representatives in order to be deemed valid.

EXECUTED this 10TH day of JUNE, 2021.

GRANTOR
HEIGHTS EVERGREEN DEVELOPERS, LTD.

Bill Hickman,
General Partner

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Bill Hickman, in his capacity as the General Partner of, and on behalf of, said company Heights Evergreen Developers, Ltd., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of said Company

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 10th day of June, 2021.

JUDITH L LUDLOW
NOTARY PUBLIC STATE OF TEXAS
MY COMM. EXP. 07/09/2022
NOTARY ID 1014577-3

Judith L Ludlow
Notary Public, State of Texas

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

AFTER RECORDING, RETURN TO:

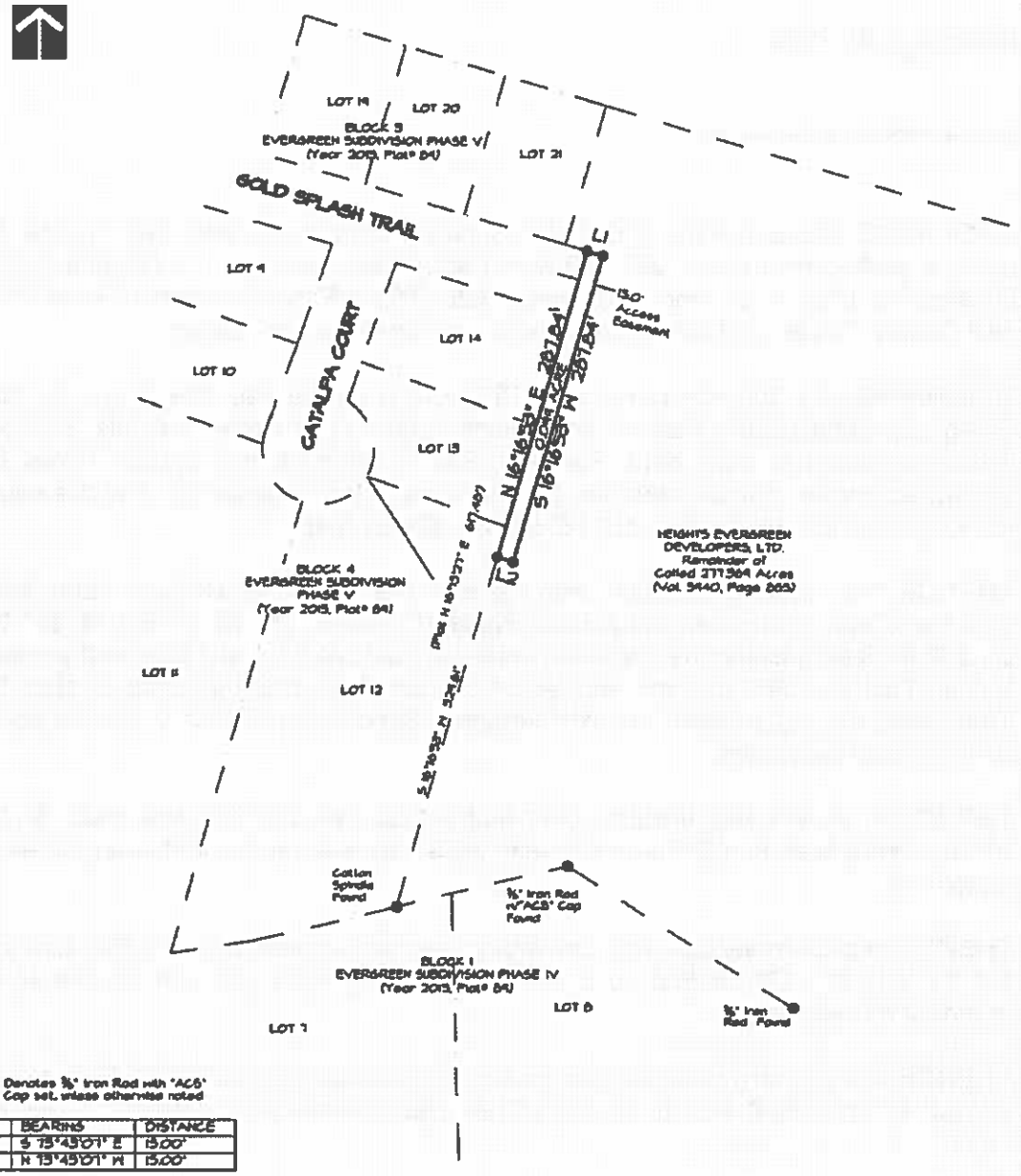
City of Harker Heights Texas

305 Millers Crossing
Harker Heights, TX 76548

ACCESS EASEMENT

Survey showing 0.099 ACRE situated in the
M. D. ODELL SURVEY, ABSTRACT No. 994, Bell County, Texas.

This sketch to accompany a metes and bounds description of the hereon shown 0.099 Acre tract.



● Denotes ½" Iron Rod with "ACS" Cap set, unless otherwise noted

LINE	BEARING	DISTANCE
L1	S 73°43'01" E	15.00'
L2	N 73°43'01" W	15.00'

HORIZONTAL DATUM BASED UPON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NAD83, AS PER GPS OBSERVATIONS. SCALE FACTOR=1.00013933577110 SCALED ABOUT CP 100, N.10,933,217.34 E.3,143,360.44.

This surveyor and All County Surveying, Inc. do not warrant any statement with reference to Headplan.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor

STATE OF TEXAS
REGISTERED
CHARLES C. LUCKO
4636
SURVEYOR

ALL COUNTY SURVEYING, INC.
Tx. Firm No. 100238600
4380 South 5th Street
Temple, Texas 76502
254-778-2212 Fax 254-934-4636
www.allcountysurveying.com

Survey completed: 09-22-2020
Scale: 1" = 100'
Job No.: 20094402
Dwg No.: 20094402
Drawn by: MDH
Surveyor: CCL #4636

Copyright 2020 All County Surveying, Inc.

Plat Date: 10-26-2020

EXHIBIT A

FIELD NOTES PREPARED BY ALL COUNTY SURVEYING, INC.

December 10, 2020

Surveyor's Field Notes for:

0.099 ACRE situated in the M.D. Odell Survey, Abstract No. 994, Bell County, Texas, being a portion of a called 277.369 acre tract of land conveyed to Heights Evergreen Developers, LTD. in Volume 5940, Page 885, Official Public Records of Real Property, Bell County, Texas, and being more particularly described as follows:

BEGINNING at a 5/8" iron rod with "ACS" cap set on the east line of Lot 12, Block 4, Evergreen Subdivision Phase V, an addition in the city of Harker Heights, Bell County, Texas, of record in Year 2014, Plat #79, Plat Records of Bell County, Texas, for the southwest corner of this easement, from which a cotton spindle found at the southeast corner of said Lot 12 bears *S. 16° 16' 53" W., 329.61 feet*;

THENCE in a northerly direction, with the east line of said Block Four, same being an east line of said Evergreen Subdivision Phase V, *(Plat N. 16° 15' 27" E.)*, **N. 16° 16' 53" E., 287.84 feet**, passing the northeast corner of said Lot Four and over and across Gold Splash Trail, to a 5/8" iron rod with "ACS" cap set at the north terminus of Gold Splash Trail, being an angle corner of said Evergreen Subdivision, Phase V, for the northwest corner of this easement;

THENCE in an easterly direction, over and across said 277.369 acre tract, **S. 73° 43' 07" E., 15.00 feet**, to a 5/8" iron rod with "ACS" cap set, for the northeast corner of this easement;

THENCE in a southerly direction, continuing over and across said 277.369 acre tract, **S. 16° 16' 53" W., 287.84 feet**, to a 5/8" iron rod with "ACS" cap set, for the southeast corner of this easement;

THENCE in a westerly direction, continuing over and across said 277.369 acre tract, **N. 73° 43' 07" W.,15.00 feet**, to the **POINT OF BEGINNING** and containing 0.099 Acre of Land.

Horizontal datum based upon the Texas State Coordinate System, Central Zone, NAD83, as per GPS observations. Scale Factor = 1.00015013383770 scaled about CP 100, N:10,353,277.54 E:3,141,360.44.

This document is not valid for any purpose unless signed and sealed by a Registered Professional Land Surveyor.

This metes and bounds description to accompany a Surveyors Sketch of the herein described 0.099 Acre tract.

It shall be the responsibility of all users of this survey to adhere to all local ordinances prior to any development on this property.

Surveyed September 22, 2020

ALL COUNTY SURVEYING, INC.
1-800-749-PLAT
Tx. Firm Lic. No. 10023600
Server/projects/pro200000/200900/200944/20094402 0.0990ac.doc



Charles C. Lucko
Registered Professional Land Surveyor
Registration No. 4636

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2021037764
As
EASEMENT

Recorded On: June 15, 2021
Parties: HEIGHTS EVERGREEN DEVELOPERS LTD
To CITY OF HARKER HEIGHTS
Comment:

Billable Pages: 7
Number of Pages: 8

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	$5.00
COURT HOUSE SECURITY:	$1.00
RECORDING:	$29.00

Total Fees:

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number:	2021037764
Receipt Number:	204192
Recorded Date/Time:	06/15/2021 2:10:29 PM
User / Station:	ramiremg - BCCCD0642

Record and Return To:
CITY OF HARKER HEIGHTS
305 MILLER CROSSING
HARKER HEIGHTS, TX 76548

THE STATE OF TEXAS * BELL COUNTY *

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

Shelley Coston

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER AND/OR YOUR DRIVER'S LICENSE NUMBER.

CORRECTION DRAINAGE EASEMENT

STATE OF TEXAS §

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF BELL §

THAT, C.A. DOOSE AND COMPANY, Inc., a Texas Corporation, ("**Grantor**," whether one or more), for and in consideration of the sum of TEN DOLLARS ($10.00) CASH and other good and valuable consideration to Grantor paid by the City of Harker Heights, Bell County, Texas, its successors and assigns (collectively, the "**Grantee**"), whose physical address is 305 Miller's Crossing, Harker Heights, Bell County, Texas 76548, the receipt and sufficiency of which is hereby acknowledged, has **GRANTED, SOLD AND CONVEYED** and does by these presents **GRANT, SELL, AND CONVEY** unto said Grantee, its successors and assigns, all or in part, a non-exclusive perpetual, unobstructed drainage easement (the "**Drainage Easement**") for the purpose of constructing, reconstructing, and perpetually maintaining drainage, structures, appurtenances and facilities across and within an easement area twenty-five (25) feet wide containing 0.411-acres of land (the "**Easement Area**"), which is more particularly "Exhibit A" which is attached hereto and fully incorporated herein, and said Easement Area being located within a portion of those certain tracts of land owned by Grantor referenced on said attached "Exhibit A" ("**Grantor's Property**").

The Easement Area herein granted shall be unobstructed and, further, Grantor and Grantee (hereinafter, "**the Parties**") agree that Grantee's rights and obligations are as follows:

1. Purpose. The right to use the Drainage Easement shall belong to Grantee and all those acting by or on behalf of Grantee for the purposes of constructing, reconstructing, installing, operating, inspecting, maintaining, accessing, repairing, replacing, and revising a flowage and/or surface drainage channel or waterway and facilities related to drainage of storm water runoff including pipes, culverts, drains and other facilities with the right to drain, direct and divert runoff, overflow and surface water over, across and under the Easement Property and to place rock, rip rap, concrete or other material on the Easement Property to control erosion with the perpetual right of ingress and egress on and across said Easement Property.

2. Access. Grantee shall have the rights of ingress, egress, entry and access in, to, from, through, on, over, under, across, and along Grantor's Property to access the Easement Area from any of Grantee's adjoining property, from any public road or right-of-way where the Easement intersects such road or right of way, or from any of Grantee's adjoining easements or any other easement to which Grantee has the right to access, for any and all purposes necessary and/or essential for the Grantee to the exercise the rights granted to it by this Drainage Easement Agreement (hereinafter, the "**Drainage Agreement**") including, but not limited to, purposes of constructing, reconstructing, installing, operating, inspecting, maintaining, accessing, repairing, replacing, and, when necessary, removing the Drainage Facilities, along with the right of reasonable and necessary working space adjacent to the Easement Area.

3. Avoidance of Encroachments. Notwithstanding the foregoing, Grantee shall have the right to drive Grantee's construction vehicles on the closest adjacent dry ground around creeks, ponds, lakes, or standing water which crosses or encroaches upon the Easement Area in connection with the aforementioned usage. Any damage resulting therefrom to Grantor's Property, Roads, crops, culverts, fences, trees, houses, barns, buildings, equipment, livestock, or any other unspecified damages herein, Grantee shall be responsible for correcting such damage either by replacement, repair, or cost of replacement or repair.

4. Civil Improvements. Grantee shall have the right to install culverts, bridges, low-water crossings, drains, mats and air bridges, and other civil improvements or aggregates, or repair the same, as necessary for safe and efficient crossing of the Easement Area. Grantee will not be required to remove any permanent improvements at the end of the initial construction period or at any time following, but shall remove temporary improvements at its sole cost and expense upon completion of construction and/or operational or maintenance activities. Further, Grantee

shall be responsible for promptly correcting any damage to surrounding land through replacement, repair, or cost of replacement or repair. Grantee shall not construct any improvements in the Easement Area which obstruct or materially interfere with Drainage from Grantor's adjoining land.

5. Vegetation Removal. Grantee shall have the right, but not the responsibility, to mow, mulch, grind, remove all trees and shrubs from the Easement Area and to cut and trim all limbs of trees as may be necessary that, in the sole judgment of Grantee, interferes with the operation of the Drainage Facilities, creates a possible hazard and/or intrudes into the Easement Area from Grantor's Property immediately adjoining thereto.

Further, the Parties agree that Grantor's, its heirs', successors', and assigns' rights and obligations are as follows:

6. Access. Grantor herein reserves the right of ingress and egress across the Easement Area to the Grantor's Property.

7. Third-Party Easements. Grantor herein reserves the right to extend or grant easements in favor of third parties for the installation of subsurface pipelines or subsurface utilities under the herein described Easement Area in a near perpendicular fashion, but not along or longitudinally within said Easement Area.

8. Structures. Grantor, its successors, and assigns shall be permitted to construct a fence in accordance with the City's code of ordinances. Said fence will not substantially obstruct the Easement Area or interfere with the exercise of Grantee's right, or impede the flow of water through the Easement Area. If Grantor, its successors, and assigns at any point elect to build any such structure, such as a fence, Grantor shall permit Grantee all needed access to Easement Area.

TO HAVE AND TO HOLD the rights, privileges and authority hereby granted unto the Grantee, its successors and assigns, forever, and Grantor does hereby bind itself and its successors, assigns, and legal representatives, to warrant and forever defend all and singular the above described Drainage Easement and rights unto said Grantee, its successors, assigns, and legal representatives against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise.

This Drainage Easement and all of its terms, conditions and provisions contained herein constitute the complete and final agreement between the Parties. Any and all revisions, amendments, and/or exceptions to the terms, conditions, and provisions contained in this Drainage Easement shall be in written recordable form and executed by both Parties, or their respective successors, assigns, or legal representatives in order to be deemed valid.

This Correction Drainage Easement is given by C.A. DOOSE AND COMPANY, INC., and accepted by the City of Harker Heights, Bell County, Texas in correction and substitution for that certain Drainage Easement dated May 11, 2021 and filed on May 24, 2021 in the Office of the County Clerk of Bell County, Texas and recorded as Instrument No. 2021032272 in the Official Records of Bell County, Texas, for purposes of correcting errors in the description of the above described property and supplying the omitted Exhibit A.

EXECUTED this 20TH day of August, 2021.

GRANTOR
C.A. DOOSE AND COMPANY, INC.

BY: _____
CHRISTOPHER A. DOOSE, IV,
PRESIDENT

ACCEPTED AND EXECUTED this 25th day of August, 2021.

GRANTEE

City of Harker Heights, Bell County, Texas

SIGNATURE David R. Mitchell

PRINTED David R. Mitchell

TITLE/AUTHORITY City Manager

ACKNOWLEDGMENT

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Christopher A. Doose, IV, in his capacity as the President of, and on behalf of, said company C. A. Doose & Company, Inc., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed on behalf of said Company

GIVEN UNDER MY HAND AND OFFICIAL SEAL this 20th day of AUGUST, 2021.

MICHAEL BRANDON CARUBELLI
Notary Public, State of Texas
Comm. Expires 01-15-2025
Notary ID 12924227-4

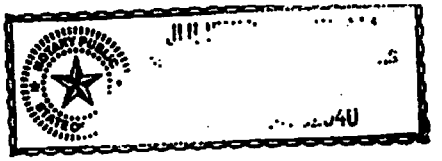
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF BELL §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared David Mitchell, as City Manager of the City of Harker Heights, Bell County Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that s/he executed the same for the purposes and consideration therein expressed on behalf of said Company.

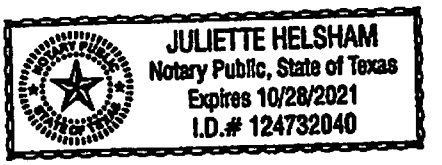
GIVEN UNDER MY HAND AND OFFICIAL SEAL this 26 day of August, 2021.



Notary Public, State of Texas

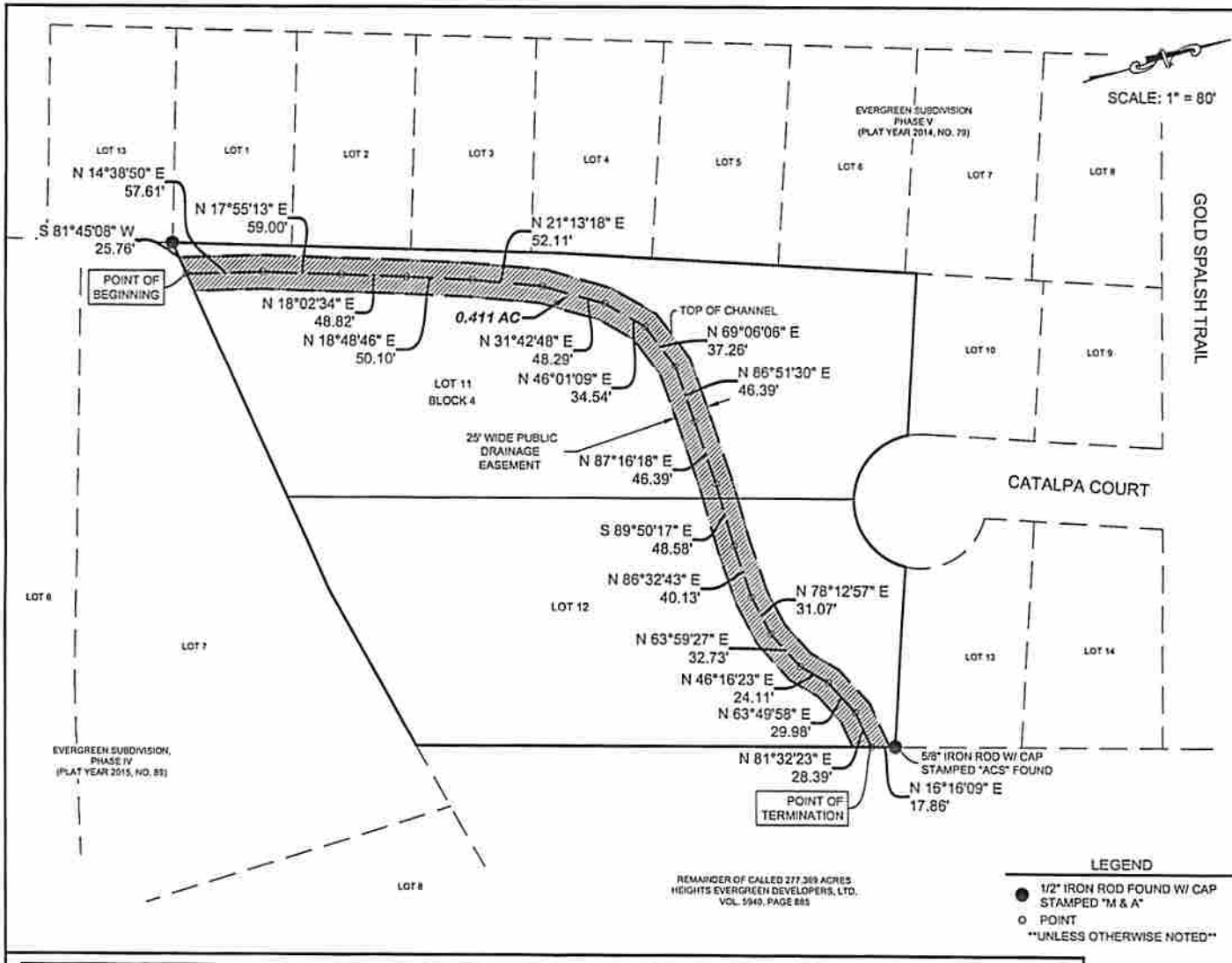
This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

AFTER RECORDING, RETURN TO:



City of Harker Heights Texas
305 Miller Crossing
Harker Heights, TX 76548

1
TRANSMISSION LINE EASEMENT (CORRIDOR) AND ACCESS



LEGEND

- ● 1/2" IRON ROD FOUND W/ CAP STAMPED "M & A"
- o POINT

UNLESS OTHERWISE NOTED

SURVEYOR'S SKETCH of a survey made on the ground on August 6, 2021, of that certain 0.41 acre tract of land for a 25.0' wide Public Drainage Easement situated in the M.D. Odell Survey, Abstract No. 994, and being a portion of Lots 11 & 12, Block Four, Evergreeen Addition, Phase V, an addition to the City of Harker Heights, Bell County Texas, recorded in Plat Year 2014, Plat No. 79, Plat Records of Bell County, Texas. THIS SURVEY DOES NOT IMPLY ALL EASEMENTS AND SETBACK LINES HAVE BEEN RESEARCHED.

BEING all of that certain 0.41 acre tract of land situated in the M.D. Odell Survey, Abstract No. 944, Bell County, Texas and being a portion of lots 11 & 12, Block Four, Evergreeen Addition, Phase V, an addition to the City of Harker Heights, Bell County Texas, recorded in Plat Year 2014, Plat No. 79, Plat Records of Bell County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the South line of the said lot 11, from whence a 1/2" iron rod with a cap stamped "M & A" found for the Southwest corner of the said Lot 11 bears S 81° 45' 08" W, 25.76 feet, for reference, for the **POINT OF BEGINNING** of the herein described public drainage easement tract;

THENCE, crossing the said lots 11 & 12 for the following seventeen courses and distances:

1. N 14° 38' 50" E, 57.61 feet to a point:
2. N 17° 55' 13" E, 59.00 feet to a point:
3. N 18° 02' 34" E, 48.82 feet to a point:
4. N 18° 48' 46" E, 50.10 feet to a point:
5. N 21° 13' 18" E, 52.11 feet to a point:
6. N 31° 42' 48" E, 48.29 feet to a point:
7. N 46° 01' 09" E, 34.54 feet to a point:
8. N 69° 06' 06" E, 37.26 feet to a point:
9. N 86° 51' 30" E, 46.39 feet to a point:
10. N 87° 16' 18" E, 46.39 feet to a point:
11. S 89° 50' 17" E, 48.58 feet to a point:
12. N 86° 32' 43" E, 40.13 feet to a point:
13. N 78° 12' 57" E, 31.07 feet to a point:
14. N 63° 59' 27" E, 32.73 feet to a point:
15. N 46° 16' 23" E, 24.11 feet to a point:
16. N 63° 49' 58" E, 29.98 feet to a point:
17. N 81° 32' 23" E, 28.39 feet to the **POINT OF TERMINATION**, in the east line of the said Lot 12, from which a 5/8" iron rod with cap stamped "ACS" found for the Northeast corner of the said Lot 12 bears N 16° 16' 09" E, 17.86 feet, for reference.

Note:

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

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

QUINTERO ENGINEERING, LLC
CIVIL ENGINEERING • LAND SURVEYING • PLANNING • CONSTRUCTION MANAGEMENT
1501 W. STAN SCHLUETER LP., KILLEEN, TEXAS (254) 493-9962
T.B.P.E. FIRM REGISTRATION NO. 14709
T.B.P.L.S. REGISTRATION NO. 10194110

08/18/2021

Seth H. Barton, R.P.L.S.
Registered Professional Land Surveyor
R.P.L.S. No. 6878, Texas

STATE OF TEXAS · SETH H. BARTON · 6878 · REGISTERED PROFESSIONAL LAND SURVEYOR

This survey provided solely for the use of the current parties and no license has been created, expressed or implied to copy the survey except as necessary in connection with this original transaction, which shall take place within 90 days of the completion of the survey.

Bell County
Shelley Coston
County Clerk
Belton, Texas 76513

Instrument Number: 2021055201
As
EASEMENT

Recorded On: August 26, 2021
Parties: C A DOOSE AND COMPANY INC
To CITY OF HARKER HEIGHTS
Comment:

Billable Pages: 5
Number of Pages: 6

(Parties listed above are for Clerks' reference only)

**** Examined and Charged as Follows ****

CLERKS RMF:	$5.00
COURT HOUSE SECURITY:	$1.00
RECORDING:	$21.00

Total Fees:

********** DO NOT REMOVE. THIS PAGE IS PART OF THE INSTRUMENT **********

Any provision herein which restricts the Sale, Rental or use of the described REAL PROPERTY because of color or race is invalid and unenforceable under federal law.

File Information

Instrument Number:	2021055201
Receipt Number:	221878
Recorded Date/Time:	08/26/2021 2:48:14 PM
User / Station:	frysr - BCCCD0640

Record and Return To:
CITY OF HARKER HEIGHTS
305 MILLERS CROSSING
HARKER HEIGHTS, TX 76548

THE STATE OF TEXAS * BELL COUNTY *

I hereby certify that this instrument was filed on the date and time stamped hereon and was duly recorded in the Real Property Records in Bell County, Texas

Shelley Coston
Bell County Clerk

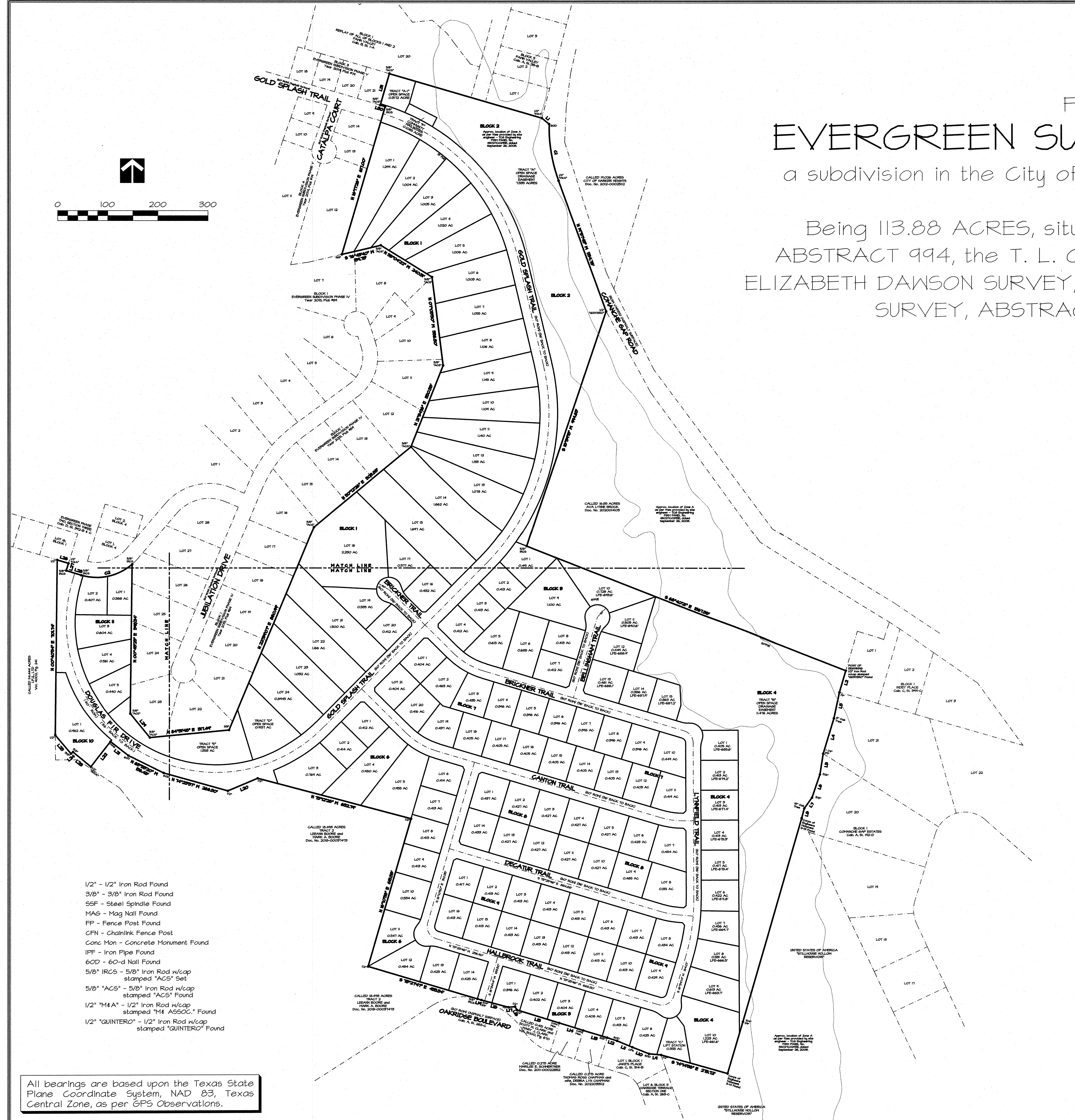
Shelley Coston

Final Plat of

EVERGREEN SUBDIVISION PHASE VI

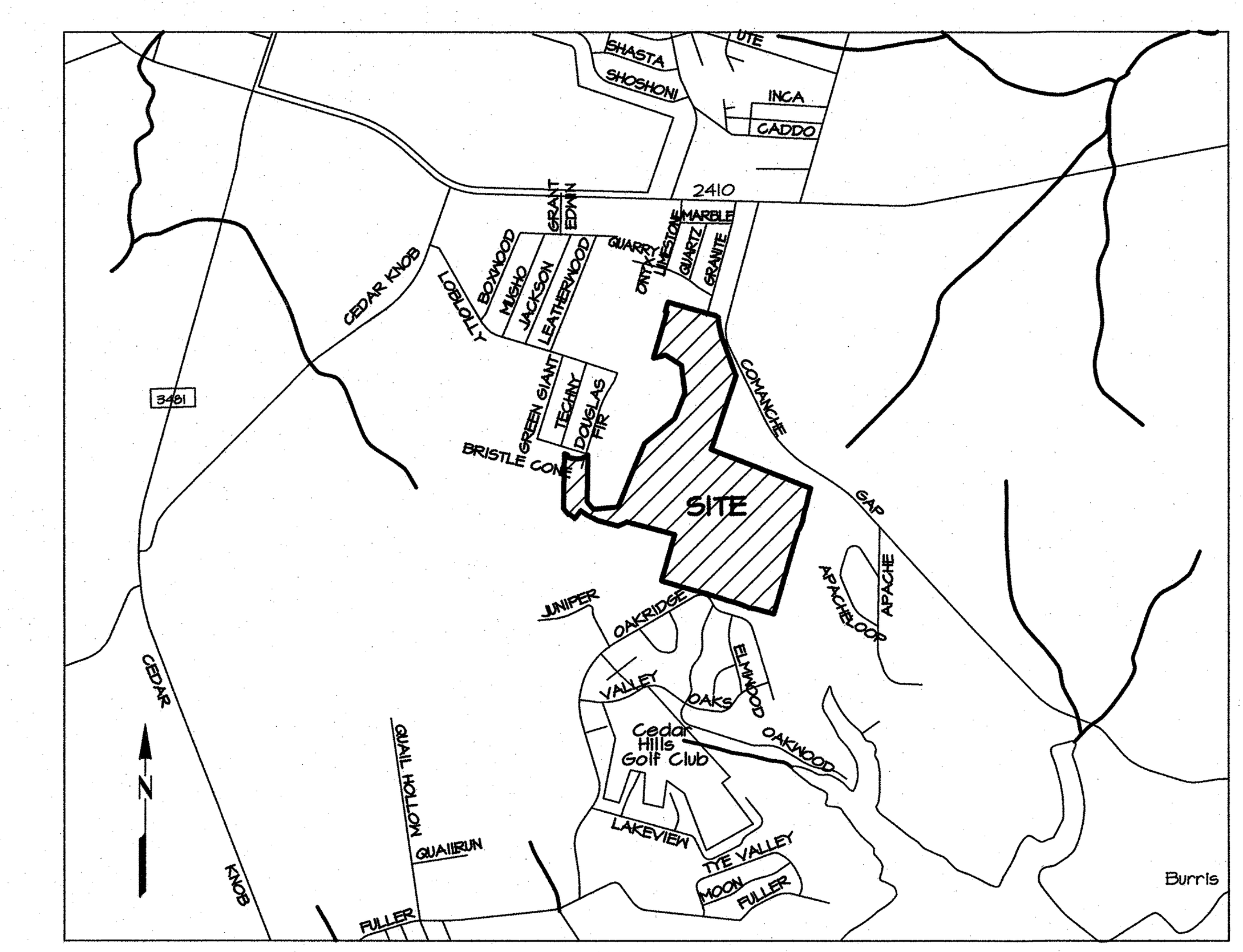
a subdivision in the City of Harker Heights, Bell County, Texas.

Being 113.88 ACRES, situated in the M. D. ODELL SURVEY, ABSTRACT 994, the T. L. ODELL SURVEY, ABSTRACT 1043, the ELIZABETH DAWSON SURVEY, ABSTRACT 258, and the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas.



1/2" - 1/2" Iron Rod Found
3/8" - 3/8" Iron Rod Found
SSF - Steel Spindle Found
MAG - Mag Nail Found
FP - Fence Post Found
CFN - Chainlink Fence Post
Conc Mon - Concrete Monument Found
IPF - Iron Pipe Found
60D - 60-d Nail Found
5/8" IRCS - 5/8" Iron Rod w/cap stamped "ACS" Set
5/8" "ACS" - 5/8" Iron Rod w/cap stamped "ACS" Found
1/2" "M&A" - 1/2" Iron Rod w/cap stamped "M& ASSOC." Found
1/2" "QUINTERO" - 1/2" Iron Rod w/cap stamped "QUINTERO" Found

All bearings are based upon the Texas State Plane Coordinate System, NAD 83, Texas Central Zone, as per GPS Observations.



VICINITY MAP
-NTS-

LOTS - 126
TRACTS - 7
BLOCKS - 11
AREA - 113.88 ACRES

Owner:
HEIGHTS EVERGREEN DEVELOPERS, LTD.
c/o BLUFFVIEW REAL ESTATES
PO BOX 1183
KILLEEN, TX 76540

NOTES:

1. ALL FRONT ENTRY GARAGES REQUIRE A TWENTY FIVE (25) FOOT FRONT YARD BUILDING LINE.
2. ALL SIDE OR REAR ENTRY GARAGES REQUIRE A TWENTY (20) FOOT FRONT YARD BUILDING LINE.
3. A TWENTY (20) FOOT SIDE YARD BUILDING LINE IS REQUIRED FOR GARAGES ON A SIDE STREET.
4. NORMAL SIDE YARD BUILDING LINES ARE SIX (6) FEET.
5. TEMPORARY BENCHMARK - "X" IN NORTH CURB LINE OF LOBLOLLY DRIVE, WHICH BEARS S 80° 49' 33" E - 144.36' FROM THE INTERSECTION OF LOBLOLLY DRIVE AND GREEN GIANT DRIVE. ELEVATION = 817.73' (NAVD 88). TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, TEXAS CENTRAL ZONE, NORTHING: 10354567.931, EASTING: 3139466.310
6. OWNERS OF LOTS THAT REMAIN UNDEVELOPED MUST CONSTRUCT SIDEWALKS WITHIN TWO YEARS AFTER THE DATE OF APPROVAL OF THE FINAL PLAT.
7. BLOCK 3, LOTS 1-10-
   - 7.1. STRUCTURE FOUNDATIONS SHALL BE A MINIMUM OF NINE INCHES ABOVE GROUND.
   - 7.2. FRONT YARDS AND DRIVEWAYS SHALL BE GRADED SUCH THAT GROUND ELEVATION IS 12" ABOVE TOP OF CURB, AT 25' FROM BACK OF CURB.

Final Plat of
EVERGREEN SUBDIVISION PHASE VI
a subdivision in the City of Harker Heights, Bell County, Texas.
Being part of the M. D. ODELL SURVEY, ABSTRACT 994, part of the T. L. ODELL SURVEY, ABSTRACT 1043, part of the ELIZABETH DAWSON SURVEY, ABSTRACT 258, and part of the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas.

Plot Date: 06-10-2026
Survey completed 07-11-2024
Scale: 1" = 200'
Job No. 240813
Dwg No. 240813P
Drawn by SLW
Surveyor RMS #6748

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ACS
ALL COUNTY SURVEYING, INC.
Tx. Firm No. 10023600
4330 South 5th Street
Temple, Texas 76502
254-778-2272 Killeen 254-634-4636
Fax 254-774-7608
www.allcountysurveying.com

Final Plat of

EVERGREEN SUBDIVISION PHASE VI

a subdivision in the City of Harker Heights, Bell County, Texas.

Being 113.88 ACRES, situated in the M. D. ODELL SURVEY, ABSTRACT 994, the T. L. ODELL SURVEY, ABSTRACT 1043, the ELIZABETH DAWSON SURVEY, ABSTRACT 258, and the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas.

STATE OF TEXAS

COUNTY OF BELL

KNOW ALL MEN BY THESE PRESENTS that Heights Evergreen Developers, LTD. whose address is P.O. Box 1183, Killeen, Texas 76540, being the sole owner of that certain 113.88 acres of land in Bell County, Texas, situated in the M. D. ODELL SURVEY, ABSTRACT 994, the T. L. ODELL SURVEY, ABSTRACT 1043, the ELIZABETH DAWSON SURVEY, ABSTRACT 258, and the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas, which is more fully described in the dedication of Evergreen Subdivision Phase VI, as shown of the plat hereof, attached hereto, and made a part hereon, and approved by the City Council of the City of Harker Heights, Bell County, Texas, and Heights Evergreen Developers, LTD. does hereby adopt said Evergreen Subdivision Phase VI, as an addition to the City of Harker Heights, Bell County, Texas, and hereby dedicates to said city all streets, avenues, roads, drives and alleys shown on said plat, the same to be used as public thoroughfares and for the installation and maintenance of public utilities when and as authorized by the City of Harker Heights. The utility easements shown of the plat are dedicated to the city for the installation and maintenance of any and all public utilities, which the city may install of permit to be installed or maintained. The drainage easements shown on the plat are dedicated to the City of Harker Heights. Tract "C" shown on the plat is hereby dedicated in fee simple to the City of Harker Heights. All other tracts shown on the plat are hereby dedicated to the Home Owners Association.

_____
WILLIAM HICKMAN
For Heights Evergreen Developers, LTD.

STATE OF TEXAS

COUNTY OF BELL

This instrument was acknowledged before me on the _____ day of _____, 2026.

by _____.

NOTARY PUBLIC STATE OF TEXAS
My commissions expires

***

Final Plat of
EVERGREEN SUBDIVISION PHASE VI
a subdivision in the City of Harker Heights, Bell County, Texas.

Being part of the M. D. ODELL SURVEY, ABSTRACT 994, part of the T. L. ODELL SURVEY, ABSTRACT 1043, part of the ELIZABETH DANSON SURVEY, ABSTRACT 258, and part of the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas.

1/2" - 1/2" Iron Rod Found
3/8" - 3/8" Iron Rod Found
SSF - Steel Spindle Found
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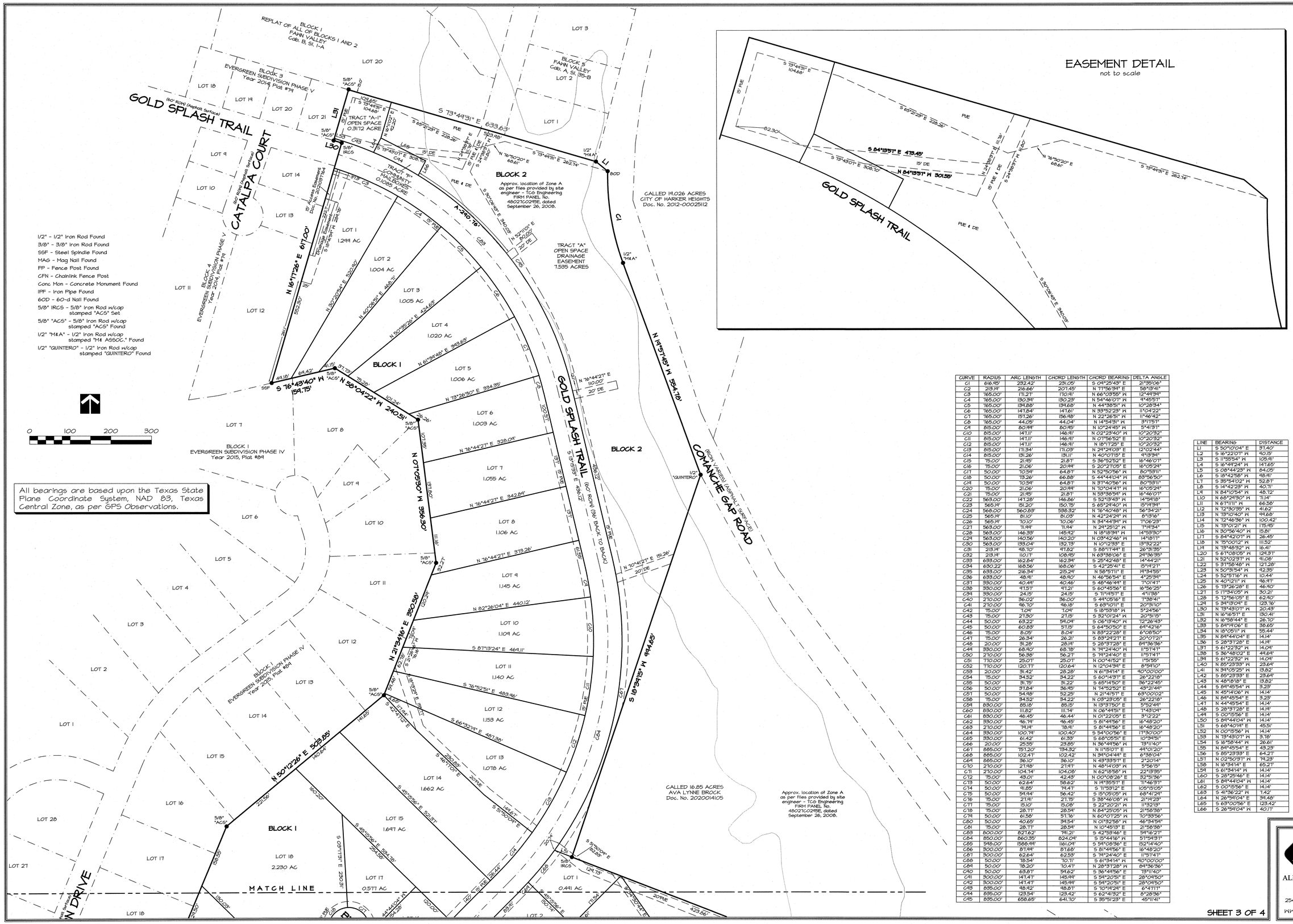
60D - 60-d Nail Found
5/8" IRCS - 5/8" Iron Rod w/cap stamped "ACS" Set
5/8" "ACS" - 5/8" Iron Rod w/cap stamped "ACS" Found
1/2" "M&A" - 1/2" Iron Rod w/cap stamped "M& ASSOC." Found
1/2" "QUINTERO" - 1/2" Iron Rod w/cap stamped "QUINTERO" Found

All bearings are based upon the Texas State Plane Coordinate System, NAD 83, Texas Central Zone, as per GPS Observations.

0 100 200 300



EASEMENT DETAIL
not to scale

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	616.45'	232.42'	231.05'	S 04°25'43" E	21°35'06"
C2	213.14'	216.66'	207.45'	N 77°56'39" E	58°13'41"
C3	765.00'	171.21'	170.81'	N 66°03'55" W	12°48'39"
C4	765.00'	130.34'	130.23'	N 54°46'07" W	9°45'51"
C5	765.00'	134.88'	134.68'	N 44°38'51" W	10°28'34"
C6	765.00'	147.84'	147.61'	N 33°50'23" W	11°04'22"
C7	765.00'	151.26'	156.48'	N 22°26'51" W	11°46'42"
C8	765.00'	44.05'	44.04'	N 14°54'31" W	3°17'57"
C9	815.00'	80.98'	80.85'	N 10°24'45" W	5°41'37"
C10	815.00'	147.11'	146.91'	N 02°23'40" W	10°20'32"
C11	815.00'	147.11'	146.91'	N 07°56'52" E	10°20'32"
C12	815.00'	147.11'	146.91'	N 18°17'25" E	10°20'32"
C13	815.00'	171.34'	171.09'	N 24°24'03" E	12°02'44"
C14	815.00'	191.26'	191.11'	N 40°07'15" E	41°39'34"
C15	75.00'	21.45'	21.37'	S 36°52'52" E	16°46'07"
C16	75.00'	21.06'	20.99'	S 20°21'05" E	16°05'24"
C17	50.00'	70.59'	64.87'	N 53°05'56" W	80°53'11"
C18	50.00'	73.26'	66.88'	S 44°44'04" W	83°56'50"
C19	50.00'	70.54'	64.87'	N 31°40'56" W	80°53'11"
C20	75.00'	21.06'	20.99'	N 70°04'41" W	16°05'24"
C21	75.00'	21.45'	21.37'	N 53°36'54" W	16°46'07"
C22	563.00'	141.28'	146.86'	S 52°13'43" W	14°58'18"
C23	565.14'	151.20'	150.75'	S 65°24'40" W	15°19'39"
C24	560.00'	560.83'	538.32'	N 76°40'48" W	56°34'21"
C25	565.14'	81.10'	81.03'	N 42°24'24" W	8°13'16"
C26	565.14'	70.10'	70.06'	N 34°44'34" W	7°06'23"
C27	50.00'	71.99'	71.44'	N 24°26'12" W	71°14'34"
C28	563.00'	146.33'	145.92'	N 18°18'34" W	14°53'30"
C29	563.00'	140.56'	140.20'	N 03°42'46" W	14°18'11"
C30	563.00'	139.04'	132.75'	N 10°12'38" E	13°52'22"
C31	213.14'	98.70'	97.82'	S 85°17'48" E	26°31'35"
C32	213.14'	110.17'	108.45'	N 63°38'06" E	29°36'35"
C33	633.00'	162.84'	162.39'	S 25°42'48" E	14°44'21"
C34	630.22'	168.56'	168.06'	S 42°25'41" E	15°19'27"
C35	633.00'	216.34'	215.24'	N 58°57'11" E	19°34'55"
C36	633.00'	48.91'	48.90'	N 46°56'54" E	4°25'39"
C37	330.00'	40.46'	40.46'	S 48°46'48" E	7°01'41"
C38	330.00'	97.51'	97.21'	S 60°45'56" E	16°56'25"
C39	330.00'	24.15'	24.15'	S 71°19'57" E	4°11'38"
C40	210.00'	36.02'	36.00'	S 48°05'16" E	9°49'41"
C41	210.00'	96.70'	96.18'	S 63°10'11" E	20°31'10"
C42	15.00'	7.04'	7.04'	S 18°53'18" W	5°24'56"
C43	15.00'	27.30'	27.15'	S 32°01'24" W	20°51'18"
C44	50.00'	63.22'	59.04'	S 06°13'40" W	72°26'45"
C45	50.00'	60.83'	57.15'	S 64°50'50" E	69°42'16"
C46	15.00'	8.05'	8.04'	N 83°22'28" E	6°08'50"
C47	15.00'	26.34'	26.21'	S 83°24'21" E	20°07'31"
C48	20.00'	31.28'	28.18'	S 28°37'28" E	89°36'36"
C49	330.00'	68.90'	68.78'	N 79°24'40" W	11°57'41"
C50	210.00'	56.38'	56.21'	S 79°24'40" E	11°57'41"
C51	710.00'	25.01'	25.01'	N 00°41'52" E	1°51'55"
C52	710.00'	120.71'	120.64'	N 12°04'38" E	8°44'10"
C53	20.00'	31.42'	28.28'	N 61°34'14" E	90°00'00"
C54	15.00'	34.52'	34.22'	S 60°14'31" E	26°22'18"
C55	50.00'	31.75'	31.22'	S 65°14'50" E	36°22'45"
C56	50.00'	51.84'	36.48'	N 74°52'52" E	43°21'48"
C57	50.00'	54.98'	52.28'	N 21°41'57" E	63°00'02"
C58	15.00'	34.52'	34.22'	N 03°23'05" E	26°22'18"
C59	830.00'	85.18'	85.15'	N 13°31'50" E	5°52'44"
C60	830.00'	111.82'	111.74'	N 06°48'51" E	7°43'04"
C61	830.00'	46.45'	46.44'	N 01°22'05" E	3°12'22"
C62	330.00'	46.74'	46.45'	S 81°44'56" E	16°48'20"
C63	210.00'	74.18'	73.81'	S 81°44'56" E	16°48'20"
C64	330.00'	100.74'	100.40'	S 54°00'56" E	17°30'00"
C65	330.00'	61.42'	61.33'	S 68°05'51" E	10°39'51"
C66	20.00'	25.35'	23.80'	N 36°44'56" W	73°11'40"
C67	885.00'	157.20'	134.32'	N 11°15'01" E	46°01'20"
C68	885.00'	102.41'	102.42'	N 34°04'44" E	6°38'04"
C69	885.00'	36.10'	36.10'	N 43°33'51" E	2°20'14"
C70	210.00'	21.98'	21.97'	N 48°14'08" W	5°59'15"
C71	210.00'	104.74'	104.08'	N 62°18'58" W	22°13'35"
C72	75.00'	43.01'	42.43'	N 00°08'26" E	32°51'36"
C73	50.00'	62.64'	58.62'	N 18°36'51" E	71°46'31"
C74	50.00'	41.85'	74.41'	S 11°53'12" E	55°15'05"
C75	50.00'	54.44'	56.42'	S 15°05'05" W	68°41'24"
C76	75.00'	27.91'	27.75'	S 38°46'08" W	21°41'23"
C77	75.00'	15.10'	15.08'	S 22°20'01" W	11°31'31"
C78	75.00'	28.71'	28.54'	N 84°25'05" W	21°56'56"
C79	50.00'	61.58'	57.76'	N 60°01'25" W	70°33'56"
C80	50.00'	40.65'	39.54'	N 01°32'58" W	46°34'59"
C81	75.00'	28.77'	28.54'	N 10°45'13" E	21°56'56"
C83	800.00'	821.62'	741.21'	S 42°53'46" E	54°16'21"
C84	850.00'	860.38'	824.04'	S 15°44'16" W	57°59'19"
C85	765.00'	588.49'	161.09'	S 54°08'36" E	152°14'40"
C86	300.00'	87.98'	87.68'	S 81°44'56" E	16°48'20"
C87	300.00'	62.64'	62.53'	S 74°24'40" E	11°57'41"
C88	50.00'	78.54'	70.71'	S 61°34'14" W	90°00'00"
C89	50.00'	78.20'	70.41'	N 28°37'28" W	89°36'36"
C90	50.00'	63.81'	54.62'	S 36°44'56" E	73°11'40"
C91	300.00'	147.41'	145.98'	S 59°20'51" E	28°09'50"
C92	300.00'	147.41'	145.98'	S 54°20'51" E	28°09'50"
C93	835.00'	98.42'	98.37'	S 10°18'24" E	6°45'11"
C94	835.00'	129.54'	129.42'	S 62°41'32" E	8°53'36"
C95	835.00'	658.65'	641.70'	S 35°51'23" E	45°11'41"

LINE	BEARING	DISTANCE
L1	S 50°10'04" E	31.40'
L2	S 16°22'01" W	90.15'
L3	S 11°55'54" W	105.41'
L4	S 16°48'24" W	147.65'
L5	S 08°44'23" W	84.05'
L6	S 18°42'58" W	98.41'
L7	S 35°54'02" W	52.81'
L8	S 14°42'28" W	40.71'
L9	N 84°10'54" W	48.72'
L10	N 68°24'50" W	71.14'
L11	N 67°11'11" W	64.55'
L12	N 72°30'55" W	41.62'
L13	N 73°10'40" W	99.68'
L14	N 72°48'36" W	100.42'
L15	N 73°01'21" W	175.85'
L16	N 30°56'40" E	15.81'
L17	S 84°42'01" W	26.45'
L18	N 89°00'52" W	111.52'
L19	N 73°48'32" W	16.41'
L20	S 61°08'05" W	124.31'
L21	N 52°02'31" W	41.08'
L22	S 31°58'46" W	121.28'
L23	N 50°31'54" W	93.35'
L24	S 52°51'16" W	10.44'
L25	N 40°12'11" W	96.41'
L26	S 13°26'28" E	46.80'
L27	S 11°34'09" W	30.21'
L28	S 72°56'05" E	62.40'
L29	S 34°13'04" E	123.16'
L30	N 73°43'01" W	20.48'
L31	N 16°16'51" E	130.41'
L32	N 16°58'44" E	26.10'
L33	S 84°14'06" E	38.65'
L34	N 18°39'11" W	55.44'
L35	N 84°44'04" E	14.14'
L36	S 28°37'28" E	14.14'
L37	S 61°22'32" W	14.04'
L38	S 36°48'22" E	44.64'
L39	S 61°22'32" W	14.04'
L40	N 85°23'33" W	23.64'
L41	N 84°09'25" W	13.82'
L42	S 85°23'33" E	23.64'
L43	N 48°18'18" E	13.82'
L44	S 84°48'54" W	3.23'
L45	N 45°41'06" W	14.14'
L46	N 84°48'54" E	3.23'
L47	N 44°48'54" E	14.14'
L48	S 28°37'28" E	14.14'
L49	S 00°15'56" E	14.14'
L50	S 84°44'04" W	14.14'
L51	S 68°40'41" E	45.51'
L52	N 00°15'56" W	14.14'
L53	N 73°43'01" W	3.18'
L54	S 16°58'44" W	26.61'
L55	N 84°48'54" E	43.23'
L56	S 85°23'33" E	64.21'
L57	N 02°50'31" W	74.29'
L58	N 16°34'14" E	65.27'
L59	S 61°34'14" W	14.14'
L60	S 28°25'46" E	14.14'
L61	S 84°44'04" W	14.14'
L62	S 00°15'56" E	14.14'
L63	S 41°36'22" W	7.42'
L64	N 26°59'04" E	34.48'
L65	S 63°00'56" E	123.42'
L66	S 26°59'04" W	40.11'

Plot Date: 06-10-2026
Survey completed 07-11-2024
Scale: 1" = 100'
Job No. 240813
Dwg No. 240813P
Drawn by SLW
Surveyor RMS #6748

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ALL COUNTY SURVEYING, INC.
Tx. Firm No. 10023600
4330 South 5th Street
Temple, Texas 76502
254-778-2212 Killeen 254-634-4636
Fax 254-774-1608
www.allcountysurveying.com

C88	50.00'	78.54'	70.71'	S 61°34'14" W	90°00'00"
C89	50.00'	78.20'	70.41'	N 28°31'28" W	89°36'36"
C40	50.00'	69.81'	64.62'	S 36°44'56" E	79°59'40"
C41	300.00'	141.41'	140.08'	S 58°12'51" E	28°00'50"
C42	300.00'	141.41'	140.08'	S 54°20'51" E	28°00'50"
C43	835.00'	98.42'	98.37'	S 70°18'28" E	6°45'17"
C44	835.00'	123.54'	123.42'	S 62°41'32" E	8°28'36"
C45	835.00'	656.85'	641.70'	S 35°51'23" E	45°04'41"

All bearings are based upon the Texas State Plane Coordinate System, NAD 83, Texas Central Zone, as per GPS Observations.

Final Plat of EVERGREEN SUBDIVISION PHASE VI

a subdivision in the City of Harker Heights, Bell County, Texas.

Being part of the M. D. ODELL SURVEY, ABSTRACT 1043, part of the ELIZABETH DAWSON SURVEY, ABSTRACT 258, and part of the D. R. HUGHES SURVEY, ABSTRACT 1032, Bell County, Texas.

Plot Date: 06-10-2026
Survey completed 07-11-2024
Scale: 1" = 100'
Job No. 240813
Dwg No. 240813P
Drawn by SLW
Surveyor RMS #6748

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ALL COUNTY SURVEYING, INC.
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SHEET 4 OF 4

EVERGREEN SUBDIVISION

P26-07 – Evergreen Subdivision Phase VI – Final Plat

Plat Distributed to HH Staff & Public Utilities: 05/28/2026
Comments Sent to Applicant: 06/01/2026
Response received from Applicant: 06/15/2026
Comments sent to Applicant: 06/17/2026

No Response To Date – Comments may be forthcoming
Oncor
Atmos
Brightspeed
KISD
Fire Department
Building Official

TXDOT – No Comments

Planning & Development

1. Per § 154.22(B)(1)(a), all plan sheet numbers shall be placed on the cover sheet along with the corresponding plan sheet titles.

Public Works

1. Per 154.42(C)(2), configure and label the pedestrian access easement on Tract C, for the sidewalk connecting the cul-de-sac to the USACE property line, to meet the 15' minimum width requirement throughout the entire pedestrian access easement

City of Harker Heights
Planning & Development
305 Miller's Crossing
Harker Heights, TX 76548
planning@harkerheights.gov

Economic Development Report
APRIL 2026 DEVELOPMENT ACTIVITY REPORT

COMMERCIAL DEVELOPMENT

The City issued **zero (0)** new commercial permits within the month of April.

The City issued **one (1)** commercial remodeling permit within the month of April.

- 880 Prospector Trail (Ardent Health Clinic)
  - Valued at $257,500.00

To date in calendar year 2026 (January 1, 2026 - December 31, 2026) the City has issued a total of eight (8) commercial permits: one (1) new commercial permits, and seven (7) commercial remodeling permits.

RESIDENTIAL DEVELOPMENT

The City issued **zero (0)** permits for single-family residential construction within the month of April.

The City issued **zero (0)** permits for two-family (duplex) residential construction within the month of April.

To date in calendar year 2026 (January 1, 2026 - December 31, 2026) the City has issued a total of five (5) residential permits: two (2) new single-family permits, three (3) new two-family permits, and zero (0) new multi-family permits.

POPULATION ESTIMATES

As of April 30, 2026, the estimated population for the City of Harker Heights is **36,281** residents. According to the US Census, the population as of April 1, 2020, was 33,097 residents. Since that time, we have added 1,072 new water accounts with an average household size of 2.97.

City of Harker Heights
Planning & Development
305 Miller's Crossing
Harker Heights, TX 76548
planning@harkerheights.gov

Economic Development Report
MAY 2026 DEVELOPMENT ACTIVITY REPORT

COMMERCIAL DEVELOPMENT

The City issued **one (1)** new commercial permit within the month of May.

- 620 E. Knight's Way (Chicken Salad Chick/Multi-Tenant Building)
  - Valued at $1,800,000.00

The City issued **zero (0)** commercial remodeling permits within the month of May.

To date in calendar year 2026 (January 1, 2026 - December 31, 2026) the City has issued a total of nine (9) commercial permits: two (2) new commercial permits, and seven (7) commercial remodeling permits.

RESIDENTIAL DEVELOPMENT

The City issued **one (1)** permit for single-family residential construction within the month of May.

- 1723 Cliffview Drive
  - Valued at $400,000.00

The City issued **two (2)** permits for two-family (duplex) residential construction within the month of May.

- 935 Ramblewood Drive
  - Valued at $300,000.00
- 937 Ramblewood Drive
  - Valued at $300,000.00

To date in calendar year 2026 (January 1, 2026 - December 31, 2026) the City has issued a total of eight (8) residential permits: three (3) new single-family permits, five (5) new two-family permits, and zero (0) new multi-family permits.

POPULATION ESTIMATES

As of May 31, 2026, the estimated population for the City of Harker Heights is **36,316** residents. According to the US Census, the population as of April 1, 2020, was 33,097 residents. Since that time, we have added 1,084 new water accounts with an average household size of 2.97.

P&Z Related City Council Actions

April 28, 2026 – June 16, 2026

April 28, 2026 (Regular Meeting)

- Building Safety Month Proclamation

May 5, 2026 (Workshop Meeting)

- No P&Z related items

May 12, 2026 (Regular Meeting)

- Z26-06 935/937 Ramblewood R-1 → R-2
  - Approved
- Z26-04 805 Snow Bird CUP for ADU
  - Approved
- Z26-03 E. Knights Way/Comanche Gap CUP
  - Withdrawn
- Z26-07/F 319 Jeff Gordon B-3 → B-4 & MDR → RC
  - Approved
- Z26-05/F 577 Pan American B-3 → B-4 & CC → RC
  - Approved
- P26-04 2410 Live Oak And Replat
  - Approved w/ Condition

May 19, 2026 (Workshop Meeting)

- "Bright Star Award" to Jesse Cathell (CTCOG) for GIS Assistance
- Garden of Hope – Discussion on Waiving of Permitting & Development Fees

May 26, 2026 (Regular Meeting)

- Garden of Hope – Approval on Waiving of Permitting & Development Fees
  - No Action
- CIAC Ordinance Error
  - Approved
- CIAC Appointments
  - Appointed and Approved 4 Members

June 2, 2026 (No Workshop Meeting)

June 9, 2026 (Regular Meeting)

- No P&Z related items

June 16, 2026 (No Workshop Meeting)

- Employee Recognition Ceremony