

**NOTICE OF REGULAR MEETING OF THE
HEMPSTEAD PLANNING AND ZONING COMMISSION**

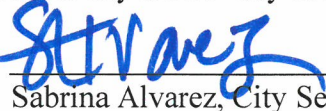
Notice is hereby given that a Regular Meeting of the Planning and Zoning Commission of the City of Hempstead will be held on **Tuesday, September 5, 2023, at 5:00 P.M.** at the **Hempstead City Hall, 1125 Austin Street, Hempstead, Texas**, at which time the following will be considered, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comment.
4. Consideration and action on minutes of the July 3, 2023, meeting.
5. Zoning Map Amendment request to rezone Clear Creek Development Lot 1 Acres 25.132 from AR-Agricultural Residential to HC-Highway Commercial.
 - a. Public Hearing
6. Consideration and action on a Resolution for a recommendation to the City Council of the City of Hempstead amending the Zoning Map to rezone Clear Creek Development Lot 1 Acres 25.132 from AR-Agricultural Residential to HC-Highway Commercial.
7. Consideration and action on Planning and Zoning Commission Annual Report September 1, 2022 – August 31, 2023.

The Planning and Zoning Commission of the City of Hempstead reserves the right to adjourn into executive session at any time during this meeting to discuss any matter, as authorized by Texas Government Code, Section 551.071 (Consultation with Attorney).

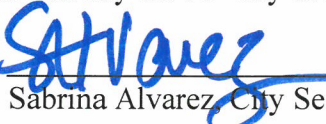
8. Adjourn Planning and Zoning Commission Meeting.

Dated this day the 31st day of August, A.D., 2023.

By: _____
Sabrina Alvarez, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of Regular Meeting of the Planning and Zoning Commission of the City of Hempstead is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board and entrances to City Hall in the City Hall of said City of Hempstead, Texas, a place convenient and readily accessible to the general public at all time, and said Notice was posted on August 31, 2023 at 11:30 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this day the 31st day of August, A.D., 2023.

By: _____
Sabrina Alvarez, City Secretary

PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Tuesday the 5th day of September 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas.** The public will be permitted to offer public comments telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. A recording of the telephonic meeting will be made and will be available to the public upon written request.

The toll-free dial-in number to participate in the meeting telephonically is:

1-346-248-7799; Access Code 989-478-2100

IF PLANNING AND ZONING COMMISSION MEMBERS ARE GOING TO APPEAR BY VIDEOCONFERENCE A QUORUM OF COMMISSION MEMBERS MUST BE PRESENT AT THE LOCATION.

NOTICE OF MEETING BY VIDEO CONFERENCE

The City of Hempstead Planning and Zoning Commission **may** conduct the meeting scheduled at **5:00 P.M. on Tuesday, the 5th day of September 2023 at the Hempstead City Hall, 1125 Austin Street, Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the Planning and Zoning Commission will be physically present at the Hempstead City Hall, 1125 Austin Street, Hempstead. The public may participate in the Planning and Zoning Commission Meeting by using the following information:

1-346-248-7799, Access Code 989-478-2100

**STATE OF TEXAS
COUNTY OF WALLER
CITY OF HEMPSTEAD**

BE IT REMEMBERED that on the 3rd day of July, A.D., 2023 at 5:00 P.M. the Planning and Zoning Commission met in Regular Session at the Hempstead City Hall, Hempstead, Texas in said City, there being present, to-wit:

John Busby, Chairman
Samantha Glover, Board Member
Chris Whetzel, Board Member (Absent)
Barbara Bezub, Board Member
Joe Ayala, Board Member

Bridgette Begle, City Attorney
Sabrina Alvarez, City Secretary

1. Call to order and invocation.

Chairman John Busby called the meeting to order at 5:00 P.M. and gave the invocation.

2. Pledge of Allegiance.

The Pledge of Allegiance was given.

3. Consideration and action on minutes of the June 5, 2023, meeting.

Board Member Barbara Bezub made a motion to approve the minutes. Joe Ayala seconded the motion and carried it unanimously.

4. Public Comment

No Public Comments

- 5. Amendment to the Zoning Matrix allowing for an Adult Day Care in the following manner: "P" - Use Permitted by right in the following zoning districts: CBD, NC, HC, and PS
"S" – Specific Use Permit required in the following zoning districts: R-1, R-2, R-3 and MH.**

a. Public Hearing

The Public Hearing started at 5:03 P.M.

Kelly Savacool stated that it would be an adult daycare at 224 10th Street, its not added in the matrix and this action will add it.

The Public Hearing closed at 5:04 P.M.

- b. **Consideration and action on a recommendation to the City Council of the City of Hempstead amending the Zoning Matrix allowing for an Adult Day Care in the following manner:**

“P” - Use Permitted by right in the following zoning districts: CBD, NC, HC, and PS

“S” – Specific Use Permit required in the following zoning districts: R-1, R-2, R-3 and MH.

Attorney Bridgette Begle stated that adult daycare is broad enough to fit anywhere but the state regulates it. Board Member Joe Ayala asked the question if the board approves it do they have to come back? Building Inspector Frank Rodriguez stated there are three different types of adult daycare with certain guidelines they would have to follow. To keep their licenses, they have to pass an annual inspection.

Board member Joe Ayala made a motion to approve the amendment. Board Member Barbara Bezub seconded the motion and carried unanimously.

6. Adjourn Planning and Zoning Commission Meeting.

Board Member Barbara Bezub made a motion to adjourn the Planning and Zoning meeting at 5:11 P.M. Board Member Joe Ayala seconded the motion and carried unanimously.

PASSED AND APPROVED this the 5th day of September , A.D., 2023.

APPROVED:

John Busby, Chairman

ATTEST:

Sabrina Alvarez, City Secretary



City of Hempstead

1125 Austin Street • Hempstead, Texas 77445 • Tel: 979-826-2486 • Fax: 979-826-6703

RESOLUTION NO. 23-_____

ZONING MAP AMENDMENT – CLEAR CREEK DEVELOPMENT LOT 1 ACRES 25.132 FROM AR- AGRICULTURAL RESIDENTIAL TO HC – HIGHWAY COMMERCIAL

BE IT RESOLVED BY THE BOARD OF PLANNING AND ZONING COMMISSION OF THE HEMPSTEAD OF THE CITY OF HEMPSTEAD, TEXAS:

To **approve/deny** a Zoning Map Amendment by changing the Zoning Classification Clear Creek Development Lot 1 Acres 25.132 from AR – Agricultural Residential to HC – Highway Commercial District and finding that the amendment is in accordance with City's comprehensive plan.

PASSED AND APPROVED this the 5th day of September, A.D., 2023.

APPROVED:

John Busby, Chairman

ATTEST:

Sabrina Alvarez, City Secretary

City of Hempstead

Zoning Map Amendment (Rezoning) Form

NOTE: Please print all information requested below.

Number _____

Date 8-10-23

Name of Applicant Derek Nelson

Applicant's Signature [Signature]

Current Address 1653 Lakeview Dr

Sealy, TX 77474

Phone 979-885-8435

Address of the property you seek to have rezoned 0 Mack Washington Ln Hempstead, TX 77445

Legal description of the property S432500 Clear Creek Development

Subdivision

1

25.132

Block

Lot

Parcel

Lot Width

Lot Depth

Legal capacity in which you are applying for this rezoning:

☒ Owner

☐ Representative of the owner

☐ Other (explain below)

Current zoning classification of the property: Agricultural Residential
Residential, Wildlife Ag Exemption

Requested zoning classification: Highway - HC
Commercial

Reasons supporting your requested rezoning: Land surrounding property is primarily
Commercial and its location near HWY 290 and FM 1488 is
ideal for commercial use.

Current land use activities abutting the subject property:

On the North: Vacant Land

On the South: Land dugout for 290, Pilot truckstop, Restaurants

On the East: KC Hall and Industrial Building

On the West: Clear Creek

9/5/23

Public hearing date for the Planning & Zoning Commission

8/16/23

Date notice sent to abutting property owners. (Not less than ten days before the public hearing date.)

8/15/23

Date notice published in a local newspaper. (Not less than fifteen days before the public hearing date.)

Planning Commission Report Recommendations and reasons supporting the recommendations of the Planning & Zoning Commission:

Protest by 20% or more of abutting property owners? ☐ Yes ☐ No

9/18/23

Public hearing date for the City Council.

8/16/23

Date notice sent to abutting property owners. (Not less than ten days before the public hearing date.)

8/15/23

Date notice published in a local newspaper. (Not less than fifteen days before the public hearing date.)

Decision of the City Council: ☐ Rezoning request approved ☐ Rezoning request denied

Reasons given for the City Council's decision:





MACK WASHINGTON

Property ID# 257912

[View Detailed Property Information](#)**Property Information**

GEO ID: 432500-000-001-000

Legal Description: S432500 CLEAR CREEK
DEVELOPMENT LOT 1 ACRES 25.132**Property Location**

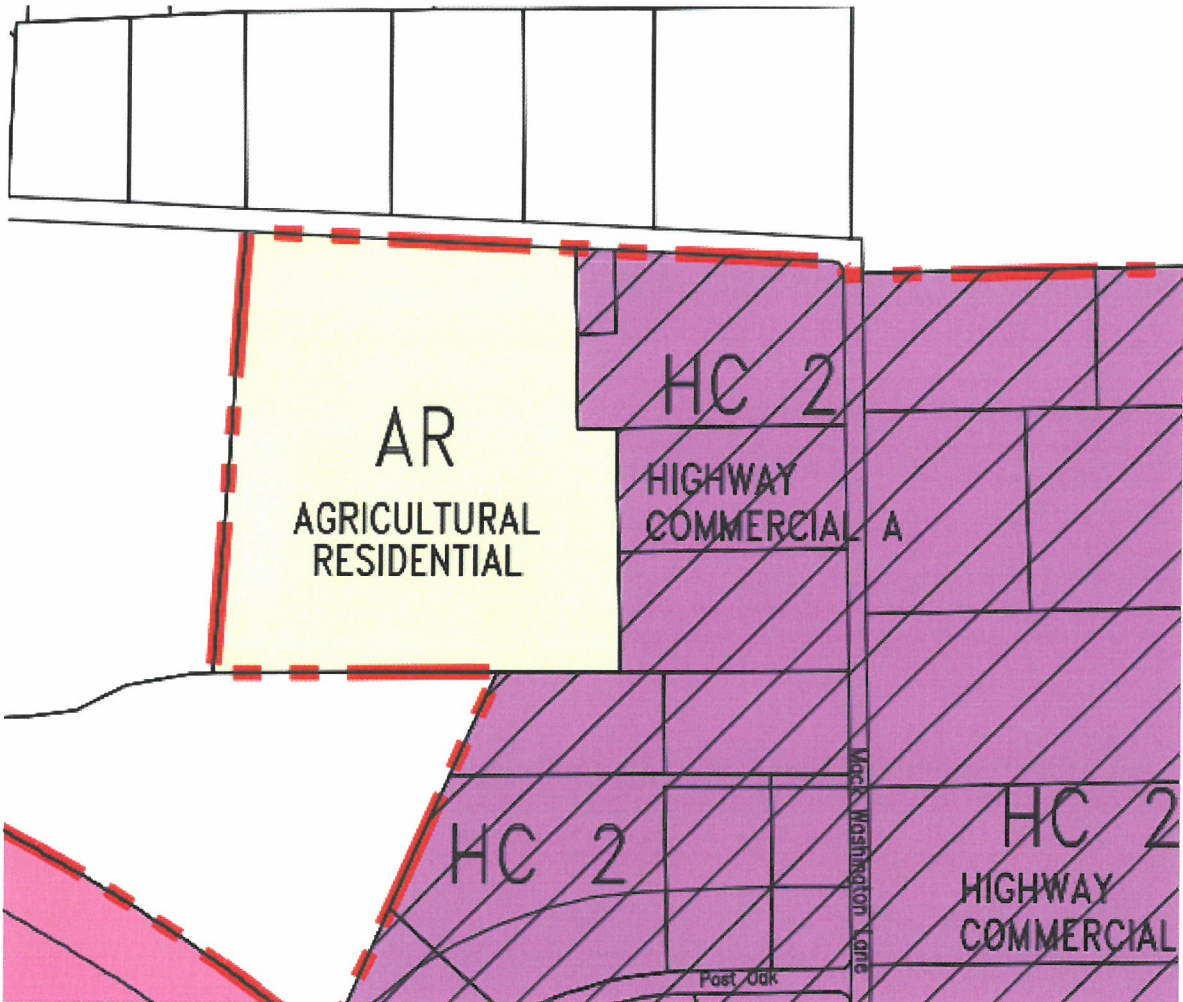
MACK WASHINGTON HEMPSTEAD, TX 77445

Ownership InformationLEWIS JOHN JR RECEIVER
600 TRAVIS ST SUITE 3400
HOUSTON, TX 77002[Zoom to](#)

MACK WASHINGTON ROAD

300ft

-96.035 30 116 Degrees



**PLANNING AND ZONING COMMISSION
ANNUAL REPORT
SEPTEMBER 1, 2022 – AUGUST 31, 2023**

ZONING MAP AMENDMENTS:

1. 10-10-2022 – Pete Pieper, Zoning Map Amendment for Block 404 ½ Lot of 3 and all of 4 & 5 – 1640 14th Street from R-1 Single Family District to HC-Highway Commercial District. Zoning Map Amendment Request no action taken by the Planning and Zoning Commission on 11-7-22; and denied by City Council on 11/21/22.
2. 4-4-2023 – Elizabeth Ayala, Zoning Map Amendment for Block 113, Lots 2-5; 550 9th Street & 846 New Orleans Street from R-1 Single Family District to CBD- Central Business District approved by Planning and Zoning Commission on 5-1-23 - Resolution 23-003; and approved by City Council on 5-15-23- Ordinance 23-108.
3. 4-13-2023 – Michael Hoff, Zoning Map Amendment Newly Annexed 2.1854 Acre Tract of land located in the L. Abbott Survey, abstract No. 1, Waller County, Texas as HC-Highway Commercial Classification approved by Planning and Zoning on 5-1-23 – Resolution 23-004; and approved by City Council on 5-15-23 – Ordinance 23-109.
4. 6-12-23- Kelly Savacool, Zoning Map Amendment, Block 36, Lots 1, 2 & N 1/2 of 3; 224 10th Street amending Article 3 Zoning Districts, Section 3.13 Land Use Matrix to allow for an Adult Daycare as use as permitted by right in CBD, NC, HC and PS and allow to Adult Daycare as a use with specific use permit in R-1, R-2, R-3 and MH approved by City Council 7-17-23.

SPECIFIC USE PERMITS:

5. 08-24-22 – Toi Livingston, Specific Use Permit Request for Block 502 Lot's 1-6; & 9-10; 700 Block of Mcdade Street for the operation of a licensed Daycare approved by the Planning and Zoning Commission on 10-03-22 – Resolution No. 22-006; and approved by City Council on 10-17-22 – Ordinance No. 22-119.
6. 11-9-22 -Kelly Savacool, Specific Use Permit Request for Block 36, Lots 1,2 & N ½ of 3; 224 10th Street to allow the storage of 1-5 RV's in the CBD- Central Business District approved by the Planning and Zoning Commission on 12-5-22 – Resolution 22-009; and approved by the City Council on 12-19-22-Ordinance 22-121.
7. 2-13-23- Wanda Clements, Specific Use Permit Request for Block 143, Lot 1; 606 13th Street to allow the placement of a home to be used as a residence in the CBD-Central Business District approved by Planning and Zoning Commission on 3-6-23 – Resolution 23-001; and approved by City Council on 3-20-23 – Ordinance 23-106

ZONING TEXT AMENDMENT:

8. 09-09-22 – Zoning Text Amendment adding Article 3, Section 3.13, storage, auto and boat adding recreational vehicle (Motor Home)”. Text Amendment denied Planning and Zoning on 10-3-2022-Resolution 22-007 by City Council denied on 10-17-22.