


**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 **Monday, May 1, 2023, at 5:00 P.M.** at the **Hempstead City Hall, 1125 Austin Street, Hempstead, Texas**, at which time the following will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comment.
4. Consideration and action on minutes of the April 3, 2023, meeting.
5. Zoning Map Amendment Request to rezone Block 113, Lots 2-5 – 550 9<sup>th</sup> Street & 846 New Orleans from R-1 Single Family Residential to CBD – Central Business District.
  - a. Public Hearing
  - b. Consideration and action on recommendation to City Council on an Ordinance of the City of Hempstead, Texas providing that the Code of Ordinances of the City of Hempstead be amended by amending the Zoning Map so that property described as Block 113, Lots 2-5, 550 9<sup>th</sup> Street & 846 New Orleans Street shall be changed from R-1 – Single Family Residential District Classification and become and be designated as CBD – Central Business District; providing for penalties; providing a savings clause; and finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law.
6. Zoning Map Amendment to zone newly annexed 2.1854-acre tract of land being out of that certain called 4-3/4-acre tract located in the L. Abbott Survey, Abstract No.1, Waller County, Texas to HC-Highway Commercial Classification.
  - a. Public Hearing
  - b. Consideration and action on recommendation to City Council on an Ordinance of the City of Hempstead, Texas providing that the Code of Ordinances of the City of Hempstead be amended by amending the Zoning Map so that property described as newly annexed 2.1854-acre tract of land being out of that certain called 4-3/4 acre tract located in the L. Abbott Survey, Abstract No.1, Waller County, Texas to HC-Highway Commercial Classification shall be designated ; providing for penalties; providing a savings clause; and finding and determining that the meeting at which this Ordinance is passed is open to the public as required by law.
7. Adjourn Planning and Zoning Commission Meeting.

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).

Dated this day the 28<sup>th</sup> day of April, 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 April 28, 2023 at 9:00 A.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said Meeting.

Dated this day the 28<sup>th</sup> day of April, 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 Monday the 1<sup>st</sup> day of May 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 Monday, the 1<sup>st</sup> day of May 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 3<sup>rd</sup> day of April, 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  
Nora Hodges, Board Member  
Samantha Glover, Board Member  
Chris Whetzel, Board Member (Absent)  
Barbara Bezub, Board Member  
Joe Ayala, Board Member (Absent)

Bridgette Begle, City Attorney  
Sabrina Alvarez, City Secretary

**1. Call to order and invocation.**

Chairman John Busby called the meeting to order at 5:01 P.M. and gave the invocation.

**2. Pledge of Allegiance.**

The Pledge of Allegiance was given.

**3. Consideration and action on minutes of the March 6, 2023, meeting.**

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

**4. Public Comment**

No Public Comments

**5. Zoning Ordinance amendment increasing minimum front setbacks in certain residential districts.**

**a. Public Hearing**

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

Michael Trojan was against the setbacks. Jimmy Economou was against the setbacks. Building Inspector Frank Rodriguez stated the reason for the 25 feet is for the off-road parking. Board Member Barbara Bezub stated to make the driveway wider as an alternate plan. Board Member Nora Hodges stated that she wanted to know the benefit of going to the twenty-five feet instead of keeping the five feet.

The Public Hearing closed at 5:18 P.M.

**b. A Resolution of the Planning and Zoning Commission of the City of Hempstead, Texas making a recommendation to City Council to approve or**

**deny amendment Article 3 “Zoning Districts”, Section 3.01 AR-Agricultural/Residential Districts”, Section 3.02 “R-1Single -Family Residential District”, Section 3.04 “Multi-Family Residential District”, 3.03 R-2 Multi-Family Residential District”, and Section 3.12 “Lot Standards” of the Subdivision Ordinance to increase the Minimum front setbacks distances within the City for consistency with the Zoning Ordinance;**

Attorney Bridgette Begle stated that P & Z Board can make a recommendation of a certain number for the setbacks, if they do not want to keep it at five feet.

Board Member Barbara Bezub stated that she wanted to keep as is, with the five feet setbacks. Board Member Nora Hodges stated that many citizens approached her, and she would like to keep it at five feet as well. Board Member Samantha Glover also stated she would like to keep the five feet setbacks. Chairman John Busby was also in agreement with the board to keep the five feet setbacks.

Board Member Nora Hodges made a motion to deny Resolution and keep the setbacks at five feet Board Member Barbara Bezub seconded the motion and carried unanimously.

**6. Adjourn Planning and Zoning Commission Meeting.**

Board Member Samantha Glover made a motion to adjourn the Planning and Zoning meeting at 5:27 P.M. Board Member Nora Hodges seconded the motion and carried unanimously.

**PASSED AND APPROVED** this the 1<sup>st</sup> day of May, 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 19814

Date 04/04/23

Name of Applicant Elizabeth Ayala

Applicant's Signature E Ayala

Current Address 846 New Orleans St  
Hempstead, TX 77445

Phone 713-518-5359

Address of the property you seek to have rezoned 550 qm st, 846 New Orleans St.

Legal description of the property SS19000 Hempstead

Subdivision	Block	Lot	Parcel	Lot Width	Lot Depth
<u>113</u>	<u>2-5</u>				

Legal capacity in which you are applying for this rezoning:

☒ Owner ☐ Representative of the owner ☐ Other (explain below)

Current zoning classification of the property: R-1

Requested zoning classification: CBD

Reasons supporting your requested rezoning: Our property used to be commercial, consequently it has plenty of parking around that meets city code, in the near future (next year) we plan to build an office building complex to lease out to the community we also want to use an existing building for a hair studio.

Current land use activities abutting the subject property:

On the North: Residential

On the South: AT office

On the East: Apartments

On the West: Vacant lot + USDA

5/11/23  
4/21/23  
4/11/23

Public hearing date for the Planning & Zoning Commission

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

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:

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

\_\_\_\_\_ Public hearing date for the City Council.

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

\_\_\_\_\_ 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:

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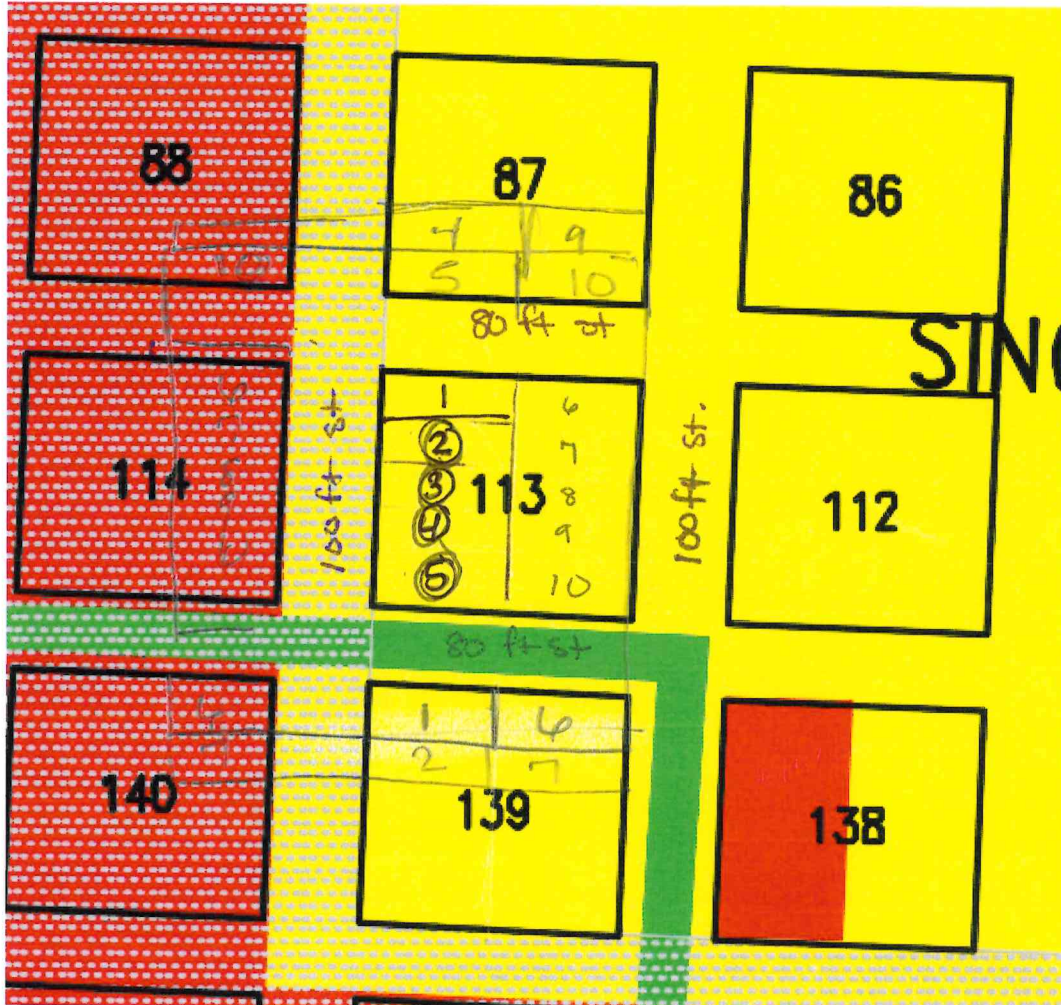
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## Waller CAD

Property Search > 19814 AYALA REYNOLDO &  
AYALA-VARGAS for Year 2023

Tax Year: 2023 - Values not available

## Property

## Account

Property ID:	19814	Legal Description:	S519000 HEMPSTEAD BLK 113 LOT 2 THRU 5
Geographic ID:	519000-113-002-000	Zoning:	R1
Type:	Real	Agent Code:	
Property Use Code:	RES		
Property Use Description:	RESIDENTIAL		

## Protest

Protest Status:  
Informal Date:  
Formal Date:

## Location

Address:	550 9TH STREET HEMPSTEAD, TX 77445	Mapsco:	CHD2
Neighborhood:	HEMPSTEAD	Map ID:	519000-113-002-000
Neighborhood CD:	S519000		

## Owner

Name:	AYALA REYNOLDO & AYALA-VARGAS	Owner ID:	1030080
Mailing Address:	ELIZABETH & AYALA BIANEY B 550 9TH ST HEMPSTEAD, TX 77445	% Ownership:	100.0000000000%

Exemptions:

## Values

(+) Improvement Homesite Value:	+	N/A	
(+) Improvement Non-Homesite Value:	+	N/A	
(+) Land Homesite Value:	+	N/A	
(+) Land Non-Homesite Value:	+	N/A	Ag / Timber Use Value
(+) Agricultural Market Valuation:	+	N/A	N/A
(+) Timber Market Valuation:	+	N/A	N/A
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(=) Market Value:	=	N/A	
(-) Ag or Timber Use Value Reduction:	-	N/A	
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(=) Appraised Value:	=	N/A	
(-) HS Cap:	-	N/A	



Dear Mayor and City Council,

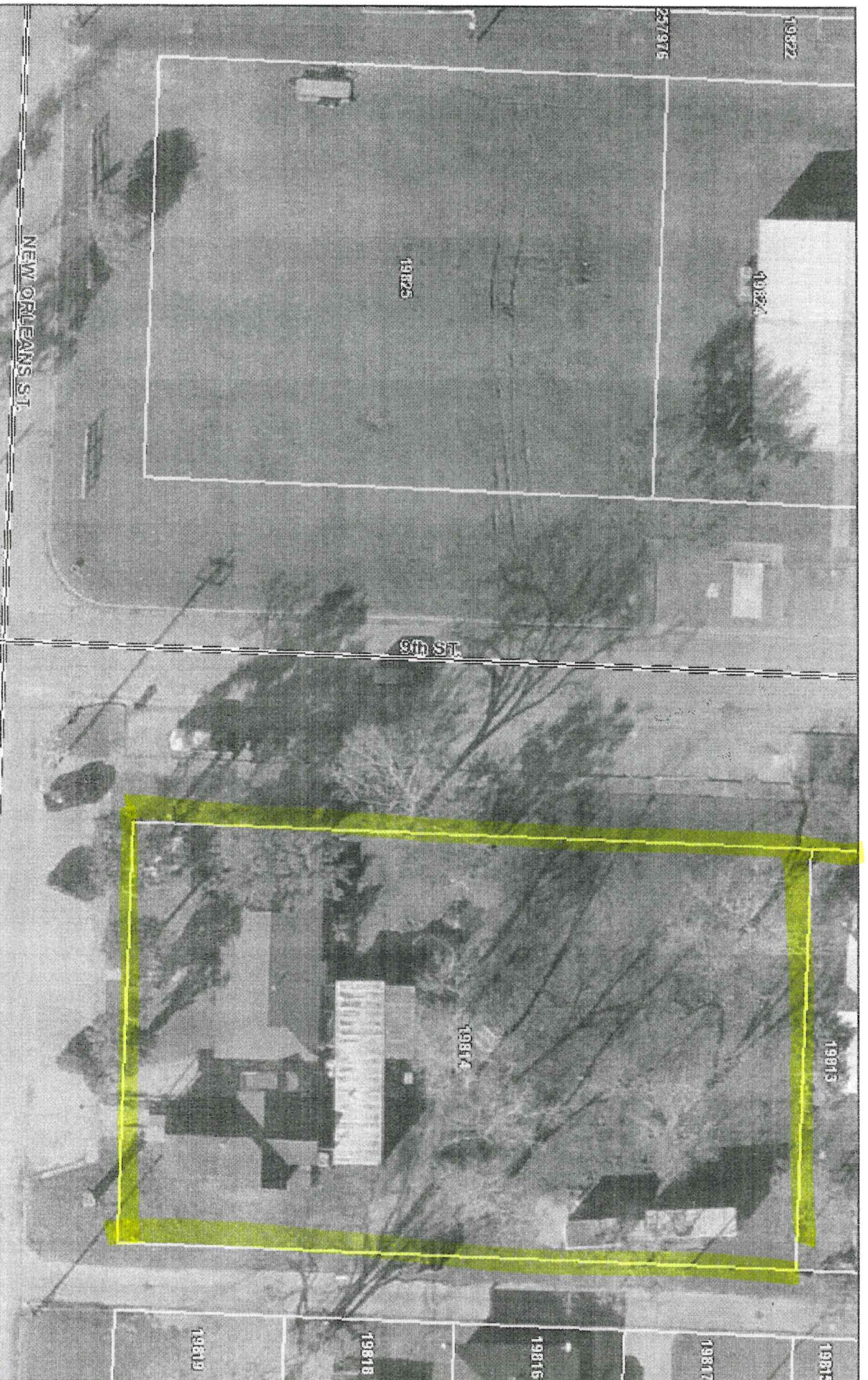
We are respectfully requesting that you consider rezoning Property ID number 19814(GEO ID: 519000-113-002-000; Legal Description: S519000 HEMPSTEAD BLK 113 LOT 2 THRU 5) from R-1 single family residential to CBD Central Business District. This property was previously a commercial property as it counts with plenty of parking around the block; parking that meets commercial city code. We have several business plans for the area. On 846 New Orleans St., we hope to remodel for a beauty studio in the upcoming months. 846 New Orleans St. has commercial parking as well and it also has a handicap ramp which meets city code. The rest of the property will be used to construct an office building complex, where space will be leased to our community. We are hoping to construct the office building by the end of next year. Thank you for taking the time to discuss this matter and carefully considering our proposal.

Sincerely,  
Elizabeth Ayala  
Bianey Ayala  
Reynaldo Ayala

A handwritten signature in blue ink that reads "E Ayala". The signature is fluid and cursive, with the first letter "E" being large and prominent.



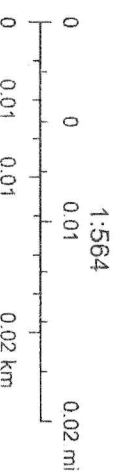
# Waller CAD Web Map



4/4/2023, 1:25:15 PM

Streets

Parcel Boundary



























# *City of Hempstead*

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

## RESOLUTION NO. 23-\_\_\_\_\_

**ZONING MAP AMENDMENT – BLOCK 113, LOTS 2-5; 550 9<sup>TH</sup> STREET  
& 946 NEW ORLEANS STREET FROM R-1 SINGLE FAMILY DISTRICT  
TO CBD – CENTRAL BUSINESS DISTRICT**

**BE IT RESOLVED BY THE BOARD OF CITY COUNCIL OF THE HEMPSTEAD OF  
THE CITY OF HEMPSTEAD, TEXAS:**

To **approve/deny** a Zoning Map Amendment by changing the Zoning Classification of Block 113, Lots 2-5 – 550 9<sup>th</sup> & 946 New Orleans Street from R-1 – Single Family District to CBD – Central Business District and finding that the amendment is in accordance with City's comprehensive plan.

**PASSED AND APPROVED** this the 1<sup>st</sup> day of May, 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

## **ORDINANCE NO. 23-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD BE AMENDED BY AMENDING THE ZONING MAP SO THAT PROPERTY DESCRIBED AS BLOCK 115, LOT'S 2-5 – 550 9<sup>TH</sup> & 946 NEW ORLEANS STREET SHALL BE CHANGED FROM R-1 SINGLE-FAMILY DISTRICT CLASSIFICATION AND BECOME AND BE DESIGNATED AS CBD – CENTRAL BUSINESS DISTRICT CLASSIFICATION; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the Owner of a tract of land has made application to the City to change the zoning classification of said tract of land, same being more particularly described as Block 115, Lots 2-5 – 550<sup>th</sup> & 946 New Orleans Street to CBD – Central Business District; and

**WHEREAS**, the Planning and Zoning Commission has conducted a Public Hearing on May 1, 2023 at 5:00 P.M. on such request, in the time and manner required by law and the Zoning Ordinance of the City; and

**WHEREAS**, the City Council of the City conducted a Public Hearing on such request on May 15, 2023 at 6:00 P.M. in the time and manner required by law and the Zoning Ordinance of the City; and

**WHEREAS**, the proposed zoning is to recognize changing conditions and circumstances in the area near the property to be rezoned; and

**BE IT ORDAINED BY THE CITY COUNCILMEMBERS OF THE CITY OF HEMPSTEAD, TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein for all purposes.

**Section 2.** That pursuant to the Code of Ordinances of the City of Hempstead, Texas, the zoning map is amended as follows:

The Zoning Map is changed so that territory located in the City of Hempstead, Waller County, Texas as hereinafter described to-wit: **BLOCK 115, LOT'S 2-5 – 550 9<sup>th</sup> STREET & 946 NEW ORLEANS** which is currently zoned **R1**, shall be changed



to be designated and classified as **CBD** Zoning district and the Zoning Map shall be amended accordingly.

**Section 3.** That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this Ordinance shall be a maximum fine of \$2,000.00, and each day a violation exists shall be a separate offense.

**Section 4.** That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

**Section 5.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

**PASSED AND APPROVED** this the 15<sup>th</sup> day of May, A.D., 2023.

**APPROVED:**

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**Erica Gillum, Mayor**

**ATTEST:**

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**Sabrina Alvarez, City Secretary**

City of Hempstead

Zoning Map Amendment (Rezoning) Form

NOTE: Please print all information requested below.

Number \_\_\_\_\_

Date 4/13/2023

Name of Applicant Michael Hoff

Applicant's Signature Michael Hoff

Current Address 16039 Walden Road

Montgomery, TX 77356

Phone 713-817-4387

Address of the property you seek to have rezoned 42753 US 290 Hempstead TX 77445

Legal description of the property ABS A 300/100 A-1 L ABBOTT TCACT 8 2.1854  
Subdivision Acres

Block \_\_\_\_\_ Lot \_\_\_\_\_ Parcel \_\_\_\_\_ Lot Width 300' approx Lot Depth 292' approx

Legal capacity in which you are applying for this rezoning:

☒ Owner ☐ Representative of the owner ☐ Other (explain below)

Current zoning classification of the property: Not classified

Requested zoning classification: Highway Commercial

Reasons supporting your requested rezoning: Thats what it is.

Current land use activities abutting the subject property:

appears to be Residential / Commercial (Not zoned)  
On the North:

appears to be AG Farmland (Not zoned)  
On the South:

NOT zoned (Empty House)  
On the East:

NOT zoned Fruit Stand  
On the West:



5/1/23

Public hearing date for the Planning & Zoning Commission

4-21-23

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

4-11-23

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:

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

\_\_\_\_\_ Public hearing date for the City Council.

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

\_\_\_\_\_ 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:

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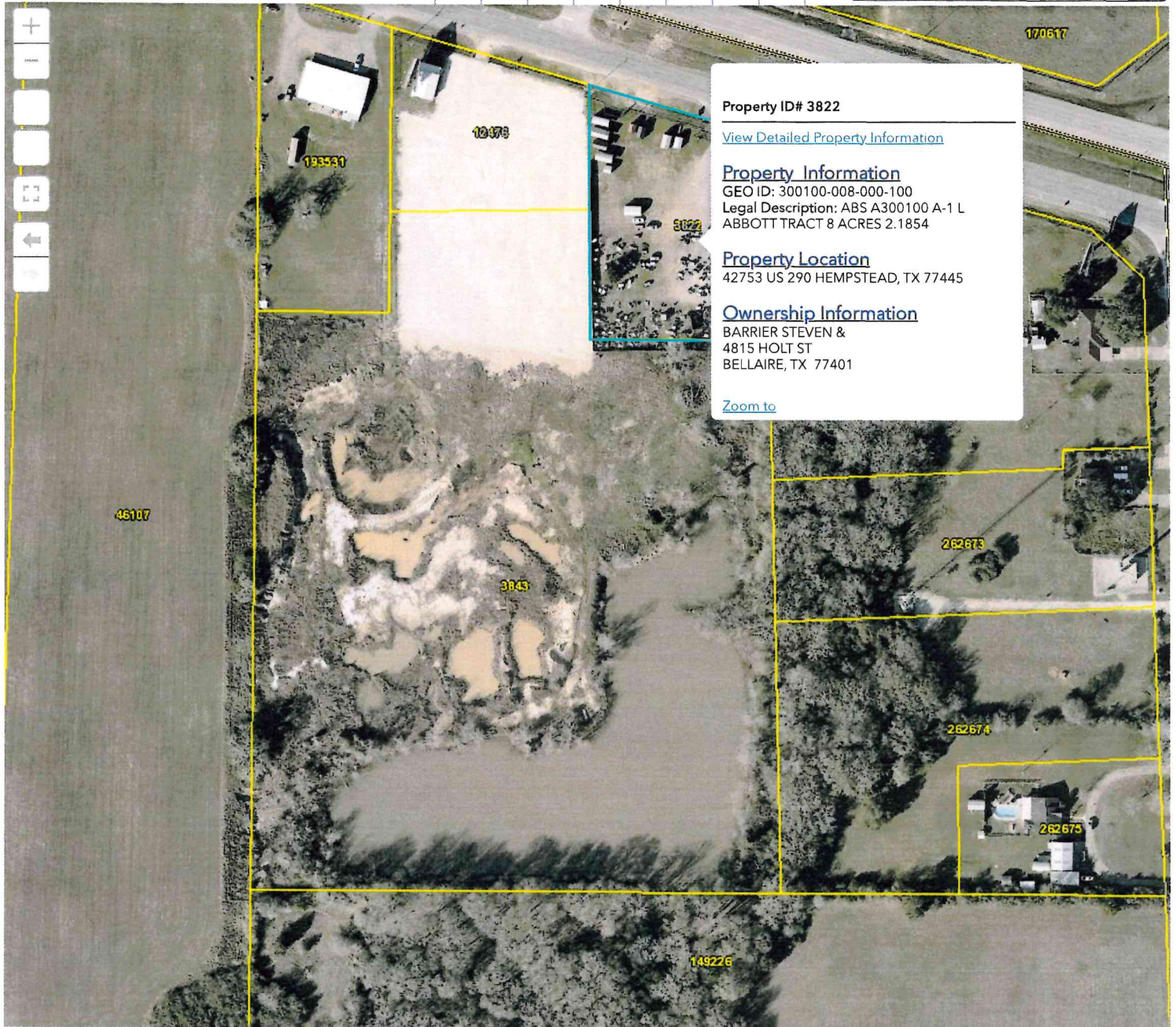
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Property ID# 3822

[View Detailed Property Information](#)

**Property Information**

GEO ID: 300100-008-000-100

Legal Description: ABS A300100 A-1 L  
ABBOTT TRACT 8 ACRES 2.1854

**Property Location**

42753 US 290 HEMPSTEAD, TX 77445

**Ownership Information**

BARRIER STEVEN &  
4815 HOLT ST  
BELLAIRE, TX 77401

[Zoom to](#)







# *City of Hempstead*

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

## **RESOLUTION NO. 23-\_\_\_\_\_**

**ZONING MAP AMENDMENT – NEWLY ANNEXED 2.1854 ACRE TRACT OF LAND BEING OUT OF THAT CERTAIN CALLED 4-3/4 ACRE TRACT RECORDED IN VOLUME 116, PAGE 548 OF WALLER COUNTY DEED RECORDS, SITUATED IN THE L.ABBOTT SURVEY, ABSTRACT NO.1, IN WALLER COUNTY, TEXAS.**

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

To request City Council to **approve/deny** a Zoning Map Amendment newly annexed 2.1854 acres of land located in the L. Abbott Survey, Abstract No. 1, Waller County, Texas as HC – Highway Commercial Classification.

**PASSED AND APPROVED** this the 1<sup>st</sup> day of May, 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

## **ORDINANCE NO. 23-\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD BE AMENDED BY AMENDING THE ZONING MAP SO THAT PROPERTY DESCRIBED AS NEWLY ANNEXED 2.1854 ACRE TRACT OF LAND LOCATED IN THE L. ABBOTT SURVEY, ABSTRACT NO. 1 IN WALLER COUNTY, TEXAS SHALL BE DESIGNATED AS HC – HIGHWAY COMMERCIAL DISTRICT CLASSIFICATION; PROVIDING FOR PENALTIES; PROVIDING A SAVINGS CLAUSE; AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

**WHEREAS**, the Owner of a tract of land has made application to the City to designate the zoning classification of said tract of land, same being more particularly described as newly annexed 2.1854-acre tract located in the L. Abbott Survey, Abstract No. 1, Waller County, Texas to HC – Highway Commercial District; and

**WHEREAS**, the Planning and Zoning Commission has conducted a Public Hearing on May 1, 2023, at 5:00 P.M. on such request, in the time and manner required by law and the Zoning Ordinance of the City; and

**WHEREAS**, the City Council of the City conducted a Public Hearing on such request on May 15, 2023, at 6:00 P.M. in the time and manner required by law and the Zoning Ordinance of the City; and

**WHEREAS**, the proposed zoning is to recognize changing conditions and circumstances in the area near the property to be rezoned; and

**BE IT ORDAINED BY THE CITY COUNCILMEMBERS OF THE CITY OF HEMPSTEAD, TEXAS:**

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct and are incorporated herein for all purposes.

**Section 2.** That pursuant to the Code of Ordinances of the City of Hempstead, Texas, the zoning map is amended as follows:

The Zoning Map is changed so that territory located in the City of Hempstead, Waller County, Texas as hereinafter described to-wit: **NEWLY ANNEXED 2.1854-**



**ACRE TRACT OF LAND LOCATED IN THE L. ABBOTT SURVEY, ABSTRACT NO. 1 WALLER COUNTY, TEXAS** to be designated and classified as **HC** Zoning district and the Zoning Map shall be amended accordingly.

**Section 3.** That a violation of this ordinance shall be a Class C misdemeanor and the penalty for violating this Ordinance shall be a maximum fine of \$2,000.00, and each day a violation exists shall be a separate offense.

**Section 4.** That if any provision of this Ordinance shall be held to be invalid or unconstitutional, the remainder of such ordinance shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

**Section 5.** That it is hereby officially found and determined that the meeting at which this Ordinance is passed is open to the public as required by law, and that public notice of the time, place and purpose of said meeting was given as required.

**PASSED AND APPROVED** this the 15<sup>th</sup> day of May, A.D., 2023.

**APPROVED:**

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**Erica Gillum, Mayor**

**ATTEST:**

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**Sabrina Alvarez, City Secretary**