

NOTICE OF A MEETING
OF THE CITY COUNCIL OF THE CITY OF HEMPSTEAD

Notice is hereby given that a Special Meeting of the City Council of the City of Hempstead will be held on **Wednesday, the 15th day of September, A.D., 2021 at 10:00 A.M.** at the **Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas**, at which time the following subjects will be discussed, to-wit:

1. Call to order and invocation.
2. Pledge of Allegiance.
3. Public Comments.
4. **2021-2022 BUDGET**

A. Consideration and action on Resolution of the City Council of the City of Hempstead approving the Hempstead Economic Development Corporation 4-A and 4-B 2021-2022 Budget.

B. Public Hearing on an Ordinance of the City of Hempstead, Texas, approving and adopting the City of Hempstead General Budget for the year 2021-2022; making appropriations for the City for such year as reflected in said Budget; establishing the procedure for intra-budget transfers; and containing other provisions relating to the subject.

- 1) Consideration and action on adopting an ad valorem tax at the rate of \$0.028577 on each \$100.00 of assessed valuation for debt service to support the budget. **(Roll call vote needed).**
 - 2) Consideration and action on adopting an ad valorem tax at the rate of \$0.532328 on each 100.00 of assessed valuation for maintenance and operations to support the budget. **(Roll call vote needed).**
 - 3) Consideration and action on an Ordinance adopting the General Budget for the City of Hempstead for the year 2021-2022; making appropriations for the City for such year as reflected in said budget; and containing other provisions relating to the subject. **(Roll call vote needed).**
5. Consideration and action on an Ordinance adopting Electric Rates to be effective October 1, 2021; adopting Gas Rates to be effective October 1, 2021; adopting Water Rates to be effective October 1, 2021; adopting Sewer Rates to be effective October 1, 2021; adopting Solid Waste (Garbage) Rates to be effective October 1, 2021; repealing all Council actions, ordinances or parts of ordinances in conflict herewith; providing for severability; and providing an effective date.
 6. A. Public Hearing on Specific Use Permit Request for placement of a Radio Tower at 48695 U.S. Highway 290 located in the PS – Planned Shopping District.
B. Consideration and action on an Ordinance of the City of Hempstead, Texas, providing that construction of a Radio Tower be approved at 48695 U.S. Highway 290 located in the PS – Planned Shopping District with a Specific Use Permit; 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. A. Public Hearing on Zoning Map Amendment to officially adopt the zoning district for newly annexed property – seven (7) acres in four (4) tracts of land located in the L. Abbott Survey, A-1, Waller County, Texas, as HC – Highway Commercial District.
B. Consideration and action on an Ordinance of the City of Hempstead providing that the Code of Ordinances of the City of Hempstead be amended so that property described as L. Abbott Survey, Tract 18-4, 2 Acres, P/O 12.9566 Acre Tract; and L. Abbott Survey, Tract 18-5, 5 Acres, P/O 12.9566 Acres, Waller County, Texas shall be zoned 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.
8. Consideration and action on Planning and Zoning Commission Annual Report for September 1, 2020 through August 31, 2021.
9. Adjourn City Council Meeting.

The City Council of the City of Hempstead reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below authorized by Texas Government Code, Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), 551.087 (Economic Development), and 551.086 (Certain Public Power Utilities: Competitive Matters). Council may act in Open Session on any item listed for Executive Session.

Dated this the 10th day of September, A.D., 2021.

By: 
Barbara Haffelfinger, City Secretary

I, the undersigned authority, do hereby certify that the above Notice of a Special Meeting of the governing body of the City of Hempstead is a true and correct copy of said Notice, and that a true and correct copy of said Notice was posted on the City Hall 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 times, and that said Notice was posted on September 10, 2021 at 2:00 P.M. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this the 10th day of September, A.D., 2021.

By: 
Barbara Haffelfinger, City Secretary

PUBLIC PARTICIPATION BY TELEPHONE

The City of Hempstead City Council will conduct the meeting scheduled at **10:00 A.M. on Wednesday the 15th day of September at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, 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 CITY COUNCIL MEMBERS ARE GOING TO APPPEAR BY VIDEO WE NEED A QUORUM PRESENT

NOTICE OF MEETING BY VIDEO CONFERENCE

The City of Hempstead City Council **may** conduct the meeting scheduled at **10:00 A.M. on Wednesday, the 15th day of September at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas** by videoconference in addition to allowing in person attendance. A quorum of the City Council will be physically present at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead. The public may participate in the City Council Meeting by using the following information:

1-346-248-7799, Access Code 979-478-2100



City of Hempstead

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

RESOLUTION NO. 21-_____

HEMPSTEAD ECONOMIC DEVELOPMENT CORPORATION 4A AND 4B 2021-2022 FISCAL BUDGET

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

That the City Council approves and adopts the Hempstead Economic Development Corporation's 4A and 4B 2021-2022 Fiscal Budget attached as Exhibit "A".

PASSED AND APPROVED this the 15th day of September, A.D., 2021.

APPROVED:

Dave Shelburne, Mayor

ATTEST:

Barbara Haffelfinger, City Secretary

Hempstead Economic Development Corporation				
4A - Annual Budget				
Budget Report 2021 - 2022				
Income:		Total		4A
1/2 Cent Sales Tax		237,500	\$	237,500
Interest Income		10,000	\$	10,000
Business Park Development - Spec				
Building Investment EDC Funds			\$	100,000
Total Income:			\$	347,500
Shared General Expenses - Personnel				
Salaries			\$	53,500
Director's Base Salary				
Total Office Staff Salary		107,000		
FICA - Social Security			\$	3,978
TMRS - Retirement Plan			\$	4,152
Retirement Health Insurance				3000
Group Insurance			\$	9,252
Unemployment - Insurance			\$	270
Workers Compensation			\$	213
Accounting Services			\$	2,500
Annual Audit			\$	1,500
Rental - Building			\$	7,500
Maintenance			\$	500
Postage			\$	250
Departmental Supplies			\$	2,500
Telephone			\$	1,500
Internet Services			\$	200
Property Insurance			\$	875
Dues, Fees & Subscriptions-			\$	2,000
Attorney Fees - Legal Counsel			\$	3,000
WCEDP - GIS Website Maintenance			\$	-
Travel & Training			\$	3,750
Capital Outlay			\$	750
Board Expenses - Publications			\$	250
Small Business Loan Pool Admin.			\$	-
Real Estate Maintaince (Bus Park)			\$	4,200
Business Park I				
Maintenance			\$	2,000
Sign Repair/Replacement			\$	500
Utilities			\$	1,200
4A Projects:				
			\$	150,000
Program Development			\$	500
Trade Show Marketing			\$	1,250
Economic Dev. Marketing			\$	35,000
Business Association Marketing			\$	2,000
Trade Show Booth Upgrade			\$	250
Administrative Fee on Bond			\$	-
Bond Payment			\$	-
Total Expenses			\$	298,340
Excess/Deficit			\$	49,160

Hempstead Economic Development Corporation			
4B - Annual Budget			
Budget Report 2021 - 2022			
Income:	Total	4B	
1/2 Cent Sales Tax	\$ 237,500	\$ 237,500	
Interest Income	\$ 10,000	\$ 10,000	
Business Park Development - Spec			
Building Investment EDC Funds		\$ 380,000	
Total Income:		\$ 627,500	
Shared General Expenses			
Salaries		\$ 53,500	
Director's Base Salary			
Total Office Staff Salary			
FICA - Social Security		\$ 3,978	
TMRS - Retirement Plan		\$ 4,152	
Retirement Health Insurance		3000	
Group Insurance		\$ 9,252	
Unemployment - Insurance		\$ 270	
Workers Compensation		\$ 213	
Accounting Services		\$ 2,500	
Annual Audit		\$ 1,500	
Building Rent		\$ 7,500	
Maintenance		\$ 500	
Postage		\$ 250	
Departmental Supplies		\$ 2,500	
Telephone		\$ 1,500	
Internet Services		\$ 200	
Property Insurance		\$ 875	
Dues, Fees & Subscriptions		\$ 2,000	
Attorney Fees - Legal Counsel		\$ 3,000	
WCEDP - GIS Website Maintenance		\$ -	
Travel & Training		\$ 3,750	
Capital Outlay		\$ 750	
Board Expenses - Publications		\$ 250	
Small Business Loan Pool Admin.		\$ -	
Real Estate Maintaince (Bus Park)		\$ 4,200	
Business Park I			
Maintenance		\$ 2,000	
Sign Repair/Replacement		\$ 500	
Utilities		\$ 1,200	
		\$ -	
4B Projects:		\$ 350,000	
Program Development		\$ 500	
Trade Show Marketing		\$ 1,250	
Economic Dev. Marketing		\$ 35,000	
Business Association Marketing		\$ 2,000	
Trade Show Booth Upgrade		\$ 250	
Administrative Fee on Bond		\$ -	
Bond Payment		\$ -	
Total Expenses		\$ 498,340	
Excess/Deficit	\$ 129,160		



City of Hempstead

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

ORDINANCE

NO. 21-_____

AN ORDINANCE APPROVING AND ADOPTING THE CITY OF HEMPSTEAD, TEXAS, GENERAL BUDGET FOR THE YEAR 2021-2022; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; ESTABLISHING THE PROCEDURE FOR INTRA-BUDGET TRANSFERS; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

* * * * *

WHEREAS, within the time and in the manner required by law, the Mayor presented to City Council a proposed general budget of expenditures of the City of Hempstead for the year 2021-2022, the same being the fiscal year of the City; and

WHEREAS, after notice required by law, a public hearing on such general budget was held at the regular meeting place of the City Council at the Hempstead Recreation Center, 635 Business Highway 290 E, Second Floor, Hempstead, Texas, on the 15th day of September, 2021, at which hearing all citizens and taxpayers of the City had the right to be present and to be heard and those who requested to be heard were heard; and

WHEREAS, the City Council has considered the proposed general budget and has made such changes therein as in its judgement were warranted by law and were in the best interest of the citizens and taxpayers of the City; and

WHEREAS, a copy of such general budget has been filed with the City Secretary and the City Council now desires to approve and adopt the same;

WHEREAS, the tax rate in the proposed general budget consists of two components, a tax rate of \$0.0028577 on each \$100.00 of assessed valuation for debt service and a tax rate of \$0.532328 on each \$100.00 of assessed valuation to fund maintenance and operations expenditures; and

WHEREAS, by separate motions and roll call vote the City Council of the City of Hempstead, Texas, at a meeting held on the 15th day of September, 2021, said City Council approved separately the tax rate in support of the budget heretofore specified for each of said components;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS:

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

Section 2. The City Council hereby adopts a tax rate of \$0.028577 on each \$100.00 of assessed valuation for debt service in support of the Budget described in the preamble a copy of which is attached hereto and made a part of this Ordinance for all purposes. The City Council adopts a tax rate of \$0.532328 on each \$100.00 of assessed valuation for maintenance and operations in support of the Budget described in the preamble a copy of which is attached hereto and made part of this Ordinance for all purposes. The City Council adopts a total tax rate of \$0.560905 on each \$100.00 of assessed valuation in support of the Budget described in the preamble a copy of which is attached hereto and made a part of this Ordinance for all purposes.

Section 3. The City Council hereby approves and adopts the budget described in the preamble of this Ordinance, a copy of which is attached hereto and made a part of this Ordinance for all purposes and a copy of which is on file with the City Secretary. The City Secretary is hereby directed to place on said budget a cover sheet with the language required by Section 102.007 of the Texas Local Government Code. Such budget, as thus endorsed, shall be kept on file in the office of the City Secretary as a public record.

Section 4. In support of said budget and by virtue of the adoption thereof, including any and all changes adopted thereto, the several amounts specified for the various purposes named in said budget are hereby appropriated to and for such purposes.

Section 5. The City Council takes cognizance of the fact that in order to facilitate the operations of the City and its various departments and activities and to make adjustments occasioned by events transpiring during the year, some transfers may be necessary to and from some accounts contained within the budget as originally adopted. Accordingly, should the Mayor from time to time determine that transfers are necessary from unexpected funds in one or more budget accounts to another budget account, and the same may be accomplished without creating a deficit in the requirements of any City Department or activity, he shall recommend such transfers to the City Council. Upon approval there by the City Council, an amendment sheet reflecting such transfer or transfers shall be attached to the budget as specifically adopted, whereupon the City Council shall treat such funds as if they had been thus budgeted in the first instance.

PASSED, APPROVED AND ADOPTED this the 15th day of September, A.D., 2021.

APPROVED:

Dave Shelburne, Mayor

ATTEST:

Barbara Haffelfinger, City Secretary



City of Hempstead

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

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HEMPSTEAD, TEXAS, ADOPTING ELECTRIC RATES TO BE EFFECTIVE OCTOBER 1, 2021; ADOPTING GAS RATES TO BE EFFECTIVE OCTOBER 1, 2021; ADOPTING WATER RATES TO BE EFFECTIVE OCTOBER 1, 2021; ADOPTING SEWER RATES TO BE EFFECTIVE OCTOBER 1, 2021; ADOPTING SOLID WASTE (GARBAGE) RATES TO BE EFFECTIVE OCTOBER 1, 2021; REPEALING ALL COUNCIL ACTIONS, ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. The Electric utility rates effective October 1, 2021 are hereby adopted as set forth in exhibit “**I. Electric Utility Rates**” attached hereto and incorporated herein as though set forth in its entirety in this ordinance.

Section 2. The Gas utility rates effective October 1, 2021 are hereby adopted as set forth in exhibit “**II. Gas Utility Rates**” attached hereto and incorporated herein as though set forth in its entirety in this ordinance.

Section 3. The Water rates effective October 1, 2021 are hereby adopted as set forth in exhibit “**III. Water Rates**” attached hereto and incorporated herein as though set forth in its entirety in this ordinance.

Section 4. The Sewer rates effective October 1, 2021 are hereby adopted as set forth in exhibit “**IV. Sewer Rates**” attached and incorporated herein as though set forth in its entirety in this ordinance.

Section 5. The Solid Waste (Garbage) rates effective October 1, 2021 are hereby adopted as set forth in exhibit “**V. Solid Waste (Garbage) Rates**” attached hereto and incorporated herein as though set forth in its entirety in this ordinance.

Section 6. The rates and fees provided in this ordinance shall remain in place unless and until they are changed, in whole, or in part, by an ordinance passed and approved by the City Council.

Section 7. All City Council actions, ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, ae hereby repealed.

Section 8. In the event any phrase, provision, sentence, or part of this Ordinance or the application f the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Hempstead, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such parts thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 9. This ordinance shall become effective upon reading and adoption of this ordinance.

APPROVED, PASSED AN ADOPTED this the 15th day of September, A.D., 2021.

APPROVED:

Dave Shelburne, Mayor

ATTEST:

Barbara Haffelfinger, City Secretary

EXHIBIT I – ELECTRIC UTILITY RATES (effective 10-01-21):

MONTHLY SERVICE RATES

ELECTRIC RATES:

1. Residential Rates:

0 KWH	\$11.45
All KWH	\$.0407 per KWH Plus PCRC

2. Commercial Rates:

0 KWH	\$13.45
All KWH	\$0.056256 per KWH Plus PCRC

3. Monthly Pole Light Charges:

175 Watt Light	\$16.00
400 Watt Light	\$24.30

Power Cost Recovery Charge (PCRC) – Bills calculated under the above rates are subject to the application of a power cost recovery charge. The power cost recovery charge shall be adjusted upward or downward each month by the Mayor in accordance with the Lower Colorado River Authority (LCRA) billing to the City of Hempstead for wholesale power generation, transmission and other charges.

Power Cost Recovery Charge Calculation – LCRA total billing to the City of Hempstead for wholesale power costs divided by actual retail kilowatt hours billed (sales each month).

NOTE: Sales tax will be added when applicable

Definitions:

- a. Residential rate shall mean that rate applicable to a unit used as a family dwelling or residence.
- b. Commercial rate shall mean that rate applicable to a unit used for commercial or other business purposes.

(\$1.00 per unit in Rainy Day Fund)

EXHIBIT II – GAS UTILITY RATES (effective 10-01-21):

MONTHLY SERVICE RATES

GAS RATES:

1. Residential Rates:

0 MCF	\$ 9.23
All MCF	\$ 7.43 per MCF

2. Commercial Rates:

0 MCF	\$13.17
First 1,000 MCF	\$ 9.90 per MCF
All over 1,000 MCF	\$ 7.43 per MCF

The above rate is based on a \$2.47 per MCF (Metric Cubic Foot) cost. All cost over \$2.47 is passed on to the customer with whatever percent of line loss the City has, which at the present time is fifteen percent (15%).

NOTE: Sales tax will be added when applicable.

Definitions:

- a. Residential rate shall mean that rate applicable to a unit used as a family dwelling or residence.
- b. Commercial rate shall mean that rate applicable to a unit used for commercial or other business purposes.
- c. Industrial rate shall mean that rate applicable to a unit using in excess of 750 MCF per month, such use being specifically for commercial purposes of manufacturing or fabrication of products commonly used in course of business or commerce.

(\$1.00 per unit in the Rainy Day Fund)

EXHIBIT III – WATER RATES (effective 10-01-21):

MONTHLY SERVICE RATES

WATER RATES:

1. Residential Rates:

0 Gallons	\$28.95 monthly minimum
Over 0 Gallons	\$ 4.18 per 1,000 gallons

For each additional unit, an
additional monthly charge of \$28.95

Provided, however, that no charge for additional unit shall be made when such unit shall remain wholly unoccupied during the month for which the additional charge would otherwise be due.

2. Commercial Rates:

0 Gallons	\$29.95 monthly minimum
Over 0 Gallons	\$ 5.06 per MCF

For each additional unit, an
additional monthly charge of \$29.95

Provided, however, that no charge for additional unit shall be made when such unit shall remain wholly unoccupied during the month of which the additional charge would otherwise be due.

Definitions:

- a. Residential rate shall mean that rate applicable to a unit used as a family dwelling or residence.
- b. Commercial rate shall mean that rate applicable to a unit used for commercial or other business purposes.
- c. Additional unit shall apply to multiple residential or commercial units that may be serviced by single meter including, but not limited to, apartments, manufactured homes, restaurant facilities, and beauty shops.

(\$1.00 per unit in Rainy Day Fund)

EXHIBIT IV – SEWER RATES (effective 10-01-21):

MONTHLY SERVICE RATES

SEWER RATES:

1. Residential Rates:

Fixed monthly rate \$33.57

2. Commercial Rates:

Commercial rates will be based on each month's water consumption:

0 Gallons \$52.65

Over 0 Gallons \$ 2.94 per 1,000 Gallons

Definitions:

- a. Residential rate shall mean that rate applicable to a unit used as a family dwelling or residence.
- b. Commercial rate shall mean that rate applicable to a unit used for commercial or other business purposes.
- c. Additional unit shall apply to multiple residential or commercial units that may be serviced by a single meter including, but not limited to, apartments, restaurant facilities, and beauty shops.

(\$1.00 per unit in Rainy Day Fund)

EXHIBIT V. – SOLID WASTE (GARBAGE) RATES (effective 10-01-21):

MONTHLY SERVICE RATES

SOLID WASTE (GARBAGE) RATES:

1. Residential Rates \$21.03 monthly
Picked up 2 times a week

Additional Roll-Out Containers \$12.53 each monthly
(First Container at no additional charge)
2. Commercial Rates \$40.53 monthly
3. Dumpsters

The City of Hempstead shall offer commercial dumpsters of three (3) different sized capacities as follows:

3 Yard Dumpster:

Picked up 2 times a week ...	\$114.53	+	\$ 9.45 tax
Picked up 3 times a week ...	\$164.53	+	\$13.57 tax
Picked up 4 times a week ...	\$213.53	+	\$17.62 tax
Picked up 5 times a week ...	\$256.53	+	\$21.16 tax

4 Yard Dumpster:

Picked up 2 times a week ...	\$151.53	+	\$12.50 tax
Picked up 3 times a week ...	\$207.53	+	\$17.12 tax
Picked up 4 times a week ...	\$263.53	+	\$21.74 tax
Picked up 5 times a week ...	\$307.53	+	\$25.37 tax

6 Yard Dumpster:

Picked up 2 times a week ...	\$222.53	+	\$18.36 tax
Picked up 3 times a week ...	\$314.53	+	\$25.95 tax
Picked up 4 times a week ...	\$406.53	+	\$33.54 tax
Picked up 5 times a week ...	\$492.53	+	\$40.63 tax

NOTE: Sales tax will be added when applicable

4. Definitions:
 - a. Residential rate shall mean that rate applicable to a unit used as a family dwelling or residence.
 - b. Commercial rate shall mean that rate applicable to a unit used for commercial or other business purposes.

(\$1.00 per unit in Rainy Day Fund)

City of Hempstead

SPECIFIC USE PERMIT FORM

NOTE: Please print all information requested below

Number _____

Date 7/13/24

Name of Applicant CHRIS RICHARDSON (Owner)

Applicant's Signature [Signature] Gary Linsky (Rep) (832) 706 5701

Current Address 4001 W. SAN HOUSTON AVE 100
HOUSTON TX 77043

Phone 713-914-9200

Address of the subject property 48695 US 290 HEMPSTEAD TX 77445

Legal description of the property 'Planned Shopping' Vacant Lot
Subdivision

Block	Lot	Parcel	Lot Width	Lot Depth
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Legal capacity in which you are applying for this rezoning:

____ Owner ☒ Representative of the owner _____ Other (explain below)

CONSTRUCTION COMPANY

Current zoning classification of the subject property: Planned Shopping

Requested specific use: RADIO TOWER

Reasons supporting your request: _____

GIVE INTERNET TO NEIGHBORS

Current land use activities abutting the subject property:

On the North: US-290 - (NORTH SIDE OF LOCATION IS BILLBOARDS THEN COMMERCIAL OTHER SIDE OF 290)

On the South: APARTMENT COMPLEX

On the East: GAS STATION OTHER SIDE OF 1488

On the West: FLOOD PLAIN OR CREEK

(over)

08-17-21 Date notice sent to abutting property owners. (Not less than ten days before the public hearing date.)

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

 X Specific Use Permit Approval Specific Use Permit Denial

RESOLUTION NO. 21-003

08-24-21 Date notice published in a local newspaper. (Not less than fifteen days before the public hearing date.)

 Specific Use Permit Approved Specific Use Permit Denied

Specific Use Permit Form - Page 2

CITY OF HEMPSTEAD

1125 Austin Street

979/826-2486 Fax 979/826-6703

MISCELLANEOUS PERMIT APPLICATION

RECEIVED

Date: 7/13/21

**Please print!*

Owner: Chris Richardson Date: 7/8/21
Address: 4001 W Sam Houston Pkwy N #100 Phone #: 713/914-9200
City: Houston State: Tx Zip Code: 77043
Block: _____ Lot: _____ Subdivision: _____

Property Location: 48695 US 290 Is Building in a Flood plain? Yes/No YES
7526 Hempstead, Tx 77445
Radio Tower **PROPERTY SURVEY MUST BE ATTACHED**

Zoning District Property Located In: _____

Occupancy Type: (circle one) Residential or Commercial Square Footage: _____

Description of Work: INSTALLATION OF ROTH TOWER

*** ASBESTOS SURVEY:** The Texas Department of Health in accordance with Senate Bill 509 requires municipalities to verify that an asbestos survey has been done on Public and Commercial Building prior to issuing renovation or demolition permits:

Asbestos Survey Performed: (check) _____ Yes N/A No

*** BLUEPRINTS OR DRAWING MUST BE ATTACHED**

Contractor Name: ELITE UTILITY SERVICES Valuation of Work: _____

Address: 15918 ESCHER RD Phone #: 281/290-7265

City/ State/ Zip Code: CYPRESS TX 77433

Approved by Building Official / Zoning Officer: _____

NOTICE

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING, VENTILATION OR AIR CONDITIONING. THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION IS NOT COMMENCED WITHIN 6 MONTHS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 1 YEAR AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT, THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

SIGNATURE OF CONTRACTOR OR OWNER

Chris Richardson, President

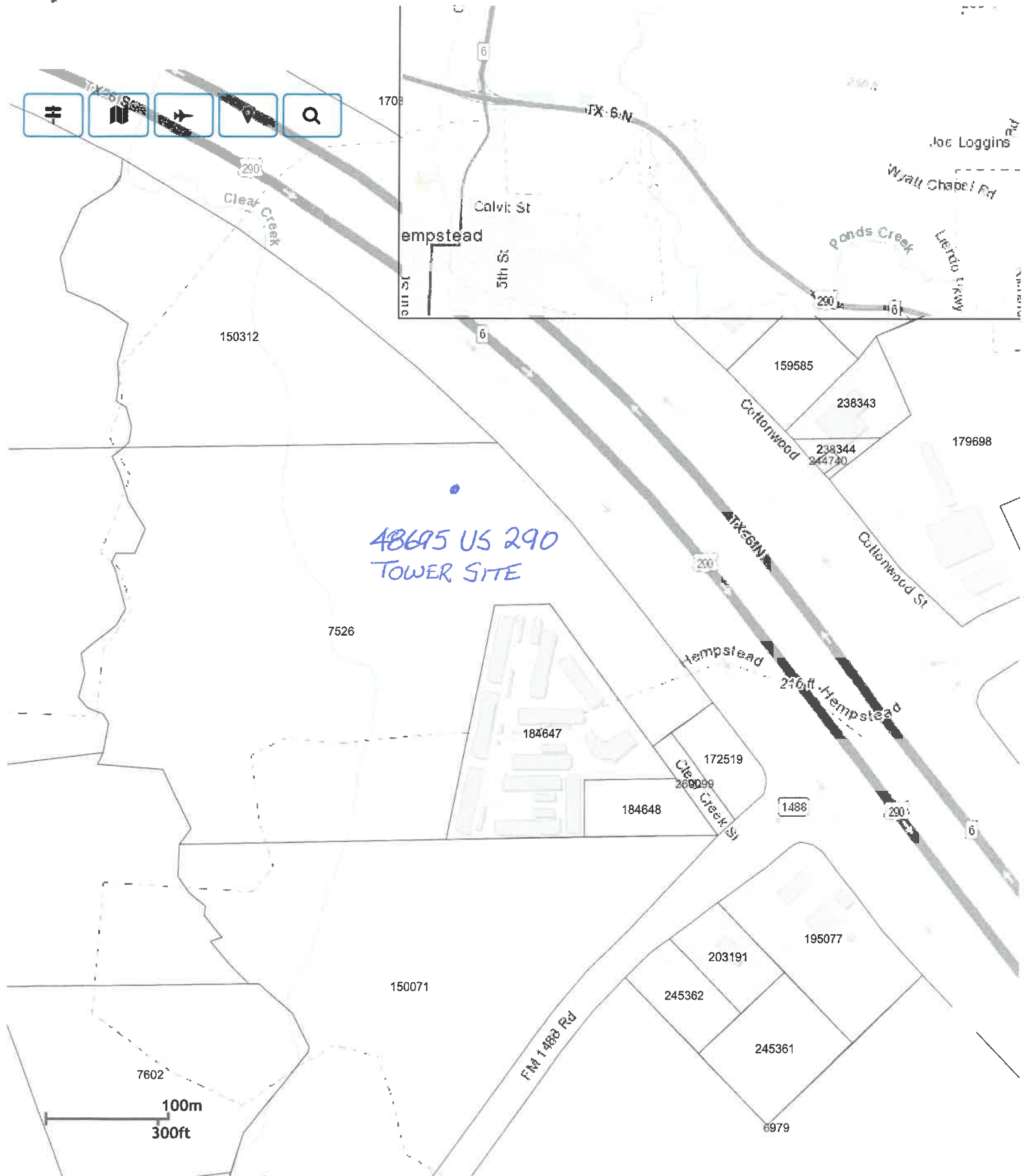
Date

7/8/21



48695 US 290
TOWER SITE

100m
300ft



Tower Site (48695 US 290)

6

US 290

© 2021 Google

1488

Google

Mack Washington Lane

HC

PLANNED
SHOPPING

HC

Frontage Rd.
State Highway 6

U.S. Highway 6
RS

PLANNED
SHOPPING

R3

MULTI FAMILY
RESIDENTIAL

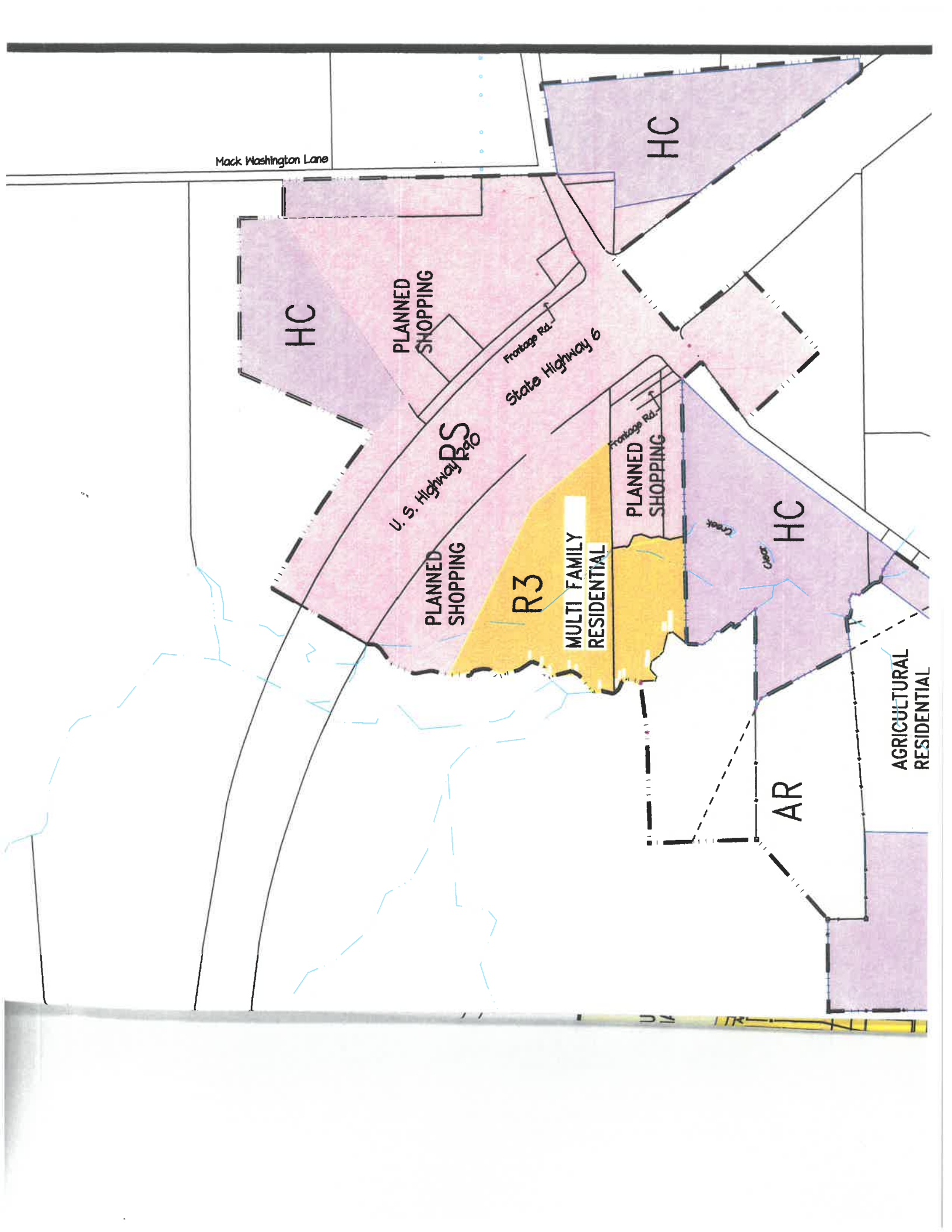
PLANNED
SHOPPING

HC

Creek

AR

AGRICULTURAL
RESIDENTIAL





City of Hempstead

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

RESOLUTION NO. 21- 003

SPECIFIC USE PERMIT CHRIS RICHARDSON 48695 U.S. HIGHWAY 290

**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~~^{BS} a Specific Use Permit Request from
Chris Richardson, 48695 U.S. Highway 290 for placement of a Radio Tower in the
PS – Planned Shopping District.

PASSED AND APPROVED this the 7th day of September, A.D., 2021.

APPROVED:


John Busby, Chairman

ATTEST:


Barbara Haffelfinger, City Secretary



City of Hempstead

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

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS, PROVIDING THAT CONSTRUCTION OF A RADIO TOWER BE APPROVED AT 48695 U.S. HIGHWAY 290 LOCATED IN THE PS – PLANNED SHOPPING DISTRICT WITH A SPECIFIC USE PERMIT; 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 48695 U.S. Highway 290 has made application to the City to approve a Specific Use Permit for construction of a radio tower in the PS – Planned Shopping District; and

WHEREAS, the Planning and Zoning Commission conducted a Public Hearing on September 7, 2021 at 5:00 P.M. on said 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 September 15, 2021, at 10:00 A.M. in the time and manner required by law and the Zoning Ordinance of the City;

WHEREAS, Section 2.04.05 of the City of Hempstead Code of Ordinances provides that the Planning and Zoning Commission shall recommend denial of a specific use if it finds that the proposed use:

- A. Does not conform with applicable regulations and standards established by this Ordinance;
- B. Is not compatible with existing or permitted uses on abutting sites, in terms of use, building height, bulk and scale, setbacks and open spaces, landscaping, drainage, or access and circulation features;
- C. Potentially creates greater unfavorable effects or impacts on other existing or permitted uses on abutting sites than those which reasonably may result from the use of the site by a use permitted by right;

- D. Adversely affects the safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonably anticipated in the area considering existing zoning and land uses in the area;
- E. Fails to reasonably protect persons and property from erosion, flood or water damage, fire, noise, glare, odors, and similar hazards or impacts;
- F. Adversely affects traffic control or adjacent properties by inappropriate location, lighting, or types of signs;
- G. Fails to provide adequate and convenient off-street parking and loading facilities;
- H. Fails to conform with the objectives and the purpose of the zoning district in which the development is located, and the goals, objectives, and policies, contained in the City's long-range comprehensive planning activities;
- I. Will be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity, for reasons specifically articulated by the Commission; or
- J. The premises or structure(s) are not suitable for the proposed specific use; and

WHEREAS, the Planning and Zoning Commission recommends approval of the Specific Use requested.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL 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, that it is hereby approved to allow construction of a radio tower at 48695 U.S. Highway 290 located in the PS – Planned Shopping District with a Specific Use Permit. The Specific Use Permit is restricted to Chris Richardson for construction of a radio tower and is not transferrable to another owner. The Tower shall be constructed in accordance it the plans approved by the City and must comply with all applicable ordinances. The design, color, shape, configuration and all aesthetic characteristics must be submitted to and approved by City Council.

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.

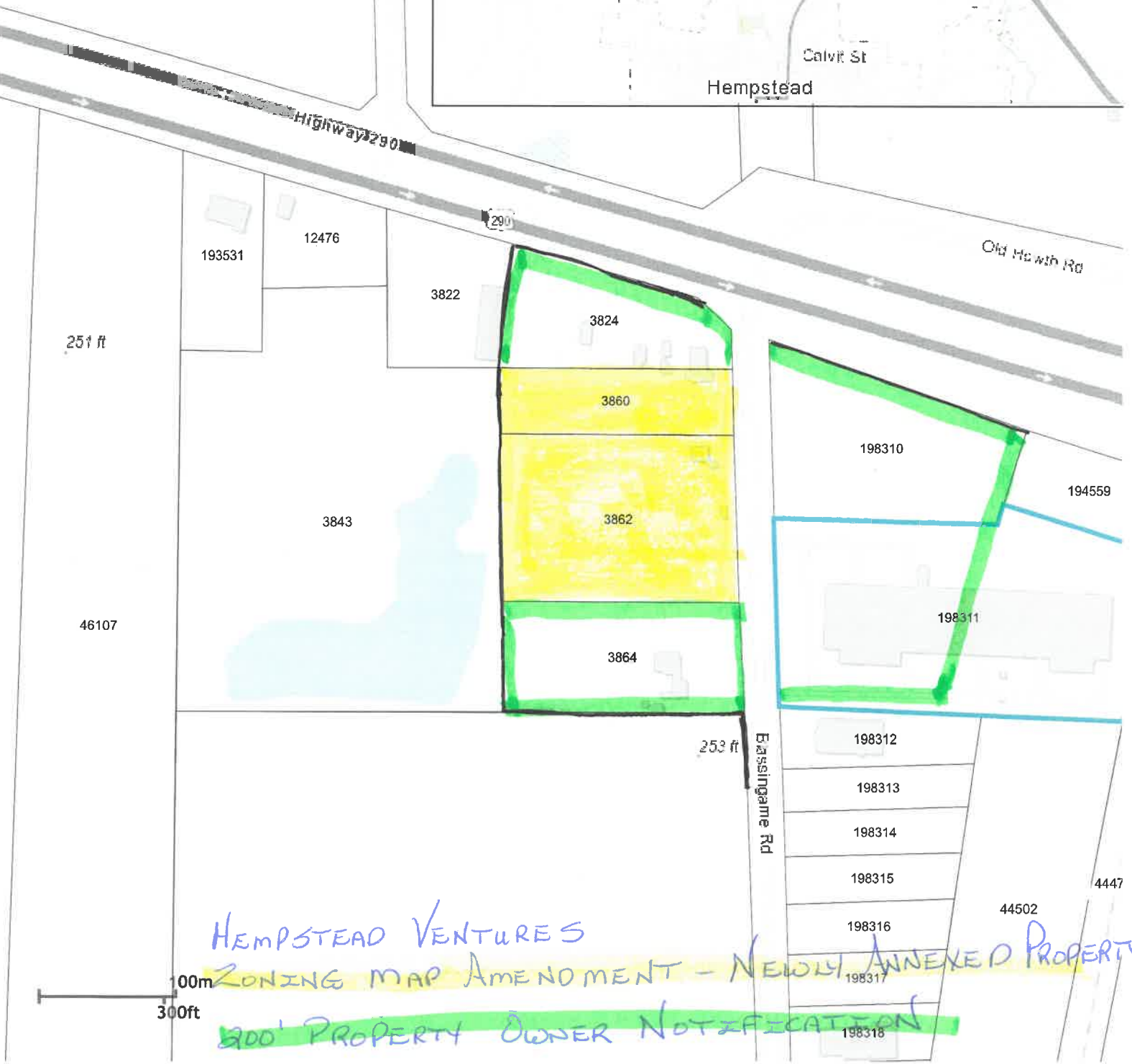
PASSED AND APPROVED this the 15th day of September, A.D., 2021.

APPROVED:

Dave Shelburne, Mayor

ATTEST:

Barbara Haffelfinger, City Secretary

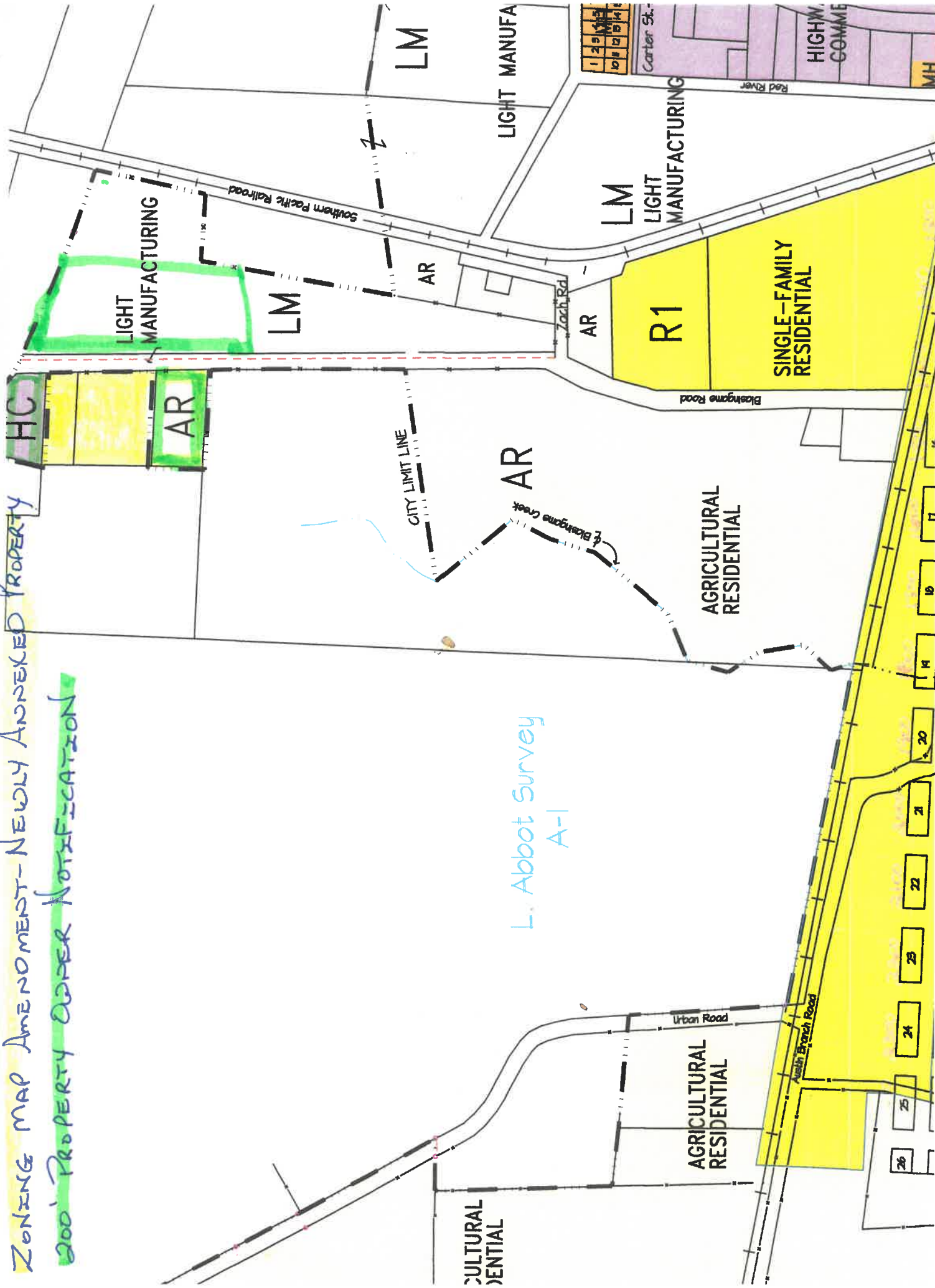


HEMPSTEAD VENTURES
ZONING MAP AMENDMENT - NEWLY ANNEXED PROPERTY
200' PROPERTY OWNER NOTIFICATION

HEMPSTEAD VENTURES

ZONING MAP AMENOMENT-NEWLY ANNEXED PROPERTY

200' PROPERTY ORDER NOTIFICATION





City of Hempstead

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

RESOLUTION NO. 21- 004

ZONING MAP AMENDMENT L. ABBOTT SURVEY, TRACT 18-4, 2 ACRES, P/O 12.9566 ACRES L. ABBOTT SURVEY, TRACT 18-5, 5 ACRES, P/O 12.9566 ACRES HEMPSTEAD VENTURES

**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** a Zoning Map Amendment Request from Hempstead Ventures, for L. Abbott Survey, Tract 18-4, 2 Acres, P/O 12.9566 Acres and L. Abbott Survey, Tract 18-5, 5 Acres, P/O 12.9566 Acres for newly annexed property to be zoned as HC – Highway Commercial District classification.

PASSED AND APPROVED this the 7th day of September, A.D., 2021.

APPROVED:



John Busby, Chairman

ATTEST:



Barbara Haffelfinger, City Secretary



City of Hempstead

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

ORDINANCE NO. 21-_____

AN ORDINANCE OF THE CITY OF HEMPSTEAD, TEXAS PROVIDING THAT THE CODE OF ORDINANCES OF THE CITY OF HEMPSTEAD BE AMENDED SO THAT PROPERTY DESCRIBED AS L. ABBOTT SURVEY, TRACT 18-4, 2 ACRES, P/O 12.9566 ACRE TRACT; AND L. ABBOTT SURVEY, TRACT 18-5, 5 ACRES, P/O 12.9566 ACRES, WALLER COUNTY, TEXAS SHALL BE ZONED 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 Planning and Zoning Commission has conducted a Public Hearing on September 7, 2021 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 September 15, 2021 at 10:00 A.M. in the time and manner required by law and the Zoning Ordinance of the City; and

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL 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 the City of Hempstead Comprehensive Zoning Ordinance is amended as follows:

The Zoning Map is changed so that territory located in the City of Hempstead, Waller County, Texas as herein after described as L. Abbott Survey, Tract 18-4, 2 Acres, P/O 12.9566 Acres; and L. Abbott Survey, Tract 18-5, 5 Acres, P/O 12.9566 Acres depicted in Exhibit A, attached hereto and incorporated herein for all purposes, shall be zoned HC – Highway Commercial 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 has 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 15th day of September, A.D., 2021.

APPROVED:

Dave Shelburne, Mayor

ATTEST:

Barbara Haffelfinger, City Secretary

EXHIBIT A
MAP OF
HEMPSTEAD VENTURES
L. ABBOTT SURVEY, TRACT 18-4 , 2 ACRES, P/O 12.9566 ACRES
L. ABBOTT SURVEY, TRACT 18-5, 5 ACRES, P/O 12.9566 ACRES

**PLANNING AND ZONING COMMISSION
ANNUAL REPORT
SEPTEMBER 1, 2020 – AUGUST 31, 2021**

ZONING MAP AMENDMENTS:

1. 06-05-19 – Sylvia Cedillo, Zoning Map Amendment Request – Block 172, Lots 172, Lots 31' of 8 & All 9 & 10, 741 15th Street; to rezone from R-1 – Single Family Residential District to NC – Neighborhood Commercial District. Zoning Map Amendment Request denied by the Planning and Zoning Commission on 05-03-21 – Resolution No. 21-002; and denied by City Council on 05-17-21 – Resolution No. 21-014.

ZONING TEXT AMENDMENTS:

1. 11-10-20 – Richard Heiges (Railroad Infrastructure & Terminal Development – RITD), Zoning Text Amendment creating a new Section 3.08A which eliminates height restrictions in all HC – Highway Commercial Districts North of U.S. Highway 290. Zoning Text Amendment Request approved by the Planning and Zoning Commission on 04-05-21 – Resolution No. 21-001; and approved by City Council on 04-19-21 – Ordinance No. 21-103.