

## PLANNING AND ZONING COMMISSION MEETING

Tuesday, July 11, 2023 7:00 PM

Iowa Colony City Hall, 12003 Iowa Colony Blvd., Iowa Colony, TX 77583

Phone: 281-369-2471 • Fax: 281-369-0005 • <u>www.iowacolonytx.gov</u>

THIS NOTICE IS POSTED PURSUANT TO THE TEXAS OPEN MEETING ACT (CHAPTER 551 OF THE TEXAS GOVERNMENT CODE). THE **PLANNING AND ZONING COMMISSION** OF IOWA COLONY WILL HOLD A **PUBLIC MEETING** AT **7:00 PM** ON **TUESDAY**, **JULY 11, 2023** AT **IOWA COLONY CITY HALL**, 12003 IOWA COLONY BLVD., IOWA COLONY, TEXAS 77583 FOR THE PURPOSE OF DISCUSSING AND IF APPROPRIATE, TAKE ACTION WITH RESPECT TO THE FOLLOWING ITEMS.

Requests for accommodations or interpreter services must be made 48 hours prior to this meeting. Please contact the City Secretary at 281-369-2471.

#### **CALL TO ORDER**

#### CITIZEN COMMENTS

An opportunity for the public to address the Planning and Zoning Commission on agenda items or concerns not on the agenda. To comply with Texas Open Meetings Act, this period is not for question and answer. Those wishing to speak must identify themselves and observe a three-minute time limit.

#### **PUBLIC HEARING**

1. Hold a public hearing for a sign variance regarding the height and sign area for a temporary free standing sign at the Southwest corner of Crystal View Drive and County Road 48.

#### ITEMS FOR CONSIDERATION

- 2. Consider approval of the June 6, 2023, Planning and Zoning Commission meeting minutes.
- 3. Discussion on recent agreement with Kendig Keast Collaborative for Unified Development Code (UDC) updates and Planning services.
- 4. Consideration and possible action regarding a request for a variance to the sign ordinance for a temporary free-standing sign at the Southwest corner of Crystal View Drive and County Road 48.
- 5. Consideration and possible action for the Sierra Vista Plaza Final Plat.
- 6. Consideration and possible action for a variance request to section 36 of the subdivision ordinance for Caldwell Lakes.
- <u>7.</u> Consideration and possible action for a variance request to section 33 of the subdivision ordinance for Caldwell Lakes.
- 8. Consideration and possible action for the Caldwell Lakes General Plan.

#### **ADJOURNMENT**

I, Kayleen Rosser, hereby certify that the above notice of meeting of the Iowa Colony Planning and Zoning Commission was posted pursuant to the Texas Open Meeting Act (Chapter 551 of the Texas

Kayleen Rosser, City Secretary



Item 2.



## PLANNING AND ZONING COMMISSION MEETING MINUTES

Tuesday, June 06, 2023 7:00 PM

Iowa Colony City Hall, 12003 Iowa Colony Blvd., Iowa Colony, TX 77583

Phone: 281-369-2471 • Fax: 281-369-0005 • <u>www.iowacolonytx.gov</u>

Members present: David Hurst, Robert Wall, Brenda Dillon, Les Hosey, Brian Johnson, and Terry Hayes

Members absent: None

Others present: Natasha Brooks, Jorge Reyna, and Robert Hemminger

#### CALL TO ORDER

Chairman Hurst opened the meeting at 7:05 P.M.

#### **CITIZEN COMMENTS**

There were no comments from the public.

#### **PUBLIC HEARING**

1. Hold a public hearing to consider rezoning the following property from Single Family Residential to Mixed Use:

Being approximately 5 acres of land being out of a called 73.94-acre tract as recorded in Volume 622, Page 129, Brazoria County Deed Records, out of a called 80-acre tract as recorded in Volume 98, Page 634, being the north half of southeast quarter of section 56 H.T.& B.R.R. Co. Survey, Abstract No. 515, Brazoria County, Texas, as shown on the Emigration Land Company Subdivision recorded under Volume 2, Page 113, Brazoria County Plat Records

Chairman Hurst opened the public hearing at 7:06 P.M.

Afsha Ali- Representative of the buyer of the proposed tract. She advocates for the rezoning of the property. She believes the rezoning will bring numerous benefits for the community by fostering economic growth,

Carolyn Bowen- Provided background on property to be rezoned. She is in favor of rezoning the property. She believes the development should be a quiet business such as a, tutoring facility, maybe an ice cream shop, somewhere that's family friendly.

The following attendees are in favor of rezoning the 5-acre tract from single family residential to mixed use but did not wish to address the council verbally.

Kay Kelly Kimberly Kouba Tyler Kelly

There were no further comments. Chairman Hurst closed the public hearing at 7:28 P.M.

#### ITEMS FOR CONSIDERATION

2. Consider approval of the May 2, 2023, Planning and Zoning Commission meeting minutes.

Motion made by Hosey to approve the Planning and Zoning meeting minutes of May 2, 2023, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

3. Consideration and possible action to make a recommendation to City Council to consider rezoning the following property from Single Family Residential to Mixed Use:

Being approximately 5 acres of land being out of a called 73.94-acre tract as recorded in Volume 622, Page 129, Brazoria County Deed Records, out of a called 80-acre tract as recorded in Volume 98, Page 634, being the north half of southeast quarter of section 56 H.T.& B.R.R. Co. Survey, Abstract No. 515, Brazoria County, Texas, as shown on the Emigration Land Company Subdivision recorded under Volume 2, Page 113, Brazoria County Plat Records

Motion made by Hosey to table item, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

4. Consideration and possible action to make a recommendation to City Council for a variance to the transparency requirements in the City's Unified Development Code at 2320 Meridiana Parkway.

Motion made by Hosey to table item, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

Motion made by Dillon to remove table, Seconded by Hayes.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

Motion made by Dillon to authorize the Fire Marshall/Building Official and Police Chief to work out a requirement with the applicant and provide Planning and Zoning with a report of transparency requirement agreed upon, Seconded by Hayes.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

5. Consideration and possible action for the Sierra Vista Sec 8B1 Final plat.

Motion made by Johnson to approve the Sierra Vista Sec 8B1 Final Plat, Seconded by Dillon.

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

6. Consideration and possible action for the Sierra Vista Plaza Final Plat.

This item was deferred per request from applicant.

7. Consideration and possible action for the Sierra Vista Center Preliminary Plat.

Motion made by Dillon to approve the Sierra Vista Center Preliminary Plat, Seconded by Hayes. Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

8. Consideration and possible action for Garza's Lots Abbreviated Plat.

Motion made by Hosey to approve the Garza's Lots Abbreviated Plat, Seconded by Hayes. Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

9. Consideration and possible action for the Sterling Lakes Retail Preliminary Plat.

Motion made by Johnson to approve the Sterling Lakes Retail Preliminary Plat, Seconded by Dillon

Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

Item 2.

10. Consideration and possible action for the Hayes Creek Estates Final Plat.

Motion made by Hosey to approve the Hayes Creek Estates Final Plat, Seconded by Johnson. Voting Yea: Johnson, Hurst, Dillon, Hosey, Hayes, Wall

11. Consideration and possible action for the Magnolia Bend Estates Section 2 Final Plat.

This item was deferred per request from applicant.

#### **ADJOURNMENT**

The meeting was adjourned at 8:15 P.M.

APPROVED THIS 11TH DAY OF JULY 2023.

ATTEST:	
Kayleen Rosser, City Secretary	David Hurst, Chair







12003 Iowa Colony Blvd Iowa Colony Tx. 7758;

Phone: 281-369-2471 Fax: 281-369-0005 www.iowacolonytx.gov

#### Staff Report

**Agenda Date:** July 11, 2023

**Agenda Item:** Variance Request for freestanding sign, corner of Crystal View and C.R

48.

**Project Description:** Variances to regulations of the Sign Ordinance 2016-19 Freestanding Sign

Section 24 (C) Temporary Freestanding Sign.

**Zoning Designation:** Residential Single Family

**Building Official:** Albert Cantu

#### **SUMMARY**

This request was made by Tim Johnson for a variance to The City of Iowa Colony Sign Ordinance 2016-19 Freestanding Sign Section 24 Temporary Freestanding Sign Subsection C Item 1 Size. The ordinance cited above requires that a temporary freestanding sign must have a maximum effective area of 32 sq-ft and a maximum height of 8ft.

This site is located at the SW corner of Crystal View Drive and County Road 48.



#### **Variance Request:**

Request to place a sign that is larger than 32 sq-ft. The proposed sign would be 16ft tall by 20ft wide. The purpose of this sign is to share an exhibit that shows people in the area the planned amenities for Sierra Vista and to notify them the amenity is now under construction. This sign would be placed at the Southwest Corner of Crystal View Drive and County Road 48. The sign would be removed once the amenity opens.

#### **RECOMMENDATION**

Staff feels that this sign is too large for this application. The adopted ordinance allows up to 32 sq-ft. The applicant is requesting a sign that is 320 sq-ft which is 10 times or 1000% larger than allowed by ordinance. The reason stated above, and application is not a reason for hardship that would warrant a billboard on this property.





Monday, May 22, 2023

Mariana Damian Advance Surveying, Inc. 10518 Kipp Way, Ste. A-2 Houston, TX 77099

Re: Sierra Vista Plaza Final Plat – REVISED

Letter of Recommendation to Approve COIC Project No. SFP 210629-0863 Adico, LLC Project No. 16007-2-208

Dear Ms. Damian;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the fifth submittal of Sierra Vista Plaza final plat package received on or about May 22, 2023. The review of the plat is based on the City of Iowa Colony Subdivision Ordinance dated August 2002 and as amended.

Based upon our review, we have no objections to the plat as resubmitted on May 22, 2023. This LOR to Approve replaces the previous LOR to Approve dated April 20, 2023. Please provide two (2) sets of mylars and ten (10) folded copies of the plat to Kayleen Rosser, City Secretary, by no later Tuesday, May 30, 2023, for consideration at the June 6, 2023, Planning and Zoning Meeting.

Should you have any questions, please do not hesitate to contact our office.

Sincerely, Adico, LLC

Dinh V. Ho, P.E.

TBPE Firm No. 16423

Cc: Kayleen Rosser

Robert Hemminger File: 16007-2-208

VICINITY MAP SCALE: 1"=2000'

KEY MAP NO. 692J

RIV P.R.

N)24"RCP=49.37

s124"RCP=49.37

E)60"RCP=48.07

W/ CAP

(w)60"RCP=48.07

\_\_\_\_\_

CONCRETE PAVEMENT (S)24"RCP=48.82

UTILITY ESMT. TO BCMUD NO. 32

B.C.C.F. NO. 2017010345

LANDSCAPE & MONUMENTATION ESMT

CENTERLINE OF RIGHT-OF-WAY ESMT

@ TOP OF INLET

ELEVATION=54.61

STORM MANHOLE RIM ELEV.=54.33 (N)24"RCP=49.03

0.1231 ACRE /

B.C.C.F. NO. 2018006386

10' SANITARY SEWER EASEMENT —

B.C.C.F. NO. 2017010345

BOX CUT IN CONCRETE

LOT 17

@ TOP OF INLET

ELEVATION=52,39

RIM ELEV.=52.69

(E)24"RCP=44.391

0.0069 ACRE+

POINT OF BEGINNING

LOT 18

Q.0008 ACRE OR 35 SQ. FT O BRAZORIA COUNTY MUD NO. 32 STERLING LAKES AT IOWA COLONY

SEC 19 DOC. NO. 2014006560, P.R.B.C.T.

RESTRICTED RESERVE "A"

52,365 SQ. FT. / 1.202 ACRES

RESTRICTED TO LANDSCAPING AND OPEN SPACE

25' ENTERPRISE CRUDE PIPELINE COMPANY, LLC.,\_

PERMANENT MAINTENANCE EASEMENT B.C.C.F. NO. 2016055348 & 2016056368

's/30' PERMANENT EASEMENT AGREEMENT

B.C.C.F. NO. 2012010807

-5' ENTERPRISE CRUDE

PIPELINE COMPANY LL

2016056368

6 Z 2

STORM SEWER ESMT.

\_WATER LINE ESMT.

0.0550 ACRES

B.C.C.F. NO. 2017010345

PALISADE DRIVE

RESTRICTED RESERVE "A"

0.0149 ACRES B.C.C.F. NO. 2017010345

-SANITARY SEWER ESMT.

B.C.C.F. NO. 2017010345

0.0172 ACRES

PERMANENT PIPELINE EASEMENT

NS NS 113

B.250

B.C.C.F. NOS. 2016055348 &

#### STATE OF TEXAS COUNTY OF BRAZORIA

WE, SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY ACTING BY THROUGH ARIK KAROWALIA, MANAGING MEMBER OF SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, OWNER OF THE PROPERTY SUBDIVIDED, IN THIS PLAT OF SIERRA VISTA PLAZA, DO HEREBY MAKE SUBDIVISION OF SAID PROPERTY FOR AND ON BEHALF OF SAID CORPORATION, ACCORDING TO THE LINES, LOTS, BUILDING LINES, STREETS, ALLEYS, PARKS AND EASEMENTS AS SHOWN HEREON AND DEDICATE FOR PUBLIC USE, THE STREETS, ALLEYS, PARKS AND EASEMENTS SHOWN HEREON FOREVER AND DO HEREBY WAIVE ALL CLAIMS FOR DAMAGES OCCASIONED BY THE ESTABLISHMENT OF GRADES AS APPROVED FOR THE STREETS AND DRAINAGE EASEMENTS DEDICATED, OR OCCASIONED BY THE ALTERATION OF THE SURFACE, OR ANY PORTION OF THE STREETS OR DRAINAGE EASEMENTS TO CONFORM TO SUCH GRADES, AND DO HEREBY BIND OURSELVES, OUR HEIRS, SUCCESSORS AND ASSIGNED TO WARRANT AND DEFEND THE TITLE TO THE LAND SO DEDICATED.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL ELEVEN FEET, SIX INCHES (11' 6") FOR TEN FEET (10' 0") PERIMETER GROUND EASEMENTS OR SEVEN FEET, SIX INCHES (7' 6") FOR FOURTEEN FEET (14' 0") PERIMETER GROUND EASEMENTS OR FIVE FEET, SIX INCHES (5' 6") FOR SIXTEEN FEET (16' 0") PERIMETER GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16'0") ABOVE THE GROUND LEVEL UPWARD, LOCATED ADJACENT TO AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL ÉASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS TWENTY ONE FEET, SIX INCHES (21' 6") IN WIDTH.

FURTHER, OWNERS HAVE DEDICATED AND BY THESE PRESENTS DO DEDICATE TO THE USE OF THE PUBLIC FOR PUBLIC UTILITY PURPOSE FOREVER UNOBSTRUCTED AERIAL EASEMENTS. THE AERIAL EASEMENTS SHALL EXTEND HORIZONTALLY AN ADDITIONAL TEN FEET (10' 0") FOR TEN FEET (10' 0") BACK-TO-BACK GROUND EASEMENTS, OR EIGHT FEET (8' 0") FOR FOURTEEN FEET (14' 0") BACK-TO-BACK GROUND EASEMENTS OR SEVEN FEET (7' 0") FOR SIXTEEN FEET (16' 0") BACK-TO-BACK GROUND EASEMENTS, FROM A PLANE SIXTEEN FEET (16' 0") ABOVE GROUND LEVEL UPWARD, LOCATED ADJACENT TO BOTH SIDES AND ADJOINING SAID PUBLIC UTILITY EASEMENTS THAT ARE DESIGNATED WITH AERIAL EASEMENTS (U.E. AND A.E.) AS INDICATED AND DEPICTED HEREON, WHEREBY THE AERIAL EASEMENT TOTALS THIRTY FEET (30' 0") IN

IN TESTIMONY, HERETO, THE SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY, HAS CAUSED THESE PRESENTS TO BE SIGNED BY ARIF KAROWALIA, ITS MANAGING MEMBER, THEREUNTO AUTHORIZED, AND ITS COMMON SEAL HEREUNTO AFFIXED, THIS \_\_\_\_\_\_ DAY OF

SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY

ARIF KAROWALIA, MANAGING MEMBER

STATE OF TEXAS COUNTY OF

BEFORE ME, THE UNDER SIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED, SAMINA SADRUDDIN, MANAGING MEMBER OF SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY KNOWN TO ME, TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENTS, AND ACKNOWLEDGED TO ME TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THIS \_\_\_\_\_ DAY OF \_

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES:

WE. TRUSTMARK NATIONAL BANK, OWNER AND HOLDER OF A LIEN AGAINST THE PROPERTY DESCRIBED IN THE PLAT KNOWN AS SIERRA VISTA PLAZA, SAID LIEN BEING EVIDENCED BY INSTRUMENT OF RECORD IN THE CLERK'S FILE NO. 2022066091 OF THE O.P.R.O.R.P. OF BRAZORIA COUNTY, TEXAS, DO HEREBY IN ALL THINGS SUBORDINATE OUR INTEREST IN SAID PROPERTY TO THE PURPOSES AND FECTS OF SAID PLAT AND THE DEDICATIONS AND RESTRICTIONS SHOWN HEREIN TO SAID SUBDIVISION PLAT AND WE HEREBY CONFIRM THAT WE ARE THE PRESENT OWNER OF SAID LIEN AND HAVE NOT ASSIGNED THE SAME NOR ANY PART THEREOF.

PRINT NAME & TITLE

STATE OF TEXAS COUNTY OF HARRIS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES:

APPROVED BY BRAZORIA COUNTY DRAINAGE DISTRICT # 5

LEE WALDEN, P.E. KELLY L. OSBURN POSITION 3

MARK ROLLER SECRETARY/TREASURER

NA7AR SABTI P.E., C.F.M. DISTRICT ENGINEER

NOTE: PROJECT FIELD STARTUP WILL START WITHIN 365 CALENDAR DAYS FROM DATE HERE SHOWN. CONTINUOUS AND REASONABLE FIELD SITE WORK IS EXPECTED.

BCDD 5 I.D. # \_\_\_\_\_

THIS IS TO CERTIFY THAT I HENRY M. SANTOS, A REGISTERED PUBLIC LAND SURVEYOR OF THE STATE OF TEXAS, HAVE PLATTED THE ABOVE SUBDIVISION FROM AN ACTUAL SURVEY ON THE GROUND; AND THAT ALL BLOCK CORNERS, LOT CORNERS AND PERMANENT REFERENCED MONUMENTS HAVE BEEN SET, THAT PERMANENT CONTROL POINTS WILL BE SET AT COMPLETION OF CONSTRUCTION AND THAT THIS PLAT CORRECTLY REPRESENTS THAT SURVEY MADE BY ME.

HENRY M. SANTOS TEXAS REGISTRATION NO. 5450



#### ENGINEER'S PLAT AFFIDAVIT

I, RANA MAHMOOD, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF ENGINEERING AND HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT; AND THAT ALL BEARINGS, DISTANCES, ANGLES, CURVE RADIUSES, AND CENTRAL ANGLES ARE ACCURATELY SHOWN ON THE PLAT AND DO HEREBY CERTIFY THAT THIS PLAT MEETS ALL REQUIREMENTS OF FORT BEND COUNTY AND CITY OF IOWA TO THE BEST OF MY KNOWLEDGE.

RANA MAHMOOD, P.E., CFM, MCE LICENSED PROFESSIONAL ENGINEER NO. 101163 TEXAS FIRM F-12333HEIGHTS ENGINEERING, LLC FIRM RFG.

12603 SOUTHWEST FWY STE 285 (832) 999-4764



BEING A 4.0639 ACRE TRACT OF LAND SITUATED IN SECTION 51 OF THE H.T. & B. R.R COMPANY SURVEY, ABSTRACT NO. 288, BRAZORIA COUNTY, TEXAS, BEING A PART OF THAT CERTAIN 240.9 ACRE OF LAND DESIGNATED AS TRACT II AND DESCRIBED IN THE DEED TO MCALISTER OPPURTUNITY FUND 2012, L.P. RECORDED IN FILE NUMBER 2013060096, TOGETHER WITH ALL OF THAT CERTAIN 2.356 ACRE TRACCT OF LAND DWESIGNATED AS TRACT 8 AND DESCRIBED IN DEED TO LAND TEJAS STERLING LAKES SOUTH, L.L.C.,, BEING A PART OF LOT 603 OF EMIGRATION LAND COMPANY PLAT OF SECTIONS 50, of & 56 H.T. & B. AND OF 2, 3 & 4 L&N., A SUBDIVISION RECORDED IN VOLUME 2, PAGE 113 OF HE PLAT RECORDS OF BRAZORÍA COUNTY, TEXAS; SAID 4.0639 ACRE TRACT BEING MORE PARTICULARLY

TEXAS, BEING THE SOUTHEAST CORNER OF SAID 2.356 ACRE TRACT;

SAID 2.356 ACRE TRACT, TO A 5/8 INCH CAPPED IRON ROD FOUND MARKING THE SOUTHWEST CORNER

THENCE, NORTH 02 DEGREES 43 MINUTES 36 SECONDS WEST, 313.52 FEET TO A 5/8 INCH CAPPED

IRON ROD FOUND IN THE SOUTH RIGHT-OF-WAY LINE OF MIDIANA PARKWAY (A.K.A. COUNTY ROAD NO.

HENCE, NORTH 87 DEGRES 16 MINUTES 24 SECONDS EAST, 540.11 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MERIDIANA PARKWAY, COMMON WITH THE NORTH LINE OF THE TRACT HEREIN DESCRIBED, TO A 5/8 INCH CAPPED IRON ROD FOUND MARKING A POINT OF CURVATURE AT THE

TANGENCY AND THE MOST EASTERLY NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED;

TRACT HEREIN DESCRIBED TO THE POINT OF BEGINNING AND CONTAINING WITHIN THESE METES AND BOUNDS 4.0639 ACRES OR 177,023 SQUARE FEET OF LAND.

BEARINGS ARE BASED FROM TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 CORS ADJUSTMENT BASED FROM REDUNDANT RTK GPS OBSERVATIONS. DISTANCES HEREON ARE SURFACE DATUM. TO CONVERT TO GRID MULTIPLY BY A COMBINED PROJECT ADJUSTMENT FACTOR

- MAP (FIRM) MAP NO. 48039C 0115K AND 48039C 0120K, BOTH WITH THE EFFECTIVE DATE OF DECEMBER 30, 2020, THE PROPERTY IS LOCATED IN UNSHADED ZONE "X", AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOODPLAIN.
- INTEGRITY TITLE COMPANY, JOB NO. 1931160A EFFECTIVE DATE JANUARY 24, 2022.
- 5. SLAB ELEVATIONS (FINISHED FLOOR) SHALL BE SET 2 FEET ABOVE THE MINIMUM SLAB ELEVATIONS
- 7. ALL PROPERTY SHALL DRAIN INTO THE DRAINAGE EASEMENT ONLY THROUGH AN APPROVED
- 8. ALL PUBLIC STORM SEWER SHALL BE MAINTAINED BY BCMUD 32. PRIVATE STORM SEWER SHALL
- 9. THIS SUBDIVISION EMPLOYS A DRAINAGE SYSTEM, WHICH UTILIZES STREETS AND ADJACENT
- 10. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL STORM DRAINAGE IMPROVEMENTS, WHICH MAY | B.C.D.R. BRAZORIA COUNTY DEED RECORDS INCLUDE DETENTION, HAVE BEEN CONSTRUCTED.
- 12. ALL EASEMENTS SHOWN HEREON THIS PLAT ARE CENTERED ON LOT LINES UNLESS OTHERWISE
- 13. OTHER THAN WHAT IS SHOWN HEREON, THERE ARE NO PIPELINE EASEMENTS OR PIPELINES WITHIN F THE BOUNDARIES OF THIS PLAT.
- 14. ALL BUILDING LINES ALONG STREET RIGHT-OF-WAY ARE SHOWN HEREON.
- 15. SIDEWALK MUST BE CONSTRUCTED AS PART OF THE ISSUANCE OF A BUILDING PERMIT FOR EACH
- 17. ALL WATER AND WASTEWATER FACILITIES SHALL CONFORM TO THE CITY OF IOWA COLONY'S
- for final approval by the city council is construction of the improvements has not  ${\sf L}$

18. THE APPROVAL OF THE FINAL PLAT WILL EXPIRE TWO (2) AFTER FINAL PLAT HAS BEEN SUBMITTED

- 19. NO BUILDING PERMITS WILL BE ISSUED UNTIL ALL THE STORM DRAINAGE IMPROVEMENTS, WHICH MAY INCLUDE DETENTION, HAVE BEEN CONSTRUCTED
- CITY OF IOWA COLONY UTILITY EASEMENTS MUST BE UNOBSTRUCTED BY THE PROPERTY OWNER. ANY UNAUTHORIZED IMPROVEMENTS OR OBSTRUCTION MAY BE REMOVED BY THE UTILITY AT THE PROPERTY OWNER'S EXPENSE.

CERTIFICATE OF PLANNING COMMISSION THIS IS TO CERTIFY THAT THE CITY PLANNING COMMISSION OF THE CITY OF IOWA COLONY, TEXAS THIS \_\_\_\_. HAS APPROVED THIS PLAT AND SUBDIVISION OF SIERRA VISTA PLAZA AS SHOWN HEREON.

BRENDA DILLON

PAVEMENT

X = 3102031.06Y = 13724368.66

₩ W Z Z

FND. 5/8" I.R. w/ CAP

(E)60"RCP=48.29

LES HOSEY BRIAN JOHNSON

TIM VARLACK ARNETTA MURRAY MARQUETTE GREENE-SCOTT

CERTIFICATE OF CITY COUNCIL

WIL KENNEDY, MAYOR

OF SIERRA VISTA PLAZA AS SHOWN HEREON.

STEVEN BYRUM-BRATSEN

THIS IS TO CERTIFY THAT THE CITY COUNCIL OF THE CITY OF IOWA COLONY, TEXAS THIS

\_\_\_\_. HAS APPROVED THIS PLAT AND SUBDIVISION

SYDNEY HARGRODER

STERLING LAKES A. IOWA COLONY SECTION & DOC. NO. 2007028661 B.C.P.R.

MERIDIANA PARKWAY (A.K.A. C.R. 56)

DOC. NO. 2017058165 B.C.P.R.

'E)60"RCP=48.46

\_\_\_\_\_<u>N87°16'24"E\_\_\_2,557.87'</u>\_\_\_

(N)24"RCP=48.06

(w)60"RCP=47.76

STORM MANHOLE RIM ELEV.=54.59

(N)24"RCP=49.49

PIPELINE COMPANY LLC
PERMANENT PIPELINE ESMT

016056368

BLOCK `

UNRESTRICTED RESERVE "A"

4.064 ACRES

177,023 SQ. FT.

BLOCK

PLAT NO. 2019057687, B.C.P.R.

SIERRA VISTA SEC

B.C.C.F. NOS. 2016055348 &

565.00

LOT 16

(DOC. NO. 2007028661, B.C.P.R.

N87°16'24"E

(N)24"RCP=48.91

s)24"RCP=48.9

PERMANENT ESMT. AGREEMENT

25' ENTERPRISE CRUDE PIPELINE COMPANY, LLC.,

B.C.C.F. NOS. 2016055348 & 2016056368

PERMANENT MAINTENANCE ESMT.

20' SANITARY SEWER ESMT.

B.C.C.F. NO. 2022018281

0.2594 ACRE /11,300 SQ. FT.

GRANTED TO BRAZORIA COUNTY MUD NO. 32

MCLEAN BARNET

TIGER EYE DRIVE (PVT) (60' PAE/PUE)

RESTRICTED RESERVE "B

(RESTRICTED TO LANDSCAPING AND OPEN SPACE I

STORM MANHOLE RIM ELEV.=54.63

000 = = = =

N)24"RCP=48.93

(S)24"RCP=49.03

RIM ELEV.=54.69

(N)24"RCP=48.99

APPROVED BY CITY ENGINEER

ACCEPTED NW CORNER OF SECTION 51 OF THE

H.T. & B.R.R. CO. SURVEY, ABSTRACT NO. 288

DAVID HURST, CHAIRMAN

TERRY HAYES

DINH V. HO, P.E.

RANA F. MAHMOO

BEGINNING AT, A 5/8 INCH CAPPED IRON ROD FOUND ON THE WEST RIGHT—OF—WAY LINE OF SIERRA VISTA BOULEVARD (WIDTH VARIES) AS DEDICATED BY THE PLAT OF SIERRA VISTA, SECTION ONE, SUBDIVISION RECORDED IN DOCUMENT NO. 2017058170, OF THE PLAT RECORDS OF BRAZORIA COUNTY,

THENCE, SOUTH 87 DEGREES 16 MINUTES 24 SECONDS WEST, 565.00 FEET ALONG THE SOUTH LINE OF

56-120 FEET WIDE), MARKING THE NORTHWEST CORNER OF THE TRACT HEREIN DESCRIBED;

MOST NORTHERLY NORTHEAST CORNER OF THE TRACT HEREIN DESCRIBED AND THE BEGINNING OF CURVE THENCE, WITH SAID CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 90 DEGREES 01 MINUTES 19 SECONDS, A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.28 FEET AND A CHORD WHICH BEARS SOUTH 47 DEGREES 42 MINUTES 57 SECODNDS EAST, 35.36 FEET TO A 5/8 INCH CAPPED IRON ROD FOUND IN THE WESTERLY RIGHT-OF-WAY LINE OF SAID SIERRA VISTA BOULEVARD MARKING A POINT OF

THENCE, SOUTH 02 DEGREES 42 MINUTES 17 SECONDS EAST, 288.51 FEET ALONG THE WESTERLY

- 2. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE
- THIS PLAT HAS BEEN PREPARED TO MEET THE REQUIREMENTS OF THE CITY OF IOWA COLONY STATE OF TEXAS, BRAZORIA COUNTY. THIS PLAT WAS PREPARED FROM INFORMATION PROVIDED BY
- 4. THIS TRACT OF LAND LIES WITHIN THE EXTRA-TERRITORIAL JURISDICTION OF THE CITY OF IOWA COLONY AND IS SUBJECT TO ITS CODE OF ORDINANCES AND BY DEVELOPMENT AGREEMENT BETWEEN THE CITY OF IOWA COLONY, TEXAS AND LAND TEJAS STERLING LAKES SOUTH, LLC AND MCALISTER OPPORTUNITY FUND 2012, DATED FEBRUARY 15, 2016 AND AS AMENDED.
- 6. THE DRAINAGE EASEMENTS SHOWN HEREON SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, FOUNDATIONS, PAINTINGS AND OTHER OBSTRUCTION FOR THE OPERATION AND MAINTENANCE OF
- DRAINAGE STRUCTURE.
- PROPERTIES WITHIN THE SUBDIVISION PLAT BOUNDARY TO STORE AND CONVEY STORM WATER. | ESMT. EASEMENT THUS, DURING STORM EVENTS, PONDING OF WATER SHOULD BE EXPECTED TO OCCUR IN THE
- 11. THE PROPERTY SUBDIVIDED IN THE FOREGOING PLAT LIES WITHIN BRAZORIA COUNTY DRAINAGE

CONFORM TO THE CITY OF IOWA COLONY'S ENGINEERING DESIGN CRITERIA MANUAL.

- EACH TRACT, IF SIDEWALKS ARE REQUIRED.
- 16. A MINIMUM OF 5 FOOT WIDE SIDEWALKS SHALL BE REQUIRED ALONG STREETS AND SHALL
- ENGINEERING DESIGN CRITERIA MANUAL.
- COMMENCED WITHIN TWO (2) YEAR PERIOD OR THE ONE (1) YEAR EXTENSION PERIOD GRANTED
- 20. ABSENT WRITTEN AUTHORIZATION BY THE AFFECTED UTILITIES, ALL CENTERPOINT ENERGY AND THE

BRAZORIA DRAINAGE DISTRICT NO. 4 BENCHMARK NUMBER CB-2 IS A BRASS CAP STAMPED 'CB-2' SET IN THE NORTH SIDE OF COUNTY ROAD 81 BRIDGE OVER WEST FORK CHOCOLATE BAYOU, AT STREAM CENTERLINE, IN KEYMAP 652X NEAR UNIT CB100-00-00. ELEV. 56.51 FEET NAVD 1988, 2001 ADJUSTED.

BEARING N02°42'17"W 238.04' S87°17'43"W 10.00' S87°16'42"W 5.00' N02°43'18"W 7.00' N87°16'42"E 5.00' S02°43'18"E 7.00'

B.C.C.F. - BRAZORIA COUNTY CLERKS FILE

HL&P - HOUSTON LIGHTING & POWER

B.C.C.O. - BRAZORIA COUNTY CLERK'S OFFICIAL

B.C.P.R. - BRAZORIA COUNTY PLAT RECORDS

FC - FILM CODE

I.R. – IRON ROD

R.O.W. - RIGHT-OF-WAY

SQ. FT. - SQUARE FEET

BENCHMARK:

RADIUS | LENGTH | DELTA | CHORD BEARING | CHORD DISTANCE 25.00' 39.28' 90°01'19" S47°42'57"E

ADVANCE SURVEYING, INC. 10518 KIPP WAY SUITE A-2 HOUSTON, TEXAS 77099 PHONE: 281 530-2939 FAX: 281 530-5464 EMAIL: advance\_survey@asi23.com www.advancesurveyingtx.com FIRM NO. 10099200

PREPARED BY:

SIERRA VISTA PLAZA A SUBDIVISION OF 4.064 ACRES OR 177,023 SQUARE FEET OF LAND

SITUATED IN SECTION 51 OF THE H.T. & B.R.R. CO. SURVEY, ABSTRACT NO. 288,

BRAZORIA COUNTY, TEXAS

(S)8"PVC=\$9.50

(E)8"PVC=39.60

1 RESERVE 1 BLOCK

SCALE: 1"= 50' DATE: NOVEMBER 17, 2022

**OWNER:** SIERRA VISTA VENTURES, L.L.C., A TEXAS LIMITED LIABILITY COMPANY 12603 SOUTHWEST FREEWAY, SUITE 572, STAFFORD, TEXAS 77477

TEL. NO. 832-520-3239

JOB NO.109220-18-03



July 3, 2023

Mayor Wil Kennedy c/o City Council City of Iowa Colony 12003 Iowa Colony Blvd. Iowa Colony, TX 77553

Re: Caldwell Lakes - General Plan

Variance Requests to Subdivision Ordinance

Letter of Recommendation

Adico, LLC Project No. 16007-3-433

Dear Mayor Kennedy and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the Application for Variances to the Subdivision Ordinance for the Caldwell Lakes General Plan as submitted by LJA Engineering, Inc.

#### **Description:**

The developer is seeking a variance for the allowance to exceed the maximum local block length requirement on the western boundary of the Caldwell Lakes subdivision.

#### Subdivision Ordinance Reference:

Per Section 36. Blocks: D. No block shall exceed a length of one thousand two hundred (1,200) feet in residential or commercial developments.

#### **Recommendations:**

Staff is recommending approval of the variance to block length requirements along the western boundary of the Caldwell Lakes development as illustrated in the general plan.

The existing Bayou Gun Range extends north from Cedar Rapids approximately one mile (west of the development), creating a safety danger zone in this corridor. Requiring an east west collector would possibly create public safety issues.

Developer has provided a secondary east-west stub out just north of Cedar Rapids in addition to future extension of Bullard Parkway. As such, we are recommending approving the variance application for Caldwell Lakes.

Should you have any questions, please do not hesitate to call our office.

Sincerely, Adico, LLC

TRDE Firm No. 16423

Cc: Kayleen Rosser, COIC

Robert Hemminger, COIC

File: 16007-3-433

Item 6.



#### **APPLICATION FOR VARIANCE REQUEST or APPEAL**

12003 IOWA COLONY BLVD., IOWA COLONY, TEXAS 77583 | PHONE: 281-369-2471 | FAX: 281-369-0005 | WWW.CITYOFIOWACOLONY.COM

Please use this application to request a variance/appeal within the Subdivision Ordinance, Zoning Ordinance, Unified Development Code (UDC) and Sign Ordinance. An Application for Variance Request/Appeal shall be considered by Planning Commission and Planning Commission shall make a recommendation to City Council, who has the authority to grant or deny variance requests. Considerations are made at the monthly Planning Commission and City Council meetings. Refer to the <a href="https://www.cityofiowacolony.com">www.cityofiowacolony.com</a> for Planning Commission and City Council scheduled meeting dates and all ordinances and development guidelines affecting the City. Provide hard copies and digital files (cd or flash drive) of application and any supporting documentation to the City Secretary. This application may be used for several requests but only one property or one section of a subdivision. The application fee for Variance Requests/Appeal is \$1,000, due at the time of submission and is non-refundable. Applications received without the required fee shall be considered incomplete.

incomplete.	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	o at the time of eachinesion and is non-rotalida	The state of the s	
TYPE OF VARIANCE	REQUES	T (SELECT ONE): [] ZONING [3] UDC [	] ZONING ORDINANCE [] SIGN ORDINANCE [] APPEAL	
APPLICANT INFORMA	ATION:			
Name of Applicant:	Abiga	gail Martinez / LJA Engineering, Inc.		
Address of Applicant: 3600		W Sam Houston Pkwy, Ste. 600	Phone: 713-657-6008	
	Hous	ton, TX 77042	Email: amartinez@lja.com	
Name of Owner:	Danie	el Rose / D.R. Horton		
Address of Owner:	6744	Horton Vista Dr.	Phone: 281-566-2100	
	Rich	mond, TX 77407	Email: drose@drhorton.com	
PROPERTY INFORMA	ATION:			
Address Of Subject Pro	operty: <u>G</u>	Generally located 1 mi west of SH 288	3 along Cedar Rapids Pkwy	
Legal Description Of S	ubject Pro	operty: H.T. & B.R.R. Co Lot 68, A-561	and H.T. & B.R.R. Co Lot 58, A-516	
Brazoria County Tax N	lo(s): <u>05</u> 1	16-0002-105, 0516-0006-000, 0561-0	<u>0015-000, 0561-0011-000, 0561-0006-000, 0561-000</u> 5-135	
Current Zoning: Res	sidentia	al Single Family		
Street Frontage Type (	Circle On	e): Private or Public	FIRM Map Panel Number: 48039C0105K, Eff. Date 12/30/20	
Request and reason: Please see the attached Variance			to. If additional space is needed, please attach to this application. ks, Subsection D.	
		Subdivision Ordinance, Section 33. Streets, S	ets, Subsection E.	
		lease see the attached Variance Request Information Form.		
List of supplemental do	ocumenta	tion provided:		
Planning Commission Date Requested: July 11, 2023  Requestor Signature or Owner and Date:		uested: July 11, 2023	City Council Date Requested: July 17, 2023	
		and Date: Migail Martinez	6/7/23	
FOR CITY USE ONLY: Application Received By:		ation Received By:	Date Received:	
Planning Commission Date:			Fee Received:	
City Council Date:			Notifications Required: [] Published Notice [] Public Hearing	
Date Approved or Denied:			[] Posting on Property (applicant responsibility) [] Personal Notice	

[] Written Notice of Decision

#### **Variance Request Information Form**

Plat Name: - Caldwell Lakes GP
Company Name: - LJA Engineering, Inc.

Date Submitted: - June 7, 2023

#### Specific variance is being sought and extent of variance:

To exceed the maximum local block length requirement on the western boundary of the Caldwell Lakes subdivision.

#### **Subdivision Ordinance Reference:**

Section 36. Blocks.

D. No block shall exceed a length of one thousand two hundred (1,200) feet in residential or commercial developments.

#### **Statement of Facts:**

(1) The imposition of the terms, rules, conditions, policies and standards of this division would deprive the owner or applicant of the property of reasonable use of the land or building;

Caldwell Lakes is an approximately 386.3-acre residential community located west of SH 288, east of FM 521 Road, north of Cedar Rapids Parkway, and south of Alloy Road. The community includes several internal streets that traverse the development. The site is bounded on all sides by undeveloped acreage and some single-family residential homes to the west and Brazoria County MUD Site #31 to the east.

The project site is located along Cedar Rapids Parkway, about one mile west of SH 288. Approximately 1,000 feet to the west of the site is an existing rifle and pistol firing range, Bayou Rifles Gun Range. The western portion of the site is located directly behind the Bayou Rifles Gun Range and falls within a Safety Danger Zone, in which stray bullets and ricochets from the range can impact the land that would connect the Caldwell Lakes subdivision to the Caldwell Crossing subdivision. Due to the possibility of stray bullets from the gun range, it is not possible to connect Bullard Parkway to the west at this time. The developer, D.R. Horton, conducted a study with an authorized company to locate the Safety Danger Zone and will not locate any homes or right-of-way within this area for safety and liability purposes. This has resulted in a subdivision design with a longer block length along the western boundary of the project.

(2) The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant, and the general purposes of this division are observed and maintained;

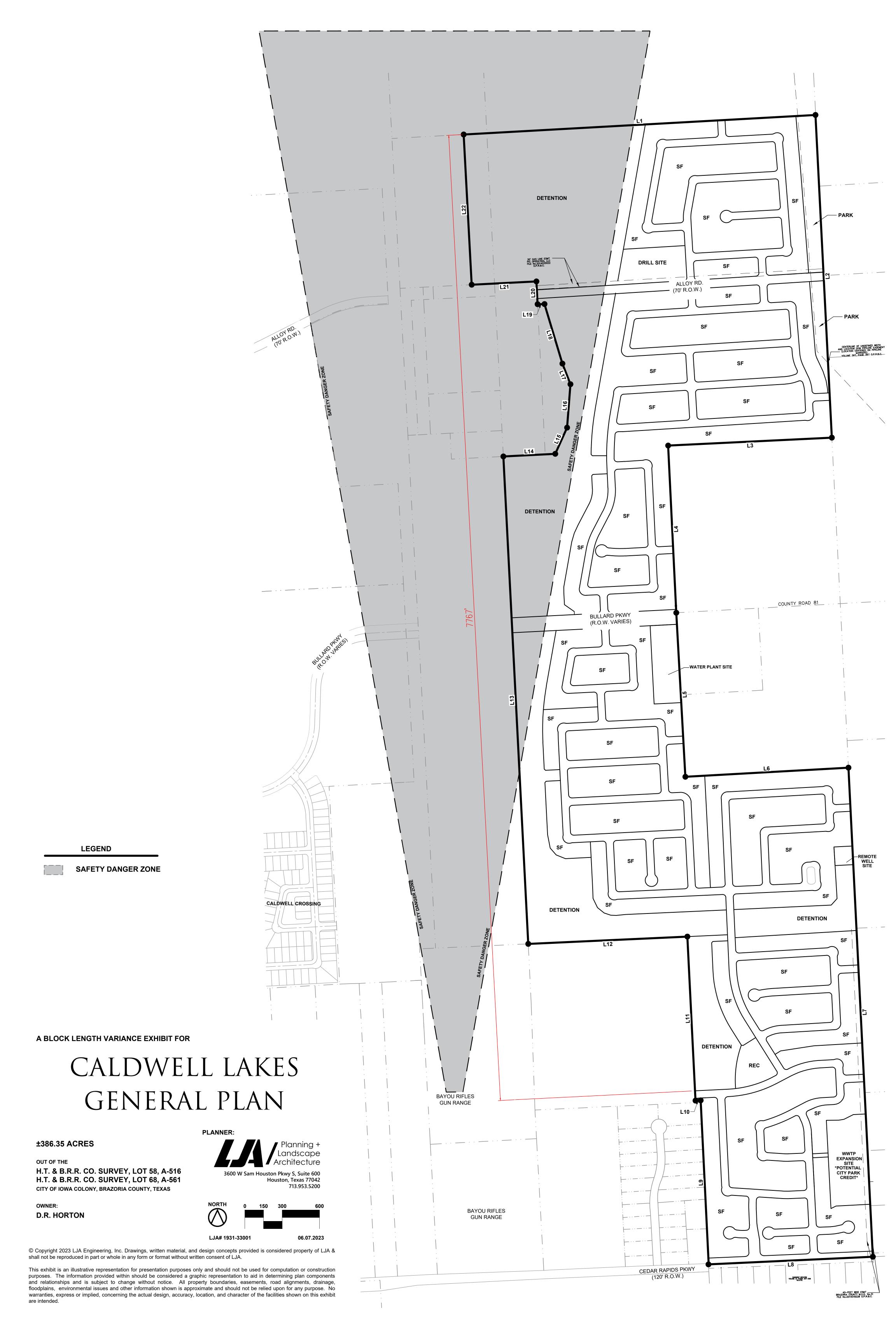
The existing conditions of the surrounding property, including the gun range, are not a hardship created or imposed by the applicant. The general purposes of this section within the Iowa Colony ordinances will continue to be observed and maintained.

(3) The intent of this article is preserved; and

The overall circulation of the area is upheld by the proposed street system, thereby preserving and maintaining this chapter's intent and general purposes.

(4) The granting of such a variance will not be injurious to the public health, safety, or welfare.

The granting of the variance will not impede adequate circulation within the development and will, therefore not be injurious to the public health, safety, or welfare. The variance will further improve public health, safety, and welfare, as homes and residents who drive through the area will be protected from the gun range's ricochet area. There will be sufficient connectivity and access throughout the site.





July 3, 2023

Mayor Wil Kennedy c/o City Council City of Iowa Colony 12003 Iowa Colony Blvd. Iowa Colony, TX 77553

Re: Caldwell Lakes - General Plan

Variance Requests to Subdivision Ordinance - Lot Access

Letter of Recommendation

Adico, LLC Project No. 16007-3-433

Dear Mayor Kennedy and City Council;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the Application for Variances to the Subdivision Ordinance for the Caldwell Lakes General Plan as submitted by LJA Engineering, Inc.

#### **Description:**

The developer is seeking a variance for the allowance to exceed the maximum local lot allowance (35 lots) for access points for the Caldwell Lakes subdivision.

#### Subdivision Ordinance Reference:

Per Section 33. Multiple Access Points: D. All subdivisions except single dead-end streets shall have a minimum of two access points to existing proposed public streets. This may be a boulevard where a second access is not available.

#### Recommendations:

Staff is recommending approval of the variance to exceed the maximum local lot allowance per access points subject to the developer providing a secondary all weather emergency access road along Bullard Parkway as depicted on the General Plan. In addition, no lots north of Bullard Parkway will be allowed to be constructed until Bullard Parkway is complete.

This requirement satisfies temporary connectivity and emergency access until Bullard Parkway is constructed.

Developer has provided a interim secondary access point along Bullard Parkway connection to Karsten Blvd. As such, we are recommending approving the variance application for Caldwell Lakes.

Should you have any questions, please do not hesitate to call our office.

Sincerely,

Dinh V. Ho, P.E. / TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC Robert Hemminger, COIC

File: 16007-3-433

Item 7.



#### **APPLICATION FOR VARIANCE REQUEST or APPEAL**

12003 IOWA COLONY BLVD., IOWA COLONY, TEXAS 77583 | PHONE: 281-369-2471 | FAX: 281-369-0005 | WWW.CITYOFIOWACOLONY.COM

Please use this application to request a variance/appeal within the Subdivision Ordinance, Zoning Ordinance, Unified Development Code (UDC) and Sign Ordinance. An Application for Variance Request/Appeal shall be considered by Planning Commission and Planning Commission shall make a recommendation to City Council, who has the authority to grant or deny variance requests. Considerations are made at the monthly Planning Commission and City Council meetings. Refer to the <a href="https://www.cityofiowacolony.com">www.cityofiowacolony.com</a> for Planning Commission and City Council scheduled meeting dates and all ordinances and development guidelines affecting the City. Provide hard copies and digital files (cd or flash drive) of application and any supporting documentation to the City Secretary. This application may be used for several requests but only one property or one section of a subdivision. The application fee for Variance Requests/Appeal is \$1,000, due at the time of submission and is non-refundable. Applications received without the required fee shall be considered incomplete.

incomplete.				
TYPE OF VARIANCE	REQUEST (SELECT ONE): [] ZONING [정 UDC	[] ZONING ORDINANCE [] SIGN ORDINANCE [] APPEAL		
APPLICANT INFORMA	ATION:			
Name of Applicant:	Abigail Martinez / LJA Engineering, Inc.	pigail Martinez / LJA Engineering, Inc.		
Address of Applicant:	3600 W Sam Houston Pkwy, Ste. 600	Phone: 713-657-6008		
	Houston, TX 77042	Email: amartinez@lja.com		
Name of Owner:	Daniel Rose / D.R. Horton			
Address of Owner:	6744 Horton Vista Dr.	Phone: 281-566-2100		
	Richmond, TX 77407	Email: drose@drhorton.com		
PROPERTY INFORMA	ATION:			
Address Of Subject Pro	operty: Generally located 1 mi west of SH 2	88 along Cedar Rapids Pkwy		
•	ubject Property: <u>H.T. &amp; B.R.R. Co Lot 68, A-56</u>			
Brazoria County Tax N	o(s): 0516-0002-105, 0516-0006-000, 0561	1-0015-000, 0561-0011-000, 0561-0006-000, 0561-0005-13		
Current Zoning: Res	sidential Single Family	Water and Sanitary Serviced by: City		
Street Frontage Type (	Circle One): Private or Public	FIRM Map Panel Number: 48039C0105K, Eff. Date 12/30/20		
Unified Development Code or Sign Ordinance that the Variance Request application of Code:  Request and reason:  Subdivision Ordinance, Section 36.  Please see the attached Variance Request applications of Code:  Please see the attached Variance Request applications of Code:  Note: The Variance Request applications of Code: Subdivision Ordinance, Section 36.		ocks, Subsection D. quest Information Form.		
List Ordinance or Code: Subdivision Ordinance, Section 33. Streets,				
Request and reason: Please see the attached Variance Request		t Information Form.		
List of supplemental do	ocumentation provided:			
Planning Commission I	Date Requested: July 11, 2023	City Council Date Requested: July 17, 2023		
Requestor Signature or Owner and Date: Wigal Martine		6/7/23		
	, , , , , , , , , , , , , , , , , , ,	Date Received:		
FOR CITY USE ONLY: Application Received By:		Fee Received:		
Planning Commission Date:  City Council Date:		Notifications Required: [] Published Notice [] Public Hearing		
Date Approved or Denied:		[] Posting on Property (applicant responsibility) [] Personal Notice		
Date Approved of Defilied.				

[] Written Notice of Decision

#### **Variance Request Information Form**

Plat Name: - Caldwell Lakes GP Company Name: - LJA Engineering, Inc.

Date Submitted: - June 7, 2023

#### Specific variance is being sought and extent of variance:

To exceed the maximum local lot allowance per access points requirement for the Caldwell Lakes subdivision to allow lot development north of the intersection to the south right-of-way line of Bullard Parkway, given temporary emergency access to Bullard Parkway is provided while the connection to Sterling Lakes is constructed.

#### **Subdivision Ordinance Reference:**

Section 33. E. Multiple Access Points: All subdivisions except single dead-end streets shall have a minimum of two access points to existing proposed public streets. This may be a boulevard where a second access is not available.

#### Statement of Facts:

(1) The imposition of the terms, rules, conditions, policies and standards of this division would deprive the owner or applicant of the property of reasonable use of the land or building;

Caldwell Lakes is an approximately 386.3-acre residential community located west of SH 288, east of FM 521 Road, north of Cedar Rapids Parkway, and south of Alloy Road. The community includes several internal streets that traverse the development. The site is bounded on all sides by undeveloped acreage and some single-family residential homes to the west and Brazoria County MUD Site #31 to the east.

The project site is located along Cedar Rapids Parkway, about one mile west of SH 288. There are currently two points of access off Cedar Rapids Parkway, which would permit development of 150 lots up to the intersection approximately 1,500 feet north of Cedar Rapids Parkway, adjacent to the proposed Recreation Center. Please refer to the Lot Access Variance Exhibit. Due to the presence of Bayou Rifles Gun Range and the Safety Danger Zone (SDZ) not allowing the connection of Bullard Parkway to the west, the development of lots past that point is hindered due to lack of dedicated right-of-way (ROW) at the time of construction.

The conditions and standards of this division would deprive the development due to the existence of the SDZ. However, the requested variance, if approved, would maintain the chapter's standards. A variance is needed to exceed the 35 lots per one point of access and also to provide the opportunity for construction to the south side of the Bullard right-of-way with the provision that emergency access is provided until a permanent connection is made to Bullard Parkway and where it connects to the Sterling Lakes development to the east.

(2) The circumstances supporting the granting of the variance are not the result of a hardship imposed or created by the applicant, and the general purposes of this division are observed and maintained;

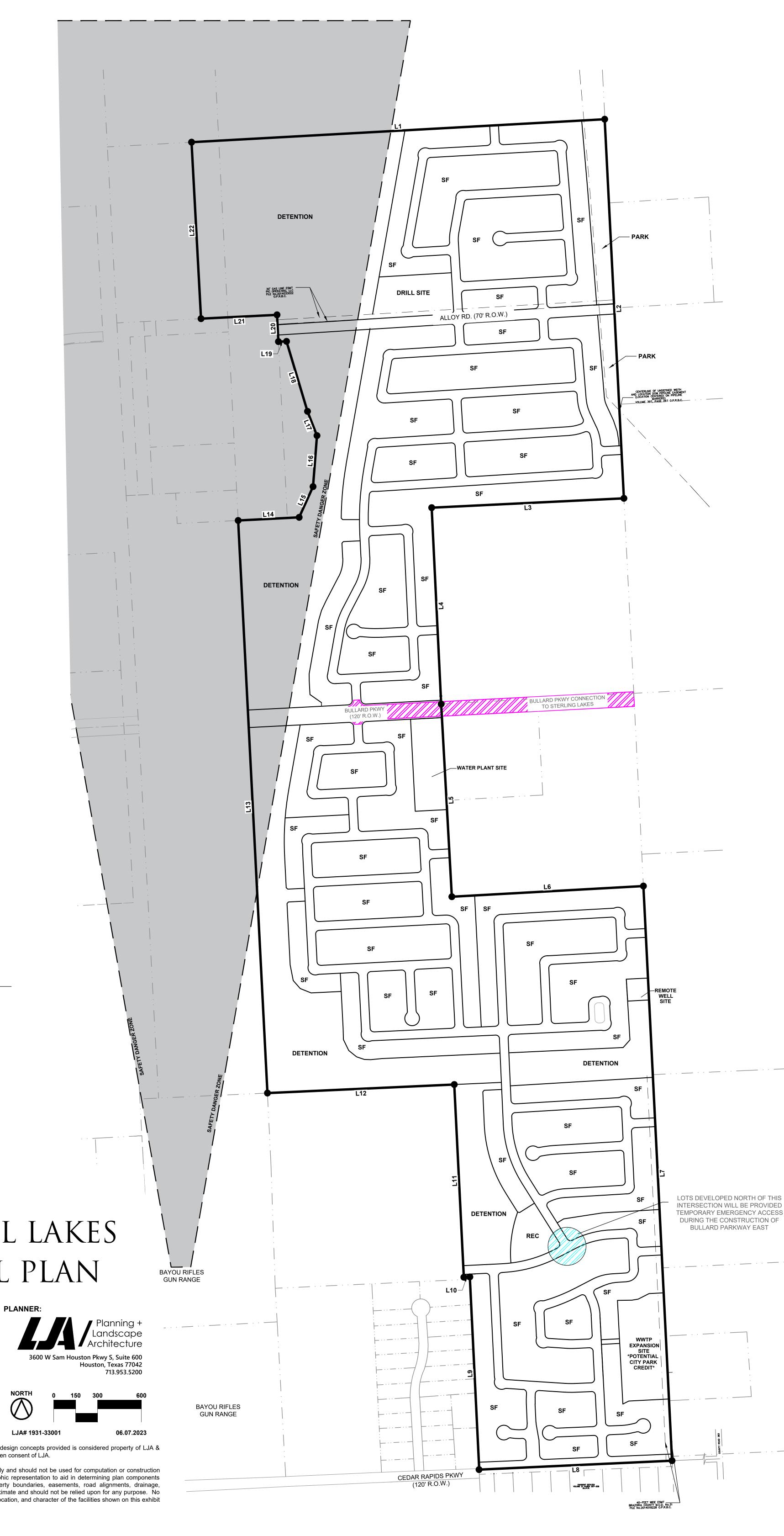
The existing conditions of the surrounding property, including the gun range, is not a hardship created or imposed by the applicant. The general purposes of this section within the lowa Colony ordinances will continue to be observed and maintained as temporary emergency access would be provided to any lots under construction as Bullard Parkway is being constructed to the east.

#### (3) The intent of this article is preserved; and

The overall circulation and access of the area is upheld by the proposed street system and phasing of road construction. The construction of Bullard Parkway would begin five months prior to pulling permits for the development of lots exceeding 150 lots. These lots would be provided temporary emergency access north to Bullard Parkway to ensure the intent and general purposes of this article is preserved.

(4) The granting of such a variance will not be injurious to the public health, safety, or welfare.

The granting of the variance will not impede adequate circulation within the development and will therefore not be injurious to the public health, safety, or welfare. The variance will further improve public health, safety, and welfare, as homes and residents who drive through the area will be protected from the Safety Danger Zone. Safe emergency access and regulations as sufficient connectivity and access throughout the site will remain. The number of lots beyond 150 up to the southern ROW of Bullard Parkway will be provided with temporary emergency access to continue protecting public health, safety, and welfare.



**LEGEND** 

**SAFETY DANGER ZONE** 

**BULLARD CONNECTION EAST** 

**TEMPORARY ACCESS PROVIDED** NORTH OF THIS INTERSECTION

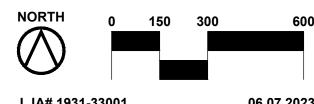
A LOT ACCESS VARIANCE EXHIBIT FOR

## CALDWELL LAKES GENERAL PLAN

±386.35 ACRES

OUT OF THE H.T. & B.R.R. CO. SURVEY, LOT 58, A-516 H.T. & B.R.R. CO. SURVEY, LOT 68, A-561 CITY OF IOWA COLONY, BRAZORIA COUNTY, TEXAS

OWNER: D.R. HORTON



© Copyright 2023 LJA Engineering, Inc. Drawings, written material, and design concepts provided is considered property of LJA & shall not be reproduced in part or whole in any form or format without written consent of LJA.

This exhibit is an illustrative representation for presentation purposes only and should not be used for computation or construction purposes. The information provided within should be considered a graphic representation to aid in determining plan components and relationships and is subject to change without notice. All property boundaries, easements, road alignments, drainage, floodplains, environmental issues and other information shown is approximate and should not be relied upon for any purpose. No warranties, express or implied, concerning the actual design, accuracy, location, and character of the facilities shown on this exhibit



Monday, July 3, 2023

Abigail Martinez LJA Engineering, Inc. 3600 W. Sam Houston Pkwy. Suite 600 Houston, TX 77042

Re: Caldwell Lakes General Plan

Letter of Recommendation to Approve City of Iowa Colony Project No. 433 Adico, LLC Project No. 16007-03-433

Dear Ms. Martinez;

On behalf of the City of Iowa Colony, Adico, LLC has reviewed the submittal of the Caldwell Lakes General Plan, received on or about June 6, 2023. The review of the general is based on the City of Iowa Colony Subdivision Ordinance No. 2019-09 dated August 2002, and as amended.

Based upon on our review, we have no objections to the general plan subject to the approval of the Variance Requests for Block Length Requirements and Lot Access. Please provide ten (10) prints to Kayleen Rosser, City Secretary, by no later than Thursday, July 6, 2023, for consideration at the July 11, 2023, Planning and Zoning meeting.

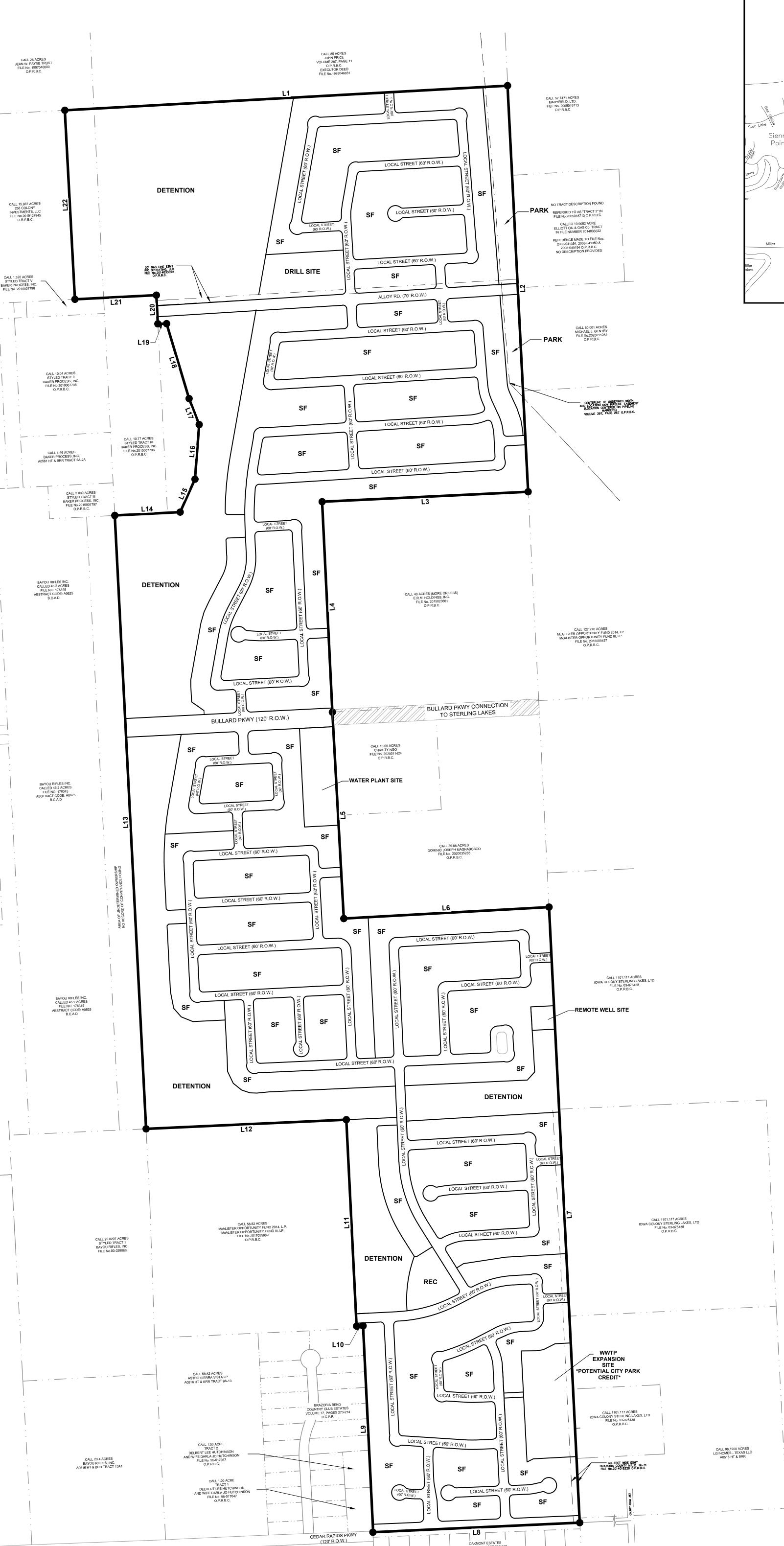
Should you have any questions, please do not hesitate to call our office.

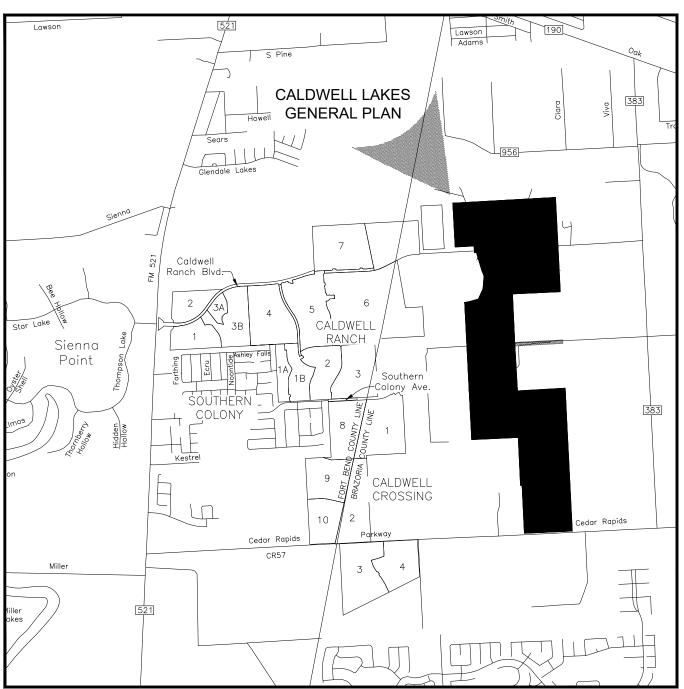
Sincerely,

TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC Robert Hemminger, COIC

File: 16007-3-433





Vicinity Map 1 inch = 1/2 mile

BOUNDARY LINE TABLE			
LINE	BEARING	DISTANCE	
L1	N 86°49'06" E	2831'	
L2	S 02°54'25" E	2596'	
L3	S 87°13'46" W	1317'	
L4	S 02°46'33" E	1345'	
L5	S 03°10'06" E	1320'	
L6	N 86°48'25" E	1313'	
L7	S 02°51'05" E	3935'	
L8	S 87°21'05" W	1320'	
L9	N 02°47'53" W	1319'	
L10	S 87°34'02" W	41'	
L11	N 02°50'05" W	1320'	
L12	S 87°22'47" W	1280'	
L13	N 02°55'29" W	3922'	
L14	N 87°04'52" E	418'	
L15	N 24°18'27" E	231'	
L16	N 04°23'35" E	350'	
L17	N 21°17'16" W	178'	
L18	N 16°42'03" W	500'	
L19	S 88°38'11" W	56'	
L20	N 02°54'49" W	183'	
L21	S 87°05'31" W	521'	
L22	N 03°03'55" W	1209'	

### LEGEND

O.P.R.B.C. INDICATES OFFICIAL PUBLIC RECORD OF BRAZORIA COUNTY
B.C.P.R. INDICATES BRAZORIA COUNTY PUBLIC RECORD

B.C.A.D. INDICATES BRAZORIA COUNTY APPRAISAL DISTRICT

ESMT. INDICATES EASEMENT

R.O.W. INDICATES RIGHT-OF-WAY

# CALDWELL LAKES

±386.35 ACRES

OUT OF THE

H.T. & B.R.R. CO. SURVEY, LOT 58, A-516

H.T. & B.R.R. CO. SURVEY, LOT 68, A-561

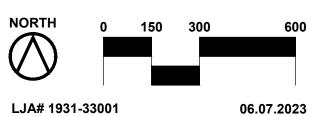
CITY OF IOWA COLONY, BRAZORIA COUNTY, TEXAS

OWNER: D.R. HORTON

PLANNER:

LOCATION OF THE PROPOSED DRY UTILITY EASEMENTS LOCATED IN THE LOTS.





713.953.5200

DISCLAIMER AND LIMITED WARRANTY

THIS PRELIMINARY SUBDIVISION PLAT HAS BEEN PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE CITY OF IOWA COLONY ORDINANCES GOVERNING LAND PLATTING IN EFFECT AT THE TIME THIS PLAT WAS PREPARED ALONG WITH ANY VARIANCE OR VARIANCES TO THE PROVISIONS OF THE AFOREMENTIONED ORDINANCE WHICH ARE SUBSEQUENTLY GRANTED BY THE IOWA COLONY PLANNING COMMISSION. THIS PLAT WAS PREPARED FOR THE LIMITED PURPOSE OF GUIDANCE IN THE PREPARATION OF ACTUAL ENGINEERING AND DEVELOPMENT PLANS. THIS LIMITED WARRANTY IS MADE IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, AND NEITHER LJA ENGINEERING, INC., NOR ANY OF ITS OFFICERS, OR DIRECTORS, OR EMPLOYEES MAKE ANY OTHER WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED CONCERNING THE DESIGN, LOCATION, QUALITY, CHARACTER OF ACTUAL CONSTRUCTION, SAFETY OR SUITABILITY TO THE PURPOSES INTENDED, OR ANY UTILITIES OR OTHER FACILITIES IN, ON, OVER, OR UNDER THE PREMISES INDICATED IN THE PRELIMINARY SUBDIVISION PLAT. ANY DRY UTILITIES SHOWN ON THIS PLAT (POWER, GAS, TELEPHONE, CABLE, ETC.) HAVE NOT BEEN DESIGNED, REVIEWED NOR APPROVED BY ANY DRY UTILITY PROVIDER. ANY DRY UTILITY ONE-LINES SHOWN ON THIS PLAT ARE CONCEPTUAL AND BASED SOLELY ON THE