

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:

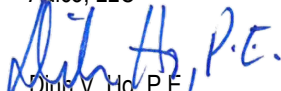
Staff is recommending approval of the variance to block length requirements along the western boundary of the Caldwell Lakes development as illustrated in the general plan.

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


Dimitri V. Ho, P.E.
TBPE Firm No. 16423

Cc: Kayleen Rosser, COIC
Robert Hemminger, COIC
File: 16007-3-433



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 www.cityofiowacolony.com 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.

TYPE OF VARIANCE REQUEST (SELECT ONE): ZONING UDC ZONING ORDINANCE SIGN ORDINANCE APPEAL

APPLICANT INFORMATION:

Name of Applicant: Abigail 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 INFORMATION:

Address Of Subject Property: Generally located 1 mi west of SH 288 along Cedar Rapids Pkwy

Legal Description Of Subject Property: H.T. & B.R.R. Co Lot 68, A-561 and H.T. & B.R.R. Co Lot 58, A-516

Brazoria County Tax No(s): 0516-0002-105, 0516-0006-000, 0561-0015-000, 0561-0011-000, 0561-0006-000, 0561-0005-135

Current Zoning: Residential 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

VARIANCE REQUEST/APPEAL INFORMATION: Requestor must identify specific Chapter and Section of the Subdivision Ordinance, Zoning Ordinance, Unified Development Code or Sign Ordinance that the Variance Request applies to. If additional space is needed, please attach to this application.

List Ordinance or Code: Subdivision Ordinance, Section 36. Blocks, Subsection D.

Request and reason: Please see the attached Variance Request Information Form.

List Ordinance or Code: Subdivision Ordinance, Section 33. Streets, Subsection E.

Request and reason: Please see the attached Variance Request Information Form.

List of supplemental documentation provided: _____

Planning Commission Date Requested: July 11, 2023 City Council Date Requested: July 17, 2023

Requestor Signature or Owner and Date: Abigail Martinez 6/7/23

FOR CITY USE ONLY: Application 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;

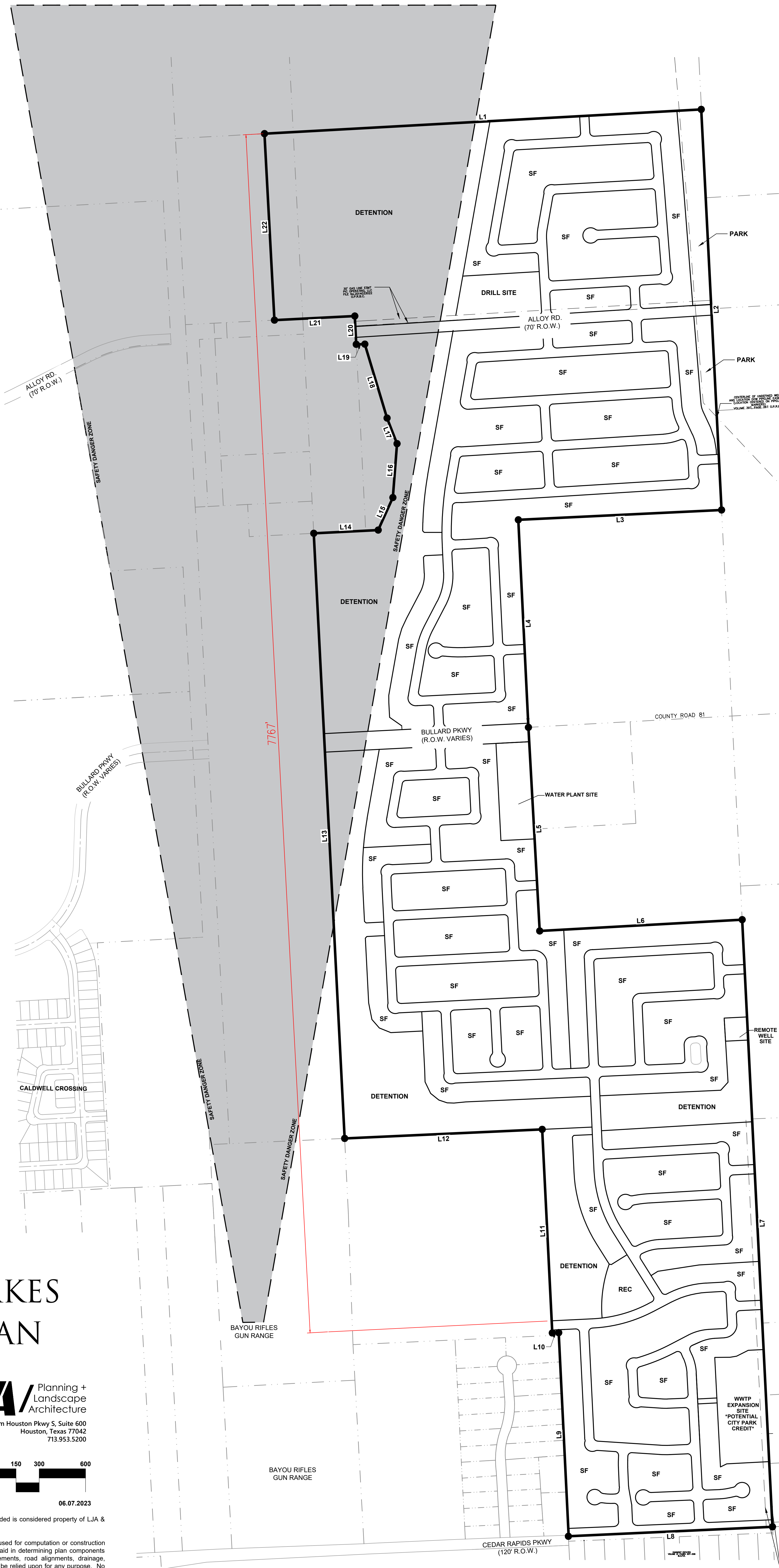
The existing conditions of the surrounding property, including the gun range, are not a hardship created or imposed by the applicant. The general purposes of this section within the Iowa Colony ordinances will continue to be observed and maintained.

(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.



LEGEND

SAFETY DANGER ZONE

A BLOCK LENGTH VARIANCE EXHIBIT FOR

CALDWELL LAKES GENERAL PLAN

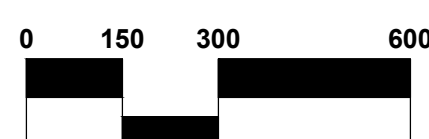
±386.35 ACRES

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

PLANNER:

LJA Planning +
Landscape
Architecture
3600 W Sam Houston Pkwy S, Suite 600
Houston, Texas 77042
713.953.5200



LJA# 1931-33001

06.07.2023

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REVISIONS OF LINESHED WITH
THE LOCATION OF THE CURRENT
SURVEY
VOLUME 302, PAGE 301 OF 302

40-FOOT WIDE STRIP
FOR 120' R.O.W. SPACING