



# City Council Agenda Item Request Form

This form is required to be completed by the applicable deadline for placement of an item on the City Council Agenda.

Date: 10/3/2024

Department Making Request: 35 - Community Development

Person Making Request: Dinh Ho, P.E.

Item Type: Action (other)

Budgeted? Y / N / n/a

Cost: 0

If budgeted, identify account:

Three empty rectangular boxes for account identification.

Short Description:

Caldwell Companies submitted the Cadence Creek Plan Unit Development for the property located at 9618 Iowa Colony Blvd. on August 26, 2024. The Planned Unit Development is proposed to develop the site to be an Age Restricted 55+ Active Adult Community.

Explanation/Justification Details:

Caldwell Companies submitted the Cadence Creek Plan Unit Development for the property located at 9618 Iowa Colony Blvd. on August 26, 2024. The tract is comprised of approximately +/-20 acres of land, located across of Meridiana Elementary School. The plan is to for the tract to be as an Age Restricted 55+ Active Adult Community with a mix of cottage homes and a 4-story and apartment facility. Staff has reviewed the PUD and recommend approvals subject to the conditions as outlined in the report. P&Z approved the Cadence Creek PUD with staff recommendations with a vote of 4-1.

Requestor Signature: *Dinh Ho, P.E.*

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This section to be completed by City Secretary, City Attorney, and City Manager's Office only:

Legal Review is complete, legal documents are prepared:

City Attorney

Item is approved for placement on Council Agenda:

City Manager

Item is scheduled for placement on the

Council Agenda.

City Secretary

## MEMORANDUM

**Date:** October 3, 2024  
**To:** City Council Members  
**From:** Dinh V. Ho, P.E.  
**RE:** Cadence Creek PUD – Active Adult Community  
Staff's Summary and Recommendations  
**CC:** Mayor Wil Kennedy, Robert Hemminger, Natasha Brooks, Kayleen Rosser

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Caldwell Companies submitted the Cadence Creek Plan Unit Development for the property located at 9618 Iowa Colony Blvd. on August 26, 2024. The tract is comprised of approximately +/-20 acres of land, located across of Meridiana Elementary School. The plan is to for the tract to be as an Age Restricted 55+ Active Adult Community with a mix of cottage homes and a 4-story apartment facility.

Attached is the proposed application with variance requests from the current City development ordinances.

Summary:

1. ***Request to buffer the development as single family adjacent to single family and not multi-family adjacent to single-family.***

Recommendation: Staff have no objections to this request.

2. ***Request for side, rear, and front screening requirements.***

Recommendation: Staff recommend to require 6' masonry fencing along Iowa Colony Blvd. This is consistent with all SFR development.

3. ***Request to waive Neighborhood and Regional Parkland fees.***

Recommendation: Staff recommend denying this request. The Regional Park fee is for the acquisition and development of regional parks per the adopted Master Park Plan within the Iowa Colony.

Neighborhood Fees: "Private Neighborhood Parks" (Section 3.2.1.5) and can meet up to 50% of the required park land dedicated acreage. Developer shall be responsible for the balance if no public dedication.

4. ***Request for Building set back along Arterial frontage.***

Recommendation: Staff recommend setbacks to be min 25' along Iowa Colony, consistent with SFR development.

5. ***Request for Building Height to allow for 4-story variance.***

Recommendation: Staff recommend approval subject the following conditions:

1. Two sets of elevators be provided on each side of the building.
2. Backup generator to be provided onsite for emergency backup for operation of the both sets of elevators.

**6. Request for Approval Building Materials**

Recommendation: Staff have no objections to this request.

**7. Request for variance of masonry percentage**

Recommendation: Staff agrees with the proposed masonry percentage. The development will be gated, therefore visual impact will be negligible from the public roadway.

**8. Request for PUD boundary variance**

Recommendation: Staff have no objections to this request.

**9. Request for separate access points on major thoroughfare variance.**

Recommendation: Staff is recommending a 2nd point of access point based on the density of this development.

**Staff recommends approval of the Cadence Creek PUD subject to the recommendations as noted above.**

**Planning and Zoning approved the Cadence Creek PUD with staff recommendations on October 1, 2024.**

# CITY OF IOWA COLONY

"Where We Make It Happen"

## APPLICATION FOR SPECIFIC USE PERMIT FORM 'B'

APPLICATION DATE: 8/26/2024

NAME OF APPLICANT: Hayden Dobbs

THE LEGAL DESCRIPTION AND THE ADDRESS OF THE PROPERTY THAT IS SUBJECT OF THE APPLICATION FOR SPECIFIC USE:  
Address: 9618 Iowa Colony Blvd, TX 77583

Being 20.00 Acres of land situated in the H.T. & B.R.R. Co. Survey, section 56, Abstract 515, Brazoria County, Texas, Being out of a called 73.94 acre tract of land recorded under volume 987, pages 519, 521, 523 and 525 of the Brazoria County Deed Record's; said 20,00 acres of land being more particularly described on the attached Metes and Bounds Description.

A DETAILED DESCRIPTION OF THE SPECIFIC USE PERMIT THAT IS PROPOSED: \_\_\_\_\_

Details in the attached Variance Request. In short, an active adult (55+) rental community with a mix of 1 multistory multifamily building, with single story cottages along the perimeter. This PUD would potentially include a commercial component as well.

THE ZONING DISTRICT IN WHICH THE SUBJECT PROPERTY IS LOCATED. CIRCLE ONE: ( MU ) ( SFR ) ( MH ) ( BR )

THE SIGNED CONSENT OF THE OWNER OR OWNERS OF THE SUBJECT PROPERTY, IF THE APPLICANT IS NOT THE OWNER OF THE PROPERTY: This request is subject to purchase.

THE APPLICANT'S INTEREST IN THE SUBJECT PROPERTY IF THE APPLICANT IS NOT AN OWNER OF ALL OR PART OF THE PROPERTY. The applicant's company currently has the subject under contract to purchase.

SUCH OTHER INFORMATION OR DOCUMENTATION AS THE CITY COUNCIL OR ZONING ADMINISTRATOR MAY DEEM NECESSARY.  
Please see attached.

EACH APPLICATION FOR SPECIFIC USE PERMIT MUST BE ACCOMPANIE DBY A NON-REFUNDABLE FEE OF \$1,000.00 TO DEFRAY THE COST OF NOTIFICATION, ATTORNEY'S FEES OR PROCESSING TH APPLICATION.

NOTE: THIS APPLICATION EXPIRES IN 180 DAYS IF NOT SUBMITTED. I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS AND/ OR ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT.

SIGNATURE REQUIRED:  \_\_\_\_\_



**METES AND BOUNDS DESCRIPTION  
BEING 20.00 ACRES OF LAND SITUATED IN  
THE H.T. & B. R.R. CO. SURVEY, SECTION 56, ABSTRACT 515,  
BRAZORIA COUNTY, TEXAS**

BEING 20.00 ACRES OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, SECTION 56, ABSTRACT 515, BRAZORIA COUNTY, TEXAS, BEING OUT OF A CALLED 73.94 ACRE TRACT OF LAND RECORDED UNDER VOLUME (VOL.) 987, PAGES (PG.) 519, 521, 523 AND 525 OF THE BRAZORIA COUNTY DEED RECORD'S (B.C.D.R.); SAID 20.00 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS (BEARINGS BASED ON TEXAS STATE PLANE COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE 4204, AS DETERMINED BY GPS MEASUREMENTS):

**BEGINNING** at a "MAG-NAIL" set marking the southeast corner of the said 73.94 acre tract, the southwest corner of a called 37.02 acre tract recorded under Brazoria County Clerk's File Number (B.C.C.F. NO.) 2018045191, the northwest corner of The Abbreviated Plat of Meridiana Elementary School as per plat recorded under B.C.C.F. NO. 2015000499 and the northeast corner of a called 40.00 acre tract recorded under B.C.C.F. NO. 2006041926, being located in the recognized Survey Line between the said H.T. & B. R.R. CO. Survey, A-515 and H.T. & B. R.R. CO. Survey, A-286 and generally located in County Road 48 (50-foot wide) as per the plat of Emigration Land Subdivision Section 56 recorded under Vol. 2, Pg. 113 of the Brazoria County Plat Record's (B.C.P.R.);

- (1) **THENCE**, South 87°22'50" West, along the south line of the said 73.94 acre tract common to said 40.00 acre tract, passing at a distance of 40.1 feet an obliterated 3/4-inch iron pipe found for reference, passing at a distance of 170.10 feet a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking the northeast corner of Lot 9, Block 1 of Meridiana Section 5 Partial Replat No. 1 as per plat recorded under B.C.C.F. NO. 2016039871, and continuing in common therefrom for a total distance of 714.43 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking a northerly corner of Lot 3, Block 1 of said Meridiana Section 5 being in the east line of Lot 16, Block 1 of Meridiana Section 6 Partial Replat No. 1 as per plat recorded under B.C.C.F. NO. 2016001689;
- (2) **THENCE**, North 02°44'45" West, along the said east line of Meridiana Section 6 for a distance of 1,219.44 feet to a 5/8-inch capped iron rod stamped "E.H.R.A. 713-784-4500" found marking the northeast corner of Lot 1, Block 1 of said Meridiana Section 6, being in the north line of the said 73.94 acre tract common to a called 6.06 acre tract recorded under Vol. 261, Pg. 461 B.C.D.R.;
- (3) **THENCE**, North 87°22'50" East, along the common line of said 73.94 acre tract and said 6.06 acre tract for a distance of 714.43 feet to a "MAG-NAIL" set marking the northeast corner of the said 73.94 acre tract and the northwest corner of the aforementioned 37.02 acre tract, being located in the aforementioned common Survey Line generally located in the aforementioned County Road 48;
- (4) **THENCE**, South 02°44'45" East, along the common line of said 73.94 acre tract and said 37.02 acre tract with the said common Survey Line for a distance of 1,219.44 feet to the **POINT OF BEGINNING** and containing 20.00 acres of land. This description accompanies a Land Title Survey prepared by Edminster, Hinshaw, Russ and Associates, Inc. (24150700V-PBLT.dwg) dated July 16, 2024.

**EDMINSTER, HINSHAW, RUSS AND ASSOCIATES, INC. dba EHRA, Inc. TBPELS No. 10092300**

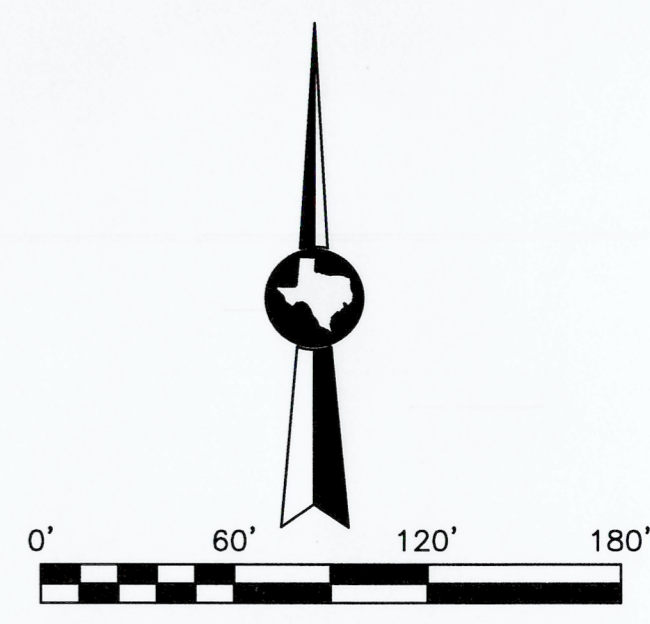
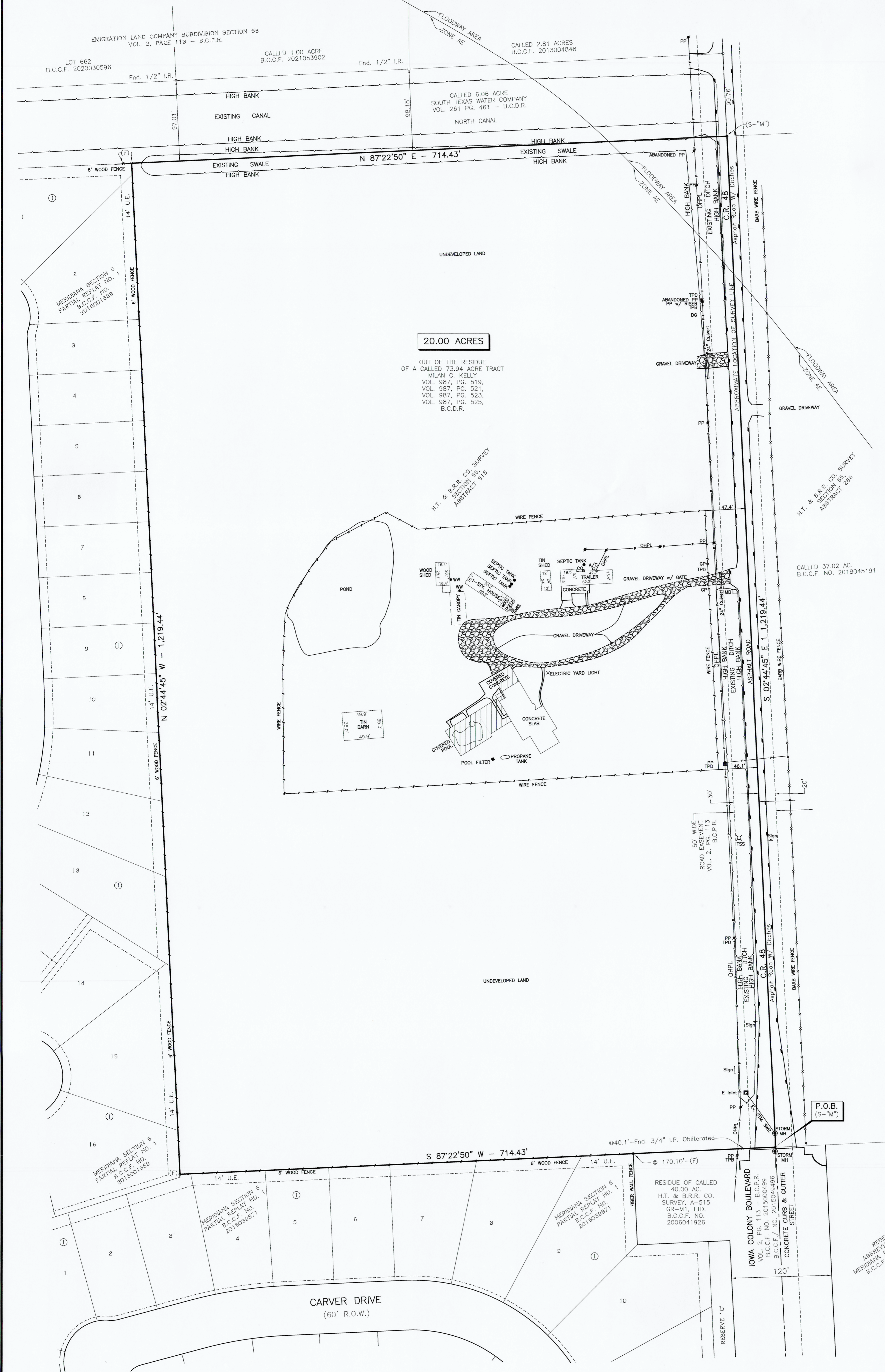
Robert L. Boelsche

Robert L. Boelsche, R.P.L.S.  
Texas Registration No. 4446  
10011 Meadowglen Ln.  
Houston, Texas 77042  
713-784-4500



Date: July 16, 2024  
Job No: 241-507-00  
File No: R:\2024\241-507-00\Docs\Description\Boundary\24150700V-PBLT-MB.doc





SCALE: 1" = 60'

**LEGEND**

A/C	Air Conditioner
B.C.C.F. NO.	Brazoria County Clerk's File Number
B.C.D.R.	Brazoria County Deed Records
B.C.P.R.	Brazoria County Plat Records
DG	Down Guy
ESMT	Easement
FND	Found
IP	Iron Pipe
IR	Iron Rod
OHP/L	Overhead Power Line
P.O.B.	Point of Beginning
PP	Power Pole
R.O.W.	Right-Of-Way
TPB	Telephone Pull Box
TPD	Telephone Pedestal
TSS	Traffic Signal Sign
U.E.	Utility Easement
VOL. PG	Volume, Page
(F)	Found 5/8" Iron Rod with cap stamped "C.H.R. & A. 713-784-4500"
(S-M)	Set "MAG" Nail

Ditch	Highbank	-----
Easement	Overhead Power	-----
Wire Fence	Wood Fence	-----
Edge of Asphalt	Pavement Gravel	-----

**20.00 ACRES**

OUT OF THE RESIDUE OF A CALLED 73.94 ACRE TRACT MILAN C. KELLY VOL. 987, PG. 519, VOL. 987, PG. 521, VOL. 987, PG. 523, VOL. 987, PG. 525, B.C.D.R.

H.T. & B.R.R. CO SURVEY SECTION 56, ABSTRACT 515

CALLLED 37.02 AC. B.C.C.F. NO. 2018045191

RESIDUE OF CALLED 40.00 AC. H.T. & B.R.R. CO. SURVEY, A-515 GR-M1, LTD. B.C.C.F. NO. 2006041926

RESERVE "K" ABBREVIATED PLAT OF MERIDIANA ELEMENTARY SCHOOL B.C.C.F. NO. 2015000495

- NOTES:**
- This survey has been performed in conjunction with the Commitment for Title Insurance issued by Alamo Title Insurance Company under G.F. No. A1CH-01COM-ATCH24134249-JG, effective February 16, 2024 and issued February 22, 2024. No research of the Public Records of Brazoria County regarding easements or encumbrances was performed by Edminster, Hinshaw, Russ & Associates, Inc. d/b/o EHRA.
  - The basis of Bearings shown hereon is referenced to the Texas Coordinate System of 1983, South Central Zone, as determined by GPS measurements.
  - For Additional information about the subject tract, see Schedule B, Items 10 c through 10 s regarding certain leases that might affect the subject tract. This survey does not attempt to show these types of interests.
  - This survey does not determine the location of wetlands, fault lines, toxic waste, cemeteries, landfills, dumps or any other environmental issues, should any exist.
  - Edminster, Hinshaw, Russ & Associates, Inc. d/b/o EHRA, has not been provided with construction plans showing the location of underground utilities. Underground utilities may exist which are not shown hereon.
  - The acreage totals as shown hereon are based on the mathematical closure of the courses and distances reflected on this survey. It does not include the tolerances that may be present due to the positional accuracy of the boundary monumentation.
  - Fences shown hereon with dimensional ties are shown where they were physically measured. The fence line may meander between measured locations.
  - According to the Federal Emergency Management Agency Flood Insurance Rate Map, Brazoria County, Texas, Community Panel No. 48039C0110K, dated December 30, 2020, the subject property shown hereon lies within the Special Flood Hazard Floodway Zone Area in Zone AE (floodway area that must be kept free of encroachments) and Special Flood Hazard "Zone AE" (1% annual flood chance with base flood elevations determined).
- This flood statement does not imply that the property or structures thereon will be free from flooding or flood damage. On rare occasions floods can and will occur and flood heights may be increased by man-made or natural causes. The location of the flood zone was determined by scaling from said FEMA map. The actual location, as determined by elevation contours, may differ. Edminster, Hinshaw, Russ & Associates, Inc. d/b/o EHRA, assumes no liability as to the accuracy of the location of the flood zone limits. This flood statement shall not create liability on the part of Edminster, Hinshaw, Russ & Associates, Inc. d/b/o EHRA.
- For additional information about the Subject Tract, see the metes and bounds description prepared separately.

AREA TABLE	
TOTAL GROSS AREA	20.00 ACRES
LESS TOTAL ROAD AREA	0.84 ACRES
TOTAL NET AREA	19.16 ACRES



We, Edminster, Hinshaw, Russ and Associates, Inc. acting by and through Robert L. Boelsche, a Texas Registered Professional Land Surveyor, hereby certify that this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition 2 Survey.

*Robert L. Boelsche*  
 Robert L. Boelsche  
 Registered Professional Land Surveyor  
 Texas Registration No. 4446

**10011 MEADOWGLEN LN  
 HOUSTON, TEXAS 77042  
 713-784-4500  
 EHRA.TEAM  
 TBPE No. F-726  
 TBPELS No. 10092300**

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 SINCE 1936**

**20.00 ACRES SITUATED IN THE  
 H. T. & B. R.R. COMPANY SURVEY  
 SECTION 56, ABSTRACT 515  
 BRAZORIA COUNTY, TEXAS**

DATE: July 16, 2024	SCALE: 1" = 60'	JOB NO.: 241-507-00
DWG. NAME: 24150700V-PBLT.dwg	DRAWING NO.: NONE	





City of Iowa Colony  
P&Z Commission  
3144 Meridiana Pkwy  
Iowa Colony, TX 77583  
(281) 369-2471

**Re: 9618 Iowa Colony Blvd – Cadence Creek – Caldwell 55+ Active Adult Community (PUD w/ Specific Use Permit for Active Adult Rental Community & Potential Commercial Pad Subject to Purchase Rezoning)**

To Whom It May Concern,

Caldwell Companies is interested in developing a new Active Adult Community in the City of Iowa Colony along with a possible commercial site at 9618 Iowa Colony Blvd (20.00 acres). The Cadence Creek community would be a mix of single-story cottages around the property's perimeter and a larger multifamily building with a central courtyard. This property is currently zoned Residential Single-Family. As the City of Iowa Colony currently has no zoning base to allow for the proposed Active Adult Community, we are requesting that the property in question be rezoned to PUD, with a specific use permit allowing for an active adult rental community as well as a commercial use (potentially a day care). We are requesting the following variances to the UDC:

**1. Request to buffer the development as single family adjacent to single family and not multi-family adjacent to single family.**

The UDC requires any multi-family use that has a side or rear contiguous to any residential use to have a 25' wide landscape buffer. Our understanding of the intent of this requirement is to provide single-family neighbors' privacy from a multi-story apartment development.

The driving factor for zoning the overall site as a PUD is to allow for one common lot and a mix of residential unit types to serve the 55-plus active adult community. The portion of our proposed development that is adjacent to the Meridiana subdivision will consist of single-story cottages along the perimeter and the multistory "apartment" building in the center. It is worth noting that the UDC includes duplexes as a single-family residential use. We request that the twenty five-foot (25') landscape buffer requirement against the adjacent single-family subdivision be waived, in areas bordered by single story structures, and a 10' building set back be used instead.



*Example of Cadence Creek Cottages adjacent to single-family*

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**CALDWELL**  
COMPANIES



*Conceptual Site Plan: Single-Story Cottages adjacent to existing Single-Family*



*Example of Cadence Creek Cottages*

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**2. Request for side, rear, and front screening requirements.**

- The UDC requires the following screening requirements:

**Rear & Side:** 8' opaque screening between multi-family and residential use.

**Front (along major arterial – Iowa Colony Parkway):**

- If considered Residential: 6' masonry with alternative materials considered.
- If considered Commercial: Parking must be screened with a continuous hedge of shrubs between 24" – 36".

As described above, the perimeter of the proposed Cadence Creek development will utilize cottage (duplex & fourplex) single story residential buildings. The UDC's definition of single-family residential includes duplexes. We request the front, sides, and rear screening be a 6' opaque wood fence, with masonry columns along the front.



*Example of Cadence Creek Cottages 6' fence line consistency with adjacent Single-Family*





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### 3. Request to waive Neighborhood and Regional Parkland fees.

The UDC requires 1 acre of land be dedicated for neighborhood park purposes for every 54 proposed dwelling units. Up to 50% of this requirement can be met by private neighborhood parks, and detention areas with walking paths can be counted at 50%. Otherwise, neighborhood parkland fee in lieu is \$350/dwelling unit. In addition, developers are required to contribute \$450 per dwelling unit for regional parks.

Our Cadence Creek communities are intentionally designed to promote an active adult lifestyle for our residents through robust amenity and lifestyle offerings. This includes a courtyard with a resort style pool, gym, movement/yoga studio, bark park, arts & crafts studio, game room, BBQ pavilion, outdoor game area, demonstration kitchen, and library to name a few. We believe that the mental and physical benefits provided to our residents exceed what the minimum park requirements would offer and request that neighborhood and regional parkland fees be waived.







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**4. Request for Building set back along Arterial frontage**

The UDC requires commercial buildings along major arterials to have a front building setback of 71' from the ultimate Right of Way line of the street. Our proposed development includes single-story cottages along the road frontage, like the single-story homes just south of the site. We request that a building set back line of 10' from the ROW be adopted when single story cottages are adjacent to Iowa Colony Parkway. With that, we are not requesting a variance to the 71' buffer for the multistory building.



*Conceptual Site Plan: Single-Story Cottages adjacent to Major Arterial*

**5. Request for Building Height variance**

We request a variance to allow for a 62' above natural ground building height (4 stories). The 2017 UDC states that building height in Iowa Colony is restricted to a maximum of 2 stories, but in no case more than 35' above natural ground.



**6. Request for Approval Building Materials**

To maintain a suburban residential aesthetic, as opposed to a commercial feel, we request approval for the use of the following building materials. These materials are approved for residential use and are used throughout the Meridiana subdivision surrounding our proposed development.

1. Cement Fiber Lap Siding (Hardie Board)
2. Asphalt/Composition shingle on pitched roofs
3. Cement Fiber Board and Batten Siding



*Typical Clubhouse Entry – Masonry with a mix of Cement Fiber Lap and Board & Batten Siding, Asphalt Shingle Roof*

**7. Request for variance of masonry percentage**

Iowa Colony ordinance 2019-14 calls for 100% brick or masonry veneer for one story primary structures and 60% masonry on two story structures, with the remainder being cementitious fiber board (Hardie board), on residential lots less than 6,600 square feet. Though our proposed community will be 1 overall lot, we feel that our mix of cottage style duplexes and 1 larger multifamily building lends itself to these standards. In short, our primary variance is caused by our preference to use Hardie board instead of brick, which we feel matches our luxury Texas Hill County theme. We request the below variances:





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Our multistory building standard for Cadence is stone from ground level to 1-1/3 stories in height, with the remainder being a mix shaker and lap style Hardie board. In addition to this, several of the patio architectural features will be full height stone.



*Representative photo of standard Cadence multistory building*

Our standard cottage (single story) for Cadence is stone from ground level to 4' in height from the garage to the front door, with the remainder of the home being a mix of shaker and lap style Hardie board.



*Example of Cadence Creek Cottages*

Although our standard cottage material is not in line with the Iowa Colony standard, we believe this is due to our preference of Hardie board instead of brick. Our vision is to offer luxury residences, and our Cottages offer several architectural details that are elevated from the standard builder grade:

- 10' plate heights on all 1 story buildings (standard homes are 9')
- 8' deep porches (standard homes are 4'-6')
- 8' garage door height (standard homes have 7')

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- 8' front doors (standard homes are 6'-8")
- 2 different types of Hardie siding (shaker and lap)
- Cedar corbels
- Front dormers throughout
- Rear dormers on all streetscapes
- 

**8. Request for PUD boundary variance**

Our proposed PUD development is adjacent to the existing Meridiana PUD.

**9. Request for separate access points on major thoroughfare variance**

We request that 1 access point for the Cadence development is allowable, similar to the below conceptual site plan. If the PUD includes a commercial component, there would be an additional access point.

