



VILLAGE
OF
VOLENTE

July 10, 2020

Walker Partners, LLC
Jared Niermann]

Re: Village of Volente Site Plan Approval Application BCRUA MB Site

The Site Plan application submitted for review on June 26, 2020 was deemed incomplete for the following reasons and is not considered filed under Chapter 212 of the Texas Local Government Code.

Site Plan Denial

- Section 9.05.061 (f)(5) — No site development approvals will be granted nor permits issued until the applicant has provided the village with proof that a tract, lot, or property is a legal tract or legal lot. If the applicant is unable to prove legal tract or legal lot status, then applicant shall apply for subdivision approval in accordance with the village's subdivision ordinance.

- On June 19, 2019, Walker Partners/Freese and Nichols Joint Venture submitted a Short Form Final Short Form to Final Plat/Replat. See Exhibit A. The Village did not receive the missing information within the timeframe required by the Code of Ordinances. Subdivision applications which do not include all required information and materials will be considered incomplete, shall not be accepted for official submission by the village, and shall not be scheduled on a commission or council agenda until the proper information is provided to the village. See Village Code 9.03.052(0)(2). Please re-submit the appropriate subdivision application to the Village.

- The property needs to be a legal lot prior to submitting for a site plan application and the applicant's plat application has expired. Section 9.03.004(b) of the Village Code of Ordinances provides that the "construction or placement, or the proposed construction or placement, of any structure over, or across a property boundary or lot line shall be deemed to be the combining of two or more contiguous tracts, lots, sites or parcels under section 9.03.004(a)(4). It shall be unlawful for any person to construct or place, or to cause to be constructed or placed, a structure on, over or across a property boundary or lot line. "

The applicant stated that they were exempt from platting because of Section 212.004(a) of the Local Government Code. Under section 212.004(a) a subdivision of land into tracts greater than five acres where each tract has access to a public street and no public improvements are dedicated is exempt from subdivision platting approval. Section 212.004(a) is meant for land that is not platted already. The application is not subdividing land into tracts each greater than five acres but is instead combining lots. The subdivision that is being created includes portions of Lot I from Lake Travis Subdivision No. 6 and portions of Lot 12, from Lake Travis Subdivision No. 2.

- Section 9.02.041 (a) Conformity to zoning district requirements - No building shall be erected and no existing building shall be moved, structurally altered, added to or enlarged, nor shall any land, building or premise be used, or designated for use for any purpose or in any manner other than provided for hereinafter in the district in which the building, land, or premises is located.

- The site plan cannot be accepted as filed because the current zoning district does not allow for the use that is proposed on the property. There is a required rezoning change, with a Conditional Use Permit for a water intake facility and pumping **stations**.
- Section 9.05.061 — Applicant shall obtain approvals in the following order: concept plan; zoning; subdivision; site plan; site development permit and nonpoint source pollution control permit; building permit.

Plat Application Not Accepted — Incomplete submittal

The plat application requires a completed application, as well as associated fees. The plat that was submitted is a final plat amending two different subdivisions (Lot 1, Lake Travis Subdivision No. 6, and Lot 12, Lake Travis Subdivision No. 2), therefore should be treated as a re-plat and cannot be approved as an amending plat. Section 9.03.055 of the Village's Code of Ordinances pro Since the property is zoned Single Family Residential (SR), it will also be required to hold a public vides guidance for the re-platting process, as does section 212.014 of the Local Government Code. hearing at the Planning & Zoning Commission (Loc. Gov't Code §212.015(e)). - Please see 9.03.055, Re-platting, of the Village's Code of Ordinances for details regarding the re-platting process and requirements of the plat. This property does not meet the intent of an amending plat, because an amending plat is not allowed to increase the number of lots, and in platting this lot, it would increase the number of lots within the subdivision (Loc. Gov't Code 212.016).

Please note the application will expire 45 days after the application was submitted if the necessary or required documents and information are not provided.

If you have any questions or comments, please call our office at 512.250.5075

Sincerely,



Jana Nace
Mayor

Village of Volente 16100 Whaf cove Volente, TX 78641