



June 26, 2020

Village of Volente
16100 Wharf Cove
Volente, TX 78641

Attn: Pat McLemore

Re: **BCRUA Maintenance Building Site for Deep Water Intake**
Site Plan Approval Application
Walker Partners Project No.: 3-00670.01

Dear Pat McLemore and Members of the Planning and Zoning Commission for the Village of Volente:

In response to the Completeness Review comments received May 26, 2020, for the Site Plan Approval Application submission for the development of the maintenance building site, part of the Phase 2 Raw Water Delivery System Project developed by the BCRUA, please see the responses below in green:

Section 9.05.007(e) – A petition for a variance shall be submitted in writing by the applicant before requests for site development approvals or permits are submitted for the consideration of the village. The petition shall state fully the grounds for the application, and all of the facts relied upon by the petitioner.

- Variances need to be approved separately from the site plan application.
 - Please find attached the Application for Variances to be added to our submittal package. The old file submitted with the Site Plan Approval Application, "04 Village of Volente - Variances to Volente Code" is now void. The attached file of the same name shall replace the old file in its entirety. The fee payment has been included. If the fee amount is incorrect, please let us know. Please review variances for consideration.

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.

- The property needs to be a legal lot prior to submitting for a site plan application.
 - Local Government Code Section 212.004(a), "A division of land under this subsection does not include a division of land into parts greater than five acres, where each part has access and no public improvement is being dedicated."
 - Based on the above Section from the Local Government Code, BCRUA is not required to plat our property as a legal lot as its complete acreage is 5.217 acres and no portion of the lot is being dedicated for public improvement.
 - Under Texas law, land acquired by condemnation is not subject to platting requirements, and the property that is the subject of the Application was acquired by condemnation.

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.
 - BCRUA does not believe we are subject to the requirements of this section. However, in good faith, we proceeded with abiding by this requirement by submitting to the Village our Conditional Use Permit Application and our Rezoning Application on July 24, 2019, nearly a year ago. No completeness comments were sent to us. No technical comments were sent to us. No action has been taken by the Planning and Zoning Commission on the submitted applications to reject or approve them.

Section 9.05.064(h)(6) – The submittal package is missing the engineer report.

- Please find attached the requested engineering report to be added to our submittal package.

Section 9.05.064(h)(12) – The submittal package is missing an approved concept plan.

- Under Section 9.05.063(a), a Concept Plan is voluntary, not required, except to accompany a CUP permit. BCRUA's position is that a CUP permit is not required. However, in good faith, we proceeded with abiding by this requirement by submitting to the Village our Conditional Use Permit Application and our Rezoning Application on July 24, 2019, nearly a year ago. No completeness comments were sent to us. Because no completeness comments were sent, by Volente Code Section 9.02.192(a)(4)(A), what was submitted (without a Concept Plan) was deemed complete as submitted with a new submission date of August 3, 2019.
- If CUP is not required because BCRUA is not subject to zoning, then a concept plan is not required because it is voluntary.

Section 9.05.064(h)(5) – The submittal has blank sheets for paving details (CB-18), water quality filtration strip details (CB-24-25), traffic control 2 (CZ-5), and the gate details (CB-19). Please update with complete sheets.

- These sheets were placeholders for our future full set. They have been removed from the Site Plan Approval submittal package as none are required for Site Plan Approval. The old file submitted with the Site Plan Approval Application, "02a MB Site Plans" is now void. The attached file of the same name shall replace the old file in its entirety.

Section 9.05.064(h)(8) - Irrigation plans are missing from the submittal.

- Please find attached the requested irrigation plans to be added to our submittal package. Sheets CB-28, CB-29, and CB-30 are incorporated into file "02a MB Site Plans" (PDF page nos. 25-27).

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.

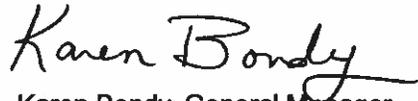
- Please see responses addressing the items in Section 9.02.041(a) and Section 9.05.064(h)(12) above.

Please feel free to reach out to my consultant, Jared Niermann, P.E., of Walker Partners/Freese and Nichols JV, at 512-382-0021 or jniermann@walkerpartners.com if you have any questions or need additional information to support your review.

Please be advised that the BCRUA, as a Local Government Corporation and collective endeavor of home-rule municipalities, is not conceding that this project is legally subject to the Village's subdivision, zoning and development-related regulations; however, the BCRUA nonetheless, in

the spirit expressed in the MOU between BCRUA and Volente, proposes to proceed in accordance with such regulations in good faith, reserving its right to object, if necessary.

Sincerely,

A handwritten signature in black ink that reads "Karen Bondy". The signature is written in a cursive, flowing style.

Karen Bondy, General Manager
Brushy Creek Regional Utility Authority

Application for Variance



VILLAGE OF VOLENTE

VOV USE ONLY:

Date of Submittal:

BOA/P&Z:

Public Ntc Date:

Date of Mtg:

Approve / Deny:

Findings of Facts:

Zoning Development Building Other: _____

Property Address: 16621 JACKSON STREET, VOLENTE, TEXAS 78641

Legal Description: 5.217 ACRE TRACT OF LAND IN JOHN STEWART SURVEY NO. 551 AND ROBERT FOSTER SRUVEY NO. 31, TRAVIS COUNTY, TX

Acreage: 5.217 Is property within floodplain? YES

Property Owner(s): BRUSHY CREEK REGIONAL UTILITY AUTHORITY (BCRUA)

Phone: 512-215-9151 Email: kbondy@bcrua.org

Mailing Address: 221 E. MAIN STREET, ROUND ROCK, TX 78664

Contractor: TO BE DETERMINED THROUGH BIDDING Contact Name: _____

Phone: _____ Email: _____

Mailing Address: _____

**Authorized Agent form must be completed if applicant is not owner*

Project for Which Variance Is Sought: _____

BCRUA PHASE 2 RAW WATER DELIVERY SYSTEM

Applicable Section/Subsection of Ordinance: See attachment.

Justifications: _____

See attachment.

Special Conditions: _____

Attachments: Photos Site Plan Conceptual Plan Letter

SUBMITTAL VERIFICATION/INSPECTION AUTHORIZATION

That I, as owner or duly authorized officer of the property hereinafter referenced, do hereby execute this document, acknowledge the above statements to be true and accurate to the best of knowledge, and understand that knowing and willful falsification of information will result in rejection of my application and may be subject to criminal prosecution. I agree to compliance with all applicable codes and ordinances of the Village. I authorize the Village or their representatives to visit and inspect the property for which this application is being submitted. I further understand that Village Staff review time may take up to ten (10) business days per review.

Karen Bondy
APPLICANT SIGNATURE

Karen Bondy

Printed Name

6/26/2020

Date

STAFF:

Application for Variance to Volente Development Code

Please be advised that the BCRUA, as a Local Government Corporation and collective endeavor of home-rule municipalities, is not conceding that this project is legally subject to the Village's subdivision, zoning and development-related regulations; however, the BCRUA nonetheless, in the spirit expressed in the MOU between BCRUA and Volente, proposes to proceed in accordance with such regulations in good faith, reserving its right to object, if necessary.

PUBLIC STREET VARIANCES

1. ***Volente Code Section 9.05.101 (d)(7)(D)(ii) – Alternate standard: Minimum right-of-way width of 50 feet with (2) paved lanes totaling twenty-seven feet (27') face-to-face and standard six inches (6") curb and gutter; parking is allowed only on one side of this roadway section.***

Jackson Street has been designed to this minimum alternate standard provided. We are developing Jackson Street within a 50' existing right-of-way. It will be thirty feet (30') wide face-to-face and have standard six-inch (6") curb and gutter. Parking would be allowed on one side. However, to construct Jackson Street, we would be required to obtain a temporary construction easement on a neighbor's property. BCRUA would like to request a variance to the 27' face-to-face minimum roadway width requirement and ask that the Village consider allowing BCRUA to design Jackson Street to be 20' face-to-face minimum roadway width in order to avoid disturbing a neighbor's property with construction activity. With the street a minimum of 20' wide parking would not be allowed on either side, similar to Arren Terrace, so that fire protection providers could get through.

Justification: BCRUA could avoid disturbing a neighboring property with construction activity in a temporary construction easement if the minimum allowable public street width is reduced to a 20' width. At this width, a temporary construction easement on the neighboring property would not be required. More trees could potentially be saved with the street width reduction. Arren Terrace is a similar roadway in the village and is approx. 18'-20' wide where it meets the Jackson Street intersection. The reduction to a minimum 20' street width may enable our design to be less impacting and more closely match existing conditions in the Village by doing away with design elements such as curb and gutter and lowering the required height of the proposed retaining wall. If the Village would be willing to consider reducing the minimum allowable public street width to the 20' width requested, BCRUA could look further into possible reductions in design elements. See attached exhibit that shows the difference from what we currently propose as the roadway width to what a 20' roadway width would look like.

DRIVEWAY VARIANCES

2. ***Volente Code Section 9.05.109 (f)(1)(A) – No driveway shall be constructed within one hundred feet (100') of a signalized intersection or within the curb return of a street intersection or within the radius of the edge pavement or traveled street at an intersection on a curve.***

The maintenance building site has two (2) driveways each allowing traffic circulation for the large truck traffic. The northwest drive will be in the radius of the edge pavement of the Bernard Street and Jackson Street intersection. This intersection will be a controlled intersection with a stop sign. BCRUA would like to request a variance to this requirement.

Justification: The site needs two (2) driveways to support the turning radius of the large trucks bringing deliveries. Based on COA TCM 5.3.2 – Table 5-2: Type II Commercial Driveway Criteria for Local Streets, Residential or Neighborhood Collector Column and under the Two Way Undivided Section, we are required to have a minimum of 50’ between the driveways. We have 70’ between the driveways as measured from edge of driveway to edge of driveway along our property line along the proposed Jackson Street. This is to properly accommodate the require truck turning radius. Even at the minimum distance of 50’ between the driveways, the northwest driveway would be partially in the radius of the curve. The driveway locations shown are the best locations to move trucks through the site.

3. ***Volente Code Section 9.05.109 (f)(1)(B)*** – *A minimum spacing between the closest paving of driveways of one hundred forty feet (140') is required. A minimum spacing of two hundred feet (200') is required on F.M. 2769 and on Lime Creek Road.*

The northwest driveway is closer than the required 140’ spacing to our northwest neighbor’s driveway entrance. The northwest driveway is approx. 72’ from the edge of our northwest neighbor’s driveway entrance to the edge of our northwest driveway as measured along our Bernard Street frontage property line. BCRUA plans to dedicate a piece of our property to our northwest neighbor for widening his driveway entrance along Bernard Street. The 72’ feet above takes into account the widening of his driveway. BCRUA would like to request a variance to the min. 140’ spacing requirement.

Justification: COA TCM 5.3.2 Table 5-2 mentions driveway spacing requirement of 50’ min. which we do comply with. There are also several driveways near our site that don’t meet the min. 140’ spacing requirement and possibly have received a variance to this requirement.

4. ***Volente Code Section 9.05.109 (f)(1)(C)*** – *A minimum of seventy feet (70') from the driveway edge to the side of the property measured at the front line is required unless a joint use drive is used.*

The northwest driveway is approx. 78’ from our northwest property line to the edge of the northwest driveway as measured along our Bernard Street frontage property line. Here we comply. However, BCRUA is looking to provide a driveway easement for our northwest neighbor to have a wider driveway. The easement edge is approx. 63’ from the edge of the northwest driveway as measured along our Bernard Street frontage property line.

The southeast driveway is approx. 45' from our southeast property line to the edge of the southeast driveway as measured along our Bernard Street frontage property line.

BCRUA would like to request a variance to the min. 70' spacing requirement.

Justification: On the northwest side, our northwest neighbor's driveway is slightly on our property and he has a very narrow entrance to his property (12' along Bernard St. right-of-way with an 8' wide driveway). BCRUA would like to request this variance so that we can provide our northwest neighbor with a wider driveway to access his property (approx. 27' along the Bernard St. right-of-way with a 15' wide driveway).

On the southeast side, we are needing this variance to get proper truck circulation through the site. There are also several driveways near our site that don't meet the min. 70' distance requirement and possibly have received a variance to this requirement.

5. ***Volente Code Section 9.05.114 (b)*** – *No roadways or driveways shall be constructed on natural grades with slopes steeper than fifteen percent (15%) unless approved by both the village council and the Volente volunteer fire department, or its successor.*

The design requires filling on natural grade with slopes steeper than 15% for approx. 186 feet beneath the maintenance drive in order to get the maintenance drive down to the lake to have a max slope of 15% to meet max allowable road/drive slopes per Volente Code Section 9.05.110(a). BCRUA would like to request a variance to the requirement above in order to meet the min. 15% grade requirements for drives in the Code. There is also so other proposed fill for grading back to existing ground from our pull box and for some berms to direct water to our water quality.

Justification: This Code seems to be so fire trucks can move through the site. Our fire lanes will all be less than 15% slope, most are about 3% slope, except for the two driveways which are 8%. Volente Code Section 9.05.110(a) requires a max 15% slope for drives. In order to maintain the 15% max slope requirement, we will need to fill on a natural grade steeper than 15% as mentioned above. In areas where we grade back to surface at 3:1, we will stabilize the slopes as recommended by our geotechnical engineer. In areas where we grade back to surface at 4:1, we will protect the slopes from erosion with temporary erosion controls until vegetation is established.

If it would be agreeable with the Village, we would also be open to discussing steepening the max slope mentioned in Volente Code Section 9.05.110(a) so the maintenance drive is more closely following the natural grade. Vertical are being used on all drive surfaces to help with the drivability and sight distances.

6. ***COA TCM 5.3.1. (P)*** – *Driveway Grade Breaks.*

The following has been adapted from the ITE report, Guidelines for Driveway Designs and Locations. Figure 5-4 in Appendix H of this manual reflects acceptable driveway profile intended to limit abrupt

changes in grades. These standards should eliminate the need for extremely low speeds and provide adequate vehicle clearance. The value of G1 is limited by shoulder slope or by the presence of a sidewalk within the right of way, but should not exceed ten (10) percent. If this grade exceeds ten (10) percent, then the tangent length shall be a minimum of 50 feet. The value of G2 for commercial and industrial driveways should be limited to six (6) percent and limited to ten (10) percent for multi-family driveways.

Where a driveway crosses or adjoins a sidewalk, walkway, or an accessible path of travel (as defined by the Americans With Disabilities Act of 1990) the driveway grade shall be a maximum of two (2) percent, over a minimum throat length of three (3) feet contiguous with the sidewalk, thereby effectively matching the cross slope of the sidewalk or accessible path of travel across the full width of the driveway.

The value of G1 for our driveway will be 2% down which meets Code. The value of G2 for our driveway will be 8% down which does not meet the required minimum 6% slope for commercial and industrial driveways. BCRUA would like to request a variance to this requirement.

Also, our roadway cross section at the driveway will not match the typical section shown in Figure 5-4 in Appendix H. We won't be creating a driveway approach that keeps water in right-of-way but will allow water to go down the driveway to be treated by water quality. This differs from the requirements and therefore needs approval. BCRUA would like to request a variance to this requirement.

Justification: For the 8% versus 6% slope variance, we will design a crest vertical curve from the road to our driveway. Our crest vertical curve will be 22 feet long and will meet the grade change requirement not to exceed 6% G1 to G2. Trucks will be moving very slowly as they come into the site, probably approx. 5mph. Travis County fire department reviewed our design of the driveway and had no issues with the design. The TxDOT Roadway Design Manual, Appendix C – Driveway Design Guidelines suggests driveway slope grades “be limited to 12 percent for private residential driveway and to 8 percent for other driveways. Where possible, the driveway grade should be limited to 6 percent or less within the roadway right-of-way.” Our driveway is 8% down max meeting TxDOT criteria and in the right-of-way along the driveway centerline we are approx. 6.4% down.

We are allowing the minimal street drainage from the roadway to come down our driveways to capture it and treat it in our vegetative filter strips. There is minimal water coming from the road. Designing the driveways this way also allows for minimizing raising the entire site more than we already are.

7. *Volente Code Section 9.05.109(d) which refers to COA TCM 5.3.2 – Table 5-2: Type II Commercial Driveway Criteria*

Local Streets, Residential or Neighborhood Collector Column

Two Way Undivided Section

a. Curb Return Radius: Min. 10', Max. 25'.

Our southeast driveway has a curb return radius of 30' on southeast side of driveway which is slightly out of the requirement. BCRUA would like to request a variance to the max. allowable curb return radius.

Justification: This curb return radius is required after reviewing design in the AutoCAD AutoTurn turn simulation software program for large trucks to adequately make the turns to access the site. In the Commercial or Industrial Collector column a note is added to the max 25' curb return radius that says, "radius may be increased to 40 feet at driveways serving large trucks". This would apply to our site. Due to being an industrial facility, the roadway in front of our site could be classified as an Industrial Collector.

PARKING VARIANCES

Volente Code Section 9.02.057(d)(2) Chart 2 – Use: Utility District; Number of Parking Spaces: One space per 250 sq. ft. of floor area.

Building floor area per the CCR may never exceed 3,000 SF. For current use and any future expansion that might occur, 3,000 SF is max. and would require 12 parking spaces. BCRUA would like to request that the Village consider a variance and allow us to install four (4) parking spaces instead of the required twelve (12).

Justification: Per Volente Code Section 9.05.111(c)(16), the number of parking spaces shall be in compliance with Volente Code Section 9.05.111(f) which says "Parking requirements based upon use. (Reserved)". The following describes our site use. Our site will have restricted access. The facility will operate 24/7, but it is operated remotely (unstaffed). BCRUA is likely to visit the site once a day or less and have only 1-2 vehicles at the site at any given time. There will occasionally be bulk chemical deliveries (large truck). Frequency of large truck deliveries will vary from a minimum of approx. every 30 days to every 200+ days (depending on flow and dose). Therefore, BCRUA would like to request that the Village consider a variance and allow us to install four (4) parking spaces instead of the required twelve (12) as our use of the site is minimal. Three (3) of these spaces would be standard size (9'x18.5') and one (1) would be an ADA van accessible space (12'x18.5') with an access aisle (8' wide).

Questions for Pre-Application Meeting

QUESTIONS

1. Volente Code requires us to submit application with all checklists. Are there actual checklists or is this just referring to the Volente Code lists, where they list what to include with each application?
2. What do you want to see in the site plan engineering report?
3. Is the AppForm-Subdivision Development Permit the correct form for submitting for site plan approval? See attached.
4. What is the process for getting items approved that required Village approval, such as screening wall or gates? Will those go through you, Marc, or through Council?
5. For tree replacement, do we need to replant all trees on our site or are there alternate sites that we can plant on?
6. From the Code, it was a little unclear as to if cedar trees were protected if they were larger than 12". Smaller than 12" it sounds like cedar trees are not protected. You may have already discussed with our Landscape Architect, Mark Brooks, but if not, if we could get clarification that would help.

ANTICIPATED VARIANCES

1. See attached list for discussion.

PERMITTING PROCESS QUESTIONS

1. Just clarification, only 1 pre-application meeting is needed, correct, or do we need to have a pre-application meeting before each application (i.e. Site Plan Approval, Site Development Permit, Building Permit, etc.)
2. ALL PERMITS (Site Development, Building, NPS Permit, etc.): Once fully approved and we have the permit in hand, can you discuss with us when we need to start work to keep the permit from going void, and then how long the permit is good for once work has begun? The maintenance building, we anticipate taking about a year to construct but the project as a whole we estimate taking 5 years. So depending on when we get approval for the development of the site our Site Development permit may expire before the contractor begins work out at the maintenance building site. We would like to discuss the details of how best to work this out at the meeting.
3. SITE PLAN APPROVAL: Code said that Village will calculate the fee. What can we expect to be a fee for Site Plan Approval? How do we request this to be calculated? Is that through you, Marc, or through the Village office?
4. SITE DEVELOPMENT PERMIT: Once the Village approves the permit as submitted does this again go through P&Z and then through Council? I couldn't find in the Code the steps here. I have this question on several of the other permits as well.
5. NPS POLLUTION CONTROL PERMIT: Is there a completeness check of 10 days associated with this permit?
6. NPS POLLUTION CONTROL PERMIT: What is the fee for reviewing the non-point source pollution control permit? I saw some options that may be the NPS Permit on the fee schedule but wanted to verify the correct amount.
7. BUILDING PERMIT: What is the fee for reviewing the Building Permit? I did not see a line in the fee schedule.
8. FLOODPLAIN DEVELOPMENT PERMIT: What is the review timeline for this permit? Who is the floodplain administrator that we will submit to? What is the fee for this permit?

9. **VARIANCES:** Do each of these need to be submitted separately or can they be submitted as a package like the attached list?
10. **VARIANCES:** To review variances is the cost per submitted application or per variance?
11. **NOISE CONTROL PERMIT FOR CONSTRUCTION:** What is the review timeline for this permit? What is the fee for this permit? Do we use the building permit application for this permit?
12. We plan to submit for several of the permits at the same time as we submit for Site Development Permit (i.e. NPS Pollution Control Permit, Driveway Entrance Permit, Tree Removal Permit, Variances, Jackson Street, etc.). Is there any special way that these need to be submitted?
13. Is there an application form for every permit? I couldn't find some permit forms.

Variations to Volente Code

DRIVEWAY VARIANCES

Volente Code Section 9.05.109 (f)(1)(A):

No driveway can be in the radius of the edge of pavement or traveled street at an intersection on a curve.

We are going to be in the curve of Bernard Street and Jackson Street intersection with our entry drive. This intersection will be a control intersection with a stop sign. We would like to request a variance to this requirement so that we can fit our two driveways on the property and have appropriate access to the site.

Volente Code Section 9.05.109 (f)(1)(B):

A minimum of 140' spacing between the closest paved driveways is required. We are too close to our northwest neighbor's driveway entrance.

We are approx. 67' from the edge of our northwest neighbor's driveway entrance to edge of our driveway along our Bernard Street frontage property line. That is also with part of his driveway on our property. COA TCM 5.3.2 Table 5-2 mentions driveway spacing requirement of 50' min. which we do comply with. We would like to request a variance to the min. 140' spacing requirement.

Volente Code Section 9.05.109 (f)(1)(C):

A minimum of 70' from the edge of our driveway to our side property line measured along our property line along the street frontage is required (unless we are using a joint use driveway).

We are approx. 73' from our northwest property line to the edge of our driveway along our Bernard Street frontage property line. However, we are providing a driveway easement to our neighbor for him to have a wider driveway. We are approx. 64' from edge of the easement as it is currently drawn. This may be adjusted as we finalize design. We are approx. 45' from our southeast property line to the edge of our second driveway along our Bernard Street frontage property line. We would like to request a variance to the min. 70' spacing requirement.

Volente Code Section 9.05.114 (b):

Code does not allow building roadways or driveways on natural grades with slopes steeper than 15% unless approved by Village council and fire department.

We are cutting into the natural grade of 20-24% to get the maintenance road to have a max slope of 15% to meet max allowable road/drive slopes per Volente Code. We would like to request a variance to the requirement above in order to meet the min. 15% grade requirements for drives in the Code.

COA TCM 5.3.1. (D):

Unless approved by the Directors of the Public Works Department and the Transportation, Planning and Sustainability Department, one-way driveways shall be prohibited on two-way undivided streets. In addition, one-way driveways are limited to developments where two-way access is unfeasible because of special design considerations, such as severe site constraints, the need for circular drop-offs or other circumstances where one-way circulation may be preferred to two-way access.

We have a one-way driveway off an undivided street so we would like to request a variance to the above City of Austin requirement as our site needs to have this particular flow pattern for the large trucks that we have coming for delivery.

COA TCM 5.3.1. (P):

Grade G2 (as shown on Figure 5-4 in Appendix H of the COA TCM) for commercial and industrial driveways should be limited to six (6) percent.

Our driveway will be 8%. Our roadway cross section at the driveway will not match the typical section shown in Figure 5-4. We won't be creating a driveway approach that keeps water in ROW but will allow water to go down the driveway. So our crest vertical curve will be a grade change of 6%. This differs from the requirements and therefore needs approval. We would like to request a variance to this requirement. Trucks will be moving very slowly as they come into the site probably less than 5mph.

COA TCM 5.3.2 Table 5-2: For Type II Commercial Driveways, Local Streets, One-way Driveway:

- a. Driveway Width Required: Min. 15' (greater width may be required for fire dept. access), Max. 20'.

Our northwest driveway is approx. 44' wide measured at the property line. Our southeast driveway is approx. 41' wide measured at the property line. These widths are required after reviewing design in AutoTurn program for chemical trucks to adequately make the turns to access the site. We would like to request a variance to the max. allowable driveway width.

- b. Driveway Curb Return Radius Required: Min. 10', Max. 25'.

Our southeast driveway has a curb return radius of 30' on southeast side of driveway which is slightly out of the requirement. We would like to request a variance to the max. allowable curb return radius.

PARKING VARIANCES

Volente Code Section 9.02.057(d)(2) Chart 2:

The chart gives guidelines for required parking spaces for Utility District to be 1 parking space per 250 SF of floor area in building. Our floor area per the CCR may never exceed 3,000 SF. So for current use and any future expansion that might occur, 3,000 SF is max. and would require 12 parking spaces. We

would like to request a variance to this required number of parking spaces. Our site will have limited access and no full-time operator will be present onsite. The facility will operate 24/7 but it is operated remotely (unstaffed). BCRUA is likely to visit the site once a day or less and have only 1-2 vehicles at the site at any given time. There will occasionally be bulk chemical deliveries (large truck). Frequency of large truck deliveries will vary from a minimum of approximately every 30 days to every 200+ days (depending on flow and dose).

We would like to request that the Village consider a variance and allow us to install four (4) parking spaces instead of the required twelve (12). Three (3) of these spaces would be standard size (9'x18.5') and one (1) would be an ADA van accessible space (12'x18.5') with an access aisle (8' wide).

CLARIFICATION OF CONSTRUCTION HOURS

Section 8.02.005(c)(4):

(A) and (B) make sense but then (C) and (D) seem to retract (A) and (B). Provide clarification in noise control permit for construction as to allowable working hours and tasks that are acceptable.