



VILLAGE OF VOLENTE, TEXAS

AGENDA

Planning and Zoning Regular Called Meeting and Public Hearing
5:30 P.M., Tuesday, May 12, 2020
Volente City Hall, 16100 Wharf Cove, Volente, Texas 78641

PLEASE SILENCE OR TURN OFF ALL MOBILE DEVICES

This meeting will be conducted utilizing a videoconferencing tool. Planning and Zoning Commission, City Council members, staff and citizens will participate via audio only. Instructions and direct links to view the meeting or speak during citizens comment can be found at villageofvolente-tx.gov and Nextdoor.

To participate in the citizens comment portion of the meeting, please submit your questions or comment 1 hour prior to the beginning of the meeting utilizing the Village's email volentetx.publiccomments@gmail.com. Your questions or comments will be read aloud and entered into the minutes of the meeting. The virtual conference meeting will start approximately 10 minutes prior to the meeting which will begin at 5:30 p.m.

I. ITEMS OPENING THE MEETING

A. Call to Order

B. Call Roll and Establish Quorum

II. **CITIZEN COMMENTS** All Public Comments submitted in accordance with the procedures outlined in the instructions above will be included in the record for this meeting.

III. GENERAL BUSINESS AND ACTION ITEMS

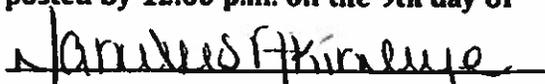
A. Public Hearing for Consideration and possible recommendation regarding a request by Chase Kuentz for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-0-36, Sec 33.351, to install an overhead utility pole as needed at the front property line at the location (8312 Lime Creek Road) Lot 2 Block A Gate Hollow Estates Addition. sur 2.61 acre

B. Public Hearing for Consideration and possible recommendation regarding BCRUA to rezone 5.215 acres located on the Southwest corner of Bernard St and Jackson St ROW for Re-Zoning of the B.C.R.U.A maintenance building site for deep water intake from Single Family Residential to Utility District in accordance with Ordinance No. 2016-O-173, Sec 9.02057, Sec 30.124. The current road ends at Bernard St cul-de-sac in Volente, Texas Lot 1, Block 1, B.C.R.U.A addition.

C. Public Hearing for consideration and possible recommendation regarding a Conditional Use Permit for construction and operation of water intake facilities and pumping station on 5.215 acres located on the Southwest corner of Bernard St and Jackson St ROW, current road ends at Bernard St cul-de-sac Lot 1, Block 1, B.C.R.U.A addition in accordance with Ordinance 2016-00173, Sec 9.02.054, Sec 30.124, Sec 9.02.141 and Sec 30.134.

IV. ADJOURNMENT

IT IS HEREBY CERTIFIED that the above Agenda was posted by 12:00 p.m. on the 9th day of May, 2020.


Narette Akinleye, Acting City Secretary

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices,) and 551.086 (Economic Development).

The Village of Volente is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary at (512) 250-2075 at least 48 hours in advance.

Village Volente is inviting you to a scheduled Zoom meeting.

Topic: Regular Called Planning and Zoning Meeting Tuesday, May 12, 2020 @ 5:30PM

Time: May 12, 2020 05:30 PM Central Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84194961453?pwd=M1k4czJ2dHFselpoVUIKZnVkYTJidz09>

Meeting ID: 841 9496 1453

Password: 280752

One tap mobile

+13462487799,,84194961453#,,1#,280752# US (Houston)

+16699009128,,84194961453#,,1#,280752# US (San Jose)

Dial by your location

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 301 715 8592 US (Germantown)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 841 9496 1453

Password: 280752

Find your local number: <https://us02web.zoom.us/j/84194961453?pwd=M1k4czJ2dHFselpoVUIKZnVkYTJidz09>

**VARIANCE
REQUEST
AGENDA ITEM
III. A**

Application for Variance

Zoning Development Building Other: _____



VILLAGE OF
VOLENTE

VOV USE
ONLY:

Date of Submittal:

3/6/2020

BOA P&Z:

5/12/20

Public Nic Date:

4/23/20

Date of Mtg:

5/19/20

Approve / Deny:

Findings of Facts:

Property Address: 8312 Lime Creek Rd

Legal Description: LOT 2 BLKA GATE HOLLOW ESTATES ADDN

Acreage: 2.61 Is property within floodplain? Yes (only a portion)

Property Owner(s): Chase Kuentz

Phone: [REDACTED] Email: [REDACTED]

Mailing Address: [REDACTED]

Contractor: PEC Contact Name: _____

Phone: _____ Email: _____

Mailing Address: _____

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

Project for Which Variance Is Sought: _____

8312 Lime Creek Rd, Volente, TX 787641

Applicable Section/Subsection of Ordinance: SEC. 9.05.124

Justifications: An overhead utility pole is needed in front of the property under the existing utility lines to provide an ingress of utilities underground in accordance to the ordinance. The proposed location will provide access to electricity and existing telecommunications (ATT, Spectrum, etc).

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.

Chase Kuentz
APPLICANT SIGNATURE

Chase Kuentz 3/6/2020
Printed Name Date

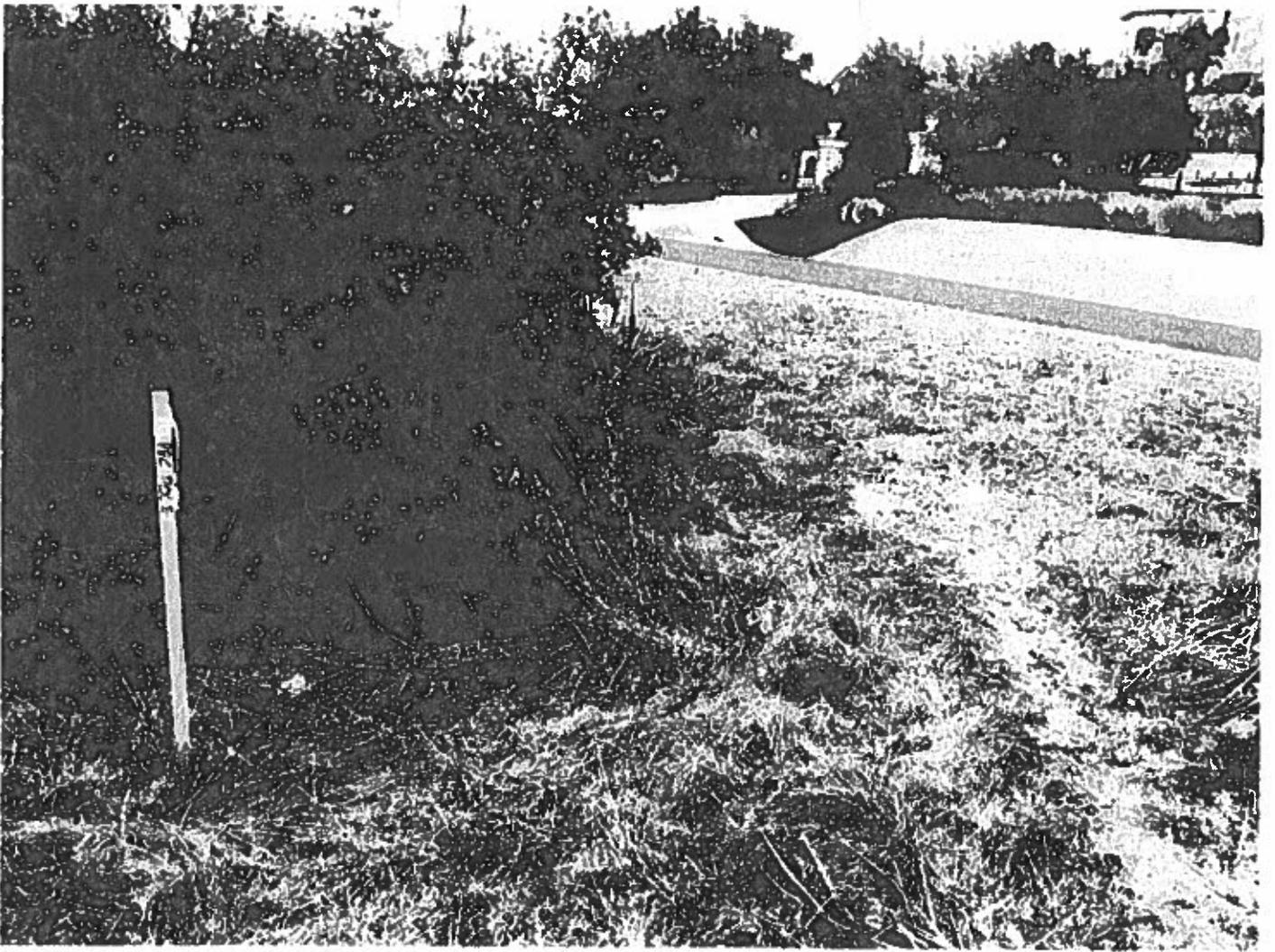
STAFF:



Property Corner

Proposed PEC Utility Pole

Right of Way



P.O. Box 220 S 204P, Austin, TX 78767
(512) 473-3216 or 1-800-776-5272 Fax 3216
Fax (512) 473 3501



2641 N. Wirtz Dam Road Marble Falls, TX 78654
(512) 473 3216 or 800 776-5272 Fax 3216
Fax (810) 693-6242

Lower Colorado River Authority

**LCRA ON-SITE SEWAGE FACILITIES PROGRAM
FLOODPLAIN COMPLIANCE ACKNOWLEDGEMENT**

LCRA's On-Site Sewage Facilities (OSSF) Rules require applicant to document compliance with applicable flood damage prevention regulations or documentation that such regulations are not applicable to this property.

This documentation must be submitted along with the application for an on-site sewage facilities construction permit to be issued by LCRA. Please complete this form to fulfill the documentation for your property.

This is to verify that

Property owner

Site address

Legal description of property

City (if applicable)

County

Development Permit Number

Chase Kuentz

Chase Kuentz

8312 Lime Creek Rd

LOT 2 BLK A GATE HOLLOW ESTATES ADDN

Volente

Travis

This documentation is verification that the applicant has complied with flood damage prevention regulations as described within the National Flood Insurance Act of 1968, 82 Stat. 572, 42 U.S.C.A.

plain A  strator

1-28-2020
Date

Village of Volente (Permitting authority will check applicable notes)
(Name of permitting authority)

No development shall occur until a Village of Volente permit has been issued and posted.
(Name of permitting authority)

To remain in compliance a completed elevation certificate must be returned to _____ within _____ days of completion of the 1st floor.
(Name of permitting authority)

Replacement of OSSF only.

By law, the minimum finished floor elevation (FFE) of any habitable structure on Lake Travis must be at least one foot above the Federal Emergency Management Agency (FEMA) floodplain of 722 feet above mean sea level (msl) all new habitable structures must have a FFE of at least 723.

To the City of Volente,

Chase Kuentz, the property owner of 8312 Lime Creek Rd, seeks an application of variance for the purpose of providing electricity and telecommunication utilities to his property. This variance applies to ordinance SEC. 9.05.124, "Electric, cable, telephone, and telecommunications utilities". This application will support a larger project to eventually develop and construct a new residence on the property.

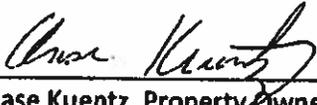
The property currently has a public utility easement at the front that runs parallel with Lime Creek Rd. The easement has 1) overhead utility lines running across and 2) existing telecommunication infrastructure (ATT, Spectrum). At the moment, the property resides between two poles and access to these utilities are limited under the current ordinance.

The property owner wishes to work with PEC (Pedernales Electric Cooperative) to install only the necessary equipment to tap into the overhead utility line and run them underground to the future development site. Per PEC's design, the only component in violation of the ordinance is the addition of a new pole. The pole will only be a new junction in the existing utility line and a riser on that pole will run electricity/utilities into the ground. There will be no new extensions off the existing utility line.

The pole itself will be the ingress of overhead utilities, and the existing work to bring electricity underground (trenching, underground conduit, etc) can also be leveraged to access additional underground utilities to the development site at the expense of the owner. The proposed solution will guarantee the minimal amount of disturbances/impact to the property and surrounding areas.

The application for variance includes a legal description and a plan of the property that shows the location of the proposed pole. Also included are pictures of the Right of Way where PEC will install the pole and a picture of depicting underground cable box nearby.

The property owner requests the village to approve the variance to allow PEC to install a pole and additional equipment per PEC protocols while following all applicable city ordinances to provide utilities underground to the property.


Chase Kuentz, Property Owner

3/4/2020

CHASE KUENTZ 101
30-85883140
3/4/2020 DATE

PAY TO THE ORDER OF Village of Volente \$ 800.00
Eight Hundred Dollars ^{00/100}

RBFCU  **FREEDOM CHECK**
rbfcu.org

FOR 8312 Lime Creek Rd Chase Kuentz

CHK #
101

RECEIPT DATE 3/4/2020 No. 465093

RECEIVED FROM Chase Kuentz \$ 800.00
Eight hundred dollars DOLLARS

FOR RENT
 FOR 8312 Lime Creek Road Variance for electrical Pole

ACCOUNT		<input type="radio"/> CASH
PAYMENT	<u>800.00</u>	<input checked="" type="radio"/> CHECK
BAL. DUE		<input type="radio"/> MONEY ORDER
		<input type="radio"/> CREDIT CARD

FROM Chase Kuentz TO Village of Volente
 BY N. Akina

VILLAGE OF VOLENTE
PUBLIC NOTICE OF AN APPLICATION TO A
CONDITIONAL USE PERMIT WITHIN 200 FEET OF YOUR
PROPERTY

Notice is hereby given that the Planning and Zoning Commission will hold a public hearing starting at 5:30 P.M. on Tuesday, May 12, 2020.

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For information concerning these matters email city.secretary@volentetexas.gov.

The Commission will consider the following:

APPLICATION FOR VARIANCE:

Request by Chase Kuentz for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to install an overhead utility pole as needed at the front property line at the location (8312 Lime Creek Road) Lot 2 Block A Gate Hollow Estates Addition. sur 2.61 acre

Notice is hereby given that the Village of Volente City Council will hold a public hearing starting at 6:30 P.M. on Tuesday, May 19, 2020. To consider the recommendation from the Planning and Zoning Commission regarding application consideration to (variance-Kuentz) as noted above.

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For information concerning these matters email city.secretary@volentetexas.gov.

Regards,

Jana Nace

Mayor

Village of Volente

512.250.2075

Measurement Tool
 For Area measurement, start clicking points to see results. For Distance measurement, double click the second point to get results.

1 Feet ▼

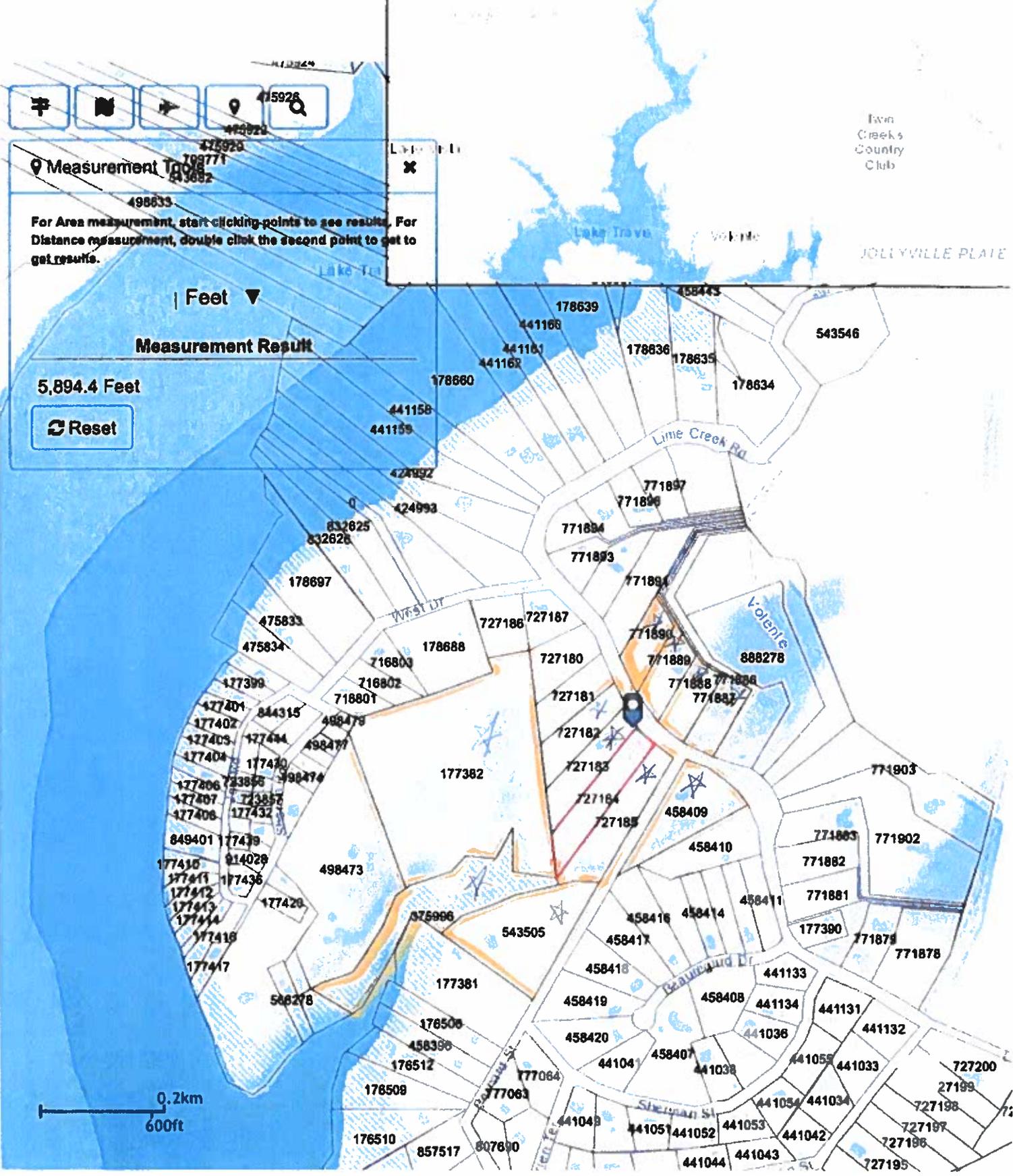
Measurement Result

5,894.4 Feet

Reset

Twin Creeks Country Club

JOLLYVILLE PLATE



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 City, State, ZIP+4®

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 APR 25 2020

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
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Total Postage and Fees	\$6.95	

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IRVINE, CA 92618
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 City, State

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 City, State

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00	
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 Street and Apt. No. or PO Box No.
 City, State

PS Form 3800, April 2015 PSN 7509-02-000-9047 See Reverse for Instructions

wing surcharges and conditions or shall be punished by a fine undred dollars (\$500.00). Each of the provisions in this Plan is separate offense. Following the tion, the District Manager or the ignee is, upon due notice to the o discontinue water service to the blations occur. Services discon- umstances may be restored only onnection charge, hereby estab- i50.00), payment of all fines and id by the District in discontinuing itable assurance must be given r, or the District Manager's des- tion will not be repeated while mpliance with this Plan may also ctive relief in the District Court.

going Plan is on file in the princ- t, c/o Willatt & Flickinger, PLLC, vd., Ste. F-232, Austin, Texas e read by any interested person. eason may request a copy of this est to the foregoing address.

RULES ADOPTED AMSON-TRAVIS MUNICIPAL UTILITY DISTRICT NO. 1

ities Municipal Utility District No. opted Revised Rules Governing rictions which provide for defini- of deed restrictions, procedures edures for appealing fines, due f service. Fines for violations of assessed after each inspection itten report received by the DRE ntinued violation. At least one ent to the Violator requesting (10) days from the date of the n of a fine. Fines shall be as ; Second Fine: \$150; Third and 0. In no case shall the total id in one month for the identical ator exceed \$400. All fines will r's utility bill and shall be due e time the utility bill is due and t paid when due and payable, ator's property may be term- sessed a fine may appeal the ion Committee by either filing a DRE Manager prior to the date e demand letter to the Violator ng at a meeting of the Deed nd requesting orally an appeal mpliance in the demand letter. dered by the Deed Restriction ions by the Deed Restriction ny an appeal must be made by nymous vote is not obtained, dered by the Board of Directors

iles are on file in the principal b Willatt & Flickinger, PLLC, levard, Suite F-232, Austin, may be read by any interested ed person may request a copy ng a request to the foregoing

Northline Leander Development Company, LLC is seeking Internet Service Providers (to include broadband (wireline) and cellular (wireless) service providers) for the Northline project that can provide next-generation services to businesses, residences, and the Northline community as a whole. This proposal should allow for the expansion of Smart Cities applications, and other advanced web and IP based products and solutions. The Northline Leander Development Company, LLC seeks innovative and creative solutions and welcomes various business models and approaches to consider. Solicitation documents may be obtained from the Purchasing Department at the above address or downloaded from the City website at <http://www.leandertx.gov/rfps>.

NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Village of Volente Planning and Zoning Commission will hold a Regular Called Meeting and Public Hearings on Tuesday, May 12, 2020, at 5:30 PM to consider the following:

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PUBLISHER'S AFFIDAVIT HILL COUNTRY NEWS

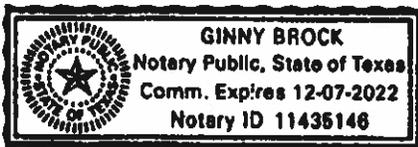
State of Texas
County of Williamson

BEFORE ME, THE UNDERSIGNED AUTHORITY, this day personally appeared Kirsten Foltz and after being by me duly sworn, says that she is an authorized representative of the Hill Country News, a newspaper published in Williamson & Travis Counties, Texas, and that the Notice, a copy of which is hereto attached, was published in said newspaper on the following dates:

April 23 A.D. 20 20

Kirsten Foltz

SUBSCRIBED & SWORN TO before me, this the 23rd day of April A.D. 20 20



Ginny Brock
Notary Public in and for the State of Texas

B.C.R.U.A

AGENDA ITEM

III. B



16100 Wharf Cove, Volente, TX 78641
 Phone: (512)250-2075
www.villageofvolente-tx.gov

APPLICATION FOR RE-ZONING
 (INCLUDE NECESSARY SUPPORTING MATERIAL)

ADDRESS OF PROPERTY: Southwest corner of Bernard St. and Jackson St. ROW, current road ends at Bernard Street cul-de-sac in Volente, TX		NUMBER OF ACRES: 5.215	
LEGAL DESCRIPTION (SUBDIVISION, SECTION, LOT) Lot 1, Block 1, B.C.R.U.A. Addition		CURRENT ZONING: SR	PROPOSED RE-ZONING: UD
PROPERTY OWNER FIRM: Brushy Creek Regional Utility Authority	CONTACT NAME: Ms. Karen Bondy	TELEPHONE: 512-215-9151	E-MAIL: kbondy@bcrua.org
MAILING ADDRESS: 221 E. Main Street		CITY: Round Rock	STATE: Texas
			ZIP CODE: 78664
APPLICANT FIRM: Walker Partners / Freese and Nichols Joint Venture	CONTACT NAME: S. Jared Niermann, P.E.	TELEPHONE: 512-382-0021	E-MAIL: jniermann@walkerpartners.com
MAILING ADDRESS: 804 Las Cimas Parkway, Ste. 150		CITY: Austin	STATE: Texas
			ZIP CODE: 78746

PROJECT AND PURPOSE FOR WHICH RE-ZONING CHANGE IS SOUGHT:

The property being rezoned is part of Phase 2 of the Regional Water System improvement project performed by the Brushy Creek Regional Utility Authority (BCRUA). The project provides raw water to the cities of Round Rock, Cedar Park and Leander. Overall, the project includes a deep-water intake on the Sandy Creek Arm of Lake Travis, approximately 11,000 linear feet of subsurface tunnels, and a pump station located adjacent to the City of Cedar Park's Water Treatment Plant on Lime Creek Road. The 5.215-acre property will be utilized as the site of a maintenance building which will support operation and maintenance to the intake, including invasive mussel control systems.

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 have received, read and understand the terms and conditions of this request, and agree to compliance with all applicable codes and ordinances of the City. I authorize the City or their representatives to visit and inspect the property for which this application is being submitted.



 APPLICANT SIGNATURE

S. Jared Niermann, P.E.

 PRINTED NAME

07/09/2019

 DATE

PERMIT NUMBER:

AMOUNT RECEIVED:

NOTES:



804 Las Cimas Parkway, Suite 150
Austin, Texas 78746

July 24, 2019

Village of Volente
16100 Wharf Cove
Volente, TX 78641

Attn: Pat McLemore

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

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

Walker Partners/Freese and Nichols Joint Venture requests your review of the attached Application for Re-zoning and accompanying documentation.

The property being rezoned is part of Phase 2 of the Regional Water System improvement project performed by the Brushy Creek Regional Utility Authority (BCRUA). The project provides raw water to the cities of Round Rock, Cedar Park, and Leander. Overall, the project includes a deep-water intake on the Sandy Creek Arm of Lake Travis, approximately 11,000 linear feet of subsurface tunnels, and a pump station located adjacent to the City of Cedar Park's Water Treatment Plant on Lime Creek Road.

We are requesting that the 5.215-acre property in Volente be rezoned from the current zoning of SR – Single Family Residential to UD – Utility District. The property will be utilized as the site of a maintenance building which will support operation and maintenance of the intake, including invasive mussel control systems.

Please feel free to reach me at 512-382-0021 or jniermann@walkerpartners.com if you have any questions or need additional information to support your review.

Sincerely,

Walker Partners/Freese and Nichols J.V.

S. Jared Niermann, P.E.
Project Manager

SJN

Attachments: Application for Re-zoning
Re-zoning Application Fee
Special Warranty Deed
Metes and Bounds Description and Map of Property
Agreed Amended Final Judgement regarding Property
Unrecorded Final Plat Developed for Short Form Final Plat Submission
Tax Exemption Form
Authorized Agent Form
Pedernales Electric Cooperative Serviceability Letter
Site Location Map
Proposed Site Layout and Building Elevation Plans
Proposed Site Plan and Operational Data Comments
List of Property Owners to Notify within 200 FT of Property to be Re-zoned
Copy of Public Notice sent to City as Word document via e-mail for sending to Property Owners

Hand Deliver

Cc Ms Karen Bondy, BCRUA General Manager
Mr. Chris Wilder, Volente Mayor Pro Tem
Ms. Erin Flanagan, Freese and Nichols Project Manager
Project File

Texas Sales and Use Tax Exemption Certification

This certificate does not require a number to be valid

Name of purchaser, firm or agency BRUSHY CREEK REGIONAL UTILITY AUTHORITY	
Address (Street & number, P. O. Box or Route number) 1906 HUR INDUSTRIAL BLVD	Phone (Area code and number) (512)215-9151
City, State, ZIP code CEDAR PARK, TEXAS 78613	

I, the purchaser named above, claim an exemption from payment of sales and use taxes (for the purchase of taxable items described below or on the attached order or invoice) from:

Seller: _____

Street address: _____ City, State, ZIP code: _____

Description of items to be purchased or on the attached order or invoice:

Purchaser claims this exemption for the following reason:

BCRUA IS A TAX-EXEMPT MUNICIPALITY.
FEDERAL TAX ID# 45-0586920.
TEXAS TAXPAYER ID# 32033409106.

I understand that I will be liable for payment of all state and local sales or use taxes which may become due for failure to comply with the provisions of the Tax Code and/or all applicable law.

I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate, and depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a felony of the second degree.

sign here ▶	Purchaser <i>Karen Bondy</i>	Title GENERAL MANAGER	Date 11/28/18

NOTE: This certificate cannot be issued for the purchase, lease, or rental of a motor vehicle.

THIS CERTIFICATE DOES NOT REQUIRE A NUMBER TO BE VALID.

Sales and Use Tax "Exemption Numbers" or "Tax Exempt" Numbers do not exist.

This certificate should be furnished to the supplier.
Do not send the completed certificate to the Comptroller of Public Accounts.

Authorized Agent Affidavit



VILLAGE OF
VOLENTE

I/We, Brushy Creek Regional Utility Authority (BCRUA)
owner(s) of 5.217 ac tract of land in the John Stewart Survey 551 and the Robert Foster Survey 31, Travis County, TX
authorize Walker Partners/Freese and Nichols Joint Venture

to represent and act on my behalf regarding the above named property for the purpose of preparing and submitting applications or requests for inspections to the Village of Volente for review and approval of the following:

Short Form Final Plat, Zoning Change, Conditional Use Permit, Site Development Permit, NPS Pollution Control Permit and Annual Operating Permit, Building Permit and all associated inspections

(Type of Application, Permit or Inspection)

Karen Bondy
Signature

Karen Bondy, General Manager
Print Name

6/18/2019
Date

Signature

Print Name

Date

The State of Texas
County of Williamson

BEFORE ME, the above signed authority, on this day personally appeared

Karen Bondy, General Manager
known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed in the above affidavit.

Given under my hand and seal of office on this 18th day of June, 2019.

Notary Public: Monique Adams

My Commission Expires:
5/22/22





July 12, 2019

Walker Partners
804 Las Cimas Parkway, Suite 150
Austin, Texas 78746

Dear Mr. Niermann:

Thank you for your interest in establishing service with Pedernales Electric Cooperative. We can confirm that Jackson Street, Bernard Street, and Arren Terrace in Volente, Texas, are within the Cooperative's service area.

We will offer service to this location in accordance with our Line Extension Tariff, which requires a completed application and pre-payment of all fees before construction can begin. A deposit may also be required.

If you have any questions, please call Nancy Cook at 800-868-4791, Extension 7404. She is available Monday through Friday between 8 a.m. and 5 p.m.

Sincerely,

DiAnn Hamilton, PE

DiAnn Hamilton
Electrical Distribution Planning & Design Manager

DH:NC
A38/1400

PROPOSED SITE PLAN AND OPERATIONAL DATA COMMENTS

PROPOSED SITE PLAN COMMENTS

- *Easements on our Property* – From conversations with the electrical utility, Pedernales Electric Cooperative (PEC), they have a blanket easement on their utility that runs across our property. We will coordinate with PEC to re-route the electrical utility across the front of our property, with preliminary location shown on our sit layout. Additionally, we will coordinate with PEC to upgrade the facility to the required 3-phase power, which is available one block away. PEC will have final say on alignment and we will abide by Sec. 9.05.124 for all electric, telephone, etc. utilities to be underground, unless PEC requires a variance to the contrary. PEC will provide us with easement information which we will accommodate. We will provide the required PUE 15 feet wide across the front of the property as shown on the proposed site plan. We have not had a response from the telephone company but are working on obtaining a letter of serviceability for internet service and will accommodate their needs for easements on our property.
- *Building Setbacks* – Shown on plans.
- *Proposed Driveway Locations* – Shown on plans. We will submit separately for driveway permits.
- *Parking Spaces* – Shown on plans.
- *Dumpster* – No dumpster will be needed at the project site.
- *Detention Ponds* – No detention ponds will be utilized because the property drains directly to Lake Travis.
- *Water Quality Facilities* – We will use a vegetated filter strip (approximate location and preliminary size shown on plans) as a water quality facility to filter the water before it runs off into the lake. This will be designed in accordance with LCRA's Highland Lakes Ordinance.
- *Septic Location* – There will be no septic system.
- *Necessary Setbacks for Landscaping* – The property will be screened from the road by a crete fence wall. Space for landscaping is provided.
- *Estimated Impervious Cover Calculation* – Shown on plans.
- *Parking Spaces Required and Spaces Provided* – Our site (to be zoned UD – Utility District) requires one (1) parking space for every 250 SF of floor area. Our building footprint is approximately 1,669 SF. Therefore, we are required to provide seven (7) parking spaces according to the Volente Code of Ordinances. 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. Below we describe hours of operation and frequency of visits by staff. We anticipate only having 1-2 vehicles at the site at any given time. We would like to request that the Village consider allowing us to install only four (4) parking spaces instead of the required seven (7). Three (3) of these spaces would be standard size (9'x18.5') and one (1) would be an ADA van accessible space with an access aisle. This would minimize our impervious cover added to the site.

OPERATIONAL DATA

- *Type of Activity to be Conducted* – The maintenance building will be used to support operation and maintenance to the intake, including invasive mussel control systems.

- ***Hours of Operation*** – After construction, BCRUA is likely to visit the site once a day or less. There will occasionally be bulk chemical deliveries (large truck). Frequency will vary from a minimum of approximately 30 days to 200+ days (depending on flow and dose). The facility will operate 24/7 but it is operated remotely (unstaffed).
- ***Expected Impact of Traffic*** – A traffic impact analysis will be prepared for the construction phase of the project to communicate to the Village the expected traffic impact during the construction period. Once construction is over, traffic to the site will be minimal – one to two pickup/work trucks and the occasional large delivery truck at the frequency mentioned above.
- ***Compatibility with Surrounding Neighborhood*** – The architectural design of the maintenance building will take on a residential look. We will also have 8'-0" screening walls to hide the operation, parking, and deliveries at the site from neighbors and from the street.
- ***General Impact on Property Values of Surrounding Neighborhood*** – With development of the property, no change in property value is expected.
- ***Compatibility with General Community*** – As mentioned above, the maintenance building will have a residential look and be screened from view with crete fence walls for appearance. The facility will not increase ambient noise in the community.

PROPERTY OWNERS LIST WITHIN 200 FEET OF PROPERTY TO BE REZONED

Property ID: 857521
Gary L and Cathy L Gross
16613 Jackson Street
Volente, TX 78641-6043

Property ID: 807690
Luis F and Suzanne Gonzalez
8024 Arren Terr
Volente, TX 78641-6027

Property ID: 807689
Luis F and Suzanne Gonzalez
8024 Arren Terr
Volente, TX 78641-6027

Property ID: 777063
Elijah Kane
8011 Bernard Street
Volente, TX 78641-9658

Property ID: 458396
Camille Dierksen Gamble
28 Dogwood Lake Drive
Texarkana, TX 75503-1720

Property ID: 176512
Charles Ford
12103 Conrad Road
Austin, TX 78727-6413

Property ID: 176509
Gregory W Sparks
8004 Bernard Street
Leander, TX 78641-9658

Property ID: 176510
John Faseler
15212 FM 2769
Volente, TX 78641-9139

**Information taken from Travis County Appraisal District on June 10, 2019.



**VILLAGE OF
VOLENTE**

Jana Nace
MAYOR

Chris Wilder
MAYOR PRO TEM

Judy Barrick
COUNCIL MEMBER

Bill Connors
COUNCIL MEMBER

Cindy Metro
COUNCIL MEMBER

Sean Ryan
COUNCIL MEMBER

**PUBLIC NOTICE
OF REZONING REQUEST
WITHIN 200 FEET OF YOUR PROPERTY**

Notice is hereby given that the Planning and Zoning Commission and Council will hold a joint public hearing starting at 7:00 P.M., Tuesday, August 20, 2019, at City Hall, 16100 Wharf Cove, Village of Volente, Texas. The Commission and Council will consider the application of Ms. Karen Bondy, General Manager for the Brushy Creek Regional Utility Authority (BCRUA) to rezone land located at the southwest corner of the Bernard Street and Jackson Street right-of-way where Bernard Street currently ends in a cul-de-sac, from SR – Single Family Residential to UD – Utility District.

Citizens are invited to attend and participate in the public hearing.

For more information contact the Village office at 512-250-2075, or email city.secretary@volentetexas.gov.

Public Notice Mailed on XXXX XX, 2019



B.C.R.U.A

AGENDA ITEM

III. C



VILLAGE OF VOLENTE CONDITIONAL USE PERMIT APPLICATION

WALKER PARTNERS / FREESE AND

Applicant's Name: NICHOLS JOINT VENTURE Contact Phone: 512-382-0021

804 LAS CIMAS PKWY, STE. 150,

Mailing Address: AUSTIN, TX 78746

SOUTHWEST CORNER OF BERNARD ST. AND JACKSON ST. ROW, CURRENT ROAD

Property Address (if different): ENDS AT BERNARD STREET CUL-DE-SAC IN VOLENTE, TX

Legal Description of Property: LOT 1, BLOCK 1, B.C.R.U.A. ADDITION

Conditional Use Requested:

- Water Storage Tanks or Towers
- Telecommunications Facilities
- Restaurant, Cafes, Bars and Similar Uses
- Warehouse, convenience store, offices, Retail Shop and Similar Uses
- Alcoholic beverages
- Commercial in "OS" Zone
- Other uses as identified in the specific district/definition of the use → WATER INTAKE FACILITIES AND PUMPING STATIONS (per Volente Code of Ordinances Section 9.02.057 (c)(2))
- Vacation Rental Dwellings
- Commercial, Recreational or Amusement Development
- Marinas and Similar Uses
- Parking Lots
- Schools – Public and Denominational
- Amusement Park
- Utility Districts

Additional Information: PART OF THE PHASE 2 OF THE REGIONAL WATER SYSTEM IMPROVEMENT PROJECT PERFORMED BY THE BRUSHY CREEK REGIONAL UTILITY AUTHORITY (BCRUA). SITE WILL SUPPORT OPERATION AND MAINTENANCE TO THE INTAKE, INCLUDING MUSSEL CONTROL SYSTEMS.

Photos included? Yes No

Site Plan included? Yes No

Signature of Applicant X *S. Fred Nici* Date 07/24/2019

The City Council may grant a conditional use permit for the above listed uses, with the recommendation of the Planning and Zoning Commission, and with approval by 75% affirmative votes. The City Council may impose additional conditions on the permit, as appropriate. See Section 9.02.141(4)(E)

For City Use Only

Application fee paid: _____	Received by: _____
Date of Publication of Public Hearing Notice: _____	Notices Mailed: _____
P&Z Meeting Date: _____	City Council Meeting Date: _____
Staff Notes: _____ _____	



804 Las Cimas Parkway, Suite 150
Austin, Texas 78746

July 24, 2019

Village of Volente
16100 Wharf Cove
Volente, TX 78641

Attn: Pat McLemore

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

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

Walker Partners/Freese and Nichols Joint Venture requests your review of the attached Conditional Use Permit Application and accompanying documentation.

The property seeking the conditional use permit (CUP) is part of Phase 2 of the Regional Water System improvement project performed by the Brushy Creek Regional Utility Authority (BCRUA). The project provides raw water to the cities of Round Rock, Cedar Park, and Leander. Overall, the project includes a deep-water intake on the Sandy Creek Arm of Lake Travis, approximately 11,000 linear feet of subsurface tunnels, and a pump station located adjacent to the City of Cedar Park's Water Treatment Plant on Lime Creek Road. The property will be utilized as the site of a maintenance building which will support operation and maintenance of the intake, including invasive mussel control systems.

We are requesting that the 5.215-acre property in Volente be approved for a conditional use permit for the construction and operation of water intake facilities and pumping station as mentioned is acceptable for a property zoned as UD – Utility District in the Volente Code of Ordinances Section 9.02.057(c)(2). Per Section 9.02.141(d)(2)(A), we have included our rezoning application here as well for your consideration as the current zoning is SR – Single Family Residential and must be rezoned to UD – Utility District.

Please feel free to reach me at 512-382-0021 or jniermann@walkerpartners.com if you have any questions or need additional information to support your review.

Sincerely,

Walker Partners/Freese and Nichols J.V.

S. Jared Niermann, P.E.
Project Manager

SJN

Attachments **Conditional Use Permit Application**
Conditional Use Permit Application Fee
Site Location Map
Proposed Site Layout and Building Elevation Plans
Authorized Agent Form
Proposed Site Plan and Operational Data Comments
List of Property Owners to Notify within 200 FT of Property to be Re-zoned
Copy of Public Notice sent to City as Word document via e-mail for sending to Property Owners
Application for Re-zoning and supporting documentation

Hand Deliver

Cc: **Ms. Karen Bondy, BCRUA General Manager**
Mr. Chris Wilder, Volente Mayor Pro Tem
Ms. Erin Flanagan, Freese and Nichols Project Manager
Project File

Authorized Agent Affidavit



VILLAGE OF
VOLENTE

I/We, Brushy Creek Regional Utility Authority (BCRUA)
owner(s) of 5.217 ac tract of land in the John Stewart Survey 551 and the Robert Foster Survey 31, Travis County, TX
authorize Walker Partners/Freese and Nichols Joint Venture

to represent and act on my behalf regarding the above named property for the purpose of preparing and submitting applications or requests for inspections to the Village of Volente for review and approval of the following:

Short Form Final Plat, Zoning Change, Conditional Use Permit, Site Development Permit, NPS Pollution Control Permit and Annual Operating Permit, Building Permit and all associated inspections

(Type of Application, Permit or Inspection)

Karen Bondy
Signature

Karen Bondy, General Manager
Print Name

6/18/2019
Date

Signature

Print Name

Date

The State of Texas
County of Williamson

BEFORE ME, the above signed authority, on this day personally appeared

Karen Bondy, General Manager

known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed in the above affidavit.

Given under my hand and seal of office on this 18th day of June, 2019.

Notary Public: Monique Adams

My Commission Expires:
5/22/22



PROPOSED SITE PLAN AND OPERATIONAL DATA COMMENTS

PROPOSED SITE PLAN COMMENTS

- **Easements on our Property** – From conversations with the electrical utility, Pedernales Electric Cooperative (PEC), they have a blanket easement on their utility that runs across our property. We will coordinate with PEC to re-route the electrical utility across the front of our property, with preliminary location shown on our sit layout. Additionally, we will coordinate with PEC to upgrade the facility to the required 3-phase power, which is available one block away. PEC will have final say on alignment and we will abide by Sec. 9.05.124 for all electric, telephone, etc. utilities to be underground, unless PEC requires a variance to the contrary. PEC will provide us with easement information which we will accommodate. We will provide the required PUE 15 feet wide across the front of the property as shown on the proposed site plan. We have not had a response from the telephone company but are working on obtaining a letter of serviceability for internet service and will accommodate their needs for easements on our property.
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OPERATIONAL DATA

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- ***General Impact on Property Values of Surrounding Neighborhood*** – With development of the property, no change in property value is expected.
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LIST OF PROPERTY OWNERS TO NOTIFY WITHIN 200 FEET OF PROPERTY TO BE REZONED

Property ID: 857521
Gary L and Cathy L Gross
16613 Jackson Street
Volente, TX 78641-6043

Property ID: 807690
Luis F and Suzanne Gonzalez
8024 Arren Terr
Volente, TX 78641-6027

Property ID: 807689
Luis F and Suzanne Gonzalez
8024 Arren Terr
Volente, TX 78641-6027

Property ID: 777063
Elijah Kane
8011 Bernard Street
Volente, TX 78641-9658

Property ID: 458396
Camille Dierksen Gamble
28 Dogwood Lake Drive
Texarkana, TX 75503-1720

Property ID: 176512
Charles Ford
12103 Conrad Road
Austin, TX 78727-6413

Property ID: 176509
Gregory W Sparks
8004 Bernard Street
Leander, TX 78641-9658

Property ID: 176510
John Faseler
15212 FM 2769
Volente, TX 78641-9139

****Information taken from Travis County Appraisal District on June 10, 2019.**



**PUBLIC NOTICE
OF CONDITIONAL USE PERMITTING REQUEST
WITHIN 200 FEET OF YOUR PROPERTY**

**VILLAGE OF
VOLENTE**

Jana Nace
MAYOR

Chris Wilder
MAYOR PRO TEM

Judy Barrick
COUNCIL MEMBER

Bill Connors
COUNCIL MEMBER

Cindy Metro
COUNCIL MEMBER

Sean Ryan
COUNCIL MEMBER

Notice is hereby given that the Planning and Zoning Commission and Council will hold a joint public hearing starting at 7:00 P.M., Tuesday, August 20, 2019, at City Hall, 16100 Wharf Cove, Village of Volente, Texas. The Commission and Council will consider the application of Ms. Karen Bondy, General Manager for the Brushy Creek Regional Utility Authority (BCRUA) applying for the property located at the southwest corner of the Bernard Street and Jackson Street right-of-way where Bernard Street currently ends in a cul-de-sac to be approved for a conditional use permit for the construction and operation of water intake facilities and a pump station.

Citizens are invited to attend and participate in the public hearing.

For more information contact the Village office at 512-250-2075, or email city.secretary@volentetexas.gov.

Public Notice Mailed on XXXX XX, 2019



NOTICE OF PUBLIC HEARINGS

Notice is hereby given that the Village of Volente Planning and Zoning Commission will hold a Special Called Meeting and Public Hearings on Tuesday, August 20, 2019, at 5:30 PM at the Volente Fire Hall, 15406 FM 2769, Volente, Texas 78641 and the Village of Volente Regular City Council Meeting and Public Hearings on Tuesday, August 20, 2019 at 6:30 PM, at Volente Fire Hall, 15406 FM 2769, Volente, Texas 78641 to consider the following:

Request by Sandy Creek Shores HOA for a Variance in accordance with Village of Volente Code of Ordinances Section 9.05.124, (Electric, Cable, Telephone, and Telecommunications Utilities) Ordinance No. 2004-O-36, Sec 33.351, to establish electricity for safety lights in Sandy Shores Park, resub of Lot 98, park area ABS, 2535 sur 501/2 .402 acre Carlton JF.

Request by Bryan McNeill for a Conditional Use Permit in accordance with Ordinance No. 2016-O-173, Sec 9.02.054, Sec 30.121 (Commercial Retail-District "C1") and Sec 9.02.141, Sec 30.134 (Special provisions, Conditional Use Permit) to expand pre-existing boat repair business (McNeill Marina located at 15801 FM 2769) to include adjacent property 15803 FM 2769, Volente, Texas 78641.

Request by VIP/Flagship Towing for a Conditional Use Permit in accordance with Ordinance No. 2016-O-173, Sec 9.02.055, Sec. 30.122 (Commercial Retail with Restaurant-District "C2") and Sec 9.02.141, Sec 30.134 (Special provisions, Conditional Use Permit) to build a shop for boat dock construction, sales of marine parts and minor boat repairs at 15808 FM 2769.

Request by Volente Vision, LLC for a Variance in accordance with Village of Volente Code of Ordinances Sec 9.02.105 and a Conditional Use Permit in accordance with Ordinance No. 2016-O-173, Sec 9.02.054, Sec. 30.122 (c)(2). (Commercial Retail with Restaurant-District "C2") and Sec 9.02.141, Sec 30.134 (Special provisions, Conditional Use Permit) for additional overflow parking at 16000 FM 2769, Volente, Texas 78641.

Request by Walker Partners on behalf of BCRUA to rezone 5.215 acres located on the Southwest corner of Bernard St and Jackson St ROW (Project No. 3-00670.01, for Re-Zoning of the B.C.R.U.A. - Maintenance Building Site for Deep Water Intake) from "SF" Single Family Residential to "UD" Utility District in accordance with Ordinance No. 2016-O-173, Sec 9.02.057, Sec 30.124, (Utility District - "UD"). The current road ends at Bernard St cul-de-sac in Volente, Texas (Lot 1, Block 1, B.C.R.U.A addition).

Request by Walker Partners on behalf of BCRUA for a Conditional Use Permit for construction and operation of water intake facilities and pumping station (Project No. 3-00670.01, for a Conditional Use Permit for the (BCRUA - Maintenance Building Site for Deep Water Intake) on the 5.215 acres located on the Southwest corner of Bernard St and Jackson St ROW, current road ends at Bernard St cul-de-sac in Volente, Texas (Lot 1, Block 1, B.C.R.U.A addition) in accordance with Ordinance 2016-O-173, Sec 9.02.054, Sec 30.124, (Utility District - "UD") and Sec 9.02.141, Sec 30.134 (Special Provisions, Conditional Use Permit).

For information concerning these matters email city.secretary@volentetexas.gov.