



Part 1

ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING
DATE REQUESTED: December 3, 2008

NAME & NUMBER
OF PROJECT: Terrace PUD (Revision 12)
C814-86-009.12

NAME OF APPLICANT
OR ORGANIZATION: W&G Partnership, Desta Partnership, Ltd.
(Roger Arend - 306-9093)

Agent: Richard Suttle 435-2310

LOCATION: 2300-3000 Via Fortuna

PROJECT FILING DATE: December 7, 2007

NPZD/WPDR
CASE MANAGER: Jerry Rusthoven - 974-3207
jerry.rusthoven@ci.austin.tx.us
Sue Welch - 974-3294
Sue.welch@ci.austin.tx.us

WATERSHED: Barton Creek (SOS)
Drinking Water Protection Zone

REQUEST: Courtesy review by Environmental Board -
no environmental variances requested.

STAFF RECOMMENDATION: Recommended with conditions.

**ENVIRONMENTAL BOARD BRIEFING ON
ZONING CHANGE FOR TERRACE PUD**

CASE: C814-86-009.12

EV BOARD DATE: December 3, 2008

PROJECT NAME: Terrace PUD (Revision 12)

APPLICANT: WSG Partnership
(Roger Arend - 306-9093)

AGENT: Armbrust & Brown, LLP
(Richard Suttle - 435-2310)

ADDRESS OF SITE: 2300-3000 Via Fortuna

COUNTY: Travis

AREA: 109.25 acres

WATERSHED: Barton Creek (Recharge Zone)

JURISDICTION: Full

NEIGHBORHOOD PLANNING AREA: Barton Hills

ZONING FROM: PUD

TO: PUD and to amend the zoning/site plan and amend a public restrictive covenant.

PROPOSED DEVELOPMENT:

The applicant is proposing to amend a PUD and associated zoning/site plan and restrictive covenant. A PUD zoning district approved under regulations applicable before December 15, 1988 is governed by the previous regulations and shall be identified on the zoning map as a PUD district. The PUD was originally submitted in 1985 and included a Land Use Element (site plan); the PUD was approved in 1987. The PUD site plan layout consists of setbacks, impervious coverage, Floor-to-Area ratio (FAR), height, parking, buffer zones and undisturbed area. The current PUD site plan (shown as Exhibit 1) and the proposed amendment (Exhibit 2) includes removing 4 buildings/garages closest to Barton Creek/neighborhood, and replaces the square footage in the buildings closest to Loop 360 and Mopac. This is accomplished by increasing the height (from 60'-108' to 100'-120') and square footage of the buildings closest to the highways. This revision will decrease the impervious coverage to approximately 28.34% for the site. The proposed amendment is consistent with the assumptions in the March 2006 Traffic Impact Analysis (TIA). The proposed buildings will be office use only and delete restaurant (high-turnover) and retail uses for a decrease in trip generation. The updated values for this revision are presented below:

Parameter	Original Approved PUD	Current Approved Plan	Revision 12
Impervious Coverage (ac)	35.33	32.31	30.96
Downstream Buffer (ac)	38.70	39.10	44.81
Total Sq. Ft.	1,373,100	1,350,333	1,350,333
FAR	.289	.284	.284
Undisturbed Area (ac)	64.10	61.08	65.80

The applicant proposes amending a restrictive covenant recorded with the PUD which required the dedication of Lot 1, Block G for parkland to the City of Austin, Parks and Recreation Department. The applicant has paid parkland fees for the existing apartments. The Parks Department has agreed that in lieu of dedication of parkland of Lot 1, Block G, this lot will be included in a conservation easement to be

conveyed to the Hill Country Conservancy within 30 days of the final approval of the revision by the City. The conservation easement (approximately 39.40 acres – see Exhibit 3) will include more acres than originally planned to be dedicated (11 acres). There will be no allocation of impervious cover or FAR to the easement at this time.

The applicant has agreed the new buildings will be either Silver LEED or Austin Energy Green Builder, a minimum of 2 star rating. Also, the site plan will be revised to maintain the 100 ft. Hill Country buffer from the property line along Loop 360. The applicant has also agreed to provide an Integrated Pest Management Plan for the remaining undeveloped tracts.

Per the original PUD Ordinance, the site is required to provide water quality control by capturing $\frac{1}{2}$ " of runoff and treating it via sedimentation/filtration ponds. Since then, the applicant has agreed to more extensive water quality plan to meet Federal (Fish & Wildlife) requirements. Per this plan, a retention/irrigation system providing for $\frac{3}{4}$ " to 1" capture volume will be provided. The applicant has also agreed to increase the capture volume for Buildings 3 & 4 from $\frac{3}{4}$ " to 1". This will exceed the City's PUD requirements and Fish & Wildlife requirements.

STAFF RECOMMENDATION:

Staff recommends approval of the proposed PUD amendment including the revised site plan and restrictive covenant with the following conditions:

1. Silver LEED or Austin Energy Green Builder (minimum 2 star) for the proposed buildings
2. The area extending 100 feet into the site of Loop 360 right-of-way will be maintain and restored to the natural Hill Country character by complying with Austin Hill Country Roadway ordinance for this area.
3. An Integrated Pest Management Plan will be provided for the site.
4. Water quality capture volume will be 1" for all buildings.

The applicant has agreed to these conditions.

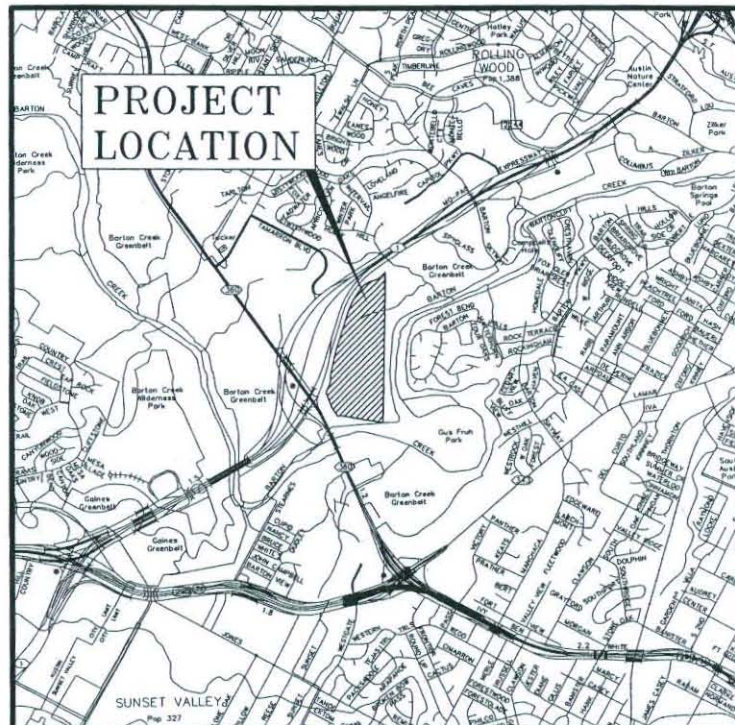
ENVIRONMENTAL BOARD ACTION:

Courtesy review – no environmental variances.

CASE MANAGER: Sue Welch
Sue.Welch@ci.austin.tx.us

PHONE: 974-3294

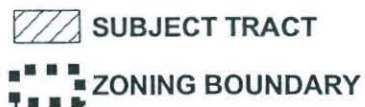
LOCATION MAP FOR THE TERRACE



SCALE: 1" = 5000'

**Malone/
Wheeler, Inc.**

Engineering & Development Consultants
7500 Rialto Blvd, Bldg 1, Suite 240
Austin, Texas 78735
Phone: (512) 899-0601 Fax: (512) 899-0655

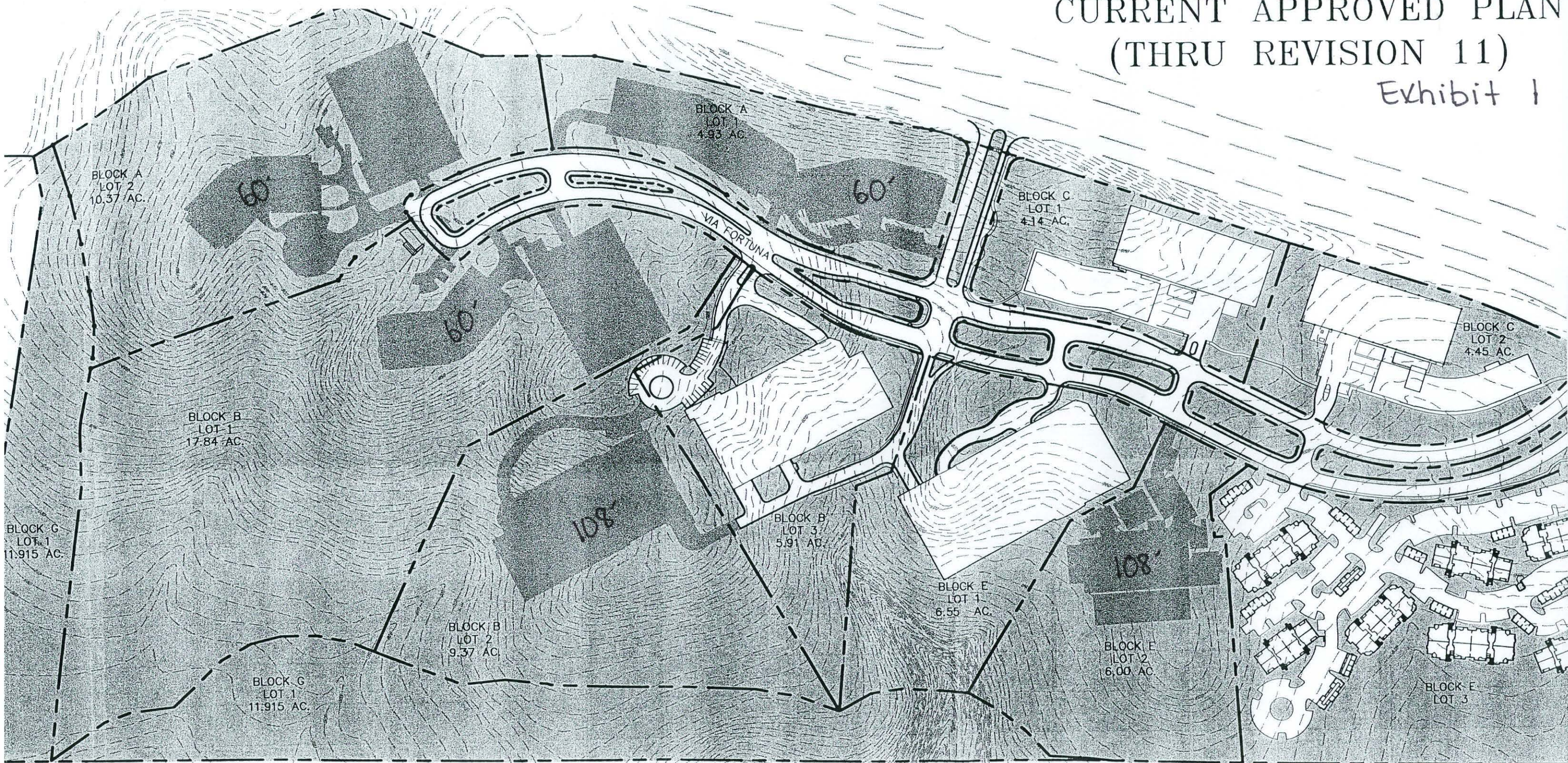


This map has been produced by G.I.S. Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 500'

CURRENT APPROVED PLAN (THRU REVISION 11)

Exhibit 1



SCALE: 1" = 200'

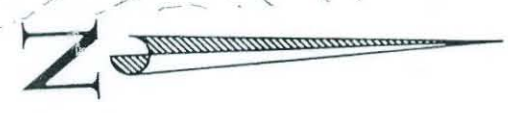
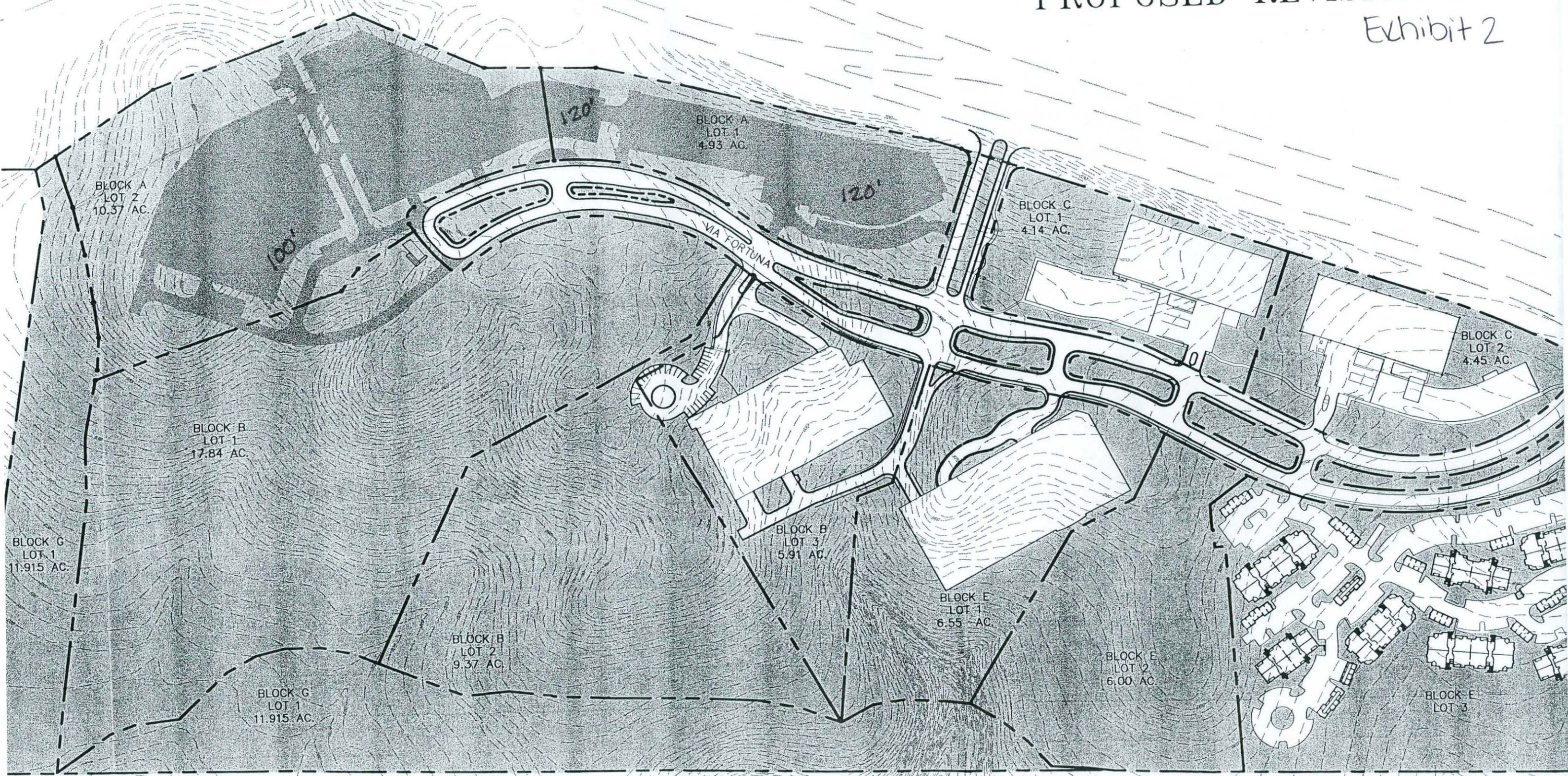
EXISTING BUILDING & PAVEMENT

PROPOSED BUILDING & PAVEMENT

4a
Part 2

PROPOSED REVISION 12

Exhibit 2



SCALE: 1" = 200'



EXISTING BUILDING & PAVEMENT



PROPOSED BUILDING & PAVEMENT



PREPARED BY:
 CHECKED BY:
 DATE: 11/18/2008
 SHEET 1
 OF 1

Malone/
Wheeler, Inc.
 Engineering & Development Consultants
 7506 Rialto Blvd, Bldg 1, Suite 240
 Austin, Texas 78735
 Phone: (512) 890-0601 Fax: (512) 890-0655

THE TERRACE
 AUSTIN, TEXAS

PROPOSED CONSERVATION EASEMENT

NO.	DATE	REVISION	BY

Exhibit 3

FOR RELEASE TO
SUBMITTED BY AIRMAIL 20
ALL INFORMATION IN
THIS DOCUMENT IS UNCLASSIFIED
DATE 08-11-2001 BY 60322
REASON: EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
NO COPIES OF THIS DOCUMENT WILL BE
AUSTIN, TEXAS 1974

FOR REVISION ~~8~~ 11 12
SUBMITTED FOR APPROVAL BY
MALONE / WHEELER, INC.

RICHARD H. MALONE
REGISTERED PROFESSIONAL ENGINEER NO. 41865
MALONE/WHEELER INC.
5316 WHY. 290 WEST, SUITE 180
AUSTIN, TEXAS 78735

PREPARED FOR :
WAG PARTNERSHIP, INC. C/O ROD AREND
2501 N. LAMAR BLVD. AUSTIN, TX. 78701

PREPARED FOR
W. A. S. PARTNERSHIP, INC.
C/O BOB AREND
PO BOX 114444
DALLAS, TEXAS 75214

FOR REVIEW &
SUBMITTED FOR APPROVAL BY
MALONE / WHEELER, INC.

1200 CAPITAL OF TEXAS HIGH SCHOOL, STATE OF TEXAS
 AUSTIN, TEXAS 78740

PREPARED FOR
W. A. & P. H. HARRIS, INC. 5400 10th AVE
200 N. LINDA BLVD. ANAHEIM, CALIF.

FOR REVISION 2
SUBMITTED FOR APPROVAL BY
MURFEE ENGINEERING COMPANY

RICHARD H. MUMFET
 RICHARD H. MUMFET, P.E.
 REGISTERED PROFESSIONAL ENGINEER NO. 41885
 MUMFET ENGINEERING COMPANY
 1181 CAPITAL OF TEXAS HWY., BLDG. D, STE. 110
 AUSTIN, TEXAS 78746

PREPARED FOR

SITE PLAN RELEASE NOTES

ALL IMPROVEMENTS SHALL BE MADE IN ACCORDANCE WITH THE RELEASED SITE PLAN. ANY ADDITIONAL IMPROVEMENTS WILL REQUIRE SITE PLAN AMENDMENT AND APPROVAL OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT. MINOR CORRECTIONS MAY BE APPROVED BY THE BUILDING PLAN REVIEW SECTION AT THE TIME OF BUILDING PERMIT.

APPROVAL OF THIS SITE PLAN DOES NOT INCLUDE BUILDING AND FIRE
CODE APPROVAL NOR BUILDING PERMIT APPROVAL.

ALL SIGNS MUST COMPLY WITH REQUIREMENTS OF THE LAND DEVELOPMENT CODE.

ADDITIONAL ELECTRIC EASEMENTS MAY BE REQUIRED AT A LATER DATE.

CONNECT TO THE CITY OF AUSTIN WATER AND WASTEWATER SYSTEMS
FOR SERVICE.

FOR CONSTRUCTION WITHIN RIGHT-OF-WAY, A CONCRETE PERMIT IS REQUIRED.

FOR DRIVEWAY CONSTRUCTION; THE OWNER IS RESPONSIBLE FOR ALL COSTS FOR RELOCATION OF, OR DAMAGE TO UTILITIES.

LOCATION MAP

NOTES

1. PRIOR TO ISSUANCE OF BUILDING PERMITS, SUBDIVISION PLATS MUST BE APPROVED AND RECORDED AND A CONSTRUCTION REVIEW (PART E) DEVELOPMENT PERMIT SITE PLAN(S) MUST BE APPROVED.

2. RESTRICTIVE COVENANT APPLICABLE TO THE TERRACE PUD
RECORDED IN VOL. 10252, PAGES 0135-0217 OF THE DEED
RECORDS OF TRAVIS COUNTY, TEXAS.

3. FAR INFORMATION - SEE SHEET NO. 22.

4. UNDISTURBED AREA INFORMATION - TO BE PROVIDED WITH DEVELOPMENT PERMITS.

5. PROJECT LOCATED IN BARTON CREEK IN AREA CLASSIFIED AS WATER SUPPLY RURAL.

6. GARBAGE PICK UP TO BE BY PRIVATE HAULER.

7. THE LOTS CONTAINED IN THIS REVISION HAVE BEEN PLATTED AS FOLLOWS:

<u>BLOCK</u>	<u>LOT</u>	<u>SUBDIVISION NAME</u>	<u>SUBDIVISION NO.</u>
EC	#1	THE TERRACE SEC. 34	CSM-ES-000004
EC	#2	" " " "	" " " "

8. RESIDENTIAL DENSITY IS 308 UNITS ON 18.61 ACRES, I.e. 16.54 UNITS/ACRE

9. NO 100 YEAR FLOOD PLAIN EXISTS ON THE SITE

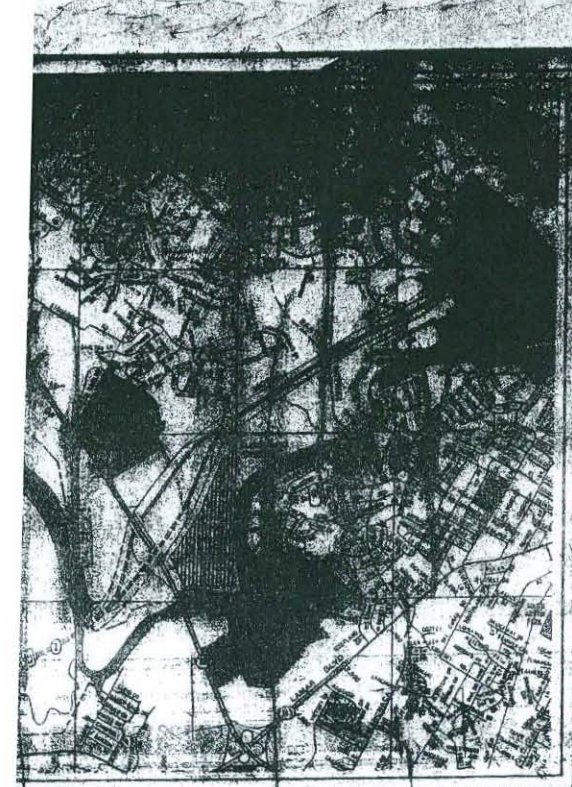
10. THE SITE IS COMPOSED OF 20 LOTS. THIS PROJECT HAS BEEN REVIEWED (APPROVED) AS ONE COHESIVE DEVELOPMENT. IF PORTIONS OF THE LOTS/TRACES ARE SOLD, THE REMAINING LOTS/TRACTS MUST STILL COMPLY WITH THE LAND DEVELOPMENT CODE.

IF THIS REVISION SUBMITTED ~~11/2/60~~

12. STREET ADDRESS FOR THIS REVISION IS ~~2500 + 2700 VIA FORTUNA~~
2500 + 2700 VIA FORTUNA

* PRIOR TO ISSUANCE OF A
CERTIFICATE OF DOMESTICATION THE
APPLICANT IS REQUIRED TO PAY
\$145.00 FOR A TRAVEL VOUCHER
VIA AIRMAIL / LANE 156
PUSHMAN TO TRAVEL TRAVEL
BUREAU

9	DENIED 9/4/2005		
10	DENIED 2/27/2006		
11	REVISE SITE PLAN BLOCK A LOT 2. NEW SHEET 13. CORRECTED PARKING BLOCK A LOT 2. SHEETS 3, 4, AND 13.		
12	REVISE SITE PLAN: BLOCK A LOT 1, BLOCK A LOT 2,		



IMPERVIOUS COVER CALCULATIONS					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
WATERWAY (Concrete)	42.00	7.50	2.00	1.25	52.75
WATERWAY (Asphalt)	28.25	0.00	0.00	0.00	28.25
Water Quality Buffer Zone	8.13	2.81	0.00	0.00	10.94
TOTAL	78.38	10.31	2.00	1.25	92.94
NET SITE AREA					
CONCRETE	42.00	2.80	0.40	0.00	45.20
REMAINDER	18.25	1.20	0.70	0.00	19.95
ALLOWABLE IMPERVIOUS COVER					
CONCRETE	42.00	2.80	0.40	0.00	45.20
REMAINDER	18.25	1.20	0.70	0.00	19.95
AVAILABLE TRANSFER					
W.Q.B.Z.	3,000 sq. ft. per 1,000 sq. ft. of impervious cover				
AVAILABLE	3,000 sq. ft. per 1,000 sq. ft. of impervious cover				
TOTAL ALLOWABLE IMPERVIOUS COVER					19.95

IMPERVIOUS COVER/SLOPE CATEGORY TABLE					
ORIGINAL PLAN			REVISION 1		
Block	0-15%	15-35%	35-55%	>55%	TOTAL
Block 1	1.42	0.01	0.00	0.00	1.43
Block 2	0.10	0.01	0.00	0.00	0.11
Block 3	0.10	0.01	0.00	0.00	0.11
Block 4	0.10	0.01	0.00	0.00	0.11
Block 5	0.10	0.01	0.00	0.00	0.11
Block 6	0.10	0.01	0.00	0.00	0.11
Block 7	0.10	0.01	0.00	0.00	0.11
Block 8	0.10	0.01	0.00	0.00	0.11
Block 9	0.10	0.01	0.00	0.00	0.11
Block 10	0.10	0.01	0.00	0.00	0.11
Block 11	0.10	0.01	0.00	0.00	0.11
Block 12	0.10	0.01	0.00	0.00	0.11
Block 13	0.10	0.01	0.00	0.00	0.11
Block 14	0.10	0.01	0.00	0.00	0.11
Block 15	0.10	0.01	0.00	0.00	0.11
Block 16	0.10	0.01	0.00	0.00	0.11
Block 17	0.10	0.01	0.00	0.00	0.11
Block 18	0.10	0.01	0.00	0.00	0.11
Block 19	0.10	0.01	0.00	0.00	0.11
Block 20	0.10	0.01	0.00	0.00	0.11
Block 21	0.10	0.01	0.00	0.00	0.11
Block 22	0.10	0.01	0.00	0.00	0.11
Block 23	0.10	0.01	0.00	0.00	0.11
Block 24	0.10	0.01	0.00	0.00	0.11
Block 25	0.10	0.01	0.00	0.00	0.11
Block 26	0.10	0.01	0.00	0.00	0.11
Block 27	0.10	0.01	0.00	0.00	0.11
Block 28	0.10	0.01	0.00	0.00	0.11
Block 29	0.10	0.01	0.00	0.00	0.11
Block 30	0.10	0.01	0.00	0.00	0.11
Block 31	0.10	0.01	0.00	0.00	0.11
Block 32	0.10	0.01	0.00	0.00	0.11
Block 33	0.10	0.01	0.00	0.00	0.11
Block 34	0.10	0.01	0.00	0.00	0.11
Block 35	0.10	0.01	0.00	0.00	0.11
Block 36	0.10	0.01	0.00	0.00	0.11
Block 37	0.10	0.01	0.00	0.00	0.11
Block 38	0.10	0.01	0.00	0.00	0.11
Block 39	0.10	0.01	0.00	0.00	0.11
Block 40	0.10	0.01	0.00	0.00	0.11
Block 41	0.10	0.01	0.00	0.00	0.11
Block 42	0.10	0.01	0.00	0.00	0.11
Block 43	0.10	0.01	0.00	0.00	0.11
Block 44	0.10	0.01	0.00	0.00	0.11
Block 45	0.10	0.01	0.00	0.00	0.11
Block 46	0.10	0.01	0.00	0.00	0.11
Block 47	0.10	0.01	0.00	0.00	0.11
Block 48	0.10	0.01	0.00	0.00	0.11
Block 49	0.10	0.01	0.00	0.00	0.11
Block 50	0.10	0.01	0.00	0.00	0.11
Block 51	0.10	0.01	0.00	0.00	0.11
Block 52	0.10	0.01	0.00	0.00	0.11
Block 53	0.10	0.01	0.00	0.00	0.11
Block 54	0.10	0.01	0.00	0.00	0.11
Block 55	0.10	0.01	0.00	0.00	0.11
Block 56	0.10	0.01	0.00	0.00	0.11
Block 57	0.10	0.01	0.00	0.00	0.11
Block 58	0.10	0.01	0.00	0.00	0.11
Block 59	0.10	0.01	0.00	0.00	0.11
Block 60	0.10	0.01	0.00	0.00	0.11
Block 61	0.10	0.01	0.00	0.00	0.11
Block 62	0.10	0.01	0.00	0.00	0.11
Block 63	0.10	0.01	0.00	0.00	0.11
Block 64	0.10	0.01	0.00	0.00	0.11
Block 65	0.10	0.01	0.00	0.00	0.11
Block 66	0.10	0.01	0.00	0.00	0.11
Block 67	0.10	0.01	0.00	0.00	0.11
Block 68	0.10	0.01	0.00	0.00	0.11
Block 69	0.10	0.01	0.00	0.00	0.11
Block 70	0.10	0.01	0.00	0.00	0.11
Block 71	0.10	0.01	0.00	0.00	0.11
Block 72	0.10	0.01	0.00	0.00	0.11
Block 73	0.10	0.01	0.00	0.00	0.11
Block 74	0.10	0.01	0.00	0.00	0.11
Block 75	0.10	0.01	0.00	0.00	0.11
Block 76	0.10	0.01	0.00	0.00	0.11
Block 77	0.10	0.01	0.00	0.00	0.11
Block 78	0.10	0.01	0.00	0.00	0.11
Block 79	0.10	0.01	0.00	0.00	0.11
Block 80	0.10	0.01	0.00	0.00	0.11
Block 81	0.10	0.01	0.00	0.00	0.11
Block 82	0.10	0.01	0.00	0.00	0.11
Block 83	0.10	0.01	0.00	0.00	0.11
Block 84	0.10	0.01	0.00	0.00	0.11
Block 85	0.10	0.01	0.00	0.00	0.11
Block 86	0.10	0.01	0.00	0.00	0.11
Block 87	0.10	0.01	0.00	0.00	0.11
Block 88	0.10	0.01	0.00	0.00	0.11
Block 89	0.10	0.01	0.00	0.00	0.11
Block 90	0.10	0.01	0.00	0.00	0.11
Block 91	0.10	0.01	0.00	0.00	0.11
Block 92	0.10	0.01	0.00	0.00	0.11
Block 93	0.10	0.01	0.00	0.00	0.11
Block 94	0.10	0.01	0.00	0.00	0.11
Block 95	0.10	0.01	0.00	0.00	0.11
Block 96	0.10	0.01	0.00	0.00	0.11
Block 97	0.10	0.01	0.00	0.00	0.11
Block 98	0.10	0.01	0.00	0.00	0.11
Block 99	0.10	0.01	0.00	0.00	0.11
Block 100	0.10	0.01	0.00	0.00	0.11

OFFICE/RETAIL FOR BLOCK 1 LOT 2					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

TYPICAL PARKING SPACES REQUIRED					
AREA	0-15%	15-35%	35-55%	>55%	TOTAL
Office	1.42	0.01	0.00	0.00	1.43
Retail	0.10	0.01	0.00	0.00	0.11
TOTAL	1.52	0.02	0.00	0.00	1.54

ALLOWABLE VS. PROPOSED IMPERVIOUS COVER					
ORIGINAL LAND PLAN			REVISION 1		
BLOCK	LOT	ACRES	COVER	PAVING	ACRES
A	1	17.27	1.25	0.32	1.57
B	1	4.08	1.25	0.32	1.57
C	1	4.08	1.25	0.32	1.57
D	1	4.08	1.25	0.32	1.57
E	1	4.08	1.25	0.32	1.57
F	1	4.08	1.25	0.32	1.57
G	1	4.08	1.25	0.32	1.57
H	1	4.08	1.25	0.32	1.57
I	1	4.08	1.25	0.32	1.57
J	1	4.08	1.25	0.32	1.57
K	1	4.08	1.25	0.32	1.57
L	1	4.08	1.25	0.32	1.57
M	1	4.08	1.25	0.32	1.57
N	1	4.08	1.25	0.32	1.57
O	1	4.08	1.25	0.32	1.57
P	1	4.08	1.25	0.32	1.57
Q	1	4.08	1.25	0.32	1.57
R	1	4.08	1.25	0.32	1.57
S	1	4.08	1.25	0.32	1.57
T	1	4.08	1.25	0.32	1.57
U	1	4.08	1.25	0.32	1.57
V	1	4.08	1.25	0.32	1.57
W	1	4.08	1.25	0.32	1.57
X	1	4.08	1.25	0.32	1.57
Y	1	4.08	1.25	0.32	1.57
Z	1	4.08	1.25	0.32	1.57
AA	1	4.08	1.25	0.32	1.57
AB	1	4.08	1.25	0.32	1.57
AC	1	4.08	1.25	0.32	1.57
AD	1	4.08	1.25	0.32	1.57
AE	1	4.08	1.25	0.32	1.57
AF	1	4.08	1.25	0.32	1.57
AG	1	4.08	1.25	0.32	1.57
AH	1	4.08	1.25	0.32	1.57
AI	1	4.08	1.25	0.32	1.57
AJ	1	4.08	1.25	0.32	1.57
AK	1	4.08	1.25	0.32	1.57
AL	1	4.08	1.25	0.32	1.57
AM	1	4.08	1.25	0.32	1.57
AN	1	4.08	1.25	0.32	1.57
AO	1	4.08	1.25	0.32	1.57
AP	1	4.08	1.25	0.32	1.57
AQ	1	4.08	1.25	0.32	1.57
AR	1	4.08	1.25	0.32	1.57
AS	1	4.08	1.25	0.32	1.57
AT	1	4.08	1.25	0.32	1.57
AU	1	4.08	1.25	0.32	1.57
AV	1	4.08	1.25	0.32	1.57
AW	1	4.08	1.25	0.32	1.57
AX	1	4.08	1.25	0.32	1.57
AY	1	4.08	1.25	0.32	1.57
AZ	1	4.08	1.25	0.32	1.57
BA	1	4.08	1.25	0.32	1.57
BB	1	4.08	1.25	0.32	1.57
BC	1	4.08	1.25	0.32	1.57
BD	1	4.08	1.25	0.32	1.57

REVISED SITE PLAN (REVISION 12)

ALLOWABLE VS. PROPOSED IMPERVIOUS COVER

	ACREAGE	BLDG COVER	PAVING	TOTAL
Block A, Lot 1	4.93 ac	2.35 ac	0.64 ac	2.99 ac
Lot 2	10.37 ac	5.04 ac	0.87 ac	5.91 ac
Lot 3	DELETED			

Block B, Lot 1	17.84 ac	0.004 ac	0.34 ac	0.34 ac
Lot 2	9.37 ac	0.00 ac	0.15 ac	0.15 ac
Lot 3	5.91 ac	1.65 ac	1.17 ac	2.82 ac

Block C, Lot 1	4.14 ac	1.46 ac	0.33 ac	1.79 ac
Block C, Lot 2	4.45 ac	1.47 ac	0.34 ac	1.81 ac
(Formerly Block D, Lot 1)				

Block E, Lot 2	5.00 ac	0.00 ac	0.00 ac	0.00 ac
Lot 1	6.55 ac	1.90 ac	0.59 ac	2.49 ac
Lot 3	8.635 ac	1.54 ac	2.32 ac	3.86 ac
Lot 4	9.98 ac	1.68 ac	2.45 ac	4.13 ac

Block F, Lot 1	7.45 ac	0.00 ac	4.67 ac	4.67 ac
----------------	---------	---------	---------	---------

Block G, Lot 1	11.915 ac	0.00 ac	0.00 ac	0.00 ac
----------------	-----------	---------	---------	---------

Block H, Lot 1-8	1.71 ac	0.00 ac	0.00 ac	0.00 ac
------------------	---------	---------	---------	---------

TOTALS	109.25 ac	17.10 ac	13.87 ac	30.96 ac
--------	-----------	----------	----------	----------

DOWNSTREAM BUFFER (40%)	38.70 ac
DOWNSTREAM BUFFER PROVIDED (45.27%)	44.06 ac

ALLOWABLE IMPERVIOUS COVER	7.64 ac
Corridor Lots zoned GR only)	29.32 ac
Remainder	

AVAILABLE TRANSFER	
W.Q.B.Z. 3,000 s.f./ac. W.Q.B.Z.	0.86 ac
Parkland 3,000 s.f./ac. Park	0.86 ac
Total Allowable Impervious Cover	38.66 ac

Total Proposed Impervious Cover	30.96 ac (28.34%)
---------------------------------	-------------------

BUILDING SQUARE FOOTAGE / PARKING REQUIREMENTS

	Surface	Structure	Actual	Required
Block A, Lot 1	201,082 s.f./office	12	710	722
Lot 2	508,520 s.f./office	20	2350	2370
Lot 3	DELETED			

Block B, Lot 1	DELETED	0	0	0
----------------	---------	---	---	---

Lot 2	DELETED	0	0	0
-------	---------	---	---	---

Lot 3	200,000 s.f./office	13	722	735
-------	---------------------	----	-----	-----

Block C, Lot 1	121,983 s.f./office	0	426	426
Block C, Lot 2	122,424 s.f./office	0	426	426

Block E, Lot 2	DELETED	0	0	0
----------------	---------	---	---	---

Block E, Lot 1	198,324 s.f./office	0	765	765
----------------	---------------------	---	-----	-----

Lot 3 & 4	308 resid.units	382	196	558
-----------	-----------------	-----	-----	-----

TOTALS:	1,350,333 s.f./office			
---------	-----------------------	--	--	--

308 residential units				
-----------------------	--	--	--	--

FAR: 1,350,333 s.f./109.25 ac. = 0.284				
--	--	--	--	--

MULTI-FAMILY UNIT MIX				
-----------------------	--	--	--	--

Type	No. of Units	% of Project
1 BR	140 units	71.4
2 BR	144 units	25.3
3 BR	24 units	3.5
	308 units	100%

Block E, Lot 3 & 4				
--------------------	--	--	--	--

Approximate Square Footage for the Units are as follows:				
--	--	--	--	--

1 BR	=	700-900 s.f.
2 BR	=	900-1100 s.f.
3 BR	=	1100-1400 s.f.

PARKING SUMMARY

Parking Provided	Standard	Compact	Handicap	Actual	Required
------------------	----------	---------	----------	--------	----------

Block A Lot 1	25	0	0	25	
Surface Parking	772	0	17	789	
Parking Garage	797	0	17	814	680

Block A Lot 2	7	0	0	7	
Surface Parking	1948	0	30	1978	
Parking Garage	1955	0	30	1985	1868

Block A Lot 3 - DELETED					
-------------------------	--	--	--	--	--

Block B Lot 1	8	0	2	8	
Surface Parking	493	139	16	648	
Parking Garage	497	139	16	656	533

Block B Lot 2	13	0	0	13	
Surface Parking	508	198	16	722	
Parking Garage	521	198	16	737	667

Block B Lot 3	27	0	2	29	
Surface Parking	508	198	16	722	
Parking Garage	535	198	16	751	667

Block C Lot 1	0	0	0	0	
Surface Parking	319	98	9	426	
Parking Garage	319	98	9	426	407

Block C Lot 2	0	0	0	0	
Surface Parking	319	98	9	426	
Parking Garage	319	98	9	426	416

Block E Lot 2 -	0	0	0	0	
Surface Parking	0	0	0	0	
Parking Garage	554	206	15	765	
Total	554	206	15	765	661

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

Block E Lot 3 - 4	216	134	12	362	
Surface Parking	196	0	0	196	
Parking Garage	412	134	12	558	558

UNDISTURBED AREA SUMMARY

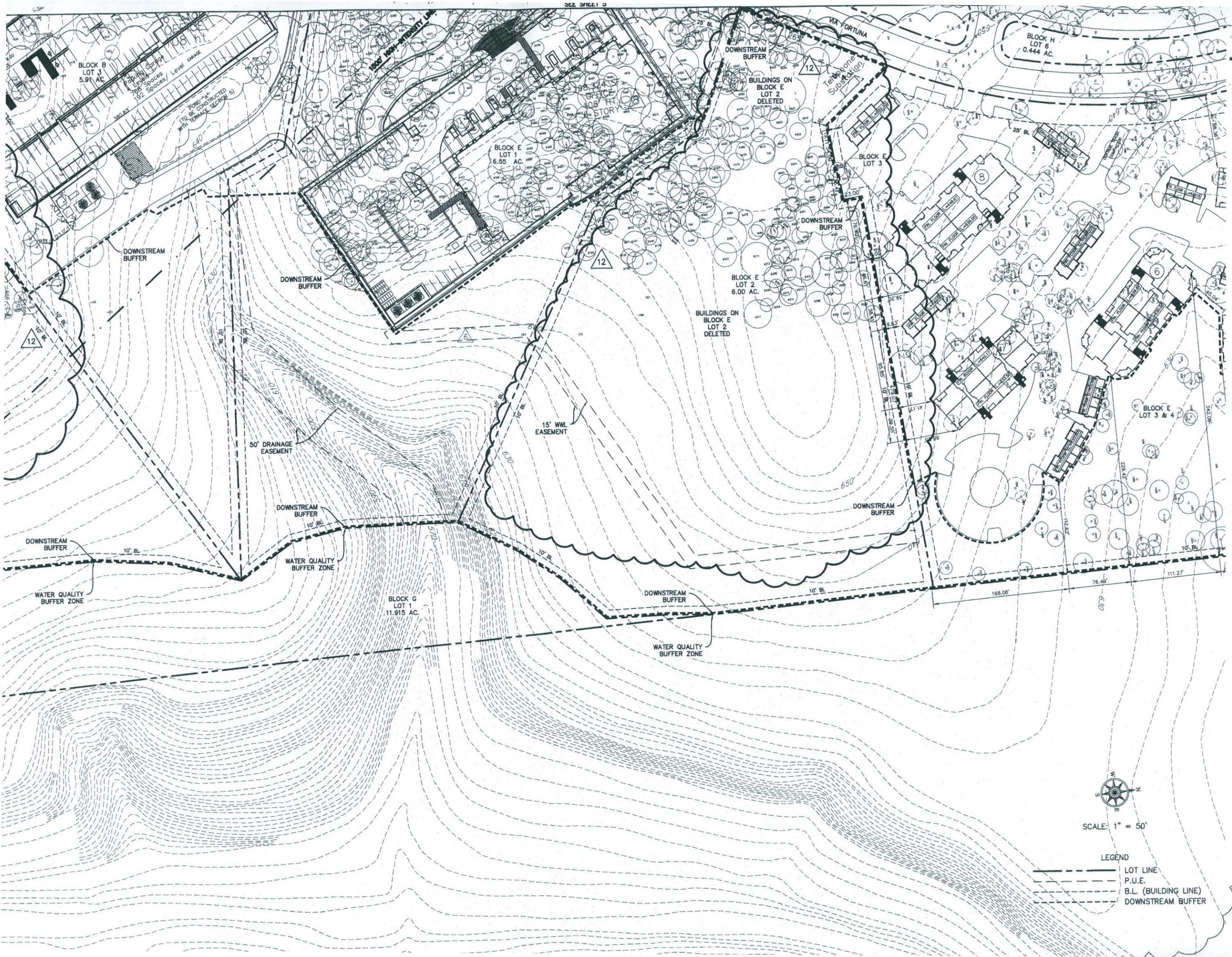
Block & Lot	Undisturbed Area
Block A, Lot 1	0.65 ac.
Lot 2	3.35 ac.

Block B, Lot 1	17.26 ac.
Lot 2	8.07 ac.
Lot 3	2.27 ac.

Block C, Lot 1	1.28 ac.
Lot 2	1.50 ac.
Block E, Lot 2	6.00 ac.

Lot 1	5.52 ac.
Lot 3 & 4	5.92 ac.
Block F, Lot 1	1.40 ac.

Block G, Lot 1	11.915 ac.
Block H	1.71 ac.



LANDCORP

URBAN PLANNING INCORPORATED

ESPEY, HUSTON & ASSOCIATES, INC.

Engineering & Environmental Consultants

Richard Fitzgerald & Partners

Tom Webb AIA

Architects & Planners

Austin, Texas

702 San Antonio

Austin, Texas 78701

512/479-2264

702 San Antonio

Austin, Texas 78701

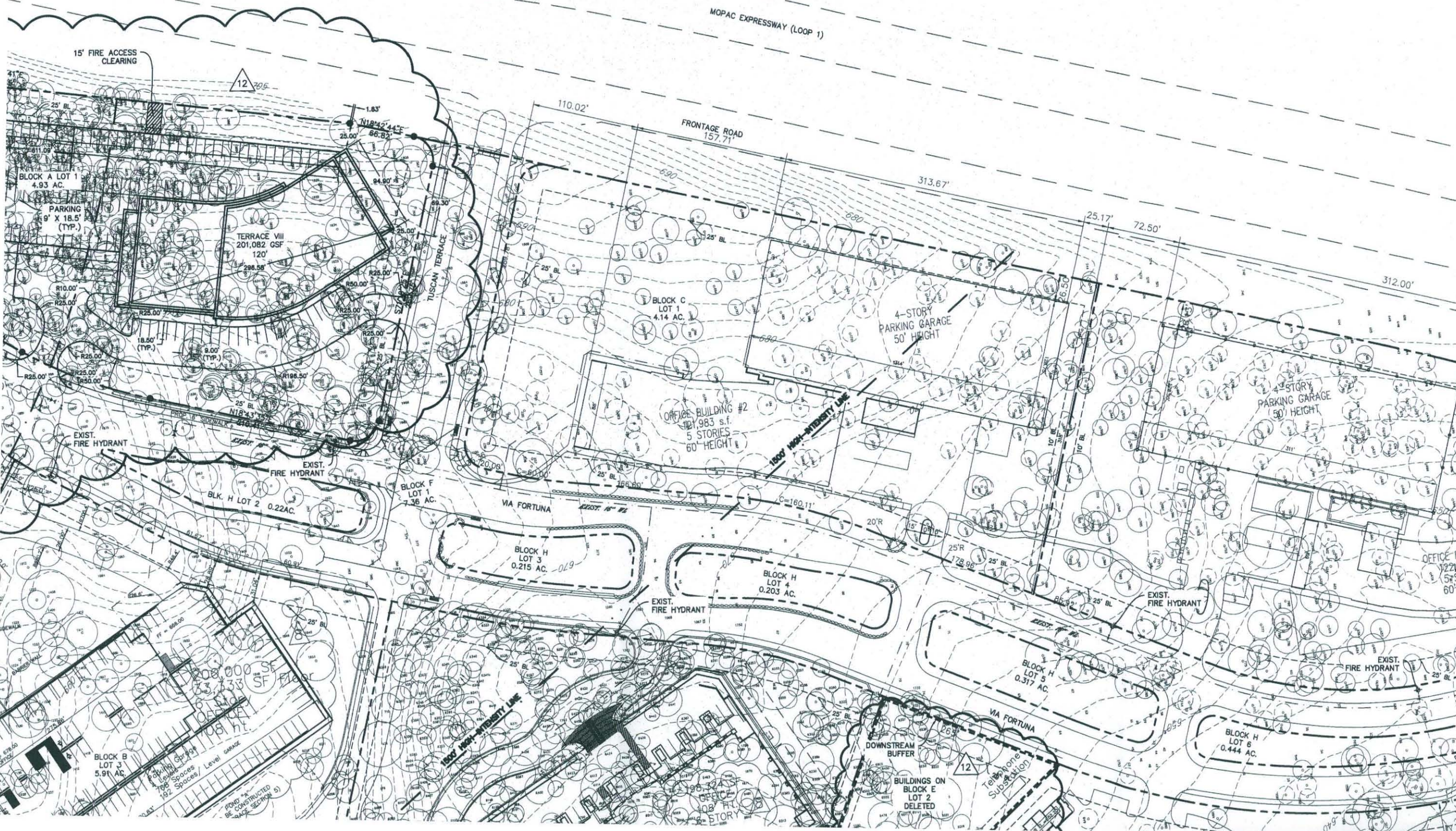
512/479-2264



SCALE: 1" = 50'

LEGEND

- LOT LINE
- P.U.E.
- B.L. (BUILDING LINE)
- DOWNSTEAM BUFFER



LANDCORP

URBAN PLANNING INCORPORATED

MILOSAY CERIC, AIA

ARCHITECT

7000 Ave. America
Austin, TX 78701
512/478-2204

ESPEY, HUSTON & ASSOCIATES, INC.

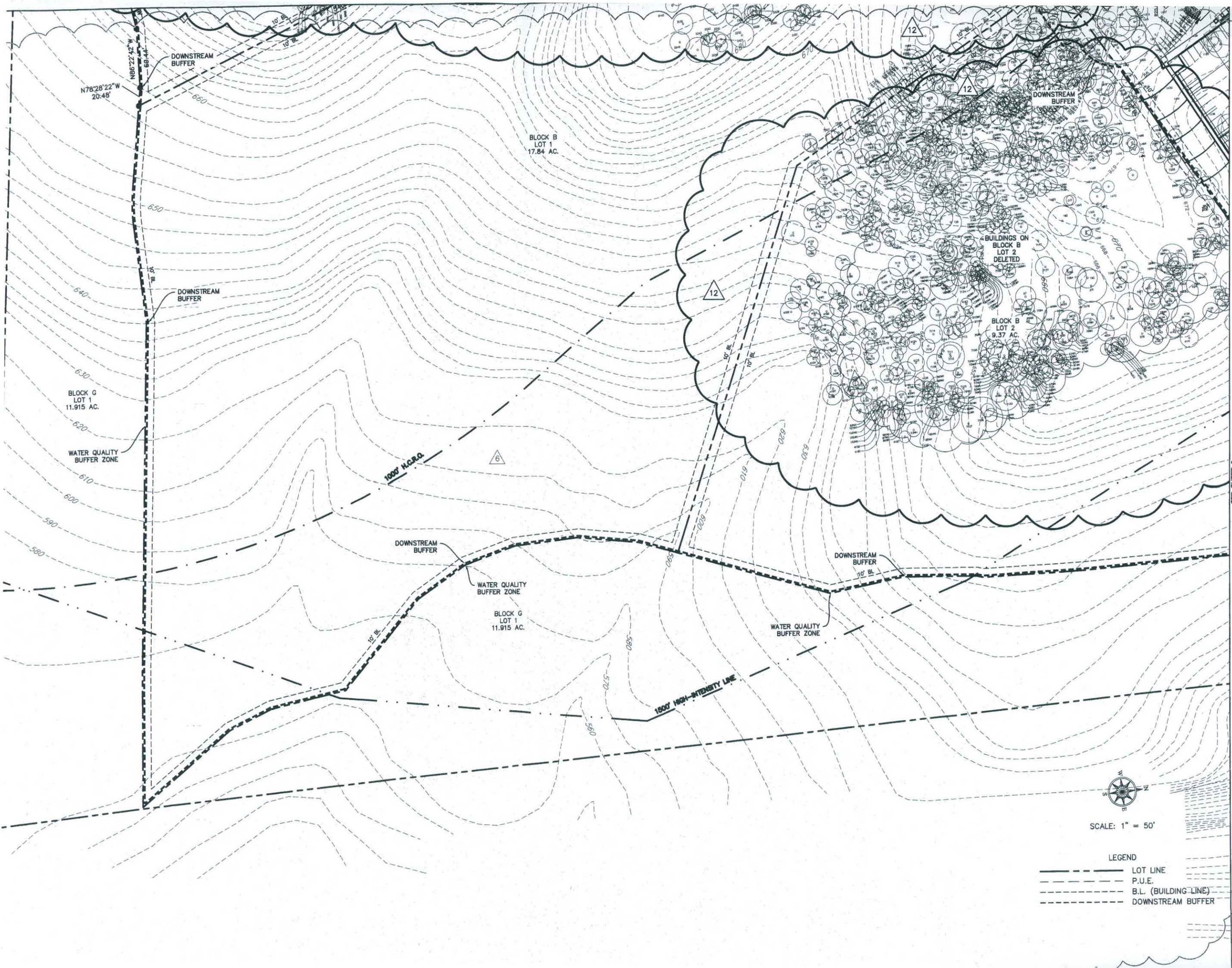
Engineering & Environmental Consultants

Richard Fitzgerald & Partners
Tom Webb AIA
Architects & Planners

7000 Ave. America
Austin, TX 78701
512/478-2204

The Terrace

SHEET 4 OF 6



SEE SHEET 6

LANDCORP

URBAN PLANNING INCORPORATED

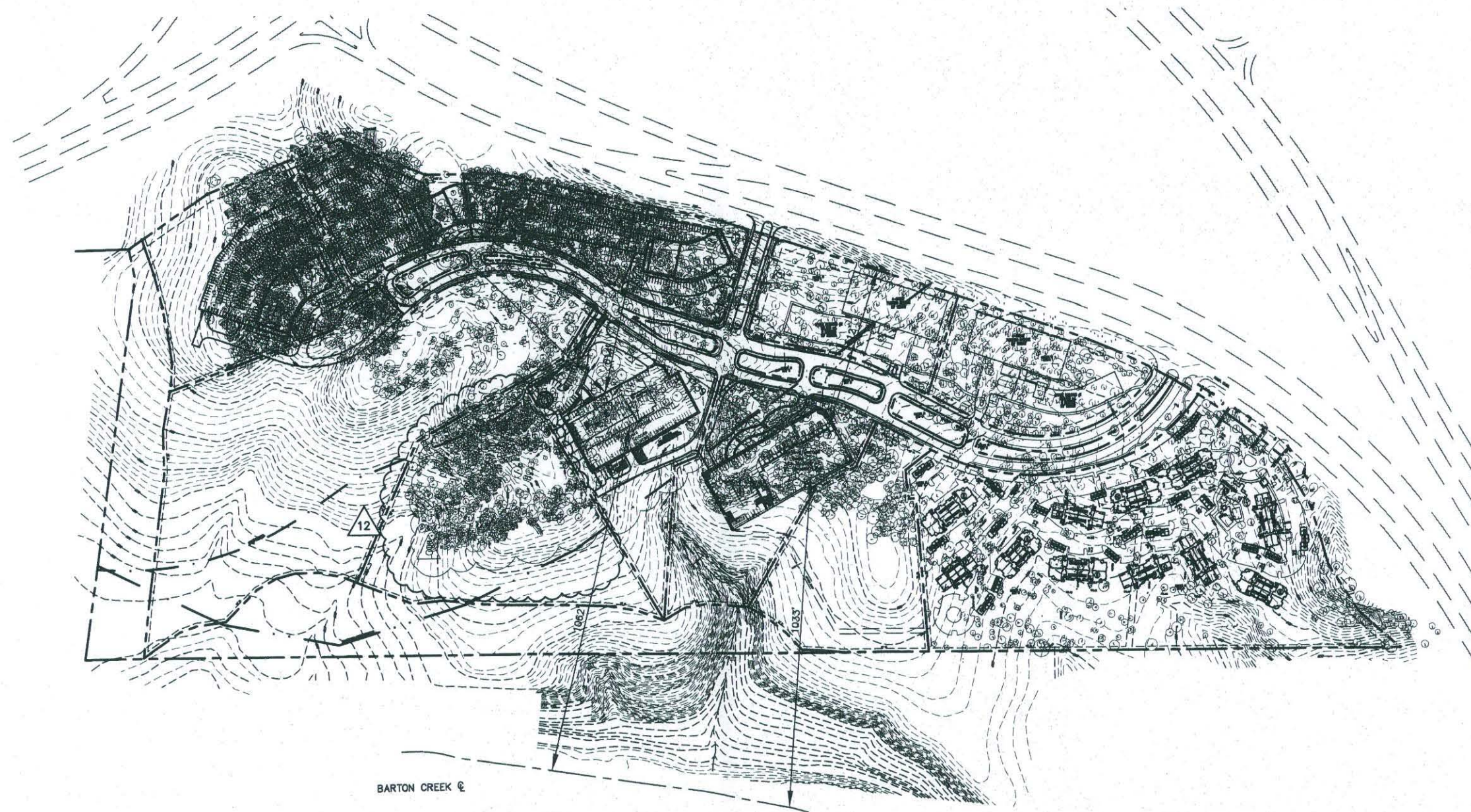
ESPEY, HUSTON & ASSOCIATES, INC.
Engineering & Environmental Consultants
916 CAPITAL OF TEXAS HWY. SOUTH (SH) 827-6840
P.O. BOX 519 AUSTIN, TEXAS 78767

Richard Fitzgerald & Partners
Tom Webb AIA
Architects & Planners
Austin, Texas

MILOSAV CEKIC, AIA
Architect
702 San Antonio
Austin, Texas
512/479-5201

The Terrace

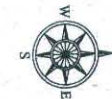
SHEET 6 OF 8



BARTON CREEK

DIMENSION SUMMARY TABLE

BLOCK / LOT	DISTANCE TO BARTON CREEK	DISTANCE TO LOOP 1	DISTANCE TO LOOP 360
E / 1	1033	512	1739
B / 3	1082	614	1149
B / 2	857	858	1092
AVE.	1047.5	563	1444
REQ. AVE. PER ORD.	870	500	900



SCALE: 1" = 200'

WARNING !!!!
CONTRACTOR TO FIELD VERIFY ALL EXIST.
UTILITIES VERTICALLY AND HORIZONTALLY
PRIOR TO CONSTRUCTION

ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE
PLANS REMAINS WITH THE ENGINEER WHO PREPARED
THEM. IN APPROVING THESE PLANS, THE CITY OF
AUSTIN MUST RELY UPON THE ADEQUACY OF
THE WORK OF THE DESIGN ENGINEER.

REVIEWED BY: DATE

FOR DIRECTOR OF DEVELOPMENT REVIEW
AND INSPECTION DEPARTMENT

PROJECT ADDRESS:
CORNER LOOP 360 & LOOP 1 (MOPAC)
3000 VIA FORTUNA

LEGAL DESCRIPTION
THE TERRACE, SECTION FIVE
BLOCK "A", LOT 2
DOCUMENT# PLAT RECORDS OF
TRAVIS COUNTY, TEXAS

OWNER:
W & G PARTNERSHIP
2700 VIA FORTUNA
AUSTIN, TEXAS 78704
(512) 306-9093

THIS PROJECT IS EXEMPT FROM THE
COMPREHENSIVE WATERSHED ORDINANCE

THE TERRACE, SECTION SIX

DIMENSIONS

Malone/
Wheeler, Inc.
Engineering & Development Consultants
5316 Hwy. 290 West, Suite 150
Austin, Texas 78735
Phone: (512) 899-0601 Fax: (512) 899-0655



DESIGN BY : MNG
CHECKED BY : GEK
APPROVED BY : R.H.M.
DATE : 3/00

NO.	DATE	REVISION	BY
8	4/27/00	REVISED BUILDINGS, ADDED DIMENSIONS FOR BLOCK E, LOT 1 & BLOCK B LOTS 2 & 3, ADDED TABLE	
12	7/08	BUILDING ON BLOCK B LOT 2 DELETED, UPDATED TABLE, CHANGED SHEET NUMBER	
		CHANGED SHEET NUMBER	

Item 5A

ORDINANCE NO. C20-2008-012

**AN ORDINANCE AMENDING SECTION 25-2-1007 OF THE CITY CODE
RELATING TO PARKING LOT LANDSCAPING.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-2-1007 (*Parking Lots*) of the City Code is amended to amend Subsection (E) to read:

- (E) In a parking lot that has more than three distinct modules [~~areas~~] for the parking of vehicles:
- (1) a landscaped median at least 10 feet wide and at least the length of the parking module is required for every second parking module [~~third area~~] for the parking of vehicles;
 - (2) a tree must be located within 25 feet of each parking space adjacent to a median; and
 - (3) end islands with trees are required.

PART 2. This ordinance takes effect on _____, 2008.

PASSED AND APPROVED

_____, 2008

§
§
§

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

Item 5A

ORDINANCE NO. **C20-2008-014**

AN ORDINANCE AMENDING CHAPTER 25-2, SUBCHAPTER C, ARTICLE 9
OF THE CITY CODE RELATING TO LANDSCAPING FOR RESIDENTIAL
SUBDIVISIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-2-981 (*Applicability; Exceptions*) Subsection (B) is amended to
read:

(B) Division 2 (*Requirements for a Site Plan*) and Division 3 (*Additional Site
Plan Requirements in Hill Country Roadway Corridors*) do [~~This article
does~~] not apply to:

- (1) property zoned central business district or downtown mixed use
district;
- (2) a lot containing one single-family residence;
- (3) a lot containing one duplex residence, unless the residence exceeds
4,000 square feet of gross floor area or has more than six bedrooms;
- (4) a two-family residential use;
- (5) a secondary apartment special use;
- (6) substantial restoration of a building within one year after the building
is damaged;
- (7) restoration of a building designated as a historic landmark; or
- (8) interior or facade remodeling, if the front and side exterior walls of
the building remain in the same location.

PART 2. Chapter 25-2, Subchapter C, Article 9 (*Landscaping*) of the City Code is amended to add a new Division 4 to read:

Division 4. Additional Requirements for Residential Subdivisions.

§25-2-1031 APPLICABILITY OF DIVISION.

The requirements of this division apply to a lot in a residential subdivision in the city's zoning jurisdiction. This division does not authorize removal of trees.

§25-2-1032 TREES REQUIRED.

Each single family lot in a residential subdivision shall plant or preserve at least three trees of at least two different species, planted in accordance with the Environmental Criteria Manual.

§25-2-1033 TREES PLANTED.

A tree planted under this division shall be:

- (1) at least two different species listed in the Environmental Criteria Manual, Appendix F (*Descriptive Categories of Tree Species*); and
- (2) at least two inches in diameter; or
- (3) at least one inch in diameter only for an understory tree.

§25-2-1034 TREES PRESERVED.

A tree preserved under this division shall be:

- (1) at least two different species listed in the Environmental Criteria Manual, Appendix F (*Descriptive Categories of Tree Species*);
- (2) at least six inches in diameter; and
- (3) preserved in accordance with the Environmental Criteria Manual.

NOTE: We are not giving credit for **preservation** of understory trees, right???

§25-2-1035 CREDIT FOR PRESERVING EXISTING TREE.

A tree required under this division may be satisfied by preserving an existing tree on the lot, in accordance with section 25-2-1034.

A tree required under this division may be satisfied by preserving or planting a tree off-site, only if the Watershed Protection and Development Review director determines that:

- (1) due to special circumstances unique to a property, preserving or planting three trees on a particular single family lot is not feasible;
- (2) the proposed off-site tree will adequately achieve, or be an improvement on, the intent of this division; and
- (3) the proposed off-site tree will meet the requirements of section 25-2-1033 or 25-2-1034 and will be preserved or planted in the subdivision within which the particular single family lot is located.

PASSED AND APPROVED

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk

Item 5A

ORDINANCE NO. C20-2008-013

AN ORDINANCE AMENDING CHAPTER 25-8, SUBCHAPTER B, ARTICLE 1, OF THE CITY CODE RELATING TO TREE PROTECTION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-8-602 (*Definitions*) of the City Code is amended to read as follows:

§ 25-8-602 DEFINITIONS.

In this article:

(1) HERITAGE TREE means a tree that has a diameter of 24 inches or more, measured four and one-half feet above natural grade, and is a species prescribed by rule as eligible for heritage tree designation.

(2)[(4)] OWNER includes a lessee.

(3)[(2)] PROTECTED TREE means a tree with a diameter [circumference] of 19 [60] inches or more, measured four and one-half feet above natural grade.

(4)[(3)] REMOVAL means an act that causes or may be reasonably expected to cause a tree to die, including:

- (a) uprooting;
- (b) severing the main trunk;
- (c) damaging the root system; and
- (d) excessive pruning.

PART 2. Section 25-8-603 (*Administration*) of the City Code is amended to read:

§ 25-8-603 ADMINISTRATION.

(A) A city arborist, appointed by the director, shall implement this article.

(B) The Watershed Protection and Development Review Department shall adopt administrative rules for the implementation of this subchapter [to:].

(C) The rules shall:

- (1) describe methods to protect trees against damage during development;
- (2) identify actions that will constitute removal; [~~and~~]
- (3) identify the root areas that require protection against soil compaction or the effects of impervious paving; and
- (4) identify the species of trees eligible for heritage tree designation.

PART 3. Section 25-8-604 (*Development Application Requirements*) of the City Code is amended to read:

§ 25-8-604 DEVELOPMENT APPLICATION REQUIREMENTS.

- (A) An application for site plan approval must:
 - (1) include a grading and tree protection plan, as prescribed by the Administrative Manual and the Environmental Criteria Manual; and
 - (2) demonstrate that the design will preserve the existing natural character of the landscape, including the retention of trees 25 inches or larger in diameter to the extent feasible. NOTE: why is this 25 when heritage is 24??
- (B) If development under a proposed site plan will remove a tree eight inches or larger in diameter the City must [~~may~~] require mitigation, which may include [~~including~~] the preservation or planting of replacement trees, as a condition of the site plan approval. The director may not release the site plan until the applicant satisfies the condition or posts fiscal security to ensure performance of the condition. NOTE: is this correct? This appears to be a separate requirement for non-protected trees, do we want to have mitigation mandatory or leave it as is?
- (C) For an application for preliminary plan, final plat, or site plan approval that proposes the removal of a protected tree, the city arborist must review the application and make a recommendation before the application may be administratively approved or presented to the Land Use Commission or city council.

PART 4. Section 25-8-624 (*Approval Criteria*) of the City Code is amended to read:

25-8-624 APPROVAL CRITERIA.

(A) The [~~Watershed Protection and Development Review Department~~] director may [~~shall~~] approve an application to remove a protected tree only after determining that the tree:

- (1) prevents reasonable access to the property;
- (2) prevents a reasonable use of the property;
- (3) poses a high risk of property damage or personal injury that [is a hazard to life or property, and the hazard] cannot reasonably be mitigated without removing the tree;
- (4) poses a high risk of inability to either provide utility service or maintain existing infrastructure that cannot be reasonably mitigated without removing the tree;

(5) [(4)] is dying or dead;

(6) [(5)] is diseased, and:

- (a) restoration to sound condition is not practicable; or
- (b) the disease may be transmitted to other trees [~~and endanger their health~~]; or

(7) [(6)] for a tree located on public property or a public street or easement:

- (a) prevents the opening of necessary vehicular traffic lanes in a street or alley; or
- (b) prevents the construction of utility or drainage facilities that may not feasibly be rerouted.

(B) In reviewing an application to remove a protected tree, the director must take into consideration the status of the tree as:

(1) a heritage tree;

(2) a tree included on the Bicentennial Tree register; or

(3) a tree included on the Tree of the Year register.

- (C) [(B)] If an application filed by a political subdivision of the state is approved under Subsection (A)(2), the Land Use Commission may, in its discretion, review the approval.
- (D) [(E)] For an application to remove a protected tree located on private property, an applicant must request a variance from the Board of Adjustment or Land Use Commission if the variance would eliminate the reason for removal of the tree.
- (1) The application to remove the protected tree may not be approved unless the variance is denied.
 - (2) An application fee is not required for a variance request required by this subsection.
 - (3) This subsection does not apply to an application that may be approved under Subsection (A) (3), (4), ~~or~~ (5), or (6).
- (E) [(D)] The ~~[Watershed Protection and Development Review Department]~~ director may require mitigation, including the preservation or planting of replacement trees, as a condition of application approval. A removal permit may not be issued until the applicant satisfies the condition or posts fiscal security to ensure performance of the condition within one year.

PART 7. Section 25-8-625 (*Action on Application*) of the City Code is amended to read:

§ 25-8-625 ACTION ON APPLICATION.

- (A) The director ~~[Watershed Protection and Development Review Department]~~ shall approve or deny an application to remove a protected or heritage tree:
- (1) not later than the 10th day after the application is filed; or
 - (2) if a variance request is required by Subsection 25-8-624 (D) [(E)] (*Approval Criteria*), not later than the 55th day after the application is filed.
- (B) If a variance request is required by Subsection 25-8-624 (D) [(E)] (*Approval Criteria*), the Watershed Protection and Development Review Department shall notify the applicant of the 55-day review period.
- (C) An application to remove a tree that is not associated with a pending city development application is automatically granted if the Watershed Protection and Development Review Department does not deny the

application before the expiration of the applicable deadline in Subsection (A).

PART 8. Section 25-8-626 (*Effective Date and Expiration of Approval*) of the City Code is amended to read:

§ 25-8-626 EFFECTIVE DATE AND EXPIRATION OF APPROVAL.

- (A) Approval of an application to remove a protected tree is effective:
- (1) on the third day after it is granted; or
 - (2) immediately, if the application was approved under Subsection 25-8-624(A)(3), (4), or (5) (Approval Criteria).
- (B) An approval to remove a protected tree expires:
- (1) one year after its effective date; or
 - (2) for a development described in Subsection 25-8-621(C) or (D) (*Permit Required For Removal Of Protected Trees; Exceptions*), when the development plan expires.

PART 9. This ordinance takes effect on _____, 2009.

PASSED AND APPROVED

_____, 2009

§
§
§

Will Wynn
Mayor

APPROVED: _____
David Allan Smith
City Attorney

ATTEST: _____
Shirley A. Gentry
City Clerk