



## MEMORANDUM

**TO:** Mayor and City Council

**FROM:** Sara L. Hensley, CPRP, Director  
Austin Parks and Recreation Department

**DATE:** April 29, 2009

**SUBJECT:** Parks and Recreation Board Resolution

Enclosed is the Parks and Recreation Board Resolution, approved at April 28, 2009 meeting, regarding the Waterfront Overlay Task Force recommendations.

The resolution addresses that Planned Unit Development (PUD) and Planned Development Agreement (PDA) not supersede the reinstated Waterfront Overlay maximum height limit. In addition, it asks that public accessible open space and parks be a high priority community benefit when bonus provisions are drafted.

## Parks and Recreation Department Board

Tuesday, April 28, 2009

Regular Meeting

### Item for Action

Make a recommendation to City Council regarding the Waterfront Overlay Task Force Recommendations

Board Member Chimenti moved to approve the draft ordinance regarding the Waterfront Overlay Task Force recommendations with a resolution that addresses that Planned Unit Development (PUD) and Planned Development Agreement (PDA) not supersede the reinstated Waterfront Overlay maximum height limits and the public accessible open space and parks be a high priority community benefit when bonus provisions are drafted, seconded by Board Member Rivera. Motion carried 6-0.

Tino Garcia, Parks Board Liaison  
Parks and Recreation Department

April 28, 2009

April 28, 2009

## **Parks and Recreation Board Resolution on Waterfront Overlay Task Force Recommendations**

**Whereas**, the Parks and Recreation Board reviews and makes recommendations to Planning Commission and City Council regarding site plans in the Waterfront Overlay, specifically those requesting a variance from the Waterfront Overlay Combining District Regulations;

**Whereas**, the Parks and Recreation Board supported and encouraged the appointment of the Waterfront Overlay Taskforce to evaluate and make recommendations regarding potential inconsistencies and ambiguities in the Waterfront Overlay;

**Whereas**, after a nine-month public process devoted to reviewing relevant provisions of the Land Development Code, the Waterfront Overlay Taskforce presented its final recommendation to the City Council on December 18, 2008;

**Whereas**, the City Council subsequently directed the City Manager to process code amendments necessary to implement recommendations #1, 2, 3 and 5 in the Executive Summary of the Waterfront Overlay Taskforce Final Report;

**Whereas**, the draft ordinance brought forward by city staff is consistent with the recommendations of the Waterfront Overlay Taskforce with the exception that Planned Unit Development (PUD) District and Planned Development Agreement (PDA) Combining District regulations would allow the Waterfront Overlay maximum height limits to be superseded; and

**Whereas**, recommendation #3 of the Executive Summary states that “the subdistrict maximum heights should be reinstated to the waterfront overlay ordinance and they should supersede any other provisions of the Land Development Code”;

**Now, therefore, be it resolved**, that the Parks and Recreation Board recommends approval of the draft ordinance with the addition of a code amendment clarifying that PUDs and PDAs may not supersede the reinstated Waterfront Overlay maximum height limits.

**Be it further resolved**, that the Parks and Recreation Board recommends that publicly accessible open space and parks be a high priority community benefit when bonus provisions are drafted.