



SOUTH CENTRAL WATERFRONT ADVISORY BOARD RECOMMENDATION 20240401-003

Date: April 1, 2024

Subject: South Central Waterfront Combining District & Density Bonus Program –
Endangered Open Spaces

Motioned By:

Seconded By:

Recommendations

The four key Open Spaces in the Vision Framework Plan are endangered by years of city inaction and by the transition from a true regulating plan to an opt-in Combining District Program that fails to acknowledge previous open space masterplanning at any level. While the Parks fee-in-lieu allocation and parkland dedication community benefit in the Program will no doubt help secure both funding and potential park land in the aggregate, developing a SCW Open Spaces Masterplan and Budget are critical in achieving the district-wide vision.

In addition, the Program should require that all approved PUDs or PDAs seeking to unwind and opt into the SCWCD in the future, must satisfy their negotiated obligations to these Open Space projects.

Description of Recommendation to Council

.1 Direct PARD or another City Department to develop a comprehensive SCW Open Spaces Masterplan that further defines how the four open space catalyst projects in the Vision Framework Plan will be designed and delivered in the current regulatory environment.

.2 Direct PARD or another City Department to develop a companion SCW Open Spaces Budget that projects estimated FIL funds from the DBSCW and details how these funds, along with other possible public and private funding sources not yet fully explored, will be used to finance the four key open spaces in a timely manner, and prior to those funds being used outside the District.

.3 Add Section 5.1.A.5 – The applicant must satisfy all parkland dedication and open space community benefit obligations codified in a prior PUD or PDA executed after the June 16, 2016 adoption of the SCW Vision Framework Plan. The Director shall determine the total bonus area obtainable through the previously negotiated obligations and shall apply them to satisfy the DBSCW Parkland Fee-in-Lieu requirement and/or other community benefits.

Rationale:

The City of Austin won a US EPA grant from the “Greening of America’s Capitals Program” in 2016 and in conjunction with much stakeholder and public input that year, planned out approximately 20 acres of open space and trail improvements in the SCW area. The plan sought to humanize the district, increase connectivity, respect and promote the waterfront, improve water quality, nurture Austin’s eclectic character and create a welcoming, inclusive gateway to the South Congress. Four key Open Space projects were identified and later enshrined into the Vision Framework Plan to act as City-led catalyst for SCW development: Statesman Waterfront Park, Barton Springs Plaza Rain Gardens, Crockett Square/Cox

Marketplace, and Bouldin Creek Improvements. These four open spaces have been heavily promoted to the public in every subsequent SCW publication and even today their renderings feature prominently on the SCWCD cover page.

The Vision Framework Plan recognized the key underlying challenge that a very small amount of the District is public land capable of being financed and implemented by the City alone. It envisioned some projects being implemented by the public sector with financial or in-kind contributions from private sector partners, while others would be built by Developers and reimbursed by the City of Austin, either directly or through development bonuses. It evaluated a host of possible funding tools on a set of evaluation criteria developed specifically to fit the SCW context, and suggested further evaluation of a toolkit of Tax Increment Financing (TIF), Capital Improvement Program (CIP) financing, a privately funded Public Improvement District (PID), private philanthropy and Transfer of Development Rights. It is unclear to the SCWAB if all of those possible funding tools have been fully explored to date.

What's even more frustrating is that the 2018 Regulating Plan, which did require these four open spaces to be dedicated and improved, has evolved into a purely opt-in Combining District program that does not address open spaces masterplanning on any level. The program is instead entirely predicated on a Developer "Opt-In" and "Build your own Menu" approach to community benefits that does not incentivize (or even allow for) the creation of open spaces on a district-wide level. The Combining District program can be considered a success on many levels – it charts a predictable entitlement process for developers and extracts a war chest of park FIL dollars and potential parkland dedications at a project-specific level. However, if it can't deliver on the larger vision due to perceived legal issues, another City program or set of programs must pick up the mantle to follow through and deliver on 8 years of public promises to design, fund, and implement these open spaces.

Furthermore, unless the SCWCD can be revised/supplemented to address the creation of open spaces or a separate SCW Open Spaces Masterplan program and Budget is created to fill the gap, it is critical that the Planning Department do all it can to disincentivize the unwinding of approved PUDs and PDAs like the 305 South Congress PUD that codified significant parkland dedication and funding for the creation of the Statesman Waterfront Park. The developer concessions in Part 7 of that PUD ordinance and associated waterfront park improvements took many years of stakeholder, SCWAB, and City Council engagement to finalize and must be protected.

Vote

For:

Against:

Abstain:

Absent:

Attest: *[Staff or board member can sign]*
