

**DRAFT**

**Austin Parks and Recreation Board Resolution**  
***SUPPORTING THE IMPLEMENTATION***  
***OF THE NEW NATIONAL AGENDA FOR URBAN PARKS AND RECREATION***

**WHEREAS**, there are 206 Austin urban parks, 12 preserves, and 26 greenbelts that help to enrich the lives of the thousands of citizens of Austin and the surrounding metropolitan area everyday; and

**WHEREAS**, urban parks provide countless social, health and environmental benefits for the residents of the nation's communities, such as helping to reduce air pollution, protecting communities from flooding, providing a safe place for children to play and learn, and providing a place for healthy recreation, physical activity, and family gatherings; and

**WHEREAS**, the Austin Parks and Recreation Board on behalf of the citizens of Austin have long recognized the important benefits of urban parks and have used their best efforts to advocate for ongoing investments of local parks; and

**WHEREAS**, the increased demand for park space and recreational facilities in Austin, together with our aging park infrastructure, has resulted in a situation where our local park system has been unable to keep pace with the tremendous costs of making the needed repairs, improvements and upgrades; and

**WHEREAS**, the National Recreation and Park Association has recently estimated that funding for local parks and recreation is predicted to fall \$38 billion short of meeting basic needs over the next four years; and

**WHEREAS**, despite the clear and important benefits of urban parks to the health and welfare of the nation's communities, and a demonstrated need for more funding, in recent years the federal government has failed to provide adequate funding for the nation's urban parks; and

**WHEREAS**, in May 2006, representatives of the largest urban park and recreation systems in the United States gathered together in Chicago for an "Urban Parks Summit" to create a new national agenda for urban parks and recreation, and a new compact among federal, state, and local governments, along with citizens groups, private foundations and businesses; and

**WHEREAS**, the new national agenda for urban parks and recreation is premised upon four guiding principles and beliefs, as follows:

- 1) Urban parks must continue to *promote health and wellness*;
- 2) Urban parks must continue to *stimulate community and economic development*;

- 3) Urban parks must continue to *protect the environment*; and
- 4) Urban parks must continue to *educate, protect and enrich America's young people*;

and

**WHEREAS**, the new national urban parks and recreation agenda calls upon the President of the United States and the U.S. Congress to provide increased federal funding for urban parks in the nation's communities, in exchange for a commitment from state and local governments to match the federal funds dollar-for-dollar; and

**WHEREAS**, this new urban parks agenda, which is premised upon these four guiding principles and a renewed commitment by all levels of government to invest in the nation's communities by investing in parks, will help to protect and ensure the countless value of urban parks for generations to come; and

**NOW, THEREFORE, BE IT RESOLVED** that The Austin Parks and Recreation Board recognizes the invaluable role of urban parks and recreation services to the Austin community; and

**BE IT FURTHER RESOLVED** that The Austin Parks and Recreation Board hereby endorses the new "National Agenda for Urban Parks and Recreation" adopted at the Urban Parks Summit in Chicago in May 2006, and recognizes the critical importance to the nation's communities of abiding by the four guiding principles for urban parks adopted at that Summit; and

**BE IT FURTHER RESOLVED** that The Austin Parks and Recreation Board will support the nation's mayors in helping to carry out a national advocacy effort to implement the new "National Agenda for Urban Parks and Recreation".



## MEMORANDUM

To: Parks and Recreation Board

From: Warren W. Struss, Director  
Parks and Recreation Department

Date: July 25, 2006

Subject: Two-slip Boat Dock at 1617 Westlake Dr.  
Case Number SP-06-0375DS

A request has been received from Tom Herod to construct a two-slip boat dock at 1617 Westlake Dr.

The Parks and Recreation Department staff has reviewed plans for the proposed project and finds they do not meet the requirements of Article XIII, Section 25-2-1173 and 25-2-1176, (Regulations for the Construction of Boat Docks) of the Land Development Code. The proposed dock exceeds 20 percent of the coves width.

Approval of the Parks and Recreation Board is required for a structure, which exceeds 20 percent of a coves width.

Warren W. Struss, Director  
Parks and Recreation Department

June 22, 2006

Mr. Randy Scott  
Parks and Recreation  
City of Austin  
200 South Lamar  
Austin, TX 78704

Dear Mr. Scott:

Thank you once again for your help with our permit application for a boat dock at 1617 Westlake Drive (the property we have a contract to purchase from Peggy Studer). I appreciate your advice and the fact that you took the time to show our previous preliminary site plan to the Navigation Committee for the preliminary approval that they voiced.

Since that time, we have realized certain things that will require us to make the following changes to the previous site plan:

- 1) the boat dock needs to be re-oriented so that the boats will be docked in a head-in manner (perpendicular to the shore versus the previous parallel orientation);
- 2) the distance that the dock will extend into the water will need to be 25 feet, which is 22.32% the width of the channel (112 feet) versus the 20% that your guidelines require.

All other aspects remain much the same, with refinements, as we are now becoming more specific with our construction plans. Please see the enclosed site plan and boat dock schematic.

The reason for these changes, I believe are quite evident in the attached photographs.

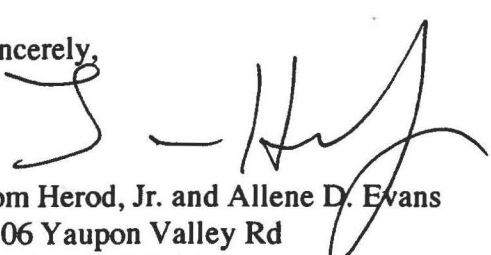
1. There are two very large trees just over the property line on either side of the lot at 1617 Westlake Drive. In each case, **these trees hang lowly out over the creek substantially impeding navigation near the South shore.** The tree on 1615 Westlake Drive extends into the channel approximately 40-50 feet. The tree on 1625 Westlake drive extends out over the creek approximately 25 feet and low enough to prohibit any approach from the upstream direction (which would also require a close approach in front of the 1625 Westlake dock and deck, if the tree did not impede that.)
2. In the center of the 1617 Westlake lot, there is another tree that extends **lowly out into the channel approximately 50 feet.** Due to the location in the center of the lot and due to low clearance above the water (2 feet to 8 feet for the 20 feet closest to the shore), **this tree would prohibit entering the dock by a path parallel to the shore from downstream side, even if the tree at 1617 were not there.**

3. These trees extend substantially into the creek (by 40-50 feet), almost touching the water in one case and often touching the water in the case of the tree at 1615 Westlake and they naturally cause any marine traffic to use the center of the channel to travel up and down the creek. **There is no marine traffic at this location within 30 feet of the South shore because of these trees.**
4. **This location is almost at the navigable end of Bee Creek.** Beyond this location, there are **only three other boat docks**. There is **minimal traffic** at this at this point in the creek and what traffic that does exist, traverses out from the South shore to avoid the trees extending into the water.
5. Because of the lack of a parallel approach created by the trees, the dock must be a head-in dock (boats parked perpendicular to the shore).
6. The 20% of the width of the channel (112 feet) guideline requires a 22.4-foot dock. The trees prohibit any marine traffic within 30-40 feet of the South shore. **Adding 2.6 feet to the dock (22.32% of the channel's width)** would provide that any vessels 21-22 feet would comfortably fit within the dock and the required navigation lights on it and **would in no way impede current marine traffic at this location on Bee Creek.**

Mr. Scott, once again, I appreciate your advice and the help you have given us in the past. I hope that the Parks Department can accommodate these small changes in our design. As you can see from the photographs, the 21 foot pontoon boat tied up perpendicular to the shore is dwarfed by the trees at this location and an extension 2.6 feet past this the end of this boat is still substantially out of the area of the channel where existing marine traffic currently exists.

Thank your for your consideration.

Sincerely,



Tom Herod, Jr. and Allene D. Evans  
1106 Yaupon Valley Rd  
Austin, TX 78746

Agents for Peggy Studer  
Owner of the property at 1617 Westlake Drive.

(385.6)  
384.46'

117.49

EDGE

10 ft  
siding

20% of width of Bee Creek  
 $112 \text{ ft} \times 20\% =$

112 ft  
Distance  
Across  
Bee Creek  
Shore to Shore

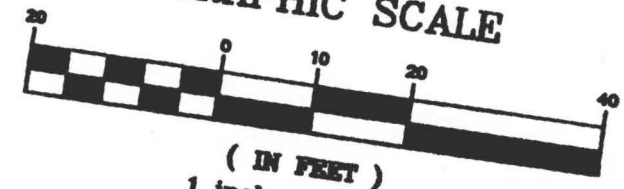
22.4 ft  
26 ft  
20% of Shoreline  $180.22 \text{ ft} =$

ROCK RETAINING WALL  
AT WATERS EDGE

Proposed Back Dock  
2 Slips with  
entry parallel to  
shore

Bee  
Creek

GRAPHIC SCALE



Bee  
Creek

Bee Creek

Approximate location  
of East Oak for 1859 Westlake Drive

RAYMOND G. STUDER AND  
WIFE PEGGY STUDER.  
V. 4631 P. 338  
(ONE ACRE)  
D.R.T.C.

ROCK  
STEPS

(N00°33'W 25.47')  
(N00°26'17"W 25.32')

Pearl Studer Property

**Boat Dock Site Plan**

Scale: 1" = 30'



This tree is of  
1625 wood

Bee Creek

looking

downstream

towards

the city

Bar







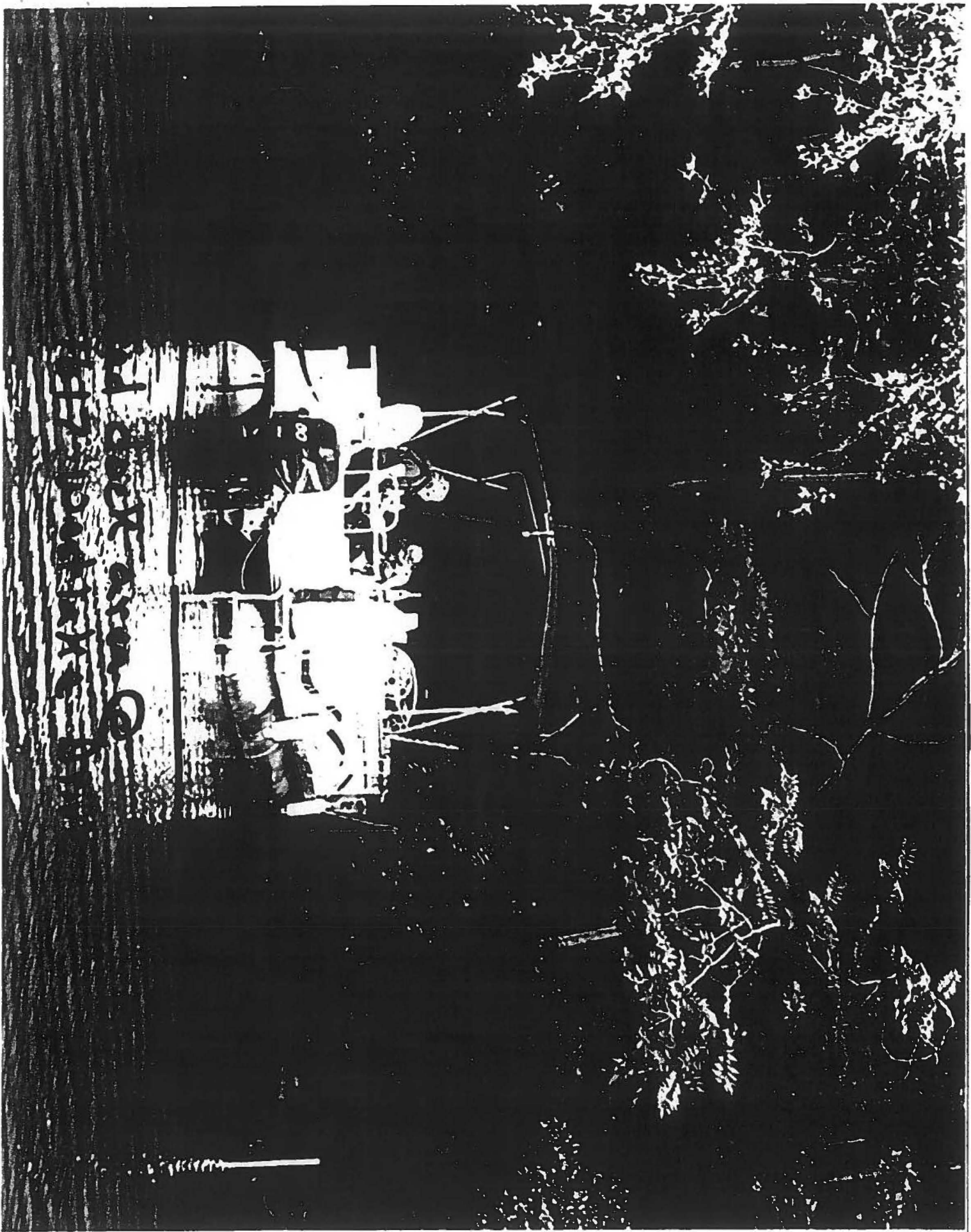
Bee Creek  
Looking upstream

timed by  
(1901 + lake)  
the from 1917  
west lake









**ORDINANCE NO.**

**AN ORDINANCE AMENDING SECTION 8-1-13 OF THE CITY CODE  
RELATING TO FEES FOR PARK USE AND ADDING SECTION 8-13-15 TO  
THE CITY CODE RELATING TO PARK FILM-MAKING ACTIVITY.**

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

**PART 1.** Subsection 8-1-13(A) (*Fee For Park Use; Exception*) of the City Code is amended to read:

- (A) Except as provided in this section and Section 8-1-15 (*Park Film-Making Activity*), a person shall pay a fee or charge established by ordinance for the use of a park or a recreational activity.

**PART 2.** The City Code is amended to add Section 8-1-15 to read:

**§ 8-1-15     PARK FILM-MAKING ACTIVITY.**

- (A) In this section, PARK FILM-MAKING ACTIVITY means the use of a park facility to film or to prepare to film.
- (B) A person who seeks to engage in a park film-making activity must apply to the director for approval on a form furnished by the director. An applicant must submit an application to the director not later than the third business day before the date of the proposed park film-making activity.
- (C) The director may approve a park film-making activity if:
- (1) the requested park facility is available, as determined by the director;
  - (2) the applicant employs an appropriate number of City peace officers for traffic and crowd control, as determined by the director;
  - (3) the applicant provides a certificate of liability insurance naming the City as an additional insured in the amount and type of coverage determined by the director;
  - (4) the applicant agrees to reimburse the City for:
    - (a) the cost of City personnel, equipment, and additional utilities used to support the park film-making activity, as determined by the director; and

(b) damage to the park facility and clean-up costs, as determined by the director;

(5) the applicant includes in the screen credits recognition of the City, the Parks and Recreation Department, and the park facility used in the park film-making activity; and

(6) the applicant signs an agreement with the City that includes the requirements of this section and other terms determined appropriate by the director, including penalties for noncompliance with the agreement.

(D) If the director approves a park film-making activity, the applicant is not required to pay the fees for the use of the park facility that would otherwise be required by the City's fee schedule.

**PART 3.** This ordinance takes effect on \_\_\_\_\_, 2006.

**PASSED AND APPROVED**

§  
§  
§

\_\_\_\_\_, 2006

\_\_\_\_\_  
Will Wynn  
Mayor

**APPROVED:**

\_\_\_\_\_  
David Allan Smith  
City Attorney

**ATTEST:**

\_\_\_\_\_  
Shirley A. Gentry  
City Clerk