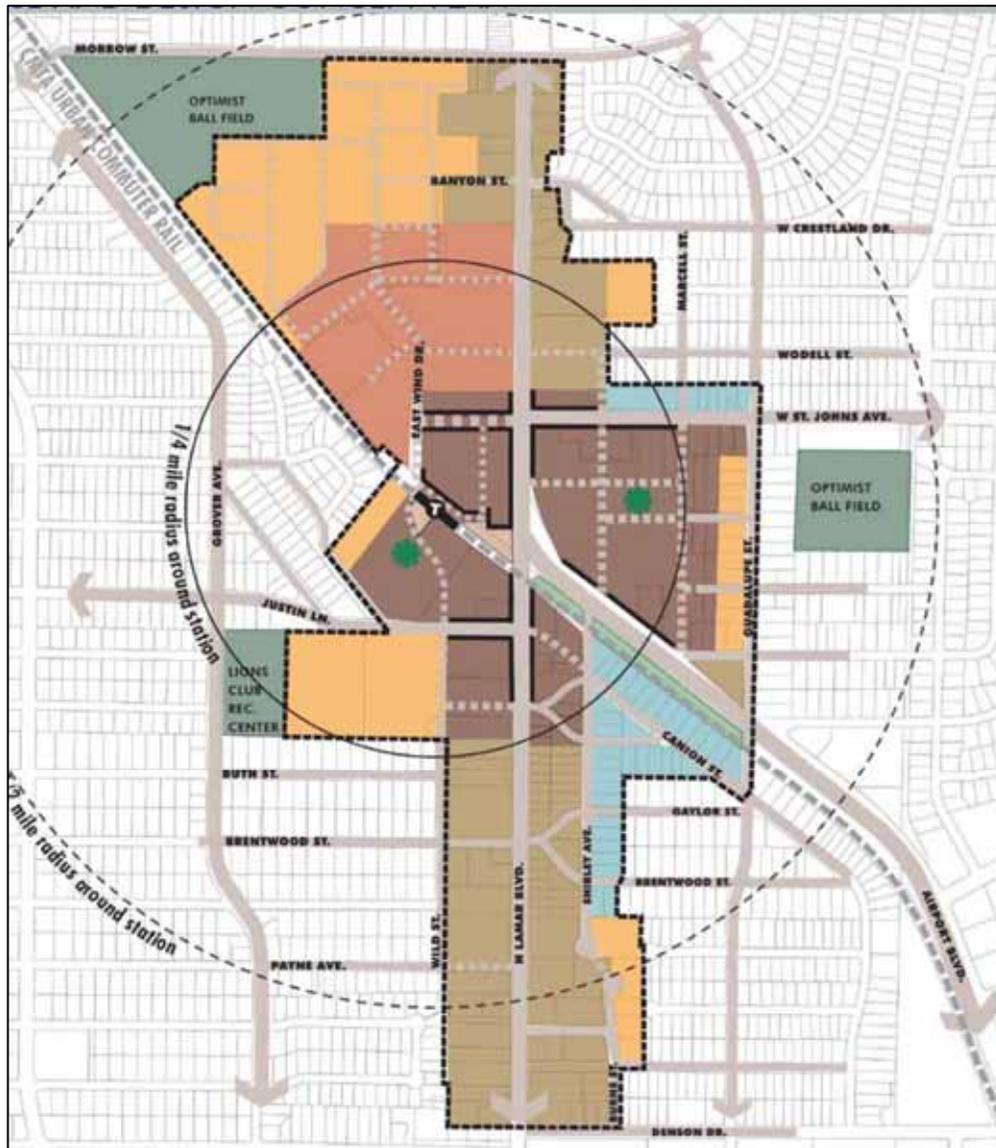


REGULATING PLAN for the Lamar Blvd./Justin Lane TOD Station Area Plan (SAP) Austin, Texas



Adopted: December 11, 2008
Effective: March 1, 2009

4.10.4. Exception from the Requirements of this Section

Projects that utilize a development bonus in Section 4.3 are exempt from the requirements of this section since they are providing the public benefit of affordable housing and will have a public parkland dedication requirement to meet according to Section 4.11.

4.11. PUBLIC PARKS AND TRAILS

4.11.1. Applicability

Article 4 Site Development Standards	Applies to:
Section 4.11 Public Parks and Trails	Development subject to the Parkland Dedication Ordinance (LDC Article 14 Section 25-2-601)

4.11.2. Purpose

Because of the higher density development envisioned for the Lamar/Justin TOD Station Area, it is important to provide public open space and parks facilities for local residents. Some development sites will be better suited than others to provide on-site parkland for reasons including, but not limited to, the location of the site within the TOD and to core activity areas, site constraints, and size of site. This section broadly identifies some of the areas that would be ideal for a public park according to the Lamar/Justin Open Space Concept Plan.

4.11.3. Recommended Location of Parks and Trails

The Lamar/Justin Open Space Concept Plan (Figure 4-20) shows areas indicated as "Potential Open Space". Development within these parts of the TOD is encouraged to meet private common open space and/or parkland dedication requirements in these approximate areas. The locations shown were chosen for the ability of these general locations to properly serve Lamar/Justin TOD residents. Optimal locations for future parks and trails include:

- A. Pocket park with a minimum area of 0.5 acre, located on the Austin Energy property southwest of the railroad tracks and adjacent to the MetroRail Station.
- B. Pocket park with a minimum area of 0.5 acre, located northeast of the Lamar/Airport intersection on the Highland Village Shopping Center site.

- C. Trail system along the CMTA Red Line tracks, in rail right-of-way if feasible, or on adjacent properties.

4.11.4. On-site Parkland Dedication Requirement

For a property/site where public parkland is recommended as established in Subsection 4.11.3, a minimum of 50% of a parkland dedication requirement shall be met with an on-site dedication of land. The land to be dedicated must be approved by the director of the Parks and Recreation Department. The dedicated land is eligible for the allowance described in Subsection 4.11.5.

4.11.5. On-site Parkland Dedication Allowance

If, as part of a development project, the parkland dedication requirement is met in part or in full with a dedication of public parkland on site, FAR and density calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.

4.11.6. Fee In Lieu

- A. Instead of, or in combination with, meeting parkland dedication requirements on site, a property owner may request approval to deposit with the City a nonrefundable cash payment, based on a formula established by the City Council. The Director of the PARD shall review the request and accept or deny the request.
- B. Any parkland dedication fees collected in the TOD must be spent within the Station Area unless a waiver is granted to City Staff by the City Council.

Figure 4-20: Lamar/Justin Station Area Plan Open Space and Trails Concept Plan

