



## Legislation Details (With Text)

<b>File #:</b>	19-1888	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	PUBLIC HEARINGS AND RELATED ACTIONS	<b>Status:</b>	Approved		
<b>File created:</b>	11/13/2019	<b>In control:</b>	Park & Recreation Department		
<b>On agenda:</b>	1/8/2020	<b>Final action:</b>	1/8/2020		
<b>Title:</b>	A public hearing to receive comments on the proposed use of a portion of Brownwood Park located at 3400 Walnut Hill Lane, totaling approximately 20,159 square feet of land, and temporary use of approximately 7,227 square feet of land by Dallas Water Utilities for the construction of a 36-inch wastewater main and a 10-inch wastewater line for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City				
<b>Sponsors:</b>					
<b>Indexes:</b>	13				
<b>Code sections:</b>					
<b>Attachments:</b>	1. Map, 2. Resolution, 3. Exhibit A				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

<b>STRATEGIC PRIORITY:</b>	Quality of Life
<b>AGENDA DATE:</b>	January 8, 2020
<b>COUNCIL DISTRICT(S):</b>	13
<b>DEPARTMENT:</b>	Park & Recreation Department
<b>EXECUTIVE:</b>	John D. Jenkins

### SUBJECT

A public hearing to receive comments on the proposed use of a portion of Brownwood Park located at 3400 Walnut Hill Lane, totaling approximately 20,159 square feet of land, and temporary use of approximately 7,227 square feet of land by Dallas Water Utilities for the construction of a 36-inch wastewater main and a 10-inch wastewater line for the benefit of the public; and at the close of the public hearing, consideration of a resolution authorizing the proposed use of parkland pursuant to Chapter 26 of the Texas Parks and Wildlife Code - Financing: No cost consideration to the City

### BACKGROUND

The City of Dallas owns municipal parkland known as Brownwood Park (approximately 15.5 acres) located at 3400 Walnut Hill Lane, on the northwest side of Dallas. The park is currently used for passive recreation.

Dallas Water Utilities (DWU) currently has wastewater lines in the section of Brownwood Park which

is on the north side of Walnut Hill Lane. One line receives wastewater from the west across Joe's Creek to a manhole in the park. Another line receives wastewater from the east from Timber Trail Drive to the same manhole. From this manhole a single line transports wastewater south through the park to Walnut Hill Lane. DWU proposes to install a new 36-inch wastewater main from Bowman Boulevard north through the park to Timber Trail Drive. DWU also proposes to install a new 10-inch line along the same general alignment of the existing 27-inch line currently flowing from Timber Trail Drive to the existing manhole. This project will reverse the wastewater flow to Timber Trail Drive. DWU requires a new easement for the 36-inch water main totaling approximately 18,093 square feet (0.415 acres) and an additional easement for the 10-inch replacement wastewater line of 2,066 square feet (0.047 acres) in addition to the existing reservation or easement (Exhibit A). DWU also requires a temporary construction easement of approximately 7,227 square feet of land (0.166 acres) for the project (Exhibit A). In consideration for these conveyances by easement, DWU will pay \$28,086.00, the fair market value of these easements, as determined by an independent appraisal. Lastly, DWU proposes to abandon any reservation or easement for the existing 27-inch wastewater line running north-south through the park, said reservation or easement will revert to parkland. This project is needed to meet the increased wastewater demand for Dallas residents in this area.

DWU agrees as condition of the conveyance of easements to:

- 1) Permit future construction of any park amenities and other improvements within the easements.
- 2) Future construction, maintenance, and operations of the utilities within the trail corridor will be coordinated with the Park and Recreation Department operations to minimize disruption of use and operation of the park.
- 3) DWU shall request approval from the Director of the Park and Recreation Department should DWU's operations, maintenance, or construction require DWU to disrupt, demolish, or modify any improvements, vegetation, or terrain within the easement or park, except for in a situation which affects the public's immediate health, safety, or welfare, in which case DWU shall notify the Director of the Park and Recreation Department as soon as possible of such activities. In any case, repair or replacement of park improvements or vegetation damaged or damage to terrain as the result of DWU activities, shall be at the discretion of the Director of the Park and Recreation Department, and shall be at DWU's sole cost with no cost to the Park and Recreation Department.

In compliance with the law, the City must determine that there is a need, that there is no feasible and prudent alternative, and that all reasonable care will be taken not to damage the remainder of the park property and to mitigate any disruption of park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

### **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 21, 2019, the Park and Recreation Board authorized a public hearing to be held on January 8, 2020, to receive comments on the proposed use of a portion of Brownwood Park located at 3400 Walnut Hill Lane.

On December 11, 2019, City Council authorized a public hearing to be held on January 8, 2020, to receive comments on the proposed use of a portion of Brownwood Park located at 3400 Walnut Hill

Lane by Resolution No. 19-1926.

**FISCAL INFORMATION**

No cost consideration to the City.

**MAP**

Attached