



# Ch. 26 Request: Dentex Development

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**Real Estate/Parks and Recreation**



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# **Chapter 26, *Protection of Public Parks and Recreation Lands, Parks and Wildlife Code***

- **Purpose:** Focuses on the protection of public parks and recreational lands, ensuring their preservation for ecological, aesthetic, and recreational purposes.
- **Procedures:**
  - It outlines measures for consideration to safeguard such areas.
  - Establishes approval criteria.



# Ch. 26 Procedures & Approval Criteria

State law as defined in Chapter 26, Protection of Public Parks and Recreational Lands, of the Texas Parks and Wildlife Code requires that:

(a) a municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park unless the municipality, acting through its duly authorized governing body or officer, determines that:

- (1) There is no feasible and prudent alternative to the use or taking of such land; and**
- (2) The program or project includes all reasonable planning to minimize harm to the land, as a park, resulting from the use or taking.**

(b) A finding may be made only after notice and a public hearing as required by this chapter.

- Project to provide the City notice 30 days before the date of public hearing.
- Notice must be published once a week for three consecutive weeks within 1 but no more than 2 weeks before hearing.
  - (Posted: 10/22/2024, 10/29/2024, 11/05/2024)
  - Although not a requirement of the process, a public meeting was held on November 14, 2024

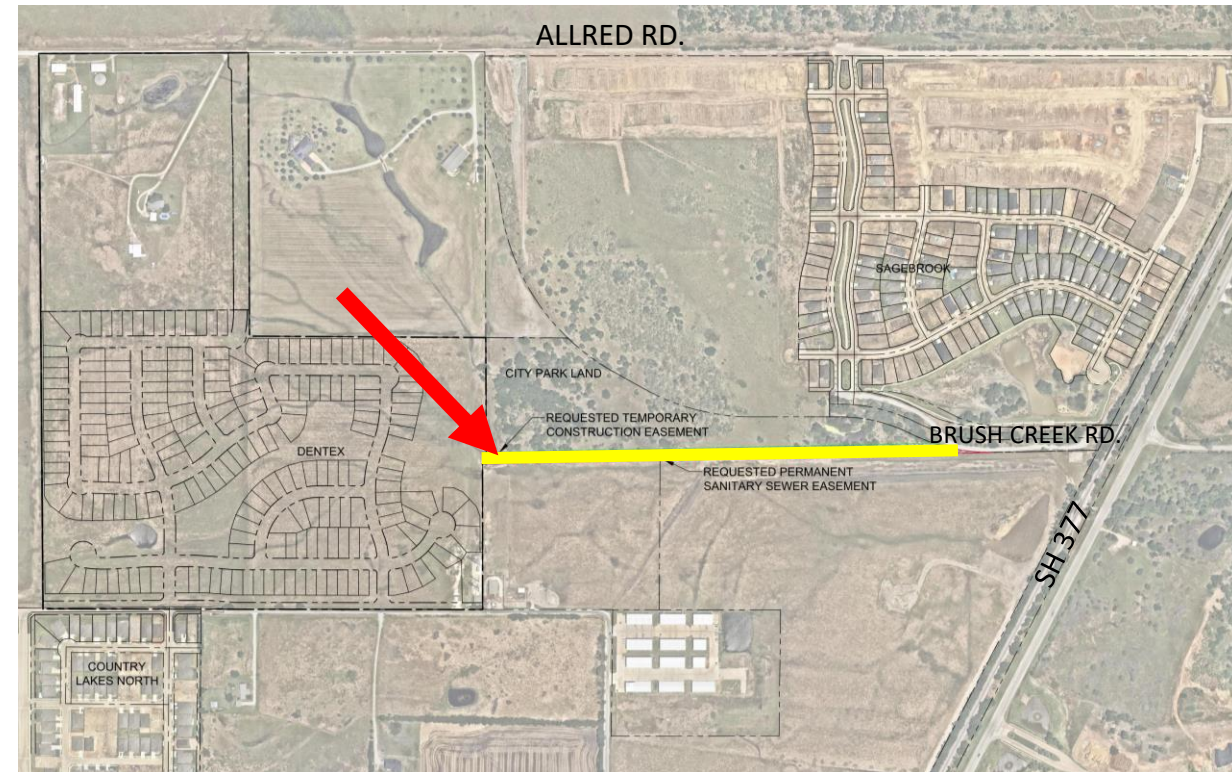


# Ch. 26 Proposed Request

Dentex Development requesting a sub-surface dedication of a non-park use for a sanitary sewer easement and temporary construction easement at Sagebrook Park.

- If approved, developer to provide payment based on approved appraisal: \$7,206.00

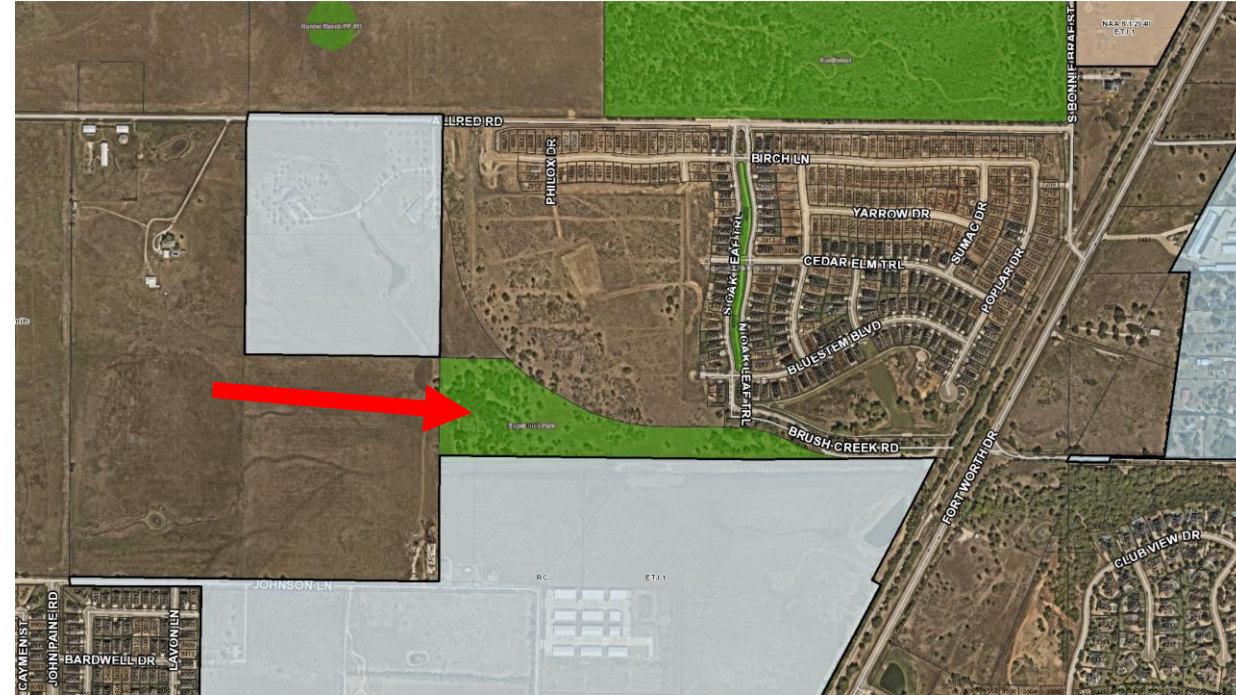
Type of Request	Acres	Payment
20' Permanent Sewer Easement	1.05418	\$4,592.00
25' Temporary Construction Easement	1.50021	\$2,614.00



# Sagebrook Park, 4015 Brush Creek Rd.

## Park Details:

- Undeveloped neighborhood park
- 15.258 acres
- Future plans:
  - Design and construct trail through park property to connect to proposed Dentex Development (West) and (north) to Southwest Park.



# Terms & Reason

## Purpose of Request:

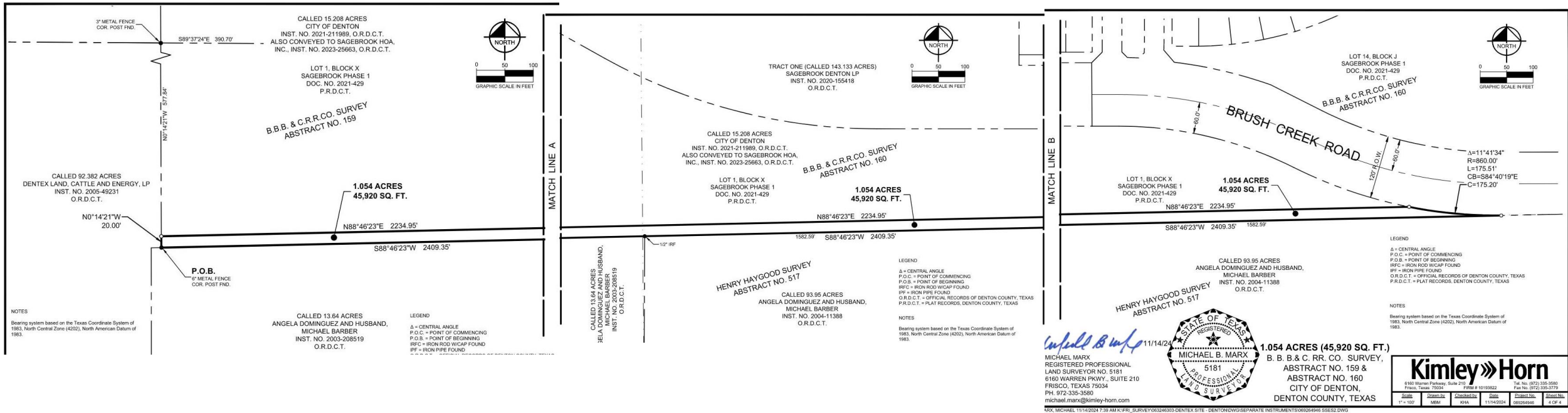
- No feasible and prudent alternative through adjacent private property and will include all reasonable planning to minimize harm to the land.
- Facilitate the installation and maintenance of a 15" sewer line, to provide sanitary sewer service to the Dentex Land Tract and other properties that will require sewer service in the future.
- In addition to this easement, a temporary construction easement with a width of 25' is also requested. *This additional space will provide a working area during the installation process. It will allow for the movement of heavy machinery, storage of construction materials, and the implementation of necessary safety measures. After construction is complete the easement will be abandoned.*

## Park Impacts & Remedies

- Trees impacted by sewer line will be mitigated.
- Park land disturbed will be returned to original condition or better.
- Payment provided for Easements.
- Benefits park system to allow for connection to public utilities on site.
- Construction of trail within Sagebrook Park



# Easement Survey



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# Direction & Next Steps

- Seek Council Approval or Denial of Request
  - September 9, 2024, Park Board recommended approval (5-0)
- If approved, finalize documentation

