



MEMORANDUM

To: Ziad Kharrat, City of Denton Parks Department
Colleen Fitzpatrick, City of Denton Parks Department

From: Kevin J. Kane, P.E., Kimley-Horn and Associates, Inc.
Andrew Pieper, Hillwood Communities

CC: Patrick Cowden, Hillwood Communities
Michelle Reynolds, City of Denton
Robert Applegate, City of Denton

Date: February 3, 2025 (Update from December 13, 2024)

Subject: Roark Branch Sewer (CEP23-0057) – Parks and Wildlife Code Chapter 26

This memorandum serves as a narrative for an application for permanent and temporary use of parkland for the Roark Branch Sewer (CEP23-0057).

Kimley-Horn and Associates is processing engineering plans for approval by the City of Denton for the construction of the Roark Branch Sanitary Sewer project (CEP23-0057). Preliminary engineering started in 2022 and an preliminary alignment analysis was submitted to the City of Denton on December 20, 2022. The alignment analysis included information related to the proposed service area, design constraints, and alternative alignment exhibits. The submitted Preliminary Alignment Analysis is attached as Attachment 1. City comments received from this submittal served as the starting point to develop construction engineering drawings for the project.

Since the beginning of this project, it's been our understanding that Lot 1X of the Vintage Village Addition would be developed as a City park in the future. Since meeting with Parks Department staff and reviewing current online City of Denton GIS data it has come to our attention that two other tracts designated as City parks will also be impacted by the Roark Branch Sewer.

Chapter 26 of the Parks and Wildlife Code requires specific findings, public notifications, and hearings for city approval of any project that requires the use of public park land. The proposed alignment of the Roark Branch Sanitary Sewer project crosses three tracts of land designated as parks on the City of Denton GIS database. These tracts are Burch Farm (Denton County Tax ID No. 64685), Tamarack Park (Vintage Village) (Denton County Tax ID No. 1008690), and Vintage (Denton County Tax ID No. 1008690) that is designated as a future park site and therefore subject to the requirements of Chapter 26. Attachment 2 provides an overlay of the proposed sewer line over the City's GIS showing the overall relationship of the parks to the sewer line project.

According to Chapter 26 in order for the project to receive approval it must be determined that: 1) there is no feasible and prudent alternative to the use of the park land; and 2) the project includes all

reasonable planning to minimize harm to the land, as a park, resulting from the use or taking. Below are a number of reasons this project meets these requirements.

- The Roark Branch Sanitary Sewer is identified as a 5-year CIP Project in the City of Denton's Wastewater Master Plan Capital Improvement Plan and is necessary to serve the southwest portion of the City of Denton. The proposed alignment generally follows Roark Branch and is consistent with that shown in the Wastewater Master Plan which shows the alignment crossing the park property. (see attached Attachment 3 – Denton Wastewater Master Plan CIP)
- Environmental Sensitive Areas (ESA) have been assessed along the alignment of the Roark Branch Sewer project. The assessment was reviewed and approved by the City of Denton as project number ESA24-0001. A significant portion of the park properties lie within ESAs. Attachments 4A, 4B, and 4C show the relationship of the ESAs to the proposed sewer line. The sewer alignment has been determined to minimize encroachments into water related and riparian buffer ESAs. The line will be bored where encroachments cannot be avoided. The location of the proposed bores are shown on Attachments 3A, 3B, and 3C.
- The proposed sewer line will replace an existing sewer line located in an existing easement within the Vintage Park property. The proposed sewer line follows the alignment of the existing sewer line. Additional easement area is required to accommodate current requirements of the City of Denton Utility Department. The existing and proposed sewer lines and easements are shown on Attachment 3A.
- The proposed alignment runs along the north edge of Tamarack Park (Attachment 3B) and utilizes an existing 8-foot wide public utility easement adjacent to Edge Way allowing for the sewer easement width to be reduced in this area and to be immediately adjacent to the already built environment that is Vintage Village Phase 1.
- None of the park sites are currently developed.
- An existing 20-foot wide sanitary sewer easement crosses Tamarack Park south of the proposed alignment closer to Roark Branch. Utilization of this easement was explored and determined to be a less favorable alternative for the following reasons:
 - The easement is not wide enough. The easement would have to be widened an additional 30' to meet City of Denton requirements.
 - The entire easement is located within the existing Water Related Habitat that consists of a heavily vegetated bottomland hardwood forest. Utilizing the existing easement would require significant tree removal and permanent impacts to the ESA.
- The street and lots north of Tamarack Park in Vintage Village, Phase 1 were recently completed and do not have room to accommodate the large sewer line.

- The alignment selected is, by far, the least intrusive and best suited alignment with respect to meeting the goals of minimizing environmental impacts and providing for the master planned sewer needs of a significant portion of Denton.

Also attached for reference are construction plan sheets of the sewer line within the park properties that includes tree survey data for trees along the proposed sewer alignment.

Legal descriptions are also provided for proposed sewer easements and construction access easements necessary during construction. Construction activity will be limited to the areas defined by these easements.

It is our understanding city park staff will prepare and advertise public notices and schedule the public hearing as required by Chapter 26. Please let me know if we can provide any assistance in presenting the project at the public hearing.

The following information is included with this Memorandum:

Attachment 1 – Preliminary Alignment Analysis
Attachment 2 – Roark Branch Sewer Alignment Overlayed on City GIS
Attachment 3 – Denton Wastewater Master Plan CIP
Attachment 4A – Vintage Park Exhibit
Attachment 4B – Tamarack Park Exhibit
Attachment 4C – Burch Farm Exhibit
Attachment 5A – Legal description Vintage Park Sanitary Sewer Easement
Attachment 5B – Legal description Vintage Park construction access easement
Attachment 6 – Legal Description Tamarack Park Sanitary Sewer Easement
Attachment 7A – Legal Description Burch Farm Sanitary Sewer Easement
Attachment 7B – Legal Description Burch Farm construction access easement
Attachment 8 – CEP23-0057 Tree Data
Attachment 9 – ESA24-0001 Approved Roark Branch Sewer ESA Assessment
Attachment 10 – Preliminary Schedule