

AGENDA



Thursday, May 21, 2009

**Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION****Item No. 58**

Subject: Conduct a public hearing and approve the use of approximately 33,456 square feet (0.77 acre) of permanent drainage easement, approximately 4,452 square feet (0.102 acre) of temporary staging area, approximately 1,373 square feet (0.03 acre) of temporary access and approximately 3,070 square feet (0.07 acre) of temporary workspace easement – Junction Box, to construct, use, maintain, repair, and replace a stormdrain line and appurtenances for construction of a portion of the Lady Bird Lake/East 4th Street Drainage Improvements (CIP ID 5789.028) through dedicated parkland known as Metz Park in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code.

Amount and Source of Funding: All costs associated with construction, as well as any parkland restoration will be paid by requester.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Junie Plummer 974-7085; Glen Taffinder 974-3381; April Thedford 974-7141

Boards and Commission Action: Recommended by the Parks and Recreation Board.

Chapter 26 of the Texas Parks and Wildlife Code provides that the use of parkland for non-park purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of this land.

The Watershed Protection and Development Review Department is proposing to install approximately 805 linear feet of stormdrain line within Metz Park to discharge into Lady Bird Lake. The Lady Bird Lake/East 4th Street Drainage Improvements project will reduce the localized flooding problems in the area bounded by 7th Street on the North, Robert T. Martinez Street on the West, Lady Bird Lake on the South, and Pleasant Valley Road on the East by constructing new stormdrain lines. Currently a significant amount of stormwater collects and ponds during large storm events until the existing system drains sufficiently to allow more stormwater to flow into the system. The construction of the stormdrain line in Metz Park is necessary to tie into an existing outfall at the southern end of Pedernales Street. There is no major impact to the existing programming at the Metz Recreation Center.

Approval of the use of parkland is made on the condition that all restoration is completed in accordance with the Standard Specifications and Construction Standards of the City of Austin and the Parks and Recreation Department's "Construction in Parks Specifications". The Watershed Protection and Development Review Department is required to pay all costs associated with the restoration and tree mitigation and will be included as part of the site restoration process.

There is no feasible and prudent alternative to the use of the dedicated parkland which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman were April 26, May 3, and May 10, 2009.