



Recommendation for Action

File #: 19-1512, **Agenda Item #:** 9.

4/11/2019

Posting Language

Authorize the dedication as parkland of 99.98 acres of City-owned land which is generally bounded by South Pleasant Valley Road, Onion Creek Drive, Salt Springs Drive, Dixie Drive, and Lake Charles Drive, and which is locally known as the Lower Onion Creek-Yarrabee Bend Buyout Project Area, and the execution and recording of an instrument evidencing the dedication of the properties as parkland, subject to existing easements, City infrastructure, development regulations, deed restrictions, and approved uses as agreed to with the US Army Corps of Engineers.

Lead Department

Office of Real Estate Services

Fiscal Note

This item has no fiscal impact.

Prior Council Action:

October 5, 2017 - Council approved Ordinance 20171005-047 authorizing a change in zoning for these properties from standard lot (SF-2) district, family resident (SF-3) district, and mobile home residence (MH) district to public (P) district.

August 28, 2014 - Council authorized the negotiation and execution of a project partnership agreement with the United States Department of the Army for the construction of recreational amenities and implementation of ecosystem restoration activities on these properties.

For More Information:

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Additional Backup Information:

Utilizing a combination of City and Federal funding, the Watershed Protection Department (WPD) acquired the following properties as part of the City's partnership with the United States Army Corps of Engineers (USACE) to reduce flood risks in this neighborhood. The City's first property flood-mitigation acquisitions in this area began in 1978 and have spanned the course of 40 years, the pace of the property acquisition being determined by the amount of available funding year to year.

The City and the USACE have partnered since 1998 on projects to evaluate and reduce flood hazards in portions of the Onion Creek and Williamson Creek watersheds. In 2006, the USACE published an Interim Feasibility Report and Integrated Environmental Assessment which detailed the flood risk reduction projects recommended for each area within the study. The recommended project for the lower Onion Creek area (the neighborhoods of Onion Creek Forest, Yarrabee Bend, and Onion Creek Plantation near the intersection of William Cannon Dr. and S. Pleasant Valley Rd.) was the buyout of flood-prone properties. The Report recommended a partnership project between the City and the USACE that consisted of the acquisition of 483 properties located in the 25-year floodplain within this area. The project also included ecosystem restoration and the construction of new recreational facilities once the entirety of the area was acquired. Congress

officially authorized this project in 2007 and appropriated federal funding for this project in beginning in 2014.

On August 28, 2014, the City and the USACE executed a project partnership agreement to formalize the terms of the partnership, including defining roles and responsibilities of each partner, allowing for credit for certain expenditures related to the flood risk management portion of the project, and reimbursements of eligible costs through project completion. The total project cost estimate was \$73,212,000 for all phases of the project, including the flood risk management portion (property acquisition, relocation, and demolition), ecosystem restoration activities, and construction of the recreational facilities. The City's local cost share was \$26,579,000 which WPD has funded in full.

The Federal Emergency Management Agency's (FEMA) Hazard Mitigation Grant Program (HMGP) provided the financial assistance for the acquisition of 114 of the properties and subsequently carry deed restrictions that include: only using the land for purposes compatible with open space, recreational, or wetlands management purposes; and not building new structures or improvements other than restrooms or public facilities that are open on all sides and functionally related to open space and recreational uses. These deed restrictions are consistent with the project partnership agreement with the USACE, and while they expressly apply to these 114 properties, the restrictions will apply equally to all of the properties included in this parkland dedication.

In February 2018, the USACE began construction of the project's recreational amenities. These amenities include a large 40-foot by 60-foot group pavilion, approximately 30 small and medium group pavilions, picnic tables, trash receptacles, a new restroom, a new parking lot, granite loop trails, concrete trails, nature trails, and a low water crossing across Onion Creek to connect pedestrians and equestrians with existing nature trails. Construction of the recreational facilities are now complete and the conversion of the property to parkland is the last remaining step. The completed park will soon be officially opened to the community.

WPD managed these properties from their acquisition by the City until the time construction of the park commenced. This management has included vegetation maintenance, brush removal, tree trimming, tree removal, and disposal of trash and illegally dumped items. With the construction now complete, the Parks and Recreation Department will assume all maintenance responsibilities for the park and recreational features built by the USACE.

Staff is recommending that these City-owned properties be expressly dedicated to the public for park and recreational purposes:

1. Onion Creek Forest Section 1 (Volume 63, Page 57): Block A, Lots 109; Block B, Lots 1-12; Block C, Lots 1-10; Block D, Lots 1-6; Block E, Lots 1-10; Block F, Lots 1-9; Block G, Lots 1-5
2. Onion Forest Section 2 Amended (Volume 68, Page 54): Block D, Lots 7-18; Block F, Lots 10-19; Block G, Lots 6-11; Block H, Lots 1-10; Block J, Lots 1-23; Block K, Lots 1-39; Block M, Lots 1-9; Block N, Lots 1-15
3. Onion Creek Forest Section 4 (Volume 68, Page 49): Block H, Lots 15-26; Block L, Lots 1-12; Block O, Lots 1-27; Block P, Lots 2-8
4. Onion Creek Forest Section 4 Resubdivision (Volume 72, Page 67): Block H, Lots 11-14 and City Park; Block M, Lots 10-15 and City Park;
5. Onion Creek Plantations Section 1 (Volume 64, Page 50): Block A, Lots 14-27; Block B, Lots 1-29; Block C, Lots 1-29
6. Yarrabee Bend Section 1 (Volume 74, Page 37): Block B, Lot 5; Block D, Lots 1-12; Block F, Lots 1-13, 28-34; Block H, Lots 1-2, 6-12; Block J, Lot 1; Block K, Lot 12
7. Yarrabee Bend Section 2-A (Volume 79, Page 277): Lots 1A-8A
8. Yarrabee Bend Section 3 (Volume 75, Page 359): Block H, Lots 3-5, 26-45; Block J, Lots 2-34; Block K, Lots 13-40
9. Yarrabee Bend Section 4 (Volume 77, Page 131): Block J, Lots 15-19; Block K, Lots 38-40

10. Yarrabee Bend South Section 1 (Volume 79, Page 259): Block E, Lots 45-47; Block H, Lots 31-35