



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District C
Item Creation Date:

HPW 20TRT18 Ordinance Making Chapter 26 Findings – Wagner Park

Agenda Item#:

Background:

SUBJECT: An Ordinance making certain findings related to the use of approximately 0.0390 acre (1,701 Square Feet) of land out of Wagner Park for a 20' wide utility corridor (Parcel No. VY22-005) in connection with the installation and maintenance of a 24-inch storm pipe and related storm sewer infrastructure.

RECOMMENDATION: Approve an Ordinance making certain findings related to the use of approximately 0.0390 acre (1,701 Square Feet) of land out of Wagner Park for a 20' wide utility corridor (Parcel No. VY22-005) in connection with the installation and maintenance of a 24-inch storm pipe and related storm sewer infrastructure.

SPECIFIC EXPLANATION: The City of Houston owns Wagner Park located at 1406 Wagner St., Houston, Harris County, Texas 77007, and it is comprised of approximately 0.611 acre of land in the Houston Heights neighborhood. The Houston Heights, John Brashear and Memorial Heights Paving and Drainage Project is Houston Public Works (HPW) continuation effort to resolve ponding and pavement issues for the Houston Heights Neighborhoods, and includes construction of drainage and paving improvements, such as, installation of new storm sewers, storm sewer leads, storm manholes, junction boxes, inlets, and related appurtenances within the city right-of-way (ROW) throughout the project limits. HPW has identified a need for the use of 0.0390 acre (1,701 SF) of Wagner Park for a 20' wide utility corridor (Parcel No. VY22-005), for storm sewer infrastructure.

During the project plan review, it was recommended that HPW install the connection of storm pipe from the dead end of Honsinger St. to connect to Wagner St. so that the storm system could connect Wagner St. and East St. main trunk line on Hicks St. and provide much needed drainage improvement and eliminate ponding in the area. The storm sewer infrastructure includes a 24" storm pipe through Wagner Park, which will help to collect and transmit the flow that currently flows over land through Wagner Park and other private properties into the drainage system on Wagner Street, therefore mitigating the current ponding issues, especially during more severe rain events. An alternative would be to redirect this flow into the Center Street system; however, this would not be feasible or prudent because it would change the existing drainage pattern and is also limited by the flowline at the drainage system in Wagner Street.

Section 26.001 of the Texas Parks & Wildlife Code provides that a city may not approve any program or project that requires the use or taking of land designated and used as park land unless, after notice and public hearing, its governing body determines that: (1) there is no feasible and prudent alternative to the use or taking of the park land, and (2) the program or project includes all reasonable planning to minimize harm to the park land.

Any disturbed surface within Wagner Park from use of the 20' wide utility corridor will be restored to its original condition or better, such as any impacted turf surface, trees, fences, and any other appurtenances within the park. Site restoration must be inspected and approved by Houston Parks and Recreation Department. But for routine maintenance, the storm sewer infrastructure will not interfere with the continued use of the surface for park purposes. It is HPW's intent to minimize any harm to Wagner Park resulting from the storm sewer infrastructure and meet requirements of Chapter 26 of Parks and Wildlife Code.

Texas Parks and Wildlife Code Chapter 26 requires the City to publish three public notices and hold a public hearing prior to authorizing the use or taking of park land for non-park purposes. Notices were published in the Houston Chronicle on February 10, 2025, February 17, 2025, February 24, 2025. City Council held the public hearing for use of the park property on March 5, 2025.

DocuSigned by:

3/6/2025

Kenneth Allen, Director
Houston Parks and Recreation Department

DocuSigned by:

2/27/2025

Randall V. Macchi, JD
Director, Houston Public Works

WBS No: N-210001-0001-2

Prior Council Action:

Motion 2025-0083, passed 2/5/2025

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ATTACHMENTS:

Description	Type
Maps	Backup Material
Metes and Bounds	Backup Material
Consent Memo	Backup Material
Motion 2025-0083	Backup Material