

## Special Use Permit SUP16-02 (Duncan Sand Pit)

<b>Request</b>	<p>A Special Use Permit (SUP) to allow an excavation and mining permit to create a sand pit by removing a total of approximately 1.4 million cubic yards of soil. As a result of a grading and drainage permit, the first 90,000 cubic yards was recently removed from the sand pit area to raise a section of the Sedona Subdivision, also being developed by the applicant. Since this project has recently been completed, the remaining excavated soil will be sold to the public. Once the sand pit has been fully excavated, the remaining 33.5-acre sand pit will serve as a detention/amenity pond for the existing Duncan Planned Unit Development (PUD). The applicant indicates the excavation operations are to be completed during 2017.</p> <p>An excavation and mining permit are subject to the requirements as set forth in Chapter 98, Article II of the Code of Ordinances entitled Quarries, Mines and Similar Activities and Chapter 125 of the Code of Ordinances entitled Zoning.</p>
<b>Applicant</b>	Tracy Goza of LPI Property Management
<b>Owner</b>	West FM 517, LTD
<b>Acreage</b>	418.8 acres
<b>Location</b>	Generally located north of FM 517, south of Ervin Street, and west of Calder Road with the approximate address being in the 7000 block of West FM 517.
<b>City Council</b>	Public Hearing & First Reading – <i>September 13<sup>th</sup>, 2016</i> ; <i>Second Reading – September 27<sup>th</sup>, 2016</i>
<b>Citizen Response</b>	9 – Notices Mailed to Property Owners within 500 feet 0 – Letters of Support Received 0 – Letter of Opposition Received
<b>Attachments</b>	<ol style="list-style-type: none"><li>1. Zoning Map</li><li>2. Aerial Map</li><li>3. Sand Pit Layout / Drainage Plan</li><li>4. Duncan PUD Conceptual Land Use Plan</li><li>5. Exhibit of Proposed LPI Residential Subdivision</li><li>6. Land Value Assessment Maps</li></ol>

A Special Use Permit may allow certain uses of land, buildings, or structures that may not be appropriate under all circumstances in any given zoning district, but may be appropriate where adequate measures can be taken to assure compatibility with surrounding uses, public need, and the City as a whole.

**Background**     **August 10, 1999** – The subject property was zoned “SDR” (Suburban Development Residential) when League City adopted zoning.  
**August 31, 2005** – The subject property was rezoned from “SDR” to “RSF-7” (Single-family residential with a minimum lot size of 7,000 square feet) as part of the city’s Zoning Ordinance & Map Revision of 2005.  
**July 25, 2006** – The subject property was rezoned from “RSF-7” to “RSF-7-PUD” (Single-family residential with a minimum lot size of 7,000 square feet with a Planned Unit Development Overlay) as

part of the 1,700 acre Duncan Planned Unit Development. The Duncan PUD was created along with the McAlister and Lloyd PUDs, all located in the southwest side of League City. At this time, no master plan for the Duncan PUD has been approved by League City.

**July 30, 2015** – The Owner, West FM 517, LTD, purchases the property.

**August 12, 2015** – Applicant makes initial inquiry about receiving an Excavation Permit.

**October 5, 2015** – City Staff and the Applicant meet to discuss the process to receive an Excavation Permit.

**February 25, 2016** – The League City Building Department issues a Grading and Drainage Permit for the applicant to begin removing the top 1-foot of dirt to begin raising a nearby residential section of the Sedona Subdivision, also owned by the applicant. Note: Excavation / Mining uses begin at a depth greater than one foot below the ground.

**March 16, 2016** – Applicant holds a neighborhood meeting to discuss the proposed SUP application.

**March 21, 2016** – Applicant submits an application, fee and documentation for an SUP to the Planning Department.

**August 5, 2016** – Planning Staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the subject property.

**August 7, 2016** – Public hearing notice was published in the newspaper.

**August 29, 2015** – The Planning and Zoning Commission is scheduled to hold a public hearing and forward a recommendation to City Council.

**September 13, 2016** – City Council is scheduled to conduct public hearing and consider request on first reading.

**September 27, 2016** – Subject to approval on first reading, City Council to consider request on second reading.

**Site and Surrounding Area**

The site is undeveloped with high grass and trees with the densest vegetation located in the northeast corner of the property. There are no protected trees on the site. In the surrounding area, undeveloped tracts lie to the south, west and north and northeast. A residential subdivision, Prairie Estates, lies directly adjacent to the property, located just outside the city limits.

Direction	Surrounding Zoning	Surrounding Land Use
North	“RSF-7-PUD”	Undeveloped (Duncan PUD)
South	ROW and “RSF-7”	FM 517 and Undeveloped Property
East	RSF-7-PUD and “OS-PUD” and City Limits	Bay Colony West PUD and City Limits
West	“RSF-7-PUD”	Undeveloped (Duncan and Lloyd PUDs)

**Traffic Impacts and Access**

Sole access to the site will be provided by an existing driveway along FM 517. The applicant submitted a Traffic Impact Assessment (TIA) for the proposed project. The TIA indicates that the project would have a maximum of 15 peak hour trips per day based on the amount of dirt that is proposed to be removed. There were no recommendations for roadway or driveway improvements. The Engineering Department has reviewed the TIA and has no objections.

**FM 517**

	Current Conditions	Proposed Conditions (MMP)
<i>Roadway Type</i>	Major Arterial	Major Arterial
<i>Right-of-way Width</i>	100 feet	As Determined by TxDOT
<i>Pavement Width and Type</i>	2-lane, 12-foot widths each way, asphalt with 10-foot shoulders and drainage ditches on either side.	As Determined by TxDOT

<b>Setbacks</b>	<p><i>No permit shall be issued for any excavation when any portion of the same shall be located within 200 feet of any public street or road.</i></p> <p>The proposed excavation is greater than 200 feet from the nearest public street or road. Based on the proposed engineered drawings, the Engineering Department has no objection to the request.</p>
<b>Drainage, Lateral Support, and Geology Report</b>	<p><i>The applicant shall install and maintain a drainage system to keep the excavation from collecting water, provide documentation from a certified engineer that identifies the characteristics of the soil in order to laterally stabilize the soil subject to the soil conditions, and provide a written geology report from a certified geologist for any excavation within 2,500 feet of an existing water well.</i></p> <p>The applicant has provided engineered construction plans and a Water Well Search and Geological Assessment Report for the site. The construction plans have addressed how storm water will exit the site in a controlled manner as well as how the sides will be laterally stability. In addition, the geologic study identified six (6) water wells within 2,500 feet of the proposed excavation. Then Engineering Department has reviewed these documents and has no objections to the proposed request.</p>
<b>Reclamation</b>	<p><i>The applicant must supply an acceptable reclamation plan which specifies the intended use of the land following excavation whereby the result of the activity is reverted back to a beneficial land use.</i></p> <p>The applicant proposes to use the sand pit for a future detention/amenity pond. The detention will be for multiple developments within the Duncan PUD. The applicant's submitted exhibit has not been approved and is a conceptual plan. The proposed development is subject to the regulations of the Duncan PUD and any changes to the master plan must be approved by the City before the platting and construction phases for the property can begin.</p>
<b>Land Values</b>	<p>Attachment 6 provides two maps that show the land and overall value of land on a per square foot basis. The valuation data came from the 2016 GCAD (Galveston County Appraisal District) assessments. The purpose of these maps are to identify the land values of the surrounding areas and to evaluate if there are any anticipated negative effects as a result of the proposed operation.</p> <p>The subject property values are in keeping with the surrounding properties within ¼ mile. The maps identify the difference in values are due to either 1) an improvement on the property such as a residence, or 2) the large size of a contiguous property. It should be noted that there are several sand pits within the southwest region of League City where previous analysis have shown no change to the values. This suggests that an excavation operation neither increases or decreases land values of those surrounding uses and becomes negligent with the surrounding area, especially once development surrounding the converted sand pit begins.</p>
<b>Bond</b>	<p><i>The applicant is required to give the bond with a good and sufficient corporate surety in favor of the city in an amount no less than \$100,000.00, for which the bond shall be conditioned that the permittee shall comply with all the terms of such permit and all laws and ordinances relating to issuance of same. In addition, liability insurance must be carried by the applicant in the amount to be no less than \$1,000,000.00.</i></p> <p>Based on the proposed project, staff will recommend that amounts be set at \$100,000 bond and \$1,000,000 of liability insurance.</p>
<b>Staff Recommendation</b>	<p>Staff recommends approval of the Special Use Permit subject to the conditions listed below:</p> <ol style="list-style-type: none"> <li>1. The Special Use Permit is valid beginning on the date of adoption of this SUP ordinance and will expire on December 31, 2017. Any extensions of this SUP shall be approved prior to the expiration date of the permit.</li> <li>2. The applicant shall submit a bond to the City of League City in the amount of \$100,000.00.</li> </ol>

3. The applicant shall provide proof of insurance for the subject property in the amount of \$1,000,000.00 and maintain such insurance as long as excavation operations continue prior to the second reading of the request.
4. The Special Use Permit is limited to excavation and mining uses only with the sand pit being constructed in the location as shown in the attached engineered layout. Within 45 days of completion, the applicant will provide a survey signed and sealed by a Registered Professional Land Surveyor (RPLS) confirming the conformance with the layout.
5. The applicant must receive a Business Registration Permit from the City of League City prior to the selling of any soil to the public.
6. Any signage for the site shall require sign permits and meet the requirements of League City's Sign Ordinance.
7. The proposed on-site office must meet building setbacks and provide parking at the rate of 4 parking spaces per 1,000 square feet of gross floor area.

For additional information, you may contact Mark Linenschmidt, Senior Planner at 281-554-1078 or at [mark.linenschmidt@leaguecity.com](mailto:mark.linenschmidt@leaguecity.com).





Undeveloped

Duncan PUD

Subject Property

Prairie Estates Subdivision

Bay Colony West PUD

Chanlee Estates and Tallow Forest Subdivisions

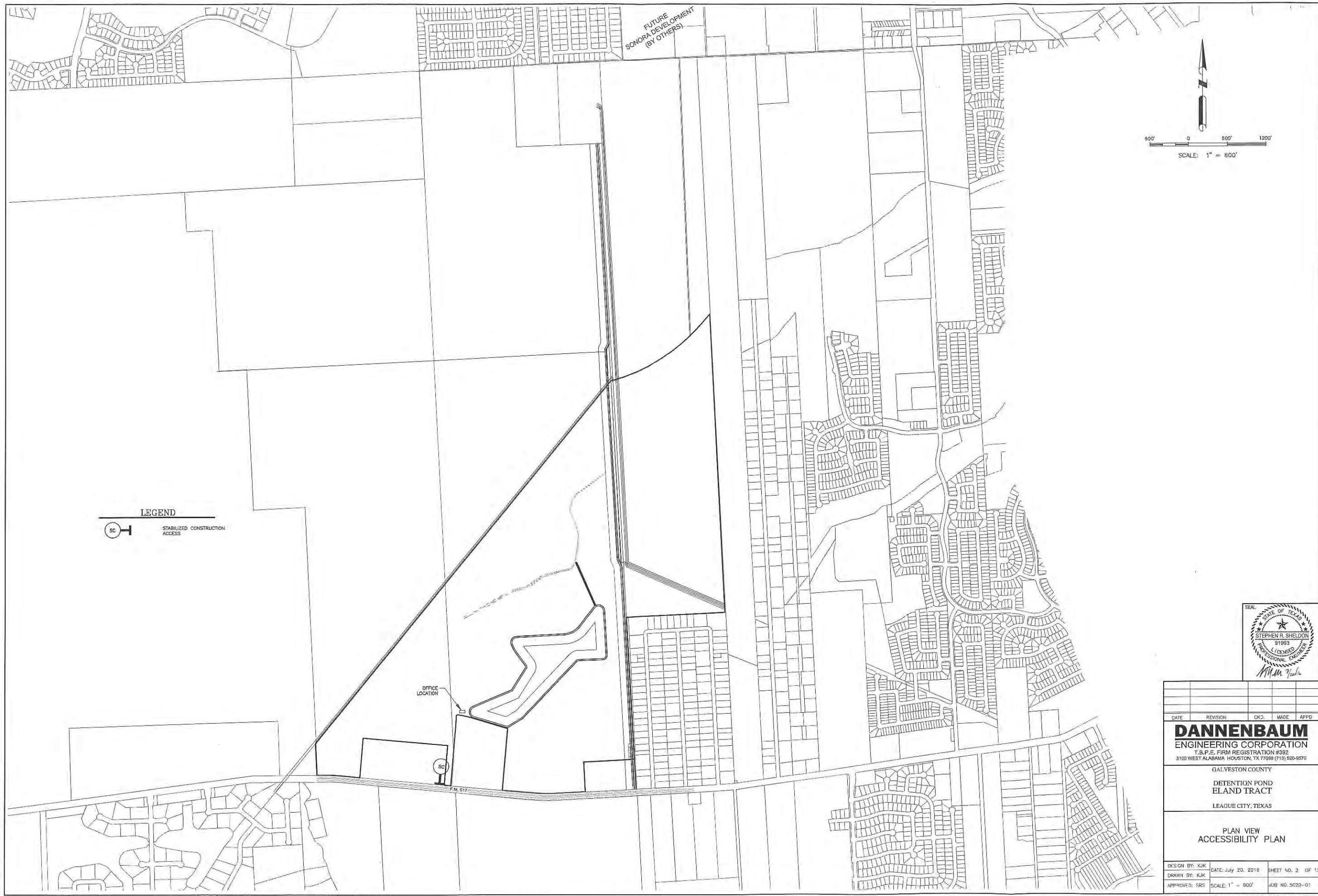
Bay Colony West PUD

Bay Colony West PUD

Calder Road

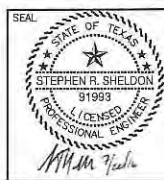
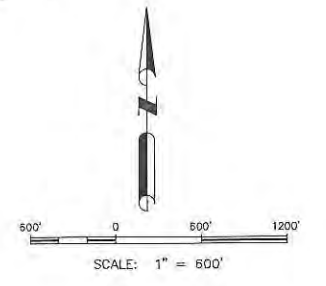
FM 517

City Limits



**LEGEND**

SC STABILIZED CONSTRUCTION ACCESS

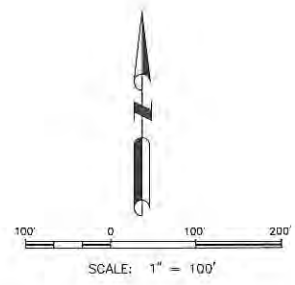
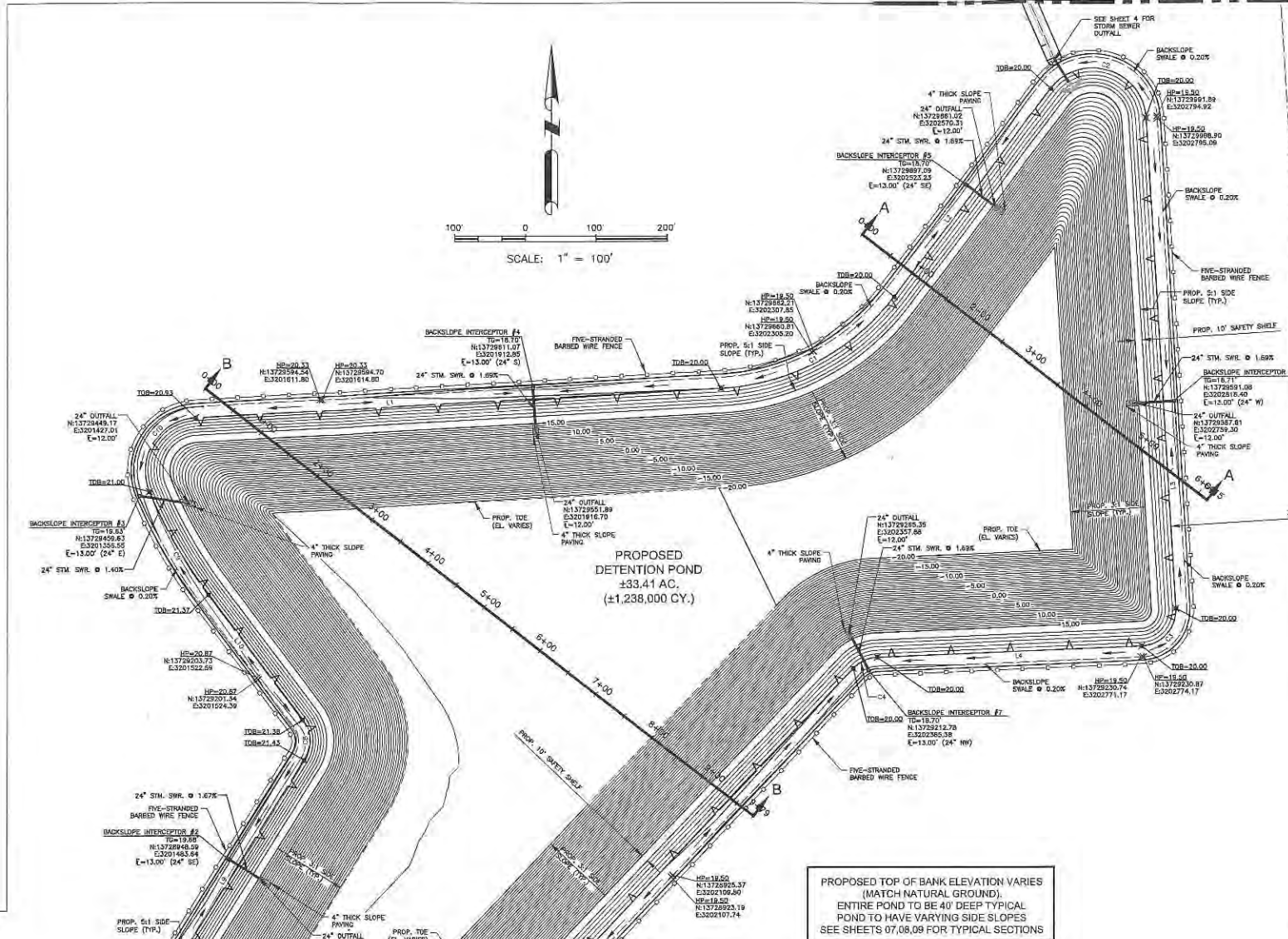
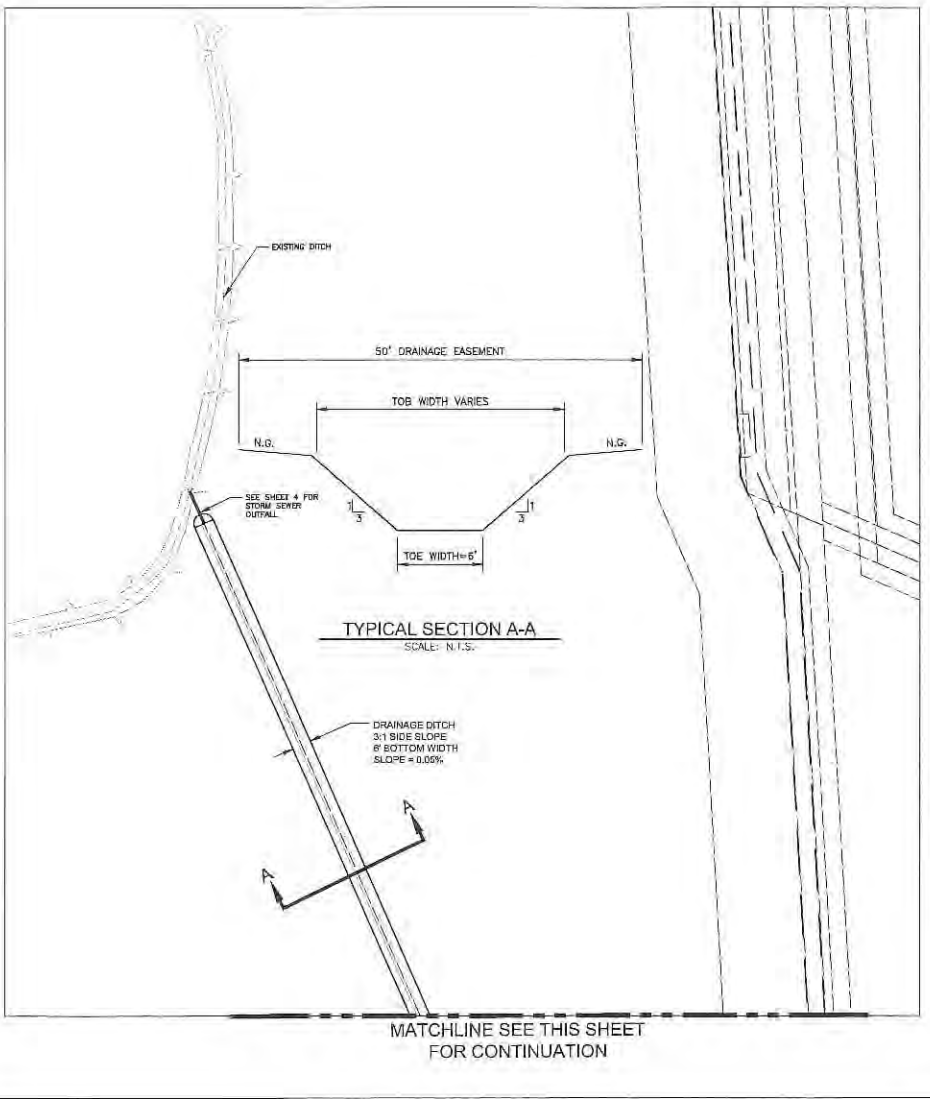


DATE	REVISION	CHK.	MADE	APPD.
<b>DANNENBAUM</b> ENGINEERING CORPORATION T.B.P.E. FIRM REGISTRATION #392 3100 WEST ALABAMA HOUSTON, TX 77098 (713) 520-9570				
GALVESTON COUNTY DETENTION POND ELAND TRACT LEAGUE CITY, TEXAS				
PLAN VIEW ACCESSIBILITY PLAN				
DESIGN BY: KJK	DATE: July 20, 2018	SHEET NO. 2 OF 12		
DRAWN BY: KJK	SCALE: 1" = 600'	JOB NO. 5020-01		
APPROVED: SRS				

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MATCHLINE SEE THIS SHEET FOR CONTINUATION



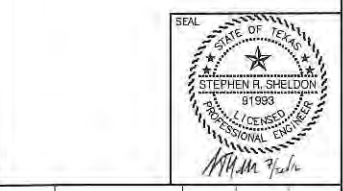
PROPOSED TOP OF BANK ELEVATION VARIES (MATCH NATURAL GROUND).  
ENTIRE POND TO BE 40" DEEP TYPICAL  
POND TO HAVE VARYING SIDE SLOPES  
SEE SHEETS 07,08,09 FOR TYPICAL SECTIONS

**TOB CURVE TABLE**

CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH	START POINT	END POINT
C1	284.54'	330.00'	049° 24' 11"	S82° 09' 19"W	275.81'	(13729738.92, 3202421.59)	(13729610.09, 3202177.72)
C2	182.20'	75.00'	139° 11' 38"	N72° 56' 57"W	140.59'	(13729989.49, 3202779.53)	(13730030.71, 3202645.12)
C3	79.47'	50.00'	091° 03' 51"	N42° 10' 47"E	71.38'	(13729246.28, 3202772.05)	(13729299.17, 3202819.87)
C4	38.84'	50.00'	044° 16' 57"	N85° 34' 15"E	37.69'	(13729215.74, 3202363.33)	(13729231.33, 3202397.85)
C5	13.48'	50.00'	015° 26' 59"	N51° 09' 14"E	13.44'	(13728325.25, 3201517.88)	(13728333.69, 3201528.35)
C6	63.08'	75.00'	048° 11' 33"	N82° 58' 27"E	61.24'	(13728201.60, 3201284.71)	(13728209.09, 3201325.49)
C7	183.52'	75.00'	140° 11' 51"	S02° 49' 50"E	141.04'	(13728491.54, 3200772.31)	(13728350.67, 3200779.27)
C8	60.27'	50.00'	069° 04' 03"	S02° 28' 12"E	58.89'	(13729144.43, 3201586.89)	(13729087.80, 3201589.13)
C9	167.94'	670.00'	014° 21' 43"	S29° 49' 22"E	167.50'	(13729465.80, 3201370.88)	(13729320.28, 3201454.18)
C10	143.33'	75.00'	109° 29' 55"	S32° 06' 27"W	122.50'	(13729569.36, 3201435.97)	(13729465.60, 3201370.88)

**TOB LINE TABLE**

LINE #	LENGTH	DIRECTION	START POINT	END POINT
L1	742.87'	S86° 51' 25"W	(13729810.09, 3202177.72)	(13729569.36, 3201435.97)
L2	367.57'	S37° 27' 14"W	(13730030.71, 3202645.12)	(13729738.92, 3202421.59)
L3	691.50'	N03° 21' 08"W	(13729299.17, 3202819.87)	(13729989.49, 3202779.53)
L4	374.70'	N87° 42' 43"E	(13729231.33, 3202397.85)	(13729246.28, 3202772.05)
L5	1214.58'	N43° 25' 46"E	(13728333.69, 3201528.35)	(13729215.74, 3202363.33)
L6	224.74'	N58° 52' 41"E	(13728209.09, 3201325.49)	(13728325.25, 3201517.88)
L7	507.81'	S72° 55' 46"E	(13728201.60, 3201284.71)	(13728209.09, 3201325.49)
L8	851.69'	S67° 16' 05"W	(13728491.54, 3200772.31)	(13728350.67, 3200779.27)
L9	408.43'	S32° 03' 50"W	(13729087.80, 3201589.13)	(13728491.54, 3200772.31)
L10	220.20'	S37° 00' 13"E	(13729320.28, 3201454.18)	(13729144.43, 3201586.89)



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GALVESTON COUNTY  
DETENTION POND  
ELAND TRACT  
LEAGUE CITY, TEXAS

**PLAN VIEW**  
DETENTION POND  
AND AMENITY LAKE

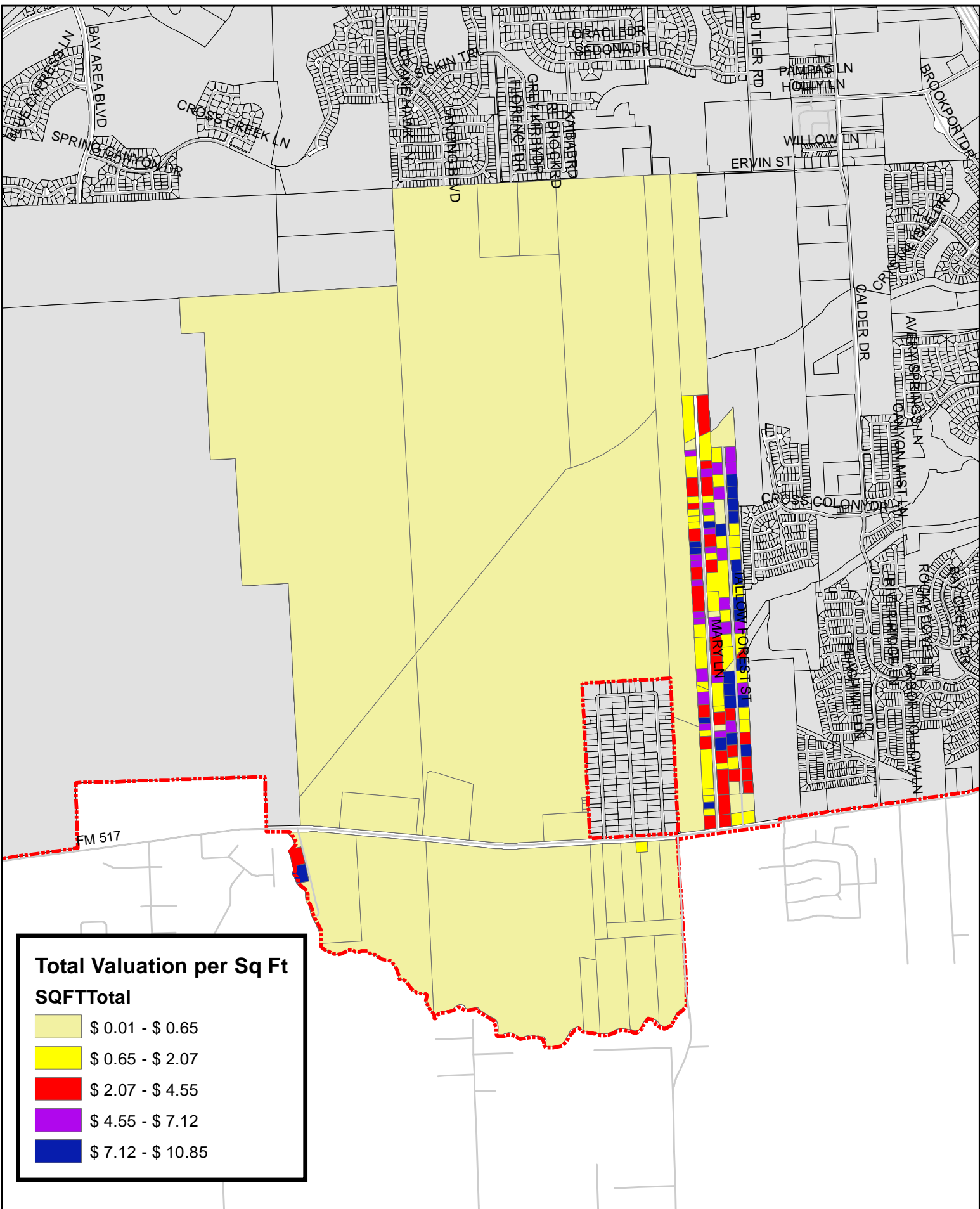
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DRAWN BY: KJK  
APPROVED: SRS

DATE: July 20, 2018  
SCALE: 1" = 100'

SHEET NO. 3 OF 12  
JOB NO. 5020-01

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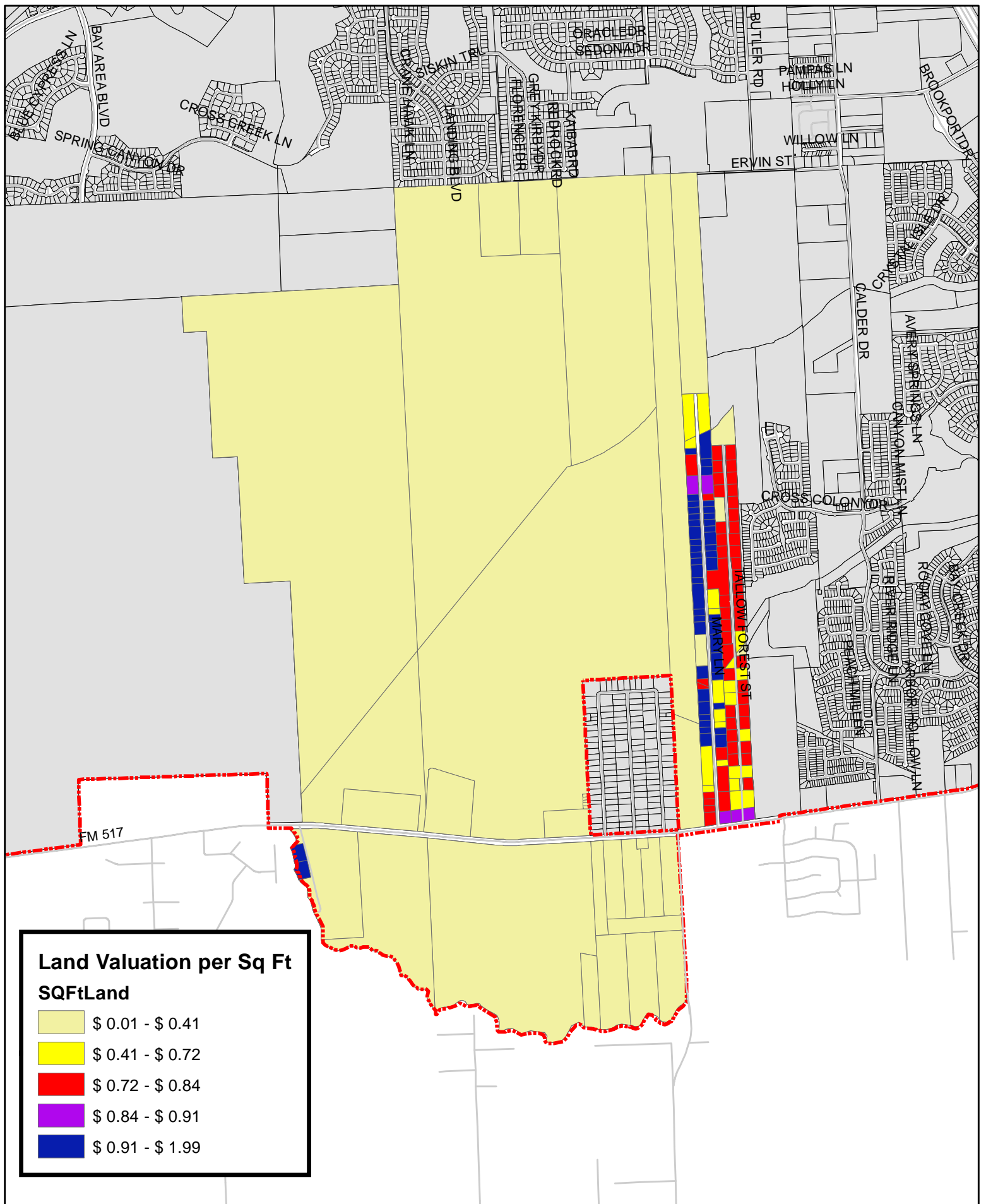




The City of League city makes no claims to the accuracy of the map. It is intended for demonstrational purposes only.







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