



## Legislation Text

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**File #:** 16-0786, **Version:** 1

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Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (**SUP15-05 Dow Hydrocarbons & Resources Pipeline**), for the construction of an underground pipeline on properties zoned “OS” (Open Space), “CG-PUD” (General Commercial with a Planned Unit Development Overlay), “OS-PUD” (Open Space with a Planned Unit Development Overlay), and “RSF-10” (Residential Single Family with a Minimum Lot Size of 10,000 square feet), being located in the HL&P easement, generally north and south of League City Parkway, south to the existing city limits of League City, north of FM 646, west of SH 146 (Director of Planning and Development)

Planning and Zoning Commission recommended approval with conditions, 4-0-0 with one member absent on December 21, 2015.

If approved, a Special Use Permit (SUP) will be granted for Dow Hydrocarbons & Resources to apply for a pipeline permit for the construction of a 12-inch underground pipeline, approximately 10,400 feet in length within the City limits of the City of League City.

### Project Timeline:

**May 21, 2015** - Applicant holds a neighborhood meeting to discuss the proposed SUP application. No one attends and no comments are received by applicant.

**May 29, 2015** - Applicant submits application, fee and documentation for an SUP to the Planning Department.

**June 22, 2015** - City staff provides comments to applicant.

**October 19, 2015** - Applicant resubmits materials for review, planning staff recommend holding a new neighborhood meeting due to changes in ownership of some adjacent properties.

**November 29, 2015** - Public hearing notice is published in the newspaper.

**November 30, 2015** - Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs on the subject property.

**December 1, 2015** - Applicant holds new neighborhood meeting, one person is in attendance, no new comments are generated.

**December 21, 2015** - The Planning and Zoning Commission held a public hearing and recommended approval with conditions, 4-0-0 with one member absent.

**January 12, 2016** - City Council to consider request on first reading.

**January 26, 2016** - Subject to approval on first reading, City Council to consider request on second reading.

### Project Summary:

Pipelines that are installed or modified within the City of League City require the approval of a SUP by the City Council. This SUP is in addition to the required Pipeline Permit, for the installation and operation of a pipeline, which is reviewed and issued by City staff after the approval of a SUP.

This pipeline is part of an overall pipeline project which is installing a 12-inch pipeline that runs 78 miles from Mont Belvieu to Freeport. The pipeline is proposed to be placed underground and will transport ethane.

The project site is within the 300 foot wide HL&P (aka Centerpoint) transmission easement. The easement includes several other existing underground pipelines. The subject site is grass and scrub covered and free of trees. East of the subject site is SH 146; while west of the site is a mixture of single-family residential and undeveloped agricultural land.

The site is within an existing utility easement with existing high-tension transmission lines and underground pipelines. It is not anticipated that the construction of a new underground pipeline will have a negative impact on the surrounding land



uses or character of the area. The closest above-ground valve stations on the pipeline are approximately  $\frac{3}{4}$  mile north of the League City northern city limits and approximately 3 miles south of the League City southern city limits. The pipeline will be buried 4 feet below grade as required by ordinance and 10 feet under the roadbed of SH 96.

On December 21, 2015, the Planning and Zoning Commission held a public hearing and recommended approval, 4-0-0 with one member absent. During the P&Z public hearing there were no speakers for this request. The Planning Department has not received any public communications either in favor or opposed regarding this request.

**Staff Recommendation:**

Staff recommends approval of the Special Use Permit subject to the conditions listed below:

1. The SUP shall expire after a period of 12 months beginning upon the date of the adoption of the SUP ordinance if no pipeline permit is issued for construction of the pipeline.
2. The pipeline shall be constructed in conformity to the plan and profile, in terms of location, size and depth. The pipeline will be a 12-inch underground pipeline with a minimum depth of 4 feet below grade.
3. The uses permitted on site will be limited to those permitted in the base zoning district and identified by the SUP which are for the construction of an underground pipeline.
4. The issuance of a pipeline permit by the City Manager shall be required prior to the commencement of construction of the pipeline.

**Attachments:**

1. Data Sheet
2. Proposed Ordinance
3. Exhibit "A"
4. Exhibit "B"

**CONTRACT ORIGINATION:**

Planning Department

Applicant: Chico Ngual - Wood Group Mustang, Representing Dow Hydrocarbons & Resources, LLC

Owner: (1) Centerpoint Energy; (2) Theodore H. Strauss Trustee; (3) Weems & Kelsey Management Company

**FUNDING**

{X } NOT APPLICABLE

{ } Funds are available from Account # \_\_\_\_\_

{ } Requires Budget Amendment to transfer from Account # \_\_\_\_\_ to Account # \_\_\_\_\_