



Legislation Text

File #: 21-0056, **Version:** 1

Consider and take action on Ordinance No. 2021-01, an ordinance approving a Special Use Permit, **SUP-20-0001, (Baymark Pipeline, LLC)**, to construct, operate, and maintain an 12.75-inch pipeline, with one shared above ground valve station, generally having an alignment between the north side of Clear Creek, west of Landing Boulevard, and the western city limits of League City within an existing CenterPoint Energy high power electrical corridor, in League City, Texas - Second Reading (Executive Director of Development Services)

Planning and Zoning Commission recommended approval, 7-0-0 with 1 absent on 12/12/20.
Council approved first reading, 8-0-0 on 01/12/21.

Approval of this Special Use Permit (SUP) would permit the construction a pipeline with conditions. If the SUP is approved, a Pipeline Permit must be reviewed and issued administratively by City staff, prior to beginning of construction.

Project Timeline:

October 4, 2019 - Staff met with representatives for the project to discuss potential SUP applications for two proposed pipelines along the electrical corridor in western League City.

November 19, 2019 - The Applicant held a neighborhood meeting to discuss the potential SUP applications with the surrounding property owners within 500 feet of the project alignment.

April 28, 2020 - Applications for Special Use Permits were submitted for two pipelines and a shared valve station.

November 22, 2020 - Notice of public hearings were published in the newspaper. Planning staff sent out public hearing notices to the surrounding property owners and installed public hearing signs along the proposed alignment route.

December 14, 2020 - The Planning and Zoning Commission held a public hearing and made a recommendation of approval by a vote of 7-0-0.

January 12, 2021 - City Council held a public hearing and approved the first reading, 8-0-0.

January 26, 2021 - City Council to consider the request on the second reading including consideration of an easement agreement for the pipeline.

Project Summary:

This 12.75-inch pipeline is part of an overall pipeline project that is 92.28 miles in length between La Porte and Markham, Texas. The portion within League City is approximately 7.45 miles long and will transport liquid ethylene. This pipeline is proposed with another pipeline SUP request, SUP-20-0002 South Texas NGL, located approximately 2 feet away, along the same alignment, which is also parallel to a pipeline that was approved by City Council in 2012.

The pipelines will be constructed within a 30-foot wide easement located in a 200-foot wide CenterPoint Electrical transmission corridor. The CenterPoint easement includes several other existing underground pipelines. The subject site is grass covered and free of trees.

Construction will consist of a combination of the “cut and cover” and the Horizontal Directional Drilling (HDD) methods. Access to construct the pipeline will be from several pre-established locations on Texas Department of Transportation (TxDOT) roadways such as I-45 Freeway, Farm to Market Road 518 and Farm to Market Road 517 as well as some municipal roadways such as Bay Area Boulevard, League City Parkway, and McFarland Road. The intent is to maximize use of TxDOT roadways and minimizing the use of local roadways to limit the surrounding neighborhoods to the truck traffic and noise related to construction of the pipelines.

The pipeline will be no less than 4 feet below ground with average depths of the HDD borings being approximately 45 feet below grade, except for the valve station site. The valve for this pipeline will share a 45-foot-wide by 70-foot-long, screened valve station enclosure in a north/south configuration with the adjacent 8-inch pipeline. The site’s proposed location will be approximately 900 feet north of West Main Street (Farm to Market Road 518) and just south of an existing Enterprise Pipeline valve site. The Applicant indicates that the pipeline will have 24-hour passive monitoring and that operations at the valve site will be for required function testing, maintenance or should there be an emergency event. However, under normal conditions, no noise will come from the site.

The application is requesting three departure from the Ordinances that are listed below:

1. Requirement: All pipelines under city rights-of-way shall be cased.

Request: The Applicant proposes to increase the wall thickness of the pipe underneath the rights-of-way in lieu of casement. The Applicant’s engineering letter indicates that there is a greater potential of maintenance issues and pipe corrosion by casing the pipe.

2. Requirement: Valve stations (defined as pump stations) shall have a 50-foot wide landscaped buffer yard installed in accordance to the City ordinance.

Request: The Applicant proposes to install chain link fencing with fence slats inserted into the fencing around the valve station site. It is indicated that CenterPoint does not allow landscaping in their easements. The pipeline company also prefers to have a chain link fence so that the site may accessed quickly with large equipment in case of an emergency. The Applicant has already reached out to the two closest residential property owners to the west in which it was agreed green slats would be installed in the fencing for greater screening.

3. Requirement: Pump stations cannot be located within 600 feet of any off-site building or structure, public/private park, school or daycare.

Request: With the CenterPoint Electrical corridor having a width of 250 to 275 feet, the proposed alignment is the best, most logical and efficient location to place the pipeline in its relation to its overall route, adjacency to other pipelines and mitigation of nuisances to the nearby neighborhoods.

A proposed agreement with the City has been separately and simultaneously coordinated by staff. If this request is approved, the agreement will be considered by City Council at the same meeting as the second reading of this request. Additionally, staff has evaluated the alignment to verify if there are any conflicts with existing or future municipal projects. None are foreseen at this time.

On December 14, 2020, the Planning and Zoning Commission held a public hearing and recommended approval unanimously 7-0-0. During the P&Z public hearing there were no speakers for this request. The

Planning Department mailed out 538 letters and received 3 telephone calls from residents asking for more information about the pipelines.

On January 12, 2021, the City Council held a public hearing and approved the first reading, 8-0-0.

Staff recommends approval of the Special Use Permit request, subject to the following conditions:

1. Prior to the issuance of the SUP, the City of League City must grant approval for the agreement of the proposed easement alignment.
2. Power poles installed to service the valve site shall be of a height and location where the valve station enclosure will screen the poles from view of the residences to the west.
3. The Contractor must provide at least 24 hours' notice to the Oil & Gas Coordinator prior to crossing any 24-inch or 42-inch public water mains in support of the Water Production Department's request to be on-site during these crossings.

Attachments:

1. Data Sheet
2. Ordinance No. 2021-01
3. Exhibit A

CONTRACT ORIGINATION:

Development Services

Applicant: Jeffrey L. Waldo of Enterprise Products Operating, LLC.

Owners: Baymark Pipeline, LLC., a subsidiary of Enterprise Products

FUNDING

{ } Funds are available from Account # _____
{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____
{ x } NOT APPLICABLE

STRATEGIC PLANNING

{ } Addresses Strategic Planning Critical Success Factor # _____ and Initiative # _____
{ x } NOT APPLICABLE