



## Legislation Text

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**File #:** 10-0175, **Version:** 1

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Consider and take action on an ordinance amending Ordinance No. 2005-24 for a Special Use Permit (SUP) for a “minor utility” use [natural gas pipeline] within a 5-foot wide corridor being approximately 6,580 feet in length and containing approximately 0.8 acres (**SUP10-03 South Hammock #3**) on property zoned “OS” (Open Space), “RSF-5” (Single-family residential with a minimum lot size of 5,000 square feet) and “RSF-10” (Single-family residential with a minimum lot size of 10,000 square feet), legally described as portions of Lots 24-2, 24-3, 24-6, 24-7, 24-8, 24-9, 31-4, 33-2, 33-6, 33-7, 34-2, 34-4 and 35-3 of League City Division B and also portions of Lots 26-6, 26-7, 26-8, 26-9, 27-2, 27-4, 27-5 and 27-6 of League City Division C, generally located north of Hewitt Street and east and west of Texas Avenue (Director of Planning and Research)

Planning and Zoning Commission motion to recommend denial failed 4-4-0 on September 13, 2010.

### **Background:**

A Special Use Permit is being requested for “minor utility” use [natural gas pipeline] to construct a 3 ½ to 6-inch pipeline to tie into an existing 10 to 12-inch Kinder Morgan gas pipeline for transporting natural gas within a 120-foot city drainage/utility right-of-way and across private property secured through private easements. The pipeline will be placed by boring under the ground rather than digging a trench and placing the pipeline. Excess natural gas as a result of the production operation will be transported by pipeline from the proposed well pad site if the amount cannot be contained internally. The pipeline will be buried and centered on the high bank to the south of the well site, traveling west to Dickinson Avenue. The pipeline would then connect to an existing pipeline located between Dickinson Avenue and the railroad line. Two valves will be located on the pipeline - near the tie into the Kinder Morgan line on Dickinson Avenue and one located at the drill site.

On May 18, 2009, the Planning and Zoning Commission recommended approval subject to conditions of these same requests with the exceptions of the pipeline alignment being proposed to the east of the drilling site as opposed to the west and the drilling utilizing municipal water supply as opposed to a well. The applicant subsequently withdrew the application prior to the City Council Public Hearing in order to research alternative alignments for the pipeline.

A petition to oppose this request has been submitted. However, the property owners of only 8% of the land area within 200 feet of the site signed. As a result, it will not trigger a ¾ vote of City Council to approve per Chapter 211.006(d) of the Texas Local Government Code.

### **Origination:**

Planning Department

Applicant: Dale Hardy, GeoSurv

Owner: City of League City and 5 Private Owners

### **Attachment:**

1. Excerpts of P&Z Minutes from September 13, 2010

2. Staff Report
3. PON Map with Petition Area
4. Petition
5. Photographs of Site
6. Aerial Map
7. Applicant's Responses to Compliance with Chapter 42
8. Report on Land Subsidence
9. Noise Survey
10. Traffic Routing and Management Plan
11. Exhibits of Proposed Buffer Yard and Site Plan
12. Photo of Valve Site for Natural Gas pipeline
13. Easement Agreements for Pipeline Crossing
14. Opposition Letters
15. Ordinance
16. Exhibit "A"

**Recommendation:**

On September 13, 2010, the Planning and Zoning Commission's motion to recommend denial failed by a vote of 4-4-0. Surrounding property owners spoke in opposition based upon concerns regarding noise during the drilling period, traffic from trucks transporting materials, and the safety of the drilling and pipeline with the proximity to schools and residences. If City Council approves this request, then staff recommends that it be with the conditions noted at the end of the staff report (Attachment 2).

**FUNDING**

{ } NOT APPLICABLE

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

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