



Legislation Details (With Text)

File #: 22-4809 **Version:** 1 **Name:** SUP#22-003: Public hearing on a request for a Specific Use Permit (SUP) for gas well drilling and production on approximately 5.58 acres located at 500 Mouser Way; GHA Barnett, LLC, gas well operator, 498 Mouser Way LLC, surface owner, and MMA, Inc., engi

Type: Zoning Case **Status:** Passed

File created: 7/20/2022 **In control:** Planning and Zoning Commission

On agenda: 8/1/2022 **Final action:** 8/1/2022

Title: SUP#22-003: Public hearing on a request for a Specific Use Permit (SUP) for gas well drilling and production on approximately 5.58 acres located at 500 Mouser Way; GHA Barnett, LLC, gas well operator, 498 Mouser Way LLC, surface owner, and MMA, Inc., engineer/planner

Sponsors:

Indexes:

Code sections:

Attachments: 1. Maps and Supporting Information.pdf, 2. Site Plan for SUP#22-003.pdf

| Date | Ver. | Action By | Action | Result |
|----------|------|--------------------------------|----------|--------|
| 8/1/2022 | 1 | Planning and Zoning Commission | Approved | Pass |

SUP#22-003: Public hearing on a request for a Specific Use Permit (SUP) for gas well drilling and production on approximately 5.58 acres located at 500 Mouser Way; GHA Barnett, LLC, gas well operator, 498 Mouser Way LLC, surface owner, and MMA, Inc., engineer/planner

Existing Use: Vacant and gas well drill site with frac pond
Existing Zoning: SF-12/22, Single-family Residential District

Surrounding Land Use & Zoning:

- North - Single family residence/vacant; SF-12/22, Single-family Residential District
- South - Single family residences; PD, Planned Development District
- East - Vacant; PR, Pre-Development District
- West - Commercial; C-2, Community Business District and 2F, Two-Family Residential District

Thoroughfare Plan Specification:
Mouser Way, 4-lane undivided collector

Comments and Considerations

The original Specific Use Permit (SUP) for the Overstreet drill site was approved on October 25, 2010. City Council subsequently renewed the drilling authorization under the SUP for a further 5-year period on September 28, 2015.

Under the City's 5-year drilling provision in Section 155.102(E)(11)(b) of the Code of Ordinances, the drilling authorization for this site ended on September 28, 2020. Drilling authorization under this section means the gas well operator's ability to drill new wells. The SUP remains in effect for production operation and maintenance of wells drilled before the expiration of the 5-year period.

Because a renewal of a SUP must be done prior to the expiration of the 5-year period and drilling authority for this site expired in 2020, the applicant is requesting a new SUP under Section 155.102 to obtain a 5-year extension for further gas well drilling and production.

As a new SUP, consent is required from the owners of protected properties within 600 feet of the drill site. The Overstreet Unit is within 600 feet of the Watson Branch single-family residential phase on the north side of Mouser Way. The new owner/developer of the single-family phase, Green Brick Partners, Inc., has provided consent to allow drilling operations less than 600 feet from their property line. Mouser Electronic recently purchased the property from the Overstreet family and has consented to the drilling operations as well.

Drilling operations on this site are subject to the gas well drilling and production regulations in Chapter 114 of the Code of Ordinances. The regulations include the following:

- The drilling rig must be powered by electricity;
- Site lighting must be shielded and directed away from streets and adjacent protected uses;
- Noise coming from the site during drilling and fracturing operations must be mitigated;
- Notice must be sent to the occupants of all residences within 1,000 feet of the drill site at least 10 days prior to the start of drilling operations;
- Drilling operations may take place over a 24-hour period on any day. Fracturing operations are restricted to hours of 7:00 a.m. to 7:00 p.m., Monday through Friday, and 9:00 a.m. to 6:00 p.m. on Saturdays. Fracturing is prohibited on Sundays and city holidays.

The drilling regulations in Chapter 114 will be enforced by the City Gas Well Inspector.

The applicant is not proposing any changes from the original SUP other than the extension of time. The following is a summary of the gas well operator's proposal:

- The maximum number of wells allowed at this site is 20. Three of the wells have already been drilled under the preceding SUPs. No increase in the total number of wells is proposed. The applicant initially plans to seek permits for six new wells if the SUP is approved.
- No change in the size or location of the existing drill site or frac pond is proposed.
- Water is purchased from the City and stored in an on-site frac pond.
- No line compressor is permitted at this site.
- The landscape plan reflects the existing screening and landscaping installed at the site.
- Vehicular traffic during drilling operations must come from US 287 to the drill site entrance on Mouser Way. Regular traffic for maintenance will continue to use FM 157 to Mouser Way to the drill site entrance.
- Noise must comply with Chapter 114 of the Code of Ordinances. Additionally, a 32-foot sound wall must be installed around the pad and 8-foot sound walls around the water pumps at the frac pond to mitigate noise.

Further details are provided in the attached site plan.

Staff recommends approval.

Attachments

Maps and supporting information
Site Plan for SUP