



Legislation Text

File #: 22-4839, **Version:** 1

Public Hearing - Public Hearing and Consideration of 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 (SUP#22-003)

To consider the request for a Specific Use Permit for Gas Well Drilling and Production

The Planning and Zoning Commission held a public hearing on August 1, 2022, and voted 5 to 2 to recommend approval with the condition that the gas well operator must provide continuous sound monitoring when the first home is built in Watson Branch.

Staff recommends approval, with the condition that the gas well operator must provide continuous sound monitoring from the nearest homes.

The recommendations are a product of public discourse regarding the preservation and protection of quality of life considerations (e.g., the number of gas well drill sites, the period of time for drilling, mitigating noise, and visually screening the site) and ensuring that future development will not be adversely impacted by drilling operations.

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

The original Specific Use Permit (SUP) for the Overstreet drill site was approved by the City Council on October 25, 2010. Pursuant to the provisions found in Section 155.102, 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 Zoning Ordinance, 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 the provisions of Section 155.102 to obtain a 5-year extension for further gas well drilling and production.

As a new SUP request, consent is required from the owners of protected properties that are located 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 further subject to the gas well drilling and production regulations set forth in Chapter 114 of the Code of Ordinances. The regulations include the following provisions:

- 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 (3) 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 (6) 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.

The applicant expressed that GHA would consent to a requirement for air quality and leak detection and repair testing during drilling and completion operations.

Further details of the proposed operations are provided in the attached site plan.

Art Wright, Senior Planner/Gas Well Coordinator
817-276-4226