

# Mayor and Council Communication

**DATE:** 06/22/21

**M&C FILE NUMBER:** M&C 21-0432

**LOG NAME:** 062040 PEARSON PADSITE SETBACK VARIANCE

**SUBJECT**

(CD 9) Approve a Variance Request by TEP Barnett USA, LLC to Allow Future Development within the Required Two Hundred Twenty Five Feet Setback from a Multiple Gas Well Pad Site Permit and within the Required One Hundred Twenty Five Feet Setback from a Multiple Gas Well Pad Site Permit at the Pearson Pad Site Located 3691 Mopac Road

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**RECOMMENDATION:**

It is recommended that the City Council approve revisions to the TEP Barnett USA, LLC Pearson Pad Site located at 3691 Mopac Road, to allow future development within the required 225 foot setback from a multiple gas well pad site permit or the required 125 foot setback from a multiple gas well pad site permit, as shown on the attached exhibit (A).

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**DISCUSSION:**

TEP Barnett USA, LLC has requested a variance to the required two hundred and twenty five (225) feet setback and one hundred and twenty five (125), at the Pearson Pad Site. The Pearson Pad Site is located southwest of the Colonial Park of Michael Hughes Addition. The Pearson Pad Site encumbers the property to the east and could impact the redevelopment of that property. TEP Barnett USA, LLC and City of Fort Worth Property Management Department/Real Property Division, have requested a variance to the required 225 feet setback for a multiple gas well pad site permit and 125 feet setback for a multiple gas well pad site permit. Section 3406.3.1.3.3 Existing Natural Gas Wells of the Fire Code requires that a protected use or public building shall not be constructed within 300 feet of the center of a gas well, at the surface of the ground, or within 225 feet of a gas well pad site having a multiple gas well pad site permit. Section 3406.3 1.3.3 Existing Natural Gas Wells of the Fire Code required that a habitable structure shall not be constructed within 200 feet of the center of a gas well, at the surface of the ground, or within 125 feet of a gas well pad site have a multiple gas well pad site permit. With the private agreement between TEP Barnett USA, LLC and City of Fort Worth Property Management Department/Real Property Division, TEP Barnett USA, LLC has voluntarily agreed to restrict future wells to the area depicted as wellhead area on exhibit (A) that will provide a 300 feet setback to a proposed protected use or public building or 200 feet setback to a habitable structure as shown on the exhibit. This variance would allow for future development east of the gas well pad site and no well will ever be drilled less than 300 feet from a protected use or public building or 200 feet from a habitable structure as defined in the Gas Well Ordinance. TEP Barnett USA, LLC has plans to enclose any permanent lift compressor or install sound walls around any temporary lift compressor to restrict the noise emitted during its operation. The lift compressor, production tanks and equipment would be restricted to the area marked as production equipment on the attached exhibit which has a 200 feet setback requirement from any protected use, public building or habitable structure.

The agreed well setbacks, and the designation of the production equipment area, as shown on the attached exhibit (A) as wellhead buffer, would allow development to take place on the land east of the drill site.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: City of Fort Worth

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that approval of these recommendations will have no material effect on City funds.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** D.J. Harrell 8032

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