



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 3/26/2019

District I

Item Creation Date: 2/8/2019

HPW - 20UPA378 LVA4 Houston GreenStreet, LP - MSD

Agenda Item#: 44.

### **Summary:**

#### **NOT A REAL CAPTION**

MUNICIPAL Setting Designation Ordinance prohibiting the use of designated groundwater beneath a tract of land containing 13.3937 acres commonly known as **1200-1201 Fannin, 1070 Dallas and 1212 San Jacinto, Houston, TX 77002**; and supporting issuance of a Municipal Setting Designation by the Texas Commission on Environmental Quality - **DISTRICT I - GALLEGOS**

### **Background:**

In 2003, the Texas Legislature authorized the creation of Municipal Setting Designations (MSD), which designate an area in which the use of contaminated groundwater is prohibited for use as potable water. The law is administered by the Texas Commission on Environmental Quality (TCEQ) and requires local City support to designate an MSD. The intent of the legislation is to encourage redevelopment of vacant or abandoned properties while protecting public health. On August 22, 2007, City Council approved an ordinance amending Chapter 47 of the Code of Ordinances by adding Article XIII relating to groundwater, which provides a process to support or not support an MSD application to the State (ordinance amended 7/14/2010).

**LVA4 Houston GreenStreet, Application:** LVA4 Houston GreenStreet, LP is seeking a Municipal Setting Designation (MSD) for 13.3937 acres of land located at 1200-1201 Fannin, 1070 Dallas and 1212 San Jacinto and 1315 Main St. #990, Houston, TX 77002. The contamination consists of tetrachloroethene, trichloroethene cis-1,2-dichloroethene and vinyl chloride. Blocks 272, 273 and 274 were used as 24-hour surface parking lots from the 1980s up until re-development in 2007. Blocks 272, 273 and 274 were redeveloped as GreenStreet, formerly known as the Houston Pavilions. Block 295 is an above-ground, multi-story parking garage constructed in 1979. A licensed Professional Engineer has certified that the area of contamination has been thoroughly investigated, is fully delineated and is stable.

LVA4 Houston GreenStreet, LP is seeking an MSD for this property to restrict access to groundwater to protect the public against possible exposure to the contaminants. There is a public drinking water supply system that meets state requirements that supplies or is capable of supplying drinking water to the MSD property and all properties within one-half mile of the MSD property. A public meeting was held on December 13, 2018 at the Houston Permitting Center, and a public hearing was held on January 17, 2019 during the Regulation and Neighborhood Affairs Council Committee. Both meetings are necessary steps prior to City Council's consideration of support.

**Recommendations:** It is recommended that City Council adopt a Municipal Setting Designation (MSD) ordinance prohibiting the use of designated groundwater at the LVA4 Houston GreenStreet, LP site located at 1200-1201 Fannin, 1070 Dallas and 1212 San Jacinto and 1315 Main St. #990, Houston, TX 77002, and support issuance of an MSD by the Texas Commission on Environmental Quality.

Carol Ellinger Haddock, P.E.

Director

Houston Public Works

### **Contact Information:**

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### **ATTACHMENTS:**

#### **Description**

Signed Coversheet

RCA Attachments #2018-116-HGA

#### **Type**

Signed Cover sheet

Backup Material