

Ordinance No. 13-035

An ordinance changing the zoning classification on certain property known as 2912 and 3016 Little Road by the approval of specific use permit SUP10-17R1 for gas drilling; amending the Zoning District Map accordingly; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and an effective date.

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard case SUP10-17R and recommended approval of the specific use permit on July 17, 2013;

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that the use will: complement or be compatible with the surrounding uses and community facilities; contribute to, enhance or promote the welfare of the area of the SUP and adjacent properties; not be detrimental to the public health, safety or general welfare; and conform in all other respects to all applicable zoning regulations and standards; and

WHEREAS, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the zoning amendment be approved. Now therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

A Specific Use Permit for gas drilling is hereby granted for the property known as 2912 and 3016 Little Road, described in Exhibit A, and the Zoning District Map shall be amended to reflect the zoning change made by this ordinance. Development and use of the property shall be in compliance with this ordinance, the conditions stated in Exhibit B, and the attached site plan. In the event of a conflict between the provisions in Exhibit B and the provisions in any other exhibit, the provisions in Exhibit B control.

2.

If either no gas well permit is issued or drilling activity has not commenced on the property described in Exhibit A within two years after the date of City Council approval, the Specific Use Permit shall expire. This Specific Use Permit is subject to the periodic review procedure as provided in Section 5-500(F) of the Zoning Chapter of the Arlington City Code.

3.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

4.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington; and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

5.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

6.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

7.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

8.

The caption and penalty of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

9.

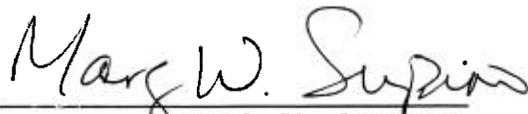
This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 6th day of August, 2013 at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 20th day of August, 2013 by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.



ROBERT N. CLUCK, Mayor

ATTEST:



MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney

BY Mark Reinwald

SUP10-17R1

EXHIBIT A

Drill Zone

BEING a 0.131 acre tract of land located in the L.F. Perkins Survey, Abstract No. 1216, in the City of Arlington, Tarrant County, Texas, being a portion of Lot 1-R1, L.F. Perkins Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in County Clerk's Instrument No. D211201364, Official Public Records, Tarrant County, Texas, said 0.131 acre tract of land being more particularly described by metes & bounds as follows:

COMMENCING at a 1/2 inch capped iron rod found stamped "BMI" for the southwest corner of said Lot 1-R1, same being the northwest corner of Lot 8, L.F. Perkins Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 6518, Plat Records, Tarrant County, Texas (PRTCT), and being on the east right-of-way line of Jewell Road, a 55' right-of-way;

THENCE North 27 degrees 30 minutes 24 seconds East, over and across said Lot 1-R1, a distance of 373.88 feet, to the POINT OF BEGINNING;

THENCE Due North, a distance of 55.20 feet, to a point for corner;

THENCE Due East, a distance of 103.00 feet, to a point for corner, from which a 1/2 inch capped iron rod found stamped "RPLS 4050" for the westernmost northwest corner of said Lot 1-R1, and being on said east right-of-way line, bears North 27 degrees 50 minutes 33 seconds West, a distance of 756.67 feet;

THENCE Due South, a distance of 55.20 feet, to a point for corner;

THENCE Due West, a distance of 103.00 feet, to the POINT OF BEGINNING and containing 0.131 acres (5,686 square feet) of land, more or less.

Drill Site

BEING a 5.338-acre tract of land located in the L.F. Perkins Survey, Abstract No. 1216, in the City of Arlington, Tarrant County, Texas, being a portion of Lot 1R, L.F. Perkins Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 8809, Plat Records, Tarrant County, Texas, said 5.338-acre tract of land being more particularly described as follows:

BEGINNING a 1/2-inch capped iron rod found stamped "BMI" for the southwest corner of said Lot 1-R, same being the northwest corner of Lot 8, L.F. Perkins Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slide 6518, of said Plat Records, and being on the east right-of-way line of Jewell Road, a called 55-foot right-of-way;

THENCE North 00°15'02" West, along said east right-of-way line, a distance of 462.39 feet, to a point for corner;

THENCE North 89°39'32" East, departing said east right-of-way line, and over and across said Lot 1R, a distance of 342.17 feet, to a point for corner, being in the west line of that certain tract of land as described in the deed to Carl H. Moten, filed for record in Volume 4181, Page 63, Deed Records, Tarrant County, Texas;

THENCE North 02°11'46" East, along said west line, a distance of 49.15 feet, to a point for corner;

THENCE South 88°06'32" East, along the north line of said Moten tract, a distance of 307.42 feet, to a ½-inch iron rod found (disturbed) on the northwest right-of-way line of Little Road, a variable width right-of-way;

THENCE South 33°40'24" West, along said northwest right-of-way line, passing a ½-inch iron rod found (disturbed) for the southeast corner of said Moten tract at a distance of 195.07 feet, and continuing in all a total distance of 384.25 feet to the beginning of a curve to the left having a radius of 1030.00 feet;

THENCE along said curve to the left, and in a southwesterly direction, through a central angle of 01°53'23", an arc length of 33.97 feet, and having a long chord which bears South 32°43'42" West, a chord length of 33.97 feet, to a 1/2 inch iron rod found;

THENCE South 31°47'00" West, a distance of 189.87 feet, to a ½-inch capped iron rod found stamped "Beasley RPLS 4050" for the southeast corner of said Lot 1R, and being on the north line of said Lot 8, L.F. Perkins Addition;

THENCE North 88°51'13" West, departing said northwest right-of-way line, and along the south line of said Lot 1R, being common to the north line of said Lot 8, a distance of 317.93 feet, to the POINT OF BEGINNING and containing 5.338 of land, more or less.

AND being generally located north of West Mayfield Road and west of Little Road with the approximate address being 2912 and 3016 Little Road.

SUP10-17R1

EXHIBIT "B"

1. Access point to the site will be from Little Road.
2. Alternate Landscape Plan as listed below:

Alternate Plan	
Landscaping	<ul style="list-style-type: none">• 5-foot transitional buffer along the northern boundary• 10-foot transitional buffer along the eastern and western boundaries• 10 to 28-foot varying transitional buffer along the southern boundary
Perimeter Fencing	<ul style="list-style-type: none">• Combination 8-foot tall masonry wall and ornamental fencing with masonry columns
Frac Pond	<ul style="list-style-type: none">• No water feature

3. The existing brick and wrought iron fence along the Little Road frontage will remain.
4. The owner and/or operator shall be responsible for the installation, preservation, and maintenance of all landscaping and physical features shown on this site plan.
5. Operation of a gas drilling use must comply with all requirements in the Gas Drilling and Production Chapter of the Arlington City Code.
6. At the permit stage, a Road Damage Assessment Study is required to mitigate any impacts to the street system during drilling.
7. At the permit stage, all required tree mitigation will be met.
8. Sound attenuation walls will be erected to ensure that the noise level will be within the guidelines as set forth in the Gas Drilling and Production Ordinance.
9. Use and development of the property must be in compliance with the approved site plan.
10. In the event of a conflict between the provisions in this Exhibit B and any other exhibits to this ordinance, the provisions of Exhibit B control.

VANTAGE-LABC

CURRENT ZONING

70' RESIDENTIAL WITH A SPECIFIC USE PERMIT FOR GAS DRILLING

OWNER

LAKE ARLINGTON BAPTIST CHURCH
2912 LITTLE ROAD
ARLINGTON, TX 76010
CONTACT: LARRY ANTHONY

GAS WELL OPERATOR

VANTAGE ENERGY
116 INVERNESS DRIVE, SUITE 107
ENGLEWOOD, CO 80112
CONTACT: JOHN MORAN
TEL: 817-502-5645
FAX: 817-810-0170

ENGINEER/SURVEYOR/LANDSCAPE ARCHITECT

MYCOSKE+MORRIS ASSOCIATES
200 E. ABRAHAM STREET
ARLINGTON, TEXAS 76010
CONTACT: JACOB SUMPTER
TEL: 817-469-1677
FAX: 817-274-8757

LEGAL DESCRIPTION

BEING A 5.338 ACRE PORTION OF LOT 1-19, L.F. PERKINS ADDITION, AN ADDITION TO THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS AND TRACT 4M OF THE L.F. PERKINS SURVEY, ABSTRACT 1278

LAND USE

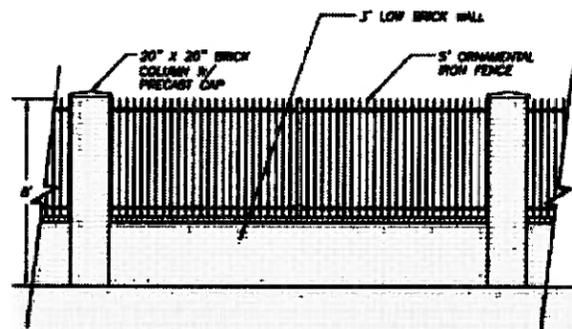
- 1 GROSS SUP AREA +/- 5.338 AC
- 2 DRILLING PAD SITE AREA +/- 1.763 AC
- 3 POND/OPEN SPACE/PARKING +/- 3.595 AC

GENERAL NOTES

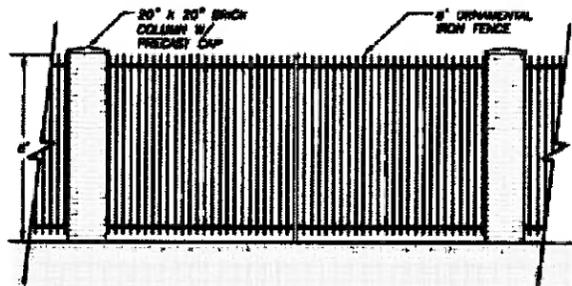
THE PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION, PRESERVATION, AND MAINTENANCE OF ALL EXISTING VEGETATION AND PHYSICAL FEATURES SHOWN ON THIS SITE PLAN.

SINGLE-FAMILY
R
RESIDENTIAL

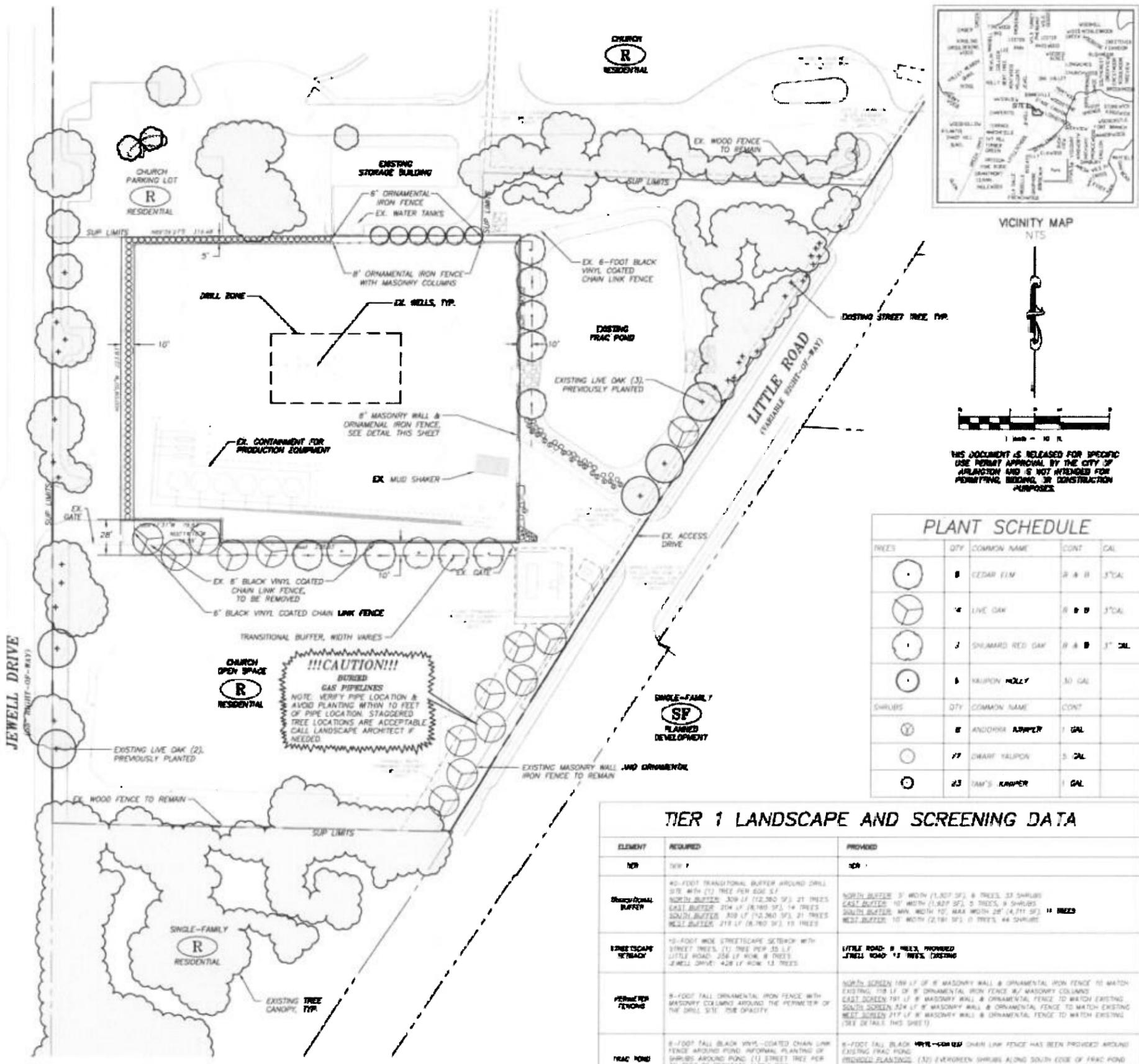
SINGLE-FAMILY
R
RESIDENTIAL



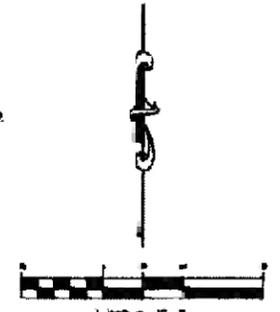
8' MASONRY WALL & ORNAMENTAL IRON FENCE
(NOT TO SCALE) - FOR LOCATION, SEE TABLE THIS SHEET



8' ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS
(NOT TO SCALE) - FOR LOCATION, SEE TABLE THIS SHEET



VICINITY MAP
NTS



THIS DOCUMENT IS RELEASED FOR SPECIFIC USE PERMIT APPROVAL BY THE CITY OF ARLINGTON AND IS NOT INTENDED FOR PERMITTING, BIDDING, OR CONSTRUCTION PURPOSES.

PLANT SCHEDULE				
TREES	QTY	COMMON NAME	CONT.	GAL.
	8	CEDAR ELM	R & B	375 GAL
	4	LIVE OAK	R & B	375 GAL
	2	SHOAL RED OAK	R & B	375 GAL
	1	YAUPON HOLLY		30 GAL
SHRUBS	QTY	COMMON NAME	CONT.	GAL.
	8	ANDROMEDA JUNIPER		1 GAL
	17	DWARF YAUPON		3 GAL
	23	SAM'S KRUPPER		1 GAL

TIER 1 LANDSCAPE AND SCREENING DATA		
ELEMENT	REQUIRED	PROVIDED
NO	NO	NO
Structural Buffer	40-FOOT TRANSITIONAL BUFFER AROUND DRILL SITE WITH (1) TREE PER 400 SF NORTH BUFFER: 309 LF (12,360 SF), 21 TREES EAST BUFFER: 314 LF (12,500 SF), 14 TREES SOUTH BUFFER: 309 LF (12,360 SF), 21 TREES WEST BUFFER: 319 LF (12,680 SF), 15 TREES	NORTH BUFFER: 3' WITH (1,827 SF), 8 TREES, 33 SHRUBS EAST BUFFER: 10' WITH (4,227 SF), 5 TREES, 8 SHRUBS SOUTH BUFFER: MIN. WIDTH 10'; MAX WIDTH 20' (4,771 SF), 11 TREES WEST BUFFER: 10' WITH (2,181 SF), 0 TREES, 44 SHRUBS
LANDSCAPE STRIP	10-FOOT WIDE STREETSCAPE STRIP WITH STREET TREES (1) TREE PER 35 LF LITTLE ROAD: 236 LF ROW, 8 TREES JEWELL DRIVE: 428 LF ROW, 13 TREES	LITTLE ROAD: 8 TREES PROVIDED JEWELL ROAD: 12 TREES (EXISTING)
PERIMETER FENCING	8-FOOT TALL ORNAMENTAL IRON FENCE WITH MASONRY COLUMNS AROUND THE PERIMETER OF THE DRILL SITE. SEE DETAILED.	NORTH SCREEN 150 LF OF 8' MASONRY WALL & ORNAMENTAL IRON FENCE TO MATCH EXISTING 150 LF OF 8' ORNAMENTAL IRON FENCE W/ MASONRY COLUMNS EAST SCREEN 151 LF OF 8' MASONRY WALL & ORNAMENTAL FENCE TO MATCH EXISTING SOUTH SCREEN 324 LF OF 8' MASONRY WALL & ORNAMENTAL FENCE TO MATCH EXISTING WEST SCREEN 317 LF OF 8' MASONRY WALL & ORNAMENTAL FENCE TO MATCH EXISTING (SEE DETAILS THIS SHEET)
FRAC POND	8-FOOT TALL BLACK VINYL-COATED CHAIN LINK FENCE AROUND POND. INFORMAL PLANTING OF SHRUBS AROUND POND (1) STREET TREE PER 30-FOOT OF FRONTAGE ALONG ROW REQUIRED: 218 LF ROW (11) TREES	8-FOOT TALL BLACK VINYL-COATED CHAIN LINK FENCE HAS BEEN PROVIDED AROUND EXISTING FRAC POND. (12) EVERGREEN SHRUBS ALONG SOUTH EDGE OF FRAC POND. (1) STREET TREE PER 30-FOOT OF FRONTAGE ALONG ROW REQUIRED: 218 LF ROW (11) TREES ALONG THE RIGHT-OF-WAY
GATE	GATE REQUIRED	GATE PROVIDED

**VANTAGE - LABC
SPECIFIC USE PERMIT**
2912 & 3012 LITTLE ROAD
ARLINGTON, TEXAS

PROJECT TITLE:
VANTAGE - LABC DRILL SITE
SPECIFIC USE PERMIT

mma
mycoske+morris associates
1000 WEST 10TH STREET, SUITE 1000
ARLINGTON, TEXAS 76010
TEL: 817-469-1677
WWW.MYCOSKE.COM



PROJECT NUMBER: 2912-10-12
PROJECT MANAGER: J. SUMPTER
DRAWN BY: S. KUDON
CHECKED BY: C. MYCOSKE
DATE: 04/23/2013

SHEET CONTENT:
SUP & ALTERNATE
LANDSCAPE PLAN
CASE #SUP10-17R1



LEGEND:

- — INGRESS
- — EGRESS

DATE:	09.30.10
PROJECT #:	2498-00-01
DRAWN BY:	S. KUEHN
CHECKED BY:	J. SUMPTER
SHEET NO:	1 OF 1

VANTAGE-LABC GAS WELL PERMIT

TRANSPORTATION ROUTE EXHIBIT B

m|ma

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