

Ordinance No. 08-018

An ordinance of the City of Arlington, Texas, amending the Zoning District Map to revise the zoning classification on certain property known as 500 East Interstate 20 Highway by the adoption of specific use permit SUP07-17 for gas drilling; providing for a fine of up to \$2,000.00 for each violation; providing this ordinance be cumulative, providing for severability, governmental immunity, injunctions, publication and an effective date.

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard case SUP07-17 and recommended approval of the specific use permit on February 6, 2008; and

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 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 District Map be amended. Now therefore

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

1.

That a Specific Use Permit SUP07-17 for gas drilling is hereby granted for the property known as 500 East Interstate 20 Highway described in Exhibit "A" and the Zoning District Map is hereby amended as specified. Development shall be in compliance with the conditions stated in Exhibit "B".

2.

If either no gas well permit is issued or drilling activity has not commenced, on the property described in Exhibit "A" within one (1) year of the date of second publication of this Ordinance, the Specific Use Permit shall expire, unless the director of Community Development and Planning grants an extension 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.

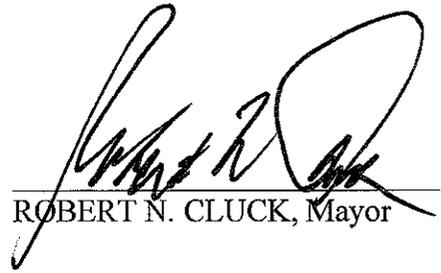
8.

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.

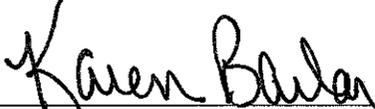
9.

This ordinance shall become effective upon second publication.

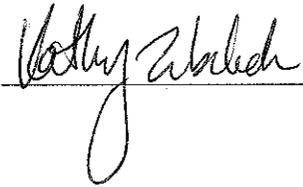
PRESENTED AND GIVEN FIRST READING on the 4th day of March, 2008, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 18th day of March, 2008, by a vote of 8 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.


ROBERT N. CLUCK, Mayor

ATTEST:


KAREN BARLAR, Acting City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney

BY 

SUP07-17

EXHIBIT "A"

THAT the following described property now zoned "BP-IM" be modified by the addition of a **Specific Use Permit for gas well drilling**, and that the official zoning map, adopted and described in Article VI, "Zoning" Chapter, Arlington City Code of 1987, be revised accordingly:

BEING a 5.216-acre tract of land located in the W.D. Lacy Survey, Abstract No. 929, in the City of Arlington, Tarrant County, Texas, being a remainder portion of a called 54.815-acre tract of land as described in the Special Warranty Deed to Chesapeake Land Company, L.L.C., filed for record in County Clerk Instrument No. D206272197, Deed Records, Tarrant County, Texas, said 5.216-acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at an axel found for the westernmost northwest corner of Lot 17, W.D. Lacy Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slides 940-942, Plat Records, Tarrant County, Texas;

THENCE South 00°50'41" East, along the west line of said Lot 17, a distance of 198.14 feet;

THENCE departing said west line, and over and across said remainder portion, the following calls:

South 89°09'19" West, a distance of 50.00 feet, to the POINT OF BEGINNING for the herein described tract of land;

South 00°50'41" East, along a line 50.00 feet from and parallel with said west line, a distance of 560.21 feet, to a point for corner, from which a two-inch pipe found for the southeast corner of said called 54.815-acre tract of land bears South 34°02'43" East, a distance of 91.31 feet;

North 89°15'58" West, along a line 75.00 feet from and parallel with the south line of said called 54.815-acre tract of land, a distance of 400.15 feet, to a point for corner;

North 00°50'41" West, a distance of 530.15 feet, to a point for corner;

North 87°10'31" West, a distance of 105.53 feet, to a point for corner on the east right-of-way line of proposed Center Street, a variable width right-of-way;

THENCE North 02°49'29" East, along said east right-of-way line, a distance of 30.00 feet, to a point for corner;

THENCE South 87°10'31" East, departing said east right-of-way line, a distance of 103.61 feet, to a point for corner;

THENCE South 89°15'58" East, a distance of 400.15 feet, to the POINT OF BEGINNING and containing 5.216 acres of land.

Tract 2

BEING a 4.622-acre tract of land located in the W.D. Lacy Survey, Abstract No. 929, in the City of Arlington, Tarrant County, Texas, being a remainder portion of a called 54.815-acre tract of land as described in the Special Warranty Deed to Chesapeake Land Company, L.L.C., filed for record in County Clerk Instrument No. D206272197, Deed Records, Tarrant County, Texas, said 4.622-acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at an axel found for the Westernmost Northwest corner of Lot 17, W.D. Lacy Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Cabinet A, Slides 940-942, Plat Records, Tarrant County, Texas;

THENCE North 00°36'32" West, along the east line of said called 54.815-acre tract of land, passing the southeast right-of-way line of proposed Bardin Road at a distance of 381.82 feet, and the northwest right-of-way line of said Bardin Road at a distance of 568.86 feet, and continuing in all a total distance of 622.65 feet, to a point for corner;

THENCE departing said east line, and over and across said remainder portion, the following calls:

South 89°23'28" West, a distance of 82.43 feet, to the POINT OF BEGINNING and being the southeast corner of the herein described tract of land;

South 89°23'28" West, a distance of 400.00 feet, to a point for corner, being 75.00 feet perpendicular to the east right-of-way line of proposed Center Street, a variable width right-of-way;

THENCE northerly, along a line 75.00 feet from and parallel with said proposed east right-of-way line, the following calls;

North 01°45'17" West, a distance of 157.74 feet, to a point for corner;

North 00°36'32" West, a distance of 342.29 feet, to a point for corner, being the northwest corner of the herein described tract of land;

THENCE North 89°23'28" East, departing said parallel line, a distance of 403.15 feet, to a point for corner;

THENCE South 00°36'32" East, a distance of 500.00 feet, to the POINT OF BEGINNING and containing 4.622 acres of land;

AND being generally located south of Interstate 20 Highway and west of Osprey Drive with the approximate address being 500 East Interstate 20 Highway.

SUP07-17

EXHIBIT "B"

1. Operation of a gas drilling use must comply with all requirements in the Gas Drilling and Production Chapter of the Arlington City Code. The SUP is granted for a 9.838-acre site, zoned "BP-IM" (Business Park Overlay-Industrial Manufacturing), and located at 500 East Interstate 20 Highway.
2. At the permit stage, a Road Damage Assessment Study is required to mitigate any impacts to the street system during drilling.
3. Due to airport related height restrictions in this area, structures must remain below a height that penetrates a 100:1 imaginary surface from the nearest point of the nearest runway, which limits max height to approximately 190 feet.

LANDING DRILL SITE

CURRENT ZONING

1M INDUSTRIAL MANUFACTURING WITH BUSINESS PARK (BP) OVERLAY

PROPOSED ZONING

1M INDUSTRIAL MANUFACTURING WITH BUSINESS PARK (BP) OVERLAY AND A SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION.

OWNER

CHESAPEAKE LAND CO. LLC
6100 N. WESTERN AVE
OKLAHOMA CITY, OK 73118
TEL: 817-870-1250
FAX: 817-810-9485

DEVELOPER

CHESAPEAKE ENERGY CORPORATION
301 COMMERCE STREET, SUITE 600
FORT WORTH, TEXAS 76102
CONTACT: HEATHER BARCIA
TEL: 817-870-1250
FAX: 817-810-9485

ENGINEER/SURVEYOR

MYCOSKIE+MCINNIS ASSOCIATES
200 E. ABRAM STREET
ARLINGTON, TEXAS 76010
CONTACT: JACOB SUMPTER
TEL: 817-469-1571
FAX: 817-274-8757

LEGAL DESCRIPTION

BEING A 5.216 ACRE TRACT OF LAND LOCATED IN THE W. D. LACY SURVEY, ABSTRACT NO. 929, IN THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS, BEING A PORTION OF THE REMAINDER OF A CALLED 54.815 ACRE TRACT OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED TO CHESAPEAKE LAND COMPANY, L. L. C., FILED FOR RECORD IN COUNTY CLERK INSTRUMENT NO. D208272197, DEED RECORDS, TARRANT COUNTY, TEXAS, AND

BEING A 4.622 ACRE TRACT OF LAND LOCATED IN THE W. D. LACY SURVEY, ABSTRACT NO. 929, IN THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS, BEING A REMAINDER PORTION OF A CALLED 54.815 ACRE TRACT OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED TO CHESAPEAKE LAND COMPANY, L. L. C., FILED FOR RECORD IN COUNTY CLERK INSTRUMENT NO. D208272197, DEED RECORDS, TARRANT COUNTY, TEXAS, SAID 4.622 ACRE TRACT OF LAND

LAND USE

1. WELL PAD SITE	5.216 AC
2. TEMPORARY FRAC POND	4.622 AC
3. ACREAGE TO BE ZONED PD FOR GAS WELL	9.838 AC

GENERAL NOTES

- VISIBILITY TRIANGLES SHALL BE PROVIDED AT PUBLIC OR PRIVATE STREET INTERSECTIONS IN ACCORDANCE WITH CURRENT CITY OF ARLINGTON ORDINANCE.
- ALL WATER METERS, FIRE HYDRANTS, VALVES, MANHOLES, AND CLEAN-OUTS ON OR ADJACENT TO THE SUBJECT PROPERTY MUST REMAIN EASILY ACCESSIBLE FOR MAINTENANCE DURING CONSTRUCTION AND UPON THE COMPLETION OF THE NECESSARY GRADING AND LANDSCAPING. THE EXISTING FACILITIES SHOULD BE ADJUSTED TO FINAL GRADE ABOVE THE FINISHED GRADE OF THE LANDSCAPING, PRIOR TO THE COMPLETION OF THE WORK.
- HEIGHT OF ALL STRUCTURES SHALL MEET THE REQUIREMENTS OF THE HEIGHT SETBACK ENVELOPE.
- SIGNS SHALL BE IMMEDIATELY AND PROMINENTLY DISPLAYED AT THE GATE ON THE FENCING ERECTED PURSUANT TO SECTION 7.02. SUCH SIGNS SHALL BE DURABLE MATERIAL, MAINTAINED IN GOOD CONDITION, AND SHALL HAVE A SURFACE AREA OF NOT LESS THAN 2 OR MORE THAN 4 SQUARE FEET. THE SIGNS SHALL BE LETTERED WITH WELL NAME AND NUMBER; NAME OF OPERATOR; THE EMERGENCY 911 NUMBER; AND TELEPHONE NUMBERS OF 2 PERSONS RESPONSIBLE FOR THE WELL WHO MAY BE CONTACTED IN CASE OF EMERGENCY.
- PARKING SHALL MEET THE REQUIREMENTS OF THE ZONING ORDINANCE.
- OPEN SPACE SHALL BE EVALUATED WITH REGARD TO DENSITY, SITE COVERAGE, AND THE PHYSICAL CHARACTERISTICS OF THE SITE.
- RESIDENTIAL ADJACENCY STANDARDS SHALL APPLY WHEN RESIDENTIAL ADJACENCY EXISTS.
- A SLIDING STEEL GATE NO LESS THAN TWELVE (12) FEET IN WIDTH SHALL BE LOCATED AT THE ENTRY WAY OF THE WELL PAD SITE.
- A CLOSED LOOP SYSTEM WILL BE UTILIZED ON THIS PAD SITE.
- DISTANCES TO THE NEAREST RESIDENCE, SCHOOL, AND PARK ARE AS FOLLOWS:
 - BOB McFARLAND PARK 1,800 LF
 - WILLIAMS ELEMENTARY SCHOOL 1,900 LF
 - SINGLE-FAMILY RESIDENTIAL 950 LF

GASE DRILLING NOTES

- A GAS WELL PERMIT SHALL NOT BE OBTAINED UNTIL APPROVAL OF THIS SPECIFIC USE PERMIT.
- VEHICLES ASSOCIATED WITH DRILLING AND/OR PRODUCTION IN EXCESS OF THREE TONS SHALL BE RESTRICTED TO SUCH STREETS DESIGNATED AS TRUCK ROUTES. ACCESS TO THE WELL PAD SITE WILL BE FROM BARDIN ROAD.
- ALL TANKS AND PERMANENT STRUCTURES SHALL CONFORM TO THE AMERICAN PETROLEUM INSTITUTE (API) SPECIFICATIONS UNLESS OTHER SPECIFICATIONS ARE APPROVED BY THE FIRE CHIEF.
- THE TOP OF THE TANKS SHALL BE NO HIGHER THAN EIGHT (8) FEET ABOVE THE TERRAIN SURROUNDING THE TANKS.
- ALL TANKS SHALL BE SET BACK PURSUANT TO THE STANDARDS OF THE RAILROAD COMMISSION AND THE NATIONAL FIRE PROTECTION AGENCY, BUT IN ALL CASES, SHALL BE AT LEAST TWENTY-FIVE (25) FEET FROM ANY PUBLIC RIGHT-OF-WAY OR PROPERTY LINE.

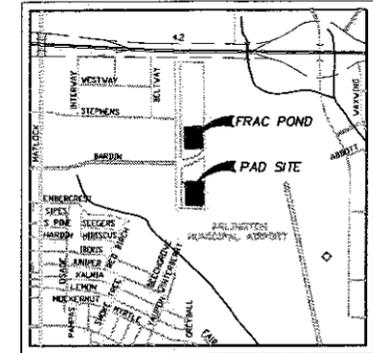
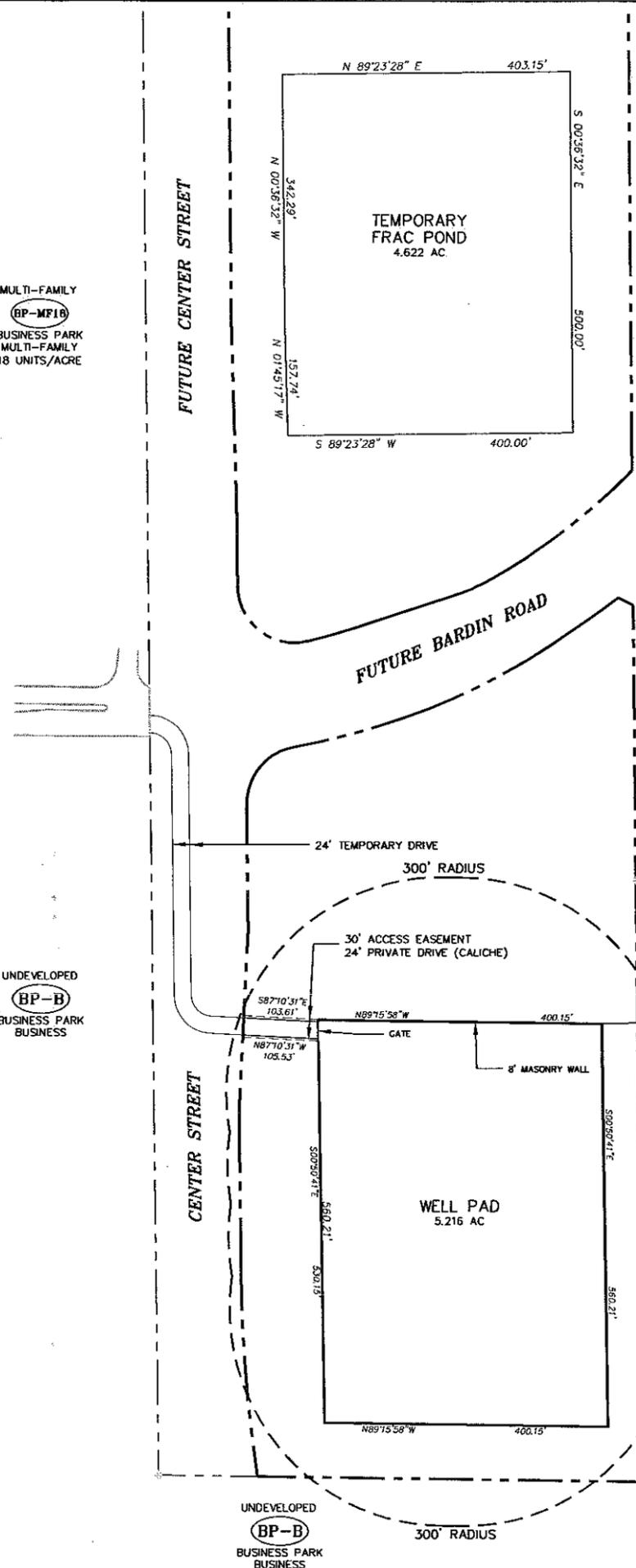
UNDEVELOPED
BP-MF1B
BUSINESS PARK
MULTI-FAMILY
18 UNITS/ACRE

UNDEVELOPED
BP-IM
BUSINESS PARK
INDUSTRIAL MANUFACTURING

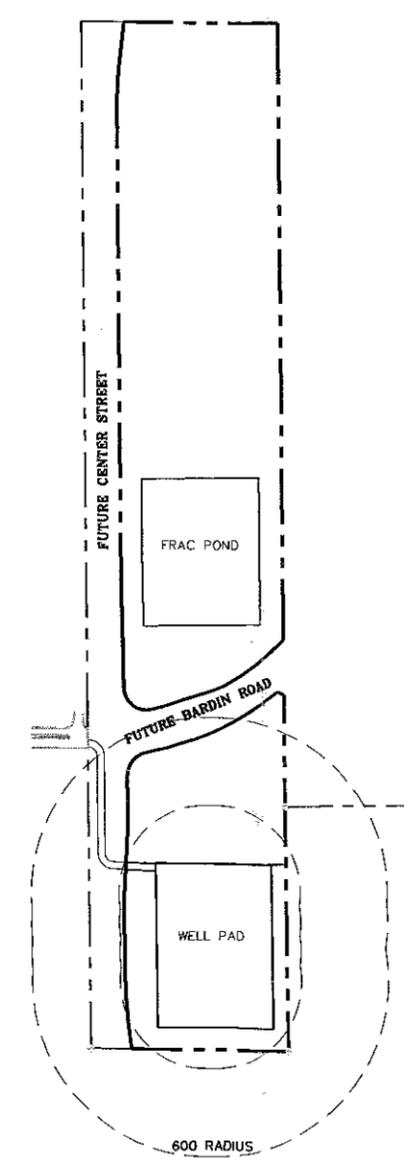
UNDEVELOPED
BP-B
BUSINESS PARK
BUSINESS

UNDEVELOPED
BP-IM
BUSINESS PARK
INDUSTRIAL MANUFACTURING

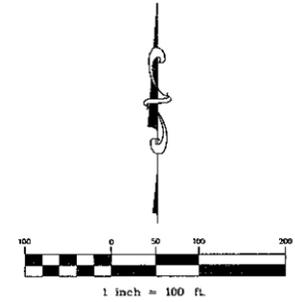
UNDEVELOPED
BP-B
BUSINESS PARK
BUSINESS



VICINITY MAP
NTS



AREA MAP
1"=300'



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

**LANDING DRILL SITE
SPECIFIC USE PERMIT**
 500 E. INTERSTATE 20
 ARLINGTON, TEXAS

PROJECT TITLE:
**LANDING DRILL SITE
SPECIFIC USE PERMIT**

mima
mycoskie+mcinnis+associates
civil engineering surveying landscape architecture planning

200 east abram
arlington, texas 76010
817-469-1571
fax: 817-274-8757
www.mimacorp.com

PROJECT NUMBER:	2317-0-1
PROJECT MANAGER:	C.MYCOSKIE
DRAWN BY:	J.SUMPTER
CHECKED BY:	C.MYCOSKIE
ISSUE DATE:	10-02-07

1	12/20/07	DRC COMMENTS	JWS
1	11/27/07	DRC COMMENTS	JWS
REV.	DATE	DESCRIP.	BY

SHEET CONTENT:
SUP
CASE #SUP07-17
Exhibit "C"