10/15/10
10/18/10

Ordinance No. 10-084

An ordinance revising the zoning classification on certain property known as 401 East Lamar Boulevard by the approval of revised specific use permit SUP07-9R1 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; providing for severability, governmental immunity, injunctions, and publication; declaring an emergency; and providing an effective date.

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard case SUP07-9R1 and recommended approval of the revision to the specific use permit on July 14, 2010;

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 revision to the Specific Use Permit from SUP07-9 to SUP07-9R1 for gas drilling is hereby granted for the property known as 401 East Lamar Boulevard, 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 one year after the date of City Council approval, 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.

This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 28th day of September, 2010, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 12th day of October, 2010, 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

SUP07-9R1

EXHIBIT "A"

BEING a tract of land situated in the J.M. Henderson Survey, Abstract No. 696, City of Arlington, Tarrant County, Texas, and being a portion of Plat Revision Lot 3, G.W. Coonrod Addition, an addition to the City of Arlington, Tarrant County Texas as recorded in Cabinet A, Slide 5309 of the Plat Records of Tarrant County, Texas, said tract of land being more particularly described by metes and bounds as follows:

COMMENCING at the southeast corner of said Coonrod Addition being a point in Lamar Boulevard;

THENCE North 00°21'57" East, (recorded as North 00°11'02" West) 66.16 feet along the east line of said addition to the POINT OF BEGINNING, being a point in the north right-of-way line of Lamar Boulevard as shown on said Coonrod Addition;

THENCE South 51°01'27" West, (recorded as South 50°28'28" West) 72.38 along said north right-of-way line to the beginning of a non-tangent curve to the right;

THENCE 98.45 feet along the arc of said non-tangent curve to the right, and along said north right-of-way line, through a central angle of 13°09'33", whose radius is 428.66 feet, the long chord of which bears South 83°20'59" West, (recorded as South 82°47'59" West) 98.23 feet to a point;

THENCE South 89°55'44" West, (recorded as South 89°22'45" West) 246.53 feet along said north right-of-way line to a point;

THENCE North 00°21'57" East, 366.59 feet leaving said right-of-way line to a point;

THENCE North 89°54'29" East, 400.01 feet to a point in the east line of said Coonrod Addition;

THENCE South 00°21'57" West, 310.02 feet along said east line to the POINT OF BEGINNING and containing 3.314 acres of land, more or less;

AND being generally located north of East Lamar Boulevard and east of North Cooper Street with the approximate address being 401 East Lamar Boulevard.

SUP07-9R1

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.

2. At the permit stage, a Road Damage Assessment Study is required to mitigate any impacts to the street system during drilling.

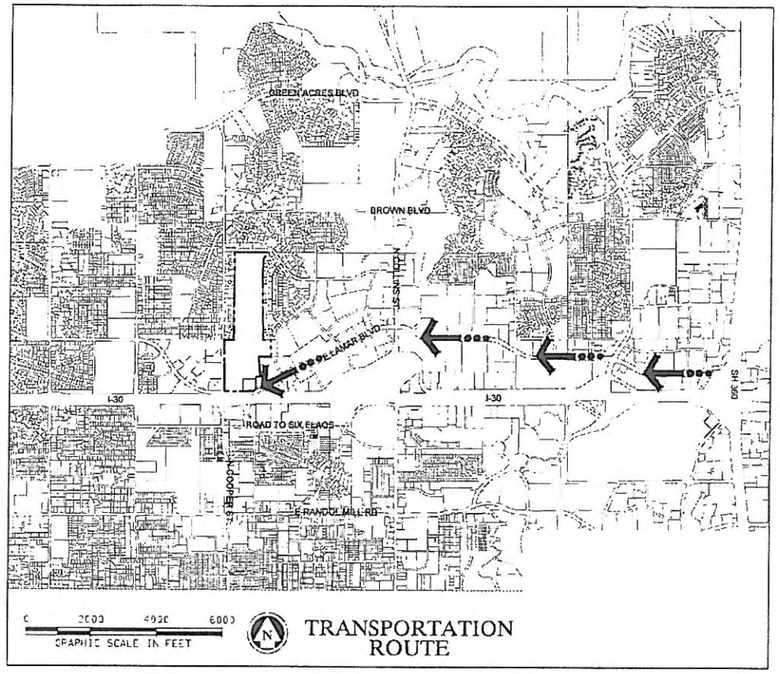
3. At the permit stage, all required tree mitigation will be met.

4. Subject to City Council approval of the following alternative screening in the gas drilling permit for this site, screening of the operation site shall consist of an eight-foot masonry fence and landscaping as described on the site plan. If the alternative screening is not approved by City Council at the permit stage then the fencing shall be in the form required by the Gas Drilling and Production Chapter. Landscaping shall consist of trees and shrubs which must be chosen from the Texas Smartscape list. One tree shall be provided every 35 feet and shrubs shall be placed no greater than three-feet on center. A detailed landscape plan and plant schedule must be provided upon drilling permit submittal.

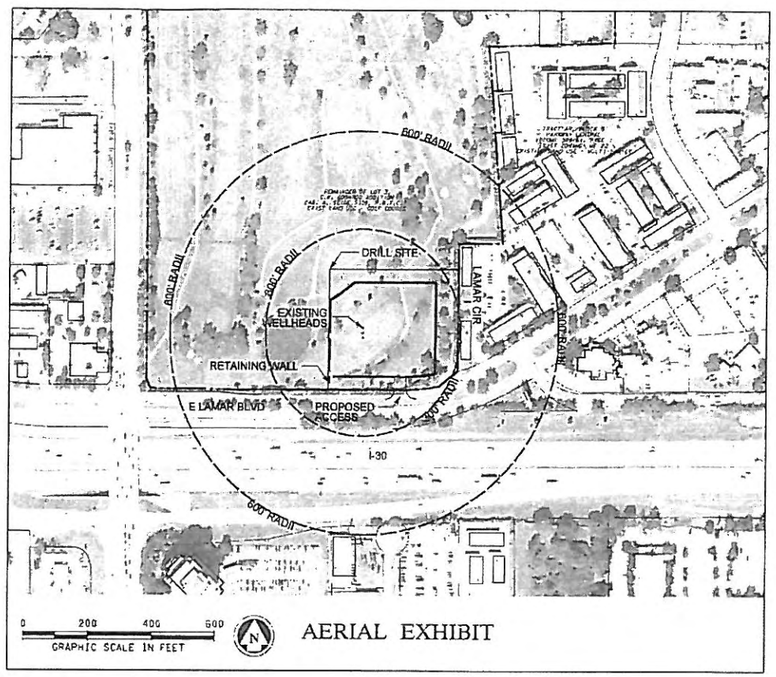
5. The operator/property owner shall be responsible for the installation, preservation, and maintenance of all landscaping and physical features shown on this site plan.

6. Use and development of the property must be in compliance with the attached site plan (two pages).

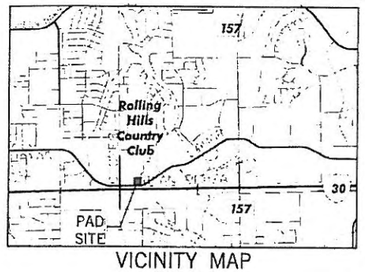
7. In the event of a conflict between the provisions in this Exhibit B and any other exhibits to this ordinance, the provisions of Exhibit B control.



TRANSPORTATION ROUTE



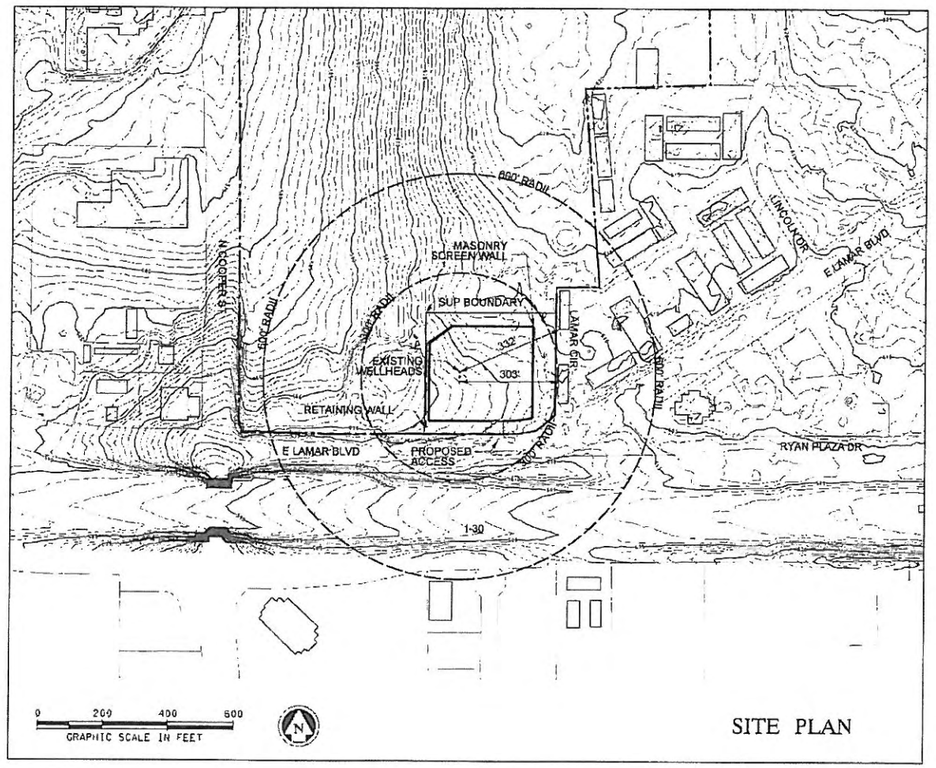
AERIAL EXHIBIT



VICINITY MAP
NOT TO SCALE

LEGEND

SITE ACCESS / ROUTING



SITE PLAN

LEGAL DESCRIPTION
3 314 ACRE
ROLLING HILLS SUP BOUNDARY

BEING a tract of land situated in the J M Henderson Survey, Abstract No 696, City of Arlington, Tarrant County, Texas and being a portion of PLAT REVISION LOT 3, G W COONROD ADDITION, an addition to the City of Arlington, Texas as recorded in Cabinet A, Slide 5309 of the Plat Records of Tarrant County, Texas, said tract of land being more particularly described by metes and bounds as follows

COMMENCING at the southeast corner of said COONROD ADDITION being a point in Lamar Drive,

THENCE N00°21'57"E, (recorded as N00°11'02"W) 66.16 feet along the east line of said addition to the POINT OF BEGINNING, being a point in the north right-of-way line of Lamar Drive as shown on said COONROD ADDITION

THENCE S51°01'27"W, (recorded as S50°28'28"W) 72.38 along said north right-of-way line to the beginning of a non-tangent curve to the right

THENCE 98 45 feet along the arc of said non-tangent curve to the right, and along said north right-of-way line, through a central angle of 13°09'33", whose radius is 428 66 feet, the long chord of which bears S63°20'59"W (recorded as S62°47'59"W) 98.23 feet to a point,

THENCE S89°55'44"W, (recorded as S89°22'45"W) 246 53 feet along said north right-of-way line to a point;

THENCE N00°21'57"E, 366 59 feet leaving said right-of-way line to a point

THENCE N89°54'29"E, 400 01 feet to a point in the east line of said COONROD ADDITION,

THENCE S00°21'57"W, 310 02 feet along said east line to the POINT OF BEGINNING and containing 3.314 acres of land, more or less

PAGE 1 OF 2
SUP #07-9 R1
SITE PLAN FOR SUP
CARRIZO OIL & GAS
ROLLING HILLS UNIT

3 314 ACRES OUT OF LOT 3, GEORGE W COONROD ADDITION
CITY OF ARLINGTON, TARRANT COUNTY, TEXAS
JANUARY 2010

APPLICANT	PLANNER	SURFACE / MINERAL OWNERS
CARRIZO OIL & GAS, INC 1500 LOUISIANA STREET SUITE 1500 HOUSTON, TX 77002 PHONE 713 328 1000	JACOBS JACOBS ENGINEERING INC 777 MAIN STREET FORT WORTH, TX 76102 PHONE (817) 735 6000 FAX (817) 735 6148	RICE SMITH ROLLING HILLS COMPANY 401 EAST LAMAR BOULEVARD ARLINGTON, TX 76011 0542
PROJECT NO. [illegible]	DRAWN BY [illegible]	APPROVED BY [illegible]
DATE [illegible]	REV. [illegible]	

SHEET NO. 1 OF 2

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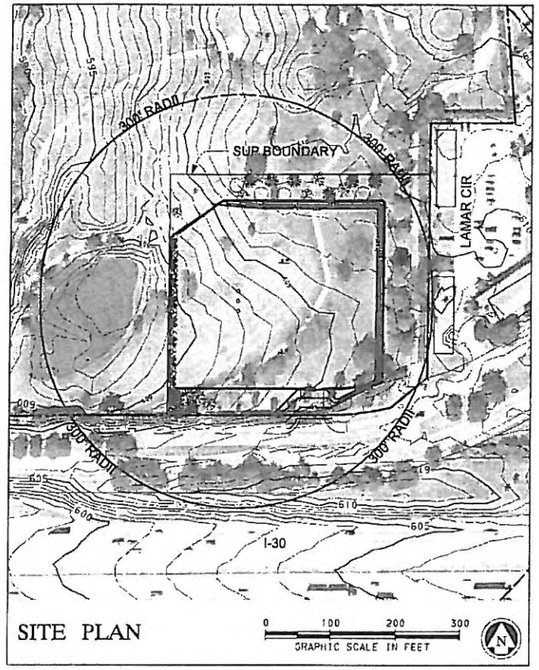
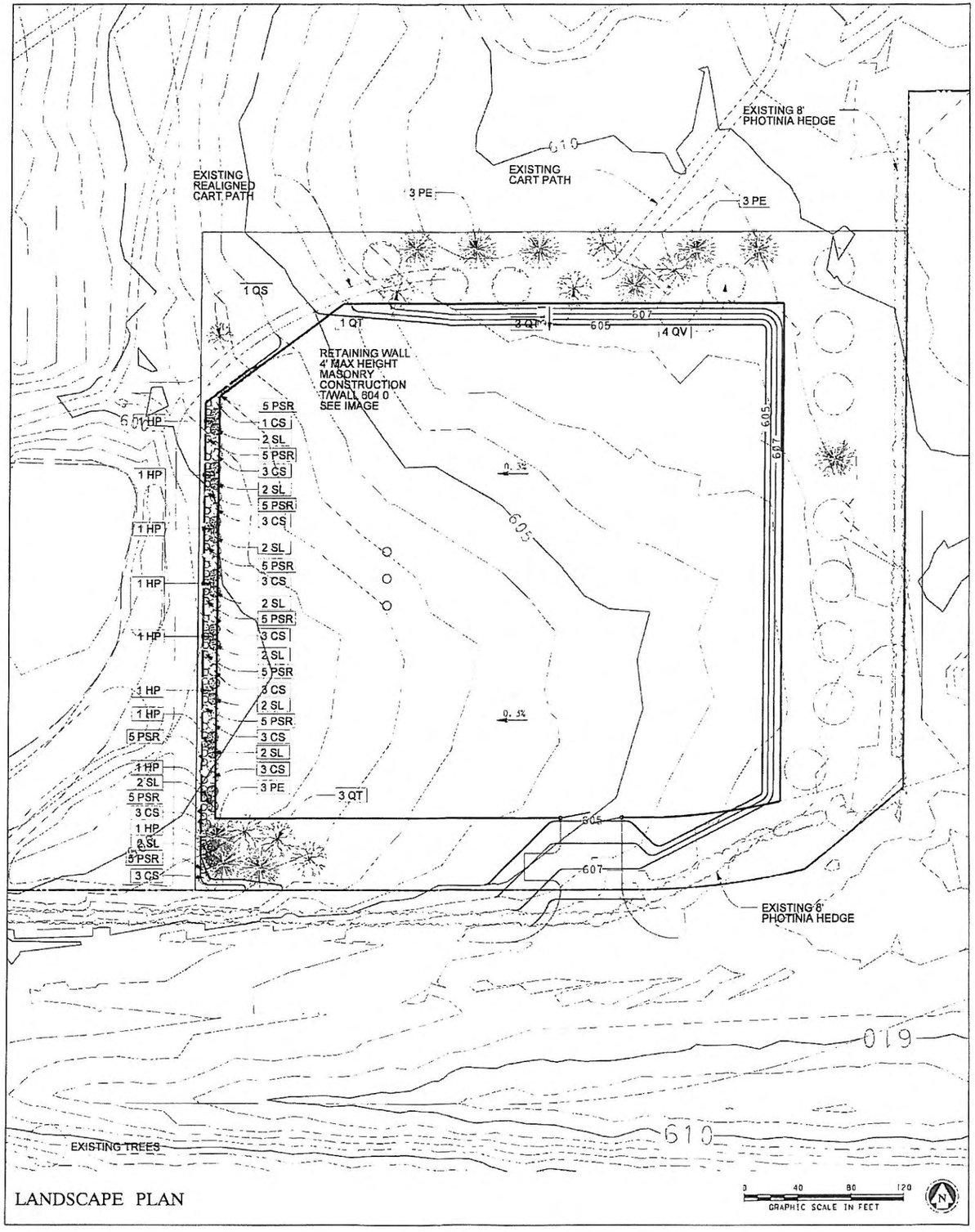


SITE PLAN



LANDSCAPE PLAN

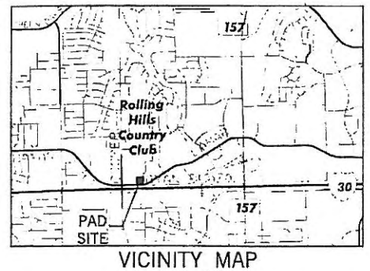
PLANT SCHEDULE

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	COND.	REMARKS
SHADE TREES						
[illegible]	10	[illegible]	[illegible]	[illegible]	B & B	SPECIMEN QUALITY
QV	4	QUERCUS VIRGINIANA	LIVE OAK	3" CAL.	B & B	SPECIMEN QUALITY
QS	[illegible]	QUERCUS SHUMARDII	SHUMARD OAK	3" CAL.	B & B	SPECIMEN QUALITY
QT	7	QUERCUS TEXANA	TEXAS RED OAK	3" CAL.	B & B	SPECIMEN QUALITY
SHRUBS						
P	9	PITTOSPORUM TOBIRA 'WHEELERS DWARF'	DWARF MOCK ORANGE	3 GAL	CON	SPECIMEN QUALITY
S	18	SALVIA LEUCANTHA	MEXICAN SAGE	3 GAL	CON	SPECIMEN QUALITY
CS	78	CORTADERIA SELLOANA	PAMPAS GRASS	3 GAL	CON	SPECIMEN QUALITY
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	CON	SPECIMEN QUALITY

PLANT QUANTITIES ARE TO BE AN AID TO THE BIDDER. BIDDERS ARE RESPONSIBLE FOR VERIFYING ALL QUANTITIES. PLANT QUANTITIES SHALL SUPERCEDE PLANT SCHEDULE QUANTITIES. PLANT DISCREPANCIES
PLAN NUMBER ON PLAN SUPERCEDES PLANT SCHEDULE
SIZE: LARGEST SIZE ON PLANT SCHEDULE FOR TYPE PREVAILS
SPECIES: CONSULT OWNER'S REPRESENTATIVE FOR CLARIFICATION

PLANTING NOTES

1. CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE OF ANY DISCREPANCIES THAT MAY ARISE DURING THE CONSTRUCTION PERIOD. FAILURE TO MAKE SUCH CONFLICTS KNOWN TO THE OWNER'S REPRESENTATIVE WILL RESULT IN THE CONTRACTOR'S LIABILITY TO RELOCATE MATERIALS AS DIRECTED
2. FINAL LOCATION OF PLANT MATERIAL IS SUBJECT FOR REVIEW AND APPROVAL BY OWNER'S REPRESENTATIVE
3. NOTIFY OWNER'S REPRESENTATIVE 48 HOURS IN ADVANCE OF COMMENCING WORK TO COORDINATE PROJECT INSPECTION SCHEDULE.
4. ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY GROWING CONDITION AS IS APPROPRIATE FOR THE SEASON OF THE YEAR. AFTER ACCEPTANCE. PLANT MATERIAL THAT IS DAMAGED, DESTROYED OR REMOVED SHALL BE REPLACED ONE TIME WITH PLANT MATERIAL OF SIMILAR SIZE AND VARIETY WITHIN 1 YEAR UNLESS OTHERISE APPROVED IN WRITING BY THE OWNER OR OWNER'S REPRESENTAIVE
5. ALL NEW PLANT MATERIAL SHALL CONFORM TO THE MINIMUM GUIDELINES ESTABLISHED FOR NUSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMAN, INC. IN ADDITION, ALL NEW PLANT MATERIAL FOR THE PROJECT SHALL BE OF SPECIFIEN QUALITY
6. ALL NEW PLANTS HALL BE BALLED AND BURLAPPED OR CONTAINER-GROWN, UNLESS OTHERWISE NOTED ON THE PLANT LIST
7. THE GENERAL CONTRACTOR SHALL SUPPLY ALL NEW PLANT MATERIAL IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTINGS SHOWN ON THE DRAWINGS
8. ALL NEW PLANTS SHALL BE TAGGED AND APPROVED BY THE OWNER'S REPRESENTATIVE AT THE NURSERY PRIOR TO DIGGING OR DELIVERY TO THE SITE.
9. THE GENERAL CONTRACTOR SHALL LOCATED AND VERIFY ALL EXISTING UTILITY LINES PRIOR TO PLANTING AND SHALL REPORT ANY CONFLICTS TO THE OWNER'S REPRESENTATIVE. VERIFY WITH OWNER PIPE LINES LOCATIONS PRIOR TO DIGGING
10. NO TREES SHALL BE PLANTED BEFORE ACCEPTANCE OF ROUGH GRADING. TREES SHALL BEAR SAME RELATIONSHIP TO FINISH GRADE AS THEY BORE TO PREVIOUS GRADE
11. STAKE THE LOCATION OF ALL PROPOSED PLANTING FOR APPROVAL BY THE OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF PLANTING
12. ALL PLANTED AREAS TO BE MULCHED AS SPECIFIED



VICINITY MAP
NOT TO SCALE

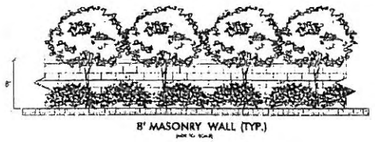
NOTES

1 After completion of all wells, a solid masonry wall with a minimum height of eight feet and landscaping must enclose the operation site. A minimum of one gate that is twelve feet wide must be installed. Landscaping should consist of trees and shrubs which must be chosen from the Texas Smartscape List. One tree shall be provided every 35 linear feet and shrubs shall be spaced no greater than three feet on center. A detailed landscape plan and plant schedule must be provided upon drilling permit submittal.

2 The property owner shall be responsible for the installation, preservation, and maintenance of all landscaping and physical features shown on this site plan.

3. All required tree mitigation will be met at the permitting stage

4 All landscaping will be installed within 180 days after SUP approval



8' MASONRY WALL (TYP.)

RETAINING WALL AS INSTALLED

PAGE 2 OF 2
SUP #07-9 R1
SITE PLAN FOR SUP
CARRIZO OIL & GAS
ROLLING HILLS UNIT

2.948 ACRES OUT OF LOT 3, GEORGE W COCKROD ADDITION
CITY OF ARLINGTON, TARRANT COUNTY, TEXAS
JANUARY 2010

APPLICANT	PLANNER	SURFACE / MINERAL OWNERS
CARRIZO OIL & GAS, INC 1000 LOUISIANA STREET SUITE 1500 HOUSTON, TX 77002 PHONE 713 328 1000	JACOBS JACOBS ENGINEERING INC 777 MAIN STREET FORT WORTH TX 76102 PHONE (817) 735 6000 FAX (817) 735 6448	RICK SMITH ROLLING HILLS COMPANY 401 EAST LAMAR BOULEVARD ARLINGTON TX 76011 2642

PROJECT NO.	DRAWN BY	APPROVED BY
DATE	REV.	

SHEET NO. 2 OF 2

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