

08/09/13

08/12/13

Ordinance No. 13-032

An ordinance changing the zoning classification on certain property known as 7100 West Interstate 20 Highway by the approval of specific use permit SUP10-14R1 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 SUP10-14R1 and recommended approval of the specific use permit on June 5, 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 7100 West Interstate 20 Highway 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.

This ordinance shall become effective upon second publication.

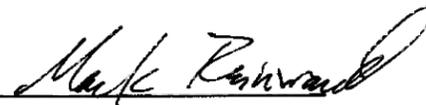
PRESENTED AND GIVEN FIRST READING on the 18th day of June, 2013, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 6th day of August, 2013, by a vote of 9 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.


ROBERT N. CLUCK, Mayor

ATTEST:


MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:
JAY DOEGEY, City Attorney

BY 

SUP10-14R1

EXHIBIT "A"

Drill Zone

Being a tract of land situated in the David Strickland Survey, Abstract No. 1376, City of Arlington, Tarrant County, Texas and being a portion of that tract of land described by deed to Donald V. Yeandle and Lisa A. Yeandle as recorded in Volume 10236, Page 62, County Records, Tarrant County, Texas, said tract being more particularly described as follows:

COMMENCING at a 1/2 inch iron rod found at the northwest corner of said Yeandle tract, being the northeast corner of that tract of land described by deed to Darrell Murphy and Dee Murphy as recorded in Volume 10893, Page 1161 of said County Records, and being in the south right-of-way line of Interstate Highway 20;

THENCE with the common northerly line of said Yeandle tract and the south right-of-way line of said Interstate Highway 20 the following bearings and distances:

N 78°01'13"E, 138.58 feet to a TXDOT concrete monument found;

N 81°12'18"E, 62.26 feet to a TXDOT concrete monument found;

S 80°41'20"E, 63.20 feet to a TXDOT concrete monument found;

THENCE S 02°22'35"W, 71.93 feet departing said common line to the **Point of**

Beginning;

THENCE South, 75.00 feet;

THENCE West, 88.67 feet;

THENCE North, 75.00 feet;

THENCE East, 88.67 feet to the **Point of Beginning** and containing 6,650 square feet or 0.153 acres of land more or less.1

Drill Site

Being a tract of land situated in the David Strickland Survey, Abstract No. 1376, City of Arlington, Tarrant County, Texas and being all of that tract of land described in a deed to Donald V. Yeandle and Lisa A. Yeandle as recorded in Volume 10236, Page 62, County Records, Tarrant County, Texas, said tract being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch iron rod found for the northwest corner of said Yeandle tract and being the northeast corner of that tract of land described in a deed to Darrell Murphy and Dee Murphy as recorded in Volume 10893, Page 1161 of said County Records, and said point being in the south right-of-way line of Interstate Highway 20;

THENCE along the northerly line of said Yeandle tract and the south right-of-way line of said

Interstate Highway 20 the following bearings and distances:

N78°01'13"E, 138.58 feet to a TXDOT concrete monument found;

N81°12'18"E, 62.26 feet to a TXDOT concrete monument found;

S80°41'20"E, 63.20 feet to a TXDOT concrete monument found;

N80°45'39"E, 59.88 feet to a TXDOT concrete monument found;

N61°18'25"E, 58.21 feet to a TXDOT concrete monument found;

And N81°23'07"E, 50.32 feet to a ½ inch iron rod found for the northeast corner of said Yeandle

tract and being the northwest corner of that tract of land described in a deed to Mansfield Texas

Congregation of Jehovah's Witnesses as recorded in Document No. D200092858 of said County

Records;

THENCE departing said south right-of-way line and along the east line of said Yeandle tract and the West line of said Jehovah's Witnesses tract to a ½ inch iron rod with yellow cap found for the southeast corner of said Yeandle tract and the southwest corner of said Jehovah's Witnesses tract and being in the north line of that tract of land described in a deed to the city of Arlington Texas as recorded in Document No. D205153594 of said County Records;

THENCE S89°35'20"W, 419.61 feet along the south line of said Yeandle tract and the north line of said City of Arlington tract to a point which falls within a 5" diameter round steel fence post found, being the southwest corner of said Yeandle tract and being in the east line of a tract of land described in a deed to Bob Smith and Barbara Smith as recorded in Volume 3357, page 257 of said County Records;

THENCE N00°28'07"W, 474.62 feet along the west line of said Yeandle tract and the east line of said smith tract then along the east line of said Murphy tract to the **POINT OF BEGINNING** and containing 212,724 square feet or 4.883 acres of land, more or less.

And being generally south of West Interstate 20 Highway and east of Bowman Springs Road with the approximate address being 7100 West Interstate 20 Highway.

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. No access to the drill site shall be granted from Treepoint Drive.
4. At the permit stage, all required tree mitigation will be met.
5. If the well site is still in existence when Treepoint Drive is constructed, the required street trees will be planted within the ten-foot landscape setback at that time.
6. The operator shall be responsible for the installation of irrigation and additional trees, should any of the vegetation located between the Southwest Nature Preserve and the proposed drill site be damaged beyond repair or totally removed. The number of trees shall be determined through the City's current mitigation policy located in Article 14 of the Zoning Ordinance. This vegetation does not include the landscaping required by ordinance for development of this site.
7. The operator shall be responsible for the installation, preservation, and maintenance of all landscaping and physical features shown on this site plan.
8. For dust control measures, Chip Seal, or its equivalent, will be used.
9. 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.
10. Use and development of the property must be in compliance with the approved site plan.
11. 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.

NOTES:
 NEAREST SCHOOL:
 KENNEDALE JUNIOR HIGH 3,705'
 NEAREST PARK:
 VAN RAVENSWAY PARK 2,079'
 SCUTHWEST NATURE PRESERVE 353'
 NEAREST CHURCH:
 KINGDOMS HALL OF JEHOVAH'S 306'

YEANDLE PAD SITE

GAS WELL PERMIT APPLICATION
 ARLINGTON, TEXAS



116 Inverness Drive East, Suite 107
 Englewood, CO 80112
 Phone 303-386-8600
 Fax 303-386-3700



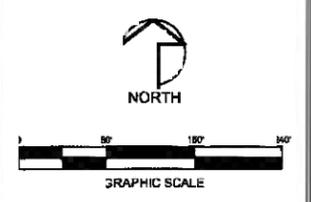
5751 Croger Drive
 Suite 185
 Keller, TX 76244
 Phone: 817-562-3350

TEXAS FIRM NO. 12207

LEGEND

	EXISTING STRUCTURES
	STRUCTURE USE R= RESIDENTIAL C= COMMERCIAL I= INDUSTRIAL
	PROPOSED DRILL ZONE

PROJECT NO: 10-VAN004
 FILE PATH: G:\JOB 10-VAN004\YEANDLEPETROIDP
 DRAWN BY: BSM
 REVIEWED BY: CMF
 DATE: FEBRUARY 2013
 REV:

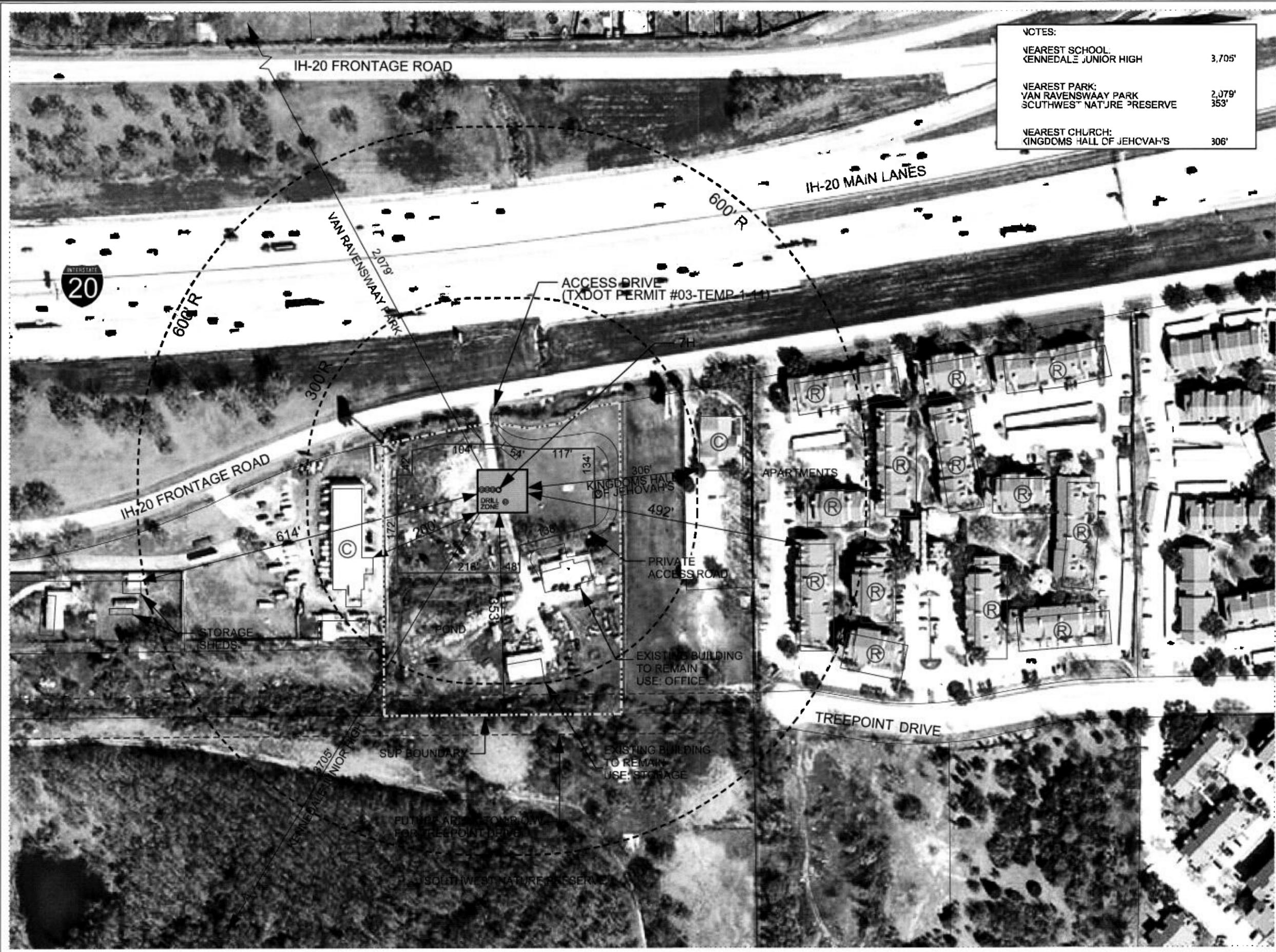


SHEET CONTENT

EXHIBIT 'A-1'

SITE PLAN BUILDING LOCATIONS

4.883 ACRES OUT OF THE D. STRICKLAND SURVEY, ABSTRACT NO. 1376
 CITY OF ARLINGTON
 TARRANT COUNTY, TEXAS
 NOVEMBER 2011



VANTAGE -YEANDLE DRILL SITE

OWNER
MR. DONALD YEANDLE
7100 INTERSTATE 20 W
ARLINGTON, TEXAS 76017-1858

OPERATOR
VANTAGE ENERGY
116 INVERNESS DRIVE EAST, SUITE 107
ENGLEWOOD, CO 80112
PH. 303-386-8600
FAX 303-386-8700

ENGINEER
PELTON LAND SOLUTIONS
5751 KROGER DRIVE, SUITE 185
KELLER, TX 76244
PH. 817-962-3350

LANDSCAPE ARCHITECT
MYCOSKIE MCINNIS ASSOCIATES
200 EAST ABRAM
ARLINGTON, TX 76010
PH. 817-461-1671
FAX 817-274-8757

LANDSCAPE NOTES

1. ALL LANDSCAPE WILL CONFORM TO THE CITY OF ARLINGTON ZONING ORDINANCE LANDSCAPE REQUIREMENTS.
2. ALL LANDSCAPING LOCATED WITHIN THE VISIBILITY TRIANGLES SHALL COMPLY WITH THE VISIBILITY TRIANGLE REQUIREMENTS AS PER THE CITY OF ARLINGTON.
3. OWNER IS REQUIRED TO MAINTAIN THE APPROVED LANDSCAPE IN HEALTHY AND VIGOROUS LIVING CONDITION. OWNER IS RESPONSIBLE FOR ALL MAINTENANCE ACTIVITIES, INCLUDING BUT NOT LIMITED TO, MOWING, WATERING, FERTILIZING, WEED REMOVAL, ETC. OWNER IS REQUIRED TO REPLACE ANY PLANT MATERIAL THAT DIES WITH THE SAME SPECIES AND SIZE AS SPECIFIED IN THESE PLANS.

IRRIGATION NOTES

1. ALL PLANTS SHOWN ON THIS PLAN WILL BE WATERED BY AN AUTOMATIC, UNDERGROUND IRRIGATION SYSTEM.
2. IRRIGATION CONTROLLER WILL BE EQUIPPED WITH AN AUTOMATIC RAIN AND FREEZE SENSOR. FREEZE SENSOR TO BE SET TO 36 DEGREES.
3. IRRIGATION SYSTEM TO BE DESIGNED AND INSTALLED PER REGULATIONS BY THE CITY OF ARLINGTON AND THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.
4. THE OWNER IS RESPONSIBLE FOR MAINTAINING THE IRRIGATION SYSTEM IN A PROPERLY WORKING CONDITION.

PLANT MATERIAL NOTES

1. ALL TREES TO BE UNIFORM BY SPECIES WITH STRAIGHT TRUNKS, MATCHING CHARACTER, AND FULL BRANCHING STRUCTURE.
2. ALL PLANT VARIETIES MUST COME FROM A SAME SOURCE SUPPLIER IN ORDER TO MAINTAIN A CONSISTENT APPEARANCE.
3. ALL B&B TREES MUST BE OF NURSERY STOCK CONDITION.
4. ALL CONTAINER GROWN MATERIAL MUST BE OF NURSERY STOCK CONDITIONS, WITH A WELL-ESTABLISHED ROOT SYSTEM REACHING THE SIDES OF THE CONTAINER, TO MAINTAIN A FIRM BALL WHEN THE CONTAINER IS REMOVED, BUT NOT SHALL HAVE EXCESSIVE ROOT GROWTH ENCROUCHING THE INSIDE OF THE CONTAINER.

LANDSCAPE SETBACK					
R.O.W.	LENGTH	DRIVE APPROACH	LANDSCAPE SETBACK LENGTH	TREES REQUIRED	TREES PROVIDED
INTERSTATE 20	433 L.F.	30 L.F.	403 L.F.	12	13

REQUIRED: MAXIMUM OF 85% OF LANDSCAPE SETBACK AREA AS TURF.
SETBACK AREA = 8,537 SQ. FT. X .85 = 7,256 SQ. FT. IS THE MAXIMUM AMOUNT OF TURF ALLOWED IN SETBACK.
PROVIDED: TURF IN THE LANDSCAPE SETBACK: 40%, 3,424 SQ. FT.

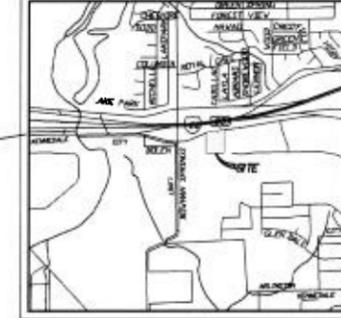
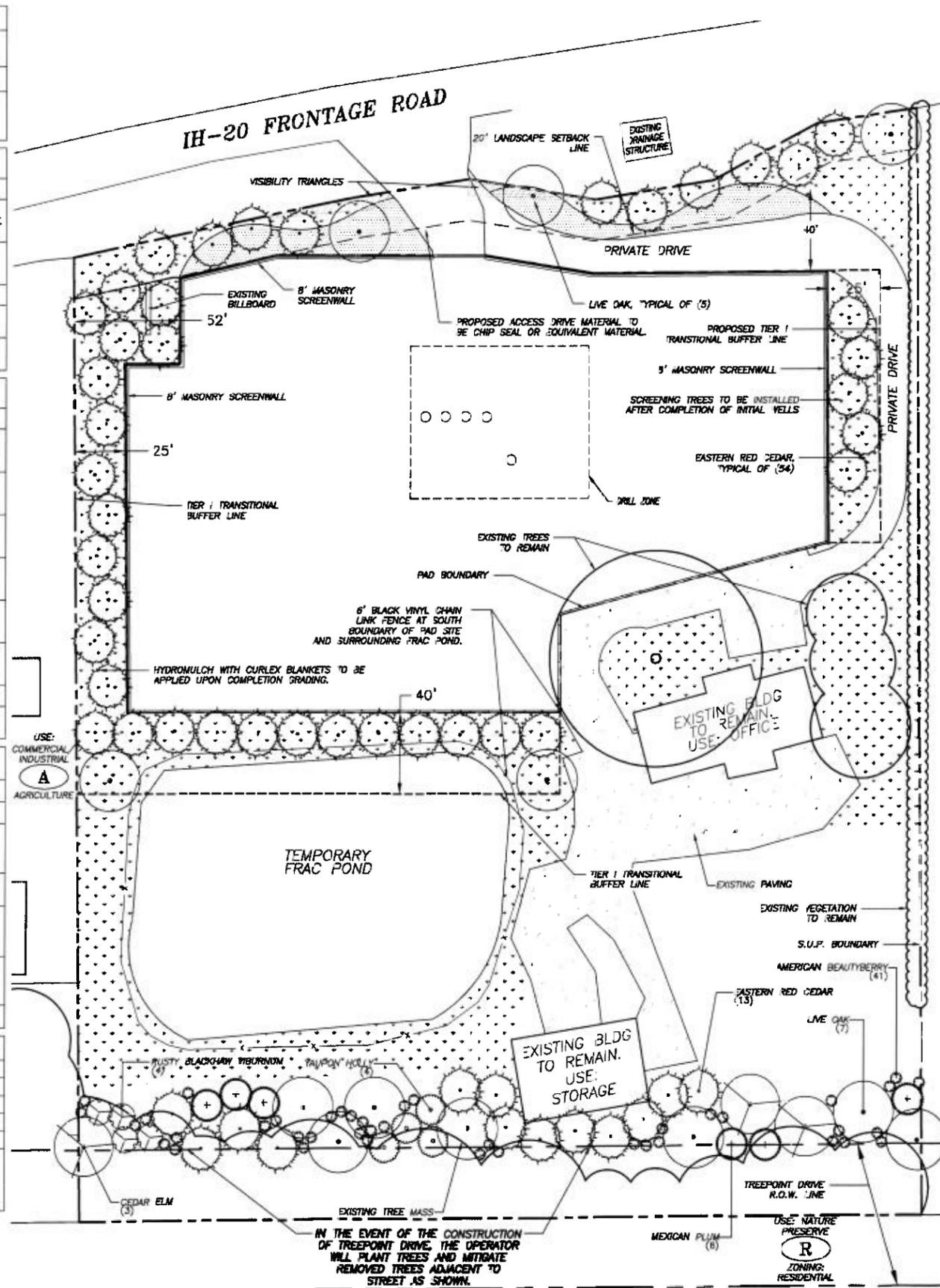
PLANT SCHEDULE DRILL SITE					
TREES	QTY	NAME	CONT	CAL	SIZE
	54	EASTERN RED CEDAR / JUNIPERUS VIRGINIANA	B & B	4" CAL.	8'-9" HT.
	5	LIVE OAK / QUERCUS VIRGINIANA	B & B	3" CAL.	
GROUND COVERS		QTY	NAME	CONT	
	21,627 SF	COMMON BERMUDA / CYNODON DACTYLON	HYDROMULCH		
	1,724 SF	LOVE GRASS / ERAGROSTIS ELLIOTTII	HYDROMULCH		

PLANT SCHEDULE TREEPOINT DRIVE					
TREES	QTY	NAME	CONT	CAL	SIZE
	3	CEDAR ELM / ULMUS CRASSIFOLIA	B & B	3" CAL.	
	13	EASTERN RED CEDAR / JUNIPERUS VIRGINIANA	B & B	4" CAL.	8'-9" HT.
	7	LIVE OAK / QUERCUS VIRGINIANA	B & B	3" CAL.	
	6	MEXICAN PLUM / PRUNUS MEXICANA		3" CAL.	
	4	RUSTY BLACKHAW VIBURNUM / VIBURNUM RUFIDULUM	CONTAINER	2" CAL.	5'-6" HT.
	4	YALPOM HOLLY / ILEX VOMITORIA		3" CAL.	
SHRUBS		QTY	NAME	CONT	
	41	AMERICAN BEAUTYBERRY / CALICARPA AMERICANA		5 GAL.	

TIER 1 LANDSCAPE AND SCREENING DATA		
ELEMENT	REQUIRED	PROVIDED - ALTERNATE PLAN
TIER	TIER 1	SEE ADJACENT 'BUFFER WIDTH' CHART
TRANSITIONAL BUFFER	40-FOOT TRANSITIONAL BUFFER AROUND DRILL SITE WITH (1) TREE PER 600 S.F.	SEE ADJACENT 'BUFFER WIDTH' CHART
STREETSCAPE SETBACK	10-FOOT WIDE STREETSCAPE SETBACK WITH STREET TREES, (1) TREE PER 35 L.F.	10-FOOT WIDE STREETSCAPE SETBACK WITH STREET TREES, (1) TREE PER 35 L.F.
PERIMETER FENCING	8-FOOT TALL MASONRY WALL (MINIMUM OF 75% OPAQUE) AROUND THE PERIMETER OF THE DRILL SITE.	NORTH: 8' MASONRY WALL, 325 L.F. EAST: 8' MASONRY WALL, 125 L.F. SOUTH: 8' BLACK VINYL COATED CHAIN LINK 397 L.F. WEST: 8' MASONRY WALL, 397 L.F.
TREES	ONE (1) TREE PER 600 SF OF REQUIRED BUFFER AREA. REQUIRED BUFFER AREA = 27,410 S.F. 27,410 / 600 = 46 TREES REQUIRED	32 TREES PROVIDED
GATE	GATE REQUIRED	GATE PROVIDED

BUFFER WIDTHS		
BUFFER	REQUIRED	PROVIDED
NORTH	NONE	20' LANDSCAPE SETBACK AT R.O.W.
EAST	40' WIDTH	CONTINUOUS 25' WIDTH
WEST	40' WIDTH	VARIABLE FROM 25' TO 52' WIDTH
SOUTH	40' WIDTH	VARIABLE FROM 0' TO 40' WIDTH

EXISTING TREE MASS TO REMAIN, TYP.



VICINITY MAP
NTS

NOTES:
1) THE S.U.P. BOUNDARY IS THE FULL .01. ALL PROPOSED LANDSCAPE IMPROVEMENTS ARE WITHIN THE S.U.P. BOUNDARY.

USE: VACANT
ZONING: AGRICULTURE

**VANTAGE YEANDLE DRILL SITE
GAS WELL PERMIT APPLICATION
LANDSCAPE PLAN
ARLINGTON, TEXAS**

PROJECT TITLE:
VANTAGE-YEANDLE DRILL SITE
SPECIFIC USE PERMIT

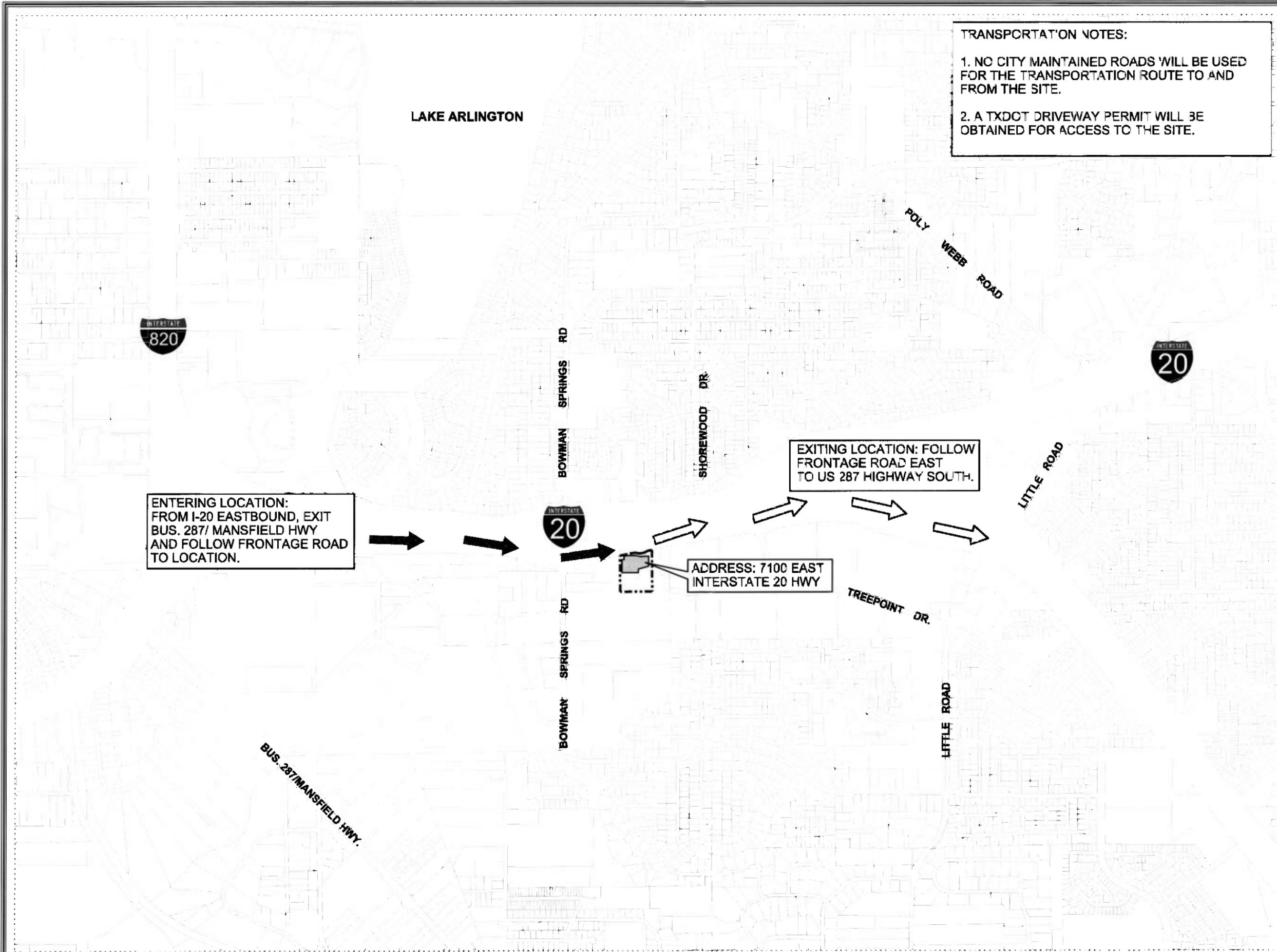
mima
mycoskie mcinnis associates
200 EAST ABRAM
ARLINGTON, TEXAS 76010
817-461-1671
FAX: 817-274-8757
WWW.MIMAA.COM

02/18/2013

PROJECT NUMBER: 2008-00-J1
PROJECT MANAGER: J. KAMPTER
DRAWN BY: D. JONES
CHECKED BY: C. MYCOSKIE
ISSUE DATE: 02/18/2013

REV. DATE DESCR. BY

SHEET CONTENT:
EXHIBIT A-4
LANDSCAPE PLAN



TRANSPORTATION NOTES:

1. NO CITY MAINTAINED ROADS WILL BE USED FOR THE TRANSPORTATION ROUTE TO AND FROM THE SITE.
2. A TXDOT DRIVEWAY PERMIT WILL BE OBTAINED FOR ACCESS TO THE SITE.

ENTERING LOCATION:
FROM I-20 EASTBOUND, EXIT BUS. 287/ MANSFIELD HWY AND FOLLOW FRONTAGE ROAD TO LOCATION.

EXITING LOCATION: FOLLOW FRONTAGE ROAD EAST TO US 287 HIGHWAY SOUTH.

ADDRESS: 7100 EAST INTERSTATE 20 HWY

YEANDLE PAD SITE

GAS WELL PERMIT APPLICATION
ARLINGTON, TEXAS



116 Inverness Drive East, Suite 107
Englewood, CO 80112
Phone 303-386-3600
Fax 303-386-8700



5751 Kroger Drive
Suite 185
Keller, TX 76244
Phone: 817-562-3350

TEXAS FIRM NO. 12207

LEGEND

- SITE ACCESS / ROUTING - ENTERING
- SITE ACCESS / ROUTING - EXITING
- PROPOSED PAD SITE LOCATION

PROJECT NO: 10-VAN004
FILE PATH: G:\JOB\10-VAN004\YEANDLE\PETRO\DP
DRAWN BY: BSM
REVIEWED BY: CMF
DATE: NOVEMBER 2012
REV:

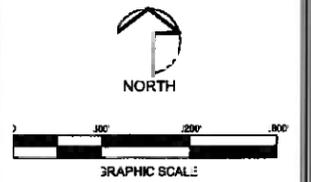


EXHIBIT C'
TRANSPORTATION ROUTE

4.883 ACRES, OUT OF THE D. STRICKLAND SURVEY, ABSTRACT NO. 1376
CITY OF ARLINGTON
WARRANT COUNTY, TEXAS
NOVEMBER 2011