

**Ordinance No. 08-007**

**An ordinance of the City of Arlington, Texas, amending the Zoning District Map to revise the zoning classification on certain property known as 6800 South Watson Road by the adoption of specific use permit SUP07-16 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 SUP07-16 (formerly PD07-26) and recommended approval of the specific use permit on December 12, 2007; 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 Specific Use Permit SUP07-16 is hereby granted for gas drilling at property known as 6800 South Watson Road as fully described on Exhibit "A"; and the Zoning District Map is hereby amended as specified. Development of a gas drilling use shall be in compliance with all exhibits to this ordinance.

2.

If either no gas well permit is issued or drilling activity has not commenced on the property described on 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.

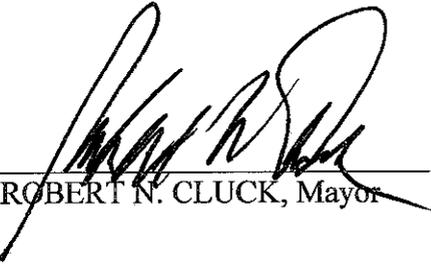
8.

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.

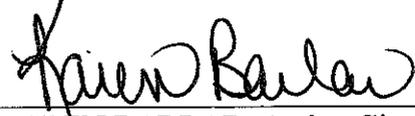
9.

This ordinance shall become effective upon second publication.

PRESENTED AND GIVEN FIRST READING on the 8th day of January, 2008, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the 22nd day of January, 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 

SUP07-16

EXHIBIT "A"

THAT the following described property now zoned "BP-B" be modified by the addition of a **Specific Use Permit for gas 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 2.332 acre tract of land located in the B.B.B. & C. Railroad Company Survey, Abstract No. 203, in the City of Arlington, Tarrant County, Texas, being a portion of a called 20.00-acre tract of land as described in the Special Warranty Deed to Tarrant County College District, filed for record in Volume 15354, Page 187, Deed Records, Tarrant County, Texas, said 2.332 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a ½-inch iron rod found for the northeast corner of Lot 1, Block H, Timberlake Addition, an addition to the City of Arlington, Tarrant County, Texas, according to the plat recorded in Volume 388-211, Pages 35-36, Plat Records, Tarrant County, Texas;

THENCE South 30°10'38" East, a distance of 1,205.33 feet, to the POINT OF BEGINNING for the herein described tract of land;

THENCE South 82°16'28" East, a distance of 270.93 feet, to a point for corner on the west right-of-way line of South Watson Road (State Highway 360, a variable width right-of-way), from which a Texas Department of Transportation (TxDOT) monument found bears North 07°39'12" East, a distance of 309.60 feet;

THENCE South 07°39'12" West, along said west right-of-way line, a distance of 67.96 feet, to a point for corner;

THENCE South 07°47'12" West, a distance of 307.04 feet, to a point for corner, being the southeast corner of the herein described tract of land, from which a TxDOT monument found bears South 07°47'12" West, a distance of 42.43 feet;

THENCE North 82°16'28" West, departing said west right-of-way line, a distance of 270.69 feet, to a point for corner;

THENCE North 07°43'32" East, a distance of 375.00 feet, to the POINT OF BEGINNING and containing 2.332 acres of land;

AND being generally located north of Webb Lynn Road and west of South Watson Road with the approximate address being 6800 South Watson Road.

SUP07-16

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 2.332-acre site, zoned "BP-B" (Business Park Overlay-Business), and located at 6800 South Watson Road.
2. At the permit stage, a Road Damage Assessment Study is required to mitigate any impacts to the street system during drilling.
3. Operation of a gas drilling use must be in compliance with Exhibit "B" (2).

**TCC DRILL SITE**

**CURRENT ZONING**

"BP-B" BUSINESS PARK-BUSINESS

**PROPOSED ZONING**

"BP-B" BUSINESS PARK-BUSINESS WITH A SPECIFIC USE PERMIT FOR GAS WELL DRILLING AND PRODUCTION.

**OWNER**

TARRANT COUNTY COLLEGE DISTRICT  
1500 HOUSTON STREET  
FORT WORTH, TX 76102  
CONTACT: LEONARDO DE LA GARZA  
TEL: 817-515-8223

**DEVELOPER**

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

**ENGINEER/SURVEYOR**

MYCOSKIE+MCINNIS+ASSOCIATES  
200 E. ABRAM STREET  
ARLINGTON, TEXAS 76010  
CONTACT: JACOB SUMPTER  
TEL: 817-469-1671  
FAX: 817-274-8757

**LEGAL DESCRIPTION**

BEING A 2.332 ACRE TRACT OF LAND LOCATED IN THE B. B. B. & C. RAILROAD COMPANY SURVEY, ABSTRACT NO. 203, IN THE CITY OF ARLINGTON, TARRANT COUNTY, TEXAS, BEING A PORTION OF A CALLED 20.00 ACRE TRACT OF LAND AS DESCRIBED IN THE SPECIAL WARRANTY DEED TO TARRANT COUNTY COLLEGE DISTRICT, FILED FOR RECORD IN VOLUME 15354, PAGE 187, DEED RECORDS, TARRANT COUNTY, TEXAS

**LAND USE**

1. WELL PAD SITE 2.152 AC
2. ACREAGE TO BE ZONED PD 2.332 AC

**GENERAL NOTES**

1. VISIBILITY TRIANGLES SHALL BE PROVIDED AT PUBLIC OR PRIVATE STREET INTERSECTIONS IN ACCORDANCE WITH CURRENT CITY OF ARLINGTON ORDINANCE.
2. 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.
3. HEIGHT OF ALL STRUCTURES SHALL MEET THE REQUIREMENTS OF THE HEIGHT SETBACK ENVELOPE.
4. SIGNS SHALL BE PROMINENTLY DISPLAYED AT THE GATE ON THE FENCING MATERIAL AND SHALL BE OF A DURABLE MATERIAL, MAINTAINED IN GOOD CONDITION, AND SHALL HAVE A SURFACE AREA OF NOT LESS THAN 2 OR MORE THAN 4 SQUARE FEET. SIGNS SHALL HAVE LETTERING WITH THE 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.
5. PARKING SHALL MEET THE REQUIREMENTS OF THE ZONING ORDINANCE.
6. OPEN SPACE SHALL BE EVALUATED WITH REGARD TO DENSITY, SITE COVERAGE, AND THE PHYSICAL CHARACTERISTICS OF THE SITE.
7. RESIDENTIAL ADJACENCY STANDARDS SHALL APPLY WHEN RESIDENTIAL ADJACENCY EXISTS.
8. A SLIDING STEEL GATE NO LESS THAN TWELVE (12) FEET IN WIDTH SHALL BE LOCATED AT THE ENTRY WAY OF THE WELL PAD SITE.
9. A CLOSED LOOP SYSTEM WILL BE UTILIZED ON THIS WELL PAD SITE.
10. A DUST CONTROL PLAN SHALL BE SUBMITTED AT THE TIME OF PERMIT FOR THE ACCESS DRIVE.

**HIGH IMPACT USES**

1. A GAS WELL PERMIT SHALL NOT BE OBTAINED UNTIL APPROVAL OF THIS SPECIFIC USE PERMIT.
2. VEHICLES ASSOCIATED WITH DRILLING AND/OR PRODUCTION IN EXCESS OF THREE TONS SHALL BE RESTRICTED TO SUCH STREETS DESIGNATED AS TRUCK ROUTES.
3. SITE DEVELOPMENT, OTHER THAN DRILLING, SHALL BE CONDUCTED ONLY BETWEEN THE HOURS OF 6 A.M. AND 7 P.M. EXCEPT IN CASES OF FIRES, BLOWOUTS, EXPLOSIONS, AND OTHER EMERGENCIES.
4. ALL TANKS AND PERMANENT STRUCTURES SHALL CONFORM TO THE AMERICAN PETROLEUM INSTITUTE (API) SPECIFICATIONS UNLESS OTHER SPECIFICATIONS ARE APPROVED BY THE FIRE CHIEF.
5. ALL TANKS SHALL BE SET BACK PURSUANT TO THE STANDARDS OF THE RAILROAD COMMISSION AND THE NATIONAL FIRE PROTECTION AGENCY.

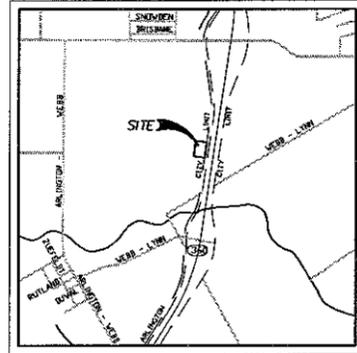
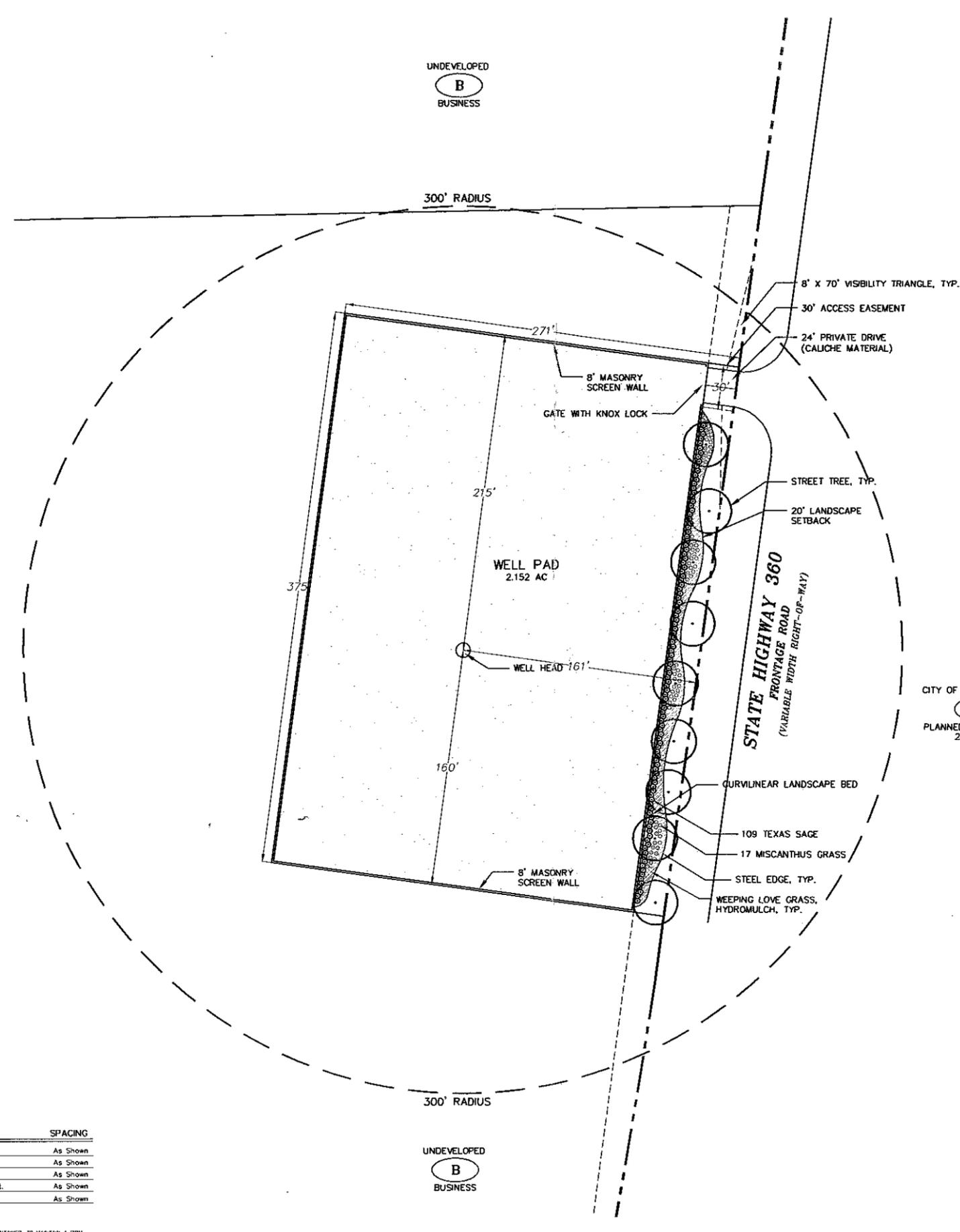
**LANDSCAPE TABLE**

- |   |     |
|---|-----|
| 1. REQUIRED LANDSCAPE SETBACK AT R.O.W. | 20' |
| PROVIDED LANDSCAPE SETBACK AT R.O.W.    | 20' |
| 2. REQUIRED STREET TREES                | 9   |
| 325 LF / 35 LF= 9 TREES                 |     |
| PROVIDED STREET TREES                   | 9   |

**PLANT SCHEDULE**

QTY	COMMON NAME	BOTANIC NAME	SIZE @ INSTALLATION	SPACING
5	Live Oak	Quercus virginiana	3" Cal., 11'-12" Ht; 4" Spread	As Shown
4	Red Oak	Quercus shumardii	3" Cal., 11'-12" Ht; 4" Spread	As Shown
109	Texas Sage	Leucophyllum frutescens	5 gal., 18" Spread; Cont.	As Shown
68	Miscanthus Grass	Miscanthus sinensis 'Adagio'	5 gal., 24" Ht, 18" Spread; Cont.	As Shown
1200 SF	Weeping love grass	Eragrostis curvula	Hydromulch	As Shown

1. ALL TREES TO BE UNIFORM BY SPECIES WITH STRAIGHT TRUNKS AND WITH MATCHING CHARACTER AND BRANCHING STRUCTURE.  
2. ALL SHRUBS TO BE FULL AND UNIFORM BY SPECIES WITH MATCHING CHARACTER AND BRANCHING STRUCTURE.  
3. ALL PLANT VARIETIES MUST COME FROM A SINGLE SOURCE SUPPLIED IN ORDER TO MAINTAIN A CONSISTENT APPEARANCE.  
4. ALL BARE ROOT TREES MUST BE OF MATURE STOCK CONDITION.  
5. ALL CONTAINER GROWN MATERIAL MUST BE OF MATURE STOCK CONDITION, 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 ENCODING THE INSIDE OF THE CONTAINER.



**LEGEND**

- REQUIRED STREET TREE  
3" CALIPER AT TIME OF INSTALLATION
- \* ALL REQUIRED TREES & PARKING LOT SCREENING WILL MEET CITY OF ARLINGTON LANDSCAPE ORDINANCE REQUIREMENTS.

**TCC DRILL SITE  
SPECIFIC USE PERMIT  
6800 SOUTH WATSON ROAD  
ARLINGTON, TEXAS**

**Exhibit "B"(a)**

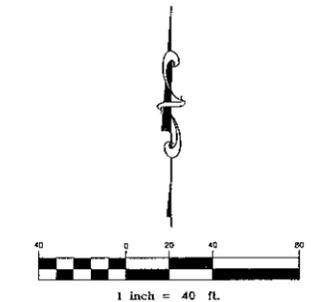
PROJECT TITLE:  
TCC DRILL SITE  
SPECIFIC USE PERMIT

**mima**  
mycoskie+mcinnis+associates  
civil engineering surveying landscape architecture planning  
200 east abram  
arlington, texas 76010  
817-469-1671  
fax: 817-274-8757  
www.mmatexas.com

PROJECT NUMBER: 2316-0-1  
PROJECT MANAGER: C. MYCOSKIE  
DRAWN BY: J. SUMPTER  
CHECKED BY: C. MYCOSKIE  
ISSUE DATE: 10/01/07

1 12/13/07 PZ COMMENTS JWS  
1 10/15/07 DRC COMMENTS JWS  
REV. DATE DESCRIP. BY

SHEET CONTENT:  
**SPECIFIC USE PERMIT**  
CASE# SUP07-16



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