

**ORDINANCE NO. 9715-2014**

**AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 16.97-ACRE TRACT OUT OF THE THOMAS J. TONE SURVEY, ABSTRACT NO. 1460, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, GENERALLY LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF SOUTH CARRIER PARKWAY AND WEST CAMP WISDOM ROAD, FROM "PD-242" PLANNED DEVELOPMENT DISTRICT NUMBER 242 AND "GR" GENERAL RETAIL DISTRICT TO A PLANNED DEVELOPMENT FOR SINGLE FAMILY RESIDENTIAL USES, AND A TELECOMMUNICATION TOWER; SAID ZONING MAP AND ORDINANCE BEING ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.**

**WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of "PD-242" Planned Development District Number 242 and "GR" General Retail District to a Planned Development for Single Family Residential Uses and a Telecommunications Tower; and**

**WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on April 7, 2014, after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and**

**WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 8 to 0 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from its classification of "PD-242" Planned Development District Number 242 and "GR" General Retail District to a Planned Development for Single Family Residential Uses and a Telecommunications Tower; and**

**WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on April 15, 2014, to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and**

**WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being**

informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from the classification its classification of **“PD-242” Planned Development District Number 242 and “GR” General Retail District** and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:**

**SECTION 1.** THAT Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

**“AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20<sup>TH</sup> DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN...”**

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following described area from its classification of **“PD-242” Planned Development District Number 242 and “GR” General Retail District to a Planned Development for Single Family Residential Uses and a Telecommunications Tower** to wit:

**LEGAL DESCRIPTION - 16.97 ACRES**

**BEING** 16.97 acres of a tract of land in the City of Grand Prairie, Dallas County, Texas, a part of the Thomas J. Tone Survey, Abstract No. 1460, and being further described as follows:

**BEGINNING** AT A 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF LOT 12, BLOCK L, WESTCHESTER VALLEY, PHASE 3, AS RECORDED IN INSTRUMENT NUMBER 200214200095, PLAT RECORDS, DALLAS COUNTY, TEXAS, IN THE EAST LINE OF THAT CERTAIN TRACT OF LAND CONVEYED TO GRAND PRAIRIE INDEPENDENT SCHOOL DISTRICT BY DEED RECORDED IN VOLUME 77215, PAGE 2868, DEED RECORDS, DALLAS COUNTY, TEXAS, AND BEING THE NORTHWEST CORNER OF SAID TRACT III AND THE SUBJECT PROPERTY;

**THENCE** NORTH 59 DEGREES, 35 MINUTES, 04 SECONDS EAST, AT 1108.23

FEET PASSING "X" CUT FOUND FOR THE SOUTHEAST CORNER OF LOT 42, OF SAID BLOCK L, IN ALL 1120.01 FEET TO A 1/2 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID TRACT II, ON THE WEST RIGHT-OF-WAY LINE OF CARRIER PARKWAY (VARIABLE WIDTH RIGHT-OF-WAY);

**THENCE** SOUTH 04 DEGREES, 46 MINUTES 57 SECONDS EAST, AT 211.34 FEET PASSING A 1/2 INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF SAID TRACT II, CONTINUE IN ALL 732.84 FEET TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED "ANA" SET FOR THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY, AND BEING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF SAID CARRIER PARKWAY AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CAMP WISDOM ROAD (VARIABLE WIDTH RIGHT-OF-WAY), FROM WHICH A 5/8 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF CITY OF GRAND PRAIRIE 20 FOOT RIGHT-OF-WAY DEDICATION AS RECORDED IN INSTRUMENT NUMBER 200201851228, OF SAID DEED RECORDS, BEARS SOUTH 04 DEGREES, 46 MINUTES, 57 SECONDS EAST, 21.47 FEET;

**THENCE** SOUTH 59 DEGREES, 35 MINUTES, 11 SECONDS WEST, 1117.35 FEET, WITH THE NORTHWESTERLY LINE OF SAID CAMP WISDOM ROAD AS DESCRIBED IN THE CITY OF GRAND PRAIRIE RIGHT-OF-WAY DEDICATION AS RECORDED IN INSTRUMENT NUMBER 20080354902, OF SAID DEED RECORDS TO A 5/8 INCH IRON ROD WITH YELLOW CAP STAMPED "ANA" SET FOR THE SOUTHWEST CORNER OF THE SUBJECT PROPERTY FROM WHICH A 3/4 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID RIGH-OF-WAY DEDICATION, BEARS SOUTH 03 DEGREES, 33 MINUTES, 43 SECONDS EAST, 21.92 FEET;

**THENCE** NORTH 05 DEGREES, 00 MINUTES, 56 SECONDS WEST, 519.40 FEET, WITH THE COMMON LINE OF SAID TRACT I, AND SAID GRAND PRAIRIE INDEPENDENT SCHOOL DISTRICT TRACT, TO A 5/8 INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID TRACT I, AND THE SOUTHWEST CORNER OF SAID TRACT III;

**THENCE** NORTH 04 DEGREES, 51 MINUTES, 11 SECONDS WEST, 212.27 FEET, WITH THE COMMON LINE OF SAID TRACT III, AND SAID GRAND PRAIRIE INDEPENDENT SCHOOL DISTRICT TRACT TO THE POINT OF BEGINNING AND CONTAINING 16.9713 ACRES OR 739,271 SQUARE FEET OF LAND, MORE OR LESS.

## **SECTION 2.**

### **Purpose and Intent**

The intent of this zoning ordinance is to create a development framework that encourages and supports higher standards.

Standards on infrastructure, landscaping, and construction are intended to provide for the development of high quality residential development.

A homeowners association (HOA) and public improvement district (PID) is intended to provide for the review, maintenance, and enforcement of design standards and to ensure resources are available for the care of the common elements and amenities of the community.

### **SECTION 3. Development Standards**

#### **General**

Development of the subject property shall be in accordance with and conform to the City of Grand Prairie Unified Development Code (UDC) unless otherwise specified herein.

#### **Conceptual Plan**

Development shall be in substantial conformance with the Conceptual Plan (Exhibit "B") as determined by the Planning Director or his designee.

#### **Residential**

1. The development shall comply with the regulations of the Single Family 4 (SF-4) District requirements of the Unified Development Code, as amended.
2. The development shall comply with the provisions of Resolution 3924, unless an appeal or exception is expressly approved by the City Council. In the event the provisions of the SF-4 district conflict with Resolution 3924, the more restrictive shall prevail, except:
  - a. Minimum lot area shall comply with the SF-4 regulations contained in the Unified Development Code, as amended.
  - b. Maximum net density shall comply with the SF-4 regulations contained in the Unified Development Code, as amended.
  - c. Minimum living area shall comply with the SF-4 regulations contained in the Unified Development Code, as amended.
  - d. Minimum lot width shall comply with the SF-4 regulations contained in the Unified Development Code, as amended.
  - e. Minimum lot depth shall comply with the SF-4 regulations contained in the Unified Development Code, as amended.
  - f. Non-"J" Swing lots shall comply with SF-4 minimum yard setback requirements contained in the Unified Development Code, as amended.

- g. "J" Swing lots shall comply with the requirements SF-4 minimum yard setback requirements contained in the Unified Development Code as amended, except that setbacks may vary as provided for in Resolution 3924.
3. A façade plan and streetscape layout plan shall be submitted to, reviewed by, and approved by the Planning Director or his designee prior to approval of building permits for residential structures (dwelling Units).
4. A landscape plan, fence and wall plan, and common open space plan shall submitted to, reviewed by, and approved by the Planning Director or his designee prior to final plat approval.

**C. Telecommunications Tower**

1. No residential lot shall be within 240 feet from the telecommunication tower or equipment within the development. Buffers shall be provided in accordance with the Conceptual Plan (Exhibit "B") attached hereto.

**Gas Well Site and "Frac" Pond**

1. A copy of the recorded documentation (Form W-3) from the Texas Railroad Commission indicating the existing gas well has been capped in accordance with Texas Railroad Commission Form W-3A (Exhibit "C" attached hereto) or similar approval documentation issued by the Texas Railroad Commission shall be submitted prior to final plat approval.
2. A permit/plan shall be approved by the City to fill and compact the soil in the existing "frac" pond in accordance with the City of Grand Prairie Engineering Standards prior to approval of the final plat.
3. The "frac" pond shall be filled, compacted, inspected in accordance with the City of Grand Prairie Engineering Standards prior to issuance of the first building permit.

**SECTION 4. Homeowners Association and/or Public Improvement District**

A mandatory property-owners association and/or a public improvement district ("PID") shall be created to enforce the restrictions contained herein at the expense of the property owners of the development and/or PID, shall also maintain the Pocket Parks, Trail System, access gates, entrances into the villages, fencing, irrigation, and other common areas within the villages.

**SECTION 5.** THAT all ordinances or parts of ordinances in conflict herewith are specifically repealed.

**SECTION 6.** THAT this Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 20<sup>TH</sup> DAY OF MAY 2014.**

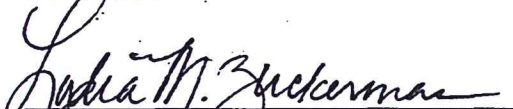
**APPROVED:**

  
\_\_\_\_\_  
Ron Jensen, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney

**ATTEST:**

*for*   
\_\_\_\_\_  
City Secretary

**ORDNANCE NO. 9715-2014  
PLANNED DEVELOPMENT NO. 344  
ZONING CASE NO. Z140402**

Exhibit A - Location Map



# CASE LOCATION MAP

Case Number Z140402

Westchester Crossing



City of Grand Prairie  
Planning and Development

(972) 237-8257





# Exhibit C - RR COMMISSION NOI (Page 1 of 2)

Job# 2014-133

## RAILROAD COMMISSION OF TEXAS Oil and Gas Division

FORM W-3A  
R.R.C. OF TEXAS  
DEC 23 2013

Type or print only

### Notice of Intention to Plug and Abandon

Operators must comply with RRC plugging procedures as outlined on the reverse side.

1. Operator's Name and Address (Exactly as shown on Form P-5 Organization Report) Chesapeake Operating, Inc. P.O. Box 18496 Oklahoma City, OK 73154-0496		3. RRC District No./County of Well Site 09 / Dallas																																																									
2. RRC Operator Number 147715		5. API No. 42-113-30195	6. Drilling Permit No. 685946																																																								
7. Rule 37 Case No.		8. Oil Lease No. or Gas Well ID No. 259534	9. Well No. 1H																																																								
10. Field Name (Exactly as shown on RRC records) Newark, East (Barnett Shale)		11. Lease Name Corn Valley A																																																									
12. Location • Section No. _____ Block No. _____ Survey Thomas Tone No. _____ Abstract No. A-1460 • Distance (in miles) and direction from a nearby town in this county (name the town). 14.7 miles in a SW direction from Dallas																																																											
13. Type of well 1 - oil 3 - disposal 5 - other (specify) _____ 2 - gas 4 - injection Enter appropriate no. in box		14. Type of completion Single <input checked="" type="checkbox"/> Multiple <input type="checkbox"/>	15. Total depth 12,034'																																																								
16. Usable-quality water (as determined by Texas Dept. of Water Resources) occur to a depth of 2,100 feet and in deeper strata from _____ to _____ feet; and from _____ to _____ feet																																																											
17. • If there are wells in this area which are producing from or have produced from a shallower zone, state depth of zone N/A • If there are wells into which salt water is being or has been disposed of into a shallower zone, state depth of zone N/A																																																											
18. <table border="1"> <thead> <tr> <th rowspan="2">Size</th> <th rowspan="2">Depth</th> <th rowspan="2">Cement (sacks)</th> <th rowspan="2">Drilled hole size</th> <th rowspan="2">Top of cement (feet)</th> <th colspan="2">Top of cement determined by:</th> <th rowspan="2">Cement bond log</th> <th rowspan="2">Anticipated casing recovery (feet)</th> </tr> <tr> <th>Temper. Survey</th> <th>Calculated</th> </tr> </thead> <tbody> <tr> <td>9-5/8</td> <td>set @ 2,218</td> <td>w/ 615</td> <td>12-1/4</td> <td>23' SUR.</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td>5-1/2</td> <td>set @ 12,027</td> <td>w/ 1710</td> <td>8-3/4</td> <td>5,180 - 3,000'</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>X</td> <td>5,000</td> </tr> <tr> <td></td> <td>set @</td> <td>w/</td> <td></td> <td></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td></td> <td>set @</td> <td>w/</td> <td></td> <td></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> <tr> <td></td> <td>set @</td> <td>w/</td> <td></td> <td></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td></td> </tr> </tbody> </table>				Size	Depth	Cement (sacks)	Drilled hole size	Top of cement (feet)	Top of cement determined by:		Cement bond log	Anticipated casing recovery (feet)	Temper. Survey	Calculated	9-5/8	set @ 2,218	w/ 615	12-1/4	23' SUR.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		5-1/2	set @ 12,027	w/ 1710	8-3/4	5,180 - 3,000'	<input type="checkbox"/>	<input type="checkbox"/>	X	5,000		set @	w/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			set @	w/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			set @	w/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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19. Has notice of intent to plug been filed previously for this well? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		20. Plugging proposal (List all bridge and cement plugs.) <i>if pipe not pulled Prof + Sp.</i>																																																									
<p><b>PLUGGING</b></p> <p>Perforations _____ Open _____</p> <p>9,480' - 11,926' <input type="checkbox"/> <b>HOURS PRIOR TO COMMENCING OPERATIONS</b></p> <p>947-723-2153 <input type="checkbox"/></p>		<table border="1"> <thead> <tr> <th>No. of sacks</th> <th>Depth in feet (top &amp; bottom)</th> </tr> </thead> <tbody> <tr> <td>1. CIBP +3 sacks</td> <td>9,400' - 9,378'</td> </tr> <tr> <td>2. 100</td> <td>4,900' - 5,100'</td> </tr> <tr> <td>3. 100 +</td> <td>3,118' - 2,319'</td> </tr> <tr> <td>4. 10-15</td> <td>30' - 3'</td> </tr> <tr> <td>5. 80</td> <td>3,000' - 3,100'</td> </tr> <tr> <td>6.</td> <td></td> </tr> <tr> <td>7.</td> <td></td> </tr> </tbody> </table> <p><i>2050 TAG</i></p>		No. of sacks	Depth in feet (top & bottom)	1. CIBP +3 sacks	9,400' - 9,378'	2. 100	4,900' - 5,100'	3. 100 +	3,118' - 2,319'	4. 10-15	30' - 3'	5. 80	3,000' - 3,100'	6.		7.																																									
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22. Name and address of operator's company or contractor Halliburton <i>RRC approved</i>		23. Anticipated plugging date for this well is: 4/28/2014 mo. day yr.																																																									
Wickie Collins Type or printed name of operator's representative		Associate Regulatory Specialist Title of person																																																									
313)674-7204 Telephone: Area Code Number		Wickie Collins Signature																																																									
Date: 12/19/13 mo. day year		Date: 12-23-13 mo. day yr.																																																									

**W3A APPROVAL**  
**EXPIRES**  
Expiration date 2014 12/30/2014  
mo. day year  
RRC - DIST 09  
WICHITA FALLS, TEXAS

RRC District Office Action  
District Director  
for *Kaleb Foster*  
Date 12-23-13

# Exhibit C - RR COMMISSION NOI (Page 2 of 2)

