

CITY OF LAREDO

SPECIAL CITY COUNCIL MEETING

A-2015-SC-05
CITY COUNCIL CHAMBERS
1110 HOUSTON STREET
LAREDO, TEXAS 78040
MAY 27, 2015
5:30 P.M.



DISABILITY ACCESS STATEMENT



Persons with disabilities who plan to attend this meeting and who may need auxiliary aid or services are requested to contact Gustavo Guevara, City Secretary at (956) 791-7308 at least two working days prior to the meeting so that appropriate arrangements can be made. The accessible entrance and accessible parking spaces are located at City Hall, 1100 Victoria Ave.

Out of consideration for all attendees of the City Council meetings, please turn off all cellular phones and pagers, or place on inaudible signal. Thank you for your consideration.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

IV. PUBLIC HEARINGS

1. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 5H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit. District VII

2. **Public hearing and introductory ordinance** amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 6H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit. District VII

V. EXECUTIVE SESSION

The City Council hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the City Attorney or other legal counsel for the City, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

VI. ADJOURNMENT

This notice was posted at the Municipal Government Offices, 1110 Houston Street, Laredo, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, May 22, 2015 at 5:30 p.m.

Gustavo Guevara, Jr.
City Secretary

Public Hearings (also Intro Ord)

City Council-Special

Meeting Date: 05/27/2015

Initiated By: Horacio De Leon, Assistant City Manager

Initiated By: Laredo Energy VI, LP, applicant; Adolfo Campero, Jr., representative

Staff Source: Nathan R. Bratton, Planning Director

SUBJECT

Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 5H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit. District VII

PREVIOUS COUNCIL ACTION

This item was tabled at the regular meeting of May 5, 2015.

BACKGROUND

Council District: VII

Proposed use: Oil and / or Gas Extraction & Production

Site: Existing wells and proposed new well

Surrounding land uses: Properties in every direction are vacant and undeveloped. Green Ranch Subdivision is to the south west of the site.

Comprehensive Plan: The Comprehensive Plan identifies this area as Light Industrial.

Transportation Plan: The Long Range Thoroughfare Plan identifies F.M. 1472 as an Expressway.

Letters sent to surrounding property owners: 1 In Favor: 0 Opposed: 0

STAFF COMMENTS

A Special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

STAFF COMMENTS

A Special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc. Staff supports the request of the proposed SUP at this location for the following reasons:

1. The proposed SUP is compatible with the surrounding uses and zones.
2. The proposed use is consistent with the Comprehensive Plan's designation for this area as Light Industrial.
3. The proposed drilling site is a considerable distance from any other development.

Should the Commission recommend approval of the proposed SUP, staff suggests the following conditions:

1. The Special Use Permit is issued to Laredo Energy VI, LP, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit must abide by statements made in letter, Exhibit "B", which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire Code requirements including the location and treatment of the premises.
5. The Special Use Permit shall comply with all rules and regulations of the Laredo Land Development Code Section 24-73: Oil & Gas Extraction & Production Specific Use Zoning Overlay District and Permit Requirements.
6. The Special Use Permit shall be subject to an annual inspection.

COMMITTEE RECOMMENDATION

The P & Z Commission, in a 7 to 1 vote, recommended **approval** of the Special Use Permit.

STAFF RECOMMENDATION

Staff **supports** the proposed Special Use Permit.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

Ordinance

Zoning Map

Aerial Map

Future Land Use Map

Plat exhibit

Exhibits

ORDINANCE NO. 2015-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT AND DRILLING PERMIT FOR OIL AND/OR GAS EXTRACTION AND PRODUCTION FOR HACHAR 5H WELL ON A 2.62 ACRE PAD SITE OUT OF A 6,132.06 ACRE TRACT KNOWN AS THE HACHAR LEASE, LOCATED EAST OF F.M. 1472; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 5H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on April 2, 2015; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Special Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on May 18, 2015, on the request and finds the Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Special Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Special Use Permit may commence; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 5H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472.

Section 2: The Special Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The Special Use Permit is issued to Laredo Energy VI, LP, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.

3. The Special Use Permit must abide by statements made in letter, Exhibit “B”, which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire Code requirements including the location and treatment of the premises.
5. The Special Use Permit shall comply with all rules and regulations of the Laredo Land Development Code Section 24-73: Oil & Gas Extraction & Production Specific Use Zoning Overlay District and Permit Requirements.
6. The Special Use Permit shall be subject to an annual inspection.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Special Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.93.12, entitled “Enforcement and Revocation of Special Use Permits,” according to the criteria and procedures described therein and below:

(a) Any Special Use Permit, authorized by City Council, shall be considered in noncompliance and shall be suspended or revoked and removed from the City of Laredo Zoning Map if:

(1) A court having jurisdiction or a jury find the holder of the Special Use Permit guilty of a violation or if a holder of an SUP pleads guilty of violating:

(a.) Any requirement or term or condition of the Special Use Permit or has not conformed, at any time, with any or all of the requirements or terms or conditions as set out in the Special Use Permit as approved by the City Council.

(2) The activity authorized by the Special Use Permit commences prior to the institution of all conditions imposed by the Special Use Permit.

(3) The use for which the Special Use Permit was authorized does not commence within six months of the effective date of the Special Use Permit.

(a.) An extension of up to six months may be granted, for good cause shown, by the Building Services Director upon petition of the SUP holder.

(4) The use for which the Special Use Permit is authorized is discontinued for a period of six (6) consecutive months.

(5) In the event of discontinuance or failure to commence as stipulated in Subsection 24.93.12 of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Special Use Permit’s official revocation and removal from the City of Laredo Zoning Map.

(b) Procedures:

(1) Should a City of Laredo Zoning Enforcement Official or Fire Official inspection reveal non-compliance with Laredo Land Development Code, Section 24.93.7.(b) or any of any additional express conditions of the Special Use Permit, Special Use Permit suspension/revocation procedures shall commence as below stipulated:

(a.) A Zoning Officer or Fire Official shall, upon discovery of special use permit non-compliance as per Subsection 24.93.7.(b), issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Special Use Permit for that location.

(b.) If non-compliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official or Fire Official shall issue written citation.

(c.) The requirement for the issuance of a written warning and grace period shall not apply to a citation issued as a result of a violation of the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load or the failure to, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges and said citation/s shall be filed for prosecution.

(d.) Should a citation result in a court, having jurisdiction or a jury finding the holder of the Special Use Permit guilty of a violation, or if a holder of an SUP pleads guilty, the Special Use Permit will be suspended for such period of time as is necessary to remedy the violation, but in no event shall the suspension be for less than 24 hours to be implemented as follows:.

- i. The Zoning Officer or Fire Official shall immediately notify the Planning Director, in writing, of the result of the prosecution of the citation.
- ii. The Planning Director shall, within 48 hour notice of the court's determination (or as soon thereafter as is practicable) issue the permit holder written notification of the Special Use Permit's official suspension.
- iii. The Special Use Permit Holder shall suspend all business operations in accordance with the notice.
- iv. The Special Use Permit Holder shall not resume operation until the violation has been corrected and the establishment has been inspected. A "Notice of Termination of Suspension" shall be issued by the Planning Director upon his/her finding that all issues relevant to the suspension have been complied with and the 24 hour suspension period has run. The Planning Director shall issue such notice without unreasonable delay.

(2) Upon the second conviction of a violation of any of the provisions of the Laredo Land Development Code, Section 24.93.7. (b) or any additional express condition of the Special

Use Permit, within any twelve month period, the Special Use Permit will be suspended for such period of time as is necessary to remedy the violation, but in no event shall the suspension be for less than 72 hours. This provision shall be implemented in the same manner as set forth above in Section 24.93.12 (b) (1)(a-d).

(3) Upon the third conviction of a violation of any of the provisions of the Laredo Land Development Code, Section 24.93.7. (b) or any additional express condition of the Special Use Permit, within any twelve month period, and subject to the revocation/suspension procedures set forth in Section 24.93.12 (b) (1)(a-d), the Special Use Permit will be revoked and the City shall proceed with its removal from the City of Laredo Zoning Map.

(a.) The Planning Director shall issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map and the Special Use Permit Holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the business is located.

(b.) Once the holder of the Special Use Permit has been notified of the revocation, the permit holder may petition the City Council for reinstatement of the permit. The reinstatement shall be processed and proceed in the same manner as a new application for a Special Use Permit inclusive of all required fees and documentation.

(c.) In the event the Special Use Permit Holder appeals the conviction, any suspension or revocation will be abated until the completion of the appeals process.

(4) For purposes of Section 24.93.7.(1), (2), or (3) above, a finding of guilt on more than one citation issued on the same day for the same location shall be counted as only one violation.

(5) In the event the Special Use Permit Holder appeals a conviction, any suspension or revocation will be abated until the completion of the appeals process.

(6) Effect of Other Violations (Habitual Offenses):

(a.) Twelve violations of City Ordinances which result in an adjudication of guilt (by trial to the court, by jury or by entering a plea of guilt) during any twelve month period shall result in the revocation of the Special Use Permit. The holder of said SUP may avail himself/herself of the remedy set forth in Section 24.93.12(b)(3)(b).

(b.) Should the twelve citations, issued during any twelve month period result in a court having jurisdiction or a jury find the holder of the Special Use Permit guilty of each violation or if a holder of an SUP pleads guilty to violation/s, the City of Laredo shall consider the Special Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.

(c.) The Planning Director shall then issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map and the Special Use Permit Holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the business is located.

(d.) Once the holder of the Special Use Permit has been notified of the revocation, the permit holder may petition the City Council for reinstatement of the permit. The reinstatement shall be processed and proceed in the same manner as a new application for a Special Use Permit inclusive of all required fees and documentation.

(e.) In the event the Special Use Permit Holder appeals any of the convictions the revocation will be abated until the completion of the appeals process.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE
_____ DAY OF _____, 2015.

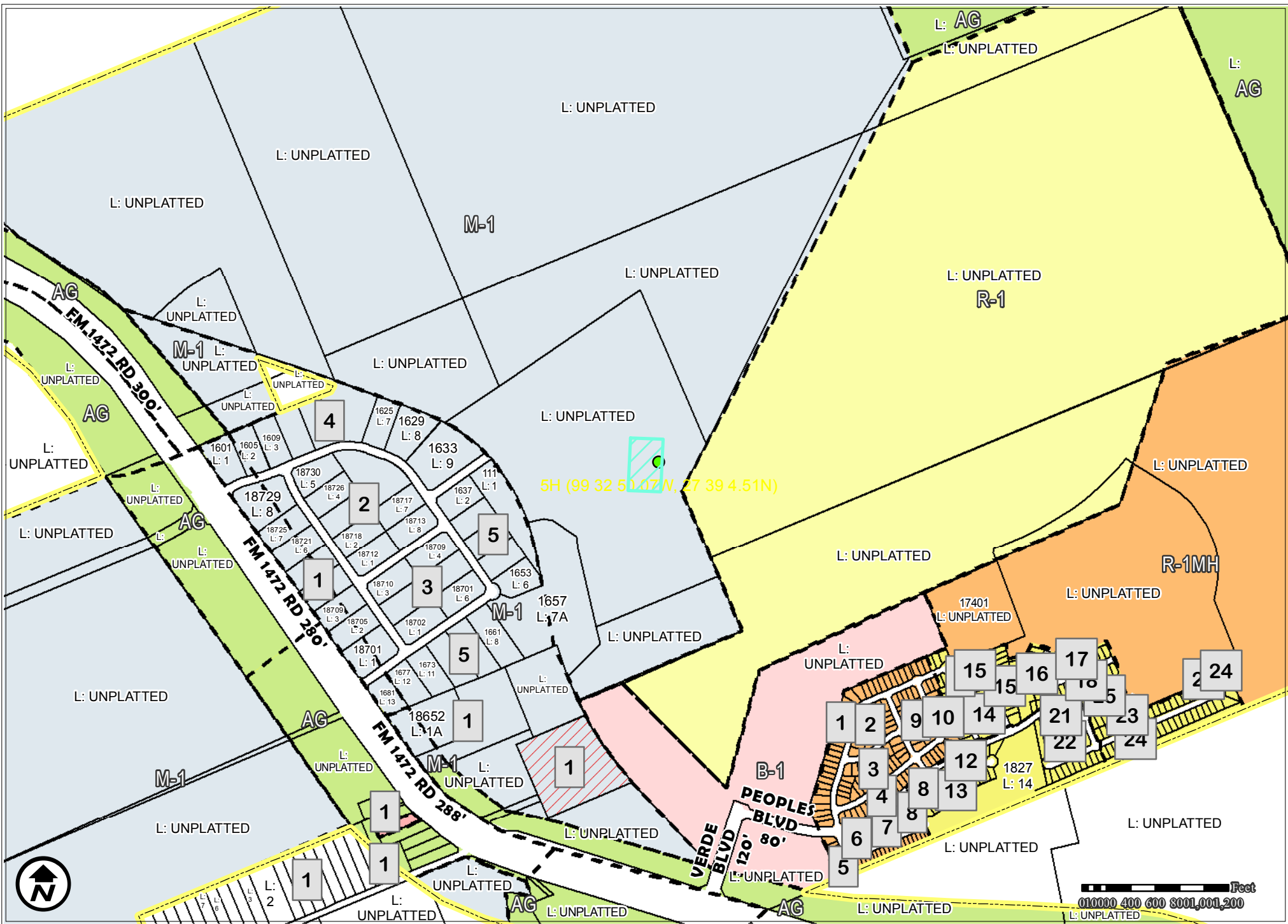
PETE SAENZ
MAYOR

ATTEST:

GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:
RAUL CASSO, CITY ATTORNEY

KRISTINA LAUREL HALE
ASSISTANT CITY ATTORNEY



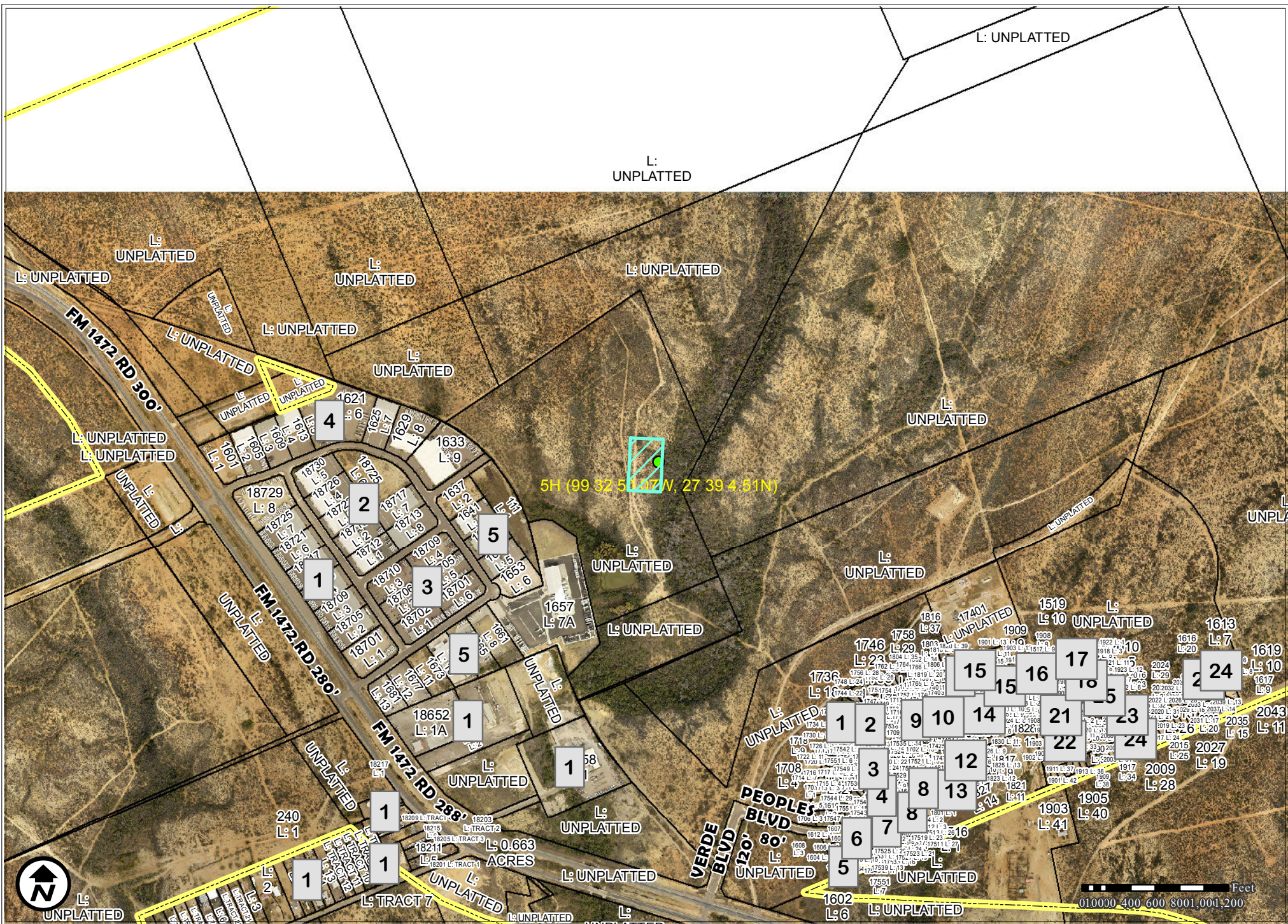
ZONING MAP 5H; HACHAR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-31-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION

- S.U.P. (SPECIAL USE PERMITS)
- C.U.P. (CONDITIONAL USE PERMITS)
- S.U.P. & C.U.P.

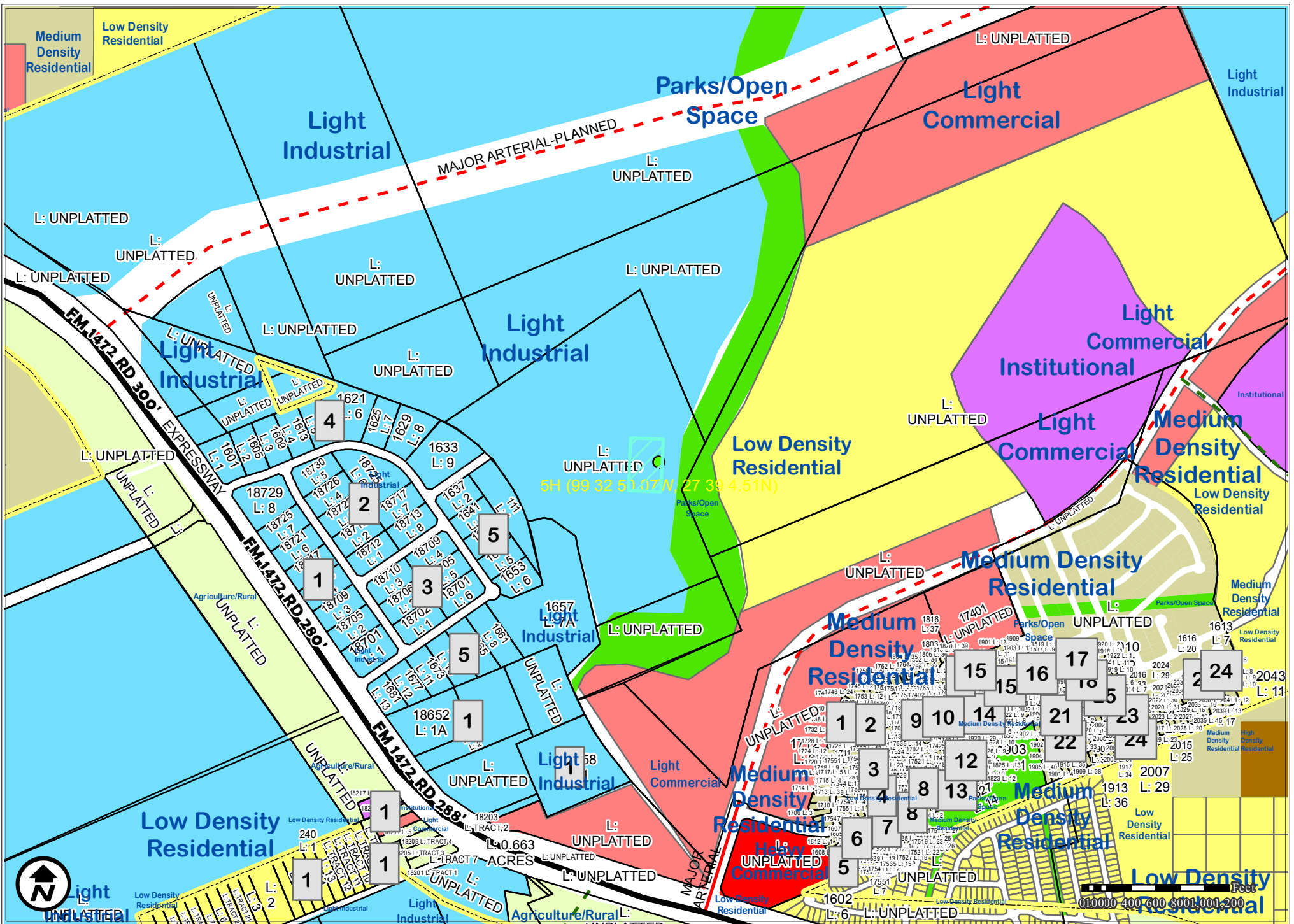


AERIAL MAP 5H; HACHAR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-31-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION

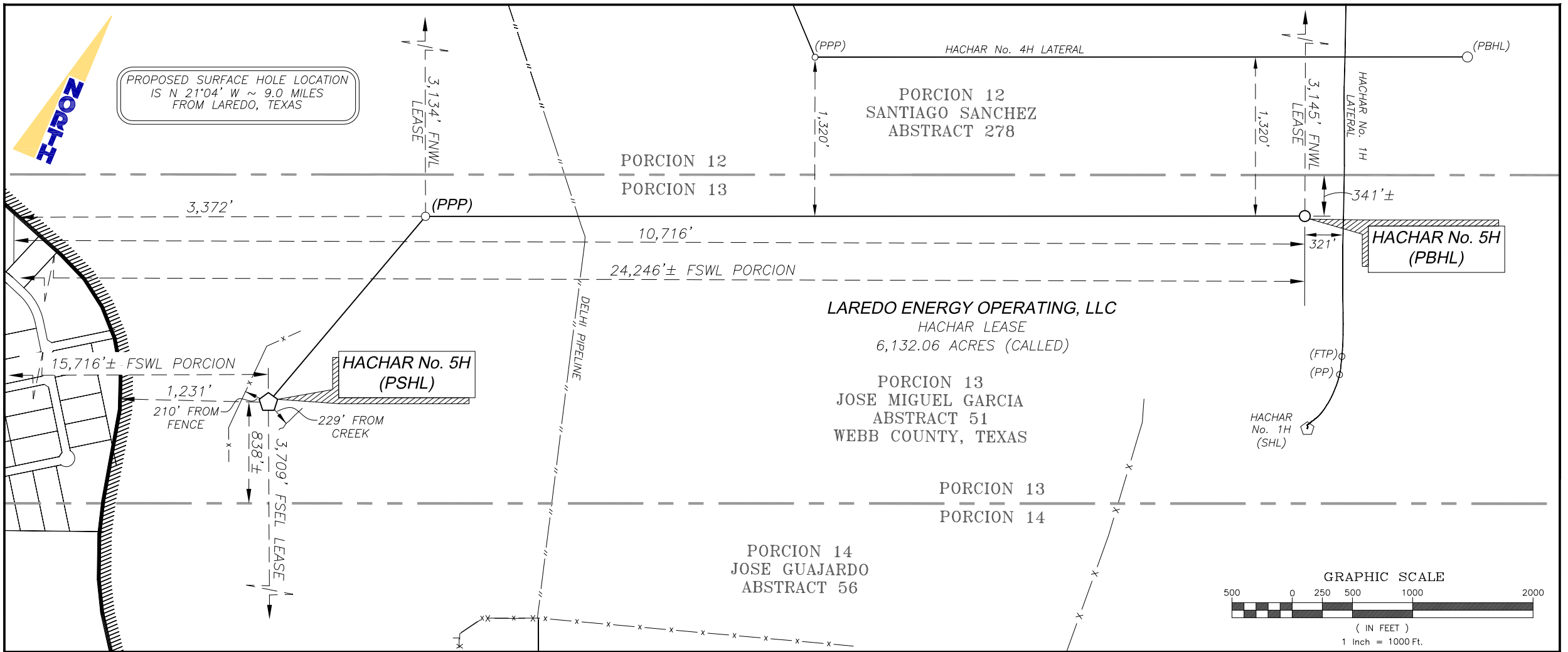


FUTURE LAND USE MAP FOR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-31-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION



PROPOSED SURFACE HOLE LOCATION IS N 21°04' W ~ 9.0 MILES FROM LAREDO, TEXAS

HACHAR No. 5H

STATE PLANE COORDINATES – TEXAS SOUTH ZONE – NAD 1927:
PROPOSED SURFACE HOLE LOCATION (PSHL)
 N: 722660 E: 1661078

GEOGRAPHIC NAD 27: Lat.: 27°39'03.46" Long.: 99°32'48.91"
 GEOGRAPHIC NAD 83: Lat.: 27°39'04.51" Long.: 99°32'50.07"
 ELEVATION: 479'

LEASE: 3,709' FSEL & 1,231' FSWL
 PORCION: 838'± FSEL & 15,716'± FSWL

Proposed Penetration Point (PPP)

N: 724585 E: 1661694
 LEASE: 3,134' FNWL & 3,372' FSWL

PROPOSED BOTTOM HOLE LOCATION (PBHL)

N: 727377 E: 1668438
 LEASE: 3,145' FNWL & 10,716' FSWL
 PORCION: 341'± FNWL & 24,246'± FSWL

LAREDO ENERGY OPERATING, LLC

HACHAR LEASE
 6,132.06 ACRES (CALLED)

SITUATED IN
 PORCION 13, JOSE MIGUEL GARCIA, ABSTRACT 51
 WEBB COUNTY, TEXAS

Path Information			LEGEND	
(PSHL)	○	(PSHL)	=	PROPOSED SURFACE HOLE LOCATION
N 1744' E ~ 2,021'	○	(PPP)	=	PROPOSED PENETRATION POINT
(PPP)	○	(PBHL)	=	PROPOSED BOTTOM HOLE LOCATION
N 67°31' E ~ 7,299'	○	(PBHL)	=	LEASE LINE
(PBHL)	○	(PBHL)	=	PORCION LINE
	○	(PBHL)	=	WELL BORE PATH
	○	(PBHL)	=	PERPENDICULAR TIES

FIELD DATE	BOOK	PAGE(s)	Revision	Date
08-18-14	931	48	1	08-17-14
01-29-15	940	14	2	09-23-14
			3	02-05-15

DRAWN BY: L.O.T.

CHECKED BY: J.S.

JOB No.: 23411-14

QUAD NAME: CUERVO CREEK

SHEET: 1 OF 1

WARNING: THIS PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE THE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON THIS PROPERTY.

HOWLAND

ENGINEERING AND SURVEYING CO.
 TBPE Firm Registration No. F-4097 TBPLS Firm Registration No. 100485-09
 7615 N. Bartlett Avenue Laredo, TX. 78041 P. 956.722.1111
 www.howlandcompanies.com

This Plat represents a WELL LOCATION survey prepared from an on-the-ground survey, deeds and other available information. This is not intended to be a boundary survey, but for the sole purpose of filing with the Texas Railroad Commission for a drilling permit. This plat is for the exclusive use of LAREDO ENERGY OPERATING, LLC.

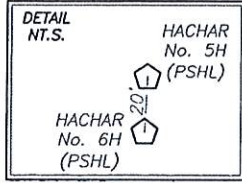


R.P.L.S. No. 5726 –TEXAS

EXHIBIT "A"

LAREDO ENERGY OPERATING, LLC
 HACHAR No. 5H AND HACHAR No. 6H PAD SITE
 SITUATED IN
 PORCION 13, JOSE MIGUEL GARCIA, ABSTRACT 51
 CITY OF LAREDO, WEBB COUNTY, TEXAS

NORTH



PORCION 13
 JOSE MIGUEL GARCIA
 ABSTRACT 51
 CITY OF LAREDO
 WEBB COUNTY, TEXAS

COMMENCING
 S 68°23'44" E ~ 6,302.55'
 From a found 6" inch fence corner
 post being the West corner of a
 6.132-06 Acre Tract

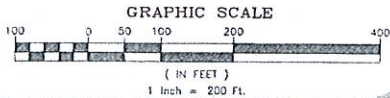
POINT OF BEGINNING

LAREDO ENERGY
 HACHAR LEASE
 6,132.05 ACRES (CALLED)
 VOLUME 3195, PAGE 529
 O.P.R.W.C.T.

PAD SITE
 2.62 ACRES



R.P.L.S. No. 5726
02-17-15
 CURRENT DATE



LAREDO ENERGY OPERATING, LLC (OPERATOR)

100 YEAR FLOODPLAIN ZONE

PORCION 13
 PORCION 14

PORCION 14
 JOSE GUAJARDO
 ABSTRACT 56
 CITY OF LAREDO

HOWLAND

ENGINEERING AND SURVEYING CO.
 TBPE Firm Registration No. F-4097 TBPLS Firm Registration No. 100454-00
 7615 N. Bardett Avenue Laredo, TX. 78041 P. 956.722.4411
 www.howlandcompanies.com

WARNING: BASIS OF BEARING: G.P.S. Tx. South Zone, N.A.D.-27
 THIS PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. HOWLAND ENGINEERING AND SURVEYING CO., INC. ASSUMES NO RESPONSIBILITY TO LOCATE PIPELINE OR CABLE CROSSINGS. NO CLAIM IS HEREBY MADE REGARDING CURRENT OR ACTUAL SURFACE, MINERAL FEE OWNERSHIP OR LESSOR. THIS DRAWING IS MADE EXCLUSIVELY FOR LAREDO ENERGY OPERATING, LLC
 COPYRIGHT HOWLAND ENGINEERING AND SURVEYING CO., INC. 2015 ©

LEGEND

- (PSHL) = PROPOSED SURFACE HOLE LOCATION
- = PAD LINE
- = PERPENDICULAR TIES
- = SURVEY LINE
- = FENCE LINE

Revision	Date
1	01-07-15
2	02-11-15
3	02-12-15
4	02-13-15

FIELD DATE	BOOK	PAGE(s)	DRAWN BY: J.V.
01-09-15	944	64	CHECKED BY: J.S./L.O.T.
01-29-15	940	15	JOB No. 23411.1-15B
			SHEET: 2 OF 3

EXHIBIT "A"

**FIELD NOTES
FOR
LAREDO ENERGY OPERATING, LLC
HACHAR LEASE
2.62 ACRE PAD SITE**

A TRACT OF LAND CONTAINING 2.62 ACRES, more or less, being out of the Hachar Lease, 6,132.06 Acres (Called), recorded in Volume 3196, Page 529, Official Public Records of Webb County, Texas, situated in Porcion 13, Jose Miguel Garcia, Abstract 51, City of Laredo, Webb County, Texas, and being more particularly described as follows;

COMMENCING from a found 6 inch fence corner post, being the West corner of said Hachar Lease, 6,132.06 Acres (Called); Thence, S 68°23'44" E, a distance of 6,302.55 feet, for the Northwest corner hereof, and the **POINT OF BEGINNING**;

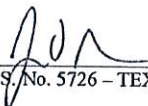
THENCE, S 87°18'00" E, a distance of **265.00 FEET**, to a point for the Northeast corner hereof;

THENCE, S 02°42'00" W, a distance of **430.00 FEET**, to a point for the Southeast corner hereof;

THENCE, N 87°18'00" W, a distance of **265.00 FEET**, to a point for the Southwest corner hereof;

THENCE, N 02°42'00" E, a distance of **430.00 FEET**, to the **POINT OF BEGINNING** and containing 2.62 acres of land, more or less.

Basis of Bearing: G.P.S., TX. South Zone, NAD-27


R.P.L.S. No. 5726 - TEXAS



02-17-15
Current Date

SHEET 2 OF 2

S:\HOWLAND SURVEYING\DEPARTMENT\JOBS\2015\23411.1-15\23411.1-15B.docx

www.howlandcompanies.com

7615 N. Bartlett Avenue P.O. Box 451128 (78045) Laredo, TX 78041 P. 956.722.4411 F. 956.722.5414
TBPE Firm Registration No. F-4097 TBPLS Firm Registration No. 100464-00



www.laredoenergy.com


City Centre Four
840 W. Sam Houston Pkwy N.
Suite 400
Houston, Texas 77024
713-600-6000
713-600-6001 Fax

The undersigned, on behalf of Laredo Energy VI, L.P. ("Laredo Energy"), hereby states as follows:

1. Laredo Energy agrees to present any evidence to the Laredo City Council, in addition to that which is required under Section 24-73 of the Land Development Code, as may be requested by the City Council.
2. To the best of Laredo Energy's belief, the proposed drilling, completion, and production operations can be conducted safely.
3. Laredo Energy hereby authorizes the City of Laredo to expend such funds as may be necessary under the direction and advice of the Texas Railroad Commission, under the circumstances, to regain well control.
4. Laredo Energy hereby agrees to file with the Office of the Superintendent and/or Planning and Zoning Department the reports required under Section 24-73 of the Land Development Code.

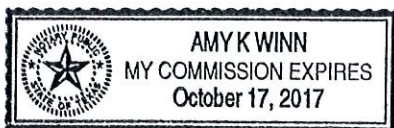
Signed on this the 21st day of January, 2015.

LAREDO ENERGY VI, L.P.
By: Laredo Energy VI GP, LLC
Its general partner

By: 
Kenneth A. Cravens, VP-Land

THE STATE OF TEXAS §
COUNTY OF HARRIS §

Subscribed and sworn to before me, by Kenneth A. Cravens, Vice President-Land, Laredo Energy VI, L.P., this 21st day of January, 2015, in the capacity stated.





Notary Public in and for the State of TEXAS

Exhibit B

Public Hearings (also Intro Ord)

City Council-Special

Meeting Date: 05/27/2015

Initiated By: Horacio De Leon, Assistant City Manager

Initiated By: Laredo Energy VI, LP, applicant

Staff Source: Nathan R. Bratton, Planning Director

SUBJECT

Public hearing and introductory ordinance amending the Zoning Ordinance (Map) of the City of Laredo by authorizing a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 6H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; providing for publication and effective date.

Staff is in support of the application and the Planning and Zoning Commission recommends approval of the proposed Special Use Permit. District VII

PREVIOUS COUNCIL ACTION

This item was tabled at the regular meeting of May 4, 2015.

BACKGROUND

Council District: VII

Proposed use: Oil and / or Gas Extraction & Production

Site: Existing wells and proposed new well

Surrounding land uses: Properties in every direction are vacant and undeveloped. Green Ranch Subdivision is to the south west of the site.

Comprehensive Plan: The Comprehensive Plan identifies this area as Light Industrial.

Transportation Plan: The Long Range Thoroughfare Plan identifies F.M. 1472 as an Expressway.

Letters sent to surrounding property owners: 1 In Favor: 0 Opposed: 0

STAFF COMMENTS

A Special Use Permit (SUP) is used for those types of uses that warrant individual attention on a case by case basis and should not be categorized in a zoning district. A Special Use Permit is basically an overlay on top of the existing zoning designation and can be limited in many respects such as time, fencing, setbacks, landscaping, etc.

1. The proposed SUP is compatible with the surrounding uses and zones.
2. The proposed use is consistent with the Comprehensive Plan's designation for this area as Light Industrial.
3. The proposed drilling site is a considerable distance from any other development.

Should the Commission recommend approval of the proposed SUP, staff suggests the following conditions:

1. The Special Use Permit is issued to Laredo Energy VI, LP, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.
3. The Special Use Permit must abide by statements made in letter, Exhibit "B", which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire Code requirements including the location and treatment of the premises.
5. The Special Use Permit shall comply with all rules and regulations of the Laredo Land Development Code Section 24-73: Oil & Gas Extraction & Production Specific Use Zoning Overlay District and Permit Requirements.
6. The Special Use Permit shall be subject to an annual inspection.

COMMITTEE RECOMMENDATION

The P & Z Commission, in a 7 to 1 vote, recommended approval of the Special Use Permit.

STAFF RECOMMENDATION

Staff supports the proposed Special Use Permit.

Fiscal Impact

Fiscal Year:

Budgeted Y/N?:

Source of Funds:

Account #:

Change Order: Exceeds 25% Y/N:

FINANCIAL IMPACT:

N/A

Attachments

Ordinance

Zoning Map

Aerial Map

Future Land Use Map

Plat exhibit

Exhibits

ORDINANCE NO. 2015-O-

AMENDING THE ZONING ORDINANCE (MAP) OF THE CITY OF LAREDO BY AUTHORIZING A SPECIAL USE PERMIT AND DRILLING PERMIT FOR OIL AND/OR GAS EXTRACTION AND PRODUCTION FOR HACHAR 6H WELL ON A 2.62 ACRE PAD SITE OUT OF A 6,132.06 ACRE TRACT KNOWN AS THE HACHAR LEASE, LOCATED EAST OF F.M. 1472; PROVIDING FOR EFFECTIVE DATE AND PUBLICATION.

WHEREAS, a request has been received for the issuance of a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 6H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472; and,

WHEREAS, the required written notices were sent to surrounding property owners at least ten (10) days before the public hearing held before the Planning and Zoning Commission on April 2, 2015; and,

WHEREAS, the Planning and Zoning Commission, after a public hearing, has recommended **approval** of the Special Use Permit; and,

WHEREAS, notice of the zone change request was advertised in the newspaper at least fifteen (15) days prior to the public hearing held before the City of Laredo City Council on this matter; and,

WHEREAS, the City Council has held a public hearing on May 18, 2015, on the request and finds the Special Use Permit appropriate and consistent with the General Plan of the City of Laredo; and,

WHEREAS, all conditions imposed by the Special Use Permit, and all pertinent requirements the Laredo Land Development Code shall be met before the activity sanctioned by the Special Use Permit may commence; and,

WHEREAS, the City Council does not consider the impact, if any, of private covenants and deed restrictions on the subject property with the adoption of this ordinance; and,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: The Zoning Map of the City of Laredo be and is hereby amended by authorizing the issuance of a Special Use Permit and Drilling Permit for Oil and/or Gas Extraction and Production for Hachar 6H Well on a 2.62 acre pad site out of a 6,132.06 acre tract known as the Hachar Lease, located East of F.M. 1472.

Section 2: The Special Use Permit is further restricted to the following provision herewith adopted by the City Council:

1. The Special Use Permit is issued to Laredo Energy VI, LP, and is non-transferable.
2. The Special Use Permit is restricted to the site plan, Exhibit "A", which is made part hereof for all purposes.

3. The Special Use Permit must abide by statements made in letter, Exhibit “B”, which is made part hereof for all purposes.
4. The Special Use Permit shall comply with all Fire Code requirements including the location and treatment of the premises.
5. The Special Use Permit shall comply with all rules and regulations of the Laredo Land Development Code Section 24-73: Oil & Gas Extraction & Production Specific Use Zoning Overlay District and Permit Requirements.
6. The Special Use Permit shall be subject to an annual inspection.

Section 3: This ordinance shall be published in a manner provided by Section 2.09 (D) of the Charter of the City of Laredo.

Section 4: This ordinance shall become effective as and from the date of publication specified in Section 3.

Section 5: The Special Use Permit authorized by this ordinance shall be revoked pursuant to the Laredo Land Development Code, section 24.93.12, entitled “Enforcement and Revocation of Special Use Permits,” according to the criteria and procedures described therein and below:

(a) Any Special Use Permit, authorized by City Council, shall be considered in noncompliance and shall be suspended or revoked and removed from the City of Laredo Zoning Map if:

(1) A court having jurisdiction or a jury find the holder of the Special Use Permit guilty of a violation or if a holder of an SUP pleads guilty of violating:

(a.) Any requirement or term or condition of the Special Use Permit or has not conformed, at any time, with any or all of the requirements or terms or conditions as set out in the Special Use Permit as approved by the City Council.

(2) The activity authorized by the Special Use Permit commences prior to the institution of all conditions imposed by the Special Use Permit.

(3) The use for which the Special Use Permit was authorized does not commence within six months of the effective date of the Special Use Permit.

(a.) An extension of up to six months may be granted, for good cause shown, by the Building Services Director upon petition of the SUP holder.

(4) The use for which the Special Use Permit is authorized is discontinued for a period of six (6) consecutive months.

(5) In the event of discontinuance or failure to commence as stipulated in Subsection 24.93.12 of this Ordinance, Zoning Enforcement Staff will issue written notification of same. Ten days after issuance of Zoning Enforcement notification of discontinuance or failure to commence, the Planning Director shall then issue the permit holder written notification of the Special Use Permit’s official revocation and removal from the City of Laredo Zoning Map.

(b) Procedures:

(1) Should a City of Laredo Zoning Enforcement Official or Fire Official inspection reveal non-compliance with Laredo Land Development Code, Section 24.93.7.(b) or any of any additional express conditions of the Special Use Permit, Special Use Permit suspension/revocation procedures shall commence as below stipulated:

(a.) A Zoning Officer or Fire Official shall, upon discovery of special use permit non-compliance as per Subsection 24.93.7.(b), issue a written warning, granting a grace period of a minimum of ten (10) working days, within which time the use may be brought into compliance with the current City Council approved Special Use Permit for that location.

(b.) If non-compliance persists after the conclusion of the warning grace period, a Zoning Enforcement Official or Fire Official shall issue written citation.

(c.) The requirement for the issuance of a written warning and grace period shall not apply to a citation issued as a result of a violation of the "Occupant Load" as set forth in the Certificate of Occupancy with Occupant Load or the failure to, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges and said citation/s shall be filed for prosecution.

(d.) Should a citation result in a court, having jurisdiction or a jury finding the holder of the Special Use Permit guilty of a violation, or if a holder of an SUP pleads guilty, the Special Use Permit will be suspended for such period of time as is necessary to remedy the violation, but in no event shall the suspension be for less than 24 hours to be implemented as follows:.

- i. The Zoning Officer or Fire Official shall immediately notify the Planning Director, in writing, of the result of the prosecution of the citation.
- ii. The Planning Director shall, within 48 hour notice of the court's determination (or as soon thereafter as is practicable) issue the permit holder written notification of the Special Use Permit's official suspension.
- iii. The Special Use Permit Holder shall suspend all business operations in accordance with the notice.
- iv. The Special Use Permit Holder shall not resume operation until the violation has been corrected and the establishment has been inspected. A "Notice of Termination of Suspension" shall be issued by the Planning Director upon his/her finding that all issues relevant to the suspension have been complied with and the 24 hour suspension period has run. The Planning Director shall issue such notice without unreasonable delay.

(2) Upon the second conviction of a violation of any of the provisions of the Laredo Land Development Code, Section 24.93.7. (b) or any additional express condition of the Special

Use Permit, within any twelve month period, the Special Use Permit will be suspended for such period of time as is necessary to remedy the violation, but in no event shall the suspension be for less than 72 hours. This provision shall be implemented in the same manner as set forth above in Section 24.93.12 (b) (1)(a-d).

(3) Upon the third conviction of a violation of any of the provisions of the Laredo Land Development Code, Section 24.93.7. (b) or any additional express condition of the Special Use Permit, within any twelve month period, and subject to the revocation/suspension procedures set forth in Section 24.93.12 (b) (1)(a-d), the Special Use Permit will be revoked and the City shall proceed with its removal from the City of Laredo Zoning Map.

(a.) The Planning Director shall issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map and the Special Use Permit Holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the business is located.

(b.) Once the holder of the Special Use Permit has been notified of the revocation, the permit holder may petition the City Council for reinstatement of the permit. The reinstatement shall be processed and proceed in the same manner as a new application for a Special Use Permit inclusive of all required fees and documentation.

(c.) In the event the Special Use Permit Holder appeals the conviction, any suspension or revocation will be abated until the completion of the appeals process.

(4) For purposes of Section 24.93.7.(1), (2), or (3) above, a finding of guilt on more than one citation issued on the same day for the same location shall be counted as only one violation.

(5) In the event the Special Use Permit Holder appeals a conviction, any suspension or revocation will be abated until the completion of the appeals process.

(6) Effect of Other Violations (Habitual Offenses):

(a.) Twelve violations of City Ordinances which result in an adjudication of guilt (by trial to the court, by jury or by entering a plea of guilt) during any twelve month period shall result in the revocation of the Special Use Permit. The holder of said SUP may avail himself/herself of the remedy set forth in Section 24.93.12(b)(3)(b).

(b.) Should the twelve citations, issued during any twelve month period result in a court having jurisdiction or a jury find the holder of the Special Use Permit guilty of each violation or if a holder of an SUP pleads guilty to violation/s, the City of Laredo shall consider the Special Use Permit revoked and proceed with its removal from the City of Laredo Zoning Map.

(c.) The Planning Director shall then issue the permit holder written notification of the Special Use Permit's official revocation and removal from the City of Laredo Zoning Map and the Special Use Permit Holder shall suspend all business operations which are inconsistent with and in violation of the zoning district in which the business is located.

(d.) Once the holder of the Special Use Permit has been notified of the revocation, the permit holder may petition the City Council for reinstatement of the permit. The reinstatement shall be processed and proceed in the same manner as a new application for a Special Use Permit inclusive of all required fees and documentation.

(e.) In the event the Special Use Permit Holder appeals any of the convictions the revocation will be abated until the completion of the appeals process.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS THE
_____ DAY OF _____, 2015.

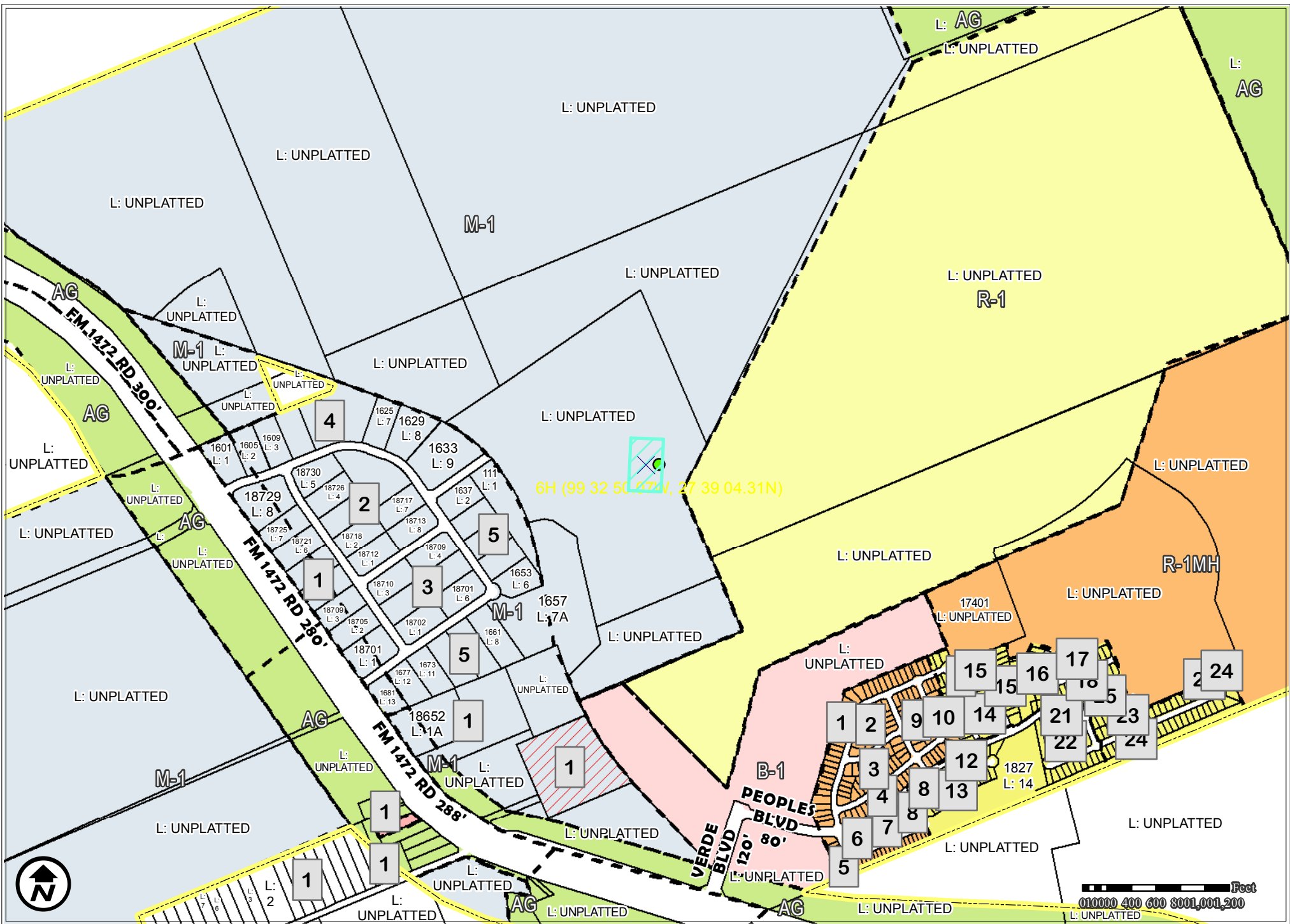
PETE SAENZ
MAYOR

ATTEST:

GUSTAVO GUEVARA, JR.
CITY SECRETARY

APPROVED AS TO FORM:
RAUL CASSO, CITY ATTORNEY

KRISTINA LAUREL HALE
ASSISTANT CITY ATTORNEY






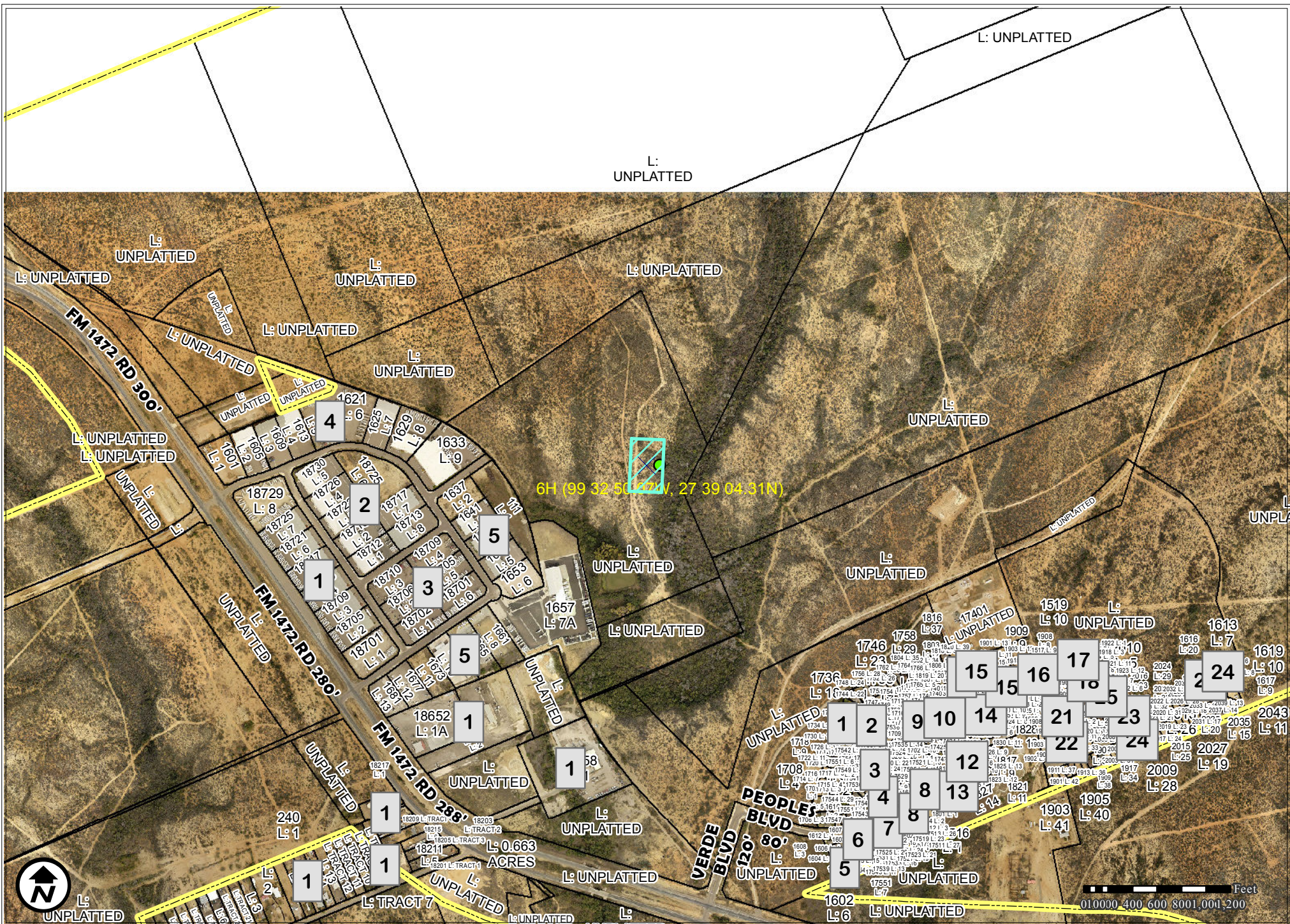
ZONING MAP 6H; HACHAR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-32-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION

-  S.U.P. (SPECIAL USE PERMITS)
-  C.U.P. (CONDITIONAL USE PERMITS)
-  S.U.P. & C.U.P.

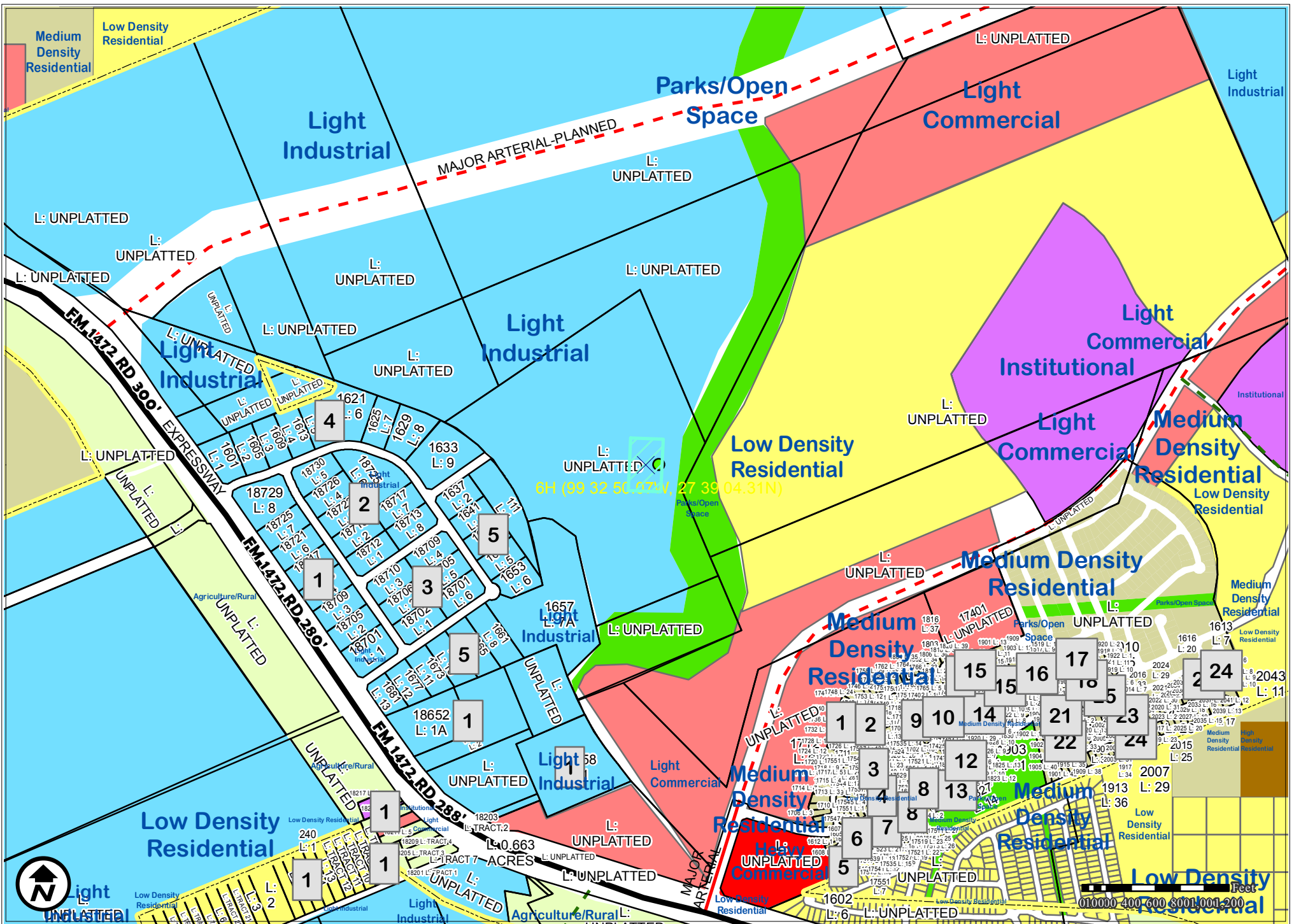


AERIAL MAP 6H; HACHAR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-32-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION

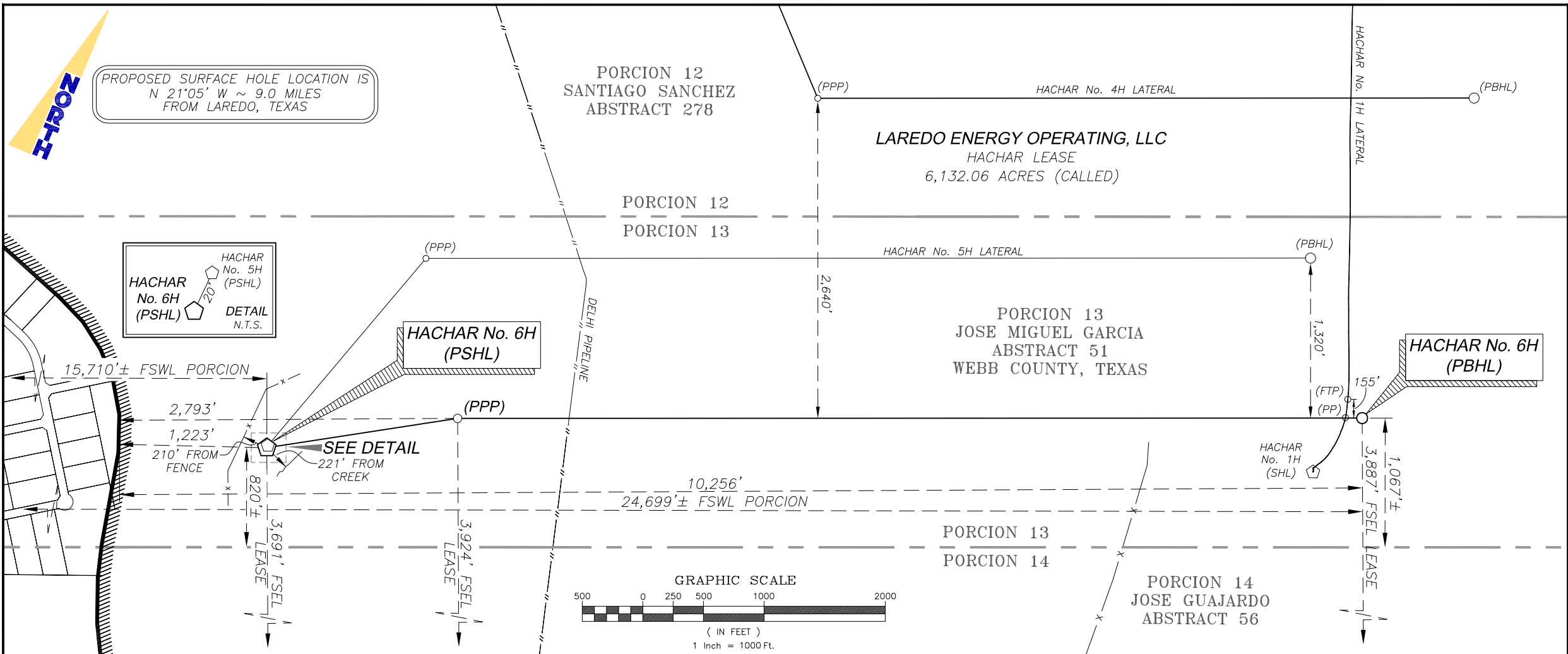


FUTURE LAND USE MAP FOR PAD SITE OUT OF 6132.06 ACRES

1 inch = 1,000 feet
Date: 3/5/2015

COUNCIL DISTRICT 7
ZC-32-2015

APPLICATION FOR
S.U.P. (SPECIAL USE PERMIT)
TO OIL AND/ OR GAS EXTRACTION & PRODUCTION



HACHAR No. 6H

STATE PLANE COORDINATES – TEXAS SOUTH ZONE – NAD 1927:

PROPOSED SURFACE HOLE LOCATION (PSHL)

N: 722640 E: 1661078

GEOGRAPHIC NAD 27: Lat.: 27°39'03.26" Long.: 99°32'48.92"

GEOGRAPHIC NAD 83: Lat.: 27°39'04.31" Long.: 99°32'50.07"

ELEVATION: 479'

LEASE: 1,223' FSWL & 3,691' FSEL

PORCION: 820'± FSEL & 15,710'± FSWL

Proposed Penetration Point (PPP)

N: 723466 E: 1662440

LEASE: 2,793' FSWL & 3,924' FSEL

PROPOSED BOTTOM HOLE LOCATION (PBHL)

N: 726320 E: 1669336

LEASE: 3,887' FSEL & 10,256' FSWL

PORCION: 1,067'± FSEL & 24,699'± FSWL

LAREDO ENERGY OPERATING, LLC

HACHAR LEASE
6,132.06 ACRES (CALLED)

SITUATED IN
PORCION 13, JOSE MIGUEL GARCIA, ABSTRACT 51
WEBB COUNTY, TEXAS

Path Information

(PSHL)	(PSHL)
N 58°48' E ~ 1,593'	(PPP)
(PPP)	(PBHL)
N 67°31' E ~ 7,463'	(PBHL)

LEGEND

- (PSHL) = PROPOSED SURFACE HOLE LOCATION
- (PPP) = PROPOSED PENETRATION POINT
- (PBHL) = PROPOSED BOTTOM HOLE LOCATION
- = LEASE LINE
- = PORCION LINE
- = WELL BORE PATH
- = PERPENDICULAR TIES

FIELD DATE	BOOK	PAGE(s)	Revision	Date
01-09-15	944	64	1	01-12-15
01-29-15	940	14	2	02-02-15
			3	

DRAWN BY: L.O.T.

CHECKED BY: J.S.

JOB No.: 23710-15

QUAD NAME: CUERVO CREEK

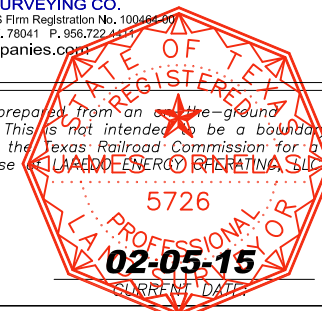
SHEET: 1 OF 1

WARNING: THIS PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. USE THE TEXAS ONE CALL SYSTEM BEFORE EXCAVATION ON THIS PROPERTY.

HOWLAND

ENGINEERING AND SURVEYING CO.
TBPE Firm Registration No. F-4097 TBPLS Firm Registration No. 100485-00
7615 N. Bartlett Avenue Laredo, TX. 78041 P. 956.722.1111
www.howlandcompanies.com

This Plat represents a WELL LOCATION survey prepared from an on-the-ground survey, deeds and other available information. This is not intended to be a boundary survey, but for the sole purpose of filing with the Texas Railroad Commission for a drilling permit. This plat is for the exclusive use of LAREDO ENERGY OPERATING, LLC.

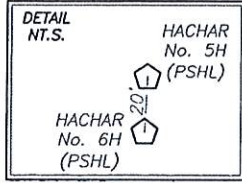


R.P.L.S. No. 5726 –TEXAS

EXHIBIT "A"

LAREDO ENERGY OPERATING, LLC
 HACHAR No. 5H AND HACHAR No. 6H PAD SITE
 SITUATED IN
 PORCION 13, JOSE MIGUEL GARCIA, ABSTRACT 51
 CITY OF LAREDO, WEBB COUNTY, TEXAS

NORTH



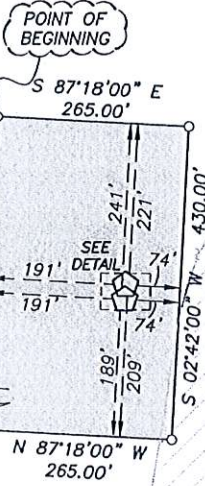
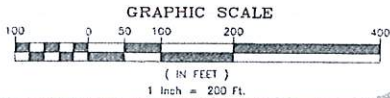
PORCION 13
 JOSE MIGUEL GARCIA
 ABSTRACT 51
 CITY OF LAREDO
 WEBB COUNTY, TEXAS

LAREDO ENERGY
 HACHAR LEASE
 6,132.05 ACRES (CALLED)
 VOLUME 3195, PAGE 529
 O.P.R.W.C.T.

PAD SITE
 2.62 ACRES



R.P.L.S. No. 5726
02-17-15
 CURRENT DATE



100 YEAR FLOODPLAIN ZONE

LAREDO ENERGY OPERATING, LLC (OPERATOR)

PORCION 13
 PORCION 14

PORCION 14
 JOSE GUAJARDO
 ABSTRACT 56
 CITY OF LAREDO

HOWLAND

ENGINEERING AND SURVEYING CO.
 TBPE Firm Registration No. F-4097 TBPLS Firm Registration No. 100454-00
 7615 N. Bardott Avenue Laredo, TX. 78041 P. 956.722.4411
 www.howlandcompanies.com

WARNING: BASIS OF BEARING: G.P.S. Tx. South Zone, N.A.D.-27
 THIS PLAT MAY NOT SHOW ALL CROSSINGS OF PIPELINES OR CABLES. HOWLAND ENGINEERING AND SURVEYING CO., INC. ASSUMES NO RESPONSIBILITY TO LOCATE PIPELINE OR CABLE CROSSINGS. NO CLAIM IS HEREBY MADE REGARDING CURRENT OR ACTUAL SURFACE, MINERAL FEE OWNERSHIP OR LESSOR. THIS DRAWING IS MADE EXCLUSIVELY FOR LAREDO ENERGY OPERATING, LLC
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LEGEND

- (PSHL) = PROPOSED SURFACE HOLE LOCATION
- = PAD LINE
- = PERPENDICULAR TIES
- = SURVEY LINE
- = FENCE LINE

Revision	Date
1	01-07-15
2	02-11-15
3	02-12-15
4	02-13-15

FIELD DATE	BOOK	PAGE(s)	DRAWN BY: J.V.
01-09-15	944	64	CHECKED BY: J.S./L.O.T.
01-29-15	940	15	JOB No. 23411.1-15B
			SHEET: 2 OF 3

EXHIBIT "A"

**FIELD NOTES
FOR
LAREDO ENERGY OPERATING, LLC
HACHAR LEASE
2.62 ACRE PAD SITE**

A TRACT OF LAND CONTAINING 2.62 ACRES, more or less, being out of the Hachar Lease, 6,132.06 Acres (Called), recorded in Volume 3196, Page 529, Official Public Records of Webb County, Texas, situated in Porcion 13, Jose Miguel Garcia, Abstract 51, City of Laredo, Webb County, Texas, and being more particularly described as follows;

COMMENCING from a found 6 inch fence corner post, being the West corner of said Hachar Lease, 6,132.06 Acres (Called); Thence, S 68°23'44" E, a distance of 6,302.55 feet, for the Northwest corner hereof, and the **POINT OF BEGINNING**;

THENCE, S 87°18'00" E, a distance of **265.00 FEET**, to a point for the Northeast corner hereof;

THENCE, S 02°42'00" W, a distance of **430.00 FEET**, to a point for the Southeast corner hereof;

THENCE, N 87°18'00" W, a distance of **265.00 FEET**, to a point for the Southwest corner hereof;

THENCE, N 02°42'00" E, a distance of **430.00 FEET**, to the **POINT OF BEGINNING** and containing 2.62 acres of land, more or less.

Basis of Bearing: G.P.S., TX. South Zone, NAD-27


R.P.L.S. No. 5726 - TEXAS



02-17-15
Current Date

SHEET 2 OF 2

S:\HOWLAND SURVEYING\DEPARTMENT\JOBS\2015\23411.1-15\23411.1-15B.docx

www.howlandcompanies.com



www.laredoenergy.com


City Centre Four
840 W. Sam Houston Pkwy N.
Suite 400
Houston, Texas 77024
713-600-6000
713-600-6001 Fax

The undersigned, on behalf of Laredo Energy VI, L.P. ("Laredo Energy"), hereby states as follows:

1. Laredo Energy agrees to present any evidence to the Laredo City Council, in addition to that which is required under Section 24-73 of the Land Development Code, as may be requested by the City Council.
2. To the best of Laredo Energy's belief, the proposed drilling, completion, and production operations can be conducted safely.
3. Laredo Energy hereby authorizes the City of Laredo to expend such funds as may be necessary under the direction and advice of the Texas Railroad Commission, under the circumstances, to regain well control.
4. Laredo Energy hereby agrees to file with the Office of the Superintendent and/or Planning and Zoning Department the reports required under Section 24-73 of the Land Development Code.

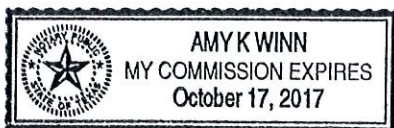
Signed on this the 21st day of January, 2015.

LAREDO ENERGY VI, L.P.
By: Laredo Energy VI GP, LLC
Its general partner

By: 
Kenneth A. Cravens, VP-Land

THE STATE OF TEXAS §
COUNTY OF HARRIS §

Subscribed and sworn to before me, by Kenneth A. Cravens, Vice President-Land, Laredo Energy VI, L.P., this 21st day of January, 2015, in the capacity stated.




Notary Public in and for the State of TEXAS

Exhibit B