DEVELOPMENT SERVICES
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SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

To: Zoning Commission Members

From: Scott Halty, Director, Resource Protection & Compliance Department, San Antonio Water System

Copies To: Andrew Wiatrek, Manager, Edwards Aquifer and Watershed Protection Division, Michael Barr, Supervisor, Aquifer Protection and Evaluation Section, Patricia M. Garza, Environmental Protection Specialist III, File

Subject: Zoning Case Z2014038 (DR Horton)

Date: January 22, 2014

SUMMARY

A request for a change in zoning has been made for an approximate 6.636-acre tract located on the city's north side. A change in zoning from **R-6 ERZD MLOD to O-1.5 ERZD MLOD** is being requested by the applicant, Bruce Johnson, Director of San Antonio Christian Schools. The change in zoning has been requested to allow for office use on the subject property. The subject property is classified as a Category 2 property and as such shall comply with all Category 2 requirements.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the city council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is located in City Council District 9, close to the intersection of HWY 281 North at Redland Road. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

   The proposed change is from R-6 ERZD MLOD to O-1.5 ERZD MLOD and will allow for office use on the property. Currently the site is undeveloped and is a naturally vegetated parcel with native soils, grasses and trees.

2. Surrounding Land Uses:

   Vacant land bounds the east and west. To the north of the parcel there is an existing subdivision named Encino Park. South of the property is a development formally known as the Now Word Church.

3. Water Pollution Abatement Plan:

   A WPAP has been submitted to the Texas Commission on Environmental Quality (TCEQ) but has not yet been approved. A TCEQ approved WPAP will be required prior to the commencement of construction.

4. Geologic Conditions:

   The Resource Protection Division of the San Antonio Water System conducted a site evaluation on October 22, 2013, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

   The subject site was observed as a vacant, moderately vegetated parcel, approximately 6.636 acres in area. The entire property was observed to be covered by native soil and vegetation. No significant exposure of bedrock was observed throughout the site. The site was set back from Redland Road with an extended access easement. A single family residential property is located to the south and a Christian school is located to the west of the subject site.

   The site appears to slope slightly to the south and southeast, towards the adjacent single family residential property. Stormwater occurring on the subject site would drain to the south towards a large recharge feature known to exist on portion of the subject property with a majority situated on the adjacent residential property. The property was observed to have significant soil cover consisting of 12 to 18 inches of Crawford soils.

   Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Member of the Person Formation. This was could not be confirmed due to coverage by native soil and vegetation.

   The Leached and Collapsed Member of the Person Formation, within the Edwards Group, is characterized by massively bedded crystalline limestone, grainstone or mudstone, with abundant chert nodules and collapse breccias. The complete section thickness of this member is approximately 80 to 90 feet.

   A review of a Geologic Assessment conducted on the subject site in 2006 indicates that the site is located within the Leached and Collapsed Member of the Person Formation. This investigation indicates that no geologic features were observed within the subject site.

   The subject site was observed to be undeveloped.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

Site Specific Concerns

1. A large sinkhole that has been rated as a sensitive geologic feature is located adjacent to the property and there is potential for contamination of the Edwards Aquifer.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.

2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

1. The applicant agrees not to exceed 50% impervious cover for the entire site.
2. SAWS recommends that a 60-100 foot buffer shall be provided, per the Water Quality Ordinance – 81491, on the subject property between the proposed commercial building and the sensitive geologic sinhole that exists on the southern portion of the subject property.

3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.

4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to Aquifer Protection Section of SAWS.

5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available form the Edwards Aquifer Authority (210/222-2204), or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.

6. The applicant shall notify the Construction Compliance Section of Resource Protection Department of

SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Aquifer Protection Section of the San Antonio Water System at (210) 233-3522.

7. If any sensitive geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Aquifer Protection Section of the San Antonio Water System at (210) 233-3522.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection Section of the San Antonio Water System.

2. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection Section:

   A. A copy of the Water Pollution Abatement Plan (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,

   B. A set of site specific plans which must have a signed Engineers Seal from the State of Texas,

   C. A WPAP approval letter from the Texas Commission on Environmental Quality (TCEQ),

   D. A copy of the approved Water Pollution Abatement Plan.

3. The storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.

4. If a water quality basin is constructed on the property, the following is required:

   A. Below grade basins shall not be allowed to be constructed on the site.

   B. Prior to the start of the basin construction, the owner will notify the Edwards Aquifer and Watershed Protection Division of the San Antonio Water System at (210) 233-3522 to schedule a site inspection.

   C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Edward Aquifer and Watershed Protection Division at (210) 233-3522 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and

submitted to SAWS Edwards Aquifer and Watershed Protection Division of the San Antonio Water System.

D. If the basin fails to drain properly, the owner will notify the Construction Monitoring Division of the Resource Compliance Division at (210) 233-3564 prior to any discharge of water.

E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the Edwards Aquifer and Watershed Protection Division.

5. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.

6. The Edwards Aquifer and Watershed Protection Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

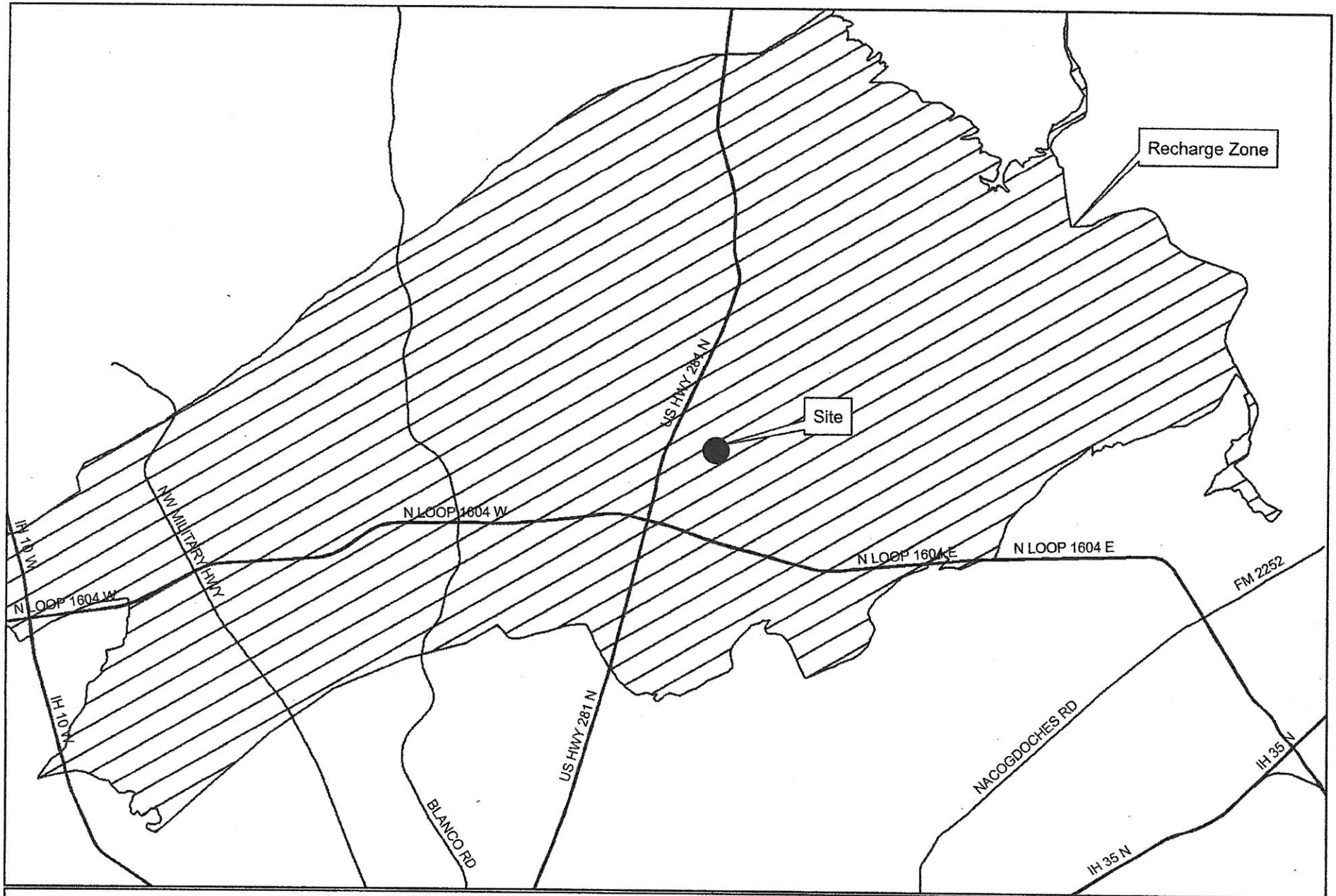
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division

APPROVED:

Scott R. Halty
Director,
Resource Protection & Compliance Department

AW:pmg



ZONING CASE: Z2014038 **FIGURE 1**
DR HORTON COMMERCIAL BUILDING

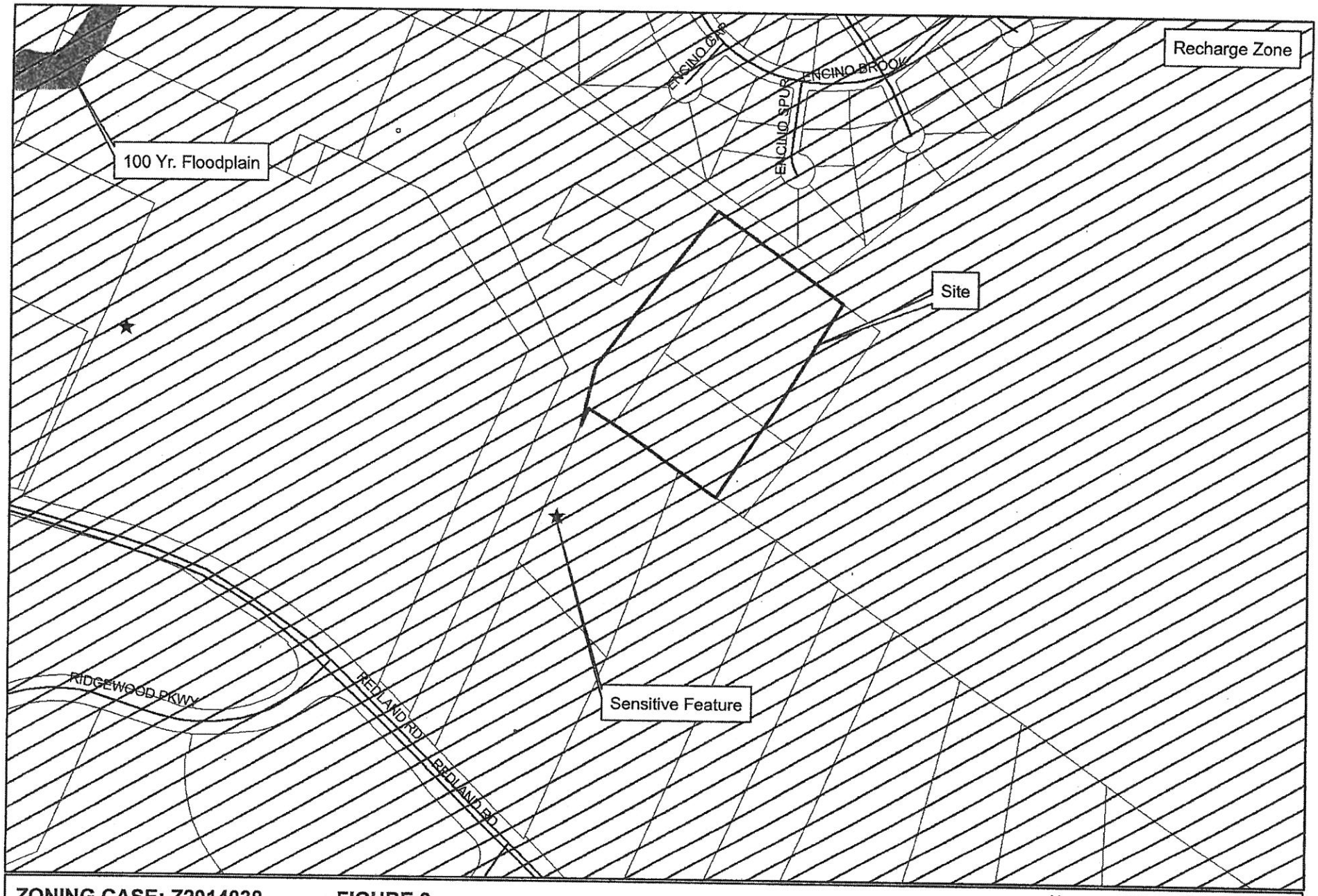
Map Page & Grid: 483 D8

Map Prepared by Aquifer Protection and Evaluation 12/05/2013 PMG

N

0 3,600 7,200 14,400 21,600 28,800 Feet

1 in = 8,333 feet



ZONING CASE: Z2014038 **FIGURE 2**
DR HORTON COMMERCIAL BUILDING

Map Page & Grid: 483 D8

Map Prepared by Aquifer Protection and Evaluation 12/05/2013 PMG

N

0 145 290 580 870 1,160 Feet

1 in = 333 feet