

DEVELOPMENT SERVICES
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SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

To: Zoning Commission Members

From: Scott R. 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, Michael A. Escalante, Environmental Protection Specialist III

Subject: Zoning Case Z2015077 (Tesla Motors)

Date: January 15, 2015

SUMMARY

A request for a change in zoning has been made for an approximate 4.563-acre tract located on the city's northeast side. A change in zoning from **C-3 ERZD MLOD** to **C-3 S MLOD ERZD** is being requested by the applicant, Tesla Motors, by Matthew Mefford. The change in zoning has been requested to allow for the development of a motor vehicle sales and tire repair. The property is classified as a Category 1.

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, located at 2103 N. Loop 1604 East. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from C-3 ERZD MLOD to C-3 S MLOD ERZD in an existing 24,475 square foot two story retail building and will allow for a motor vehicle sales and tire repair.

2. Surrounding Land Uses:

North Loop 1604 East highway borders to the south of the retail center. The eastside of the subject property is bordered by O’Krent carpet sales. East Sonterra Boulevard and undeveloped property borders the northern portion of the subject property. The Legacy shopping center is located west of the subject property.

3. Water Pollution Abatement Plan:

A WPAP file for the property under the name of Legacy Shopping Center Phase II had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on May 12, 2006.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on October 23, 2014, 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 currently developed commercial lot with a two story retail building, approximately 4.563 acres in area. The site was observed to be bounded on the north by East Sonterra Boulevard with vacant property beyond; on the south by North Loop 1604 East highway; on the east and west by retail commercial properties. The subject site was observed to be built out as a commercial retail center, with asphalt paving and parking. No exposure of bedrock or soil was observed on the subject site.

A Geologic Assessment conducted by William Duran, P.G. in 2005, was reviewed, and noted that no sensitive geologic features were observed on the site.

The site appeared to slope slightly to the north. Stormwater occurring on the subject site would drain to the north across East Sonterra Boulevard toward Mud Creek.

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 throughout the site.

The Leached and Collapsed Member of the Person Formation is characterized by the presence of crystalline limestone, grainstone, and mudstone, with chert nodules and breccia conglomerations. This Member is known to have fabric related porosity. The full section thickness of this member is approximately 70 to 90 feet thick.

This member produces significant amounts of water and is considered very permeable and a significantly environmentally sensitive section of the Edwards Aquifer.

The subject site was observed to be fully developed as a commercial retail facility. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on the subject site.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. Minor amount of automotive fluids stored on site.

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. No additional impervious cover shall be added to the existing retail center.
2. There shall be no more than three (3) automotive batteries stored at any one time on the site, and no automotive battery shall remain on the site for more than ten (10) days. Delivery invoices and shipment records shall be maintained at the site for review by SAWS or other oversight agencies.
3. There shall be no waste automotive or new automotive fluid storage that exceeds a total of 40 gallons at any time on site.


4. Waste fluids must be disposed of properly as required under local, state, and federal laws. Waste liquids shall be disposed of, at a minimum, on an annual basis and waste manifests shall be kept on site for review by the regulating entities to ensure proper disposal of waste liquids as required by federal, state and local regulations.
5. 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.
6. 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 & Evaluation 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 the Aquifer Protection & Evaluation Section of SAWS.
7. 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 from 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.

General Recommendations

1. 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.
2. 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.
3. The Resource Protection & Compliance 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.

APPROVED:

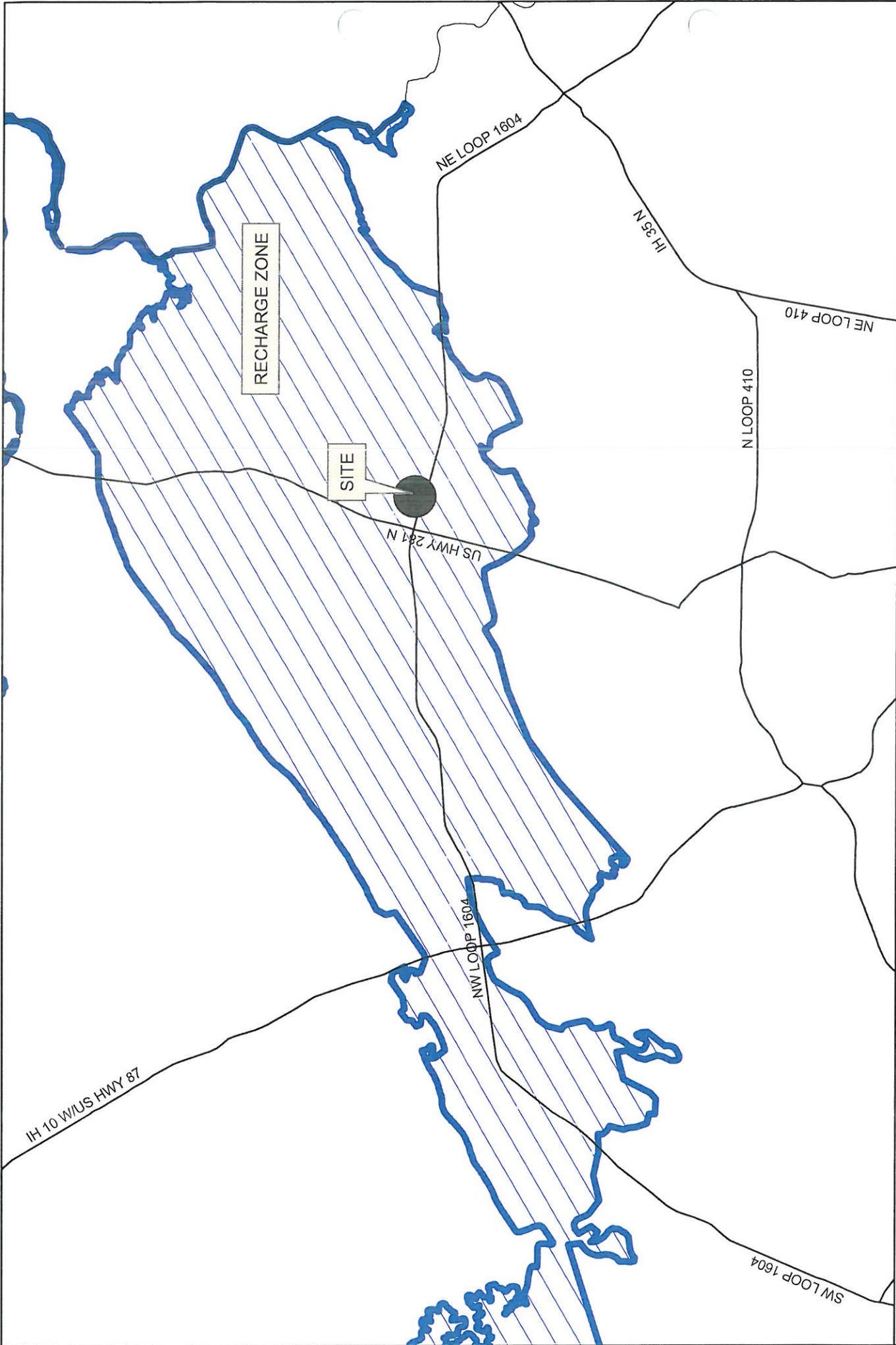


Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division



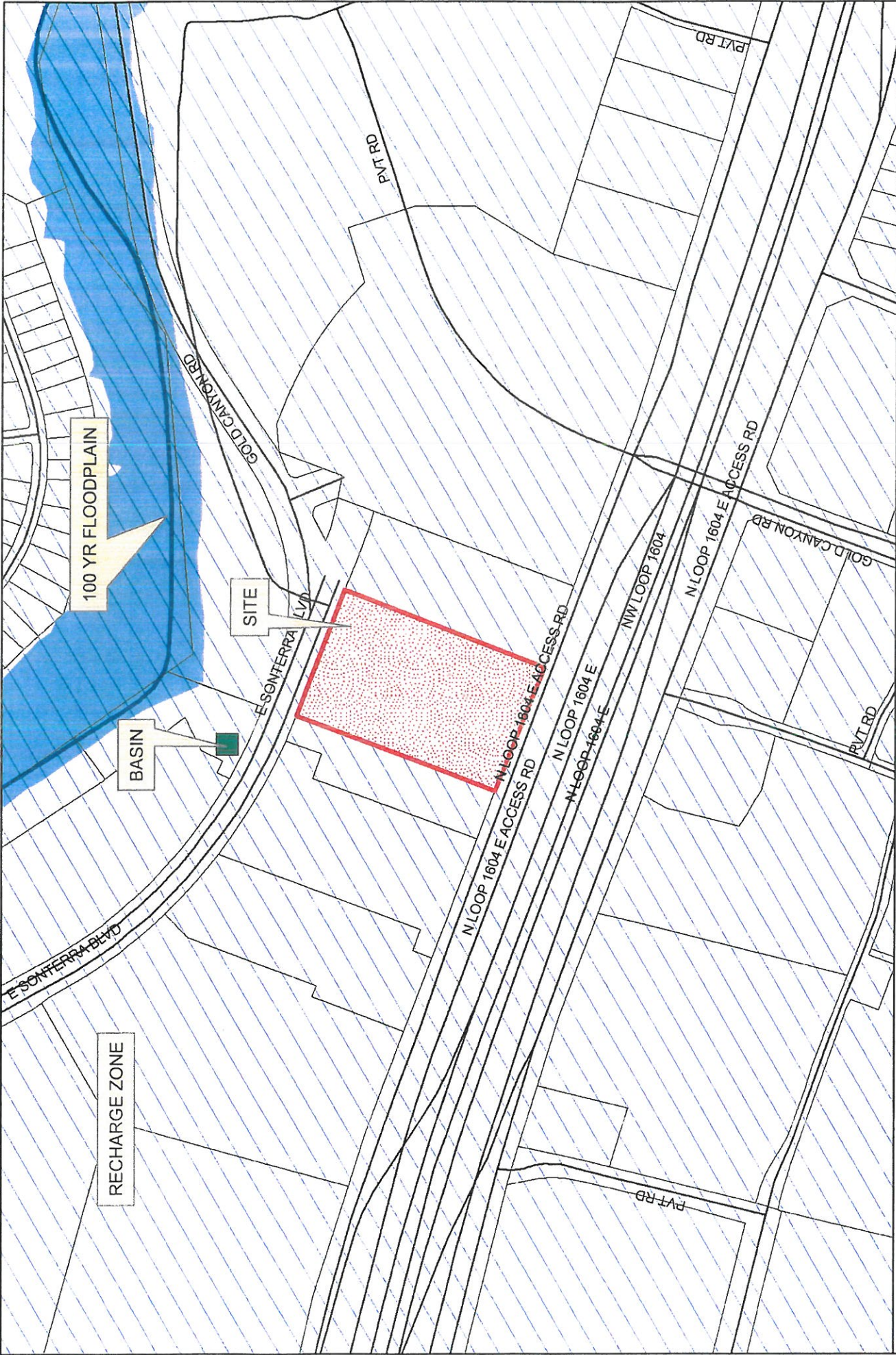
Scott R. Halty
Director
Resource Protection & Compliance Department

MJB:MAE



ZONING FILE: TESLA MOTORS (FIGURE 1)
 ZONING CASE: Z2015077
 MAP GRID: 151, D5

Map Prepared by Aquifer Protection & Evaluation 1/13/2015 MAE



ZONING FILE: TESLA MOTORS (FIGURE 2)
 ZONING CASE: Z2015077
 MAP GRID: 151, D5