

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

DEVELOPMENT SERVICES  
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**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 Z2014180 (Gathering Oak Business Park)

**Date:** July 25, 2014

## SUMMARY

A request for a change in zoning has been made for an approximate 0.833-acre tract located on the city's north side. A change in zoning from **C-3 MSAO-1 ERZD MLOD** to **C-3 S MSAO-1 ERZD MLOD** is being requested by the applicant, P.W. Christensen, P.C., by Patrick W. Christensen. The change in zoning has been requested to allow for the development of a construction contractor facility development. 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, near the intersection of Ranch Oak and Gathering Oak which is north of Wilderness Oak and east of Blanco Road. The entire 0.833 acres of 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 MSAO-1 ERZD MLOD** to **C-3 S MSAO-1 ERZD MLOD** (0.833 acres) and will allow for the development of a construction contractor facility. Currently the site is covered in native vegetation and undeveloped.

2. Surrounding Land Uses:

A commercial office building is located to the north of the property. Panther Creek is located to the east of the property. Gathering Oak Street borders to the west and a children's learning center is located south of the property.

3. Water Pollution Abatement Plan:

A WPAP named Gathering Oak Business Center had been previously approved by the Texas Commission on Environmental Quality (TCEQ) on October 5, 2005.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on June 3, 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 to be a single parcel, currently undeveloped, approximately 0.833 acres in area. The site was observed to be bounded on the north by a school, on the east by undeveloped property; on the south by a commercial building, and on the west by Panther Springs Creek. The site was noted to have been cleared, with imported fill located along the western edge of the property, adjacent to Panther Springs Creek. Two areas of rock piles were observed on the site.

Moderate exposure of bedrock was observed throughout the subject site. The site was observed to be sparsely vegetated. An Aqualogic water quality basin was observed along the western boundary of the site.

The site appeared to slope slightly to the west. Stormwater occurring on the subject site would drain to the west into Panther Springs Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation.

The Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section thickness of this member is approximately 110 to 130 feet thick.

The subject site was observed to be undeveloped. No sensitive geologic features, such as sinkholes, caves, or faults were observed on the subject site. Panther Springs Creek is located adjacent to the west of the site.

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

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## **ENVIRONMENTAL CONCERNS**

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

### **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.
3. There will be no outside storage of hazardous materials with the potential for contamination of stormwater runoff.

## **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 impervious cover shall not exceed 65% on the site.
2. Outside storage of chemicals such as fuel or hazardous waste shall not be permitted on the site, nor shall auto maintenance be allowed on the premises.
3. Wells that are no longer in use or abandoned shall be properly plugged in accordance with SAWS water well plugging procedures. The Ground Water Resource Protection Section should be notified at (210) 233-3546 upon discovery and plugging of such wells.

4. 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.
5. 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.
6. 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.
7. The applicant shall notify the Construction Monitoring 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 and the Aquifer Protection & Evaluation Section of SAWS 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 Resource Protection Division of the San Antonio Water System.
2. 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.

3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
  - 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,
  - D. A copy of the approved Water Pollution Abatement Plan.
4. 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.
5. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade or subsurface 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 Aquifer Protection and Evaluation Section of the SAWS 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 Aquifer Protection and Evaluation Section at (210) 233-3522 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to the Aquifer Protection and Evaluation Section of SAWS.
  - D. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section of the Resource Protection & 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 Aquifer Protection & Evaluation Section of SAWS.

6. 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.
7. 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.

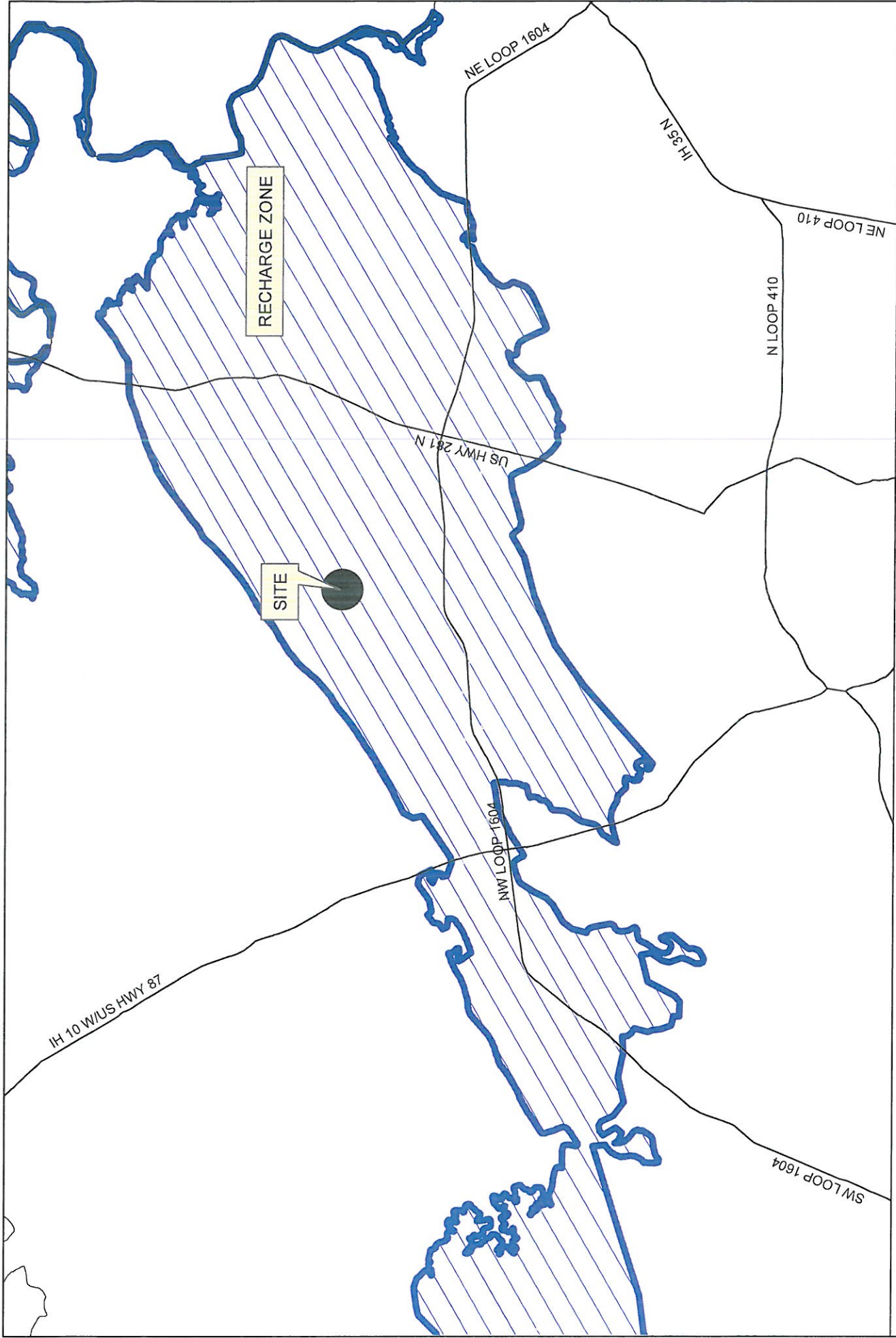
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

APPROVED:

  
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Andrew Wiatrek  
Manager  
Edwards Aquifer and Watershed Protection Division

  
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Scott R. Halty  
Director  
Resource Protection & Compliance Department

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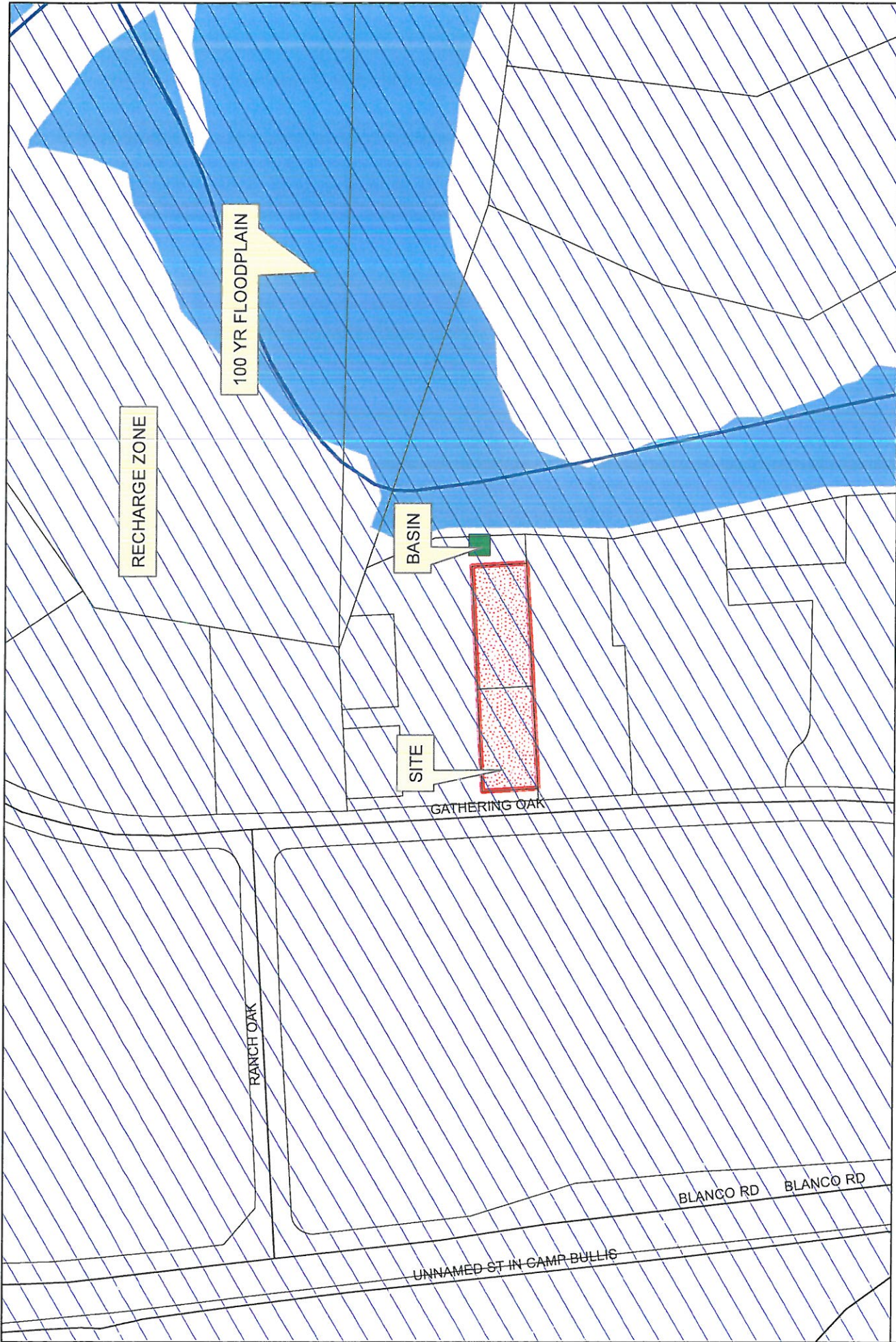
RECHARGE ZONE

SITE

ZONING CASE: GATHERING OAKS BUSINESS PARK (FIGURE 1)  
 ZONING FILE: Z2014180  
 MAP GRID: 130, C8



Map Prepared by Aquifer Protection & Evaluation 6/9/2014 MAE



ZONING CASE: GATHERING OAKS BUSINESS PARK (FIGURE 2)  
 ZONING FILE: Z2014180  
 MAP GRID: 130, C8

Map Prepared by Aquifer Protection & Evaluation 6/9/2014 MAE