

Z2014029

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

To: Zoning Commission Members

From: Scott R. Halty, Director, Resource Protection and Compliance Department, San Antonio Water System

Copies To: Andrew Wiatrek, Manager, Edwards Aquifer and Watershed Protection Division, Michael Barr, Supervisor, File

Subject: Zoning Case Z2014029 (Noah's Reception Hall)

Date: November 21, 2013

SUMMARY

A request for a change in zoning has been made for an approximate 3.548-acre tract located on the city's north side. A change in zoning from **C-2 ERZD MLOD** to **C-2S ERZD MLOD** is being requested by the applicant, Guggenheim Real Estate Partners. The change in zoning has been requested to allow for construction of a commercial development. The subject site is currently a Category 1 property.

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, southwest of the intersection of Redland Road and Ridgewood Parkway. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from **C-2 ERZD MLOD** to **C-2S ERZD MLOD** and will allow for the construction of a commercial development. Currently the site is an undeveloped Category 1 property.

2. Surrounding Land Uses:

Ridgewood Parkway and undeveloped property lies to the north and west, undeveloped property with a commercial office building lies to the south, and undeveloped property lies to the east.

1. Water Pollution Abatement Plan:

SAWS staff conducted a site visit to review the Water Pollution Abatement Plan (WPAP) and submitted comments to the TCEQ on November 11th 2013. SAWS approves the submitted WPAP with comments provided to TCEQ. Final approval of the WPAP by the TCEQ is still pending.

2. Geologic Conditions:

The Edwards Aquifer and Watershed Protection of the San Antonio Water System conducted a site evaluation on November 7, 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 single parcel, currently undeveloped, approximately 3.548 acres in area. The site was observed to be bounded on the north and northwest by Ridgewood Parkway with undeveloped property beyond; on the south by undeveloped lot with a commercial office building beyond; and on the east by undeveloped properties. The subject site was observed to be covered in moderate to sparse native vegetation.

Little to moderate exposure of bedrock was observed throughout the subject site. The site was observed to be moderately vegetated.

The site appeared to slope slightly to the south and southeast. Stormwater occurring on the subject site would drain to the south and southeast toward an unnamed tributary to Mudd Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the Person Formation throughout the majority of the site, and the Regional Dense Member of the Edwards Aquifer in the southernmost tip of the site.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick.

The Regional Dense Member is characterized as the vertical confining unit between the Kainer Formation and Person Formation, with very low permeability. The fully section thickness of this member is approximately 20 to 24 feet thick.

The subject site was observed to be undeveloped. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on the subject site. Additionally, a site specific Geologic Assessment was reviewed for the subject site and no natural or manmade geologic features were identified.

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.

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. A new type of BMP is being proposed for the subject site. This BMP will require review and approval by SAWS staff prior to release of any building permits and installation.
3. Land uses within the zoned areas 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 that 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 prohibited, that land use will not be permitted on that site.

4. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and ensure it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division 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 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 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.D.A, shall be used.
6. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3537 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 Resource Protection Division of the SAWS at (210) 233-3537.
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 Resource Protection Division of the San Antonio Water System at (210) 233-3537.


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. 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 Texas,

- C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - 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. No underground BMPs will be allowed unless approved by SAWS.
 - B. Prior to the start of basin construction, the owner will notify San Antonio Water System at (210) 233-3537 to schedule a site inspection.
 - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3537 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule to be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.
 - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3537 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 SAWS.
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.
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6. The Resource 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.

APPROVED:

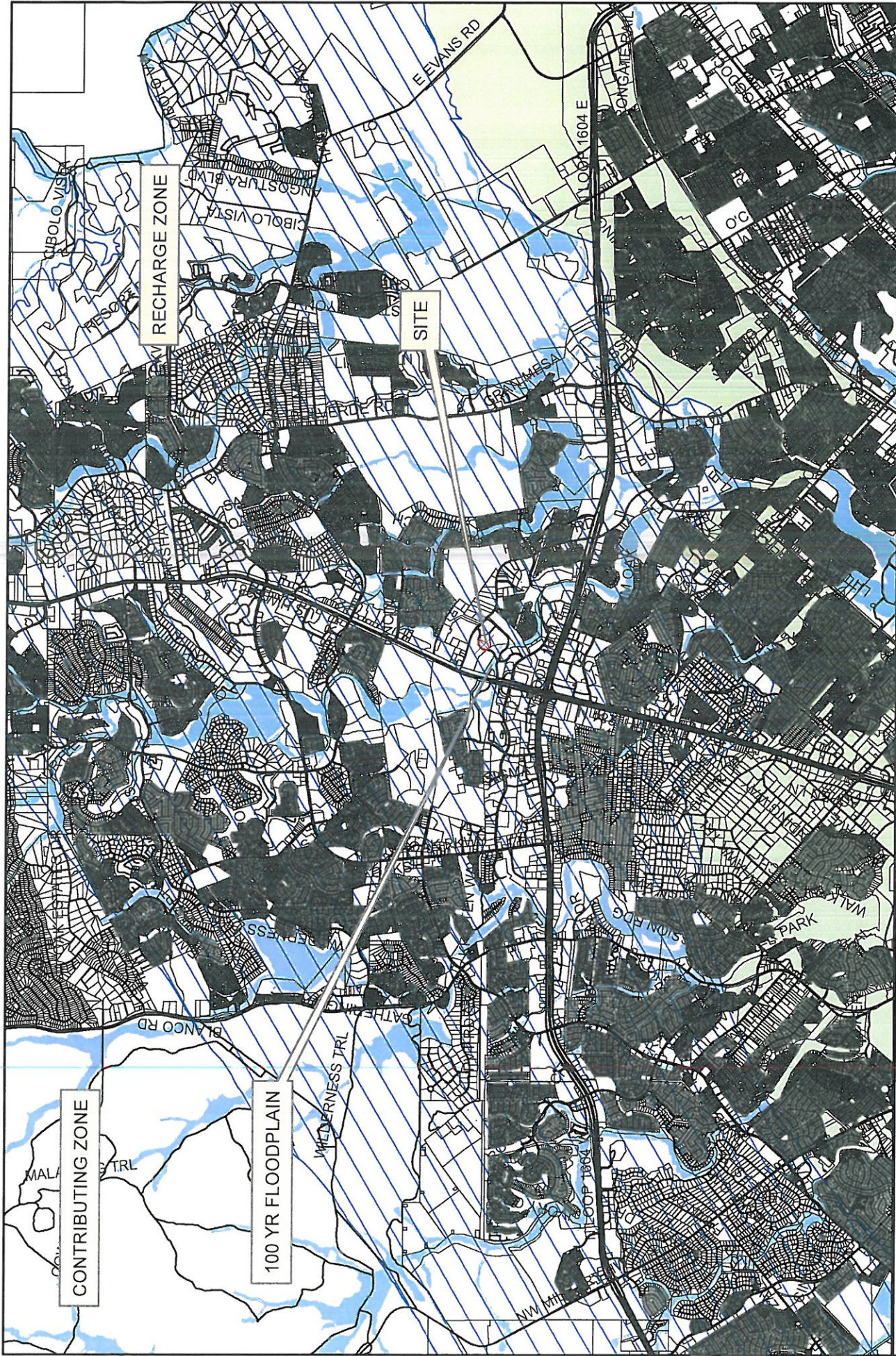


Andrew Wiatrek, Manager
Edwards Aquifer and Watershed Protection Division



Scott R. Halty, Director
Resource Protection and Compliance Department

SRH:bvk



ZONING: NOAH'S RECEPTION HALL 3.548 ACRES
FILE NO: Z2014029 **FIGURE 1**



ZONING: NOAH'S RECEPTION HALL 3.548 ACRES
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FIGURE 2