

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 Z2021-10700080 (Bamberger Way & Babcock Rd)

Date: May 6, 2021

SUMMARY

A request for a change in zoning has been made for an approximate 3.84-acre tract located on the city's northwest side. A change in zoning from “C-2 NA ERZD” to “R-6 PUD ERZD” is being requested by the applicant Namami SAI, LLC, and represented by Ashley Farrimond, Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow for a planned unit single-family residential development. The property is currently designated as a Category 2.

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 in City Council District 8, located at the northwest intersection of Babcock Rd and Bamberger Way. 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 NA ERZD” to “R-6 PUD ERZD” and will allow for a planned unit single-family residential development on 3.84-acres. Currently, the site is undeveloped and vegetated with native trees and grasses. The proposed project will consist of 19 lots with homes and an open space area.

2. Surrounding Land Uses:

Shirdi Sai Baba Temple of San Antonio is located north of the property. To the east borders Babcock Rd with Bamberger Nature Park located beyond. The Overlook at Carriage Hills subdivision lies west of the subject site. To the south borders Bamberger Way with the Heights of Carriage Hills subdivision and the San Antonio Apartment Association located beyond.

3. Special Condition:

The 3.84-acre site is allowed open space credit to mitigate the impervious cover requirements through a provision in City Ordinance #87124 (Bamberger Road/Bamberger Park Improvement Agreement) passed and approved by City Council on December 18, 1997. Land was donated to the City of San Antonio for a 70.91-acre park, known as Bamberger Nature Park, and as open space credit to meet the impervious cover requirements for developments in the Bamberger Property. The developments are located west of Babcock Road and consist of the following: Carriage Hills subdivision (75.40-acres); Shirdi Sai Baba Temple of San Antonio (4.70-acres); San Antonio Apartment Association (2.30-acres); commercial tract (3.84-acres) the subject site is currently undeveloped.

SAWS has reviewed the existing impervious cover for each development and evaluated the remaining open space credit available in the Bamberger Property to include the undeveloped 3.84-acre site. The 70.91-acre open space credit was allocated to the following developments: Carriage Hills subdivision (62-acres); Shirdi Sai Baba Temple of San Antonio (1.71-acres); San Antonio Apartment Assoc. (0.75-acres); undeveloped commercial tract (2.46-acres). The available open space credits remaining are 3.99-acres.

4. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

5. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on April 19, 2021, 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 an undeveloped lot, approximately 3.84-acres in area. The property contains native trees and grasses throughout the site. No portion of the property lies in the floodplain. Stormwater occurring on the subject site would discharge to the east towards an unnamed tributary to the Leon Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Upper Confining Unit.

The Undivided Upper Confining Unit is characterized by the presence of massive limestone. The full section thickness of this member is approximately 30 feet thick. This unit includes the Del Rio Clay, Buda Limestone, and Eagle Ford Group, and is considered the upper margins of the Edwards Aquifer. No visual surface expression of the Upper Confining Unit was observed on-site due to extensive soil cover and vegetation.

No sensitive geologic features were observed on-site nor noted on file.

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 3.84-acre site.
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. 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.

4. 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.
5. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 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 Aquifer Protection & Evaluation Section of the San Antonio Water System.
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. 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 shall be submitted for the development 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 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.


Zoning Commission Members

Zoning Case Z2021-10700080 (Bamberger Way & Babcock Rd)

Page 5

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:

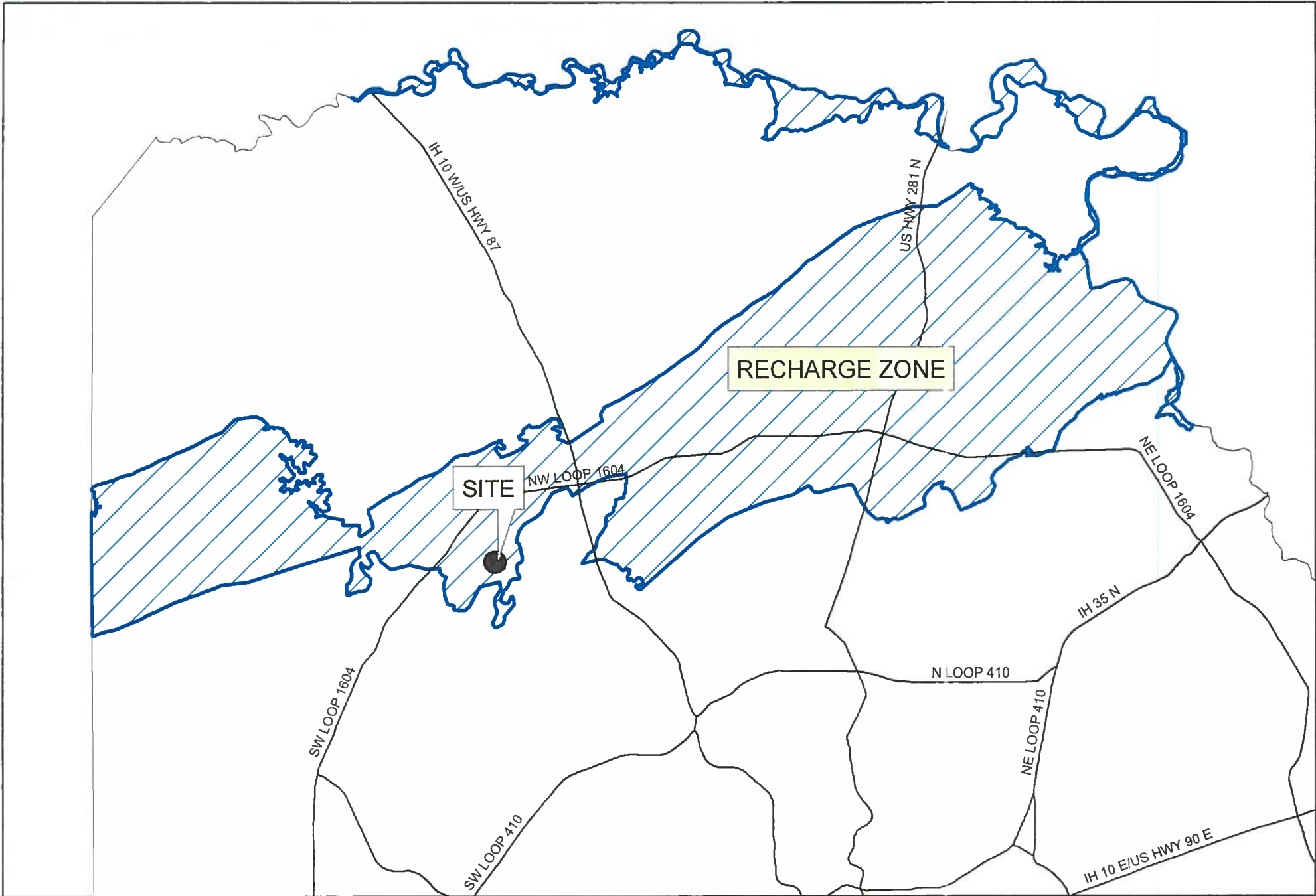


Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division



Scott R. Halty
Director
Resource Protection & Compliance Department

MJB:MAE

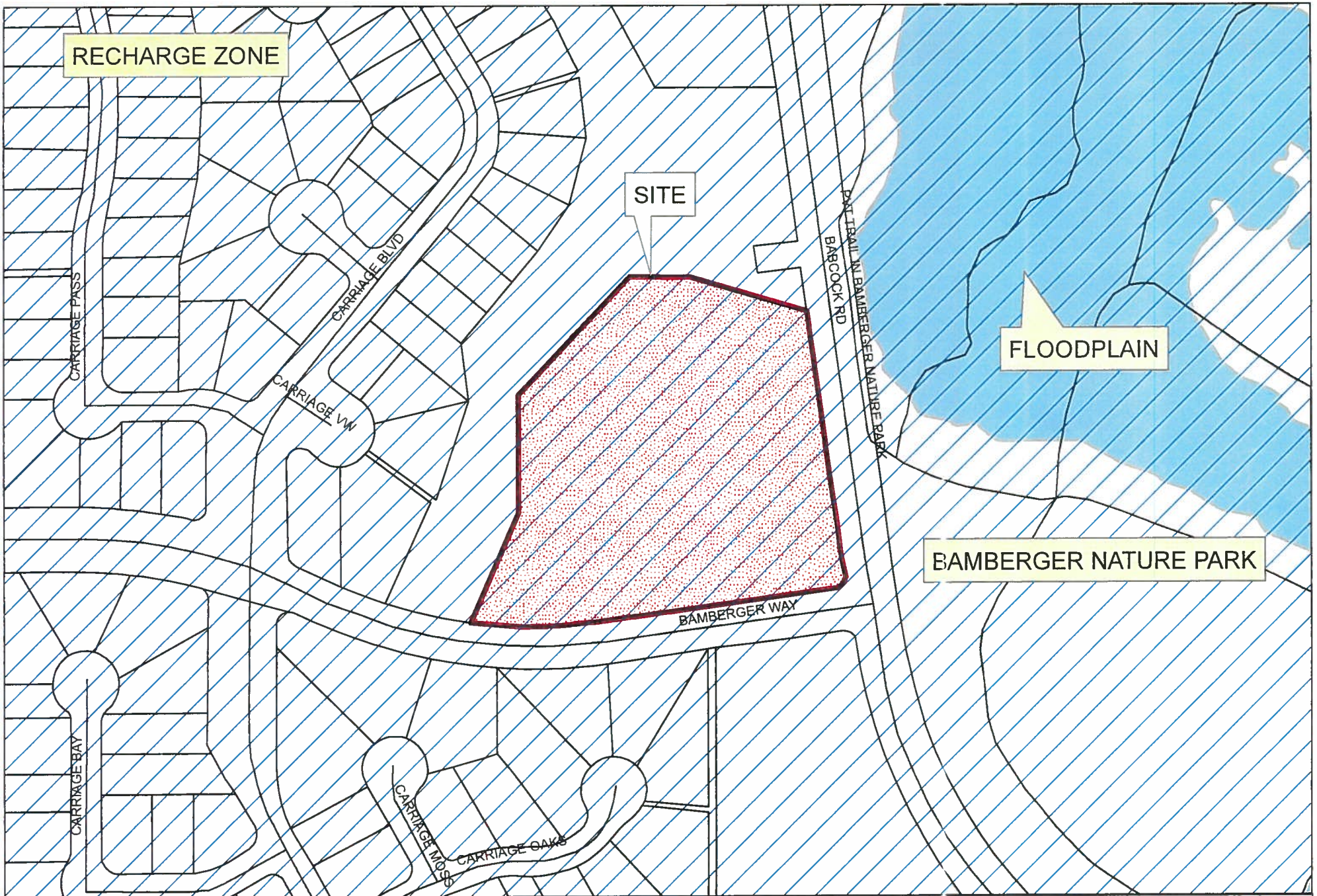


ZONING FILE: BAMBERGER WAY & BABCOCK RD (FIGURE 1)
ZONING CASE: Z2021-10700080
MAP PAGE: 167, F4

1 in = 16,667 ft

0 4,700 9,400 18,800 28,200 37,600 Feet





ZONING FILE: BAMBERGER WAY & BABCOCK RD (FIGURE 2)
ZONING CASE: Z2021-10700080
MAP PAGE: 167, F4

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 4/15/2021

