

**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, Aquifer Protection & Evaluation Section, Michael Barr, Supervisor, File

Subject: Zoning Case Z2013132 (Wilderness Oak Commercial)

Date: May 10, 2013

SUMMARY

A request for a change in zoning has been made for an approximate 1.6086-acre tract located on the city's north side. A change in zoning from **R-6 MSAO-1 MLOD-1 ERZD** to **C-2 NA MSAO-1 MLOD-1 ERZD** is being requested by the applicant, DOMI Developers, LLC. The change in zoning has been requested to allow for construction of a day-care center 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, southeast of the intersection of Wilderness Oak Road and Pinon Boulevard. 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 MSAO-1 MLOD-1 ERZD to C-2 NA MSAO-1 MLOD-1 ERZD and will allow for the construction of a day-care center development. Currently the site is undeveloped and covered in native vegetation.

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DEVELOPMENT SERVICES

2. Surrounding Land Uses:

Single family residential properties lie to the north and east, a storm drainage easement with single family residential properties beyond lie to the south, Wilderness Oak Road lies to the west with single family residential neighborhoods and an unnamed tributary to Panther Springs Creek beyond.

1. Water Pollution Abatement Plan:

The Water Pollution Abatement Plan has not been submitted for the subject site. A WPAP for the proposed day-care center development will be required prior to approval of the building permit.

2. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on May 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 1.6086 acres in area. The site was observed to be bounded on the north and east by single family residential structures, on the south by a storm drainage easement with residential structures beyond, and on the west by Wilderness Oak with single family residential neighborhoods, and an unnamed tributary to Panther Springs Creek beyond.

No exposure of bedrock was observed throughout the subject site. The subject site was noted to be completely covered in approximately one to two feet of imported fill material. The site was observed to be moderately to lightly vegetated. A mapped fault is noted along the southeast corner of the subject site. No surface exposure of this fault was observed during the site visit.

The site appeared to slope slightly to the west. Stormwater occurring on the subject site would drain to the northwest and southwest toward the unnamed tributary to 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 of the Edwards Aquifer.

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, 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:

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 50% on the site.
2. If any backup generator or alternate power supply is installed within the subject site, the applicant or property owner will be required to utilize natural gas as a fuel supply. Under no circumstances may a diesel or gasoline powered backup generator be installed within the subject site.
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. Below grade basins shall not be allowed to be constructed on the site.
 - 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 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.
 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:

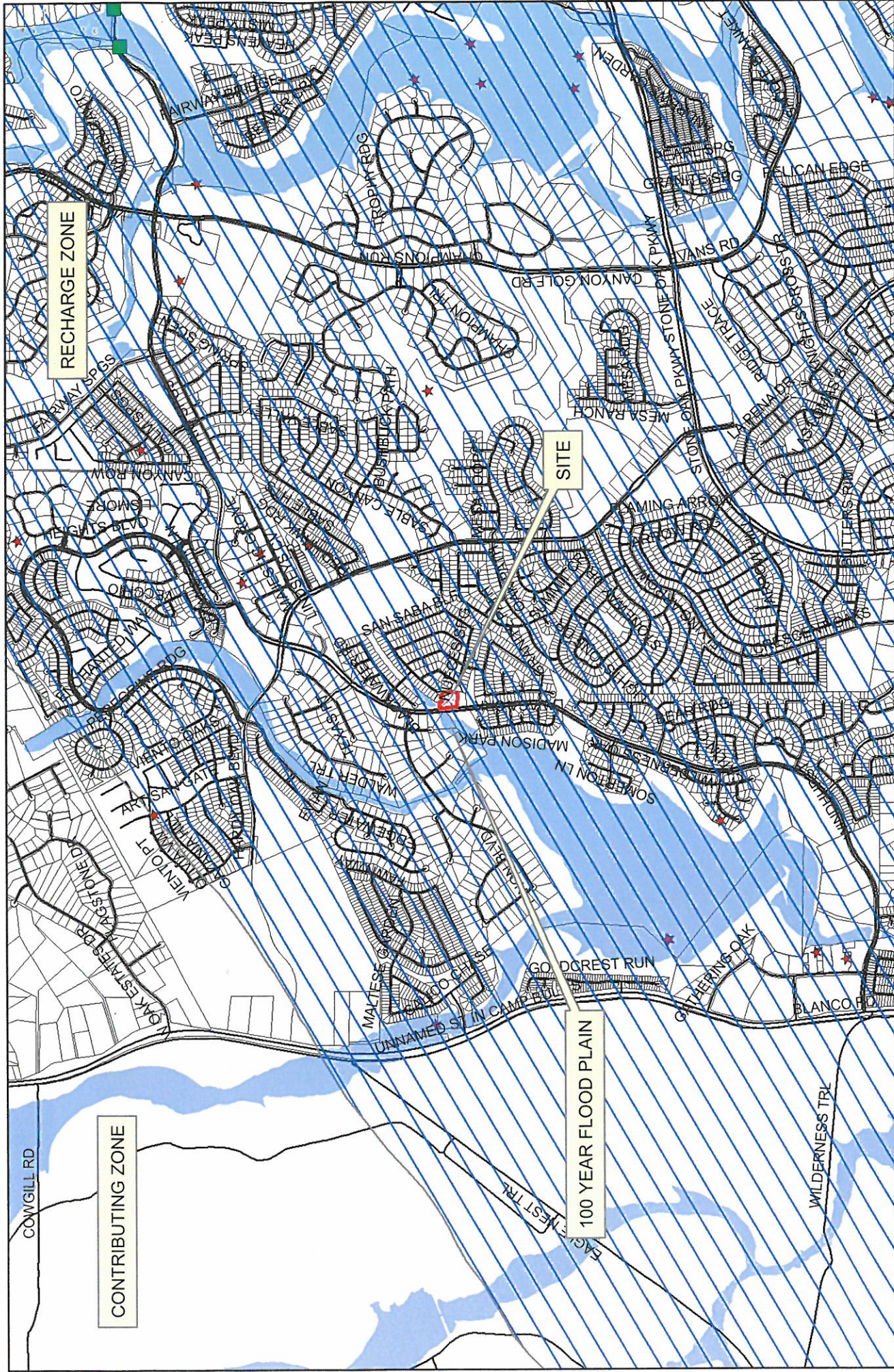


Andrew Wiatrek, Manager
Edwards Aquifer and Watershed Protection Division



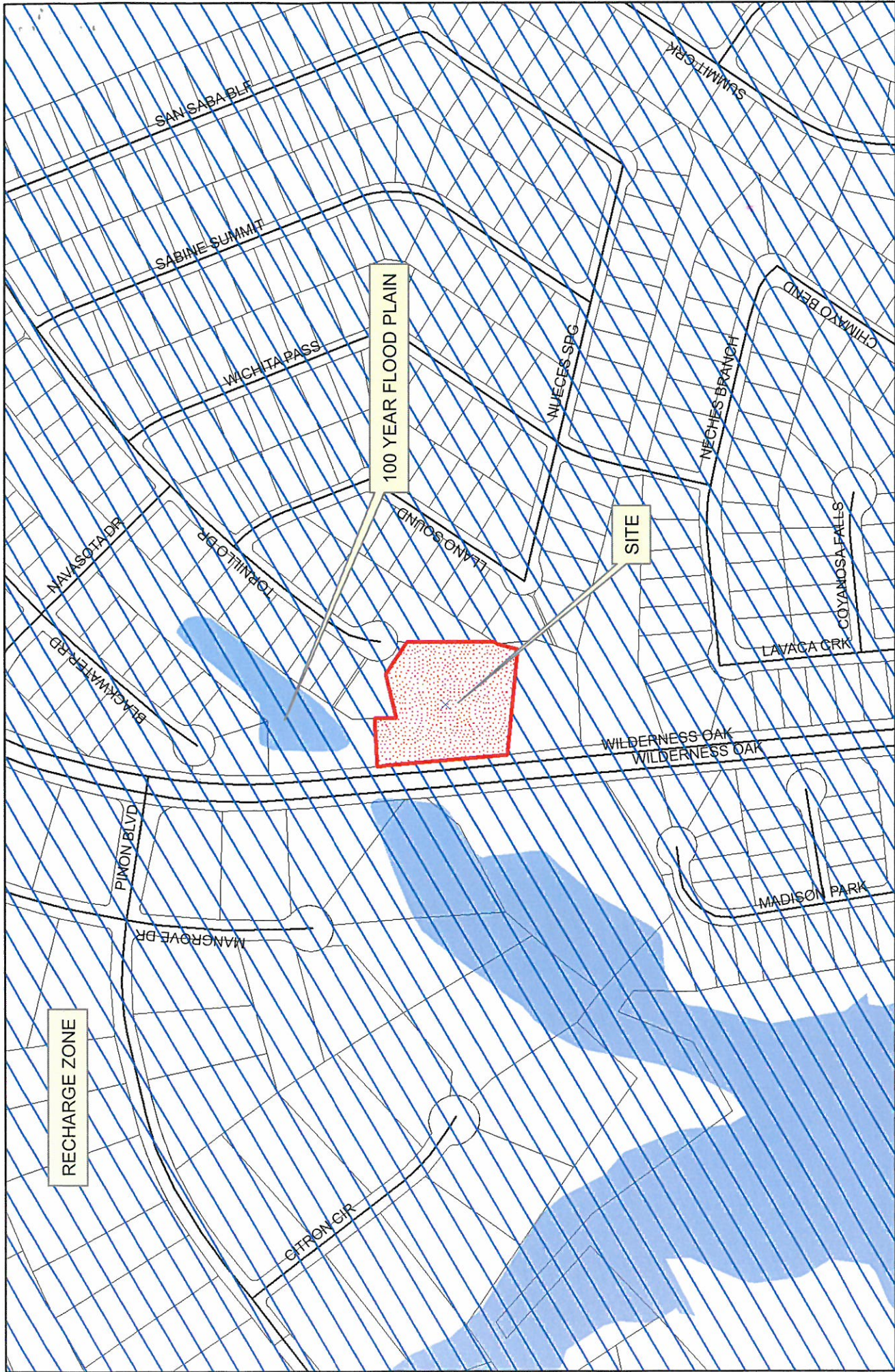
Scott R. Halty, Director
Resource Protection and Compliance Department

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ZONING CASE: WILDERNESS OAK COMMERCIAL
ZONING NUMBER: Z2013132
FIGURE 1

Map Prepared by Aquifer Protection and Evaluation BVK 5/8/2013



ZONING CASE: WILDERNESS OAK COMMERCIAL
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FIGURE 2

Map Prepared by Aquifer Protection and Evaluation BVK 5/8/2013