

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

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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 Z2016277 (Rogers Ranch Mix Use Development)

Date: October 26, 2016

SUMMARY

A request for a change in zoning has been made for an approximate 489.88-acre tract located on the city's northwest side. A change in zoning from “**QD S CC ERZD AHOD MLOD MSAO-1, R-6 PUD ERZD AHOD MLOD MSAO-1, R-6 PUD ERZD AHOD MLOD, and C-2 ERZD AHOD MLOD to MXD ERZD AHOD MLOD MSAO-1 and MXD ERZD AHOD MLOD**” is being requested by the applicant, Shavano Rogers Ranch North No. 3, Ltd., represented by Ken Brown, Brown and Ortiz, P.C. The change in zoning has been requested to allow a mix use center of single-family, multi-family, and commercial development. The property is currently 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, 0.63 miles north of North Loop 1604 West on Northwest Military Highway. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from “**QD S CC ERZD AHOD MLOD MSAO-1, R-6 PUD ERZD AHOD MLOD MSAO-1, R-6 PUD ERZD AHOD MLOD, and C-2 ERZD AHOD MLOD to MXD ERZD AHOD MLOD MSAO-1 and MXD ERZD AHOD MLOD**” and will allow for the development of mix use development. Currently, the property is an abandoned quarry.

2. Surrounding Land Uses:

Camp Bullis borders north of the subject property. Salado Creekway borders the eastern boundary with undeveloped residential property to the northeast and Salado Canyon subdivision to the southeast. A Cornerstone School is being constructed south of the project with Presidio Heights subdivision beyond. CPS Energy substation lies to the west with Northwest Military Highway beyond.

3. 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.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on October 19, 2016, 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 highly disturbed and modified tract, approximately 489.88 acres in area, currently excavated as a quarry. The subject site was observed to be largely excavated to a depth of approximately 75 to 100 feet in two separate north and south quarry pit areas, bisected east and west by a central berm containing a CPS powerline easement and an unnamed tributary to Salado Creek.

Two areas identified as solution enlarged fracture zones were located within the central tributary to Salado Creek, on the east and west sides of the subject site respectively. These features are considered to be geologically sensitive. Additionally a fault was mapped to cross the subject site, but is not considered geologically sensitive. A partial expression of this fault was noted in a quarry pit wall. The site appears to slope to the east.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain within the quarried areas by the Dolomitic Member of the Kainer Formation. Non quarried areas of the subject site were located within the Dolomitic Member and the Kirschberg Evaporite 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 Kirschberg Evaporite Member of the Kainer Formation is characterized by the presence of altered crystalline limestone, chalky or decomposed mudstone, and abundant chert nodules, with fabric and structure related porosity. The full section thickness of this member is approximately 50 to 60 feet thick.

Two solution enlarged fracture zones, located on the east and west side of the subject site respectively, were identified as geologically sensitive features.

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. Provisions must be met within a Settlement Agreement between the City of San Antonio and The Rogers Shavano Ranch, Ltd., Rogers 1604 Commercial, Ltd., Bitterblue, Inc. and Denton Development Corporation approved on October 29th, 2015 for the overall 1,780 acre Rogers Ranch development plan. Prior to the release of the building permit an accounting of the impervious cover must be provided for the 1,780 acre Rogers Ranch Development Plan to the Aquifer Protection & Evaluation Section of SAWS.
2. 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.

3. 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.
4. 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.
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. Department of Agriculture, shall be used.
6. 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. 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.
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 shall be submitted for the 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.
3. If a water quality basin or below grade basin is constructed on the property, the following is required:
- A. If a below grade basin is constructed on site, the treatment chambers shall be accessible at all times of the day for visual inspection of the entire treatment portion of the basin at the final grade surface level . The inspection shall not be impeded by obstructions or equipment that limit the ability for an inspector to visually inspect the condition of the treatment devices.
 - B. The basin owner is required to submit to the SAWS Aquifer Protection and Evaluation staff, an annual maintenance and monitoring report. To be reviewed by the SAWS staff for compliance, maintenance, and operational measures outlined in the TCEQ Technical Guidance Manual (TGM).
 - C. 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.
 - D. 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.
 - E. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section of the Resource Protection & Compliance Division at (210) 233-3549 prior to any discharge of water.
 - F. 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.

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.

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:

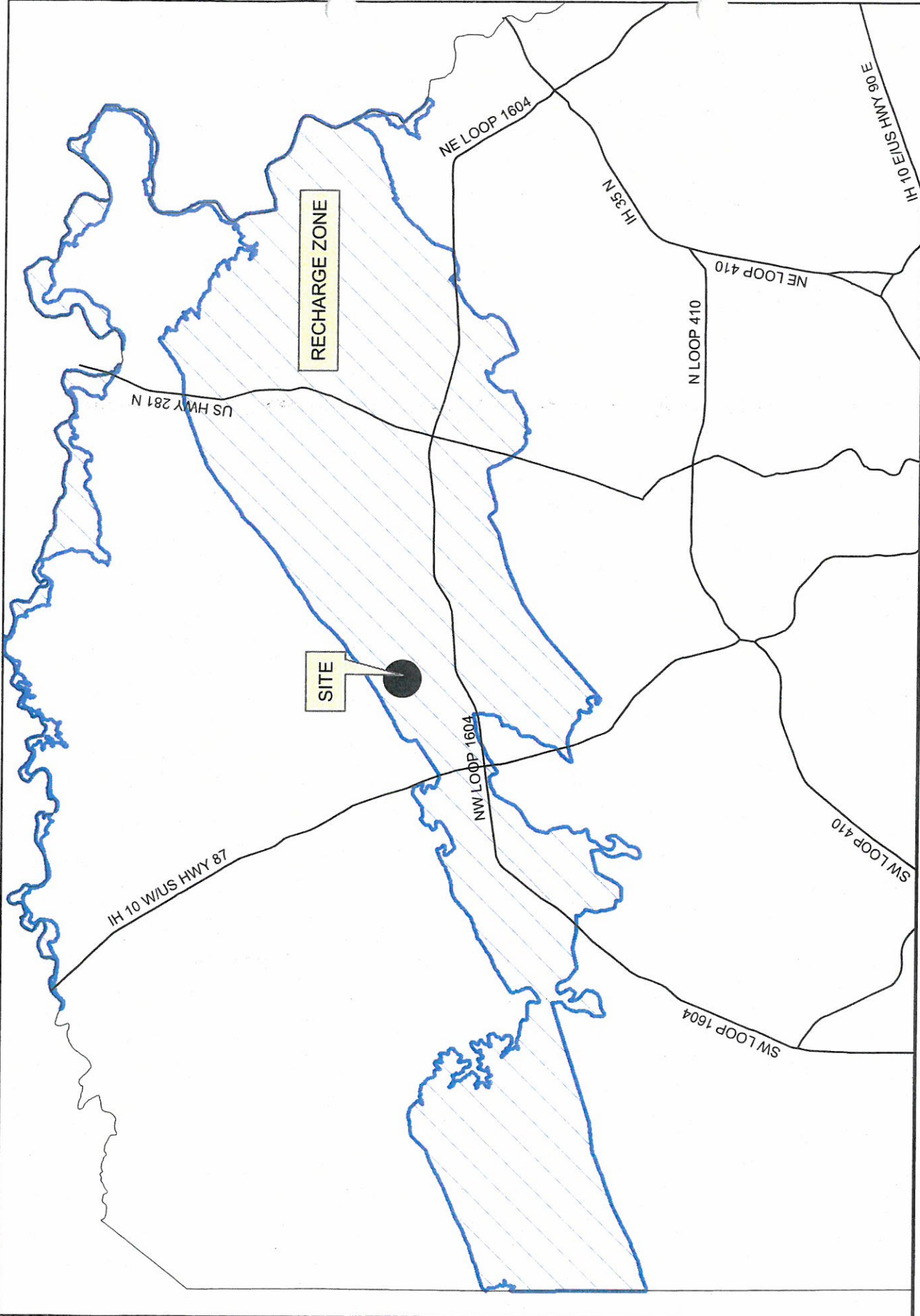


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MJB:MAE

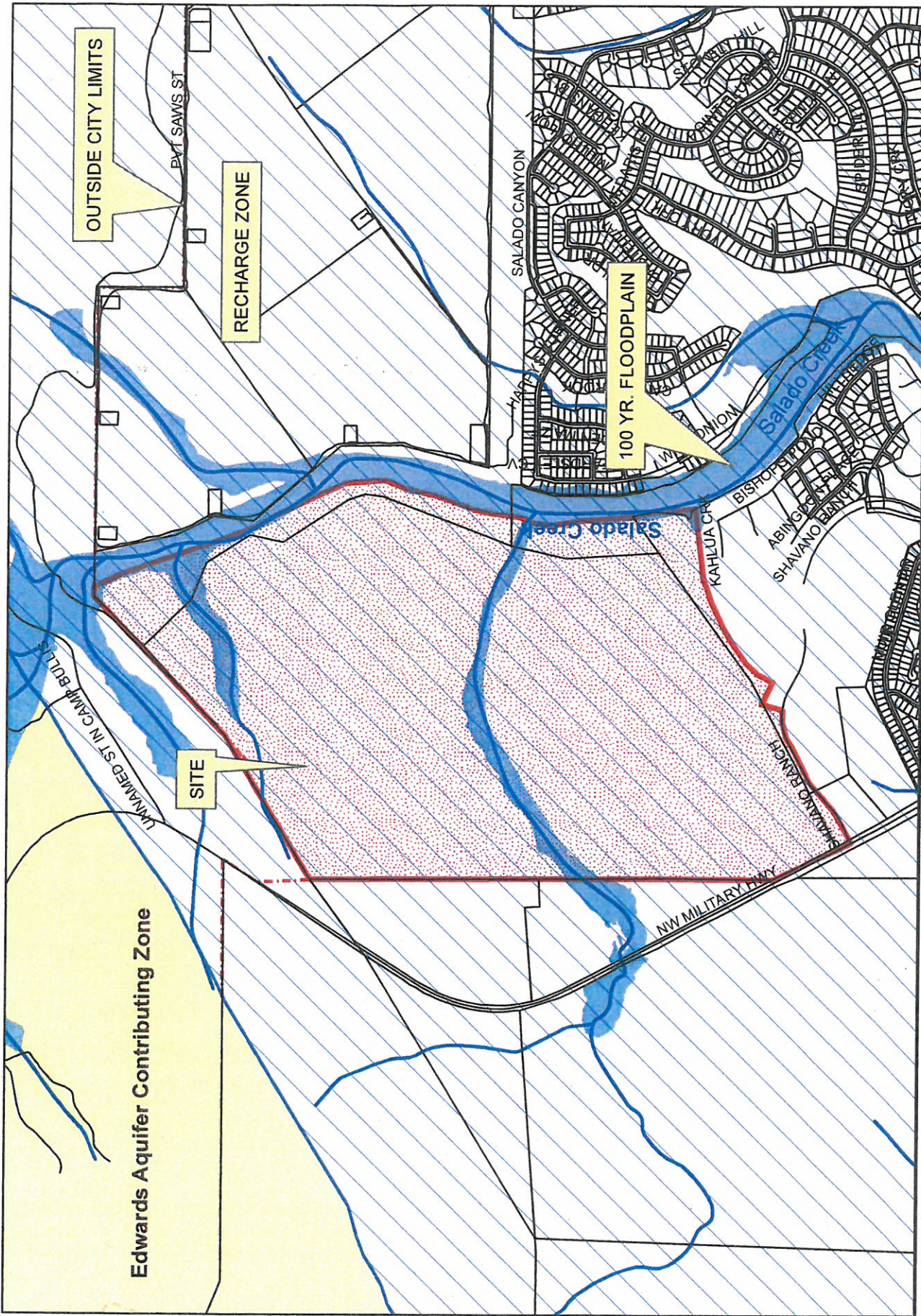


ZONING FILE: ROGERS RANCH MIX USE DEVELOPMENT (FIGURE 1)
 ZONING CASE: Z2016277
 MAP GRID: 149, C3

1 in = 16,667 ft



Map Prepared by SAWS, Aquifer Protection & Evaluation MAE 10/6/2016



ZONING FILE: ROGERS RANCH MIX USE DEVELOPMENT (FIGURE 2)

ZONING CASE: Z2016277

MAP GRID: 149, C3

Map Prepared by SAWS, Aquifer Protection & Evaluation MAE 10/19/2016



1 in = 1,360 ft

