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**SAN ANTONIO WATER SYSTEM
Interdepartmental Correspondence Sheet**

LAND DEVELOPMENT
SERVICES DIVISION

To: Zoning Commission Members

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

Copies To: Joan B. Falkenberg Geologist, Aquifer Protection and Evaluation, Andrew Wiatrek, Manager, Edwards Aquifer Watershed Protection; Michael Barr, Supervisor, Aquifer Protection and Evaluation

Subject: Zoning Case Z2013074 Skyway Towers

Date: March 18, 2013

SUMMARY

A request for a change in zoning has been made for an approximate 0.0689 acre portion of a larger 1.73 acre tract located within the Olmos Creek Business Park on the city's north side. A change in zoning from **C-2 ERZD AHOD MLOD** to **C-2 S ERZD AHOD MLOD** is being requested by the applicant, Mr. Patrick Christenson. The change in zoning has been requested to allow for a commercial use development, in particular Wireless Communication System (Cell Tower).

As of the date of this report, an official request for a site specific category determination or an official request for a "substantial alteration" determination has not been received by the Aquifer Protection & Evaluation Division. Based on the information provided, this property is a Category 2 property and shall be developed in accordance with all the provisions stated in Ordinance No. 81491 governing development on the Edwards Aquifer Recharge Zone. However, if the appropriate information is provided to the Aquifer Protection & Evaluation Section, this property may be determined to be a Category 1 property. If the property is determined to be a Category 1 property, staff recommends that the owner/operator use criteria outlined in Section 34-970 "Best Management Practices".

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 8, at 12330 Huebner Road. The property lies entirely within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from a C-2 ERZD AHOD MLOD to C-2 S ERZD AHOD MLOD and will allow for the construction of a commercial special use development for a cell tower. Currently the site is covered in native vegetation and not developed.

2. Surrounding Land Uses:

The site is surrounded by vacant land to the south and east, to the west a small Time Warner Utility Service building and appurtenances and to the north an existing office complex across Huebner Road.

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 the commencement of construction.

4. Geologic Conditions:

The Edwards Aquifer and Watershed Protection Division of the San Antonio Water System conducted an evaluation, on February 8, 2013 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologist, Joan B. Falkenberg, P.G., was present during the site evaluation.

The site is covered by thick soil development, mature trees and brush and some outcropping of limestone bedrock. A geologic assessment is required as part of the WPAP process and any features will be noted on that report. No significant or sensitive recharge features were observed on-site. Stormwater falling on this site will drain southerly into Olmos Creek. According to the FEMA Flood Insurance Maps, the site is not located within a 100-year floodplain area.

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 Edwards Aquifer. This could not be confirmed due to coverage by native soil and vegetation.

The Cyclic and Marine Member of the Person Formation, within the Edwards Group, is characterized by extensive lateral porosity of both fabric and non-fabric makeup. This member is known as a water bearing member of the Edwards Aquifer, and is approximately 80 to 90 feet thick in full section.

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:

Site Specific Concerns

1. The applicant is proposing an on-site generator for emergency back-up power.

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. The proper storage and use of batteries or propane should a generator be necessary.

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 applicant agrees not to exceed 15% impervious cover for the entire 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 propane or 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 that require an industrial designation, per the permitted use table shall not be allowed on the project site.
4. The land uses within the zoned areas shall be in conformance with the table of permitted uses at the time the 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.
5. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and that it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Edwards Aquifer and Watershed 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 the Construction Monitoring Division 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.D.A, shall be used.
7. The applicant shall notify the Construction Monitoring Section of SAWS at (210) 233-3564 no later than 48 hours prior to the commencement of construction at the site.
8. 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 either above ground or at the surface; the developer shall notify the Texas Commission on Environmental Quality at (210) 490-3096 and the Edwards Aquifer and Watershed Protection Division of the San Antonio Water System at (210) 233-3522.

General Recommendations

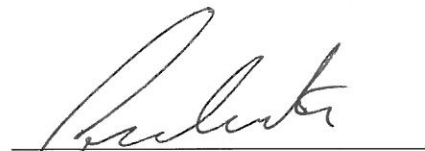
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Edwards Aquifer and Watershed Protection Division of the San Antonio Water System.
2. Prior to the release of any building permits, the following shall be submitted to the SAWS Edwards Aquifer and Watershed 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 (TCEQ),
 - 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, if applicable 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. Prior to the start of the basin construction, the owner will notify the Construction Monitoring Section of the San Antonio Water System at (210) 233-3564 to schedule a site inspection.
 - B. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Construction Monitoring Section at (210) 233-3564 to schedule a site inspection. Additionally, a maintenance plan and schedule should be developed and submitted to Edwards Aquifer and Watershed Protection Division of SAWS.
 - C. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section at (210) 233-3564 prior to any discharge of water.
 - D. 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 Edwards Aquifer and Watershed Protection Division at 233-3522.
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 Edwards Aquifer and Watershed 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.

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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

SRH:jbf



Figure 2

Zoning Case No.: Z2013074

Zoning Case Name: Skyway Towers

Map Page & Grid: 515 D8

Map Prepared by Resource Protection PZG 03/19/2013

