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SAN ANTONIO WATER SYSTEM  
5 JUL 30 PM 1:28 Interdepartment Correspondence Sheet

To: LAND DEVELOPMENT  
SERVICE DIVISION  
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 Z20 15216 (Elm Creek Crossing Office Building)

Date: July 30, 2015

## SUMMARY

A request for a change in zoning has been made for an approximate 12.844-acre tract located on the city's north side. A change in zoning from "R-6 ERZD to C-2 ERZD" is being requested by the applicant, Drash Consultants, represented by Richard O'Neil, attorney at law. The change in zoning has been requested to allow an office and commercial development. The property is currently classified 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 located in City Council District 10, at 17205 Jones Maltsberger Road, approximately 0.50 mile east of the intersection of Redland Road and Jones Maltsberger Road. 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 ERZD to C-2 ERZD and will allow for the development of a four story office building and commercial development on 12.844 acres. Currently there are existing building structures on 2.422 acres used by a construction company with the remainder of the property undeveloped and vegetated.

2. Surrounding Land Uses:

North Loop 1604 East highway borders to the north of the subject property. The eastside of the subject property is bordered by an out of business real estate office. The Church of Jesus Christ of Latter-day Saints bounds the western portion of the subject property. Jones Maltsberger Road is to the south of the subject property.

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 June 24, 2015, 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 one lot, currently developed in the southeast quadrant as a material handling and storage yard with storage buildings, office, and asphalt paved storage areas, with the remainder of the site in an undeveloped condition, approximately 12.844 acres in area. The undeveloped portion of the subject site was observed to be moderately to heavily vegetated with natural vegetation with little to moderate exposed bedrock.

The site appeared to slope to the west and southwest. Stormwater occurring on the subject site would drain to the west and southwest into an unnamed tributary to Elm Creek.

A Geologic Assessment was previously conducted for the subject site. No sensitive geologic features were identified within the subject site. However, a water well, a septic system, an underground storage tank (UST) system, and four associated monitoring wells were identified within the southeast quadrant of the subject site.

It was noted that the UST system had formerly been assigned a Leaking Petroleum Storage Tank (LPST) designation by TCEQ, requiring the installation of monitoring wells. This UST system was granted final closure by TCEQ in a letter dated May 12, 2003, and the monitoring wells were subsequently plugged and abandoned, and the USTs were concrete filled and abandoned in place. The USTs are currently under one of the storage buildings within the developed southeast quadrant of the subject site.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Member of the Person Formation throughout the site.

The Leached and Collapsed Member of the Person Formation is characterized by the presence of quartzite, limestone, grainstone, and mudstone, yellow chert beds and grey conglomerations. This Member is known to have fabric related porosity. The full section thickness of this member is approximately 70 to 90 feet thick. This member produces significant amounts of water and is considered very permeable and a significantly environmentally sensitive section of the Edwards Aquifer. However, this location of the leached and collapsed was observed to have no sensitive geologic features.

## **ENVIRONMENTAL CONCERNS**

The environmental concerns associated with this development being constructed on the Edwards Aquifer Recharge Zone are:

### **Site Specific Concerns**

1. A water well was observed on site and there is potential for contamination of the Edwards Aquifer via the well.
2. Abandoned underground storage tanks on site have the potential for contamination of the Edwards Aquifer.
3. A septic system was observed on site and there is potential for contamination of the Edwards Aquifer.

### **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. The well on site shall meet the requirements of the SAWS Ground Water Resource Protection Section. 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/or prior to any activities such as plugging of wells.
3. The existing septic system will have to be properly abandoned according to municipal and county regulations.
4. The underground storage tanks shall be properly removed by a licensed UST contractor. Soil remediation may be required if soil contamination is present within the tank hold area. SAWS staff shall have the authority to require soil sampling around the underground storage tanks when removed to determine if potential contamination is present. SAWS Aquifer Protection and Evaluation staff shall be notified 48 hours prior to the removal of the tanks at (210) 233-3522.
5. 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.
6. 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.

7. 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.

### **General Recommendations**

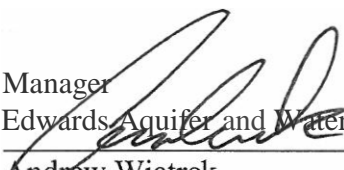
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection & Evaluation Section of the San Antonio Water System.
2. The City of San Antonio shall inspect all future construction of the sewage collection 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 (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 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. If a water quality basin is constructed on the property, the following is required:
  - A. Below grade or subsurface basins shall not be allowed to be constructed on the site.
  - B. 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.

- C. 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.
  - D. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section 9 (th\_<:f Rs9.rce Pr9tection & Compliance Division at ( 10) i3-3572 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 Aquifer Protection & Evaluation Section of SAWS.
5. 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.

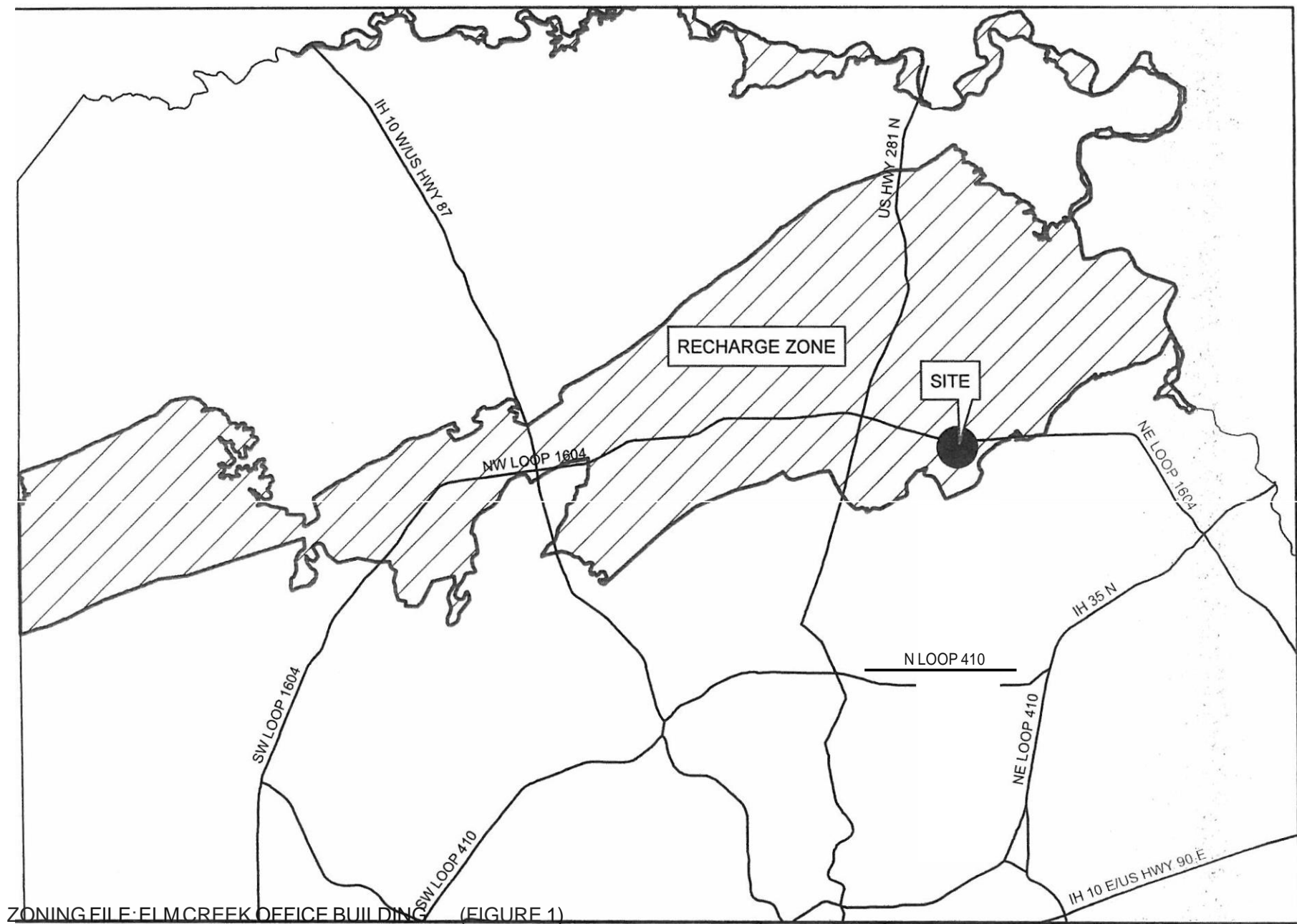
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

APPROVED:

  
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Scott R. Halty  
Director  
Resource Protection & Compliance Department

  
\_\_\_\_\_  
Manager  
Edwards Aquifer and Watershed Protection Division  
Andrew Wiatrek

MJB:MAE



ZONING FILE: ELM CREEK OFFICE BUILDING (FIGURE 1)

ZONING CASE: Z2015216

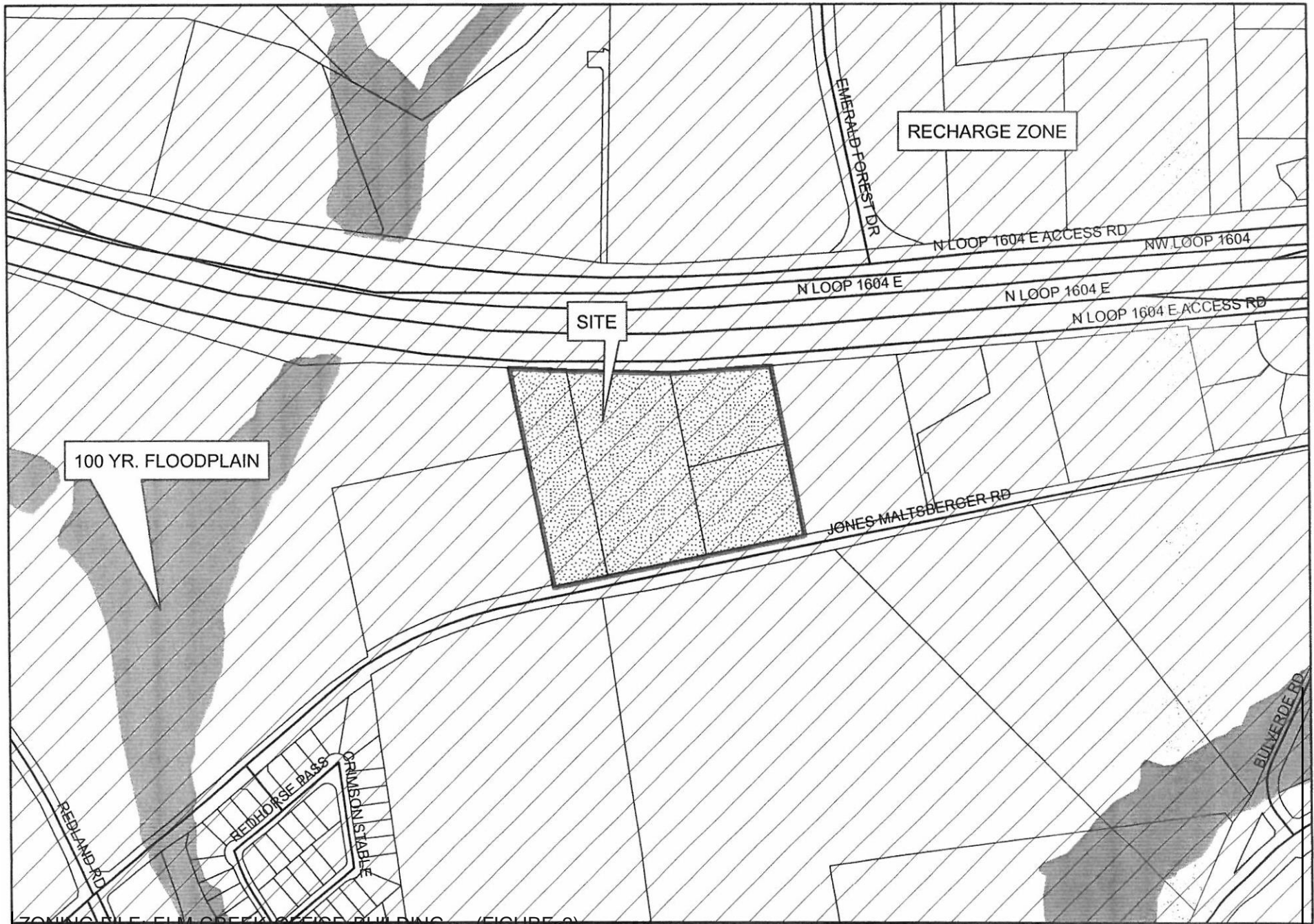
MAP GRID: 152, 86

Map Prepared by SAWS, Aquifer Protection & Evaluation MAE 6/18/2015

1 in = 16,667 ft

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W W .Feet

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ZONING FILE: ELM CREEK OFFICE BUILDING (FIGURE 2)  
 ZONING CASE: Z2015216  
 MAP GRID: 152, 86

