

**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet**

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**To:** Zoning Commission Members  
**From:** Kirk M. Nixon, Manager, Resource Protection Division, San Antonio Water System  
**Copies To:** Scott R. Halty, Director, Resource Protection & Compliance Department, Mike Barr, Resource Protection Specialist II, Aquifer Protection & Evaluation Section, File  
**Subject:** Zoning Case Z2007090 (The Rim Master Plan)

**Date:** April 25, 2007

### SUMMARY

A request for a change in zoning has been made for an approximate 835.471-acre tract located on the city's northwest side. A change in zoning from **RP, R-20, O-2, 0-2 GC-1, C-3, C-3 R, C-3 GC-1, QD C, R-6 ERZD, C-3 R ERZD GC-1, C-3 ERZD, C-3 ERZD GC-1, I-1 ERZD, QD ERZD C** to **MPCD, MPCD ERZD, MPCD ERZD GC-1** is being requested by the applicant, Brown, P.C. The change in zoning has been requested to allow for the development of a master planned community. The overall master plan district is classified as Category 1 and 2 properties.

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, near the intersection of IH 10 and Loop 1604. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

### SITE EVALUATION

#### 1. Development Description:

The proposed change is from **RP, R-20, O-2, 0-2 GC-1, C-3, C-3 R, C-3 GC-1, QD C, R-6 ERZD, C-3 R ERZD GC-1, C-3 ERZD, C-3 ERZD GC-1, I-1 ERZD, QD ERZD C** to **MPCD, MPCD ERZD, MPCD ERZD GC-1** and will allow for a master planned community. The site is mostly undeveloped and covered in native vegetation. Leon Creek goes through the site. Several sensitive geologic features, abandoned wells, and abandoned structures were discovered. There are areas of illegal dumping throughout the project site that includes numerous tires and household debris.

2. Surrounding Land Uses:

An active quarry is located to the east of the subject property. The Rim development is located to the north of the subject property. IH 10 and Fiesta Texas is located to the west of the subject property. Loop 1604 and vacant property is located to the south of the property.

3. Water Pollution Abatement Plan:

A portion of the subject property is contained within the overall Rim Development, approved by the TCEQ on September 4, 2004. There were several wells located on a portion of the overall subject property. No geologic features within the limits of the WPAP are rated as being sensitive. It appears that a geologic assessment has been done for other portions of the project site but SAWS was not provided a copy of the geologic assessment.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted an evaluation, on March 24, 2007, April 19, 2007, and April 24, 2007 of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS staff Geologists, Mr. Gregory D. James, P.G. was present during the site evaluations on March 24, 2007 and April 19, 2007. Mr. Bruce Keels, P.G. was present during the site evaluations on April 19, April 24, 2007 and April 25, 2007.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject tract is underlain by the Dolomitic Member of the Kainer Formation. A small section, located in the southwestern portion of the tract, is underlain by the Leached and Collapsed Member of the Person Formation. The extreme northeastern corner of the tract is bisected by a fault that delineates the transition from the Edwards Recharge Zone (Dolomitic and Grainstone Members) and the Contributing Zone (Glen Rose Formation). Several inferred faults are believed to be present in the central portion of the site, but no definitive evidence of faulting was observed during the field investigation.

The Dolomitic Member in full section is 110 – 130 feet thick, massively bedded and is generally porous and relatively permeable. The Leached and Collapsed Member in full section is 70 – 90 feet and is one of the most permeable subdivisions within the Person Formation. The Grainstone Member generally possesses low permeability due to recrystallization within the rock fabric and is 50-60 feet thick in full section. The Glen Rose Formation is representative of the Contributing Zone of the Edwards Aquifer.

A geologic assessment has not been completed for this property and was not submitted as part of the information provided by the applicant. The site investigation noted the presence of a number of potentially sensitive and significant features on the project site. These include a zone of solution

enhanced fractures located in a creek bed, a cluster of closed non-karst depression, and two sink-holes that appear to be providing recharge. The majority of these features appear to be associated with faulting identified on local geologic maps. The property is extensively covered by fill material, impervious pavement from a former development, alluvium and dense vegetation.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. Several potentially sensitive and significant geologic features are located on the property and there is potential for contamination of the Edwards Aquifer.
2. Five abandoned septic systems were observed on the site and there is potential for contamination of the Edwards Aquifer.
3. Four wells were observed on the site and there is potential for contamination of the Edwards Aquifer via the wells.
4. A portion of the property lies within Leon Creek Watershed, along the western portion, where recharge may occur.

### **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% for the overall site.

2. A buffer area shall be provided as delineated in figure 3 which shall include:
  - a. An area trending NE-SW that is located in the north-central portion of the C (III) location.
  - b. A small tributary to Leon Creek trending NE-SW that is located in the southern portion of the C (III) location.
3. The abandoned septic systems, along with any additional septic system that may be located on the site must be properly abandoned according to City Code Chapter 34 Article V Division 2 Section 446.
4. The abandoned wells, along with any additional wells that may be located on the site must be properly plugged according to the City Code Chapter 34, Division 2 Section 574 by a registered well driller.
5. A floodplain buffer shall be provided along Leon Creek required in Ordinance No. 81491, Section 34-913.
6. 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.
7. 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 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 the Resource Protection Division of SAWS.
8. 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.
9. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3564 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

Resource Protection Division of the San Antonio Water System at (210) 233-3523.

10. 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) 233-3523.

### **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 SAWS.
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 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. 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. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the San Antonio Water System at (210) 233-3526 to schedule a site inspection.
  - B. 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) 233-3526 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to SAWS Aquifer Protection and Evaluation Section.
  - C. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division 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 Resource Protection Division.
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.



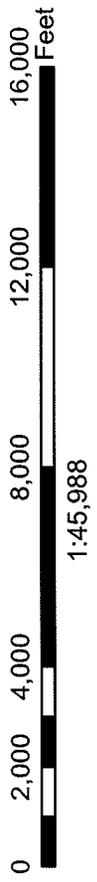
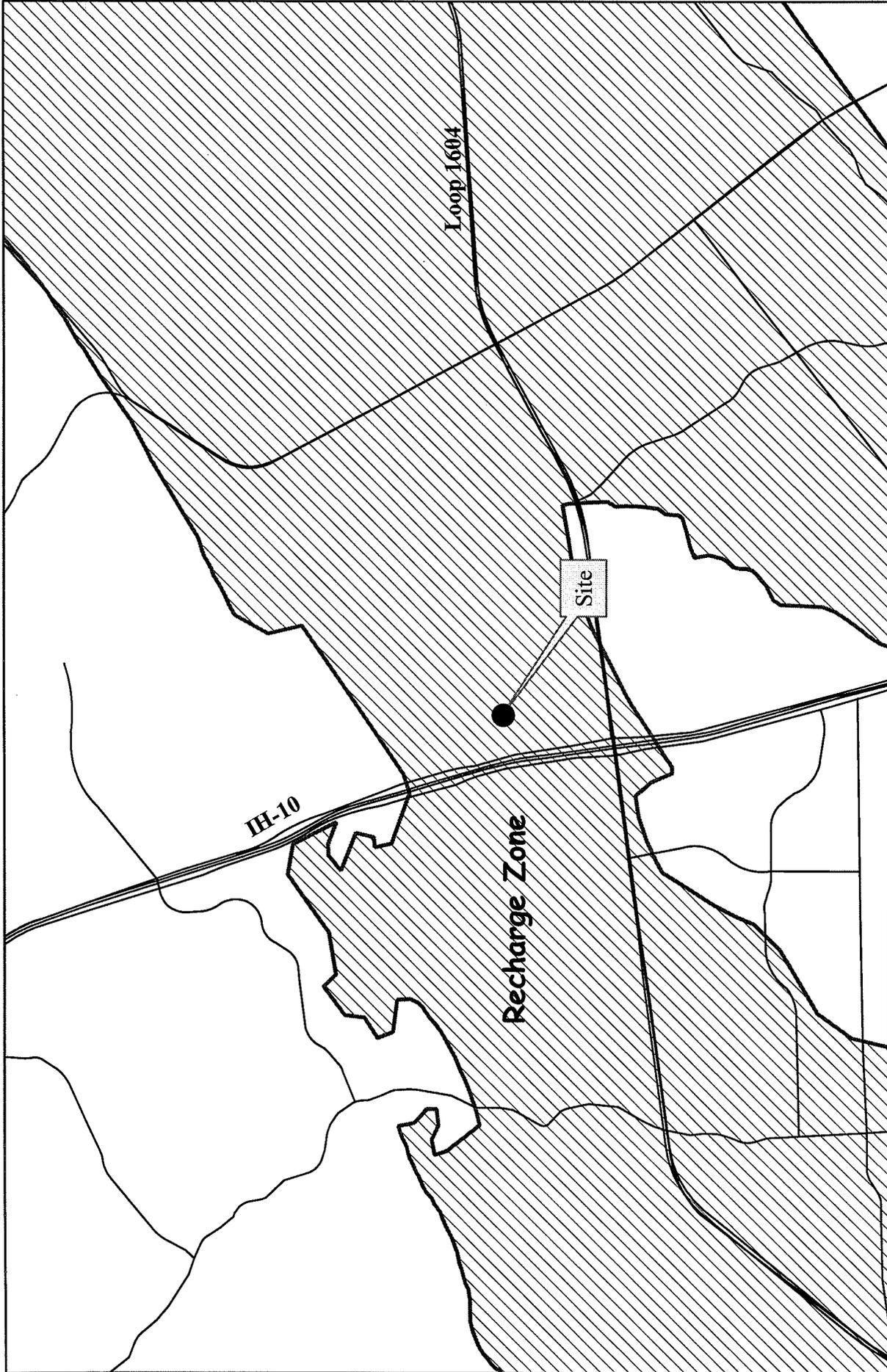
Kirk M. Nixon  
Manager  
Resource Protection Division

APPROVED:



Scott R. Halty  
Director,  
Resource Protection & Compliance Department

KMN:MJB



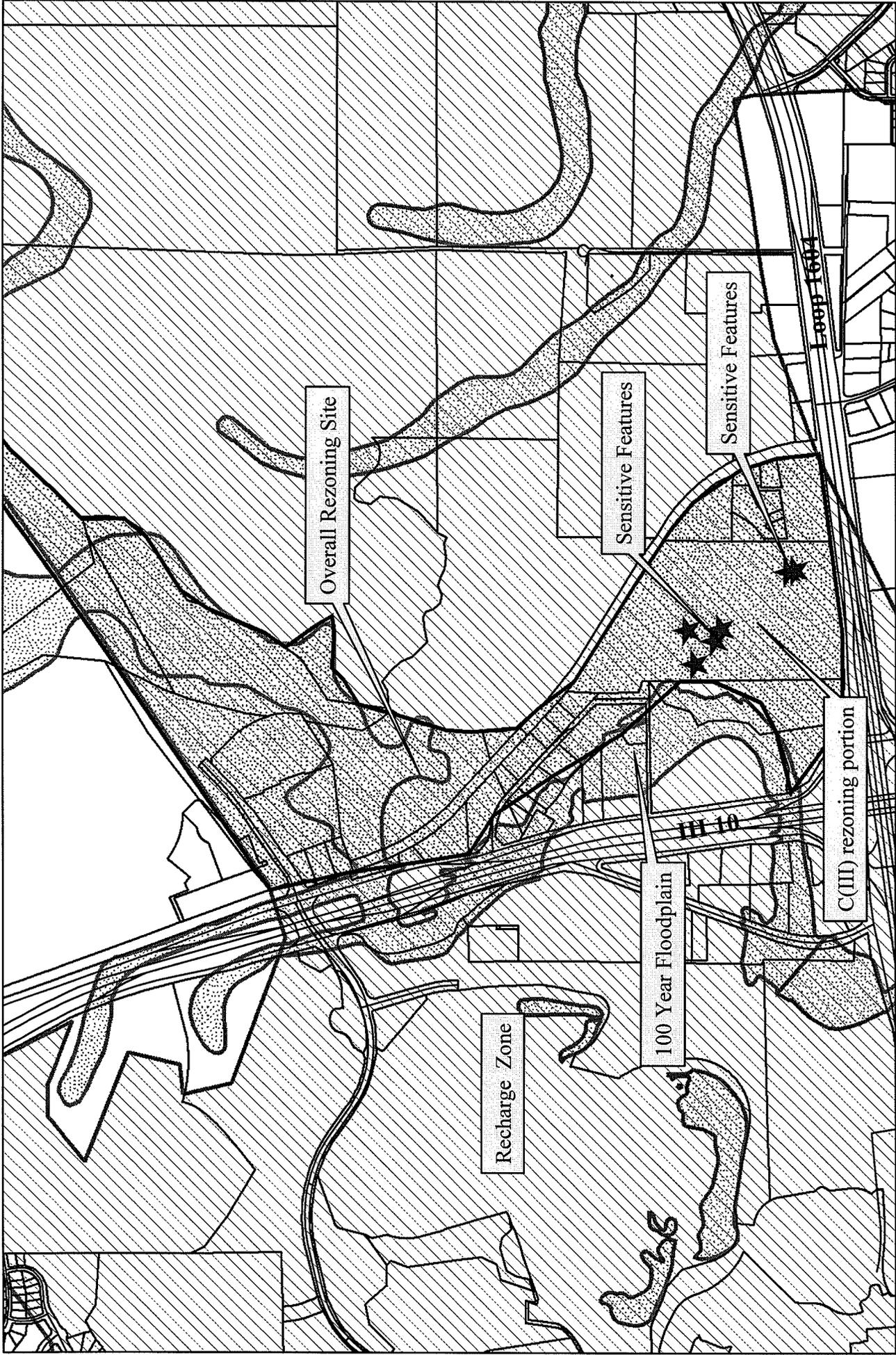
**Zoning Case No. Z2007090 Figure 1**

**Rim Master Planned Community**

**Map Page 480 & 514**

**X=2096416 Y=13768154**

**Map Prepared by Aquifer Protection and Evaluation MJB 3/20/2007**



**Zoning Case No. Z2007090 Figure 2**

Rim Master Planned Community

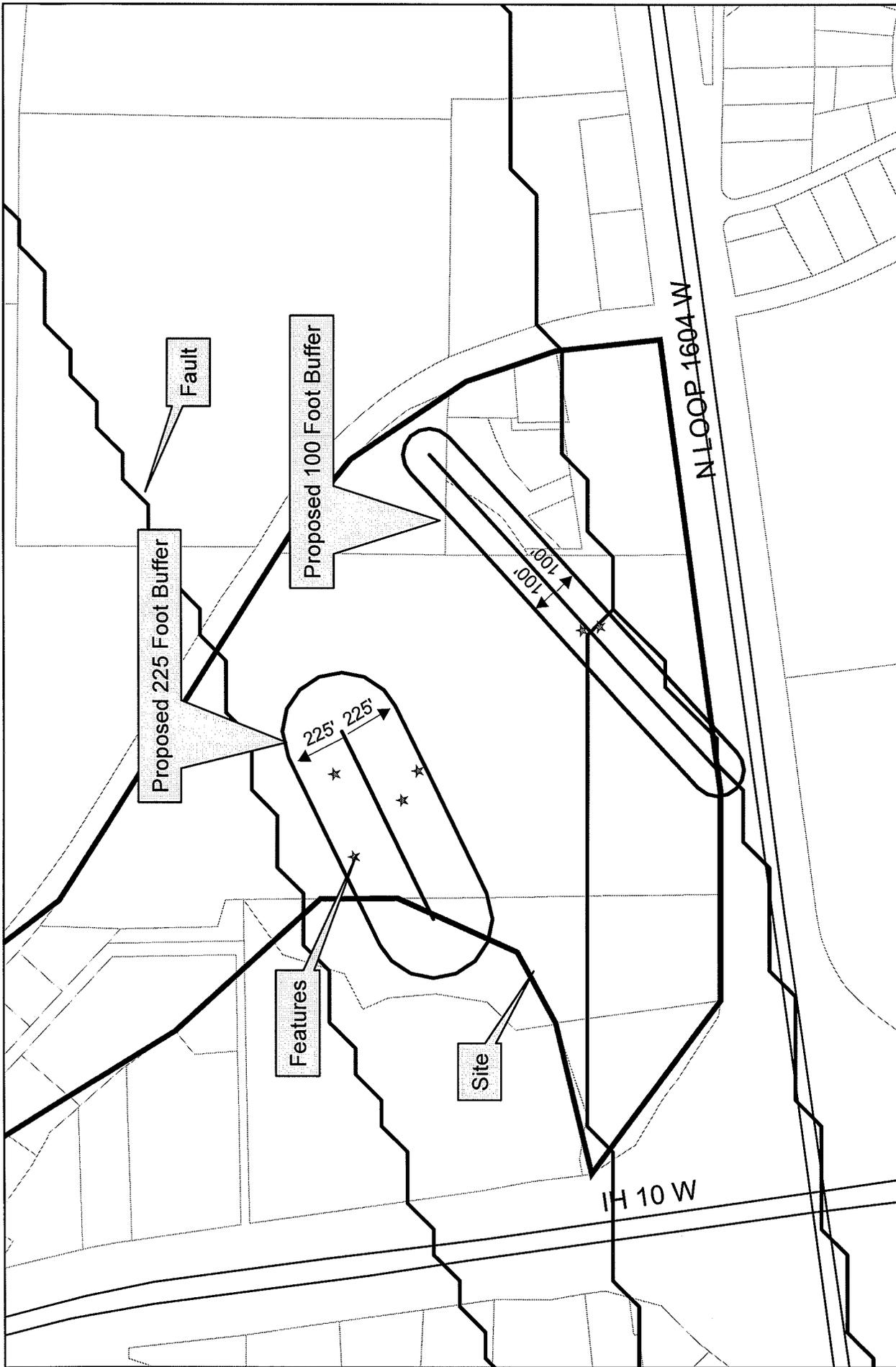
Map Page 480 & 514

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Map Prepared by Aquifer Protection and Evaluation MJB 4/25/2007



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**Zoning Case No. Z2007090 Figure 3**

Rim Master Planned Community  
 Map Page 480 & 514  
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 Map Prepared by Aquifer Protection & Evaluation KES 04/25/07