

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

**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 Z2023-10700171 (1604 Quarry Rezoning)

**Date:** October 30, 2023

**SUMMARY**

A request for a change in zoning has been made for an approximate 51.049-acre tract located on the city's northwest side. A change in zoning from **"C-2 QD CD MLOD-1 MNA AHOD ERZD UC-1"** to **"ED MLOD-1 MNA AHOD ERZD"** is being requested by the applicant, Rogers 1604 Commercial, Ltd., and represented by Caroline McDonald of Brown & McDonald PLLC. The change in zoning has been requested to allow for an entertainment district with mixed-land and recreational uses. 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 in City Council District 8, approximately 1,850-feet north of Northwest Military Highway and North Loop 1604 West intersection. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from **"C-2 QD CD MLOD-1 MNA AHOD ERZD UC-1"** to **"ED MLOD-1 MNA AHOD ERZD"** and will allow an entertainment district with mixed-land and recreational uses on a 51.049-acre site. Currently, the site is an abandoned quarry with undeveloped land with native trees and vegetation located north of the quarry. The proposed project will consist of commercial, retail, townhomes, and mixed recreational uses.

2. Surrounding Land Uses:

Martin Marietta-Beckmann Quarry borders north and to the west of the subject property. Northwest Military Highway and Verandas at Shavano Apartments bound east of the site. Living Spaces furniture store and North Loop 1604 West lies to the south.

3. Water Pollution Abatement Plan:

A WPAP file under the name Martin Marietta Materials-Rogers Ranch West had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on September 3, 1999.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted site evaluations on September 15, 2023, 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 single undeveloped lot partially excavated as a quarry pit approximately 4.688 acres in area. The majority of the subject site was observed to have been excavated by quarry activity, with a distinct flat-bottomed pit bisected by a berm, with a pronounced benched rim around the interior walls. A series of roughly graded ramps provided access to the bottom and the benches for vehicular traffic. The toes of both the bottom walls and benched walls were generally obscured with various amounts of talus slope material. Additionally, rubble material was observed to be placed as low walls or curbing along ledges on top and on the benches within the pit. Several vertical drill marks and blasting scars associated with quarrying activity were observed along the walls. The northern surface portion of the subject site is relatively undeveloped and vegetated with moderate trees and ground level vegetation. An FAA aircraft transponder is located within this portion of the subject site. The site is bounded on the northeast by Northwest Military Highway with single family and multi-family residential property, on the north and west by an active quarry, on the south and southeast by commercial retail properties with Loop 1604 beyond.

A series of solution cavities were observed within the quarry pit walls, many of them are a foot in diameter. These solution cavities originally existed as insitu subsurface conduits, with no visible surface connections, and were exposed by quarry activities. These features are not considered geologically sensitive due to their location and orientation. Additionally, two mapped faults are located both north and south of the subject site. No surface expression of these faults were observed within the property. The entirety of the quarry pit has been extensively disturbed.

A geologic assessment conducted in 2012 was reviewed and identified the entirety of the subject site quarry pit as geologic feature S-1, Man Made feature, rated 50 points, which is considered geologically sensitive.

The subject site is a local topographic low point with no natural drainage outlet. Stormwater occurring on the subject site would be retained within the quarry pit.

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. This member produces moderate amounts of water, and includes moderate porosity but intermediate or lower permeability, and has a moderate environmental sensitivity. Bedrock exposure throughout the quarry pit area and quarry walls confirmed characteristics of this member in this area.

A geologic assessment conducted in 2012 identified the entirety of the quarry pit as a geologically sensitive Man-Made feature.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. A man-made quarry pit has the 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 overall 51.049-acre site.

2. 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.
3. 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.
4. 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.
5. 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.

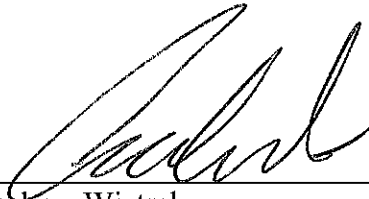
#### **General Recommendations**

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 Modification shall be submitted for the development 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 Modification approval letter from the Texas Commission on Environmental Quality,
  - D. A copy of the approved Water Pollution Abatement Plan Modification.
3. 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.

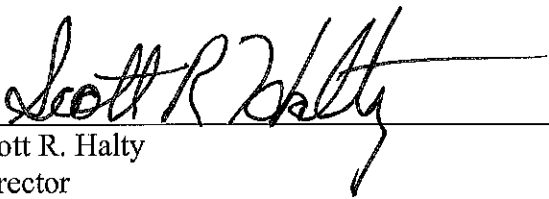
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the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

APPROVED:



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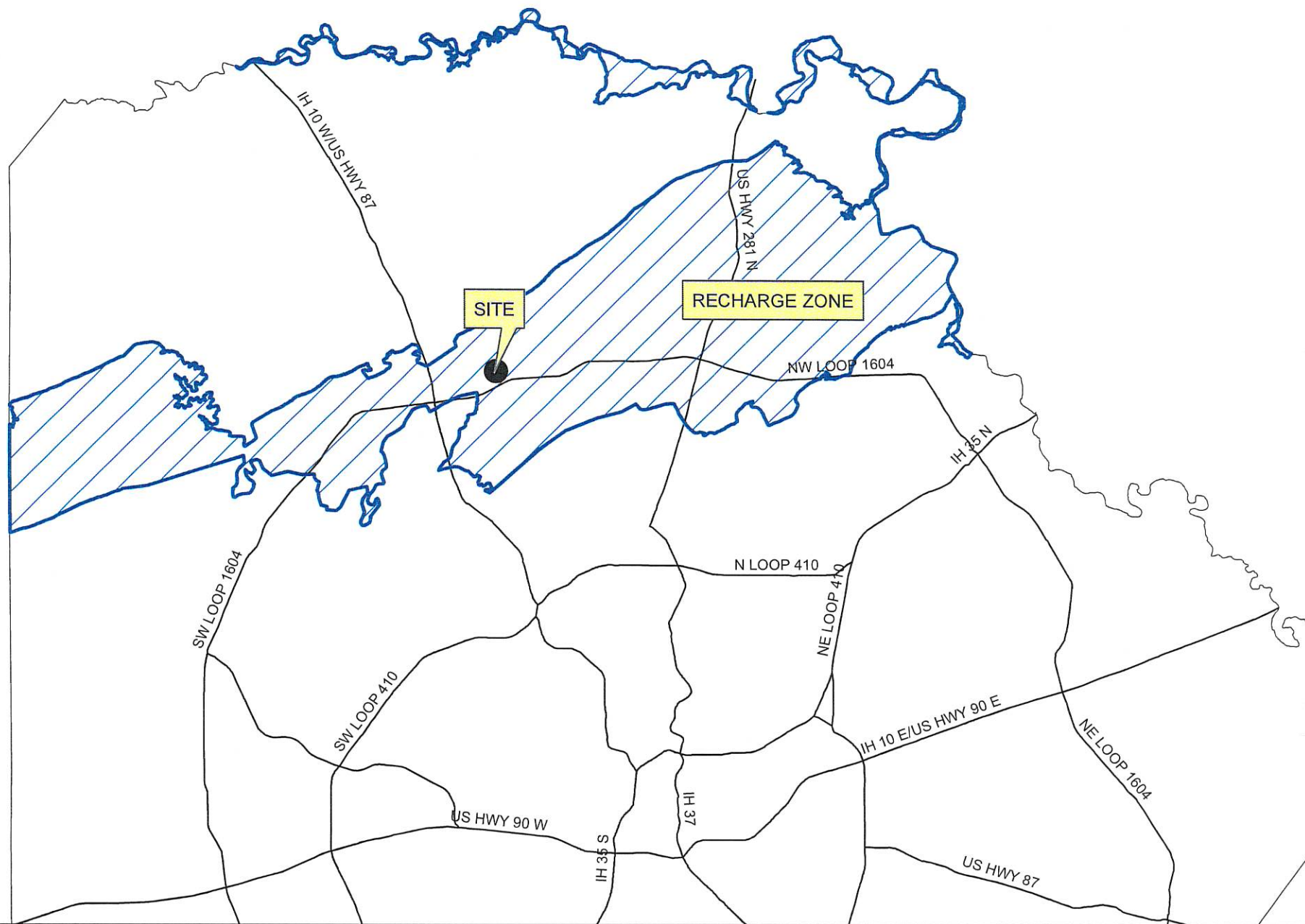
Andrew Wiatrek  
Manager  
Edwards Aquifer and Watershed Protection Division



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Scott R. Halty  
Director  
Resource Protection & Compliance Department

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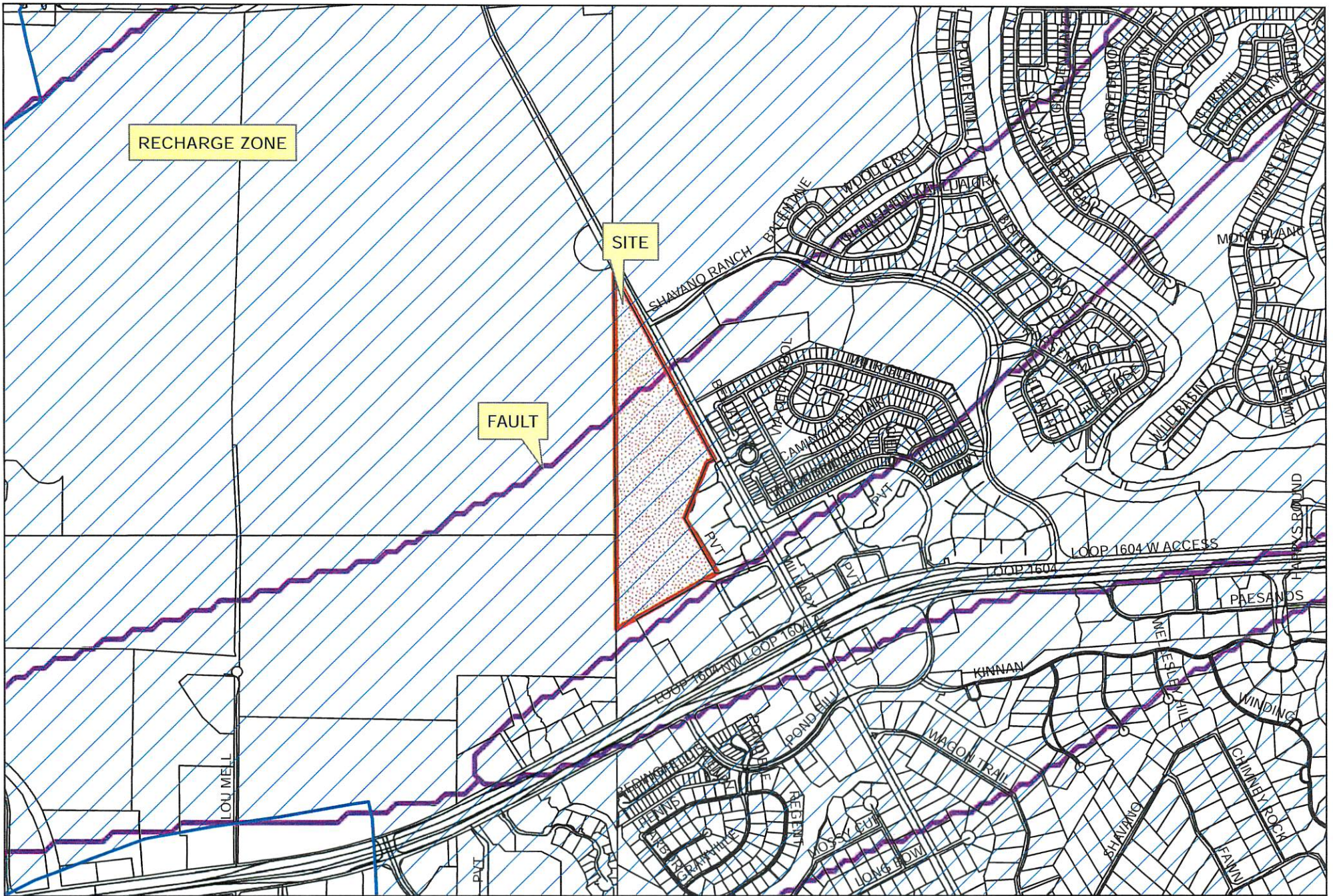
ZONING CASE: 1604 QUARRY REZONING (FIGURE 1)  
ZONING FILE: Z2023-10700171

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 7/13/2023

1 in = 20,833 ft  
0 7,500 15,000 30,000 45,000 60,000 Feet







ZONING CASE: 1604 QUARRY REZONING (FIGURE 2)  
ZONING FILE: Z2023-10700171

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 9/29/2023

