

**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 Z2024-10700253 (1604 Retail)

**Date:** October 29, 2024

**SUMMARY**

A request for a change in zoning has been made for a 1.35-acre lot located on the city's northwest side. A change in zoning from “C-2 NA ERZD UC-1 MLOD-1” to “C-2 ERZD UC-1 MLOD-1” is being requested by the applicant 1604 Capital Partners, LLC, and represented by Patrick W. Christensen, Attorney at Law. The change in zoning has been requested to allow for a restaurant 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 within City Council District 8, located at the northwest intersection of Cottontail Road and North Loop 1604 West. 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 NA ERZD UC-1 MLOD-1” to “C-2 ERZD UC-1 MLOD-1” will allow for a restaurant development on 1.35-acre lot. Currently, the lot is undeveloped with native trees and groundcover vegetation throughout the site. The project will consist of a commercial building with an associated parking area.

2. Surrounding Land Uses:

The Hills and Dales Neighborhood is located north of the site. The Healing Hands Veterinary Hospital occupies the western boundary. Cottontail Road and undeveloped commercial property lies to the east. North Loop 1604 West bounds south of the property.

3. Water Pollution Abatement Plan:

A WPAP filed under the name 1604 Retail has been recently submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on August 9, 2024.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation to assess the geological conditions and to determine if environmental concerns are present. Mr. Justin Turknett, a Professional Geoscientist (P.G.) and a San Antonio Water System geologist, performed a site visit on October 9, 2024. Prior to the site visit, a Geological Assessment dated April 13, 2002, was reviewed. The Geological Assessment did not identify geological sensitive features at the site.

The site is approximately 1.3536 acres. The site is bounded by single family residential homes to the north, Cotton Tail Lane to the east, Loop 1604 frontage road to the south, and a commercial building to the west. The site is undeveloped land. The site slopes east to southeast toward the intersection of Loop 1604 Frontage Road and Cotton Tail Lane.

According to the Federal Emergency Management Agency (FEMA) Flood Map 48029C0210G dated September 29, 2010, the site is not within the 100-year floodplain.

According to the United States Geological Survey (USGS) Scientific Investigations Map 3366, the site is mapped on the Del Rio Clay Formation, associated with the upper confining unit of the Edwards Aquifer, and the Cyclic and Marine member of the Person Formation, associated with the Edwards Aquifer.

The Del Rio Clay is approximately 40 to 50 feet thick. The lithology consists of blue-green to yellow-brown clay. The Del Rio clay consists of *Ilymatogyra arietina* which is a key identifier for the Del Rio Clay. The Del Rio Clay is the primary upper confining unit.

The Cyclic and Marine Member is approximately 80 to 90 feet thick. The lithology consists of mudstone to packstone, miliolid grainstone, and chert. The Cyclic and Marine member is characterized by cycles of mudstones to grainstones that range from massive too thin beds and occasionally are crossbedded.

No environmental concerns or geological sensitive features were observed during the site evaluation.

## **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. The impervious cover shall not exceed 65% on the 1.35-acre lot.
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.

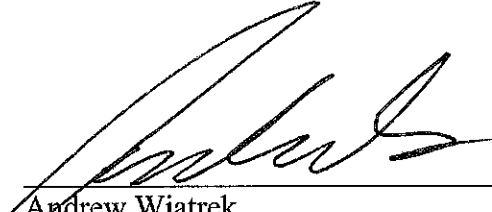
5. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, 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**

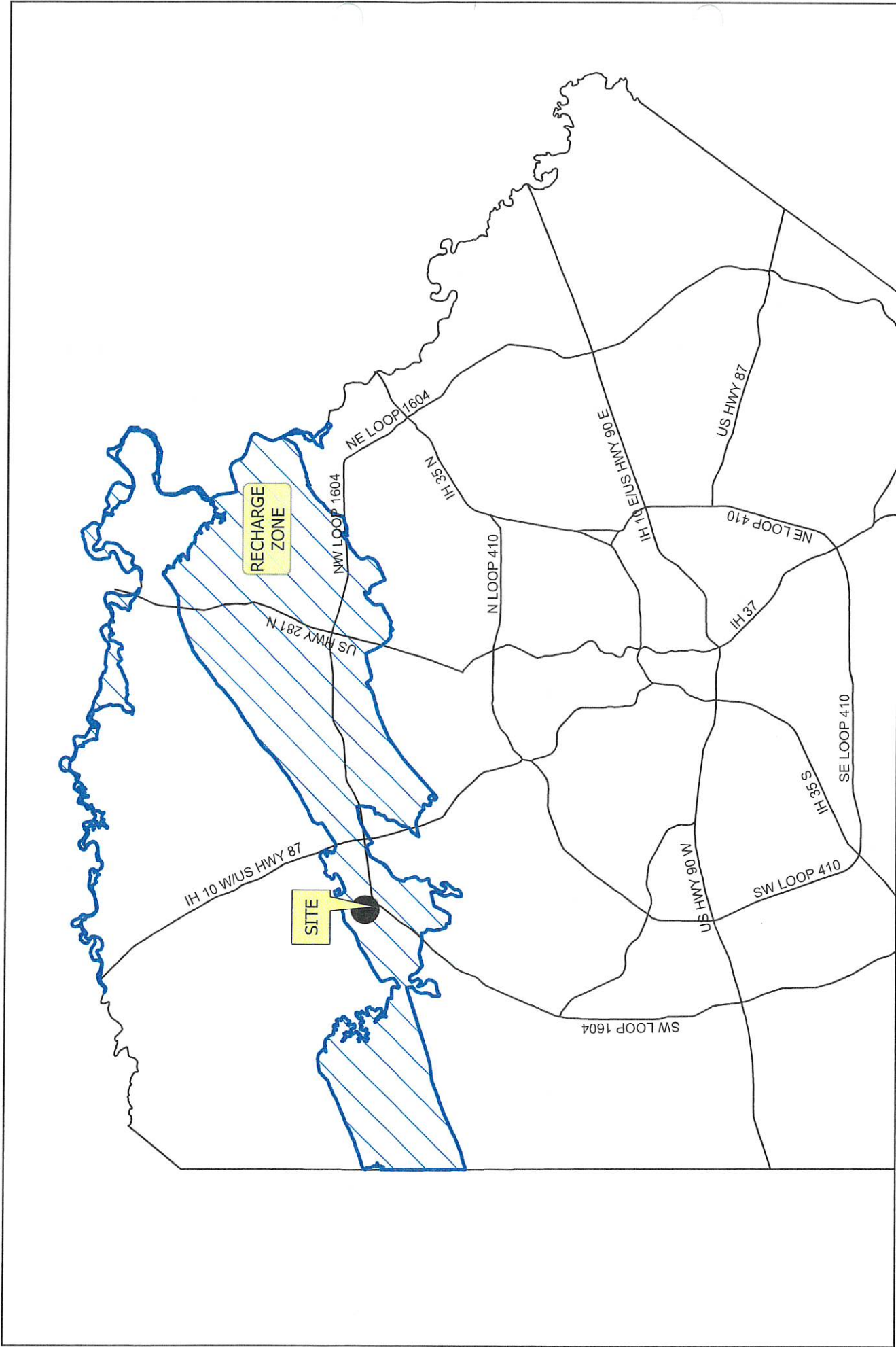
1. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
2. The Resource Protection & Compliance Division staff shall have the authority to inspect 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 regarding 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

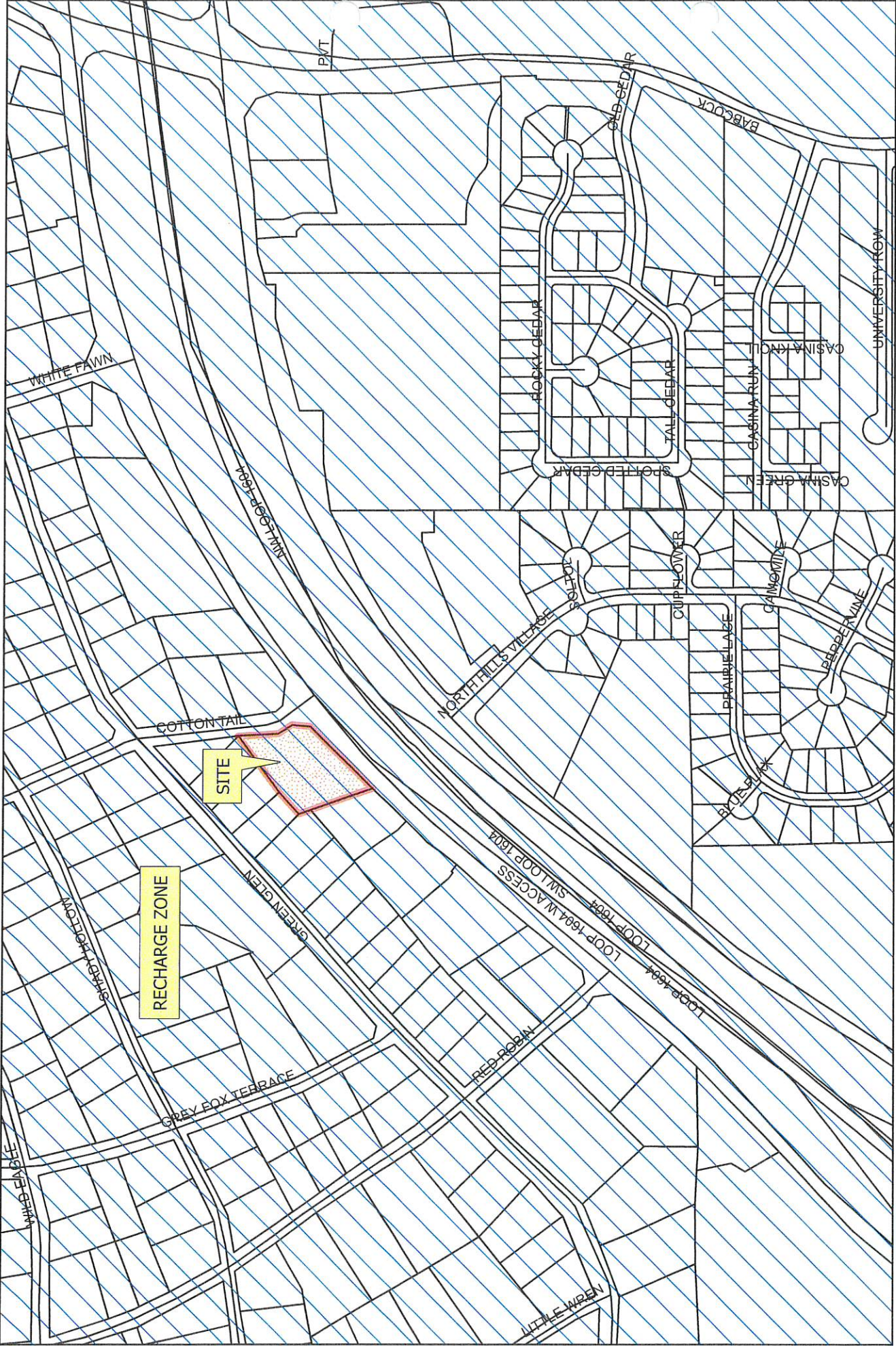
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ZONING FILE: Z2024-10700253 (FIGURE 1)  
ZONING CASE: 1604 RETAIL

1 inch equals 25,168 feet  
0 15,000 30,000 60,000 US Feet





ZONING FILE: Z2024-10700253 (FIGURE 2)  
ZONING CASE: 1604 RETAIL

