

**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 Z2024-10700054 (Namami Sai Sub.)

Date: May 7, 2024

SUMMARY

A request for a change in zoning has been made for an approximate 3.84-acre tract located on the city's northwest side. A change in zoning from “**R-6 PUD ERZD**” to “**MF-18 PUD ERZD**” is being requested by the applicant Namami Sai, LLC, and represented by Ashley Farrimond, Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow for a residential development. The property is currently designated 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 in City Council District 8, located at the northwest intersection of Babcock Rd and Bamberger Way. 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 PUD ERZD**” to “**MF-18 PUD ERZD**” and will allow for a residential development on 3.84-acres. Currently, the site is partially developed with the installation of underground utilities and a curbed unpaved circular roadway. The proposed project will consist of 32 residential units on 17 lots with open space area.

2. Surrounding Land Uses:

Shirdi Sai Baba Temple of San Antonio is located north of the property. To the east borders Babcock Rd with Bamberger Nature Park located beyond. The Overlook at Carriage Hills subdivision lies west of the site. To the south borders Bamberger Way with the Heights of Carriage Hills subdivision and the San Antonio Apartment Association located beyond.

3. Special Condition:

The 3.84-acre site is allowed open space credit to mitigate the impervious cover requirements through a provision in City Ordinance #87124 (Bamberger Road/Bamberger Park Improvement Agreement) passed and approved by City Council on December 18, 1997.

Land was donated to the City of San Antonio for a 70.91-acre park, known as Bamberger Nature Park, and as open space credit to meet the impervious cover requirements for developments in the Bamberger Property. The developments are located west of Babcock Road and consist of the following: Carriage Hills subdivision (75.40-acres); Shirdi Sai Baba Temple of San Antonio (4.70-acres); San Antonio Apartment Association (2.30-acres); commercial tract (3.84-acres) the subject site is partially developed.

SAWS has reviewed the existing impervious cover for each development and evaluated the remaining open space credit available in the Bamberger Property to include the undeveloped 3.84-acre site. The 70.91-acre open space credit was allocated to the following developments: Carriage Hills subdivision (62-acres); Shirdi Sai Baba Temple of San Antonio (1.71-acres); San Antonio Apartment Assoc. (0.75-acres); undeveloped commercial tract (2.46-acres). The available open space credits remaining are 3.99-acres.

4. Water Pollution Abatement Plan:

A WPAP filed under the name Namami Sai Sub. had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on February 18, 2022.

5. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on March 27, 2024, 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 lot currently undergoing mass grading and installation of inground utilities, approximately 3.84 acres in area. The site was observed to be bounded on the north by undeveloped property with a storm sewer drain with a temple beyond, on the east by Babcock Road with Bamberger Park beyond, on the south by Bamberger Way with a commercial property beyond, and on the east by single family residential properties. The subject site was observed to have been mostly cleared with mass grading activity, cutting of roads, and installation of some inground utilities either completed or currently under way.

Fill material and miscellaneous waste debris was observed along the southwestern portion of the subject site. No significant rock exposure was observed on the subject site due to extensive soil cover, fill material, and excavation disturbance.

The site appears to slope to the east. Stormwater occurring on the subject site would discharge to the east along an unnamed tributary to Leon Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Upper Confining Unit.

The Undivided Upper Confining Unit is characterized by the presence of massive limestone with very low porosity and permeability throughout the formation. The full section thickness of this member is approximately 30 feet thick. This unit includes the Del Rio Clay, Buda Limestone, and Eagle Ford Group, and is considered the upper margins of the Edwards Aquifer.

No visual expression of the Upper Confining Unit was observed on the subject site due to extensive soil cover and fill material.

The subject site was observed to be an undeveloped lot. No sensitive geologic features were observed.

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 3.84-acre site. Based on City Ordinance #87124 (Bamberger Road/Bamberger Park Improvement Agreement) the 3.84-acre site will be using 1.34-acres of impervious cover credit from the agreement. This credit will allow the site to mitigate the increase from 50% impervious cover to the proposed 65% impervious cover on the 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.
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:

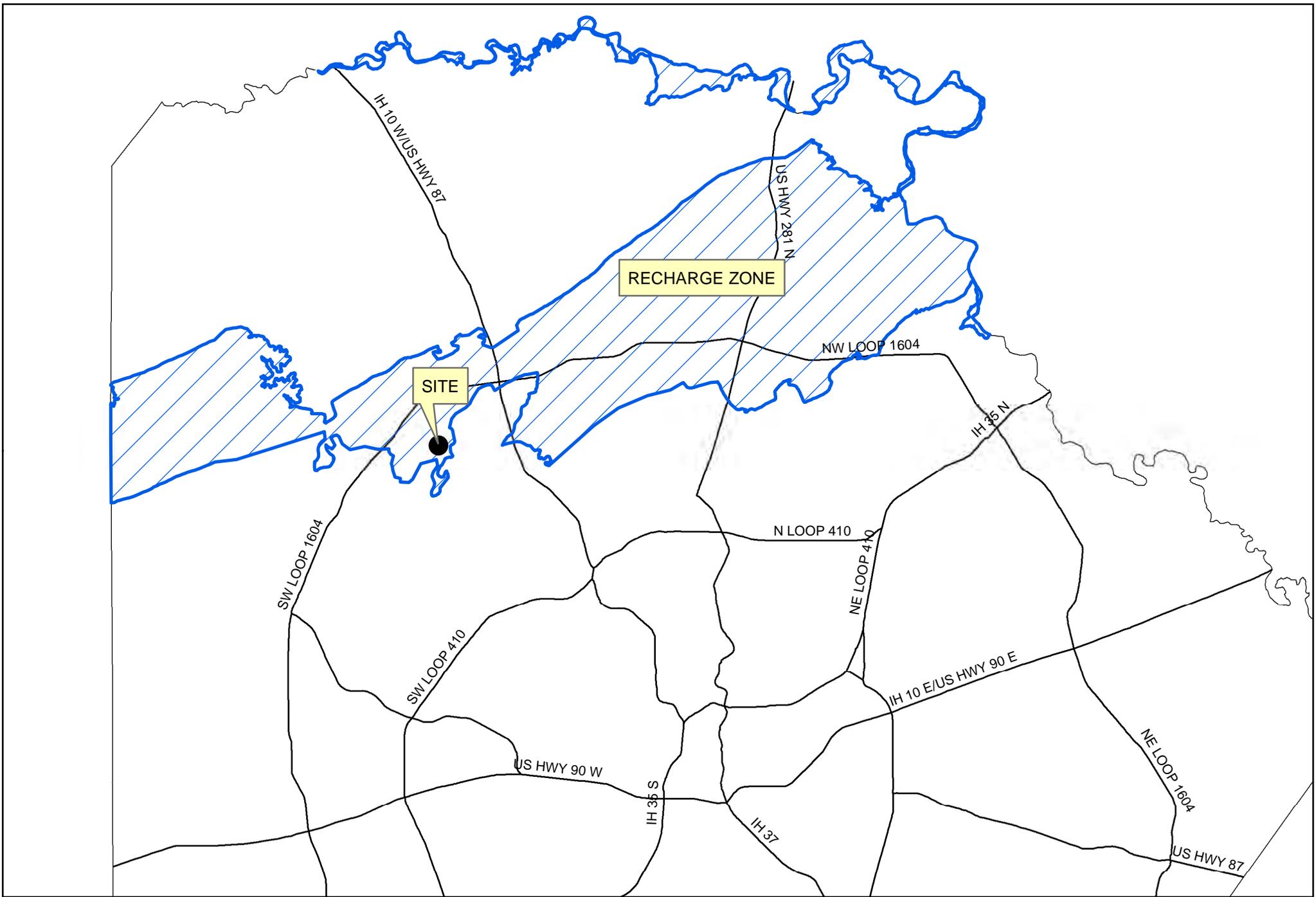


Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division



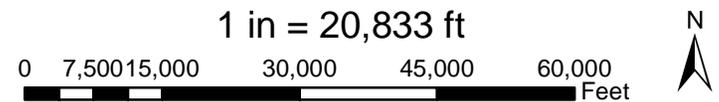
Scott R. Halty
Director
Resource Protection & Compliance Department

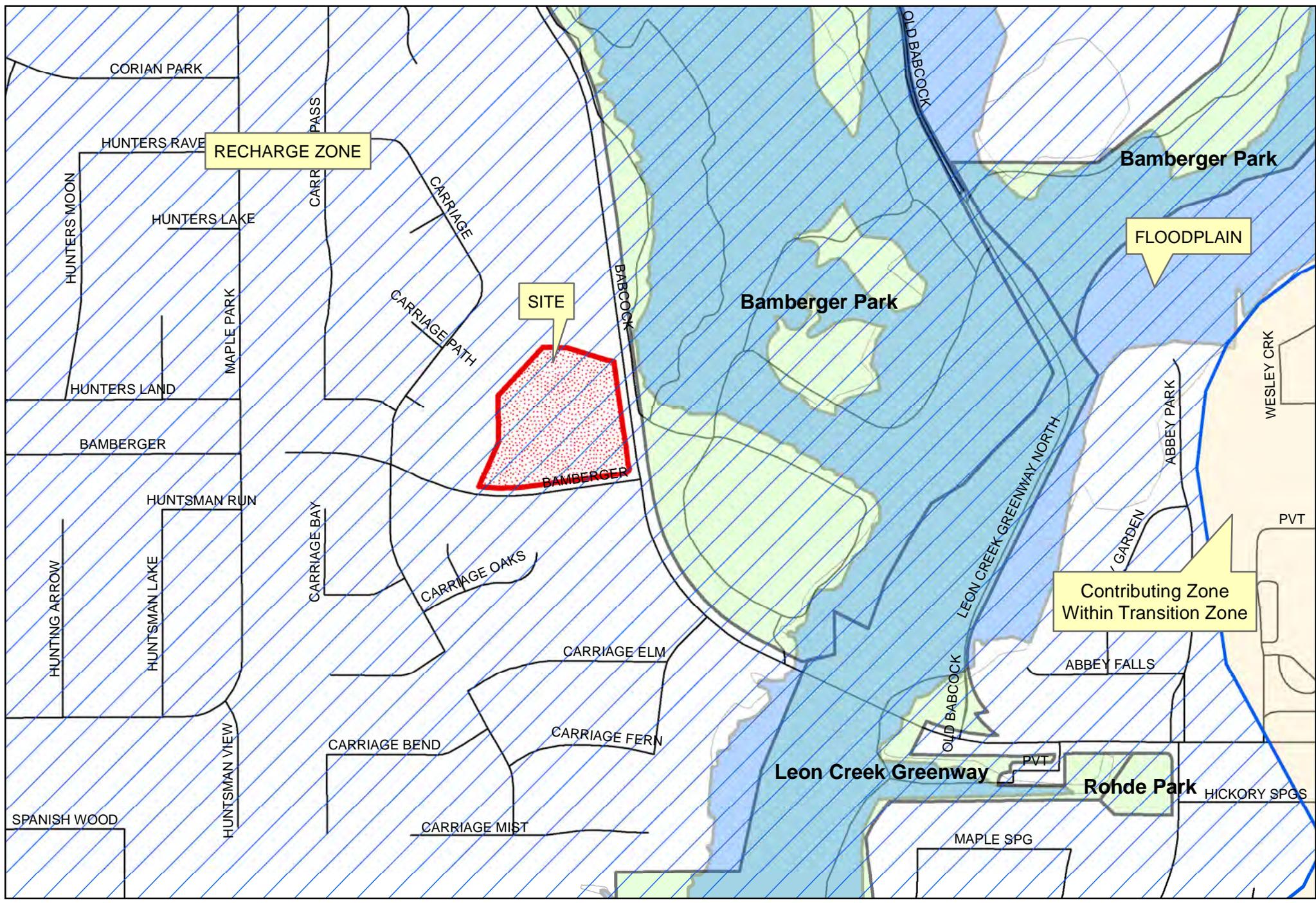
MJB:MAE



ZONING FILE: Z2024-107000054 (FIGURE 1)
ZONING CASE: NAMAMI SAI SUB.

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 3/22/2024





ZONING FILE: Z2024-107000054 (FIGURE 2)
 ZONING CASE: NAMAMI SAI SUB.

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 3/22/2024

