

**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 Z2021-10700324 (Landscape Materials Storage & Sales)

**Date:** May 12, 2022

**SUMMARY**

A request for a change in zoning has been made for an approximate 12.643-acre tract located on the city's north side. As further described below, the tract includes property both within the Edwards Aquifer Recharge Zone and in the Transition Zone. A change in zoning from **"C-3 AHOD ERZD & C-3 ERZD"** to **"C-2 CD S AHOD ERZD"** is being requested by the applicant Baumsquad Brothers, LLC and represented by James Griffin of Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow a landscape materials storage and sales development. The property is currently designated 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 10, located approximately 2,300-feet east of Bulverde Rd and North Loop 1604 East intersection. A portion of the property, 12.243-acres lies within the Edwards Aquifer Recharge Zone and the remaining 0.40-acres lies in the Transition Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from **"C-3 AHOD ERZD & C-3 ERZD"** to **"C-2 CD S AHOD ERZD"** and will allow for a landscape materials storage and sales development on approximately 12.643-acres. The site is undeveloped and heavily vegetated with native trees and understory throughout the site. The proposed project will consist of two sales office buildings with landscape materials displayed and stored on-site.

2. Surrounding Land Uses:

Undeveloped property bounds to the north and west of the subject site. Vulcan Materials Co. operates east of the property. North Loop 1604 East borders to the south of the site.

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 December 15, 2021, 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 undeveloped and in use for cattle management, approximately 12.643-acres in area. The site is undeveloped and heavily vegetated with native trees, understory, and ground cover. Within the overall site, approximately 12.243-acres lies in the Edwards Aquifer Recharge Zone, while to the southeast portion of the property, approximately 0.40-acres lies in the Transition Zone.

Moderate float rock and significant soil cover was observed south of the property. Finer alluvial sediment and float rock was found near a bisecting floodplain. There is significant float rock throughout the central and northern portions of the site, however, these areas have a reduced soil profile. Throughout the site non-karst closed depressions appeared to be formed from uprooted fallen trees and enhanced by animal burrowing exposing the underlying float rock. None of these features were observed to be geologically sensitive. Small amounts of trash material and a destroyed tree stand was observed in the northeast portion of the subject site.

Elm Waterhole Creek bisects the subject property from the northeast boundary towards the southwest corner. The topography of the site appears to slope to the south, towards the bisecting Elm Waterhole Creek. Stormwater occurring over the site would discharge into Elm Waterhole Creek and drain to the southwest.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the site is underlain by the Cyclic and Marine Members of the Person Formation of the Edwards Aquifer.

The Cyclic and Marine Members of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick.

Along with significant amounts of float rock noted throughout the site, exposed bedrock was observed north of the bisecting creek. Float rock and bedrock exposure are generally diagnostic of the Cyclic and Marine Members of the Person formation.

Using the Soil Survey of Bexar County, compiled by the United States Department of Agriculture, it was determined that the soil profile of the subject site included the Crawford and Bexar (Cb) stony soils. The Crawford and Bexar (Cb) stony soils are generally shallow to moderately deep over competent limestone, dark gray to dark reddish-brown colored, with, rich in limestone and chert fragments.

No sensitive geologic features were observed on-site nor noted on file.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. The northeastern boundary bisecting towards the southwestern corner of the property lies within the 100-year floodplain, 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% on the 12.243-acre portion located over the Edwards Aquifer Recharge Zone.
2. A floodplain buffer shall be provided along the northeastern boundary bisecting towards the southwestern corner of the property as required in Ordinance No. 81491, Section 34-913.

3. All landscape materials (soils, mulches, compost, gravels, etc.) and decorative stones shall be stored outside of the required floodplain buffer. Proper containment of the landscape materials shall prevent run-off from draining into the creek.
4. 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.
5. 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.
6. 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.
7. 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.

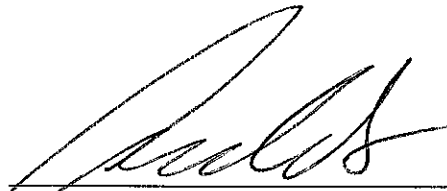
#### **General Recommendations**

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 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 approval letter from the Texas Commission on Environmental Quality,
  - D. A copy of the approved Water Pollution Abatement Plan.
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



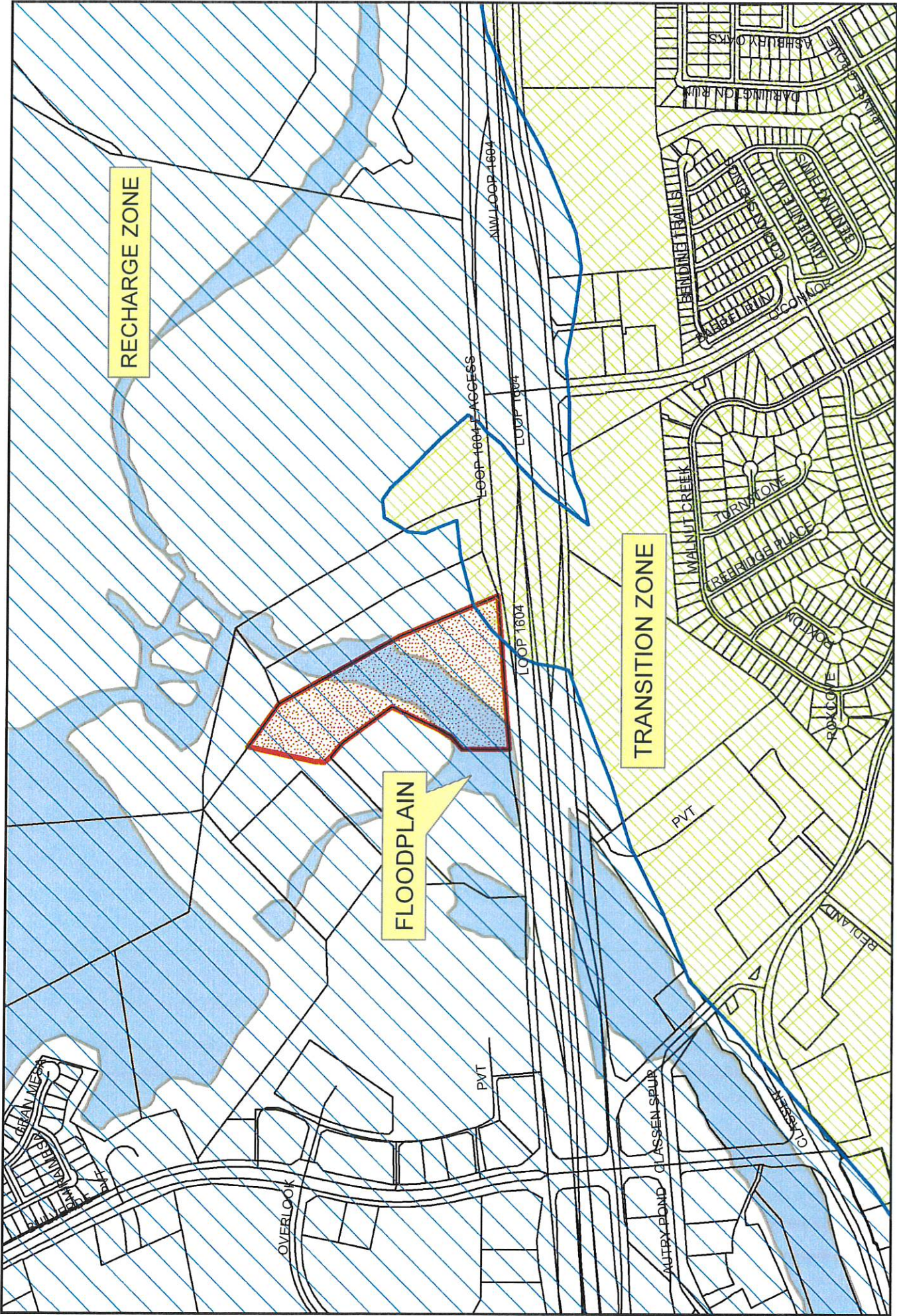
Scott R. Halty

Director

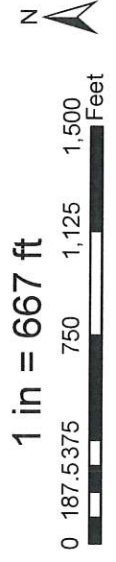
Resource Protection & Compliance Department

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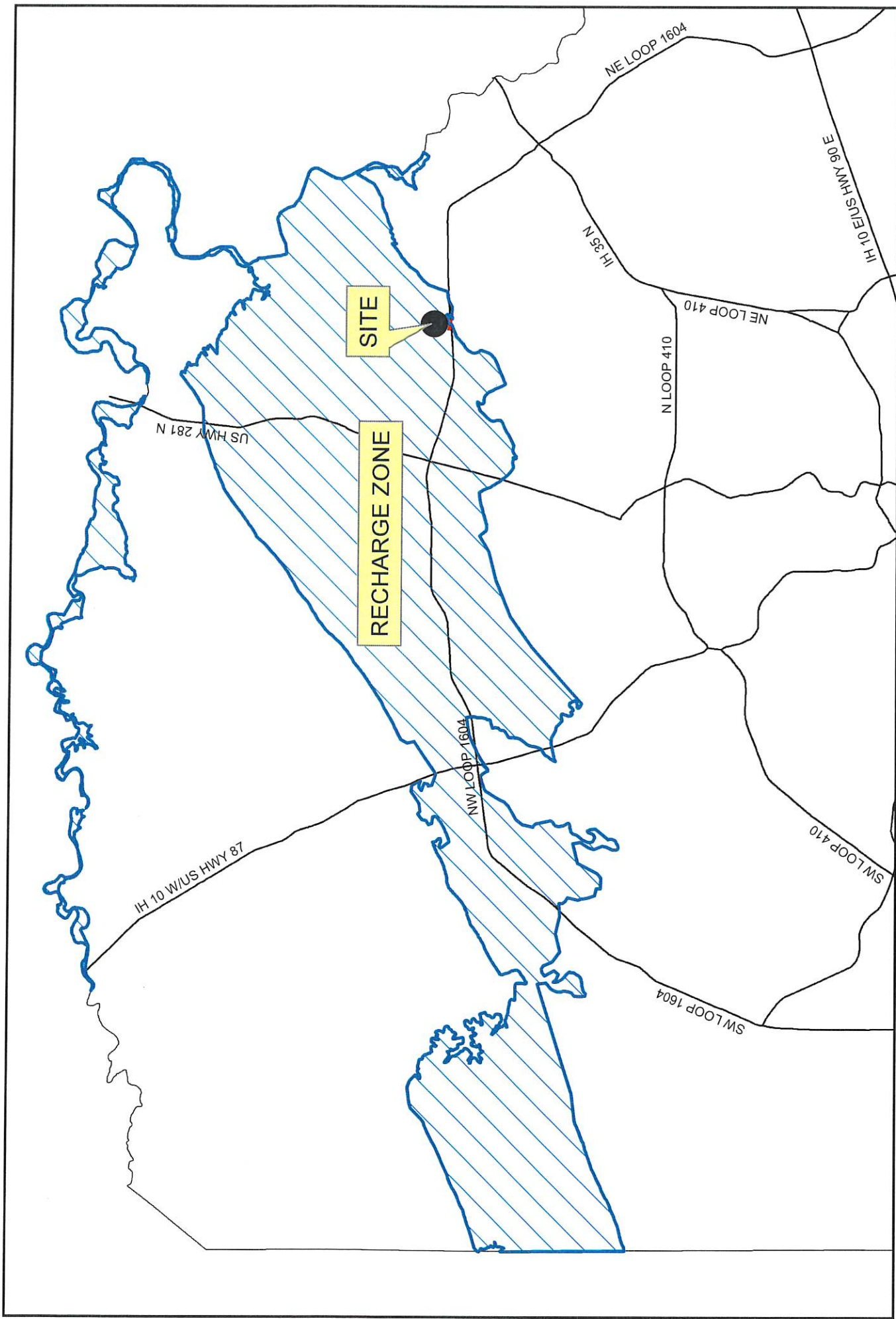




ZONING CASE: LANDSCAPE MATERIALS SALES (FIGURE 2)  
 ZONING FILE: Z2021-10700324







ZONING CASE: LANDSCAPE MATERIALS STORAGE & SALES (FIGURE 1)  
ZONING FILE: Z2021-10700324

