

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 Z2022-10700189 (Hotel Discotheque)

Date: August 31, 2022

SUMMARY

A request for a change in zoning has been made for an approximate 1.016-acres located on the city's northside. A change in zoning from **"C-3 MLOD-1 MNA ERZD"** to **"C-2 CD MLOD-1 MNA ERZD"** is being requested by the applicant Costa del Mar, Inc. and represented by Caroline McDonald of Brown & Ortiz, PC. The change in zoning has been requested to allow for the conditional use of a nightclub.

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 9, approximately 1,500-feet northeast of North Loop 1604 and Stone Oak Pkwy 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-3 MLOD-1 MNA ERZD"** to **"C-2 CD MLOD-1 MNA ERZD"** to allow for the conditional use of a nightclub on a 1.016-acre lot. Currently, the site is an existing 8,545-square foot commercial building with associated parking. The commercial building was built in 2010 and is located at 18326 Tuscany Stone. The proposed project will consist of a nightclub with an associated parking area.

2. Surrounding Land Uses:

A commercial parking lot lies north of the subject site. Tuscany Stone and commercial retail businesses bound to the east. An existing water quality basin and Lorence Creek lie adjacent to the west. Commercial retail businesses border to the south.

3. Water Pollution Abatement Plan:

A WPAP filed under the name The Park at Stone Oak had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on June 8, 2005. An existing off-site water quality basin associated with the WPAP, was found to be compliant at the time of our site evaluation. Further review of the inspection and maintenance history shows the basin in compliance since 2017.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on July 18, 2022, 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 lot, currently developed as a nightclub, approximately 1.016-acres in area. The site was observed to be bounded on the north by a paved parking lot, and on the east by water quality basin with Lorence Creek beyond. To the west lies Tuscany Stone with commercial businesses located beyond, as well as commercial businesses bordering to the south.

The site was developed with a single-story commercial business with associated paved parking and curbs. A strip of turfed grass borders the east side of the building, adjacent to the water quality basin. Landscaped tree islands were noted throughout the parking lot and along the front door of the building. Observations of apparent fill and base material along the northern and eastern side of the building indicates that the eastern portion of the subject site has been raised approximately 3 to 4 feet in elevation. A sanitary sewer manhole was observed along the eastern edge of the building, adjacent to the water quality basin. Two manholes for an inground grease trap were observed along the southern edge of the building.

No native bedrock was observed within the subject site. The fill material observed to have raised the subject site appears to be composed of crushed limestone, rock fragments, cobbles, and concrete fragments.

The northside asphalt paved parking lot was observed to be contoured in such a way that stormwater runoff bypasses the adjacent water quality basin, and has eroded portions of the edge of the lot as water discharges directly to the adjacent Lorence Creek.

A geologic assessment conducted in 2004 was reviewed for the subject site. No sensitive geologic features were identified within the subject site.

The subject site appears to slope to the east. Stormwater occurring on the subject site would discharge to the east into Lorence Creek.

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

The Leached and Collapsed Member of the Person Formation is characterized by the presence of crystalline limestone, grainstone, and mudstone, with chert nodules and breccia conglomerations. This Member is known to have fabric related porosity. The full section thickness of this member is approximately 70 to 90 feet thick. This member produces significant amounts of water and is considered very permeable and a significantly environmentally sensitive section of the Edwards Aquifer.

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 Stony soils (Cb).

The Crawford and Bexar Stony soils are generally dark grayish brown to reddish brown clay, ranging from clay through gravelly or cherty clay, approximately 6 to 10 inches thick.

No sensitive geologic features were observed on the subject site.

ENVIRONMENTAL CONCERNS

The environmental concerns associated with this rezoning being allowed 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 rezoning request on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations


1. There shall be no increase in impervious cover above the current and existing 53% impervious cover
2. The northside parking area drainage bypass shall be modified to drain towards the on-site existing water quality basin for stormwater treatment.
3. 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.
4. 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.
5. 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.

General Recommendation

1. 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.
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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:

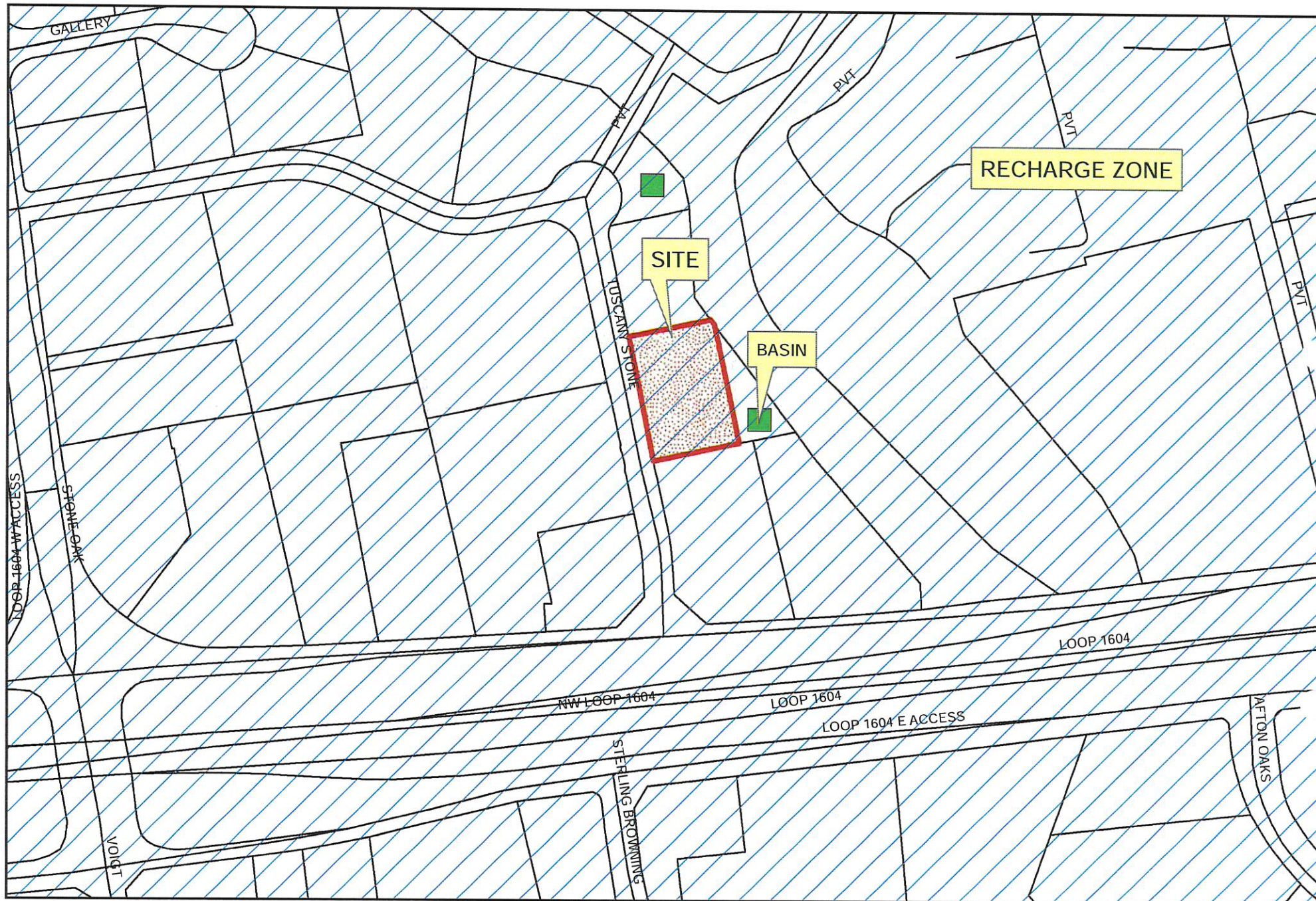


Andrew Wiatrek
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Edwards Aquifer and Watershed Protection Division



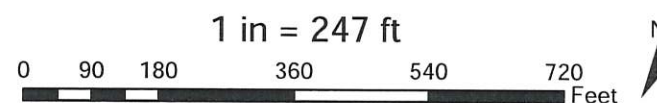
Scott R. Halty
Director
Resource Protection & Compliance Department

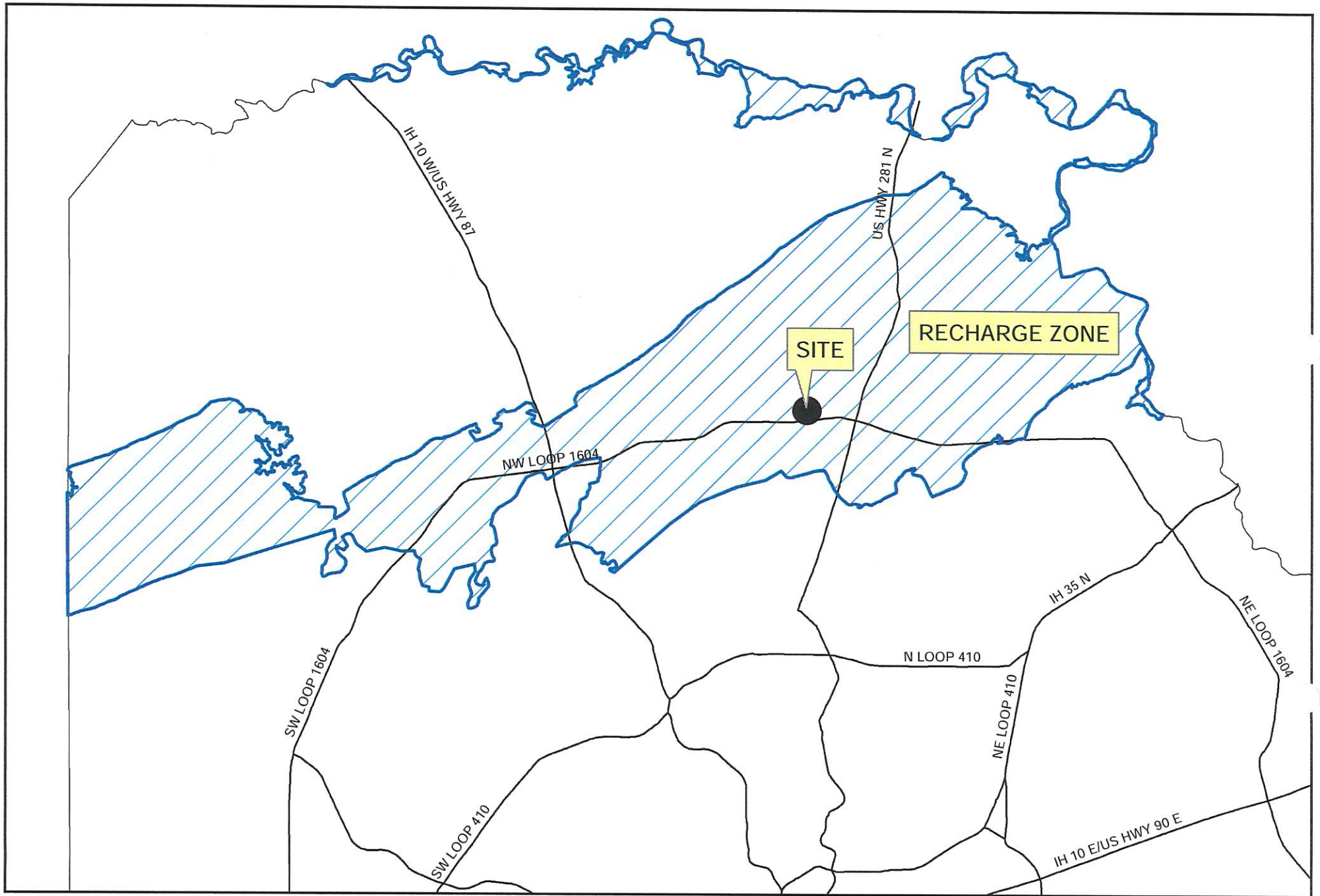
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ZONING CASE: HOTEL DISCOTHEQUE (FIGURE 2)
ZONING FILE: Z2022-10700189

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 7/25/2022





ZONING CASE: HOTEL DISCOTHEQUE (FIGURE 1)
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Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 7/25/2022

