

**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 Z2023-10700133 (Evans & Encino Commons Commercial  
Development)

**Date:** July 14, 2023

**SUMMARY**

A request for a change in zoning has been made for an approximate 27.14-acre tract located on the city's north side. A change in zoning from “C-2 ERZD MLOD-1 MNA” and “RP ERZD MLOD-1 MNA” to “C-2 CD S ERZD MLOD-1 MNA” is being requested by the applicant Tonkiwa, Ltd., and represented by Caroline McDonald, Brown & McDonald PLLC. The change in zoning has been requested to allow for an office warehouse (flex space) 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 within City Council District 9, approximately 830 feet east of Evans Rd. and US Hwy. 281 North 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 ERZD MLOD-1 MNA” and “RP ERZD MLOD-1 MNA” to “C-2 CD S ERZD MLOD-1 MNA” and will allow for an office warehouse (flex space) development on approximately 27.14-acres. The property is an undeveloped tract with native trees and understory. The proposed project will consist of nine office warehouse buildings with associated parking areas, and no outdoor storage permitted on-site.

2. Surrounding Land Uses:

Evans Rd. and Encino Commons Blvd. intersection borders to the north of the subject site. Undeveloped property and Encino Park Center bounds to the west of the property. The Village at Encino Park neighborhood lies east of the site. The Forest at Encino Park neighborhood bounds to the south of the property.

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 May 26 and June 6, 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 one lot, currently undeveloped and moderately to heavily vegetated with trees and ground level vegetated, approximately 27.14 acres in area. The site is bounded on the north by Evans Road with a traffic island and commercial properties beyond, on the west by an unnamed tributary to West Elm Creek and undeveloped property with commercial properties beyond, on the south by a CPS easement with single family residential properties beyond, and on the east by West Elm Creek and single-family residential properties beyond. The property was observed to be undeveloped but with evidence of buried water line traversing the property. A fire hydrant and water pipe were observed within the central western portion of the subject site. Additionally, a large concrete manhole with a blue air vent pipe, marked "water" was observed within the CPS easement in the southeast corner of the property. The majority of the western portion of the subject site was observed to be covered in approximately two to four feet of fill material, confirmed by observation of tree pits approximately two to four feet deep. Sporadic piles of promiscuously dumped fill material composed primarily of roofing shingles and other construction material and rock debris were observed throughout the subject site.

Two previously identified sensitive geologic features consisting of fractured rock zones were located within the unnamed tributary to West Elm Creek along the western boundary of the subject site. Additionally, another fractured rock zone was located within the channel of West Elm Creek, which is considered to be potentially geologically sensitive, as well as a series of paleo spring features.

Moderate to little bedrock exposure was observed throughout the site, including moderate float rock exposure. The majority of bedrock exposure was observed within the drainageway of the unnamed tributary to West Elm Creek and West Elm Creek proper, and along the CPS easement. Bedrock exposure within the interior of the subject site was generally obscured by the placement of significant quantities of fill material.

The topography of the property was observed to slope to the south and east. Stormwater occurring on the subject site would discharge to the south and east along an unnamed tributary to West Elm Creek as well as into West Elm Creek proper.

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.

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. Due to placement of fill material across the interior of the subject site, visual confirmation was difficult. However, bedrock exposure observed within the drainageways exhibited characteristics of the Dolomitic Member.

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 Tarrant Association soils, (TaC).

The Tarrant Association soils occur as shallow dark colored and gently undulating stony soil. The surface layer is very dark grayish brown calcareous clay loam approximately 10 inches thick. The subsurface layer approximately 8 inches deep is composed of hard fractured limestone.

Two sensitive geologic features, composed of fractured rock zones, was observed within the drainageway of an unnamed tributary to West Elm Creek. Additionally, another fractured rock zone was observed West Elm Creek, and is considered to be potentially geologically sensitive.

## **ENVIRONMENTAL CONCERNS**

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

### **Site Specific Concerns**

1. Two fractured rock zones in a drainage way located near the western boundary of the site and a discovered fracture rock zone in the West Elm Creek, have the potential for contamination of the Edwards Aquifer.
2. The eastern, southern, and western boundaries of the property lie 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 the previously approved, Z2005221, of 50% on the 27.14-acre site.
2. The applicant shall be required to have a 3.94-acre variable width buffer adjacent to the 100-year floodplain boundary.
3. No outside storage of chemicals/merchandise shall be allowed.
4. No manufacturing, maintenance, nor repairs of equipment shall be allowed on site.
5. 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.

6. 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.
7. 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.
8. 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.

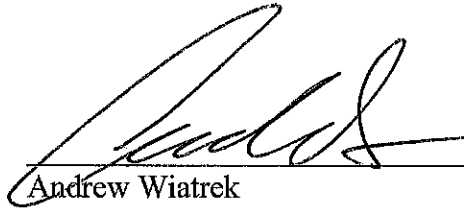
#### **General Recommendations**

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection & Evaluation Section of the San Antonio Water System.
2. 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. 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.

4. 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

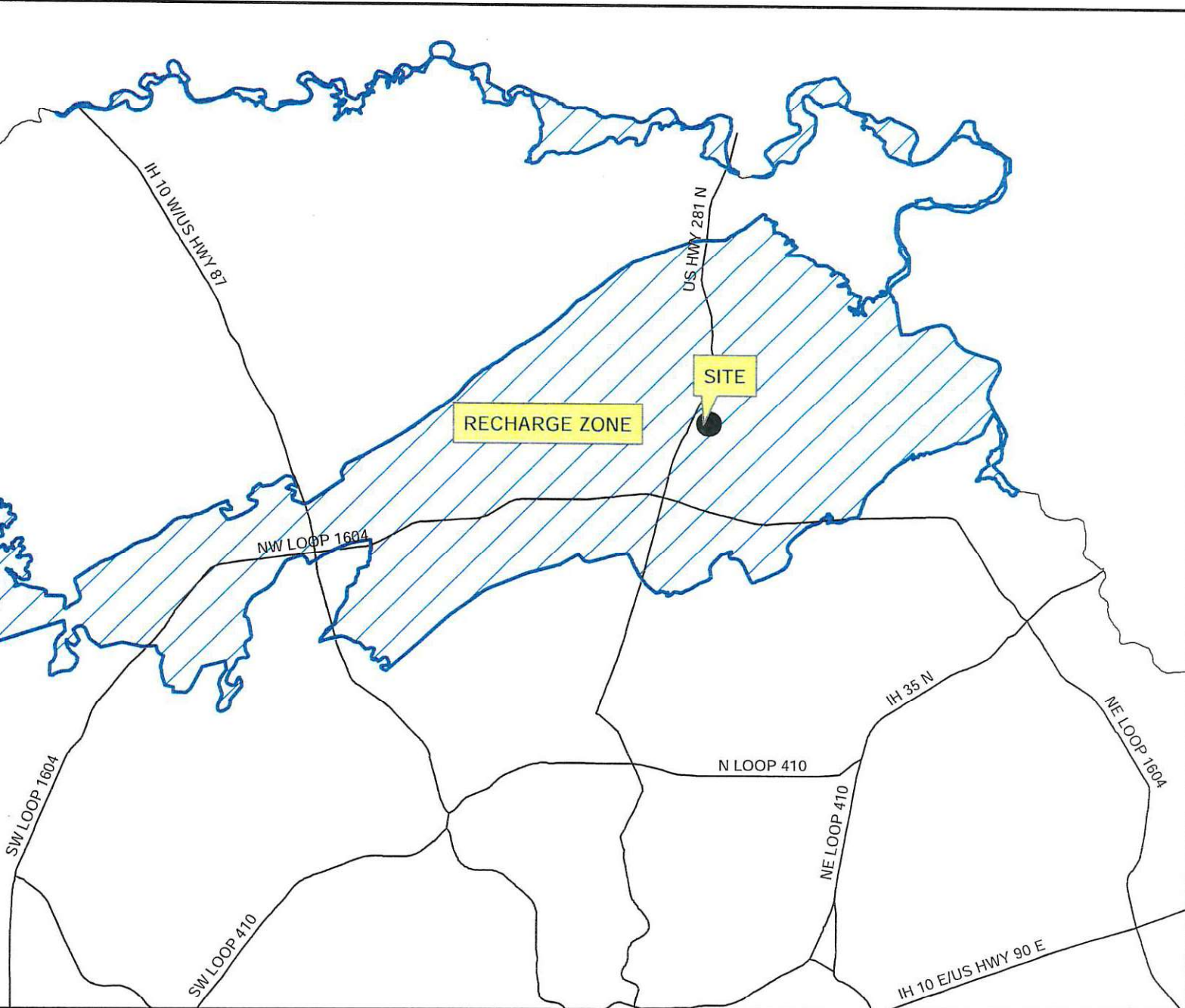


Scott R. Halty

Director

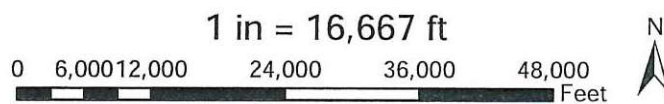
Resource Protection & Compliance Department

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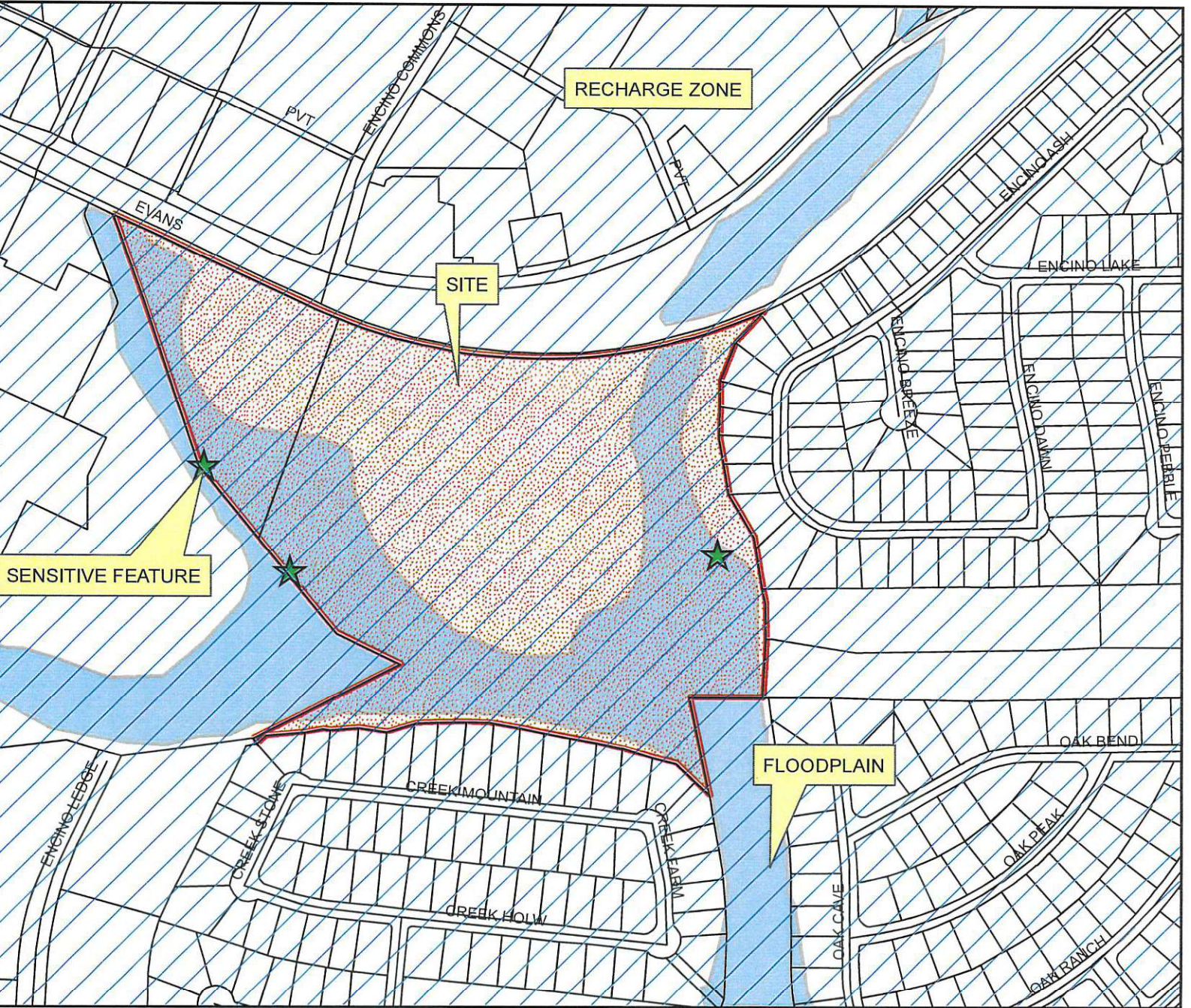


IO COMMONS COMM. DEV. (FIGURE 1)

on & Compliance Dept. MAE 5/23/2023







ENCINO COMMONS COMM. DEV. (FIGURE 2)

ion & Compliance Dept. MAE 7/7/2023

