

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

Z-2023-10700221 S ERZD

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 Z2023-10700221 (Slice Padel Ball)

Date: January 30, 2024

SUMMARY

A request for a change in zoning has been made for an approximate 2.47-acre tract located on the city's north side. A change in zoning from “C-2 ERZD” to “C-2 S ERZD” is being requested by the applicant, Juan Carlos Merlo, and represented by Rodrigo Bravo. The change in zoning has been requested to allow for an outdoor padel ball court facility. 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 in City Council District 9, approximately 1,500-feet east of Blanco Road and North Loop 1604 West 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” to “C-2 S ERZD” and will allow an outdoor padel ball court facility on 1.02-acres located within the overall 2.47-acre site. Currently, the 1.02-acre site is undeveloped with native trees. The remainder of the site consists of an existing Builder Design Group office building with associated parking area and a 0.42-acre cave preservation area. The proposed project will consist of padel ball courts, a club house, a food truck with a dining area, and an entertainment stage.

2. Surrounding Land Uses:

North Loop 1604 West freeway borders north of the subject property. A retail business park named Ventura Plaza bounds east of the site. The Legends on the Green Apartment complex with an associated golf course lies to the south. GO Car Wash facility is located west of the subject site.

3. Water Pollution Abatement Plan:

A WPAP modification filed under the name Slice Padel had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on January 4, 2024. An existing vegetative filter strip associated with the previous WPAP, was found to be in compliance at the time of our site evaluation.

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted site evaluations on August 16, 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 a single lot partially developed as a retail commercial facility approximately 2.47 acres in area. The north half of the subject site was observed to be developed with a retail commercial facility with associated parking, curbs and flatwork. The southern portion of the subject site is relatively undeveloped and partially vegetated with sparse trees and ground level vegetation. The site is bounded on the north by Loop 1604, on the west by a commercial car wash facility, on the south by a golf course with Panther Springs Creek beyond, and on the east by a restaurant and retail commercial businesses. The southern portion of the property was observed to have moderate exposure of bedrock with moderate quantities of float rock. A low earthen berm was observed crossing the southern portion of the subject site. A scoured and eroded trench originating from a drain outfall from the parking lot was observed along the southwestern edge of the property.

A mapped cave is located along the eastern property line of the subject site, known as Dynamite Cave. According to *The Caves and Karst of Texas* by Elliot and Veni, 1994, this cave is described as having a main room approximately 2 to 3 meters, 5 meters wide and 15 meters long. A second small entrance can be seen at the far end of the room. This cave is considered to be geologically sensitive and has been properly preserved and buffered. Much better exposure of bedrock was observed within and around the cave.

A geologic assessment conducted in 2023 was reviewed and identified Dynamite Cave as geologically sensitive. Additionally, a sinkhole measuring approximately 1 foot by 1 foot by 1 foot was identified along the western edge of the subject site. This feature is also considered to be geologically sensitive.

The topography of the property was observed to slope to the south. Stormwater occurring on the subject site would discharge to the south towards Panther Springs Creek.

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 of the Edwards Aquifer.

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. Bedrock exposure particularly around the eroded trench and Dynamite Cave confirmed characteristics of this member in this area.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. A preserved cave named Dynamite Cave located near the eastern boundary has the potential for contamination of the Edwards Aquifer.
2. A preserved sinkhole located near the western boundary has the potential for contamination of the Edwards Aquifer.

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 60% on the overall 2.47-acre site.

2. The 0.42-acre cave preservation area shall remain undeveloped and in a natural state. To ensure the cave preservation area remains in a natural state, the property owner has agreed to install a fence at the perimeter of the cave preservation area and a metal grate covering the cave entrance to prevent public access. The location of the natural buffer is further shown in the submitted conceptual site plan, attached as Figure 3. The intent of this exhibit is to show the location and buffering of the sensitive geologic feature.
3. A natural buffer shall be provided for the sinkhole located on-site as required in Ordinance No. 81491, Section 34-920. The location of the natural buffer is further shown in the submitted conceptual site plan, attached as Figure 3. The intent of this exhibit is to show the location and buffering of the sensitive geologic feature.
4. The applicant has agreed and shall install a privacy fence around a dumpster located to the rear of the existing building, to prevent trash and debris from entering the cave preservation area.
5. Any wash down discharges of impervious cover surfaces such as parking and food truck areas shall be collected and properly disposed as required in Chapter 34, Water & Sewers, Sec. 34-272.
6. 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.
7. 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.
8. 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.

9. 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 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

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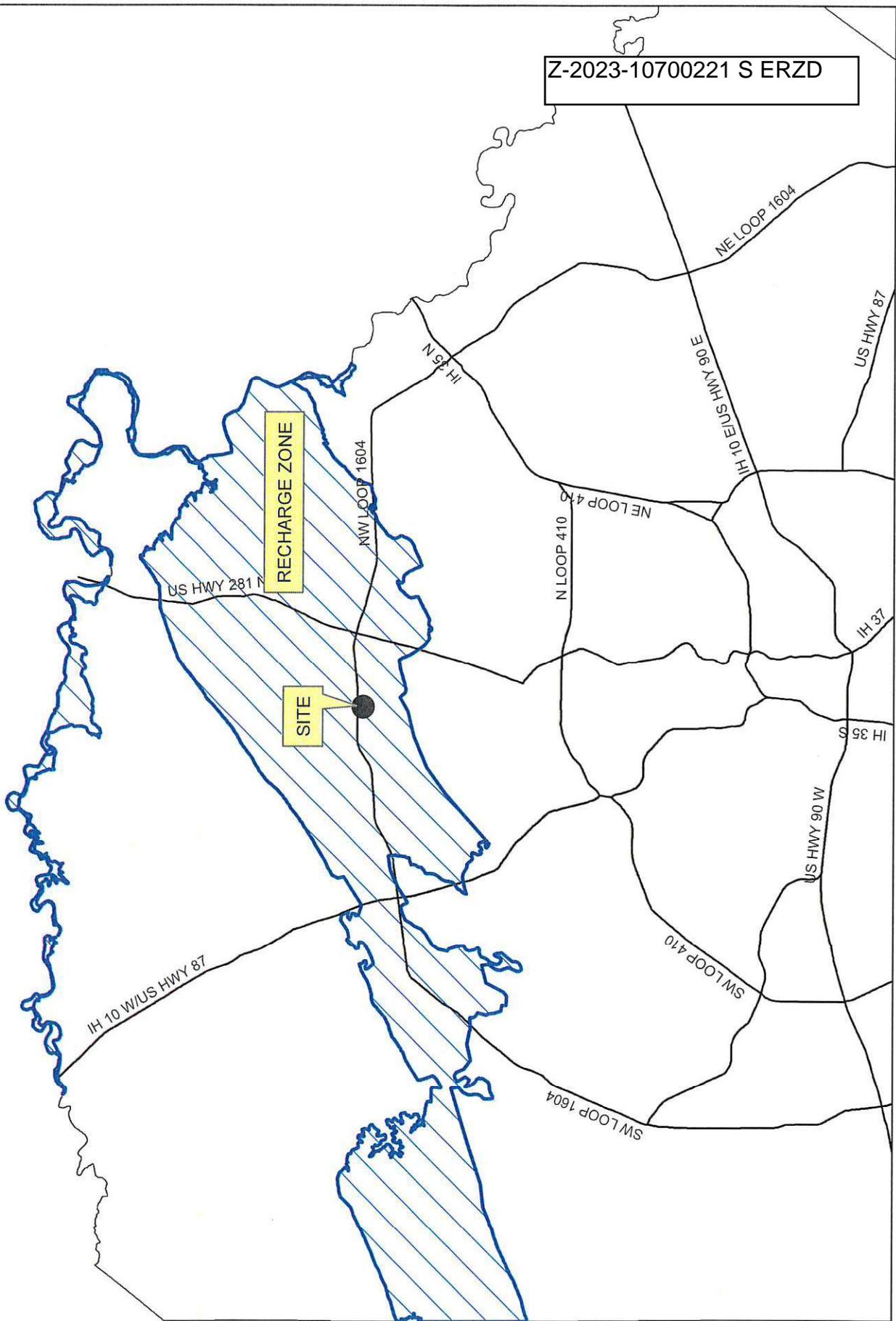
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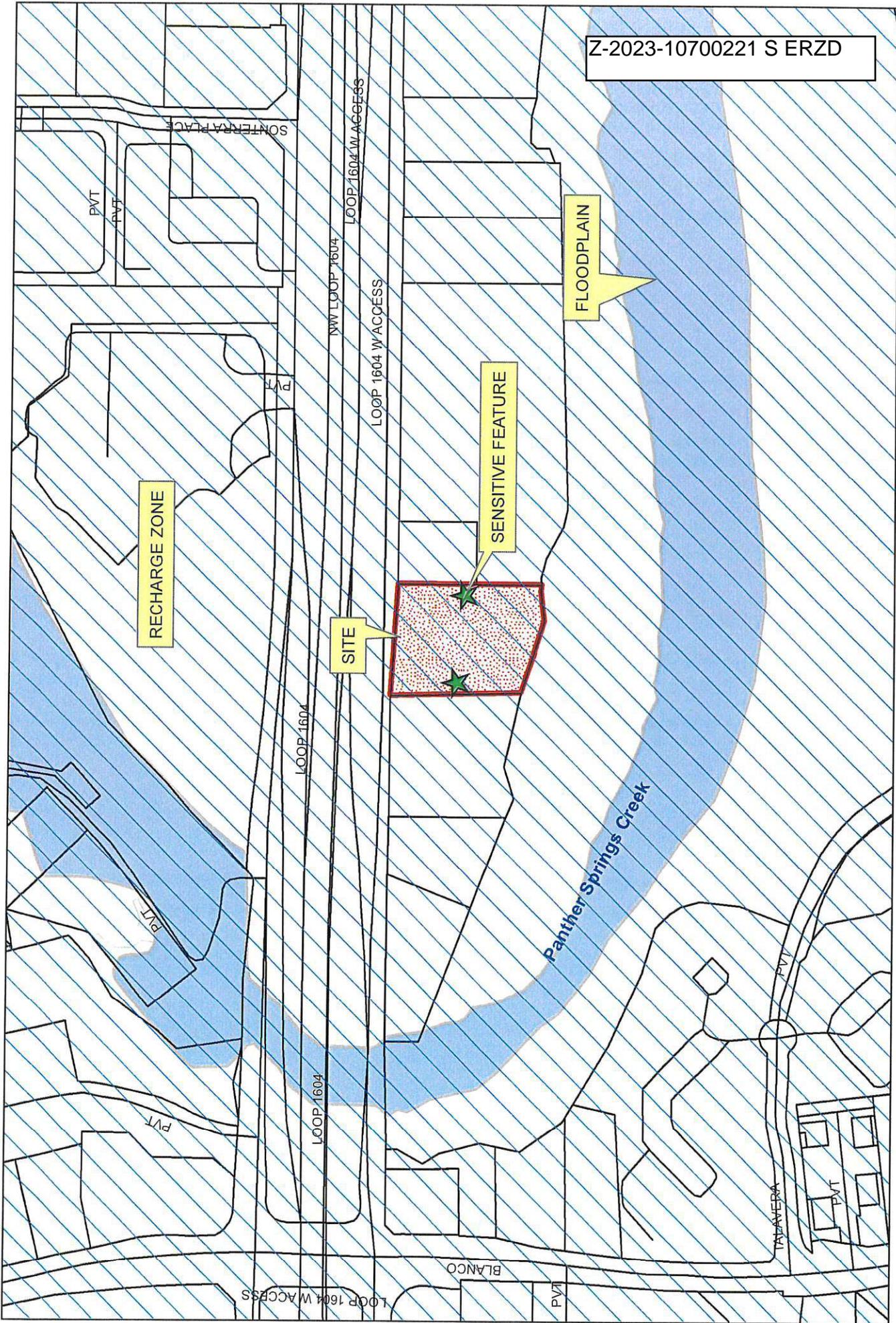


ZONING CASE: SLICE PADEL BALL (FIGURE 1)

ZONING FILE: Z2023-10700221

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 8/25/2023





ZONING CASE: SLICE PADEL BALL (FIGURE 2)
 ZONING FILE: Z2023-10700221

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 1/19/2024

