



January 13, 2025

Notice is hereby given of a Regular Meeting of the Nacogdoches Planning & Zoning Commission to be held on the above date beginning at 5:00 p.m. for the purpose of considering the following agenda items.

Some Commission Members may attend via videoconference but a quorum of the Commission and the Presiding Officer will be present at the above-stated physical location. The meeting will be streamed live at <https://www.nactx.us/21>. There will be an opportunity for the public to comment on agenda items in person at the specified location.

**PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)**

1. CALL TO ORDER.
2. PLEDGE OF ALLEGIANCE.
3. Open Forum: In addition to public comment on agenda items, the Commission offers an open forum whereby citizens may comment on governance issues over which the City of Nacogdoches has domain. In accordance with the Texas Open Meetings Act, members of the Commission shall not discuss, deliberate, or make any decisions on topics not posted as an agenda item. Speakers should address all remarks to the Commission and limit your remarks to no more than 3 minutes.
4. **CONSENT AGENDA:**
All matters listed under the Consent Agenda are considered routine by the Commission and will be enacted by one motion. These items include final plats where staff has found compliance with all minimum subdivision regulations. All items approved by Consent are approved with any and all staff recommendations. Since there will not be separate discussion of these items, citizens wishing to address the Commission regarding one or more items on the Consent Agenda may address the Commission at this time as well. If any Commissioner desires to discuss an item on the Consent Agenda it may be moved to the Regular Agenda for further consideration.
 - A. Approval of the minutes for the meeting held on November 18, 2024.
5. **REGULAR AGENDA:** City Council will receive staff recommendations and public input on the following items, and may deliberate and take formal action on the item.
 - A. **Public Hearing:** Discuss and consider action regarding Special Use Permit Case SUP2024-07 for Stone, Sand, Gravel & Mineral Extraction in an R-4 Multi-Family district on one parcel of land approximately 28.2 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcel 85393; and generally located north of Powers Street between North Sanders Street and Old Tyler Road.
 - B. **Public Hearing:** Discuss and consider action regarding Zoning Case ZON2024-05 to amend the



current zoning of R-1 Single-Family to R-2 Single-Family on two parcels of land approximately 3.1 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcels 31635 and 85292; and generally located north of the intersection of Tanglewood Circle and Tangleberry Street, Nacogdoches, Texas.

6. Zoning Ordinance Subcommittee Report.
7. Discussion and possible action on future agenda items: A Planning & Zoning Member may inquire about a subject for which notice has not been given. A statement of specific factual information or the recitation of existing policy may be given. Any deliberation shall be limited to a proposal to place the subject on an agenda for a subsequent meeting.
8. ADJOURN.

Aimee Cloutier

Aimee Cloutier, Planning Coordinator

CERTIFICATION

This meeting will be conducted pursuant to Chapter 551 of the Texas Government Code. The Commission reserves the right to adjourn into Executive Session at any time during the meeting to discuss any of the above-posted agenda, as authorized by Texas Government Code Section 551.071 [consultation with attorney]. The City of Nacogdoches is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications may be provided upon request. Please contact the City Secretary at (936) 559-2506 for information. I certify the notice of the meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas 75961, on January 9, 2025, by 5:00 p.m., and remained posted until the meeting convened.

Aimee Cloutier, Planning Coordinator



Planning and Zoning Commission

Date: January 13, 2025

Agenda Item: 4.A.

PRESENTER: Aimee Cloutier, Planning Coordinator

ITEM/SUBJECT: Approval of the minutes for the meeting held on November 18, 2024.

OVERVIEW:

Attached are the minutes for the regular meeting held on November 18, 2024.

STAFF REVIEW:

CITY CONTACT: Aimee Cloutier
Planning Coordinator
(936)559-2571
pz@nactx.us

ATTACHMENTS: 1. P&Z Minutes 11-18-2024



**CITY OF NACOGDOCHES
PLANNING & ZONING COMMISSION MEETING MINUTES
NOVEMBER 18, 2024, AT 5:00 P.M.
REGULAR HYBRID MEETING**

COMMISSIONERS PRESENT: Lily Phou; Ruth Carroll; Charles Zemanek; Shannon Conklin

COMMISSIONERS ABSENT: Matt Perry;

STAFF PRESENT: Planning Coordinator, Aimee Cloutier; Interim City Planner, Juan Pollette; Executive Director of Development and Infrastructure, Mike Neu;

OTHERS PRESENT: Sandy McCorvey;

1. **Call to Order:** Chairman Conklin called the meeting to order at 5:06 p.m.
2. **Pledge of Allegiance:** Chairman Conklin led the Pledge of Allegiance.
3. **Open Forum:** No one spoke under Open Forum.
4. **CONSENT AGENDA:**
 - A. Approval of the minutes for meetings held on October 14, 2024, and October 21, 2024. Commissioner Phou moved to approve the consent agenda with Commissioner Carroll seconding. The consent agenda was approved unanimously (4-0).
5. **REGULAR AGENDA:**
 - A. Conduct a Public Hearing and consider action regarding Specific Use Permit Case SUP202-08 to allow for Mini Warehouse in a B-2, General Business District on two (2) parcels of land approximately 1.8 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcels 26295 and 26299; and generally located north of the intersection of Douglass and Wankan Raod, Nacogdoches, Nacogdoches County Texas.

Interim City Planner (ICP), Juan Pollette presented the request to the Commission stating the property is currently developed with an office building and an additional building currently being used for storage. ICP Pollette explained the request was to construct five mini-storage units with a gate that required coded access. ICP Pollette stated a neighborhood meeting was held for the surrounding property owners on October 2, 2024, with three people attending with general questions and no opposition. ICP Pollette stated the request meets all of the criteria and recommends conditioning the Specific Use Permit to allow for office hours be from 9:00 am to 5:00 p.m. and construct a six-foot high chain link security fence around the perimeter with a coded gate entry for access.

Applicant, Sandy McCorvey addressed the Commission stating he would follow all requirements.

Chairman Conklin opened the public hearing in which there were no comments.

Commissioner Zemanek moved to recommend approval to the City Council of the Specific Use Permit for Mini Warehouse with the conditions that the office hours are from 9 am to 5 pm and a six-foot high chain link fence would be constructed with coded gate entry. Chairman Conklin seconded the motion and it was passed unanimously (4-0).

6. Minor Plats with Staff Approval.

Chairman Conklin read the administrative plats, which were approved by staff and recorded with the County Clerk. The plats were only Lot 2, Block 1 Nacogdoches Industrial Park West Subdivision.

7. Discussion and possible action on future agenda items.

There was no discussion.

Chairman Conklin adjourned the meeting at 5:17 p.m.

Chairman Shannon Conklin

Attest: Planning Coordinator, Aimee Cloutier

DRAFT



PRESENTER: Juan Pollette, Interim City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action regarding Special Use Permit Case SUP2024-07 for Stone, Sand, Gravel & Mineral Extraction in an R-4 Multi-Family district on one parcel of land approximately 28.2 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcel 85393; and generally located north of Powers Street between North Sanders Street and Old Tyler Road.

OVERVIEW: The majority of the property is zoned R-4, Multi-Family with approximately 1 acre in the northeast section of the property zoned I-2, Heavy Industrial. The property is currently undeveloped but is operating as a Stone, Sand, Gravel & Mineral Extraction operation with plans to develop the property into a single or multi-family residential development. To operate the proposed use, the owner is required to have a Specific Use Permit (SUP). The SUP process allows staff, the Commission, and City Council to assess this use in this area, and depending on the surrounding uses, or impacts to infrastructure or the environment, the opportunity to review and impose reasonable conditions if necessary.

This property has approximately 80 feet of elevation change sloping downward from east to west across the property. It is mostly wooded, except for approximately 4.5 acres in the middle of the property that encompasses the construction project area. The owner intends to use the extracted dirt for other development projects in the city, and once excavation reaches the appropriate grade, the owner plans to construct either single-family or multi-family dwelling units.

Applicant / Agent

This request has been submitted by Joseph Irie Montes, representative of Jim/RB LLC (property owner).

Adjacent Land Use & Zoning

The subject property is currently zoned R-4, Multi-Family and I-2, Heavy Industrial, and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North	Single Family Residential	R-3, Two Family, R-2, Single Family & I-2, Heavy Industrial	Undeveloped
South (Across Powers St.)	Single-Family Residential	R-4, Multi-Family	City Water Utilities & Residential
East	Single Family Residential	R-4, Multi-Family	Undeveloped & Residential

West	Single-Family Residential	R-4, Multi-Family	Residential
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The surrounding area is primarily zoned multi-family, with residential and Industrial zoning districts to the north. The property is surrounded by single-family residential uses and a public school to the west across North Sanders Street. There are a few undeveloped lots adjacent to the north and east.

STAFF REVIEW:

Per Section 118.173 of the Zoning Ordinance, a Specific Use Permit may be approved if all of the following conditions have been found:

Compatibility. The specific use will be compatible with and not injurious to the use and enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity;

- The property is surrounded by undeveloped land to the north and east and a mix of residential and public uses to the south and west. The applicant intends to leave the property ready for future residential development once the excavation is done in approximately 12 months.

Orderly growth and development. The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

- The SUP should not impede the normal and orderly development of surrounding vacant property. There are undeveloped lots adjacent to the north and east of the subject property. After completing the dirt extraction, the property will be ready for future development that is in line with the zoning district.

Supporting Facilities. Adequate utilities, access roads, drainage, and other necessary supporting facilities have been or will be provided;

- The subject property fronts and takes direct access from Powers Street which is designated as a collector roadway on the City’s Thoroughfare Plan. This section of Powers Street is constructed as a two-lane roadway, with a right-of-way (ROW) of 36 feet. The roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use. The property has access to an 8-inch water main located along Powers Street but no sewer mains adjacent to the property.

Drives and Parking. The design, location, and arrangement of all driveways and parking spaces provides for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

- The proposed driveways and parking areas will comply with the City’s current land development design standards.

Nuisances. Adequate nuisance-prevention measures have been or will be taken to prevent or

control offensive odor, fumes, dust, noise and vibration;

- The applicant is proposing to mitigate any nuisances from dust and noise that will be generated by the machinery by preserving the existing large trees and vegetated area located along the street frontage of Powers Street and North Sanders Street. The property owner has also installed silt fencing along the roadway to keep dirt from washing into the road. Hours of operation will be from 8:00 a.m. until 6:00 p.m. Monday through Saturday. The applicant has also submitted a Stormwater Pollution Prevention Plan (SWP3) outlining and establishing the best management practices and sediment and erosion controls that will be implemented and maintained for the duration of the construction.

Lighting. Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties

- The owner is not proposing any additional lighting.

Landscaping. Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided

- This development will be subject to Zoning Ordinance *Sec. 118-430. - Commercial district landscaping*, which requires the installation of trees to be planted along the street frontage. The property has a large, vegetated area with several large mature trees located along Powers Street and North Sanders Street.

Comprehensive Plan. The proposed use is in accordance with the comprehensive plan Future Land Use

- Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan designates the subject property and the surrounding areas as *Single-Family Residential*. The *Single-Family Residential* Future Land Use category is described as, “Conventional one-family detached dwellings (also includes duplexes)”. Although the Future Land Use designation is not consistent with the current zoning of the property and the majority of the surrounding properties, which are zoned multi-family and developed as single-family residential uses, the proposed use is temporary and will make the property developable for future development that is in line with the Future Land Use Plan. Approval of the SUP will not change the land uses permitted by the current underlying zoning district. Staff finds that the FLUP designation of the property is not consistent with the current zoning of the property and is not in compliance with the Comprehensive Plan.

Public Engagement

- October 8, 2024 – Staff mailed seventy-eight (78) neighborhood meeting notice postcards to property owners within 500 feet.
- October 22, 2024 – Staff coordinated a neighborhood meeting at City Hall on behalf of the applicant to receive input from surrounding property owners. Eight (8) persons attended the meeting with general questions and concerns about how the project would affect their adjacent properties, water runoff onto the eastern properties, and the effects of heavy machinery on the roadway.

- The original P&Z meeting date was scheduled for November 18, 2024, but was postponed by the applicant.
- December 23, 2024 – Staff mailed thirty-nine (39) public meeting notice letters to property owners within 200 feet and thirty-nine (39) notice postcards to property owners within 200-500 feet. No responses were received in favor or opposition to the request.
- December 29, 2024 – Legal ad published in the Daily Sentinel newspaper.

NOTE – This application is subject to additional notification procedures, including signage posted on the subject property, as well as notices on the City website and social media pages.

Proposed SUP conditions

Staff recommends the following conditions for the Specific Use Permit:

1. Hours of operation will be from 8:00 a.m. until 6:00 p.m., Monday through Saturday.
2. Preserve the existing vegetative buffer at a minimum of 25 feet in width around the perimeter of the property allowing for a reasonable entrance into the area of excavation.
3. Install and maintain standard stormwater pollution prevention fencing in line with state regulations along the entrance of the property.
4. SUP will expire in 12 months from the date it is put into ordinance.
5. Additional street sweeping or cleanup will be provided once a week or as needed to keep the roadway in front of the site free of mud and debris.

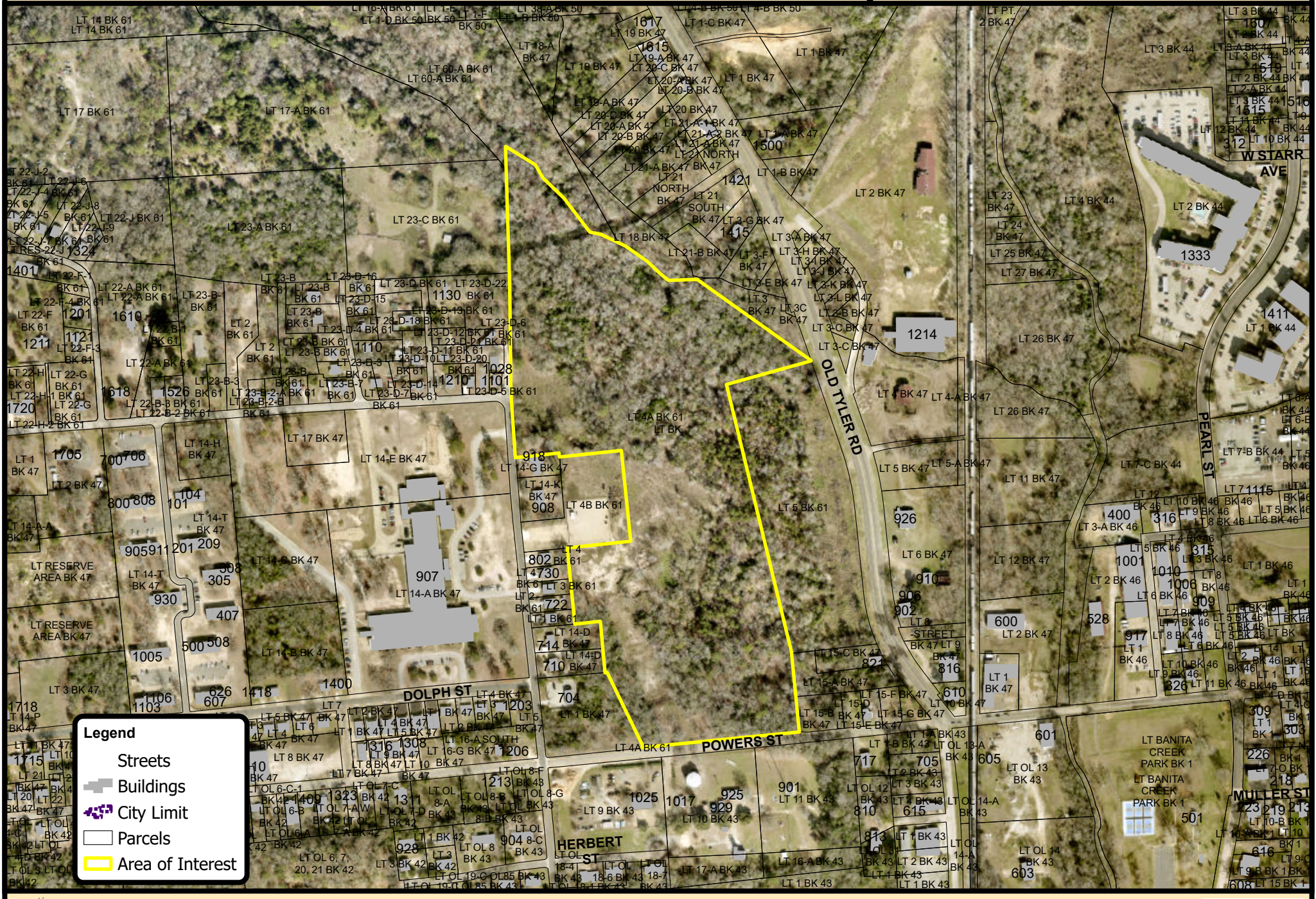
This item is scheduled to be heard by the City Council on Tuesday, January 21, 2025.

CITY CONTACT: Juan Pollette
Interim City Planner
(936)559-2571
pollettej@nactx.us

ATTACHMENTS:

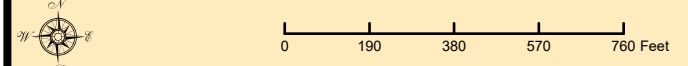
1. Aerial Map
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. Stormwater Pollution Prevention Plan
6. Site Photos

SUP2024-07 Aerial Map



Legend

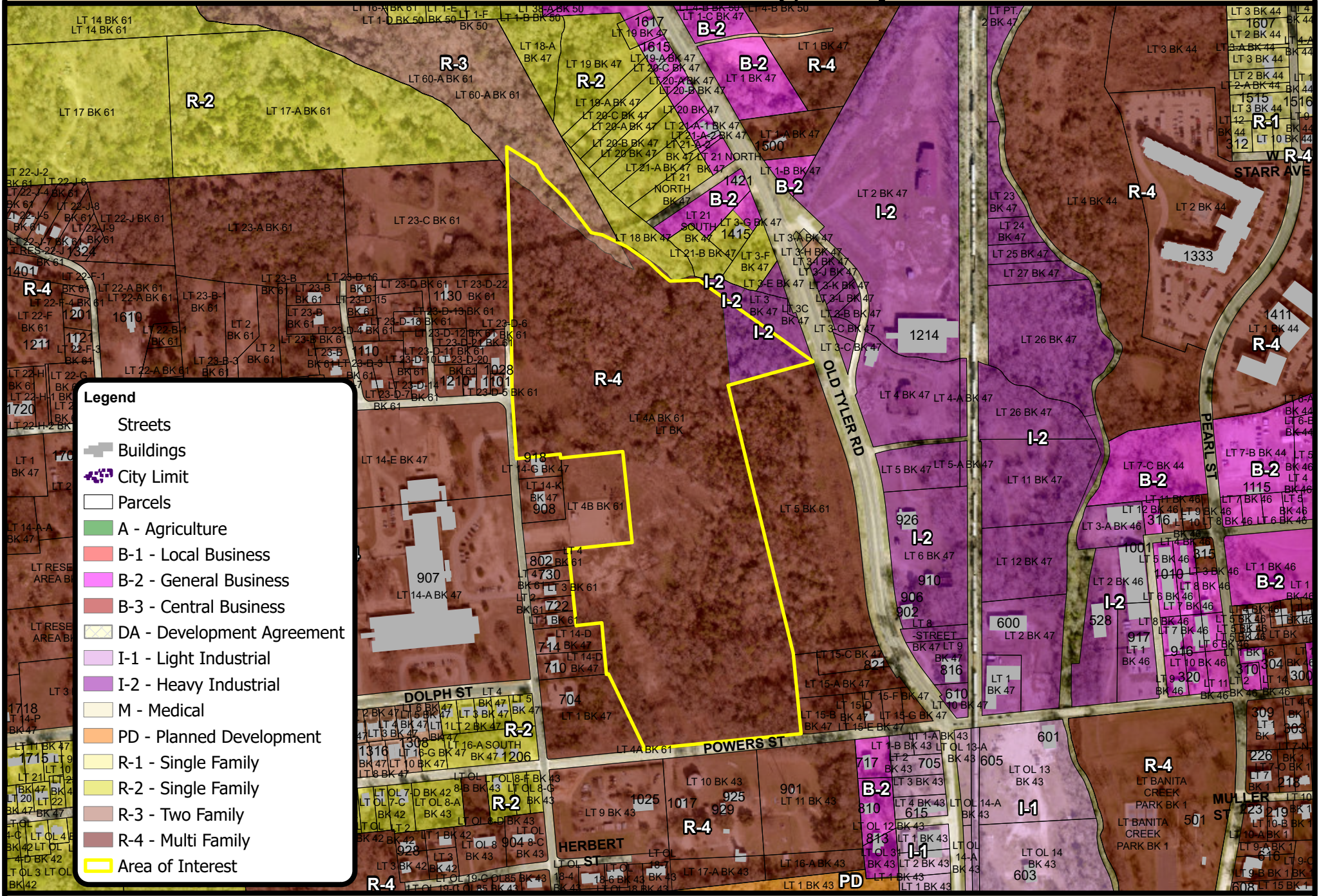
- Streets
- Buildings
- City Limit
- Parcels
- Area of Interest



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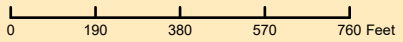
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SUP2024-07 Zoning Map



Legend

- Streets
- Buildings
- City Limit
- Parcels
- A - Agriculture
- B-1 - Local Business
- B-2 - General Business
- B-3 - Central Business
- DA - Development Agreement
- I-1 - Light Industrial
- I-2 - Heavy Industrial
- M - Medical
- PD - Planned Development
- R-1 - Single Family
- R-2 - Single Family
- R-3 - Two Family
- R-4 - Multi Family
- Area of Interest

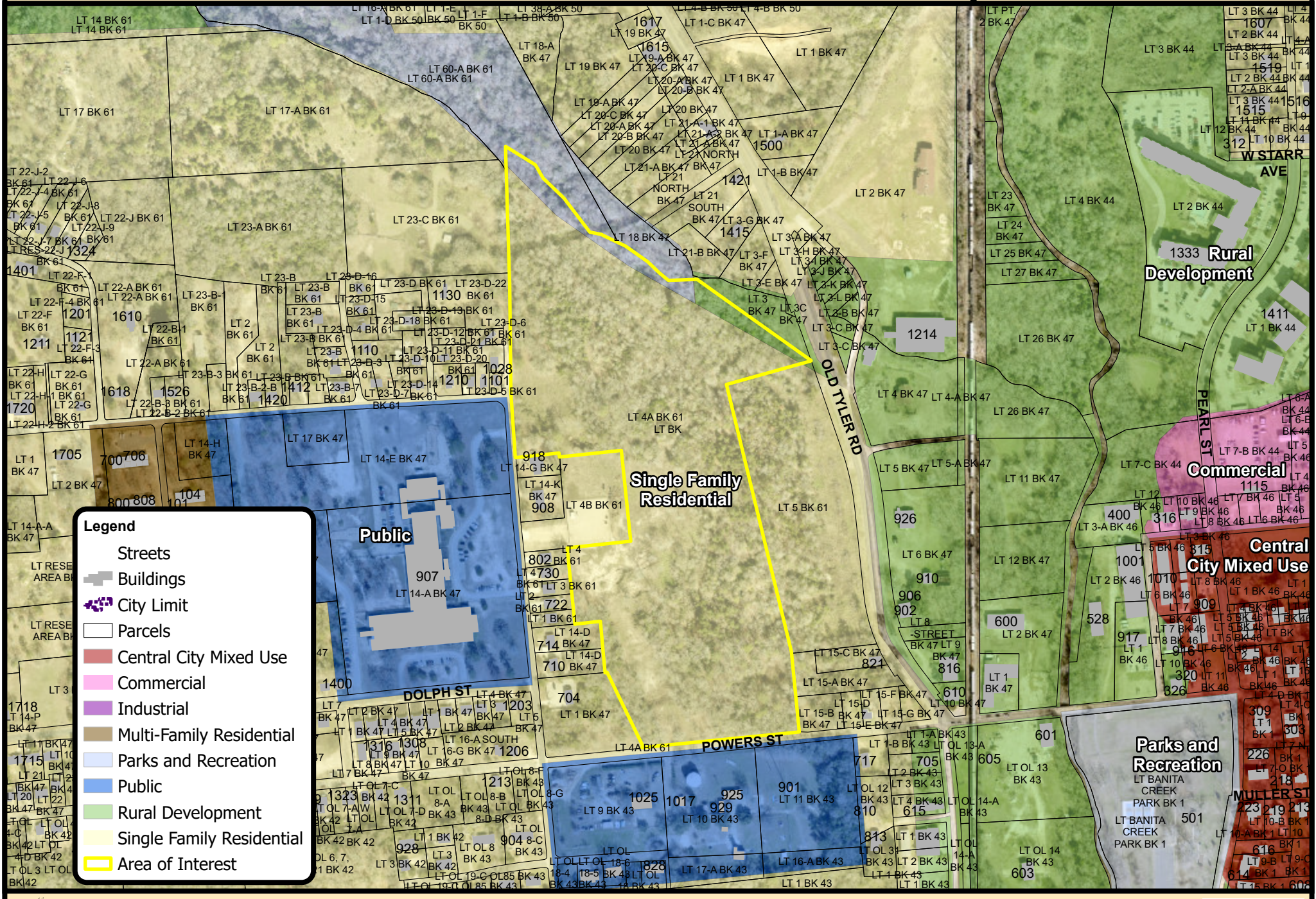


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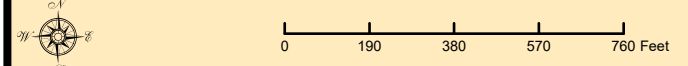


SUP2024-07 Future Land Use Map



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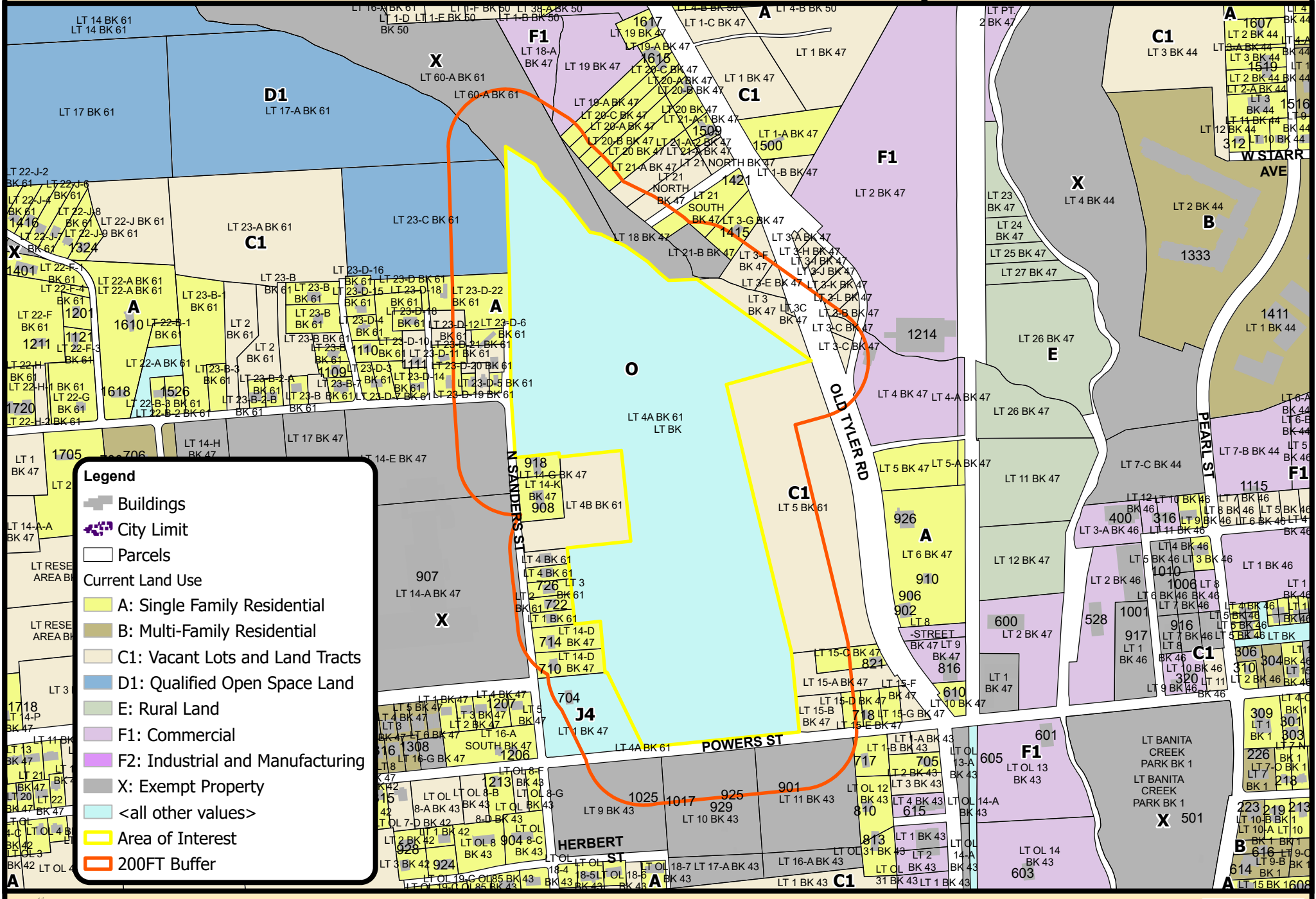
- Streets
- Buildings
- City Limit
- Parcels
- Central City Mixed Use
- Commercial
- Industrial
- Multi-Family Residential
- Parks and Recreation
- Public
- Rural Development
- Single Family Residential
- Area of Interest



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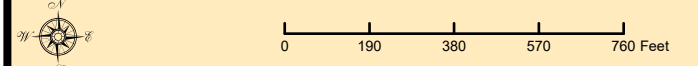
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SUP2024-07 Notification Map



Legend

- Buildings
- City Limit
- Parcels
- Current Land Use**
- A: Single Family Residential
- B: Multi-Family Residential
- C1: Vacant Lots and Land Tracts
- D1: Qualified Open Space Land
- E: Rural Land
- F1: Commercial
- F2: Industrial and Manufacturing
- X: Exempt Property
- <all other values>
- Area of Interest
- 200FT Buffer



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STORMWATER POLLUTION PREVENTION PLAN

PROPOSED OLD TYLER ROAD SAND PIT CONSTRUCTION PROJECT

**AN APPROXIMATE 4.50-ACRE CONSTRUCTION SITE
OLD TYLER ROAD
NACOGDOCHES (NACOGDOCHES COUNTY), TEXAS**

Date: October 24, 2024

Prepared for:

**Aaron Montes
AMDI, Inc.
9778 US. Hwy 59 N
Nacogdoches, TX 75964**

Prepared by:

**Hydrex Environmental
312 Old Tyler Road
Nacogdoches, Texas 75961
(936) 568-9451 FAX (936) 568-9527**

STORMWATER POLLUTION PREVENTION PLAN

PROPOSED OLD TYLER ROAD SAND PIT CONSTRUCTION PROJECT

AN APPROXIMATE 4.50-ACRE CONSTRUCTION SITE
OLD TYLER ROAD
NACOGDOCHES (NACOGDOCHES COUNTY), TEXAS

Prepared For:

Aaron Montes
AMD, Inc.
9778 US. Hwy 59 N
Nacogdoches, TX 75964

October 24, 2024

Mellisa Cooper, CESC
Project Manager



Prepared by:



312 Old Tyler
Nacogdoches, Texas 75961
(936) 568-9451 FAX (936) 568-952

October 10, 2024

Aaron Montes
AMDI, Inc.
9778 US. Hwy 59 N
Nacogdoches, TX 75964

**Re: Stormwater Pollution Prevention Plan
Proposed Old Tyler Road Sand Pit Construction Project
An Approximate 4.50-Acre Construction Site
Old Tyler Road
Nacogdoches (Nacogdoches County), Texas
Hydrex Project No. S-01-1808**

Dear Mr. Montes:

Hydrex Environmental is pleased to submit the accompanying Stormwater Pollution Prevention Plan (SWP3) for the above-referenced construction site. The SWP3 was prepared in accordance with the requirements outlined in the Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR150000.

The site's SWP3 must be implemented and followed by your construction manager and/or contractor(s) until construction is complete and final stabilization of the construction area has been achieved. If you have any questions, please feel free to call me at (936) 568-9451. Thank you for the opportunity to provide you with this service and we look forward to working with you in the future.

Sincerely,
Hydrex Environmental



Mellisa Cooper, CESCO
Project Manager

CERTIFICATION PAGE

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Sign as required by 30 TAC §305.44(b).

Signed: _____ Date: _____
Name: Mr. Aaron Montes
Title: Authorized Representative

If plan is shared by more than one entity:

Signed: _____ Date: _____ TPDES #: _____
Name: _____
Title: _____

Signed: _____ Date: _____ TPDES #: _____
Name: _____
Title: _____

Signed: _____ Date: _____ TPDES #: _____
Name: _____
Title: _____

Primary Operators

Aaron Montes AMDI Inc.

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APPENDICES

Appendix A - Plates

Plate A-1	Vicinity Map
Plate A-2	USGS Topographic Map
Plate A-3	Sediment and Erosion Control Plan
Plate A-4	NRCS Soil Survey Map

Appendix B - Stormwater Controls

Plate B-1	Typical Design Details for Erosion and Sediment Controls
Plate B-2	Typical Design Details for Inlet Protection
Plate B-3	Typical Design Details for Temporary Concrete Washout Facilities

Appendix C - Record of Construction Schedule Activities

Record of Disturbance/Stabilization Activities

Appendix D - Inspection Forms for Stormwater Controls

Stormwater Construction Site Inspection Forms
Qualifications of the Inspector(s)

Appendix E - Texas Pollutant Discharge Elimination System (TPDES) General Permit No. TXR150000

Appendix F - Miscellaneous Documents

Required Activities to Perform
Small Construction Site Notice

1.0 INTRODUCTION

AMDI Inc. is moving dirt from a sand pit located on Old Tyler Road. The project is located on an approximate 4.5-acre section of a larger piece of property located along Old Tyler Road in Nacogdoches (Nacogdoches County), Texas (Appendix A, Plates A-1 and A-2). This Stormwater Pollution Prevention Plan (SWP3) has been prepared to outline and establish the best management practices (BMPs) and sediment and erosion controls that will be implemented, maintained, and/or followed for the duration of construction, including final stabilization by the operators, Aaron Montes AMDI Inc. (Operator).

This SWP3 has been developed in accordance with the requirements outlined in Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit TXR150000, dated March 5, 2023. The purpose of implementing and following the site's SWP3 will be to minimize pollutants in stormwater discharges from the construction site. A copy of the TPDES Construction General Permit TXR150000 is included in Appendix E.

The disturbed area for this construction project will encompass approximately 4.5 acres of land (Appendix A, Plate A-3). Construction activities planned for this project will include the following:

- 1) installation of sediment controls,
- 2) land clearing, grubbing, grading, and site preparation,
- 3) removal of sand and grading as needed,
- 4) construction of any stormwater drainage conveyances, and
- 5) final grading and stabilization of disturbed areas.

Construction activities associated with this project began September 2024 and is expected to be completed approximately in October 2025.

2.0 SITE DESCRIPTION

The disturbed area for this construction project encompasses approximately 4.5 acres of land located along Old Tyler Road in Nacogdoches (Nacogdoches County), Texas (Nacogdoches County), Texas (Appendix A, Plates A-1 and A-2).

2.1 Topography and Receiving Waters

Topographically, the construction site is located in an area of nearly level to gently sloping terrain on the top of a hill within the watershed of Banita Creek (Appendix A, Plate A-2). The terrain across the construction site slopes slightly to the east. Currently, stormwater runoff is expected to follow surface topography and move as sheet flow east to offsite stormwater conveyances which flow toward Mull Branch Creek. Mull Branch creek flows into Banita Creek which drains into La Nana Bayou and then ultimately drains into the Angelina River. Post-construction stormwater runoff at the site will be directed to off-site stormwater conveyances which will direct stormwater east towards Banita Creek.

2.2 Rainfall Data

According to the *Soil Survey of Nacogdoches County, Texas*, the average annual rainfall for Nacogdoches County is approximately 50 inches. About 50% of precipitation occurs between April and September.

2.3 On-Site Soils

The NRCS Web Soil Survey for Nacogdoches County, Texas indicates the soils at the project site are mapped as *Darco-Urban land complex, 1 to 8 percent slopes, Darco-Urban land complex, 8 to 25 percent slopes, Hannahatchee-Urban land complex, frequently flooded, and Trawick-Urban land complex, 8 to 20 percent slopes* (Appendix A, Plate A-4).

Section II

The *Darco-Urban land complex, 1 to 8 percent slopes* soil unit occurs throughout the western section of the construction site. This deep gently sloping soil is on broad convex interstream divides. These soils contain 50 percent of Darco soils, 35 percent of urban soils, and 15 percent of Lilbert and Briley soils. These soils are made up of dark brown to a pale brown loamy fine sand in the surface layers to a depth of 48 inches. The subsoil layers are a yellowish red sandy clay loam to a depth of 80 inches. The Urban land part of the soils is so covered by structures and parking lots that its identification is not feasible. The soil is well drained, has moderate permeability and low available water capacity. Run off is slow and erosion hazard is slight. This soil has medium potential for urban development.

The *Darco-Urban land complex, 8 to 25 percent slopes* soil unit occurs throughout the central section of the construction site. This strong to steep sloping soil is above drainage ways. These soils contain 60 percent of Darco soils, 30 percent of urban soils, and 10 percent of Teneha soils. These soils are made up of dark brown to a very pale brown loamy fine sand in the surface layers to a depth of 55 inches. The subsoil layers are a strong brown sandy clay loam to a depth of 72 inches. The Urban land part of the soils is so covered by structures and parking lots that its identification is not feasible. This soil has medium potential for urban development and a severe hazard to erosion.

The *Hannahatchee-Urban land complex, frequently flooded*, soil unit occurs throughout the northern section of the construction site. This nearly level soil and urban land is found on bottomlands. These soils contain nearly 50 percent Hannahatchee soils, 35 percent Urban land, and 15 percent Tuscosso soils. These soils are made up of reddish-brown loam about 6 inches thick. The subsoil layers are a yellowish red sandy clay loam to a depth of 43 inches. These soils are frequently flooded with most areas flooding each year. This soil has low potential for urban development with flooding as the main hazard.

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The *Trawick-Urban land complex, 8 to 20 percent slopes* soil unit occurs through much of the southeastern and northern sections of the construction site. This deep, sloping to moderately steep soil and urban land is located on convex side slopes. These soils contain 55 percent of Trawick soils, 30 percent of urban soils, and 15 percent of Bub and Nacogdoches soils. These soils are made up of dark red clay loam in the surface layers to a depth of 5 inches. The subsoil layers are dark red clay to a depth of 45 inches. The Urban land part of the soils is so covered by structures and parking lots that its identification is not feasible. This soil has low potential for urban development.

2.4 Description and Sequence of Soil Disturbing Activities

During construction, up to 4.5 acres of total land area will be disturbed or used for storage. Soil disturbing activities may include, but are not limited to:

- 1) land clearing in preparation for installation of sediment control fencing,
- 2) installation of sediment control fencing,
- 3) land clearing, grubbing, and grading in support of proposed construction activities, and/or
- 4) final grading and seeding/planting for establishment of permanent vegetative cover in disturbed areas outside of newly constructed areas.

Construction activities for this project are scheduled to be performed in the following general order:

- 1) land clearing and grubbing the proposed construction area for installation of sediment control fencing,
- 2) installation of sediment control fencing along down-gradient boundaries of the construction site,
- 3) land clearing, grubbing, and grading in support of construction and/or modification of proposed and existing stormwater drainage conveyances,

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- 4) temporary stabilization of disturbed areas and stockpiles of soil immediately after disturbance, or as soon as practical, if the areas will not be re-disturbed within fourteen (14) days,
- 5) completion of construction activities and/or modifications to the proposed and existing stormwater drainage conveyances,
- 6) completion of final grading and establishment of permanent vegetative cover for final stabilization of previously disturbed areas outside construction areas,
- 7) removal of all remaining temporary erosion/sediment controls upon completion of all construction activities and when the site is stabilized, and
- 8) stabilization of any areas disturbed during removal of the temporary sediment/erosion controls.

3.0 DESCRIPTION OF POTENTIAL POLLUTANTS AND SOURCES

The potential for pollutants to enter or mix with stormwater at this construction site is primarily dependent upon the activities performed and the materials used during the construction process. Activities that can potentially affect stormwater through contact include land clearing, grading, excavating, fueling, concrete pouring, asphalt paving, vehicle tracking, waste disposal, stabilization, and fertilization. A list of potential pollutants located on-site, and their sources is presented in the following table.

Table 1. Potential Pollutants and Their Sources

Potential Pollutants	Source
Sediment	Disturbed soil from land clearing and grading activities and stock piles of dirt and topsoil from on and off-site sources.
Petroleum products	Diesel and oil from on-site storage or from construction vehicles used on-site.
Concrete and asphalt	Discharge or runoff from use of concrete and/or asphalt materials during construction.
Solid waste	Materials used during construction or used by workers while on-site.
Fertilizers	Use of fertilizers during stabilization of soils and sediment.

As needed, additional pollutants can be added to the table as they are brought on-site.

Control measures contained within this plan are designed to eliminate or reduce any potential impact of these activities and materials to stormwater discharges that may leave the construction site. Specific best management practices and control measures for this site are described in Section 4.0.

4.0 DESCRIPTION OF STORMWATER CONTROLS

The following information describes the best management practices (BMPs) and control measures that may be implemented as part of construction activities, to control and minimize pollutants in stormwater discharges from the construction area. The locations where these controls may be implemented are indicated on the Sediment and Erosion Control Plan map, (Appendix A, Plate A-3). Typical design details for some of the types of control measures that may be implemented during construction are included in Appendix B of this SWP3 and within construction plan details maintained by the Operator. The Operator will be responsible for ensuring all necessary BMPs and control measures are properly installed and adequately maintained in accordance with good engineering practices and manufacturer's specifications.

4.1 Best Management Practices

BMPs are controls or techniques used to reduce or eliminate the potential for pollutants in stormwater discharges from leaving the construction site. The following table lists the types of BMPs as well as the location and purpose of the BMPs, and appropriate timing for implementing and maintaining the BMPs.

Table 2. Types and Locations of Best Management Practices

Type of Stormwater BMP	Location and Purpose of BMP	Appropriate Timing of the BMP
Construction Exit(s)	Construction exit(s) will serve to reduce vehicle tracking from the construction site and will be installed in accordance with the design guidelines. If on paved surfaces, alternate acceptable means of reducing sediment tracking will be utilized. If needed, pre-existing culverts at the entrance will be replaced during construction.	As an initial construction activity, until permanent exits are established.

Table 2. Types and Locations of Best Management Practices

Type of Stormwater BMP	Location and Purpose of BMP	Appropriate Timing of the BMP
Sediment Control Fencing	Along down-gradient boundaries of the site to minimize the potential for off-site accumulations of sediment during construction.	As construction begins and for the duration of construction until final stabilization occurs.
Inlet Protection	If needed, Inlets receiving stormwater runoff from the construction site will be protected to reduce the potential for sediment entering any storm sewer system or conveyance. In unpaved areas, inlet protection will be provided by sediment control fencing or other similar devices. Inlet protection will be provided in paved areas by bagged gravel or other appropriate means of protection.	After installation of inlets to a storm sewer system until final stabilization occurs.
Swales and Rock Check Dams	If needed, diversion, interceptor, or perimeter swales will be installed to direct stormwater away from the site. Rock check dams could be installed, as needed, within the swales in order to slow the velocity of the water and prevent off-site migration of sediment.	As an initial construction activity until final stabilization occurs. Swales will remain as a permanent control.
Stormwater Detention Area	If constructed, the stormwater detention area will be used in order to prevent off-site migration of sediment and potential pollutants before entering off-site drainage.	During initial construction and remaining as a permanent control.
Retaining Walls	If installed, retaining walls will be constructed along areas of higher relief, to divert stormwater and prevent sediment build-up. Sediment control fencing should be used, if necessary, to prevent sediment from leaving the property.	As construction begins and for the duration of the site.

Table 2. Types and Locations of Best Management Practices

Type of Stormwater BMP	Location and Purpose of BMP	Appropriate Timing of the BMP
Rock Rubble and Rip Rap at Discharge Outlets	As needed, stormwater discharge outlets will contain erosion protection devices such as paved slopes, rock rubble, rip rap, and/or erosion protection fabric, as needed. The purpose of the erosion protection devices is to reduce undercutting and erosion potential of stormwater flowing through each of the outlet flumes.	After installation of outlets until final stabilization has occurred.
Soil Stabilization	Stabilization practices implemented in previously disturbed areas may include planting temporary or permanent vegetation, sod stabilization, mulching, or hydro mulch seeding.	During construction, all disturbed areas of the site that will not be re-disturbed for fourteen (14) days or more must be stabilized immediately, or as soon as practical, following the last disturbance activity and upon completion of construction activities.
Post Construction Controls	Management of post-construction stormwater runoff will be provided by existing storm sewer system.	Existing controls will be protected with inlet protection during construction and will be maintained until final stabilization.

Accumulations of sediment will be removed from along the sediment control fencing by the Operator to ensure adequate sedimentation controls are maintained. At a minimum, sediment accumulations will be removed when fifty percent (50%) of the design capacity of the sediment control fencing has been exceeded. Upon completion of construction activities, final stabilization in all previously disturbed landscaped areas of the construction site will be achieved. All temporary BMPs will be removed, and the areas stabilized. Areas seeded, sodded, or planted for final stabilization will be watered as necessary, to promote permanent vegetative growth.

4.2 Good Housekeeping Measures

Good housekeeping measures will be taken to eliminate or reduce exposure of potential pollutant sources to precipitation and runoff. Typical good housekeeping measures are performed on a daily basis by employees during the course of normal work activities. The following table includes a list of typical good housekeeping measures conducted on-site.

Table 3. Good Housekeeping Measures Performed On-Site

Pollutant Source	Good Housekeeping Measures Performed on a Daily Basis
Solid Waste	All solid waste materials (litter or construction debris) will be collected and stored in trash bins or dumpsters and will be emptied as necessary or as frequently as required by local ordinance. No waste materials will be buried or burned on-site unless burning is in accordance with current state and local ordinances. Covering waste with a tarp or lid will minimize exposure of waste to stormwater.
Petroleum Products and Hazardous Waste Materials	Should petroleum products and hazardous waste materials be brought on-site, they will be properly handled and disposed of in the manner specified by local, state, or federal regulation, if applicable, or in the manner specified by the manufacturer. The Operator will ensure that all on-site construction personnel using petroleum products and hazardous waste materials are instructed in the proper practices and procedures for handling, storing, and safeguarding these materials and will ensure that these procedures are followed for the duration of construction activities. All spills or leaks should be promptly cleaned and disposed of properly.
Sanitary Waste	If necessary, portable sanitary waste units will be provided by the Operator for the duration of construction activities. The Operator will ensure that all sanitary waste is collected from the portable units by a licensed waste management contractor as often as needed or as often as required by local regulation or city ordinance.
Material Storage	If brought onsite, construction materials, construction chemicals, and stockpiled soils will be stored in designated storage areas in a manner that prevents the materials from becoming a pollutant source in stormwater discharges. Stockpiled soils will be protected using sediment control fencing or stabilized with temporary vegetation or mulching. Construction materials and construction chemicals will be stored off of the ground surface (i.e. on pallets) and under protective cover, if possible. In addition, all construction chemicals will be stored in the original manufacturer's containers with secured lids and clearly labeled.

Table 3. Good Housekeeping Measures Performed On-Site

Pollutant Source	Good Housekeeping Measures Performed on a Daily Basis
Off-site Vehicle Tracking	When necessary, the Operator will sweep and maintain adjacent streets to ensure excess dirt, mud, or rock tracked from the construction area is properly removed in a timely manner. Maintenance procedures used on adjacent streets will be in accordance with local, state, and federal transportation safety guidelines. Trucks hauling waste materials from the construction site will be covered to eliminate or minimize wind-blown litter and construction debris. The Operator, will ensure that all wind-blown litter and debris generated or originating from the construction site (including dust) is properly managed, controlled, and/or properly disposed.
Vehicle and Equipment Washing	Minimize the discharge of wash water from equipment and vehicle washing, wheel wash water, and other wash waters. Wash water must be treated in a sediment basin or alternative control. No soaps or solvents are allowed to be used in the washing process. No oil or grease may be co-mingled with wash water discharges.

4.3 Erosion and Sediment Control Requirements

Erosion and sediment controls must be designed, installed, and maintained to minimize the discharges of pollutants. These controls must:

- 1) control stormwater volume and velocity to minimize soil erosion,
- 2) control stormwater discharges to minimize channel and stream bank erosion and scour, at points of discharge,
- 3) minimize the amount of soil exposed,
- 4) minimize the disturbances of steep slopes,
- 5) minimize sediment discharges from the site by addressing the design installation of the controls,
- 6) if disturbance is located in close proximity of surface water, natural buffers must be provided and maintained, if feasible,
- 7) preserve the native top soil, and
- 8) minimize soil compaction.

4.4 Temporary Concrete Washout Facility

Prior to performing any concrete pouring activities, at least one (1) temporary concrete washout facility will be constructed and utilized at the site to contain concrete washout from mixer truck chutes or concrete mixing activities. If necessary, any temporary concrete washout facility will be constructed by the Operator, in accordance with the minimum design criteria provided on Plate B-3 in Appendix B, or in accordance with a suitable alternate method. The proper use of any designated washout facility will serve to prevent unpermitted discharges of concrete pollutants and wash water from leaving the construction site and entering surface waters of the state during the period covered by the TPDES Construction General Permit. (See Section 4.09 for conditions required to authorize the discharge of concrete truck washout.)

Any temporary concrete washout facility(s), if constructed, will be maintained for as long as needed during construction. When appropriate, any temporary washout facility will be removed by the Operator. Upon removal, all associated accumulations of concrete residue will be properly disposed of, and final stabilization of the area will be performed.

4.5 Concrete Truck Washout Requirements

If necessary, the discharge of concrete wash water within the site may be authorized under the TPDES Construction General Permit. This authorization is limited to the land disposal of washout water from concrete trucks that are associated with off-site production facilities and for on-site facilities provided certain requirements and conditions are met. The requirements and conditions for authorizing the disposal of concrete washout at the construction site include the following:

- 1) Discharge of concrete truck washout water to surface water in the state, including discharge to storm sewers, is prohibited.
- 2) Concrete truck washout shall be disposed in areas at the construction site where structural controls have been established to prevent discharge to surface waters of the state, or to areas that have a minimal slope that allow infiltration and filtering of wash water to prevent discharge to surface waters. Structural controls may consist of temporary berms, temporary

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shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.

- 3) Wash out of concrete trucks during rainfall events shall be minimized. The discharge of concrete washout water is prohibited at all times, and the Operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck washout as a result of rainfall or snowmelt.
- 4) The disposal of washout water from concrete trucks, made under authorization of the permit, must not cause or contribute to groundwater contamination.
- 5) The SWP3 shall include the locations of the designated concrete wash out area on the SWP3 site map (pen and ink additions are permitted).

If the above conditions are not met, the disposal of concrete washout is not authorized under the TPDES Construction General Permit.

4.6 Recordkeeping of Scheduled Construction Activities

To ensure erosion and sediment controls are implemented in a timely manner and followed, the Operator will maintain the following records on the Record of Disturbance/Stabilization Activities form in Appendix C:

- 1) dates when major grading activities occur,
- 2) dates when construction activities temporarily or permanently cease on a portion of the construction site, and
- 3) dates when stabilization measures are initiated.

The Record of Disturbance/Stabilization Activities form will be retained in Appendix C of the site's SWP3 for a period of three (3) years following the date final stabilization is achieved. Upon request, the form will be made readily available to:

- 1) the TCEQ executive director,
- 2) a federal, state, or local agency approving sediment and erosion plans, grading plans, or stormwater management plans,

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- 3) local government officials, and
- 4) the Operator of any municipal separate storm sewer system (MS4) that may receive discharges from the construction site.

5.0 MAINTENANCE AND INSPECTIONS

5.1 Maintenance

All erosion and sediment control measures or other protective measures implemented at the construction site will be maintained in effective operating condition for the duration of construction activities and until the construction site has achieved final stabilization. The Operator will be responsible for implementing, maintaining, repairing, or modifying any ineffective or deficient erosion controls, sediment controls, or stormwater management controls implemented or installed at the construction site. Additionally, any deficiencies noted during the on-site inspections by the Operator, or its designated representative will be addressed and corrected before the next anticipated storm event or as soon as practicable.

If revisions to the site's SWP3 are deemed necessary, the Operator, or its designated representative will ensure these revisions are made.

If sediment escapes the construction area, the Operator will be responsible for removing off-site accumulations of sediment at a frequency sufficient to minimize off-site impacts.

The Operator will maintain previously installed sediment traps (i.e. sediment control fencing) to ensure the traps are providing adequate control for the duration of construction and until the construction area is finally stabilized. Along previously installed sediment control fencing, accumulations of sediment will be removed at a rate sufficient to maintain fifty percent (50%) or more of the sediment fencing's design capacity.

If applicable, previously installed inlet protection devices will be maintained by the Operator until the area drained by the inlet has been finally stabilized. Accumulations of sediment will be periodically removed from around all protected storm sewer inlets to ensure adequate drainage and sediment control is maintained.

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The Operator will ensure all litter, construction debris, and construction chemicals exposed to stormwater at the site are prevented from becoming a pollutant source for stormwater discharges. In addition, the Operator will ensure proper disposal procedures are followed for all types of waste materials generated at the site during construction.

5.2 Inspections

An inspection of the construction site will be performed by a qualified representative of the Operator:

- 1) at least once every fourteen (14) calendar days **and** within twenty-four (24) hours following a storm event of 0.5 inches or greater, **or**
- 2) as an alternative to the above schedule, every seven (7) days.

The inspection schedule may be changed between the above two (2) options a maximum of one (1) time per month. Changes must be implemented at the beginning of the calendar month, and the reason for the change must be documented in the SWP3 (e.g. “wet” season, “dry” season). Inspections conducted using the seven (7) day option must be performed on the same day of each week. Inspection frequency must be conducted at least once every month in areas of construction sites that meet final or temporary stabilization while construction is still on-going.

Areas to be inspected will include:

- 1) disturbed areas that have not achieved final stabilization,
- 2) areas used for storage of materials that are exposed to precipitation,
- 3) structural controls for evidence of, or the potential for, pollutants entering the drainage system,
- 4) sediment and erosion control measures identified in the SWP3 to ensure that they are operating correctly, and

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- 5) locations where vehicles enter or exit the construction site.

A Stormwater Construction Site Inspection Form, included in Appendix D, will be completed within 24 hours following an inspection. The construction inspection form will:

- 1) summarize the scope of the inspection,
- 2) contain the inspector's name and qualifications (qualifications for each inspector may be identified on a single page in Appendix D instead of repeating for each inspection),
- 3) contain the date of the inspection, and
- 4) identify major observations noted during the inspection.

Major observations noted during each inspection will include:

- 1) the location(s) of discharges of sediment or other pollutants from the construction site,
- 2) the location(s) of best management practices or controls that need to be maintained/repared,
- 3) the location(s) of best management practices or controls that failed to operate as designed or proved inadequate for a particular location, and
- 4) the location(s) where additional best management practices or controls are needed.

Additionally, each inspection form will include a discussion of any incidents of non-compliance. When an inspection does not identify any incidents of non-compliance, the form shall contain a certification that the facility is in compliance with the SWP3 and the associated TPDES permit.

Each inspection form will be signed for certification by the Operator, or if applicable, its delegated representatives. Copies of all inspection forms will be maintained in Appendix D of the site's SWP3 for a period of three (3) years following the date when final stabilization is completed.

6.0 NON-STORMWATER DISCHARGES

6.1 Permitted Non-Stormwater Discharges

The following permitted, non-stormwater discharges may occur at the construction site during the construction period:

- 1) discharges from firefighting activities (not included are: washing of trucks, runoff from training activities, test water from fire suppression systems, and similar activities),
- 2) uncontaminated fire hydrant flushings, which includes flushings from systems that use potable water, surface water, or groundwater that does not contain pollutants (excludes flushings of hyperchlorinated or reclaimed wastewater),
- 3) vehicle, external building, and pavement wash water where detergents and soaps are not used, where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed according to applicable local, state, or federal regulations), and where the purpose is to remove mud, dirt, and dust,
- 4) uncontaminated water used to control dust,
- 5) potable water sources including waterline flushings,
- 6) uncontaminated air conditioning condensate,
- 7) uncontaminated groundwater or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents, and
- 8) lawn watering and similar irrigation drainage.

After appropriate erosion and sediment controls have been installed, the Operator, will ensure that all permitted, non-stormwater discharges are directed towards the site's installed erosion and sediment controls.

If necessary, the discharge of concrete wash water may be authorized under the TPDES Construction General Permit (Sections 4.4 and 4.5). If required, all concrete

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wash water will be directed towards the construction site's previously installed temporary concrete washout facilities.

6.2 Non-Permitted Non-Stormwater Discharges

The following non-permitted, non-stormwater discharges may not occur at the construction site during the construction period:

- 1) wastewater from washout concrete,
- 2) wastewater from wash out and cleanout of stucco, paint, form release oils, curing compound, and other construction materials,
- 3) fuels, oils, or other pollutant used in vehicle equipment operation and maintenance,
- 4) soaps or solvents used in vehicle and equipment washing,
- 5) toxic or hazardous substances from a spill or other release, and
- 6) discharges from dewatering activities.

7.0 AMENDING THE PLAN

The Operator will ensure that the site's SWP3 is revised, amended, or updated when:

- 1) there is a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3,
- 2) changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs, or
- 3) results of inspections or investigations by the site personnel authorized by the permittee, operator of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state, or local agency approving sediment and erosion control plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under TPDES General Permit TXR150000.

If an authorized official notifies the Operator at any time that the SWP3 does not meet one or more of the minimum requirements for a SWP3 or if the results of any inspection indicate the necessity to modify the SWP3, then the appropriate modifications or changes will be made to the plan by the Operator no more than seven (7) days following the date of the authorized official's notice or the inspector's report.

8.0 PLAN AVAILABILITY, POSTED NOTICES, AND RECORD RETENTION

8.1 Plan Availability

During construction, a copy of the SWP3 and all related documents and inspection reports will be retained at the construction site at Old Tyler Rd, Nacogdoches (Nacogdoches County), Texas or, if the site is inactive, in the office of AMDI, Inc. located at 9778 US. Hwy 59 Nacogdoches (Nacogdoches County), TX. Upon request, the SWP3 will be made available to:

- 1) the TCEQ executive director,
- 2) a federal, state, or local agency approving erosion and sediment control plans, grading plans, or stormwater management plans, local government officials, and
- 3) the operator of a municipal separate storm sewer system receiving discharges from the construction site.

8.2 Posted Notices

A TPDES Construction Site Notice, included in Appendix F, will be posted near the site's main construction entrance/exit for the duration of construction activities. For a linear construction project, such as a pipeline or highway, the notice(s) must be placed in a publicly accessible location near where active construction is underway. The notice(s) will contain the following information:

- 1) the TPDES permit number for the project (if 5 acres or greater),
- 2) contact name and telephone number of a representative for both the primary and secondary operators,
- 3) physical address or a description and location of the project,
- 4) projected start and end dates, and
- 5) location of the SWP3.

8.3 Retention of Records

A copy of the SWP3 will be kept at the construction site from the time construction activities begin until final stabilization of the site has been achieved. Following completion of construction, a copy of the SWP3 and a copy of all reports and actions, which include signed inspections (Appendix D), records of the construction schedule activity (Appendix C), and a copy of the construction site notice(s) (Appendix F), will be retained in the office of AMDI, Inc. located at 9778 US. Hwy 59 Nacogdoches (Nacogdoches County), TX. The SWP3, along with its associated records, will be retained for a period of three (3) years following the date that final stabilization is achieved. Records will include:

- 1) a copy of the SWP3,
- 2) all reports and actions required by the permit, including a copy of the construction site notice,
- 3) all data used to complete the Notice of Intent (NOI), if an NOI is required, and
- 4) all records of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

9.0 COMPLIANCE WITH APPROVED STATE AND LOCAL PLANS

The Operator will ensure that the site's SWP3:

- 1) is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by federal, state or local officials, and
- 2) is updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment and erosion site plans or permits, or stormwater management site plans or site permits approved by state or local officials for which the permittee receives written notice.

If the permittee is required to prepare a separate management plan, including but not limited to a Water Pollution Abatement Plan or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

10.0 REFERENCES

BarWin Consultants, 2002, *Typical Design Details for Erosion and Sediment Controls*.

Dolezel, Fuchs, 1980, *Soil Survey of Nacogdoches County, Texas*, United States Department of Agriculture, Soil Conservation Service.

ESRI, ArcGIS Online World Street Map, (Plate A-1).

Nacogdoches County, Ariel Photograph, 2024, (Plate A-3).

North Central Texas Council of Governments (NCTCOG), 1993, *Diagram of Filter Fabric Inlet Protection*.

National Resources Conservation Service (NRCS), Soil Data Map (Plate A-4).

Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

State of California, 2003, *Typical Design Details for Temporary Concrete Wash Out Facilities*, California Stormwater Best Management Practices Handbook.

Texas Commission on Environmental Quality, 2023, Texas Pollutant Discharge Elimination System, *General Permit Number TXR150000, Relating to Stormwater Discharges Associated with Construction Activities*.

United States Geological Survey, 7-1/2 Minute Topographic Quadrangle Map, Nacogdoches North, Texas 1983 Sheet and Nacogdoches South, Texas 1983 (Plate A-2).

Appendix A

Plates



BASEMAP SOURCE: ESRI ARCGIS ONLINE WORLD STREET MAP



PLATE A-1
 ← VICINITY MAP →

Proposed Old Tyler Road Sand Pit Construction
An Approximate 4.50-Acre Construction Site
Old Tyler Road Nacogdoches, TX 75964

Map Revised: 10/04/2024 Project Number: S-01-1808 GIS Analyst: DS

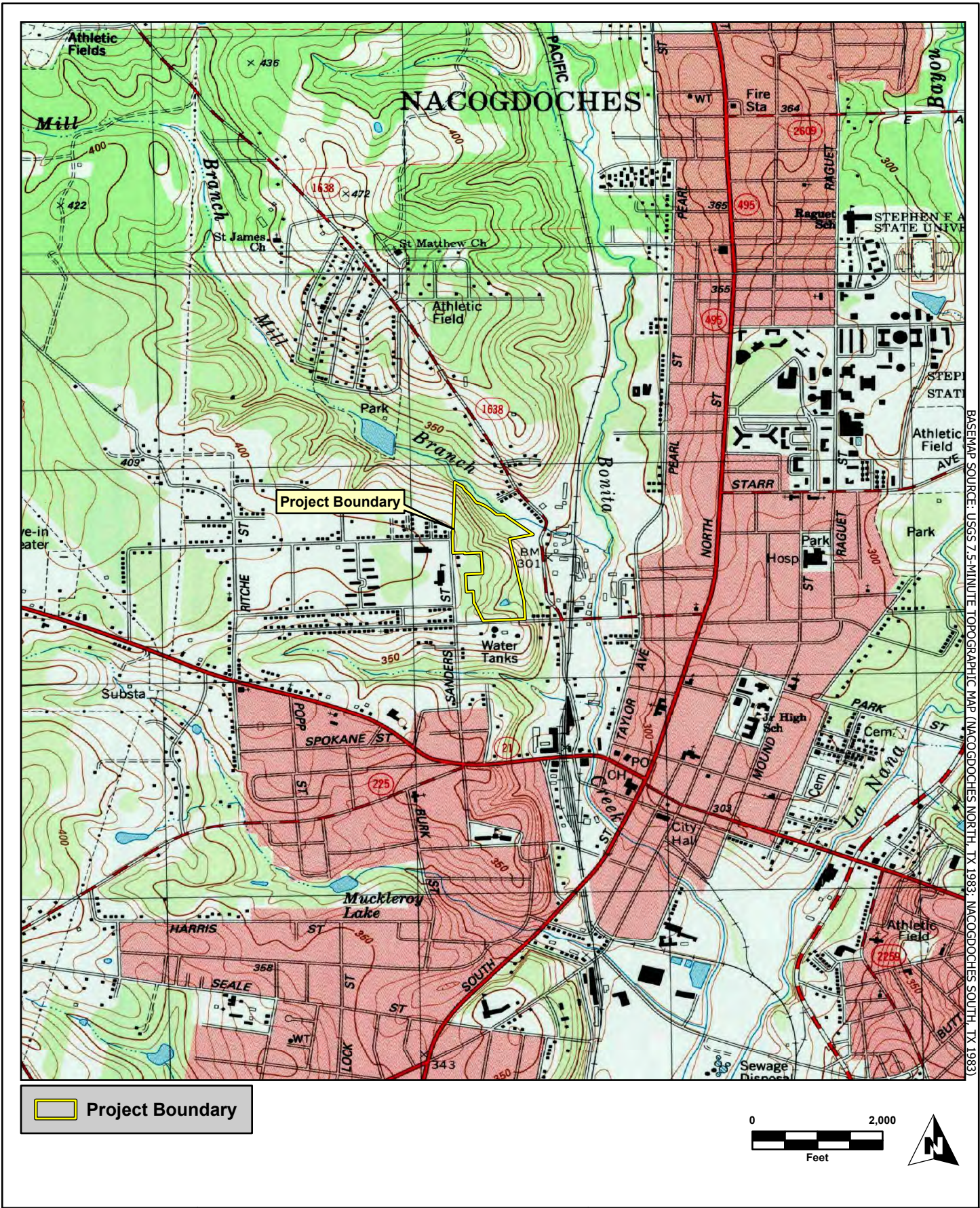


PLATE A-2

← **USGS TOPOGRAPHIC MAP** →

Proposed Old Tyler Road Sand Pit Construction
An Approximate 4.50-Acre Construction Site
Old Tyler Road Nacogdoches, TX 75964

Map Revised: 10/04/2024 Project Number: S-01-1808 GIS Analyst: DS



BASEMAP SOURCE: 2024 AERIAL PHOTOGRAPH PROVIDED BY NACOGDOCHES COUNTY

	Silt Fence		Area of Disturbance
	Project Boundary		Entrance

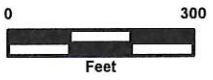
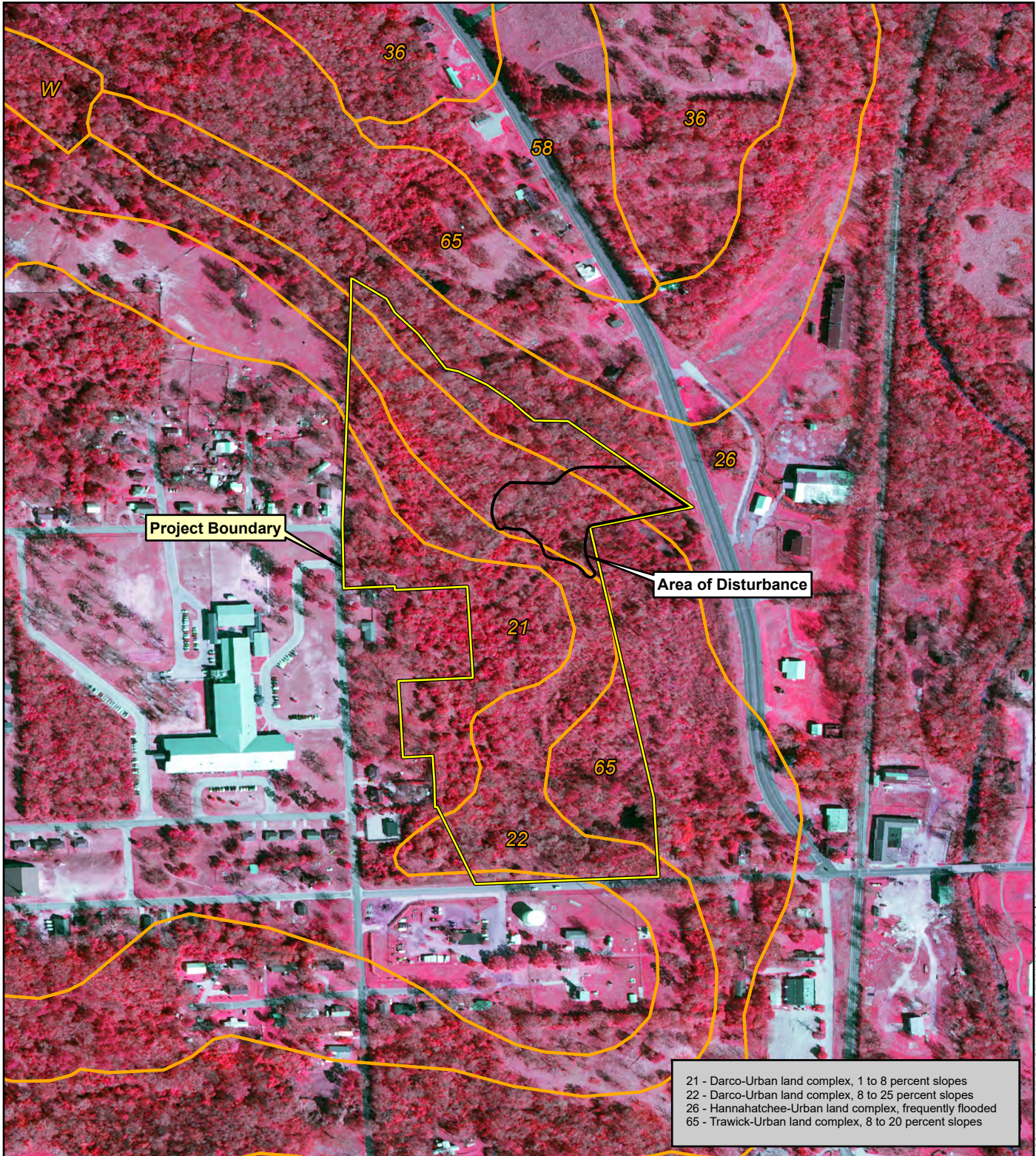


PLATE A-3




← 2024 AERIAL PHOTOGRAPH →

Proposed Old Tyler Road Sand Pit Construction
 An Approximate 4.50-Acre Construction Site
 Old Tyler Road Nacogdoches, TX 75964

Map Revised: 10/23/2024 | Project Number: S-01-1808 | GIS Analyst: DS



21 - Darco-Urban land complex, 1 to 8 percent slopes
 22 - Darco-Urban land complex, 8 to 25 percent slopes
 26 - Hannahatchee-Urban land complex, frequently flooded
 65 - Trawick-Urban land complex, 8 to 20 percent slopes

 Project Boundary
 Area of Disturbance
 NRCS Soil Map Unit

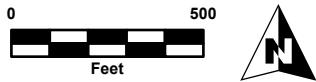


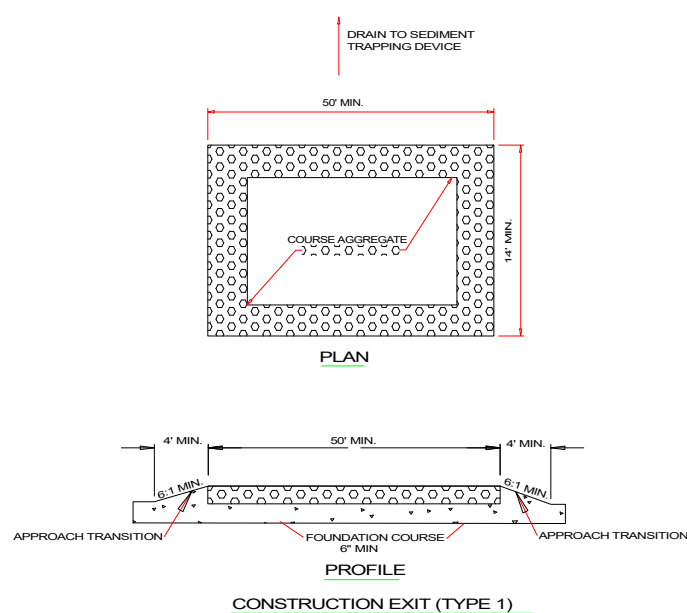
PLATE A-3
 ←—————→
NRCS SOIL SURVEY MAP

Proposed Old Tyler Road Sand Pit Construction
An Approximate 4.50-Acre Construction Site
Old Tyler Road Nacogdoches, TX 75964

Map Revised: 10/23/2024 Project Number: S-01-1808 GIS Analyst: DS

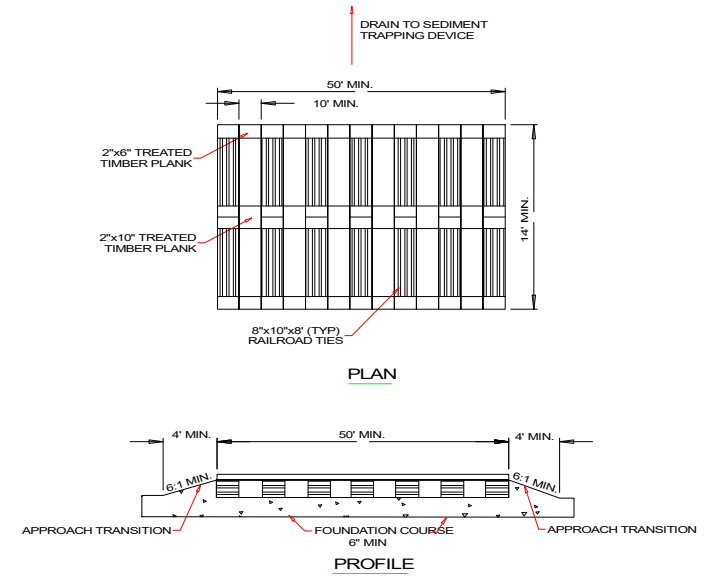
Appendix B
Stormwater Controls

Plate B-1
Typical Design Details for Erosion and Sediment Controls



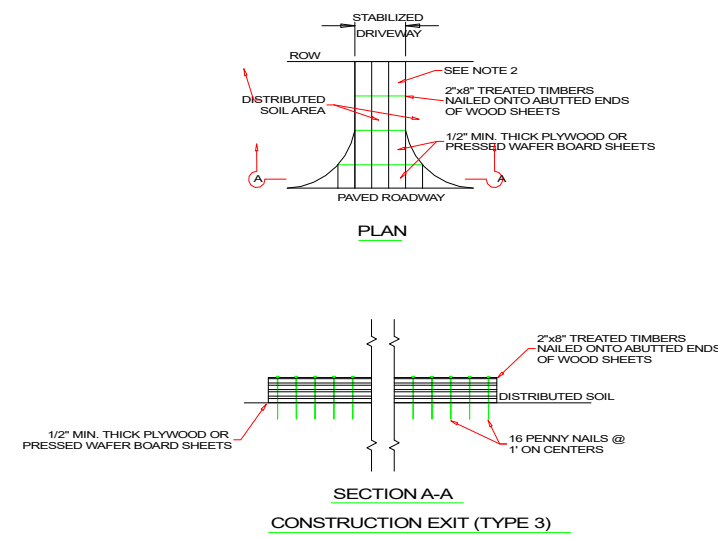
GENERAL NOTES

1. THE LENGTH OF THE TYPE 1 CONSTRUCTION EXIT SHALL BE AS INDICATED ON THE PLANS, BUT NOT LESS THAN 50'.
2. THE COARSE AGGREGATE SHOULD BE OPEN GRADED WITH A SIZE 4" TO 8".
3. THE APPROACH TRANSITIONS SHOULD BE NO STEEPER THAN 6:1 AND CONSTRUCTED AS DIRECTED BY THE ENGINEER.
4. THE CONSTRUCTION EXIT FOUNDATION COURSE SHALL BE FLEXIBLE BASE, BITUMINOUS CONCRETE, PORTLAND CEMENT CONCRETE OR OTHER MATERIAL AS APPROVED BY THE ENGINEER.
5. THE CONSTRUCTION EXIT SHALL BE GRADED TO ALLOW DRAINAGE TO A SEDIMENT TRAPPING DEVICE.
6. THE GUIDELINES SHOWN HEREON ARE SUGGESTIONS ONLY AND MAY BE MODIFIED BY THE ENGINEER.



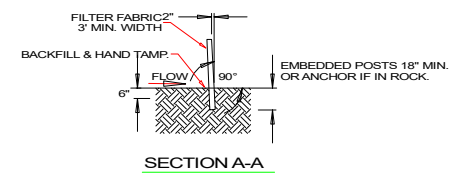
GENERAL NOTES

1. THE LENGTH OF THE TYPE 2 CONSTRUCTION EXIT SHALL BE AS INDICATED ON THE PLANS, BUT NOT LESS THAN 50'.
2. THE TREATED TIMBER PLANKS SHALL BE ATTACHED TO THE RAILROAD TIES WITH 1/2"x6" MIN. 100 BOLTS. OTHER FASTENERS MAY BE USED AS APPROVED BY THE ENGINEER.
3. THE TREATED TIMBER PLANKS SHALL BE #2 GRADE MIN., AND SHOULD BE FREE FROM LARGE AND LOOSE KNOTS.
4. THE APPROACH TRANSITIONS SHALL BE NO STEEPER THAN 6:1 AND CONSTRUCTED AS DIRECTED BY THE ENGINEER.
5. THE CONSTRUCTION EXIT FOUNDATION COURSE SHALL BE FLEXIBLE BASE, BITUMINOUS CONCRETE, PORTLAND CEMENT CONCRETE OR OTHER MATERIAL AS APPROVED BY THE ENGINEER.
6. THE CONSTRUCTION EXIT SHOULD BE GRADED TO ALLOW DRAINAGE TO A SEDIMENT TRAPPING DEVICE.
7. THE GUIDELINES SHOWN HEREON ARE SUGGESTIONS ONLY AND MAY BE MODIFIED BY THE ENGINEER.



GENERAL NOTES

1. THE LENGTH OF THE TYPE 3 CONSTRUCTION EXIT SHALL BE AS SHOWN ON THE PLANS, OR AS DIRECTED BY THE ENGINEER.
2. THE TYPE 3 CONSTRUCTION EXIT MAY BE CONSTRUCTED FROM OPEN GRADED CRUSHED STONE WITH A SIZE OF TWO TO FOUR INCHES SPREAD A MIN. OF 4" THICK TO THE LIMITS SHOWN ON THE PLANS.
3. THE TREATED TIMBER PLANKS SHALL BE #2 GRADE MIN., AND SHOULD BE FREE FROM LARGE AND LOOSE KNOTS.
4. THE GUIDELINES SHOWN HEREON ARE SUGGESTIONS ONLY AND MAY BE MODIFIED BY THE ENGINEER.



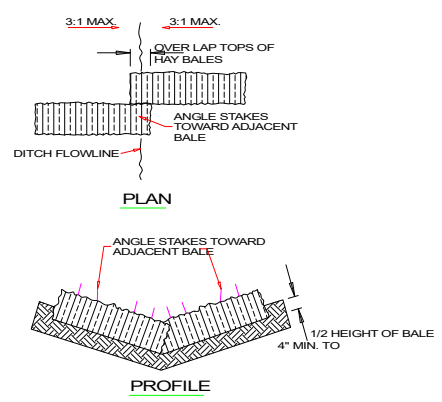
SEDIMENT CONTROL FENCE USAGE GUIDELINES

A SEDIMENT CONTROL FENCE MAY BE CONSTRUCTED NEAR THE DOWNSTREAM PERIMETER OF A DISTURBED AREA ALONG A CONTOUR TO INTERCEPT SEDIMENT FROM OVERLAND RUNOFF. A 2 YEAR STORM FREQUENCY MAY BE USED TO CALCULATE THE FLOW RATE TO BE FILTERED.

SEDIMENT CONTROL FENCE SHOULD BE SIZED TO FILTER A MAX. FLOW THROUGH RATE OF 100 GPM/FT². SEDIMENT CONTROL FENCE IS NOT RECOMMENDED TO CONTROL EROSION FROM A DRAINAGE AREA LARGER THAN 2 ACRES.

GENERAL NOTES

1. THE GUIDELINES SHOWN HEREON ARE SUGGESTIONS ONLY AND MAY BE MODIFIED BY THE ENGINEER.



BALED HAY USAGE GUIDELINES

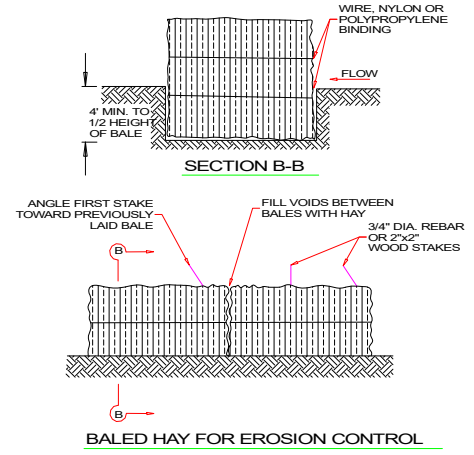
A BALED HAY INSTALLATION MAY BE CONSTRUCTED NEAR THE DOWNSTREAM PERIMETER OF A DISRUPTED AREA ALONG A CONTOUR TO INTERCEPT SEDIMENT FROM OVERLAND RUNOFF. A TWO YEAR STORM FREQUENCY MAY BE USED TO CALCULATE THE FLOW RATE TO BE FILTERED. THE INSTALLATION SHOULD BE SIZED TO FILTER A MAXIMUM FLOW THRU RATE OF 5 GPM/FT² OF GROSS SECTIONAL AREA. BALED HAY MAY BE USED AT THE FOLLOWING LOCATIONS.

1. WHERE THE RUNOFF APPROACHING THE BALED HAY FLOWS OVER DISTURBED SOIL FOR LESS THAN 100'. IF THE SLOPE OF THE DISTURBED SOIL EXCEEDS 10%, THE LENGTH OF SLOPE UPSTREAM THE BALED HAY SHOULD BE LESS THAN 50'.
2. WHERE THE INSTALLATION WILL BE REQUIRED FOR LESS THAN 3 MONTHS.
3. WHERE THE CONTRIBUTING DRAINAGE AREA IS LESS THAN 1/2 ACRE.

FOR BALED HAY INSTALLATIONS IN SMALL DITCHES, THE ADDITIONAL FOLLOWING CONSIDERATIONS APPLY:

1. THE DITCH SIDESLOPES SHOULD BE GRADED AS FLAT AS POSSIBLE TO MAXIMIZE THE DRAINAGE FLOWRATE THRU THE HAY.
2. THE DITCH SHOULD BE GRADED LARGE ENOUGH TO CONTAIN THE OVERTAPPING DRAINAGE WHEN SEDIMENT HAS FILLED TO THE TOP OF THE BALED HAY.

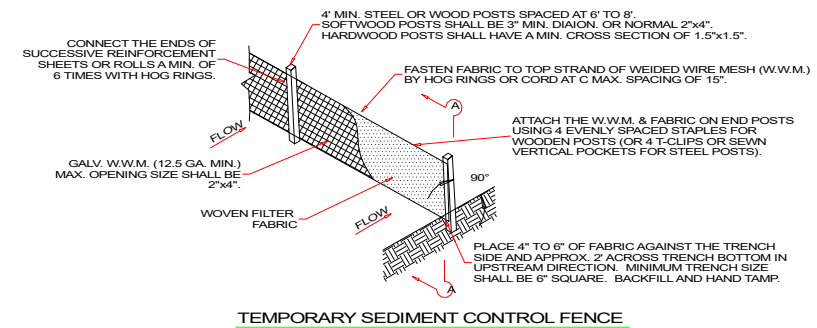
BALES SHOULD BE REPLACED USUALLY EVERY 2 MONTHS OR MORE OFTEN DURING WET WEATHER WHEN LOSS OF STRUCTURAL INTEGRITY IS ACCELERATED.



BALED HAY FOR EROSION CONTROL

GENERAL NOTES

1. HAY BALES SHALL BE A MINIMUM OF 30" IN LENGTH AND WEIGH A MINIMUM OF 50 LBS.
2. HAY BALES SHALL BE BOUND BY EITHER WIRE OR NYLON OR POLYPROPYLENE STRING. THE BALES SHALL BE COMPOSED ENTIRELY OF VEGETABLE MATTER.
3. HAY BALES SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 4" AND WHERE POSSIBLE 1/2 THE HEIGHT OF THE BALE.
4. HAY BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES. THE BALES SHALL BE PLACED WITH BINDINGS PARALLEL TO THE GROUND.
5. HAY BALES SHALL BE SECURELY ANCHORED IN PLACE WITH 3/8" DIA. REBAR OR 2"x2" WOOD STAKES, DRIVEN THROUGH THE BALES. THE FIRST STAKE SHALL BE ANGLED TOWARDS THE PREVIOUSLY LAID BALE TO FORCE THE BALES TOGETHER.
6. THE GUIDELINES SHOWN HEREON ARE SUGGESTIONS ONLY AND MAY BE MODIFIED BY THE ENGINEER.



GENERAL NOTES

1. THE CONTRACTOR IS RESPONSIBLE FOR COMPLETELY IDENTIFYING AND LOCATING ALL UTILITIES WITHIN THE PROJECT AREA, AND FOR PROTECTING, REPAIRING AND REPLACING SUCH LINES, CABLES, PIPES AND APPURTENANCES. THE UTILITIES SHOWN ON THIS DRAWING ARE APPROXIMATE AND MAY NOT REPRESENT THE EXACT LOCATION OR MATERIALS OF EXISTING FACILITIES. NOT ALL UTILITIES THAT EXIST MAY BE REPRESENTED ON THE DRAWING.
2. NOTIFY THE CITY ENGINEERING DEPT. (936-564-4693) FOR INSPECTION OF DRAINAGE IMPROVEMENTS PRIOR TO COVERING UNDERGROUND IMPROVEMENTS, BEFORE POURING BUILDING SLABS OR MAKING ANY UTILITY TAPS OR CURB CUTS.
3. THIS IS NOT A BOUNDARY SURVEY.
4. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING EROSION CONTROL (SILT FENCING) ON ALL DOWNHILL SLOPE AREAS OF THIS SITE.

DROP INLET PROTECTION FOR USE IN PAVED AREAS

BAGGED GRAVEL INLET FILTER

Sandbags filled with pea gravel can be used to construct a sediment barrier around curb and drain inlets. The sandbags should be filled with washed pea gravel and stacked to form a continuous barrier about 1 foot high around the inlets. The bags should be tightly abutted against each other to prevent runoff from flowing between the bags.

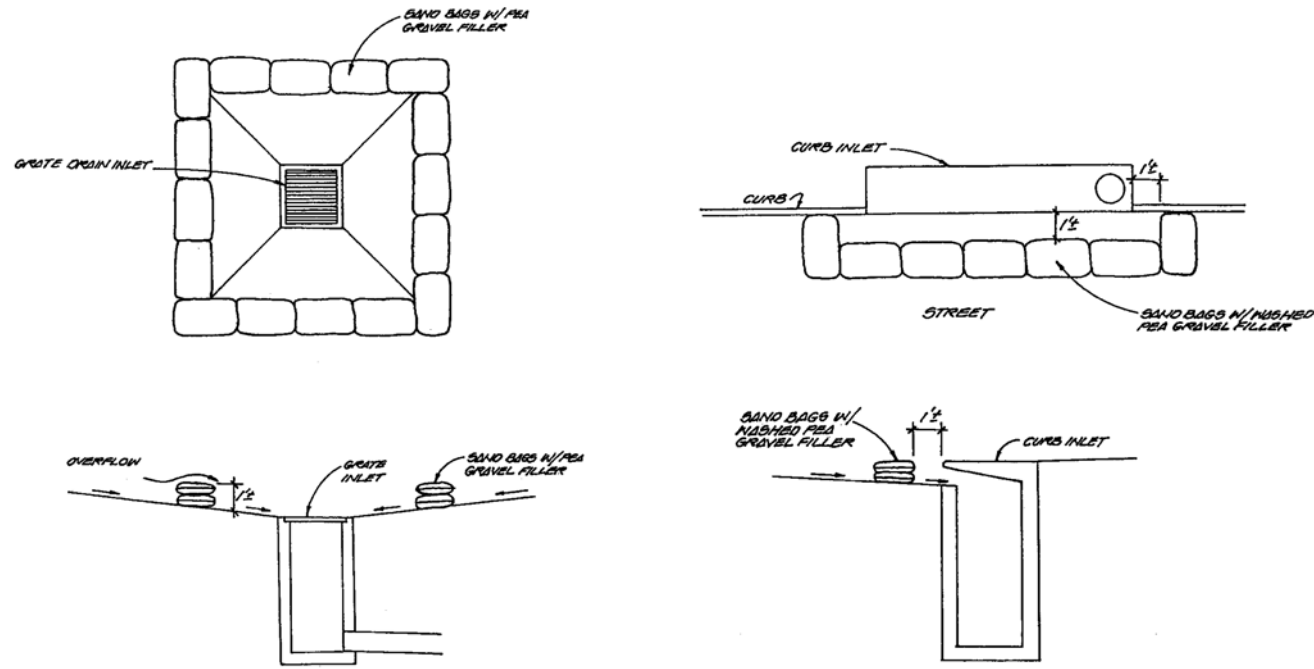


Diagram of Bagged Gravel Grate Inlet Protection (Pape-Dawson)

Diagram of Bagged Gravel Curb Inlet Protection (Pape-Dawson)

BAGGED GRAVEL INLET FILTER (ALTERNATE #1)

Inspection and Maintenance Guidelines

1. Inspection should be at the frequency specified in the Storm Water Pollution Prevention Plan. Repair or replacement should be made promptly as needed by the contractor.
2. Remove sediment when buildup reaches a depth of 3 inches. Removed sediment should be deposited in a suitable area and in such a manner that it will not erode.
3. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.

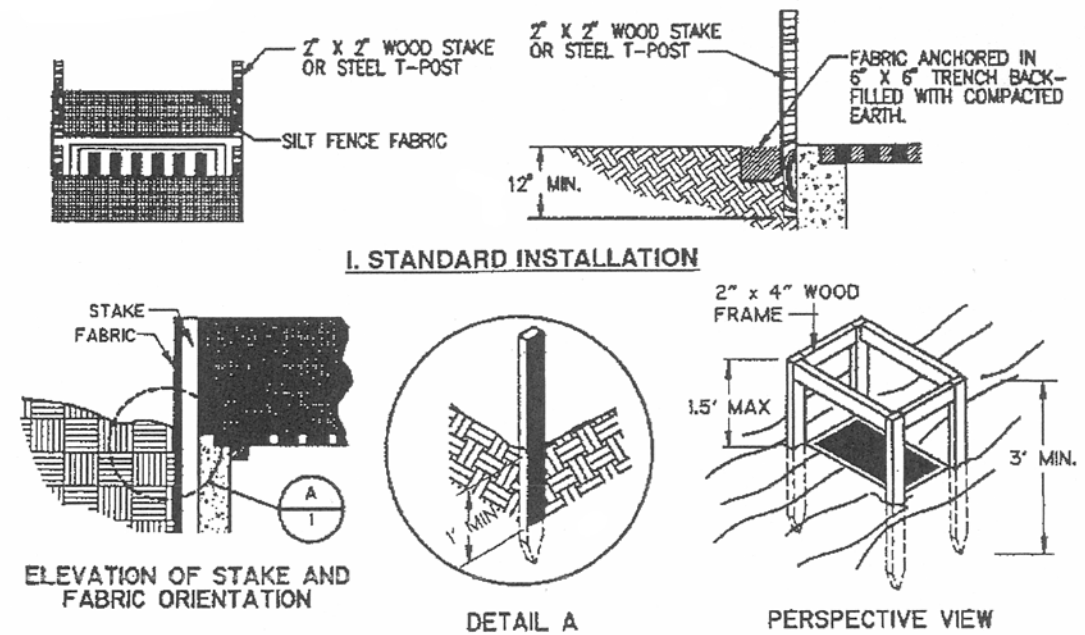
BAGGED GRAVEL INLET FILTER (ALTERNATE #2)

Inspection and Maintenance Guidelines

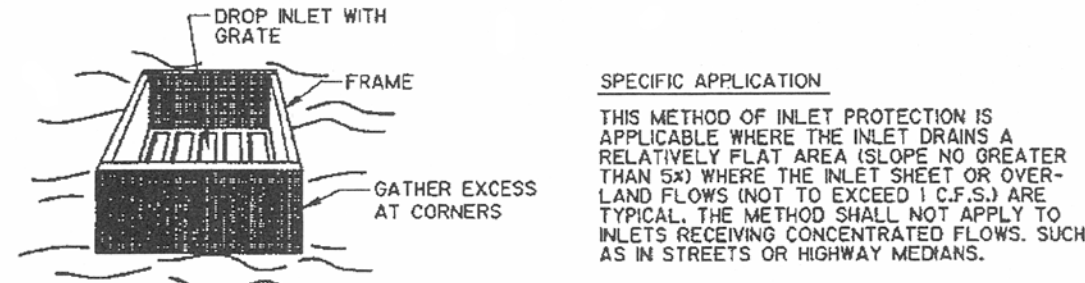
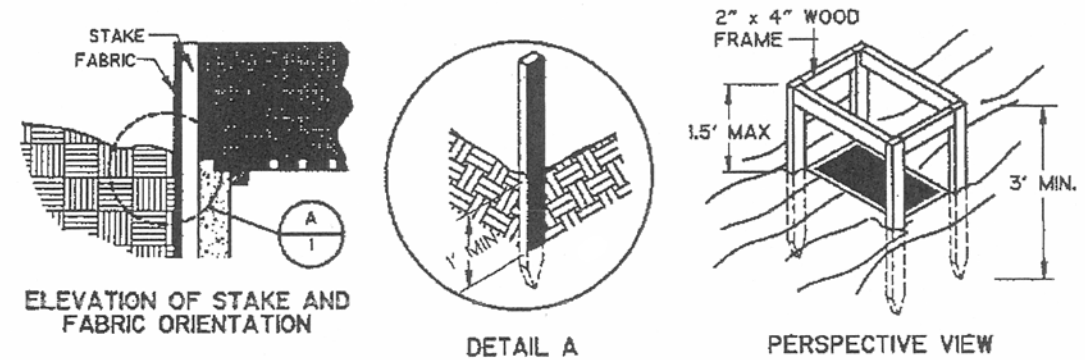
1. Inspection should be at the frequency specified in the Storm Water Pollution Prevention Plan. Repair or replacement should be made promptly as needed by the contractor.
2. Remove sediment when buildup reaches a depth of 3 inches. Removed sediment should be deposited in a suitable area and in such a manner that it will not erode.
3. Check placement of device to prevent gaps between device and curb.
4. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.

DROP INLET PROTECTION FOR USE IN UNPAVED AREAS

SILT FENCE DROP INLET PROTECTION



I. STANDARD INSTALLATION



II. ALTERNATE INSTALLATION

FILTER FABRIC PROTECTION

N.T.S.

Diagram of Filter Fabric Inlet Protection (NCTCOG, 1993)

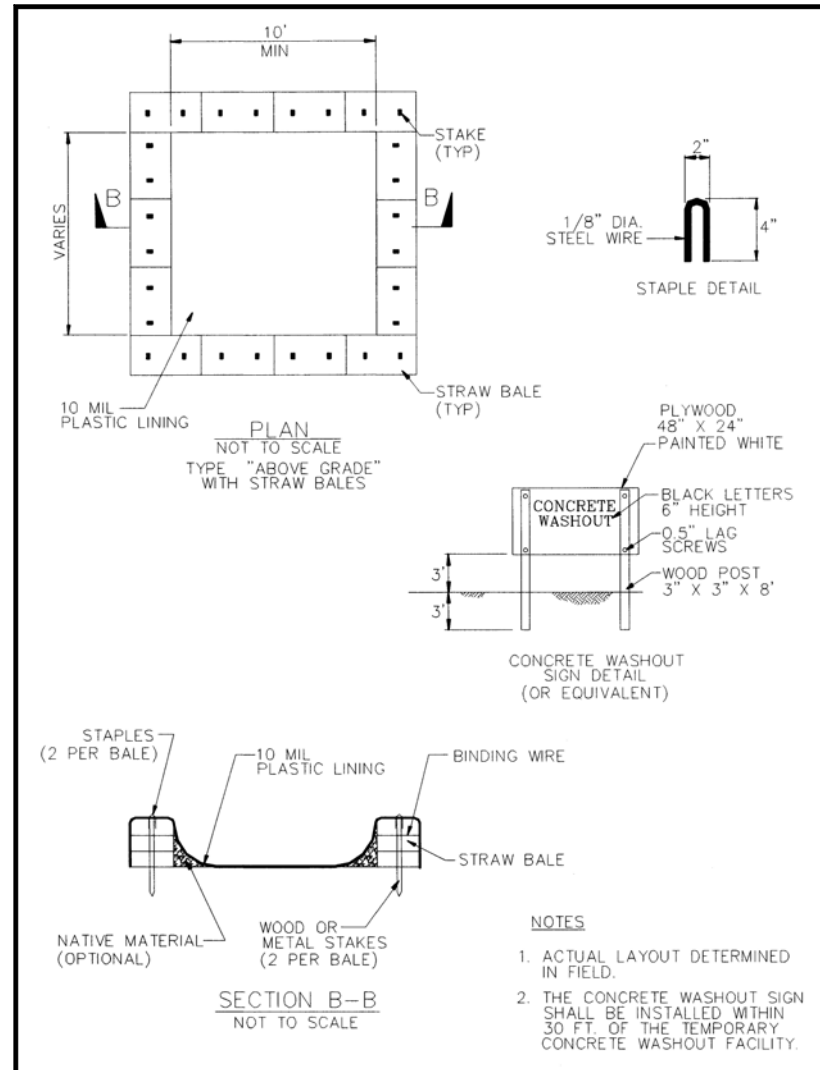
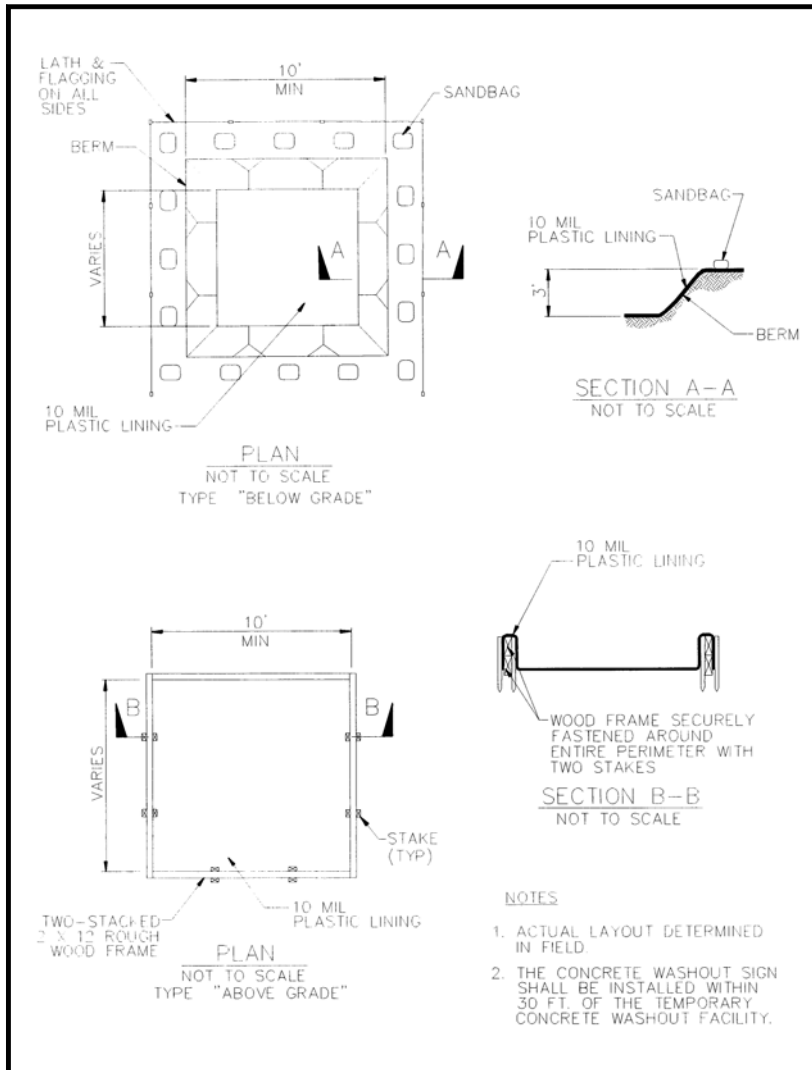
SILT FENCE DROP INLET PROTECTION

General Usage Guidelines

1. Silt fence should conform to the specifications listed for Sediment Control Fencing on Plate B-1.
2. The silt fence should be cut to fit from a continuous roll to avoid joints.
3. For stakes, use 2 x 4-inch wood or equivalent metal with a minimum length of 3 feet.
4. Space stakes evenly around the perimeter of the inlet a maximum of 3 feet apart, and securely drive them into the ground, approximately 18 inches deep.
5. To provide needed stability to the installation, a frame with 2 x 4-inch wood strips around the crest of the overflow area at a minimum of 1 1/2 feet above the drop inlet crest may be provided.
6. Place the bottom 12 inches of the fabric in a trench and backfill the trench with 12 inches of compacted soil.
7. Fasten fabric securely by staples or wire to the stakes and frame. Joints must be overlapped to the next stake.
8. It may be necessary to build a temporary dike on the down slope side of the structure to prevent bypass flow. If the drop inlet is above the finished grade, the grate may be completely covered with filter fabric (silt fence). The fabric should be securely attached to the entire perimeter of the inlet using 1 x 2-inch wood strips and appropriate fasteners.

* MODIFIED FROM NCTCOG, DIAGRAM OF FILTER FABRIC INLET PROTECTION, 1993





TAKEN FROM 2003 CALIFORNIA STORM WATER BMP HANDBOOK



ENVIRONMENTAL

312 Old Tyler Road
Nacogdoches, Texas 75964
(936) 568-9451 Fax: (936) 568-9527

Plate B-3 Typical Design Details for Temporary Concrete Washout Facilities

Appendix C

Record of Construction Schedule Activities

Record of Disturbance/Stabilization Activities
(To be completed by the Operator during construction)

Description and Location of: Major Disturbance Activity or Erosion, Sediment, Stabilization Control Implemented	Date Activity/Control Initiated	Date Activity/Control Ceased

Record of Disturbance/Stabilization Activities
(continued)

Description and Location of: Major Disturbance Activity or Erosion, Sediment, Stabilization Control Implemented	Date Activity/Control Initiated	Date Activity/Control Ceased

Appendix D

Inspection Forms for Stormwater Controls

Stormwater Construction Site Inspection Report

General Information			
Project Name	Old Tyler Road Sand Pit Construction Project		
Location	Old Tyler Road Nacogdoches, TX		
Date of Inspection		Time	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			
Describe present phase of construction			
Type of Inspection:			
<input type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, provide:			
Storm Start Date & Time:	Storm Duration (hrs):	Approximate Amount of Precipitation (in):	
Weather at time of this inspection?			
<input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds <input type="checkbox"/> Other: _____ Temperature: _____			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, describe:			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, describe:			

Inspection of BMPs

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
1	Entrance/Exit	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
2	Sediment Control Fence	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Inlet Protection	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
4	Swales	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Rock Check Dams	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Soil Stabilization	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	Retaining Walls	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Rock Rubble and Rip Rap at Discharge Outlets	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
12		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
13		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
14		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Overall Site Issues

	BMP/Good Housekeeping activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP/Good Housekeeping activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
4	Are discharge points and receiving waters free of any sediment deposits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
5	Are storm drain inlets properly protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
6	Is the construction exit preventing sediment from being tracked into the street?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
7	Is trash/litter from work areas collected and placed in covered dumpsters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
10	Are materials that are potential stormwater contaminants stored inside or under cover?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	
11	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

	BMP/Good Housekeeping activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
12	(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

Print name and title: _____

Signature: _____ **Date:** _____

QUALIFICATIONS OF THE INSPECTOR(S)

Inspectors must be knowledgeable of the following items:

- 1) Knowledgeable of the facility's SWP3,
- 2) Knowledgeable of the TPDES Permit (Appendix E), and
- 3) Knowledgeable of construction methods, erosion controls, BMPs and pollution prevention control measures developed for this site.

Inspector's Name:

Inspector's Name:

Inspector's Name:

Appendix E

Texas Pollutant Discharge Elimination System (TPDES)

General Permit No. TXR150000

Appendix F
Miscellaneous Documents



SMALL CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Stormwater Program
TPDES GENERAL PERMIT TXR150000

The following information is posted in compliance with **Part II.E.2.** of the TCEQ General Permit Number TXR150000 for discharges of stormwater runoff from small construction sites. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:

http://www.tceq.state.tx.us/nav/permits/wq_construction.html

Operator Name:	AMDI, Inc.
Contact Name and Phone Number:	Aaron Montes 936-553-4029
Project Description: <i>Physical address or description of the site's location, estimated start date and projected end date, or date that disturbed soils will be stabilized</i>	Located along Old Tyler Road Nacogdoches, TX 75964 October 2024 to October 2025
Location of Stormwater Pollution Prevention Plan:	AMDI, Inc. 9778 US Highway 59 N, Nacogdoches TX

For Small Construction Activities Authorized Under Part II.E.2. (Obtaining Authorization to Discharge) the following certification must be completed:

I Aaron Montes (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A stormwater pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title _____ Date _____

_____ Date Notice Removed

_____ MS4 operator notified per Part II.F.3.

REQUIRED ACTIVITIES TO PERFORM

- 1) Post Construction Site Notice (Appendix F) by main entrance/exit to be visible by the public. The site notice must be maintained for the duration of the construction and final stabilization.
- 2) Record and date major disturbance activities on the Record of Disturbance /Stabilization Activities form (Appendix C).
- 3) Pen and ink changes can be made to any part of the SWP3 as long as no TPDES Permit requirements are deleted or omitted.
- 4) Identify the location of every concrete washout facility on the Sediment and Erosion Control site map (Appendix A, Plate A-3) by marking its location and labeling it.
- 5) Complete the Qualifications of the Inspector(s) sheet for each person performing the site inspections (Appendix D).
- 6) Perform site inspections as per Section 5.2 of the SWP3 for the duration of soil disturbing construction activities. Record and date these inspections on the Stormwater Construction Site Inspection Forms (Appendix D).

SUP2024-07 Site Photos

View of subject property from Powers St.





View inside of the subject property from OTR.





PRESENTER: Juan Pollette, Interim City Planner

ITEM/SUBJECT: Public Hearing: Discuss and consider action regarding Zoning Case ZON2024-05 to amend the current zoning of R-1 Single-Family to R-2 Single-Family on two parcels of land approximately 3.1 acres ± in size, more particularly described by Nacogdoches Central Appraisal District Parcels 31635 and 85292; and generally located north of the intersection of Tanglewood Circle and Tangleberry Street, Nacogdoches, Texas.

OVERVIEW: The request is for a zone change from R-1, Single Family to R-2, Single Family for two (2) lots totaling approximately 3.1 acres located on the north side of the Tanglewood Circle and the Tangleberry Street intersection. The R-2, Single Family District creates a residential district that is intended to provide for slightly higher density residential areas. Lots in the R-2 district must be 6,000 square feet or larger. The applicant owns the subject properties and intends to subdivide the two lots into four.

Applicant / Agent

Brent Beal (property owner)

Adjacent Land Use & Zoning

The subject property is zoned R-1 Single Family and is currently undeveloped. The surrounding zoning and land uses are as follows:

Direction	Comprehensive Plan	Zoning	Land Use
North (Across Park St.)	Commercial	R-1, Single-Family	Undeveloped
South (Across Tanglewood)	Single-Family Residential & Multi-Family Residential	R-1, Single-Family & Planned Development	Single-Family
East	Single-Family Residential	R-1, Single-Family	Single-Family
West	Single-Family Residential	R-1, Single-Family	Undeveloped

The area is primarily zoned R-1 and developed with single-family residences, with the exception of a multi-family development to the south and commercial to the west fronting University Drive.

STAFF REVIEW:

Compatibility: The specific use will be compatible with and not injurious to the use and

enjoyment of other property in the immediate vicinity, nor significantly diminish or impair property values within the immediate vicinity;

The area is zoned and developed primarily with single family detached residences and multi-family apartments to the south, and in staff's opinion the slightly smaller minimum lot requirements for the R-2 zoning district would not significantly impact the overall density or character of the neighborhood.

Orderly Growth and Development: The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;

The surrounding properties are mostly developed with the exception of a few vacant lots east of subject property. The rezoning would not impede the orderly growth of adjacent properties.

Supporting Facilities: Adequate utilities, access roads, drainage and other necessary supporting facilities have been or will be provided;

The subject properties take direct access from Tanglewood Street which is a two laned local road with a ROW of approximately 40 feet. The properties have access to public utilities, with 6-inch water and sewer mains located along Tanglewood Circle.

Drives and Parking: The design, location and arrangement of all driveways and parking spaces provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments;

Future development will meet all current driveway and parking requirements.

Nuisances: Adequate nuisance-prevention measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration;

Future development will comply with City regulations regarding the prevention of offensive odor, fumes, dust, noise, and vibrations.

Lighting: Any lighting to be provided will be directional so as not to disturb or adversely affect neighboring properties;

If the zone change request is approved, any new outdoor lighting would be subject to the City's current standards, which require light fixtures to utilize a down lighting design and prohibit fixtures that directly project light in all directions.

Landscaping: Sufficient landscaping and screening to ensure harmony and compatibility with adjacent property exists or will be provided;

Single-family construction is not subject to commercial district landscaping requirements.

Comprehensive Plan: The proposed use is in accordance with the comprehensive plan.

Future Land Use

Per the 2003 Nacogdoches Comprehensive Plan, the Future Land Use Plan (FLUP) Map designates the subject property as *Single Family Residential*. This FLUP category is described as, "Conventional one-family detached dwellings (also includes duplexes)."

Thoroughfare Plan

Tanglewood Circle is a paved asphalt local street that serves as direct access for the residential uses in the area. This two laned roadway is adequate to accommodate the nature and volume of traffic typically generated by the proposed use.

Land Use Policies, Goals & Objectives

This rezoning is a response to current needs for residential growth and therefore fits into the goals of the Comprehensive Plan; specifically, the goal to encourage *Growth Inward* – Long-term growth in appropriate areas to achieve an efficient, diverse and balanced pattern of land

uses both within the City and urbanizing portions of its extraterritorial jurisdiction. Some of the targeted objectives include:

- Encourage infill development where appropriate (utilities, compatibility, etc.).
- Plan for mixing and/or separation of land use types based on desired, location, density and pattern of development.
- Promote growth where adequate infrastructure exists.

This request also furthers the Land Use Policies of the 2003 Comprehensive Plan, specifically:

- Compatibility with existing uses should be maintained. Well-planned, mixed uses which are compatible are to be encouraged.
- Schools, parks, and community facilities should be located close to or within residential neighborhoods.

Staff finds that the request is in compliance with the FLUP and the stated Goals and Objectives of the 2003 Comprehensive Plan.

PUBLIC ENGAGEMENT :

- November 27, 2024 – Staff mailed twenty-one (21) neighborhood meeting notice postcards to property owners within 500 feet of the subject property.
- December 11, 2024 – Staff coordinated a neighborhood meeting at City Hall on behalf of the applicant to receive input from surrounding property owners. Seven (7) neighboring residents attended the meeting with concerns that the increased density of the lot size will create rental or smaller housing causing property values and safety in the area to diminish.
- December 19, 2024 – Staff mailed nine (9) public meeting notice letters to property owners within 200 feet and twelve (12) notice postcards to property owners within 200-500 feet. Staff has received one letter in opposition to the request from a neighboring resident within the 200-500 foot notification area with concerns about the increased density, property values, and the safety of the area (see attached letter).
- December 29, 2024 – Legal ad published in the Daily Sentinel newspaper.

NOTE – This application is subject to additional notification procedures, including signage posted on the subject property, as well as notices on the City website and social media pages.

This item is scheduled to be heard by the City Council on Tuesday, January 21, 2025.

CITY CONTACT: Juan Pollette
Interim City Planner
(936)559-2571
pollettej@nactx.us

ATTACHMENTS: 1. Aerial Map

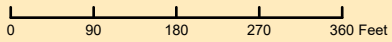
2. Zoning Map
3. Future Land Use Map
4. Notification Map
5. P&Z Exhibit
6. Site Photos
7. Response Letters

ZON2024-05 Aerial Map



Legend

- Streets
- Buildings
- City Limit
- Parcels
- Area of Interest



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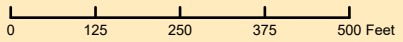
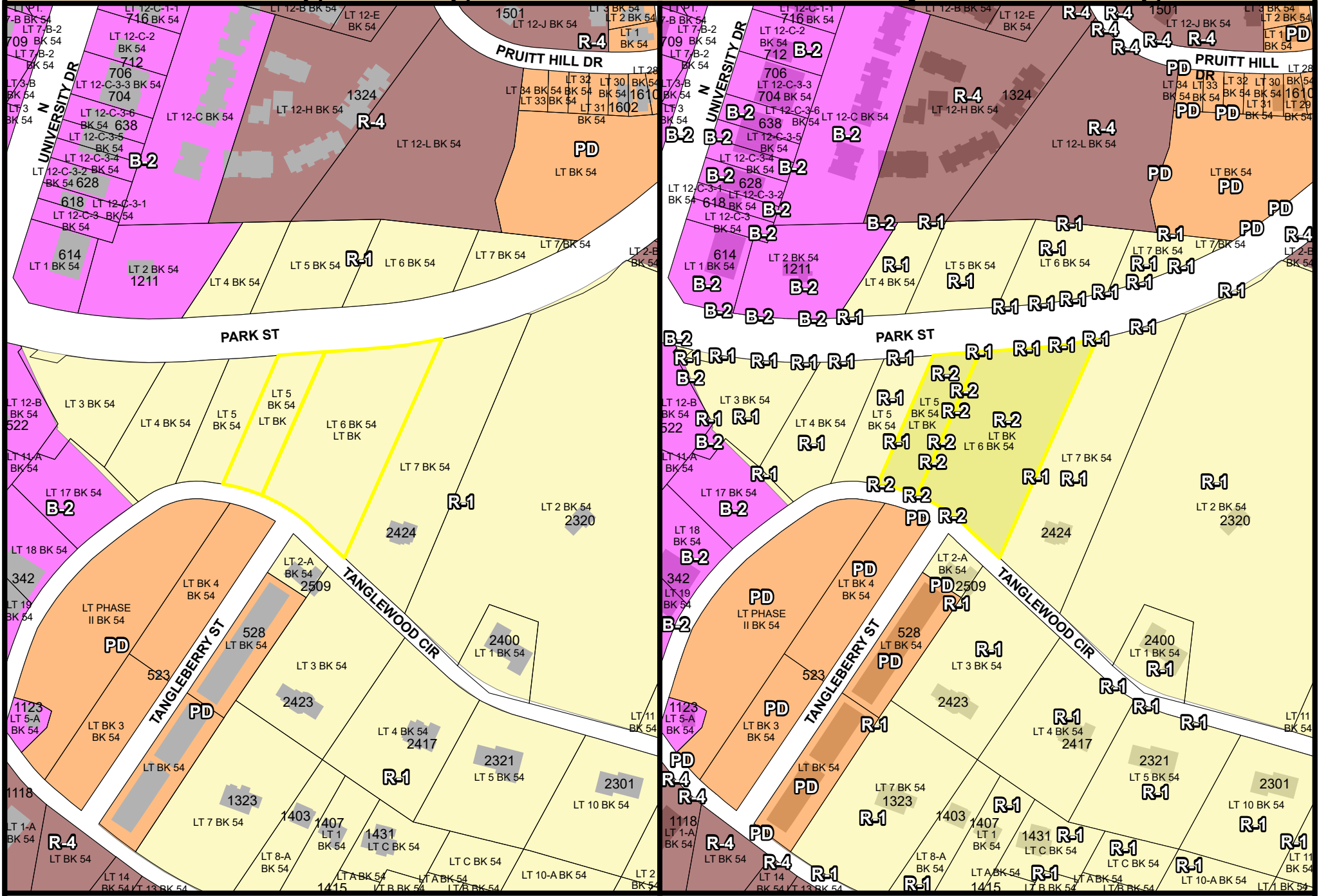
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



Existing Zoning

ZON2024-05

Proposed Zoning

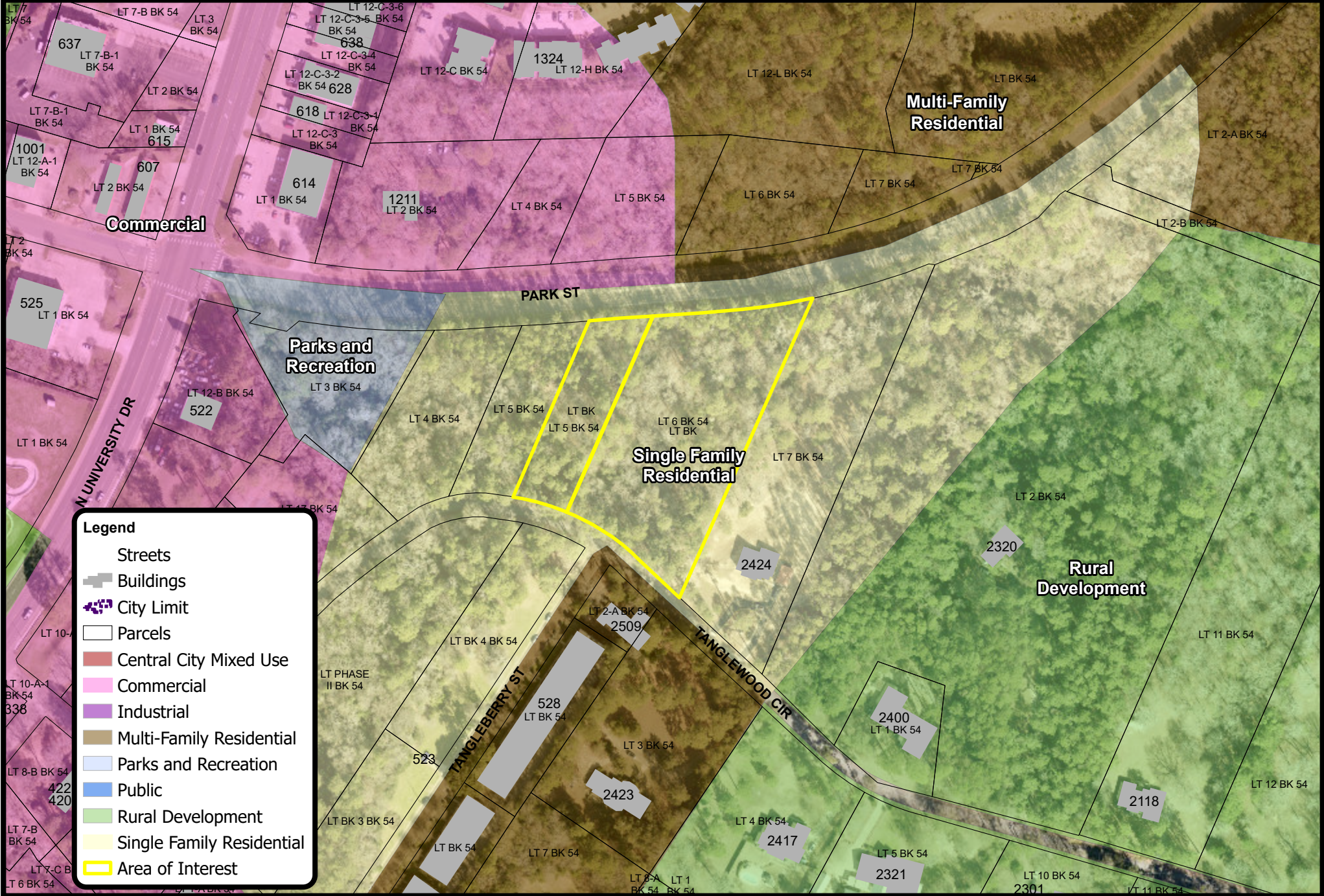


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ZON2024-05 Future Land Use Map



Legend

- Streets
- Buildings
- City Limit
- Parcels
- Central City Mixed Use
- Commercial
- Industrial
- Multi-Family Residential
- Parks and Recreation
- Public
- Rural Development
- Single Family Residential
- Area of Interest

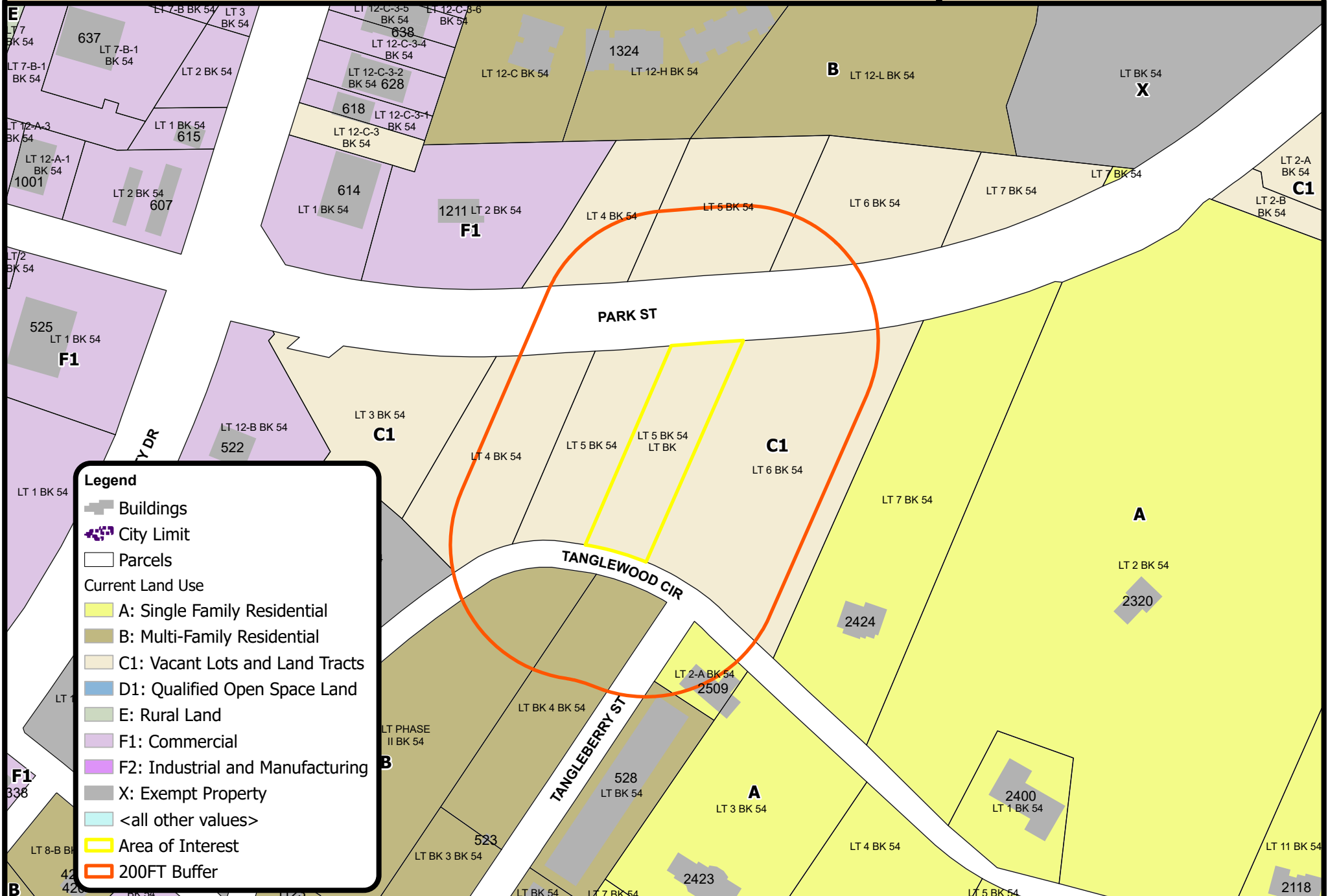


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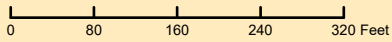
Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

ZON2024-05 Notification Map



Legend

- Buildings
- City Limit
- Parcels
- Current Land Use
 - A: Single Family Residential
 - B: Multi-Family Residential
 - C1: Vacant Lots and Land Tracts
 - D1: Qualified Open Space Land
 - E: Rural Land
 - F1: Commercial
 - F2: Industrial and Manufacturing
 - X: Exempt Property
 - <all other values>
- Area of Interest
- 200FT Buffer



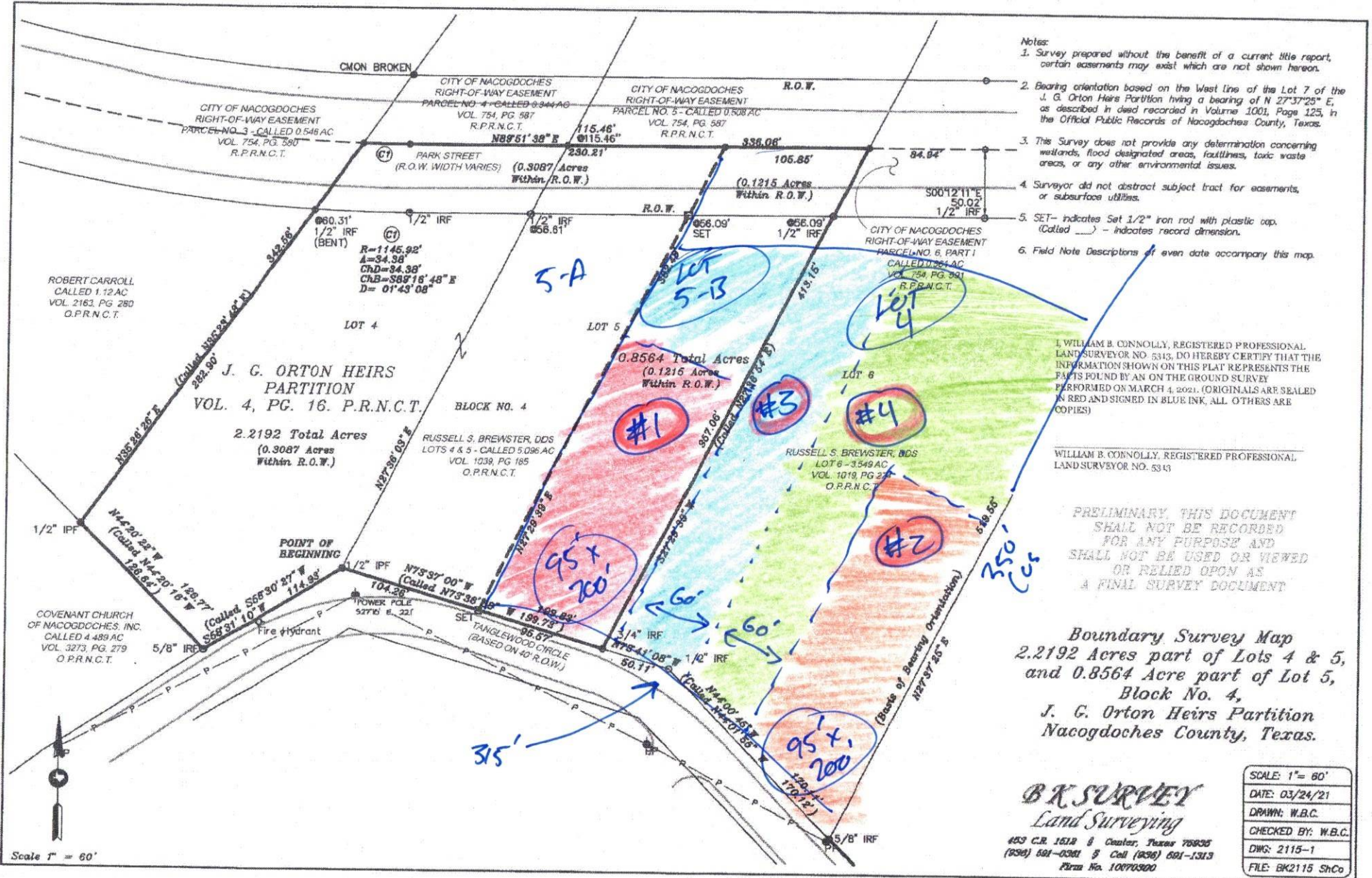
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11/26/2024 → Rough Proposed Lots

* TANGLEWOOD *



Site Photos: ZON2024-05

View of subject property
from Tanglewood





View of adjacent SFR's
along Tanglewood



Planning & Zoning Commission

To: City of Nacogdoches Planning & Zoning Commission

From: Doug Cox

Date: January 13, 2025

Subject: Case File ZON2024-05

Summary

- This request for a zoning change is in support of the owners' plan to parcel 3 acres into 4 small lots and sell the 2 lots adjacent to the street, creating another high density area in an otherwise beautiful but endangered residential area of Nacogdoches
- These houses are likely to be mid to short-term rental based on their eventual lot and house size, causing ongoing concerns for property values and safety in the area
- Making an exception for zoning on these properties will not only lead to immediate impacts in this specific location, but will also create a precedent for further density changes in the area
- For these reasons, I strongly oppose the request

My family will be unable to attend the January 13, 2025 meeting in person, so we are writing to express our concerns and our strong opposition to this request for a zoning change.

I attended the public neighborhood meeting on December 11, 2024. At that meeting I learned that Mr. Beal and his associate Mr. Pruitt own adjacent properties, and are planning to parcel their adjoining properties into 4 small lots, build on 2 of them, and sell the 2 next to the street. While they bought these properties under their current "R-1, Single Family" zoning, they now expect the community to support their high-density construction plans by changing the zoning of these lots. There is no benefit to the community from either their plan to parcel 4 lots in such a small (and otherwise scenic) location, nor to the rezoning of any of the properties in support of that plan.

As an important note, Mr. Beal and his associate Mr. Pruitt were very rude to the attendees of the December 11th meeting, and at one point told multiple neighbors, concerned about his plans to divide the area into smaller lots, that "*It's happening, and if you don't like it you should move*". I understand that both of these gentlemen are employed by SFA and UT Tyler, and that Mr. Beal has even run for office locally. I'm also aware that Mr. Beal is already involved in more than one property rental venture, with clearly stated goals to exploit Nacogdoches properties through high-density construction (ETX Park Fund II LLC¹, for instance). Their arrogant attitudes and destructive plans appear to be shameful exploitation of their relationship with the Nacogdoches community.

¹ <https://www.sec.gov/Archives/edgar/data/1966191/000196619123000006/partiandiii.htm>

My opposition to the request is not arbitrary. I bought my house at 1323 Tanglewood Cir about 2 years ago with the aim of retiring as an SFA alumnus in this quaint, wooded, safe, and lower-density part of Nacogdoches. It's close to beautiful downtown Nac and so many nearby amenities. Until Mr. Beal's request to rezone his property, most of my experience with neighbors has been delightful. The only concern my wife and I have has been about some of the higher-density, mostly-rental properties that already border ours on the other side on Tanglewood Cir. I've attached some pictures of the kinds of issues that we face with these properties. Note that this many cars/trucks and that many people (and their garbage) are on a safer, straight portion of the road. This same high-density where Mr. Beal plans to put it (on a sharp, narrow curve in Tanglewood) will be even more unsafe. His plans only make the area less desirable, lower property values, and decrease safety. His zoning request does not solve any of those problems.

We understand that as neighbors, we can't prevent Mr. Beal and Mr. Pruitt from developing their properties in a way that pushes the limits of the density allowed under "R-1, Single Family" zoning. However, we are not willing to grant them, or anyone else, an exception to the existing zoning of the properties in this area. We are all subject to these rules, they are there for a reason, and there is no acceptable reason why Mr. Beal and Mr. Pruitt should have an exception. Doing so not only supports their destructive plans, it sets a precedent that other property owners can cite if they plan to do the same in the future.

Therefore, I strongly oppose this request.

Sincerely,

Doug Cox

*1323 Tanglewood Cir
Nacogdoches, TX 75961*



Photos:

An example of how many vehicles are parked along Tanglewood Cir in front of these high-density properties. Each renter owns a vehicle, and there is insufficient parking on the lots themselves, so the street becomes the overflow parking lot. Back-to-back parked vehicles in front of the properties is common.



An example of how much trash is generated in a single week at a single rental residence. This is common each week on these properties due to the number of renters living in each house.



January 8, 2025

Nacogdoches Planning & Zoning Commission and City Council
202 East Pilar Street
Nacogdoches, Texas 75961

SUBJECT: Opposition to Rezoning Request for Parcels 31635 and 85292, Case File ZON2024-05

Dear Planning & Zoning Commission and City Council,

We are writing to express our strong opposition to ZON2024-05, the proposed rezoning of two parcels on the north side of Tanglewood Circle and Tangleberry Street intersection. While the residents of the neighborhood understand the current owners' intention to build on parcels 31635 and 85292, we are opposed to the request to change the zone from R-1 to R-2. The adjustment could potentially depreciate property value for existing homes in the R-1 zone and dramatically change the character of the area. Also, rezoning may create traffic as well as safety issues within our neighborhood.

The presence of R-2 zoned properties could be viewed as negative and possibly lower property values for nearby R-1 zoned homes. During the initial meeting Mr. Beal stated that the front portion of both parcels may be sold (approximately one-fourth or one-half acre) which means homes that will be considerably smaller as well as cheaper than the ones near the lots. Another concern with the development of smaller homes is quality and Mr. Beal stated in the initial meeting that he was not concerned with the type of homes built upon selling sections of the properties. Currently, homes near the proposed rezoning parcels possess the aesthetics of larger homes, spacious lots, and visual cohesiveness. A lack of concern for the types of home built can significantly alter the existing character of our neighborhood. Also, consideration should be given to the possibility that if the current owners (Mr. Beal, Amanda and John Pruitt) forgo building their homes on the land and build several small homes, their decision will definitely impact the character of the area.

Approval of the rezoning could pose traffic as well as safety issues. A zone change will increase traffic due to the introduction of denser housing in the neighborhood. A significant concern is that the properties are located closely to an area where visibility is significantly limited. Within the two years we have lived here there have been at least a dozen times that we were almost in a collision due to another driver's excessive speed and/or them entering the area on the wrong side of the road which places them in the direct path of our vehicle. Development of additional homes near the blind spot location may increase the chances of an accident occurring. Consideration should be given to the possibility that if the current owners decide not to build (total of two homes) and if the R-2 zoning is approved then a substantial number of smaller homes could be built closer to the street versus fewer homes that will be located further back on larger lots in a R-1 zone.

My husband served 25 years, and I served 22 years in the Air Force. We made a commitment to defend our country as well as ensure the safety of every citizen. Our dedication to protect others is embedded within us and it did not end upon retirement. We researched for three years on a safe place to spend our retirement and raise our children. Our decision to move to Nacogdoches from New Braunfels was based on the character of our current neighborhood. The selling point of moving to the area was the owner's (Mr. Brewster) concern to maintain the existing attributes by meeting with us before closing to ensure our plans were to preserve the safety of the community. Our concern with rezoning originates with

Mr. Beal's statement during the initial meeting that he did not care who purchased the properties which was a clear indication that there is little interest in keeping our neighborhood safe. Also, it was noted that the owners' plans are to build at the rear of the properties with their homes facing towards Park Street which presents the idea that there is little or no regard for their own safety as well as the type of individuals living at the entrance of the property. However, when residents of the neighborhood identified this concern, we were informed that if we want to prevent possible safety incidents then we should purchase the properties. This is an indication that maybe the owners' intent is not to build but to possibly make a profit.

Through research and confirmation from the previous owners of the properties (Joseph and Preslie Gerland) that both parcels were originally purchased by the Pruitts for \$57,400 but the current appraisal value is \$18,730. While we understand that their intentions may be to recover a significant loss in purchasing the land, we cannot make sense of why they would choose to overprice the land to someone else. Initially, my husband and I had the intention of buying all three lots but quickly changed our minds when we walked the areas and realized that the two properties for rezoning have significant flooding upon the occurrence of heavy rains (photos and videos are available). After speaking with our builder, we were informed of the hefty cost to bring in dirt to level the properties. At the meeting on December 11th, we offered to buy a half-acre of the property next to our land and were informed by Mr. Beal that we could for \$25,000. We countered by informing him that the entire 3.14+ acres are only worth \$18,730 and he offered to work a deal or provide a discount.

We want the Planning & Zoning Commission as well as the City Council to know we are not opposed to the owners building on Parcels 31635 and 85292. Our desire is to express if this is their true intention then it should not be a problem to build within the current R-1 zoning. This will in turn maintain the character of our neighborhood, prevent depreciating property values of existing homes, omit increased traffic flow as well as lower any safety issues we may have. Thank you in advance for consideration of our concerns in regard to this matter.

Sincerely,


Curtis and Rebecca Murdock

Contact Information:
Curtis & Rebecca Murdock
2424 Tanglewood Circle
Nacogdoches, Texas 75961

Email: [REDACTED]