

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

To: Zoning Commission Members

From: Scott R. Halty, Director, Resource Protection & Compliance Department,
San Antonio Water System

Copies To: Andrew Wiatrek, Manager, Edwards Aquifer and Watershed Protection Division, Michael Barr, Supervisor, Aquifer Protection and Evaluation Section, Michael A. Escalante, Environmental Protection Specialist III

Subject: Zoning Case Z2024-10700119 (Bulverde Rd. MF-33)

Date: September 24, 2024

SUMMARY

A request for a change in zoning has been made for an approximate 15.266-acre tract located on the city's north side. A change in zoning from “C-2 MLOD-1 MNA ERZD GC-3” to “MF-33 MLOD-1 MNA ERZD GC-3” is being requested by the applicant, Japhet Holdings, Ltd, and represented by Patrick W. Christensen, Attorney at Law. The change in zoning has been requested to allow for a multi-family development. The property is currently classified as a Category 2.

Based on the site evaluation of the property, and the information submitted by the applicant, SAWS staff recommends **approval** of the proposed land use. Should the City Council rezone the property that is the subject of this report, the San Antonio Water System recommends that any development on that property after the zoning classification has been changed should be restricted as stated in the environmental recommendations section of this report.

LOCATION

The subject property is in City Council District 9, approximately 560-feet east of Bulverde Rd. and US Hwy. 281 North intersection. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from “C-2 MLOD-1 MNA ERZD GC-3” to “MF-33 MLOD-1 MNA ERZD GC-3” and will allow for a multi-family development on 15.266-acre tract. Currently, the site is undeveloped with native trees. The proposed project will consist of seven apartment building units with associated parking areas.

2. Surrounding Land Uses:

Undeveloped commercial property bounds north and west of the site. Trinity Park Rd. and Trinity Oaks subdivision lies towards the east. Bulverde Rd. borders along the southern boundary.

3. Water Pollution Abatement Plan:

As of the date of this report, a WPAP has not been submitted to the Texas Commission on Environmental Quality (TCEQ). A WPAP will be required to be submitted to and approved by the TCEQ prior to commencement of construction.

4. Geologic Conditions:

The San Antonio Water Systems Aquifer Protection Section conducted a site evaluation to assess the geological conditions and to determine if environmental concerns are present. Mr. Justin Turknett, a Professional Geoscientist (P.G.) and a San Antonio Water System geologist, performed a site visit on May 23 and 24, 2024.

The site is “triangular” shaped and approximately 15.266 acres. The site is bounded by Bulverde Road to the south, Trinity Park Road to the east, and undeveloped land to the north. The site is undeveloped with thick vegetation. Along the southern boundary of the site, Elm Waterhole Creek runs parallel with Bulverde Road. Limestone bedrock is present with little to no soil cover throughout the site. The site gently slopes to the south.

According to the Federal Emergency Management Agency (FEMA) Flood Map 48029C0130G dated September 29, 2010, and Letter of Map Revision (LOMR) 17-06-3197P effective February 9, 2018, the site is not mapped within the 100-year floodplain.

According to the United States Geological Survey (USGS) Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers Within Northern Bexar and Comal Counties, Texas, the site is mapped on the Dolomitic Member of the Kainer Formation associated with the Edwards Group.

The Dolomitic Member is approximately 110 to 130 feet thick. The lithology consists of mudstone to grainstone, crystalline limestone, chert. The Dolomitic Member is characterized by massively bedded light gray and abundant *Tuocasia* fossils. The cavern development is related to structure or bedding planes typically lateral. The dolomitic member is generally porous and relatively permeable.

During the site evaluation, a Geological Assessment dated January 26, 2024, was reviewed. The Geological Assessment identified seven features. Three of the identified features were documented as sensitive.

The non-sensitive features consist of two small solution enlarge fractures approximately 6 to 7 feet long by 1 foot wide by 2 feet in depth, one solution cavity approximately 3 feet long by 2 feet wide by 1 foot in depth, and one fractured outcrop approximately 90 feet long by 50 feet wide.

The three sensitive features are discussed below:

- A zone of solution cavities and sinkholes were documented on the northeast corner of the site. The zone consists of four sinkholes with solutions cavities. The sinkholes are approximately 5 to 7 feet in diameter and approximately 3 feet in depth.
- A cave was documented in the central portion of the property. The mouth of the cave is approximately 10 feet long by 4 feet wide by 10 feet in depth. The cave width is approximately 2 to 3 feet in diameter. At the base of the cave, there is a void on the northern side that measures horizontally approximately 6 feet.
- A solution enlarge fracture is present in the central portion of the site. The solution enlarged fracture is approximately 6 feet long by 2 feet wide by 5 feet in depth. The majority of the fracture is filled in with clay.

During the site visits on May 23 and 24, 2024, a San Antonio Water Systems Geologist observed the seven features noted in the Geological Assessment. The San Antonio Water Systems geologist concurred with the Geological Assessment and appropriate buffers are required around the sensitive features in accordance with Ordinance No. 81491 Section 34-920.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. A zone of solution cavities and sinkholes located near the northeast corner of the site, has the potential for contamination of the Edwards Aquifer.
2. A cave located near the central portion of the site, has the potential for contamination of the Edwards Aquifer.
3. A solution enlarge fracture near the central portion of the site, has the potential for contamination of the Edwards Aquifer.

General Concerns

1. The improper use of pesticides, herbicides, or fertilizers needed for landscape maintenance that may be carried off in the first flush of stormwater run-off.
2. The build-up of hydrocarbons and other pollutants on streets, parking lots and other paved areas that are then carried off in the first flush of stormwater run-off.

ENVIRONMENTAL RECOMMENDATIONS

The following recommendations address the environmental concerns raised by the construction of this development on the Edwards Aquifer Recharge Zone:

Site Specific Recommendations

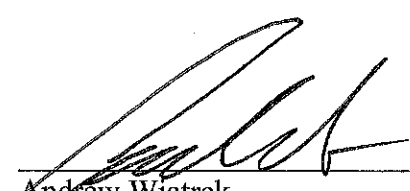
1. The impervious cover shall not exceed 50% on the overall 15.266-acre site.
2. A natural buffer shall be provided as required in Ordinance No. 81491, Section 34-920, for the following preserved sensitive geologic features: zone of solution cavities and sinkholes; cave; solution enlarge fracture. A buffer area will be placed surrounding the sensitive geologic feature and shall be maintained in a natural condition. The width of the buffer area shall be based on the outer perimeter of the feature, extending outward from 60 feet to 100 feet. The buffer area perimeter will require fencing to prevent access to the feature openings.
3. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
4. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
6. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.

General Recommendations

1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Resource Protection Division of the San Antonio Water System.
2. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan shall be submitted for the development within the area being considered for re-zoning,
 - B. A set of site-specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The Resource Protection & Compliance Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

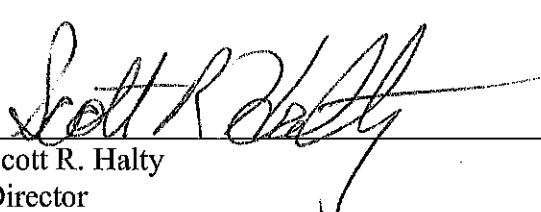
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

APPROVED:



Andrew Wiatrek
Manager

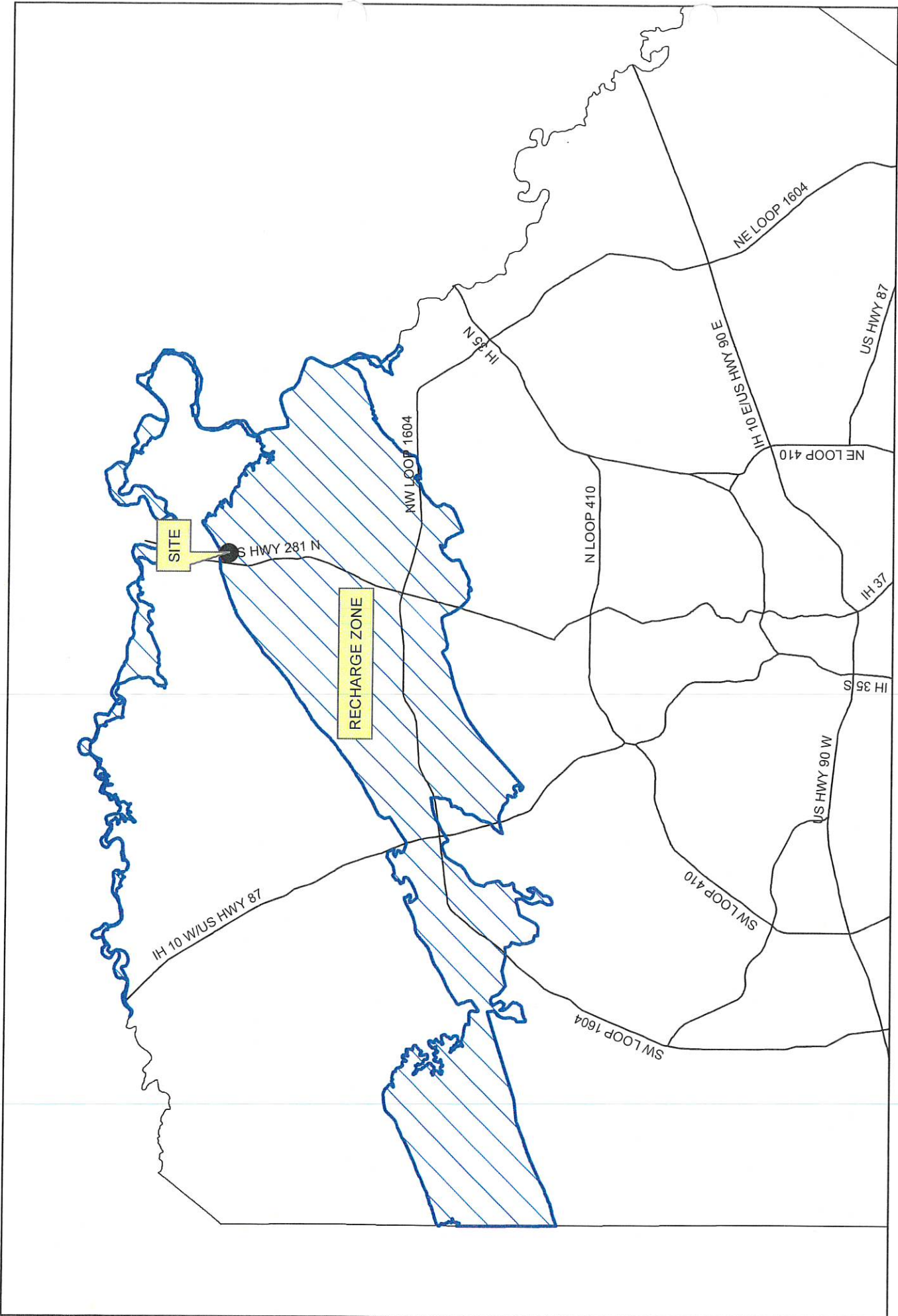
Edwards Aquifer and Watershed Protection Division



Scott R. Halty
Director

Resource Protection & Compliance Department

MJB:MAE

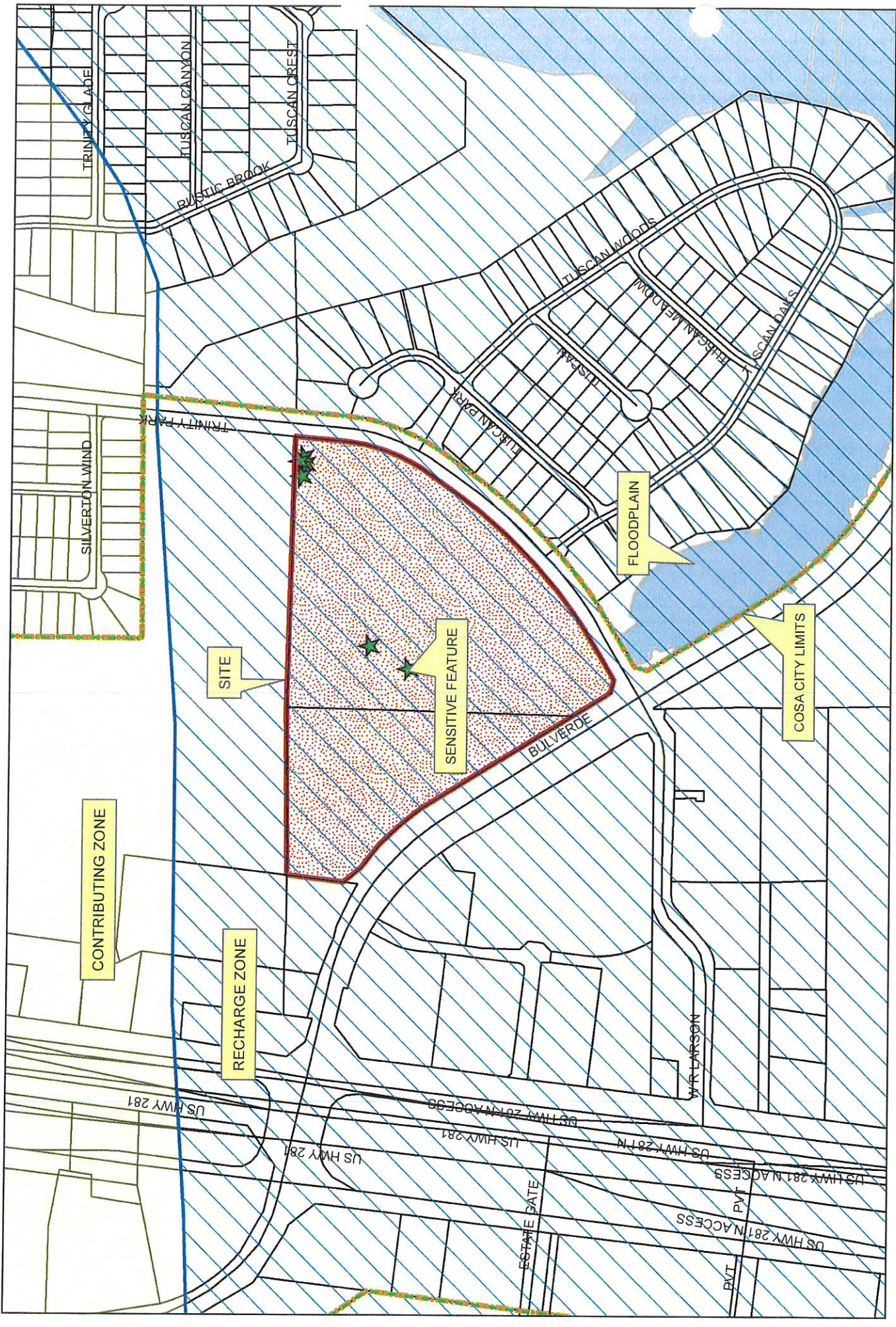


ZONING FILE: Z2024-10700119 (FIGURE 1)
ZONING CASE: BULVERDE RD MF-33

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 5/17/2024

1 in = 20,833 ft





ZONING FILE: Z2024-10700119 (FIGURE 2)
ZONING CASE: BULVERDE RD MF-33