

**SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet**

To: Zoning Commission Members

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

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

Subject: Zoning Case Z2022-10700174 (Wilderness Oaks Apts.)

Date: August 26, 2022

SUMMARY

A request for a change in zoning has been made for an approximate 19.37-acre tract located on the city's northeast side. A change in zoning from “C-3 GC-3 ERZD” to “MF-18 GC-3 ERZD” is being requested by the applicant SP Partners Development, LLC, and represented by Rob Killen of Killen, Griffen, & Farrimond, PLLC. The change in zoning has been requested to allow for a multi-family development. The property is currently designated as a Category 2.

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

LOCATION

The subject property is within City Council District 9, approximately 1,126-feet west of Wilderness Oak Rd. and US Highway 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-3 GC-3 ERZD” to “MF-18 GC-3 ERZD” and will allow for a multi-family development on approximately 19.37-acres. The property is currently undeveloped and vegetated with native trees and understory. The proposed project is a 345-unit multi-family development consisting of eleven apartment buildings, leasing office building, fitness center, and associated parking areas.

2. Surrounding Land Uses:

Canyon Pass apartments is being constructed north of the property. Summer Glen subdivision bounds to the west. Undeveloped commercial property and US Highway 281 North lies east of the site. Summer Glen Way and Tuscany Heights Elementary School borders to the south.

3. Water Pollution Abatement Plan:

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

4. Geologic Conditions:

The Aquifer Protection and Evaluation Section of the San Antonio Water System conducted a site evaluation on July 12 and July 15, 2022, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed to be a single lot, currently undeveloped and vacant, approximately 19.37 acres in area. The site was observed to be bounded on the north by a multi-family residential property, on the west by single family residential properties, on the south by Summer Glen Way with a school beyond, and on the east by vacant property. The property was observed to be moderately to heavily vegetated with ground level vegetation and trees along the downslope portions, predominantly in the southern and northwestern portions of the site. The upslope portions of the site were observed to be somewhat less vegetated. The property was observed to have a thin to moderate soil cover with moderate amounts of scattered float rock and moderate to good exposure of bedrock. The central and northern portions was observed to have an upslope vertical relief.

A geologic assessment was previously conducted for the subject site in 2018. This geologic assessment was reviewed and used during this site assessment.

Moderate bedrock exposure was observed within the subject site, with significant float rock also observed scattered throughout the site. Observations of the exposed downslope bedrock exhibit characteristics consistent with the Dolomitic Member of the Edwards Aquifer. Observations of the exposed upslope bedrock exhibit characteristics consistent with the Kirschberg Evaporite Member of the Edwards Aquifer.

A series of several small non-karst closed depressions were observed throughout the subject site, although none of these features were considered geologically sensitive. A sinkhole was previously identified within the southern portion of the subject site. This feature was observed to be approximately 9 feet by 4 feet by 9 inches, with a 1 to 2-foot diameter vertical drain within and was determined to be geologically sensitive. This feature is located within the Dolomitic Member, which is the lesser sensitive member of the two geologic members mapped on-site.

The subject site appears to slope to the south and southeast. Stormwater occurring on the subject site would discharge to the south and southeast toward an unnamed tributary to Mustang Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer, with a tongue of Kirschberg Evaporite Member of the Kainer Formation of the Edwards Aquifer within the central northern portion of the subject site.

The Dolomitic Member of the Kainer Formation is characterized by the presence of massively bedded mudstone, grainstone, and recrystallized limestone with abundant chert nodules. The full section thickness of this member is approximately 110 to 130 feet thick. This member produces moderate amounts of water, and includes moderate porosity but intermediate or lower permeability, and has a moderate environmental sensitivity.

The Kirschberg Evaporite Member of the Kainer Formation is characterized by the presence of altered crystalline limestone, chalky or decomposed mudstone, and abundant chert nodules, with fabric and structure related porosity. The full section thickness of this member is approximately 50 to 60 feet thick. This member produces very significant quantities of water with a high degree of porosity throughout. This member can be considered to be one of the most environmentally sensitive sections of the Edwards Aquifer.

Using the Soil Survey of Bexar County, compiled by the United States Department of Agriculture, it was determined that the soil profile of the subject site included the Tarrant Association soils (TaD).

The Tarrant Association soils are stony soils, very shallow dark colored and undulating. The surface layer is dark grayish brown calcareous clay loam approximately 10-inches thick, with limestone fragments from ¼ inch to 24 inches in diameter. The subsurface layer is generally hard fractured limestone to a depth of approximately 8 inches. The soil profile observed on the subject site was significantly shallower in the upslope portions of the site, but average to slightly deeper in the downslope areas.

A sinkhole was identified within the southern portion of the subject site and was determined to be geologically sensitive. This feature is located within the Dolomitic Member.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. A sinkhole located near the southern portion of the property, 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 approximately 19.37-acre site.
2. A natural buffer shall be provided for the sinkhole located on-site as required in Ordinance No. 81491, Section 34-920. The location of the natural buffer is further shown in the submitted conceptual site plan, attached as Figure 3. The intent of this exhibit is to show the location and buffering of the sensitive geologic feature, however, the remainder of the site is subject to change.
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 Aquifer Protection & Evaluation Section of the San Antonio Water System.
2. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
3. Prior to the release of any building permits, the following shall be submitted to the SAWS Aquifer Protection & Evaluation Section of the Resource Protection Division:
 - A. A copy of the Water Pollution Abatement Plan shall be submitted for the development within the area being considered for re-zoning,
 - B. A set of site-specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The Resource Protection & Compliance Division staff shall have the authority to inspect the site to ensure that the approved recommendations are being strictly adhered to during and after construction of the project.

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

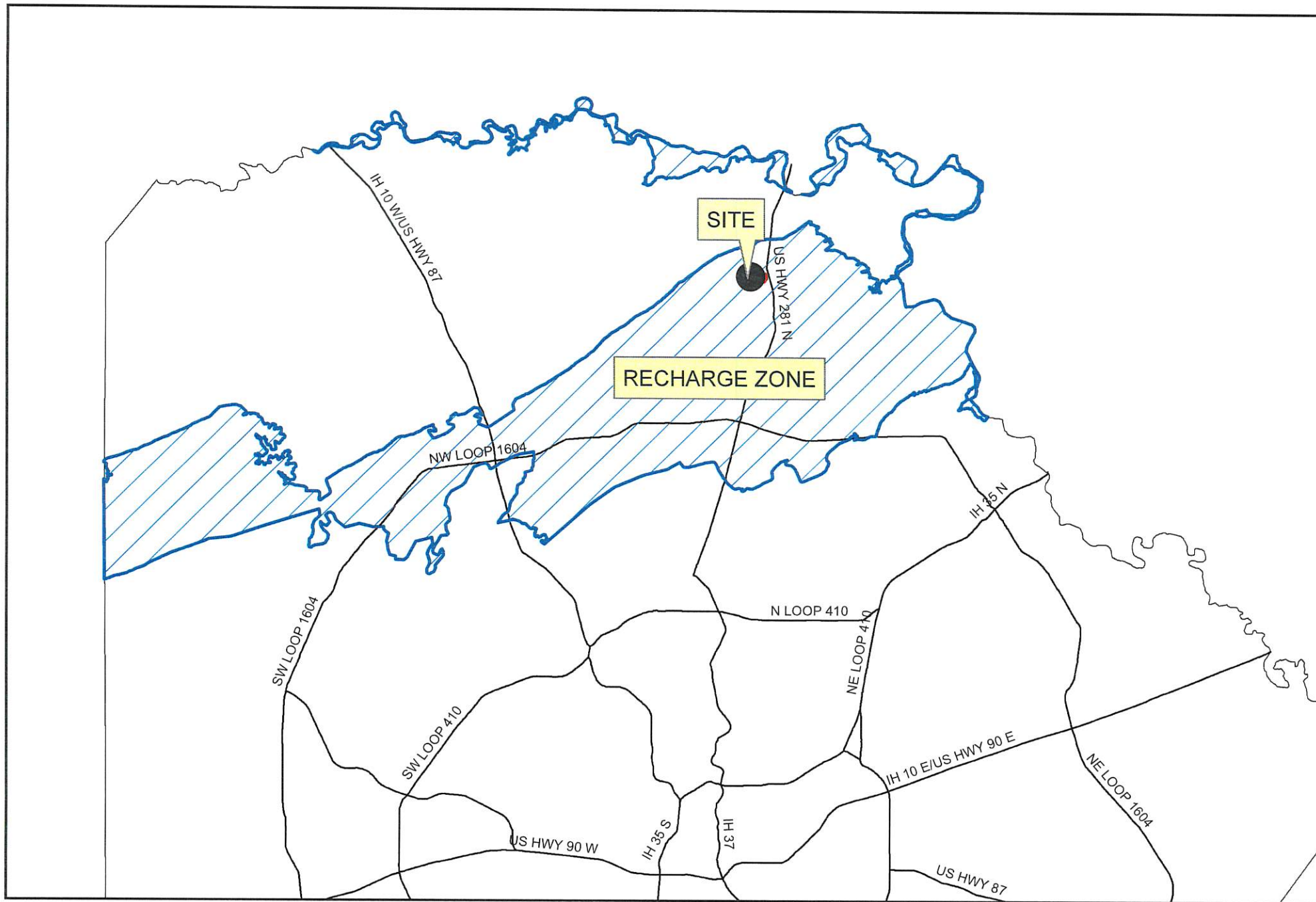
APPROVED:



Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division

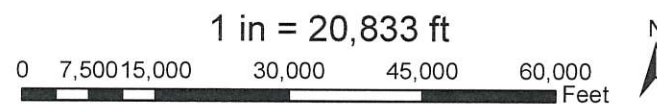
Scott R. Halty
Director
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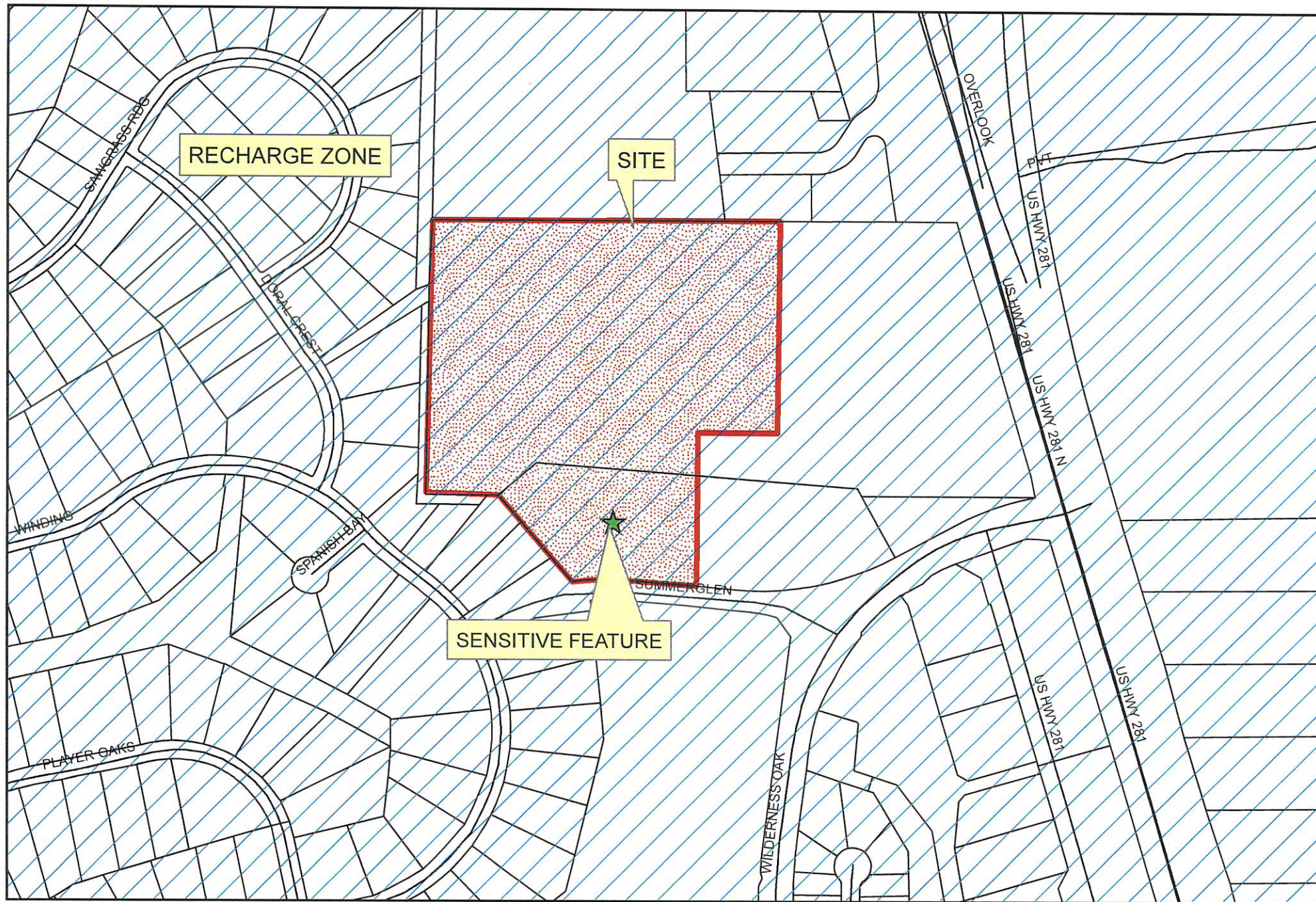
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ZONING CASE: WILDERNESS OAKS APTS. (FIGURE 1)
ZONING FILE: Z2022-10700174

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 7/1/2022





ZONING CASE: WILDERNESS OAKS APTS. (FIGURE 2)
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