

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 Z2022-10700198 (23211 US Hwy 281 MF-25)

Date: September 21, 2022

SUMMARY

A request for a change in zoning has been made for an approximate 18.82-acre tract located on the city's northeast side. A change in zoning from "**C-2 MLOD-1 MNA ERZD GC-3; R-6 MLOD-1 MNA ERZD GC-3**" to "**MF-25 MLOD-1 MNA ERZD GC-3**" is being requested by the applicant Alliance Realty, LLC, and represented by Caroline McDonald of Brown & Ortiz, P.C. 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 900-feet southwest of Summit Church 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-2 MLOD-1 MNA ERZD GC-3; R-6 MLOD-1 MNA ERZD GC-3**" to "**MF-25 MLOD-1 MNA ERZD GC-3**" and will allow for a multi-family development on approximately 18.82-acres. The property is a farmstead with two houses, an implement shed as well as an equipment shed with an attached canopy. There is an active well, three abandoned wells, and three septic tanks on-site. The proposed project is a multi-family development consisting of fifteen apartment buildings, club house, and associated parking areas.

2. Surrounding Land Uses:

Undeveloped property bounds to the north of the property. Tacara Stone Oak apartments sits to the west. US Highway 281 North lies east of the site. The Shops at Tacara commercial development 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 25, 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 developed as a homestead, approximately 18.8265 acres in area. The site is bounded on the north by vacant property with single family residential properties beyond, on the west by a multi-family residential property, on the south by commercial properties, and on the east by US Highway 281. The property was observed to be lightly to moderately vegetated cattle pasture with few trees. The central portion of the site was observed to have been constructed with multiple residential houses, barns and other outbuildings and a septic tank system. Four water wells, two with associated equipment and inactive, one active, and one abandoned without equipment were observed. An apparent septic tank was observed within the far northeastern corner of the subject site. Several abandoned vehicles were observed within the north central portion of the site. A group of unidentified empty 55-gallon drums and an empty 30-gallon oil service tank was observed within the cattle pasture portion of the site. There was no soil staining or other indicators of potential chemical release that could be visually identified during the site visit related to the drums or service tank found on the site.

The topography of the property was observed to down slope to the south and southeast. Ravines at the northeast and southeast corners of the subject site were observed to have been partially filled with fill material, predominantly composed of rocks and soil cleared from other parts of the site. A few non-karst closed depressions were observed within these fill areas, but are not considered geologically sensitive.

Moderate to good bedrock exposure with significant float rock was observed throughout the subject site. Observations of the exposed bedrock within the eastern and central parts of the site exhibit characteristics consistent with characteristics of the Kirschberg Evaporite Member of the Edwards Aquifer. Observations of the exposed downslope bedrock exhibit characteristics consistent with characteristics of the Dolomitic Member of the Edwards Aquifer.

Stormwater occurring on the subject site would discharge to the south and southeast toward an unnamed tributary to West Elm Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the central and eastern portion of the subject site is underlain by the Kirschberg Evaporite Member of the Kainer Formation of the Edwards Aquifer, while the western edge of the subject site was determined to be underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer.

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 is considered to be one of the most environmentally sensitive sections of the Edwards Aquifer.

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

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

The Tarrant Association soils 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 noted to be only a few inches deep.

No sensitive geologic features were observed within the subject site.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. Abandoned wells were observed on-site and there is potential for contamination of the Edwards Aquifer via the wells.

2. Existing septic systems were observed on-site and there is 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 18.82-acre site.
2. Wells that are no longer in use or abandoned shall be properly plugged in accordance with SAWS water well plugging procedures. The Ground Water Resource Protection Section should be notified at (210) 233-3546 upon discovery and/or prior to any activities such as plugging of wells.
3. The existing septic systems shall be properly abandoned according to state regulations. The wastewater from the septic tank shall be removed by a licensed waste transporter.
4. The abandoned vehicles, empty 55-gallon drums, empty 30-gallon oil service tank and debris on-site shall be removed and properly disposed per local and state rules.
5. The land uses within the project site shall be in conformance with the table of permitted uses at the time the re-zoning is approved. Should a proposed use be listed as requiring City Council approval, the owner/operator shall apply for re-zoning for that particular use at the project site. If the land use is listed as special use, a special permit must be obtained for that use. If the land use is listed as not allowed, that land use will not be permitted on the project site.
6. The owner of all water pollution abatement structures shall ensure these structures are properly maintained and kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Aquifer Protection & Evaluation Section of SAWS. If at any time the ownership of the property changes, the seller must disclose to the buyer all the requirements of the water quality maintenance plan. The new owner must submit a signed water quality maintenance plan to the Aquifer Protection & Evaluation Section of SAWS.

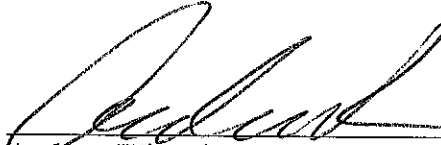
7. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing Groundwater Pollution, A Practical Guide to Pest Control, available from the Edwards Aquifer Authority (210) 222-2204, or equivalent information produced by the U.S. Natural Resource Conservation Service, Texas Department of Agriculture, U.S. Department of Agriculture, shall be used.
8. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3565 no later than 48 hours prior to the commencement of construction at the site. If any significant geologic features such as, but not limited to, solution openings, caves, sinkholes, or wells are found during the excavation, construction, or blasting, the developer shall notify the Texas Commission on Environmental Quality and the Aquifer Protection & Evaluation Section of SAWS at (210) 233-3522.

General Recommendations

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

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

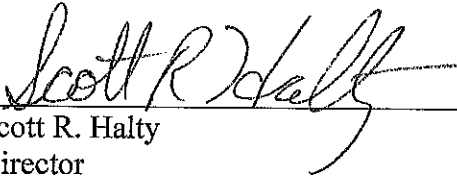
APPROVED:



Andrew Wiatrek

Manager

Edwards Aquifer and Watershed Protection Division

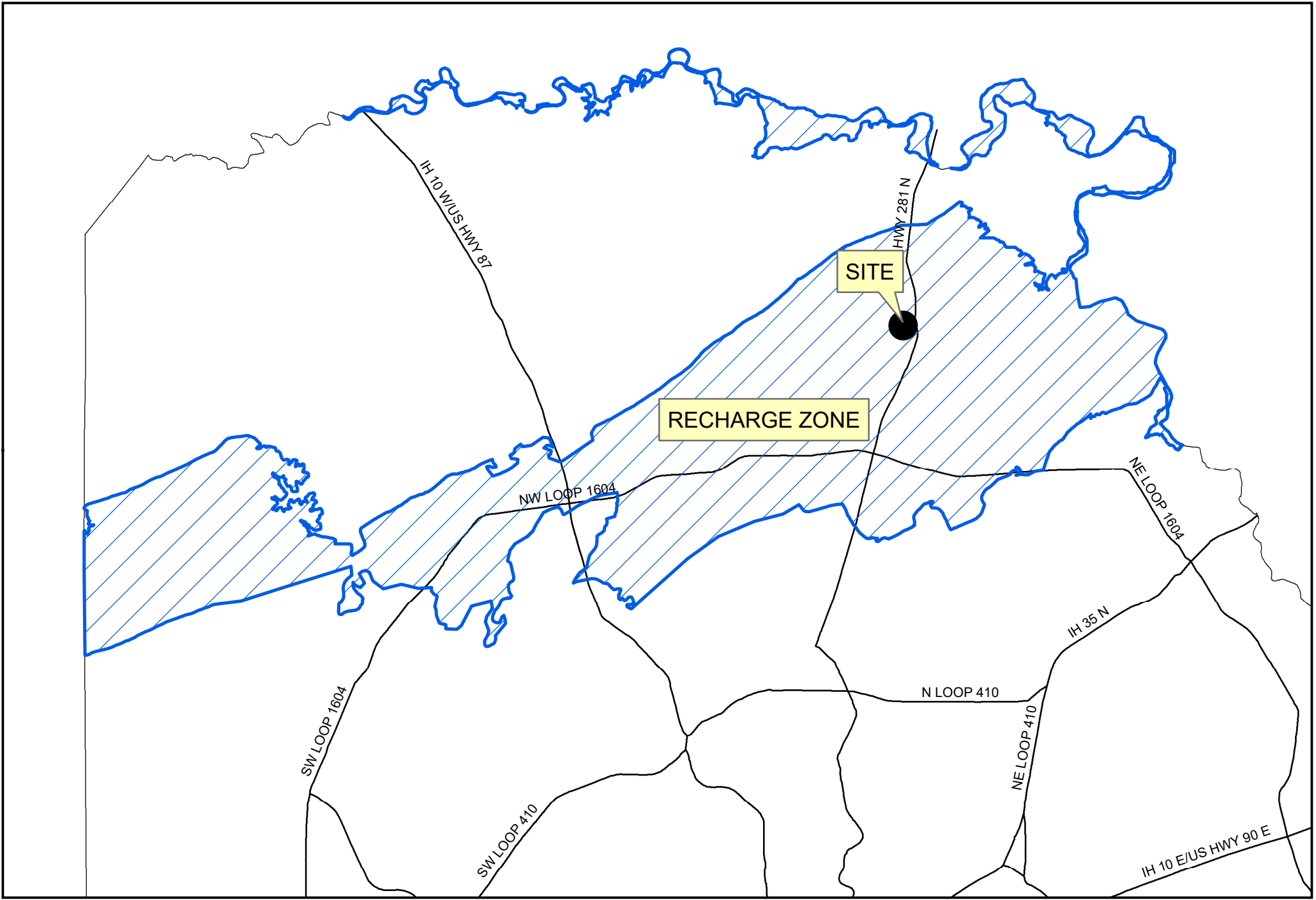


Scott R. Halty

Director

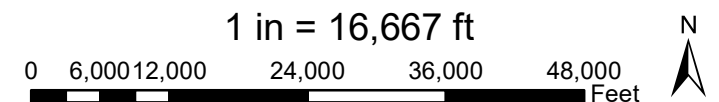
Resource Protection & Compliance Department

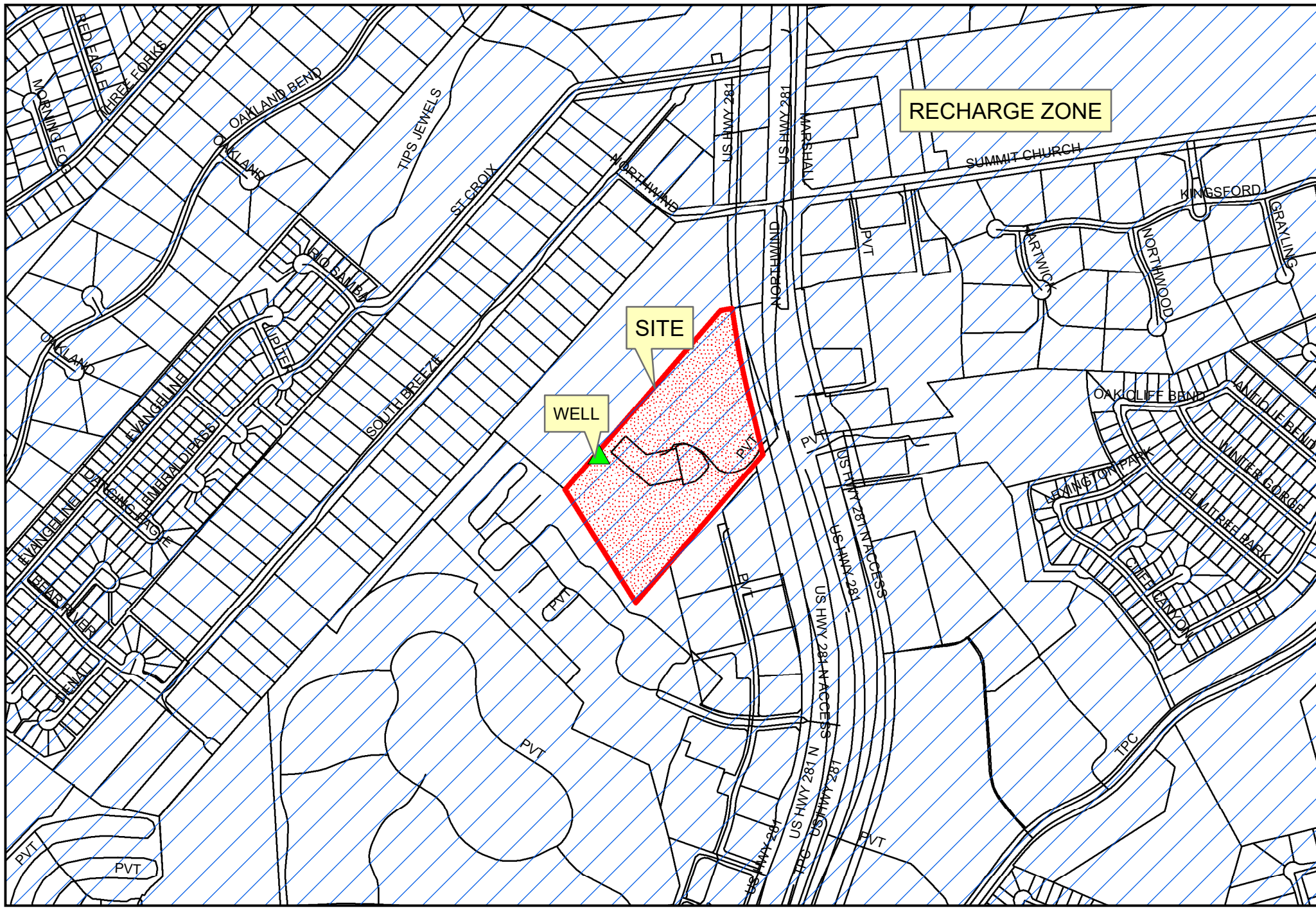
MJB:MAE



ZONING CASE: 23211 US HWY 281 MF-25 (FIGURE 1)
ZONING FILE: Z2022-10700198

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 9/21/2022





ZONING CASE: 23211 US HWY 281 MF-25 (FIGURE 2)
ZONING FILE: Z2022-10700198

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 9/21/2022

