

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 Z2023-10700044 (Moonlight Way Townhomes)

Date: April 7, 2023

SUMMARY

A request for a change in zoning has been made for an approximate 6-acre tract located on the city's northwest side. A change in zoning from **“R-6 MLOD-1 ERZD”** to **“MF-18 MLOD-1 ERZD”** is being requested by the applicant Mitra Ventures, LLC, and represented by Patrick Christensen, Attorney at Law. 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 8, approximately 0.85-miles east of Huebner Rd. and IH-10 West intersection. A portion of the property, 5.67-acres lies within the Edwards Aquifer Recharge Zone and the remaining 0.33-acres lies in the Transition Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from **“R-6 MLOD-1 ERZD”** to **“MF-18 MLOD-1 ERZD”** and will allow for a multi-family development on approximately 6-acres. The property is two undeveloped lots with native trees and understory. The proposed project is a townhome development consisting of 22 quadplex buildings, 8 duplex buildings, and associated parking areas.

2. Surrounding Land Uses:

The Boulder Creek Apartment Homes borders to the north and The Jax Apartments to the west of the property. Moonlight Way and residential lots with homes lies east of the subject site. Pebble Lane and a medical office bounds south of the property.

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 February 28, 2023, of the referenced property to assess the geologic conditions and evaluate any environmental concerns present at the site. SAWS Environmental Geologist, Mr. Bruce Keels, P.G., was present during the site evaluation.

The subject site was observed to be two lots, currently undeveloped and heavily vegetated with trees and ground level vegetation, approximately 6 acres in area. The site is bounded on the northeast by Moonlight Way with single family residential properties beyond, on the northwest by multi-family residential properties, on the southwest by single family residential properties with Honeycomb Way beyond, and on the southeast by Pebble Lane (currently under construction) with a medical complex and commercial properties beyond. The property was observed to be generally undeveloped but with evidence of two former structures, one located generally in the center of the subject site, composed of a concrete slab, and a second structure, composed of an apparent shed with no obvious foundation, located in the northeast quadrant.

Some dumped waste material, generally composed of household garbage, broken furniture, broken camping gear, and broken boards and wood were observed on and around the centrally located area of the tract. Smaller quantities of waste material of various compositions, and apparent fill material were observed throughout the subject site. A number of large limestone boulders were observed scattered throughout the property. An area of pronounced undulating topography was noted in the northeast quadrant of the site, indicative of placement of fill material. The presence of trees within this undulating area indicates significant age. Berms of fill material were observed along the northwest property line bordering the multi-family residential properties.

Moderate bedrock exposure was observed primarily in the northeastern half of the property. The southwestern half of the subject site was dominated primarily by float rock, fill and large limestone boulders, with a relatively thick soil cover. The insitu bedrock exposure within the northeastern half of the subject site exhibited characteristics of the Cyclic and Marine Member of the Edwards Aquifer. Although float rock within the southwestern half of the subject site exhibited characteristics of the Upper Confining Member, its presence combined with evidence of disturbance and fill material could not confirm this origin.

The topography of the property was observed to slope to the north and east. Stormwater occurring on the subject site would discharge to the north and east towards Olmos Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer, and a very small area of the southwestern tip of the subject site is underlain by the Upper Confining Unit.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone with structurally based porosity. The full section thickness of this member is approximately 80 to 90 feet thick. This member produces water and is considered a relatively permeable and environmentally sensitive section of the Edwards Aquifer.

The Undivided Upper Confining Unit is characterized by the presence of massive limestone with very low porosity and permeability throughout the formation. The full section thickness of this member is approximately 30 feet thick. This unit includes the Del Rio Clay, Buda Limestone, and Eagle Ford Group, and is considered the upper margins 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 Crawford and Bexar stony soils, (Cb).

The Crawford and Bexar stony soils occur as shallow to moderately deep stony clay with 10 to 40% of limestone or chert fragments. The surface layer is cherty clay loam to gravelly loam up to 22 inches thick. The soil profile within the property was observed to a veneer to a few inches thick, resulting in moderate to good bedrock exposure.

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:

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 5.67-acre portion of the site in the Edwards Aquifer Recharge Zone.
2. 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.
3. 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.

4. 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.
5. 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.

Zoning Commission Members

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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.

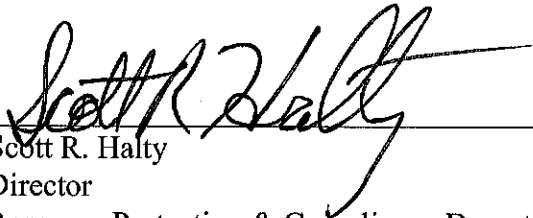
APPROVED:



Andrew Wiatrek

Manager

Edwards Aquifer and Watershed Protection Division

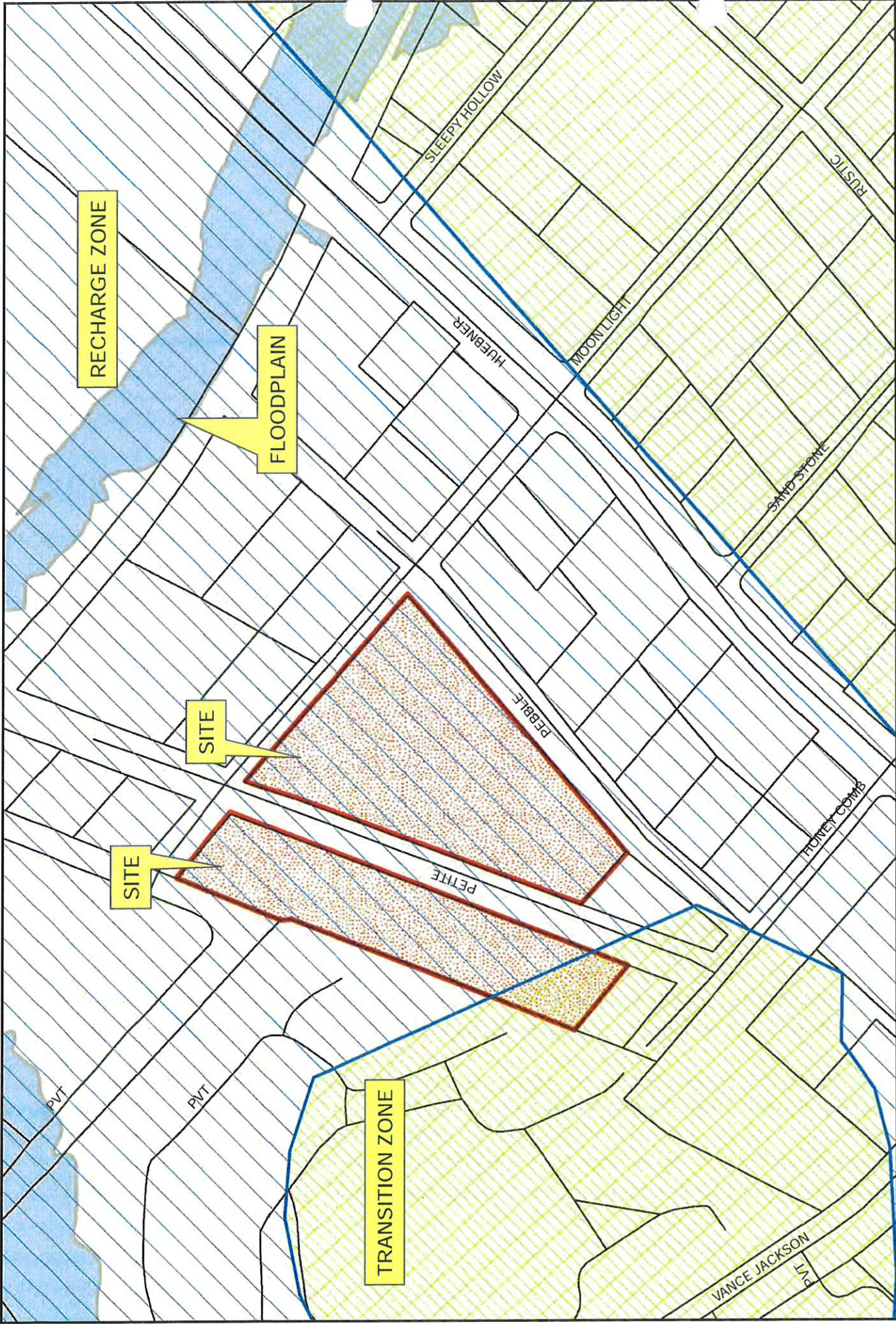


Scott R. Halty

Director

Resource Protection & Compliance Department

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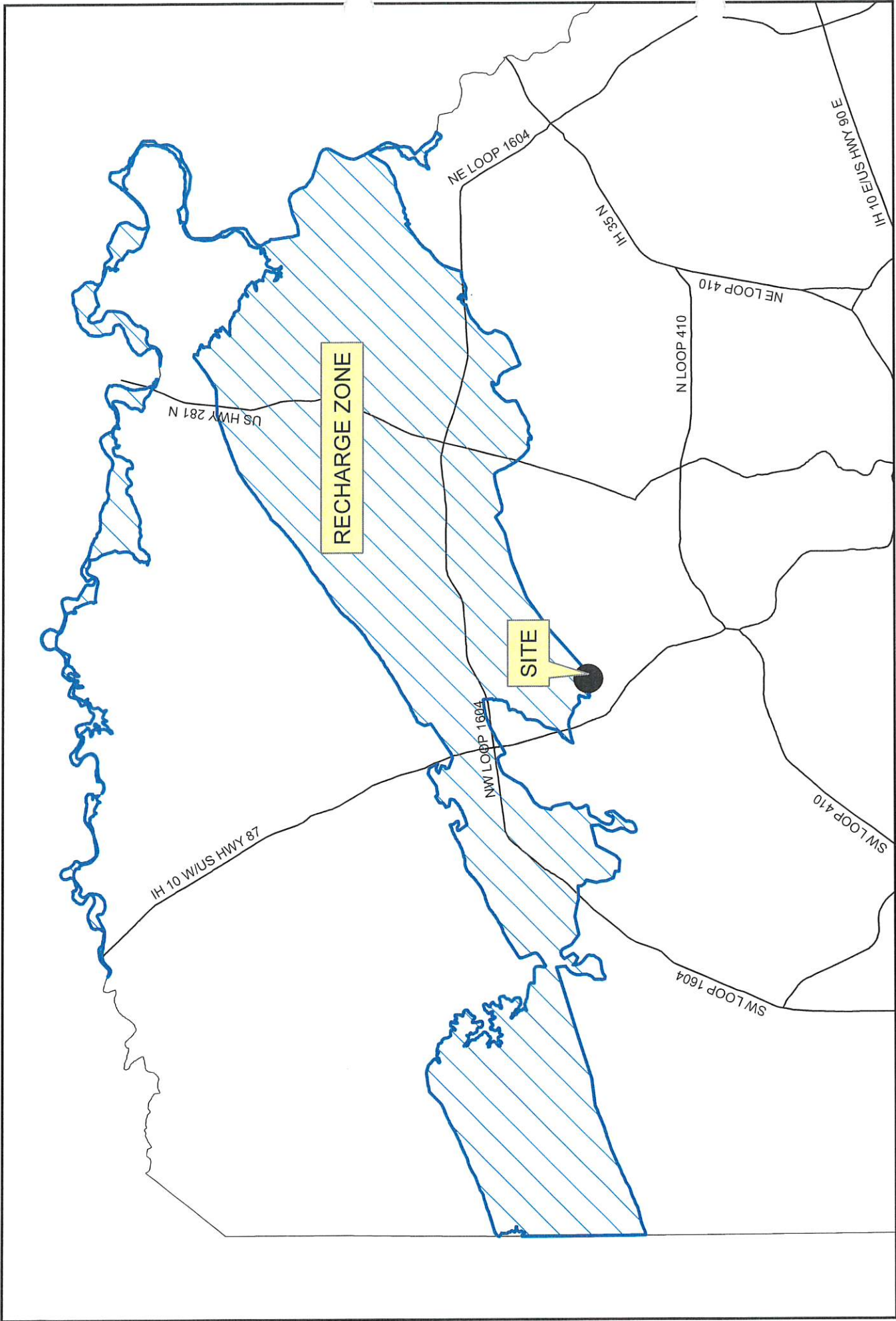


1 in = 208 ft



ZONING CASE: MOONLIGHT WAY TOWNHOMES (FIGURE 2)
ZONING FILE: Z2023-10700044

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 2/27/2023



ZONING CASE: MOONLIGHT WAY TOWNHOMES (FIGURE 1)
ZONING FILE: Z2023-10700044

1 in = 16,667 ft

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 2/24/2023