

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 Z2023-10700046 (San Pedro MF-18)

Date: July 26, 2023

SUMMARY

A request for a change in zoning has been made for an approximate 3.462-acre tract located on the city's north side. A change in zoning from **"C-3R MLOD-1 MNA AHOD ERZD & O-1 MLOD-1 MNA AHOD ERZD"** to **"MF-18 MLOD-1 MNA AHOD ERZD"** is being requested by the applicant the NRP Group, LLC, and represented by Kevin DeAnda, of Ortiz McKnight, PLLC. The change in zoning has been requested to allow for a multi-family residential 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 0.40-miles north of Brook Hollow 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-3R MLOD-1 MNA AHOD ERZD & O-1 MLOD-1 MNA AHOD ERZD"** to **"MF-18 MLOD-1 MNA AHOD ERZD"** and will allow for a multi-family residential development on approximately 3.462-acres. The western portion of the property currently operates as a playground equipment business, with the remainder of the site undeveloped with native trees. The proposed project is an apartment development consisting of a lease office, two 3-story residential buildings, and associated parking areas.

2. Surrounding Land Uses:

Lucy Cooper's Texas Icehouse restaurant borders to the north with San Pedro Ave. access road to the west of the property. San Pedro Mobile Home Park lies to the east with Brake Check and Shady Oaks neighborhood to the south and southeast of the subject site.

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 site evaluations on February 28, and March 7, 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 one lot, partially developed within the western portion with a playground sales office and with the remainder of the site having been previously cleared is lightly to moderately vegetated with trees and ground level vegetation, approximately 3.462 acres in area. The site is bounded on the northeast by a mobile home residential property, and a commercial property, on the northwest by a highway sign easement with US Highway 281 North beyond, on the southwest by an automotive repair facility and single-family residential properties, and on the southeast by single-family residential properties. The front portion of the property was observed to be developed with a shed and business office and several demonstration displays of playground equipment. A potential septic tank was observed associated with the business office. The remainder of the subject site was observed to be previously cleared, separated from the front portion by a wooden fence, with two concrete foundations. One foundation was observed to be covered by a large pile of bricks and other debris. The rear portion of the site was occupied by sparse trees, and several piles of rocks and other waste debris, composed of wood, bricks, and concrete. A sanitary sewer manhole was observed at the far rear boundary of the subject site.

Sparse to little bedrock exposure was observed throughout the property. Significant quantities of float rock were observed primarily within the back portion of the site, largely composed of chert nodules. Although bedrock exposure within the subject site exhibited characteristics of the Cyclic and Marine Member, its sparse occurrence combined with previous disturbance of the property makes positive identification difficult.

The topography of the property was observed to slope to the south. Stormwater occurring on the subject site would discharge to the south towards an unnamed tributary to Lorence Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Cyclic and Marine Member of the Person Formation of the Edwards Aquifer.

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.

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 approximate 3.462-acre site.

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.

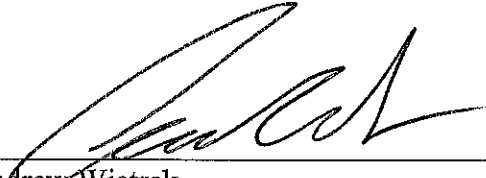
General Recommendations

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,

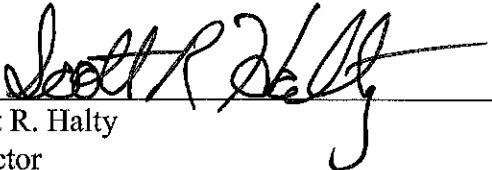
- B. A set of site-specific plans which must have a signed Engineers Seal from the State of Texas,
 - C. A WPAP approval letter from the Texas Commission on Environmental Quality,
 - D. A copy of the approved Water Pollution Abatement Plan.
4. The Resource Protection & Compliance Division staff shall 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.

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:

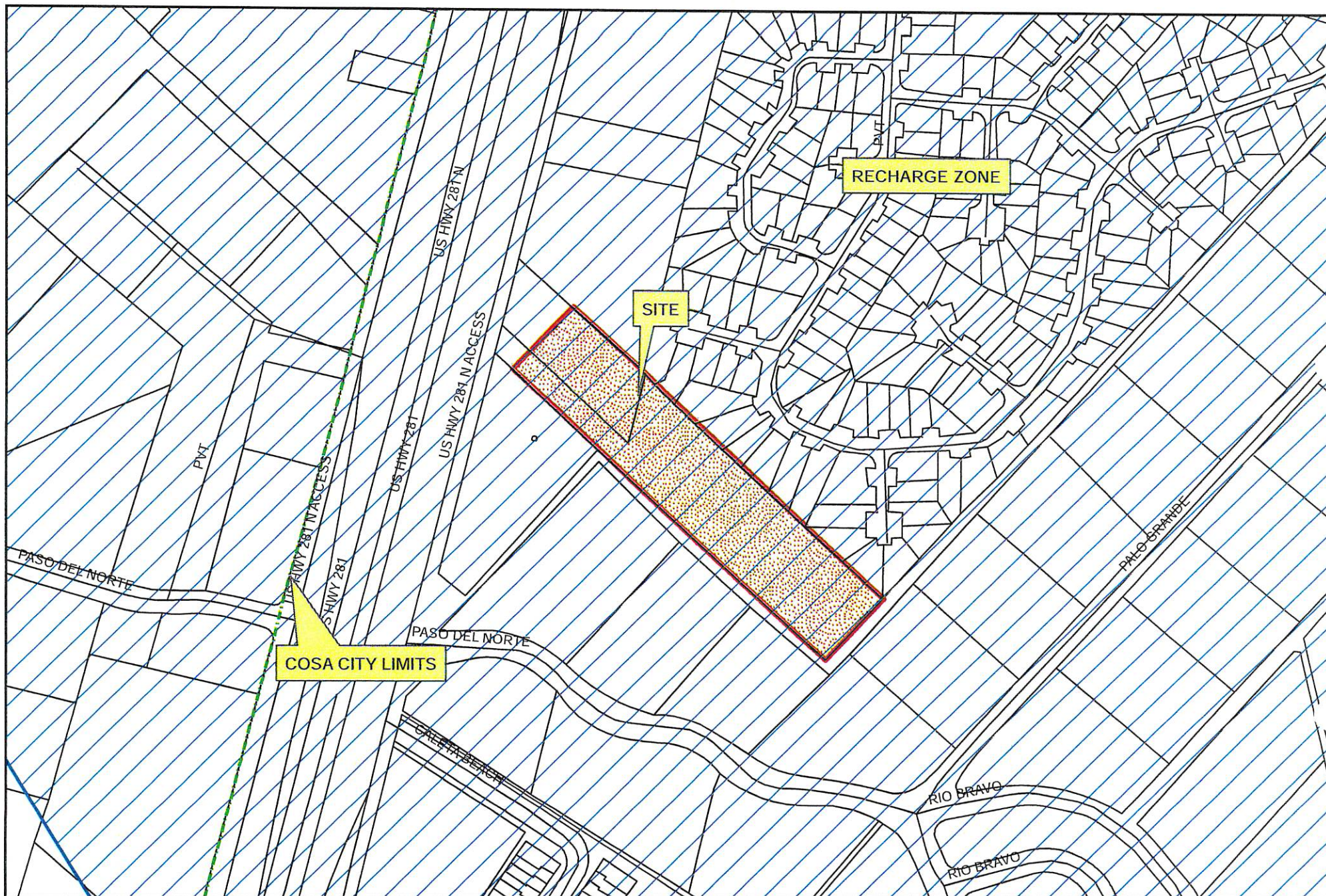


Andrew Wiatrek
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Edwards Aquifer and Watershed Protection Division



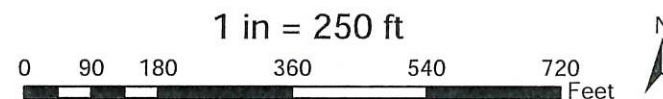
Scott R. Halty
Director
Resource Protection & Compliance Department

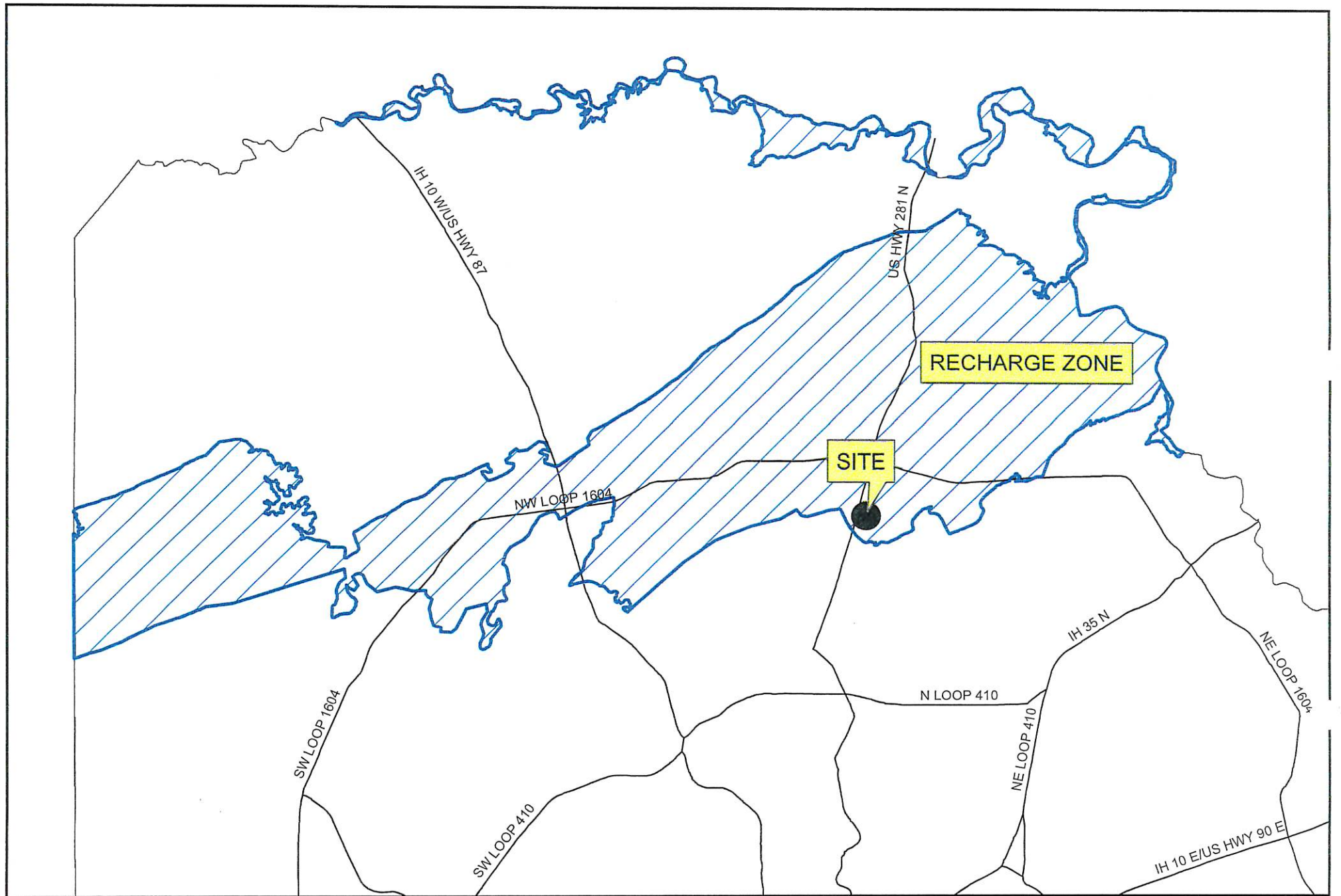
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ZONING CASE: SAN PEDRO MF-18 (FIGURE 2)
ZONING FILE: Z2023-10700046

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 5/23/2023





ZONING CASE: SAN PEDRO MF-18 (FIGURE 1)
ZONING FILE: Z2023-10700046

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

