

**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 Z2021-10700184 (Kyle Seale Parkway Multi-family)

**Date:** August 25, 2021

**SUMMARY**

A request for a change in zoning has been made for an approximate 20-acre tract located on the city's northwest side. As further described below, the tract includes property both in the Edwards Aquifer Recharge Zone and in the Contributing Zone. A change in zoning from **"R-6 MLOD-1 MLR-2 ERZD"** to **"MF-18 MLOD-1 MLR-2 ERZD"** is being requested by the applicant SAT Kyle Seale 10-Acres, LLC and represented by Ashley Farrimond of Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow a multi-family development. The property within the Recharge Zone is currently designated as a Category 2 for 9.50-acres and a Category 1 for 8.90-acres.

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 8, approximately 1.5-miles north of Kyle Seale Parkway and North Loop 1604 West intersection. Approximately, 18.40-acres of the property lies in the Edwards Aquifer Recharge Zone with the remainder of the 1.60-acres in the Contributing Zone (Figures 1 and 2).

**SITE EVALUATION**

1. Development Description:

The proposed change is from **"R-6 MLOD-1 MLR-2 ERZD"** to **"MF-18 MLOD-1 MLR-2 ERZD"** and will allow for a multi-family development on approximately 20-acres. Currently, the site is an undeveloped hilltop property. The hilltop is graded and cleared of vegetation surrounded with dense downhill vegetation of native trees and understory. The proposed project will consist of apartment buildings with associated parking areas.

2. Surrounding Land Uses:

The subject site is surrounded on the north, east and south by undeveloped residential properties. The Vistas of Sonoma subdivision is located beyond to the south. Kyle Seale Parkway borders the western boundary with undeveloped residential property located beyond.

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 15, 2021, 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 an undeveloped hilltop property, approximately 20-acres in area. Approximately 18.40-acres of the overall site is in the Edwards Aquifer Recharge Zone and the remaining 1.60-acres located in the northern portion of the site is in the Contributing Zone. The hilltop is graded and cleared of vegetation on approximately 9.50-acres and was observed to have piles of quarried rock and road base throughout the site. High levels of rock exposure were observed on the graded hilltop. The steep terrain surrounding the hilltop to the north, east, and south is approximately 10.50-acres of densely wooded vegetation and understory.

No portion of the property lies in the floodplain. Stormwater occurring on the subject site would discharge to the east and south towards an unnamed tributary to Huesta Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the majority of the southern portion subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer, while the northern portion of the subject site is underlain by the Basal Nodular Member of the Kainer Formation, as well as the Lower Confining Unit of the Glen Rose Formation.

A fault demarking the boundary between Dolomitic Unit and the Lower Confining Unit is mapped across the northern portion of the site. This fault was not visible within the subject site; however, it is visible in a roadcut located west of Kyle Seale Parkway.

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. Visual expression of the Dolomitic Member was observed during the site evaluation.

The Basal Nodular Member of the Kainer Formation is characterized by stratigraphically controlled permeability with significant conduit flow at the surface. This member is approximately 50 to 60-feet thick. This unit is part of the lower confining unit of the Edwards Aquifer. No visual expression of the Basal Nodular Member was observed during the site evaluation due to limited rock exposure, soil cover and dense vegetation.

No sensitive geologic features were observed on the subject site nor noted on file.

## **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 45% on the 18.40-acre portion located over 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.

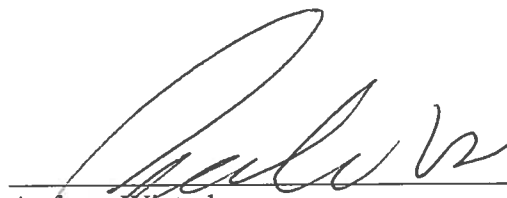
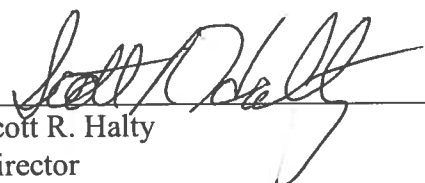
4. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing 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**

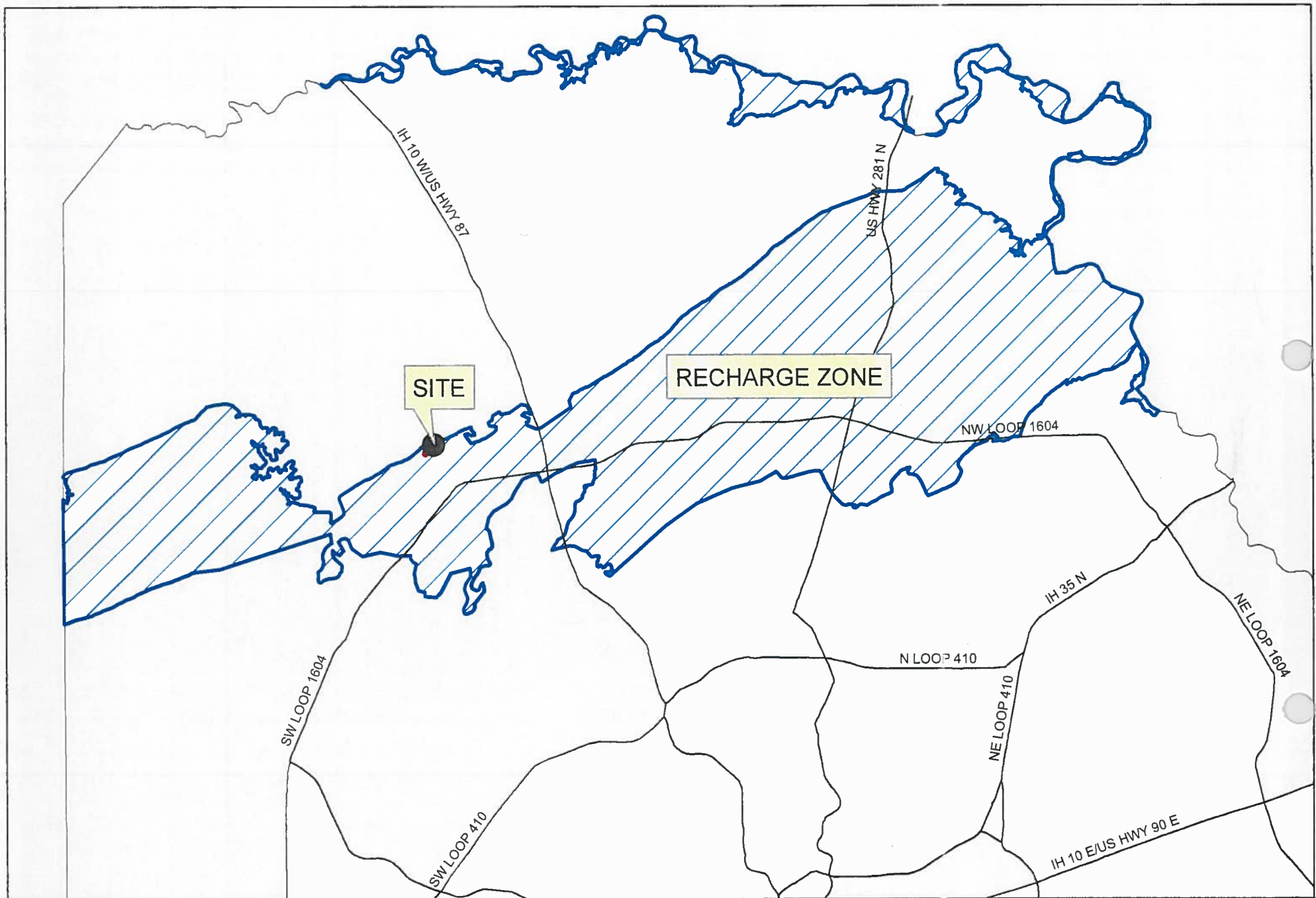
1. Prior to the release of any building permits the owner/operator of any Category 2 property shall submit an Aquifer Protection Plan to the Aquifer Protection & Evaluation Section of the San Antonio Water System.
2. The City of San Antonio shall inspect all future construction of the sewage collection 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.

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.

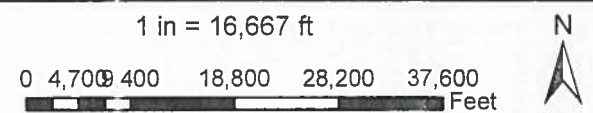
APPROVED:

  
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Manager  
Edwards Aquifer and Watershed Protection Division  
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Scott R. Halty  
Director  
Resource Protection & Compliance Department

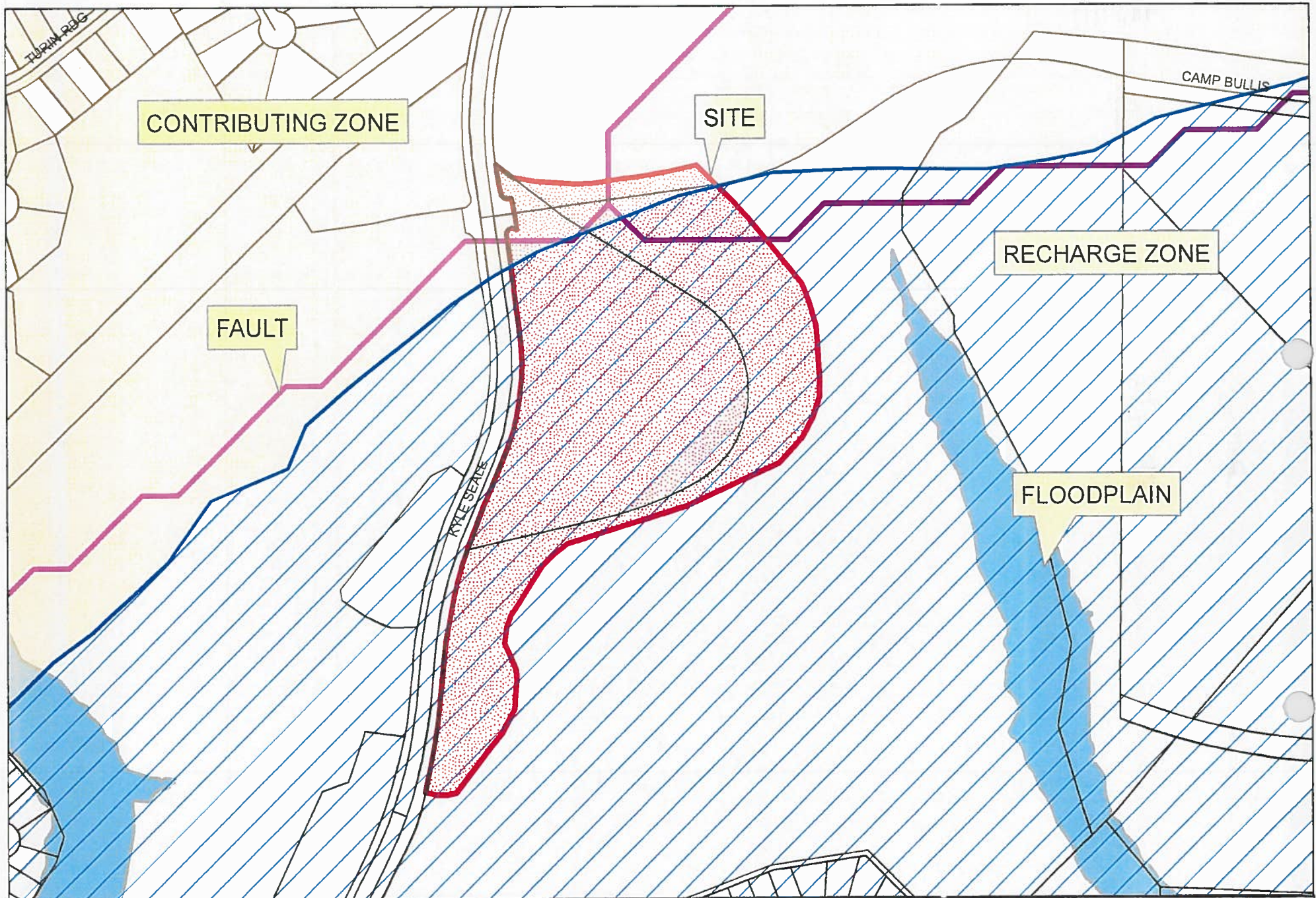
MJB:MAE



ZONING FILE: KYLE SEALE MULTI-FAMILY (FIGURE 1)  
ZONING CASE: Z2021-10700184







ZONING FILE: KYLE SEALE MULTI-FAMILY (FIGURE 2)  
ZONING CASE: Z2021-10700184

1 in = 333 ft  
0 90 180 360 540 720 Feet

