

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 Z2023-10700184 (Kyle Seale Parkway MF-18)

Date: February 15, 2024

SUMMARY

A request for a change in zoning has been made for an approximate 46.30-acre tract located on the city's northwest side. As further described below, the tract includes property both within the Edwards Aquifer Recharge Zone and the Contributing Zone. A change in zoning from “**R-6 MLOD-1 MNA ERZD**” to “**MF-18 MLOD-1 MNA ERZD**” is being requested by the applicant, McAlister Opportunity Fund 2012 LP, and represented by Matthew Gilbert of Ortiz McKnight, PLLC. The change in zoning has been requested to allow for a multi-family development. The property is currently classified as a Category 1.

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. The southern and eastern portion of the property, 27.90-acres lies within the Edwards Aquifer Recharge Zone and the remaining 18.40-acres lies in the Contributing Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from “**R-6 MLOD-1 MNA ERZD**” to “**MF-18 MLOD-1 MNA ERZD**” and will allow for a multi-family development on a 46.30-acre site. Currently, the site is undeveloped with native trees and understory vegetation throughout a hilly terrain. The proposed project will consist of townhome units with a park, open space areas and amenities.

2. Surrounding Land Uses:

An electrical tower easement and Sonoma Mesa subdivision borders north of the subject property. Cedar Creek Golf Course sits west of the property. Kyle Seale Parkway and undeveloped land bound to the east. The Hills of Sonoma Ranch subdivision lies 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 site evaluations on August 3 and 8, 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 an undeveloped area approximately 46.60 acres in size. The subject site was observed to be moderately to heavily vegetated with significant topographic relief across the site. The site is bounded on the north and northwest by a CPS powerline easement and undeveloped property along with single family residential properties. On the southwest side of the property is Huestra Creek with single-family residential properties beyond. Along the southeast and east side of the property resides a cell phone tower and Kyle Seale Parkway with undeveloped property beyond. The higher elevation portions of the site were observed to be very rocky, forming numerous talus slopes. Lower elevation areas were observed to have a significant soil profile, with moderate to good exposure of bedrock.

Approximately 18.40 acres of the property is located within the Edwards Contributing Zone, and approximately 27.90 acres of the property is located within the Edwards Recharge Zone.

A fault was mapped crossing the property from northeast to southwest, demarking the limits of the Edwards Recharge Zone, and the Basal Nodular and Dolomitic Members to the south with the Glen Rose Formation to the north. No surface expression of this fault was observed within the subject site, however the fault is visible within a road cut along Kyle Seale Parkway at the far northeast end of the property.

A geologic assessment conducted in 2008 was reviewed, and a number of geologic features were identified within the subject site. Feature F31CC was identified as a solution cavity, however is located within the contributing zone portion of the site located within the Glen Rose Formation in the northern end. This feature is considered to be geologically sensitive. An additional feature was identified as a solution cavity, located within the creek channel of

Hueta Creek. These features were located within the southern tongue of the Glen Rose Formation and are not considered to be geologically sensitive.

The topography of the property was observed to slope very sharply to the south and west. The vertical relief of the site from the eastern side to the south and western edge was observed to be approximately 130 feet. Two drainages were observed crossing the property from northeast to southwest. Stormwater occurring on the subject site would discharge to the south and west towards Hueta Creek.

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

Lower Confining Glen Rose Formation is characterized by limestone, dolomite, and marl as alternating beds forming stairstep topography. This formation contains characteristic marine fossils, although the upper Glen Rose is thinner bedded and less fossiliferous. This formation is considered to be the diagnostic member of the Edwards Contributing Zone. The total thickness of the Glen Rose Formation is approximately 900 feet. This formation was mapped along the northwestern portion of the subject site, as well as a tongue mapped within the southwest portion of the property. Field observations confirmed characteristics of this formation in these areas.

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. This member was mapped within the northeastern end of the subject site. Field observations confirmed characteristics of this member in this area.

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 considered to be part of the lower confining unit of the Edwards Aquifer. This member includes negligible permeability and is considered the bottom of the Edwards Aquifer. This member was mapped within the central portion of the subject site. Field observations confirmed characteristics of this member in this area.

No sensitive geologic features are located on the recharge zone portion of the tract.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. The southwestern boundary of the property lies within the 100-year floodplain, where recharge may occur.

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 27.90-acre portion of the site in the Edwards Aquifer Recharge Zone.
2. A floodplain buffer shall be provided along the southwestern boundary of the property as required in Ordinance No. 81491, Section 34-913.
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.

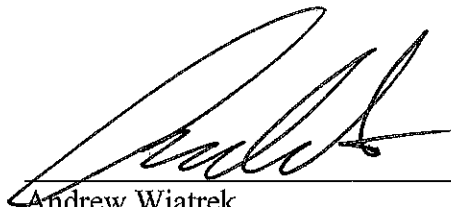
5. Landscaped areas shall be sensitive to minimizing water needs, i.e., use of native plants. Each purchaser of an individual lot or tenant within this development shall be informed by the seller or lessor in writing about Best Management Practices (BMP) for pesticide and fertilizer application. Preventing 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. 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.
2. 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
3. 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

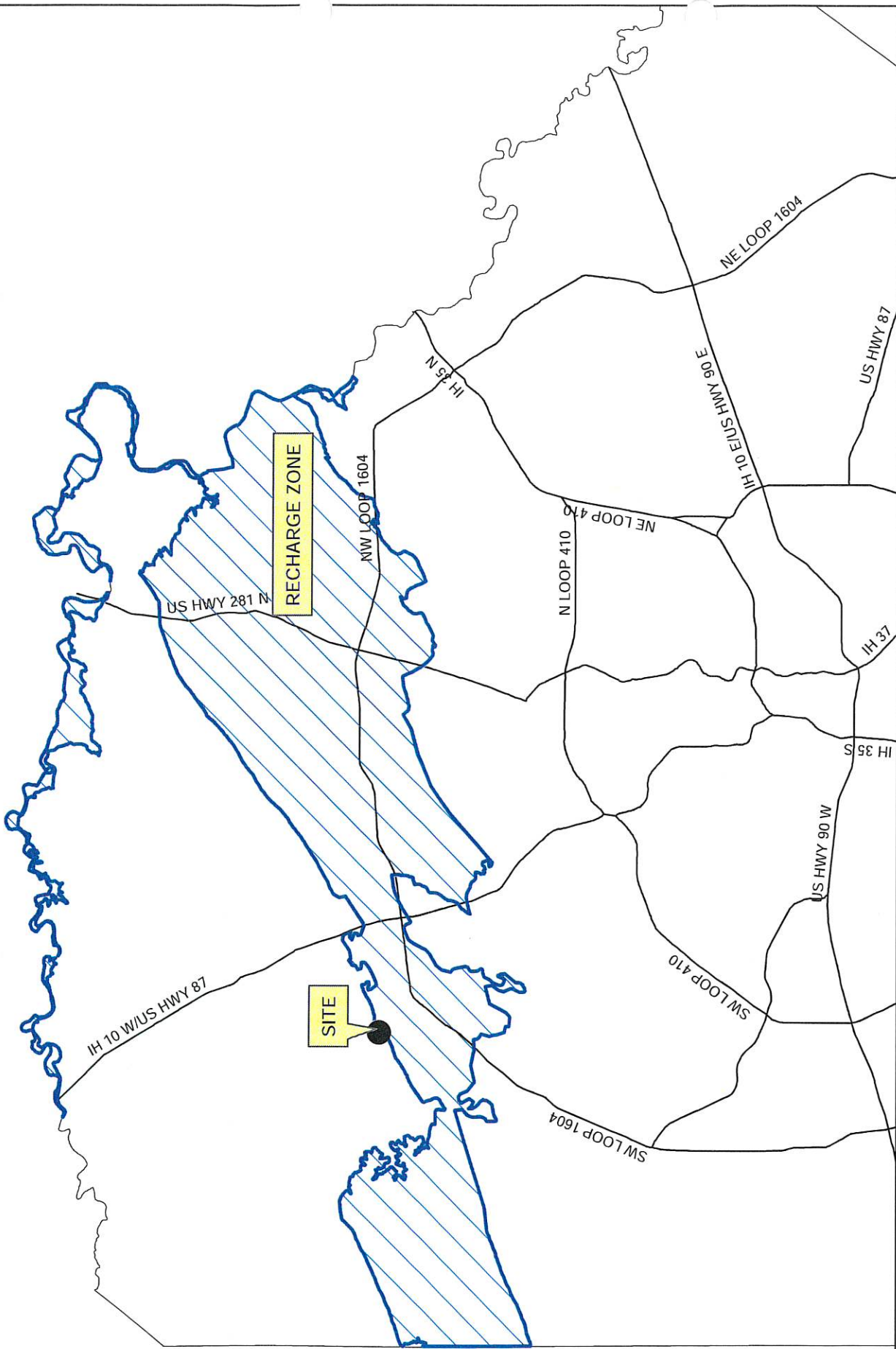


Scott R. Halty

Director

Resource Protection & Compliance Department

MJB:MAE



ZONING CASE: KYLE SEALE PARKWAY MF-18 46-ACRES (FIGURE 1)
ZONING FILE: Z2023-10700184

