

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 Z2021-10700353 (281/Overlook Development)

Date: March 29, 2022

SUMMARY

A request for a change in zoning has been made for an approximate 57.222-acre lot located on the city's northside. A change in zoning from "**C-2 CD & C-3 ERZD**" to "**MXD ERZD**" is being requested by the applicant 281/Overlook Partners, LP and represented by Ashley Farrimond of Killen, Griffin & Farrimond, PLLC. The change in zoning has been requested to allow for a mixed-use development. A portion of the property 20.501-acres is a Category 1 and the remaining 36.721-acres is 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, located approximately 2.4-miles north of US Hwy 281 North and TPC Parkway 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 CD & C-3 ERZD**" to "**MXD ERZD**" and will allow for a mixed-use development on approximately 57.222-acres. The site is undeveloped and primarily cleared of vegetation except for a section of native trees and understory remaining to the north and northeastern portions of the site. The proposed project will consist of a mixture of commercial and residential uses with associated parking area.

2. Surrounding Land Uses:

Undeveloped commercial properties border to the north and south of the subject site. Sendero Ranch subdivision lies east of the site. US Hwy 281 North borders to the west.

3. Water Pollution Abatement Plan:

A WPAP filed under the name Overlook Town Center had been previously submitted and approved by the Texas Commission on Environmental Quality (TCEQ) on May 7, 2020. A total of 11.66-acres out of the overall 57.2224-acre site was previously approved under the Overlook Town Center WPAP. The remaining 45.5624-acres will require a WPAP 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 15, 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 an undeveloped property, primarily cleared of vegetation on approximately 57.222-acres in area. Stockpiles of fill material containing crushed limestone and some concrete rubble were observed throughout the central and southeastern portions of the site. A paved surface and remnants of a concrete foundation was noted as well in the central and southeastern portions of the site. A CPS high tension line easement traverses the property from east to west. The north and northeastern portions of the property are vegetated with native trees and understory.

Bedrock exposure was obscured by previous site clearing activities, as well as scattered stockpiles of fill material throughout the site. Moderate bedrock exposure was noted in the northeast and to a lesser extent the southwestern sections of the property.

No portion of the site is in the floodplain. Stormwater occurring on the site would discharge towards Elm Waterhole Creek, however the northern portion of the site discharges to the northeast and the southern portion discharges towards the southeast.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that most of the site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer. Additionally, the central portion of the site was determined to be underlain by the Kirschberg Evaporite Member of the Kainer Formation 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. Bedrock exposure primarily along the northeast section of the subject site was diagnostic of characteristics of the Dolomitic Member.

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. No visual expression of this member was observed on-site.

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 hilly (TaD) soils.

The Tarrant Association Hilly soils are generally shallow over limestone, dark greyish brown, calcareous clay loam, occurring over hard fractured limestone subsurface layer, approximately 10 inches thick.

No sensitive geologic features were observed on-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 65% on the approximately 57.222-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.

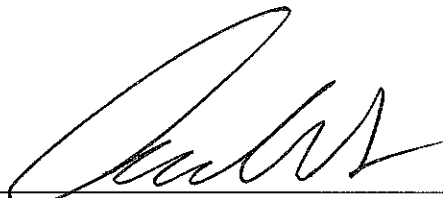
General Recommendations

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:

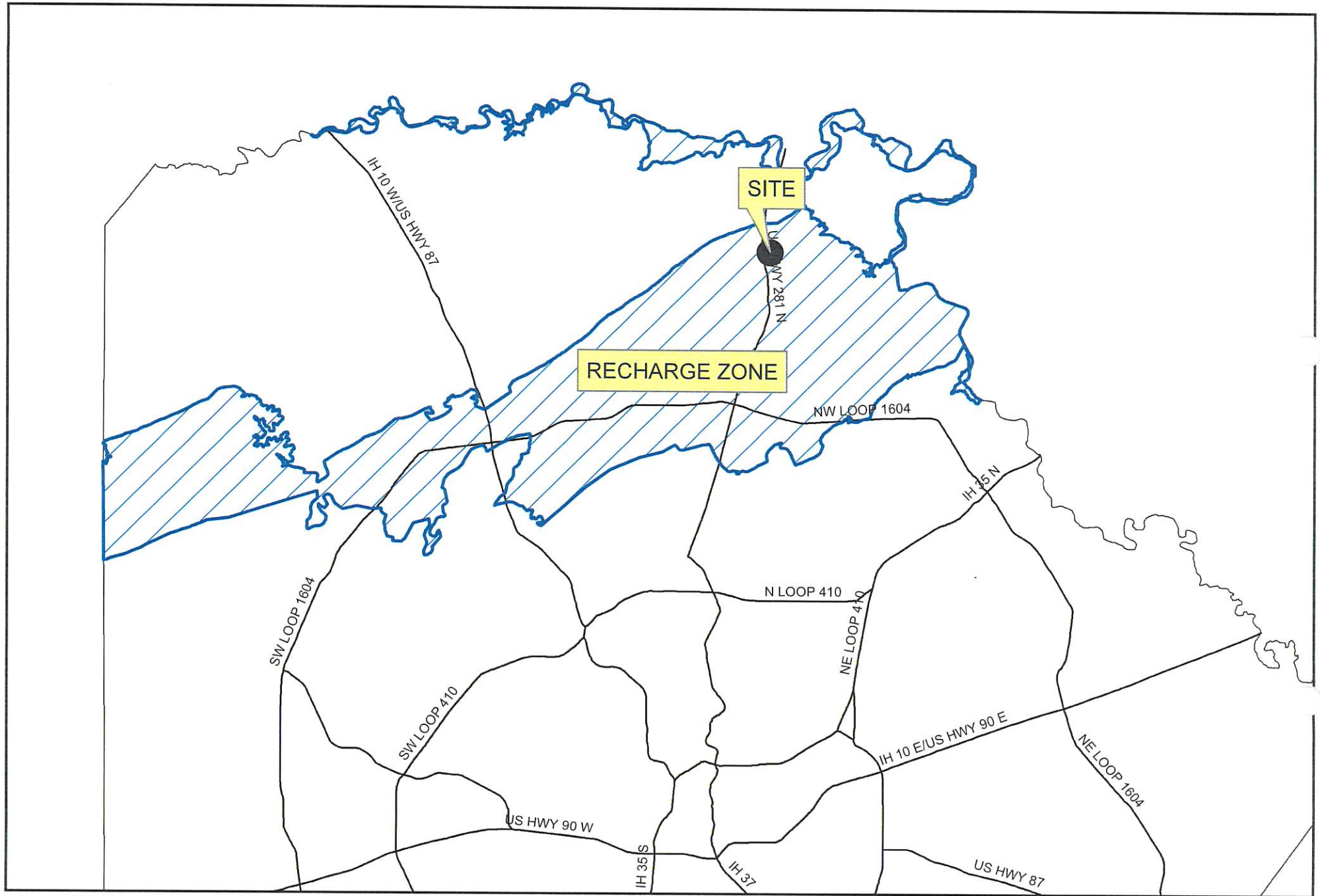


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MJB:MAE

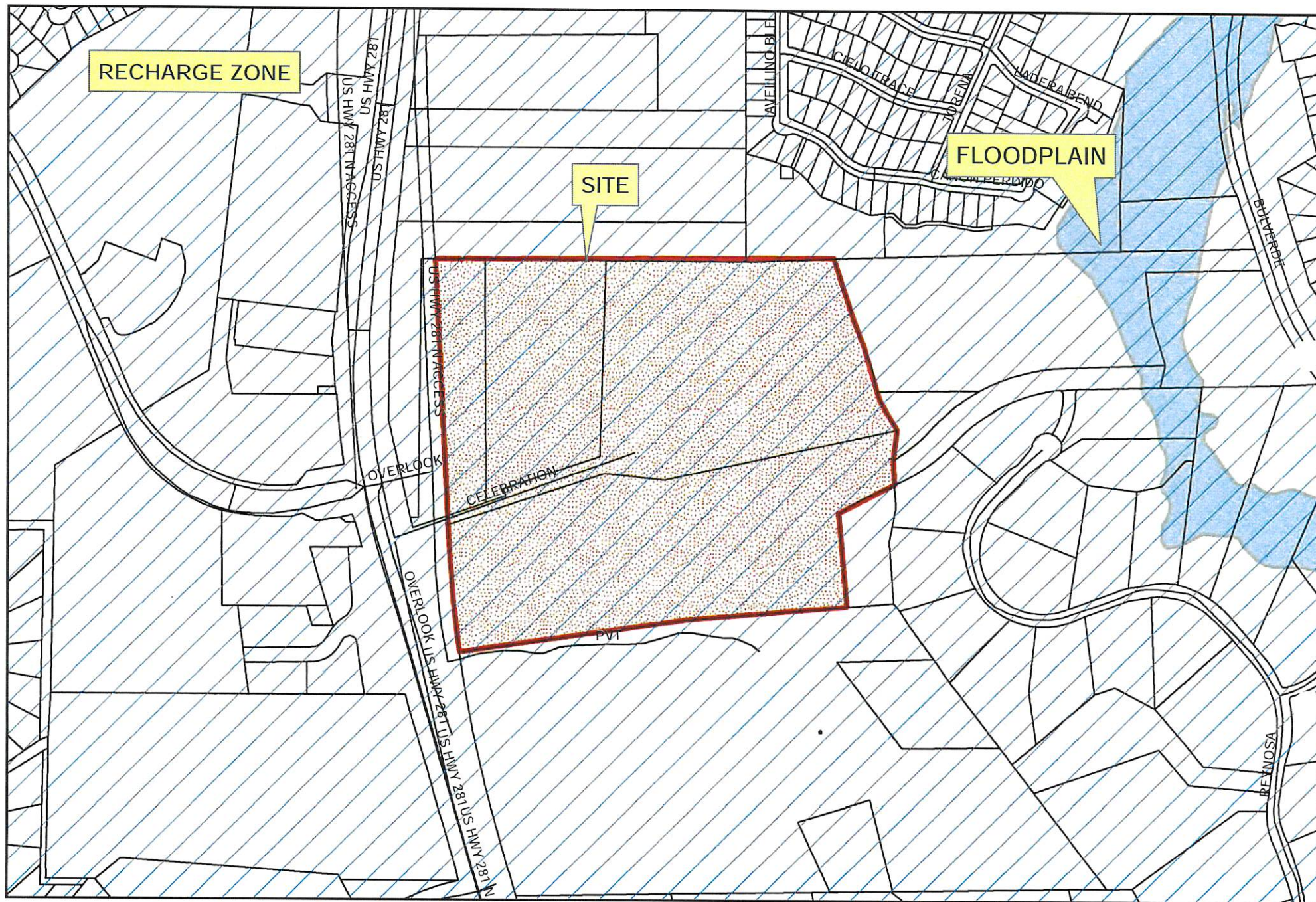


ZONING CASE: 281/OVERLOOK MIX-USE DEV. (FIGURE 1)
ZONING FILE: Z2021-10700353

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 2/10/2022

1 in = 20,833 ft
0 5,000 10,000 22,000 33,000 44,000 Feet





ZONING CASE: 281/OVERLOOK MIX-USE DEV. (FIGURE 2)
ZONING FILE: Z2021-10700353

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 2/10/2022

1 in = 494 ft
0 137.5275 550 825 1,100 Feet

