

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 Z2022-10700128 (US 281 N & Encino Rio MF-33)

Date: June 15, 2022

SUMMARY

A request for a change in zoning has been made for an approximate 9.32-acre tract located on the city's northeast side. A change in zoning from “**C-3 MLOD-1 MLR-2 ERZD**” to “**MF-33 MLOD-1 MLR-2 ERZD**” is being requested by the applicant High Rustler Ventures, LLC, and represented by Ashley Farrimond of Killen, Griffen, & Farrimond, PLLC. The change in zoning has been requested to allow for a multi-family development. The property is currently designated 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 within City Council District 9, approximately 2,100-feet north of Redland Rd. and US Hwy. 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-3 MLOD-1 MLR-2 ERZD**” to “**MF-33 MLOD-1 MLR-2 ERZD**” and will allow for a multi-family development on approximately 9.32-acres. The property is two undeveloped vegetated lots divided by an asphalt driveway. The proposed project is a 251-unit multi-family development consisting of two apartment buildings and associated parking areas.

2. Surrounding Land Uses:

Encino Crossing retail strip lies north of the property. US Hwy. 281 North and Martin Marietta rock quarry bounds to the west. Northside Church of Christ and Forest Village lies east of the subject site. Ravinia Apartments and North Pointe retail strip are located south of the 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 a site evaluation on May 11, 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 is two undeveloped vegetated lots divided by an asphalt driveway on approximately 9.32-acres in area. The two lots are vegetated with native grasses, understory, and trees. Evidence of geotechnical drill holes and a rock gabion barrier was noted in the southern lot. A drainage channel along the western boundary fronts the access road to US Hwy. 281 North. Moderate exposure of bedrock and float rock was noted throughout the site. A mapped fault separates the northern Dolomitic Member from the southern Leached and Collapsed Members. No surface expression of this fault was observed on-site, however the bedrock exposure was noted to be characteristic of the Dolomitic Member of the Kainer Formation of the Edwards Aquifer.

Stormwater occurring on the subject site would discharge to the south and west towards an unnamed tributary to Mud Creek. No portion of the site is in the floodplain.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Dolomitic Member of the Kainer Formation of the Edwards Aquifer within the northern portion of the subject site and underlain by the Leached and Collapsed Member of the Person Formation within the southern portion of the site.

The Leached and Collapsed Member of the Person Formation is characterized by the presence of crystalline limestone, grainstone, and mudstone, with chert nodules and breccia conglomerations. This Member is known to have fabric related porosity. The full section thickness of this member is approximately 70 to 90-feet thick.

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.

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 Gently Undulating (TaC) soils. The Tarrant Association soils are generally calcareous clay loam, moderately deep, with moderate to fine, subangular blocky structure, 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 60% on the approximately 9.32-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.

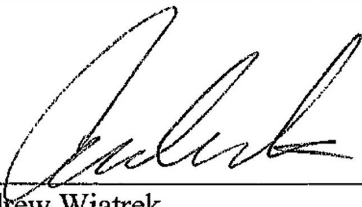
General Recommendations

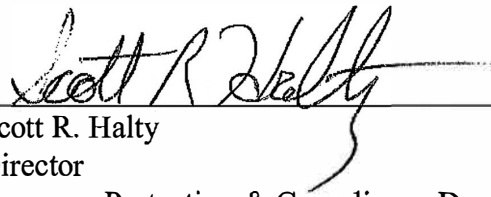
1. The City of San Antonio shall inspect all future construction of the sewage collection system to include service laterals and sewer mains for proper construction according to State and City Regulations and Code.
2. Prior to the release of any building permits, the following shall be submitted to the 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.

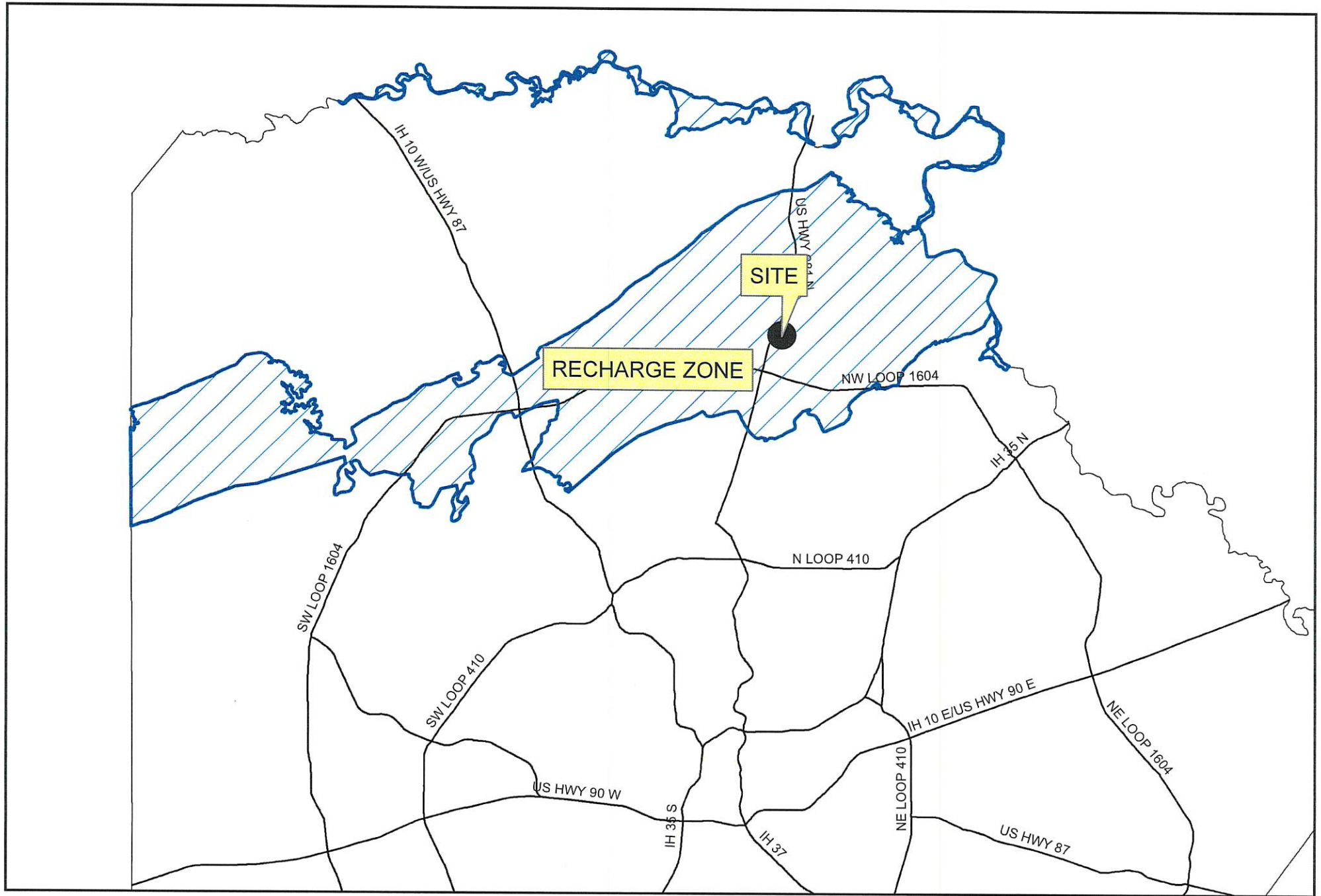
APPROVED:



Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division

Scott R. Halty
Director
Resource Protection & Compliance Department

MJB:MAE



ZONING CASE: US HWY 281 N & ENCINO RIO (FIGURE 1)
ZONING FILE: Z2022-10700128

Map Prepared by SAWS, Resource Protection & Compliance Dept. MAE 5/10/2022

