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**SAN ANTONIO WATER SYSTEM**  
**Interdepartment Correspondence Sheet** 2013 DEC 20 AM 8:49

**To:** Zoning Commission Members

**From:** Scott R. Halty, Director, Resource Protection and Compliance Department, San Antonio Water System

**Copies To:** Andrew Wiatrek, Manager, Aquifer Protection & Evaluation Section, Michael Barr, Supervisor, File

**Subject:** Zoning Case Z2013217 (Santikos Legacy 9.654 Acres)

**Date:** November 21, 2013

## SUMMARY

A request for a change in zoning has been made for an approximate 9.654-acre tract located on the city's north side. A change in zoning from **C-3 ERZD MLOD-1** and **C-3S ERZD MLOD-1** to **MF-33 ERZD MLOD-1** is being requested by the applicant, Embrey Partners. The change in zoning has been requested to allow for construction of a multi-family residential development. The subject site is currently a Category 1 property. It should be noted that the property lies within 2500 feet of Highway to Highway node.

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 located in City Council District 9, southeast of the intersection of Ridgewood Parkway and East Sonterra Road. 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 ERZD MLOD-1** and **C-3S ERZD MLOD-1** to **MF-33 ERZD MLOD-1** and will allow for the construction of a multi-family residential development. Currently the site is an undeveloped Category 1 property.

2. Surrounding Land Uses:

Commercial retail properties lie to the east and west, East Sonterra with undeveloped property beyond lies to the north and northeast, and undeveloped property with Loop 1604 beyond lies to the south

3. Water Pollution Abatement Plan:

A Water Pollution Abatement Plan (WPAP) for The Palladium (TCEQ File No. 1492.01) was approved by the Texas Commission on Environmental Quality (TCEQ) on November 12, 2002. TCEQ regulations may require a WPAP Modification or a new WPAP submittal for the property based on land use changes that occur within the original development plan. According to the geologic assessment in the WPAP, there are no sensitive geologic features located on the site.

4. Geologic Conditions:

The Resource Protection Division of the San Antonio Water System conducted a site evaluation on September 23, 2013, 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 as an assemblage of parcels, currently undeveloped, approximately 9.654 acres in area. The site was observed to be bounded on the north and northeast by East Sonterra with undeveloped property beyond; on the south by an undeveloped lot with Loop 1604 beyond; and on the east and west by commercial retail properties. Two ephemeral drainages were noted along the northern and southern borders of the site, respectively. Imported fill material was noted throughout the subject site. None of these features were considered to be sensitive.

Little to moderate exposure of bedrock was observed throughout the subject site. The site was observed to be moderately vegetated.

The site appeared to slope slightly to the north. Stormwater occurring on the subject site would drain to the north and northeast toward an unnamed tributary to Mud 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 throughout the majority of the site, and the Regional Dense Member of the Edwards Aquifer in the northernmost tip of the site.

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.

The Regional Dense Member is characterized as the vertical confining unit between the Kainer Formation and Person Formation, with very low permeability. The fully section thickness of this member is approximately 20 to 24 feet thick.

The subject site was observed to be undeveloped. No sensitive geologic features, such as sinkholes, caves, creeks, or faults were observed on 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 site.
2. Land uses within the zoned areas 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 that 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 prohibited, that land use will not be permitted on that site.

3. The owner of all water pollution abatement structures shall be responsible for properly maintaining the basin and ensure it is kept free of trash and debris. A signed water quality maintenance plan must be submitted to the Resource Protection Division 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 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.D.A, shall be used.
5. The applicant shall notify the Construction Compliance Section of the Resource Compliance Division of SAWS at (210) 233-3537 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 at (210) 490-3096 and the Resource Protection Division of the SAWS at (210) 233-3537.
6. If any sensitive 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 at (210) 490-3096 and the Resource Protection Division of the San Antonio Water System at (210) 233-3537.


### **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 Resource Protection Division of the San Antonio Water System.
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 (WPAP) shall be submitted for each particular development/use within the area being considered for re-zoning,

- B. A set of site specific plans which must have a signed Engineers Seal from 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 storage, handling, use and disposal of all over the counter hazardous materials within this development shall be consistent with the labeling of those materials. Failure to comply with the label warnings may constitute a violation of Federal law.
4. If a water quality basin is constructed on the property, the following is required:
- A. Below grade basins shall not be allowed to be constructed on the site.
  - B. Prior to the start of basin construction, the owner will notify San Antonio Water System at (210) 233-3537 to schedule a site inspection.
  - C. After basin construction is complete and prior to the start of business, the owner will notify the SAWS Aquifer Protection and Evaluation Section at (210) 233-3537 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to San Antonio Water System, Aquifer Protection and Evaluation Section.
  - D. If the basin fails to drain properly, the owner will notify the Construction Section of the Resource Compliance Division at (210) 233-3537 prior to any discharge of water.
  - E. If at any time the ownership of the property changes, the seller must inform the buyer of all requirements for maintenance of the Basin. A signed basin maintenance plan and schedule agreement, from the new owner, must be submitted to the SAWS.
5. 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.
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6. The Resource Protection 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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Andrew Wiatrek, Manager  
Edwards Aquifer and Watershed Protection Division

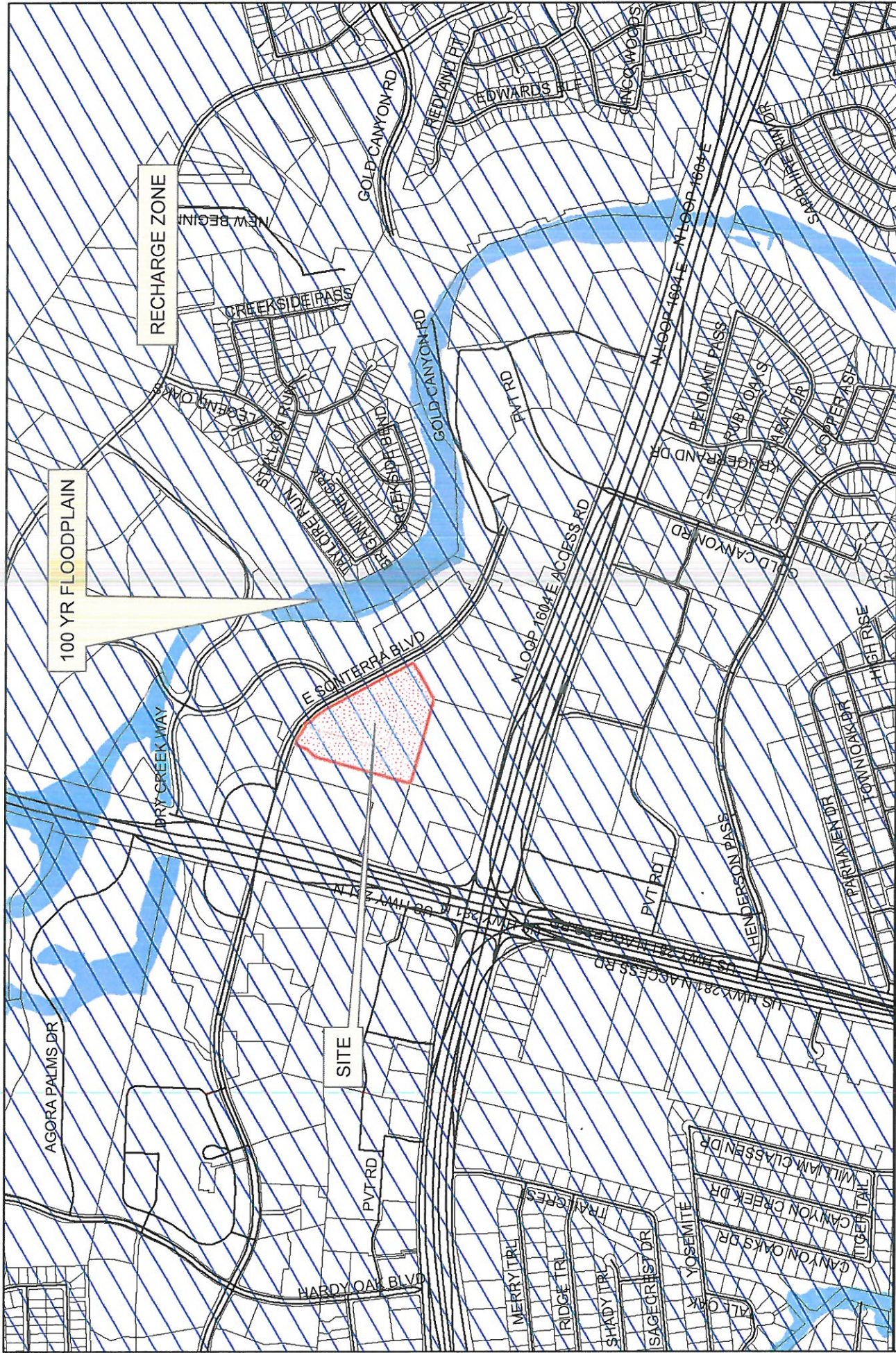


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Scott R. Halty, Director  
Resource Protection and Compliance Department

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**ZONING FILE: SANTIKOS LEGACY 9.654 ACRES**

**FILE NO: Z2013217**

**FIGURE 20**