

SAN ANTONIO WATER SYSTEM
Interdepartment Correspondence Sheet

20 FEB 26 PM 3:31

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 Z2019-10700322 (Mustang Oaks Development)

Date: February 26, 2020

SUMMARY

A request for a change in zoning has been made for an approximate 21.603-acre tract located on the city's north side. A change in zoning from “**NP-10 ERZD & O-2 ERZD**” to “**R-6 & MF-18 ERZD**” is being requested by the applicant, Austin W. Hagauer, and represented by Emilie Weissler, Brown & Ortiz, P.C. The change in zoning has been requested to allow for single-family residential and multi-family residential. The property is currently designated as 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 located in City Council District 10, approximately 1,142 feet southwest of Jones Maltsberger Rd. and Redland Rd. intersection. The property lies within the Edwards Aquifer Recharge Zone (Figures 1 and 2).

SITE EVALUATION

1. Development Description:

The proposed change is from “**NP-10 ERZD & O-2 ERZD**” to “**R-6 ERZD & MF-18 ERZD**” and will allow for the development of a low density single-family residential on 16.29-acres, and medium density multi-family housing on 5.313-acres. The total acreage for the dual-residential development is 21.603-acres. Currently, there is a residential house, a horse barn with corrals, a man-made stock tank, an active well, and a septic tank located on the property.

The overall property is primarily undeveloped and vegetated with native trees and understory.

2. Surrounding Land Uses:

Jones Maltzberger Rd. and Redland Oaks Community Church lies beyond to the north. To the east borders Redland Ranch and Redland Oaks subdivisions. Jones Maltzberger Rd. and Scattered Oaks subdivision bound to the west. Residential property borders the southern boundary.

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 December 13, 2019, 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 existing residential property, approximately 21.603-acres in area. The property was observed to have a residential house, an abandoned horse barn, corrals for equine operations, a man-made stock tank, an active well, and a septic tank. The overall property is vegetated with native trees and understory throughout the site.

Mud Creek intersects the northwestern portion of the property in a north-to-south direction. Storm water occurring on the site would drain to the south into 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.

The Cyclic and Marine Member of the Person Formation is characterized by the presence of thinly bedded mudstone, packstone and grainstone. The full section thickness of this member is approximately 80 to 90 feet thick.

No sensitive geologic features were identified within the subject site.

ENVIRONMENTAL CONCERNS

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

Site Specific Concerns

1. An existing well was observed on site and there is potential for contamination of the Edwards Aquifer via the well.
2. A septic system was observed on site and there is potential for contamination of the Edwards Aquifer.
3. The northwestern portion 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 35% on the overall 21.603-acre site.
2. The well on site shall meet the requirements of the SAWS Ground Water Resource Protection Section. Wells that are no longer in use or abandoned shall be properly plugged in accordance with SAWS water well plugging procedures. The Ground Water Resource Protection Section should be notified at (210) 233-3546 upon discovery and/or prior to any activities such as plugging of wells.

3. The existing septic system will have to be properly abandoned according to state regulations. The wastewater from the septic tank shall be removed by a licensed waste transporter.
4. A floodplain buffer shall be provided along the northwestern portion of the property as required in Ordinance No. 81491, Section 34-913.
5. 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.
6. 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.
7. 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.
8. 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:

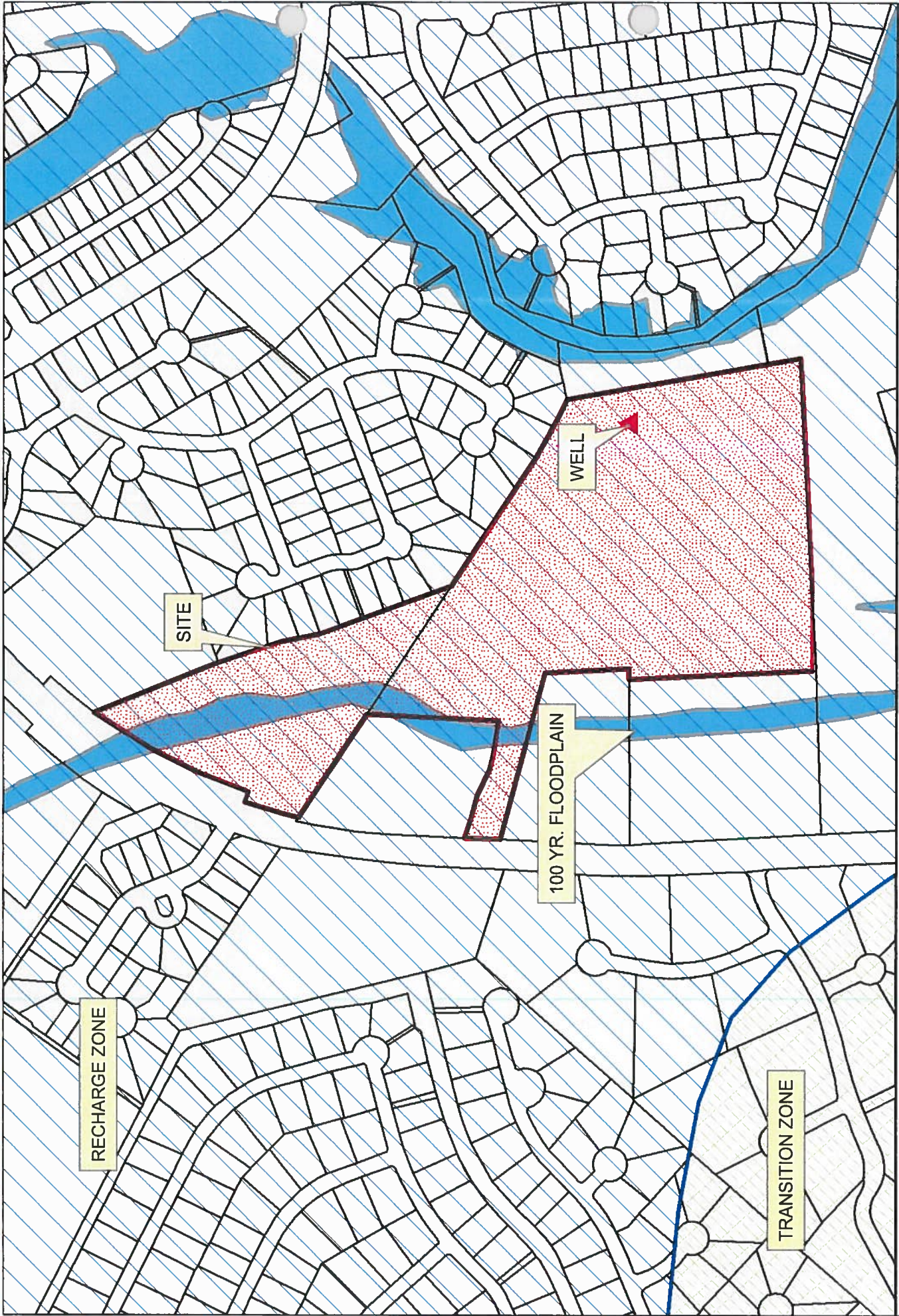


Andrew Wiatrek
Manager
Edwards Aquifer and Watershed Protection Division



Scott R. Halty
Director
Resource Protection & Compliance Department

MJB:MAE

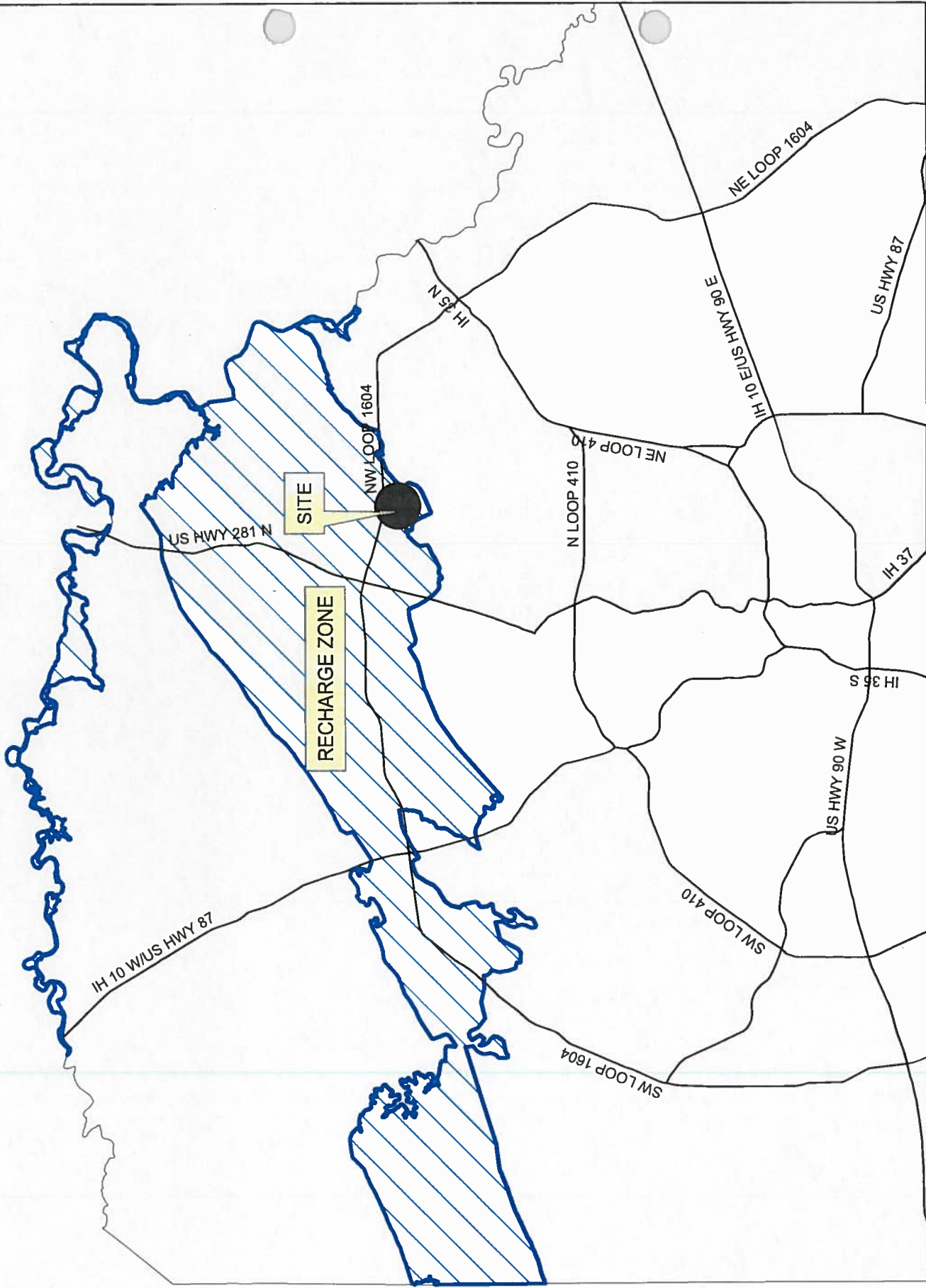


ZONING FILE: MUSTANG OAKS DEVELOPMENT (FIGURE 2)
 ZONING CASE: Z2019-10700322
 MAP PAGE: 152, A7



1 in = 337 ft





ZONING FILE: MUSTANG OAKS MF (FIGURE 1)
 ZONING CASE: Z2019-10700322
 MAP PAGE: 152, A7

1 in = 20,833 ft

