

**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 Z2015170 (Tuscany Stone Senior Living)

**Date:** June 30, 2015

**SUMMARY**

A request for a change in zoning has been made for an approximate 4.325-acre tract located on the city's north side. A change in zoning from “C-3 ERZD MLOD” to “MF-33 ERZD MLOD” is being requested by the applicant, Greystar GP II, LLC, represented by Kaufman & Killen. The change in zoning has been requested to allow for the development of a senior living 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 located in City Council District 9, on 18610 Tuscany Stone, north east of the intersection of Loop 1604 and Stone Oak Parkway Boulevard. The entire 4.325 acres of 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” to “MF-33 ERZD MLOD” and will allow for the development of a senior living development.

2. Surrounding Land Uses:

An office building and Tuscany Stone roadway lies south of the subject property. The western portion of the subject property is bound by a business park on Gallery Circle Drive. Montecristo Apartments borders the eastern portion of the subject property. The Boulevard at Sonterra apartments lie to the north of the subject property.

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 April 16, 2015, 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 one lot currently undeveloped, approximately 4.325 acres in area. The subject site was observed to be slightly to moderately vegetated with significant quantities of fill material that was excavated from the adjacent creekbed to improve the detention time for flood controls with in that creek.

The site appeared to slope to the south and west. Stormwater occurring on the subject site would drain to the south into an adjacent unnamed tributary to Lorence Creek.

Using U.S. Geological Survey Water-Resources Investigations Report 95-4030 it was determined that the subject site is underlain by the Leached and Collapsed Member of the Person Formation throughout 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. This member produces significant amounts of water and is considered very permeable and a significantly environmentally sensitive section of the Edwards Aquifer.

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. The site observations were verified through a geologic assessment conducted on March 2004. No sensitive geologic features were documented on the subject site in the Geologic Assessment from 2004.

## **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 site.
2. If a below grade water quality basin is constructed on the property, the following is required:

The applicant has proposed the installation of a below grade basin to treat the Drainage that would flow toward the south and west corner of the property. This basin will be treating the discharge from the buildings and the parking lots. Prior to the release of a building permit for the proposed senior living development, a plan and specifications for the below grade basin must be submitted and approved by the SAWS Aquifer Protection and Evaluation Section. This includes but shall not be limited to the following:

The specifications for the below grade basin shall provide an inspector the ability to visually inspect 100% of the basin, or the ability to visually inspect to an extent approved by SAWS, without having to attain an OSHA Confined Space Entry Permit and without having to use any specialized devices (e.g. mirrors, pole cameras, etc).

The basin must comply with the requirements of TAC Chapter 213 to remove a minimum of 80% TSS

The basin shall have a V-Notch weir or similar measuring device to be installed at the influent and effluent points of the basin and provide the accessibility and space for the potential of installing automatic samplers to verify the effectiveness of the basin treatment.

The manifests for disposal of removed material must be provided to SAWS annually.

If the basin operates with the use of filter media, an annual report must be submitted to SAWS verifying that the media maintenance has been performed and replaced media has been disposed of appropriately.

The area over the basin may not be used for parking and must remain clear of obstructions and traffic flow so that a SAWS staff member may inspect the basin 24 hours a day.

If the applicant/owner does not meet the required specifications and approvals by the SAWS Aquifer Protection and Evaluation Section an above grade basin will be required and have to be approved prior to the release of the building permit.

Upon installation of the below grade basin the applicant will provide to the SAWS Aquifer Protection and Evaluation Section a signed TCEQ Maintenance Agreement with the individual's name that will be serving as a point of contact for the basin. The applicant/owner shall provide proof of a service contract for a minimum of three years for the proposed basin to ensure proper maintenance and inspections will occur. A Change in Responsibility for Maintenance on Permanent Best Management Practices and Measures form from TCEQ will be filled out and submitted to SAWS with the individual's name that will be serving as a point of contact for the basin when a change of basin ownership or basin maintenance responsibilities occur.

3. 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 plugging of such wells.
4. 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.

5. 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.
6. 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.
7. The applicant shall notify the Construction Monitoring of SAWS at (210) 233-3572 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 Resource Protection Division of the San Antonio Water System.
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. 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 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 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.
5. If a water quality basin is constructed on the property, the following is required:
- A. Prior to the start of the basin construction, the owner will notify the Aquifer Protection and Evaluation Section of the SAWS at (210) 233-3522 to schedule a site inspection.
  - B. After basin construction is complete and prior to the start of business, the owner will notify the Aquifer Protection and Evaluation Section at (210) 233-3522 to schedule a site inspection. Additionally, we recommend a maintenance plan and schedule be developed and submitted to the Aquifer Protection and Evaluation Section of SAWS.
  - C. If the basin fails to drain properly, the owner will notify the Construction Monitoring Section of the Resource Protection & Compliance Division at (210) 233-3522 prior to any discharge of water.
  - D. 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 Aquifer Protection & Evaluation Section of SAWS.
6. 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.
7. 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.

Ordinance 81491, Article 6, Section 34-930 Category 2 Pollution Prevention Criteria:

- Single-family residential: 30% impervious cover
- Multi-family residential: 50% impervious cover
- Commercial: 65% impervious cover

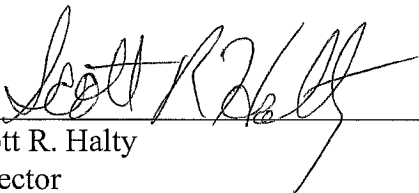
Based on the site evaluation of the property, and the information submitted by the applicant, staff recommends **approval** of the proposed land use. Additionally, SAWS staff recommends that the applicant, or any future owner, comply with the above recommendations in regards to the development of the subject property.

APPROVED:



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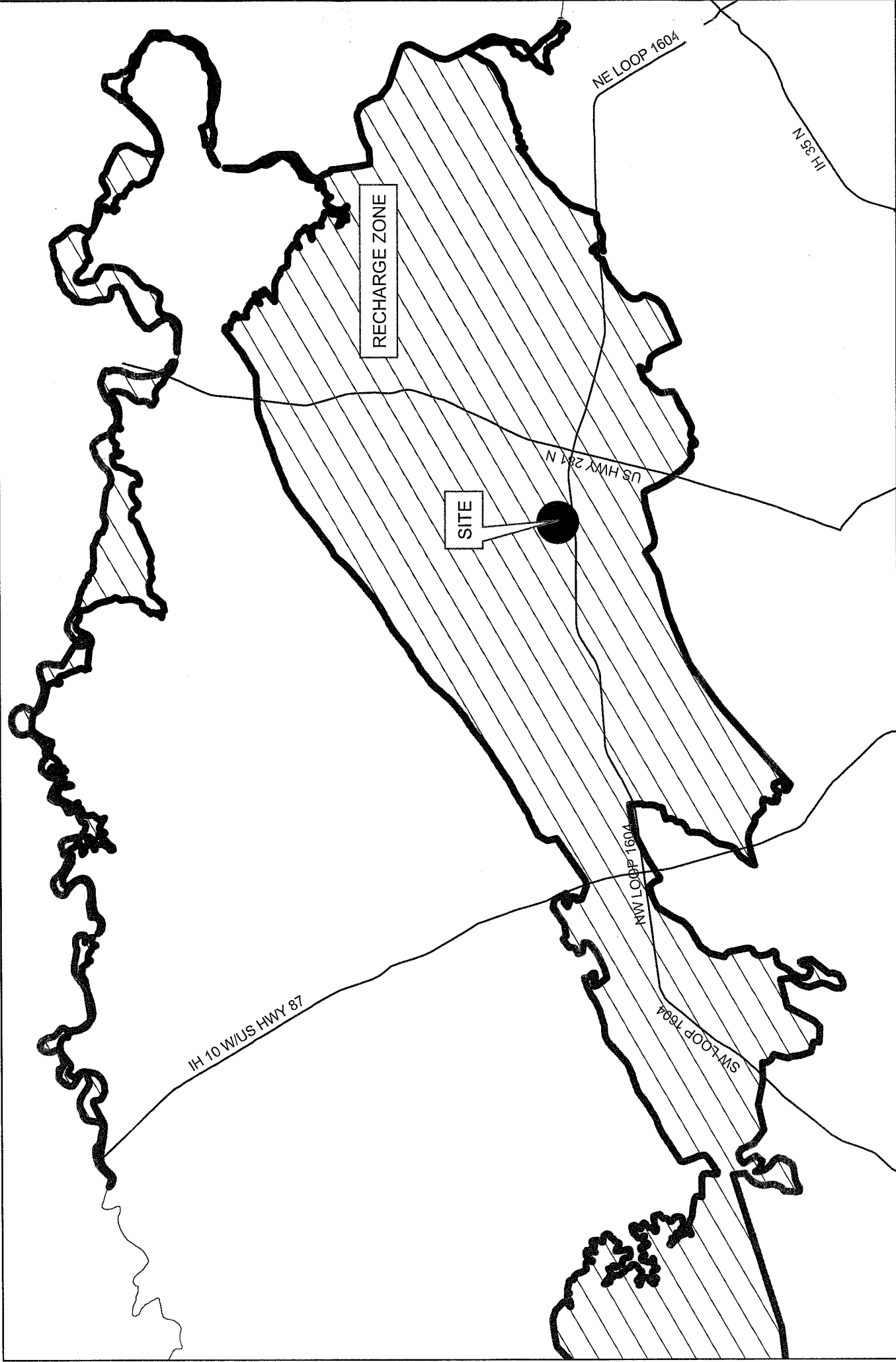
Andrew Wiatrek  
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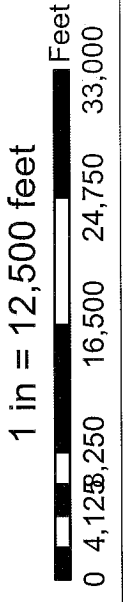
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MJB:MAE



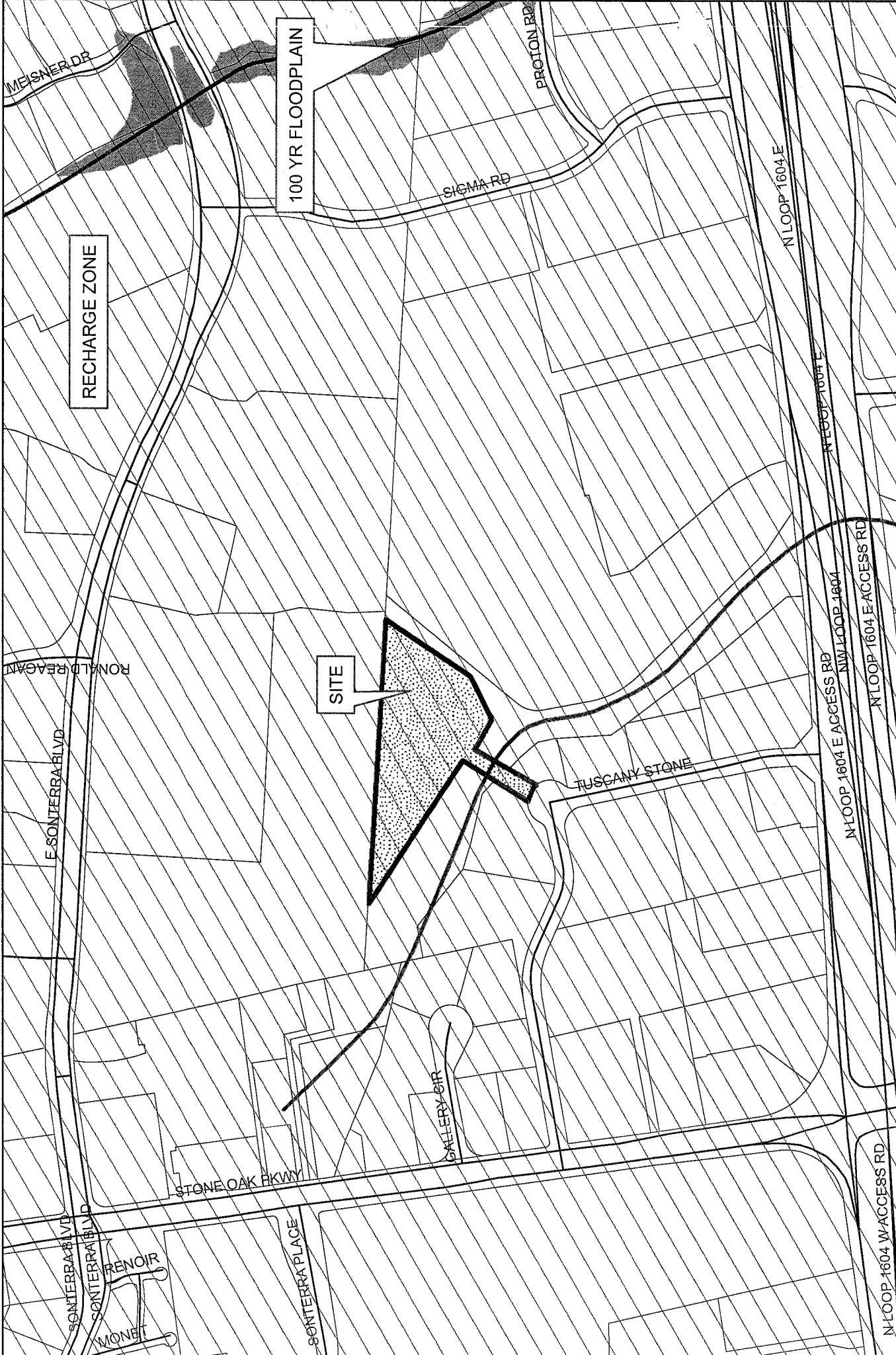
ZONING FILE: SENIOR LIVING TUSCANY STONE (FIGURE 1)  
 ZONING CASE: Z2015170  
 MAP GRID: 150, F4

Map Prepared by Aquifer Protection & Evaluation 4/15/2015 MAE



1 in = 12,500 feet





ZONING FILE: SENIOR LIVING TUSCANY STONE (FIGURE 2)  
 ZONING CASE: Z2015170  
 MAP GRID: 150, F4

