



## City Council & Board of Adjustment Regular Meeting

*City of Dripping Springs Council Chambers*

*511 Mercer Street - Dripping Springs, Texas*

*Tuesday, February 06, 2024, at 6:00 PM*

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## AGENDA

### CALL TO ORDER & ROLL CALL

#### City Council Members

Mayor Bill Foulds, Jr.

Mayor Pro Tem Taline Manassian

Council Member Place 2 Wade King

Council Member Place 3 Geoffrey Tahuahua

Council Member Place 4 Travis Crow

Council Member Place 5 Sherrie Parks

#### Staff, Consultants, & Appointed/Elected Officials

City Administrator Michelle Fischer

Deputy City Administrator Ginger Faught

Deputy City Administrator Shawn Cox

City Attorney Laura Mueller

City Secretary Andrea Cunningham

IT Director Jason Weinstock

People & Communications Director Lisa Sullivan

Planning Director Tory Carpenter

Deputy Public Works Director Craig Rice

Parks & Community Services Director Andy Binz

Building Official Shane Pevehouse

### PLEDGE OF ALLEGIANCE

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### BOARD OF ADJUSTMENT

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### CALL TO ORDER & ROLL CALL

#### Board Members

Chair Bill Foulds, Jr.

Taline Manassian

Wade King

Geoffrey Tahuahua

Travis Crow

Sherrie Parks

## BOARD OF ADJUSTMENT AGENDA

- 1. Public hearing and consideration of approval of VAR2023-0007: an application for a variance to Section 3.14.3 of the Zoning Ordinance to allow a building height in excess of 40 feet for the St. Martin de Porres Catholic Church located at 230 Post Oak Drive. Applicant: Daniel Pesek**

- a. Applicant Presentation
- b. Staff Report
- c. Planning & Zoning Commission Report
- d. Public Hearing
- e. Variance Application

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## CITY COUNCIL

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### PRESENTATION OF CITIZENS

*A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.*

### PROCLAMATIONS & PRESENTATIONS

*Proclamations and Presentations are for discussion purposes only and no action shall be taken.*

- 2. Proclamation proclaiming February 2024 as "Dating Violence Awareness and Prevention Month" in the City of Dripping Springs. Sponsor: Mayor Bill Foulds, Jr.**

### CONSENT AGENDA

*The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.*

- 3. Approval of the January 16, 2024, City Council regular meeting minutes.**
- 4. Approval of an Amended Resolution of the City of Dripping Springs Consenting to the Issuance of Bonds by Headwaters Municipal Utility District of Hays County. Applicant: Tony Corbett**

- 5. Approval of a Rate Adjustment for an Agreement with Chapman Law Firm, P.C. Sponsor: Mayor Bill Foulds, Jr.**
- 6. Approval of the First Amendment to the Big Sky Wastewater Utility Agreement with Meritage Homes of Texas. Sponsor: Mayor Bill Foulds, Jr.**
- 7. Approval of a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Roger Hanks Parkway Extension II. Applicant: Cash Construction Company, Inc.**

## **BUSINESS AGENDA**

- 8. Public hearing and consideration of approval of a License to Encroach for an existing structure partially within the City right-of-way at 101 S. College St. Applicant: Jon Thompson. Owner: Short Mama's LLC.**
  - a. Applicant Presentation
  - b. Staff Report
  - d. Public Hearing
  - e. License to Encroach Application
- 9. Public hearing and consideration of approval of a Sign Variance Request to exceed the maximum signable area allowed for a multi-unit complex monument sign for Headwaters Commercial West, located at 1055 Kibo Ridge. Applicant: Blake Rue**
  - a. Applicant Presentation
  - b. Staff Report
  - c. Public Hearing
  - d. Variance Request
- 10. Discuss and consider approval of a Facility Use Agreement between the City of Dripping Springs and Tiger Splash TAAF Swim Team related to use of the Founders Memorial Pool for the 2024 swim season. Sponsor: Councilmember Wade King**
- 11. Public hearing and consideration of approval of an Ordinance Calling the City of Dripping Springs 2024 Municipal General Election.**
  - a. Public Hearing
  - b. Ordinance
- 12. Discuss and consider approval of the Environmental Health Inspector Job Description. Sponsor: Mayor Bill Foulds, Jr.**

## **REPORTS**

*Reports listed are on file and available for review upon request. The City Council may provide staff direction; however, no action shall be taken.*

- 13. Planning Department Report**  
*Tory Carpenter, Planning Director*

## CLOSED SESSION

*The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.*

- 14. Consultation with Attorney and Deliberation of the Hiring, Employment, and Duties of the Public Works Director, Deputy Public Works Director, Maintenance Director, and Environmental Health Inspector.** *Consultation with Attorney, 551.071; Personnel Matters, 551.074*
  
- 15. Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service for subdivisions and commercial projects, Wastewater Fees, and related items.** *Consultation with Attorney, 551.071*

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

February 20, 2024, at 6:00 p.m. (CC)  
March 5, 2024, at 6:00 p.m. (CC & BOA)  
March 19, 2024, at 6:00 p.m. (CC)

### Board, Commission, & Committee Meetings

February 12, 2024, TIRZ No. 1 & No. 2 Board at 4:00 p.m.  
February 14, 2024, DSRP Board at 11:00 a.m.  
February 15, 2024, Farmers Market Committee at 10:00 a.m.  
February 15, 2024, Emergency Management Commission at 12:00 p.m.  
February 21, 2024, Parks & Recreation Commission at 6:00 p.m.

## ADJOURN

## TEXAS OPEN MEETINGS ACT PUBLIC NOTIFICATION OF MEETING

*I certify that this public meeting is posted in accordance with Texas Government Code Chapter 551, Open Meetings. This meeting agenda is posted on the bulletin board at the City of Dripping Springs City Hall, located at 511 Mercer Street, and on the City website at, [www.cityofdrippingsprings.com](http://www.cityofdrippingsprings.com), on **February 2, 2024, at 3:30 p.m.***

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*Laura Mueller, City Attorney for City Secretary*



*This facility is wheelchair accessible. Accessible parking spaces are available. Request for auxiliary aids and services must be made 48 hours prior to this meeting by calling (512) 858-4725.*



# City Council Planning Department Staff Report

Item # 1.

**City Council Meeting:** February 6, 2024  
**Project No:** VAR2023-0007  
**Project Planner:** Tory Carpenter, Planning Director

### Item Details

**Project Name:** St. Martin de Porres New Church Height Variance  
**Property Location:** 230 Post Oak Drive  
**Legal Descriptions:** ST MARTINS SUBD LOT 1 17.88 AC EXEMPT 1-1-96, ST MARTINS SUBD LOT 2 6.22 AC, OAK SPRINGS LOT 2 2.00 AC GEO#90403166, and OAK SPRINGS LOT 1 2.00 AC GEO#90403165  
**Applicant:** Daniel Pesek  
**Property Owner:** Catholic Diocese of Austin  
**Request:** To exceed the height limit of 40 feet per GUI zoning district.  
Approval of the variance with the following conditions:  
**Staff Recommendation:**  

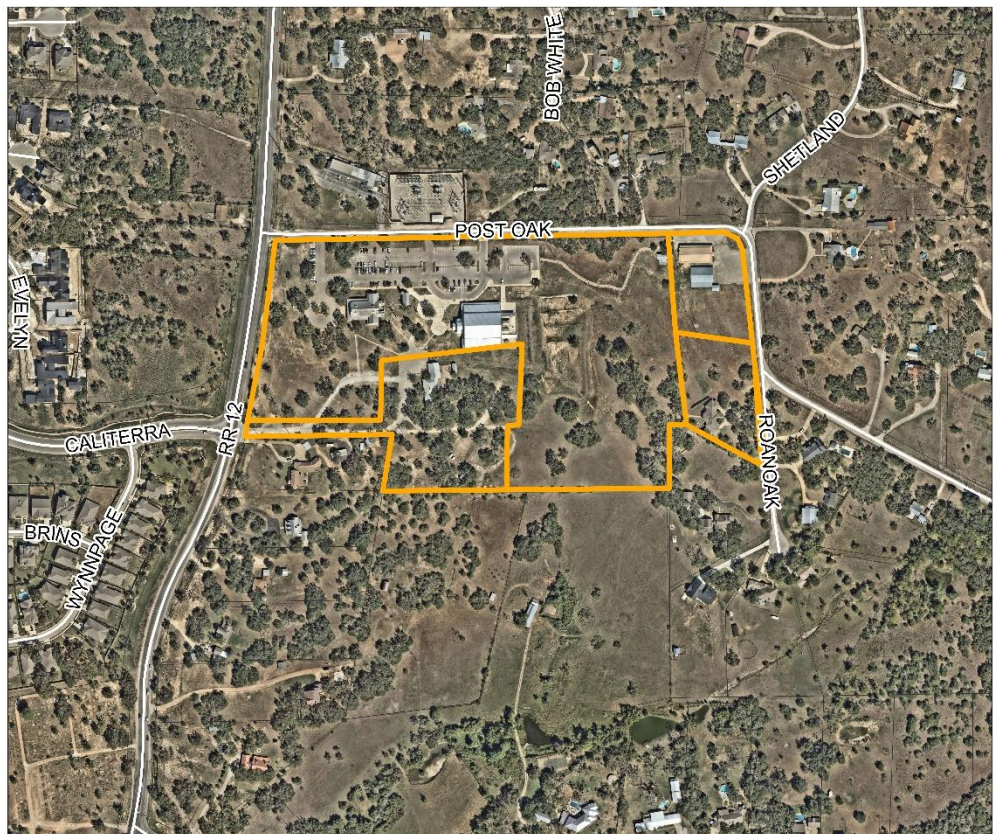
1. The property shall be annexed into the City Limits; and
2. The two western-most properties shall be combined into a single platted lot.



VAR2023-0007  
St. Martin de Porres  
Height Variance

**Legend**

- Roads
- Subject Property
- Parcels



## Overview

St. Martin de Porres is planning to expand its campus by building a new church. The proposed structure is reminiscent of Spanish-style Catholic missionaries.

The Church's current plan draws upon its religious background to create a cathedral-like style and therefore exceeds the height limit of 40 feet with its dome and steeples.

The applicant is requesting a variance to Chapter 30, Exhibit A Section 3.14.3.(a) to bypass the 40-foot height restriction in the GUI zoning district.

Below are the applicable code sections related to this variance request:

**Zoning: 3.14.3.(a) GUI Height Regulations:**

*Maximum two and one-half stories, or 40 feet, whichever is less, for the main building or house.*

**Zoning: 5.29.2. Special Height Regulations:**

*Water standpipes and tanks, church steeples, domes and spires, school buildings, windmills, barns, and institutional buildings may be erected to exceed the height limit, as specified in the particular zoning district, provided that one additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the district height limit.*

**Architectural: 24.03.052.8. Building Heights:**

*Building heights shall be as allowed by applicable zoning. Landmark architectural features or distinctive vertical design elements are encouraged, shall not exceed allowable building heights (except as part of an approved variance or alternative design standard) and are limited in their footprint area to a maximum of 25 percent of the total gross building footprint.*

## Property History

In 2018, St. Martin de Porres expanded its campus with the construction of the St. Dymphna Center creating a 3<sup>rd</sup> building on site. While most of the property was annexed into the City Limits, there is still a portion of the interior property which is outside the City Limits.

**Approval Criteria for Variance (2.22.2-Zoning Ordinance)**

Approval Criteria	Staff Comments
1. there are special circumstances or conditions affecting the land involved such that the literal enforcement of the provisions of this Chapter would deprive the applicant of the reasonable use of the land; and	Disapproval of the variance would not deprive the church of reasonable use of the property since the sanctuary can be expanded without the need for a height variance.
2. the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and by preserving the natural features and topography of the land; and	The design associated with this variance request vastly exceeds City architectural requirements. These requirements help preserve the aesthetics and overall enjoyment of the property.
3. the granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property within the area; and	Granting the variance will not be detrimental to public health, safety, and welfare, or injurious to other nearby properties.
4. the granting of the variance constitutes a minimal departure from this Chapter; and	Zoning code section 5.29.2 allows for church steeples and domes to exceed the height limit if the setbacks are increased per additional foot over the limit. Based on the applicant’s provided plans this condition is fulfilled. Thus, the variance will not constitute a departure from this chapter.
5. the subject circumstances or conditions giving rise to the alleged hardship are not self-imposed, are not based solely on economic gain or loss, and do not generally affect most properties in the vicinity of the property; and	The church could construct a new sanctuary without the need for a height variance.
6. Granting the variance is in harmony with the spirit, general purpose, and intent of this Chapter so that: <ul style="list-style-type: none"> <li>a. the public health, safety and welfare may be secured; and</li> <li>b. that substantial justice may be done.</li> </ul>	The variance request will be in harmony with the spirit, general purpose, and intent of this chapter, public health, safety, and welfare will be secured.

**Summary and Recommendation**

Based on the above findings, although this is a self-imposed issue, the uniqueness of the project, the significance it brings to the community, while meeting the intent of the code, staff recommends approval of the variance with the conditions that the church properly annexes into the city limits and to plat the properties into one lot.

**Planning & Zoning Commission Action**

At their regular meeting on February 23, 2024, the Planning & Zoning Commission voted 4-1 to approve the variance with the following conditions:

1. The property shall be annexed into the City Limits; and
2. The two western-most properties shall be combined into a single platted lot.

The Planning & Zoning Commission also approved an alternative design for the height.

# Planning Department Staff Report

Note that condition 2 was clarified by the Planning & Zoning Commission to allow the two eastern-most lots owned by the church to not be included in the combining of the lots at the applicant’s request. Staff is supportive of this amendment to the condition which is reflected in the staff recommendation.

## Public Notification

A legal notice advertising the public hearing was placed in the Dripping Springs Century-News, signs were posted on the-site, notice was placed on the City Website, and all property owners within a 300-foot radius of the site were notified of the Variance request.

## Meetings Schedule

January 23, 2024 Planning & Zoning Commission

February 6, 2024 Board of Adjustment

## Attachments

Attachment 1 – Variance Application

Attachment 2 – Application Material

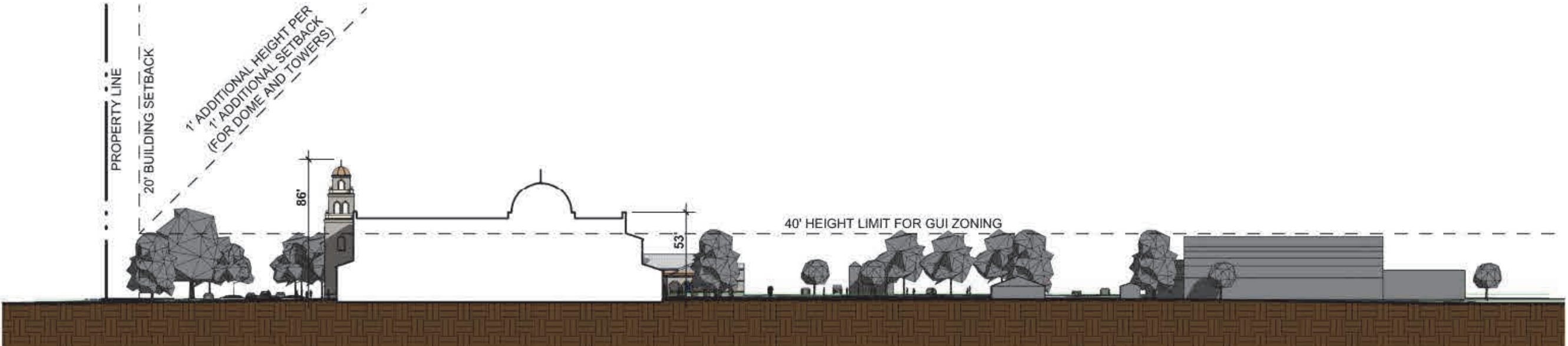
Attachment 3 – Site Plan

Attachment 4 – Setback Offset per Additional Foot

Attachment 5 – Renderings

Recommended Action	Recommend approval of the variance with the following conditions; 1. The property shall be annexed into the City Limits; and 2. The two westernmost lots shall be combined into a platted single lot.
Alternatives/Options	Denial of the variance.
Budget/Financial impact	N/A
Public comments	None received at this time
Enforcement Issues	N/A
Comprehensive Plan Element	N/A







**DRIPPING SPRINGS**  
Texas

Item # 1.

City of Dripping Springs

PHYSICAL: 511 Mercer Street • MAILING: PO Box 384

Dripping Springs, TX 78620

512.858.4725 • cityofdrippingsprings.com

**ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER APPLICATION**

Case Number (staff use only): \_\_\_\_\_ - \_\_\_\_\_

**CONTACT INFORMATION**

PROPERTY OWNER NAME Catholic Diocese of Austin

STREET ADDRESS 6225 US Highway 290 E

CITY Austin STATE Texas ZIP CODE 78723

PHONE 512-858-5667 EMAIL frjustin@stmartindp.org

APPLICANT NAME Daniel Pesek

COMPANY Brown Reynolds Watford Architects, Inc.

STREET ADDRESS 175 Century Square Drive, Suite 350

CITY College Station STATE Texas ZIP CODE 77840

PHONE 979-694-1791 EMAIL dpesek@brwarch.com

**APPLICATION TYPE**

ALTERNATIVE STANDARD

VARIANCE

SPECIAL EXCEPTION

WAIVER

Please Note: If possible, we prefer to process this request purely as an Alternative Exterior Design Standard per 24.03.052 (8). However, if a variance is required due to the height restriction, please initiate that process and invoice for the appropriate fee.



# PROPERTY INFORMATION

PROJECT NAME	St. Martin de Porres New Church
PROPERTY ADDRESS	230 Post Oak Drive, Dripping Springs, Texas, 78620
CURRENT LEGAL DESCRIPTION	Lots 1 & 2 of St. Martin's Subdivision, Volume 5, Pages 127-128, P.R.H.C.T.
TAX ID#	74-2243245
LOCATED IN	<input checked="" type="checkbox"/> CITY LIMITS <input type="checkbox"/> EXTRATERRITORIAL JURISDICTION <input type="checkbox"/> HISTORIC DISTRICT OVERLAY

- Description of request & reference to section of the Code of Ordinances applicable to request:

**Section 24.03.007, Alternative Exterior Design Standards**

Rather than strict compliance with Exterior Design and Architectural Standards, we request compliance via an Alternative Exterior Design Standard. Two specific areas of non-compliance are noted below.

**Section 24.03.052, Paragraph (7) Porches**

Exterior Design and Architectural Standards require a porch extending across 50% minimum of the primary elevation. Our proposed design has a porch extending across only 40% of the primary elevation.

**Section 24.03.052, Paragraph (8) Building Heights & Chapter 30, Exhibit A, Section 3.14.3 (a)**

Exterior Design and Architectural Standards require compliance with Zoning Ordinance with regard to building height. Main building is limited to 40 feet, and our proposed design is approximately 53 feet to the top of parapet of the main roof.

- Description of the hardship or reasons the Alternative Standard/Special Exception/Variance / Waiver is being requested:

After several meetings with the City Architect and other City Officials, we were encouraged to submit our design as an Alternative Exterior Design Standard. This is because our conceptual design did not seem to fit neatly with the type of building envisioned in the Design Standards, but is nevertheless a significant monumental building that will be a great benefit to both the parish community and the City of Dripping Springs.

**Front Porch:** Based on historical precedent and desires of the parish, our design features towers on either side of the entrance, which lend themselves to a solid and massive appearance. The careful balance of proportion on the primary elevation results in the porch covering less than 50% when including the bump-outs that are set back approximately 18 feet from the towers. When measured from the edges of the towers, which is the more natural pedestrian viewing of the primary elevation, the porch covers 50%.

**Building Height:** Based on the needs of this growing parish, a minimum seat count of 1,000 is needed for the new church. That seat count requires a certain size footprint to fit within. When that size footprint is coupled with a maximum height of 40 feet and a pitched roof (as required by 24.03.052 (3)), the result is a poorly proportioned and squatty building. The interior ceiling of such a building would feel low and overbearing, rather than lifting the eyes to the heavens, as this type of space should. The Zoning Ordinance already includes exceptions for "church steeples, domes and spires", allowing them to exceed the maximum height one additional foot per foot of additional setback from the property line. As shown in the site sections in the attached presentation, our towers and dome are well below the allowable limit for this exception, and even where they are at right now makes the height of the main roof seem insignificant in comparison.

- Description of how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard/special exception/variance/waiver:

Design standards require a highly articulated building form and massing scheme. Our design is exceptional in this regard with numerous bumpouts and offsets, geometries with high visual interest, and several stone detail elements, all in a well proportioned and hierarchical composition.

Design standards require a 2:12 minimum roof slope for pitched roofs, we have a 4:12 slope.

Design standards limit primary colors to no more than 10% of the area of any building elevation. Our design features all neutral hues and subdued earthy tones with no primary colors.

Design standards encourage landmark architectural features and distinctive vertical design elements. Our design features two towers and a dome.

Design standards state a preference for narrow windows rather than picture windows. Our design includes only square, circular, or vertically oriented windows - no horizontally oriented windows.

Design standards state a preference for native stone masonry, specifically 75% stone/glass on primary facade and 4' wainscot around the entire building. Our design features approximately 40% stone/glass on the primary facade, a 4' wainscot around the entire building, and numerous stone detail elements (window sills and trim, copings, etc.) on all sides of the building. The remainder of the exterior wall material is a cream/buff colored brick intended to approximate the color of the stone. While other less expensive materials with shorter life-spans are allowed, such as EIFS, metal wall panel, and wood, none of those are being used, and this is a full masonry building. While the overall quantity of brick may be greater than that of stone, the brick is used as a backdrop, while stone is used at the pedestrian level and at prominent locations and details that draw the eye.

Design standards state a preference for standing seam metal roofs. Our design features standing seam metal roofing at the most prominent and highly visible portions of the roof, the dome and bell towers, as well as on the pedestrian walkways. The remainder of the roof is concrete barrel tile in a brown color similar to the medium bronze metal roofing for a cohesive composition. The roofing scheme is intended to set the tone for future development of the church campus.

**APPLICANT'S SIGNATURE**

The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Daniel Pesek is authorized to act as my agent and representative with respect to this Application and the City's zoning amendment process.

(As recorded in the Hays County Property Deed Records, Vol. 5, Pg. 127-128.)

Rev. Justin Nguyen

Name

Pastor

Title

STATE OF TEXAS §

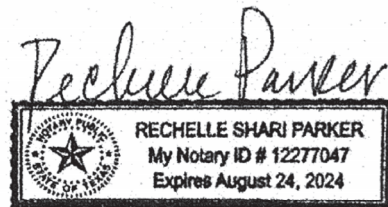
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COUNTY OF HAYS §

This instrument was acknowledged before me on the 13 day of November

~~2012~~ 23 by Rechelle Parker

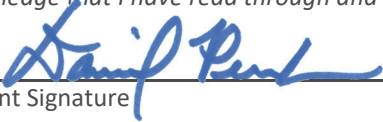
\_\_\_\_\_  
Notary Public, State of Texas



My Commission Expires: August 24, 2024

Daniel Pesek  
Name of Applicant

All required items and information (including all applicable above listed exhibits and fees) must be received by the City for an application and request to be considered complete. **Incomplete submissions will not be accepted.** By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:

  
 Applicant Signature

11/16/2023  
 Date

CHECKLIST		
STAFF	APPLICANT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Completed Application Form - including all required signatures and notarized
<input type="checkbox"/>	<input type="checkbox"/> n/a	Application Fee (refer to Fee Schedule) <b>send invoice to billing contact</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	PDF/Digital Copies of all submitted documents <b>When submitting digital files, a cover sheet must be included outlining what digital contents are included.</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Billing Contact Form
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Map/Site Plan/Plat
<input type="checkbox"/>	<input type="checkbox"/> n/a	Cut/Fill Data Sheet (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Architectural Elevations (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Description and reason for request (attach extra sheets if necessary)
<input type="checkbox"/>	<input type="checkbox"/> n/a	Public Notice Sign - \$25 <b>send invoice to billing contact if applicable</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Proof of Property Ownership-Tax Certificate or Deed
<input type="checkbox"/>	<input type="checkbox"/> n/a	Outdoor Lighting Ordinance Compliance Agreement - signed with attached photos/drawings (required if marked "Yes (Required)" on above Lighting Ordinance Section of application)

Project Number: \_\_\_\_\_ - \_\_\_\_\_  
Only filled out by staff



**DRIPPING SPRINGS**  
Texas

**BILLING CONTACT FORM**

Project Name: St. Martin de Porres New Church

Project Address: 230 Post Oak Drive, Dripping Springs, Texas, 78620

Project Applicant Name: Daniel Pesek

**Billing Contact Information**

Name: Daniel Pesek

Mailing Address: 175 Century Square Drive, Suite 350

College Station, Texas 77845

Email: dpesek@brwarch.com Phone Number: 979-694-1791

Type of Project/Application (check all that apply):

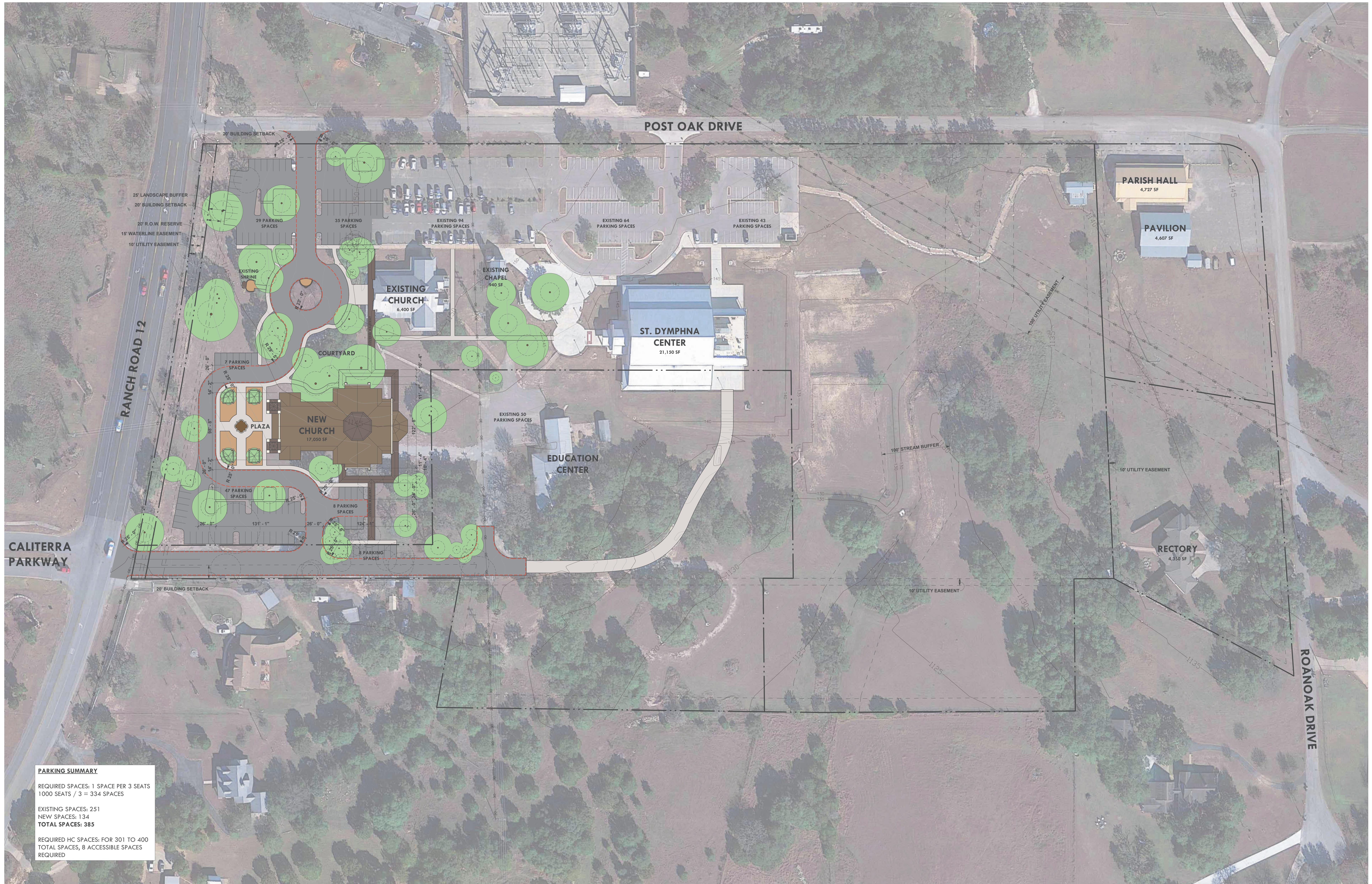
- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Alternative Standard | <input type="checkbox"/> Special Exception     |
| <input type="checkbox"/> Certificate of Appropriateness  | <input type="checkbox"/> Street Closure Permit |
| <input type="checkbox"/> Conditional Use Permit          | <input type="checkbox"/> Subdivision           |
| <input type="checkbox"/> Development Agreement           | <input type="checkbox"/> Waiver                |
| <input type="checkbox"/> Exterior Design                 | <input type="checkbox"/> Wastewater Service    |
| <input type="checkbox"/> Landscape Plan                  | <input checked="" type="checkbox"/> Variance   |
| <input type="checkbox"/> Lighting Plan                   | <input type="checkbox"/> Zoning                |
| <input type="checkbox"/> Site Development Permit         | <input type="checkbox"/> Other _____           |

*Applicants are required to pay all associated costs associated with a project's application for a permit, plan, certificate, special exception, waiver, variance, alternative standard, or agreement, regardless of City approval. Associated costs may include, but are not limited to, public notices and outside professional services provided to the City by engineers, attorneys, surveyors, inspectors, landscape consultants, lighting consultants, architects, historic preservation consultants, and others, as required. Associated costs will be billed at cost plus 20% to cover the City's additional administrative costs. **Please see the online Master Fee Schedule for more details.** By signing below, I am acknowledging that the above listed party is financially accountable for the payment and responsibility of these fees.*

  
Signature of Applicant

11/16/2023  
Date





**PARKING SUMMARY**

REQUIRED SPACES: 1 SPACE PER 3 SEATS  
 1000 SEATS / 3 = 334 SPACES

EXISTING SPACES: 251  
 NEW SPACES: 134  
**TOTAL SPACES: 385**

REQUIRED HC SPACES: FOR 301 TO 400  
 TOTAL SPACES, 8 ACCESSIBLE SPACES  
 REQUIRED

**1 CONCEPTUAL SITE PLAN**  
 1" = 50'-0"  
 0' 50' 100'

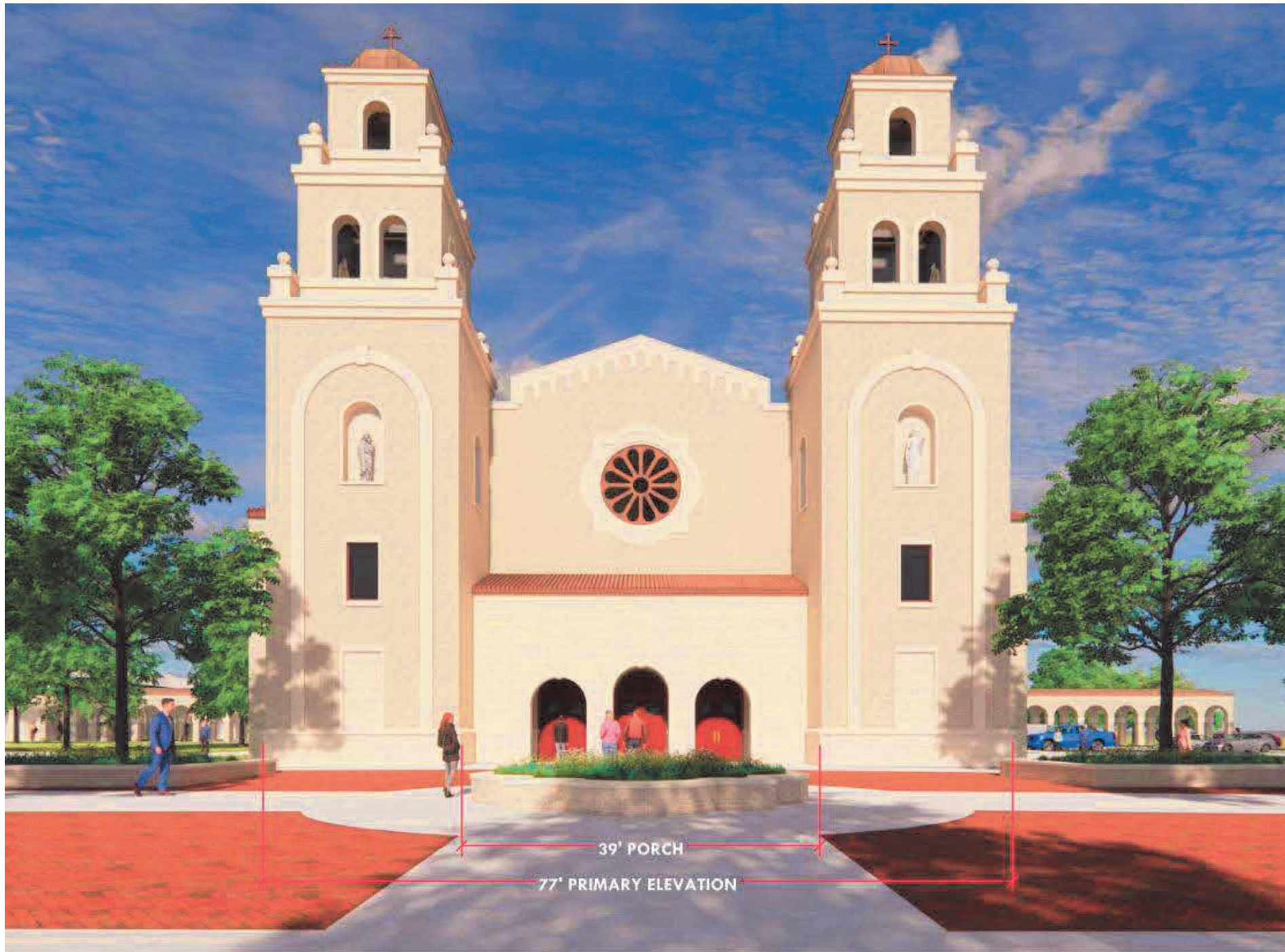
11/14/2023

# ST. MARTIN DE PORRES | NEW CHURCH



INTERIM REVIEW DOCUMENTS  
 NOT FOR REGULATORY  
 APPROVAL  
 PERMITTING OR  
 CONSTRUCTION  
 RAY HOLLIDAY  
 TX REG. NO. 19834





$$\frac{39'}{77'}$$

**=50%**

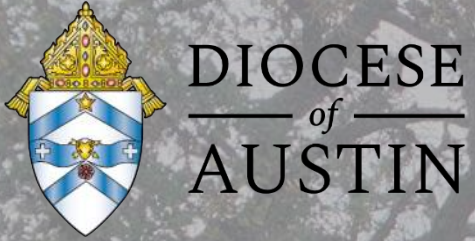












**BRW**  
ARCHITECTS

**Studio io**  
LITURGICAL DESIGN & CONSULTING

# St. Martin de Porres New Church

Alternative Exterior Design Standard  
November 8, 2023



# 01 | Owner Priorities





# EXISTING PARISH CAMPUS





# EXISTING CHURCH





**ST. DYMPHNA CENTER (MULTI-PURPOSE)**





# EDUCATION CENTER





**ST. MARTIN DE PORRES**



**ST. GERARD, SAN ANTONIO**  
**FRED GAENSLEN**





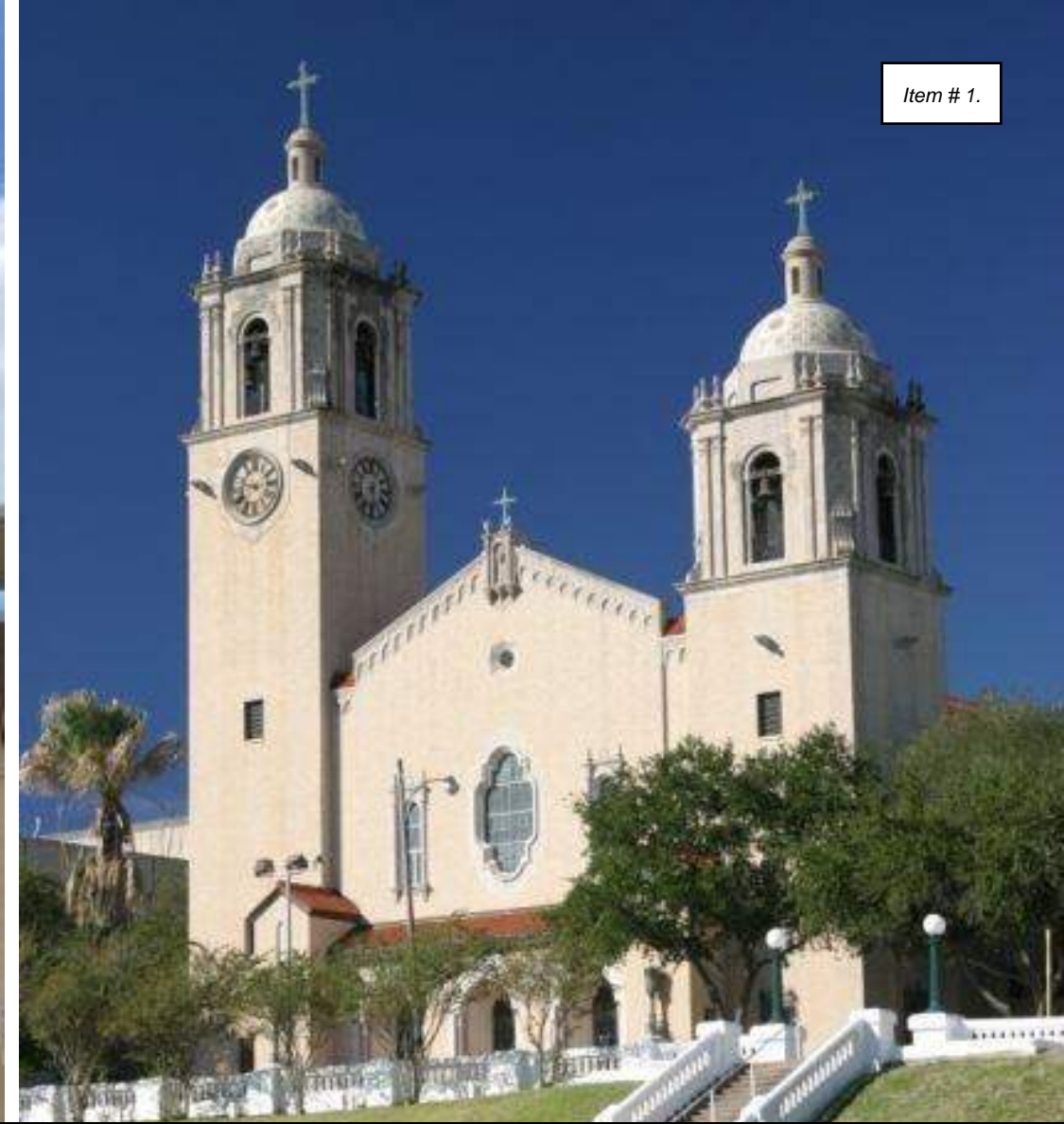
**ST. MICHAEL, CUERO**  
**FRED GAENSLEN**





**ST. PHILIP, EL CAMPO**  
**FRED GAENSLEN**





Item # 1.

**ST. MARY, SAN ANTONIO**  
**FRED GAENSLEN**

**CORPUS CHRISTI CATHEDRAL**  
**CHARLES MONNOT**



# 02 | Request for Alternative Exterior Design Standard



# REQUESTING APPROVAL OF AN ALTERNATIVE EXTERIOR DESIGN STANDARD PER SECTION 24.03.007

## **Sec. 24.03.007 Alternative exterior design standards**

(a) Generally. An alternative exterior design standard may be submitted for consideration by the city administrator, when site conditions, demonstrated hardships, or **design challenges** make **strict compliance** with the requirements unworkable, **undesirable**, or **impractical**.

Examples of such site conditions include, but are not limited to, the following:

- (1) Existing non-complying buildings, utilities, or other improvements; and
- (2) Life safety code issues.

# EXTERIOR DESIGN AND ARCHITECTURAL STANDARDS (REQUIREMENTS)

REQUIREMENTS	DOES NOT COMPLY	PARTIALLY COMPLIES	COMPLIES	EXCEEDS	REMARKS
Highly articulated building form				●	
Pitched roofs with 2:12 minimum slope				●	4:12 slope typical
No more than 25% flat roof				●	None except interior of towers
Neutral, subdued, earthy, natural colors			●		
Primary colors not to exceed 10% area				●	No primary colors
3 pedestrian amenities per 5,000 SF			●		Plaza, planter walls, walkways, etc.
6' deep porch across 50% of primary elevation		●			Porch covers 40%
Building height within zoning limits	●				Towers yes, primary ridge no

## 24.03.052 (8) BUILDING HEIGHTS

(8) Building heights. Building heights shall be **as allowed by applicable zoning**. Landmark architectural features or distinctive vertical design elements are encouraged, shall not exceed allowable building heights (except as part of an approved variance or alternative design standard) and are limited in their footprint area to a maximum of 25% of the total gross building Footprint.

# 24.03.052 (8) BUILDING HEIGHTS

## 3.14. - Government/utility/institutional (GUI).

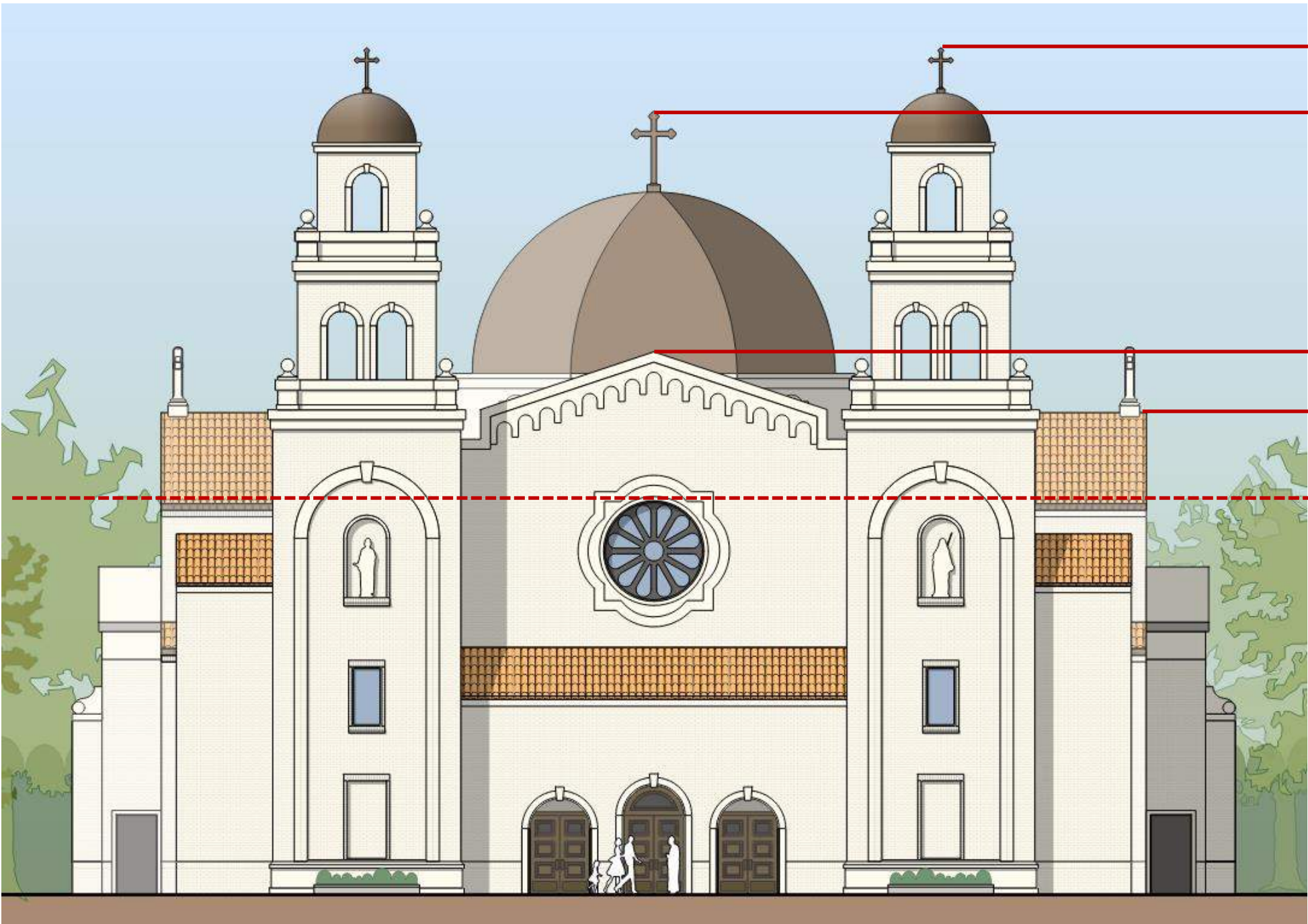


- 3.14.1. Description: The GUI, government/utility/institutional district is intended to provide for the siting of government buildings of the state, county, city or federal governments. It is also intended to provide classification for public utility installations, EMS stations, fire stations, health care facilities, schools and churches, without regard to public or private ownership. This zoning classification may, with city council approval, be applied to properties situated anywhere within the city limits.
- 3.14.2. Permitted uses: Those uses defined as public services, government facilities or schools and churches on the zoning use charts are authorized uses permitted by right.
- 3.14.3. Height regulations:
  - (a) Main building(s): Maximum two and one-half stories, or 40 feet, whichever is less, for the main building or house.
  - (b) Accessory building(s): Maximum 25 feet for other accessory buildings, including a detached garage.
  - (c) Other: Refer to section 5, Development Standards and Use Regulations for other regulations including accessory dwelling unit regulations.

## 5.29. - Special height regulations.



- 5.29.1. In the districts where the height of buildings is restricted to two stories, cooling towers may extend for an additional height not to exceed 50 feet above the average grade line of the building.
- 5.29.2. Water stand pipes and tanks, church steeples, domes and spires, school buildings, windmills, barns, and institutional buildings may be erected to exceed the height limit, as specified in the particular zoning district, provided that one additional foot shall be added to the width and depth of front, side, and rear yards for each foot that such structures exceed the district height limit.
- 5.29.3. Calculation of height: For the purposes of calculating the overall height of a structure, slope shall be calculated from the highest point of the building at natural grade to the lowest point of the building at natural grade, or the natural grade of an adjoining road, along a line that is, as close as possible, perpendicular to existing contours. The height shall be measured from the highest parapet or roof ridge to natural grade or finish grade at the lowest point adjacent to the building exterior, whichever yields the greatest height.



**86' TOP OF TOWER**

Item # 1.

**79' TOP OF DOME**

**53' TOP OF PARAPET**

**49' TOP OF MAIN ROOF**

**40' LIMIT FOR GUI ZONE**



Looking west from the corner  
of Southmore Boulevard and  
Caroline Street in the Museum  
District before and after construction  
of the Southmore high-rise apartment  
building

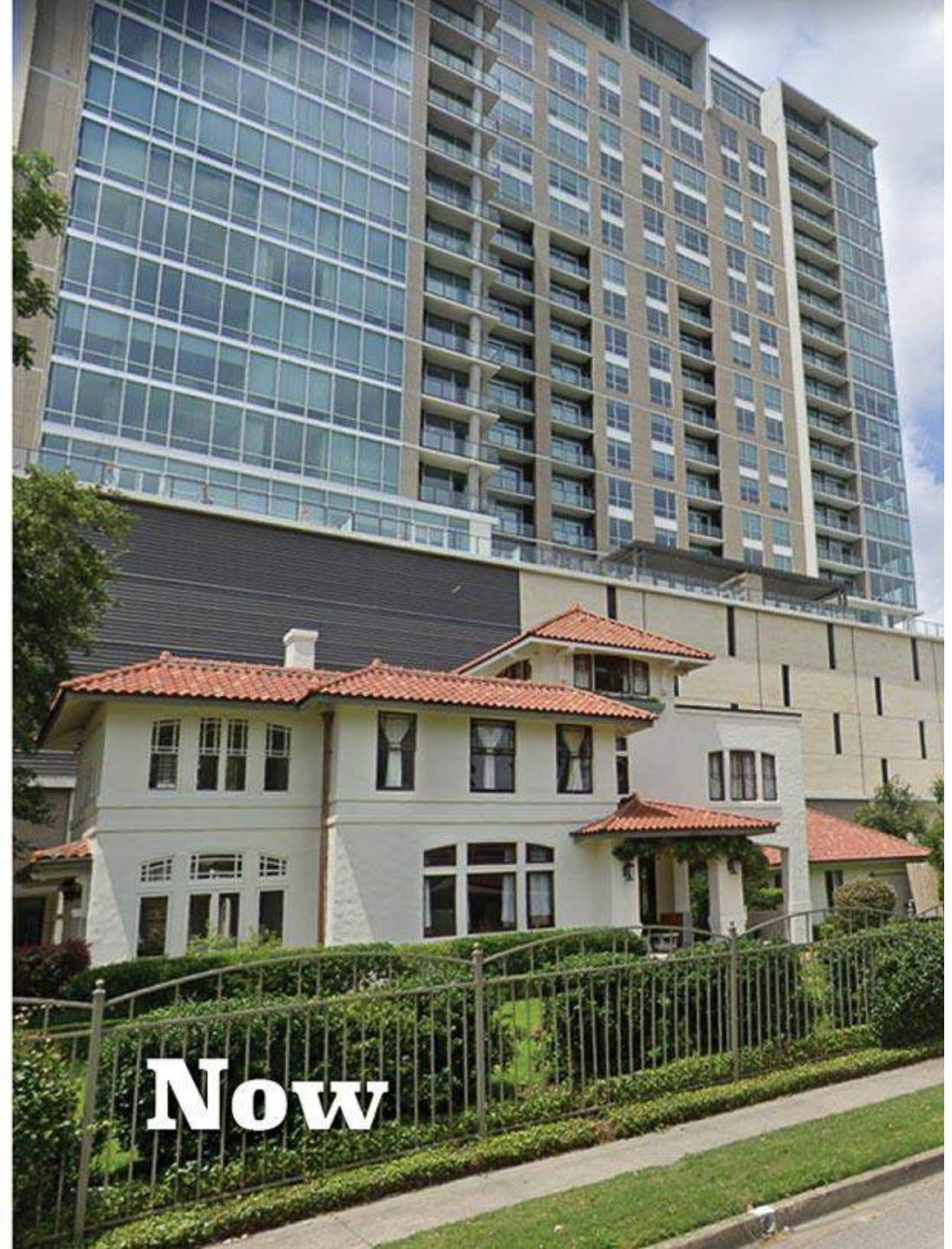
Item # 1.



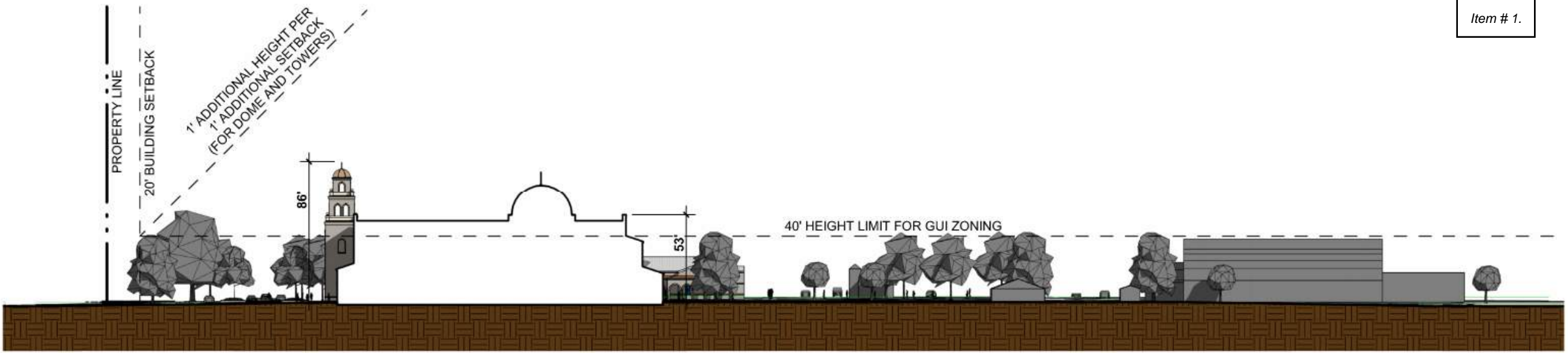
**Then**



Looking west from the corner  
of Southmore Boulevard and  
Caroline Street in the Museum  
District before and after construction  
of the Southmore high-rise apartment  
building









## 24.03.052 (7) PORCHES

(7) Porches. Porch elements or permanent pedestrian shading devices of an approved type shall be provided on every **building's primary elevation**, contributing to the design's forms and massing schemes. These elements shall be of permanent and durable construction, projecting six feet (6') minimum from the building and **extending across 50% minimum of the primary elevation**. Wrap-around porches, porch or pedestrian shading devices on multiple building elevations, and raised porches with pedestrian-oriented wood handrail designs are encouraged.



$$\frac{39'}{97'}$$

**=40%**





$$\frac{39'}{77'}$$

**=50%**



# 03 | Going Beyond



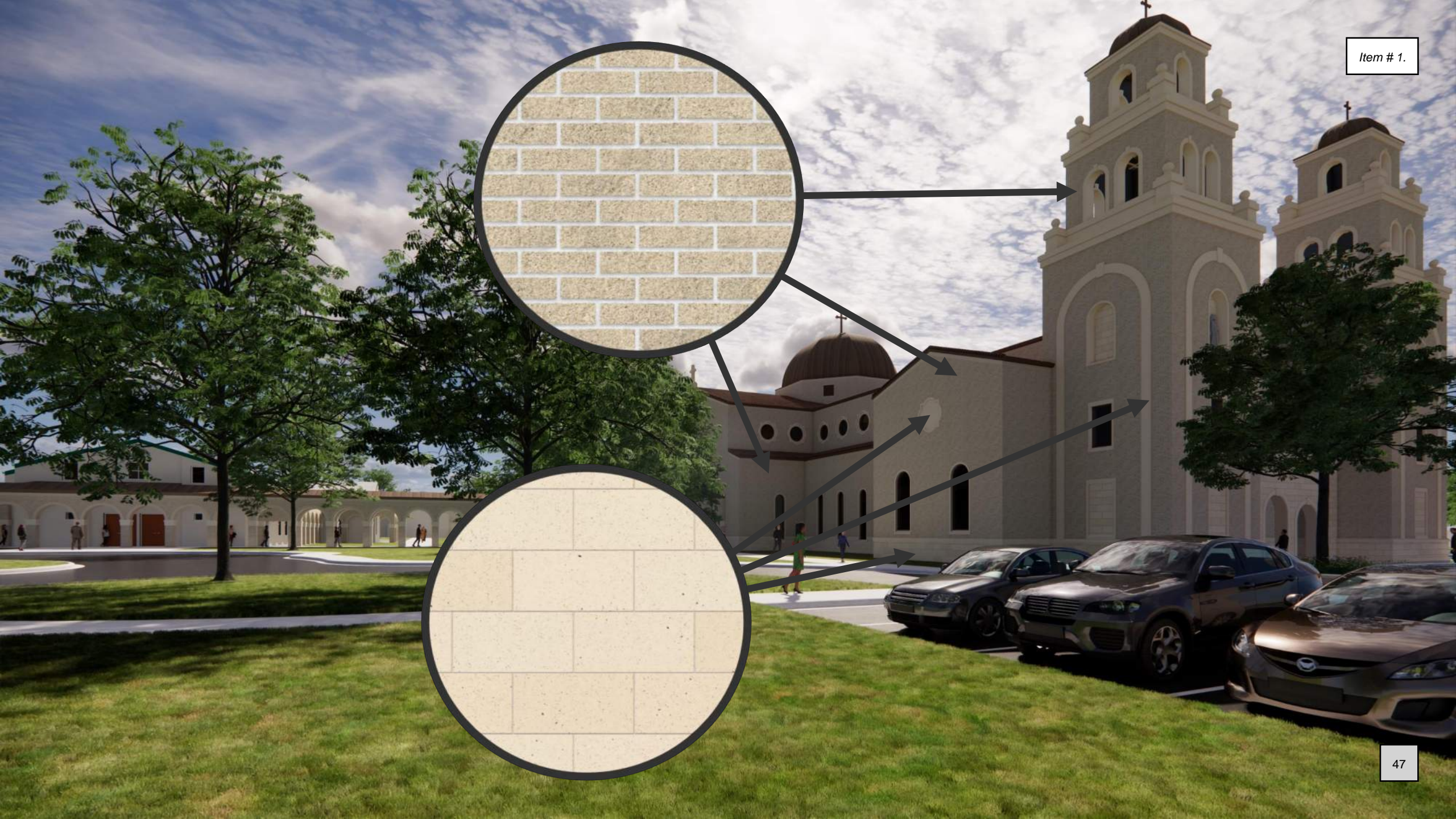
# EXTERIOR DESIGN AND ARCHITECTURAL STANDARDS (PREFERENCES)

Item # 1.

PREFERENCES	DOES NOT COMPLY	PARTIALLY COMPLIES	COMPLIES	EXCEEDS	REMARKS
Landmark/distinctive architectural features				●	Towers and dome
Primary façade 75% stone/glazing		●			40% stone & glazing, 57% brick
4' minimum stone wainscot				●	4' wainscot + trim, no EIFS or metal panel
Standing seam metal roof		●			SSMR on dome & towers
Narrow vertical windows			●		No horizontally oriented windows

















**EXISTING TREE  
COURTYARD**

**COVERED  
WALKWAYS**

**ENTRY  
PLAZA**

**MOSAIC  
TILE SHRINE**

**TRASH  
RECEPTACLES**

**BENCH HEIGHT  
PLANTERS**











**THANK YOU!**





**PROCLAMATION  
OF THE CITY OF DRIPPING SPRINGS  
PROCLAIMING FEBRUARY 2024, AS**

**“DATING VIOLENCE AWARENESS AND PREVENTION MONTH”**

- WHEREAS,** one in three adolescents is a victim of physical, sexual, emotional, or verbal abuse from a dating partner; and
- WHEREAS,** the effects of dating violence impact youth in all communities and cuts across economic, racial, gender, and societal barriers; and
- WHEREAS,** respectful, supportive, and non-violent relationships are key to safety, health, and academic success; and
- WHEREAS,** by providing teens and young adults with education about healthy relationships and relationship skills, and by changing attitudes that support violence, we recognize that dating violence can be prevented; and
- WHEREAS,** family, friends, teachers, coaches, faith leaders, community members, and other important people in young peoples’ lives have the power to influence youth in positive ways; and
- WHEREAS,** last year Hays-Caldwell Women’s Center provided 31 dating violence prevention and healthy relationships presentations to 2,428 teens and young adults; and
- WHEREAS,** we must work together to raise awareness and promote healthy dating relationships with activities and conversations about mutually respectful and non-violent relationships in our homes, schools, and communities.

**NOW, THEREFORE, BE IT PROCLAIMED by the City of Dripping Springs City Council:**

1. That February 2024 shall be known as “Dating Violence Awareness and Prevention Month” in the City of Dripping Springs, Texas; and
2. That citizens of Dripping Springs are encouraged to work together to raise awareness and prevent dating violence in our community and beyond.

---

Bill Foulds, Jr., Mayor





## City Council Regular Meeting

City of Dripping Springs Council Chambers

511 Mercer Street - Dripping Springs, Texas

Tuesday, January 16, 2024, at 6:00 PM

# MINUTES

## CALL TO ORDER & ROLL CALL

With a quorum of the City Council present, Mayor Foulds Jr. called the meeting to order at 6:00 p.m.

### City Council Members present were:

Mayor Bill Foulds, Jr.  
 Mayor Pro Tem Taline Manassian  
 Council Member Place 2 Wade King  
 Council Member Place 3 Geoffrey Tahuahua  
 Council Member Place 4 Travis Crow  
 Council Member Place 5 Sherrie Parks

### Staff, Consultants & Appointed/Elected Officials present were:

City Administrator Michelle Fischer  
 Deputy City Administrator Ginger Faught  
 Deputy City Administrator Shawn Cox  
 City Attorney Laura Mueller  
 City Secretary Andrea Cunningham  
 IT Director Jason Weinstock  
 People & Communications Director Lisa Sullivan  
 Public Works Director Aaron Reed  
 Deputy Public Works Director Craig Rice  
 Planning Director Tory Carpenter  
 Emergency Management Coordinator Roman Baligad  
 Parks & Community Services Director Andy Binz  
 Parks Planning Consultant Brent Luck, Luck Design

## PLEDGE OF ALLEGIANCE

Council Member Parks led the Pledge of Allegiance to the Flag.

## PRESENTATION OF CITIZENS

*A member of the public that wishes to address the City Council on any issue, regardless of whether it is posted on this agenda, may do so during Presentation of Citizens. It is the request of the City Council that individuals wishing to speak on agenda items with a public hearing hold their comments until the item is being considered. Individuals are allowed two (2) minutes each to speak and may not cede or pool time. Those requiring the assistance of a translator will be allowed additional time to speak. Individuals are not required to sign in; however, it is encouraged. Individuals that wish to share documents with the City*



*Council must present the documents to the City Secretary or City Attorney providing at least seven (7) copies; if seven (7) copies are not provided, the City Council will receive the documents the following day. Audio Video presentations will not be accepted during Presentation of Citizens. By law no action shall be taken during Presentation of Citizens; however, the Mayor may provide a statement of specific factual information, recitation of existing policy, or direction or referral to staff.*

No one spoke during Presentation of Citizens.

## **PRESENTATIONS**

*Presentations are for discussion purposes only and no action shall be taken.*

**1. Presentation regarding the Hays County 2023 and 2024 Point in Time Count.**

*Nancy Heintz, Homeless Coalition of Hays County*

Nancy Heintz gave a presentation which is on file.

**2. Presentation regarding the Reimagine Dripping Springs Comprehensive Plan.**

*Tory Carpenter, Planning Director*

Tory Carpenter gave a presentation which is on file.

## **CONSENT AGENDA**

*The following items will be acted upon in a single motion and are considered to be ministerial or routine. No separate discussion or action on these items will be held unless pulled at the request of a member of the City Council or City staff.*

**3. Approval of the December 19, 2023, City Council regular meeting minutes.**

**4. Approval of a Resolution authorizing city staff to negotiate an Advance Funding Agreement (AFA) with TxDOT for the Old Fitzhugh Transportation Alternative Set Aside (TASA) Grant Project. Sponsor: Council Member Travis Crow**

**Resolution No. 2024-R01**

**5. Approval of a Resolution amending the Purchasing Policy for the City of Dripping Springs.**

**Resolution No. 2024-R02**

**6. Approval of the November 2023 Treasurer's Report.**

A motion was made by Mayor Pro Tem Manassian to approve Consent Agenda Items 3 – 6, with corrections to minutes as presented at the dais to include revision to the speaker's name which should be *Laurel*. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.



## BUSINESS AGENDA

7. **Discuss and consider approval of an Appeal from Site Development Fees for property located in the City of Dripping Springs ETJ (extraterritorial jurisdiction).** *Applicant: Jarrett Halley, EI*

Applicant representative Matthew Kriete reviewed the request which is on file.

Tory Carpenter presented the staff report which is on file. Staff recommends denial of the request.

## CLOSED SESSION

A motion was made by Council Member Tahuahua to meet in Closed Session under Texas Government Code Section 551.071, Consultation with City Attorney regarding Business Agenda Item 7. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

The City Council met in Closed Session from 6:37 p.m. – 6:56 p.m. No action or vote was taken. Mayor Foulds Jr. returned the meeting to Open Session at 6:56 p.m.

## OPEN SESSION

The City Council continued with the agenda as posted and returned to Business Agenda Item 7.

7. **Discuss and consider approval of an Appeal from Site Development Fees for property located in the City of Dripping Springs ETJ (extraterritorial jurisdiction).** *Applicant: Jarrett Halley, EI*

A motion was made by Mayor Pro Tem Manassian to postpone consideration of an Appeal from Site Development Fees for property located in the City of Dripping Springs ETJ (extraterritorial jurisdiction) to the February 20, 2024, City Council regular meeting. Council Member Tahuahua seconded the motion which carried 4 to 1, with Council Member Crow opposed.

8. **Public hearing regarding an Ordinance repealing and replacing Article 28.06 Landscaping and Tree Preservation, including changing procedures, tree preservation requirements, and landscaping changes.**

*Public Hearing only, no action shall be taken on this item.*

**a. Staff Report** – Laura Mueller and Brent Luck presented the staff report which is on file. Staff recommends postponement of the February 20, 2024, City Council regular meeting.

**b. Public Hearing** – No one spoke during the Public Hearing.

Council Member Parks stepped off the dais and exited the Council Chambers.



9. **Discuss and consider approval of a Goods Agreement between the City of Dripping Springs and Graybar for Founders Day Park lighting acquisition, and authorization for staff to finalize and execute the agreement.** *Sponsor: Council Member Sherrie Parks*

Craig Rice presented the staff report which is on file. Staff recommends approval of the agreement.

A motion was made by Mayor Pro Tem Manassian to approve a Goods Agreement between the City of Dripping Springs and Graybar for Founders Day Park lighting acquisition, and authorization for staff to finalize and execute the agreement. Council Member King seconded the motion which carried unanimously 4 to 0.

Council Member Parks returned to the Council Chambers and took her seat at the dais.

10. **Public hearing and consideration of approval of an Ordinance for the involuntarily release of fourteen (14) properties from the Extraterritorial Jurisdiction.**

a. **Staff Report** – Tory Carpenter presented the staff report which his on file. Staff recommends approval of the ordinance.

b. **Public Hearing** – No one spoke during the Public Hearing.

c. **Ordinance** – A motion was made by Council Member Crow to approve an Ordinance for the involuntarily release of fourteen (14) properties from the Extraterritorial Jurisdiction. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2024-01**

11. **Discuss and consider the Appointment of two (2) At-Large Members and one (1) Hays County Representative to the TIRZ No. 1 & No. 2 Board of Directors for terms ending December 31, 2025; and the appointment of a Chair for a term ending December 21, 2024.** *Sponsor: Mayor Pro Tem Taline Manassian*

Andrea Cunningham presented the staff report which is on file.

A motion was made by Mayor Pro Tem Manassian to reappoint Craig Starcher to Place 2, and Susan Kimball to Place 4, and to appoint Miles Mathews to Place 4 for terms ending December 31, 2025; and the appointment of Craigh Starcher as the Chair for a term ending December 31, 2024. Council Member Crow seconded the motion which carried unanimously 5 to 0.

a. **Place 2, At-Large**

b. **Place 4, At-Large**

c. **Place 6, Hays County Representative**

d. **Board Chair**

12. **Discuss and consider the Reappointment of DSISD Representative Sirena Cumberland and Hays County Emergency Management Director Mike Jones; the Appointment of Chamber of Commerce Representative Thomas Lengel; and, the Appointment of At-**



**Large members to the Emergency Management Commission for terms ending January 1, 2026. Sponsor: Council Member Geoffrey Tahuahua**

Andrea Cunningham presented the staff report which is on file.

- a. DSISD Representative**
- b. Hays County Emergency Management Representative**
- c. Chamber of Commerce Representative**
- d. At-Large Member(s)**

A motion was made by Mayor Pro Tem Manassian to reappoint DSISD Representative Sirena Cumberland and Hays County Emergency Management Director Mike Jones, and to appoint Chamber of Commerce Representative Thomas Lengel and At-Large member Ray Sanchez to the Emergency Management Commission for terms ending January 1, 2026. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

**13. Public hearing and consideration of approval of an Ordinance amending the membership of the Transportation Committee; and the Appointment of Tory Carpenter to serve a term that coincides with his position as Planning Director. Sponsor: Council Member Travis Crow**

**a. Staff Report** – Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the ordinance and appointment.

**b. Public Hearing** – No one spoke during the Public Hearing.

- c. Ordinance**
- d. Appointment**

A motion was made by Council Member Crow to approve an Ordinance amending the membership of the Transportation Committee and the appointment of Tory Carpenter to serve a term that coincides with his position as Planning Director. Council Member Parks seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2024-02**

**14. Discuss and consider approval of a Joint Election Agreement with Dripping Springs Independent School District regarding the May 4, 2024, Municipal General Election.**

A motion was made by Council Member Tahuahua to approve a Joint Election Agreement with Dripping Springs Independent School District regarding the May 4, 2024, Municipal General Election. Council member King seconded the motion which carried unanimously 5 to 0.

**15. Discuss and consider approval of a Joint Election Agreement and Election Services Contract with Hays County regarding the conduct and administration of the May 4, 2024, Municipal General Election.**



A motion was made by Council Member Tahuahua to approve a Joint Election Agreement and Election Services Contract with Hays County regarding the conduct and administration of the May 4, 2024, Municipal General Election. Mayor Pro Tem Manassian seconded the motion which carried unanimously 5 to 0.

**16. Public hearing and consideration of approval of an Ordinance regarding an amendment to the Utility Commission monthly meeting day. Sponsor: Mayor Bill Foulds, Jr.**

**a. Staff Report** – Andrea Cunningham presented the staff report which is on file. Staff recommends approval of the ordinance.

**b. Public Hearing** – No one spoke during the Public Hearing.

**c. Ordinance** – A motion was made by Council Member Parks to approve an Ordinance regarding an amendment to the Utility Commission monthly meeting day. Council Member Crow seconded the motion which carried unanimously 5 to 0.

**Filed as Ordinance No. 2024-03**

## REPORTS

*Reports listed are on file and available for review upon request. The City Council may provide staff direction; however, no action shall be taken.*

**17. December Maintenance Report**

*Craig Rice, Deputy Public Works Director*

**18. Emergency Management Coordinator Report**

*Roman Baligad, Emergency Management Coordinator*

**19. Planning Department Report**

*Tory Carpenter, Planning Director*

A motion was made by Mayor Pro Tem Manassian to meet in Closed Session under Texas Government Code Sections 551.071, Consultation with Attorney and 551.074, Personnel Matters, and regarding Closed Session Agenda Items 20 and 21. Council Member Tahuahua seconded the motion which carried unanimously 5 to 0.

## CLOSED SESSION

*The City Council has the right to adjourn into closed session on any item on this agenda and at any time during the course of this meeting to discuss any matter as authorized by law or by the Open Meetings Act, Texas Government Code Sections 551.071 (Consultation With Attorney), 551.072 (Deliberation Regarding Real Property), 551.073 (Deliberation Regarding Prospective Gifts), 551.074 (Personnel Matters), 551.076 (Deliberation Regarding Security Devices or Security Audits), and 551.087 (Deliberation Regarding Economic Development Negotiations), and 551.089 (Deliberation Regarding Security Devices or Security Audits). Any final action or vote on any Closed Session item will be taken in Open Session.*



20. **Consultation with Attorney regarding legal issues related to the South Regional Water Reclamation Project, Wastewater, and Amendment 2 Permits, Wastewater Service Area and Agreements, Water Service, Wastewater Fees, and related items.** *Consultation with Attorney, 551.071*
21. **Consultation with Attorney and Deliberation of the Appointment, Employment, Evaluation, Reassignment, and Duties of the Public Works Director, Deputy Public Works Director, Utilities Services Manager, Utilities Director, and Utilities Operations Manager.** *Consultation with Attorney, 551.071; Personnel Matters, 551.074*

The City Council met in Closed Session from 7:26 p.m. – 8:10 p.m.

Council Member Crow recused from Closed Session Agenda Item 20 and exited the Closed Session. Upon his recusal, he did not return and took his leave of the meeting.

No vote or action was taken during Closed Session. Mayor Foulds, Jr. returned the meeting to Open Session at 8:10 p.m.

## OPEN SESSION

A motion was made by Mayor Pro Tem Manassian to consider Closed Session Agenda Item 21 in Open Session. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

21. **Consultation with Attorney and Deliberation of the Appointment, Employment, Evaluation, Reassignment, and Duties of the Public Works Director, Deputy Public Works Director, Utilities Services Manager, Utilities Director, and Utilities Operations Manager.** *Consultation with Attorney, 551.071; Personnel Matters, 551.074*

A motion was made by Mayor Pro Tem Manassian to approve of the Utilities Director Job Description. Council Member Tahuahua seconded the motion which carried unanimously 4 to 0.

## UPCOMING MEETINGS

### City Council & Board of Adjustment Meetings

February 6, 2024, at 6:00 p.m. (CC & BOA)

February 20, 2024, at 6:00 p.m. (CC)

March 5, 2024, at 6:00 p.m. (CC & BOA)

March 19, 2024, at 6:00 p.m. (CC)

### Board, Commission & Committee Meetings

January 17, 2024, Parks & Recreation Commission at 6:00 p.m.

January 18, 2024, Farmers Market Committee at 10:00 a.m.

January 18, 2024, Emergency Management Commission at 12:00 p.m.

January 22, 2024, Transportation Committee at 3:30 p.m.

January 22, 2024, Founders Day Commission at 6:30 p.m.

January 23, 2024, Planning & Zoning Commission at 6:00 p.m.

January 24, 2024, Economic Development Committee at 4:00 p.m.

February 1, 2024, Historic Preservation Commission at 4:00 p.m.



**ADJOURN**

A motion was made by Council Member Parks to adjourn the meeting. Council Member King seconded the motion which carried unanimously 4 to 0.

This regular meeting adjourned at 8:13 p.m.

**APPROVED ON: February 6, 2024**

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*Bill Foulds, Jr., Mayor*

**ATTEST:**

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*Andrea Cunningham, City Secretary*



**CITY OF DRIPPING SPRINGS**

**RESOLUTION 2023-R41 (amended)**

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”) CONSENTING TO THE ISSUANCE OF BONDS BY HEADWATERS MUNICIPAL UTILITY DISTRICT OF HAYS COUNTY

**WHEREAS**, Headwaters Municipal Utility District of Hays County (the “District”) is a conservation and reclamation district, a body corporate and politic and governmental agency of the State of Texas, created under Article XVI, Sec. 59 of the Texas Constitution by order of the Texas Commission on Environmental Quality, and the District operates under Chapters 49 and 54 of the Texas Water Code, as amended; and

**WHEREAS**, the District, Headwaters Development Company, the Townes Family Trust and the City of Dripping Springs entered into that certain “Agreement Concerning Creation and Operation of Headwaters Municipal Utility District” dated to be effective February 8, 2005, as subsequently amended by that certain “First Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District” dated June 10, 2008; that certain “Second Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District” last executed on February 3, 2015; and that certain “Third Amendment to Agreement Concerning Creation and Operation of Headwaters Municipal Utility District” last executed on May 29, 2020 (collectively, the “Consent Agreement”); and

**WHEREAS**, among other matters, the Consent Agreement provides that all bonds of the District shall be approved by the City Council of the City of Dripping Springs prior to issuance; and

**WHEREAS**, during the 2015 Regular Legislative Session, the Texas Legislature enacted HB 4185 granting the District the powers of a road district including the power to issue bonds to finance paved roads, and improvements in aid of those roads. The City Council of the City of Dripping Springs adopted Resolution No. 2015-06 in support of such legislation; and

**WHEREAS**, on November 3, 2015, the registered voters within the District authorized the issuance of road bonds by the District in a maximum amount not to exceed \$54,545,000 and the levy of a tax for payment of debt service on such bonds; and

**WHEREAS**, the District has heretofore issued its \$3,000,000 Unlimited Tax Road Bonds, Series 2017 (the “Series 2017 Bonds”), its \$2,685,000 Unlimited Tax Road Bonds, Series 2018 (the “Series 2018 Bonds”), its \$4,500,000 Unlimited Tax Road Bonds, Series 2020 (the “Series 2020 Bonds”), its \$3,740,000 Unlimited Tax Road Bonds, Series 2020A (the “Series 2020A Bonds”), and its \$5,805,000 Unlimited Tax Road Bonds, Series 2021 (the “Series 2021 Bonds”) pursuant to the authority of the election held on November 3, 2015 as described in the paragraph above; and



**WHEREAS**, the District now desires to proceed with the issuance of its sixth series of road bonds in a principal amount not to exceed \$13,900,000 (the “Road Bonds”); and

**WHEREAS**, the Road Bonds will be obligations solely of the District, and the City of Dripping Springs will not be responsible for payment of the Road Bonds.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS THAT:**

1. This meeting of the City Council of the City of Dripping Springs has been properly posted in accordance with the Texas Open Meetings Act.
2. The City Council of the City of Dripping Springs hereby approves the issuance by the District of the Road Bonds in a principal amount not to exceed \$13,900,000.
3. This Resolution shall be effective upon the date of its approval.
4. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings act, Texas Government Code, Chapter 551.



**PASSED & APPROVED** this, the \_\_\_\_\_ day of January 2024, by a vote of \_\_\_\_ (ayes) to \_\_\_\_ (nays) and \_\_\_\_\_ (abstentions/recusals) of the City Council of Dripping Springs, Texas *as amended*.

**CITY OF DRIPPING SPRINGS:**

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Bill Foulds, Jr., Mayor

**ATTEST:**

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Andrea Cunningham, City Secretary





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

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**Submitted By:** Laura Mueller, City Attorney

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**Council Meeting Date:** February 6, 2024

**Agenda Item Wording:** **Approval of a Rate Adjustment for an Agreement with Chapman Law Firm, P.C.** *Sponsor: Mayor Bill Foulds, Jr.*

**Agenda Item Requestor:** Jeff Chapman

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**Summary/Background:** The City has used Jeff Chapman for special projects related to construction contracts for many years. This rate increase reflects new rates for the attorneys at the Chapman Law Firm and encompasses all costs related to his services. Jeff Chapman is the leading expert in municipal construction law in the state.

**Commission Recommendations:** N/A

**Recommended Council Actions:** Acceptance of rate increase.

**Attachments:** Agreement, Rate Increase

**Next Steps/Schedule:**





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

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**Submitted By:** Riley Sublett, City Inspector

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**Council Meeting Date:** 02/06/2024

**Agenda Item Wording:** Approving a Resolution Accepting Improvements and Approving and Accepting a Maintenance Bond for Roger Hanks Parkway Extension II.  
*Applicant: Cash Construction Company, Inc.*

**Agenda Item Requestor:**

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**Summary/Background:** Roger Hanks Parkway Extension II was built as part of a roadway agreement with Heritage Phase 1. Drainage and sidewalk improvements were included in the construction of the roadway. All elements of the project have been inspected by the City’s inspectors and the City Engineer and found to be in conformance with the plans.

**Commission Recommendations:**

**Recommended Council Actions:** City Staff recommends approval.

**Attachments:**

**Next Steps/Schedule:** Send to City Secretary for execution.



CITY OF DRIPPING SPRINGS

RESOLUTION NO. 2024-    

**ACCEPTING IMPROVEMENTS AND APPROVING A MAINTENANCE BOND FOR ROGER HANKS PARKWAY EXTENSION II ROAD IMPROVEMENTS**

A RESOLUTION OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), ACCEPTING IMPROVEMENTS AND APPROVING AND ACCEPTING A MAINTENANCE BOND FOR THE ROGER HANKS PARKWAY EXTENSION II ROAD, SIDEWALK, AND DRAINAGE IMPROVEMENTS, PROVIDING FOR EFFECTIVE DATE; AND PROPER NOTICE & MEETING

**WHEREAS,** Cash Construction Company, Inc. (“Contractor”) recently completed, and the City Engineer for the City of Dripping Springs has inspected, the improvements (“Improvements”) for Roger Hanks Parkway Extension II; and

**WHEREAS,** the City desires to accept as being complete in accordance with applicable development the Improvements at Roger Hanks Parkway Extension II; and

**WHEREAS,** the City of Dripping Springs City Council (“City Council”) seeks the Contractor to provide a Maintenance Bond (Attachment “A”) conditioned to guarantee for the period of Two (2) Years from and after the date of substantial completion on January 22, 2024 of the Improvements, guaranteeing the materials and workmanship related to Contractor’s Improvements; and

**WHEREAS,** this Resolution conforms with the Maintenance and Guarantee regulation of the City’s Code requiring all public improvements be free from defects for a period of two (2) years; and

**WHEREAS,** pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

**WHEREAS,** the City Council finds that it is necessary and proper for the good government, peace or order of the City to approve this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Dripping Springs City, Texas, that:

1. The foregoing recitals are adopted as facts and are incorporated into this Resolution by reference as findings of fact as if expressly set forth herein.



2. The City Council hereby accepts the Improvements at Roger Hanks Parkway Extension II.
3. The City Council hereby approves and accepts the Contractor’s proposed Maintenance Bond No. 107886892, from Travelers Casualty and Surety Company (“Insurer”), included and attached herein (Attachment “A”).
4. Conditioned upon the fiscal guarantee for maintenance from the Contractor and the Insurer, the City shall assume responsibility for the repair, maintenance, and regulation of the Improvements for the benefit of the public.
5. The City Council hereby authorizes the Mayor or the Mayor’s designee to execute any documentation on the City’s behalf necessary to effectuate the intent and purpose of this Resolution.
6. This Resolution shall take effect immediately upon passage.
7. The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

**PASSED & APPROVED** this, the        day of       , 2024, by a vote of     (*ayes*) to     (*nays*) to     (*abstentions*) of the City Council of Dripping Springs, Texas.

**CITY OF DRIPPING SPRINGS:**

by: \_\_\_\_\_  
Mayor Bill Foulds Jr.

**ATTEST:**

\_\_\_\_\_  
Andrea Cunningham, City Secretary



*Attachment "A"*

**(Insert Maintenance Bond No. 107886892: Cash Construction Company, Inc. , and Travelers Casualty and Surety Company)**



**MAINTENANCE  
BOND**

Bond No.: 107886892

KNOWN ALL BY THESE PRESENTS: That we Cash Construction Company, Inc.,  
as Principal, and Travelers Casualty and Surety Company, a corporation  
organized and existing under the Laws of the State of Connecticut, as Surety, are held  
and firmly bound unto City of Dripping Springs, as Obligee, in the  
total sum of Two Million Three Hundred Fifty-eight Thousand Eight Hundred Forty & 00/100  
U.S. Dollars (\$2,358,840.00) for the payment whereof said Principal and Surety bind  
themselves, jointly and severally, as provided herein.

WHEREAS, the Principal entered into a contract with the Obligee dated 02/10/2023 for  
Roger Hanks Parkway Extension II  
("Work").

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal  
shall maintain and remedy said Work free from defects in materials and workmanship for a  
period of two year(s) commencing on August 11, 2023 (the  
"Maintenance Period"), then this obligation shall be void; otherwise it shall remain in full force  
and effect.

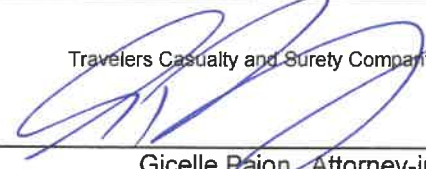
PROVIDED, HOWEVER, that any suit under this bond shall be commenced no later than one  
(1) year from the expiration date of the Maintenance Period; provided, however, that if this  
limitation is prohibited by any law controlling the construction hereof, such limitation shall be  
deemed to be amended so as to be equal to the minimum period of limitation permitted by  
such law, and said period of limitation shall be deemed to have accrued and shall commence  
to run on the expiration date of the Maintenance Period.

SIGNED this 29th day of January, 2024.

Cash Construction Company, Inc.  
(Principal)

By: 

Travelers Casualty and Surety Company

By:   
Gicelle Pajon, Attorney-in-Fact





Travelers Casualty and Surety Company of America  
Travelers Casualty and Surety Company  
St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint Gicelle Palon of Miami, Florida, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

City of Hartford ss.

By: [Signature]  
Robert L. Raney, Senior Vice President

On this the 21st day of April, 2021, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



[Signature]  
Anna P. Nowik, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

**RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

**FURTHER RESOLVED**, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

**FURTHER RESOLVED**, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary, any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

**FURTHER RESOLVED**, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.

Dated this 29th day of January, 2024.



[Signature]  
Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880.  
Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

Figure: 28 TAC §1.601(a)(2)(B)

### Have a complaint or need help?

If you have a problem with a claim or your premium, call your insurance company or HMO first. If you can't work out the issue, the Texas Department of Insurance may be able to help.

Even if you file a complaint with the Texas Department of Insurance, you should also file a complaint or appeal through your insurance company or HMO. If you don't, you may lose your right to appeal.

#### Travelers Casualty and Surety Company

To get information or file a complaint with your insurance company or HMO:

Call: Travelers Bond & Specialty Insurance Claims at 800-842-8496

Toll-free: 800-842-8496

Email: [BSIClaims@travelers.com](mailto:BSIClaims@travelers.com)

Mail: Travelers Bond & Specialty Insurance Claim

PO BOX 2989, Hartford, CT 06104-2989

#### The Texas Department of Insurance

To get help with an insurance question or file a complaint with the state:

Call with a question: 1-800-252-3439

File a complaint: [www.tdi.texas.gov](http://www.tdi.texas.gov)

Email: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

Mail: MC 111-1A, P.O. Box 149091, Austin, TX 78714-9091

#### ¿Tiene una queja o necesita ayuda?

Si tiene un problema con una reclamación o con su prima de seguro, llame primero a su compañía de seguros o HMO. Si no puede resolver el problema, es posible que el Departamento de Seguros de Texas (Texas Department of Insurance, por su nombre en inglés) pueda ayudar.

Aun si usted presenta una queja ante el Departamento de Seguros de Texas, también debe presentar una queja a través del proceso de quejas o de apelaciones de su compañía de seguros o HMO. Si no lo hace, podría perder su derecho para apelar.

#### Travelers Casualty and Surety Company of America

Para obtener información o para presentar una queja ante su compañía de seguros o HMO:



Call: Travelers Bond & Specialty Insurance Claims at 800-842-8496

Toll-free: 800-842-8496

Email: [BSIClaims@travelers.com](mailto:BSIClaims@travelers.com)

Mail: Travelers Bond & Specialty Insurance Claims

PO BOX 2989, Hartford, CT 06104-2989

El Departamento de Seguros de Texas

Para obtener ayuda con una pregunta relacionada con los seguros o para presentar una queja ante el estado:

Llame con sus preguntas al: 1-800-252-3439

Presente una queja en: [www.tdi.texas.gov](http://www.tdi.texas.gov)

Correo electrónico: [ConsumerProtection@tdi.texas.gov](mailto:ConsumerProtection@tdi.texas.gov)

Dirección postal: MC 111-1A, P.O. Box 149091, Austin, TX 78714-9091



**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

**Submitted By:** Tory Carpenter, Planning Director

**Council Meeting Date:** February 6, 2024

**Agenda Item Wording:** Public hearing and consideration of approval of a license to encroach for an existing structure partially within the City right-of-way at 101 S College St.

**Summary/Background:** The applicant is requesting a license to encroach for an existing structure located at 101 S College Street. The property survey shows that the “rock frame building” encroaches in City right-of-way. The encroachment of the approximately 18’ wide building ranges from 1.8’ to 2.3’ for an estimated total encroachment of 36.9 sqft.

The property is in the Historic district and the structure itself has been identified as being historically significant. In 2017, the building was retrofitted from its existing use as a carriage house / garage to an office space which is currently occupied by Magnolia realty.

The applicant approached the City when trying to transfer property ownership and stated that a written agreement with the City is required for the sale of the property.

City staff is in the preliminary stages of planning drainage and street improvements in the area which has known drainage issues. Staff determined that these improvements can be designed so they are not in conflict with the existing structure in the right-of-way. However, the City may need to acquire easements on the property.

**Recommended Council Actions:**

Recommend approval with the following conditions:

1. The license to encroach will only include the carriage house structure located on Wallace St. and will not include any fences in the ROW.
2. If additional easements are needed for drainage and street improvements in the area, the applicant shall provide a 15-foot-wide easement along College and/or Wallace (exclusive of the carriage house) at no cost to the City.

**Attachments:**

- Draft License Agreement
- License Area Exhibit



## LICENSE AGREEMENT

This License Agreement (the “Agreement”) is made and entered into on the \_\_\_\_\_ day of February, 2024 (the “Effective Date”) by and between **CITY OF DRIPPING SPRINGS**, a Texas Type A, General-Law municipal corporation, situated in Hays County, Texas (“Licensor”) and **SHORT MAMA’S LLC**, a Texas limited liability company (“Licensee”).

### RECITALS:

**WHEREAS**, Licensee owns certain real property in Hays County, Texas, described as Original Town of Dripping Springs, Bl B, HAYS STREET SUBDIVISION, also known as 101 S. College Street, Dripping Springs, Texas, a subdivision in the City of Dripping Springs, Hays County, Texas, according to the map or plat thereof recorded in Document **XXX**, Plat Records of Hays County, Texas (the “Subdivision”); and

**WHEREAS**, at the time Licensee filed the plat for the Subdivision, Licensee dedicated to Licensor all roadways shown thereon, including without limitation, the street known as Wallace Street (the “Street”); and

**WHEREAS**, Licensee and Licensor have agreed that Licensee may shall be responsible for maintenance of all improvements within the area of encroachment and within those areas of the Streets’ right-of-way which lie outside of the curbs (the “License Area”), on the terms and conditions set forth below; and

**NOW, THEREFORE, the parties have agreed as follows:**

1. **Grant of License:** Licensor hereby grants to Licensee the exclusive right, privilege, and permission to enter on, over, and across the License Area for the purposes of constructing, installing, operating, maintaining, replacing, upgrading, repairing, and removing the following improvements in the subdivision’s rights-of-way: Rock and Frame Building on the north side of the Lot.
2. **Fence:** Any fencing within the right-of-way of Wallace Street shall be removed within thirty (30) days of execution of this agreement.
3. **Easement:** In consideration for the license to encroach, the Licensee shall make available a fifteen (15) foot easement along its property adjacent to Wallace Street and College Street if requested by the City exclusive of the encroachment within the next ten (10) years by separate written agreement without cost. The easement will be for public improvements including drainage, sidewalks, and/or parking. If not requested within ten (10) years, the obligation to provide an easement is extinguished.
4. **Insurance:** Licensee shall at all times maintain liability insurance in the amount of one million dollars (\$1,000,000.00) covering Licensee’s activities within the License Area, and shall cause Licensor to be named an additional named insured on all liability





conditions herein set forth for use by Licensee for the limited purposes permitted herein. Licensee does not acquire any leasehold or other real property interest in the License Area.

- 13. **Public Dedication:** Any public dedications by Licensee or public acceptance by Licensor shall be by separate instrument including the easement referenced above. Continuing maintenance and fiscal guarantees shall comply with all City ordinances.
- 14. **Severability:** If any provision contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.
- 15. **Binding Effect:** The terms, provisions and covenants contained in this Agreement shall inure to the benefit of, and be binding upon, the parties hereto and their respective successors and permitted assigns.

**Executed by Licensor and Licensee on the dates set forth below, to be effective on the Effective Date.**

LICENSOR:

**The City of Dripping Springs**

by: \_\_\_\_\_

Taline Manassian, Mayor Pro Tem

date: \_\_\_\_\_

LICENSEE:

**Short Mama's, LLC**

by: \_\_\_\_\_

date: \_\_\_\_\_







### License to Encroach Application and Utility Providers' Consent Form

The purposes of a license to encroach are: 1. To determine the potential impacts of proposed encroachments into a City Property, right-of-way, or easement; and 2. To execute a license agreement between the encroaching property owner and the City of Dripping Springs regarding the improvements to be constructed, or which are constructed, on City property, right-of-way, or easement. When proposing to encroach into an easement or right-of-way, any additional utility companies who are entitled to use the easement or right-of-way must be notified and must consent to the encroachment. A list of the utility companies and each representative is included in this form for your convenience as well as a signature blocks for their approvals. All applicable signature blocks must be completed by the respective utility companies prior to submittal of the License to Encroach application. A separate form is required for each property.

**Check one:**  License to Encroach into Easement  License to Encroach into Right-of-Way


**Property Information:**

Address: 101 College Street  
City: Dripping Springs State: Texas Zip Code: 78620  
Legal Description: Original Town of Dripping Springs, Bl B,  
Deed Reference (Document Number): V 4639 P 274  
Owner's Name (or Corporate Entity): Short Mama's LLC

**Applicant's Information:** *(If different from the owner)*

Name: Jon Thompson Company: J Thompson Professional  
Mailing Address: PO Box 172, Dripping Springs, Texas 78620  
Phone number: (512) 568-2184 Email: jthompsonconsultingds@gm

***By signing this application I acknowledge that even with a license to encroach, anything constructed under this license could be required to be removed by a utility provider, the City, or anyone with a right to use an easement or right-of-way. The cost to remove and replace or reconstruct the facility will be born by the property owner at the time of request. Any license to encroach shall be provided to any future purchaser of a piece of property. Should a license to encroach cease to be needed due to release or removal of right-of-way or easement, the license shall become void.***

Applicants Signature:  Date: 01/31/24



## License to Encroach Application and Utility Providers' Consent Form

**Description and Reason for Current or Proposed Encroachment:**

*See attached addendum.*

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**Please attach a site plan which shows where current or proposed utility lines run, where right-of-way and easements are located and where the proposed or current encroachment is located. The fee for this application is the same as a Vacation/Right-of-Way as listed in the Fee Ordinance.**

**Utility Provider Acknowledgements:**

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of Dripping Springs, that portion of the public utility easement or right-of-way sought for license in the Application for License to encroach into said public utility easement or right-of-way, do hereby consent to the license to encroach into the described portion of said utility easement or right-of-way.

**By signing this document the utility contact consents to placement of an encroachment in an area designated for their use and that the contact is authorized to approve this request. Letters can also be attached separately to this document to show consent.**





# License to Encroach Application and Utility Providers' Consent Form

Item # 8.

**Electric Utility Provider**  N/A  
 Provider: Pedernales Electric Cooperat  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**Communications Utility Provider**  N/A  
 Provider: Spectrum Enterprise  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**Water Utility Provider**  N/A  
 Provider: Dripping Springs WSC  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**Sewer Utility Provider**  N/A  
 Provider: Dripping Springs WSC  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**Gas Utility Provider**  N/A  
 Provider: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

**Other Utility Provider**  N/A  
 Provider: Waste Connections  
 Printed Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_

### **Utility Provider Contact Information:**

Utility providers change their staff responsible for reviewing requests and may not service the area in which your property is located. Therefore, if you are unaware of the contact information for the appropriate utility providers in your area please reach out to the Dripping Springs Planning Department.

### **Planning Department**

[Planning@cityofdrippingsprings.com](mailto:Planning@cityofdrippingsprings.com)

(512) 858-4725

511 Mercer Street

Dripping Springs, Texas 78620

**License to Encroach Application Addendum**

Short Mama's House, as this property is affectionately known to the local community, has been constructed on this site for well over 100 years, and has been a cornerstone to the Dripping Springs' community and to one of the oldest families in Dripping Springs. This property as a whole and in its parts, is recognized as an architecturally significant contributing property to the Dripping Springs Mercer Street Historic District. As such, this request is to preserve the portion of the carriage house and perimeter fence that were constructed over 100 years ago and that now, apparently, encroach on the Wallace Street ROW, the construction of these improvements is believed to have been done so unintentionally when built due to the rural nature of the community at that time. From a historic sense, the carriage house and the fence reflect the once rural nature of the community and it is our understanding that the carriage house was once the community's first fire station, thus both the carriage house and perimeter fence are significant contributing street level scale elements that make up the whole of the Short Mama property. It is the request of the owner to preserve these historically and architecturally significant structures and the ability to upkeep and maintain them in a good, operable condition for future owners and generations of the community.





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78602**

**Submitted By:** Shane Pevehouse, Building Official

**Council Meeting Date:** 6 February, 2023

**Agenda Item Wording:** **Public hearing and consideration of approval of a Sign Variance Request to exceed the maximum signable area allowed for a multi-unit complex monument sign for Headwaters Commercial West, located at 1055 Kibo Ridge. Applicant: Blake Rue**

**Agenda Item Sponsor:** Mayor Foulds

**Summary/Background:** Headwaters Commercial West is a large multi-unit complex located at the western entrance to the Headwaters subdivision. The applicant requests a variance permitting a height increase (2 feet, 6 inches) and signable area increase (16 square feet). The variance for the height increase was administratively approved by the Sign Administrator based on the only viable location for the sign being approximately 80 feet from the edge of pavement. The Sign Administrator cannot approve an increase in the size of the signable area. The applicant received approval from PEC to place the sign in the utility easement - the power lines are overhead and the sign will not impact PEC's ability to conduct maintenance. The applicant reduced the number of tenant panels both the height and signable area increase from his original request and agreed to install 2,700K lighting as mitigation strategies.

**Recommended Council Actions:** Recommend Approval

**Attachments:** Applicant submissions

**Next Steps/Schedule:** Send to City Secretary for execution



## SIGN VARIANCE REQUEST REVIEW

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Date: 18 January, 2024

Project: Headwaters West Commercial  
1055 Kibo Ridge  
Dripping Springs, TX 78620

Applicant: Oryx Group (Blake Rue)

Submittals:  Variance Application  
 Sign Permit Application  
 Master Signage Plan (if applicable)  
 Planned Develop District/Development Agreement Signage Regulations (if applicable)

Variance Requests: Allow additional height and additional signable area for a multi-unit monument sign.

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The following review has been conducted for the City of Dripping Springs to determine compliance and consistency with the City of Dripping Springs CODE OF ORDINANCES, Title 2 BUILDING AND DEVELOPMENT REGULATIONS, Chapter 26 SIGNS, Article 26.02.006 MULTI-UNIT COMPLEX IN A NONRESIDENTIAL DISTRICT, and Article 26.03.003 VARIANCES

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Headwaters Commercial West is a large multi-unit complex located at the western entrance to the Headwaters subdivision. The applicant requests a variance permitting a height increase (2 feet, 6 inches) and signable area increase (16 square feet). The sign ordinance allows the following:

**Sec 26.02.006: Multi-unit complex in a nonresidential district.**

In addition to the signs allowed according to the zoning district, one monument or wall sign per complex may be erected advertising up to the total number of office or commercial tenants with a sign permit. On corner lots, the major or primary street shall be construed to be the development lot frontage and no more than one sign shall be permitted. On a development lot



located at the intersection of two arterials, a sign shall be permitted for each such thoroughfare or expressway with a sign permit. The sign area of the sign may not be larger than 48 square feet. The name of the complex and the street address with letters no less than six inches in height will appear on the sign. Height of the sign may not be taller than six feet. Address signs must be visible from an adjacent right-of-way for the primary structure on each piece of property.

The applicant's request is to increase the allowable height from 6 feet to 8 feet, 6 inches and the signable area from 48 square feet to 64 square feet.

The variance requests relate to the consideration for granting variances as follows:

**Considerations in granting variances (Sec. 26.03.003 (e))**

(1) Special or unique hardship because of the size or shape of the property on which the sign is to be located, or the visibility of the property from public roads.

Applicable       Not Applicable

(2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a sign is to be located.

Applicable       Not Applicable

(3) Proposed sign location, configuration, design, materials and colors are harmonious with the hill country setting.

Applicable       Not Applicable

(4) Natural colors (earth tones) and muted colors are favored. Color schemes must be compatible with the surrounding structures. Predominate use of bold and/or bright colors is discouraged under this section.

Applicable       Not Applicable

(5) The sign and its supporting structure should be in architectural harmony with the surrounding structures.

Applicable       Not Applicable

(6) Mitigation measures related to the sign in question or other sign on the same premises.

Applicable       Not Applicable

(7) Demonstrated and documented correlation between the variance and protecting the public health and safety.

Applicable       Not Applicable

(8) The stage at which the variance is requested. The city will be more inclined to consider a variance request when it is sought during an earlier stage of the construction approval process, for instance, when the responsible party is submitting/obtaining a plat, planned development district, development agreement, or site plan.

Applicable       Not Applicable

(9) Whether the sign could have been included in a master signage plan. Master signage plans are highly encouraged. The city will be more inclined to favorably consider a variance request when the variance is part of a master signage plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the sign for which a variance is sought could have been included in a master sign plan and considered in the course of a comprehensive review of the entire project's signage.

Applicable       Applicable       Not

(10) The sign administrator may authorize the remodeling, renovation, or alternation of a sign when some nonconforming aspect of the sign is thereby reduced.

Applicable       Not Applicable

### **Approval/Recommendations/Conditions**

The proposed sign is located on a challenging site that limits placement due to multiple easements. Due to the only viable sign location being 80+ feet from the edge of pavement, the height variance will allow increased visibility. The applicant chose to reduce the color temperature to 2,700K as a mitigation strategy. Based on the proposed sign meeting most of the criteria for considering a variance and the mitigation efforts, I approve the variance request to allow the monument sign to be 8 feet and 6 inches in height and I recommend approval of the variance to exceed the maximum signable area allowed.

The variance request to increase the signable area must be referred to City Council for approval as it is not within the Sign Administrators authority to increase the size of the sign face.

If a variance applicant wishes to appeal the decision of the Sign Administrator, the applicant shall file for an appeal with the City Council within ten days of receipt of the Sign Administrator's decision. The City Council shall consider the appeal at its next regular meeting or as soon as practicable. The City Council shall either: (1) approve, reject, or approve upon condition the variance application, if any, at its meeting; (2) postpone its decision on the request of the applicant; or (3) postpone its decision to its next regular meeting for good cause based on need for further review by the City Council. (City of Dripping Springs Code of Ordinances, Chapter 26 Signs, Section 26.03.003 Variances, (g)).

Please let me know if you have any questions about this determination.

Respectfully Submitted,

*Michelle Fischer*  
Sign Administrator





**APPLICATION FOR AN  
ALTERNATIVE STANDARD/SPECIAL EXCEPTION/VARIANCE/WAIVER**

Project Name: Headwaters Commercial West

Project Address/Legal Description: 1055 Kibo Ridge

Project Applicant Name: Oryx Land Holdings, LLC

Mailing Address: 3404 Kerbey Lane

Austin, Texas 78703

Email Address: Blake@Rueinvestments.com

Phone Number: 512-294-4017

Owner's Name (if different from Applicant): Same

Mailing Address: \_\_\_\_\_

\_\_\_\_\_

Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Type of Application (check box):

- Alternative Standard
- Variance
- Special Exception
- Waiver

Description of request & reference to section of the Code of Ordinances applicable to request: Section 26.02.006 Multi-unit complex in a non-residential district

\_\_\_\_\_  
Request to allow for a 8 ft 6 inch monument sign instead of a 6 ft monument sign.

\_\_\_\_\_  
Request to allow 80 sq. ft. of signage instead of 48 sq. ft. of signage for the Headwaters Commercial West monument to market Headwaters West businesses that serve the Dripping Spring community.

Description of the hardship or reasons the Alternative Standard/Special Exception/Variance/Waiver is being requested:

- 1. Sign is located on private property eight feet from Hwy 290 ROW and and significantly set back from the pavement of Hwy 290. Additional height and sign area allows for sign to be seen and read by automobiles traveling on Hwy 290.
- 2. Monument will serve the Headwaters Commercial West area (approximately 40 acres) proposed to be home to 24+ local businesses. Only 10 of the 24+ businesses will be able to have plates on the monument.

Description of how the project exceeds Code requirements in order to mitigate or offset the effects of the proposed alternative standard/special exception/variance/waiver:

- 1. Monument lighting will be solar powered and will be limited to the color temperature of 2700K

Submittal Checklist:

- Signed and Completed Application
- Required Fee Paid \$ 150.00  
*reference online Master Fee Schedule for more details*

Billing Contact Form

Exhibits



- Photographs NA
- Map/Site Plan
- Architectural Elevation
- Other: \_\_\_\_\_

*Upon submittal of application, a Public Notice sign is **required** to be displayed at the project property within 48 hours (exceptions apply in cases of signage, lighting, exterior design and landscaping applications). Signs can be picked up at the City Offices for a deposit fee of \$100. Once a permit has been issued, signs in good condition can be returned for a \$75 refund.*

- Pick up Public Notice Sign, \$100 deposit

*All required items and information (including all applicable above listed exhibits and fees) must be received by the City in order for an application and request to be considered complete.*

*Incomplete submissions will not be reviewed or scheduled for any further action until all deficient items or information has been received. By signing below, I acknowledge that I have read through and met the above requirements for a complete submittal:*

	12-4-2023
_____ Signature of Applicant	_____ Date
	12-4-2023
_____ Signature of Owner (or attached letter of consent)	_____ Date



The undersigned, hereby confirms that he/she/it is the owner of the above described real property and further, that Blake Rue is authorized to act as my agent and representative with respect to this Application and the City's conditional use permit process. (As recorded in the Hays County Property Deed Records, Vol. \_\_\_\_\_, Pg. \_\_\_\_\_.)

Blake R Instrument # 16040810  
Name

owner  
Title

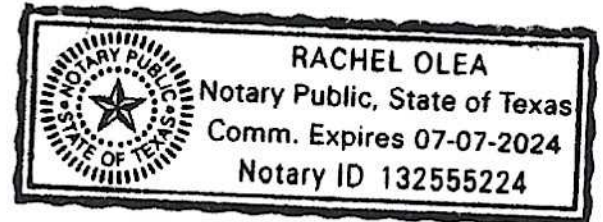
STATE OF TEXAS §  
  §  
COUNTY OF HAYS §

This instrument was acknowledged before me on the 4<sup>th</sup> day of December, 2023 by Blake Rue

[Signature]  
Notary Public, State of Texas

My Commission Expires: 07-07-2024

Blake Rue  
Name of Applicant





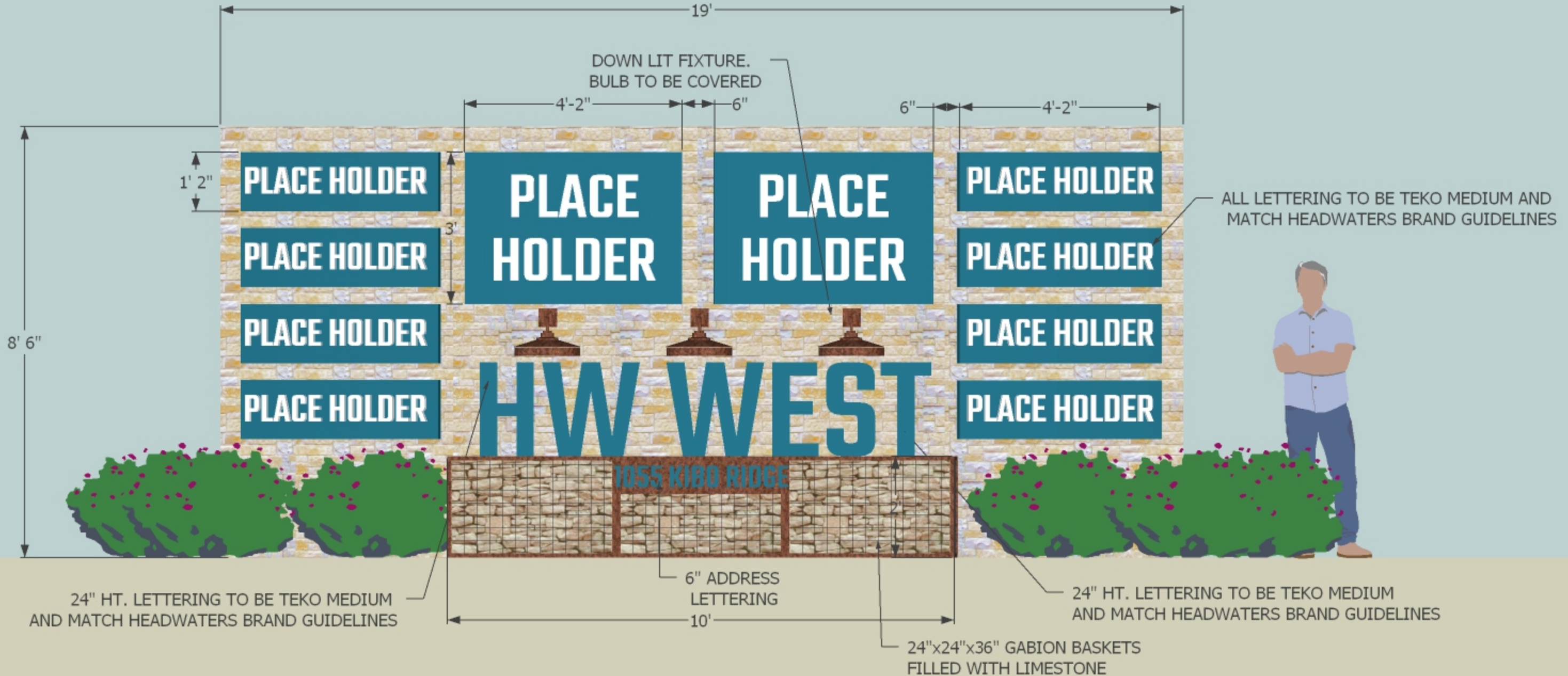
**Untitled Map**  
Write a description for your map.

- Legend**
- Headwaters West *Item # 9.* ht
  - Southwest Trading Post
  - Untitled Path
  - Untitled Path
  - Untitled Path





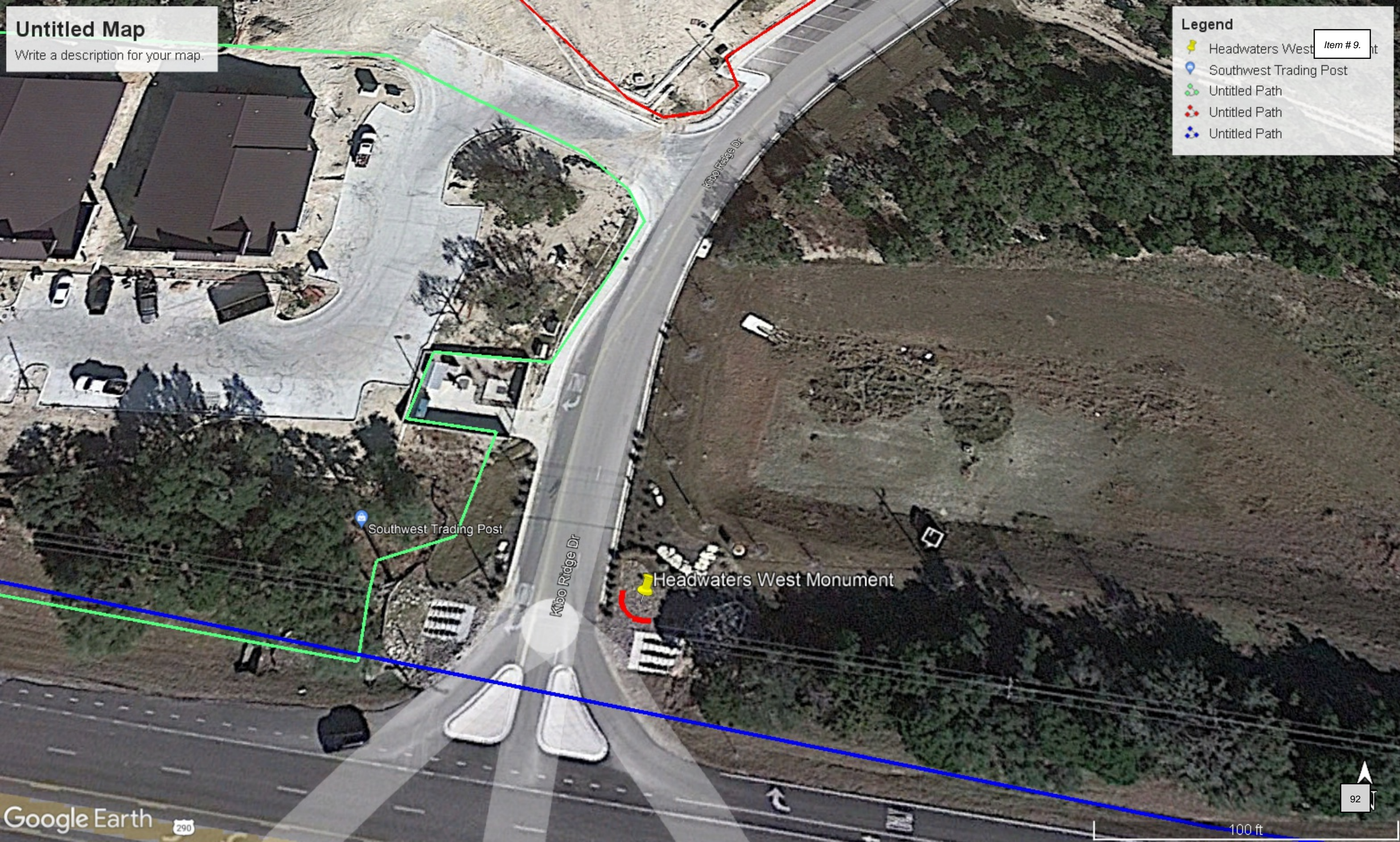
SOLAR ILLUMINATION SPECIFICATIONS  
 RS06 REMOTE POWER SYSTEM  
 135 WATTS - 12VDC - 5 HOUR ILLUMINATION  
 275 WATT SOLAR PANEL - 2x 155ah AGM BATTERIES  
 BE05 BATTERY ENCLOSURE - 15A SMART MPPT CHARGE CONTROLLER - 24v TO 12v VICTRON STEP DOWN





Untitled Map  
Write a description for your map.

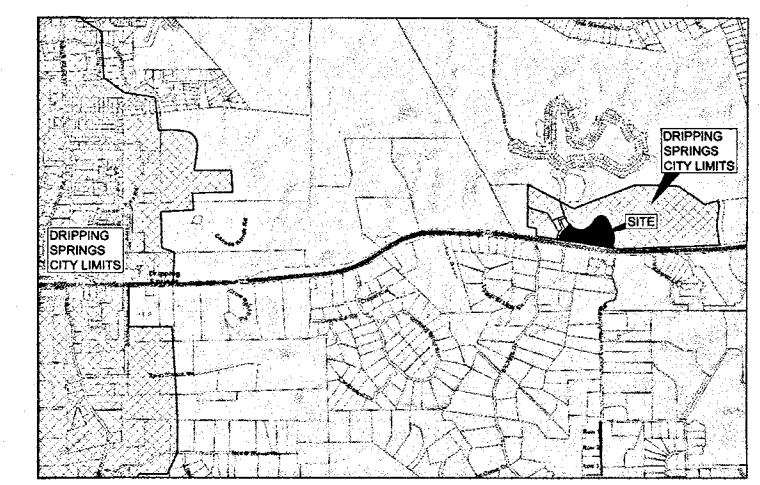
- Legend**
- Headwaters West Monument
  - Southwest Trading Post
  - Untitled Path
  - Untitled Path
  - Untitled Path





SCALE: 1" = 100'

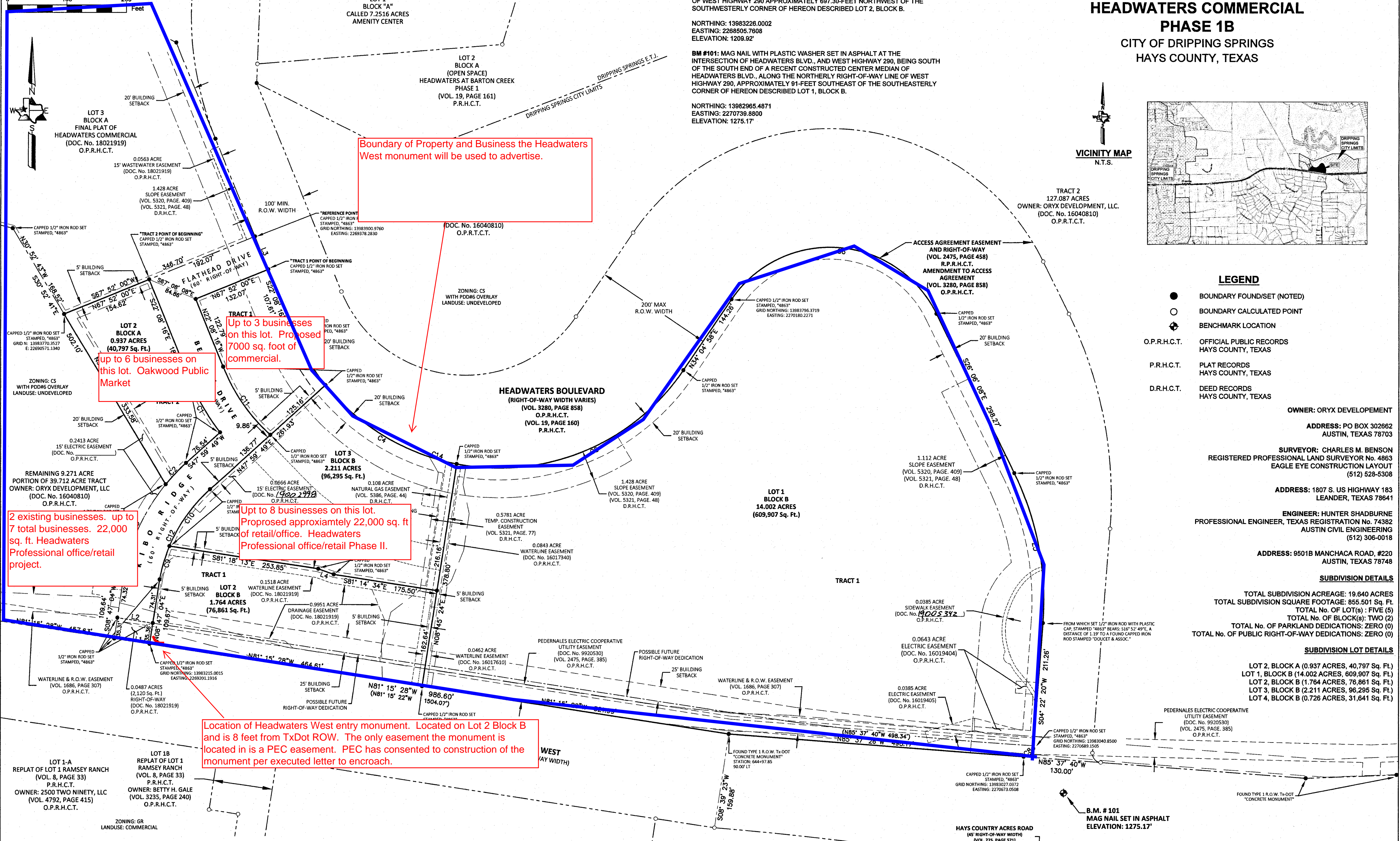
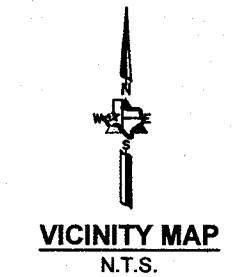
# FINAL PLAT HEADWATERS COMMERCIAL PHASE 1B CITY OF DRIPPING SPRINGS HAYS COUNTY, TEXAS



**BENCHMARK NOTES:**

**BM #100:** MAG NAIL WITH PLASTIC WASHER SET ALONG THE NORTHERLY EDGE OF WEST HIGHWAY 290 APPROXIMATELY 697.30-FEET NORTHWEST OF THE SOUTHWESTERLY CORNER OF HEREON DESCRIBED LOT 2, BLOCK B.  
NORTHING: 13983226.0002  
EASTING: 2288505.7608  
ELEVATION: 1209.92'

**BM #101:** MAG NAIL WITH PLASTIC WASHER SET IN ASPHALT AT THE INTERSECTION OF HEADWATERS BLVD. AND WEST HIGHWAY 290, BEING SOUTH OF THE SOUTH END OF A RECENT CONSTRUCTED CENTER MEDIAN OF HEADWATERS BLVD. ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF WEST HIGHWAY 290, APPROXIMATELY 91-FEET SOUTHWEST OF THE SOUTHEASTERLY CORNER OF HEREON DESCRIBED LOT 1, BLOCK B.  
NORTHING: 13982965.4871  
EASTING: 2270739.8800  
ELEVATION: 1275.17'



- LEGEND**
- BOUNDARY FOUND/SET (NOTED)
  - BOUNDARY CALCULATED POINT
  - ⊕ BENCHMARK LOCATION
  - O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
  - P.R.H.C.T. PLAT RECORDS HAYS COUNTY, TEXAS
  - D.R.H.C.T. DEED RECORDS HAYS COUNTY, TEXAS

**OWNER:** ORYX DEVELOPMENT  
**ADDRESS:** PO BOX 302662 AUSTIN, TEXAS 78703

**SURVEYOR:** CHARLES M. BENSON  
REGISTERED PROFESSIONAL LAND SURVEYOR No. 4863  
EAGLE EYE CONSTRUCTION LAYOUT (512) 528-5308

**ADDRESS:** 1807 S. US HIGHWAY 183 LEANDER, TEXAS 78641

**ENGINEER:** HUNTER SHADBURNE  
PROFESSIONAL ENGINEER, TEXAS REGISTRATION No. 74382  
AUSTIN CIVIL ENGINEERING (512) 306-0018

**ADDRESS:** 9501B MANCHACA ROAD, #220 AUSTIN, TEXAS 78748

**SUBDIVISION DETAILS**

TOTAL SUBDIVISION ACREAGE: 19.640 ACRES  
TOTAL SUBDIVISION SQUARE FOOTAGE: 855,501 Sq. Ft.  
TOTAL No. OF LOT(S): FIVE (5)  
TOTAL No. OF BLOCK(S): TWO (2)  
TOTAL No. OF PARKLAND DEDICATIONS: ZERO (0)  
TOTAL No. OF PUBLIC RIGHT-OF-WAY DEDICATIONS: ZERO (0)

**SUBDIVISION LOT DETAILS**

LOT 2, BLOCK A (0.937 ACRES, 40,797 Sq. Ft.)  
LOT 1, BLOCK B (14.002 ACRES, 609,907 Sq. Ft.)  
LOT 2, BLOCK B (1.764 ACRES, 76,861 Sq. Ft.)  
LOT 3, BLOCK B (2.211 ACRES, 96,295 Sq. Ft.)  
LOT 4, BLOCK B (0.726 ACRES, 31,641 Sq. Ft.)

**Boundary Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	101.71'	379.73'	15° 20' 47"	S29° 48' 30"E	101.41'
C2	49.91'	330.09'	8° 39' 48"	S43° 39' 56"W	49.86'
C3	110.66'	375.00'	16° 54' 28"	S30° 35' 30"E	110.26'
C4	262.34'	375.00'	40° 04' 59"	S59° 05' 13"E	257.03'
C5	437.13'	375.00'	66° 47' 19"	N67° 28' 38"E	412.80'
C6	418.23'	200.00'	119° 48' 54"	S86° 00' 35"E	346.09'
C7	260.62'	490.00'	30° 28' 28"	S10° 51' 54"E	257.56'

**Boundary Curve Table**

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C8	23.56'	15.00'	90° 00' 00"	S49° 22' 20"W	21.21'
C9	58.87'	270.28'	12° 28' 44"	N16° 36' 54"E	58.75'
C10	118.57'	270.28'	25° 08' 09"	N35° 25' 20"E	117.62'
C11	140.94'	319.63'	25° 15' 54"	N34° 46' 13"W	139.80'
C12	177.44'	270.28'	37° 36' 54"	N29° 10' 58"E	174.27'
C13	168.87'	330.09'	29° 16' 38"	S24° 41' 43"W	166.84'
C14	810.13'	375.00'	123° 46' 46"	S84° 01' 39"E	661.53'

LOT 2 RAMSEY RANCH (VOL. 8, PAGE 33) P.R.H.C.T. OWNER: J.R. RIDGE, LP (DOC. No. 09914001) O.P.R.H.C.T.

**Boundary Line Table**

Line #	Length	Direction
L1	60.00'	N81° 15' 28"W
L2	60.00'	S81° 18' 13"E
L3	60.00'	S22° 08' 16"E
L4	27.71'	S70° 03' 13"E

**EAGLE EYE CONSTRUCTION LAYOUT**

1807 S. US HIGHWAY 183 LEANDER, TEXAS 78641 (512) 528-5308

PROJECT: HEADWATERS COMMERCIAL  
CLIENT: ORYX DEVELOPMENT  
DATE: 02/19/2019  
SCALE: 1" = 100'  
BY: rc/emb

WEB: eed.us EMAIL: eagle@eed.us T.B.P.L.S. FIRM #10194139 SHEET 01 OF 93



**LEGAL DESCRIPTION:**

A DESCRIPTION OF TWO SEPARATE TRACTS OF LAND TOTALING A 19.640 ACRE (APPROX. 855,501 SQ. FT.) TRACT OF LAND, SITUATED IN THE WILLIAM WALKER SURVEY NO. 130, ABSTRACT NO. 475, HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF THE RESIDUE OF A 39.712 ACRE TRACT OF LAND BEING DESCRIBED IN A SPECIAL WARRANTY DEED, CONVEYED TO ORYX DEVELOPMENT, LLC., DATED NOVEMBER 29, 2016 AND APPEARING OF RECORD UNDER DOCUMENT NO. 16040810 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, SAID 19.640 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS TRACTS 1 AND 2, BY THE FOLLOWING METES AND BOUNDS DESCRIPTIONS:

**TRACT 1**  
**18.703 ACRES, (814,704 SQ. FT.)**  
**METES AND BOUNDS DESCRIPTION**

**BEGINNING** AT A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE NORTHWESTERLY CORNER OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND, SAME BEING THE SOUTHERLY INTERSECTING RIGHT-OF-WAY CORNER OF FLATHEAD DRIVE, HAVING A CALLED 60-FOOT RIGHT-OF-WAY WIDTH ACCORDING TO THE MAP OR PLAT BEING DESCRIBED AS THE FINAL PLAT OF HEADWATERS COMMERCIAL LOT 3, BLOCK A, A SUBDIVISION APPEARING OF RECORD UNDER DOCUMENT NO. 18021919 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND HEADWATERS BOULEVARD, HAVING A VARIABLE RIGHT-OF-WAY WIDTH ACCORDING TO THAT CERTAIN MAP OR PLAT BEING DESCRIBED AS THE FINAL PLAT HEADWATERS AT BARTON CREEK, PHASE 1, A SUBDIVISION APPEARING OF RECORD IN VOLUME 19, PAGE 161 OF THE PLAT RECORDS OF HAYS COUNTY, TEXAS, SAME BEING THE NORTHERLY MOST, NORTHWESTERLY CORNER OF THE EASTERLY RESIDUE OF THE AFOREMENTIONED 39.712 ACRE TRACT OF LAND, FROM WHICH A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" BEARS NORTH 22° 08' 16" WEST, A DISTANCE OF 60.00 FEET FOR THE NORTHERLY INTERSECTING CORNER OF SAID FLATHEAD DRIVE AND HEADWATERS BOULEVARD, SAME BEING THE SOUTHEASTERLY CORNER OF LOT 3, BLOCK A OF SAID FINAL PLAT OF HEADWATERS COMMERCIAL LOT 3, BLOCK A;

**THENCE** WITH THE COMMON DIVIDING PROPERTY LINE OF THE AFOREMENTIONED 39.712 ACRE TRACT OF LAND AND THE AFORESAID HEADWATERS BOULEVARD, THE FOLLOWING EIGHT (8) COURSES AND DISTANCES:

1. **SOUTH 22° 08' 16" EAST**, A DISTANCE OF 107.61 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
2. **WITH A CURVE TO THE LEFT**, HAVING AN ARC LENGTH OF 810.13 FEET, A RADIUS OF 375.00 FEET, A DELTA ANGLE OF 123° 46' 46" AND A **CHORD** WHICH BEARS SOUTH 84° 01' 39" EAST, A DISTANCE OF 661.53 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
3. **NORTH 34° 04' 58" EAST**, A DISTANCE OF 144.26 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
4. **WITH A CURVE TO THE RIGHT**, HAVING AN ARC LENGTH OF 418.23 FEET, A RADIUS OF 200.00 FEET, A DELTA ANGLE OF 119° 48' 54" AND A **CHORD** WHICH BEARS SOUTH 86° 00' 35" EAST, A DISTANCE OF 346.09 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
5. **SOUTH 26° 06' 08" EAST**, A DISTANCE OF 298.27 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
6. **WITH A CURVE TO THE RIGHT**, HAVING AN ARC LENGTH OF 260.62 FEET, A RADIUS OF 490.00 FEET, A DELTA ANGLE OF 30° 28' 28" AND A **CHORD** WHICH BEARS NORTH 10° 51' 54" EAST, A DISTANCE OF 257.56 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
7. **SOUTH 04° 22' 20" WEST**, A DISTANCE OF 211.26 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
8. **WITH A CURVE TO THE RIGHT**, HAVING AN ARC LENGTH OF 23.56 FEET, A RADIUS OF 15.00 FEET, A DELTA ANGLE OF 90° 00' 00" AND A **CHORD** WHICH BEARS SOUTH 48° 22' 20" WEST, A DISTANCE OF 21.21 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE WESTERLY RIGHT-OF-WAY INTERSECTING CORNER OF SAID HEADWATERS BOULEVARD AND WEST HIGHWAY 290, HAVING A VARIABLE RIGHT-OF-WAY WIDTH, SAME BEING THE SOUTHEASTERLY CORNER OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND;

**THENCE** CONTINUING ALONG THE SOUTHERLY PROPERTY LINE OF THE AFOREMENTIONED 39.712 ACRE TRACT OF LAND, SAME BEING THE NORTHERLY RIGHT-OF-WAY LINE OF THE AFORESAID WEST HIGHWAY 290, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. **NORTH 85° 37' 26" WEST**, A DISTANCE OF 498.17 FEET TO A FOUND TYPE-1 TX-DOT MONUMENT, STATION 644+97.85, FOR A POINT OF ANGLE;
2. **NORTH 81° 15' 28" WEST**, A DISTANCE OF 986.60 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE SOUTHWESTERLY CORNER OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND, SAME BEING THE SOUTHEASTERLY CORNER OF A CALLED 0.0487 ACRE TRACT OF LAND BEING DEDICATED FOR RIGHT-OF-WAY PER THE AFORESAID FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL;

**THENCE** WITH THE WESTERLY PROPERTY LINE OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND, SAME BEING THE EASTERLY RIGHT-OF-WAY LINE OF KIBO RIDGE, HAVING A 60-FOOT RIGHT-OF-WAY WIDTH ACCORDING TO THE AFORESAID FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. **NORTH 08° 47' 04" EAST**, A DISTANCE OF 109.67 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
2. **WITH A CURVE TO THE RIGHT**, HAVING AN ARC LENGTH OF 177.44 FEET, A RADIUS OF 270.28 FEET, A DELTA ANGLE OF 37° 36' 54" AND A **CHORD** WHICH BEARS NORTH 29° 10' 58" EAST, A DISTANCE OF 174.27 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
3. **NORTH 47° 59' 49" EAST**, A DISTANCE OF 136.77 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR AN ELL-CORNER ALONG THE WESTERLY PROPERTY LINE OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND, SAME BEING THE EASTERLY RIGHT-OF-WAY INTERSECTING CORNER OF SAID KIBO RIDGE AND BEVERLY DRIVE, HAVING A 60-FOOT RIGHT-OF-WAY WIDTH ACCORDING TO THE AFORESAID FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL;

**THENCE** WITH THE NORTHEASTERLY RIGHT-OF-WAY LINE OF THE AFORESAID BEVERLY DRIVE, SAME BEING THE WESTERLY PROPERTY LINE OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1. **WITH A CURVE TO THE RIGHT**, HAVING AN ARC LENGTH OF 140.94 FEET, A RADIUS OF 319.63 FEET, A DELTA ANGLE OF 25° 15' 54" AND A **CHORD** WHICH BEARS NORTH 34° 46' 13" WEST, A DISTANCE OF 139.80 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";
2. **NORTH 22° 08' 16" WEST**, A DISTANCE OF 122.79 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR AN ELL-CORNER ALONG THE WESTERLY PROPERTY LINE OF THE HERON, DESCRIBED 18.703 ACRE TRACT OF LAND, SAME BEING THE EASTERLY INTERSECTING RIGHT-OF-WAY CORNER OF SAID BEVERLY DRIVE AND THE AFORESAID FLATHEAD DRIVE;

**THENCE NORTH 67° 52' 00" EAST**, A DISTANCE OF 132.07 FEET TO THE POINT OF BEGINNING, CONTAINING THE HERON, DESCRIBED 18.703 ACRE (APPROX. 814,704 SQ. FT.) TRACT OF LAND, MORE OR LESS.

**TRACT 2**  
**0.937 ACRES, (40,797 SQ. FT.)**  
**METES AND BOUNDS DESCRIPTION**

**BEGINNING** AT A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE NORTHEASTERLY CORNER OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, SAME BEING THE NORTHEASTERLY CORNER OF THE WESTERLY RESIDUE OF THE AFOREMENTIONED 39.712 ACRE TRACT OF LAND, SAME BEING THE WESTERLY INTERSECTING RIGHT-OF-WAY CORNER OF FLATHEAD DRIVE AND BEVERLY DRIVE, BOTH HAVING A CALLED 60-FOOT RIGHT-OF-WAY WIDTH ACCORDING TO THE MAP OR PLAT BEING DESCRIBED AS THE FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL, A SUBDIVISION APPEARING OF RECORD UNDER DOCUMENT NO. 18021919 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS AND FROM WHICH A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" BEARS NORTH 67° 52' 00" EAST, A DISTANCE OF 192.07 FEET FOR THE SOUTHEASTERLY CORNER OF LOT 3, BLOCK A, OF SAID FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL, SAME BEING THE NORTHERLY INTERSECTING RIGHT-OF-WAY OF SAID FLATHEAD DRIVE AND HEADWATERS BOULEVARD, HAVING A VARIABLE RIGHT-OF-WAY WIDTH ACCORDING TO THE MAP OR PLAT BEING DESCRIBED AS THE FINAL PLAT HEADWATERS AT BARTON CREEK, PHASE 1, A SUBDIVISION APPEARING OF RECORD IN VOLUME 19, PAGE 161 OF THE PLAT RECORDS OF HAYS COUNTY TEXAS;

**THENCE SOUTH 22° 08' 16" EAST**, ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE AFORESAID BEVERLY DRIVE, SAME BEING THE NORTHEASTERLY PROPERTY LINE OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, A DISTANCE OF 182.75 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";

**THENCE** CONTINUING ALONG THE AFORESAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF BEVERLY DRIVE, SAME BEING THE NORTHEASTERLY PROPERTY LINE OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND WITH A CURVE TO THE LEFT, HAVING AN ARC LENGTH OF 101.71 FEET, A RADIUS OF 379.73 FEET, A DELTA ANGLE OF 15° 20' 47" AND A **CHORD** WHICH BEARS SOUTH 29° 48' 30" EAST, A DISTANCE OF 101.41 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE NORTHEASTERLY CORNER OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, SAME BEING THE WESTERLY INTERSECTING RIGHT-OF-WAY CORNER OF SAID BEVERLY DRIVE AND KIBO RIDGE, HAVING A 60-FOOT RIGHT-OF-WAY WIDTH ACCORDING TO THE AFORESAID MAP OR PLAT BEING DESCRIBED AS THE FINAL PLAT OF LOT 3, BLOCK A, HEADWATERS COMMERCIAL;

**THENCE SOUTH 47° 59' 49" WEST**, ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFORESAID KIBO RIDGE, SAME BEING THE SOUTHEASTERLY PROPERTY LINE OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, A DISTANCE OF 76.54 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863";

**THENCE** WITH A CURVE TO THE LEFT, CONTINUING ALONG THE NORTHWESTERLY RIGHT-OF-WAY LINE OF THE AFORESAID KIBO RIDGE, SAME BEING THE SOUTHEASTERLY PROPERTY LINE OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, HAVING AN ARC LENGTH OF 49.91 FEET, A RADIUS OF 330.09 FEET, A DELTA ANGLE OF 08° 39' 48" AND A **CHORD** WHICH BEARS SOUTH 43° 39' 56" WEST, A DISTANCE OF 49.86 FEET TO A SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE SOUTHEASTERLY CORNER OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND;

**THENCE NORTH 30° 52' 41" WEST**, OVER AND ACROSS THE AFOREMENTIONED 39.712 ACRE TRACT OF LAND, A DISTANCE OF 333.58 FEET TO A PREVIOUSLY SET ½-INCH IRON ROD WITH PLASTIC CAP, STAMPED "4863" FOR THE NORTHWESTERLY CORNER OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, SAME BEING THE SOUTHEASTERLY CORNER OF THE AFORESAID LOT 3, BLOCK A;

**THENCE NORTH 67° 52' 00" EAST**, ALONG THE NORTHERLY PROPERTY LINE OF THE HERON, DESCRIBED 0.937 ACRE TRACT OF LAND, SAME BEING THE SOUTHEASTERLY LOT LINE OF THE AFORESAID LOT 3, BLOCK A, A DISTANCE OF 154.62 FEET TO THE POINT OF BEGINNING, CONTAINING THE HERON, DESCRIBED 0.937 ACRE (APPROX. 40,797 SQ. FT.) TRACT OF LAND, MORE OR LESS.

**PLAT NOTES:**

- 1). THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE CITY OF DRIPPING SPRINGS AND HAYS COUNTY.
- 2). THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE DRIPPING SPRINGS INDEPENDENT SCHOOL DISTRICT.
- 3). THIS SUBDIVISION LIES WITHIN THE HAYS COUNTY ESD No. 1 FOR EMS SERVICE.
- 4). THIS SUBDIVISION LIES WITHIN THE HAYS COUNTY ESD No. 6 FOR FIRE SERVICE.
- 5). THIS SUBDIVISION LIES WITHIN THE HAYS-TRINITY GROUNDWATER CONSERVATION DISTRICT.
- 6). ALL SUBDIVISION PERMITS SHALL CONFORM TO THE CITY OF DRIPPING SPRINGS, HAYS COUNTY, TEXAS CODE OF ORDINANCES, CONSTRUCTION STANDARDS AND GENERALLY ACCEPTED ENGINEERING PRACTICES.
- 7). THIS SUBDIVISION LIES WITHIN THE BOUNDARIES OF THE EDWARDS AQUIFER CONTRIBUTING ZONE.
- 8). GAS UTILITY SERVICE WILL BE PROVIDED BY TEXAS GAS SERVICE.
- 9). WATER UTILITY SERVICE WILL BE PROVIDED BY THE HEADWATERS MUNICIPAL UTILITY DISTRICT FOR HAYS COUNTY, TEXAS.
- 10). WASTEWATER UTILITY SERVICE WILL BE PROVIDED BY THE THE HEADWATERS MUNICIPAL UTILITY DISTRICT FOR HAYS COUNTY, TEXAS OR AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY ENVIRONMENTAL HEALTH.
- 11). ELECTRIC UTILITY SERVICE WILL BE PROVIDED BY PEDERNALES ELECTRIC COOPERATIVE.
- 12). BUILDING SETBACKS NOT SHOWN SHALL BE IN ACCORDANCE WITH CITY OF DRIPPING SPRINGS SUBDIVISION AND ZONING ORDINANCES. THE SUBDIVISION IS CURRENTLY ZONED (PDD-6).
- 13). CONSTRUCTION PLANS AND SPECIFICATIONS FOR ALL SUBDIVISION IMPROVEMENTS SHALL BE REVIEWED AND ACCEPTED BY THE CITY OF DRIPPING SPRINGS PRIOR TO ANY CONSTRUCTION WITHIN THE SUBDIVISION.
- 14). EROSION AND SEDIMENTATION CONTROLS ARE REQUIRED FOR CONSTRUCTION ON EACH LOT, INCLUDING SINGLE-FAMILY AND DUPLEX CONSTRUCTION.
- 15). NO LOT IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN APPROVED WATER DISTRIBUTION AND WASTEWATER COLLECTION SYSTEM.
- 16). ALL DRIVEWAYS IN THIS SUBDIVISION MUST BE CONSTRUCTED TO FACILITATE DRAINAGE ALONG THE DEVELOPER AND/OR PROPERTY OWNER SHALL BE RESPONSIBLE FOR THE INSTALLATION.
- 17). NO STRUCTURES OR LAND USE INCLUDING, BUT NOT LIMITED TO; BUILDINGS, FENCES, LANDSCAPING THAT NEGATIVELY IMPACTS STORM WATER FLOWS SHALL BE ALLOWED IN AREAS DESIGNATED AS PONDS, DRAINAGE EASEMENTS, OR DETENTION/RETENTION AREAS.
- 18). IT IS THE RESPONSIBILITY OF EACH BUILDER TO DESIGN AND CONSTRUCT A SUITABLE GRADING AND DRAINAGE SCHEME WHICH WILL CONVEY SURFACE WATER, WITHOUT PONDING IN THE LOT UNDER THE STRUCTURE, FROM HIS STRUCTURE TO THE DRAINAGE SYSTEM CONSTRUCTED BY THE SUBDIVISION DEVELOPER.
- 19). PUBLIC UTILITY AND DRAINAGE EASEMENTS WHERE SHOWN AND/OR DESCRIBED HEREON ARE INTENDED TO INDICATE AN EASEMENT FOR CONSTRUCTION, OPERATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE WAYS; INCLUDING, BUT NOT LIMITED TO, SANITARY SEWERS, FORCE MAINS, WATER LINES, TELEPHONE SIGNAL CONDUITS, ELECTRIC CONDUCTORS, DRAINAGE PIPES AND NATURAL GAS LINES.
- 20). BY APPROVING THIS PLAT, THE CITY OF DRIPPING SPRINGS ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY SUBDIVISION INFRASTRUCTURE REQUIRED FOR THE DEVELOPMENT OF THE LOTS IN THIS SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNERS OF THE LOT. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS INCLUDING BUILDING PERMITS, SITE PLAN APPROVALS AND/ OR CERTIFICATE OF OCCUPANCY.
- 21). NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE-APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.
- 22). NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY THE CITY OF DRIPPING SPRINGS.
- 23). NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.
- 24). SITE DEVELOPMENT CONSTRUCTION PLANS SHALL BE REVIEWED AND ACCEPTED BY THE CITY OF DRIPPING SPRINGS PRIOR TO ANY MULTI-FAMILY OR NON-RESIDENTIAL CONSTRUCTION.
- 25). ALL UTILITIES ARE TO BE UNDERGROUND, TO THE FULLEST EXTENT PRACTICAL
- 26). THE ELECTRIC UTILITY HAS THE RIGHT TO PRUNE AND/ OR REMOVE TREES, SHRUBBERY VEGETATION AND OTHER OBSTRUCTIONS TO THE EXTENT NECESSARY TO KEEP THE EASEMENTS CLEAR.
- 27). SIDEWALKS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION ORDINANCE OF THE CITY OF DRIPPING SPRINGS, HAYS COUNTY AND SHALL BE MAINTAINED BY THE OWNERS, NOT THE CITY OF DRIPPING SPRINGS.
- 28). THIS TRACT SHOWN HEREON LIES WITHIN THE ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FIRM FOR HAYS COUNTY, TEXAS AD INCORPORATED AREAS, FIRM PANEL No. 48209C0120F, DATED SEPTEMBER 2, 2005.
- 29). ALL SIGNS SHALL COMPLY WITH CITY OF DRIPPING SPRINGS SIGN ORDINANCE AND/OR HEADWATERS MASTER SIGN PLAN, AS APPLICABLE.
- 30). HEADWATERS MUD SHALL BE GRANTEE ON ALL WATER, WASTEWATER AND DRAINAGE EASEMENTS.
- 31). WATER QUALITY PROTECTION MEASURES OR ALTERNATIVES, SUCH AS BUFFER ZONES AND IMPERVIOUS COVER, AS SHOWN ON THE APPROVED CONSTRUCTION PLANS MAY NOT BE ALTERED WITHOUT REVIEW AND APPROVAL FROM THE HEADWATERS MUNICIPAL UTILITY DISTRICT OF HAYS COUNTY.

**FINAL PLAT**  
**HEADWATERS COMMERCIAL**  
**PHASE 1B**  
**CITY OF DRIPPING SPRINGS**  
**HAYS COUNTY, TEXAS**

**PLAT NOTES CONTINUED:**

31). HORIZONTAL POSITIONS ARE BASED ON THE NORTH AMERICAN DATUM OF 1983, TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (FIPS 4204) UTILIZING THE LOCAL VRS NETWORK BASE No. (PR957541659158).


32). VERTICAL ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 88), UTILIZING GEOID 12A.

33). GRID DISTANCES SHOWN HEREON, ARE IN US SURVEY FEET.

34). ONLY THOSE EASEMENTS AND THAT INFORMATION LISTED IN THE OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, TITLE COMMITMENT FILE NO. (G.F No. 16-1914) DATED FEBRUARY 11, 2019, AND ARE LISTED BELOW WERE CONSIDERED FOR THIS SURVEY. NO OTHER RESEARCH WAS PERFORMED.

RESTRICTIVE COVENANTS SET FORTH IN VOLUME 2475, PAGE 402; VOLUME 2644, PAGE 559 AND DOCUMENT No. 18013971 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. (NOTE: TO THE EXTENT THAT THESE RESTRICTIONS VIOLATE 42 USC 3604(c) BY INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN, SUCH RESTRICTIONS ARE HEREBY OMITTED) -SUBJECT TO

- 10c). ALL LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF COAL, LIGNITE, OIL, GAS AND OTHER MINERALS, TOGETHER WITH ALL RIGHTS, PRIVILEGES AND IMMUNITIES RELATING THERETO, APPEARING IN THE PUBLIC RECORDS WHETHER LISTED IN SCHEDULE "B" OR NOT. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF MINERAL INTEREST THAT ARE NOT LISTED. -SUBJECT TO
- 10e). RESERVATIONS OF ONE-SIXTEENTH (1/16) ROYALTY OF ALL OIL, GAS AND OTHER MINERALS, AND ONE-EIGHTH (1/8) ROYALTY OF ALL SULFUR AND OTHER MINERALS IN PATENT FROM THE STATE OF TEXAS TO JOHN F. GILBERT, RECORDED IN VOLUME 116, PAGE 638, DEED RECORDS OF HAYS COUNTY, TEXAS TOGETHER WITH ALL RIGHTS RELATED THERETO, EXPRESS OR IMPLIED. TITLE SAID MINERAL INTEREST NOT RESEARCHED SUBSEQUENT TO SAID INSTRUMENT. -SUBJECT TO
- 10f). TERMS, CONDITIONS AND STIPULATIONS OF BOUNDARY LINE AGREEMENT BY AND BETWEEN E.E. TOWNES TRUST No. 2, ET AL., AND VINCENT TAYLOR AND VIRGINIA TAYLOR, RECORDED IN VOLUME 485, PAGE 183, REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10h). EASEMENT AS GRANTED TO THE LOWER COLORADO RIVER AUTHORITY (L.C.R.A.), IN INSTRUMENT RECORDED IN VOLUME 1686, PAGE 307, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS-SHOWN
- 10i). EASEMENT AS GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC., IN INSTRUMENT RECORDED IN VOLUME 206, PAGE 136, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS-SHOWN
- 10k). UTILITY EASEMENT AS GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC., BY PAUL PRESSLER FAMILY GENERATION SKIPPING TRUST ET AL., IN INSTRUMENT RECORDED UNDER DOCUMENT No. 9920630, AND VOLUME 2475, PAGE 385, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS-SHOWN
- 10l). TERMS, CONDITION AND STIPULATIONS OF ACCESS EASEMENT AGREEMENT BY AND BETWEEN PAUL PRESSLER FAMILY GENERATION SKIPPING TRUST ET AL., AND RATHGEBER INVESTMENTS COMPANY, LTD., RECORDED ON JUNE 2, 2004 IN VOLUME 2475, PAGE 458, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10m). TERMS AND CONDITIONS OF THAT CERTAIN DEVELOPMENT AGREEMENT, BY AND BETWEEN, THE CITY OF DRIPPING SPRINGS, TOWNES FAMILY TRUST, AND HEADWATERS DEVELOPMENT Co., AS RECORDED IN VOLUME 2675, PAGE 649, AS AMENDED IN DOCUMENT No. 16028056, VOLUME 5349, PAGE 598, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND ASSIGNED IN VOLUME 5336, PAGE 321, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10n). PROPERTY IS LOCATED IN THE HEADWATERS MUNICIPAL UTILITY DISTRICT, AS EVIDENCED BY THAT NOTICE TO PURCHASER RECORDED UNDER DOCUMENT No. 16040813, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10o). EASEMENT GRANTED TO WFC HEADWATERS OWNER VII, L.P., BY E.E. TOWNES FAMILY TRUST, RECORDED IN VOLUME 5320, PAGE 409, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10p). EASEMENT GRANTED TO WFC HEADWATERS OWNER VII, L.P., BY E.E. TOWNES FAMILY TRUST, RECORDED IN VOLUME 5321, PAGE 48, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10q). EASEMENT GRANTED TO WFC HEADWATERS OWNER VII, L.P., BY E.E. TOWNES FAMILY TRUST, RECORDED IN VOLUME 5321, PAGE 77, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10r). EASEMENT GRANTED TO TEXAS GAS SERVICE, A DIVISION OF ONE GAS, INC., BY E.E. TOWNES FAMILY TRUST, RECORDED IN VOLUME 5386, PAGE 44, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10s). EASEMENT GRANTED TO HEADWATERS MUNICIPAL UTILITY DISTRICT OF HAYS COUNTY, BY E.E. TOWNES FAMILY TRUST, RECORDED UNDER DOCUMENT No. 2016-16017340, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10t). EASEMENT GRANTED TO WEST TRAVIS COUNTY PUBLIC UTILITY AGENCY, BY E.E. TOWNES FAMILY TRUST, RECORDED UNDER DOCUMENT No. 2016-16017610, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10u). EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC., BY E.E. TOWNES FAMILY TRUST, RECORDED UNDER DOCUMENT No. 2016-16019404, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN
- 10v). EASEMENT GRANTED TO PEDERNALES ELECTRIC COOPERATIVE, INC., BY E.E. TOWNES FAMILY TRUST, RECORDED UNDER DOCUMENT No. 2016-16019405, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO, AS SHOWN.
- 10w). COVENANTS PROVIDING FOR ASSESSMENTS AS SET OUT IN INSTRUMENT RECORDED UNDER DOCUMENT No. 19013971, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10x). EASEMENTS AND EASEMENT RIGHTS AS RESERVED IN DECLARATION RECORDED UNDER DOCUMENT No. 18013971, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10y). TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN AGREEMENT CONCERNING CREATION AND OPERATION OF HEADWATERS MUNICIPAL UTILITY DISTRICT, AS EVIDENCED BY SECOND AMENDMENT TO SAID AGREEMENT RECORDED IN VOLUME 5339, PAGE 650, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO
- 10z). TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN NON-STANDARD CONSTRUCTION AND SERVICE AGREEMENT RECORDED UNDER DOCUMENT No. 18025982, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. -SUBJECT TO

		<b>PROJECT:</b> HEADWATERS COMMERCIAL
<b>1807 S. US HIGHWAY 183</b> <b>LEANDER, TEXAS 78641</b> <b>(512) 528-5308</b>		<b>CLIENT:</b> ORYX DEVELOPMENT
WEB: eecd.us EMAIL: eagle@eecd.us		<b>DATE:</b> 02/20/2019 <b>SCALE:</b> N.T.S. <b>BY:</b> rdc/smt
T.B.P.L.S. FIRM #10194139		<b>SHEET</b> 02 of 94



STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, BLAKE RUE, MANAGING MEMBER OF ORYX DEVELOPMENT, LLC., BEING THE OWNER OF 19.640 ACRES OF LAND OUT OF THE WILLIAM WALKER SURVEY No. 130, ABSTRACT No. 475, HAYS COUNTY, TEXAS, AS CONVEYED TO ME BY THAT CERTAIN SPECIAL WARRANTY DEED, DATED DECEMBER 2, 2016, AND RECORDED UNDER INSTRUMENT No. 16040810, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, DO HEREBY SUBDIVIDE SAID LAND IN ACCORDANCE WITH THE PLAT SHOWN HEREON, SUBJECT TO ANY EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, TO BE KNOWN AS:

HEADWATERS COMMERCIAL  
PHASE 1B

AND DO HEREBY DEDICATE TO THE PUBLIC THE USE OF THE STREETS AND EASEMENTS AS SHOWN HEREON.

WITNESS MY HAND THIS THE 22nd DAY OF February, 2019.

[Signature]  
BLAKE RUE, MANAGING MEMBER  
ORYX DEVELOPMENT  
P.O. BOX 302663  
AUSTIN, TEXAS 78703

STATE OF TEXAS  
COUNTY OF HAYS

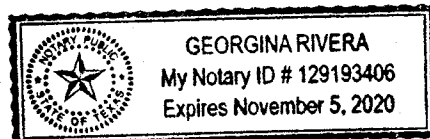
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

Blake Rue, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 22nd DAY OF February, 2019.

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS (SEAL)

Georgina Rivera  
PRINTED NAME OF NOTARY / EXPIRES



STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS

THAT I, WE, PIONEER BANK, A LIEN HOLDER OF THAT CERTAIN TRACT OF LAND SHOWN HEREON, DO HEREBY JOIN, APPROVE, AND CONSENT TO ALL DEDICATIONS AND PLAT NOTE REQUIREMENTS SHOWN HEREON. I DO HEREBY APPROVE THE RECORDATION OF THIS SUBDIVISION PLAT AND DEDICATE TO THE PUBLIC USE FOREVER ANY EASEMENTS AND ROADS THAT ARE SHOWN HEREON. THIS SUBDIVISION IS TO BE KNOWN AS:

HEADWATERS COMMERCIAL  
PHASE 1B

WITNESS MY HAND THIS THE 22nd DAY OF FEBRUARY, 2019.

[Signature]  
STEVEN P. BOURLAND, AUTHORIZED REPRESENTATIVE  
PIONEER BANK  
100 CREEK ROAD  
DRIPPING SPRINGS, TEXAS 78620

STATE OF TEXAS  
COUNTY OF HAYS

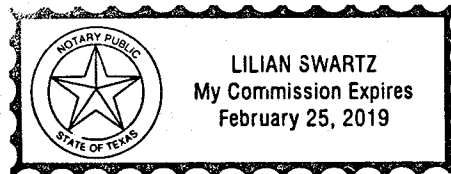
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

Steven Bourland, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 22nd DAY OF February, 2019.

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS (SEAL)

Lilian Swartz  
PRINTED NAME OF NOTARY / EXPIRES



STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS:

THAT I, COSMO PALMIERI, VICE PRESIDENT OF SERVICE GROUP HOLDINGS, INC., A LIEN HOLDER OF THAT CERTAIN TRACT OF LAND SHOWN HEREON, DO HEREBY JOIN, APPROVE, AND CONSENT TO ALL DEDICATIONS AND PLAT NOTE REQUIREMENTS SHOWN HEREON. I DO HEREBY APPROVE THE RECORDATION OF THIS SUBDIVISION PLAT AND DEDICATE TO THE PUBLIC USE FOREVER ANY EASEMENTS AND ROADS THAT ARE SHOWN HEREON. THIS SUBDIVISION IS TO BE KNOWN AS:

HEADWATERS COMMERCIAL  
PHASE 1B

WITNESS MY HAND THIS THE 22nd DAY OF February, 2019.

[Signature]  
COSMO PALMIERI, VICE PRESIDENT  
SERVICE GROUP HOLDINGS, INC.  
6907 CAPITAL OF TEXAS HIGHWAY, SUITE 370  
AUSTIN, TEXAS 78731

STATE OF TEXAS  
COUNTY OF HAYS

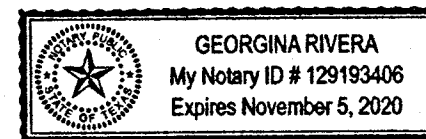
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED

Cosmo Palmieri, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 22nd DAY OF February, 2019.

NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS (SEAL)

Georgina Rivera  
PRINTED NAME OF NOTARY / EXPIRES



STATE OF TEXAS  
COUNTY OF HAYS  
CITY OF DRIPPING SPRINGS

THIS PLAT, HEADWATERS COMMERCIAL SUBDIVISION, HAS BEEN SUBMITTED TO AND CONSIDERED BY THE CITY OF DRIPPING SPRINGS, TEXAS AS A FINAL PLAT OF ADMINISTRATIVE APPROVAL PURSUANT TO ORDINANCE 1230.09 AND IS HEREBY APPROVED ADMINISTRATIVELY BY THE CITY OF DRIPPING SPRINGS.

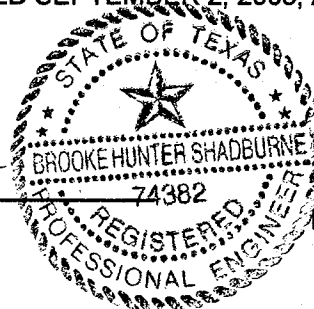
THIS THE 22nd DAY OF February, 2019.

[Signature]  
MICHELLE FISCHER  
CITY ADMINISTRATOR

ENGINEER CERTIFICATION  
STATE OF TEXAS

I, HUNTER SHADBURNE, A PROFESSIONAL ENGINEER, DO HEREBY CERTIFY THAT THE LOT(S) IN THIS SUBDIVISION ARE NOT LOCATED WITHIN ANY DESIGNATED 100-YEAR FLOOD PLAIN AS DELINEATED ON THE FLOOD INSURANCE RATE MAP (FIRM) No. 48209C0120F, DATED SEPTEMBER 2, 2005, AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

[Signature]  
HUNTER SHADBURNE  
PROFESSIONAL ENGINEER No. 74382

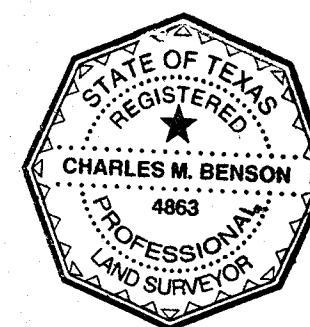


SURVEYOR'S CERTIFICATION  
STATE OF TEXAS

I, CHARLES M. BENSON, DO HEREBY CERTIFY THAT I PREPARE THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF HAYS, TEXAS.

[Signature]  
CHARLES M. BENSON  
REGISTERED PROFESSIONAL LAND SURVEYOR STATE  
OF TEXAS No. 4863

DATE: Feb 22, 2019



FINAL PLAT  
HEADWATERS COMMERCIAL  
PHASE 1B  
CITY OF DRIPPING SPRINGS  
HAYS COUNTY, TEXAS

STATE OF TEXAS  
COUNTY OF HAYS

SEWAGE DISPOSAL/INDIVIDUAL WATER SUPPLY CERTIFICATION, TO-WIT:

- 1). NO STRUCTURE IN THE SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO AN INDIVIDUAL WATER SUPPLY OR A STATE APPROVED COMMUNITY WATER SYSTEM. DUE TO DECLINING WATER SUPPLIES AND DIMINISHING WATER QUALITY, PROSPECTIVE PROPERTY OWNERS ARE CAUTIONED BY HAYS COUNTY TO QUESTION THE SELLER CONCERNING GROUND WATER AVAILABILITY. RAIN WATER COLLECTION IS ENCOURAGED AND IN SOME AREAS MAY OFFER THE BEST RENEWABLE WATER RESOURCE.
- 2). NO STRUCTURE IN THIS SUBDIVISION SHALL BE OCCUPIED UNTIL CONNECTED TO A PUBLIC SEWER SYSTEM OR TO AN ON-SITE WASTEWATER SYSTEM WHICH HAS BEEN APPROVED AND PERMITTED BY HAYS COUNTY ENVIRONMENTAL HEALTH.
- 3). NO CONSTRUCTION OR OTHER DEVELOPMENT WITHIN THIS SUBDIVISION MAY BEGIN UNTIL ALL HAYS COUNTY DEVELOPMENT PERMIT REQUIREMENTS HAVE BEEN MET.

[Signature]  
CHAD GILPIN, P.E.  
DRIPPING SPRINGS CITY ENGINEER

DATE: 2-22-19

STATE OF TEXAS  
COUNTY OF HAYS

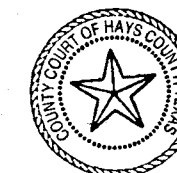
Elaine H. Cardenas  
LIZ G. GONZALEZ, COUNTY CLERK OF HAYS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR

RECORD IN MY OFFICE ON THE 25th DAY OF February, 2019,  
AT 10:49 O'CLOCK A.M., IN THE PLAT RECORDS OF HAYS COUNTY, TEXAS, UNDER

CABINET FILE No. 190055100  
FILED FOR RECORD ON THE 25th DAY OF February, 2019.

Elaine H. Cardenas  
LIZ G. GONZALEZ Elaine H. Cardenas  
COUNTY CLERK  
HAYS COUNTY, TEXAS

BY: [Signature]  
DEPUTY



1807 S. US HIGHWAY 183  
LEANDER, TEXAS 78641  
(512) 528-5308

WEB: eecl.us T.B.P.L.S. FIRM #10194139  
EMAIL: eagle@eecl.us

PROJECT: HEADWATERS COMMERCIAL  
CLIENT: ORYX DEVELOPMENT  
DATE: 01/18/2019  
SCALE: N.T.S.  
BY: rc/mb  
SHEET 03 of 95

**UTILITY EASEMENT**

**THE STATE OF TEXAS**

§

**KNOW ALL MEN BY THESE PRESENTS:**

§

**COUNTY OF HAYS**

§

THAT **HAZY HILLS RANCH CO.**, by and through its agent, **EDGAR GOSS TOWNES**, of Hays County, Texas, for and in consideration of ONE DOLLAR (\$1.00) to us in hand paid by PEDERNALES ELECTRIC COOPERATIVE, INC., of Johnson City, Texas, have granted, sold, and conveyed and by these presents do grant, sell, and convey unto Pedernales Electric Cooperative, Inc., an easement and right-of-way as hereinafter described for an electric distribution line consisting of variable number of wires, and all necessary or desirable appurtenances (including poles made of wood, metal or other materials, telephone and telegraph wire, props and guys), over, across and upon the following described lands located in Hays County, Texas, to-wit:

1,555.2765 acres of land originally described as part of a larger tract in Volume 132, Page 593, of the Deed of Trust Records of Hays County, Texas, and being out of the William Walker Survey No. 130, Abstract No. 475, and other various surveys; also known as Hazy Hills Ranch, located along the north side of U.S. Highway 290, lying east of the town of Dripping Springs, in Hays County, Texas.

This right-of-way easement is for a distribution power line and guying purposes upon the above described property. The right-of-way consists of a strip of land 30 feet wide, generally following inside the south property line, along the north line of U.S. Highway 290 and/or as constructed on the previously described property. Guy leads may extend beyond the 30-foot easement width only when necessary in order to adhere to engineering/design standards.

Together with the right of ingress and egress over our adjacent lands to or from said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, hanging new wire on, maintaining and removing said lines and appurtenances; the right to relocate within the limits of said right-of-way; the right to remove from said lands all trees and parts thereof, or other obstructions which endanger or may interfere with the efficiency of said lines or their appurtenances.

TO HAVE AND TO HOLD the above described easement and rights unto Pedernales Electric Cooperative, Inc. and their successors and assigns, until said line shall be abandoned.

And we do hereby bind ourselves, our heirs and legal representatives to warrant and forever defend all and singular the above described easement and rights unto Pedernales Electric Cooperative, Inc., their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS my hand this 12<sup>th</sup> day of August, 1999.

Hazy Hills Ranch Co. *ET*

BY: *Edgar Goss Townes*  
Edgar Goss Townes, Agent

(NOTARIZE ON BACK)

1



THE STATE OF TEXAS

COUNTY OF HAYS

BEFORE ME, the undersigned authority, on this day personally appeared

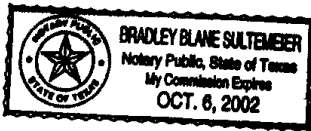
EDGAR GOSS TOWNES, AGENT, of the  
(Name) (Title)

HAZY HILLS RANCH, known to me to be the person whose  
(Organization)

name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act and deed of the HAZY HILLS RANCH as  
(Organization)

AGENT, thereof, and for the purposes and consideration therein  
(Title)  
expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12 day of AUGUST, 1999.



Bradley Blane Sulzemeier  
Notary Public in and for  
HAYS County, Texas

THE STATE OF TEXAS

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared

\_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

FILED AND RECORDED  
OFFICIAL PUBLIC RECORDS

\_\_\_\_\_  
Notary Public in and for  
Lee Carlisle  
8-27-99 01:05 PM 9920530 County, Texas  
ROSE \$11.00  
LEE CARLISLE, County Clerk  
HAYS COUNTY

THE STATE OF TEXAS

COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, on this day personally appeared

\_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for  
\_\_\_\_\_ County, Texas

2



### License to Encroach Application and Utility Providers' Consent Form

The purposes of a license to encroach are: 1. To determine the potential impacts of proposed encroachments into a City Property, right-of-way, or easement; and 2. To execute a license agreement between the encroaching property owner and the City of Dripping Springs regarding the improvements to be constructed, or which are constructed, on City property, right-of-way, or easement. When proposing to encroach into an easement or right-of-way, any additional utility companies who are entitled to use the easement or right-of-way must be notified and must consent to the encroachment. A list of the utility companies and each representative is included in this form for your convenience as well as a signature blocks for their approvals. All applicable signature blocks must be completed by the respective utility companies prior to submittal of the License to Encroach application. A separate form is required for each property.

**Check one:**  License to Encroach into Easement  License to Encroach into Right-of-Way

**Property Information:**

Address: Kibo Drive and Hwy 290  
City: Dripping Springs State: TX Zip Code: 78620  
Legal Description: Lot 2 Block B Headwaters Commercial Phase IB  
Deed Reference (Document Number): R166925 Doc. 16040810  
Owner's Name (or Corporate Entity): Oryx Development, LLC

**Applicant's Information:** *(If different from the owner)*

Name: Blake Rue Company: Oryx Development, LLC  
Mailing Address: PO Box 302663, Austin, TX 78703  
Phone number 512-294-4017 Email: Blake@Rueinvestments.com

***By signing this application I acknowledge that even with a license to encroach, anything constructed under this license could be required to be removed by a utility provider, the City, or anyone with a right to use an easement or right-of-way. The cost to remove and replace or reconstruct the facility will be born by the property owner at the time of request. Any license to encroach shall be provided to any future purchaser of a piece of property. Should a license to encroach cease to be needed due to release or removal of right-of-way or easement, the license shall become void.***

Applicants Signature:  Date: 10-11-2023





## License to Encroach Application and Utility Providers' Consent Form

### Description and Reason for Current or Proposed Encroachment:

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To construct and maintain and entry monument for Headwaters Commercial West.

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**Please attach a site plan which shows where current or proposed utility lines run, where right-of-way and easements are located and where the proposed or current encroachment is located. The fee for this application is the same as a Vacation/Right-of-Way as listed in the Fee Ordinance.**

### Utility Provider Acknowledgements:

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of Dripping Springs, that portion of the public utility easement or right-of-way sought for license in the Application for License to encroach into said public utility easement or right-of-way, do hereby consent to the license to encroach into the described portion of said utility easement or right-of-way.

**By signing this document the utility contact consents to placement of an encroachment in an area designated for their use and that the contact is authorized to approve this request. Letters can also be attached separately to this document to show consent.**



# License to Encroach Application and Utility Providers' Consent Form

Item # 9.

**Electric Utility Provider**  N/A

Provider: Pedernales Electric Coop

Printed Name: Kyle Saucedo

Title: Designer

Signature: [Handwritten Signature]

**Communications Utility Provider**  N/A

Provider: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Water Utility Provider**  N/A

Provider: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Sewer Utility Provider**  N/A

Provider: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Gas Utility Provider**  N/A

Provider: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Other Utility Provider**  N/A

Provider: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

**Utility Provider Contact Information:**

Utility providers change their staff responsible for reviewing requests and may not service the area in which your property is located. Therefore, if you are unaware of the contact information for the appropriate utility providers in your area please reach out to the Dripping Springs Planning Department.

**Planning Department**

[Planning@cityofdrippingsprings.com](mailto:Planning@cityofdrippingsprings.com)

(512) 858-4725

511 Mercer Street

Dripping Springs, Texas 78620



**Multiple Property  
Entry Monuments**

	<b><u>Belterra (4)</u></b>	<b><u>Headwater West</u></b>
Height	18 ft 9 inches	8ft 6 inches
Base	24 ft	19 ft
Signage Area	97 sq. ft.	64 sq. ft
Panels	10	10

**SPECIFICATIONS**

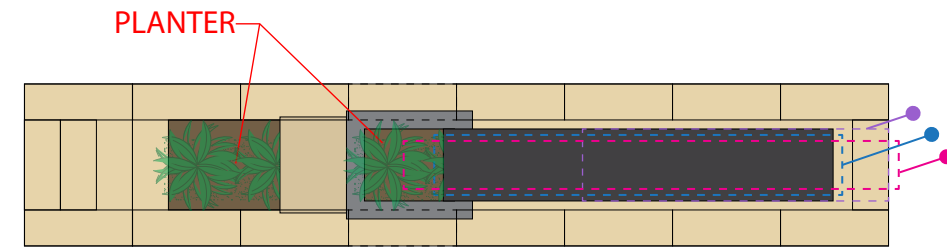
Item # 9.

- 1.] TOP LIP: ALUMIN. FAB. STRUCTURE PAINTED P2. SERVICE ACCESS BY .125 ALUM. REMOVABLE TOP.
- 2.] ALUMIN. FAB. STRUCTURE PAINTED P2.
- 3.] .125 ALUM. ROUTED FACE PAINTED P2 WITH 3/4" CLEAR PUSH PLEX AND V1 APPLIED TO FACE. SECOND SURF. DIFFUSER. ILLUMINATION: WHITE LED. COUNTER-SUNK FASTENERS ON SIDES.
- 4.] .125 ALUM. ROUTED FACE PAINTED P2 WITH WHITE VINYL APPLIED TO FACE. COUNTER-SUNK FASTENERS ON SIDES. TENANT NAMES / LOGOS T.B.D.
- 5.] STONE VENEER. STYLE T.B.D. STEEL SUB-FRAME STRUCTURE WITH BACKER BOARD COVERED BY MOISTURE BARRIER WITH MATCHING STONE VENEER.
- 6.] 'CAPSTONE' - METAL FAB. FAUX CORTEN P2
- 7.] STONE BASE. STYLE T.B.D.

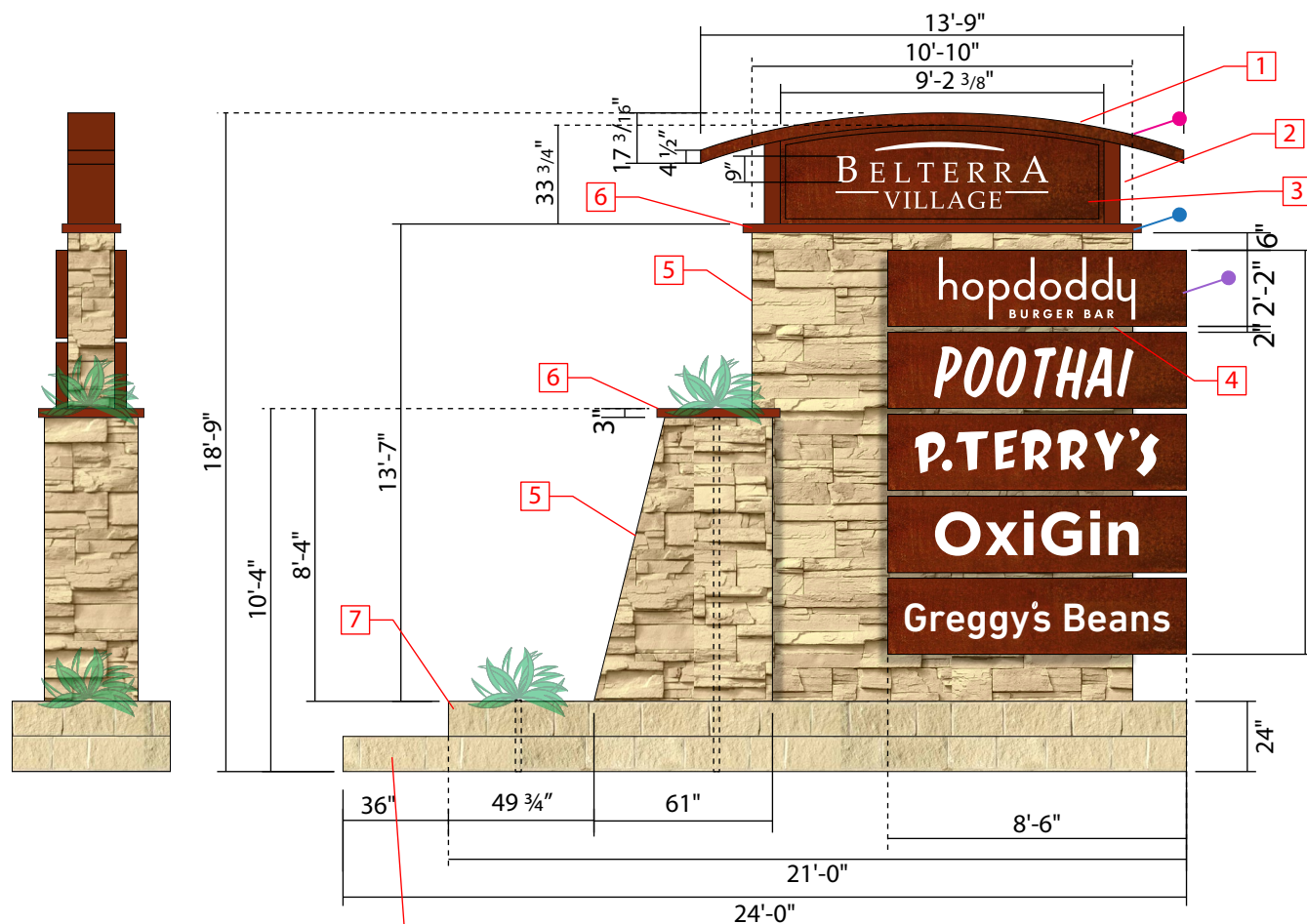
P1	P2	V1
MP WHITE 202	FAUX CORTEN	OPAQUE WHITE VINYL

ALL COLORS TO BE APPROVED/PROVIDED BY CLIENT PRIOR TO MANUFACTURING

FINAL TENANT NAMES T.B.D.

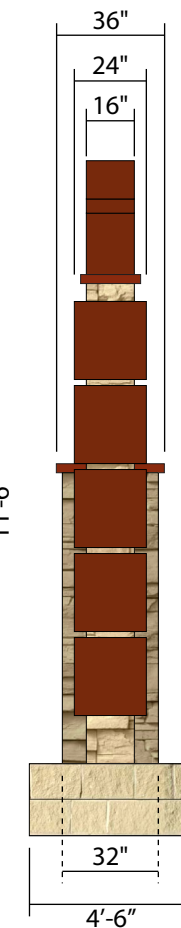


TOP VIEW



FRONT VIEW

LEFT END VIEW



RIGHT END VIEW

NOTE: SOME TENANT PANELS COULD BE MODIFIED FOR 2 SLOTS.



BACK VIEW

LED ILLUMINATION SHOULD BE BELOW 3000 KELVINS AS PER THE BELTERRA MASTER PLAN APPROVED BY THE CITY OF DRIPPING SPRINGS

**QTY = 4**

**A** D/F MONUMENT SIGN  
SCALE: 3/16" = 1' 0"

MAX. ALLOWED SQ. FT. = x  
PROPOSED SQ. FT. = x

**Custom SIGN CREATIONS**  
9701 Brown Ln, Bldg E,  
Austin, TX 78754  
512-374-9300  
info@customsigncreations.com  
www.customsigncreations.com

**Belterra Village**  
555 N College  
Dripping Springs, TX 78737  
ADDRESS T.B.D.

**JOB INFORMATION**  
NUMBER: 5585-SPEC6-AB  
SALES REP.: Denise  
DESIGNER: Greg

**CLIENT APPROVAL**  
DATE: X \_\_\_\_\_  
INSTALL DATE:

**UL LISTED**  
UNDERWRITERS  
LABORATORIES

NOTE: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENT OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODE. THIS INCLUDES PROPER GROUNDING AND BONDING;





**STAFF REPORT**  
**City of Dripping Springs**  
**PO Box 384**  
**511 Mercer Street**  
**Dripping Springs, TX 78620**

**Submitted By:** Andrew Binz, Parks and Community Services Director

**City Council Meeting Date:** February 6, 2024

**Agenda Item Wording:** **Discuss and consider approval of a Facility Use Agreement between the City of Dripping Springs and Tiger Splash TAAF Swim Team related to use of the Founders Memorial Pool for the 2024 swim season.** *Sponsor: Councilmember Wade King*

**Agenda Item Sponsor:** Wade King

**Summary/Background:** The 2024 Tiger Splash Founders Pool Use Agreement includes minor updates and an applied administrative 10% discount.

Changes and updates of significance include:

1. Updated program dates.
2. Decreased pool usage from 2023, approx. 5 hours, as requested by Tiger Splash.

Applying City Administrator approved non-profit status and service to community qualifier 10% discount.

Total due to City = \$18,735.00 without City Council approved 5% discount.

Total due to City = \$17,857.50 with City Council approved 5% discount.

**Staff Recommendations:** Recommend approval of the 2024 Tiger Splash Founders Pool Use Agreement without the 5% discount for a total of \$18,735.00.

**Attachments:** 2024 Tiger Splash Founders Memorial Pool Facility Use Agreement

**Next Steps/Schedule:** Execute agreement.

## USE AGREEMENT

### Tiger Splash and City of Dripping Springs for Founders Memorial Park Pool

THIS USE AGREEMENT (the “Agreement”) is entered into by and between the City of Dripping Springs, Hays County, Texas, (the “City”), a general law municipality organized and operating under the general laws of the state of Texas, and Tiger Splash, a registered Texas non-profit organization.

#### I. RECITALS

- A. Tiger Splash is a registered Texas non-profit in good standing whose purpose is to provide the youth of Dripping Springs and surrounding areas swim programs that encourage confidence, positive self-esteem and good sportsmanship.
- B. Tiger Splash wishes to enter into a use agreement with the City to allow Tiger Splash to use Founders Memorial Park Pool (“Pool”) for Tiger Splash practices and swim meets.
- C. The City desires to aid Tiger Splash and, accordingly, agrees to allow Tiger Splash to use the Pool for their practices and swim meets.

#### II. AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants described herein, the parties hereto agree as follows:

##### A. Duties of Tiger Splash

- a. Tiger Splash will collect all Swim Team Registration fees.
- b. Tiger Splash will provide all equipment needed for Swim Meets including, but not limited to, timing systems, and will provide for set-up and take down.
- c. Tiger Splash representatives may be called upon to assist aquatics staff to remove the pool covers prior to usage and replace the pool covers after each usage. Tiger Splash representatives shall timely comply with such requests.

##### B. Duties of the City

- a. The City will allow Tiger Splash to use the on-site storage shed at the pool for storing swim meet items.



- b. Tiger Splash shall not operate or allow the sale of concessions without City written approval, which shall be requested in advance of any sale, unless otherwise specifically authorized by this agreement.
- c. The City will allow Tiger Splash to sell coffee and breakfast tacos on Swim Meet Days: May 25, June 1, June 8, June 15, June 23, and June 29. Concessionaires may be required to obtain a food handlers permit and shall comply with the City's Food Establishment Regulations (Chapter 10 Health and Sanitation, Article 10.02 Food Establishments, City of Dripping Springs Code of Ordinances).
- d. Costs for heating the pool are covered by the facility rental fee.
- e. A minimum of 2 lifeguards will be present at every swim practice (provided that junior aquatic volunteers are present in the water during practice) and a minimum of 3 lifeguards at every swim meet or swim team party.
- f. The city will allow Tiger Splash to hang one (1) canvas banner on the inside of the fence facing the pool area at Founders Memorial Pool at no cost. The banner must include the City of Dripping Springs provided logo and the design must be pre-approved by the City Administrator or other designee.

#### **D. Rental Fees and Payment**

- a. Total Rental Fee for practices, parties and meets \$19,500 as outlined in Exhibit "A".
- b. Additional Lifeguard required at meets and parties \$1,185 as outlined in Exhibit "A".
- c. Pavilion use for pre-scheduled swim meets, practices, and team social events covered by this Agreement will be provided at no cost to Tiger Splash. (Discount of \$85 per use).
- d. Tiger Splash will receive City Administrator approved 10% off of rental fees due to non-profit status and service to community qualifications.
- e. Tiger Splash will receive an additional 5% off rental fees due to non-profit status, service to the community qualifications, and bulk usage of the Founders Pool Facility.
- f. Total Facility Rental Fee due to the City of Dripping Springs is \$17,1857.50 (equivalent to ~\$92/hr which includes lifeguard staffing, use of the facilities, utilities, propane, and promotion of Tiger Splash in the 2024 Parks and Community Services Guide, website, and social media outlets).
- g. Payment to the City shall occur in full before the end of the first week of practice or by Friday, May 3, 2024.

## E. Access to Facilities

- a. Tiger Splash swim team is permitted access to Founders Memorial Park Pool during reserved times for swim team practices and meets. If a pre-scheduled practice or swim meet time is going to be utilized for a team social event that is not already documented in this agreement, the use change and supporting details must be communicated at least two weeks in advance, in writing to the Pool Manager to allow for proper staffing and accommodations.
- b. Tiger Splash is permitted to host social events outside the dates detailed in this Agreement. However, the organization will have to reserve amenities and pay the associated fees at the current Fee Schedule rates and terms.
- c. In order to provide the safest operational standards, no more than 150 people can be in the facility at one time including swimmers, spectators, and volunteers.
- d. A designated spectator area for families and guests is preferred. The designated location will be in an area that does not prevent ingress or egress around the pool and through the facility.
- e. Tiger Splash shall have access to the Pool for the following times on the following dates as outlined in Exhibit “A” and as follows between Tuesday, April 23, 2024 – Wednesday, July 24, 2024, and:
  - i. April 23, 2024 - April 24, 2024: Tuesday & Wednesday, 5:00 p.m. – 7:00 p.m.
  - ii. April 29, 2024 - April 30, 2024: Monday & Tuesday, 5:00 p.m. – 8:00 p.m.
  - iii. May 1, 2024 – May 30, 2024: Monday – Thursday, 5:00 p.m. – 8:15 p.m.
  - iv. June 3, 2024 – June 27, 2024: Monday – Thursday, 6:00 p.m. – 9:15 p.m.
  - v. July 1, 2024 – July 24, 2024: Monday – Thursday, 6:00 p.m. – 9:15 p.m.
  - vi. Six Meet Dates:
    - i. Saturday, May 25, 2024: 7:00 a.m. – 12:30 p.m.
    - ii. Saturday, June 1, 2024: 7:00 a.m. – 12:30 p.m.
    - iii. Saturday, June 8, 2024: 7:00 a.m. – 12:30 p.m.
    - iv. Saturday, June 15, 2024: 7:00 a.m. – 12:30 p.m.
    - v. Saturday, June 23, 2024: 7:00 a.m. – 12:30 p.m.
    - vi. Saturday, June 29, 2024: 7:00 a.m. – 12:30 p.m.



- vii. Tiger Splash may also have exclusive use of Founders Memorial Park Pavilion for the above outlined dates and times for team social events, parent meetings, and during swim meets and practices.
- f. If there is an emergency such as inclement weather, public health emergency, or an unforeseen circumstance, the City may decide to close the Pool or limit access to the Pool on impacted days. If the pool is closed, the City will work with Tiger Splash to reschedule the canceled practice or swim meet date during the season barring that the pool space and staff is available.
- g. Tiger Splash will not have access to the pool Memorial Day, May 27, 2024, or Independence Day, July 3 & 4, 2024.

**F. It is understood and agreed between the parties that:**

- a. Tiger Splash will maintain its own liability insurance through Texas Amateur Athletic Federation (TAAF) and will name the City as an additional named insured and provide a copy of such policy prior to the beginning of the terms of this Use Agreement.
- b. It is specifically agreed that nothing herein is intended to convey any real property rights of the Pool to Tiger Splash.
- c. The City assumes no responsibility for any property placed by Tiger Splash or any Tiger Splash member, agent, or guest, at the Pool or in the storage facilities or any part thereof, and the City is hereby expressly released and discharged from any and all liability for any loss, injury, or damage to persons or property that may be sustained by reason of the use of the Pool and related facilities under this Agreement.
- d. Tiger Splash accepts the premises as-is. Tiger Splash may not change any part of the Pool or layout of its related facilities unless it receives prior written approval from the Aquatics and Athletics Manager or the Parks and Community Services Director for the proposed changes.
- e. Tiger Splash will cooperate with the City to comply with all applicable laws (federal, state, and local), including ordinances of the City. Tiger Splash agrees to abide by and conform with all rules and regulations from time to time adopted or prescribed by the City for the government and management of the Pool.
- f. TIGER SPLASH AGREES TO INDEMNIFY AND HOLD HARMLESS THE CITY, ITS AGENTS, SERVANTS, AND EMPLOYERS, FROM AND AGAINST ANY AND ALL CLAIMS FOR DAMAGES OR INJURIES TO PERSONS OR PROPERTY ARISING OUT OF OR INCIDENT TO THEIR USE OF, OR THE USE AND OCCUPANCY OF, THE POOL BY TIGER SPLASH, AND TIGER SPLASH DOES HEREBY ASSUME ALL LIABILITY AND RESPONSIBILITY FOR INJURIES, CLAIMS OR SUITS

FOR DAMAGES TO PERSONS OR PROPERTY WHATSOEVER KIND OR CHARACTER, WHETHER REAL OR ASSERTED, OCCURRING DURING THE TERM OF THIS AGREEMENT IN CONNECTION WITH THE USE OR OCCUPANCY OF THE POOL BY TIGER SPLASH OR ITS AGENTS, SERVANTS, EMPLOYEES, CONTRACTORS OR SUBCONTRACTORS, MEMBERS, GUESTS OR INVITEES.

- g. **Mandatory Disclosures:** Texas law requires that vendors make certain disclosures. Prior to the effective date of this Contract, the Contractor must fill out Form 1295, as required by the Texas Ethics Commission, and submit it to the City. The form may be found here: <https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php>
- h. Tiger Splash shall not assign this Agreement, or any rights, obligations dates, discounts, or entitlements created under this Agreement to any other person or entity.
- i. Either party may terminate this Agreement without cause upon the terminating party giving the non-terminating party thirty (30) days written notice.
- j. This Agreement will automatically terminate if Tiger Splash fails to make any required payment or if Tiger Splash fails to adequately respond and remedy any complaints or concerns from the City within thirty (30) days of a written request by the City.
- k. All notices in connection with this Agreement shall be in writing and shall be considered given as follows:

When delivered personally to the recipient’s address as stated in this Agreement; or Five (5) days after being sent by certified mail in the United States mail, with postage prepaid to the recipient’s address as stated in this Agreement:

**To the City:**  
City of Dripping Springs  
Attn: City Administrator  
PO Box 384  
Dripping Spring, TX 78620

**To Tiger Splash:**  
Tiger Splash  
Attn: Vice - President  
1521 Kemp Hills Dr.  
Austin, TX 78737

Nothing contained herein shall be construed to restrict the transmission of routine communications between representatives of City and Tiger Splash.

- l. This Agreement shall be effective upon final signing by both parties.



**IN WITNESS WHEREOF, The City of Dripping Springs and Tiger Splash have executed this Agreement on the dates indicated.**

**CITY OF DRIPPING SPRINGS:**

**TIGER SPLASH:**

\_\_\_\_\_  
Michelle Fischer, City Administrator

\_\_\_\_\_  
James Landrum, President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**EXHIBIT A**  
**Tiger Splash 2024 Calendar & Fees Outline**

**Tiger Splash Calendar 2024**

<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Event</b>	<b>Location</b>
April 23 & 24	Tues & Wed	5:00pm – 7:00pm	NEW Swimmer Evaluations (4hrs)	Founders Pool
April 29 & 30	Mon & Tue	5:00pm – 8:00pm	JAV Training (6hrs)	Founders Pool
May 1-2	Wed - Thurs	5:00pm – 8:15pm	Practice (7.5 hrs)	Founders Pool
May 6-9	Mon - Thurs	5:00pm – 8:15pm	Practice (13 hrs)	Founders Pool
May 13-15	Mon - Wed	5:00pm – 8:15pm	Practice (9.75 hrs)	Founders Pool
May 16	Thursday	5:00pm – 8:15pm	Kick-Off Swim Party (3.25 hrs)	Founders Pool
May 25	Saturday	7:00 am - 12:30pm	Time Trials Swim Meet (5.5 hrs)	Founders Pool
May 20-23	Mon - Thurs	5:00pm – 8:15pm	Practice (13 hrs)	Founders Pool
May 28-May 30	Tues - Thurs	6:00pm - 9:15pm	Practice (9.75 hrs)	Founders Pool
June 1	Saturday	7:00am - 12:30pm 12:30pm – 2pm	Founder’s Swim Meet (5.5) & JAV Refresher (1.5 hrs)	Founders Pool
June 3-6	Mon - Thurs	6:00pm - 9:15pm	Practice (13 hrs)	Founders Pool
June 8	Saturday	7:00am - 12:30pm	Pentathlon Seim Meet (5.5 hrs)	Founders Pool
June 10-13	Mon - Thurs	6:00pm - 9:15pm	Practice (13hrs)	Founders Pool
June 15	Saturday	7:00am - 12:30pm	Home Swim Meet (5.5)	Founders Pool
June 17-20	Mon - Thurs	6:00pm - 9:15pm	Practice (13hrs)	Founders Pool
June 23	Saturday	7:00am - 12:30pm	Color Splash Swim Meet (5.5)	Founders Pool
June 24-26	Mon - Wed	6:00pm – 9:15pm	Practice (9.75hrs)	Founders Pool
June 27	Thursday	5:00pm - 8:15pm	End of Season Party/Awards (3.25hrs)	Founders Pool
June 29	Saturday	7:00am - 12:30pm	PR Swim Meet (5.5)	Founders Pool
July 1-2	Mon - Tue	6:00pm - 9:15pm	Practice (6.5hrs)	Founders Pool
July 8 - 11	Mon - Thurs	6:00pm - 9:15pm	Practice (13hrs)	Founders Pool
July 15 - 18	Mon - Thurs	6:00pm - 9:15pm	Practice (13hrs)	Founders Pool



July 22-24	Mon - Weds	6:00pm - 9:15pm	Practice (9.75hrs)	Founders Pool
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Event Type	Total Hours for 2024 Season
<u>JAV Training &amp; Refresher</u>	<u>7.5 hrs</u>
<u>Swimmer Evaluation</u>	<u>4 hrs</u>
<u>Swim Practice</u>	<u>144 hrs</u>
<u>Swim Party</u>	<u>6.5 hrs</u>
<u>Swim Meet</u>	<u>33 hrs</u>
<b>TOTAL HOURS:</b>	<b>195 hrs</b>

**2024 Swim Season Proposed Fee Outline**

- Practices, Parties & Meets = 195 hrs x \$100/hr = \$19,500
- City Administrator Approved Non-profit Rental Fee Discount 10% (-\$1,950)
- City Council Approved Additional Rental Fee Discount 5% (-\$877.50)
- Additional Guard for Swim Meets & Parties \$30/hr x 39.5hrs = \$1,185
- Pavilion Rental for Meets/Practices (\$85/4hr block) 195hrs = \$4,144 (Fee Waived)
- TS Equipment and Program Supply On-Site Storage = No Charge

Total for season = \$17,857.50  
(Based on current Fee Schedule + City Administrator Approved 10% discount + City Council Approved 5% Discount.) + Extra Lifeguard

**Tiger Splash Swim Season Fee Comparison**

**2023 = \$18,420**  
**2022 = \$14,570**  
**2021 = \$13,487**

## CITY OF DRIPPING SPRINGS

### ORDINANCE No. 2024-\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, ORDERING A GENERAL ELECTION TO BE HELD ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING A MAYOR, COUNCIL MEMBER PLACE 2, AND COUNCIL MEMBER PLACE 4; MAKING PROVISIONS FOR CONDUCTING THE ELECTION; AND, RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE HOLDING OF SUCH ELECTION.

**WHEREAS**, the regular municipal election day for the City of Dripping Springs, Texas (“City”), is the uniform election day occurring the first Saturday on May 4, 2024; and

**WHEREAS**, the terms for Mayor, Council Member Place 2, and Council Member Place 4, are scheduled to expire at the next uniform election date of May 4, 2024; and

**WHEREAS**, Section 3.004 of the Texas Election Code requires the governing body of a city to order an election for its officers and post notice or Order of Election (*Attachment “A”*).

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DRIPPING SPRINGS, TEXAS, THAT:**

#### 1. GENERAL MUNICIPAL ELECTION

- A. A General Municipal Election (the “Election”) is hereby ordered to elect municipal officers for Mayor, Council Member Place 2, and Council Member Place 4, and shall be held on the next uniform election day of May 4, 2024
- B. Applications for Place on the Ballot shall be submitted to the City Secretary beginning January 17, 2024, through February 16, 2024, 8:00 a.m. – 5:00 p.m., excluding holiday closures and weekends. Application may be submitted in person at 511 Mercer Street, Dripping Springs, Texas, by email to [acunningham@cityofdrippingsprings.com](mailto:acunningham@cityofdrippingsprings.com), or by USPS Mail addressed to the attention of the City Secretary at P.O. Box 384, Dripping Springs, Texas 78620. Mailed applications must be received by 5:00 p.m., Friday, February 16, 2024.
- C. The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary as provided for by the Election Code. Such drawing shall be held February 22, 2024, at 2:00 p.m. in the City Hall Council Chambers located at 511 Mercer Street, Dripping Springs, Texas.



## 2. APPOINTMENTS

- A. The City Council hereby appoints Hays County Elections Administrator Jennifer Doinoff to serve as the Election Officer and Early Voting Clerk in order to perform and supervise the duties and responsibilities of the Election Officer and Early Voting Clerk , and as outlined in the Joint Election Agreement and Election Services Contract executed January 24, 2024.
- B. The City Council hereby delegates to the Elections Officer the authority to appoint election day presiding and alternate judges, central accumulation station judges, and the Early Voting Ballot Board (EVBB) presiding judge, all of whom shall meet eligibility requirements of Election Code Chapter 32.
- C. The election judge shall make clerk appointments in consultation with the Election Officer, who will ensure election precincts subject to Election Code Section 272.002 and 272.009, have a bilingual clerk appointed.

## 3. BALLOTS BY MAIL

Applications for Ballot by Mail (“ABBM”) shall be mailed to Jennifer Doinoff, Hays County Elections Administrator, 120 South Stagecoach Trail, San Marcos, Texas 78666-5260, or may be submitted in person to Hays County Elections, 120 South Stagecoach Trail, San Marcos, Texas 78666-5268.

## 4. PRECINCTS & POLLING PLACES

- A. The corporate city limits of the City of Dripping Springs, Texas are hereby designated as the voting precinct for this Election.
- B. The City shall provide at least one polling place located in the corporate city limits.
- C. The City participates in Countywide polling, and registered voters of the City of Dripping Springs may vote at any polling location within Hays County.
- D. Polling places and hours of operation shall be determined by vote of the Hays County Commissioner’s Court. Election day polling places shall be open 7:00 a.m. – 7:00 p.m.
- E. The City shall post notice of Polling Places and hours of operation on the form prescribed by the Texas Secretary of State, and no later than February 16, 2024.

## 5. EARLY VOTING BY PERSONAL APPEARANCE

- A. The City shall provide Early Voting by Personal Appearance as required by Texas Election Code Chapter 85.
- B. Early Voting polling places and hours of operation shall be determined by vote of the Hays County Commissioner’s Court.

C. The City shall post notice of Polling Places and hours of operation on the form prescribed by the Texas Secretary of State, and no later than February 16, 2024

## 6. CANVASSING OF RETURNS

The Hays County Elections Administrator shall make a written return of the Election results to the City Council in accordance with the Texas Elections Code. The City Council shall canvass the returns and declare the results of the Election in accordance with the Texas Election Code.

## 7. NOTICE OF ELECTION

Notice of Election (*Attachment "A"*) and Order of Election (*Attachment "B"*) shall be published one time in both the English and Spanish languages, in a newspaper published within the Dripping Springs' territory at least ten (10) days and no than thirty (30) days before the Election and as otherwise may be required by the Texas Election Code. Notice of the Election shall also be posted on the bulletin board used by the City Council to post notices of its City Council meetings no later than the twenty-first (21st) day before the Election.

## 8. INFORMATION IN SPANISH

Notices, instructions, ballots and other written material pertaining to the Election shall be translated into the Spanish language. This material shall be furnished to voters in both English and Spanish in order to enable voters to properly participate in the election process. In addition, the City shall provide the services of a translator speaking both English and Spanish languages to voters who notify the City of the need for such services.

## 9. AUTHORIZATION TO EXECUTE

The Mayor of the City of Dripping Springs is authorized to execute, and the City Secretary is authorized to attest this Ordinance on behalf of the City Council. The Mayor is further authorized to do all other things legal and necessary in connection with the ordering, holding and consummation of the Election.

## 10. EFFECTIVE DATE

This Ordinance is effective immediately upon its passage and approval.

## 11. PROPER NOTICE & MEETING

A quorum of the City Council was present at the meeting at which this Ordinance was adopted. The meeting was open to the public and public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government.

**PASSED & APPROVED this, the 6<sup>th</sup> day of February 2024, by a vote of \_\_ (ayes) to \_\_ (nays) to \_\_ (abstentions) of the City Council of Dripping Springs, Texas.**



**CITY OF DRIPPING SPRINGS:**

---

Bill Foulds, Jr., Mayor

**ATTEST:**

---

Andrea Cunningham, City Secretary





Applications for ballot by mail shall be mailed to:  
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a

Item # 11.

\_\_\_\_\_  
Name of Early Voting Clerk  
(Nombre del Secretario/a de la Votación Adelantada)

\_\_\_\_\_  
Address (Dirección)

\_\_\_\_\_  
City (Ciudad)                      Zip Code (Código Postal)

\_\_\_\_\_  
Telephone Number (Número de teléfono)

\_\_\_\_\_  
Email Address (Dirección de Correo Electrónico)

\_\_\_\_\_  
Early Voting Clerk's Website (Sitio web del Secretario/a de Votación Adelantada)

Applications for Ballots by Mail (ABBM)s must be received no later than the close of business on:  
(Las solicitudes para boletas que se votarán adelantada por correo deberán recibirse no más tardar de las horas de negocio el:)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
(date)(fecha)

Federal Post Card Applications (FPCAs) must be received no later than the close of business on:  
(La Tarjeta Federal Postal de Solicitud deberán recibirse no más tardar de las horas de negocio el:)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
(date)(fecha)

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(day) (month) (year)

(Emitada este día \_\_\_\_\_ de \_\_\_\_\_, 20\_\_\_\_.)  
(día) (mes) (año)

\_\_\_\_\_  
Signature of Mayor (Firma del Alcalde)

Print

Reset





Applications for ballot by mail shall be mailed to:  
(Las solicitudes para boletas que se votarán adelantada por correo deberán enviarse a:)

\_\_\_\_\_  
Name of Early Voting Clerk  
(Nombre del Secretario/a de la Votación Adelantada)

\_\_\_\_\_  
Address (Dirección)

\_\_\_\_\_  
City (Ciudad)                      Zip Code (Código Postal)

\_\_\_\_\_  
Telephone Number (Número de teléfono)

\_\_\_\_\_  
Email Address (Dirección de Correo Electrónico)

\_\_\_\_\_  
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\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
(date)(fecha)

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(La Tarjeta Federal Postal de Solicitud deberán recibirse no más tardar de las horas de negocio el:)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_.  
(date)(fecha)

Issued this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
(day) (month) (year)

(Emitida este día \_\_\_\_\_ de \_\_\_\_\_, 20\_\_\_\_.)  
(día) (mes) (año)

\_\_\_\_\_  
Signature of Mayor (Firma del Alcalde)

\_\_\_\_\_  
Signature of Councilperson  
(Firma del Concejal)

\_\_\_\_\_  
Signature of Councilperson  
(Firma del Concejal)

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Signature of Councilperson  
(Firma del Concejal)

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(Firma del Concejal)

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(Firma del Concejal)

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(Firma del Concejal)

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Signature of Councilperson  
(Firma del Concejal)

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Signature of Councilperson  
(Firma del Concejal)

\_\_\_\_\_  
Signature of Councilperson  
(Firma del Concejal)

**Instruction Note:** A copy of this election order must be delivered to the **County Clerk/Elections Administrator and Voter Registrar not later than 60 days before election day.**

*Nota de Instrucción:* Se deberá entregar una copia de esta orden de elección al/a la Secretario(a) del Condado/Administrador(a) de Elecciones y el/la Registrador(a) de Votantes a más tardar 60 días antes del día de elección.

EXAMPLE



Subdivision Project Name	City Limits / ETJ	Location	Description	Status
SUB2021-0065 Heritage Phase 2 Final Plat	CL	Sportsplex Drive (Heritage Development)	162 Lots on 69.999 acres, 160 of which are residential with an average lot size of 0.143 acres	Approval with conditions
SUB2022-0002 Hays Street Subdivision	CL	102 Bluff Street	Subdivision of 6 residential lots in the Historic District	Approval with conditions
SUB2022-0009 Driftwood Subdivision Phase 3 Preliminary Plat	ETJ	17901 FM 1826	Preliminary Plat for 14 lots: 12 Residential, 1 Commercial, 1 Industrial	Approved with conditions
SUB2022-0012 Driftwood Sub Ph 3 Sec 1 FP	ETJ	17901 FM 1826	Final Plat for 1 Commercial Lot	Waiting for Resubmittal
SUB2022-0013 Driftwood Sub Ph 3 Sec 2 FP	ETJ	17901 FM 1826	FP for 11 single-family residential lots, 1 open space lot, and 1 private street lot on 34.67 acres	Waiting for Resubmittal
SUB2021-0011 Double L Phase 1 Prelim Plat	ETJ	1.5 miles N of US 290 & RR 12	PP for 243 residential units and 1 amenity center	Approval with Conditions
SUB2022-0028 Parten Ranch Phase 8	ETJ	End of Bird Hollow near Trickling Brook Road Intersection	90 Lot Subdivision	Approved with conditions
SUB2022-0033 The Ranch at Caliterra	ETJ	Premier Park Loop	Preliminary plat of the Carter tract with 243 lots	Approved with conditions
SUB2022-0036 Driftwood Creek FM 150 12 Treated Effluent and 10 Raw Wastewater Forcemains Ph I and II	ETJ	FM 150	12 inch treated effluent line and 10 inch wastewater forcemains to connect with Dripping Springs WWTP	Approved with conditions
SUB2022-0039 Village Grove Preliminary Plat	CL	Sports Park Rd	Village Grove PDD. This is 112.40 acres including 207 lots, 511 residential units, and 6.82 acres will be commercial	Waiting for Resubmittal
SUB2022-0040 102 S Bluff St CP	CL	Hays st	Construction Plans for 7 lots. Six of which are residential and 1 will be landscaping	Approved with conditions
SUB2022-0042 Silver Creek Subdivision	ETJ	Silver Creek Rd	70-acre tract to be developed into a 28 single family lots with access, paving, on-site sewage, water supply well, and an undisturbed open space	Approved with conditions
SUB2022-0043 Howard Ranch Sec 4 Lots 62 & 63 AP	ETJ	590 Cypress Creek Dr	An amending plat to remove a site parking area from the single family lot. This request is by the property owner.	Waiting for Resubmittal
SUB2022-0047 Ariza West 290	ETJ	13900 W US Highway 290	The Final Plat for an apartment complex	Approval with Conditions
SUB2022-0048 Wild Ridge Phase 1 CP	CL	E US 290	Construction plans for phase 1 of Wild Ridge	Waiting for Resubmittal
SUB2022-0049 Serenity Hills	ETJ	1111 Hays Country Acres Rd	50 Lot subdivision in Dripping Springs ETJ	Approval with conditions
SUB2022-0052 Village Grove Phase 1 CP	CL	Sports Park Rd	The construction plans for phase 1 of the Village Grove development	Under Review
SUB2023-0001 Village Grove Phase 2B CP	CL	Sports Park Rd	Residential townhome infrastructure improvements. Construction of 16 Townhome lots and roadways.	Waiting for Resubmittal
SUB2023-0003 The Ranch at Caliterra CP	ETJ	Soaring Hill Rd at HC Carter Way	Construction Plans for the Carter tract.	Waiting for Resubmittal
SUB2023-0005 Skylight Hills Prelim	ETJ	13001 & 13111 High Sierra	Creating 11 residential lots in the ETJ	Waiting for Resubmittal
SUB2023-0006 Wild Ridge Phase 1 FP	CL	E US 290	Approximately 62.1 acres to include 136 residential lots, roadways, and a commercial lot	Waiting for Resubmittal
SUB2023-0007 Skylight Hills Construction Plans	ETJ	13001 & 13111 High Sierra	Creating the infrastructure of 11 residential lots	Approval with conditions
SUB2023-0008 Silver Creek Subdivision Construction Plans	ETJ	Silver Creek Rd	29 Single family residential lots with access, paving, OSSF, water supply well, and open space	Approval with conditions
SUB2023-0016 520 Matzig Replat	ETJ	520 Matzig Cove	Modify drainage easement.	Approval with conditions
SUB2023-0018 Cannon Ranch Phase 2 Final Plat	CL	Rushmore Drive at Lone Peak Way	Subdivide into 100 lots.	Approval with conditions
SUB2023-0020 Driftwood Golf and Ranch Club, Phase 4 Final Plat	ETJ	Driftwood Ranch Drive	Subdivide into 20 lots.	Under Review
SUB2023-0021 Driftwood Golf and Ranch Club Phase Four Subdivision CP	ETJ	Driftwood Ranch Drive	Paving, drainage, water, wastewater subdivision constructions plans.	Approved with conditions
SUB2023-0022 Cannon Ranch Phase 2 CP	CL	Rushmore Drive at Lone Peak Way	97 single family residential lots and 3 open space lots including construction of public roadways, utilities and storm drain infrastructure.	Waiting for Resubmittal
SUB2023-0028 Arrowhead Commercial Final Plat	CL	US Hwy 290 W	Subdividing 6.6 acres as 1 lot.	Waiting for Resubmittal
SUB2023-0034 Lunaroya Subdivision Final Plat	ETJ	Silver Creek Rd	28 single family large residential lots with on site sewage for each lot	Waiting for Resubmittal
SUB2023-0035 Parten Ranch Phase 6 & 7 Final Plat	ETJ	600 Two Creeks Lane	122 single family lots and 4 drainage/open space lots	Waiting for Resubmittal
SUB2023-0036 Caliterra Phase 5 Section 13 Final Plat	ETJ	Carentan Cove at Kelsey Lane	11 single family lots	Approval with conditions
SUB2023-0037 Amending Plat of Final Subdivision Plat of Roger Hanks Park	CL	US 290 at Roger Hanks Pkwy	Redesign to include north bound turn lane on Roger Hanks Pkwy, Improvements to Hamilton Crossing and Lake Lucy Loop	Waiting for Resubmittal
SUB2023-0038 The Ranch at Caliterra Final Plat	ETJ	HC Carter Way	234 single family lots on 200.024 acres	Waiting for Resubmittal
SUB2023-0039 Wild Ridge Phase 2 Construction Plans	CL	Shadow Ridge Parkway	142 single family lots, minor arterial and local roadways, 2 water quality ponds, utilities, lift station, parkland and open space	Waiting for Resubmittal
SUB2023-0041 Cowboy Church Subdivision	ETJ	207 Darden Hill Road	Subdividing 7.319 acres into 1 single lot. Minor plat	Approval with conditions
SUB2023-0042 Hardy Construction Plans	CL	2901 West US 290	78.021 acres subdivided into 73 single family lots	Waiting for Resubmittal
SUB2023-0043 Caliterra Phase 3 Section 10 Construction Plans	ETJ	Caliterra Parkway	22 single family lots and 2 open space lots	Under Review
SUB2023-0044 Replat Lot 9 Block K Caliterra 2-7 Construction Plans	ETJ	Peakside Circle	Four lot replat.	Approval with conditions
SUB2023-0045 Amended Final Plat Big Sky Ranch Phase 3	CL	171 Sue Peak Loop	Relocation of lot lines.	Approval with conditions
SUB2023-0046 Heritage Phase 3 Construction Plans	CL	Sportsplex Drive	164 single family lots	Waiting for Resubmittal
SUB2023-0047 Heritage Amenity Center	CL	Roger Hanks Parkway	1 lot on 5.57 acres	Waiting for Resubmittal
SUB2023-0048 Driftwood Falls Estates Subdivision	ETJ	609 S Creekwood Dr	Replat two lots in one.	Waiting for Resubmittal
SUB2023-0049 Amended Plat of the Breed Hill Replat Subdivision	ETJ	3100 W US 290	Combining 3 lots into 1.	Under Review
SUB2023-0050 Sanctuary Subdivision CP	ETJ	1111 Hays Country Acres Rd	48 residential lots ranging from 1.6 acres to 2	Under Review
SUB2023-0051 Gateway Village Phase 1 CP	CL	HWY 290	144 Single family lots.	Under Review
SUB2024-002 Dripping Springs Community Library	CL	225 Benney Lane	Combining 4 tracts into 2.	Under Review

ADMINISTRATIVE APPROVAL PROJECTS				
Site Development Project Name	City Limits / ETJ	Location	Description	Status
SD2021-0005 Dripping Springs WWTP Expansion	CL	23127 FM 150 W	Expansion of the Wastewater treatment plant	HOLD
SD2021-0021 RR 12 Commercial Kitchen	CL	28707 RR 12	Commercial kitchen that will support a catering business, no on-site dining is proposed	Approved w/ Conditions
SD2021-0013 Dreamland	ETJ			Waiting on resubmittal
SD2021-0030 Belterra Townhomes	ETJ	Belterra	Seven townhome units with associated parking, sidewalk, utilities, and drainage	Waiting on resubmittal
SD2021-0033 Bell Springs Business Park, Sec 1&2 Rev	ETJ	4955 Bell Springs	A revision for minor adjustments on site layouts, rainwater, and overall drainage & water quality	Waiting on resubmittal
SD2022-0001 Julep Commercial Park	ETJ	Northeast corner of W US 290 and Trautwein Rd	11.27 acre site of mixed-use commercial buildings with supporting driveways, water quality and detention pond, rainwater harvesting, and other utilities	Waiting on resubmittal
SD2022-0010 Wenty's Wine Bar	ETJ	5307 Bell Springs Rd	Wine bar and associated improvements	Waiting on resubmittal
SD2022-0013 DS Flex Business Park	CL	28513 RR 12	Construction of two shell buildings with accompanying site improvements	Waiting on resubmittal
SD2022-0011 Skybridge Academy	CL	519 Old Fitzhugh Road	Remodel/repurpose of existing historic structures, add new construction to tie together the house and garage with additional parking and revised driveway	Approved w/ Conditions
SD2022-0014 Bell Springs Site Plan (Travis Flake)	ETJ	5307 Bell Springs Rd	Office and Warehouse with drives, parking, waterline connection, and pond	Approved w/ Conditions
SD2022-0018 Office 49	ETJ	241 Frog Pond Lane	The construction of eleven office buildings of varying sizes along with the related paving, grading, drainage, and utility improvements.	Waiting on resubmittal
SD2022-0019 Double L Ranch, Phase 1	ETJ	RR 12	Construction of water, wastewater, drainage and paving improvements for 244 single family lots.	Waiting on resubmittal
SD2022-0020 Merigian Studios	ETJ	105 Daisy Lane	Art studio with driveway, parking, and external structures	Approved w/ Conditions
SD2022-0024 4400 US 290 SP	ETJ	4400 US 290	7 Commercial Buildings in the ETJ	Waiting on resubmittal
SD2022-0025 Hardy Drive	ETJ	2901 US 290	Construction of a road for the Hardy and Bunker Ranch development to meet fire code	Under Review
SD2022-0031 WHIM Corporate Site Plan	CL	27950 RR12	The construction of the corporate HQ for WHIM along with the site improvements needed and as shown in the site plan.	Approved w/ Conditions
SD2022-0039 Big Sky Ranch WWTP	CL	Sue Peaks Loop	Temporary Wastewater Treatment Plan and subsurface area drip disposal system to serve Big Sky Development	Approved w/ Conditions
SD2022-0042 Suds Brothers Car Wash	CL	610 W Hwy 290	Rapid car wash facility	Approved w/ Conditions
SD2023-0002 Fitzhugh Corners	ETJ	15310 Fitzhugh Road	A 13,908 sq ft building with site improvements	Waiting for Resubmittal
SD2023-0004 Austin Ridge Bible Church Revision	ETJ	31330 Ranch Road 12	Removal of the existing old house, the addition of 3 portable buildings and pavilion; additional parking.	Waiting for resubmittal
SD2023-0007 Phase 4A Drip Irrigation System Improvements	ETJ	2581 E Hwy 290	The project is Phase 4A of the drip disposal fields and consists of 14.76 acres of drip irrigation fields only.	Approved w/ Conditions
SD2023-0008 102 Rose Drive	CL	102 Rose Dr	Construction of tow additional duplexes w/ accompanying site improvements	Waiting on resubmittal
SD2023-0009 Paloma	CL	235 Sports Park Rd	Adding improvements to the site	Waiting on resubmittal
SD2023-0010 Creek Road Horse Farms	CL/ETJ	1225 Creek Rd	Horse training facility with covered riding arena, barn, storage building and open-air riding.	Waiting on resubmittal
SD2023-0011 Amazing Explorers Academy	ETJ	Ledgestone	Daycare facility, including driveways, parking areas; and water, wastewater, and stormwater facilities.	Waiting on resubmittal
SD2023-0012 Ariza 290 West	ETJ	13900 W US Highway 290	Multifamily residential.	Waiting on resubmittal
SD2023-0013 10 Federal	ETJ	3975 US 290	Enclosed storage facility	Waiting for Resubmittal
SD2023-0014 BR Dripping Springs	CL	27010 RR 12	3 commercial buildings with parking, stormwater and water quality.	Waiting on Resubmittal
SD2023-0015 Silver Creek Hotel	ETJ	12800 Silver Creek Road	Hotel with parking, utilities, drives, detention and water quality.	Waiting on Resubmittal
SD2023-0016 Ledgestone Daycare	ETJ	12400 US Hwy 290	Daycare building with parking and drives in Ledgestone Commercial Development	Under Review
SD2023-0017 OroBianco Mobile Food Unit - Driveways	CL	27713 RR 12	Driveway for gelato food truck.	Waiting on Resubmittal
SD2023-0018 Sunset Canyon Storage Facility	ETJ	950 S. Sunset Canyon Drive	Proposed storage facility with associated parking and drive.	Waiting for Resubmittal
SD2023-0019 3980 US 290 Warehouse	ETJ	3980 US 290	Construction of 4 - 5k sq ft Warehouse/office buildings	Waiting for Resubmittal
SD2023-0020 Graveyard Cellars	ETJ	24101 RR 12	2800 sq ft building and parking	Under Review
SD2023-0021 Skye Headwaters	CL	201 Headwaters Blvd	Senior living multi family development	Waiting for Resubmittal



<i>Ongoing Projects</i>	
Comprehensive Plan	Public Meeting/Workshop 2/15/24
Cannon Mixed-Use	Pending resubmittal
PDD2023-0001 Madelynn Estates	Dormant
PDD2023-0002 Southern Land	Pending resubmittal
PDD2023-0003 ATX RR12 Apartments	New PDD. Applicant Intro Presentation to P&Z 2/27/24

In Administrative Completeness	Filing Date
SD2022-0019 Double L Ranch Phase 1 Construction Plans	7-Feb
ADMIN2024-003 Blue Creek Subdivision, Lots 16 & 17 Amending Plat	7-Feb
SUB2023-0046 Heritage Phase 3 Construction Plans	7-Feb
ADMIN2024-004 Glass Business Park, Phase 2	7-Feb
SUB2023-0038 The Ranch at Caliterra Final Plat	7-Feb
SUB2023-0035 Parten Ranch Phast 6 & 7 Final Plat	7-Feb
ADMIN2024-001 AutoZone TX5807	7-Feb
ADMIN2024-005 Dorian Zev Memorial Skate Park	7-Feb
ADMIN2024-006 Roxie's at Dripping Springs	7-Feb
SD2022-001 Julep Business Park	7-Feb
ADMIN2024-007 Driftwood Subdivision, Phase Four, Block A, Lots 8 and 9 Amending Plat	7-Feb
ADMIN2024-008 Roger Hanks Park Construction Plans	7-Feb
SUB2023-0050 The Sanctuary Dripping Springs	21-Feb





**DRIPPING SPRINGS**  
Texas

**DEPUTY PUBLIC WORKS  
DIRECTOR  
FULL-TIME EXEMPT**

**A. GENERAL PURPOSE**

Under general direction of the Public Works Director and with minimal supervision, provides overall maintenance planning, budgeting, and oversight for City properties, facilities, vehicles, equipment, construction projects, roads, and grounds, and other duties as assigned. Performs a wide variety of semi-skilled tasks involving preventive and corrective maintenance of facilities, vehicles and equipment, city streets and recreational equipment.

**B. ESSENTIAL DUTIES AND RESPONSIBILITIES**

1. Maintains City Hall building, park amenities and grounds, outbuildings, and other City facilities.
2. Maintains and inventories city owned vehicles, tools, equipment, and supplies.
3. Coordinates routine and emergency maintenance.
4. Building Security: ensures operational integrity of locks, doors, etc. in City facilities.
5. Assess incidents/complaints for purpose of resolution.
6. Supervises inspection of construction and repair work performed by others for City.
7. Performs minor electrical, plumbing, carpentry, concrete work, painting, and landscaping.
8. Assists in performing tree-care maintenance in parks, open spaces, along trails, rights-of-way, and in other City properties as needed.
9. Picks up and disposes of litter and debris.
10. Removes and impounds signs illegally erected on City property or in public right-of-way.
11. Respond to emergency calls during and after regular work hours.
12. Develops annual maintenance schedule.
13. Develops annual maintenance budget.
14. Prepares monthly maintenance reports to Public Works Director.
15. Attends City Council and City Commission/Committee meetings as needed.
16. Assists in Founders Day Festival, Christmas on Mercer Street, Farmers Market, and other community event preparation and activities as needed.
17. Works in conjunction with Dripping Springs Youth Sports Association, and others regarding maintenance of leased/joint use facilities.
18. Fulfills daily maintenance call requests/requirements received at City Hall and those assigned by the Public Works Director.

- 19. Supervises Maintenance Workers and City Inspector, in day-to-day activities. Performs employee performance reviews. Provides other reviews/disciplinary measures as needed.

**C. EDUCATION AND EXPERIENCE**

Must possess strong background in maintenance, carpentry, grounds maintenance, and general contracting. Must work productively and independently. Must possess High School Diploma or GED **PLUS** five (5) years of general maintenance experience is preferred but applicable work experience may be substituted. Must possess a valid Class C Texas Driver’s License, clean driving record and working vehicle. Must exhibit a professional demeanor and positive communication skills. Standard First Aid and C.P.R. certifications desirable but not required.

**D. TOOLS AND EQUIPMENT USED**

Front-end loader with box blade/arena drag, skid steer, trailer, mowing equipment, string trimmer, motor vehicle, phone, mobile or portable radio, and general maintenance equipment.

**E. SPECIAL REQUIREMENTS**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to perform the essential functions if needed.

- 1. Work is performed mostly in field settings. Considerable outdoor work is required in the maintenance of various City facilities and parks. Must be able to work outside in all weather conditions and be able to lift a minimum of 40 pounds.
- 2. While performing the duties of this job, the employee is regularly required to move around various city sites; communicate effectively; and operate objects, tools, or controls. The employee is often required to climb or balance; stoop, kneel, crouch, or crawl.
- 3. Must be able to distinguish colors when working with equipment, electrical panels, etc.; must be able to operate assigned vehicle or equipment.

**F. WORK ENVIRONMENT**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to perform the essential functions if needed.

- 1. While performing the duties of this job, the employee regularly works outdoors. Indoor and outdoor environments; exposure to extremes in weather condition; exposure to vibrations and noise; work on slippery or uneven surfaces, work with electricity; work with and around heavy machinery, work in or near vehicle traffic; exposure to dust and fumes from motorized equipment; possible exposure to toxic



chemicals.

2. The noise level in the work environment is usually moderate to loud.

**G. WORK HOURS**

This is a full-time position. Core work hours will be set by the Public Works Director and will generally be between 8:00 am and 5:00 pm, including one hour for lunch, Monday through Friday. Additional hours on nights, weekends, holidays, and during emergencies will be needed in this position subject to the direction of the Public Works Director. This is a full-time exempt position and eligible for compensatory time off as described in the PERSONNEL MANUAL. Any compensatory hours performed must be preapproved by the direct supervisor.

**H. SALARY**

Salary is commensurate with the position. Pay days are every other Friday or as otherwise determined by the "CITY OF DRIPPING SPRINGS PERSONNEL MANUAL."

**I. BENEFITS**

Benefits shall be in accordance with those outlined in the CITY OF DRIPPING SPRINGS PERSONNEL MANUAL, as maybe modified by the specific employee’s offer letter and subsequent revisions of the Manual.

**J. EQUAL OPPORTUNITY EMPLOYER**

The City’s employment decisions are made without regard to race, color, religion, sex, age, national origin, sexual orientation, handicap, or marital status. Discrimination or harassment against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations, membership or non-membership in employee organizations, or because of race, color, national origin, age, disability, veteran status, sex, or marital status is prohibited. If you would like to arrange for accommodations, we encourage you to contact City Administrator at (512) 858-4725.

*Please note: This Job Description is not a contract, and shall not be construed to alter an employee’s at-will relationship. The terms and conditions of any employee’s position with the City may be altered by the City Council at any time. To the extent reasonably possible, this Job Description, the Personnel Manual, and the employee’s Offer Letter shall be read together in harmony. If there are conflicts between this Job Description, the Personnel Manual, and the employee’s Offer Letter, the most specific term or condition of employment shall govern.*