



To: Mayor Bill Foulds Jr. & City Council
From: Tory Carpenter, AICP – Planning Director
Date: May 6, 2025
RE: License Agreement with Garret and Heather Jones (175 Fort Sumner Street)

I. Overview:

Garret and Heather Jones, homeowners at 175 Fort Sumner Street in the Legacy Trails subdivision, request a License Agreement with the City of Dripping Springs to allow improvements within the adjacent public right-of-way.

The homeowners began installing improvements without first obtaining City approvals or permits. Upon notification from City staff regarding the noncompliance, the property owners engaged with staff to discuss the situation. City staff worked with the applicants to initiate the formal License Agreement process to bring the improvements into compliance.

The proposed improvements are intended to address traffic and pedestrian safety concerns near the intersection of Fort Sumner and Goodnight Street, an area that has experienced increased traffic following the connection of neighborhood streets.

The License Agreement would authorize the Joneses to install a crushed granite parking surface, a low retaining wall, stone pathways, and native landscaping within the right-of-way, subject to specific construction, maintenance, and safety standards outlined in the agreement.

The City Engineer has reviewed the proposed improvements and does not have concerns related to drainage or erosion impacts from the project.

II. Agreement Terms:

Scope of Improvements:

- Crushed granite parking surface with gravel base, road base, and weed barrier.
- A 12" high, 63'4" long retaining wall with concrete footer and drainage holes.
- A 6' x 5' stone bridge and 2' x 4' steppingstones to connect the parking area to the sidewalk.
- Landscaping with native plants in designated flower beds.

Public Access:

The improvements within the right-of-way must remain open for public use and may not be exclusively reserved by the Licensee.

Maintenance and Compliance:

The Licensee must maintain all improvements at their sole expense, using all-weather materials and complying with drainage, erosion control, and tree preservation standards set by the City.

License Term:

The License is valid for twenty (20) years but is revocable for cause with 30 days' notice. It is non-transferable and will terminate automatically upon sale or transfer of the Licensee's property unless a new agreement is executed by the new property owner.

Insurance and Indemnification:

The Licensee must maintain general liability insurance and indemnify the City against claims arising from the improvements or their use.

III. City Benefit:**1. Improved Neighborhood Safety:**

The improvements are designed to facilitate safer street-side parking and pedestrian access, reducing traffic hazards near a busy intersection.

2. No City Cost:

All construction and maintenance costs are the responsibility of the homeowners

IV. Recommendation

Staff recommends approval of the License Agreement with Garret and Heather Jones, as the improvements serve a public safety benefit, enhance neighborhood aesthetics, are consistent with stormwater management requirements, and do not impede the intended use of the public right-of-way.