



January 11, 2024

Honorable Mayor and City Council
City of Dripping Springs
511 Mercer Street
Dripping Springs, TX 78620

RE: Site Permit Fee Appeal Request
10Federal Dripping Springs
3975 E US HWY 290
Dripping Springs, Texas

Honorable Mayor and City Council:

On behalf of KGE MT 3975 US 290 Dripping Springs TX LLC, we request an appeal to the Site Development Permit Application Fee determination for the proposed 10Federal Dripping Springs project at 3975 E US Highway 290 in Hayes County within the City's Extraterritorial Jurisdiction. We believe this fee should only be based on the sitework cost within the City's Extraterritorial Jurisdiction (ETJ) and not the entire sitework costs invoiced by the City. The following describes our request. For reference, I have attached the associated invoice and the Engineer's Opinion of Probable Construction Costs (OPC).

City Code of Ordinances Article A1.000 Section 3.1 defines the Site Development Permit Application Fee calculation. Per the attached invoice, this project is required to pay a Site Development Permit fee of \$20,717.62, as a "Mega Project" (3.1.6), or \$2,000 plus 1.5% of the estimated total construction costs of the improvements. However, proper application of this calculation should exclude many site work items resulting in a fee of \$4,730 as a "Large Project" (3.1.5), or \$2,000 plus 1.5% of the estimated total construction costs of the improvements.

The proposed 10Federal Dripping Springs project is a proposed redevelopment of an existing self-storage facility with a new, modern indoor self-storage facility. Site work for this development requires grading, sediment and erosion control, storm water management, retaining walls, utility services, paving, site lighting, and other incidental site work. No public improvements (Road, water main, sewer main, subdivision plat, etc.) are proposed. Many of these sitework items are required by the Building Code and regulated by the Hayes County Building Permit. The Texas Local Government Code Sec 212.049 states that a City does not have jurisdiction over building permits within the ETJ. Likewise, the City does not serve the site with sewer, water, or electric. The following table provides a summary of the sitework costs as shown on the attached OPC, with the addition of cost for the proposed public sidewalk that was not included. In addition, the table provides the code that regulates the improvements shown on the OPC and separates the cost by the regulating jurisdiction (City vs County). Lastly, the table summarizes the total cost and correct Site Development Permit Fee.

Table 1: Summary of Regulating Code and Associated Cost

	Regulating Code	City	County
Demolition (not included in the Permit fee invoice)	IBC Chapter 33		\$164,371
Earthwork	IBC Chapter 18 and Appendix J		\$200,717
Rock Excavation	IBC Chapter 18 and Appendix J		\$117,964
Slope Stabilization	IBC Chapter 18 and Appendix J		\$14,565
Erosion and Sediment Control	City Code 28.04.016	\$46,449	
Storm Sewers	IPC Chapter 11		\$114,005
Storm Water BMPs	City Code 22.05	\$127,628	
Water Service	IPC Chapter 6, IFC Chapter 5 and Appendix C, West Travis County Public Utility Agency		\$114,963
Sanitary Sewer Service	IPC Chapter 7, Hays County "Order Adoption Rules for Hays County, Texas for On-Site Sewage Facilities"		\$23,610
Electric and Telecom Service	NEC, Pedernales Electric Cooperative		\$17,311
Paving	IBC Chapter 11, IFC Appendix D		\$278,027
Public Sidewalk	City Code 28.04.019	\$7,900	
Pavement Markings and Signage	IBC Chapter 11, IFC Appendix D		\$25,554
Parking Lot Lighting	Excluded by City Code 28.04.009(a)(9)		\$67,408
Site Finishes	IBC Chapter 10		\$99,640
Total Cost		\$181,977	\$1,238,135
Site Development Permit Application Fee =		\$4,730	

IBC = International Building Code IPC = International Plumbing Code
 IFC = International Fire Code NEC = National Electric Code

As is noted in the table above, the Site Development Permit Application Fee has been calculated based on numerous items that are noted with the regulatory Jurisdiction of the City as the property is located within the ETJ. Therefore, we request the fee be corrected to \$4,730 and a refund be issued to the applicant for excess fee paid.

We appreciate your attention to this request.

1/11/24

Matthew A. Kriete, P.E.
 Texas Professional Engineer 126148
 Texas Professional Engineering Firm 17700



cc: 10Federal
 ES&S PN: G15964



City of Dripping Springs

Physical: 511 Mercer Street • Mailing: P.O. Box 384 • Dripping Springs, Texas 78620
512.858.4725 • www.cityofdrippingsprings.com

Friday, September 29, 2023

Invoice for:

Permit Number SD2023-0013
Dripping Springs TX 78620
3975 US 290

N/A

Available Payment Options:

Pay Online with your Visa, Mastercard or via ACH (Direct Debit from Checking Account) through the MyGovernmentOnline.org portal:

Go to www.mygovernmentonline.org and login with your user account. Click on the "Account" button at the top right section of the page. Scroll down to the "My Permits" section. Locate the permit number you wish to pay and click on "View Permit". Click on the "Payments" tab. Click on the "Pay Online" button near the bottom of the page to pay the balance with your Visa or MasterCard. Once you have completed processing your payment please allow the permit review staff sufficient time to review your project and follow-up with you.

Pay In-Person (Cash or Check):

511 Mercer Street
Dripping Springs, TX 78620

Fee Type	Amount Due	Amount Paid
Public Notice Signage	\$25.00	\$0.00
Pre-Application Conference Fee	\$180.00	\$0.00
Mega Projects (\$501,000.00 and Higher)	\$20717.62	\$0.00
	\$20922.62	\$0.00

Balance to Pay: \$20922.62



OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
1.00	DEMOLITION				
1.01	Building Demolition & Haul-off	25,000	S.F.	\$2.15	\$53,750.00
1.02	Septic Removal incl. haul and disposal	1	LUMP SUM	\$8,670.00	\$8,670.00
1.03	Plug and Cap Well	1	LUMP SUM	\$2,550.00	\$2,550.00
1.04	Remove tank and misc. utilities	1	LUMP SUM	\$4,590.00	\$4,590.00
1.05	Footing Demolition & Haul-off	400	C.Y.	\$148.16	\$59,264.00
1.06	Fence Removal	1,860	LF	\$2.66	\$4,947.60
1.07	Pavement Demolition & Disposal	2,500	S.Y.	\$12.24	\$30,600.00
SUBTOTAL:					\$164,371.60

2.00	EARTHWORK				
2.01	Site Prep., Clearing & Grubbing of Light Brush, Stump Removal (Chip on Site)	0.75	ACRES	\$7,038.00	\$5,278.50
2.02	Strip Topsoil (6") Stockpile	1,200	C.Y.	\$5.00	\$6,000.00
2.03	Respread Topsoil	1,200	C.Y.	\$4.35	\$5,220.00
2.04	On-Site Excavation & Placement, Compaction	8,200	C.Y.	\$7.41	\$60,762.00
2.05	Off-Site Imported Fill, Haul-in, Compaction	1,533	C.Y.	\$18.87	\$28,927.71
2.06	Fine Grading of Building Areas	4,900	S.Y.	\$2.46	\$12,054.00
2.07	Proof-roll Subgrade Pavement Areas	3,866	S.Y.	\$1.49	\$5,760.34
2.08	Soil Stabilization (Lime, Fly Ash, etc.)	3,270	C.Y.	\$23.46	\$76,714.20
SUBTOTAL:					\$200,716.75

OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
 2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
3.00	ROCK EXCAVATION				
3.01	Mass Rock (Rippable)	150	C.Y.	\$13.14	\$1,971.00
3.02	Mass Rock (Drilling and Blasting)	950	C.Y.	\$82.07	\$77,966.50
3.03	Trench Rock	200	C.Y.	\$190.13	\$38,026.00
SUBTOTAL:					\$117,963.50

4.00	SLOPE STABILIZATION				
4.01	Mechanically Stabilized Earth Retaining Walls (Does Not Include Fence)	500	S.F. Face	\$29.13	\$14,565.00
SUBTOTAL:					\$14,565.00

5.00	EROSION & SEDIMENT CONTROL				
5.01	Construction Entrance/Exit (incl. Maintenance & Removal)	1	EACH	\$4,675.37	\$4,675.37
5.02	Concrete Washout Pit (incl. Maintenance & Removal)	1	EACH	\$3,759.47	\$3,759.47
5.03	Diversion Dike (incl. Maintenance & Removal)	160	L.F.	\$8.85	\$1,416.00
5.04	Inlet Protection (incl. Maintenance & Removal)	5	EACH	\$151.53	\$757.65
5.05	Rip Rap/ Outlet Protection (incl. Fabric)	120	TON	\$77.98	\$9,357.60
5.06	Rock Ditch Check (incl. Maintenance and Removal)	2	EACH	\$1,071.80	\$2,143.60
5.07	Staging Area (4" Rock, incl. Maintenance & Removal)	500	S.Y.	\$11.74	\$5,870.00
5.08	Straw Wattle (incl. Maintenance & Removal)	750	L.F.	\$7.28	\$5,460.00
5.09	Temporary Sediment Trap (incl. Maintenance & Removal)	1	EACH	\$8,350.49	\$8,350.49
5.10	Temporary Seeding/Mulching	2	ACRES	\$3,105.74	\$4,658.61
SUBTOTAL:					\$46,448.79



OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
 2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
6.00	<u>STORM SEWER</u>				
6.01	6" HDPE	240	L.F.	\$11.78	\$2,827.20
6.02	12" HDPE	64	L.F.	\$30.60	\$1,958.40
6.03	15" HDPE	412	L.F.	\$44.37	\$18,280.44
6.04	24" HDPE	204	L.F.	\$98.94	\$20,183.76
6.05	24" RCP	65	L.F.	\$88.79	\$5,771.35
6.06	Excavation (3'-6' Deep)	716	L.F.	\$14.70	\$10,525.20
6.07	Excavation (7'-14' Deep)	269	L.F.	\$34.27	\$9,218.63
6.08	Catch Basin w/ Single Grate (<4' x <4')	2	EACH	\$5,362.28	\$10,724.56
6.09	Curb Inlet, Combination w/ Single Grate (<4' x <4')	3	EACH	\$5,647.54	\$16,942.62
6.10	Outfall Control Structure	1	EACH	\$11,772.04	\$11,772.04
6.11	Curb Cut	1	EACH	\$1,479.00	\$1,479.00
6.12	12" Flared End Section	1	EACH	\$371.38	\$371.38
6.13	15" Flared End Section	1	EACH	\$503.78	\$503.78
6.14	24" Flared End Section	4	EACH	\$861.70	\$3,446.80
SUBTOTAL:					\$114,005.16

7.00	<u>STORM WATER BEST MANAGEMENT PRACTICES</u>				
7.01	Bioretention Basin (Up to Source Watershed)	1	EACH	\$28,305.00	\$28,305.00
7.02	Underground Detention Basin	205	L.F.	\$484.50	\$99,322.50
SUBTOTAL:					\$127,627.50



OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
 2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
8.00	WATER SERVICE				
8.01	3/4" Polyethylene (PE)	230	L.F.	\$2.42	\$556.60
8.02	6" PVC (C-900)	635	L.F.	\$81.09	\$51,492.15
8.03	6" Ductile Iron Pipe (Mechanical joint)	40	L.F.	\$135.15	\$5,406.00
8.04	Excavation (3'-4' Deep)	905	L.F.	\$6.06	\$5,484.30
8.05	1" Ball Valve & Box	1	EACH	\$249.90	\$249.90
8.06	6" Gate Valve & Box	6	EACH	\$1,917.60	\$11,505.60
8.07	6" Tap (incl. Tapping Sleeve & Valve)	1	EACH	\$4,714.05	\$4,714.05
8.08	Fire Hydrant Assembly (incl. Gate Valve & Box)	3	EACH	\$4,825.11	\$14,475.33
8.09	3/4" Meter + Backflow Preventer (incl. Pit)	1	EACH	\$1,249.50	\$1,249.50
8.10	6" Backflow Preventer (incl. Vault)	1	EACH	\$12,240.00	\$12,240.00
8.11	6" Fitting (Bends, Reducers, etc.) w/ Thrust Block	3	EACH	\$815.69	\$2,447.07
8.12	6" Tee w/ Thrust Block	2	EACH	\$582.23	\$1,164.46
8.13	Pavement Patch in Road	20	S.Y.	\$198.90	\$3,978.00
SUBTOTAL:					\$114,962.96

9.00	SANITARY SEWER				
9.01	6" PVC (SDR 35)	75	L.F.	\$14.64	\$1,098.00
9.02	Excavation (7'-14' Deep)	75	L.F.	\$34.27	\$2,570.25
9.03	Cleanout (Up to 6' Deep)	2	EACH	\$791.17	\$1,582.34
9.04	OSSF incl. tanks,pumps, dosing, fill, etc	1	LUMP SUM	\$18,360.00	\$18,360.00
SUBTOTAL:					\$23,610.59



OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
 2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
10.00	UTILITIES				
10.01	4" PVC Conduit & Sweeps	255	L.F.	\$29.68	\$7,568.40
10.02	Electric Transformer/ Switchgear Concrete Pad	1	EACH	\$1,939.58	\$1,939.58
10.03	Riser Added to Utility Pole	1	EACH	\$5,916.00	\$5,916.00
10.04	Pullbox/Handhole	1	EACH	\$1,887.00	\$1,887.00
SUBTOTAL:					\$17,310.98

11.00	PAVING				
11.01	Standard Duty Asphalt (3" Asphalt, 10" Base)	2,800	S.Y.	\$54.66	\$153,048.00
11.02	Pervious Pavement	808	S.Y.	\$86.70	\$70,053.60
11.03	Concrete Drive Apron	110	S.Y.	\$132.60	\$14,586.00
11.04	4" Concrete Sidewalks	148	S.Y.	\$70.87	\$10,488.76
11.05	6" Concrete Curb w/ 18" Wide Gutter (incl. Base)	765	L.F.	\$39.02	\$29,850.30
SUBTOTAL:					\$278,026.66

12.00	PAVEMENT MARKING, SIGNAGE, AND ACCESSORIES				
12.01	Striping (2 Coats, 15 mil. Wet Thickness)	500	L.F.	\$1.95	\$975.00
12.02	Fire Lane Striping	1,050	L.F.	\$2.96	\$3,108.00
12.03	Accessible Symbol	1	EACH	\$70.38	\$70.38
12.04	Road Signage (Stop, No Trucks, Pedestrian Crossing, etc.)	2	EACH	\$357.00	\$714.00
12.05	Site Signage (ADA Parking, Fire Lane, etc.)	9	EACH	\$331.50	\$2,983.50
12.06	Bollard	20	EACH	\$855.27	\$17,105.40
12.07	Precast Concrete Wheel Stop	7	EACH	\$85.43	\$598.01
SUBTOTAL:					\$25,554.29



OPINION OF PROBABLE SITE CONSTRUCTION COSTS

Project: 10 Federal Dripping Springs
Description: 4-Story Self Storage
Date: July 18, 2023
Project No.: G15964

Revised Date:
Prepared By: MAK
Regional Factor: 1.02

Notes: 1. Engineering, development, impact, utility, permit, and tap fees are not included.
 2.No inflation is included.

Item	Description	Quantity	Unit	Unit Price	Total
13.00	PARKING LOT LIGHTING				
13.01	Conduit and Wiring	1,100	L.F.	\$28.31	\$31,141.00
13.02	15' LED Parking Lot Light (incl. Base, Pole, Fixture)	7	EACH	\$5,181.09	\$36,267.63
SUBTOTAL:					\$67,408.63

14.00	SITE FINISHES				
14.01	4' Tall Fence at Retaining Walls	945	L.F.	\$56.99	\$53,855.55
14.02	Guard Rail (Steel)	945	L.F.	\$48.45	\$45,785.25
SUBTOTAL:					\$99,640.80

GRAND TOTAL: \$ ~~1,412,213.21~~
\$ 174,076.29

