

A G E N D A



Recommendation for Council Action (Real Estate)

Austin City Council - Commissioner's Court Meeting	Item ID:	33451	Agenda Number	42.
Meeting Date:	August 7, 2014			
Department:	Office of Real Estate Services			
Subject				
Authorize negotiation and execution of an encroachment agreement allowing SOCO ATX INVESTMENTS, LLC the limited right to long-term encroachment of public right-of-way at 1603 South Congress Avenue, Austin, Texas, which includes approximately 700 square feet of aerial encroachment by a pool deck and canopy.				
Amount and Source of Funding				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:				
For More Information:	Eric Hammack, Office of Real Estate Services, (512) 974-7079; Lauraine Rizer, Office of Real Estate Services, (512) 974-7078; Amanda Glasscock, Office of Real Estate Services, (512) 974-7173.			
Boards and Commission Action:				
MBE / WBE:				
Related Items:				
Additional Backup Information				

A license agreement (LA# 573-1210) which included permanent aerial encroachments was negotiated and executed in 2013, prior to the passage of the ordinance which established a required process for the placement of permanent encroachments in right-of way under City Code Chapter 14-11, Article 1, Division 4 (*Permanent Encroachment of Public Right-of-Way*). As part of a current amendment to the license agreement, the developer has requested that the permanent aerial encroachments be re-classified under the encroachment agreement.

The subject property is the South Congress Hotel, which is being developed by SoCo ATX Investments, LLC, as a commercial mixed use site. The site plan for the project was approved, and a building permit was issued in 2013.

The appraised value for the aerial encroachments is \$7,084. A check in the amount of the appraised value has been submitted to the Office of Real Estate Services for processing upon approval of this encroachment request. City Code Section 14-11-51 requires City Council approval of any encroachment agreement entered into by the City.