



Recommendation for Action

File #: 23-2510, **Agenda Item #:** 74.

9/14/2023

Posting Language

Authorize negotiation and execution of an encroachment agreement with 4th & Waller Owner, LLC, for the permanent aerial encroachment of public right-of-way by an aerial awning and overhanging architectural features for energy conservation, of approximately 45 square feet extending along East 4th Street, between Waller Street and Attayac Street, and 276.57 square feet extending along Waller Street, between East 3rd and East 4th Streets.

Lead Department

Transportation and Public Works Department

Fiscal Note

This item has no fiscal impact.

For More Information:

Richard Mendoza, Interim Director, 512-974-2488; Curtis Beaty, Development Officer, 512-974-6471; Elizabeth Boswell, Managing Engineer, 512-974-1849; Mashell Smith, Real Estate Services Agent, 512-974-7191; Gilda Powers, Administrative Manager, 512-974-7191.

Additional Backup Information:

A request has been received for permanent aerial encroachments: approximately 45 square feet for an awning extending over East 4th Street right of way and 276.7 square feet for an encroachment of architectural feature to help reduce the energy use of the building, thereby reducing the overall impact on Austin Electric system in compliance with the "Imagine Austin Comprehensive Plan" extending over Waller Street.

The total appraised value for the encroachments is \$63,379. The amount of the appraised value has been submitted to the Transportation and Public Works Department for processing upon approval of this encroachment agreement request. In addition, the applicant has reimbursed the city \$8,750 for the cost of engaging the appraiser and \$170.10 for the cost of the public notice requirements sent by certified mail, return receipt requested, to registered neighborhood organizations whose boundaries are within all or a portion of the proposed encroachment areas. No objections were received.