



City of Austin

Recommendation for Action

File #: 24-3795, **Agenda Item #:** 36.

4/4/2024

Posting Language

Authorize the negotiation and execution of an encroachment agreement with Waller Owner, LLC for permanent encroachment of approximately 0.026 acre (1,140 square feet) of public right-of-way at 92 Red River Street for a subsurface vault containing multiple Austin Energy subsurface transformers and surface-level access hatches.

Lead Department

Transportation and Public Works Department.

Fiscal Note

This item has no fiscal impact.

For More Information:

Richard Mendoza, Director, 512-974-2488; Upal Barua, Interim Assistant Director, 512-974-7100; Curtis Beaty, Managing Engineer, 512-974-6471; Stella Deshotel, Business Process Consultant, 512-974-8054.

Additional Backup Information:

Waller Owner, LLC has requested to permanently encroach into approximately 0.0220 acre (1,140 square feet) of public right-of-way for a privately owned and maintained subsurface vault containing multiple Austin Energy subsurface transformers and surface-level access hatches, located at 92 Red River Street.

All affected departments and private utility franchise holders have reviewed this request and recommend approval. Per Chapter 14-11-51(D) of the City Code, the Director has determined that additional review of the encroachment is not necessary. Thus, this encroachment request is being presented directly to the City Council for consideration, without prior review by the appropriate Land Use Commission.

The total appraised value for the encroachments is \$83,534. Waller Owner, LLC has submitted the amount of the appraised value to the Transportation and Public Works Department for processing upon approval of this encroachment agreement request. In addition, the applicant has reimbursed the City \$4,500 for the cost of engaging the appraiser and \$147.73 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.