

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**AUTHORIZING THE EXTENSION OF THE SIDEWALK ON
APPROXIMATELY 1,100 SQUARE FEET OF ON-STREET RIGHT-
OF-WAY ALONG THE EAST SIDE OF JERFFERSON STREET
BETWEEN HOUSTON STREET AND PEACOCK ALLEY AND
FACILITATE THE EXECUTION OF A PARKLET AGREEMENT
BETWEEN THE CITY OF SAN ANTONIO AND 401 HOUSTON
STREET, LLC**

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WHEREAS, City of San Antonio's ("City") Center City Development and Operations Department ("CCDO") continues to encourage and incentivize retain development along the Houston Street corridor, where both the City and partner organizations have provided significant public infrastructure investment; and

WHEREAS, the Burns Building Redevelopment is the renovation of a five-story historic building constructed in 1918 located at 401 East Houston Street in Council District 1 with an estimated development cost of \$11.3 million for 39,413 square feet of office space as well 14,449 square feet of retail space along Houston and Jefferson streets; and

WHEREAS, 401 East Houston Street, LLC approached the City about implementing a concept unique to San Antonio on the existing street right-of-way along the east side of Jefferson Street between Houston Street and Peacock Alley as shown in **Attachment I** and **Attachment II** called a parklet, where a parklet is the repurposing of a portion of an existing right-of-way into a public spaced intended to enhance the streetscape and create increased public open spaces by providing amenities such as seating, planting, bike parking, and art; and

WHEREAS, currently the City does not have a specific code that provides a framework for this enhanced pedestrian type of license and CCDO in coordination with the City's Transportation & Capital Improvements department commenced a review of best practices of parklet programs around the country to review appropriate locations, designs, and maintenance; and

WHEREAS, City staff has developed and negotiated a parklet agreement ("Parklet Agreement") substantially similar to that attached as **Attachment III** with 401 East Houston Street, LLC which sets forth specific conditions regarding a flexible and safe design, amenable functionality, and specific maintenance requirements of the public space to provide the public with a positive pedestrian experience for up to a ten year period with a City option to revert back to street parking at any time;

WHEREAS, the City will forego approximately \$3,700 in revenue for the 4 parking meters and designated commercial loading zone currently in place, but as part of the Parklet Agreement, the City will require 401 East Houston Street, LLC to submit an annual nonrefundable license fee of

\$800 for a total of \$8,000 over the ten-year contract term and revenue generated by the Parklet Agreement will be deposited into the General Fund; **NOW THEREFORE,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City Manager and her designee, severally, are authorized and directed to authorize the extension of the sidewalk on approximately 1,100 square feet of on-street right-of-way along the east side of Jefferson Street between Houston Street and Peacock Alley.

SECTION 2. The City Manager and her designee, severally, are authorized and directed to facilitate and execute a Parklet Agreement substantially similar to **Attachment III** between the City of San Antonio and 401 East Houston Street, LLC.

SECTION 3. [NEED FINANCIAL LANGUAGE]

SECTION 4. [NEED FINANCIAL LANGUAGE]

SECTION 5. This Ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this _____ day of _____, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney