



# City of San Antonio

## Agenda Memorandum

**File Number:**13-1168

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**Agenda Item Number:** 19.

**Agenda Date:** 12/19/2013

**In Control:** City Council A Session

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**DEPARTMENT:** Downtown Operations Department

**DEPARTMENT HEAD:** Jim Mery

**COUNCIL DISTRICTS IMPACTED:** 1

### **SUBJECT:**

River Walk Encroachment Agreement

### **SUMMARY:**

This ordinance authorizes an Encroachment Agreement with River Bank, Ltd. for a building overhang extending over City property on the San Antonio River Walk.

### **BACKGROUND INFORMATION:**

River Bank, Ltd. operates The Worm Tequila and Mezcal Bar on the San Antonio River Walk, located adjacent to the Hyatt Regency at 123 Losoya Street. On May 16, 2013, the Historic & Design Review Commission granted approval to River Bank for construction of a “walk up” bar on the River Walk. During construction, it was discovered a 34.335 square foot portion of the new structure’s roof edge extends over City property; therefore, an Encroachment Agreement has been created in order to formalize the encroachment and a one-time \$500.00 payment to the City will apply.

If approved by City Council, River Bank will be permitted to complete construction of their new “walk up” bar on the River Walk, and the Encroachment Agreement will be recorded in the county real property records.

### **ISSUE:**

Approval of the proposed Encroachment Agreement will facilitate completion of a new commercial structure

on the San Antonio River Walk while acknowledging a portion of the building's roof extends over City property.

**ALTERNATIVES:**

The City Council may elect not to authorize an Encroachment Agreement and instead require River Bank, Ltd. to reconfigure their new structure, which will also require reconsideration by the Historic & Design Review Commission.

**FISCAL IMPACT:**

River Bank, Ltd. will make a one-time \$500.00 payment to the City of San Antonio, per the terms of the Encroachment Agreement. Payment will be deposited in the River Walk Capital Improvement Fund.

**RECOMMENDATION:**

Staff recommends approval of the proposed Encroachment Agreement with River Bank, Ltd. to authorize a 34.335 square foot portion of roof overhang extending over City of San Antonio property.