



# City of San Antonio

## Legislation Details (With Text)

**File #:** 18-4704

**Type:** Real Property Sale

**In control:** City Council A Session

**On agenda:** 8/30/2018

**Title:** Ordinance granting an easement to allow a building overhang over the sidewalk along Broadway and at the southwesterly intersection of Broadway and Eighth Streets Public Rights of Way to facilitate the Cavender Office Building project in Council District 1. [Lori Houston, Assistant City Manager; John Jacks, Director, Center City Development and Operations]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Plan Showing Encroachment Area Over Sidewalk, 2. Metes and Bounds Surveys - Cavendar Overhang Easement, 3. Building Overhang Encroachment Easement Draft, 4. Draft Ordinance, 5. Exhibit A.pdf, 6. Exhibit B.pdf, 7. Exhibit C.pdf, 8. Contracts Disclosure Form, 9. Ordinance 2018-08-30-0663, 10. Staff Presentation

Date	Ver.	Action By	Action	Result
8/30/2018	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Center City Development and Operations

**DEPARTMENT HEAD:** John Jacks

**COUNCIL DISTRICTS IMPACTED:** 1

### SUBJECT:

Grant of a 75 year easement to allow a building overhang over the southwesterly corner of the intersection of Broadway and Eighth Streets and along Broadway Public Rights of Way to facilitate the Cavender Office Building project in Council District 1.

### SUMMARY:

The grant of this 75 year easement will provide for a building overhang encroachment easement to allow for approximately 0.027 acres or 1,142 square feet of variable width building overhang over the portions of the sidewalk at the southwesterly intersection of Broadway and Eighth Streets and along Broadway Public Rights of Way.

### BACKGROUND INFORMATION:

CBMB Office Properties, L.L.C., is developing a new 6 story commercial office building which shall include retail and restaurant components on a portion of the ground floor with one level of subsurface parking. The project will provide for approximately 141,000 rentable square feet, of which approximately 130,000 square feet is intended for office use. Additional development phases are anticipated to occur in the adjacent parcels across the two closed alleys.

City Council has previously authorized through Ordinance 2018-06-21-0480 action to close, vacate, and abandoned two improved alleys (0.138 acres) located within the same block bordered by Broadway, Brooklyn, Avenue B and 8th Street in an effort to support the development.

The Planning Commission considered this matter at their meeting of August 22, 2018 and consented to the sale of the easement rights. Grant of this easement will allow the developer to cantilever a portion of the roof over a portion of the property along Eighth and Broadway Streets.

#### **ISSUE:**

CBMB Office Properties, L.L.C., has designed a building with a roof that will overhang a 1,142 square foot portion of the sidewalk along a portion of the property's frontage along Eighth and Broadway Streets. The building overhang encroachment easement will be in effect for 75 years, based on the estimated life of the building. The City shall seek to reclaim the easement if the building is demolished prior to the 75 year period.

#### **ALTERNATIVES:**

City Council could choose not to approve this request and the developer could redesign the structure to avoid the necessity for the encroaching roof structure; however, if not approved, the Cavender Office Building project would require a significant building redesign which has already approved by the City's Historic Design and Review Committee.

#### **FISCAL IMPACT:**

The City shall receive compensation for the building overhang encroachment easement in the amount of \$9,615.64 based on the appraised value of land of \$33.68 per square foot multiplied by 25% due to the minimal impact of the overhang easement on the right of way.

#### **RECOMMENDATION:**

Staff recommends approving the granting of an interest in real property for a period of 75 years supporting a building overhang encroachment easement to allow for approximately 0.027 acres or 1,142 square feet of variable width building overhang over the sidewalk along a portion of the property's frontage along Broadway and Eighth Street Public Rights of Way to facilitate the Cavender Office Building project.