



# City of San Antonio

## Agenda Memorandum

**File Number:**18-1301

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**Agenda Item Number:** 20.

**Agenda Date:** 2/15/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie, P.E.

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### **SUBJECT:**

Disposition: Right-of-Way encroachment permit for a pedestrian bridge over East Cesar E. Chavez Boulevard

### **SUMMARY:**

An ordinance authorizing a right-a-way encroachment permit for the installation of an overhead pedestrian bridge crossing East Cesar E. Chavez Boulevard Public Right of Way between Dwyer Avenue and South Main Avenue, in Council District 1, as requested by HEB Grocery Company, L.P., for a fee of \$5,050.00 and waiving sections of Chapter 37 of the City Code to allow an initial 50 year term.

### **BACKGROUND INFORMATION:**

HEB Grocery Company, L.P. (HEB), Petitioner, is requesting a right-a-way encroachment permit for the installation and maintenance of an overhead pedestrian bridge over East Cesar E. Chavez Boulevard in the location as shown on attached Exhibit A.

Petitioner plans to build a new multi-story parking garage at 415 Dwyer Avenue. The bridge will allow HEB employees and partners to directly and safely cross East Cesar E. Chavez Boulevard mid-block between their facilities. The pedestrian bridge will be approximately 26 feet above pavement and 18 feet wide.

HEB has requested that term limits as provided in Chapter 37 of the City Code be waived, and that the duration of the permit be extended beyond the traditional initial 10 years to an initial 50 year term, with two renewal periods of 25 years each.

**ISSUE:**

This ordinance authorizes a right-a-way encroachment permit for the installation of an overhead pedestrian bridge crossing East Cesar E. Chavez Boulevard Public Right of Way, located between Dwyer Avenue and South Main Avenue, in Council District 1, as requested by HEB, for a fee of \$5,050.00 and waiving sections of Chapter 37 of the City Code to allow an initial 50 year term, with two renewal periods of 25 years each, as opposed to the traditional initial 10 years.

Petitioner plans to build a new multi-story parking garage at 415 Dwyer Avenue. The bridge will allow HEB employees and partners to directly and safely cross East Cesar E. Chavez Boulevard mid-block between their facilities. The pedestrian bridge will be approximately 26 feet above pavement and 18 feet wide.

The pedestrian bridge was reviewed and approved by the Historic Design and Review Committee (HDRC) on Wednesday, January 17, 2018. Upon City Council approval, construction is anticipated to begin in October of 2018 and estimated for completion in April of 2019.

**ALTERNATIVES:**

City Council could choose not to approve this request; however, doing so may be a hindrance to the Petitioner's endeavor to provide a direct and safe crossing over a public right of way, East Cesar E. Chavez Boulevard, mid-block between HEB facilities for their employees and partners.

**FISCAL IMPACT:**

The right-a-way encroachment permit fee is \$5,050.00 as provided by Chapter 37, Section 22 of the City Code. This revenue will be deposited into the General Fund in accordance with the FY 2018 Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this request to authorize a right-a-way encroachment permit for the installation of an overhead pedestrian bridge crossing East Cesar E. Chavez Boulevard Public Right of Way mid-block, in Council District 1 and waiving sections of Chapter 37 of the City Code to allow an initial 50 year term.