

## Legislation Text

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**File #:** 18-489, **Version:** 1

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Presenter/Contact  
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**SUBJECT:**

Discuss and consider approval to authorize the City Manager to enter into a license agreement between the City of New Braunfels and DM3 Ventures, LLC for encroachments in the public right-of-way at 748 West San Antonio Street.

**BACKGROUND / RATIONALE:**

City of New Braunfels Code of Ordinances Section 114-7 establishes the regulations for improvements on public property, public easements and within the public right-of-way. The city may grant a license and permission to occupy public property and shall be evidenced by a license agreement executed by the city and the licensee.

Nathan Fiengold, New Braunfels Remodeling, LLC, made an application with the city engineer for encroachments in the public right-of-way at 748 West San Antonio Street. The encroachments include Americans with Disabilities Act (ADA) ramps and concrete steps to service a building.

Section 114-7(e) specifies that the licensee shall pay an annual fee of ten percent of the value of the area to be licensed for surface licensing and that the minimum annual fee for such licenses shall be \$100. Based on the value and size of the area for access to the building, the proposed annual fee for the agreement is \$210.

**ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:**

<input checked="" type="checkbox"/>	Yes	<b>City Plan/Council Priority:</b>	Growth and Development - Ensure sustainable quality development
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**FISCAL IMPACT:**

The recommended license fees to be collected on an annual basis are \$210 from DM3 Ventures, LLC.

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends approval of the authorizing the City Manager to enter into a license agreement between the City of New Braunfels and DM3 Ventures, LLC for encroachments in the public right-of-way at 748 West San Antonio Street with an annual fee of \$210 and all proposed improvements in the public right-of-way meet ADA requirements.