

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	March 2, 2020	
Name of Agenda Item:	Air Space Encroachment Easement Agreement – 610 Front Street	
Section of Agenda:	New Business	
Department:	Planning Department	
Council Committee Review:	<input checked="" type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
Legal Review:	<input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
Attachments:		
Restrictive Covenant		
Summary Statement:		
<p>As you are aware, the property owners of 610 Front Street (Front Porch Swing LLC) are developing plans for a significant renovation of the exiting building. The renovation would add two additional floors and 7 residential units.</p> <p>Notably the western façade of this building is the location of a well-known mural sponsored by the Lions Club. The owners seek to preserve / restore this mural, but it is located on the property line in an areas that allows for zero lot line construction. The Council agreed that mural preservation was important and on September 3, 2019 approved a restrictive covenant that affects the City-owned parking lot immediately to the west. The Covenant prevents construction along a 10-foot swath on the City property immediately adjacent to the mural.</p> <p>The building owners have continued the planning and design process on this project and desire that some architectural features of the building addition encroach into the City’s property by as much as 12 inches. These encroachments, such as windowsills and parapets, are located on upper stories above the mural. Although a restrictive covenant is in place that prevents adjacent construction, encroachments were not addressed or permitted in the previous agreement.</p> <p>With support from the Community Development Committee the property owner has requested the attached agreement for an air space encroachment. The property owner has assumed legal costs associated with the writing of the agreement.</p>		
Recommended Action:		
<p>Motion to approve the air space encroachment agreement with the property owner of 610 Front Street affecting the City’s parking lot property located at the intersection of Front and 7th Streets and to authorize the Mayor’s signature on the document.</p>		