

CITY OF LYNDEN



EXECUTIVE SUMMARY

Meeting Date:	September 3, 2019	
Name of Agenda Item:	Restrictive Covenant 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>Property owners of 610 Front Street (the liquor store location) are developing plans for a significant renovation of the existing building. The renovation would add two additional floors and 6 residential units.</p> <p>Notably the western façade of this building is the location of a well known mural sponsored by the Lyons Club. The owners seek to preserve this mural.</p> <p>To facilitate the protection of the mural and the residential addition to the building, the property owners have requested the City to grant a 10 foot “no build easement” along the west property line of the adjacent City-owned parking lot in the form of a restrictive covenant.</p> <p>The covenant would prevent construction of structures within 10 feet of eastern property line of the City’s parking lot property located at the intersection of Front and 7th Street. The covenant would not prevent the City from continued use of the parking lot. The restriction would allow for more appealing architecture at 610 Front Street building by permitting windows on a property-line wall (which would otherwise be prohibited by fire code). And, the covenant would offer some protection of the existing mural.</p> <p>This issue has been discussed with both the Community Development Committee and the Public Works Committee. Both committees agreed the mural preservation had value and noted that it would be unlikely that the City would sell or build on the parking lot property. They and were therefore amenable to the covenant. As a result, the City’s legal counsel has created the attached restrictive covenant for the Council’s consideration.</p>		
Recommended Action:		
Motion to approve the restrictive covenant affecting the City’s parking lot property located at the intersection of Front and 7 th Street and to authorize the Mayor’s signature on the document.		