



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 5790
January 5, 2021
Consent Calendar

AGENDA BILL INFORMATION

TITLE:	AB 5790: Landscape Easement Modification – Xing-hua Project	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Approve modification of the existing landscaping easement.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development
STAFF:	Robin Proebsting, Senior Planner
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Vicinity map 2. Landscaping Easement Recording No. 8201220491 3. Draft Proposed Easement
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

SUMMARY

This is an authorization to approve a modification to an existing landscaping easement (recording number 8201220491) adjacent to the 78th Ave SE right-of-way. Per State law, the City Council must authorize changes to property interests for all public property.

BACKGROUND

An application for Design Commission Design Review approval of a new four-story mixed-use building has been submitted for the properties at 2885 78th Ave SE and 2750 77th Ave SE (DSR20-001), also known as the Xing-hua project. One of the properties is encumbered with a landscaping easement granted to the City (recording number 8201220491). This easement was originally executed in 1981 and requires landscaping within a 2.5-foot strip along the eastern edge of the property, adjacent to the 78th Ave SE right-of-way, less areas currently used for driveways (Exhibits 1 and 2). The property is currently developed with a one-story commercial building and surface parking and the landscaping easement contains a hedge and street trees.

The development proposal includes a building design that will include commercial spaces adjacent to 78th Ave SE. The proposed building entrances for the new development conflict with the existing landscaping easement.

To resolve this conflict, the property owner is proposing a modification to the landscaping easement that will:

1. Maintain landscaping within the 2.5-foot strip; and,
2. Modify the location of the access to the commercial property (Exhibit 3).

The change in the location of the driveways necessitates an amendment to the original landscaping easement. This proposed change will result in approximately 100 sq ft of additional landscaping compared to the existing condition. This landscaping will continue to be maintained by the City.

Per State law, the City Council must authorize changes to property interests for all public property.

RECOMMENDATION

Authorize the City Manager to execute an amendment to the easement for planting recorded under King County recording number 8201220491, substantially in the form proposed in Exhibit 3.