

## EXECUTIVE SUMMARY



**To:** Jim Scholl, City Manager

**From:** Kevin Bond, Acting Planning Director / Senior Planner  
Larry Erskine, Assistant City Attorney

**Meeting Date:** January 6, 2015

**RE:** Acceptance of an easement from Harborside, LLC for public use of a sidewalk located on property at 200 William Street (RE # 00000840-000000, AK # 1000850)

### ACTION STATEMENT:

Request: To enter into an easement agreement with Harborside, LLC allowing public use of a sidewalk on property located at 200 William Street providing a connection between public sidewalks along William Street and Lazy Way Lane.



### BACKGROUND:

Previously, the City Commission approved a settlement agreement through Resolution No. 11-188 and a development agreement through Resolution No. 12-227 for the redevelopment of a former trailer park on property located at 200 William Street (also known as 223 Elizabeth Street). These agreements indicated that Harborside, LLC was responsible for including certain improvements constructed at their expense. One of these improvements is a pedestrian sidewalk on William Street adjacent to the property.

During redevelopment of the property, it became necessary to route a portion of the public sidewalk along William Street onto Harborside's property. The City requested that Harborside

allow the City to locate this portion of the sidewalk on Harborside's property. The attached easement agreement represents the mutual agreement between Harborside and the City for public access across the portion of sidewalk located on private property between William Street and Lazy Way Lane. Per the agreement, Harborside is responsible for constructing an ADA-compliant sidewalk within the easement area and maintain the sidewalk permanently. The easement ensures public access along the sidewalk. The proposed easement area is further described in Exhibit "B" of the easement agreement.

**Options / Advantages / Disadvantages:**

**Option 1.** Approve the resolution entering into the easement agreement.

**Consistency with the City's Strategic Plan, Vision and Mission:** Granting the requested easement would not be inconsistent with the Strategic Plan.

**Financial Impact:** There would be no cost to the City for entering into the easement agreement. The portion of the sidewalk on private property was constructed at Harborside's expense and Harborside (and its successors) is responsible for its permanent maintenance.

**Option 2.** Do not pass the resolution.

**Consistency with the City's Strategic Plan, Vision and Mission:** Denial of the requested revocable license would not be inconsistent with the Strategic Plan.

**Financial Impact:** There would be no cost to the City for not entering into the easement agreement. However, public access to the sidewalk would not be ensured, resulting in pedestrians having to walk within the street or entering private property.

**RECOMMENDATION: Option 1.**

Staff recommends to the City Commission **APPROVAL** of the proposed Resolution entering into the attached easement agreement.