

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF ALEXANDRIA, VIRGINIA AND
THE TALL SHIP PROVIDENCE FOUNDATION
FOR THE RECEIPT OF CAPITAL FUNDING**

THIS MEMORANDUM OF AGREEMENT is made this ____ day of November 2022 (the “Agreement”), by and between the TALL SHIP PROVIDENCE FOUNDATION, a non-profit, tax-exempt organization ("TSPF") and the CITY OF ALEXANDRIA, a municipal corporation of the Commonwealth of Virginia (“City”) or collectively the “Parties”.

RECITALS

WHEREAS, the City and the TSPF are parties to a Memorandum of Agreement granting the TSPF \$350,000 in FY 2019 Capital Improvement Program Funding to support the installation of ROW utilities and landside improvements in the building of a living history museum and tourist attraction open to the public for the scheduling of public tours and cruises and private charters consistent with Special Use Permit #2021-00001 (Exhibit A); and

NOW THEREFORE, the City and the TSPF, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

AGREEMENT

1. **REPRESENTATIONS**. By executing this Agreement, the TSPF warrants that it is the legal owner and operator of the Tall Ship Providence, a reproduction tall ship with a deck 62 feet in length, an overall length of 110 feet (including bowsprit/jib-boom), and 22 feet in width. The Vessel mast has a height of 93 feet and 6 inches. TSPF further agrees that it will use the funds consistent with the terms of the Special Use Permit.
2. **TERM**: The Term of this Agreement shall be from December 1, 2022 through June 30, 2023.
3. **FUNDS**: If all funds are not expended by the Term end date as provided in paragraph 2. TERM above, the TSPF shall refund within ten (10) days of that date the remaining unexpended funds to the City of Alexandria.
4. **ACCOUNTING**:
 - A. The TSPF shall maintain adequate books and records in accordance with generally accepted accounting principles consistently applied, with regard to all sums expended. TSPF shall permit a City representative, upon reasonable notice, to inspect, audit and examine all books and records, to make copies of the same to ensure that the expenditure of the funds are consistent with the purposes of the grant of the monies from the City to TSPF.
 - B. The TSPF shall provide a final report of the full accounting of all monies spent by July 30,

2023 or within 30 days of spending all monies prior to June 30, 2023.

C. In the event that TSPF uses funds for any purpose not consistent with the intended purpose of the grant of the capital funding and/or fails to maintain adequate records in the discretion of the City and/ or refuses to allow the City to inspect and/or copy any books and records documenting such expenditures of the capital funding shall be a breach of the Agreement. Any breach of the Agreement shall result in the repayment of the funds together with applicable interest and any, other damages as may be applicable.

5. **RATIFICATION**: Except as explicitly amended hereby, the provisions of the Agreement and all exhibits and attachments thereto are ratified and confirmed, and the Agreement remains in full force and effect.
6. **NO WAIVER OF SOVEREIGN IMMUNITY**: Nothing herein shall be intended to serve as a waiver of sovereign immunity by the City.
7. **NOTICE**: All notices or communications required under this Agreement shall be given in writing and shall be mailed by first class mail (postage prepaid) or delivered by messenger or by recognized overnight courier (e.g. FedEx) to the parties as follows:

If to the City:

Department of Recreation, Parks and Cultural
Attn: Jack Browand, Deputy Director
1108 Jefferson Street
Alexandria VA 22314

With a Copy to:

City Attorney
301 King Street
Suite 1300
Alexandria, Virginia 22314

To the Tall Ship Providence Foundation:

Tall Ship Providence Foundation
Attn: Clair Sassin, President & CEO
201 North Union Street, Suite 110
Alexandria VA 2314

With a Copy to:

Marc E. Miller, Esq.
Donohue Themak & miller, PLC
117 Oronoco Street
Alexandria, Virginia 22314

8. **ENTIRE AGREEMENT**: This Agreement and its exhibits hereto shall constitute the entire agreement between the City and TSPF with respect to the subject matter hereof, and shall supersede all prior and contemporaneous proposals, offers, negotiations, representations, promises, agreements, and understandings, whether oral or written, concerning the subject matter hereof. This Agreement shall not be changed, amended or otherwise modified except by a writing signed by the City and TSPF, and shall be binding upon and shall inure to the benefit of the City and TSPF and their respective successors and assigns.

9. **GOVERNING LAW**: This Agreement shall be governed and construed in accordance with the laws of the Commonwealth of Virginia and any litigation and/or disputes shall be in the courts of the City of Alexandria.

IN WITNESS WHEREOF this Agreement has been duly executed by the Parties hereto as of the date and year first above written.

| | |
|--|--|
| <p>LICENSEE:</p> <p>TALL SHIP PROVIDENCE FOUNDATION a non-profit, tax-exempt organization</p> <p>_____</p> <p>By: Clair S. Sassin Title: President & CEO</p> | <p>LICENSOR:</p> <p>THE CITY OF ALEXANDRIA, VIRGINIA, a municipal corporation of the Commonwealth of Virginia</p> <p>_____</p> <p>By: James F. Parajon, City Manager</p> |
| <p>Approved as to form:</p> <p>_____</p> <p>Karen Snow, Senior Assistant City Attorney</p> | |

ATTACHMENT: Exhibit A



***Special Use Permit #2021-0001
Tall Ship Providence Pier
Riparian Area adjacent to Waterfront Park (1A Prince Street)***

| Application | General Data | |
|--|-------------------------------------|--------------------------------------|
| Public Hearing and consideration of a request for a Special Use Permit for the docking and berthing of a historic ship and privately owned public use buildings connected with the historic ship (amending SUP2019-0113 to decrease the size of the pier and buildings). | Planning Commission Hearing: | March 2, 2021 |
| | City Council Hearing: | March 13, 2021 |
| Address: Riparian Area adjacent to 1A Prince Street | Zone: | WPR / Waterfront Park and Recreation |
| Applicant: Tall Ship Providence Foundation, represented by M. Catharine Puskar, attorney | Small Area Plan: | Waterfront / Old Town |

Staff Recommendation: APPROVAL subject to compliance with all applicable codes and ordinances and the recommended conditions found in Section V of this report.

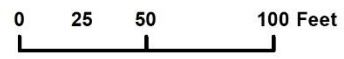
Staff Reviewers:

Abigail Harwell, Urban Planner, abigail.harwell@alexandriava.gov
 Dirk H. Geratz, AICP, Principal Planner, dirk.geratz@alexandriava.gov
 Robert M. Kerns, AICP, Development Division Chief, robert.kerns@alexandriava.gov
 Jack Browand, Division Chief, RPCA, jack.browand@alexandria.gov

Staff Note: In accordance with section 11-506(c) of the zoning ordinance, construction or operation shall be commenced and diligently and substantially pursued within 18 months of the date of granting of a special use permit by City Council or the special use permit shall become void.



Special Use Permit #2021-00001
Riparian Area Adjacent to 1A Prince Street



I. DISCUSSION

REQUEST

The applicant, Tall Ship Providence Foundation, represented by M. Catharine Puskar, attorney, requests a Special Use Permit (SUP) for facilities used for the docking and berthing of a historic ship and for privately owned, public use buildings connected with the historic ship based on Sections 5-503(C&D) within the riparian area (Potomac River) adjacent to Waterfront Park (1A Prince Street), which is zoned WPR / Waterfront Park and Recreation. This proposal is a revised version of the project approved by the City Council in March 2020.

BACKGROUND

Original SUP Approval

On March 14, 2020, the City Council approved a SUP (SUP#2019-00113) to construct a floating pier consisting of two cottages, deck area, and a gangway that connects the pier to the City's shoreline. These facilities established a facility to support the docking of a historic ship, known as the Tall Ship Providence. Since the approval, due to the ongoing pandemic the foundation has struggled to raise the funding needed to the construct the facilities. Additionally, the original design included structural foundations that were outside the City's pier headline that required additional approvals from the District of Columbia. Once the Tall Ship Foundation made the decision that a smaller, revised project where all structural supports are within the pier headline and no dredging of the riverbed under the ship's mooring location would be needed, the foundation worked with City staff on a revised design. Although the approved use remains the same, the changes in project design and configuration were determined to require a new SUP approval.

Waterfront Plan

The Waterfront Plan adopted by the City in 2012 outlines the planning vision for the City's Potomac River waterfront. The objective of the plan was to provide guidance for a revitalized area with continuous public access to, and increased activity on, the waterfront. The plan recognizes and supports cultural and institutional facilities within the waterfront area that contribute to its current and future viability as a visitor and destination center. One specific goal of the Alexandria Waterfront Small Area Plan is to add a historic ship and emphasize the City's maritime history (page 15).

Since the Plan's adoption in 2012, several of its goals have been met, such as the relocation of the Old Dominion Boat Club (ODBC) building and parking lot in 2017, the completion of the interim Waterfront Park (which combined the King Street Park with the existing Waterfront Park) in 2018, maintenance dredging of the City Marina in 2015, as well as the ongoing redevelopment of the Robinson Terminal South site, which was completed this year. The City is currently in the process of preliminary engineering for the Flood Mitigation Implementation project, which would result in grading and drainage improvements along the waterfront to minimize the nuisance flooding that frequently occurs in this area. Upon completion of the flood mitigation, the City will assess continued waterfront improvements consistent with the Waterfront Plan, which may include the construction of a permanent pier near the foot of King Street and a promenade along the shoreline.

SITE DESCRIPTION

The applicant is seeking to establish the John Warner Maritime Heritage Center to support the docking of a historic ship, known as the Tall Ship Providence. Keeping the same location as was approved under SUP#2019-00113, the applicant is proposing structures in the Potomac River just east of Waterfront Park, between King and Prince Streets. This area is part of the Waterfront Small Area Plan.

Due to the needed 12-foot water depth for the ship, the proposed structures will extend 114'-3" (previously 126'-6") from the shoreline, which is 25'-8" beyond the City's pierhead line and into District of Columbia waters. The applicant is working with the Army Corp of Engineers and the National Park Service for the District of Columbia for all necessary approvals related to the proposed encroachment, and would be required to obtain approvals and permits from all other local, state and federal agencies who have authority over the Potomac River. The facility will be connected to the City's shoreline via gangway connected to the existing bulkhead. The shoreline for this area is part of the City's future Flood Mitigation Implementation project and Waterfront Improvements plan. As such, the structures are proposed to be temporary until future flood mitigation efforts begin.

PROPOSAL

Originally a L-shaped floating barged connected by a shorter gangway to the shoreline, the new proposal involves a smaller floating barge at the end of a longer gangway. The differences between the original design approved in March 2020 and the proposed design are listed below:

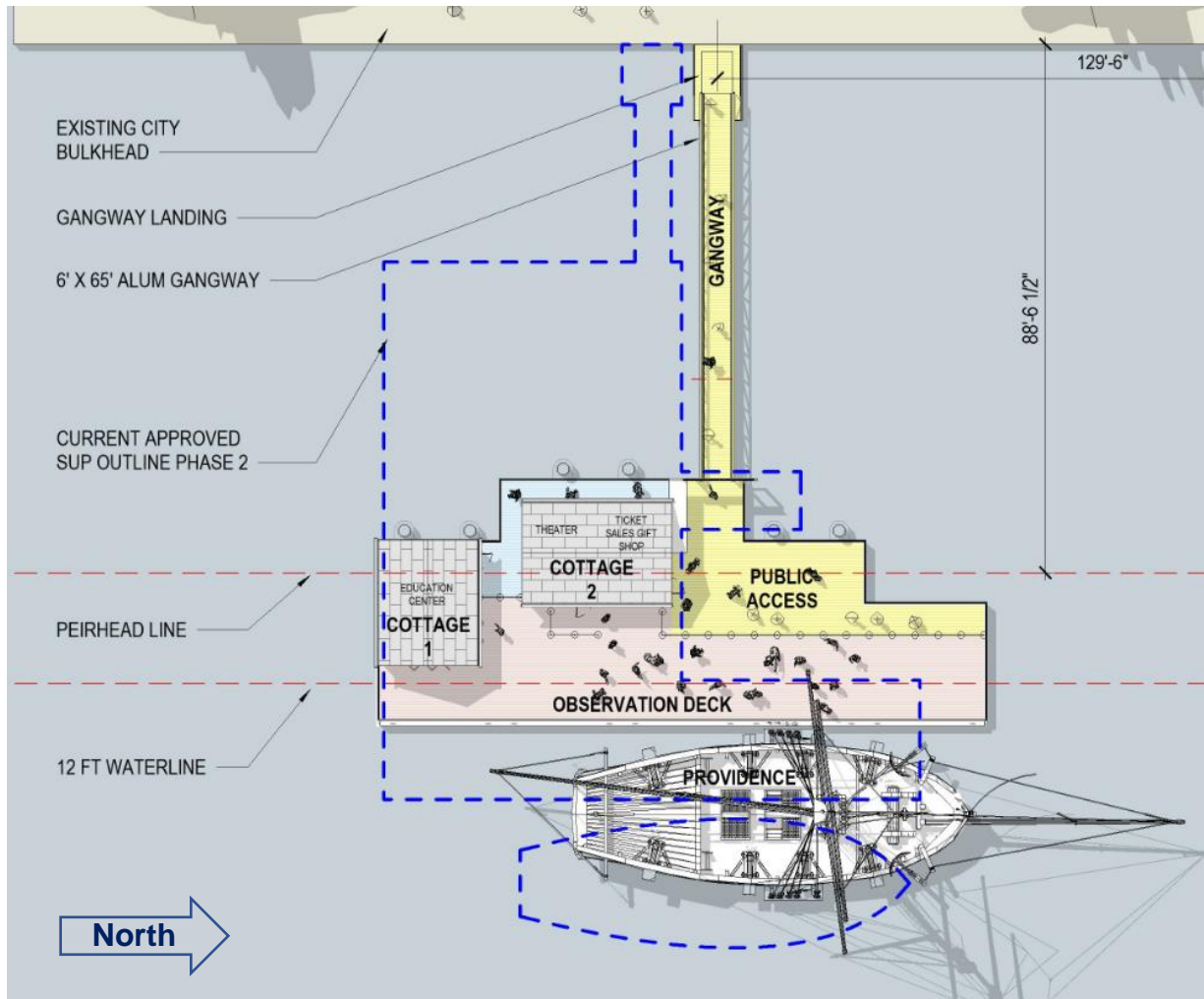
Chart 1: Comparison of original design and proposed design

| | Original Design Approval | Current Revised Proposal |
|-----------------|---------------------------------|---------------------------------|
| Barge | 6,000 sq. feet | 3,200 sq. feet |
| Length of Barge | 90 feet | 100 feet |
| Gangway Length | 30 feet long | 65-70 feet long |
| Cottage 1 | 760 sq. feet | 320 sq. feet |
| Cottage 2 | 760 sq. feet | 384 sq. feet |
| Cottage Height | 15 feet, 6 inches | 13 feet, 6 inches |
| Public Access | 1,060 sq. feet | 735 sq. feet |

As with the original design, the access to the floating pier will continue to not obstruct any portion of the promenade along Waterfront park, and no permanent structures have been proposed on the shoreline, which would require a certificate of appropriateness from the Board of Architectural Review.

Graphic 1 below shows the proposed new design of the floating barge and gangway. The original footprint approved in March 2020 is indicated with the blue dashed outline. The barge will extend less beyond the pier headline as previously designed, with a T-shape where a six-foot-long gangway connects to the middle of the floating barge.

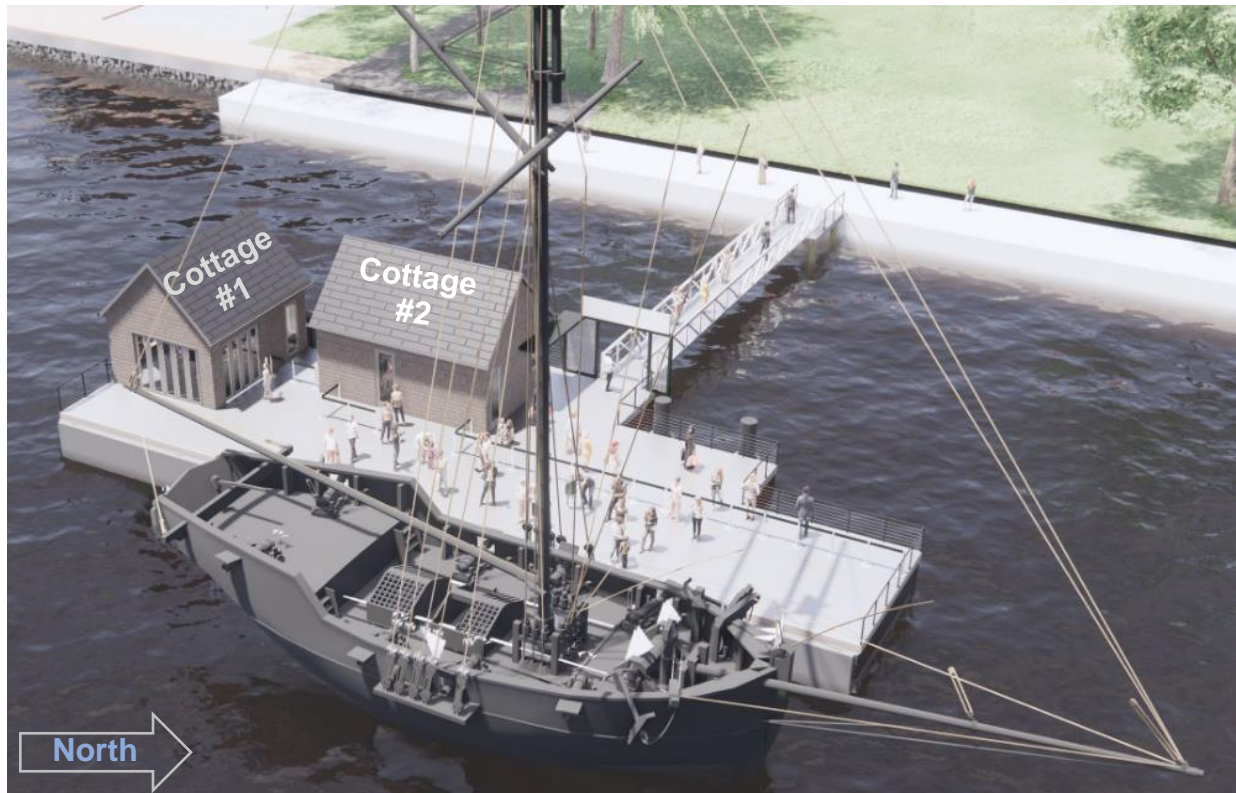
Graphic 1: Proposed design with footprint of original design approved (blue dashed line)



The pier will be stabilized by six piles along western side of the barge, all now located within the City's pier headline. The Tall Ship Providence will continue to be moored at the east end of the pier, which will allow for easy sailing up to and away from the barge. The two slips provided for small ships for smaller boats will be along the north side of the pier have been removed. The security gate will continue to be provided at the point where the gangway connects to the floating pier, which also serves as an entry point for both the public as well as those wishing to purchase tickets to visit the ship. The pier would be open to public during the hours of operation, with the area open to the public shown as the area in yellow. The remainder of the pier will be designated for those who have purchased a ticket to board the tall ship.

The pier will continue to have two cottages, although both reduced in both size and height as indicated above in Chart 1. The design of the buildings, as seen in Graphic 2 below, will have a 12:12 roof pitch and materials intended to mimic the character of small cottages and buildings that were historically found along working waterfronts. The applicant is planning to utilize solar panels on the roof to help power the cottages, which staff has conditioned be designed to blend with the historical character. While the buildings were originally side by side, perpendicular to the shoreline along the southern side of the pier, the reduced size have grouped the two buildings closer in order to provide more outdoor surface area.

Graphic 2: Aerial view of pier and two cottages from the north-east



Based upon information from the applicant and the floor plans submitted, Cottage #2 will continue to be the ticket office and store where merchandise can be bought. Visitors wishing to board the ship would start here to purchase a ticket, then travel around the building to Cottage #1, in which a historical program providing information about the history of the ship is expected to be offered. The two single-occupancy restrooms originally provided in Cottage #1 have been removed with the new proposal. According to the applicant, visitors will be directed to use public restrooms available on the shoreline. After viewing the education program, visitors would then gather on the deck area and then board the ship. After disembarking the ship, the tour will end in Cottage #2, where a naval history theatre will provide further information on maritime history and the ship. The applicant has stated that due to decrease in overall project scope, the tour groups have been reduced from 25 to 12 people, who will be rotating between these three stations, but a maximum of 150 people continues to be listed as the capacity for the pier, both ticketed visitors as well as the general public. Staff has recommended a condition that prior to connection to the City's shoreline that the floating pier receive certification that load of the structure can accommodate the maximum occupancy of 150 people.

As the applicant is utilizing a portion of the Waterfront Park bulkhead at this location, a franchise agreement will be negotiated with the City that would regulate the operational details for the ship and associated pier, including hours of operation, special events, utility access, relocation of the pier and ship during waterfront maintenance, and improvement activities. The applicant has listed that the hours of operations have increased to 7:00 a.m. to midnight daily. Originally, the applicant had indicated that public tours would be available from 9 a.m. to 8 p.m. Monday through Friday,

and 11 a.m. to 5 p.m. on Saturday, Sunday and Holidays. Like the original SUP approval, they have indicated they will provide private craft beer, pirate and sunset cruises, private charters, as well as lectures, classes and other educational activities. The applicant has requested that the proposed use would include serving beer, wine or mixed drinks associated with private events.

It should be noted that there is an existing floating pier off Waterfront Park, which is used by the Alexandria Seaport Foundation. As part of this project, the applicant will be removing this pier in order to accommodate the proposed new pier. This will be coordinated between the applicant and Alexandria Seaport Foundation.

II. STAFF ANALYSIS

WATERFRONT IMPLEMENTATION

As recommended with the original application, staff continues to recommend approval of the applicant's request to establish a historic vessel and associated structures on the waterfront, which represents another achievement toward the goals of the Waterfront Plan. Particularly near the foot of King Street, the Waterfront Plan wanted to add activity along the waterfront, with plan participants stating they would like to have more things to do, and more opportunities to learn about Alexandria's history, such as museums and tall ships (page 64). This was supported with a recommendation to encourage the active enjoyment of Waterfront Park with elements such as a permanent and/or visiting historic ships and other ships of character (page 66). Although an overall small design, the new pier will continue to center the historic ship on Waterfront Park. This location allows for more open views from King Street towards the water and from the newly installed, and also temporary, Waterfront Park.

As the City continues the implementation of the Waterfront Plan and flood mitigation improvements, the applicant will have to coordinate with the City for the removal of the floating pier and associated structures. The removal of these temporary structures by the applicant is necessary for construction activities that may include construction barges, dredging operations or other activities to implement the City-planned improvements. Condition #6 provides guidance for coordination between the City and applicant regarding timing for the removal of the floating structures and gangway connection to the shoreline. An alternative location for the historic vessel would need to be reviewed at that time, as well as the City's franchise agreement.

ZONING/MASTER PLAN DESIGNATION

The subject site is located in the WPR / Waterfront Park and Recreation zone and is within the Waterfront Small Area Plan boundaries. Section 6-203(C) of the Zoning Ordinance allows "facilities used for docking or berthing of boats or ships, including public or private marinas and/or boat docks with related facilities limited to water and electricity connections" pursuant to a special use permit. Additionally, Section 6-203(E) of the Zoning Ordinance allows "Privately owned public use buildings such as civic auditoriums or performing arts centers" pursuant to a special use permit. Further, the proposed uses are supported by the Waterfront Small Area Plan, as has been discussed in this report.

PARKING

Pursuant to Zoning Ordinance Section 8-500, off-street parking requirements shall not apply to those properties located immediately abutting the Potomac River. As the subject use is located within the Potomac River, they are exempt from having to provide any off-street parking. Conditions have been added that require the applicant to encourage both its employees and patrons to utilize public transportation and information regarding alternative forms of transportation and access to parking options. The negotiated franchise agreement will require the applicant to ensure visitors to the tall ship are informed of the location of off-street parking.

III. COMMUNITY OUTREACH

The revised proposal was presented and discussed at the January 19, 2021 Waterfront Commission meeting (a copy of the letter of endorsement is attached to this report). The applicant presented the proposal to the commission and responded to questions from the Commission members. The applicant has indicated they will reach out to the Old Dominion Boat Club, in addition to the required public noticing to neighboring properties to the site.

IV. GRAPHICS

Figure 1: Perspective of proposed pier from end of King Street Park



Figure 2: Perspective of proposed pier from Waterfront Park



Figure 3: Comparison of Original vs Proposed Pier Designs (from northwest perspective)

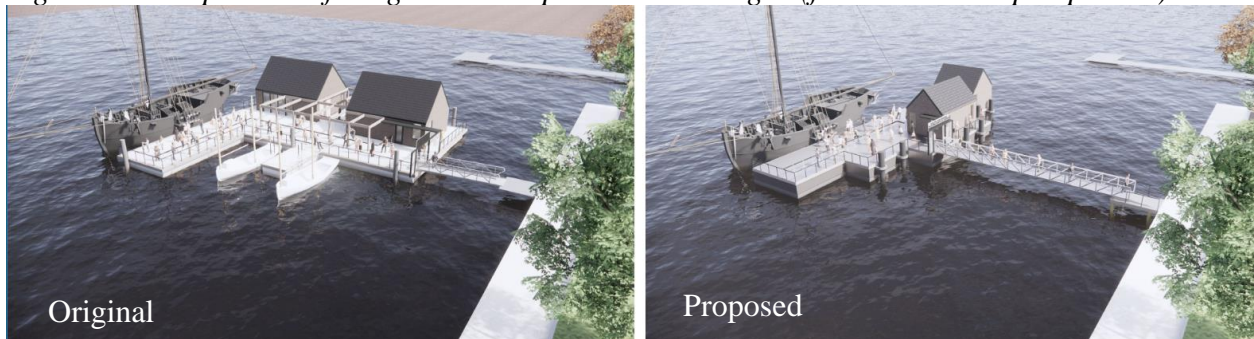


Figure 4: Comparison of Original vs Proposed Pier Designs (from Waterfront Park)



V. RECOMMENDED CONDITIONS

Based on the original conditions granted in March 2020, staff recommends **approval** subject to compliance with all applicable codes and ordinances and the following conditions:

1. The Special Use Permit shall be granted to the applicant only, subject to approval of a Franchise Agreement with the City. The agreement granting a franchise may not be assigned by the franchisee without the prior written consent of the City, which consent may or may not be granted at the City's discretion. (P&Z)
2. The location, design and materials of the floating pier, gangway and two cottages shall be consistent with the SUP application materials presented to the City Council, to the satisfaction of the Director of Planning and Zoning. Necessary modifications to address state or federal requirements may be permitted, subject to review and approval by P&Z and T&ES. (P&Z)
3. Any solar photovoltaic roof installation shall be visually undetectable and take the form of either slate/shingles or completely integrated into traditional standing-seam metal roofing, with no visible wiring or glass PV panels. (P&Z)
4. All required state and federal permits must be obtained prior to issuance of any permits for the floating pier, gangway and associated cottages. Copies of those permits must be filed with all relevant city agencies. (T&ES)(DPI)(P&Z)(RP&CA)
5. Certification by a Registered Design Professional shall be submitted prior to connection of the gangway to the shoreline that the maximum occupancy of 150 people is based on the load allowed on the floating pier. (RPCA) (DPI)
6. The gangway connecting the floating pier to the shoreline shall not measure less than six (6) feet in width. (P&Z)(RPCA)
7. Structures connecting to the shoreline shall not restrict public access along the waterfront. (P&Z)(DPI)(RP&CA)
8. Structural, electrical and water connections to the bulkhead line shall be coordinated with the Department of Project Implementation prior to construction. The applicant shall be responsible for the installation of any new utilities. (DPI)(RP&CA)
9. At such time as the City moves forward with the implementation of the City's proposed waterfront and flood mitigation improvements to this area, the Applicant shall remove and relocate the floating pier, gangway, cottages and any other associated structures to an interim location to be determined in consultation with the City. The timing associated with the removal and relocation of the floating pier, gangway, cottages and any other associated structures shall be in compliance with the Franchise Agreement. (P&Z)(DPI)(RP&CA)
10. No outdoor storage of furniture (including tables, chairs or umbrellas), equipment or accessory material, etc. not related to the docking and berthing of boats and ships or other personal watercrafts, are allowed on the floating pier. The floating pier may have one storage box for the storage of safety equipment and other docking material not to exceed the dimensions of 60" x 25" x 25". (P&Z)(RP&CA)

11. Any private event occurring on the pier and/or in the cottages shall be subordinate to the primary use as a facility used for the docking or berthing of boats or ships and privately owned public use buildings. Such private events shall be in compliance with the terms set forth in the Franchise Agreement. (P&Z)(RP&CA) (T&ES)
12. Alcoholic beverages may only be sold as part of private events associated with the Tall Ship Providence. (P&Z)
13. Any additional structures not identified in the application shall be subject to review and approval by the Director of Planning & Zoning. (P&Z)
14. The applicant shall require its employees who drive to use off-street parking. (T&ES)
15. The applicant shall encourage its employees to use public transportation to travel to and from work. The business shall contact Go Alex at goalex@alexandriava.gov for information on establishing an employee transportation benefits program. (T&ES)
16. The applicant shall direct patrons to the availability of parking at nearby public garages and shall participate in any organized program to assist with both employee and customer parking for businesses that is formed as a result of suggested parking strategies in the King Street Retail Strategy (Old Town Area Parking Study). (T&ES)
17. The applicant shall provide information about alternative forms of transportation to access the site, including but not limited to printed and electronic business promotional material, posting on the business website, and other similar methods. Contact Go Alex at goalex@alexandriava.gov for more information about available resources. (T&ES)
18. The applicant shall contact the T&ES parking planner at 703.746.4025 for information about applying to participate in the Discount Parking Program for Employees of Old Town Businesses (or other similar program if one is created) that offers discounted parking at select City parking facilities on evenings and weekends. (T&ES)
19. Applicant shall control odors and any other air pollution sources resulting from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Director of Transportation and Environmental Services. (T&ES)
20. A Water Quality Impact Assessment (WQIA) will be required. A pier is a water dependent facility and therefore allowed in the RPA, provided a water quality impact assessment is performed by the applicant and accepted by the City. (SWM)
21. Up to two affixed trash receptacles may be located on the floating pier. The trash receptacles shall be emptied at the end of each business day. Any overnight storage of trash must be located inside the cottages until such time as trash removal occurs. Trash and garbage shall be stored inside or in sealed containers inside the buildings that do not allow odors to escape, invasion by animals, or leaking. No trash or debris shall be allowed to accumulate outside of those containers. (P&Z) (T&ES)

22. Exterior power washing of the building shall not be completed using any kind of detergents. (T&ES)
23. All waste products including but not limited to organic compounds (solvents and cleaners) shall be disposed of in accordance with all local, state and federal ordinances or regulations. (T&ES)
24. The use must comply with the City's noise ordinance. No amplified sound including that from the PA (Public Announcement) system shall be audible at the shoreline line after 11 PM. (T&ES)
25. No equipment or other items such as floor mats shall be cleaned outside the buildings. No cooking residue or other wastes shall be washed onto the pier or into the River. (SWM)
26. Outdoor spills must be cleaned up by mopping or dry methods that do not produce a discharge to the River. (SWM) MOVE TO FA?
27. Chemicals, solvents, cleaning agents, etc. shall not be stored outside. (SWM)
28. Call Alexandria Archaeology immediately (703-746-4399) if any buried structural remains (wall foundations, wells, privies, cisterns, etc.) or concentrations of artifacts are discovered during development. Work must cease in the area of the discovery until a City archaeologist comes to the site and records the finds. The language noted above shall be included on all final site plan sheets involving any ground disturbing activities. (Archaeology)
29. The Director of Planning and Zoning shall review the special use permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C - code requirement R - recommendation S - suggestion F - finding

Planning & Zoning

- C-1 This project is located within the Historic District, which extends to the pierhead line. Cottages on the floating pier do not require BAR review at this time because the structures are considered temporary. No permits for any permanent structures shall be issued prior

to release of a Certificate of Appropriateness from the Board of Architectural Review. (BAR)

Transportation & Environmental Services:

- F-1 The plans shall be consistent with the Waterfront Small Area Plan for public access along the waterfront. (T&ES)
- F-2 The buildings are located on a floating structure and not on land. As such, they are not regulated by Stormwater Management or the Chesapeake Bay regulations. (SWM)
- C-1 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of SUP approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)
- C-2 Section 5-1-42- Collection by Private collectors. (c) Time of collection. Solid waste shall be collected from all premises not serviced by the city at least once each week. No collections may be made between the hours of 11:00 p.m. and 7:00 a.m. (6:00 a.m. from May 1, through September 30) if the collection area is less than 500 feet from a residential area. (T&ES)

Code Enforcement:

- C-1 A building permit, plan review and inspections are required prior to the start of construction or prior to installation of the structure at the approved location. (Code Administration)

Health Department:

- C-1 A permit shall be obtained prior to operation, and is not transferable between one individual, corporation or location to another. Permit application and fee are required.
- C-2 Construction plans shall be submitted to the Health Department located at 4480 King Street and through the Multi-Agency Permit Center. Plans shall be submitted and approved by the Health Department prior to construction.
- C-3 Construction plans shall comply with Commonwealth of Virginia Sanitary Regulations for Marinas and Boat Moorings (12 VAC 5-570) and Sewage Handling and Disposal Regulations (12 VAC 5-610).

Parks and Recreation:

- F-1 Additional operating conditions will be included in the City negotiated Franchise Agreement. The applicant is not permitted to operate or include activities in support of the use of the pier from the adjacent land without a written agreement with the City.

F-2 Any proposed use of Waterfront Park will require the completion of a Special Events Application consistent with the Special Events Policy.

Fire Department:

C-1 A fire prevention permit is required due to occupancy condition – assembly.

Police Department:

No comments received.

VI. ATTACHMENTS

1. Waterfront Commission letter of Endorsement, dated February 12, 2021.