



## Legislation Details (With Text)

**File #:** 21-1022 **Name:**

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**Title:** Consideration of a License Amendment with ARP Waterfront, LLC for the Use of a Portion of the City Marina Plaza for Outdoor Dining to Allow for the Removal of Three Light Poles Consistent with the Terms in the Current License Agreement.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 21-1022\_Attachment 1\_ Volas Dining 2020-2023, 2. 21-1022\_Attachment 2\_ License Amendment ARP

| Date | Ver. | Action By | Action | Result |
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## City of Alexandria, Virginia

### MEMORANDUM

**DATE:** MAY 5, 2021

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER /s/

**DOCKET TITLE:**

Consideration of a License Amendment with ARP Waterfront, LLC for the Use of a Portion of the City Marina Plaza for Outdoor Dining to Allow for the Removal of Three Light Poles Consistent with the Terms in the Current License Agreement.

**ISSUE:** Consideration of a License Amendment with ARP Waterfront, LLC for the use of a portion of the City Marina Plaza for outdoor dining to allow for the Removal of Three Light Poles consistent with the terms in the current license agreement (Attachment 1).

**RECOMMENDATION:** That City Council:

- (1) Receive this report and schedule the proposed License Amendment (Attachment 2) for public hearing on May 15, 2021; and
- (2) After the public hearing, authorize the City Manager to execute the attached License Amendment with ARP Waterfront, LLC.

**BACKGROUND:** City Council approved SUP #2013-0009 in May 2013 to operate a 150-seat restaurant and accessory market in

the two retail bays at 7 King Street known as the Waterfront Market. At the same hearing, City Council approved SUP #2013-0002 which granted approval for accessory outdoor dining under Section 9.06 of the City Charter for a change of use for a portion of the City Marina, permitting the applicant's outdoor seating area. In March 2015, City Council approved SUP #2014-0128 which permitted the expansion of the restaurant from a 3,950 square foot restaurant and market to an approximately 4,530 square foot full-service establishment with an additional 67 outdoor seats. On March 7, 2017, the Planning Commission approved Special Use Permit #2017-0002 to add 47 additional outdoor seats and expand its existing City Marina outdoor dining area and approved the request to change the ownership of the restaurant at 7 King Street.

**DISCUSSION:** The proposal from the Licensee is to remove, store and reinstall at the end of the license agreement, three light poles within the dining area as identified in the current license agreement. The expenses associated with the light pole removal and reinstallation will be the obligation of the Licensee. Staff believes this amendment appropriately maintains the balance of space for circulation with expanded outdoor dining activity consistent with Special Use Permit #2017-0002.

**FISCAL IMPACT:** None

**ATTACHMENTS:**

Attachment 1: ARP Waterfront, LLC Lease Agreement 2020 to 2023

Attachment 2: ARP Waterfront, LLC License Amendment

**STAFF:**

Debra Collins, Deputy City Manager

James Spengler, Director, Recreation, Parks and Cultural Activities

Jack Browand, Acting Deputy Director, Recreation, Parks and Cultural Activities

Karen Snow, Senior Assistant City Attorney