



AGENDA ITEM FORM

TYPE OF AGENDA ITEM:

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
 - Duly Advertised

PURPOSE OF ITEM:

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
 - Introduction Resolution
 - Ordinance Grant/MOU
 - By Motion Bylaws

PRESENTER: Debi Sandlin **PRESENTER TITLE:** Dir. Community & Economic Development

AGENDA ITEM:

Resolution to approve amending the Access and Parking Franchise Agreement

BACKGROUND / SUMMARY:

Pete Singh has requested Council approve amending the Access and Parking Franchise Agreement to allow for office use on the first floor of the Town Center Building located on Main Street. Unfortunately, due to the economy and market conditions, this location is not the right fit for retail at this time and does not meet the criteria retailers are looking for when evaluating a location. The first floor of this building has been vacant for five years. The developer has the opportunity to lease out the remaining portion of the first floor to office users. This would be in the best interest of the Town and the developer to have the Town Center Building leased to the maximum extent possible.

Mr. Singh does have a tenant waiting for build-out to commence but cannot move forward until the Parking Access Agreement is amended. Bowhead Information & Technology Service (BITS) was established in 2003 and provides solutions to the federal government for comprehensive IT services. They support multiple federal agencies, including the Departments of Defense, Transportation, Homeland Security, and the Bureau of Indian Affairs.

ATTACHMENTS:

Resolution

REQUESTED ACTION:

Approve the Resolution to amend the Parking Access Agreement

FOR MORE INFORMATION, CONTACT:

Name: Debi Sandlin

Phone#: 703-221-3400, ext. 140

E-mail: dsandlin@dumfriesva.gov

FOR USE DURING MEETING

VOTE:

PASSED

NOT PASSED

Y	N		Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Barr	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>	Forrester
<input type="checkbox"/>	<input type="checkbox"/>	Jurgensen	<input type="checkbox"/>	<input type="checkbox"/>	Toney	<input type="checkbox"/>	<input type="checkbox"/>	Washington
<input type="checkbox"/>	<input type="checkbox"/>	West						

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON WEDNESDAY, MARCH 7, 2012, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Dorothea Barr, _____;
Gerald M. Foreman, II, _____;
Kristin W. Forrester, _____;
Michele Jurgensen, _____;
Willie J. Toney, _____;
Gwen P. Washington, _____;
Nancy H. West, _____;

RESOLUTION TO AUTHORIZE AN AMENDMENT TO THE “ACCESS AND PARKING FRANCHISE” AGREEMENT BETWEEN THE TOWN AND TOWN CENTER DEVELOPMENT, LLC.

WHEREAS, The Town of Dumfries (the “*Town*”) has a Parking Franchise Agreement (the “*Franchise Agreement*”) with TOWN CENTER DEVELOPMENT, LLC, a Virginia Liability Company, (the “*Developer*”) for the purpose, *inter alia*, of shared parking between the Town and *Town* and the *Developer*, and

WHEREAS, the *Town* and the *Developer* entered the *Franchise Agreement* on July 3, 2007, which is attached hereto; and

WHEREAS, the *Town* and the *Developer* acknowledge and agree that pursuant to Paragraph 12 of the *Franchise Agreement*, the *Developer* agreed to set aside thirty percent (30%) of the building (now known as the Town Center Building located at 17739 Main Street, Dumfries, VA) for retail use but that despite the efforts of the *Developer*, the economy and market conditions have deterred this; and

WHEREAS, both the *Town* and *Developer* agree that it is in the best interest of the *Town* to have the Town Center Building leased to the maximum extent possible; and

WHEREAS, in accordance with the foregoing, the *Town* and the *Developer* wish to amend the *Franchise Agreement* to allow for office use on an existing 4000 square feet of remaining vacant space, and

THEREFORE BE IT RESOLVED, that the Town Council authorizes the Mayor and the Town Manager to amend the Paragraph 12 of the *Franchise Agreement* with the *Developer* to allow for an additional 4000 square feet of office use in the Town Center building.

By Order of Council:

Nancy H. West, Mayor

Attest: _____
Dawn Hobgood, Town Clerk