



approved, as well as finalizing the agreement between the town and property owner.

At the same time, Sweet D, LLC has begun similar discussions with the property owner about using the lot as satellite parking for a proposed new location for Cat's Cradle. Parking needs for Cat's Cradle are primarily at night but an accessory use of the lot for a number of outdoor concerts has also been identified and discussed.

Town staff, Cat's Cradle representatives, and property owner representatives have discussed and arrived at a preliminary agreement as to how the lot can be used to satisfy mutually agreeable goals for all parties, as outlined below. The town will be the primary party leasing the lot from the property owner. Cat's Cradle will then enter into a sub-lease agreement with the town for use of the lot at night and during the day at times for outdoor concerts.

Details of proposal:

*-Public parking lot during daytime hours.* The preliminary agreement allows for daytime use of the lot, until 6 pm, as a public parking lot.

*-Satellite parking for Cat's Cradle.* The agreement then allows for the lot to be reserved as satellite parking for Cat's Cradle's proposed new location from 6 pm until the next morning. As the venue does not have events every night, there will be some evenings / nights when the lot remains available for use by the public, but by way of agreement, Cat's Cradle will technically have full use of the lot from 6 pm until the next morning.

*-Use of the lot by Cat's Cradle for outdoor concerts.* As noted in the applicant materials, outdoor concerts will occur two to four times a month, primarily as daytime or early evening events ending by 9 pm, with some weekend events ending by 10 pm. The concerts will occur seasonally during warmer months from Spring through Fall. All matters associated with the events, staffing / security / etc, will be the responsibility of and coordinated by Cat's Cradle.

*-Termination of agreement.* As the property owner does still expect the hotel to be constructed, the final version of the agreement will outline a time period under which the agreement shall come to an end in advance of hotel construction beginning.

**FISCAL & STAFF IMPACT:** The applicant has paid the applicable fee associated with this request. No other impact is noted.

**RECOMMENDATION:** Town staff requests that Town Council review the minor modification request and consider adopting the resolution provided as Attachment A approving the request.