

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	September 26, 2011
	Agenda Item No.	31
	Roll Call No.	<u>11-1641</u>
	Communication No.	<u>11-617</u>
	Submitted by:	Terrance N. Vorbrich, Acting Economic Development Administrator

AGENDA HEADING:

Approval of Certificate of Completion for Joe's Square, LLC, 2815 Beaver Avenue, Des Moines.

SYNOPSIS:

Recommendation to approve the Certificate of Completion for Joe's Square, LLC (Joe Giudicessi, President, 5967 Hickory Court, Johnston, IA 50131) as evidence of compliance that the Developer has met the construction obligations under the City Development Agreement.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

By Roll Call 07-2155, dated November 5, 2007, City Council approved a development agreement with Joe's Square, LLC, (Joe Giudicessi, President, 5967 Hickory Court, Johnston, IA 50131) for the development of a mixed-use development on a 1.2-acre parcel at the NE corner of Beaver Avenue and Fagen Drive in the Beaverdale Neighborhood. Construction of the project was completed October 2008 in compliance with the approved development plans. Section 205 of the Development Agreement requires the Developer to request a Certificate of Completion when the improvements are complete and in compliance with the approved development plans. The Developer failed to request a certificate of completion in October 2008, and is now requesting that the City issue the Certificate of Completion.

PREVIOUS COUNCIL ACTION(S):

Date: November 5, 2007

Roll Call Number: 07-2155

Action: [Development](#) Agreement and authorizing execution of contract documents for a \$350,000 grant to Joe's Square L.L.C. for development of a mixed-use project at Beaver Avenue and Fagen Drive. ([Council Communication No. 07-657](#)) **Moved by Vlassis to approve. Motion Carried 7-0.**

Date: September 24, 2007

Roll Call Number: 07-1892

Action: Setting Date of Hearing and authorizing various related actions on the Beaverdale Commercial Area Urban Renewal Plan, (11-19-07) (Council Communication No. 07-579) Moved by Vlassis to adopt. Motion Carried 7-0.

Date: August 20, 2007

Roll Call Number: 07-1678

Action: [Receive](#) and file communication from Office of Economic Development regarding preliminary terms of agreement with Joe's Square LLC for development of mixed-use project at Beaver Avenue and Fagan Drive. ([Council Communication No. 07-517](#)) **Moved by Vlassis to receive, file and approve the preliminary terms of agreement as set forth in the accompanying Council Communication, and to direct the City Manager to proceed with negotiations of formal agreements with Joe's Square LLC consistent with the terms set forth in the accompanying Council Communication. Motion Carried 7-0.**

Date: March 26, 2007

Roll Call Number: 07-579 thru 07-581

Action: On request from Joe's Square, LLC, to rezone property at 4049 Fagen Drive from "C-2" (General Retail and Highway Oriented Commercial) to "NPC" (Neighborhood Pedestrian Commercial) to allow for mixed-use pedestrian-oriented redevelopment. Moved by Vlassis to adopt and approve the rezoning, subject to final passage of the rezoning ordinance. Motion Carried 7-0.

(A) First consideration of ordinance above. Moved by Vlassis that this ordinance be considered and given first vote for passage. Motion Carried 7-0.

(B) Final consideration of ordinance above, (waiver requested by applicant), requires 6 votes. Moved by Vlassis that the rule requiring that an ordinance must be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, that the ordinance be placed upon its final passage and that the ordinance do now pass, #14,638. Motion Carried 7-0.

Date: March 12, 2007

Roll Call Number: 07-455

Action: [On](#) request from Joe's Square, LLC, to rezone property at 4049 Fagen Drive from "C-2" (General Retail and Highway Oriented Commercial) to "NPC" (Neighborhood Pedestrian Commercial) to allow for mixed-use pedestrian-oriented redevelopment, (3-26-07). **Moved by Mahaffey to adopt. Motion Carried 6-1.**

Date: November 6, 2006

Roll Call Number: 06-2248

Action: [Communication](#) from William J. Lillis requesting City Council to consider initiating a Tax Increment Financing (TIF) District in the Beaverdale area. SPONSORS: Coleman and Vlassis. **Moved by Vlassis to refer to City Manager for review and recommendation. Motion Carried 6-0.**

BOARD/COMMISSION ACTION(S):

Date: October 16, 2007

Roll Call Number: N/A

Action: Urban Design Review Board recommends approval of the Conceptual Development Plan and financial assistance package as presented.

Date: March 1, 2007

Roll Call Number: N/A

Action: Plan and Zoning Commission recommends approval of a request from Joes's Square, LLC to rezone property located at 4049 Fagen Drive from "C-2" General Retail and Highway-Oriented Commercial District to "NPC" Neighborhood Pedestrian Commercial District to allow for a mixed-use pedestrian-oriented redevelopment of the property. Motion Carried 10-0.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the second floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.