

 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	December 5, 2011
	Agenda Item No. Roll Call No. Communication No. Submitted by:	25 <u>11-2058</u> <u>11-742</u> Terrance N. Vorbrich, Acting Economic Development Administrator

AGENDA HEADING:

Resolutions Approving Issuance of Certificate of Completion and Approving Issuance of Certificate of Termination for Neighborhood Development Corporation (NDC-McDonald's Project).

SYNOPSIS:

By Roll Call 02-2354, dated September 23, 2002 City Council approved an Urban Renewal Development Agreement with Neighborhood Development Corporation for the development of a McDonald's (NDC-McDonald's Project) restaurant in the vicinity of 6th and University.

McDonalds Corporation has requested to exercise its option to purchase from NDC the land upon which the restaurant is constructed. To complete that sale, NDC is requesting that the City approve a certificate of completion and that the City approve termination of the Development Agreement and release of the urban renewal covenants that were a part of the development agreement.

Staff is recommending Council approve the Certificate of Completion and the Certificate of Termination.

FISCAL IMPACT: NONE

Amount: N/A

Funding Source: N/A

ADDITIONAL INFORMATION:

In November 2003 the City issued a certificate of occupancy to NDC for a new one-story McDonalds Restaurant. The Developer, NDC, was to request a certificate of completion upon the completion of the restaurant, which it failed to do. NDC and McDonalds Corp have provided documentation that reflects the project is and has been in compliance with the Development Agreement and Urban Renewal Covenants since the completion of the development in 2003.

PREVIOUS COUNCIL ACTION(S):

Date: September 23, 2002

Roll Call Number: 02-2354

Action: Approving Urban Renewal Purchase Agreement and sale of property to Neighborhood Development Corporation. **Moved by Vlassis to adopt. Motion Carried 7-0.**

Date: September 23, 2002

Roll Call Number: 02-2355

Action: Releasing easement and ordering removal of utility facilities. **Moved by Vlassis to adopt. Motion Carried 7-0**

Date: August 19, 2002

Roll Call Number: 02-2054

Action: On Notice of offering and intent to accept Developer-Initiated Development Proposal from Neighborhood Development Corporation to develop portions of Disposition Parcel No. 97-A (6th and University) in Metro Center Urban Renewal Project, (9-23-02). **Moved by McPherson to adopt. Motion Carried 5-1-1. Nays: Brooks. Absent: Daniels.**

BOARD/COMMISSION ACTION(S):

Board: Urban Development Board

Date: September 17, 2002

Resolution Number: N/A

Action: Approved recommendation to City Council on design components and development agreement.

Board: Architectural Advisory Committee

Date: September 17, 2002

Resolution Number: N/A

Action: Approved recommendation to City Council on design components of development plan

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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