

Staff Summary Report



Council Meeting Date: 09/18/08

Agenda Item Number: _____

SUBJECT: Rehearing of Resolution No. 2008.67 adopted by Council on July 22, 2008, which authorized the Mayor to execute a Development and Disposition Agreement between the City and Centerpoint Holdings, LLC.

DOCUMENT NAME: 20080918cdcm03 **COMMUNITY DEVELOPMENT ADMIN. (0406)** Resolution No. 2008.67

SUPPORTING DOCS: No

COMMENTS: At the September 11, 2008 City Council meeting, the City Council approved reconsideration of Resolution No. 2008.67.

PREPARED BY: Chris Messer, Principal Planner (x. 8562)

REVIEWED BY: Chris Salomone, Community Development Manager (x 8294)

LEGAL REVIEW BY: Cynthia McCoy, Assistant City Attorney (x. 2187)

FISCAL NOTE: The agreement contains an 8-year property tax abatement.

RECOMMENDATION: Staff recommends that Resolution No. 2008.67 remain in effect as originally adopted.

ADDITIONAL INFO: In accordance with Rule 18, Tempe City Council Rules of Procedure, reconsideration was approved on September 11, 2008 by the requisite 2/3 vote of the Council and will be reconsidered at the Council's September 18, 2008 meeting. The development agreement will provide an 8-year property tax abatement in exchange for the 24/365 rights to 100 parking spaces within the On Mill project. The agreement also contains the affordable housing provisions approved by Council during the entitlement process.

RESOLUTION NO. 2008.67

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL
OF THE CITY OF TEMPE, ARIZONA, AUTHORIZING
THE MAYOR TO EXECUTE A DEVELOPMENT AND
DISPOSITION AGREEMENT BETWEEN THE CITY
OF TEMPE AND CENTERPOINT HOLDINGS, LLC**

WHEREAS, Centerpoint Holdings, LLC owns real property generally located at the southwest corner of Mill Avenue and 6th Street in Tempe, Arizona, and plans to develop the Property into a mixed-use project consisting of (i) approximately 256 hotel rooms, (ii) approximately 84,608 square feet of retail uses, and (iii) approximately 434 “for sale” residential condominium units pursuant to that PAD conditionally approved by the Tempe City Council on December 6, 2007 and the Development Plan conditionally approved by the Development Review Commission on October 23, 2007, Reference number PL060549 (the “Project”); and

WHEREAS, the City of Tempe has identified the provision of additional public parking as a significant public benefit and Centerpoint Holdings, LLC has agreed to provide the City of Tempe with the rights to 100 additional parking spaces within the Project , and;

WHEREAS, the City of Tempe and Centerpoint Holdings, LLC hereby acknowledge and agree that significant benefits will accrue to the City of Tempe from the Project

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1: That the Mayor is authorized to execute the City Development and Disposition Agreement (No. C08-_____), a copy of which is on file with the City Clerk’s office and to take such further actions as are necessary to implement its terms.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this _____ day of _____, 2008.

Hugh Hallman, Mayor

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY