
**CITY OF TEMPE
REQUEST FOR COUNCIL ACTION****Council Meeting Date: 3/20/2014
Agenda Item: 5C5**

ACTION: Adopt a resolution authorizing the Mayor to execute an amendment to the Amended and Restated Development and Disposition Agreement with Farmer Arts Retail, LLC, for the development of property on the northeast corner of 1st Street & Farmer. (Resolution No. R2014.27)

FISCAL IMPACT: The Amendment will have no fiscal impact to the City.

RECOMMENDATION: Adopt Resolution No. R2014.27.

BACKGROUND INFORMATION: The City and Farmer Arts Retail, LLC are parties to an Amended and Restated Development and Disposition Agreement pertaining to development of a Sam Fox restaurant concept at 149 South Farmer Avenue. The developer has since revised its site plan to include, among other things, variations in setbacks and wall heights, and the City desires to approve these variations, and provide the Director of Community Development with authorization to approve changes to the site plan at the administrative level.

ATTACHMENTS: Resolution, First Amendment to Amended and Restated Development and Disposition Agreement, and Building Code Compliance Covenant and Agreement

STAFF CONTACT(S): Shannon Selby, Business Development Officer, (480) 350-8812

Department Review by: Donna Kennedy, Economic Development Director
Legal review by: Cynthia McCoy, City Attorney
Prepared by: Shannon Selby, Business Development Officer