



## Legislation Details (With Text)

|                        |  |                      |                       |              |   |
|------------------------|--|----------------------|-----------------------|--------------|---|
| <b>File #:</b>         | 38094  | <b>Version:</b>      | 1                     | <b>Name:</b> | Approving plans and specifications for public improvements necessary for the project known as 2585 University Avenue authorizing construction to be undertaken by the Developer, Private Contract No. 2426. |
| <b>Type:</b>           | Resolution   | <b>Status:</b>       | Passed                |              |   |
| <b>File created:</b>   | 4/17/2015  | <b>In control:</b>   | BOARD OF PUBLIC WORKS |              |   |
| <b>On agenda:</b>      | 5/5/2015   | <b>Final action:</b> | 5/5/2015              |              |   |
| <b>Enactment date:</b> | 5/7/2015   | <b>Enactment #:</b>  | RES-15-00425          |              |   |
| <b>Title:</b>          | Approving plans and specifications for public improvements necessary for the project known as 2585 University Avenue authorizing construction to be undertaken by the Developer, Private Contract No. 2426. (5th AD) |                      |                       |              |   |
| <b>Sponsors:</b>       | BOARD OF PUBLIC WORKS  |                      |                       |              |   |
| <b>Indexes:</b>        |  |                      |                       |              |   |
| <b>Code sections:</b>  |  |                      |                       |              |   |
| <b>Attachments:</b>    | 1. 2583ua_site.pdf   |                      |                       |              |   |

| Date      | Ver. | Action By             | Action   | Result |
|-----------|------|-----------------------|--|--------|
| 5/5/2015  | 1    | COMMON COUNCIL        | Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25   | Pass   |
| 4/22/2015 | 1    | BOARD OF PUBLIC WORKS | RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF RULES 2.04, 2.05, 2.24, & 2.25 - REPORT OF OFFICER | Pass   |
| 4/17/2015 | 1    | Engineering Division  | Refer  |        |

### Fiscal Note

No City Funds required. Private contract.

### Title

Approving plans and specifications for public improvements necessary for the project known as 2585 University Avenue authorizing construction to be undertaken by the Developer, Private Contract No. 2426. (5<sup>th</sup> AD)

### Body

WHEREAS, the developer, Kingston Corner LLC, has received the City of Madison's conditional approval for a Conditional Use Permit to demolish an auto repair business to allow construction of an apartment building, and,

WHEREAS, Section 16.23(9) of the Madison General Ordinances and the conditions of approval require the developer to install the public improvements necessary to serve the rezoning.

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor and City Clerk are hereby authorized and directed to execute a Contract For the Construction of Public Improvements that will be accepted by the City of Madison For 2585 University Avenue, with Kingston Corner LLC.

2. That the plans and specifications for the public improvements necessary to serve the development are hereby approved.
3. That the developer is authorized to construct the public improvements in accordance with the terms of the Contract For the Construction of Public Improvements That Will be Accepted by the City of Madison at the sole cost of the developer, except as follows: Reimbursement not to exceed the statutory limit for the cost of street improvements that benefit the City and abut lands owned by the City, in accordance with Section 16.23(9)(d)(6)(d).
4. That the Mayor and City Clerk are hereby authorized to sign and grant easements or right-of-way release or procurement documents, maintenance agreements or encroachment agreements, as necessary and grant or accept dedication of lands and/or easements from/to the Developer/Owner for public improvements located outside of existing public fee title or easement right-of-ways.
5. The Common Council is approved to accept ownership of the improvements in the Maintenance Area if a maintenance agreement is executed and recorded as a condition of this contract.