



Legislation Details (With Text)

File #: 61095 **Version:** 1 **Name:** Approving plans and specifications for public improvements necessary for the project known as McCormick Ave/Commercial Ave Development and authorizing construction to be undertaken by the Developer, Private Contract No. 8929

Type: Resolution **Status:** Passed

File created: 6/22/2020 **In control:** BOARD OF PUBLIC WORKS

On agenda: 7/21/2020 **Final action:** 7/21/2020

Enactment date: 7/27/2020 **Enactment #:** RES-20-00506

Title: Approving plans and specifications for public improvements necessary for the project known as McCormick Ave/Commercial Ave Development and authorizing construction to be undertaken by the Developer, Private Contract No. 8929 (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 8929 BPW_CC Exhibit.pdf, 2. 8929 Site Plan.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|-----------------------|--|--------|
| 7/21/2020 | 1 | COMMON COUNCIL | Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25 | Pass |
| 7/8/2020 | 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 |
| 7/1/2020 | 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 McCormick Ave/Commercial Ave Development and authorizing construction to be undertaken by the Developer, Private Contract No. 8929 (12th AD)

Body

WHEREAS, the developer, Augusta Realty, Inc., has received the City of Madison's conditional approval for the demolition of a single-family residence and construction of a four-unit apartment building, three eight-unit apartment buildings, and an amenity building at 3040-3046 Commercial Avenue and 701 McCormick Avenue, 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 McCormick Ave/Commercial Ave Development, with Augusta Realty, Inc.

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: NONE
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.
6. The developer shall be permitted to assign this contract for the purposes of obtaining financing in a form to be approved by the City Attorney.