



## Legislation Text

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**File #:** 80369, **Version:** 1

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### **Fiscal Note**

The proposed development agreement approves plans and specifications for public improvements for the Western Addition to 1000 Oaks Park Improvements and authorizes construction to be undertaken by developer, VHET, LLC (Private Contract). Funding is comprised of a maximum Deferred Park Infrastructure Fee credit of \$108,586.15 and no more than \$25,000 from the Parks Division's Park Land Improvements Program (Munis #17421). No additional appropriation is required.

### **Title**

Approving plans and specification for public improvements necessary for the project known as Western Addition to 1000 Oaks Park Improvements, and authorizing construction to be undertaken by the Developer, VHET, LLC, Private Contract No. 9388. (District 9)

### **Body**

WHEREAS, VHET, LLC of Madison, WI "Developer" has previously received approval from the City for the subdivision plat, Western Addition to 1000 Oaks, a copy of which is incorporated by reference and which plat was recorded on September 16, 2020; and,

WHEREAS, the Developer proposes to provide public improvements to serve Outlot 18 of the Western Addition to 1000 Oaks Plat (the "Property"), which lands have been dedicated to the City for park purposes, but which lands have not yet been developed by the City as a City park; and,

WHEREAS, the Parks Division is agreeable to allowing the Developer to make improvements to the Property, mainly site grading and preparation, which improvements will be of benefit to the City when the park is completed; and,

WHEREAS, Madison General Ordinances, Section 20.16(5), allows for credit against the Park-Infrastructure Impact Fee for any developer constructed and funded improvements to public parklands, based on the typical costs anticipated for such improvements if the City were to build their standards improvements; and,

WHEREAS, pursuant to Madison General Ordinances Section 20.09(1)(d), Developer has deferred \$108,586.15 in Park-Infrastructure Impact Fees for the Western Addition to 1000 Oaks Plat and the Southern Addition to Birchwood Point Plat, which plats will both benefit from the public improvements to the Property; ; and,

WHEREAS following approval of final development costs by the City's Landscape Architect/Engineer, Developer will be credited \$108,586.15 toward the deferred Park-Infrastructure Fees, and the City shall reimburse the developer up to \$25,000 for its costs to complete the improvements; and,

WHEREAS, the developer shall be required to maintain the park for a minimum of three years after the completion and acceptance of the improvements, or until such time as the City completes the development of the park.

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 Western Addition to

1000 Oaks Park Improvements, with VHET, LLC, in a format consistent with the terms noted above and that are approved by the City Attorney and the Parks Superintendent.

2. That the plans and specifications for the public improvements necessary to serve Outlot 18 of the Western Addition to 1000 Oaks Plat are hereby approved