



Legislation Details (With Text)

**File #:** 28396      **Version:** 1      **Name:** Approving a Development and Land Swap Agreement for the Development of the Audubon Addition to Hawks Creek.

**Type:** Resolution      **Status:** Passed

**File created:** 11/16/2012      **In control:** BOARD OF PUBLIC WORKS

**On agenda:** 1/8/2013      **Final action:** 1/8/2013

**Enactment date:** 1/9/2013      **Enactment #:** RES-13-00006

**Title:** Approving a Development and Land Swap Agreement for the Development of the Audubon Addition to Hawks Creek. (1st AD)

**Sponsors:** Lisa Subeck

**Indexes:**

**Code sections:**

**Attachments:** 1. AudubonPlan 9-7-12.pdf, 2. parks display.pdf, 3. Plat display.pdf

| Date       | Ver. | Action By                         | Action                                              | Result |
|------------|------|-----------------------------------|-----------------------------------------------------|--------|
| 1/8/2013   | 1    | COMMON COUNCIL                    | Adopt                                               | Pass   |
| 12/12/2012 | 1    | BOARD OF PUBLIC WORKS             | Return to Lead with the Recommendation for Approval | Pass   |
| 12/3/2012  | 1    | BOARD OF ESTIMATES (ended 4/2017) | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER   | Pass   |
| 11/28/2012 | 1    | BOARD OF PUBLIC WORKS             | Refer                                               | Pass   |
| 11/27/2012 | 1    | BOARD OF ESTIMATES (ended 4/2017) | Referred                                            |        |
| 11/27/2012 | 1    | COMMON COUNCIL                    | Refer                                               | Pass   |
| 11/27/2012 | 1    | Engineering Division              | Referred for Introduction                           |        |

**Fiscal Note**

There is no fiscal impact with the approval of the Development and Land Swap Agreement. The City will complete several public works projects, under separate resolutions and approvals in order to complete the work that is proposed for the development of the residential subdivision. Initial cost estimates for that work are as follows:

- Impact fee district for sanitary sewer \$250,000
- Construction of the public infrastructure to serve the plat \$850,000.00
- Subdivision platting and related design services \$25,000.00

The funds will be allocated with the respective projects. There is no schedule for the future extension of Jeffy Trail and that is considered outside the scope of this overall development project.

**Title**

Approving a Development and Land Swap Agreement for the Development of the Audubon Addition to Hawks Creek. (1<sup>st</sup> AD)

**Body**

PREAMBLE

The Madison Audubon Society, Inc. (the "Society") is the owner of an improved residential parcel containing 9.48 acres located at 7960 Raymond, (the "Property"). The Property fronts on Raymond Road, with Jeffy Trail and Trevor Way rights-of-way extending to the northern boundary of the Property.

The Property was acquired by the Society in September of 2011 as a gift after the owner passed away and is currently offered for sale by the Madison Audubon Society, Inc. The Society has accepted Purchase and Sale Agreement from the City of Madison (the "City") for the Property. The City Engineering Division and the Office of Real Estate Services has negotiated terms with the Society for the acquisition of the Property.

The acquisition of the Property would facilitate the expansion of the Ice Age Junction Trail, extension of Jeffy Trail, related infrastructure improvements, and the creation of public open space. The Property has been identified in the High Point - Raymond Neighborhood Development Plan. The proposed uses shown on the Plan range from low density residential development, park, drainage, and open space. The acquisition of the Property would satisfy these multiple uses.

A concurrent resolution will authorize the execution of a Purchase and Sale Agreement, the CUSA amendment, and petition to annex the property at 7960 Raymond Road. Subsequent resolutions for the Subdivision plat and other related contracts and agreements for the public works projects will be approved at a later date.

The owner of Lots 30-32 and Outlot 3 in the First Addition to Hawks Creek, Hawks Addition, LLC, is willing to enter into an agreement for a land swap and to jointly plat the subdivision, which will maximize the land usage and allow for the parcels to be reconfigured for a low density residential development. The City has approved a CSM for Outlot 3 that would preclude the development of the Audubon Society Property as desired but that CSM has not been recorded by the owner. This agreement would detail the rights and responsibilities of the City and Hawks Addition, LLC as necessary to jointly develop the property, including the basis for the land swap and the cost sharing that is required.

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and City Clerk are hereby authorized and directed to execute a Development and Land Swap Agreement for the Development of the Audubon Addition to Hawks Creek, with Hawks Addition, LLC.