



## Legislation Details (With Text)

<b>File #:</b>	51384	<b>Version:</b>	1	<b>Name:</b>	Approving plans and specifications for public improvements necessary for the project known as 5533 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 8112.
<b>Type:</b>	Resolution	<b>Status:</b>	Passed		
<b>File created:</b>	4/24/2018	<b>In control:</b>	BOARD OF PUBLIC WORKS		
<b>On agenda:</b>	5/15/2018	<b>Final action:</b>	5/15/2018		
<b>Enactment date:</b>	5/21/2018	<b>Enactment #:</b>	RES-18-00374		
<b>Title:</b>	Approving plans and specifications for public improvements necessary for the project known as 5533 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 8112. (19th AD)				
<b>Sponsors:</b>	BOARD OF PUBLIC WORKS				
<b>Indexes:</b>					
<b>Code sections:</b>					
<b>Attachments:</b>	1. 5533 University Ave Map & Plan_2nd approval.pdf				

Date	Ver.	Action By	Action	Result
5/15/2018	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
5/2/2018	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
4/24/2018	1	Engineering Division	Refer	

### Fiscal Note

The proposed resolution approves plan documents for the private development at 5533 University Avenue. A bus pullout is included in the project design plans. The cost of this bus pullout is estimated to be less than \$25,000 and is available within Metro Transit's 2018 budgeted purchased services expenditures.

MUNIS:  
85100-54250

### Title

Approving plans and specifications for public improvements necessary for the project known as 5533 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 8112. (19<sup>th</sup> AD)

### Body

WHEREAS, the developer, 5533 University Ave LLC, has received the City of Madison's conditional approval for a one-lot certified survey map, a demolition permit to demolish a grocery store, and four conditional uses at 5533 University 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, and,

WHEREAS, the developer received approval for the project on March 9, 2018 by Resolution RES-18-00190, File No. 50457, and,

WHEREAS, based on preliminary design it has been determined that the proposed bus pullout on University Avenue should be constructed as part of this private development project to accommodate drainage for the realigned sidewalk on University Avenue.

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 5533 University Avenue, with 5533 University Ave 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 public improvements for the University Avenue bus pullout that benefit 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.
6. That Resolution RES-18-00190, File No. 50457 is hereby rescinded.