Legislation Details (With Text)

File #:	62398	**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, and Rescinding Resolution RES-20-00506, File Number 6109
Type:	Resolution			**Status:**	Passed
File created:	9/29/2020			**In control:**	Engineering Division
On agenda:	10/20/2020			**Final action:**	10/20/2020
Enactment date:	10/26/2020			**Enactment #:**	RES-20-00721

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, and Rescinding Resolution RES-20-00506, File Number 61095. Private Contract No. 8929. (12th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 8929 McCormick Exhibit_v2.pdf

Date	Ver.	Action By	Action	Result
10/20/2020	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
10/7/2020	1	BOARD OF PUBLIC WORKS		
9/29/2020	1	Engineering Division	Refer	

Fiscal Note

Private contract. No City funds required.

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, and Rescinding Resolution RES-20-00506, File Number 61095. 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.

WHEREAS, the developer received approval of the project on July 27, 2020 by Resolution RES-20-00506, File Number 61095.

WHERAS, the developer proposed a change in the scope of work under the agreement to provide public improvements to McCormick Avenue. The remaining work on Commercial Avenue shall be constructed at a future date under a separate developer agreement when the lot is developed.

WHERAS, the developer has requested that the project name change to 701 McCormick 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 701 McCormick Ave, 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.

7. That Resolution RES-20-00506, File Number 61095 is hereby rescinded.

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