Legislation Details (With Text)

File #:	64355	**Version:**	1	**Name:**	Approving plans and specifications for public improvements necessary for the project known as 5133 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 9021.
Type:	Resolution			**Status:**	Passed
File created:	2/23/2021			**In control:**	Engineering Division
On agenda:	3/16/2021			**Final action:**	3/16/2021
Enactment date:	3/22/2021			**Enactment #:**	RES-21-00188

Title: Approving plans and specifications for public improvements necessary for the project known as 5133 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 9021 (19th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 5133 University Ave Exhibits.pdf

Date	Ver.	Action By	Action	Result
3/16/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
3/3/2021	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
2/23/2021	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and authorizes the developer to undertake construction for public improvements to 5133 University Avenue at an estimated cost not to exceed $25,000. Funds are available in Munis 13163-402-170. No additional appropriation is required.

Title

Approving plans and specifications for public improvements necessary for the project known as 5133 University Avenue and authorizing construction to be undertaken by the Developer, Private Contract No. 9021 (19th AD)

Body

WHEREAS, the developer, Degen & Associates, LLC, has received the City of Madison's conditional approval for a one-lot Certified Survey Map; a demolition permit to demolish an office building and restaurant; a conditional use in the Suburban Employment (SE) zoning district for multi-family dwellings; a conditional use in the SE District for dwelling units in a mixed-use building; a conditional use in the SE District for live/work units; a conditional use to reduce the number of off-street loading spaces required, as specified in Section 28.141 (13)(b); and a conditional use in the SE District for outdoor recreation, all to construct a mixed-use development containing approximately 12,000 square feet of commercial space and 85 apartments in three buildings at 5133 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.

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 5133 University Avenue, with Degen & Associates, 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: 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.

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