



Legislation Details (With Text)

File #: 65899 **Version:** 1 **Name:** Approving plans and specifications for public improvements necessary for the project known as 1313 Regent Street and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00392 Private Contract No. 9047.

Type: Resolution **Status:** Passed

File created: 6/9/2021 **In control:** Engineering Division

On agenda: 7/6/2021 **Final action:** 7/6/2021

Enactment date: 7/12/2021 **Enactment #:** RES-21-00462

Title: Approving plans and specifications for public improvements necessary for the project known as 1313 Regent Street and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00392 Private Contract No. 9047. (13th AD)

Sponsors: BOARD OF PUBLIC WORKS

Indexes:

Code sections:

Attachments: 1. 1313 Regent St Exhibits reapproval.pdf

Date	Ver.	Action By	Action	Result
7/6/2021	1	COMMON COUNCIL	Adopt Under Suspension of Rules 2.04, 2.05, 2.24, and 2.25	Pass
6/16/2021	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
6/9/2021	1	Engineering Division	Refer	

Fiscal Note

The proposed resolution approves plans and specifications for public improvements to 1313 Regent Street at an estimated cost not to exceed \$25,000, and authorizes the developer to begin construction. 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 1313 Regent Street and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-21-00392 Private Contract No. 9047. (13th AD)

Body

WHEREAS, the developer, FCS Plan B LLC, has received the City of Madison's conditional approval of a Certified Survey Map (CSM) and the following conditional uses in the Traditional Shopping Street (TSS) Zoning District: 1) A mixed-use building with more than 24 dwelling units; 2) A mixed-use building with less than 75% non-residential ground floor area; 3) A building that exceeds three stories in feet and height; 4) A building exceeding 25,000 square-feet of floor area for a mixed-use or multi-tenant building; 5) An alteration to an outdoor eating area associated with a food and beverage establishment; 6) An alteration to an outdoor recreation area (sand volleyball); and 7) A parking reduction of more than 20 vehicle parking spaces and 25% or more of the required parking all to allow a three-story addition above and behind an existing 10,377 square-foot one-story commercial building, containing 63 apartments, 23 surface parking stalls, and 37 underground parking stalls at 1313 Regent Street, 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 June 7, 2021, by Resolution RES-21-00392, File No. 65442; and,

WHEREAS, following review of the required sanitary flow calculations being submitted to and reviewed by City Engineering it has been determined that off-site sanitary sewer capacity upgrades are required to serve the development.

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 1313 Regent Street, with FCS Plan B 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.
7. The Resolution RES-21-00392, File No. 65442 is hereby rescinded.