



Legislation Text

File #: 58616, **Version:** 1

Fiscal Note

No City appropriation required.

Title

Authorizing the first amendment to the Center for Industry & Commerce Amended and Restated Declaration of Covenants, Conditions, and Restrictions, to revise and update provisions related to storm water contained therein. (17th A.D.)

Body

WHEREAS, certain land use provisions at the Center for Industry & Commerce are controlled by The Center for Industry & Commerce Amended and Restated Declaration of Covenants, Conditions, and Restrictions (the "Declaration"); and

WHEREAS, the Declaration contains storm water infiltration requirements for new developments based on ten year storm events; and

WHEREAS, the recent Eurofins project in the Center for Industry and Commerce highlighted a discrepancy in infiltration requirements which was not consistent with City requirements which have become more stringent; and

WHEREAS, to prevent future discrepancies, it is desirable to amend the Declaration to require developers to satisfy then current City storm water requirements at the time of project construction; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby approves the following amendment to the The Center for Industry & Commerce Amended and Restated Declaration of Covenants, Conditions, and Restrictions:

Section V.B.2.j.of the Declaration is hereby rewritten to read, in its entirety, as follows:

j) Infiltration plans that adhere to the City of Madison's and the Regional Planning Commission's infiltration requirements (whichever is more stringent) such that individual Development Sites developed within the Project shall have a plan that includes provisions to maximize infiltration of storm water.

BE IT FURTHER RESOLVED, that other non-substantive edits and formatting changes are authorized to be made to the covenants to support the changes contained herein.

BE IT FINALLY RESOLVED, that the Mayor and City Clerk, and authorized representatives on the Association Board are hereby authorized to execute and record any and all documents that may be required to complete this transaction, in a form approved by the City Attorney.