



## Legislation Text

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**File #:** 63727, **Version:** 1

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### **Fiscal Note**

No City Funds required. Private contract.

### **Title**

Approving plans and specifications for public improvements necessary for the project known as Westgate Redevelopment Plat and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-20-00794, Private Contract No. 8982 (10<sup>th</sup> AD)

### **Body**

WHEREAS, the developer, University Park Acquisitions LLC, has received the City of Madison's conditional approval for the preliminary and final plat of Westgate Redevelopment Plat; approval of a demolition permit to demolish Westgate Mall; approval of a request to rezone approximately 9.5 acres of land located at 160 Westgate Mall and 617 S. Whitney Way from CC (Commercial Center) District to PD(GDP) Planned Development (General Development Plan); approval of a General Development Plan for the development of 464 multi-family units in five buildings and an up to eight-story, 256,000 sq. ft. office bldg.; approval of a Planned Development (Specific Implementation Plan) District covering roughly 6.7 acres of land and including the 464 multi-family units in five buildings; and approval of a conditional use for development adjacent to a public park pursuant to Section 28.139 of the Zoning Code; 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 December 7, 2020 by Resolution RES-20-00794, File No. 62982; and,

WHEREAS, the developer as requested to change the entity name to University Park Acquisitions LLC.

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 Westgate Redevelopment Plat, with University Park Acquisitions 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-20-00794, File No. 62982 is hereby rescinded.