



Legislation Text

File #: 86454, **Version:** 1

Fiscal Note

The proposed resolution authorizes plans and specifications for public improvements necessary for the project known as 1 & 15 Ellis Potter Court and rescinds RES-24-00423 (Legistar #83683) passed June 18, 2024. No City Funds Required. Private Contract.

Title

Approving plans and specifications for public improvements necessary for the project known as 1 & 15 Ellis Potter Court and authorizing construction to be undertaken by the Developer, and Rescinding Resolution RES-24-00423, Private Contract No. 9514 (District 19)

Body

WHEREAS, the developer, Ellis Potter Apartments, LLC, has received the City of Madison's conditional approval for a one-lot Certified Survey Map, a demolition permit, and conditional use requests for the project located at 1-15 Ellis Potter Court and 6110 Schroeder Road, 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 24, 2024 by Resolution RES-24-00423, File No. 83683; and,

WHEREAS, the developer as requested to change the entity name to Ellis Potter Apartments, 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 1 & 15 Ellis Potter Court, with Ellis Potter Apartments, 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 with the approval of the City Engineer, and in a form to be approved by the City Attorney.

7. The Resolution RES-24-00423, File No. 83683 is hereby rescinded.