City of West Allis

Legislation Details (With Text)

File #:	R-2019-0714 **Version:** 1		
Type:	Resolution	**Status:**	Adopted
File created:	10/9/2019	**In control:**	Safety and Development Committee (INACTIVE)
On agenda:	10/9/2019	**Final action:**	10/15/2019
Title:	Resolution to consider an Amendment #1 (amendment to the master site plan) to the Development Agreement by and between the City of West Allis and developers (West Quarter East, LLC and West Quarter West, LLC) regarding S. 70 St. Corridor development project		
Sponsors:	Safety and Development Committee (INACTIVE)		
Indexes:			
Code sections:			
Attachments:	1. Amendment No. 1 to the Development Agreement, 2. R-2019-0714 signed, 3. FULLY EXECUTED - First Amendment to Development Agreement (Cobalt) 9-24-21		

Date	Ver.	Action By	Action	Result
10/21/2019	1	Mayor	Signed/Enacted	
10/15/2019	1	Common Council	Adopted	Pass
10/15/2019	1	Safety and Development Committee (INACTIVE)		
10/9/2019	1	Safety and Development Committee (INACTIVE)		Pass
10/9/2019	1	Safety and Development Committee (INACTIVE)		

Resolution to consider an Amendment #1 (amendment to the master site plan) to the Development Agreement by and between the City of West Allis and developers (West Quarter East, LLC and West Quarter West, LLC) regarding S. 70 St. Corridor development project

WHEREAS, the Community Development Authority of the City of West Allis (the “Authority”) authorized the execution of the Development Agreement between the Community Development Authority of the City of West Allis and Cobalt Partners LLC for development within the S. 70 St. Corridor (West Quarter), through Resolution No. 1302 on November 13, 2018, approved Amendment #1 through Resolution No. 1330 on October 8, 2019; and,

WHEREAS, the Common Council of the City of West Allis (the “City”) approved the Development Agreement between the City of West Allis and developers (West Quarter East, LLC and West Quarter West, LLC regarding South 70th Street Corridor development project) to replace any prior agreements through Resolution No. R-2019-0214 on March 21, 2019; and,

WHEREAS, West Quarter East, LLC and West Quarter West, LLC is requesting an amendment to the site plan; and,

WHEREAS, West Quarter East, LLC intends to acquire approximately 9.06 acres on the east side of 70th Street (“East Side Site”) and West Quarter West, LLC intends to acquire approximately 9.71 acres located on the west side of 70th Street (“West Side Site”) all near the intersection of 70th Street and Washington Street in the City of West Allis (the entire 18.76 acres of which are collectively referred to as the “Property”); and,

WHEREAS, the City of West Allis (the “City”) wishes to encourage economic development, eliminate blight, expand the City’s tax base and foster job creation for the City through the development of the Property; and,

WHEREAS, West Quarter West, LLC and West Quarter East, LLC (collectively, the “Developer”) plan on preparing the

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Property for redevelopment into a mixed-use project containing one or more office, health/fitness, retail hospitality, restaurant, and residential components, including development of a new public infrastructure collectively referred to as (the “Project”); and,

WHEREAS, the development of the Project would not occur without the benefits to be provided to Developer as set forth in the attached Development Agreement; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of West Allis hereby authorizes as follows:

1. The approval of the attached Development Agreement between the City of West Allis and the Developer (West Quarter East, LLC and West Quarter West, LLC) for development activities within the South 70th Street Corridor.

2. That the director of development, with the approval of the city attorney, or their designees, are hereby authorized and directed to execute the Development Agreement.

3. That the director of development, with the approval of the city attorney, or their designees, are hereby authorized and directed to take any and all other actions necessary to effectuate the intent of the Development Agreement.

4. That the City Attorney is hereby authorized to make such non-substantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be reasonably necessary to complete the transactions contemplated therein.

BE IT FURTHER RESOLVED, that the appropriate city officials are hereby authorized and directed to execute and deliver the aforesaid Amended Development Agreement on behalf of the City of West Allis.

BE IT FURTHER RESOLVED, that approval of the attached Development Agreement supersedes the approval of any and all other prior agreements between the parties, and any such prior approvals are null and void.

BE IT FURTHER RESOLVED, that the attached aforesaid Amendment #1 (amendment to the site plan) to the Development Agreement by and between the City of West Allis and developers (West Quarter East, LLC and West Quarter West, LLC) regarding South 70 Street Corridor development project is hereby approved.

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