## Legislation Text

**File #:** RES 22-231, **Version:** 1

Approving Ordinance Permit 20200010101 for Roadway Base Infrastructure installed by Project Paul, LLC (a wholly-owned subsidiary of Ryan Companies US, Inc.) ("Ryan") on the Ford (Highland Bridge) Site.

WHEREAS, the Saint Paul City Council has adopted the Ford Site Zoning and Public Realm Master Plan and all Amendments to the Plan; and

WHEREAS, in June 2018, Ford Land announced Ryan Companies ("Ryan") as the Master Developer for the Ford site; and

WHEREAS, the Site Improvement Performance Agreement (SIPA) provides for Site Plan Review protocols as well as protocols related to Site Improvements of the Property that are to be completed by Ryan and protocols related to City Acceptance of improvements completed by Ryan; and

WHEREAS, in April of 2020 Ryan submitted appropriate Plans, Specifications, Reports, and Documents to the City for review under Site Plan number 20-028740; and

WHEREAS, the appropriate City Departments and City Subject Matter Experts reviewed said Plans, Specifications, Reports, and Documents and found same to be in compliance with all applicable Codes, Standards, and Policies such that approval was granted by the Department of Safety and Inspections for site plan 20-028740 on May 11, 2021; and

WHEREAS, Article 6 of the SIPA provide for the installation of certain public infrastructure through a permit called the Ordinance Permit; and

WHEREAS, on September 22, 2020 the appropriate Ordinance Permit was issued by the City to Ryan for the purpose of completing certain roadway base infrastructure improvements for the Property; and

WHEREAS, with the exception of possible warranty rework resulting from a future inspection(s) prior to the expiration of the warranty period, Ryan has completed the installation of certain public improvements for Ordinance Permit 20200010101 according to the requirements stated in the SIPA and Redevelopment Agreement (RDA); and

WHEREAS, warranties are assigned per Section 12.7 of the SIPA; and

WHEREAS, work by private developers continues adjacent to the roadways currently being considered for acceptance by the City Council and said work necessarily impacts the roadway right-of-way; and

WHEREAS, Ryan has satisfied all applicable requirements of the Ordinance Permit Acceptance process as required by the SIPA and RDA for the installation of certain public improvements such that a recommendation is made to Council that the public infrastructure identified in Ordinance Permit 20200010101 accepted with the following agreed upon conditions:

CONDITIONS #1 - 4

1.     The warranty requirements and commencement as provided for in Sections 12.7 and 17 of the

SIPA applies to all highlighted roadways shown in Exhibit A except for Cretin Avenue between Bohland Avenue and Ford Parkway.

2.      Cretin Avenue between Bohland Avenue and Ford Parkway shall be reviewed by the City and the Ryan/Project Paul team once the adjacent private development at 2170 Ford Parkway (commercial) and 800 Cretin Avenue (residential), SPR No. 20-037632, is substantially complete enough that impacts to the roadway and right-of-way are limited to the areas outside the curb & gutter and roadway.

3.      The results of the review shall be a plan for correcting public infrastructure damaged by private developer contractor activities. Correction shall be by repair or replacement as determined by the City. The timing and the limits of repair and or replacement shall be memorialized in writing. Any repair and or replacement shall be completed before October 31, 2022.

4.      The warranty for the public infrastructure repaired or replaced within the Cretin Avenue right-of-way between Bohland Avenue and Ford Parkway shall commence once said repair and replacement work has been approved by the City.

NOW, THEREFORE, BE IT RESOLVED, that the City Council accepts the infrastructure as so defined in the attached Exhibit A and with the afore stated agreed upon conditions.