



Department of Planning & Community & Economic Development
Planning Division

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Madison Municipal Building
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July 24, 2012

George Austin
AVA Civic Enterprises
2316 Chamberlain Avenue
Madison, Wisconsin 53726

RE: Approval of a demolition permit to allow 3 buildings on State Street to be demolished, and a conditional use for new construction of a building or addition to an existing building, or major alteration to the exterior face of a building in the C4 Central Commercial District to allow construction of a new retail/ office building that includes restoration of three buildings located at 125 State Street and 120 and 122-124 W. Mifflin Street (Block 100 Foundation, Inc.).

Dear Mr. Austin;

At its July 23, 2012 meeting, the Plan Commission found the standards met and **approved** your demolition permit and conditional use to allow redevelopment of properties located at 117-129 State Street and 120-124 W. Mifflin Street. The following conditions of approval shall be satisfied prior to the issuance of any demolition or building permits for this project:

Please contact Janet Dailey of the City Engineering Division at 261-9688 if you have questions regarding the following twenty-two (22) items:

1. Revise the plan sets to include existing property lines on all plan sheets. Provide a site plan to show all sidewalk, curb, and pavement improvements as necessary to facilitate the utility and site construction.
2. Submit a PDF of each floor to Lori Zenchenko (Lzenchenko@cityofmadison.com) so that a preliminary addressing plan can be developed. If there are any changes pertaining to the location of a unit, the deletion or addition of a unit, or to the location of the entrance into any unit, (before, during or after construction) the addresses may need to be changed. The interior address plan is subject to the review and approval of the Fire Marshal.
3. Coordinate ownership changes and make the required Certified Survey Map application and recording prior to the issuance of any building permits.
4. The City will be reconstructing N. Fairchild Street from W. Washington Avenue to W. Mifflin Street, and W. Mifflin Street from N. Fairchild to N. Henry Street in 2013. The applicant shall coordinate any access, staging or construction issues with the City Engineering Division.
5. Note – The City has provided five six-inch diameter sanitary sewer laterals in conjunction with the N. Fairchild Street reconstruction project (City project 53B0544).
6. The construction of this development will require removal and replacement of sidewalk, curb and gutter and possibly other parts of the City's infrastructure. The applicant shall enter into a City/ Developer agreement for the improvements required for this development. The applicant shall be required to provide deposits to cover City labor and materials and surety to cover the cost of construction. The applicant shall meet with the City Engineer to schedule the development of the plans and the agreement. The City Engineer will not sign off on this project without the agreement executed by the developer. The developer shall sign the Developer's Acknowledgement prior to the City Engineer signing off on this project.

7. The approval of this conditional use does not include the approval of the changes to roadways, sidewalks or utilities. The applicant shall obtain separate approval by the Board of Public Works and the Common Council for the restoration of the public right of way including any changes requested by developer. The City Engineer shall complete the final plans for the restoration with input from the developer. The curb location, grades, tree locations, tree species, lighting modifications and other items required to facilitate the development or restore the right of way shall be reviewed by the City Engineer, City Traffic Engineer, and City Forester.
8. The applicant shall replace all sidewalk and curb and gutter that abuts the property, which is damaged by the construction, or any sidewalk and curb and gutter, which the City Engineer determines needs to be replaced because it is not at a desirable grade, regardless of whether the condition existed prior to beginning construction.
9. The applicant shall provide the City Engineer with the proposed soil retention system to accommodate the restoration. The soil retention system must be stamped by a Professional Engineer. The City Engineer may reject or require modifications to the retention system.
10. The applicant shall complete work on exposed aggregate sidewalk in accordance with specifications provided by the City. The stone used for the exposed aggregate shall be approved by the City. The Construction Engineer shall be notified prior to beginning construction. Any work that does not match the adjacent work or which the City Construction Engineer finds unacceptable shall be removed and replaced at the applicant's expense.
11. All work in the public right of way shall be performed by a City-licensed contractor.
12. All street tree locations and tree species within the right of way shall be reviewed and approved by City Forestry. Please submit a tree planting plan (in PDF format) to Dean Kahl, of the Parks Division at dkahl@cityofmadison.com or 266-4816. Approval and permitting of any tree removal or replacement shall be obtained from the City Forester and/or the Board of Public Works prior to the approval of the site plan.
13. All damage to the pavement on State Street, N. Fairchild Street, and W. Mifflin Street adjacent to this development shall be restored in accordance with the City's Pavement Patching Criteria.
14. The plan set shall be revised to show a proposed private internal drainage system on the site. This information shall include the depths and locations of structures and the type of pipe to be used.
15. The applicant shall demonstrate compliance with Section 37.07 and 37.08 of the Madison General Ordinances regarding permissible soil loss rates. The erosion control plan shall include Universal Soil Loss Equation (USLE) computations for the construction period. Measures shall be implemented in order to maintain a soil loss rate below 7.5-tons per acre per year.
16. Prior to approval, this project shall comply with Chapter 37 of the Madison General Ordinances regarding stormwater management. Specifically, this development is required to complete an erosion control plan and complete weekly self-inspection of the erosion control practices and post these inspections to the City of Madison website as required by Chapter 37 of the Madison General Ordinances.
17. The applicant shall submit, prior to plan signoff, a digital CAD file (single file) to the Engineering Program Specialist in the Engineering Division (Lori Zenchenko). The digital CAD file shall be to scale and represent final construction. The single CAD file submittal can be either AutoCAD (dwg) Version 2001 or older, MicroStation (dgn) Version J or older, or Universal (dxf) format and contain only the following data, each on a separate layer name/level number: building footprints; internal walkway areas; internal site parking areas; other miscellaneous impervious areas lot lines; lot/ plat lines, dimensions and labels; right-of-way lines; street names, stormwater management facilities and; detail drawings associated with stormwater management facilities (including if applicable planting plans).

18. The applicant shall obtain all necessary sewer connection permits and sewer plugging permits prior to any utility work.
19. The applicant's utility contractor shall obtain a connection permit and excavation permit prior to commencing the storm sewer construction.
20. Prior to approval of the issuance of a demolition permit, the owner shall obtain a permit to plug each existing sanitary sewer lateral that serves a building that is proposed for demolition. For each lateral to be plugged, the owner shall deposit \$1,000 with the City Engineer in two separate checks in the following amounts: (1) \$100 non-refundable deposit for the cost of inspection of the plugging by City staff; and (2) \$900 for the cost of City crews to perform the plugging. If the owner elects to complete the plugging of a lateral by private contractor and the plugging is inspected and approved by the City Engineer, the \$900 fee shall be refunded to the owner.
21. All outstanding Madison Metropolitan Sewerage District (MMSD) and City of Madison sanitary sewer connection charges are due and payable prior City Engineering Division signoff, unless otherwise collected with a Developer's / Subdivision Contract. Contact Janet Dailey (261-9688) to obtain the final MMSD billing a minimum of 2 working days prior to requesting City Engineering signoff.
22. The site plan shall be revised to show all existing public sanitary sewer facilities in the project area as well as the size, invert elevation, and alignment of the proposed service.

Please contact Dan McCormick of the Traffic Engineering Division at 267-1969 if you have any questions regarding the following six (6) items:

23. The applicant shall prepare a Parking Management Plan for the site and building operations for review and approval by the City Traffic Engineer.
24. The Common Council should note that future budgeting may need to be provided for traffic signal and/or pedestrian/bike facilities at the intersection of N. Fairchild St and W. Mifflin Street.
25. The developer shall work with the City to resolve any construction-related issues. A detailed construction plan shall be provided showing all access and staging areas when the applicant submits final plans for approval.
26. When the applicant submits final plans for approval, the applicant shall show the following: items in the terrace as existing (e.g., signs and street light poles), type of surfaces, existing property lines, addresses, one contiguous plan (showing all easements, all pavement markings, building placement, and stalls), adjacent driveway approaches to lots on either side and across the street, signage, percent of slope, vehicle routes, dimensions of radii, aisles, driveways, stalls including the 2-foot overhang, and a scaled drawing at 1" = 20'.
27. The applicant shall post a deposit and reimburse the City for all costs associated with any modifications to traffic signals, street lighting, signing and pavement marking, and conduit and handholes, including labor, engineering and materials for both temporary and permanent installations.
28. Public signing and marking related to the development may be required by the City Traffic Engineer for which the developer shall be financially responsible.

Please contact Bill Sullivan of the Madison Fire Department at 261-9658 if you have any questions regarding the following three (3) items:

29. Plans indicate building across property lines. Combine the parcels into a single lot or provide party walls at all lot lines per IBC Chapter 7.
30. Openings along property lines shall be protected or limited in accordance with IBC Chapters 6 & 7.

31. Provide fire apparatus access as required by IFC 503 2009 edition and MGO Section 34.503 as follows: IFC 503 Appendix D105 – Provide an aerial apparatus access fire lane that is at least 26 feet wide, with the near edge of the fire lane within 30 feet and not closer than 15 feet from the structure, and parallel to one entire side of the structure, if any part of the building is over 30 feet in height.

Please contact Kay Rutledge of the Parks Division at 266-4714 if you have any questions about the following two (2) items:

32. The potential residential component of this project has not been fully defined. If the number of any future multi-family units in this development exceeds the number of multi-family units currently in existence, additional park impact fees will be due. Park impact fees will be due prior to the issuance of a building permit for the creation of any multi-family units in excess of the existing number present on the subject site. This development is within the Tenney, Law & James Madison park impact fee district (S126).
33. Approval of plans for this project does not include any approval to prune, remove or plant trees in the public right of way. Permission for such activities must be obtained from the City Forester, 266-4816.

Please contact Dennis Cawley of the Madison Water Utility at 261-9243 if you have any questions about the following item:

34. The Madison Water Utility shall be notified to remove the water meter prior to demolition. All wells located on this property shall be abandoned if no valid well operation permit has been obtained from the Madison Water Utility.

Please contact my office at 261-9632 if you have any questions about the following three (3) items:

35. The applicant shall submit a fully detailed and dimensioned final site plan for the project and detailed elevations of the proposed building complex (with all heights and materials noted) for Planning Division approval prior to the issuance of any demolition or building permits for the project.
36. Prior to the issuance of building permits, the applicant shall a Certified Survey Map for review and approval, and the approved CSM shall be recorded.
37. The project plans show canopies and door swings that may encroach into the public right of way. The applicant shall obtain a privilege in streets agreement for any such encroachments prior to the final approval of the project and issuance of permits for new construction. The approval of this demolition permit and conditional use does not constitute or guarantee approval of any needed encroachments.

Specific questions regarding the comments or conditions contained in this letter should be directed to the commenting agency.

Please now follow the procedures listed below for obtaining permits for your project:

1. Please revise your plans per the above conditions and submit **nine (9) copies** of a complete, fully dimensioned and scaled plan set to the Zoning Administrator for final review and comment. Also be sure to include any additional materials requested by these departments for their approval prior to sign off.
2. Provide a reuse/recycling plan, to be reviewed and approved by the City Recycling Coordinator prior to a demolition permit being issued. Sec 28.12(12)(e) of the Zoning Ordinance requires the submittal of documentation demonstrating compliance with the approved reuse and recycling plan. Please note, the owner must submit documentation of recycling and reuse within 60 days of completion of demolition.
3. The Madison Water Utility shall be notified to remove the water meter(s) prior to demolition.
4. This letter shall be signed by the applicant and property owner (if not the applicant) to acknowledge the conditions of approval and returned to the Zoning Administrator when requesting building permit approval.

5. No alteration of this proposal shall be permitted unless approved by the Plan Commission, provided, however, the Zoning Administrator may issue permits for minor alterations. This approval shall become null and void one year after the date of the Plan Commission unless the use is commenced, construction is under way, or a valid building permit is issued and construction commenced within six months of the issuance of said building permit. The Plan Commission shall retain jurisdiction over this matter for the purpose of resolving complaints against the approved conditional use permit.

If you have any questions regarding obtaining your building permits, please contact the Zoning Administrator at 266-4551. If you have any questions or if may be of any further assistance, please do not hesitate to contact my office at 261-9632.

Sincerely,

Timothy M. Parks
Planner

cc: Janet Dailey, City Engineering Division
Dan McCormick, Traffic Engineering Division
Pat Anderson, Asst. Zoning Administrator
Kay Rutledge, Parks Division
Dennis Cawley, Madison Water Utility
Bill Sullivan, Madison Fire Department

I hereby acknowledge that I understand
and will comply with the above conditions
of approval for this project.

Signature of Applicant

*Signature of Property Owner
(If Not Applicant)*

For Official Use Only, Re: Final Plan Routing			
<input checked="" type="checkbox"/>	Planning Div. (T. Parks)	<input checked="" type="checkbox"/>	Engineering Mapping Sec.
<input checked="" type="checkbox"/>	Zoning Administrator	<input type="checkbox"/>	Parks Division
<input checked="" type="checkbox"/>	City Engineering	<input checked="" type="checkbox"/>	Urban Design Commission
<input checked="" type="checkbox"/>	Traffic Engineering	<input checked="" type="checkbox"/>	Recycling Coord. (R&R Plan)
<input checked="" type="checkbox"/>	Fire Department	<input type="checkbox"/>	Other: