



PREPARED FOR THE PLAN COMMISSION

Project Address: 2403 East Springs Drive
Application Type: Demolition Permit
Legistar File ID # [73183](#)
Prepared By: Chris Wells, Planning Division
Report includes comments from other City agencies, as noted.

Summary

Applicant & Contact: Jay Patel; Hawkeye Hotels; 6251 Joliet Road; Countryside, IL 60525
Property Owner: Badger Lodging, LLC; 2706 James Street; Coralville, IA 52241

Requested Action: Consideration of a demolition permit to allow demolition of a commercial building at 2403 East Springs Drive.

Proposal Summary: Approval of a demolition permit to demolish a commercial building – the one-story, roughly 33,000-square-foot former Pawn America building.

Applicable Regulations & Standards: This proposal is subject to the standards for Demolitions [M.G.O. §28.185].

Review Required By: Plan Commission

Summary Recommendation: The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow the demolition of a commercial building at 2403 East Springs Drive, subject to input at the public hearing and the conditions from reviewing agencies beginning on page 4 of this report.

Background Information

Parcel Location: The subject site is a 200,786-square-foot (4.6-acre) parcel located along the east side of East Springs Drive, roughly 550 feet south of the road’s intersection with High Crossing Boulevard. It is within Alder District 17 (currently vacant) and the Sun Prairie School District.

Existing Conditions and Land Use: The site is developed with a one-story, roughly 33,000-square-foot commercial building, which according to City Assessor records, was constructed in 1995. The site is zoned CC (Commercial Center) District.

Surrounding Land Use and Zoning:

- Northwest:** A Home Depot store, zoned Commercial Center (CC) District;
- Northeast:** Interstate I-90/I-39/I-94;
- Southeast:** A Slumberland Furniture store, zoned CC; and
- Southwest:** Across East Springs Drive is a commercial shopping strip center, zoned CC.

Adopted Land Use Plan: The [Comprehensive Plan](#) (2018) and [Greater East Towne Area Plan](#) (2021) both recommend General Commercial (GC) uses for the subject site and most surrounding properties while the [East Towne-Burke Heights Neighborhood Development Plan](#) (1987) recommends Commercial uses.

Zoning Summary: The subject property is zoned CC (Commercial Center District):

Other Critical Zoning Items	Yes: Urban Design (Planned Commercial Site); Utility Easements No: Historic District; Floodplain; Adjacent to a Park; Barrier Free (ILHR 69); Wetlands, Wellhead Protection District
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Table prepared by Jacob Moskowitz, Assistant Zoning Administrator

Environmental Corridor Status: The property is not located within a mapped environmental corridor.

Public Utilities and Services: The site is served by a full range of urban services. Daily transit service is located roughly 400 feet to the south along East Springs Drive.

Related Approvals

On June 10, 2019, the Plan Commission approved three requests for the subject site – 1) a demolition permit to demolish a commercial building; 2) a conditional use for a planned multi-use site containing more than 40,000 square-feet of floor area and where 25,000 square-feet of floor area is designed or intended for hotel use, and 3) a conditional use for any reduction from the requirement for lodging establishments between 50,001 and 200,000 square-feet in size to provide two 10-foot by 50-foot, off-street loading zones – all in order to construct a five-story, 220-room, dual-brand hotel at 2301 East Springs Drive; 17th Ald. Dist. (These approvals have subsequently expired.)

On April 18, 2019, the Zoning Board of Appeals approved the applicant’s request for a variance from M.G.O. 28.068(3)(a) which, for buildings in the Commercial Center (CC) District, sets the maximum setback for 70 percent of the street-facing building wall, at 100 feet. (Note: the maximum building setback is normally 85 feet but the Zoning Code notes that it may be extended to a maximum of one hundred (100) feet if traffic circulation, drainage and or other site design issues are shown to require additional space.) As the proposed building is set back roughly 194 feet - 11 inches feet from the street, a variance of 94 feet - 11 inches was therefore required. (This approval has subsequently expired.)

Project Description, Analysis, and Conclusion

The applicant is requesting approval from the Plan Commission to demolish the existing one-story, roughly 33,000-square-foot commercial building, which according to City Assessor records, was constructed in 1995. Photos of the building are attached to File ID [73183](#), and can be viewed [here](#). Once demolished, the applicant proposes to construct a five-story, roughly 220-room hotel. (The conditional use requests needed to construct this hotel are currently scheduled to be before the Plan Commission on October 24, 2022.)

The above information on the future use of the subject site following the proposed demolition are provided for informational purposes.

Demolition Permit Standards

At its October 5, 2021 meeting, the Common Council adopted Ordinance 21-00065 (ID [67074](#)) to revise the standards and process for demolition and removal permits in Section 28.185 of the Zoning Code to remove consideration of proposed future use as a factor in approving demolition requests. In order to approve a demolition request under the revised standards, the Plan Commission shall consider the seven approval standards in §28.185(9)(c) M.G.O. when making a determination regarding demolition requests. The factors include a finding that the proposed demolition or removal is consistent with the statement of purpose of the demolition permits section and with the health, prosperity, safety, and welfare of the City of Madison.

Regarding the standard to relocate the standards related to relocation and building condition, in communications with staff, the applicant notes that the building *“is not a good candidate for relocation. The concrete block walls would likely crumble if attempted to move. The span of the roof requires it to be braced in both directions and with rows of columns to support the weight of the steel joists and roofing material, it would be virtually impossible to even move sections of the roof assembly. It would certainly be financially inconceivable. The blocks walls, steel structure and the roof are what make up this building. Each component relies on the other to stand. Individually the pieces will be destroyed, and together they are too large to move.”*

Planning Division believes that the standards for Demolition Permits can be found met, and provide the following comments regarding Standard 4:

At its August 15, 2022 meeting, the Landmarks Commission found that the existing building at 2403 East Springs Drive has no known historic value. The Planning Division has no information to suggest that the proposed demolition would not meet the standards of approval for demolition permits in Section 28.185(9)(c).

In approving a demolition permit under the recently revised standards and process, the Plan Commission may stipulate conditions and restrictions on the proposed building demolition as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards of approval. The conditions in the following section appear to relate to the requested demolition or are requirements that will need to be enforced upon subsequent site plan review.

At time of writing this report, staff is unaware of any written comments from the public regarding the proposed demolition. Staff believes that the applicable standards can be found met.

Recommendation

Planning Division Recommendation (Contact Chris Wells, (608) 261-9135)

The Planning Division recommends that the Plan Commission find the standards met and **approve** a demolition permit to allow the eastern façade of the building at 2403 East Springs Drive to be demolished, subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Timothy Troester, 608-267-1995)

1. Obtain a permit to Excavate in the Right-of-Way for completing the improvements in the public Right-of-Way. The permit application is available on the City Engineering Division website at <http://www.cityofmadison.com/engineering/Permits.cfm>. As a condition of the permit a deposit to cover estimated City expenses will be required.
2. Close all abandoned driveways by replacing the curb in front of the driveways and restoring the terrace with grass. (POLICY)
3. Obtain a permanent sewer plug permit for each existing sanitary sewer lateral serving a property that is not to be reused and a temporary sewer plug permit for each sewer lateral that is to be reused by the development. The procedures and fee schedule is available online at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 35.02(14))
4. Obtain a permit to plug each existing storm sewer. This permit application is available on line at <http://www.cityofmadison.com/engineering/permits.cfm>. (MGO CH 37.05(7))

City Engineering Division–Mapping Section (Contact Jeffrey Quamme, (608) 266-4097)

5. Note that the address of the building to be demolished is 2401 East Springs Dr. The 2403 East Springs Dr address is for the new proposed building reviewed as LNDUSE-2019-00036

Traffic Engineering Division (Contact Sean Malloy, (608) 266-5987)

6. The applicant shall maintain the existing pedestrian connections on their site, including the access to the neighboring parcel.

Zoning Administrator (Contact Jacob Moskowitz, (608) 266-4560)

7. Section 28.185(7)(a)5. requires that if a demolition or removal permit is approved, it shall not be issued until the reuse and recycling plan is approved by the Recycling Coordinator, Bryan Johnson (608-266-4682).
8. Section 28.185(10) Every person who is required to submit a reuse and recycling plan pursuant to Sec. 28.185(7)(a)5. shall submit documents showing compliance with the plan within sixty (60) days of completion of demolition.
9. Section 28.185(9)(a) A demolition or removal permit is valid for one (1) year from the date of the Plan Commission.

Fire Department (Contact Bill Sullivan, (608) 261-9658)

10. Please consider allowing Madison Fire Dept. to conduct training sequences prior to demolition. Contact MFD Training Division to discuss possibilities: Division Chief Jeff Larson at jtlarson@cityofmadison.com or (608) 266-5946.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

11. The Madison Water Utility shall be notified to remove the water meter at least two working days prior to demolition. Contact the Water Utility Meter Department at (608) 266-4765 to schedule the meter removal appointment.

The Planning Division, Parks Division, Forestry Section, and Metro Transit have reviewed this request and have recommended no conditions of approval.