

ZONING ADMINISTRATOR'S REPORT
VARIANCE APPLICATION
2921 Landmark Place

Zoning: SE

Owner: Bradley Hutter, MIG LLC.

Technical Information:

Applicant Lot Size: Irregular, 50' frontage on Landmark Pl. **Minimum Lot Width:** 65 ft.

Applicant Lot Area: 280,597 sq. ft **Minimum Lot Area:** 20,000 sq. ft

Madison General Ordinance Section Requiring Variance: 28.085 (4)(b); 28.085 (4)(c)

Project Description: Construct new 5-story office building and accessory surface parking area.

Zoning Ordinance Requirements requested to be varied:

- Building orientation to primary street (building oriented to southwest, street is northwest)
- Majority of parking must be located to side/rear of building (majority is located to the front of building).

Comments Relative to Standards:

1. Conditions unique to the property: The property is at the end of a dead end street, with only a small amount of frontage on the street, and has significant topographic change across the site. The property contains high-quality specimen trees in the center of the lot, near the highest point on the lot. These trees affect placement of a building, its orientation on the site relative to the street by which the lot takes access and the parking placement on the site relative to building placement.
2. Zoning district's purpose and intent: The requested regulations to be varied are the *site standards for building and parking placement*. In consideration of this request, the *site standards for building and parking placement* are intended to provide site and building design requirements for buildings that would be commonly found along a suburban city block, typical locations where sites align along streets and traffic commonly passes buildings and building sites. The subject site does not contain these common characteristics.
3. Aspects of the request making compliance with the zoning code burdensome: The subject lot is the last remaining infill lot on the edge of the City boundary, located at the end of a dead end street with very little street frontage relative to its lot size and shape. Those accessing the site will have the site as their destination, entering the site via the cul-de-sac bulb on the property to the south and navigating to the building entrance or parking area via the parking lot access aisles and private drives. With the small street frontage, the principal building at

the site lacks for street presence, and creates great difficulty in meeting the building and parking placement requirements, while protecting and retaining specimen trees center to the site and effectively developing a site such as this with significant topographical change.

4. Difficulty/hardship: See comments #1, 2 and 3 above. The site is the last office-building site to be developed in this area. The office buildings in the area were annexed from the Town of Madison in the early 2000's, and no development has occurred since that time.
5. The proposed variance shall not create substantial detriment to adjacent property: The requested zoning variances will result in development that will have no adverse impact above or beyond what would otherwise be allowed in the SE zoning district. The site does abut residential development to the east and west, but the building exceeds the setback requirement from the shared property line between the developments.
6. Characteristics of the neighborhood: The general area is comprised of large-scale office buildings and some multi-family apartment buildings. Most of the office buildings (and apartments) were developed when the area was under the jurisdiction of the Town of Madison, and it does not appear as though parking placement or entrance orientation rules existed at the time these properties were developed. Most of these development sites have street presence and frontage on typical streets, and with building orientation to street and parking placement generally to the sides and rear of the buildings.

Other Comments: As noted above, the project is generally designed around a central collection of high-quality specimen trees that the owner has invested significant resources in protecting, pruning and stabilizing over the past several years. A report on the quality and effort to protect and maintain these trees is included with the petitioners' submittal. The development uses these trees as the central and focal point for the project, in combination with a building placement that allows for visibility of the Beltline and arboretum. The idea for parking and building placement/orientation around the central grove both keep these significant and valuable trees in a park-like setting for the office building. Placing the building and parking where the ordinance requires could threaten the trees and places the building in a location that is inefficient, and potentially creates greater adverse impact on surrounding uses. The building is placed at a lower/flatter location, on the north side of the site, closer to the adjacent office building to the east, to take advantage of high-quality vistas the site affords to the northeast.

The subject lot and the lot to the north appear to be reconfigured to accommodate a new cul-de-sac at the end of the street. The lot to the north will require site plan review to accommodate this change.

Due to the topographic change across the site, the building meets the story height limit as a permitted use but the overall height is slightly taller than allowed, thus requiring approval as a *Conditional Use* by the City's Plan Commission.

Staff Recommendation: It appears standards have been met, therefore staff recommends **approval** of the variance request, subject to further testimony and new information provided during the public hearing