

ZONING ADMINISTRATOR'S REPORT  
VARIANCE APPLICATION  
4000 International Ln

**Zoning:** AP (Airport District)

**Owner:** Dane County Regional Airport

**Technical Information:**

**Applicant Lot Size:** 2,707' x 1,665'

**Minimum Lot Width:** 65'

**Applicant Lot Area:** 103.5 Acres

**Minimum Lot Area:** 20,000 sq ft

**Madison General Ordinance Section Requiring Variance:** 28.142(6)

**Project Description:** This project involves construction of a new employee parking area and expanded "cell phone lot" for the Dane County Airport to replace the existing employee parking area. The project relocates the parking area out of the Runway 3 Approach Zone\*\*, an area which has specific limitations on the height of features located within its boundaries. The existing parking area will be returned to grass/lawn. The zoning variance request is to build this new parking area without any landscaping trees, islands or vegetative and mulch cover within required landscape islands, as required per Sec. 28.142(6).

\*\* A 600' extension to runway #3 will be constructed in 2018 or 2019.

**Comments Relative to Standards:**

1. Conditions unique to the property: The site is unique in that there is only one airport in the City, one airport zoning district with its own zoning regulations and there do not appear to be any other parking lots within runway protection zones at the airport. This particular parking location at the airport does have federal limits for the installation of items that would exceed 15' in height. Additionally, there appear to be other guidelines that strongly discourage landscaping or similar features that could attract or otherwise harbor wildlife.
2. Zoning district's purpose and intent: The requested regulation to be varied is the *landscape islands* requirement. In consideration of this request, the *landscape islands* requirement is intended to break up large areas of asphalt by creating landscaping opportunities for both surface water infiltration and planting areas for large trees and shrubs, which further cool the parking area, to limit the "heat island" effect.

The *runway protection height limitation* regulation restricts the ability to plant trees that will grow to any substantial size. Further, ornamental trees and landscaping shrubs could attract or harbor wildlife, which generally would limit installation. What could remain are landscape islands of grass/turf and mulch only. These features would be at a distinct disadvantage to survive as compared to a typical landscape island, given their relative small size and placement within larger asphalt paving areas, lack of any shading and the isolation from larger grass areas. The variance appears to be in conflict with the purpose and intent of the parking lot landscaping regulations but consistent

with the spirit of the code to have an airport zoning district designed to promote safe areas for aviation in close proximity to the airport. In this very unique case, the regulations are at conflict.

3. Aspects of the request making compliance with the zoning code burdensome: An employee and visitor pickup parking area located in relative close proximity to the facility is necessary to the function of the airport. From the perspective of effective use of the airport land, the proposed site is appropriate except for the landscaping requirements.
4. Difficulty/hardship: The FAA requirements and guidelines discussed in this report and included in the submittal from the petitioner compel the request.
5. The proposed variance shall not create substantial detriment to adjacent property: This request will have little to no impact on surrounding property.
6. Characteristics of the neighborhood: Relative to the design of parking lots in the vicinity, the general area is characterized by parking lots with and without landscaping islands and trees. Most development pre-dates current zoning ordinance requirements for parking lot islands and those lots are nonconforming.

**Other Comments:** The application includes language relative to the airport maintaining a well landscaped site. The fact that the site is well landscaped does not appear relevant to the requirement that all new parking lots in the City must have landscape islands.

The application implies that the city's parking lot landscaping requirements would result in unsafe conditions at the airport. Staff agrees that certain elements, such as the installation of required over-story trees and the requirement for other landscape shrubs or similar items, could create nesting grounds for birds, including geese. Landscaping could also create places for smaller animals to survive and thrive, which are food for larger predatory birds that could further conflict with aviation.

Zoning staff reviewed the application with Rebecca Cnare of the Planning Division, who is a landscape architect. Ms. Cnare noted that landscape islands without trees do not have the benefit of the partial parking lot cooling effect that shade trees offer and, if planted only with turf/grass or shrubs directly adjacent to large asphalt areas, would likely not survive. She further advises that turf areas need to be part of a larger turf area to survive, such as the large lawn area surrounding the proposed parking facility. Landscape islands or peninsulas of turf alone will likely not survive because the heat of the surrounding asphalt would make the conditions intolerable for grasses common to the climate of our region. Ms. Cnare recommends against installation of landscaping islands if trees and shrubs cannot be included and the area is to be only turf/grass.

**Staff Recommendation:** The city is sensitive to the safety issues associated with uses and operations in proximity to the airport. This appears to be a case where the zoning requirements are at conflict with FAA requirements and result in the potential for unsafe conditions. 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.