

STANDARDS WORKSHEET - VARIANCE – Mechanical Screen Height

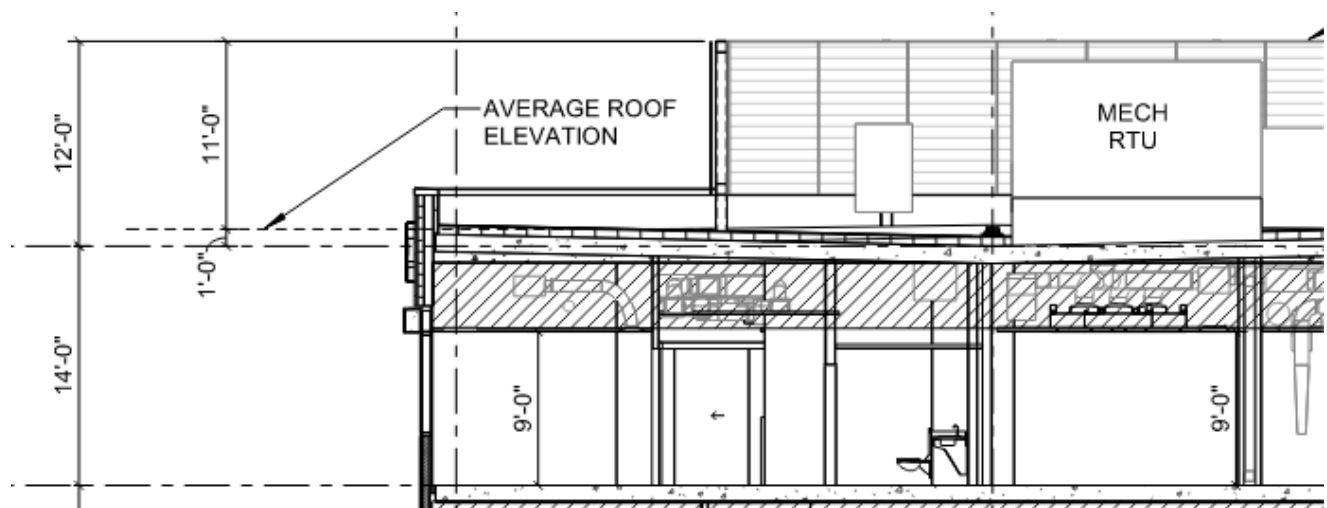
Code Section: Section 6-104 BULK REGULATIONS

Requirement: Structures exempted from the maximum height provisions by Subsections (1) and (2) above may not exceed a height of ten (10) feet above the average roof line of the building to which they are affixed or adjacent unless permitted by a special use permit.

Requested Variance: Height Variance up to 2' above the 10' requirement.

Modification: Current screen wall height is 11' above average roof line height. However, Mechanical roof top units (and roof curb heights) are currently being coordinated between several manufactures. Request would allow for an additional 2'-0" above the roof height (12'-0" max)

Incremental Improvements: NA



1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

Petitioner Response: The proposed facility requires specific sizing of mechanical rooftop units to accommodate the specific use. Smaller units would not accommodate the function of the building.

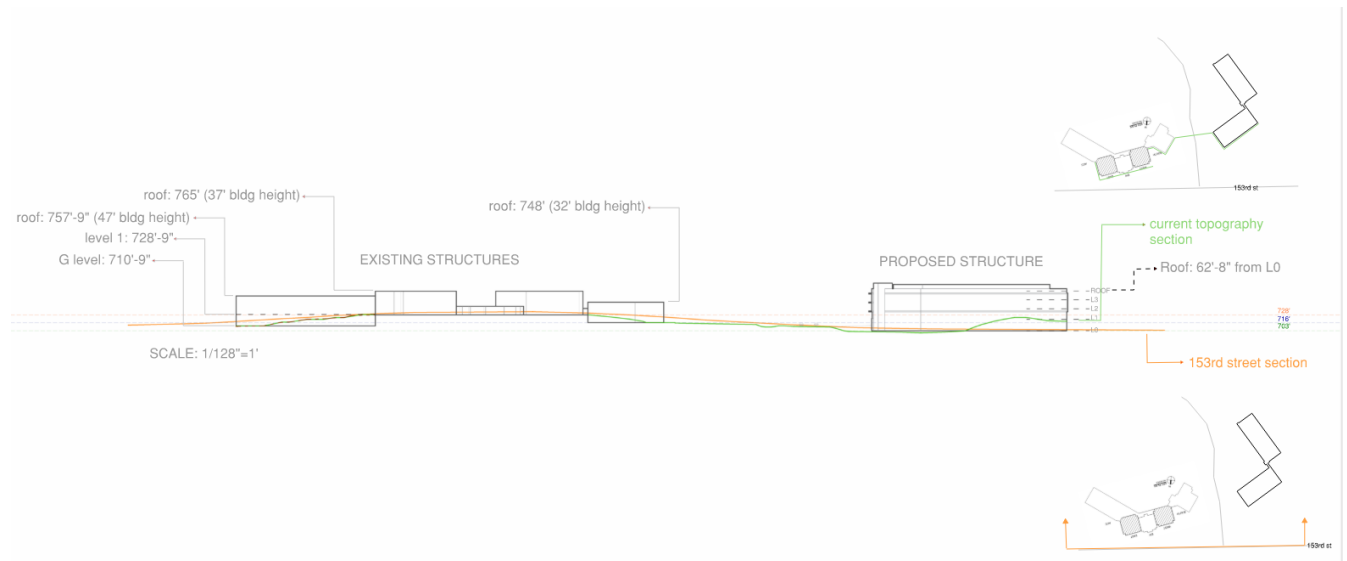
2. Is the plight of the owner due to unique circumstances?

Petitioner Response: Yes. As noted above, the selected rooftop units are necessary given the specific medical office use of the proposed building. The requested variation will facilitate a visual screen of the mechanical units on the facility roof.

3. Will the variation, if granted, alter the essential character of the locality?

Petitioner Response: The proposed overall building height and roof screening will align with other buildings on the Northwestern campus on Lot 1. Due to the existing campus being situated on higher ground, the new facility will have a similar height datum across the campus along 153rd

street as illustrated below. The new facility will feature the same materiality as the existing campus to the east.



4. Due to the particular physical surroundings, shape or topographical conditions of the specific property involved, is there a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?

Petitioner Response: Strict letter of the regulation would result in mechanical roof-top units and exhaust vents being exposed and in view from the surrounding neighborhood.

5. How are the conditions upon which the petition for a variation is based unique to the property for which the variance is sought and are not applicable, generally, to other property?

Petitioner Response: See answer to Questions #1 and #2. This is a unique circumstance given the nature of the rooftop units required for the proposed facility.

6. Has the alleged difficulty or hardship caused by these regulations and not resulted from any act of the applicant or any other person presently having an interest in the property subsequent to the effective date hereof, whether or not in violation of any portion thereof?

Petitioner Response: The hardship is due to an inherent natural of mechanical considerations in relation to the neighboring views from residential neighborhoods and parkland.

7. Will the granting of the variation be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located or otherwise be inconsistent with the Comprehensive Plan, any adopted overlay plan or these regulations?

Petitioner Response: The height and setback of this screen wall will help achieve design & character considerations outlined in the Comprehensive plan to provide varied rooflines and visual interest. There will be no detriment to the public, nor injury to other properties.

8. Will the proposed variation impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood?

Petitioner Response: The attached study shows that throughout the year, shadows from the facility do not cast a shadow on 153rd St or the neighboring North residential properties. A small shadow may be cast on the adjacent western parkland up to 9am only in the winter. Shadows from the building are otherwise contained on the Northwestern property. A separate traffic study has been conducted and provided for the full Development Review. Building setbacks are in compliance with the development code and the facility (including the parking garage structure) will be fully sprinklered.

9. Is the variance granted the minimum adjustment necessary for the reasonable use of the land?

Petitioner Response: The screen wall and roof to unit heights are being designed so that the least amount of screening will be necessary.

10. Are aforesaid circumstances or conditions such that the strict application of the provisions of this Section would deprive the applicant of any reasonable use of his or her land? Mere loss in value shall not justify a variance; there must be deprivation of all beneficial use of land.

Petitioner Response: For the reasons stated above, the requested variation will facilitate screening of the rooftop units that are necessary for the operation of the proposed facility.

STANDARDS WORKSHEET - VARIANCE – Building Height

Code Section: Section 6-207 BIZ GENERAL BUSINESS DISTRICT

Requirement: Height - No structure may exceed four (4) stories or fifty (50) feet

Requested Variance: Height Variance up to 4' above the 50' requirement

Modification: Total building height is 63'-8" from lowest level floor to top of roof level (excluding stair overrun and mechanical screening as prescribed by the code). The average grade around the facility is 10'-6" above the lower-level elevation which, when subtracted from the total height, gives a building height of 53'-2" (3'-2" above the 50' height requirement).

Incremental Improvements: NA



1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

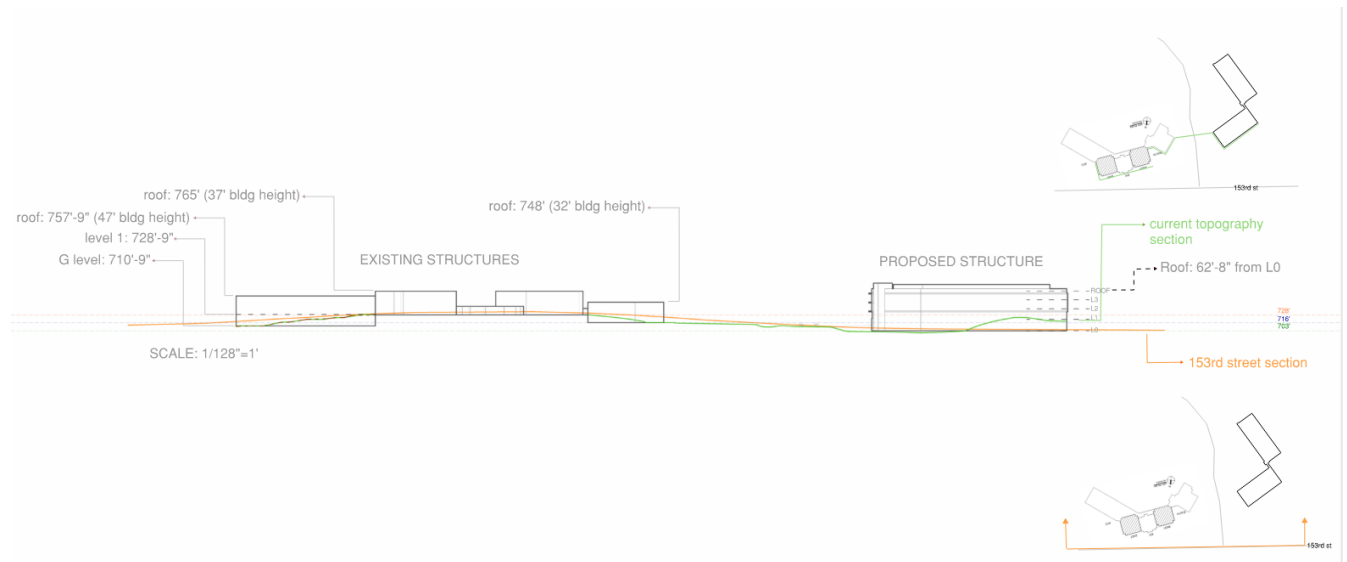
Petitioner Response: The program of the facility is optimally suited for 4 stories as allowed per the code. Due to floor-to-floor heights needed for medical imaging and mechanical systems, the overall height of the facility is taller than a typical business occupancy facility.

2. Is the plight of the owner due to unique circumstances?

Petitioner Response: The property includes an existing wetland which is also used for storm detention. This unique feature of the property prevents the facility utilizing a full basement. Given the high cost of medical equipment being placed on the lowest level, the facility needs to have a base elevation above the wetland.

3. Will the variation, if granted, alter the essential character of the locality?

Petitioner Response: The proposed building height will align with other buildings on the Northwestern campus on Lot 1. Due to the existing campus being situated on higher ground, the new facility will have a similar height datum across the campus along 153rd street as illustrated below. The new facility will feature the same materiality as the existing campus to the east.



4. Due to the particular physical surroundings, shape or topographical conditions of the specific property involved, is there a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out?

Petitioner Response: Strict letter of the regulation would require increase of the FAR of the facility while negatively impacting workflow efficiency between clinical departments; or, alternatively, the facility would have to be built with floor-to-floor heights that would prohibit or severely restrict use of the facility as intended for a state-of-the-art cancer institute.

5. How are the conditions upon which the petition for a variation is based unique to the property for which the variance is sought and are not applicable, generally, to other property?

Petitioner Response: If the site did not contain the existing wetland, a full basement could have been utilized, reducing the overall building height below the maximum 50' height outlined in the code.

6. Has the alleged difficulty or hardship caused by these regulations and not resulted from any act of the applicant or any other person presently having an interest in the property subsequent to the effective date hereof, whether or not in violation of any portion thereof?

Petitioner Response: The hardship is due to an inherent natural feature of the site wetlands.

7. Will the granting of the variation be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located or otherwise be inconsistent with the Comprehensive Plan, any adopted overlay plan or these regulations?

Petitioner Response: There is no indication of any detriment to other properties. The overall project notes a number of ways in which it strives to incorporate provisions and recommendations of the Comprehensive Plan.

8. Will the proposed variation impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood?

Petitioner Response: The attached study shows that throughout the year, shadows from the facility do not cast a shadow on 153rd St or the neighboring North residential properties. A small shadow may be cast on the adjacent western parkland up to 9am only in the winter. Shadows from the building are otherwise contained on the Northwestern property. A separate traffic study has been conducted and provided for the full Development Review. Building setbacks are in compliance with the development code and the facility (including the parking garage structure) will be fully sprinklered.

9. Is the variance granted the minimum adjustment necessary for the reasonable use of the land?

Petitioner Response: Each floor-to-floor height of the 4 stories has been reduced to the height needed to account for clinical imaging equipment and mechanical, plumbing, electrical systems.

10. Are aforesaid circumstances or conditions such that the strict application of the provisions of this Section would deprive the applicant of any reasonable use of his or her land? Mere loss in value shall not justify a variance; there must be deprivation of all beneficial use of land.

Petitioner Response: For the reasons stated above, the property cannot be used functionally for the intended purpose, which itself is consistent with and complementary of the existing hospital to the east, without approval of the requested variation.