



## ACTION OF THE CITY OF DULUTH PLANNING COMMISSION

**Applicant:**

St Luke's Hospital  
Attn: Michael Boeselager, Vice President  
915 East First Street  
Duluth, MN 55805

**Date:** January 25, 2019  
**Location:** 1012 E. Second St.

**Planning Commission File Number:**

PL 18-158

**Proposal:**

Plan Review associated with the MU-I plan for the St. Luke's Campus including:

- A. relocation of the Emergency Department to Building A from its existing location on 1<sup>st</sup> Street;
- B. replacement of the existing parking deck east of Building A with a new structure containing an ambulance garage and Emergency Department drop-off/parking accessed from E. 2<sup>nd</sup> St.;
- C. addition of parking in the lower level of the new ambulance/heliport structure accessed by E. 1<sup>st</sup>. St.;
- D. creation of a heliport on the roof of the new ambulance garage/parking structure;
- E. removal of the parking lane in the 1000 block of E. 2<sup>nd</sup> St.;
- F. improvements to the existing gravel parking lot on the north side of E. 2<sup>nd</sup> St. consisting of pavement, storm water treatment, perimeter landscaping, and improved lighting;
- G. addition of an elevator to the south wall of Building A near the point where the skywalk across 10<sup>th</sup> Ave. E. enters the building.

The above matter came for hearing before the City of Duluth Planning Commission ("Commission") on Tuesday, January 8, 2019, notice of said hearing having been given to all interested parties in accordance with Section 50-37.11 of the Duluth Legislative Code. The applicant appeared and presented their request to the Commission. The Commission also received a report from Planning Division Staff. All other parties interested in the matter were given an opportunity to be heard. The Commission now makes the findings and conclusions:

**Findings of Fact:**

- 1) Applicant is proposing a minor expansion to the Saint Luke's Hospital Lakeview Building. The expansion would be a single story (14 feet tall) and approximately 2,000 square feet in size, attached to the existing structure at 1001 East Superior Street. The purpose of the expansion is to provide additional space for clients (a new radiation treatment area for radiation therapy).
- 2) 50-15.4 (MU-I District) - Property is zoned MU-I. St. Luke's Hospital has an approved District Plan that was adopted in 2012, but as this structure expansion was not included in that plan, a separate Planning Review is required.
- 3) 50-18.1 (Natural Resources Overlay) – The property is not within a floodplain or shoreland area. The project includes erosion control measures during construction, and permanent water quality and rate control will be met using existing systems. Water quality improvements to the existing parking lot on the north side of E. 2<sup>nd</sup> St. include installation of pavement to reduce erosion, and an engineered swale to filter runoff.
- 4) 50-20.3 (Use Specific Standards) – Accessory Heliports must maintain required permits with FAA and operate the facility in accordance with those permits.

- 5) 50-24 (Parking) 50-24 – The proposal relocates the Emergency Department within the St. Luke’s campus. There will be a loss of 34 parking stalls from the 2<sup>nd</sup> St. level with the new parking deck. The City Engineer has confirmed that a traffic circulation study is not required due to the scope of the project. The application includes that the parking lot on the north side of E. 2<sup>nd</sup> St. will be paved, and the Planning Commission’s conditional approval expands the parking requirement to include that portion along the alley as well.
- 6) 50-25 (Landscaping) - Attachment C.3 is the landscape plan described by paragraph 14 of the applicant’s submittal. The proposal provides required street frontage landscaping for the new structure as well as the improved parking lot on the north side of E. 2<sup>nd</sup> St.
- 7) 50-26 (Screening, Walls, and Fences) – No mechanical units, trash, or loading areas are planned to be installed at grade level. Existing trash and loading areas will be utilized. A roof-mounted mechanical unit will be added to the roof of Building A and will be screened similarly to the existing units, which comply with the UDC. The height of the proposed structure is within the height limits of the zone district and the proposed structure will utilize colored precast concrete with brick inlays similar to the existing Building A exterior. The parapet wall at the top of the new structure will partially screen the heliport, provide shielding from the wind of the helicopter, and provide a place for directional signage.
- 8) 50-31 (Exterior Lighting) – Proposed exterior lighting at building entrances will be designed to comply with UDC requirements. Surface-mounted heliport lighting will be per FAA requirements and walkway lighting on the helipad will be designed to comply with UDC requirements. Existing flood lights on the gravel parking lot north of E. 2<sup>nd</sup> St. will be replaced with fixtures that comply with the UDC.
- 9) The proposal includes relocation of the heliport to the roof of the new parking deck.
  - a. The new location provides improved access to the relocated Emergency Department. However, the relocated site creates other concerns, outlined in paragraph 7 of the applicant’s submittal. Noise from arriving and departing helicopters will be approximately 400 feet closer to the residential neighborhoods on the north side of E. 2<sup>nd</sup> St. Approximately 100 dwelling units will be within 500 feet of the relocated helistop compared to 36 dwelling units within 500 feet of the existing helistop.
  - b. Applicant prepared the attached “Noise Screening Analysis” to consider impacts to the surrounding neighborhood. The study found that, while there will be intermittent increases in noise levels in the neighborhood during helicopter operations, there is no exceedance of Occupational Safety and Health Administration (OSHA), Minnesota Pollution Control Agency (MPCA), or Federal Aviation Administration (FAA) noise safety levels. These noise safety standards are set for longer-term exposures (see descriptions of each level in the attached Noise Screening Analysis) and the noise generated by helicopter operations will typically be less than 15 minutes each and approximately 400 times per year given current air ambulance traffic.
  - c. Based on review of Grid Point Results (Table 4 of the Analysis) with the Grid Point Locations map (Exhibit 4 of the Analysis), portions of the residential neighborhood will be exposed to noise levels of 100 - 103 dB near the intersection of 12th Ave. E. and E. 2<sup>nd</sup> St. and 100.8 dB across E. 2<sup>nd</sup> St. from the helistop. The model predicts noise levels in the 90 dB range as far away as 15th Ave. E. and 2<sup>nd</sup> St. Examples of things that typically generate 100 dB sounds include lawn mower, motorcycle, or garbage truck.
  - d. In addition to noise calculations, the applicant also analyzed the amount of wind generated by helicopter operations (which is called “rotor wash”) to see if it would cause negative impacts to E. 2<sup>nd</sup> St. and adjacent parking lots. Limited data exists for the specific helicopter in use at St. Luke’s Hospital, but the applicant finds that there have been no problems with the current heliport, which is mounted over the open parking deck. Additionally, the applicant provided calculations from a U.S. Dept. of Transportation-FAA study of larger helicopters showing the expected rotor wash to be less than the 10-35 miles per hour velocities generated by the larger military-style helicopters in the study. This may be considered a possible nuisance condition to people using E. 2<sup>nd</sup> St., which may be abated somewhat by the solid parapet wall at the edge of the helistop which could deflect some rotor wash. To reduce the possibility of wind driven debris, the heliport has been designed with heating coils in the surface to eliminate the need for salt and sand in the winter.
- 10) Tom Johnson, City of Duluth, Storm Water Engineer, commented that storm water improvements are needed for the gravel parking lot and that he is in conversation with the applicant’s engineer about this matter.
- 11) No additional City, public, or agency comments have been received.
- 12) Per UDC 50-37.1. N, an approved Planning Review will expire if the project or activity authorized is not begun within 1 year.

**Conclusions:**

- A. The request is in harmony with the purposes and intent of the UDC.
- B. The request is consistent with the comprehensive plan.
- C. The request will allow reasonable use of the land.

**Decision:**

Resolved that application PL 18-158, is approved (Planning Commission vote 7-2), subject to the following conditions:

- 1) The project be limited to, constructed, and maintained according to the site plans, landscaping plans, and exterior elevations provided with this application as Attachments A.1, A.2, A.3, B.1, B.2, B.3, B.4, B.5, B.6, C.1, C.2, C.3, D.1, and D.2 dated 12/04/2018;
- 2) The heliport be used exclusively for patient transport;
- 3) The applicant provide to the Land Use Supervisor fixture details for the lighting of the heliport before making application for a building permit and that the proposed lighting comply with UDC Sec. 50-31;
- 4) The applicant provide to the Land Use Supervisor before application for a building permit a revised landscape plan (Attachments C.1, C.2, and C.3) that meets all UDC requirements for landscaping;
- 5) That the revised landscape plan submitted for condition #4 above show additional landscaping (street trees) that meet UDC requirements and storm water improvements to the parking lot on the north side of E. 2nd St. that are approved by the City Engineer;
- 6) The applicant amend the plans for the parking lot on the north side of E. 2nd St. to include paving the portion along the alley;
- 7) Any alterations to the approved plans that do not alter major elements of the plans may be approved by the Land Use Supervisor without further Planning Commission; however, no such administrative approval shall constitute a variance from the provisions of UDC Chapter 50.

Decided at Duluth, Minnesota, on Tuesday, January 8, 2019

BY ORDER OF THE CITY PLANNING COMMISSION

Adam Fulton, Manager of Planning and Construction Services

**Please note:**

Planning reviews approved by the Planning Commission shall lapse if the project or activity authorized by the permit is not begun within 1 year of the permit date. The building official may extend this period one time for a period of up to 1 year if the property owner presents a written request showing the reasons for the delay was outside the owner's control (UDC Sec. 50-37.1.N).

**NOTICE OF RIGHT TO APPEAL**

Any person aggrieved by, or any department of the city affected by, any decision of the Commission may appeal the decision of the Commission to the Duluth City Council pursuant to Section 50-37.10(4) of the Duluth Legislative Code. The appeal must be filed with the city clerk within 10 days of the decision. The appeal should be addressed to the council and specify the grounds for the appeal. The fee for an appeal is \$350.00. The appeal fee must be tendered when the appeal is filed.