

STAFF REPORT

September 5, 2002

No. 02PD043 - Major Amendment to a Planned Commercial Development to waive the requirement to provide a minimum of 50% of the required landscaping within 20 feet of the parking lot and to waive the requirement to provide one tree with shrubs, groundcover and/or mulch in the parking lot islands

ITEM 33

GENERAL INFORMATION:

PETITIONER	Vernon Osterloo for Rapid City Regional Hospital
REQUEST	No. 02PD043 - Major Amendment to a Planned Commercial Development to waive the requirement to provide a minimum of 50% of the required landscaping within 20 feet of the parking lot and to waive the requirement to provide one tree with shrubs, groundcover and/or mulch in the parking lot islands
EXISTING LEGAL DESCRIPTION	The unplatted balance of the SW1/4 and south 30 feet of vacated 3rd street right-of-way all in Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 36.26 acres
LOCATION	353 Fairmont Boulevard
EXISTING ZONING	General Commercial District/PCD
SURROUNDING ZONING	
North:	General Commercial District/PCD; Office Commercial District
South:	General Commercial District; Medium Density Residential District/PRD
East:	Low Density Residential District
West:	General Commercial District; General Agriculture District
PUBLIC UTILITIES	City water and sewer
DATE OF APPLICATION	08/06/2002
REPORT BY	Jeff Marino

RECOMMENDATION:

Staff recommends that the major amendment to a Planned Commercial Development be approved with the following stipulations:

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Engineering Division Recommendations:

1. No landscaping shall be planted over the water main located in the 5th Street right of way;
2. New construction over the sewer line easement shall be replaced at the owners expense if excavation for the sewer is required;

Fire Department Recommendations:

3. All parking lot grades, access, and turning width radius shall accommodate Fire Department apparatus and shall be in compliance with the Rapid City Municipal Code and the Uniform Fire Code;

Urban Planning Division Recommendations:

4. The applicant shall submit a revised site plan approval showing required landscaping in parking lot landscaping islands located more than 400 feet away from the center of the helipad.

GENERAL COMMENTS: The applicant is requesting the City of Rapid City waive the landscaping requirements of Sections 17.50.300 A, C, and E of the City of Rapid City Municipal Code. Section 17.50.300 A.1.a. states that, "A minimum of fifty percent of the required landscaping shall be located in the parking lot or within twenty feet of the parking lot for all zoning districts except light industrial and heavy industrial. A maximum of twenty-five percent of the required landscaping may be within the public right-of-way. Arterial or collector street right-of-way landscaping shall be limited to shrubs, ground cover, or turf."

In addition, Section 17.50.300 E.1.e. states that, "Planter Islands shall be provided at a ratio of one such area for every fifty parking spaces. Each parking space shall be not less than one hundred twenty feet from the perimeter of the parking lot or a planter island. Each island planter shall contain a minimum of one hundred square feet, and provide a minimum for one tree with shrubs, groundcover and/or mulch covering the base."

This is a request for a Major Amendment to a Planned Commercial Development. The applicant is asking to waive the requirements for the location of landscaping within a parking lot. The parking lot was approved as part of Planned Development Application #02PD027 with stipulations on June 2002. The fifth stipulation stated that, "Prior to issuance of a Building Permit, the site plan shall be revised to provide landscaping material in the parking lot islands at a ratio of one area for every fifty parking spaces. Each island shall have a minimum of one deciduous non-fruit-bearing tree and two shrubs." The applicant is asking that this stipulation be eliminated due to safety concerns related to the flight of the helicopter at the helipad, and the use of excessively heavy trucks hauling medical equipment to the hospital.

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On February 5, 2001, the City Council approved a Planned Development Designation for the property to allow the City to review proposed future development of this site and insure that the future development provides positive commercial development without negatively impacting Fairmont Boulevard or the surrounding properties. On June 18, 2001 the City Council approved an Initial and Final Planned Commercial Development Plan for the expansion of a helicopter port on the subject property.

On August 8, 2002 the Planning Commission approved an Initial and Final Development Plan-Planned Commercial Development for this site with stipulations. That Planned Commercial Development allowed the construction of an addition providing additional space for the Cancer Care Institute. The stipulations stated, "All provisions of the Landscaping Ordinance shall be continually met".

The applicant states that there is a need for an exception to the requirement to plant trees in the landscaping islands due to the flight patterns of the helicopter. Hospital staff has indicated that if the helicopter were to make an emergency landing, trees in this area could complicate a dangerous situation.

Hospital staff has stated that the trucks are hauling heavy equipment in the parking areas creating excessive wear and tear on the parking lot. They have stated that this excessive wear and tear is compounded by the soils in area and water seepage into the parking lot from landscaping islands causing extensive maintenance.

STAFF REVIEW: Staff has reviewed the Major Amendment to a Planned Commercial Development and has noted the following considerations:

Waiving the requirements for landscaping would appear to be contrary to the public interest, since landscaping requirements have been established as a public purpose. The landscaping does not have to interfere with Federal Aviation standards; however, landscaping can be implemented to fulfill the intended purpose.

Accommodations need be made to ensure safety for the helicopter pilots. Putting tall landscaping in such close proximity to the helipad will create undue risk on the people who are using in the helipad; however, shorter tree varieties, shrubs and ground cover can be installed in areas further away from the helipad in compliance with FAA standards.

The soils in the area are poor to build upon; however, soils in this region as a whole are poor. Other medical facilities in this same area have successfully developed parking lots with interior landscaping islands. The soils at this site do not appear to be unique to this property and are similar to soils located in many parts of the community. Similarly, no delivery trucks are required to use this outlying parking area. More substantial paving and

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base sections may be appropriate for the areas of the parking lot where heavy truck traffic is anticipated.

It appears that with a modified landscaping design, the goals of the City Ordinance can be achieved, compliance with the FAA regulations maintained and the public safely protected. For this reason, staff is recommending that a modified landscaping plan be submitted with no landscaping required in the islands located within 400 feet of the center of the helipad. Landscaping would be required in the other islands.

Substantial justice will not be served by waiving the requirements because other businesses in town work with the same soil. However, this is an operating cost of operating a business in the City of Rapid City.

Shorter tree varieties, shrubs and ground cover can be installed in areas further away from the helipad in compliance with FAA standards. As per a conversation with Dick Bown, Assistant Manager of the Flight Standard District Office, it appears a line is drawn at an 8 to 1 slope extending from the center of the helipad in all directions to determine if something is going to interfere with the helicopters. At 400 feet away, that line would be 50 feet high. The applicant would be able to plant small ornamental trees, and still be able to come into compliance with the City of Rapid City Municipal code.

The required planned development sign has been posted on the property and the receipts from certified mailing have been returned as of the writing of this staff report.