6/19/2023

To: Mayor and Council

RE: Staff Recommendations - Wellstar Variance Request

Wellstar has submitted a variance application for development standards listed below. Staff recommendations are as follows:

Sec. 40-153 – Design Standards - horizontal minimum radii or centerline curvature of road

* + **Staff recommends approval of the variance on the centerline radius from 400 feet to 150 feet.**

This variance will meet the minimum design guidelines of the American Association of Highway and Transportation Officials (AASHTO) as Tucker Road is a local low volume road with a speed limit of 25 mph and the curve in question is near the intersection with Hwy 16 where vehicles will be coming to a stop. There is no safety reason for the larger curve as dictated by our ordinance.

Sec. 52-10 – Regulations by types of signs – size (letters and symbols) and lighting of wall signs

* **Staff recommends approval of the variance on the size of the wall sign letters up to a maximum of 24-inches to be consistent with variances granted for Dunkin and Chick-fil-A.**
* **Staff recommends denial of the variance to increase the size of the symbol in the wall sign to 54-inches**. The ordinance allows symbols to be 36-inches and to increase to 54-inches would represent a 50% increase in size which has not been approved in the overlay.
* **Staff recommends denial of the variance for internal lighting on the wall sign to be consistent with similar requests denied in the area.** Staff acknowledges that while variances have been granted in the past for both the size of letters and internal lighting at the Publix, this variance has not been approved since Publix and there is no hardship as the applicant can still have halo lighting on the wall sign.

Sec. 74-186 (e) - location of parking

* **Staff recommends approval of the variance on the parking with a condition that bicycle parking (bike racks) must be included.**
* The overlay ordinance uses required parking as the metric and in this case the applicant is proposing more parking than required but still meets layout restrictions of 25% max in front and 50% on sides and remainder in the rear.

Sec. 74-185 (c) – site development - mass grading

* **Staff recommends approval of the variance to allow mass grading which is typical for commercial development.**

Sec. 74-191(f) – landscaping -canopy trees required

* **Staff recommends approval of the variance to reduce the number of canopy trees required with the following conditions:**

1. **Canopy trees planted onsite must meet the minimum diameter inches per acre (DBH-inches/acre) of the tree preservation ordinance (Sec. 30-102) and density and size requirements of the land development regulation (Sec. 40-229),**
2. **All landscaping must be covered by a maintenance bond in the amount of 150% of installed cost for a minimum of 3 years after installation.**
3. **Trees that are not able to be physically planted onsite using the above standards will be mitigated by a contribution to the tree replacement fund.**

Staff acknowledges that the overlay requirements of 1 canopy tree per 250 square feet of landscape area will result in too many trees planted too close together and could limit the overall health and longevity of the trees. The tree preservation ordinance requires (80 DBH inches/acre) and the proposed landscape plan provides 74 DBH inches/acre. Staff will work with applicant to achieve the minimum of 80 DBH inches/acre.

Sec. 74-191(g) – landscaping - minimum 20% of 12-inch trees to be saved

* **Staff recommends approval of the variance to reduce the percentage of 12-inch or larger trees saved from 20% to 8% with the condition that the applicant mitigate the cost of the specimen trees to be removed by a contribution to the tree replacement fund.**

The table below details the specimen trees that are to be removed and the approximate replacement inches required for calculation of tree fund contribution.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| SPECIMEN TREE | SIZE (INCHES) | NUMBER | INCHES  REMOVED | Equivalent  2-inch trees |
| Water Oak | 26 | 1 | 26 | 13 |
| Red Oak | 26 | 2 | 52 | 26 |
| Red Oak | 28 | 1 | 28 | 14 |
| Red Oak | 30 | 1 | 30 | 15 |
| Water Oak | 60 | 1 | 60 | 30 |
| **TOTAL REPLACEMENT** | | | **196** | **98** |

Approximately 98 (2-inch) trees will be required to replace the specimen trees being removed. Under the tree preservation ordinance Sec. 30-102, the applicant will be required to obtain 3 installed cost estimates and the average cost will be used to establish the value for the tree fund contribution.

Sec. 74-196 – Pedestrian improvements - 5 foot versus 6 foot sidewalks on the public right of way

* **Staff recommends denial of the variance on the sidewalk width.**

Staff does not recognize a hardship for the applicant and the City standard of 6 feet wide sidewalks in the overlay district allows users to more easily pass each other and should only be varied where necessary to avoid an obstruction.

Sec. 74-197 – Lighting standard - minimum of 2.4 foot candles typically met with use of light poles

* **Staff recommends denial of the variance on the lighting standard.**

Staff believes the variance is not needed as the applicant can incorporate wall mounted lighting on the west side of the building to ensure minimum foot candles are met in the parking spaces and sidewalk.