



## LANDSCAPE REVIEW BOARD MEMORANDUM

**FROM:** The Office of the City Manager    **DATE:** August 8, 2022

**SUBJECT:** LRB22-0003 Public hearing and consideration of a request from Baird, Hampton & Brown for a variance to Chapter 114 (Vegetation) of the North Richland Hills Code of Ordinances at 4525 City Point Drive, being 1.65 acres described as Lots 6R and 7, Block 1, North Edgely Addition.

**PRESENTER:** Clayton Husband, Principal Planner

### **SUMMARY:**

On behalf of MHMR of Tarrant County, Baird, Hampton & Brown is requesting a variance to Chapter 114 (Vegetation) of the North Richland Hills Code of Ordinances. The site is located at 4525 City Point Drive. The applicant is requesting a variance related to the location of the required masonry screening wall and planting material in the buffer yard.

### **GENERAL DESCRIPTION:**

The site is located on the west side of City Point Drive just north of the intersection of Boulevard 26. It is developed with an office building occupied by [My Health My Resources \(MHMR\) of Tarrant County](#). The site is adjacent to existing single-family residences on Ken Michael Court, and Deville Drive dead ends into the west side of the lots.

The property is zoned C-2 (Commercial), and a replat of the property was approved by City Council on June 27, 2022.

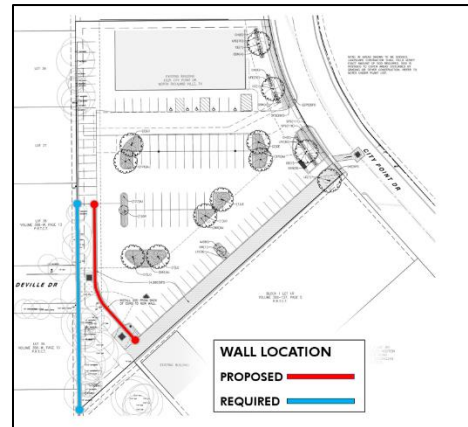
In May 2022, the owner submitted a site plan application for the expansion of the parking lot for the office building. As part of the plan review, the Development Review Committee noted that a screening wall was proposed to be constructed at the front of the buffer yard rather than on the property line. It was further noted that the plant material proposed in the buffer yard was noncompliant with required landscaping standards. The owner considered modifications to the plan to comply with the standards. However, the owner ultimately decided to seek a variance to allow the improvements as proposed.

### **ANALYSIS**

The landscaping and buffering standards that apply to this property are found in Article III, Landscaping and Buffering Regulations of Chapter 114 (Vegetation) of the Code of Ordinances. The Development Review Committee (DRC) reviewed the landscape plan for the property as part of the site plan application for the project. The plan meets the requirements of the landscaping and buffering regulations except for the standards described below.

Section 114-72(c)(2) of the landscaping regulations establishes standards for buffer yards between commercial and residential land uses. This standard requires construction of a six- to eight-foot-tall masonry screening wall on the common property line between the commercial and residential uses, and the installation of one large tree per each 30 linear feet of buffer yard area, with a minimum of 40% of the trees being an evergreen species.

The applicant is requesting a variance to allow the screening wall to be constructed at a location other than on the common property line. The wall would be constructed to follow the western edge of the parking lot, which is curved along the southwest portion of the lot. The distance between the common property line and the wall ranges from approximately 18 feet to 55 feet. The location of the wall would screen the parking lot from adjacent properties; however, it would not provide complete screening of the commercial property. The exhibit (right) shows the required and proposed location of the screening wall.



If the screening wall is constructed as proposed, the buffer yard would be located between the wall and the residential properties. The existing residential fences would remain in place. The DRC noted concerns that maintenance of the area between the two fences could become problematic as the area would not be readily noticeable from the site or adjacent properties. Additionally, the lack of visibility of the space could result in an attractive area for undesirable activities. The DRC recommends that the screening wall be constructed on the common property line as required by the code standards.

The applicant is also requesting that the existing tree line adjacent to the residential properties count as the required plantings for the buffer yard. There are 23 existing trees in the buffer yard area: Hackberry (15), Elm (2), Ash (5), and Mulberry (1). All these trees are deciduous species and would not provide screening during winter months. The landscaping regulations require that one large tree be planted for each 30 linear feet of buffer yard area, with at least 40% of the trees being an evergreen species. The buffer yard is 210 feet long, which would require seven (7) trees to be planted. While most if not all the existing trees would need to be removed to plant the required buffer yard trees, the existing trees are not species recommended for use in landscaping plans for commercial properties.

The table below summarizes the applicable standards and describes the applicant's proposal. The variance application and supporting materials are attached. The materials include a statement from the applicant explaining the reasoning for the variance request and a copy of the proposed landscape plan.

STANDARD	REQUIRED	PROPOSED
Sec. 114-72(c)(2) Buffer requirements	Nonresidential adjacent to residential: <ul style="list-style-type: none"> <li>• Masonry screening wall (6-8 feet height)</li> <li>• One large tree per 30 linear feet (7 trees required)</li> <li>• At least 40% of trees must be evergreen (3 trees)</li> </ul>	<ul style="list-style-type: none"> <li>• Screening wall constructed at alternate location.</li> <li>• Use existing tree line as required tree plantings</li> </ul>

The request is being processed as a variance application, which would waive certain landscaping standards for the office development. The Board may include appropriate conditions as part of the approval of a variance request. The affirmative vote of four Board members is required to approve a variance.

A public hearing is required for consideration of a request for variance. Notice of the public hearing was published in the newspaper and mailed to all owners of real property within 200 feet of the site.

### **OPTIONS FOR BOARD CONSIDERATION**

The Landscape Review Board has the following options on this application.

1. Approve the variance as presented. This action would approve variances to the screening wall and buffer yard standards and allow the wall location and buffer yard to be constructed as presented.
2. Approve the variance with conditions. This action would approve variances to the screening wall and buffer yard standards, subject to the owner making modifications to the wall location or buffer yard planting material as directed by the Board.
3. Deny the variance. This action would require the screening wall to be constructed on the common property line and the buffer yard planting material to be installed in compliance with landscaping standards for nonresidential properties.

### **RECOMMENDATION:**

Deny LRB22-0002.