



LANDSCAPE REVIEW BOARD MEMORANDUM

FROM: The Office of the City Manager **DATE:** January 23, 2023

SUBJECT: LRB23-0004 Consideration of a request from Franz Architects for a permit for nonconformity to Chapter 114 (Vegetation) of the North Richland Hills Code of Ordinances at 5196 Rufe Snow Drive, being 4.86 acres described as Lot 3R1, Block 13, Snow Heights North Addition.

PRESENTER: Clayton Comstock, Planning Director

SUMMARY:

On behalf of MG Rufe Snow LLC, Franz Architects is requesting a permit for nonconformity in conjunction with a large-scale remodel of an existing shopping center building. The permit for nonconformity would allow improvements to the site to continue without conforming to the current landscaping and buffering standards. The site is located at 5196 Rufe Snow Drive. Since the permit value of the building remodel exceeds 75 percent of the current appraised value of the existing improvements, full compliance with the landscaping standards is required.

GENERAL DESCRIPTION:

The property under consideration is generally located at the southeast corner of Rufe Snow Drive and Dick Lewis Drive. The subject building is 45,162 square feet in size and located between WinCo Foods and The Shoppes at Crown Point. The site was originally developed as a grocery store in 1984 and was last used as a church. The building is currently vacant.

Because development of the site predates the adoption of landscaping and buffering standards, the property is considered legal non-conforming to current landscaping standards. The Landscape Review Board previously approved an alternate landscape plan for the site on November 10, 2014. The current proposed design does not align with that approval, and the applicant proposes an alternative landscape plan for consideration by the Board.

Improvements on the property are appraised by the Tarrant Appraisal District (TAD) at \$1.5 million. The applicant submitted a building permit to remodel the existing building to retail stores for three new tenants. The value of all work requiring building permits is \$2.7 million, almost twice the value of the appraised existing improvements. Since the value of the remodel of the building is more than 75% of the existing improvements value, the general standards of the Vegetation Chapter 114, Article III, Section 114-71 (Landscaping Regulations) apply to this property. The improvements required by the code include a

minimum landscaped area on the site, landscape setbacks on Dick Lewis Drive, parking lot landscaping, and a masonry screening wall adjacent to Dick Lewis Drive.

The table below details the applicable standards and describes the applicant's proposal to mitigate the deficiency. In addition, copies of detailed landscaping plan is attached. The proposed improvements include the following features:

STANDARD	REQUIRED	PROPOSED
<u>Sec. 114-71(f)</u> Landscape area	<ul style="list-style-type: none"> At least 15% of total lot area must be landscaped (31,755 sq ft) 	<ul style="list-style-type: none"> 3.2% of total lot area landscaped (6,725 sq ft)
<u>Sec. 114-71(g)</u> Landscape setback	<ul style="list-style-type: none"> 15-foot landscape setback adjacent to all public streets One (1) large tree per 50 feet of frontage Ten (10) shrubs per 50 feet of frontage <u>Dick Lewis Drive (residential across street)</u> Requires 6 large trees and 60 shrubs (300 ft frontage less 35 ft of drive approaches = 265 feet) 	<ul style="list-style-type: none"> Full 15-foot setback not provided. Existing condition does not provide a landscape setback adjacent to Dick Lewis Drive. Six (6) existing trees planted in right-of-way. <u>Dick Lewis Drive</u> Maintain existing trees and replace dead trees Add 15-foot landscape setback for approximately half of frontage (130 feet) and plant with sod No new trees or shrubs provided
<u>Sec. 114-71(i)</u> Parking lot landscaping	<ul style="list-style-type: none"> Minimum Area: 5% of parking lot in landscaped area (5,490 sf) Quantity: 1 tree in island per 20 parking spaces Proximity: Each parking space within 100 feet of a parking lot island tree 	<ul style="list-style-type: none"> Minimum Area: 4.25% of parking lot in landscaped area (4,659 sf) Quantity: No trees provided in parking area Proximity: No trees provided in parking area Landscape islands include washed river gravel and sandstone boulders. No plantings provided in islands.
<u>Sec. 118-871(l)</u> Masonry screening wall	<ul style="list-style-type: none"> Loading dock area facing Dick Lewis Drive must be screened with a six-foot masonry wall 	<ul style="list-style-type: none"> Screening wall not provided

The request is being processed as a permit for nonconformity. Approval would be associated with the building permit for the renovation of the building, and approval does not run with the property in the same manner as a variance. If future improvements were proposed on the site, compliance with the standards would be evaluated again at that time.

A public hearing is not required for consideration of a permit for nonconformity.

RECOMMENDATION:

Approve LRB23-0004, with modifications to the Dick Lewis Drive frontage to address sight visibility triangles and increase evergreen screening to the greatest extent possible.