



LANDSCAPE REVIEW BOARD MEMORANDUM

From: The Office of the City Manager **Date:** October 24, 2016
Subject: LRB 2016-01 Consideration of a request from M.J. Wright & Associates for a Permit for Nonconformity to Chapter 114 – Vegetation of the North Richland Hills Code of Ordinances at 7800 Boulevard 26.
Presenter: Clayton Husband, Principal Planner

Summary:

On behalf of Rainier NRH LLC, M.J. Wright & Associates is requesting a permit for nonconformity that would allow for substantial renovation of a structure without conformance to the current landscaping and buffering standards. The owner of the property proposes to renovate a building located at the northeast corner of Boulevard 26 and Bedford Euless Road, formerly occupied by Office Depot. Since the value of construction for the renovation exceeds 75% of the current appraised value of the property improvements, full compliance with the landscaping standards is required.

General Description:

The general standards of the Vegetation Chapter 114, Article III, Section 114-71 (Landscaping Regulations) and Section 114-72 (Buffer Yard Regulations) apply to this property. The improvements required by the code include a minimum landscaped area on the site, landscape setbacks on all street frontages, a 15-foot wide landscaped buffer yard on the common property line with the adjacent single-family residential properties, and parking lot landscaping and screening.

The existing property is non-conforming to the standards, and the applicant proposes an alternative landscape plan for consideration by the Landscape Review Board. The site has been developed since at least 1970, which predates the adoption of landscaping and buffering standards. The site does not contain any landscaping.

The applicant's proposed plan is attached. The proposal includes new landscaped areas on the Boulevard 26 and Bedford Euless Road street frontages. The design calls for pavement removal in several areas to create buffer yards and planting areas, with a focus on the western corner of the site. The corner design is modeled after the median landscaping at Boulevard 26 and NE Loop 820 and includes an area of stained concrete. A five-foot wide sidewalk will be constructed along both street frontages and meander through the site at the corner to avoid conflicting with a storm drain and curb inlet.

The table below summarizes the applicable standards and describes the applicant's proposal to mitigate the deficiency.

Standard	Required	Proposed
Sec. 114-71(f) Landscape area percentage	<ul style="list-style-type: none"> At least 15% of total lot area must be landscaped (18,549 sq ft) 	<ul style="list-style-type: none"> 12% of total lot area landscaped (15,242 sq ft)
Sec. 114-71(g) Landscape setback	<p><u>Boulevard 26 (489-foot frontage)</u></p> <ul style="list-style-type: none"> 15-foot landscape setback adjacent to public street 1 large tree and 10 shrubs per 50 feet of street frontage <ul style="list-style-type: none"> 10 large trees required 98 shrubs required <p><u>Bedford-Eules Rd (538-foot frontage)</u></p> <ul style="list-style-type: none"> 15-foot landscape setback adjacent to public street 1 large tree and 10 small shrubs per 50 feet of street frontage <ul style="list-style-type: none"> 11 large trees required 108 shrubs required 	<p><u>Boulevard 26</u></p> <ul style="list-style-type: none"> Landscape setback width complies for 60% of frontage 10 trees (6 large & 8 ornamental) 98 shrubs <p><u>Bedford Eules Road</u></p> <ul style="list-style-type: none"> Landscape setback complies for 55% of frontage 11 trees (8 large & 6 ornamental) 108 shrubs <p>Trees and shrubs are clustered in areas due to existing site conditions</p>
Sec. 114-71(h) Parking lot screening	<ul style="list-style-type: none"> Screen parking stalls from public right-of-way 	<ul style="list-style-type: none"> <u>Boulevard 26</u>: screening provided for 100% of parking stall frontage <u>Bedford Eules Road</u>: screening provided for 100% of parking stall frontage
Sec. 114-72 (b) Buffer Yard Requirements	<ul style="list-style-type: none"> 15-foot wide buffer yard adjacent to single-family properties on Ash Street One large evergreen tree per 30 linear feet of buffer area 	<ul style="list-style-type: none"> Waiver of buffer yard requirement requested Maintain existing condition

The table above demonstrates that the applicant has met all landscape material *quantity* requirements, and is mostly varying from the landscape area and landscape setback requirements. 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 LRB 2016-03.