



Granbury City Council

AGENDA REPORT

Meeting Date: October 3, 2023

Item Number: 7.3

SUBJECT: Public Hearing - Consider a request of Realty Capital Management to Preliminary Plat a 47.271 acre tract of the Marcus Smith Survey, Abstract # 504 as Lots 1-6, Block 1; Lots 1-27, Block 2; Lots 1-3, Block 3; Lots 1-11, Block 4; Lots 1-4, Block 5; Lots 1-4 and 5X, Block 6; Lots 1-4, Block 7; Lots 1-6, 7X, and 8-17, Block 8; Lots 1-20, Block 9; Lots 1-13, Block 10 and Lots 1-11, Block 11 of the Lakeview Landing Addition. The property is located southwest of the intersection of E. Hwy 377 and Overstreet Blvd. (PL-2023-19)

BACKGROUND/DISCUSSION

Proposed Use: The development is the future site of a mixed-use development intended for retail, office, hotel, park, multi-family/senior living, town houses, single-family residential purposes. The site is approximately 47 acres in total and is proposed for development in phases.

Existing Use/Site Attributes: The site is currently undeveloped. The parent tract is bisected by multiple drainage easements.

Location: The property is located southwest of the intersection of E. Hwy 377 and Overstreet Blvd., south of the Shops of Granbury.

Size: 47.271 acres

Applicant/Owner: Realty Capital Management - Applicant / Owner

Hearing Dates: September 11, 2023 - P&Z; October 3, 2023 - City Council

Zoning History: The site was rezoned from Interim Holding [IH]. Light Commercial [LC], and Heavy Commercial [HC] to Planned Development [PD] for mixed use development in December 2021.

Platting History: The property has not been formally platted and is in the Marcus Smith Survey Abstract No. 504.

Plat Review [DRC]: There are still outstanding DRC comments from the DRC meeting. These comments are highlighted below. All remaining outstanding comments will need to be addressed and finalized prior to acceptance of the Final Plat.

Community Development

1. Utility easements not shown for residential lots SO 3.3.A.
2. Update lot numbers for block 1 now that lot 2 has been eliminated.

3. Verify legend notations are correct.
4. Iron Rods called out in metes and bounds are not shown on plat. Update callouts between metes and bounds, line data table and all sheet pages.
5. Provide a block plan layout for block 2, 3, 10, and 11 Add as a sheet to preliminary plat packet and update sheet labels accordingly.

Public Works/Engineering

1. Provide a discussion on how maintenance will be handled on the private streets which have lot lines running down the middle of the streets. Might be better to name these private ROW and have the lot lines outside of the roadways and trails. Easier to define the private streets for maintenance by the POA. The parking easements can be incorporated as part of the individual lots for maintenance or incorporated into the POA maintenance responsibilities. Need a way to clearly define the maintenance responsibilities and the rights of the POA to maintain structures on private property.
2. Missing Legend 2 on sheet 3 of 4. Missing Legend 1 and 2 on sheets 1 of 4 to add full legend on all sheets.

VARIANCES:

The following variance to the City of Granbury Subdivision Ordinance is requested by the developer under the plat application in order to support the proposal as presented [see attached Variance request form from the applicant].

- **Variance** is requested to Section 3.3 Easements, to dedicate standard utility easements in alternative locations in the mixed-use, multi-family and senior living portions of the development thus providing adequate utility easements .

Subdivision Ordinance Sec. 1.12 VARIANCES.

A. General -The City Council may approve variances to these subdivision regulations so that substantial justice may be done and the public interest secured when it finds that unreasonable hardships or difficulties may result from strict compliance with these regulations, and/or the purposes of these regulations may be served to a greater extent by an alternative proposal. Any variance granted shall not have the effect of nullifying the intent and purpose of these regulations. When considering a variance, the City Council shall consider the following:

1. The granting of the variance will not be detrimental to the public safety, health, or welfare or injurious to other property;
2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to other property.[;]
3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out;
4. The variance will not, in any manner vary, the provisions of the Zoning Ordinance or Future Land Use Plan, Thoroughfare Plan, and other adopted Plans, except that those documents may be amended in the manner prescribed by law.

Infrastructure/Service Delivery Impacts:

- **Drainage** – Preliminary drainage review has been completed with this Preliminary Plat; final drainage will be reviewed with final engineering plans at the time of final plat.
- **Water/Wastewater** – Site is served by the City of Granbury. Water and sewer services will be

extended to serve the development. An agreement is in place for the wastewater service.

- **Transportation** – The site is adjacent to US Hwy 377 an existing TXDOT roadway; a new street, Lakeview Landing Avenue will provide access to the site from US Hwy 377 and connect to future Overstreet Boulevard as well as internal streets within this plat; additionally access/fire lanes will be installed throughout the development.
- **Fire** – Fire coverage has been reviewed with this Preliminary Plat; and will also be verified with the final engineering plans at the time of final plat submittal.
- **Electrical** – The site is served by UCS.
- **Parks/Open Space** – The plat includes an approximate 2.15 acre lot (Block 1, Lot 4) with public access and private property ownership.

FINANCIAL IMPACT

N/A

PRIOR BOARD OR COUNCIL ACTION

On September 11, 2023 the Planning and Zoning Commission recommended **approval** of the following variance by a unanimous (6-0) vote:

- Variance of the Subdivision Ordinance Section 3.3 Easements, to not require standard easements.

The Planning and Zoning Commission also recommended **approval** of the Preliminary Plat as presented.

SUGGESTED ACTION

Staff recommends the following action on the variance request, per the City Engineer's memo (see attached).

- **Approval** of the variance to Section 3.3 Easements, to to not require standard easements.

Staff also recommends **Approval** of the Preliminary Plat as presented.

STAFF CONTACT:

Kira Wauwie - Community Development Director

ATTACHMENTS

- [Location Map](#)
- [Zoning Map](#)
- [Preliminary Plat](#)
- [Application](#)
- [Variance](#)
- [Variance Memo](#)