

Mayor and Council Communication

DATE: 01/26/21

M&C FILE NUMBER: M&C 21-0067

LOG NAME: 06AX-20-008 CORNERSTONE BIBLE CHURCH – OWNER INITIATED

SUBJECT

(Future CD 7) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Adopt Ordinance for the Proposed Owner-Initiated Annexation of Approximately 5.10 Acres of Land in Denton County, Known as Cornerstone Bible Church, Located East of Interstate 35 West and South of Chadwick Farms Subdivision along Litsey Road, in the Far North Planning Sector, AX-20-008

(PUBLIC HEARING - a. Report of City Staff: Mary Elliott; b. Public Comment; c. Council Action: Close Public Hearing and Act on M&C)

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct public hearing for the proposed owner-initiated annexation of approximately 5.10 acres of land in Denton County, located east of Interstate 35 West, south of the Chadwick Farms subdivision along Litsey Road as shown on Exhibit A;
2. Authorize execution of Municipal Services Agreement between the City and property owners, Cornerstone Bible Church; and
3. Adopt ordinance annexing AX-20-008 for full purposes.

DISCUSSION:

On October 19, 2020, representatives for the property owners Cornerstone Bible Church, submitted an application for full-purpose annexation of the property shown on Exhibit A into the City of Fort Worth. The subject property is located entirely in that portion of the City's extraterritorial jurisdiction which is in Denton County. The site is located east of Interstate 35 West, south of Chadwick Farms Subdivision along Litsey Road. The owner-initiated annexation, which is approximately 5.10 acres, is consistent with the urban development annexation criteria as established by the City's Annexation Policy. The subject area is currently the site of a church and vacant land. The property owner's proposal of maintaining the current use while adding a Children's Education Center and playground is consistent with the future land use map of the 2020 Comprehensive Plan.

The proposed annexation has a related preliminary plat (PP-20-056) that was submitted on October 1, 2020. The preliminary plat boundary is adjacent to Fort Worth City Limits on the western and northern sides. The annexation case was presented to the City Plan Commission on January 13, 2021. The Commission voted to recommend approval of a recommendation to City Council for the annexation of the 5.10 acres at the request of the property owners. There is no related zoning case. As such, the property will default to "AG" Agricultural zoning.

The proposed annexation site will continue to be accessed from Litsey Road, Endeavor Way, and Integrity Court. Litsey Road is shown as a Neighborhood Connector, two-lane, No Special Facility, Center two-way left turn lane, No Parking, Off-street sidepath, 110 foot wide, on the City's Master Thoroughfare Plan [NCO-L2-T0-TWLT-P0-BOP (110)]. The development will be responsible for contributing to the construction of that portion of Endeavor Way (Collector) and Integrity Way which are adjacent to their property. Improvements on Endeavor Way and Integrity Court will be accepted by the City of Fort Worth for maintenance upon completion.

Subchapter C-3 of Chapter 43 of the Texas Local Government Code (LGC) provides for the process of annexation of an area upon a request of an owner of land. Section 43.0672 of the LGC requires a municipality that elects to annex an area upon the request of an owner first negotiate and enter into a written agreement with the owners of land in the area for the provision of municipal services.

The agreement must include:

1. A list of each service the municipality will provide on the effective date of the annexation; and
2. A schedule that includes the period within which the municipality will provide each service that is not provided on the effective date of the annexation.

The municipal services agreement includes these provisions in accordance with state law.

The proposed voluntary annexation abuts approximately 0.13 acres of county right-of-way. Under Section 43.106 of the Texas Local Government Code "a municipality that proposes to annex any portion of a county road or territory that abuts a county road must also annex the entire width of a county road and the adjacent right-of-way on both sides of the county road." The annexation of the 0.13 acres is the required right-of-way portion of the county road.

While the current church use will remain the applicant has proposed to add a Children's Education Center and playground. In its current use, the property does not generate tax revenue. Since the site is proposed to remain for use as a church it is anticipated that the annexation will have a negative fiscal impact to the General Fund into the foreseeable future. A fiscal impact analysis was generated with the assistance of various City Departments. The fiscal impact analysis was then provided to Planning & Data Analytics for review. Operating costs projected from the Police, Code Compliance, and Transportation and Public Works Departments, show a negative effect to the General Fund for the life of the project. The

site is part of an enclave and is situated in an area experiencing urban development. As an enclave it is not required to have a positive fiscal impact.

Therefore, due to the ability of the area to meet the City's criteria for full-purpose annexation staff recommends approval of the requested owner-initiated annexation, AX-20-008.

The City Council will conduct a public hearing on the proposed annexation. The public hearing is an opportunity for persons interested in the annexation to be heard. Once the City Council has conducted the required public hearing, Council may close the hearing and vote on annexing AX-20-008 for full purposes.

If annexed, this property will become part of COUNCIL DISTRICT 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that the impact of this annexation will be built into the City's long-term financial forecast of the General Fund.

Submitted for City Manager's Office by: Dana Burghdoff 8018

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: Leo Valencia 2497

Expedited