

Mayor and Council Communication

DATE: 12/12/23

M&C FILE NUMBER: M&C 23-1031

LOG NAME: 06AX-23-003 TERRA VELLA - GRBK (OWNER INITIATED)

SUBJECT

(Future CD 10) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 573.897 Acres of Land in Tarrant County, Known as Terra Vella - GRBK, Located South of Eagle Road and West of John Day Road, in the Far North Planning Sector, AX-23-003 (Continued from a Previous Meeting)

(PUBLIC HEARING - a. Report of City Staff: Stuart Campbell; 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 573.897 acres of land in Tarrant County, known as Terra Vella - GRBK, located south of Eagle Road and west of John Day Road, as shown on Exhibit A;
2. Authorize execution of municipal services agreement between the City and property owner, GRBK Edgewood LLC; and
3. Adopt ordinance annexing AX-22-003 for full purposes.

DISCUSSION:

On November 8, 2022, City Council approved Development Agreement City Secretary Contract (CSC) No. 58861. This agreement between the City of Fort Worth and GRBK Edgewood LLC, stipulates in ARTICLE V, ANNEXATION; ZONING, 5.01 Annexation "In conjunction with the submission of a preliminary plat for all or any portion of the Property (each, a "Plat"), Owner shall, pursuant to Subchapter C-3, Chapter 43, Texas Local Government Code ("Subchapter C-3"), submit a petition for the voluntary annexation of the area covered by the Plat". City Plan Commission voted on August 23, 2023, to conditionally approve PP-23-024 upon City Council approval of the annexation request. This owner-initiated annexation follows agreed upon actions as noted in CSC No. 58861.

On June 29, 2023, representatives for the property owner GRBK Edgewood LLC, submitted a request 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 Tarrant County. The site is located south of Eagle Road and west of John Day Road. The request for annexation of approximately 573.897 acres is consistent with the urban development annexation criteria as established by the City's Annexation Policy. The subject area is currently agricultural land and the property owner's proposal of residential and industrial type development is mostly consistent with the future land use map of the 2023 Comprehensive Plan.

On August 23, 2023 staff presented the proposed change in land uses to City Plan Commission. The Fort Worth Lab supports the proposed Future Land Use map configuration changes for Terra Vella - GRBK tract based on the development site plan submitted with the annexation application. The proposed uses call for changes from Suburban Residential and Light Industrial to Single-Family Residential, Heavy Industrial, Private Park, Recreation, Open Space, and Infrastructure (Gas Wells). The City Plan Commission voted unanimously for an approval of a recommendation to City Council for Terra Vella - GRBK annexation request.

On November 8, 2023, the related zoning case (ZC-23-127) was heard by the Zoning Commission, and the commission voted unanimously in favor to recommend approval of the requested zoning to City Council. The requested zoning is "A-5" One-Family, and "K" Heavy Industrial.

Upon annexation, the development will be added to the Transportation Impact Fee Service Area B and will be subject to the Transportation Impact Fee Ordinance. The traffic impact analysis stated that the adjacent arterials would fail at build out (John Day Road, Sendera Ranch Road, and Diamond Back). Since the arterial network is set to be constructed by Madero, Alpha Ranch and the City of Fort Worth, the timing of the Terra Vella development is essential.

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.

Emergency services will be provided through the City of Fort Worth. The City's Fire Department will provide emergency and fire protection

services comparable with the provision of services available in other parts of the municipality with topography, land use and population density similar to be the level of service contemplated or projected in the area. Emergency medical services will be provided by City's Fire Department and MedStar or other entity engaged by the City. The City's Police Department will provide protection and law enforcement services.

The proposed uses were considered while assessing the financial impact to the General Fund. A ten-year fiscal impact analysis was prepared by the Fort Worth Lab with the assistance of other City Departments. Due to the ability of the area to meet the City's criteria for full-purpose annexation as stated in Appendix F: Annexation Policy & Program of the 2023 Comprehensive Plan, staff recommends approval of the requested owner-initiated annexation, AX-23-003.

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-23-003 for full purposes.

If annexed, this property will become part of COUNCIL DISTRICT 10.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that based upon approval of the above recommendations and adoption of the attached ordinance, the annexation will have a long-term positive impact to the General Fund.

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

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact:

Expedited