

Mayor and Council Communication

DATE: 09/15/20

M&C FILE NUMBER: M&C 20-0643

LOG NAME: 06AX-20-001: OWNER-INITIATED ANNEXATION, ORDINANCE

SUBJECT

(Future CD 7) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Adopt Ordinance for the Proposed Owner-Initiated Annexation of Approximately 64.60 Acres of Land in Denton County, Known as Litsey Creek Cottages, Located East of I-35 West and South of Chadwick Farms Subdivision along Litsey Road, in the Far North Planning Sector, AX-20-001

(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 64.60 acres of land in Denton County located east of I-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, 1) Nolin & Sammye Ragsdale; 2) Russell & Kelli Ragsdale; 3) Randal Dwayne Mahan; 4) I AM ONE, Inc; 5) Cornerstone Bible Church; 6) Litsey Property, LLC; and 7) Bluestone Natural Resources II, LLC; and
3. Adopt ordinance annexing AX-20-001 for full purposes.

DISCUSSION:

On July 17, 2020, representatives for the property owners 1) Nolin & Sammye Ragsdale; 2) Russell & Kelli Ragsdale; 3) Randal Dwayne Mahan; 4) I AM ONE, Inc; 5) Cornerstone Bible Church; 6) Litsey Property, LLC; and 7) Bluestone Natural Resources II, LLC, 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 I-35 West, south of the Chadwick Farms subdivision along Litsey Road. The owner-initiated annexation contains approximately 64.60 acres of land. The subject area is currently agricultural, church, residential and vacant land. The property is proposed for residential type development. The case was heard by City Plan Commission on August 25, 2020 and made an approval recommendation to City Council.

On August 12th, the related zoning case (ZC-20-080) was heard by the Zoning Commission, and the commission voted to recommend approval of the requested zoning to City Council. The requested zoning is PD/CR Planned Development for all uses in "CR" Low Density Multifamily plus cottage community; with development regulation standard to MFD Multifamily Development submission and fencing/signage within the front yard setback, site plan included for cottage community only.

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 0.0303 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 0.0303 acres is the required right-of-way portion of the county road.

The proposed uses were considered while assessing the financial impact to the General Fund. The city tax revenue is expected to have a positive fiscal impact over the next 10 years after the proposed development has been built. Based on the operating costs projected from the Police, Code Compliance and Transportation and Public Works Departments, the fiscal impact shows a slightly negative effect to the General Fund for the first year, but will have a positive impact thereafter. Due to the area meeting the City's annexation criteria and the positive fiscal impact over the next 10 years, Staff recommends approval of the requested owner-initiated annexation, AX-20-001.

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 authorizing the City Manager to execute the Municipal Services Agreement between the City and property owners and adopt an ordinance

annexing the Litsey Creek Cottages.

Upon approval of the annexation request, the property will become part of COUNCIL DISTRICT 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that 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: Leo Valencia 2497