

# Mayor and Council Communication

**DATE:** 11/09/21

**M&C FILE NUMBER:** M&C 21-0834

**LOG NAME:** 06AX-21-005 FENNER PROPERTY – OWNER INITIATED

## **SUBJECT**

(Future CD 7) Conduct Public Hearing, Authorize Execution of Municipal Services Agreement and Consider Adopting Ordinance for the Proposed Owner-Initiated Annexation of Approximately 65.305 Acres of Land in Denton County, Known as the Fenner Property, Located North of Intermodal Parkway and West of Interstate 35W, in the Far North Planning Sector, AX-21-005

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

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## **RECOMMENDATION:**

It is recommended that the City Council:

1. Conduct public hearing for the proposed owner-initiated annexation of approximately 65.305 acres of land in Denton County located north of Intermodal Parkway and west of Interstate 35W, as shown on Exhibit A; and
2. Authorize execution of Municipal Services Agreement between the City and property owners, AIL West 2, LLC & AIL West Investment, L.P.; and
3. Adopt ordinance annexing AX-21-005 for full purposes.

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## **DISCUSSION:**

On May 6, 2021, representatives for the property owners AIL West 2, LLC & AIL West Investment, L.P., 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 in the City's extraterritorial jurisdiction in Denton County. The site is located north of Intermodal Parkway and west of Interstate 35W. The owner-initiated annexation, which is approximately 65.305 acres, is consistent with the enclave annexation criteria as established by the City's Annexation Policy. The subject area is currently agricultural land and the property owner's proposal of industrial type development is consistent with the future land use map of the 2021 Comprehensive Plan.

On August 3, 2021, the related zoning case (ZC-21-048) was heard by the Zoning Commission, and the commission voted to recommend approval of the requested zoning to City Council. The requested zoning is "K" Heavy Industrial.

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 uses were considered while assessing the financial impact to the General Fund. 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. City tax revenue is expected to have a positive fiscal impact over the next ten 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. 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-21-005.

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-21-005 for full purposes.

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

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## **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