

Mayor and Council Communication

DATE: 11/08/22

M&C FILE NUMBER: M&C 22-0897

LOG NAME: 06PRE-ANNEXATION DEVELOPMENT AGREEMENT - GRBK EDGEWOOD, LLC.

SUBJECT

(ETJ Future CD 7) Authorize Execution of a Pre-annexation Development Agreement with GRBK Edgewood, LLC. for 573 Acres of Land Located in Fort Worth's Extraterritorial Jurisdiction in Denton County

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute a pre-annexation development agreement between the City of Fort Worth and GRBK Edgewood, LLC, property owner for approximately 573 acres of land located in Fort Worth's Extraterritorial Jurisdiction in Denton County.

DISCUSSION:

GRBK Edgewood, LLC. (Owner) owns approximately 573.688 acres of land in the extraterritorial jurisdiction (ETJ) of the City of Fort Worth (City), generally located north of Rancho Canyon Way, south of Eagle Road, west of John Day Road and immediately north of the Sendera Ranch East Addition (Property). Owner intends to develop the Property for approximately 497.66 acres of single-family development and approximately 76.028 acres of industrial development. The Owner has requested, and the City has agreed, to enter into a pre-annexation development agreement (Agreement) that will allow the Property to be developed and annexed in phases. Although the property is currently contiguous to the city limits the property will be owner-initiated for full annexation in phases. Each phase of the project will be annexed into the City, prior to recordation of final plats.

The Property is currently in the City of Fort Worth's Certificate of Convenience and Necessity (CCN) for water service. The Property is also included within the City's 20-Year Planned Service Areas. The City agrees to provide retail water and sewer service to the Property in accordance with this Agreement, while pursuing expansion of the City's water CCN. The request meets the Urban Development and Adverse Impact criteria in the Comprehensive Plan, Appendix F - Annexation Policy and Program.

The City Manager is authorized to execute the Agreement for the Property with Owner generally on the following terms and with such other terms as the City Manager deems to be advisable:

1. The Owner plans to construct all public infrastructure to City standards and execute a Water and Wastewater Facility Easement across the Property for these improvements. The Owner will also secure agreements for offsite easements.
2. The City plans to cost participate with the Owner to oversize the improvements in order to provide service in the City's 20-Year Planned Service Area.
3. The Owner will work with City staff to dedicate park space and/or open space in accordance with Park Dedication Policy.

The parties have agreed that the Agreement constitutes a petition for the voluntary annexation under the provisions of Subchapter C-3, Chapter 43 of the Texas Local Government Code, and upon the request of the City, the Owner shall execute all applications and documentation required by Texas law to petition for annexation. The Agreement is entered into, in order to address the needs of the Owner and the procedures of the City. The Agreement runs with the land and is binding upon the City and the Owner and Owner's respective successors and assigns. The Agreement will be recorded in Denton County.

The property is located in the extraterritorial jurisdiction adjacent to COUNCIL DISTRICT 7.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that approval of this recommendation will have no effect on City funds.

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

Originating Business Unit Head: D.J. Harrell 8032

Additional Information Contact: Stuart Campbell 2412