

#### MEETING AGENDA

COMMERCIAL BOARD OF ADJUSTMENT

#### Wednesday, February 19, 2025

Public Hearing 10:00 a.m.

In Person

City Council Worksession Room 2<sup>nd</sup> Floor, 200 Texas Street /Fort Worth, Texas 76102

#### **VIDEOCONFERENCE:**

https://fortworthtexas.webex.com/weblink/register/r0ac81b1479857e6dfc65a28b0ca054b6

Meeting/ Access Code: 2553 835 6100 (Registration Required) Teleconference: (817) 392-1111 or 1-469-210-7159

#### Viewing Only

Television: Charter 190; One Source 7; Verizon 5; AT&T Uverse 99 City of Fort Worth Website Homepage: <u>http://fortworthtexas.gov/fwtv</u>

For more information on attending or speaking at this meeting either through Videoconference or Teleconference, please visit the City's website: <u>http://fortworthtexas.gov/boards/</u>

To view this meeting's docket, visit: https://www.fortworthtexas.gov/calendar/boards-commission

The location identified on this agenda is the location at which the presiding officer will be physically present and presiding over the meeting. Members of the Commercial Board of Adjustment may be attending remotely in compliance with the Texas Open Meetings Act.

\*\*Any member of the public who wishes to address the Board using videoconference or teleconference regarding an item on the listed agenda <u>must sign up to speak no later than</u> <u>5:00 PM on February 17, 2025</u>. To sign up, either register through WebEx per the directions on the City's website above or contact Karen Moreno at Karen.Moreno@fortworthtexas.gov or 817-392-8026. Please note the City of Fort Worth is using a third party vendor to assist with City meetings. If there are service interruptions, including call-in number changes, we will provide alternative call-in numbers on our website whenever possible.

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the City of Fort Worth offi the general public at all times and said Notice was posted on the following date and time <u>Friday, February14,20</u> least 72 hours preceding the scheduled time of said meeting.	25 at 03:30 p.m. and remained so posted continuously for at
	Januar S. Howalder
	dity Secretary for the City of Fort Worth, Texas

#### **BOARD MEMBERS**:

Josh Lindsay	Jarrett Wilson
Tony Perez	_ Darin Hoppe
Deborah Freed, Chair	_ Kay Duffy
Bob Riley, Vice-Chair	Andrea Payne Shields
James Hook	Virginia Murillo
Vacant	-

#### I. PUBLIC HEARING

A. Approval of Minutes of the December 18, 2024 Hearing

#### B. ANY CASES NOT HEARD WILL BE MOVED TO MARCH 19, 2025

#### C. New Commercial Cases

1. BAC-24-004	Address:	105 – 229 (odds) E. Bonds Ranch Road
	Owner:	David Palmer on behalf of NEC 287/Bonds Ranch, LTD.
	Zoning:	"F" – General Commercial District

- **a. Special Exception**: Permit electronic changeable copy on a pylon sign located in the southeast corner.
- **a. Special Exception:** Permit electronic changeable copy on a freeway sign located near the southwest corner.
- 2. BAC-25-004 Address: 9225 Crowley Road Owner: Goodone Enterprises, LLC, DBA Empire CSAC on behalf of SRAK Corporation Zoning: "E" Neighborhood Commercial District
  - **a. Special Exception:** Permit electronic changeable copy sign on a monument sign located in the southwest corner.

3. BAC-25-005	Address:	2929 E. Berry Street
	Owner:	Ezzi Signs, Inc. on behalf of Vaquero Binkley Partners, L.P.
	Zoning:	"PD 1342" Planned Development 1342 District for certain "E"
		Neighborhood Commercial Uses

**a. Variance:** Permit monument sign in a residential projected front yard where signs are not allowed.

Required Location:	33.5 feet from front property line due to projected residential front yard.
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<u>Requested location:</u> Zero feet from front property line.

- 4. BAC-25-006
   Address:
   11604 North Freeway

   Owner:
   Levi Swinney on behalf of Northwest ISD

   Zoning:
   "I" Light Industrial District within the I-35W Design Overlay District

   North Corridor Zone and the Fort Worth Alliance Airport Overlay Zone
  - **a.** Variance: To permit construction of 4 tennis court lights that would exceed the maximum height allowed.

Maximum Height Allowed:	55 feet
Requested Height:	70 feet

**b.** Variance: To permit construction of 10 baseball and softball field lights that would exceed the maximum height allowed.

Maximum Height Allowed:	55 feet
Requested Height:	80 feet

**c.** Variance: To permit construction of 6 football stadium lights that would exceed the maximum height allowed.

Maximum Height Allowed:	55 feet
Requested Height:	90 feet

d. **Variance:** To permit construction of a theater with fly loft that would exceed the maximum height allowed.

Maximum Height Allowed: 55 feet

Requested Height: 85 feet

#### II. ADJOURNMENT:

#### ASSISTANCE AT THE PUBLIC MEETINGS:

Fort Worth City Hall is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need accommodations, auxiliary aids, or services such as interpreters, readers, or large print are requested to contact the City's ADA Coordinator at (817) 392-8552 or e-mail ADA@FortWorthTexas.gov at least 48 hours prior to the meeting so that appropriate arrangements can be made. Even if the City does not receive notification at least 48 hours prior to the meeting, the City will still make a reasonable attempt to provide the necessary accommodations.

El Edificio Municipal de la Ciudad de Fort Worth, o City Hall, tiene acceso para silla de ruedas. Se solicita a las personas que planean asistir a esta reunión y que necesitan ayudas auxiliares o servicios de intérpretes, lectores o impresiones con letra grande, que se comuniquen con el Coordinador de la Asociación Americana de Discapacitados (ADA) de la Ciudad llamando al teléfono (817) 392-8552; o por correo electrónico a ADA@FortWorthTexas.gov por lo menos 48 horas antes de la reunion para que se puedan hacer los arreglos adecuados. Si la Municipalidad no recibe una notificación por lo menos 48 horas antes de la reunión, ésta hará un intento razonable para proporcionar los servicios auxiliaries necesarios.

#### **Executive Session:**

A closed Executive Session may be held with respect to any posted agenda item to enable the Board of Adjustment to receive advice from legal counsel, pursuant to Texas Government Code, Section 551.071.



#### BOARD OF ADJUSTMENT - COMMERCIAL

#### BAC-24-004

Address:105 – 229 (odds) E. Bonds Ranch RoadOwner:David Palmer on behalf of NEC 287/Bonds Ranch, LTD.Zoning:"F" – General Commercial District

**a. Special Exception:** Permit electronic changeable copy on a pylon sign located in the southeast corner.

**b. Special Exception:** Permit electronic changeable copy on a freeway sign located near the southwest corner.

#### **GENERAL INFORMATION**

#### **REGULATION:**

#### 3.303 Board of Adjustment Action

- (a) In taking action on an application for special exception, the board of adjustment shall grant the application only when the board determines that:
  - (1) The use is specifically permitted under this ordinance;
  - (2) The location of proposed activities and improvements is clearly defined on the site plan by the applicant;
  - (3) The exception will be wholly compatible with the existing use and permitted development of adjacent properties either as filed, or subject to such requirements as the board finds necessary to protect and maintain the stability of adjacent properties.
- (b) The burden of proof regarding all conditions is on the applicant. Any site or floor plan will become part of the approval of the special exception.

#### 6.411 Electronic Changeable Copy Signs

- (a) Electronic changeable copy signs may be permitted by special exception of the Board of Adjustment in commercial, industrial, mixed-use, and community facility zoning districts, subject to the following conditions:
  - 1. A maximum of 25% of the sign face may be devoted to changeable copy.
  - 2. The message rate shall not change at a rate faster than one message every 20 seconds.
  - 3. Electronic changeable copy signs shall not contain animation, rolling or running letters or messages, flashing lights or displays as part of the display.
  - 4. On detached signs, electronic changeable copy shall be limited to monument signs, except where pylon and freeway signs are allowed under Section 6.409.
  - 5. Electronic changeable copy signs shall have automatic dimming technology installed limiting the sign to no more than 0.3 footcandles above ambient light, measured at a distance equaling the square root of the product of the sign's square footage multiplied by 100. The distance shall be rounded to the closest whole number.



- 6. All sound shall be prohibited.
- (b) The board of adjustment shall not grant variances which are less restrictive than the conditions of the special exception.
- (c) In granting the special exception, the board of adjustment shall consider the following:
  - (1) The presence of other electronic changeable copy signs in the vicinity;
  - (2) The visibility from residential districts;
  - (3) The street classification of the adjacent roadways; and
  - (4) The proximity to scenic areas or corridors.

#### LOT HISTORY:

#### 105 E. Bonds Ranch Road

PB24-03554 – Commercial New Accessory Structure for Kroger Gas Kiosk, Issued 11/01/2024

PB24-03553 – Commercial New Accessory Structure for Kroger Gas Canopy, Issued 11/01/2024

#### 113 E. Bonds Ranch Road

PS24-02123 – Sign Permit for sign A, Awaiting Client Reply, 11/22/2024 PS24-02124 – Sign Permit for sign P1, Awaiting Client Reply, 11/22/2024 PS24-02125 – Sign Permit for sign P2, Awaiting Client Reply, 11/22/2024 PS24-02126 – Sign Permit for sign P3, Awaiting Client Reply, 11/22/2024 PS24-02127 – Sign Permit for sign P4, Awaiting Client Reply, 11/22/2024

#### 213 E. Bonds Ranch Road

USA23-00004 - Unified Sign Agreement, Awaiting Client Reply, 01/25/2024

#### <u>COMPREHENSIVE</u> <u>PLAN DESIGNATION</u>:

Light Industrial

REGISTERED NEIGHBORHOOD NOTIFCATION: North Fort Worth Alliance, Berkshire HOA, The Trails of Fossil Creek HOA, Dorado Ranch HOA, Streams and Valleys, Inc., Trinity Habitat for Humanity, Northwest ISD

EXISTING CONDITIONS: The subject property is a vacant property, located at the northeast intersection of NW Hwy 287 and East Bonds Ranch Road. The site is 22.4598 acres in size and is comprised of 6 lots. The final plat, approved in 2015, does indicate that there is a floodplain easement along the northwestern boundary of Lot 1. Lot grading and clearing have started on the site in an effort to prepare for development. The approved grading plan indicates that there will be a 2% downward slope beginning at the southeastern corner of the property and ending at the northwestern corner of the property. The properties to the north are zoned "I" – Light Industrial, and PD-927. The properties to the east are zoned "F" – General Commercial, and



PD-1407. The property directly south is also zoned "I" – light industrial. The adjacent properties are vacant, with the exception of the parcel zoned PD-927, which is the location of the City of Fort Worth North Animal Campus.

The applicant is requesting a special exception to permit electronic changeable copy on two signs, identified as P2 and P3.

Lot 1, addressed as 113 E. Bonds Ranch Road, is the largest of the 6 lots and is 11.9988 acres in size. A Kroger grocery store is proposed to be constructed on this lot.

The following addresses are located on Lot 2: 145, 149, 157, 165, 169, 205, 209, and 213 E. Bonds Ranch Road. Lot 2 is 3.9820 acres in size and is proposed to be developed for retail use.

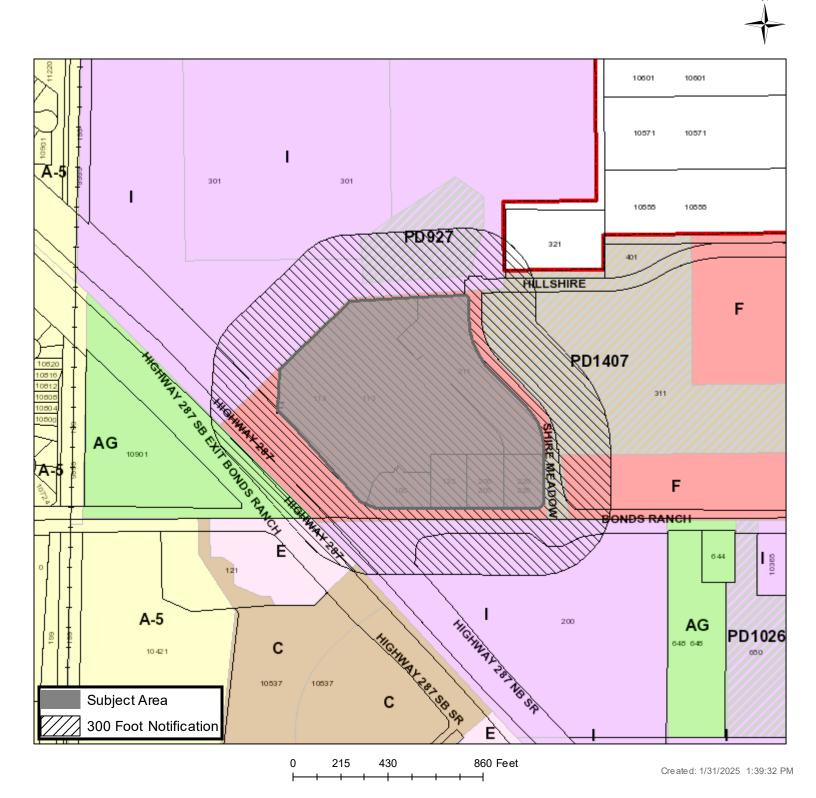
Lot 3, addressed as 229 E. Bonds Ranch Road, is located at the south eastern corner of the development, and is 0.9996 acres in size. Sign P2 is proposed to be located near the intersection of E. Bonds Ranch Road and Shire Meadow Drive, in the southeastern corner of Lot 3. Sign P2 is proposed to be a 12 ft X 20 ft pylon sign for a total sign area of 210.25 square feet. The sign contains an electronic changeable copy to accommodate LED pricing for the Kroger fuel station. The ECC portion of the sign is 18 inches x 3ft 7 inches, for a total area of 10.8 square feet. The ECC is 8.4% of the overall sign area. City of Fort Worth sign regulations 6.411(a)(1) permits a maximum of 25% of the sign face to be devoted to changeable copy.

Lot 6, addressed as 105 E. Bonds Ranch Road, is located on the southwestern corner of the development and is 0.9953 acres in size. Sign P3 is proposed to be a freeway sign containing an electronic changeable copy for fuel pricing and is proposed to be near the northwestern boundary of Lot 6. Sign P3 is has proposed dimensions of 35 ft x 18 ft 7 inches for a total sign area of 548.63 square feet. There are 2 ECC sections of the sign, for a total dimension of 24 inches X 4ft 6 inches, resulting in a total area of 18 square feet. The ECC is 7.2% of the overall sign area.

The applicant is requesting approval of the special exception request to permit 2 ECC signs. The applicant request is compatible with the neighborhood, as there are no residences in vicinity. The Board of Adjustment process must be completed prior to the applicant obtaining a required Unified Sign Agreement.



Applicant:NEC 287/Bonds Ranch Ltd. by David PalmerMapsco:20PCommission Date:2/19/2025





# BAC-24-004

# **Aerial Photo Map**



### APPLICATION TO THE ZONING BOARD OF ADJUSTMENT CITY OF FORT WORTH, TEXAS



Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.
PLEASE PROVIDE A DETAILED SITE PLAN
Address of Premises affected: 113, 161, 211, 105, 133, 205, 229 E. Bonds Ranch Rd.
Lot/Tract: 1, 2, 3, 4, 5, & 6 Block/Abstract: Block A Lot Size: 22.4598 Legal Description: Addition/Survey: Bonds Ranch Marketplace
Owner's Name: NEC 287/BONDS RANCH, LTD.
Address: 3102 Maple Ave. Suite 500
City: Dallas State: 1A Zip: 75201
Tele: ( ) 214-954-0300 E-Mail dbalmer@weitzmangroup.com
Applicant's Name: David Palmer
Address: 3102 Maple Ave. Suite 500 City: Dallas State: TX Zip: /5201
Tele: ( ) 214-954-0300 E-Mail dpalmer@weitzmangroup.com
Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: A multi building Shopping Center. Major use is Kroger. Smaller tenants will be a mix of retail, restaurant, and service uses.
Special Exception is being requested to allow two Electronic Changeable Copy signs for the Kroger fuel center.
Note that a Unified Sign Agreement has been approved for this site
Additional documentation may be supplied to support your case If photos are supplied, please label each picture.
Status of Project: Existing Vinder Construction Proposed
Status of Property: Owner Occupied Vacant Land Non-owner Occupied
Previous Board of Adjustment Case filed on this property: Yes No Date Case Number(s)
Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities?
If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information. NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator.
Have you informed your Home Owners Association ☐ YES ☑ NO or Neighbors ☐ YES ☑ NO of the request?
To watch the Hearings: http://www.fortworthtexas.gov/, click on "Watch online Now" & "Board of Adjustment video".
STAFF USE ONLY: Zoning
Owner Occupied Variance (One and Two Family Homes) for Section
Special Exception for Section
Variance for:
☐ Interpretation of the Regulation \$400
DATE RECEIVED: FEE AMOUNT PAID : # OF REQUESTS: RECEIVED BY: CASE NO.

<ol> <li>The variance is not a self-created hardship.</li> <li>The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.</li> <li>The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.</li> <li>The variance will not adversely affect the health, safety, or welfare of the public.</li> <li>The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.</li> </ol>	<u>Variance Request Proposal Only</u> Please explain in your own words, how the request meets each of the hardship criterion listed below.
shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.	1. The variance is not a self-created hardship
shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.  3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.  4. The variance will not adversely affect the health, safety, or welfare of the public.	
the zoning ordinance.  4. The variance will not adversely affect the health, safety, or welfare of the public.	shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the
the zoning ordinance.  4. The variance will not adversely affect the health, safety, or welfare of the public.	
5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.	4. The variance will not adversely affect the health, safety, or welfare of the public.
	5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

#### Acknowledgement

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS.

(All applications submitted via email must be signed using a digital ID or certificate.)

**Signed** by the Owner / Applicant or Agent (Circle appropriate entity)

Signature:

David Palmer vid Palmer (Feb 6, 2024 12:21 CST)

02/06/2024



#### **Development Services Department**

### LETTER OF AUTHORIZATION

#### To the City of Fort Worth, Texas

Authority is hereby granted to	David Palmer			
, ,,, ,,,	(Family Member, Friend, Co	ompany, etc, to	o represent you a	t the hearing)
3102 Maple Ave.,	Dallas	ТΧ	75201	214-954-0300
Address	City	State	Zip	(Telephone)

to file in my/our behalf for Request for Variance from terms of the Zoning Ordinance or Special

Exception on the following described property:

(Address) 113, 161, 211, 105, 133, 205, 229 E. Bonds Ranch Rd.

(Legal Description) Bonds Ranch Marketplace - Lots 1, 2, 3, 4, 5, and 6 Block A Inst. No. D218278521

The Authority is granted only for the following specific request:

(Nature of Appeal) \_\_\_\_\_ Special Exception to allow electronic changeable copy signs

The undersigned is the property owner of the above-described property.

The Authorization will remain in force until revoked by written notice.

NEC 287/BONDS RANCH, LTD.
By: GP NEC 287/Bonds Ranch One, L.C.
Its: General Partner

Owner - Original Signature:	David Palmer David Palmer (Feb 6, 2024 12:21 CST)
Owner - Print Name:	David C. Palmer, its Vice President
Address:	3102 Maple Avenue, Suite 500
	Dallas, TX 75201
Telephone:	(214) 954-0600 / Direct (214) 720-6600

(All applications submitted via email must be signed using a digital ID or certificate.)

Accepted for Case No.\_\_\_\_\_

By \_\_\_\_\_

Date\_\_\_\_\_



#### **Development Services Department**

### LETTER OF AUTHORIZATION

#### To the City of Fort Worth, Texas

Authority is hereby granted t		Gary DeVleer, DeVleer Consulting Services, LLC (gdevleer@outloo (Family Member, Friend, Company, etc, to represent you at the hearing)				
3849 Van Ness Lane	Dalla	ТХ	7522	214-679-9782		
Address	City	State	Zip	(Telephone)		
to file in my/our behalf for Re	equest for Variance	e from terms of the Z	oning Ore	dinance or Special		

Exception on the following described property:

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(Nature of Appeal) Special Exception to allow electronic changeable copy signs

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NEC 287/BONDS RANCH, LTD. By: GP NEC 287/Bonds Ranch One, L.C. Its: General Partner

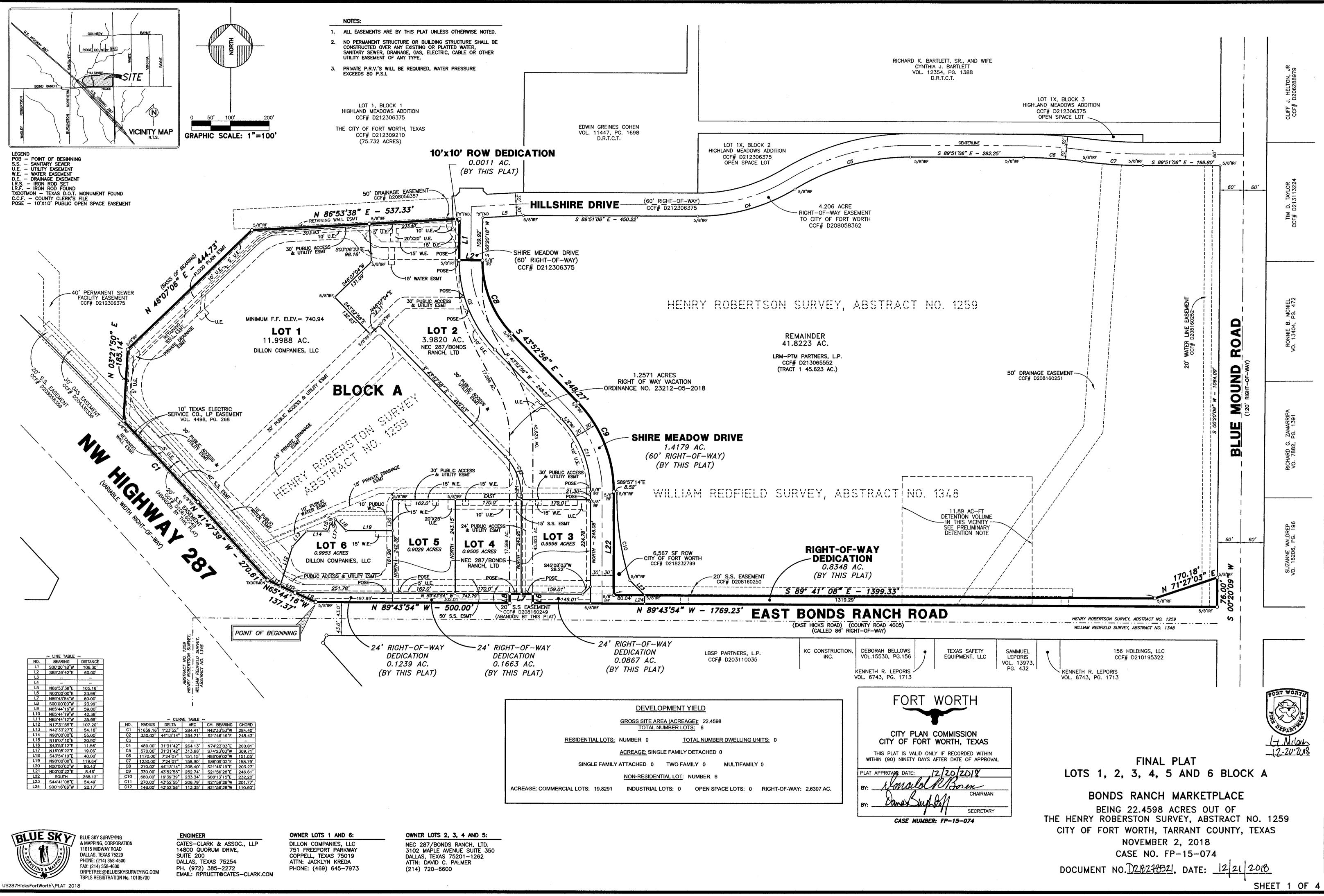
Owner - Original Signature:	David Palmer
Owner - Print Name:	David C. Palmer, its Vice President
Address:	3102 Maple Avenue, Suite 500
	Dallas, TX 75201
Telephone: _	(214) 954-0600 / Direct (214) 720-6600

(All applications submitted via email must be signed using a digital ID or certificate.)

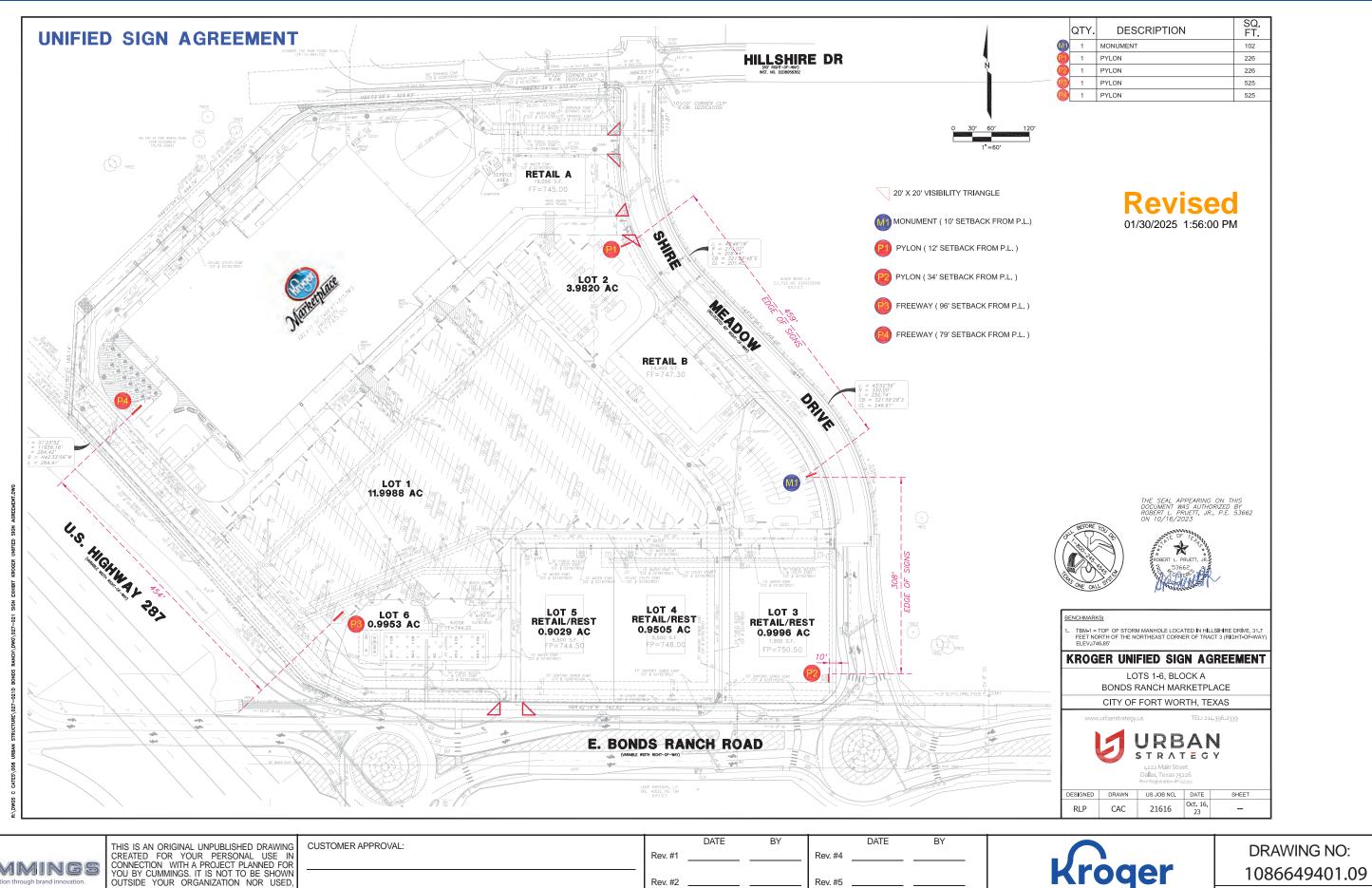
Accepted for Case No.\_\_\_\_\_

Ву \_\_\_\_\_

Date \_\_\_\_\_

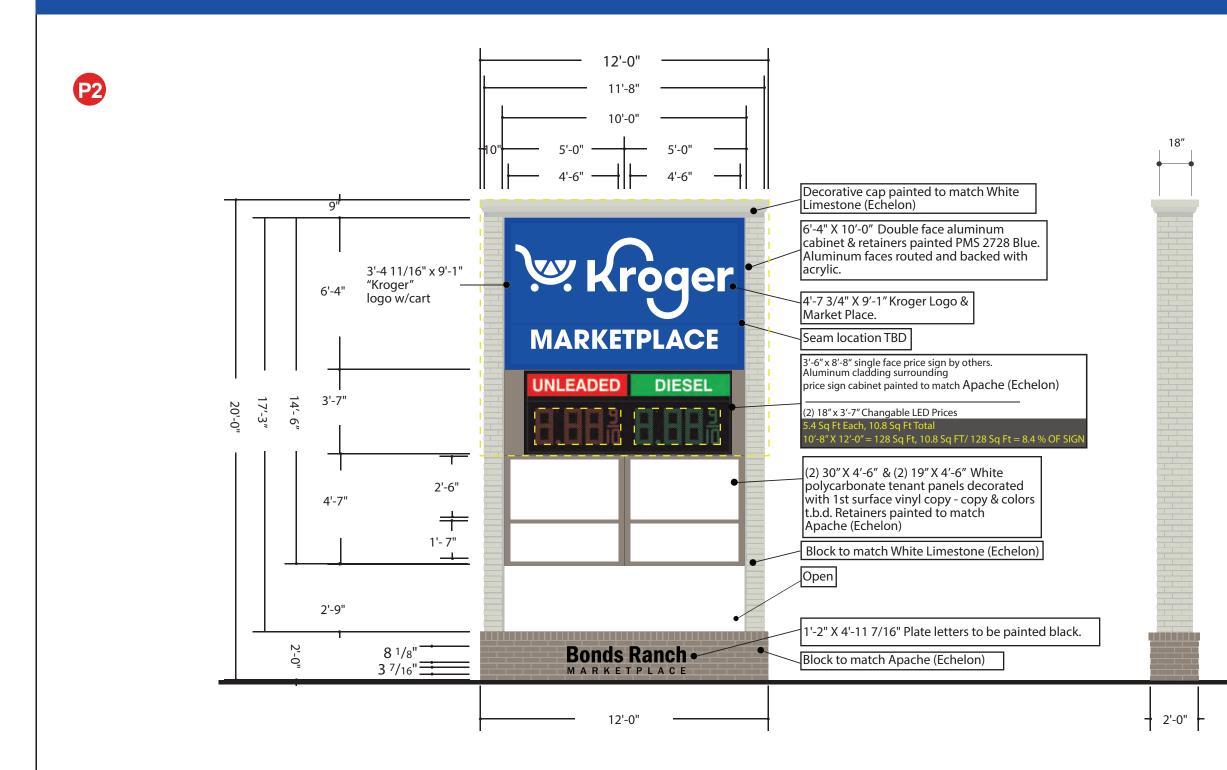






		THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR		Rev. #1	DATE	BY	DATE Rev. #4	BY
Custo	omer creation through brand innovation.	YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR USED, REPRODUCED, COPIED, OR EXHIBITED IN ANY	DATE	Rev. #2			Rev. #5	
	MAINS OUR EXCLUSIVE PROPERTY AND PLICATED WITHOUT WRITTEN CONSENT	FASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICER OF CUMMINGS SIGNS.		Rev. #3			Rev. #6	

DATE: 01.29.2025 J. Allington



210.25 Sq Ft - Total Area (Cap: 9" X 12'-0" = 9.00 Sq Ft, Vertical Brick & Cabinets: 17'-3" x 11'-8" = 201.25 Sq Ft) <u>150.78 Sq Ft - Advertising Message Area (Top 3 Cabinets:</u> 14'-6" x 10'-0" = 145.00 Sq Ft, Plate Letters: 1'-2" x 4'-11 7/16" = 5.78 sq Ft) 37.76 Sq Ft - Non-Advertising Message Area = 25.04% Advertising Area (Cap:  $9'' \times 12' - 0'' = 9.00$  Sq Ft, Vertical Bricks:  $17' - 3'' \times 10'' = 14.38$  Sq Ft, 12.94 Sq Ft  $\times 2 = 28.76$  Sq Ft)

SCALE: 1/4" = 1'-0"								(pro	ovideo
	THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR	CUSTOMER APPROVAL:	Rev. #1	DATE	BY	Rev. #4	DATE	BY	
Customer creation through brand innovation.	YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR USED, REPRODUCED COPIED OR EXHIBITED IN ANY	DATE:	Rev. #2			Rev. #5 _			
THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY AND CANNOT BE DUPLICATED WITHOUT WRITTEN CONSENT	FASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICER OF CUMMINGS SIGNS.		Rev. #3			Rev. #6			



NOTE: **ENGR. TO DETERMINE** FINAL CABINET DEPTH.

#### **COLOR KEY**



3730-8537 KROGER BLUE

WHITE

Apache (Echelon)

White Limestone (Echelon)

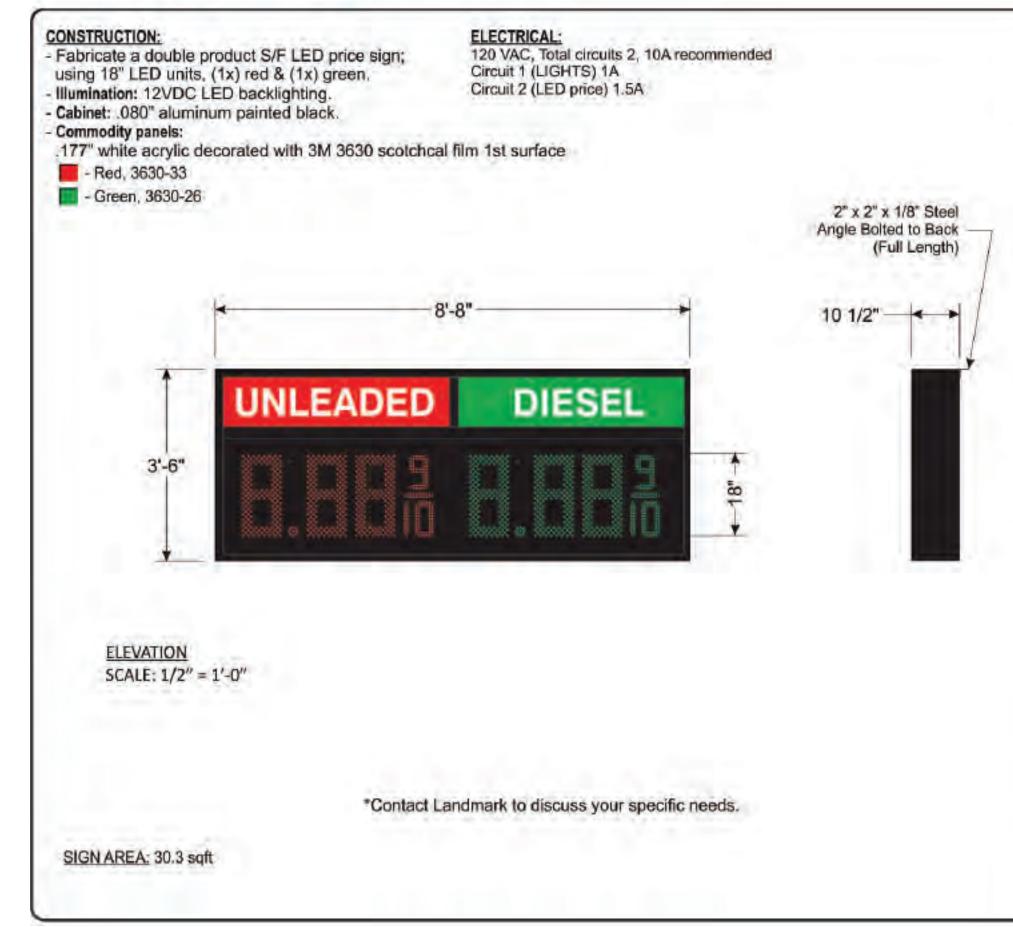
Verification of specs/design required for permitting/installation. LED digital price signs require 24 hour dedicated circuit (provided by others) for operation of price sign to remain on all at all times...



**DRAWING NO:** 1086649401.09

> DATE: 01.29.2025 J. Allington

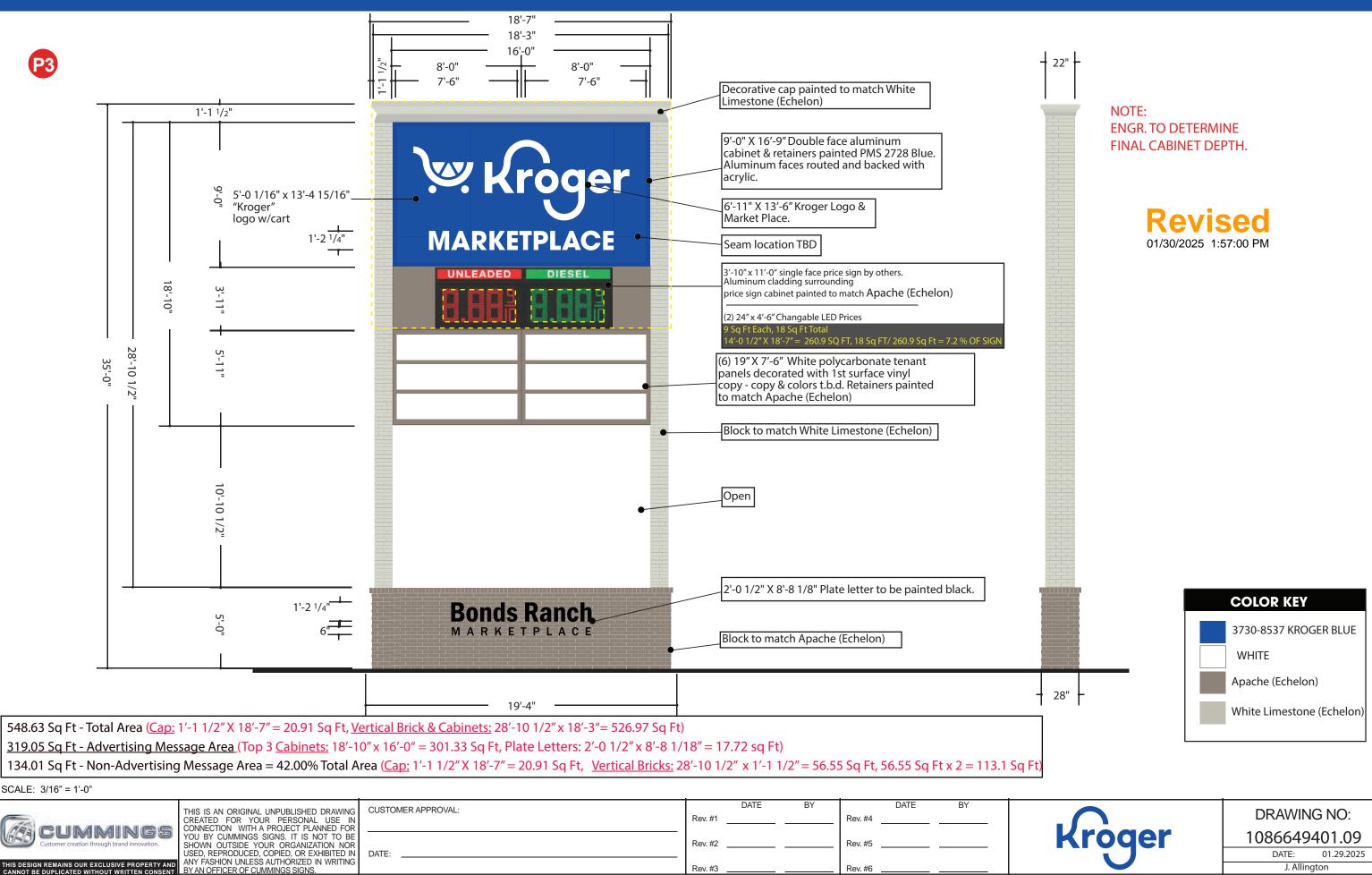
# 18in Double Product, Single Face Ariba#: K-0053290





Phone: 719.	n Alliance, Ind ng Tagether For Yo 505.5455
Client: The Kroger	Co
Date: 09/7/2014	
Drawn by: MLB	1
Revisions: 1/28/15; upo	lated notes
Drawing Nu 140817.2	mber:
Šheet: 1 of 1	
Approved:	
Notes:	



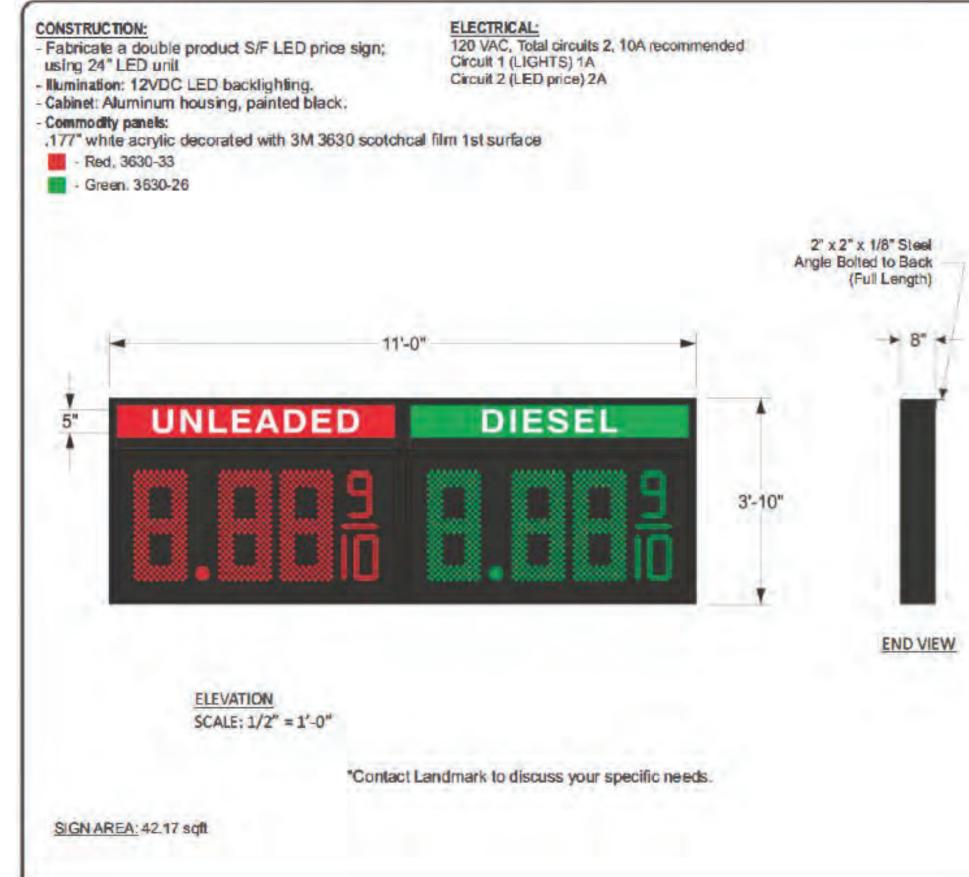


Rev. #3 Rev. #6



J. Allington

# 24in Double Product, Single Face COUPA#: 555019 (Part number also used for exisiting sign custom kits)





Sign Alliance, Inc.
Phone: 719.505.5455
dient: The Kroger Co.
Date: 06/15/2015
Drawn by: MLB
Revisions: 1) Height was 4'-1", 10/5/15
Drawing Number: 150111.2
Sheet: 1 of 1
Approved :
Notes:
This is not original unpublished denviro on used by LM Roc. It is submitted for your personal use to conjunction with a project being plannad for you by LMInoc. It lanet to be shows to develop or owtside your enganization, wor is it to be used, capied reproduced, or exhibited in any lash ion.



#### BOARD OF ADJUSTMENT - COMMERCIAL

#### BAC-25-004

Address: 9225 Crowley Road Owner: Goodone Enterprises, LLC, DBA Empire CSAC on behalf of SRAK Corporation Zoning: "E" – Neighborhood Commercial District

**a. Special Exception:** Permit electronic changeable copy on a monument sign located in the southwest corner.

#### **GENERAL INFORMATION**

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  - The presence of other electronic changeable copy signs in the vicinity;
  - (2) The visibility from residential districts;
  - (3) The street classification of the adjacent roadways; and
  - (4) The proximity to scenic areas or corridors.

1.

PB19-01828 – Commercial New Building Permit to rebuild gas station that was destroyed by fire, Finaled, 12/09/2024

#### <u>COMPREHENSIVE</u> PLAN DESIGNATION:

LOT HISTORY:

**<u>N:</u>** Neighborhood Commercial

<u>REGISTERED</u>	
<b>NEIGHBORHOOD</b>	
NOTIFCATION:	

EXISTING

CONDITIONS:

Licolnshire NA, Willow Creek NA, District 6 Alliance, Streams and Valleys Inc., Trinity Habitat for Humanity, Crowley ISD.

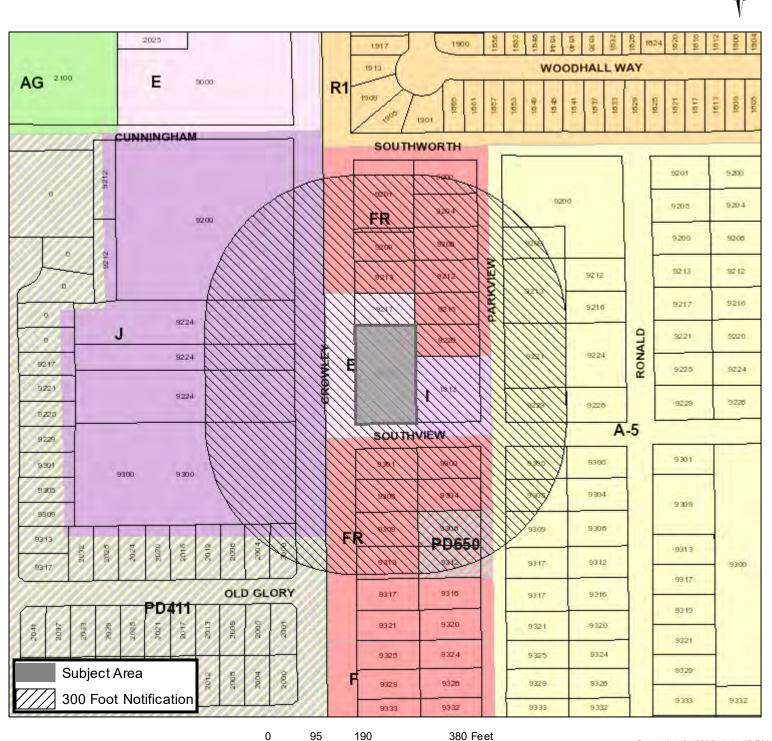
The subject property is a flat, rectangular shaped, corner lot, located on the northeast corner of the intersection of Crowley Road and Southview Drive, approximately 24,855 square feet in size. Crowley Road is classified as a principal arterial right of way, and Southview Drive is a residential street. The property does not contain trees or floodplain, and was platted without an alley. The primary structure on the property houses a convenience store, and has future lease space for retail use. The primary structure is approximately 4,419 square feet in size. The adjacent properties are zoned "I" – Light Industrial, "FR" – General Commercial Restricted, and "J" – Medium Industrial. The closest residence is located approximately 187 feet east of the eastern property boundary of the subject property.

The applicant is requesting a special exception to permit a monument sign with Electronic Changeable Copy to be located in the southwestern corner of the property. The sign is proposed to be 10 ft 5.5 inches wide X 8 ft tall, for a total sign area of 71 square feet. The ECC portion of the sign is 6 square feet in area, for a percentage of 8% of the sign face area. Due to the sign location along a principal arterial right of way, and surrounding zoning, the sign is not incompatible with the current neighborhood conditions.

The site plan, sign dimensions, and sign location were approved administratively by City Plan Review Staff.



Applicant:SRAK Corp. by Empire CSACMapsco:104QCommission Date:2/19/2025



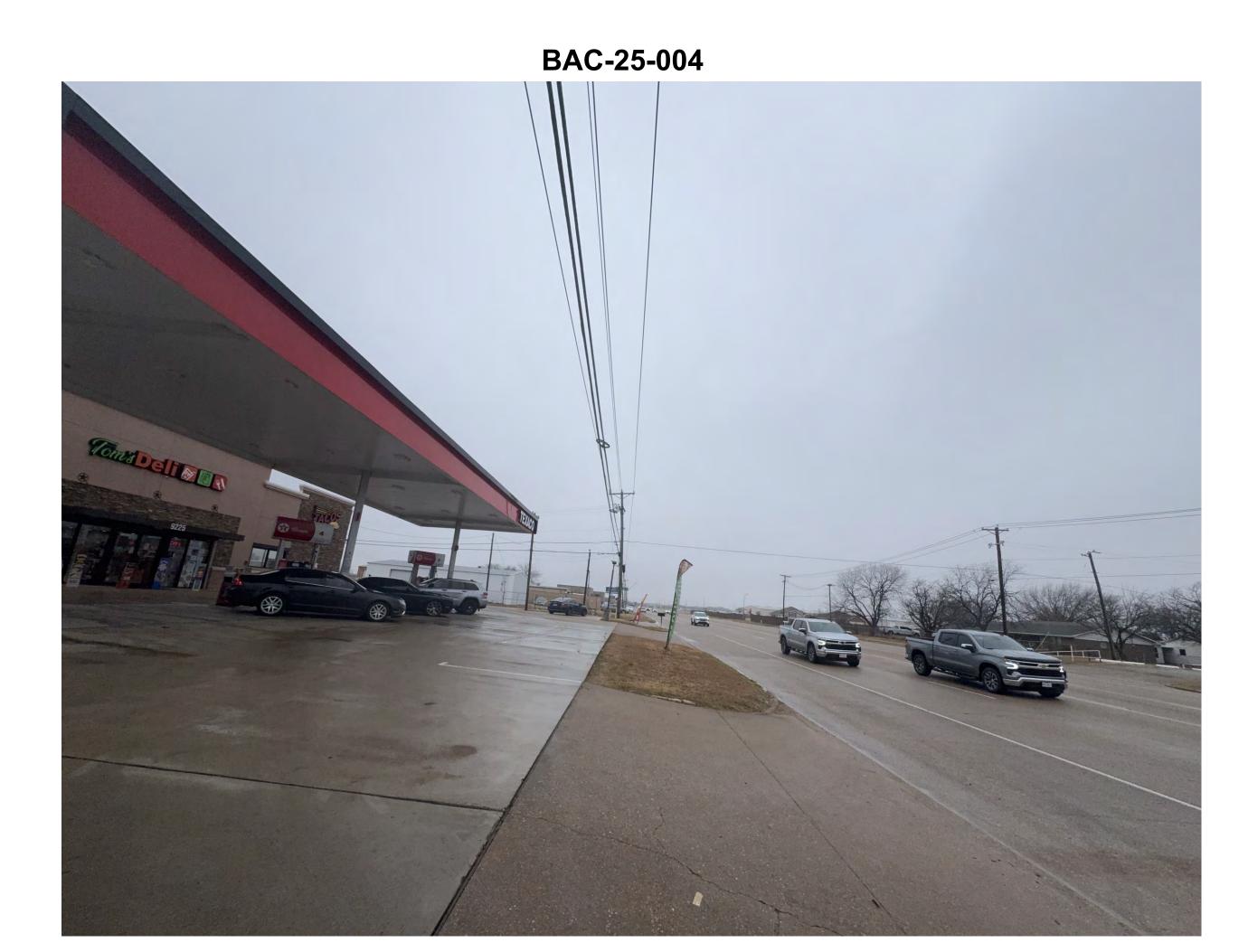


# Aerial Photo Map











### APPLICATION TO THE ZONING BOARD OF ADJUSTMENT CITY OF FORT WORTH, TEXAS

FORT WORTH.

**Development Services Department** 

Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.
PLEASE PROVIDE A DETAILED SITE PLAN
Address of Premises affected: 9225 CROWLY AVE FORT WORTH TX Lot/Tract:Block/Abstract:Lot Size:Lot Size:
Address:       9225 CROWLEY RD         City:       FORT WORTH         Tele:       ()         3474315672       E-Mail Raieev Gupta <raieevaupta2211@vahoo.com></raieevaupta2211@vahoo.com>
Applicant's Name:       GOODONE ENTERPRISES, LLC DBA EMPIRE CSAC         Address:       3111 LONE STAR LN         City:       PINEHURST         Tele:       ()         2812598836       E-Mail
Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: INSTALL (1) ILLUMINATED MONUMENT PRICE SIGN. SIGN CABINET DIMENSIONS: 8' 5-1/2"L X 5'11"H WITH A 12" MASONARY BORDER ON A 14" BASE, OAH: 8'
Additional documentation may be supplied to support your case If photos are supplied, please label each picture.         Status of Project:       Existing         Status of Property:       Owner Occupied         Vacant Land       Non-owner Occupied
Previous Board of Adjustment Case filed on this property: Yes V No Date Case Number(s)
Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities? If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information. <b>NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator.</b> Have you informed your Home Owners Association YES INO or Neighbors YES NO of the request? To watch the Hearings: <u>http://www.fortworthtexas.gov/</u> , click on "Watch online Now" & "Board of Adjustment video".
STAFF USE ONLY: Zoning
11.25-2024 Revised 08/29/2024

#### Variance Request Proposal Only Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship.

Site owner is seeing a decrease in fuel sales due to that lack of visibility of his fuel prices and is unable to compete with the 7-Eleven located .4mi south from the property.

2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the

property. Property is located in Zone E - Neighborhood Commercial and requires a Special Exception per 6.411

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.

The electronic changeable copy sign will only be used to advertise fuel prices, the digits will be of neutral color, and will be equipped with a timer and dimmer.

4. The variance will not adversely affect the health, safety, or welfare of the public.

The variance will not adversely affect the health, safety, or welfare of the public.

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

#### Acknowledgement

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. ANY REQUIRED PERMITS MUST **BE OBTAINED WITHIN 180 DAYS.** 

(All applications submitted via email must be signed using a digital ID or certificate.)

Signed by the Owner / Applicant or Agent

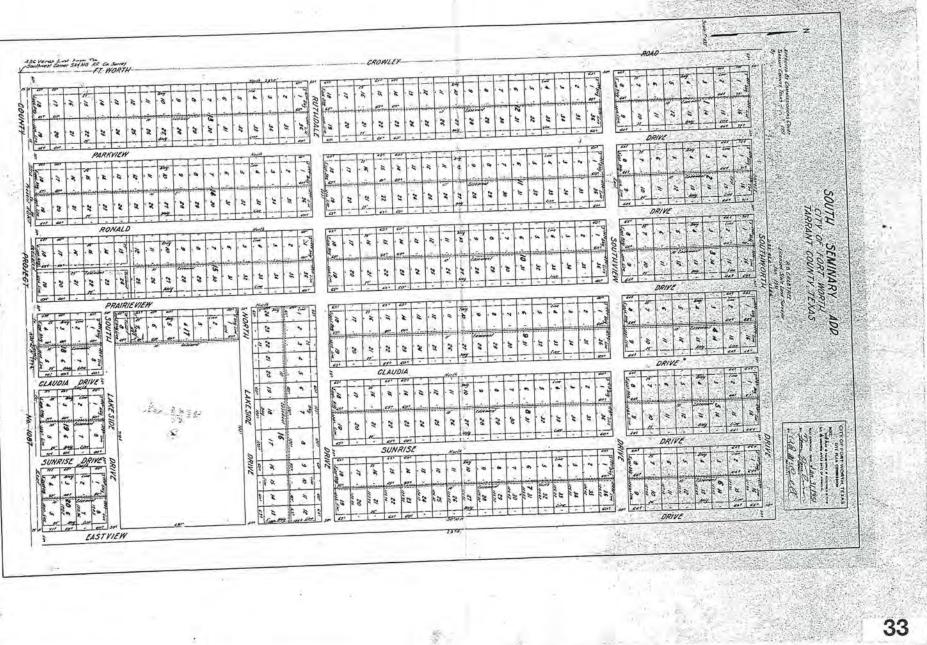
(Circle appropriate entity)

Amanda Wilkison DN: cn=Amanda Wikison, c=US, or Empire Canopy Sign and Construction, email=amanda@empire-canopy Sign and Construction, email=amanda@empire-csac.com Reason: I am approving this document Date: 2024.11.25 10:23:08-06'00' Signature: \_

Date 11/25/2024

PLAT RECORD VOLUME 3800-I

33



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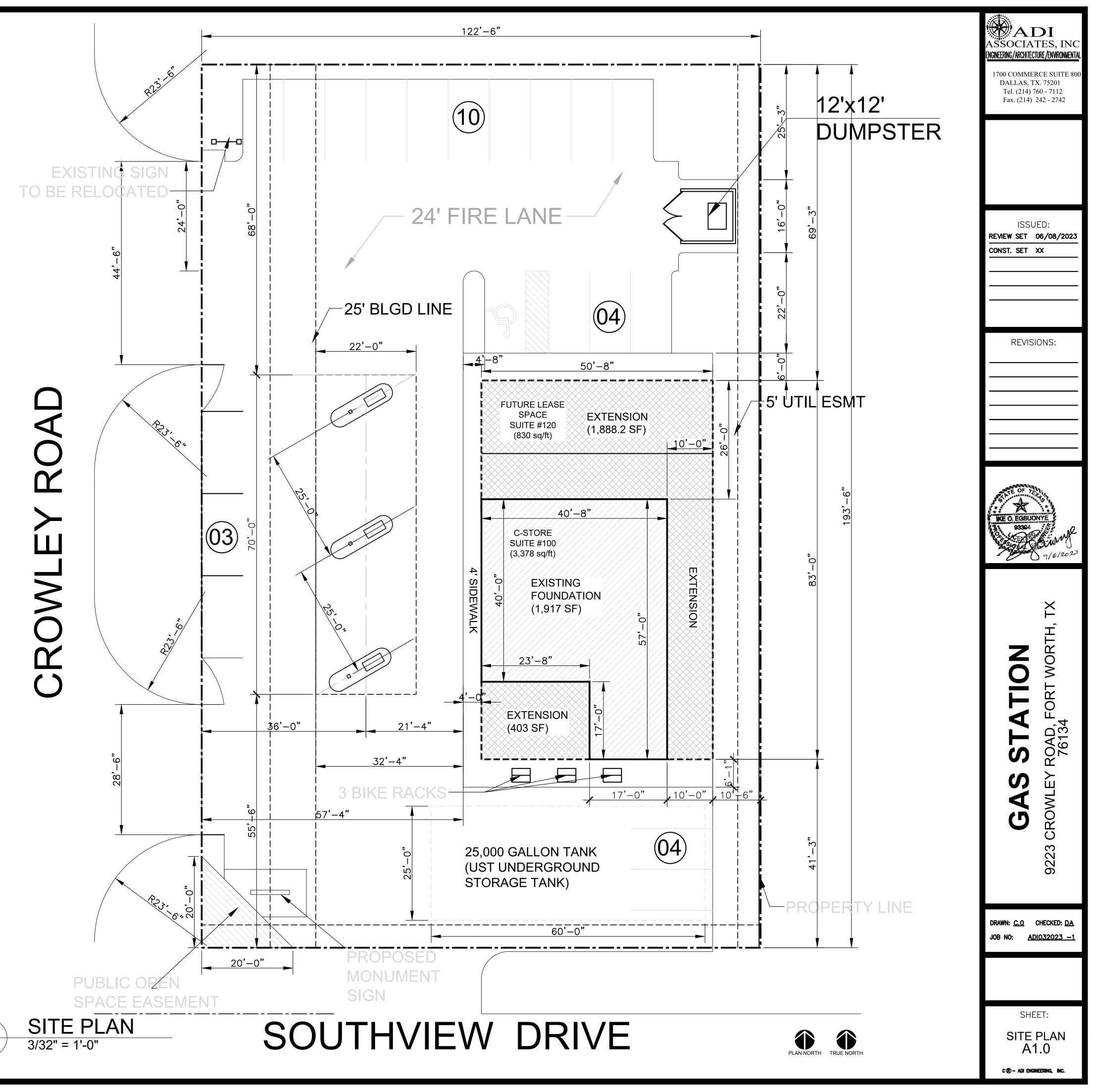


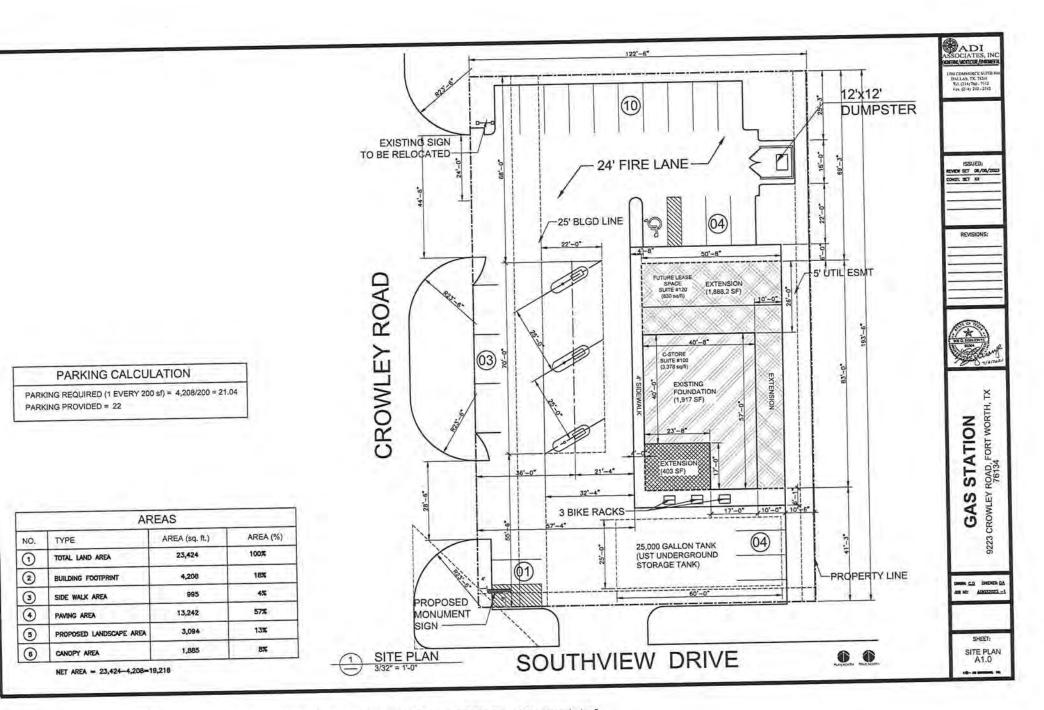
# PARKING CALCULATION

PARKING REQUIRED (1 EVERY 200 sf) = 4,208/200 = 21.04 PARKING PROVIDED = 22

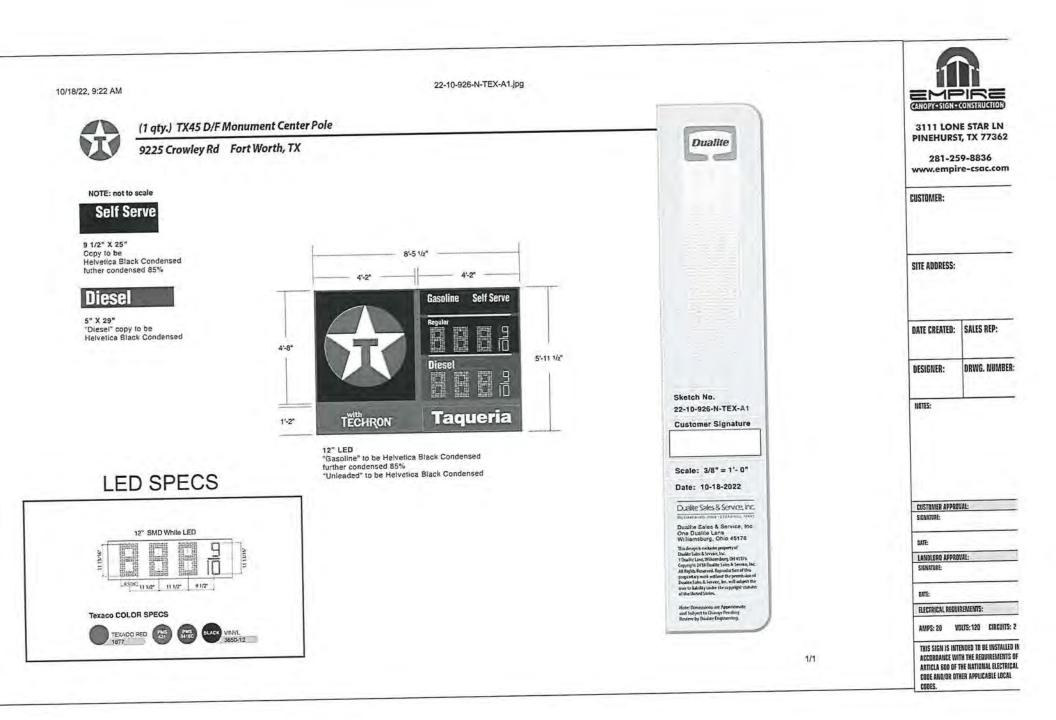
	A	REAS	
NO.	TYPE	AREA (sq. ft.)	AREA (%)
	TOTAL LAND AREA	23,424	100%
2	BUILDING FOOTPRINT	4,208	18%
3	SIDE WALK AREA	995	4%
4	PAVING AREA	13,242	57%
5	PROPOSED LANDSCAPE AREA	3,094	13%
6	CANOPY AREA	1,885	8%

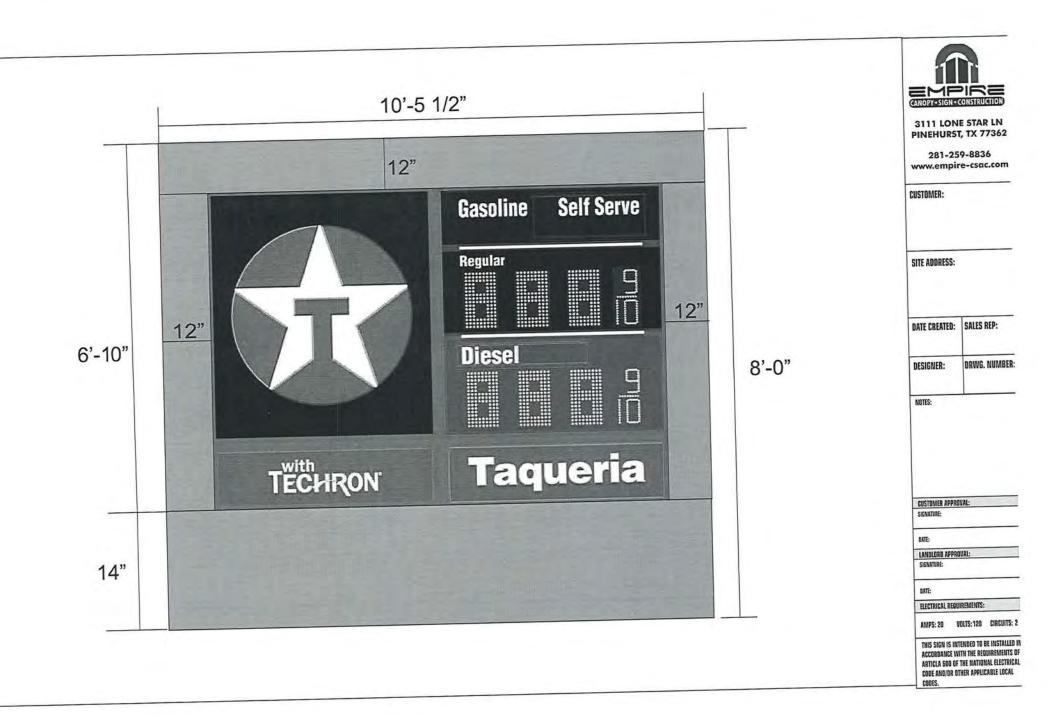
NET AREA = 23,424-4,208=19,216

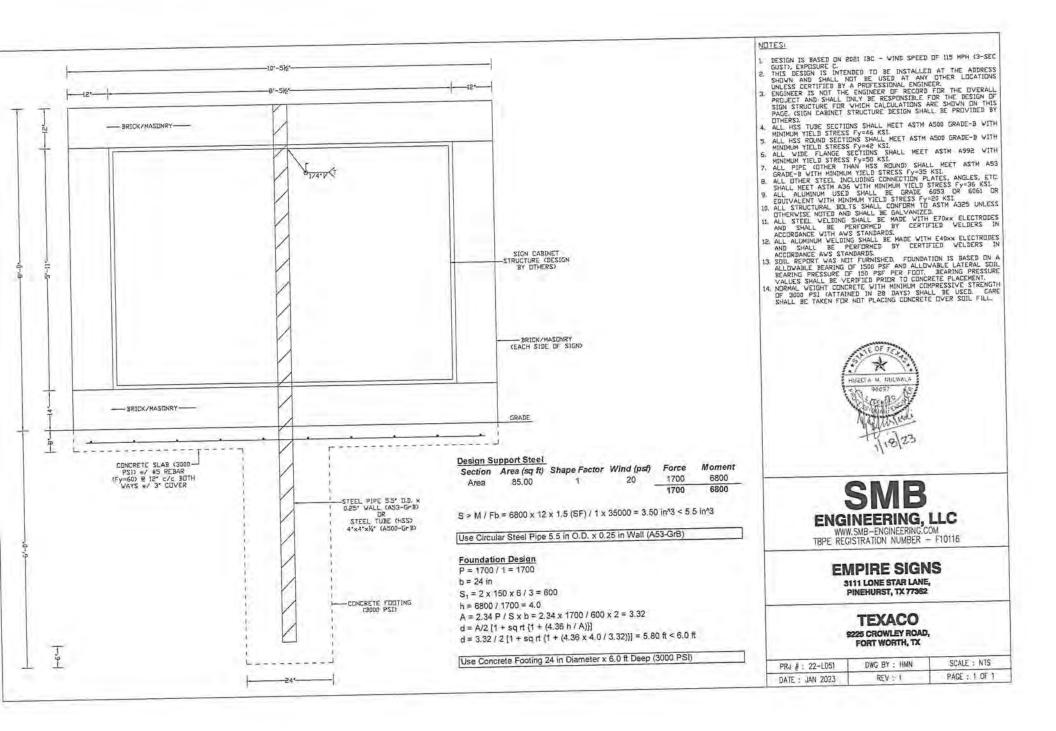




\MOHAMMED PROJ\9225 CROWLEY RF FW RAJEEV PROJ\Gas Sign Project\A1.0 Site Plan.dwg, 2/3/2024 12:54:13 PM, AutoCAD PDF (General Documentation).pc3









### **Development Services Department**

## LETTER OF AUTHORIZATION

### To the City of Fort Worth, Texas

Authority is hereby granted to	(Family Member, Friend,	Company, etc, I	to represent you :	at the hearing)
3111 LONE STAR LN	PINEHURST	TX	77362	281-259-8836
Address	City	State	Zip	(Telephone)
o file in my/our behalf for Re	quest for Variance from	terms of the	e Zoning Ord	inance or Special
Exception on the following de	escribed property:			
(Address) 9225 CROWLY A	VE, FORT WORTH, T	x		<u> </u>
(Legal Description)				
The Authority is granted only	for the following specif	ic request:		
(Nature of Appeal) SIGN VA	ARIANCE			
The undersigned is the prop				
The Authorization will remain	) in force until revoked i	by written no	1100.	1/00/17
0	wner - Original Signatu		721	FLAN
	Owner - Print Na	me: Raje	er bur	to U
RAJEEV Digitally signed by RAJEEV GL DN: cn=RAJEEV GUPTA, c=U o= GRAR CORP.		ss: 9225	and the second second	ey Rd Fortwe
	scument.	53. 10		7
GUPTA	rud	12117	1 1121	5677
GUPTA emailtrajecquipi2211(0)yab Reason: Lam approximation bits of Date: 2024.12.09 12:10:25-06	Telephone		1 1.1	5672
GUPTA email: 1am approximation bits of Date: 2024.12.09 12:10:25-06	Telephone		1 1.1	5672 ing a digital ID or certific
GUPTA email: 1am approximation bits of Date: 2024.12.09 12:10:25-06	Telephone		1 1.1	
GUPTA Reason: 1 an approving used Reason: 1 an approving used Date: 2024.12.09 12:10.25-06 (All ap)	Telephone	email must	1 1.1	

Revisod 08/29/2024

1.0



#### BOARD OF ADJUSTMENT - COMMERCIAL

BAR-24-065

Address:2929 East Berry StreetOwner:Ezzi Signs Inc. on behalf of Vaquero Binkley Partners, LP<br/>"PD 1342" Planned Development 1342 District for certain "E"<br/>Neighborhood Commercial Uses

a. Variance: Permit monument sign in a residential projected front yard<br/>where signs are not allowed.Required location:33.5 feet from front property lineRequested location:0 feet from front property line

#### **GENERAL INFORMATION**

#### **REGULATION:**

#### 3.403 Board of Adjustment Action

In taking action on an application for a variance, the board of adjustment shall grant the application only when the board determines that:

- (a) Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- (b) The situation causing the hardship or difficulty is unique to the affected property;
- (c) The situation or hardship is not self- imposed;
- (d) The relief sought will not injure the existing or permitted use of adjacent conforming property; and
- (e) The granting of a variance will be in harmony with the spirit and purposes of this zoning ordinance.

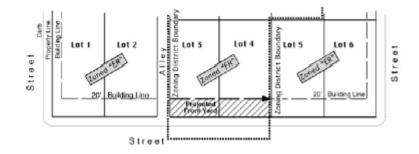
#### 6.101 Yards

- (b) Multifamily/nonresidential districts adjacent to residential districts
  - (1) For corner lots in multifamily and nonresidential districts that abut the front yard of a lot with residential zoning, the exterior minimum side yard requirements shall be the same as the front yard requirements of the adjacent residential lot.
  - (2) Structures are not permitted to be located in this yard area, nor can such area be used for signage, garbage collection, loading and/or parking of vehicles, any type of storage, or any nonresidential activity.
  - (3) This required yard area shall not be graveled or hard-surfaced, but shall be maintained as open green space, save and except for necessary driveways.
- (d) Front Yard Setbacks
  - (1) The front yard setback in residential districts shall be the greatest of the following prescribed setbacks:
    - a. The platted building line; (none)

THE CITY OF FORT WORTH \* 100 FORT WORTH TRAIL \* FORT WORTH, TEXAS 76102 PHONE: 817-392-2222



- b. The setback for the applicable zoning district; (20') or
- c. The setback of the nearest building on either side that is the closest to the street, up to a maximum setback of fifty feet, provided that said setback is not the result of a variance granted by the Board of Adjustment. (50')
- (f) Projected front yard setbacks
  - 2. *Interior lot.* Where an interior lot abuts another zoning district, there shall be a projected front yard equal to the most restrictive front yard required on any lot in the same block face.



LOT HISTORY: Zoning and Design zoning case ZC-22-134, Rezoning from "A-5" to "PD/E", approved by Council on 10/11/2022. Development Services commercial building permit PB24-07853 for new restaurant issued 9/27/2024

COMPREHENSIVE

PLAN DESIGNATION: Neighborhood Commercial

**REGISTERED**<br/>NEIGHBORHOOD<br/>NOTIFCATION:Polytechnic Heights South, East Fort Worth, Inc., Trinity Habitat for<br/>Humanity, Streams and Valleys, Inc., Fort Worth ISD, Southeast Fort Worth<br/>Inc., East land, The New Mitchell Boulevard, United Communities<br/>Association



### EXISTING CONDITIONS:

The subject property is located on an interior lot between Binkley Street and Thrall Street. The subject property appears to have been a vacant lot for over 10 years within an established neighborhood with a mixture of commercial and residential uses according to the historic aerials. The lot was previously zoned One Family Residential (A-5) and abuts a single-family residential home to the west and a restaurant with drive thru to the east. Prior to this lot and the adjacent commercial lot to the east being rezoned to commercial, the entire block face was zoned residential with Single Family Residential Land Use. The subject property is approximately 0.482 acres (64,689 sq. ft.) in area, and is square shaped. The lot is generally flat, contains several mature trees, and is not located within a floodplain.

The applicant is requesting a variance to permit a monument sign within the projected front yard. The property located at 2909 East Berry Street has a front yard setback of approximately 50 feet which establishes a projected front yard setback of 50 feet. The subject property received administrative approval for a 33.5-foot projected front yard setback, as opposed to the standard 50 feet typically required in this case. Signs are not allowed in this 33.5-foot residential projected front yard. A monument sign is shown on the site plan at the front property line, outside of the visibility triangle, on the property line. A setback variance for the sign placement has been requested on the commercial lot. The request by the applicant is deficient from the minimum required projected front yard setback by 33.5 feet.

According to the approved site plan, the restaurant on the subject property has been constructed in compliance with the 33.5-foot projected front yard setback. The applicant was issued a New Commercial Building Permit September 2024, but has a hold on the signage permit. If the variance request is approved, the applicant will obtain the proper signage permit to construct the monument sign.





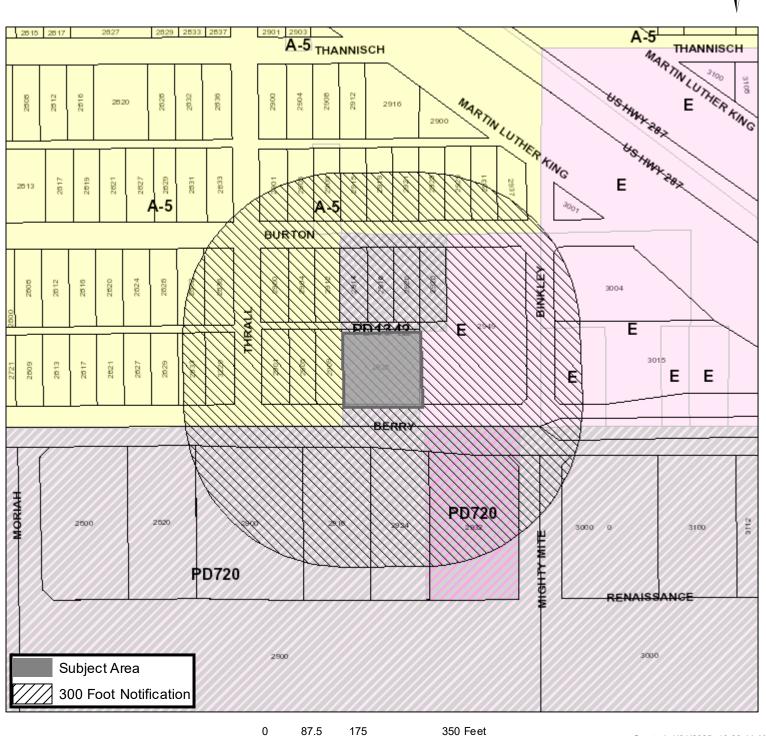
The City of Fort Worth \* 100 Fort Worth Trail \* Fort Worth, Texas 76102 Phone: 817-392-2222







# Applicant:Ezzi Signs Inc for Vaquero Binkley Partners LPMapsco:78TCommission Date:2/19/2025





# Aerial Photo Map







# APPLICATION TO THE ZONING BOARD OF ADJUSTMENT CITY OF FORT WORTH, TEXAS



Marque con una "X" si necesita que la Ciudad le proporcione un INTERPRETE durante la Audiencia Publica.
PLEASE PROVIDE A DETAILED SITE PLAN
Address of Premises affected: 2925 East Berry Street, Fort Worth, TX 76105 Lot/Tract:Block/Abstract:Lot Size:Lot Size:Lot Size:
Owner's Name: Vaquero Binkley Partners, LP
Address: <u>2627 Tillar St., Ste. 111</u> City: <u>Fort Worth</u> State: <u>Τχ</u> Zip: <u>76107</u> Tele: ( ) <u>817-992-7375</u> E-Mail <u>khurych@vaqueroventures.com</u>
Applicant's Name: Ezzi Signs Inc Address: <u>16611 West Little York Rd</u> City: <u>Houston</u> State: <u>Τχ</u> Zip: <u>77084</u>
Tele: ( ) <u>713-232-0771</u> E-Mail <u>permits@ezzisigns.com</u>
Provide a description of the existing/proposed project, with structure type/use, dimensions, height, and materials: installing one illuminated monument sign (A) width: 14' x height: 8' - overall height: 30' material: aluminum Additional documentation may be supplied to support your case If photos are supplied, please label each picture.
Status of Project: <b>Existing Under Construction X</b> Proposed          Status of Property: <b>Owner Occupied Vacant Land X</b> Non-owner Occupied
Previous Board of Adjustment Case filed on this property: Yes X No Date Case Number(s)
Is the purpose of this request to provide reasonable accommodation for a person(s) with disabilities?
If Yes, the application will be directed to the Planning and Development Director or Zoning administrator for review pursuant to Ordinance No. 22098-03-2016, "Reasonable Accommodation or Modification for Residential Uses." Applications under a Reasonable Accommodation Ordinance review will not be heard by the Board of Adjustment. Please see Ordinance No. 22098-03-2016 (Chapter 17, Division V) for more information.
NOTE TO STAFF: If Yes, send a copy of this application and any attachments to the Zoning Administrator. Have you informed your Home Owners Association
To watch the Hearings: <u>http://www.fortworthtexas.gov/</u> , click on "Watch online Now" & "Board of Adjustment video".
STAFF USE ONLY: Zoning Owner Occupied Variance (One and Two Family Homes) for Section Special Exception for Section Variance for:

Interpretation of the Regulation \$400

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.

### <u>Variance Request Proposal Only</u> Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship.

This variance is not a self-created hardship, as the property owner has no control over the fact that their property fronts another zoning district, which imposes the 20-foot front yard requirement.

Compliance with this requirement would result in the loss of total visibility to potential customers

passing by, which could significantly harm the business's sales and long-term viability 2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the property.

"The variance is necessary due to the property's unique location, which fronts another zoning district, triggering the requirement for a 20-foot front yard. This condition is not the result of any action or modification by the property owner

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.

The plans are in compliance with Per Ord. 6.409 Detached on Premise Signs as it meets the sign area, height, and non-advertising area regulations

4. The variance will not adversely affect the health, safety, or welfare of the public.

No, the variance will not generate a negative impact on the health, safety, or welfare of the public

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Granting this variance and approving the proposed location would allow us to place our sign as far away as possible from the residential area, minimizing any potential impact on nearby residents

### Acknowledgement

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. **ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS**.

(All applications submitted via email must be signed using a digital ID or certificate.)

**Signed** by the Owner / Applicant or Agent (Circle appropriate entity)

W.a. Landreth Signature:



## **Development Services Department**

# LETTER OF AUTHORIZATION

# To the City of Fort Worth, Texas

Authority is hereby granted to		ns Inc, Tracey Urior			
, lationty is hereby granted to	(Family M	lember, Friend, Co	mpany, etc, to	represent you	at the hearing)
16611 West Little York Rd, Houston, TX		713-232-0771			
Address	City		State	Zip	(Telephone)
to file in my/our behalf for Reque	est for Va	riance from te	rms of the	Zoning Ord	inance or Special
Exception on the following desci	ribed pro	perty:			
(Address) 2925 East Berry Street,	Fort Worth,	TX 76105			
(Legal Description)					
The Authority is granted only for	the follo	wing specific r	equest:		
(Nature of Appeal) ZONING VAI	RIANCE FO	R THE SIGN LOC	ATION		
The undersigned is the property	owner of	f the above-de	scribed pro	operty.	
The Authorization will remain in	force unt	il revoked by v	vritten notio	ce.	
Owne	r - Origin	al Signature:	W.A. Lau	rdreth	
	Owner	- Print Name:	W.A. Land	reth	
		Address:	2627 Tilla	ar Street, S	Suite 111, Fort Worth, TX 761
		Telephone:	317-228-526	8	
(All applica	ations sub	o <mark>mitted via em</mark>	ail must be	signed usi	ng a digital ID or certificate.)
Accepted for Case No					
Ву			Dat	e	

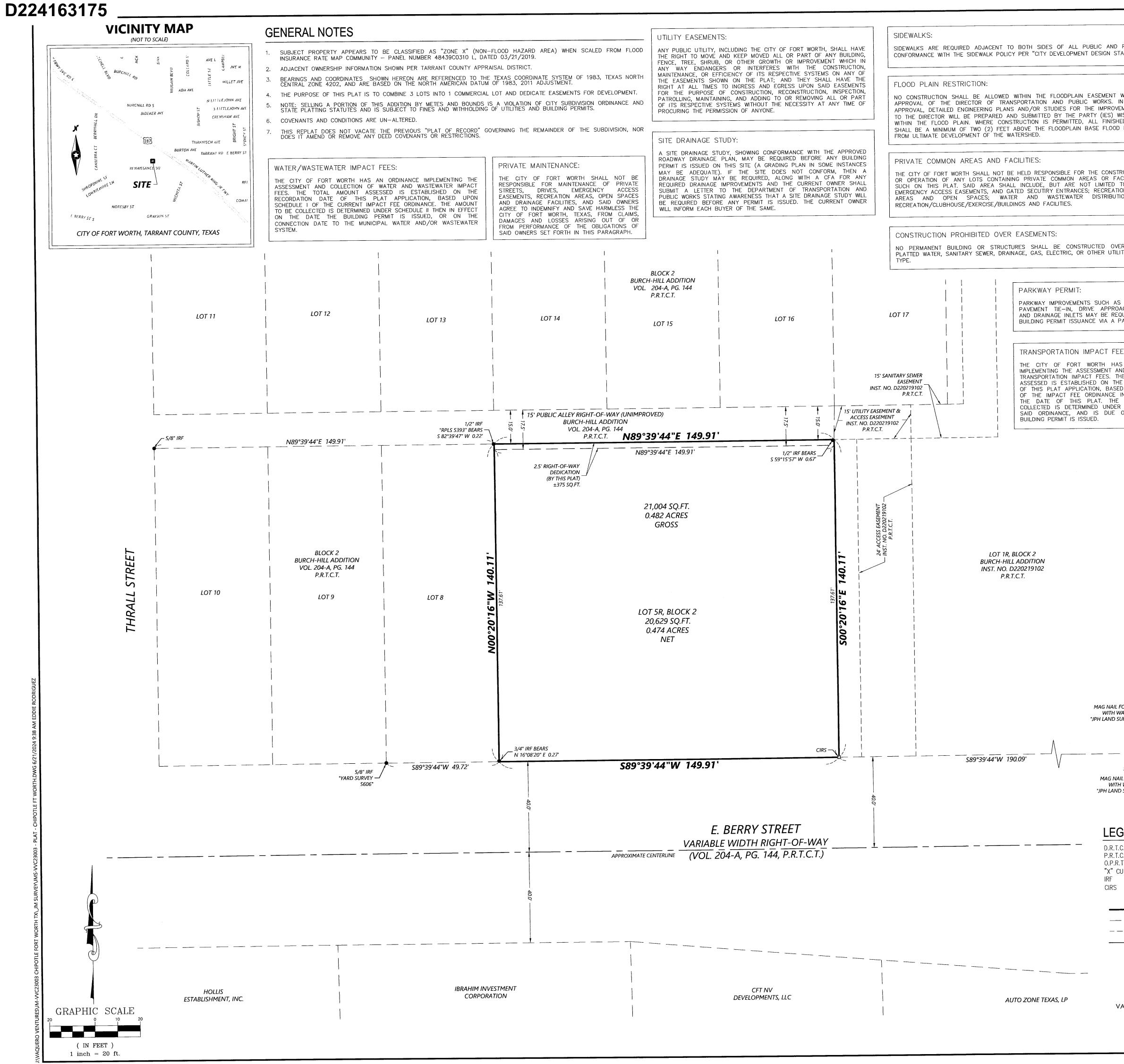


## **Development Services Department**

# LETTER OF AUTHORIZATION

# To the City of Fort Worth, Texas

Authority is hereby granted to _	Ezzi Signs Inc, Tracey Urion, Flor Paniagua, Hussain Contractor				
	(Family M	1ember, Friend, Co	ompany, etc, to	represent you	at the hearing)
16611 West Little York Rd, Houston, TX		713-232-0771			
Address	City		State	Zip	(Telephone)
to file in my/our behalf for Requ	est for Va	riance from te	erms of the	Zoning Ord	inance or Special
Exception on the following desc	ribed pro	perty:			
(Address) 2925 East Berry Street,	Fort Worth,	TX 76105			
(Legal Description)					
The Authority is granted only for	r the follo	wing specific ı	equest:		
(Nature of Appeal) ZONING VA	RIANCE FO	R THE SIGN LOC	ATION		
The undersigned is the property	owner of	f the above-de	escribed pro	operty.	
The Authorization will remain in	force unt	il revoked by v	written notic	ce.	
Owne	er - Origin	al Signature:	Patrick M	bonan AD420	
	Owner	- Print Name	Patrick No	onan	
		Address:	2627 Tilla	ar St., Sui <sup>.</sup>	te 111, Fort Worth, TX 76107
		Telephone:	817-995-460	3	
(All application)	ations sub	omitted via em	nail must be	signed usi	ng a digital ID or certificate.)
Accepted for Case No					
Ву			Date	e	



		Page 2 of 2
	STATE OF TEXAS COUNTY OF TARRANT	OWNER'S CERTIFICATE
PRIVATE STREETS, IN ANDARDS".	WHEREAS VAQUERO BINKLEY PARTNERS, LP IS THE O ABSTRACT NO. 1499, TARRANT COUNTY, TEXAS, BEII TO THE CITY OF FORTH WORTH, TARRANT COUNTY, 144 OF THE PLAT RECORDS OF TARRANT COUNTY.	DWNER OF A 0.482 ACRE TRACT OF LAND OUT OF THE A. THOMPSON SURVEY, NG ALL OF LOTS 5, 6 & 7, BLOCK 2 OF BURCH-HILL ADDITION, AN ADDITION TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 204-A, PAGE TEXAS (P.R.T.C.T.) CONVEYED TO SAID VAQUERO BINKLEY PARTNERS, LP BY OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS (O.P.R.T.C.T.) IS AND BOUNDS AS FOLLOWS:
WITHOUT THE WRITTEN	BEGINNING AT A 5/8 INCH IRON ROD SET WITH A SOUTHEAST CORNER OF SAID LOT 5, SAME BEING ADDITION TO THE CITY OF FORT WORTH, ACCORDING	CAP STAMPED "JM CIVIL ENGINEERING" FOR CORNER, SAID POINT BEING THE THE SOUTHWEST CORNER OF LOT 1R, BLOCK 2 OF BURCH-HILL ADDITION, AN TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. D220219102, P.R.T.C.T.
MENTS, SATISFACTORY SHING TO CONSTRUCT D FLOOR ELEVATIONS ELEVATION RESULTING	AND LYING ON THE NORTH RIGHT-OF-WAY LINE OF I THENCE SOUTH 89 DEGREES 39 MINUTES 44 SECON DISTANCE OF 149.91 FEET TO A POINT FOR CORNER, SOUTHEAST CORNER OF LOT 8 BLOCK 2 OF SAID F	E. BERRY STREET (VARIABLE WIDTH RIGHT-OF-WAY); DS WEST, WITH THE NORTH RIGHT-OF-WAY LINE OF SAID E. BERRY STREET, A , SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 7, SAME BEING THE FIRST-REFERENCED BURCH-HILL ADDITION, FROM WHICH A 3/4 INCH IRON ROD D8 MINUTES 20 SECONDS EAST, A DISTANCE OF 0.27 FEET;
	THENCE NORTH 00 DEGREES 20 MINUTES 16 SECO STREET, WITH THE EAST LINE OF SAID LOT 8, A NORTHWEST CORNER OF SAID LOT 7. SAME BEID	ONDS WEST, DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID E. BERRY DISTANCE OF 140.11 FEET TO A POINT FOR CORNER, SAID POINT BEING THE NG THE NORTHEAST CORNER OF SAID LOT 8 AND LYING ON THE SOUTH
RUCTION, MAINTENANCE CILITIES IDENTIFIED AS TO: PRIVATE STREETS, DN AREAS, LANDSCAPE ON FACILITIES AND	RIGHT-OF-WAY LINE OF A 15 FOOT PUBLIC ALLEY STAMPED "RPLS 5393" FOR REFERENCE BEARS SOUT THENCE NORTH 89 DEGREES 39 MINUTES 44 SECON OF 149.91 FEET TO A POINT FOR CORNER, SAID WESTERNMOST NORTHWEST CORNER OF SAID LOT 1R.	Y (UN-IMPROVED), FROM WHICH A 1/2 INCH IRON ROD FOUND WITH A CAP TH 82 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 0.22 FEET; NDS WEST, WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY, A DISTANCE POINT BEING THE NORTHEAST CORNER OF SAID LOT 5, SAME BEING THE , FROM WHICH A 1/2 INCH IRON ROD FOUND FOR REFERENCE BEARS SOUTH 59
	DEGREES 15 MINUTES 57 SECONDS WEST, A DISTANC	E OF 0.67 FEET; OS EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID ALLEY, WITH THE STANCE OF 140.11 FEET TO THE POINT OF BEGINNING AND CONTAINING 21,004
R ANY EXISTING OR TY EASEMENT OF ANY	STATE OF TEXAS	OWNER'S DEDICATION
	COUNTY OF TARRANT NOW AND THEREFORE, KNOW ALL MEN BY THESE PR	RESENTS THAT VAQUERO BINKLEY PARTNERS, LP, HEREBY ADOPTS THIS PLAT AS DITION TO THE CITY OF FORT WORTH, TARRANT COUNTY, TEXAS, AND ODES E RIGHTS-OF-WAY AND EASEMENTS AS SHOWN HEREON.
CURB & GUTTER, CHES, SIDEWALKS UIRED AT TIME OF ARKWAY PERMIT.	VAQUERO BINKLEY PARTNERS, LP	
ES:	BY: (SIGNATURE) WALANDLETH MANAGER (PRINTED NAME & TITLE)	
S AN ORDINANCE ID COLLECTION OF E TOTAL AMOUNT	STATE OF TEXAS COUNTY OF TARRANT	
APPROVAL DATE OON SCHEDULE 1 N AFFECT AS OF AMOUNT TO BE	BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WALAWDUETH, KNOWN TO ME TO AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE	IN AND FOR THE COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT HE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED, AND IN
SCHEDULE 2 OF ON THE DATE A	THE CAPACITY THEREIN. GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS	THE DAY OF September, 2024
	NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS MY COMMISSION EXPIRES: JUNE 6, 2027	KAILEY MASSEY Notary ID #134393262
		My Commission Expires June 6, 2027
· · · · · · · · · · · · · · · · · · ·	SURVEYED THE ABOVE DESCRIBED PROPERTY ON THE SHALL BE SET AFTER CONSTRUCTION AND WILL BE THAT ARE DAMAGED, DISTURBED, OR NOT SO MARK SCOPT BERCHERR, RPDS TX LICENSE NO. 6821 FIRM NO. 10194666	A REGISTERED PROFESSIONAL LAND SURVEYOR OF THE STATE OF TEXAS, HAVE THE GROUND, AND THAT ALL LOT CORNERS, ANGLE POINTS, AND POINTS OF CURVE E 5/8 INCH IRON RODS CAPPED AND STAMPED "JM CIVIL ENGINEERING". IRONS ED ARE NOT ORIGINAL.
	FORT WORTH	
BINKLEY STREET	Eng D Hood 9/12/2024 Eng D Hood 9/12/2024	FORT WORTH
	Eng D 460d 9/12/2024 (Sep 12, 2024 08:02 CDT) Sep 12, 2024	CITY PLAN COMMISSION CITY OF FORT WORTH, TEXAS
× 1		THIS PLAT IS VALID ONLY IF RECORDED WITHIN NINETY (90) DAYS AFTER DATE OF APPROVAL.
10.00' \$89°39'44"W L FOUND WASHER —		Diat         Approval         Date :
SURVEY"		Derek Hull (Sep 6, 2024 16:58 CDT) By :
SEND		Secretary
C.T. DEED RECORD C.T. PLAT RECORD T.C.T. OFFICIAL PUBI	S, TARRANT COUNTY, TEXAS S, TARRANT COUNTY, TEXAS LIC RECORDS, TARRANT COUNTY, TEXAS	FINAL PLAT
IT "X" CUT IN C IRON ROD FOU 5/8 INCH IRO	JND N ROD SET WITH CAP STAMPED "JM	LOT 5R, BLOCK 2
		BURCH-HILL ADDITION BEING A REPLAT OF LOTS 5, 6 & 7,
ADJOINING PR EASEMENT LIN RIGHT-OF-WA		BLOCK 2, BURCH-HILL ADDITION, AN ADDITION TO THE CITY OF FORT
● FOUND MONU	MENT (SEE LABEL) NT (SEE LABEL)	WORTH, AS RECORDED IN VOL. 204-A, PG. 144, P.R.T.C.T.
	1101 Central Expressway South Suite 215, Allen, TX 75013	0.482 ACRES OUT OF THE A. THOMPSON SURVEY, ABSTRACT NO. 1499

OWNER/DEVELOPER VAQUERO BINKLEY PARTNERS, LP 2627 TILLAR ST., SUITE 111 FORT WORTH, TX 76107

1101 Central Expressway South Suite 215, Allen, TX 75013 Ph. 214-491-1830 John Measels, PE CIVIL ENGINEER JOB NO: JMS-VVC23003 - DATE: 06/21/2024 - DRAWN BY: ER

NO: JMS-VVC23003 - DATE: 06/21/2024 - DRAWN BY: ER CITY CASE FILE NO. FS-24-106

PAGE 1 OF 1

CITY OF FORTH WORTH, TARRANT

COUNTY, TEXAS



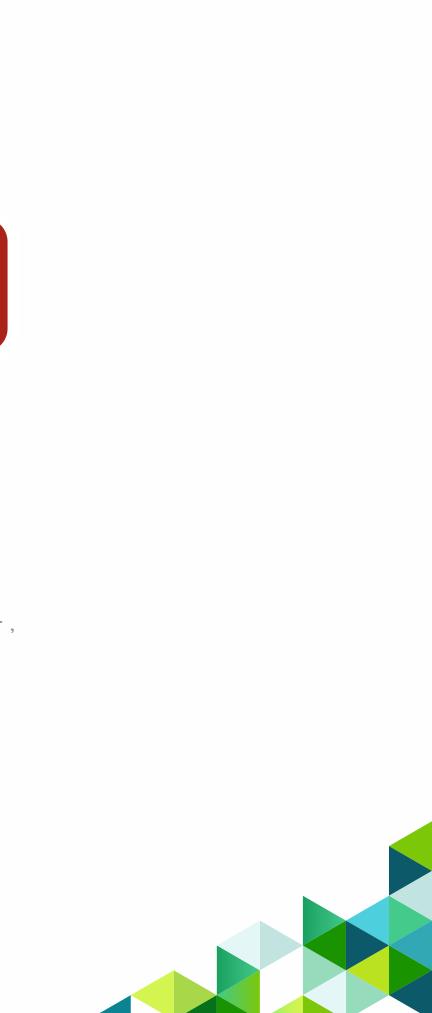


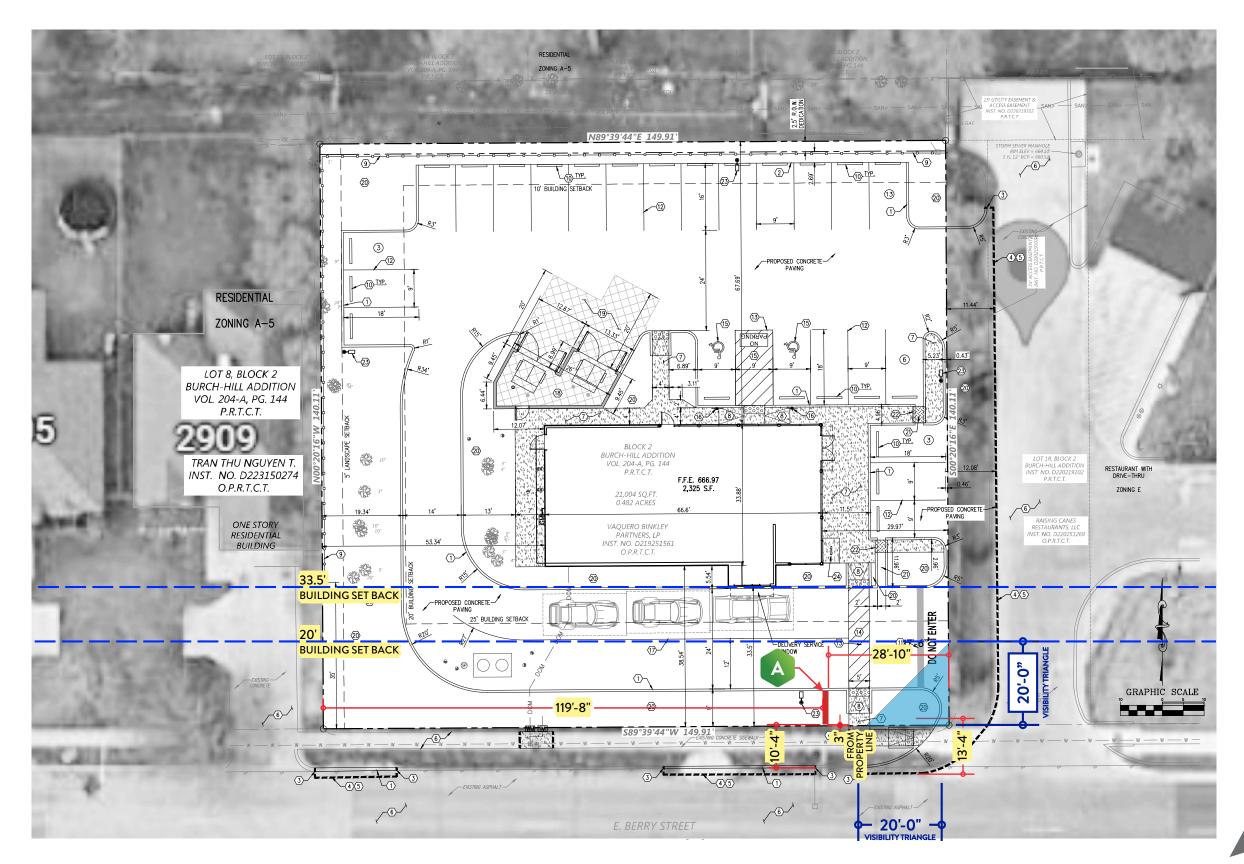
# **MEXICAN GRILL**

2925 EAST BERRY STREET, FORT WORTH, TX 76105

ES13627 SIGN PRESENTATION







# Site Plan



16611 West Little York Rd Houston, Texas 77084

> EZZISIGNS.COM 713-232-0771

PROJECT: CHIPOTLE

ADDRESS: 2925 EAST BERRY STREET, FORT WORTH, TX 76105

**DATE:** 08/22/24

**PROJECT NUMBER:** ES13627

DESIGNER: MAURICIO

REVISIONS **R6:** 01.31.2025 SETBACK DIM. ADDED **R7**: 01.31.2025 ADD IMAGE TO SITEPLAN R8:

APPROVALS / DATE

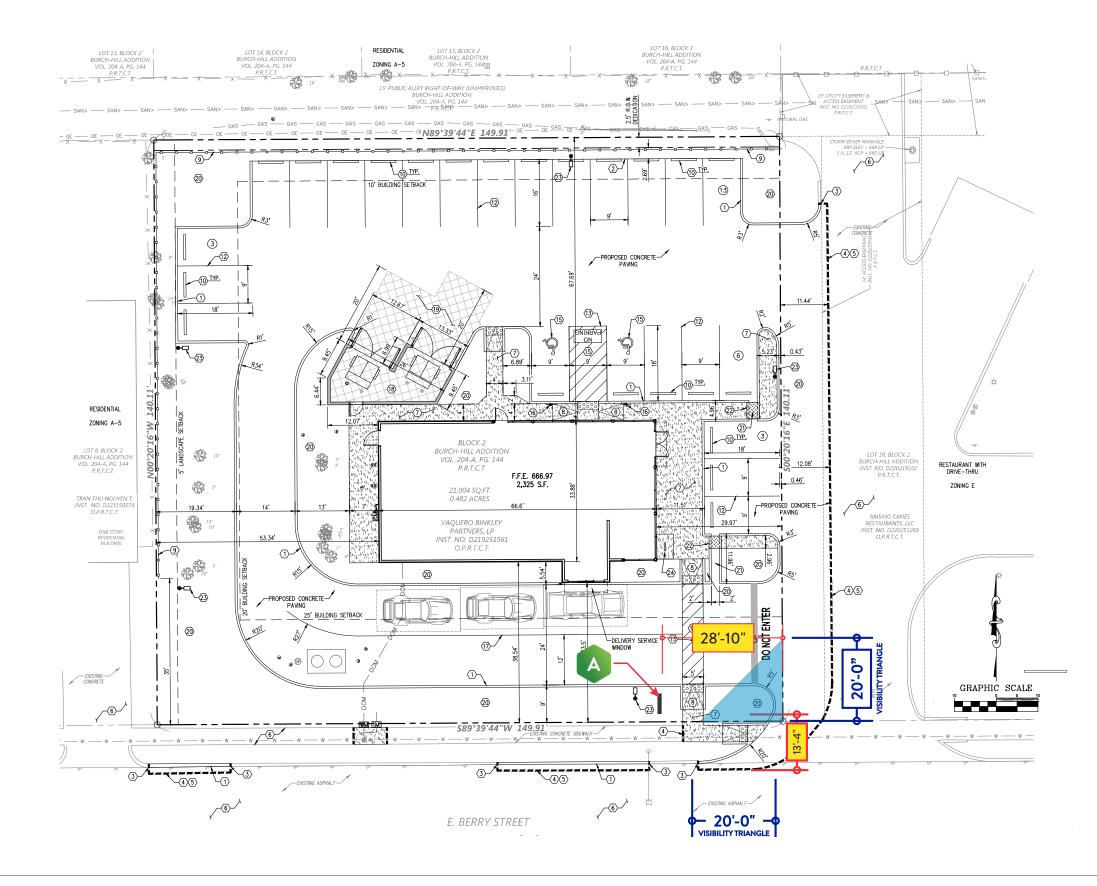
CLIENT:

LANDLORD:



Installation requirements. This sign is to be installed in accordance with the requirements of article 600 of the national electrical code and other applicable local codes. This includes proper grounding and bonding. The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electrical Code.

All conceptual renderings are property of Ezzi Signs. Any reproduction, exhibition or use of this drawing is strictlyprohibited ©2024. Allrightsreserved.



# Site Plan



16611 West Little York Rd Houston, Texas 77084

> EZZISIGNS.COM 713-232-0771

PROJECT: Chipotle

ADDRESS: 2925 EAST BERRY STREET, FORT WORTH, TX 76105

**DATE:** 08/22/24

PROJECT NUMBER: ES13627

DESIGNER: MAURICIO

REVISIONS R1:

R 2 :

R 3 :

APPROVALS / DATE

CLIENT:

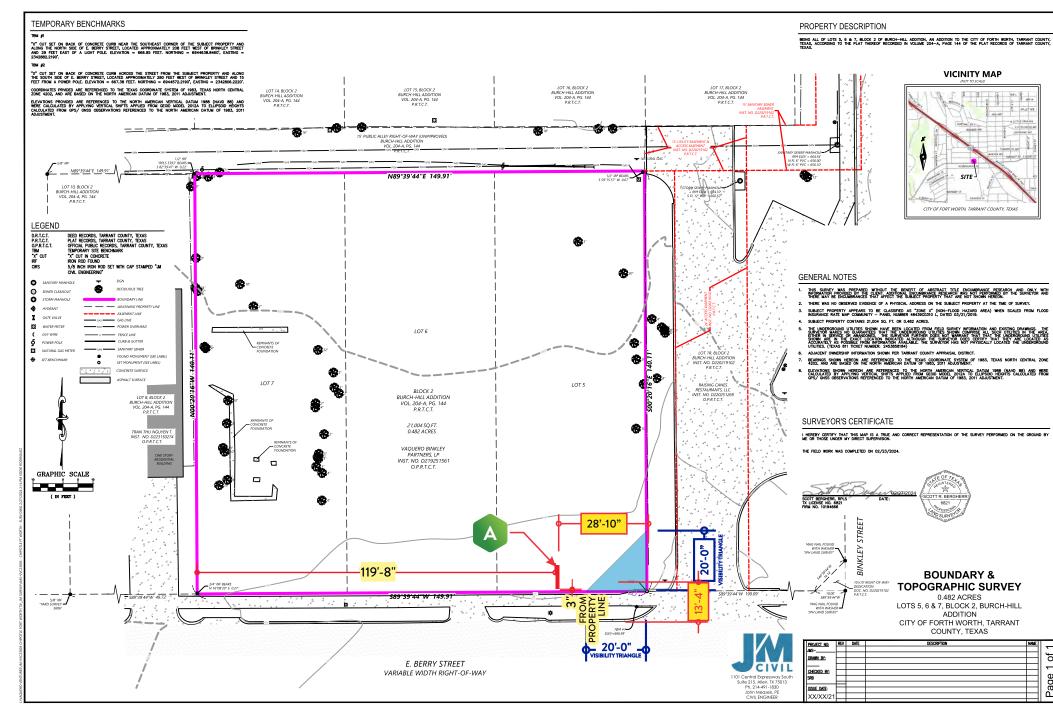
LANDLORD:



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16611 West Little York Rd Houston, Texas 77084

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PROJECT: CHIPOTLE

ADDRESS: 2925 EAST BERRY STREET, FORT WORTH, TX 76105

**DATE:** 08/22/24

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APPROVALS / DATE

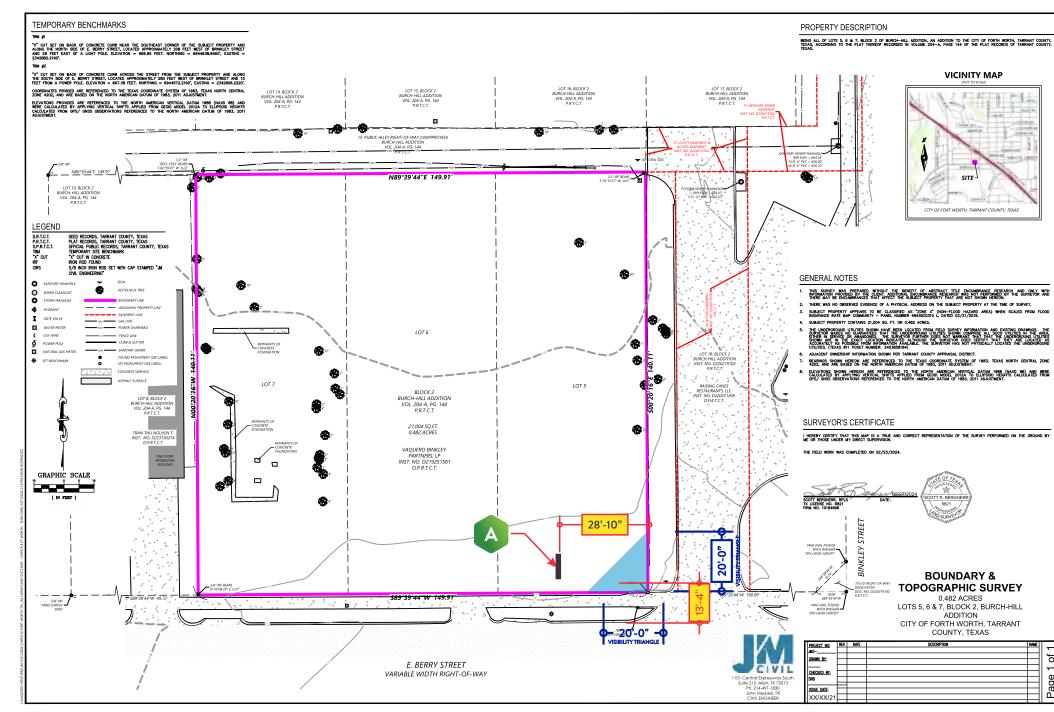
CLIENT:

LANDLORD:



🖲 Installation requirements. This sign is to be installed in accordance with the requirements of article 600 of the national electrical code and other applicable local codes. This includes proper grounding and bonding. The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electrical Code.

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16611 West Little York Rd Houston, Texas 77084

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PROJECT: CHIPOTLE

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**DATE:** 08/22/24

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DESIGNER: MAURICIO

REVISIONS R1:

R 2 :

R 3 :

APPROVALS / DATE

CLIENT:

LANDLORD:

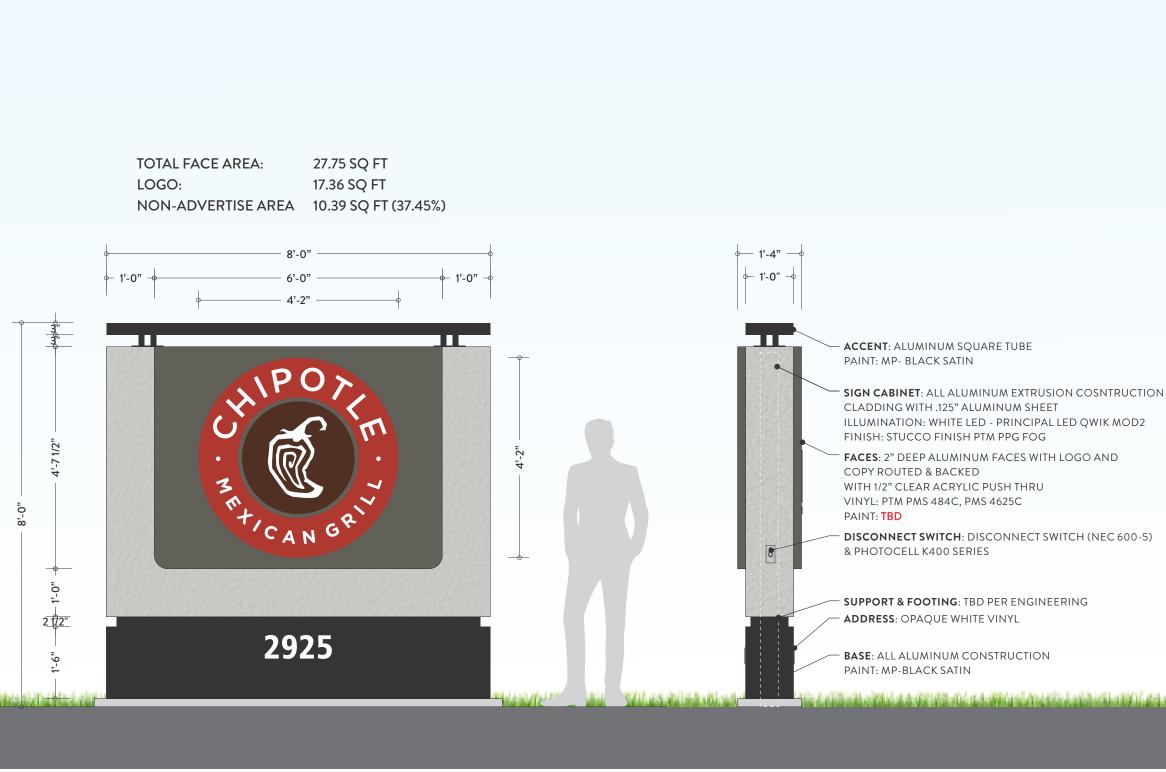


🖲 Installation requirements. This sign is to be installed in accordance with the requirements of article 600 of the national electrical code and other applicable local codes. This includes proper grounding and bonding. The location of the disconnect switch after installation shall comply with Article 600.6(A)(1) of the National Electrical Code.

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### **SCOPE OF WORK**

1. MANUFACTURE AND INSTALL - NEW GROUND SIGN





Please Verify Dimensions





16611 West Little York Rd Houston, Texas 77084

> EZZISIGNS.COM 713-232-0771

PROJECT: CHIPOTLE

ADDRESS: 2925 EAST BERRY STREET, FORT WORTH, TX 76105

**DATE:** 08/22/24

**PROJECT NUMBER:** ES13627

DESIGNER: MAURICIO

REVISIONS R1:

R 2 :

R3:

APPROVALS / DATE

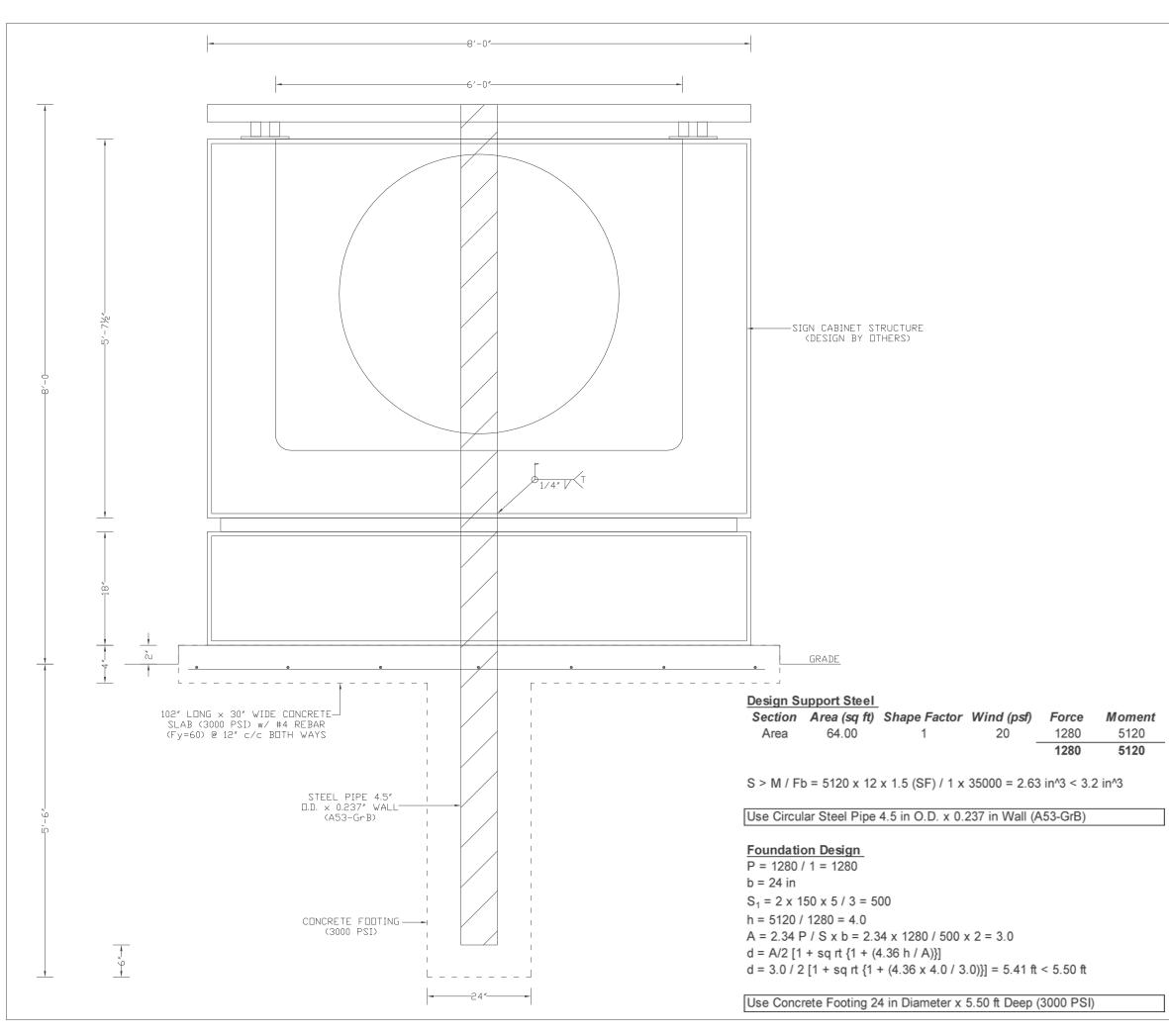
CLIENT:

LANDLORD:



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### NOTES:

- DESIGN IS BASED ON 2021 IBC WIND SPEED OF 115 MPH (3-SEC
- GUST), EXPOSURE C RISK CATEGORY II. 2. THIS DESIGN IS INTENDED FOR A SINGLE (1) SIGN THAT SHALL BE INSTALLED AT THE ADDRESS SHOWN AND SHALL NOT BE USED FOR MULTIPLE SIGN/S AT THIS OR ANY OTHER LOCATION/S UNLESS CERTIFIED BY A PROFESSIONAL ENGINEER.
- ENGINEER IS NOT THE ENGINEER OF RECORD FOR THE OVERALL 3. PROJECT AND SHALL ONLY BE RESPONSIBLE FOR THE DESIGN OF SIGN STRUCTURE FOR WHICH CALCULATIONS ARE SHOWN ON THIS PAGE. (SIGN CABINET STRUCTURE DESIGN SHALL BE PROVIDED BY OTHERS).
- 4. ALL HSS TUBE SECTIONS SHALL MEET ASTM A500 GRADE-B WITH MINIMUM YIELD STRESS Fy=46 KSI. ALL HSS ROUND SECTIONS SHALL MEET ASTM A500 GRADE-B WITH
- MINIMUM YIELD STRESS Fy=42 KSI. 6. ALL WIDE FLANGE SECTIONS SHALL MEET ASTM A992 WITH
- MINIMUM YIELD STRESS Fy=50 KSI. 7. ALL PIPE (OTHER THAN HSS ROUND) SHALL MEET ASTM A53
- GRADE-B WITH MINIMUM YIELD STRESS Fy=35 KSI. 8. ALL OTHER STEEL INCLUDING CONNECTION PLATES, ANGLES, ETC.

- ALL DTHER STEEL INCLUDING CUNNECTION PLATES, ANGLES, ETC. SHALL MEET ASTM A36 WITH MINIMUM YIELD STRESS Fy=36 KSI.
   ALL ALUMINUM USED SHALL BE GRADE 6053 DR 6061 DR EQUIVALENT WITH MINIMUM YIELD STRESS Fy=20 KSI.
   ALL STRUCTURAL BOLTS SHALL CONFORM TO ASTM A325 UNLESS DTHERWISE NOTED AND SHALL BE GALVANIZED.
   ALL STEEL WELDING SHALL BE MADE WITH E70×× ELECTRODES AND SHALL BE PERFORMED BY CERTIFIED WELDERS IN ACCORDANCE WITH AWS STANDARDS. ACCORDANCE WITH AWS STANDARDS.
- ALL ALUMINUM WELDING SHALL BE MADE WITH E40×× ELECTRODES AND SHALL BE PERFORMED BY CERTIFIED WELDERS IN ACCORDANCE AWS STANDARDS.
- 13. SOIL REPORT WAS NOT FURNISHED. FOUNDATION IS BASED ON A ALLOWABLE BEARING OF 1500 PSF AND ALLOWABLE LATERAL SOIL BEARING PRESSURE OF 150 PSF PER FOOT. BEARING PRESSURE VALUES SHALL BE VERIFIED PRIOR TO CONCRETE PLACEMENT.
- 14. NDRMAL WEIGHT CONCRETE WITH MINIMUM COMPRESSI∨E STRENGTH OF 3000 PSI (ATTAINED IN 28 DAYS) SHALL BE USED. CARE SHALL BE TAKEN FOR NOT PLACING CONCRETE OVER SOIL FILL.





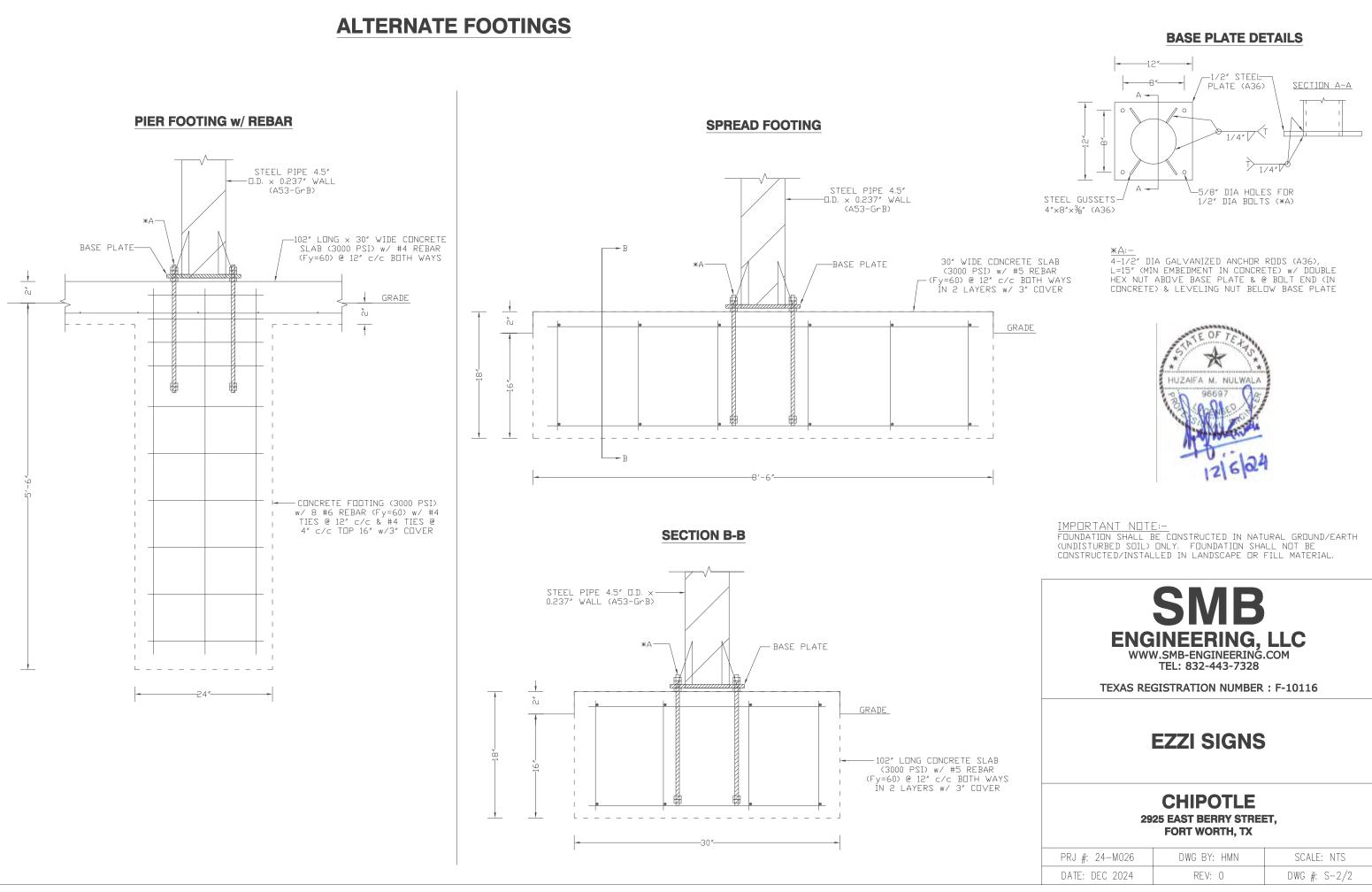
**TEXAS REGISTRATION NUMBER : F-10116** 

# **EZZI SIGNS**

# CHIPOTLE

2925 EAST BERRY STREET, FORT WORTH, TX

PRJ #: 24-M026	DWG BY: HMN	SCALE: NTS
DATE: DEC 2024	REV: 0	DWG #: S-1/2





### BOARD OF ADJUSTMENT - COMMERCIAL

BAC-25-006

Address: 11604 North Freeway

Owner: Levi Swinney on behalf of Northwest ISD

Zoning: "I" – Light Industrial District within the I-35W North Overlay

District and the Fort Worth Alliance Airport Overlay Zone

a. Variance: To permit construction of 4 tennis court lights that would<br/>exceed the maximum height allowed.Maximum Height Allowed:55 feetRequested Height:70 feet

**b. Variance:** To permit construction of 10 baseball and softball fieldlights that would exceed the maximum height allowed.Maximum Height Allowed:Requested Height:80 feet

c. Variance: To permit construction of football stadium lights that would<br/>exceed the maximum height allowed.Maximum Height Allowed:55 feetRequested Height:90 feet

**c. Variance:** To permit construction of a theater with fly loft that would exceed the maximum height allowed.

enceed and maximum rengi	
Maximum Height Allowed:	55 feet
Requested Height:	85 feet

### **GENERAL INFORMATION**

### **REGULATION:**

### 3.304 Board of Adjustment Action

In taking action on an application for a variance, the board of adjustment shall grant the application only when the board determines that:

- (a) Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- (b) Literal enforcement of the regulations in this zoning ordinance will create an unnecessary hardship or practical difficulty in the development of the affected property;
- (c) The situation causing the hardship or difficulty is unique to the affected property;
- (d) The situation or hardship is not self- imposed;
- (e) The relief sought will not injure the existing or permitted use of adjacent conforming property; and
- (f) The granting of a variance will be in harmony with the spirit and purposes of this zoning ordinance.



### 4.1000 Light Industrial ("I") District

*c. Property development standards.* The minimum dimension of lots and yards and the height of buildings in the light industrial ("I") district, shall be as shown in the accompanying table.

Light Industri	ial ("I) District
Height	3 stories or 55 feet maximum

LOT HISTORY: ZC-17-057 – Zoning Change from I to CF, Applied, 03/13/2017, Applicant withdrew request 04/27/2017.

COMPREHENSIVE PLAN DESIGNATION:	Industrial Growth Center
<u>REGISTERED</u> <u>NEIGHBORHOOD</u> <u>NOTIFCATION:</u>	North Fort Worth Alliance, Saratoga HOA, Valley Ridge HOA, Villages of Woodland Springs HOA, Streams and Valleys Inc., Trinity Habitat for Humanity, Northwest ISD, Keller ISD

**EXISTING CONDITIONS:** The subject property is a vacant 146.608-acre tract out of the H. Davidson Survey Abstract Number 437. The property is located east of North Freeway 35 W, to the west of North Riverside Drive, and south of Hwy 170. The area east of the eastern property boundary is zoned A-5 and made up of several established neighborhoods.

The subject property is proposed to be developed as a high school campus, containing a theater, football stadium and several other athletic fields. The property is located within the I-35W North Overlay District as well as the Alliance Airport Overlay Zone. The campus is located within the flight path of the airport, and FAA approval of all lighting and building heights is required to be obtained prior to beginning development of the property.

A proposed text amendment to the zoning ordinance was presented to the Zoning Commission on February 12<sup>th</sup>, 2025. The earliest the amendment could be approved and adopted by City Council is March 11, 2025. The proposed text amendment would add "I" Light Industrial District to the list of districts where height of a building may be increased when the front, side, and rear yard dimensions are each increased above the minimum requirements by one foot for each foot such building exceeds the height limit of the zoning district.

The applicant is requesting 21 height related variances.

### **Tennis Court Lights**

The applicant is requesting variances to permit the construction of four, 70-foot tall, tennis court lights. The tennis court is located at the northern boundary of the property.



### **Baseball Field and Softball Field Lights**

The applicant is requesting variances to permit the construction of four, 80-foot tall softball field lights, and six, 80-foot tall, baseball field lights. The baseball and softball fields are located on the western boundary of the property, with the softball field located closer to the north-west corner of the property.

### Football Stadium Lights

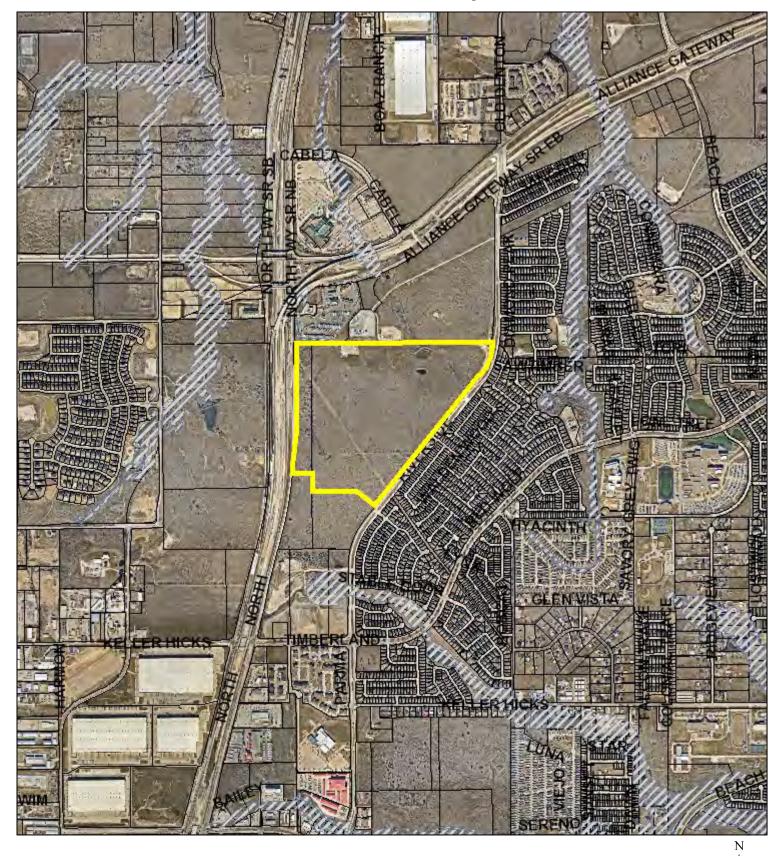
The applicant is requesting variances to permit the construction of six, 90-foot tall, football stadium lights. The football stadium is located directly south of the tennis courts.

### Theater Fly Loft Height

The applicant is also requesting a variance to permit construction of a theater with a fly loft. A fly loft is a space above a theater stage that allows for rigging and other stage elements. It is an extension of stage walls that extends to the roof of the theater. In order to accommodate the fly loft, the proposed height of the theater is 85 feet.

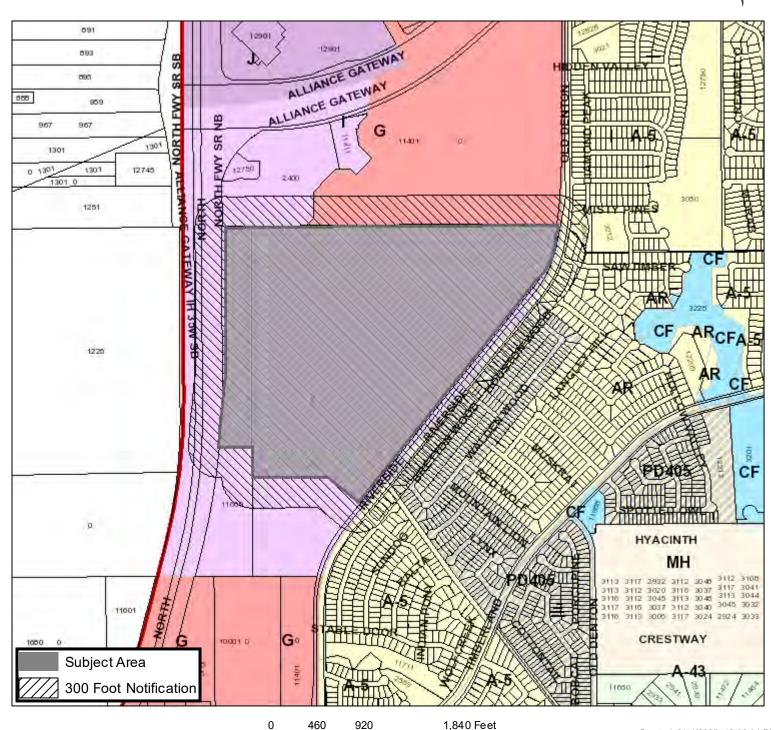


# **Aerial Photo Map**





Applicant:Levi Swinney for Northwest ISDMapsco:21DCommission Date:2/19/2025



# APPLICATION TO THE ZONING BOARD OF ADJUSTMENT CITY OF FORT WORTH, TEXAS



Marque con una "X" si necesita que la 0	Ciudad le proporcione	un INTERPRETE	durante la Audiencia Publica.
PLEASE PROVIDE A DETAILED SITE PLA	N		
Address of Premises affected: East of I-35 a	nd West of Riversio	le Drive	
Lot/Tract: Lot 1 Block	(Abstract: Block 1 N	ISD HE Lot Size	: 146.61 acres
Legal Description: Addition/Survey: Hopkin			
Owner's Name: Northwest Independent So	chool District		
Address: 2001 Texan Drive			
City: Justin	State: <u>TX</u>	Zip: <u>762</u> 4	47
Tele: ( ) <u>817-215-0000</u>	E-Mail <u>sarah.stewa</u>	art@nisdtx.org	
Applicant's Name: Levi Swinney			
Address: 5646 Milton Street, Suite 426			
City: <u>Dallas</u>	State: <u>TX</u>	Zip: <u>752(</u>	
Tele: ( ) <u>(469) 930-7655</u>	E-Mail levi.swinne	y@glenn-partners	3.com
Provide a description of the existing/proposed A new high school for Northwest ISD is currently			
technical education spaces, fine arts spaces, and			
softball field, tennis courts, a multi-sport stadium, sports. The buildings on campus total over 790,0			Iding is the fly loft of the
Additional documentation may be supplied to	· · · · · · · · · · · · ·	• · · · · · · · · · · · · · · · · · · ·	
Status of Project: <b>Existing</b> Status of Property: <b>Owner Occupied</b>	Under Cons	struction	Proposed     Non-owner Occupied
Previous Board of Adjustment Case filed on Date Case Number(s)		es 🔽 No	
Is the purpose of this request to provide reas	onable accommodation	on for a person(s) v	vith disabilities? 🔲 YES 🗹 NO
If Yes, the application will be directed to the Planning a 22098-03-2016, "Reasonable Accommodation or Mod Ordinance review will not be heard by the Board of Adj information.	dification for Residential justment. Please see Ordi	Uses." Applications u nance No. 22098-03-20	nder a Reasonable Accommodation 016 (Chapter 17, Division V) for more
NOTE TO STAFF: If Yes, send a copy of this applica			
Have you informed your Home Owners Asso	ciation ∐ YES ☑ NO	or Neighbors	YES I NO of the request?
To watch the Hearings: <u>http://www.fortworthtexas.</u>	<u>gov/</u> , click on "Watch or	nline Now" & "Board o	of Adjustment video".
STAFF USE ONLY: Zoning			
Owner Occupied Variance (One and Two Fa	amily Homes) for Sect	ion	
Special Exception for Section			
Variance for:			

☐ Interpretation of the Regulation \$400

DATE RECEIVED:	FEE AMOUNT PAID :	# OF REQUESTS:	RECEIVED BY:	CASE NO.

### Variance Request Proposal Only

Please explain in your own words, how the request meets each of the hardship criterion listed below.

1. The variance is not a self-created hardship.

No element of the building is excessive in height based on similar building types. Reducing the theater fly loft portion of our building to be below the 55' height limit would impair and restrict the functionality of the theater. Lowering the athletic lights below what is currently designed would also

2. The property where the variance is being sought has unique circumstances existing on the property, such as area, shape, or slope; that the unique circumstances were not created by the property owner; that the request is not merely financial or for convenience; and that the circumstance is not due to the general conditions of the zoning district of the

<sup>property</sup> tated above, reducing the height of the theater fly loft and the height of the athletic field / court lighting would not allow this facility to function properly.

3. The variance would be in harmony with the intent and purpose of the comprehensive plan and the specific chapter of the zoning ordinance.

The school facility is in harmony with the intent and purpose of the zoning ordinance with the exception of the theater fly loft and athletic field / court lighting.

4. The variance will not adversely affect the health, safety, or welfare of the public.

Allowing for an increase in building height will not have any impact on health, safety, or welfare of the public.

5. The variance will not substantially or permanently injure the appropriate use of adjacent property in the same district.

Allowing for an increase in building height will not substantially or permanently injure the appropriate use of adjacent property within the same district.

### **Acknowledgement**

I certify that the information provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will present this case in a public hearing before the Zoning Board of Adjustment, unless I withdraw the request prior to the public notice. Should I initiate withdrawal after public notice is given, the filing fee will be non-refundable. Also, no new application may be filed for hearing within 24 months of a Board denial, unless the denial is without prejudice or substantial changes have occurred which warrant a Board waiver of the 24-month mandatory re-application delay period. **ANY REQUIRED PERMITS MUST BE OBTAINED WITHIN 180 DAYS**.

(All applications submitted via email must be signed using a digital ID or certificate.)

**Signed** by the Owner / Applicant or Agent (Circle appropriate entity)

Signature:

Levi Swinney Digitally signed by Levi Swinney Disc C=US, E=levi.swinney@glenn-partners.com, CN=Levi Swinney Date: 2025.01.16 15:44:14-06'00'

Date 01/16/2025

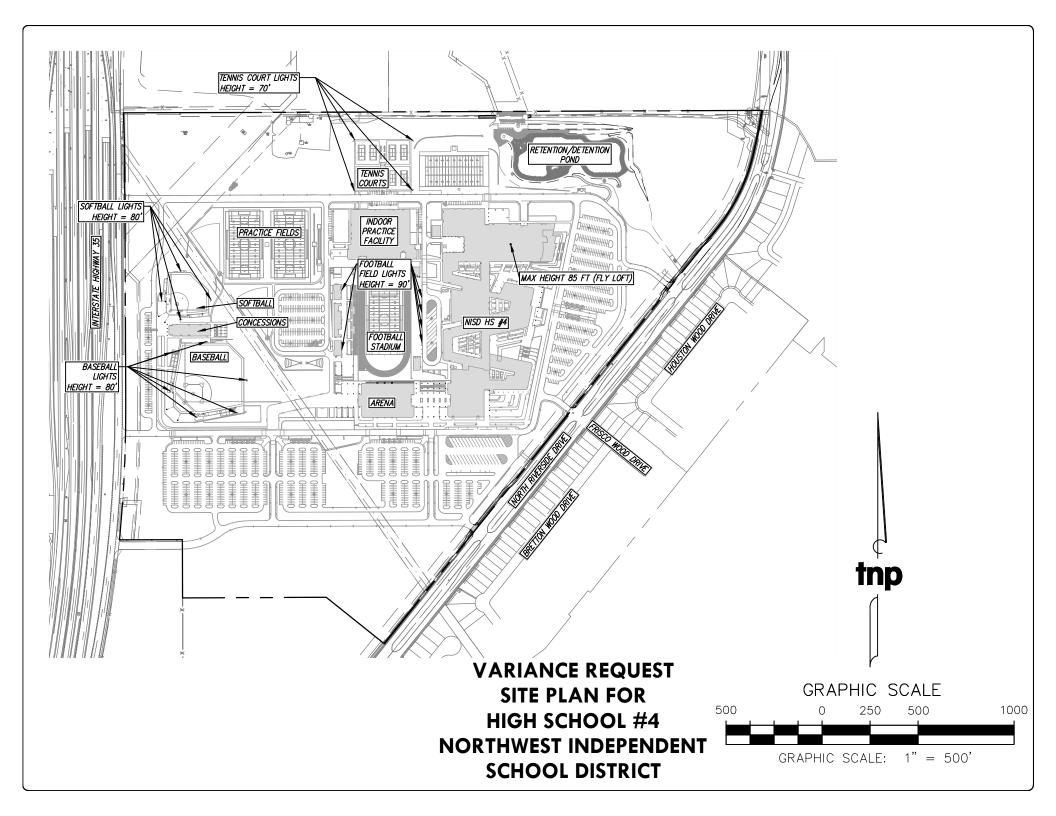


## **Development Services Department**

# LETTER OF AUTHORIZATION

# To the City of Fort Worth, Texas

Authority is hereby granted to _	Glenn   Partners			
, , , , , _	(Family Member, Friend, Con	npany, etc, to	represent you a	at the hearing)
5646 Milton Street, Suite 426	Dallas	ТХ	75206	469.930.7655
Address	City	State	Zip	(Telephone)
to file in my/our behalf for Requ	est for Variance from ter	ms of the	Zoning Ordi	nance or Special
Exception on the following desc	ribed property:			
(Address) East of I-35 and West of Riversi	ide Drive			
(Legal Description) Lot 1, Block 1, N	lorthwest ISD High School 4 Addition			
The Authority is granted only for	r the following specific re	quest:		
(Nature of Appeal) Building Height Va	ariance for the building and our field light	poles		
The undersigned is the property	owner of the above-des	cribed pro	operty.	
The Authorization will remain in	force until revoked by w			
Owne	er - Original Signature:	Sarah	Stewart	Digitally signed by Sarah Stewart N: C=US, E=sarah.stewart@nisdtx.org, ∋Northwest ISD, CN=Sarah Stewart Date: 2025.01.16 14:57:53-06'00'
	Owner - Print Name:	Sarah S	tewart	
	Address:	2001 Te	xan Drive, J	ustin, TX 76247
	Telephone:	817.215	.0069	
(All applica	ations submitted via ema	i <mark>l must be</mark>	signed usir	ng a digital ID or certificate
Accepted for Case No				
Ву		Dat	e	







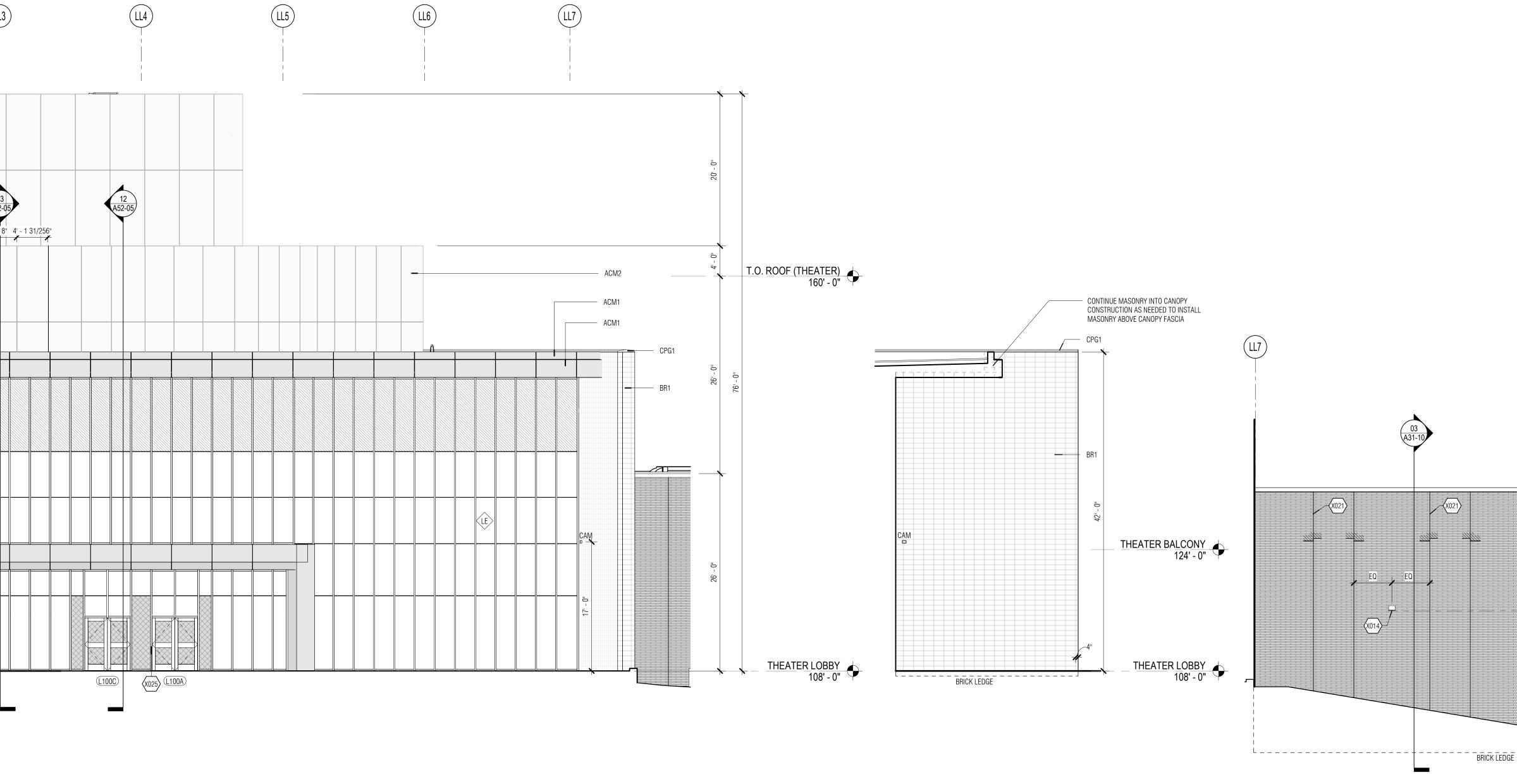


LEGEND REFER TO A21-00B			EXTERIOR ELEVATION NOTES		
			X013	OVERFLOW DOWNSPOUT COVER, REF. PLUMBING	
		BUILDING EXPANSION JOINT	X021	MASONRY EXPANSION JOINT BETWEEN PLANES OF BRICK VENEER. REFER TO PLAI DETAIL 04/A32-91	
1 - NOT USED			X025	CARD READER, REF. TECHNOLOGY	
2 - CONCEALED FASTENER METAL PANEL	<a>AA&gt;</a>	EXTERIOR WINDOW TAG, REF. A62-11 SERIES			
23 - CONCEALED FASTENER METAL PANEL	MEJ	MASONRY EXPANSION JOINT			
24 - CONCEALED FASTENER METAL PANEL		EXTERIOR WALL SECTION TAG			
2 - SPANDREL GLAZING		BRICK RELIEF ANGLE			

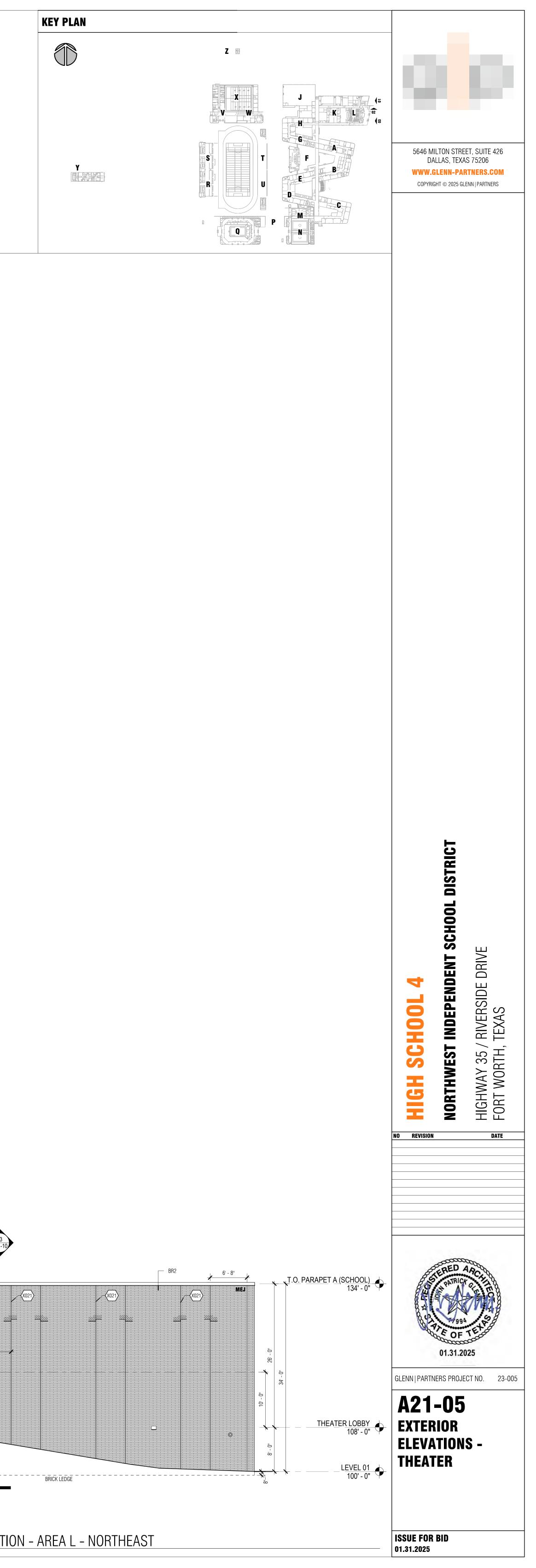
EXT	ERIOR ELEVATION GENERAL NOTES	<b>EXTERIOR ELEVATION</b>	LEGEND	*FOR EXTERIOR FINISH LEGE
1. 2. 3.	FINISH FLOOR ELEVATIONS ARE TO TOP OF CONCRETE SLAB UNLESS OTHERWISE NOTED. EXPANSION JOINT IN MASONRY VENEER TO BE 3/8" TYPICAL, UNLESS NOTED OTHERWISE. THE MATERIAL SYMBOLS ON THE ELEVATIONS ARE TO SHOW THE MATERIAL	BR1 - MASONRY B	RICK VENEER	MP1 - N
4.	LIMITS. THEY ARE NOT USED TO SHOW SCALE. PROVIDE SPECIAL SHAPED BRICKS AT ALL ANGLED CORNERS AND RADIUSED WALLS - REFER SPECIFICATIONS FOR ALL SPECIAL SHAPED BRICK REQUIREMENTS.	BR2 - MASONRY B	RICK VENEER	MP2 - C0
		ST1 - STONE MASC	NRY VENEER	MP3 - C0
		ACM1 - ALUMINUN	I COMPOSITE METAL	MP4 - CC
			1 COMPOSITE METAL	GL2 - SP,
		ACM3 - ALUMINUN	1 COMPOSITE METAL	
			LL2	
				01 03
		4' - 8" 4' - 8" 4' - 8"	4' - 8" 4' - 8" 4' - 8" 4' - 6"	8" 4' - 8" 4'

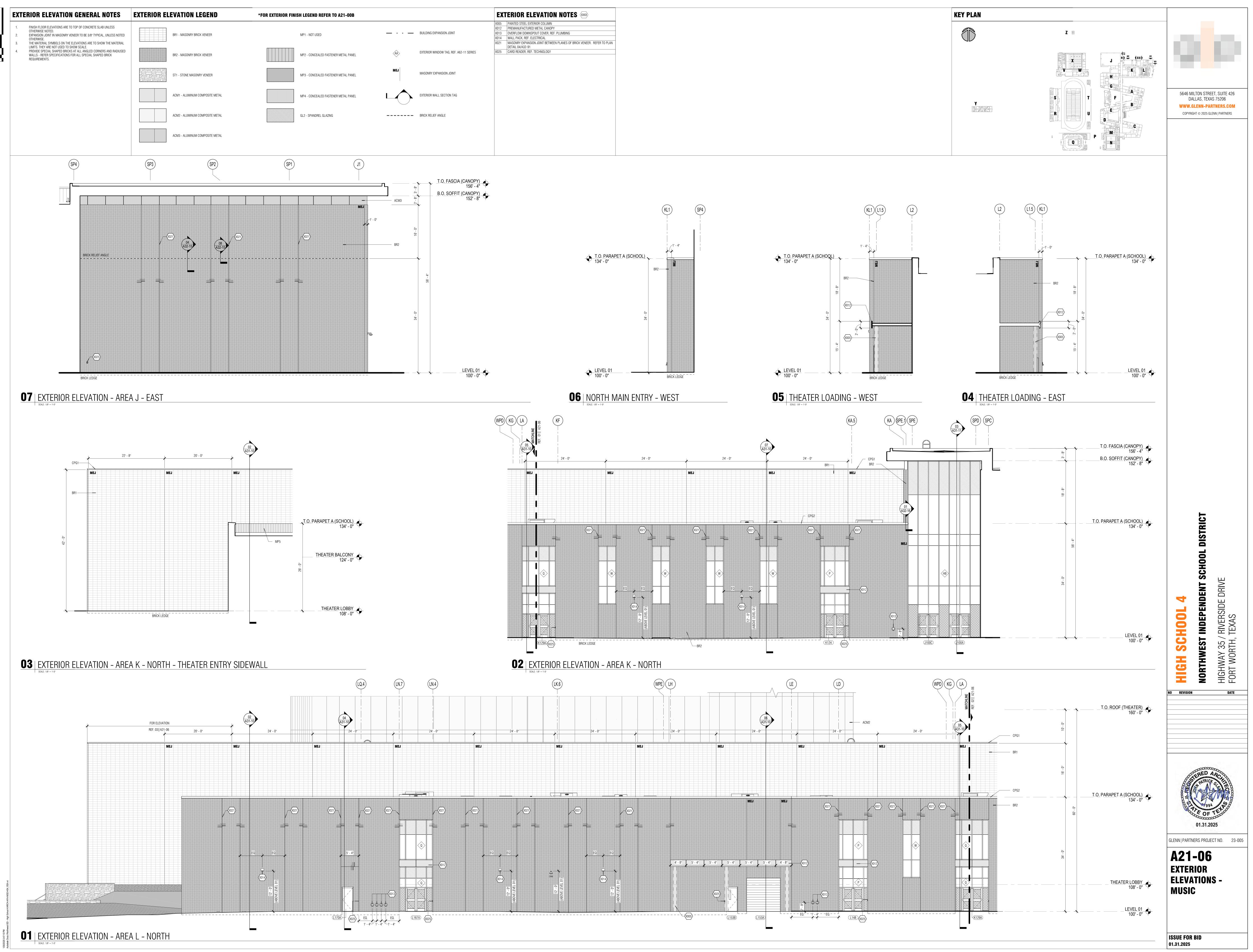
**O3** EXTERIOR ELEVATION – AREA L – EAST

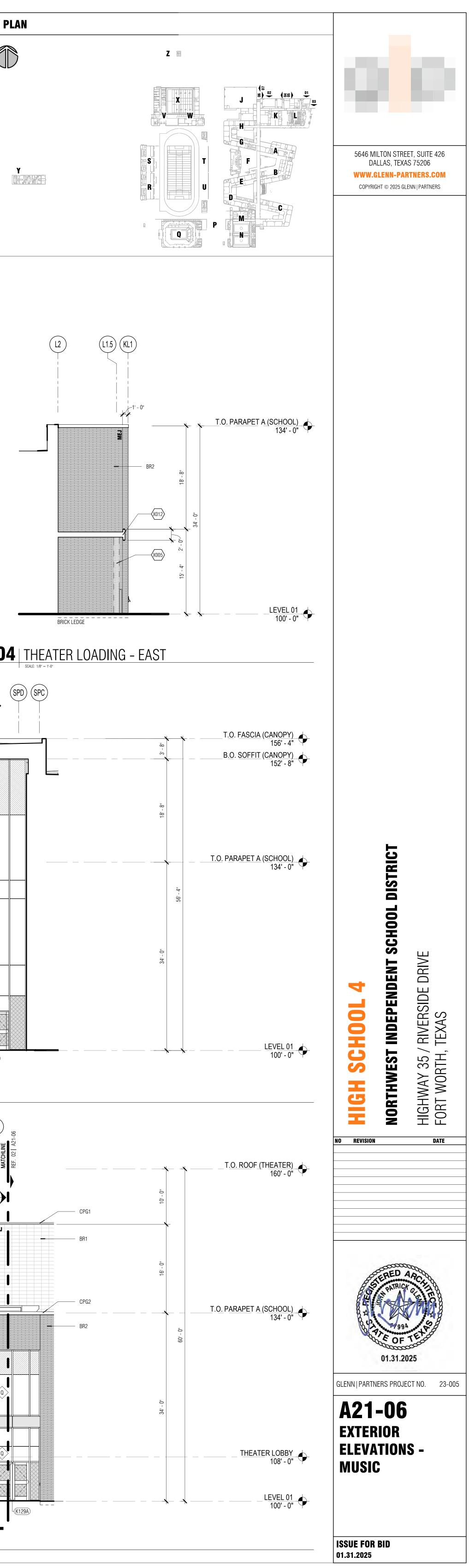
LEGEND REFER TO A21-00B		EXTERIOR ELEVATION NOTES
P1 - NOT USED -	- — BUILDING EXPANSION JOINT	X014       WALL PACK, REF. ELECTRICAL         X021       MASONRY EXPANSION JOINT BETWEEN PLANES OF BRICK VENEER. REFER TO PLAN DETAIL 04/A32-91         X025       CARD READER, REF. TECHNOLOGY
P2 - CONCEALED FASTENER METAL PANEL	> EXTERIOR WINDOW TAG, REF. A62-11 SERIES	
MEJ 23 - CONCEALED FASTENER METAL PANEL	MASONRY EXPANSION JOINT	
P4 - CONCEALED FASTENER METAL PANEL	EXTERIOR WALL SECTION TAG	
2 - SPANDREL GLAZING	BRICK RELIEF ANGLE	

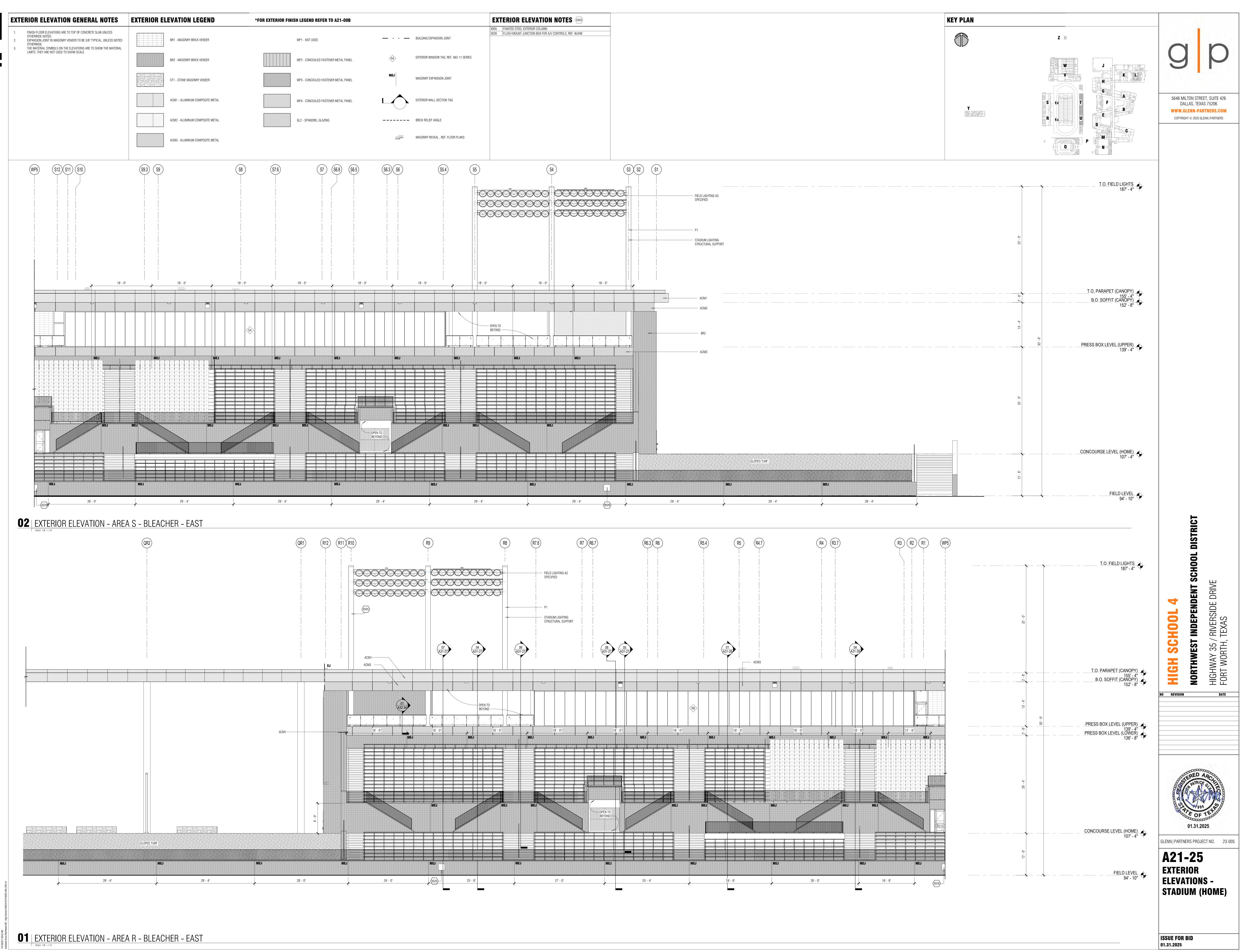


KEY PLAN
Y









### **Tolliver Jones, Ashlie D**

From:	Levi Swinney <levi.swinney@glenn-partners.com></levi.swinney@glenn-partners.com>
Sent:	Monday, February 3, 2025 3:19 PM
То:	London, Donnicha; sarah.stewart@nisdtx.org; jpace@abernathy-law.com; Tim McClure;
	Patrick Glenn; Hoyle, Lauren
Cc:	Austria, Christopher K; Stringfellow, LaShondra H; Knight, Beth; Pena, Michelle; Jones,
	Stacy D; Moreno, Karen S; Tolliver Jones, Ashlie D
Subject:	RE: BAC-25-006 Northwest ISD - Additional Information Needed for BOA Application
Attachments:	NISD HS4 - ISSUE FOR BID - V3 - ARCHITECTURE_FOOD SERVICE - EXTERIOR
	ELEVATIONS.pdf

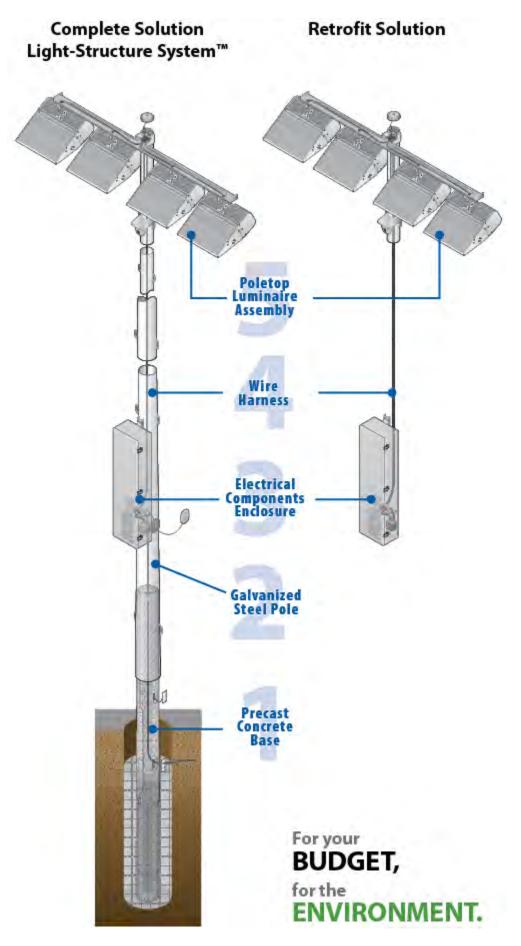
#### This message is from an external organization.

This message came from outside your organization.

**Report Suspicious** 

Donnicha,

Thank you for following up with our application. I have included a PDF with elevations of the fly-loft, theater (only the fly loft itself is over 55' – the remainder of the theater house is just below 55'), and the home side elevation of the stadium (these are the only field lights we have elevated). Please note that our typical field light poles will be similar to the assembly below. I also included a few renderings of our project that include the fly loft for reference (note these are preliminary and not for construction). Let me know if you need anything else.



Levi Swinney AIA, RID Associate Partner | Senior Project Architect

glenn partners

5646 Milton Street, Suite 426, Dallas, TX 75206 o: <u>469.930.7655</u> m: <u>817.223.1739</u> e: <u>levi.swinney@glenn-partners.com</u> <u>www.glenn-partners.com</u>

From: London, Donnicha < Donnicha.London@fortworthtexas.gov>

Sent: Monday, February 3, 2025 2:09 PM

To: Levi Swinney <Levi.Swinney@glenn-partners.com>; sarah.stewart@nisdtx.org; jpace@abernathy-law.com; Tim McClure <Tim.McClure@glenn-partners.com>; Patrick Glenn <Patrick.Glenn@glenn-partners.com>
 Cc: Austria, Christopher K <Christopher.Austria@fortworthtexas.gov>; Stringfellow, LaShondra H
 <LaShondra.Stringfellow@fortworthtexas.gov>; Knight, Beth <Beth.Knight@fortworthtexas.gov>; Pena, Michelle
 <Michelle.Pena@fortworthtexas.gov>; Jones, Stacy D <Stacy.Jones@fortworthtexas.gov>; Moreno, Karen S
 <Karen.Moreno@fortworthtexas.gov>; Tolliver Jones, Ashlie D <Ashlie.TolliverJones@fortworthtexas.gov>
 Subject: BAC-25-006 Northwest ISD - Additional Information Needed for BOA Application

Good Afternoon Mr. Swinney and Mr. Pace,

We have received the BOA application; however, we require additional information to proceed. Please provide elevations for the following:

- Lighting
- Fly loft
- Theater

These details are essential for our staff's review and for the Board's consideration. Additionally, it appears that some of the text in the application was cut off due to the character limit. If there is more information regarding the variance requests, kindly send a supplementary description that can be attached to the elevations.

The submitted documents did not mention a variance for the theater, although the email below does. Could you please confirm if a separate variance request for the theater is needed, or if this is covered under the fly loft variance? If a theater variance is required, please provide the request and corresponding elevations.

As for deadlines for February's BOA Agenda, please submit the requested information by tomorrow, February 4th, at 2 PM. Additionally, the estimated fees for the application are approximately \$9,400, with the final invoice to be provided after we review the documents submitted tomorrow. The fee must be paid by Wednesday, February 5th.

Thank you for your attention to these matters. We look forward to receiving the additional materials by the deadline.

Best regards,

# Donnicha London

#### \*Please note: Development fees will increase on 10/1/24\*

# Donnicha London

Interim Planning Manager Urban Forestry, Zoning Appeals, and Zoning Plans Exam Development Services Department City of Fort Worth 100 Fort Worth Trail Fort Worth, Texas 76102 Donnicha.London@fortworthtexas.gov

From: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>
Sent: Friday, January 31, 2025 4:39 PM
To: Jared Pace <<u>jpace@abernathy-law.com</u>>; Ramos, Melinda <<u>Melinda.Ramos@fortworthtexas.gov</u>>
Cc: <u>tim.mcclure@glenn-partners.com</u>; Patrick Glenn <<u>Patrick.Glenn@glenn-partners.com</u>>; Levi Swinney
<<u>levi.swinney@glenn-partners.com</u>>; Stewart, Sarah <<u>sarah.stewart@nisdtx.org</u>>
Subject: RE: Northwest ISD Issue [IMAN-LEGAL.FID2292123]

Mr. Pace,

Good afternoon, I have reviewed your email and have determined that a variance will be required for the height of the theater and light poles for the fields.

The initial issue in September 2023 was whether the proposed location for the high school was exempt from the City's Alliance Airport zoning overlay use restrictions in "I" industrial zoning. It was determined by the City Attorney's Office that notwithstanding the limitations on use in the overlay, the school could be located and constructed on that site in accordance with the constitutional duty of the Texas Legislature to establish through independent school districts a system of public schools. The City does not agree that enforcement of the development regulations as it relates to height for the zoning district interferes with the ability of the ISD to construct the school.

Cities may enforce its reasonable land development regulations and ordinances against an independent school district for the purposes of aesthetics and the maintenance of property values. Tex. Att'y Gen. OP. No. GA-0697 (2009). Chapter 211 of the Local Government Code grants the city the power to adopt zoning regulations for the purposes of promoting the public health, safety, morals, or general welfare and protecting and preserving places of areas of historical, cultural, or architectural importance and significance. Such zoning regulations include regulation of the height and size of buildings and other structures. Whether a school district is subject to zoning regulations concerning aesthetics and the maintenance of property values has been addressed and considered by Texas courts and the Texas Attorney General's Office.

Courts have ruled that cities are able to enforce zoning regulations related to aesthetics and the maintenance of property values against independent school districts because "in zoning, the aesthetic consideration is not to be ignored. Harmonious appearance, appropriateness, good taste and beauty displayed in a neighborhood not only tend to conserve the value of property, but foster contentment and happiness among homeowners." *Connor v. City of University Park*, 142 S.W.2d 706, 712 (Tex. Civ. App. – Dallas 1940 writ ref'd n.r.e.) *See also, City of Houston v. Johnny Frank's Auto Parts Co.*, 480 S.W.2d 774, 780 (Tex. Civ. App.—Houston [14<sup>th</sup> Dist.] 1972, writ ref'd n.r.e)(quoting language from *Connor*, 142.S.W.2d at 712); *City of Pharr v. Pena*, 853 W.2d 56, 61 (Tex. App. – Corpus Christi 1993, writ denied) (considerations of aesthetics as well as surrounding property values "represent a legitimate goal [and] were substantially related to the public welfare"). The Texas Supreme Court has also ruled that in the area of building regulation, a municipality may enforce its reasonable ordinances

against an independent school district. Port Arthur Indep. Sch. Dist. V. City of Groves, 376 SW.2d 330,333 (Tex. 1964)

If NWISD wishes to build the proposed theater, fly loft, and stadium lighting, at their desired height, then it must seek for a variance from the Board of Adjustment to exceed the maximum allowed height in "I" light industrial zoning district. The requirement to request a variance is uniformly applied to all ISDs within the City for projects that are not in conformance with zoning development standards. I have spoken with the Development Services Department and if NWISD wishes to have their application considered for the February 19, 2025 Board of Adjustment meeting, the application must be completed by early next week. If you wish to submit an application for the February 19, 2025 Board of Adjustment meeting, I recommend contacting Development Services Assistant Director, LaShondra Stringfellow, at LaShondra.Stringfellow@fortworthtexas.gov.

If you are unable to submit an application early next week for the February 19, 2025 Board of Adjustment meeting, the City intends to present to the Zoning Commission a proposed text amendment to the zoning ordinance that may resolve this particular height issue. It is tentatively scheduled to be heard by the Zoning Commission at their February 12, 2025 meeting; however, the earliest it could be approved and adopted by City council is March 11, 2025.

Please let me know if you have any questions or concerns.

Sincerely,

### **Christopher Austria**

Senior Assistant City Attorney City Attorney's Office 100 Fort Worth Trail Fort Worth, TX 76102 817.392.7619 817.392.8359 fax Christopher.austria@fortworthtexas.gov



Working together to build a strong community



*Please note:* Our department has moved to the New City Hall. As of June 3, 2024, our new address is 100 Fort Worth Trail, Fort Worth, Texas 76102.

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is strictly prohibited. If you have received this e-mail in error, please immediately notify Christopher Austria at the City of Fort Worth City Attorney's Office (817) 392-7619.

From: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>
Sent: Thursday, January 30, 2025 5:53 PM
To: Jared Pace <<u>jpace@abernathy-law.com</u>>; Ramos, Melinda <<u>Melinda.Ramos@fortworthtexas.gov</u>>
Cc: <u>tim.mcclure@glenn-partners.com</u>; Patrick Glenn <<u>Patrick.Glenn@glenn-partners.com</u>>; Levi Swinney
<<u>levi.swinney@glenn-partners.com</u>>; Stewart, Sarah <<u>sarah.stewart@nisdtx.org</u>>
Subject: Re: Northwest ISD Issue [IMAN-LEGAL.FID2292123]

Jared,

I will provide you a response tomorrow.

Thank you Christopher Austria

Get Outlook for iOS

From: Jared Pace <<u>ipace@abernathy-law.com</u>>
Sent: Wednesday, January 29, 2025 6:26 PM
To: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>; Ramos, Melinda
<<u>Melinda.Ramos@fortworthtexas.gov</u>>
Cc: tim.mcclure@glenn-partners.com <<u>tim.mcclure@glenn-partners.com</u>>; Patrick Glenn
<<u>Patrick.Glenn@glenn-partners.com</u>>; Levi Swinney <<u>levi.swinney@glenn-partners.com</u>>; Stewart, Sarah
<<u>sarah.stewart@nisdtx.org</u>>
Subject: RE: Northwest ISD Issue [IMAN-LEGAL.FID2292123]

Christopher and Melinda,

Have you been able to look into this problem yet to see if you can help us out?

Jared J. Pace, Shareholder and Director jpace@abernathy-law.com / Abernathy-Law



Abernathy, Roeder, Boyd & Hullett, P.C. 1700 Redbud Blvd. / Suite 300 / McKinney, TX. 75069 Main 214.544.4000 / Direct 214.544.4029 / Fax 214.544.4044

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From: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>
Sent: Friday, January 24, 2025 3:33 PM
To: Jared Pace <<u>jpace@abernathy-law.com</u>>; Ramos, Melinda <<u>Melinda.Ramos@fortworthtexas.gov</u>>
Cc: <u>tim.mcclure@glenn-partners.com</u>; Patrick Glenn <<u>Patrick.Glenn@glenn-partners.com</u>>; Levi Swinney
<<u>levi.swinney@glenn-partners.com</u>>; Stewart, Sarah <<u>sarah.stewart@nisdtx.org</u>>
Subject: RE: Northwest ISD Issue [IMAN-LEGAL.FID2292123]

#### \*\*\*EXTERNAL email. Use caution when opening attachments or links from unknown senders.\*\*\*

Jared,

I have reviewed your email and is being discussed. I hope to have a response to you early next week.

Sincerely,

#### Christopher Austria

Senior Assistant City Attorney City Attorney's Office 100 Fort Worth Trail Fort Worth, TX 76102 817.392.7619 817.392.8359 fax Christopher.austria@fortworthtexas.gov



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From: Jared Pace <<u>jpace@abernathy-law.com</u>>

Sent: Friday, January 24, 2025 11:49 AM
To: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>; Ramos, Melinda
<<u>Melinda.Ramos@fortworthtexas.gov</u>>
Cc: tim.mcclure@glenn-partners.com; Patrick Glenn <<u>Patrick.Glenn@glenn-partners.com</u>>; Levi Swinney
<<u>levi.swinney@glenn-partners.com</u>>; Stewart, Sarah <<u>sarah.stewart@nisdtx.org</u>>
Subject: RE: Northwest ISD Issue [IMAN-LEGAL.FID2292123]
Importance: High

Good morning Melinda and Christopher,

Have you had a chance to look into the issue raised in my attached email? I apologize for seeking the urgent attention here, but unfortunately, the District is under a severe time crunch and has already lost a week of progress, and therefore needs your help as soon as possible. Feel free to call me should you wish to discuss. Thanks.

-Jared

jpace@abernathy-law.com / Abernathy-Law



Abernathy, Roeder, Boyd & Hullett, P.C. 1700 Redbud Blvd. / Suite 300 / McKinney, TX. 75069 Main 214.544.4000 / Direct 214.544.4029 / Fax 214.544.4044

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From: Austria, Christopher K <<u>Christopher.Austria@fortworthtexas.gov</u>>
Sent: Friday, January 17, 2025 11:32 AM
To: Jared Pace <<u>jpace@abernathy-law.com</u>>
Subject: Northwest ISD Issue

#### \*\*\*EXTERNAL email. Use caution when opening attachments or links from unknown senders.\*\*\*

Good morning Mr. Pace,

Melinda just wanted me to reach out to you to let you know that we are reviewing what you submitted and will respond ASAP.

Please let me know if you have any questions.

Sincerely,

### **Christopher Austria**

Senior Assistant City Attorney City Attorney's Office 100 Fort Worth Trail Fort Worth, TX 76102 817.392.7619 817.392.8359 fax Christopher.austria@fortworthtexas.gov



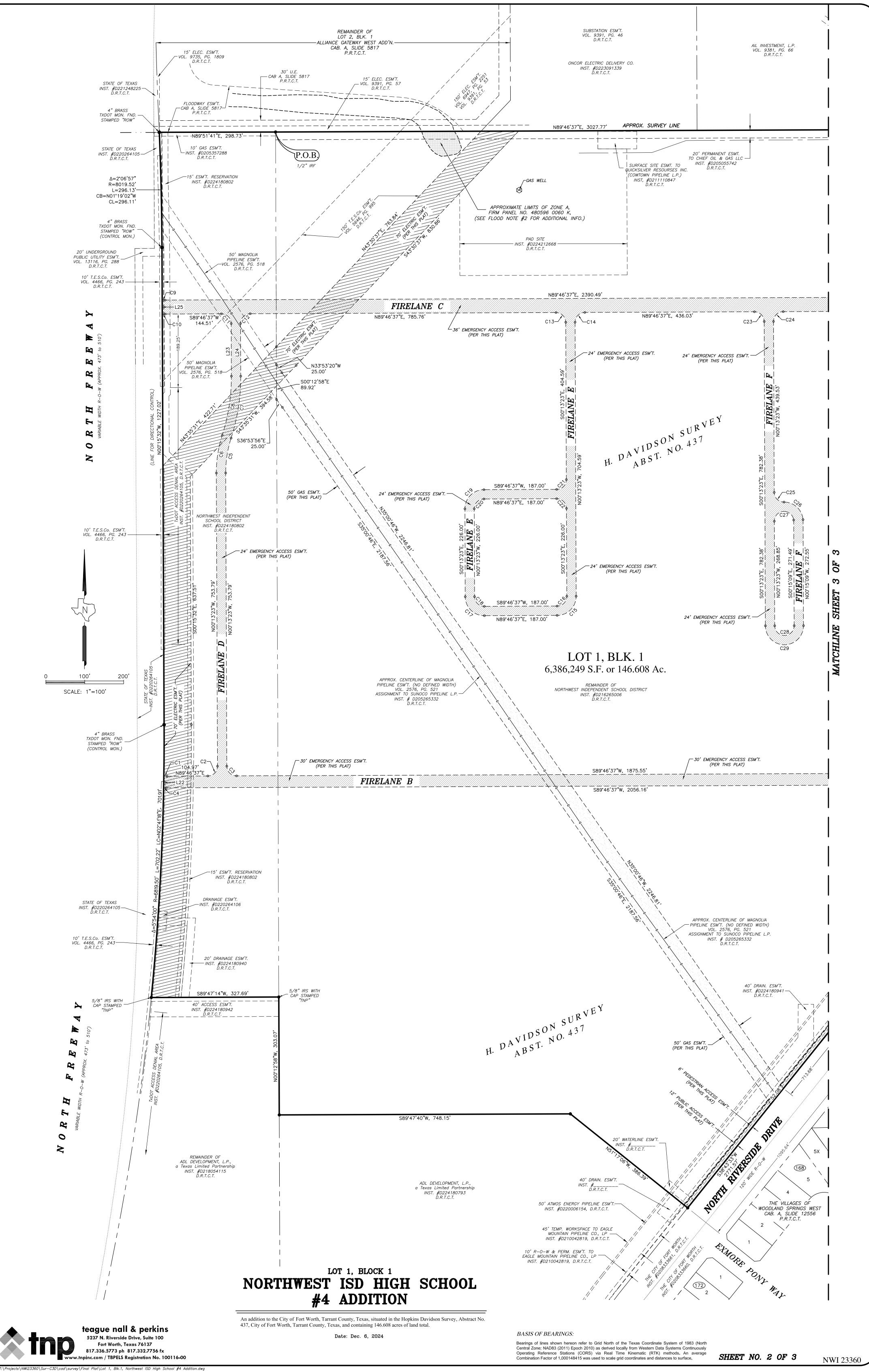
Working together to build a strong community

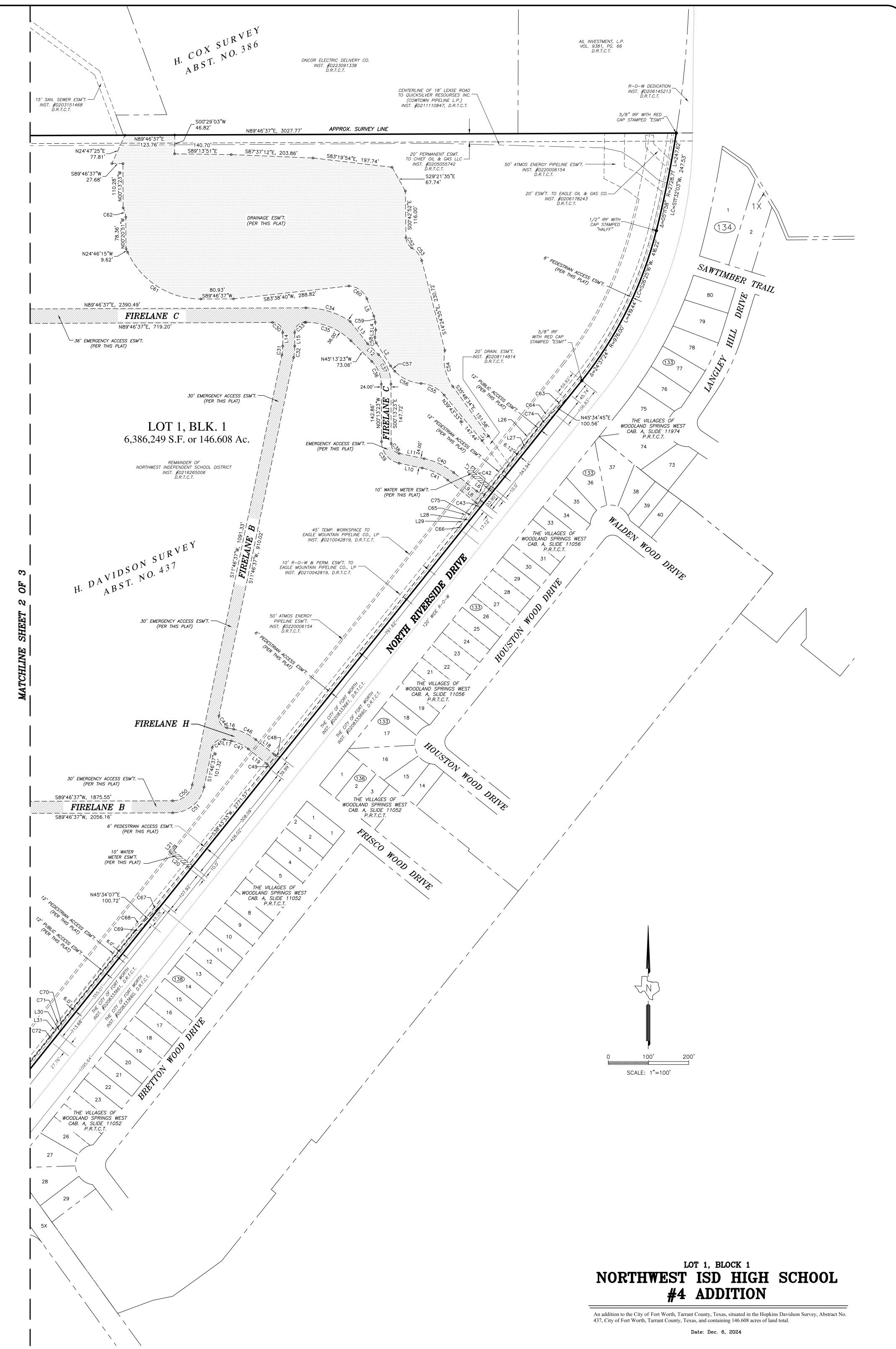
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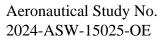
#### BASIS OF BEARINGS:

Bearings of lines shown hereon refer to Grid North of the Texas Coordinate System of 1983 (North Central Zone; NAD83 (2011) Epoch 2010) as derived locally from Western Data Systems Continuously Operating Reference Stations (CORS) via Real Time Kinematic (RTK) methods. An average Combination Factor of 1.000148415 was used to scale grid coordinates and distances to surface.

SHEET NO. 3 OF 3

NWI 23360

:\Projects\NWI23360\Sur-C3D\cad\survey\Final Plat\Lot 1, Blk.1, Northwest ISD High School #4 Addition.dwg





Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/16/2025

Sarah Stewart Northwest ISD 1800 Highway 114 Justin, TX 76247

#### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Multi-purpose Building Arena
Location:	Fort Worth, TX
Latitude:	32-57-06.82N NAD 83
Longitude:	97-18-20.66W
Heights:	753 feet site elevation (SE)
	61 feet above ground level (AGL)
	814 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

#### See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 07/16/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-15025-OE.

# Signature Control No: 636886948-644385688

( DNE )

Andrew Hollie Specialist

Attachment(s) Additional Information Case Description Map(s)

#### Additional information for ASN 2024-ASW-15025-OE

Abbreviations AGL = Above Ground Level RWY = Runway MSL =Mean Sea Level NEH = No Effect Height Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that the proposed high school project that consist of 11 studies representing the school and locations around the school, located approximately 2.14 nm southeast of the airport reference point and moving further southeast, is within the protected surfaces at Perot FLD/Fort Worth Alliance Airport (AFW), Fort Worth, TX.

There are four studies that have an impact, and they are:

Aeronautical Study AGL / MSL Direct distance from runway end 34R 2024-ASW-15017-OE 70 / 819 7941 feet / 1.30 nm Light Pole Tennis Court 2024-ASW-15018-OE 80 / 836 8241 feet / 1.35 nm Light Pole Softball Field 2024-ASW-15022-OE 80 / 843 8627 feet / 1.41 nm Light Pole Baseball Field 2024-ASW-15024-OE 90 / 855 8622 feet / 1.41 nm Stadium

Aeronautical study number 2024-ASW-15024-OE is being circulated for public comment. The three light pole studies will be shielded by an existing transmission line and the highway interchange.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

2024-ASW-15018-OE exceeds RWY 34R by 11 feet. 2024-ASW-15022-OE exceeds RWY 34R by 10 feet. 2024-ASW-15024-OE exceeds RWY 34R by 25 feet.

77.19 (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

2024-ASW-15017-OE exceeds RWY 16L/34R by 2 feet.

\*\*Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

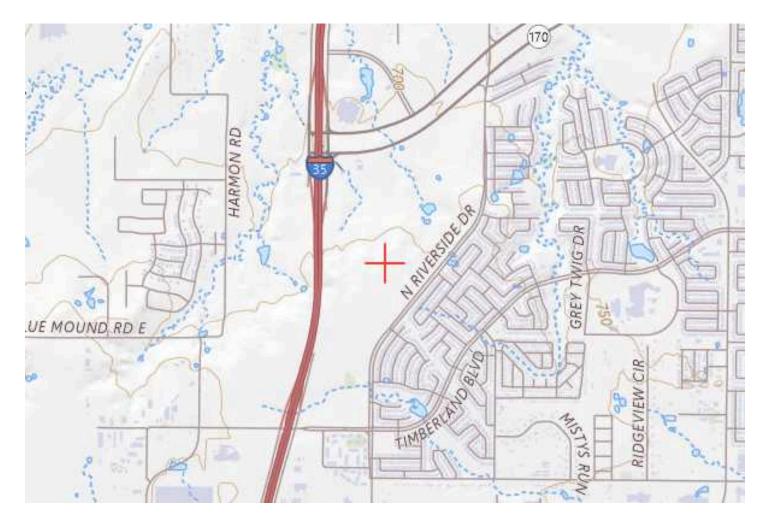
> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

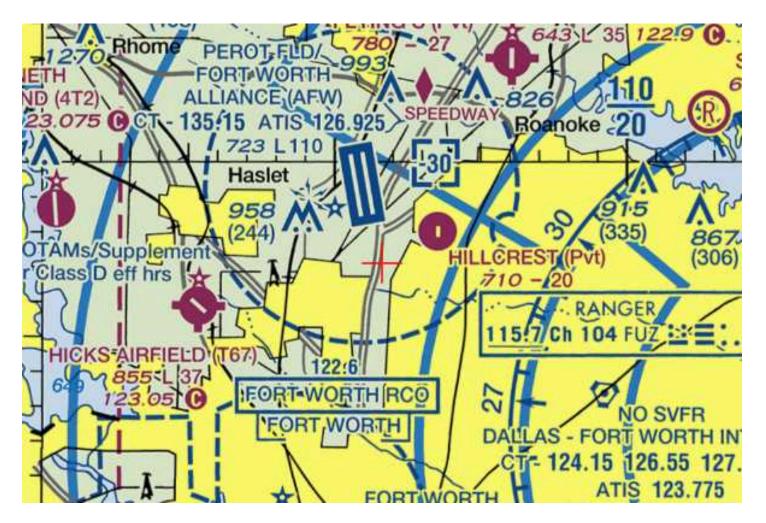
The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

NISD Highschool #4 - Arena

### TOPO Map for ASN 2024-ASW-15025-OE





Aeronautical Study No. 2024-ASW-15022-OE



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/16/2025

Sarah Stewart Northwest ISD 1800 Highway 114 Justin, TX 76247

#### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Light Pole Baseball Field
Location:	Fort Worth, TX
Latitude:	32-57-08.54N NAD 83
Longitude:	97-18-32.22W
Heights:	763 feet site elevation (SE)
	80 feet above ground level (AGL)
	843 feet above mean sea level (AMSL)
U	<ul><li>763 feet site elevation (SE)</li><li>80 feet above ground level (AGL)</li></ul>

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M Change 1, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 07/16/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before February 15, 2025. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, 5th floor, 600 Independence Ave, SW., Washington, DC 20597. FAA encourages the use of email to ensure timely processing.

This determination becomes final on February 25, 2025 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact

on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-15022-OE.

(DNH)

**Signature Control No: 636886312-644386571** Julie A. Morgan Manager, Obstruction Evaluation Group

Attachment(s) Additional Information Case Description Map(s)

#### Additional information for ASN 2024-ASW-15022-OE

Abbreviations AGL = Above Ground Level RWY = Runway MSL =Mean Sea Level NEH = No Effect Height Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that the proposed high school project that consist of 11 studies representing the school and locations around the school, located approximately 2.14 nm southeast of the airport reference point and moving further southeast, is within the protected surfaces at Perot FLD/Fort Worth Alliance Airport (AFW), Fort Worth, TX.

There are four studies that have an impact, and they are:

Aeronautical Study AGL / MSL Direct distance from runway end 34R 2024-ASW-15017-OE 70 / 819 7941 feet / 1.30 nm Light Pole Tennis Court 2024-ASW-15018-OE 80 / 836 8241 feet / 1.35 nm Light Pole Softball Field 2024-ASW-15022-OE 80 / 843 8627 feet / 1.41 nm Light Pole Baseball Field 2024-ASW-15024-OE 90 / 855 8622 feet / 1.41 nm Stadium

Aeronautical study number 2024-ASW-15024-OE is being circulated for public comment. The three light pole studies will be shielded by an existing transmission line and the highway interchange.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

2024-ASW-15018-OE exceeds RWY 34R by 11 feet. 2024-ASW-15022-OE exceeds RWY 34R by 10 feet. 2024-ASW-15024-OE exceeds RWY 34R by 25 feet.

77.19 (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

2024-ASW-15017-OE exceeds RWY 16L/34R by 2 feet.

\*\*Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

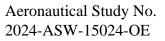
Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

NISD Highschool #4 - Baseball Field Lighting

### TOPO Map for ASN 2024-ASW-15022-OE









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#### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Stadium Football Stadium
Location:	Fort Worth, TX
Latitude:	32-57-11.85N NAD 83
Longitude:	97-18-21.82W
Heights:	765 feet site elevation (SE)
	90 feet above ground level (AGL)
	855 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

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At least 10 days prior to start of construction (7460-2, Part 1)

\_\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact

on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

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(DNH)

**Signature Control No: 636886735-644386570** Julie A. Morgan Manager, Obstruction Evaluation Group

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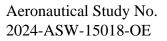
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NISD Highschool #4 - Football Stadium

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Light Pole Softball Field
Fort Worth, TX
32-57-12.72N NAD 83
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This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

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(DNH)

**Signature Control No: 636886142-644386569** Julie A. Morgan Manager, Obstruction Evaluation Group

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The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

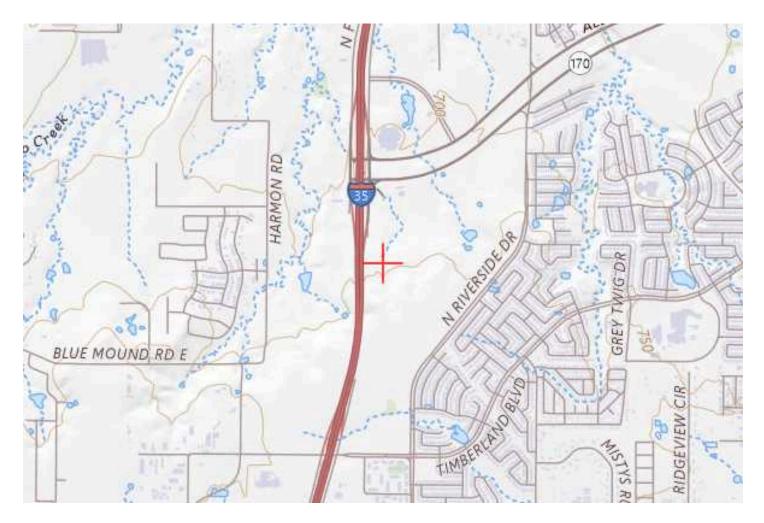
> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

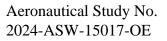
Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

NISD Highschool #4 Softball Field lighting

# TOPO Map for ASN 2024-ASW-15018-OE









Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/16/2025

Sarah Stewart Northwest ISD 1800 Highway 114 Justin, TX 76247

### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Light Pole Tennis Courts
Location:	Fort Worth, TX
Latitude:	32-57-19.33N NAD 83
Longitude:	97-18-20.95W
Heights:	749 feet site elevation (SE)
	70 feet above ground level (AGL)
	819 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is to be marked/lighted in accordance with FAA Advisory circular 70/7460-1 M Change 1, Obstruction Marking and Lighting, red lights-Chapters 4,5(Red),&15.

Any failure or malfunction that lasts more than thirty (30) minutes and affects a top light or flashing obstruction light, regardless of its position, should be reported immediately to (877) 487-6867 so a Notice to Air Missions (NOTAM) can be issued. As soon as the normal operation is restored, notify the same number.

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

At least 10 days prior to start of construction (7460-2, Part 1)

\_\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 07/16/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before February 15, 2025. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, 5th floor, 600 Independence Ave, SW., Washington, DC 20597. FAA encourages the use of email to ensure timely processing.

This determination becomes final on February 25, 2025 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact

on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Andrew Hollie, at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-15017-OE.

(DNH)

**Signature Control No: 636885111-644386568** Julie A. Morgan Manager, Obstruction Evaluation Group

Attachment(s) Additional Information Case Description Map(s)

## Additional information for ASN 2024-ASW-15017-OE

Abbreviations AGL = Above Ground Level RWY = Runway MSL =Mean Sea Level NEH = No Effect Height Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that the proposed high school project that consist of 11 studies representing the school and locations around the school, located approximately 2.14 nm southeast of the airport reference point and moving further southeast, is within the protected surfaces at Perot FLD/Fort Worth Alliance Airport (AFW), Fort Worth, TX.

There are four studies that have an impact, and they are:

Aeronautical Study AGL / MSL Direct distance from runway end 34R 2024-ASW-15017-OE 70 / 819 7941 feet / 1.30 nm Light Pole Tennis Court 2024-ASW-15018-OE 80 / 836 8241 feet / 1.35 nm Light Pole Softball Field 2024-ASW-15022-OE 80 / 843 8627 feet / 1.41 nm Light Pole Baseball Field 2024-ASW-15024-OE 90 / 855 8622 feet / 1.41 nm Stadium

Aeronautical study number 2024-ASW-15024-OE is being circulated for public comment. The three light pole studies will be shielded by an existing transmission line and the highway interchange.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

2024-ASW-15018-OE exceeds RWY 34R by 11 feet. 2024-ASW-15022-OE exceeds RWY 34R by 10 feet. 2024-ASW-15024-OE exceeds RWY 34R by 25 feet.

77.19 (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

2024-ASW-15017-OE exceeds RWY 16L/34R by 2 feet.

\*\*Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

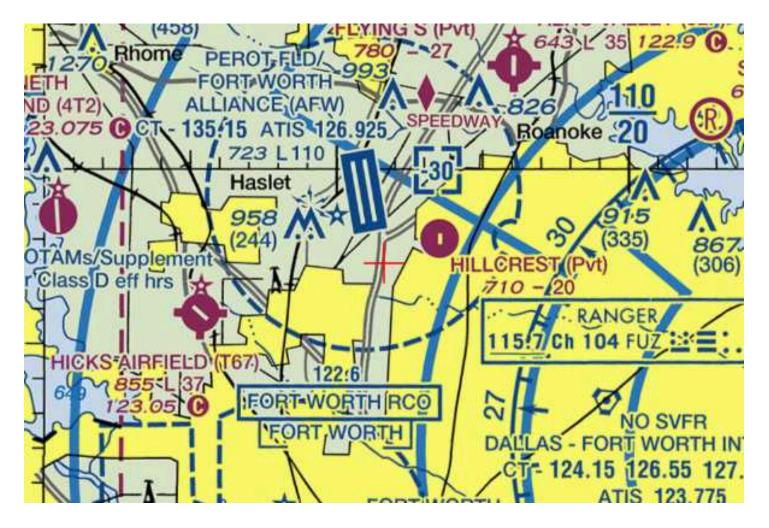
The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

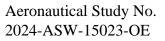
Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

NISD #4 Highschool Tennis Court Lighting

# TOPO Map for ASN 2024-ASW-15017-OE









Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/16/2025

Sarah Stewart Northwest ISD 1800 Highway 114 Justin, TX 76247

### **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Multi-purpose Building Indoor Practice Facility
Fort Worth, TX
32-57-15.79N NAD 83
97-18-21.20W
753 feet site elevation (SE)
42 feet above ground level (AGL)
795 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

#### See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 07/16/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-15023-OE.

#### Signature Control No: 636886428-644385687 Andrew Hollie

(DNE)

Specialist

Attachment(s) Additional Information Case Description Map(s)

## Additional information for ASN 2024-ASW-15023-OE

Abbreviations AGL = Above Ground Level RWY = Runway MSL =Mean Sea Level NEH = No Effect Height Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that the proposed high school project that consist of 11 studies representing the school and locations around the school, located approximately 2.14 nm southeast of the airport reference point and moving further southeast, is within the protected surfaces at Perot FLD/Fort Worth Alliance Airport (AFW), Fort Worth, TX.

There are four studies that have an impact, and they are:

Aeronautical Study AGL / MSL Direct distance from runway end 34R 2024-ASW-15017-OE 70 / 819 7941 feet / 1.30 nm Light Pole Tennis Court 2024-ASW-15018-OE 80 / 836 8241 feet / 1.35 nm Light Pole Softball Field 2024-ASW-15022-OE 80 / 843 8627 feet / 1.41 nm Light Pole Baseball Field 2024-ASW-15024-OE 90 / 855 8622 feet / 1.41 nm Stadium

Aeronautical study number 2024-ASW-15024-OE is being circulated for public comment. The three light pole studies will be shielded by an existing transmission line and the highway interchange.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

2024-ASW-15018-OE exceeds RWY 34R by 11 feet. 2024-ASW-15022-OE exceeds RWY 34R by 10 feet. 2024-ASW-15024-OE exceeds RWY 34R by 25 feet.

77.19 (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

2024-ASW-15017-OE exceeds RWY 16L/34R by 2 feet.

\*\*Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

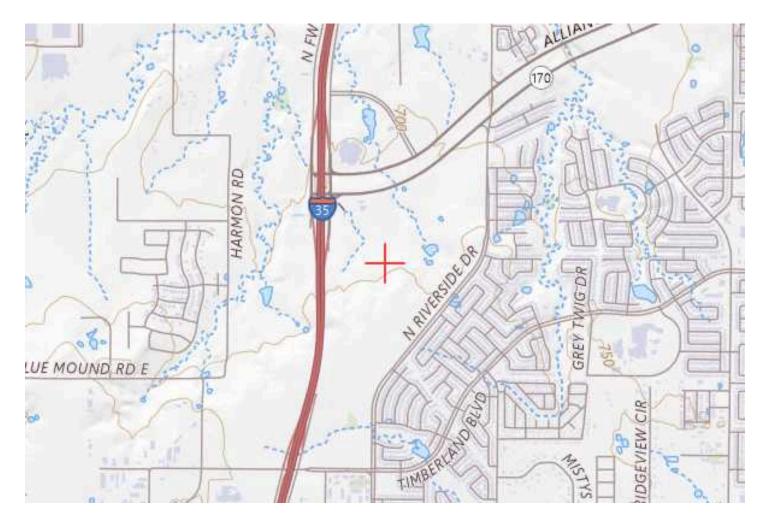
> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

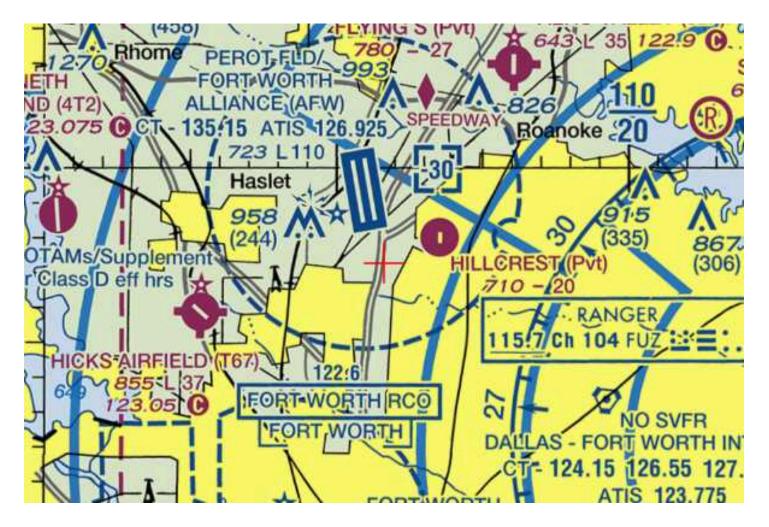
The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

NISD Highschool #4 - Indoor Practice Facility

# TOPO Map for ASN 2024-ASW-15023-OE





Aeronautical Study No. 2024-ASW-14678-OE



Mail Processing Center Federal Aviation Administration Southwest Regional Office Obstruction Evaluation Group 10101 Hillwood Parkway Fort Worth, TX 76177

Issued Date: 01/16/2025

Sarah Stewart Northwest ISD 1800 Highway 114 Justin, TX 76247

# **\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	School Northwest ISD High School #4
Location:	Fort Worth, TX
Latitude:	32-57-15.78N NAD 83
Longitude:	97-18-15.59W
Heights:	758 feet site elevation (SE)
	84 feet above ground level (AGL)
	842 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

\_\_\_\_\_ At least 10 days prior to start of construction (7460-2, Part 1) \_\_\_X\_\_ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

## See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 07/16/2026 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (817) 222-5933, or andrew.hollie@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2024-ASW-14678-OE.

# Signature Control No: 636270199-644385689

(DNE)

Andrew Hollie Specialist Attachment(s)

Attachment(s) Additional Information Case Description Map(s)

## Additional information for ASN 2024-ASW-14678-OE

Abbreviations AGL = Above Ground Level RWY = Runway MSL =Mean Sea Level NEH = No Effect Height Part 77 = Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

Our study has disclosed that the proposed high school project that consist of 11 studies representing the school and locations around the school, located approximately 2.14 nm southeast of the airport reference point and moving further southeast, is within the protected surfaces at Perot FLD/Fort Worth Alliance Airport (AFW), Fort Worth, TX.

There are four studies that have an impact, and they are:

Aeronautical Study AGL / MSL Direct distance from runway end 34R 2024-ASW-15017-OE 70 / 819 7941 feet / 1.30 nm Light Pole Tennis Court 2024-ASW-15018-OE 80 / 836 8241 feet / 1.35 nm Light Pole Softball Field 2024-ASW-15022-OE 80 / 843 8627 feet / 1.41 nm Light Pole Baseball Field 2024-ASW-15024-OE 90 / 855 8622 feet / 1.41 nm Stadium

Aeronautical study number 2024-ASW-15024-OE is being circulated for public comment. The three light pole studies will be shielded by an existing transmission line and the highway interchange.

At the proposed height, this structure will penetrate these protected airport surfaces:

> 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (d) Approach surface. A surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

2024-ASW-15018-OE exceeds RWY 34R by 11 feet. 2024-ASW-15022-OE exceeds RWY 34R by 10 feet. 2024-ASW-15024-OE exceeds RWY 34R by 25 feet.

77.19 (e) Transitional surface. These surfaces extend outward and upward at right angles to the runway centerline and the runway centerline extended at a slope of 7 to 1 from the sides of the primary surface and from the sides of the approach surfaces.

2024-ASW-15017-OE exceeds RWY 16L/34R by 2 feet.

\*\*Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on protected aeronautical operations and airspace. While part 77 obstruction standards trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is not sufficient grounds for issuance of a determination of hazard to air navigation.

The proposal was circularized for public comment to 6374 email responders on 11/08/2024, with one comment returned. This came from AFW airport authority on the behalf of the City of Fort Worth that this project would raise the minimums for the various instrument approaches into the airport and for the potential noise issue from jets departing and arriving from the airport. AFW did 64,326 flight operations for the year that ended 10/31/2024.

After conferring with the airport authority that this project will not impact the approaches and that I could not write a hazard determination on noise, but to make an advisory statement, they had no further issues.

It is also noted there is an existing powerline and a roadway overpass that is located between the project and the airport that is just shorter than the project heights.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

# AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

> While the structure would be located within the airport traffic pattern area lateral boundaries, it would be located well below the traffic pattern altitude at a point in the pattern where arriving aircraft would be required to maintain traffic pattern altitude. Therefore, it would not conflict with airspace required to conduct normal VFR traffic pattern operations at any other known public use or military airports.

The cumulative impact of the proposed structure is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.

Construction of new High School

# TOPO Map for ASN 2024-ASW-14678-OE

